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PROCEEDINGS AND DEBATES OF THE 93^{d} CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES—*Thursday, April 19, 1973*

The House met at 10 o'clock a.m.

Father Joseph F. Thorning, pastor emeritus, St. Josephs-on-Carrollton Manor, Frederick, Md., offered the following prayer:

Heavenly Father, Author of life and of love, let the light of Thy countenance shine brightly upon the Speaker of this House and upon all the Members of the U.S. Congress.

Grant a special blessing, we beseech Thee, upon the President of the United States of America and upon those who counsel him.

Vouchsafe, dear Saviour, that the noble cause of inter-American understanding and amity be renewed and revitalized, producing better cooperation for peoples whose ideals include religious faith, personal freedoms, and a determination to improve homes, schools, and conditions of work conducive to happiness in families, communities, and nations.

Grant us the divine graces essential to realize that responsibilities flow from the enjoyment of rights and that prayer is the handmaiden of progress.

Humbly and fervently we implore these favors, spiritual and material, on this 29th congressional celebration of Pan American Day, once more seeking the help of the Christ of the Andes. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

FATHER JOSEPH F. THORNING

(Mr. BYRON asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BYRON. Mr. Speaker, I am pleased that El Padre, Father Joseph F. Thorning, has joined us once more this year on Pan American Day. Last month Father Thorning, in an effort to keep abreast of developments throughout the Western Hemisphere, gave lectures in several of the leading universities of South America. In March his educational work took Father Thorning to Panama, Ecuador, Peru, Chile, Argentina, Paraguay, and Bolivia. His efforts to foster understanding and brotherhood in the Western Hemisphere have been noted before in this Chamber; however, it is clear that his energy and the dedication to his chosen task have not paled. I commend Father Thorning for these efforts, and I am proud that he is a permanent resident of the Sixth District of Maryland. I look forward to Father Thorning's annual visit with us here in the House of Representatives, and I join you, Mr. Speaker, and my colleagues in welcoming this distinguished pastor of peace to this Chamber.

RESOLUTION TO REQUIRE HOLDING OF 1974 CENSUS OF AGRICULTURE

(Mr. EVANS of Colorado asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. EVANS of Colorado. Mr. Speaker, yesterday I introduced a joint resolution to require the Bureau of the Census to conduct a 1974 Census of Agriculture, as required by law. An identical resolution has been introduced into the Senate by Senator HUBERT HUMPHREY.

The holding of such a census every 5 years is required by section 142 of title 13 of the United States Code. The next scheduled census is to be held in 1974. However, the Nixon administration is attempting to have the census postponed until 1977. No funds for the 1974 Agricultural Census appear in the Budget of the United States.

The census of agriculture provides the only complete agricultural data available at the county level for rural America. The census provides information which is invaluable not only for farmers but also for Government decisionmakers, businesses serving agriculture, and ultimately, the average citizen intimately affected by decisions relating to the agricultural sector.

Both the Congress and the Executive need the data collected by the census in acting on future agriculture policy. But reliance on 1969 data through 1977 or 1978 is to rely on old data not fully related to the current situation. There is a great need for up-to-date data so that policymakers can be fully aware of both the economic and social conditions in America's farmland.

The estimated fiscal impact for this census is not great. The total budget for the 1974 census would be $28 million, according to the Census Bureau; $1.3 million has already been appropriated, but has been impounded by the Office of Management and Budget.

AUTHORIZING CLERK TO RECEIVE MESSAGES FROM THE SENATE AND THE SPEAKER TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS NOTWITHSTANDING ADJOURNMENT

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that notwithstanding any adjournment of the House from April 19 to April 30, 1973, the clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AUTHORIZING SPEAKER TO ACCEPT RESIGNATIONS, APPOINT COMMISSIONS, BOARDS, AND COMMITTEES AUTHORIZED BY LAW OR BY HOUSE NOTWITHSTANDING ADJOURNMENT

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that notwithstanding any adjournment of the House until April 30, 1973, the Speaker be authorized to accept resignations and to appoint commissions, boards, and committees authorized by law or by the House.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DISPENSING WITH THE CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, MAY 2, 1973

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, May 2, 1973.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 109]

Adams
Anderson, Calif.
Badillo
Biaggi
Burke, Calif.
Carney, Ohio
Casey
Clark
Cronin
Davis, Ga.
Diggs
Dulski
Eckhardt
Evins, Tenn.
Fountain
Fraser
Gibbons
Gray
Green, Pa.
Griffiths
Grover
Gunter
Hanna
Hansen, Wash.
Harvey
Hays
Hébert
Johnson, Colo.
Jones, Ala.
King
Maraziti
Mathias, Calif.
McCormack
Morgan
Passman
Pepper
Pike
Podell
Powell, Ohio
Rogers
Rooney, N.Y.
Ryan
Smith, N.Y.
Steele
Steiger, Wis.
Stuckey
Symington
Talcott
Teague, Tex.
Tiernan
Udall
Wilson, Bob
Young, Ill.

The SPEAKER. On this rollcall 380 Members have recorded their presence by electronic device, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

GENERAL LEAVE

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the debate on S. 502, the Federal-Aid Highway Act of 1973.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

FEDERAL-AID HIGHWAY ACT OF 1973

Mr. WRIGHT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (S. 502) to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Texas (Mr. Wright).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill S. 502, with Mr. Udall in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Before the committee rose on yesterday, it had agreed that title I, ending on page 133, line 18, of the committee amendment in the nature of a substitute would be considered as read and open to amendment at any point, and there was pending the amendments offered by the gentleman from California (Mr. Anderson).

The committee had further agreed that further debate on the amendments offered by the gentleman from California (Mr. Anderson) and all amendments thereto would be limited to 30 minutes, with the gentleman from California (Mr. Anderson); the gentleman from Illinois (Mr. Anderson); the gentleman from Massachusetts (Mr. Boland); the gentleman from Ohio (Mr. Harsha); the gentleman from Michigan (Mr. Gerald R. Ford); and the gentleman from Texas (Mr. Wright), each to be recognized for 5 minutes on the amendments.

The Chair now recognizes the author of the amendments, the gentleman from California (Mr. Anderson) for 5 minutes.

Mr. ANDERSON of California. Mr. Chairman, three points have been made in opposition to my amendment:

First, opponents contend that it would result in a bankrupt trust fund.

Nothing could be farther from the truth—the committee bill allocates $700 million of trust fund money to urban areas.

My amendment does not change that. My amendment merely permits the urban areas—50,000 or more people—to use those funds for bus or rail transit, as well as highway construction.

If $700 million would bankrupt the trust, then your arguments should be directed against the committee-approved bill—not my amendment.

RURAL NOT AFFECTED

Second, opponents contend that rural areas will suffer as a result of my amendment.

The fact is—this amendment affects only urban money—not rural funds—so what happens in the rural areas is not determined by your vote on my amendment. Vote "aye" and your rural-primary and secondary highways will continue to be funded with $1.1 billion trust fund money per year. Vote "nay" and they will be continued also—it makes no difference to your area—it only affects the cities of 50,000 or more.

MY AMENDMENT DOES NOT BREAK FAITH WITH THE USER

Third, opponents contend that this amendment breaks faith with the highway user.

If building police barracks, paying salaries of traffic court officials, building businesses and homes of those displaced by highway construction and purchasing ferryboats does not break the faith—then, certainly, taking steps to alleviate highway congestion, to benefit those who truly need the highway, is not breaking the faith.

CONFIDENCE IN STATE AND LOCAL OFFICIALS

Ladies and gentlemen—vote "yes" and permit the State and local officials to make the decision.

Vote "yes" and allow the State and local urban officials to meet their local urban transportation needs by building highways—if that is what they want—by buying a bus—if that is what they want—by construction of a rail system—if that is what they want—or a combination of the three.

I have confidence in the people in our State and local government—and I want to give them the opportunity to decide. I urge you to join with me and vote aye—in support of this amendment.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of California. I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Chairman, as the ranking minority member of the Transportation Appropriations Subcommittee, I have become convinced that our urban transportation crisis cannot be solved just by building more roads. These complex and severe problems can be solved only through the proper combination of highway and mass transit capital investment. To do this, Federal assistance must be made available to help the State and local governments achieve this end.

I believe that the best way to do this is to utilize the highway trust fund. We are proposing that up to $700 million from the trust fund be made available to our major cities to use either for public mass transportation facilities or for highway construction. This would give these urban areas the opportunity to solve their urban transportation problems according to local needs.

Our cities are choked with traffic and polluted air. They are struggling to remain vibrant centers of commerce and residence. But a key element in their lifeline is breaking down.

The transportation systems of many urban areas are on the verge of collapse. Urban roadways are overburdened during peak travel periods, and most cities do not have the room or tolerance for more highways. Public roads cover as much as 50 percent of the total land area in some cities.

Meanwhile, urban mass transportation systems are deteriorating. Last year, mass transit systems in the United States lost $400 million. In the past two decades, 230 systems have collapsed and the number of riders has dropped 60 percent.

Half the vehicles in mass transit systems are over 10 years old. Equipment and service are deteriorating.

The answer to the urban transportation mess is not more highways. The answer is a program that caters to local needs and that allows flexibility in achieving a balance between urban highways and mass transit facilities.

A large segment of our urban population—the old, the handicapped, the young and the poor—are dependent upon mass transit systems for most of their movement. Our mass transit systems must be preserved, and renovated. and improved.

But this will take a large investment of money. More than $1 billion per year is now being provided for urban transportation projects. But the amounts are nowhere near adequate.

This is not to say that all cities will use any Federal funds they receive for mass transit projects. Many of them need particular highway projects before mass transit. But all of them need coordinated and balanced development of their overall transportation system.

Highways should be built where they are justified, but cities should have the option to use Federal funds that are legitimately theirs for alternate transportation systems.

Every year, there is a net increase of 5 million cars on our highways. As the auto population increases, urban traffic congestion, and air pollution, and the Nation's gasoline shortage grow worse. For our urban areas, the more effort that is expended on building new highways, the greater the problems of congestion, pollution and supply become.

It is time to adopt the Anderson-Grover amendment and open the highway trust fund.

This amendment provides a realistic, coordinated, and flexible program for the expenditure of highway trust fund moneys allocated by the committee bill for urban transportation programs.

The Anderson-Grover amendment provides that each urban area that does not want, or cannot tolerate, further highway construction could, instead, use its existing share of highway trust fund dollars on alternative modes of transportation. Thus it could coordinate and balance its various transportation needs.

The Anderson-Grover amendment is not an attempt to divert needed road funds, but it is an attempt to solve the overall transportation problems of urban areas.

We are supporting the Anderson amendment as an alternative to the so-called "Wright compromise." That proposal is not a compromise; it is a travesty. That "compromise" provides that, if an urban area wants to acquire mass transportation facilities rather than build a highway, it can refuse the trust funds and go to the General Treasury to get the money for the mass transit facilities. The highway trust funds that are refused then go back to the trust fund to build another road, heaven knows where.

This is yet one more example of "backdoor spending." This would take some $1 billion each year out of the Treasury in a manner which the Congress would not be able to control. Approximately two-thirds of the Federal budget is now uncontrollable. The Congress and the President are trying valiantly to control the size of the Federal budget, and the so-called Wright compromise would only increase this problem.

Where will all the money to support this compromise come from? What programs will we have to cut?

The highway trust fund is not sacrosanct. The trust fund was established to meet the transportation needs of the 1950's. However, it has become abundantly clear that the trust fund cannot meet the needs of the 1970's and 1980's.

The time has come for a change. The trust fund must be given the flexibility to deal with the transportation needs of today and tomorrow. The "backdoor spending" of billions of dollars to save the sacred cow status of the highway trust fund is not the way to do it. The House of Representatives must face up to its responsibilities and allow the trust fund to be used to meet today's transportation needs. We must open up the highway trust fund for urban mass transportation facilities.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Mr. Chairman, in 1956 the Congress took a very important step. It said, "We are going to build a national highway system; we are going to charge the people who use the highways for the cost of building those highways." The Congress said that we will impose special user taxes for the cost of those highways. We said that there will be a trust fund established so that the money will be there for the construction of highways.

Let me say parenthetically that we have not completed the highway program and there is no real surplus in the highway trust fund.

In 1969 the Secretary of Transportation, the Honorable John Volpe, had this to say, and let me quote from his comments.

Secretary Volpe said in 1969:

> I believe that the integrity of the Highway Trust Fund must be preserved without question. This was the intent of Congress and the Chief Executive in framing the Federal Aid Highway Legislation of 1956 and subsequent acts. In my opinion, to divert highway use tax revenues to purposes other than the provisions of highways would abrogate a long-standing moral commitment as well as a statutory provision.

President Eisenhower in 1956 at the time the highway trust fund was established, said the following:

> A sound Federal highway program I believe can and should stand on its own feet with highway users providing the total dollars necessary for improvement and new construction.

This amendment sponsored by the gentleman from California reads in part as follows:

> The construction of fixed rail facilities or the purchase of passenger equipment, including rolling stock for any mode of public mass transportation.

The proponents of this amendment seek to violate a commitment. They seek to violate the trust fund concept because rolling stock and operating equipment under no stretch of the imagination can be construed to be highways.

Let me make this observation: I challenge any one of the Members to go down to a gasoline station and stand there and ask the people who buy the gas and pay the tax as to whether they think they are going to pay that tax for rolling stock and operating equipment. They believe they are paying that tax for the construction of highways.

We will be violating the trust with these taxpayers if we now divert that tax money away from highways and into railroad operating equipment.

I said last year, and I repeat now, once the mass transit people get their nose under the tent with operating equipment, the next step is operating subsidies. Operating subsidies, we know from experience in our major metropolitan areas, are a bottomless pit. And in proof that this is the first step of that operating subsidy let me just quote from a letter I received today from the city officials of my hometown of Grand Rapids, Mich. Inadvertently, they let the cat out of the bag. Here is what they say, after pleading with me to break the trust fund and divert funds for operating equipment—and as I say, this lets the cat out of the bag:

> There would also be available to the metropolitan area about $125,000 yearly that would help take some of the burden off the local areas to provide sufficient funds to operate the transit system.

Ms. ABZUG. Mr. Chairman, will the gentleman yield?

Mr. GERALD R. FORD. Not at this point. I do not have sufficient time to yield to the gentlewoman.

Mr. Chairman, again let me say that once we break faith, once we let them get their nose under the tent, the diverters go from operating equipment to operating funds and, believe me, that is a bottomless pit. We ought not break faith with the taxpayers in order to let this kind of diversion from the trust fund take place.

Mr. Chairman, I urge the Members to vote "no" on the Anderson amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. ANDERSON).

Mr. ANDERSON of Illinois. Mr. Chairman, I have before me a letter dated the 17th of April, 1973, signed by the Secretary of Transportation, Mr. Brinegar. I shall not take the time to read the entire letter, but shall answer one point that has just been made by reading from paragraph 3 of that letter:

> Does the Anderson/Grover amendment reduce the Federal commitment to complete the Interstate System?
>
> Answer: The Anderson/Grover amendment in no way reduces the Federal commitment to complete the Interstate System. Funds authorized for the Interstate System cannot be used for any other purpose under the bill reported by the Committee. The Anderson/Grover amendment does nothing to change this.

The words "diversion" from the trust fund have become code words, suggesting that those of us who proposed the Anderson amendment are recommending a breach of trust; that we are breaking faith with the taxpayers of this country. The Anderson amendment mandates no diversion from the trust fund. It merely gives to local officials the flexibility. It extends to them the option to decide if, in their wisdom, it is better to construct those urban highway systems, or to go to mass transit.

I think, Mr. Chairman, it is of enormous significance that we consider this amendment this morning, on the day following the receipt of the President's energy message where he personally, once again, reaffirms the commitment of his administration to the adoption of the Anderson amendment.

I am told that at the joint leadership briefing on that message yesterday morning, in response to a query he said:

> Yes, we must examine the role of the automobile in American society if we are really serious—if we are really serious—about developing a conservation-of-energy policy in this country.

The passage of the Anderson amendment would indicate to the Nation that Congress is aware of the problem and that we are willing to act in a decisive manner.

There are many of us who have suggested over the past few months that Congress cannot decide for the entire Nation; that we represent simply a gaggle of constituencies; that we are literally incapable of speaking with one voice on a critical national issue.

Mr. Chairman, I would say to those who have made the argument to me—and some have—that the Anderson amendment will do nothing for my congressional district. We do not have any rail transit or any mass transit. It is not going to do anything for me. I would appeal to those of that persuasion that the problem of maintaining adequate mass transit in the cities of our land has a real and a very fundamental meaning for all of us, whether or not we live in an urbanized area.

On the point, finally, that we are somehow violating the sanctity of the trust fund and the use of this code word over and over again of "diversion," let me repeat that the crux of the issue is not diversion; it is whether or not we are going to get a balanced transportation policy in this country. When we stop to consider that, two-thirds of the highway fund is generated from gasoline taxes that were put on the books in 1932, 24 years before the Interstate System was ever started, and literally 95 percent of all of the taxes that go into the so-called trust fund were put on the statute books of this country before the passage of the Interstate Highway Act. As the Secretary has indicated to me in his letter, the adoption of this amendment is not going to take away one dime from those of us representing rural constituencies. It is not going to interfere with any of the plans that are presently laid for the completion of those highways. We are asking for an affirmative vote on this amendment so that we can begin to do now what the President suggested yesterday in the very opening paragraph of that energy message when he said: "Old problems are yielding to new initiatives." The time has come now to seek a new initiative to solve the transportation problems of this country.

I would urge the Members to vote "yes" on the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. HARSHA).

Mr. HARSHA. Mr. Chairman, it strikes me as being very peculiar, if rail transit is going to solve all of the problems of congestion on the highways that proponents claim and mass transit is going to be the panacea for all of these ills—that the cities that already have rail transit systems are the very ones which have all of the traffic ills we hear about.

The city of Boston, the city of Philadelphia, the city of Chicago, and the city of New York all have rapid rail transit systems, and they have the highest congestion and traffic tieups in the country. Rail mass transit has not solved their problems. It is not the solution, and neither is the Abzug-Anderson amendment the solution to the problem.

Secretary Brinegar said the other day in a letter that there was only $100 billion in highway construction that could be economically justified, and 85 percent of that $100 billion would be in urban areas. He is trying to assert economic justification contrary to law. He is prohibited by the very act that created the Department of Transportation from using economic justification.

Furthermore, if he applies the same tests of economic justification for mass transit, he could not spend even $1. By no method that I know of can we economically justify the construction of mass transit systems.

We are not talking about the construction of new highways, Mr. Chairman. We are talking about the $300 billion that is for essential highway improvements. The figure that appears in the Department of Transportation report is the same figure that the Secretary admitted when he testified before the committee, and of that $300 billion, 93 percent is represented in improvements to the present system, not the construction of new highways. We are talking about upgrading our presently deteriorated highway system outside of the interstate. Seventy percent of the rural highway system of America and 50 percent of the urban highways of America were deficient as of 1970.

Now, in order to further inform the Members as to what we are talking about, most of these highways were built as long as 40 years ago. Eighty percent of them were constructed in 1930 and before, so we are not talking about building new highways but we are talking about trying to make those we have safer and improve and resurface them.

So do not be deluded by the Anderson-Abzug amendment into thinking that we are going to start constructing new highways. We are, by this amendment, jeopardizing the preservation of the present system.

I ask my Member friends to remember the fact that Amtrak is going to abandon some of its present service, the Penn-Central is going to abandon some of its present freight lines and other Northeast railroads are going to consolidate and abandon rail lines. All of that traffic will have to be diverted to the highways, onto an already deficient highway system which will further compound the problem.

Coupled with this is the fact that safety on the highways is related to improvements of the highway system and implementation of the safety program. These programs are designed to save the lives of schoolchildren of the Members and their constituents around America.

Do Members know that in over 200 years in all the wars this Nation has fought we have killed 668,000 American soldiers and wounded another 1,680,000 American soldiers, and yet, in the short span of 10 years, from 1970 to 1980, it is estimated we will kill a number in excess of that, and we will injure more than 20 million users of the highways, 12 times the number we injured in all the years of war in which this country has been involved.

We have to stop this slaughter. It seems to me it is of a much higher priority to save lives than it is to alleviate highway congestion. Any available funds should be used first to save lives and second, for the convenience of travelers. That is what we will be jeopardizing by diverting trust fund moneys away from highway safety and away from the road program.

Do not be deluded by the statement that we will not be taking anything away from the highway trust fund for rural highways. The fund has limited revenues. If we take anything away from that fund for any purpose other than highways, that reduces the availability of funds for highways. Mr. Chairman, we will be jeopardizing the lives of every American who uses the highways if we divert such moneys. We cannot get 2 quarts of milk out of a 1-quart milk bottle. We cannot use the highway trust fund to cover both programs.

One final observation: The Department of Transportation's needs report states that major shifts in funds from highways to mass transit would improve transit but would result in increased highway fatalities. Furthermore, such shifts would result in very little improvement in pollution levels. In fact, that report estimates that for the period 1968 to 1990, the diversion of large sums to rapid transit would result in higher carbon monoxide and hydrocarbon levels.

Obviously, if there is little or no change in air pollution, there will be little or no saving of fuel or energy because it is the consumption of fuel that causes air pollution.

I certainly do not want the responsibility on my head of increasing highway fatalities by diverting highway funds from safety related programs.

Do you?

I urge the defeat of the Anderson-Abzug amendment.

Mr. BOLAND. Mr. Chairman, I want to first commend the leadership, the Committee on Rules, and particularly the Public Works Committee for all joining in bringing the 1973 Federal-Aid Highway Act to the floor, with a rule that permits, an up or down vote, on the amendment offered by the gentleman from California (Mr. ANDERSON).

Mr. Chairman, let me applaud this distinguished and great Committee on Public Works for shepherding, monitoring and bringing to near completion, at this date, the Federal Interstate Highway System. I suported this program when it was recommended by President Eisenhower back in 1956. I support it today. It is the biggest public works project in the history of the world—when finished, 42,500 miles of the Federal Interstate System will lace this Nation—the most remarkable network of highways anywhere in the world.

We are coming to the end of that system, Mr. Chairman, it will be finished in a few years.

And it is time—it is past time—that this Nation turn its attention, to a balanced transportation system.

I have listened to the eloquence and the persuasiveness of the gentleman from Texas (Mr. WRIGHT)—the floor manager of this bill. I have heard him talk of the billions that are needed for additional highways—for improvement of the primary system.

I am impressed by the incredible statistics—110 million automobiles, 55,000 killed on our highways.

But, Mr. Chairman, automobiles are choking and strangling our cities—giving rise to problems of pollution, energy, mobility of people—18,000 to 19,000 of those killed by automobiles struck down on our city and town streets.

Mr. Chairman, back in 1970 the Committee on Public Works recognized these problems. In a dramatic shift of emphasis, this committee recommended a completely new Federal-aid urban system program. In this bill, it has increased that authorization sevenfold to $700 million.

And that is the nub of the question and the issue that we are talking about.

What is sought to be done by the Anderson amendment?

It would remove the constraints, presently imposed upon funds which have been earmarked under the Federal-aid urban system. It would permit the $700 million in the urban systems fund to be used for either mass transit or highways. And that is all it would do. Adoption of this amendment would not deprive rural areas of a single penny of highway funds.

The Anderson amendment applies only to urban systems funds. This amendment does not alter allocation formulas in even the slightest manner; it merely adds the option of mass transportation to those options which already exist for urban funds, and for urban funds only. Rural trust fund money will remain available for highway use only.

Furthermore, the Anderson amendment would not prevent the completion of urban highways where they are needed. This proposal is permissive, it does not compel any State to use highway funds for mass transit. It would allow a State to spend urban money apportioned to them for transit if they decide that such spending would be in the greatest interest of the urban area.

Yesterday, I listened with interest and admiration to the gentleman from Illinois (Mr. Kluczynski), the chairman of the Roads Subcommittee of this committee. I am sure that it was not an easy address to make, for in past years he has opposed the Anderson amendment. But, I am sure, Mr. Chairman, that it was an act of leadership and statesmanship.

Others have also demonstrated these characteristics, like the distinguished gentleman from Ohio (Mr. Wylie) who opposed this amendment last year.

Mr. Chairman, the Anderson amendment is an appeal—a simple appeal to permit urban areas to use the urban systems fund for specific transit purposes or for highway purposes. Surely, nothing could be more reasonable.

And beyond that, Mr. Chairman, it is an appeal—a plea for those who do not have cars—those who are being strangled by cars. It is an appeal, for the poor, the disadvantaged, the elderly, the young—for those who must get to work—for those who seek opportunity—who desire an education.

Mr. Chairman, over half of all households with incomes under $3,000 and about half of all households whose heads are 65 years and older have no cars. It is this group—the poor, the handicapped, the old and the very young—who need mobility the most to gain access to adequate education, health care, job opportunities and other necessities of life.

All we seek to do with this amendment is to permit the urban areas to use their urban systems funds for mass transit or highways. Let us leave it up to the urban areas to make that decision. Surely, they are entitled to this judgment.

Mr. Chairman, I have received considerable mail on both sides of this issue with the weight tilted against my position in support of using a part of the highway trust fund for mass transit purposes. A reading of this mail convinces me that there is considerable confusion on what this amendment does. Let me emphasize that it does not deprive any State of any money allocated to it under the trust fund. It touches only the Federal-Aid Urban Systems. The amount carried in this bill for this system is $700 million. And I underscore again, Mr. Chairman, that the decision will be left to the local areas to determine whether to use the allocation for mass transit purposes or for highways. To make this crystal clear, let me insert at this point language from the minority views of the committee members who support the Anderson amendment and a table from page 124 of the committee report on S. 502 Federal-Aid Highway Act of 1973:

> Finally, it should be abundantly clear that our amendment is not anti-highway, nor is it anti-rural America. It simply gives urban officials the option of using the highway funds they presently receive to build or purchase a mass transit system, as well as construct highways.
>
> The following is a chart showing the effect of the mass transit amendment on the funding levels in the committee bill, and on the various sections of the law:

Highway trust fund projects	Funding committee bill	Funding Anderson amendment	Uses, committee bill	Uses, Anderson amendment
The Interstate System	$3,500,000,000 per year through fiscal year 1978	No change	No change	No change.
The primary system in rural areas	$700,000,000 per year for fiscal years 1974–75	do	do	Do.
The secondary system in rural areas	$400,000,000 per year for fiscal years 1974–75	do	do	Do.
The forest highway system	$33,000,000 per year for fiscal years 1974–75	do	do	Do.
The public lands highways system	$16,000,000 per year for fiscal years 1974–75	do	do	Do.
The economic growth center development highway	$150,000,000 per year for fiscal years 1974–75	do	do	Do.
Special urban high density traffic programs	$100,000,000 per year for fiscal years 1974–75	do	do	Do.
Priority primary system	$300,000,000 per year for fiscal years 1974–75	do	do	Do.
Urban extensions system	$400,000,000 per year for fiscal years 1974–75	do	do	Do.
Urban system	$700,000,000 per year for fiscal years 1974–75	do	do	Expanded to include purchase or construction of bus or rail rapid transit systems.

(Mr. ROSTENKOWSKI asked and was given permission to extend his remarks at this point in the Record.)

Mr. ROSTENKOWSKI. Mr. Chairman, I would like to associate myself with the remarks of my colleague from Illinois (Mr. Anderson) and the gentleman from Massachusetts (Mr. Boland), in support of the Anderson amendment.

I believe that it is time that we in this Congress recognize the need for flexibility in the further development of our transportation systems. This is especially true in our urban areas where traditional problems are complicated by mounting pollution and seemingly endless congestion. The implementation of the Clean Air Act will, in the case of many cities, require drastic alteration of existing modes of transportation. Although this would transform the accustomed style of many of those who take to the highways to reach their daily employment, most would willingly switch if alternate means of transit were readily available.

A recent survey by National Opinion Research Corporation indicated 57 percent of the American people thought we should limit automobile traffic in downtown areas; 66 percent of those who live in cities of a million or more thought it a good idea. The latest Conference of Governors overwhelmingly favored mass transit alternatives to highway building in cities. Governor Sargent, of Massachusetts, has recently imposed a ban on more roadways in Boston, and is spending money instead on an improved public transportation system.

It is clear that changes have occurred in the Nation's thinking about highways since the interstate highway system and the highway trust fund were conceived, almost 20 years ago. At that time, the gap between perceived highway needs and existing roads was clear—a 20-year planning framework made sense. And, as far as intercity connections go, the interstate systems was well designed.

But the view from 1973 is distinctly different. A basic system is already substantially in place. Additions to it, new highways, must be weighed on their merits and on a link-by-link basis. Other modal alternatives must be considered. Funding for those alternatives must be flexible and unbiased, or we risk wasting vast sums of precious national resources.

The concept for a single-mode trust fund—whether for highways, airways or rail transit—is outmoded. Broadening of the highway trust fund is a necessary step from the point of view of overall national priorities, and a proper way to provide the substantially larger sums for urban mass transit which I believe to be in the best interest of the general public. For this reason, I am supporting the Anderson amendment and hope my colleagues will do likewise.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. Wright) to close debate on the pending amendments.

Mr. DORN. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to my friend from South Carolina.

Mr. DORN. Mr. Chairman, I am opposed to this amendment.

Mr. Chairman, the highway trust fund has served our Nation well. The highway trust fund has enabled us as a nation to build the greatest transportation system in the world and has provided the greatest defense transportation system in all history.

Since the beginning of our Republic, we have sought to really unite the American people in a close union of sovereign States. This system, which connects every State Capitol in our country, has done much to bring our people together—economically, socially, and geographically.

The highway trust fund must be retained in order to complete this great highway system by 1979. The highway trust fund must be protected to improve the primary, secondary systems and our rural highways and roads.

It is necessary to maintain this fund to solve the greatest tragedy of our time, that of the ever increasing slaughter and carnage on our highways. There is a war raging on the highways of our country. This death and destruction can and must be solved. We have proven on the Interstate System, made possible by the highway trust fund, that we have less than one half as many deaths and injuries per traveled mile as compared to our other systems. This improved engineering, modern technology and design must be extended to our primary, secondary and rural road systems. We must not break faith with the highway user, the taxpayer, who made it possible to create the trust fund.

The Congress has an obligation and a duty to protect this fund which is in the interest of all the people—urban and rural alike. Should we raid this fund and set the precedent today by adopting the Anderson amendment it would be the beginning of the end. It would open the highway trust fund to every conceivable scheme of revenue sharing that the mind of man could possibly conceive. Housing, welfare, poverty programs, and even foreign aid might carve in for a share. The highway trust fund would be destroyed and all of our people—urban and rural—would be the losers.

Mr. Chairman, again in this bill, we provide $3 billion from the general revenue for mass transit in the cities of our country. I supported this in our Committee on Public Works. We have other mechanisms in this bill to help urban areas with their acute transportation problems, and I understand the needs of our urban areas. I live in downtown Washington where I can personally appreciate this problem. I pledge my continued, every effort to help the urban areas in finding a solution to the pedestrian problems, the pollution, and time wasted in traveling to employment in the cities. However, Mr. Chairman, the preservation of the highway trust fund is in the best interest of all of the American people. If we scatter this fund in the wind, it will help no one area, but will injure the Nation as a whole.

Now, Mr. Chairman, I address myself to the specific amendment proposed by the gentleman from California.

The gentleman from California has led many of our colleagues to believe that his amendment would not affect the allocation of Federal-aid funds to any State. I submit that the gentleman's amendment would have substantial effect on the distribution of Federal-aid funds to the States and even delay the date of final completion of the Interstate System.

The highway program in earlier years was primarily rural-oriented because of the need to get the farmer out of the mud, and, later, to develop a nationwide interconnected highway system. The Interstate System is now 80 percent complete, and it is just and equitable that the cities should participate more fully in the benefits of the program.

Although the lion's share of this bill is for the benefit of the cities, authorizations for the ABCD systems are meticulously balanced between urban and rural systems. This balance is based upon the results of the 1972 transportation study which indicate equal highway needs in urban and rural areas.

Balanced funding for the ABCD systems, however, is jeopardized by the amendment offered by the gentleman from California. If we opened up the "D" system for both highways and mass transit, certainly a portion of the fund would be used for mass transit. The orderly balance between rural and urban highways would be lost. In order to regain this balance and meet the legitimate highway needs of the cities, future authorization would have to be biased in favor of the urban "D" system.

The gentleman from California explained very well the consequences of biasing Federal-aid authorization in favor of the "D" system. The effect would be to drain funds away from the Interstate System and the rural systems, a situation I believe we should try to avoid.

In this bill, annual authorizations for the urban system have been increased sevenfold from $100 million to $700 million to achieve a balance between the rural and urban program. Opening up the "D" system to both highways and mass transit would destroy this balance, distort the highway program, and soon cause a redistribution of funds among the Federal-aid systems and among the States.

Mr. Chairman, this country needs both good highways and good mass transit. Under the Anderson amendment, we settle for second best. I urge my colleagues to join in voting it down.

Mr. CORMAN. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from California.

Mr. CORMAN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, there is a growing concern in this Nation about the lack of public transportation in metropolitan areas. Nowhere is the problem so acute as in Los Angeles. Compared to any other metropolitan area in the Nation, commuter distances are greater and public transit is the least efficient. Dependence on the automobile pollutes our air, diminishes our overburdened energy supply, and imposes tremendous commuting costs to residents of Los Angeles.

Air pollution, traffic congestion and urban freeway blight must be significantly reduced with less reliance on highways and the automobile as the main means of commuter transportation. Los Angeles has a crying need for reliable public transit as soon as possible and I take no issue with this obvious and pressing public need.

I question, however, where we shall get the billions needed for capital investment and tens of millions for operating costs. It is this issue on which I wish to comment: How shall the bill be paid?

There is an unusual coalition of support to use gasoline sales tax to fund public transit. Many see the highway trust fund as the only immediate available source of funds. The President, never adverse to shifting the cost of Government to regressive taxes, sees breaking up the fund as a way to fund an expensive public facility without increasing the Federal deficit or reforming the Federal tax structure. If we do indeed have surplus moneys in the fund we should repeal the expensive, regressive gasoline tax and thereby benefit those who pay this "special" tax which strikes the middle and lower income taxpayers harder than any other group.

Using the gasoline sales tax to finance mass transit projects is an unworkable alternative. Because there is some surplus in the highway trust fund, due to Presidential impoundment, and because there is Presidential support for this proposal, there is an effort in this Congress to use this tax as the financing source for public transit systems. The gasoline sales tax is the most regressive tax collected by Government. First, it is a sales tax on a necessity and its rate is approximately 11 cents per gallon in California. This means that for every gallon of gasoline purchased 4 cents goes to the Federal Government and 7 cents to the State of California. If we add to this the cost of building public transportation and maintaining roads, we can expect the gasoline sales tax to double.

Although the gasoline sales tax is both high and regressive its virtue is that it is a user's tax. One pays for the cost of the highway in proportion to the amount he uses it. Funding a public transportation system by use of highway trust fund moneys would be the reverse of a user's tax. Those who use the roads heavily would be more heavily taxed to absorb the cost of a mass transit plan that would be available to all.

As a member of the House Ways and Means Committee I have listened to the tax experts who have confirmed my opinions of the discriminatory practices waged against the middle and lower income people under our present Federal income tax structure.

I view the effort to bust the highway trust fund as a means of further compounding the inequity in the present tax system as they would be the first to pay the price of increased gasoline taxes. Using this source of funding to finance mass transit projects would single out a special group to absorb the costs.

It should be noted that how one pays for something in no way effects how much it costs. If a transit system in Los Angeles is to cost $3 billion to provide, that will be the cost whether it comes from gas taxes, the fare box, property or sales tax or general funds.

Funding for mass transit projects should not come from the fare box. All of the fiscal studies for Los Angeles and any other metropolitan area indicate that such financing would make the fares so high that there would be few customers. Indeed, the legislation which established the high speed rail system in San Francisco contemplated that the capital costs should essentially be paid from general tax revenue but the operating costs should be paid from fares. This means that BART had to set relatively high fares in order to cover anticipated costs. If fares are higher than low-income segments of the population can reasonably afford, the working poor will obtain no relief.

We should also reject, because the voters have consistantly rejected it, payment through property or sales taxes. In 1968 and again in 1970 the voters of Los Angeles were presented with the opportunity to build a mass transit system. The 1968 proposal, for an 89-mile system at the cost of $2.5 billion, was defeated at the polls. The main objection to this proposition was the method of financing. The proposed ½-cent sales tax was unacceptable to the people of Los Angeles.

As public transportation is a public responsibility it is imperative that the taxpayer think through the various alternatives, both as to the method of mechanically moving people and whose pocket the dollars are to come from.

We need an adequate public transit system in Los Angeles to reduce air pollution, conserve our energy supply and reduce commuters time and expenses. But it will cost billions. Those billions should be collected fairly and spent wisely. Using gasoline taxes is not fair.

Mr. WRIGHT. Mr. Chairman, let us get one thing straight again. The originator of this so-called Anderson approach was not the gentleman from California. It was not the Senator from Maine. The inventor of this approach is the Department of Transportation. For 2 long years DOT spokesmen have been trying to hard sell this Congress on the idea of taking one fund and pretending to make it serve two purposes.

In pushing that approach they are applying against the Congress an age-old technique, divide and conquer. They are throwing one bone to two dogs and trying to make us fight over it. Now, my friends in the Congress, if we fall for that trap we deserve the moniker of the biggest suckers of the year.

Any honest appraisal, including the massive appraisal of the Department of Transportation itself, will tell us that there is simply not enough money in the trust fund for either purpose, let alone for both purposes.

Completion of the Interstate System, to which some Members have referred, certainly is not going to mean the end of the need for highways in this country. There are primary needs, secondary needs, and rural road needs that have been too long deferred.

Every town in America depends directly upon highways for its lifeblood. Relatively few can benefit by rail transit. But we want to help them.

Here is the crux of the issue. Do we want to divert moneys that have been committed to the completion of the highway needs and use them for other purposes? Let me assure the Members that if they vote "aye" today on this amendment that will not be the end of it. It may be the beginning of the end for the highway program as we now know it in this country.

This diversion attempt is a plan that has been in the process of germination in the Department of Transportation for 2 years. Already the Department of Housing and Urban Development spokesmen are publicly clamoring to laddle out of the money from the highway trust fund for urban housing projects.

Where will it end?

How important are highways? Let me tell the Members this: The highways of this country are used more frequently by more Americans than any other service the society provides.

Do Members believe this is the end of highway needs? Every year we add 10 million new vehicles to the total number. Where are we going to put them all, in safety?

Some have spoken about choking the cities. Listen to this: Twelve automobiles traveling at a steady pace on a well-engineered thoroughfare emit less carbons than one automobile starting and stopping on a crowded road that needs widening.

Yes, we want to do those things necessary for mass transit and for the cities. In this bill the committee has been generously responsive to the needs of the cities of this country.

Almost three-fourths of all the authorizations contained in this bill already go to the cities, and about two-thirds of those out of the trust fund go to the cities, although the cities only contribute about half of the funds.

Do Members believe we have not been fair with the cities? This bill already provides $3 billion for mass transit authorizations. And it has an anti-impoundment feature connected with that title.

Already the bill provides the local flexibility the gentleman from California (Mr. ANDERSON) asks for. It gives the city the opportunity to substitute for a section of urban highway within the city limits a mass transit program, and it gives an equivalent dollar amount to that city out of the general revenues.

Mr. Chairman, since when is money out of the general revenues considered some kind of second-class money? That is the source through which the Congress has traditionally provided for more than 90 percent of all the needs of our country.

But here is the crux of it, and here is the basic issue: The committee bill does not violate the trust fund. Unused highway moneys for which general fund money is substituted for mass transit purposes would go back into the trust fund for redistribution to the other cities and States of this country. They have needs, too. And their needs are just as urgent to them as transit needs are to the big cities.

In the committee bill, we have made an earnest effort to be responsive to both needs, and to do so in a reasonable way.

Mr. JOHNSON of California. Mr. Chairman, I rise in opposition to the Anderson amendment.

The committee bill gives to the cities more than half of all the trust fund moneys for the next 3 years.

On top of that, it gives the cities an extra $3 billion in authorization for mass transit programs.

When you add those together, the cities already get the lion's share of the total authorization contained in this bill.

There are other parts of the United States, outside the big cities, that need help too. There are many areas of this country which desperately need highway improvements to move their citizens in safety from one place to another.

The Anderson amendment would make the entire country give up a portion of its trust fund moneys to give the big cities yet an extra slice out of the bill.

It seems to me that the committee has been more than generous with the cities. It has given them the option of flexibility that they say they want. It even gives it to them on advance obligational authority. But still they are not satisfied.

What they really appear to want is not money for mass transit—which the committee bill gives them—but to bust the trust fund.

I am perfectly willing to help them with their legitimate needs, but I am not prepared to take money out of the trust fund—which belongs to the country as a whole for highway purposes—simply to satisfy their apparently insatiable demands.

For these reasons, I will vote no on the Anderson amendment.

Mr. McCLORY. Mr. Chairman, I rise in support of the amendment offered by my colleague from California (Mr. ANDERSON) to the Federal Aid Highway Act (S. 502). Indeed, I am cosponsor of legislation which is identical to the Anderson amendment.

This amendment would permit highway funds allocated for urban use to be employed in behalf of highway congestion in our urban areas of 50,000 or more—and would authorize the appropriate use of a portion of these funds for such urban transportation purposes as are determined to be most essential by municipal or regional officials.

Mr. Chairman, in furthering the Anderson amendment, I am convinced that my position is consistent with the best interests of the highway users—those who travel by automobile and who pay the taxes for such automobile use from which the highway fund has been established.

Mr. Chairman, as chairman of the committee on highways and traffic regulations of the Illinois State Senate for 10 years before my election to the Congress, I am conscious of the need for adequate highway funds. Also, I am aware that by virtually forcing commuters and visitors to travel by automobile to the core areas of our urban centers, we are contributing to traffic stagnation, critical air pollution, and economic detriment to the urban areas themselves. We should not continue to pursue such a policy.

By permitting highway funds to maintain existing urban mass transit services—whether public or private and whether motorized or rail service—we are relieving the highways for the benefit of the motorists who must and will continue to use the highways for their transportation.

Mr. Chairman, I am convinced also that under the Anderson amendment no part of the highway trust funds which are presently allocable to rural areas will be diverted to any urban uses. Accordingly, I am hopeful that this House of Representatives will today give its approval to the Anderson amendment and to the forward looking philosophy for urban development which it contemplates. I am certain that adoption of this amendment will be in the best interests of all of my constituents from both the urban and rural areas of the 13th District of Illinois.

Mr. FRENZEL. Mr. Chairman, the Anderson amendment to the Federal Aid Highway Act of 1973 will provide our urban communities with the necessary flexibility to plan and execute a coherent transportation plan for their area, taking into account local needs and desires. The amendment is biased neither for or against any particular mode of transit. If local elected officials prefer to depend exclusively on the automobile for their transportation needs, Federal funds would continue to support this decision. If, on the other hand, individual communities prefer to develop a more balanced transportation system, this amendment would for the first time allow them to use their urban trust funds for mass transit purposes.

My recent congressional district survey indicates strong support for an Anderson-type amendment. Fully 80 percent of those who responded to my questionnaire favored using a portion of highway taxes for mass transit purposes. It no longer makes any sense to force local officials to make transportation decisions based for the most part on what Washington is willing to fund or not fund. This inflexibility has played a significant role in deflecting transportation planning at the local level away from mass transit development and the social and economic costs have been enormous.

The Anderson amendment holds out the only realistic hope for providing substantial additional funds for the development of mass transit systems at this time. Attempts to secure additional funds out of general revenues for mass transit fly in the face of this administration's determination to keep the lid on new spending programs not in the budget. Hopefully the House will act today to give local officials, charged with the responsibility for transit planning, a free hand to establish their own priorities for public transportation capital expenditures.

The President, Secretary of Transportation. Claude Brinegar, and his predecessor Gov. John Volpe are to be commended for their leadership in spearheading the drive for enactment of this important amendment.

Mr. HARRINGTON. Mr. Chairman, I rise in support of S. 502, the Federal Aid Highway Act of 1973, and the amendment offered by the Honorable GLENN M. ANDERSON of California.

The greatest issue faced by the Congress in the Federal highway program over recent years has been the flexible use of Federal highway funds for mass transit. Should moneys set aside for the construction of highways be used for the development of a balanced transportation system, including the construction of mass transit facilities? The answer to this question must be in the affirmative.

First, while the highway trust fund has created an outstanding Interstate Highway System, mass transit has been sadly neglected by the Federal Government. In 1970, the Congress finally recognized the need for more than token funding for mass transit; $3.1 billion was appropriated to be distributed over a 5-year period at an annual average of $620 million. From 1964 to 1969, however, only $1 billion was allocated for mass transit use. During that same period, revenues generated from the highway trust fund totaled upward of $5.7 billion a year—roughly five times more than the spending for mass transit. We have made a beginning, but clearly we have a long way to go.

Second, precedent is on our side. Part of the trust fund has already been used for nonhighway construction. Precedent and principle should guide us in making the most useful allocation of trust fund moneys possible.

Finally, the pressing needs for adequate, rapid, comfortable, environmentally clean rapid transportation in our major urban areas argues persuasively for Federal outlays to build mass transit facilities, and to redress the imbalance between the availability of automobile transportation and rapid mass transportation.

For these reasons, I believe it only rational to expend funds from the highway trust fund for the purpose of improving and expanding our mass transportation system. The bill before us today would do this, and the Anderson amendment, which I have cosponsored and strongly support, would take us a step further.

National transportation priorities, for both highway and mass transit, must reflect current national needs regarding the protection of the environment, assistance for urban transportation needs, conservation of our energy resources, greater popular participation in planning and development, and, the safety of our citizens. The indefinite continuation of the highway trust fund could deter the construction of more pressing non-highway facilities. The 1973 Federal Aid Highway Trust Act would, to some degree, avert this danger, by providing for such nonhighway construction purposes as public mass transportation facilities including bus lanes, traffic control devices, passenger loading areas, shelters, and parking facilities. Increased funding is also included for such purposes as expanded highway safety programs; removal of roadside hazards; the effects of drug usage on drivers and other areas of highway safety research; the elimination of railroad grade crossings; pavement marking; correction of hazardous locations on the highways; driver education and evaluation; court and police enforcement of local traffic infractions; statistical studies of significant accident reporting data; pedestrian safety; and access facilities for the handicapped.

These are all desirable ways in which to spend moneys designed to improve our national transportation network, and I support the bill for this reason.

In addition, however, Representative ANDERSON has offered an amendment to this bill which would provide greater flexibility in funding formulas. This flexibility is vitally important because it allows local officials a choice in the use of their share of the Federal funds they now receive by permitting the construction of bus or rail transit systems as well as the construction of highways. Urban areas are now only permitted the use of urban system funds for highway use and related construction projects.

This amendment would affect only the urban system moneys of the highway trust fund. These funds are set at only $700 million annually for fiscal year 1974 to fiscal year 1976. It will not affect the Interstate System or the primary or secondary road system.

This is a means of providing urban areas the use of their Federal highway funds in a fashion they believe will best contribute to the solving of their transportation problems.

It might be argued that this use will be a breach of the original intent of the highway trust fund. However, the fund has been directed toward other nonhighway construction purposes throughout the years, and we now face a more pressing need for urban mass transit than for more urban highways.

I have personally advocated the elimination of the trust fund in favor of a general transportation fund to deal with highway construction, railway needs, urban transit, airport improvement, and maritime requirements in a comprehensive overall plan. I am aware that the enactment of such legislation is a political impossibility at this time.

The Anderson amendment is a positive step in the right direction. It is a long needed proposal directed toward the consolidation of our interrelated transportation system. Our future transportation needs dictate the need for the utmost flexibility in the use of transportation directed revenues.

S. 502 recognizes, in part, many of the demands on our transportation system, but without the inclusion of the Anderson amendment, it will not provide the flexibilty that is so urgently required in the use of funds in our urban areas. I urge the Congress to permit a portion of the highway trust fund to be used in a more rational way, thereby allowing mass transit capital investments where communities so desire. In short, I urge the Congress to support the passage of S. 502 and the Anderson amendment.

Mr. MILFORD. Mr. Chairman, today I have witnessed as many of my colleagues have sought, for seemingly noble and worthwhile reasons, to say to the American motorist: "I am sorry, but what I have been telling you for years no longer applies"—or, in short, "My word is good until I change my mind."

Back home in my district, the 24th of Texas, our folks operate under what, at times in this body, seems to be an outmoded form of logic. If they give you their word, you can count on them keeping it from then on—without hesitation, without reservation, and without changing to accommodate themselves. That old-fashioned type of logic seems pretty valid to me, and I do not intend to break my word now simply because someone else thinks it is expeditious or currently advantageous.

None of us opposes the building of the vital and necessary mass transit facilities, but many of us do vigorously oppose robbing the highway "trust" fund for a purpose for which it was never intended. The American people paid their tax money into this fund for a specific purpose—so they could have better highways—what is happening today is an abrogation of that trust.

We are not free to simply say to the motorist of our Nation, "even though you paid this money into this trust fund for the specific purpose of building the world's finest highway system, we have decided that we're going to use it for something totally unrelated." My dear colleagues, this is not our prerogative. We cannot set this psychological precedent and allow this to become the law of the land—this is not only unfair to our people—it is dangerous for our Nation.

Mr. DONOHUE. Mr. Chairman, I most earnestly urge and hope that the House will expeditiously act in the approval of this amendment designed to establish a modern, progressive Federal-Aid Highway Act.

Certainly, Mr. Chairman, such a strengthened measure would, in the judgment of a great many respected authorities, have to grant the option to local governments to use part of their Federal highway fund allocations to help overcome the increasingly burdensome problems of hazardous and intolerable auto and noise pollution and abnormal traffic congestion.

Mr. Chairman, from every ordinary standard of good judgment and prudent financing, it impressively appears that the highway fund is large enough to permit this type of reasonable "sharing"; that there is an imperative current need throughout the country to resolve a veritable plague of traffic tieup frustrations; and that the wholesome benefits of mass transit improvement and pollution correction will fall equally on highway users as well as everyone else. In fact we might well ask who, these days, is not a highway user?

By providing State and local officials with the opportunity to determine, based on their pressing needs and priorities, whether to spend urban funds for highways or mass transportation, there will be no change whatever in the State-by-State allocation of funds nor will there be any adverse effect on the completion of the Interstate System or other approved highway projects. In adopting this modern approach to meeting the growing transportation needs of the Nation, no State will get less money but all States will benefit by having the option to use highway fund moneys to assist in coping with the wide variety of national transportation needs.

Mr. Chairman, the urgency of initiating mass transit improvement, together with auto and noise pollution control, is very great and a progressive modern Federal highway assistance measure constitutes a substantial forward step toward an effective and equitable solution of these present-day crises. Therefore I hope that the House will speedily take this forward step in the national interest.

Mr. HORTON. Mr. Chairman, I rise in support of the "urban flexibility amendment" offered by Mr. ANDERSON. The amendment would permit local officials in urban areas to use their share of the $700 million in urban systems funds from the highway trust fund to meet nonhighway transportation needs. Specifically, the amendment would allow the Department of Transportation to approve urban system public mass transportation projects involving construction of rail facilities or purchase of passenger equipment.

While the highway trust fund has proven to be an extremely successful program, it is time that we adapt to an era of changed transportation needs. There is strong opposition in our metropolitan areas to the construction of new and wider swaths of concrete through and around our cities, parks and suburbs. While there is clearly a need for good road systems capable of handling commuter auto traffic, there is an equal, and in some areas an even greater need for more efficient means of public transit. The growth of our metropolitan areas and the problems of highway deaths, air pollution, noise pollution, and scrap disposal all put into question a transportation system that relies solely on cars and highways. But our emphasis on highways continues. In fact, 60 percent of the total federal transportation budget is spent on highways and only 4 percent on mass transit.

The amendment under deliberation would not require use of trust funds for mass transit, but would merely give localities the flexibility to spend money on highways, mass transit bus systems, or mass rail transit in accordance with their needs. Favorable action on the amendment would in no way affect the interstate system or the primary/secondary systems. It would not reduce by a single penny the authorizations of the Public Works Committee bill.

Many motorists argue against opening the trust fund because they feel the taxes they pay on tires and fuel products should be used solely for highway purposes. The fact is that these taxes should be used not only to improve highways but also to compensate for the social, economic, and environmental costs which are brought on by highways and their users. One way to serve the interests of the motorist is to ease traffic congestion by providing convenient alternative means of transit.

Given the action already taken by the Senate and the administration's supportive stand on the Anderson amendment, the House remains the only roadblock to a modest effort to open up the trust fund. I hope that, at long last, the public interest will prevail over the vested interest of the very vocal opposition.

Mr. JONES of Alabama. Mr. Chairman, my comments on the need for maintaining the integrity of the House trust fund were printed in the April issue of the American Road Builder.

Because of the significance of these remarks to the debate today, several Members have requested that I make them available.

The article follows:

BUST OF TRUST FUND WOULD BE A DOUBLE FAILURE

Since the first days of the iron horse, rail transit has been an alluring idea that has lagged far behind its promise.

During the past hundred years, public funds without end have been invested in rail transit systems by Federal, state, and local governments.

The result of this massive investment today has been bankruptcy and financial failure even in our most densely populated urban corridors which presumably are most dependent on rail transportation.

At this time, an unlikely assortment of allies has banded together in yet another raid on public funds for advancement of rail transit.

The well publicized goal of the raiders is the Highway Trust Fund established by the Federal Highway and Highway Revenue Acts of 1956.

Should the air be successful it will mean a double failure by the government in its obligations to the citizens.

The first failure will be reflected in the higher death rates, lost time, and greater inconvenience and cost which will result from delays in completion of an adequate highway system for which he is paying.

The second failure will be the breach of trust by the government, as represented by the Congress and the Administration, with its citizens in the obligation to devote taxes imposed on a specific group of users to purposes related to their enhancement.

Because of the delays and stretchouts in the highway construction program by the past two Administrations, a citizen may rightly feel his government has failed him already in the first instance. Completion of the Interstate is particularly critical in urban areas where unfinished sections expose out-of-state travelers and locals to delay, expense and potential accident hazards.

The still incomplete Interstate System and the vast catalog of unfilled highway improvements are mute testimony to the fact that there is no surplus in the Highway Trust Fund. There has been a clear failure to allocate these funds to their proper purpose.

Even if the Fund had a valid surplus, no amount of non-related need would make right a diversion of the funds from their legal and intended use.

A review of the Nation's highway program is essential to understanding the special nature of the Highway Trust Fund and its legal uses.

Our modern highway program had a modest start with the Federal Aid Road Act of 1916 which provided $75 million over a five year period for the improvement of rural post roads.

The problems of rail congestion experienced in the Northeast during World War I proved the necessity for an alternative transportation system and the Federal Highway Act of 1921 called for "such projects as will expedite the completion of adequate and connected system of highways, interstate in character."

This was a move away from parochial interests toward a national program of arterial routes, a concept which expanded the ability and right of a citizen to move beyond the confines of his own community.

The Act recognized that the national interest required highway linkage of the separated sections of the country.

The importance of highways to social, commercial and defense requirements continued to increase and gain attention. A report on the need for Interregional Highways in 1944 laid a blueprint for the Interstate System which was recommended by the Clay report of the early 1950's.

President Eisenhower sent up legislation in 1955 calling for the construction of the Interstate and its financing by a $25 billion bond issue to be repaid over 30 years.

The Public Works Committee rejected the bond proposal because hearings developed that $11 billion would be required to pay interest and service on the bonds.

The Committee decided on a pay-as-go approach as more economical and we got up a tax program that would finance the much needed Interstate Program.

While it was a bit unusual for a regular authorizing committee to prepare and insert taxes into a legislative program, the Speaker agreed to send members of the Ways and Means Committee over for hearings on the proposal.

The legislation was reported out in two sections, one authorizing the construction and the second providing the financing through the Highway Trust Fund.

Until the Highway Revenue Act of 1956 authorized creation of the Trust Fund, appropriations for financing of roads and highways were from the general funds. Prior to 1956, the Federal taxes on motor fuels, motor vehicles and associated products were placed in the general fund. Although highway related revenues were about the same as highway related expenditures, there was no formal link between the two.

In establishing the Highway Trust Fund, the Congress made a commitment to all the people that those who were going to use the highways would pay for them. There was a parallel commitment to the motorist that his user taxes would be engaged to make highway improvements to save time, help prevent accidents and deaths, and reduce the cost of movement.

We can justify the user taxes only to the extent that the payer receives an adequate return for his special tax. If a trust fund is put to other purposes, the user tax which supplies it is either discriminatory or too high.

Even with the self-financing program the highway proposal was defeated on the first trip to the floor.

On the second trip, some six months later, the Eisenhower financing plan for 30-year bonds was offered as a substitute but it was defeated on the floor. The historic legislation was adopted with only 18 nay votes.

Thus, we established the present highway programs in which motorists are required to pay for highways and the user taxes are earmarked to enhance highways and highway travel.

The Trust Fund Tax Program increased a number of highway-related excise taxes to meet anticipated expenditure requirements. The excise taxes on some of the highway-related revenues continued to go into the general fund. Adjustments have been made in the revenues as requirements changed.

The Administrations of recent years, however, have refused to commit the resources of the fund to their intended and required use. The motoring public has suffered through curtailments, impoundments, freezes, and deferments. Thus, the so-called surplus in the fund is more apparent than real.

There is a staggering backlog of road-related needs: new bridges, elimination of high hazard locations, separation of grade crossings, improvement of major corridors and completion of the Interstate System.

Diversion of highway user taxes in face of the legitimate highway improvement needs would be a failure of the government to fulfill an obligation to the vast motoring public which has participated in the fund with the promise of improved roadways.

There can be no doubt that mass transit, as an element of transportation, is in serious trouble. In spite of increasing population and growing urbanization, 268 transit systems have ceased operations in twenty years.

Ridership has decreased from 17 billion in 1950 to 7 billion today.

Municipal subsidies to transit systems have increased by 300 percent in the past 10 years.

In the major cities of the world with mass rail transit systems, traffic congestion and movement problems seem just as severe as in those without.

Those who urge a raid on the Highway Trust Fund for rail transit in an effort to realize fiscal goals or economy suffer perhaps the greatest illusions. They completely ignore the total costs associated with construction and operation of such systems in an effort to temporarily solve a vexing problem—serving a need while restraining new expenditures.

The motorist, on the other hand, comes closer to completely paying for his transportation through the user taxes which build the roads and his private investment in automobile and fuel.

He is going to be severely shortchanged, however, if the trust fund raiders are successful in diverting resources from programs needed to improve safety and economy of operation of our Nation's road system.

In several cities, it may be possible to make a case for rail transit systems, but in each, it will only be as a part of a total transportation system, where roads and highways are an essential element.

The transit case should be presented on its own merits and funds should be made available from general revenues if the requirements are as urgent as the trust busters would like for you to believe.

Because of the limitations of the trust fund, if the raiders have their way, the public is going to find it has neither adequate rail transit nor adequate roads.

The lure of the rail will again prove to be more of a promise than a reality.

Mr. RANDALL. Mr. Chairman, while I enthusiastically support the Federal-Aid Highway Act of 1973, I cannot support the amendment by the gentleman from California (Mr. ANDERSON) that would provide for diversion to mass transit.

None of us are opposed to mass transit. As a matter of fact, our committee bill provided for $3 billion in additional contract authority for mass transit out of general revenues. The Anderson amendment, however, would have allowed $700 million a year to be taken from Federal-aid urban system funds to be used for improvements for mass transit. Already in the bill was the flexibility for the locality to choose to use urban mass transit funds in lieu of urban highway system funds. If a city chose to do so, it could return the money allocated to that urban area to the highway trust fund, and would receive contract authority from general revenues in an amount equal to the amount returned to the highway trust fund.

I am totally opposed to the invasion of the trust fund, first and foremost because it violates a trust or a commitment made many years ago. But, Mr. Chairman, I am also opposed to this diversion of funds because there are so many improvements yet needed to be made in the national highway system. The volume and cost are staggering. While there are no statistics on the number of dangerous curves needed to be eliminated, there must be thousands. There is a figure on the number of narrow bridges. There are 6,000 in the primary system where the roadway is less than 20 feet wide. Safety statistics indicate that as our highways are improved the highway death rate goes down. Put very simply, there yet remain thousands of killer bridges, thousands of killer curves, and hundreds and hundreds of killer railroad grade crossings. All of these death traps can in time be eliminated if we continue to spend the money from the trust fund for the purpose for which it was intended, and not allow diversion for so-called mass transit needs.

There is an additional and a very interesting reason why I oppose an invasion or a diversion of highway trust funds to transit uses. We all know there is a rail crisis in America. Thousands of miles of railroad trackage are being abandoned, mostly in rural areas. The loss of this railroad service to agricultural areas will have a direct and lasting effect on the cost of food to the consumer. The only remaining alternative to hold down food prices is to improve the local roads serving these communities. There is a rising consumer concern over food prices. Present rail abandonment has thrown millions of tons of consumer products onto inadequate roads and bridges, some of which were built back in the 1930's. We hear that all of the Northeastern railroads may soon be bankrupt. There has been testimony of rail abandonment in Minnesota and Wisconsin. The Penn Central is in deep trouble. But if we let any of the money from the highway trust fund to be diverted there will be no way to bring these Federal-aid primary and secondary roads up to acceptable standards to handle the new loads that cannot now be handled by farm-to-market roads. Thus rising food prices are another factor in this opposition to the diversion of highway trust funds.

A basic consideration we must all remember is that we must first complete the interstate system. It is a commitment Congress made to the people of the United States, and must be fulfilled. It is just not true that the supporters of the interstate system oppose mass transit. But it is extremely important to remember that the needs are great in both highway construction and mass transit, and we should not sacrifice one program to help the other.

Today we hear so much about traffic pileups and traffic jams. We should remember, however, that statistics will prove that those areas which have mass transit have the worst traffic pileups and traffic jams of all, and I refer to Boston, Chicago, Philadelphia, and New York. The important thing is that all traffic in these areas must be kept moving. Every year we add millions of new vehicles to the roads. One statistic that we should never fail to keep in mind is that 12 vehicles moving along emit less carbons than one vehicle standing on a traffic-crowded road. The consideration of thiis fact alone should be reason enough to continue to support the highway program and oppose diversion of funds to any type of transit system.

Mr. FRASER. Mr. Chairman, I rise to support the amendment of the gentleman from California (Mr. ANDERSON).

I think it is significant that we are debating this measure to strengthen mass transit just after we have received the President's energy message. In that message, the President told us that:

> If present trends continue unchecked, we could face a genuine energy crisis.

Some of us, I know, feel that the crisis is already upon us, but it is clear that the problem will only become more intense if we continue to rely as heavily as we do now on the automobile to move us from our homes to our jobs and back again.

Improved mass transit can and will do much to ease the current oil shortage. Studies have shown that a 25 percent diversion of auto traffic to transit would reduce petroleum demands nationally by almost one-half million barrels daily.

Even if energy were not a factor, this amendment would be necessary solely on transportation grounds. Our highways and freeways have become so congested and backlogged with commuters that no one really benefits. One historian recently discovered that traffic during peak periods in New York City actually moved faster in 1900 than it does today.

By permitting local urban officials to use their share of the highway trust fund for mass transit, as this amendment would let them do, we are giving these officials a tool to use land in a more rational way and to transport people in a safe, efficient and economic manner.

The Anderson amendment deserves our support. I urge its adoption.

The CHAIRMAN. All time has expired.

The question is on the amendments offered by the gentleman from California (Mr. ANDERSON).

RECORDED VOTE

Mr. ANDERSON of California. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 190, noes 215, not voting 28, as follows:

[Roll No. 110]

AYES—190

Abzug
Adams
Addabbo
Anderson, Calif.
Anderson, Ill.
Annunzio
Ashley
Aspin
Badillo
Barrett
Bell
Biester
Bingham
Boland
Bolling
Brademas
Brasco
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Buchanan
Burgener
Burke, Calif.
Burke, Fla.
Burke, Mass.
Burton
Carey, N.Y.
Carney, Ohio
Chisholm
Clay
Collier
Conable
Conte
Conyers
Cotter
Coughlin
Cronin
Culver
Daniels, Dominick V.
Danielson
Delaney
Dellenback
Dellums
Derwinski
Diggs
Dingell
Donohue
Drinan
du Pont
Eckhardt
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Fascell
Fish
Foley
Ford, William D.
Forsythe
Fraser
Frelinghuysen
Frenzel
Frey
Gaydos
Giaimo
Gilman
Goldwater
Grasso
Green, Oreg.
Green, Pa.
Gubser
Gude
Hanley
Hanrahan
Harrington
Hawkins
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Hicks
Hinshaw
Holtzman
Horton
Hungate
Jordan
Karth
Kastenmeier
Keating
Kemp
Kluczynski
Koch
Kyros
Lehman
Lent
Long, Md.
McClory
McCloskey
McDade
McKinney
Macdonald
Madden
Madigan
Mailliard
Mallary
Martin, N.C.
Matsunaga
Mazzoli
Meeds
Metcalfe
Mezvinsky
Minish
Mink
Minshall, Ohio
Mitchell, Md.
Moakley
Moorhead, Calif.
Moorhead, Pa.
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
Obey
O'Brien
O'Neill
Owens
Pepper
Pettis
Peyser
Pike
Price, Ill.
Pritchard
Rangel
Rees
Regula
Reid
Reuss
Riegle
Rinaldo
Robison, N.Y.
Rodino
Rogers
Roncallo, N.Y.
Rosenthal
Rostenkowski
Roush
Roybal
St Germain
Sarasin
Sarbanes
Schroeder
Seiberling
Shipley
Smith, N.Y.
Stanton, J. William
Stratton
James V.
Stark
Steele
Steelman
Stokes
Stanton,
Studds
Sullivan
Symington
Teague, Calif.
Thompson, N.J.
Tiernan
Udall
Van Deerlin
Vanik
Vigorito
Waldie
Whalen
Widnall
Wiggins
Wilson, Charles H., Calif.
Wolff
Wyatt
Wydler
Wylie
Yates
Yatron
Young, Fla.
Young, Ga.

NOES—215

Abdnor
Alexander
Andrews, N.C.
Andrews, N. Dak.
Archer
Arends
Armstrong
Ashbrook
Bafalis
Baker
Beard
Bennett
Bergland
Bevill
Blackburn
Blatnik
Boggs
Bowen
Bray
Breaux
Breckinridge
Brinkley
Brooks
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Burleson, Tex.
Burlison, Mo.
Butler
Byron
Camp
Carter
Casey, Tex.
Cederberg
Chamberlain
Chappell
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Cochran
Cohen
Collins
Conlan
Corman
Crane
Daniel, Dan
Daniel, Robert W., Jr.
Davis, S.C.
Davis, Wis.
de la Garza
Denholm
Dennis
Dent
Devine
Dickinson
Dorn
Downing
Duncan
Findley
Fisher
Flood
Flowers
Flynt
Ford, Gerald R.
Fountain
Froehlich
Fulton
Fuqua
Gettys
Ginn
Gonzalez
Goodling
Gray
Gross
Guyer
Haley
Hamilton
Hammerschmidt
Hansen, Idaho
Harsha
Hastings
Hays
Hébert
Henderson
Hillis
Hogan
Holt
Hosmer
Howard
Huber
Hudnut
Hunt
Hutchinson
Ichord
Jarman
Johnson, Calif.
Johnson, Colo.
Johnson, Pa.
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Kazen
Ketchum
Kuykendall
Landgrebe
Landrum
Latta
Leggett
Litton
Long, La.
Lott
Lujan
McCollister
McEwen
McFall
McKay
McSpadden
Mahon
Mann
Maraziti
Martin, Nebr.
Mathis, Ga.
Mayne
Melcher
Michel
Milford
Miller
Mills, Ark.
Mills, Md.
Mitchell, N.Y.
Mizell
Mollohan
Montgomery
Myers
Natcher
Nelsen
Nichols
O'Hara
Parris
Patman
Perkins
Pickle
Poage
Preyer
Price, Tex.
Quie
Quillen
Railsback
Randall
Rarick
Rhodes
Roberts
Robinson, Va.
Roe
Roncalio, Wyo.
Rooney, Pa.
Rose
Rousselot
Roy
Runnels
Ruppe
Ruth
Sandman
Satterfield
Saylor
Scherle
Schneebeli
Sebelius
Shoup
Shriver
Shuster
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Snyder
Spence
Staggers
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stubblefield
Stuckey
Symms
Taylor, Mo.
Taylor, N.C.
Thomson, Wis.
Thone
Thornton
Towell, Nev.
Treen
Ullman
Vander Jagt
Veysey
Waggonner
Walsh
Wampler
Ware
White
Whitehurst
Whitten
Williams
Wilson, Charles, Tex.
Winn
Wright
Wyman
Young, Alaska
Young, S.C.
Young, Tex.
Zablocki
Zion
Zwach

NOT VOTING—28

Biaggi
Clark
Davis, Ga.
Dulski
Evins, Tenn.
Gibbons
Griffiths
Grover
Gunter
Hanna
Hansen, Wash.
Harvey
Holifield
Jones, Ala.
King
McCormack
Mathias, Calif.
Morgan
Passman
Patten
Podell
Powell, Ohio
Rooney, N.Y.
Ryan
Talcott
Teague, Tex.
Wilson, Bob
Young, Ill.

So the amendments were rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. HANLEY

Mr. HANLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. HANLEY: Page 124, strike out line 10 and all that follows down through and including the line following line 12 on page 125.
>
> Renumber succeeding sections and references thereto accordingly.

Mr. HANLEY. Mr. Chairman, the intent of this amendment is very important although easy to understand. What we are doing is striking an amendment which prevailed in the committee. The issue at stake is flexibility or earmarking. If the provisions of the bill prevail, we will have removed from State jurisdiction the ability to determine need, in allocating these funds. So, I do not believe that as a matter of policy it is the intent of Congress that allocation be determined on a per capita basis, and as opposed to this I believe it is the intent of Congress that such allocations be based on need.

For instance, in my home State, the State of New York, which would enjoy about $77 million as a result of this program, about $55 million would be earmarked for the city of New York and in part of the city of Buffalo, these being the only two cities in that State which enjoy a population in excess of 400,000. So if your district is composed of cities with populations of less than 400,000, I earnestly urge those Members to take a keen interest in this amendment. There are only 32 cities in the entire United States that would meet this criterion.

Again, the language would provide that cities with populations in excess of 400,000 would be guaranteed their share. The rest of the State would enjoy what is left from the pie. For the State of New York that means only about $32 million of the entire $77 million could be allocated to the entire rest of the State. In fact communities surrounding but outside of the city of New York could be denied funds commensurate with the need that might prevail.

The National Association of Counties incidentally is in earnest support of my amendment which would strike that language. The National Conference of Governors is in earnest support of my amendment which would strike that language.

So in essence by striking the present language we would then be assigning to that respective State department of transportation the ability to determine where the need for this allocation exists in that particular State. Without the success of this amendment, each State would be denied that opportunity and would have to earmark funds to the degree that is required in this present language of the bill.

Incidentally as I note the committee report, it somewhat verifies the intent of my amendment. This is from the committee report:

> Experience shows that the States are best able to identify their most pressing needs and best able to determine the proper allocation of resources to geographic areas within their boundaries.

So I would say to the Members this is what it is really all about. Adoption of my amendment will assign to the respective States the opportunity to determine where the need in that State exists and in turn allocate the funding. Failure of my amendment then would revert to the committee language which would require that each State earmark this substantial proportion of the moneys to the larger cities, cities in excess of 400,000 population.

Mr. Chairman, I subscribe to the principle of providing the States with the most flexibility we can in meeting their most pressing transportation needs as they see them. I believe that the language of section 138 with its inflexible earmarking militates against the ability of each State to solve its most pressing transportation problems.

I object to guarantees of urban systems funds to any region of a State without regard to need and without regard to the priority decisions of the State on its transportation needs.

We have heard a great deal today about the need to provide flexibility in the use of transportation funds. I am a supporter of the Anderson amendment which provides that the $700 million in urban systems funds can be used to meet a variety of transportation needs.

I believe that section 138 of this bill militates against the principle of flexibility by earmarking exclusively for the largest cities in each State their share of the urban systems pie. We tread on dangerous ground when we talk in terms of shares, as they relate to transportation needs. I do not think that much can be accomplished in terms of the transportation needs of cities under 400,000 in population if we adopt the principle of earmarking of urban systems funds. All of the cities in each State under 400,000 in population will be left to compete with each other for the scraps of urban systems funds falling from the tables of the larger cities.

More than half of New York State's allocation for urban systems—55 percent to be exact—will be locked in irrevocably to the city of New York, without regard to its transportation needs or the needs of any other city in the State. This is unfair and shortsighted.

Either we favor flexible use of urban systems funds or we do not. Earmarking militates against flexibility, at least on a statewide basis. Flexibility would tend to support the concept of selecting priority transportation projects on the basis of need. Earmarking of funds solely on the basis of populations militates against priority decisions based on need.

I attach a letter from the National Association of Counties which further describes the significance and urgency of my amendment:

> NATIONAL ASSOCIATION OF COUNTIES,
> *Washington, D.C., April 18, 1973.*
>
> Hon. JAMES M. HANLEY,
> *U.S. House of Representatives,*
> *Washington, D.C.*
>
> DEAR MR. HANLEY: The National Association of Counties is strongly opposed to the provision in the Federal Aid Highway Act of 1973 which would earmark funds for cities over 400,000 population. (Section 138 of S. 502 as reported by the House Committee on Public Works). We support your amendment to delete this section.
>
> Although the bill proposes to increase funding for the federal aid urban road system from $100 million to $700 million a year, this amount is still minimal compared to the total road and street needs in urban areas. Our needs will far outstrip available resources for many years to come. To make best use of these limited federal aid urban system funds, it is essential that a priority funding system be established which is based on needs. We believe these priorities should be determined at the state level where the needs of all the urban areas can be adequately considered.
>
> We see no justification or rationale for separating out cities who happen to be over 400,000 population. Why should their needs be given special priority over the needs of other urban areas in a state? The same question can be asked regarding the funding of projects within a metropolitan area. In effect, central cities would be given special treatment over other urban governments in 33 metropolitan areas.
>
> This provision ignores the complexities of jurisdictional responsibilities and current financing arrangements in large metropolitan areas. The federal aid urban system within a metropolitan area consists of major arterial streets and roads under the jurisdictions of a central city, suburban municipalities, one or more counties and in many instances the state highway department. The portion of the system under the control of the central city could be a small part of the total federal aid urban system within the metropolitan area. In addition, this system is connected to extensions of the federal aid primary and secondary systems which usually are under the control of the state. It not only is simplistic, but also unreal, to try to separate out one part of the system and give it a special priority over the rest of the metropolitan area.
>
> The key issue should be flexibility in meeting varying state needs. In fact, the earmarking proposal goes in the opposite direction and is a step backwards.
>
> We urge the Members of the House of Representatives to support your amendment to delete Section 138 from the bill.
>
> Our kindest personal regards.
>
> Sincerely,
>
> RALPH L. TABOR,
> *Director, Federal Affairs.*

Mr. WRIGHT. Mr. Chairman, I rise in opposition to the amendment. I understand and appreciate the concern expressed by my friend from New York (Mr. HANLEY). It was not the intention of the committee in adopting this section to do any injury whatever to any city that is not covered in the earmarking provision.

All the earmarking provision would do, would be to say that those cities of 400,000 and over will have earmarked for them out of the urban system an amount proportionate to the percentage that their population bears to the total urban percentage of the State.

Now, the urban program of a given State consists of all those cities and towns of 5,000 and more.

The purpose of the section, which was offered in the committee by the gentlewoman from New York (Ms. ABZUG) was not to deprive other cities of their rightful shares, but simply to let those large cities of 400,000 and more—and there are 32 of them in the country—know in advance how much of that money on a percentage basis righfully ought to be theirs, in order that they might make some advance, long-term plans. That is the whole purpose.

I do not believe that the amendment works to the detriment of other cities. It applies only to the urban system, and therefore would not apply at all to the rural system, and it does not disturb all the money in the urban system.

Those 32 large cities, on the basis of their population as a percentage of the total population, would be entitled to approximately $188 million. That is $188 million out of the $700 million total set aside for urban highways. So, that means more than $500 million will be left for disbursement among the other cities in the country.

Admittedly, the 400,000 level was an arbitrary figure. I think it was accepted in committee for the reason that this was the figure established in the other body. It might have been 50,000, or it might have been 100,000. The idea behind establishing the figure at 400,000 was basically the thought that cities of that size probably need to have advance knowledge so that they can make long-term plans for their public hearings and otherwise accommodate all the other provisions of the law, and thus not have separate and interminable delays in the completion of their particularly knotty and cumbersome highway problems.

I do not think the provision in the bill would actually inflict harm upon any other cities. For that reason, while I sympathize with the ideas expressed and the concern of the gentleman from New York and some of my other neighbors who do not represent cities of that size—I represent a city just barely under 400,000—I do not believe that this amendment is a necessary one.

Therefore the committee position would be to vote against the amendment.

PERFECTING AMENDMENT OFFERED BY MR. BUCHANAN

Mr. BUCHANAN. Mr. Chairman, I offer an amendment as a perfecting amendment.

The Clerk read as follows:

Perfecting amendment offered by Mr. BUCHANAN: Page 124, strike out line 14 and all that follows down through and including the line following line 12 on page 125, and insert in lieu thereof the following:

"§ 149. Availability of urban system funds

"(a) Funds apportioned to any State under paragraph (6) of subsection (b) of section 104 of this title which are attributable to urbanized areas having a population of 400,000 or more shall be allocated among such urbanized areas, or parts thereof, within any such State in the ratio that the population within each such urbanized area, or part thereof, bears to the population of all urban areas, or parts thereof, within such State.

"(b) Funds allocated in accordance with subsection (a) of this section shall be available for expenditure within any such urbanized area for projects on the urban system, including those authorized by section 142 of this title, which shall be planned in accordance with the planning process required by section 134 of this title.

"(c) Funds allocated to any urbanized area under subsection (a) of this section shall be available for expenditure in another urbanized area within such State only where the responsible public officials in both such urbanized areas agree to such availability.

"(d) Where the Secretary finds that any incorporated municipality having a population of 400,000 or more, or a combination of municipalities, at least one of which has a population of 400,000 or more, has sufficient authority under State law to develop and implement a plan for expenditure of funds attributed to such municipality or municipalities pursuant to this section and has adequate powers under State law and is suitably equipped and organized to carry out projects on the urban system, funds allocated to an urbanized area under subsection (a) of this section which are attributable to such municipality or municipalities shall be available to such municipality or municipalities for projects on the urban system, including those authorized by section 142 of this title, which shall be planned in accordance with the planning process required by section 134 of this title, and which shall not be in conflict with any State transportation plan approved by the Governor."

(b) The table of contents of chapter 1 of title 23 of the United States Code is amended by adding at the end thereof the following:

"149. Availability of urban system funds.".

Mr. BUCHANAN [during the reading]. Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BUCHANAN. Mr. Chairman, the distinguished gentleman from Texas has made an eloquent defense of the language of the committee bill, which would even better apply to the amendment I now present as a second alternative.

The gentleman from New York (Mr. HANLEY) would have us strike this section. I would have us improve it to include all urbanized areas of 400,000 or more and to provide a passthrough formula for such areas.

This was proposed by the administration and endorsed again by the Secretary of Transportation in a letter on April 4. It is the language passed by the other body.

I would call this a "fair play to cities" amendment or an equal rights amendment to that majority—majority, if you please—of Americans who live in such urbanized areas.

It is one of the saddest but truest facts of life I know in this country that in this growingly urban Nation of ours many of the larger cities have been consistently discriminated against by their State governments in those areas where the State government has exclusive control over such Federal funds as these.

This has been the case in my own city of Birmingham, consistently through a series of administrations. We got our interstate money last, and only after a sustained fight to receive it. It was uneconomic, unjust and unwise, but it happened.

We do not get our fair share of urban systems money, although we are the largest city and our people are entitled to it as a matter of their rights as citizens of Alabama and of the United States.

I want to ask the Members to strike a blow for justice and for the people by accepting this perfecting amendment.

The city of the distinguished gentleman from Texas will be one of those included. I would urge my friends to check carefully their own cities, because there are many Members here who would find help for their constituents in the passage of this amendment.

The cities which would benefit directly from this amendment, Mr. Chairman include:

New York.
Los Angeles-Long Beach, Calif.
Chicago, Ill.
Philadelphia, Pa.
Detroit, Mich.
San Francisco-Oakland, Calif.
Washington, D.C.
Boston, Mass.
Pittsburgh, Pa.
St. Louis, Mo.
Baltimore, Md.
Cleveland, Ohio.
Houston, Texas.
Newark, N.J.
Minneapolis-St. Paul, Minn.
Dallas, Tex.
Seattle-Everett, Wash.
Milwaukee, Wis.
Atlanta, Ga.
Cincinnati, Ohio.
San Diego, Calif.
Buffalo, N.Y.
Miami, Fla.
Kansas City, Mo.
Denver, Colo.
San Bernardino-Riverside, Calif.
Indianapolis, Ind.
San Jose, Calif.
New Orleans, La.
Tampa-St. Petersburg, Fla.
Portland, Ore.
Phoenix, Ariz.
Columbus, Ohio.
Providence-Pawtucket, R.I.-Mass.
Rochester, N.Y.
San Antonio, Tex.
Dayton, Ohio.
Lousiville, Ky., Inc.
Sacramento, Calif.
Memphis, Tenn.
Fort Worth, Tex.
Birmingham, Alabama.
Albany-Schenectady, N.Y.
Toledo, Ohio.
Norfolk-Portsmouth, Va.
Akron, Ohio.
Hartford, Conn.
Oklahoma City, Okla.
Honolulu, Hawaii.
Ft. Lauderdale-Hollywood, Fla.
Salt Lake City, Utah.
Omaha, Neb.
Nashville, Tenn.
Springfield-Holyoke, Mass.
Jacksonville, Fla.
Richmond, Va.
Bridgeport, Conn.

Mr. ROUSSELOT. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from California.

Mr. ROUSSELOT. Would the effect of the gentleman's amendment be to basically bypass the State highway commissions and/or operative organizations in each State?

Mr. BUCHANAN. The effect of my amendment would be to provide the same kind of passthrough formula, to provide their fair percentage to urbanized areas, as is true in revenue sharing and many other programs where we have found it wise to do so. The gentleman is correct.

Mr. ROUSSELOT. The respective State highway commissions, or whatever it is set up to analyze this, would be bypassed.

Mr. BUCHANAN. Yes, but only the fair share of the funds which by population these cities would merit would be required to be passed through.

Mr. ROUSSELOT. So, in effect, in the State of California, a city of 400,000 or more, they would bypass the State highway department?

Mr. BUCHANAN. Mr. Chairman, I would say to the gentleman from California (Mr. ROUSSELOT) that the committee amendment provides for cities of 400,000 or more; my amendment provides for that wider group, including the majority of American citizens who live in urbanized areas of 400,000 or more.

Mr. ROUSSELOT. Mr. Chairman, I appreciate the gentleman yielding to me, and I appreciate he is attempting to answer my question.

It would, in fact, provide for the bypass procedure for the major cities to override the State highway department?

Mr. BUCHANAN. Mr. Chairman, it would provide for the passthrough procedure to protect the rights of the people who live in the cities of these United States, the majority of the people, and I urge the majority of those people through their representatives in this House to support this amendment and recognize that it is an equal-rights-for-the-people amendment, a fair-play amendment.

I would say also that I know the gentleman from Texas and the gentleman from Ohio are Members who are wise and compassionate, and in their wisdom and compassion I know they will not pass by on the other side the many American citizens who are stranded by the roadside in America's cities and who need their help.

Surely, Mr. Chairman, they will strike a blow for justice by accepting my amendment.

Mr. WRIGHT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not want to be guilty like the priest and the Levite of passing through—or passing by—on the other side. I thought I was being like a Good Samaritan when I spoke against the amendment offered by the gentleman from New York (Mr. Hanley) and I, more or less, may have stretched a point in charity by saying that moneys ought to be earmarked for certain big cities.

But this substitute would go a very dangerous step further. My friends and colleagues, this is a lot different than earmarking so much money available for a city. This would utterly destroy the Federal-State partnership that has existed since the beginning of the highway program.

This would not just earmark moneys and say these are available for programs within those cities; this would say that the State highway department or the State department of transportation or the government of the States does not have one word to say about the disbursement of these particular funds.

It would take the money and deliver it directly from the Department of Transportation to the city, bypassing the State machinery, making all of the State rules and laws inapplicable to it.

If there were any State requirements for environmental impact studies, if there were any State requirements for city priorities, if there were any State requirements for determining public desires as to a certain corridor, all those would be bypassed.

This amendment was offered in our committee and was very strongly opposed by the National Governors' Conference; it also was very strongly opposed by the National Association of Counties; it also has been very strongly opposed and almost unanimously opposed by the American Association of State Highway Officials.

Mr. Chairman, as sympathetic as I am to my beloved colleague, the gentleman from Alabama (Mr. Buchanan) and as loath as I am to appear to "pass by on the other side," I still do not want to be guilty of passing through, or shall we say bypassing, the important filter of State administration. We should stop and think before we destroy the very precious and very delicate Federal-State relationship that exists within this program. So, Mr. Chairman, I urge the Members to reject the amendment offered by the gentleman from Alabama (Mr. Buchanan).

Mr. SNYDER. Will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Kentucky (Mr. Snyder).

Mr. SNYDER. Mr. Chairman, I think the point has been made, as the gentleman said, that this was opposed back in the committee, but in reading the language and discussing it with the gentleman from Alabama (Mr. Buchanan) while we must have a city of 400,000 or more under his amendment for pass through, it also includes all of the other smaller municipalities in the group around that city, and the actual practical ability to be able to plan highways and to use this money in conjunction with it, where you may have 30 or 40 of these little communities nestled around the city, would run into so much redtape, you would have the question of practical ability to be able to operate under this provision and bypass the State.

As the gentleman says, under this program, in an areawide system, a group of municipalities trying to coordinate really could not be put together, because this money comes directly from the Department of Transportation, but all of the other big cities would have to await the regular process in order to get their funds.

I may say I do not think that would be a proper procedure. It would ignore the plan that we have, if you want to put it that way.

Mr. SNYDER. That is right. It would be a real mess.

Mr. SEIBERLING. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I am glad to yield to the gentleman.

Mr. SEIBERLING. I am a little bothered by the language of the committee bill that says funds apportioned to any State are attributable to incorporated municipalities having a population of 400,000 or more.

Take my own city of Akron. It has a population of 300,000, but it you include the other cities around it, is gets up to 500,000, and that would not be taken care of by this amendment.

Mr. WRIGHT. The gentleman is correct. It would not be. And it is further aggravated by the amendment offered by the gentleman from Alabama.

I happen to represent an area where I suppose the central city comes out to perhaps 398,000. I do not know exactly, but it is just short of 400,000. The contiguous metropolitan area consists of a conglomeration of smaller municipalities lying adjacent to the central city and to one another, as the gentleman describes in his own case.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, at the request of Mr. Seiberling, Mr. Wright was allowed to proceed for 1 additional minute.)

Mr. WRIGHT. I yield to the gentleman from Ohio.

Mr. SEIBERLING. Should we not look at the actual metropolitan area and make that the criterion rather than incorporated municipalities?

Mr. WRIGHT. The bill does, of course, contain provisions for metropolitan areawide planning and for their working through the State highway departments. I think the provisions of the bill are not mischievous on that score in earmarking of money, but the provision offered by the gentleman from Alabama, I believe, would be mischievous with regard to that areawide planning approach, in my judgment.

Mr. SEIBERLING. Thank you.

Mr. HARSHA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, first I want to associate myself with the remarks of the distinguished gentleman from Texas (Mr. Wright) insofar as they apply to the Buchanan amendment.

This was offered in the committee, and I do not believe it is a good amendment. It is opposed by the Governor's Conference and by the AASHO.

We have already built into the law that no project would be built in any municipal area without the concurrence and cooperation of local officials, under the federal aid urban highway system. There is no need for this amendment.

I would like to make reference to the amendment offered by the gentleman from New York (Mr. Hanley). We have in the bill a provision that he endeavors to strike out. The amendment was offered by Ms. Abzug, and I did not raise any serious objections to it at that time, because I did not fully understand it, I am frank to admit, but let me point out to you what it does.

It deprives States of their rights under existing law to apportion funds on the basis of need and priorities. In other words, the Federal aid urban money is dedicated to the needs of an incorporated municipality of 400,000 or more in a State irrespective of the needs across the rest of the State.

For example, the State of Illinois, under the distribution of urban funds, would get $42.7 million, roughly. Chicago alone out of that $42 million total would get $18,163,000, leaving about $24.5 million to be divided across the rest of the State of Illinois. The suburbs of Chicago would have to fight with the rest of the State against the city of Chicago as an incorporated municipality and what it gets. The rest of the cities would have to scramble for what is left regardless of priority.

Now take the State of Michigan. Michigan gets $30.6 million, and yet the city of Detroit gets over $8 million of that and the suburbs of Detroit would be excluded. They would have to vie with all the other cities in the State of Michigan for the balance of about $22.5 million.

The same principle applies in Pennsylvania where they get $37,529,000.

Yet the city of Philadelphia and the city of Pittsburgh get $13 million, so that the suburbs of Philadelphia and the suburbs of Pittsburgh would have to get in line with all of the other cities in Pennsylvania to fight for the availability of some $24 million.

Let me illustrate to you what happens in Ohio. Ohio has $36 million coming, and roughly $10 million would be taken out of that for the incorporated city of Cincinnati, the incorporated city of

Columbus, and the incorporated city of Cleveland, and all of the suburbs of Cleveland, Cincinnati, and Columbus would have to join with the rank and file of all of the other cities that fight for the remainder of the $26 million. This is totally unfair, and deprives the State of making the determination as to where the needs are and what the priorities based on the total transportation needs of their State.

I point this out to the Members of the House, and urge that the amendment offered by the gentleman from New York (Mr. HANLEY) be accepted.

Ms. ABZUG. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Hanley amendment.

The "earmarking" provision of the bill, which would be stricken by this amendment, was adopted by the Public Works Committee after full and careful deliberation. It provides that cities with more than 400,000 population would be assured of having their proportional share of urban system funds—based upon population—spent within their boundaries. This will provide our major cities with stable sources of funding and will allow them to develop adequate, comprehensive plans for a balanced transportation program—without affecting the prerogatives or funding available to smaller communities. The committee has in the past been a staunch and reliable advocate of the interests of such smaller communities, and it has in no way let them down by adopting this provision.

The Federal-aid urban system is designed to serve the transportation needs of cities and metropolitan areas containing approximately 120 million people across the Nation. Of these, 35 million live in our 33 largest cities, those with populations of over 400,000. Under the provision in the bill, a proportional share of urban system funds—$188 million out of a total of $700 million—will be earmarked for expenditure within these 33 cities. The balance of urban system funds—$512 million—will remain available for expenditure in smaller cities and metropolitan areas in the same manner as at present. It was the committee's judgment that the proposed authorization level of $700 million for the urban system is sufficiently high to permit such earmarking without danger of dissipating the total amount apportioned to any given State.

In the 30 States which do not contain any city of over 400,000 people, this provision will have no effect whatever on the amount or manner of distribution of urban system funds. In the remaining 20 States—plus the District of Columbia and Puerto Rico—the provision will only assure that the large cities receive their fair share of the funds, in much the same way that each State is guaranteed its fair proportion of funds.

In concluding, I wish to note that this provision in no way affects or disturbs the allocation of funds for the Interstate, primary, secondary or urban extension systems, nor for most of the funds in the urban system. In addition, the States will still maintain control of the earmarked funds and will still have the final say as to the manner in which those funds are spent.

The committee has made in this provision a sincere and responsible effort to meet the pressing transportation needs of our major cities, without reducing in any way the funds to which smaller communities are rightly entitled. I believe that the committee deserves your support, and I urge you to vote down the Hanley amendment.

Mr. WRIGHT. Mr. Chairman, I wonder if we could get some agreement as to a time limit on this amendment, and the amendment to it. Therefore, Mr. Chairman, I ask unanimous consent that all debate—and I see that there are very few Members standing—on the amendment offered by the gentleman from New York (Mr. HANLEY) and the perfecting amendment offered by the gentleman from Alabama (Mr. BUCHANAN), and any amendments thereto, shall be finished in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. DANIELSON. Mr. Chairman, reserving the right to object, I rise in opposition to the amendments.

Mr. Chairman, the major shortcoming of this legislation is that we are looking at only one side of the highway travel coin—that is highway construction. The other side of that coin is the use of which those highways will be put—the automobiles which travel on the highways we are building. And it is becoming increasingly clear that these automobiles are causing some grave problems.

The insatiable appetite of our big American cars for gasoline is clearly the key to our current fuel shortage. The highway use of motor fuel exceeded 103 billion gallons in 1972 in the United States. If the automobiles of America were to average 25 miles per gallon, instead of the present 12.5 miles per gallon, obviously we would greatly lessen the fuel shortage, and with that we would reduce our balance of trade deficit.

Additionally, motor vehicles are responsible for over half of the 2 million tons of pollution which we dump into our air every year. If we could perfect smaller and cleaner-burning engines than those currently in use, we could avoid many of the problems associated with air pollution.

Car size is also a factor in highway congestion, the rate of highway accidents, the lack of parking in urban areas, and even the need for additional highway construction.

What we need is a comprehensive study and investigation of the relationship of car size to these problems.

I have sponsored a joint resolution, House Joint Resolution 301, which authorizes and directs the Secretary of Transportation to undertake such a study. This legislation, with 13 cosponsors, is currently pending before the House Committee on Interstate and Foreign Commerce.

I sincerely hope that Congress will order the undertaking of such a study before we pack up and go home at the close of the second session. We need this information if we are to make intelligent decisions about our highway program and about other pressing domestic problems.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. BUCHANAN. Mr. Chairman, reserving the right to object, Mr. Chairman, I want to underline the fact that this is an administration proposal; it has been passed in the other body, and it has been endorsed by the Secretary of Transportation and the President, and I am for it.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. PEYSER. Mr. Chairman, reserving the right to object, I would agree to a time limitation being taken as long as it gives each Member who is standing at least 2 minutes of time, if that would be agreeable.

Mr. Chairman, I withdraw my reservation of objection.

Mr. WRIGHT. Mr. Chairman, how many Members were standing?

The CHAIRMAN. The Chair has approximately 10 or 11 Members on the list at this time.

Mr. WRIGHT. In that case, Mr. Chairman, I would ask unanimous consent that all debate conclude in 20 minutes on this amendment and any other amendments.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that all debate on the pending amendments and amendments thereto close in 22 minutes. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. Each Member standing when the unanimous-consent request was agreed to will be recognized for approximately 2 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. SHUSTER).

(By unanimous consent, Messrs. DON H. CLAUSEN and FREY yielded their time to Mr. SHUSTER.)

Mr. SHUSTER. I thank the Chairman.

Mr. Chairman, I rise in opposition to the amendment. I rise in opposition to it for three reasons. The first reason is because it is patently unfair to all of the cities of America except those exalted 32 largest cities which are suggesting that they should be able to capture funds for themselves without going through the process which the rest of the cities of America must go through.

Mr. Chairman, there are 243 metropolitan areas in this Nation. Under this amendment 32 of those cities would be able to get their funds without having to justify them in any way, and the other cities of this nation would have to go with hat in hand to their State transportation departments, begging for the leavings and begging for the leftovers of the funds which they had hoped to get.

This simply is not fair. It is unfair to all of the cities, as well as rural America. It is unfair because the exalted 32 should have to follow the same process as the rest of America.

The second reason I object to this amendment is because it rejects the orderly planning process. The exalted 32 cities would be completely out of the planning loop. The State departments would not have any say-so in deciding what the statewide orderly planning process should be.

The third reason why this amendment should be rejected is because it is fiscally irresponsible. Historically we have decided to spend money on highways on the basis of need. This amendment, Mr. Chairman, says that we will spend money on the basis of population.

That is a fundamental change, and it is fiscally irresponsible. For these three reasons I urge this committee to reject this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. HANLEY).

(By unanimous consent, Messrs. SISK and HARSHA yielded their time to Mr. HANLEY.)

Mr. HANLEY. I thank the gentleman from Ohio.

Mr. Chairman, not to belabor the issue, but in an effort to separate the two issues here, the Buchanan amendment versus my amendment, actually, and with due respect to Mr. BUCHANAN, essentially he would be doing about the same thing that the language of the Abzug amendment would do, and that is to remove from States the ability to determine their own priorities on the basis of needs within that State. Bear in mind support for the Buchanan amendment does pretty much the same as the Abzug amendment, contained in the committee language.

Support for my amendment, which Members will have the opportunity to vote on subsequently, will assign to the respective States the opportunity for that State Department of Transportation to determine where the need exists in whatever communities, irrespective of population, and allocate moneys accordingly. They will not be impeded by the restriction of earmarking funds. They, through the prerogative invested in that particular State, will determine the need and set the priority and as such determine where these moneys are to be spent.

Thus I ask for a "no" vote on the Buchanan amendment and earnestly appeal for a vote in favor of my amendment.

Mr. COTTER. Mr. Chairman, will the gentleman yield?

Mr. HANLEY. I yield to the gentleman from Connecticut (Mr. COTTER).

Mr. COTTER. Mr. Chairman, in other words the amendment offered by the gentleman would protect towns with populations of less than 400,000?

Mr. HANLEY. Precisely. There were only 32 cities in the United States which enjoy a population in excess of 400,000. The provision of the Abzug amendment would help those 32 cities, true, but at the expense of the less populous cities throughout the Nation.

Mr. SEIBERLING. Mr. Chairman, will the gentleman yield?

Mr. HANLEY. I yield to the gentleman from Ohio.

Mr. SEIBERLING. Mr. Chairman, are there not a great many more urban areas which exceed 400,000 and which the Buchanan amendment would take care of?

Mr. HANLEY. But unfortunately it would create a bureacratic monstrosity which would in effect tie the hands of that State in its efforts to develop a sound transportation program. Either we will have a Department of Transportation enjoying the responsibility of providing the best possible transportation accommodation in that State or we will not have it. Support for the Buchanan amendment would deny the State that opportunity.

Mr. SEIBERLING. But some States do not have such a department. Is that not true?

Mr. HANLEY. Very few States, I would guess. And as the gentleman knows, the House did not agree to the language of the Buchanan amendment.

Mr. SEIBERLING. The House has not voted yet. Does the gentleman mean the committee?

Mr. HANLEY. The House committee did not. I would hope very much the House would not approve the Buchanan amendment and in turn would support my amendment and assign that prerogative where it should be which is with the respective States.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. HANLEY. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Chairman, I rise to agree with the points the gentleman in the well is making because California, as with many other States, is now moving in the direction of establishing a full cabinet-level Department of Transportation and if we are going to have sound management planning we must have sound transportation planning also. The official position of the State of California is in support of what the gentleman from New York is urging, that the States have the responsibility. Yesterday, I placed a telegram from Mr. James Moe, director of public works for the State of California stating their support for my position that supports Mr. HANLEY's amendment.

We must maintain the proven Federal-State and local coordinating relationship.

Mr. HANLEY. The National Association of Governors would be opposed to the Buchanan amendment and in support of my amendment, as would be the National Association of Counties.

Ms. ABZUG. Mr. Chairman, will the gentleman yield?

Mr. HANLEY. I yield to the gentlewoman from New York.

Ms. ABZUG. Mr. Chairman, the gentleman is not suggesting that the committee bill is removing control of the State over those funds?

Mr. HANLEY. I am advising that it would require earmarking of funds and as such would remove from that State the prerogative of determining where need actually exists. We would be tying that State into an earmark situation whereas the determination should be based on need and not on a per capita basis.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. MCEWEN).

(By unanimous consent, Mr. MCEWEN yielded his time to Mr. PEYSER.)

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. PEYSER).

Mr. McEWEN. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. I yield to the gentleman from New York (Mr. MCEWEN).

Mr. McEWEN. Mr. Chairman, I rise in opposition to the Buchanan amendment and in support of the amendment offered by my colleague, the gentleman from New York (Mr. HANLEY).

Mr. Chairman, I think the amendment offered by the gentleman from Alabama would be an extension of the wrong concept, that is the destruction of the Federal-State relationship and in preferring certain communities over others.

I hope the amendment offered by the gentleman from Alabama will be defeated and the amendment offered by the gentleman from New York (Mr. HANLEY) will be approved.

Mr. PEYSER. Mr. Chairman, I find myself in an unusual position here. I do represent part of the city of New York in Congress. Obviously, I would be in support of anything that would help the City in achieving solutions to its problems and its goals.

However, I think that in the best interests of the State, and ultimately of the city of New York, the Hanley amendment should be agreed to. The Buchanan amendment should not be agreed to.

I received a letter yesterday from a former colleague of many who sit here today. He is now the mayor of New York City, John Lindsay. John Lindsay in his letter in speaking of this amendment says:

> This provision, which was inserted in the committee bill through the efforts of Representative Abzug, is essential to assure that major cities receive their rightful share from the Highway Trust Fund. We would strongly oppose any effort to delete it on the House floor.

I do not agree with Mayor Lindsay in this situation. I think all he is taking is a very provincial position in this matter.

It is essential, if you are going to have a meaningful mass transportation program to have a total State program, not one that speaks to one specific area and lets, in effect, the city of New York or any other city have what looks like an independent say on it. The need for mass transit does cross local boundaries and must be addressed by governmental bodies bigger than cities. States must be given the flexibility to create a coordinated plan.

I ask for support on the Hanley amendment and for the defeat of the Buchanan amendment.

Mr. HARSHA. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. I yield to the gentleman from Ohio (Mr. HARSHA).

Mr. HARSHA. Mr. Chairman, we have discussed the Anderson amendment. We are talking about flexibility of the States in future programs. Now, that provision in the bill would turn right around and deny that flexibility, would it?

Mr. PEYSER. The gentleman is absolutely correct. It would take it away.

Mr. HARSHA. It would deny the State the control of expenditures of money on the basis of priority to the State, would it not?

Mr. PEYSER. It seems to me the State priorities do consider the needs and priorities of the cities to take the right to decide priorities away from States would be a mistake.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota (Mr. FRENZEL).

(By unanimous consent, Mr. FRENZEL yielded his time to Mr. BUCHANAN.)

The CHAIRMAN. The Chair recognizes the gentleman from Alabama (Mr. BUCHANAN).

Mr. BUCHANAN. Mr. Chairman, I have listened attentively to this debate, and would remind the members of this committee that I speak not just for myself, but for more than half of the people of America who live in the urban areas for which I would seek relief.

I would further remind the Members that this is not my proposal.

This amendment was proposed by the administration and was included in S. 502 as passed by the other body. On April 4, 1973, Department of Transportation Secretary Claude Brinegar, again urging its inclusion in this bill, said, in a letter to the Chairman of the Public Works Committee:

> Our proposal would require a specific allocation of urban system highway funds to any urbanized area with a population of 400,000 or more. This provision would insure that major urban areas, too, would receive substantial and continuous funding which would enable them to plan confidently and realistically for future projects to meet their transportation needs.
>
> Currently the states have complete control over the amount, if any, of available federal funds each urban area will receive. In addition to assured funding to urban areas, we propose that such earmarked funds be passed through directly to an urbanized area if it has an agency capable of planning and carrying out transportation projects.
>
> Local officials are in the best position to determine local transportation needs and solutions. Therefore, if local institutions exist which have the ability to effectively manage urban transportation programs, they should be given control of the funds available to deal with the problem.

I ask the committee and the great Committee on Public Works to recognize an historic change in our society, and a great present need. We have to wake up to the fact that most Americans live in such urbanized areas as those for which I seek relief in my amendment. We need to recognize that in many instances States have been unfair to their own large cities in their State policies when funds are controlled purely by the State.

These are Federal funds for urban areas, so designated. In my own city, we had taxes placed upon gasoline in our airports which killed our chance to grow in air traffic and greatly hurt our city and our State as well. It is so because our State was, for many years, dominated by a legislature controlled by 7 percent of the population of our State. Even after reapportionment, however, we do not yet get a fair shake from the State of Alabama in the city of Birmingham.

It is not one administration, but many administrations of State governments in my own State and elsewhere which have not given fair deals to their large cities, or the majority of people living in them.

Consequently, in its wisdom the Congress has a pass-through formula in revenue sharing, in many programs of direct Federal assistance to cities, and in many other ways in which we do in principle what we try to do in this amendment, simply to guarantee to the urbanized areas of 400,000 or more, and to the more than 100 million Americans who live in them, their fair share of Federal money for urban areas.

There is nothing mischievous, new or strange about this amendment. It is a fair play amendment. It is an equal rights amendment.

I urge the adoption of the Buchanan amendment and the defeat of the Hanley amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. RONCALLO).

Mr. RONCALLO of New York. Mr. Chairman, I yield back my time.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Chairman, I know I am opposed to the Buchanan perfecting amendment, so-called. I doubt very much that it is the business of the Congress of the United States on this occasion, to straighten out the past misdeeds of the Alabama Legislature.

I should like to address a question to the gentleman from Texas (Mr. WRIGHT) with respect to the section 138. I would preface it by saying that there are two cities in the State of Iowa of more than 75,000 population each which do not as of this day and hour have an interstate highway connection. It seems to me that this provision in the bill, with its mandatory provision, might work adversely to the situation in Iowa, and perhaps in other States. I should like to have the gentleman tell me whether that is not true.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Texas.

Mr. WRIGHT. Let me ask the gentleman from Iowa a question. Is there any city in Iowa over 400,000, in the last census?

Mr. GROSS. No, there is none.

Mr. WRIGHT. In that case this will not affect the State of Iowa one way or the other, because the State of Iowa would get its regular apportionment and it would divide it among its cities just as it has done in the past. The State of Iowa would not be affected one way or another.

Mr. GROSS. All right. Going beyond saying it could adversely affect cities of similar population in other States?

Mr. WRIGHT. If the gentleman from Iowa is correct in his interpretation, I do not believe that the provision in the bill would adversely affect anybody, because it does not take money away from one and give it to another. I do believe that the proposed Buchanan amendment could be very mischievous.

Mr. GROSS. I agree with the gentleman on that score, with respect to the Buchanan amendment, but I believe section 138 is a further breaching of the original purpose of the Highway Act and I am opposed to that section.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. WRIGHT) to close debate.

Mr. WRIGHT. Mr. Chairman, the committee hopes that Members will, by all means, vote down the Buchanan amendment, because it would breach the long-standing relationship between the Federal Government and the State highway departments and would make regionalized planning much, much more difficult.

As I tried to explain earlier, I do not believe it is necessary to support the Hanley amendment, because I do not believe that the language in the bill works to the detriment of any city. It merely earmarks moneys that would be applicable to the largest of the cities, to give them time for planning.

Mr. PICKLE. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Texas.

Mr. PICKLE. It appears to me that the Hanley amendment is a more democratic aproach, and would allow not only the big cities but also the moderately large cities to have an opportunity to use these funds. Would not the gentleman agree it would be a matter of equity to allow the medium sized or moderate sized cities to get aid?

Mr. WRIGHT. As I said earlier, the 400,000 figure was arbitrary. It might as well have been 50,000 or 100,000. There has to be some point to determine that a city is so big that it requires advance knowledge of total funding availabilities.

The problems of the cities need understanding. I am not saying there was anything magic about that 400,000 figure at all. I do not believe, however, that the provisions in the committee bill work to the detriment of any of the other cities.

Mr. PICKLE. But certainly it is a more democratic approach to the needs of the moderately sized city.

Mr. MYERS. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Indiana (Mr. MYERS).

Mr. MYERS. Mr. Chairman, in the debate I understand the gentleman from Iowa (Mr. GROSS) said that Iowa did not have any cities of 400,000 or more population.

However, in section 110, paragraph (2), on page 87, it says:

Any State not having a designated urbanized area may designate routes on the Federal-aid urban system for its largest population center, based upon a continuing planning process developed cooperatively by State and local officials and the Secretary.

Would this Hanley amendment affect that section in any way?

Mr. WRIGHT. It would not affect it in any way whatever.

The CHAIRMAN. All time has expired.

The question is on the perfecting amendment offered by the gentleman from Alabama (Mr. BUCHANAN).

The perfecting amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. HANLEY).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Ms. ABZUG. Mr. Chairman, I demand a recorded vote.

A recorded vote was refused.

So the amendment was agreed to.

Mr. DON H. CLAUSEN. Mr. Chairman, I have an amendment at the desk. However, at this time I want to yield to the gentleman from New York (Mr. BINGHAM) who has another appointment, so that he may offer his amendment at this time.

The CHAIRMAN. The Chair will advise the gentleman from California (Mr. DON H. CLAUSEN) he cannot yield for that purpose. If the gentleman from New York (Mr. BINGHAM) were here, the Chair would recognize him.

AMENDMENTS OFFERED BY MR. MILFORD

Mr. MILFORD. Mr. Chairman, I offer two amendments, and I ask unanimous consent that they may be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. MILFORD: Page 102, line 17, strike out "Approval" and all that follows down through and including the period on line 23 and insert in lieu thereof the following:

Approval of the plans, specifications and estimates for such project by the Secretary shall require payment of the proportional share of the United States of the cost of such project in an amount equal to the Federal share which would have been paid if such project were a highway project under sec. 120(a) of this title, but only to the extent and in such amounts as may be provided in appropriation Acts enacted after the date of the enactment of the Federal-Aid Highway Act of 1973.

Page 128, line 5, strike out "Approval" and all that follows down through and including the period on line 12 and insert in lieu thereof the following:

Approval of the plans, specifications and estimates for such project by the Secretary shall require payment of the proportional share of the United States of the cost of such project in an amount equal to the Federal share which would have been paid for the route or portion thereof approval of which is withdrawn under this paragraph, but only to the extent and in such amounts as may be provided in appropriation Acts enacted after the date of enactment of the Federal-Aid Highway Act of 1973.

Page 165, line 14, immediately after "(c)" the first place it appears insert "(1)".

Page 165, after line 17, insert the following:

(2) Notwithstanding any other provision of law, the Secretary of Transportation shall, with respect to those funds authorized as a result of the amendment made by paragraph (1) of this subsection, incur obligations on behalf of the United States only to such extent and in such amounts as may be provided in appropriation Acts enacted after the date of enactment of this title.

Mr. MILFORD. Mr. Chairman, my amendment is really very simple. All it does is to make this bill follow normal congressional procedures. It does not remove 1 penny from the authorized expenditures of the highway trust fund. This amendment simply channels the appropriation of general funds through the Appropriations Committee—instead of granting blank check contracting authority.

As a member of the Public Works Committee, I take great pride in this legislation. I have found that it is an excellent work, well drawn, well researched, and it merits rapid passage by this body.

Only in this one factor do I disagree with my distinguished colleague and north Texas neighbor (Mr. JIM WRIGHT). The two of us are honored to jointly represent the largest metropolitan area in Texas. Each of us are vitally interested in the provisions on mass transit in this document.

However, I think that there may be some misunderstanding on the part of some Members of this House as to what "contractual authority" really means. It means that if you pass this bill in its present form, you have committed the U.S. Treasury to spend $3 billion. There will be no annual review, no way to modify or change—even if we should encounter a national emergency a year later.

Most important, this House will once again be a participant to back door spending. We will be committing a sizable sum of money without taking into consideration the overall spending needs of this Nation. Only the Appropriations Committee or the forthcoming Joint Budget Control Committee can intelligently do this job.

My friends, this is not responsible spending. Past history has proven this fact. Let me quote a section from the interim report of the Joint Budget Committee study:

> A type of backdoor authority is contract authority. This is authority granted to the executive department to enter into contracts . . . involving direct obligation of Federal funds.

This is a contract drawn by the Federal Government which must be lived up to with the House having no real say in how much money can be spent under such a contract.

This Congress has already lost control of the budget. It was not taken from us—we gave up that control. The use of contracting authority was one of the prime vehicles that handed budget control to the administration.

I would urge each of you to consider this amendment. Again all it does is to remove the contractual authority for spending in those areas that takes money from the general fund and replaces the spending authority through our normal appropriations procedures.

Mr. HARSHA. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, in its deliberations the Committee on Public Works recognized that there was a need for mass transit facilities throughout the country. That is why we went to the extent we did in writing this bill to try to help the cause of mass transit.

The administration sent up here its urban mass transit extension of the present law. It requested an additional $3 billion of contract authority, and it put in its budget for fiscal 1974 this amount of money. The administration placed an obligation of $1 billion for contract authority for urban mass transit facilities.

Mr. Chairman, the administration is wholly committed to urban mass transit.

The committee, in its wisdom, tried as best we could to provide the mass transit facilities needed in this country. We felt that the urban mass transit program should include contract authority, and if we can provide contract authority out of the trust fund for highways, we can, with equal logic, provide for additional mass transit funds by contract authority.

We have to resolve the transportation problems in this country, and while the gentleman is trying very sincerely to be very fiscally responsible—and I admire him for that—we think, under this bill, the administration has sufficient control of the funds available to be expended that it will exercise the fiscal responsibility necessary.

We, on the committee, have recognized the need for mass transit and have extended to it what the administration wants and is committed to for mass transit.

Mr. Chairman, I urge the defeat of the amendment.

Mr. JAMES V. STANTON. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, in the difficult task of trying to meet the various forces that were emerging on this bill between the highway trust fund supporters and the supporters of the needs of urban areas of the United States, the gentleman from Texas (Mr. WRIGHT) and the gentleman from Ohio (Mr. HARSHA) and the committee as a whole proposed a contract authority to meet the needs of mass transit in the United States. It was an attempt to build a bridge between the divisive forces of this House and to give some assurances to the urban areas of the United States that they were going to be considered as to their mass transit needs.

Mr. Chairman, we have just lost a battle to open up the trust fund. As one who voted in favor of opening up the trust fund, I accept that defeat. I think that it is the will of this House not to open up the trust fund, but I ask the Members in the name of fairness not to deny us the one chance we have of funding for mass transportation in the United

States. If we are denied this contractual authority then you will deny us everything, because the fact of the matter is we who know the House, if we were thrown to the position of going through the normal appropriation process the cities of America will not be meeting their needs, and not getting the guarantee that was offered by the leadership of the House Committee on Public Works.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. JAMES V. STANTON. I yield to the gentleman from Texas.

Mr. WRIGHT. Mr. Chairman, I would just like to say that I emphatically agree with every word that has been spoken by the gentleman from Ohio (Mr. JAMES V. STANTON). As dear and as close a personal friend as is the gentleman from Texas (Mr. MILFORD) who offered this amendment, I think it would be a very, very bad thing. It would break faith with our earlier expressions in debate today and upset the balance that we have created in order to serve mass transit. Mass transit does need help, and it needs it now, and the only way cities can get it in a timely fashion is by contractual authority.

Mr. RONCALIO of Wyoming. Mr. Chairman, will the gentleman yield?

Mr. JAMES V. STANTON. I yield to the gentleman from Wyoming.

Mr. RONCALIO of Wyoming. Mr. Chairman, I thank the gentleman from Iowa for yielding to me.

Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Texas (Mr. MILFORD) and I do so because I speak as one who voted for diversion last year, and had it not been for the excellent compromise language worked out by the gentleman from Texas (Mr. WRIGHT) and the gentleman from Ohio (Mr. HARSHA) I would not have changed my position and be sustaining the position of the majority of the committee.

The language on contractual authority, once the plans are approved does give relief to the cities when they need it, and I think it is excellent legislation.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. GIAIMO. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment offered by the gentleman from Texas (Mr. MILFORD).

Mr. WRIGHT. Mr. Chairman, will the gentleman yield for a unanimous-consent request?

Mr. GIAIMO. I yield to the gentleman from Texas.

Mr. WRIGHT. Mr. Chairman, I ask unanimous consent that all debate on this amendment conclude in 15 minutes.

Mr. GIAIMO. Mr. Chairman, might I ask if this is coming out of my time? I yielded for a unanimous-consent request, and not for a debate or a discussion.

Mr. WRIGHT. Mr. Chairman, I would like to withdraw my unanimous-consent request.

Mr. GIAIMO. Mr. Chairman, I decline to yield further.

The CHAIRMAN. The gentleman from Connecticut (Mr. GIAIMO) declines to yield further, and the gentleman from Texas withdraws his unanimous-consent request.

Mr. WRIGHT. Further, Mr. Chairman, I ask unanimous consent that the gentleman from Kentucky be given 1 additional minute to compensate the gentleman for the time that I took.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GIAIMO. Mr. Chairman, I thank the gentleman from Texas for the additional time, and I know that in this debate, I am going to need all the additional time I can get.

Mr. Chairman and members of the committee, I rise in support of the amendment offered by the gentleman from Texas (Mr. MILFORD). And to my friends who voted for the Anderson amendment, as I did, I say to them that I wish they would think about what is really happening to the budgetary processes in this country.

If we in fact had congressional appropriations for highway funds, I would be willing to bet my bottom dollar that we would have received some money today for mass transit.

But the fact is that what is occurring in this country is that we go around wringing our hands and saying that Congress is losing control to the executive. We are told that the executive branch is taking over, and Congress is becoming powerless. In many areas Congress is powerless, but in some areas Congress could be paramount in power, and that is in the power of the purse, in the budget, and the appropriating and the expenditures of money.

But, what do we do? We lament over loss of control of the Federal budget, and we worry about the power of the Appropriation Committee. My figures are accurate. I know, that approximately, 50 percent, of the taxpayers' money that is spent today does not go through Congress and does not go through the appropriations procedure.

My chairman of the Committee on Appropriations will tell us that. What do we do? We authorize revenue-sharing funds over which Congress has no control. We authorize trust funds, the highway trust fund, the airport trust fund, the social security trust funds, over which the Executive has control and Congress has none. We find the same situation in contract authority, such as in our FHA and housing programs, over which Congress has no control and authority. That is the point where we really give away our congressional powers. If we had those powers, I know from the pressures in this Congress that today there would have been funds for mass transit, and powers and pressures put into this Committee on Appropriations would have forced us to come out with money for mass transit.

I will admit that in the old days the Committee on Appropriations of both the House and Senate were pretty tough in giving out money. It was then that contract authority and trust funds and back-door spending come into being—during the thirties and the forties in this country.

But the pendulum has swung the other way, and we are now giving away the one great power that the House and the Congress have, and that is control over the taxpayers' money.

To my urban friends and my liberal friends from the North who were so concerned about having a tight-fisted Committee on Appropriations deny them the funds that they want I say you are making a mistake. We would have gotten money for mass transit today. I know we would have gotten it. Instead of that what are we doing? We are leaving it to the decision of faceless, unknown people in the various executive agencies to determine how much goes into the highway trust fund, how much goes out for revenue sharing, how much goes into our housing projects and housing programs, how much will be expended in social security payments and in medicare payments. That is where we are really giving away our congressional power.

I say that if Congress really wants to regain its power from the executive branch of Government, we had better cut out this business of back-door spending, because that is what all of these various modes of expenditure are really called. Get the power of the purse back here in the Congress; this is the only effective leverage that we have and which really justifies our existence as an institution. Let them come up here every year and ask us for money. Let them tell us what they are going to do with the money, where they are going to put it, and at least we will then have some control over it. Do not be carried away by these old historical arguments which may have been true in their day but are no longer true now.

If there is one great means of regaining congressional prerogative and control, it is to get back the control of the taxpayers' money which we have so frivolously and generously given away to the executive branch.

I support the gentleman's amendment.

Mr. BURLESON of Texas. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I yield to the gentleman from Texas.

Mr. BURLESON of Texas. Mr. Chairman, I wish to associate myself with everything the gentleman has said. He describes one of the most vital issues that we have in this Congress today.

Mr. GIAIMO. Absolutely.

Mr. BURLESON of Texas. As the gentleman has so ably said in describing this situation, it is the only way in the world we are ever going to get handles on our fiscal affairs where we can have a look at every dime appropriated. He is so right, and I do appreciate the gentleman's statement. I support the amendment by my able colleague, the gentleman from Texas (Mr. MILFORD). I share the concern which he expressed in presenting his amendment and deplore this attempt as the bill now provides to bypass the appropriation processes.

Mr. MAHON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this is an amendment that will decide, to some considerable extent, what Members in this House want: Better control of the purse and greater power in the hands of Congress. We should not be in favor of abdicating to the Executive. We should stand on our two feet and have a greater role in running this country.

I am in favor of the Milford amendment.

As to mass transit, we have to have funds for the mass transit program. It is a big and difficult problem but we have to make appropriate provision for mass transit.

What does this bill do with respect to mass transit? It says for 3 years we have $3 billion for mass transit in contract authority. All right, suppose the Executive does not obligate the money, next year what do we do? For 3 years we are locked in because next year the issue will not come before us. We can lambaste the Executive about not contracting for these projects, but the issue would not be before us for review. We cannot reaffirm next year that we are still in favor of mass transit through an appropriation, because it is all contract authority and we are locked in for 3 years and we have nothing to do but pick up the tab.

It is like revenue sharing in which for 5 years we have abdicated our control and have walked out of the picture and turned it over to the Executive.

We talk about the misuse of power by the Executive. Of course if we give the power away how can we expect him not to use it. I propose that we authorize appropriations in authorization bills such as this and provide the money in appropriation bills. It ought to be that way and it will be that way when the Members of this House awaken to the fact that there is no need for us to give away the power which is provided to us under the Constitution.

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Michigan.

Mr. CEDERBERG. Mr. Chairman, I want to associate myself with the remarks made by the gentleman from Texas who has stated the situation correctly. I think it is time we in the Congress reassert ourselves and we can do it best through the appropriations process.

Let me assure the Members we in our committee are not insensitive to the problems of mass transit nor to any other problems, but I believe firmly what the gentleman has stated, that if we are going to be in control of the budget in the House and in the Congress we have got to do it through amendments of this type.

Mr. MAHON. Mr. Chairman, I am disappointed that the Committee on Public Works would want to take away from the House the right to act annually on such matters through the regular appropriation process.

I do hope this amendment, which has been so ably presented by the gentleman from Texas (Mr. Milford) and so brilliantly supported by the gentleman from Connecticut and endorsed by the ranking minority member of the Appropriations Committee, and others will be approved and that we can act next year and every year on mass transit and annually review the program.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, is the gentleman suggesting we return to the days when it was required that all the bills out of the Public Works Committee providing for the construction of Federal buildings and various other projects had to come before the Congress through the authorization procedure? Is the gentleman suggesting that we return to that procedure?

Mr. MAHON. I am not sure to what the gentleman refers but I am sure the gentleman is not in favor of contract authority which would mean we would abdicate our power for 3 years.

Mr. GROSS. The Congress a few years ago turned over to the Public Works Committee authority to authorize construction of Federal buildings without further approval from the House of Representatives. Is the gentleman suggesting that in that area we return and recapture that power as well as give to the Appropriations Committee the authority to appropriate money for the construction of the buildings? Is the gentleman suggesting that?

Mr. MAHON. I would agree that is a better procedure, but at this time I would like for us not to make a $3 billion mistake on the pending measure.

Mr. GROSS. If we are going this route, let us do go all the way.

Mr. WRIGHT. Mr. Chairman, I rise in opposition to the amendment, but pending that I would like to see if there are any other Members who are seeking recognition on this subject.

PARLIAMENTARY INQUIRY

Mr. BURKE of Massachusetts. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BURKE of Massachusetts. Mr. Chairman, I would like to ask the Chair, in view of the fact that this amendment is a special amendment, if the amendment is in order. If it is a new amendment, it should apply across the entire bill rather than to specific areas.

The CHAIRMAN. The Chair will state that this is not a proper parliamentary inquiry. It is a matter for every Member to determine.

Mr. BURKE of Massachusetts. Mr. Chairman, is it time to raise a point of order that the amendment should apply to every section of the bill?

The CHAIRMAN. The Chair will state that the point of order would come at this point too late.

Mr. WRIGHT. Mr. Chairman, I ask unanimous consent that all debate on this amendment conclude in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WRIGHT. Mr. Chairman, this is at the very heart of the balance between highways and mass transit that we sought so painstakingly and so arduously to achieve. Our committee recognized that there are important needs for highways and there are very legitimate needs for mass transit. In some of the cities these are truly urgent needs. In some of the cities there is an immediate and impending need, to try to provide some alternate means as an inducement to people to leave their automobiles at home rather than driving in ever increasing numbers daily into the heart of town.

The only way that we can be absolutely certain that a city which exercises the option to forego a given strip of urban highway and substitute mass transit, is to give the Secretary of Transportation the right at that moment, at that time when the decision is made on the part of the city, to grant to that city advance obligational funds in order that the city would have the necessary assurance to make that decision.

I stood here in the well earlier today and argued as passionately as I could to reject the Anderson amendment, which would have taken this money out of the trust fund. But with equal fervor I believe I must plead with the Members not to break the faith that we expressed in good conscience to the cities when we said, "If you will leave our trust fund intact and guarantee the highway program, we are going to give you an alternate system that is just as good."

If we do not follow through on that; if we do not give them this advance contractual authority, then what assured rights would they have under that provision? To wait a year and see if Congress in its wisdom is going to appropriate the money?

Bear in mind that the amendment that is now before us is not an amendment applicable to the $3 billion. This amendment would strike at that flexibility granted in section 1, within the $700 million urban system to which we have already voted to deny thrust fund moneys. It is a limited section, and it will not involve all of that $700 million by any stretch of the imagination.

Most of the cities are not prepared at this time to move forward with mass transit programs. Some of them are, and they need help now. This will not involve a great deal of money in this section. But such money as it does involve, I think should be promised to those cities today so that when they exercise this option and say, "We do want to forgo a portion of our urban highway and substitute a viable mass transit program and eliminate the crowding and fumes and noise of traffic in the downtown section," that there is a means by which we can say, "Very well, on this day when you relinquish the trust fund money, you have the commitment of this other money."

If this amendment prevails, they will not have that assurance on which to exercise an intelligent option. So therefore, I plead in the interest of fairness to the cities, that those who voted with me against a raid of the trust fund, will vote with me against this amendment so that we can give those cities desiring it some commensurate help, in this limited section of the bill, in order that they will not be totally denied.

The CHAIRMAN. All time has expired.

The question is on the amendments offered by the gentleman from Texas (Mr. Milford).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. GIAIMO. Mr. Chairman, I demand a recorded vote.

A recorded vote was refused.

So the amendments were rejected.

AMENDMENT OFFERED BY MR. DON H. CLAUSEN

Mr. DON H. CLAUSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Don H. Clausen: Page 81, strike "$500,000" on lines 10, 21, and 22, and substitute in lieu thereof "$1,000,000."

The CHAIRMAN. The gentleman from California (Mr. Don H. Clausen), is recognized for 5 minutes in support of his amendment.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. DON H. CLAUSEN. I am glad to yield to the gentleman from Texas.

Mr. WRIGHT. I should like to say that those of us on the majority side have examined this amendment. We have no objection to it.

Mr. DON H. CLAUSEN. I thank the gentleman.

Mr. Chairman, I offer this amendment to increase the road fund authorization from $500,000 to $1 million for America Samoa for the fiscal years of 1974, 1975, and 1976.

Just yesterday the Governor and the Legislature of American Samoa were in Washington meeting with our Territorial and Insular Affairs Subcommittee and this matter, along with many others, was discussed with them. They pointed out the serious road problems they have.

As the ranking Republican on the Territorial and Insular Affairs Subcommittee and a member of this Public Works Transportation Subcommittee, I can state to the Members that the administration supports the amendment, as does my colleague from California, Chairman Burton of Territorial and Insular Affairs, Mr. Wright, Mr. Harsha, and the members of our Public Works Committee.

I hope the Committee of the Whole House will concur and accept this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. Don H. Clausen).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BINGHAM

Mr. BINGHAM. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Bingham: On page 111, strike line 1 and all that follows down through and including the material that appears immediately following 14 on page 112, and renumber succeeding sections accordingly.

Mr. BREAUX. Mr. Chairman, I rise in opposition to the gentleman's motion to strike the priority primary section of the bill. The gentleman is making something out of this section which it is not. Namely, it is in no way a second generation interstate system nor is it in any way a system which has to be built to interstate standards.

This was the basis for much of the confusion about this section last year when it contained reference to interstate standards. The section has been rewritten in this bill to completely eliminate the reference to standards so that there will be no confusion on this point. The effect of these changes is merely to allow the system to be built to normal primary system standards.

In some cases these may very well be roads built to interstate standards. On the other hand, a well-designed, two-lane rural highway is a primary route of major significance in many of our large rural States.

With respect to urban areas, again such a route could be built to interstate standards, but it is highly unlikely. Most often an urban project will be one of possibly a widening of an existing major street with left-turn provisions and other improvements which would improve the flow of traffic.

This is one of the most important sections of this bill. The argument that these routes could be built under existing apportionments by simply raising the primary funds misses the point entirely. With the Interstate System nearing completion, feeder roadways to this system become increasingly important and should be given specific attention. The regular primary system improvements separate from the interstate, have been so neglected during the period of emphasis on the Interstate System that their progress should be allowed to proceed in as rapid a manner as possible in their own right.

The 10,000-mile study referred to in the 1968 needs study, does form the basis for the committee's recommendations in this regard and it is in light of the recommendations of that study that the bill before this body today calls for designation of this preferential system by the Secretary in cooperation with the States by July 1, 1974.

This section of the bill represents a significant move in the transition from interstate emphasis toward the urgent needs of connecting it to the other systems.

I urge the rejection of the gentleman's motion to strike section 128 of the bill.

Mr. HAMMERSCHMIDT. Mr. Chairman I rise in opposition to the gentleman's amendment.

A recent national highway needs report considered the need for additional attention to primary highways and found that within this "intermediate" system, about 10,000 miles of primary Federal-aid highways appear to require urgent attention. These 10,000 miles serve about one-sixth as much travel as the present interstate system on about one-fourth as much highway mileage. Every State has some of this mileage.

These 10,000 miles need priority consideration and should be built to high standards taking into consideration the heavy traffic volumes they handle. This becomes increasingly self-evident since travel demand continues to increase at a geometric rate with about 90 percent of all intercity passenger miles, including those traveled by air, is carried by highways.

Of particular significance is the fact that a large percentage of this 10,000-mile system reflects the enormous expansion of development from urban centers into the surrounding countryside, and the resulting heavy burden this development has placed on the rural primary system. Hence, it is felt priority programs for improvement of a limited, integrated system of supplementary routes could and, indeed, should be partially financed within the resources of highway trust fund.

This priority primary program is not conceived as another interstate system, but rather as a means of accelerating and upgrading the quality of key primary routes already on the Federal-aid system. I cannot impress on you enough what this means toward saving lives and injuries of your constituents. In most cases, it will involve reconstruction and possibly some realinement, although for the most part, these highways have been in existence for dccades, and the work required can proceed within the present rights-of-way so that the motoring public can be provided with safe, modern and convenient roads beyond the Interstate System. I strongly urge the defeat of this amendment.

These are not more interstate miles—in fact, the standards and specifications could be those of present primaries up to those interstates or in between. This would allow your State flexibility in determining its wisest course of action in keeping with its own need—allowing them to build to the highest commensurate standards in light of their light traffic volumes that would be served.

I oppose the gentleman's amendment. There are very sound and valid reasons why the committee placed this section in the bill.

Any of you who have ventured out of the cities and off the Interstate System I am sure are fully aware of the great need of upgrading our old primary road problem. This highway bill is designed to help States meet this problem, but there is urgent need to improve the most used portion of the 66,000 miles that could be considered an intermediate system, just below the Interstate System in importance, but above the balance of the primary system.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. Bingham).

The amendment was rejected.

AMENDMENT OFFERED BY MR. ROBERTS

Mr. ROBERTS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Roberts: Page 133, after line 18, insert the following:

DONATIONS

SEC. 149. (a) Chapter 3 of title 23 of the United States Code is amended by adding at the end thereof the following:

"SEC. 323. DONATIONS.

"Nothing in this title, or in any other provision of law, shall be construed to prevent a person whose real property is being acquired in connection with a project under this title, after he has been tendered the full amount of the estimated just compensation as established by an approved appraisal of the fair market value of the subject real property, from making a gift or donation of such property, or any part thereof, or of any of the compensation paid therefor, to a Federal agency, a State or a State agency, as said person shall determine."

(b) The analysis of Chapter 3 of title 23, United States Code, is amended by adding at the end thereof the following:

"323. Donations."

Mr. HARSHA. Will the gentleman yield?

Mr. ROBERTS. I will be delighted to yield to the gentleman from Ohio.

Mr. HARSHA. Mr. Chairman, this amendment is similar to a provision in last year's bill. We accept the amendment on this side.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield to me?

Mr. ROBERTS. I am delighted to yield to the gentleman.

Mr. WRIGHT. That goes for this side of the aisle, too, all of us over here. The amendment is identical to one that was inserted last year and we think it is a proper amendment and would accept it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. ROBERTS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ZION

Mr. ZION. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ZION: Page 133, after line 18, add the following new section:

FLEXIBILITY OF BEAUTIFICATION AUTHORIZATION

SEC. 149. Notwithstanding any agreements entered into between the Secretary of Transportation and the States under section 131, of Title 23, United States Code, funds authorized for appropriation in sections 120 (g), 122(b) and 104(a)(11) of the Federal-Aid Highway Act of 1973 may be allocated by the States to carry out the purposes set forth in sections 144, 152 and 153 of this title, and section 203(d) of the Highway Safety Act of 1973, for highway safety projects on highways not included on any Federal-aid system, if such a transfer is requested by the State Highway Department and approved by the Governor as being in the public interest.

Mr. ZION. Mr. Chairman, the purpose of this amendment is to provide flexibility to the States so as to enable them to implement the beautification provisions or to expend such sums for highway safety improvements of the Federal-aid system. In other words, Mr. Chairman, this can be called the posies or people amendment.

Mr. Chairman, this bill proposes the expenditure of $30 million for landscaping. Experience with this program has been abyssmally bad. Very few of the plants that have been bought and paid for have survived. Landscape gardeners have told me that they feel guilty taking tax money for plantings that will die from neglect, or fall victim to the State-financed mowing machines. They rationalize that somebody is going to get this gravy, so it might as well be them.

In my own State of Indiana, I have seen a pretty good example of what is being done in the name of beautification. At a country crossroads in the interest of beautification, they provided huge concrete planters. These were built around the crossroads. Within a month, the flowers that were supposed to be so beautiful had died, and were replaced with asphalt. So, instead of plants we now have concrete pillboxes which are particularly lethal, and the businesses in that neighborhood have lost about 50 percent of their business, because these pillboxes have made it almost impossible for the traveling public to come anywhere near.

Mr. Chairman, this bill also proposes $150 million to buy up billboards in spite of a survey that shows there is no widespread dissatisfaction with billboards. Now, I would certainly support legislation that would prevent construction of any roadside material that would appear offensive to the traveling public, but in good conscience I cannot abide $150 million expenditure for billboards at a time when we cannot afford to finish highway construction that is so badly needed.

This bill requires the expenditure of $45 million to hide junkyards. How silly can we be? We need to recycle these offending materials. Do you think by any stretch of the imagination we can plant enough geraniums or jonquils—even $45 million worth—so that the junkyards are going to appear to disappear?

We are going to spend $9 million in this bill, in this Donnybrook—$9 million for people to dole out tax dollars for completely irrational programs.

Administrative costs, $9 million.

Next year—next year—the 2 millionth person will lose his life on our highways since the advent of the motorcar. While we are sitting here today some family is slamming into an outmoded bridge, or losing control and spinning off a county road that was built for a horse and buggy.

Can we entertain the thought that we should spend $234 million for bushes and flowers at the cost of legs and arms and heads, and lives?

We all know that the completion of the Interstate System will save lives. The testimony has indicated this. There are thousands of killer bridges, killer curves, and killer obstructions that can be corrected if we have the money to spend so that we can eliminate treacherous railroad crossings and other defects, but if we spend $234 million a year for sunflowers and billboards we must be out of our minds. The lives of our traveling public must certainly be more important than that.

What do we want here, Members of the House? Live bushes and dead bodies, or safe highways and healthy families?

Every buck we spend to plant bushes, could be spent to improve a guard rail and prevent the impaling of a family on its blunt end. We have identified in our committee bridge approaches that end smack-dab up against an abutment. We have in our committee files literally hundreds of pictures of twisted steel and broken bodies wrapped around inflexible signposts.

So, instead of planting posies, we can replace these lethal traps with breakaway signs. Every Member of this body—every Member of this body has death traps in his district, just waiting to crush some family into shapeless pulp. If the Members want their share of $234 million to save lives, then I urge them to support this amendment.

Mr. WRIGHT. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Indiana (Mr. ZION).

What this amendment would do would be to take all the money that is in the bill for highway beautification purposes and make that money available, in addition to the other money herein provided for safety purposes.

The gentleman from Indiana makes a simplistic argument which at firsthand sounds reasonable, of course. Safety is more important than beauty. I do not think there is any quarrel with that. I am not saying that beauty is more important than safety. I do not think any of us has to contend that. What I am saying is that each has its rightful place. Where there are eyesores and physical drabness that make the highways things of drudgery instead of things of serene reflection and beauty, we should and we could make them more attractive for the American traveling public.

Let us get things in balance. We have in the bill $1.2 billion expressly set aside for safety. Nobody is trying to take any of that away—certainly not the gentleman from Texas. But the amount we have included for beautification is by comparison quite considerably less, as it should be, no doubt. So let us not take that money away and put it on safety also, because we can do both. We can have both safe highways and beautiful highways.

Sometimes the same device serves both purposes Sometimes we plant median strips with indigenous shrubbery which serves the purpose of beautification and also serves the purpose of safety, because it stops the glare of oncoming traffic at night, blinding headlights that would otherwise be in our eyes.

Knowing full well that beautification has not been a wildly popular program in this Congress, we are trying to correct it and make it more reasonable and more sensible.

We are trying to improve it through the suggestions of the Highway Beautification Commission. The recommendations contained in this bill will in my opinion make the beautification program a better program.

We have a great deal of money included for safety. The most massive safety program that has ever been offered to the Congress by any committee is offered in this bill.

So let us not take away the widow's mite that exists in the bill for beautification. If the Members want to add money for safety, do it simply by adding more money for safety. Do not take it away from the beautification program.

Mr. ZION. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Indiana.

Mr. ZION. I heard an excellent analogy this morning by the very able gentleman from Texas. He was talking about a bone between two dogs, and the bone in this instance, he said, was kind of a merger bone because it is only $234 million and, therefore, it is insignificant. But I say to the gentleman if we throw that bone out there, it is going to be either gobbled up by a perfumed pink poodle in the interest of cosmetics, or it might satisfy the ravages of a wild Doberman that is combing the highway in the way of the traveling public. As far as I am concerned, I would rather appease the monster than the perfumed poodle.

Mr. HARSHA. Will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Ohio.

Mr. HARSHA. Mr. Chairman, I might say that I join with him in his remarks on this issue.

The Congress determined the beautification issue several years ago, and what we can do about it. We are also looking into establishing by law a Beautification Commission too study this issue and take the reports back to Congress. I believe I am safe in saying that I have as good a record in highway safety, and I am involved in interest in highway safety as much so as anybody else on the committee or in the Congress. While I am devoted to highway safety, I think we have adequate measures in the highway safety sections of this bill which I sponsored, which every member of the committee cosponsored. We have sections in that title of the bill that would take care of the highway safety program, and I would join the gentleman from Texas in urging defeat of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. ZION).

The amendment was rejected.

AMENDMENT OFFERED BY MRS. BURKE OF CALIFORNIA

Mrs. BURKE of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. BURKE of California: Page 94, strike out line 22 and all that follows down through and including line 24 on page 99 and insert in lieu thereof the following:

CONTROL OF OUTDOOR ADVERTISING

SEC. 120. (a) The first sentence of subsection (b) of section 131 of title 23, United States Code, is amended by inserting after "main traveled way of the system," the following: "and Federal-aid highway funds apportioned on or after January 1, 1974, or after the expiration of the next regular session of the State legislature, whichever is later, to any State which the Secretary determines has not made provision for effective control of the erection and maintenance along the Interstate System and the primary system of those additional outdoor advertising signs, displays, and devices which are more than six hundred and sixty feet off the nearest edge of the right-of-way, visible from the main traveled way of the system, and erected with the purpose of their message being read from such main traveled way,".

(b) Subsection (c) of section 131 of title 23, United States Code, is amended to read as follows:

"(c) Effective control means that such signs, displays, or devices after January 1, 1968, if located within six hundred and sixty feet of the right-of-way and, on or after July 1, 1974, or after the expiration of the next regular session of the State legislature, whichever is later, if located beyond six hundred and sixty feet of the right-of-way, visible from the main traveled way of the system, and erected with the purpose of their message being read from such main traveled way, shall, pursuant to this section, be limited to (1) directional and official signs and notices, which signs and notices shall include, but not be limited to, signs and notices pertaining to natural wonders, scenic and historical attractions, which are required or authorized by law, which shall conform to national standards hereby authorized to be promulgated by the Secretary hereunder, which standards shall contain provisions concerning lighting, size, number, and spacing of signs, and such other requirements as may be appropriate to implement this section, (2) signs, displays, and devices advertising the sale of lease of property upon which they are located, and (3) signs, displays, and devices advertising activities conducted on the property on which they are located. The Secretary is authorized to promulgate model standards concerning lighting, size, number, and spacing of signs, displays, and devices advertising the sale or lease or property upon which they are located or advertising activities conducted on the property on which they are located. In promulgating such model standards the Secretary shall consult with the State highway departments.

(c) Subsection (d) of section 131 of title 23, United States Code, is amended by striking out the first sentence thereof and inserting the following in lieu thereof:

"In order to promote the reasonable, orderly and effective display of outdoor advertising while remaining consistent with the purposes of this section, signs, displays, and devices whose size, lighting and spacing, consistent with customary use is to be determined by agreement between the several States and the Secretary, may be erected and maintained within areas adjacent to the Interstate and primary systems which are zoned industrial or commercial under authority of State law, or in unzoned commercial or industrial areas as may be determined by agreement between the several States and the Secretary."

(d) Subsection (e) of section 131 of title 23, United States Code, is amended to read as follows:

"(e) Any nonconforming sign under State law enacted to comply with this section shall be removed no later than the end of the fifth year after it becomes nonconforming, except as determined by the Secretary."

(e) Subsection (f) of section 131 of title 23, United States Code, is amended by inserting the following after the first sentence: "The Secretary may also, in consultation with the States, provide within the rights-of-way of the primary system for areas in which signs, displays, and devices giving specific information in the interest of the traveling public may be erected and maintained."

(f) Subsection (g) of section 131 of title 23, United States Code, is amended by striking out the first sentence and inserting the following in lieu thereof:

"Just compensation shall be paid upon the removal of any outdoor advertising sign, display, or device lawfully erected under State law prior to the date of enactment of the Federal-Aid Highway Act of 1973."

(g) Subsection (m) of section 131 of title 23, United States Code, is amended to read as follows:

"(m) There is authorized to be apportioned to carry out the provisions of this section, out of any money in the Treasury not otherwise appropriated, not to exceed $20,000,000 for each of the fiscal years 1966 and 1967, not to exceed $2,000,000 for the fiscal year 1970, not to exceed $27,000,000 for the fiscal year 1971, not to exceed $20,500,000 for the fiscal year 1972, and not to exceed $50,000,000 for the fiscal year ending June 30, 1973, and, out of the Highway Trust Fund, $50,000,000 for the fiscal year ending June 30, 1974, $50,000,000 for the fiscal year ending June 30, 1975, and $50,000,000 for the fiscal year ending June 30, 1976. The provisions of this chapter relating to the obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this section after June 30, 1967."

Mr. WRIGHT (during the reading). Mr. Chairman, this amendment is so long I ask unanimous consent that it be considered as read and printed in the RECORD and that the gentlewoman from California be permitted to explain her amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mrs. BURKE of California. Mr. Chairman, this amendment might well be referred to as the Lady Bird Johnson amendment since I read in the newspaper yesterday that she has been lobbying for it.

This amendment is substantially the same as the present provisions of Senate bill 502 and seeks to maintain the continued program now in progress in 49 States under the 1965 Highway Beautification Act. That act was aimed at an orderly removal of distracting billboards in scenic areas with reasonable compensation.

Some 49 States have programs underway to remove signs that direct you to Joe's Broiler or Snookley's Nut Stand. These signs are being replaced by orderly informational signs approved by the Secretary of Transportation.

This bill, in its present form, places a moratorium on the right of the Secretary to order removal of nonconforming signs until December 31, 1974. Secretary Volpe contends that this would disrupt present progress and States would be required to treat directional and nondirectional signs separately and piecemeal.

There is a new test instituted to determine whether or not a sign should be removed. The test is whether a sign provides "specific information in the interest of the traveling public."

This new language will require court action to interpret and each State must reevaluate its program to fit the new criteria, wasting much money and duplicating efforts.

This present bill also removes the power of the Secretary of Transportation to erect uniform informational signs in the interest of the traveling public in certain situations. The result is that large and small businesses would be required to purchase space on existing billboards rather than obtain space on the uniform signs that are being developed and now used in Vermont and other States such as Oregon.

The 1965 beautification bill limited the kinds of signs private companies could erect to natural, scenic and historical signs, for sale or property signs or to advertise a business conducted on the property. This allowed uniform signs to provide information for directions, miles, and so forth. This bill changes these limitations and adds food services, camp grounds, gas stations, rest stops, and others.

In addition, this bill would allow six directional signs per mile. We were going in the direction of limiting them to 1 per mile, but this bill would permit a total of 1.2 million billboards, an increase of 400,000 new signs.

The argument has been made that the easing of standards and regulation of billboards came from the Highway Beautification Commission. This suggestion is based upon interpretation of language in an interim report. The two public members have addressed a letter to the chairman pointing out the Commission has not met since the organizational meetings in December 1971, even though six hearings were held in 1972.

The point of the public members is that the interim report was just that and that the Commission was extended to provide further study.

Mr. WRIGHT. Mr. Chairman, I rise in opposition to the amendment.

It is with some trepidation that I rise in opposition to the eloquent, attractive, charming, intelligent lady from California. She made such a beautiful appeal. This may be her maiden speech on the House floor, and I congratulate her on it. I thank her for the magnificent and articulate statement.

I should like to say, however, that if her amendment were adopted, all that the Congress has been attempting to do in the last couple of years would be nullified.

We created a Highway Beautification Commission for the purpose of studying and recommending changes in the Highway Beautification Act. We did this, because obviously it has not been administered in a popular way. Congress on occasion had not seen fit to fund it. On one occasion 2 or 3 years ago we just missed by one vote losing the whole highway beautification program.

The Highway Beautification Commission, upon which the gentleman from California (Mr. Del Clawson) and the gentleman from Iowa (Mr. Schwengel) and I have served, along with other Members, held six or seven open public hearings throughout the country last year. We commissioned the taking of two nationwide polls to find out what the public wants, the guy for whom we are presumably building and beautifying the highways.

We have made some improvements in this bill, I think. I believe they are significant improvements.

First of all, we have corrected the situation where billboard control previously extended to only 660 feet from the road. Mammoth boards had been erected just beyond that limit. Those mammoth billboards, under the committee bill, will have been taken down.

Second, for the first time we have provided truly adequate funding in the bill for highway beautification.

Third, we make a distinction between signs that simply advertise and those that give useful directional information. I want to tell the Members why we are making that distinction. The traveling public clearly wants a distinction made between those signs that just advertise products such as Fumo cigars or Coca-Cola or Old Turkey whisky on the one hand, and those on the other hand that give information of a directional nature as to the location of motorist-oriented services. The public needs to know where to get off this freeway to find an Esso station or a Gulf station, depending on what kind of credit card the driver has, or what exit to take to get lunch, or to secure necessary services to their automobile; things directly related to the highway itself and to the service of travelers, often driving in unaccustomed territory.

We commissioned two extensive nationwide polls. Ample copies of these poll summaries are on both majority and minority desks, and I urge the Members to take them and read them if they want to know what the public says. The Sindlinger organization made one and the deKadt Marketing and Research made the other. They are two highly professional firms.

These polls reveal that a large majority, better than two-thirds of the American public, do not want to take down all the signs that tell them where they can find these traveler-oriented services—and certainly not until there is some other type of such directional information provided.

All we say is, leave those until last; take down first—and I guarantee there are plenty of them to be taken down—the expressly commercial signs which merely advertise national products. Just take down those that advertise products until we can find some alternate way of getting the needed information and informing the motorist of these services about which the motorist wants to know.

That provision would be stricken out by the Burke amendments.

There has been some very wrong information spread about. I saw Mrs. Johnson last night. Contrary to published misinformation, she is not lobbying against this highway bill. I visited with her. Somebody gave her wrong information.

They said our bill would authorize the erection of 1.2 million signs, including 400,000 new and additional signs. This bill in and of itself does not authorize the erection of a single new sign.

Here is how somebody apparently concocted that outlandish figure. The limitation we provide—and there has not been any such limitation in existing law—is to no more than three signs per mile in either direction. Someone obviously multiplied 200,000 miles of highway by 3, and then multiplied that product by 2, because there are two directions, and said, "We are going to have 1.2 million signs."

That is ridiculous. We do not authorize an additional sign. We simply create a limitation of no more than three in a mile. We do not say, "must have three in every mile." We say you may not have more than three in any mile.

I have seen places where there are 21 in a mile. I have counted them. That is clutter. That is what we want to bring down.

But we do not want to rob the traveling public of information which the public says it wants and needs. And we do not want to rob someone who has invested money in a roadside service of the opportunity to tell the public where to get off the highway to find it.

I urge the Members to vote down this amendment. While doing so, I have a great deal of respect for the delightful lady who offered it, and I fully expect that she will become a very effective and very constructive Member of this Congress.

Mr. ESCH. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I believe we should be clear as to what specifically this amendment would do or would not do.

This amendment accepts the Senate language of the bill, which eliminates the moratorium on further sign action, which would allow continuation of the action on sign removal by the individual States. The moratorium which is referred to is through December of 1974.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield briefly?

Mr. ESCH. I am happy to yield to the gentleman from Texas.

Mr. WRIGHT. The gentleman does realize, does he not, that that moratorium does not apply to all signs? It does not apply to those merely advertising products.

Mr. ESCH. That is correct.

Mr. WRIGHT. I wanted to make that point, because some newspaper stories have left the impression that it applied to all signs. I am glad the gentleman realizes it does not.

Mr. ESCH. I appreciate the chairman's comment.

I also appreciate the work of the Commission. I believe it should be pointed out that the Commission emphasized that in the interim time we ought to continue our progress toward the elimination of unsightly billboards.

But I support the amendment for this purpose. I recognize that eventually there must be a balance between communicating to the public, to the traveling public as to the needs or facilities along the route, and beautification, and that the Commission will in the next year or year and a half, hopefully, resolve that issue.

However, during that time I would suggest that those States which want to move more aggressively in this area should be allowed to do so.

The only thing we are doing by this amendment is allowing the States to continue their action toward billboard removal during that interim time.

I hope the Commission will act effectively and aggressively toward a balanced proposal, but in the interim time let us allow the States, where they so desire, to move aggressively on this problem.

I urge the support of the amendment.

Mr. SEIBERLING. Mr. Chairman, I rise in support of the amendment.

A billboard by whatever name is just as unsightly. The difficulty I have with the existing language of the committee bill on this point is that in effect it gives a sanction, a legal authorization, to signs at the rate of three per mile in each direction, where none existed before.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. SEIBERLING. I yield to the gentleman from Texas (Mr. WRIGHT).

Mr. WRIGHT. What the gentleman means is that the bill establishes a limitation of not more than three signs in each direction, where no limitation heretofore existed.

Mr. SEIBERLING. That is true, but by putting a limitation into effect, we have that fewer number of signs.

Mr. WRIGHT. Well, Mr. Chairman, we had no limitation before. If we are to play a numbers game, we would have to say, "an infinite number of signs" under the existing law.

Mr. SEIBERLING. I concede that we have had no limitation up to this time, but I am saying that we should be moving in the direction of zero commercial signs along highways, except for signs advertising a product sold on the premises.

Why should we all of a sudden give our blessing to any number of signs? To do so is inconsistent with the ultimate objective of eliminating all but essential signs on the Interstate Highway system.

Mr. Chairman, I think that the amendment of the gentlewoman from California (Mrs. BURKE) is going in the direction that a lot of States, including my own, are trying to go, and the committee's bill on this point will cut the ground out from under them.

The gentlewoman's amendment does what a lot of the more progressive States are trying to do to clean up our highways, so that we can end efforts to subvert the purpose of the 660-foot limitation.

Mr. Chairman, we are approaching the bicentennial of the founding of the United States of America, and it seems to me that one of our objectives by 1976 should be to eliminate the unsightly clutter of commercial signs we have allowed to develop along our highways and restore America the Beautiful.

The gentlewoman's amendment is a major step in that direction.

Mr. HARSHA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I hesitate to get up and oppose the gentlewoman from California (Mrs. BURKE). She is very articulate and she is a fine member of the committee. She is very sincere in this effort, and she makes an outstanding contribution to the deliberations of the committee. But I find that in the last portion of her amendment, on page 6, she takes out of the highway trust fund $50,000,000 for the fiscal year ending June 1974, $50,000,000 out of the trust fund again in June 1975, and $50,000,000 for the fiscal year ending June 1976.

This committee in the House has, ever since we have inaugurated the beautification program, gone on record as opposing the use of trust funds for highway beautification. We have always opposed any further diversion of the highway trust fund for beautification purposes.

This flies in direct conflict with that concept, Mr. Chairman, and, therefore, I would have to oppose the amendment offered by the gentlewoman from California (Mrs. BURKE).

Mr. MIZELL. Mr. Chairman, will the gentleman yield?

Mr. HARSHA. I yield to the gentleman from North Carolina (Mr. MIZELL).

Mr. MIZELL. Mr. Chairman, I thank the gentleman from Ohio (Mr. HARSHA) for yielding.

I rise in opposition to the amendment offered by the gentlewoman from California (Mrs. BURKE) to substitute a revised version of section 120 of the bill. The effect of such a deletion would, I believe, perpetuate certain grave inequities which have arisen in connection with the highway beautification program.

As you are aware, the aim of the highway beautification program is to remove unsightly signs on our Nation's highways in order to make them more pleasant and pleasing for the traveling public. Those of us familiar with the administration of the Highway Beautification Act of 1966, under which this would be done, are familiar with the shortcomings of this statute and some of the hardships it has created.

I should like to mention one of them which has come to my attention: Mrs. Merle Smith, a widow, converted her home into a tourist home in order to help make financial ends meet. She is a pensioner with only a small retirement income.

Her business, that is her tourist home, is located about 500 feet from U.S. Route 15 near Rochester, N.Y. In order to advertise her tourist business, she erected two signs adjacent to the highway. One measures 4 by 3 feet and says, "Smith's Tourist Home" with an arrow pointing off the road. It also contains a vacancy notice when rooms are available. The second sign is 5 by 3 feet. It says, "Tourist—Open All Year".

Not long ago, Mrs. Smith received a notice from the State of New York that she had to remove these two signs within 30 days. Failure to do so would result in removal by State authorities.

The notification also indicated that if Mrs. Smith desired to reestablish these signs, they had to be placed 660 feet from the highway right-of-way. By this, I gather, the director of Real Estate Property was suggesting that she erect a jumbo sign. Of course, in view of the modest type of business Mrs. Smith runs, such an alternative was totally unrealistic.

In all probability, removal of her two signs would put Mrs. Smith out of business. Her tourist home is not easily seen from the highway because there are tall maple, spruce, and cedar trees surrounding her house.

Of course, she had the alternative of cutting these trees down and erecting a large on-site sign on her property. But this hardly seems like a sensible course for either her to do, the State to require, or the Federal Government to demand in the administration of what is purportedly a "beautification" act.

The case of Mrs. Smith is not the only one that has come to my attention. There are others. In fact, I have a file full of them. All point out the inequities, and at times inanities, of the Highway Beautification Act which is presently on the books and being aggressively implemented around the country.

I am all for a sensible program to control outdoor advertising on our highways. But if it is to succeed from both the standpoint of the traveling public and property owners adjacent to our highways, it must be one that is fairly conceived and equitable to all.

Directional signs are necessary for the traveling public in order that they may be apprised of the recreational opportunities in the area in which they are traveling. They are also necessary to insure that small business men, and others who derive a living from the tourist trade, may advertise their wares.

Yet, as the law now stands and is being administered, the Mrs. Smiths of America are literally being driven out of business. Surely, this was not the intention of those who first proposed a beautification law. Certainly, I will not attribute such an intention to Lady Bird Johnson who conceived it.

Because of the imperfections of the 1966 act, the Congress created the Highway Beautification Commission in 1970. The mission of the Commission is to identify the Mrs. Smith type of inequities contained in the law and find ways and means of alleviating them.

The Commission, as you know, has yet to submit its final recommendations with regard to the Mrs. Smith type of problems. Accordingly, we have extended the life of the Commission for an additional period. During that time, until the Commission has had time to study and recommend a solution to the directional sign problem on premises signs and other matters dealt with in this section and the Congress has time to consider and act upon them, there should be a moratorium and the other protections for the Mrs. Smiths of our land and others who would otherwise suffer grievous economic hardships from implementation of the present law as altered by this amendment.

Mr. ULLMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to indicate my full support of the amendment proposed by the gentlewoman from California (Mrs. BURKE). I compliment her on the fine work she has done on this important issue, for her amendment will be most helpful in preserving Oregon's progressive billboard removal program.

Oregon has been a leader in the removal of billboards in accordance with the Highway Beautification Act of 1965. The Oregon Travel Information Council erected the Nation's first motorist information logo boards last July. It is expected that Oregon will have all billboards removed from interstate and primary highways by the end of 1973.

I was disappointed that the bill reported by the Public Works Committee contained the same two prohibitive provisions that appeared in last year's ill-fated highway bill. First, the language in section 120(e) would preclude the substitution of the logo system where adequate information is provided by billboards themselves. Second in section 120(h), a delay on removal of billboards until December 31, 1974, would cripple Oregon's efforts to remove all billboards. As my fellow Members will recall, the conference report last year eliminated these same inconsistent directives but unfortunately the same provisions are back with us.

As Mrs. BURKE pointed out in her additional views in the committee report, no States have asked for these delays and impediments. The language I have referred to in the committee bill would torpedo Oregon's logo program, entered into in good faith, and would add unnecessary costs to State programs.

I urge my colleagues to join me in support of the amendment proposed by Congresswoman BURKE, as her amendment will eliminate the inconsistencies in the billboard removal provisions in the committee bill and will protect the fine program of States that have gone the extra mile to comply with Federal directives.

Mr. WYATT. Mr. Chairman, I strongly support Congresswoman BURKE's amendment. The billboard removal program in Oregon is moving ahead rapidly with agreement having been reached for the removal of 2,600 signs along Oregon's freeways and primary highways by January 1, 1974. The 2-year moratorium on removal of billboards as provided in this bill would most certainly injure and impair the effectiveness of the Oregon Motor Information Act of 1971 and our billboard removal program in Oregon.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Mrs. BURKE).

The question was taken; and on a division (demanded by Mrs. BURKE of California) there were—ayes 30, noes 74.

So the amendment was rejected.

Mr. WRIGHT. Mr. Chairman, I wonder if we can come to some agreement on time. We have been moving along well and, of course, there are many, many Members who desire to go to their homes and many have reservations on planes. I wonder if we can get unanimous consent that all debate on title I of this bill and all amendments thereto close at a quarter of 2.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. REID. Mr. Chairman, reserving the right to object, may I ask the chairman whether I could have 5 minutes for debate on an amendment, that I have been on the floor for about 2 hours now.

Mr. WRIGHT. Under my unanimous consent request, if it were agreed to, it would not give the gentleman 5 minutes but only about 2 minutes.

Mr. REID. How many Members are on the floor?

Mr. WRIGHT. Mr. Chairman, let me withdraw that request and request all debate on title I and any amendments thereto should close at 2 o'clock.

Mr. RAILSBACK. Mr. Chairman, reserving the right to object, how many amendments to title I are at the desk?

The CHAIRMAN. The Chair will state there are a number of amendments here, but the Chair has no way of knowing whether the authors will insist on offering them. However, there are approximately 10 or 12 proposed amendments, the Chair has been advised.

Mr. RAILSBACK. Further reserving the right to object, may I ask the Chair what the rule is where a Member has printed his amendment in the CONGRESSIONAL RECORD more than 24 hours before?

The CHAIRMAN. Under the rules of the House, if the amendment has been printed in the CONGRESSIONAL RECORD at least 1 day prior to debate, that Member is entitled to 5 minutes regardless of any unanimous-consent agreement or any other action taken in the committee.

Mr. FRELINGHUYSEN. Further reserving the right to object, Mr. Chairman, if it should be assumed—and I think it is safe to assume—that there are 12 amendments, that would allow 35 minutes with 5 minutes out for anyone who had an amendment printed in the RECORD. It seems to me we could not conceivably discuss matters of substance in that short a time.

On that basis I feel constrained to object to the unanimous consent request.

I have been waiting for 3 hours to discuss a matter of some substance to my State, and I feel we could not possibly do justice to that one amendment in that length of time.

Mr. WRIGHT. Mr. Chairman, I withdraw my unanimous consent request.

AMENDMENT OFFERED BY MR. WALSH

Mr. WALSH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WALSH: On page 88, after line 9 strike out paragraph (1) of section 112 and renumber subsequent paragraphs (2), (3), (4), and (5) as (1), (2), (3), and (4.

Mr. WALSH. Mr. Chairman, I rise to offer an amendment to section 112 of S. 502.

Mr. Chairman, as presently constituted, this legislation contains a provision that would substantially reduce the allocation of funds for rural primary roads in 15 States.

The provision, section 112, paragraph (1) is a change from the present apportionment formula. As presently constituted, the total population of a State is used as the base and S. 502 would change that to a rural population base.

The rural primary system serves all of the people of a given State, urban and rural, whether for travel or for the movement of goods.

The number of people and the amount of goods moving through a rural area often reflects the size and proximity of that State's urban areas.

The primary system is oriented toward major urban centers across the Nation. The major portion of investment in the system to date has been in the vicinity of urban centers to meet the urban-oriented traffic needs. We should not misinterpret the fact that the system runs through rural areas in connecting urban centers as meaning the system is a rural one.

The apportionment formula should continue to reflect this broad purpose and include all of a State's population in the calculation. For that reason, Mr. Chairman, I call on my colleagues to support this amendment to strike this portion of the bill that would change the present formula.

Mr. HOWARD. Mr. Chairman, will the gentleman yield?

Mr. WALSH. I yield to the gentleman from New Jersey.

Mr. HOWARD. Mr. Chairman, I thank the gentleman for yielding, and I wish to congratulate the gentleman for bringing this amendment to the floor. I believe that if you change the total, the formula of total population to rural population, this money is not going to be replaced because there is a great deal of difference between rural population and rural traffic. Because of this, many of these States, just like my own State of New Jersey, which may have a small number of people living in what is designated as a rural area, but being a small State between two large cities, we have a great deal of traffic on the rural roads. Our State will lose 46 percent of funding for this. New York State will be hurt as much as any other.

I feel that the formula we had is much better, because all of the States, including the rural areas, will be provided adequate roads according to the amount of traffic they have.

So again I congratulate the gentleman from New York for presenting his amendment, and I hope that the amendment is agreed to.

Mr. WALSH. Mr. Chairman, I thank the gentleman from New Jersey for his remarks.

Mr. HARSHA. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New York (Mr. WALSH).

Mr. Chairman, I regret that I have to oppose my distinguished friend, who is a valued member of the Committee on Public Works, but I must do so because, under S. 502, there is an equal division between urban money and rural money. Primary and secondary money in rural areas can only be spent in those areas. So-called C. & D. money can only be spent in urban areas.

We made this division, Mr. Chairman, on the basis that we want to treat every segment of our economy equally. Taxes that come into the trust fund will generally come in equal amounts from rural areas as those collected in urban areas. We wanted to apportion to rural areas the same amounts as we apportion to urban areas. For primary highways and secondary highways, that money can be spent only in rural areas. Therefore, the rural population should be the basis for considering the apportionment.

Mr. Chairman, the gentleman from Massachusetts makes a valid point. The State of Ohio does, in fact, lose some money under this formula. But every State under this equal division of funds gets more money than it got under the previous legislation. Urban needs are included in the vastly increased release of C. & D. moneys. The present law only provides for $100 million for urban funding. But in this bill we have $700 million for urban funding. This represents a fivefold increase over that available last year.

So every State will receive more money under this bill than were apportioned in fiscal 1973. I think we would be undermining the concept of equalizing funds between urban and rural areas if we adopted this new formula.

I urge defeat of the amendment.

Mr. HORTON. Mr. Chairman, I rise in support of the amendment offered by my colleague, the gentleman from New York (Mr. WALSH). The amendment would delete paragraph (1) of section 112 which establishes rural population rather than total population as the basis of allocation for rural primary system funds.

The apportionment of rural primary highway funding has been based on a State's total population for good reason. These roads serve not only those living in rural areas but all the people of a State. In my district, for example, rural primary roads serve both as intercity systems linking urban population centers and as the rural lifeline for the population in between.

By allocating rural primary money on the basis of a State's population living outside areas of 5,000 people, many States stand to lose substantial and necessary funds. Based on figures supplied by the Federal Highway Administration, New York State alone would lose almost $10 million a year.

I urge my colleagues to support the pending amendment and in doing so, I commend my colleague, Mr. WALSH for taking the leadership in this effort to delete an unwarranted and very costly change in rural primary system funding.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. WALSH).

The question was taken; and on a division (demanded by Mr. WALSH) there were—ayes 23, noes 61.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. GINN

Mr. GINN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GINN: Page 133, insert, following line 18, the following:

TRAINING PROGRAMS

SEC. 149. Subsection (b) of section 140 of title 23, United States Code, is amended by striking out in the second sentence "and 1973," and inserting in lieu thereof ", 1973, 1974, 1975, and 1976", and by striking out "$5,000,000 per fiscal year" and inserting in lieu thereof "$5,000,000 per fiscal year for the fiscal years 1972 and 1973, and $10,000,000 per fiscal year for the fiscal years 1974, 1975 and 1976,".

Mr. GINN. Mr. Chairman, section 110 of the Federal-Aid Highway Act of 1970 authorized the Secretary of Transportation "to develop, conduct and administer highway construction training, including skill improvement programs."

For this purpose, the Secretary was authorized to deduct up to $5 million per year from the apportionments for the Federal-aid primary, secondary, and urban systems, the urban extensions of the Federal-aid primary and secondary systems, and the Interstate System.

The statute gives the Secretary considerable flexibility in the conduct of the training programs. He may cooperate "with any other department or agency of the Government, State agency, authority, association, institution, corporation—profit or nonprofit—or any other organization or purpose."

Within this discretionary authority, DOT has instituted a variety of actions with the objective of tailoring the training program to the needs of the various regions and States. The general objective of all of these actions is to open a maximum number of employment opportunities in the highway construction field, with principal emphasis on supplying opportunities for disadvantaged minority workers.

Historically, the highway construction industry has been an excellent source of employment opportunities for unskilled workers. In recent years, however, the application of mechanization to the highway industry has greatly increased the need for skilled workers while decreasing the demand for unskilled workers. In most cases, the individual seeking entry into the highway construction field will require some training.

The needs of many workers can be satisfied through an on-the-job training program, where such a program is available. Other workers, more disadvantaged, require preentry training.

An example of the preentry training program is the one conducted by the Northeastern Training Institute, Fleetville, Pa., which provides 400 hours of instruction divided equally between classroom and field training for heavy equipment operator trainees. An analysis of this program shows that the average family income of 144 trainees was less than $3,500 per year, prior to training. Minority group members made up 50.6 percent of the trainees, and 60.4 percent were Vietnam veterans. Immediately prior to training, 60.4 percent were unemployed. Employment was available for all graduates of the training course, with substantial increases in hourly wages.

An example of the on-the-job training program is the program conducted in Southeastern States by the Road Builders Training Association, Atlanta, Ga. A total of 2,668 trainees have been enrolled in this program, in seven States, including 1,732—64.9 percent—disadvantaged minorities.

The program is conducted through State contractors' associations and individual contracting firms.

With the cessation of the Vietnam conflict, the need to bring skill improvement opportunities to young men has increased.

The training program is the essential ingredient in providing employment opportunities in the highway construction field for members of minority groups.

Job mobility in the highway construction field is very high. Typically, a contractor recruits a work force for a particular project, or a particular phase of the project. Workers move from project to project, and from one employer to another. Even though an employer may be able to offer him continued employment at another jobsite, the worker is likely to opt for a job closer to home with a different employer.

Consequently, the most effective on-the-job training program is one which involves the cooperation of all highway contractors in a given area. The worker trained by contractor A may become an employee of contractor B, and vice versa.

The initial success of the highway construction training program has indicated the merit of expanding this program. A doubling of the annual dollar effort, from $5 million to $10 million, would be highly desirable.

Mr. GRAY. Mr. Chairman, will the gentleman yield?

Mr. GINN. I yield to the gentleman from Illinois.

Mr. GRAY. Mr. Chairman, we are prepared to accept the amendment.

Mr. HARSHA. Mr. Chairman, will the gentleman yield?

Mr. GINN. I yield to the gentleman from Ohio.

Mr. HARSHA. We accept the amendment.

Mr. GINN. I thank the gentleman from Ohio.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. GINN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HARSHA

Mr. HARSHA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARSHA: Page 121, line 24, strike "1974" and insert in lieu thereof "1975".

Page 122, line 1, strike "1974" and insert in lieu thereof "1975".

Mr. HARSHA. Mr. Chairman, I discussed this amendment with the majority. It is a technical amendment. It gives us 1 year's extension of time, and I understand they are willing to accept it on the provision that it deals with.

Mr. GRAY. Mr. Chairman, will the gentleman yield?

Mr. HARSHA. I yield to the gentleman from Illinois.

Mr. GRAY. We are prepared to accept the gentleman's amendment, Mr. Chairman.

Mr. HARSHA. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. HARSHA).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. REID

Mr. REID. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. REID: Page 101, after line 4, insert the following new section:

"SEC. 122a. Section 109 of title 23, United States Code, is amended by adding at the end thereof the following subsection:

" '(k) The Secretary shall not approve any project under this title which would significantly affect the highway system of a contiguous State without the concurrence of that State.' "

Mr. REID. Mr. Chairman, I offer the Reid-Wolff-McKinney amendment, in which the gentleman from Connecticut (Mr. COTTER) and the gentlewoman from Connecticut (Mrs. GRASSO) and the gentleman from Connecticut (Mr. SARASIN) and the gentleman from Connecticut (Mr. STEELE) are joining.

Mr. Chairman, this amendment is designed to protect the rights of States when they would be significantly or adversely affected by the construction of a federally aided highway or connection in contiguous States. It would simply add a brief new section to the bill providing "the Secretary shall not approve any project under this title which would significantly affect the highway system of a contiguous State without the concurrence of that State."

I might note that his same provision, Mr. Chairman, was adoped by the Senate with the agreement of the managers of the bill in that body.

I would note further that under the present Federal-Aid Highway Act no federally aided highway project can be undertaken in a State unless the State plans, participates in, and, of necessity, approves the project, taking into account its total impact on the State.

However, as the law now stands, a project can be constructed in one State wholly without the approval of a neighboring State, even though the highway system of the latter may be seriously affected by the proposed project.

This threat to the rights of States is growing increasingly strong as new increments are added to the basic Interstate Highway System already in service. Proposed projects adding to the system in one State—particularly where they tie into highways traversing State lines—will have substantial impact on the traffic and future highway requirements of adjoining States.

Where this is the case, it is only equitable that all States which are significantly affected be formally represented in the decisionmaking process.

A clear case in point is the proposed bridge over Long Island Sound between Rye, N.Y., and Oyster Bay, N.Y. While this federally aided span would be located solely within New York State, it will join Interstate 95 less than 2 miles from the point at which I-95 crosses into Connecticut and becomes the Connecticut Turnpike, and it will become the major conduit for traffic between all of Long Island and New England.

The environmental impact statement predicts that by the end of only its fifth year of operation, this bridge would handle about 16 million vehicles annually, half of which will be newly generated by the mere existence of the bridge.

Obviously this tremendously increased volume will heavily impact the State of Connecticut, since much of the generated traffic will originate in, terminate in, or pass through that State.

In connection with the local approval I would note that the record is quite clear. The legislature of the State of New York has twice voted this down, in 1971 and again in 1972. So has the legislature of Connecticut. So has the Governor of Connecticut, whom I talked with this morning and who has written a very clear and persuasive statement as to why he does not feel this particular project is desirable at this time.

It should be noted that this proposed bridge will cost $274 million at the latest estimate, of which approximately $72 million would be Federal funds. For this money we could probably build 25 modern hospitals. I for one believe it is far more important to provide adequate health care and education for our citizen than to save 10 minutes driving to Mineola.

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. REID. I yield to the gentleman from New York (Mr. WOLFF).

Mr. WOLFF. Mr. Chairman, the Reid-Wolff-McKinney amendment, which is also cosponsored by Mr. SARASIN, Mr. COTTER, Mr. STEELE, and Mrs. GRASSO, would require that the Secretary of Transportation not approve a highway project that would significantly affect the highway system of a contiguous State without the concurrence of that State. I believe it is an equitable and necessary amendment if we are to insure the rights of States to determine and control the impact of highway plans upon their citizenry.

Mr. Chairman, our amendment has particular significance for residents of New York State and Connecticut. For the past 6 years a battle has raged in New York over the proposal to build a bridge that would extend from Oyster Bay on Long Island to Rye, N.Y. The bridge would have an obvious and immense impact on New York, particularly on the entire Long Island Sound area. In its proposed path lie valuable wetlands at both ends of the bridge, shoreline and beach areas and the irreplaceable resources of the sound itself. It is estimated that the bridge would handle 33 million cars per year, over half of which would be newly created traffic. The Nassau, N.Y., County Board of Supervisors unanimously adopted a resolution in opposition to the proposed bridge. The entire Nassau County Republican delegation to the New York State Legislature opposed it. The councils of the New York towns and villages of Rye, Tarrytown, Mamaroneck, Oyster Bay, Bayville, Mill Neck, and Lattington have all come out in opposition to the bridge. The Westchester County New York Board of Legislators have voiced their concern that the project be suspended.

Mr. Chairman, these views are representative of New York's opposition only. The residents of Connecticut, who at this moment have no say whether the bridge will go through or not, have unmistakably and repeatedly expressed their opposition ever since the proposal was first aired. The northern end of the proposed bridge would be located only a few miles from the Connecticut border. It would have the effect of funneling countless additional cars and trucks into the already overcrowded Connecticut Turnpike and Merritt Parkway, aggravating an already tremendous congestion problem and increasing levels of air and noise pollution for Connecticut residents who have no say in the matter. Connecticut's Governor and State representatives have overwhelmingly voiced their dismay over the proposed construction, as has the Southwestern Regional Planning Agency, which is comprised of the towns of Wilton, Westport, Norwalk, Darien, New Canaan, and Stamford. Mr. Chairman, our amendment would insure the residents of Connecticut their rightful say in deciding whether the proposed bridge will respond to their concerns and needs.

As the Members may know this same amendment as we are offering was adopted by the Senate during their consideration of S. 502. I believe the Senate has provided us with a laudable initiative. I urge my colleagues support for the Reid-Wolff-McKinney amendment.

Mr. RONCALLO of New York. Mr. Chairman, will the gentleman yield?

Mr. REID. I yield to the gentleman from New York (Mr. RONCALLO).

Mr. RONCALLO of New York. Mr. Chairman, I rise in complete support of this amendment and in utter opposition to the Long Island Sound Bridge, whose approaches would destroy one of the most naturally beautiful areas of Long Island. Both offshore and onshore, these approaches would cut through areas as yet untroubled by pollution, areas replete with wildlife, much of them Federal parkland.

Not only does the bridge pose a threat to our natural resources, but also to the peace and tranquility, and indeed the very character, of our communities. There is no need to send through truck traffic and its noxious fumes to Long Island and across the sound as there are already in use alternatives in the Interstate System which bypass New York City. In addition to the approaches at issue today, some means would have to be constructed to connect the bridge with major existing north-south routes. I can promise you that unless this amendment is passed, we will soon see before us a request for funds to build an Atlantic Expressway across the south shore of Long Island, which would destroy and remove from the tax rolls some of the most valuable business property we have and create a "Chinese wall" dividing our communities in half. Other roads would have to be built or widened to feed the bridge, creating more traffic problems and further reducing the green areas we have left.

Mr. Chairman, I have been working against this bridge for many years—ever since I was a town councilman in Oyster Bay, at the southern end of the proposed bridge. It has occupied a great deal of my attention since joining you in the House. I would like to call the attention of my colleagues to the New York Times editorial entitled the "Un-Sound Bridge," which I inserted into the Record in the extension of my remarks on February 5, 1973. It noted that if this bridge, its approaches and other similar proposals are constructed, "the entire sound will have become a sewer bounded by a sprawl."

The answer to the transportation problem on Long Island lies in improved and expanded public transportation, not in more traffic-producing roads, especially in this time of concern about our environment and dwindling energy resources. I am opposed to this bridge; the people of Long Island are opposed to this bridge; and the New York State Legislature has twice voted to rescind its authorization. In the name of one of the foremost environmentalists the world has ever known, Theodore Roosevelt, whose hometown of Oyster Bay the bridge approaches would destroy, I urge support of this amendment.

Mr. REID. I thank the gentleman for his comment.

Mr. Chairman, I would point out the Governor of Connecticut Mr. Meskill has stated that he is "unalterably opposed" to the bridge and that it would impinge seriously on the road network in Connecticut.

I would also point out that not only has the legislature in New York opposed this but it did so unanimously in the Senate and in the assembly in April of 1972, the Governor notwithstanding.

This amendment is not only included in the Senate bill but also it is supported by both Senators of the State of New York and by both Senators of the State of Connecticut.

The purpose of this is to encourage cooperation among States in the planning and development of highway projects. It is not an effort to totally preclude the construction of a particular bridge. It is, however, an effort to insure that the rights of affected, contiguous States are protected and that they do have a voice in a matter which can affect them.

Mr. McKINNEY. Mr. Chairman, will the gentleman yield?

Mr. REID. I yield to the gentleman from Connecticut.

Mr. McKINNEY. Mr. Chairman, I simply want to add to what the gentleman from New York has said. It is very strange that under the new federalism, we have to come to Congress to obtain this type of relief.

I would say that at least the people have spoken, both legislative bodies in both States have come out firmly against this bridge. When do we curb the monster which we have created here and over which they have no control?

Mr. HARSHA. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I hope the committee will look very carefully at the language of this amendment in trying to understand what we are doing here.

This amendment is both unwise and unwarranted, and it is not restricted to just an area in this country; its application is nationwide.

It is an effort to undermine the status of the Federal-aid highway program, and its effect would be to give each State what amounts to a veto for highway projects in adjacent States.

I do not know whether the committee knows it or not, but there are about 10,000 highway projects approved each year. How many would be affected by this amendment, if it became law, there is no way of knowing. The only restriction is that it must have a "significant effect." Who makes the determination as to what is a "significant effect"?

The procedures required for the approval of highway projects are already long and arduous. There are some 23 steps to go through to get a highway program to the construction stages. In addition to that, it takes anywhere from 4 to 6 years from the initiation of a highway project to its completion.

To superimpose yet another hurdle, particularly a hurdle of this kind, would for all practical purposes, Mr. Chairman, doom many projects to oblivion. We are trying to cut out the redtape, to alleviate the redtape, and get out of the bureaucratic mess we are in.

This amendment would negate the efforts which the committee has made.

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. HARSHA. I yield to the gentleman from New York (Mr. Wolff).

Mr. WOLFF. Mr. Chairman, does the gentleman not believe that a State has a right to some say in a project which would impact unfavorably upon it, regardless of whether the project is in the State or not?

Mr. HARSHA. In the first place, I do not think that we can stop the construction of a highway in a particular State because it may inadvertently have some effect upon the highway in another State. We are going to have to have a continuous highway program. We just cannot stop at a State border. We have got to have highways that have continuity so that we can have a transportation pattern across the country.

Mr. WOLFF. Mr. Chairman, do I understand that if there is inadvertent impact upon another State, that the State would not have the opportunity to have its say? It is important that if there is a heavy impact upon one State putting a highway in an adjoining State, then both States affected should have equal say.

Mr. HARSHA. Mr. Chairman, the State can make its views known. The only thing it does not have is a veto. This would give a State a veto over heavy construction projects in an adjoining State.

Mr. WOLFF. Mr. Chairman, I move to strike the last word.

Mr. REID. Mr. Chairman, will the gentleman yield?

Mr. WOLFF. I yield to the gentleman from New York.

Mr. REID. I should like to direct a question to the ranking minority Member, because I believe one point needs clarification.

The amendment specifically says:

> The Secretary shall not approve any project under this title which would significantly—

By that it means adversely—

> affect the highway system of a contiguous State without the concurrence of that State.

If the Secretary determined there were no significant effect, the matter would be moot. On the other hand, if the Secretary, after careful consideration, determines there will be an adverse impact on a contiguous State—in this case involving potentially 25 million additional cars on highways already close to capacity—then and only then is it clear that the Secretary must seek concurrence of both States.

I believe that is only fair. If he determines there is not an adverse effect, then it is not operative.

Mr. HARSHA. I did not follow all of the gentleman's statement. There was too much noise in the chamber.

I would ask the gentleman: Who makes the determination of what is significant?

Mr. REID. The Secretary does.

Mr. HARSHA. That is subject to interpretation, and any citizen in any court can challenge it.

Mr. REID. The Secretary would make the judgment. Here there is a reasonable case to be argued, because both State legislatures have taken such a position. Indeed, it is quite clear there is some concern. It is reasonable to ask the Secretary to make a judgment. If he determines it is adverse, then it is not unreasonable to ask the concurrence of both States.

Mr. HARSHA. In a specific case to which the gentleman is trying to address himself, the legislatures have acted. But this provision would apply nationwide and would permit this type of action to be challenged in courts throughout the country.

Mr. McKINNEY. Mr. Chairman, will the gentleman yield?

Mr. WOLFF. I yield to the gentleman from Connecticut.

Mr. McKINNEY. Would the gentleman from New York (Mr. Reid) accept an amendment that might clarify the locality, to his amendment, which is at the desk? I was not going to offer the amendment, to save time, but I will offer it.

Mr. REID. I would prefer to see if we can clarify this amendment, and then I should be happy to look at the gentleman's proposal. I understand the gentleman from Texas (Mr. Wright) would like to make a comment.

Mr. WOLFF. Mr. Chairman, I yield to the gentleman from Texas (Mr. Wright).

Mr. WRIGHT. I thank the gentleman for yielding.

I wonder if the gentleman from New York, in order to clarify in the law what he has declared to the ranking minority Member, would accept an amendment simply to add three words, to make it read:

The Secretary shall not approve any project under this title which in his judgment would significantly affect the highway system of a contiguous State without the concurrence of that State.

Would the gentleman accept an amendment of that kind?

Mr. REID. I believe that is consistent with the language of the amendment. Yes, I would accept it.

AMENDMENT OFFERED BY MR. WRIGHT TO THE AMENDMENT OFFERED BY MR. REID

Mr. WRIGHT. In that case, Mr. Chairman, I should like to offer an amendment.

Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from New York; between the words "which" and "would" insert the words "in his judgment."

The Clerk read as follows:

Amendment offered by Mr. WRIGHT to the amendment offered by Mr. REID: In line 4 of the amendment, between the words "which" and "would" insert the following words: "in his judgment".

Mr. HARSHA. Mr. Chairman, I move to strike the requisite number of words.

I do not know what the distinguished ranking majority Member is trying to get at, but I am concerned that this language does not remove the probability that somebody could challenge this judgment as being capricious, over extended, and not in the best interest of solving the environmental issue here involved.

I believe, because of the scope of the amendment, which applies nationwide, we will be opening up a can of worms. Is there not some way we could limit this to the specific project about which the gentleman is concerned? The gentleman from Connecticut (Mr. MCKINNEY) has an amendment which I believe is limited to the specific problem, involving the Oyster State Bridge, I believe, which would go far to relieve my mind as to what we might be getting into.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. HARSHA. I yield to the gentleman from Texas (Mr. WRIGHT).

Mr. WRIGHT. Mr. Chairman, I think the gentleman from Ohio (Mr. HARSHA) would recognize that the amendment I offered was intended to render the amendment of the gentleman from New York less menacing and more palatable to the gentleman from Ohio and to the rest of us.

In any event, whatever the gentleman might wish to do with regard to the amendment of the gentleman from New York, I think he would agree that a limitation of this type would improve it to the extent it would stipulate the Secretary as the one to make the judgment, and not some self-appointed critic.

Mr. HARSHA. Mr. Chairman, I certainly think there is no question but what the gentleman's amendment to the amendment does include that provision. But I still think we have considerable areas here to be concerned with because of the generality in the language involved.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HARSHA. I yield to the gentleman from Iowa (Mr. GROSS.)

Mr. GROSS. Mr. Chairman, let me ask the gentleman from Texas, is this not a rather broad delegation of power to the Secretary?

I did not think we were supposed to be opening this up for the delegation of power in cases of this kind. Does this apply only to the State of New York?

Mr. WRIGHT. If the gentleman from Ohio (Mr. HARSHA) will yield further, I will attempt to answer my friend, the gentleman from Iowa (Mr. GROSS.)

Mr. HARSHA. I yield further.

Mr. WRIGHT. Mr. Chairman, it is my interpretation that my amendment, if accepted, would not make any real substantial change in existing law or procedure, because the Secretary presently has the discretion with respect to crossing State lines, and it might be helpful to the gentleman from New York in his problem.

The Secretary would presently have the authority to settle disputes between two States.

I think it would be fairly consonant with existing law. I am just offering it as a way out of what appears to be a difficult dilemma.

Mr. MCKINNEY. Mr. Chairman, will the gentleman yield?

Mr. HARSHA. I yield to the gentleman from Connecticut (Mr. MCKINNEY).

Mr. MCKINNEY. Mr. Chairman, I will offer my amendment at this point.

I will state that I am offering this amendment as a perfecting amendment. The Clerk has a copy at the desk.

The CHAIRMAN. The Chair will state that there is already a perfecting amendment pending, the one offered by the gentleman from New York (Mr. REID).

If that amendment should be defeated or withdrawn, the gentleman could then offer it, or he may offer it as a substitute for the amendment offered by the gentleman from New York (Mr. REID).

SUBSTITUTE AMENDMENT OFFERED BY MR. M'KINNEY FOR THE AMENDMENT OFFERED BY MR. REID

Mr. MCKINNEY. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

Substitute amendment offered by Mr. MCKINNEY for the amendment offered by Mr. REID:

Page 133, after line 18, insert the following:

SEC. 149. Section 106 of title 23 of the United States Code is amended by adding at the end thereof the following new subsection:

"(e) The Secretary shall not approve any surveys, plans, specifications, and estimates for any project on the Federal aid system which would connect any part of the Interstate System with a bridge over Long Island Sound, unless prior to the submission of such surveys, plans, specifications, and estimates, such project has received the approval of the legislature of the State of Connecticut and the legislature of the State of New York."

The CHAIRMAN. The gentleman from Connecticut is recognized for 5 minutes.

Mr. MCKINNEY. Mr. Chairman, I will not use all of my time, but very briefly, let me make a few comments here about something that really disturbs me; I think it disturbs most of the Members of this body. We do believe we live in a democracy.

Let us look at the monstrosity we created in New York. We, the Congress of the United States, did it. We turned around and produced a Metropolitan Transportation Authority which is in essence responsible to no one.

So what do we have? We have the House in the State of New York that votes against the bridge; the Senate in the State of New York votes against the bridge; the House in the State of Connecticut votes against the bridge; the Senate in the State of Connecticut votes against the bridge. Nobody votes any money for it, but it still can be built because this autonomous agency can go ahead with its own bonding and build its own bridge.

Mr. Chairman to those Members who come from the beautiful Midwest and other places, Long Island Sound may not look like very much to them, but believe me, it is all we have left. We are trying to bring it back, and save it for the future.

This bridge will be so tall and so big, at 6½ miles long, that standing in New Haven 35 miles away, it will overpower the entire landscape.

It is just an absolute travesty that we should take our one recreational body of water and our major national asset and fill it with this bridge.

On top of that we have the very distinct possibility that we will bring all of the traffic in the State of Connecticut to a complete and utter halt. It is estimated that two main roads are already completely obsolete for the traffic that they handle, and this will increase the traffic on the Connecticut Interstate Turnpike and on the Merritt Parkway 35 to 40 percent in passenger cars and up to 70 percent, in trucks, because most of Long Island is now taken care of by railroads due to the difficulty of getting trucks through the city.

Mr. HARSHA. Mr. Chairman, will the gentleman yield?

Mr. MCKINNEY. I yield to the gentleman.

Mr. HARSHA. I have authority to accept the amendment on our side.

Mr. WOLFF. Will the gentleman yield?

Mr. MCKINNEY. I yield to the gentleman.

Mr. WOLFF. As one of the coauthors of the other amendment, I think the gentleman has done a great service in breaking this down to the specific project involved. I support it.

Mr. COLLIER. Will the gentleman yield?

Mr. MCKINNEY. I yield to the gentleman.

Mr. COLLIER. I think the original amendment is more in keeping with the orderly process of legislation. It seems to me whatever merit or demerit might be involved in the project here, we have an amendment which singles out one project in one area and in sum and substance is discriminatory. That means it would not be applicable to a similar situation in another area. I am totally sympathetic to the situation here, but I believe it is not the right way to write legislation.

Mr. MCKINNEY. I would suggest to the gentleman that Long Island Sound is not just a body of water belonging to the group of people surrounding it but belongs to the whole country.

Mr. COLLIER. So does the Mississippi River.

(Mr. SARASIN asked and was given permission to extend his remarks at this point in the Record.)

Mr. SARASIN. Mr. Chairman, this amendment is of great importance to the people of my district and my State and I strongly support it. For reasons of safety, environmental protection, traffic congestion, freedom of navigation, and the spirit of cooperation in the development of transportation systems, this amendment should be adopted.

There has been a great deal of talk during our deliberations about the need for coordinated transportation systems and cooperation and flexibility between jurisdictions. Indeed, many of us who support amendments to make the Federal Aid Highway Act of 1973 more responsive to transit needs of the urban areas predicate this support on the belief that cities, States, and the Federal Government can work together for such an integrated system.

The amendment presently before us would be a major step to assure such cooperation by requiring consultation and agreement between the States in all cases where the plans of one could have a serious effect on another.

It is obvious that a great deal of the impetus for the passage of this amendment comes from Members concerned about the ill-advised and now generally repudiated efforts to bridge the Long Island Sound. This project is now being pushed by the few in the face of the opposition of the many in spite of the fact that massive evidence of its unsuitability has been provided.

As just a small part of this outpouring of opposition I have the privilege of offering for inclusion in the Record a statement by the Honorable Thomas J. Meskill, Governor of Connecticut, expressing the opposition of the State administration to this poorly conceived span, and a statement by members of the Connecicut General Assembly supporting the intent of this amendment.

The Governor's statement follows:

Statement by Gov. Thomas J. Meskill, of Connecticut, April 18, 1973

I am opposed to any Long Island Sound crossing having a terminus in or near Connecticut.

I have taken this position because I believe the proposed project will result in increased traffic, higher noise levels, decreased air quality, accelerated pressures on scarce open space and adverse effects on the ecology of Long Island Sound which are too severe for Connecticut.

We already expect, without the bridge, significant transportation corridor deficiencies in Fairfield County by the year 1980. The proposed bridge would accelerate this development of transportation corridor deficiencies, resulting in inconvenience and greater safety hazards for all traffic using I-95 and Connecticut Route 15, not just for the additional traffic to and from the bridge.

Further, any attempt to expand corridor capacity in Fairfield County cannot take place without significant social and environmental impacts on the neighboring communities.

The South West Planning Region reports an 85 percent increase from 1964 in the amount of built-up land within its boundaries. In 1970, the total stood at 51.2 percent, highest of any region in the state.

The effect of this bridge can only be more intensive pressure on the rapidly diminishing open space which is necessary to preserve the diversity and character of the area and the quality of life for all residents in that region.

The proposed bridge would lead to the entrance of pollutants—lead, rubber, oil and litter—into the Sound, and could increase the probability of ship collisions because of the spans.

Connecticut's shoreline is already suffering under dramatic oil spill damage and we must do all we can to limit potentials for further damage.

We, the undersigned, Members of the General Assembly of the State of Connecticut, urge, on a non-partisan basis, support of the proposed amendment to the Federal Aid Highway Act of 1973 which would prohibit the use of Federal highway funds by one state should such use adversely affect the best interests, environment and safety of the people of any adjoining state.

Arbitrary independent action by one state is inconsistent with today's valuable concept of cooperative regional planning, which we feel can be seriously undermined by any such unilateral decision.

Speaker Francis J. Collins, 107th District.

Deputy Speaker Michael L. Morano, 151st District.

Majority Leader Gerald F. Stevens, 119th District.

Deputy Majority Leader Alan H. Nevas, 136th District.

Minority Leader Carl R. Ajello, 104th District.

Deputy Minority Leader James J. Kennelly, First District.

Minority Leader at Large William R. Ratchford, 109th District.

Rep. Gennaro W. Frate, 141st District, House Chairman, Transportation Committee.

Rep. Dorothy K. Osler, 150th District, Greenwich.

Rep. A. U. Fox, 149th District, Greenwich.

Rep. Paul A. Siladi, Jr., 148th District, Stamford.

Rep. James F. Bingham, 147th District, Stamford.

Rep. Sideny M. Sherer, 144th District, Stamford.

Rep. Richard B. Edwards, 146th District, Stamford.

Rep. John G. Matthews, 143rd District, New Canaan.

Rep. John F. Mannix, 142nd District, Wilton.

(Mr. LENT asked and was given permission to extend his remarks at this point in the Record.)

Mr. LENT. Mr. Chairman, I rise in support of the substitute offered by the gentleman from Connecticut, Mr. McKinney. The question of a proposed bridge from Bayville in Nassau County to Rye in Westchester County, N.Y., is one that has haunted the people of Long Island, Westchester County and Connecticut for 6 years now. Every local public official from my home county of Nassau, each member of the New York State Legislature from Nassau County, the Nassau County executive, the town supervisors, the village mayors—indeed, everyone has opposed construction of this bridge.

Now some may argue that we have no business here today considering what appears to be a local situation, but I would point out that this bridge has been voted down on two separate occasions by the New York State Legislature, it has been condemned by our Nassau County Planning Commission as unwise, and the U.S. Department of the Interior has said it will not grant easement rights for the bridge's approach over Federal lands for to do so would seriously endanger a national wildlife refuge.

Further, the Bayville to Rye Bridge would create a tremendous burden on our already overloaded highway system in Nassau County. The bridge would act as a magnet to North-South traffic seeking to avoid New York City. It would also necessitate expansion of feeder arteries and secondary roadways, and that burden would fall to our county and townships, which, I reiterate, do not want this bridge.

It, in essence, would invite New York City's frequent bumper-to-bumper traffic to Nassau County and soon re-create the very situation its construction is said to be designed to alleviate.

Mr. Chairman, I hope that my colleagues who are not yet plagued by a situation where it takes an hour and a half to travel 15 miles—those of our colleagues who yet enjoy some greenery in their congressional districts—will have empathy for those of us who are being asked to accept "wall to wall pavement" on Long Island. I hope those of you who still have the benefit of unhampered travel will join with us in support of this worthy amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. Wright) to the amendment offered by the gentleman from New York (Mr. Reid).

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Connecticut (Mr. McKinney) for the amendment offered by the gentleman from New York (Mr. Reid).

The substitute amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. Reid) as amended by the substitute amendment offered by the gentleman from Connecticut (Mr. McKinney).

The amendment, as amended, was agreed to.

Mr. WRIGHT. Mr. Chairman, I am hoping again we may be able to get some agreement as to fixing a time. We have a lot of Members catching planes. I would ask unanimous consent that all debate on title I of the bill and amendments thereto conclude at 2:30.

Mr. WOLFF. Reserving the right to object, does the Chair have any idea as to how many amendments still remain at the desk to title I?

The CHAIRMAN. The Chair is not aware of all the proposed amendments, but we have a list of approximately five or six of which several, the Chair understands, may be accepted by the managers of the bill.

Mr. WOLFF. I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. Railsback).

AMENDMENT OFFERED BY MR. RAILSBACK

Mr. RAILSBACK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Railsback: Page 133, line 5, strike out "route" and insert "routes", and strike out "for the purpose of including such highways in the National System of Interstate and Defense Highways" on lines 5, 6, and 7.

Page 133, line 8, immediately before "A" insert the following: "(1)".

Page 133, after line 13, insert the following:

"(2) A route from Kansas City, Missouri, or its vicinity, to Chicago, Illinois, or its vicinity, so aligned as to cross the Mississippi River at a point between Nauvoo, Illinois, on the north, and Hannibal, Missouri, on the south.".

Ms. ABZUG. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentlewoman from New York reserves a point of order on the amendment offered by the gentleman from Illinois (Mr. Railsback).

Mr. GRAY. Mr. Chairman, will the gentleman yield?

Mr. RAILSBACK. I will be glad to yield to the gentleman from Illinois.

Mr. GRAY. Mr. Chairman, we have accepted this amendment on this side, since it only proposes a study, and no funds are involved; therefore we are prepared to accept the amendment offered by the gentleman from Illinois (Mr. Railsback).

Mr. RAILSBACK. Mr. Chairman, I thank the distinguished gentleman from Illinois.

Mr. HARSHA. Mr. Chairman, will the gentleman yield?

Mr. RAILSBACK. I yield to the gentleman from Ohio.

Mr. HARSHA. Mr. Chairman, we accept the amendment offered by the gentleman from Illinois (Mr. Railsback).

Mr. RAILSBACK. I thank the gentleman from Ohio.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Does the gentlewoman from New York (Ms. Abzug) insist on her point of order?

POINT OF ORDER

Ms. ABZUG. I do, Mr. Chairman, in that I merely reserved the point of order inasmuch as I wanted to have some explanation from the gentleman from Illinois as to what his proposed amendment actually does.

The CHAIRMAN. The Chair will state to the gentlewoman from New York that the time of the gentleman from Illinois has expired.

PARLIAMENTARY INQUIRY

Mr. RAILSBACK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. RAILSBACK. Mr. Chairman, my parliamentary inquiry is this: That I had asked the Chairman before I offered my amendment, and I just tried to bring this matter up just now, and that is that I printed my amendment in the Congressional Record of April 17 at page 12843, and I was previously led to believe, in response to the answer of the Chairman, that I would be given 5 minutes on my amendment.

The CHAIRMAN. The Chair will state that the gentleman is correct. The Chair was not aware that the gentleman's amendment had been printed in the Record, and the Chair will state that the gentleman from Illinois will be recognized for an additional 4 minutes.

(By unanimous consent, Mr. Randall yielded his time to Mr. Railsback.)

The CHAIRMAN. The Chair recognizes the gentleman from Illinois for 4¾ minutes.

Mr. RAILSBACK. I thank the Chairman for his ruling. I do not intend to use all of my time.

PARLIAMENTARY INQUIRY

Mr. COLLIER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman from Illinois yield for the purposes of a parliamentary inquiry?

Mr. RAILSBACK. I yield to the gentleman from Illinois.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. COLLIER. Mr. Chairman, my parliamentary inquiry is this: I am not sure that I understand what is happening on the floor here. Is the gentleman from Illinois now speaking on an amendment that has already been agreed to?

The CHAIRMAN. The Chair will state to the gentleman from Illinois that the Committee of the Whole has not acted upon the amendment offered by the gentleman from Illinois (Mr. Railsback) although the managers for the bill on both sides have indicated that they would both accept the amendment offered by the gentleman from Illinois.

Mr. COLLIER. I thank the Chairman.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. Railsback).

Mr. RAILSBACK. Mr. Chairman, my amendment would require a feasibility study by the Secretary of Transportation for including a route from Chicago, Ill., to Kansas City, Mo., in the primary system. This amendment would be in addition to the Georgia to Kansas City feasibility study included by the Committee on Public Works in its bill.

I have offered this amendment for myself and on behalf of my distinguished colleagues from Illinois, Missouri, and Iowa, Representatives Michel, Findley, Mezvinsky, Randall, Litton, and Bolling.

The midwest region between Chicago and Kansas City is one of the great agricultural regions and, in terms of general traffic and the transportation of agricultural products, one of the most traveled routes in the United States. Yet, in terms of comparable size and population, this area is one of the largest in the country not served by interstate highways. While 10 railroads and three airlines provide a direct link between Chicago and Kansas City, interstate highway users must travel an indirect route through Des Moines or St. Louis.

The absence of adequate modern highway transportation has a profound effect on the vitality of this region and its ability to service the major markets of the East and West. Furthermore, residents and travelers must face unsafe roads and inconvenience in terms of time and money because there is no highway between these two giants of the Midwest.

A route linking Chicago and Kansas City would be 145 miles shorter than through Des Moines and 125 shorter than traveling through St. Louis. This would mean faster and more efficient farm-to-market transportation. It would save travelers extra hours and the costs associated with longer travel time. It would relieve congestion now occurring in the St. Louis metropolitan area. It would mean that large urban centers like Peoria's metropolitan area with a population of 300,000 and the smaller cities and towns of west-central Illinois would for the first time have direct access to Chicago.

Providing an adequate highway transportation system would not only affect the area by improving accessibility for visitors and residents traveling from one community to another or from farm to market, it would also have a tremendous impact on economic development in the region. Indeed, a Chicago to Kansas City interstate would translate our stated commitment to rural America, as expressed in the Rural Development Act, into meaningful action.

Most of the communities which would be served by this interstate are rural small towns—small towns in trouble because they have been unable to attract industry and have seen their young people leave for the cities where the jobs are. For example, 14 of the 16 counties of western Illinois lost population between 1960 and 1970, even though the area has an abundance of high quality labor, excellent river transportation, fine schools and recreational facilities and outstanding higher educational institutions.

Despite these attributes, the situation in many small towns is critical and revitalization is desperately needed. What stands in the way of economic growth is an absence of good highways. Most industrial prospects demand to be within 20 or 30 miles of an interstate highway so they can have access to markets for their products. Industry will be reluctant to consider the west-central Illinois, northeast Missouri or southeast Iowa region until they can be assured of an adequate transportation system. And these rural areas will not grow and prosper and will find it difficult to contribute to and share in the economic development of the country unless we take the first step today by approving the feasibility study proposed in the amendment before us now.

Mr. HUNGATE. Mr. Chairman, will the gentleman yield?

Mr. RAILSBACK. I yield to the gentleman from Missouri.

Mr. HUNGATE. Mr. Chairman, I thank the gentleman for yielding, and I would just like to inquire if this proposal is for a feasibility study of a highway from Kansas City to Chicago, and that there is no attempt made in this proposal to pinpoint the location of the bridge, because this would be a decision of the engineers by the appropriate State highway departments and Federal highway official. Is that correct?

Mr. RAILSBACK. That is correct.

Ms. ABZUG. Mr. Chairman, I withdraw my point of order.

The CHAIRMAN. The gentlewoman from New York withdraws her point of order.

AMENDMENT OFFERED BY MR. RUNNELS TO THE AMENDMENT OFFERED BY MR. RAILSBACK

Mr. RUNNELS. Mr. Chairman, I offer an amendment to the amendment offered by Mr. Railsback.

The Clerk read as follows:

Amendment offered by Mr. Runnels to the amendment offered by Mr. Railsback: Page 133, line 1, strike out "Study" and insert "Studies".

Page 133, line 5, strike out "route" and insert "routes".

Page 133, line 8, immediately before "A" insert the following: "(1)".

Page 133, after line 13, insert the following:

(2) A route from Amarillo, Texas, or its vicinity to Las Cruces, New Mexico, or its vicinity, so aligned as to serve the following intermediate locations, or vicinities thereof: Hereford, Texas; Clovis, New Mexico; Portales New Mexico; Roswell, New Mexico; Ruidoso, New Mexico; Tularosa, New Mexico; and Alamogordo, New Mexico; together with a branch route from Alamogordo, New Mexico, or its vicinity, to El Paso, Texas, or its vicinity, to connect with Interstate Route No. 10 and the port of entry with Mexico.

(3) A route from the Port of Catoosa, Catoosa, Oklahoma, or its vicinity, to Interstate Route No. 35 to Ponca City, Oklahoma, or the vicinity.

Ms. ABZUG. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentlewoman from New York (Ms. Abzug) reserves a point of order against the amendment offered by Mr. Runnels to the amendment offered by Mr. Railsback.

Mr. HARSHA. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from New Mexico is recognized in support of his amendment.

Mr. RUNNELS. Mr. Chairman, as many of you know, New Mexico is a State where our major highways serve as the connecting link between our communities and is the major link between the East and West and is the major source for the transportation of goods and people into and out of the State of New Mexico.

We presently have excellent interstate highways which service the northern and central part of the State, but the east and southern portions depend on unsafe, for the most part narrow, highways that are totally inadequate to the needs of our residents and to those people desiring to drive through our State.

The proposed amendment would authorize the Secretary of Transportation to conduct a study on the feasibility of constructing a much needed highway between Las Cruces, N. Mex., where it would connect with interstates 10 and 25, and Amarillo, Tex., connecting with interstate 40.

Under the present situation, the major portion of southeast New Mexico which contains a large percentage of the State's population, is not served by a major highway which offers safe, dependable travel. I am sure all of you read or heard of the tragic accident involving a school bus in New Mexico which was traveling on one of the narrow, outdated U.S. highways that crosses this area of the State. This is just one example of the need for improving the present inadequate U.S. highway system in New Mexico.

Specifically, Mr. Chairman, my amendment would instruct the Secretary of Transportation to conduct the feasibility study and report back to the Congress by January 1, 1975. The Congress could then base its decision on the need for an additional interstate highway on the information supplied by the Department of Transportation.

This amendment involves the congressional districts of Mr. Mahon of Texas, Mr. Price of Texas, Mr. White of Texas and Mr. McSpadden of Oklahoma, all of who support this amendment, and I urge my colleagues to accept it.

Mr. WHITE. Mr. Chairman, we have proposed this amendment because of the constantly developing transportation requirements of the southwest due to large influxes of new residents with accompanying commercial traffic, and the burgeoning tourist industry. I would stress that the amendment asks only for authority for a feasibility study at this time, and that such an item was included in the original Senate bill. Mr. Runnel's amendment proposes an additional segment to be included in the proposed feasibility study, and that is the stretch of U.S. Highway 54 between Alamogordo, N. Mex., and the Texas border. The Texas State Highway Department and the city of El Paso have already provided for a divided freeway route from the State line along Route 54 leading directly to the international port of entry at Juarez, Mex. and the Pan American Highway. The length of U.S. 54 between the Texas State line and Alamogordo, N. Mex.—some 70 miles—is one of the most heavily traveled in the State of New Mexico. Yet, it is a narrow, twisting, two-lane artery carrying a rating of one of the 10 worst primary routes in the State. It also has the stigma of having one of the poorest safety records in the southwest. I would stress further that the route carries a distinctive importance to our defense effort in that it is extensively used by army convoys and for other military related travel between Fort Bliss, Tex., and White Sands Missile Range, N. Mex. This branch from Alamogordo, N. Mex., to El Paso, Tex., becomes even more important should the route from Amarillo, Tex., to Las Cruces, New Mex., be eventually included in the Interstate System. The interstate 10–25 corridor from Las Cruces south to El Paso is already over-crowded, and without the Alamogordo-El Paso branch, the increased travel on highway 70 would funnel additional heavy loads into this corridor. For these very logical reasons, I urge the inclusion of that stretch of U.S. 54 between Alamogordo, N. Mex., and the Texas State line be included in any feasibility studies designed to include route 70 from Amarillo to Las Cruces in the Interstate System.

Mr. MICHEL. Mr. Chairman, I commend and salute my friend from Illinois for his initiative and assure him of my support for his amendment which would require the Department of Transportation to conduct a feasibility study of a Chicago to Kansas City route for the purpose of including such a highway in the Interstate System.

Certainly the central and western portions of the State of Illinois which include my friend's district as well as portions of my own have not received adequate consideration in the past for inclusion in the Federal Interstate Highway System. Hopefully the adoption of this amendment will be the first step in a process which will eventually provide this area with easy access to a new highway connecting the two great cities of Chicago and Kansas City. I urge my colleagues to support this amendment.

Mr. RANDALL. Mr. Chairman, I enthusiastically support the amendment offered by the gentleman from Illinois (Mr. Railsback) at page 133 of S. 502.

Kansas City, Mo., the heart of America, has already fared rather well by being mentioned in S. 147 for feasibility study to construct a route from Brunswick, Ga., to Kansas City, Mo., running through Springfield, Mo.

Mr. Chairman, Chicago is a great city, and the metropolitan area of Kansas City is a great area. For 20 years, we have dreamed of an Interstate route between these two great cities. Oh, of course, we can drive to a point on the Mississippi River north of St. Louis, then on up the main route to Chicago. We need a direct route. We hear so much today about the energy crisis. Then there is another crisis that we hear discussed repeatedly—the crisis of our railroads. We have been fortunate to maintain good rail service in most of the Midwest. We always need a supplemental system of transportation. The Kansas City-Chicago direct route expressway would save millions of dollars annually for our industries because of its less mileage for over-the-road highway freight between these points.

Mr. Chairman, I commend the gentleman from Illinois for his hard work on this amendment. I know there is a controversy as to where this route would cross the Mississippi River—at Hannibal and Quincy or farther north. Studies can resolve that problem. The important thing is to get on with a highway study which will ultimately lead to construction of this great road.

Some of us had thought that we might be knocked out by a point of order. I was proud to have had a small part in negotiating with the committee leadership on both sides of the political aisle and to be able to gain acceptance of this amendment without a challenge by a point of order. By agreement that this proposed road be financed by a ratio of 70 percent to 30 percent rather than the 90 percent to 10 percent, we avoided a head-on conflict and possible defeat of the amendment. Thus, this route may not be presently considered as part of the national system of interstate highways, but the very important thing is that we can get on with the study. Then, perhaps later it can be put again back under the Interstate System.

Once again, the gentleman from Illinois is to be commended for his effort as he carefully and diplomatically avoided a conflict over where the route might cross the Mississippi River and then was able to skillfully surmount the challenge of the point of order. I am proud to be associated with him in this effort as one who represents part of the metropolitan area of Kansas City. It should be noted that at page 58 of S. 502, the Senate had already included feasibility study of a route between Kansas City and Chicago to cross the Mississippi River between Hannibal, Mo., and Quincy, Ill. Our committee had deleted that section, and now the amendment which has been accepted by the committee puts back into the picture the chance for a thorough study of the Kansas City-Chicago route.

In summary, the passage of this amendment marks a great day for the future of all central and northern Missouri and all eastern Illinois. It means new industry will spring up along the great new and hoped-for Kansas City-Chicago route.

Mr. RUNNELS. Mr. Chairman, I ask unanimous consent to include the Railsback amendment.

The CHAIRMAN. The Chair does not understand the gentleman's unanimous-consent request.

Mr. RUNNELS. Mr. Chairman, this is merely a study, and I am asking at this point in time unanimous consent that the Railsback amendment also be included in this study.

The CHAIRMAN. The Chair will state that the gentleman's amendment is an amendment to the Railsback amendment.

Mr. RUNNELS. I withdraw the request, Mr. Chairman.

Mr. Chairman, I just hope all of the Members vote "yes."

The CHAIRMAN. Does any Member insist on a point of order against the amendment? If not, the question is on the amendment offered by the gentleman from New Mexico (Mr. RUNNELS) to the amendment offered by the gentleman from Illinois (Mr. RAILSBACK).

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. RAILSBACK), as amended.

The amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. FRELINGHUYSEN

Mr. FRELINGHUYSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FRELINGHUYSEN: Page 125, line 21, strike out "(a)" and all that follows down through and including "(b)" on line 1 of page 126.

The CHAIRMAN. The gentleman from New Jersey is recognized.

(By unanimous consent, Messrs. QUILLENS, TEAGUE of California, and SANDMAN yield their time to Mr. FRELINGHUYSEN.)

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentlemen who yielded their time to me.

I regret we are so eager to adjourn that we do not have adequate time to discuss what I hope is a noncontroversial amendment. The language I seek to strike would require the Secretary of Transportation to permit no further action on 22 miles of interstate highway in my State of New Jersey. This highway, I-287, is approximately 65 miles in length. It has taken us about 25 years to complete construction on some 44 miles of this route.

Prohibiting construction from Montville to Mahwah would mean the remaining road could not be built without additional, new hearings. In my opinion there is no justification for such an intervention on the part of the Federal Government. No case can be made for further delay over a badly needed interstate highway.

There is no significant support in my State for such a delay. In fact the Department of Transportation is solidly against any further consideration of alternative alinements, and so is the Governor, and I have statements to that effect in my possession.

Without any question we have delayed too long. The only justification for a further delay of this kind is because there are one or two towns which feel they would be adversely affected. In my opinion that is not sufficient justification for not giving a State the right to continue with an alinement which has been on master plans of the towns affected for over 20 years.

Our State quite obviously has grown and in the path of the proposed alinement there are some municipalities that would be adversely affected. But there can be no expediting of the completion of this important interstate highway if Congress should now seek to allow consideration of alternative routes at this time.

Let me say also that the terrain in that part of New Jersey is such that there is no easy alternative to the approved alinement. Any alternative would have a severe and adverse environmental effect. In addition, an environmental impact statement on the approved alinement is expected any day. I would suggest we keep our nose out of New Jersey's business, and not try to delay further what needs to be done with respect to the completion of a crucially important circumferential highway. The volume of traffic on the existing highways is already enormous and this new highway is badly needed.

I do hope that there is a recognition on a bipartisan basis that dropping this language makes sense. This is the kind of intervention by Congress which we should not tolerate. There will be an opportunity during design hearings on the alinement as now proposed for individuals who feel there should be some modest changes of the proposed alinement.

I urge that this language be dropped from the bill.

Mr. ROE. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey.

Mr. ROE. Mr. Chairman, I tell the Members as a Representative from the State of New Jersey that our cause is just. I would not present such an amendment that affects my district directly if I did not believe our cause was just and fair to our people, but what my good colleague fails to understand is that there are alternatives. It is true some hearings were held, and they were held 7 years ago before this great body passed an Environmental Protection Act. I call the attention of this gentleman to the fact that there is no such thing as formal design hearings by congressional law. They happen to be by administrative procedure of the Department of Transportation.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

(By unanimous consent, Mr. HOWARD yielded his time to Mr. ROE).

Mr. ROE. Mr. Chairman, my people in the State have begged and cajoled and got on their hands and knees and asked for justice. They had the Department of Transportation to listen to them.

What do they want to do? They want to speak on an issue that affects them. I listened all day for 2 days to the battle on mass transit and to the battle for people to be heard and the right for people to speak in America on issues that affect them. That is what this issue is about. The cause is just. We are simply saying to give the people of my district in my State the right to speak and to be heard on this issue.

What is so terrible about that? If that is so wrong and this issue is struck, then every other thing that has been said here today on the people's right to speak is a fraud. I know this Congress does not feel that way and I ask the Members to help and vote against this measure so my people can be heard.

Mr. MARAZITI. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey (Mr. MARAZITI).

Mr. MARAZITI. Mr. Chairman, I rise in support of the amendment. Interstate Highway 287 is a major highway surrounding a New York-New Jersey metropolitan area. It has been years and years in building. This section that we speak of is a vital link and it is necessary that it be completed at the earliest possible time.

We have heard a great deal about hearings. They have had hearings upon hearings. The route has been determined. Additional hearings will not have any beneficial effect. We never will get an alinement that will be agreeable to all parties concerned.

The time for hearings has passed. The time for action is now. Let us build the highway.

Mr. HARSHA. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, all the amendment does is to authorize a new corridor hearing. The original was held long, long ago. The people of New Jersey want to be heard on this matter. They want to make their voices heard. There is nothing new about this provision. We had it in last year's bill, and passed it last year; the same provision.

Significantly enough, it seems to me that the gentleman is discriminating in his amendment when he offers to strike out one section, or portion of that section, and is not suggesting that the same thing be done with the other portion of this section.

Mr. Chairman, I urge the defeat of the amendment.

Mr. WRIGHT. Mr. Chairman, I am opposed to the amendment.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. Frelinghuysen).

The amendment was rejected.

Mr. McKAY. Mr. Chairman, I have an amendment, but in the light of earlier debate I would rather take my time to ask the gentleman from Texas (Mr. Wright) of the committee a question.

In light of the moratorium on the highway beautification fund, he indicated in earlier debate that it was possible to continue to remove signs of certain kinds.

Can the gentleman assure us that in those States who had taken the lead, they can proceed under this agreed program within the States to continue to take down under this bill, all signs with the exception of those which give directions?

Mr. WRIGHT. If the gentleman will yield, the answer is absolutely yes. We provided funds for it, and provided authorization for it; we think it will move faster than it has.

AMENDMENT OFFERED BY MR. DON H. CLAUSEN

Mr. DON H. CLAUSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Don H. Clausen: Page 108, line 17, strike the quotation marks and add the following new subsection:

"(e) Not more than $20,000,000 of funds authorized to be appropriated in any fiscal year may be obligated for projects authorized by subsections (a) and (c) of this section, and no State shall obligate more than $1,000,000 for such projects in any fiscal year."

Mr. DON H. CLAUSEN. Mr. Chairman, the amendment I am offering relates to the bicycle transportation section.

Subsection (a) of the bicycle transportation section would permit the use of funds apportioned under Federal-aid primary and secondary systems, and urban extensions, and Federal-aid urban system moneys to be expended for bicycle transportation.

Subsection (c) would permit funds authorized for forest highways, forest development roads and trails, public lands development roads and trails, park roads and trails, parkways, Indian reservation roads, and public lands highways to be used for the construction of bicycle routes. The purpose of this amendment is to limit the overall expenditure of funds authorized for such purposes in subsections (a) and (c) to a total of $20 million.

It places an expenditure and/or obligation ceiling on an otherwise open-ended authorization that I believe would be difficult if not impossible to administer.

This will help the Secretary of Transportation and the State and Federal agency administrators to more effectively establish guidelines and regulations for implementation of the provision.

Mr. HOWARD. Mr. Chairman, will the gentleman yield?

Mr. DON H. CLAUSEN. I yield to the gentleman from New Jersey.

Mr. HOWARD. Mr. Chairman, it is understood that the Department of Transportation will administer this in such a way that all States should have an opportunity to get some funds for bicycle path use.

The Secretary in administering this section will determine the desires of each State with regard to participation in this program and will insure that all States participate in the program if they wish. If this requires some States to use less funds for this program than they would wish, the Secretary shall make that determination.

Mr. DON H. CLAUSEN. Mr. Chairman, I agree.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. Don H. Clausen).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Smith of Iowa: On page 133 after line 18 insert the following:

USE OF INTERSTATE SYSTEM RIGHT OF WAY

Sec. 149. The second sentence of section 111 of title 23, United States Code is amended by striking the period at the end thereof and substituting in lieu thereof a comma and the following: "except the State Highway department may permit the construction and operation of small food service establishments in rest stop areas."

Mr. HARSHA (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SMITH of Iowa. Mr. Chairman, I believe the amendment acts as an anticrime amendment by permitting the States to put coffeeshops at rest stops to encourage the presence of people.

Mr. WRIGHT. Mr. Chairman, we have examined the amendment and approve it.

Mr. HARSHA. Mr. Chairman, we likewise accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. Smith).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WOLFF

Mr. WOLFF. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Wolff: Page 107, strike out line 9 and all that follows down through and including the line after line 20 on page 108 and insert in lieu thereof the following:

"§ 217. Bicycle transportation and equestrian trails

"(a) To encourage the multiple use of highway rights-of-way, including the development, improvement, and use of bicycle transportation and the development and improvement of equestrian trails on or in conjunction with highway rights-of-way, the States may, on projects carried out with sums apportioned in accordance with subsection (b) of section 104 of this title, include to the extent practicable, suitable, and feasible, the construction of separate or preferential bicycle lanes or paths, bicycle traffic control devices, shelters and parking facilities to serve bicycles and persons using bicycles and equestrian trails in conjunction or connection with Federal-aid highways. Projects authorized under this section shall be located and designed pursuant to an overall plan which will provide due consideration for safety and contiguous routes.

"(b) For all purposes of this title, a project authorized by subsection (a) of this section shall be deemed to be a highway project, and the Federal share payable on account of such project shall be that provided in section 120 of this title.

"(c) Funds authorized and appropriated for forest highways, forest development roads and trails, public lands development roads and trails, park roads and trails, parkways, Indian reservation roads, and public lands highways shall be available, at the discretion of the department charged with the administration of such funds, for the construction of bicycle routes in conjunction with such trails, roads, highways, and parkways.

"(d) No motorized vehicles shall be permitted on trails and walkways authorized under this section except for maintenance purposes."

(b) The analysis of chapter 2 of title 23 of the United States Code is amended by inserting at the end thereof the following:

"217. Bicycle transportation and equestrian trails."

Mr. WOLFF. Mr. Chairman, a city boy wants to inject some horsesense into this bill.

Mr. Chairman, my amendment deals with the section of the bill before us that is entitled "Bicycle Transportation." My amendment broadens this section to include, not only bicycle transportation, but equestrian trails. Very simply, my amendment would allow use of highway funds for the development and improvement of equistrian trails in connection with Federal-aid highways.

Mr. Chairman, the Senate highway bill passed last month included a provision virtually identical to the amendment I am offering. The Senate bill recognized the need for improved equestrian trails, not only to promote the safety of equestrians, but also to ease the flow of motor traffic. The Senate bill specifically encourages the multiple use of highway rights-of-way as that relates to bicycles, pedestrians, and equestrians. The House bill should not differ from the Senate version on this point, it is important that we give due consideration to the safety and convenience of equestrians and motorists alike by allowing for the development of equestrian trails.

In making this small addition to the House highway bill, we are supporting and encouraging a recreational activity enjoyed by countless Americans, one that complements and promotes a healthy, active citizenry and a wholesome environment. Many of the Members I am certain, have experienced the enthusiasm of equestrians in their districts. I know that my own district boasts an active and growing equestrian organization and that riding is an extremely popular pastime in New York State in general. I would not like to see this mounting enthusiasm and wholesome recreation discouraged by a lack of safe and appropriate trail facilities along our highway routes. I urge my colleagues to join with me in following the Senate initiative by adopting my amendment to promote the development and improvement of equestrian trails.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. WOLFF).

The amendment was rejected.

AMENDMENT OFFERED BY MR. M'CLOSKEY

Mr. McCLOSKEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MCCLOSKEY: On page 108, lines 16 and 17, strike out "and, when snow conditions permit, snowmobiles."

Mr. McCLOSKEY. A point of order, Mr. Chairman, that is the wrong amendment.

The CHAIRMAN. The Chair will order the correct amendment reported.

Mr. McCLOSKEY. May I read the amendment, Mr. Chairman?

The CHAIRMAN. Does the gentleman have his amendment in writing?

Mr. McCLOSKEY. I do, Mr. Chairman.

The CHAIRMAN. The gentleman may read the amendment.

Mr. McCLOSKEY. The amendment is:

Page 108, line 16, after "snow conditions" insert the following: "and State or local regulations".

Mr. McCLOSKEY. Mr. Chairman, all this amendment does is permit State and local governments to ban snowmobiles from the trails created under this bill. The way the bill is written today, it would deny the right of such governments to ban snowmobiles from these trail systems; and I suggest that it is appropriate that we let the State and local governments deny snowmobiles if they wish to do so.

Mr. WRIGHT. Will the gentleman from California (Mr. MCCLOSKEY) yield?

Mr. McCLOSKEY. I yield to the gentleman from Texas (Mr. WRIGHT).

Mr. WRIGHT. Mr. Chairman, we have no objection to the gentleman's amendment on this side.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. MCCLOSKEY).

The amendment was agreed to.

The CHAIRMAN. The gentleman from Texas (Mr. WHITE) is recognized.

(By unanimous consent, Mr. WHITE yielded his time to Mr. WRIGHT.)

AMENDMENTS OFFERED BY MR. WRIGHT

Mr. WRIGHT. Mr. Chairman, I offer two technical and comforming amendments, which are offered on behalf of the committee, and I ask unanimous consent that they may be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. HARSHA. Mr. Chairman, reserving the right to object, may we have copies of those amendments so that we may understand what they are?

Mr. WRIGHT. Copies will be made available.

Mr. HARSHA. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas ?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. WRIGHT: Page 82, line 16, strike out "and".

Page 82, line 17, after "1975," insert the following: "and June 30, 1976,".

Page 128, line 18, strike out the quotation marks and insert in lieu thereof the following: No financial assistance shall be provided under this paragraph for the purchase of buses to any State or local public body or agency thereof which, after the date of enactment of this paragraph, has engaged or proposes to engage directly or indirectly in charter bus operations in competition with private bus operators outside the urbanized area within which such State or local public body or agency provides mass transportation service. No financial assistance shall be provided under this paragraph to any State or local public body or agency thereof which engages directly or indirectly in the transporting of schoolchildren and school personnel to and from school and school-authorized functions or which proposes to expand present routes, schedules, service, or facilities for the purposes of providing transportation for schoolchildren and school personnel to and from school and school-authorized functions in competition with or supplementary to the service currently provided by a private transportation company, or other person, engaged in so transporting such children and personnel. The preceding sentence shall not apply unless such private transportation company is able to provide adequate transportation at reasonable rates, and in conformance with applicable safety standards, and such sentence shall not apply with respect to any State or local public body or agency thereof if it (or a direct predecessor in interest from which it acquired the function of so transporting such children and personnel along with facilities to be used therefor) was so engaged any time during the twelve-month period immediately prior to the date of the enactment of this paragraph. The provision of assistance under this paragraph shall not be construed as bringing within the application of chapter 15 of title 5, United States Code, any nonsupervisory employee of an urban mass transportation system (or of any other agency or entity performing related functions) to whom such chapter is otherwise inapplicable. Funds available for expenditure to carry out the purposes of this paragraph shall be supplementary to and not in substitution for funds authorized and available for obligation pursuant to the Urban Mass Transportation Act of 1964, as amended. The provisions of section 3(e)(4) of the Urban Mass Transportation Act of 1964, as amended, shall apply in carrying out this paragraph."

Mr. WRIGHT (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WRIGHT. Mr. Chairman, these two amendments are simply technical and conforming amendments, and I urge their adoption.

Mr. HARSHA. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Ohio (Mr. HARSHA).

Mr. HARSHA. Mr. Chairman, we accept the amendments and the explanation for them.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Texas (Mr. WRIGHT).

The amendments were agreed to.

The CHAIRMAN. All time has expired on title I.

The Clerk will read.

The Clerk read as follows:

TITLE II

SHORT TITLE

SEC. 201. This title may be cited as the "Highway Safety Act of 1973".

HIGHWAY SAFETY

SEC. 202. The following sums are hereby authorized to be appropriated:

(1) For carrying out section 402 of title 23, United States Code (relating to highway safety programs), by the National Highway Traffic Safety Administration, out of the Highway Trust Fund, $200,000,000 for the fiscal year ending June 30, 1974, $300,000,000 for the fiscal year ending June 30, 1975, and $300,000,000 for the fiscal year ending June 30, 1976.

(2) For carrying out section 403 of title 23, United States Code (relating to highway safety research and development), by the National Highway Traffic Safety Administration, out of the Highway Trust Fund, $115,000,000 for the fiscal year ending June 30, 1974, $115,000,000 for the fiscal year ending June 30, 1975, and $115,000,000 for the fiscal year ending June 30, 1976.

(3) For carrying out section 402 of title 23, United States Code (relating to highway safety programs), by the Federal Highway Administration, out of the Highway Trust Fund, $35,000,000 for the fiscal year ending June 30, 1974, $45,000,000 for the fiscal year ending June 30, 1975, and $45,000,000 for the fiscal year ending June 30, 1976.

(4) For carrying out sections 307(a) and 403 of title 23, United States Code (relating to highway safety research and development), by the Federal Highway Administration, out of the Highway Trust Fund, for each of the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976, not to exceed $10,000,000 per fiscal year.

RAIL-HIGHWAY CROSSINGS

SEC. 203. (a) Each State shall conduct and systematically maintain a survey of all highways to identify those railroad crossings which may require separation, relocation, or protective devices, and establish and implement a schedule of projects for this purpose. At a minimum, such a schedule shall provide signs for all railroad-highway crossings.

(b) In addition to funds which may be otherwise available to carry out section 130 of title 23, United States Code, there is authorized to be appropriated for projects for the elimination of hazards of railway-highway crossings $150,000,000 for the fiscal year ending June 30, 1974, $225,000,000 for the fiscal year ending June 30, 1975, and $225,000,000 for the fiscal year ending June 30, 1976. Two-thirds of all funds authorized and expended under authority of this section in any fiscal year shall be appropriated out of the Highway Trust Fund. At least half of the funds authorized and expended under this section shall be available for the installation of protective devices at railway-highway crossings. Such sums shall be available for obligation in the same manner and to the same extent as if such funds were apportioned under this chapter.

(c) Funds authorized by this section shall be available for expenditure as follows:

(1) two-thirds for projects on any Federal-aid system (other than the Interstate System);

(2) one-third for projects on highways not included on any Federal-aid system.

(d) Funds made available in accordance with paragraph (1) of subsection (c) shall be apportioned to the States in the same manner as sums authorized to be appropriated under paragraph (1) of section 105 of the Federal-Aid Highway Act of 1970. Funds made available in accordance with paragraph (2) of subsection (c) shall be apportioned to the States in the same manner as is provided in section 402(c) of title 23 of the United States Code, and the Federal share payable on account of any such project shall not exceed 90 per centum of the cost thereof.

(e) Each State shall report to the Secretary of Transportation not later than September 30, 1974, and not later than September 30 of each year thereafter, on the progress being made to implement the railroad-highway crossings program authorized by this section and the effectiveness of such improvements. Each State report shall contain an assessment of the costs of the various treatments employed and subsequent accident experience at improved locations. The Secretary of Transportation shall submit a report to the Congress not later than January 1, 1975, and not later than January 1 of each year thereafter, on the progress being made by the States in implementing projects to improve railroad-highway crossings. The report shall include, but not be limited to, the number of projects undertaken, their distribution by cost range, road system, nature of treatment, and subsequent accident experience at improved locations. In addition, the Secretary's report shall analyze and evaluate each State program, identify any State found not to be in compliance with the schedule of improvements required by subsection (a), and include recommendation for future implementation of the railroad-highway crossings program.

(f) Funds authorized by this section may be used to provide local government with funds to be used on a matching basis when State funds are available which may only be spent when local government produces matching funds for the improvement of railroad crossings.

BRIDGE RECONSTRUCTION AND REPLACEMENT

SEC. 204. (a) Subsection (b) of section 144 of title 23, United States Code, is amended by striking out "on any of the Federal-aid systems".

(b) Subsection (e) of section 144 of title 23, United States Code, is amended by striking out "1972; and" and inserting in lieu thereof "1972,"; by inserting immediately after "1973," the following: "$225,000,000 for the fiscal year ending June 30, 1974, $450,000,000 for the fiscal year ending June 30, 1975, and $450,000,000 for the fiscal year ending June 30, 1976,"; by striking out "out of the Highway Trust Fund," in the first sentence; and by inserting after the first sentence the following: "Two-thirds of all funds authorized and expended under authority of this section in any fiscal year shall be appropriated out of the Highway Trust Fund.".

(c) Subsection (f) of section 144 of title 23, United States Code, is relettered as subsection (g) (including references thereto); and immediately after subsection (e) the following new subsection (f) is inserted:

"(f) Funds authorized by this section shall be available for expenditure as follows:

"(1) two-thirds for projects on any Federal-aid system; and

"(2) one-third for projects on highways not included on any Federal-aid system."

(d) Existing subsection (g) of section 144 of title 23, United States Code, is relettered as subsection (h) (including references thereto).

PAVEMENT MARKING DEMONSTRATION PROGRAM

SEC. 205. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 151. Pavement marking demonstration program

"(a) Congress hereby finds and declares it to be in the vital interest of the Nation that a pavement marking demonstration program be established to enable the several States to improve the pavement marking of all highways to provide for greater vehicle and pedestrian safety.

"(b) Notwithstanding the provisions of the last sentence of subsection (a) of section 105 of this title, the Secretary may approve under this section such pavement marking projects on any highway whether or not on any Federal-aid system, but not included in the Interstate System, as he may find necessary to bring such highway to the pavement marking standards issued or endorsed by the Federal Highway Administrator.

"(c) In approving projects under this section, the Secretary shall give priority to those projects which are located in rural areas and which are either on the Federal-aid secondary system or are not included on any Federal-aid system.

"(d) The entire cost of projects approved under subsections (b) and (f) of this section shall be paid from sums authorized to carry out this section.

"(e) For the purpose of carrying out the provisions of this section by the Federal Highway Administration, there is hereby authorized to be appropriated for each of the fiscal years ending June 30, 1974, and June 30, 1975, out of the Highway Trust Fund, the sum of $125,000,000. Such sums shall be available for obligation in the same manner and to the same extent as if such funds were apportioned under this chapter.

"(f) Funds apportioned to a State but not required by it for pavement-marking projects authorized by this section may be released by the Secretary to such State for expenditure for projects to eliminate or reduce the hazards to safety at specific locations or sections of highways which are not located on any Federal-aid system and which have high accident experiences or high accident potentials. Funds may be released by the Secretary under this subsection only if the Secretary has received satisfactory assurances from the State highway department that all nonurban area highways within the State are marked in accordance with the pavement-marking standards issued or endorsed by the Federal Highway Administrator for carrying out this program.

"(g) Each State shall report to the Secretary of Transportation not later than September 30, 1974, and not later than September 30 of each year thereafter, on the progress being made in implementing the program and the effectiveness of the improvements made under it. Each report shall include an analysis and evaluation of the number, rate and severity of accidents at improved locations and the cost-benefit ratio of such improvements, comparing an adequate time period before and after treatment in order to properly assess the benefits occurring from such pavement markings. The Secretary of Transportation shall submit a report to the Congress not later than January 1, 1975, and not later than January 1 of each year thereafter, on the progress being made in implementing the program and the safety benefits achieved under it."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"151. Pavement marking demonstration program.".

PAVEMENT MARKING RESEARCH AND DEMONSTRATION PROGRAMS

SEC. 206. (a) In addition to the research authorized by section 307(a) of title 23, United States Code, the Secretary of Transportation is authorized to conduct research and demonstration programs to improve the the effectiveness and durability of various types of pavement markings and related delineators, to develop improved equipment and techniques for applying, erecting, and maintaining such markings and delineators, and to develop new traffic control materials, devices, and related delineators to assist the traveling public during adverse weather and nighttime driving conditions.

(b) There is authorized to be appropriated to carry out this section by the Federal Highway Administration, out of the Highway Trust Fund, $15,000,000 for the fiscal year ending June 30, 1974, and $25,000,000 for the fiscal year ending June 30, 1975.

DRUG USE AND DRIVER BEHAVIOR HIGHWAY SAFETY RESEARCH

SEC. 207. (a) Section 403 of title 23, United States Code, is amended by inserting "(a)" immediately before the first sentence thereof, and by striking out "this section" each place it appears and inserting in lieu thereof "this subsection", and by adding at the end thereof the following new subsections:

"(b) In addition to the research authorized by subsection (a) of this section, the Secretary, in consultation with such other Government and private agencies as may be necessary, is authorized to carry out safety research on the following:

"(1) The relationship between the consumption and use of drugs and their effect upon highway safety and drivers of motor vehicles; and

"(2) Driver behavior research, including the characteristics of driver performance, the relationships of mental and physical abilities or disabilities to the driving task, and the relationship of frequency of driver accident involvement to highway safety.

"(c) The research authorized by subsection (b) of this section may be conducted by the Secretary through grants and contracts with public and private agencies, institutions, and individuals."

(b) There is authorized to be appropriated to carry out the amendments made by this section by the National Highway Traffic Safety Administration, out of the Highway Trust Fund, the sum of $15,000,000 for the fiscal year ending June 30, 1974, and $25,000,000 for the fiscal year ending June 30, 1975.

PROJECTS FOR HIGH-HAZARD LOCATIONS

SEC. 208. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 152. Projects for high-hazard locations

"(a) Each State shall conduct and systematically maintain an engineering survey of all highways to identify high-hazard locations which may constitute a danger to vehicles and to pedestrians, assign priorities for the correction of such locations, and establish and implement a schedule of projects for their improvement.

"(b) For projects to eliminate or reduce the hazards at specific locations or sections of highways which have high accident experiences or high accident potentials, by the Federal Highway Administration, there is hereby authorized to be appropriated for each of the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976, the sum of $100,000,000, except that two-thirds of all funds authorized and expended under authority of this section in any fiscal year shall be appropriated out of the Highway Trust Fund. Such sums shall be available for obligation in the same manner and to the same extent as if such funds were apportioned under this chapter.

"(c) Funds authorized by this section shall be available for expenditure as follows:

"(1) two-thirds for projects on any Federal-aid system (other than the Interstate System); and

"(2) one-third for projects on highways not included on any Federal-aid system.

"(d) Funds made available in accordance with subsection (b) shall be apportioned to the States in the same manner as is provided in section 402(c) of this title, and the Federal share payable on account of any such project shall not exceed 90 per centum of the cost thereof.

"(e) Each State shall report to the Secretary of Transportation not later than September 30, 1974, and not later than September 30 of each year thereafter, on the progress being made to implement projects, for high-hazard locations and the effectiveness of such improvements. Each State report shall contain an assessment of the cost of, and safety benefits derived from, the various means and methods used to mitigate or eliminate hazards and the previous and subsequent accident experience at these locations. The Secretary of Transportation shall submit a report to the Congress not later than January 1, 1975, and not later than January 1 of each year thereafter, on the progress being made by the States in implementing projects for improvements at high-hazard locations. The report shall include, but not be limited to, the number of projects undertaken, their distribution by cost range, road system, means and methods used, and the previous and subsequent accident experience at improved locations. In addition, the Secretary's report shall analyze and evaluate each State program, identify any State found not to be in compliance with the schedule of improvements required by subsection (a) and include recommendations for future implementation of the spot improvements program."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"152. Projects for high-hazard locations.".

PROGRAM FOR THE ELIMINATION OF ROADSIDE OBSTACLES

SEC. 209. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 153. Program for the elimination of roadside obstacles

"(a) Each State shall conduct and systematically maintain an engineering survey of all highways to identify roadside obstacles which may constitute a hazard to vehicles and to pedestrians, assign priorities for the correction of such obstacles and establish and implement a schedule of projects for their elimination. Such a schedule shall provide for the replacement, to the extent necessary, of existing sign and light supports which are not designed to yield or break away upon impact. Yielding or breakaway sign and light supports shall be used, where appropriate, on all new construction or reconstruction of highways.

"(b) For projects to correct roadside hazards by the Federal Highway Administration, there is hereby authorized to be appropriated for each of the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976, the sum of $75,000,000 except that two-thirds of all funds authorized and expended under authority of this section in any fiscal year shall be appropriated out of the Highway Trust Fund. Such sums shall be available for obligation in the same manner and to the same extent as if such funds were apportioned under this chapter.

"(c) Funds authorized by this section shall be available for expenditure as follows:

"(1) two-thirds for projects on any Federal-aid system (other than the Interstate System); and

"(2) one-third for projects on highways not included on any Federal-aid system.

"(d) Funds made available in accordance with subsection (c) shall be apportioned to the States in the same manner as is provided in section 402(c) of this title, and the Federal share payable on account of any such project shall not exceed 90 per centum of the cost thereof.

"(e) Each State shall report to the Secretary of Transportation not later than September 30, 1974, and not later than September 30 of each year thereafter, on the progress being made in implementing the program for the removal of roadside obstacles and the effectiveness of such improvements. Each report shall contain an assessment of the costs and safety benefits of the various means and methods used to mitigate or eliminate roadside obstacles. The Secretary of Transportation shall submit a report to the Congress not later than January 1, 1975, and not later than January 1 of each year thereafter, on the progress being made by the States in eliminating roadside obstacles and the effectiveness of the improvements made under this program. The Secretary's report shall include, but not be limited to, an analysis and evaluation of each State program, identification of any State found not to be in compliance with the schedule of improvements required by subsection (a) and shall include recommendations for future implementation of the roadside obstacle removal program. In addition, to assess the safety benefits of varying roadside obstacle treatments, the report shall contain an assessment of the costs and safety benefits of the various means and methods used to mitigate or eliminate roadside obstacles."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"153. Program for the elimination of roadside obstacles.".

HIGHWAY SAFETY EDUCATIONAL PROGRAMING AND STUDY

SEC. 210. (a) The Secretary of Transportation, in cooperation with interested government and nongovernment authorities, agencies, organizations, institutions, businesses, and individuals, shall conduct a full and complete investigation and study of the use of mass media for informing and educating the public of ways and means for reducing the number and severity of highway accidents. Such a study shall include, but not be limited to, ways and means for encouraging the participation and cooperation of television and radio station licensees, for measuring audience reactions to current educational programs, for evaluating the effectiveness of such programs, and for developing new programs for the promotion of highway safety. The Secretary shall report to the Congress his findings and recommendations by June 30, 1974.

(b) For the purpose of carrying out subsection (a) of this section, there is hereby authorized to be appropriated the sum of $1,000,000 out of the Highway Trust Fund.

(c) The Secretary of Transportation, in consultation with State and local highway safety officials, shall develop a series of highway safety television programs of varying length, up to and including five minutes, for use in accordance with the provisions of the Communications Act of 1934. At least 50 per centum of the funds authorized and expended under subsection (d) of this section shall be allocated to the States at the discretion of the Secretary for approved programing projects. To the maximum extent feasible, the services of private individuals shall be utilized in carrying out this subsection.

(d) For the purpose of carrying out subsection (c) of this section, there is hereby authorized to be appropriated the sum of $4,000,000 out of the Highway Trust Fund.

CITIZEN PARTICIPATION STUDY

SEC. 211. (a) The Secretary of Transportation, in cooperation with State and local highway safety authorities, shall conduct a full and complete investigation and study of ways and means for encouraging greater citizen participation and involvement in highway safety programs, with particular emphasis on traffic enforcement and accident detection, response, and reporting, including, but not limited to, the creation of citizen adjuncts to assist professional traffic enforcement agencies and highway rescue agencies in the performance of their duties. The Secretary shall report to the Congress his findings and recommendations by June 30, 1974.

(b) For the purposes of carrying out this section, there is authorized to be appropriated the sum of $1,000,000 out of the Highway Trust Fund.

FEASIBILITY STUDY—NATIONAL CENTER FOR STATISTICAL ANALYSIS OF HIGHWAY OPERATIONS

SEC. 212. (a) The Secretary of Transportation shall make a study of the feasibility of establishing a National Center for Statistical Analysis of Highway Operations designed to acquire, store, and retrieve highway accident data and standardize the information and procedures for reporting accidents on a nationwide basis. Such study should include, but not be limited to, an estimate of the cost of establishing and maintaining such a center, including the means of acquiring the accident information to be stored therein, the methods to be used for its evaluation and the criteria needed to assure its proper utilization by appropriate public and private agencies and groups. The Secretary shall report to the Congress his findings and recommendations not later than January 1, 1975.

(b) For the purpose of carrying out this section, there is authorized to be appropriated the sum of $5,000,000 out of the Highway Trust Fund.

PEDESTRIAN SAFETY STUDY

SEC. 213. (a) The Secretary of Transportation shall make a full and complete investigation and study of pedestrian safety. Such an invesigation and study shall include, but not be limited to, the following:

(1) A review and evaluation of State and local ordinances, regulations, and laws and the enforcement policies, procedures, methods, practices, and capabilities for enforcing them.

(2) The relationship between alcohol and pedestrian safety, with special emphasis on problem drinkers, both drivers and pedestrians.

(3) An evaluation of ways and means of improving pedestrian safety programs.

(4) An analysis of present funding allocations for pedestrian safety programs and an assessment of the capabilities of Federal, State, and local governments to fund such activities and programs.

In the conduct of such investigation and study, the Secretary shall cooperate and consult with other agencies of the Federal Government, the States, and their political subdivisions, and other interested private organizations, groups, and individuals.

(b) The Secretary shall, not later than January 31, 1975, report to the Congress the results of this investigation and study together with his conclusions and recommendations for appropriate legislation.

(c) There is hereby authorized not to exceed $5,000,000 from the Highway Trust Fund to carry out this section.

MANPOWER TRAINING AND DEMONSTRATION PROGRAMS

SEC. 214. (a) The first sentence of subsection (c) of section 402 of title 23, United States Code, is amended by inserting immediately after "approved in accordance with subsection (a)," the following: "including development and implementation of manpower training programs, and of demonstration programs that the Secretary determines will contribute directly to the reduction of accidents, and deaths and injuries resulting therefrom. Such funds".

PUBLIC ROAD MILEAGE

SEC. 215. Subsection (c) of section 402 of title 23, United States Code, is amended by inserting immediately after the third sentence the following: "Public road mileage as used in this subsection shall be determined as of the calendar year preceding the year in which the funds are apportioned and shall be certified to by the Governor of the State and subject to approval by the Secretary."

MINIMUM APPORTIONMENT

SEC. 216. Subsection (c) of section 402 of title 23, United States Code, is amended by striking "one-third of 1 per centum" in the fifth sentence thereof as amended, and inserting "one-half of 1 per centum".

HIGHWAY SAFETY PROGRAM APPLICABILITY

SEC. 217. Section 401, title 23, United States Code, is amended by adding at the end thereof the following: "For the purposes of this chapter, the term 'State' means any one of the fifty States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, and American Samoa, except that all expenditures for carrying out this chapter in the Virgin Islands, Guam, and American Samoa shall be paid out of money in the Treasury not otherwise appropriate."

INCENTIVES FOR COMPLIANCE WITH HIGHWAY SAFETY PROGRAMS

SEC. 218. Section 402 of title 23, United States Code, is amended by adding the following new subsection:

"(i) (1) In addition to other grants authorized by this section, the Secretary may make incentive grants in each fiscal year to those States which have adopted legislation requiring the use of seatbelts in accordance with criteria which the Secretary shall establish and publish. Such grants may only be used by recipient States to further the purposes of this chapter. Such grants shall be in addition to other funds authorized by this section. There is hereby authorized to be appropriated to carry out this paragraph, out of the Highway Trust Fund, not to exceed $50,000,000 for the fiscal year ending June 30, 1974, not to exceed $75,000,000 for the fiscal year ending June 30, 1975, and not to exceed $75,000,000 for the fiscal year ending June 30, 1976.

"(2) In addition to other grants authorized by this section, the Secretary may make additional incentive grants to those States which have made the most significant progress in reducing traffic fatalities based on the reduction in the rate of such fatalities per one hundred million-vehicle miles during the calendar year immediately preceding the fiscal year for which such incentive funds are authorized compared with the average annual rate of such fatalities for the four calendar year period preceding such calendar year. Such incentive grants shall be made in accordance with criteria which the Secretary shall establish and publish. Such grants may only be used by recipient States to further the purposes of this chapter. Such grants shall be in addition to other funds authorized by this section. There is hereby authorized to be appropriated to carry out this paragraph, out of the Highway Trust Fund, not to exceed $25,000,000 for the fiscal year ending June 30, 1974, not to exceed $35,000,000 for the fiscal year ending June 30, 1975, and not to exceed $35,000,000 for the fiscal year ending June 30, 1976.

"(3) Incentive awards authorized by this section shall not exceed 25 per centum of each States apportionment as authorized by this chapter."

HIGHWAY SAFETY RESEARCH AND DEVELOPMENT

SEC. 219. The second sentence of subsection (a) of section 403 of title 23, United States Code, is amended to read as follows: "In addition, the Secretary may use the funds appropriated to carry out this section, either independently or in cooperation with other Federal departments or agencies, for making grants to or contracting with State or local agencies, institutions, and individuals for (1) training or education of highway safety personnel, (2) research fellowships in highway safety, (3) development of improved accident investigation procedures, (4) emergency service plans, (5) demonstration projects, and (6) related activities which the Secretary deems will promote the purposes of this section. The Secretary shall assure that no fees are charged for any meetings or services attendant thereto or other activities relating to training and education of highway safety personnel."

TRANSFER OF DEMONSTRATION PROJECT EQUIPMENT

SEC. 220. Section 403 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(d) The Secretary may, where he deems it to be in furtherance of the purposes of section 402 of this title, vest in State or local agencies, on such terms and conditions as he deems appropriate, title to equipment purchased for demonstration projects with funds authorized by this section."

ADMINISTRATIVE ADJUDICATION OF TRAFFIC INFRACTIONS

SEC. 221. Section 403 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(e) In addition to the research authorized by subsection (a) of this section, the Secretary shall, either independently or in cooperation with other Federal departments or agencies, conduct research into, and to make grants to or contracts with State or local agencies, institutions, and individuals for projects to demonstrate the administrative adjudication of traffic infractions. Such administrative adjudication demonstration projects shall be designed to improve highway safety by developing fair, efficient, and effective processes and procedures for traffic infraction adjudication, utilizing appropriate punishment, training, and rehabilitative measures for traffic offenders. The Secretary shall report to Congress by July 1, 1975, and each year thereafter during the continuance of the program, on the research and demonstration projects authorized by this subsection, and shall include in such report a comparison of the fairness, efficiency, and effectiveness of administrative adjudication of traffic infractions with other methods of handling such infractions."

NATIONAL HIGHWAY SAFETY ADVISORY COMMITTEE

SEC. 222. Subsection (a)(1) of section 404 of title 23, United States Code, is amended by inserting immediately after "Federal Highway Administrator," the following: "the National Highway Traffic Safety Administrator,".

DATE OF ANNUAL REPORT

SEC. 223. The first sentence of subsection (a) of section 202 of the Highway Safety Act of 1966 (80 Stat. 736) is amended by deleting "March 1" and substituting in lieu thereof the following: "July 1".

UNDERPASS DEMONSTRATION PROJECT

SEC. 224. (a) The Secretary of Transportation shall carry out a demonstration project in Anoka, Minnesota, for the construction of an underpass at the Seventh Avenue and County Road 7 railroad-highway grade crossing.

(b) The Secretary shall make a report to the President and Congress with respect to his activities pursuant to this section.

(c) There is authorized to be appropriated not to exceed $3,000,000 to carry out this section.

HIGHWAY SAFETY NEEDS STUDY

SEC. 225. In order to provide the basis for evaluating the continuing highway safety programs authorized in title 23, United States Code, and to furnish Congress with the information necessary for the authorization of appropriations for such programs, the Secretary of Transportation, in cooperation with the Governors and appropriate State and local highway officials, shall make a full and complete study of highway safety needs and shall prepare recommendations and estimates of the costs for meeting such needs. Such estimates and recommendations shall identify the requirements to meet highway safety needs of the States, Puerto Rico, and the District of Columbia and would also consider those of Guam, American Samoa, the Virgin Islands and such other United States territories the Secretary shall determine. The Secretary shall submit such detailed estimates and recommendations to the Congress not later than January 10, 1976.

DRIVER EDUCATION EVALUATION PROGRAM

SEC. 226. (a) Section 403 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(f) In addition to the research authorized by subsection (a) of this section, the Secretary shall carry out research, development, and demonstration projects to improve and evaluate the effectiveness of various types of driver education programs in reducing traffic accidents and deaths, injuries, and property damage resulting therefrom. The research, development, and demonstration projects authorized by this subsection may be carried out by the Secretary through grants and contracts with public and private agencies, institutions, and individuals. The Secretary shall report to the Congress by July 1, 1975, and each year thereafter during the continuance of the program, on the research, development, and demonstration projects authorized by this subsection, and shall include in such report an evaluation of the effectiveness of driver education programs in reducing traffic accidents and deaths, injuries, and property damage resulting therefrom."

(b) For the purpose of carrying out the amendment made by subsection (a) of this section, there is authorized to be appropriated $10,000,000 out of the Highway Trust Fund.

TRANSFER OF FUNDS AMONG HIGHWAY SAFETY PROGRAMS

SEC. 227. Section 104 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(g) Not more than 30 per centum of the amount apportioned in any fiscal year to each State in accordance with sections 144, 152, and 153 of this title, or section 203(d) of the Highway Safety Act of 1973, may be transferred from the apportionment under one section to the apportionment under any other of such sections if such a transfer is requested by the State highway department and is approved by the Secretary as being in the public interest. The Secretary may approve such transfer only if he has received satisfactory assurances from the State highway department that the purposes of the program from which such funds are to be transferred have been met."

CURB RAMPS FOR THE HANDICAPPED

SEC. 228. Paragraph (1) of subsection (b) of section 402 of title 23, United States Code, is amended by adding at the end thereof the following:

"(F) provide adequate and reasonable access for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks throughout the State."

DEMONSTRATION PROJECT—RAIL-HIGHWAY CROSSINGS

SEC. 229. (a) The Secretary of Transportation shall carry out a demonstration project for the elimination or protection of certain public ground-level rail-highway crossings in, or in the vicinity of, Springfield, Illinois.

(b) The Secretary shall make a report to the President and Congress with respect to his activities pursuant to this section.

(c) There is authorized to be appropriated not to exceed $36,000,000 to carry out subsections (a) and (b) of this section.

(d) The Secretary of Transportation shall enter into such arrangements as may be necessary to carry out a demonstration project in Lincoln, Nebraska, for the relocation of railroad lines from the central area of the city in conformance with the methodology developed under proposal numbered DOT–FR–20037. The city shall (1) have a local agency with legal authority to relocate railroad facilities, levy taxes for such purpose, and a record of prior accomplishment; and (2) have a current relocation plan for such lines which has a favorable benefit-cost ratio involving and having the unanimous approval of three or more class 1 railroads and multi-civic, local, and State agencies, and which provides for the elimination of a substantial number of the existing railway-road conflict points within the city.

(e) Federal grants or payments for the purpose of subsection (d) of this section shall cover 70 per centum of the costs involved.

(f) The Secretary shall make annual reports and a final report to the President and the Congress with respect to his activities pursuant to subsection (d) of this section.

(g) For the purpose of carrying out subsections (d), (e), and (f) of this section, there is hereby authorized to be appropriated the sum of $2,500,000 out of the Highway Trust Fund, and not to exceed $9,500,000 out of any money in the Treasury not otherwise appropriated.

(h) The Secretary of Transportation shall enter into such arrangements as may be necessary to carry out demonstration projects in Brownsville, Texas, and Matamoros, Mexico, for the relocation of railroad lines from the central area of the cities in conformance with the methodology developed under proposals submitted to the Secretary by the Brownsville Navigation District, providing for the construction of an international bridge and for the elimination of a substantial number of existing railway-road conflict points within the cities.

(i) The Secretary of Transportation shall enter into such arrangements as may be necessary to carry out a demonstration project in East Saint Louis, Illinois, for the relocation of rail lines between Thirteenth and Forty-third Streets, in accordance with methodology approved by the Secretary. The Secretary of Transportation shall carry out a demonstration project for the relocation of rail lines in the vicinity of Carbondale, Illinois.

(j) The Secretary of Transportation shall enter into such arrangements as may be necessary to carry out a demonstration project in New Albany, Indiana, for the elimination of the existing rail loop and relocation of rail lines to a location between Vincennes Street and East Eighth Street, in accordance with methodology approved by the Secretary.

(k) The Federal share payable on account of projects under subsections (h), (i), and (j) of this section shall be that provided in section 120 of title 23 of the United States Code.

(l) There is authorized to be appropriated not to exceed $2,150,000 in the case of Brownsville, Texas, $15,000,000 in the case of East Saint Louis and $10,000,000 in the case of Carbondale, Illinois, from the Highway Trust Fund, and not to exceed $4,300,000 in the case of Brownsville, Texas, and $1,000,000 in the case of New Albany, Indiana, from money in the Treasury not otherwise appropriated, for carrying out the provisions of subsections (h), (i), and (j) of this section.

(m) The Secretary of Transportation shall carry out demonstration projects for the construction of an overpass at the rail-highway grade crossing on Cottage Grove Avenue between One Hundred Forty-second Street and One Hundred Thirty-eighth Street in the village of Dolton, Illinois, and the construction of an overpass at the rail-highway grade crossing at Vermont Street and the Rock Island Railroad tracks in the city of Blue Island, Illinois.

(n) The Secretary shall make a report to the President and the Congress with respect to his activities pursuant to subsection (m) of this section.

(o) For the purpose of carrying out subsection (m) of this section, there is authorized to be appropriated, out of the Highway Trust Fund, not to exceed $5,250,000.

(p) The Secretary of Transportation shall carry out a demonstration project for the elimination or protection of certain public ground level railroad-highway crossings in, or in the vicinity of Elko, Nevada.

(q) The Secretary shall make a report to the President and the Congress with respect to his activities pursuant to subsection (p) of this section.

(r) For the purpose of carrying out subsection (p) of this section, there is authorized to be appropriated the sum of $1,400,000 out of the Highway Trust Fund, and not to exceed $2,800,000 out of any money in the Treasury not otherwise appropriated.

(s) The Secretary of Transportation shall carry out a demonstration project for the elimination of the ground level railroad highway crossing on United States Route 69 in Greenville, Texas. He shall report to the President and Congress with respect to his activities under this subsection. There is authorized to be appropriated not to exceed $1,200,000 to carry out this subsection, except that local interests shall contribute $800,000 to the cost of such project.

Mr. WRIGHT. Mr. Chairman, I ask unanimous consent that title II be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDMENT OFFERED BY MR. GRAY

Mr. GRAY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GRAY: Page 165, after line 3, insert the following:

HIGHWAY SAFETY STANDARDS

SEC. 230. Subsection (h) of section 402 of title 23, United States Code, is amended to read as follows:

"(h) Each uniform safety standard promulgated under this section on or before January 1, 1973, shall continue in effect unless otherwise specifically provided by law enacted after the date of enactment of the Federal-aid Highway Act of 1973. The Secretary shall not promulgate any other uniform safety standard under this section (including my revision of a standard continued in effect by the preceding sentence) unless otherwise specifically provided by law enacted after the date of enactment of the Federal-aid Highway Act of 1973."

Mr. GRAY (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with, and that it be printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GRAY. Mr. Chairman, this amendment is designed to bring some order into what is becoming a very confusing situation in the matter of administering the Highway Safety Act.

There are currently 18 safety standards in effect which are more or less the rules of the road in conducting the safety program. These vary from driver licensing and driver education to pedestrian safety and emergency medical services.

In many cases, it has taken a long time to get the proper State legislation to conform to these standards so that the program could proceed. From the Federal standpoint these standards can be revised at any time without any reference to the Congress, but in the establishing of a new standard the Secretary of Transportation must submit it to the Congress and if no action is taken by the Congress in 90 days, he may proceed to promulgate the standard.

The problem that has arisen is that the Department of Transportation on August 3, 1972, published in the Federal Register a proposal to reduce the 18 standards down to 9. Much of the material in the new standards is different than the old ones. They have entirely different headings and in one case the proposed new standard No. 1 is not in the category of a standard at all, but makes the safety program, in effect, a Federal rather than a State program.

If promulgated these new standards would present a new thrust in some areas of the safety program where there is not now general agreement among the States.

When the new nine standards were proposed for comment in the Federal Register the chairman of the Committee on Public Works submitted a letter to the Register indicating that the committee intends to hold hearings on these standards this year to insure that all parties were heard and the necessary congressional input assured in these new areas.

The effect of the amendment is merely to continue the program moving with the present standards until this new condensation of the standards is properly reviewed by the public and the Congress. It will in no way hold up the safety program or any of the safety proposals in this bill.

Mr. HARSHA. Mr. Chairman, will the gentleman yield?

Mr. GRAY. I yield to the gentleman from Ohio (Mr. HARSHA).

Mr. HARSHA. I wish to inform the gentleman that we on this side will accept the amendment of the gentleman from Illinois (Mr. GRAY).

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. GRAY).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. RONCALIO OF WYOMING

Mr. RONCALIO of Wyoming. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RONCALIO of Wyoming: Page 142, line 5, add a new section as follows and renumber all following sections:

HIGHWAY SAFETY ON INDIAN RESERVATIONS

SEC. 207. Section 402 of title 23 of the United States Code is amended by adding a new subsection (1) as follows:

"(1) For the purpose of the application of this section on Indian reservations, 'State' and 'Governor of a State' includes the Secretary of the Interior and 'political subdivision of a State' includes an Indian tribe: *Provided*, That, notwithstanding the provisions of subparagraph (C) of subsection (b) (1) hereof, 95 per centum of the funds apportioned to the Secretary of the Interior shall be expended by Indian tribes to carry out highway safety programs within their jurisdictions: *And provided further*, That the provisions of subparagraph (E) of subsection (b)(1) hereof shall be applicable except in those tribal jurisdictions in which the Secretary determines such programs would not be practicable."

(b) Subsection (d) of section 402 of title 23, United States Code, is amended by inserting at the end of the first sentence thereof the following: "and except that, in the case of a local highway safety program carried out by an Indian tribe, if the Secretary is satisfied that an Indian tribe does not have sufficient funds available to meet the non-Federal share of the cost of such program, he may increase the Federal share of the cost thereof payable under this Act to the extent necessary."

Mr. RONCALIO of Wyoming. My colleagues, this is language taken from S. 502. It deals with safety on Indian reservations and does nothing more than provide machinery whereby the chief of the tribal council can make application for additional funds when the safety or the lack of safety on roads on the reservation warrants it.

In the light of the statistics which show a tremendous death rate so much higher on reservations than otherwise, there should be a more equitable method of distributing highway safety funds.

American Indians appear to suffer more than any other group as a result of highway accidents. The counties adjacent to Indian reservation lands typically have highway death rates several times the national average. Information from the Department of Transportation indicates that highway fatalities on reservations in the North Central States run two to four times the national rate, in the Southwest three to eight times the national rate, and in some parts of the South almost 20 times the national rate.

In light of these statistics, there must be a more equitable method of distributing available highway safety funds to Indian tribes. The amendment would allow an Indian tribe to be considered to be a "political subdivision of a State" for the purposes of receiving Federal funds under section 402 of the Highway Safety Act. The Secretary of the Interior could be considered the "State" or the "Governor of a State" for the purposes of administering highway safety funds, although 95 percent of the funds apportioned to the Secretary of the Interior for this purpose must be expended by the tribes themselves to carry out highway safety programs within their jurisdictions.

The highway safety problems on Indian reservations warrant special attention. This provision should measurably improve highway safety on the reservations.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. RONCALIO of Wyoming. I am glad to yield to the gentleman.

Mr. WRIGHT. I commend the gentleman on his amendment, and we accept it on our side.

Mr. DON H. CLAUSEN. Will the gentleman yield?

Mr. RONCALIO of Wyoming. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. We will accept the amendment on the minority side.

Mr. GROSS. Will the gentleman yield?

Mr. RONCALIO of Wyoming. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. If this bill were in effect, would this take care of the situation at Wounded Knee?

Mr. RONCALIO of Wyoming. I am afraid it would not, because of the fact that they probably have a few wounded heads now at Wounded Knee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wyoming (Mr. RONCALIO).

The amendment was agreed to.

(Mr. BAFALIS asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. BAFALIS. Mr. Chairman, title II of this committee bill is truly one of the most creative and detailed pieces of legislation that has come before us. In this bill we see thoughtful consideration of what to do about a problem that affects every American. Is there anyone here who has not been touched in his life by death and carnage on our highways? Are there many Americans who have not?

Regrettably, highway tragedy is a result of the incalculable benefits of the automobile to the common man of America. And, regrettably, it strikes possibly the most active, most enterprising, most mobile part of our society. In the age group 18 to 44, death by auto is the leading cause of death. We have heard that in addition to these deaths, there are 600,000 severe injuries.

Title II of this bill contains a highly realistic new approach to the problem of making highways safer. The projects of pavement working, improving high hazard locations, rail crossing improvements, bridge reconstruction, and hazard removal deal with the most serious deficiencies on our highways today. There is no other way that these measures can be accomplished without highly positive leadership from the Congress. Every other approach has failed. We must now take those that can succeed. If the safety of road environment, particularly on those roads which claim over half the deaths and severe injuries is not identified, there is no hope for progress on the total issue.

There is dire need to raise the levels of the present activities as this bill does. There is need to plan for the future as this bill provides. In particular, the provision calling for the development of a national center for highway statistics is the most critical. The quantification of the problem we now have is adequate for generalized decisionmaking, but much more hard data is needed for future action. This was mandated in 1966. Now we must see that it is done. The new ideas in communication called for are also most critical and they represent bold thinking. Indeed, bold thinking is needed.

The committee staff has information to the effect that in certain countries in Europe the death toll on highways has been brought under control. In Great Britain and Sweden, in particular, total deaths are now no higher than they were in 1964. In the United States the increase in the 1960's was 4 percent per year, and it returned to 4 percent in 1972. These other countries have sustained much greater increases in traffic than did the United States. In these other countries, much stronger, well-managed total safety programs are in evidence.

America has different problems. But we are a people traditionally concerned with one another and where preserving human values is utmost in the purpose of Government. We are also a country with a tradition of solving big problems and of big accomplishments. We can land on the moon; we can build the great interstate system of highways; we can produce the highest real income per capita in the world. We can also control and reduce the serious injuries and deaths and human suffering on our total road systems and this bill will lead the way toward that goal.

This bill represents increased investment, but will produce predictable results. President Nixon has cited the cost in economic terms of highway accidents at $45 billion per year. Surely the authorization is justified to reduce these losses and to reduce the human suffering which highway tragedy causes.

The CHAIRMAN. If there are no further amendments to be proposed to title II, the Clerk will read.

The Clerk read as follows:

TITLE III

URBAN MASS TRANSPORTATION ACT OF 1964

SEC. 301. (a) The fifth sentence of section 4(a) of the Urban Mass Transportation Act of 1964 is amended to read as follows "The Federal grant for any such project to be assisted under section 3 shall be in an amount equal to 80 per centum of the net project cost."

(b) The amendment made by subsection (a) shall apply only with respect to projects which were not subject to administrative reservation on or before July 1, 1973.

(c) Section 4(c) of the Urban Mass Transportation Act of 1964 is amended by striking out "$3,100,000,000" in the first and third sentences and inserting in lieu thereof "$6,100,000,000".

(d) Section 9 of the Urban Mass Transportation Act of 1964 is amended—

(1) by striking out "to make grants" in the first sentence and inserting in lieu thereof "to contract for and make grants";

(2) by striking out "and designing" in the first sentence and inserting in lieu thereof "designing, and evaluation":

(3) by striking out "and (3)" in the second sentence and inserting in lieu thereof "(3) evaluation of previously funded projects; and (4)";

(4) by inserting "or contract" after "A grant" in the third sentence; and

(5) by striking out all that follows "Secretary" in the third sentence and inserting in lieu thereof a period.

(e) The provision of assistance under the amendments made by this section shall not be construed as bringing within the application of chapter 15 of title 5, United States Code, any nonsupervisory employee of an urban mass transportation system (or of any other agency or entity performing related functions) to whom such chapter is otherwise inapplicable.

(f) Section 12 of the Urban Mass Transportation Act of 1964 is amended by adding at the end thereof the following new subsection:

"(f) No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance under this Act or carried on under this Act. This provision will be enforced through agency provisions and rules similar to those already established, with respect to racial and other discrimination, under title VI of the Civil Rights Act of 1964. However, this remedy is not exclusive and will not prejudice or cut off any other legal remedies available to a discriminatee."

(g) Section 16(b) of the Urban Mass Transportation Act of 1964 is amended to read as follows:

"(b) In addition to the grants and loans otherwise provided for under this Act, the Secretary is authorized to make grants and loans—.

"(1) to States and local public bodies and agencies thereof for the specific purpose of assisting them in providing mass transportation services which are planned, designed, and carried out so as to meet the special needs of elderly and handicapped persons, with such grants and loans being subject to all of the terms, conditions, requirements, and provisions applicable to grants and loans made under section 3(a) and being considered for the purposes of all other laws to have been made under such section; and

"(2) to private nonprofit corporations and associations for the specific purpose of assisting them in providing transportation services meeting the special needs of elderly and handicapped persons for whom mass transportation services planned, designed, and carried out under paragraph (1) are unavailable, insufficient, or inappropriate, with such grants and loans being subject to such terms, conditions, requirements, and provisions (similar insofar as may be appropriate to those applicable to grants and loans under paragraph (1)) as the Secretary may determine to be necessary or appropriate for purposes of this paragraph.

Of the total amount of the obligations which the Secretary is authorized to incur on behalf of the United States under the first sentence of section 4(c), 2 per centum may be set aside and used exclusively to finance the programs and activities authorized by this subsection (including administrative costs)."

IMPOUNDING OF FUNDS

SEC. 302. Section 12 of the Urban Mass Transportation Act of 1964, as amended, is amended by adding at the end thereof a new subsection, as follows:

"(g) No part of any sums authorized to be obligated, appropriated, or expended pursuant to the provisions of this Act shall be impounded or withheld from obligation, for purposes and projects as provided in this Act, by any officer or employee in the executive branch of the Federal Government."

Mr. WRIGHT (during the reading). Mr. Chairman, I ask unanimous consent that title II may be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDMENT OFFERED BY MR. HARSHA

Mr. HARSHA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARSHA: Page 168, strike lines 11 through 20, inclusive.

Mr. HARSHA. Mr. Chairman, this provision prevents the impounding of urban mass transit funds. The administration is entirely committed to the mass transit program, and it has in its budget for fiscal year 1974 $1 billion, the same level previously authorized for the funding of mass transit programs, but under this legislation it says "no part of any sums authorized to be obligated, appropriated, or expended pursuant to the provisions of this act shall be impounded or withheld from obligation for purposes and projects as provided in this act by any officer or employee in the executive branch of the Federal Government."

Under the construction of this provision of the bill, Mr. Chairman, the entire $3 billion in title III would have to be obligated immediately upon the enactment of the legislation. I do not think anybody who has any sense of fiscal responsibility intends that situation to occur. Yet the language in this bill is subject to that interpretation.

Mr. Chairman, the administration has taken a very definite stand on infringement of its prerogatives in dealing with expenditures of funds from the national budget. We have been advised that if the language in the bill prevails the way it is that the bill would be subject to a veto. I would much rather have a bill than just an issue to debate in the coming months. If we are really interested in having highway legislation, and having authorizations for mass transit programs, then we will delete this section of the bill. Do not tie the impoundment issue to a specific bill dealing with benefits to all America, deal with the issue by separate legislation.

Mr. Chairman, the administration has the courage to do what the Congress will not. President Nixon on behalf of the U.S. taxpayer has chosen to bite the bullet. He has taken it upon himself to assure there will be no tax increase and in doing that we must not react irresponsibly for forcing him to spend money that will insure a tax increase. President Nixon has the courage of his convictions and unless we provide him the necessary flexibility he will veto this legislation. Too much is at stake to risk a veto—adopt my amendment.

Mr. BLATNIK. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Ohio (Mr. HARSHA).

Mr. Chairman, I do so with full reservation and recognition of some of the very valid points that have been made by the extremely able and hard-working ranking minority member on the Committee on Public Works, the gentleman from Ohio (Mr. HARSHA). However, I feel that to be that rigid as he suggests in removing any limitation on impoundment would be wrong.

This exercise of full impoundment authority has presented serious obstacles all over America. Indeed, in my own State of Minnesota, in northern Minnesota and also in those States just adjacent thereto, the weather up there is an extreme factor in highway construction. If the bids for highway construction are not put out before May, or at least June, then you have to have a race against time before the freeze sets in shortly after Thanksgiving. And yet I have found that in these States, when they are ready to proceed, ready to ask for bids and to award contracts, they cannot do so because for apparently no reason whatsoever, and upon extremely short notice anywhere from 3 months or less than that, they are told that they will not have the funds that they were told they would have 6 months earlier.

They had been told that they would have those funds, and upon that basis those States went forward.

So I would suggest to the gentleman from Ohio that perhaps in conference we can come to some form of modification on this subject. Maybe the way it is in the bill it is too rigid. I for one would be against a total impoundment, but I would not oppose a certain amount of flexibility in the committee's provision dealing with Presidential impoundment.

So, Mr. Chairman, I do hope that the amendment offered by the gentleman from Ohio (Mr. HARSHA) is defeated so that we may work out a little more flexible version through a conference.

Mr. HANNA. Mr. Chairman, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from California.

Mr. HANNA. Mr. Chairman, I thank the gentleman from Minnesota for yielding me this time.

I think the gentleman from Minnesota is acquainted with the proposal the gentleman from California (Mr. DANIELSON) has been proposing, and which, in its present form, is I think applicable not only here, but in many of the instances in which we want to protect the position of the House.

As I understand the measure proposed by the gentleman from California (Mr. DANIELSON) it would send directions from the Congress of the United States to the Comptroller General that he shall not issue the money that is set aside unless and until certain guidelines are followed, to wit, that all moneys for all programs within any bill shall not be less than 25 percent of what has been appropriated.

I think the gentleman from Minnesota would agree with me that if we could come up with an approach of this nature that this House would then be able to act effectively, and would say to the man who is the one who countersigns each and every check made out by the President of the United States, because, as I understand the process, the President cannot get one dime unless he has the approval of the Comptroller on every check that is issued. Is that correct?

Mr. BLATNIK. That is correct.

And may I say regarding the amendment proposed by the gentleman from California (Mr. DANIELSON) that to my regret we received the amendment with such short notice—and we have discussed the amendment very briefly, may I say, with the minority counsel and the minority staff, and the majority counsel and the majority staff, but in it, as I understand, there we do have the phraseology that will allow the President to make a certain percent, say, 20 or 25 percent of a total amount across the board in those cases, and of course where there is no money authorized by the Congress, then of course there would naturally be no impoundment because you cannot impound a percentage of zero.

So I would say that it does appear as though the approach suggested by the gentleman from California (Mr. DANIELSON) is a much more impoundant approach, based on constitutional law, and based on the authority vested in the House of Representatives and in the Congress as a whole, and this would give us the phraseology for the authority of allowing the President to have some permission for impoundment.

Mr. HANNA. I thank the gentleman.

Mr. Chairman, I would ask unanimous consent when we get into the House that there be printed in the RECORD the Danielson proposal for all of the Members to study carefully, and I suggest that they do so, because this present President—and I should think every President from now on—will have to be impressed far more than now seems to be the impression with how closely this House handles the purse strings for which we have such great constitutional power.

The CHAIRMAN. The gentlewoman from New York is recognized.

Ms. ABZUG. Mr. Chairman, I rise in opposition to this amendment, which would strike from the bill section 302, relating to the impounding of funds under the Urban Mass Transportation Act.

This provision, of which I am proud to be the author, is similar to the impounding provision which already appears in the law with regard to Federal-aid highway funds at section 101(c) of title 23, United States Code. It provides as follows:

> No part of any sums authorized to be obligated, appropriated, or expended pursuant to the provisions of this Act shall be impounded or withheld from obligation, for purposes and projects as provided in this Act, by any officer or employee in the executive branch of the Federal Government.

Let me state at the outset that I have some doubt as to whether this prohibitory language is necessary, for I believe that impounding by the Executive is impermissible unless the applicable statute specifically permits or authorizes it. There is absolutely nothing in the Constitution which supports impounding by the Executive, and the U.S. Court of Appeals for the Eighth Circuit recently held that unless an act expressly grants discretion to withhold funds for a given reason or purpose, they may not be withheld. In further support of this approach is a memorandum written in 1969 by William H. Rehnquist, then an Assistant Attorney General:

> With respect to the suggestion that the President has a constitutional power to decline to spend appropriated funds, we must conclude that existence of such a broad power is supported by neither reason nor precedent.

I believe that Mr. Rehnquist was correct. However, the open-ended nature of UMTA funding led me to propose section 302 just to make the intent of Congress "perfectly clear."

This provision in no way abrogates or limits the requirement of UMTA that the Secretary not make any grant unless he determines that the grantee possesses: First, the legal, financial, and technical capacity to carry out the proposed project; and, second, satisfactory continuing control, through operation or lease or otherwise, over the use of the facilties and equipment.

Nor does it alter any of the other requirements under the act, such as certain limitations on the making of grants and loans for identical purposes, or requirements regarding public hearings, or requirements that proposed projects be found to be needed to carry out a coordinated urban transportation program in an area.

What this provision does assure is that the administration may not withhold or refuse to obligate funds available under UMTA for any reasons other than those specified by law.

It is designed to make sure that these funds are not impounded at some future date, because of reasons not directly related to this program, reasons such as "the status of the economy" or "inflationary pressures."

In additional views contained in the report on this bill, a number of members of the committee stated that section 302 is not necessary, because the administration is already committed to fully carry out this legislation. I am pleased to know of the administration's commitment; if it is carried out as stated, then this provision will not come into the picture and all will be well. I note, however, that in 1977, we will have a new administration, and I want to protect this program against any attempt on its part to impound funds that Congress has decided should be spent. Also, this administration impounded a third—$300 of $900 million—of the UMTA funds in fiscal 1972.

Let me close by noting that this provision does not commit these funds for obligation irrevocably. If the administration decides at some future time that the funds should be spent elsewhere, it is always free to seek legislation transferring them to another program or legislation simply deleting them. That is the way in which reduction of appropriated funds for programs should be accomplished, not by the unilateral action of one branch of our Government.

I urge the defeat of the amendment.

Mr. HOLIFIELD. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to thank the chairman of the committee for his interchange with my colleague from California (Mr. HANNA).

This impoundment process has been used by all Presidents we admit, to begin with, but never before has it been used to the degree which the present occupant of the White House has used it. The amount runs between $12 and $16 billion over the last year or so of impoundments. I feel there must be a better way to establish comity between the White House and the legislative body than this circumvention—and I use that word literally—of the will of Congress. I use it even more deliberately when it comes to the point where a bill under the Constitution and under our procedures is passed by a majority vote, and then goes to the White House and is vetoed. It comes back here and is passed over the President's veto, and yet the President can, by circumvention, stop the constitutional process of legislation by refusing to spend moneys not from a standpoint always of fiscal responsibility but from a standpoint of ideological and philosophical objection to the type of legislation which Congress passes.

I am glad that the gentleman is considering the Danielson language. I am sure if he were on the floor he would not press it at this time, but it is something that I think the House should consider if they value the integrity and the honor and the purpose of the legislative branch.

Mr. BLATNIK. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Minnesota.

Mr. BLATNIK. With all due respect to the gentleman, we want to stick to restraining impoundment on a specific program or procedural basis rather than get involved in ideological or philosophical differences on issues. Would the gentleman allow us that?

Mr. HOLIFIELD. Yes.

Mr. BLATNIK. We would appreciate that very much.

Mr. GROSS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I will not take the 5 minutes, but I must say a few words with respect to impoundment and the remarks of the gentleman from California (Mr. HANNA).

I cannot think of a greater delegation of power for impoundment of funds than his committee, the Banking and Currency Committee, gave to the President of the United States by way of legislation. That law delegates to the President, who would use the Federal Reserve Board, the power to take over every dollar of credit in this country.

Can Members think of a greater delegation of power than the power to impound every dollar of credit in this country, and that without an explanation before or after the fact of having imposed this takeover.

Mr. HANNA. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from California.

Mr. HANNA. I have found myself many times, although admiring the gentleman in the well, not always agreeing with him, but having seen the utilization of power, which the committee I am a member of and the great will of this House supported, as it has been used in phase III, I now would be glad to join with the gentleman as I did in my vote the other day to just tell the President: Enough already.

Mr. GROSS. The gentleman is saying then that he got caught where the hair is short. Is that it?

Mr. HANNA. That is a very quick and a very incisive and a very clever analysis, as the gentleman always provides. However it is just a matter of fact that there are always two things involved: There is the power which we give and then the man who wields it. I think the power as it was intended to be wielded is one thing, but the way in which it was wielded is very bad.

Mr. GROSS. I have never been able to understand why the Committee on Banking and Currency, of which the gentleman is a member, ever brought to the floor of this House that kind of bill with all the awesome power it delegates to any President, no matter who he may be.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. HARSHA).

The amendment was rejected.

AMENDMENT OFFERED BY MR. WRIGHT

Mr. WRIGHT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WRIGHT: Page 168, after line 20, insert the following:

UNFAIR COMPETITION

SEC. 303. The Urban Mass Transportation Act of 1964 is amended by adding at the end thereof the following new section:

"UNFAIR COMPETITION

"SEC. 17. No financial assistance will be provided under this Act for the purchase of buses to any State or local public body or agency thereof which, after the date of enactment of this section, has engaged or proposes to engage directly or indirectly in charter bus operations in competition with private bus operators outside the urban area within which such State or local public body or agency provides mass transportation service. No financial assistance shall be provided under this Act to any State or local public body or agency thereof which engages directly or indirectly in the transporting of schoolchildren and school personnel to and from school and school-authorized functions or which proposes to expand present routes, schedules, service, or facilities for the purpose of providing transportation for schoolchildren and school personnel to and from school and school-authorized functions in competition with or supplementary to the service currently provided by a private transportation company, or other person, engaged in so transporting such children and personnel. The preceding sentence shall not apply unless such private transportation company is able to provide adequate transportation, at reasonable rates, and in conformance with applicable safety standards and such sentence shall not apply to any State or local public body or agency thereof if it (or a direct predecessor in interest from which it acquired the function of so transporting such children and personnel along with the facilities to be used therefor) was so engaged any time during the 12-month period immediately prior to the date of the enactment of this section."

Mr. WRIGHT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HARSHA. Mr. Chairman, if the gentleman will yield, as long as this is a technical perfecting amendment I would advise the gentleman the minority accepts it.

Mr. WRIGHT. Mr. Chairman, this amendment is similar to one which already applies to the mass transit provision which appears in title I of the bill. It is in the nature of a technical and conforming amendment and applies to the unfair competition language dealing with charter buses and schoolbuses to the Urban Mass Transportation Act of 1964 and the funding thereunder.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. WRIGHT).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. ABZUG

Ms. ABZUG. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. ABZUG: Page 168, after line 20, add the following new section:

ASSISTANCE FOR OPERATING EXPENSES

SEC. 303. (a) Section 3(a) of the Urban Mass Transportation Act of 1964 is amended by inserting immediately after the second sentence the following sentence: "The Secretary is also authorized, on such terms and conditions as he may prescribe, to make grants to assist States and local public bodies and agencies thereof in the payment of operating expenses incurred in connection with the provision of mass transportation service in urban areas, allocating any funds made available for assistance under this sentence among the various State and local public bodies and agencies thereof in the manner provided in subsection (g): *Provided,* That no assistance shall be provided under this sentence to any State or local public body or agency thereof unless the applicant agrees and gives satisfactory assurances, in such manner and form as may be required by the Secretary and in accordance with such terms and conditions as the Secretary may prescribe, that the rates charged elderly and handicapped persons during nonpeak hours for transportation utilizing or involving the facilities and equipment financed with such assistance will not exceed one-half of the rates generally applicable to other persons, whether the operation of such facilities and equipment is by the applicant or is by another entity under lease or otherwise."

(b) Section 3(c)(2) of such Act is amended by inserting "(including grants for payment of operating expenses)" after "project grants".

(c) Section 3 of such Act is further amended by adding at the end thereof the following new subsections:

"(f) No financial assistance shall be provided to any State or local public body or agency thereof for payment of operating expenses incurred in connection with the provision of mass transportation service unless the applicant State or public body or agency has submitted to the Secretary a comprehensive mass transportation service improvement plan which is approved by him and which sets forth a program meeting criteria established by the Secretary for capital or service improvements to be undertaken for the purpose of providing more efficient, economical, and convenient mass transportation service in the urban area or areas involved, and for placing mass transportation operations in such area or areas on a sound financial basis.

"(g) The funds made available for assistance in the payment of operating expenses under the third sentence of subsection (a) for any fiscal year shall be allocated by the Secretary among the various States and local public bodies and agencies thereof (without regard to section 15) on the basis of a formula under which the urbanized areas of eligible applicants in any State will be entitled to receive an amount equal to the sum of—

"(1) one-third of the total amount so allocated multiplied by a fraction the numerator of which is the total population of the urbanized areas of eligible applicants in that particular State, and the denominator of which is the total population of the urbanized areas of eligible applicants in all the States;

"(2) one-third of the total amount so allocated multiplied by a fraction the numerator of which is the total number of revenue passengers carried by mass transportation systems in the urbanized areas of eligible applicants in that particular State and the denominator of which is the total number of such passengers carried by mass transportation systems in the urbanized areas of eligible applicants in all the States; and

"(3) one-third of the total amount so allocated multiplied by a fraction the numerator of which is the total mass transportation revenue vehicle miles traveled in the urbanized areas of eligible applicants in that particular State and the denominator of which is the total mass transportation revenue vehicle miles traveled in the urbanized areas of eligible applicants in all the States."

(d)(1) Section 4 of such Act is amended by redesignating subsection (d) as subsection (e), and by inserting after subsection (c) the following new subsection:

"(d) To finance grants to assist States and local public bodies and agencies thereof in the payment of operating expenses under the third sentence of section 3(a), there is authorized to be appropriated not to exceed $400,000,000 for the fiscal year ending June 30, 1974, and $400,000,000 for the fiscal year ending June 30, 1975. Any amount so appropriated shall remain available until expended; and any amount authorized but not appropriated for either such fiscal year may be appropriated for any succeeding fiscal year."

(2) The first sentence of section 4(c) of such Act is amended by inserting after "under sections 3, 7(b), and 9 of this Act" the following: "(other than grants made under the third sentence of section 3(a))".

Mr. WRIGHT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Ms. ABZUG. Mr. Chairman, title III of the bill before us recognizes what we have all known for a long time—the close relationship between highways and mass transit. It has long been obvious to anyone who has sat in bumper-to-bumper traffic that every 40 cars in front of him could be replaced by a single mass transit vehicle. The committee has acted on the evidence of this by taking the appropriate step of recommending an additional $3 billion for mass transit capital expenses, but it has failed to do all that must be done by declining to include operating assistance in its bill.

More new equipment alone is not going to save—let alone rejuvenate—mass transit in our cities. Federal operating assistance is the key. Without it, mass transit will just be going to the poorhouse in a newer bus.

My amendment authorizes $800 million over the next 2 years in operating subsidies to mass transit. The funds would be allocated among localities on a formula based one-third on population, one-third on the revenue passenger carried by the local transit system, and one-third on the vehicle miles of that system.

The program embodied in this amendment is not new. It has been reported to this House twice, each time with bipartisan support, and it has passed the Senate by substantial margins three times in the last 2 years.

A program of operating subsidies achieves three major goals for transit:

First, it will stop the spiral of higher fares, service cutbacks and dwindling ridership that plagues so many transit systems.

Second, it relieves the unbearable financial pressure on local governments who are hard-pressed to find new revenues to support their transit systems. More than 150 American cities now subsidize local transit operations—at a cost of over $500 million annually—and more are on the way.

Third, by offering Federal funds based largely upon vehicle miles and revenue passengers, it creates a powerful incentive for an efficient and attractive service operation.

These days, no one in his right financial mind expects mass transit to pay for itself out of the fare box—just as highways are not paid for exclusively by means of user taxes. One in every four dollars spent for highways comes from the same source as most local mass transit operating assistance—the burdensome, regressive property tax. If we want to maximize the usefulness of the new buses which we expect to buy with the capital grant money, we should adopt this amendment. Mass transit gets people out of their automobiles only if it costs them less out of pocket; this cannot be assured unless we provide funds for operating assistance.

If title III of this bill is to have any real meaning, and if mass transit is to have any real future, we must provide operating assistance and provide it this year. I urge the adoption of this amendment.

Mr. BIAGGI. Mr. Chairman, will the gentlewoman yield?

Ms. ABZUG. I yield to the gentleman from New York (Mr. BIAGGI).

Mr. BIAGGI. Mr. Chairman, I rise in support of the amendment and wish to associate myself with the remarks of the gentlewoman from New York.

Mr. HOWARD. Mr. Chairman, will the gentlewoman yield?

Ms. ABZUG. I yield to the gentleman from New Jersey (Mr. HOWARD).

Mr. HOWARD. Mr. Chairman, I wish to congratulate the gentlewoman from New York for her amendment. I support the amendment, and I hope the committee will accept it.

Mr. WRIGHT. Mr. Chairman, I rise in opposition to the amendment.

I think most of us on both sides of the aisle on the committee really have to oppose this amendment for one very simple and straightforward reason. On the very first day of our public hearings, the Secretary of Transportation, Mr. Brinegar, testified before our committee. Very clearly and unequivocally, he stated that if this bill should contain operating subsidies out of the Federal Treasury for mass transit, he would recommend a Presidential veto of the entire bill.

Mr. Chairman, we are not seeking a confrontation nor an opportunity to override a veto. We would like to have a bill which we hopefully would expect the President to sign. If we were to adopt this amendment, I think we would be deliberately inviting a veto.

For that very simple reason, Mr. Chairman, I believe we must vote against this amendment.

Mr. DANIELSON. Mr. Chairman, I opposed the amendment, which was just defeated, to strike section 302, on impoundment, from the bill. We badly need some protection against the impoundment of funds which have been appropriated by the law of the land for the purpose of carrying out the policies of our Government which have been established by the laws of the land.

Although I opposed the motion to strike, I feel that the anti-impoundment language of section 302 is both feeble and futile. To me it makes no sense that there should even be an amendment which would strike the section, which cannot stop impoundment, and will not stop it if the Executive should choose to impound.

The most that can happen under that language is—if there is an impoundment—then someone with standing to sue will sue, and in 2 or 3 years there will be a judgment of a court holding that the impoundment was, indeed, illegal, and directing the appropriate Government agency to release the funds. Meanwhile, the evil effects of impoundment will have prevailed, Government policy will have been frustrated, and the effects of this law will have been nullified.

The trouble with the language of section 302 is that all it does is tell the Executive, "Thou shalt not impound!"

There is nothing new in this. The present laws of the land, in effect, say the same thing, for the Executive has no constitutional right to impound, no inherent right to impound, and no statutory right to impound. The Constitution already places on the Executive the absolute duty to "take care that the laws be faithfully executed."

And that means all of the laws of the land, not just some of them. That means appropriation laws as well as all other laws. The Executive does not have the right selectively to choose—cafeteria style—those laws which he will execute and those laws which he will not execute. Thus he does not have the right to impound and thereby to nullify the laws of the land.

Section 302 of the bill merely restates the above by providing that the funds authorized by the act shall not be impounded by the Executive.

The fallacy of this and all the other anti-impoundment efforts which have been made to date is that they do not address themselves to the real problem. We all know that the Executive does not have the right to impound, but it is obvious to us all that he nevertheless has the power to do so. He has the power to impound by simply not applying the money to its intended purpose.

In order to prevent impoundment we must reach the heart of the problem—we must take away the Executive's power to impound. There is only one way to take away the power to impound and that is by making it impossible for the Executive to do so. That the Congress can easily do, by carefully wording the language of the authorization and appropriation bills so that the Executive can no longer select those activities he chooses to execute—those laws he chooses to obey—and then disregard the others.

A simple and effective way to achieve that end in the bill before us, S. 502, would be to add a section 303 to the bill to read as follows:

> Sec. 303. Unless the Congress shall provide otherwise in language expressly made applicable to this section, at any time during the fiscal year 1974, the amount obligated or expended pursuant to this Act for any program or activity provided for by this Act, expressed as a percentage of the amount appropriated pursuant to this Act for purposes of such program or activity, shall be not more than 25 percentage points greater than the amount obligated or expended at that time during such fiscal year for any other program or activity authorized by this Act, expressed as a percentage of the amount appropriated by the Congress for purposes of such program or activity for the fiscal year 1974."

That language would prevent the Executive from fully executing any portion of the law without executing the other portions of the law to a reasonable degree. How would this be accomplished?

Article I, section 9, clause 7, of the Constitution provides that "No money shall be drawn from the Treasury but in consequence of appropriations made by law; * * *" The Congress has, by law, provided for carrying the foregoing constitutional provision into execution by directing that all warrants for the disbursement of money from the Treasury be first duly audited and settled and certified by the General Accounting Office and that disbursements shall be made upon such warrants, and not otherwise.

These existing provisions require the Comptroller General to examine whether the terms of an appropriation bill are met before he is permitted to certify a warrant for the disbursement of money from the Treasury. Thus there would be no way for the Executive to favor one category of appropriation while nullifying the other through neglect or refusal to implement. In order to implement his favorite programs, he would be required to implement the others. It would be impossible for him to nullify through impoundment. We would have solved the impoundment problem.

My suggested language would impose a consequence, or, if you prefer, a condition or a limitation, on appropriations, so that the Executive must execute all of the laws with reasonable impartiality.

My plan is not a spendthrift plan. On the contrary, it would encourage thrift and economy since the Executive could obligate and expend all funds frugally. My plan would not be disruptive or obstructionist. On the contrary, it would promote harmony and cooperation between the legislative and executive branches. Whenever the Executive, in the management of the Government's business, would determine that money could be saved, all he would have to do is notify the Congress and by resolution the Congress could provide for an appropriate change in the rate of expenditure—could terminate it altogether. The Congress and the Executive, working together as they should, could economize whenever a need is removed, or could accelerate expenditure where a need is increased. Changing needs, based on changing circumstances, could be quickly accommodated.

My plan also provides for a reasonable and responsible flexibility. Recognizing that all things in Government do not move at exactly the same pace, the language I suggest provides a flexibility of 25 percent in the implementation of the various programs under the law. That amount could be varied, in the wisdom of the legislative or appropriations committee, to meet the needs of the particular subject matter.

In addition, my proposed language provides, at the outset, a means by which the Executive and the Congress, working together, can quickly vary the formula to adjust to a changing need resulting from changed circumstances. All the Executive has to do, if he finds a need to change the formula, is to send a message to the Congress asking for a variance and the Congress, by resolution, can quickly approve.

This is not a personal matter; I am not dealing in personalities. This is not a partisan matter; I am not distinguishing political parties. I have been informed that Presidents other than the incumbent, and of other political parties, have impounded funds from time to time. The separation of powers under our Constitution is the foundation of American Government. We must preserve and protect it.

Presidents come and Presidents go. Congressmen come and Congressmen go. Majority parties change from time to time. With each change the burdens and responsibilities of government shift from one to another. But our Constitution and our form of representative self-government must not go. It has served us well for nearly 200 years and, God willing, it can serve America for 200 years yet to come. The threat of impoundment is a threat to our Constitution and to our entire structure of government. We must meet and end that threat, and this is the way to do it. There is no other choice.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Chairman, this amendment provides the best answer for defeating attempts to break the trust. It is a peculiar twist, is it not? We are asked here to contribute to the operating costs of so-called mass transit systems.

Have the Members ever traveled upon the first mass transit—successful mass transit system in the country? It is the Pennsylvania Turnpike. If the Members do not believe it, I recommend they ride it some time on a Sunday afternoon or any other day, for that matter.

What is it we do? We provide revenues for the trust fund. We collect taxes on that private property, and it is private property. We are paying the bonds off with the charges we make for using it. Yet, we pay the taxes we collect on gasoline to the trust fund which does not give us any money for either operating costs or maintenance of the road itself.

The people who use that pay. If we ever get away from the principle of use and paying for the use of any kind of transportation or transit system, we will open up a can of worms we will never on God's earth be able to capture again, because there is not enough money in gasoline, motor use, or any kind of consumption of that fuel to meet the needs and demands for people moving. It is impossible to do so.

We pay for our own. The city of Philadelphia and the city of Pittsburgh would get a very nice sized chunk of money out of this, but from where would it come? It would come from the people in the rural areas.

We have thousands and thousands of miles of road, compared to the few city blocks, if we measure them. We have to maintain them. The townships have to maintain them. We have a road tax in every township in our great State, to maintain roads, for city people to go out to homes in the mountains, on the lakes and the streams, and to get food into the markets.

We have to pay taxes. We have road taxes. Many other places do not have road taxes.

These folks in the city might say, "We are only going to use this in lieu of something else. We want the option." The best option they can take for using money they get from mass transit now, by way of the gasoline tax allocation, would be to fill in some of the pot holes in the doggoned cities. I do not know one city which has too much money in its treasury now to take care of its streets. But they cannot take money out of this, go back and say, "You can use it for whatever you want."

Use it to fix up the streets. Use it to fix the pot holes. Use it for transportation purposes only.

Mr. DON H. CLAUSEN. Mr. Chairman, I rise in opposition to the amendment.

There can be no doubt that the Nation's urban transportation systems are in trouble. Because of rising operating costs, falling ridership, and other ills they are not able to make ends meet.

And so, at the very time they are soliciting the Congress to authorize vast new capital grants and equipment purchasing programs, mass transit proponents are advocating the approval of operating subsidies.

Yet, as Secretary of Transportation Brinegar has pointed out, while most of the Nation's urban transit systems appear to be sustaining operating losses in varying degrees, it is by no means clear that either the causes or the solutions to those deficits are simple enough to be addressed by the type of subsidy grant provisions being advanced. The reason for his concern is that just five systems, those of New York, Boston, Chicago, Philadelphia and Los Angeles are responsible for approximately 70 percent of the operating deficits reported. Losses sustained in New York City amount to half this total.

The remaining large systems around the country report only moderate deficits.

In considering approval of operating deficits, the questions must be asked: Why do such differences exist? Are they the result of different objectives being pursued by the different systems in different cities? If this latter question is answered in the affirmative, would it not be reasonable for those cities sustaining such deficits to solve the problem locally, rather than by seeking to secure a massive new Federal subsidy program?

Realistically, the establishment of fare structures, routes, manpower levels and wage rates are local problems and can best be solved at the local level. By providing operating subsidies, we would, in effect, be relieving local areas of the pressure that is required to make the tough decisions that are necessary for efficient operation of mass transit systems.

Take the case of New York. Between 1968 and 1972, its deficit went from $77 to $179 million annually. In Boston, the same thing happened. A 1960 deficit of $42 million escalated to $71 million in 1972. In Chicago it went from $3 million in 1968 to $44 million last year.

Surely, if we establish the precedent of providing $400 million a year to divide up among the Nation's transit systems, we will not arrest the basic causes of the galloping deficits, nor will we, unless we earmark the funds for those systems which operate the least efficiently, do much to relieve their deficit problems.

Such deficits are created in the first place because of the priorities chosen by local governments in earmarking local tax revenues and the funds they receive under Federal revenue sharing for other purposes. I submit it is not the job of the Federal Government to relieve the effects of establishing such priorities.

There are over 1,000 grant systems in America. Over 300 of them serve metropolitan areas of over 50,000. If we once open the Pandora's box of operating subsidies, as many as 500 might manage to qualify for financial assistance. The administrating problems that would be presented in judging needs, operational plans, and the efficiency of each system would be herculean. While I am not unsympathetic, I do not believe the operating deficit problem can be solved by the creation of yet another Federal subsidy program. The only lasting solution can come from local initiatives, local pressures, and local trade offs.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Ms. ABZUG).

The amendment was rejected.

The CHAIRMAN. Are there further amendments to be proposed to title III? If not, the Clerk will read.

The Clerk read as follows:

TITLE IV

PROHIBITION OF DISCRIMINATION ON THE BASIS OF SEX

SEC. 401. (a) Title 23, United States Code, is amended by adding at the end thereof the following new chapter:

"Chapter 6—DISCRIMINATION ON THE BASIS OF SEX PROHIBITED

"Sec.

"601. Prohibition of discrimination on the basis of sex.

"§ 601. Prohibition of discrimination on the basis of sex

"No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance under this title or carried on under this title. This provision will be enforced through agency provisions and rules similar to those already established, with respect to racial and other discrimination, under title VI of the Civil Rights Act of 1964. However, this remedy is not exclusive and will not prejudice or cut off any other legal remedies available to a discriminatee."

(b) The analysis of chapters at the beginning of title 23, United States Code, is amended by adding at the end thereof the following:

"6. Discrimination on the basis of sex prohibited .... 601".

TITLE V

INAPPLICABILITY OF TIME REQUIREMENTS

SEC. 501. The time requirements in section 104(b) of title 23, United States Code, shall not be applicable to the apportionment of sums authorized for the fiscal year ending June 30, 1974, in any title of this Act, and the Secretary shall apportion such sums for such fiscal year as soon as practicable after the date of enactment of this Act.

Mr. WRIGHT (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the committee amendment in the nature of a substitute be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ANDERSON of California. Mr. Chairman, I rise at this time to first, commend the Public Works Committee—and especially our great and able chairman—my friend—JOHN BLATNIK, for the way the committee considered the Federal Aid Highway Act of 1973.

The meetings were open to the public. Every member was given an equal opportunity to participate and to voice his or her opinion. All of us—from the most junior member to the most senior—were able to participate in the writing of the act.

It was completely fair to all—something that should not surprise anyone who knows JOHN BLATNIK.

Second, I would like to commend the chairman of the Transportation Committee—JOHN KLUCZYNSKI—for the leadership and guidance he has given to all of us. And, especially, for the help he has given me in this fight.

Third, obviously, congratulations must go to our colleague JIM WRIGHT for his brilliance in drafting the House bill and for his articulate defense in behalf of the bill. But, especially, I want to commend JIM for the honesty and the integrity of the debate. We differed on one point—how to best finance mass transit—an honest difference that divided us on this issue, but did not divide our friendship. My admiration for the gentleman from Texas, which was immense, is now even greater.

Fourth, I want to commend the leadership for their actions in permitting debate and allowing a vote on this important amendment. I appreciate their actions and I know the people, and the House itself, are much the better because of our leaders.

Mr. GUYER. Mr. Chairman, when the highway trust fund was first set up, it was done so in good faith, earmarking funds for highway construction, principally for the new Interstate System. This fund was raised and paid for by the people who use our highways by the revenue collected by the fuel tax; tube tire tax; general tire tax; manufacturers' tax on trucks, buses, and trailers; weight taxes on heavy trucks or buses; and the retread tax.

Why should we break the faith and spirit of the act by diverting these funds to other purposes? If moneys are allowed to be taken from the highway trust fund, it would be like the camel in the tent—just the beginning of a takeover. This will only set a precedent for Congress to take moneys from other in trust funds such as the airport fund or social security. Perhaps even our pensions would not be safe from similar actions.

Highway requirements in my State of Ohio for 1973–1990 are projected at $27 billion. Our share of the existing fund will not begin to fulfill the needs of Ohio's highway system, much less answer growing needs for a mass transit system.

In the interest of both the need for highways and the safety of users of highways, I am voting against the Anderson amendment to the Federal-Aid Highway Act of 1973. We must insure safety on our highways. More Americans have been killed in the last quarter of a century from highway accidents than have been killed in all the wars our country has ever fought. Certainly, highway safety, alone, merits top priority from the funds that were established for such purposes, along with construction, improvement, expansion, and highway modernization, to meet our exploding population and vehicle increases.

If Congress allows a change in a taxing process that has proven very satisfactory in funding our highway system, it is acting most irresponsibly. The fund has produced the intended results; those who use our highways are receiving benefits, which they paid for.

May I stress, however, that I am not unmindful of the need of mass transit systems. I fully share the concern of our friends in large urban areas and their need for mass transit systems; but these moneys should come from general revenue or special revenue, but not from a fund that is earmarked for highways.

The words above the Speaker's dais read: "In God We Trust."

I subscribe to their meaning and their spirit. Let us also learn to trust one another as well, and a good beginning would be to honor the word, "trust," and the measures men of good faith have made by revering deeds done in trust.

Mr. ALEXANDER. Mr. Chairman, I rise in support of section 147, which provides that the Secretary of Transportation shall report to Congress by January 1, 1975, on the feasibility and necessity for constructing to appropriate standards proposed highways along the following route for the purpose of including such highways in the National System of Interstate and Defense Highways: A route from Brunswick, Ga., or its vicinity, to Kansas City, Mo., or its vicinity, so alined to serve the following intermediate locations, or vicinities thereof: Columbus, Ga.; Birmingham, Ala.; Tupelo, Miss.; Memphis, Tenn.; Batesville or Jonesboro, Ark.; and Springfield, Mo.

I urge the House of Representatives to approve the provision in this Federal Aid Highway Act for a study of the feasibility and necessity of constructing to interstate standards a highway which would link Arkansas with Kansas City, Mo., and Tennessee.

The provision to which I refer appears as section 147 of the bill before us today. It provides for a study of a route from Kansas City, Mo., through north central and northeast Arkansas, Tennessee, Mississippi, and Alabama to the Atlantic coast of Georgia.

This route linking Arkansas with its neighbors to the northwest and to the southeast is one which I have long supported and worked for. Upon the decision which the Congress makes with regard to this provision hangs the economic future of thousands of Arkansans. The value of an adequate highway system which equitably serves all parts of this Nation is unchallenged.

In taking note of this value, the House Committee on Public Works, in its publication titled "Benefits of Interstate Highways," said:

> Advances in highway service have been closely associated with the growth of the American economy. . . .

Arkansas is rich in natural resources—its people and its scenic and fertile lands—and in potential for well-planned growth. Therefore, it is of grave concern to me when I see that one of the most scenic and picturesque regions of our Nation, though blessed with abundant natural resources, is being shortchanged in its efforts to develop its economic potential—being shortchanged by a lack of adequate highways over which its people and visitors can travel.

I am especially referring to the north central and northeast portions of Arkansas, which would be served by the route for which this feasibility study is proposed. I believe that the economic health of a nonmetropolitan area such as this, and many of the other regions which would be served by this highway, is closely tied with its transportation network.

A lack of balanced economic development has long plagued the First Congressional District of Arkansas. And, generally, poor economic health has also been its fortune. Through 1972, 19 of the 21 counties in this district were designated redevelopment areas. That was at a time when there were only 52 such areas in the whole State.

Eighteen of the 21 counties have regularly been afflicted by high rates of unemployment. Eleven of them lost population during the last decade. Six of these had losses of 10 percent or more.

The counties of Arkansas which experienced a population and economic gain in the last decade generally were urban, adjoined urban counties, had interstates within their boundaries, and/or contained some of Arkansas' most attractive scenic and recreation areas.

Most all of them had adequate highway networks. There have been some remarkable exceptions. I refer to counties like Fulton, Independence, Sharp, Van Buren, Izard, and Stone. They have experienced from 8.6 to 30.3 percent increases in population. Yet, they have wretchedly inadequate highway systems. But, they also have some of the most enticing scenery and folkways in the Nation.

The counties of the Ozark foothills in north Arkansas contain a treasure trove of folklore—in the form of practicing craftsmen, art exhibitions, hootenannies—to be shared with visitors from across the Nation. These trips into the Ozarks region will bring our visitors into a new understanding of their national heritage and will help bring a new prosperity to a region which has been struggling to join the economic mainstream of the Nation.

In the delta counties where the population has been dwindling—or hardly growing—there is potential for achieving a desirable economic mix of agriculture, business, and industry. But, the goal for this region, and others like it along this proposed highway route, can only be reached if the region is provided with a good quality highway system over which to transport products and raw materials.

In the Ozarks we have an opportunity to create a sprawling recreation area which can be beneficial to the Nation as a whole by employing a well-devised plan which would protect, preserve, and wisely utilize our natural resources.

But, to achieve the full potential of these prospects, we must see that this area, and others like it, have high quality highway networks. It has been my growing concern over this need that led me to introduce in the 92d Congress, and again this year (H.R. 124), a bill to expand the National System of Interstate and Defense Highways. When it was originally authorized, the system was intended to link every part of the Nation with every other part. Without the route which we propose, that objective will not be reached.

Passage of the Federal Highway Act of 1973 with section 147 included in it as it is now proposed is an essential step toward that objective. Directing the Secretary of Transportation to make this feasibility study will tell our people in the Nation's countryside that Congress is serious about its commitment to treat all regions of the Nation fairly and to implement a balanced national growth policy.

For the reasons that I have outlined, I urge the Members of this House and of the Congress to direct the Secretary of Transportation to make a study of the feasibility of constructing an interstate highway along this route.

Mr. PRICE of Illinois. Mr. Chairman, I am particularly interested in section 229, title II, of the 1973 Federal Aid Highway Act authorizing the Secretary of Transportation to carry out rail-highway demonstration projects throughout the United States. I want to commend the House Public Works Committee for its continuing leadership in promoting highway safety by relocating on-grade rail-highway crossings.

This problem is especially acute in the east St. Louis, Ill., area. In recognition of the severity and magnitude of the problems, the committee has authorized the Secretary of Transportation to enter into the necessary arrangements to carry out a demonstration project in east St. Louis for the relocation of rail lines between 13th and 43d Streets along Route 460, one of the major east-west corridors in this metropolitan area. The total project cost of relocation of four rail tracks is an estimated $30 million. Fifteen million dollars is authorized to start the project and depending upon the Secretary's determination of the scope of the project, funds can be obtained from the State of Illinois' Federal aid apportionment which amounts to approximately $300 million annually.

For motorists who use Route 460 this project is welcome relief. Delays of 30 minutes are not uncommon for them. Public safety and health are well served by this project. Reports of police cars, fire trucks and ambulances being delayed at rail crossings occur with disturbing frequency. Traffic fatalities resulting from automobile and railroad car collisions are cruel reminders of the need for this project.

The East St. Louis area serves as a major railroad hub. As such, efficient, effective and safe rail operations are essential for the area to remain competitive and to provide badly needed employment. This project promotes economic growth by improving rail operations and by enhancing the area's potential as a distribution center for the Midwest.

I strongly support this section of the bill. It is important and beneficial to the people of the 23d District of Illinois.

Mr. TAYLOR of Missouri. Mr. Chairman, I rise to speak in support of the Federal-Aid Highway Act of 1973, a comprehensive response to the current transportation needs of the Nation, and a measure in harmony with the Public Works Committee record of studied attention to the evolving needs of the traveling public.

Missouri was the first State to undertake the construction of an interstate project when a contract was let to build a section of I–70 across the Missouri River. Since that time, the ambitious Federal highway program has proven to be one of the most successful public works ventures ever undertaken by the Government. Today, I–70 can be driven from the Nation's Capitol straight through to Denver, Colo., and 42,500 miles or 80 percent of the interstate program has been completed.

The benefits to the State of Missouri from the highway trust funded program during this period have been wide ranging with all citizens enjoying the opportunities of increased mobility and sharing in the economic rewards brought about by better roads. The improvements in road systems have resulted in the safer, swifter movement of people, goods, and services, and stimulated growth in agricultural, manufacturing, and recreational sectors of activity.

In addition to fostering the physical upgrading of Missouri's roadways, the highway trust fund support occasioned the setting and meeting of ever higher standards by the personnel involved in managing and building road work projects. Perhaps the finest example of this occurrence is the career of Rex M. Whitton, a Missourian whose contributions to the field has won him national and international commendation.

Rex Whitton joined the Missouri Highway Department as a chain man for a survey team, in 1920, and through the exercise of his abilities rose to the position of chief engineer of the department. In 1956, he was elected President of the American Association of State Highway Officials and later served as Chairman of National Academy of Science Highway Research Board. In 1961, after 40 years of service in Missouri, he was appointed Federal Highway Administrator when the interstate highway program was in the formulative stage.

During his 5-year administration, Rex Whitton provided the leadership and drive which accelerated the completion of the interstate project and made possible the accomplishments we see today. During his service, Rex Whitton earned almost every award of recognition available in the highway field: The George S. Bartlett Award, the Thomas H. MacDonald Award, the Roy W. Crum Award, and in 1966 he became the first American to be named the Outstanding Highway Man of the Year Award by the International Road Federation. Rex Whitton retired in 1966 and is currently a consultant in the highway field.

Today, I received a letter from Rex Whitton which concerns the Federal-aid highway program which I would like to insert, at this point, in the RECORD.

REX M. WHITTON,
Independence, Mo., April 12, 1973.

The Honorable GENE TAYLOR,
Congress of the United States,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN: I am hopeful that you

find it possible to support House Bill HR-6288 introduced by Jim Wright of Texas and Don Clausen of California. It is my firm belief that the Interstate program and the Road program, both Rural and Urban, needs are much greater than the Trust Fund will provide. Therefore it seems to me that it is entirely implausible to consider spending Highway Trust Fund money for building rail transit or for the purchase of busses. It seems most logical to me that general funds should be used for rail transit and bus purchase.

After the Interstate System is complete, and I certainly feel that it should be completed at the earliest possible date, the Trust Fund money should then be used in its entirety to improve, reconstruct and rehabilitate our primary, secondary and urban roads.

Again, I am most hopeful that you see your way to support the above-mentioned bill.

With kindest personal regards and best wishes.

Sincerely,

REX M. WHITTON.

I recommend to you the wise counsel of Rex Whitton on the subject of "busting the trust." The national transportation report of 1972 contains estimates which support the greater highway needs forecast in the letter. The figures indicate that the highway needs during the 1970-90 decades total about $600 billion, and needs for mass transit total about $63 billion the completion of the Interstate Highways program will not release loose money.

As allowed for in this Federal-Aid Highway Act of 1973, the separate financing of both types of transportation can be provided independently of each other, so that both ends can be met at the same time without one need having to be sacrificed to meet the other one.

As the demands of the Interstate System decline, we need to redirect our attention to the condition of Federal-State primary and secondary roads, and place a new emphasis on their reconstruction. Department of Transportation figures show that, in 1971, injuries on rural highways numbered 518,974; more than three times the injuries reported on our modern interstate highways. The road conditions represented by this record of wreckage must be corrected.

Some other provisions of merit which lend to the passage of this bill include authorizations for forest highways, forest development roads, and trails, and clarification of the committee's intent in regard to the control of outdoor advertising. The committee notes with particular concern the need for motorists to get information about such travel-oriented services such as lodging, food service, camping areas, and travel attractions. The committee authorizes the Secretary of Transportation to promulgate national standards which will allow directional and informational signs.

Mr. Chairman, this is a good bill, a responsible bill, and one that provides for the transportation needs of urban, suburban, and rural. The committee has provided funding for mass transit without reneging on those who have been taxed to maintain better highways. I urge the adoption of this bill without encumbering amendments.

Mr. CULVER. Mr. Chairman, I want to call attention to section 131 of the Highway Act which provides funds for the Great River Road. The Mississippi River is the most significant North-South scenic corridor in the United States. It is within easy driving distance of millions of American families. Since the 1930's farsighted planners have hoped to see a scenic highway bring the beauty of the Mississippi within easy access of these millions. From Canada to the Gulf through Minnesota, Iowa, Wisconsin, Illinois, Missouri, Arkansas, Kentucky, Tennessee, Mississippi, and Louisiana, the Great River Road remains the dream of those who want to preserve and enhance the esthetic values of the Mississippi.

Over 8 years ago the President's Council on Recreation and Natural Beauty recommended the establishment of a system of scenic and recreational roads. The Council recommended a 10-year program to provide the American people with the kind of roads they deserve, if they are really going to be able to enjoy the scenic and recreational values of this vast and beautiful expanse of America and its people.

A study of outdoor recreation in Iowa suggests that the demand for decent, safe, and attractive scenic roads is far outpacing the roads we are providing.

In Iowa as in the rest of the country, pleasure driving is the most popular outdoor recreation activity—78.7 percent of all Iowans average 18 days of such driving—or a total of more than 28.1 million user-days a year.

Driving is then followed by other activities closely associated with and available along the Great River Road—77 percent picnicking; 59 percent sightseeing; 58 percent hiking and walking; 40 percent fishing; and 35 percent boating.

Clearly the demand for the access and the recreational facilities that would be provided by roads such as the Great River Road is overwhelming. It is reflected in a bill now being considered in the Iowa General Assembly providing State funds for this and other scenic highways within the State.

Mr. Chairman, I hope that before too long we will see winding along the banks of the Mississippi the scenic road that Americans deserve. Clearly the need is there. But the Great River Road will not be completed in a year or two, and with each passing year we see some of our fears realized. Unplanned, unsightly development threatens to deface the beauty and environmental value of the Mississippi.

One of the major aspects of the Great River Road bill that I introduced in January, and which has been incorporated in this Highway Act, is the acquisition of properties and easements along the banks of the river. While the bill would provide some beginning help in upgrading road surfaces along existing rights-of-way, it is designed principally to protect the route and to provide the scenic viewing points and roadside parks necessary for proper enjoyment of the vistas the Mississippi affords.

This year we are celebrating the 300th anniversary of the disovery of the Mississippi by Marquette and Joliet. It is an auspicious time to begin the realization of the dream of a road from Canada to the gulf. But the Great River Road will be more than a beautiful scenic highway along the Mississippi; it will also serve as a prototype of a national system of scenic highways we will eventually enjoy.

Mr. Chairman, in closing I want to thank the chairman of the Public Works Committee for sponsoring the Great River Road bill with me. His guidance and encouragement has been indispensable to those of us who hope to see this long delayed and vital project.

Mr. BIAGGI. Mr. Chairman, I rise in support of the Abzug amendment which would provide the kind of funding critically needed in so many major metropolitan areas to maintain adequate mass transit systems. By making $800,000,000 in UMTA funds available for mass transit operating subsidies over a 2-year period, we would at least put a temporary halt to the deterioration of our present city transit services.

Lack of funds for proper mass transit maintenance has up to now resulted in car-congested, polluted city streets. Other effects will include an escalation of the big business exit from downtown locations, and the further deterioration of inner city areas.

It is for this reason, Mr. Chairman, that I have constantly expressed support for use of highway trust funds to aid mass transit, as expressed in the Anderson amendment. It is for this reason that I voted against the Hanley amendment, which discriminates against the cities.

Mr. Chairman, in light of the fact that this body has today voted down the use of highway trust funds for urban mass transportation systems, it is imperative that we pass the Abzug amendment. The formula for allocating the funds is eminently fair, being based on the three operative variables: Namely, population, number of passengers, and total system mileage.

We cannot afford to deny to the cities sufficient funding to revitalize their public transportation services. I therefore call upon the Members of the House to adopt the Abzug amendment, and to grant urban transit networks a desperately needed reprieve.

Mr. VANIK. Mr. Chairman, the bill before the House tonight provides authorizations of $25.6 billion for highway transportation needs during the next 3 years. It is vital, Mr. Chairman, that this bill be substantially amended.

Amendments are needed to provide regular and large-scale funding of mass transit programs in our urban areas. Assistance is needed for more than just mass transit capital grants—our Nation's transit systems need daily operating assistance. An amendment is needed to provide that sections of Interstate Highway routes in urban areas which are no longer wanted can be deleted—and the money saved in the trust fund can be used to develop other forms of transportation in that urban area. In addition, new billion dollar additions to the Federal-Aid Highway System must be deleted; the proposal for a new 10,000 mile highway system has not been adequately studied. It is an extravagance that must be deleted, and a balanced program of National Transportation substituted in its place.

If amendments are not accepted which provide our Nation's urban areas with greater flexibility and freedom in developing more rational transportation systems, then I feel, Mr. Chairman, that I must oppose the passage of this legislation.

OUR CITIES CANNOT STAND ANYMORE HIGHWAYS

Mr. Chairman, in his introduction to the National Academy of Sciences' February report on automotive emissions, the President of the Academy, Mr. Philip Handler, pointed out that the automobile has been such a success that it is beginning to defeat us. It has accelerated depletion of several critical natural resources, including the petroleum which fuels it. It has scarred the land and choked the city, contributing seriously to deterioration of the quality of urban life. In the long run, the truly effective mechanisms for emission control must include a significant reduction in the number of cars operated in a city—a solution dependent upon acceptable public mass transit systems and substantial reduction in the mean size of those automobiles which do function in the city.

URBAN AIR POLLUTION

The automobile is the single most important contributor to urban air pollution. It is responsible for about 35 percent of the Nation's air contamination and, in our major cities causes as much as 80 percent of the downtown air pollution. While the auto companies have just been granted a delay of 1 year for reducing the levels of auto pollutants, our urban areas must still meet 1975–76 standards for clean and healthful air. As a result, the EPA has estimated that as many as 67 cities may have to place some restrictions on traffic into the central city areas. But this is only feasible, if some form of alternative mass transit is available.

URBAN CONGESTION

In most large cities, nearly 50 percent of the central business area is devoted to highway use—freeways, streets, and parking lots. Not only has over-reliance on the auto created terrible distortions in urban land use, but it has rendered our cities almost impassable. Someone has figured out that in downtown New York City, transportation by horse and carriage was about 3 or 4 miles per hour faster than it is today in the bumper-to-bumper automotive age. The highways have contributed to "sprawl city": The disruption of neighborhood communities and totally unplanned and inefficient land use in populated areas. It is no wonder that some 37 segments of the urban Interstate System costing some $5.25 billion are stalled due to environmental, economic and community objections. One of those segments which has aroused particularly bitter feelings is the Clark Freeway which was scheduled to plow through the eastern suburbs of Cleveland, Ohio.

HIGHWAY TRANSPORTATION AND THE ENERGY CRISIS

The automobile is probably the most inefficient, energy-consuming contraption man could devise. Automobiles effectively use only 5 percent of the potential energy they burn—fully 95 percent is wasted. Per passenger, an auto consumes five times as much fuel as a train and six times as much as a bus. These facts alone would not be so bad except that our Nation, for a variety of reasons, has become over-reliant on the automobile.

All this means that the Nation is annually presented with a tremendous energy bill from the automobile. In terms of energy consumed—and largely wasted—13 percent of the total domestic energy budget is allocated directly to gasoline consumption. This translates into over 60 million gallons of gas a day. Moreover, gasoline demand, like automobile sales, shows no sign of slowing down. Over the 10 year period from 1960 to 1970, the annual demand for gasoline grew by over 60 percent. In the next decade, demand is expected to continue to rise at a rate of between 6 and 7 percent each year. At the present rate, transportation demands could burn up the entire proven Alaskan oil reserves in 7 years.

As the President said in his energy message, delivered to the Congress yesterday afternoon:

> There are other ways, too, in which government can exercise leadership in this field of energy conservation. I urge again, for example, that we allow local officials to use money from Highway Trust Fund for mass transit purposes. Greater reliance on mass transit can do a great deal to help us conserve gasoline.

In the face of the incredible drain on our Nation's resources that the automobile represents, we must begin now to reexamine the role the automobile shall play in our transportation future. The present energy crunch and our increasingly scarce supply of petroleum makes it even more imperative that we seek more efficient ways to use our resources. The growing energy crisis can only be resolved through new energy research, increased energy efficiency, and a dedication to energy conservation. Until substitutes for gasoline can be developed, in the field of transportation, the energy crisis may mean altering the entire pattern of travel in this country: shifting intercity freight from truck to rail, shifting short-haul passengers from air to ground, shifting urban passengers from automobile to mass transport.

The simple fact is that we are constructing new highways for automobiles at a time when we are running out of fuel for the cars. The money we are spending for these roads might better be spent on finding new energy sources. Today, we are only building future monuments to our present folly.

THE NEED. FOR MASS TRANSIT

It is obvious that improved system of mass and rapid transit could do much to alleviate some of the problems which I have outlined. Increased use of transit systems could save on energy consumption, reduce congestion and air pollution in our major cities, as well as provide increased mobility for millions of non-car-owning Americans.

Yet the vast proportion of our Nation's ground transportation expenditures are made for highways. In fiscal year 1972, the Federal Government spent $8.8 billion on all forms of transportation, of which highways got about $6 billion. Total expenditures on roads by all levels of government in 1972 was $21.9 billion. As of last year, my own State of Ohio had spent $4.5 billion on highways since 1956—but not a penny for mass transit.

Not only do we need to provide for a more balanced program of transportation development, but immediate efforts are necessary to save the present inadequate mass transit systems. It is reported that since the establishment of the highway trust fund in 1956, a total of 268 city transit systems have gone out of business. While 23 billion people were carried annually in 1945 by mass transit systems, only 7.3 billion use such systems now. The Department of Transportation estimates that the cost of bringing our mass transit systems up to necessary standards by the end of the decade will cost between $28 and $34 billion. The Federal Government's level of assistance out of general revenues, however, is about $1 billion annually.

The need for increased support for mass transit on a regular, dependable basis is obvious. The need for a more balanced transportation program—less highways and more mass and rapid transit—is obvious. This Federal aid to highway bill, with its automatic funding from the highway trust fund, must be amended to provide trust fund financing of other urban area ground transportation programs.

WEAKNESS OF MASS TRANSIT PROVISIONS IN THE EXISTING BILL

The committee has reported out a bill which would permit an urban area to decide to give up the use of its share of the $700 million per year urban system allocation, return the money to the highway trust fund, and receive a like amount of funds on a contract authority basis from general revenues. These funds could then be used for various public transportation construction projects.

Mr. Chairman, this approach is simply not good enough. As we have seen in program after program in the last decade, and particularly in the past few years, appropriations almost never equal the authorizations which we provide. Through impoundment, the executive can act to suspend a program or cripple it. Indeed, the Federal Government has been in a chronic deficit budget situation. To expect further funding of transportation programs out of general revenues is unrealistic.

Yet regular, dependable funding is what is required to encourage communities to construct the necessary rapid and mass transit facilities. Last year, and again last month, the Senate passed highway-aid legislation which would permit urban system funds to be used for either highway or for mass transit programs. The same amendment is being offered to this bill and should be adopted.

MASS TRANSIT AND REGIONAL TRANSPORTATION PLANNING IN NORTHEAST OHIO

The provision for regular funding of mass transportation systems will provide an invaluable base for the development of truly comprehensive and coordinated regional transportation plans. While a number of communities have been able to develop such programs, most have not.

With the support of the Federal Government the Greater Washington, D.C., area has started a massive subway program. The BART system has just gone into operation in the San Francisco area, and Atlanta has started work on their new transportation system. But these are the exceptions. Almost every other urban center of the Nation needs such a program or must up-grade its present system.

The densely populated Cleveland-Akron area in northeast Ohio is a prime example of a region which needs to—and with regular funding could—develop a regional mass transit system.

In 1970, the administration's fiscal year 1971 budget message specifically indicated that the Greater Cleveland Area would be a prime candidate for participating in some $636 million in urban mass transportation development. In fact, the Cleveland area was given first priority in the listing of possible urban areas which could receive assistance.

Unfortunately, despite years of discussion, our community has not yet moved to institute a mass transit system throughout the area. Yet the promise and potential remains. In March of 1970, I testified before the Housing Subcommittee of the House Banking and Currency Committee in support of urban mass transportation legislation. Because I have received a number of requests over the years for copies of this testimony, and because it is still applicable to the situation in northeast Ohio, I would like to enter portions of this statement in the RECORD. I might add, Mr. Chairman, that I get rather depressed in reviewing this testimony. There is so much potential for development in my community and so little has been done. I would hope that if the mass transit funding amendment is accepted, some of the types of ideas and proposals contained in this testimony will be acted on—before another 3 years go by.

My testimony follows:

STATEMENT OF HON. CHARLES A. VANIK, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OHIO

Mr. Chairman and members of the committee: I appreciate the opportunity to speak before you today on the subject of amendments to the Urban Mass Transportation Act.

As you know, the purpose of H.R. 11081, of which I am a cosponsor, is to establish an urban mass transportation fund.

In both large and small cities, demonstration and capital improvement programs assisted by the Federal Urban Transportation Program have shown that people will welcome and use improved mass transportation facilities. Perhaps the clearest proof thus far is in Cleveland where extension of the rail rapid transit line to Hopkins International Airport has produced twice the traffic estimated in the course of project planning and where acquisition of additional rail cars representing a fifty percent increase in the original order has already been decided.

In November of 1968, the Cleveland Transit System opened this four-mile extension of its rapid transit line providing through service between Hopkins Airport and downtown Cleveland. Total cost was $18.6 million, of which $12.2 million was a Federal grant. The local share was provided by the city of Cleveland and Cuyahoga County.

By the spring of 1969, there were approximately 2000 round-trips per day between the airport and downtown. At a fare of forty cents one way, this volume will produce annual gross revenue of about $500,000. Estimated annual operating costs are $266,175 with a resulting net operating income of $233,825. The best alternative would have been bus service which CTS estimates would have had annual operating costs of approximately $687,000.

Presently, half of all rush hour trips to and from downtown Cleveland are assisted by mass transit. One-fourth of all rush hour traffic within Cuyahoga County is by means of mass transit, even though in many square miles of the county there is no public transit. The transit systems "park 'n' ride" lots provide 7000 parking spaces (including 1700 in the Shaker transit network).

The proposed Clark Freeway, Interstate 290, in Cleveland, which would have cut through the Cleveland and Shaker Heights area, was overwhelmingly and justifiably opposed by the citizens whom it was intended to aid. It has since been vetoed at the state level.

I believe that the majority will of the people has been shown to prefer rapid transit extension rather than highway construction in this situation. The President's Budget Message, indicates that the Greater Cleveland area will participate in $636 million urban mass transportation development scheduled to begin in fiscal 1971. Cleveland was given first priority in the listing of urban areas to receive assistance. This provides our community with a greater opportunity to develop a rational metropolitan mass transit system to the Northeast, East and South.

With the assistance of adequate trust funds, our community can move forcefully ahead, taking advantage of our head start, to prove feasible alternatives to extensive highway construction which destroys community values.

My community is ready and waiting for a mass transit program and for Federal inducements which can permit long-range planning. The Cuayahoga County Mayor's Committee headed by Mayor Irving Konisberg of University Heights in my District is already on the move in developing a master plan to serve the entire metropolitan area. There is widespread interest and support in a metropolitan transit authority. Just last week, the Ohio State adopted legislation to authorize the establishment of such an authority with multi-county jurisdiction.

Cleveland is one of the leading proponents of a mass transit in America. The Cleveland Transit system extends from the Cleveland-Hopkins Airport to Windermere in the City of East Cleveland—a distance of 19 miles. The Shaker Rapid Transit System operated by the City of Shaker Heights is a 9.7-mile system—extending from downtown Cleveland to and through Shaker Heights and the City of Beachwood in two spurs.

The last costly extension of a rapid transit system in America is a possible extension of the Shaker Boulevard line of the Shaker Heights Rapid Transit System for three additional miles from Shaker Heights through the City of Beachwood. The right-of-way has already been acquired. The over-passes have already been constructed. All that remains to be done is extend the tracks, over head power lines, and passenger platforms.

There is no reason why the extension of the Shaker Rapid could not be projected into the next county and become part of a new service complex to serve future housing needs. This extension would serve to justify the elimination of a high-cost, extensive land-consuming freeway which has just been stricken from the Interstate System because of community protest.

The Cleveland Transit System which presently extends to Windermere in the City of East Cleveland could be extended through the City of Euclid along the existing and available railroad right-of-way at relatively moderate expense—

Shortly after this testimony was delivered, I received a copy of a resolution from the Euclid City Council in support of an extension of "the Rapid Transit System from the Windermere Station in East Cleveland through Euclid and to Lake County," Resolution No. 25, 1970—

A further extension into Wickliffe and Mentor in the next county would reach into high density housing developments. New links of the Cleveland Transit System to the south and the southeast would make the Cleveland plan one of the best metropolitan systems in America.

One of the problems of mass transit results from piecemeal development. A system cannot become efficient and economically sound until it begins to totally serve a large metropolitan area. In the interim, high-cost partial operations with traffic below expectations, serve to discourage mass transit programs before they are developed.

If my community can proceed with its master plan, we can develop a sound, efficient and economical total system at a fraction of the cost of developing a comparable system in metropolitan Washington—a metropolitan area of comparable size.

In the event, your legislation should strive toward the completion of those systems of mass transit which can be comprehensive. This would be infinitely preferable to proliferating mass transit funds in bits and pieces.

I fully support the concept of the Mass Transit Trust Fund and will support the establishment of such a fund if the issue is presented to the Ways and Means Committee. We have just completed comparable legislation for the Aviation Facilities Expansion Act in conjunction with Interstate and Foreign Commerce Committee. As you undoubtedly know, this legislation was developed in two portions by each committee to develop a trust fund concept for Aviation Facilities.

There will be some protest by automobile groups resulting from the allocation of automobile excises for mass transit. However, every highway user must realize that every convert to mass transit develops more highway space for those who have no other alternative. Mass transit, therefore, develops opportunities for more effective utilization of highways.

And this brings me to a major point: the inter-relationship between rapid transit and new cities and housing projects. Your committee is in a unique position of being able to require that all new town projects and federally-assisted housing projects are on rapid transit routes.

In view of the fact that federal resources are drastically limited both in respect to outlays for housing and outlays for mass transit, it seems to be in the public interest to combine the two programs in a practical way to permit the Federal programs of mass transit and housing to complement each other.

In view of the warning by Secretary Maurice Stans that the next thirty years will bring America to the 300 million level, of whom 255,000,000 will live in urban areas, it becomes absolutely essential that federal programs meet the increased need for housing and transportation.

Federal programs in housing must be directed toward the utilization of mass transportation. Federal programs in mass transit must be directed toward new housing.

Under these circumstances, a substantial allocation of mass transit funds must be set-aside for mass transit extensions in density populated urban centers and into the countryside to serve new town developments.

While we struggle to preserve urban life in crowded, congested, polluted and crime-infested cities—we must recognize that a

> second front must be developed for urban life—into the countryside.
>
> We must encourage the extension of mass transit into the countryside, with a "planned community of high density housing at every transit station." One station could be designed for industry and commerce, or education, another for medium and low-cost high density housing, another for more expensive high-rise complexes. The objective would be to place high density housing at the transit station, with underground connections. A ten mile extension into the countryside with a 30,000 high density population on each transit stop would provide rapid transit for 300,000 people and insure the success of the transportation system—

I have since read some details of the urban planning and transportation system of Copenhagen, Denmark. Shortly after World War II, the Danes established a "Finger Plan" for the suburban development of the Greater Copenhagen Area. The Urban Extension Act of 1949 introduced the concepts of inner zones, where urban development should be accepted—within the framework of local town plans—and outer zones—the wedges—which were preserved as green areas for agricultural and recreational purposes. Transit lines ran out from central Copenhagen through the "finger" suburbs, leaving large areas open for recreation and public parks. We should begin planning our own urban development and growth in a similar manner—

> This approach would also offer people a safer, better environment than would be possible in the center city and still permit access to the business and cultural benefits of the center city.
>
> Several years ago, I recommended that this Committee encourage the development of mass transit authorities which would have the power to establish new mass transit extensions and acquire all land areas within a half-mile of a transit stop on an interchange to insure high density housing in close proximity to the transit stop and prevent land speculators from reaping the benefit of transit extensions into new areas. If the transit extension multiplies land values, the increment in value should enure to the benefit of the transit authorities whose decision made the value—rather than for the benefit of the speculator—"who happened in." We should not repeat the mistakes of the Interstate Highway System which provided "instant riches" to those who owned land adjacent to interchanges. This unjust enrichment for a few resulted from the huge public investment.
>
> If the increment in land values were retained for the development authority, the sale or lease of land by the transit authority near new transit stops to housing or commercial developers would create resources which could be utilized to (1) offset the cost of right-of-way; or (2) provide for extending the system further out.
>
> The development of mass transit and high density housing into the countryside will provide more of each at considerably less cost and help meet the crisis in both housing and transportation which is about us.
>
> I sincerely hope that this committee will write into the law a dramatic set-aside of resources for this purpose in both housing and mass transit.
>
> Mass transit grants and loans must be made contingent upon high density rezoning at stops and interchanges. Mass transit grants must be made conditional upon housing plans which provide for full and better utilization of both housing and mass transit
>
> There is now an opportunity to develop both housing and mass transit. We should not have one without the other.

THE USE OF EXISTING RAILROAD LINES FOR MASS TRANSIT PURPOSES

In addition to developing comprehensive plans for regional transportation, Mr. Chairman, I believe that we should give greater consideration to the use of existing railroad lines in our urban areas for short-haul commuter service. Most of our Nation's cities are crisscrossed with railroad tracks. With the decline of railroad passenger service, the merger of railroads, and some reduction in track useage, many of these right of ways could be used by local transit authorities to provide high speed commuter service. Rather than building new transit routes at enormous cost, every effort should be made to coordinate local commuter service with existing railroad lines. On many lines which are used only once or twice a day by the railroads, a schedule could be worked out to provide commuter service—at high speed and minimum cost.

In the Cleveland area which I represent, public authorities could take over portions of the Erie Lackawanna commuter service which that railroad is now requesting to discontinue. Through better service, attractive equipment, and more adequate station stops, such a commuter run could provide an important mass transit service into the area's southeastern suburbs.

One of my constituents, Mr. Frank Seiler of Northfield, Ohio, a community which lies between Cleveland and Akron, has provided me with detailed maps of the railroad lines which stretch south from Cleveland. Some of these right-of-ways have been abandoned. Others are seldom used—yet there is no good commuter service between these two major metropolitan cities!

As Mr. Seiler writes in part:

> Northern Summit County is definitely oriented toward metropolitan Cleveland, physically, economically, culturally, and socially.
>
> Complete dependence on automobile transportation dictated by absence of any mass transit availability.
>
> Congestion and winter road hazards overwhelm any over-the-highway plan of movement safely or efficiently.
>
> A railroad right-of-way leading into a metropolitan area my be ideal for a sophisticated mass transit model. Ample in width and with unused acreage available for collector and parking stations, such properties might well be preserved in the public domain for possible mass transportation corridors.

The bill which we are considering today—and legislation which we will be considering in the years to come—should contain provisions for the use of railroad right of ways in the development of urban mass transit systems. As everyone knows, we are facing a massive railroad crisis in the Northeast part of the country this year due to the financial difficulties of the Penn Central. Now I am personally opposed to any approach to that problem which involves huge financial commitments to that company by the Federal Government. We do not need to continue the tradition of Lockheed loans and the bail-out of inefficient companies. But I do think that if any legislation is passed involving commitments from the Federal Government, then some provision should be made for obtaining "shared-time" in the use of railroad routes in urban areas. This would enable a rapid, and low-cost expansion of needed mass transit facilities. In addition, perhaps it is time that the railroads themselves considered the possibility of leasing their right of ways to local transit authorities. The cash flow which could result from such leases could then enable them to support and improve their intercity transportation facilities.

Mr. FRASER. Mr. Chairman, I am pleased to note that the Public Works Committee has seen fit to include my amendment on freeway noise in the bill now before us, S. 502, the Federal Aid Highway Act.

The freeway noise amendment, section 115 of the Highway Act, broadens the authority of the Secretary of Transportation to fund noise control projects along existing Federal-aid highways. These projects may include, but are not limited to, construction of physical barriers, landscaping, and acquisition of additional right of way.

Funding along the Federal Interstate System would be on a 90–10 basis. For other Federal-aid highways, the funding arrangements that now apply to new construction would apply to these noise control activities.

Our amendment also enables the Secretary to set noise standards for existing highways. Under current law he has the authority to establish standards for new projects approved after July 1, 1972.

Mr. Chairman, freeway noise is becoming an increasingly severe problem—particularly in our urban areas. Last year, a group of constituents took me to listen to the problem at first hand at the edge of one of our freeways in Minneapolis. In this neighborhood, which abuts the right-of-way for Interstate 94, local residents have found that they can no longer use their backyards, because of the din from the freeway.

Decibel readings in the area often approach 90, the level at which prolonged exposure can cause permanent hearing loss.

Experiments have shown that freeway noise can be reduced significantly either by construction of noise barriers on the right-of-way itself, or through acquisition of additional right-of-way to serve as a noise buffer zone.

One such experiment is now underway along Interstate 35W in Minneapolis. This project has received Federal support but only because it is a demonstration. Section 115 would permit funding for other projects, such as the one in the planning stages for Interstate 94, on a regular basis.

Hopefully, noise will be less of a pollutant in the future as ways are found to design quieter freeways. Quieter engines and tires will also help considerably. But we have to live more comfortably with the freeways we already have and that is what section 115 will help us do.

The CHAIRMAN. Are there any amendments to be proposed to title IV?

Are there any amendments to be proposed to title V?

The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. UDALL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (S. 502) to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, pursuant to House Resolution 356, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted in the Committee of the Whole?

Ms. ABZUG. Yes, Mr. Speaker.

The SPEAKER. Will the gentlewoman from New York (Ms. ABZUG) state on which amendment she demands a separate vote?

Ms. ABZUG. Mr. Speaker, I demand a separate vote on the so-called Hanley amendment.

The SPEAKER. The Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: Page 124, strike out line 10 and all that follows down through and including the line following line 12 on page 125.

Renumber succeeding sections and references thereto accordingly.

The SPEAKER. The question is on the amendment.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. HARSHA. Mr. Speaker, on that I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 292, noes 93, not voting 48, as follows:

[Roll No. 111]

YEAS—292

Abdnor
Alexander
Anderson, Ill.
Andrews, N.C.
Andrews, N. Dak.
Arends
Armstrong
Ashbrook
Ashley
Aspin
Bafalis
Baker
Beard
Bergland
Bevill
Biester
Blackburn
Boland
Bolling
Bowen
Brademas
Bray
Breaux
Brinkley
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Burgener
Burke, Fla.
Burleson, Tex.
Burlison, Mo.
Butler
Byron
Camp
Carney, Ohio
Carter
Cederberg
Chappell
Clausen, Don H.
Clawson, Del
Cleveland
Cochran
Cohen
Collier
Conable
Conlan
Conte
Coughlin
Crane
Cronin
Culver
Daniel, Dan
Daniel, Robert W., Jr.
Daniels, Dominick V.
Danielson
Davis, Ga.
Davis, S.C.
Davis, Wis.
de la Garza
Dellenback
Denholm
Dennis
Dent
Derwinski
Devine
Dickinson
Dingell
Donohue
Dorn
Downing
Drinan
Duncan
du Pont
Edwards, Ala.
Edwards, Calif.
Esch
Eshleman
Evans, Colo.
Fascell
Findley
Fish
Fisher
Flood
Flowers
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Forsythe
Fountain
Frelinghuysen
Frenzel
Frey
Froehlich
Fuqua
Gaydos
Gettys
Giaimo
Gilman
Ginn
Goodling
Grasso
Gross
Gubser
Gude
Guyer
Haley
Hammerschmidt
Hanley
Hanna
Hanrahan
Hansen, Idaho
Harsha
Hastings
Hays
Hechler, W. Va.
Heinz
Helstoski
Hillis
Hinshaw
Hogan
Holifield
Holt
Horton
Hosmer
Huber
Hudnut
Hungate
Hunt
Hutchinson
Johnson, Calif.
Johnson, Colo.
Johnson, Pa.
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Karth
Kastenmeier
Keating
Kemp
Ketchum
Kuykendall
Landgrebe
Landrum
Leggett
Lent
Litton
Long, La.
Long, Md.
Lott
Lujan
McCloskey
McCollister
McDade
McEwen
McFall
McKay
McKinney
McSpadden
Mahon
Mallary
Mann
Maraziti
Martin, N.C.
Mathis, Ga.
Mayne
Mazzoli
Meeds
Melcher
Michel
Milford
Miller
Mills, Ark.
Minish
Minshall, Ohio
Mitchell, N.Y.
Mizell
Moakley
Mollohan
Montgomery
Moorhead, Calif.
Mosher
Moss
Myers
Natcher
Nelsen
Nichols
Obey
O'Brien
O'Hara
Owens
Parris
Pepper
Perkins
Pettis
Peyser
Pickle
Pike
Poage
Price, Tex.
Quie
Quillen
Railsback
Randall
Rarick
Regula
Rinaldo
Roberts
Robinson, Va.
Robison, N.Y.
Rodino
Roe
Rogers
Roncalio, Wyo.
Roncallo, N.Y.
Rooney, Pa.
Rose
Roush
Rousselot
Roy
Runnels
Ruth
St Germain
Sandman
Sarasin
Satterfield
Saylor
Schneebeli
Sebelius
Seiberling
Shipley
Shoup
Shriver
Shuster
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Snyder
Staggers
Stanton, J. William
Steed
Steele
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Symms
Taylor, Mo.
Taylor, N.C.
Teague, Calif.
Thomson, Wis.
Thone
Thornton
Tiernan
Towell, Nev.
Treen
Ullman
Vander Jagt
Vanik
Veysey
Vigorito
Waggonner
Walsh
Wampler
Ware
Whalen
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Charles H., Calif.
Winn
Wydler
Wyman
Yatron
Young, Alaska
Young, Fla.
Young, S.C.
Young, Tex.
Zion
Zwach

NAYS—93

Abzug
Adams
Addabbo
Anderson, Calif.
Annunzio
Archer
Badillo
Barrett
Bell
Bennett
Biaggi
Blatnik
Boggs
Brasco
Breckinridge
Buchanan
Burke, Calif.
Burke, Mass.
Burton
Carey, N.Y.
Chisholm
Clancy
Conyers
Corman
Delaney
Dellums
Eckhardt
Eilberg
Erlenborn
Fraser
Fulton
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Harrington
Hébert
Heckler, Mass.
Henderson
Hicks
Holtzman
Howard
Jordan
Kazen
Kluczynski
Koch
Kyros
Lehman
Macdonald
Madden
Mailliard
Matsunaga
Metcalfe
Mezvinsky
Mink
Mitchell, Md.
Moorhead, Pa.
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Neil
Price, Ill.
Pritchard
Rangel
Rees
Reid
Reuss
Rhodes
Riegle
Rosenthal
Rostenkowski
Roybal
Sarbanes
Schroeder
Stark
Steelman
Stokes
Studds
Sullivan
Symington
Thompson, N.J.
Udall
Van Deerlin
Waldie
Wilson, Charles, Tex.
Wolff
Wright
Wyatt
Wylie
Yates
Young, Ga.
Zablocki

NOT VOTING—48

Bingham
Casey, Tex.
Chamberlain
Clark
Clay
Collins
Cotter
Diggs
Dulski
Evins, Tenn.
Gibbons
Goldwater
Griffiths
Grover
Gunter
Hamilton
Hansen, Wash.
Harvey
Hawkins
Ichord
Jarman
Jones, Ala.
King
Latta
McClory
McCormack
Madigan
Martin, Nebr.
Mathias, Calif.
Mills, Md.
Morgan
Passman
Patman
Patten
Podell
Powell, Ohio
Preyer
Rooney, N.Y.
Ruppe
Ryan
Scherle
Spence
Stanton, James V.
Stuckey
Talcott
Teague, Tex.
Wilson, Bob
Young, Ill.

So the amendment was agreed to.

The Clerk announced the following pairs:

Mr. Rooney of New York with Mr. King.

Mr. Cotter with Mr. Latta.

Mr. Dulski with Mr. Groves.

Mr. Patten with Mr. Bob Wilson.

Mr. James V. Stanton with Mr. Chamberlain.

Mr. Teague of Texas with Mr. Collins.

Mr. Stuckey with Mr. Powell of Ohio.

Mr. Ichord with Mr. Madigan.

Mrs. Hansen of Washington with Mr. Martin of Nebraska.

Mr. Casey of Texas with Mr. Harvey.

Mr. Clark with Mr. Young of Illinois.

Mr. Diggs with Mr. Podell.

Mr. Hawkins with Mrs. Griffiths.

Mr. Clay with Mr. Bingham.

Mr. Jones of Alabama with Mr. Spence.

Mr. Jarman with Mr. Goldwater.

Mr. Morgan with Mr. Ruppe.

Mr. Passman with Mr. McClory.

Mr. Gunter with Mr. Mathias of California.

Mr. McCormack with Mr. Scherle.

Mr. Evins of Tennessee with Mr. Talcott.

Mr. Hamilton with Mr. Mills of Maryland.

Mr. Gibbons with Mr. Preyer.

Mr. Ryan with Mr. Patman.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. HARSHA

Mr. HARSHA. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. HARSHA. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HARSHA moves to recommit the bill, S. 502 to the Committee on Public Works.

Mr. HARSHA. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that the engrossment of the House amendment to S. 502, the Clerk be authorized to make changes in section numbers, cross-references, and punctuation as may be necessary to reflect the amendments adopted in the Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

APPOINTMENT OF CONFEREES

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that the House insist on its amendment to the Senate bill (S. 502) to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. WRIGHT, BLATNIK, KLUCZYNSKI, JOHNSON of California, JAMES V. STANTON, HARSHA, CLEVELAND, DON H. CLAUSEN, and SNYDER.

APPOINTMENT OF CONFEREES ON HOUSE JOINT RESOLUTION 393, AMENDING EDUCATIONAL AMENDMENTS OF 1972

Mr. O'HARA. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the joint resolution (H.J. Res. 393) to amend the Education Amendments of 1972 to extend the authorization of the National Commission on the Financing of Post-Secondary Education and the period within which it must make its final report, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from Michigan? The Chair hears none, and appoints the following conferees: Messrs. PERKINS, O'HARA, and QUIE.

PROVIDING FOR THE PRINTING OF REMARKS OF TRIBUTE TO THE LATE PRESIDENT OF THE UNITED STATES, LYNDON BAINES JOHNSON

Mr. BRADEMAS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Report No. 93-150) on the concurrent resolution (H. Con. Res. 109) providing for the printing of remarks of tribute to the late President of the United States, Lyndon Baines Johnson, and ask for immediate consideration of the resolution.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 109

Resolved by the House of Representatives (the Senate concurring), That there be printed, with illustrations, as a House document and bound, under the direction of the Joint Committee on Printing, all of the speeches and remarks which constitute tributes to the life, character, and public service of the late President of the United States, Lyndon Baines Johnson, and which were delivered on January 24 and 25, 1973, in the rotunda of the Capitol of the United States where the remains of the late President lay in state, at his funeral service held at the National City Christian Church, Washington, District of Columbia, and at his burial service in Texas, together with such additional explanatory matter as the joint committee may deem pertinent, and all speeches and remarks of tribute to the late President delivered in the Halls of Congress.

SEC. 2. There shall be printed and bound, as directed by the Joint Committee on Printing, thirty-two thousand four hundred additional copies of such document, of which twenty-two thousand one hundred copies shall be for the use of the House of Representatives and ten thousand, three hundred copies shall be for the use of the Senate.

With the following committee amendments:

Page 2, line 6, delete "two hundred and fifty" and insert "four hundred"; and on line 7, delete "twenty-one thousand nine hundred and fifty" and insert "twenty-two thousand one hundred"

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BRADEMAS. I yield to the gentleman from Iowa.

Mr. GROSS. Do I understand that this is House Concurrent Resolution 109 which is being considered?

Mr. BRADEMAS. That is correct.

Mr. GROSS. What is the cost of this resolution?

Mr. BRADEMAS. It is estimated it will cost a total of $104,228.98.

The committee amendments were agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING OF HEARINGS ENTITLED "YEAR-ROUND SCHOOLS"

Mr. BRADEMAS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 93-151) on the concurrent resolution (H. Con. Res. 126) to provide for the printing of 1,000 additional hearings entitled "Year-Round Schools", and ask for immediate consideration of the concurrent resolution.

The Clerk read the resolution, as follows:

H. CON. RES. 126

Resolved by the House of Representatives (the Senate concurring), That there shall be printed one thousand copies of the hearings entitled "Year-Round Schools", Ninety-second Congress, for use of the House Committee on Education and Labor.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING OF HEARINGS ENTITLED "CORRECTIONS, FEDERAL AND STATE PAROLE SYSTEMS"

Mr. BRADEMAS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 93-152) on the concurrent resolution (H. Con. Res. 156) to provide for the printing of 1,000 additional hearings entitled "Corrections, Federal and State Parole Systems, parts VII-A and VII-B, serial 15, Ninety-second Congress," and ask for immediate consideration of the concurrent resolution.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 156

Resolved by the House of Representatives (the Senate concurring), That there shall be printed one thousand copies each of parts VII-A and VII-B of serial 15 hearings entitled "Corrections, Federal and State Parole Systems", Ninety-second Congress, for use of the House Committee on the Judiciary.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING OF SENATE HEARINGS ENTITLED "RUNAWAY YOUTH"

Mr. BRADEMAS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 93-153) on the Senate concurrent resolution (S. Con. Res. 2), authorizing the printing of additional copies of Senate hearings entitled "Runaway Youth." and ask for immediate consideration of the Senate concurrent resolution.

The Clerk read the Senate Concurrent Resolution, as follows:

S. CON. RES. 2

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary three thousand copies of the hearings of its Subcommittee To Investigate Juvenile Delinquency during the Ninety-second Congress, second session, entitled "Runaway Youth".

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

PRINTING OF SENATE HEARINGS ENTITLED "SATURDAY NIGHT SPECIAL HANDGUNS, S. 2507"

Mr. BRADEMAS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 93-154) on the Senate concurrent resolution (S. Con. Res. 3), authorizing the printing of additional copies of Senate hearings entitled "Saturday Night Special Handguns, S. 2507," and ask for immediate consideration of the Senate concurrent resolution.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 3

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary three thousand additional copies of the hearings of its Subcommittee To Investigate Juvenile Delinquency during the Ninety-second Congress, first session, entitled "Saturday Night Special Handguns, S. 2507".

PRINTING OF SENATE HEARINGS ENTITLED "JUVENILE CONFINEMENT INSTITUTIONS AND CORRECTIONAL SYSTEMS"

Mr. BRADEMAS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 93-155) on the Senate concurrent resolution (S. Con. Res. 4), authorizing the printing of additional copies of the Senate hearings entitled "Juvenile Confinement Institutions and Correctional Systems," and ask for immediate consideration of the resolution.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 4

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary two thousand additional copies of the hearings of its Subcommittee To Investigate Juvenile Delinquency during the Ninety-second Congress, first session, entitled "Juvenile Confinement Institutions and Correctional Systems".

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

PRINTING OF SENATE HEARINGS ON THE SUDDEN INFANT DEATH SYNDROME

Mr. BRADEMAS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rep. No. 93-156) on the Senate concurrent resolution (S. Con. Res. 13), authorizing the printing of additional copies of Senate hearings on the sudden infant death syndrome, and ask for immediate consideration of the Senate concurrent resolution.

The Clerk read the Senate Concurrent resolution, as follows:

S. CON. RES. 13

Resolved by the Senate (the House of Representatives concurring), That there be printed two thousand additional copies of part 1 of the hearings held by the Subcommittee on Children and Youth of the Senate Committee on Labor and Public Welfare entitled "Rights of Children, 1972 (Examination of the Sudden Infant Death Syndrome)", dated January 25, 1972. Such additional copies shall be for the use of the Senate Committee on Labor and Public Welfare.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority whip the program for the remainder of this week, if any, and the schedule for the week beginning April 30.

Mr. McFALL. Mr. Speaker, will the distinguished minority leader yield?

Mr. GERALD R. FORD. I yield to the gentleman from California.

Mr. McFALL. I will be happy to respond to the gentleman's inquiry. There is no further legislative business for today. As the gentleman knows, we have already adopted the resolution adjourning over until Monday, April 30.

The program for the House of Representatives for the week of April 30 is as follows:

For Monday we have listed the Economic Stabilization Act conference report. The Senate must act first, as the gentleman knows, and we will act when the Senate has finished.

Tuesday is the day for the call of the Private Calendar, and there are no bills.

There will be consideration of H.R. 3932, confirmation of Director of Office of Management and Budget, under an open rule with 1 hour of debate.

For Wednesday there is scheduled H.R. 6452, Urban Mass Transportation Act, subject to a rule being granted.

Thursday and the balance of the week there is scheduled H.R. 982, Immigration and National Act amendment, under an open rule with 1 hour of debate.

This statement is made with the usual reservation that conference reports may be brought up at any time and any further program will be announced later.

Mr. ROUSSELOT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from California.

Mr. ROUSSELOT. I wonder if the gentleman from California, the majority whip, could tell us whether he plans to bring up the Economic Stabilization Act conference report under a suspension or in a normal procedure?

Mr. McFALL. I am advised that, if passed by the Senate, it will be eligible to be brought up in the regular way of a conference report on that Monday.

PARLIAMENTARY INQUIRY

I would perhaps make an inquiry of the Chair as to whether or not I am correct in this statement.

The SPEAKER. The gentleman's parliamentary inquiry is, How will the conference report be brought up? If passed by the Senate, it can be brought up in the House in the normal manner.

Mr. ROUSSELOT. In the normal manner.

Mr. McFALL. In the normal manner.

Mr. ROUSSELOT. Mr. Speaker, the reason I raised that question is because, in the suspension procedure, it differs as between the other body and the House, and it would not be adequately debated and, if we could be sure that it would be brought up in the normal manner, we would appreciate that assurance.

Mr. McFALL. I will state to the gentleman that the Speaker has just now assured us, and I would add one more thing: Since the suspension procedure requires a two-thirds vote, I would think we would have considerable difficulty in bringing it up in that fashion.

Mr. ROUSSELOT. Mr. Speaker, I thank the gentleman.

THE 83D ANNIVERSARY OF THE UNION OF AMERICAN REPUBLICS

The SPEAKER. Pursuant to House Resolution 284, this day has been designated as Pan-American Day.

The Chair recognizes the gentleman from Florida (Mr. FASCELL).

Mr. FASCELL. Mr. Speaker, I offer a resolution (H. Res. 363) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES 363

Whereas, April 14 ,1973, marked the eighty-third anniversary of the International Union of American Republics, now known as the Organization of American States:

Whereas, continued hemispheric cooperation is important to the cause of progress and freedom for all citizens of this hemisphere ;and

Whereas, the Organization of American States provides an essential forum for strengthening the common ties shared by the nations of the hemisphere.

Now, therefore, be it Resolved, That in honor of the founding of the Organization of American States, the House of Representatives of the United States of America extends greetings to the other Republics of the Western Hemisphere and to all citizens of those Republics, with the fervent hope that this new year of inter-American cooperation will be one of peace, understanding, and prosperity.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The SPEAKER. The gentleman from Florida (Mr. FASCELL), is recognized for 1 hour.

(Mr. FASCELL asked and was given permission to revise and extend his remarks, and include extraneous matter.)

Mr. FASCELL. Mr. Speaker, I rise in support of the resolution.

First, I would like to again welcome to this Chamber one of this Nation's foremost advocates of inter-American unity and a distinguished religious leader, the Reverend Joseph F. Thorning. The invocation Father Thorning delivered this morning was the 29th consecutive time he has been present to join with the House of Representatives in celebrating Pan American Day, the anniversary of the Organization of American States. Father Thorning's long and distinguished career as priest, educator, scholar and author have won for him the deep respect and friendship of many throughout the Americas.

I know that all my colleagues join me in thanking Father Thorning for the inspirational assistance he has given to the Congress for almost three decades.

Mr. Speaker, today the House takes time away from its regular legislative schedule to celebrate the 83d anniversary of the founding of the Organization of American States and of the inter-American system. From its small and modest beginning in 1890 the International

Union of American Republics has grown in size, complexity and ability into the present day Organization of American States, now the world's oldest regional organization. But today we celebrate more than just the founding of the OAS. We celebrate the spirit of hemisphere cooperation and unity which has produced not only such important institutions as the OAS and the Inter-American Development Bank but also noble concepts such as the Alliance for Progress.

Today, as we honor the memory of those whose vision and hard work led to the creation of the OAS, I would like to take this opportunity to extend greetings to all the thousands of persons, inside and outside of the OAS, who daily carry on their work in behalf of understanding and friendship in the hemisphere. In particular, I extend best wishes to the very distinguished Secretary General of the Organization of American States, the Honorable Galo Plaza, to the able and respected president of the Inter-American Development Bank, Dr. Ortiz Mena, and especially to that great hemisphere statesman the outgoing chairman of the Inter-American Committee on the Alliance for Progress, Dr. Carlos Sanz de Santamaria.

Mr. Speaker, anomaly is becoming a word increasingly used of late in discussion of various aspects of U.S. policy toward Latin America. I am serving warning since I am about to use it again. Some would suggest that this entire celebration here today of inter-American unity is an anomaly—that it is at variance with the world as it is.

Is the inter-American system an idea whose time is over? Should the United States withdraw from the OAS? These are not questions we can ignore. They have been raised by serious students of hemisphere affairs, some of whom would—and some of whom have—answered yes to both questions. I am not prepared to go that far, not now, without a serious and probing analysis by this country of what role we should play in hemisphere organizations, particularly the OAS. But it is possible that our goals for Latin America, and those of the other nations, might be more effectively served by a substantially reduced U.S. presence.

The depth of concern within the United States over the future of the OAS was reflected in an editorial printed only last Friday in the Miami Herald, long a champion of inter-American cooperation. The editorial, entitled "An Odd Relationship With OAS" said that "the United States and the Organization of American States appear to have arrived at the unhappy point where they cannot live happily with or without each other," and went on to detail some of the many issues which are dividing the OAS "in a basic split that puts the United States on one side and the other OAS members on the other." This concern within the United States has increasingly led to the notion that the time has come for a thorough review of the structure of the inter-American system. This idea, however, is by no means strictly a subject for U.S. discussion. In fact, our own discussions have largely been sparked by Latin American initiatives, particularly that of Dr. Carlos Sanz de Santamaria, suggesting that the new realities of the new post cold war world require a rethinking and a restructuring of the mechanisms of hemisphere cooperation.

Earlier this week, the OAS General Assembly, meeting here in Washington, formally approved a study aimed at reviewing the basic purposes and entire structure of the organization. It is the kind of study suggested by many in the United States and Latin America. The United States supported the study and undoubtedly will provide financial backing, as it should. It is my hope, however, that our support for the study will not prevent consideration of the obviously fundamental question of whether or not the other member states continue to want full U.S. participation in the OAS and, if they desire continued U.S. presence, to what degree they are willing to more fully share financial responsibility for the OAS.

Mr. Speaker, Latin concerns about updating the OAS are clearly well founded. The entire political and economic climate of international relations has changed dramatically. The cold war has ended. China and the Soviet Union are increasingly being incorporated into the myriad political and economic activities of the rest of this world. The Common Market has become a major economic power and is on the verge of increasing its size to a point where its trade will probably surpass that of the United States, the Soviet Union and Japan combined. The dollar has become another vulnerable currency and the whole world monetary system is undergoing fundamental change.

Perhaps of even greater importance to the Latins in calling for a reexamination of the OAS, have been the changes in Latin America itself. Manufacturing, for example, has replaced agriculture as the most important sector of the regional economy. Few of us realize that manufacturing now accounts for 25 percent of Latin America's GNP. Despite high rates of population growth, there have been significant increases in per capita income over the last decade. Exports have grown steadily over the last 10 years, with manufacturing doubling its share of total exports. In summary, despite its less than favorable views in recent years, the Alliance for Progress has had a tremendous impact on Latin America.

Where does this leave us? The world has changed and the Latins recognize it and want to restructure the OAS so it can play a more meaningful role. Our best answer to date seems to have been, "That sounds reasonable," but I submit that such a position, while it may be tactically useful, is hardly a substitute for a coherent, realistic, United States policy toward the OAS. The need for such a policy should be clear if for no other reason that we are paying at least $37 million to support the organization, two-thirds of its entire budget. Clearly the time has come for the United States to reexamine our own policy toward the OAS, to carefully review whether or not that organization really serves our own interests or whether it is simply an expensive forum for largely anti-United States views.

Mr. Speaker, I do not make these comments lightly. We need to reexamine our OAS policy, not to vent our frustrations over the strident anti-U.S. rhetoric of many of its meetings, but because it should now be painfully clear that the organization is not fulfilling the purposes for which it was designed: The resolution of conflicts, serious consideration of issues of mutual concern, and the formulation of common hemisphere positions. Whether this is because of Latin shortsightedness or because of our own refusal to trust the organization and use it or for some other reason, I do not know. I do believe, however, that it is difficult to justify continuance of our present policy of substantial support for an organization which is long on rhetoric but short on action to resolve the disputes which seem to increasingly divide rather than unite the hemisphere. The United States should fully explore every option: Whether to withdraw from the OAS, whether to remain in the organization as presently constituted, whether to stay in a restructured OAS, or whether to give the OAS a larger and more significant place in our policy toward Latin America. It is my hope that the Secretary of State will direct that a thorough going review be made of U.S. participation in the OAS parallel to the OAS' own reexamination of itself.

Such a United States review could produce a needed new realistic policy toward the OAS in line with the new realities which are now confronting both Latin America and the United States.

Mr. Speaker, regardless of whether or not the Executive branch reviews our policy toward the OAS we in the Congress have our own responsibility to examine to what extent hard earned tax dollars should be used to support continued U.S. participation in the activities of the OAS. To carry out that responsibility the Inter-American Affairs Subcommittee will hold hearings on U.S. participation in the OAS this summer.

Conflicts, doubt and debate are no strangers to either viable and vigorous institutions or a happy marriage. We have no shortage of any of these in the OAS. Let us hope that our mutual desire to work out a new and better future for the organization will yet prove that it can fulfill the promise of providing for the world a model of how diverse countries, developed and developing, can work together for a more peaceful and prosperous future.

Mr. Speaker, I ask that the entire Miami Herald editorial to which I referred be incorporated at this point as a part of my remarks.

AN ODD RELATION WITH OAS

The United States and the Organization of American States appear to have arrived at the unhappy point where they cannot live happily with or without each other.

That, essentially, is what all the agonizing is about at the OAS meeting in Washington.

Clearly, Latins will no longer tolerate U.S. domination. But the traditional ties are so strong and the economic dependence still so evident, can they avoid it?

Present U.S. policies call the Latins to take charge of their own destinies, to turn elsewhere for trade and aid, and to end the paternal role of the United States.

Paradoxically, when faced with these policies, the Latins have grown cautious. They have been fearful of so sharp a separation.

The United States, too, has a contradiction. While it encourages Latin maturity and independence, and encourages a diversification of trade, it still worries about foreign penetration in such countries as Cuba and Chile.

The problems hinge around economic independence and political pluralism. They divide the OAS in a basic split that puts the United States on one side and the other OAS members on the other.

A further division in ranks develops over the issue of whether and how to admit new members, such as the Bahamas which become independent in July, and other even smaller prospective nations.

There is concern that the broadening of membership can alter the organization altogether. Rather than Latinizing, this would bring a dilution of Latin influence.

Carlos Sanz de Santamaria, the Columbian statesman and head of the coordinating committee for Inter-American economic and social development, has called for leadership and political vision comparable to that which opened new areas of cooperation between the United States, China and Russia.

But that kind of bold stroke has been absent from OAS councils and, unless U.S. policies change, probably will continue to be.

Mr. LEGGETT. Mr. Speaker, will the gentleman yield?

Mr. FASCELL. I am delighted to yield to my colleague from California.

Mr. LEGGETT. As the new Chairman of the Panama Canal Zone Subcommittee, I want to commend the gentleman on his bringing this resolution to the floor at this time.

While we do have problems with many of the Latin American States, I do not think any of them are of such magnitude that we need to throw up our hands and cast off our Latin neighbors whom we have learned to live with and to love in a good neighbor policy of prior Presidents.

We do have problems down there relating to tuna boats and fishing limits and the development of natural resources and many of these things. We have to learn to live with different forms of government other than our own. The United States has a lot of maturing to do before we draw the conclusion that we have come to age and nobody has in all of the Americas.

I commend the gentleman for his patience and restraint in this resolution and ask unanimous consent that my remarks follow those of the gentleman celebrating the 83d anniversary of the Union of American States.

Mr. Speaker, our celebration of the 83d anniversary of the Union of American Republics comes at a particularly crucial point in the history of United States-Latin American relations. Although the States in the Western Hemisphere have recognized the importance of regional cooperation in the struggle for freedom since 1890, the substance of that cooperation has been altered repeatedly over the last 80 years. It is my feeling that we are currently at another major turning point in this rich history.

It has now been 12 years since the launching of the Alliance for Progress in Punta del Este by President Kennedy. Some spokesmen have pointed to the failures of that Alliance, and have urged a reduced American presence in Latin America. It is true that the Alliance for Progress failed to meet many of its 10-year goals which included achieving; an economic growth rate of 2½ percent per annum, a more equitable distribution of income, a diversification of economic structures, an increase in agricultural productivity, and the adoption of broad programs in the health and welfare areas.

Latin America today suffers from many of the same ills that plagued it 10 years ago. The States of Central and South America still suffer from a chronic trade deficit, exacerbated by their inability to break out of the colonial pattern of trade in which they supply raw materials in exchange for manufactured goods.

There still exists the age old albatross of the undiversified economy dependent on the whims of the world commodity markets, and Latin America is still plagued by a gross maldistribution of wealth.

All of these problems still exist despite the existence of the Alliance for Progress, one of the most monumental aid programs in the history of the world.

Nevertheless, the solution to these problems is not to have the United States retreat into isolationism, and abdicate its responsibilities toward its less-developed neighbors to the South. Rather than disengage from Latin America, I would hope that the United States would seize upon the knowledge gained during the Alliance for Progress in order to structure a cooperative program based on the realities of the 1970's.

To begin with we must recognize that Latin America consists of 26 independent States displaying varying degrees of economic self-sufficiency and democratic stability, not one monolithic bloc. The Alliance for Progress recognized this fact too late. Its goal of regional development was destroyed as a result.

We must also recognize that our own economic history is not necessarily applicable to the States of Latin America. Economic history has shown that economic development is a function of a state's ability to accumulate a sufficient amount of capital. In the United States the process of accumulation was aided by the richness of the country, a lack of organized domestic opposition to industrialization, a large and willing labor force, and a sympathetic government. In contrast, the less-developed nations of the world must accumulate capital without a plethora of natural resources, without an educated elite, and in the face of opposition from the unions, military, and the civil service. Added to this, many times policies that are necessary for modernization violate the traditional beliefs and practices of the Latin American people.

Unfortunately, much of the United States aid to Latin America has gone for urban industrial development when, as a recent article in the Christian Science Monitor indicated, the cities have not succeeded in putting to work the landless peasants who migrate to urban areas. The spread of urban slums all over the world demonstrates that the type of capital-intensive development going on in the cities does not alone generate enough major new employment opportunities.

The capital-intensive industrial development that was appropriate in another time for the United States and Europe has only served to create a new class of urban elite. While the incomes of this elite have grown, the gap between them and the remainder of society has widened. It would be much wiser for the United States to structure an aid program that takes cognizance of Latin America's greatest resource—its people.

It is true that the per capita income of Latin American countries has risen during the years of the Alliance for Progress, but it has risen in so unbalanced and inequitable a way that the gains have gone almost entirely to the 20 percent of the population who live within the modern economy. The benefits accruing to the lower 80 percent have not even kept up with population growth, so that they have become both relatively and absolutely poorer.

This does not mean that the United States should somehow disengage itself from Latin America. Both the United States and Latin America have much to gain from continued regional cooperation. We cannot forget that Latin America already buys some $5 billion in goods from us each year, and that this market will grow to at least 7 or 8 billion dollars in the present decade. Moreover, United States direct private investment in Latin America amounts to $13 billion and brings a return of nearly $2 billion per year in royalties and profits. In light of these figures, it is clear that the United States has a practical as well as a moral responsibility to encourage cooperation between the North and South.

One major roadblock to any United States-Latin American aid program, of course, is the residual of anti-American sentiment in many areas of Latin America. We must face the fact that this sentiment is largely a result of the omnipresence of American corporations. I certainly do not want to appear to be antibusiness. But the fact is the past decade in Latin America has been very good for American business and very bad for the people of Latin America. According to Gary MacEoin, the author of "Revolution Next Door," U.S. companies withdraw $2 in dividends, royalties, and other payments for every new dollar they invest.

Business requires stability, but in most cases stability means a military dictatorship or an elitist oligarchy, neither of which is likely to feel much need to improve the lot of the average person.

So the people of Latin America, with considerable justification, hold us responsible for their stagnation.

Paradoxically, this is true even though our corporations frequently pay well above the prevailing wage. It is practically impossible for a nation to develop a strong modern economy unless profits are kept within the country; this is generally equivalent to saying the corporations must be domestically owned and controlled.

So we find ourselves facing instances of forced nationalization of American-owned installations without fair compensation, as we have seen in Cuba, Peru, and Chile. This cannot be condoned, but we have to face the fact that this is likely to be the pattern of the future unless our policies are changed.

And what has been our foreign policy in Latin America but some vague notion of support for the "free world forces" in an attempt to build a bulwark against the threat of "international communism?" At one point there may have been some validity for such a view, but no more. President Nixon's trip to China and Russia signaled a change in our view of the two major communist powers, away from the ridiculous notion that Moscow and Peking somehow controlled what happens in Santiago.

Despite the profound change in our attitudes toward Russia and China, we still harbor the same old antiquated views of the third world. President Nixon's proposed fiscal year 1974 budget includes nearly $2 billion in various forms of military assistance.

All too often, military assistance which begins as a misguided attempt to thwart revolutionary guerrilla movements ends up as the instrument used to keep second-grade dictators and oligarchs in power. If we are to restructure our policies in Latin America it is vital that we cease being the chief weapons financier for the despots of the world.

At one point a fear of guerrilla movements may have been justified, but no longer. It is clear that Fidelism is no longer a threat to the people of Latin America. The Cuban example has not been exported to the mainland. In fact, most of the guerrilla movements have been substantially diminished over the last few years. Even the election of Marxist Salvadore Allende Gossens in Chile amounts more to a phenomenon to be understood rather than a danger to be feared.

There is much to be done in order to realine our policies in Latin America. We must strive to eliminate the sore spots that damage the whole of United States-Latin American relations. It is incomprehensive to me how we can maintain our rigid position toward Cuba in light of President Nixon's rapprochement with Red China and the Soviet Union. They are Communist nations also, and represent a much greater threat to the security of this country.

Our policy toward Cuba has been justified as a legitimate response to Castro's attempt to export revolution, yet it is clear that Cuba has violated the principle of nonintervention no more so than ourselves.

To be sure the small bands of Cubans who drifted in and out of Latin American nations have violated that principle, but hardly in a way that is comparable to the landing of the U.S. Marines in the Dominican Republic in 1965, or the overthrow of Guatemalan leader, Jacabo Arbenz by the CIA in 1954.

Moreover, the threat from Cuba has been grossly exaggerated. Che Guevara, billed as a master of revolutionary strategy, failed miserably to turn the Andes into another Sierra Maestra. In essence Che made the same mistake we did; that is, he failed to realize that it is impossible to make people hate or like their government if they simply do not want to.

Recently, the Cuban Government, beset with internal difficulties, has moderated its view of the United States. I would hope that we could seize upon this unique opportunity and develop a more reasoned approach toward the Castro regime.

Our relations with Chile also needs an intense review. Over the last few weeks we have discovered that the CIA and ITT were deeply involved in both the 1964 and 1970 Chile elections. This involvement amounted to no less than a serious violation of the sovereignty of what is probably the strongest democratic nation in South America. Hopefully, the revelation of the ITT–CIA affair has exposed the idiocy of such action, and will act to deter future mistakes of that kind. Unfortunately, the incident promises to further exacerbate the Latin American distrust of the United States.

Still another sore spot in Latin America is the tiny island of Culebra. For the past 37 years this small island off of Puerto Rico has been subjected to an intense naval and aerial bombardment by the U.S. Navy as part of the Navy's Atlantic fleet weapons range. For almost as long, leaders of the Puerto Rican community and Members of Congress have been petitioning the Department of Defense to cease this unnecessary action considering that this island is also a home for some 1,000 Puerto Ricans.

For a time it did appear that the Navy would find an alternative to Culebra as a bomb site, and give the citizens of that tiny island a long-deserved respite from the some 2,000 yearly hours of shelling. On April 1, 1971, Secretary Laird issued a report stating that all Navy operations would be transferred away from Culebra by June 1975.

We discovered in December, however, that Secretary Laird apparently changed his mind on discontinuing the shelling of Culebra by 1975. Laird summarily announced that the shelling should be continued until at least 1985 and no reasons were given.

The issue of Culebra seems inconsequential. It is, after all, only a very small island. To the 1,000 inhabitants of Culebra and the entire Puerto Rican population, however, the issue is anything but minor. Furthermore, to a real extent, our handling of the Culebran problem will have a profound effect on the rest of our Latin American relations.

And then there is the Panama Canal. As the new chairman of the Panama Canal Subcommittee of the House Merchant Marine and Fisheries Committee I am now reviewing the progress of the negotiations with the Panamanians over the Canal.

Unfortunately, at the present time there is very little progress at all. Treaty negotiations for all intents and purposes were broken off in late 1972. Nevertheless, I am confident that the two nations can move forward and reach some mutual understanding over this issue. The Canal is one area where the United States has performed a credible job in reconciling the interests of the Panamanians with our own.

The Panamanians had been gearing up for the recently completed United Nations Security Council meeting in Panama City, but they failed in their attempt to stimulate worldwide concern. There is much to negotiate in Panama. I would hope that our two nations could sit down and reach some mutually beneficial position on the administration of the Canal and the Canal Zone.

This process of negotiations will certainly not be easy. The Panamanian problem has been raging since 1915, and understandably has captured the conscience of the Panamanian public. I can think of no better way to start a new era of relations with our Latin American neighbors than to reach an equitable solution in the Canal question.

Mr. FASCELL. I thank my distinguished colleague from California who has taken over the chairmanship of that important subcommittee. His remarks are certainly in the spirit that I not only personally feel but I feel that it is absolutely essential for you as policy. I think we can say it is a feeling that has emanated from the general assembly of the Organization of American States.

Everybody thought when they began that we would bring the house down in terms of confrontation, but it wound up in a quite moderate, conciliatory, and hopeful manner.

We must approach the problem, as the gentleman says, constructively and affirmatively. It is much too important to us.

Mr. ROGERS. Mr. Speaker, will the gentleman yield?

Mr. FASCELL. I am delighted to yield to my colleague from Florida.

Mr. ROGERS. I thank the gentleman for yielding.

First of all, Mr. Speaker, I want to commend the gentleman in the well for bringing this resolution to the House floor. I want to commend him for his outstanding leadership in the field of foreign affairs and Latin America in particular. He has served in a distinguished manner as the chairman of the Subcommittee on Latin American Affairs on our great Committee on Foreign Affairs. He has been a true leader in this area and will continue to be. The House appreciates his leadership. If any area needs great leadership, it is our relations with Central and South America, and the gentleman from Florida has been handling this work in a magnificent manner. I salute him.

I also salute Father Joseph Thorning, who, as the gentleman from Florida has already said, devoted so much of his time and talent in an attempt to try to bring to the attention of this Congress and the American people the importance of our relationships with South America. He has done a magnificent job and for 29 years has been faithful to this cause which he has espoused so eloquently over the years.

Finally, Mr. Speaker, may I say that I hope the passage of this resolution perhaps will begin to see us change our priorities with regard to foreign countries.

I am sure the gentleman with his leadership can help bring this about. I know that the gentleman has tried to do this, and is doing it. I believe we should give greater priority to our relations with our neighbors to the south, particularly the trade situation where we have a favorable trade with so many areas in South America, and whereas with certain European countries and other countries in the world we are in the opposite position. In order to really give it some attention, really give it some impetus, we should put top people into our relations with Latin America and set some goals so as to try to improve our relationships, because I believe we have ignored that area to an extent which I think has become alarming.

So I hope that the gentleman will, if he can, through his leadership, try to guide our Nation toward such a goal in this very important area of the world.

Mr. FASCELL. Mr. Speaker, I thank my colleague, the gentleman from Florida (Mr. Rogers). Of course, the gentleman is a neighboring colleague, and has been over the years that the gentleman has been in the Congress, very, very genuinely interested in the relationship of the United States with the Latin American countries. I agree with what the gentleman says thoroughly. We must have such leadership. The importance of the priority is obvious, if nothing else, because of trade. But in addition there are so many other reasons, as the gentleman well knows, that make it vital for us in the United States to have the proper relationship with the Latin American countries.

I commend the efforts of the gentleman from Florida throughout the years in trying to bring this about.

Mr. PEPPER. Mr. Speaker, will the gentleman yield?

Mr. FASCELL. I am most happy to yield to the gentleman from Florida, our colleague (Mr. Pepper).

Mr. PEPPER. Mr. Speaker, I thank my distinguished colleague, the gentleman from Florida, for yielding me this time.

Mr. Speaker, I wish to commend our distinguished colleague, the gentleman from Florida (Mr. Fascell) for the magnificent leadership the gentleman has given to the cause of our having an agreeable and cooperative relationship that is mutually beneficial both to the United States and Latin America.

I am pleased to join with him in this observance of Pan American Day. It is 83 years since the founding of the Union of American Republics, which we know today as the Organization of American States. Since the inception of the OAS, this vital organization has emphasized the friendship of the American peoples and the economic and social development of all of the countries of this hemisphere.

Today, more than ever, we must dedicate ourselves to upholding the goals of this great inter-American system.

Somehow over the years the commitment of the United States to our hemispheric neighbors has deteriorated. When we pitched in to rebuild Europe, we were too busy with the aftermath of World War II to give full attention to Latin America. The goals of the OAS were temporarily forgotten at a time when we should have been looking to the future and strengthening our ties with Latin America against the day when Europe would be our great competitor again.

Throughout the terrible involvement in Vietnam our relations with our Latin American neighbors have suffered from our preoccupation with Southeast Asia. I hope the damage this tragic war has done to us at home and in the world will not include irrevocable damage to our hemispheric relattionships.

I hope our Government will now give Latin America the priority attention it requires. Our relationships with the people of this hemisphere are still in a state of transition and I believe we can have significant influence on future developments.

We should not, I think, emphasize what we are going to do in Latin America and for Latin America. The day of paternalism has long since expired.

Today, we must extend the hand of friendship in sincerity and warmth, and we must open the door of opportunity to the people of Latin America on terms of mutual self-interest and cooperation.

I have traveled many times in Latin America and I know that the people of these countries do not want handouts from the people of the United States. They want the opportunity to earn their own way by selling the products of their labor and their genius in the United States, as they have sold in the past their raw materials, their agricultural products and their mineral riches.

We must, I believe, give the manufactured products of Latin America a welcome in our vast domestic market which matches the warmth of the friendship we profess for their peoples and their countries. If we will make it easier for Latin Americans to expand their trade with the United States, we will not have to fear for their identity with the cause of freedom and economic progress which we champion in this hemisphere. The lands that trade together have a much greater prospect of staying together than those that merely talk together of their mutual ideas and companionable political philosophies.

I hope we will, in the consideration of new trade legislation in this Congress, give the attention to the possibility of making the Western Hemisphere a great trading community undergirding a cultural and political New World.

Mr. FASCELL. Mr. Speaker, I want to thank my colleague, the gentleman from Florida (Mr. Pepper). The gentleman has had a long and distinguished career in the Congress of the United States, first in the Senate and then in the House of Representatives. During all of those years the gentleman has always manifested a high interest in Latin America, and the relations between the United States and Latin America. The gentleman continues to do that to this day as a Member of the House, coming from the south Florida area as the gentleman does, not only because this is important there for us as local representatives, but mainly because we realize that it is in the deepest and best interests of the United States.

Again I thank the gentleman from Florida.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FASCELL. I yield to the distinguished gentleman from Iowa (Mr. Gross).

Mr. GROSS. Mr. Speaker, I thank the gentleman from Florida for yielding to me. I want at this time to say how much I have appreciated the chairmanship of the Inter-American Subcommittee by the gentleman from Florida. He is an able and fair chairman and it is a pleasure to serve with him. I do differ with the gentleman on this resolution. It is not pleasant to sound a discordant note here today, but I am convinced, as a result of what has transpired especially in the last few years, that the Organization of American States has outlived its usefulness. And were it on another day, Mr. Speaker, I suspect that I would ask for a vote on this resolution. However, I simply want the Record to show my vote in opposition to the pending resolution.

Mr. FASCELL. Mr. Speaker, I thank the distinguished gentleman from Iowa. The gentleman from Iowa is a very valuable member of our subcommittee. The gentleman devotes a great deal of time and energy to the entire question of foreign affairs, and particularly to Latin American affairs.

As I said in the earlier part of my remarks, the issue which has been raised by the gentleman from Iowa is one which cannot be ignored. I thank the gentleman from Iowa for not calling a rollcall vote on this resolution at this time, because I think there is a better way of raising that issue, and I will discuss that right now.

At the last meeting of the General Assembly of the OES, one of the basic things that came out of this session, which as I said was moderate and conciliatory, was the designation of a special committee of the OES on which every country would be represented, to study the whole question of the OES, its strength, whether or not it should continue to live, how it should live, and what the participation should be, what to do about the Caribbean countries, and a whole host of other soul-searching questions.

The thrust of my remarks today, as we celebrate the need of inter-American unity—and I really believe this is fundamental so far as the U.S. policy is concerned—but what we need to do in the United States, with an open mind, as the gentleman from Iowa suggests, is review our own policy in terms of what is going to happen in the OES, or what should happen, or what the U.S. policy should be, and how we should participate.

After all, we are paying the major share of the upkeep of that organization, and therefore, while they themselves are doing their own soul searching—I think that is good—it is absolutely incumbent upon us for the U.S. executive branch to be examining very carefully and critically at the same time our own viewpoint and perspective of the OES.

I will say to the gentleman that it is also, I believe, incumbent on the Congress and, therefore, I am saying now that I propose to hold some hearings on this very subject. That is why I thank the gentleman for not calling the roll on this resolution tonight, because this is one of spirit and principle. When we get down to the substantive matters, there will be ample opportunity not only to explore different viewpoints, but perhaps to even have a vote on the issue. So I do say to the gentleman that I propose, as the chairman on the Inter-American Affairs Subcommittee, to hold ample hearings on this whole issue some time this summer.

Mr. GERALD R. FORD. Mr. Speaker, the policies of the United States are consistent with, and indeed encourage, productive trends in Latin America.

Latin America today is characterized by change and a push to development and modernization. Encouraging trends of economic growth are being sustained, but increasingly there is a recognition of the need to assure the common man a share in growth. New social and political institutions are growing up. New ties, within the region and outside of it, are being established.

Relationships between the United States and Latin America today are characterized by a growing understanding of the global setting in which we have to take up solutions to our problems, the encouragement of efforts to find national solutions to national development problems, and by the acceptance of differences.

Fundamental to this relationship are the principles initiated by President Nixon in 1969. These are: A firm commitment to the inter-American system; respect for national identity and dignity; continued U.S. assistance for hemispheric development; U.S. support for Latin American development initiatives; and a dedication to improving the quality of life.

These principles have been our guide as, over the last 4 years, the United States has done its part to build a more mature and realistic relationship.

There have been constraints in some areas, but as was noted in the House by Mr. FASCELL on April 12, the introduction of the "Trade Reform Act of 1973" shows that we are meeting our commitments, and that we are prepared, as we have always been, to do what we can "in the direction of inter-American economic partnership on a basis of equality."

The record is sound in other areas, too. Our economic assistance programs have become increasingly collaborative. The total U.S. assistance effort is as high now as it was in the peak period of the mid-1960's. Our economic assistance to Latin America in fiscal year 1971 was $602 million and in fiscal year 1972 it exceeded $1 billion.

Further, U.S. policy reflects a pragmatic approach to problems shared by sovereign governments and a determination to remove points of friction not related to our real interests in the hemisphere. In this context, there have been real successes in the past 3½ years. These are: Signing of an historic agreement with Mexico on determining the present 2,000-mile boundary; establishment of a mechanism for peaceful settlement of boundary issues resulting from meanderings of the Rio Grande; Swan Islands Agreement, recognizing Honduran sovereignty; abrogation of the Bryan-Chamorro Treaty, relinquishing all canal construction rights in Nicaragua; Quito Sueno agreement between United States and Colombia in which the United States renounced all claims to sovereignty; and resolution of the fisheries dispute with Brazil.

Of course, there are other remaining problems, but the scene is no longer cluttered up. We have before us the issues of the Panama Canal, Chile, expropriation, and the fisheries disputes.

But in every case we have made unmistakably clear our willingness to negotiate, to approach problems in a spirit of compromise, and to consider all proposals.

As can be seen, the new policy of President Nixon did not reflect any lessening of the importance we attach to Latin America or a retreat from commitments. It was a challenge to change the tone and character of our relationship, to replace the atmosphere of dependence with one of cooperation, and to use that cooperation not only to continue to address the problems of the hemisphere in more imaginative ways, but to tackle international problems of mutual concern.

The General Assembly of the OAS, which adjourned only a few days ago, is testimony to the success of the policy. It was clear that the nations of this hemisphere can address their problems in realistic terms and that the relationship permits us to challenge old ways of doing things.

So there is no doubt the administration policy is responsive to changes in Latin America and in the world, and that it means not only delivering on commitments already made but making sure that new commitments are relevant and realizable.

This is a reassuring conclusion as we mark Pan American Day.

Mr. ALBERT. Mr. Speaker, I join my distinguished colleague, the gentleman from Florida, in commemorating the 83d anniversary of the founding of the Pan American Union. The gentleman's remarks are of great interest to the House. It is well known that he is highly knowledgeable on the subject of hemispheric relations and the organizations of the inter-American system. It was my pleasure to appoint him recently to represent the House at the third regular session of the Organization of American States General Assembly in Washington, D.C. This organization along with the Pan American Union, the Inter-American Development Bank and the Inter-American Defense Board, is one of the main cooperative efforts we share with our Latin American neighbors.

Although these organizations have never functioned precisely as envisioned at the time of their founding, and have not achieved the high aims to which they were dedicated, it is important that they be maintained. They offer contact opportunities for discussion of our mutual problems, for while North and South America do not have a total community of interests, and for economic reasons have a different frame of reference, we do have many common problems—environmental problems, problems of urbanization, poverty, unemployment. In addition, the Pan American Union and its sister organizations provide a forum in which disputes between sister states can be discussed. The potential exists in the Pan American Union for consultation and peaceful and constructive resolution of the problems facing the nations of the Americas.

Perhaps structural changes, policy changes must be made in order to respond appropriately to the attitude and conditions which have developed with the passage of time. The hemisphere is undoubtedly in a new and more difficult period. Adjustments and accommodations may be advisable to improve and renew our efforts to maintain sound and productive relations with our Latin neighbors. United States-hemisphere relations are no less important than they have ever been, and on the occasion of the Pan American Union anniversary it seems appropriate to urge the rejuvenation of our inter-American organizations, recognizing the import of existing and emerging problems and the economic and security interests of our country as well as those of Latin America. It is certain that the integrity of the hemisphere is best protected against the appeals of communism by promoting the quality of life. Economic and social advancement continues to be the principal and mutually desired goal of these organizations and its accomplishment is well worth the effort and support required to build a strong hemisphere community.

Mr. MORGAN. Mr. Speaker, I welcome this opportunity to join my colleagues in celebrating Pan American Day. While many significant developments have taken place over the past year in relations between the United States and other more distant nations of the world—particularly with the People's Republic of China, the Soviet Union and the countries of Indochina—it is fitting, indeed, that we pause for a moment to consider the urgent problems we all face here in this hemisphere. Obviously, an improvement in inter-American relationships, a renewed effort to create mutual cooperation and understanding, remain high priority items on the American agenda.

Mr. Speaker, Pan American Day is more than an anniversary. It marks an historic commitment by the nations of the Western Hemisphere to respect the sovereignty and independence of all American States, to appreciate our cultural diversity, and to work together to achieve political cooperation, economic progress, and social justice. In recent years, U.S. relations with Latin America have undergone a period of some strain. The search for a relaxation of those tensions and a resolution of our differences will require good faith on all sides. We will all have to resolve to reach a mutual accommodation of our respective interests through serious, patient negotiation. Although some progress has been made in that direction already, much unfinished business lies ahead.

Mr. Speaker, as chairman of the Committee on Foreign Affairs, I want to take this occasion to commend my good friend, the gentleman from Florida (Mr. FASCELL), for the important contribution made during the past year by the Subcommittee on Inter-American Affairs, which he chairs. The gentleman's subcommittee, I should point out, has not confined its activities to a review of pending legislative proposals submitted by the executive branch, but has taken the initiative in holding hearings on a broad range of topics of concern to our Government and Members of Congress. For instance, since February of 1972, the subcommittee has invited expert witnesses both from within and outside of the Federal Government to testify on such current issues as:

Fishing problems and United States-Latin American relations;

United States-Mexican trade relations;

The Inter-American Foundation—A review of its first year of operation;

United States-Venezuela relations;

Panama Canal negotiations;

Treasury Department management of U.S. participation in the Inter-American Development Bank;

United States-Chilean relations;

United States-Paraguay relations; and

Soviet activities in Cuba.

By focusing public attention on these matters, the subcommittee has performed a valuable service. It has increased the awareness of Congress and the public of the vital issues at stake and the highly complex political, economic and social factors affecting Latin American attitudes toward the United States. These factors, Mr. Speaker, must be clearly understood before they can be intelligently dealt with in the formulation of a viable and equitable U.S. policy toward Latin America. Again, I wish to congratulate the gentleman from Florida and all members of his subcommittee for having undertaken this challenging assignment.

Mr. WHALEN. Mr. Speaker, I am pleased to join Chairman FASCELL and my other colleagues in commemorating Pan American Day by saluting the citizens of the OAS-member States. I also am honored to serve as a member of the Inter-American Affairs Subcommittee of the House Foreign Affairs Committee which is so ably chaired by the gentleman from Florida (Mr. FASCELL). His diligent efforts in promoting hemispheric cooperation and better understanding between the peoples of the United States and Latin America are well known to this Chamber.

The OAS is the world's oldest regional organization. In varied and diverse ways, it has functioned as a forum for the exchange of ideas and information; as a cultural, social, and educational body; as an instrument for the peaceful settlement of disputes; and as a tool for the economic development of the member nations.

Nevertheless, as evidenced by the recent OAS meeting of foreign ministers held this month in Washington, these are important and critical times for the inter-American system. It even has been suggested in some quarters that the United States should quit the OAS, that the organization has outlived its usefulness, and that it is no longer a viable institution.

Thus, clearly the inter-American system is faced today with many problems and is challenged by the strains produced by nations in various stages of political and economic development. It is my belief that the United States should join our neighbors in the Western Hemisphere in reevaluating our hemispheric policies. We have strong political, economic, legal, and cultural ties with Latin America. Our relations should be characterized by continuing efforts to understand each others problems and by a commitment to work out any difficulties among us through negotiations and compromise.

Mr. Speaker, the work of OAS is unfinished. Thus, on this occasion of Pan American Day it is my hope that all nations of the Western Hemisphere will reaffirm their commitments toward hemispheric peace, cooperation, and prosperity.

Mr. LANDGREBE. Mr. Speaker, I wish to associate myself with the remarks made by the gentleman from Iowa, H. R. GROSS.

Mr. BYRON. Mr. Speaker, it gives me pleasure to relate a few facts about the Reverend Dr. Father Joseph F. Thorning, the priest-scholar from my Sixth District of Maryland and a devoted friend of my mother, father, my wife and children, as well as of myself. Dr. Thorning recently conducted seminars and gave several lectures in South American universities. His work took him to Buenos, Argentina; Santiago de Chile; Lima, Peru; La Paz, Bolivia; Panama City; Asunción, Paraguay and Quito, Ecuador. In some capitals he consulted, not only other scholars, but also Ambassadors of the United States of America. Father Thorning, who is an associate editor of "World Affairs," expressed high praise for Ambassador and Mrs. John Davis Lodge in Argentina; Ambassador and Mrs. Nathaniel Davis in Chile; and Ambassador and Mrs. Taylor Garrison Belcher in Peru. Dr. Thorning reports to me and others in Government, including Secretary of State and Mrs. William P. Rogers, that he found conversations with the aforesaid envoys and their charming wives "a liberal education."

The Maryland educator and author assures me that U.S. officials in the other American Republics he visited are providing splendid representation for the United States of America and impressing the nationals of the countries where they serve with their desire to cooperate with the governments and the peoples to whom they are accredited.

It may be worthy of mention that Father Thorning has acted as Dean of the Graduate School of Georgetown University and as professor of church history and social history at Mount St. Mary's Major Seminar and College, Emmitsburg, Md., one of the leading educational centers in my district. This is "the Padre's" 29th annual offering of the prayer on Pan American Day. My distinguished colleagues and I hope that he may be with us in the years to come.

Mr. REUSS. Mr. Speaker, this is the 29th consecutive year Father Joseph F. Thorning has offered the prayer in the House of Representatives on Pan American Day.

Milwaukee is proud to claim Father Thorning as a native son. He took the initiative in inaugurating an official celebration on Capitol Hill of the cause of Inter-American understanding, cooperation, and friendship back in 1964. This annual observance is now a firmly rooted tradition, and has broadened the understanding and respect of Members of the House for our neighbors of the Americas.

Father Thorning is known as "the Padre of the Americas," a title awarded him by the distinguished gentleman from Montana who is now the majority leader in the other body, Senator MIKE MANSFIELD. Educated at St. Louis University and Catholic University in Washington, he devotes his time to being both a scholar and journalist on Latin America.

Today, more than ever, Inter-American programs need leadership like that provided by Father Thorning. The Members of this body, and all Americans, owe him a great debt of gratitude.

Mr. DERWINSKI. Mr. Speaker, it may be interesting to note that Father Joseph F. Thorning, Acting Chaplain today, is the author of a book published by the University of Florida Press, Gainesville, Fla. The volume is considered the definitive biography of Don Francisco de Miranda of Venezuela, entitled "Miranda: World Citizen." Miranda served humanity as the Precursor of Latin American freedom and independence.

It may also be important to recall that Dr. Thorning was the organizer of the first western hemisphere conference of educators and other leaders sponsored at Barry College for Women in Miami Shores, Fla.

Mr. FASCELL. Mr. Speaker, I have no further requests for time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the resolution just agreed to.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. MARTIN of North Carolina. Mr. Speaker, because of a visit to my district last night I was absent for three rollcalls.

I ask that the RECORD show:

On the vote on the Older Americans Act amendment I would have voted "yea."

On the procedural vote to lay on the table the motion to reconsider I would have voted "yea."

And I would have answered "present" on the quorum call, had I been here.

PERSONAL EXPLANATION

Mr. HOLIFIELD. Mr. Speaker, on the Anderson of California amendment I used the electronic voting device but failed to check the board. I was told later that I was not represented on the board.

If I had been properly represented in the manner I intended to vote it would have recorded me as voting "aye" on the Anderson amendment.

PERSONAL EXPLANATION

Mr. PICKLE. Mr. Speaker, I had left the floor yesterday when two rollcall votes, Nos. 107 and 108, were taken because I had been informed that the regular legislative action had been completed for the day.

I left the House to attend the ceremonies for the unveiling of the bust of the late Speaker Sam Rayburn at the National Portrait Gallery. At the Portrait Gallery I joined Mrs. Lyndon B. Johnson as she made the formal presentation of the Rayburn sculpture.

PERSONAL EXPLANATION

Mr. PICKLE. Mr. Speaker, between April 4 to April 11 I was away from the Congress on official business of the Congress. I had been appointed as a delegate to the International Communications Conference. My appointment to be a delegate to this conference was made by the Speaker of the House of Representatives, Speaker CARL ALBERT, upon the recommendation of Mr. HARLEY O. STAGGERS, chairman of the House Interstate and Foreign Commerce Committee.

THE CASE AGAINST RIGID CONTROLS

(Mr. BLACKBURN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BLACKBURN. Mr. Speaker, at a time when some people in the country seem to feel what we really need is rigid wage and price controls across the board to lock our economy in for the next 60 days or 90 days or perhaps even a year, it is refreshing to read an article in today's Wall Street Journal prepared by Mr. Edgar R. Fiedler, Assistant Secretary of the Treasury for Economic Policy.

Mr. Fiedler points out the very great difficulties which were created during the World War II and when we had extremely rigid wage and price controls accompanied by rationing, shortages, black markets, and other economic dislocations which accompany unrealistic economic policies.

Mr. Speaker, I am inserting Mr. Fiedler's article and I would strongly recommend it to my colleagues.

[From the Wall Street Journal, Apr. 19, 1973]

THE CASE AGAINST RIGID CONTROLS

(By Edgar R. Fiedler)

WASHINGTON.—Why not impose more rigid controls on prices and wages? Prices are surging upward in a number of economic sectors; doesn't that call for more stringent controls? The changeover to the "self-administered" Phase 3 has been widely regarded as a failure; doesn't that call for a new system of tighter controls? Certainly there is a great demand for tougher controls—from consumer groups, from organized labor, and from other sources. And although Congress decisively rejected proposals to reinstitute a freeze and to broaden it to encompass other sectors of the economy, there is a sizable minority of Congressmen who are demanding more comprehensive, more rigid and more permanent controls over prices and wages.

Well, why not?

There are, I think, two fundamental reasons for resisting the call for tighter controls. One reason is liberty—the old-fashioned principle that the individual is the important unit in our society, that his freedom is something to be cherished, and that the government's power over him should be limited. To me this principle is a persuasive reason for opposng a move to inflexible, permanent controls. The second fundamental reason is economic efficiency. Our economy is so complex and changes so rapidly that the presence of controls over a long period of time would damage it seriously. History tells us that a comprehensive system of controls would require a gigantic bureaucracy here in Washington and would produce endless ribbons of red tape throughout the economy. History also tells us that the major economic impact of controls would be inefficiency and inequity.

REMEMBERING WORLD WAR II

Those of us who remember World War II know what the comprehensive wage and price controls of that era produced. We remember the restrictions against changing jobs and the shortages and rationing of meat, sugar, gasoline and many other products. We remember also the black markets and other illegal efforts to circumvent the controls. Those World War II controls produced great waste in the economy and great inconvenience for the public. But we put up with them for patriotic reasons; we were willing to make the sacrifice to help the war effort.

I think it is obvious that today the public would not accept the problems that rigid controls inevitably create. There are no patriotic or other reasons that would lead people to put up with, for example, shortages of basic consumer goods.

But the World War II experience may not be completely applicable to 1972 and 1973. What, then, can we say about the present controls? Have they done any damage during the year and a half that they've been in effect? Have they hurt productive efficiency and created other problems?

The answer to that is, in the broad general sweep of things, no, but in many specific cases, yes, very definitely. When we look at the economy as a whole, we do not find that productivity growth has been slowed, or any other substantial evidence that the controls have done widespread damage. There are two reasons for this: First, the control system in Phase 2 was designed wherever possible to be flexible and, second the economy was operating with considerable slack. These conditions minimized the trouble effects of the program.

But while the stabilization program did not produce widespread economic distortions during 1972, it did produce many individual instances of inequity and inefficiency. And the economy was growing so fast that more and more of these difficulties were beginning to show up. Had we continued Phase 2 through the current year, with its rapid growth pushing many industries close to full utilization of capacity, these dislocations would have become numerous and serious enough to injure the economy as a whole. To demonstrate that this is not just a bogeyman in the closet, let me cite a few examples of what happened during 1972.

The most disturbing and most wasteful difficulties created by the controls program were in the lumber and plywood industry, which was under heavy demand pressure from the boom in homebuilding. There were numerous reports that production was held 5% to 10% below maximum, primarily to avoid violating the Price Commission's profit margin rule. Sawmills were performing minor operations on standard cuts of lumber to create "new products" that were exempt from price control. Phony export and reimport transactions were recorded, without any lumber even leaving the country. Tricks like these kept the Internal Revenue Service working overtime tracking down violators. And in another effort to circumvent the controls, railroad cars full of lumber were being shipped around the country from one middleman to another, accumulating markups, which were individually legal, but not getting the lumber to the final user.

Despite the fairly high levels of unemployment that prevailed during 1972, we heard a number of complaints from businessmen that their employes were being lured away by higher wages to a competitor's plant down the road, and that they were prevented by the controls from raising wages to meet the competition in order to stop the pirating of their work force. When businessmen complain that the wages they pay are too low, well, that's a pretty sure sign that the controls are interfering with the efficient operation of the labor market.

Another inefficiency that was becoming more significant as the program progressed was the red tape that both labor and business found themselves tangled up in. By the end of 1972, for any pay or price request that was at all more than routine, the waiting lines at the Pay Board and Price Commission were getting longer and longer.

The controls had a perverse impact on petroleum refining, creating an incentive to distill less fuel than necessary and more of some other products. This helped make the fuel oil shortage last winter a little worse than it otherwise would have been.

The controls also produced serious difficulties for commodities that are traded in international markets. When the world price rises above the ceiling price of domestic producers, a powerful incentive is created to ship all domestic production out of the country, irrespective of the need for it at home. This situation developed for soybean meal and phosphate fertilizer late in 1972 and threatened to create severe shortages of those commodities here in the United States.

The Phase 2 profit margin limitation created a special kind of problem in some industries. One company, for reasons unrelated to its major product line, would be up against its profit margin limit and would be unable to raise prices on any product. The pressure of competition would, then, prevent other firms in the industry from raising their prices, despite the fact that their costs had increased sharply. The classic example of this problem is the wine industry, where the Gallo Co. had recently developed a very profitable new line of fruit-based wines. Because Gallo was up against its profit margin ceiling, it could not raise prices on its grape wines, despite the fact that a poor crop had sent the price of grapes up some 50%. This increase in costs was not too hard on Gallo, but it did hurt other vintners badly. These other vintners generally produce only grape wines and thus would have been justified in raising prices because of the increased costs, but they could not do so because of competition from Gallo. These other vintners, then, saw their profits disappear very quickly and turn to losses. This same situation developed in a number of other industries, including baking, brewer's yeast, linens, pool tables and others.

ENDLESS COMPLAINTS

The six examples described above are only a few of the many economic distortions and wasteful changes in normal business practices that the controls produced during 1972. We heard endless complaints from labor, business and consumers about their troubles, and complaints were growing in frequency and intensity as the year progressed. Moreover, these difficulties mounted despite our best efforts to maintain a flexible and equitable program, and despite the fact that farm products, interest rates, most rents, wages of low-income workers, and many other sectors of the economy were exempt altogether from the regulations.

The storm of protest over Phase 3 and the great demand that exists to move toward across-the-board price controls indicates that the freeze and Phase 2 have had a profound effect on the attitudes of the American people. It tells us that what the entire stabilization effort has done, more than anything else, is to miseducate the public to believe that controls are the way to solve the problem of inflation. That is a distressing result. To me, it is clear that a comprehensive system of rigid price and wage controls applied over an extended period would wreak havoc on the basic structure of our economy.

AN OUTRAGEOUS OFFERING: ANTIQUE DEALER PLANS TO AUCTION MONTANA INDIAN MOTHER AND CHILD SKULLS WITH SKIN AND FOOT

(Mr. MELCHER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MELCHER. Mr. Speaker, I rise in sorrow and outrage over something brought to my attention late yesterday to announce that I have called on the Attorney General of the United States to investigate and, if justified, prosecute those responsible for an advertised sale to be held in Orlando, Fla., Saturday, April 28, of a Montana Indian mother and child skull set, including skin and foot.

I have been given the April 17 issue of the "Antique Trader" published at Dubuque, Iowa. This publication contains a double-page advertisement, on pages 6 and 7, announcing an auction set for Saturday, April 28, by the Antique World, 750 South Orange Blossom Trail, Orlando, Fla., which proclaims itself one of the largest antique dealers in the world.

It announces the sale of "an important collection of Civil War, musical, Indian, Primitive, fine furniture with additions" and features as one of six photographically illustrated items for sale: "Mother and child Indian skull with skin and foot (Montana)." I hesitate to put into the RECORD the advertised names of the owners lest there be some mistake and they are done an injustice.

I have asked the Attorney General to determine if the sale can be stopped, the remains returned to Montana for decent interment if they are genuine, and to investigate whether laws against grave robbing, sepulture, interstate transportation of the loot of grave robbers, or any other statute has been violated by anyone now or previously connected with this ghoulish episode.

If the skulls are bona fide Montana Indian mother and child skulls they were probably obtained by commission of a felony.

Sections 4601–4606, title 94 of the revised Montana statutes make it a felony to "mutilate, disinter or remove from place of sepulture the dead body of any human being without authority of law" and then only for reinterment.

These should surely not be trophies of some early Indian war—the skulls of a mother and child. If they are, it is inconceivable that any human being would want to enoble the butcher who collected them by exhibiting them. Nor are they scientific specimens. They are up for sale as family treasures, antique trinkets for around the house.

It is hard for me to conceive of any person who would want, advertise or auction the remains of an American Indian, or brag that they are something special, "mother and child with skin and foot."

It is even harder for me to imagine that our society and our Government would allow this horribly repugnant act with racist overtones to go unpunished and a traffic to be permitted in the remains of human beings of minority groups to be used as household decorations.

If we do not have Federal laws prohibiting such a traffic, I shall introduce legislation as promptly as it can be prepared.

I am heartsick that such circumstances could arise in our country. I am outraged by the participation of everyone connected in any way with this grizzly, ghoulish, racist incident.

I apologize to American Indians on behalf of all the decent people of this country and assure them that if this insulting wrong can be ameliorated in any way, I intend to see it done.

Mr. Speaker, I am advised that since I first protested, the Congressman from Florida (Mr. FREY) has been in touch with the owners of the Montana mother and child Indian skulls offered for sale in an antique auction at Orlando, Fla., and that the items have been taken out of the sale and are to be turned over to Montana for appropriate disposition.

I want to express my appreciation to the Congressman from Florida for his immediate intercession in this matter. It is gratifying to me that the Antique World, which offered the items for sale as agent for the owners, immediately removed them from public offering at their sale, and that the owner has agreed to turn the items over to the custody of the State of Montana.

I have asked the Attorney General to investigate the facts in this case, which I hope will determine the place these remains originated. When that is determined, I will do anything legally possible to assist in returning the remains to their proper place of interment.

I expect to continue my effort to determine if traffic in human remains is legal in the Nation—it certainly is not in Montana—and to introduce legislation if it is necessary to put an end to any commercial sales of human remains except for scientific purposes, and then only when those remains have been acquired in a legal manner, acceptable to all persons and groups concerned.

I remain shocked by the thought that people would acquire such items as personal possessions, or traffic in them as antiques for profit, and by the racist implications of the offering that was made.

"EL PADRE" JOSEPH F. THORNING

(Mr. DERWINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DERWINSKI. Mr. Speaker, "El Padre" Joseph F. Thorning, acting chaplain on Pan American Day for 29 consecutive years, served the young people of the American Republics as director of the first Inter-American seminars in the University of San Marcos, Lima, Peru; in the National University of Mexico; and in the University of Havana, Cuba. Today, he is honorary chaplain of the Inter-American Defense College. On other occasions, he has acted with competence as an official member of Special Diplomatic Missions of the USA in South America, Central America, and the Caribbean. He is an educator who works on the world scene.

It is a great privilege to take part in Pan American Day and as a great admirer of "El Padre" Joseph F. Thorning, it is also a great pleasure.

USE OF ELECTRONIC VOTING SYSTEM

(Mr. BUTLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUTLER. Mr. Speaker, on Monday of this week, the House had before it for consideration the Economic Stabilization Act, the most important piece of legislation considered by the 93d Congress to date.

After more than 3 hours of debate, including on the rule itself, the House elected, on motion of one of its Members, to close all debate after 40 minutes.

The ensuing "40 minutes of debate," which in fact consumed nearly 3 hours of time, included consideration of 10 amendments, remarks by at least 20 Members, three votes by division, seven voice votes, and eight electronically recorded votes.

So great was the number of Members desiring to offer amendments and speak on the legislation at the time of the motion to close debate that those offering amendments were limited to a period of 100 seconds in which to explain their proposed changes.

Thus, each of the six recorded votes upon amendments to the most important legislation yet considered by the 93d Congress placed the House of Representatives of the United States in the embarrassing position of consuming more than 15 minutes in determining the fate of amendments upon which the House itself had debated for less than 2 minutes.

Although I was in the majority on each of these votes, this stringent limitation of debate, was, in my judgment, wrong in principle and an insult to the intelligence of the people we purport to govern.

If the House cannot find the time to permit at least 5 minutes of debate on every amendment, regardless of its merit, then the system itself ought to be revised.

One remedy is apparent: We can use the electronic voting system for its intended purpose; and we can spend less time in counting the votes.

We should recognize that once the membership is within the Chamber upon a quorum call, the electronic voting system does not require 15 minutes to determine the result in a rollcall vote.

Had the membership of the House remained within the Chamber on Monday afternoon at the conclusion of general debate, limiting debate under the 5-minute rule and concluding all rollcall votes within 5 minutes, instead of 15 minutes as presently required by the rules, the deliberations on the Economic Stabilization Act could have been concluded several hours earlier. Or, more to the point, it could have permitted a more thorough and intelligent discussion of the amendments being offered.

The requirement of clause 5 of rule XV of the House that "Members shall have 15 minutes—to have their votes recorded" by the electronic voting system is no longer appropriate.

Accordingly, it is my intention to introduce an appropriate resolution to amend the Rules of the House to permit a majority of the House, pursuant to resolution or motion to close debate, to further limit the amount of time for Members to have their votes recorded.

SECRETARY ROGERS' ANNUAL REPORT TO THE CONGRESS

(Mr. BUCHANAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUCHANAN. Mr. Speaker, there is a great deal being written these days about lack of cooperation and communication between the executive and legislative branches of Government. Some of this is undoubtedly correct. But I would like to take note that Secretary Rogers and the Department of State are making vigorous efforts to bridge the gap. Both sides are striving to open a new era in relations between the Department and the appropriate committees of the Congress. I have just seen the Secretary's annual report to the Congress and believe that it will make a substantial contribution to this process.

I commend the Secretary for the excellence of his report and for his leadership in moving relations between the administration and the Congress from an era of confrontation toward an era of negotiation. If such an achievement is possible between the United States and the Soviet Union, it surely must be also between the executive branch and the Congress.

The Secretary of State is assuming leadership in both movements which merits commendation. I include herewith the introduction to his report for the edification of my colleagues:

April 19, 1973.

Hon. J. William Fulbright,
Chairman, Committee on Foreign Relations, U.S. Senate.
Hon. Thomas E. Morgan,
Chairman, Committee on Foreign Affairs, House of Representatives.

Dear Mr. Chairman: Once again I am pleased to present to the Congress my annual report on United States Foreign Policy. This report provides a comprehensive record of the events and policies of 1972. In a brief introductory comment, I set forth nine major policy objectives for 1973 and a table of key indices showing the state of the world in statistics.

Previous reports have traced the development of new policies for resolving conflict and reducing world tension. The year 1972 marked a point of high achievement in our effort to free international relations from the rigidities of confrontation and the tensions of the past. 1973 will be a year of building, a year of intensive negotiations that will move us forward into the structure of peace which President Nixon has made our foremost national goal.

In my first foreign policy report I wrote that my greatest hope was to help create among Americans a new national unity and purpose in our foreign policy. Now with the major source of division within our country behind us, there is every reason to believe we all can work together to restore that common purpose.

Sincerely yours,

William P. Rogers.

1973—A Year of Building

INTRODUCTORY COMMENT BY THE SECRETARY OF STATE

1973 will be a year of building in American foreign policy—for in 1973 we will be initiating new negotiations and developing new relationships which could determine the political-economic structure of the world for the remainder of this century. As President Nixon stated in his second Inaugural Address: "We are embarking on an era that presents challenges as great as those any nation or any generation has ever faced."

We have reached this formative stage in international affairs as a result of the dramatic changes of the past year, changes due in substantial measure to innovations we began to introduce into American foreign policy four years ago.

We can take special pride in the four accomplishments of last year that are enabling us to complete the transition from the concerns of the past to the construction of a new and more peaceful international environment.

The profound transformation the United States brought about during 1972 in our relations with the People's Republic of China is opening new opportunities for an Asia at peace. A "new start" was the phrase Premier Chou En-lai used in his toast during President Nixon's first night in Peking. Today—as the first official Americans to reside in Peking since 1949 have already arrived—there is no question that a new start in our relations is being carried forward. We are particularly hopeful that progress in U.S.-Chinese relations will lead toward an improving international climate throughout Asia.

Firm foundations for a new era of cooperative efforts between the world's two powerful nations now exist in the aftermath of the Moscow Summit. A fabric of common interests and of instruments of cooperation is being created that will serve to perpetuate better relations. And agreements to limit offensive and defensive arms have been concluded that may well be viewed historically as the critical point when risks of nuclear conflict between us turned permanently downward.

The flash point of Europe's dangers for 25 years. Berlin, has been defused, and the Quadripartite Agreement has proven to be a major stimulant to favorable evolution in the European situation. Not only has the inner German agreement followed, but movement toward conferences on European security and cooperation and on mutual and balanced force reductions has been hastened as a result.

The Paris Agreement on Vietnam is bringing an end to this century's longest war. Though it is yet imperfectly observed a cease-fire has been established in Vietnam and Laos. And a framework for a peaceful environment in Indochina has been established.

1972 was thus a year of achievement in our efforts to turn away from the rigidity of confrontation and the tensions of the cold war. 1973 will be a year during which we will concentrate on forging this progress into a durable structure of peace. In doing so we shall seek to accomplish nine objectives.

First, we will cooperate with Europeans, eastern and western, in what we hope will be a decisive lowering of barriers to Europe's sense of unity—seeking to enhance mutual security through strategic arms limitations and mutual and balanced force reductions and to free the flow of people and ideas throughout the continent.

Of the many significant developments taking place in U.S.-Soviet relations, negotiations this year on a permanent and comprehensive strategic offensive arms agreement will be the single most important. A successful conclusion of those negotiations will also be of importance to Europe as a whole, further stabilizing strategic relations under which Europe derives its basic protection.

On this as on so many other issues close cooperation between us and our allies in NATO continues to be of fundamental importance. We will consult closely with them throughout the course of these negotiations to ensure that their interests are taken fully into account.

The ABM Treaty we signed last year is a major contribution to strategic stability, but it must be accompanied by a permanent agreement on offensive strategic arms. The ABM Treaty could not have been achieved until the principle of equivalence had been met to the satisfaction of both sides. There should not be one standard for defensive and another for offensive arms. Essential equivalence must be achieved in this area as well—equivalence based on the principles of comparable security and no unilateral advantage to either side. An agreement based on this approach would contribute to the maintenance of a stable U.S.-Soviet strategic relationship and enhance the security of both countries and of the entire world.

Exploratory talks have begun on a mutual and balanced reduction of forces in central Europe. Full scale negotiations are expected to begin in the fall. Reductions in the forces that have so long faced each other in central Europe would further contribute to the strengthening of peace in Europe. Our own policies have been a motivating force in these negotiations. We will pursue them to a conclusion that reduces the confrontation of forces in central Europe.

In the meantime it is important that we do not unilaterally reduce our own forces, as some have advocated, and risk in consequence both the prospect of negotiating an agreed limitation on forces in central Europe and an unbalancing of the military relationship.

Freer Relations Within Europe. Just as we will seek to reduce the confrontation that impedes cooperation, so will we endeavor to help lower the political barriers that divide Europe. In the forthcoming Conference on Security and Cooperation in Europe we are are well aware that the Soviet Union will be attaching considerable importance to the inviolability of present territorial boundaries. The Soviet Union must be equally aware of our determination that this issue not be used as a pretext for ratifying a political division of Europe.

Fortunately barriers are lessening and each state in eastern Europe is now officially seeking to improve its cooperation with western Europe. The Conference will provide an excellent opportunity to widen the framework of relationships which engage them with ourselves and their neighbors. It is of particular importance that the Conference achieve objectives agreed upon at the last meeting of NATO: closer, more open and freer relationships among all people in Europe, and a wider flow of information and ideas.

It would be erroneous to presume that widely divergent national perspectives on the range of these freedoms do not exist. But we accept General Secretary Brezhnev's recent statement that the possibilities here are "quite broad" as an expression of a welcome intent to move toward us in an area of relations where we have such deep convictions.

Relations With States of Eastern Europe. We anticipate also that significant advances will be made this year in our bilateral relations with states in eastern Europe. Since the President's visit to Romania in 1969 concrete improvements have been achieved with Romania, Poland, and Hungary in trade, in consular protection and services, in scientific and technological cooperation, and in cultural contacts. Our relations with nonaligned Yugoslavia have continued to progress.

During 1973 we hope to achieve substantial improvements with Czechoslovakia and Bulgaria. The Foreign Ministers of both countries told me at the U.N. General Assembly session last fall their governments would welcome concrete improvements. We share that desire and are responding to it. As has been the case with other states in eastern Europe the conclusion of consular conventions will be the starting point.

In Moscow last spring President Nixon and General Secretary Brezhnev pledged our countries to recognize the sovereign equality of all states, to make no claim to any special rights or advantages in world affairs, and to seek to promote conditions in which no country will be subject to outside interference in its internal affairs. Full application of these principles is central to the détente so many now desire.

Economic Relations. Both the Soviet Union and eastern European nations place commercial issues high on their agenda of bilateral interests. We also give high priority to expanding our trade with eastern Europe. During 1973 as our relations with individual countries improve we will move to normalize trade and to initiate broader trade arrangements. We have submitted and are seeking approval of legislation which will authorize the President to extend most-favored-nation treatment to the Soviet Union and to those countries of eastern Europe and elsewhere who do not now have it. Such congressional action would be consistent with the improvement in our political relations; it will be of central importance in our efforts to increase trade with the Soviet Union and eastern Europe.

The trade agreement we signed with the Soviet Union in October contemplates that U.S.-Soviet trade will triple over the 1969–71 level, rising to an aggregate amount of at least $1.5 billion. And in eastern Europe we will endeavor to increase our exports significantly.

Second, we are turning our energies to the task of helping to build what hopefully will be Asia's first period of peace in 40 years into a network of stability based on commitments to mutual noninterference, with the ultimate aim of bringing about cooperation among all of Asia's peoples.

To solidify and perpetuate the peace that has now been achieved in most of Indochina is, of course, a pressing objective to which we are devoting a maximum effort. Although a certain unsettled period is to be expected in the immediate aftermath of a cease-fire, to date we are not satisfied with implementation of the Agreement. We are scrupulously carrying out the provisions of the settlement, and we expect others to do so as well. The International Conference on Vietnam held in Paris from February 26 to March 2, 1973, was an important step in this direction. The Conference participants endorsed the Vietnam Peace Agreement, pledged to observe its terms and support its full implementation, and to associate themselves with the peacekeeping process. They also agreed to respect the independence and sovereignty of Cambodia and Laos with a view to help bring durable peace to those countries as well.

Our wider objective and hope is that with this peace all Asians can be freed from the bitterness of past confrontation so that they may concentrate on building and renewing cooperative relationships throughout the area. The United States supports and will continue to support efforts of Asian and Pacific nations to develop and expand regional cooperation.

At the same time America's role in Asia must remain strong and active. Continued American engagement in Asia is mandated not only by the volume of our current economic and political interests (our total trade with Asia now equals 85 percent of our trade with western Europe), but by the need to prevent a recurrence of the conditions that brought America into warfare in Asia three times within one generation.

The growing rapproachment in Asia, including of course our own and Japan's with China, will contribute to achieving stability throughout the continent. We take seriously the mutual commitment which the People's Republic of China and we made in the Shanghai Communique that each of us would eschew and oppose attempts by anyone to impose hegemony in the Asia-Pacific region. Scrupulous adherence to this principle can be the building block from which more normal relations can be constructed throughout the area.

U.S.-P.R.C. Relations. In our bilateral relations with China we will work thoughtfully and energetically to ensure that last year's initial improvements prosper and expand during 1973. The establishment of liaison offices in our respective capitals, the agreement already reached on further cultural exchange, and the progress anticipated in economic relations will all contribute to further development of normal relations. In Paris last month I was able to reach agreement in principle on the issues of U.S. private claims against the P.R.C. and frozen Chinese assets in the United States. We expect our trade in 1973 to increase significantly. We will urge that larger numbers of Chinese be sent to the United States as well as encourage an increase in the number of Americans going to China.

Reconstruction in Indochina. 1973 must also be the year when the nations of Indochina shift decisively from the concerns of war to the tasks of reconciliation and reconstruction. A reconstruction program in Indochina will not only hold out hopes of a better life to the peoples of these nations; it will be a major influence in ensuring the integrity of the peace we have agreed upon and even in altering the framework of relationships between us and North Vietnam. We look forward to a more constructive relationship with North Vietnam but neither this—nor economic assistance—will be possible unless the Vietnam Agreement is fully carried out.

We see such a reconstruction program as a fundamental aspect in our effort to extend the accomplishments of the peace agreement into broad stability throughout Southeast Asia and to Asia as a whole. We will be devoting particularly close attention this spring to ensuring that we have the means and capability of pursuing this policy to a successful completion. The program will and should be one in which other nations—notably Japan and members of the European Community—also make an important contribution. We will consult closely with Congress on this program.

South Asia. For historical and cultural reasons Americans—and many Asians—tend to think of Asia in far eastern and Pacific terms. But the continent-wide stability and cooperation we seek to bring about cannot be complete without the participation of the nations of South Asia.

The United States seeks a close relationship with each of the nations in South Asia. Pakistan, Bangladesh, and India will all have an important influence and effect upon Asian stability.

We will continue our strong support for the viability and cohesion of Pakistan because of our longstanding relationship and because of its importance to the stability of the entire region. Our support for the efforts of the new government of Bangladesh to place the nation on a firm foundation of stability and progress will continue. In recent months, India has expressed a desire to improve relations with the United States. We reciprocate that desire. We will look to India, as South Asia's largest nation, to play a leading role in building a climate for peace in South Asia which will contribute to peace throughout the continent.

Third, in the Middle East, the only remaining area of chronic conflict in the world where no negotiations are in progress, we will actively encourage the parties to initiate, during 1973, a genuine negotiating process.

Some people claim that the conflict between Israel and the Arabs, which has now lasted in chronic or acute stages for 25 years, is impossible to resolve.

Yet it has already proven possible to make progress through negotiation in other areas of passionate differences: in South and North Korea, South and North Vietnam, Pakistan and India, West and East Germany.

New prospects for an improved quality of life before all peoples of the Middle East which could bring about a national and human resurgence when a just peace releases energies from preoccupation with the past.

And the relaxation of tensions between the major powers, the continuing quest for a peaceful settlement in many countries of the area, and the maintenance of military calm make 1973 a favorable time for the process to get underway.

We know of no other way to arrive at the mutual clarifications of national interests necessary for progress toward peace than to engage, whether directly or indirectly, in negotiation. Outside forces cannot impose a settlement. We see no prospect for any other external means of narrowing differences.

For many months we have sought in the Middle East to convey one fundamental point: that agreement to negotiation requires no change of objectives but only a thoughtful approach to the possibility of mutually advantageous accommodation. That is the process that has taken place to the common benefit of peoples elsewhere—a process we ourselves have benefited from in Vietnam. It is a process that would also benefit the peoples in the Middle East—Palestinian, Israeli, and the peoples in the Arab states concerned. It is in such a process, and not in nihilistic terrorism of the kind that took the lives of two of our finest diplomats in Khartoum, that hope for a better future lies.

If, as a first step, negotiations on an interim Suez Canal agreement can be brought about and pursued to successful implementation, as we believe possible, the result would: reinforce the cease-fire, separate the military forces of the two sides, result in partial Israeli withdrawal, open the Suez Canal to international commerce, and, most importantly, create momentum toward a permanent settlement based on U.N. Resolution 242.

I have placed such emphasis upon an interim agreement (not as an end in itself but as a step toward final agreement) because of our continuing judgment that it is there where the issues are most susceptible to successful results. We continue, of course, to be open to any ideas the parties may suggest. We do not, however, view an interim agreement as an end in itself and recognize the relationship between any first step toward peace and the broader context of a final Arab-Israeli settlement. As recent visits to Washington by King Hussein, President Sadat's emissary Mr. Ismail, and Prime Minister Meir have emphasized, we remain in close consultation with the governments most intimately concerned.

Fourth, we will work to deepen our community of interest with the states of Latin America on global as well as hemispheric issues, supporting in particular the expanding roles so many Latin American states are assuming in world affairs.

The community which the two American continents have created is a community of broadly shared objectives, underlying mutual interests, geographic association, and significant intellectual, political, and security ties. It is, as well, a community of economic cooperation: some 38 percent of Latin America's total foreign trade is with the United States; Mexico is a trading partner of the United States on the level of France and Italy; and over half of U.S. private investment in the developing world is in Latin America.

At the same time we live in a period when isolation of the hemisphere has disappeared and when Latin America's involvement in an interdependent world is rapidly accelerating. Its foreign trade with Europe and Japan is now slightly higher than that with the United States. Mexico's established role in international affairs has for many years been an outstanding one. More recently continental-sized Brazil has sought a global role commensurate with its rapidly expanding strength. Other states, small as well as large, have contributed to the success of multilateralism in the United Nations and elsewhere.

Both they and we are now looking upon our community in new ways—upon the collective contributions that can be made by the states of this hemisphere in world as well as hemispheric affairs. All of us will benefit from this wider role, for despite vicissitudes the contributions we individually make will largely complement one another. We intend, in fact, to work with the countries within this hemisphere in much the same pragmatic atmosphere of equality and cooperation and in the same global context as we do with those in the other community with which we are closely associated—western Europe.

But cooperation in global matters cannot be isolated from the health of our hemispheric association. I hope we will be able to bring about a franker and more useful exchange of views through instituting private consultations among Foreign Ministers at the start of OAS sessions. The opportunity to exchange opinions informally would be a valuable contribution to improving cooperation and understanding. It would, for example, give us an opportunity to share views on world political developments and to ascertain how we can work together on such matters as the forthcoming trade negotiations.

We do not expect to eliminate differences of opinion and approach. But if our association is to realize its potential for mutual benefit, indeed if it is to avoid becoming a format for sterile recrimination, we and our neighbors will have to build upon areas of mutual interest and to resolve those conflicts which exist.

I recently told the Foreign Ministers of the Organization of American States that with the progress that has been made toward a more peaceful world we are now in a position to give our relations with Latin America more consistent attention. I will participate personally in this effort and will soon fulfill my longstanding desire to visit Latin America.

As part of our increased effort we are now seeking approval of the generalized preference legislation we felt it necessary to defer in 1972. And Latin America will continue to be the recipient of substantial assistance—aid which totaled $1.2 billion in 1972. But it is through trade, private investment, and the normal course of international economic relations that the largest share of cooperation in development for the hemisphere has always come and always will come. That is one of the reasons why it is important for countries who desire investment to apply stable rules upon which investors can count. And that is why we are approaching all economic cooperation with the developing world from a comprehensive, not merely an assistance policy approach.

Fifth, we will continue to broaden our natural cultural and political relationship with Africa by strengthening our economic ties, in particular by accelerating the growth in trade and investment already taking place under policies we adopted in 1970.

In the last three years U.S. trade with Africa has risen by 30 percent and our investments by 50 percent. The still relatively modest dollar levels of these relations ($3 billion in trade and $4 billion in investment) can be significantly expanded.

Increased African production of raw materials and energy resources to meet the growing needs of industrialized societies will account for much of the increase of our imports and simultaneously provide opportunities for mutually beneficial investment. Nigeria and Libya, negligible oil producers in 1960, now rank seventh and ninth in world production. Natural gas from Algeria—whose reserves are among the highest in the world—has recently begun to arrive in U.S. ports. And Guinea ranks with Australia in possessing bauxite reserves almost 100 times those of the United States.

For the first time in many years, and in spite of promotional efforts, U.S. exports to Africa declined in 1972. There are, nonetheless, good opportunities for expanding our exports to Africa's rapidly developing markets. We intend to pursue them.

As the first Secretary of State to visit Africa, I know from my own experience how highly African states are motivated to develop their economic resources and their standards of living. We will contribute to that process both through grant and loan assistance and through the expansion of our normal economic contacts, a process of increasing contact and cooperation we expect to lead to more soundly based political relations as well.

In Nigeria, American investments now total $800 million. Dynamic and well on the way to recovery from its civil war, Nigeria is one of those leadership countries in Africa and in world affairs with which we anticipate continued increases in consultation and cooperation.

In focusing upon the growth of economic ties we imply no dilution of American support for self-determination in those parts of Africa which have not yet had the opportunity to choose their own future. We will continue to encourage productive diplomatic means—such as Secretary General Waldheim's initiatives of last year—to give the peoples of southern Africa the same choice as to their future that the bulk of the continent has already experienced.

Sixth, we will endeavor both to restore our international economic position and to reach agreement on principles to govern an expanding international trade and monetary system.

In both previous reports on foreign policy I emphasized our expectation that economic relations will assume major importance in our foreign policy over the rest of this century. Economic policy increasingly occupies our time at all levels of government at home and of our diplomacy abroad. With the cessation of the war in Southeast Asia and the improvement of relations with China and the Soviet Union, economic policy will be particularly prominent in 1973.

We will, as a matter of urgency, be seeking (1) to improve the ability of American workers and businessmen to compete in world markets and (2) to restructure the international economic system so that the unprecedented growth of the world economy of recent years can be extended into the future.

The American economy remains by far the largest and most productive economy in the world. We must not let our concern over current problems obscure that basic strength. But obstructive trade barriers continue to distort the smooth and equitable growth of world trade. The world economy will benefit by the removal of such obstacles, as will the United States.

The currency realignments of 1971 and 1973 will be major steps in making it possible to restore our trading position. But monetary steps must now be supplemented by elimination of previously tolerated trading practices and restrictions that put extra burdens upon the dollar or upon the American exporter or investor. Changes are particularly necessary to make our access to Japanese markets more equivalent to their access to ours. They also are needed in Europe, where in the course of enlargement of the Common Market some obstacles to U.S. exports have been extended more widely, especially in agriculture, and where our trade account went into deficit in 1972 for the first time.

Accordingly we will be negotiating compensation in the GATT for impairment of trade interests which resulted from the enlargement of the European Community and from its special arrangements with other European countries. We will continue to press the Community to ease its restrictions on agricultural trade and to eliminate reverse preferences for Community exports. We will work with Japan for an early reduction or elimination of import quotas and tariffs, improved access to the Japanese market for U.S. investors and businessmen, and increased Japanese Government purchases of American products.

Our economic health is increasingly linked to that of the world's long-run economic health. Consequently we also will be pressing this year for basic reform of the international monetary and trade systems.

Monetary Reform. The broad principles of monetary reform which we wish to see adopted by the IMF Board of Governors this September were set forth by Secretary of the Treasury Shultz at the annual meeting of the International Monetary Fund last September. At the March 16 meeting of the Ministers of the Group of Ten countries and the European Community agreement was reached on measures to ensure maintenance of an orderly exchange rate system while the effort to reform the international monetary system is pressed ahead. This is a positive and encouraging result.

While considerable time is required before exchange rate changes can alter the balance of payments, we are satisfied that if acceptable trade arrangements can also be made we will soon move toward sustainable equilibrium in our payments position. But a sense of urgency in the current negotiations within the IMF's Committee of Twenty is now necessary so that the favorable effect of the devaluations of the dollar can be realized and a stable system created. We hope that the Committee would be able to report agreement on broad principles of reform by the time of the annual meeting of the IMF in Nairobi this fall.

Trade Negotiations. While the monetary talks proceed, the first session of related negotiations on trade will open this September under the General Agreement on Tariffs and Trade.

The Administration has submitted to the Congress a request for the comprehensive negotiating authority we consider necessary to attack agricultural as well as industrial restrictions and nontariff as well as tariff barriers. In these negotiations we will insist that American products be given fair and reasonable treatment.

The authority which the President is seeking to raise tariffs in particular cases is designed to achieve that purpose, not to bring about increased barriers to trade. In fact our objective is quite the opposite. For the past quarter century international trade has increased at a more rapid rate than world production, providing an essential stimulus to the most rapid global economic growth in man's history. The reduction of barriers to trade made this contribution possible. It must be continued.

During the trade negotiations we will, in particular, seek approval on these principal approaches:

That tariff barriers on both industrial and agricultural goods should be reciprocally reduced to the point where they form no appreciable impediment to the flow or direction of international trade.

That nontariff restraints should be reduced over a moderate period of time and that remaining restrictions should be regulated under international agreement.

That trade should continue to be organized on a global basis, not on the basis of trading blocs, and that reverse preferences favoring particular groups of developed countries should be removed.

That particular account should be taken of the need to find solutions to the problems of developing countries.

That an internationally supervised system of safeguards should be agreed upon to give industries adversely affected by shifting trade patterns time to adjust.

Neither the negotiations on trade nor on monetary matters will be completed in 1973. But success in establishing agreement on such basic principles will go far toward building tomorrow's economic system.

Seventh, we intend to employ our economic policies more comprehensively than in the past to support the efforts of developing countries to accelerate their per capita rate of economic growth beyond current levels.

If the forthcoming trade negotiations are successful, the poorer nations of the world will benefit fully as much as the developed world. But neither trade nor assistance, developed nor developing nations' policies, investment nor nationalization, nor other separate efforts will suffice for dealing with what may well be the most important but difficult requirement of the next quarter century—that of escalating the economic growth rate of the developing world.

Despite the high priority given to economic growth in most of the poorer nations, two decades of international assistance, and decisive breakthroughs in several states, the overall per capita growth rate in the developing world has only reached that of the industrialized countries in the past two years. Even with that accomplished, the fact remains that a 3 percent per capita growth rate in a country like India produces an annual income increase of only $3 while in the United States it produces $120. Thus no end is in sight in the increasing disparity between income levels of developing and developed nations. And within the developing countries, the benefits of modernization have been unevenly distributed, causing internal social and political problems.

We must collectively seek to narrow these disparities lest North-South dissension replace the receding East-West conflict. We therefore intend to pursue a comprehensive policy designed to help stimulate social and economic progress, particularly higher rates of per capita economic growth, in the developing world—a policy not of aid alone but employing a wide variety of economic relationships, a policy involving coordination with other developed countries and requiring principal efforts from the developing countries themselves. We will pursue it in recognition of the fact that just as the developing nations need access to the capital and cooperation of the developed countries, so will we increasingly need their cooperation and access to what they can produce. The rapidly burgeoning needs of the industrialized world for energy and raw material resources offer new trade possibilities that will both augment production and foreign exchange earnings in the developing world.

I have asked the new Under Secretary of State for Economic Affairs, William Casey, to give special attention to this matter, Mr. Casey will be using the full resources of the Department and the government to coordinate the use of such elements as restraints on population growth, international investment, trade expansion, preferences, multilateral institutions, grant and loan assistance, and debt relief in support of this purpose.

Eighth, we will seek during 1973 both to strengthen the economic and political relationship among the world's industrialized, democratic countries and to create associations among us which will be more global in scope and more regular in nature than has previously been the case.

During 1973 we will be engaged in important separate consultations with the European Community, Japan, and other key friends. But bilateral approaches are no longer sufficient to handle the growing agenda of common political and economic concerns. A substantially higher level of worldwide coordination and cooperation is required among Japan, Canada, western Europe, Australia, New Zealand, and the United States if we are to solve common trade and monetary problems, continue the rapid expansion of the world's economy, and assist in the growth of the developing world. It is through wider cooperation also that we can best contribute our complementary strengths and common ideals toward building a politically sounder world.

We are one another's best trading partners and one another's most significant competitors. Our governments derive their authority from the freely expressed consent of their citizens. Our people share a common desire for an open and peaceful world. No longer can any of us satisfactorily think solely in Asian terms, in European terms, or in North American terms. For the health and strength of us all we must think and act in terms of us all.

One way in which this can be approached will be through enhanced cooperation in the Organization for Economic Cooperation and Development, the one organization whose membership is closely linked to these states. Last year the Executive Committee of the OECD was transformed into a high-level policy forum for consultations on the entire spectrum of our economic relationships.

We would like the new high-level policy forum to address the interrelationship of all aspects of economic policies—domestic and international—and their impact upon the total economic system. We believe the OECD should be a center for coordination of the more comprehensive development policies we consider necessary. And we would like to see it continue to be involved in an area it has only recently begun to deal with—international investment, including the role of the multinational corporation.

At OECD Ministerial meetings we plan to continue our policy of including a senior State Department representative in our delegation. We hope that the OECD may increasingly become a forum for broad cooperation beyond the technical items on specific agendas.

The presence of Foreign Ministers at the United Nations General Assembly each year also provides a further opportunity for coordination at the policy level. I have found the various meetings I have each year with NATO Foreign Ministers, Australia, New Zealand and Japan to be highly useful. An occasional opportunity for Foreign Ministers from these countries to exchange views collectively should improve coordination on the many matters that now affect us all. I hope we will able to find time for such an exchange this fall.

We will of course be consulting with our friends about these ideas, as they may have other suggestions for strengthening our relationship.

European Community. The enlargement of the European Community and the consequent strengthening of western Europe's economic capabilities assure that 1973 will be a year of special attention to relations between the European Community and the United States.

We hope to be able to build such lasting ties that our relations with the Community will in time become a solid pillar of U.S.-European association such as we already have in NATO. To achieve this however we must overcome a number of economic differences arising out of the changes in Europe and out of our balance-of-payments situation. Western European as a whole now produces three-quarters as much as we do, and it has a greater share of world trade. We will accordingly be looking to them to assume a more equal share of common responsibilities.

Japan. We will also be engaged during 1973 in reinforcing our long-range political and economic association with Japan, an association as important to us across the Pacific as is our relationship with western Europe across the Atlantic.

Last September Prime Minister Tanaka and President Nixon concurred that strengthening of our close ties would be "an important factor for peace and stability in the evolving world situation." The solidity of these ties will be of particular importance as we each proceed to build closer relations with China and the Soviet Union.

A major correction in the trade imbalance between us ($4.2 billion in 1972—two-thirds of our overall trade deficit) understandably has high priority. Japan has accepted this correction as being one of its top priority tasks. We welcome its intention to lower tariffs and to promote import and capital liberalization, its decision to permit the yen to appreciate in the exchange market, and its stated desire to achieve an external equilibrium within the next two or three years.

Canada. Our attention has understandably been drawn most recently to the changes in western Europe and to Japan's dramatic growth. But it is Canada which will remain our largest single trading partner and the major locus of private American investment. We hope to examine with Canada such areas as automotive trade and defense procurement to assure that benefits from our close trading ties are fully shared. And we intend to engage in more intense and varied cooperation with Canada to meet the environmental and energy problems of North America, in particular in carrying out the purposes of the Great Lakes Water Quality Agreement of 1972.

The next few years will be a time of testing of our bonds with all the industrialized, democratic nations as we work toward new relationships based on current security, economic and political imperatives. The adjustment will be neither simple nor painless. But we approach this adjustment with the confidence that it can lead to an era of cooperation bountiful for all our peoples.

Ninth, we will press forward toward building a world of multilateral cooperation and orderly relations under law, giving special attention in 1973 to preliminary agreement in the United Nations on a global law of the sea that will transform the oceans from an area of growing conflict into a source of growing wealth and cooperation.

In many concrete ways we are seeking to strengthen the contribution of multilateral institutions—in particular of the United Nations agencies—in creating a more cooperative and better regulated international community. Of substantial importance in the extension of such cooperation will be the first session of the U.N. Conference on the Law of the Sea, which will open this fall in New York following two years of preparatory work. That meeting will set into process an international negotiation in whose success all nations have an important stake.

The international communication made possible by the freedom of the seas and the potential resources that the seas contain in energy, food and raw materials are too important to permit the oceans to become centers of conflict. Yet the varying interests of coastal states in security and of naval powers in freedom of navigation, of coastal states in their adjacent resources and of the world community in the resources of the deep sea will produce just such conflicts unless we all accommodate for our long-range advantage.

That is why we are striving to reach early agreement on a comprehensive legal regime for the seas. Negotiation of a treaty will require most of 1974, but we will urge that this fall's opening session concur upon the objectives of:

A maximum breadth of 12 miles for the territorial sea;

Free transit through and over straits used for international navigation;

Broad coastal state economic jurisdiction over mineral and fisheries resources in areas adjacent to the territorial sea, tempered by international standards which will protect legitimate interests of other states;

An international regime including machinery to authorize the exploration and exploitation of the deep seabed under agreed regulations;

Standards and controls to protect the marine environment from pollution; and

An agreed regime which would promote marine scientific research.

Narcotics and Terrorism. A deeper commitment to orderly relations under laws is also urgently required in the campaign to outlaw hijackers and drug smugglers. As Chairman of the Cabinet Committees on International Terrorism and International Narcotics Control, I will continue during 1973 to pursue our war against these two threats to a more civilized world.

In 1972 we developed comprehensive antinarcotics plans with each of the 59 nations involved in production, consumption or transshipment of illicit hard drugs. During 1973 we will translate these plans into action. With the movement toward eliminating Turkey as a source of opium well underway and with progress developing in Southeast Asia, we will especially concentrate upon interdiction of the drug traffic. Enforcement and improved intelligence are our two top priorities. We are obtaining increased cooperation from other countries in both areas. Our programs have already caused shortages of heroin within the United States, hindering the recruitment of new addicts, and hopefully driving many existing addicts into treatment. In 1973 we intend to intensify this pressure.

The international community's response to the narcotic issue has been gratifying. But its response to initiatives to suppress hijacking and terrorism has been disappointing, even shortsighted. An atmosphere not sufficiently hostile to assaults upon civilized comity among nations, such as the recent slaughter of two American and a Belgian diplomat in the Sudan, must be changed. Although 63 airliners from 24 countries were hijacked and 245 passengers were killed or wounded in 1972, most nations of the world have so far been unwilling to take meaningful new action on hijacking or terrorism either at the United Nations or in the International Civil Aviation Organization.

On the bilateral front we have been more successful due to the agreement with Cuba on the extradition or punishment of hijackers. We hope to reach similar agreements with other countries, particularly in northern Africa.

We will also press again at the ICAO Conference this August for a new international convention to prevent safe havens for hijackers. At the very minimum we will expect the Assembly to establish international machinery to make investigations and recommendations in hijacking or sabotage cases.

If there was any doubt that international treaties should be adopted to provide for the protection of diplomats and for the extradition or punishment of persons who kill, seriously injure or kidnap innocent persons in a foreign state for political purposes, this year's outrages should terminate it. We will pursue the latter treaty vigorously in the U.N. *ad hoc* committee on terrorism scheduled to meet this summer. And we believe the United Nations should complete the treaty on protection of diplomats at this fall's General Assembly.

This introduction can only hope to outline the most important of the Administration's foreign policy objectives. I have elaborated here upon those which collectively give 1973 the characteristic of a year of building—the building of relations and institutions that could determine the course of the rest of the century. Given the President's strong interest and leadership in this effort, we have every reason to expect that further substantial progress toward lasting peace and cooperation will be made in the coming year.

It is now commonplace to hear that there are no more dramatic accomplishments possible in foreign affairs. I do not agree. 1973 can be a dramatic year—not in breaking old patterns but in building new ones, a year when we begin to erect the framework for a generation of peace.

But 1973 will be just beginning. The road ahead will be as difficult and dangerous as it will be promising. It will require the continued perseverance and engagement of this great nation. That is why our foreign policy must continue to be a policy of engagement—engagement with adversaries in building cooperation, engagement with allies on a basis of shared values and interests, engagement with developing nations in the effort to raise the living standards of their people.

For many years the economic and political health of the world has been heavily affected by the state of the American society. Now our condition increasingly is affected by the welfare of others. The degree of interdependence among nations and many of the principal trends of international affairs are succinctly evident in the statistical indicators of the state of the world I have appended to this introduction. In concise terms they illustrate both the necessity of our engagement in the world and the nature of many of the issues the world must still face.

In my first foreign policy report, I expressed the hope that we could fashion a foreign policy which would overcome the deep and destructive divisions within this country and restore a sense of common purpose in America's approach to world affairs. Today the obstacles to such a common purpose have been overcome, and we have found a new self-confidence, devoid both of arrogance and of destructive self-doubts. The foreign policy objectives we are setting forth are moderate and constructive ones. It will be my earnest endeavor so to carry them out that the Administration and the Congress, the leadership of both parties, the government and the citizenry can again move forward harmoniously in their support. With such cooperation 1973 will be a year of substantial progress toward the more peaceful and prosperous world we all desire.

THE STATE OF THE WORLD IN STATISTICS

	1960	1965	1970
I. Human welfare:			
Gross world product (billions of 1971 dollars)	2,214	2,852	3,673
World product per capita (1971 dollars)	730	853	1,003
GWP growth rate (percent)	4.9	5.2	5.2
Population (billions)	3	3.3	3.7
Population growth rate (percent)	1.7	1.8	1.8
Infant mortality (percent)	11	10	9
Literacy (percent)	48	56	64
II. Interdependence:			
World energy imported (percent)	21	27	30
World product exported (percent)	8.7	8.9	9.7
Industrial product exported (percent)	12.7	13.6	18.5
International mail (billions of items)	4.5	7.1	13.0
International travel (millions)	102	135	178
International travel/world population (percent)	3.1	4.1	4.8
III. Military:			
Men under arms (millions)	19	21	23
Men under arms/population (per thousand)	6.3	6.3	6.4
Military expenditures/GWP (percent)	7.6	6.8	6.5

EXCESSES IN THE DOMESTIC BUDGET

(Mr. REES asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. REES. Mr. Speaker, at a time when the administration is bemoaning so-called excesses in the domestic budget, and is acting on those "excesses" by cutting the life out of programs which are essential to millions of lower-income Americans, I think it is fitting that we also examine waste in our defense budget.

The administration's facilities realinement announced April 16 by the Department of Defense confirms the conclusions reached in an article appearing in the April 1 issue of the Americans for Democratic Action legislative newsletter. The study points out that the Defense Department has employed nearly 10 times as many civilians as the Department of Health, Education, and Welfare.

While I applaud the reduction in nonessential personnel, I fear that the President's deep cutbacks in domestic programs will prevent the easy transference of manpower from a wartime to a socially oriented peacetime economy. The article which I am inserting in the Congressional Record supports the intentions of those who attempt to tell the American people that a lowering of the defense budget is not synonymous with an endangering of national security.

THE PUBLIC HAS BEEN MISLED ON INDOCHINA

(Mr. DELLUMS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DELLUMS. Mr. Speaker, President Nixon has long claimed that he would pull the rug out from under his critics on the Indochina war. He has asked that they publicly apologize to him, since he has now achieved "peace with honor."

But I ask the President to publicly apologize to the American people, for, as anyone who reads the paper knows, we have neither peace nor honor in Indochina. The Paris agreements did not end our involvement—the Vietnam era is not in the past—no political objectives beyond brutal destruction were achieved. The cease-fire in Vietnam did not "break down"—it never existed. The famous end to the war was a public relations creation.

I do not seriously expect an apology. But I do expect we will learn from past mistakes and not try to cover up manifest failure by bombing our way to even greater failure. We no longer have even the shred of an excuse for our continued bombing in Cambodia—no troops to protect, no POW's to bring home, nothing but, perhaps, the feeling that it would not be America if we were not bombing somebody somewhere. War and dishonor need not be synonymous with our country, if we can stop the small elitist minority from playing their games with people's lives.

One step toward ending the bombing would be to pass legislation controlling the war powers of the President, so that the President can no longer involve us without full public discussion and awareness. But I warn you that war-powers legislation is no panacea.

I do not think we are better off when the President condescends to let a few top Congressmen in on the secret a few hours before it is made public. No amount of congressional bluster about constitutional principles will do us any good unless Congressmen have the humanity to realize the tragedy of what we are doing in Indochina, and the guts to stand up to the President and stop him.

CONGRESSMAN GUDE LEADOFF WITNESS AT HEARINGS ON ECONOMIC STABILIZATION PROGRAM

(Mr. REES asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. REES. Mr. Speaker, during the past several months, we have witnessed a swirling controversy regarding the rising cost of living. With the crescendo of noise and recriminations between wholesalers, retailers, farmers, and landlords regarding who, if anyone, is to be blamed for rising prices, I believe the true victim of this situation is not being heard. I refer to the American consumer, to the person who in the face of steadily mounting costs sees his wage and salary increases measured by a more restrictive standard.

The Banking and Currency Committee, of which I am a member, has held extensive hearings on this important issue in an effort to develop a solution which will offer relief to the American consumer. Our study of the problems of inflation, particularly those relating to food and rent, was greatly assisted by the testimony of my distinguished colleague from Maryland (Mr. Gude). As a leading expert in these areas and as a sponsor of remedial legislation, Mr. Gude was the leadoff witness at the committee's hearings on the economic stabilization program. His detailed comments outlining the parameters of the problem and the potential solutions was of great value to each member of the committee.

Nor did my colleague's leadership in this area end with his testimony. His consistent support for a strong bill which would protect the consumer was greatly appreciated by myself, other members of the committee, and by all those persons who have suffered the ill effects of inflation. There were numerous amendments offered to the committee bill. While neither I nor my colleague from Maryland were in complete agreement with every line of the bill, Mr. Gude was steadfast in his support of all those amendments which would improve the bill and provide protection for the citizens of this Nation. As a resident of his District during the congressional session and as a member of the Banking and Currency Committee, I commend Mr. Gude for his leadership in this area.

LAREDO ROTC DRILL TEAM

(Mr. KAZEN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. KAZEN. Mr. Speaker, I am proud to call the attention of my colleagues to the magnificent performance of a combined high school ROTC drill team from Nixon and Martin High Schools in Laredo. In the 6 years of the competition, held in Washington each spring at Georgetown University, no team has ever swept the men's events. But the Laredo Baldies have done just that this year.

They won the male platoon competition, the male squad event, and Cadet Sgt. Jose Juarez won the individual championship. In this national competition, Laredo took all three first-place trophies.

For these young men, their families, and their schools, I express thanks to the Spraker Rifles drill team of Georgetown University which in 6 years has built this competition from a local to a national event. Participation is a splendid experience for the young men and women who come to the Nation's Capital, but competitive victory is always especially gratifying. My home city proclaims its pride in this combined team from two high schools, trained by 1st Lt. Javier Montemayor, Sfc. Miguel A. Saenz, and Sfc. Roberto Flores.

The young men who are the national champions are the following:

Nixon High School: Juan Manuel Alonzo, Luis Rena, Jesus Cantu, Renaldo Sanchez, Jose Sergio Caballero, Hector Huerta, Jesus Garza, Jose Garza, Hilario Gonzales, Jose Juarez, Juan Rodriguez, Mario Dominguez, Gerardo Valdez, Victor Mendoza, Eduardo Sanchez, Carlos Rubio, Jose Hinojosa, and Alvarez Ramiro.

Martin High School: Oscar Benavides, Humberto de Hoyos, Juan de la Rosa, Jose Delgado, Julis Delgado, Jose L. Garcia, Raul Garcia, Ramiro Garza, Daniel Gomez, Jesus Gonzales, Pablo Garza, Juan Gaona, Vincent Gonzalez, Daniel Holguin, Luis Mata, Jose Moreno, Martin Moreno, Javier Bompa, George Pompa, Rene Rayos, Jose Romero, Herardo Rodriguez, Javier Villasenior, and Ricardo Guerrero.

These are outstanding young men, a credit to our community and our country. Their national championship gives them added reason to stand tall.

THE PUBLIC HEALTH ACT OF 1973

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. Rogers) is recognized for 15 minutes.

Mr. ROGERS. Mr. Speaker, today, I, and nine of the 10 other members of the Subcommittee on Public Health and Environment (Mr. Satterfield, Mr. Kyros, Mr. Preyer, Mr. Symington, Mr. Roy, Mr. Carter, Mr. Hastings, Mr. Heinz, and Mr. Hudnut), and our distinguished full committee chairman, Mr. Staggers, are introducing the Public Health Act of 1973. This is the first of what will be a series of bills proposed by members of the subcommittee which would substantially revise and extend the existing authority encompassed in the 11 existing titles of the Public Health Service Act, including the 12 authorities which expire at the end of this fiscal year. I expect that the subcommittee will conduct hearings on this bill shortly after the Easter recess.

I want to emphasize that this is a bipartisan action by members of the subcommittee. For as long as I have served on our subcommittee, it has been bipartisan and I intend to do all I can to insure that this subcommittee continues to act in a bipartisan manner.

Mr. Speaker, each of the 12 expiring authorities in the health field deserves thorough review and scrutiny by the Congress. Many of the programs fostered by these authorities have admirably performed the purposes for which they were intended; some of these should be continued, perhaps some should be revised. If any of the programs have not done the job for which they were intended, then these programs must either be revised or terminated.

Health, Education, and Welfare Secretary Weinberger has urged the subcommittee to adopt this approach. During hearings on March 29, 1973, the Secretary testified:

> We would encourage any effort to scrutinize, rationalize and consolidate the existing myriad of health authorities with which this department now deals. ... Our position is that the time has come for a hard-nosed assessment of what is working and what is not, of what has achieved its original goal and should now be returned to states and localities, and what still needs Federal direction and nourishment. We are asking you to address these questions with us.

Unfortunately, Mr. Speaker, despite rhetoric about looking closely at these programs, it is clear that the Department of Health, Education, and Welfare, probably as a result of intervention by the Office of Management and Budget, has developed an unenlightened chopping approach which does not seek a cautious review of these programs with recommendations to the Congress.

In its budget requests and during hearings before our subcommittee, HEW has proposed extensions of five of the expiring authorities with virtually no revision. These are health services research and development, health statistics, medical libraries, developmental disabilities and comprehensive health planning. It also proposes that two of the programs—migrant health and family planning—not be extended but instead be funded under existing broad general authorities of the Public Health Service Act, thus obviating congressional directives for these programs. It proposes the termination of five programs—allied health training, public health training, community mental health centers, regional medical programs and Hill-Burton hospital construction and modernization. This "up or down" approach is not a responsible solution.

If it is not responsible to propose complete termination of the Hill-Burton program instead of a thorough review of what portions of this 26-year-old law deserve extension and what portions deserve termination. Likewise, it is not responsible to propose a simple extension of comprehensive health planning program, a program which has gained extensive experience since its last revision 3 years ago.

In short, Mr. Speaker, apparently only the Congress will conduct this much needed intensive review, a responsibility which our subcommittee has undertaken gladly but not lightly.

This first bill has three main purposes. Title I revises and extends the authority of HEW to undertake programs in health services research and development, and health statistics. This broad authority has been abused in the past. We are recommending that limitations be placed on these authorities with respect to the number of projects which may be undertaken and the amount of money which may be spent without first advising the Congress.

Title II of the bill revises the authorities for assistance to medical libraries. This revision follows most of the rather minor recommendations contained in a bill submitted by HEW to the Speaker earlier this month.

Title III of the bill constitutes a complete restructuring of the Public Health Service Act, a task which has not received attention since 1944. I want to emphasize that this title is not an attempt to rewrite the act, but only restructures it to place its authorities in a more rational perspective. For example, all of the manpower training authorities—previously scattered throughout the act—are placed in a new title.

It is intended that in reviewing these authorities as they expire, we will write them so that all authorities within each title ultimately will expire at the same time. Using manpower training again as an example, we hope not only to combine all of these authorities into one title but also to give manpower training authorities a common expiration date. By thus forcing a review of all similar authorities at the same time, we can insure that overlap and duplication will be eliminated.

Many essentially similar programs are scattered throughout the various agencies and divisions within HEW. I would hope that this consolidation and restructuring of the act might be followed by the Department in consolidating its programs and activities, eliminating overlap and duplication.

Title III does contain two provisions which are not merely structural revisions, Mr. Speaker. First, it reinstates the Office of Surgeon General as the head of the Commissioned Corps of the Public Health Service. Under Reorganization Plan No. 3 of 1966, the Office of the Surgeon General was stripped of all its function. Title III would reinstate only those functions relating to the Commissioned Corps, and not other functions which previously were the responsibility of the Surgeon General.

There is a second substantive revision within title III. The title repeals sections 314(e), 910(b), and 910(c) of the Public Health Service Act, three authorities which have been grossly abused in two ways by this and previous administrations. First, these authorities have been used by HEW to undertake massive projects without the consent of Congress. One recent example is the award of 110 grants and contracts to develop health maintenance organizations with full knowledge that Congress was undertaking legislative action in this area. Secondly, these authorities have been relied upon by HEW—both in this and prior administrations—to oppose programs initiated by the Congress as unnecessary because of the existence of these broad general authorities. An example of this abuse can be found in the area of communicable disease control.

Three years ago Congress extended the authority of HEW to foster programs to combat communicable diseases and enacted guidelines for these programs. Despite the existence of this law, which was signed by the President, HEW chose to fund communicable disease programs under broad general authorities, thus allowing the Department to ignore the guidelines contained in the law. This forced the Congress, in extending the Communicable Disease Act last year, to require that no funds other than those authorized in the communicable disease law developed by the Congress could be expended for such programs. This approach was the only way in which the subcommittee could insure that congressional guidelines would be followed.

HEW has engaged in similar activities with respect to other programs, family planning, for example.

This opposition to specific programs ignors the constitutional responsibilities and prerogatives of the Congress to develop guidelines for domestic programs.

In proposing the repeal of these broad sections, Mr. Speaker, the subcommittee is admonishing HEW that it is the Congress and not the executive branch that should establish programs with appropriate guidelines for migrant health, for family planning, for health maintenance organizations. The subcommittee wants HEW to have flexibility to develop research and demonstration programs, and we believe there is sufficient flexibility contained in title I of the bill. But the members of the subcommittee would remind HEW that it is the Congress which will initiate health programs, and it is the Congress that will develop guidelines for those programs.

One final point, Mr. Speaker. The subject of funding is a point to which every Member of this body is sensitive. I think that every member of our subcommittee feels that although spending should be held to a minimum, funding of programs should insure that the health needs of the people of the Nation are met. I think, too, that the members of the subcommittee feel strongly that a budget limitation should be placed by the Congress, hopefully under the levels submitted by the President. So it is not money that is the issue addressed in this bill, Mr. Speaker. The issue is whether the Congress shall write laws for development of health program in this country, or whether we leave it to the bureaucracy.

Mr. Speaker, this bill, and particularly title III, deserves a thorough scrutiny by the entire health community. Copies of a committee print which includes the bill and staff analysis will be available from the Committee on Interstate and Foreign Commerce within the next few days. I urge my colleagues and other interested persons to afford this bill's provisions careful and thorough consideration. I feel it is of vital importance to take this step to streamline the laws dealing with Federal efforts in the health field.

LEGAL SERVICES FOR THE WORKER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. Bell) is recognized for 5 minutes.

Mr. BELL. Mr. Speaker, the Congress has the opportunity to increase dramatically the availability of legal services to the American worker—and it can do so without adding a cent to the burden of the Federal Government.

I am pleased to sponsor today H.R. 77, a bill introduced by my distinguished colleague on the Education and Labor Committee, Congressman Thompson of New Jersey. This bill would open the way for a vast increase in the number of prepaid group legal services plans in effect in the United States by amending the Labor Management Relations Act of 1947 to permit employer contributions to a jointly administered trust fund for the purpose of providing legal services.

This Congress has acted wisely in the past, and will be doing so soon again, to guarantee the provision of legal services to those Americans unable to afford them. Yet there are millions of Americans, ineligible for the legal services program of the Office of Economic Opportunity, who simply cannot afford legal counsel. H.R. 77 firmly addresses this need by enabling labor and management to establish a legal services plan paid for by contributions from each side. The Labor Management Relations Act presently prohibits all such joint contributions except where specifically permitted, as in contributions to pension plans and health care programs.

American society today is such that the average citizen is forced to interact with governments, businesses, and other institutions on so complex and sophisticated a plane that legal counsel is a necessity, not a luxury. The bill I am introducing today will help assure that the "equal justice under law" of our constitutional system will be available to the American worker as well as the indigent and the wealthy.

Mr. Speaker, I ask that the Congress join organized labor and the bar in supporting this vital amendment to the Labor Management Relations Act.

AMNESTY—THE LONG TRIP HOME

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. Robison) is recognized for 15 minutes.

Mr. ROBISON of New York. Mr. Speaker, it appears that on the broader issues involved with the question of amnesty our constituents may be leading those of us in Congress. In my congressional district, for instance—I am quite sure in many others—active discussion is underway on the meaning of amnesty, the justice of its application to those who fled the Indochinese war, and its possible effects on those most directly concerned. Since the participants of these discussions are neighbors and relatives, church congregations and social organizations, the terms of conversation most often revolve around the human terms of amnesty. The feedback I receive, in my correspondence and the hometown newspapers, likewise stresses the human dimension.

I should emphasize that the letters and the newspaper articles reflect both sides of this rigidly polarized and highly emotional exchange, and perhaps I can best illustrate the nature of the discussion in my congressional district by extracting from two letters and a newspaper article which came to me about the same time.

During the first week of April one of my constituents wrote:

> I oppose amnesty for any civilians or service people who fled to foreign lands. I think these people made a decision and that's that.

A letter written from the same area, about a week earlier, said:

> I am an old lady but interested in our country. Do want to ask a great favor of you. Will you please help our boys to come home, the ones who evaded war in Vietnam. These poor young men only wanted to save their lives from that terrible conflict. Am sure not one would desert if our country was attacked. Do help them, am sure God will bless you.

A few days after these letters were written, one of the newspapers serving those two constituents included the following article titled "Draft Dodger Begins Long Trip Home":

[From the Binghamton (N.Y.) Press, Apr. 9, 1973]

Draft Dodger Begins Long Trip Home

(By Dan Hall)

Toronto, Ontario.—After three years as a draft dodger in Canada, David Brooker, 26, has returned to Rochester to face a federal indictment.

He is married to a Canadian, Debra, and the two have a year-old son, David Jr.

Brooker talks little about his life in Canada or about his reasons for coming back. Lawyers advised him not to talk much, he said.

But he did discuss some details.

"When I came here to Toronto, I came to stay. I never had much desire to go back," he said.

But there were little things that hurt. "I missed my family at home. And it hurt when my wife and baby would visit them in Rochester and I had to stay here in Toronto."

His father called in February.

He told his son that the Draft Information Center had investigated and decided young Brooker had little chance of winning in court. But he might qualify for trial under the federal Youth Corrections Act, which would mean his criminal record would be erased after he completes his sentence, they said.

"My father didn't try to talk me into it," Brooker said. "He just gave me the pros and cons. I guess the biggest thing was a chance to clear my record. There has been no change in my moral convictions, no change of heart on the war."

Brooker left for Canada after his sophomore year at Vincennes University in Indiana, just before he received his draft notice.

He was not a member of any peace group. "But I always considered myself a conscientious objector," he said. "I was against the war and killing." He never formally applied for conscientious objector status, however.

"I knew I couldn't get it honestly. I knew lots of guys who were turned down." At the time, conscientious objection required a belief in a supreme being. That requirement has since been changed to allow deeply held personal moral convictions.

His mother sympathized with the decision to go to Canada but his father opposed it. His father "accepted it a little better" as time went on, he said.

Life in Canada started out well. Within two weeks he got a job managing a billiard parlor, and began meeting Canadian friends.

"It didn't matter to them why I was there," he said. He can't remember exactly when he told Debra that he was a draft dodger.

They were married in 1971, and he got a better job, working in a sporting goods store. But late last month he was laid off "It had nothing to do with being a draft dodger," he said. "They laid off four or five people with the least seniority and I was it."

"The loss of the job was not the deciding factor in coming home, but probably made me start unconsciously thinking about it," he said.

The Rev. Kenneth Colton, director of the Draft Information Center of the Rochester area, believes Brooker is a "perfect example of a man who would benefit from amnesty."

"He hasn't been able to make it in Canada, and he has a wife and a child to think about. It has been especially hard on his family here too."

If found guilty, the maximum sentence could be a $10,000 fine and five years in prison. But the more likely penalty, at least based on past experience in federal court here will be probation for 2½ years during which he would work in the national interest.

What will happen when the case is resolved?

He thinks he could find another job in Canada, but "once this is over, I'll have much wider opportunities. I can see what's available in both countries and do what's best."

"Maybe we'll live in Canada anyway," he said. "But at least I'll have that choice. And at least I'll have visiting privileges."

I would suggest, Mr. Speaker, that the people at home are making a much more vigorous effort to find the implications of amnesty, and to find the common ground for possible reconciliation therein than we are attempting in Congress.

As I have suggested to my colleagues previously, we can best begin our own discussion by looking to the amnesties of the past, and at the national spirit and leadership which fostered those amnesties. Never in our Nation's history was that leadership more profound and influential than during the Presidency of Abraham Lincoln. The anniversary of Lincoln's death having just past, it is appropriate that we look again at Lincoln's example; and so I would like to devote the remainder of my third statement on this issue to a brief look at Lincoln's amnesties and the spirit which motivated them.

Mr. Speaker, little time elapsed after Lee's surrender to Grant at Appomattox Court House before newspaper editorials and podium-thumping orators throughout the country were demanding victory's revenge on southern rebels and northern deserters. This chorus was led on Capitol Hill by Senators Charles Sumner and Benjamin Wade and by House Member Thaddeus Stevens, who in repeated statements called for severe chastisement. In one such outburst, Senator Sumner wrote:

> Never were men more guilty. The honor of the country requires a sacrifice, and it cannot be dispensed with.

Throughout the war, Abraham Lincoln had responded to this kind of recrimination in a conciliatory tone. In a moment of fatigue, he said, during a Cabinet meeting on the question of reconstruction:

> I hope that there will be no persecutions, no bloody work after the war is over. No one need expect me to take any part in hanging or killing of those men, even the worst of them . . . enough lives have been sacrificed. . . .

This was one of many occasions when Lincoln counseled that both deserters and those who had taken up arms against the Union should be permitted to return in peace to their homes. His position on clemency had been consistent throughout the war. He used his amnesty power as a tactical measure to encourage dissension and desertion in the enemy's ranks, and thereby hasten the coming peace; and, at the same time, he made it clear that his clemencies were proof that Union victory would not end in punishment and retribution which could only further inhibit the reconsolidation of the Union.

In carrying out this policy, President Lincoln granted several amnesties during the course of the Civil War. On March 10, 1863, deserters from the Union Army who reported on or before April 1 of the same year were reinstated to their regiments and given a punishment no more severe than forfeiture of pay during their absence. Then, when proclaiming clemency on December 8, 1863, Lincoln joined his proclamation with an announcement of plans for restoration and reconstruction of the South. On that day, he offered a general amnesty to the rebels if they took an oath of loyalty to the United States. Amnesty and the return of former rights and privileges would precede the restoration of a given State to its position in the Union prior to secession. Officers of the Confederacy were excluded in addition to five other classes of individuals.

According to Lincoln's plan for amnesty and reconstruction, any State could participate in the reorganization and reconstruction programs once it had successfully registered one-tenth of its voting population for the loyalty oath. The President later felt compelled to issue an explanatory proclamation of amnesty on March 26, 1864, which clarified his December clemency and made provision for applications for pardon from individuals of the excluded classes. On March 11, 1865, President Lincoln issued a pardon for all deserters of the Union Army who returned to their posts within 90 days—an action required by Congress earlier that month.

Lincoln's death came on April 14, 1865, but the impact of his sentiments remained. Under his administration there were no mass arrests or persecutions of those who had been the instigators of the Confederate rebellion or those men who had deserted the Union Army during the battle. His actions and his statements stress a willingness to forgive and a desire to achieve peace and reestablish harmony with his lost countrymen.

President Lincoln had a firm belief that a government "* * * can properly have no motive of revenge, no purpose to punish merely for punishment's sake." His decisions were based on the best interests of the Nation under the goal of rebuilding a society that was torn from within by a brutal and destructive war. Lincoln's primary objective was to bind the Nation together. His words—in the familiar phrases—still ring loudly with us today:

> With malice towards none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in (and) to bind up the Nation's wounds . . . to do all which may achieve and cherish a just and lasting peace among ourselves, and with all nations.

Mr. Speaker, there will be those who will say that such lessons of history as we may draw from Lincoln's example do not apply in the context of the debate about amnesty, today. There are differences, to be sure, and I am well aware thereof. History may not be the greatest of teachers, but an understanding of, and an appreciation for, what it does teach, especially in the continuum of attitudes and ideas that, accumulatively, produce a national spirit, is important, It is in that sense, then, that this additional history lesson is offered.

OEO MAKES POVERTY VERY PROFITABLE AT THE EXPENSE OF THE POOR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. BLACKBURN) is recognized for 5 minutes.

Mr. BLACKBURN. Mr. Speaker, the Atlanta Journal recently published an article which traces the employment responsibilities and salary levels of OEO employees before and after they were hired by OEO.

This article clearly points out that in many cases individuals were making very high salaries. One can easily see why such a large portion of the OEO dollar has been spent on administration and such a small portion has been left to help the poor.

As a veteran of the war on poverty once said:

> I sure hope OEO lasts forever, I'll never be able to make as much money on the outside.

I insert the following article in the RECORD:

"THERE'S NO JOBS THAT COMPARE" TO POVERTY PAY

(By Maurice Fliess)

WASHINGTON.—Employees of the Atlanta regional headquarters of the Office of Economic Opportunity (OEO) are "having trouble" finding new jobs, a spokesman says.

Jack Hord, special assistant for communications in the Atlanta office of the antipoverty agency, said, in fact, that only 13 of the 163 employees have secured employment thus far.

All but 39 of the 163 persons are scheduled to lose their jobs April 28 when—by order of the Nixon administration and Howard Phillips, acting OEO director—the Atlanta regional office and nine others like it across the country go out of business.

The remaining 39 described Wednesday by Hord as "veteran employees" of OEO are being kept on the payroll until June 30, the date the administration has set for the abolition of the antipoverty arm of the executive branch of government.

According to Hord, some of the 13 workers who have been placed in other jobs—both within and outside of the public sector—have taken salary cuts.

As he put it, "There's no jobs in private business that compare to what people make here."

Hord outlined the pay scales for the 163 Atlanta OEO employees as follows:

At grade GS–16 ($31,203–$39,523 per year) one employee (regional director William "Sonny" Walker).

GS–15 ($26,898–$34,971), four.
GS–14 ($23,088–$30,018), 18.
GS–13 ($19,700–$25,613), 35.
GS–12 ($16,682–$21,686), 20.
GS–11 ($13,996–$18,190), 15.
GS–9 ($11,614–$15,097), four.
GS–7 ($9,520–$12,373), 24.
GS–6 ($8,572–$11,146), two.
GS–5 ($7,694–$10,007), 16.
GS–4 ($6,882–$8,943), 11.
GS–3 ($6,128–$7,964), five.
GS–2 ($5,432–$7,061), four.
GS–1 ($4,798–$6,238), one.

After President Nixon announced in January his intentions to dismantle OEO created in 1965 as part of President Lyndon B. Johnson's "Great Society," the employees were instructed to fill out resume forms that might be used in job placement efforts.

Copies of the confidential resumes were made available to the Atlanta Journal by a source outside the federal agency.

The resumes show that the people now looking for a job vary in background from realtor to congressional aide, and in educational attainment from 11th grade to doctoral degree.

For example, Laverne B. Polston said her education consisted of "11th grade, business course." She said she began with OEO as an administrative aide at GS–6 up to "procurement assistance," GS–7.

In her resume, she said she was "responsible for preparing and processing all purchase orders for OEO Regional Office for purchase not exceeding $2,500. Make purchases from Federal Supply, Schedule or solicit quotations for purchases between $250 and $2,500; set up blanket purchase orders to cover recurring expenses, such as repairs, rentals, etc.; and make some small purchases by cash . . ."

Jesse L. Lester, who said he graduated from high school and attended business college one year, specified his job title as "equal opportunity specialist," GS–13 level ($24,956 a year).

According to his resume, he was director of labor union participation in metro Atlanta's United Fund—a job that paid $10,000 per year—until joining OEO in 1967.

In a section of one of the resume sheets set aside for specifying "primary skills-education-knowledge required in current job," Lester wrote:

"Ethnic sensitivity, full knowledge of Civil Rights Act of 1964, OEO regulations relative to equal opportunity, Sympathetic to the mission of OEO (and) ability to meet and converse with people; ability to speak to groups."

Betty M. Hunter Lockett, a $14,462-a-year field representative, said she finished high school and went to Atlantic Business School for a year. Listing jobs held in the last 10 years, she showed how she progressed steadily from a GS–4 secretary stenographer in the pre-OEO days to her present GS–11. She said she had been "assigned five community action agencies in the Southeast region with budgets ranging from $146,000 to $200,000. Assist in preparing annual budgets . . ."

Ernest L. Freeman, Jr. said he was a GS–7 administrative assistant at Brookley Air Force Base, Ala., before joining OEO as a GS–12 field representative ($17,233 per year). A graduate of high school and Spaulding Business College, Freeman said he was part of a team of four which administered to "the programmatic, fiscal and administrative needs of 12 CAA's (community action agencies) whose total budgets exceed $4 million . . ."

Jack O. Perrin, a high school graduate who said he went to business school for two years, said that as a GS–9 ($12,388 a year) field representative, he provided "technical assistance in the area of management and administration as well as policy guidance to private and public agencies who are responsible for over $16 million in federal funds. . . . I am responsible for monitoring the performance of private corporations and public officials that are recipients of federal grant funds."

Roger R. MacEldon, a GS–13 ($22,328 annually) field supervisor, said he was a real estate broker before joining Economic Opportunity Atlanta, the Atlanta antipoverty agency, in 1966 at $12,000 per year. MacEldon said he had three years of college.

James E. Stedghill, a graduate of Arkansas State College with a major in history and a minor in sociology, has been a GS–14 ($26,938 per year) public health analyst with OEO. Stodghill said he aslo studied biochemistry at the University of Georgia.

Arnold D. Hawkins, another college graduate, listed his previous job as accountant with Texaco, Inc., at an annual salary of $7,800. He is a GS–13 auditor for OEO, making $21,014 per year.

Sunny LaFaye Guilder, a Spelman College graduate with post-graduate work at Atlanta University and Georgia State University, was an Atlanta teacher ($5,080 per year) and a U.S. mail clerk ($5,800 per year) before hooking onto OEO as a $16,632, GS–12 field representative.

Thomas W. Hash said he joined OEO as a field rep trainee at $5,300 per annum (GS–5) and moved up the ladder to GS–12 field representative, $17,794 a year. He, too, has a bachelor's degree.

Fred H. Singleton, with a bachelor's degree in biology and a master's in zoology, listed his job title as "regional manpower specialist." He is a GS–13, making $20,357 a year.

Thomas F. Duncan was a $7,000-a-year staff associate, specializing in youth work, for the National Board of Education of the Methodist Church before going to OEO as a GS–13 ($21,671-a-year) field supervisor. He holds degrees from the University of Alabama (B.S.) and Vanderbilt University (M.S.).

Among the Atlanta OEO personnel with military backgrounds are these:

Harold H. Tate, a high school graduate, who was a Marine first sergeant when he retired in 1967 after 22 years. He is a GS–12 ($18,350 per year) field representative.

Scott M. Case, a West Point graduate, who was an Army colonel and post commander of Ft. McPherson, Ga., when he retired. He is a GS–14 ($24,628 annually) interagency relations coordinator.

Bruce Fusner, a retired lieutenant colonel with bachelor's and master's degrees, who is a GS–13 ($20,356 per year) field supervisor.

Frederick I. Head, a retired Army lieutenant-colonel with one year of college, who also is a GS–13 field supervisor.

George P. Rossman, who retired as a major after 20 years in the Air Force. Rossman, who said he received the equivalent of a high school diploma in 1953, is a $21,104-a-year GS–13 grantee management specialist.

Four of the employees listed stints as congressional assistants in their backgrounds.

Sara V. Craig, a GS–14 ($26,168 a year) specialist in congressional relations, said she was an administrative assistant and press secretary for Charles L. Weltner when he was Georgia's Fifth District congressman.

Charles E. Clark, the GS–14 chief of the grantee program support division, said in his resume he was a congressional aide in the U.S. House of Representatives.

George E. Hovan, an auditor (GS–12, $18,906 a year), said he was a legislative assistant for G. Elliott Hagan when Hagan was Georgia's First District congressman.

James E. Cliatt III, a GS–14 special assistant (earning $24,628 a year), was administrative assistant to Rep. Tom S. Gettys, D–S.C. Cliatt holds a Ph.D. from Mississippi State University.

A few of the resumes contained misspelled words. One of the college graduates wrote that he had obtained a "batchelor's degree." Another college-educated man specified the number of "semister hours" he received in certain subjects. Yet another college grad said he had served as a "Peace Core Volunteer."

Under a section for "special qualifications or limitations you want to mention," one man wrote:

"Since 1961 I have acquired additional experience as a part-time real estate salesman when not employed with HUD (Department of Housing and Urban Development). 1953 to present has worked as an extra bartender."

KEMP SPEAKS OUT ON BEHALF OF THE GREAT LAKES AND ENVIRONMENTAL PROJECTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 10 minutes.

Mr. KEMP. Mr. Speaker, Congress is slowly coming to recognize the fundamental issues facing the Nation—budget control, budget reform, and budget priorities. Much criticism has been directed at the President for the course he has charted in the fiscal year 1974 budget and for impounding certain funds. Some contend that the President has arrogated congressional responsibilities. The fact is, though, that until Congress gets a handle on the budget, and until Congress reforms its own budgetmaking process, cries of alarm emanating from this Congress will and should fall on the deaf ears of a discerning and fiscally responsible public.

In short, the President has acted where Congress has not. I cannot in good conscience condemn an action which has not and cannot in any other way be met. The issue of budget control has not yet been met by this Congress. Consequently, Presidential impoundments are tough, unpopular, but necessary measures. There are certain impoundments which I vehemently oppose and I will diligently pursue my own course in that regard. One area by which I am deeply disturbed is water pollution control.

Mr. President, last year much of the Congress' attention was focused on the Water Pollution Control Act Amendments of 1972—and rightly so. However, during that same time period another program of vital concern to our environment was under consideration and still remains to be completed, the special Great Lakes cleanup program.

Late in 1971, the Environmental Protection Agency submitted to the Office of Management and Budget a comprehensive and innovative proposal which would accelerate efforts to halt the ravages of pollution in the Great Lakes. Unfortunately, the Office of Management and Budget did not approve the necessary budget items for submission to the Congress, although I strongly urged that they do so.

The Agriculture-Environmental and Consumer Protection Subcommittee of the Committee on Appropriations, under the distinguished leadership of Mr. WHITTEN, in its report to accompany H.R. 15690, recommended $108,500,000 for the special Great Lakes cleanup program. Since the Environmental Protection Agency did not at that time have the necessary authority to fund the construction of storm and combined sewers, the committee directed that $100 million in water and sewer funds previously appropriated to the Department of Housing and Urban Development and frozen by OMB be used to fund the program.

With the passage of the Water Pollution Control Act Amendments of 1972, this portion of the Great Lakes cleanup program can now be funded under a section of that legislation and although it will be up to the States involved to give the necessary programs priority status, I will strongly urge that the administration support the needed funds for implementation of both the Great Lakes cleanup program and critically needed waste water treatment facilities. There are in my 38th District of New York State, three waste water treatment facilities pending, Erie County Sewer Districts Nos. 2 and 4 and Amherst, which are crucial to the success of the environmental programs of the area and to the cleanup of Lake Erie.

By passage of the Water Pollution Control Act Amendments of 1972, the Congress has provided the means to remedy the major water pollution problem in the United States and particularly in the Great Lakes Basin; that is, municipal pollution and the inability of local governments to finance the construction of new and upgrading of existing sewage collection and treatment systems. However, the efforts of Congress were mitigated by the decision of the administration to spend only half of the funds that Congress voted to commit to this pollution abatement program.

This is a blow to the communities in the Great Lakes Basin and particularly in the Lake Erie drainage basin. Not only did it result in the nonfunding of a large number of projects, it also discouraged other communities in the basin from preparing proposals to cope with their municipal water pollution problems. Under the terms of the 1972 act, communities essentially must submit blueprints of proposed projects. To prepare such plans necessitates a considerable expenditure of money. Noting the percentage of municipal projects that have been funded by the Environmental Protection Agency in 1972–73, cities, towns, and counties each were unwilling to gamble tens of thousands of dollars in consulting fees and/or staff time to prepare plans.

Meanwhile, the ecological conditions in Lake Erie continue to deteriorate primarily from the accelerated overenrichment of these waters by sewage, and particularly the phosphorus in these discharges. The dire predictions made as a result of Project Hypo—a 1970 study of the Central Basin of Lake Erie by Federal scientists from the United States and Canada—are closer to being realized. These aquatic experts stated that if the level of phosphorus being added to Lake Erie was not significantly reduced by 1972, that the lake would become self-polluting as a result of the release of nutrients and other pollutants from the sediment when the bottom waters of the lake become devoid of oxygen—anaerobic. The oxygen is used up in the decay of algae which become overcrowded in the surface waters, die and settle to the bottom. Both the duration and area of oxygen-less conditions have increased markedly since 1954.

I am afraid the United States is also in danger of falling behind in its commitment to reduce the over-fertilization of Lake Erie under the Great Lakes Water Quality Agreement that President Nixon and Prime Minister Trudeau signed in April 1972. The United States had pledged to reduce the phosphorus-loading of Lake Erie by improving sewage treatment while Canada is both upgrading sewage treatment plants and reducing the phosphate level of detergents. This has resulted in the questioning of the good faith of our Nation in meeting its international obligations. This issue was raised at numerous gatherings of delegates at conferences sponsored by the United Nations and other organizations concerned with global ecology.

I was most encouraged however, to hear Dr. Robert Sansom, Assistant to the Administrator of EPA for Air and Water, state at a recent meeting of the Interstate Legislative Committee on Lake Erie that a number of wastewater treatment projects have been pinpointed which the Environmental Protection Agency believes, if implemented, would enable the United States to fulfill its commitment of the 1975 deadline contained in the United States-Canada Great Lakes Water Quality Agreement. This is an additional urgent reason for sufficient funding for wastewater treatment projects.

Using the Water Pollution Control Act Amendments of 1972, the Congress, the administration and the States, by working in cooperation and providing adequate funding, have the opportunity to provide a new era of clean water for all our citizens. But, adequate funding must be provided in order to achieve this goal. We in Congress must pledge ourselves to this effort.

Mr. Speaker, on April 10, I again testified before the Agriculture-Environmental and Consumer Protection Subcommittee of the Committee on Appropriations on behalf of the Great Lakes cleanup program and adequate funding for our critically needed wastewater facilities and other environmental programs.

One of the environmental programs I testified in behalf of was the Soil Conservation Service. Eroded soil is one of the major pollutants of the streams and rivers of the United States. This material not only destroys the breeding area of fish, but it is also the primary mechanism by which numerous pesticides and fertilizers enter our national waters. These agricultural chemicals are bound to organic material in the soil.

Erosion also results in other costs. It was observed that over half of the material annually dredged from the navigable waters of the Greater Buffalo area, more than 300,000 cubic yards, at an annual cost to the taxpayer of near a million dollars, was soil that had washed from rural areas. This is a problem that is occurring in most watersheds throughout the United States.

As agricultural areas are decreased as a result of urban sprawl, and as there is a necessity to increase our agricultural productivity, we can ill afford to allow millions of cubic yards of our most fertile soils to be washed to the sea.

While the Soil Conservation Service has made considerable progress in reducing soil erosion, considerable work remains to be done and adequate funds must be appropriated.

Mr. Speaker, I am fortunate in having many articulate and knowledgeable environmentalists in my District who have provided me with much excellent research for my efforts on behalf of the Great Lakes and other ecological programs. Among these are Dr. Robert Sweeney of the Great Lakes Laboratory of the State University College at Buffalo, the Erie County League of Women Voters, the Housewives to End Pollution and the Environmental Clearing House. I would like to acknowledge their efforts and those of many other environmentalists in my district and commend them for their work on behalf of our community and the environment.

Mr. Speaker, I include my testimony at this time for the interest of my colleagues and others concerned with the vital environmental programs I have mentioned:

TESTIMONY OF CONGRESSMAN JACK KEMP BEFORE THE AGRICULTURE-ENVIRONMENTAL AND CONSUMER PROTECTION SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS

Mr. Chairman and distinguished members of the Committee, I appreciate this opportunity to once again present testimony before your fine Committee.

Last year I presented testimony on behalf of the special crash Great Lakes cleanup program proposed by the Environmental Protection Agency and I strongly urged the appropriation of $100 million to adequately fund the program.

I know the members of the Committee share my concern and interest in this special Great Lakes cleanup program and I was pleased that the Committee in its report to accompany H.R. 15690, recommended $108,500,000 for the special Great Lakes program. The Chairman and members of the Committee are to be commended for their prompt action to set in motion this crucial program to save our irreplaceable Great Lakes.

As you know, $100 million of the funds would have allowed the Environmental Protection Agency to fund 9 or 10 selected storm and combined sewer projects in order to study the cost-benefits of the various systems. Since EPA did not at that time have the authority to fund the construction of storm and combined sewers, the Committee directed that $100 million in water and sewer funds previously appropriated to the Department of Housing and Urban Development and frozen by OMB be used to fund the program.

During the past year, several significant steps were taken to control the pollution of the Great Lakes. The most important of these was the passage of the Water Pollution Control Act Amendments of 1972 in which Congress recognized and attempted to remedy the major water pollution problem in the United States, and particularly in the Great Lakes Basin—specifically, municipal pollution and the inability of local governments to finance the construction of new and upgrading of existing sewage collection and treatment systems.

It is my understanding that with the passage of the Water Pollution Control Act Amendments of 1972 that the 9 or 10 selected storm and combined sewer projects which I have mentioned can now be funded under Sec. 211 of that legislation. I realize that with the passage of the new landmark water pollution control legislation that the special Great Lakes program that we talked about last year cannot be specifically earmarked within this section. However, it is my hope that at least $100 million for the 9 or 10 selected cities on the Great Lakes will be provided in this or the appropriate section and that these selected storm and combined sewer projects needed to implement the special Great Lakes program will be given priority status by the States involved.

I was also pleased to note that fund requests for several important elements of the special Great Lakes program are included in the Environmental Protection Agency's budget request for FY '74.

These elements of the Great Lakes program include:

An expanded program of Great Lakes research and investigation.

Compliance Activities: Comprehensive water quality studies in 12 special attention areas;

Upper Great Lakes Study to determine the extent and sources of pollution in Lake Superior and Huron, the remedial and preventative measures needed to abate or control pollution and recommendations for the establishment of water quality objectives;

Agriculture and Land Use Study to study pollution of boundary waters of the Great Lakes system by land drainage from agriculture, forestry, urban and industrial land development, recreation and park land development, utility and transportation systems and natural sources;

International Joint Commission Study and Research Coordination; and

Planning and Demonstration.

I was also delighted to see Sec. 108 of the Water Pollution Control Act Amendments of 1972 included in the Environmental Protection Agency's budget request.

Mr. Chairman, I would like to reiterate my support of this vital Great Lakes cleanup program and strongly urge that the Committee recommend appropriations for these programs at at least the amount requested by EPA. To many, the Great Lakes stand as a symbol of man's degradation of the environment. We in the Congress have the opportunity to make them an outstanding example of our Nation's determination to restore and preserve our priceless natural resources.

I was most encouraged to hear Dr. Robert Sansom, Assistant to the Administrator of EPA for Air and Water, state at a recent meeting of the Interstate Legislative Committee on Lake Erie that a number of wastewater treatment projects have been pinpointed which the Environmental Protection Agency believes, if implemented, would enable the United States to fulfill its commitment of a 1975 deadline contained in the historic April, 1972, United States-Canada Great Lakes Water Quality Agreement.

In addition, EPA Administrator Ruckelshaus has sent a letter to Governors of the States bordering the Great Lakes asking each State, in evaluating its water quality needs, to rank Great Lakes municipal wastewater treatment facilities high on the State's priority list. The Environmental Protection Agency has reported that 252 Great Lakes Basin wastewater treatment facilities projects are expected to be funded in FY '73–74, based upon current allocations and State priority lists. These projects involve an eligible cost of $961,617,900.

I hope the Committee report accompanying this bill will encourage phased funding and flexibility in the 75% Federal share. In this way, the States will be able to start the maximum number of projects.

My District in Erie County, New York, which borders on Lake Erie, has three critical projects pending: Erie County Sewer Districts #2 and #4 and Amherst. EPA has obligated Federal matching funds for Sewer District #2, but the other projects are equally vital to the success of the environmental programs of the area. Hopefully, there will be ways and means to start Amherst and Sewer District #4 in the near future.

I also would like to express my wholehearted support of adequate funding for two additional outstanding programs: the Soil Conservation Service and programs to control the gypsy moth.

In 1971, President Nixon acknowledged the environmental contributions of the Soil Conservation Service and stated the need for increasing assistance to the program. He stated:

"Another area where Government should do more to provide technical assistance to farmers is that of soil and water conservation. Long before most Americans were thinking much about the environment our farmers, our ranchers, our woodland owners were working together with Government to conserve our natural resources. I believe we should now be providing more help for our dedicated corps of soil conservationists whose number has dropped sharply in the past four years."

Last year in the Town of Amherst in my 38th District of New York State, the Soil Conservation Service provided an interdisciplinary team including a soil scientist, geologist, engineer, hydrologist, resource conservationist and soil conservationist to look at the total conservation problem confronted by the Town. By having available the expertise in each of these fields it was possible to provide several alternatives to the Town of Amherst so that they might avoid future problems—problems that would be particularly expensive and difficult to overcome once the concrete was poured or the asphalt leveled.

One of the specific problems involved proposals to build some multi-million dollar developments on lands that were subject to flooding. Through the assistance of this interdisciplinary team, the residents of the Town of Amherst can avoid problems related to development in this flood plain area and will have a better environment in which to live in future years.

Gentlemen, this is only one example of the outstanding work of the Soil Conservation Service. I include with my testimony, for the information of the Committee, highlights of conservation accomplishments in my District in 1972.

In the concluding portion of my testimony I would again like to stress the importance of adequate support for programs to control the gypsy moth.

As you know, the gypsy moth was introduced into North America from France in 1869 at Medford, Massachusetts. Twenty years later, the moth had become so numerous that forests and residential trees were being defoliated over an area exceeding 200 miles. In recent years noticeable defoliation of forested areas increased from a low norm of about 80,000 acres in 1968 to 1,940,000 acres in 1971, dropping back to 1,400,000 acres in 1972.

Extensive research has shown that an effective program can be conducted to retard the spread of this insect. With vigorous application of a regulatory program, supported by necessary survey and control activities, it is projected that natural spread of the pest to the limits of its susceptible range in U.S. hardwood forests will require 75 years. Without an action program, it is estimated the moth can spread over this area within 15 to 20 years, due to uncontrolled artificial spread which will serve as focal points for establishing new infestations. It is expected that research now underway will contribute to the success of the containment effort and perhaps provide the tools to turn back or slow down the natural spread along the periphery.

Now that we are facing a critical shortage of lumber, I believe it is more important than ever that we support programs to stop the menace of the gypsy moth to our forests. The fact that there was a noticeable decrease in acres defoliated in 1972 is a hopeful sign that progress is being made.

I respectfully urge that the Committee recommend sufficient funds for both the Soil Conservation Service and the gypsy moth control program to enable them to continue and expand their activities which have proved most productive and beneficial.

Mr. Chairman and members of the Committee, I would once again like to express my thanks for this opportunity to appear before you today to present my testimony.

HIGHLIGHTS OF CONSERVATION ACCOMPLISHMENTS—1972

38TH CONGRESSIONAL DISTRICT—NEW YORK

This data is the accomplishments for the Erie County SWCD

1,259 People assisted at least one time.

43 Soil & Water Conservation plans prepared.

284 Natural resource inventories & evaluations prepared for individuals.

31 Units of government assisted with natural resource problems.

88 Natural resource inventories & evaluations prepared for units of government.

34 Recreation developments installed or expanded-public and private.

.1 Miles of diversions installed for erosion control and improved drainage.

48 Ponds built.

1986 Acres of grassland planted and managed.

24.1 Miles of drainage works installed.

545 Acres of trees planted.

484 Acres of woodland managed.

1,230 Acres of wildlife habitat developed and managed.

6,261 Acres of land adequately treated with conservation practices.

NAVY STAR BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. MITCHELL) is recognized for 5 minutes.

Mr. MITCHELL of New York. Mr. Speaker, today I am introducing legislation which would promote equity for the leadership of the U.S. Navy Medical Service Corps by bringing it in line with the leadership of the similar corps in the U.S. Army, as well as other corps in the Navy itself. My bill would elevate the Chief of the Navy Medical Service Corps to the rank of rear admiral.

At present, promotion in this position is limited to the rank of captain. This naval position supervises highly educated and skilled professionals in the health field. The promotion to the rank of rear admiral would similarly recognize the value of this corps and the vital work that it accomplishes for the Navy. Thus the Chief of the Medical Service Corps would be on a par with the heads of other naval corps, with the same advancement process as the other corps.

The Navy will soon experience some new situations due to the development of a total voluntary military force. Gone will be the "doctor draft" with the automatic and constant replacement of needed health professionals. It is imperative that the Navy upgrade the whole image of the Medical Service Corps in order to insure that an adequate number of competent health care professionals decide on a naval career. Upgrading the rank of the Medical Service Corps will surely be one facet of this general program. This should also positively affect the retention rate of these skilled professionals in the Navy.

JACK WOOLLEY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. McDADE), is recognized for 15 minutes.

Mr. McDADE. Mr. Speaker, over the past 4 years I have been privileged to work in the closest cooperation with one of the most devoted, most intelligent, and most delightful civil servants it has been my experience to know. I refer to Mr. Jack Woolley, formerly Assistant Secretary for Legislative Affairs in the Department of Housing and Urban Development.

The position of Assistant Secretary for Legislative Affairs is one that requires an extraordinary intelligence and a discreet wisdom which is not to be found easily. He must be totally conversant with the vast range of Housing and Urban Development statutes, and must be able to apply that knowledge to a discussion of any community in America. He must have a rapidity of judgment based on that knowledge, and there is little room for error in that judgment.

Jack Woolley possesses all these attributes, and very many more. As a member of the Subcommittee on Housing and Urban Development in the Appropriations Committee, it was my privilege to work closely with Jack in the multitude of programs which would have to be funded through that subcommittee, and I found his judgment to be superb and his breadth of knowledge to be extraordinary. In the flow of discussion between the Secretary of Housing and Urban Development, and the committee that would fund the programs for the Department of HUD, Jack was not merely a conduit who passed information and opinions swiftly and correctly. He was a positive and contributing force in the growth and implementation of the vast multitude of housing programs which were devised to give the citizens of this Nation a decent place in which to live.

More than that, I found Jack to be a delightful friend. I came to know him to be a man whose word was his bond, whose handshake was as firm a binder as any signed and witnessed contract. In short, I have known Jack Woolley as an outstanding public servant and an outstanding man. He is a man who gave his country service in the Navy, where he is a captain in the Naval Reserve; and he is a man who gave his country new service as Assistant Secretary for Legislative Affairs in a whole new career in the Department of Housing and Urban Development.

It is my understanding that Jack has now assumed the position of manager of Federal Government affairs of PPG Industries. In that new endeavor, I wish him well and more than well. That corporation is fortunate to have so distinguished a man in their employ. He deserves those good wishes from all of us who work to serve this Nation.

Mr. EVINS of Tennessee. Will the gentleman from Pennsylvania yield?

Mr. McDADE. I am pleased to yield to the gentleman from Tennessee.

Mr. EVINS of Tennessee. Mr. Speaker, I want to associate myself with the remarks of the gentleman from Pennsylvania (Mr. McDADE) in paying a brief but sincere tribute to Jack Woolley, who served with distinction as Assistant Secretary for Legislative Affairs in the Department of Housing and Urban Development.

Mr. Woolley has resigned from this position recently, and is now manager of Federal Government affairs of PPG Industries, Inc.

Mr. Woolley conducted the congressional affairs of HUD in a congenial and efficient manner—he was always most cooperative and most helpful, and certainly I wish for him the very best of good luck and success in his new position.

Mr. TALCOTT. Will the gentleman from Pennsylvania yield?

Mr. McDADE. I am pleased to yield to the gentleman from California.

Mr. TALCOTT. Mr. Speaker, I value this opportunity to extend my best wishes to Jack Woolley, who has served exceptionally well as Assistant to the Secretary of HUD for congressional relations since 1969. Jack's background, from a student at the U.S. Merchant Marine Academy, through graduation from the U.S. Naval Academy and the University of Southern California, has certainly proved to be a great asset in his excellent service to the Federal Government.

In his capacity with HUD, Jack was always quite well informed and most cooperative with me and my office in all of the myriad matters pertaining to HUD. My constituents and staff generated unusually large numbers of disparate problems and questions. Jack was always prompt in his assistance and perceptive in his understanding of the various and difficult problems about which we often sought his aid. I commend Jack for his extraordinary performance in the past, and extend my very best wishes for continued success and personal satisfaction in all of his future endeavors.

Mr. BARRETT. Will the gentleman from Pennsylvania yield?

Mr. McDADE. I yield to the gentleman, also from Pennsylvania.

Mr. BARRETT. Mr. Speaker, this is an occasion of great pleasure, when I can join with so many of my colleagues to praise and honor Jack Woolley, former Assistant to the Secretary of HUD for congressional relations.

As chairman of the Housing Subcommittee, I was in the unique position of working closely with Jack on a great many matters during the 4 years he was with HUD. Matters, not only of interest and importance to my district and constituents, but of great importance to the people of our Nation in meeting their housing needs.

I found Jack Woolley to be a man of great integrity and ability. His understanding of the legislative process and his concern with the housing needs of our Nation lent themselves to the remarkable job he did under trying circumstances. Jack has a talent so necessary for the position he held—that is, to approach problems without political partisanship, while at the same time being aware of, and responsive to, the demands and responsibilities of his office. I know that Jack is now with private industry and have no doubt he can more than fulfill their expectations and needs.

I wish him every success and may the good Lord grant him long life, peace, and happiness to enjoy his successes.

VEYSEY ASKS FOR NEW TEETH IN LAW FOR INSPECTION AND MAINTENANCE OF AUTOS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. VEYSEY) is recognized for 10 minutes.

Mr. VEYSEY. Mr. Speaker, today I am introducing legislation to tighten the Clean Air Act, and to thereby give us, for the first time, the necessary teeth in that law to keep polluting vehicles off of the road.

My bill would end a practice which the current statute permits, and which will continue to allow polluting vehicles on the road unless it is changed.

Currently, the Environmental Protection Agency has no direction from the Congress to keep dirty-running cars off the road. The statute merely allows the EPA to test cars as they come off the production line if and when such a test is feasible.

Also, the current law allows tests which are run on prototypes to suffice for all new vehicles. As we might expect, there are as many new cars exceeding the prescribed emission standards than there are meeting it as they roll off the assembly lines.

And finally, there is no provision in the current law to make reasonably sure that cars stay within acceptable levels of emissions—after they are driven a few miles or a few years.

My legislation would shore up each of these loopholes in the current statute.

Specifically, my bill would mandate inspection by the EPA of a large enough sampling of new cars to assure within reasonable bounds, that each car meets Federal standards.

Second, it would mandate that that inspection be made on production-line cars and not on prototypes alone.

Third, it would make manufacturers responsible for the performance of emission control devices during the first 4,000 miles. Currently, the new owner must prove faulty construction before the manufacturer is obliged to cover the cost of repairing inadequate emission control devices. My bill would remove this burden of proof from the new car owner for the first 4,000 miles.

Finally, my bill would direct that each State devise and operate an effective and regular system of inspection of all vehicles. In short, the end result would make it illegal to drive a car that does not meet emission standards just like it's illegal to drive a car at night without headlights. Thus, responsibility for the air pollution of each car would be clearly established.

The University of California's statewide air pollution control center and its director, Dr. James Pitts, tell us that such a system of inspection and maintenance would make a profound contribution to cleaning up the air. In fact, Dr. Pitts rates this as one of the most important steps that we can take, and countless other environmental experts agree, including a substantial number of the EPA's top technicians.

Let us give the EPA the teeth it needs to make maximum progress in the war against smog. It is clear that the Clean Air Act, as it stands, needs touching up in this area. Let us make inspection and maintenance of emission controls just as important as the development and employment of those controls.

ACTION ON ABORTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. HOGAN) is recognized for 5 minutes.

Mr. HOGAN. Mr. Speaker, with the adjournment of the Maryland Legislature on April 9, I feel it is appropriate for me to call to the attention of my colleagues action taken by my State's Legislature dealing with abortion.

I was particularly proud that the Maryland State Legislature approved a joint resolution calling on the Congress to approve an amendment to the Constitution of the United States protecting unborn humans.

At this point I would like to include the full text of the resolution for the RECORD:

SENATE JOINT RESOLUTION NO. 37

Senate Joint Resolution requesting the Congress of the United States to propose an amendment to the United States Constitution to effectuate protection of unborn humans

Whereas, The law of Maryland has always recognized that unborn humans are entitled to legal protection; and

Whereas, The Supreme Court of the United States has expressly deprived unborn humans of all legal and constitutional protection during the first six months of gestation; and

Whereas, The Supreme Court of the United States has effectively deprived unborn humans of all legal and constitutional protection during the last three months of gestation by ruling that the interest of the viable unborn child is subordinate to his or her mother's sense of physical, emotional, psychological and familial well-being; now, therefore, be it

Resolved by the General Assembly of Maryland, That the Congress of the United States propose an amendment to the United States Constitution to effectuate protection of unborn humans; and be it further

Resolved, That copies of this Resolution be sent to the United States Senate and the United States House of Representatives.

On January 30, I introduced House Joint Resolution 261, proposing an amendment which would protect the right to life of the unborn from the moment of conception. On April 2, I reintroduced my amendment with seven cosponsors.

In other action relating to the abortion issue the Maryland Legislature refused to change State statutes on abortion to bring them in line with the Supreme Court decision of January 22.

The third piece of legislation was a bill that provides that medical personnel cannot be forced to participate in abortion operations against their own conscience.

The action by the Maryland Legislature clearly indicates its opposition to the Supreme Court's decision on abortion. I am proud of my State legislature.

I hope that Congress will now respond in the same manner and approve a constitutional amendment that will protect the lives of those who cannot defend themselves.

FEDERAL JUDGESHIP FOR ALASKA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alaska (Mr. YOUNG) is recognized for 5 minutes.

Mr. YOUNG of Alaska. Mr. Speaker, today, I am introducing legislation which will authorize the President to create an additional Federal judgeship for the State of Alaska. The creation of an additional district judge will assist in insuring the speedy administration of justice in Alaska. In recent years, there has occurred a significant increase in the caseload handled by the present two U.S. district judges now in Alaska. In addition, the unusually large size of Alaska requires wide travel by the two judges in order to serve all areas of the State.

That the judicial caseload handled by the two U.S. district judges in Alaska has increased greatly is portrayed most clearly by the significant increase in the number of case filings in recent years. The commencement of criminal cases in the district increased from 101 in 1964 to 250 as of June 30, 1972. The civil caseload has also increased from 116 in 1964 to 273 in 1972. In addition, 264 bankruptcy petitions were filed in the district for the year ending June 30, 1972. Since 1964, therefore, the total filings for the district, both civil and criminal, have increased over 100 percent, while the number of district judges has remained the same.

Since Alaska is over one-fifth the size of all the other 49 States, it presents unusual geographic problems for the two present judges due to the increase in caseloads in the district. In order to handle cases in other areas of the State, the judges must travel long distances to other cities, such as Fairbanks, Juneau, Ketchikan, and Nome. Expected increases in the district's caseload will only make the present situation more burdensome.

Recent developments in Alaska promise to add heavily to the judicial workload of the present two U.S. judges. The Alaska Native Claims Settlement Act and the trans-Alaska pipeline have presented complicated legal issues which require sound judicial consideration and interpretation. Further litigation on such important issues may be expected.

Recent developments in the judicial field have increased the time demand upon individual judges. Although these problems are not unique to Alaska judges, they do contribute to the problems facing the present manpower of the Alaska district. Appellate decisions relating to the acceptance of pleas of guilty have established standards which require additional court time.

In conclusion, I believe that this bill to authorize the creation of one additional U.S. district judge for Alaska is a necessary and carefully considered piece of legislation which will insure the rapid administration of justice in Alaska. Furthermore, an additional U.S. judge will assist other districts in the ninth circuit in handling their increased caseload.

Mr. Speaker, I include this bill to be printed in the RECORD:

H.R. 7249

A bill creating an additional Federal district judgeship for the district of Alaska

Be it enacted by the Senate and House of Representatives of the United States of Congress assembled, That the President is authorized, by and with the consent of the Senate, to appoint an additional district judge for the district of Alaska.

SEC. 2. The provisions of this Act shall become effective on the first day of the month following the date of enactment of the Act.

PRIME MINISTER LEE KUAN YEW

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. WYATT) is recognized for 10 minutes.

Mr. WYATT. Mr. Speaker, during the recent state visit to the United States by Prime Minister Lee Kuan Yew, of the Republic of Singapore, this far-sighted statesman delivered a penetrating and most thoughtful address to the National Press Club in Washington. His remarks are a philosophical and I believe quite objective view of the rapidly shifting political sands in Asia, and should stimulate much constructive thinking around the world. I can say with certainty that this excellent review is further evidence of the competence and qualities of leadership demonstrated on so many occasions by Prime Minister Lee.

For the benefit of my colleagues in the Congress, and for others who read the CONGRESSIONAL RECORD, I include herewith the full text of the speech of the Prime Minister of Singapore, and I ask that they be carefully read:

SUPER POWER POLITICS AND SOUTHEAST ASIA IN THE LATER 1970's

Few in 1971 could have predicted the complete turn-abouts in the relationships of the great powers. The world watched with disbelief Chairman Mao receiving Mr. Nixon in Peking in February 1972. Then, three months later, in May, it held its breath as Hanoi was bombed and Haiphong mined. But Mr. Nixon arrived in Moscow a few days later on schedule, to be received by Mr. Brezhnev for a ceremonial state visit.

Small wonder that few predicted the way in which American involvement in Vietnam would end, in an orderly manner, with the South Vietnamese government of President Thieu still in charge of the principal cities and towns, and most of the populated areas of South Vietnam.

There was no Vietcong victory. Hanoi will be quiet for a while, unless massive military and economic aid is again pumped in by the Soviet Union and China.

However history may judge the American intervention in Vietnam, one side benefit of the conflict, and the way it has ended, is that it has broken the hypnotic spell on the other Southeast Asians, that communism is irresistible, that it is the wave of history. Communist victory was demonstrated not to be inevitable, though at a cost no one ever contemplated. The fact that there are viable non-Communist countries in Southeast Asia today, whatever their varying claims to democratic government is because that streak of communist wins in North Korea by the Red Army, then in China by the People's Liberation Army, and then in North Vietnam by the Vietminh was checked. Otherwise, the rest of Southeast Asia might well have been stampeded to the communist side, if for no other reason than that their will to resist would have melted under the heat of communist propaganda, that it was useless to buck history.

At the risk of being proved wrong, there are three scenarios I envisage as a result of the Paris agreement.

First, despite low level violence and frequent, but small, breaches of the Paris agreement, the provisions are in the main honoured by the South Vietnamese, North Vietnamese and the Vietcong. In this case, the contest will become primarily political. The South Vietnamese government stands a very fair chance in such a contest.

Second, an all-out offensive by both the North Vietnamese and the Vietcong as soon as they believe they are strong enough to overwhelm the armed forces of the South Vietnamese government. However, the North Vietnamese must weigh the possibility of an American reaction to a flagrant breach of the Paris agreement.

Third, the North Vietnamese, to avoid unnecessary risks, ostensibly honour the Paris agreement. However, they will leave it to the Vietcong, with North Vietnamese infiltrators and fresh military supplies to augment their strength, to make a bid for power in the South. It is doubtful if an all-out offensive in the next few months can succeed. But they may keep up the violence and insurgency, to keep the South Vietnamese armed forces of 1.1 million men fully engaged, and military expenditure high, to prevent economic recovery. For, if the South Vietnamese can cut down on military expenditure, and concentrate their resources on the rehabilitation of the economy, then the chances of insurgency overthrowing the established government will be greatly reduced. It is hard to envisage the Vietcong acquiescing in this process, unless they are given a substantial political stake and a fair bid at power via political means.

There can be variations of these three basic scenarios. The course of events and the outcome of the struggle are not easy to predict. The situation in Laos is nebulous. The base of authority of the Cambodian government is fragile. The Paris agreement does not include specific provisions for a political settlement.

But, if the worst does happen, and the Vietcong, with the help of the North Vietnamese do gain control over the South in the middle 1970's, it does not necessarily follow that the rest of Southeast Asia will go communist. The morale of the other peoples of Southeast Asia is now very different from what it was after Dien Bien Phu in 1954. The Thais are now more prepared psychologically to face up to such a situation. The possibility of ever more neutralist, or even pro-communist, governments in Laos and Cambodia is part of the Thai contingency planning. A crucial factor is whether they believe they can depend on American military and economic aid, as spelt out under the Guam doctrine. And if the benefits of economic development that Thailand has enjoyed in the last 20 years are spread out into the outer provinces, it is unlikely that any indigenous Thai guerrilla insurgency can overthrow the established government.

For the rest of Southeast Asia, excluding Indochina, cautious optimism prevails. The danger of external communist aggression is remote. It is not part of communist revolutionary doctrine. Amongst other reasons, it carries a high risk of painful retaliation. If ordinary people can see their government making a serious attack on poverty, and they begin to feel an improvement in standards of life, then guerrilla insurgency will find it very difficult to get off the ground.

It is in Indochina itself, by the nature of the Paris agreement, where the issue is left open. The final outcome could go either way. It must be so, or there would have been no agreement.

As America swiftly adjusted to the realities of the world power situation in the last two years, to sort out a new power balance to maintain peace and prosperity without war, Southeast Asians are psychologically adjusting themselves to a new situation where America, and the West generally, will not be the sole dominant power. They are cautiously edging their way to meet a situation where the influence of the Soviet Union, China and Japan may eventually be as considerable as that of America.

In the current phase, during which America is trying to find a world power balance between America, the Soviet Union and China, with Western Europe and Japan on America's side of the security balance fundamental differences, whether in ideology or in political and economic systems, between free enterprise and communist systems, must be muted. But these differences continue to exist. It is extremely doubtful if any amount of collaboration and co-operation will make the communist system open up their basically closed economies to the free enterprise of the West.

Great power competition for greater power and influence over third countries is part of the game of peaceful co-existence. Certain strategic areas, like the Middle East, especially the oil countries, will be areas of keen contest. Hence, whatever the contemporary differences over defence burden sharing, balance of payments deficits, currency parities, tariff and non-tariff barriers to trade between America and Western Europe, and America and Japan, together they comprise an open non-communist world system, distinct from the closed economic systems of the communist powers of Comecon and China.

Any significant part of the Third World over which a communist government is established, means that the free world system is that much diminished by the shrinking and weakening of the economic base of the non-communist world. It also means a corresponding increase in the strength of the communist world, divided though it may be between the Soviet Union and China.

The dramatic advances in communication and transportation technology in the last three decades, the jumbo jets, and instant communications through satellites placed in stationary orbit, have made for a smaller and more interdependent world. It would be an irony of history for Americans, whose technology made this into a smaller world, if they find themselves left with a much smaller influence over it. For, if the mood post-disengagement from Vietnam persists, and a more objective perspective is not restored, this may well be the case.

Peace and prosperity are more likely if the burdens of stability and opportunities of trade and investments are shared between the great powers. Then no small country is forced to join one or other of the contending political and economic systems, because of the predominant presence of one and the absence of the others. This is what the smaller countries of Southeast Asia hope for in their search for stability and progress.

FLOCK OF CRANES DESCEND ON MADISON LIBRARY SITE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. MILLER) is recognized for 5 minutes.

Mr. MILLER. Mr. Speaker, presently there are five foreign-made tower construction cranes occupying the Madison Library site in full view of the U.S. Capitol. Ironically, imports have penetrated this country to such an extent that they are used to construct the public building right under our very noses. Indirectly the American taxpayers are subsidizing the purchase of these French-made cranes across the street even though the same crane is made and available in this country at competitive prices.

Not only are we exporting our tax dollars for these overseas purchases, but we are losing jobs that would otherwise be available to our own workers. I also have to wonder how many American workers are laid off each year and how many man-hours are lost awaiting parts from abroad to repair tower cranes and other foreign-made construction equipment.

Before we talk about our trade and balance-of-payments problems we should place our own house in order by making sure that we do not allow foreign-made equipment to build new buildings on Capitol Hill.

OZARK FOLK CENTER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. ALEXANDER) is recognized for 10 minutes.

Mr. ALEXANDER. Mr. Speaker, in this season when the dogwood, plum, pear, and peach trees set the ridges and valleys of the Ozark Mountains aglow with their delicate blooms, one of the most exciting folklore showcases and educational centers in America will be opened to the public at Mountain View, in Arkansas' First Congressional District. This will come about when the Ozark Folk Center officially begins operations on May 5.

This development will be of interest to my colleagues in the Congress, I believe, so today I would like to share with them some information about the folk center. It is located in Stone County, which until this Congress, was a part of the Second Congressional District and has benefited from the expertise and interest of that great and dedicated servant of the people, the Honorable WILBUR D. MILLS.

This center was conceived about a decade ago as a cradle of Ozark folk traditions, arts, crafts, music, and dancing. Those facilities which have already been built with $3,390,000 in Federal loans and grants amply demonstrate the potential for conserving these elements of our national heritage. In addition, these facilities and related developments are breathing new life and vigor into the economy of Stone County and Arkansas through the new job opportunities which are being created.

This vast folk center complex is built on a mountaintop just north of Mountain View. It will provide a national showplace for the native handicrafts being made and sold in 17 separate craft shops spread over the folk center grounds. A 1,000-seat auditorium will be the settting for various folk music and dancing shows throughout the year. It will also be the hub of the annual folk festivals which have made the town nationally famous. Other buildings will supply space for conference and workshop areas for educational and entertainment seminars that will be a part of the center's operation.

Current plans for the future call for four festivals to be held during the year, but may be expanded as operation of the center progresses.

A small vocational education school offering training and advanced instruction in crafts will be part of the complex. Its graduates will be able to work at the center shops, demonstration areas, or engage in private business ventures supplying craft items to the center shops for sale. Tourists and seminar guests will have access to a continuing education center, conference areas, about 60 motel-type lodging units, and a restaurant. A recreation area has been specially set aside for the use of occupants of the lodging areas.

All these facilities are situated within a mile of Mountain View. They are unique structures of native stone and wood. Their presence is already benefiting the economy of Stone County because of the tremendous tourist drawing power of the Ozark Mountains. Numerous private business developments are underway or are planned to provide the additional services visitors will require.

The May opening is no overnight occurrence. Had it not been for the persistence of many local residents and their governmental representatives, the project would have faded away several years ago. On a number of occasions the project seemed at a deadend. But, each time it was given new life and another chance of becoming a reality.

Actually, the idea of the project was born more than 10 years ago when various local community leaders and Government officials began exploring ways of financing a new water system for Mountain View, and searching for a means to bring more employment to Stone County. A new water system was absolutely necessary for economic development. Without adequate water supplies the economic base could not be expanded.

John Opitz, who was then administrator for the Area Redevelopment Administration—now the Economic Development Administration—was assisting Mountain View with its search for solutions. He proposed that efforts be made to expand the local tourist industry. Mr. Opitz had been working with the Ozark Foothills Handicraft Guilt, which was recruiting area craftsmen into a cooperative to make and market craft items in the Ozarks. The guild had begun plans for an annual craft fair. To Mr. Opitz and several craftsmen the idea of a folk center fell naturally into the scope of the tourist industry development which would create the new jobs so vital to community improvements.

Even while the idea of a folk center was under discussion, the guild held its first show at Mountain View in April 1962. The newly formed Rackensack Musical Society provided folk music for this celebration. The festival became an annual event and grew from about 10,000 visitors the first year to well over 100,000 last year. It was the success of the first festival that caused the idea of building the folk center in the Ozarks to jell.

Some of the original members of the Rackensack Society have formed another musical organization, the Mountain View Folklore Society. It sponsors a summer festival in July. Both societies have been sponsoring weekly hootenannies at the Stone County Courthouse. Members of the Rackensack Society perform on Friday nights. And musicians of the Mountain View Folklore Society entertain on Saturday nights.

Ozark musicians have played an important role in traveling around the country promoting the folk center's development. Jimmy Driftwood, of Timbo, Ark., is one of the best known of the Ozark musicians. He has served as master of ceremonies for the Spring festival since its beginning in 1962.

Mr. Driftwood had already gained a national reputation as a folklorist and composer when the idea of the folk center came into being. He left the Grand Ole Opry in Nashville, Tenn., to return to the mountains of Arkansas and devote more time to promoting the center project. In recent years he has served as a member of the Arkansas Parks and Tourism Commission which will operate the folk center.

He was encouraged to help establish the musical part of the folk festivals by Lloyd Westbrook and Leo Rainey, two Arkansas Extension Service employees. These men were already working with the development of folk crafts and the tourist industry aspects of the festivals. Mr. Driftwood also acted as an adviser to John Opitz during the development of the plans for the folk center.

Shortly after the first festival in 1962, the idea of a folk center really began to come to life. Local leaders and several Ozark musicians made a trip to Washington, D.C., to discuss the idea with the Arkansas congressional delegation. As a result, the project was soon in full planning stage.

At that time the members of the Arkansas congressional delegation were: Senators JOHN MCCLELLAN and J. W. FULBRIGHT, and Congressmen WILBUR D. MILLS, J. W. Trimble, Oren Harris, E. C. Gathings, and Dale Alford, and Congresswoman Catherine Norrell.

Those making the trip to the Capitol were Hubert Kendrick, Bookmiller Shannon, Ivan Risner, C. K. Lancaster, Jr., Charles Johnson, Guy H. Lackey, Jr., Eddie Walker, Buddy Lancaster, Tommy Simmons, Harold Sherman, Jimmy Driftwood, Willie Morrison, Ralph Roush, G. R. Sansom, Jim Warren, William Conley, and Albert Rutledge, all of Mountain View, John Opitz and Alvis Owon, and Thomas Fair of the U.S. Forest Service, also made the trip.

Congressional staff members who participated in the effort were Jim McDougal with Senator MCCLELLAN; Pat Fleming and Lee Williams with Senator FULBRIGHT; Jack Files with Congressman MILLS; Chuck Honey with Congressman Harris; Carl Whillock with Congressman Trimble and Fred Ward with Congressman Gathings.

As these events were in the making, the Ozark Foothills Handicraft Guild was forming itself into a very viable organization under the direction of Jim Warren, a Mountain View artisan. He was advised and assisted by Arkansas extension service personnel, Ethel Bennett and Everett Sanders. Mr. Warren, working with other local craftsmen, Edwin Luther, Eppes Mabry, Les Richardson and Clara Wood, had already become part of a five-county cooperative to make and sell mountain crafts.

A Small Business Administration loan enabled the guild to build sales outlets in Hardy, Clinton and Heber Springs. This work, along with the festivals at Mountain View, and later at Heber Springs, was the genesis of the guild's interest in seeing the folk center come into reality.

The guild has been awarded the operational contract for the crafts to be distributed at the folk center. And, the Rackensack Society has the contract for the musical entertainment after the facility opens. Each organization will handle its own affairs, but will meet guidelines set by the Arkansas Parks and Tourism Commission.

After the 1962 visit to Washington to drum up initial interest in the project, the Mountain View artisans continued to push work on the feasibility studies and plans. But, it was not until 1965 that any official appropriations were made to get the venture underway.

In 1969 the final authorization was given, but, almost another year elapsed before the construction was begun.

Now, the official opening of the Ozark Folk Center, situated in the region some call "the land of the fifth season," is just days away.

Almost $4 million has gone into this huge, unique and spectacular conservatory of life in the Ozarks.

It was during the early years of planning that the Ozark Folk Cultural Center Commission was formed by the Arkansas General Assembly. Almost 900 acres of land was bought by Mountain View to be developed by the commission according to the desires of the city. Presently, only about 400 of those areas are designated for future use. About 80 acres will provide the site for the folk center, and about 300 others will be developed into a State park.

The Ozark Folk Center Commission has statewide membership. It has coordinated development of the center. And, last year it negotiated to lease the operation of the center to the Arkansas Parks and Tourism Commission.

Dr. Bessie Moore of Little Rock is chairman of the Folk Cultural Center Commission. She succeeded to the post after the death of Marvin Melton of Jonesboro. Other commission members are: Jess P. Odom, vice chairman, Little Rock; Crawford A. Wyatt, secretary, Mountain View; Charles Eickenbaum, Little Rock; Guy H. Lackey, Jr., Mountain View; Dr. Wesley J. Ketz, Batesville; Cass S. Hough, Rogers; Reeves Ritchie, Little Rock, and William Henderson, director of the Arkansas Department of Parks and Tourism. Stone Countians who have served on the commission in the past are Tommy Simmons and the late Von Rosa.

Ground was broken for the folk center project in September of 1971. At the ceremony Congressman MILLS announced that another loan and grant would be made to insure that the construction of the folk center would follow the original plans. Then, Mr. MILLS used the power of an Ozark mule and the blade of a field plow to officially break ground.

A development which helped bring about the funding for the Ozark Folk Center was the nearby presence of the fabulous Blanchard Springs Caverns. The Caverns are located in Ozark National Forest. Preparation for officially opening to visitors began in 1965. That opening is now set for July.

The caverns, the new recreational development in Stone County and the establishment of the folk center are a persuasive demonstration of how a variety of projects can work together to benefit the whole Nation.

As a people we search back to the roots of our beginning for an understanding and appreciation of our heritage. At Mountain View our people can meditate on our past, take pleasure in our present, and nurture visions which will help us along the path to a peaceful and prosperous future.

What has been wrought in Stone County, Ark., is not a memorial to the past, but rather a monument to the ability of humanity to retain the good from past experience and to the creativity and intelligence of the human race which has made it possible for us to grasp today and shape the future for an even greater tomorrow.

MAJORITY LEADER THOMAS P. O'NEILL, JR., CRITICIZES PRESIDENT'S APPROACH TO BUDGET CUTTING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. O'Neill) is recognized for 5 minutes.

Mr. O'NEILL. Mr. Speaker, since January President Nixon has taken delight in denouncing this Congress as spendthrift.

He and his budget experts would do what was fiscally responsible and hold down spending. Caspar Weinberger, the former director of the Office of Management and Budget, said the administration had made "exhaustive evaluations" of 1,000 programs and eliminated 115 it found "riddled with waste and inefficiency."

The Congressional Joint Economic Committee has examined these so-called exhaustive evaluations and found that they look more like disjointed scribblings. Three-fourths of them are not even 1 page long.

Further, the administration claimed $11 billion in fiscal 1973 savings. But $8 billion of that ranges from questionable to downright counterfeit. For example, Defense is claiming a $1.2 billion savings in one account simply because it decided not to ask for that money.

This is fiscal responsibility?

Mr. Speaker, these evaluations are supposed to be coming out of the President's top budget officers—the consummate managerial experts. But this work is not worthy of a junior assistant branch office manager.

It is all the more reason that Congress should consider setting up its own capability to analyze the Federal budget as a whole and to propose informed, realistic and constructive alternatives to the administration's priorities.

After all, someone has got to keep a responsible eye on spending.

REMARKS OF SENATOR HUMPHREY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. McFall) is recognized for 5 minutes.

Mr. McFALL. Mr. Speaker, the distinguished Senator from Minnesota, Hubert Humphrey, long an advocate of congressional responsibility, made the concluding remarks at the Time, Inc., 50th anniversary dinner in the Smithsonian Institute this past January. He cautions against extolling efficiency in the legislature and warns that improving procedures without promoting justice in the laws which govern are counterproductive.

His remarks follow:

Mr. Donovan. For our anchor man tonight, I am calling on an old friend from my home State. We are known for our laconic habits in the State of Minnesota, where Hubert Humphrey and I both have some connections.

Senator Humphrey.

Senator Humphrey. Thank you very much, Hedley, and my distinguished colleagues from the Senate and the House.

I just want to say tonight that I am not a candidate for anything so I am not going to worry about how long I talk to you. Under other circumstances, I would obviously be slightly more charitable. So on that basis, I will try to give the layman's benediction here.

Tonight we have been listening to each other. What we said here is informative. I don't think any of us would really come down and say that we are in violent disagreement. I just want to say, first of all, that Hugh Scott said to me the other day in the Foreign Relations Committee: "Would somebody please just say, 'thank you, Mr. President'." And I waited my turn and I said, "Hugh, it is coming from the opposition, but I want to say 'thank you, Mr. President'." We were talking about the truce agreement.

Tonight I want to thank the President again. I want to thank him for the excessive use of Executive power that compels the Congress of the U.S. to reexamine itself and its role in constitutional government.

I often said at home that we had physiological politics: empty stomach, full head; full stomach, empty head. That is pretty much the way it is. You know, when you suffer a little bit, you begin to think clearly. When things are going too well, you don't think well at all.

And it is not a fact that Mr. Nixon is the man who is responsible solely for Executive power and the excessive use of Executive power. Like everything else, it is an idea whose time has come. People have had it. The Congress has had it, so to speak, and we are going to do something about it. I am positive that we will bring a better balance to government. How it will be done, I can't tell you because we are a pragmatic people. No one here can outline the program and the agenda of how this will be done, but it will be done.

After it is all done, let me just say, after you have shined up the car, tuned up the motor and looked at the map, and even put the gas in the tank, you've got to make up your mind that you are going to take the trip.

What really is wrong in this country is not so much the procedures, even though they are subject to improvement and obviously should be, and we have had brilliant displays tonight of the kinds of ideas that we could work on, but when it is all done, government is only as good as the will to govern. That is what it is all about.

I think that the public realizes that it is Congress that has created the mess and until we are willing to assume the responsibility of putting our house in order we aren't going to retain or recover the respect of the American people.

And the same President that lectures the Congress on our limitations is in charge of every Executive department of this Government. What needs to be done is to shape up the Executive Branch of this Government to respond to public needs; to get the letters answered, if you please; to take the citizens' complaints and do something about it; to take the programs that have been legislated and act upon them.

How do you know if they are any good? They have never been really tried.

Many a person gets his old age pension before he gets an application responded to or answered in this Government. That is at the Executive side; the will to govern and the willingness to be responsive to public needs. And for us in the Congress, let's remember that we can equip ourselves, as has been said here tonight, to do a better job.

Essentially, we are supposed to formulate public policy and the Executive is to carry it out. He is our agent. And whatever the past may be concerning impoundment, that doesn't necessarily apply to the present President. It was one thing to impound money in the 1920s when Charles Dawes was the first Director of the Budget, when your budget was $2 billion and you really had no great national programs. But today when you impound the money, you frequently exercise, for all practical purposes, the veto.

That I don't think is proper and right.

I am not so worried about efficiency. I was glad to hear Carl Albert speak about it tonight. I am giving the benediction, let me just refer to the Scriptures. You can read the Old and New Testaments, verse by verse and chapter by chapter, and the word "efficiency" never appears. Not once. But love, justice, liberty, God, people, brothers, sisters appear. You can read the Magna Carta and the word "efficiency" is not to be found there, yet it is the great document of representative government.

You can read the Declaration of Independence and all of the grievances therein listed and not once did our founding fathers talk about the inefficiency or the efficiency of government. They had grievances about the injustice and the inequities that were imposed upon them.

You can read the Constitution of the U.S. from the Preamble to the last word and not once find the word "efficiency," or the Emancipation Proclamation.

Hitler was efficient and so was Bismarck. That did not give them justice and I think that what the American people want is justice. I think they want some justice in tax laws and they know they are not getting it. I think they want some justice and fair treatment. I think that what they want out of the Congress and the Executive is not a fight over procedure, but what you are going to do about your cities before they blow up.

I think what they want from the Congress of the U.S. is response to human problems, and while we sit here fighting the battle of procedure, the American people becomes more disgusted with our Government; not with our country, but with our Government because what they see is Government locked in quicksand, so to speak, spinning its wheels on debates between Presidents and Congress over procedures and forms.

That does not mean that we should not improve the procedures and forms, but only for one reason. Namely, can we govern more justly? Can we promote domestic tranquility? Can we provide for individual liberty? Can we make it profitable for people to pursue happiness?

Churchill was right: you know, nobody mentioned him tonight. Churchill said: "Democracy is the worst possible form of government except all others that have ever been tried."

On that note, I would say "Amen."

Mr. Donovan. Thank you very much, Senator Humphrey, Speaker Albert, Senator Scott ladies and gentlemen.

We again thank you all for being with us tonight and I hope you will bear with us through what I hope will be at least another 50 years.

Thank you and good night.

TAX TREATMENT OF MOVING EXPENSES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. Burke) is recognized for 15 minutes.

Mr. BURKE of Massachusetts. Mr. Speaker, I have introduced legislation today to amend the current provisions of the Internal Revenue Code with respect to the tax treatment of employees' moving expenses. The bill will change existing law by first, eliminating the existing dollar limitations on certain deductible moving expenses, second, expanding the existing time limitations on temporary living expenses, third, reducing the mileage test for qualifying for the moving expense deduction, and fourth, providing that an employee who accounts to his employer for reimbursed moving expenses will include in gross income only those reimbursed moving expenses which are not deductible under section 217 of the Internal Revenue Code.

This bill is the result of a continuing effort on my part to remove the inequities in the tax treatment of employee moving expenses. The structure of the United States economy requires the free mobility of its labor force. More than a million moves a year are necessitated by the shutdown of old installations and the opening of new installations, or by numerous other valid and important business reasons. Private industry has long recognized the desirability of freely moving employees to new locations where their skills can best be utilized and, to achieve this desired mobility, has followed the practice of reimbursing such employees for the costs incurred in their moves. Since 1966, when Congress enacted Public Law 89-516, the Federal Government has followed a similar practice for government employees who are transferred in the interest of the Government.

Valid reimbursed employee moving expenses include not only transportation costs of moving the employee, his family and household goods, but also the costs of selling the old home, finding living quarters at the new job location and temporary living expenses until such quarters are available, and other related costs. However, prior to enactment of the Tax Reform Act of 1969, judicial interpretation of the Internal Revenue Code required that a reimbursed employee treat as taxable income all reimbursed amounts other than actual transportation costs and subsistence en route. The inequities of such an approach are apparent. An employee could avoid being treated as having received taxable income on such job-related expenses incurred by and reimbursed to him only by refusing the proposed move and thus risking the loss of his job or possible future promotions.

Beginning in 1966, I participated in a bipartisan effort in the House and Senate to enact corrective legislation. On February 24, 1966, I introduced H.R. 13070, which would have provided, among other things, that in addition to costs of moving the employee, his family and household goods, the following reasonable reimbursed costs would be nontaxable to an employee employed for at least 1 year: house-hunting expenses of the employee and his spouse, temporary living expenses at the new location while awaiting permanent quarters—up to a period of 30 days—selling commissions and other expenses incident to the sale of the employee's old residence or to the settlement of an unexpired lease, and out-of-pocket expenses incident to the purchase of a new residence.

Although H.R. 13070 was not enacted by the 89th Congress, it generated a great deal of bipartisan interest in both Houses. I introduced an identical bill in the 90th Congress on January 10, 1967—H.R. 47. On May 25, 1967, as a compromise measure, I introduced an amendment to H.R. 47, which placed dollar limitations on the new deductible expenses and provided that they be available to all employees, whether or not reimbursed by their employers. The Tax Reform Act of 1969 basically adopted H.R. 47, as amended. Section 231 of the Tax Reform Act provided that, in addition to transportation of the employee, his family and household goods to the new job location, the following are deductible moving expenses:

Expenses for premove househunting trips;

Temporary living expenses for up to thirty days at the new job location;

Expenses related to the sale of the residence—or the settlement of an unexpired lease—at the old job location; and

Expenses incident to the purchase of a residence—or the acquisition of a lease—at the new job location, with the following maximum dollar limits as proposed in the amendment to H.R. 47: no more than $1,000 for house-hunting trips and temporary living expenses and no more than $2,500 for all four of the new deductible categories.

In addition, section 231 of the Tax Reform Act changed existing law by providing that all moving expense reimbursements, whether or not deductible, must be included in the employee's gross income. It also substituted the requirement that the employee's new principal place of work be at least 50 miles farther from his former residence than was his former principal place of work to replace the 20-mile test applicable under prior law in determining whether a move qualified for deduction.

The Tax Reform Act of 1969 was a major advance toward the equitable tax treatment of employee moving expenses. However, certain provisions of the act badly need revision to prevent inequitable tax treatment to employees and to simplify reporting requirements. First, the $2,500 limit on the new deductible expenses, which was proposed by me in 1967 as a compromise measure to eliminate Treasury objection to H.R. 47, should be replaced by my original proposal, which provided for the deductibility of all such reasonable expenses. The rigid $2,500 overall limitation was far from generous in 1967, and experience has shown that it is now much too low for the average move in 1973. A recent study of private industry transfer practices covering 22,200 moves indicates that in 1971 the average move resulted in reimbursement of $4,600 for expenses in the categories subject to the overall limitation of $2,500, with reimbursement for housing expenses at the old and new locations averaging $3,400 per move and temporary living costs and house-hunting travel averaging $1,200 per move. This study indicates that on the average, transferred employees must pay tax on $2,100 of reimbursed moving expenses because of the inequitable dollar limits included in the present law. We must not let this unfair situation continue. My bill takes care of the problem by eliminating completely the rigid dollar limitations making the various types of moving expenses covered by present law deductible if reasonable in amount.

Replacement of the rigid dollar limitations by a rule of reasonability will also result in a much-needed simplification of Internal Revenue Service Form 3903 used by employees to claim the allowable moving expense deduction. The current form requires that employees make various complicated computations to segregate the various expenses and to apply the sublimitation and overall limitation.

A second change made by my bill increases the 30-day limitation on allowance of temporary living expenses incurred at the new job location to 60 days. The 1971 study referred to above indicates that transferred employees on the average were eligible for 50 days of temporary living expenses while awaiting permanent quarters. In addition, the statutory rule applicable to temporary living expenses needs expansion to include at least 5 days of temporary living expenses incurred at the old job location. Frequently a family departing from the old job location must vacate its house there several days before the moving van is finally loaded and before the family can officially leave the house. The Treasury regulations under section 217 of the Internal Revenue Code touch upon this problem by treating as a travel expense a 1-day temporary living allowance at the old job location. The Statute should be amended to expand the 1-day rule to 5 days to accord with the realities of the situation.

A third major problem covered by the bill relates to the unreasonable requirement that in order to qualify for the moving expense deduction, an employee's new principal place of work must be at least 50 miles farther from his former residence than was his former principal place of work. This test, which replaced the 20-mile test under prior law, in addition to creating difficult compliance problems, is unfair to thousands of employees because is assumes an unreasonably long commuting pattern.

My bill proposes that the 50-mile test be replaced with a 10-mile test to take into account the normal and reasonable commuting distance for the average employee given today's crowded highways and inadequate transportation facilities and to conform with the existing practice in both private industry and Government. A 10-mile rule is followed by many employers in private industry, and the Federal Government will reimburse qualified moves when the new official station is more than 10 miles farther from the employee's home than was his former official station. In addition to resulting in more equitable treatment of transferred employees, the 10-mile test will simplify the administration of moving expense reimbursement allowances with the tax law.

Finally, the current law can be greatly simplified by eliminating the requirement added by the 1969 Tax Reform Act that all employees who are reimbursed for their moves report such reimbursements as income and claim offsetting deductions for allowable moving expenses. This requirement has imposed unnecessary and burdensome paperwork on both employers and employees. Under most moving expense plans, both government and private, an employee can obtain reimbursement for the cost of his move only by supplying his employer with supporting documentation showing the nature and actual incurrence of such expenses. To the extent that such expenses otherwise qualify for deduction under present law, amendment of the present rules to provide that an employee who fully accounts for his moving expenses to his employer could simply exclude the reimbursements from his gross income would eliminate the several duplicative steps now required.

At the present time, after an employee accounts fully to his employer, the employer must supply the employee with a complicated IRS approved form listing the payments to him, broken down into various categories showing the type of expense and nature of payment. The employer must also record the reimbursed expenses, broken down between what the employer thinks is deductible and nondeductible, on a W-2 form for the employee. The employee is then required to transcribe the information to Form 3903, which he must file with his return. The employee must then claim his moving expense deduction on the long Form 1040 as a subtraction from gross income, which precludes his use of the simplified Form 1040-A, which was reintroduced by the Internal Revenue Service in 1972 to simplify the income tax return filing for many individuals. All deductible reimbursed moving expenses which are fully accounted for to the employer should be treated as an "exclusion" rather than having to go into the employee's gross income and come out again as a deduction. This full accounting to the employer concept, which is analogous to the exclusion rule now applied in the business travel and entertainment area, would greatly simplify the present burdensome compliance problems for the more than a million employees who have job-related moves each year, the great bulk of whom earn between $8,000 and $20,000.

In summary, the items covered in the legislation are as follows:

First. The employee shall exclude from gross income any amounts paid by his employer which are deductible as moving expenses under section 217, provided that he supplies his employer with supporting documentation of such expenses. He shall include in gross income any amounts not so reported.

Second. Allowable moving expense deductions shall include temporary living expenses for 5 days at the former principal place of work and for 60 days at the new principal place of work.

Third. The $2,500 overall limitation and the $1,200 sublimitation for certain moving expenses are repealed.

Fourth. A 10-mile test is substituted in lieu of the present 50-mile test in order for moving expenses to be deductible.

Mr. Speaker, enactment of this legislation is essential to simplify the current complicated moving expense provisions and to preclude the imposition of an unfair tax on employees who are reimbursed by their employers for job-related moves.

THE ECOLOGY MOVEMENT

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. **MEEDS**) is recognized for 5 minutes.

Mr. **FULTON**. Mr. Speaker, one of the most positive signs I have seen recently showing the deep-rooted vitality of the ecology movement was a letter I received from Mr. Lonzo Mayfield's sixth grade science class at Buena Vista School in Nashville. They informed me of a special project which they are undertaking in conjunction with their study of ecology, a project which deals with the saving of small wildlife. They have entered the President's Environmental Awards program and plan to set up a small game preserve on Mr. Mayfield's farm.

As part of their project, the class asked me to write a resolution to promote earthkeeping and the saving of wildlife. However, since so much of the real value of their program derives from their own commitment and their own participation, I suggested that they determine what they considered to be the points of most critical importance to them and write a resolution themselves. I sent a sample copy of a resolution for the purpose of form, which they modified slightly to suit this particular situation. The result is a truly gratifying piece of legislation that I would like to present to you as it was presented to me, with a few technical revisions. And I suggest that all of us would do well to pay careful attention to what our young people are proposing for their future and the future of our planet.

I hereby submit to you this joint resolution on behalf of Mr. Lonzo Mayfield, Robert Green, Henry C. Jones, Tony McCullers, Tony Rogers, Wendell Quarles, Cordelia Osborne, Cindy Thompson, Buddy Blake, Sandi Zumbro, Stephany Looney, Teresa Lawrence, Dale Simmons, Debbie Stratton, Lisa Lawrence, Fred Parrish, Steven Ray Martin, Brad Rowlette, Theo Garner, Jerry Morton, Karen Schmutz, Zachary Ridley, James Mitchell, Peggy Mangrum, Lytres Taylor, Eileen Tschan, Dexter Lee, and Clarence Johnson, Jr.

JOINT RESOLUTION AUTHORIZING THE PRESIDENT TO PROCLAIM MAY OF EACH YEAR AS "NATIONAL EARTH AND WILDLIFE MONTH"

Whereas, there is an urgent need to promote broader awareness and understanding of the national environmental crisis, including the abuse of energy resources, the pollution of air, land, and water, and the loss of wildlife; and

Whereas, there is a compelling need to encourge a continuing commitment by educational, agricultural, business, labor, and civic groups to solve environmental and wildlife problems; and

Whereas, education of the public regarding environmental issues is necessary in order to solve complex environmental problems: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation designating May of each year as "National Earth and Wildlife Month", and calling upon the people of the United States to observe such month with appropriate ceremonies and activities.

COMPREHENSIVE LAND USE PLANNING

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. **FULTON**) is recognized for 5 minutes.

Mr. **MEEDS**. Mr. Speaker, I am today introducing a bill that will respond to the need for comprehensive land use planning.

Everyone here experiences daily the problems brought on by nonplanning in the suburbs and cities and the helter-skelter migration to metropolitan areas.

As a result of migration, technology, and the population explosion, we see fights between highway men and conservation groups, fights between real estate developers and oldtime residents, fights between cities and suburbs over revenues and property taxes, to name a few.

You name the conflict and land use will probably be involved some way.

The approach of the bill I am introducing today, holds the greatest promise of bringing less friction and more land use planning of those bills presently before the committee. The planning is assured and comprehensive, and is designed to bring cooperation among Federal agencies and a relative peace to land use.

My bill insures that a planning process beginning at the local level will get underway and that States will begin utilizing the planning within 5 years. Each year $60 million would be authorized for State land use planning grants. Up to two-thirds of the planning costs would be borne by the Federal Government.

Additional incentives are included for State participation in land use planning. If a State is not making substantial progress toward establishing a land use process or program within 3 years after enactment, Federal assistance will be reduced by one-half where such assistance has substantial impact on land use. Should the process not be established and used within a 5-year period, all such Federal assistance would be cut off.

This land use proposal is a comprehensive measure. Included within its purview are all lands within the United States. The bill establishes a grant program for States to do the planning on non-Federal lands, but it also provides policy directives and coordination of Federal departmental activities with regard to Federal land.

The approach of my bill is designed to bring relative peace to land use. One of the main reasons for land planning is to douse brushfire wars which flare over land use decisions. Disputes will arise less frequently because the carrot-and-stick provisions will bring forth a planning process and a usable program for everyone to see. Orderly development can take place. With a road map spread out in front, many present land use decisions will be eliminated.

I am hopeful that the committee and this Congress will see fit to adopt a land use bill which will provide assured, coordinated, and comprehensive planning.

THE SHOT HEARD AROUND THE WORLD

The **SPEAKER** pro tempore. Under a provious order of the House, the gentleman from Massachusetts (Mr. **DRINAN**) is recognized for 15 minutes.

Mr. **DRINAN**. Mr. Speaker, 198 years ago today on April 19, 1775, American patriots at Concord and Lexington fired the shots heard around the world. Our war against tyranny and despotism had opened.

In the opening phrases of the Declaration of Independence the Founding Fathers set forth the types of oppression, deception, and tyranny against which they waged the war of revolution.

I quote that language verbatim. I feel that it need not be pointed out that the forms of oppression and deception against which the leaders of the American colonies started a war of revolution 198 years ago today are present today in the executive branch of the American Government.

The writers of the Declaration of Independence expressed their grievances in these words:

> The History of the present King of Great Britain is a History of repeated Injuries and Usurpations, all having in direct Object the Establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to candid World.
>
> He has refused his Assent to Laws, the most wholesome and necessary for the public Good.
>
> He has forbidden his Governors to pass Laws of immediate and pressing Importance, unless suspended in their Operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.
>
> He has refused to pass other Laws for the Accommodation of large Districts of People, unless those People would relinquish the Right inestimable to them, and formidable to Tyrants only.
>
> He has called together Legislative Bodies at Places unusual, uncomfortable, and distant from the Depository of their public Records, for the sole Purpose of fatiguing them into Compliance with his Measures.
>
> He has dissolved Representative House repeatedly, for opposing with manly Firmness his Invasions on the Rights of the People.
>
> He has refused for a long Time, after such Dissolutions, to cause others to be elected; whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the Dangers of Invasion from without, and Convulsions within.
>
> He has endeavoured to prevent the Population of these States; for that Purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their Migrations hither, and raising the Conditions of new Appropriations of Lands.
>
> He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers.
>
> He has made Judges dependent on his Will alone, for the Tenure of their Offices, and the Amount and Payment of their Salaries.
>
> He has erected a Multitude of new Offices, and sent hither Swarms of Officers to harrass our People, and eat out their Substance.
>
> He has kept among us, in Times of Peace, Standing Armies, without the consent of our Legislatures.
>
> He has affected to render the Military independent of and superior to the Civil Power.
>
> He has combined with others to subject us to a Jurisdiction foreign to our Constitution, and unacknowledged by our Laws; giving his Assent to their Acts of pretended Legislation:
>
> For quartering large Bodies of Armed Troops among us:
>
> For protecting them, by a mock Trial, from Punishment for any Murders which they should commit on the Inhabitants of these States:
>
> For cutting off our Trade with all Parts of the World:
>
> For imposing Taxes on us without our Consent:
>
> For depriving us, in many Cases, of the Benefits of Trial by Jury:
>
> For transporting us beyond Seas to be tried for pretended Offences:
>
> For abolishing the free System of English Laws in a neighboring Province, establishing therein an arbitrary Government, and enlarging its Boundaries, so as to render it at once an Example and fit Instrument for introducing the same absolute Rule into these Colonies:
>
> For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:
>
> For suspending our own Legislatures, and declaring themselves invested with Power to legislate for us in all Cases whatsoever.
>
> He has abdicated Government here, by declaring us out of his Protection and waging War against us.
>
> He has plundered our Seas, ravaged our Coasts, burnt our Towns, and destroyed the Lives of our People.
>
> He is, at this Time, transporting large Armies of foreign Mercenaries to compleat the Works of Death, Desolation, and Tyranny, already begun with circumstances of Cruelty and Perfidy, scarcely paralled in the most barbarous Ages, and totally unworthy the Head of a civilized Nation.
>
> He has constrained our fellow Citizens taken captive on the high Seas to bear Arms against their Country, to become the Executioners of their Friends and Brethren, or to fall themselves by their Hands.
>
> He has excited domestic Insurrections amongest us, and has endeavoured to bring on the Inhabitants of our Frontiers, the merciless Indian Savages, whose known Rule of Warfare, is an undistinguished Destruction, of all Ages, Sexes and Conditions.
>
> In every stage of these Oppressions we have Petitioned for Redress in the most humble Terms: Our repeated Petitions have been answered only by repeated Injury. A Prince, whose Character is thus marked by every act which may define a Tyrant, is unfit to be the Ruler of a free People.

USURPATION OF POWERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts, (Mr. MOAKLEY) is recognized for 5 minutes.

Mr. MOAKLEY. Mr. Speaker, last night I joined with 29 other freshman Democratic Members of Congress in decrying the usurpation by the President of the powers and prerogatives of the Congress. Although our focus was on the budget the issue of war in Indochina once again transcends all others.

The President has ordered the bombing of Cambodia and Laos and a halt to minesweeping operations off the coast of North Vietnam. And he has taken these actions without consultation with or authorization by the Congress.

Despite protests over the President's constitutional authority to take these actions, they continue. Congress must act now to stop them.

I believe the proper congressional response is found in the proposal offered by our colleague, Mr. BINGHAM, to end all American military involvement in Indochina. House Joint Resoultion 516 of which I am a cosponsor, provides that—

> No funds heretofore or hereafter appropriated shall be expended for the conduct by United States forces of bombing missions or other combat operations in or over or from off the shores of Indochina, including Cambodia, Laos, the Republic of Vietnam and the Democratic Republic of Vietnam, without prior, specific authorization by Congress.

Mr. Speaker, I think that if this legislation is enacted that even the President, himself, would have difficulty circumventing its intent. I call upon my colleagues to support this bill in order to finally bring about the peace the President claims we now have.

We can no longer justify our inaction with arguments that legislation would jeopardize the lives of our troops and prisoners in Southeast Asia. The troops have been withdrawn and all the prisoners released from captivity.

We need to make certain that events do not once again result in the introduction of American forces and the capture of American men.

For more than 6 weeks, American B–52's have flown daily hundreds of sorties, dropping thousands of tons of bombs on the land and people of Cambodia in an effort to maintain in power a regime which so obviously lacks the support of its people.

Only this week, we have resumed bombing missions over Laos and just today the Pentagon announced the suspension of the mine removal operations which began a month and a half ago.

Mr. Speaker, have we not killed enough people, destroyed enough homes, created enough suffering, and endured enough divisions here at home to have learned the lessons of our past mistakes? Let us act now to bring an end to this war.

UNIVERSITY OF HAWAII LABORATORY SCHOOL YOUNGSTERS BRING ALOHA TO CAPITOL HILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Hawaii (Mr. MATSUNAGA) is recognized for 5 minutes.

Mr. MATSUNAGA. Mr. Speaker, my colleagues had a rare opportunity today to enjoy a bit of aloha brought to the Nation's Capital by the 84-member combined band, orchestra and chorus of the University of Hawaii's Laboratory High School. A highly professional "Aloha Revue" was staged in the caucus room of the Cannon House Office Building by the talented young musicians and their director, Mr. Alan Fetterman. Members of Congress and Capitol Hill employees, as well as special invited guests were treated to a fast-moving program of both traditional and modern music and dance from Hawaii and the Pacific area.

Accompanied by the principal of their school, Dr. Loretta Krause, of this outstanding group of youngsters are here on their first trip to the mainland. They have worked hard all year to prepare their program and to earn money for the trip—collecting refundable soft drink bottles, selling sweet bread and sponsoring fund-raising concerts and dinners. They raised over $54,000 to finance their trip.

It is a pleasure for the Hawaii congressional delegation to welcome this fine group of young people to Washington and I know that my colleagues will join me in wishing them continued success on the remainder of their concert tour.

THE FEDERAL NOXIOUS WEED ACT

(Mr. FREY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FREY. Mr. Speaker, I am today introducing the Federal Noxious Weed Act which would fill many existing gaps in Federal law by regulating the importation and interstate movement of noxious weeds and providing for their control and eradication. In effect, it would be the first broadscale assault on noxious weeds of all types which have adversely affected the Nation's agricultural economy and threatened the health of humans and livestock.

The development of this legislation is the result of 6 years of research by the Federal Interagency Ad Hoc Committee on Preventive Weed Control. It has been endorsed by the National Association of State Departments of Agriculture, the Weed Science Society of America, the Northeastern, Southern, North Central, and Western Weed Control Conferences, and many State weed control conferences.

THE WEED MENACE

Weeds are a menace to our Nation's agricultural economy and a threat to the health of humans and livestock. Weeds compete with desirable economic plants for water, light, mineral nutrients, and other plant growth requirements. One plant of common yellow mustard needs twice as much nitrogen, twice as much phosphoric acid, four times as much potash, and four times as much water as a well-developed oat plant. Some weeds are poisonous to livestock and humans.

Weeds constantly threaten food and fiber production. They reduce yields and lower the quality of crops and livestock. Weeds impair human health and reduce the efficiency of water management. Weeds harbor insect vectors of human diseases and serve as a reservoir for disease-producing organisms. They reduce the efficiency of production and harvesting equipment. Weeds also ruin lakes, ponds, waterways, parks, and other recreation areas.

The scope of weed control operations on privately owned lands in the United States is enormous. Cultural, mechanical, ecological, and other biological methods of weed control are used on more than 400 million acres of intertilled and drill-seeded cultivated crops each year. The intertilled row crops receive two to five seedbed tillage operations and an average of about five cultivations each year. More than 1 billion acres of hay, pasture, and rangelands, and millions of acres of nonagricultural lands, aquatic sites, and rights-of-way benefit by weed control practices.

Federal and State agencies are responsible for the management of about 1 billion acres of land, all of it closely associated with privately owned land that is used for crop production, grazing, and forestry. Most of this 1 billion acres is in various stages of weed infestation. More than 10 million acres of this land are infested by weeds classified as noxious by the State and Federal seed laws. In addition, millions of acres in road, railroad, and utility line rights-of-way, and fence rows, ditchbanks, waterways, and industrial sites are infested with weeds. Many States have enacted noxious weed control laws. However, the programs of these States will remain ineffective as long as noxious weeds remain uncontrolled on their public lands.

No one knows how many weed species populate the earth. However, an estimated 30,000 or more are known to be widely distributed throughout the world. About 1,800 of these cause serious annual losses. Most of our major cultivated crops are subject to infestation by as many as 200 species. Between 20 and 30 species cause serious yield reductions in most crops and must be controlled each year.

Preventive methods—such as the use of clean seed, weed-free manure and hay, clean harvesting equipment, mowing, burning, grazing management, and eradication of weed infestations adjacent to cultivated fields—were for many years the primary practices used for control. Beginning with the introduction of selective herbicides about 1896, emphasis gradually shifted to the use of chemical control practices to supplement cultural and biological methods. The period from 1945 to 1965 was characterized by the rapid introduction of new herbicides and their wide-scale use as primary methods of control.

In 1949, herbicides were used on 23 million acres of agricultural land; in 1952, on 30 million acres; in 1959, on 53 million acres; in 1962, on 71 million acres; and in 1965, on 120 million acres. The acreage treated with herbicides more than doubled in just 5 years. During the period from 1951 to 1960, American farmers spent an average of $2.5 billion each year to control weeds. Despite this expenditure, and the use of modern weed control technology, weeds reduced crop production by 13.5 percent in each of those years. Emphasis on preventive methods during this period actually declined, and reliance on chemical methods of control increased.

Unless weeds on federally and State managed lands, rights-of-way, industrial sites, and other nonagricultural areas are controlled, it will be difficult to reduce losses caused by weeds on privately owned lands. Such public lands provide an instant source of reinfestation of private lands. Unless weeds are controlled on such lands, the cost of control by farmers will continue to increase. Annual reinfestation maintains populations of weed seed, increases annual losses, requires increased use of herbicides, and increases the cost of control by all methods. The burden is endless for those who produce our supply of food and fiber.

Yet the loss to farmers is only a part of the total annual loss. Many acres of land and waterways are infested with poisonous plants. Poison ivy, poison oak, and other poisonous plants are a menace to many unsuspecting persons seeking recreation. Each year poisonous weeds cause nearly 2 million cases of skin poisoning and other skin irritations, all of which adds up to a loss of 333,000 working days a year. Poisonous weeds also cause 3.7 million days of restricted activity and ½ million days spent in bed. We do not have statistics on reduced efficiency, cost of medical care, and other information related to losses caused by ragweed and other weed pollens to which hundreds of thousands of people are allergic. We do know that the human misery caused by poison ivy, poison oak, and toxic pollens is staggering.

Recent advances in chemical and nonchemical weed control technology make it possible to control weeds effectively, safely, and economically on private as well as on federally managed public lands.

Most noxious weeds are imported into the United States and transported in interstate commerce. The yearbook of the U.S. Department of Agriculture for 1895 listed 200 important weeds found in the United States. Of these, 108 had been established as being of foreign origin. Russian thistle was introduced into the United States in 1893 in flaxseed brought from Russia and sown in South Dakota. Johnsongrass was introduced in South Carolina as a forage plant from Turkey about 1830. Waterhyacinth was introduced from tropical America into the St. Johns River in Florida about 1884. These three weeds of crops, grazing lands, and aquatic sites are examples of many species that have been introduced from foreign countries into the United States where they have become widely distributed. Currently in California there are approximately 526 foreign weed species. About 72 percent of these were introduced from Europe and western Asia; 10 percent from eastern Asia, South Africa, and Australia; 10 percent from South America; and 8 percent from States east of California.

There is abundant historical and current evidence that the movement of weed seeds and other propagating parts has occurred in the past between States and farms, and even across continents and oceans. The discovery of witchweed in South Carolina in 1957 suggests that a similar situation exists today. Obviously, improved preventive methods are critically needed if we are to prevent the importation and domestic movement of weed seeds that constantly renew and increase their populations in the soil.

NEED FOR NEW FEDERAL LEGISLATION

Current Federal and State legislation does not prohibit, regulate, or restrict the importation or interstate movement of either noxious weeds, weed parts and seeds or materials infested with noxious weeds and their propagation parts—other than agricultural and vegetable seeds covered by the Federal Seed Act. This lack of effecting preventive weed control programs has been a major contributing factor to the increasing need for the enormous and recurring annual weed control programs and expenditures. The cost of such programs—$2.5 billion annually—has become a burden that our agricultural economy cannot sustain. The Federal Government, alone, is spending

$20,000,000 annually for operational weed control programs in addition to funds spent for research and education.

Federal legislative authority is also lacking to allow the Federal Government to cooperate with growers and States to develop weed control programs where such programs are beyond the scope and capabilities of the individuals and States. Furthermore, authority is lacking to permit the United States to cooperate with Mexico and Canada to protect American agriculture from outbreaks of noxious weeds that might spread into the United States. Presently, for example, alfombrella is a Mexican weed that threatens the U.S. border.

The legislation which I offer today provides the Secretary of Agriculture with the necessary legislative authority to control the importation and interstate transportation of noxious weeds and enter into cooperative weed control programs with the States, individuals, and the Governments of Canada and Mexico. If enacted, it would substantially reduce the costs of weed control programs which are such a drain on the agricultural economy, increase food fiber, and livestock production, lower farm labor costs, eradicate human and livestock disease producing situations, and improve navigation and recreational uses of both water and land.

The Federal Noxious Weed Act authorizes the Secretary to designate as "noxious weeds" those weeds that are new to or not known to be widely prevalent or distributed within and throughout the United States and may be directly or indirectly injurious to crops or other useful plants, livestock, or poultry, or other interests of agriculture including irrigation or navigation or public health.

Before a noxious weed may be imported into the United States or transported in interstate commerce, a permit must be obtained from the Secretary. The permit, if issued, may be general or specific in nature and require the adherence to certain conditions. A permit will not be issued if there is a danger of dissemination.

An inspection program is established to inspect persons or means of conveyance moving into or through the United States to determine whether such persons or means of conveyance are moving any noxious weed contrary to the act. Inspectors may also enter with a warrant any premises in the United States for the same purpose. Violation of this act is a misdemeanor punishable by fine up to $500 or imprisonment not exceeding 1 year.

As an emergency measure to prevent dissemination of noxious weeds, the Secretary is authorized to "seize, quarantine, treat, destroy, or otherwise dispose of any product or article or means of conveyance which he has reason to believe is infected by or contains any noxious weed." The Secretary can also order the owner of any product, article, means of conveyance or noxious weed to treat, destroy, or dispose of such product, means of conveyance, or noxious weed. Appropriate safeguards for the owner are contained in the bill.

The Secretary is also given the authority to cooperate with Canada and Mexico in survey and control activities related to impeding or preventing the spread of noxious weeds from those countries into the United States. The Secretary is further authorized to cooperate with other Federal agencies, States or territories, farmers associations, and individuals in performing the operations authorized within the proposed act.

PRESIDENT MILLER, OF UNITED MINE WORKERS OF AMERICA, CLARIFIES THE ENERGY PICTURE

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, I am pleased to present for the RECORD, a practical, down-to-earth energy plan for the United States developed by President Arnold Miller, of the United Mine Workers of America. President Miller also issued a statement on President Nixon's energy message, which follows:

STATEMENT OF UMWA PRESIDENT ARNOLD MILLER ON THE ENERGY CRISIS, APRIL 16, 1973

I speak to you today on the energy crisis for two reasons. As President of the United Mine Workers of America, I am responsible for the welfare of 200,000 families whose livelihoods will be directly affected by this nation's energy policies. And as an American citizen, I want to be confident that the public interest is represented in the current energy debate.

A great deal of attention has been devoted recently to the problem of threatened and actual energy shortages in the United States. Certain sectors of the energy industry have attempted to create something approaching a national panic on the subject. Television viewers have been subjected to the sound of an ominous pulse beat accompanied by the warning "A nation that runs on oil can't afford to run short." Full page ads in major newspapers threaten shortages in natural gas supplies. And magazine advertisements depict a lump of black coal in a glass museum case under the caption "Coal—the vanishing resource."

The United Mine Workers agrees that the energy problems facing the nation are serious. But the current campaign to stampede public opinion hardly serves the national interest. In the present "crisis atmosphere" the interests of the American worker and the consumer public will likely be ignored and the narrow interest of corporate profit will likely dominate the debate. If so, we will only have proved that as a nation we do not learn from our mistakes.

INADEQUATE COAL RESEARCH

For we face an energy crisis today because government has failed to develop a national approach to our energy needs, but has instead allowed corporate interests to develop and supply the nation's energy in accordance with their instincts for profit alone. As a result, we have become heavily dependent on unstable, foreign sources of oil; we have failed to develop effective research to utilize our vast reserves of high sulphur underground coal; we have promoted a lopsided commitment to the development of nuclear power which has consistently failed to yield its promised rewards; and we have permitted major oil interests to develop monopoly control of the major sources of energy in which we depend as a nation.

As a coal miner, I can speak most knowledgeably about the crisis miners find themselves in because of our failure to develop effective sulphur control technology. The vast bulk of our 1.3 trillion tons of coal is high sulphur coal. Most of it is located in Appalachia and the coal mining states of the Midwest—Illinois, Indiana, and Ohio.

In West Virginia, the Appalachian and Ohio Power companies have threatened to end their annual purchases of millions of tons of West Virginia coal and to import low sulphur coal from the West instead. The reason they give for the threatened shift is that they cannot meet the state's air pollution standards with West Virginia coal. In Illinois, to prevent threatened mine shutdowns rank-and-file coal miners have petitioned the legislature to delay implementation of the state's air pollution standards. The miners' fears are understandable.

MINES SHUTTING DOWN

Unemployment in major coal mining counties is 30 percent higher than the national average. Last year, West Virginia lost 2,200 jobs in the coal industry and mines have shut down in Ohio, Illinois, Pennsylvania, and in West Virginia because the sulphur content of the coal was too high to meet air pollution standards. Present state regulations to implement the Clean Air Act of 1970, according to reports, will put some 26,000 miners out of work.

Industry and government shortsightedness are largely to blame for the crisis coal miners face. The response of the electrical utility industry to the problems posed by high sulphur coal is to devote a meager one-fourth of one percent of gross revenues to research and to fight a rearguard action against pollution control. Government is equally to blame. While coal miners lose their jobs because air pollution standards prohibit burning high sulphur coal the administration *cuts* by $10 million funds allotted to the Environmental Protection Agency in the 1974 budget for the development of technology to reduce sulphur emissions.

The energy industry's response to the problems posed by high-sulphur eastern coal, it appears, is to abandon mining in the East, move west, and strip mine the reserves of low-sulphur coal in the western states. Such a shift is contemplated not because it is a reasonable response to the present energy crisis, but because it will be highly profitable to the energy industry.

STRIP MINING CONTROLS

For government's failure to legislate meaningful controls on strip mining means that ranchers, farmers, and homeowners in the West will pay for the destruction of their land and water brought on by western mining, not industry. And government's willingness to open up its vast coal reserves out West to strip mining means that the American taxpayer, too, will subsidize industry profits. Widespread western stripping is also attractive to industry in narrow corporate terms because it requires far fewer workers than underground mining to produce equal amounts of coal. The human cost of a move west will not be borne by the corporate planners promoting this policy, but by landowners and ranchers and the thousands of eastern coal miners who will be forced out of work by mine shutdowns.

If government and industry's response to their failure to develop sulphur control technology is to abandon eastern coal mining, then the nation should understand the consequences of such a policy. Unfortunately, recent history provides an all-too vivid picture of what happens when coal declines in a region where mining is the only available work.

When the coal industry automated its mines in the 50's and 60's, some 300,000 coal miners in Appalachia and the Midwest were left without work. Thousands of mining families were driven from their homes to the squalid, migrant ghettos in Chicago, Detroit, and Dayton. There they searched futilely for jobs that didn't exist and wound up on the public dole because there was no other way to survive. The hunger, sickness and squalor left behind in the coalfields were so shocking that an American President was moved to declare a war on poverty.

If the government allows mining to leave Appalachia and the Midwest for good in the 70's, the eastern coalfields will become a region of ghost towns—peopled by the aged, the sick, the disabled, and those too hopeless to flee. And thousands of coal miners will once again hear the bitter sound of "No work today."

For five years coal miners have heard the virtues of the "work ethic" extolled by the President. But I ask the President when will the rhetoric of the "work ethic" be matched by a commitment to preserve the jobs of American citizens? I ask the President and Congress how they can pass legislation to protect the air we breathe and stand silently by while the jobs of thousands of hardworking, taxpaying American citizens go down the drain because government has failed to prepare for the effects of its laws?

JOBS AND CLEAN AIR

Coal miners don't want to be pitted against environmentalists in a battle between jobs and clean air. But that's what present government policy ensures. Coal miners don't want to be poison pushers. We breathe the same air as the rest of the public. But it is slight comfort to coal miners on the unemployment line, whose children go hungry and forgo their educations, that the air they breathe is pure.

Our concern about sulphur control and the future of coal mining is immediate. Our jobs are threatened by government and industry's failure to develop sulphur emissions controls. But coal miners share with many American citizens serious misgivings about the broader direction of the nation's energy policy, particularly its heavy reliance on foreign oil.

Just this past weekend, terrorists blew up American-owned oil storage facilities in Lebanon. Last month, the Emir of Kuwait told United Press International that "when zero hour comes" in a future war, Kuwait will use its vast oil reserves as a "weapon." Coal miners wonder: How much longer can we safely permit this nation to rely on unstable and hostile Middle East regimes for the bulk of its fuel energy needs?

It is not hard to understand why corporate interests have allowed the nation to become dependent on foreign oil. In 1971, according to Senator Fred Harris, Continental Oil Co. paid nothing in federal income taxes on $109 million in profits. What coal miners cannot understand is how responsible government officials have allowed the inflated profits of the oil industry to dictate our nation's energy policy. Coal miners cannot understand why we continue to strain our balance of payments deficit by pumping billions of American dollars overseas to purchase foreign fuel energies rather than develop domestic supplies.

COAL MAJOR ENERGY SOURCE

Coal represents 80 percent of this nation's fuel reserves. Yet we rely on coal for only 18 percent of our fuel energy needs. Oil and gas represent 17 percent of our domestic reserves. Yet the nation relies on oil and gas for 77 percent of its energy needs. Doesn't such a lopsided misuse of our resources ensure continued energy shortages? There is speculation that this nation may enter into long-term contracts to purchase natural gas from the Soviet Union. Will we continue to pursue a foreign source of energy while we ignore the vast, untapped reserves of coal here at home?

Coal miners have heard for two decades that nuclear power is the hope of the future. Since 1945, 87 percent of government and industry energy research and development has been devoted to development of nuclear fission. But, today, reactors continue to be plagued by safety and technical problems and nuclear power remains a distant dream. Coal miners believe we should prepare for the future. But they recognize that we live in the present.

The administration's 1974 budget allocates a token $61 million to develop our vast reserves of coal and a massive $506 million to develop nuclear power. Such a budget will ensure that the energy crisis—blackouts and brownouts and domestic fuel shortages—will be a way of life for Americans for decades to come.

I am not an energy expert. I am President of a coal miner's union and an American citizen. So let me state my concerns simply.

I don't want the security of my children and grandchildren to rest on the whims of some foreign potentate or commissar.

I don't want to look into the hungry eyes of coal miners' children while oil-rich sheiks and moguls drive Cadillacs and Continentals down desert highways and fuel energy conglomerates pay no taxes on millions of dollars in profits.

I never again want to see the unemployment and welfare lines I saw in the 50's and 60's. I don't want to see thousands of mining families in trucks piled high with furniture, grinding down curving mountain roads destined for the desolation of urban ghettos because at home there is no work, no food, and no hope.

I don't want to see the still beautiful West raped and defiled like my beloved home state of West Virginia. I don't want this nation to allow the energy industry to abandon underground mining in the East and destroy our western wilderness and farms because the zeal for profit encourages it and government neglect permits it.

I don't want to see American coal miners forced to fight for their jobs because of industry and government shortsightedness and wind up damned as irresponsible citizens unconcerned about air pollution.

ENERGY POLICY

In short, human beings are this nation's most important resource. Their concerns and needs, not corporate profits, should be the cornerstone of our national energy policy. In that spirit, the United Mine Workers believes that our nation's energy policy must do the following:

Concentrate on developing our most abundant, domestic energy supply—coal.

Provide energy, wherever possible, without destroying our land and water resources.

Affirm the principle that the jobs of American workers are more important than the profits of energy conglomerates.

We must recognize that coal can guarantee our nation's energy needs for hundreds of years to come if we unchain our gigantic underground reserves. We urge the President and the Congress to commit themselves to support coal mining as the most stable source of the nation's energy and as a source of livelihood for thousands of American working families.

In that regard, we welcome the sense of urgency expressed by the sponsors of the National Energy Research and Development Act to expand the government's commitment of funds for research into the uses of coal. But we note that the Act fails to deal with the most pressing problem facing coal miners today—sulphur control.

The United Mine Workers believes that the nation's need for clean air and the coal miners' need for employment demand immediate action to develop sulphur emissions controls that will permit our massive reserves of high-sulphur coal to be burned without polluting the atmosphere. We call, therefore, for a crash program using whatever federal funds are needed to develop such technology in as short a time as possible.

ENERGY MONOPOLY

As coal miners and citizens, we are deeply disturbed by the growing monopolization of energy resources by fuel energy conglomerates. It is apparent that the present energy crisis has developed hand-in-hand with the increasing domination of all energy sources by single companies. The United Mine Workers believes this trend is against the public interest and the needs of a free market economy and urge that it be reversed.

Finally, we believe that the present crisis in energy is largely due to the fact that narrow industry concerns have dictated our national energy policies. To prevent the errors of the past we propose a National Energy Planning Council to help chart the nation's future energy program. For such a council to truly represent the public interest the United Mine Workers believes that unions representing workers in the energy industry, environmentalists, and consumers must have a major policy-making role in its decisions.

In closing, I wish to speak once more in two capacities. As President of the United Mine Workers I want to remind the nation that 100,000 coal miners gave up their lives in this century to provide for this nation's energy needs. I sincerely hope that in forming our future energy policies the nation will not ask coal miners to give up their livelihoods too.

As an American citizen, I note that the American worker and the consumer public speak with an increasingly lonely voice in their nation's capitol while industry seems to have an open invitation to direct national policy. It is long past time for the public to be represented in the planning of its future. The direction of our nation's energy policies is clearly the place to begin.

STATEMENT BY ARNOLD MILLER, PRESIDENT OF THE UNITED MINE WORKERS OF AMERICA, ON PRESIDENT NIXON'S ENERGY MESSAGE, APRIL 19, 1973

United Mine Workers President Arnold Miller said today that President Nixon's energy message is "long on rhetoric and short on substance" and called it a "great disappointment to the Nation's coal miners.

Nixon's energy message urges that "the highest national priority be given to the expanded development and utilization of our coal resources."

"Those are bold words," Miller commented, "but words won't develop coal."

"The facts, as indicated in the Wednesday briefing in the Interior Department are that no new funds have been allocated in the 1974 budget for coal research."

Miller said the 1974 budget allocates a token $61 million for coal research and a massive $506 million for nuclear research which has consistently failed to yield its promised rewards.

"The most critical problem facing coal miners today is that more than one trillion tons of high sulfur coal in the U.S. cannot be burned without polluting the atmosphere. The President's response is to cut $8 million mandated for developing sulfur-control technology for the Environmental Protection Agency's budget and to call for lowering air pollution standards.

"President Nixon called for 'national conservation ethic'" Miller said, adding:

"But his energy message doesn't conserve the nation's land and water resources by promoting Eastern underground mining as an alternative to Western strip mining; it doesn't conserve the air we breathe by developing technology to burn high-sulfur coal, and it doesn't conserve the jobs of 26,000 coal miners threatened by present state regulations under the 1970 Clean Air Act."

"The only resources the President's energy message will successfuly conserve," Miller said, "are the inflated profits of the energy industry."

Commenting on President Nixon's elimination of oil import quotas, the UMW president pointed out that less than 24 hours after the President's message, Saudi Arabia announced that it will not expand its oil production unless the United States alters its political stance in the Middle East.

"Once again we see the folly of relying on foreign sources for this Nation's energy needs," Miller said. "This policy has brought us nothing but instability and crisis."

"We must become self-sufficient in energy," Miller said, "and the key to self-sufficiency is coal."

The nation's 1.3 trillion tons of coal reserves represents 80 per cent of our domestic energy resources, Miller said.

"The Nation needs a crash program to develop sulfur-control technology and synthetic fuels from coal," Miller said, "Instead we got a crash of rhetoric."

ANOTHER OSHA MISTAKE

(Mr. RONCALIO of Wyoming asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RONCALIO of Wyoming. Mr. Speaker, I voted against extension of the Economic Stabilization Act because it perpetuates the delegation of lawmaking powers to downtown bureaucrats.

Those of us who tried to bring some reason to the regulations promulgated under the Occupational Safety and Health Act are especially sensitive to what happens when Congress gives broad powers to the executive branch.

The skyrocketing cost of living is a serious problem and my vote in no way reflects indifferences to what this has meant to every sector of the economy, agriculture included.

However, during the past several weeks, a hastily considered bill, H.R. 6168, has proposed to roll back all prices, interest rates, and rent to January 10, 1973, a terrible blow to the cattle raisers who have only recently achieved a fair price.

I opposed H.R. 6168 because I believe it would have required a bureaucratic machinery we can ill afford.

I also recognized how harshly it would have dealt with stock growers. After H.R. 6168 cleared the Banking and Currency Committee, I met with representatives of the Wyoming Stock Growers Association, Dean Prosser, Joe Budd, and Bob O'Neil.

We discussed how a January 10 rollback would have penalized those who are trying to increase the supply of beef and who had no idea that a price rollback would be sought. The economic loss in Wyoming alone would have exceeded $70 million.

The seriousness of the impact was underscored by the several hundred telephone calls I received from residents of all 23 of Wyoming's counties.

While they, too, have suffered from higher costs of operating, they felt the January 10 rollback was a punitive measure which in the long run would have contributed to higher, not lower prices.

At the request of my constituents, I contacted a number of my colleagues seeking a way to ease this provision. I wanted Congress to make some statement of economic policy because I do not believe the President's phase III failure deserves a vote of confidence.

Thus, when the motion to consider a compromise measure, the Stephens substitute, failed and the issue came to voting for a straight extension, I voted against giving the President a blank check on economic controls.

The issue, then, had swung from one extreme—the January 10 rollback—to another extreme—Congress signing away responsibility to the President to put on controls where and how he decides.

Now that the House has rejected any participation in any future phases of economic controls, the battle against inflation will have to concentrate on fiscal responsibility.

If the Congress cannot attack inflationary trends in the economy at large, it can at least refrain from reckless spending.

In this respect, I want Congress to show more courage in putting the brakes on spending, but I want this done according to the directives of Congress—not the ultimatums from the executive branch.

If we want our constituents to recognize our commitment to economic stability, then the Congress ought to set the priorities and vote accordingly. We cannot, as we did yesterday, vote $60 million for luxurious new offices in an extension of the west front of the Capitol.

With responsible and consistent economizing efforts, Congress and this House in particular can perhaps regain a little of the respect lost in the confusing and indecisive action on the Economic Stabilization Act.

NO MONEY IN BUDGET FOR CONTINUED FUNDING OF OEO OR COMMUNITY ACTION AGENCIES

(Mr. PERKINS asked and was given permission to revise and extend his remarks at this point in the RECORD.)

Mr. PERKINS. Mr. Speaker, my remarks are addressed to every Member who is interested in the issue of impoundment or in the survival of the Office of Economic Opportunity and its programs—especially community action.

The situation today is this: There is no money in the budget for the continued funding of OEO or community action agencies. Other OEO programs either have been or are scheduled to be transferred to other departments and agencies.

Now a Federal judge, William B. Jones, has ruled that the administration may not dismantle OEO or its programs without congressional action. The judge pointed out that OEO and its programs are authorized through June 30, 1974. His ruling though, and here is where those of my colleagues who are interested in the impoundment issue should listen carefully, went beyond the narrow case of OEO. Judge Jones said:

> An administrator's responsibility to carry out the Congressional objectives of a program does not give him the power to discontinue that program, especially in the face of a Congressional mandate that it shall go on.

And in this morning's Washington Post it is reported that the Nixon administration "has no desire to test this ruling in a higher court." One reason given is that the administration believes they can render the issue moot because, in their opinion, it is unlikely that Congress will appropriate funds for OEO and community action either in a regular bill or in a continuing resolution.

So I say to my colleagues that if there is to be an OEO, or if community action agencies are going to continue to exist, the only solution is for the House to appropriate funds for this purpose. The cost is small; about $330 million more than is in the budget is all it would take to insure the survival of the OEO programs, including community action, and to force a court test of the President's authority to impound funds that has been decided in the first instance in favor of the congressional position.

SECRETARY ROGERS' ANNUAL REPORT TO THE CONGRESS

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, I wish to take note of the increasingly effective job the Department of State is doing in providing the American people with the information to make considered judgments about our foreign policy. Today Secretary Rogers is issuing his annual report to the Congress. No other government produces such a detailed and comprehensive accounting of its foreign policy. Several weeks ago I participated in a foreign affairs conference in my native city, Grand Rapids. The Department of State's high-level participation, led by Under Secretary William Porter, was largely responsible for the success of this conference.

U.S. BELLIGERENCE IN SOUTHEAST ASIA SHOULD CEASE IN ABSENCE OF CONGRESSIONAL AUTHORIZATION

(Mr. BENNETT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BENNETT. Mr. Speaker, I have today introduced a resolution which provides that 90 days after the resolution becomes law it shall be unlawful for any U.S. military or Government civilian personnel to engage in any belligerent activity, or order any to be done in Southeast Asia except to defend themselves in case of attack.

The purpose of this legislation is to bring to an end U.S. belligerent involvement in Southeast Asia.

Recent history has shown that unless we enact this resolution, we should possibly, and even probably, expect an ever-growing war activity there on the part of the United States, including loss of prisoners of war and missing in action.

There is no constitutional grounds for the war actions of the United States that are now taking place in Southeast Asia. Congress alone has the power to declare a war, and there is no declared war in Southeast Asia now that the Bay of Tonkin resolution has been repealed.

I am deeply concerned that our country continues U.S. war activity in Southeast Asia when there is no congressional foundation for that activity. This is a serious erosion upon the constitutional provisions which give Congress the sole authority to declare war. The present course of the administration involves America in a very dangerous situation.

And this is being done without the country having the debate and congressional action which should always precede any war activity on the part of our Nation. The legislation I have introduced reads as follows:

H.R. 725

A bill to prohibit certain belligerent activities by United States personnel in Southeast Asia

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be unlawful for any military or civilian personnel of the United States to engage in any military or paramilitary belligerent activity in Southeast Asia, or to cause any other military or civilian personnel of the United States to engage in any such activity, except to defend themselves in case of attack.

SEC. 2. The provisions of the first section of this Act shall take effect on the ninetieth day after the date of its enactment but shall not apply with respect to any activity specifically authorized by an Act of Congress enacted on or after such date of enactment.

A WORLD IN REVOLUTION AND A REAPPRAISAL OF THE SPANISH CIVIL WAR

(Mr. PRICE of Illinois asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PRICE of Illinois. Mr. Speaker, I would like to include in the Pan American Day Record two book reviews. One was featured in the Fordham University quarterly, Thought, spring 1973; and the other in America, a national weekly published by the Jesuits of the United States and Canada.

The first of these reviews was written by one of my friends, the Reverend Dr. Joseph F. Thorning, an associate editor of World Affairs, Washington, D.C., and the second by Dr. José M. Sánchez, chairman of the history department at St. Louis University, Missouri. Unless I am mistaken, the two pieces by recognized scholars throw considerable light upon recent history.

The reviews read as follows:

THE FORDHAM UNIVERSITY QUARTERLY, THOUGHT, SPRING 1973

(A World Revolution. A Newspaper Man's Memoir. By Herbert L. Matthews. New York: Charles Scribner's Sons, 1971. Pp. 462, $12.50.)

Although Herbert L. Matthews retired from *The New York Times* in 1967, he remains an interesting and controversial figure. One reason for continued interest and debate is the fact that Matthews helped to shape several State Department policies whose effects may endure for generations. His name, his dispatches, his books, including the one under review, are already quoted in surveys of foreign affairs. Nor are they apt to be overlooked by future historians. If the peoples of the planet are in a revolutionary mood, Matthews can claim some degree of responsibility for the process.

Assignments from *The Times,* starting in New York (1922), covered a wide field: France (1931–35); Abyssinia (1935–36); Spain (1936–39); Italy (1939–42); India (1943); England (1945–49); Latin America and, again, New York. Matthews and his family now reside in Australia.

The author is bitter about the treatment some of his pieces received during the Spanish Civil War. He not only harbors resentment toward critics who wrote letters to the editor, but also excoriates such widely respected newspapermen in their day as Neil MacNeill and Raymond McCaw, whose news judgment killed some of the stories he filed from Madrid, Valencia and Barcelona. Matthews, however, neglects to recall his own admitted failures to check his sources. Nothing is chronicled, for example, about the apology he was obliged to make to the widow of General José Moscardó for an attempt to deny the historicity of the Spanish officer's heroic refusal to surrender the Alcázar, Toledo, in return for the life of his son. Numerous university scholars, including Hugh Thomas, Manuel Aznar and Cecil Eby, researched and related the truth about this important historical episode.

On the other hand, the Timesman rightfully can contend that, thanks to his initiative and resourcefulness, Fidel Castro was proved to be alive and active in the mountains of eastern Cuba when spokesmen for Fulgencio Batista in Havana were trumpeting "news" (1957) of the rebel's death and the defeat of his movement. Otherwise, Castro, his brother, Raúl, and "Che" Guevara, as Matthews points out, might have remained unnoticed, unpublicized and "withered on the vine."

In his chapter on Cuba, with the benefit of hindsight, the writer does make acknowledgments about Fidel that were not prominent in his *Times* evaluation of the "Maximum Leader." Matthews now discovers that "Castro's performances in the social, economic and political fields ranged from admirable to awful" (p. 293). This admission may be grounds for Fidel's complaint, recorded by Matthews, that "this old man treats me as if he were my father."

Matthews now believes that "power has corrupted" Castro, but "in a very human way." The docility displayed to the leader by his entourage renders him "temperamentally incapable" of sharing absolute control.

It is the impression of other observers, however, that overriding authority currently resides in the hands of Soviet overlords. The ultimate surrender, it is suggested, took place when Castro voiced approval of the military occupation of Czechoslovakia. His submission, in contrast to the attitude shown by Italian, French and British Marxists, was total. Indeed, it should be obvious that Fidel has less room for maneuver than a onetime Spanish viceroy or a U.S. "proconsul" in the days of North American influence.

The former Timesman, it is fascinating to note, has warm praise for Celia Sánchez, "the faithful and charming companion since *Sierra Maestra* days, with a shrewd mind and tough core behind her gentle manners." But Matthews hardly mentions Fidel's other women friends of many nationalities, colors, sizes and shapes.

A World in Revolution has been described by Matthews' onetime colleagues on *The Times* as a "sad book." One reason for their view is the author's catalogue of complaints, grievances and long-winded disputes with the publisher, Mr. Arthur ("Punch") Ochs Sulzberger, and various Managing Editors, including Turner Catledge and Clifton Daniel. Lester Markel, the then Editor of the Sunday Magazine, was another *Times* personality who refused to print Matthews' later pieces about Cuba.

The debate was settled when publisher and news executives concluded, unanimously, that Matthews was making their newspaper "a laughing-stock of the journalistic world," adding that "it would be over their dead bodies" that the veteran correspondent ever again would be permitted the role of a reporter for *The New York Times*. It is to their credit that they kept their word. Matthews' byline on a news story appeared for the last time on July 16, 1961. It was a typical HLM appraisal of the Castro revolution as a beneficent event, free of Soviet domination.

Nevertheless, for six years (1961–67), Matthews remained in *The Times* organization as a member of the Editorial Board. Until his retirement, his views about Cuba, Spain, Latin America and other parts of the globe were expressed, freely, in numerous editorials, some of them signed. Is it not an exaggeration, therefore, for the author to charge (p. 338) that he was "muzzled"?

In the light of this record, a major question remains unanswered: "Can . a bad reporter become a good editor?"

HALF OF SPAIN DIED: A REAPPRAISAL OF THE SPANISH CIVIL WAR

(By Herbert L. Matthews)

One hardly knows where to begin on this incredibly bad book. Were it not for the fact that the author's name and reputation will attract the reading public, it would be kinder to ascribe the errors of fact and interpretation to the author's dotage and forget that he ever wrote it.

Herbert Matthews was the New York *Times* correspondent in Republican Spain during the Civil War. He was ardently pro-Republican then and remains so in this book. His sympathies cannot be quibbled with, but when he labels this work a "reappraisal" and states that he is "one of the nine or ten of the professional . . . historians who have written about the war," then one certainly expects more than a rehashing of all the old prejudices. He claims to have read all of the standard works on the war written since 1939 and to have included them in his book. In fact, he has relied heavily on Thomas, Jackson, Brenan and Payne (all of them sound historians), but he has quoted them out of context; in addition, he has benefited from other authors whom he does not cite. Statistical and chronological errors abound.

Matthews, his proofreader and his publisher are fearless. In a background chapter he makes the startling assertion that Philip II was an isolationist (I wonder what the Portuguese, French, Dutch and English would have thought). The chapter on the Church resurrects all of the hoary myths that have long been laid to rest: thus, the Jesuits are seen as controlling one-third of the wealth of pre-1931 Spain (would the Republicans have found it so easy to dissolve a Society with so much economic power?). The slaughter of over 7,000 clergy by the Republicans is mentioned, but the murder of 16 Basque priests by Nationalists is stressed over and over. The Republican terror is always referred to as being short-lived and in the "heat of passion," while the Nationalist terror is "cold-blooded." "There were no known Spanish martyrs," Matthews says about the Spanish clergy. If only Rome had the good news, it would save them the trouble of going through the thousands of causes for beatification pending in the Sacred Congregation of Rites.

I could go on and on. There are chapters on American nonintervention, the International Brigades and the Franco regime that are all equally fallacious. The Spanish Civil War certainly needs a popular reappraisal, but this book is an inept hatchet job.

GEORGE BURROUGHS—A DISTINGUISHED ATTORNEY

(Mr. PRICE of Illinois asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PRICE of Illinois. Mr. Speaker, a most remarkable man, George D. Burroughs, of Edwardsville, Ill., celebrated his 100th birthday April 12. Achieving this age is a unique feat in itself. What is more remarkable is that George Burroughs is an active practicing attorney who can be found in his office every work day at 8 a.m.

It has been my privilege to know George Burroughs for a long time. He is living testament to the idea that our senior citizens make valuable contributions to our society.

At this point, I would like to include a recent article from the Edwardsville Intelligencer about this distinguished man:

BURROUGHS RECALLS 100 YEARS OF LIFE

(By Don Frost)

Edwardsville attorney George D. Burroughs will be 100 years old Thursday.

He has practiced law in Edwardsville since 1894. He was in practice with his brother, the late William G. Burroughs, after their graduation from Baltimore Law School.

Burroughs later became a partner in the law firm of Warnock, Williamson and Burroughs, which later became the existing firm of Burroughs, Simpson and Wilson. The veteran attorney can be found every work day at 8 a.m. at the firm's office in downtown Edwardsville. He moves rather slowly these days, but he still has a firm, friendly handshake.

Burroughs is the last surviving member of a family of seven children. He was born and raised in Maryland.

"My father was very apprehensive about me coming here to practice law," Burroughs recalls. "He thought I would start drinking and go to the dogs.

"But I got here and made a lot of money, and he was happy with my success."

Burroughs said that he amassed a lot of property over the years, but he gave most of it away.

Burroughs once gave a sizable amount of money to several secretaries in the Madison County Courthouse.

Recalling the incident, Burroughs simply said, "Those girls were always nice to me, and I knew they didn't make much money, so, I wanted to give them something for a rainy day."

His nephew, Gordon Burroughs said the elder Burroughs used to be quite a gardener, but he has given that up.

"In fact, he gave a good chunk of his yard to the school district," the nephew said.

Burroughs said that he was regarded mostly as a corporation lawyer.

Burroughs' greatest contribution to the Bar is his "hard work and faithful service," his nephew said.

In 1969, the Illinois Bar Association made Burroughs a Senior Counselor, Magna Cum Laude, for 75 years of law practice. That number has now reached 79 years.

Burroughs admits, "I don't do much trial work anymore."

The firm has offices on the fifth floor of the Old Bank of Edwardsville building on the corner of Purcell and Main Streets. The elevator occasionally breaks down, but Burroughs doesn't.

"He comes right on up the stairs," Gordon Burroughs said, "and it takes a damn good man to keep up with him."

In addition to being a practicing lawyer, Burroughs served on the Board of Governors of the Illinois Bar Association for many years.

Burroughs spends much of his time in his fifth floor office, reading works of literature and the Bible.

"I read the Bible a lot," Burroughs said. "It's a pretty good book. I recommend it."

Burroughs said he has experienced and seen many things during his century on earth.

The most pleasant experience he recalls is a trip to Europe with a fellow attorney, he said.

"April 12, I'll be 100 years old," he said. "That's a good long time to live and still have your faculties. That's quite a privilege."

George D. Burroughs remembers the past, but he also has some thoughts about the present.

"I think we live in a pretty wonderful age," he said. "There are many opportunities in life, but some people just don't seem to want to take advantage of them."

Burroughs will be honored Thursday at a reception in the Sunset Hills Country Club, given by his daughter and son-in-law, Mr. and Mrs. Robert Saner of Springfield, and his grandchildren, Judith Saner of New York City and Robert Saner II of Washington, D.C.

Also joining him in celebrating his 100th birthday will be his niece, Mrs. William Southwick, and two nephews, Gordon Burroughs and Raymond Burroughs.

THE EFFORTS OF CONGRESSMAN GUDE

(Mr. MITCHELL of Maryland asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MITCHELL of Maryland. Mr. Speaker, as phase II ended, Americans were greeted with the unwelcome news that the wholesale price index and the retail price index were rising faster than at any time in our Nation's history. I received numerous letters and telephone calls from my constituents cataloging the disastrous effect these price increases were having on the family budget.

When the Banking and Currency Committee, of which I am a member, began its hearings on the economic stabilization program, I was pleased to see my colleague from Maryland (Mr. GUDE) as our first witness. His comprehensive testimony clearly spotlighted the nature of the problem facing consumers and pointed toward viable solutions.

Mr. GUDE has for over a year been in the forefront of efforts to calm the seas of inflation. The leadership role my colleague assumed through legislation he sponsored and statements made on the floor of the House has been crucial to the efforts of those of us who have sought answers to this complex question.

When the House considered legislation which would amend the Economic Stabilization Act to provide greater control over prices, Mr. GUDE again sought to persuade the House to adopt the strongest practical bill. His empathy for consumers confronted by soaring prices is a beacon of light to all concerned Americans.

INTERNATIONAL BUSINESS STUDENTS

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, as you know, I am very proud that we have in the Miami area one of the outstanding institutions of higher learning which is in tune with the current emphasis upon international business and economic development.

The University of Miami, through its school of business administration, has sought to expand the horizons of its students by including them in international trade missions of Florida businessmen to various countries in this hemisphere. It is appropriate, I believe, to note on Pan American Day, the program for these students this year.

Several University of Miami business students will be members of international trade missions to Panama and Venezuela this spring and summer in cooperation with International Center, headquartered in Coral Gables, Fla.

Last November, four UM students accompanied 25 Florida businessmen to Jamaica where exhibits and sales of their products were held.

Dr. John M. Dyer, professor of marketing and coordinator of inter-American business at the UM School of Business Administration, has called the trips "invaluable firsthand experiences for our students of international business."

The students man exhibition booths, act as observers, and report back to fellow students what they learned of commercial operations in other nations.

Participation in international trade missions is only one aspect of business education offered. As Professor Dyer said recently:

> The University of Miami is a private, independent, international university located in one of the fastest growing sections of the country. The area provides a fertile international business environment. To meet the manpower needs of international business, the School of Business Administration has a well-developed program of international courses, organizations, conferences, and access to the multinational companies and the international business community. All of these attributes are coupled with the cross-disciplinary resources within the University's School of Law and Center for Advanced International Studies.

Under the international business curricula are courses in international relations, inter-American programs, international marketing, foreign policy, international finance, foreign languages, plus graduate programs, executive and professional development programs, including a certificate program in international business to begin in September 1973.

The school cooperates with the International Association of Students in Economics and Management—AISEC—which allows students opportunities to spend their summers working in other countries, and encourages honors such as the Thomas E. Flynn & Co., and Seaway Lines, Inc., travel awards for distinguished students in international business.

CRIME COMMITTEE'S STREET CRIME HEARINGS ENCOURAGING

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, I am encouraged by hearings currently underway by the Select Committee on Crime that we can do more to curb crime in the United States. These hearings have revealed that a relatively few people commit most of the violent and serious crimes, many of them who start their criminal careers in their teens. To reduce crime further, the police departments must have more money for more personnel, better trained personnel, and more research programs into the causes of crime and the character of those who commit crime.

But it is very clear that the police cannot do an effective job curbing crime without the cooperation of the prosecuting attorneys, courts—trial and appellate—and the correctional system.

The beginning of the pipeline for the commission of crime is in the teenaged groups, and new and innovative procedures must be employed in dealing with juvenile crime.

During the week of April 9–13 we heard about the New York Police Department's citywide anticrime unit which has significantly reduced robbery, assault, and other street-level crimes on the streets of New York City. During that week we also learned that the New Orleans Police Department has initiated new training and planning programs to prevent a repetition of the tragic Howard Johnson's motel incident which took the lives, earlier this year, of so many innocent citizens and policemen in that city. The New York Police Department also described in great detail its high level of planning and training to prepare that department for the handling of hostage and sniper incidents.

We heard of most successful programs operated by the Indianapolis Police Department to encourage citizen cooperation with police programs. Citizens in that city frequently ride in patrol cars and engage in crime alert operations. We also learned that at a saving of $3 million the city has established a policy of enabling patrolmen to use their patrol cars as family vehicles.

We learned from the Police Department of Cincinnati of a new kind of police programs which reinvolves police with close contacts with local neighborhoods. We learned that Chicago, Ill., has maintained a very successful police-community service aid program designed to employ young people in the Chicago ghetto area and to use those people to reduce crime and increase police-community relations.

The Washington, D.C. Police Department described the success it has achieved through the use of increased police manpower. The Detroit, Mich., Police Department described at length its STRESS program, which places policemen in civilian clothes throughout the city to, in effect, create invisible police charged with the responsibility of intervening in street crimes and aprehending street criminals.

The St. Louis Police Department described its most interesting program to provide additional mobile crime laboratories enabling that department to now use skilled evidence technicians at the scene of 35 percent of serious crimes—a rate far in excess of the national average. That same department also described its commendable program to provide concentrated counseling to hard-core delinquents. This counseling program to date has achieved remarkable success in reducing the recidivism rate of young people who have participated in counseling sessions.

The Dallas Police Department described its thorough and professional "Study of Repeat Offenders"—a study which corroborates the fact that 63 percent of serious offenders are recidivists. The Dallas department also described its imaginative program of utilizing in-house attorneys on a large scale to provide street-level legal advice to police officers.

The Miami Police Department forwarded to us a statement indicating its very considerable success in reducing crime in certain areas of that city by implementing new street-lighting policies.

Finally, the Kansas City Police Department described its heavy commitment to research and analysis and its equally heavy commitment to the development of new techniques for police patrol. This department is now engaged in studies of homicide, aggravated assault, and family disturbance calls which can redesign the theories of appropriate police response to these kinds of crimes. This department is also in the process of equipping all its vehicles with computer terminals which will soon be able to provide a formidable array of vital information to street-level patrolmen.

These and other unique programs were described to the committee. We have learned much; we have heard an impressive array of policemen who have indicated that in their judgment an overriding proportion of crime is committed by the young; that all too frequently police effectiveness is hampered by the subsequent dismissal of criminal charges in the offices of prosecutors and in courts; that all too frequently offenders are released on bail and commit additional offenses; that correctional sentences do not correct and do not rehabilitate.

We also learned that in making these comments police administrators were not simply passing the blame to other agencies. Those administrators, officers, and patrolmen who testified were most candid in pointing up their own shortcomings.

Above all, we learned during the course of these hearings that police departments are making honest and effective efforts to reduce crime, and especially to reduce those violent crimes which prey upon so many of our citizens, and that those administrators and agencies need additional Federal support and need the encouragement and support of their citizens.

From April 14 to through April 19 we heard testimony on "Crime in the Streets—The Reduction of Juvenile and Adult Recidivism Through New Correctional Approaches." During this week new kinds of correctional programs and better ways of dealing with juveniles who are involved in serious delinquency and serious crime were described. The reduction of juvenile crime and delinquency offers the best hope for the eventual reduction of all crime in the United States.

As a priority matter, we must devote massive and sustained attention to those individuals who early in their lives demonstrated a propensity for committing anti-social and criminal acts. We have learned long ago that the correctional systems in this Nation are ineffective when they are asked to "correct" a criminal who has already reached the midpoint in his criminal career.

We must, therefore, strengthen our resolve to bring to bear as many financial and personnel resources as necessary to attack criminality before it becomes an established life style. The many professional specialists who testified, describe in detail new approaches and new ideas in rehabilitating young delinquents. We are convinced that a sound way to deal with crime is to utilize our considerable correctional and social service resources when our young men and women first indicate that they are potential delinquents.

Finally, from May 1 through May 4, our hearings will concentrate on prosecution and court programs which offer the means to expedite criminal cases in our courts. These hearings then will cover the entire criminal justice process: They are practical hearings in that they are designed to demonstrate that many police, court, and correctional agencies are attempting to improve the administration of justice, thereby making our streets safer for all Americans.

GENE AUSTIN

(Mr. BURLESON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BURLESON of Texas. Mr. Speaker, Gene Austin the great composer and singer of American folk songs, was born in Gainesville, Tex. in 1900 and spent the first years of his life in that typical Texas town.

It has been a year since he died, but his songs live on and will live so long as people have music in their hearts. There are songs he wrote, music he composed, and other songs that he sang and made popular. For the young people who on the spur of the moment have trouble in placing Gene Austin, it might be in order to mention that one of his recordings, "My Blue Heaven" sold over 7 million records in 1927. Songs he composed are many, and include such popular ones as "That Old Gang of Mine," "The Lonesome Road," "When My Sugar Walks Down the Street," and on and on. He popularized and made famous "Sleepy Time Gal," "Yes, Sir, That's My Baby," "My Melancholy Baby," and more and more. He was endowed with talent such as come to few men, and he tended it well. He left a legacy of clean, wholesome, and beautiful music. He was a great American.

THE HONORABLE BOB SIKES ADDRESSES THE NATIONAL RIFLE ASSOCIATION

(Mr. ROBERTS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ROBERTS. Mr. Speaker, my good friend and colleague from Florida, the Honorable BOB SIKES, delivered a speech before the National Rifle Association, which carefully examines the issues concerning individual gun ownership. I offer his statement for the consideration of my colleagues. Congressman SIKES has a perspective which is too often overlooked or ignored, and this is unfortunate. He speaks to the issues and he makes sense. I hope his advice and recommendations will be heeded.

His remarks follow:

SPEECH BY CONGRESSMAN BOB SIKES TO THE NATIONAL RIFLE ASSOCIATION, MARCH 31, 1973

The title for today's general session is "Gun Laws—Here and Abroad", and the comment in your program refers to "speakers who will examine in detail the present and pending firearm controls in the United States and England and how they affect you, the firearm owner.

There are many ways in which this subject can be approached. Not long ago, after the murder of the Governor of Bermuda and his bodyguard, officials there ordered the confiscation for ballistics tests of 800 registered handguns owned by Bermuda residents. Bermuda has laws which permit this. The Governor also offered amnesty to owners of unregistered handguns who turned them in.

It is significant that the assassins have not been found. They haven't turned in their weapons. The laws against ownership of weapons by law-abiding criminals don't reach criminals.

In Britain there was within one year a marked increase in crime. The Criminal Court judges began cracking down. They imposed stiff jail terms even to first-offenders and crime dropped off by 75% in some districts. There was one British judge who said, "Sometimes it is said that sending young men to prison does no good—but it can do the public a lot of good."

Stiff sentences will reduce the incidents of crime in America. The problem is to get soft judges and prosecutors to think about the rights of the victims instead of the rights of the criminals. Even the President has felt it necessary to refer to the problem of soft judges.

Great Britain since 1920 has been very tough on private ownership of weapons. But the crime rate continued to go up until the judges started passing out stiff sentences. In Northern Ireland, where private ownership of firearms is strictly prohibited, revolutionists are well supplied. Those aren't marshmallows they are using to kill each other. Blanket restrictions on the ownership and use of firearms discriminates against honest citizens. They aid the criminal by disarming his victim.

The crime situation in the United States shocks the world. Our people are frightened. They are reluctant to go out after dark. They live behind barred windows and doors that are double- and triple-locked. Other nations won't put up with this situation. It is time we stopped putting up with it.

Crime control is not my subject today, but it is a very important part of the discussion of gun laws. The National Rifle Association has opposed oppressive anti-gun laws. It has indicated support for reasonable legislation which has the objective of getting the so-called "Saturday-night specials" off the streets. These cheap little handguns are available to just about everybody who wants one, particularly in Washington, which has some of the most restrictive anti-gun laws in the country.

Now this would seem to be a very reasonable approach for an organization of sportsmen and outdoor lovers and conservationists, and NRA and similar groups want the right to state their case in Congress. Nevertheless, a bill has been introduced by none other than Senator Ted Kennedy which would restrict, I quote, "gun lobbying activity." Mr. Kennedy, who defends most of the leftist groups in this country and who also is critical of the Federal Bureau of Investigation apparently doesn't want our side to be able to state our case in the Halls of Congress. He would be the first to object if any of his liberal friends were hampered in free expression—even when they speak against our country.

NRA also is a favorite target of the Washington Post—also known as the uptown edition of the Daily Worker. A constant advocate of leftist doctrine, it consistently brands NRA as a gun lobby and depicts us as the handmaidens of gangsters.

So you bear the name lobbyist. You are the target of those who want anti-gun legislation passed. Now let me urge that you live up to the name; that you do really effective lobbying. You have a good cause. Speak up for it. The key to successful lobbying is contacts from the grass-roots level. Members of NRA in the cities and towns of our Nation and others who feel as you do on the subject of anti-gun legislation should contact your Senators and Congressmen not once, but repeatedly. Let them know how the homefolks feel.

You see, in Washington we are exposed day after day to massive doses of anti-gun propaganda. We need to hear from the other side. When a Congressman or Senator hears from the people back home, this impresses him more than what he reads in the Washington Post. This work needs to be supplemented by a vigorous, well organized strike force which operates constantly on Capitol Hill.

John Dingell, one of the great champions of conservation and sound firearms legislation, also has some thoughts on lobbying which he will impart to you. Listen to him. He knows whereof he speaks.

Above all, let's attempt to be fully practical in our objectives as individuals and as an organization. Don't spin your wheels on impossible objectives. Most of us want the 1968 gun law repealed. It is a nuisance. I think it does as much harm as good. But it isn't going to be repealed in the foreseeable future. Since 1968 it has not been possible to get a repeal measure reported either in the House or in the Senate. It isn't possible now. Don't waste your time. What you can do is pick the most objectionable things about the 1968 law and concentrate on repealing these. For instance, the reporting requirements on .22-caliber ammunition.

Let me caution—there is much more likelihood that additional anti-gun legislation will be passed than there is of repealing what already is on the statute books. Our fight has not been won. We can lose it. I don't think we will. But we haven't a prayer of stopping an anti-gun bill in the Senate. The sentiment of the House has not been tested, and it is in the House where we may have to undo the damage which can be done by a heavy liberal majority in the Senate. Fortunately, this Administration is not pressing for restrictive anti-gun legislation.

I like to see a constructive approach—education in gun safety; stress on sound marksmanship programs—it was NRA that kept McNamara's crowd from killing the National Board For the Promotion of Rifle Practice, something very important in marksmanship; National Hunting and Fishing Day; and always the fight against crime. It would cost $3 billion to administer a gun registration and licensing law. Let's show how effectively that amount or money could be used in the fight against crime. We must help to insure an awakening across the land to the truth that it isn't guns that are responsible for crime. It is the criminals who use guns or bottles or knives or brickbats.

Let's not discount the fact that the forces mounted against us are formidable and they enjoy the support of influential individuals and organizations both in Washington and throughout the country. You can be certain that a combination or honest liberals and Communist-loving leftists which enjoy the support of a large segment of the press are going to hammer at you from every side. That you will be swamped with a tidal wave of half-truths, innuendos, outright falsehoods, and emotional poppycock about the evils of gun ownership.

Let me give you just one example of the type of emotional appeal which is being used in the effort to enact repressive anti-gun legislation.

Earlier this month, on March 17th, there appeared in the Washington Star-News an article which carried the headline, "Saturday-Night Specials Must Go." This was a syndicated column with broad circulation. In it, the writer tells of a mass murder in Santa Cruz, California, where a man killed 9 or 10 people with a gun.

No question—the crime is terrible. Nine or ten people dying by violence of any sort is ghastly. The writer devoted 10 lines to saying the suspect was a known drug addict. The remainder of the 2-column story is an argument for gun registration and national firearms legislation, not crime control. There is no suggestion that this man should have been in custody as a drug addict; nor does the writer go into detail on how a man with a known record of drug addiction passed the state and local clearance required in California before he could purchase a gun.

The writer does mention the fact that Santa Cruz became what he calls an armed camp and that grandmothers and young girls are "packing guns and revolvers." The writer shows no concern that lack of police protection against criminals is responsible for the fact that grandmothers and young girls want a weapon; nor does he say that they are going around shooting people. Presumably, millions of people who have read this account may assume that it was shortcomings in the law which made it possible for the man to get a gun and commit crime with it. It was not a lack of laws which brought about the crime.

When Senator John Stennis was shot on the sidewalk in front of his home—and we can thank the good Lord above that he has been spared to carry on his very important work in the Senate—the cry went up for stricter gun controls. Not a word was said about the laws already on the statute books against guns and against crime in Washington—laws which are ineffectively enforced. If the men guilty of attacking Senator Stennis had beaten him half to death with a length of lead pipe, how many of the anti-gun advocates would be calling for the registration of lead pipe?

The proponents of anti-gun legislation will take advantage of any such incident to push their viewpoint. They do not raise their voices against setting criminals free to prowl the streets. They don't call for prompt justice. They want to take guns away from the victims of crime. Some of them are rabid on the subject.

What, then, can you and I do about this situation? How can we use cold, hard logic to substantiate our position? We need not expect the liberal press to report the facts without coloration. You will not get an even break there.

We can, by personal effort and initiative, help to destroy the myth that guns make criminals and that no guns means no crime, but we must tell our story over and over in the places where it counts. We can do this as individuals and as an organization.

We can bring our influence to bear on the election or selection of men and women who will engage in the prosecution and sentencing of those who commit crimes. No deals and no copouts. Arrest them, try them, and sentence them. No more, and no less.

We can carry the war to the enemy—the enemy is crime and criminals.

There have been some very good illustrations in the recent past of effective work by members of this organization. Your presence has been felt at the polls and better representation in the Halls of Congress and in other public offices has resulted.

There also is better understanding of the true facts on gun controls on the part of the lawmakers. Last year there was intense pressure to bring the Bayh Bill, which was just another bad anti-gun bill, to the floor of the House. It had passed the Senate. The same people who brought the 1968 Gun Control Act to Congress were still here and they worked day and night for the Bayh Bill. They were unable to get it out of committee. This tells a very significant story. Education and personal contact with the Members of Congress made the difference. NRA spearheaded this effort. NRA's leadership was the key to victory.

There is much more to this story than the preservation of the rights of law-abiding citizens to own weapons without undue restriction. This right has been a part of the pattern of individual freedoms which made America the great land that it is. Now there are now forces abroad in our country. They seek to type America into new patterns. They want to tear down the old institutions, to destroy the great traditions. They want even the right to violate the law in their own cause. The result has been permissiveness, confusion, and indifference on the part of the public.

The work of these new forces has been reflected in part in U.S. Supreme Court rulings. They have been demonstrated time and again in court proceedings whereby the criminal got a better break than his victim. Demonstrated in the protests, the marches, the flag-burnings. Demonstrated in the way that it was made to appear time and again that America was guilty of atrocities in Vietnam when few of the actual atrocities of the enemy against innocent South Vietnamese ever were portrayed.

That is the kind of battle you face. You are not fighting just to own weapons. You are fighting for America—the kind of America in which we grew up and which we love for its greatness and its opportunity.

You in this organization are part of an essential breed of Americans who seek to insure the preservation and protection of the institutions which make America the great land that it is.

Ours is a large organization. You take comfort in that fact and you gain a feeling of security in its traditions and its work. Perhaps it hasn't occurred to you that the effectiveness of this organization starts with you as an individual. It is easy to have the feeling that there isn't much that one man can do, but that the organization can do much. That is where you are wrong. The organization is better and more effective if you are active. That is when it really is able to flex its muscles.

This is the start of a new age. Peace is finally here. America's longest war has officially ended. We are out of Vietnam. Our POW's have, at long last, come home, ending one of the most tragic chapters in United States history. We can be everlastingly proud and grateful for the things they have said, for the way they came back believing in and standing up for this America of ours.

Many Americans died in Indochina. Others will always bear the scars of war. Family disruptions and the readjustment of returning veterans have been a major factor. It is time to give thanks to the Almighty that, hopefully, all of this is in the past. There is much to be done at home. There are adjustments to be made here, too—very important ones. But we can now concentrate more on our own problems and tomorrow can be a brighter day for America. And in my book, none of this includes reparation payments to Hanoi or amnesty for draftdodgers.

I hope this is the start of a new age in other ways. The President's Inaugural Address carried a hopeful message to the nation. It contained much that America needed to hear. I am impressed by his frankness in stating that government has too long attempted to gather all power in Washington. This is the inevitable result of more and bigger government programs and less and less individual responsibility. The President said we must take less from the people so they can do more for themselves. This, I hope, means that we take less of their individual initiative as well as less taxes. It could represent a complete turnabout from present paternalistic trends in government. How and when it is to be accomplished will depend in large measure on strong leadership from the President with cooperation from the Congress. Now they are sparring—not cooperating. They must find a way to a better understanding. These things are essential for a solvent America.

Perhaps now, more than ever, a commitment of the American people to historic ideals is needed. Perhaps now, more than ever, you and I can help to preserve those ideals.

Last November we celebrated Thanksgiving Day. Let's make every day a Thanksgiving Day for the blessing that this nation and that we as individuals have enjoyed; and let's give thanks to the voices of reason that rise above the din and the noisy clamor of the mob. Let's give thanks for the fact that we do cling to the teaching of our fathers, particularly to the Constitution that must guide the nation as we seek to solve problems at home and abroad through the process of reason, and to the God above who gave our nation the strength, the courage and the beliefs on which we have built.

All of this is a part of your responsibility as an individual. It represents the need for personal involvement by you. The whole fight—for America—can be lost by default if enough of us say, "Let Joe do it."

So above all, let's be about our work. We pass this way but once and time is running for each of us—for you—for me. America needs our help now.

A CASE STUDY OF PENTAGON OBFUSCATION—DOD MANPOWER COSTS

(Mr. GRAY asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. GRAY. Mr. Speaker, one of the main reasons the Pentagon gives for an increasing defense budget is high manpower costs. Manpower assumes 56 percent of the fiscal year 1974 defense budget, or $43.9 billion of the total $79 billion in outlays.[1]

Yet the Pentagon is never quite clear about what constitutes that high figure. In reality, while a large proportion of the $43.9 billion goes for men and women in the Armed Forces, another large part is spent on civilian bureaucrats.

It is estimated that by June 30, 1973, there will be 1,012,000 DOD full-time permanent civilians. The Pentagon sees no further decrease in fiscal year 1974; in fact, it projects a slight net increase.[2] While 1,012,000 civilians represent a substantial decline from the Vietnam highpoint, there is much room for further reductions of DOD bureaucrats.

EVEN NIXON AGREES

Even President Nixon agrees that the number of DOD civilians can be reduced. In his November 9, 1972, interview with the Washington Star-News, Nixon was very clear on the subject:

> When I speak of Defense, in terms of the hardware of Defense, in terms of the military personnel in Defense, the cuts that can be made certainly are minimal, except when we get mutual agreement with other countries. But in terms of the masses of civilian employees who are getting in the way of each other over in the Pentagon and around the country, they are going to have to take a thinning down.

But the Pentagon has no such thinning-down plans for fiscal year 1974. The overall level of DOD civilians will remain the same despite a reduction of more than 30,000 civilians, because their places will be taken by 31,000 soldiers becoming civilians.[3]

CONFUSION OVER MANPOWER COSTS

When the Pentagon discusses the high manpower costs consuming 56 percent of its budget, it leaves the inaccurate impression that this money goes to pay the poor grunt and decent wage, and not to pay bureaucrats. This implies that manpower costs cannot be cut without cutting the number of men in uniform.

The resulting confusion of politicians is understandable. Note the statement of Senate Majority Whip Robert C. Byrd of West Virginia, on the Senate floor February 22, 1973, while defending the high military budget:

> What I am saying is that 56 percent of this budget is to pay people, and yet we are going to have a lower overall manpower level—2.2 million—than we have had at any time since before the Korean war.[4]

However, that 56 percent figure, as previously noted, includes those 2.2 million military personnel plus another million civilians—and other categories.

Or follow a subsequent dialog that same day between Mr. Robert C. Byrd and Senate Appropriations Committee Chairman John McClellan of Arkansas, on manpower costs:

> Mr. Robert C. Byrd. Yes. And the military pay increases and increases in military retirement result from laws which we ourselves have passed.
>
> Mr. McClellan. Yes. There was a substantial increase in legislation Congress passed last year, and it was a deserved increase in my judgment. Now we have to make additional appropriations for it. This necessarily increases the cost of Government.
>
> Mr. Robert C. Byrd. Yes. And the only way to cut that is to cut down the manpower level which has already been cut to 2.2 million in the 1974 budget.
>
> Mr. McClellan. Whether that can be further reduced is a matter of opinion. I am not prepared to say, but as long as we have the present level of forces, it takes this amount, 56 percent, of the total budget to meet this cost.
>
> Mr. Robert C. Byrd. To pay people.
>
> Mr. McClellan. To pay the people; to pay servicemen.[5]

WHAT THE 56-PERCENT FIGURE INCLUDES

Actually, Mr. Robert C. Byrd and Mr. McClellan are mistaken. The tremendous manpower costs can be cut without touching the 2.2 million men in uniform—although that amount would appear to be ripe for cutbacks as well. It can be cut by slicing away the fat among the civilians.

In reality, of the $43.9 billion slated for fiscal year 1974 manpower outlays, $13.5 billion will be paid for DOD civilians. In other words, more than $1,000,000,000 a month will be paid to these civilians. And when the Pentagon uses its 56 percent manpower cost figure, it is including 17 percent of the entire defense budget for civilians.

The following is a chart which breaks manpower costs into various components:

ESTIMATED DOD MANPOWER OUTLAYS FOR FISCAL YEAR 1974

[Dollar amounts in thousands]

Category	Fiscal year 1974 outlay	Percent of DOD outlays
Civilian personnel payroll	$13,512,344	17
Military personnel payroll	24,384,300	31
Retired pay	5,271,900	7
Family housing	763,216	1
Total estimated manpower outlays	43,931,760	56

DOD IN COMPARISON WITH OTHER AGENCIES

The Department of Defense employs many more civilians than any other Federal agency. As of January 1973, DOD employed 1,080,782 full-time and part-time civilians. The next largest is the quasi-Federal Postal Service, which employed 677,746 civilians in January. Next came the Veterans' Administration with 193,072, HEW with 118,950, Treasury with 111,615 and Agriculture with 109,200. No other Federal department or agency employed more than 100,000 civilians.[7]

As these figures show, the Pentagon dominates the civilian bureaucracy in the U.S. Government. Even HEW, with its supposedly swollen bureaucracy, has about one-tenth as many civilians in its employ as does DOD.

Of its million plus civilians in January 1973, the DOD employed 978,838 inside the United States and 101,994 abroad. Thus the Pentagon employs almost two-thirds of the 158,429 U.S. Federal personnel working in other countries.[8] And this figure does not include more than 100,000 foreign nationals working for DOD under contract or under agreement with a foreign power in support of U.S. Military Forces.

As for congressional oversight of the Pentagon's activities, the legislative branch employed 32,787 people in January 1973 to monitor the activities of the million DOD civilians and the 2.2 military, in addition to Congress other legislative, investigative and oversight functions.[9] A total of 55 staff members work for the Senate and House Armed Services Committees. It is little wonder that Congress performs so little oversight of the DOD.

A PROPOSAL TO REDUCE THE CIVILIAN PERSONNEL LEVEL

While DOD civilian personnel have been cut from their Vietnam war high, this group has avoided its fair share of cuts in the Pentagon pruning process. At a minimum, the civilians should be reduced in the same proportion as the military.

To use a mathematical formula, the military level will have declined from an end strength high of 3,547,000 during the Vietnam war to 2,233,000 by the end of fiscal year 1974.[10] This is a decrease of 37 percent in military personnel.

The civilian personnel, which reached a wartime end-strength high of 1,287,000 [11] should be similarly reduced by 37 percent. Thus a 37-percent reduction of the previously high level of 1,287,000 would bring the civilian personnel level to 811,000—and into line with the military cutbacks. The new level will mean a further reduction of the fiscal year 1974 civilian level by 202,000, or a potential savings of $2.7 billion in outlays. And a cutback of 202,000 just about matches the normal DOD attrition rate, which totaled 201,183 for the last complete fiscal year, 1972.

If President Nixon follows through with his words of November 9, $2.7 billion can be saved with little hardship.

FOOTNOTES

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[1] The Budget of the United States Government—Fiscal Year 1974.

[2] Pentagon statistics supplies at Congressional Staff Briefing on FY 1974 Department of Defense Budget.

[3] Former Asst. Secretary of Defense Robert Moot's budget briefing of January 27, 1973.

[4] Congressional Record, February 22, 1973, p. 5100.

[5] Congressional Record, February 22, 1973, p. 5100.

[6] Entire chart from statistics supplied by DOD Comptroller's office on March 14, 1973, by phone.

[7] Additional Report of the Joint Committee on Reduction of Federal Expenditures, Joint Committee Print No. 348, January 1973, p. 17.

[8] *Ibid.*, p. 7.

[9] *Ibid.*, p. 1.

[10] Pentagon statistics supplied at Congressional Staff Briefing on FY 1974 Department of Defense Budget.

[11] *Ibid.*

HAWAII DELEGATION ACTS TO PRESERVE SHIPPING

(Mrs. MINK asked and was given permission to extend her remarks at this point in the Record and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, I am glad to join with my colleague from Hawaii, the Hon. Spark M. Matsunaga, in cosponsoring legislation to preserve Hawaii shipping. Similar legislation has been introduced in the Senate by the Honorable Daniel K. Inouye and Hiram L. Fong. Thus, all four members of the Hawaii congressional delegation are joining in cosponsorship of this important legislation.

We have introduced two bills, which are complementary. The first bill would provide an extension for Hawaii lasting 160 days, from any labor-management dispute in the west coast maritime or longshore industries. The exemption would be obtained through a court injunction by request of any party to the dispute, or by the Governor of Hawaii.

The second bill would provide for a common expiration date for all labor-management contracts in the west coast maritime and longshore industries affecting shipping to Hawaii. Under its provisions, Hawaii would be guaranteed a period of 3 years of uninterrupted shipping.

If adopted, these bills would provide a solution to the shipping disputes which have so severely injured Hawaii's economy in the recent past. First, we would be assured of at least 160 days of continued shipping of all our products if a strike does occur. Second, there would be no series of successive strikes for all contracts would expire and be renegotiated at the same time for a new 3-year period.

The four members of the Hawaii delegation have introduced their own shipping strike measures. My own bill, H.R. 3566, introduced on February 1, 1973, would provide a 160-day exemption for Hawaii similar to that envisioned by the legislation introduced jointly today with the other delegation members. H.R. 3566 also contained a provision for a common expiration date.

I am happy that all four members of our delegation are cooperating in this united effort to preserve Hawaii shipping. Through this concerted drive for action, we will enable Hawaii to speak with one voice in protecting its vital interests as the most vulnerable State in the Union. At the same time, each delegation member will be able to continue seeking all avenues of legislation or voluntary activity to solve the shipping problem.

Since the exemption for Hawaii would only affect about 3 percent of the labor involved in west coast shipping, our bill has no significent effect on the right of west coast maritime or longshore workers to strike, nor management's right to suspend service. It only protects the interests of an innocent third party, Hawaii, whose workers are not on strike in west coast shipping disputes. The legislation does not apply to disputes in Hawaii itself.

To show labor and management support for the principle of a common contract expiration date, I am including at the end of my remarks, correspondence on this matter. To date, we have received written support from management and from four unions, as well as stated support from the Hawaii local of Warehousemen's Union.

Adoption of this legislation is necessary to put Hawaii on a par with other States which still have transportation even if shipping is interrupted. Hawaii by its unique geographical status has no such alternative means and depends solely on shipping for its daily necessities.

I hope my colleagues in the Congress will realize how imperative it is that we act to save Hawaii from crippling economic consequences of shipping disputes. Hopefully, we can secure favorable action on this legislation early in the current session of Congress. The aforementioned correspondence follows:

San Francisco, Calif.,
March 1, 1973.

Representative Patsy T. Mink,
House of Representatives,
Washington, D.C.:

In response to your telegram the Pacific Maritime Association does support the principle of a uniform expiration date for all future labor contracts in the west coast maritime and longshore industries as suggested in your telegram, staggered expiration dates could result in successive shipping interruptions. We are as anxious as the people of Hawaii to alleviate the number and frequency of these interruptions.

Edmund J. Flynn,
President, Pacific Maritime Association.

FEBRUARY 27, 1973.

Mr. EDMUND J. FLYNN,
President, Pacific Maritime Association,
San Francisco, Calif.:

We urge that the Pacific Maritime Association executive board at its meeting tomorrow consider and support a uniform expiration date for all future labor contracts in the west coast maritime and longshoring industries.

We urge that the executive board approve the principle of a uniform expiration date. A common date for all labor contracts is essential for the economic stability of the State of Hawaii which is so adversely affected by shipping interruptions. Both labor and management would also benefit from entering into negotiations on all labor matters at one time instead of piece meal as at the present time.

Presently there are eight or more groups of employees whose contract disagreements could result in successive shipping interruptions. The people of Hawaii are most anxious that all avenues be explored to alleviate the number and frequency of these events.

Your voluntary support for such a principle would help greatly to alleviate our deep concerns.

Very truly yours,

Senator DANIEL K. INOUYE, of Hawaii; Senator HIRAM L. FONG, of Hawaii; Representative PATSY T. MINK, of Hawaii; Representative SPARK M. MATSUNAGA, of Hawaii.

AMERICAN RADIO ASSOCIATION,
New York, N.Y., March 14, 1973.

Hon. PATSY T. MINK,
Congress of the United States, House of Representatives, Washington, D.C.

DEAR CONGRESSWOMAN MINK: Received your letter of March 6th and want you and your colleagues to know that we in the ARA share your concern to help protect the people of Hawaii from possible shipping interruptions that might occur due to differing expiration dates for contracts.

The ARA supports a common expiration date and will support all positive moves to achieve that objective.

We appreciate your contacting us, and wish to extend our best wishes to you and your constituents, the good people of Hawaii.

Sincerely yours,

W. R. STEINBERG,
President.

MARINE FIREMEN'S UNION,
San Francisco, Calif., March 29, 1973.

Hon. PATSY T. MINK,
U.S. House of Representatives, Cannon Building, Washington, D.C.

DEAR MRS. MINK: We have always felt that a common expiration date for all Maritime contracts was desirable.

To the best of my knowledge the only contracts that do not expire on June 15, 1975 are the contracts negotiated between the West Coast Longshoremen (I.L.W.U.) and the Pacific Maritime Association.

We would be willing to make any accommodation in future negotiations in contracts if it would help in attaining a common contract expiration date.

I am sure I can speak for my colleagues in the Pacific District; namely, the Sailors Union and the Marine Cooks & Stewards Union in this area.

Very truly yours,

HARRY JORGENSEN,
President.

WASHINGTON, D.C.,
March 6, 1973.

Mr. HARRY BRIDGES,
President, International Longshoremen's and Warehousemen's Union, San Francisco, Calif.

DEAR MR. BRIDGES: This is to request your union's voluntary acceptance of the principle of establishing a uniform expiration date for all future labor-management contracts in the west coast maritime and longshore industries.

We sincerely believe that a common expiration date would benefit both labor and management, as well as help to protect the people of Hawaii from successive shipping interruptions that could occur due to differing expiration dates for contracts.

On March 1, 1973, in response to our request to the executive board, president Edmund J. Flynn stated that the Pacific Maritime Association does support a common expiration date.

To pursue this matter further, we are contacting each of the unions involved with this same request. We ask that you consider this matter as soon as possible.

Hopefully, labor and management can reach voluntary agreement on a uniform expiration date for all contracts. This would do much to alleviate the deep concern of the people of Hawaii over the prospect of repeated shipping interruptions in the future.

Very truly yours,

HIRAM L. FONG, Senator; DANIEL K. INOUYE, Senator; SPARK MATSUNAGA, House of Representatives; PATSY T. MINK, House of Representatives.

[From the Honolulu Advertiser, Feb. 16, 1973]

SHIP TIE-UP "SOLUTION" SUGGESTED

(By Charles Turner)

ILWU Regional Director Robert McElrath has suggested a possible solution to labor disputes which tie up Hawaii's vital shipping lines.

McElrath told the Industrial Traffic Association of Hawaii:

"There is one way such stoppages can be reduced in number and give the business community more economic elbow room.

"That is for all of the maritime unions to enter into collective bargaining agreements that expire at the same time."

McElrath emphasized that joint expiration dates in themselves would not prevent a strike. However, he said they "certainly would eliminate the possibility of a multiplicity of strikes for a given period of time."

The union official said joint expiration dates on contracts are not unusual in Hawaii. He pointed out that the unions with contracts at the two major Honolulu daily newspapers have the same expiration dates.

"Those unions also negotiate jointly on community issues and break up when issues are particular to one or more of the six unions involved," he said.

The ILWU's Hawaii and West Coast longshore contracts expire June 30 of this year. Most of the maritime contracts with other unions expire in 1975.

McElrath said ILWU doesn't like strikes any more than businessmen do.

"We in the ILWU, and I believe that I am speaking for the rest of the labor movement in Hawaii, would like to see the day come about when organized labor and management—organized or otherwise—can settle all of our differences at the bargaining table and retire the strike and lockout weapons to the arsenal of history," he said.

But he said there are complications which arise in negotiations because "there are human beings on both sides of the table . . ."

"Sometimes in collective bargaining we make mistakes—both labor and management negotiators," he said. "Sometimes we falter and stumble during the course of long and protracted discussions."

He told the Isle businessmen attending Wednesday's luncheon meeting at Ala Moana Banquet Hall:

"In my opinion, there is no substitute for good-faith collective bargaining. The law of the jungle won't work; it didn't work in Hawaii back in 1949."

PRESIDENT URGED TO EXEMPT HAWAII FROM OIL IMPORT TARIFF

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, the President yesterday submitted to Congress an energy message which would do severe damage to the already strained economy of the State of Hawaii.

Hawaii is uniquely dependent on imported fuel sources to supply all its energy needs. Partly, as a result of the higher cost paid by the people of Hawaii for imported energy sources, our cost of living has soared to a level some 15 percent higher than that of mainland States, even those with heavy costs of living.

The President's statement announces suspension of the existing oil import control system which has resulted in these excessive energy costs in Hawaii. This is to be applauded, as the system was found unworkable several years ago by the President's own Task Force on Oil Import Control.

Yet I am disappointed, to say the least, that the new system is to continue the same old discrimination which Hawaii has endured for years. In place of the import control system, the President said he is "substituting a license-fee quota system." There is no mention of any exemption for Hawaii, or any consideration at all for its unique geographic status and needs.

I have sent an urgent appeal to the President to modify his program to exempt Hawaii from any system of tariffs on imported oil. It seems to me this is essential in any sound, equitable program to reconcile our energy needs with sources of fuel.

Hawaii has no fuel sources and must import all that is necessary to meet energy and other needs. No system can overcome this physical fact. There is no increased national security, as far as Hawaii is concerned, whether we pay higher for imported oil or not. All must be imported, regardless. An attack could be made on a ship bearing mainland oil as easily as one bearing foreign oil as it traversed thousands of miles of open ocean.

To levy an import duty on oil brought to Hawaii has only one result: it increases the already-excessive costs which must ultimately be borne by consumers. I repeat there is no stimulus or encouragement to the development of U.S. sources.

As chairman of the Subcommittee on Mines and Mining of the House Committee on Interior and Insular Affairs, I question whether the President's newly-announced program is sound and equitable in all its ramifications. I believe that the program must be examined minutely by Congress to restore the balance presently lacking.

For the benefit of my colleagues, I am inserting correspondence from Hawaii illustrating the regressive nature of the President's new program as far as Hawaii is concerned. I am also attaching my wire urging its urgent modification to exempt Hawaii:

WASHINGTON, D.C.,
April 19, 1973.
Hon. RICHARD M. NIXON,
President of United States, White House, Washington, D.C.:

Request urgent revision new energy policy to exempt Hawaii from any increased tariff on imported crude oil. Hawaii's absolute dependence on imported energy sources and existing importation costs place extremely heavy burden on Hawaii consumers as determined by your cabinet task force on oil import control. Hawaii's living costs at least 15 percent higher than those on mainland now. Your proposal for additional charges would contribute nothing to national security but severely damage Hawaii economy. Request explanation why State of Hawaii's unique geographical status and needs ignored by your policy and urgent revision to provide exemption.

PATSY T. MINK,
Member of Congress.

HAWAIIAN INDEPENDENT REFINERY, INC.,
Honolulu, Hawaii, April 13, 1973.
Hon. PATSY T. MINK,
Suite 302, Cannon House Office Building, Washington, D.C.

DEAR REPRESENTATIVE MINK: Under separate cover we airmailed you a copy of our April 11, 1973 submission to Mr. W. E. Simon, Chairman of the Oil Policy Committee, concerning possible revision to the U.S. oil import policy.

We would greatly appreciate your active support so that the only U.S. foreign-trade zone refinery located in Hawaii, Hawaiian Independent Refinery, Inc., will not be bypassed but, rather, be given the same objective treatment under President Nixon's new energy policy as other U.S. refineries. I believe there is an urgency in apprising the Oil Policy Committee of our unique situation as I understand they are in the process of finalizing the new oil import program.

Your timely assistance will be most helpful.

Best regards.
Sincerely,

PAUL C. JOY.

HAWAIIAN INDEPENDENT REFINERY, INC.,
Honolulu, Hawaii, April 11, 1973.
Mr. W. E. SIMON,
Chairman, Oil Policy Committee, Deputy Secretary of the Treasury, Washington, D.C.

DEAR MR. SIMON: Any revision to U.S. oil import policy must fully consider the role of U.S. refinery operations being undertaken within U.S. foreign-trade zones. We plead that you not overlook Hawaiian Independent Refinery, Inc.'s position in the development of the special "national security fee" tariff program you are reportedly preparing. Our U.S. refinery, operating on U.S. soil within a U.S. foreign-trade zone, must be given the same objective treatment as other secure U.S. refinery capacity, and not be thrown in with overseas refining capacity on foreign soil!

1. Finished products manufactured by a U.S. foreign-trade zone refinery must not be penalized by the imposition of special national security fees or tariffs which may be placed on petroleum products manufactured in overseas foreign areas.

2. Finished products manufactured by a U.S. foreign-trade zone refinery for domestic consumption must be given all the consideration and benefit afforded less secure finished products of Canadian manufacture that are imported into the U.S. by overland transportation or that refined in Puerto Rico and the U.S. Virgin Islands.

3. If the benefits generated by new U.S.-based refinery capacity erected in a foreign-trade zone are to be maintained and supported, U.S. zone refiners must be afforded consideration significantly different than that afforded overseas foreign refinery operations. (Attachment A factually outlines the direct benefits afforded our nation by America's first foreign-trade zone refinery operating in the State of Hawaii.)

What is a "Foreign-Trade Zone Refinery?" Briefly, the only difference between a U.S. refinery processing foreign crude oil in a U.S. foreign-trade zone and a typical U.S. refiner processing imported foreign crude is a Customs distinction as to when, in the chain of events, duties become payable on foreign source petroleum destined for U.S. consumption. A FTZ refinery is an American manufacturing facility within a unique U.S. location where foreign materials may be brought without being subject to payment of U.S. Customs duties unless and until such materials or products manufactured therefrom actually leave the zone for entry into U.S. markets. Petroleum fuels refined with a FTZ plant are truly products of U.S. manufactuer and are fully subject to U.S. jurisdiction, laws and regulation. The U.S. zone refiner's manufacturing operation takes place on duty-free crude oil within an essentially duty-free Customs enclosure and only those zone products entering U.S. markets or consumed within the zone must be duty paid. Non-zone U.S. refiners pay Customs duties on the foreign crude oil imported before its processing and must apply to Customs for duty drawback or credit to recover the duty previously paid on that portion of their products which are exported to foreign markets.

U.S. zone refineries are structured to engage in manufacturing for both world and U.S. bonded markets, whereas most U.S. domestic refiners are structured to serve mainly U.S. domestic markets. But, in time of crisis, the full output of the U.S. zone refinery can be readily diverted to supply fuels to the U.S. economy rather than to overseas foreign markets!

It was the intent of Congress that the FTZ law provide such duty-free enclosures on U.S. soil to encourage American business to undertake "value added" manufacturing operations within the U.S. which would otherwise be conducted on foreign soil. Such activities, of course, support the domestic economy, improve U.S. balance of payments and U.S. participation in world trade and commerce, and, in the case of zone petroleum refining, have a positive impact on our national security.

Without knowing more about the new import program you are developing, it is difficult to make specific recommendations. However, since Hawaiian Independent Refinery is the only operating U.S. foreign-trade zone refinery in existence, we could be placed in a most difficult situation through a simple oversight. Therefore, we would certainly appreciate an opportunity to discuss with you the future role of U.S. foreign-trade zone refineries and the probable effects of the proposed "national security fee" program upon them prior to promulgation of the new program. Since this may not be possible, we make the following suggestions:

1. A foreign-trade zone refinery can be considered analogous to (1) a Canadian refinery operation although a zone refinery is a totally U.S. operation or (2) those refineries in U.S. Virgin Islands or Puerto Rico. Under the new program you are developing, it is timely that U.S. zone refined products destined for U.S. markets be treated no less preferentially than Canadian refined products or those refined in the U.S. Virgin Islands or Puerto Rico allowed entry into District I–V. If a lower fee schedule is applied to these sources of finished products than overseas foreign refined products, then such lower fees should apply to an even more secure U.S. foreign-trade zone refinery's products.

2. Since a very significant portion of Hawaiian Independent Refinery's products are exported into international trade and commerce, it is essential that no special fee be imposed on the foreign crude oil utilized to manufacture those zone refined petroleum products which are marketed in world-wide competition with foreign-based refineries.

3. We believe it essential that during a national energy shortage, U.S. refining capacity located in trade zones be recognized and allowed to supply a portion of our nation's finished product demand deficit. U.S. zone refined products must be given fair and just treatment under the new security fee oil import control program if this is to be economically accomplished.

4. Since foreign crude oil can freely enter U.S. zones for refining, it is only reasonable that any products produced therefrom would; upon entering the U.S. market, be subject to the same national security fees which would be imposed on foreign crude or unfinished oils (not finished products) entering the domestic economy for processing by other U.S.-based refineries.

Our present program to considerably expand the refining operation in Hawaii's Foreign-Trade Sub-Zone No. 9A to produce larger quantities of badly needed low sulfur residual fuel oil, synthetic natural gas, and distillate fuel oils for electric power generation, in addition to expanding its output of essential military fuels now in short supply for the Pacific area, cannot proceed unless the new oil policy program recognizes the significant role which foreign-trade zones can play in expanding future U.S. refinery capacity.

We would prefer no change in either the current policies or regulations as they now provide a satisfactory basis for the expansion and use of zone refineries throughout the littoral U.S. However, we are concerned that your new program relating to oil imports could seriously damage U.S. refiners operating in foreign-trade zones and discourage the generation of all the peripheral benefits which zone operations provide (see Attachment A).

American refineries operating within a foreign-trade zone enclosure on U.S. soil are part-and-parcel of the U.S. refining industry and their interests must not be overlooked. Therefore, in revising the oil import program, we request you seriously consider the role of U.S. zone refineries and the advantages they offer to national security, balance of payments, and the U.S. economy.

We stand ready to meet with you at any place or time convenient to you to discuss this subject in greater detail.

Sincerely,

PAUL C. JOY,
Vice President.

HAWAIIAN INDEPENDENT REFINERY, INC.,
April 11, 1973.

ATTACHMENT A

What has the nation's first Foreign-Trade Zone refinery accomplished?

1. It effectively reduced the U.S. dollar outflow by the initial $40,000,000 of capital investment that was made in American refinery capacity rather than in a foreign based operation.

2. It has reduced the U.S. reliance on uncertain foreign sources of refined products by 30,000 barrels per day.

3. It has created 76 full time and 18 part time new U.S. jobs—mostly for skilled workers; since each refinery job reportedly creates 8 positions in affiliated services, approximately 700 new local jobs have been generated!

4. It has created a significant new source of tax revenues for both Hawaii and the U.S.A. by generating $50,000,000 of new annual corporate revenues.

5. It has enabled the development of significant new foreign trade markets for the U.S.A., helping to counter our nation's growing balance of trade deficit. (According to the actual 1972 statistics from the Executive Secretary of the FTZB, 81% of the zone re-

finery's volume of product was foreign trade oriented—either exports directly to Japan, Canada and Mexico, or sales supplanting foreign refined products historically supplied to the U.S. Armed Forces and Hawaii's bonded transportation fuels market.)

6. It has established much needed new refinery capacity on U.S. soil and particularly in strategically located Hawaii.

7. It supplies a majority of its products to the Department of Defense in support of our national security interests.

8. It has effected large dollar savings in fuel procurement for the Armed Services. (For example, DFSC JP-4 jet fuel bids for the last half of 1972 dropped nearly 2¢ per gallon from historical Hawaii levels after the zone refinery went on stream.)

9. In the interest of national defense, the U.S. zone tanker mooring and bulk fuel terminal provides the DOD with a second deep-water mooring and nearly 50% more petroleum reserve storage facilities adjacent to the Pearl Harbor Naval Base, Hickam Air Force Base, Kaneohe Marine Air Station, and the Army complex at Schofield.

10. It is providing major quantities of ecologically needed low sulfur residual fuel oil to major Hawaiian industrial consumers and U.S. utilities.

11. Every barrel of zone product produced represents approximately one U.S. dollar of "value added" by a U.S. refining and petroleum distribution activity; this one dollar per barrel is a direct saving on the U.S. balance of payments out-flow had the product otherwise been refined on foreign soil. It amounts to millions of dollars per year on the initial 30,000 barrel per day zone refinery operation.

12. By mainly serving markets historically supplied by foreign refiners, it provides Hawaii's economy with a more reliable alternate source of fuels, safe and secure from foreign political interference.

13. By using U.S. flag vessels to transport zone refined products to the U.S. West Coast to fulfill a portion of that area's petroleum deficit, its distribution operations directly support the failing U.S. maritime industry.

14. In time of national emergency or energy crisis, rather than export the zone-refined products to foreign markets, its fuels could immediately be diverted into the U.S. domestic economy in the national interest.

HONOLULU, HAWAII,
April 11, 1973.

PATSY TAKEMOTO MINK,
U.S. House of Representatives,
Washington, D.C.

Following message was sent to President Nixon this date:

Subject: Oil imports: exemption of Hawaii from the proposed new tariff system.

DEAR MR. PRESIDENT: We understand that the administration is giving serious consideration to the imposition of an additional tariff or fee program for foreign petroleum imported into the United States. This letter is to request that you and your task force consider the unique opportunity you have, through this national security fee program, to foster the development of domestic energy resources and fully sustain the price of domestic crude oil in the interest of national security while encouraging the construction of new Hawaiian refinery capacity and lowering the cost of living in the islands.

Hawaii should be made exempt from any increased tariff on imported crude oil in recognition of the island's absolute deficiency of fossil fuel energy resources, intolerably high cost of living and distant offshore location.

The Cabinet Task Force stated in its report, the oil import question (section 306B), "The Hawaiian wholesale price of gasoline is 2–4 cents a gallon higher than that on the West Coast." Obviously, Hawaii's residents pay a heavy economic penalty for living in this energy-insecure island State. Shipping costs must be added to most everything consumed here—part of the reason that Hawaii's cost of living is 15 percent to 20 percent higher than the mainland average. The cost of petroleum fuels, our primary and only significant source of energy, is likewise higher than the mainland. Why is this true even though much of the 50th State's petroleum fuels are basically derived from foreign crude oil? Under the present oil import program, the import quota generated by Hawaii's 100 percent crude oil deficiency is distributed among all the refiners in district V, even to those in crude surplus States such as Alaska. This deprives this most isolated U.S. bastion of defense of what otherwise would be significant self-sufficient petroleum refining industry and forces it to rely on the West Coast for a significant portion of its fuel.

If foreign petroleum must be imported into the United States, from a national security standpoint, Hawaii is an ideal destination for it. Regardless of the source, all of Hawaii's petroleum must be shipped in tankers over thousands of miles of ocean. It makes no sense from a national defense or economic standpoint to ship middle and far east foreign crude oil past the islands to U.S. West Coast refiners and then to ship their refined petroleum products back out to Hawaii. Such a double shipment activity not only reduces Hawaii's security of energy supply, but increases the landed cost of fuels.

Because of the cost of shipping refined products from Hawaii to the West Coast, Hawaii refined petroleum prices could be 1 to 2 cents per gallon lower than U.S. mainland prices without upsetting domestic crude or product prices. Given the 2 to 4 cents per gallon spread reported by the cabinet Task Force, and the current cost level of foreign crude oil, Hawaii could receive all the foreign crude oil it could refine directly from overseas sources without upsetting in any way the proposed tariff supported price of domestic crude oil or the island's security of fuel supply.

We urge your task force to seriously consider the unique opportunity the proposed tariff program presents to lower the cost of basic energy so essential to Hawaii's economy, while fully maintaining the national defense purpose of the mandatory oil import program. We urge you to direct the exemption of Hawaii from any proposed additional tariff on foreign crude oil or refined products.

If we may assist you or your task force by providing additional testimony on Hawaii's unique energy situation, please call on us.

Very truly yours,
CHAMBER OF COMMERCE OF HAWAII.

BETTER COMMUNITIES ACT

(Mr. WIDNALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WIDNALL. Mr. Speaker, one of the nightmares of Federal social legislation is the presence of laws designed to accomplish good ends, but which so fragment the problems that the results are diluted and only marginally effective.

Such has been the case with urban development categorical grant-in-aid programs. And so today, I am introducing the Better Communities Act which seeks to replace these fragments with a single, unified program that will achieve far better results than ever before. This legislation is being cosponsored by every minority member of the Banking and Currency Committee.

We seek to establish in a single fund, all the major, current categorical programs that deal with the physical development of a community. All the activities now authorized under the separate categorical programs will be permissible under the new act.

In addition, the Better Communities Act will accomplish the following:

Give State and local elected officials direct control over funds and permit them to establish their own priorities on how the money shall be spent.

Allocate funds by a formula based on need, considering population, overcrowded housing, and especially poverty.

Provide an automatic annual fund entitlement.

Eliminate as much as possible Federal redtape and bureaucratic restrictions.

Assure localities of funds at least equal to the annual funding under the categorical grant system.

The recipients will be localities in which more than 72 percent of the American people live. These include 481 metropolitan cities—with populations of 50,000 or more—approximately 600 cities with lesser population, and 85 urban counties—with populations of 200,000 or more. States will participate in this act, and all nonmetropolitan communities, are potential beneficiaries of better community funding through the States.

President Nixon in his fiscal year 1975 budget will ask that Congress appropriate $2.3 billion for the first year beginning July 1, 1974. This is more than the total of funds currently allocated under the categorical community development programs.

The first 65 percent of the appropriation will be divided among the metropolitan cities and urban counties on a formula based on actual need.

Some cities will receive considerably more than they received in previous years. Of the major users of the replaced programs, none will receive less than what they have received during the recent past.

The remaining 35 percent of the appropriation will be used primarily for a "hold harmless" provision—that would insure a community that it will receive as much under this act as it received previously.

Of the funds not used for "hold harmless" provisions, most will go to the States to assist local community development activities.

The Better Communities Act will support community development activities as selected by local elected officials. Among the activities eligible for funding are:

Acquisition, clearance and renewal of real property and land;

Relocation of people and businesses displaced by urban renewal;

Construction of streets, malls, neighborhood, and community centers, recreation areas;

Rehabilitation of residential or commercial property;

Elimination of harmful physical conditions that endanger health or safety; and

Provision of services to support other community development activities funded by the act.

I would like to emphasize that activities funded by the replaced categorical grant programs could be continued or expanded, and new activities started, as desired by the locality, and determined by their own needs and priorities.

Funds already obligated by the Federal Government will remain with the locality to use according to the terms of the grant. These funds are in excess of $6 billion for the urban renewal program alone.

A community will be able to convert urban renewal projects to Better Communities Act funding and regulation by closing the project's financial records and converting the assets and liabilities against the community's future shared revenue entitlement.

In summary, the Better Communities Act will consolidate into a single fund all the money now used in the seven inflexible, fragmented, categorical grant-in-aid programs loosely lumped under the heading of Community Development, that is, Urban Renewal—including neighborhood development programs, code enforcement, demolition grants, and interim assistance; model cities; neighborhood facilities, water and sewer grants; open space and historic preservation; rehabilitation loans; and public facility loans.

Spending of this money by the locality would be determined by locally elected officials according to their own overall planning and priorities.

The long, seemingly interminable delays now experienced in winning approval for projects would be eliminated. So too would the reams of paperwork now required for Federal review.

The Government interest would be protected through reporting procedures, postaudits, and public disclosure.

Major users of the replaced HUD programs would receive no less under the Better Communities Act, than they did under the categorical grant system.

The Better Communities Act will return to local government the powers of decision concerning local community programs and problems, subjects on which they are far more knowledgeable than the Federal Government.

Following my remarks I am including the March 8, 1973, message of President Richard Nixon to the Congress of the United States:

To the Congress of the United States:

Today, in this fifth report to the Congress on the State of the Union, I want to discuss the quality of life in our cities and towns and set forth new directions for community development in America.

Not long ago we became accustomed to the constant rhetorical drumbeat of the "crisis of our cities." Problems were multiplying so rapidly for our larger urban areas that some observers said our cities were doomed as centers of culture, of commerce, and of constructive change.

Many of these problems still persist, but I believe we have made sufficient progress in recent years that fears of doom are no longer justified.

What is needed today is calm reflection upon the nature of modern community life in the United States, a reassessment of the manner in which we are trying to solve our remaining problems, and a firm resolve to get on with the task.

America's communities are as diverse as our people themselves. They vary tremendously in size—from massive cities to medium-sized urban and suburban areas, to small towns and rural communities.

Just as importantly, each of our communities has built up strong individual characteristics over the years, shaped by region, climate, economic influences, ethnic origins and local culture.

Of course, communities do share common needs and concerns. People in every community want adequate housing, transportation, and jobs, a clean environment, good health, education, recreation facilities, security from crime and fear, and other essential services. But local priorities differ; the intensity and order of local needs vary.

Clearly, no single, rigid scheme, imposed by the Federal Government from Washington, is capable of meeting the changing and varied needs of this diverse and dynamic Nation.

There is no "best" way, no magic, universal cureall, that can be dispensed from hundreds or thousands of miles away.

What is good for New York City is not necessarily good for Chicago, or San Francisco, much less for smaller communities with entirely different economies, traditions and populations.

Too often in the past we have fallen into the trap of letting Washington make the final decisions for St. Louis, Detroit, Miami and our other cities. Sometimes the decisions were right, and programs have succeeded. Too often they were wrong, and we are still paying the price.

The time has come to recognize the errors of past Federal efforts to support community development and to move swiftly to correct them.

The results of past errors form a disturbing catalogue:

They have distorted local priorities.

They have spawned a massive glut of red tape.

They have created an adversary climate between local communities and Washington which has often led to waste, delay and mutual frustration.

They have contributed to a lack of confidence among our people in the ability of both local and national governments to solve problems and get results.

They have led to the creation of too many complex and often competing Federal programs.

Perhaps worst of all, they have undercut the will and the ability of local and State governments to take the initiative to mobilize their own energies and those of their citizens.

The Federal policy that will work best in the last third of this century is not one that tries to force all of our communities into a single restrictive mold. The Federal policy that will work best is one that helps people and their leaders in each community meet their own needs in the way they think best.

It is this policy which binds together the many aspects of our community development programs.

THE BETTER COMMUNITIES ACT

In the near future, I will submit to the Congress the Better Communities Act to provide revenue sharing for community development. Beginning July 1, 1974, this act would provide $2.3 billion a year to communities to be spent as they desire to meet their community development needs. In the event this Better Communities Act becomes effective, funds already available to the Department of Housing and Urban Development will be used to maintain and support community development.

The Better Communities Act is intended to replace inflexible and fragmented categorical grant-in-aid programs, and to reduce the excessive Federal control that has been so frustrating to local governments.

Rather than focusing and concentrating resources in a coordinated assault on a set of problems, the categorical system scatters these resources, and diminishes their impact upon the most needy. Excessive Federal influence also limits the variety and diversity of development programs. Local officials should be able to focus their time, their resources and their talents on meeting local needs and producing results, instead of trying to please Washington with an endless torrent of paperwork.

I first proposed such legislation in 1971, and although the Congress failed to enact it, signficant support was expressed in both the Senate and the House. Since that time, members of my Administration have been consulting with Congressional leaders, mayors, Governors, other local officials and their representatives. Many contsructive suggestions have been received and will be incorporated in my new legislative proposal. As a result, I believe the Better Communities Act will represent our best hope for the future of community development and will deserve rapid approval by the Congress.

Among the most significant features of the Better Communities Act are these:

Hold-Harmless Provision: The flow of money to cities and urban counties to be based on a formula reflecting community needs, as determined by objective standards. In the years immediately following enactment, funds would be used to assure that no city receives less money for community development than it has received under the categorical grant programs.

Assistance for Smaller Communities: Funding is also to be provided for our smaller communities, recognizing the vital importance of small towns and rural communities to the future of the Nation.

The Role of State Government: State governments have always played an important part in meeting the community development needs of their communities. The Act will recognize this role.

Local Decision Making: While each of the activities now supported by categorical grants may be continued, it would be up to local leaders to determine how that money will be spent.

Minimizing Red Tape. Recipients would be required to show the Federal Government only that they are complying with Federal statutes in the way they are spending their revenue sharing money.

Elimination of Matching. Shared revenues would not have to be matched by local funds.

Protection for Minorities. Under no circumstances could funds provided under the Better Communities Act be used for purposes that would violate the civil rights of any person.

A DEPARTMENT OF COMMUNITY DEVELOPMENT

One of the most serious deficiencies in the effort of the Federal Government to assist in community development has been the fragmentation and scattering of Federal programs among a variety of departments and agencies. All too often State or local officials seeking help for a particular project must shuttle back and forth from one Federal office to another, wasting precious time and resources in a bureaucratic wild goose chase.

In order to coordinate our community development activities more effectively, I proposed nearly two years ago that we create a Department of Community Development which would pull under one roof various programs now in the Departments of Housing and Urban Development, Transportation, Agriculture, and other agencies.

After extensive hearings on this proposal, the Committee on Government Operations of the House of Representatives reached this conclusion:

"The Department of Community Development will be a constructive center in the

Federal Government for assistance to communities, large and small. It will facilitate rational planning, orderly growth, and the effective employment of resources to build viable communities throughout the United States. It will help to strengthen the physical and institutional bases for cooperative action by Federal, State and local governments."

This Administration fully agrees, of course, and will continue to work with the Congress for the prompt creation of a Department of Community Development.

In the interim, I recently appointed a Presidential Counsellor on Community Development who will coordinate community development programs and policies in the executive branch. But only when the Congress approves the basic departmental reorganization proposed by the Administration can our efforts to eliminate waste, confusion and duplication, and to promote community betterment more efficiently, be fully effective.

THE RESPONSIVE GOVERNMENTS ACT

For nearly 20 years, the Federal Government has provided assistance to State and local governments in order to strengthen their planning and management capabilities.

This aid, provided under the Comprehensive Planning Assistance Program, has always been helpful, but the program itself has several major flaws. It has tended, for instance, to stress one aspect of public administration—planning—without adequately recognizing other essential features such as budgeting, management, personnel administration, and information-gathering. Planning has often been irrelevant to the problems and the actual decisions. State and local governments have also found it difficult to coordinate their planning because of the fragmented way in which funds have been sent from Washington.

This Administration proposed new planning and management legislation to the 92nd Congress, but it was not approved. In the meantime, we took what steps we could to improve the existing program. Some progress has been made, but corrective legislation is still needed.

I shall therefore propose that the 93rd Congress enact a new Responsive Governments Act. I shall also propose that we provide $110 million for this act in fiscal year 1974—almost one-fifth of the entire amount that has been spent under the present law in the last two decades.

This Responsive Governments Act would assist State and local governments in meeting several important goals:

Developing reliable information on their problems and opportunities;

Developing and analyzing alternative policies and programs;

Managing the programs;

And evaluating the results, so that appropriate adjustments can be made.

The ability to plan and manage is vital to effective government. It will be even more important to State and local governments as they are freed from the restraints of narrow categorical Federal programs and must decide how to spend revenue sharing funds. Thus the Responsive Governments Act is a vitally necessary companion piece to the Better Communities Act.

HOUSING

This Administration is firmly committed to the goal first set forth for America in the 1949 Housing Act: "a decent home and a suitable living environment for every American family." While we believe that some of our housing programs have failed and should be replaced, we should never waiver in our commitment.

During the past four years, the Federal Government has provided housing assistance to an additional 1.5 million American families of low and moderate income. This represents more housing assistance than the total provided by the Federal Government during the entire 34-year history of our national housing program preceding this Administration.

In addition, a healthy, vigorous, private housing industry has provided 6 million new unsubsidized units of housing for Americans in the last four years. Housing starts for each of the last three years have reached record high levels,—levels, in fact, that are more than double the average for the preceding 21 years.

Most importantly, the percentage of Americans living in substandard housing has dropped dramatically from 46 percent in 1940 to 37 percent in 1950 to 18 percent in 1960 to 8 percent in 1970. Americans today are better housed than ever before in our history.

At the same time, however, there has been mounting evidence of basic defects in some of our housing programs. It is now clear that all too frequently the needy have not been the primary beneficiaries of these programs; that the programs have been riddled with inequities; and that the cost of each unit of subsidized housing produced under these programs has been too high. In short, we shall be making far more progress than we have been and we should now move to place our housing policies on a much firmer foundation.

That is why we suspended new activity under Federal subsidized housing programs effective January 5th of this year. I would emphasize, however, that commitments that were made under these programs prior to their suspension will be honored. This will mean that approximately 300,000 units of new subsidized housing will be started in 1973.

In pursuing our goal of decent homes for all Americans, we know that better means are needed—that the old and wasteful programs, programs which have already obligated the taxpayer to payments of between $63 billion and $95 billion during the next 40 years, are not the answer.

One of my highest domestic priorities this year will be the development of new policies that will provide aid to genuinely needy families and eliminate waste.

A major housing study is now underway within the Government, under the direction of my Counsellor for Community Development. Within the next six months, I intend to submit to the Congress my policy recommendations in this field, based upon the results of that study.

TRANSPORTATION

To thrive, a community must provide for the efficient movement of its people and its products. Yet in recent years, the growing separation of the city from its suburbs and changing employment patterns have made transportation more of a community problem than a community asset. To improve community development we must meet the challenge of transportation planning and provide more flexible means for communities to meet their transportation needs.

Without better transportation, our communities will either stagnate or choke.

Four years ago we initiated programs to renew and redirect our transportation systems. We took action to expand the capacity of our airways, to preserve and improve intercity rail passenger service, to continue the Nation's highway program with greater emphasis on safety, and to bring needed progress to our surface public transportation. The Federal commitment has been substantial:

The enlarged Airport Development Aid Program established under the Airport-Airways Development Act of 1970 has quadrupled Federal assistance to airports to $295 million per year.

Under the Rail Passenger Service Act of 1970 we have begun to rejuvenate rail service as part of a balanced transportation system.

From 1970 through 1974 we will have invested some $23 billion in highways. In 1972 alone we committed $3.3 billion to the Interstate system, which is now 80 percent complete. In that same year, $870 million was designated for primary and secondary roads. Equally important, we have emphasized safety on our highways, both in their design and use.

We have progressively increased the levels of Federal funding for transportation research, development, and demonstration projects. This support focuses on new transportation technology. It is designed to encourage private industry to join aggressively in the search for better transportation.

Concurrent with our programs to improve transportation between our cities, we have undertaken programs to develop freeflowing corridors for people and commerce within our cities.

Since 1970, when I proposed and the Congress passed the Urban Mass Transportation Assistance Act, we have committed more than 2 billion Federal dollars to preserve and upgrade public transportation. Nationally, urban public transportation has become a billion-dollar-a-year Federal program.

Over the past four years, Federal dollars have helped 60 American cities to help those who depend on public systems for transportation to jobs, hospitals, shops and recreational centers. Now we must deal even more aggressively with community development challenges in transportation by building on the strong foundations we have laid.

Nothing can do more to lift the face of our cities, and the spirit of our city dwellers, than truly adequate systems of modern transportation. With the best highway system in the world, and with 75 percent of our people owning and operating automobiles, we have more transportation assets per capita than any other people on earth. Yet the commuter who uses a two-ton vehicle to transport only himself to and from work each day is not making the most efficient use of our transportation system and is himself contributing to our transportation and environmental problems.

Good public transportation is essential not only to assure adequate transportation for all citizens, but to forward the common goal of less congested, cleaner and safer communities. As I pointed out a few weeks ago in my message on the environment and natural resources, effective mass transit systems that relieve urban congestion will also reduce pollution and the waste of our limited energy resources.

As we build such systems, we must be aware of the two special challenges in coordinating the needs of the inner city and the suburb and in alleviating potential disruptions which new transportation systems can bring to neighborhood life.

To further these efforts I again continue to urge Congress to permit a portion of the Highway Trust Fund to be used in a more flexible fashion, thus allowing mass transit capital investments where communities so desire.

I recommend that the Congress authorize the expenditure by State and local governments of $3.65 billion over the next three years from the Highway Trust Fund for urban transportation needs, including capital improvements for bus and rapid rail systems. I also recommend continuing the rural highway program at the $1 billion a year level, and providing ample resources to advance the Interstate system as it approaches its 1980 funding completion date. This legislation can meet old needs while at the same time addressing new ones.

Some communities now feel unduly obligated to spend Federal monies on controversial Interstate highway segments in urban areas. I urge the Congress to allow States and localities to transfer such funds to the construction of other Federal-aid highways and mass transit capital improvements. In this way, we can help resolve controversies which have slowed work on a number of Interstate links in urban areas.

It is very important to recognize that this proposal does not represent an arbitrary Federal shift of funds from highways to transit. What it does stress is the right of local governments to choose the best solutions for their urban transportation problems.

This year, in a companion measure to our Federal Highway Bill, I am also proposing that funding for mass transit capital grants be increased by $3 billion, bringing the obligational authority for the mass transit program to $6.1 billion. This provision would maintain a forward looking mass transit program through at least 1977. I am also asking the Congress to amend the Urban Mass Transportation Assistance Act, increasing the Federal share for urban mass transit capital grant assistance programs to 70 percent and thereby achieving parity with Federal aid for urban and rural road building projects.

RURAL DEVELOPMENT

Community Development is sometimes thought of primarily in terms of urban areas. However, as this Administration has often pointed out—and will continue to emphasize—no element of our national well-being is more important than the health and vitality of our rural communities. Thus, in pursuing a policy of balanced development for our community life, we must always keep the needs of rural America clearly in sight.

Twice in the last two years, I have recommended legislation which would provide new revenues for rural development. Under my latest proposal, loans and guarantees would have been made for projects selected and prepared by the States.

While the 92nd Congress did not enact either of these proposals, it did enact the Rural Development Act of 1972, establishing additional lending authority for rural needs. Like the Administration's proposals, this lending authority provides for insured loans and guaranteed loans which allow maximum participation of the private sector.

Several new programs are proposed to be funded under the Rural Development Act. One is a $200 million loan program to assist communities with a population of less than 50,000 in developing commercial and industrial facilities. A previously existing loan program has been increased by $100 million—to a total of $445 million—and, under the new law, can now be used to construct a wide variety of essential community facilities. In addition, grants and other programs under the act will be funded at a level of $33 million.

This Administration will implement the Rural Development Act in a manner consistent with the revenue sharing concept, allowing major project selections and priority decisions to be made by the State and local governments whenever possible. It is our intent, after fully evaluating the effectiveness of this approach, to seek whatever additional legislation may be needed.

DISASTER ASSISTANCE

To a community suffering the ravages of a natural disaster, nothing is more important than prompt and effective relief assistance. As our population grows and spreads, each storm, earthquake, drought or freeze affects larger numbers of people.

During the past four years, we have tried to reduce personal injury, deaths, and property damage by emphasizing adequate preventive measures. During the same period, however, I have had to declare 111 major disasters in 39 States and three Territories. This past year alone set a tragic record for major disaster activity, as I had to declare 48 major disasters—43 caused by storms and floodings. There were a number of especially devastating disaster emergencies in this period: the flooding in Buffalo Creek, West Virginia; flash flood in Rapid City, South Dakota; and, of course, Tropical Storm Agnes which rampaged through the eastern United States. Agnes alone caused 118 deaths and some $3 billion in property damage.

Until now, disaster relief efforts have involved a number of different agencies and have been coordinated by the Executive Office of the President. The experience of the past few years has demonstrated that:

We are not doing nearly enough to prepare in advance for disasters.

States, local governments and private individuals should assume a larger role in preparing for disasters, and in relieving the damage after they have occurred.

Responsibility for relief is presently too fragmented among too many authorities.

At the Federal level, disaster relief should be managed by a single agency.

I intend to make 1973 a turning point in the quality of governmental response to natural disasters.

To achieve this goal, I have already proposed Reorganization Plan Number 1 of 1973, which is now before the Congress. It calls for the delegation of all responsibility for coordinating disaster relief to the Secretary of Housing and Urban Development, who is also my Counsellor for Community Development. This transfer of operations would take place at the beginning of the new fiscal year and would be carried out in such a way that the effective relations which now exist with State disaster officials would in no way be harmed, while a new sense of unity and mobility at the Federal level would be fostered.

If the Congress enacts my proposal for a new Department of Community Development, that new department would be responsible for directing all Federal disaster activities, including those of several other agencies which perform disaster roles.

In addition to the improvements I have proposed in Reorganization Plan Number 1, I will shortly submit a new Disaster Assistance Act to the Congress. This new act is designed to improve the delivery of Federal assistance, to provide a more equitable basis for financing individual property losses, and to forge a more balanced partnership for meeting disasters head-on—a partnership not only among governments at all levels but also between governments and private citizens.

Under these proposals, each level of government would accept responsibility for those things it can do best. While the Federal Government would continue to assist with financing, State and local governments would have far more latitude and responsibility in the use of those funds. They would also be encouraged to assert stronger leadership in efforts to minimize the damage of future disasters.

For homeowners, farmers and businessmen who have suffered disaster losses, the Federal Government would continue to provide direct assistance.

I will also recommend to the Congress an expansion of the national flood insurance program to allow participation by more communities in flood-prone areas and to increase the limits of coverage.

CONCLUSION

As reflected by the proposals set forth here, I believe that we must strike out on broad, new paths of community development in America.

During the last few years, we have taken genuine, measurable strides toward better communities.

All of this is good; it is not good enough.

It is clear that we can and should be accomplishing more in the field of community development. There are too many programs that have been tried and found wanting. There are too many programs that strengthen the bureaucracy in Washington but sap the strength of our State and local governments.

People today want to have a real say in the way their communities are run. They want to feel that, once again, they can play a significant role in shaping the kind of world their children will inherit. And they expect their institutions to respond to their needs and aspirations.

That feeling will never flourish if the Federal Government, however vast its financial resources and however good its intentions, tries to direct the pattern of our lives. That feeling cannot be manufactured in Washington, it must come from within.

But the Federal Government can and should eliminate some of the barriers that have impeded the development of that feeling by returning resources and initiatives to the people and their locally elected leaders. It is in that spirit that I urge the 93rd Congress to give favorable consideration to my proposals for community development.

RICHARD NIXON.

THE WHITE HOUSE, *March 8, 1973.*

Mr. WYLIE. Mr. Speaker, President Nixon, in his community development message, said:

> Local officials should be able to focus their time, their resources and their talents on meeting local needs and producing results instead of trying to please Washington with an endless torrent of paperwork.

Taken alone, this might be good and sufficient reason for passing the Better Communities Act. But this legislation which I am cosponsoring today does far more than relieve communities of a paperwork burden. It returns to the American taxpayer a greater measure of control over his own community.

Few can deny that previous attempts to aid urban areas, no matter how well-meaning, have distorted local priorities, spawned a massive glut of redtape, created an adversary climate between local communities and Washington, and led to the creation of too many complex and often competing Federal programs.

Perhaps more importantly—because they have been offered with such grand promises—unmet promises—the American taxpayer has had good cause to lose faith in his governmental institutions at all levels.

This legislation will help revise this dangerous trend in our great Republic. I quote the President again from his community development message. He said:

> The Federal policy that will work best in the last third of this century is not one that tries to force all of our communities into a single restrictive mold. The Federal policy that will work best is one that helps people and their leaders in each community meet their own needs in the way they think best.

Mr. FRENZEL. Mr. Speaker, the Better Communities Act, which I am cosponsoring today presents a rational system for helping communities of all sizes solve the problems that beset them.

Under existing legislation, communities are confronted with a tacked-together system of grant-in-aid programs, rigid in concept, inflexible in application and wasteful in its bureaucratic strictures.

This act proposes a coordinated approach toward dealing with the physical development of a community.

Locally elected officials will determine how to use the support offered by the Better Communities Act. They will decide which functions now performed under the categorical programs will be continued or expanded, or whether new activities should be initiated. Most important, communities will know each year what their annual share of the funds will be.

Under the act, communities can continue to acquire, clear and renew property and land; purchase and develop open space, historic sites, parks and playgrounds; relocate people and businesses displaced by urban renewal; build streets, malls, neighborhood and community centers, and recreation areas.

Also, communities can continue to rehabilitate residential and commercial properties; eliminate harmful physical conditions that endanger health or public safety, and provide public services or facilities supporting their community development program.

No longer will it be necessary for a community to file a separate application for each of the categorical grant programs for which it seeks Federal assistance.

The act replaces existing categorical programs with a single funding system, allocating funds by a formula based on objective standards.

It gives States and local governments more control over funds and greater flexibility in deciding how the funds are to be spent. Governors and State governments will be able to play significant roles in developing communities in their States.

The act provides automatic annual entitlement for metropolitan cities and urban counties, with localities receiving no less than recent annual funding under the categorical grant system.

The act eliminates Federal redtape and bureaucratic restrictions, but protects legitimate Federal concerns through reporting procedures, postaudits, and public disclosure.

The money already earmarked by the Federal Government for existing categorical programs is not affected. These funds will remain with the locality for use in accordance with the terms of these earlier grants.

This legislation is a milestone in bringing into the Federal Establishment efficiency, economy and a sense of purposeful order.

CLEAN AIR

(Mr. ECKHARDT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ECKHARDT. Mr. Speaker, there has developed in recent years a poisonous atmosphere conducive to executive and administrative corruption. I have joined my chairman, the distinguished gentleman from West Virginia (Mr. STAGGERS), chairman of the Interstate and Foreign Commerce Committee, and the able chairman of the Subcommittee on Commerce and Finance (Mr. MOSS) in introducing the most important bill now before us to clear this atmosphere and to clean the air in the sphere of administrative process. It would accomplish this by enhancing the independence of the Environmental Protection Agency and the independent regulatory agencies.

HISTORIC BACKGROUND

Beginning in the eighteen eighties with the creation of the Interstate Commerce Commission, Congress has created a number of agencies to regulate highly sensitive aspects of our economic system. The last of these agencies created, the Consumer Product Safety Commission, was established in the last Congress. Each of the so-called independent regulatory agencies was established as a subordinate arm of Congress to carry out assigned administrative and judicial functions within the parameters of legislative policy established by Congress. Great care was taken in the enabling statutes to create agencies which would be as far removed as possible from partisan politics or political influence. Though not in a strict sense an independent regulatory agency in form, the EPA is not unlike the typical independent regulatory agencies in its administration of environmental protection acts.

From the very inception of these agencies, however, Presidents, whether Republican or Democrat, have attempted to subject these regulatory agencies to executive control and dominance. Since these agencies together exercise more direct control over the private sector than any other segment of government, the power to manipulate them, or to shield particular businesses from the impact of their regulation, carries with it a political potential of enormous magnitude.

GROWTH OF EXECUTIVE POWER

The power of control and dominance in the President, and the power to stand between the agency and the enforcement of its orders in the Attorney General, have been enhanced through the years by administrative statutes. In the interest of promoting economy and efficiency in Government and of affording precision and selectivity, the Congress has enacted certain administrative statutes which have placed in the hands of the President and those acting under his authority the means to control the substantive programs of the regulatory agency. As Government has become more complex, the precise problem has become more difficult to anticipate and delegation of authority to the agencies has increased. Thus, legislative power has moved toward the executive department via the administrative route. As a result of these agencies increasingly look to the executive department for direction.

Increasingly, allegations appear in the press and in public statements that the President has abused this authority and encroached upon the independence of these agencies; and there has been a growing body of evidence to the effect that the application of administrative orders, controls, and enforcement is being selectively applied. Sometimes it appears that such selectivity is not without sensitivity to its political implications.

At this very moment there is mounting evidence of a close relationship between the Justice Department and the fund-raising efforts of the Republican Party in the last Presidential election. There is no question but that the head of that Department moved to the leadership of the Nixon campaign and raised money from sources formerly affected by his administration of the Department and at the time affected by the enforcement authority of that Department. There is indeed now serious question as to the propriety of former Attorney General John Mitchell's conduct in the campaign.

DEPENDENCE ON THE DEPARTMENT OF JUSTICE

Currently, the EPA must rely on the Department of Justice to conduct litigation on its behalf. The White House too frequently becomes involved in decisions at the Justice Department as to whether or not to prosecute polluters. As a result, the Attorney General is placed in a position to conduct a turnstile system of justice. If applied corruptly, polluters, to avoid prosecution, might simply drop a coin in the turnstile—in the form of a campaign contribution—and pass on through. The bill we have introduced would prevent this by allowing the Environmental Protection Agency and other Government agencies to conduct their own litigation in civil cases. In the case of the EPA, criminal litigation would continue to be handled by the Justice Department; however, the Administrator of the Environmental Protection Agency would assume supervisory responsibility for such cases.

POLITICAL INTERVENTION ON BEHALF OF ALLEGED POLLUTERS

The case of Armco Steel Co. in my home district of Houston, Tex., is a case study of blatant political influence. On December 1, 1970, the Justice Department filed suit under the Refuse Act of 1899 to enjoin Armco Steel from dumping waste into the Houston ship channel. The complaint stated that the discharges were "highly toxic" and constituted an "immediate hazard to human life." The Attorney General issued a press release to emphasize that the Government sought an immediate injunction rather than a fine, as a fine would be "a mere slap on the wrist."

The case was complicated somewhat when the Texas Water Quality Board ordered Armco to commence drilling of an injection well system to take care of its wastes. The Justice Department filed an amended complaint to halt construction of such a system. On September 17, 1971, a Federal district court complied with the Justice Department requests. The judge issued a decree ordering Armco to stop discharging wastes unless a permit was issued under the Refuse Act of 1899. A few days later, the court issued a partial stay of its order pending disposition of a motion for a new trial.

On September 28, 1971, Armco's president, William Verity—who in 1968 contributed $14,000 to the GOP campaign—wrote to President Nixon about the decision:

> After hearing your comments at the Detroit Economic Club on the need for a sensible balance between the environment and jobs, and after personally hearing you tell us that industry would not be a whipping boy in solving our environmental problems, I was shocked by the actions of Mr. Ruckelshaus and the Justice Department in shutting down the blast furnace and coke ovens at our Houston plant. It is inconceivable to me that your administration believes environmental problems can be solved by shutting down industry.
>
> To us that shutdown is extremely grave,

> both in and of itself and as an example of the heavy—even irresponsible—hand of big Government. I say this because our company has been trying to cure this plant's water pollution problems for over a year, but has been prevented from doing so by a petty argument between the State of Texas and EPA.
>
> We are bringing this to your attention, and also to the attention of the Attorney General, and the director of the Environmental Protection Agency.
>
> We are asking that you and the Justice Department take action to stay the judge's decision until a sensible, satisfactory plan can be worked out to solve our Houston problem. The company that has led the way in environmental improvement; the 300 men and women whose jobs are immediately affected; in fact, all employees of our Houston plant deserve fairer treatment than this.

Mr. Verity's plea was heeded by a sympathetic reader. In mid-October, several newspaper accounts reported that White House aide Peter Flanagan discussed the matter with Justice Department officials. The Government entered into negotiations with Armco, and a final order was issued on November 4, 1971. The order allowed Armco to continue to dump approximately 1,000 pounds of cyanide per day into Buffalo Bayou until June, Armco further agreed to construct an incinerator for waste disposal purposes, and to take up abatement measures—a far cry from the original request to halt the discharge of pollutants into the ship channel.

HEARINGS ON THE ARMCO CASE

At hearings conducted by the Conservation and Natural Resources Subcommittee of the House Committee on Government Operations to examine possible improprieties in the Armco case, Assistant Attorney General Shiro Kashiwa testified that no contract between the Justice Department and the White House had occurred. Yet, a year later—November 1972—a syndicated columnist reported that Mr. Martin Green, a section chief in the Justice Department, had prepared a memorandum to the files—dated September 30, 1971—which stated that the White House and Mr. Kashiwa were in close contact regarding the Armco case. On November 22, 1972. Congressman Henry Reuss announced that his subcommittee staff had sought to obtain a copy of the memo. He said that on November 15, 1972.

> Assistant Attorney General Kent Frizzel (Mr. Kashiwa's successor) assured our Subcommittee staff that 1) the Green memorandum was accurately and fully quoted in the column, and 2) the Subcommittee could have a copy of it.

In his account of the events, Congressman Reuss said that later:

> Deputy Attorney General Ralph E. Erickson, in a letter to me reversed Mr. Frizzell, saying that my request for the Green memorandum "must be respectfully declined."

GULF RESOURCES AND BUNKER HILL

And, there is the case involving Bunker Hill Co., a mining subsidiary of Gulf Resources & Chemical Co., whose main offices are located in Houston, Tex. Despite recommendations by the administrator of the 10th region of EPA, the Government failed to bring suit against the company to prohibit heavy metal discharges into the Silver King Creek. These discharges ultimately found their way to the Coeur d'Alene River in violation of the Refuse Act of 1899.

Concurrently, Mr. Robert Allen, president of Gulf Resources, was assembling some $100,000 which in due course he delivered to the Nixon reelection campaign. Ultimately, embarrassment to the campaign having developed over the disclosures resulting from the Watergate scandal, Mr. Allen asked for the return of the money and apparently it has been most willingly returned.

It appears that the assembling of the $100,000 contribution occurred about simultaneously with the delivery of a like sum which was transmitted from the corporate coffers of Gulf Resources to its Mexican subsidiary. It has been alleged, and I think not denied, that all or a substantial part of this transfer was paid to a lawyer of the Mexican subsidiary.

OTHER EXAMPLES

There are other examples of questionable disposition of cases on the part of the Justice Department. For example, in October, 1970, the Interior Department recommended civil and criminal actions against ITT-Rayonier, Inc. For 3 years the company had failed to clean up effluent as agreed to at the Puget Sound Enforcement Conference. The Justice Department filed suit on March 30, 1971, charging the company with violation of the Refuse Act of 1899. The suit was settled on the same day.

The pattern of these cases shows that there is an open invitation for corruption when a quasi-judicial agency must enforce its orders through the Justice Department. The Attorney General of the United States is too frequently appointed as the chief henchman of the President of the United States.

There are other problems associated with reliance upon the Department of Jusitce to prosecute cases. A report issued by the Environmental Protection Agency, "The First Two Years: A Review of EPA's Enforcement Program," shows that during the period covered by the report, 106 civil actions and 169 criminal actions were referred to the Justice Department under the Refuse Act. Of those, the Justice Department initiated proceedings in only half of the civil and criminal cases. A report issued last summer by the House Committee on Government Operations described the problems which arisen when restrictive general policy guidelines affecting the prosecution of cases are established within the Justice Department. In 1970, departmental guidelines provided that U.S. attorneys could not institute civil or criminal proceedings in Refuse Act cases without the "prior authorization from the appropriate Assistant Attorney General." Fortunately, the guidelines have since been changed. However, there is little to prevent future Attorney Generals from again revising the guidelines so as to hamper prosecutions.

The bill is drafted to insure bipartisan legislative oversight of the agency's activities. All proposed legislation, comments on legislation and proposed regulations submitted to the Office of Management and Budget must also be submitted to Congress. Furthermore, if regulations are circulated among other agencies or submitted to any other person for comment, the agency must report such submissions to the Congress. Budget requests submitted to OMB must also be submitted to Congress. This is included in the bill in an effort to curb the effective policy control which is exercised by the Executive through the budgetary control exercised by OMB.

Institution of these practices will insure that regardles of who occupies the White House, and who controls the Congress, the elected representatives of the people will have an opportunity to oversee the activities of the agency.

A summary of the legislation H.R. 6962 follows:

SUMMARY

1. PURPOSE

The proposed legislation is designed to remove executive branch controls of these agencies and to augment Congressional oversight authority. The bill would reach only those independent regulatory commissions subject to the jurisdiction of the Interstate and Foreign Commerce Committee. Thus, the terms relate to the CAB, FCC, FTC, FPC, ICC, SEC, and the new Consumer Product Safety Commission. The bill does not attempt to restore the regulatory freedom of the Federal Maritime Commission, which is subject to the jurisdiction of the Committee on Merchant Marine and Fisheries, nor does it deal with the National Labor Relations Board, which has a different cross-industry function and a peculiar status among the regulatory commissions. The bill also proposes to give greater regulatory freedom to the Environmental Protection Agency in the administration of those acts which are subject to the legislative jurisdiction of this Committee (i.e., the Clean Air Act, the Solid Waste Disposal Act, and the Noise Control Act of 1972)

2. BRIEF OUTLINE OF LEGISLATION

In brief summary, this legislation would—

(1) Require Senate confirmation for appointments of agency chairmen (Today the Senate only examines the appointment of a chairman if a commissioner is designated as chairman at the time he is appointed to the commission.);

Require that chairmen, once designated, shall continue to serve as such for the duration of their terms as members of the commission (Today agency chairmen serve at the pleasure of the President.); and

Prevent removal of agency chairmen or commissioners except for neglect of duty or malfeasance in office (At present several of the enabling laws establishing the regulatory commissions fail to state grounds for removal; others would permit removal for inefficiency in addition to instances of neglect of duty or malfeasance in office. These amendments make uniform and at the same time narrowly limit the bases for which the President may remove an agency chairman or commissioner.).

This bill does not propose amendments to the procedures for appointment of the Administration of EPA, nor does it establish a fixed term for such Administrator.

(2) Remove Justice Department control of civil litigation to which the regulatory commissions are a party and permit these agencies to act on their own behalf and through their own attorneys (At present some of the enabling statutes permit the regulatory agencies to act on their own behalf and through their own attorneys in civil litigation—e.g., the SEC and FPC; other enabling statutes are silent on this point. In the absence of specific direction from the Congress to the contrary, the Justice Department assumes control and supervision of all civil litigation.) These amendments would permit EPA to act in its own name through its own attorneys in any civil action under the Clean Air Act, the Solid Waste Disposal Act, or the Noise Control Act of

1972. Also the Administrator of EPA would be permitted to control and supervise any criminal prosecution arising under violations of those acts.

(3) Eliminate the requirement that the agencies obtain the prior approval of OMB before distributing questionnaires or requests for information. The agencies would still be required to submit such questionnaires and requests to OMB and allow a reasonable opportunity for the Director to comment on them. (Existing law and practice allows the Director of OMB to exercise a veto over agency distribution of questionnaires to ten or more people. There have been instances when this authority has been exercised to deny an agency access to needed information.) These amendments apply to EPA only in the administration of the Clean Air Act, the Solid Waste Disposal Act, or the Noise Control Act of 1972.

(4) Direct the agencies to submit legislative recommendations or comments on pending bills directly to Congress and not to seek or obtain prior clearance or review of such submissions by any department of the executive branch or any other authority. (Under current practice, OMB requires the independent regulatory commissions to submit their legislative recommendations and comments for prior review and clearance. This procedure is called for by executive order. There is no legislative authority for it.) These amendments apply to EPA only in the administration of the Clean Air Act, the Solid Waste Disposal Act, or the Noise Control Act of 1972.

(5) Require the President, in submitting his budget to the Congress, to include the agency requests originally submitted to OMB together with any supporting materials furnished by the agency so that Congress may have a clear understanding of what resources the agencies themselves believe are necessary to carry out their assigned duties.

(6) Clarify the right of the duly authorized committees of the Congress to obtain access to information in the possession of these agencies. (These provisions are intended to remove any argument relating to the right of the committees charged with legislative oversight to gain access to information in the possession of the regulatory commissions. Its need is clearly demonstrated by the recent SEC–ITT experience.)

PRESIDENT'S ENERGY MESSAGE

(Mr. UDALL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. UDALL. Mr. Speaker, the President's Energy Message has to be viewed as a disappointment by those who are concerned that the demand side of the energy equation is not receiving enough attention.

The fact is that America has been on a three-decade-long energy binge, and a massive hangover is in prospect. The President's answer is to take more bufferin—the only real answer is to moderate and in some cases abstain from our bad habits.

But unfortunately, except for a few exhortations, the President's message looks only at supply, and even then there is too much "dig-and-dam-and-drill" philosophy.

It is the kind of philosophy that simply accepts the premise that population, as some project, will increase 50 percent to 300 million by the year 2000 and that energy per capita will necessarily quadruple. If we are going to simply accept this, we had better get a grip on what it means.

What it means is six powerplants for every one we have today, and even if the sites could be found, we would not for long have the oil, gas, coal, and dollars to keep them running. It means permanently clouded skies and poisoned waters. It means inevitable conflict with other world powers competing for scarce petroleum resources and perhaps it means mortgaging our future national security for Mideast oil.

We ought to ask ourselves: Are we really gaining anything by chasing the supply rabbit? The average American uses twice as much energy as his British counterpart. Does this lavish energy use really make us 100 percent happier? We waste as much energy each year as the Japanese consume; we use as much for air conditioning annually as 800 million Chinese use for everything. Surely there are places we can cut back without reverting to a spartan life style.

The President should have used this message to tell us some hard truths. He should have told us that the joy ride is over and we are going to have to begin thinking small: smaller cars, smaller houses, smaller towns.

Instead he has accepted the premise that public demand will grow exponentially and we had better get ready for it. My reply is that I'm part of the public and I demand no such thing.

Mr. Speaker, I have put together some down-to-earth suggestions for private citizens in the form of an energy diet, and I include it in the Record at this point:

The Udall Energy Diet

The idea of a spartan existence is repugnant to Americans. But the fact is that by exercising modest restraint average citizens, according to one study, could reduce energy demands overnight by as much as one-third. Each family ought to start thinking in terms of an energy diet: if your weakness is a big automobile, then cut down on electrical appliances, heating and air conditioning and so on. Below I have combined the best suggestions that have been made on how the average citizen can have an impact—and without seriously changing life styles.

THE AUTOMOBILE

Buy smaller cars.

Commute to work in car pools or by public transportation if accessible.

Ride bicycles and walk wherever possible. Auto traffic averages 12 mph in the cities, no faster than the horse and buggy.

Turn the engine off when parked. Don't use the engine just to cool or heat the car.

THE UTILITY COMPANY

Write your local utility a strong letter suggesting they knock off advertising stimulating electrical use.

THE AIR CONDITIONER

Keep in mind always it is one of the worst offenders during the worst part of the year.

Turn it off when you leave and in rooms not in use.

Make sure nothing is obstructing the ducts and that drapes are drawn on hot days.

Seek a professional's advice in purchasing a unit that isn't too big for your needs. Watch efficiency ratings given various brands by consumer magazines. Efficient models use less power.

LIGHTS

Turn off lights not in use.

Use fluorescent lights where feasible because they produce more light per watt and less heat.

Neon advertising lights are garish. By discouraging their use we can improve scenery and save energy all at once.

HOUSEHOLD APPLIANCES

Do one full load of wash rather than many half loads. If clothes are dry in 20 minutes, don't run the dryer 40 minutes.

Clean the dishwasher filter often and don't run less than a full load.

Never use the range as a heater.

Turn off the TV and radio when not looking and listening.

Use the garbage disposal as seldom as possible and if you don't have one, don't buy one.

HOUSING

If you're building a home, insist on thermal insulation to greatly reduce energy consumption and your monthly utility bill.

Use storm doors and windows to further cut utility costs.

Set your thermostat for a comfortable reading and leave it alone. Constant changing wastes fuel.

If you have individual room thermostats, keep a lower temperature in rooms, such as bedrooms, not in constant use.

ELECTRIC GADGETS

Start walking rather than riding those 18 holes.

Stop giving Christmas presents like electric toothbrushes, hair stylers, blankets, shoe polishers and so on.

RECYCLING CENTERS

Start using your local center!

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Rogers, for 15 minutes, today.

(The following Members (at the request of Mr. McCollister) and to revise and extend their remarks and include extraneous matter:)

Mr. Bell, for 5 minutes, today.

Mr. Robison of New York, for 15 minutes, today.

Mr. Blackburn, for 5 minutes, today.

Mr. Kemp, for 10 minutes, today.

Mr. Mitchell of New York, for 5 minutes, today.

Mr. McDade, for 15 minutes, today.

Mr. Veysey, for 10 minutes, today.

Mr. Hogan, for 5 minutes, today.

Mr. Young of Alaska, for 5 minutes, today.

Mr. Wyatt, for 10 minutes, today.

Mr. Miller, for 5 minutes, today.

(The following Members (at the request of Mr. Studds) and to revise and extend their remarks and include extraneous matter:)

Mr. Alexander, for 60 minutes, today.

Mr. O'Neill, for 5 minutes, today.

Mr. McFall, for 5 minutes, today.

Mr. Burke of Massachusetts, for 15 minutes, today.

Mr. Fulton, for 5 minutes, today.

Mr. Meeds, for 5 minutes, today.

Mr. Gonzalez, for 5 minutes, today.

Mr. Drinan, for 15 minutes, today.

Mr. Moakley, for 5 minutes, today.

Mr. Matsunaga, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Gross to insert his remarks in the body of the Record on S. 502 prior to the vote on the Anderson amendment.

Mr. RANDALL, to revise and extend his remarks, just prior to the vote on the Railsback amendment.

Mr. HORTON to extend his remarks during debate on the Anderson amendment and on the Walsh amendment in the Committee of the Whole, today.

Mr. MICHEL to extend his remarks following those of Mr. RAILSBACK during debate on the Railsback amendment in the Committee of the Whole, today.

Mr. DON H. CLAUSEN to include in the RECORD during debate on S. 502, today, remarks of Mr. JONES of Alabama.

Mr. WYLIE and Mr. FRENZEL to follow the remarks of Mr. WIDNALL today.

(The following Members (at the request of Mr. MCCOLLISTER) and to include extraneous matter:)

Mr. YOUNG of Alaska in two instances.
Mr. CONLAN.
Mr. KEATING.
Mr. WYMAN in two instances.
Mr. QUIE.
Mr. KEMP in two instances.
Mr. KUYKENDALL.
Mr. RINALDO.
Mr. GUYER.
Mr. HASTINGS.
Mr. ROUSSELOT.
Mr. ZWACH in three instances.
Mr. LENT in two instances.
Mr. VEYSEY in four instances.
Mr. HOGAN in two instances.
Mr. NELSEN.
Mr. SARASIN in two instances.
Mr. DICKINSON.
Mr. GERALD R. FORD.
Mr. ESHLEMAN.
Mr. STEIGER of Arizona.
Mr. THOMSON of Wisconsin.
Mr. MCDADE.
Mr. ARMSTRONG.
Mr. CONTE.
Mr. BURGENER.
Mr. CRONIN in two instances.
Mr. COUGHLIN in three instances.
Mr. WYDLER.
Mr. PARRIS in five instances.
Mr. HUBER in two instances.
Mr. FRELINGHUYSEN in two instances.
Mr. ASHBROOK in three instances.
Mr. MAILLIARD.
Mr. BUCHANAN in two instances.
Mr. WIDNALL in two instances.
Mr. BROOMFIELD in two instances.
Mr. FREY.

(The following Members (at the request of Mr. STUDDS) and to include extraneous matter:)

Mr. UDALL in seven instances.
Mr. GONZALEZ in three instances.
Mr. RARICK in three instances.
Mr. KOCH in two instances.

Mr. ROONEY of New York to extend his own remarks on the 30th anniversary of the Warsaw ghetto uprising.

Mr. BADILLO.
Mr. DRINAN in seven instances.
Mr. EDWARDS of California in two instances.
Mr. BLATNIK in two instances.
Mr. EILBERG in 10 instances.
Mr. GIAIMO in three instances.
Mr. DINGELL in two instances.
Mr. CAREY of New York in two instances.
Mr. RANGEL in three instances.
Mr. CORMAN.
Mr. ANDERSON of California in three instances.
Mr. FUQUA.
Mrs. MINK in four instances.
Mr. DANIELSON.
Mr. ROY.
Mr. RODINO in two instances.
Mr. WOLFF.
Mr. JAMES V. STANTON.
Mr. STOKES in five instances.
Mr. DOMINICK V. DANIELS in eight instances.
Mr. PICKLE.
Mrs. CHISHOLM.
Mr. RUNNELS.
Mr. HOWARD.
Mr. JOHNSON of California.
Mr. ROGERS in five instances.
Mr. FULTON.
Mr. ECKHARDT in two instances.
Mr. KYROS.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 50. An act to strengthen and improve the Older Americans Act of 1965, and for other purposes.

ADJOURNMENT OVER TO MONDAY, APRIL 30, 1973

Mr. STUDDS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 2 minutes p.m.), pursuant to the provisions of the Senate concurrent resolution 22, 93d Congress, the House adjourned until Monday, April 30, 1973.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

793. A letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation authorizing the Secretary of the Navy to receive for instruction at the U.S. Naval Academy two citizens and subject of the Empire of Iran; to the Committee on Armed Services.

794. A letter from the Secretary of Health, Education, and Welfare, transmitting a report of actual procurement receipts for medical stockpile of civil defense emergency supplies and equipment purposes, covering the quarter ended March 31, 1973, pursuant to section 201(h) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

795. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting a draft of proposed legislation to amend the International Economic Policy Act of 1972; to the Committee on Banking and Currency.

796. A letter from the Secretary of Housing and Urban Development, transmitting a draft of proposed legislation to provide Federal revenues to State and local governments and afford them broad discretion in carrying out community development activities; to the Committee on Banking and Currency.

797. A letter from the Commissioner of the District of Columbia transmitting a draft of proposed legislation to authorize certain programs and activities of the government of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

798. A letter from the Deputy Assistant Secretary of Commerce for Product Standards, transmitting notice of proposed amendments to the Flammability Standard for Mattresses, DOC FF 4–72; to the Committee on Interstate and Foreign Commerce.

799. A letter from the Secretary of State, transmitting a report on U.S. foreign policy during 1972; to the Committee on Foreign Affairs.

800. A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to amend the Outer Continental Shelf Lands Act and to authorize the Secretary of the Interior to regulate the construction and operation of deepwater port facilities; to the Committee on Interior and Insular Affairs.

801. A letter from the President, National Safety Council, transmitting a report of the audit of the financial transactions of the Council for 1972, pursuant to section 15 of Public Law 83–259; to the Committee on the Judiciary.

802. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend section 142 of title 13, United States Code, entitled "Census"; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BRADEMAS: Committee on House Administration. House Concurrent Resolution 109. Concurrent resolution providing for the printing of remarks of tribute to the late President of the United States, Lyndon Baines Johnson; with amendment (Rept. No. 93–150). Referred to the House Calendar.

Mr. BRADEMAS: Committee on House Administration. House Concurrent Resolution 126. Concurrent resolution to provide for the printing of 1,000 additional hearings entitled "Year-Round Schools" (Rept. No. 93–151). Referred to the House Calendar.

Mr. BRADEMAS: Committee on House Administration. House Concurrent Resolution 156. Concurrent resolution to provide for the printing of 1,000 additional hearings entitled "Corrections, Federal and State Parole Systems", parts VII–A and VII–B, serial 15, 92d Congress (Rept. No. 93–152). Referred to the House Calendar.

Mr. BRADEMAS: Committee on House Administration. Senate Concurrent Resolution 2. Concurrent resolution authorizing the printing of additional copies of Senate hearings entitled "Runaway Youth" (Rept. No. 93–153). Referred to the House Calendar.

Mr. BRADEMAS: Committee on House Administration. Senate Concurrent Resolution 3. Concurrent resolution authorizing the printing of additional copies of Senate hearings entitled "Saturday Night Special Handguns, S. 2507" (Rept. No. 93–154). Referred to the House Calendar.

Mr. BRADEMAS: Committee on House Administration. Senate Concurrent Resolution 4. Concurrent resolution authorizing the printing of additional copies of Senate hearings entitled "Juvenile Confinement Institutions and Correctional Systems" (Rept. No. 93–155). Referred to the House Calendar.

Mr. BRADEMAS: Committee on House Administration. Senate Concurrent Resolution 13. Concurrent resolution authorizing the printing of additional copies of Senate hearings on the sudden infant death syndrome (Rept. No. 93–156). Referred to the House Calendar.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 6388. A bill to amend the Airport and Airway Development Act of 1970 to increase the U.S. share of allowable project costs under such act; to amend the Federal Aviation Act of 1958 to prohibit certain State taxation of persons in air commerce; and for other purposes; with amendment (Rept. No. 93-157). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER (for himself and Mr. Mills of Arkansas):

H.R. 7211. A bill to utilize the repayment of delinquent foreign debts for the establishment of the National Outdoor Recreation and Wilderness Trust Fund to be used to acquire land and waters for national outdoor recreation and wilderness areas; to the Committee on Ways and Means.

By Mr. BELL:

H.R. 7212. A bill to amend the Labor Management Relations Act, 1947, to permit employee contributions to jointly administered trust funds established by labor organizations to defray costs of legal services; to the Committee on Education and Labor.

H.R. 7213. A bill to extend the National Foundation on the Arts and the Humanities Act; to the Committee on Education and Labor.

By Mr. BURKE of Massachusetts:

H.R. 7214. A bill to amend the tax treatment of moving expenses; to the Committee on Ways and Means.

By Mr. BURKE of Massachusetts (for himself and Mr. St Germain):

H.R. 7215. A bill to increase the duty on rubber filament; to the Committee on Ways and Means.

By Mr. BURKE of Massachusetts (for himself, Mr. Brasco, Mr. Broyhill of Virginia, Mr. Collins, Mr. William D. Ford, Mrs. Grasso, Mr. Johnson of California, Mr. Kuykendall, Mr. Michel, Mr. Nix, Mr. Rarick, Mr. Spence, Mr. Tiernan, and Mr. Wolff):

H.R. 7216. A bill to amend the Internal Revenue Code of 1954 to allow an itemized deduction for motor vehicle insurance premiums; to the Committee on Ways and Means.

By Mr. DIGGS (by request):

H.R. 7217. A bill to provide for the appointment of alternates and hearing examiners by the Zoning Commission of the District of Columbia, to change the composition of the Board of Zoning Adjustment, and for other purposes; to the Committee on the District of Columbia.

H.R. 7218. A bill to improve the laws relating to the regulation of insurance companies in the District of Columbia; to the Committee on the District of Columbia.

By Mr. DINGELL (for himself, Mr. Pepper, Mr. Rees, Mr. Lujan, Mr. Brown of California, Mr. McCloskey, Mr. William D. Ford, Mr. Roybal, Mr. Moss, Mr. Waldie, Mr. Lehman, Mr. Buchanan, Mr. Eilberg, Mr. Moakley, Mr. Forsythe, and Mr. Murphy of Illinois):

H.R. 7219. A bill to encourage the movement in interstate and foreign commerce of recycled and recyclable materials and to reduce the quantities of solid waste materials in commerce which cannot be recycled or do not contain available recycled materials, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH (for himself, Mr. Broyhill of North Carolina, Mr. Collins, Mr. Davis of Georgia, Mr. Erlenborn, Mr. Forsythe, Mr. Frenzel, Mr. Gilman, Mr. Hammerschmidt, Mr. Harvey, Mr. Heinz, Mr. Kemp, Mr. McCloskey, Mr. Mosher, Mr. Regula, Mr. Rhodes, Mr. Robison of New York, Mr. Teague of California, Mr. Towell of Nevada, Mr. Veysey, and Mr. Won Pat):

H.R. 7220. A bill to assure an opportunity for employment to every American seeking work and to make available the education and training needed by any person to qualify for employment consistent with his highest potential and capability, and for other purposes; to the Committee on Education and Labor.

By Mr. GUDE:

H.R. 7221. A bill to amend the Freedom of Information Act to require that all information be made available to Congress except where Executive privilege is invoked; to the Committee on Government Operations.

By Mr. HARRINGTON (for himself, Ms. Abzug, Mr. Brown of California, Mrs. Chisholm, Mr. Diggs, Mr. Drinan, Mr. Kyros, Mr. Macdonald, Mr. Moakley, Mr. Owens, Mr. Podell, Mr. Roybal, and Mr. Won Pat):

H.R. 7222. A bill to provide public service employment opportunities for unemployed and underemployed persons, to assist States and local communities in providing needed public services, and for other purposes; to the Committee on Education and Labor.

By Mr. HARRINGTON (for himself and Mr. Drinan):

H.R. 7223. A bill to establish a New England Regional Commission, and for related purposes; to the Committee on Public Works.

By Mr. HARRINGTON (for himself, Mr. Adams, Mr. Badillo, Mr. Brown of California, Mr. Carney of Ohio, Mrs. Chisholm, Mr. Dellums, Mr. Edwards of California, Mr. Eilberg, Mr. Fraser, Mr. Hawkins, Mr. Hechler of West Virginia, Miss Holtzman, Mr. Mitchell of Maryland, Mr. Moakley, Mr. Nix, Mr. Podell, Mr. Rangel, Mr. Roe, Mr. Sarbanes, Mr. Stokes, Mr. Studds, Mr. Won Pat, and Mr. Yatron):

H.R. 7224. A bill to amend the Federal-State Extended Unemployment Compensation Act of 1970 to permit Federal sharing of the cost of unemployment benefits which extend for 52 weeks; to the Committee on Ways and Means.

By Mr. HARRINGTON (for himself, Mr. Badillo, Mr. Brown of California, Mrs. Chisholm, Mr. Dellums, Mr. Edwards of California, Mr. Eilberg, Mr. Fraser, Mr. Hawkins, Mr. Hechler of West Virginia, Miss Holtzman, Mr. Mitchell of Maryland, Mr. Moakley, Mr. Nix, Mr. Podell, Mr. Rangel, Mr. Roe, Mr. Sarbanes, Mr. Stokes, Mr. Won Pat, and Mr. Yatron):

H.R. 7225. A bill to improve the extended unemployment compensation program; to the Committee on Ways and Means.

By Mr. HASTINGS (for himself, Mr. Meeds, Mrs. Hansen of Washington, Mr. Howard, Mr. Jones of Tennessee, Mr. Baker, Mr. Duncan, Mr. Roe, Mr. Seiberling, Mr. Coughlin, Mr. Evins of Tennessee, Mr. Ashbrook, Mr. Archer, Mr. Edwards of California, and Mr. Bingham):

H.R. 7226. A bill to extend through fiscal year 1974 the expiring appropriations authorizations in the Public Health Service Act, the Community Mental Health Centers Act, and the Developmental Disabilities Services and Facilities Construction Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mrs. HECKLER of Massachusetts (for herself, Mr. Mayne, Mr. Sisk, Mr. Broomfield, and Mr. O'Neill):

H.R. 7227. A bill to provide that respect for an individual's right not to participate in abortions contrary to that individual's conscience be a requirement for hospital eligibility for Federal financial assistance; to the Committee on Interstate and Foreign Commerce.

By Mr. KASTENMEIER:

H.R. 7228. A bill to amend title 10 and 37, United States Code, to provide for equality of treatment for military personnel in the application of dependency criteria; to the Committee on Armed Services.

By Mr. KOCH (for himself, Ms. Abzug, Mr. Badillo, Mr. Bell, Mr. Drinan, Mr. Edwards of California, Mr. Fraser, Mr. Kastenmeier, Mr. Moakley, Mr. Rees, Mr. Rosenthal, Mr. Stark, and Mr. Rangel):

H.R. 7229. A bill to amend the Immigration and Nationality Act with respect to the waiver of certain grounds for exclusion and deportation; to the Committee on the Judiciary.

By Mr. MITCHELL of New York:

H.R. 7230. A bill to amend title 10, United States Code, so as to provide that the Chief of the Medical Service Corps of the Navy shall be a rear admiral and for other purposes; to the Committee on Armed Services.

By Mr. KYROS (for himself, Mr. Steele, Mr. Blackburn, Mr. Cleveland, Mr. Conlan, Mr. Frey, Mrs. Grasso, Mr. Howard, Mr. Jones of North Carolina, Mr. Pike, Mr. Rees, Mr. Rosenthal, Mr. Sarbanes, Mr. Shipley, Mr. Vigorito, Mr. Whitehurst, and Mr. Young of Alaska):

H.R. 7231. A bill to amend the act of May 20, 1964, entitled "An Act to prohibit fishing in the territorial waters of the United States and in certain other areas by vessels other than vessels of the United States, and by persons in charge of such vessels", to define those species of Continental Shelf fishery resources which appertain to the United States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MARAZITI:

H.R. 7232. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. MEEDS:

H.R. 7233. A bill to authorize grants to encourage and assist the States in developing and implementing land use planning processes and programs; to coordinate Federal programs and policies which have a land use impact; to establish a public land policy and to provide public land use planning directives; to provide for the protection and enhancement of the environment; and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MIZELL:

H.R. 7234. A bill to establish a national development program through public works, including a special component for the development of rural America, and to consolidate under the program so established certain existing development programs; to the Committee on Public Works.

By Mr. MURPHY of New York:

H.R. 7235. A bill to provide that respect for an individual's right not to participate in abortions contrary to that individual's conscience be a requirement for hospital eligibility for Federal financial assistance and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. NIX:

H.R. 7236. A bill to provide increased annuities under the civil service retirement program; to the Committee on Post Office and Civil Service.

By Mr. OBEY (for himself, Mr. Corman, Mr. Bevill, Mrs. Mink, Mr. Conyers, Mr. Nix, Mr. Yatron, Mr. Sarbanes, Mr. Melcher, Mr. Studds, Mr. Harrington, Mr. Rangel, Mr. Owens, and Mr. Fauntroy):

H.R. 7237. A bill to assist the States in providing the opportunity for an elementary and secondary education of equal quality to all students throughout each State and in providing for greater equity in the distribution of the burden of school financing; to the Committee on Education and Labor.

By Mr. OBEY (for himself, Mr. Hechler of West Virginia, Mr. Leggett, Mr. Rooney of Pennsylvania, Mrs. Chisholm, Mr. Mitchell of Maryland, Mr. Podell, Mr. Eilberg, Ms. Abzug, Mr. Brown of California, Mr. Moakley, Mr. Bingham, Mr. Rosenthal, Mr. Clark, and Mr. Murphy of New York):

H.R. 7238. A bill to assist the States in providing the opportunity for an elementary and secondary education of equal quality to all students throughout each State and in providing for greater equity in the distribution of the burden of school financing; to the Committee on Education and Labor.

By Mr. PATMAN:

H.R. 7239. A bill to authorize and direct the Secretary of the Treasury to make grants to Eisenhower College, in Seneca Falls, N.Y., out of proceeds from the sale of silver dollar coins bearing the likeness of the late President of the United States, Dwight David Eisenhower; to the Committee on Appropriations.

By Mr. ROUSH (for himself, Ms. Abzug, and Mr. Charles H. Wilson of California):

H.R. 7240. A bill to amend the Communications Act of 1934 to provide grants to States and units of local government for the establishment equipping, and operation of emergency communications facilities to make the national emergency telephone number 911 available throughout the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. ROYBAL:

H.R. 7241. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SHRIVER:

H.R. 7242. A bill to amend the Uniform Time Act of 1966 in order to provide that daylight saving time shall be observed in the United States from the first Sunday following Memorial Day to the first Sunday following Labor Day; to the Committee on Interstate and Foreign Commerce.

By Mrs. SULLIVAN (for herself, Mr. Grover, Mr. Downing, and Mr. Mailliard):

H.R. 7243. A bill to amend section 27 of the Merchant Marine Act of 1920, to provide a monetary penalty for the transportation of merchandise in violation of the coastwise laws; to the Committee on Merchant Marine and Fisheries.

By Mrs. SULLIVAN (for herself, Mr. Biester, Mrs. Boggs, Mr. Davis of South Carolina, Mr. Breaux, Mr. Dennis, and Mr. Beard):

H.R. 7244. A bill to extend until November 1, 1978, the existing exemption of the steamboat Delta Queen from certain vessel laws; to the Committee on Merchant Marine and Fisheries.

By Mr. ULLMAN:

H.R. 7245. A bill to limit the authority of the Secretary of Health, Education, and Welfare to impose, by regulations, certain additional restrictions upon the availability and use of Federal funds authorized for social services under the public assistance programs established by the Social Security Act; to the Committee on Ways and Means.

By Mr. VEYSEY:

H.R. 7246. A bill to amend the Clean Air Act to require more effective testing and control of motor vehicle emissions; to the Committee on Interstate and Foreign Commerce.

By Mr. WALDIE (for himself, Mr. Rooney of Pennsylvania, Ms. Abzug, Mr. Rangel, and Mrs. Burke of California):

H.R. 7247. A bill to extend Migrant Health Act and increase appropriation; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITEHURST (for himself and Mr. Downing):

H.R. 7248. A bill to direct the Secretary of Labor to study the feasibility of and need for a Cost of Existence Index; to the Committee on Education and Labor.

By Mr. YOUNG of Alaska:

H.R. 7249. A bill creating an additional Federal district judgeship for the district of Alaska; to the Committee on the Judiciary.

By Mr. BADILLO:

H.R. 7250. A bill to amend the Civil Rights Act of 1964 to prohibit housing discrimination on the basis of race, color, creed, national origin, sex, marital status or, in the case of adults, age; to the Committee on the Judiciary.

By Mr. BENNETT:

H.R. 7251. A bill to prohibit ceratin belligerent activities by U.S. personnel in Southeast Asia; to the Committee on Foreign Affairs.

By Mr. BLATNIK:

H.R. 7252. A bill to enable domestic growers or canners of seasonal fruits or vegetables or of fruit juices, fruit nectars, or fruit drinks prepared from such seasonal fruits, which were packed in hermetically sealed containers and sterilized by heat, to secure an adjudication of certain claims for losses in the Court of Claims; to the Committee on the Judiciary.

By Mr. BURLISON of Missouri:

H.R. 7253. A bill to provide for the study of certain lands to determine their suitability for designation as wilderness in accordance with the Wilderness Act of 1964, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 7254. A bill to further the purposes of the Wilderness Act of 1964 by designating certain lands for inclusion in the National Wilderness Preservation System, and for other purposes; to the Committee on Interior and Insular Affairs

By Mr. CARTER:

H.R. 7255. A bill to authorize the acquisition of certain lands for addition to the Cumberland Gap National Historical Park, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DELANEY (for himself and Mr. Conable):

H.R. 7256. A bill to eliminate racketeering in the sale and distribution of cigarettes and to assist State and local governments in the enforcement of cigarette taxes; to the Committee on the Judiciary.

By Mr. FINDLEY:

H.R. 7257. A bill to amend section 3041 of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. GILMAN (for himself, Mr. Roncallo of New York, Mr. Mitchell of New York, and Mr. Walsh):

H.R. 7258. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for tuition paid for the elementary or secondary education of dependents; to the Committee on Ways and Means.

By Mr. GUDE:

H.R. 7259. A bill to amend the act of March 16, 1926 (relating to the Board of Public Welfare in the District of Columbia), to provide for an improved system of adoption of children in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 7260. A bill to encourage earlier retirement by permitting Federal employees to purchase into the civil service retirement system benefits unduplicated in any other retirement system based on employment in Federal programs operated by State and local governments under Federal funding and supervision; to the Committee on Post Office and Civil Service.

By Mr. HUNGATE (for himself, Mr. Litton, Mr. Symington, and Mr. Thornton):

H.R. 7261. A bill to authorize appropriations to the Winston Churchill Memorial and Library in the United States for the construction of educational facilities at such memorial and library, and for other purposes; to the Committee on Education and Labor.

By Mr. LANDGREBE (for himself, Mr. Conlan, Mr. Davis of Georgia, Mr. Hogan, Mr. Ketchum, Mr. Parris, and Mr. Won Pat):

H.R. 7262. A bill to provide for the continuation of programs authorized under the Vocational Rehabilitation Act, and for other purposes; to the Committee on Education and Labor.

By Mr. LEHMAN:

H.R. 7263. A bill to extend the Environmental Education Act for 3 years; to the Committee on Education and Labor.

By Mr. MINISH:

H.R. 7264. A bill to amend the State and Local Fiscal Assistance Act of 1972 with regard to the definition of township; to the Committee on Ways and Means.

By Mrs. MINK (for herself, Mr. Steiger of Wisconsin, and Mr. Hawkins):

H.R. 7265. A bill to provide for the operation of programs by the ACTION Agency, to establish certain new such programs, and for other purposes; to the Committee on Education and Labor.

By Mr. MITCHELL of Maryland (for himself, Mr. Hawkins, Mr. Moakley, Mr. Wampler, Mr. Conyers, Mr. Harrington, Mrs. Chisholm, Mr. Dellums, and Mr. Mazzoli):

H.R. 7266. A bill to establish the Federal Protective Service police force within the General Services Administration, provide minimum training, pay, and other benefits for such police force, and for other purposes: to the Committee on Public Works.

By Mr. MITCHELL of Maryland:

H.R. 7267. A bill to amend the Internal Revenue Code of 1954 to exempt the taxpayer's principal residence from a levy for collection of taxes and to remove the limitation on the amount of certain books and tools exempt from such levy; to the Committee on Ways and Means.

By Mr. MOORHEAD of Pennsylvania:

H.R. 7268. A bill to amend section 552 of title 5, United States Code, known as the "Freedom of Information Act"; to the Committee on Government Operations.

By Mr. MURPHY of New York (for himself, Mr. Biaggi, Mr. Rooney of Pennsylvania, Mr. McCloskey, Mr. Mailliard, Mr. Forsythe, Mr. Treen, Mr. Dingell, Mrs. Sullivan, Mr. Metcalfe, and Mr. Mosher):

H.R. 7269. A bill to deduct from gross tonnage in determining net tonnage those spaces on board vessels used for waste materials; to the Committee on Merchant Marine and Fisheries.

By Mr. OWENS:

H.R. 7270. A bill to establish mining and mineral research centers, to promote a more adequate national program of mining and minerals research, to supplement the act of December 31, 1970, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 7271. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968, as amended, to provide benefits to survivors of certain public safety officers who die in the performance of duty; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 7272. A bill for the relief of certain distressed aliens; to the Committee on the Judiciary.

By Mr. ROE:

H.R. 7273. A bill to extend through fiscal year 1974 the expiring appropriations authorizations in the Public Health Service Act, the Community Mental Health Centers Act, and the Developmental Disabilities Services and Facilities Construction Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS (for himself, Mr. Staggers, Mr. Satterfield, Mr. Kyros, Mr. Preyer, Mr. Symington, Mr. Roy, Mr. Carter, Mr. Hastings, Mr. Heinz, and Mr. Hudnut):

H.R. 7274. A bill to consolidate and revise the laws relating to public health, to revise the programs of health service research and development, and to extend the program of assistance for medical libraries; to the Committee on Interstate and Foreign Commerce.

By Mr. ROYBAL:

H.R. 7275. A bill to authorize financial assistance for service, employment, and redevelopment (SER) centers; to the Committee on Education and Labor.

By Mr. SARASIN:

H.R. 7276. A bill to amend title 18 of the United States Code to permit the transportation, mailing, and broadcasting of advertising, information, and materials concerning lotteries authorized by law and conducted by a State, and for other purposes; to the Committee on the Judiciary.

By Mr. WIDNALL (for himself, Mr. Johnson of Pennsylvania, Mr. J. William Stanton, Mr. Blackburn, Mr. Brown of Michigan, Mr. Williams, Mr. Wylie, Mrs. Heckler of Massachusetts, Mr. Crane, Mr. Rousselot, Mr. McKinney, Mr. Frenzel, Mr. Conlan, Mr. Roncallo of New York, Mr. Burgener, and Mr. Rinaldo):

H.R. 7277. A bill to provide Federal revenues to State and local governments and afford them broad discretion in carrying out community development activities; to the Committee on Banking and Currency.

By Mr. FREY:

H.R. 7278. A bill to provide for the control and eradication of noxious weeds, and the regulation of the movement in interstate or foreign commerce of noxious weeds and potential carriers thereof, and for other purposes; to the Committee on Agriculture.

By Mr. DIGGS (for himself, Ms. Abzug, Mr. Badillo, Mr. Bingham, Mrs. Burke of California, Mr. Burton, Mrs. Chisholm, Mr. Clay, Mr. Conyers, Mr. Dellums, Mr. de Lugo, Mr. Drinan, Mr. Edwards of California, Mr. Fauntroy, Mr. Fraser, Mr. Harrington, Mr. Hawkins, Miss Holtzman, Ms. Jordan, Mr. Koch, Mr. Lehman, Mr. McCloskey, Mr. Metcalfe, and Mr. Mitchell of Maryland):

H.J. Res. 522. Joint resolution to protect U.S. domestic and foreign policy interests by making fair employment practices in the South African enterprises of U.S. firms a criteria for eligibility for Government contracts; to the Committee on the Judiciary.

By Mr. FINDLEY:

H.J. Res. 523. Joint resolution to deauthorize inactive Army Corps of Engineer projects; to the Committee on Public Works.

By Mr. FULTON:

H.J. Res. 524. Joint resolution authorizing the President to proclaim May of each year as "National Earth and Wildlife Month"; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.J. Res. 525. Joint resolution to terminate American military activity in Laos and Cambodia; to the Committee on Foreign Affairs.

By Mr. McCLORY:

H.J. Res. 526. Joint resolution proposing an amendment to the Constitution of the United States to provide 4-year terms for Members of the House of Representatives; to the Committee on the Judiciary.

By Mr. RONCALLO of New York:

H.J. Res. 527. Joint resolution to extend the provisions of the Railway Labor Act, and for other purposes; to the Committee on Interstate nad Foreign Commerce.

By Mr. BURKE of Massachusetts:

H. Con. Res. 202. Concurrent resolution requesting the President to proclaim July 4 of each year as the "Principal National Permanent Legal Holiday"; to the Committee on the Judiciary.

By Mr. DRINAN:

H. Con. Res. 203. Concurrent resolution declaring and recognizing the right to travel freely to any foreign country; to the Committee on Foreign Affairs.

H. Con. Res. 204. Concurrent resolution expressing the opposition of the Congress to certain measures for the curtailment of benefits under the medicare and medicaid programs; to the Committee on Ways and Means.

By Mr. KYROS:

H. Con. Res. 205. Concurrent resolution expressing the sense of Congress that the contingent of U.S. troops stationed in Europe be substantially reduced; to the Committee on Foreign Affairs.

By Mr. ROYBAL:

H. Res. 364. Resolution creating a special committee to conduct an investigation and study into the legal, political, and diplomatic status of lands which were the subject of grants from the King of Spain and from the Government of Mexico prior to the acquisition of the American Southwest as a result of the Treaty of Guadalupe-Hidalgo concluding of the Mexican-American War in 1848; to the Committee on Rules.

By Mr. VANIK:

H. Res. 365. Resolution creating a select committee to conduct an investigation of distillate and residual fuels in the United States; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

161. By the SPEAKER: A memorial of the House of Representatives of the State of Oklahoma, relative to the price of beef; to the Committee on Banking and Currency.

162. Also, memorial of the Senate of the State of Oklahoma, relative to the price of beef; to the Committee on Banking and Currency.

163. Also, memorial of the Legislature of the State of California, relative to oil importation on American flagships; to the Committee on Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FISHER:

H.R. 7279. A bill for the relief of Francisco Realme Galindo; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 7280. A bill for the relief of Ricardo Munoz; to the Committee on the Judiciary.

By Mr. KASTENMEIER:

H.R. 7281. A bill to grant a Federal charter to the Mid-Continent Railway Historical Society; to the Committee on the District of Columbia.

By Mr. PEPPER:

H.R. 7282. A bill for the relief of the estate of William H. Evans; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

180. By the SPEAKER: Petition of C. W. Johnson, Pensacola, Fla., and others, relative to protection for law enforcement officers against nuisance suits, to the Committee on the Judiciary.

181. Also, petition of S. H. Barnes, Shreveport, La., and others, relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

182. Also, petition of Samuel R. Johnston, Wyoming, Mich., and others, relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

183. Also, petition of Charles L. Stewart, Erie, Pa., and others, relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

184. Also, petition of Paul E. Bickelman, Moscow, Pa., and others, relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

THE 1974 BUDGET SCOREKEEPING REPORT NO. 1

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. MAHON. Mr. Speaker, I am inserting for the information of Members, their staff, and others who may be interested, a few excerpts from the first "budget scorekeeping" report of the staff of the Joint Committee on Reduction of Federal Expenditures for the current session.

The report reflects the impact of congressional actions on the President's budget requests through April 13, and contains considerable budget information for those who have need for details. The report itself has been sent to all Members.

This year for the first time the report is incorporating certain information pertaining to the controllability of the budget through current actions by the Congress; analysis of the unexpended balances in the "pipeline"; and historical material summarizing the five previous series of scorekeeping reports, and showing the 15-year record of Federal budgets.

In order to be able to distribute the report to the Members before the Easter recess, it was necessary to have a cutoff date of April 13. The report, therefore, does not reflect the congressional actions being taken during the current week.

The excerpts that I am inserting here are from the text of the report and include the scorekeeping highlights, some summaries and analysis of the budget requests, and the main scorekeeping table.

I would add that these scorekeeping reports, now in their sixth year, are the most comprehensive current source of information on what is happening legislatively to the President's budgetary recommendations. They are authoritative, being carefully prepared by an experienced staff dedicated to complete objectivity, reporting the facts as best they can be ascertained. Some estimating is necessary, especially in regard to legislative actions affecting outlays—expenditures.

The excerpts follow:

EXCERPTS FROM 1974 BUDGET SCOREKEEPING REPORT NO. 1

SCOREKEEPING HIGHLIGHTS

Fiscal year 1974

To date, April 13, 1973, the only completed action affecting fiscal year 1974 pertains to the extension of the continuing resolution to June 30 to cover vetoed Labor-HEW appropriation bill activities. In connection with this extension, the failure to act on certain 1973 budget amendments has the effect of increasing the budget outlays for fiscal year 1974 by $391 million.

Incomplete pending actions affecting fiscal year 1974 include two appropriation measures—House committee action reducing the Legislative Bill by $16.9 million in budget authority and $16 million in outlays, and House floor and Senate committee action slightly increasing the Urgent Supplemental. Other major incomplete actions to date include:

House Committee Action

$1,124 million in additional backdoor contract authority for highway programs;

$915 million in additional backdoor contract authority for traffic safety.

Senate Action

$414 million in additional backdoor contract authority for highway programs;

$280 million in additional backdoor contract authority for airport development;

$358 million in budget authority and outlays in three bills providing additional mandatory veterans benefits (including two bills that were vetoed last Session);

$245 million in additional backdoor contract authority in the traffic safety bill.

Fiscal year 1973

Completed scorekeeping action affecting fiscal year 1973 budget estimates was the extension to June 30 of the continuing resolution with respect to vetoed Labor-HEW appropriation bill activities. The failure to act on certain 1973 budget amendments in connection with this extension has the effect of increasing 1973 budget authority by $966 million and estimated outlays by $470 million.

Other actions, to date, affecting fiscal year 1973 relate to legislation restoring certain program reductions (impoundments) contemplated in the revised 1973 budget estimates. The Presidential veto of one bill—to restore $50 million in outlays for rural water and sewer grants—has been sustained. Three other pieces of legislation, involving some $500 million in impoundments, are pending—REA loans, rural environmental assistance (REAP), and rural emergency loans.

The scorekeeping shown for the impoundment restoration legislation (on page 5) reflects the full amount of the administrative savings projected in the budget for fiscal year 1973. However, due to the lateness and uncertainty of the actions, the estimates must be regarded as tentative and subject to revision. The possible further impact of these actions on fiscal year 1974 budget estimates cannot be determined pending action on the appropriation bills involved.

THE BUDGET REQUESTS—SUMMARIES AND ANALYSIS

The budget requests for fiscal year, 1974, and the revised estimates for fiscal year 1973, as transmitted by the President on Jan. 29, 1973, are summarized as follows:

[In billions]

	Budget authority	Outlays	Receipts	Deficit or surplus
Fiscal year 1974:				
Federal funds	$202.9	$199.1	$171.3	−$27.8
Trust funds	105.9	90.4	105.5	+15.1
Intragovernmental transactions	−20.8	−20.8	−20.8	
Unified budget	288.0	268.7	256.0	−12.7
Fiscal year 1973 (revised):				
Federal funds	209.1	188.4	154.2	−34.1
Trust funds	92.5	82.6	92.0	+9.3
Intragovernmental transactions	−21.2	−21.2	−21.2	
Unified budget	280.4	249.8	225.0	−24.8
Change, 1974 unified budget compared to revised 1973 estimates	+7.6	+18.9	+31.0	−12.1

Revised revenue estimates

Estimates prepared by the Joint Committee on Internal Revenue Taxation indicate that revenues for fiscal years 1973 and 1974 will be $4.2 billion and $4.1 billion respectively higher than the projections contained in the 1974 budget, mainly due to increased receipts from individual and corporate income taxes. On this basis, revised estimates show revenue totaling $229.2 billion for 1973 and $260 billion for 1974.

Portion of 1974 budget requiring current action by Congress

In its consideration of the fiscal year 1974 budget recommendations, the Congress will act currently on about 60 per cent of the budget authority requested and on only about 46 per cent of the outlay estimates. The remainder has already been made available either in previous appropriations and authorizations or in permanent and trust fund programs, and therefore does not require current action by Congress. The following fiscal year 1974 budget summary shows the portions requiring current action:

[In billions]

	Budget authority	Outlays	Receipts	Deficit
Net total 1974 budget estimates	$288.0	$268.7	$256.0	−$12.7
Intragovernmental transactions and offsetting receipts	+31.3	+31.3	+31.3	
Gross total 1974 budget estimates	319.3	299.9	287.3	−12.7
Portion not requiring current action by Congress (previously enacted, permanents and trust funds)	146.2	177.1	287.2	
Portion requiring current action by Congress	173.1	122.8	.1	
Percent of net total	60.1	45.7		

Controllability of budget

Although the Congress must currently act on about 60% of the requested fiscal year 1974 budget authority and 46 per cent of the outlays, much of this action relates to mandatory program costs over which it has little or no practical control under existing law.

In its current consideration the Congress has effective control over only about 44 percent of net budget authority and 28.6 percent of the budget outlays estimated for fiscal year 1974. The remaining budget authority and outlays relate to mandatory, permanent and trust fund programs established in law, and spending from balances of prior year appropriations and other available authorizations.

The following table summarizes by major program the portion of the 1974 budget which is relatively uncontrollable under existing law, and shows the total amount which is relatively controllable by the Congress, primarily in its current consideration of appropriation legislation. These amounts are also shown in their percentage relationship to the budget totals.

CONTROLLABILITY OF FISCAL YEAR 1974 BUDGET REQUESTS

	Budget authority		Outlays	
	Amount (billions)	Percent of total	Amount (billions)	Percent of total
Relatively uncontrollable under existing law:				
Major programs funded through appropriation bills:				
Public assistance grants	$15.1	5.2	$15.1	5.6
Other social services and benefits	1.9	.6	1.9	.7
Veterans benefits	9.0	3.1	9.1	3.4
Agriculture price support	3.5	1.2	2.7	1.0
Food stamp program	2.2	.8	2.2	.8
Public housing subsidies	2.1	.7	2.0	.5
Military retired pay	4.7	1.6	4.7	1.7
Postal Service	1.4	.5	1.4	.7
Major permanent and trust fund programs:				
Social security and medicare	74.5	25.9	68.2	25.4
Unemployment	6.8	2.4	5.5	2.0
Retirement and other	11.2	3.9	6.8	2.5
Interest on the debt	24.7	8.6	24.7	9.2
General revenue sharing	6.1	2.1	6.0	2.2
All other, net (including outlays from prior-year authorizations)	7.5	2.6	50.7	19.0
Total, relatively uncontrollable	170.7	59.2	201.0	74.8
Relatively controllable under existing law	126.4	43.9	76.8	28.6
Undistributed intragovernmental transactions	−9.1	−3.1	−9.1	−3.4
Total, fiscal year 1974 budget authority and outlays (net)	288.0	100.0	268.7	100.0

Unexpended balances—the pipeline

An important reason accounting for uncontrollability of budget outlays in any given fiscal year, is the accumulation of unexpended balances of budget authority provided in earlier years. Unexpended balances of authority enacted in prior years to be carried over at the end of fiscal year 1973 are estimated at $298.5 billion, $114.5 billion, or 38 per cent of the total, reflects obligations already incurred for specific purposes. $112.1 billion of the estimated unobligated balances represent trust funds, including social insurance. Of the estimated federal funds unobligated balance of $71.9 billion, a major portion is earmarked for specific uses and is not available for new programs or discretionary use by either the Executive Department or by the Congress.

The following table summarizes these estimated carry-over unexpended balances as of the beginning and the end of fiscal year 1974.

[In billions]

	Estimated unexpended balances, fiscal year 1974	
	Start of year	End of year
Obligated balances of prior year spending authority:		
Trust funds	$22.8	$24.3
Federal funds	91.7	94.9
Subtotal, obligated	114.5	119.1
Unobligated balances of prior year spending authority:		
Trust funds (social insurance, retirement, etc.)	112.1	126.2
Federal funds:		
Standby authority (international banks, loan guarantees, etc.)	28.1	29.5
Program balances	43.8	30.8
Subtotal, unobligated	184.0	186.6
Total, unexpended balances	298.5	305.7

Reconciliation of 1973 budget outlay estimates

The following is a reconciliation of the original 1973 budget outlay estimate of $246.3 billion with the revised 1973 budget outlay estimate of $249.8 billion contained in the budget message submitted January 29, 1973:

	Billions
Original fiscal year budget outlay estimate	$246.3
Budget amendments subsequently transmitted	+2.9
Estimated impact of net congressional actions on the 1973 budget estimates	+6.3
	255.5
Budget reestimates, revisions, etc., to date:	
Interest on the debt	+1.5
Social services grants	+3.7
All other (net of many items)	+0.3
	261.0
Estimated effect of congressional limitation on outlays for social service grants	−2.3
	258.7
Outlay savings reflected in revised 1973 budget outlay estimates, including program reductions, terminations, and financing shifts	[1] −8.9
Revised fiscal year 1973 budget outlay estimate	249.8

[1] Outlay reductions reflected in the revised 1973 budget include; $1.6 billion in additional offsetting receipts from stockpile sales, oil leases, and user charges; deferral of $1.5 billion in general revenue sharing to first quarter of 1974 and $0.5 billion in other deferred payments; $1.1 billion in substitution of private financing for direct federal credit programs; and $4.2 billion in various program reductions and terminations (as listed in the budget message, pages 51–57).

FLOOD DESTRUCTION IN SOUTH DAKOTA

HON. JAMES ABOUREZK

OF SOUTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Wednesday, April 18, 1973

Mr. ABOUREZK. Mr. President, on June 9, 1972, the Rapid City, S. Dak. area was inundated by a flood which caused unprecedented destruction, devastation, and loss of life. Two hundred and thirty-seven people were killed by the flood, 500 mobile homes and 700 houses were destroyed, 800 mobile homes and 1,800 houses were also damaged, and the property damage was in excess of $100 million. To comprehend the enormous amount of destruction and devastation, it must be remembered that the area had a total annual personal income of approximately $400 million and that the area had a population of about 40,000. If the loss of life caused by Agnes would have been as proportionally large, 10,000 people would have perished in Pennsylvania.

In spite of the devastation and destruction, immediately after the flood, the people of the Rapid City area responded to the tragedy with a recovery effort which was amazing. The survivors of the flood worked tirelessly to restore and rebuild the community and to renew the dreams which were shattered on the night of June 9, 1972.

Now that the flood is not a daily topic of national conversation, the Federal Government is not responding adequately to the human consequences of the disaster. Rapid City is confronted with a mental health crisis and the Federal Government is refusing to provide the help which is desperately needed.

The aftermath of the flood is not pleasant. The West River Mental Health Clinic, which is basically an out-patient service agency with a staff of four, has reported a major increase in the number and severity of depressed patients. There is a 46-percent increase in the amount of consultation that is being provided and still the staff is only able to respond to one-third of the demands for consultation. Similarly, Lutheran Social Services, a private agency, has reported a 39-percent increase in the number of families which are referred for counseling. The State of South Dakota Public Welfare Department Regional Office has reported an increase of 234 cases which are disaster related. Sixty of the additional cases suffer continuing emotional problems. Since the flood there has been a substantial increase in the number of patients admitted to St. John's McNamara Hospital who have manifested emotional or mental disorders. The number of public intoxication arrests which occurred after the flood as compared to the same period in the year before the flood, suggests that many people are resorting to antisocial behavior in an effort to cope with the consequences of the disaster. There has also been an increase in the number of people from the Rapid City area who have been admitted to Yankton State Hospital for the treatment of emotional problems.

Mr. President, it is possible to provide countless other examples of the human consequences of the flood and the ensuing mental health crisis, but it is apparent that an awareness of the mental health crisis will not elicit an adequate response from the Federal Government. The Federal Government is aware that there are many people who need and deserve help and that there are simply not enough resources in Rapid City to insure the provision of needed assistance. The Federal Government, however, has decided that it is not capable of providing the type of disaster relief which would enable the survivors to resolve the problems created by the flood.

In October 1972, the Black Hills Areawide Comprehensive Health Planning Council submitted a grant application. The application requested a grant of $248,162, an amount which would insure an initial sufficient response to the emotional problems caused by the disaster. Although the application was favorably considered by both the regional office and the National Office of the National Institute of Mental Health, the grant was not authorized. The National Institute of Mental Health indicated that, "due to the uncertainty regarding the level of funding which will be provided for National Institute of Mental Health programs for fiscal year 1973, we have suspended funding of new projects in the service area."

Since being advised by the National Institute of Mental Health that the grant would not be authorized, I have submitted to President Nixon, Secretary Weinberger, and Mr. Ash a written request that the grant application receive further consideration and that on the basis of humanitarian considerations, the modest award be authorized immediately. On the basis of testimony offered during the oversight hearings which were conducted in Rapid City recently by the Subcommittee on Disaster Relief of the Senate Public Works Committee, Senator RANDOLPH and Senator BURDICK have also submitted similar written requests to Secretary Weinberger and Mr. Ash. Yet, the grant still has not been authorized.

Mr. President, I contend that the Federal Government cannot be allowed to casually forsake the present and future well-being of the residents of the Rapid City, S. Dak., area. In an effort to inform the Members of Congress of this tragic situation, I ask unanimous consent that the letter submitted to President Nixon be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., February 28, 1973.

Hon. RICHARD M. NIXON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I respectfully request further consideration of the 1973 Fiscal Year budget for the National Institute of Mental Health. The request is prompted by the inability of the National Institute of Mental Health to authorize a modest grant which would insure the provision of an initial and sufficient response to the extraordinary emotional stress which is being experienced by residents of the Rapid City, South Dakota area.

On October 13, 1972 an "Initiation and Development Proposal-Rapid City, South Dakota" grant application was submitted by the Black Hills Area-Wide Comprehensive Health Planning Council to the Department of Health, Education and Welfare/National Institute of Mental Health. The grant application contained a request for a modest award of approximately $248,162.

Although the grant application was favorably reviewed by both the Regional Office and the National Office, the award was not authorized. On January 31, 1973, Dr. Bertram Brown, Director, National Institute of Mental Health, responded to an inquiry concerning the status of the grant application. Dr. Brown advised "due to the uncertainty regarding the level of funding which will be provided for National Institute of Mental Health programs for Fiscal Year 1973, we have suspended funding of new projects in the services area."

An authorized award equal to the amount requested in the grant application would provide the monies which are necessary for the implementation of a "search and find" community mental health project. A "search and find" community mental health project would provide the victims of the devastating June 9, 1972 flood with an initial sufficient response to the mental health problems which are a consequence of the natural disaster. Attached is a description of the magnitude and severity of the problems which are a consequence of the disaster.

As an example of the ability of the Federal government to respond to a natural disaster, it is worthwhile to note that the serious plight of the victims of the Pennsylvania flood was recognized and received an initial and sufficient response. While everyone is most thankful that the National Institute of Mental Health authorized a grant of approximately $249,908 on August 1, 1972 to assist the victims of the Pennsylvania flood, it is incredible and utterly deplorable that the

Federal government cannot provide an amount less than $250,000 in an effort to alleviate the suffering which has been caused by the South Dakota flood.

As it is generally acknowledged that the detrimental effects of a natural disaster on the emotional well-being of the victims is initially evidenced six months after the occurrence of the disaster, the need for the immediate authorization of the award is obvious—painfully obvious to residents of the Rapid City, South Dakota area. Therefore, Mr. President, I can only hope that for the sake of the future of the people of the Rapid City area, the 1973 Fiscal Year budget of the National Institute of Mental Health will receive further consideration and that on the basis of humanitarian considerations, the modest award will be authorized immediately.

With best personal regards, I remain

Sincerely,

JAMES ABOUREZK,
United States Senate.

On June 9, 1972 Rapid City was struck by a flash flood that killed 237, destroyed 500 mobile homes and 700 houses; damaged 800 additional mobile homes and 1700 houses; and caused in excess of 100 million dollars in property damage. However, over and above the deaths, the damaged homes, and the financial loss looms the inestimable toll the flood has taken on the mental health of those left to cope with its aftermath.

Cognizant of a possible outbreak of mental health problems, Rapid City Mayor Barnett issued a proclamation on June 20th establishing a Mental Health Steering Committee and gave this broadly based group the mandate of meeting the anticipated mental health problems. On June 21 the Steering Committee for Mental Health held its first meeting and quickly enlisted the services of the National Institute of Mental Health, Region VIII. NIMH responded by providing a part-time psychiatrist to aid the staff of various local social service agencies, and a temporary planner/coordinator to prepare a plan of action.

On October 12, 1972, a grant application, prepared by the Steering Committee, was submitted to the National Institute of Mental Health, Region VIII, seeking financial support for a "search and find" mental health program which was to be integrally attached to a comprehensive mental health delivery system that coordinated and integrated the community's extant social service agencies. For the following three months, the Steering Committee, the professional staff of every social service agency in Rapid City, and the community waited for the "imminent" funding of the proposal.

The anticipated money, however, never came. In the interim, no staffed agency took the responsibility for providing a comprehensive mental health program because each agency considered that such a move would be presumptive in light of the community-wide proposal already generated. Thus the proposed program designed to quell the rash of flood induced mental health problems, forestalled a number of approaches to the anticipated mental health crisis.

Faced with the dubious funding of the program on the one hand and a possible mental health crisis on the other, the members of the Steering Committee decided to make one last determined effort to get the program funded. To this end, and at the request of the Steering Committee, the Black Hills Areawide Health Planning Council donated the time and services of one and a half staff members to prepare a manuscript assessing the impact of the flood on the need for mental health services and determine the extent to which mental health needs are going unmet.

On the basis of a brief and necessarily cursory examination of the disparity between the available mental health services and the mental health needs of the residents, the following conclusions have been reached: (1) the community is facing a mental health crisis; (2) the need for professional help is most acute among the lower socio-economic people, the elderly, and among children, (3) the mental health care delivery system could be vastly improved by a coordination and integration of the community's extant social service agencies.

I. THE CURRENT MENTAL HEALTH CRISIS

Without a functioning, comprehensive mental health delivery system, it is extremely difficult to document adequately and to appraise fully the impact of the flood on the mental health of area residents. The best that can be done is to secure the perceptions of the community's mental health professionals and, where possible, obtain supportive, quantifiable data. Toward this end, assistance was sought from the three social agencies in Rapid City that offer the widest spectrum of psychological and social services.

West River Mental Health Center is basically an out-patient service agency with a staff of four, full-time psychiatric social workers and a part-time psychiatrist. Currently, the Mental Health Clinic reports a major increase in the number and severity of depressed patients, amounting to a 13% increase in the number of hours spent with patients and a 46% increase in the amount of consultation that is being provided. Despite this, the staff of the Mental Health Clinic is not able to meet a third of the demands for consultation services. (Based on materials prepared by Kelvin T. Kelly, Psychiatric Social Worker, West River Mental Health Center).

Lutheran Social Services is a private agency with a staff of ten full and part-time counselors and social workers. Since the flood, the staff of Lutheran Social Services has been burdened with caseloads, but until a request was made for specific statistics they had not precisely determined the magnitude of the increased demands for counseling services.

The increased demand for psychological services is best reflected at Lutheran Social Services by comparing the number of family units referred for counseling from June 1972 to February 1973, with the numbers referred for counseling during a similar period in 1971.

Number of new family unit referrals

	1971	1972
June	20	19
July	25	37
August	15	32
September	17	28
October	32	33
November	31	34
December	15	25
January	[1] 23	[2] 40
	178	248

[1] 1972.

[2] 1973.

The difference between the referral rates of these two time periods is a statistically significant ($t=2.5$, $df=14$, $p<.025$) 39% increase. Moreover, the demand for counseling is remaining at a very high level and there is every indication that the new referrals in February will equal or surpass the January record of 40.

Also, it must be mentioned that these data do not represent the entire mental health problems that are being met by Lutheran Social Services. The agency also does considerable group therapy work and conducts numerous education programs designed to promote sound mental health. Although the statistics for these areas could not be generated on short notice, the demands placed upon these services seem to have shown a commensurate increase.

In addition to giving professional mental health care to families who were flood victims, Lutheran Social Services encounters many more individuals with adjustment problems attributable to the indirect effect of the disaster. A case in point is a couple in their early thirties, who, in terms of dollar loss and personal property damages, were not affected by the flood. Yet, as measured by major psychological problems, the flood took a heavy toll on their lives. At the time of the flood the couple was holding together an unstable marriage, and the husband was working for a business that subsequently was demolished. Unfortunately, as an aftermath of the flood, additional pressures were placed upon his physical and mental energies to re-establish that business. The combination of psychological stress and physical fatigue was more than the marriage could endure. When the couple finally came to Lutheran Social Services, the marriage was almost completely shattered. Cases such as this, which reflect the indirect impact of the flood, account for a significant number of family units now seeking counseling. (Based on an interview with Curt Paulsen, Director, Lutheran Social Services).

The State Welfare Department found that 25% of the cases that it was serving at the time of the flood suffered significant living and adjustment problems as a consequence of the flood. In addition, the Welfare Office gained 234 additional disaster related cases. Of these additional cases, 60 are still suffering continuing emotional problems. The following two individuals are typical.

JANUARY 22, 1973

1. Mrs. — (age 52) and her husband, Robert, each have a previous BSR on file. Mr. — of — agency called as he became concerned about her when she applied for a job with his firm. She seemed very depressed. Mr. — would like to know if we can make a service contact and evaluation. Because we have previous BSR, I would think it appropriate to make a contact in person to follow up the possible medical application she has not applied for and to evaluate her emotional state and the possible resources.

2/2/73—This worker talked to Mrs. — today. She was in fairly good spirits, but was somewhat disoriented. She related flood experiences that she had talked about when I saw her last. She is still upset over this. She told the worker that Robert still sleeps on the couch with one hand holding on to the back of the couch and with a light on. She said the nights are the worst for them. One of their friends was sleeping on the front room floor through last weekend when he finally returned to his bedroom. These people are still living in the flood plain.

After some time Robert came home. After talking for a while it became apparent that they were not moving very fast in terms of relocation. He is upset about the cost of lots and doesn't want to pay as much as they want. Worker plans to talk to them about some counseling after he sees what is available.

JANUARY 16, 1973

2. Mrs. — came to this office upset, nervous and discouraged, with a notice from Income Maintenance advising her that her February warrant is being held up based on "whereabouts unknown." She stated that she called this office January 5 and reported her whereabouts to the receptionist, which information apparently didn't get to Income Maintenance.

Mrs. — and her four youngest children are living temporarily in the home of her mother until a Brentwood apartment is available. Anita continues to attend North Junior High, but Rosana and Robert are not in school. I told her to enroll them at Horace Mann immediately. Lisa, age 5, has never been in school because she is a frightened little girl. Mrs. — refers to her as "my baby."

Nancy has quit Central High because she is pregnant and is staying with her married brother, Leroy, in Keystone. I explained our services available to unmarried mothers and also suggested Upward Bound School for

Nancy so that she can complete the school year.

Mrs. ——— stated that her family has really "gone to pot" since the flood and sometimes feels like giving up. She has applied for an SBA loan and received $200 from the Disaster Relief Fund which she is saving for furniture when she gets her apartment. Her speech impediment (stuttering) was very severe today because of her nervous condition. I set up an appointment for her to see Doris Palmer, Thursday at 1:30 p.m.

In view of Mrs. ——— emotional problems, a service worker can be beneficial to her.

(Based on material submitted by Dennis Ritter, Director, Pennington County Division of State Welfare Department.)

The data and information provided by the staffs from West River Mental Health Center, Lutheran Social Services, and the Pennington County State Welfare Department indicates that since the flood the demand for their services has increased. Knowing that the flood has had a strong impact on these agencies, one is prompted to concern about extant mental health problems that are not receiving professional attention. In an effort to assess the magnitude of current, unmet mental health problems an effort was made to secure pertinent data. The bulk of the obtained data suggests that the community is faced with numerous mental health problems that are not getting professional attention.

One indice that suggests numerous, unmet mental health problems is the sharp increase in alcoholism that was reported in interviews with social service personnel and is documented by examining the police records for public intoxication arrests, which reflect a statistically significant increase in the number of public intoxication arrests following the flood as compared to the same period the previous year ($t=1.77$, $df=14$, $p < .05$). This data strongly suggests that large numbers of people are not finding adequate solutions to their behavior problems.

Public intoxication arrests

	1971	*1972*
June	255	134
July	233	397
August	242	417
September	263	310
October	191	257
November	219	270
December	217	254
January ('72)	[1] 162	[2] 225
Total	1,782	2,264

[1] 1972.
[2] 1973.

Another indirect indice of unsolved psychological problems among members of the community is the increase in postflood hospital admittances at St. John's McNamara as compared to a years ago.

Number of patients admitted

	1971	*1972*
June	596	684
July	574	623
August	614	656
September	493	558
October	507	684
November	533	671
December	564	580
	3,881	4,456

It is questionable that this 15% increase in hospital admittances at St. John's is attributable entirely to post-flood, mental health precipitated problems. It must be mentioned that the flood inundated Rapid City's other hospital, Bennett-Clarkson, rendered it inoperable for ten days, and curtailed its services through October. During this period of time, of course, many patients from Bennett-Clarkson were transferred or referred to St. John's. However, the referrals from Bennett-Clarkson cannot account for the fact that unusually large numbers of patients at St. John's have persisted over several months and into January. In an effort to more fully examine this problem, a breakdown was made with respect to numbers of patients at St. John's who have evidenced some emotional or mental disorder.

ST. JOHN'S McNAMARA HOSPITAL, FEB. 12, 1973

	July		August		September		October		November		December	
	1971	1972	1971	1972	1971	1972	1971	1972	1971	1972	1971	1972
Alcoholic psychosis	1	1					1			1		
Psychosis associated with other physical conditions		1		1		1		1				
Schizophrenia		2		5	2		2		2	1		
Affective psychosis	2	1	3	1	1	1	1		2	5	1	1
Paranoid states											1	
Other psychosis								1				1
Unspecified psychosis							1	1		1		
Neurosis	18	3	14	12	16	6	10	11	6	7	13	3
Alcoholism	6	17	4	9	5	18	5	13	3	12	2	8
Drug dependency					1		1		1			
Physical disorders/psychogenic		1	1	2	2				1			2
Situational		2						3		4		1
Mental disorders-not psychotic	4	9	4	3	3	5	7	2	9	3	6	2
Other	1	1	2	4				1	4	2	3	2
Total	32	38	28	37	30	31	28	33	28	36	26	20

These data verify that since the flood there has been a substantial increase in the patients at St. John's who have manifested emotional or mental disorders.

The data that most directly underscores the inability of our mental health delivery system to meet adequately the community's mental health problems is the comparison of post-flood admittances to Yankton State Hospital from Pennington County with the admittances from the same period of the previous year. Unfortunately, the only data available pertains to county financed admittances so the actual size of this influx remains unknown. Especially pertinent are the figures for the last three months that indicate a greater increase.

Pennington County admittances to Yankton State Hospital

June 1971	4
July 1971	16
August 1971	13
September 1971	14
October 1971	9
November 1971	8
December 1971	6
January 1972	10
Total	80
June 1972	9
July 1972	13
August 1972	15
September 1972	14
October 1972	8
November 1972	13
December 1972	14
January 1973	13
Total	99

In summary assessment, numerous individuals are suffering post-flood adjustment problems. A significant, but small portion of these individuals are finding their way to psychological and social service agencies. Nonetheless, there are fair amounts of evidence suggesting that these agencies have not been able to meet the rash of mental health problems. Moreover, with respect to severity and frequency these emotional disorders are of such magnitude that it is no understatement to say Rapid City faces a major mental health crisis.

II. UNMET MENTAL HEALTH NEEDS

Numbers of social service agencies were contacted in an effort to identify segments of the population having severe post-flood adjustment problems. On the basis of numerous interviews with social service personnel, it became clear that the groups most severely inflicted with unmet mental health problems were the children, the lower socio-economic peoples, and the elderly.

The Children: Shortly after the flood, HUD provided housing for 1280 of the 1770 eligible families who applied for temporary living quarters. These jammed, hastily planned trailer courts have become incubation centers for serious mental health problems. Children and parents have found it extremely difficult to live in a cramped trailer after owning their own spacious homes. Furthermore, having no choice in selecting trailer sites, many people find themselves close neighbors to families they typically would not choose to live near. Some of these adjustment problems are an inevitable consequence of sudden relocation and less than adequate housing; other mental health problems, however, are attributable to poor planning of HUD sites and negligence in providing adequate social services. The adjustment difficulties that HUD trailer camp children are having became very apparent in an interview with Mrs. Fierro, Director of Girl's Club.

Significantly, Rapid City Girl's Club has experienced a noticeable increase in membership following the flood, and there has been a decided increase in general unrest, antisocial behavior, racial friction, and discipline problems. These behavior problems are severe for children in HUD trailer courts where socio-economically desperate families have been thrown into close proximity. Currently, the Girl's Club is seeking funds to pay for the services of a part-time counselor to work with parents and children in hopes that many of these emotional problems can be resolved through a better understanding of the child's needs. However, as Mrs. Fierro said, "What can a counselor do for a young girl who doesn't want to go to a HUD trailer house because there is two inches of ice in her bedroom?"

Another agency experiencing the impact of flood-related mental problems is the Boy's Club which has had a 20% post-flood increase in the number of boys participating in the program, and is providing service to 128 families who relocated because the flood destroyed their homes. These boys, in particular, have a need to find stability, care, security, recognition, and "to get out of those damn trailers." Among the services being offered are individual counseling with 115 boys and 102 parents participating, and group counseling with 94 boys and 10 parents. Currently, the staff's largest concern is providing services to boys living a considerable distance from the center and in servicing referrals from the local school system. (Information obtained from an interview with Roger Erikson, Director of Boy's Club.)

Perhaps in no other area is the shortage of services as acute as it is for children who are without a father. Rapid City is fortunate enough to have a Big Brother program, but the impact of the flood on the problems of this program has been considerable. Currently, in Pennington County, there are 681 boys that need a Big Brother. Unfortunately, the part-time Rapid City staff of two men can handle only a small percentage of these cases. At present, 52 Little Brothers have been matched with a Big Brother, but there are still just as many registered Little Brothers for whom it is necessary to find a Big Brother that can pass the careful screening process. Also, even though several professional volunteers assist the program on a monthly basis, there is a need for a well organized referral system so that special help may be obtained for boys with severe emotional problems. In addition to these problems, about twenty Big and Little Brothers were affected by the flood. One case in point is a Big Brother that drowned in the flood and his death so deeply upset his Little Brother that the tenth grader became extremely depressed, refused a substitute, and had to be sent by his mother to California. In another case, a young boy was sent elsewhere to live with a relative because his mother had no suitable place to house him. Many such Little Brothers have been displaced by the flood and have been unable to retain their contact with a Big Brother. The already short supply of Big Brothers has been substantially diminished by the flood. At the present time, the staff of the Big Brothers program is attempting to locate a funding source of $22,000 so that they can expand their services to 150–200 boys and thereby take up some of the slack. (This material was based on an interview with Don Kennedy, Director, Big Brothers Program).

In addition to the problems faced by the Boy's Club and Girl's Club in their service offerings to school age children is the dearth of social services available to pre-school children. At present this community is unable to meet the demand for day care centers and the future looks even bleaker.

After the June 9 flood, the Community Action Program funded several day care centers, but only for a period of 60 days. One such center, still operating, is the Imaginal Day Care Center serving 35 children, of whom about 33% are flood victims. The major problem faced by this center is securing funds to keep its doors open. Currently, they are surviving on the basis of timely donations which supplements the money received from tuition, which they collect reluctantly because these service fees eliminate numbers of children whose family cannot afford even this small cost. (This information was based upon an interview with Mrs. Gibson, Director, Imaginal Day Care Center).

In addition to the tuition-charging day care centers, the Community Action Program has for three years been offering Head Start programs which provide free services to 70 children from low income families. Following the flood their enrollment did not increase, but then, it cannot increase because of limited facilities. Currently, they have a waiting list of 25 children. (This material was based on an interview with Donna Goldstein, Director, Head Start).

The Lower Socio-Economic People: The people lowest on the socio-economic ladder also seem to be hit very hard by post-flood adjustment problems. To a large measure, of course, this group is comprised of Indians. The mental health crisis seems extensive among them for several reasons: (1) as a group they were disproportionately flood victims as is reflected in the fact that 14% of the deaths were among Indians even though they comprise only 5% of the population; (2) they do not have money for needed services; and (3) typically they are not adequately aware of the services that are available at little or no cost.

Following the flood, the Steering Committee arranged for three Denver psychiatrists to make one day per week visit to Rapid City. The professional services of these three psychiatrists are not subsidized and their patients must bear the financial burden of compensating them for their services and their travel expenses. Nonetheless, each psychiatrist has a large enough caseload to make the weekly trip profitable. Whether or not the pre-flood community could have supported three psychiatrists is an issue open to speculation and, at this point, a moot question. The important point is that they are here and are providing services to the more affluent people. Unfortunately, however, these services are not available to the lower socio-economic peoples, who probably have comparable if not greater needs.

The agency in town having most direct contact with the lower socio-ecomonic peoples is the Family Planning Center, a component of the Western South Dakota Community Action Program. Even though the June 9 flood demolished the office and the records of the Family Planning Center, the agency relocated in three centers throughout town, hired additional outreach workers, and began to locate individuals and families in need of innoculations, medical attention, temporary housing, and food. Through the efforts of the Family Planning Center, almost 1,000 people were assisted in meeting their basic, physical needs. However, in the course of this work, the outreach workers encountered numerous individuals with maladaptive behavior patterns, suicidal tendencies, and severe depressional states. The infliction of these mental health problems upon outreach workers, who were trained primarily to help solve physical needs, was a severe emotional drain that was beyond the tolerance level for many of the workers. Therefore, to meet the needs of the outreach workers, Dr. Karl Keener, a Denver psychiatrist, was employed to equip the outreach workers with the self-confidence and requisite skills to provide preliminary mental health services. Unfortunately, as early as September, and only shortly after the training, the absence of adequate funding necessitated pruning the number of outreach workers down to six. By this time, the program had been able to deal successfully with the physical needs of the flood victims, but the mental health crisis was just beginning.

Since September, the Family Planning Center has not been able to return to its primary task of assisting in family planning because excessive demands are being made by the lower socio-economic peoples for mental heath services. The outreach workers report that numerous people, who have been relatively isolated following the flood, need professional attention for adjustment problems. However, even when these people recognize their need for assistance they are reluctant to seek counseling. It is important to note that these flood-related psychological problems afflict not only flood victims, but in larger measure, numerous people who were eye witnesses to the flood and disaster. The experience of seeing others lose everything while they themselves lost nothing seems to have instilled within them an inappropriate, but nonetheless acute, sense of guilt. Outreach workers are meeting this mental health crisis to the best of their ability, but the agency is too understaffed and inadequately trained to provide the mental health services for which they are constantly summoned. Attempts have been made, therefore, to refer individuals with mental health problems, but this effort has met with little success. This is true largely because these low income people do not have the money to pay a babysitter, not to mention the fee for professional counseling. A cross-section of the problems currently being encountered by family planning outreach workers are:

1. A 36 year old female with six children was caught in the path of the flood, but by handling the situation with extreme calmness she was able to insure the survival of herself and all six children. Previous to the flood this woman was fairly stable; but, currently, she is a chronic alcoholic, talks much about the flood, and has frequent periods of depression. (Although the outreach worker who reported this case has no knowledge of the impact, there must be six children in need of help).

2. A 26 year old female had three children plus a husband previous to the flood. When she came to the Family Planning Center for a tubal ligation, she had only two children and no husband. Outwardly, she is a happy person who seems to have coped with her losses. Yet, she desperately wants to remove herself from the possibility of having any more children, and she has only one child living at home with her because she has rejected the baby that was born the night of the flood. Currently, the infant is being cared for by an aunt.

(This material was based on an interview with Rosemond Goins, Director, Family Planning Center).

Another agency serving the mental health needs of the Indian population is the Public Health Service Indian Hospital that is located in Rapid City. The officer in charge of the Social Service Department at the hospital is Bill Haddow. His response to a request for information regarding the mental health needs of the Indian population is worth reporting in its entirety. Not only does the report underscore the need for outreach workers to serve the mental health needs of the Indian population, but it underscores the difficulty in obtaining precise estimates of the magnitude of the mental health crisis.

PUBLIC HEALTH SERVICE,
February 8, 1973.

This is in reply to your request for information regarding the need for mental health service among the Indian population whom we serve.

The magnitude of the mental health problem is extremely difficult to determine for the following reasons:

1. We have a very small social service staff with one trained Social Worker and two untrained assistants.

2. The Indian population in Rapid City is very mobile. It is even difficult to determine the number of Indians residing in Rapid City. Estimates range from 3,000 to 8,000.

3. The majority of the Indian people are not aggressive regarding seeking help when they are in need. Example: A young couple were on their way to visit on the reservation at the time of the flood. They were stranded for a few days between here and the reservation but managed to reach destination. Their rented apartment and personal belongings were lost in the flood. A month later the husband returned to Rapid City for medical care while the wife remained with relatives on the reservation.

Several months later when the wife returned to Rapid City to be with her husband they had no place to stay and no personal belongings. This young couple knew of the resources available to flood victims but did not seek service until our agency assisted them in requesting the service of the other agencies. They then obtained a HUD trailer and emergency funds.

I know of several other flood families and many others who have been referred to our department by our medical staff for counseling and have never come in. We then go out to them as time permits.

I feel that in order to provide therapy for the Indian population, aggressive casework is necessary. Counselors must go out to the client until he has been able to help the client overcome his resistance that is probably due to social and cultural differences.

The plan of the grant proposal is extremely appropriate regarding the mental health needs of the Indian population in that it provides for outreach workers (in this case Indian counselors) to determine the need of service.

I have only been employed at this service unit for one year and, therefore, cannot compare the mental health needs following the flood to a year prior to June 1972. Also our staff has changed in number, training, and philosophy.

Numerically, comparing the number of open cases for the Quarter ending in June 1971 to June 1972, we have 120 to 234.

Comparing September 1971 to September 1972, we have 54 to 251. Comparing December 1971 to December 1972, we have 71 to 232.

I believe the tremendous increase in caseload is due primarily to increase in staff and aggressive casework, and secondarily to the flood.

I hope this information will be helpful to you in obtaining funds for the service that is greatly needed in our area.

Sincerely yours,

A. WM. HADDOW,
ACSW, Chief, Social Service, PHS Indian Hospital, Rapid City, S. Dak.

cc: Raymond Becich, Service Unit Director

For the most part, members of the Indian population and other segments of the lower socio-economic strata show considerable reluctance to seek assistance in solving their post-flood emotional problems. As one Indian woman put it, "The Indian already believes that white people think he is part crazy; no Indian is going to show up at West River Mental Health Center and get called all crazy." Of course, the recent racial tensions and polarizations precipitated by protesting American Indian Movement (AIM) members will place additional barriers between the poorly adjusted Indian and professional assistance.

The Elderly: Marie Rogers, Director of the meals program for Community Action, feels that the elderly flood victims had a jolting experience with subsequent, severe adjustment problems. 14% of the members of the meal program have had to relocate, mostly into trailers, and all of them have lapsed into minor depression and severe disorientation. Although they deplore their HUD trailers, most of these elderly people refuse to seek new homes. Rather than working toward a permanent solution to their housing problem, they substitute the temporary escape of eagerly awaiting the driver who takes them to the center where they remain as long as possible. Also, members who had a drinking problem prior to the flood now seem to be continuously drunk. One flood-victim woman, who lost her husband, is severely disoriented to such an extent that she constantly looks for her husband.

Mrs. Rogers, who has worked for several years with low income people and recently was a member of the disaster relief foundation, feels that although post-flood adjustment problems are ubiquitous throughout the community, the problems are particularly acute with older people. Moreover, she knows there are elderly people who still need to be reached, and Mrs. Rogers believes that "the situation has been getting worse as time goes on."

Mrs. Virginia Egan, a State Public Health Nurse, reports that for many of the elderly being seen at the time of the flood subsequently are manifesting considerable psychological stress in the following ways: those previously diagnosed for alcoholism are increasing their drinking, or are now drinking after a period of abstinence; patients with various problems relating to mental health show signs of anxiety, depression, withdrawal, and question the value of continuing their life. Also, it has been observed that families living in HUD trailers are experiencing difficulties with the family structure. A few examples will more fully illustrate the nature of the post-flood adjustment problems among the elderly.

Case I: Eighty-two year old female who lost her home in the flood, has cardiovascular difficulties, not necessarily flood-related, but has many depression problems which I feel are flood-related. No special follow-up has been done. PHN goes in as ordered by the doctor and tries to give them emotional support.

Case II: Eighty-five year old female living with husband who is 87; they lost their home in the flood, and are very depressed. They have a lot of senility and confusion, which they would have anyway, but I do feel that much of their anxiety and depression is flood-related. No special follow-up has been done. PHN goes in as ordered by the doctor and tries to give them emotional support.

Case III: Seventy-two year old male who lost his home in the flood. He is a widower who lives with an alcoholic bachelor son. He had a business in his home and lost all his tools that he is unable to replace due to financial situation. This gentleman is extremely depressed, continues to be, has had to be hospitalized 2–3 times due to depression, and results of the depression. He does not eat sometimes or take his medication properly and goes into carteovascular difficulties. At times he cries a lot. He will not go for consultation. He is improving now, but is now worried where he is going to locate permanently when his HUD trailer is taken away. He is becoming more active and has gone along somewhat with some of PHN's ideas on how to activate himself, but there is a lot of room for improvement.

Case IV: Fifty-eight year old female that PHN sees every other week. She lost her trailer house in the flood. Mrs. K. has hypertension, and immediately post-flood, had severe physical problems. She also was quite depressed immediately after the flood, but seems to be coming out of it now. She did not receive follow-up. PHN attempted to give her as much emotional support as I could.

Case V: Eighty-one year old female that PHN sees every other week. Also has lost her home in the flood. She is a little widow lady. She has hyper-tension and edema of the feet, and I see a post-flood depression here with a lot of anxiety as to what is going to happen to her; loss of identity, etc. No professional psych evaluations have been done, just assistance with neighbors and home extension and Public Health Agency.

Case VI: Eighty-four year old lady and her husband, who is about 88, who now live in a HUD trailer as their home was washed away in the flood. Mrs. K. was hospitalized post-flood for injuries that she received that night. I see in these 2 people loss of identity and occasional depression that I would evaluate as post-flood-related. No special follow-up has been done. PHN sees Mrs. K. every week, and I attempt to support them emotionally as much as possible.

In summary appraisal of the residents' unmet, mental health needs, there are three readily identifiable groups that seem to be having considerable, post-flood adjustment problems. These three groups are the children, the lower socio-economic peoples, and the elderly. It would be erroneous to believe that time will abate these mental health problems. No less than 900 families still live in HUD housing and within the near future again will incur the psychological stress of relocating. If this relocation is as unplanned and poorly coordinated as the HUD trailer camp experience, the community can expect mental health problems that will reach a new order of magnitude.

III. NEED FOR A COORDINATION AND INTEGRATION OF SOCIAL SERVICE AGENCIES

The preparation of this paper has been impeded by the difficulty in obtaining community-based, mental health statistics. This dearth of available data directly reflects the community's woefully inadequate mental health delivery system. Even the referenced data were accumulated at considerable time and effort on the part of the social service agencies. For example, to obtain the breakdown of psychiatric disorders at St. John's McNamara Hospital, a Sister worked all day Sunday and a good part of Monday searching the records of hundreds of patients. Unfortunately, much potentially pertinent data could not be obtained in time to include in this report. A case in point is the recent receipt of information from a pharmacist indicating that the prescriptions for such drugs as mood elevators, tranquilizers, and mild sedatives were significantly greater for Nov. 1972 than for Nov. 1972 ($X^2=9.58$, df=1, $p<.01$).

In the course of attempting to assess the ability of the community's social service agencies to meet the citizen's postflood, mental health problems, it has become apparent no single agency is cognizant of the community's extant social services. The debilitating effect precipitated by the lack of a coordinating agency, was, in many cases, manifestly apparent. Agencies frequently are duplicating efforts while many mental needs go unmet. More tragically, some agencies are clamoring for services that, in fact, exist within the inter-structure of another agency located only a few blocks away.

The desirability, indeed, the necessity, of developing an inter-agency comprehensive mental health plan is now recognized widely throughout the county. And the federal government is providing substantial funding to a number of communities so that they can serve as an "experimental site" for an integrated social service system. In many cases, however, these efforts to establish a "therapeutic community" have met with difficulty because community-based, grass-roots support was not present. Ironically, Rapid City has an ideally constituted committee which has formulated a well planned program to effect an integrated social service that is desperately needed to meet a major mental health crisis. But the federal government has not seen fit to fund this program. At this point, it is a sad commentary on the value system of a government that provides 84 million to rebuild flood destroyed roads, bridges, and other physical structures, but ignores the mental health needs of flood disaster victims.

THE SIDELINING OF GENERAL PEERS

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. ZABLOCKI. Mr. Speaker, last week I called to the attention of the House and of the President how incredible it was to me that the Army and the Pentagon are prepared to allow Lt. Gen. William R. Peers to retire from active duty. Since that time there have been numerous press reports.

In conducting the My Lai investigation, Lieutenant General Peers wrote one of the courageous chapters in this country's military history. As I said to the House last week:

> In my judgment, the issue is highly im-

perative: It is whether or not by the action of the Army the sidelining of General Peers will cause future officers to shy away from calling the shots as they see them. We cannot let this happen to the U.S. Army.

Mr. Speaker, today's New York Times carries an editorial on this very subject entitled "Unwanted General" which I recommend to the attention of all our colleagues:

UNWANTED GENERAL

In 1969, when the nation was still in a state of shock over the wanton killing of women and children by American soldiers in Mylai, a major note of hope was the appointment of Lieut. Gen. William R. Peers to head an inquiry into the tragic affairs. General Peers carried out a vigorous and unsparing investigation, and in 1970 established that "a tragedy of major proportions" had indeed occurred in the ill-fated Vietnamese hamlet.

It now appears that General Peers is to be quietly retired from active service at the age of 58. The Army insists that the general's exit is routine. But the departure of this officer who stood for fair but unsparing efforts to expose the Mylai atrocities and prevent their recurrence seems of a piece with the Pentagon's almost totally negative response to the Peers panel's findings.

Only one of fourteen high-ranking officers charged by the inquiry with complicity in a cover-up of the massacre was brought to trial, and he was acquitted. Charges against the others were dropped for alleged lack of evidence, but the 260-page report which contains the charges in question is still classified "secret."

Two civilian lawyers, who served as special counsel to the Peers panel, have long been critical of the Pentagon's peculiar apathy. Robert MacCrate characterized the quick dismissal of charges as a "failure to recognize the Army's responsibility to the public at large." Now, Jerome K. Walsh Jr. has charged that General Peers' retirement will add to "the impression that the Army was not really serious about punishing those responsible" for the Mylai cover-up. It most certainly will.

General Peers, an officer with a distinguished command record that included action in Vietnam, probably never fitted into the military establishment's concept of an investigator. When he accepted the assignment, he said he "deliberately avoided selecting a group of senior colonels and general officers" because he wanted "young combat-experienced officers who had seen war and who knew the trials, the pressures and the tribulations of combat first-hand."

The general's tough, unorthodox approach to an unpleasant task raised the hopes of many Americans that exposure of a terrible wrong committed by the military would be a first step toward full accountability by the responsible echelons of command. Yet, except for the conviction of Lieu. William Calley and administrative censure of some officers, little has been done to use the Peers report for the only purpose that matters—to determine what went wrong and to give assurance that the Army can discipline itself properly in the future. This purpose has not been accomplished.

Gen. Peers' premature retirement indicates that the Pentagon has managed to rid itself of the unwelcome presence of anyone who might remind America's conscience of this still shamefully unfinished business.

SAM WILSON, EYE DONOR

HON. HERMAN E. TALMADGE

OF GEORGIA

IN THE SENATE OF THE UNITED STATES

Wednesday, April 18, 1973

Mr. TALMADGE. Mr. President, we are all aware of the splendid humanitarian work done by the Lions Club to help the blind and preserve eyesight. There recently came to my attention an Atlanta newspaper article about a Georgia Lion who did this good work up to the very last.

He was Sam Wilson, vice president of the Georgia Lions Lighthouse Foundation and a director of the Peach Bowl, sponsored by the Lions Club. Sam Wilson had cancer, and knew he did not have long to live. One of his last acts was to donate his corneas, and to make sure the transplants would be carried out. Now, life is more liveable for two Georgians who were totally blind before each received one of Mr. Wilson's corneas. This is a dramatic example of the dedication of the Lions Club and its members in helping the blind.

I bring this article to the attention of the Senate, and ask unanimous consent that it be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD as follows:

THE MAN WHO GAVE HIS EYES

(By Hugh Park)

Knowing that soon he was to die, Sam Wilson turned to his wife, and said, "India, honey, are you sure that container is here ready for my eyes? That is one of the last things I can do and I don't want any slip-up."

Thus if a man ever worked until the last to help others, he was Sam Wilson. He was vice president of the Georgia Lions Lighthouse Foundation and a director of the Peach Bowl, both of which have done so much for the blind and for sight conservation.

With him when he asked if everything was all set for the transplant of his corneas was Lions District Gov. Ed Daniel of Decatur, a friend, who had driven up to the North Georgia hospital to see him once more and for the last time. Sam Wilson had known he had cancer since last September.

He was the kind of man that people remember, as many besides Mr. Daniel will tell you. The principal of Canon Elementary School, 10 miles from Carnesville, he had coached football and basketball at Newnan and coached a state high school basketball championship team at Winder in 1940.

All five starters of this team, now living in Winder, Athens and Atlanta, came to see him before he died. All but one, Charles Duncan, who had been killed in World War II. His father came in his stead.

Sam Wilson was married to a remarkable woman, the mother of their four children: Jack Wilson, Atlanta real estate developer; Bill Wilson, in business insurance in Durham, N.C.; Mrs. Jerry McCauley of Canon and Mrs. Dwight Carithers of Spartanburg, S.C.

Mrs. Wilson, who teaches math at Franklin High School at Carnesville, is this year's STAR teacher in Franklin County, an honor given her three times before, twice in Franklin and once in Athens.

At 60, Mr. Wilson was a well-knit athletic man with a zest for living. His eyes now make life more livable beyond estimate for two Georgians who were totally blind before each received a cornea.

The surgeon who performed the operation has 52 patients waiting for similar transplants.

LAW-ABIDING FAMILY VERSUS URBAN CRIME

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. ZABLOCKI. Mr. Speaker, the communication media in my district recently reported an alarming and serious act of injustice experienced by a constituent of mine which, I fear, is becoming more and more widespread in our urban communities.

Because of the alarm it generates and the concern it should elicit by all Americans, I am including a copy of the letter from my constitutent which graphically illustrates the very real fear that crime and violence are becoming a serious threat to the stability of our society.

Our legal and constitutional system, as spelled out in the Bill of Rights, is based on the premise that justice and liberty are man's best vehicle to the achievement of dignity and brotherhood. Therefore, the procedures and processes for implementing justice and guaranteeing individual freedom in our society must be preserved.

In recent years the increasing permissiveness of our society has led to the blatant disregard of the law by certain individuals and groups. Law and order have been fiercely attacked by some intellectually muddled citizens as nothing more than code words for repression and fascism.

Clearly, Mr. Speaker, a reading of the letter demonstrates the need for additional steps to improve law enforcement and to fully protect the many law-abiding citizens of our country. The vicious cycle of crime, arrest, bail, and then more crime must be broken.

In the interest of broadening attention and concern on the very real fear of growing crime and violence in our modern society, a copy of the letter follows for consideration by our colleagues:

URBAN CRIME

DEAR SIR: On Saturday March 24, 1973 in the middle of the afternoon my son Ralph was accosted by two boys. With a knife at his throat, they robbed him. They got little. He was delivering papers at the time. Today, March 27, 1973 my two sons were again delivering newspapers when the same two boys plus another boy held them up and tried to rob them but got nothing. This was at about 4:00 P.M. At 5:15 P.M. while my boys were returning home from the route those same three boys plus another three again held them up but got nothing. The would be robbers then said they knew that Thursday and Friday were collection nights and they said they would see them then.

The above incidents were reported to the police each time the boys were robbed. An officer was over this evening and my wife Dorothy and I discussed with him the outrageous behavior of a certain percentage of grade and high school age children. The officer mentioned a family where both parents were working. The children, around ten were present, were drinking and doing other things not of a healthy or honorable nature. He informed the parents of these activities. They told him it was their house and he had no business there. They told him to leave.

An instance that happened in the school my son attends also indicates the trend of wildness and irresponsibility to human safety that exists today. A young lad threw a table at a teacher recently. The teacher is in the hospital and has been for several weeks. He says that he will not go back to teaching.

To get back to the officer, he related a case where a 15 year old boy was taken in for robbery. He was identified; hours were spent filling out reports; he was released. Within a day or two he was again picked up for robbery, identified; hours spent on reports and again released. If I remember the officer's words correctly, the boy was also armed at the time of the robberies. The officer said that few youngsters are detained for very long after a crime, and little is being done legally to stop this criminal behavior. The officer feels that the Supreme Courts, both federal and state, are responsible for passing laws that tie the hands of persons that are in a position to control this situation.

It is my sincere hope that you will bring this problem before the people and especially, follow-up on it in the future. I'm certain that if you will question officers who patrol the bordering sections of the ghetto and parts of the South Side such as those officers working out of the 3rd and Lincoln ave. police station, you will find plenty of material to work on.

My wife and I have decided to take our boys off the paper route. It was good experience for them to earn money honestly, be responsibile, and learn to deal with people respectfully. We wish this could have continued but we are fearful for them and they too, are fearful.

4-H GOOD FOR YOUNG PEOPLE

HON. PETE V. DOMENICI

OF NEW MEXICO

IN THE SENATE OF THE UNITED STATES

Wednesday, April 18, 1973

Mr. DOMENICI. Mr. President, I would like to officially welcome the 300-fine young men and women who have come to Washington from all 50 States to attend the National 4-H Conference. These 300 young people represent 5 million young Americans who participate in 4-H through local clubs, through the 4-H television program series and through special urban programs. Aged 16 through 19, they have come from the 50 States, the District of Columbia, Puerto Rico, the Virgin Islands and Canada. And they are assisted by 22-adult volunteer leaders represent 500,000 local leaders throughout the country who help young 4-H'ers with their project works.

They have visited with us here on Capitol Hill, they plan a special tour of the White House, Thursday and they have spent much of their time meeting in 15 advisory groups. Their interests and achievements are as varied as their backgrounds and I think they reflect many of the concerns of our entire nation. They are involved in health, community development, urban 4-H nutrition programs, drug education, the environment, energy and natural resources and even the creative use of leisure time.

Each State has selected outstanding young men and women to represent local 4-H'ers at this national conference. Those from my State of New Mexico were Ann Lochnan of Clovis, Steve Fritz of Gallup, Clay Milton of Las Vegas, Benton Greer of Tucumcari and Emma Johnson of Lovington. I welcome them and the other fine young men and women here for the conference.

BREAKING OPEN THE HIGHWAY TRUST FUND

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. HARRINGTON. Mr. Speaker, this year is a big transportation year. Here in Congress, governors, mayors, environmentalists, and legislators have supported efforts to open the highway trust fund for mass transit funding. The Senate has taken positive action in that direction by voting to allow trust fund revenues to be used for urban mass transit. The House is now considering this important issue. The amendment, sponsored by the Honorable GLENN ANDERSON to provide for this use of the trust fund, is, in my opinion, an essential addition to the Federal Aid Highway Act of 1973 if we, as legislators, are to support a national transportation policy in the future that will provide the flexibility for a balanced and efficient transportation system.

As a cosponsor of the Anderson bill to provide for the use of trust fund revenues in either mass transit or highway projects, I strongly support the Anderson amendment.

At this time, I wish to insert in the RECORD an advertisement which appeared in the New York Times on September 14, 1972. I feel this advertisement merits particular attention because it was published by the Mobil Oil Corp., which some might view as one of the vested interests concerned with the preservation of the highway trust fund in its present form:

LET'S END THE HIGHWAY TRUST FUND

While America has developed a superb highway system through Highway Trust Fund revenues, our mass transit has slipped sadly. We're moving people better by car, but people who try to get from one place to another by train, bus, or subway are fighting a losing battle. This, in turn, forces more people into their cars and onto the highways. And this puts added pressure on even the best of our highways, not to mention city streets.

For this and other reasons, we've been urging publicly that Congress get moving with a national program to improve mass transit, and re-examine the desirability of the Highway Trust Fund. We doubt whether such special earmarked funds represent sound public policy. Experts in public finance have historically opposed trust-fund financing because this mechanism mandates decision-making and priority-setting by a bureaucracy with its own direction and momentum, without the proper annual review of proposed expenditures.

Some people suggest greater diversion of Highway Trust Fund revenues for mass-transit projects. But the cost of truly comprehensive improvements in all forms of mass transit will far exceed the revenues available from the Fund. Robbing Peter to pay Paul by diverting revenues from the Fund will give us the worst of both worlds—poor highways and poor mass transit. We cannot afford either.

Look at the sorry record of recent years. Only in 1970 did Congress appropriate mass-transit funds on a scale even remotely recognizing the need: $3.1 billion spread over five years, or an average of $620 million a year. From 1964 through 1969, a total of only $1 billion was spent for mass transit. The Highway Trust Fund, meanwhile, generates revenues of about $5.7 billion a year—or five times what was actually spent for mass transit over a six-year period.

Thus the problem, largely one of imbalance, is that highway-building has dominated federal transportation policy.

One reason for this is the formula under which the federal government shares revenues with the states for transportation. States now pay only 10% of the cost of highways under the Interstate Highway System. But the states have to pay from a third to a half of the cost of mass-transit programs to which the federal government contributes. From the states' viewpoint, it's just plain cheaper to ignore mass transit and simply build highways.

But the need for improved mass transit and the need for better roads and highways often coincide: Construction of special express lanes for buses can ease commutation problems and unclog other highway lanes for faster movement of passenger cars and trucks.

It shouldn't be an either/or situation. What's needed is substantially increased spending by federal, state, and local governments for construction of needed transportation facilities of all kinds. If the Highway Trust Fund is phased out, Congress can make appropriations at the federal level for an adequate, integrated transportation system.

Even so, we don't want just blindly to build more of what we have had for the past 50 years. We must innovate, and we must look ahead as far as advanced technology can take us in meeting both present and future transportation needs.

We are convinced that this can be achieved only through a National Master Transportation Program, financed both by existing gasoline taxes that would go into the general coffers and by annual appropriations large enough to do the job. A sound first step would be to end the Highway Trust Fund.

WEATHER MODIFICATION

HON. JAMES ABOUREZK

OF SOUTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Wednesday, April 18, 1973

Mr. ABOUREZK. Mr. President, South Dakota has had a long and active history in the field of weather modification. Our State legislature this year appropriated $643,000 for a statewide operational program. The effort is totally a State, county, and local one. The entire operation is based on 75-25 cost share between the State agency—in this instance the South Dakota Weather Control Commission—and the county subdivisions of our State.

All decisions about whether to seed in a given area for hail suppression or rain increase are made by the local people. I as a Senator am gratified and proud of this effort in my home State; for that reason I ask unanimous consent that the following speech given by Mr. Merlin Williams, the State director of the Weather Control Commission and a nationally recognized authority on weather modification given before the American Society of Civil Engineers last February 2 here in Washington, be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

Footnotes at end of article.

SOUTH DAKOTA WEATHER MODIFICATION PROGRAM

(By Merlin W. Williams[1])

NOTE: Figures are not reproduced in the RECORD.

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I. INTRODUCTION

Activities by state planners, interested private groups and legislators in 1970 led to legislative action in March 1971 to establish a statewide program of weather modification in South Dakota. This program is intended to provide an economic benefit to the people of the state through application of existing knowledge to increase rainfall and decrease hail by cloud seeding. In addition, the legislative action recognized the need to enhance knowledge in the field to improve the capability.

The South Dakota Weather Control Commission (WCC) is charged by law with the responsibility for weather modification activities in this state including the development of the statewide program. The Commission was established in 1953 when the basic law, South Dakota Compiled Law (SDCL) 38–9, concerning weather modification was passed. The Commission is composed of ten representatives, seven of whom are appointed by the Governor and three ex officio members representing the Department of Agriculture, the Water Resources Commission and the College of Agriculture of South Dakota State University. Through periodic meetings, the Commission provides general policy and oversight for the functions set forth by the law.

The detailed work of the Commission is conducted by the office of the Director. This office was established as a result of the amendment to SDCL 38–9 by the 1971 legislature. In September 1971, the Director's office began the task of designing, organizinz and initiating the statewide program. This activity represented one of the four functions assigned to the Commission by the Law. These functions also include interstate and federal cooperation, special studies and regulation of all weather modification activities in the state through both licensing and monitoring.

This paper describes the activities of the Weather Control Commission in the design, organization and initiation of the statewide program: Cloud seeding activities during the first season of operation will be summarized, and program effectiveness will be described. It must be recognized that insufficient data can be obtained from a single year's operation to supply statistical significance to the results; therefore, no attempt will be made to indicate the effects of seeding.

II. BACKGROUND

Private associations of farmers, ranchers and businesses have been formed to sponsor weather modification in specific areas of the state since the early 1950's. Funding for these activities were provided by voluntary contributions. At one point in the mid 1950's, operation by a private contractor involved seeding with ground generators in an attempt to affect as much as 60% of the state. Relatively few areas of the state have not been the target of seeding attempts at one time or another.

Passage of enabling legislation in 1963 provided for more organized funding of weather modification through county tax structure. Various long term, county supported projects were developed in both the eastern and western part of the state. Examples of such programs are to be found in the western and northwestern grasslands areas and the northeastern crop area. Numerous shorter term projects were also developed on this basis in the south central and southeastern crop areas. Some measure of the degree to which such activities are supported can be obtained from the fact that county funding for weather modification throughout the state has averaged nearly $100,000 for the past ten years.[1]

Results of these projects were not always documented. Funding limitations did not permit evaluation activities of a significant nature. In fact, funding limitations for projects sponsored by individual counties did not permit adequate operations in many cases. Routine evaluations of the activities based on comparisons of variations from long term normals for target and control areas were made by members of the WCC. Persistent indications of increases achieved by the cloud seeding were obtained from these evaluations. Those Commission efforts led to the support of a more formal evaluation of the locally sponsored efforts by the Institute of Atmospheric Sciences (IAS), South Dakota School of Mines and Technology, during the summer of 1971. This evaluation, which was funded under a contract with the WCC, provided strong indications that increases of 7% to 48% were being achieved in four different projects[3].

While it is recognized that these evaluations do not provide conclusive evidence for cloud seeding effects, they do represent a considerable body of qualitative evidence favorable to the seeding. This information together with research results was considered sufficient supporting evidence to warrant development of the applied, statewide program.

Results of research activities serve as a basis for portions of the program design. The most pertinent results are those obtained by projects in South Dakota. Specifically, concentrated experimentation has been underway by the IAS since 1963. This activity has been under the sponsorship of federal agencies such as the Bureau of Reclamation, National Science Foundation and National Oceanic and Atmospheric Administration. The research has involved both individual cloud experiments and areal testing. Through the use of scientific design and sophisticated techniques, these efforts have led to results which provide a stepwise program development. In 1969 a pilot project was developed to test the research results over large areas in North Dakota. Subsequent results made it possible for the IAS staff to make the summary statement in November 1971: "However, the overall result of a project based on the present state of the art of cloud seeding and lasting for a season or more should be an increase in total rainfall at the ground"[6]. This conclusion was reinforced by the results of the evaluation of commercial seeding activities during the summer of 1971[3].

South Dakota results are reinforced by results from other parts of the country and the world. Hail suppression activities in four southwestern counties of North Dakota indicate 30% to 60% decrease in hail[4]. A cumulus experiment in California conducted during the summer months of 1966, 1967 and 1968 provided results indicating significant increases in runoff resulting from cloud seeding[18]. Research on summer systems in Arizona sponsored by the Bureau of Reclamation between 1965 and 1969 provided support for increases resulting from seeding[15]. Experiments in Florida by National Oceanic and Atmospheric Administration researchers provides strong evidence for increased precipitation from seeded convective cells[19]. Results of seeding experiments in Australia have led to application of the technology for many years[2]. Carefully conducted experiments in Israel between 1961 and 1967 led to development of an operational program in 1971[9]. Activities in Kenya since 1967 provide evidence of significant reduction in hail (as much as 60%) with corresponding increases in crop production (tea).[10]. Reports of hail suppression activities in Russia include statements of ability to stop 70% to 85% of the hail for clouds treated by firing silver iodide bearing artillery shells into the cloud.[17].

III. BASIS

The physical conditions associated with weather in South Dakota are characterized by a continental climate with cold winters, warm to hot summers, light moisture in the winter and moderate moisture in the summers. The climate is generally limiting or marginal for most crops in terms of both precipitation and growing season. Winter weather patterns are associated with cold, northerly flow from large, high pressure systems moving into the state from the north or north-west. Warm or hot summer air results from southerly flow which is interspersed with humid conditions when this air originates over the Gulf of Mexico. The entire state is characterized by frequent changes caused by cold fronts and associated low pressure areas moving across the state.[5]

The maximum precipitation occurs during the growing season months. This precipitation varies from 18 inches in the southeast to 10 inches in the northwest, and results predominantly from convective activity with no major orographic influences except in the Black Hills region. Some measure of the degree of convective activity can be obtained from the fact that thunderstorms occur on an average of 40 to 45 days at any one location in the state.

Average increases of 15% to 20% as deemed possible by the research efforts at IAS[14] would provide an additional one to two inches of precipitation during the growing season. Hail may be expected in most parts of the state an average of two to three times a year. Hail losses are estimated to average $30,000,000 per year.[13]

The potential for benefits from weather modification is variable for the activity being conducted. Variations in effect are also noted for different crop types. Preliminary estimates of the benefits to be achieved by an average increase of growing season precipitation of one inch would provide a benefit cost ratio of between 10 and 30 to one[14] through increased crop production. The additional benefit achieved by a 30% to 50% reduction in hail would increase the benefit to cost ratio significantly. In addition, these preliminary estimates do not specifically include benefits to urban areas. Reduction of hail damage and increased water supplies for cities and towns provides an additional significant benefit that is difficult to estimate at this time.

Considerably more detailed studies of benefits are underway by a research team of the College of Agriculture at South Dakota State University. Preliminary estimates have been made of the benefits to be derived from an average increase of one inch of rainfall during the growing season. An example of their findings can be obtained from consideration of wheat production where results indicate increases of one to nine bushels per acre depending on type, location and distribution of rainfall.[7] Continuing studies of a broad range of economic considerations are underway not only by SDSU, but by surrounding Northern Great Plains states as well.[8] [11]

Additional studies[11] and consultation with

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farm groups have identified another source of potential benefits in the form of increased preseason moisture. The effect of preseason moisture varies with crop type, but appears to be most important to forage and small grains. Additional investigation may well lead to the development of programs to provide seeding for periods other than the growing season.

Social concerns in the state are associated with agricultural activities since the economy of South Dakota is largely dependent on this industry.

Approximately 70% of the state's economy is derived from agriculture and agriculture related activities.[16] The general trend in farming operations in the last 30 years has been toward increasing mechanization and larger farms. This action has resulted in part from relatively constant prices for farm products while production costs increased. The overall effect of these factors is a resulting out-migration of population in the state. This factor is particularly significant in younger age groups, and results in a general economic and social problem for the state. It is generally accepted that stabilization of the agricultural economy will serve to reduce the social problem, but probably not eliminate it.

An average increase in precipitation of one to two inches of precipitation is generally recognized as a means of improving crop production; and, thereby contributing to stabilization. Opinion surveys indicate that 60% to 80% of the people accept weather modification as a tool to be used for this purpose, and feel that it can produce the beneficial effects proposed.[12] A majority of the people are willing to spend their local and state tax money to support a weather modification program. Legislative approval of both the concept and funding of the program has been provided by the same margins.

The legal aspects of weather modification have been considered on an individual state basis. In this manner, consideration of local conditions and needs has been included in the legal policy of the states. South Dakota claims sovereign right to the use of all water over its boundaries for the benefit of its residents. The law (SDCL 38-9) also provides a general recognition of weather modification as a state function entered into to provide for the general welfare of the public. It further recognizes the state of the art as being capable of producing beneficial changes under certain defined conditions.

The financial support for the program is broadly based throughout various levels of government. State support for the statewide activities is derived from general fund appropriations. The initial state appropriation amounted to $100,000, and was provided by the 1971 legislature for FY 1972 to design, organize and initiate the program. This action was followed by an appropriation of $250,000 for operations in FY 1973. Administrative funds for the conduct of Commission activities were provided under a separate budget appropriation in each case.

Authority for county support of weather modification is provided by SDCL 10-12-18. This law provides that counties may levy a maximum of one mill tax on assessed property valuation for this purpose. The authority to levy and commit funds under this law rests solely with the county commissioners in each case; however, in actual practice it is normally done on the advice of groups in the county. On occasion, the county commissioners have requested that approval to proceed with a program will be obtained by a vote of the people or a poll be taken to determine the wishes of the people.

Funding of weather modification activities by federal agencies has been limited to research either by administrative policy or Congressional directive. Thus, funds for support of the operational aspects of the statewide effort are not available; however, cooperative programs for the support of related evaluation and research activities have been developed. The Bureau of Reclamation participation in the program takes the form of funding support in the amount of $52,000 for a 15 month period to conduct research and special evaluation studies. This organization also supplies special services for operational testing. The National Oceanic and Atmospheric Administration is also providing support in the form of services and related research.

IV. PROGRAM DESIGN AND ORGANIZATION

Initial investigation indicated that the technical design and organization would be inextricably bound together. Considerations of funding, equipment limitations, personnel availability and other technical features would determine the most effective type of organizational structure. Conversely, existing governmental and private characteristics would effect the technical considerations from the standpoint of location, areas covered and decision-making.

Administratively there was a need to have local involvement in decisions regarding cloud seeding activities by those people most affected by the outcome. After consideration of a number of possibilities it became evident that a local-state cooperative effort was desirable. Examination of governmental structure indicated that county government was the most suitable for local representation. Reasons for this choice included such factors as,[1] county commissions represent an existing governmental structure.[2] they are familiar with local conditions and desires and,[3] they represent the smallest level of government that could provide effective decision-making.

The decision making proposed for the administrative aspect of the program was of two types. First, a decision to participate in a cooperative effort was required. Recognizing dissimilar local needs and desires, this decision was made voluntary. Secondly, decisions on the degree and type of activity needed to be made on the basis of local conditions. Thus, the local administrative structure was required to establish beginning and ending dates and provide recommendations for suspension or termination of activities when adverse effects (such as production of additional rainfall when above normal amounts affected farm operations) were prevalent.

A local-state cooperative feature was also desirable from the standpoint of funding. Such an arrangement would not only provide increased operational capability through a larger budget; but would provide a measure of the need and interest by local groups. Here again, county government was the most logical choice for local-state cooperative efforts. Their authority to tax to support weather modification provided the means for local level support.

After examination of various factors, a cost-share concept was developed wherein the counties provide 25% and the state 75% of the costs. Considerations involved in this concept included the relative role of agriculture in the overall state economy and the ability of counties to raise funds under the one mill limitation. The latter consideration is significant for large counties with major portions of their area represented by nontaxable federal, state or Indian land. This factor has resulted in an inability of several counties to participate despite the unequal cost-sharing ratio.

Physical characteristics were also considered in the program organization. Climatic and soil zones were investigated to provide definition of homogeneous cropping zones. Use of such zones to organize areas of activity would provide the ability to make uniform seeding decisions. This point was quite important in view of the variation in precipitation; and, hence, crop patterns across the state.

In addition, consideration was given to the capabilities of the equipment currently available. Radar and aircraft capabilities provided the primary limitations on the size of the areas considered. Available radar could effectively cover a circle approximately 100 miles in diameter. Light aircraft of the type proposed could also be expected to cover an area approximately 100 miles in diameter without excessive loss in transport time. Minimum equipment required to meet the technical design could provide coverage for areas larger than single counties; therefore, multicounty operation would be more efficient than single county efforts.

All of the above considerations led to the adoption of multicounty districts operated on the basis of cost-sharing. Each of the districts is designed to consist of the counties that fit within a 100 mile circle within the limitations imposed by straight line county boundaries. Local level administration of each district is provided by a coordinating committee composed of one representative of each participating county commission. Districts and their associated counties participating during 1972 are shown in Figure 1.

V. OPERATIONS—1972

State funding for the summer field activities was provided by the 1972 legislature in the form of a $250,000 appropriation. This amount was inadequate to meet the requests by counties representing three full districts and two partially formed districts. The decision was made to provide full scale funding to the two adjacent districts in the southeast portion of the state with supplemental support to on-going county programs in the western and northwestern part of the state rather than try to provide limited support over the entire area requesting. Representatives of the district in the north central part of the state agreed to develop the administrative organization, but forego field operations until 1973 when funds became available. District cost-share funds from participating counties resulted in a total budget of approximately $340,000 from both state and county sources.

Contracts with private operators for equipment and personnel were awarded in March in preparation for field activities during the period May 1 through August 31. Aircraft acquired under these contracts were of the turbocharged, light, twin-engine type, fully equipped for high altitude and instrument operations. Complete navigation equipment provided the capability for day or night, all weather flights to meet the proposed requirement for seeding operations at any time. Each of the three aircraft provided to each complete district was equipped with both acetone-silver iodide type generators with a capability of dispensing silver iodide at a rate of 150 to 300 grams per hour and pyrotechnic devices capable of dispensing 200 grams per minute. Thus, a wide range of capabilities was provided for two types of seeding materials to permit either rainfall increase or hail suppression activities. Aircraft safety was stressed throughout the contract specifications.

Equipment contracts also provided for radar equipment with multiple capabilities. One radar system was located in each complete district with the capability for both storm monitoring and aircraft tracking. Radar storm surveillance provided the capability to detect storm characteristics, determine hail potential, provide seeding direction and coordination and provide continuous recording of all radar information by time lapse photography. In addition, each radar system included standard observing instruments for measuring meteorological parameters.

The requirement for experienced personnel was stressed in both the radar and aircraft contracts. A fully qualified individual with an academic degree in meteorology and experience in radar and/or weather modification work was provided for each district. A

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radar operator was provided by separate contract to assist the meteorologists at each site, and an electronic technician was provided to maintain and calibrate all radar systems. Three instrument rated, commercial pilots were provided for each site.

All equipment and personnel were ready to begin operations on May 1; however, natural events in the form of above normal rainfall resulting in difficulites to farming operations just prior to the starting date necessitated a delay. This circumstance provided a major test of the effectiveness of the organizational structure which utilized decision-making inputs from local coordinating committees. Normal operations required a full coordinating committee meeting once a month during operations with a telephone poll of each representative once a week to determine recommended operations.

On May 1, all district representatives except one requested that nothing be done to aggravate a situation where excessive rainfall was hampering farm operations. (It should be noted that the representative from one county consistently requested full operation on the basis that the additional rainfall should be obtained whenever possible.) The suspension of rain enhancement activities extended throughout most of May and June, and periodic suspension of rain enhancement activities continued throughout most of the summer.

Crop development by mid-May had reached a stage where the occurrence of hail would cause damage. Accordingly, the Coordinating Committees were consulted regarding the advisability of initiating hail suppression at any time a clear out indication of hail potential was identified. This action represented a departure from the original plan, and was made possible only by the flexibility provided by the local-state cooperative organization.

The results of this type of decision-making can be seen from a comparison of potential operations versus actual operations given in Figure 2. The potential operations represent estimates by the district meteorologist of the total number of aircraft seeding hours that could have been conducted for the weather systems that actually occurred. It should be noted that as the season progressed the potential opportunities decreased and the ratio of seeded to potential hours increased. Table 1 presents a summary of seeded days during the season.

TABLE 1.—SEEDING DAYS AND MISSIONS (1972 SEASON)

	Rain increase	Hail suppression	Both
District I:			
Days	10 (8)	23 (19)	8 (6)
Missions	30	75	
District II:			
Days	12 (10)	16 (13)	13 (11)
Missions	42	75	

Note: Figures in parentheses indicate percent of total days.

Various methods of evaluation are currently underway both by the staff of the WCC and under private contract. Data available for these evaluations consist of the following:

1. Radar cloud intensity and height measurements
2. Raingage observations from National Weather Service networks
3. WCC supplemental raingage observations obtained by cooperative observers
4. WCC hail occurrence observations obtained by cooperative observers
5. American Hail Actuarial Insurance Institute records
6. National Weather Service radar observations
7. WCC seeding operations logs

Evaluation of rainfall is not expected to produce significant results due to the lack of seeded cases resulting from the frequent suspensions imposed on the effort. Some indications of effectiveness may be obtained in the two counties where seeding for rain enhancement was conducted for continuous periods in excess of one month. However, the overall conclusion must be that no valid evaluation of rainfall increases can be conducted for 1972.

Hail suppression evaluations are underway using hail insurance loss records. Historical hail loss records for the period 1928 to 1972 will be used to provide comparisons for evaluation. In addition, comparisons will be made between seeded and unseeded areas and times.

Qualitative evaluations of radar observations, seeding pilot observations and local observers reports are also underway. While this type of evaluation will not provide definitive proof of effectiveness, it does provide valuable background information for modification and improvement of future operations.

A post-program evaluation of costs indicates that the most meaningful estimate for varying size districts is a per unit basis. Using this method provides an average per acre cost of 3.2¢ for 1972 operations. On the basis of a 75% state-25% county basis, the costs are divided 2.4¢ per acre from state funds and 0.8¢ per acre from county funds.

VI. FUTURE DEVELOPMENT

Organizational structure will remain essentially the same for 1973 with the exception of addition of as many new districts as funding permits. The district coordinating committees will continue to provide input to decision-making from the local level while the design, coordination, oversight and budgeting will be provided by the WCC staff. Cost sharing is also proposed to continue on the same basis.

No major changes are proposed for the technical design. Equipment, personnel and operational requirements for individual districts will be modified slightly on the basis of experience gained during the first summer; however, no major changes are anticipated. The emphasis and goals of the program will remain the same.

The major change in the program will be the overall size. A total of 26 countries participated in the program during 1972. In order to provide for effective planning and organization, all counties in the state were notified that requests for participation in 1973 needed to be submitted by September 10, 1972. A total of 42 counties responded representing an increase of almost twice as much area. This increase includes District 3 which was formed during 1972. Plans are currently underway to revise district boundaries and establish new districts to accommodate the additional counties shown in Figure 3. The number of counties and districts will be finally determined by the amount of the budget provided by legislative appropriation, since county funds are already obligated for this purpose. Accommodation of varying size areas is achievable by virtue of the flexibility inherent in the multi-county district organizational concept.

VII. RELATED RESEARCH AND EVALUATION

Funding for the operational aspects of the program is derived solely from state and county sources. Limitations, on funds provided to federal agencies restrict their use to research purposes which precludes federal participation in the operational phases of the program. However, conduct of certain research and evaluation in conjunction with the operations is not only desirable from the standpoint of enhancing knowledge and improving the operations, but required by the directive contained in SDCL 36-9. During the development of the program, cooperative relationships were developed with various federal agencies either directly or through other organizations to conduct special studies.

A contract with the Division of Atmospheric Water Resources Management of the Bureau of Reclamation provides for testing and development of certain models and concepts in an effort to affect a technology transfer from research to operations. Testing during the summer seeding program of the effectiveness for operational purposes of the computer time-share system developed by that organization represented one phase of this project. A subcontract arrangement with South Dakota State University provides for the development of sociological, economic and climatological models with which to evaluate the effectiveness of the seeding program. A second sub-contract with a private firm is designed to provide for development of conceptual models of cloud conditions with which to improve operational coordination and communication. Direct funding provides for establishment of a supplemental raingage network in seeded and unseeded areas in an effort to improve evaluation information. During the summer of 1972 a total of 175 such gages were operated by volunteer observers in the eastern half of the state.

Funding from the National Oceanic and Atmospheric Administration (NOAA) provides for both direct support and support to the IAS. Initiation of radiosonde operations at Huron, South Dakota on May 1, 1972 to coincide with initiation of the state program contributed significantly to the program. IAS efforts under NOAA funding consisted of efforts to develop techniques for evaluation of the field program through the use of the National Weather Service radar at Huron, South Dakota.

A third cooperative effort involves sociological studies conducted by the Institute of Behavorial Sciences, University of Colorado, under the sponsorship of the National Science Foundation. This program involves a study of attitudes of residents of the state toward the weather modification program. Testing is conducted before, during and after the seeding program takes place.

VIII. REGIONAL PROGRAMS

The possibility of cooperative efforts with adjacent states is being investigated. Planners in both North Dakota and Nebraska have indicated interest in cooperative programs. Organized activities on the part of these states, however, will require legislative action to provide both the structure and funding for such efforts. The primary need at this point is the development of an organizational structure with enough flexibility to recognize the needs and requirements of the individual states.

Current action involves a proposal for joint projects in border counties. Negotiations for such a project have been completed with four counties, North Dakota. It is anticipated that activities in their project will be initiated in 1973. There are needs for additional projects of this nature in other areas of the state where border counties are involved.

In addition to joint operational efforts, a necessity exists to develop an interstate compacts system for operations along state boundaries where no seeding is taking place in the adjacent county. A distinct requirement exists to begin treatment of storm systems before they reach the upwind boundary of the target counties. For example, clouds moving southward from North Dakota to South Dakota should be treated 10 to 20 miles north of the state boundary in order to have an effect on areas in South Dakota immediately adjacent to the boundary. Proper treatment should not cause an effect in areas of North Dakota. Establishment of a compact to permit such activities will require action by the Governors of the states involved, and must recognize differences in state laws regulating weather modifications in each case.

Federal regional programs are under consideration in two areas of the Great Plains. The WCC will continue to cooperate in the development of these programs. In view of the fact that South Dakota has an operating program, the state may serve as a nucleus for such development. Steps are underway to provide information based on experience gained during the first year to other states establishing programs.

IX. REGULATION

South Dakota has had a law to regulate and monitor all weather modification activities since 1953. This law requires both licensing and reporting of activities. Steps are now underway to modify and expand the existing law to keep pace with both the operational program and new developments in the field. The new law will provide for improvements in the structure and administration of the Commission. It will clarify and expand the functions of the Commission, and strengthen the regulatory authority of the State. To implement the new law a set of rules and regulations are being promulgated for administration of the provisions.

FOOTNOTES

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Key Words: Design, *hail* suppression, meteorology, organization, operation, *rain increase*, water resources, *weather modification*.

Abstract: Design, organization and initiation of a statewide program of weather modification was undertaken by the South Dakota Weather Control Commission in September 1971. This program was designed to provide for increased rainfall and decreased hail by cloud seeding. The design of the program was based on research and operational results obtained in South Dakota and other parts of the country. The organizational structure of the program was based on a local-state cooperative effort for both decision-making and funding. These efforts led to the development of a limited scale field program during the summer of 1972.

PREDATOR CONTROL: M-44 CYANIDE DEVICE A HUMANE AND FEASIBLE TECHNIQUE WHICH MEETS ALL ENVIRONMENTAL OBJECTIONS

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. FISHER. Mr. Speaker, on January 22, 1972, the President issued Executive Order 11643 which banned the use of chemical toxicants in the control of predators on Federal lands and in Federal programs. That order was followed on February 9, 1972, by an EPA order halting interstate shipment of all pesticides for use in controlling predatory animals. Registration of 11 products, including sodium cyanide, were canceled.

The Department of Interior, which handles Federal predator control, having found that in the past a major portion of all predator control has resulted from the use of chemical toxicants which were outlawed by the two orders, that agency has made an intensified but thus far futile search for alternative methods to control predators. The Department, and all concerned, recognize the absolute necessity of predation control.

COYOTE EXPLOSION

Already the Bureau of Sport Fisheries and Wildlife (BSFW) which deals with the predator problem for the Department of Interior, reports evidence of a population explosion of coyotes and other predators and, of course, an upsurge in livestock losses. A more accurate analysis of the results of the Executive orders will, according to these officials, be available later this year.

In any event, we know from a multitude of reports from the cattle, sheep, goat, and turkey country throughout the land that coyotes have multiplied and livestock losses have mounted. Indeed the situation has become intolerable.

As I have pointed out, this explosive development was brought on by Government action. It therefore becomes the duty of the Government to provide a remedy, or certainly not to block a feasible and proven solution, to which I shall refer in a moment.

Instead, we find the Government thus far seeking to escape from any responsibility in this area by requesting legislation which would remove traditional Federal participation in predator control and turn that entire burden over to States and livestock producers—after depriving us of the only effective means of coping with the problem.

EXECUTIVE ORDERS ILL ADVISED

Mr. Speaker, the Executive orders to which I have referred were based largely upon what is known as the Cain Report on predator control. That hastily prepared document has been rather substantially discredited in several respects. Even the Department of Interior has found fault with some portions of it. The report undoubtedly contains some very misleading information and some faulty conclusions.

In fact, the propriety of the Executive orders has been strongly challenged by one of the Nation's leading ecologists and experts in the field of chemical toxicants as applied to predation, Dr. Walter E. Howard. He is professor of wildlife biology and vertebrate ecologist in the Agricultural Experiment Station of the University of California at Davis. In referring to Executive Order 11643, this noted environmentalist stated:

> . . . Unfortunately, it has not had intended effects on the environment nor will it prove to have been a wise conservation move. Rather, it has worsened matters for both the farmer and the wildlife species it was designed to protect. It had emotional appeal, but was not based on sound ecological facts or good principles of animal control. . . .

Dr. Howard then proceeded, in his committee testimony, to document his conclusions very convincingly.

But, be that as it may, being realistic I recognize the difficulty of obtaining relief from those Executive orders, at least for the present. What is needed now, and desperately needed without delay, are alternative methods of coping with predators; otherwise it is certain that livestock losses will continue to drive more livestock producers out of business.

ALTERNATIVES TESTED

Recognizing the dilemma created and the Government's responsibility for bringing it about, Interior Department specialists undertook a special program last summer in the Bridger National Forest. The project used crack teams, with aircraft and helicopters. It was successful in terms of coyotes destroyed in relation to sheep losses, but at a cost of approximately $250 per coyote.

Last Spring, following the Executive orders, Secretary of Interior Rogers Morton instructed the Bureau of Sport Fisheries and Wildlife to initiate a special program to provide assistance to the livestock industry in highly critical areas, using nontoxic methods. That experiment was made from April 17 to October 1, at a cost of $349,500. A report on the results found that aerial control was the most effective and selective, and added this:

> It was not effective in (1) protecting poultry, (2) in rugged terrain, (3) in dense vegetation, (4) in bad weather . . ."

Thus, it is self-evident from these experiments that while extensive use of choppers can be fairly effective in some environments, this method of killing coyotes cannot be relied upon in rugged terrain, or where the vegetation is dense, or during bad weather. That finding completely eliminates, for all practical purposes, the use of aircraft and choppers as a feasible means of coping with coyotes, particularly in the entire southwest where we find the principal breeding grounds for cattle, sheep, and goats. That country is, in the main, brushy and much of it is rough. We can always count on the alert coyote to take full advantage of hiding places.

Moreover, in any event the cost of choppers, pilots, and marksmen would be prohibitive unless heavily subsidized by the Government. And such low flying is fraught with much hazard. Only recently a pilot chasing a coyote was killed in a crash.

In addition, predators are at their worst during calving, lambing, and kidding seasons. It is well known in the ranching country that ewes and nannies are extremely sensitive to excessive noises or other unusual disturbances during the critical lambing and kidding periods. Most ranchmen are wary about even riding horseback among them. Noise from low-flying choppers could be disastrous. The animals would scatter, mothers and offspring separated, and any ranchman will tell you that many of the mothers will thereafter disown their young.

AN AVAILABLE, FEASIBLE, EFFECTIVE ALTERNATIVE

Mr. Speaker, what other alternatives can we turn to? Well, it just happens that a technique has been developed, tested for years, and found to be extremely useful. It meets every environmental objection to use of toxicants. I am referring to the M-44, an ejection device, which uses sodium cyanide.

This device has been used by the Bureau for animal damage control since the early 1940's, first in the coyote getter and more recently in an improved version—the M-44. This cyanide ejector technique applies the same principle as the coyote getter except that the chemical is ejected by a spring-loaded piston rather than an explosive charge. This basic difference eliminates the human hazard previously associated with the getter. The results of both are similar.

This perfected device is charged with sodium cyanide which is baited and driven into the ground. Left unattended, it is activated when an animal pulls at the bait. The spring in this device propels the cyanide into the coyote's mouth. By requiring a greater force to release the spring, the improved mechanism adds to the selectivity, according to the Bureau, and limits the kinds of animals capable of pulling it.

The coyote that triggers the device is killed almost instantly. This humane device is highly selective, and that fact is emphasized. As a result of extensive tests in several States by the BSF and W, both on the former explosive device and the improved version with the spring mechanism, the high degree of selectivity was confirmed. (Vol. 7, No. 2, The "Humane Coyote-Getter . . . in Control of Predatory Animals.". The finding concluded:

> Of the creatures killed and recovered with coyote killers (getters), about 95 percent were predators.

The same Bureau collected 7 years of data between 1965 and 1971 in Texas, and found:

> Overall, coyotes comprise 87 percent of the recoveries . . .

Some were triggered by coyotes wallowing, stock tramping, et cetera.

ONLY OBJECTION TO M-44 IS ITS "PHILOSOPHY"

When Assistant Secretary of Interior Nathaniel Reed testified before the House committee recently, he could cite but two reasons why the M-44 had been outlawed:

> It was based two-fold, based on the general thought of removing poisons for controlling depredating animals and secondly, it was non-selective in the sense that a number of other animals are killed by M-44 . . . I think basically the answer would have to go back to the philosophy expressed of the genuine effort to get poisons as a tool away from the use of depredating animals, and I will leave it there, if I may.

Now, just where Mr. Reed got the idea that the M-44 was non-selective, I would not know. He certainly did not get it from the experts in his own Department who are charged with the responsibility of knowing about these things.

In short, the only official objection remaining to the use of the cyanide ejection device is the philosophy of not using poisons in the control of predators. Mind you, this reasoning does not address itself at all to any allegation of ecological harm from the use of M-44.

While not the complete answer by any means, this device is admittedly the safest, most successful, and the least objectionable method that is available. Yet it is prohibited by the Executive orders.

NO AFTER-EFFECTS WHATEVER FROM M-44

The uninformed may say: "Yes, but that poison can pollute the environment and it may find its way into run-off water, or it may poison birds or other wildlife which eat the carrion."

That would seem to be the only possible logical basis for drawing upon "philosophy" as an excuse for outlawing use of the M-44.

But what are the facts? Here are the words of Jack K. Berryman, Chief of the Division of Wildlife Services, BSF and W:

> It (cyanide from M-44) degrades very rapidly in an animal's body so there is no persistence or environmental contamination.

Mr. Berryman added there is absolutely no after-effects found in the dead animal, in the ground, or in the atmosphere. The cyanide disappears, evaporates, with nothing remaining to endanger man, birds or animals.

COYOTES TREAT PREY INHUMANELY

The Department has suggested the use of steel traps as the primary alternative to the use of toxicants. It is true that traps have been used for generations. But they are totally inadequate and ineffective as a meaningful answer to depredation problems. And obviously that method is far more inhumane than is the M-44. But speaking of humane aspects, how fares the helpless victims of the blood-thirsty coyote? On that subject, Dr. Howard commented:

> The inhumane treatment by predators of domesticated animals exceeds that which any humane society can tolerate.

In that connection let me read from a letter I recently received from a constituent, Tom DuBose, of Uvalde, Tex.:

> I can understand how some well-meaning people might think of poison and "coyote getters" as being cruel to wild animals. But these people could not know what real cruelty is unless they actually saw the results of a coyote attack upon a lamb or a kid goat. Many times these predators kill "just for fun" and often don't complete the kill. On several occasions I have had to get off my horse and cut the throat of kid goats that had been torn open but still alive enough to be trying to escape the buzzards.
>
> At the moment I have a coyote killing an average of two lambs every night—lambs that would bring 20 to 30 dollars when weaned. The trapper has been trying his best to catch this coyote, but his most effective, yet humane, tools have been taken away from him—the "M-44 Coyote Getters."

In conclusion, Mr. Speaker, let me urge that very serious and prompt consideration be given by EPA and by committees in Congress to steps which would restore the use of the M-44.

It is humane—causing almost instant death of the predator.

It has been proven to be feasible and effective.

The use of it results in no after-effects whatever.

Unless and until a better alternative is discovered, let us restore the use of this effective, humane, and relatively inexpensive device in coping with an extremely serious predator problem.

STEPHEN DIENSTFREY

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. HANNA. Mr. Speaker, some 11 years ago, a young college student by the name of Stephen Dienstfrey came into my campaign headquarters in Anaheim, Calif., to ask for a bumper strip for his car. Little did he or I realize on that day that it was the beginning of a long friendship.

I had the good fortune of working with Steve not only that first campaign of mine for Congress in 1962, but also in 1964, 1968, and 1970. As my colleagues are aware, there are many tasks in a campaign. Steve has done them all on my behalf—from running the mimeograph to analyzing election returns.

One of my most pleasurable experiences has been watching Steve grow and mature. In 1966 I spent some time with Steve in the Philippines where he was serving with the Peace Corps. Upon his return to California, he entered graduate school. After completing work on his master's degree, he taught in the sociology department at what is now California State University at Long Beach. During 1971 he served on my Washington staff.

It has been a longstanding policy with me to use the public office I hold to encourage young people to develop an interest and take part in our political processes. Steve has been one of those young people who has made the most of the opportunity to contribute to his country and to build a constructive and worthwhile career for himself. He has merged his experience in campaigns and his experience as a congressional office employee in such a way as to make himself a better citizen and a valued employee. I am confident that Steve will be making a lifelong contribution to his country.

I have recently been informed that Steve is planning to get married in October, 1973, to Miss Beverly Lowenstein of Washington.

Mr. Speaker, I would like to take this opportunity to wish Bev, Steve, and their parents—Mr. and Mrs. Ernest Lowenstein of Baltimore and Mr. and Mrs. Joseph Dienstfrey of Laguna Hills, Calif. congratulations and mazel tov.

THE PRESIDENT PLACES THE BLAME

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. COLLIER. Mr. Speaker, blame for inflation has been put on many scapegoats—the grocer, the farmer, the landlord, the physician, the banker, and the repairman.

The real culprit, however, is none of these. Blame for higher and higher prices, higher and higher rents, and other increases in the cost of living ought to be placed on the shoulders of those who have, through the years, voted for multibillion dollar measures that inevitably led to greater budgetary deficits.

An editorial that recently appeared in the Seymour, Ind., Tribune put the blame where it belongs and deserves a wider circulation. I am therefore inserting it in the RECORD. The editorial follows:

THE PRESIDENT'S MESSAGE

Thursday night the President of the United States delivered a most unique message to the people. It dealt with the Vietnam situation, food prices and the importance of the United States in the world today. Following the talk the TV people were interested in only the Vietnam position and how this message would affect the U.S. in the world today.

In our opinion the TV critics missed the most important political first in our nation's history. Mr. Nixon's reference to increased prices directly placed the responsibility upon the federal government. He stated that the United States citizens had to make a decision of whether they wanted more services with more taxes or more inflation.

The President made it clear there was no choice. In our memory this has been the first time any political leader has stated this. Normally political figures find other scapegoats upon which to lay the blame—either business or labor—depending upon their political dependency.

Mr. Nixon, for the first time of any major political office holder, laid it on the line. What does the public want—increased taxes or increased inflation. He offered the correct alternative—sensible government spending. He has advocated this and incurred the ire of the Congress by vetoing major spending bills which will add to inflation. He has challenged Congress on this point and made it perfectly clear that the irresponsible spending of the Congress will not be tolerated.

Congress, mostly, has not seemed to have received the message. They still seem to think that we can spend, spend, spend, inflate, inflate, inflate ourselves out of any problem. They seem to refuse to accept Pres. Nixon's idea that programs which have at least 75 cents out of every tax dollar going to administrative costs and salaries, should be eliminated.

We are proud that the United States has achieved peace with honor and did not abandon our POW's and the free people of South Vietnam as the liberal doves of Congress urged. But we are more proud that Pres. Nixon has called a spade a spade and has said that inflation is permanently caused by the government spending more than the government takes in. In our recollection this is the first time a President of the United States has ever correctly blamed the federal government for inflation.

With a stable dollar, high prices by manufacturers and high rates by labor will soon be eliminated by competition. We urge you to write your Congressman and Senators very demanding letters asking that a sensible federal spending program be adopted—a program which will not add to taxes or inflation. There is no other solution.

It is your choice—you, the voters of the United States. Don't scream about the price of meat, the price of homes, the price of cars to each other—scream to the men who cause it. And the men who cause and can control it are those men you elect to the House and Senate of the United States. They are the ones who overspend and are the real villains of inflation—not the carpenter, not the auto worker, not the steelworker, not the farmer, not the manufacturer, but those in Washington who still think they can buy votes for re-election by spending more than they earn. Can you do it? Ask the collection bureaus.

U.S. PARTICIPATION IN THE U.N. ENVIRONMENT PROGRAM

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. FRASER. Mr. Speaker, last week Mrs. Patricia Rambach, international officer of the Sierra Club, made an excellent statement during hearings of my Subcommittee on International Organizations and Movements. The subcommittee held hearings on legislation to authorize U.N. participation in the U.N. environment program, including authorization for contributions to the voluntary fund for the environment. I would like to include Mrs. Rambach's statement in the RECORD so that all of the Members of the House will have an early opportunity to read it:

STATEMENT BY PATRICIA RAMBACH, INTERNATIONAL OFFICER, SIERRA CLUB, HOUSE FOREIGN AFFAIRS SUBCOMMITTEE ON INTERNATIONAL ORGANIZATIONS AND MOVEMENTS, APRIL 10, 1973

Mr. Chairman, members of the Committee, I am Patricia Rambach and I have been invited to present comments on H.R. 5696 [H.R. 6768] on behalf of the Sierra Club.

The Sierra Club, an American environmental organization, was established in 1892 for the purpose of preserving and protecting the natural resources of the United States and has a current membership of 140,000 in the United States and abroad. The activities of the Sierra Club have evolved over the years, reflecting the changing membership and the increasing concern of conservation organizations with the broader issues of environmental quality.

In 1971 the Board of Directors extended the range of Club interest beyond the borders of the United States and in April 1972 established an Office of International Environment Affairs located in New York opposite United Nations Headquarters. I am the International Officer for the Club in charge of that Office.

The Club actively followed the preparations for the U.N. Environment Conference, and presented testimony before the Secretary of State's Advisory Committee on the 1972 U.N. Conference on the Human Environment on several occasions. In our testimony then, we recommended that the United States Government support the proposal for a U.N. Environment Fund. I am here to urge this support again and the legislation that is before the committee.

As you know the proposal to establish a Voluntary Fund for the environment was introduced by President Nixon on February 8, 1972. At the time he said that if such a Fund were established he would "recommend to the Congress that the United States commit itself to provide its fair share." The United States has stated its willingness, subject to approval by Congress, to pay up to $40 million of the proposed 5-year $100 million Voluntary Fund—a small commitment for the United States.

The Advisory Committee report focused attention on the importance of establishing such a Fund and suggested that the U.S. Government support the Fund with a substantial contribution.

I attended the U.N. Conference on the Human Environment held at Stockholm from June 5-12, 1972 as a member of the Sierra Club's observer delegation. Along with many other non-governmental organizations the Sierra Club was able to witness the shaping of the Declaration of Principles and the 109 recommendations that make up the environmental Action Plan. The United States' role at the Conference was significant. By introducing the proposal for a Voluntary Fund the U.S. showed that it was serious about its concern for world environmental problems. The proposal offered a new and flexible means of additional financing for international environmental programs and provided a way for the industrialized nations of the world to back up their verbal concerns about world pollution with the means to stop it.

The United States is one of a number of highly industrialized countries that is in the unusual position of being both a pioneer in developing sound environmental standards and at the same time having a major environmental impact by virtue of our dependence on overseas resources, the extent of the pollution we create, and the extent of our international trade and investment. The Government has indicated that it is especially concerned about atmospheric and marine pollution. In order to set up effective measurement and control mechanisms to monitor air and water pollution, the assistance of international agencies will be needed to provide access to other countries. It is through the Fund that these programs will be at least partially financed. The Fund as you know is to be used for financing regional or global monitoring, assessment, and data collecting systems, and for programs the 58-member Governing Council may decide upon. It will also be used to finance wholly or in part costs of new environmental actions undertaken within the U.N. system as a means of infusing environmental concern into international programs. It may be used at times to supplement an existing program in order to complete it faster or to support a project that might not otherwise be done.

Maurice Strong, the Executive Director of the Environment Program, perhaps best described the manner in which the secretariat intends to use the Fund in his statement before the 2nd Committee of the U.N. General Assembly:

"The proposed Environment Fund is designed to support the policy and programme objectives established by governments through the Governing Council. It would help to provide the international funding required to enable agreed program activities to proceed with the greatest possible participation by national and other institutions. By using wisely the relatively modest resources of the Fund as a stimulant, a catalyst, and a supplement to other sources of funding, the new organization would be in a position to influence and facilitate the effective utilization of . . . larger sums that will be spent on the environmental activities . . . by national governments and intergovernmental and . . . nongovernmental bodies.

The U.N. Environment Program thus has two major functions: (1) to point out where environmental considerations must be added and (2) to provide support at sensitive points to ensure consideration.

The Fund was formally approved in December 1972 at the 27th U.N. General Assembly. By June 1973, the U.N. Environment Program will have received assured pledges of $6.3 million for the first year. This combined with support from the United States will be adequate to move quickly into the first year of program.

Since January the new environment secretariat has been developing a program for its first year of operation to be submitted to the first session of the Governing Council for the Environment Program in 1973. This program will outline major objectives and immediate priorities and detail specific action projects to be carried out by international agencies, governments, and non-governmental organizations, with the secretariat acting as a focal point. The secretariat will remain small for maximum flexibility and efficiency. Maurice Strong has explained that he intends to use existing facilities that have proved their effectiveness to carry out projects. There will be no need to add program staff to his office.

The U.N. Environment Program, by broadening the concept of environment to include all aspects of the quality of life—from preservation of wilderness areas to concern for squatter settlements in developing countries, from careful management of natural resources to adequate health and sanitation standards—has enlisted the cooperation and commitment of all countries of the world.

"The central theme of our age," Mr. Strong has said, "is interdependence—the interdependence of all elements which sustain life on this planet." It is an extraordinary opportunity for countries to learn to work together for common purposes. The Environment Fund provides the financial means for the United States to show its commitment to this unique effort at world cooperation. It is a first step toward developing international structures to protect the air, and sea, and land at a global level. It is truly our own best protection of our environment.

NEWARK'S ATTUCKS-KING MEMORIAL PARADE

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. RODINO. Mr. Speaker, on Sunday, April 15, in my home town of Newark, N.J., our 8th annual Attucks-King parade was celebrated. This year our gathering took on added significance, for "character building through sportsmanship" was selected as our theme and in addition to recalling the lives, achievements, hopes and dreams of Crispus Attucks, and Dr. Martin Luther King, we also set aside this time to reflect upon another man—the late Jackie Robinson.

Jackie Robinson—No. 42, second baseman for the Brooklyn Dodgers, rookie of the year in 1947, most valuable player in 1949, and in 1962, the first black member elected to baseball's Hall of Fame. And all the time, through his skill, his intelligence, his belief in himself, his determination to prove he was not only good, but the very best, he was saying, "Judge me, look at me, for my ability and my achievements, judge me for what I can do and for what I hope to attain." Jackie Robinson, who cracked the crust of bigotry in the baseball world, achieved a breakthrough which had an incalculable effect on the texture of all American life. Jackie Robinson, succeeded in breaking down the barriers that for 70 years made baseball a solely exclusive sport and made it possible for an unbroken string of black stars to enter the big leagues. Jackie Robinson—a man who remained throughout his life a tireless crusader for social and racial justice.

For this first step which Jackie Robinson took on the field of competition in 1947 demonstrated not only that the National Leagues had room for one outstanding black man but that American society was open for all men, regardless of color or creed.

So, too, did Crispus Attucks, by his presence among the early American revolutionaries, demonstrated that freedom and self-determination were to be the inherent rights of all participants in American life. Crispus Attucks, tall and heavily built, carrying only a large wooden stick stood forth as the leader for the courageous gathering of Boston citizens who defended the sentinel at the King Street Custom's House against the British that March night in 1770. Little is really known of his background and historians have been known to quibble over conflicting accounts. What is to be remembered, however, is that Crispus Attucks just seemed to arise and act upon the feelings pounding in his heart and the hearts of all our early colonists to become one of the first martyrs to stand forth for the cause of American liberty. What is to be remembered is that in fighting for justice and freedom, all men work together as a team and are judged by their ability, their accomplishments, and their success.

John Boyle O'Reilly, in dedicating a poem to Crispus Attucks, called upon all of us and asked:

> Have we learned through affliction's teaching what our Crispus Attucks knew,
> When right is stricken, the white and the black are counted as one, not two?
> And so we must come to the learning of Boston's lesson today.
> The moral that Crispus Attucks taught in the old heroic way,
> God made mankind to be one in blood, and one in spirit and thought;
> And so great a boon, by a brave man's death, is never dearly bought.

And Dr. Martin Luther King, could not he have easily stated these words, almost two centuries later, "When right is stricken, the white and black, are counted as one, not two?" Martin Luther King stood as a symbol above color for the imperishable rights of us all. He held a dream for the black, and this same dream for the poor and the disadvantaged, and this same dream still for peace for his country for men at home and abroad.

He said:

> It is the need for men to overcome oppression and violence without resorting to violence and oppression.

Martin Luther King—whose militant nonviolence accomplished more in his short lifetime in bridging the gap of fear and misunderstanding than all the violence of the racists, black or white. He made us aware that the better angels of our nature can dominate the struggle of the United States and her people. And the dream of true equality of rights and opportunity for all men is nearer today because in our lifetime there lived a Martin Luther King.

Thus, we can take that baseball field in which Jackie Robinson played and we can do many things to it. We can fence it in. We can build the highest of walls around it and cut if off from the outside world. We can forget to cut its grass and clean its stands and let it remain neglected in years to come. Or, we can open up its doors and build the very best of teams, with the most qualified and the most skillful of players, let us all join together and take the latter course. For I believe, in so doing, we can accomplish a great deal.

Among the numerous officials who were present last Sunday, I was particularly pleased that my distinguished colleague and friend, the Hon. CHARLES RANGEL, was our keynote speaker. I would very much like to share his words with you at this time:

> Ladies and gentlemen of Newark, New Jersey I thank you for the opportunity to be with you as we commemorate the death of Crispus Attucks, Dr. Martin Luther King and Jackie Robinson. I am certain that you could include many more on this list of fallen heroes, the late Adam Clayton Powell and Malcolm X come immediately to mind, but there are a host of others who we remember and honor here today.

The newspapers have focused their attention upon the community unity demonstrated in this historic parade on this beautiful day, and it is right that the emphasis be on the common goals that the people of Newark share.

We in Central Harlem, which is just across the river, and our brothers in Bedford-Stuyvesant, South Bronx, in St. Louis, Chicago, Detroit and all the major metropolitan areas of this country have suffered the same common prejudices which are part of the history of the city of Newark. The question is whether or not we will allow the past to determine the future for us, to drag us down to the level of our basest emotions so that our cities literally fall apart from the internal stress of group against group, race against race and person against person, or whether or not the good people will stand forward and protest this trend towards self-destruction and come together in a joint effort to rebuild our cities.

I am confident that under the present leadership of your Mayor Kenneth Gibson and the Congressional leadership of my colleague Peter Rodino, the bad past we have shared will give way to a future of hope and constructive change.

We have leaders that will make a contribution towards making the dreams of our fallen heroes, Crispus Attucks, King and Robinson become a reality. Education, job opportunities, housing and the well-being of our citizens have to be some of our vital concerns so that together we can seek a better life for ourselves and better opportunities for our children.

SELF-HELP AND SENIOR CITIZENS

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. ZABLOCKI. Mr. Speaker, in our complex and bureaucratic modern society, individual and group efforts based primarily or solely on voluntary nonsubsidized and self-help motivations are regrettably becoming more uncommon.

Therefore, Mr. Speaker, it is with pleasure I call your attention to a recently activated group of senior citizens in the Milwaukee area who have organized the Society of Retired Catholic Persons, with the purpose of helping themselves by taking advantage of benefits available through the power of group purchasing. The group, originally organized and headquartered in Milwaukee, Wis., also has societies established in other States and is aiming to become an active national organization serving the elderly. State charter enrollments have already been established in the States of Florida, Pennsylvania, Minnesota, Michigan, Illinois, Louisiana, Kentucky, New Jersey, and New York.

Through the use of organized action and group purchasing power, the society is helping Catholic senior citizens qualify for needed services, especially in the areas of hospital, life, and auto insurance. For instance, the society has secured adequate hospital insurance at a lower cost for their individual members than similar insurance would cost the individual arranging for his own private purchase. The price of hospital insurance for a couple under a private plan would be $360 annually, while comparable insurance under the group plan sponsored by the society costs slightly more than $100 a year.

Another example of useful service the society offers to its members is a catalog of non-prescription drugs, prepared and published by the society; a bottle of vitamins which previously cost the individual purchaser $5.87 is available to members of the society for $2.75.

As the membership increases and the society is able to proportionately increase its group purchasing power, the society plans to offer additional benefits and services such as low cost tours offering members a wider diversity of activities now unavailable.

To date, Mr. Speaker, the Society of Retired Catholic Persons has more than 1,700 members, obtained primarily on a word-of-mouth publicity campaign. I commend the society for their efforts thus far and wish them every success in their self-help efforts to assist needy fellow senior citizens.

THE PRESIDENT'S PRESS CORPS QUESTIONS "PEACE WITH HONOR"

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. LEGGETT. Mr. Speaker, since the announcement of the Vietnam peace agreement in January most of the journalists that supported the President's policy all along continued to mouth the administration line. We were told that the Vietnam agreement assured "peace with honor," despite the fact that a realistic reading of the document indicated that it assured nothing of the kind.

Now that our POW's have been returned, however, these same journalists are spouting a different line. In an uncommon fit of honesty William Randolph Hearst, Jr., declared on April 1 that:

> While it is true that the U.S. has achieved its own "peace with honor," it would appear that both North and South Vietnam—far from desiring a real peace—have never expected to stop fighting each other.

Columnist Stewart Alsop echoed Mr. Hearst's assessment on April 9 when he declared that:

> He (the President) has endlessly reiterated that the settlement in Vietnam, a major achievement for which he deserves much credit, is "peace with honor." It is not peace, and he will be left vulnerable when it becomes clear that it is not peace.

Mr. Speaker, I commend these men for their perceptive analysis of the Vietnam accords. As I have stated before, the Vietnam accords are being billed as something that they are not. They did succeed in freeing our POW's, and in ending a large part of our involvement in Vietnam, which is no small task. The Vietnam agreements did not succeed in achieving peace, nor, as we have seen from our continued involvement in Cambodia, have they insured the complete extrication of the United States from Indochina.

I am pleased that Mr. Hearst and Mr. Alsop have chosen to speak out on the obvious deficiencies in the Vietnam agreements, and I insert their two articles in the Record for the benefit of my colleagues.

The articles follow:

Peace With Honor

(By William Randolph Hearst, Jr.)

New York.—Now that the last of our prisoners and fighting men finally have returned home from Vietnam, today seems an appropriate time to pause in our elation to consider what has been accomplished and—more particularly—what may happen next in that war-ravaged land.

President Nixon, in his eloquent televised speech to the nation on Thursday night, outlined with justified pride what he and the nation have done in the last four years of our 12-year military involvement.

He pointed out, properly, that despite all the frustrating handicaps imposed by his enemy-aiding critics, he has succeeded in his personal vow to withdraw our forces peaceably and with their honor intact.

Far more significant, as he noted, is the fact that the ceasefire reached between the United States and the Communist invaders marked fulfillment of an idealistic commitment which no other nation on earth would have honored at such a cost to itself.

"We have prevented the imposition of a Communist government by force on South Vietnam," he said. "Never have men served with greater devotion abroad with less apparent support at home."

All of which is true. The U.S. has indeed achieved the "peace with honor" sought for so long by the President—a formal peace agreement obtained after halting the mass invasion of a helpless country and leaving that country with all the training and military hardware it needs to protect itself.

Unfortunately, as the President himself was forced to add, what we have seems to be a peace whose terms have been lived up to in general by the enemy only so far as our prisoners are concerned.

It is a peace signed by an enemy to whom the concept of national honor has little meaning, men who regard power as all important and treaties as mere tools in diplomatic maneuvering for eventual achievement of their real goals.

Even more unfortunately, these same conditions and attitudes seem to prevail in the government of the country for which we have sacrificed so much.

It is this combination of facts—and the little understood reasons for them—that call for more understanding if we are not to be disillusioned by possible future events.

Now I certainly don't want to throw away any cold water on the situation, or our part in it. We went into this thing to assure the right of a long-suffering people to choose their own government without outside interference—and we were true to our word, to our everlasting credit.

An enormously complicating factor, however, is the extreme cultural gap which exists between Western societies and the rest of the world—a gap so large that one group frequently doesn't really understand what the other means though he understands his words.

We have all noted, for example, how Communists refer to enslavement as "liberation," or their dictatorship as a "peoples democracy." What is less known is that our Christian ideals of inviolable international law and organization have no basic validity for leaders who consider the conference table as the extension of a battlefield—or for people whose sole idea of good government is the one which interferes not at all in their lives.

This point is touched upon in a fascinating new book, "The Storm Has Many Eyes," written by my long-time friend, Henry Cabot Lodge, who was our ambassador to Saigon in 1963–64, and again in 1965–67. Here is how he explains many common misconceptions about Vietnam:

"My view (as ambassador) was that the people of South Vietnam had a right to exist independently of North Vietnam . . . (but) the North wanted to conquer the South. I thought from the beginning that an exclusively military solution to the problem was impossible.

"It is important never to forget that South Vietnam is a land without a Western democratic tradition. It did not occur to most Vietnamese that an election was a good way to decide an important problem. The Confucianist tradition, founded on the idea of respect for the ruler, holds that a ruler stays in office and gets respect as long as he deserves it. In their tradition, a coup was the acceptable way to get a change.

"North Vietnam, on the other hand, under Chinese and Russian influence, had become an efficiently authoritarian police state in modern dress, governed with iron control by a small group of determined men. About the only thing in common, governmentally speaking, is that neither Vietnam is a Western democracy."

For a fuller explanation of what this can and has meant to us your attention is called to certain perceptive writings I have been reading recently by Mrs. Adda B. Bozeman, who is Professor of International Relations at Sarah Lawrence College and one of the most brilliant women I have ever had the privilege of knowing.

The main thrust of a paper written by Dr. Bozeman entitled "Law and Foreign Policy" is that the concept of law as held by Western culture is virtually unknown in cultures motivated by such principles as religion, local ethics, social traditions or political forces which use law for its protection, not its people.

"Law," she writes, "is not uniformly accepted in the multicultural modern world whether as a major value, a basic norm, or a symbolic language. It ought not to be viewed (by us) as a mainstay of foreign policy-making."

In other words, don't assume that everyone means the same thing by signing a piece of paper, or that you can apply your laws to them and expect it to mean anything.

In one of her many books, entitled "The Future of Law in a Multicultural World," Dr. Bozeman explores this subject at great length. Only a very few pertinent quotes can be reproduced here:

"The convergence of Asian traditions of state-craft on the idea that politics is war and diplomacy the art of deliberate make-believe or deceit is amply documented.

"The records of the present and the past do not suggest that law will be the basic principle of political organization in Southeast Asia, or that peace and respect for the territorial integrity of states will be dominant ideals. Conflict is a way of life there, perhaps even a major principle of organization.

"There is false sense of moral unity in the Western disposition to identify meaningful accords with firm contractual commitments. This is likely to be illusory, firstly because this form of obligation is not a transculturally valid norm, and secondly because it is more difficult today than it was in an exclusively Occidental state system to know just what sovereignty and independence mean, and how credible and durable any accord is likely to be.

"Under the impact of these developments, war and peace can no longer be viewed as polarized, mutually exclusive conditions. Indeed, the most that can be said of peace today—whether contemplated as a concept or as a political reality—is that it denotes a situation where conflict is controlled."

The quotes which have been offered here on what could be called the conflict between "law" and "lore" are certainly revealing when applied to the situation in Vietnam.

While it is true that the U.S. has achieved its own "peace with honor," it would appear that both North and South Vietnam—far from desiring a real peace—have never expected to stop fighting each other.

I don't want to sound like a pessimist. It is, after all, POSSIBLE that they really have decided to settle their differences political rather than militarily. But it seems increasingly doubtful.

President Nixon, meanwhile, has warned that he will take drastic steps to insure that Hanoi doesn't go too far in its illegal infiltration of the South.

This presumably would mean resumption of a congressional challenge of his power to do so. I earnestly hope they don't provoke him, as he has shown that he doesn't make a threat lightly.

However, the American people have had it up to here with Vietnam.

OUR SUPEREROGATORY PRESIDENT

(By Stewart Alsop)

WASHINGTON.—The word "Watergate" has become a portmanteau word for all the rascally shenanigans indulged in by supporters of President Nixon, supposedly in the interests of re-electing him. A lot of details about the grubby affair are being uncovered, and there are more to come, but two mysteries remain.

The first mystery is this: as Nixon himself told a reporter before the election, as soon as it was clear that George McGovern would be the Democratic candidate, it was also clear that Nixon would win, and big. So how could any sane person suppose that it was to the President's advantage to bug Larry O'Brien's office, to pay college kids to work as spies in the McGovern headquarters, and the like?

The second mystery is this: from the beginning, the Nixon campaign managers had money coming out of their ears, their eyeballs and every other mentionable orifice. So how could any sane person suppose that it was to the President's advantage to cut legal corners, to take large sums from suspected crooks or to cart great mounds of cash around in suitcases?

It may be that there are no sensible answers to these questions, except that seemingly sane people sometimes act in an insane way. And yet it is interesting to speculate about the answers. The place to start is with the President himself. It seems safe to assume that the President had no detailed knowledge, and more probably no knowledge at all, of what was going on.

OBVIOUS

Mr. Nixon is not at all a fool. It therefore seems obvious that if he had known about the bugging, the money washing, and all the other hanky-panky, he would have recognized the danger instantly, and put a stop to it.

And yet the President sets the tone of his Administration, as an experienced hostess sets the tone of her party. The President has, and always has had, one unvarying characteristic—an almost ungovernable impulse to indulge in supererogation. He has a compulsion to go too far, to try too hard, to press, as the athletes say, when he ought to hang loose.

In the 1934 Whittier College year-book, there is an easily recognizable photograph of a skinny football player with a ski-jump nose and a do-or-die expression. Nixon was, by all accounts, a terrible football player—he was used as a sort of animated tackling bag by the better players, and he hardly ever got into a game. When he did, a football lineman who was a Nixon classmate once told me: "I always braced myself for those 5-yard penalties. Dick was so eager he'd be offside just about every play."

HALLMARK

The supererogatory impulse that took the young Nixon off side just about every play has been a hallmark of the President's career. The "old Nixon" was given to rather sleazy debating tricks ("Isn't it wonderful, finally, to have a Secretary of State who isn't taken in by the Communists?"). This sort of thing was not worth a vote to him—in fact, the memory of the "old Nixon" probably elected John Kennedy in 1960. So the things the President said and did in the "rocking, socking" campaigns of his youth seem less a matter of cool calculation than of impulse, of some inner necessity.

These days, the supererogatory impulse takes a somewhat different form. It has repeatedly led him to go too far, to exaggerate each achievement in such a way as to leave him vulnerable later. He called the Apollo 11 flight "the greatest week in the history of the world since the Creation." This irked his friend Billy Graham and other churchmen, since it rather downgraded the birth of Christ.

He called the Smithsonian agreement (which subsequently collapsed) "the most significant monetary agreement in the history of the world." He has endlessly reiterated that the settlement in Vietnam, a major achievement for which he deserves much credit, is "peace with honor." It is not peace, and he will be left vulnerable when it becomes clear that it is not peace.

A President with a supererogatory impulse attracts around him people with a similar impulse to overdo, to press, to indulge in the superfluous. Charles Colson cannot have helped much with the grandmother vote, when he said that "I would walk over my grandmother if necessary" to insure Nixon's re-election, but the remark was typical enough of a lot of over-eager young men in the Nixon entourage.

"In the campaign, there were maybe a couple of hundred young guys in the White House or near it you and I never heard of," says a Republican Senator. "They'd all walk over their grandmothers to elect Nixon, and most of them think a liberal Democrat is next thing to a Communist."

The "couple of hundred young guys" were strictly political amateurs, like the bell-bottomed McGovern youths, initially hailed as geniuses by the gullible press. Like McGovern's bellbottoms, Nixon's button-downs were essentially ideologues, with the tunnel vision that always leads ideologues to muck things up.

President Nixon has always had curiously few true political pros in his inner circle. In campaign time, the only pro fairly close to the throne was Clark MacGregor, who wisely but futilely argued for a policy of lancing the Watergate boil by indignant full disclosure right away.

AMATEURS

The other old hands were amateurs. Like many men with long faces who smoke pipes and grunt a lot, John Mitchell acquired a reputation for political shrewdness, but the only thing he did to earn it was to follow his wife's advice to get away from "all those dirty things that go on." Maurice Stans is undeniably expert at squeezing the fat cats, but he squeezed them in such a way as to cause maximum embarrassment to his principle.

Add to the supererogatory impulse and political amateurishness a dash of Walter Mittyism—it is clear that some of the CREEP types who went in for bugging telephones and lugging cash around in suitcases had been watching too much private-eye television—and you have a recipe for disaster. One wonders if the President realizes just how disastrous it may be to his prestige and authority when the Sam Ervin show hits the television screens.

There is a sadness here. President Nixon is an intelligent, able, hard-working man who, as Walter Lippmann said recently, has "done pretty well" at playing a "disagreeable role . . . imposed upon him by historical necessity." In some ways, he has done better than that. The extrication from Vietnam, the détente with the Communist powers, were great achievements. Yet the big things he has done may all be obscured by a silly, tawdry and purposeless exercise in political supererogation.

DIMMING THE LAMPS OF LEARNING

HON. FRANK J. BRASCO

IN THE HOUSE OF REPRESENTATIVES

OF NEW YORK

Wednesday, April 18, 1973

Mr. BRASCO. Mr. Speaker, of late I am getting a distinct feeling that our Nation is quick-stepping to the rear insofar as vital social progress is concerned. No sooner does one vital social program stumble and fall because of a quick stabbing hamstring cut by the Office of Management and Budget, than another crashes to earth.

In education and health, we are witnessing the disastrous dismantling of 40 years of social advancement. Programs long considered sacrosanct are being crippled with satisfaction by this President.

Federal aid to handicapped citizens was not only vetoed, but when that veto was sustained, the President noted it with great satisfaction and even threw a party at the White House for those noble souls who cut off Federal aid to 12 million handicapped Americans.

No more hospital building. No more aid to impacted area schools. No more community mental health centers. And now, no more libraries will receive Federal aid funding.

Millions upon millions of our people owe their major advancement in life to free libraries. Untold numbers of immigrants found the key to the locked doors blocking them as a result of the gift of knowledge available through our free library system. Now the President proposes to end Federal aid to this network of institutions. No worse shame can darken the brow of our Nation. No greater confession of moral and intellectual bankruptcy could be proclaimed. No more selfish, unfeeling act has been forthcoming from this administration, which seems to specialize in such actions.

For 1974, the Library Services and Construction Act is slated to receive zero funding. This applies to library programs under the Elementary and Secondary Education Act and the Higher Education Act.

Simultaneously, however, this President piously proclaims National Library Week. Hark to his message to America's librarians:

> An efficient and readily accessible library system is essential to the Republic.

How nice of him to tell us.

Here is how funding cuts will affect us. There are two major kinds of impact. First, innovations reaching the poor and previously unreached will be eliminated. This means storefront branches and bookmobiles. Second, much of the entire attempt to reach the deprived will wither. This includes the blind, physically handicapped, homebound, hospital patients and people in prisons. Few will maintain access to library resources as a result of the cuts. The White House mumbles on about revenue sharing taking up the slack. That, it seems, is its standard answer to anguished protests greeting its massive surgeries on domestic programs. Yet there are some who remember that when revenue sharing was offered, it was pointed out that the concept was not offered as a substitute for already existing, functioning program. So much for veracity.

The administration says Federal aid to library programs have been notably successful. Therefore, runs its rather convoluted logic, such programs should be terminated forthwith. This is the same overpowering reasoning employed on ending aid to community mental health centers. Either way, the American people lose.

Here are some facts for Americans to ponder: For the final 6 months of last year, the University of Michigan library was unable to buy any books. Nearly 40 percent of U.S. elementary schools lack libraries. In some States as many as 95 percent of elementary schools have no libraries. Twenty million Americans live in neighborhoods where no library exists.

The American Library Association has begun to fight back. On May 8, libraries across America will dim their lights in symbolic protest against the President's action.

What is at stake here is the precious right of the public to know. Millions of citizens use these libraries for a wide variety of access to what is being said across the Nation and around the world. Periodicals in libraries are accessible to people who ordinarily would not be able to afford or otherwise read them.

But then, much of this administration's stock in trade is restricting the right to know of both the public and the Congress.

Administration mouthpieces and flacks blather on that all cuts are being made in the name of saving public money. Why do we pay taxes? For certain essential services. Among them is the right to be informed and to be enlightened by publicly supported institutions such as libraries, which have proven their worth again and again in generation after generation. This administration, embracing secrecy as an article of faith and self-preservation, is doing more than burning books. It is smothering information.

However, this administration has set several precedents for all this, so we should not be all that surprised.

The handicapped have already been advised to shift for themselves. Now the blind, and others dependent upon libraries, are told to do the same.

Only congressional action can save this program. Only leadership and determination on the part of Congress can prevent the lamp of learning from being dimmed across the land.

AMERICAN HERITAGE

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. LANDGREBE. Mr. Speaker, I wish to bring to the attention of my colleagues a unique educational venture which is available to students in Indiana which I believe has some merit as we attempt to give our young people a heritage of which they can be proud.

The Imperial Equipment Corp., of Lafayette, Ind., has brought some 11,000 Hoosier students to Washington, D.C., since February of 1970. Through well-planned, 1-day field trips to the Nation's Capital, these students are exposed to the scientific, governmental, and historical background of our great Nation.

At a nominal cost, these young people are exposed to much of the heritage of which we Americans have come to be so proud.

It is my wish that everyone in America would someday be able to visit their Nation's Capital and other historic places which have meant so much in making America the greatest country in the world. I believe that Imperial educational programs has come forward with a way in which that wish may someday come true.

INCREASE FEDERAL GAS TAX TO SET UP A FUND FOR MASS TRANSIT

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. BOB WILSON. Mr. Speaker, as one who has been an enthusiastic supporter of the highway trust fund and an original endorser of the Federal Highway Act which set up this unique method of financing and constructing a true Interstate Highway System, I have been concerned by the attempts of the advocates of mass transportation to violate the original concept of the fund for the purpose of financing much-needed urban transit systems.

As long as there are unfinished portions of the Interstate System it does not make sense to me to dilute the fund for other uses. It is true that the number of automobiles has more than doubled and the gasoline tax receipts are more than originally conceived when the plan was put into effect back in the 1950's but it is also true that despite the balance of dollars that have come into the trust fund there are incomplete links that keep the system from being truly effective. Two such relatively short missing links are in San Diego County and this is the reason for my personal concern.

If a priority can be put on the completion of the network of highways I am inclined to vote for the Anderson/Grover amendment which the administration supports and which gives a modicum of relief to the badly congested urban areas.

I do believe the most logical answer, however, is an increase in the Federal gas tax to set up a fund especially for mass transit. We have seen in recent years the establishment of an airport development fund and there is no reason why such a financing system should not be worked out for mass transit. In addition to gasoline taxes an override on subway and urban rail transportation systems should also be levied as a means of correcting this increasingly horrendous problem of transportation congestion in our cities. An article in the Los Angeles Times of April 16, authored by A. Alan Post, a distinguished California legislative analyst suggests a means of producing the revenue to alleviate the pollution and congestion that are the twin plagues of our urban freeway systems.

I include Mr. Post's thoughtful article as a portion of my remarks:

Fastest Route to Clean Air: Higher Gas Tax To Turn Car Drivers Into Bus Riders

(By A. Alan Post)

The Los Angeles air pollution problem calls for a rather immediate solution. I don't think anybody questions that.

The only way a reasonable, immediate solution can be developed is to approach the problem in terms of "what is now"—that is, making do with what we have—as opposed to thinking about the ideal public transportation system.

If we are going to use public transportation as a tool to discourage the use of the automobile and thus reduce pollution in Los Angeles, we must in the short run talk about buses and deploying them for a more efficient use of our freeway and street system.

While a rail rapid transit system may, conceivably, be the best long-term mass transit solution, it is just that—a long-term solution. The hard facts are that if everyone agreed today that a rail transit system should be constructed, a short-term solution would still be needed because of the seven to ten years that would be required to build it.

So how do we go about making the most efficient use of what we have?

We must, first and foremost, create the desire to use mass transit. The most likely group of automobile users who would, under certain conditions, switch from the car to public transportation are persons who commute to work.

This group is not only the most important because of numbers but because it is responsible for the greatest concentrated travel and, therefore, is the producer of the highest concentration of vehicle emissions. In addition, as a practical matter, no major expansion of a public transit system can be successful unless the commuter market is penetrated.

Obviously, a solution calls for more than simply purchasing more buses to move more people. Transportation studies invariably cite the same factors as determinants when people are deciding among modes of travel. When an alternative to the auto exists, prime variables that travelers consider in arriving at a decision are cost, travel time and comfort.

Initially, cost would seem to be the most effective tool for discouraging automobile use and inducing use of public transportation. Thus, in order to change travel patterns in the Los Angeles Basin, various economic incentives could be instituted. The sales tax on gasoline could be increased, graduated weight fees could be imposed on cars, and license and parking fees could be raised.

However, studies also show that the desire to use the car is highly inelastic and that most of these taxes, especially if used alone, would not be very effective in discouraging auto travel.

On the other hand, transportation studies indicate that a reduction in travel time, particularly as it pertains to the commuter, seems to offer the greatest incentive for switching from the automobile to public transportation. This is especially true when shorter travel time is linked to a cost disincentive for automobile users.

Based on these factors and assumptions, I would like to suggest an approach using a combination of disincentives to offset the continued reliance on the automobile coupled with a corresponding set of incentives to encourage the use of public transportation.

I propose an increase in the sales tax on gasoline within the counties of the Los Angeles Air Basin. The added tax revenue would be utilized to expand the present bus transit system—essentially that of the Southern California Rapid Transit District. In addition, I urge a more effective utilization of the present 700-mile freeway system by designating high-speed freeway lanes in selected areas during peak travel hours for exclusive use by buses.

It is astonishing to me that a system of special bus lanes has not already been instituted. In 1969, the Legislature authorized the Department of Public Works to provide for preferential or exclusive use of freeway lanes for public transportation. While the department does not bear the full responsibility for not implementing the legislation, what it has chosen to do in constructing the 11-mile El Monte-to-Los Angeles Busway must be termed a marginal effort.

Many experts claim that the busway, which is physically separated from the rest of the freeway, is simply not long enough to bring about a significant change in use patterns. They also believe that physically separate busways have a built-in disadvantage as a solution to the immediate air pollution problem in that time is required for construction. By contrast, the use of existing highway lanes for buses has the advantage of economy and immediate availability.

If gasoline were made more expensive by an increase in the sales tax, most automobile users would simply accept the higher cost and continue to shun public transportation. However, by using high-speed freeway lanes, buses would develop a clear travel time advantage over the private auto, and those persons continuing to drive their cars would realize no advantage for the added cost and, in addition, would suffer a predictable disadvantage relative to the bus—in part because the automobile capacity of our freeways would be effectively reduced.

At present, the seven transit organizations in the basin have a combined fleet of approximately 1,800 buses. The largest system, the Southern California Rapid Transit District, has more than 1,500 buses.

The RTD has broadly projected that a system developed around preferential bus lanes would require 5,000 to 8,000 new buses. (The system I contemplate may eventually require even more vehicles.) For 8,000 buses the capital cost would be approximately $360 million, which could easily be financed by a gasoline sales tax increase.

I can only generalize as to the amount of a tax increase until precisely defined estimates of the cost of the program are determined. However, a 15% per gallon sales tax on gasoline in the Los Angeles Air Basin would generate approximately $281 million per year, which would be sufficient since the capital cost of $360 million for purchasing 8,000 buses would be expended over approximately two years because of the manufacturing time involved.

RTD is currently subsidized at a rate of approximately 34% of operating expenses, with the funds being raised by the 0.25% added to the general sales tax and earmarked for transportation. If 8,000 buses were added to the system, an additional $156 million per year would be necessary under the current levels of subsidy. Since an increase in the sales tax on gasoline would particularly affect low-income groups, various levels of additional operating subsidies should be considered.

No estimate can be given at this time for the cost of constructing on and off ramps along freeways for buses. However, the latter cost would be flexible, given the fact that buses could begin to operate immediately on existing freeway facilities.

I appreciate that a major increase in gasoline prices by imposing higher sales taxes would have a rationing effect that would not be acceptable to many people, yet I would not have suggested it if I did not think that this method would be less disruptive and more effective than quantity rationing of gasoline.

The approach I suggest is flexible. There is little doubt that it is economically possible to impose sufficient taxes on gasoline to produce a reasonable reduction in driving. Thus, the consequences would be similar to quantity rationing.

But whether as a rationing device or as a disincentive, another result of a higher sales tax would be to produce the funds for public transit in lieu of the automobile. The tax could be adjusted in the future to compensate for, or recognize changing public attitudes toward, the use of automobiles in the basin.

Obviously, not everyone who desires to use public transit would be able to use it because of the complex and scattered travel patterns in the Los Angeles area. This is a critical aspect of the problem. Some people may suffer inconvenience, some may use car pooling in public transit does not meet their needs, and some simply may be unable to commute or travel as much as they do now.

This is a real cost that has to be balanced against better air quality, and also is the reason for doing everything possible to provide good quality, convenient and speedy public transportation.

Yet some residents may still have such serious transportation problems that they will have to make decisions about changing their living places or jobs. As I see it, this is the impact of vehicle emission controls on land use—an increasing number of people must think about travel distances and mobility problems when selecting places to live and to work.

Such a long-term adjustment, would, I hope, cause more people to make decisions that reduce rather than increase their travel—while still maintaining as nearly as possible the quality of life that they want.

Eventually the result should be higher land use densities around centers of employment, increased availability of public transit and decreased propensity to scatter the location of schools, shopping centers, businesses and public facilities.

The foregoing is an approach rather than a program. It attempts to deal with people's attitudes and ways of life—critical factors that cannot be quantified in calculating oxidant values.

This approach is realistic, I believe, in that it puts into perspective the broad range of economic, regulatory and other considerations that confront any effort to attain the goal we all seek: a major improvement in the air quality of Los Angeles.

COPERNICUS AND THE CHANGING WORLD—A NEW EDITION

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. ANNUNZIO. Mr. Speaker, Dr. Edward C. Rozanski, general chairman of the Copernicus Observance Committee for Illinois, has brought to my attention a fine publication and excellent reference source on the life of Mikolaj Kopernik titled "Copernicus and the Changing World." This account of the life and background of Copernicus, whose 500th birthday the world is celebrating this year, is told with great sensitivity, and should appeal to a wide group of readers.

At this point in the Record I wish to insert an introduction by Dr. Rozanski regarding the conception of this publication. His statement follows:

> Since its inception, the Mikolaj Kopernik—Copernicus — Quincentennial Observance Committee of Illinois decided that the occasion called for a program of historical publications. That program was formulated with the advice of a committee headed by Mitchell Kobelinski, President of the Illinois Division, Polish American Congress. We are grateful to the Polish Institute of Arts and Sciences in America, Canadian Branch at McGill University and to Prof. Tadeusz Romer, Director of the Canadian Branch for making this edition possible in the United States.
>
> Wanda M. Stachiewicz has placed us all in her debt for an outstanding monograph depicting the life and works of Mikolaj Kopernik, the great Polish astronomer, founder of modern astronomy and author of "De revolutionibus orbium coelestium."
>
> Mikolaj Kopernik—Copernicus—represents one of the most brilliant minds of the Renaissance. We hope that this monograph will reach as wide a readership as it deserves.
>
> Edward C. Rozanski,
> *General Chairman.*

UNLIMITED TRADE AUTHORITY CAN BE A TWO-EDGED SWORD

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. EVINS of Tennessee. Mr. Speaker, a Nashville newspaper, the Tennessean, recently published an editorial concerning the request by the President for new discretionary powers with respect to international trade.

Because of the tremendous interest in this subject by my colleagues and the American people, I place the editorial in the Record herewith.

The editorial follows:

Unlimited Trade Authority Can Be a Two-Edged Sword

> The President's trade measure is as sweeping as predictions had indicated. He wants unrestricted power to do as he likes in the arena of international trade.
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> That might not be so bad if the Congress and the American people had any idea of how he would use such enormous power. Mr. Nixon has often spoken in ways that would lead one to believe he is for free trade and against any kind of economic isolationism.
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> But the President has a record of major flip-flops on positions. At one time he was against any immediate moves to improve relations with Communist China. At one time, he was staunchly opposed to controls on the economy. He steadfastly criticized budget deficits among other things.
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> Nobody can say with certainty that Mr. Nixon won't be as fully committed to protectionism tomorrow as he seems to be in favor of free trade today.
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> The legislation he is asking is in part ambiguous.
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> There is something for both sides. The thrust of the message is one of favoring free trade, but it also contains provisions for instant protectionism, almost at the whim of the chief executive.
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> The proposed legislation would give "most favored nation" status to the Soviet Union and China, putting their exports to this country in a competitive position with products of free world nations entering the U.S. market.
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> It would give the administration power to decide when a trading nation appeared to be discriminating against American goods, and to retaliate with temporary higher tariffs or quota restrictions against products of that country. At present such retaliation can only be imposed against a country which is violating international trade agreements.
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> The danger here, if that power were not used wisely, would be in setting off an old-fashioned trade war, or the use of "dollar diplomacy" to force other nations to do what the U.S. wants. In either case, the results could be damaging to the United States economically and diplomatically.
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> There are problems of trade discrimination against the U.S.
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> There are instances in which the administration needs a bargaining lever to negotiate an end to unfair treatment of American goods. Obviously, some of the bargaining has to be rather tough.
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> But the Congress should be extremely wary of handing over to this—or any—administration unlimited and unchecked power to deal with the flow of commerce in the world. It should not shackle the President's hands, but it should build into any trade legislation enough safety valves to prevent the country from plunging into a self-destructive course of action without means of escape.

RETIREMENT OF DR. ROGER CONANT

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. EILBERG. Mr. Speaker, Dr. Roger Conant, director of the Philadelphia Zoological Garden and who has been affiliated with the zoo for nearly 38 years, will retire May 31 to join the faculty of the University of New Mexico in Albuquerque. His place will be taken by Ronald T. Reuther who is currently serving as director of the San Francisco Zoo.

In announcing the pending change in the zoo's top position, John G. Williams, president of the Zoological Society of Philadelphia, stated, "We are sorry indeed to lose Dr. Conant. His career has been long and distinguished, and thousands of persons think of him as "Mr. Zoo." He has asked for an early retirement in order to resume his scientific studies with reptiles and amphibians, and we have reluctantly complied with his request."

Dr. Conant joined the zoo on July 1, 1935, as curator of reptiles, a title he still holds. He soon also became public relations director and played a large part in the building up the attendance from fewer than 300,000 visitors a year to the well over a million of the past seven seasons. He was named director of the zoo on January 1, 1967, when he succeeded Freeman M. Shelly.

Many residents of the Philadelphia area remember Dr. Conant for his numerous television appearances and for the "Let's Visit the Zoo" radio program he personally conducted for nearly 34 years.

Less well known to the general public is his scientific output, which has included 3 books and more than 150 papers, he is widely recognized as one of the country's leading herpetologists.

Dr. Conant played a major role in developing the new naturalistic techniques at the zoo in which the animals live in areas resembling their native habitats. During his regime the hummingbird exhibit and the reptile house were completed, the wolf woods will open in the spring, and work is now underway on an African plains exhibit that he conceived and which was enthusiastically supported by the zoo's board of directors. He personally, in collaboration with the architects, designed the reptile house. He is particularly proud of the zoo's new educational program, which recently was inaugurated with the aid of a professional teacher, supplied by the school district of Philadelphia, and with the support of the Docent Council, a group of volunteers who are taking children on tours of the zoo.

SUPPORT FOR MASON NECK

HON. STANFORD E. PARRIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. PARRIS. Mr. Speaker, because of planned budget cuts by the Department of the Interior, the Mason Neck Wildlife Refuge located in my district, is losing its last full-time employee. The resident manager's job at the refuge has been eliminated and the employee now holding that position is being transferred. Mason Neck, according to Department of the Interior officials, will now be under the control of the Blackwater National Wildlife Refuge, which is more than 60 miles away on the other side of Chesapeake Bay.

This action has caused great concern among my constituents, because Mason Neck is the only national refuge for bald eagles and one of the few nesting areas for eagles on the east coast. At present there are two mating pairs of eagles at Mason Neck, but without the protection of the Department of the Interior their future is uncertain.

The Virginia Sentinel recently wrote an editorial on the growing concern about this situation and I would today like to insert that article in the Record:

Save Mason Neck From Interior

> The Fairfax Board of Supervisors this week voted to opposed a budget cutback by the U.S. Department of the Interior which is leaving the Mason Neck National Wildlife Refuge bereft of daily supervision.
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> We join the Board in its concern.
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> The 904 acre refuge is the first and only one for the Great Bald Eagle, symbol of this country. It is on a peninsula whose indigenous flora and fauna are fast disappearing in other areas of the East Coast.
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> The Board position was spearheaded by Mt. Vernon Supervisor Herbert E. Harris II, and he phrased the problem succinctly in a letter to Interior Secretary Rogers C. B. Morton. We quote:
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> ". . . this action would have the immediate effect of closing the refuge and the long term prospect of destroying it forever.
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> "As I am certain you are well aware, the 904 acre Mason Neck National Wildlife Refuge is the first and only refuge for the Great Bald Eagle. It was established in 1969, under the provisions of the Endangered Species Act of 1966. The preservation of this emblem of our great nation in its nesting habitat,

just 15 miles from the District of Columbia, as well as the protection of the valuable flora and fauna indigenous to this peninsula is absolutely essential.

"The conservation effort represented here on Mason Neck is, in and of itself, most significant and would certainly warrant continued operation; however, when viewed as part of a broader picture, the significance becomes even more demonstrable.

"Efforts over the past decade by the Audubon Naturalist Society, the National Wildlife Federation, the Wilderness Society, the National Parks Association, the Izaak Walton League, the Regents of Gunston Hall, the Northern Virginia Conservation Council, the Nature Conservancy, the Conservation Committee for Mason Neck, the Metropolitan Washington Council of Governments, the Virginia State Board of Conservation and Economic Development/the Virginia Division of Parks, the Northern Virginia Regional Park Authority, the U.S. Fish and Wildlife Service, the Fairfax County government, and literally thousands of concerned individual citizens have managed to save almost 5,000 acres of Mason Neck's 8,000 acres for the enjoyment and education of all our citizens by placing it in the hands of public agencies for park and wildlife refuge purposes. I know of no other instance where so many divergent groups, both private and public, have worked so well together in a coordinated effort.

"The Virginia Commission on Outdoor Recreation has stated that 'the Mason Neck complex is one of the finest composite park areas on the Eastern Seaboard.' I would go even further and unequivocally state that it is *the finest*. To allow an integral part of the foundation of this complex to be yanked out from underneath it would destroy . . . the complex."

Lack of supervision would leave the refuge open to vandals, persons riding forbidden motorized vehicles and unauthorized hunters, Harris and others fear. This quiet refuge could easily be destroyed, its nesting eagles scattered and the work of countless individuals and organizations who labored to save the Mason Neck peninsula as unspoiled wilderness turned into a wasted effort.

The change will save Interior $25,000 a year. "Supervision" will be carried on by one person who will have to travel from his station in Cambridge, Md., to look the site over. Such a supervisor it expected to visit Mason Neck about once a month.

This lack of supervision is patently incompatible with preservation of the bald eagles' nesting area.

We do not believe that Americans will not pay $25,000 a year to aid the fast-disappearing eagle when millions are being spent to bail out investors in defense industries.

For Secretary Morton to leave 904 acres open to any predators in the name of economy is unconscionable and ultimately a waste of the public funds used to acquire the refuge. We urge him to reconsider his action.

PAKISTANI PRISONERS OF WAR ARE NOW PRISONERS OF THE PEACE

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. LEGGETT. Mr. Speaker, over 15 months ago the war between India and Pakistan was concluded. Indian and Bengali objectives were achieved; Pakistan, as the vanquished foe, was stripped of a large portion of the territory it once controlled. This area has since become the nation of Bangladesh.

Since that time, according to our State Department, Indian POW's held by Pakistan have been released. India, however, still holds 90,000 Pakistani POW's in camps in India. The purpose of holding POW's in wartime is to neutralize them as effective fighting forces. This is a legitimate wartime aim, and I do not mean to challenge it here. This war, however, has been finished for some time. Since there is no legitimate wartime objective to be served by their continued detention, why, 15 months after the end of hostilities, have these men not been repatriated?

The United Nations has called for full implementation of the 1949 Geneva Convention on the part of all sides by a unanimous vote of the Security Council. Pakistan has made a material contribution to the final settlement of this dispute by its release of the Indian POW's. Viewed in this light, the continued detention of Pakistanis in India makes them solely and completely political prisoners held hostage to Indian foreign policies. There is no war, thus there can be no compelling military reason preventing their release.

This type of playing of politics using POW's was widely condemned very recently when indulged in by the North Vietnamese on a much smaller scale; certainly it cannot be condoned now. It is to be hoped that India will soon release all these POW's in consonance with its obligations to the world community.

DEBATE ON THE ISSUE OF ABORTION CONTINUES

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. HOGAN. Mr. Speaker, as the debate on the issue of abortion continues in Congress and across the Nation the significance of the Supreme Court's January 22, decision becomes more and evident. Today I would like to call the attention of my colleagues to a recent article by William F. Buckley, Jr., regarding an appeal by the State of Connecticut asking the Supreme Court to review its January decision. The article follows:

[From the New York Post, Mar. 31, 1973]

CONNECTICUT'S APPEAL

(By William F. Buckley, Jr.)

The press has not widely noticed an extraordinary appeal that has been lodged by the States of Connecticut asking the Supreme Court to review its decision of last January in respect of abortion. On that occasion the Court ruled that no state can deny a woman the right to an abortion during the first few months of her pregnancy on the grounds that the fetus is not a "person" in any constitutional sense and is not therefore entitled to the protections given to a person. The court was not itself anxious to rule just when in the embryonic process someone comes alive, satisfying itself to say that "We need not resolve the difficult question of when life begins."

The State of Connecticut reminds the Court that in 1966, in Brookhart vs. Janis, the Supreme Court observed that "When constitutional rights turn on the resolution of a factual dispute, we are duty bound to make an independent examination of the evidence in the record." It is such an independent examination that the State of Connecticut has conducted. And 14 states of the union have joined Connecticut, as amici curiae. The Court is considering the matter at this moment.

Connecticut has imposed upon itself rigorous scientific responsibilities, to which end it begins its 55-page brief with testimony from scientists. Dr. Albert William Liley is professor in perinatal physiology in the Postgraduate School of Obstetrics and Gynecology at the University of Aukland.

"In 1963," says Dr. Liley, "I developed a technique for the transfusion of blood to the baby *in utero*. This work demonstrated conclusively that the unborn child, like any other person, could be ill and could have his disease diagnosed, his condition, assessed, and his malady successfully treated."

In a number of genetic and biochemical problem, definite diagnosis can be established as early as the 14th week, and, in the Rh baby, therapy has been undertaken as early as the 18th week of intrauterine life. With advances in technology these limits will be moved back earlier in pregnancy. The unborn child is my patient, and I respect and protect his life as I would the life of any other patient."

Dr. Hymie Gordon is chairman of the dept. of medical gentics at the Mayo Clinic. He introduces his testimony philosophically. "The modern biological concept of human individually is remarkably in harmony with that of some of the oldest theological concepts. The Rabbis of the Talmudical period and the early Christian Fathers taught that life entered the fetus at the moment of conception. Modern biology teaches the same thing.

True, environmental influences both during the intrauterine period and after birth modify the individual's constitution and continue to do so right until his death, but it is at the moment of conception that the individual's capacity to respond to these exogenous influences is established. It is an ignorant presumption to suggest that we are in a position to weigh its (the living cell's) life against that of another. A clear distinction must be made between the unquestionable right of the mother to decide whether or not she is to become pregnant, and the unquestionable right of the unborn baby to life."

Dr. Micheline Mathews-Roth of the dept. of microbiology and molecular genetics at Harvard deposes that "studies in embryology and genetics have conclusively proved that the embryo from conception to birth is a living human individual. . . ."

Dr. Paul Rockwell, director of anesthesiology at Leonard Hospital in Troy, N. Y. writes that "in 1958 or thereabouts, while giving an anesthetic for a ruptured ectopic pregnancy at eight weeks gestation, I observed what I believe was the smallest living human being ever seen. A tiny human male (approx. 1 em.) was swimming vigorously in the amniotic fluid from the end of his umbilical cord within the intact, transparent embryo sac. This tiny male was perfectly developed with fingers and hands, toes and feet . . . It is my opinion that if the lawmakers and people realize that very vigorous human life is present, even at this early stage of development, it is possible that abortion would be found much more objectionable than euthanasia."

The Supreme Court would do well to recognize that there is a quite general soul-sickness in America about its abortion decision, the implications of which are altogether staggering. Critics of the decision have thus far mostly insisted that the decision was bad law and bad philosophy. Connecticut and fourteen other states are now saying that it is bad science, that the factual basis of it was incorrect.

MICHIGAN'S MOTHER OF THE YEAR

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. BROOMFIELD. Mr. Speaker, at this time, I would like to extend my congratulations and best wishes to Mrs. Eula Abbey of Lake Orion Township, Mich., who was recently named Michigan's mother of the year by the Michigan State Mothers Committee.

The mother of 6 children and 21 grandchildren, Mrs. Abbey has devoted a lifetime of loving care not only to her own family but also to hundreds of Lake Orion families through her volunteer activities. She has donated her time to organizations such as the Girl Scouts, the PTA, the United Fund, and many others too numerous to name here. She is also a member of the Women's Club, the Oxford-Orion FISH program and serves as chairman of the administrative board of the Lake Orion United Methodist Church.

Needless to say, we are all very proud of Mrs. Abbey and wish her well as she carries Michigan's banner to the national mother of the year competition to take place in Denver next month.

Mr. Speaker, the following article from the Oakland Press describes Mrs. Abbey's activities and her well-deserved award.

The article follows:

LAKE ORION'S EULA ABBEY: MICHIGAN'S MOTHER OF THE YEAR

(By Jody Headlee)

"I'm not a model mother," said Eula Comstock Abbey, her knitting needles working back and forth on the afghan that was taking shape on her lap.

"And I would be the last person to ever try and tell others how to raise their children. We just had very good luck," she smiled proudly.

Mrs. Abbey, a 67-year-old widow of Orion Township, was named "Mother of the Year" Monday by the Michigan State Mothers Committee, a nonprofit organization dedicated to strengthening the American family.

Mother of six children and 21 grandchildren, Mrs. Abbey has lived in her 140-year-old farmhouse for 38 years. Originally on 40 acres, the house and its land have been sold and soon Mrs. Abbey will leave. She plans on moving into a condominium.

"My children have all invited me to come live with them—but I wouldn't do it for anything. We get along awfully well apart—and I love all of my grandchildren but for 24 hours a day—NO!," she said as the needles gained momentum for emphasis.

A member of the Lake Orion Woman's Club (the group that entered her name into the state competition), Mrs. Abbey has always been active in her community. For a time, she worked with brain damaged children.

"A couple of youngsters from our community were enrolled in the program," she said. "One of their mothers was a former girl scout of mine and I wanted to help out. It took at least three persons every hour all day long to work with the children. I spent 1½ hours once a week."

In addition, Mrs. Abbey was a clothing and food project leader for 4-H on a local, district and state level. She has done volunteer work for the P.T.A. the United Fund, Girl Scouts, Michigan Cancer Foundation, the American Farm Bureau, the Orion Township Library and the Orion-Oxford Social Development Center.

Currently, Mrs. Abbey is involved in the Orion-Oxford FISH program.

"I'm on the transportation committee and since my name is Abbey, it's on the top of the list so I get quite a few calls to take people back and forth—at least two a week.

"I also pick up food stamps and bring them back for local use."

Religion has played an important part in the Abbey household. Mrs. Abbey is presently chairman of the administrative board at the United Methodist Church of Lake Orion.

"We went to church as a family. And the children are still active in church, all of them—different churches—but still active."

Asked if she had any advice to young people raising a family today, her ready grin spread as she shook her head.

"Me? I don't even give advice to my own children. That way, my in-laws all think I'm wonderful and I know they are. It isn't too much different raising youngsters today than it was when my children were young. My grandchildren are just like my children—every generation has its problems."

Last Sunday was reunion day as all of the Abbey children and most of the grandchildren met to congratulate Mrs. Abbey on her honor.

Since the judging committee decides if a mother is outstanding by the character and achievements of her children, it goes without saying that the Abbeys are all achievers.

Marion Medler (Mrs. Robert) lives in Berkley, is a substitute school teacher and has three children. Marilyn Kamischke (Mrs. Rudolph) has six children, lives in Roseville and has returned to teaching junior high math full time.

From Binghamton, N.Y., Gene, an electrical engineer, has three children. Lawrence, a resident of Lake Orion and member of the Lake Orion Community School Board, has four youngsters. Like his dad (Dan Abbey), he works for Consumers Power Co.

Lorraine Wethy (Mrs. Basil) helps her husband in his Lake Orion electrical contracting business and has three children.

Kathleen Abbey Hogan has two sons, lives in Rogers City and teaches French and English.

Mrs. Abbey has a philosophy that has strengthened her through the years. She lives for "right now."

"If it's happened, it's happened," she said. "I don't even think back. I live for right now. I can't change the things that are coming or the things that have passed."

"Doesn't the silence of an empty house ever bother you?"

"Silence bother me? After six kids, I appreciate it. The minute they came home on went the record player and the radio as loud as they could go. And it does me good now, when my grandchildren turn everything on to find out everyone of my kids feels exactly as I used to.

Having raised her children through the depression, Mrs. Abbey is familiar with the battle of the budget. But she is against food boycotts.

"My sympathy is with the farmer" she said. "I know what he goes through."

"And you have to raise your youngsters so they realize they can't have everything they want just because the other fellow has it. They feel badly at the time but when they grow up, they understand and thank you for it."

And for when she grows old (which she'll never do, her spirit wouldn't let her) Mrs. Abbey's saved television.

"That's when I'm so old I can't do anything else," she said. "Then all those reruns will be brand new to me and I'll think they's wonderful."

Mrs. Abbey will compete with 50 other women for "American Mother of the Year" May 7–11 at Denver, Colo. The American Mothers Committee sponsors the national competition.

OEO LEGAL SERVICES—A SUCCESS STORY FOR EQUAL OPPORTUNITY

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mrs. CHISHOLM. Mr. Speaker, the 93d Congress has been a dismal place for those of us who are concerned about social welfare programs but occasionally there is hope. The action of the courts, in placing an injunction upon any further dismantling of OEO and the recent column by Mr. James J. Kilpatrick which clearly and enthusiastically outlines the need for legal services is a clear sign that many in the land—including conservative members of the President's own party—do not agree with the administration's meat-ax approach to the problems of the poor in our country.

For those of you who may have missed Mr. Kilpatrick's column, I hereby insert it into the CONGRESSIONAL RECORD:

CONTINUE LEGAL SERVICES? BY ALL MEANS

(By James J. Kilpatrick)

There are times, sad to say, when American conservatives appear to constitute "the stupid party," as John Stuart Mill once labeled their British counterparts a century ago. By their failure to give active support to a continuing program of legal services for the poor, my brother conservatives are abandoning their principles and exhibiting a dull-wittedness that makes a man despair.

Of course a legal services program should be extended! Let the Congress, if it pleases, scrap everything else that has been funded through the Office of Economic Opportunity. Let the administration, if it can dismantle a hundred boondoggling, paper-shuffling programs of grants-in-aid. But in one form or another, the Neighborhood Legal Services must be maintained.

Chiseled in stone above the great white columns of the U.S. Supreme Court are four famous words: Equal justice under law. No concept in our public life is nobler and no concept has been more poorly served. The grim truth is that for all practical purposes, we still have two systems of law in this country, one for the rich, another for the poor. Every newspaperman who ever has covered the small claims and criminal courts of his city knows this is so.

Granted, much has been done in recent years. Indigent defendants, even in serious misdemeanor cases, now have a right to counsel. Bail reform has remedied some of the most flagrant evils of the criminal justice system. Since 1965, the federally assisted legal services program has greatly benefited the poor in areas of civil litigation. Now this civil program—a program seeking to promote equal justice under law—is threatened with abandonment. Conservatives, dedicated in principle to this elementary proposition, ought to be in the forefront of a fight to push the cause along.

But where are they? They are grumbling that in recent years the program of legal services has been abused. Doubtless this is true. It would be incredible not to discover abuses in a program involving 2,500 lawyers in 900 neighborhood law offices.

But these occasional abuses, while serious, have been few. Viewed on the whole record, the legal services program has helped to foster a sense of confidence not only in the courts, but also in what is known vaguely as "the system." In a message two years ago, urging creation of a wholly independent Legal Services Corporation, President Nixon made that point: "This program can provide a most effective mechanism for settling differences and securing justice within the system and not on the streets."

Unhappily, Nixon now seems to be dragging his heels. The present $70 million program is to expire in June, and nothing is yet in sight to take its place. It would be calamitous to let the concept go. As a recent report from the General Accounting Office made clear, the great bulk of case-work by the NLS lawyers involves legal problems arising from housing, domestic relations, employment, and consumer grievances.

What is needed—and needed promptly—is a bill to create an independent legal services corporation, generously funded, with authority to provide essential representation for the poor. Such a corporation should have backup facilities for research. It ought not to be denied a hand in "law reform." Neither should it be prohibited from bringing the class actions that often provide the most effective remedies at law.

Conservatives should back such a bill, in the full awareness that from time to time they will be irritated, harassed, and outraged by the "zeal and adrenalin." Mistakes will be made. Incidents of bad judgments can be expected. But if we truly believe in equal justice under law, we ought not to be deterred from supporting an effort to make those words in stone something more than an empty phrase.

EXECUTIVE PRIVILEGE BOWS TO CONGRESS

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

• Mr. MOORHEAD of Pennsylvania. Mr. Speaker, the entire Congress owes a debt to Senators Sam Ervin and Howard Baker for their steadfast defense of the Congress right to get the information it needs from the Executive branch.

On Monday the Senate Select Committee on Presidential Campaign Activities adopted ground rules which have effectively put the so-called doctrine of executive privilege in its place. The ground rules, apparently agreed to by the White House, will compel the testimony of White House aides before the committee. The aides wil be accorded the right to counsel and a White House Counsel may also be present. If the witness, by counsel, feels that a particular question should not be answered by reason of a claim of privilege belonging to the President, the Committee will hear arguments in favor of the privilege and then make its own ruling on the matter. If the committee rules against the claim of privilege that then the witness will be compelled to answer the question.

This criteria is of course available to other witnesses on claims of other privileges which may be available.

The ground rules also require the appearance of White House aides under any circumstance, the right to claim a privilege being only available for specific questions during testimony.

I believe that these rules have finally put the question of executive privilege in perspective. They make it clear that it is the Congress which will make the final determination as to what should or should not be considered a privileged communication to the President or by a Presidential aide.

Congress has always recognized that as a matter of comity and good practice each of the coordinate branches of the Government should be privileged to conduct certain internal affairs in privacy. This is as it should be and I am confident that the Congress will exercise its good judgment when it seeks information from the Executive. However, as the Ervin-Baker ground rules exhibit, the final determination on these questions belongs to the Congress.

With these rules as precedent I am hopeful that the warfare between the Congress and the Executive which we have endured for the past year may be at an end.

I now enclose the full text of the Senate guidelines for the benefit of my colleagues:

Guidelines of the Senate Select Committee on Presidential Campaign Activities

In investigating the matters mentioned in S. Res. 60, the Senate Select Committee on Presidential Campaign Activities will observe its standing rules, its previously established procedures for staff interviews of prospective witnesses, and these guidelines:

1. The Committee will receive oral and documentary evidence relevant to the matters S. Res. 60 authorizes it to investigate and matters bearing on the credibility of the witnesses who testify before it.

2. All witnesses shall testify before the Committee on oath or affirmation in hearings which shall be open to the public and the news media. This guideline shall not abridge, however, the power of the Committee to take the testimony of a particular witness on oath or affirmation in an executive meeting if the Committee would otherwise be unable to ascertain whether the witness knows anything relevant to the matters the Committee is authorized to investigate.

3. All still and motion picture photography will be completed before a witness actually testifies, and no such photography shall occur while the witness is testifying. Television coverage of a witness and his testimony shall be permitted, however, under the provisions of the Standing Rules of the Committee.

4. In taking the testimony of a witness, the Committee will endeavor to do two things: First, to minimize inconvenience to the witness and disruption of his affairs; and, second, to afford the witness a fair opportunity to give his testimony without undue interruption. To achieve the first of these objectives, the Committee will honor the request of the witness to the extent feasible for advance notice of the time and place appointed for taking his testimony, complete the taking of his testimony with as much dispatch as circumstances permit, and release the witness from further attendance on the Committee as soon as circumstances allow, subject, however, to the power of the Committee to recall him for further testimony in the event the Committee deems such action advisable. To afford the witness a fair opportunity to present his testimony, the Committee will permit the witness to make an opening statement not exceeding 20 minutes, which shall not be interrupted by questioning, and a closing statement summarizing his testimony, not exceeding 5 minutes, which will not be interrupted by questioning: Provided, however, questions suggested by the closing statement may be propounded after such statement is made.

5. The Committee respects and recognizes the right of a prospective witness who is interviewed by the staff of the Committee in advance of a public hearing as well as the right of a witness who appears before the Committee to be accompanied by a lawyer of his own choosing to advise him concerning his constitutional and legal rights as a witness.

6. If the lawyer who accompanies a witness before the Committee advises the witness to claim a privilege against giving any testimony sought by the Committee, the Committee shall have the discretionary power to permit the lawyer to present his views on the matter for the information of the Committee, and the Committee shall thereupon rule on the validity of the claim or its application to the particular circumstances involved and require the witness to give the testimony sought in the event its ruling on the claim is adverse to the witness. Neither the witness nor any other officer or person shall be permitted to claim a privilege against the witness testifying prior to the appearance of the witness before the Committee, and the Committee shall not rule in respect to the claim until the question by which the testimony is sought is put to the witness.

7. The Committee believes that it may be necessary for it to obtain the testimony of some White House aides if the Committee is to be able to ascertain the complete truth in respect to the matters it is authorized to investigate by S. Res. 60. To this end, the Committee will invite such White House aides as it has reason to believe have knowledge or information relevant to the matters it is authorized to investigate to appear before the Committee and give testimony on oath or affirmation in open hearings respecting such matters. In this connection, the Committee will extend to such aides the considerations set forth in detail in guideline No. 4 and the right to counsel set forth in detail in guidelines Nos. 5 and 6. In addition to these considerations and rights, the Committee will permit the White House to have its own counsel present when any White House aide appears before the Committee as a witness, and permit such counsel to invoke any claim that a privilege available to the President forbids a White House aide to give the testimony sought by the Committee, and the Committee shall thereupon rule on validity of such claim or its application to the particular testimony sought in the manner and with the effect set forth in guideline No. 6 in respect to a claim of privilege invoked by a witness or his counsel. The Committee will not subpoena a White House aide to appear before it or its staff unless such aide fails to make timely response to an invitation to appear.

8. The Committee may require the Sergeant at Arms of the Senate, or any of his assistants or deputies, or any available law enforcement officer to eject from a meeting of the Committee any person who willfully disrupts the meeting or willfully impedes the Committee in the performance of its functions under S. Res. 60.

9. Whenever the Committee takes testimony through the agency of less than the majority of the members of the Committee as authorized by its standing rules, the member or members of the Committee taking the testimony shall be vested with the powers set forth in these guidelines and shall be deemed to act as the Committee in exercising such powers.

MANPOWER REFORM

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. ESCH. Mr. Speaker, I submit that the House of Representatives today gave strong indication that they do not wish to merely extend one more categorical manpower program, but rather they desire to develop and consider legislation for total manpower reform. I believe that their action was a clear mandate to the Education and Labor Committee to pursue aggressively the development of an effective program that emphasizes decategorization and decentralization of the present manpower maze. I am requesting Chairman PERKINS and Mr. DANIELS, our subcommittee chairman, to proceed immediately to develop legislation that will encompass total manpower reform. Hopefully, this legislation can be developed in a bipartisan manner, so that in the future the House will be able to approach this issue in a more analytical and thoughtful manner.

OEO SUPPORT OF MILLE LACS INDIAN RESERVATION CLINIC

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. FRASER. Mr. Speaker, since it was created in 1965, OEO has worked closely with other agencies to provide services for Americans who are moving out of welfare and into the mainstream of our economy. This year the President has decided—against a great deal of evidence and public opinion—that OEO is no longer necessary and should be disbanded. We in the Congress cannot allow this to happen. Hopefully, we will salvage OEO and its most valuable programs.

In my home State of Minnesota, OEO has supported the clinic at the Mille Lacs Indian Reservation. One of the staff, Dr. Dennis Jacobson, recently wrote to indicate his concern about the possible termination of this clinic. He described the clinic's accomplishments and the effect disbandment would have on the reservation population.

I commend his letter to my colleagues and insert it at this point in the RECORD:

MILLE LACS CLINIC,
Onamia, Minn., March 9, 1973.

DEAR REPRESENTATIVE FRASER: There have been numerous reports that, as a result of President Nixon's cutbacks of money designated for use by the Office of Economic Opportunity, many of the Community Action Programs will have their funds cut off. I am writing to you to plead with you to do all you can to keep the C.A.P. at Mille Lacs Indian Reservation funded. I believe that great strides forward have been made in the health, living conditions, and productivity of the Indian people affected by this C.A.P.

At present there is a Community Center which houses the C.A.P., the Headstart Program (funded by H.E.W., not O.E.O., as you know) and a medical clinic. Most striking to me is the improvement in health seen in these people since 1966 when the Community Center was built. The various program mentioned above were all instituted since then. As an example the Minnesota Department of Public Health did an infant mortality study for a 18 year period ending in 1968. During this time there were about 350 babies born to mothers residing on the Mille Lacs Reservation. Of these, 35 (one in ten) died before he reached his first birthday. Since 1968 there have been no children residing on the Mille Lacs Reservation who have died, much less any infants. This is only one statistic, but does reflect health standards. I can assure you from first hand experience that the health of these people has improved a great deal in all respects.

I feel that the improved medical situation cannot be accounted for by any one factor. Many of the factors are at present supported by O.E.O. funds, however, and cutting off these funds is certain to result in a marked increase in disease and health problems. The old water and sewage systems were responsible for much of the health problems. The present water and sewage systems were instituted and are maintained thru C.A.P. funds. The previous deplorable living conditions were markedly improved when O.E.O. funds made it possible to build simple but adequate, much improved, homes for these people.

The Community Health Representative, Maggie Sam, does much to improve health standards with home visits, aid in transportation, referrals to various agencies, etc. Many of the older people used to have much trouble finding transportation to the clinic or hospital for medical care until this was made available by C.A.P. funds.

The Headstart Program is housed in the Community Center which depends on C.A.P. funds for heat, lights, and water. Even if the Headstart funds are not cut off the program could not function without a building.

Sister Gertrude Lampbert, R.N. is a young nun who is an extremely capable and valuable member of the health delivery team here. She is a public health nurse and functions as clinic nurse and Headstart nurse. Her position is funded partly by O.E.O. funds and partly by Headstart funds. In my opinion she is the most valuable single person involved in health care on the reservation. She made a total of 677 home visits in 1972 in addition to her functions as clinic nurse and Headstart nurse.

The clinic on the reservation is housed in the Community Center and is therefore dependent on C.A.P. funds to stay open since we must have space, lights, heat, and water to have an adequate clinic. This clinic is manned by the three physicians in the Mille Lacs Clinic, Onamia (10 miles away). The clinic is open three afternoons a week and in 1972 we had 2,113 clinic visits.

The C.A.P. has done much more to improve life for the Indians on the Mille Lacs Reservation but their health is one area I feel qualified to comment on. The improved health standards depend on many factors including transportation, home visits, available clinic and M.D.'s, improved water and sewage systems, and improved housing. All of these factors are dependent on O.E.O. funds. I therefore urge you to do all you can to insure continued federal funding of the Mille Lacs Indian Reservation Community Action Program. The health and, indeed, the very lives of many people are dependent on this program.

Thank you for your attention.

Sincerely,

DENNIS JACOBSON, M.D.

A MEANINGFUL BICENTENNIAL COMMEMORATION

HON. ANDREW YOUNG

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. YOUNG of Georgia. Mr. Speaker, Congress will soon have to decide what kind of bicentennial the Nation will observe in 1976. Hearings have been held on H.R. 3695, relating to the proposed American Revolution Bicentennial Administration, by subcommittee No. 2 of the House Judiciary Committee.

Robert A. DeForrest, executive vice president of the Afro-American Bicentennial Corp., testified at the hearings on March 15, and I wish to insert in the RECORD his prepared statement. I commend to my colleagues Mr. DeForrest's persuasive case for maximum participation in the bicentennial by Afro-Americans, and his appeal to Congress to take an active role in making the bicentennial an historic event which will be meaningful to all Americans.

The testimony follows:

STATEMENT OF ROBERT A. DEFORREST

Mr. Chairman: On behalf of the officers and board of the Afro-American Bicentennial Corporation, I wish to thank you, and this Committee for inviting me here today to present testimony on H.R. 3695 (the recently introduced Administration bill to establish the American Revolution Bicentennial Administration).

As you may know, the Afro-American Bicentennial Corporation (ABC) was established in December of 1970 out of a concern that the forthcoming Bicentennial include projects and programs which would express the desires and meet the needs of Black Americans in line with the principles and ideals of the American Revolution.

Before commenting on the specifics of the bill under consideration, however, I would like to take a few minutes to discuss some of the factors which have influenced our own involvement in certain bicentennial program areas.

The guiding consensus of ABC's directors, as well as its distinguished advisory board, is that the bicentennial commemoration be viewed as a timely and appropriate vehicle for revitalizing America's continuing revolution in line with the philosophy and aspirations of such early American revolutionaries as Jefferson, Paine and Sam Adams. It should be apparent to any reader of the original legislation which created the American Revolution Bicentennial Commission in July of 1966 (PL 89–491) that its sponsors, Senator Mathias and Representative Morse, were quite comfortable with language such as: "Individual Liberty," "Representative Government," and "Inalienable Rights."

Such references are used extensively throughout the first section of PL 89–491, establishing the mandate of the ARBC, and are clearly expressions of concern for the quality of life among Americans, and a commitment to address these concerns as a feature of the forthcoming Bicentennial.

In earlier testimony presented before the Subcommittee on Federal Charters, Holidays and Celebrations of the Senate Judiciary Committee on August 2nd, I suggested the possibility that the architects of the original legislation, while setting the tone for a truly meaningful celebration, might well have been designing a legislative mandate which would insure against the kinds of activities and interpretations that have given rise to the mounting criticism of the ARBC, and which, it may be suggested, have brought us here today.

My subsequent discussions with the Senator on this matter have more than confirmed this assumption. Further clarification regarding the intent of PL 89–491 was provided by Senator Mathias himself even earlier on the Floor of the Congress on December 2nd, when in citing the lack of meaningful program development by the Commission, he stated, "We believed not only that the Revolution was the most important event in our history, but, even more, that the ideas and ideals of that Revolution are as real and relevant today as they were 200 years ago."

Mr. Chairman, in our appearance last August before the Subcommittee on Federal Charters, Holidays, and Celabrations of the Senate Judiciary Committee, I stated our organization's support of the mandate enunciated in the original ARBC Legislation and then proceeded to state the "historical case" for maximum Afro-American participation in this most important event. (The latter mainly for the benefit of those still reading from pre-1970 history books and who had earlier questioned the role of Blacks during the period of the American Revolution).

While stating our support of PL 89–491 at that time, we were not convinced that the Commission leadership was committed to the kind of commemoration clearly intended by the sponsors of that legislation. The Bill under consideration today, leaves us even more doubtful.

While retaining most of the original language in Section (I) of the original legislation, H.R. 3695 is nonetheless conspicuous in its deletion of a number of important references in that section of its proposed legislation.

ITEM

(*Original*)

It is appropriate and desirable to provide for the observation and commemoration of this anniversary (and these events) through local, state, national, and international activities, planned, encouraged, developed, and coordinated by a National Commission (Representative) of appropriate public and private authorities and organizations.

(*Proposed*)

It is appropriate and desirable to provide for the observance and commemoration of this anniversary. And for those activities of local, state, national, and international significance to be coordinated, scheduled, and facilitated by a government unit, drawing on the resources of public, private, civic, and other organizations for planning and implementation, to insure that the appropriate observances take place.

In addition to these concerns over the deletions and changes proposed in Section (I) of H.R. 3695, we are equally apprehensive about the unusual authority and role of the Administrator of the proposed ARBA, as described in Sections 2, through 5, of H.R. 3695.

ITEM

Sec. 2(d) The Administrator shall have power to appoint and fix the compensation of such personnel as he deems advisable. Not more than five (5) such personnel may be appointed, compensated or removed without regard to the civil service laws and regulations and Chapter 51 and sub-chapter III of Chapter 53, of Title 5, United States Code.

Why is this authority being requested when findings contained in the recently concluded staff review on the activities of the ARBC clearly show that such practices by the Commission leadership have in the past contributed to low morale among staff personnel and may have resulted in reducing the effectiveness of the staff (Re–167, ch. 5, "Personnel Practices and Staff Morale," a review by the Staff Dec. 21, 1972).

ITEM

Sec. 3 (a) There is hereby established an American Revolution Bicentennial Advisory Board hereinafter referred to as the "Board" to be composed of twenty-five members appointed by the President. The members shall serve at the pleasure of the President, and their terms of office shall not extend beyond the termination date of the Administration. In appointing persons to the Board, the President shall give due consideration, among others, of the Nation's youth, elders, racial and ethnic minorities, artists and craftsmen, and learned professions. The Administration shall act as Chairman. The Board shall meet at *the call* of the Chairman and shall render advice to the Administration on all matters relating to the purposes of this Act.

We note here that the criteria for the establishment of the proposed ARBA Advisory Board remains essentially the same as that contained in the original legislation except:

That it gives its member absolutely no responsibility for preparing an overall program.

Meets only at the call of the Chairman.

Creates a glaring loophool for the appointment of individuals who might not otherwise qualify for membership on this August Body. Reference is made to the addition in Sec. 3(a) of the questionable term "among others."

Does not insure that any meetings held, would be open to the public.

ITEM

Sec. 10. Whenever the President determines it to be in furtherance of the purposes of this Act, the functions authorized under this act may be performed without regard to such provisions of law or limitations of authority regulating or relating to the making, performance, and the exepnditure of Government Funds as he may specify.

Under what conditions would the exercise of this authority be warranted?

Sec. 11(c) It shall be the function of the Committee to make a continuing study of the activities of the American Revolution Bicentennial Administration. The Committee shall from time to time report to the Committees on the Judiciary of the Senate and House of Representatives, and to the Senate and the House of Representatives concerning the results of its studies, together with such recommendations as it may deem desirable. It shall make a final report thereon by June 30, 1977.

It should be apparent in light of past criticism of the ARBC, that the role of the Congress, relative to its responsibility in insuring a meaningful bicentennial commemoration for the nation, will not be enhanced under Section (11) of H.R. 3695. On the contrary, under this section of the proposed bill, Congress would again be in the embarrassing position of being able to react "after the fact."

It is our strong feeling that the Congress must play a major role in all bicentennial planning, from encouraging active participation by states, local municipalities and private citizens to exercising veto power through the proposed "Joint Congressional Committee on the American Revolution Bicentennial."

ITEM Sec. 13(d) The President may authorize any person, who immediately prior to the effective date of this Act held a position in the executive branch of the government to act as Administrator until the Office of Administrator is for the first time filled pursuant to the provisions of this Act or by recess appointment, as the case may be.

We find this section of the proposed legislation especially objectionable on two (2) counts:

(1) Its insistence that the "Interim Administrator must have held a position in the Executive Branch of government immediately prior to the effective date of this act.

(2) The obvious loophole provided by an appointment of the Administrator during a Congressional recess, thereby eliminating the requirement for Senate confirmation.

Why is executive experience "immediately prior to the effective date of this Act necessary?

Why not experience gained in the Legislative Branch, or in the private sector? or executive experience gained under another Administration?

Mr. Chairman, a thorough analysis of H.R. 3695 can only conclude that in its present form, this bill offers little hope for a truly meaningful bicentennial commemoration, but, in fact, contradicts its own officially stated mandate by proposing "an autocratic", operational structure accountable to none but the President, himself.

The real question, it seems to us, is whether or not there is a commitment on the part of the Congress and the Administration to forthrightly respond to the challenge of its own legislative mandate.

PL 89–491 directed the ARBC to develop plans for the commemoration of the Bicentennial of the American Revolution. Most state statutes establishing bicentennial commissions conform in spirit, if not in letter, to PL 89–491. However, the prevailing interpretation of PL 89–491 seems to be a variance with what seems its clear meaning. That interpretation, as we understand it, is that the ARBC shall develop plans for celebrating (a) a 200-year slice of American history and (b) the 200th birthday of the republic. The Bicentennial Era has now been defined by the President, at the request of the ARBC, as extending from now until 1976, and the period beyond 1976 is seen by the chairman of the ARBC, according to a comment made by him at Williamsburg, as primarily one of "cleaning up."

There seems to us to be a number of disadvantages attending this interpretation.

(a) At best, it is a very narrow construction of the mandate of PL 89–491. Celebrating either a "200-year slice" of American history or the 200th national birthday seems to be a qualitatively different thing from commemorating the bicentennial of the American Revolution.

(b) 1976 is not, in fact, the 200th anniversary of the founding of the republic. It is the 200th anniversary of thirteen colonies declaring independence from the British empire. It signifies neither the beginning, the climax, nor the conclusion of the American Revolution.

(c) It conflicts with the initial ARBC *Report to the President* which explicitly recommended that the commemorative period extend through the bicentennial dates of the Constitution-making period. It also conflicts with bicentennial periods implicitly defined by PL 89–491 and most state statutes covering the subject.

(d) The definition of the Bicentennial Era as 1971–76 does not conform to any professionally reputable or generally accepted defintion of the span of the American Revolution.

(e) This compression of the Bicentennial Era severely restricts the potential for planning and executing bicentennial-related projects requiring more than three years time. This, in turn, has a manifest tendency to promote programs and projects of an ephemeral and superficial nature.

The legislation passed by the Congress establishing the ARBC authorized it to "plan, encourage, develop and coordinate a nationwide bicentennial program." It further directs "that the thrust of the Bicentennial program should be an enunication of the basic principles upon which our republic was founded." The President himself interjected criticisms of terms such as "Festival Freedom" which seem to connote a commemorative "fair" rather than a movement that would have long-term effects in renewing the institutions of our society.

It would appear that the President favored a modern-day extension of Jefferson's "pursuit of happiness" as the fundamental theme—translated today as a renewed concern for the "quality of life."

It would seem, therefore, that proposals for programs directed at eliminating conditions adversely affecting the "quality of life" of millions of Americans should be "planned, developed, encouraged," and fostered by the ARBC as its primary area of focus.

While we would agree with Mr. Mahoney's statement of August 1 that:

"The Commission is not an action agency to carry out projects of ecological improvements. The Commission is not an agency to find a cure for cancer or heart ailments. The Commission is not an agency for social action, civil rights or public welfare. . . ."

Each of the areas identified in his statement are among this nation's most critical problems, and are in desperate need of a "Marshall Plan" type of assistance. While agreeing with Mr. Mahoney that the Commission is not an action agency with the mandate or the monies to actually implement such programs, it does have a mandate to plan and encourage such programs . . .

and it should. Then, it should seek support for these programs from the Administration, the Congress, and the American people.

We disagree strongly with Senator Hruska and others who have suggested that the Congress would not support authorization requests of the size necessary to underwrite "quality of life" programs such as those mentioned previously.

The major criticism of the ARBC to date has been primarily directed at its lack of significant program development as well as the charges of "political manipulation" and commercial exploitation, published in the Washington "Post" in August of last year.

We note in (part III) of it's recently concluded review of the ARBC, the House Judiciary staff concluded the following:

"We believe that as presently structured, the ARBC will be unable by 1976 to provide this country with a meaningful bicentennial commemoration. Unless reorganized, given a clear definition of role, and afforded an unambiguous mechanism for executive direction, the Commission will continue to flounder, 'planning, .encouraging, and coordinating' in its current haphazard fashion."

We note further that the bill under consideration today differs substantially from the suggested legislation drafted by the House Judiciary staff on page 130 of its report.

Having commented on those sections of H.R. 3695 to which we are opposed, and having earlier submitted to this committee our specific observations and recommendations on proposed changes.

Mr. Chairman, while we would agree that a more effective operational structure is desirable for the ARBC, its Head must be accountable to the Congress, as well as to the President. But of far greater importance and urgency is the question of whether the Congress or the Administration is truly committed to a meaningful Bicentennial Commemoration.

This question must be answered by both the Administration and the Congress by their prompt and positive actions toward that end.

COMMENTS ON THE DUAL PRIME RATE

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. HANNA. Mr. Speaker, I am quite confident that I managed to convey to my colleagues in the House my strong feelings as to the inadequacy of our actions this past Monday on H.R. 6168, the Economic Stabilization Act extension amendment.

My first endeavor in our activities on that legislation was to insure not only the recognition of, but to develop as well a means of filling constructively, the needs of the small borrower, the borrower who is always the first to be bumped off the borrowing bench when the money market gets tight. I argued strongly that the corporate borrower had sufficient independent economic muscle to find a place at the loan window, but that the little man was rightfully entitled to our direct and indirect assistance in having access to that same window, that we needed to provide him with more muscle than he could independently develop in competing with the corporate borrower.

One of the major supports the corporate borrower has enjoyed has been the somewhat questionable importance which various activities of the Federal Government have attached to the prime rate. I am pleased, therefore, to note the first recognition of the need for credit and capital allocations as epitomized in the proposal reported in the Wall Street Journal of April 17, which I include below, by the Federal Reserve System for a two-tier prime rate structure. The philosophy behind this proposal is that same approach I have been trying to impress upon the Banking and Currency Committee and the House in recent weeks.

On the other hand, it is interesting to note that at the present point in time the administration in general and Dr. Burns in particular feels that voluntary guidelines will be sufficient. While I am appreciative of the revised position taken in the guidelines, I do think a more than mere voluntarily effort is necessary specifically on the need for the banks to "continue to meet legitimate credit needs of home buyers, consumers, small businesses and farmers." Banks realistically must respond to their stockholders in the most profitable manner possible and voluntarism permits excessixe evasions of the necessary commitments to the aforementioned loan activities—evasions avoidable with mandatory standards. It is, after all, much easier for the bank to tell its stockholders that it had no choice than to attempt to explain an unprofitable choice despite the existence of Government pressures therefor.

For whatever cause and to whatever degree the decision has been made, I am pleased to see this virtual endorsement of my position. It is long overdue, but we have been striving for something so akin to this proposal that we are delighted to see the appropriate Government agencies taking a more enlightened approach to this problem.

As a matter of general interest, Mr. Speaker and esteemed colleagues, I would like also to take this opportunity to put on the public record the language contained, at my insistence, in H.R. 6879, the originally proposed substitute to H.R. 6168. I ask the indulgence of my colleagues while I explain in some detail what this language could have done and why.

You will note that instead of speaking in the language of a freeze on rates, the language merely stated that ceilings shall be set. This in itself provided for a flexibility that is important. The President would not have been restricted by the arbitrary level of any given day. He would, instead, have been instructed to select ceilings for the loans for the classes of small borrowers designated which will achieve stability. Members will note that ceilings could have been imposed in each of the categories—not necessarly one common rate to all.

Next, the President would have been required to address the possibilities for reductions of rates in these classes of loans. Again, flexibility was assured in the language which refers to "pervasive and dominant pressures of the money markets." This language was added to make clear that the committee and the Congress are cognizant of the relationship between the yields dictated by the market conditions and the interest rates paid by all borrowers. All Members of Congress are aware of two sources of loanable funds—savings and investment capital. It is the potential gap between the level of controlled interest rate and the yield demanded for marketed paper to achieve liquidity for which the Congress should have demonstrated concern. The administration of the authority granted in this language would have been forced to remain consistent with these market realities. In the absence of this flexibility, the controls imposed would surely have had the effect of drying up credit to the small borrower—and it is just such a market reaction that this section sought to avoid.

This section also would have forced the President to use all the institutions, instruments, and powers his administration possesses to assure a reasonable allocation of funds for credit to those classes of borrowers, the little people, who have historically been bounced down and, sometimes completely, off of the borrowing bench. In all the recent tight money periods the immediate "drying up" of credit is in the sectors enumerated in this bill—the consumer, the small businessman, the farmer, the home purchaser, and personal loans. When the money crunch hits banks and savings and loans, large borrowers have access to other money markets.

Paragraph (1) in its totality assured the President the necessary flexibility in responding to the pervasive market realities—to roll back rates wherever possible and, when such was not possible, to adjust appropriately reasonable ceilings with a full explanatory order and message to the Congress.

Our Government monetary agencies must be so used that they act as interveners for the small borrowers. The President has easy access to data which can give him a realistic indication of the credit demands in each of these controlled areas. The Federal Reserve can project the demand for personal loans and consumer credit. The Departments of Housing and Urban Development and Commerce can project mortgage money demand. The Small Business Administration can project the demand for small business loans. The Farmers Home Administration in the Agriculture Department can anticipate the demand for farm loans. With these data sources at his disposal, the President should have been able to carry out the directives of the proposed legislation.

Colleagues, this allocation of credit section was of paramount importance because of the grim future for capital competition. Capital demands associated with the energy crisis have been measured as between $600 billion and $1 trillion in the next 10 years. Enormously increased capital will be required to solve our present transportation dilemmas in the metropolitan area. Environmental protection is already demonstrating a disturbing appetite for investment dollars. The national debt rollover has alone been a growing burden on available money markets. This list is not exhaustive for all segments including corporations, States, municipalities, and governmental agencies are also increasing their demand every year.

We failed, however, in this effort, and I can only express hope that the Federal Reserve System's proposals will be enough and that they will be in time.

The proposal and the interest rate control language follows:

[From the Wall Street Journal, Apr. 17, 1973]

Burns Unveils Dual Prime-Rate Guidelines, Including a Limit on Banks' Profit Margins

WASHINGTON.—The Nixon administration's previously promised "voluntary" guidelines on bank interest rates, unveiled yesterday, include the government's first restrictions on bank profit margins.

The guidelines, issued by the Committee on Interest and Dividends, are intended to help banks establish a dual prime, or minimum, rate system. Such a system will allow the interest rate banks charge large national corporations to fluctuate with minimum government interference while the lowest rate banks charge small businesses and farmers will remain more stable and closely watched by the administration.

Analysts said the issuance of the guidelines makes it likely banks would soon boost their prime rates to major borrowers to 6¾% from 6½%.

The new guides, which take effect immediately, generally follow the broad outlines administration officials indicated earlier, but spell out some of the details and inject the surprise element of a profit-margin limit for banks. The concept of a dual prime-rate system is still a new one, however, and officials indicated the guidelines will be further refined and clarified as the new bank interest-rate structure evolves.

The guidelines drew quick support from the American Bankers Association. Rex J. Morthland, president-elect of the trade group, said he is "confident the American banking industry will observe the guidelines." He added, "while there are problems in any system of administered rates, we feel the dual-rate concept announced today is an appropriate measure in a time of economic stress."

This two-tier prime rate concept grew out of a recent series of government-banking industry confrontations over increases in the prime rate, which is the interest banks charge their most credit-worthy customers, mainly big corporations. While protecting smaller borrowers against burdensome increases in borrowing costs, the guidelines will permit the Nixon administration to make a strategic withdrawal from the recurring battle of the prime rate.

The Committee on Interest and Dividends, headed by Federal Reserve Board Chairman Arthur Burns, said in its five-page guideline paper that the prime rate charged large companies "may respond flexibly to changes in open-market interest rates." Mr. Burns has conceded this politically sensitive interest rate has been artificially held down by the government's jawboning under the "voluntary" program he heads.

While the big-business prime rate is to be freed from the government hold-down, the guidelines stress increases in it should be made "in moderate steps in order to avoid disruptive market effects." Mr. Burns indicated this statement was meant to deter any quick, large jump in the big business prime rate from the present 6½%. Officials earlier indicated the rate currently might be as high as 7½% if it hadn't been for federal jawboning, but they clearly don't want to see an overnight boost of that size.

Interest rates charged small businesses and farm borrowers, the guidelines say, shouldn't rise from present level "unless an increase can be fully justified by increases in costs." If banks do raise such rates, the committee added, the boosts "are to be decidedly smaller, and are also to be made less frequently, than changes in rates on loans to larger firms." The guidelines didn't define "decidedly smaller" or "less frequently."

The guidelines define a small business as any commercial, industrial or agricultural borrower whose nonmortgage borrowings outstanding in the previous 12 months never exceeded $350,000 and whose assets don't exceed $1 million. The definition covers "the great majority of business establishments and farms," the committee said.

Banks may extend the more favored small-business interest structure to any size firm, the guidelines said. They also said such rates "may vary from bank to bank."

Interest rates charged by banks on home mortgage loans and consumer loans "should remain under special restraint," the guidelines state. They say such rates should remain "relatively stable" even if the big business prime rate moves up "significantly."

The Nixon administration may have to issue similar guidelines to cover thrift institutions, such as savings and loan associations, and consumer finance companies, to keep their practices in line with the banks, Mr. Burns told newsmen. "We'll probably have to get into that," he said.

The committee said that since the administration's wage-price controls system began in August 1971, companies and workers have been required to sacrifice "earnings they might otherwise have realized," and so "banks should accept similar restraints." It said that despite the new flexibility being granted for the big-business prime rate, "increases in a bank's entire structure of lending rates must in no instance lead to undue increases in the bank's profit margin."

Laying down a new bank profit-margin restriction, the guidelines say increases in interest rates shouldn't raise a bank's overall profit margin from domestic operations (excluding service functions such as trust departments and data processing) above the average of the best two years in the prior four calendar years.

The paper defined the profit margin as "the ratio of net operating income, on a fully taxable equivalent basis before income taxes and securities gains or losses, to gross operating income on a fully taxable equivalent basis."

The guidelines also state banks should "continue to meet legitimate credit needs of home buyers, consumers, small businesses and farmers." That admonition reflects a committee fear that because interest rates on such loans will be restrained by the guidelines, such smaller borrowers might find credit difficult to obtain.

Hanna Interest Rate Control Language

"Sec. 204. Ceiling on prices and certain interest rates

"(b)(1) Notwithstanding any other provision of this Act, ceilings are imposed on interest rates on—

"(A) mortgage loans for single or multifamily dwellings,

"(B) installment or noninstallment consumer credit loans,

"(C) loans for farm production or capital improvement loans,

"(D) loans to small business concerns as defined under section 3 of the Small Business Act, and

"(E) personal loans,

at levels no higher than those prevailing on March 16, 1973, and the President shall, by written order stating in full the considerations for his action, roll back the interest rates described in this paragraph to levels lower than those prevailing on March 16, 1973. The President may make adjustments to avoid gross inequities resulting from pervasive and dominant pressures of the money markets with respect to such interest-rate ceilings and roll backs as are imposed under this paragraph by written order stating in full the considerations for any such adjustment.

"(2) The President shall take all necessary steps to insure a reasonable and adequate flow of loanable funds into the types of loans upon which interest rate controls are imposed under this subsection based upon reasonable estimates of satisfiable demands for such types of loans.

"(3) This section does not annul, alter, or affect, or exempt any personal from complying with, the laws of any State relating to the rate of interest which may be imposed in such State, except to the extent that those laws exceed the ceilings established by the provisions of this section or any order or regulation issued hereunder.

THE ECONOMIC SCENE IN INDIA

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. BINGHAM. Mr. Speaker, as the most populous democratic nation in the world and a long-time friend of the United States, India holds a special place among the nations of the world in American foreign policy concerns. Recent reports in the press and elsewhere have included some dire predictions about the state of the Indian economy, and the conditions of the agricultural sector in particular. G. V. Ramakrishna, Economic Minister of the Embassy of India, recently spoke to the Far East-America Council of Commerce and Industry in New York on "Some Aspects of the Current Economic Scene in India." His remarks include a number of interesting and more optimistic observations on the economic and social conditions in India, and I am pleased to provide the text of Mr. Ramakrishna's statement for the RECORD:

Some Aspects of the Current Economic Scene in India

(By G. V. Ramakrishna)

Ladies and Gentlemen: I am happy and privileged to be here today and I wish to thank the Far East America Council and, in particular, its charming Vice President Mrs. Hilda Russel for the honour they have done me by very kindly inviting me to address this distinguished gathering this afternoon.

The subject on which I would like to dwell today is some aspects of the current economic scene in India. The foremost questions that are likely to arise in the minds of keen observers of the current Indian economic scene are, I think,

(i) What is the impact of the drought that we had last year?

(ii) Has the Green Revolution in India failed?

(iii) Can India really become self-sufficient in Food?

(iv) What has planned economic development achieved in terms of improving the standards and quality of life of India's millions?

(v) Is there any need or justification for the recent re-dedication to social and distributive justice alongside with economic growth?

These are important questions and the answers are not always easy. However, to do justice to my task today, I should at least make an attempt to deal with some of these questions and I shall do so briefly.

The year 1972 saw very large areas of India with irregular or late rainfall or no rainfall at all. This was the second consecutive year of drought for many of these areas. The consequences of this drought have been particularly adverse in three main aspects—the level of foodgrain production (particularly in course grains) in the Kharif or Fall crop fell substantially by nearly eight million tons, many parts of the countryside which depended on rainfall to replenish their wells for drinking water went dry and pastures for livestock also dried up. Power generation from hydro-electric soruces also suffered a set back owing to inadequate storage in reservoirs. We were fortunate in having built up a reasonably good buffer stock of over nine million tons of foodgrains as a result of the four good years we had from 1967–68. The distribution of foodgrains through Government ration and fair price shops has been organized on a very large scale and tens of thousands of these shops are distributing grains all over the drought affected areas. Deep tube wells were bored to provide water supply in the countryside. Employment in the countryside had to be provided for large numbers of people who are dependent on farming operations for their living. Several major schemes of rural development and reconstruction have been undertaken in the form of maintenance and construction of roads, irrigation works, soil conservation, etc. The Central Government has provided special assistance of nearly Rs.4.5 billion ($600 million) to the drought affected areas for these development schemes which provide a living to nearly 5 million people who had temporarily been displaced from agriculture. The foodgrain buffer stocks were run down in the process of maintaining an adequate distribution system. It became necessary to arrange for imports of about two million tons of foodgrains to replenish the buffer stocks for future use. As the result of these various measures and mainly as a result of the large buffer stocks that had been built up during the earlier years, it has been possible for Government to minimize the adverse impact of the drought on the large numbers of people living in these areas. The current crop mainly of wheat on ground is reported to be very promising and we hope to regain the momentum of our agricultural growth with a good spring harvest beginning from about the end of this month.

The question that next arises naturally is why India is still so dependent on rainfall for ensuring an adequate supply of foodgrains and whether the Green Revolution has not really had the kind of impact that has been attributed to it in the four years of rapidly rising foodgrain production. It must be admitted that Indian agriculture is still to a disconcertingly large extent dependent on rainfall. This is not to say that there has been no major progress in tapping the water resources of the country or in new agricultural technology. To put matters in proper perspective, India's presently known water resources can irrigate over 200 million acres out of the total cultivated area of about 400 million acres. Cumulatively by the end of this year, irrigation facilities would have been provided for over 100 million acres. Thus only half the irrigation potential is being tapped and less than 25% of the cropped area has assured irrigation facilities. The rest of the area has to depend on rainfall for growing mainly what we call dry crops which do not need substantial or heavy and assured irrigation. Of the areas that have irrigation facilities, a good part depends on water that is accumulated during a season of rainfall and stored in reservoirs and distributed through surface canals. These sources of irrigation are also in a very major sense dependent on rainfall. The main difference is that the storage facilities will enable the even distribution of water as a result of accumulation that takes place during periods of heavy rainfall and enables the distribution of water during periods when there is no rainfall. Apart from the surface irrigation, there is another major source of irrigation which has come to be tapped rather intensively during the last few years. This is the ground water resources which are available to a very substantial degree in many parts of the country. While a number of projects have been executed in the last ten years or more to build major irrigation storage facilities for surface irrigation, in the last four or five years there have been a very large number of tube wells constructed for tapping the ground water resources. To give you an illustration of the extent of development in this, the following figures would be of some interest:

Nearly 500 major and medium irrigation works costing $4 billion (Rs.30.5 billion) have been constructed from 1951 till now. In addition, nearly 1.8 million pumpsets were installed in the last ten years. The outlay on minor irrigation in the Fourth Five-Year Plan is about Rs. 5200 million or $700 million. Nearly 300,000 wells and over 340,000 pumpsets were installed in one year—1971–72.

As a result of these major investments in irrigation and the technological advances in developing high yielding varieties of seeds the base of Indian agriculture has been considerably strengthened. Although the drought in 1972 was almost as bad as in 1966–67 the foodgrain production in 1972–73 will be 25 million tons higher than in 1966–67.

Now to the Green Revolution. This major break-through in agriculture, not only in India but in several other countries, came in the middle Sixties mainly as a result of the introduction of Mexican dwarf varieties of wheat which were highly responsive to water and fertilizer and had certain favourable characteristics which enables them to give very high yields. In India, the Green Revolution really began as a wheat revolution. This has indeed been a revolution and a very significant one at that. Wheat production reached a level of nearly 27 million tons in 1971–72 as compared to around 12 million tons hardly five years before. The area under wheat increased by 50% during this period and the productivity increased by a similar margin. In some areas of the Punjab the wheat productivity is 2,700 lbs. per acre, which exceeds the yield rates in the United States and Mexico. All this is not to say that we have reached the end of the possibilities for increase in wheat production. There still are very large areas which normally grow wheat where the full benefits of the improved technology and agricultural practices have not yet reached. It is also true that the bounties of the wheat revolution have initially benefited the more progressive, the better educated and the wealthier farmer. Special measures have therefore been taken in the last few years to enable a wider dispersal of these benefits to the relatively small farmers. A further encouraging feature is that in purely technical terms the benefits of the wheat technology can go down to the lowest farm size of around two acres and the productivity of wheat can be maintained in such a small farm almost at the same level as the productivity in a much larger farm provided the right techniques are followed. And so we still have some way to go in reaping the full benefits of the wheat revolution. There is clearly assured potential within the country for a further substantial increase in the level of wheat production.

Coming next to rice, our largest single crop, in which we reached a level of over 42 million tons of production in 1970 and 1971, we find that the technological problems of developing higher yielding varieties of rice are considerably more difficult than in the case of wheat. Although we have been able to evolve rice strains which are responsive to water, fertilizer and light, there have been problems in regard to developing the rice strains which are resistant to disease and water logging. It has been found that those varieties which are responsive to more fertilizer and water are precisely those varieties which are also highly susceptible to disease. Research is under way to evolve disease resistant strains by bringing about genetic mutations. Present indications are that with a measure of luck we should be able to achieve a breakthrough in rice production in the next year or so.

Another major area of our foodgrain production is the category of coarse grains like corn, sorgum, millet, etc. These crops are grown almost wholly in what we call rain fed areas which do not have assured irrigation. These are also generally the relatively less fertile area. In these crops also we have evolved several high yielding varieties of seeds and encouraging results have been obtained in the yields from these new varieties, but by far the most significant development in research in dry farming took place last year which was a year of drought. A Research Project which we now have under implementation with the assistance of agricultural scientists from Canada, managed by following certain agricultural techniques to not only protect the coarse grain and pulse of lentil crops from total destruction owing to the failure of rains, but even succeeded in getting yields two to three times the normal. If the benefits of this research in dry farming are eventually stabilised and extended not only to coarse grains but also to other crops like pulses and oil seeds, there is every hope of a real breakthrough in Indian agriculture as a whole. This will mean not only a reduced dependence on the vagaries of the monsoon but also higher levels of production of dry crops, pulses and oil seeds.

What I have said so far will indicate that (1) we have assured potential for further increases in the levels of wheat production, that (2) we are on the threshold of a breakthrough in rice production and that (3) major developments are taking place in the field of dry farming and (4) there is a continuing major effort to add to our irrigation potential—both surface and underground. There is, therefore, every reasonable hope that the rate of increase in our food grain production will be stabilised at a satisfactory level and will keep ahead of the rate of growth of our population.

We come next to the more general question as to the impact of planned economic development on the standards and quality of life of the people of India. When India became independent in 1947, one of the major concerns of the popular Government was to raise the standards of living of the vast population of the country and to give the people a better quality of life in terms of education, housing, medical facilities etc. Even before we gained our independence, our political leaders were constantly reminding our people that political independence was not an end in itself but was only the beginning of the long road towards economic emancipation. So, it would be of some interest to you, I would assume, to see what India has achieved during the past two decades and more of planned economic development in a truly democratic system. One way of measuring this progress would be by looking at a few indicators of economic development. Taking the 20 year period from 1951 to 1971, the output of foodgrains more than doubled from about 51 million tons in 1961 to 108 million tons in 1971. The per capita availability of foodgrains increased by 14%, that of edible oils by 22%, sugar by over 140%, and cotton cloth by about 25%. On the industrial front, steel production increased six-fold from one million tons to nearly six million tons. Aluminium production from a mere 4000 tons in 1951 to over 170,000 tons in 1971. Cement output now exceeds 14 million tons a year which is more than five times the output in 1951. Nitrogenous fertilizer production increased from 9000 tons to nearly a million tons. Output of petroleum products increased from about a fifth of a million tons in 1951 to over 17 millions tons in 1971. Power generating capacity increased from 2.4 million Kw to 17 million Kw. There was practically no Indian shipping in 1951; today we have over 200 ships, big and small, with a gross tonnage of 2.5 million and 40% of our trade is carried in Indian ships. Let us look at other socio-economic indicators. There were 14 million children in schools in 1951. We now have over

83 million children in schools. College enrollment is now at two million and has doubled in the last decade. The number of college students in India now ranks third behind the U.S. and USSR. There were 45 universities in 1960 and there are now over 80 universities. The death rate has dropped from 28 to 16 per thousand. Major diseases like cholera, malaria and smallpox have almost been eradicated. The number of doctors has been doubled and the number of nurses has increased eight-fold during the period of about two decades. There have been other gains too. The industrial base has been greatly diversified and expanded. A large reservoir of skilled and highly trained manpower has been built up. A good deal of experience has been gained in planning for development and many lessons have been learnt.

Even so the question has been asked with increasing frequency and urgency in the last few years as to why, in spite of these significant and substantial gains during the last two decades, there still are millions of Indians who still subsist below the poverty line without the minimum wherewithal of food, clothing and shelter. There has been a great deal of thinking and public debate on this difficult economic and human problem and it is now generally realised that merely to wait for economic growth to take place and for the benefits of such growth to trickle down to the masses is no longer an acceptable alternative and would significantly affect the continuance of the free, open and democratic society that we have. It is no longer possible in India or perhaps anywhere else in the world, to expect a politically and socially stable society to exist with the polarisation of the 'haves' and 'have nots', of the few conspicuously rich and the poverty ridden masses and if there has to be a preservation of the social and human values that we have cherished and for which we fought for our independence, it is urgently essential for society to make a conscious effort towards alleviating poverty as it exists at the lowest levels for vast millions of our people. The concept of social justice is not new in Indian thinking. It has in fact been built into our Constitution which says that "the State shall strive to promote the welfare of the people by securing and protecting, as effectively as it may, a social order in which justice-social, economic and political—shall inform all the institutions of national life." Our plans for economic development have aimed at providing a better life for the poorer sections of the people. The need for special action to bring about a reduction in inequalities and a degree of social justice in the form of a better distribution of the fruits of development, more equal opportunities for employment and advancement and a special concern for the weak, the young, the aged and the infirm, has been one of the major concerns of our Government during the last five or six years. There is often a question asked as to whether it is appropriate for a country like India, with a long way to go in terms of economic growth, to attempt to bring about distributive justice at such an early stage in the process of development. What I have just said explains the compelling political, social and humanitarian reasons for the Indian Government's special concern for the poorest of the poor. However, it must be clarified that when we are talking of greater social justice, we do not mean that there should be any less *emphasis* on *growth*. In fact, over 20 years ago, our first Prime Minister Pandit Jawaharlal Nehru had said that social justice does not mean a distribution of poverty and that there has to be more production and more growth for social justice to be effective. In a large country like India with a multi-lingual, multi-ethnic society and a federal system of Government operating under truly democratic conditions, it is necessary even for the process of economic growth to have the involvement of the large number of people in the major effort and to make use of the human resources in the process of achieving a faster rate of growth. It is in this context that we now regard growth and social justice as not mutually exclusive but as really inter-linked and mutually reinforcing concepts. Social justice needs growth to be meaningful; a mere redistribution at existing levels of production will not constitute social justice. On the other hand, growth needs social justice to be sustained and durable. In a system where we are able to show economic growth only in statistical terms but with a great deal of inequality among the people, development will not be a durable process as the social fabric, which is an essential component of our growth process, is likely to be terribly strained and perhaps irreparably damaged if the economic and social inequalities are not only allowed to exist but are in fact aggravated in the name of growth. We are, therefore, consciously following a policy not only of achieving faster economic growth, but also of taking special measures to attack the widely prevailing poverty at its lowest levels. Special measures of housing, special measures for provision of food and drinking water, employment for the lowest sections of our population are therefore an integral and important part of our planning today. In this task we continue with optimism and confidence. Temporary set back like the drought will not be allowed to distract us from the main purposes and goals of our economic progress.

The Fifth Five-Year Plan will begin from the 1st of April, 1974. The broad outlines of the Plan have been approved. An average rate of growth of 5.5% in the GNP has been envisaged. Out of the total outlay of about $62 billion, over a third will be private investments in the corporate, cooperative and household sectors. Given reasonable luck with the rains this summer and fall, we have every hope of beginning the Fifth Plan in the right tempo and getting on the path of steady and self-sustaining growth.

GENOCIDE CONVENTION SHOULD NOT BE RATIFIED

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. ASHBROOK. Mr. Speaker, although this House does not pass on treaties, there has been reported from the Senate Committee on Foreign Relations a treaty whose grave dangers to the United States and our present form of government makes necessary my speaking out in opposition to it. This treaty is the United Nations Convention on the Prevention and Punishment of the Crime of Genocide.

It is instructive to look briefly at the history of this convention. The Genocide Convention was adopted by the General Assembly of the United Nations on December 10, 1948, and was submitted by President Truman to the Senate for its consideration in June 1949. The Senate Foreign Relations Committee appointed a subcommittee which reported to the full committee that the United States should not ratify the convention unless the Senate adopted four substantial understandings and one substantial declaration.

After the 1950 hearings, the convention went into hibernation for 20 years. During the Eisenhower administration, Secretary of State John Foster Dulles announced that the administration would not bring up the convention. At the 1950 hearings, then Assistant Secretary of State Dean Rusk presented the State Department's position in favor of the treaty. As Secretary of State under both Presidents Kennedy and Johnson, Dean Rusk did not revive the treaty. It was not until February 1970, after 20 years of dormancy, that the Genocide Convention was sent by President Nixon to the Senate.

In 1949, the American Bar Association announced its opposition to the treaty—reaffirming that opposition in 1970. In part, its statement says:

> That the suppression and punishment of genocide under an international convention to which it is proposed the United States shall be a party involves important constitutional questions which the proposed convention . . . does not resolve . . . in a manner consistent with our form of government.

This statement coupled with a letter signed by then Senator Richard Nixon in 1951 flatly opposing ratification of the convention leads to serious questions on the advisability of the Senate ratifying this unwise document. In the words of then Senator Richard Nixon:

> The major objection to the treaty is that its provisions would not apply to the persecution of political minorities of the Soviet Union. In addition, the treaty, in its present form, grants far more power to the international organization (the United Nations) than the United States should agree to, particularly in view of present world conditions.
>
> You can be sure that in view of these objectionable features, I shall continue to oppose the approval of the Genocide treaty in its present form.

In the intervening years the treaty has not changed. Obviously, the American position in the United Nations has not improved.

I ask my distinguished colleagues on the other side of the Capitol not to ratify the Genocide Convention with its many dangers and problems for our free American system of government.

HON. WILLIAM H. NATCHER

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. CARTER. Mr. Speaker, for several years I have had the good fortune to be associated with the Honorable William H. Natcher, U.S. Representative from the Second District of Kentucky. He is one of the most effective Members in this body. He is chairman of the Subcommittee on Appropriations for the District of Columbia, and a member of two other subcommittees of this very powerful committee. He has served his people well for many years. The accolade accorded him in last evening's Star News deserves the attention of this body:

Kentucky Flavor Comes Out

(By Martha Angle)

At 10:02 a.m. yesterday, Donald H. Weinberg, director of personnel for the District, slid into the witness chair, adjusted his papers and apologized for his two-minute tardiness.

"Why that's okay," drawled Rep. William H. Natcher, D-Ky., chairman of the House D.C. Appropriations subcommittee. "I'm a little late myself now and then."

"Off the record," Natcher said, "did you ever hear about the little first-grader down home in Kentucky who was late for school one day? The teacher stood him up in a corner and fussed and fussed and fussed, and then finally asked why he was late.

'I was following a slow dog,' the little boy said."

A gentle chuckle rippled through the hearing room, the stenographer prepared to go back on the record, and another day's testimony on the District's proposed fiscal 1974 budget got under way.

When the hearing record is published, the "slow dog" anecdote won't show up. Neither will countless other little stories, many of them ostensibly Kentucky tales, that Natcher recounts each day.

The anecdotes are mostly "off the record," along with a good many personal salutations to witnesses, recollections of shared experiences and observations about human nature that Natcher sprinkles over each day's testimony.

Until this year, hardly anyone except committee members and the city government witnesses who appear before them even suspected that Natcher had a sense of humor.

The tall, 63-year-old Kentuckian has been far better known for his implacable opposition to funding the Washington area subway system while local freeways remained unbuilt than for any personal warmth, professional fairness or legislative skill.

But a reform of House rules this year opened up the annual city budget hearings to the public for the first time, and Natcher—an intensely private man who has always avoided any contact with the Washington press corps—is emerging in a new light.

Natcher has headed the D.C. Appropriations subcommittee for 12 years. He has served in the House almost 19 years, and proudly notes, "I've never missed a day, and I've never missed a vote. I've been right lucky."

What he's been, actually, is right conscientious.

Assignments to the D.C. Appropriations subcommittee are not exactly coveted, in either House or Senate. And the only thing regarded as worse than membership on the two panels is the responsibility for heading them; inevitably, the chairman ends up doing all the work.

Yet Natcher has never sought relief from the burden.

He carries on, year after year, patiently plowing through the incredible minutiae of a municipal budget, never missing a tell-tale detail that might signal the presence of a little fat.

He is occasionally critical of, but never rude to, the city officials who troop before him. And many of them win his ultimate accolade: "You're doing a good job, and I want to commend you for it."

Natcher clearly admires Mayor Walter E. Washington, and despite their differences over Metro funding, the feeling appears to be mutual. Last week, the two men wandered down memory lane together for more than an hour, while committee members and waiting witnesses fidgeted.

"You'll be interested to hear this, Mr. Roush . . . Mr. Myers . . . Mr. Burlison," Natcher would say every so often when a member's attention appeared to stray.

Most of the members, in fact, do appear interested in the daily hearings, even when the going is slow. Attendance is excellent, and Natcher is scrupulous about insuring every committee member a chance to question each witness for as long as the member feels like it.

No District government official is ever cut short, either, although the old hands know that brevity may be the better part of budget wisdom.

When Samuel T. Eastman, the District's director of public affairs, sat down to present his office's spending request he began by noting he was seeking a reduction—rather than increase—in funds.

Natcher and other members were so astounded at this aberration that they asked not one question, and Eastman was safely and happily on his way back to the District Building less than two minutes after he began his testimony.

Natcher has little patience with chicanery or incompetence. "God help you if you haven't done your homework," said one experienced city official who appears before the chairman each year.

But he has a professional's admiration for skillfully presented testimony and documentation. "Mr. Coppie (budget director Comer S. Coppie) has a right sharp pencil," Natcher observed several times last week.

"But that's all right," he added. "Mr. Silsby (his own staff aide) has a pretty sharp pencil, too."

COMMONWEALTH AGAINST BRUNELLE

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. HOGAN. Mr. Speaker, earlier I inserted excerpts from the testimony in the criminal abortion trial "Commonwealth Against Brunelle" held in the State of Massachusetts. Today, I would like to continue inserting a commentary on this testimony previously printed in the RECORD by Dr. Herbert Ratner, M.D., public health director of Oak Park, Ill., and editor of Child and Family Quarterly. The commentary was printed in Child and Family Quarterly, volume 9, No. 2, page 159:

COMMONWEALTH AGAINST BRUNELLE

If witnesses are to testify under oath as medical experts, it seems that either candor or competency demands scientific and accurate statements concerning the humanity of the fetus.

Exemplary is the following comment of pro-abortion Roderick W. Childers, M.D., of the University of Chicago:

"I think it should be said first of all that a great deal of discussion that you hear now on the question of abortion involves trying to define individuality in terms of the fetal age in the uterus: that at two months he isn't entitled so much to live as he is at three months, and when is the cutoff point? It's only fair to say that the theological argument is much the most consistent, that from the moment of conception something is there and that's that. But I think we have to be absolutely honest about this and be practical. Obviously, there has to be reform of the abortion laws, but I don't think that the endeavor is helped by the deception that one is doing anything other than interrupting, or destroying life. I think one has to face that and take it from there. Everything else is specious."

Equally exemplary is the honesty of Mary Dratman, M.D., Associate Professor of Endocrinology in the Department of Obstetrics and Gynecology, Women's Medical College, Philadelphia:

"I can't bring myself to tell some sort of phony lie about the fact that the fetus isn't alive or that we can make a sharp distinction between the living organism after birth and the living organism before birth, but I think there is a difference in the value and the concerns that we have to exert toward the mother as compared to the fetus. And I favor the concerns of the mother."

In closing this section, it is perhaps appropriate to turn to the conscience of an earlier age when obstetrical sensibilities to human life in the womb were greater and when respect for life was paramount in the healing art of medicine. Professor Joseph B. DeLee of the University of Chicago Medical School and Chief of Obstetrics at the famous Chicago Lying-In Hospital, one of the great obstetricians of American medicine, reflects this conscience.

For decades DeLee edited the *Annual Yearbook in Obstetrics and Gynecology*, a collection of abstracts of the significant articles published in the preceding year. Most notable were his sage editor's comments following many of these abstracts. Prophetic in its way is the comment following an article entitled, "Clinical Observations and Study of Results of Abortion Performed for Social Indications," published in Germany in 1933 at the beginning of the Nazi era:

"Is civilization progressing backward? What kind of men will develop in a society that recognizes the slaughter of innocents in such a wholesale fashion? To those of us who get a shock and a sickish, sinking feeling around the heart when we have to do a therapeutic abortion, such a wholesale business as is done in Russia evokes inexpressible sentiments. 'Abortion for social indications.' Social!"

THE SECOND SET OF WITNESSES

Even more disturbing is the testimony of the second group of proabortion witnesses. The first two witnesses, Hall and Tietze, had the right principles but failed to use them: they accepted the principle that biology, the science basic to medicine, is authoritative in determining who is a human being, and, accordingly, what animal species is the recipient of the physician's art as differentiated from the veterinarian's. As physicians, they recognized the professional man's overriding dedication to the good of the individual patient, and obligation which transcends the perversities of the political state and the sophistries of a sick culture regarding who is or is not a human being deserving of health and life.

Hall and Tietze contradicted these principles, however, by denying the humanity and the right to patient-hood of the previable fetus, as established by a fixed predeterminable age even though the state of viability varies according to intrinsic factors, namely, the vitality of the newborn, and extrinsic factors, such as, the degree of available infant care skills and the state of technologic advance. (The capricious nature of the term "viability" is demonstrated by the New York law which permits abortion up to 24 weeks, four weeks past the period of viability.) These witnesses preemptorily narrowed the obligation of obstetrics from two patients—mother and child—to one patient, the visible patient, the mother. They also negated the pediatric subspecialty of fetology which holds that although the fetus "is the littlest patient, he is by no means the least." But at least these witnesses accepted fundamental principles which make dialogue possible.

In sharp contrast were the principles implicit in the testimony of the second set of pro-abortion witnesses. They abandoned the medical profession's responsibility to be governed by the teachings of biology, which irrevocably establish the medical art's constituency—its patients. Despite an occasional token disavowal they assented to the doctrine, foreign and inimical to the tradition of the medical profession, that physicians are primarily skilled technicians instrumentally subserving state and society—both its philosophy and its members—dutifully, compliantly and willingly.

For example, psychiatrist Liberman testified under oath that "whether the fetus is human goes outside the area of medical science and psychiatry," and, "when a fetus becomes a human being is up to the mother." Psychiatrist Notman testified that "whether a fetus is human is not a medical issue"; that "the concept of human being is not a medical concept"; and that though the child is human after birth "what transforms a fetus into a human being by virtue of passing from the womb is not a medical question." Completely irrelevant to this twentieth century physician is the absence of any significant difference in the infant before and after birth. For Notman to disregard the observable and the evident for the mystical and the obscure is anachronistic and a throwback to the dark ages of a prescientific era. It recalls ancient preoccupations with *pneuma*: the soul or spirit thought to inspire and animate new life.

Biologist Hardin, who defines his science as dealing "with the structure, functioning, and activity of living *objects*, both plant and animal," (italics added) testified that it is "society which defines what is human and some societies define it differently." Since Hardin lists among his qualifications membership in the International General Semantics Society, this statement should be seen as an instance where his semantic inclinations took precedence over his biologic training. Nowhere in his testimony did Hardin comment that one society's concept of *human* may be more humanistic than another's. Nor did he take issue with Nazi Germany, a society which defined *human* in Aryan terms, or with former periods which classified Blacks and Asiatics as subhuman. To have such a doctrine voiced in the latter half of this century in a country which has defended the inalienable rights of the individual to life, liberty and the pursuit of happiness adds fuel to the fire of today's pervasive emotions of alienation and aggression.

These witnesses held that in regard to the life and death of human beings, the state, any given society, or individual laymen, but *not* the physician, determines who is or is not a human being. Not only did they tolerate, but they readily acquiesced to the right of the state and society to graft on to medicine the function of executioner. In opposition to the character and tradition of medicine, they would add to Curative, Preventive and Perfective Medicine, a fourth end, Exterminative Medicine. To kill, however, goes counter to the very nature of medicine which is constituted by definitive ends: to cure, to prevent disease and to perfect health. These instrinsic ends underlie and are encapsulated in every code of medical ethics ever written. To add killing to healing as an end of medicine is as monstrous as adding the goal of injustice to justice in our sister learned profession, law.

At least one physician amenable to abortion has discerned the incongruity of a profession governed by conflicting ends. Michael J. Halberstam, a practicing internist in Washington, D.C., views the inclusion of abortion in the practice of medicine as a professional deviation of grave import. He finds the role of physician as a lethal instrument and an agent of society and state, when society and state decide for social or other reasons that certain categories of human beings are eligible for extermination, to be contrary to the physician's prime ordination to life and health and, thus, unacceptable. He felt sufficiently concerned about this subversive aspect of the abortion movement to make a counterproposal in an article addressed to the public at large.

In his introduction he notes that States that "have enacted 'liberalized' abortion laws . . . have changed the status of abortion within the medical profession itself, from unorganized criminally to organized hypocrisy" with the result "that the honesty of the medical profession has been subjected to continual erosion."

He expresses his concern that:

"More and more doctors are beginning to wonder if abortion should be the doctor's business . . . . The Hippocratic Oath in its classic form enjoins the physician from performing an abortion. Physician-abortionists have always worked on the fringe of the profession—known . . . but somehow despised. The reason for this is quite obvious. Medicine basically is the business of life. The physician is enjoined to protect and preserve life . . . The physician is taught to make no distinctions as to the stage or quality of the life he is to protect . . . as a physician I know that (the fetus) lives and as a human being I am in awe of it."

Halberstam believes that, although some of the thinking of abortion protagonists may be valid, "it misses one vital point:"

"By the very nature of his training and function the physician is committed to the preservation of life . . . regardless of its stage or quality. As a guardian of biological life I can understand that my distaste for abortion stems from the way I believe it compromises the basic fiber of my profession."

He then enunciates his position:

"The most compelling reason why doctors should not be required to perform abortions is that one arm of society, medicine, should continue to be devoted to life . . . Let the psychiatrists, social workers, social planners and population experts have their way; their reasons are socially valid. But when people we love are in the hospital—or when we ourselves are—we should never have to wonder if the doctor is thinking about his patient or about what is best for society.

"If abortions are to be made easier to obtain . . . the last people in the world to do them are physicians . . . Medicine now quite simply should renounce responsibility for performing or certifying the need for abortion.

"The biological facts about the fetus . . . are incontestable. The proper function of the physician in society is implicitly and explicitly agreed upon by physicians and those they serve, and that function is to preserve biological life. If the time has come when our civilization's sociological interpretation of fetal life has changed, it does not necessarily mean that the physician's role has changed along with it.

The suggestion that if abortions must be done they be done by non-physicians is not a copout. It is a recognition of a medical ethic that has served society well in many areas other than fetal life. And this medical ethic may be the individual's greatest protection in the future."

These thoughts of a physician sympathetic to certain elements of the abortion movement call for sober deliberation. That physicians tolerate and even welcome the exploitation and misuse of their technical skills for killing purposes suggests that they have been unreflective victims of today's barrage of propaganda by foundations and power groups fascinated by social engineering, and of demands for unrestricted personal freedom by a confused, unpurified and deeply resentful women's liberation movement.

Unfortunately, the avarice associated with a materially-oriented culture, to which physicians are not immune, makes them more susceptible to the siren song of increased opportunities for surgery. This has been confirmed by their exorbitant and sometimes extortionist fees for abortion and by lucrative assembly line practices. (Although it is claimed that abortion is an easy as pulling a tooth, the modest fee attached to an extraction is ignored.)

In either case, the willingness of physicians to cater to the consumer to the extent of destroying the very character of medicine as a profession shows how far we have wandered from the true physician's commitment to his learned profession. Halberstam, sensitive to the heritage of medicine, echoes in the above quoted passages what has been so forcefully expressed by Prof. Edelstein of Johns Hopkins University in his *Commentary on the Hippocratic Oath:* that the heart and backbone of a learned profession is the integrity, fidelity, dedication and allegiance of its members to its vocation and the further willingness of its members to suffer even martyrdom in the face of debasing and degrading forces.

The proclivity of the medical profession to succumb to corruptive cultural influences such as today's clamor for abortion-on-demand has been noted before. The nineteenth century Harvard professor, Oliver Wendell Holmes, father of the equally famous Supreme Court Justice of the same name, in an historical address to the Massachusetts Medical Society in 1860, forewarned us of this perennial predisposition.

He decried "the statesman who works in policy without principle [and] the physician who, calling himself a practical man, refuses to recognize the larger laws which govern his changing practice" pointing out that they "may all find that they have been building truth into the wall, and hanging humanity upon the cross." He spoke, too, of the inapparent "relation between the medical sciences and the conditions of society and the general thought of the time." Although he was aware that "theoretically medicine ought to go on its own straight-forward inductive path without regard . . . to fluctuations of public opinion," he also recognized its vagaries. "The truth is," he stated, "that medicine, professedly founded on observation, is as sensitive to outside influences, political, religious, philosophical, imaginative, as is the barometer to the changes of atmospheric density." (pp. 176–7)

As Holmes and others before and after him have stressed, however, the physician faithful to his learned profession has a commitment that overrides anti-professional onslaughts. In this sense, medicine, as a profession, is radically distinguished from today's transmuted concept of profession in which professional achievement is measured by the degree of monetary remuneration or the plaudits of the public. 'Professional' athletes and 'professional' entertainers come to mind. Today's abortionists qualify on both these grounds: on the basis of financial rewards, and popularity with highly vocal pro-abortion groups: upper-class, single, white males; women 'liberators'; 'liberal' mass communicators; and 'brave new world' politicians.

DeLee's earlier expression of abhorrence for the act of abortion, even when done to save one life when, otherwise, two would die, and his deep repugnance for abortion based on social indications, epitomizes medicine's timeless pro-life tradition. What, then, has caused us to swerve from a commitment intrinsic to the very nature of medicine as a profession? After all, DeLee was contemporary to many physicians practicing medicine today. He not only edited and annotated the *Year Book On Obstetrics* over a forty year period (1903 to 1942), and wrote the most widely used textbook on obstetrics, but he, more than any other physician, pioneered in reducing the scandalously high maternal mortality rates that characterized American medicine in the thirties and forties. (In the thirties, our national maternal mortality rate compared to other developed countries was as high as our infant mortality rate so compared is today. Our continuing high infant mortality rate reflects the same indifference that permits us to accept huge numbers of induced fetal deaths and makes us tolerant of the infanticide occurring in states where abortion is legal.)

BANNED FOR INDECENCY

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. GAYDOS. Mr. Speaker, in a 6-to-3 decision the other day, the U.S. Supreme Court once again demonstrated the serious legal problems which this Nation now faces in seeking to maintain its customary high moral standards.

The Court majority, in what it assumed to be its wisdom, ordered the University of Missouri to reinstate a female graduate student who had been expelled for distributing on campus an underground publication which had been banned for indecency.

And no wonder the ban. The paper carried a cartoon, according to the Associated Press, which pictured the "Police" in the act of raping the Statue of Liberty and the Goddess of Justice. Corny as was the idea itself, the cartoon nevertheless was a crude libel on law enforcement officers and obviously, in the minds of the university authorities, a disgusting piece of pornography.

But, no matter, the majority jurists, in an unsigned opinion, informed the university officials that, although they had the legal right to control conditions relating to the spread of ideas at their school, they could not halt the "mere dissemination" of them "no matter how offensive to good taste."

The majority held that the girl was dismissed because of the paper's content and not because of how she handled it and ordered that she be returned to her classes. The "facts," the Justices said, supported this finding.

In my judgment, this is one more of those Court exercises in nit-picking to which the Nation is being subjected in cases having to do with loose morals and obscenity. I agree, as I am sure most Americans do, with the Court minority in this instance, Chief Justice Burger and Justices Rehnquist and Blackman, that the true issue was circumvented and that the publication in question, being "obscene and infantile," was properly subject to university control. Justice Rehnquist made the added point that the victory for smut in the majority decision could add to the growing reluctance of taxpayers to finance higher education.

What can be done about this situation? Granted, the sincerity of the Court majority cannot be questioned. The Justices found what in their minds was the law of the case and based their findings upon it. Whether their determination damaged the Nation morally may have been beyond what they considered the scope of their jurisdiction.

We can disagree with them and condemn, as laymen, their seeming disregard of the consequences of what they did. But we cannot fault it, because the Court majority is the highest legal authority in the land. And yet, as Members of Congress and as parents and troubled Americans, we can face up to the results of this widespread Court permissiveness. This is our responsibility and I am sure the time has come for us to do something about it.

We need new laws dealing with pornography and, if Congress finds it possible to draft them so as to meet Court challenges, then we must submit the issue to the public in the form of a proposed constitutional amendment. I am sure an antismut amendment, one to rid our society of the rising tide of filth which has come in the wake of the Court rulings, would be supported overwhelmingly.

LIVE FETUS RESEARCH DEBATED

HON. STANFORD E. PARRIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. PARRIS. Mr. Speaker, under the leave to extend my remarks in the Record, I include the following article published recently in the Washington Post concerning the debate over live fetus research. Many of my constituents have been shocked and angered by this debate and I think it appropriate at this time to include this article in the Record.

NIH Considering Ethics—Live-Fetus Research Debated

(By Victor Cohn)

The possibility of using newly-delivered human fetuses—products of abortions—for medical research before they die is being strenuously debated by federal health officials.

So is the question of whether or not federal funds ought to be used to support such research in a country where abortion is considered immoral by millions.

A proposal to permit such studies was recommended to the National Institutes of Health 13 months ago, it was disclosed yesterday by a doctors' newspaper, Ob.-Gyn. (Obstetrician-Gynecologist) News.

Officials at NIH, prime source of funds for American research laboratories, differed yesterday on whether the recommendations had at least temporarily become "NIH policy."

But they agreed that NIH is considering the ethics of the matter afresh in the light of last year's revelation of an Alabama syphilis study in which the human subjects were neither informed about their disease nor treated for it.

They also agreed that most scientists feel that it is both moral and important to health progress to use some intact, living fetuses—fetuses too young and too small to live for any amount of time—for medical study.

Most such scientists would apparently agree with the recommendations of still another NIH advisory body—made in September, 1971, but again not disclosed until yesterday—that a fetus used in research must meet at least two out of three criteria: (1) it be no older than 20 weeks: (2) no more than 500 grams (1.1 pounds) in weight; and (3) no longer than 25 centimeters (9.8 inches) from crown to heel.

Such tiny infants if delivered intact, may often live for an hour or so with beating heart after abortion.

They cannot live longer without aid, primarily because their lungs are still unexpanded. But artificial aid—fresh blood and fresh oxygen—might keep them alive for three or four hours.

Scientists in Great Britain and several other countries are regularly doing studies in this way, medical sources said yesterday.

British scientists generally work under a set of strict though unofficial guidelines set last year by a government commission named to end what virtually everyone agreed was an abuse—obtaining months-old fetuses for research and keeping them alive for up to three or four days.

Before permitting research on fetuses said the British commission, a hospital ethics committee must satisfy itself "that the required information cannot be obtained in any other way."

This is often the case, one well-known genetics researcher, Dr. Kurt Hirschhorn of New York's Mount Sinai Hospital and Medical School, said in an interview yesterday. Indeed, he added, some U.S scientists are going to Sweden or Japan or other countries to do such research and doing so with the help of their NIH funds.

Using the fetus, Hirschhorn said, it may be possible "to learn how differentiation occurs"—the way cells develop into different parts of the body. "We could learn more about inborn anomalies," or birth defects.

"I don't think it's unethical," he said. "It is not possible to make this fetus into a child, therefore we can consider it as nothing more than a piece of tissue. It is the same principle as taking a beating heart from someone and making use of it in another person."

Dr. Andrew Hellegers, professor of obstetrics at Georgetown University and director of the Kennedy Institute for the Study of Human Reproduction and Bioethics, argued with this view at one NIH advisory meeting. "It appears," he said, "that we want to make the chance for survival the reason for the experiment."

"Isn't that the British approach?" another member asked him.

"It was the German approach, 'If it is going to die, you might as well use it.' " Hellegers replied, referring to Nazi experiments on doomed concentration camp inmates during World War II.

Despite some views like his, an NIH Human Embryology and Development Study Section decided in September, 1971, that: "Planned scientific studies of the human fetus must be encouraged if the outlook for maternal and fetal patients is to be improved. Acceptable formats for the conduct of . . . carefully safeguarded, well controlled investigations must be found."

For example, this group warned, "under no circumstances" should attempts be made to keep a fetus alive indefinitely for research.

The study section's recommendations were greatly modified by the National Advisory Child Health and Human Development Council—the advisory group to NIH's National Institute of Child Health and Human Development—in March, 1972.

"It was my understanding that the advisory councils recommendations were accepted last year," Dr. Philip Corfman, acting director of the Child Health Institute, said yesterday. "But everyone knew they would require more work on specific guidelines."

However, Dr. Charles U. Lowe, the institute's scientific director—who was asked last year to head a group to help develop such guidelines—said: "The council statement was sent to the director of NIH, but it is not at the present time policy. It has no standing except as a council expression."

The Child Health Institute is supporting no research using live, intact fetuses, he said. Other sources said they knew of no such projects supported by any NIH institute, though, one added, "we'd have to survey some 12,000 projects to be sure."

Lowe said he personally agrees with the British commission's feeling that such research is proper and ethical if properly controlled.

"But I haven't decided in my own mind yet," he added, "whether we can go along with Great Britain, using federal dollars First, we have an articulate Catholic minority which disagrees. Second, we have a substantial and articulate black minority" sensitive on issues of human life.

Hirschhorn for his part argued: "How do

we know what drugs do to the fetus unless we find out?" A position is needed, he maintained, between those "who say we're not doing any harm to a fetus that's going to die anyway" and those who would require "highly complex forms" before a medical scientist can do anything.

CONSERVATISM: NEW ATTENTION, NEW RESPECT

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. CRANE. Mr. Speaker, it has been said for many years that both young people and the Nation's academic community have been moving steadily to the left and that the conservative approach to government, a belief in limited government, in national strength, in fiscal responsibility, was not to be found either within the academy or among our youth.

Nothing could be further from the truth. As a recent article in the Los Angeles Times pointed out, there is a definite trend toward conservatism, even in the academic world. The article noted:

> Stanford's prestigious Hoover Institute is stepping up research in domestic affairs that will aid conservative scholars. . . The import of this trend extends far beyond the academic institutions and publications where the debate between conservatives and liberals is hottest. What is at stake is the shape of public opinion and, ultimately, the thrust of national policy for years to come.

Even at Harvard University, long considered a citadel of liberalism, students are engaged in studying the subject of "traditional conservatism in the 1970s." The teacher is Jeffrey Bell, former Washington representative of the American Conservative Union, and currently a fellow at Harvard's Kennedy Institute of Politics.

Part of the renewed interest in conservatism is surely the fact that liberal programs such as urban renewal, agricultural price supports, welfare, school busing, inflationary deficit spending, and a host of other governmental interventions into problem areas previously considered outside of the jurisdiction of government, have not solved any of our difficulties. Instead, Americans feel more and more out of control of their own government which is, increasingly, dominated not by elected officials but by bureaucrats who have been elected by no one and who are not obligated to return to the people at stated intervals for their approval or disapproval.

With the mounting evidence of the failure of liberalism and the bankruptcy of its belief that social problems can all be handled by the appropriation of government funds and the creation of government bureaus, conservatism has become of interest to many who truly seek a government which is responsive to the people and their real desires.

Discussing one of the major intellectual centers of the Nation, Los Angeles Times writer Robert Shogan states that:

> Conservatives can expect more ammunition for their battles from Stanford University's Hoover Institution on War, Revolution and Peace. The Hoover Institution, generally regarded as conservatively oriented, has in the past devoted nearly all its attention to international affairs. But last summer it announced a major expansion of research into economic, political and social problems on the domestic front.

The tide is turning in American politics, and that turn is one away from dependence upon government and the naive belief that huge financial expenditures can, in reality, solve problems of crime, alienation, and meaninglessness in an increasingly complex society. The problems we have must be faced. But we will need something better than the shopworn liberal slogans of the past with which to face them.

I wish to share with my colleagues the article concerning the renewed vigor of conservatism which appeared in the Los Angeles Times of March 15, 1973, and insert it into the RECORD at this time:

RENEWED VIGOR—CONSERVATISM: NEW ATTENTION, NEW RESPECT

(By Robert Shogan)

WASHINGTON.—This semester about 25 Harvard students are spending Tuesday nights boning up on the subject of "traditional conservatism in the 1970s." A feature of the new study group is a hard-nosed critique of conservatism's traditional adversaries—among them Harvard University itself.

The teacher, 29-year-old Jeffrey Bell, former Washington lobbyist for the American Conservative Union, came to Cambridge last month as a fellow at Harvard's Kennedy Institute of Politics. Officials there, Bell says, "told me quite frankly that they wanted more balance because they had underrated conservatism as a force."

Harvard's interest in Bell, and in the subject closest to his heart, is a sign of the ideological times. In their long underdog struggle against liberals, conservatives are now commanding increasing attention and respect, even in quarters where they had often been ignored or rebuffed.

MORE TIME AND SPACE

Two pillars of the so-called liberal Eastern Establishment, the Columbia Broadcasting System and the New York Times, are giving conservative views more time and space. Stanford's prestigious Hoover Institution, is stepping up research in domestic affairs that will aid conservative scholars. And a fiercely individualist brand of conservatism, called libertarianism, is spreading on campuses.

The import of this trend extends far beyond the academic institutions and publications where the debate between conservatives and liberals is hottest. What is at stake is the shape of public opinion and, utlimately, the thrust of national policy for years to come.

Conservative thinkers are trying to exploit the general disenchantment with liberalism that set in during the late 1960s. Because theirs has long been the dominant ideology, liberals have taken much of the blame for the nation's frustration with the Vietnam war and with urban and social problems.

"Liberals have come a cropper," William A. Rusher, publisher of the conservative National Review, says flatly.

NIXON SHIFTS TO RIGHT

Moreover, conservatives have gained impetus and enthusiasm from President Nixon's apparent sharp shift to starboard since last November's election. In his first term, Mr. Nixon's policies on China and welfare irked many right-wingers.

But now, says Patrick Buchanan, one of the most fervent conservatives on the White House staff, "the President has moved in a conservative direction, both in his budget and in his overall view of government. These are issues that could bring about a broad realignment of forces in the country."

Some conservatives hark back to the dawn of the New Deal as a model for their resurgency.

"Franklin Roosevelt rallied the liberals in the 1930s by making the 'economic royalists' a target," says one influential Administration official. "We conservatives can do the same thing by making our target the liberals in the media and the universities who control the manufacture and dissemination of knowledge."

The forces of modern American conservatism vary widely in doctrine and tactics. And the word "conservatism" itself resists simple definition, just as much as "liberalism" does.

But it is fair to say that most conservatives share a strong suspicion of government activity, particularly in the economic sphere. Most also view schemes for the perfection of society with considerable skepticism, founded on a dour view of human nature.

Though the hopes of conservatives are bright, their optimism is tempered by a recognition of their own shortcomings. For one thing, conservatives as a group do not seem to generate as much intellectual energy as liberals do.

NOT VERY STIMULATING

They are not particularly eager to join organizations or to buy books and publications that support their views. And on a personal level, one young conservative activist says: "Many conservatives are just not very stimulating to talk to."

Because they have been on the defensive for so long, conservatives tend almost instinctively to assume a negative stance on many public issues. "Criticizing the failures of the past is what we've been best at," White House aide Buchanan says.

Despite all this, many conservatives are now hastening to take advantage of a long-sought opportunity to contribute to the present, and to the future.

AGNEW HAS HELPED

Some conservatives believe that the willingness to grant them a hearing has been fostered by the charges of pro-liberal bias leveled against the communications media by Administration spokesmen, notably Vice president Agnew.

National Review's Rusher says the Administration criticism has, "no question about it, made the media more sensitive about whether they are fair. So now we get calls for conservative spokesmen to give conservative viewpoints on public events."

The CBS Spectrum program, started in 1971, presents the views of such conservative spokesmen as columnist Jeffrey St. John and American Conservative Union chairman M. Stanton Evans on a regular basis on network radio and TV.

The New York Times has opened its opinion pages to conservative writers including Buchanan, Rusher and Victor Gold, former press secretary to Vice President Agnew. And William Safire, one of President Nixon's top speech writers, will become a columnist for the New York Times when he leaves his White House post next month.

In some public controversies, the conservative chorus has been swelled by voices outside the fold. Irving Kristol, Sidney Hook and other eminent scholars previoulsy identified with liberal causes nowadays often seem to agree with conservatives on issues such as campus dissent and law and order.

"They're social issue conservatives, as distinguished from economic conservatives," says Thomas S. Winter, editor of the conservative weekly, Human Events. "But they're important because they can reach people we can't get to."

Human Events itself is trying new tactics to reach people. Its latest gambit is a set of cassette tapes featuring lectures by leading conservative spokesmen in defense of free enterprise.

"Stop liberal arguments cold," says an ad in a recent issue. "Hear these seven famous conservatives in your own home." The complete set of tapes sells for $50.

Conservatives can expect more ammunition for their ideological battles from Stanford University's Hoover Institution on War, Revolution and Peace.

RESEARCH EXPANDS

The Hoover Institution, generally regarded as conservatively oriented, has in the past devoted nearly all its attention to international affairs. But last summer it announced a major expansion of research into economic, political and social problems on the domestic front.

The program would provide scholars with a "think tank" comparable to Brookings Institution in Washington, though on a smaller scale. Brookings, says Martin Anderson, former special assistant to President Nixon and now a senior fellow at Hoover, "is 99% liberal-oriented. We're trying to develop our materials on a bipartisan basis."

By contrast with the John Birch Society, "we don't look for hidden causes and conspiracies," says Human Events' Winter. "We think things are pretty much what they seem."

"You've still got guys running around who want to sell the sidewalks," says William Baroody, president of the American Enterprise Institute for Public Policy Research, a Washington think tank which tries to offset liberal intellectual domination. "I want people who are concerned with picking out viable solutions to problems."

IN-DEPTH STUDIES

Under Baroody's leadership AEI's budget has jumped from $80,000 and "slipping" in 1954 to more than $2 million a year, contributed by companies, individuals and foundations. It churns out in-depth studies of national and international issues, analyzes major legislative proposals and sponsors TV confrontations between liberals and conservatives on controversial issues.

"My fundamental approach is that public policy is pretty largely determined by public attitudes," Baroody says. "What you've got to do is assure effective competition in the area of idea formulation."

The renewed vigor of conservatism is reflected on campuses from coast to coast. "Ten years ago it was hard to find students who would identify themselves as conservatives," says Don K. Price, dean of Harvard's Kennedy school of government. "Now there's a distinct minority which is growing in interest and aggressiveness."

STUDENT LIBERTARIANISM

Catching on particularly fast among students is an offshoot of conservatism called libertarianism. Libertarians oppose government intrusion not only in economic affairs, but also in what they regard as matters of personal liberty and conscience.

On some issues such as abortion (they are against most legal restrictions) and draft amnesty (they support it) libertarians are closer to the American Civil Liberties Union than to traditional conservatives.

Nevertheless, most traditional conservatives count libertarians as part of the right-wing flock. "I was a libertarian in college myself," says the Kennedy Institute's Bell. "I think it's kind of a young man's thing."

The largest libertarian group, the Society for Individual Liberty, started with chapters on 10 campuses in 1969. Today, according to co-director Don Ernsberger, it has 232 chapters and a total membership of about 10,000.

Last year the libertarians founded a political party, which nominated John Hospers, director of the University of Southern California school of philosophy as its candidate for President. Though the party started too late to get on the ballot in most states, Hospers did get one electoral vote, cast by a maverick Republican elector from Virginia.

For next month, the Society for Individual Liberty is planning what co-director Ernsberger calls a "major nationwide demonstration," to protest the income tax, and "tax tyranny of all kinds."

Looking ahead, with a sense of history, Ernsberger recalls the progressive movement of the 1890s which helped to usher in an era of national political reform. "If we can reach enough people that affect public opinion, the same thing will happen," he says. "If we can educate the people, a political movement will grow out of it."

THE HIDDEN CUTS IN FUNDING FOR RESEARCH INTO MENTAL DISORDERS

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. LEGGETT. Mr. Speaker, much of the discussion over the President's proposed budget has centered on cuts that we can see—the termination of OEO, the cuts in funds for higher education, the increase in costs to medicare recipients and so forth. What we have not heard much about are the budget reductions that are not readily apparent.

One cut that is hidden inside the maze known as the Federal budget is the massive slash slated for research on mental disorders. The President's 1974 budget proposes $124 million in grants to fund research on mental disorders, but not 1 cent of this $124 million is programed for new projects. This money is only going to be used to fund projects that are now in their 2d and 3d years. When this money is exhausted Federal research into mental disorders will cease to exist.

Mr. Speaker, this is a quiet, but nonetheless effective, way to kill much-needed research in this area. We have come a long way toward discovering cures for some of the most disabling mental disorders. Thanks to research, we now can use psychotropic drugs to limit the effect of schizophrenia and depression. No longer are patients doomed to spend the rest of their lives in mental hospitals as a result of these disorders. Hospitalization now often lasts a matter of weeks. Thousands have been released from hospitals in California.

Unfortunately, the actions of the Nixon administration threaten to mar this encouraging record. Much has been accomplished, but much needs to be done. The causes of schizophrenia have not yet been identified, and unless we continue a strong research effort those causes may never be discovered.

The National Association for Mental Health, a voluntary citizen organization that receives no money for research from Government agencies, has informed me that 250 research projects should be initiated in the next fiscal year in order to maintain the present level of research progress. This could be accomplished if the 1974 budget were at the same level as the current year, $145 million. The NAMH indicates, however, that this funding level is significantly low considering the need and opportunities for research.

At this point in the RECORD I would like to insert the full text of the Mental Health Association's comments on Federal funding for research into mental disorders for the benefit of my colleagues and also the credentials of the author, the very distinguished Dr. James Lowry, M.D.

The articles follow:

CALIFORNIA ASSOCIATION
FOR MENTAL HEALTH,
Sacramento, Calif., March 23, 1973.

Hon. ROBERT L. LEGGETT,
Congressman, Fourth District, California,
Sacramento, Calif.

DEAR CONGRESSMAN LEGGETT: Thank you for taking time from your busy schedule to discuss with me the Administration's 1974 budget proposals for support of research on mental disorders. As you requested, I have put into writing some of what we discussed.

The amount in the President's 1974 budget for research supported by grants to universities and other research facilities is $124,000,000. There is not one dollar for new projects. This fiscal year there are $145,000,000. The $124,000,000 will continue those projects which will be in their second and third (final) year. It is obvious that the President has decided to terminate the support of research on mental disorders by the end of fiscal year 1975. I say it is obvious even though it is unstated and has never been discussed with the Congress.

The record shows that progress in the treatment of patients with mental disorders has been made as the result of the application of research. The utilization of psychotropic drugs has been one of the major factors in shortening the time of disability from the most disabling mental disorders—schizophrenia and depressions. No longer are patients doomed to spend the remainder of their lives in mental hospitals if they develop a mental disorder. Instead of years, hospitalization now lasts only weeks.

Not only has human suffering decreased, but recovered patients are able to be productive members of society instead of costly patients. When I became director of the California Department of Mental Hygiene in 1964, there were 35,000 patients in the state hospitals for the mentally ill. When I retired in 1971, there were less than 10,000. And the population in California had increased by almost 4,000,000 during this period.

Progress in treatment of some mental disorders has been made thanks to new knowledge from research being applied in clinical practice. However, our lack of knowledge exceeds our knowledge. The causes of the most disabling and widespread mental disorder, schizophrenia, have not been identified. We are at the same level of ignorance as in the field of cancer and cardiovascular diseases. However, recent advances in knowledge about genetics, biochemistry and neuropharmacology have opened the doors to encouraging progress. Unless we have continued research, hundreds of thousands of people will become mentally sick every year.

Very little research is now being done on the mental disorders of children and the aged. While schizophrenia is the curse of middle age, the young and the old have their full share of illnesses.

Rather than terminating the support of research, it should be strengthened. Since the results of research benefit everyone in our nation, it is an appropriate area for federal support. The National Association for Mental Health is a voluntary citizen organization with state and local chapters in every state. Like other such organizations, it has limited funds but is investing what it can in research, about $170,000 per year. Its support of the budget of the National Institute of Mental Health for research grants is not motivated by self interest, since it neither asks nor receives money for research from the Institute or any other government agency. Those of us who serve on the Research Committee do so without monetary compensation, but with great personal gratification.

To maintain the present level of research progress, at least 250 new research projects should be initiated in the next fiscal year. This could be done if the budget for 1974 were at the same level as the current year. There are projects waiting to be supported in genetics, biochemistry, neurophysiology, children's disorders, schizophrenia, the effects of environmental stress and other important areas. The National Association of Mental Health has considered the research program very carefully and recognizes that the present level of research is disproportionately small compared to the need and the opportunities for research. It recommends that the research budget for 1974 be $164,000,000 in order to make significant advances in knowledge that will result in prevention and effective treatment.

My professional career has been in the delivery of medical services and this has enabled me to see the progress resulting from research during the last thirty-five years. Very little progress would have happened without the federal support of research. What I am writing about is not just next year's budget, but the fate of the entire research program. If you and the other members of Congress do not act on behalf of the people of this country, there will be no research grant program in 1976 even if there is legislative authorization.

With best regards,

James V. Lowry, M.D.

September 1972.

Curriculum Vitae

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Apt. 3, Sacramento, Calif.

Born 1913, Milwaukee, Wisconsin.

EDUCATION AND TRAINING

B.S.—University of Wisconsin, 1935.

M.D.—University of Wisconsin, 1937.

Internship—U.S. Marine Hospital, New Orleans, 1937–38.

Psychiatric residency—U.S. Public Health Service Hospital at Fort Worth and Colorado Psychopathic Hospital.

Psychoanalytic training—Washington Psychoanalytic Institute.

EXPERIENCE

1. Research—National Institute of Health, 1940–1943;
2. Chief, Psychiatric Service, U.S. Public Health Service Hospital, Fort Worth, 1943;
3. Clinical Director, U.S. Public Health Service Hospital, Lexintgon, Kentucky, 1944–1947;
4. Chief, Community Services Branch, National Institute of Mental Health, 1947–1954;
5. Medical Officer in Charge, U.S. Public Health Service Hospital, Lexington, Kentucky, 1954–1957;
6. Assistant Surgeon General and Deputy Chief, Bureau of Medical Services, U.S. Public Health Service, 1957–1958;
7. Assistant Surgeon General and Chief, Bureau of Medical Services, U.S. Public Health Service, 1958–1964;
8. Director, Department of Mental Hygiene, State of California, 1964–1971; and

PROFESSIONAL AFFILIATIONS

1. American Board of Psychiatry, diplomate, 1946.
2. Mental Hospital Administrator, certified, 1956.
3. American Psychiatric Association, Fellow; Vice-Chairman, Council on Mental Health Services.
4. Sigma Sigma, honorary medical fraternity.
5. Alpha Omega Alpha, honorary medical fraternity.
6. Central California Psychiatric Society.
7. Consultant, National Association for Mental Health, non-pay.
8. Consultant, California Conference of Local Mental Health Directors, non-pay.
9. Consultant, National Institute of Mental Health.
10. Consultant, California Association for Mental Health, non-pay.
11. Consultant, California Department of Corrections.

THE NEW BUDGET TWIST: IMPOUNDMENT VIA NEW GUIDELINES

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mrs. CHISHOLM. Mr. Speaker, I noted with great interest that the Senate Finance Committee Chairman Russell Long has announced that he will begin hearings on the proposed new guidelines for social service programs directly after Easter recess on May 8.

As a day care teacher, director, and consultant with 19 years of experience in the field of child care, and as a legislator deeply concerned about social welfare programs, I was deeply shocked at the effect which these proposed guidelines would have on the quality of services provided to our elderly, our handicapped, our retarded, and to the small children of working mothers.

And as a Member of Congress I am incensed at the highhanded liberties which the bureaucrats in HEW have taken in rewriting these guidelines. The guidelines are clearly contrary to congressional intent and are but one more example of the arrogance which the executive branch has displayed toward Congress.

Because of the great interest in the social service guidelines by both Members of Congress and citizen groups, I am today inserting into the Record copies of my critique of the proposed guidelines and a letter which I sent to Representative Wilbur Mills, chairman of the House Ways and Means Committee.

I would urge everyone who is interested in this issue to write to Chairman Russell Long of the Senate Finance Committee before May 4 so that they may be afforded the opportunity to register their views of the proposed guidelines.

The proposed guidelines and letter follows:

House of Representatives,
Washington, D.C., April 3, 1973.

Hon. Wilbur D. Mills,
Chairman, House Ways and Means Committee, Washington, D.C.

Dear Wilbur: I had wanted to speak to you personally about this but I have been ill the past few weeks.

As you know, the proposed new Guidelines for the Social Services Programs have created an uproar around the country.

I realize that you are deeply involved in the hearing on tax reform right now but I hope you will consider holding hearings on the effect of the new regulations.

I am opposed to them on several grounds. First, I am incensed at what seems to be an arrogant attempt to rewrite the Social Services legislation via these new guidelines.

I know that the Committee was disturbed about abuses—many of which could have been corrected if H.E.W. had simply enforced the old guidelines, and that you were disturbed about the fact that H.E.W. could not account for or give even the vaguest estimate of how each of the state were spending these monies. But, this did not give the H.E.W. bureacrats a license to rewrite the law.

Congress clearly wanted to spend the full $2.5 billion.

Congress did not indicate that *past* and *potential* welfare clients were to be denied assistance.

Congress did not indicate that they intended that the quality of programs should be so weakened and watered down as to render them purely custodial.

As a Day Care instructor, teacher, and director with nineteen years of experience, I am very distressed at the attempts to save money at the expense of little children. The proposal to double the teacher/child ratio, to eliminate expenditures for the health and nutritional aspects of the programs, and the elimination of monitoring and code enforcement costs as a reimburseable expenditure, quite frankly gives me the horrors. I have seen the effect of shoddy, unlicensed, or unenforced programs. You end up with some pathetic soul who needs help herself, taking in children to make a little money. The children sit on a bare floor in wet diapers, munching potato chips without any diversion except a television. That is not Child Care!

The change in the definitions for past and potential recipients from 2 years to 3 months and 5 years to 6 months, is both contrary to the law because it would virtually eliminate past and potential welfare recipients from participation, and foolish because it forces current wage earners back into a dependency status which is, in fact, more costly to the taxpayer.

The proposed guidelines are nothing but a kick in the teeth to those women who are struggling to get off or stay off welfare. As I indicated in my enclosed comments on the proposed regulations, H.E.W. has set up a Catch 22 situation for these women. Under the Talmadge Amendments, she is forced to accept job training and employment, then 3 months after she gets her job, she becomes ineligible for day care and the only way she can become re-eligible is to go back on welfare.

There are some 25.5 million poor in the nation, of which only 21.5% are on welfare. Under these new regulations, none of these struggling people would be eligible for help. I thought after all that hoopla about Family Assistance Plan that they had finally gotten it into heir heads that the solution to welfare was to help people to work!

In fact, I wish that the Committee, in recognition of the close interrelationship between day care and family planning and the ability of an individual to get off and stay off welfare, would exempt day care and family planning from the Social Services Ceiling.

The final ironic twist is that the same Administration which talks so much about putting decision-making power at the state and local level, has with these guidelines, taken away from the states decision-making power, which they used to exercise regarding eligibility, fee schedules etc. And; the same Administration which speaks so eloquently of volunteer donations and the role of the private sector, now comes up with guidelines which forbid the use of private funds.

I realize that I have gone on a bit but this attempt to thwart Congressional intent and abuse people in the name of "targeting our priorities on those with the greatest need", as Secretary Weinberger puts it, has just incensed me. Apparently the only thing they understand down there is for Congress to hit them over the heads with a two by four.

Sincerely yours,

Shirley Chisholm,
Member of Congress.

To: The Administrator, Social and Rehabilitation Service, Department of Health, Education, and Welfare.

From: The Honorable Shirley Chisholm, Room 123, Cannon House Office Building, U.S. House of Representatives, Washington, D.C.

Re: The proposed H.E.W.–S.R.S. Regulations for Social Services Programs for Families and Children.

As the Representative of a Congressional District, the constituents of which will be severely effected by the proposed changes in guidelines, as a former day care and child development center director, and teacher of some twenty years experience, and as a member of Congress, who is intensely interested in our welfare and child programs, I am deeply concerned about the proposed guidelines for social services.

In the last few months, we have seen a variety of methods utilized to cut back expenditures for social welfare programs. First, there have been outright budget cuts, second, impoundment of funds authorized and appropriated by Congress, and third, a more subtle device, impoundment by the redrafting of guidelines, thus making it impossible to spend the money allocated by Congress. In the instance of the social services programs, various groups from the Child Welfare League, to the American Public Welfare Association estimate that under the new guidelines the states will only be able to spend about one half of the 2.5 billion Congress mandated for social services.

Many members of Congress were deeply concerned about the rapid rise in social service expenditures. Indeed, this was the reason that the $2.5 billion dollar ceiling was imposed but, the Congress clearly intended that all of the $2.5 billion should be spent and in no case did they intend such a drastic change in the quality and kind of services to be provided. As Chairman Wilbur Mills stated on the floor, "we have not changed the definition of Social Services that are available for those who are recipients of or applicants for welfare."

Unfortunately, as in a number of other instances in the past few months, the Administration has seen fit to assume responsibilities which constitutionally belong to Congress. The effect of the new guidelines is to completely rewrite the Social Services legislation. I would submit that however much H.E.W. might like to assume that responsibility, it is not theirs to assume.

Since the 1967 amendments, the social security laws have provided that the states shall provide appropriate social service programs to *past, current,* and *potential* welfare recipients. The language of the law has not changed but, the effect of the new guidelines on eligibility and the new income limitations would be to eliminate past and potential welfare recipients from participating.

All of this is being done in the name of targeting monies on those with the greatest need and eliminating wasteful spending but the effect will be to take away benefits from the working poor who have managed to get off or stay off welfare and in many instances, force them to go on the welfare rolls at considerably greater expense to the public than the cost of the original supportive service! Not only is this a hardship on the families involved, it is a misuse and abuse of public tax monies.

Under the old regulations, a past recipient was defined as one who had been on welfare up to two years ago. A potential recipient was defined as one who might slip onto the welfare rolls in the next five years. When the new regulations are combined with the Talmadge Amendments, they set up a Catch 22 situation for the recipient. Under the Talmadge Amendments, she is forced into work training and employment, then 3 months after she gets her job, she loses her day care eligibility. The only way she can become reeligible for child care is to go back on the welfare rolls!

Under the old regulations, there were no specific income limitations. Instead, each state established its own criteria based upon local needs and the local economic situation. Under the proposed new regulations, potential recipient cannot earn more than 133⅓% of the actual welfare payment level. In some states, principally the southern states which have a high incidence of poverty, benefit levels are so low that this new regulation would prohibit families below the poverty line from receiving assistance. In the state of Mississippi, for example, a mother could not earn more than $71.83 a month and still utilize the day care that makes it possible to stay off assistance.

Similarly, a retired social security beneficiary in Florida, receiving more than $85.73, could not benefit from the home-maker service that makes it unnecessary for him to turn to assistance for the far more expensive care in a nursing home.

While the 133⅓% limitation will wreak havoc in the poorer states of the nation, it will also create serious problems in New York. Under the new formula, the state would have to terminate service to anyone with an income over $5,400 as the $7,500 cut off point in the present state plan. This may seem like a high benefit level but the plain fact is that it costs more to be poor in New York City than it does in Hattiesburg, Mississippi.

If these working mothers have their day care eligibility taken away from them, they will be forced onto the welfare rolls. Of the 40,000 children now served in New York City, approximately one half, 20,000, will no longer be eligible for assistance. As Greg Color, a day care director from Minneapolis, Minnesota, pointed out in testimony before the House Education and Labor oversight hearings, welfare is three times as expensive as providing day care.

Clearly, some method of determining eligibility other than the 133⅓% formula, will have to be devised. One that has been suggested is to provide free services up to a specific income level and then a graduated fee schedule above that point. If H.E.W. chooses to consider a sliding fee scale as one of the alternatives to the 133⅓% formula, I would like to suggest that they consider the fee schedules devised by the House-Senate Conferees when we were considering the Day Care and Child Development Bill. The Fee Schedule had bipartisan support and although it would have to be revised to take into account the increase in the BLS Standard (Bureau of Labor Statistics Lower Living Standard budget for an urban family of four), it provides a useful indication of Congress' view of an appropriate fee schedule. It allowed free child care for any family earning up to $4,320. Families earning from $4,320 to $5,916 would pay 10% of the increase over $4,320 or $159 for the first two children. From $5,915 to $6,960 the family would pay $159 plus 15% of the increase over $5,916. At the $6,960 level, the cost would be $317 and the Secretary of H.E.W. would set the fees above that income level. (See p. 18, Section 516(8) (A) and (B) Conference Report 92–682 Economic Opportunity Amendments of 1971, U.S. House of Representatives, November 29, 1971.)

Since the cost of living varies greatly in different parts of the country, any fee schedule should be based on *disposable income* rather than gross income. It would be appropriate to deduct fixed items such as taxes, court ordered support, social security, health insurance, pension and union dues, rent, utilities, and transportation expenditures so that eligibility can be determined on a more equitable basis.

By focusing only on *current* welfare recipients, H.E.W. is establishing a disincentive to work and is ignoring the very real needs of the working poor. It should be pointed out that:

According to the 1970 Census, there are still some 25.5 million poor in the nation (e.g. incomes under $3,968);

Only 21.5% of these families are on welfare;

Over 40% of these poverty families are headed by women;

Over 50% of all poor black families are headed by women;

And, the number of female headed families is growing. In 1960, 25% of all marriages ended in divorce or annulment. By 1970 the figure was up to 35%;

Among women as heads of household, 215,000 worked sometime during the year but fewer than 10% worked full time year around. It is mainly their duties at home that kept them out of work;

Of those who worked, over half are employed as service workers or maids. And more than half the women who headed families worked as maids in 1970 had incomes under the federal poverty line (the median income for domestics is $1,800):

Among married women in 1970, 8 million earned between $4,000 and $7,000 and two-thirds of them were married to men who earned less than $10,000;

The median income 1969—all males: $6,429.

The median income 1969—minority males: $3,891.

Median income 1969—all females: $2,132.

Median income 1969—minority females: $1,084. (From Work in America, Report of a special task force to the Secretary of H.E.W., December 1972, p. 42.)

What the above figures point out is that there is a vast constituency of people who need the kind of support and help the social services provide. This is particularly true in the area of Day Care, which is the essential Social Service necessary if a woman is to be able to work and support her family. The new guidelines are designed to help only those who are currently welfare recipients and does not allow for any consideration of, or extension of services to, these working mothers who are struggling to keep their heads above water. Isn't it about time we rewarded and helped the people who are doing their darndest to stay off welfare?

In my view, the old standards of 2 years and 5 years should be reinstated and we should all work to remove day care and family planning from the 2.5 Social Services Ceiling.

As a former day care teacher and director, I am as disturbed by some of the omissions in the new regulations as I am by the inclusion of others. These omissions mark the return to custodial care which all of us in the field have worked to eliminate. The exclusion of key provisions regarding staff training, health and nutrition, staff child ratios, parental involvement, and the complete lack of reference to the Federal Interagency Day Care Requirements, all point toward a deterioration of services. We all have seen the snake pits so many of our mental institutions have become, for God's sake let's not do that to our children.

The current regulations requiring staff development, education and training for both professionals and paraprofessionals need to be reinstated.

The elimination of health and nutrition services is especially harmful as these are essential to the normal growth and development of small children. Those who suggest that money for health care and nutrition programs are available from other sources, have no idea how difficult it is to secure these services in the field. It is also indicative of the fact that they are not aware of the cutbacks H.E.W. has been making in the Maternal and Infant and Children and Youth Health Care programs or the attempted cutbacks in the School Lunch Program. All of the sources of funding which might have been turned to, are being cut back or phased out.

The lack of reference to the Federal Interagency Day Care Requirements is particularly disturbing because it once again flies in the face of Congressional intent. Congress specifically included the 1968 Federal Interagency Day Care Requirements in the O.E.O. Act precisely because we wished to reaffirm our support for these standards, to make it clear that any revision of these standards shall be "no less comprehensive" than those of 1968.

There are disturbing rumors that H.E.W. plans to water down the standards and to effect savings by increasing the child-care giver ration to about double what it is now. That kind of "savings" is not going to produce anything but badly cared for children.

When President Nixon vetoed the Day Care and Child Development Act, he did so because he asserted that child care programs must not "diminish parental authority and parental involvement with children." In view of this strongly held belief, I find it strange that under the new regulations, all parent involvement has been virtually eliminated. Whereas, under the old regulations, ⅓ of the local and state Day Care Advisory Councils were made up of parents, they may now serve only in a vague advisory capacity at the state level. Further, an input by the parents as to the "suitability" of the child care offered, has been removed.

As one who has worked in the field for 20 years, I believe we must do everything we can to encourage and indeed insist upon participation by parents. As has been indicated by study after study, anything that has been done in school or in a day care center, must be reinforced in the home atmosphere. This is especially true with very young children precisely because they are so young and impressionable.

I am not going to spend a great deal of time discussing the prohibition against private contributions except to say that, if the current regulations had been properly enforced the members of the Senate Finance Committee and the House Ways and Means Committee would have had nothing to criticize.

The current regulations state:

(1) Donated private funds for services may be considered as state funds in claiming federal reimbursement where such funds are:

(i) Transferred to the state or local agency and under its administrative control; and

(ii) Donated on a restricted basis (except that funds donated to support a particular kind of activity, e.g. day care, or to support a particular kind of activity in a named community, are acceptable provided the donating organization is not the sponsor or operator of the activity being funded.)

(2) Donated private funds for services may not be considered as state funds in claiming federal reimbursement where such funds are

(i) Contributed funds which will revert to the donor's facility or use

(ii) Donated funds which are earmarked for a particular individual or for members of a particular organization.

The enforcement of the existing regulations would have insured that abuses would not occur.

This is also true in the case of group eligibility situations. There are instances where group eligibility is a useful idea (e.g. in housing projects and migrant work camps). It is more efficient and less expensive to set up a group eligibility center in these instances. Rather than eliminate group eligibility, altogether because of a few abuses, let's enforce the existing regulations more carefully.

Speaking of enforcement, the proposed new regulations requiring recertification every 3 and 6 months, are merely going to create more red tape in a program that is loaded down with it. In addition, it will divert scarce and badly needed funds from services into administrative overhead. Since one's income rarely improves dramatically in such a short period of time, it would be more reasonable and efficient to check eligibility once a year.

While I completely concur that one of the prime objectives of the social service day care programs is to provide assistance to working mothers, it is not the only objective.

In instances of drug or alcoholic addiction, chronic illness or suspected child abuse day care is an important resource for caseworkers who are trying to improve the quality of life in the home and to help recipients sort out their problems. The decision to make child care services available ought to be made at the local level by state and local agencies as they are in a far better position to make a judgement as to whether a service is appropriate or necessary.

According to O.M.B.'s own analysis, social service outlays for nonemployment related day care were estimated to be $154 million for fiscal year, 1974, providing services for 253,000 children. If the new guidelines are retained without amendment, the states will no longer be able to provide these services.

Clearly, the removal of this option is antithetical to the Administration's doctrine that it wants to return decision making power to state and local governments. In fact, as Representative Orval Hensen (R, Idaho) pointed out in the oversight hearings on March 14th, in every case the new guidelines are taking from the states decision making responsibilities which were formerly theirs.

Under the existing guidelines, the states determine who is eligible for nonemployment related child care, devise income eligibility and fee schedules and decide appropriate monitoring schedules. Under the proposed regulations H.E.W. will withdraw this policy making authority from the states and promulgate these decisions from on high here in Washington in direct contravention of the avowed Administration policy.

Finally, in the past day care has been a *mandated* rather than optional service. In view of the current emphasis on assisting working mothers, day care should be mandated service. We cannot berate people for not working when we do not provide the tools they need to go to work.

I appreciate this opportunity to comment on the proposed regulation and sincerely hope that they will be carefully reviewed, reexamined, and rewritten in light of all of the criticisms which have been advanced by a broad cross section of Members of Congress, welfare and social service administrators and consumers.

RAMSEY CLARK VISIT DESCRIBED BY EX-POW

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. BOB WILSON. Mr. Speaker, back during the Vietnam war many of us were concerned about the visits of Jane Fonda and former Attorney General Ramsey Clark to Hanoi and their appearance with certain POW's at a press conference in Hanoi. Most of us were aware the prisoners appeared under duress but the peace at any price advocates denied that there was any stage management of this unfortunate event.

Now that the prisoners are home the real truth is out. Knowingly or unknowingly, Ramsey Clark perpetrated a fraud on the American public in the name of peace. A man of his intelligence and background should have known better. I am troubled about and ashamed of his performance.

I ask consent to include an article about his visit printed in the San Diego Union on April 14, 1973.

The article follows:

CLARK VISIT DESCRIBED BY EX-POW—FLIER SAYS LEGAL AID OFFERED IF HE ISSUED ANTI-WAR STATEMENTS

(By Jim Russell)

An ex-POW said here yesterday that he was offered legal assistance by Ramsey Clark, when the former attorney general visited Hanoi last August.

Navy Lt. Stephen A. Rudloff said Clark told him he would represent him in court after he was released, if he, Rudloff, made antiwar statements while in prison.

Clark met with 10 American prisoners in Hanoi, Aug. 10, 1972

Rudloff, 28, was shot down May 10, 1972.

He was joined in the press conference yesterday by former POWs Lt. John C. Ensch, Lt. Cmdr. Phillip A. Kientzler and Lt. Carroll R. Beeler.

"My meeting with Ramsey Clark was a staged production," Rudloff said. "We were very disturbed, but we tried to be very cordial with him."

He said those who were forced to attend the meeting praised the food and medical attention excessively, as a signal that the affair was staged.

GRANDIOSE STATEMENT

"Some of us intentionally made grandiose statements concerning medical treatment and food in the hopes that it would be noticed back in the United States," he said.

He said Clark's statements concerned the political atmosphere and the chances that Sen. George McGovern, D-S.D. would be elected president.

"He also discussed some legal questions in that if we made statements opposing the war, that he would be more than willing to represent us in court at a later date," he said.

Despite their brief captivity—none was confined more than a year—all four ex-POWs told of being mistreated by their captors

Kientzler, 33, was shot down Jan. 27, 1973, the day before the cease-fire agreement.

He was naval flight observer (radar intercept officer) for Cmdr. Harley H. Hall, who still is missing.

CHUTES FIRED UPON

Hall, former flight leader of the Blue Angels, was executive officer of Fighter Squadron 143, aboard the carrier Enterprise.

Kientzler said they were about 200 yards apart as they parachuted.

"Once we got into the air we received intense ground fire, and I was shot in the leg," he said.

He said the last time he saw Hall, he was about 2,000 feet above ground, alive and looking around.

"It was common practice for the Communist to fire on parachutes as they were coming down," he said.

Although virtually all of his imprisonment was after the cease-fire took effect, Kientzler said he was in solitary confinement until two days before he left Hanoi.

"I was put in stocks and my window tarpapered over, because they caught me talking," he said.

He said he arrived in Hanoi from Quang Tri province in South Vietnam where he was captured, two weeks after the first group of POWs was released.

"That how my name got out," he said, adding that was how U.S. officials learned he was a prisoner.

He said they kept telling him that because his name was not on the list of prisoners to be released, he would not go home.

Ensch, 35, said their bus ride to the C–141 waiting to take them to freedom was the first time they had been outside the prison, without being blindfolded.

He said when they passed a railroad yard that had been bombed, the guards were not pleased with the prisoners' murmurs of approval.

Ensch said his thumb, severed by a missile fragment when he was shot down, was amputated by his captors, after three days of interrogation.

"I was refused medical attention until such time as I would answer their military questions," he said.

He said doctors at Naval Hospital are working on his left hand which was neglected during his confinement.

Beeler, 29, said civilians who picked him up when he was shot down, May 24, 1972, treated him kindly, contrary to the experience of others.

He said when he was shot down by a surface to air missile, he was injured by fragments.

He said they took him to a small room and began immediately to clean him up.

"Five minutes after I was shot down I had a bowl of hot tea in my hand," he said.

The samaritan treatment ended, however, when a North Vietnamese army officer showed up.

After injecting him with novocain, a doctor began sewing up his wounded leg, he said.

"At this time a man wearing an army uniform with officer's insignia came in and stopped the treatment," he said.

"He pushed the doctor away and said, 'Now you go to Hanoi.' That was the end of my medical treatment."

Beeler said he got into trouble eight days before he was released, for passing a cigarette to another prisoner.

He said he was threatened with punishment, but except for harassment, it was not carried out.

He said he never doubted he would be released, despite threats to the contrary following the incident.

Operation Homecoming officials said 538 of the 590 ex-POWs across the country have held news conferences.

Three former prisoners are scheduled to meet with newsmen Monday at Naval Hospital here.

"When these three men speak," said Cmdr. Brayton Harris, "that will make 43 out of the 47 men at Naval Hospital who have talked with the press."

The three are Lt. Cmdr. Theodore W. Triebel, Lt. Albert R. Molinare, and Lt. Henry J. Bedinger.

TO KEEP OUR COUNTRY A DECENT PLACE TO LIVE IN

HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. MIZELL. Mr. Speaker, for some time I have been concerned about the increasingly permissive censoring policies being followed by the television networks and a growing number of radio stations across the country.

I have spoken out many times against the spread of pornographic literature and motion pictures, and I have sponsored and supported legislative measures designed to protect private homes from being invaded by obscene mail and advertisements.

One such measure, which Congress passed in 1970, was a tough law providing penalties of 5 years in prison and $50,000 in fines for those who send pornographic material through the mail and into private homes.

This was a good law, and one which I strongly supported. The law provides a means of removing a person's name from mailing lists of pornography dealers, and thus stopping the influx of unsolicited obscene material.

In 1971, Congress passed another antipornography law, which strictly defined "obscenity" and provides for more stringent controls on the sale of pornographic material to minors.

I strongly supported this bill as well, and offered an amendment to it which would have prohibited pornography dealers from mailing potentially offensive material to private homes unless that material has been ordered by the resident.

But fighting pornography through the mail is only part of the battle we must wage to rid the Nation of this ugly disease.

Pornographic bookstores, which advertise their wares in window displays that pedestrians cannot avoid seeing, have multiplied in recent years to the point that there is hardly an American community left today without at least one such store.

Countless moviehouses throughout the country exhibit tasteless scenes of sexual activity every day, and Hollywood seems determined to see just how far it can go in the name of "art."

It has even reached the point that people cannot take their families for a drive through the countryside without being subjected to these scenes that are current fare at thousands of open-air, drive-in theaters.

And the battleground has spread now to millions of television sets and radios.

This television season has been marked by an alarming increase in the use of bad language and vulgarity. One network began the season by showing an X-rated movie on late-night television. More and more television programs are becoming more and more permissive, and it has gotten to the point that parents cannot always be sure that a program will be all right for their children to see.

And just a few days ago, the Federal Communications Commission fined a radio station in California $2,000 for broadcasting a program devoted solely to vulgar conversation.

Freedom of speech is a precious right in this country, but as Justice Oliver Wendell Holmes said, freedom of speech does not include the right to yell "fire" in a theater; it is not absolute.

The Nation's broadcast airwaves have begun to abuse the right of free speech, and some broadcasters are infringing on the right of decent people not to be subjected to foul language every time they turn on their radios or to vulgar scenes on their televisions.

I intend to write the Federal Communications Commission to urge its members to continue the example of strict supervision they demonstrated in fining the radio station I mentioned earlier for its misconduct, and I will urge the Commission to establish and supervise a stricter code of program censorship for television as well.

The current attitude of "anything goes" should be the first thing to go when these new standards are set.

At a time when the spread of pornography and permissiveness has reached epidemic proportions in our country, and when the moral fiber of our Nation seems to be unraveling, I believe we are in desperate need of stricter and more effective policies for both pornographic material and programs that are offered as "entertainment."

I am committed to that effort, and I will do all that I can to ensure that this country remains a truly decent place to live.

ASPIN HITS INTERIM TESTIMONY ON ALASKA PIPELINE

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. ASPIN. Mr. Speaker, today the Honorable John C. Whitaker, Acting Secretary of the Interior, presented a statement to the House Interior and Insular Affairs Committee concerning the granting of rights-of-way across Federal lands.

Mr. Whitaker repeated many of the deceptive and half-truthful statements used by the Nixon administration to bolster the Alaskan pipeline.

Mr. Whitaker claims that for reasons of "economic efficiency, balance of payments, and national security reasons," that we need an Alaskan pipeline. He said:

> The Alaska pipeline can be built at least 3–5 years sooner than a trans-Canadian pipeline and an Alaskan pipeline will carry all U.S. oil while a trans-Canadian pipeline might carry as much as 50% Canadian oil some of which might go to Canadian markets.

In terms of economic efficiency, the trans-Canadian route is a clearly superior route. It will provide supply and price balance throughout the country. If an Alaskan route is built, in 1980 there will be 200,000 barrels per day of excess oil on the west coast which must either be shipped to Japan or sent to the east coast on costly tankers.

The net balance-of-payments effect of building a Canadian pipeline would be negligible. Only if large amounts of Canadian oil were transported to U.S. markets would the balance of payments be seriously effected. Any oil that is imported from Canada—whether via pipeline or not—creates balance-of-payments debits.

In terms of national security, I believe that a Canadian line has certain advantages. It would not involve the tankering of oil across a vast and treacherous waterway which can be, in time of war, infested with enemy submarines. The chances of oil loss are much fewer and Canada has been traditionally our staunchest international ally.

Recently, when a member of my staff asked the Canadian Embassy to pinpoint on the record Canada's insistence on 50 percent Canadian-owned oil, he was told that the statement could "not be identified." Canada has apparently not insisted on 50 percent Canadian oil passing through the pipeline. It would be very foolish for Canada to insist on such a proviso since the development of the MacKenzie Valley Delta so far has yielded very little supplies. I am sure that the Canadians will not insist on keeping the pipeline empty to pipe nonexistant Canadian oil.

Mr. Whitaker also emphasizes the effects of the pipeline on Alaska. Whether a pipeline is built through Canada or Alaska, the State of Alaska will still receive 20 percent of the oil head price. Hence, either pipeline will provide Alaska with the same revenue.

In terms of jobs, the building of a pipeline would create a boom and bust atmosphere. There would be temporarily thousands of construction jobs that would disappear in 3 years after the pipeline construction is complete. The boom and bust economy in Alaska would probably only add to the long term economic problems that the State is facing.

Mr. Whitaker also claims that the building of the Canadian line will involve serious delays. The MacKenzie Valley Research Pipeline group which has studied feasibility of the Canadian line has estimates that it will take 4 years from the date of filing an application to completion of the line. Even if Congress approves the Alaska pipeline today, the lengthy court battle lasting years will ensue over environmental issues. The upshot of the delay argument is simple: It is quite possible that a Canadian line could be built as quickly or almost as quickly as the Alaska route.

In his statement Mr. Whitaker also conveniently sidesteps an earlier statement made by Secretary Morton concerning the cost of a pipeline. Secretary Morton publicly stated that a Canadian pipeline would cost $10 billion. Mr. Whitaker corrects Secretary Morton's statement by saying "together, an oil and gas pipeline will cost about $10 billion." In point of fact, the MacKenzie Valley Pipeline Research Limited group estimates the cost of a Canadian route at $3.4 billion.

In his testimony Mr. Whitaker says Alaska oil was needed on the west coast. But, a careful examination of the Interior Department's own figures along with the National Petroleum Council figure indicate that in 1980 there will be 200,000 barrels per day of surplus oil available for the west coast.

As my colleagues can readily see, the Interior Department is harping on its old arguments that are worn out and distorted. The facts are that an Alaska pipeline holds economic advantages for the Midwest and East and can be built within a reasonable period of time.

RED CHINESE COME TO TOWN

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. RARICK. Mr. Speaker, yesterday the House passed S. 1315 to authorize the President "to extend to the liaison office of the People's Republic of China in Washington and to the members thereof the same provisions and immunities as are enjoyed by diplomatic missions accredited to the United States and by members thereof." The legislation was rapidly signed into law to accommodate the Communists from China who arrived in town last night.

Extending diplomatic relations and immunities allows the Red Chinese to enter the United States without search of any of their effects and grants all members of the mission estimated to number 30 immunity from arrest for any illegal actions.

Granting diplomatic immunities to a Communist party to establish a public relations contact for world public opinion purposes is a new historic precedent.

This special interest legislation gives sanctuary to the Red China agent, Huang Chen, regarded as one of China's most seasoned diplomats, a leader in its Communist Party as well as a member of the Party's Central Committee.

A former military commander in the Red Army of Mao Tse-tung, Huang Chen's field of experience is propaganda.

The cost of the latest exchange of Communist liaison missions is beginning to come to light. The President's request for $361 million additional budget authority, includes $1.5 million to establish a U.S. mission in Peking.

I include related newsclippings:

[From the Washington Star and Daily News, Apr. 11, 1973]

A $361 Million Budget Increase Asked by Nixon

President Nixon has asked Congress for $361 million in additional budget authority for the current fiscal year, including $16.2 million to pay the claims of the prisoners of war and $1.5 million to establish a U.S. mission in Peking.

The White House said about 90 percent of the increased appropriations were for "uncontrollable" matters such as retirement benefits, veterans benefits and payments to international agencies to reflect the devaluation of the dollar.

"These proposals will not increase the spending estimates in the January budget since the budget totals included allowance for contingencies," Nixon said.

The president in January estimated spending in the fiscal year that ends June 30 would total $249.8 billion, $24.8 billion more than anticipated income.

Advance Party From Peking Due Tonight

The advance diplomatic party from China is expected to arrive here this evening and set up temporary headquarters in the Mayflower Hotel, the State Department reports.

Charles W. Bray, the department spokesman said the 10-man Chinese party will aim at establishing a permanent office for the mission by early May so a near-simultaneous opening can be celebrated with the opening of the American mission in Peking.

Bray said reports from Alfred Jenkins, head of the American advance team, indicate the party has been treated with extreme cordiality and accommodation.

The permanent heads of the missions (David Bruce for the United States) will not arrive in the respective capitals until the headquarters are established.

[From the Washington Star and Daily News, Mar. 31, 1973]

China's U.S. Liaison Is Man of the Arts

Huang Chen, one of China's most seasoned diplomats and a figure of marked importance within the country's Communist party, was named yesterday to head China's liaison office in Washington.

In his 64 years Huang has been a soldier, propagandist, playwright and artist. His interest in the arts, fostered in his early years, remains lively today. Central to Huang's life, however, has been an unflagging dedication to China's Communist party, a loyalty that goes back at least 42 years and has rewarded him with membership in the party's central committee.

Huang Chen was born into a peasant family in southwest Anhwei and went to school in Anching, a Yangtze port city 30 miles from his birthplace. He graduated from the fine arts academy in Shanghai and remains one of the few Chinese in high positions to have had training in this field.

At the age of 23 he became a party member and served as a political commissar at the divisional level when the Communist headquarters was in the southwestern part of Kiangsi Province.

He fought with the Red Army of Mao Tse-tung and Chu Teh and at one time commanded a regiment, the 13th, which belonged to the Third Army Corps. Later he served as a propaganda worker, and while on the Long March from Kiangei to the new base in Yenan, he wrote two plays that were staged just before the Red Army made the difficult crossing of the upper Yangtze in the spring of 1935.

During this period Huang made sketches of the Red Army in the field, some of which were published in book form in 1962 under the title "A Collection of Drawings During the Long March."

Through all of the years that followed Huang combined an active military career with political groundwork for the party when the central government was formed in the fall of 1949, after the Nationalists were driven from the mainland, he was working in the political department of the people's Revolutionary Military council, the highest military organ of the government, with the rank of general.

The following year Huang was assigned to the foreign ministry and was named Peking's first ambassador to Hungary. In 1954 he was reassigned to Indonesia. It was during this period that the Afro-Asian conference was held in Bandung, and Huang, as part of the Chinese delegation headed by Premier Chou En-lai, was successful in establishing China as a friend of the small Asian and African countries.

During his stay in Jakarta relationships were strained over the treatment of the three million Chinese in Indonesia often victims of blatant discrimination and the target of riots. Finally a treaty was signed in 1960, after six years of negotiations.

From 1961 to 1964 Huang served in Peking as deputy minister of foreign affairs, a period during which he tried to consolidate the start made at Bandung to improve China's relations with the developing countries.

In this capacity he made four trips abroad, including one in which he accompanied Chou on a visit to 10 nations in Africa.

In 1964 Huang became Communist China's ambassador to France.

Relaxed and affable, Ambassador Huang was a familiar figure in diplomatic circles during his eight years in Paris—a big man with a round, heavy face, he was often clad in Gray Mao vests and sported a Mao cap.

In 1964 Huang became Communist China's ambassador to France.

His wife, Chu Lin, was active in making contacts with French groups as well as the overseas Chinese in Paris.

After President Nixon's visit to Peking last year, Huang held frequent meetings with the United States Ambassador to France, Arthur K. Watson, within the framework of the opening stages of the new Chinese-U.S. relationship.

They exchanged gifts, Huang presenting Watson with Mao-Tai, a Chinese brandy, and Watson reciprocating with bourbon.

THE SAN ANTONIO EXPRESSWAY

HON. BOB ECKHARDT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. ECKHARDT. Mr. Speaker, the House has now before it the Federal Highway Aid Act of 1973. At each stage of consideration—in the Senate Public Works Committee, on the floor of the Senate, and in the House Public Works Committee—the controversy surrounding the proposed construction of an expressway in San Antonio, Tex., has been a subject of intense interest.

The State of Texas favors the construction of the route through a major parkland area, the Breckenridge-Olmos Basin parkland. However, the State has been unable to construct the expressway over this route. To date, two Secretaries of Transportation have refused to approve the route, and in August of 1971, the Court of Appeals for the Fifth Circuit enjoined construction of the expressway until State and Federal officials considered alternative routes that would minimize harmful environmental impact. On January 10, 1973, the United States District Court for the Western District of Texas ordered the State and Federal Governments to prepare an environmental impact statement with all speed reasonable.

The State, however, is unwilling to comply with the court's requirement that the necessary environmental impact statements be submitted before construction. Thus, the State has come as a supplicant to Congress with the request that we exempt the San Antonio Expressway from the requirements of Federal law. Specifically the proposal is to terminate the San Antonio North Expressway as a Federal aid project. Any Federal funds previously received by the State would be returned to the Federal treasury and State and local financing would be utilized to complete the project.

Aside from the question of the particular merits of the Parkland route, a larger question is raised by this proposal. Its adoption, in my mind, would set a dangerous precedent for the passage of legislation to exempt controversial projects from the reach of Federal environmental statutes. Such action would, I fear, destroy the effectiveness of the National Environmental Policy Act, and section 4(f) of the Department of Transportation Act.

These concerns are shared by administrative agencies and executive officers whose responsibilities encompass matters related to highway construction and environmental protection. Recently, I solicited the opinions of the Council on Environmental Quality, the Environmental Protection Agency, the Department of Transportation, and the Department of Interior regarding the exemption proposal. My colleagues will doubtless be interested in reading their evaluations:

EXECUTIVE OFFICE OF THE PRESIDENT,
COUNCIL ON ENVIRONMENTAL QUALITY,
Washington, D.C., March 15, 1973.

Hon. BOB ECKHARDT,
House of Representatives,
Washington, D.C.

DEAR MR. ECKHARDT: As you recalled in your letter to me of March 1, 1973, the Council on Environmental Quality has expressed its views on the merits of the removal of the San Antonio North Expressway from the Federal Aid Highway System in a letter to you and Congressman Dingell on September 27, 1972. This provision was in the proposed Federal-Aid Highway Act of 1972 as Section 113 of H.R. 16656 and Section 147 of S. 3839. The proposed Federal-Aid Highway Act of 1973 (S. 502) being considered by the Senate Public Works Committee contains the same provision.

We continue to feel that such a provision undermines the spirit of the National Environmental Policy Act and hence represents an extremely bad precedent. Discontinuing the long Federal involvement in this proposed highway project, particularly when the last requirements to be met consist of a consideration of environmental values, certainly calls into question the ability of this project to withstand the environmental analysis that must be met by all other highway projects. Compliance with NEPA and Section 4(f) of the Department of Transportation Act of 1966 does not prohibit construction of highways, but only requires that highways, as well as all other Federal projects, be subject to a rational decision-making process in which all social, economic, and environmental factors are taken into account. Such a provision represents an effort to exclude a specific project from an already legislated Federal commitment.

The proposed Federal Aid Highway Act of 1973 also contains provisions to reduce the flexibility of the NEPA review process for Interstate 66 in Arlington, Virginia. These provisions make NEPA conform strictly to the minimum time allowed for comments and review as well as to follow other procedures already outlined in the Council's guidelines. While the Council believes that the impact statement process can often be completed within the stated time periods, the process is designed to be flexible in order to respond more quickly to emergency situations and more slowly on projects which are highly complex, very controversial, and have extremely important and far-reaching environmental effects.

These provisions further state that the Secretary of Transportation's final action on this project will be conclusive with respect to all issues of fact and cannot be reviewed. This effort to make the Secretary's decision final and not subject to substantive court review also violates the spirit of an open decisionmaking process which NEPA has fostered.

As we did in September of 1972, we feel it is important to point out that legislation such as these provisions risks Congressional embroilment in individual highway projects around the country, and establish unwise precedents for the application of NEPA to a wide range of Federal actions.

Sincerely,

RUSSELL E. TRAIN, *Chairman.*

U.S. ENVIRONMENTAL PROTECTION AGENCY,
Washington, D.C., March 26, 1973.

Hon. BOB ECKHARDT,
House of Representatives,
Washington, D.C.

DEAR MR. ECKHARDT: This is in response to your March 1 letter requesting our views on terminating Federal highway construction assistance for the San Antonio North Expressway. I am pleased to be of assistance to you on this matter.

Last year, as you recall, the Environmental Protection Agency stated that termination of Federal involvement in this project would in effect exempt the project from the procedural requirements of the National Environmental Policy Act. Further, we stated: "In a wider context, termination would establish a dangerous precedent for invoking special legislation in behalf of similar Federal-aid highway projects, and, by extension, other Federal projects which may not be acceptable from an environmental standpoint. Such special legislation or a pattern of such legislation would inevitably undermine and defeat the purpose and protections of the National Environmental Policy Act.

"The National Environmental Policy Act provides an opportunity for Federal agencies to review and assess proposed Federal actions which have an impact on the environment. The Act clearly is not intended to retard progress but rather to insure that progress be identified as the protection of the Nation's heritage in the broadest sense."

Our position, with respect to this issue, has not changed. Further, we believe enactment of legislation terminating Federal involvement would needlessly hazard the laws that have carried forward the National commitment to protect and enhance the Nation's environment. Consequently, we oppose enactment of special legislation on this subject.

Sincerely yours,

WILLIAM D. RUCKELSHAUS,
Administrator.

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., April 9, 1973.

Hon. BOB ECKHARDT,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. ECKHARDT: This is in further reply to your letter of March 1 inquiring of my position on a provision in S. 502, the proposed Federal-Aid Highway Act of 1973 introduced by Senator Bentsen. This provision, which would terminate the contractual relationship between the Federal and State governments with respect to the San Antonio North Expressway and cause it to cease to be a Federal-aid project, was included as section 148 in the bill passed by the Senate on March 15.

As you may know, my position on this important issue is a matter of public record. Prior to the floor debate on S. 502 I wrote the Chairman of the Senate Public Works Committee and recommended that section 148 be deleted from the Senate bill. This letter is printed at page 45 of the report on S. 502 of the Senate Committee on Public Works. Despite our opposition, the Senate by a narrow margin voted to retain this provision in its bill.

Subsequently, in testifying before the House Public Works Committee on March 19, I reiterated my opposition to legislation which would exempt particular highway projects from environmental and other Federal requirements. We believe that such exemptions serve to weaken these laws and make their enforcement more difficult.

Thank you for your interest in this matter. If we can be of any further assistance, please do not hesitate to write.

Sincerely,

CLAUDE S. BRINEGAR.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., April 12, 1973.

Hon. BOB ECKHARDT,
House of Representatives,
Washington, D.C.

DEAR MR. ECKHARDT: This is in response to your letter of March 9, 1973, concerning the Department's view on an amendment to the Federal Aid Highway Act of 1973 (S. 502) which would delete from the Federal Aid highway system a section of the San Antonio North Expressway.

It is the position of this Department that such an action by the Congress is inconsistent with the intent of Section 4(f) of the Department of Transportation Act. As you point out, this section is designed to protect public park and recreation resources. We concur with your views that this action establishes an undesirable precedent because of the present and long range implications for public use areas.

If there were no feasible alternatives to construction of the section of expressway at issue, we could offer technical planning services and guidance to the State of Texas to help mitigate the damage to the park. However, it appears that there are arguable alternatives to the planned location of the highway and the portion affecting Brackenridge Park that should be given the fullest possible consideration.

Please let us know if we can be of additional service to you.

Sincerely yours,

———— ————,

Assistant Secretary of the Interior.

BILL TO INCREASE CIVIL SERVICE ANNUITIES

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. WALDIE. Mr. Speaker, as chairman of the Subcommittee on Retirement and Employee Benefits, I recently had the pleasure of receiving testimony from representatives of the National Assocciation of Retired Federal Employees on the need for immediate action on H.R. 1262, a bill to increase annuities.

I have seldom been so impressed by the clear, logical, and dignified presentation of testimony as I was at this hearing.

Mr. Arthur L. Sparks, president of the association, led the witnesses in providing the subcommittee with examples of the real hardship and dignity in these times of spiraling inflation.

As chairman of the Subcommittee on Retirement and Employee Benefits, I pledge that swift action will be taken on this bill at the earliest possible date.

Mr. Speaker, I am including in the RECORD the testimony of Mr. Willard Wretman, Mr. Thomas F. Ward, and Mr. James A. Johnson so that other Members of the House may be made aware of the urgent need for this legislation.

The testimonies follow:

STATEMENT OF WILLARD A. WRETMAN

NATIONAL ASSOCIATION OF
RETIRED FEDERAL EMPLOYEES,
Washington, D.C., April 11, 1973.

Chairman Waldie, Members of this Subcommittee, my name is Willard A. Wretman. I am Secretary of the Illinois Federation of Chapters, National Association of Retired Federal Employees. I entered the United States Postal Service in Moline, Illinois on May 1, 1930 and worked as a Post Office Clerk and Supervisor in that Office until my retirement on July 31, 1960 (30 years and 3 months).

Basing my annuity on my five highest years' salary, at the time of my retirement I received a monthly annuity of $216.30 per month. This has been increased by some small raises and cost of living increases during the past 12½ years to $316.15. If I had not been able to supplement my annuity with other employment during the past 12 years, I could not have made it.

I am thinking of a lady who worked in our office as a charwoman, whose husband was unable to work for many years due to illness. She was the sole supporter of the home. He passed away a few years ago. She reached retirement age and had to retire. She has been trying to keep a small home (for which she worked and paid) and to support herself with a present annuity of $95.20 per month. She is now in the hospital and may be hospitalized for a lengthy period. No doubt her doctor and hospital bills will force her to sell her home and possibly take all she can realize from the sale. There are hundreds of our annuitants who are in similar circumstances and are desperately in need of assistance.

Our city of Moline, Illinois is a manufacturing city and through the years the wages paid by industry there have far exceeded the wages paid by the Government. Their employees do not contribute to any pension funds, yet their annuities are greater than ours by far. They also receive free hospital and medical services at full coverage, both when employed and when retired.

It does not seem fair that we should give the best thirty to fifty years of our lives in conscientious service to our Government, pay into a pension plan for our retirement and then find that, even with our cost of living adjustments, many of our members are existing at poverty levels.

The cost of living provision in the Civil Service Retirement Law is a help to annuitants, but in many cases inadequate. For instance, a 4.8 percent cost of living raise for an annuitant who receives $100 per month (and there are many of them) would receive $4.80 per month or 16c per day. This can hardly be considered a pay Raise.

Gentlemen, on behalf of approximately one million federal annuitants and survivors (for many of them it is already too late) I plead that you will issue an early, favorable report on H.R. 1262 and then do all you can to secure its passage in the House of Representatives.

Thank you for your time and for the privilege of presenting our problems to you.

NATIONAL ASSOCIATION OF RETIRED
FEDERAL EMPLOYEES,
Washington, D.C., April 11, 1973.

STATEMENT OF THOMAS F. WARD

Mr. Chairman and Members of the Subcommittee, I am Thomas F. Ward, a member of the National Association of Retired Federal Employees and the President of Manhattan Chapter 23, New York City. I welcome the opportunity to come before you to talk of many things, particularly the merits of H.R. 1262. On behalf of NARFE, Mr. Chairman, I thank you for introducing this bill. It could not come at a better time. With the spiraling cost of food, the increase of prices generally, and the cost of labor, it is a startling and harrowing thought to consider the thousands of Federal Retirees whose annuities are less than $100 per month.

Many times one hears of the fabulous annuities that Federal Retirees receive, while all the while there are approximately 275,000 who receive less than $100 per month. Many of these annuities retired some years ago when salaries were small and the computing of annuities was based on a narrow scale.

Furthermore, argument is made that the majority of those in the low annuity brackets had been short term Federal Employees. Statistics, however, prove otherwise. Two years ago, before this Committee, it was demonstrated that many retirees in the low category who were employed 15 years received annuities ranging from $19 to $52 per month; those in 20 to 25 years group averaged $45; and the 25 to 30 year group received less than $100.

In two years time, with the value of the dollar decreasing, the cost of living skyrocketing, and one's income fading away, the minimum annuity of $84.50 will be a boon to many; however, a basic annuity of $100 would be more realistic, and not unreasonable. We were pleased to note that H.R. 1262 does make provision for a minimum annuity.

Now we come to the second part of the bill.

For years many Federal Employees worked beyond their time in order to put together some savings and to acquire a more satisfactory annuity. Until October 20, 1969 the employees left service with an annuity based on his five highest earning years. Those employees who retired later were fortunate to have only three years of their highest earnings computed. This, alone, was an annuity gain of 40 percent.

Bills have been introduced in Congress over the years to increase annuities on a graduated scale. Despite the good intentions and efforts of all concerned, these bills failed to materialize. H.R. 1262 makes a most reasonable approach and has great possibilities.

Section 3 (a) and (b) of H.R. 1262 make their contribution to those who retired before October 20, 1969. For example a retiree with a $200 monthly annuity will receive an added $25, which in effect is an increase of 12½ percent; those with a $300 monthly annuity will receive an increase of 8⅓ percent, and so on.

We are happy to note that an increase for survivors is also included in this bill.

Men and women who left Government service, say 10 to 15 years ago are now that much older and each passing hour and day become more precious. With the escalating cost of health protection, Medicare, rents and food over the years, the benefits of H.R. 1262 will offer some relief from the ravaging inroads made on their annuities.

We firmly believe that H.R. 1262 has an excellent chance of survival and it is beyond one's comprehension to think it might fail. The contents of H.R. 1262 are simple, the demands are modest, and the cause is just.

Thank you, gentlemen, for giving me the opportunity to express my views and those of the members of NARFE on this very important legislation.

NATIONAL ASSOCIATION OF
RETIRED FEDERAL EMPLOYEES,
Washington, D.C., April 11, 1973.

STATEMENT OF JAMES A. JOHNSON

Chairman Waldie and Members of this Subcommittee, today I come before you with mixed emotions. My name is James A. Johnson, and I represent the National Association of Retired Federal Employees. I come from Alabama—the home of Tuskegee Institute. This educational institute was made famous by Booker T. Washington and George Washington Carver. These gentlemen espoused the theory that trained head, heart and hands supported by hard work meant a successful and happy life.

The majority of the people I represent were imbued with the Washington-Carver philosophy. After developing their minds and mastering saleable skills they elected to seek employment with the Federal Government. Some entered the postal service, some went with the Agriculture Department, others were employed by the Veterans Administration, while others sought a career with the Armed Forces. They were dedicated men and women imbued with the Booker T. Washington philosophy and motivated by the sentiment expressed by our late President, John F. Kennedy; "Ask not what your country can do for you but what you can do for your country." These people were happy in their employment because they believed they were making a worthwhile contribution and at the same time they were earning what they regarded as a reasonable living.

They were contented because they had felt assured that at the end of their working days the Federal Government would provide them with a reasonable income during their retirement years. Today these people, though old and deprived, are still proud. They do not relish the idea of having to beg their government for the mere necessities of life. Yet, many of them have no other choice.

Two years ago, our National President, Thomas G. Walters, appeared before you and cited statistics to emphasize the need for action by the 92nd Congress on certain bills before it. Today, I am not going to cite statistics. Figures, at best, are cold. They appeal to the head—which is good. I am appealing to your heads and to your hearts.

At the 1971 White House Conference on Aging, President Nixon stated that, "Any action which enhances the dignity of Older Americans enhances the dignity of all Americans, for unless the American dream comes true for our older generation, it cannot be complete for any generation." He further stated, "We are speaking, after all, of a proven generation, one that has brought this country through the most turbulent period in human history."

Gentlemen, there are several bills now pending before this Subcommittee which are of interest and importance to our Federal retirees. I refer particularly to H.R. 30, which would restore full annuities to those who have lost their designated survivor beneficiaries and have not remarried, and the measures to increase the Government's contribution towards health benefit premiums and allow pre-1960 retirees to elect coverage under the Federal Employees Health Benefits Program. I would hope that you will soon give favorable consideration to these bills.

I am here today, however, to request your immediate favorable consideration of H.R. 1262, introduced by you, Mr. Chairman, which would give financial relief to those older persons who have the greatest need of it to retain their self-supporting dignity in today's inflationary society. The bill's establishment of a minimum monthly annuity and the provision for an increase in monthly annuities would be of great assistance to thousands of our former Federal employees.

The above quotations from President Nixon's address to us who attended the 1971 White House Conference on Aging reminds me of Sir Wolsey's farewell address as stated in Shakespeare's Henry the Eighth. I quote loosely, "Had I served my God with half the zeal I served my King he would not in mine old age have left me to the mercy of a rude stream that must forever hide me."

Gentlemen, the fate of these old public servants, who at best have but a short time to live is partially in your hands. By whatever you do, or do not do, you will contribute to the final Chapter of their lives. What will it be? I pray that you will do your best to see that the 93rd Congress provides the kind of help that will enable our retirees to live their last days in dignity.

ART BUCHWALD LOOKS AT AN AMERICAN FUTURE WITHOUT MASS TRANSIT

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. ANDERSON of California. Mr. Speaker, it may be difficult to believe that in a few short years we could be explaining to our children how we once enjoyed an unlimited supply of gasoline and its resulting mobility.

Today the possibility becomes more and more probable that we will indeed be forced to cut back private automobile usage because of fuel shortages.

The Environmental Protection Agency proposed gasoline rationing, and a shortage of fuel could easily create an immobilized society in many large urban areas.

Today we have a chance to prepare for our future. The way to provide an efficient, economically sound method of transportation is to support my amendment to S. 502 which would give urban areas the option of using their share of highway trust fund moneys for rapid mass transit.

Humorist Art Buchwald portrayed a vivid picture of life in the not too distant future, if we do not use this opportunity to allow our cities the flexibility they require to provide their citizens with mass transit systems.

Mr. Speaker, I am enclosing Mr. Buchwald's insightful column so that all of my colleagues may have a glimpse into the American future without efficient mass transit systems.

[From the Washington Post, Apr. 17, 1973]

AND THEN 2 GALLONS IN EVERY TANK?

(By Art Buchwald)

"Daddy, tell me again what it was like in 1973 when anyone who wanted to could drive a car?"

"I know you're not going to believe this, son, but all you had to do was drive up to a gas station and say to the attendant, 'Fill 'er up.' And you know what? He had to wipe your windshield, too, or you wouldn't buy any gas from him."

"Ah come on, Daddy, you're putting me on."

"I'm telling the truth, son. And not only that, but we used to have these big cars—three times the size of the ones you see now—with four doors and airconditioning and everything. Some of them got nine, 10 miles to a gallon. I think there are some pictures of them in the encyclopedia here."

"Gosh, those were some cars."

"In those days you could drive your car to work or to the city all alone without violating the law. You'd see people in eight-passenger station wagons all by themselves."

"Is it true you could drive to the beach, or to the mountains or a football game 100 miles away without getting a special pass from the Automobile Authority?"

"Yup. One time your mother and I drove all the way to Florida, and we didn't have to ask permission from a soul. We just went."

"What happened, Daddy?"

"Nobody really knows. People just kept using up gasoline and oil until there was none left. I remember in '73 Detroit announced it had had its greatest year. Sold more big cars than any time in its history.

"But nobody bothered to tell Detroit there would be nothing to put in the gas tanks. They said it wasn't their problem.

"It was really funny, because in Washington they were arguing about automobile pollution and the emission standards for 1976, when in fact, the problem solved itself. There was no fuel left to pollute anything."

"Why didn't Detroit build smaller cars that wouldn't use up so much gasoline?"

"Because they said Americans wouldn't go for it. They said Americans had always had big cars, and they deserved big cars because big cars were what made America great. Of course now they have no choice but to manufacture two-cylinder automobiles, because that's the only kind of car Americans can afford. I mean when gas is selling for $9.50 a gallon and you've got rationing coupons, nobody in his right mind is going to make a four-cylinder car."

"Is that why we move back to the city, because you couldn't drive to work anymore?"

"Yup. We lived in the suburbs when you were very little, but when the country ran out of gasoline we had to move back here. Oh, I tried bicycling to work, but it was 40 miles each way and I was pretty pooped by the time I got home. So we came back. And it was curious, because up until that time the blacks lived in the cities and the whites lived in the suburbs.

"Now, of course, all the whites live in the cities and the blacks live in the suburbs, because that's the only housing the blacks can afford. The blacks didn't want to go to the suburbs, but the whites kept buying up the ghettos and the blacks had no choice. They're probably happier out there, anyway, living among their own kind."

"Who was to blame for our running out of gasoline?"

"Detroit blamed it on Ralph Nader, the President blamed it on Congress, the Arabs blamed it on Israel and the oil companies blamed it on the caribou in Alaska."

"It must have been fun living in 1973."

"It was. Do you know one time we drove 30 miles just to have a sirloin steak."

"What's a steak?"

"Oh, the hell with it. It hurts too much to talk about it."

HEALTH PROGRAMS EXTENSION ACT

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. PATTEN. Mr. Speaker, on June 30, 1973, several health programs included in the Public Health Service Act, are due to expire. Some of the programs the administration plans on either terminating or restructuring include funding authorizations for health services research; public health training; migrant health; comprehensive health planning and services; assistance to medical libraries; Hill-Burton programs that aid hospital construction; training in the allied health professions; regional medical programs; community mental health centers; alcoholism and drug abuse programs; the Developmental Disabilities Services and Facilities Construction Act, and other programs.

A bill that would extend these and other programs for 1 year beyond June 30, 1973, was passed on March 27 of this year in the Senate under the strong and able leadership and chief sponsorship of the senior Senator from Massachusetts (Mr. KENNEDY). I hope that the House takes similar action soon in extending these essential programs for an additional year, because if they are allowed to end or become fragmented, it would be a tragedy not only for medical science, but for the millions of people they have helped over the years.

Mr. Speaker, I am, of course, interested in all of these programs, but I have a special concern about two that the administration is reportedly considering for termination or severe modification—the Hill-Burton program, and the community mental health centers program.

Since its inception in 1946, the major objective of the Hill-Burton program has been better patient care for all people through health care facilities and services. Keeping abreast of the Nation's fast-changing health needs so that new directions could be instituted has characterized Hill-Burton over the years. As a pace setter, the program has scored many firsts and continues to look for better ways to help resolve the Nation's growing health delivery problems.

The State of New Jersey, through its Hill-Burton program director, Leonard D. Dileo, has expressed deep concern over the possibility of that fine and constructive program being terminated. I share Mr. Dileo's concern—and so do many of my constituents.

Dileo, in emphasizing this concern stated:

> The Hill-Burton program has made it possible to assist 215 projects, aiding 108 facilities throughout 81 communities in the State of Uew Jersey. The Federal Government's participation has amounted to $76,300,000 which has provided $412,890,000 worth of health care facilities and services for citizens of New Jersey.
>
> Although we are deeply appreciative of the improvements in our health care system to date, it is by no means finished. Of the 29,122 general hospital beds presently existing, 13,660 are in need of modernization, or replacement. Within the long-term category there are 30,884 existing beds. Of this number, 11,293 are in need of modernization or replacement. With the program's emphasis on modernization and outpatient facilities, the need for Federal assistance is greater now than ever before.

Mr. Speaker, the basic philosophy was and still is, the working together of the Federal Government, the State government, and the voluntary health industry to maintain a system of health care services for the benefit of all citizens.

The basic goal of the Hill-Burton program has been to improve patient care, and this goal is just as vital today as it was in the inception of the program in 1946. The effectiveness of the program can be measured by its past achievements in meeting the needs for health care services. This effectiveness is also reflected by the number of applications for grant or loan assistance now being received for construction and/or modernization of health care facilities and services. Presently, we have requests amounting to over $300 million in areas of new construction, modernization, rehabilitation, and outpatient services.

Mr. Speaker, statistics alone do not show a realistic picture as to New Jersey's health care facilities needs. Shifting and increasing population should be taken into consideration in dealing with community health needs. To have HEW claim that New Jersey is overbuilt by 2,000 general hospital beds without considering community health needs is not being fair. For example, although the State shows an excess of 2,000 beds, the community service areas of Middlesex-Union show a need for 210 beds. This is due to the rapidly growing population in this area.

Another factor not considered is that although there are 3,903 general hospital beds, 1,482, are in need of modernization or replacement, and in the long-term care category there are 3,826 skilled nursing beds and of this number, 1,043 fail to meet State or Federal construction standards.

Obviously, since its inception, some of the original needs of the Hill-Burton program have been met. Hill-Burton was initiated at a time there was a critical need for general hospital expansion, but has been changing to meet the needs of the health delivery system.

Aside from major changes in the legislation in 1954, 1964, 1968, 1969, and 1970, the Hill-Burton program has also allowed States to make adjustments from the standard formula for the purpose of meeting individual needs of their citizens. Sixty-one percent of New Jersey's health care facilities do not meet current Hill-Burton construction standards and life safety codes. The need for upgrading these facilities is enormous and in most cases, these needs can not be met by local communities without Federal financial assistance. Therefore, the need for an accelerated and continuous attack on both the functional and physical obsolescence is an urgent one.

I was also disturbed, Mr. Speaker, to read that the administration plans to end Federal aid for building new community mental health centers, as well as not funding the staffing needs of new centers. This is a cruel blow to Middlesex County, N.J., where new community mental health centers are being completed, but would be unable to operate effectively without staffing funds. New centers are being completed at Rutgers—the State University of New Jersey, and at the South Amboy Memorial Hospital. Under the effective and dynamic leadership of former Freeholder George J. Otlowski, great progress was made in our mental health centers, so I hope the administration changes its mind. I strongly hope that the House passes the Health Programs Extension Act of 1973. To be really great, a nation must be healthy, as well as powerful.

THE NATIONAL NEED FOR PAPER RECYCLING

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. WALDIE. Mr. Speaker, I wish to bring attention to the testimony of Edward K. Mullen before the House Ways and Means Committee on March 20, 1973. His testimony deals with the great benefits America can receive from a viable paper recycle industry.

Mr. Mullen, president of Newark Boxboard Co., spoke on behalf of the Boxboard Research and Development Association. He began by outlining two major projects being undertaken by the paper recycling industry which benefit every American and which should be encouraged and expanded. First of all, the recycling of paper extends the Nation's wood-based fiber, thus conserving our forests, certainly one of our most valuable natural resources. Second, the paper recycling industry provides a great national benefit by reducing the volume of solid waste. I do not have to remind anyone of the great problems and expense that communities are incurring with their mountains of solid waste. The recycling of postconsumer wastepaper in large quantities could help to alleviate our already inadequate and overworked disposal facilities.

Mr. Mullen also stated that recycling can provide a more favorable balance of trade in regard to paper since recycling could reduce the 8 million tons of paper fiber that are imported each year.

But, Mr. Mullen surprisingly pointed out that contrary to popular belief, the paper recycling industry is not a growing, expanding industry. In fact, the industry is in a decline and has been so since World War II.

In order to overcome severe handicaps and begin providing the Nation with these ecological benefits at a meaningful level, it has been suggested the Federal Government provide in its Tax Reform Act of 1973 tax incentives for the use of postconsumer grades of wastepaper. If the proper incentives are developed then the paper industry predicts that more than 25 percent of our paper could be recycled by 1985—instead of the current prediction of recycling dropping to 17 percent by 1985.

Mr. Speaker, I feel that with a little initiative on the part of the Federal Government this nationally beneficial industry could begin to play the role that it can and must, if our natural resources are to be saved for future generations and our air made cleaner for those living now.

Mr. Speaker, the following is the full text of the testimony:

TESTIMONY OF EDWARD K. MULLEN

I am Edward K. Mullen, president of the Newark Boxboard Company, with headquarters in Newark, New Jersey, operating six paperboard machines in four states. My appearance here today is in that capacity and as spokesman for the Boxboard Research and Development Association, (BRDA) with offices in Kalamazoo, Michigan.

Forty companies are members of the Boxboard Research and Development Association. All of them manufacture paperboard from waste paper, most of which is post-consumer waste, that would otherwise wind up in the solid waste stream further taxing already critical disposal facilities throughout our nation.

Post-consumer waste paper[1] for all practical purposes consists of newspapers collected from homes and apartment buildings, old corrugated boxes coming from supermarkets and industrial plants and mixed waste papers from offices and department stores. This waste paper accounts for over seventy percent of all the paper that is recycled today. This comes to about 8 million tons per year.

All members of our association use waste paper to make recycled paperboard, which the public knows simply as cardboard. Recycled paperboard is used for a wide variety of purposes—

Folding boxes and rigid boxes for cereal, candy, games, soap, pharmaceuticals and a host of other consumer items;

It is used as well in paper matches, book covers, record jackets, partitions, and paper tubes;

It is used in the building product area for gypsum wallboard liners; and

It is used in corrugated containers as the fluted medium and to a lesser extent for the liner.

Our products are versatile and find their way into many other end uses.

As a group, we are the largest user of post-consumer waste paper by far—accounting for over 85% of the total consumed last year. This was about seven million tons.

It is appropriate for us to appear before you as you consider natural resources and tax policies because we *conserve* natural resources and reduce the volume of solid waste.

When we turn waste paper into useful products, we are in effect extending the nation's wood-based fiber resources. Our energy requirements, water and chemical consump-

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Footnotes at end of article.

tion are less in working with "once tamed" fiber.

As you know, solid waste is a real problem in cities these days. Cities are spending a fortune to get rid of mountains of trash. The highest disposal costs are in the larger cities, such as New York, which we understand to be well over $31 per ton. A large part of my own companies' material is this post-consumer waste from the New York metropolitan area. A rough estimate of the cost to municipalities if they were to collect and dispose of the post-consumer waste now being used, would be in the neighborhood of $160 million per year.

This is a very real saving to hard-pressed taxpayers and budget-tight cities. There are other real benefits, too. Cities throughout the country are running out of adequate incinerator and sanitary landfill space. You need only to read the newspapers here in Washington to know this. Washington, D.C. is one of the many cities that has run out of landfill space and is in need of new non polluting incinerators.

So, Mr. Chairman, in a very real sense, our use of post-consumer waste paper is a real benefit to our country. At a time of desperate solid waste disposal problems, we are helping now and could help more to solve it. At a time when cities are in critical financial plight, we are relieving them of present expense, and could relieve future expenses. And again—we are helping conserve the natural resources of the nation.

Clearly, Mr. Chairman, if there were no recycled paperboard industry, the government would do well to invent one.

After explaining our "good works," it is perhaps ironic that I must now explain to you that your country is struggling. In the eyes of the general public, and perhaps among some members of Congress, it is generally believed that recycling of waste paper is a growing expanding industry. But this is not the case.

In spite of all the recent concern about the environment, in spite of all the concvern about pollution and the emphasis on recycling, the recycling rate in this country has been steadily declining since the end of World War II.

The basic reason is due to the loss of end product markets for the paperboard grades made of post-consumer waste.

I will have more to say about this decline later.

Many people are concerned about the need to recycle waste, and they seek ways to express that concern. One way is to use recycled stationery for their correspondence.

The GSA has been taking steps to require the use of recycled fibers in various paper products purchased.

Many housewives (perhaps some of yours) use recycled tissue and recycled paper towels.

All these efforts are sincere. However, the fact is, some of these practices are not getting to the root of the problem.

Let me explain.

The waste paper used for recycled stationery, recycled tissue or recycled paper towels is mostly the high grade waste paper that has always been recycled because of its value. It never finds its way into the solid waste stream because it is too valuable. Therefore it does not present a solid waste problem to municipalities.

Such paper will continue to be recycled in the future, as it has in the past but the supply of these high grades will be difficult to increase.

The problem is in finding ways to increase the use of the abundant lower grades, the post-consumer waste paper that will go to the city dump if it is not recycled. This is the only real way to increase recycling.

Our industry recycled huge quantities of the lower grades, but we also need a supply of the higher grades. For many of our products we need a small percentage of the higher grades in order to use much larger amounts of the lower grades.

Thus, the well-meant effort directed at high grade waste recycling has unfortunately added to the cost and manufacturing problems we live with as we combine these small quantities of high grades with much larger quantities of post-consumer waste in our finished paperboard products.

I would like to refer back now, Mr. Chairman, to my remark about the steady decline in the recycling rate due to erosion of the markets for the products made of post-consumer waste.

There is no single simple reason—rather a variety of factors—which has served to put the recycling paperboard mills at an economic disadvantage. They have become progressively more difficult to operate profitably, and to generate the funds and the confidence required for new investment.

Proof of this lies in the fact that over forty paperboard machines have been shut down in the past seven years. Only three new machines were put in operation during the same period.

Economic reasons are, of course, most significant. Our mills are generally located in urban areas with relatively high taxes. They are mostly older properties, and small in size. The very difficulty in generating earnings has precluded broad-scale reinvestment in new equipment and further aggravated the situation. Frequently it is the pollution abatement costs that make these mills unprofitable.

These factors vary from mill to mill and company to company, but collectively they have had the result of putting our end products at a disadvantage cost wise in the market place.

All of the above are economic in nature. Other more subtle influences which derive from the packaging buyers' concept of what the consumer wants, have led to replacement of our products with others from the paper and plastic industries.

An Arthur D. Little study made recently for the Environmental Protection Agency concluded that, of the 170 recycling paperboard machines still operating, some 78 could be considered marginal in terms of continued operation.

The future need not, however, be all gloom and doom for our paper recycling industry and its present and potential contribution to reduction of the solid waste problem.

A study made by the Midwest Research Institute for the Solid Waste Council[2] was released last week, and makes projections which this Committee can very well find helpful in its consideration of tax reform. Present trends, without governmental influences, projected to 1985, will result in a decline in recycling from the already low rate of twenty percent to about the seventeen percent level.

It is possible, as the study indicates in great detail, that a recycling rate of twenty-six percent is feasible by 1985. This can happen only if the concern of the public is translated into demand for recycled paperboard products; if industrial buyers of paperboard products reflect this concern in their choice of packaging materials, and, most importantly, if the government provides legislation which will develop an economic incentive to encourage the use of post-consumer grades of waste paper.

As pointed out in his Midwest Research Institute report, which you have, federal tax policy "has encouraged the development, long-range supply and utilization of natural resources. To date, there has not been a comparable program to encourage the utilization of recycled materials."

We suggest, Mr. Chairman, that the Ways and Means Committee provide in its Tax Reform Act of 1973, tax incentives for the use of post-consumer grades of waste paper.

Earlier in these hearings you heard from William T. Creson, Chairman of the Recycled Paperboard Division of American Paper Institute, that these incentives should be in the form of tax credits. He further suggested they should be fixed dollar amounts limited to post-consumer waste and given to the manufacturer who converts the waste into useful products. We wholeheartedly support Mr. Creson's position.

Allow me, Mr. Chairman, to explain a bit more fully why we believe the fixed dollar amount on post-consumer waste is preferable to the percentage proposed in several bills pending before this Committee.

A percentage allowance per ton of the cost of the material to be recycled can lead to a "cost-plus" attitude and encourage concern with acquiring high-value wastes that probably would not go into the solid waste stream anyway.

A flat dollar amount per ton for post-consumer waste used for recycling would, on the other hand, give the greatest incentive for use to the materials that are lowest in value and most difficult to use. That is socially desirable because that is precisely the kind of waste paper which would otherwise go into municipal waste.

Accordingly, we feel that the Committee would be doing a national service by providing tax incentives of a flat amount per ton for the use of post-consumer waste paper. Such incentives are certainly in the national interest and would be materially assisting hard-pressed local communities. Two of the best sources of post-consumer waste for recycled paperboard products are newspapers and corrugated boxes. They represent the largest items of the solid waste stream. Because of their potential reuse as newsprint and as corrugating medium, they represent an unusual opportunity to encourage recycling, according to the Midwest Research Institute Report from which I have been quoting.

Our struggling segment of the paper industry needs the economic incentives that will let us reverse the downward trend of recycling—and in doing so, perform the socially desirable function we are knowledgeable about and ready to do.

The loss of jobs in urban areas from past mill closings and potential future shutdowns is real. The fiber requirements of the country as projected into the near future tell us that this vast resource should be recovered and reused.

There are only three sources of paper fiber available to the nation; virgin fibers—trees along with the sawdust and other forest wastes; recycled waste paper, and imports. The paper needs of this country are growing at a fast rate.

The portion of the market held by recycled paperboard is dropping. Not long ago, more than one-third of all the paper needs of the country were filled by recycling of post-consumer wastes. Today barely a fifth of the needs are filled in this manner.

In short, while we are squeezing more production out of fewer machines, and producing about the same amount of paperboard as we did a couple of decades ago, we have a *smaller* portion of the total market. It will take new investment in new production equipment to make the 26% recycling rate in 1985 as indicated in the MRI report, into a reality. We need to begin *now* to build that new capacity. We need to begin *now* to orient the thinking of the planners in the paper industry to build new plants to recycle waste paper. To do so will take incentive such as I have mentioned.

Such incentives are supported by the Council for Environmental Quality, by many of the top thinkers at the Environmental Protection Administration, and by studies

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Footnotes at end of article.

made for the Commission on Materials Policy.

Midwest Research Institute estimates that, by 1985, with proper tax incentives, our industry could more than double its production of recycled paperboard.

That would be good for the environment. That would be ecologically sound. That would be economically sound. It would also be a meaningful form of revenue sharing by providing tax incentives to save local communities the monumental task and expense of disposing of mountains of waste paper. Midwest Research Institute estimates that, in 1985, our portion of the industry can be producing 17 million tons of recycled paperboard a year—up nine million from today—if there are tax credit incentives.

If the incentive were set at $12 a ton, that nine million tons would amount to $108 million a year. The savings would more than offset this as over $180 million would be saved annually in collection and disposal costs, which may be expected to reach an average of at least $20 per ton by 1985.

What would we do with the money from tax incentives?

A portion of it will go to increase supplies. That is, we will be able to develop new and better sources of waste paper. We will be able to pay more for what we buy and that will help encourage the public, communities, charitable organizations, and businesses to save waste paper for our use.

A portion of it will go to reduce our prices. We will be better able to compete for paperboard business with other paper industry products, as well as other alternative materials. We would be in position to recapture some of our lost markets.

Let me point out that charitable organizations, most frequently Boy Scout troops, receive approximately $25 million a year for gathering old newspapers and selling them to recycling companies.

Many companies would undoubtedly use some of the funds to develop techniques for improving the quality of the lower grades of waste paper by sorting out and cleaning mixed waste which now includes a mixture of very good grades with very poor waste.

Hopefully, a small portion of the funds will remain with us—as profit, as seed money for research and as investment capital to provide production facilities to increase our output as the opportunities for recycling increase.

Let me now say a word about the critical trade balance, Mr. Chairman.

The U.S. now imports some eight million tons of paper from abroad each year. I'm sure you know most of that is newsprint. We export some three million tons, chiefly paperboard. Incentives for the use of post-consumer waste can have the effect of reducing imported newsprint requirements as well as giving our recycled paperboard products the opportunity to enlarge their export markets. These are goals in terms of our balance of payments problems, to which this Committee and the Senate Finance Committee would certainly subscribe.

Mr. Chairman, let me now summarize our position:

1. The recycled paperboard industry is vital to our national welfare.

2. This industry has been in serious trouble and faces a difficult future.

3. The industry is performing ecologically and environmentally worthwhile work and can do much more by using up piles of waste paper, saving natural resources, conserving energy, and minimizing air and water pollution.

4. The industry needs tax incentives to increase supplies, capacity and profits, and to lower prices to customers.

5. We must reverse today's trend toward less use of recycled paperboard. This will only be done through regaining lost markets and fully sharing in future market expansion.

6. Our cities, which are now straining under the load of solid waste will benefit from the diversion of post-consumer waste paper into recycled paperboard.

7. The balance of trade might well be improved by helping the recycled paperboard industry.

8. The needs of the country for paper products are increasing rapidly. If recycled fiber is to be available to help meet these needs, the Congress should provide tax credit incentives to insure the capacity will be there.

Incentives for recycling waste are needed. It is an idea whose time has come. It is good for America. That is why you should be interested. I am interested for those reasons as well as because it will be good for my company and others in our business.

FOOTNOTES

[1] The General Services Administration defines in a fact sheet issued on October 20, 1972 post-consumer waste in Part I of its specifications as: "Paper, paperboard and fibrous wastes from factories, retail stores, office buildings, homes, etc., after they have passed through their end-usage as a consumer item, including: 1. Used corrugated boxes; 2. Old magazines; 3. Old newspapers; 4. Mixed waste paper; 5. Tabulating cards; and 6. Used cordage.

The Midwest Research Institute Report, *Paper Recycling: The Art of the Possible, 1970 to 1985*, March 1973, Page 176, states: "Post-Consumer Waste. Any product that has gone through its useful life, served the purpose for which it was intended, and been discarded by the user. Waste or scrap created in a manufacturing or converting operation is not considered post-consumer waste. However, post-consumer waste is generated in homes, commercial establishments, government offices and the like."

[2] Midwest Research Institute Report, *Paper Recycling The Art of the Possible, 1970 to 1985*, March 1973.

NAVY APPROACHES NO. 2 STATUS

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. BOB WILSON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following editorial:

[From the San Diego Union, Apr. 6, 1973]

BUDGET "KNIFE" FEARED—NAVY APPROACHES NO. 2 STATUS

Members of Congress have been known to drop off to sleep during discussions of budgets. Long lists of numbers can have that effect. However, the chief of naval operations, Adm. Elmo R. Zumwalt, is presenting the Navy's budget in terms that should keep Congress awake.

Progressive cutting of defense budgets over the last three years finally is eroding the combat readiness of our fleet. Furthermore, if the United States of America does not reverse its course in naval funding, we are heading straight into No. 2 status behind the Soviet Union in naval strength.

The immediate problem described by Admiral Zumwalt is "shortfalls" in Navy accounts. The current budget is so tight that many fleet commanders simply do not have the money for repair and maintenance of their ships and thus are unable to provide adequate training for new sailors. The necessary funds, time and a catch-up program in maintenance and training, can go far to cure this immediate problem, but the longer-range impact of austerity in Navy budgets is a matter far more grave. It affects not only the United States but that large segment of the world that relies on our Navy for security and free use of shipping lanes. By the middle of next year, the number of active ships in our fleet will have dropped to 523—a 45 per cent cutback since 1968. For the first time, the number of combat ships flying the U.S. Flag will fall below the number in the Russian navy, which is more modern and already boasts a numerical superiority in its submarine fleet.

The Administration is not unmindful of the implications in these figures. In the new budget the Navy receives $2 billion more than the Air Force and $4 billion more than the Army, reflecting the increasing role which sea power must play in our strategic defense in coming years. What worries Admiral Zumwalt, and should worry the American people, is that Congress may approach the new Defense Budget the same way it has approached each one for the past three years running—with a knife.

Seeing our Navy decline to No. 2 status goes far beyond any question of national pride. What is important is that the Soviet navy is on the threshhold of becoming No. 1 and there is nothing in history or the stated aims of Soviet policy to suggest that Moscow will use its navy for anything but international mischief and to further the goals of Communist imperialism around the world.

If any congressman does not understand what that means to the United States and the Free World, he might as well go back to sleep.

TRIBUTE TO RABBI PHILIP SCHROIT

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. REES. Mr. Speaker, I would like to take this time to pay tribute to a dedicated and gentle man, Rabbi Philip Schroit, who will be honored in a triple celebration by B'nai David congregation, in west Los Angeles.

A triad of events will be commemorated May 6 at a dinner dance to be held in the grand ballroom of the Beverly Hilton Hotel. B'nai David congregation will celebrate the 25th anniversary of its founding at the same time the State of Israel commemorates the 25 years of its existence. B'nai David's spiritual leader, Rabbi Philip Schroit, will also be honored for his 25 years of commitment to and involvement in religious and community leadership.

Honoring Rabbi Schroit will be prominent personalities from educational, political, religious, and entertainment fields. Funds raised by means of the dinner dance will be devoted to assisting the youth in the area served by B'nai David congregation.

This action is very much in the spirit of Rabbi Schroit. For the past 25 years, under his leadership, B'nai David congregation has attained a position of eminence in the life of Los Angeles. Indeed, it has become a model throughout the city, due in large measure to the untiring efforts and wise counsel of Philip Schroit.

Rabbi Schroit has particularly dedicated his energies to educate scholastically qualified students in B'nai David's religious school programs through the provision of scholarships. In a deeply troubled society, he has built a program for youth which brings them logic and understanding, with a strong foundation from which to grow.

Rabbi Schroit is a man with a keen sense of awareness who has had a great share in the development and growth of the Jewish community in Los Angeles. His contributions to worthy causes are legion. The youth of his community attest to the fact that he is truly a man with an understanding heart.

DR. CRANE: EXPERT ON THE HAPPY POOR

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. SYMMS. Mr. Speaker, sometimes you have to wonder how a man develops the ability to shoot from the hip and aim straight between the eyes on the problems this Congress considers. My good friend and colleague, PHIL CRANE, from Illinois, is the kind of marksman who can strip an issue right down to the bare bones. But rather than let my colleagues think that the gentlemen from Illinois is a new phenomenon to that part of the country. I would like to submit the following article from the April 10 issue of the Chicago Sun-Times. If you recognize a familiar refrain, it will only serve to underscore what a lot of us already know—young PHIL is a chip off the old block—as the saying goes "the apple doesn't fall far from the tree."

The article follows:

"FREE FOOD, RENT; NO WORRIES"—DR. CRANE: EXPERT ON THE HAPPY POOR

(By Bob Greene)

Dr. George Crane is a psychologist who has been writing a syndicated newspaper column called "The Worry Clinic" for 38 years. The column is supposed to be aimed at people who have problems.

People who have problems do not include people who are on welfare, according to Dr. Crane. I recently read an astounding episode of "The Worry Clinic," in which Dr. Crane contended to his millions of readers that the birth rate is falling because of television. Young married people are watching television late at night, and because of this they are too tired to produce babies, Dr. Crane announced.

But there is a hitch. This passage is quoted directly from "The Worry Clinic".

"Dr. Crane: I have often been asked, then wouldn't it be a good idea for politicians to promise welfare families a free TV set? Wouldn't that help reduce our growing tax burden to support the relief families?

"Theoretically," Dr. Crane replied, "it would—if the adults in such families were also putting in eight hours of hard work every day before they slouched down at night before their TV.

"But millions of welfare cases are idly sipping their beer (paid for by you employed taxpayers) and enjoying baseball or other sports TV broadcasts all afternoon. Even if they stay up till midnight, these nonworkers still have enough unused energy to zoom the birth rate.

"Contrast the unbalanced ballot-box totals when you compare a normally intelligent couple's offspring with those of the feebleminded. Use a 25-year generation cycle, with the normal taxpayer averaging three children and the feebleminded at least five. See how fast the indigent will outvote the offspring of the intelligent workers, assuming they mate with their own kind . . . Thus, within 50 years, you see, the indigent are outnumbering you intelligent readers by almost a five-to-one ratio!"

I asked him why he felt that people on welfare had so many children.

"That's easy enough," said Dr. Crane, who is 71 years old and claims he receives 1,000 letters a day from people who are seeking his wisdom. "They know that on the welfare the more children they have, the more Aid to Dependent Children money they'll get. My son is a doctor, and while he was at the county hospital in Chicago, he delivered a baby from one of these buxom lasses who came up from the South. It was her 12th baby, and my son said that there had been eight different fathers! You figure she's getting $45 or $50 a month for each child . . . she's living in the lap of luxury! She comes from the South where they live on black-eyed peas and hominy grits, no wonder she doesn't want a husband. She couldn't afford a husband if she had to give up all that money."

I asked Dr. Crane if he really thought that welfare families with so many children were doing it out of greed.

"Well," he said, "you won't find the morality or scruples among them that you'll find in intelligent people."

With so many Americans reading his column, though, I asked, doesn't he feel an obligation to offer advice to people on welfare, too?

"I have maintained something from many pulpits," Dr. Crane said. "You must remember that Christ was very selective. He didn't give out food stamps, he didn't go house-to-house making medical calls to the poor. He only healed the people who had the ambition to get up and come to him."

I asked Dr. Crane if, as a man depended on for advice by millions of readers all over the country, he did not feel that the people who really need "The Worry Clinic" most are those very people on welfare, who cannot afford a private psychiatrist or psychologist to help them through the hard days. Aren't the welfare recipients the people with the most worries in our country?

"Oh, no, they don't have any worries," Dr. Crane answered me. "They get medication free, they get food free, they get rent free. They don't pay any taxes. They don't worry about getting a paycheck or about getting laid off. They don't have any worries at all!"

TV sets, beer and baseball games aside, though, Dr. Crane said there is some hope in convincing welfare recipients that birth control is good for them: "We should not hold back birth control from any of this feeble minded and dull segment of the country," he said. "We should tell them, look, they don't like to get fat and broad in the hips, they'd rather be out dancing than being pregnant."

I was intrigued by some of Dr. Crane's findings, so tracked him down. His columns appear in some 250 newspapers, and I wondered how those of his readers who are on welfare felt about being called "feebleminded" and told them that they have more babies simply because they watch more baseball while slouched down in front of their TV's drinking government-issue beer.

"Oh, I don't have many welfare people among my readers," Dr. Crane said to a warm, friendly voice. "So many of them are not literate enough to be followers of columns such as mine. The comics or TV are as far as they can go."

THE CONTINUING NEED FOR THE EMERGENCY EMPLOYMENT PROGRAM

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mrs. CHISHOLM. Mr. Speaker, I shall not stand here today and waste my alloted time on partisan rhetoric—lambasting the Nixon administration for its stance on this piece of very critical legislation. Instead, I urge my colleagues in this House to join in support of the Emergency Employment Act because it goes to the heart of our current domestic crisis.

Here we are with a very serious problem: The national unemployment rate is 5 percent; the black unemployment rate is twice that high; and the jobless rate among Vietnam veterans is over 7 percent. This is a wasted potential which no country can afford.

Now many politicians have decried the problem and at the same time have worked against the most effective attempt to deal with this problem. Many of us here have told the people of America that they must develop the "work ethic," that they must pull themselves up by their bootstraps, and that they must get off welfare and find a job, but at the same time some of those same people in this Chamber today are opposing a bill which could provide up to 300,000 jobs in fiscal year 1974 and 375,000 jobs in fiscal year 1975, which would in effect provide "bootstraps".

What good is a desire to work if there is no work? Where are the 4.5 million unemployed to go once they have decided to leave the welfare rolls? The public employment program authorized by the Emergency Employment Act of 1971 gave some of these people a chance to find a decent and useful job. But now, the same politicians who have publicly committed themselves to lowering the unemployment rate have refused to support an extension of this highly successful and tremendously needed program to produce public-service jobs.

Why, if we agreed in the Congress in 1971 that a national unemployment rate of 4.5 percent constituted an "emergency" which necessitated job-producing funds, don't we agree in the Congress again in 1973? Why, if we agreed in Congress in 1971 that a local unemployment rate of 6 percent should trigger special funds to that local area, don't we agree again in 1973? Since the circumstances which gave impetus to the first Emergency Employment Act in 1971 still persist today in 1973, why is there any opposition to the continuation of the act?

The current budget proposal, the new social services guidelines, and now the opposition to the Emergency Employment Act can leave no doubt but that the administration's public committment to the needy, the homeless, and the jobless is just an empty promise.

While a few people have been rounded up to criticize the other programs being cutback or terminated, even the President has been hard pressed to find economists who question the utility of the Emergency Employment Act at a time like this. When the economy is in such serious straits, economists of all persuasions are skeptical that the private sector can absorb the mass of unemployed workers. Mr. Chairman, you and I might both prefer to let the private sector create the jobs, but we also know that this is just not happening. The simple fact is that we would be abdicating our responsibility to the American people if we refused to create public jobs during the present time.

In the approximately 18 months of operation, the emergency employment program has provided jobs for some 300,000 people. And these were not useless, menial jobs; these were jobs involving unmet needs for public services in such fields as environmental quality, health care, recreation, education, public safety, transportation, conservation, crime prevention and control, and many other areas of needed social improvement. Every witness who appeared before the Select Labor Committee, which studied the emergency employment amendments, testified to the worth and effectiveness of the public employment program. Even the official spokesman for the administration, Paul J. Fasser, Deputy Assistant Secretary for Manpower, labeled the program "very effective" during the subcommittee hearings.

In the face of such strong support of the emergency employment program, the rationale for opposing any extension, as expressed by the Labor Department, is that the unemployment emergency is over! I don't think many of the 4.5 million unemployed in this country think the emergency is over. Ask some of the 300,000 unemployed Vietnam veterans whether they think the emergency is over. There can be no doubt that an extension of the Emergency Employment Act of 1971 is absolutely essential if we are sincere about giving these people a chance to help themselves.

I could proceed at length to elucidate the irresponsibility and deceptions employed by the opposition to this bill, but now we must turn to positive action. We must act now to pass the emergency employment amendments of 1973, and we must work hard to override the almost inevitable Presidential veto.

HUD LIAISON OFFICER GOES TO WORK FOR PPG

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, if the entire executive branch adopted the attitude and cooperative nature of the Department of Housing and Urban Development's congressional liaison officers, the flack flying between the Hill and downtown would be much less.

It takes only a bit more effort to be helpful and pleasant and that little bit extra always was put forth by my good friend Jack Woolley, who has just left the liaison staff of HUD for a new post with the Pittsburgh Plate Glass Co.

Although he knew I did not always agree with his bosses, Jack Woolley did not let that deter him from doing his maximum to provide my office with HUD information requested by constituents or needed by me for committee work.

Since PPG is headquartered in my district, I am sure I will be seeing a lot of Jack and I am looking forward to continuing to work with him.

Jack's departure is the Government's loss but a significant gain for PPG.

THE WHO'S AND WHY'S OF BUDGET CUTS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. EVINS of Tennessee. Mr. Speaker, we have heard much of the so-called efficiency and management expertise of the Office of Management and Budget—but many of us have felt since OMB was granted broad new powers that this office has greatly increased its powers and enlarged its personnel staff.

Repeated statements by OMB officials and other bureaucrats concerning the proposed budget are an example. The thrust of these statements is that any change this administration's budget would create all sorts of economic and fiscal problems—even though the budget arbitrarily and without statutory authority in some areas terminates, eliminates, or reduces more than 100 domestic programs enacted by the Congress.

There is, of course, nothing magic about the administration budget—and the issue is not whether the budget will be exceeded, as the record shows that Congress has consistently cut and reduced the Presidential appropriation requests over the past several years.

The primary issue is where the money will be spent—whether Congress will accept administration priorities—which call for reparations to North Vietnam and increased allocations for foreign aid and defense spending—or whether Congress will set some priorities of its own more responsive to needs at home.

A recent study by the Joint Economic Committee released recently by Senator Humphrey underscores the political function of the OMB—to support administration policy—and as a result the so-called documented support for terminations or sharp cutbacks in many progressive programs is found to be filled with "fiction and froth" and often lacking in substance and reason.

Because of the interest in my colleagues and the American people in this most important matter, I place in the Record herewith an editorial and an article from the Washington Post concerning this critical analysis of OMB justifications for some of its irresponsible actions.

The editorial and article follow:

The Whos and Whys of Budget Cuts

For months now, the administration's vast public relations campaign on behalf of the President's budget has featured two themes. One is that, thanks to congressional extravagance, federal spending had been threatening to soar out of sight until President Nixon boldly intervened to save the taxpayers from ruinous inflation, heavy tax increases or both. The complementary theme has been that the program slashes and terminations decreed by the President were based on the most exhausive systematic review of federal operations ever made. As long ago as November 28, for instance, White House Press Secretary Ronald Ziegler told reporters at Camp David that Mr. Nixon "intends for the Office of Management and Budget to assume a new and expanded role . . . [and] undertake a comprehensive examination of all government programs now in existence to determine whether they are actually meeting the purpose for which they were designated."

Now, however, in a Joint Economic Committee staff study, just released by Senator Humphrey, comes word that those estimates of extravagant spending—and the claims of enormous cuts—are partly fiction and fluff. The real increases which produce legitimate concern, the study points out, are attributable as much to presidential initiatives as to congressional moves. From supposedly authoritative documents submitted to the committee by OMB emerges the impression that the administration's real cuts were not based on any comprehensive assessment of federal programs, but that the weeding was done instead mainly by slashing about in all directions. Finally, from OMB Director Roy Ash himself, comes a refusal to testify on these matters on grounds that OMB in general and Mr. Ash in particular should not be held accountable for the details of those painful cuts.

It is easy to see why the President's top budget officer was not too anixous to be interrogated about the 179 pages of "statements" which his agency submitted to Senator Humphrey to justify all those program cuts. The material cannot be dignified with the label of serious analysis, much less the exhaustive review, based on consistent standards, which administration rhetoric might lead one to expect. Most of the programs are written off in several lines of generalities. In some policy areas such as housing which are ripe for reform, the OMB papers do not even incorporate the detailed studies which have actually been made. In many other cases, the reason for cutting or ending a program boils down to the autocratic assertion that the government shouldn't be doing that, or shouldn't be doing it that way.

All in all, this material—Mr. Ash's refusal to discuss it publicly—hardly promote either the President's professed goal of serious reform, or the image of OMB as an agency rich in management capability and analytic skill. The picture which emerges is that of a highly partisan wrecking crew, taking the occasion of a legitimate budget squeeze to demolish every domestic program which anyone thought was shaky in performance or suspect in principle. Senator Humphrey and his staff have performed a real service in debunking the 'battle of the budget." Their work will be most valuable if it prods Congress to undertake on its own the serious reassessment which it needed, but which OMB apparently has not done.

Humphrey Accuses President of Budget Deception

(By Spencer Rich)

Sen. Hubert H. Humphrey (D-Minn.) yesterday charged that President Nixon is practicing deliberate public "deception" and misrepresentation on federal budget figures in order to justify killing programs he doesn't like and to shift blame for inflation to the Democrats.

Humphrey's accusation, the harshest yet made against the President in the battle over spending, was based on a 20-page analysis of administration budget cuts prepared by the staff of the Congressional Joint Economic Committee, where the former Vice President heads the Consumer Economics Subcommittee.

The analysis was derived from a 179-page Office of Management and Budget document intended to justify proposed budget cuts in 108 federal programs.

"Today I am releasing material that shows the Nixon administration's spending reform policies are a combination of deception and incompetence and that it has misrepresented the savings achieved by the budget cuts . . . Mr Nixon must take responsibility. I hold him accountable for this budget," said Humphrey, who lost to Mr. Nixon in the 1968 presidential race.

Specifically, Humphrey charged that:

The administration's claim that in fiscal 1974 it will hold federal spending by various methods to $17 billion less than would have otherwise been spent under congressional policies is a misrepresentation.

In fact, said Humphrey, the staff study shows that at least $8.4 billion of the claimed $17 billion savings are bookkeeping tricks or outright "manipulations" that will never give an ounce of relief to the taxpayer. For example, according to the staff study, by projecting an excessively favorable market situation for U.S. grains, the administration is claiming to save $600 million more in subsidy payments to farmers than will actually be the case.

Administration claims that impoundments of funds were necessary to hold down federal spending in the current fiscal year because Congress pumped up the budget are also phony.

In fact, Humphrey charged, of some $15 billion which the administration claimed would be spent in excess of the President's original estimate if it hadn't been for impoundments, $2 billion was imaginary. Of the remainder, $6.5 billion was due directly to Mr. Nixon's own requests for added spending.

Even the OMB's 179-page justification of its proposed budget cuts is a "slipshod" job which condemns some programs without documentation and simply misrepresents the facts on others.

For example, said Humphrey, the OMB recommended phasing out community mental health center on grounds that the main benefits aren't going to the poor. But Humphrey said government figures show that in 1970 some 64 per cent of those being served by the centers had family incomes below $5,000.

Similarly, he charged, the administration, hoping to save $75 million, proposed phasing out Medicaid (charity) dental care for adults because, according to the OMB justification, "lack of dental care is seldom life-threatening and is less critical for adults." However, the Joint Economic Committee staff report says, "no evidence is provided to support a contention that seems highly questionable . . . In addition, in the face of the 17,000 deaths each year as a result of oral cancer, is it accurate to state that lack of dental care is seldom life-threatening?"

The aim of the whole "clever, diabolical budget figure manipulation," Humphrey charged, is to mislead the public into thinking the Nixon administration will really be able to hold expenses down, then to blame everything on Congress when phony claimed cuts melt away, and use this as an excuse to slash social programs the President doesn't like.

As for himself, he said, he would rather cut spending by eliminating items like the more than $2 billion ticketed for arms aid to Saigon and Laos in the defense procurement bill, since the war there is over.

Humphrey said the administration claim that unless the President's spending cuts are put into effect there will have to be a 15 per cent increase in personal income taxes is just "conjuring up political hobgoblins to frighten some people."

Money for needed programs could be raised through tax reform, without any such personal tax increase for most people, he said, but the administration "is stone deaf and silent on tax reform."

The White House had no comment.

Referring to a newspaper story describing a party given by President Nixon for members of Congress who voted to sustain his veto of the vocational rehabilitation bill, Humphrey said it was "shameful" to celebrate the defeat of legislation intended to help people with "spinal injuries" and other crippling diseases. "It's cruel, wrong," he said.

The joint committee staff study focuses on two alleged administration claims: that it was Congress that pumped up the 1973 budget, and that the administration, by cutting social programs, is actually achieving great savings in the 1974 budget.

In fiscal 1973, says the study, the President first proposed a $246 billion federal spending level, then falsely claimed that subsequent congressional action, mainly to and programs, would have pumped this up by $15 billion.

At least $2 billion of the supposed $15 billion boost represents what social services might have cost had Congress itself not put a ceiling on them, the study says.

Of the remaining $13 billion, the study says, about $6.5 billion was requested by Mr. Nixon himself—$1.2 bililon for added Vietnam war expenses, $15 billion for Hurricane Agnes, $2.6 billion for revenue sharing startup date shifts, and certain other, minor items. Another $1.6 billion was for an "uncontrollable" increase in interest on the public debt.

Congress is actually responsible for only $5 billion of the increase, the study says: $2.8 billion for Social Security increases, $1 billion for black lung disease benefits for coal miners; and $1 billion for its own proposed revenue-sharing increase.

Thus, the study concludes, Mr. Nixon was actually more responsible for budget increases in fiscal 1973 than Congress.

The study next turns to the $17 billion by which, the study says, Mr. Nixon claims he will cut potential spending in fiscal 1974 by reducing various programs in ways Democrats have criticized.

At least $8.4 billion of this claimed saving is called "cosmetic"—simply an illusion.

For example, the study says, in addition to unrealistically underestimating farm subsidies by $600 million, the OMB is claiming that Mr. Nixon is "saving" $27 billion in social service grant costs by holding spenddown to $2.5 billion—the congressionally imposed budget ceiling for this program.

All the OMB is saying, says the study, is that if Congress hadn't imposed the ceiling of $2.5 billion, the program might have gone as high as $5.2 billion in fiscal 1974—yet the administration is claiming this as a saving due to administration initiative.

Similarly, the study says, the administration is claiming it will save by various moves $4.7 billion on what otherwise would have been spent for defense. But the study says at least $2.7 billion of this claimed savings is simply the Defense Secretary's refusal to ask Congress to approve the total amounts requested of him by the individual military departments.

Another claimed saving, $592 million, the study says, is projected from a proposed federal welfare regulation which "has not yet been adopted and whose legality is questionable" and is being challenged by 34 states.

Other claimed savings, the study charges, simply involve deferments of expenditures to later fiscal years, ultimately saving nothing.

GIOVANNI DA VERRAZANO, FLORENTINE NAVIGATOR

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. ROONEY of New York. Mr. Speaker, tucked into the rolling hills above the beautiful city of Florence, Italy, a stone house stands out from those around it only because of a plaque set into one of its walls. The marker tells the passersby—and they are few—that here was born the most famous of this town's sons, Giovanni da Verrazano. The young Verrazano, restless in his native town, made his way to France where in 1524 he persuaded the King of France into financing an expedition to explore and map the still unclaimed coast of the new world.

His voyages carried him across the Atlantic and thence along the coast of North America from as far south as the Carolinas to the northern sections of Newfoundland. His cartographic work was superb as was his luck, for he discovered a body of water that formed a harbor far superior to anything known in Europe.

The harbor was New York's and the people of that great city were to remember Giovanni da Verrazano nearly 500 years later when a massive bridge, spanning the very narrows that he had first seen, was constructed and named in his honor. It is, therefore, fitting and proper that this longest suspension bridge in the world, this largest of American monuments to honor a European, this greatest of engineering feats should presently stand within sight of the Statue of Liberty; for it was through the very narrows that Verrazano had discovered and passed along that hundreds of thousands of his country men would come to make their contribution to the world. Men like Fermi, Toscannini, Verdi were joined by thousands of other great people of Italian birth and descent who have given us so much.

In just 12 short years we shall be celebrating the 500th anniversary of the birth of the great Italian explorer and navigator. This celebration should be one of great magnitude and widespread observance. It should have long range planning, not only on the part of Italo-American organizations for whom it will hold great interest, but by the Congress of the United States as well. We should begin immediately to consider the type of honor which this body considers fitting for the man who has meant so much to our country's development. Surely some of the most important coastal waterways which we shall be converting into national parks or sanctuaries should be named Verrazano.

And so, Mr. Speaker, let us all join with our fellow Americans of Italian lineage and pay tribute to the greatest of all Florentine navigators—Giovanni da Verrazano.

CHICAGO ITALICS CLUB HONORS MISS MARGARET DURSO

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. ANNUNZIO. Mr. Speaker, on April 8, 1973, at the Chateau Royale in Chicago the Italics Club honored a most distinguished Chicagoan—Miss Margaret Durso, as the Woman of the Year 1973, for her active interest for emotionally disturbed and mentally retarded children. We of the 11th Congressional District of Illinois, which I am proud to represent, are privileged that Miss Durso is a part of our community.

Some 300 people, including Judge Helen Kelleher and Judge Kenneth Wendt, attended the Italics Club Annual Award Dinner Dance, at which club president Mary M. Mento presented a plaque to Margaret Durso in recognition of her outstanding service to humanity.

Miss Durso was escorted to the seat of honor by Hon. Thaddeus S. Leckowicz, and Hon. Victor A. Arrigo presented her with a resolution from the Illinois House of Representatives celebrating her accomplishments. She was also presented with an honorary lifetime membership in the Italics Club by general dance chairman and first vice president, Carmello A. Blacconeri.

The Italics Club gave donations in the name of Miss Durso to the Chicago Read Mental Health Center, to the Villa Scalabrini Home for the Aged, and to the Sacred Heart Seminary of Northlake.

I extend my warmest congratulations to Miss Margaret Durso for meriting the Italics Club's 1973 Woman of the Year Award, and at this point in the RECORD include her biography. The biography follows:

MISS MARGARET DURSO

Margaret Durso, educator and benefactress, was born in Chicago, the daughter of Luciano and Antonina Durso, who settled in Chicago four years after the great fire. Luciano was a man whose family's welfare was uppermost in his mind. Antonina's keen foresight, sagacious business ability, and love of learning spurred her children to achieve a higher education.

The children born to Luciano and Antonina were Domenica (Mrs. John Molinaro), Elena (Mrs. Christopher Levaccare), John, Joseph, Michael, Rose (Mrs. Anthony Desimone), and Margaret.

Miss Durso's elementary education was obtained at the Edward Jenner School; she then attended Waller High School. Upon graduation she attended Chicago Normal from which she graduated in 1922.

Throughout her life her most ardent desire was to study medicine relevant to school health. She then attended evening school and received a bachelor of science degree in 1930.

Miss Durso enrolled at Loyola University as an evening graduate student and was given a masters in education.

The desire for a medical degree continued but she had passed the admitting age of medical students. Fortunately, however, Loyola Medical School opened a department of public health and preventive medicine. She enrolled and received her master's degree in public health in 1945.

Miss Durso received a certificate as health coordinator from the Chicago Board of Education. She taught nurses at St. Francis, Columbus, South Community, Evanston and Evangelical Hospitals.

Michael R. Durso, Miss Durso's brother, a state legislator from the old 29th senatorial district, established a free evening school for immigrants. It was staffed by volunteer workers at the Edward Jenner and nearby schools. Miss Durso took an active part in this endeavor, promoting the understanding of the history and traditions of this country in preparation for the citizenship examinations.

Miss Durso was the founder of the National Italian American Civic League, the purpose of this benevolent group was to confer scholarships to under privileged high school students.

With the passing of years and still imbued with the continued interest in school children's health, her attention was directed to the establishment of a memorial hospital. This hospital was to be organized exclusively for charitable, scentific and educational purposes, but because of the lack of federal funds, this undertaking did not materialize.

Despite some disappointment, Miss Durso's love for humanity and interest in medicine motivated her to donate two perpetual trusts on July 1, 1971. The income from these trust funds were to be used for the welfare and treatment of emotionally disturbed and mentally retarded children and adolescents at Chicago Read Mental Health Center.

Former Governor Richard Ogilvie, who officiated at the ground breaking ceremonies of the Children's Center, publicly thanked Miss Durso and the Name of Chicago Read Medical Surgical Building has been officially changed to Margaret Durso Medical and Surgical Hospital.

In devoting much of her professional life to the welfare of others, Miss Durso was able to perpetuate the words of her mother, *"Do good on earth and forget about it"*.

AWARDS AND ACHIEVEMENTS

The State of Illinois Honorable citation presented February 19, 1972 as a symbol of esteem and gratitude to an ardent exponent of children's health.

Eugene Field School P.T.A. Award 1962, for exceptional services.

National Director of the National Italian American Civic League.

Secretary and Member of the Immigrants Protective League.

Founder and Organizer of the National Civic League, Junior Auxiliary Club.

Founder and President of the Benevolent National Italian American Civic League—(Chicago Women's Club).

Benefactress: Calumet Women's Club for Blind and Deaf Children, Chicago Read Mental Health Center.

Member: Sons of Italy—Skokie Lodge, Italian Arts Club, Italian Teacher's Club, Joint Civic Committee of Italian Americans, Villa Scalabrini Italian Home for the Aged, Women's Club, Eugene Field School P.T.A., National Italian American Civic League Chicago Women's Club, American Committee on Italian Migration.

NATIONAL SECRETARIES WEEK

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. HASTINGS. Mr. Speaker, this week marks the 22d annual observance of Secretaries Week and I should like to take this opportunity to offer a warm and well-deserved tribute to the secretaries all over the Nation.

They serve with efficiency, dedication, and superb skill, contributing in great abundance to the ordered operation of business, industry, government, and the professions.

The National Secretaries Association, the largest organization of its kind in the world, is sponsoring this special week. Its theme is "Better Secretaries Mean Better Business." Indeed they do.

I take special pleasure in joining with others throughout the country in offering this salute to secretaries. Their efforts have set a lofty standard which rightfully merits the recognition of everyone.

ZION SETS A GOOD EXAMPLE FOR RESPONSIBLE COMMUNITY ACTION

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. McCLORY. Mr. Speaker, there are many assurances that the substitution of general revenue sharing in lieu of multiple, categorical grant programs will serve as a definite impetus to local and State action.

Many communities and townships in Lake County in my 13th Illinois Congressional District are demonstrating their concern and capabilities regarding problems which are most needed by local citizens.

An example is the township of Zion where a share of the township's Federal revenue-sharing funds are being provided for vocational and employment counseling for dropouts, transportation for the elderly, classes in consumer education, homemaking and budgeting, and a referral service.

I am attaching a recent editorial which appeared in the News Sun, the leading daily newspaper in Lake County, Ill., on Friday, April 6. Perhaps this editorial can point to an example for other communities to emulate:

ZION SETS A GOOD EXAMPLE

Zion's Community Action Program, like its counterparts in cities throughout the nation, stands on the brink of extinction as a result of federal funding cutbacks, but township and city officials may save the day.

Zion Township Supervisor Ernest Mintern said the proposal to save the program by channeling into it a portion of the township's share of federal revenue sharing funds is a workable solution.

Mintern told residents who requested the funds for a $10,000 annual program that would provide vocational and employment counseling for dropouts, transportation for the elderly, classes in consumer education, homemaking and budgeting, and a referral service: "It can be a good program, but it needs supervision. The last one brought in strangers from outside Zion. There are some things the program can do better than we can, but we should have something where we can pull the strings."

One of the specified purposes of federal revenue sharing is to create locally controlled and supervised social service agencies to replace those which would be eliminated in federal cutbacks.

The idea to have Zion township and city officials fund and administer a revised community action program—to be renamed Zion

Social Service—would seem to fall easily within the federal guidelines.

Township Auditor Donald Ower said "We have an obligation to be concerned about the community and put revenue sharing under local control with strict supervision."

This is the type of community action which can make the federal revenue sharing plan work. Zion officials are expected to approve the program when they convene this month and other governments should take a look at what community concern can mean when handled properly.

THE CENTENNIAL CELEBRATION OF HOME ECONOMICS AT KANSAS STATE UNIVERSITY

HON. WILLIAM R. ROY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. ROY. Mr. Speaker, I would like to call the attention of my colleagues to the recent centennial celebration of the College of Home Economics at Kansas State University.

One hundred years ago, in 1873, Kansas State became the first school in the Nation to offer home economics courses for college credit. From a modest beginning that year with 12 students, the KSU involvement with home economics has grown to a College of Home Economics enrolling more than 1,700 students—men and women—in 1973.

The centennial celebration on campus in late March called attention to this century of growth, and to the change in role for the American woman.

This change can be appreciated by reading the following remarks, made by the first president of Kansas State University, John Anderson. Speaking in 1874, President Anderson made these comments about the Kansas woman in his "Woman's Course":

> She has a right to an education as precisely adopted to a woman's work as is the boy's preparatory to a man's work. She has a right to study her own organism and functions, to understand the conditions of health, and to be forewarned against the inexorable penalty of ignorance, folly or overtaxation . . . in short, to all the knowledge which related sciences can contribute to her intelligence, deftness and efficiency in that greatest and purest of womanly arts, the art of making a home.

It is because of institutions such as the KSU College of Home Economics that women in America have abandoned such a narrow description of "woman's work," and have made such great strides toward achieving a full role in our society.

A recipient of special honor at the centennial celebration was the woman who has guided the college for the past 19 years, Dean Doretta Hoffman. Dean Hoffman is recognized today as one of the most dynamic educators and home economists in the Nation, and we Kansans feel very fortunate to have her services at Kansas State University.

Also honored at the celebration were 13 women who were recognized as distinguished alumnae of the college.

These women are: Tessie Agan of Manhattan, a former faculty member in the college; Elizabeth Walbert Crandall, chairman of the department of home management at the University of Rhode Island; Ruth J. Dales, head of the department of home and family life at Florida State University; Grace Zeller Goff of Manhattan, past president of the Kansas extension homemakers council; Lyllis Ann Ling, chief nutritionist at Children's Mercy Hospital in Kansas City, Mo.; Lucille Osborn Rust of Manhattan, a former faculty member in the college; and Shirley Jean Sarvis, a free lance writer in San Francisco.

Also: Georgiana H. Smurthwaite, honored for her outstanding service to the women of Kansas; Martha Lewis Starling, a homemaker and community leader in Pennsylvania; Doris Train Stewart, a retired public school teacher from California; Joyce J. Terrass, coordinator of home economics education at Purdue University; Arlene May Wilson, associate director of the department of dietetics at Indiana University Medical Center; and Maxine Fay Wilson, assistant director of residence halls at Purdue University.

Mr. Speaker, these women represent more than 7,000 alumnae of the College of Home Economics. Their accomplishments reflect credit upon themselves, their fellow alumnae, and their school.

One of the highlights of the centennial activities was an address by our colleague, the distinguished gentlewoman from Hawaii (Mrs. MINK). She presented a brilliant exposition of the role of the modern woman in the United States.

Mrs. MINK established an immediate and deep rapport with her audience. Her known great personal achievements and her dynamic presentation deeply impressed her vision of the future of our Nation and our Nation's women upon this large and receptive gathering.

Such vision symbolizes the work of the Kansas State College of Home Economics for the past 100 years. I am sure that my colleagues join me in wishing similar success for the next century to everyone associated with the school.

With your permission, Mr. Speaker, I include Mrs. MINK's address in the RECORD at this point:

SPEECH BY REPRESENTATIVE PATSY T. MINK, CENTENNIAL PROGRAM, COLLEGE OF HOME ECONOMICS, KANSAS STATE UNIVERSITY, MARCH 30, 1973

President McCain, Dean Hoffman, Dr. Joseph Hajda, my distinguished colleague Congressman William Roy: I am extremely grateful for this opoprtunity to participate in the centennial celebration of the College of Home Economics. I believe this is my first visit to Kansas, and I really came only because Congressman Roy was most persuasive and insistent.

You are most fortunate to have such an outstanding and dedicated Representative in the Congress, and it is a high personal privilege for me to have made the acquaintance of this distinguished American.

You all have every reason to be proud of the special significance of this day. One hundred years ago, Kansas State inaugurated the concept of home economics. As far as can be determined, these were the first home economics courses taught anywhere for college credit. Kansas State was even then a leader in believing that home economics—a field reserved almost exclusively for women—was important enough to have its own formal academic recognition. This displayed remarkable foresight. It elevated homemaking as well as family life; it became a separate curricula in higher education.

In rapid order, other universities across our nation followed in establishing schools of home economics. Just as it displayed vision by launching this field in 1873, Kansas State University has remained in the forefront by expanding and modernizing the concept of home economics even as the overall role of women in our society has grown and evolved.

Today, the School of Home Economics is a dynamic and relevant institution attuned to meeting the diverse needs for home or life-related instruction in a complex world. Where it had 12 students at the outset, in 1973 there are 1,700 students preparing themselves in a wide variety of disciplines. The founders would marvel at the range of subjects being offered, a far cry from the sewing and cooking concept of a bygone era.

Whether it be child development, restaurant management, fashion design, interior decorating, retailing, or consumer education, the School has developed courses for just about every aspect of the expanded field of Home Economics. It offers both undergraduate and graduate degrees. And the field is no longer restricted to only women. I understand there are 20 male graduate students in the area of Child Development alone at Kansas State University.

It seems to me that this changing panorama of roles in our society is all to the good. The School of Home Economics realizes that women do not remain in the home, and that men must be equally schooled in family and home management. With the growing number of women entering our national work force, the new curricula is only a reflection of reality.

In 1960, women accounted for 33 percent of all jobs in our country. By 1970, just ten years later, they held 38 percent of all jobs, a five percent gain.

Moreover, the overall number of jobs increased tremendously, so that women's gain is even more impressive. Of the 12 million new jobs created in the last decade, women claimed just under 8 million of these. As new jobs are opened, women get the great bulk of them. I do not know how long this trend will continue, but we are rapidly approaching a society where sex is an irrelevant factor in determining family responsibility. As a matter of fact, 15 percent of the working wives last year earned more than their husbands, and amazingly our society has not crumbled.

This raises a number of implications for our social structure. Some of these implications relate to mores, to individual customs and life-styles. Others relate to more formal institutions such as our laws and governmental policies, and it is these questions I wish to discuss.

Of primary importance, it seems to me, is the grace with which we adjust to the changeover from a male-dominated workforce to one in which women have an equal opportunity to contribute. Past concepts of women-in-the-home clash directly with the reality of more than 29 million working women. Therefore, to the extent that our laws and policies are grounded in the philosophy that a woman's place is in the home, they must necessarily be re-examined and updated.

We must revise such practices as paying a woman less than a man for the same work, on the theory that a man deserves more because he is a breadwinner while a woman only supplements the husband's income. Strange as it may seem, this concept has not been eradicated, even from our basic laws. The Social Security system, for example, affords lesser recognition to the earnings of women than men. There is no legal justification I can see for this. It is simply a carry-over from a time when few women worked. Yet the effect of this obsolete law is to deprive male surviving spouses of benefits due them as a result of taxes paid by their wives, whereas female surviving spouses automatically receive theirs.

Under Social Security, a widow is entitled to monthly benefits when her husband dies. However if the wife works her widower receives no benefits unless he was dependent on her income while she was alive. For purposes of Social Security, your earnings count one way if you are a man, and another way if you are a woman.

In reality, in most cases, men are the real losers because it is the surviving husband who receives no benefits from his wife's payments into the Social Security system, which is a survivor benefit system. If I pay taxes same as a working man why should my survivors receive less in benefits merely because of my sex? My current earnings provide security for my family. Why shouldn't the taxes I pay provide the same security for them when I am dead? The tax committees of the Congress say to provide this equity would cost too much! But women live longer anyhow so we certainly won't be bankrupting the system.

These kinds of discrimination have been allowed to develop because not enough women were personally interested in securing equal rights. But this too has changed. The Congress of the United States approved a constitutional amendment which states that women shall have equality. This is before the State legislatures for ratification. My home State of Hawaii was the first to ratify the amendment, and the Kansas legislature has also passed it. The fact that the amendment has not had an easy time in other legislatures merely serves to prove that we have much work ahead of us. I am confident that as more women realize the enormity of our deprivation of basic human rights, they will rally and bring sufficient pressure to adopt the amendment.

It is the traditional sex-role concepts that hold women back more than anything else, and the force of these concepts is all the greater because it is subtle and pervasive. It is in the mind of a little girl as well as her brother by the time they are five years old. What women today must learn to do is to go beyond the stereotypes to gain the human freedom that can only come when our minds and behavior are not patterned according to what is traditionally proper thought or action for women. We must do for women overall what the College of Home Economics has done for this course of instruction.

At least in this country, history has brought us to a point in time when women should be able to make individual choices and take their places as complete human beings. The trend toward fewer children, the development of conveniences that speed and simplify housework, and the new urbanization and mobility leave women freer to have their own separate lives apart from traditional roles of wife and mother. Recent legal actions in the United States, such as the Equal Pay Act, the Civil Rights Act of 1964, the Revised Order No. 4 of the Office of Federal Contract Compliance as well as Congressional passage of the equal rights amendment, have made it clear to business and industry that they must make places for women workers in their organizations. Publicity given to women of achievement such as the distinguished home economists for whom many of your buildings are named is giving many women role-models, and is suggesting that maybe they, too, could have careers or get involved in government and politics. Things have been changing for the better for women who want achievement in their own right.

I think one of the greatest problems for women today is themselves—their own inability to go beyond the stereotypes of what a woman should do and what she should be. Many in this audience doubtless have chosen to go beyond the traditional ideas of womanhood. You have the education and the interest to become the decision-makers of the future. Yet, I doubt that any but a handful of women has escaped some feelings of guilt or trepidation about your chosen life-styles. We were brought up, most of us, to believe that the most rewarding work in life would be to stay home, with our husbands and children. And yet many of us know we want more than that.

We women were treated differently than our brothers from birth. Little boys are given toys that challenge the mind and teach manual dexterity while we were given dolls and teacups and dreams of motherhood. Perhaps some of us here can remember the tearing apart of a young adolescent girl who had years of joy as a so-called tomboy, climbing trees and winning races, only to be told that such activity had to stop if she was to be successful as a young girl and later as a woman. Young women have told me that they can't remember consciously deciding, in the seventh or eighth grade, not to excel in school, to get lower grades in order to insure popularity. The dumb broad routine. It has been said that girls get less intelligent as they get older, that thousands of women who are positively brilliant in grade school become merely bright in high school, simply very good in college, and finally, mediocre in graduate school and that this explains the lower and lower percentages of women in these levels of higher education. But I doubt that any of us here accept that nonsense! This lack of "achievement" of course is merely the harsh workings of discrimination, brutally inflicted against women because of sex alone.

As a result of the women's movement, more and more young women are rethinking their goals and aspirations. However, even these women are not immune to the social conditioning of the traditional sex-role concepts.

The problem is, it seems to me, that a girl is conditioned to accept the notion that femininity and academic achievement are incompatible while the boy is taught from birth that his human fulfillment and his masculine fulfillment are one and the same.

This unconscious ideology is, I believe, at the root of the problem. Forces of history are changing other conditions that have made it difficult for women. New opportunities for women are increasing in the world of work as well as in community life and in government and politics. However, the traditional sex stereotypes continue to hinder the full development of women.

I chose politics as a career for active involvement and I would encourage more women to do the same. Obviously every woman in this country who is concerned with improving society cannot hold an office. But there is a limitless field for women to participate in politics at the grass roots level.

Women can actively involve themselves in the major issues of their localities, State and nation. Through awareness of the things that are important you can help to formulate public opinion. Things don't just happen. Actually, most of the major decisions in our society are not decisions at all. For instance, no single person or group reaches a conscious decision that there will be higher prices for meat. These things result from the interconnected actions of the market-place, in which millions of consumers have just as much impact as those who are in positions of power. There will be one decision if all of these consumers do not give any thought to prices and continue buying as usual. There may be quite another decision if enough individual consumers think about the matter and work to alter the course of events. We have seen this work yesterday as a result of a few determined wives.

On any public issue, it is the cause which generates the most attention and support that gets action. People can affect changes if they care enough to work for them!

A sense of political awareness is the key. Which public servant is doing something about an immediate problem? Which one is not? By following the activities of those in public office, you can have a basis for deciding. Those who meet with your approval should be supported and continued in office. Often, a single letter to a Congressman can turn his attention toward a problem that needs solving. Quite a few times, I have introduced a bill because of one letter from a constituent, outlining a legitimate need that should be met. Actually, I think most of the legislation that is considered in Congress originates from letters received by Members. On many issues, which command wide public attention, we get loads of mail and again this helps to assure that major problems are not ignored.

I know the same is true in State legislatures, such as the Hawaii legislature where I served before coming to Congress. It is even more true at the municipal or county level of office, where the office holder is in daily contact with the people he serves. Those in public office need to hear from the people in order to know how to proceed. But politics is not the only way to effect social change. Through private efforts, such as clubs and committees, much can be done also. All such activiites can help bring pressure to bear on the inequities affecting many people. It seems to me that the more leadership devoted by women toward a better world, no matter whether through governmental or private efforts, the better. We need all the involvement we can get. The only error is to not get involved at all—or to permit others to make all the judgments which affect your life.

You might ask how can I get started in this process of involvement? My response is that the biggest obstacle is you! You have to first make a decision that you want to do something. After that it is simple to find the means!

You can't wait around for someone to ask you. There are many organizations, national and local, who need your help, but are not equipped to find you to ask you to join. Whatever you do will be by your own initiative. Actually, this lack of outside motivation is one of the main reasons why so many people fail to act beyond their own personal needs. It is only when you cease waiting for someone to ask you that you can begin considering yourself as over the hill and on your way to being a full contributing citizen!

Human initiative is the key to all progress, not just to the political process. The willingness to care, the fortitude to act in the face of apathy—these are the tools for change. And women care deeply and we've got enough fortitude to meet any challenge!

One hundred years ago, initiative created a new course of study in Home Economics here at Kansas State. Study is one thing—putting it to use is quite another matter. Initiative means you care about your fellow human beings; initiative cannot be taught. It comes out of a regard for yourself as an important person whose life has been given with equal capacity to do good works, to achieve and to count for something worthwhile. Women cannot, must not, take the back seat in the struggle for human dignity, for that is what true equality means.

AID TO HANOI WOULD BE MERELY TRIBUTE—HUMAN EVENTS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. EVINS of Tennessee. Mr. Speaker, the conservative publication Human Events in its current issue includes an article by Thomas A. Lane which concludes in substance that any reparations to North Vietnam would have to be construed as tribute to an enemy. Mr. Lane concludes that this proposal is very bad policy and indeed madness.

Because of the interest of my colleagues and the American people in this most important matter, I place the article in the RECORD herewith.

The article follows:

AID TO HANOI WOULD BE MERELY TRIBUTE

(By Thomas A. Lane)

Attempts of the Nixon Administration to defend its commitment of aid to North Vietnam are generating some tendentious explanations. The claim of Secretary Rogers that we have always given such aid to mend the ravages of war is sheer misrepresentation. President Eisenhower offered no program of aid to North Korea when the armistice was signed at Panmunjon.

The Administration obscures the issue with references to our assistance to Japan and Germany after World War II. There is no similarity in the cases. In Japan and Germany the enemy surrendered and we replaced his government with one of our own. We assumed responsibility for administration of the countries. We installed democratic governments. This is not happening in North Vietnam.

President Johnson proposed aid to Hanoi as part of a peace settlement and President Nixon repeated the ploy. Because previous proposals to buy peace had not been criticized by Congress, the President had reason to believe that the proffer of aid would be accepted at the Capitol.

The Johnson proposal was not an offer; it was an indication of readiness to consider aid in a settlement package. No President has authority to make the commitment without the approval of Congress. The question now is whether any commitment of aid to Hanoi made by the President should be accepted by the Congress and the people.

This is a very bad proposal—much worse than appears on the surface. The Presidents should have considered the proposition more carefully before they spoke.

Let us be clear about precedents. There is no precedent for giving aid to an unvanquished enemy except as tribute. Aid to Hanoi would clearly be so categorized, whatever our explanation, as the price we pay for release from the conflict.

Arguments that the cost is less than the cost of continuing the war are specious. They obscure the cost of defeat. They would bow to defeat by puerile North Vietnam, as though money were the only consideration in war. We are not so depraved as to take that view of conflict.

Moreover, there is no need of our aid in North Vietnam. These people built their own country and they can rebuild it without our assistance. They can get economic and technical assistance from the Soviet Union and Red China, their allies in the war. North Vietnam is demanding aid so that it can claim the U.S. paid tribute to end the war.

It has been falsely charged by some critics of our policy in Vietnam that we are trying to police the world. If we now undertake to pay our enemies for the damage sustained in their aggressive "wars of liberation" against our allies, it can be fairly charged that we are trying to *bankroll* the world. What other interpretation can be put on a plan to rebuild not only the free world but the Communist world as well?

In the present state of our finances, this is madness. It is an extension of the profigate spending which has caused our monetary distress.

Aid to North Vietnam would be a radical innovation, not a following of precedent. Congress must reject it. Congressional leaders should firmly inform the President that the negotiation target for aid to Hanoi must be zero, because the Congress will have none of it.

LET'S ACT TO RESOLVE THE OEO CONTROVERSY

HON. L. A. (SKIP) BAFALIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. BAFALIS. Mr. Speaker, in view of the great controversy which has arisen over the future of the Office of Economic Opportunity, I found this recent editorial from the April 16, 1973, Miami Herald most interesting.

We have heard endless threats from that vocal minority in our society which has condemned the President for authorizing the dismantling of OEO. Federal judges have issued conflicting decisions about the validity of this order. All in all, it is quite a turmoil.

I, therefore, would commend this editorial entitled "A Simple Vote in Congress Could End the OEO Hubbub," to my colleagues for review. This editorial provides the information necessary to see that, in this time of great fiscal crisis, the President has taken decisive steps toward consolidating those poverty programs which have proven to be effective and eliminating those which have proven to be a disgraceful waste of the taxpayers' dollars. It also outlines a logical course of action to resolve this controversy.

I strongly support the President in this difficult decision as does the Miami Herald.

The article follows:

A SIMPLE VOTE IN CONGRESS COULD END THE OEO HUBBUB

Conflicting decisions by two federal judges leave laymen confused about the fate of the Office of Economic Opportunity.

A jurist in Chicago refused to ban the dismantling of the OEO in that city, as ordered by President Nixon, on grounds it was assured of funding at least through June 30.

Contrariwise, a judge in the District of Columbia commanded a halt to the termination program. He rejected the argument that the executive branch has power to reorganize federal agencies in the way the OEO is being phased out.

"If the power sought here were found valid," said the Washington court, "no barrier would remain to the executive ignoring any and all congressional authorizations if he deemed them, no matter how conscientiously, to be contrary to the needs of the nation."

Offhand, this sounds like reinforcement for the role of the legislative as a co-equal with the executive and the judicial. Yet it is hard to reconcile with the Chicago ruling.

Nor is it clear to us whether either court considered the congressional grant of power to the President to combat inflation by economic controls. That, as we understand it, is the rationale for getting rid of the OEO—to cut back federal spending forthwith as an anti-inflation weapon.

All that Mr. Nixon is trying to eliminate is Community Action and a scattering of residual OEO activities. Most OEO programs are continued in his budget, many with more money. His effort to transfer them to other departments is in line with the intent of the Economic Opportunity Act that OEO should work separately only until its tasks could be shifted to old-line agencies.

The case against Community Action is conclusive. Its cost of nearly $400 million annually is unjustified by eight years of failure to prove that Community Action programs propel persons out of poverty.

Congress could slash through all the red tape and litigation easily. A simple bill abolishing Community Action would do it. But that would end the hubbub, depriving congressmen of the political hay they may think they are making with the likes of those poverty fighters in Washington who ordered champagne to celebrate their court "victory."

IMPORTANT AVIATION DEVELOPMENT

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. DON H. CLAUSEN. Mr. Speaker, our colleague, the distinguished gentleman from Massachusetts (Mr. CONTE) recently spoke to the Short-Haul Air Transportation—STOL—Symposium in McLean, Va. His speech represents a significant milestone in the effort to shed some light on an important aviation development which I believe holds great promise for the traveling public.

I believe all the Members of Congress should have an opportunity to gain a better insight into the role of aviation as it relates to our developing STOL transportation system and with Congressman CONTE's permission, I am inserting a copy of his statement in the CONGRESSIONAL RECORD so that we can all have the opportunity to benefit by it.

Having 30 years professional flying experience, I believe the gentleman from Massachusetts has once again demonstrated his extraordinary leadership in the field of transportation.

The statement follows:

REMARKS OF HON. SILVIO O. CONTE

Thank you very much for the kind introduction. It is a pleasure to be here tonight. With all the problems I have had using short-haul air transportation during my 14 years in the Congress, I am hopeful that meetings like this will lead to a brighter future.

I was going to fly here tonight in a STOL from the Capitol lawn. However, I ran into a host of problems. First the FAA told me that the flight could not take place because it would conflict with the Air Traffic Control pattern in the Washington area, and because the plane did not have a certificate of airworthiness. Next, the CAB told me that this was not a certificated route and that they were not sure the route would qualify for a subsidy. The last straw was the court suit filed by the *Capitol Hill Staffers for Peace and Quiet* asking for an injunction because I had not filed an environmental impact statement. I had a nice drive out here in a car.

Seriously, there are some real problems facing the air transport industry in its efforts to provide economical and safe short-haul air transportation. Tonight, I want to address myself to some of the problems and the federal role in seeking solutions.

As you well know, it is difficult to discuss any of the issues or the problems facing short-haul air transportation by placing them in nice, neat little packages. They are too closely related and intertwined for that approach.

When the federal government became involved in the civil side of aviation, it automatically became involved in the problem of providing adequate short-haul transportation. Unfortunately, the initial government reaction was the all too common one of throwing money at the problem. Subsidies based on operating costs were provided. This only served as an incentive for waste and the development of inappropriate solutions.

In its usual way, America decided that bigger was better. Our original short-haul carriers purchased equipment suited to longer hauls with greater passenger loads, even though the approach was patently uneconomical and the market for these facilities did not exist. Because they had the larger planes, the short-haul carriers begged for and got longer routes. They then tried to drop many of the less profitable routes. The end result is that the short-haul, feeder carriers have become minitrunk carriers, and some of them are not so mini any more either. Probably the worst aspect of these developments was that the demand for the development of *practical*, short-haul equipment, became subservient to the larger, faster, longer-haul markets.

Fortunately, the tables are now turning. The carriers, the manufacturers, the federal government and local citizens are all recognizing the need for new technologies to meet the challenges of the 1970's and beyond. These new technologies are coming, and I believe that they hold great promise. Steep approaching, quiet, short-runway aircraft are now appearing on the drawing boards. The 45-passenger DeHavilland DHC–7, able to operate from short runways quietly and economically, is scheduled to appear by the mid-70's. The Air Force is going ahead with construction of two prototype jet STOL transports from which technological fallout is inevitable. The major airframe manufacturers are seriously studying the type of short-haul aircraft that can meet the environmental and market demands of the next decade.

Right now, NASA is involved in the development of a clean and quiet experimental engine. Of all things necessary for a practical and acceptable short-haul aircraft to meet our future transportation needs, a quiet engine is the most crucial. As things presently stand, this engine can be ready for production by the middle of this decade and in commercial service by 1980. But many questions must first be answered. What size, or sizes, of aircraft are needed to meet the demand? Which of the technologies being actively pursued, i.e., augmentor wings, externally blown flaps, etc., will meet the combined needs of environmental acceptability and operating economics?

We see both government research and industry moving forward with technological developments. I welcome this, and I hope this trend continues. I must note, however, that there is a great deal of lobbying for *greater* government assistance in the form of tax benefits, subsidies and even more massive federal R&D programs.

When I discuss this issue, the most commonly asked question I hear is: "What can the government do?" I am really disturbed by this because the implicit question really is: "How *much money* will the government spend on short-haul transportation?" While I believe that the federal government does have a role and should spend some money on the development of our short-haul air system, I am also convinced that the major responsibility lies with the carriers and the manufacturers. This country has led the world's aviation industry since its inception. There is no reason why we cannot continue to do so. From all the reports I have seen on the demand for short-haul air transportation, the market is there waiting to be tapped. NASA has committed to a $100 million program to develop a QUESTOL engine. The Internal Revenue Code contains a host of tax benefits for both the manufacturer and the carrier. The FAA's Quiet Short-Haul Air Transportation System Office is providing centralized leadership for those things which are properly the responsibilities of the federal government. I do not think we can reasonably expect federal aid to grow much beyond that.

Neither I nor anyone else can discuss short-haul air transportation without discussing competition and markets. Competition for the short-haul carriers takes two forms: other airlines and ground transportation. In most cases, the free market forces should be the determining factor. If the market is over-served by airlines, the competing carriers are going to have to make the decision to fish or cut bait. There is no reason why the carriers should be subsidized to over-serve the dense short-haul market. Their function is to fulfill a transportation need at a reasonable cost, and massive subsidies are not the answer. A wiser approach would be to amend our regulatory system to allow for joint or unilateral reductions in an over-served dense market.

With regard to competition on the ground, there have been a number of very significant developments over the last few years. The most notable of these are the nearing completion of the Interstate Highway System and the establishment of Amtrak in 1970. The Interstate Highway System has cut travel times tremendously, and this has given rise to a greater readiness to drive to a destination rather than fly. Often-times, this decision is an economic one because the time saved is not significant enough to warrant the expenditure of the premium cost of air transportation. I believe that the industry and the CAB must seriously investigate the possibility of establishing more flexible group fares for short-haul flights.

One extremely important area that I have already alluded to is the *market* for short-haul air transportation. Essentially there are two markets: First, the high density markets found on the East Coast, in the Great Lakes region, and on the West Coast; and, second, the lower density market in the rest of the country.

For the high density markets, I think that it is reasonable to assume that short-haul air transportation will continue to operate as a vital part or our transportation system.

With the coming developments in technology and with the given demand, there is no reason why the carriers cannot provide even better service at a more economical cost per revenue passenger mile without reliance on subsidies.

A far different situation exists in those markets where there is not enough demand to profitably support the operations of regular air service, but where service is nonetheless needed. In such cases, I believe that one proposal made by the CAB has substantial merit. The CAB has proposed that markets which demonstrate a need for air service, but which cannot support such operations, should benefit from *limited* subsidy. This subsidy would take the form of a contract designed to provide regularly scheduled air taxi service to these areas.

The contract would specify the maximum fare and the minimum service to be provided. The potential carriers would then bid for the amount of the subsidy they felt necessary to make a reasonable profit and to provide the specified services. The low bidder would be awarded a short-term contract which would *not* be subject to renegotiation. At the end of the contract term, say in three years, the contract would be put out for bid again, and the prior contract holder would have no preference over the other bidders. In those cases where a contract holder made a substantial profit or incurred substantial losses, the subsequent contract bids would certainly reflect the experience. The advantage of this would be to provide the best service that is possible and reasonable at the lowest cost to the government and the consumer. This system would provide an incentive to the contract holders to meet the requirements of the contract in the manner which is most responsive to the needs of the community in their effort to maximize profits. Most of the services under this system would probably be provided by the air taxi carriers. The air taxis, which have developed scheduled service at a so-called "third level," have become an interesting outgrowth of the desire of smaller carriers to withdraw from the local service market. In many cases, they are providing substitute service for the carriers so that the carriers can meet the requirements of their certificates, and they are doing a very good job in many cases.

The final matter I want to discuss involves airports and airways. Because time is always a crucial element in transportation, there is a demand for short-haul airports of greater convenience to the passenger. I don't have to remind you of the opposition that arises every time airport construction or expansion is proposed.

You are, or should be, fully aware that you have a major job on your hands. There are conflicting points of view involved here. On the one hand, there is a need for more convenient air tranpsortation terminals. On the other, there is a broad-based feeling that airports do not make good neighbors. Hopefully, this feeling will change some with the advent of the substantially quieter engines and smaller, more compatible landing facilities. In such cases, you may be able to make substantial progress in convincing people that airports *can* make good neighbors and that the benefits of having a STOLport, for example, would be in the public's interest. You have to understand that for many years the entire airline industry operated on the assumption that bigger is better. The job of convincing people that things are changing and that the changes are in their interest is not going to be easy. It is going to take a real sales effort, and it must be an honest and fully informative one.

Of course, any discussion of airports must include a discussion of the means to get to and from those terminals. This is a vital factor in the overall success or failure of short-haul aviation. And it is an area in which the Federal Government, through its efforts to develop efficient mass transit systems, can be of great assistance. First, you must clear the hurdle of establishing new STOLports, and of expanding the operation of smaller nearby airports as STOLports.

Then the utilization of fast and economical mass transportation to connect these STOLports with major hub airports could benefit the entire transportation system by reducing congestion and expanding the available services for the passenger.

This, of course, would only be practical in a limited number of cases, but it would provide a possible answer which would help to solve a host of problems.

Finally, I do believe that the FAA is working to assure that short-haul air transportation continues to have a place in the airway system. It is also preparing for the special needs of new concepts for short-haul aircraft and their special capabilities. New Technologies are coming to the fore with improvements in air traffic control, navigation, and safety. However, much of the direction that developments in this area take will depend largely upon the technologies that are implemented in the short-haul field, the expansion of the number or size of airports, and how these developments fit into the short-haul system.

In the years to come, all of us, the federal government, the state and local governments, the manufacturers, and the carriers, have a role to play. The success of short-haul air transportation will depend on how well we fulfill our roles.

I appreciate the opportunity to share my thoughts with you this evening, and I look forward to the positive developments in short-haul air transportation in the coming years.

Thank you.

IMPROVE RETIREMENT SYSTEM FOR FEDERAL EMPLOYEES

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. WALDIE. Mr. Speaker, I would like to call attention to an article that appeared in the January 1973 issue of North Island Civilian. This article, written by Carl La Munyon, the president, National Council of Naval Air Station Employee Organizations, advocates changes in the civil service structure which would encourage young men and women of high quality to enter the employment of the Federal Government.

Mr. La Munyon states the only way that the Federal Government will achieve this much desired goal is to provide a dignified early retirement plan for its older employees which in turn would open up the necessary employment vacancies.

Mr. La Munyon suggests two steps that should be taken in order to provide employment vacancies. The first step should be to change the retirement system to eliminate any penalty assessed because of age under a discontinued service retirement. The second step that should be taken is to put the civil service retirement system on a comparable level with the retirement system enjoyed by the military personnel.

Mr. Speaker, I believe that this is a matter of great concern. Not only must we make plans to care for our aging Federal work force, we must provide employment for our highly qualified young men and women.

Mr. Speaker, the text of the article follows:

LA MUNYON ADVOCATES RETIREMENT CHANGES

(By Carl La Munyon)

Congressmen, civilian, civilian personnel officers, and ordinary taxpayers have for years advocated changes in the civil service structure which would encourage young men and women of high quality to enter the employ of the federal government. In 1962 when the Compensation Comparability Act was passed, they throught they had the answer. In 1963, when extensive revisions to accident and health insurance coverage for federal employees was passed, they thought they had the answer. In 1969, when a progressive, two-phase major pay increase was passed, they thought they had the answer. In 1972 we find that our civilian personnel population among federal employees is older in age than ever before. Why?

The answer is relatively simple. Although major changes in pay and fringe benefits have been made in reecnt years, retirement benefits have not undergone a significant change for over twenty-five years. Procedural changes in the retirement system have been made but no substantive changes in the benefits. The only way that the federal government will achieve the much desired goal of attracting young, knowledgeable employees is to provide a dignified early retirement plan for its older employees to open up the necessary employment vacancies. The reason the government is falling behind in the socially desirable goals of minority and female employment is because no vacancies exist for recruitment purpose. Vacancies do not exist because stabilized and/or reduced employment levels freeze an aging work force into the available jobs. The only solution to these critical problems is to change the retirement system for federal employees to encourage early retirement and to provide comparability with other federal employees, notably military personnel.

There are two steps that should be taken to correct this situation. The first step should be to change the retirement system to eliminate any penalty assessed because of age under a discontinued service retirement. Discontinued service retirements have in the past been encouraged by government officials because they, in a reduction-in-force condition, can prevent separation of on-board employees as a result of a ceiling reduction. These same government officials have been dismayed at the results of the discontinued service retirement program. And no wonder. Why would an employee with years of service, even though he yearns for retirement, step aside to save another employee's job when it means a drastic reduction in his annuity? Yes, we have a World War II employee "hump" in the federal civil service. Forty per-cent (40%) of all employees have over twenty years of service. Is their reward for loyal and faithful service to be a letter from the commanding officer asking them to step down at a much reduced annuity because of the age penalty? How much better to eliminate the age penalty and encourage voluntary retirements that afford dignity and security, and open up our ranks to the young, the poor, the minority and the female.

The second step that should be taken is to put the civil service retirement system on a comparable level with the retirement system enjoyed by military personnel. Now that military personnel pay increases are directly tied to increases earned by civil servants, the inequities that exist among the two retirement systems should be corrected. I am not talking about the fact that military personnel may participate in the Social Security system and that civil service employees may not. I am willing to forego changing this inequity. I am talking about the fact that military employees may retire with 50% of their paycheck after twenty years of service and 75% of their paycheck after thirty years of service while civilian employees may not do likewise. This inequity in the computation of federal annuities among groups of employees should be changed and the sooner the better. Since our pay scales and pay increases are inexorably linked together, why should not our retirement plans? A high priority goal of any employee association of federal civil servants should be to encourage Congress to permit civilian employees to retire, after twenty years and regardless of age, with 50% of their high three average income and to retire, after thirty years and regardless of age, with 75% of their high three average income.

We seek a retirement plan for those who have worked that is enticing enough to make room for those without jobs who want to work. We believe this deserves a higher priority than making welfare the only alternative for those not working.

The revitalization of our civil service work force has been the goal of every federal administration since John F. Kennedy. If they and the Congress are sincere in their aim to bring this revitalization about, they should welcome with enthusiasm our two-step plan to achieve this goal. Solvency and actuarial soundness of a retirement fund supported by congressional appropriations, stemming from the unique right of the federal government to operate currency printing presses, pales in comparison with the social goals—both civil rights and full employment—that can be achieved merely by updating and modernizing the federal civil service retirement system.

THOSE CONVENIENTLY FORGOTTEN IOU'S

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. BRASCO. Mr. Speaker, in this century, the United States has poured out its blood and treasure in a series of foreign commitments which cumulatively amount to staggering numbers of lives and dollars. The lives can never be restored, but the money certainly can be repaid by its original recipients.

In World War I, Europe tore itself to pieces in the "War To End All Wars," until we were finally prevailed upon to enter and change the balance in favor of the Allies. Without our money, even our physical commitment would not have been enough. A number of nations, including all the principals to the fighting, were the eager recipients of American largesse. Loans were made in enormous figures. Little of that money has been repaid. In fact, some $18 billion is owed us from World War I alone.

The total sum owed the United States by foreign governments mounts up to a sobering total of $46 billion. And in view of the present state of economic affairs, some progress toward arranging repayment of these debts is very much in order.

Some of the nations owing the most are today prosperous. For example, France was rebuilt after World War I and World War II by American assistance. Let us not even take into serious consideration for the purpose of this debate the deliberate, long-term hostility France harbors for any and all things American. Suffice it to say that she owes us a considerable monetary debt as a result of the loans and other financing we made available to her.

The time has come for that nation and a host of others to make some arrangement in this area. In plain language, we desire repayment. Such a request is not an inordinate or unfair one.

Last session of Congress, our distinguished colleague from New York (Mr. WOLFF), introduced a "War Debts" resolution, requiring the Treasury Department to provide Congress within 90 days an accounting of all moneys owed by other nations to the United States. Further, it would require the Treasury to make swift arrangements with such countries for repayment of all overdue debts. I joined in sponsorship of that measure last year, and am most pleased to do so again this time.

It is my belief that the Congress speaks for the Nation at large in seeking repayment of these sums. We face a budget and balance-of-payments problem today. It is exceedingly difficult, in light of these facts of economic life, for the Nation to carry these large outstanding sums on its books.

We have successfully worked out some agreements with the Soviet Union over the lend lease imbroglio, and this was perhaps the most difficult potential problem of this type. Surely then, if we have managed to untie that Gordian knot, there should be no insurmountable obstacles to presenting and settling our bills with other nations around the world.

FOOD PRICES

HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. JONES of Tennessee. Mr. Speaker, recently a young man from my district, Mr. Thomas Henning, a member of the Bartlett High School Chapter of the Future Farmers of America, presented a speech at the annual FFA Banquet in Memphis, Tenn. Although I was unable to be present for the occasion, I did read the text of the spech and was favorably impressed by what Mr. Henning had to say. Apparently the FFA speech contest judges shared my assessment since Mr. Henning's speech was named best in west Tennessee.

In these times when there is so much awareness of food prices, I feel that these remarks are particularly appropriate. I include Mr. Henning's speech at this point in the RECORD:

THE FARMER AND THE PRICE OF FOOD

Man's search for food has been his dominating activity throughout history. The need for food carried the children of Israel into Egyptian bondage and in recent times brought about a softening of the cold war, because of Russia's need for American wheat. Rising food costs are causing much concern among the people of the United States. Besides being the most important item in the family budget, food is on a person's mind three times a day, and purchases by the housewife are made often. Most complaints about food prices are directed toward the farmer, since he is the producer of all food products.

The true picture of food prices is much more complex than the amount that the farmer receives. The price of food must include transportation, processing, packaging, storage, and wholesale and retail profits.[1] On an average the farmer receives 38% of the food dollar. This average ranges from seven cents on the corn flakes dollar to sixty-two cents on the choice beef dollar. The percentage of the food dollar the farmer receives dropped from 47% in 1950 to 38% in 1971. The remaining 62% pays for all the tasks performed by the marketing system, many of which were done at home or on the farm a few years ago. Today the American housewife demands foods that are pre-washed, pre-cooked, pre-mixed, and pre-packaged. This increases the consumer's cost and reduces the percentage that the farmer receives.[2]

Food is actually the biggest bargain in the American consumer's budget. The people of the United States pay less of their income for food than any other country in the world. In the United States, only 16% of the disposable income is spent on food, compared to 55% in Russia and 60% in India.[3] In many countries most of a person's time is spent on just acquiring the bare essentials of food.

In spite of the rising cost of food, the working man's wages are increasing faster. In 1950 a production worker could buy ten loaves of bread for one hour of labor, whereas now one hour of labor would buy fourteen loaves. The amount of beef roast an hour of labor would buy has doubled in the past 22 years from 2.3 pounds in 1950 to 4.6 pounds in 1972. Other items in the cost of living are also going up faster than food costs. Inflation has caused a 62% rise in medical care, 34% rise in clothing, and 35.5% rise in labor in the past 12 years; in that same period food has increased only 30%.[4]

If there is ever a tremendous food shortage the price of food will skyrocket. A perfect example of this is the shortage of soybeans last fall. This shortage caused the price of beans to increase from $3.40 a bushel at the start of the harvesting season to $6.60 a bushel five months later.[5] The price of wheat increased from $1.53 to $2.55 per bushel in nine months after the sale to Russia was announced in July 1972.[6]

The amount of food that will be needed in the future will be directly proportional to the number of people present to eat it. Experts estimate that the population of the United States will double in the next twenty to thirty years. This means that twice as much food will be needed. In the future the farmer must be encouraged to improve and expand in order to feed these people. He must receive enough money from his sales to make it profitable to stay on the farm.

The farmer has very little control over the price that he receives. There are thousands of separate farmers which makes it practically impossible for them to control the flow of their products into the market. The main thing that determines what the farmer will get is the supply of the product and the demand for it. Many farm products required a guaranteed minimum price to keep the farmer in business, until recently when farm prices have been going up steadily. Most of the increase in the price of groceries is the result of increase in labor, transportation, processing, handling, and distribution profits.[7] If the government controls prices that the farmer can receive, then as inflation is increased he will have less profit, less incentive to farm, and probably seek another profession. This would cause fewer farmers, a shortage of food, and a tremendous increase in food prices.

The only way to keep the price of food within reasonable bounds is to produce an abundant supply. If this is to be accomplished, we must not only maintain present production levels, but must double production to take care of increasing population. To do this, we must have a well informed, highly efficient, and prosperous agricultural population that is unhampered by government regulations.

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ALOHA TO THE LATE ALFRED APAKA, "THE GOLDEN VOICE OF HAWAII"

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 1973

Mr. MATSUNAGA, Mr. Speaker, because several of my colleagues have informed me of their plans to be in Hawaii for at least a part of the upcoming Easter recess, I would like to take this opportunity to inform them as well as other Members of Congress of a musical extravaganza to be held on Sunday, April 29, 1973, which probably will not be duplicated in the history of Hawaiian music. This is the musical tribute to the late Alfred Apaka, the golden-voiced baritone whom many regard as the greatest singer ever produced in Hawaii.

Called the "Songwriters' Aloha to Alfred Apaka," the production will be staged at the Waikiki Shell in Honolulu. Tony Todaro, a veteran musician, songwriter and author—as well as personal friend of Apaka—is writing, producing and directing the show. Todaro, perhaps more than any other person, has kept Apaka's name alive.

Apaka died of a heart attack on January 30, 1960, at the age of 40—at the zenith of an extraordinary singing career.

He was for many years the headline entertainer in the Tapa Room of the Hawaiian Village Hotel—now Hilton Hawaiian Village—charming visitors and local residents alike. He presented a striking appearance, wearing always an all-white outfit with a red carnation lei and a red sash. His engaging smile was ever present.

But it was when he sang that he held his audiences spellbound. His voice was deep, rich, mellow—and moving. He gave even the most frequently sung Hawaiian songs new depth, new meaning, and new delight. Mainland radio audiences also came to love his singing as the result of his frequent appearances on the "Hawaii Calls" radio show. His was truly the "Golden Voice of Hawaii."

The April 29 show in Honolulu, Hawaii, will reunite as participants Hawaii's foremost entertainers. Many performed with Apaka. They will use the Hawaiian songs that Apaka recorded and loved.

Mr. Speaker, I know that many of my colleagues, if informed, would not wish to miss such a rare oportunity to hear once again the magic of Apaka's recorded voice and to see all who will come to entertain in memory of a great singer. I, for one, would not want to miss the "Songwriter's Aloha to Alfred Apaka," and regret it for the rest of my life.

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[1] *Marketing America's Food,* U.S. Dept. of Agriculture, August, 1972.

[2] *Facts You Should Know About Food Costs,* Agricultural Extension Service, University of Tennessee, August, 1972.

[3] *Ibid.*

[4] *Ibid.*

[5] "Spot Commodities", *Journal of Commerce,* Vol. 314, (October, 1972), p. 8.

[6] "Spot Commodities", *Journal of Commerce,* Vol. 313, (July, 1972), p. 7.

[7] *Marketing America's Food,* U.S. Dept. of Agriculture, August, 1972.

As an added enticement to the musical extravaganza its sponsors are turning the entire proceeds over to the Hawaii Heart Association Research Fund to fight the deadly disease which silenced "Hawaii's Golden Voice."

Your attendance, if at all possible, may help to keep alive a heart which might some day soon spring forth with yet another "Golden Voice of Hawaii." Mahalo and Aloha.

TAX CREDITS FOR HIGHER EDUCATION

HON. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. COUGHLIN. Mr. Speaker, yesterday I introduced a bill that is a prudent and reasonable effort to help parents, especially lower- and middle-income taxpayers, to meet the escalating costs of higher education for their children. This measure would establish tax credits for higher education expenses and it is cosponsored by 38 of my colleagues from 25 States and territories. I am particularly proud of the fact that their sponsorship represents a broad spectrum of Congressmen—both parties, both sexes, cities, suburbs, rural areas, and all geographic sections of the Nation.

I think all of us as sponsors are agreed that the time has long passed when the Federal Government can pay lipservice to the cause of higher education without providing some concrete assistance for citizens to use their own resources in educating their children.

This bill would provide a tax credit of 100 percent for the first $200 spent on higher education; 25 percent of expenses from $200 to $500; and 5 percent of expenses from $500 up to a maximum of $1,500. Eligible taxpayers would be able to apply the credit amount directly to reducing their yearly income tax. This proposal represents an equitable addition to our present tax system which does not even provide for deductions of costs of higher education while providing for deductions for yachts and champagne dinners—for business purposes, of course.

A maximum tax credit of $325 would be provided to those taxpayers spending $1,500 or more on higher education expenses and whose adjusted gross income is $19,000 a year or less. At higher income levels the credit would be gradually reduced by an amount equal to 1 percent of the amount by which the adjusted gross income for the taxable year exceeds $19,000.

Credits provided by the bill would apply to taxable years beginning after December 31, 1973. In addition to colleges and universities, the provisions of this bill would cover business, trade, technical, and vocational institutions meeting Federal and State standards.

In the past, bills similar to this one have twice been passed by the U.S. Senate but they were later killed in House-Senate conferences. I respectfully submit that it is time that all of us in the Congress carefully reexamine our thinking on bills such as these and recognize the very real need to which they are addressed.

I fully realize that one of the first questions asked is what the revenue loss will be for the U.S. Treasury if this bill is enacted. I ask what will be the loss to the country if we do not encourage our citizens to educate their children by means of a bill such as this.

Frankly, I have not cited the estimated revenue loss under the bill because figures have a certain way of being inflated when a case against a new proposal is being made. I will point out, however, that so-called tax breaks for other purposes—many of which I feel are less justified than tax credits for education—are costing the Federal Government almost $46 billion annually.

If indeed, we should weigh monetary considerations first, then I think Department of Commerce figures for 1968 help make my case. College graduates in their lifetime earn an average of $213,000 more than high school graduates and an average of $371,000 more than those with 8 years of education or less. On this basis alone, I feel the country, in the long run, will be far better for encouraging and assisting parents to send their children to institutions of higher learning. Better-educated citizens earning higher incomes would have a positive impact on the economy and tax revenues.

Through this bill, we also would be recognizing the desirability of promoting education at private institutions rather than pushing students to tax-supported colleges and pouring ever-increasing amounts of government money into them as a result. This bill, as I have stated, is a reasonable and prudent effort to make this principle a living fact rather than abstract rhetoric.

I think that most Americans, as I am, are tired of excuses of monetary expediency that penalize the workingman and his family. Something must be done to help parents provide their children with a higher education. Soaring tuition rates compounded by continuing inflation are making it unbearable and, in some cases impossible, for parents to send their children to college.

Congress must exert leadership in this field by meeting the challenge of providing the most education for the most people. My bill would help accomplish this objective.

Mr. Speaker, I want to thank my colleagues who joined me in sponsoring this vital legislation and I insert a list of their names in the RECORD:

LIST OF COSPONSORS

Mark Andrews, Republican, of North Dakota.

John Buchanan, Republican, of Alabama.

Clair W. Burgener, Republican, of California.

Bill Chappell, Democrat, of Florida.

James C. Cleveland, Republican, of New Hampshire.

William S. Cohen, Republican, of Maine.

James M. Collins, Republican, of Texas.

John W. Davis, Democrat, of Georgia.

Ron de Lugo, Democrat, of the Virgin Islands.

William L. Dickinson, Republican, of Alabama.

Edwin D. Eshleman, Republican, of Pennsylvania.

O. C. Fisher, Democrat, of Texas.

Walter Flowers, Democrat, of Alabama.

Edwin B. Forsythe, Republican, of New Jersey.

Bill Frenzel, Republican, of Minnesota.

George A. Goodling, Republican, of Pennsylvania.

Ella T. Grasso, Democrat, of Connecticut.

Kenneth J. Gray, Democrat, of Illinois.

Orval Hansen, Republican, of Idaho.

Ken Hechler, Democrat, of West Virginia.

Margaret M. Heckler, Republican, of Massachusetts.

Robert J. Huber, Republican, of Michigan.

John E. Hunt, Republican, of New Jersey.

Albert W. Johnson, Republican, of Pennsylvania.

Jack F. Kemp, Republican, of New York.

William Lehman, Democrat, of Florida.

Wiley Mayne, Republican, of Iowa.

Romano L. Mazzoli, Democrat, of Kentucky.

Clarence E. Miller, Republican, of Ohio.

Stanford E. Parris, Republican, of Virginia.

Bertram L. Podell, Democrat, of New York.

J. Kenneth Robinson, Republican, of Virginia.

Leo J. Ryan, Democrat, of California.

Ronald A. Sarasin, Republican, of Connecticut.

William F. Walsh, Republican, of New York.

William C. Wampler, Republican, of Virginia.

Antonio Borja Won Pat, Democrat, of Guam.

Roger H. Zion, Republican, of Indiana.

AUTO EMISSIONS AND CLEAN AIR

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 1973

Mr. WYMAN. Mr. Speaker, it is worthy of note that an esteemed newspaper like the Washington Star has seen fit to editorially support an "adjustment" in the clean air standards of the 1970 law. This is the thrust of the Star's editorial on Monday, April 16, 1973, concluding that EPA Administrator Ruckelshaus' request to Congress to ease the stiff nitrogen oxide emission standards set for 1976 ". . . seems justifiable and would make the manufacturers' task much easier."

Present emissions requirements are far too high for what the public health or safety truly requires and the legislative arena is now open to constructive amendments to the Clean Air Act of 1970 to get these requirements down to a level consistent with public health and compatible with the energy crisis which is now upon us in full flock. It would be the height of stupidity, for example, to require an unnecessary level of emission control that would add millions of barrels of oil each day to the voracious appetites of America's motor vehicles, when the Alaskan pipeline will produce but 3 million barrels a day when connected.

I have such an amendment pending in the Congress, H.R. 4313. It takes the standards from 96 percent pollution free emissions, to 90 percent pollution free emissions.

It will adequately protect the public health.

It provides a standard the automotive industry can live with.

It will give the motoring public cars that would not eat them alive with wasteful operating costs—perhaps 8 miles per gallon of gas—and several hundreds of dollars more in cost for control gadgetry.

H.R. 4313 should be enacted without further delay by Congress to keep jobs for our workers and to protect the public health at the same time. The present level of standards go overboard.

Air and Autos

In allowing auto-makers another year for compliance with antipollution standards set for 1975, William D. Ruckelshaus struck a good balance in the public interest. In other words, as head of the Environmental Protection Agency, he chose the lesser of evils. The question was whether to insist on meeting that year-after-next target at all cost, or to deviate from it sufficiently to avoid economic penalties that the nation might be hard-pressed to pay. A sizable segment of the auto industry appeared certain to fall short of the '75 requirements, and plant shutdowns conceivably could have caused a good deal of unemployment had Ruckelshaus refused to relent.

The fear, of course, is that this may become a commonplace kind of decision that eventually will make a shambles of the Environmental Protection Act. And indeed, harder tests may lie ahead. Industry with heavy employment may keep trying to back the government down, simply by pleading inability to comply with standards, and trusting that its economic leverage will translate into political power. But Ruckelshaus seemed to affirm that this will not work henceforth in the matter of auto pollution control. The EPA is intent on full-scale application of the 1975 standards in 1976 car models—an option which Congress wrote into the clean-air law. This seems well within the manufacturers' capability, and in any case there should be no thought on the government's part of further concessions.

Unfortunately, that thought appears to be an obsession with the car-makers, who reportedly are planning a high-powered drive in Congress for relaxation of basic standards in the 1970 Clean Air Act. This is not, we think, a battle they can win—nor should they. The resources that would go into such a public relations and lobbying campaign instead should be applied to meeting the technological challenges of compliance. After all, the EPA ascertained that General Motors and Chrysler were fully able to meet the 1975 emission standards on most of their production for that year, though Chrysler lagged dismally. One more year is long enough. The car-makers, some of whom are suspect of having made too little effort, should be told it's all there is, and to make every day count.

In the meantime, Ruckelshaus has decided to squeeze out all the clean air he can for the public during the year's delay, by imposing strong interim emission standards. These would go halfway in 49 states toward the final limitations of hydrocarbons and carbon monoxide, and two-thirds of the way in smog-plagued California. And that, it seems to us, is a good and shrewd trade. It will allow a year for hard testing in California of the catalytic depolluter which most auto-makers are depending on, and also afford those of us elsewhere a good deal of relief from fumes. Beyond that, Ruckelshaus will ask Congress to ease the stiff nitrogen oxide emission standards set for 1976, which seems justifiable and would make the manufacturers' task much easier.

KAISER STEEL HAS BEEN A CORNERSTONE OF THE INLAND EMPIRE'S ECONOMY SINCE THE 1940'S

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. BROWN of California. Mr. Speaker, last Thursday I spoke briefly of the role which Kaiser Steel plays in the economy of California's 38th Congressional District. At that time I inserted into the Record an article which gave some specific details about the nature and extent of Kaiser's role in the economy of my district. That article, from the Ingot, a Kaiser Steel Corp. publication, contained a wealth of information.

Since that time another article has come to my attention. Joe Baker, the business editor of the San Bernardino Sun-Telegram, wrote a feature story on the same subject for the April 8 Sunday edition of that paper. I have always found Mr. Baker's articles to be interesting and well-written, and this is no exception. Frankly, with all due respect to the staff of the Ingot, I found Mr. Baker's article to be a more comprehensive and in-depth treatment of the subject than the article done by Kaiser's own publication.

I would like to point out that I intend no offense to the author of the Ingot article: Joe Baker is tough competition. His articles frequently contain information which I find useful long after I first read it, such as an article he wrote at Christmas of 1971, in which he described a method of synchronizing a tape recorder with a slide projector. I had clipped the article for my own interest and recently found it useful in assisting a constituent who sought my help in a similar project.

Here, Mr. Speaker, is the Sun-Telegram article of April 8 which I have referred to and I insert it into the Record for the benefit of our colleagues at this time:

Study Shows Kaiser Impact on Southland

(By Joe Baker)

Fontana.—It's no secret that Kaiser Steel exerts a tremendous economic impact on the Inland Empire.

You could almost say that in a sense, Kaiser Steel is to San Bernardino County what the moon is to the earth.

The moon weighs only about $\frac{1}{81}$ as much as the earth (slightly over 1 per cent of the earth's mass). Kaiser Steel's 9,000 employees represent about the same percentage of the county's 700,000 people.

But almost everyone realizes that a catastrophe far out of proportion to the moon's size would certainly result if the moon were suddenly taken away.

And no person of reasonably good judgment could deny that an economic disaster of proportionate magnitude could be expected in the county if Kaiser Steel suddenly ceased to be.

Until now, however no one has attempted to measure Kaiser Steel's full impact on the Inland Empire economy, or on the Southern California economy as a whole,

Now, for the first time in Kaiser Steel's 30 years in steelmaking and steel fabricating, such a study has been made.

Economist Gerhard N. Rostvold, head of Urbanomics Research Associates, Claremont, who made the study, calls it "the most thorough and comprehensive analysis of a company's economic impact on its local community that my organization has ever produced, and probably the most detailed in my experience."

"Frankly," said Dr. Rostvold, "we have been surprised at the magnitude of this one company's economic significance to the Southern California economy."

Many of the elements of the 116-page study have been separately examined and discussed in the past.

But putting them all together, along with other elements never before analyzed, leads to the conclusion that Kaiser Steel's economic impact is probably much greater than most people imagined.

For example: Kaiser Fontana jobs (almost 9,000), annual payroll (92.6 million), and annual San Bernardino and Riverside county property taxes ($9.6 million) have been discussed many times.

But Rostvold's study discloses that in 1971, a typical year, the company also:

Spent $114 million on materials, supplies, fuel and other purchases.

Spent $33 million for shipping and transportation charges.

Invested $18 million in new plant and equipment.

Paid $3 million in state sales taxes.

Paid $1 million in state unemployment insurance.

Donated, with its employees, $335,000 to community civic and charitable organizations.

All this adds up to more than $271 million, representing Kaiser's primary economic impact on San Bernardino, Riverside, and Los Angeles counties in one year.

But the direct expenditure of over a quarter-billion dollars does not represent the full impact. The study also measures the "induced" economic impact, determined by applying "generally accepted multiplier principles."

The primary economic impact is measured in employment, payrolls, expenditures on supplies, utilities and raw materials, new investment in plant and equipment, federal, state and local tax payments, and transportation expenses.

The induced economic impact is measured in terms of such things as household income, consumer spending, retail sales, employee savings, and induced employment and income effects in non-basic areas such as retail trade, services, financial and government.

"By way of illustration," says the study, "one manufacturing job at the Kaiser Steel plant provides a foundation of ongoing support for at least two jobs in non-basic lines of activity, namely retail trade, services, finance, utilities, government, etc."

Here are some of the induced economic effects attributed to the Fontana Steel manufacturing and metal products plants:

Creation of more than 17,500 nonbasic jobs in regional communities, with annual payrolls of $124 million.

Spending of over $70 million by Kaiser Fontana employes on family and household needs such as food, clothing and transportation.

Annual saving of $6.5 million by Kaiser employes.

Spending of $3.5 million annually for new capital investment by other companies during business with or because of the influence of Kaiser Steel.

The primary and induced economic effects combined add up to:

25,000 jobs, with annual payrolls of $216 million.

$164 million in annual household spending.

An additional several hundred million dollars in annual spending for supplies, raw materials, utility services, and investment goods.

And the total? Not $271 million, as Kaiser Fontana annual direct expenditures would indicate, but over a half-billion dollars annually, Dr. Rostvold believes.

"In terms of the overall annual economic impact on the Southern California economy," he says, "the two Kaiser production facilities in Fontana can be described as the basic employment income and expenditure foundation of a $500 million industry."

Other salient points turned up by the study:

The typical Kaiser Fontana hourly employe earns between $8,500 and $9,500 annually.

Minority group representation is more than 22 per cent of Kaiser's employment base.

Nearly 95 per cent of the 8,771 employes live within a 20-mile radius of the two production plants.

More than 87 per cent (7,852 employes) live in San Bernardino County; 8.2 per cent (745) in Riverside County; 4.3 per cent (387) in Los Angeles County; and 0.4 per cent (34) in Orange County.

Steel produced at Fontana mostly goes into construction, containers and packaging, exports, steel service centers, military, machinery and equipment, steel conversion, automobiles, ships and railroads.

Employes living in the Fontana-Lytle Creek area receive 38.4 per cent of the payroll.

Employes living in other San Bernardino County communities received nearly 50 per cent of the payroll.

The major portion of employes' earnings are spent and saved in communities in which they live.

More than half of Kaiser's annual purchases ($114 million) of materials, supplies, fuel, etc. are made from primary suppliers located in Southern California.

$7.8 million in property taxes go to San Bernardino County governmental units, and $1.8 million to Riverside County units.

Who receives the tax money in San Bernardino County?

In 1971, county government received $2,740,000 or 31.3 per cent; school districts, $5,156,000 or 58.9 per cent; fire protection districts, $106,000 or 1.2 per cent; flood control districts, $261,000 or 3.0 per cent; and water districts, $491,000 or 5.6 percent.

County government's $2,740,000 share was distributed as follows: public assistance agencies, $1,200,120 or 43.8 per cent; public protection, $802,820 or 29.3 per cent; administration, $405,520 or 14.8 per cent; health and sanitation, $150,700 or 5.5 per cent; education, $112,340 or 4.1 per cent; and miscellaneous (recreation, contingencies, public services), $68,500 or 2.5 per cent.

Kaiser's 1971 payroll of $92,583,200 was distributed among employes living in these communities:

Fontana-Lytle Creek, $35.5 million; Ontario, Upland, Montclair and Chino, $14 million; San Bernardino and Highland, $12 million; Rialto and Bloomington, $10.7 million; Riverside, Arlington and Corona, $5.9 million; Colton and Loma Linda, $5.4 million; Cucamonga, Mira Loma, Alta Loma and Etiwanda, $3.5 million; Pomona, $1.9 million; and Redlands, Claremont, LaVerne and other regional communities, $3.4 million.

Kaiser employes paid nearly $12 million in federal and state income taxes in 1971.

Where do the employes live?

Their home towns and numbers are Fontana, 3,266 employes or 36 percent; San Bernardino, 1,102 or 12 per cent; Rialto, 721 or 8 per cent; Ontario, 719 or 8 per cent; Riverside, 525 or 6 per cent; Upland, 463 or 5 per cent; Colton, 428 or 5 per cent; Bloomington, 396 or 4 per cent; Pomona, 171 or 2 per cent; Cucamonga, 135 or 2 per cent; Montclair, 103 or 1 per cent; Alta Loma, 99 or 1 per cent; Redlands, 87, Mira Loma, 78, Chino, 59, Corona, 52, Etiwanda, 48, Claremont, 45, Highland, 45, Arlington, 32, Norco, 29, Yucalpa, 25, each less than 1 per cent; and 389 others, 4 per cent.

How did the employes spend the $92,583,200 they earned in 1971? The money went for these items:

Food, $18,980,000 or 20.5 per cent; housing, $19,813,000 or 21.4 per cent; transportation, $7,221,000 or 7.8 per cent; clothing and personal care, $9,629,000 or 10.4 per cent; medical care, $5,647,000 or 6.1 per cent; other family needs, $5,092,200 or 5.5 per cent; other household costs, $4,351,000 or 4.7 per cent; savings, $6,481,000 or 7.0 per cent; Social Security and disability insurance, $3,611,000 or 3.9 per cent; and personal income taxes, $11,758,000 or 12.7 per cent.

Many have acknowledged that Kaiser Steel has been a cornerstone of the Inland Empire's economy since the Fontana plant began operations in the 1940s.

But until now, no one was sure of the dimensions of Kaiser Steel's role. Dr. Rostvold's study indicates the appropriate designation might be "big." Mighty, mighty big.

NIXON ADMINISTRATION'S APPROACH TO LAW ENFORCEMENT

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. DOMINICK V. DANIELS. Mr. Speaker, in the last few weeks I have received an increasing amount of mail concerning the administration's approach to law enforcement.

Frankly, I am very disappointed in the administration's approach which appears designed to create newspaper headlines rather than solve the real problems of street crime. There are few Federal capital offense crimes related to the problems of people on the streets and in their homes. The administration seems quite content with a do-nothing approach.

There is no duty of Government more absolute, more basic to a civilized society than the protection of its citizens. Yet in every major city and suburb, crime is the major concern of the average citizen. We have become so used to it that we have almost forgotten that once we felt safe on the streets at any time of the day or night; that in many European cities people walk about unmolested.

Mr. Speaker, the city of Washington, D.C., was known as the crime capital of the world until Congress appropriated sufficient funds to add over 1,000 police, additional courts, judges to man them, and a massive street lighting program. As a result Washington is one of the few cities where street crime has declined—in some cases it has been cut in half.

Nevertheless, the administration budget has not provided adequate financial resources to make people safe in other cities.

Instead, the administration has supplied only rhetoric, calling upon State legislatures to institute capital punishment, blaming the judicial system, and still criticizing the "Warren Court" even though Justices he has appointed have upheld in many of the constitutional interpretations made by the Warren Court.

The cities of the Nation—no longer small—and the people who live in them—no longer rural, desperately need police on their streets, more courts, and more judges to handle increasing population in a complex society. We need rehabilitative programs in our prisons to break the cycle of criminal behavior, indeed, our long neglected prisons have become institutions of higher criminal learning. Prisons are making muggers out of shoplifters, burglars out of bicycle thieves, heroin pushers out of marihuana smokers.

This administration by its budget has indicated its opposition to increased financial assistance to local police departments and improving prisons. If they are allowed to get away with this pennywise-poundfoolishness, people will continue to be mugged, murdered, robbed, and raped on their own streets.

This administration—whose official Cost of Living Council response to the high cost of food was "let them eat less"—now tells Americans in their cities to cut back and suffer more.

This administration is nevertheless content with military cost overruns and tax loopholes which pour money into the pockets of fat-cat financiers who even now continue to enrich the coffers of the disreputable Committee to Re-Elect the President.

Mr. Speaker, my constituent mail has almost doubled since the President's budget was released. My constituents are angry. Every letter carries the same message—"We've been had, double crossed and we've had enough."

SUPPORTS REA BILL

HON. TENO RONCALIO

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. RONCALIO of Wyoming. Mr. Speaker, a House-Senate conference committee is now working on a compromise measure vitally important to rural America—legislation to restore an effective Rural Electrification Administration loan program which was terminated in early January.

The bill under consideration establishes a "rural electrification and telephone revolving fund" within the REA which will provide regular loans at 5 percent and "special" 2 percent loans to systems with low revenue-per mile and customer-per-mile operations.

A guaranteed loan program would allow qualified systems to obtain money from private commercial institutions at commercial rates with a government guarantee.

Meeting a major objection of the administration, the compromise bill sponsored by Congressman FRANK DENHOLM at the request of Chairman Poage eliminates all loans out of appropriated funds by substituting insured and guaranteed loans.

The revolving fund would be set up from the interest and principal coming in from borrowers on existing loans, an amount estimated currently at about $25 million monthly.

I am hopeful this legislation can be cleared quickly and signed into law. In asking my colleagues to support the conference report, I insert for the Record the testimony I offered to the House Agriculture Committee when the original bill was considered. Although this testimony does not touch on the compromise, it does stress the importance of the rural electrification programs to Wyoming and to all rural areas. My testimony follows:

Statement of Hon. Teno Roncalio

The two percent direct loan program under the Rural Electrification Act of 1936 has made possible the extension of electric and telephone service to much of rural America. Without this program many of our rural citizens would even today be deprived of these valuable conveniences which we so often take for granted.

Today most REA loans go toward the maintenance and improvement of existing rural systems. However, in sparsely populated rural areas such as my State of Wyoming, and I represent it all, even these costs would not be feasible for the rural cooperatives or for their consumers. Even with the 2 percent loan program much of the money used by rural electric cooperatives comes from other sources. Mr. Don Cooper, researcher for the National Rural Electric Cooperative Association, states that only 88 cooperatives receive 100 percent loans from REA out of about 1,000 cooperatives. Most cooperatives only borrow a portion of their funds from REA to offset the high interest rates which they must pay to commercial lenders. I submit again that they are unable to use the collateral, as my colleague from North Dakota pointed out. They cannot use the comparable collateral as an IOU that an investor-owned utility can use in getting loans and sometimes they are compelled to go to government sources for their loans. The average interest rate paid by cooperatives is then not 2 percent, but rather 3.8 percent.

The loss of the REA 2 percent loan program could be disastrous to some rural cooperatives and mean high increases in the costs of these services. Portions of Wyoming may be affected by the loss of this program to the extent of an actual power shortage in the very near future. In a letter to President Nixon, Arthur Jones, President of the Basin Electric Power Cooperative wrote, "The termination of the REA direct loan program occurred on the same day that Basin Electric had been promised an REA supplemental loan of $25 million at 2 percent interest to help finance completion of our 460,000 KW power generating station and 528 miles of 345 KV transmission now under construction in North and South Dakota. To avoid costly delays to this $168 million construction program and a power shortage in the Missouri Basin in mid-1975, we respectfully request you to release REA loan funds needed to complete this project."

Mr. Fred Simonton, Executive Director of Mid-West Electric Consumers Association, has told me that delays in the construction of this power facility will indeed mean brownouts and blackouts in portions of Wyoming by 1975—only two years from today. We aren't talking about brownouts in a highly industrialized, metropolitan area; this is a sparsely populated rural area in Wyoming.

As if the cancellation of the REA 2 percent loan program would not impose enough hardship on rural cooperatives and their customers, the Bureau of Reclamation has announced an expected rate increase on its hydro-electric power to be effective January 1, 1974. According to REA Bulletin 111–2, latest published figures for fiscal 1970 show that the Bureau of Reclamation sold to REA systems about 7½ billion KWH at a cost of $36,261,684 in that year. In Wyoming about 80 percent of the power used by Rural Electric Cooperatives is purchased from the Bureau of Reclamation. Mr. Harold Kelly of REA's Power Planning Branch and Mr. Jack Mack, Assistant Chief of Power with the Department of Interior have told me that present rate increase figures are only an estimate at this time and that more definite figures will be available in mid-July—but they have provided me with these estimates. The Missouri River Basin West delivers power to most of Wyoming's rural cooperatives. Today, at a 55 percent load factor, the rate is 6½ mills. This cost will increase by 3/10 of a mill; about 5 percent.

The southwestern portion of Wyoming purchases its Bureau of Reclamation power from the Colorado River Storage Project. The present rate on power from this source is 6 mills. The rate increase planned on the Colorado River Storage Project is a whopping 12½ percent, ¾ of a mill. I understand that the Bureau of Reclamation has not had a rate increase since 1955, and I can appreciate that their costs are probably up, but I would like to see the justification for this proposed rate increase. I point out to the Committee the dire circumstances these small REAs are in.

What impact will this rate increase have on the rural cooperatives? The Bridger Valley Electric Association of southwestern Wyoming buys 100 percent of its power from the Bureau of Reclamation. In 1970 it purchased 33,633,320 KWH at a cost of $174,722. A 12½ percent rate increase would mean an additional cost to the good people served by Bridger Valley of $21,839.25. There are no country clubs in that area of Bridger Valley; there are no dilettantes in that area. There are no people who moved to get away from black ghettos of the big cities into lilly white suburbs. This is nonsense and I agree with my colleague from North Dakota. It is not the President who said this, it is some misguided assistant in the White House who writes this sort of thing and it gets into print attributed to the President. I just do not believe those criticisms are justified.

Now couple with the cancellation of the REA 2 percent loan program, the fact that rural cooperatives such as this one are looking at an incredible jump in costs. Don Cooper of the National Rural Electric Cooperative Association says that for the first time in the history of REA there will be rate increases, and I would imagine that in some instances these are going to have to be large.

I have seen other criticisms by spokesmen for the investor owned utilities that the 2 percent program must not be restored because many of these co-ops are now in a 35 to 50 percent equity position; that is, the owners and consumers have a healthy equity position. If you wish to scale the loans to the utilities, there will be no objection to that. But I do feel that in states like Wyoming the restoration of this program is necessary and I submit that it is fair and that we must use economy across the board.

I agree with the President and with the spokesman for the Administration that the time has come to look over all of our programs. I would be willing to cut one man off my staff tomorrow. I think every Member of the House would if the President would look at every program in the Pentagon and make appropriate cuts and savings; instead of just saying to the farmers, you must cut 100 percent of your 2 percent construction program, get none of it anymore, but we will allow $78 million to be lent to the Grumman Company; we will allow a man to sit in the Office of Management and Budget and tell you and me, Mr. Zwach, what we are going to spend in our state and what we will not spend in our state. Meanwhile, Mr. Ash negotiates a $560 million cost overrun for the Litton Industries, which was his company up until a year ago. We cannot have this sort of thing in government.

I think the time has come for us to put back these things that share the burden and make these economies fair and square and do not impose them on the Congress.

CANCER DEATH RATE UP SHARPLY IN 1972

HON. L. H. FOUNTAIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. FOUNTAIN. Mr. Speaker, I want to bring to the attention of the House an important article in the rising cancer death rate which appeared in the April 8, 1973, edition of the Washington Post. This perceptive article entitled "Cancer Death Rate Up Sharply in 1972" was written by Morton Mintz, the Post's nationally known investigative reporter.

I do not believe it is widely understood that the death rate from cancer in the United States has been steadily rising for many years at an annual rate of approximately 1 percent. This steady increase in cancer mortality, I might add, has been occurring despite earlier case finding and improvements in medical treatment which have served to increase a person's chances of surviving from this dread disease. In other words, a larger percentage of our population die from cancer year by year even though we, as a nation, spend ever-increasing amounts for cancer research and have benefited from improved treatment methods. Obviously, something is seriously wrong.

As pointed out in Mr. Muntz' article, the National Center for Health Statistics has recently reported provisional figures for 1972 showing the cancer death rate increased 3.35 percent over 1971, or about triple the annual average since 1950.

While we hope and pray that the current big jump in the death rate from cancer may turn out to be a statistical aberration, we cannot dismiss the possibility that cancer is now on the rise because of the wide exposure of our population to new cancer-causing agents 15 or more years ago. That is how long experts believe it takes many types of cancer to develop in susceptible individuals.

During the past 2 years, the Intergovernmental Relations Subcommittee, which I chair, has held extensive hearings on certain chemical additives that have been widely used in food production and which are known or thought to be involved in cancer formation. One of these, the drug DES, has now been banned from livestock feed, although FDA is still permitting its use as an animal implant. Another substance, sodium nitrite, which is widely used in meat products such as bacon, ham, corned beef, and frankfurters, was the subject of a report issued by the Committee on Government Operations late last year. The report called attention to FDA experiments which have established that a potent carcinogen—nitrosopyrrolidine—is produced when bacon treated with nitrite is fried. Because of that finding and the very large consumption of bacon, I have urged the FDA and the Department of Agriculture to give highest priority to research and regulatory action in connection with this problem.

Because nitrites under certain conditions can be transformed into cancer-causing substances, it was our recommendation that these agencies outlaw the unnecessary or excessive use of nitrites in fish and meat products. This is in line with the testimony of experts who told the subcommittee that cancer can be prevented today only by reducing or limiting public exposure to substances known to cause cancer in man or animals.

Congress has voted large amounts of money for the purpose of increasing our scientific knowledge with respect to the causes and prevention of cancer. I fully support this effort. However, for the present, I believe it is only prudent that the regulatory agencies and all of us as consumers, take whatever actions are possible, and necessary and prudent to prevent our unnecessary exposure to chemicals that are carcinogenic.

The article by Mr. Mintz follows:

[From the Washington Post, Apr. 8, 1973]

Cancer Death Rate Up Sharply in 1972

(By Morton Mintz)

The cancer death rate rose in 1972 at the fastest pace in 22 years, the National Cancer for Health Statistics has reported.

Experts offered various explanations but agreed that increased exposure to cancer-causing chemicals in man's environment—his air, water, soil and food—was probably involved.

The National Center, in a routine monthly report, said the cancer mortality rate was 166.8 per 100,000 deaths in 1972, compared with 161.4 in 1971.

The rate of increase was 3.35 per cent, or about triple the annual average since 1950. The previous peak, 1.9 per cent, was in 1952. However, the rate of increase declined by 0.7 per cent in 1971.

The center report, dated March 29, labeled the 1971 and 1972 data "provisional." However, "provisional" cancer mortality statistics usually prove to differ by only a fraction of one per cent from the refined final data, Robert J. Armstrong, chief of the Division of Mortality Statistics, told a reporter.

"The "provisional" as well as the final data—which for the two most recent years will not be ready for several months—are based on systematic samplings of 10 per cent of each state's death certificates.

The figures do not take the victims' age at death into account. This point figures in a comment to The Washington Post by Dr. Frank J. Rauscher Jr., director of the National Cancer Program.

"These statistics are not as solid as one might like, Rauscher said. "For example, they are derived from a nonrandom sample of death certificates. Whatever the precise increase, much of it is due to the increasing percentage of our population that is 55 years of age or older, an age group that is at high risk to cancer."

The proportion of that age group in the population increased only one percentage point throughout the 1950s, from 16.9 to 17.9 per cent. The increase in the 1960s totaled 1.1 percentage point. Rauscher went on to say:

"To the extent that this age factor doesn't account for the entire increase, it is due to increases in smoking and exposure to other carcinogens in our environment that are expressed, for example, in increases in lung cancer in men and women, bladder cancer in men, and cancer of the esophagus in black men and women."

Since 1933, when the government first began to gather cancer mortality data on a national basis, the actual death rate from cancer has increased 66 per cent. This increase closely parallels the increase (64 per cent) in the proportion of the population over 55. In 1973 alone, cancer will kill an estimated 350,000 Americans.

A special task force reported to the Surgeon General in April, 1970, that the majority of cancer victims had been exposed at least 15 years earlier to cancer-causing chemicals, or carcinogens.

These substances include components of cigarette smoke, additives to food and beverages, growth stimulants for cattle, certain air and water pollutants and, at work sites, asbestos.

"Any increase of carcinogenic contaminants in man's environment today will reveal its carcinogenic effects some 15 or more years from now," said the task force, which was headed by Dr. Umberto Saffiotti of the National Cancer Institute.

Terming "the majority of human cancers potentially preventable," the scientists said it is "urgent that every effort be made to detect and control sources of carcinogenic contamination well before damaging effects become evident in man."

This theme was reflected yesterday by Rep. L. H. Fountain (D-N.C.), chairman of the House Intergovernmental Relations Subcommittee. It has been investigating the use of carcinogens in foods and drugs for two years.

One of these chemicals is DES, a growth stimulant for cattle and sheep that livestock men began to use widely in 1954. No human cancers resulting from this usage have been demonstrated. If DES does cause human cancer, the evidence would only now start to become available.

Last summer, Dr. Rauscher, who is also director of the Cancer Institute, joined Fountain and others in urging the Food and Drug Administration to ban DES from feed. Reluctantly, Commissioner Charles C. Edwards, now an Assistant Secretary of Health, Education, and Welfare, imposed a ban effective last Jan. 1. However, the agency continues to allow injections of DES.

Last month, an internal FDA memo disclosed that at least 18 possibly carcinogenic substances are being used in food animals. "For practically all of these, inadequate testing methods exist for the detection of residues of these substances in human food," Sen. Abraham A. Ribicoff (D-Conn.) told the Senate on March 20.

The FDA also permits pharmaceutical manufacturers to text experimental medicines in humans before completing animal tests designed to determnie if the drugs could cause cancer. There have been cases in which cancer developed in laboratory animals while human studies were under way.

Yesterday, Fountain pointed out that the cancer death rate has been steadily rising over the years "despite improved treatment methods.

"While we hope and pray that the current big jump in the death rate from cancer may turn out to be a statistical abberation," he continued, "we cannot dismiss the possibility that cancer is now on the rise because of the wide exposure of our population to cancer-causing agents 15 or more years ago."

Fountain said he has urged the FDA and the Agriculture Department to give top priority to research and regulatory action arising from FDA experiments involving another potent carcinogen, nitrosamine.

The experiments established that this substance is produced in the frying of bacon that has been treated with sodium nitrite, which is widely used not only in bacon, but also in hot dogs, ham, corned beef and other processed meat products.

In a related development, the Washington-based Center for Science in the Public Interest released a 55-page report charging that nitrite is a hazardous food additive that should be banned.

The co-director of the public interest group, Dr. Michael Jacobson, seeks in the report to rebut the meat industry's claim that nitrite, which enhances color and flavor and acts as a preservative in some cases, is essential for all current uses.

In a joint letter to Agriculture Secretary Earl Butz, Jacobson, Peter Schuck of Consumers Union and Harrison Wellford of Ralph Nader's Center for Study of Responsive Law protested that the department and the FDA have not set up a scientific panel to study the nitrite issue.

The department said in March, 1972, that the panel was "in the process" of being established, the letter said. The same assurance was given again last August, Jacobson recalled. "I was shocked to learn last week that no such panel . . . has been convened," he said.

In Cleveland, Ohio, Dr. Samuel S. Epstein of Case Western Reserve University, a specialist in toxic substances in the environment, said the new National Center data "are precisely consistent with what one would expect" from "the increasing load of carcinogens" in the environment.

In New York City, a spokesman for the American Cancer Society said that it is too early to assess the significance of the new statistics in terms of causes.

ENERGY AND THE ENVIRONMENT

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. YOUNG of Alaska. Mr. Speaker, while we in the Congress have begun to address ourselves to the related issues of the national energy crisis and environmental protection, I would like at this time to call your attention to some thoughts on these important subjects.

The Honorable Walter J. Hickel, former Secretary of the Interior and Governor of Alaska, today is addressing these twin questions of energy and the environment before the Sixth Public Relations World Congress which is meeting now in Geneva, Switzerland. And it is with a great deal of pleasure that I now present his comments.

Energy and the Environment

(By Walter J. Hickel)

I. ENERGY

"There is an unusual tie-in between energy and life, energy and poverty, energy and peace."

The controversy surrounding energy has to be seen in the context of world concern about the environment.

We've all heard that pollution is tarnishing the great civilizations of modern man.

It is threatening to damage the life support system on which humans and all animals depend.

This is central to the energy question because the greatest amount of pollution comes from the production and use of energy.

People say the energy industry is "Public Enemy No. 1," but I say it is the great hope of mankind, and the hope of the environment.

Show me any area in the world where there is a shortage of energy, and I'll show you basic poverty.

There's no shortcut to human activity. It all takes energy. If you want to go to town from the countryside, there's no way to do it without using energy; even if you walk.

To achieve a standard of living as the Swiss enjoy in this great capital of Geneva requires the equivalent energy output of 200 adult slaves per person.

In many respects we are still only one step from slavery. But harnessing energy has helped us take that step away from the slavery of hunger, lack of shelter, disease and ignorance. It is a step toward freedom in its most basic sense.

It would be a tragedy if our concern about pollution turned us against this great emancipator called energy which is freeing and improving the lot of mankind.

With the awakening of environmental concern, a concern I share, certain people want to drive Cadillac but not produce energy. These people, in nations such as my own, want to export pollution. They want other nations to do the drilling, pumping, refining and transporting of oil so that their own water and land be untouched by man.

This is no answer. In fact it is a new form of imperialism under the guise of the holy cause of the environment. In reality they are saying, "Let other people's children choke on smog and play in polluted streams. Let other nations' wildlife be destroyed. But we must protect our own."

This philosophy, however misguided, is gaining strength. Its advocates are currently attempting to prevent the vast oil reserves above the Arctic Circle in my State of Alaska from being used.

This is the worst kind of conservation. We are one world with one system. Ecologically, it is impossible to export pollution. We must clean it up.

Enemy No. 1, the energy industry, is in reality the answer.

We are not going to solve the problems of the world with less energy. I don't mean wasting it on senseless gadgets, but utilizing it to free mankind and clean up the environment.

With the leadership of the United Nations and strong government regulations this can be done. Energy doesn't have to disrupt. The answer lies in national and international guidelines for the use of energy without the abuse of the environment.

Oil companies are resented because of their economic power and their seeming disregard in the past for nature. But this hatefulness is now coming to haunt us. To punish is not the answer.

In our short history, America has many examples that hate is no answer to greed. At the turn of the century there was a public reaction against the men who had built America's railroads.

These so-called "Robber Barons"—Rockefeller, Morgan, and Vanderbilt—became the object of public hatred. Laws were passed designed to destroy these men, but in reality all they destroyed was the magnificent railroad system which had criss-crossed and united our untamed country.

If today we treat the worldwide energy industry like we did the U.S. railroads, we'll have a lost civilization.

In reality, there is no world energy crisis. The voices of doomsday are not real. The earth will not run out of resources. The only thing we might run out of is imagination.

Using modern computer technology, a well-intentioned group of men called the Club of Rome sponsored a report which has forecast doom for the human race.

The weakness of a computer is that it can only compute on the basis of what is known. This is a shaky way to predict the future. What if we had used a computer 200 years ago to forecast energy resources for 1973? At that time man depended on firewood, horses, water and wind. The conclusions would have been more disastrous than those of the Club of Rome today. We would have forecast doom and starvation because there are not enough forests and workhorses on earth to care for the needs of our growing population.

Computers have their place, but I have more faith in the creative capacity of man; and that is uncomputable.

Today we have fossil fuels and hydroelectric power. Tomorrow we shall use geothermal resources by tapping the heat deep beneath the crust of the earth.

We shall develop the art of gasification and liquefication of the soft coals we have abandoned in the past. This will become a mammoth source of nearly pure power.

I see this liqufied natural gas as the answer to automobile pollution. By replacing the gas tank in your car with a propane-like bottle we can solve the majority of the world's man-made air pollution. The technology is there. All we need is to apply the new methods to produce natural gas.

Also awaiting us is the heat of the sun, and the tremendous energy of the hydrogen bomb. Man is already working on this. Some scientists predict breakthroughs within a decade or two. With fusion we can produce a pure energy which regenerates itself.

No, there is no world energy crisis. The crisis that exists is one of control. Fossil fuels are the major source of power now and will be for the remainder of this century. The nations which control petroleum will have great political and economic power in the decades immediately ahead.

Whether we have peace or war may well depend on how this new balance of power will be used. The Middle East nations, with their vast reserves, are being swept into the mainstream. Likewise, the Arctic will have an ever-increasing role in world affairs.

The ten million square miles on top of the earth contains a staggering wealth of fossil fuels left over from an earlier age when much of it was covered by tropical jungle. Canada, Alaska, the Scandinavian countries, and especially the Soviet Union and its mighty Siberia will all share in the new Arctic Age which is ahead of us.

There is no fear in the quantity of reserves waiting for mankind. The only concern is in the control of those resources. Will they be distributed to meet the needs of all men everywhere or will they be horded for the benefit of a small elite?

The 21st century, the world of tomorrow, will be a world of unlimited energy. With the new sources I have mentioned, especially geothermal power, solar heat and fusion, every nation will have its own supply. Gone will be the tools for energy blackmail.

I sometimes think that this era, which some of us in this room may see, is slow in coming only because the decision-makers are fearful of upsetting the total economic situation as we know it today. They are locked into the past.

There is an unusual tie-in between energy and life, energy and poverty, energy and peace.

The challenge of the moment is for both the developed and the developing nations to share our common needs and our common opportunities. Then we can usher in a millenium of peace which could be only one or two generations away.

II. ENVIRONMENT

"Humans are the most precious things on earth."

In our zest for cleaning up the environment, and I have that zest and that concern, we must not overreact to the point where we protect wildlife and nature while ignoring the needs of man.

People equate the using of nature with the destruction of the environment, when in reality man cannot exist without using nature. The secret for man's life on earth, in fact for all life on earth, is for man to be compatible with nature. We must not abuse it, but we must use it.

For example, God put a tree on earth to be used, not just to be cut down, but to be used; perhaps for birds to nest in, or simply to be looked at for mere enjoyment to restore the spirit and perspective of man.

If a tree grows somewhere unused by man or animal it is somehow wasted. Like a human being, it must be needed by someone. But likewise, like a human being, it should not be exploited. Man, being the only reasoning animal, has to be the one concerned about other life on earth.

There's a struggle going on in my country. I call it the civil war of priorities—neighbor against neighbor, man against need—over preservation or use of our resources.

Bitter voices have been raised, on the one side pleading, "Give us work, give us energy for our homes;" on the other side shouting, "Stop the rape of our environment, protect our wildlife and our wilderness."

This same battle is going on between the rich and the poor throughout the world. Somewhere in between there's a still small voice that says, "If we work together we can do it right."

As far as pollution and environmental desecration go, we cannot undo all the wrongs of yesterday, but we can guide responsibly the needs of tomorrow.

We cannot condone exploitation of one resource at the expense of another resource, even if that resource has no dollar value, such as a sunset, a lonely stretch of beach, or the right to roam.

But neither can we preserve untouched all those resources that man needs. All human needs must be taken into consideration, those of everyday necessity such as food and energy, or those of lasting beauty, such as a wilderness. In evaluating the total situation, I am convinced we can make use and conservation compatible. For the good of the human, they must be made compatible.

With technology and the right attitude in our governmental leaders we can see the job well done, but only if we are guided by the fact that the most precious thing on earth is the human. The whole world can unite on that basis. I remember well when the leader of the Chinese delegation to the U.N. Conference on the Human Environment last June in Stockholm addressed himself eloquently to that theme.

I have no time for those who say they are dedicated to the environment but disregard the needs of people. The question is not what kind of a world do we want for elephants, or reindeer, or pandas, or Sequoias, or tundra, but what kind of a world do we want for our children.

Wilderness is not the world. The world is both in wilderness and people, in animals of rich variety, in water and air, in the world of modern technology and the world of timeless nature.

Dr. Paul Brandwein put it well: a world which does not conserve its children, does not conserve its elephants. It does not conserve its environment or its resources or its knowledge or its values. It is neither competent nor compassionate. Its ends are neither human nor humane.

I am most happy to be here in Geneva at this time to moderate this panel at the Sixth Public Relations World Congress. Maurice

Strong, the man who organized and led the United Nations Environmental Conference, asked me to participate on his behalf. He is in Nairobi, Kenya, this week where he is setting up the headquarters for the new United Nations Environmental Agency. I have known Secretary Strong since 1970, before he was named to head the U.N. environmental effort. As U.S. Secretary of the Interior and afterwards, I have worked closely with him on his approach to making the environment a truly global issue.

From the beginning I have been a firm believer that the United Nations is the one hope the world has for effective environmental action.

Pollution knows no boundaries. Every major river eventually empties into the oceans. A river doesn't know whether it is flowing through a Socialist country or a Capitalist country; but if we pollute it, it will carry that pollution into our common seas.

I thank God that visionaries over 25 years ago succeeded in organizing the United Nations. Without it there would be no natural forum for mankind to confront the common dangers and opportunities of the environment. There would be no one to listen to the cry of life. The environment is going to do for the original intent of the United Nations what diplomacy and politics have failed to do. It will provide a common concern that bridges national self-interest.

You, who deal with the media, must tell that story. Many nations, including my own, are falling into the mentality that it is time to let the world take care of itself. We want to look after only those problems within our own borders. Parliaments and congresses are cutting back their appropriations to finance United Nations activities.

But the realities of the environment cannot be ignored. No one nation can clean up only its own back yard and expect to have a clean environment. The urgent call of the hour is for all people to reach out to the others and help carry the responsibility of learning how to use nature and preserve her for the good of all mankind.

Do not narrow your thinking to those who propound a negative philosophy of doom. Those who want to turn off the lights of the world are not the true friends of the world or the future.

The human family is being drawn together by the environmental challenge, and this is a great and important event in world history.

My hope of the future is to concentrate on solutions, answers, and imaginative approaches to the problems at hand rather than repeating the already shop-worn cliches of the doomsday philosophers.

I am fed up with those who profit in terms of fame and fortune by being negative. This is not doomsday; it is opportunity-day. We can look in a mirror and see if our face is dirty. If it's dirty, then let's wash it. Not talk about it.

There is an old belief in journalism that something has to be negative to be news. I'm tired of this attitude. Criticism is necessary, but with it should go responsibility. Man caused the problem we are looking at. Man can clean it up.

The best public relations, especialy in the environmental area, is action.

When I was appointed as Secretary of the Interior for the United States, responsible for our natural resources and public lands, I was attacked by the press. False stories were written, and the people became afraid I would promote policies that would desecrate the land and its beauty.

I didn't get angry with the press. I didn't even hire a public relations firm. I set out to do a job believing that if I made a decision in the best interest of all two hundred million of our people, it would also benefit the special few. I began to clean up the relationship between industry and government.

Within only a few weeks, the press changed their attitude. Words are cheap, and they are being used by all sides. But action on behalf of the people is the best form of public relations I know.

Today we must generate a global demand for action on the part of our leaders in government and industry in all corners of the earth. If we do, it is not too late.

PEACE CORPS

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. EILBERG. Mr. Speaker, when President John F. Kennedy established the Peace Corps, he made available to the world the energy, idealism, and expertise of the people of the United States.

Today, the Peace Corps remains a living symbol of our country's commitment to help people and to teach them to be self-reliant.

Recently the Peace Corps put out a press release about one of the volunteers from my district. She is Margaret A. Roche, daughter of Mr. and Mrs. John F. Roche, of 6409 N. Fairhill Street, in Philadelphia.

At this time I enter this article into the RECORD:

PHILADELPHIA PEACE CORPS VOLUNTEER LEARNS FROM HER MICRONESIAN STUDENTS

Peace Corps volunteer Margaret A. Roche of Philadelphia Penn. gets up at 6:30 a.m. to begin her day as an elementary school teacher in Micronesia.

Miss Roche, 25, is serving a two-year tour of duty as a Peace Corps volunteer in Babelthuap, the largest island in the district of Palau.

Like most of the 227 Peace Corps volunteers serving in Micronesia, Margaret Roche has had to make adjustments to the tropical climate and slow pace of living in this multi-island nation so close to the equator. However, there is no language barrier since the Micronesian government established English as the official language.

Nine different languages are spoken on the Micronesian islands, which sprawl over 3 million square miles of Pacific Ocean. Although Miss Roche teaches in English and uses it in her daily living, she is determined to learn more Palauan, the language of her district. "I've decided to have one of my better students tutor me because I want to learn to speak Palauan well," she reports, admitting that presently her pronunciation of certain words usually convulses her Micronesian friends.

She lives in the small village of Melekiok—population 400—with a family of five. The village lacks electricity and all shower facilities are located outdoors but Miss Roche counts herself fortunate because the village has a water system and her Micronesian family owns a generator.

A graduate of Gwynedd Mercy College in Gwynedd, Penn., Miss Roche received her B.A. degree in history in 1970. She taught at St. Helena's School in Pennsylvania for one year before enrolling in the Peace Corps last summer.

Although most of her meals consist of island food like fish, rice, bananas, and coconuts, she usually breakfasts on all-American peanut butter, jelly and crackers. She heads for school around 8:00 a.m. each day to teach reading, grammar and mathematics to a combined 7th and 8th-grade class. Miss Roche says she learns more from her students than she teaches. In the afternoon she serves as the official physical education instructor for all grades and frequently substitutes as the singing teacher.

Miss Roche is enthusiastic about her students and believes her work is especially important at this time of critical change in Micronesia. "I look at these children and grow excited when I think of the possibilities for some of their futures. Their country is going through a great transition presently as it becomes more and more in tune with the modern world; it will be anxiously waiting for their direction in the not so distant future. I hope in some way I aid in this preparation."

She plans to start a night school for adults interested in learning English. For many years the various languages and dialects separated islanders. Miss Roche believes that introducing older natives to the new language changing their way of life will help break down previous language barriers and ease the transition to a more modern way of life.

She charts progress in human terms, citing the 3-year-old child who no longer cries when he sees her but runs up with a hug and says her name. And the students who avoided her when she first arrived now walk with her hand-in-hand to the village movie theater.

THE RETIREMENT BENEFITS TAX ACT

HON. HERMAN T. SCHNEEBELI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. SCHNEEBELI. Mr. Speaker, I have today cosponsored the Retirement Benefits Tax Act on behalf of the administration.

The bill provides comprehensive changes in the tax laws affecting our private retirement system. Since 1942, incentives have been included in the Internal Revenue Code that encourage the growth of pension systems in the private sector. This has contributed to the healthy growth of private pension plans that now cover 30 million workers and pay benefits to another 6 million retired individuals.

In order to build on this record and insure that private pensions respond directly to our citizens' needs, the Retirement Benefits Tax Act proposed by the President would strengthen private retirement systems in a number of respects. The bill would provide minimum standards for vesting by making the so-called "Rule of 50" mandatory; it would require funding of a portion of the unfunded, vested liabilities; it would encourage employees who do not have adequate employer-sponsored pension plans to save on their own behalf; it would provide greater incentives for self-employed individuals to establish pension plans on behalf of themselves and their employees; and would defer taxes on lump-sum payments from pension plans until an individual retires.

These are important and far-reaching proposals that are of vital interest to all working Americans. I am hopeful that the Ways and Means Committee will respond to the President's initiative at the earliest possible time.

LOUISVILLE, KY., LOSES A VALUED AND A WELL-LOVED CITIZEN—FORMER MAYOR KENNETH A. SCHMIED

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. MAZZOLI. Mr. Speaker, on April 5, 1973, a distinguished and selfless leader of the Louisville, Ky., community was taken by death at the untimely age of 61.

I am speaking of the Honorable Kenneth A. Schmied, mayor of the city of Louisville from 1965 to 1969.

Kenny Schmied was an exceptional public servant, a man who had great rapport with the people he served, a generous-hearted man who truly cared about the well-being of his fellow citizens. I counted him as my personal friend.

As mayor, Kenneth Schmied brought great warmth to city government. He loved his city, loved its neighborhoods and loved its traditions. He added a personal quality to the mayor's office, which too often is lacking in governmental bureaucracies. To put it quite simply, Kenny Schmied cared about his fellow citizens.

The accomplishments of his term as mayor are conspicously visible in downtown Louisville today. For it was Kenneth Schmied who laid much of the important groundwork for the dramatic transformation of the Louisville river front and the surge of new high-rise construction which has totally altered the Louisville skyline.

Prior to his election as mayor, Schmied served with great distinction for 4 years as president of the Louisville Board of Aldermen. All told, during his 8 consecutive years of municipal leadership, he was able to play an instrumental role in the successful development of a great many urban projects and programs which make Louisville a better place to live today.

Among the many areas of accomplishment in which Kenny Schmied could rightfully take pride was the emphasis he placed on improvement and expansion of the city's recreational facilities. During his 8 years in office, he say the city gain an excellent new zoological garden, a first-rate new tennis center, and a number of new swimming pools. In addition, he helped the city add to its inventory of parklands.

Jovial by nature and genuinely friendly in his dealings with the public, Kenneth Schmied was a man who appreciated the importance of recreation and play in a well-rounded life. Accordingly, he saw to it that his fellow citizens were provided with more and better opportunities for leisure-time pleasure, as well as improved opportunity for economic success.

Whether at work in Louisville's revitalized downtown business center, or at play in the city's expanded recreational facilities, the citizens of my home city are reaping the advantages of Kenneth Schmied's compassionate foresight, and his ability to get things done.

To his wife, Ethel, to his two sons, and all the other members of his family, I extend my deepest sympathy. They have suffered a great loss, as has the entire Louisville community.

TRIBUTE TO MRS. ALFRED H. EVERSON

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. CAREY of New York. Mr. Speaker, on April 12 a testimonial dinner was held at the Whitehall Club in Manhattan honoring Mrs. Alfred H. Everson, who recently stepped down as president of the Brooklyn Bureau of Community Service, the borough's oldest nonprofit, nonsectarian social services agency. The dinner honored a woman, Mr. Speaker, who has dedicated 50 years of voluntary work with nonprofit Brooklyn agencies offering child care, family counseling, day nursery care, family planning services, services to the blind and handicapped, neighborhood settlement house programs, and community planning services. The organizations to which she has devoted her time and energy have helped hundreds of thousands of persons.

I would like to congratulate Mrs. Everson for her outstanding record of giving and commend the following article to my colleagues' attention, which appeared in the March 29 issue of Brooklyn today:

COMMUNITY VOLUNTEER? SHE GAVE 50 YEARS

Rachel Everson, who was born in Brooklyn, doesn't think that she has done anything very extraordinary. She says, "I have been fortunate all my life, never having to strive for identity or seek motive power.

"I was inbred from early childhood with the opening words of the Declaration of Independence: We hold these truths to be self-evident; that all men are created equal; that they are endowed by their creator with certain inalienable rights; that among these are life, liberty and the pursuit of happiness."

In the last fifty years, Mrs. Everson has served as volunteer, board member, or executive officer of the Brooklyn Bureau of Community Service, Colony-South Brooklyn Houses, the Brooklyn Chapter of the American Red Cross, Y.W.C.A. of Brooklyn, United Neighborhood Houses, Brooklyn's first Planned Parenthood Committee, Youth United, Brooklyn Tuberculosis and Respiratory Disease Association, Brooklyn Women's Club, the Civitas Club, and the Brooklyn Council for Social Planning.

The organizations to which she has devoted her time and energy have helped hundreds of thousands of persons, thanks to the aid of volunteers like Mrs. Everson, who has raised money to support programs, shaped policies to widen the scope of voluntary activities to reach more people, and helped pioneer important services people needed in order to survive.

Mrs. Everson says these things were nothing special. She says she looked around her, saw what was happening, and decided she wouldn't wait for the next person to do something. She'd do it herself.

At least part of her motivation came from her father, Charles M. Higgins, an Irish immigrant who came to the United States as a boy. Higgins invented Higgin's American India ink, went on to found the Higgins Ink Company and became one of Brooklyn's foremost philanthropists and civic leaders.

He had inscribed on the family's tomb in Brooklyn's Greenwood Cemetary these words from Matthew VII–12, "Whatsoever Ye Would That Men Should Do To You, Do Ye Even So To Them." He wrote, "These words being writ in imperishable material on the walls of the Tomb, will, I hope, keep them before the minds of my children and grandchildren and give them an inspiration, rule and guide for right living and for all true and just relations between Mankind."

Mrs. Everson's mother, Alexandra Fransioli, came from Switzerland to Brooklyn with her mother, sister, and brothers, and settled there because her uncle, Father Joseph Fransioli, had come earlier. Father Fransioli built St. Peter's Church, School, and Hospital at Warren and Hicks Streets in Cobble Hill, and was a founder of the Brooklyn Bureau of Community Service. "Father Fransioli has always been a kind of mystical hero to me," Mrs. Everson says.

Mrs. Everson attended Packer Collegiate Institute in Brooklyn, then went on to Vassar, and graduated with a Phi Beta Kappa key in 1922. She completed a year at New York University's Law School, but an injury resulting from a fall from a horse interrupted her education, and later she decided to marry rather than return to law school.

While at school, she spent most of her time during vacations and holidays with her family in Park Slope.

The world of the society debutante in the 1920s was exciting, she said. "There were a great number of private parties. The Metropolitan Opera appeared regularly at the Academy of Music, and everyone important in Brooklyn could be seen at these functions.

"If you were not careful, that was all you saw. In those days, neighborhoods were more distinct. The poor lived separately, in Williamsburg, Brownsville, and Bedford.

"The affluent were concentrated in Park Slope, the Clinto-Hill area, Brooklyn Heights and cobble Hill, in the beautiful Italianate and Victorian houses still standing today."

In 1924, the year of her marriage to Alfred Hall Everson, an engineer, she joined as a volunteer the Colony-South Brooklyn Houses and the Brooklyn Bureau of Community Service. Serving on the Brooklyn Bureau's Family Committee, she learned of the problems people were suffering.

"You have to remember that in the '20s there was still no public relief People literally had no one to turn to when they needed help except the voluntary agencies."

The story of voluntary service to poor Brooklyn communities began much earlier, Mrs. Everson said. In 1866, when the Brooklyn Bureau of Community Service was organized, Brooklyn had almost 300,000 people, many of whom were poverty-stricken.

The New York Times, June 30, 1866, said, "There are certain . . . districts in Brooklyn where . . . dirt and filth and poverty reign triumphant—quarters which in misery, squalor and wretchedness . . . equal the lowest quarters of New York, or of any civilized city."

Volunteers did then what volunteers have always done in a crisis, Mrs. Everson said. They organized to help.

Thus, in 1866, the Brooklyn Children's Aid Society (later to merge with the Brooklyn Bureau of Charities and other voluntary social service agencies to form the present Brooklyn Bureau of Community Service) was organized to care for the many children made homeless by the Civil War who were wandering the streets and living by their wits. By 1884, the Brooklyn Bureau had established a work facility and employment service for the jobless. Two years later, the same agency opened a workroom to employ unskilled women.

Campaigns for court reform, mandatory pasteurized milk, free school lunches, free public health services to children and the handicapped, and many other causes were taken up by Brooklyn voluntary organizations in the years that followed.

During the depression in the 1930s the situation was especially critical, Mrs. Everson said. "With nearly half a million people needing relief in the New York metropolitan area alone, agencies poured all of their resources into an effort to keep people fed and families together."

Mrs. Everson recalls she published in 1952 a ten-point program for Brooklyn while she served as President of the Brooklyn Council for Social Planning and "many of the problems I discussed then are still things we are struggling with today.

"I wrote that we must strengthen our family counseling, child guidance and other services which help families stay together. I asked for more and better foster homes, day care centers for working mothers, premarital counseling services, better teaching, slum clearance and building rehabilitation, better police protection, improved conditions in hospitals and health services, and more adequate financing of Brooklyn's welfare and cultural programs."

In her six years as President of the Brooklyn Bureau of Community Service, Mrs. Everson spurred the development of important new programs in a number of areas.

The Brooklyn Bureau entered the field of foster care services to sick children without parents able to care for them who live in the pediatrics wards of Kings County Hospital. The agency is placing many of these children in foster homes where they receive the affection and care they require.

The Brooklyn Bureau has organized more group counseling services for children, parents, families and the handicapped, and established a teaching center for blind and otherwise handicapped men and women who want to learn to cook, clean, iron, read and write Braille, budget their funds, and live independently.

There is also an organized and strengthened effort to find jobs in industry for handicapped men and women trained for work in the Brooklyn Bureau of Community Service's job training programs.

Mrs. Everson says that her experience as a wife and mother helped her to understand the problems of people served by the social agencies she worked for. "You know, if you have five children to look after as I did, what it means to feel sometimes as if everything is just too much and there isn't time to do what must be done.

"But I really believe my outside interests made me more content and effective at home and my home life made me more understanding of agency problems. I still find pushing a vacuum cleaner conducive to thinking or composing speeches."

She says she was careful to budget her time so that she did not neglect her family. "My family understood what I was trying to do. I would always try to be home just in time to start dinner before my husband arrived!"

As for her own children, four boys and a girl, she says, "As parents, our desire was not to make life as easy as possible for them or give them all possible comforts.

"We kept a coal furnace way beyond the accepted time with its attendant disciplines of shoveling coal and taking out the ashes. This was one of the many responsibilities of the boys, the kind that build character."

What are the lessons she has learned in half a century of voluntary work?

"One thing you must be able to do if you want to change people's attitudes is to develop a thick skin. You can't be too sensitive if somebody turns you down when you've asked for a contribution for an organization that needs help.

"I've found that working to help others increases the fulfillment I've felt in all areas of my life. Your work gives you a feeling that you belong to the world, to life, and that you are involved. Definitely, giving does something important for the giver as well as for the receiver.

"And when you do make someone see the importance of being a good and generous neighbor, you feel that you've really done something worthwhile. People have to change their feeling about each other.

"I say to people that they don't realize what you go through if you are an object of racial or religious prejudice, or poor, or jobless. I have always tried to imagine myself in these positions, and what I would feel and how I would look at the world."

Mrs. Everson's husband died in 1969. Her five children and eight grandchildren continue to occupy some of her great supply of energy. But not all of it.

Today, she continues her volunteer work as chairman of the Executive Committee and Vice President of the Brooklyn Bureau of Community Service, and board member of Colony-South Brooklyn Houses.

Recently, Mrs. Everson attended a party given for blind and otherwise severely handicapped men and women at the Brooklyn Bureau of Community Service. She spoke to them of the goals of achievement and happiness shared by every human being. One mentally retarded young man approached her and said that the agency had found a job for him. He said it was his first job, and he knew he would succeed because everybody had been so helpful to him. "I have people I can really count on for the first time in my life," he said.

Mrs. Everson said later, "Volunteerism is never going to stop. Not ever. Not when we can give so much to people who want to live with decency and self-respect."

OIL CRISIS

HON. DAN KUYKENDALL

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. KUYKENDALL. Mr. Speaker, the recent "conditions" which the Saudi Arabians laid down by which they will determine their oil policy toward the United States is truly one of the most significant "first steps toward disaster" that we have faced in our entire history. When we are told by one country that we have to change our policy toward a friendly nation in order to do business, and there are conditions existing which put definite "teeth" in that threat, we all must recognize that we are on the brink of disaster.

Ever since the "extremists" in the environmental movement began to achieve goals of their own such as the blocking of the Alaskan pipeline, I have consistently warned that they were dabbling with the security of this country. There are very few doubts now in the minds of any thinking people that this danger has now come into reality. Unless the massive reserves in Alaska are made available to the United States as quickly as possible, we will not only have an energy crisis in this country which will put us at the mercy of unstable governments in the Middle East, but the same crisis can and probably will threaten the security of Israel so severely that its existence may be in danger.

The main stream of the environmental movement is an intelligent one which is based on good sense and good business but the "far out thinkers" in the same movement have already threatened our economic stability and are now threatening our national security to obtain luxuries that are simply not worth the price. Remember, our Nation must survive and our economic system must survive or a pleasant environment will be totally meaningless.

TRIBUTE TO ROBERT NATHAN

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. REES. Mr. Speaker, Robert Nathan, distinguished California novelist and poet, was honored by the Los Angeles Library Association April 5, at their annual tribute luncheon at the Century Plaza Hotel.

Mr. Nathan, 79, is the author of more than 50 books and 3 volumes of poetry. Among his better known novels are "Portrait of Jennie," "The Bishop's Wife," "Enchanted Voyage," and "One More Spring." All have been made into motion pictures.

Present to honor Mr. Nathan were such noted west coast writers as Irving Stone, Irving Wallace, John Weaver, Leonard Wibberly, Ralph G. Martin, Ray Bradbury, Ariel and Will Durant, Norman Corwin, Michael Blankfort, Robert Carson, and Jack Smith. Actors David Janssen, Joseph Cotten, Anne Baxter, and Anna Lee—Mrs. Nathan—read selections from Nathan's novels and sonnets to the more than 500 guests in attendance.

President Nixon joined in paying tribute, sending a message which read:

> Throughout your career you have written with heart-warming compassion and stirring depth of feeling. Your sensitivity and creative genius are best reflected in the inspiration you have brought to the enthusiastic readers of your work.

Senator ALAN CRANSTON echoed the President's sentiments in saying that Mr. Nathan's contributions "to both his community and to the world are sizable—his works of the last 50 years have been varied and outstanding in all their forms." Scores of tributes similar to these were sent to Mr. Nathan on this occasion from public and literary figures throughout the world.

However, Mr. Speaker, we would not be doing this remarkable man justice if we were content to merely speak about him. That is why, at this time, I insert into the RECORD his insightful acceptance address given at the dinner honoring his contributions to English letters. In this way, we may let Robert Nathan speak for himself.

The address follows:

ADDRESS

If this were an "Oscar", I'd know just how to start: I'd thank my producers, Mr. and Mrs. Harold Nathan, and my wonderful director, Anna Lee, and then everybody else . . . publishers, editors, critics . . . it would take forever, and I only have ten minutes. So instead, let me say thank you, to all of you—my friends, the writers who came to honor the library and donated their books, the stars who read my poems so beautifully, the committee that worked so hard—and most of all, you librarians without whom I'd have long ago starved to death.

About a hundred years ago, Robert Browning wrote a poem that I've always remembered—or at least, the opening lines: "Ah, did you once see Shelley plain? And did he stop and speak to you? And did you speak to him again? How strange it seems, and new."

It had only been a matter of sixty years or so since Whoever-it was had seen Shelley plain, but to Browning it was already a far-off, magical time. And Who-it-was, who had actually spoken to Shelley, and had heard his voice, was an authentic antique.

You know—I can imagine some young writer—or even a middle-aged one—saying to me: "And did you once see F. Scott Fitzgerald plain, and did he stop and speak to you?" As a matter of a fact, I did, and he did; at a party at Fannie Hurst's, he quoted me one of my own sonnets. That was in 1924, just under fifty years ago. To tell you the truth, I'd forgotten all about it.

Fitzgerald wasn't my Shelley. My Shelley was Stephen Vincent Benet. I thought him—indeed, we all thought him—the most secure immortal of us all. I taught him fencing one year in the basement of a little apartment I had in an old brownstone house near Madison Avenue. I used to give parties there—we all gave parties, because it was prohibition, and one drank whatever and wherever one could. You'd expect me to have a lot of memories—of the Benets, of Elinor Wylie (I was a character in one of her books)—of E. A. Robinson, of Dos Passos, of e e cummings, of Scott Fitzgerald, of Edna Ferber and George S. Kaufman, John Marquand and Dorothy Parker . . . of bright things said, of fine thoughts expressed, wise things, funny things . . . but memory is a queer thing, you either have it or you don't. And the only things I can remember anybody saying to me, were "Hello!" and "Which way to the bathroom?" That's why I'll never be able to write my autobiography.

However . . . just as the first years of the nineteenth century brought in a new era in English Literature, so the first two decades of the twentieth ushered in a new age in American letters. In 1912, just over sixty years ago—I was elected to the editorial board of The Harvard Monthly. That, in itself, was not earth-shattering. But on that same board with me were Estlin Cummings (e e, that is) John Dos Passos, Gilbert Seldes and Robert Hillyer. And at that very same time, on the Yale Lit. there were Stephen Vincent Benet, Thornton Wilder, Archibald MacLeish and Philip Barry. And at Princeton, at the same time, there was Scott Fitzgerald, and Edmund (Bunny) Wilson and John Peale Bishop. Edna St. Vincent Millay was at Vassar; Ben Hecht was in Chicago; and somewhere in the west there was a young schoolboy named Hemingway.

There were others at Harvard and Yale, too: John Marquand, Sam Behrman the playwright, Walter Millis, Donald Ogden Stewart, Bob Benchley, Johnny Farrar. . . . There aren't too many of us left. And the pages of American literature have turned more than once since those far-away days, bringing other manners, other voices, other goals. The voice you are listening to now belongs to the past—to something that was once called the Younger Generation, and that soon enough, will seem as far away as Shelley, and as extinct as the croak of the Pterodactyl.

Therefore—so that you young people in your twenties and thirties and forties—and fifties—can someday say that you saw a Pterodactyl plain, and that he stopped and spoke to you, I'm going to add a few—a very few—remarks about the art of writing—at least, as I see it.

When I was at Harvard, I had to read a book by Tolstoy on "What is Art?" All I learned from it was that art was a form of communication between man and man. My fault, probably. But meanwhile, I've thought a lot about it; and I've come to believe that art is a communication informing man of his own dignity, and of the value of his life, whether in joy or grief, whether in laughter or indignation, beauty or terror. Terror can be a catharsis, indignation can dignify life, can dignify man in his scorn of the mean and the unworthy. On the other hand, the communication which belittles man, or dishonors him—though it may be artful—is not art—it's simply an exercise in malice. And in the grey land between art and malice, there are only happenings. Man needs the comfort of his own dignity—as a Being, a Creature of the Universe, as Max Ehrmann said. And that's what the artist is for. To give him that comfort.

In closing, I'd like to read you a little verse I wrote a few days ago, for this occasion. Even my director hasn't seen it.

My parents revered the Victorian Snob.
When we rose in our youth, I must say
That we loved with a cry and we wrote with throb,
And believed in Millay—and Benet.

I find no delight in the violent flights
Which the critics rejoice to extol.
They speak of the troubles which trouble their nights,
But they speak without soul—

Without form, without cadence, or rhythm or rhyme,
Without beauty or grace. So you see,
All I can say, it's a hell of a time
For Tennyson, Shelley and James Oppenheim,
And Edna and Stephen and me.

PRAISE DUE JIM KRAYESKE

HON. RONALD A. SARASIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. SARASIN. Mr. Speaker, I would like to take this opportunity to commend to my colleagues' attention the admirable work being done by Mr. A. James "Jim" Krayeske, Jr., of Naugatuck, Conn., who is the defensive football coach of Wilby High School.

Jim Krayeske's leadership talent has been clearly demonstrated by the successes he has achieved working against adverse conditions and yet still being able to place a solid foundation for beginning, inexperienced football programs.

Jim's ability to instill the desire for victory in his youthful charges at a time when many young people are questioning society's values is, indeed, worthy of praise and is proven by the results of his efforts.

In establishing football programs at three schools, he has never had less than a .500 season.

Jim's coaching skills have not been ignored, as he is the only high school coach from Connecticut ever selected to participate in the annual National Football Coaches Clinic.

Mr. Krayeske has left his mark as a fine and outstanding coach as well as a gentleman wherever he has been.

EMBASSIES FOR SALE

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. DRINAN. Mr. Speaker, today's New York Times contains a sobering editorial that is a sad commentary on the present state of our Nation's Government.

The editorial, entitled "Auction," details the unconscionable practice of this administration of offering ambassadorships to the highest bidder. The embassies at stake are usually selected from places such as Luxembourg, Trinidad and Tobago, and Costa Rica. The broker in these cases is the Nixon administration and its ill-reputed adjunct, the Committee to Re-elect the President. The bidders are a group of wealthy Americans whose only qualification for a diplomatic post is the size of their check to the Committee to Re-elect the President.

The trophies of this reprehensible auction are as follows: Britain, France, Finland, Trinidad and Tobago, Austria, El Salvador, and Jamaica. Currently under contention is Luxembourg.

It is outrageous that the rich should be able to buy their way into our Government. The Nixon administration owes the people of this country—who cannot afford to buy such favors—an explanation.

This outlandish practice must end. I hope that the Senate, to which the Constitution grants the power of rejecting ambassadorial appointments, will spurn all those who earned their posts by virtue of their pocketbook and have no other qualification. This practice is wholly beneath the ideals upon which our Government was based, and must cease.

I hope that my fellow colleagues in Congress will take the time to read "Auction," and will consider its indictment:

Auction

The United States, as most foreigners know, is an extraordinary country with picturesque customs. Every four years, for example, it auctions off its embassies in Western Europe and in a few other agreeable areas to the highest bidders. The cash goes not to the United States Treasury but to the Republicans or Democrats, whichever party is in power. No other country follows this curious custom. But then no other country is as rich as the U.S.A.—and it is well known that the very rich usually practice odd little economies.

As of now, it looks as if Mrs. Ruth L. Farkas of the New York department store family is the top successful spender in the 1972-73 auction. She and her husband contributed $300,000 to President Nixon's campaign. In return, she gets the embassy in Luxembourg. There was a mild ruckus in the Senate Foreign Relations Committee because Mrs. Farkas seemed to be buying her embassy on an easy-payment plan, that is, two-thirds of the money was given after Mr. Nixon was safely re-elected, and the Republican treasury already showed a $4-million surplus.

But this problem has been cleared up. Mrs. Farkas explained she intended to give the money *before* the election but it took time to sell the necessary stock. Rivals agree that it would have been a shame if she had lost out on her bid because she had already lost once. In the 1968-69 auction season, she though she had acquired the embassy in Costa Rica. But that fell through because of a court case involving a political contribution to a Democrat in the 1965 New York mayoral primary.

Money alone is not always enough, however. W. Clement Stone, the Chicago insurance man, made a big contribution to Mr. Nixon in 1968 and more than $1 million in 1972. Mr. Stone has delicately told the press that he would be "honored" to get the embassy in London. So far, Mr. Nixon—or whoever is conducting this year's auction for him—seems to be looking at the other side of the room and not to have caught Mr. Stone's bid. Perhaps $1 million is not enough. If Luxembourg is going for $300,000, should not London be worth a cool $5 million? Or it may be that Walter H. Annenberg, the current Ambassador in London, has been able to renew his lease by giving $254,000 last year.

Like most other items under Phase 3, the cost of embassies seems to be soaring. It may only be that the new campaign finance law has disclosed spending that until last year had been largely concealed. In any event, consider these prices:

Arthur K. Watson was appointed to France in 1970 and resigned last fall. He donated $49,000 to the G.O.P. in 1968, $22,000 in 1970, and $300,000 in 1972. The new Ambassador to France is his brother-in-law, John N. Irwin 2d who gave only $14,000 in 1968, $16,500 in 1970, but $52,500 in 1972. As a former Under Secretary of State, Mr. Irwin is one bidder who might have made it by merit alone.

John Krehbiel just obtained the embassy in Finland. He gave $5,500 in 1968, $1,000 in 1970, and $12,500 in 1972. Alas, not much for Finland.

Anthony D. Marshall bid in Trinidad and Tobago for $25,000 in 1968, a mere $1,000 at midterm, and $49,505 last year.

John P. Humes has Austria for $43,000 in 1968, $13,000 in midterm, and $103,500 last year. (If that seems a little high for Vienna minus the Habsburgs, he may have been bidding discreetly for Rome or even Paris.)

Henry E. Catto Jr. has El Salvador for $10,750 in 1968, $2,000 in midterm, but $26,000 last year.

Vincent de Roulet obtained Jamaica in the 1968–69 auction for $44,500 then and $32,000 last year. But relatives can also bid. Mr. de Roulet's father-in-law is Charles S. Payson who gave $28,000 in 1968, $32,000 in 1970, and $88,000 last year. At first glance, that seems like an awful lot; but then Jamaica really is a gem of an isle.

It is never too late to enter this auction. President Nixon has been re-elected but the Committee to Re-Elect the President is still in business, and still accepting bids—or "campaign contributions" as they are sometimes called.

PROTEST SALE OF INDIAN MOTHER AND CHILD SKULL

HON. LOUIS FREY, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. FREY. Mr. Speaker, earlier in the day the distinguished gentleman from Montana (Mr. MELCHER) rose to protest the sale in my congressional district of an Indian mother and child skull set complete with skin and foot.

I am pleased to announce that my office has been in touch with the owners of the relics and he has agreed to remove the items from display and sale.

The owner has further graciously agreed to donate the items to the State of Montana where they can be displayed in a museum or given a proper burial.

I thank Mr. MELCHER for bringing this matter to the attention of the House and recommend that other businessmen follow the fine example set forth by a good friend and constituent in Orlando, Fla.

A PROFESSIONAL ANALYSIS OF ISSUES CONCERNING THE RETENTION OF THE SELECTIVE SERVICE SYSTEM

HON. WILLIAM L. DICKINSON

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. DICKINSON. Mr. Speaker, professional judgment must always be focused on our Nation's security and, in judging matters which directly affect the individuals who are called to serve in our armed services, it is especially important that the views of experts be sought.

I find it disquieting therefore to learn that those who put out the printed material which we have seen circulating with the stated objective "to dismantle the Selective Service System" failed to seek the views of the national headquarters of the Selective Service System before they launched their campaign.

Examples of their pamphleteering have been entered into the CONGRESSIONAL RECORD in recent weeks.

Two places in the U.S. Government which have awareness of military manpower problems are the Department of Defense and the national headquarters of the Selective Service System. In writing those two agencies I learn that the position of the National Committee To Repeal the Draft—NCRD—is based upon more than one invalid conclusion and that "facts" alleged by the NCRD are inaccurate.

Obviously no one—neither professional personnel managers nor a group of disparate dismantlers—has the clairvoyance to know at this time if our efforts to reach the goal of an all-volunteer Armed Force will succeed.

Inasmuch as the matter is of such importance to most Americans, I believe each Member will want to have available the professional judgment which I have obtained from the national headquarters, Selective Service System. Accordingly I request that the letter of April 9, 1973, with its attachment from Byron V. Pepitone, Director of Selective Service, be entered at this point in the RECORD:

SELECTIVE SERVICE SYSTEM,
Washington, D.C., April 9, 1973.

Hon. WILLIAM L. DICKINSON,
House of Representatives.

DEAR CONGRESSMAN DICKINSON: You recently asked to what extent officials of the National Council to Repeal the Draft (NCRD) had consulted with people of this office. You also asked for comments upon the validity of reasoning in that organization's pamphlet, "Selective Service Without the Draft."

There has been no known or recognized contact with this Headquarters by officials of the NCRD.

The "facts" alleged by the NCRD are quite inaccurate, and the reasoning is no better. For instance, the NCRD says that we have now reached the goal of an all-volunteer armed force. In fact, there are about 100,000 draftees still in service, and their numbers will not be reduced to zero for over eighteen months. We have merely reached the point where the Department of Defense believes it is possible, by volunteers alone, to replace all the men as they are discharged at the end of their service—both draftee and volunteer.

I am aware of the content of the letter on this subject provided at your request by the Office of the Secretary of Defense. Permit me to endorse fully the statements made in that letter.

Attached is a brief discussion of each issue raised in the NCRD pamphlet.

If I may be of further assistance in this matter, please call upon me at any time.

Sincerely,

BYRON V. PEPITONE.

SELECTIVE SERVICE WITHOUT THE DRAFT—AN ANALYSIS

The National Council to Repeal the Draft—NCRD—has recently issued a pamphlet called, "Selective Service Without the Draft". It purports to be a clear exposition of the issues involved in "killing off" the Selective Service System, to dismantle entirely even a standby means of reinitiating the draft in the event of a serious emergency where the peacetime volunteer system is not enough.

The pamphlet lists a number of questions and then provides the answers. Unfortunately for clear understanding on the part of anyone, friend or foe, on the use of conscription in American life, the answers are inaccurate or distorted or sometimes a combination of both. The pamphlet is more hindrance than help in gaining an accurate appreciation of the problem the American people will face in deciding whether the Selective Service System should remain as the Congress now requires, able to function in an emergency, or dismantled and thrown away with the hope it will never again be needed, or that if needed it can be quickly put together again.

As usually happens in many of these cases, the errors presented in such distorted fashion, while briefly stated, can require a long-winded exposition to give a balanced consideration to all aspects of the issue. At the risk of leaving out aspects of interest to a wide range of people, this review will attempt only to hit the highspots of the matter.

The first question asked, "What is the current status of the draft?", is one of two answered with no error and no distortion. NCRD stated the Selective Service System is in operation but no one is presently being drafted and the induction authority is not being used.

The next question was, "Does this mean that we have reached the goal of an all volunteer armed force before the July 1 target date?" NCRD's answer: Yes, there is no need to depend upon draftees to meet our manpower needs.

Fact: The answer is "No". There are 100,000 draftees still in service, it will be two years before they have all been discharged. Since our present forces are a mixture of volunteers and draftees, a major problem of the Pentagon is to increase the volunteer enlistments to the point where they will replace the men being discharged who include both volunteers and draftees. What Secretary Laird called a great "experiment" is still in the test tube.

Question: "What will be the status of the Selective Service System after July 1?" The NCRD says: Continue with its present organization and functions (then a real howler of an error) but since the President's induction authority expires on July 1, he may then no longer use the System to draft 19-year olds.

Fact: It is true that the Selective Service System will continue with the fundamentals of its function. Its mode of operation, however, will shift to a standby type.

The draft authority is not now based on 19-year olds. The draft authority applies to men in the calendar year in which they reach age 20. The median age is 20, some are 19, and some are almost 21.

Question: "Then no one can be drafted after July 1?" NCRD says: The President may still draft millions of men who have been deferred and are under age 35 and drafting could go on for the next 15 years even without induction authority. They also point to the section dealing with a "National Security Training Corps", an obsolete piece of the law which did provide for a basic training stint of six months and they say this "could be activated easily".

Fact: The NCRD has it badly garbled. Under the present provisions of the law and regulations, men aged 26 who have been previously deferred have not lost their liability until age 35 but the rules would have to be changed with all of the attendant public fanfare of justification before anyone over age 26 could be drafted. Even for those under age 26, the only ones to whom this "residual authority" could be applied are those whose basis for deferment has now expired. The total number involved is roughly estimated to be perhaps 500,000 from age 20 to age 26, and not the millions the NCRD claims.

The claim that the National Security Training Corps can be activated easily is nonsense. It has never been activated. A whole series of actions by the Congress and the Executive would need to be taken, including the provision of necessary appropriations. If Congress did not do its part by further legislation authorizations and provision of funds, it could not be activated. Clearly, it is a fundamental exaggeration to say this provision could be done easily. Further, these trainees would not be members of the armed forces available for deployment and combat.

Question, "What Selective Service legislation, if any, does the Administration propose?" NCRD says: "We do not know" and the President has not announced whether "he" would ask for extension of the induction authority or modify the functions of the Selective Service System although he still proposes to expend $55 million on the System in Fiscal 1974.

Fact: Officials of the Administration speaking to Congress and the public have said that the Administration has no intention of asking for an extension of inductions. They also have said unmistakably what they intend to do with the functions of Selective Service and the $55 million budget request. They intend to carry out the provisions of the law to place the Selective Service System in a standby mode of operations, prepared if the Congress authorizes it, to resume inductions.

Question, "Why should we spend all that money on the Selective Service System if we are depending solely on volunteers?" NCRD says: The only possible argument is for insurance so that "we might participate in a major ground war".

Fact: Nonsense. Insurance is correct, but the participation in a major ground war represents a cockeyed look in the crystal ball that only the NCRD seems capable of doing. The rest of the citizens have no way of knowing when the present large group of draftees are discharged that the requirements for men in uniform will be adequately met by volunteer methods. The insurance has nothing to do with intentions to fight any war. It is a prudent measure in case we cannot meet peacetime requirements, and an absolute necessity if we should become engaged in fighting that the Congress believes cannot be supported by volunteers alone.

Question, "But even in peacetime we could have a shortage of men. Shouldn't we keep Selective Service for that possibility?" NCRD says: The shortage is not likely, claims that many things can be done to get enough volunteers in case the present great expenditures don't accomplish the job and that those things such as length of enlistment periods, salaries, fringe benefits, etc., have been the military tradition for maintaining strengths for 160 years and not conscripts.

Fact: More nonsense. Throughout American history, through the Revolutionary War to the present day, whenever the United States has needed more than a mere skeleton force (on one occasion a force so small that it could not even handle the Whiskey Rebellion of a few farmers) we have had to use conscripts. In fact, the requirement for military service by all able-bodied men is a fundamental tradition of democratic countries. In the past the only way that the United States has been able to totally rely upon volunteer methods has been to have very small active forces, and rely on time, distance and our allies to shield us while we prepared the larger number to put muscles on the skeleton we had maintained.

Question, "What about the insurance argument? Shouldn't we keep Selective Service on standby in case of war?" NCRD says: "No", it would take too long to make draftees effective. A scheme of using regulars and reserves and "early volunteers" would give the time to create a draft system. They further claim that we activated the draft rapidly from scratch in World War I and could do it faster today with "computerized technology". When threatened, we have had ample volunteers at onset of hostilities. They claim since it takes six months to process and train draftees, they have no value in emergencies.

Fact: Again, more nonsense. It is generally true that it takes six months to prepare a soft, untrained man to take his part in a military unit but when you add that six months training time to an optimistic six months time to prepare a new draft system, these people would have the United States stay in a crisis situation requiring drafting for over a year before the first man would be available for deployment. Who could think this is a good scheme?

We did not activiate a draft system very rapidly from scratch during World War I. There had been a number of preparations made for it since the flames of the war in Europe had been visibly getting closer for three years. In any event it was months before the scrawny skeleton of the then volunteer Army had enough muscles on it from draftees that it could be deployed for battle. There were not "ample" early volunteers rushing to overwhelm the recruiting sergeants. With all of the Government's most intensive efforts, the total volunteers in the first weeks were only 30,000 men from the entire United States and in a war which many people now view as a "popular war".

What "computerized technology" would do in the absence of a trained, organized and prepared Selective Service organization to use the computers is left unsaid.

Question, "What if the Nation is not 'clearly' threatened?" NCRD says: We should not have a standby organization because it may be used without a "national consensus".

Fact: Once again, nonsense. The standby draft cannot be used to begin the induction process until the Congress of the United States has affirmatively acted to give the President this authority.

A national consensus? What more do these people want?

Question, "Have we ever had a standby draft before?" NCRD says: "Not exactly". They draw a comparison to the situation in 1947 and 1948 when President Truman refused to ask Congress to reenact the Selective Service Act and in effect did what these people want, repealed the draft act. They then have a long list of charges saying that the Armed Forces with President Eisenhower, then Chief of Staff of the Army, and the apparent connivance of the Secretary of Defense and the Service Secretaries, an apparently blind Congress standing by, "sabotaged" the volunteer concept, plotting to bring on a manpower shortage and the reinstitution of the draft act.

Fact: The NCRD misstates the entire situation and carefully avoids the opportunity to compare a standby draft with a no standby draft situation. They are not telling the truth when they say the Armed Forces sabotaged the volunteer concept by raising mental requirements for enlistment. During a good portion of the time the requirements were lower. They say the Armed Forces limited the number of women and black enlistees. In fact, President Truman himself led the way in increasing the use of both blacks and women in the Armed Forces. They say the Armed Forces replaced civilian personnel with uniform personnel. In fact, Secretary of Defense Louis Johnson went to extreme efforts in what he called the "fat elimination process" in which civilians replaced uniformed people. The sabotage claim is a false charge made up out of the whole cloth.

The effort to avoid a comparison of a standby system with a no standby condition must have been deliberate. The facts as to the standby system were too closely involved in the period they cite to be overlooked. The Selective Service Act lapsed in 1947. For 19 months there were no calls for induction. The System was dismantled to a corporal's guard disposing of the cabinets full of files. When the strength of the forces had declined to a disastrously low level, Congress reenacted the Selective Service Act with the greatest of urgency in reconstructing the machinery. The best that could be done after six months was to induct 20,000 men.

The use of the standby system occurred shortly after the Nation recommenced drafting in 1948. The combination of drafting and draft pressure had so improved the strength posture that beginning in January 1949 no draft calls were issued for sixteen months. The System with its draft machinery intact, registering, classifying and examining, but not inducting young men, was in the "standby" mode attacked by the NCRD. Then the United States was struck by the surprise blow of the Korean War. The standby organization was able to begin drafting within two months and at the end of six months had furnished over 220,000 men.

The contrast is clear. No standby is a serious mistake. Standby is a very low cost method of being sure that the United States can do what it needs to do without taking great risks, or the heavy casualties if war begins when we are in a weak condition. It avoids tempting a rash opponent when he believes we cannot react in time, or with enough strength.

Question, "Why should Congress be interested in repeal of the Selective Service Act?"

NCRD believes: The program is wasteful, they could use the money for other things and Congress should end anything connected with the draft in order to regain its Constitutional power to raise Armies.

Fact: Ordinary prudent men and their families do not call an insurance premium a waste. The wasteful acts are those which would provide no insurance to preserve our way of life and this marvelous country which is ours. It is comparing apples and bananas to compare the money for this purpose with money which could be used for other purposes. Any mature student of the political processes knows to not appropriate money for one program does not appropriate money for some other program. It is normal good business, as well as Congressional practice to have each program stand on its own merits. When you knock off one appropriation, that money does not go elsewhere in the appropriations handled by some other Committee.

Once again, it is a nonsense issue to make a claim that for Congress to maintain a standby draft system whose induction authority depends upon a specific Congressional enactment, is for Congress to lose control of its power to raise Armies. It is in fact a prudent and thoughtful exercise of its power to raise Armies.

Question, "Why should the Defense Department be interested in repeal?"

NCRD urges: If those in the Defense Department do not support the destruction of the Selective Service System, it shows their heart is not in the all volunteer approach proving that the military leaders of today do not rate with those of the 40's, who had to learn their leadership skills in forces manned solely by volunteers in World War II.

Fact: Where were these people in World War II? Twelve million men were drafted—not volunteers. It is a gross insult to claim that our present-day leaders do not rate with those of the 40's. In fact, they were leaders in the 40's. They learned their leadership skills in an Army of Americans—volunteers and draftees alike. The quality of the troops involved then as now had nothing to do with being a draftee or a volunteer. It is also an insult to the quality of the magnificent troops who served our country in World War II, Korea and Vietnam, mostly draftees, or do these people mean that the difficulty of leading volunteers is such that leadership skills thus learned are enhanced? The thought occurs, perhaps they never served at all themselves and have no firsthand experience at all.

Question, "Why should the President be interested in repeal?"

NCRD states: For reasons mentioned above, the President's interest in such repeal stems from a desire to show that he means business about all volunteer forces.

Fact: The President and the Pentagon leaders, making strenuous efforts to achieve an all volunteer force, premised their action to get such a force upon the fact that there would be a standby Selective Service System. This standby mode of operation for the Selective Service System was part and parcel of the Gates Commission recommendation to seek an all volunteer peacetime force. This fact seems to be conveniently forgotten by the NCRD and its adherents.

Question, "Will draft repeal bills be introduced in this session of Congress?"

NCRD says: "Yes".

Fact: Yes, in the first and last responses only does the NCRD give an answer with a reasonable resemblance to accuracy.

A VICTORY OF SORTS

HON. CLAIR W. BURGENER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. BURGENER. Mr. Speaker, the Wall Street Journal carried an editorial on April 17 which I think deserves attention, and I would like to have it printed in the RECORD for all to read:

A VICTORY OF SORTS

We see House Republicans won a key procedural vote in the wage-price control battle yesterday. They back a year's extension of the President's discretionary powers over prices and wages, but a Democratic-controlled committee brought out a bill to roll prices, rents and interest rates but not wages back to the level of January 10.

Frankly, we like the Democratic bill better. Since it amounts to the legislation of mass bankruptcy, the President would have to veto it. Then his wage-price powers would expire at the end of the month and maybe the economy could settle down. (Distortion note: the recent increase in industrial prices "may" have been due partly to business "anticipation" of a new wage-price freeze, a Treasury official says.)

The Democratic leadership, though, decided to "compromise" by rolling prices only back to March 16 instead of January 10. The procedural tilting will keep this proposal from reaching the floor, and this rated a plus for the Republican-backed extension. So far as we can understand it, the theory is that Congress can be depended upon to vote down the utterly preposterous so long as it doesn't have a chance to pass the merely preposterous.

WELFARE SCANDAL—XV

HON. VERNON W. THOMSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. THOMSON of Wisconsin. Mr. Speaker, it seems that no matter how much money we spend to help our less fortunate neighbors, the welfare system does not encourage them to help themselves. Despite billions spent, we find some families are recurring or continuing recipients of public largesse.

The Milwaukee Sentinel recently ran a series of articles by two of its investigative reporters, Miss Gene Cunningham and Mr. Stuart Wilk. They found welfare fraud, mismanagement of the welfare department, and failure of many recipients to use the public moneys provided to improve their condition as intended.

Today I am inserting the 15th segment of the series which explores the squalid living conditions self-imposed on many welfare families.

Congress must come to grips with this problem. On one hand we have continuing and mounting evidence of the failure of the big brother approach. On the other we can see that many homemakers lack even rudimentary knowledge of the mental and physical problems attendant to the conditions they force upon their families. It is a scandalous situation that demands our early attention.

WELFARE POOR HOUSEKEEPER

(By Gene Cunningham and Stuart Wilk)

A welfare check can put food on the table but it can do nothing to keep garbage off the floor and filth out of a house.

A number of welfare families are living in self-made squalor.

Their homes are piled with dirty clothes, garbage, debris and filth—a menace to health and a fire hazard. It is also a violation of city code punishable in court.

One welfare mother learned that earlier this month.

She was fined $100 for failing to keep her home in clean and sanitary condition. The fine was stayed to give her time to haul out the debris and clean house.

The case came to the attention of city building inspectors in January. After an inspection of the home, an inspector reported:

"Mrs. ——— has a housekeeper paid by the welfare department to clean house. The housekeeper just left and the place is filthy.

"There is garbage on the floor in the kitchen, living room and bedrooms. It appears that all that was done was to sweep the garbage to one side to provide walking space . . ."

The inspector notified the welfare department's homemaking section of the conditions he had found and also talked to the woman's caseworker.

"Caseworker says Mrs. ——— has been a continual problem. She does not work and is not ill. Housekeeping neglect not justified. Case being turned over to Child Protective Services."

The inspector later reinspected the home to see if the woman had done the necessary cleaning. He reported:

"Two bags of garbage in kitchen, living room. Garbage scattered over floor and furniture. . . Gerbel or hamster in room. Room reeks of urine and animal feces. . . ."

Later, he attempted further reinspections but was refused admission to the house. The only recourse was to take the woman to court for a violation of the city code requiring that dwelling units be kept in clean and sanitary condition.

PLEADS GUILTY

The woman, a young South Side mother with six children, appeared in court March 2. At first she had pleaded not guilty but then changed her plea to guilty.

"She had an attorney represent her in court. . . When it was over she wrote him a check for his fee," a building inspection official said.

Relatively few welfare mothers end up in court for bad housekeeping.

Building inspectors make every effort to correct the conditions through the welfare department and avoid court proceedings, said Robert Kuells, assistant supervisor of the Enforcement Division of the city building inspection office.

Actually, there's nothing a judge can do to make a woman clean her house, and when she's on welfare she can't very well be fined, Kuells said.

LITTLE DONE

There's also little the welfare department can or does do.

The department provides homemaker services to assist and teach women in housekeeping when they learn of poor housekeeping practices by recipients. But some women refuse such services.

"When I get sent out, I knock on the door and tell them who I am and that I'm from the welfare department. If the woman says she won't let me in, I say 'thank you' and I leave," one homemaking aide said.

Another welfare mother will be in court next month for housekeeping practices, or lack of them.

A building inspector served her with an order to clean house early in February. As of last week, nothing had been done; the house was still littered and dirty.

JOINED OWNER

After being refused entry for reinspection, the inspector finally got back in late last month with the owner of the house accompanying him.

"Found housekeeping very poor. All rooms littered and unclean," the inspector said. "Piles of clothes and scattered clothes everywhere. Garbage overflowing in the kitchen. Piles and ground-in dog dirt throughout unit.

"Floors not swept or washed in weeks. All rooms cluttered with personal belongings. Found it difficult to walk through attic. Piles of clothes, rags, broken furniture, papers and junk. . . . Bad fire hazard," the inspector reported.

He also said that he talked to the woman's caseworker and found that the woman attends the University of Wisconsin—Milwaukee all day.

HELP OFFERED

He said the casework told him that she had referred the woman to the homemaking section for help "but couldn't say if she was getting any help."

A later reinspection of the house showed no change, the inspector reported.

On that occasion, he said, he talked to the woman and she told him that arrangements had been made for her to buy a house under the federal 235 housing program.

She said "she was going to wait till she moved before cleaning," the inspector reported.

One welfare mother living in a ramshackle building on the city's North Side showed a Sentinel reporter through her apartment. "I need more beds," the woman declared.

FEARS SCRUBBING

"And I'm afraid to scrub the floors. It's so cold in here they wouldn't dry and the kids would all get sick," she said.

The filth and stench of the place were overwhelming.

There was a pool of urine on the bathroom floor running into the kitchen. The kitchen floor was littered with garbage and trash. In the kitchen doorway was a pile of fecal matter.

The bedrooms were piled with dirty clothes, rags and junk. The beds were uncovered, dirty mattresses piled with more clothes and rags.

The children—10 of them of assorted ages—were playing or wandering around the apartment in various stages of dress.

RECEIVED GRANTS

The woman already had received grants from the welfare department for 4 beds and, in the next three months, would get grants for 10 more.

Certainly not all bad housekeepers are welfare recipients, nor are all welfare recipients bad housekeepers.

A reporter toured the home of another North Side welfare family that was immaculately clean. Yet the house had been condemned and was scheduled to be demolished.

The furnishings were modest but well cared for. There was no dirt, litter or odor.

CO-OPERATION CITED

When building inspectors report housekeeping violations to the welfare department, the homemaking section co-operates in trying to get them corrected, Kuells said.

A homemaking aide is sent out to help the woman clean and teach her how to clean properly, Kuells said.

Once a house is cleaned and in compliance, then building inspection cancels its orders against the woman tenant and steps out of the picture, he said.

While the welfare department has no program to teach housekeeping as such to welfare mothers living in rented homes, it does send in aides for a "teach and motivate" program when housekeeping violations are discovered.

MANY REQUESTS

The department gets about 200 requests a month for homemaking aides and about 20 of those are requests made under the teach and motivate program, a department official said.

If housekeeping conditions are so bad that they endanger life and health, the case is referred to the protective services section, he said.

How many welfare families may be living in the filth and litter of neglected housekeeping no one knows or would estimate. But such conditions are not uncommon.

There are cities with programs similar to Alcoholics Anonymous, that teach housekeeping, said Alex P. LeGrand, deputy city building inspector.

When housekeeping violators are taken to court, the judge can sentence them to take part in the program, he said. They are taught proper housekeeping practices and, hopefully, they are motivated to carry them out, LeGrand said.

FACT VERSUS FICTION

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. STEIGER of Arizona. Mr. Speaker, recently a consensus plan of the insurance industry was criticized on the floor of the Senate because its no-fault plan "only" fully compensates 98.5 percent of all injured persons. It was alleged that this plan does not take into account the future earnings for the seriously injured and killed. A DOT study—Economic Consequences of Auto Accident Injuries—was cited as the basis for the attack on this plan.

The economic consequences study is replete with warnings about the speculative nature of the projections of future losses, the substantial errors in classifying the various individuals, the arbitrary criteria used for defining serious injury and the candid admission that "the study does not provide reliable estimates of aggregates."

But it was assumed—contrary to the statements of its authors—that this study represented approximately 500,000 fatalities and seriously injured persons.

The fact is that the scope of this study is considerably more narrow than these statements would imply. This is not a study of 500,000 persons, nor even 5,000. These extrapolations are actually based on interviews with only a mere 1,376 accident victims or their survivors. This relatively small sample is subdivided into dozens of smaller categories, so that the number of persons falling into many of these categories are so low as to have little credibility. Yet this study blows up the results obtained from subsamples as small as 13 persons into national proportions, and conclusions are drawn based on such data.

Mr. Speaker, it is most interesting to note that the record of the Senate Commerce Committee hearings on auto insurance reform does contain a thoughtful critique and analysis of the economic consequences study which clearly shows why continued misuse of this study only impairs the progress of needed auto insurance reform.

Most importantly, the mentioned criticism seems to totally ignore the fact that the States are really doing something about auto insurance reform. The fact is that over one-third of the Nation's population—actually more than 34 percent—are now covered by some type of no-fault law.

Some 15 States have already moved in this area—Minnesota, Massachusetts, Delaware, Florida, Oregon, South Dakota, Connecticut, Maryland, Virginia, New Jersey, Michigan, New York, Arkansas, Utah, and Kansas. Thirteen States including my own State have pending no-fault bills which have passed at least one of their legislative houses or are being debated on the floor.

The fact is that State legislators are enacting plans which are geared to the real life problems and expectations of their constituency and not the very questionable assumptions of a very small study.

Mr. Speaker, real progress is being made in this vital area. It is time to recognize this State movement.

Fact, not fiction, is that needed no-fault auto insurance reform is taking place right now at the State level.

Where it belongs—close to those most concerned.

VIOLENCE BREEDING VIOLENCE

HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. KEATING. Mr. Speaker, currently the controversy at Wounded Knee, S. Dak., has captured the attention of the media. Millions of Americans watching the evening news are witnesses to armed Indians on horseback patrolling the village while armed Federal forces surround the site with military equipment.

Tragically, the scene is set in 1973 and it is not staged for the benefit of Hollywood moviegoers.

The guns are real, the Indians in earnest and the weapons deadly.

Only the greatest amount of patience and forbearance has prevented the loss of human life at the scene. An errant shot, a lost temper, or a malicious participant could turn the situation into a human tragedy of immense proportions.

Certainly the American Indian has grievances which are just, and needs and rights which deserve action on the part of the American Government.

A recent opinion poll found a majority of Americans sympathetic to Indians as a group and felt they had not received their share of American opportunities and benefits.

However, it is extremely doubtful whether a majority of these same Americans feel that the use of violence is justifiable in the furtherance of Indian claims.

On the contrary, the principles of American democracy call for the use and exploration of all avenues of change—public opinion, voting, legislation, new leadership, negotiations, education—without turning to or depending upon violence to accomplish specific goals.

Last November, the same group of militant Indians seized control of the Bureau of Indian Affairs Building in Washington, D.C., and destroyed and stole most of the contents of the building during their stay.

The failure to adequately prosecute the leaders and participants on that occasion no doubt encouraged the additional acts of violence subsequently committed by this same group of miliant Indians.

When these Indians discovered they could seize a building in Washington, D.C., cause several million dollars damage and escape without prosecution, they proceeded to create incidents at Custer, S. Dak., and Wounded Knee, S. Dak.

The dispossession of people from their stores and homes is a crime. The use of firearms to threaten or injure others is a crime. And the refusal to disarm and disband at the order of a duly appointed law enforcement official is also a crime.

The perpetrators of these acts should be held responsible and should face prompt and thorough prosecution.

Only when the connection between crime and punishment is made through competent prosecution and swift and fair trials will individuals and groups be dissuaded from lawless acts.

Group crimes which are not spontaneous, such as these organized takeovers of buildings and towns are planned and premeditated by leaders who have only disdain for laws and the rights of others.

When participants are convinced in advance that they will be held accountable for their crimes, no matter how righteous their cause, they will be less likely to destroy property, detain and injure people, and otherwise demonstrate contempt for law and society.

This administration under the leadership of President Nixon has waged an increasingly successful attack on crime. The latest FBI figures show that the growth rate for serious crime has been reduced to 1 percent. This is the lowest rate since 1960.

Since January 1969, Federal assistance for State and local law enforcement has increased from over $100 million to over $1 billion. Some 40,000 law enforcement officers are being trained in the control and prevention of drug abuse. More than 1,200 State and local police officers will graduate from the new FBI Academy and projected Federal assistance next year will grow to $1.2 billion.

Nonetheless, these massive efforts will be negated in large measure if militants throughout the country believe they can engage in lawless acts with impunity.

What we must recognize as reality is the infectious nature of violence and disrespect for law amongst groups who believe that they will not be called upon to pay the penalty for their crimes.

As a cosponsor of speedy trial legislation and a strong believer in competent prosecution, I would urge my colleagues to support legal efforts to effectively deal with lawbreakers as quickly as possible.

Failure to act decisively with the Indians leads to additional militant Indian violence. Prison riots often spark similar riots. And urban violence also has a tendency to become repetitive.

I would encourage my colleagues to condemn violence as a destroyer of liberty, an imprisonment of freedom, and a curse upon a democratic society. Our efforts should be directed at insuring that American justice is speedy and fair and insure that the grievances of different groups be met at civilized levels of human behavior.

REBUILDING SHOULD WAIT

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. ZWACH. Mr. Speaker, in an effort to avoid tax increases, slow inflation, and balance the budget, a wide variety of reductions have been made in Federal spending. Entire programs, such as the Water Bank program, which I introduced, have been eliminated in the name of economy, yet there are proposals for massive aid to North Vietnam.

How many of our Minnesota Sixth Congressional District people feel about this matter is reflected in an excellent editorial written by Editor Scott Schoen in the Redwood Gazette.

With your permission, and for the edification of my colleagues, I insert Scott's editorial in the CONGRESSIONAL RECORD at this point:

REBUILDING SHOULD WAIT

It qualifies as mercenary, but practical, to propose that this country postpone applications for any rebuilding of the cities and the economy of North Vietnam for five years, and make it conditional even then on good behavior.

There are several reasons why this would be an excellent procedure, first of which is this nation's balance of payments, which can only be worsened by pouring money for reconstruction into areas our bombs were so recently destroying.

Another, and these are not necessarily in order of importance, it would give allies of the Hanoi government opportunity, if not incentive, to do what they would be silly to do while we were ready and willing, although not so able financially, to do. Russia and Red China have encouraged the North Vietnamese; let them now give them solid comforts.

With the prospect of U.S. aid based on good behavior, quite possibly the status quo in South Vietnam, in which we have invested heavily in lives, limbs and fortunes, might remain undisturbed long enough to permit something of democracy to survive. The alternative may be our do-gooders giving their all in the north while North Vietnamese undermine and negate what little has been accomplished in the south. Hold off for five years, and if nothing has been gained, at least no more has been invested in what may have been, from the first, folly.

There will be those with guilt complexes to whom the slightest delay in reconstruction, gratus, of what we paid fabulous sums to destroy will be bothersome. Perhaps if it is acceptable, as proposed, to designate that $1 from one's income tax payment shall go to a political party, it may also be possible to assign part of an income tax payment to North Vietnamese reconstruction. It should be inherent in any such plan that the amount of any payment is to be subtracted from whatever federal revenue sharing is due the donor's home community.

The precedent has been set, as we will be reminded frequently, of rebuilding what our bombs destroy; German and Japan being the principal examples. It is time to break that precedent, lest urban renewal programs—of which most nations have need—be commenced the world over by going to war with generous old Uncle Sam.

CHESHIRE, CONNECTICUT—ALL AMERICA CITY

HON. RONALD A. SARASIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. SARASIN. Mr. Speaker, I rise today to address and inform my colleagues of the recent announcement by the Saturday Evening Post in cosponsorship with the National Municipal League, designating Cheshire, Connecticut as a Special Mention All America City.

At a time when we see the problems of the cities greatly increasing, it is indeed encouraging to find that some cities in an attempt to better their situation are recognized for their efforts.

This award is a recognition of Cheshire's outstanding progress through citizen-led programs. The initiatives of the Jaycees to volunteer their time to counsel the juvenile inmates of the Cheshire Reformatory, so that upon release they will be prepared to enter society as responsive citizens is but an example of their accomplishments and as such is indeed worthy of praise.

Today's cities are the product of an industrial revolution that centralized both residential and commercial functions in one place. This award clearly shows that, as Shakespeare said, "the people are the city."

OPPOSES BLUE RIDGE POWER PROJECT

HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. MIZELL. Mr. Speaker, for more than 4 years now, I have been actively involved in an effort to block construction of the controversial Blue Ridge power project proposed to be built on the New River at the North Carolina-Virginia border.

This project has generated considerable opposition, especially among the people who live in the proposed project area. Many of these are my constituents, living in Ashe and Alleghany Counties, N.C.

As some of my colleagues will remember, last year I authored a section of the Federal Water Pollution Control Act amendments designed to restrict the size of the project and the amount of environmental destruction involved.

My amendment provided that no hydroelectric power projects could include water storage for "pollution-dilution" unless the Administrator of the Environmental Protection Agency specifically recommended its inclusion.

This "pollution-dilution" technique, in the Blue Ridge project, would involve the inundation of 40,000 acres of land in North Carolina and Virginia to provide a source of clean water for diluting industrial pollution 250 miles downstream in and around Charleston, W. Va.

EPA 2 weeks ago refused to recommend the use of "pollution-dilution" in the Blue Ridge project, citing the fact that the chemical plants in Charleston had not advanced any argument at all in support of the contention that "pollution-dilution" was needed to augment at-source abatement efforts.

This was one of several major points raised by EPA in its comments on the draft environmental impact statement prepared for this project by the staff of the Federal Power Commission.

I filed my own comments on the environmental impact statement, criticizing the fact that the FPC staff recommended keeping the project at its currently proposed dimensions.

In addition, I am continuing to push my legislation, introduced January 3, to prohibit the construction of the project entirely, and I am hopeful that action will be taken on my bill later in this session.

For the benefit of my colleagues, I now insert in the RECORD the text of a news release I distributed on April 10, 1973, outlining my comments on the EPC staff's draft environmental impact statement on Blue Ridge:

WASHINGTON, D.C.—U.S. Representative Wilmer (Vinegar Bend) Mizell (R.-N.C.) Monday took strong exception to a Federal Power Commission staff recommendation that the Blue Ridge power project be built at its currently-proposed dimensions, and he called for extensive revision of the staff's draft environmental impact statement on the project.

Mizell, a staunch opponent of the Blue Ridge project since 1969, filed his comments on the environmental statement with the FPC today, calling the report "little more than a compilation of spurious arguments and inadequate research."

The environmental statement, ordered by the FPC last November and submitted in January, recommended building the Blue Ridge project at essentially the same specifications as those called for with the inclusion of water storage for "pollution-dilution," but said the water storage should be used instead for power generation, flood control and recreational purposes.

Mizell, who authored a section of the Federal Water Pollution Control Act Amendments of 1972 prohibiting the use of "pollution-dilution" unless it was specifically recommended by the Environmental Protection Agency, called the staff recommendation "a poorly substantiated attempt to circumvent (the law) rather than deal with its intended purpose."

He said it was his intent "as the author of this amendment to see the Blue Ridge project reduced to its original, pre-pollution-dilution specifications."

"Changing the basis for this environmental destruction from 'pollution-dilution' to 'power crisis' does not lessen or eliminate the environmental destruction itself," Mizell said, "and the amount of environmental destruction proposed in the Blue Ridge project is massive and terrible indeed."

The project calls for flooding 40,000 acres in Ashe and Alleghany counties in North Carolina and Grayson County, Virginia, displacing hundreds of residents, and leaving the scenic area blighted by mudflats much of the year.

Mizell said "staff's recitation of the need for power and power sources is not contested, but it is also hardly relevant to this proceeding, certainly not to the extent that it would require a doubling of the size and expense of the Blue Ridge project from what was originally envisioned and proposed."

He said the Appalachian Power Company, which applied for a license to construct the project in 1965, anticipated and projected "to the most accurate degree possible the power needs of the nation and the company's role in helping to meet those needs over a period of the next fifty years and more." (The project license, if granted, would be in effect for fifty years.)

He said the decade-long delay in ruling on the license application bears no significance on those projections, and staff's contention that the delay affects those projections so profoundly as to double the size of this project is ludicrous in the extreme.

Mizell said that the FPC,, "while responsible for insuring an adequate supply of energy for the U.S.," is also bound by the Federal Power Act to do so "with the greatest possible economy and with regard to the proper utilization for conservation of natural resources."

He said the reasons advanced for building the larger project "are weaker now than ever before," since pollution-dilution, the original goal of the larger project, was assumed by the Staff to be impermissible in the case of Blue Ridge.

Mizell recommended that the FPC "order a comprehensive revision of this draft, with sufficient time to make the project of value."

He said the revision should include a more detailed analysis of national power needs as they relate to Blue Ridge, an appraisal of such adverse environmental effects as housing displacement; a report on popular opinion among project area residents; and a reevaluation of the original, smaller project proposal as an alternative to the modified project and in light of the Mizell amendment.

REPORT FROM THE HONORABLE EDWIN D. ESHLEMAN

HON. EDWIN D. ESHLEMAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. ESHLEMAN. Mr. Speaker, I will be sending my constituents a newsletter. I am including the contents of that newsletter in the RECORD at this point:

REPORT FROM YOUR CONGRESSMAN,
ED ESHLEMAN

WOUNDED KNEE

There are many of us who are sympathetic with the plight of the American Indian, and who want to see changes in Government policies toward the Indian, but who do not support the kind of terrorism and blackmail that have been so much a part of the present day occupation of Wounded Knee.

Of course, the Wounded Knee area was picked by the militants for its publicity value. There are emotional ties to the "Massacre" that occurred there in 1890. But as with so many of the falsehoods that have highlighted the situation in South Dakota, even the reason for picking the site seems to be based on myth rather than reality.

In his book, "Crimsoned Prairie," historian S. L. A. Marshall gives a factual account of what happened at Wounded Knee in 1890. It seems 340 Indians surrendered to the 7th Cavalry on December 28. Next morning, the Indians still had not given up their arms. A detachment of cavalry was sent in to search for weapons. One Sioux, Black Fox, took a rifle from under his blanket and began firing. Others followed his lead.

"There is no doubt," writes Marshall, "Who started that day's fight, though it is often called a massacre. . . . Deliberate Sioux action, so timed as to indicate that it had been well plotted, initiated the slaughter."

When the shooting stopped, half the Indians were dead. But 31 soldiers also had been killed. It is this cavalry loss which is, according to Marshall, "Too commonly disregarded or treated as insignificant by Americans bent on making Wounded Knee something it definitely was not."

REMEMBER AND REFORM

As we think toward our bicentennial year of 1976, there is a good case to be made for having returned as much power as possible to local hands by that time. The case is presented as an indictment against George III in the Declaration of Independence. It states, "He has erected a multitude of new offices and sent hither swarms of officers to harass our people and eat out their substance."

WINDS OF CHANGE

Congress is not known for its willingness to revise its rules or reform its way of doing things. But despite that reputation, there are signs that the winds of change are blowing on Capitol Hill. Some of the practices that have long disturbed people about the legislative process are on their way out or have already been eliminated.

Seniority is no longer an automatic assurance of legislative leadership. Committee chairmen are subject to being voted out by their colleagues.

Committee meetings are now open unless the members of the committee take specific action to close a particular session to the public.

The old practice of hiding real legislative decision-making by using the unrecorded teller vote is dead. Teller votes have been made record votes for which the Congressman is then answerable.

VETERANS VISIT

The picture at the right shows Representatives of the Veterans of Foreign Wars who dropped by my Washington office to talk about legislative issues. The veterans are one of many groups that have discussed legislation with me in recent weeks.

One of the special concerns of the VFW was the amnesty issue. It occurs to me that here is an area where there is no apparent generation gap. By overwhelming numbers the young people I've been talking to and hearing from oppose, as the veterans oppose, unconditional amnesty for draft dodgers and deserters.

THEN THEY SAID

In case you thought that Jane Fonda, Father Berrigan and the Washington Post were the ultimate spokesmen for truth about Vietnam, you might be interested in what they had to say about our POWs who took another viewpoint and even sounded patriotic.

Jane Fonda, who had told us to expect the POWs to come off the planes shouting anti-American slogans and condemning the President, revised her story and reminded us that these men were more like murderers than heroes.

Father Berrigan forthrightly described the POWs as "war criminals."

A Washington Post writer tipped us off to the fact that the POW episode was just another Pentagon plot.

Before they're through they may convince us that fiction is stranger than truth.

AL QUIE

The guest editorial in this newsletter was written by Congressman Albert H. Quie of Minnesota's First District. Al Quie is the ranking minority member of the Education and Labor Committee on which I serve, and his views on reforming Federal financing of education are receiving a great deal of attention in the 93rd Congress.

GUEST EDITORIAL

The House Education and Labor Committee is now working on revisions of the Elementary and Secondary Education Act.

Right now that act is pouring $1.6 billion into school districts with heavy concentrations of youngsters from low-income families. "Economically disadvantaged" students are counted—but not the educationally disadvantaged.

To decide how much money each school district receives, the Office of Education still is using 1960 census figures of low-income population. Those figures were six years old when the act went into effect. Now they are nearly 14 years old. The children originally counted now are launching their own families.

Even if we went to 1970 census figures next year, the income information would be four years obsolete.

Aid goes on the basis of families with annual income under $2,000. Today there are 47 percent fewer families at that income level in the Nation. The number in Minnesota, for example, has declined 59 percent. In Pennsylvania the drop is 42 percent. A few States actually have gained low-income population.

A 1970 study by Dr. Gene Glass of the Laboratory of Educational Research, University of Colorado, showed 68 percent of fourth grade children from families below $2,000 in annual income had severe reading difficulties.

Significantly enough, 34.8 percent of the students from families with incomes between $4,400 and $8,000 were equally handicapped. More than 27 percent of those in the $8,000 to $12,000 income bracket had similar reading difficulties.

To put it another way, the Glass study indicates that less than one-quarter of all students with educational deficiencies in reading come from the below $2,000 family income group on which ESEA Title I aid is primarily based.

Why not distribute funds on the basis of actual educational need? After all, that is the condition we are attempting to treat.

I have introduced legislation as a substitute for this outmoded system. Through testing of reading and mathematics skills of a nationally drawn sample of students, it would be possible to establish each state's relative ranking and each school's entitlement.

Each school would have the responsibility of establishing realistic performance goals for its students. Parents would be heavily involved and this would make schools more accountable for performance.

Through use of such a goals-oriented system, I believe we could establish objectives for strengthening basic education that would be as valid in Alaska as in Florida.

It would bring more individualized instruction with new challenges—and new satisfactions—for teacher, parent and child.

BUDGET BREAKDOWN

With all the talk today about the Federal budget, you might be interested in the chart at the right [not printed in RECORD] which generally explains where the money comes from and where it goes.

Of course, the figures are based upon the Nixon administration's proposed budget, which is subject to change by the Congress. We are in the process of determining priorities that may or may not end up being the same as those outlined by the President.

NEW ASSIGNMENTS

The way things are going, Henry Kissinger's next journey may be to Capitol Hill to arrange a ceasefire with Congress.

GOOD IDEA

The Ephrata area senior high school sent me a form to fill out which registered me as a part of their community resource file. This file provides names of local people who can be used in the classroom as experts on various subjects. They also say that resource contributions might include supplying materials or displays as learning experiences.

I was happy to volunteer to participate in the program as someone versed in government, based, of course, on the limitations of my congressional schedule. If I can't make it, I indicated that one of my assistants could be made available.

The whole idea impresses me because it starts with finding out who is willing to share their experiences with students and can result in the presentation of valuable personal insight in nearly every field of study.

ARMENIAN-AMERICANS TO DONATE BLOOD IN THANKS FOR U.S. ASSISTANCE

HON. GEORGE E. DANIELSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. DANIELSON. Mr. Speaker, I am pleased to call to the attention of the House that Americans of Armenian heritage will pledge and donate blood to the American Red Cross during the week of April 24 as an expression of their appreciation for the relief assistance this country gave to Armenia in the 1800's and early 1900's.

During the week of April 24 every year, Armenians commemorate the time when hundreds of thousands of Armenians were massacred, and Americans of Armenian descent donate their blood to repay the American people for their outpouring of assistance to Armenia long ago. As one member of the Armenian National Committee put it, "If blood is to be spilled, it should be for a good cause." Indeed, this is one of the best causes imaginable, because this selfless gesture by Armenian-Americans will help others live.

This nationwide appeal to the 400,000 Americans of Armenian descent is being coordinated through the American Red Cross by the Armenian Youth Federation, the Armenian Relief Society, the Armenian Apostolic Church, the Armenian Revolutionary Federation, the Armenian Cultural Associations of America, the Hairnik Association, Armenian newspapers in this country, and by many other national and local Armenian groups.

American aid to Armenians goes back to 1896 when Clara Barton, founder of the American Red Cross, led a relief expedition to the Near East to aid the victims of starvation. This assistance continued into the early decades of this century as massive relief programs for the Armenians were organized by many groups and organizations in this country. Cooperative relief efforts were conducted by the American Red Cross and the Armenian Relief Society beginning in 1916, and in 1919 Congress established the Near East Relief organization, which distributed vast amounts of aid in that part of the world.

During those years, orphanages were operated to care for the children left without families, ten villages were built to house refugees, vocational training programs were developed to enable people to learn skills such as weaving or embroidery, and feeding stations were established to ward off starvation.

Today, the Armenian Relief Society continues to aid people both in the United States and abroad through educational efforts, operation of orphanages and summer camps, provision of welfare assistance to families of Armenian descent and by continuing to acquaint young people with the history of their ancestors.

I am sure that I can speak for all the people of our Nation in expressing my deep appreciation to the Americans of Armenian descent who organized this effort, and who will be donating their blood during the week of April 24.

REPRESENTATIVE LENT COMMEMORATES THE COURAGE OF THE WARSAW GHETTO JEWS

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. LENT. Mr. Speaker, because April 29 marks the 30th anniversary of the Warsaw ghetto uprising, I would like to take this opportunity to mark that occasion and salute once again those brave people who gave their lives for the principles of freedom and as defenders of the Jewish faith.

The ruthless victories of the German armies in the early years of World War II resulted in the corraling of much of European Jewry under the inhumane Nazis and their sympathizers. From the Atlantic to the Volga and from Norway to Sicily, Jews were robbed of all human rights—their property was confiscated and most of them were herded into ghettos and concentration camps marked for future inhuman deportation to Poland. Adolf Hitler's scheme made Poland the site for what he described as his "final solution to the Jewish problem."

But in 1941, Hitler became impatient with previous methods of Jewish extermination which included mass shootings, systematic starvation, and disease. He deemed them too slow to suit his brutal fancy, and ordered the German Government to embark on a new plan of genocide, and those whose will to resist had been sapped by prolonged starvation and disease were often unaware of their impending fate until the last moment.

It is not difficult to understand why, under these circumstances, very few Jewish communities across Europe rose against this merciless aggression and why most of them turned to flight and hiding as the only means to escape the Nazi horror.

But neither is it difficult to comprehend the human spirit which ultimately dictated that these brave people stand and fight, even in the face of overwhelming odds and in the face of certain death. So it was at Warsaw in the spring of 1943.

At one time, prior to the German invasion of Poland, the Warsaw ghetto clutched a half a million people, but the murders had taken their toll and by April 1943, only 40,000 were left—a small pitiful unarmed camp, hardly capable of mounting any resistance

But then came the deadly deportation order, directing all Jews to assemble, surely in preparation for the final journey to probably extinction. It was then that the people of the Warsaw ghetto rose in fury against their tormentors—to wage a war for their survival knowing full well any chance of victory was minute. But looking back, who, I ask, could have followed any other course?

The Germans tried to quell these brave

people, first with clubs and small arms only to be beaten back. Then came the storm troops with large guns and flamethrowers, yet the Warsaw Jews continued to fight on with a passion that astonished everyone. The Nazis even went so far as to promise future good treatment, but the password of the Warsaw ghetto was "no surrender"—and on that promise, the Jews of Warsaw perished, almost to the man.

Thirty years later, we have all learned the lessons of World War II—we have learned that diplomacy is far preferable to armed conflict. But we have also learned that in the face of certain madness, there is no substitute for unselfish heroism as a lesson to the madmen of the future.

So today, let us not forget the heroes of the Warsaw ghetto, who, without a sliver of a chance for survival, beat off the Nazi murderers for nearly a month and in so doing supplied the cornerstone for the construction of the Jewish state of Israel. And let us not forget either that the password of the Warsaw ghetto—"no surrender"— lives on today in Israel and we can join in collective hope that it will never die.

REPORTER/TAXPAYER GLAD TO BE OUT OF VIETNAM

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, Bob McCarthy, writing in a recent issue of the Penn Hills Progress, notes with great substantiation that most Americans feel no great surge of emotion over our getting out of Vietnam.

This attitude reflects the general relief that we have finally unleashed this albatross from our necks and possibly we can now get back to the many domestic problems facing us.

I find myself in solid agreement with Mr. McCarthy's sentiments and would like to introduce his article in the RECORD at this time for the information of my colleagues:

RELIEF INSTEAD OF GRATITUDE OVER TRUCE

(By Bob McCarthy)

According to a recent wire service news report, President Nixon is disappointed that instead of an outward pouring of gratitude over the negotiated truce in Vietnam the American people are demonstrating only a great sense of relief.

He is correct in his reading of the American reaction. But why this should disturb him is beyond us.

Surely, despite his insistence that there be a peace with honor and now his claim that at last this has been achieved, as President he knows a great many Americans don't care what kind of peace it is as long as we can get our troops and prisoners of war out of the place.

The name of the game ever since the late Lyndon Johnson rode the Vietnam War right out of office has been to get out. Whether or not this truce holds up, and there's abundant evidence right now to suggest otherwise, America's overriding concern is that it must last long enough for the United States to make an orderly exit.

Even that may be hoping for too much. According to Newsweek Magazine, in the first few days of the so called truce the South Vietnamese forces have suffered 1,113 killed, 5,155 wounded and 900 missing. The report also estimates 6,487 North Vietnamese and Viet Cong deaths over the same period.

That's some truce.

In view of Southeast Asia's lousy track record on living up to past truce agreements, and the latest evidence that nothing has changed, the President should fully understand why Americans don't expect this "honorable peace" to last very long. They recognize the latest Paris agreement for what it really is . . . a cease fire to allow the United States time to get out before the fighting resumes. Nothing more.

Even if the truce should last longer than it now looks, there isn't much chance we'll accept this as "peace with honor." A great many of the President's countrymen find it hard to attach any honor to our involvement in this Vietnam mess. Their relief is over the opportunity to get untracked and wash our hands of the whole thing.

President Nixon is finding out for himself that there is precious little enthusiasm for maintaining an American presence there. Congress, above all, seems awfully stubborn about making a substantial withdrawal from the area. That's all a part of the relief over our exit and the determination that we won't get sucked in again.

Whatever the President's intentions, many of us view the request that we now help rebuild North Vietnam as part of a scheme to keep the North Vietnamese off the back of Thieu's regime down south by pouring dollars into rebuilding the north. We like the reaction of Senator Barry Goldwater. Let the Russians and Chinese who kept oiling the North Vietnamese war machinery pick up the tab for that.

Personally, this writer, speaking as a taxpayer, doesn't feel a dime's worth of obligation to either North or South Vietnam. We paid our price for this stupid war. In fact we overpaid it . . . in blood, money and machinery, and now we don't owe anyone (except the courageous Americans who fought there) a red cent.

So let's get out, either under a flag of truce, peace with honor, or whatever people want to call it. The important thing is to get our American boys back from harm's way so that when the fighting resumes in Vietnam as it inevitably will our guys aren't in the line of fire.

The next important thing is to stay out of there . . . permanently.

President Nixon should be content that history will give him high marks for achieving an end to this American folly in Southeast Asia. It will not ponder long over whether or not the terms of the settlement were honorable. For there is so precious little of that involved in the first place, it won't rate much of an historian's attention.

WOOL INCENTIVE PROGRAM TO COST NOTHING THIS YEAR

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. FISHER. Mr. Speaker, with wool and mohair prices holding up well thus far this year, it now appears likely there will be no payment to growers required for 1972.

The cost of the incentive program was rather high in 1971 when the average price of wool dropped to 19 cents per pound, the lowest in 33 years. But the average was 35 cents last year, and 1973 sales will probably be above the incentive level as established by the Secretary of Agriculture.

In order to provide a perspective of the way the program operates, and its objectives, I include a copy of a weekly newsletter on that subject:

WOOL INCENTIVE PROGRAM TO COST NOTHING THIS YEAR

Should there be a viable wool and mohair industry in this country? That is a recurring question which in 1954 was reflected in the National Wool Act whereby it became a national policy to seek an annual production level of 300 million pounds. Availability of raw wool had been declared an essential for national defense, since in time of war only domestically produced wool could be counted to meet our minimum requirements.

Due to low-cost foreign competition, domestic wool producers were in plenty of trouble in the early 1950's. A Tariff Commission study at that time found our domestic production costs to be about 10¢ below what low-cost competitors could produce and deliver it, including tariff, to our markets, and recommended addition of a 10-cent per pound import fee.

Instead, President Eisenhower proposed what became the Wool Incentive Act, whereby the Secretary of Agriculture would annually establish an incentive price level designed to encourage increased production of up to 300-million pounds, which since 1954 has been from 62 to 72 cents on wool.

The Wool Act provided for an annual incentive payment to growers of the percentage difference between the average annual domestic price and the incentive level.

In 1971 our wool and mohair prices were the lowest in 33 years, and the incentives, to approach the incentive level, were high. Wool prices that year averaged only 19¢; in 1972 it was 35¢, and this year (1973) no incentive payments are expected because of good market prices for both wool and mohair.

It should be pointed out that no incentive payments whatever can be made from U.S. appropriated funds. Such payments, if any, come exclusively from import tariffs imposed on imported competitive products. Thus, technically at least, Australian and New Zealand growers pick up the tab for most of the cost of financing our incentive program and payments made to individual U.S. growers.

The law prohibits more than 70 percent of the tariff generated revenue from ever being used to finance the incentive program. It is usually much less.

ROGERT W. MERGNER RECEIVES RED CROSS AWARD

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. WOLFF. Mr. Speaker, I would like to take this opportunity to bring to the attention of my colleagues a noteworthy act of mercy undertaken by one of my constituents, Mr. Robert W. Mergner, 46–20 159th Street, Flushing, N.Y., who has been named to receive the Red Cross Certificate of Merit. This is the highest award given by the American Red Cross to a person who saves a life by using skills learned in a Red Cross first aid, small craft, or water safety course. The certificate bears the signatures of the President of the United States, Honorary Chairman, and E. Roland Harriman, Chairman of the American National Red Cross. Presentation will be made by the American Red Cross in greater New York chapter, New York.

On August 21, 1972, Mr. Mergner, who has been trained in Red Cross first aid, was at home when he heard a neighbor screaming. Her 2-year-old son had fallen into the family swimming pool and had apparently drowned. When the child's mother removed him from the pool he was unconscious and not breathing. Mr. Mergner immediately began mouth-to-mouth resuscitation which he continued while the boy was transported to a hospital. The child survived. There is no doubt that Mr. Mergner's first aid knowledge and skill saved a life.

This action exemplifies the highest ideal of the concern of one human being for another who is in distress.

DRINAN OPPOSES NIXON MEDICARE AND MEDICAID CUTS

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. DRINAN. Mr. Speaker, on Monday, March 26, 1973, Senator MONDALE introduced with 50 cosponsors a resolution expressing the sense of the Congress that the Nixon administration should not be allowed to cut the medicare and medicaid allocations and otherwise reduce the benefits and increase the cost of these health services for millions of older Americans. I commend Senator MONDALE for taking the lead in insuring that the Federal Government lives up to its promise of providing quality health care to all older Americans at a reasonable cost.

Congress passed the medicare bill in 1965 to assure quality health care for the millions of older Americans who depend primarily on social security benefits for their retirement income. The assumption was that the Federal Government should underwrite a health insurance program which would cover the majority of acute health care needs of older Americans, while not establishing a free medical care program. The President now seeks to substantially change this health insurance plan. He proposes to increase the charge to patents for the first day of hospitalization from $72 to a full hospital charge: the patient would be required to pay 10 percent of actual hospital costs between the 1st and 61st days—now free under medicare. Those covered under part B of medicare would have to pay the first $85 of bills for physicians' service—instead of the first $60, and 25 percent of everything above that—instead of 20 percent. "Low priority" medicaid services would be eliminated—including dental care for adults.

The President seems to have forgotten that millions of Americans have paid the added payroll tax resulting from the medicare program in good faith, expecting to receive benefits at the present level in case of serious illness. Disheartening as these proposed changes must be for those who are now paying for medicare with every paycheck, these changes strike hardest at those now retired who depend on medicare for protection against the financial ruin of hospitalization and other major medical expenses. These elderly Americans have no choice but to continue to pay the same premium, but receive less insurance coverage, and worse still, face the possibility of substantially higher medical costs to themselves if they become ill.

Since 1965, the first year in which medicare benefits were paid, hospital daily service charges have increased by 104 percent, and the inflation in health care costs shows no signs of slowing down. At the same time, the average income of elderly Americans has increased by an appreciably smaller amount. The result is that now, more than ever, millions of our Nation's elderly would be unable to meet major medical expenses without continuing Government help. But if the President's proposals become law, then our senior citizens eligible for medicare will be forced to pay for the cost increases in medical care over the present level—a burden they can ill afford. Worse, the President's proposals would virtually nullify the effect of the 20-percent increase in social security benefits passed by Congress just last year. In fact, with the added financial burden the President's proposals would cause, many elderly Americans will be worse off than before.

For the sake of a relatively minor reduction in Federal expenditures, the administration proposals will significantly increase the cost of medical care for millions of older Americans. Retired people living on fixed incomes, already hard hit by inflation, will see their coinsurance payments markedly increased without any protection against further inflation of health care costs. I believe the President's proposals to be unnecessary and of great potential harm. They must not go into effect.

Because of the great concern expressed to me as to the most unfortunate—and unwarranted—potential effects of the administration proposals, today I am introducing in the House of Representatives a measure similar to that of Senator MONDALE, which would express the sense of Congress in opposition to these proposed changes in medicare. The text of the resolution is as follows:

H. CON. RES. 204

Concurrent resolution expressing the opposition of the Congress to certain measures for the curtailment of benefits under the Medicare and Medicaid programs

Whereas, the cost of health care has accelerated at a rate faster than the rate of increase in the income of recipients of Medicare and Medicaid benefits; and

Whereas, the purpose of Medicare and Medicaid is to provide medical care for older Americans at a price they can afford; and

Whereas, any economies resulting from the proposed budget changes would not be reflected in a reduction in either the payroll tax or the monthly premium which finances these services; and

Whereas, in the Administration's proposed budget for the fiscal year ending June 30, 1975, the amount allocated for the Medicare and Medicaid programs for such year is predicated upon the enactment of certain amendments to titles XVIII and XIX of the Social Security Act which amendments will be unduly burdensome on the elderly—those least able to pay: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that no amendments should be made to titles XVIII and XIX of the Social Security Act which would have the effect of—

(1) increasing the amount of the deductible, which is applicable (under part A of such title XVIII) with respect to the first day of inpatient hospital services received by a patient, to an amount equal to the average per diem cost of inpatient hospital services;

(2) imposing a coinsurance amount with respect to inpatient hospital services (under part A of such title XVIII) received after the first day a patient receives such services and prior to the 61st day he receives such services, equal to 10 per centum of the actual costs imposed for such services;

(3) reducing coverage for physicians' services (under part B of such title XVIII) by increasing the deductible applicable thereto from $60 to $85, and by increasing the patient's share of such costs, above the deductible, from 20 per centum to 25 per centum; or

(4) eliminating (under such title XIX) Federal financial participation with respect to costs, incurred under a State plan approved under such title, attributable to the provision of certain low-priority services (including dental care) to adults.

THE "RIGHT" TO CHEAP FOOD

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. ZWACH. Mr. Speaker, high food prices are on nearly everyone's minds, but the sad part of it is, all too few people have a real understanding of our food prices in relation to the balance of our general economy.

One of the most lucid articles I have read on this subject is by Earl W. McMunn in the Ohio Farmer.

Because of the good sense contained in this article, I insert it in the CONGRESSIONAL RECORD and highly recommend its reading to all of those concerned with food prices.

The article follows:

THE "RIGHT" TO CHEAP FOOD

Ours is a great food production system. Perhaps it is too good. It has lulled most Americans into believing that food production is almost automatic. That their incomes should rise, but that the price of farm products should not. And, that they should pay the grocery bills with an ever-decreasing share of their take-home pay.

This is the way it was for a good many years. Consumers got used to the idea. Twenty years ago the average consumer spent 25 percent of his take-home pay for food. By 1972 the percentage was down to about 16.

But, late in the year food prices did start to rise. Most conspicuous were increases in the price of beef. That is when farm product prices came under attack and the clamor has increased in volume. And few there are who know or care that food is still a bargain. Not many have the facts, and not many care. They wanted a culprit and were willing to heap the blame on farmers.

It's true that higher farm prices have been responsible for some of the food price increase of recent months. But, unless there's a better understanding about basic economics, consumers are in for a real jolt during the years ahead.

We could keep food prices from rising. It is not likely we will do so. It is a sure bet we will never keep retail prices from rising by clamping ceilings on prices of farm products.

The basic reason is obvious. Farmers get just about a third of each food dollar. The other two-thirds is the cost of getting food from the farm into the hands of consumers. And labor gets half of that total. Farm product prices move up and down in response to supply and demand. Labor rates move in one direction. That direction is upward. If farm product prices never again advanced by a single dollar, food prices would continue to rise!

Or, at today's levels, food prices could be cut back by only a third, even if all farm products were given away absolutely free! This is why we'll have to attack the other end of the problem if there is any real hope of stabilizing food prices. We need to look where most of the cost is added and this isn't on the farm.

The real truth is that almost everyone who deplores higher food prices had something to do with bringing them about. But few are willing to accept their share of the blame. It is more comfortable to point the finger at someone else. And, some of the biggest culprits are now shouting the loudest as they direct their attack away from themselves.

Who is really causing higher food prices? Look around and you will find them whereever you turn. They include labor leaders who use their monopoly powers to force wage increases in excess of gains in productivity. They include members of Congress who have voted for deficit spending with the inflation it creates. The culprits also include voters who make demands which lead to such irresponsible action.

The list doesn't stop here. It includes consumers who believe they should be provided with a never-ending supply of "free" maid services. And high on the list are consumer activists who make ill-informed demands for changes in farm management and technology under the guise of environmental improvement.

We know that deficit government spending is a major cause of inflation. That lawmakers are making our dollars less valuable when they spend more than they collect in taxes. This is the condition we have created in our federal government. And yet, some of the most irresponsible spenders in Congress now voice the greatest concern about rising food prices.

The truth is that off-farm incomes have kept ahead of farm income for most of the period since World War II. This is why we have had a cost-price squeeze in farming. We survived largely because of marvelous gains in farm productive efficiency. Average gains in productivity were well ahead of those for industry in general.

This was accomplished by use of new technology which depended upon a wide range of commercial inputs. They included greater use of fertilizer to improve crop yields, feed additives to improve livestock gains, pesticides to reduce insect damage, herbicides to combat weeds and a host of others. These products were not used because the farmer liked the stuff. All gained acceptance because they reduced production costs. And consumers reaped the benefits in lower food prices.

Now, most of these products are under attack by some group or other. A few have already been banned. Others are likely to follow. Much of the attack has been highly emotional and irresponsible in nature. Scientific evidence has been largely ignored. Overlooked is the fact that every product used in agriculture undergoes a vast amount of scientific testing before it is allowed on the market. And, that these products used as directed result in a food product which is safe and of high quality.

Some of the agitation is successful because of a federal law which says a food product is unsafe when it contains any detectable amount of certain substances. Modern laboratory techniques permit detection of amounts of less than half a part per trillion. Thus, there is an excuse for the legal ban even though there is no proof that the product would ever be harmful to anyone.

People leading the attacks on farm chemicals, growth stimulators and all the others claim they are motivated by concern for the welfare of people. What they don't understand, or fail to admit, is that they are helping drive food prices upward. They will reduce supplies. In many cases, quality also will be impaired. A head of wormy cabbage, for instance, isn't the most wholesome or appetizing!

One material, DES, was widely used as a feed additive in cattle rations. It increased feeding efficiency by as much as 10 percent. Yet, because traces were found in a few cattle livers, it was banned as a feed additive. Most lawmakers who favor bans on this and similar products probably see no connection with food prices. But the connection is there and it is becoming more apparent.

Weeds are a major reason for reduced crop yields, as every farmer knows. They may well cut production by 20 or 25 percent, often by more. Modern herbicides are the best and cheapest method of keeping them under control. Still, a lot of people don't see the connection between herbicides and food prices.

There have even been some who would ban or severely limit the use of chemical fertilizer. They don't understand that without fertilizer we could soon reduce crop production in this country by as much as a half.

Higher food prices are not the cause of inflation. They are a logical result. Deficit government spending creates inflation and will continue to do so until it is brought under control. Lawmakers who press for higher spending while crying about food prices are about as sensible as a man who would drive a car with the throttle pushed to the floorboard and the brake set!

Farmers and laborers each get about equal amounts out of each food dollar. But labor has been granted monopoly powers to force wages in one direction. That direction is upward. Farm product prices move up and down in response to changes in supply and the wishes of consumers. Irresponsible demands of environmentalists will continue to increase production costs and in some cases discourage production.

Until lawmakers and other decision makers understand these facts there is little reason for a reduction in food costs. There are many reasons why they should go higher.

Many consumers appear to believe they have a "right" to a plentiful food supply and at an ever-decreasing share of their take-home pay. This is not a right. It is a gift delivered by the bounty of our system of farming. It could be taken away by a succession of unwise decisions. The sooner a lot of people understand this fact the better we all will fare.

PUBLIC POLICY ON ABORTION: AN AFFIRMATIVE RESPONSE BY THE HEALTH SYSTEM TO THE SUPREME COURT DECISION

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. FRASER. Mr. Speaker, a few weeks ago, a distinguished physician and public health leader in the United States, Dr. John H. Knowles, now president of the Rockefeller Foundation, delivered an excellent paper on the Supreme Court's decision on abortions.

Dr. Knowles said that without immediate and systematic intervention by government and the health system, "low-income women, members of minority groups, and youth in general, who presently have little contact with the health system, will have greater difficulty securing abortions than higher income women. Inner-city, and even more so, the rural poor, may find themselves without services for years to come."

"A wise public policy," according to Dr. Knowles:

> In a pluralistic society on a sensitive matter such as abortion should seek to maximize free choice and avoid any situation in which individuals or institutions are compelled to act against their deeply felt beliefs. . . . In some areas of the country, the principal—sometimes the only—hospitals and health institutions have religious affiliations which forbid abortion as a matter of conscience. A wise public policy would seek to avoid direct confrontations between the two values in tension in these communities—the beliefs of the institutions versus the Constitutional rights of the consumer to the services she needs and wants. A wise public policy would accomplish this . . . by insuring that alternative service facilities and referral services are available and accessible in such communities so as to preclude the need for divisive and tragic confrontations.

Dr. Knowles urges:

> Government and . . . the health system to respond affirmatively . . . to insure that individuals are able to gain access to abortions performed under the safest, most dignified and humane conditions.

The complete text of Dr. Knowles' speech follows:

PUBLIC POLICY ON ABORTION: AN AFFIRMATIVE RESPONSE BY THE HEALTH SYSTEM TO THE SUPREME COURT DECISION

(By John H. Knowles, M.D.)

Abortion is and will continue to be an emotionally charged issue. It is an intellectually charged issue, too, and the moral and ethical considerations surrounding abortion have yet to be adequately aired. One need not either oppose or advocate abortion, however, to recognize that the U.S. Supreme Court has placed an immense responsibility on the U.S. health system and on national health policy. The Court has recognized as part of a woman's Constitutional right to privacy, her qualified right to have an unwanted pregnancy terminated by a doctor. This right, the Court rules, is subject to further state regulation during the second trimester of pregnancy only on grounds reasonably related to the pregnant woman's health and safety, and may be prohibited during the third trimester only if such prohibition poses no threat to the pregnant woman's life or health. The public interest in this distinctly private matter, the Court held, lies in insuring for women who utilize abortion the maximum degree of safety that current knowledge and technology will permit. A public policy consistent with the law, therefore, would seek to guarantee the legal, regulatory and institutional conditions necessary to promote that public interest. Legislators and public officials cannot by themselves, however, determine the requirements for ensuring medical safety in abortion services, nor can they implement them. They must depend on the judgments of health professionals and organizations in meeting those requirements. We—all of us—have a unique opportunity to develop an important component of health policy and planning in a manner responsive to the law and to public interest. In coming to its decision, the Court must have been cognizant of the fact that abortions have occurred and will continue to occur, whatever the law may be. Christopher Tietze has estimated that in the first two years of a liberalized abortion law in New York City, legal abortions to residents replaced some 100,000 previously illegal abortions. In 1971, there were half a million legal abortions reported to the Center for Disease Control throughout the United States, and it is believed that there were about two times that many illegal operations. Thus, we may expect that following the Supreme Court decision, some 1.2–1.8 million legal abortions will need to be performed each year in the nation. It is the responsibility of government and the health system—both the public and private sectors—to see that these abortions take place under optimum medical circumstances. Both government, through law, administrative regulations and resource allocations, and the health system, through its own ethical and administrative standards, share the responsibility. The Court's ruling constitutes a mandate to government and to the health system to respond affirmatively with an active program to insure that individuals are able to gain access to abortions performed under the safest, most dignified, and humane conditions. It remains for the individual to persuade or dissuade herself as regards abortion, according to her own values, morals, or religious beliefs.

There are some who contend that neither government nor the health system need take action of any kind. If left alone, they argue, the free market will operate in such a way as to carry out the Court's injunction. Laissez-faire may be fine for soap and cars, but not for health services. I believe we know enough about how the free market operates in medical care generally to assert that prompt action is absolutely essential. The free market has *not* provided accessible services to the poor; it has *not* stressed those services with a high benefit: cost ratio; and it has placed too much emphasis on the ability to pay as contrasted with need as the prime determinant for receipt of services.

An example of how other unfettered forces may operate derives from the experience during the last two years in states where abortion was legal before the Court decision. According to data compiled by the Center for Disease Control and others, there is great variation in the ratio of abortions to live births reported in these states. In Hawaii during 1971, the ratio was 271 abortions per 1,000 live births, while among residents of New York City it was 511 in 1970–71 and 650 during 1971–72. It does not seem likely that regional differences in attitudes alone would lead to such large variations. Rather, the differences more probably stem from differences in legal and institutional arrangements. In Hawaii, abortions, by law, could be performed only in hospitals, and the lowest total fee for an outpatient abortion is about $300. In New York City, properly equipped clinics perform half of all abortions, and the lowest fee is about $125. New York also has had an extensive information and referral program emphasizing the importance of early abortion. I would like to point out what is perhaps obvious: these differences are traceable not to variations in *medical* judgments, but to differences in *administrative* commitment and responsibility.

While the future is never certain, we have enough experience to predict at least the major outlines of what will happen if the free market is left to its own devices:

(1) Some abortions will become available to some people (the more affluent and most informed) in most areas of the country, certainly in all major cities.

(2) Because of political pressures, tax-supported public hospitals are likely to have more restrictive administrative policies governing abortion than nondenominational voluntary and proprietary hospitals. A good many urban teaching hospitals may refuse their "fair share" responsibility too with the complaint that too many abortions will dilute their teaching programs.

(3) In some areas, physicians and organizations will be able to establish specialized outpatient clinics for early abortion.

(4) As these facilities and resources develop, a variety of referral systems will be established which will enable some women seeking abortions to secure them at reasonable cost without undue delay or red tape. (Although it seems probable, based on past experience, that some of these referral agencies may gouge patients and refer them to facilities whose medical standards are uncertain.)

(5) Some abortions will be performed under conditions of higher risk than is desirable, for example, in poorly equipped facilities, and by poorly trained personnel.

(6) The fee structure for abortion will be quite high, both because the supply of abortion services will be limited and because there will not be sufficient specialized nonprofit facilities which can serve as the standard setters for costs and quality.

(7) Low-income women, members of minority groups, and youth in general, who presently have little contact with the health system, will have greater difficulty securing abortions than higher income women. Inner-city, and even more so, the rural poor, may find themselves without services for years to come.

(8) Some women—Particularly the very young and the poor—will have difficulty securing early abortions because of the scarcity of outpatient facilities and the lack of information about the risks of delay and the sources of care.

These predictable consequences do not constitute adequate fulfillment of the Supreme Court's injunction to respect the private rights of the individual and to ensure the best standards for medical safety. They will, in the aggregate, result in denial of access to safe, legal abortions to many, and particularly those most in need. They will result in delay for many more, resulting in rates of mortality and morbidity which a properly functioning health system could have prevented.

In sum, without an adequate public policy and an effective action program, the "free market" will not be free at all, but will instead be subject to numerous constraints, most of them political and discriminatory in nature. The objective of public policy on abortion should be to replace narrow political and economic criteria for determining policy with objective medical criteria.

The key to reducing morbidity and mortality from abortion—in addition to the requirements for proper facilities and trained personnel lies in the documentation of significantly greater medical risks when abortions are performed in the second as contrasted with the first trimester of pregnancy. According to Dr. Tietze's detailed studies, the risk of both major and minor complications is four times greater during the second trimester than during the first; and in New York City, he found that mortality ratios for late abortions were nearly 10 times higher than for early abortions. A pluralistic society need not encourage or discourage abortions but would seek to make sure that those who need and want abortions can get them, and that all abortions will be performed as early as possible. Such a policy requires action by the agencies of government (particularly state and local government) which regulate the health system, and by health institutions and organizations in both the public and private sectors.

What would such an action program look like? The following proposals are not intended to be exhaustive, but rather to suggest what could and should be done.

In the first instance, we need to develop rapidly overall medical standards for the safe performance of abortions, at the various stages of gestation, which facilitate and do not reduce the availability of early abortion. While there is room for reasonable difference of professional opinion, there is, nevertheless, a broad area on which most professional bodies will agree, if the determination is made on purely medical grounds. In the states and cities, governors and mayors should call together committees of responsible medical authorities to develop such standards. For the nation as a whole, the Department of Health, Education, and Welfare should form a working committee of experts such as Dr. Tietze and representatives of such groups as the American College of Obstetricians and Gynecologists, the American Public Health Association, the American Medical Associaton, the National Medical Association, the American Medical Women's Association, the American Association of Planned Parenthood Physicians and the American Academy of Family Practitioners to formulate general guidelines. ACOG's action last month in formulating detailed basic safeguards for the performance of first trimester abortions in facilities outside of hospitals, like APHA's earlier guidelines, is exactly the kind of response I am referring to.

Regulations and licensing are usually the responsibility of state and local health departments and hospital boards. They should incorporate these standards and specify the criteria for licensing out-patient facilities to perform early abortions. There may be some variation in such regulations to account for unique local conditions, but if the determining criteria are medical, the range of variation should not be large. The requirements for insuring medical safety in Alabama are not substantially different from those in Alaska or California.

The public policy objective of making certain that abortions are performed as early as possible requires that abortion be available at low cost with minimum red tape and administrative delay. To achieve this, state and local government and private organizations should:

Encourage establishment of licensed nonprofit outpatient facilities (as part of hospitals or freestanding) sufficient to handle a large volume of early abortions, since the experience in New York City demonstrates conclusively the safety of such facilities and their efficacy in relieving hospitals of the burden of performing early abortions for which the hospital is an inappropriate site. To create such facilities, short-term loans may be needed by public or private agencies in some communities. Vigilance must be maintained to see that local pressures do not result in misuse of clinic licensing procedures to discriminate against establishment of nonprofit outpatient abortion facilities.

Initiate a public education program, using all available media, to emphasize the advantages of early pregnancy detection and termination, and to outline objectively the options available to pregnant women, and provide information on the availability of services. This should include a "clearing house" through which abortion provider agencies may exchange information on abortion demand and capacity so as to avoid development of long and dangerous waiting times for patients. It should also include a "hot line" information service directing patients to the most convenient and appropriate facility for their care. (Such a program of public information need not be morally or ethically offensive to any religious group. Arguments that such information demoralizes youth or fosters libertine sexual activity are unfounded.)

Support the development of free or low cost pregnancy detection servies, and of referral and counseling services which offer women detailed information on their options (including maternity care and adoption) and assistance in making the necessary arrangements.

Support the availability of family planning services to all women regardless of income, and encourage the widest possible dissemination of information about the availability of these services, as a major positive immediate step to minimize need for abortion. It is crucial that this be done, I believe, for both moral and economic reasons. Postabortal facilities should include contraceptive counseling and services, and at least access to religious or psychiatric services if requested.

In addition to insuring the availability of these basic services, state and local governments have responsibilities in the financing of abortion services. In those states which regulate the insurance industry, the appropriate state agency should review current health insurance plans to insure that they cover abortions performed in licensed clinics as well as in hospitals, that single women employees and single female dependents of male employees are eligible, and that procedures are developed to insure confidentiality in filing abortion claims. State and local governments should insure that Medicaid sets the same standards for abortion patients as for those eligible for other services under Medicaid, and they should make provisions to subsidize, at least in part, abortions for medically needy women not covered by Medicaid or private insurance. For the long-range, health insurance in all its forms should include payment for family planning services.

In most parts of the country there is very little experience in the health system with legal abortion. This fact imposes special responsibilities on public and private health agencies (particularly our health planning agencies) in the areas of program planning, development and evaluation. In the absence of detailed planning, it is predictable that nonmedical, political and economic factors will be more influential in determining what the health system does. It will be difficult but it should be possible, based on experience in states and communities where abortion had been legalized prior to the Court's decision, for public and private health agencies to estimate the likely range of need for abortion services as an initial framework for program planning, and to develop means of monitoring the number actually performed by hospitals and licensed clinics. The purpose of such analyses should be to identify areas where abortion services are in short supply and thus to guide the allocation of resources available for developing needed programs. In a sense, we need to apply to abortion services the methods of program planning and development which have been employed in the last decade in the family planning field. This will be, admittedly, a very difficult job, especially in an area like abortion, where emotions are so intense and experience is so limited.

The rapid and seemingly endless rise in medical care costs is one of the principal issues confronting the American people. Governmental and private agencies should routinely compile data on fees and sources of financing, and publish periodic reports which provide an evaluation of fee structures and a means of identifying administrative practices which restrict the financing of needed abortion services. At the same time, public and private agencies should begin now—before it is too late—to assemble information required for the adequate evaluation of the medical, social and economic consequences of abortion, and the consequences for the health system. For example, data are beginning to emerge from New York City which suggest that the availability of abortion, by reducing the incidence of prematurity, malformations, illegitimacy and abandoned infants, has released hospital resources for other urgently needed care. These interrelations need to be documented so that health planners and leaders can learn how the prevention of unwanted births through abortion facilitates achievement of other goals. The moral and socio-economic cost of abortion services has to be weighed against the moral and socio-economic cost of unwanted infants. I have no reason to doubt the wisdom of the Supreme Court in its decision.

Finally, it seems apparent that the implementation of such a program will require substantial amounts of training and technical assistance. For most of the health system, abortion is a new and anxiety provoking service. An increased number of staff will need training in abortion techniques and counseling, and a large number of institutions will need help in planning, organizing, and managing abortion services, pregnancy testing clinics, referral services and information programs. This is a large order for an already overburdened health system, but I firmly believe that the benefits of such a program will far outweigh the costs.

These are some of the elements which I believe would constitute an adequate response by government and the health system to the Supreme Court decision. I want to emphasize that they are based primarily on the Court's injunction to maximize medical safety. To insure medical safety will require that the health system act *systematically* to guarantee the availability and accessibility of early abortion, and that government undertake the responsibility to coordinate and guide such a systematic response.

I should like to add one note in passing. The fear has sometimes been expressed that easier access to abortion will make women careless about using contraception, and that we may become an aborting rather than a contracepting nation—something like the countries of eastern Europe. Nothing in the experience of contracepting nations, such as England and Scandinavia, which have liberal abortion laws, would add credence to this concern. In our own country, in states like New York and Hawaii, there has apparently been no relaxation of contraceptive vigilance, and in New York, at least, contraceptive practice has apparently improved significantly since that state's abortion law was liberalized in 1970.

Finally, there is an indirect consequence of the approach which I have suggested. "A wise public policy in a pluralistic society on a sensitive matter such as abortion should seek to maximize free choice and avoid any situation in which individuals or institutions are compelled to act against their deeply felt beliefs. The Court's decision does not require anyone to undergo an abortion, nor does it require any physician to perform one. It does require, if the Constitutional right which the Court recognized is not to be nullified, that abortion services be available and accessible to those who need and want them under conditions of optimum medical safety. In some areas of the country, the principal—sometimes the only—hospitals and health institutions have religious affiliations which forbid abortion as a matter of conscience. A wise public policy would seek to avoid direct confrontations between the two values in tension in these communities—the beliefs of the institutions versus the Constitutional rights of the consumer to the services she needs and wants. A wise public policy would accomplish this, as I have outlined above, by insuring that alternative service facilities and referral services are available and accessible in such communities so as to preclude the need for divisive and tragic confrontations." (It is also incumbent, of course, on the religiously-affiliated institutions not to seek to prevent the establishment of alternative services.) Without such a policy and program, it is unfortunately predictable that legal and other pressures will be brought to bear to compel the existing institutions to meet community needs. Such confrontations are unnecessary and preventable.

In sum, the Supreme Court decision offers the U.S. health system a unique opportunity to demonstrate its ability to respond to social need in a systematic fashion, and to enhance its understanding of how to meet societal requirements in other health areas. I hope all of you, and your organizations, will take up the challenge.

LEGION FIGHTS POSTAL RATE INCREASE

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. HOGAN. Mr. Speaker, the most recent edition of the American Legion's "Legislative Bulletin" contains an article explaining the Legion's position on postal rate increases. I submit the full text of that article for the RECORD:

LEGION FIGHTS POSTAL RATE INCREASE

On March 28 before the House Subcommittee on Postal Service, and again on April 2 before the full Senate Committee on Post Office and Civil Service, representatives of The American Legion and the American Legion Auxiliary made a strong appeal for legislative relief from the increase in postal rates on our Legion and Auxiliary publications.

Publisher James F. O'Neil testified on behalf of the Legion Magazine, Daniel H. Burkhardt, Maryland Department Adjutant, represented our Department publications and Mrs. Maxine Chilton, National President, made the case for the National News and state publications of the American Legion Auxiliary. Following is a summary of their testimony.

All witnesses testified that the increase in postal rates has created a serious financial problem for their publications. The Legion Magazine and the National News are the only direct link between the national organizations and their individual members. The increase in postal rates has placed the future of each magazine in jeopardy unless the Congress provides legislative relief. The advertising potential of the profit publications is not available to these magazines. Their principal source of income is through subscription revenue which is part of the dues structure of each organization. The magazines cannot arbitrarily raise their subscription prices in order to absorb the increased postal costs. They must await action of their conventions to modify the dues structure and this is not easily accomplished.

The American Legion Magazine: Mr. O'Neil said the Magazine fulfills the historic policy enunciated by the Congress and the Supreme Court of the United States through the dissemination of current information of benefit to the public. He cited many examples of public information services provided by the Magazine, including the Braille edition published without charge for distribution to blinded veterans, and submitted a tabulation outlining the development of the special second-class rates for nonprofit organizations.

The American Legion was an intervenor in the proceedings of the Postal Rate Commission last year and strongly protested the proposed increase in rates at that time. It was an expensive undertaking and the Legion was handicapped in the development of its material because of cost.

The current postal rates applicable to nonprofit publications is the second highest increase assigned to any class of mail. When the rates are fully phased in, the increase approximates 235 per cent for the Legion Magazine. These increases are manifestly unfair and inequitable as they apply to nonprofit, low-advertising content publications. They discriminate against a class of publications least able to absorb the rate increase and whose history has been one of disseminating information in the public interest, rather than being income oriented through the sale of large amounts of advertising.

The rate increases are in contravention of the traditional concept of the preferential second-class mail rate treatment for qualified nonprofit organizations established by the Congress and by the Postal Reorganization Act. The language of the Act clearly supports the proposition that the Congress had no intention of abandoning the traditional treatment accorded second-class authorized nonprofit mailers.

In 1969 the postal bill for the Legion Magazine was $201,356.53. In 1972 the cost rose to $313,759.42. The projection for 1973 is $372,000 and by 1980 the postage will exceed one million dollars.

The present second-class rates for nonprofit organizations are a complete and dramatic departure from the rate concept traditionally accorded preferential second-class mailers. The Post Office Department and the Postal Rate Commission callously ignored those provisions of the Postal Reorganization Act and 54 years of Congressional policy concerning the rate treatment of nonprofit mailers.

The publisher endorsed S. 1395 and H.R. 6157 which would provide the relief needed for the Magazine and other Legion publications. The provisions of these bills will be discussed at the end of this article.

National News: Mrs. Chilton testified that the American Legion Auxiliary is composed of wives, mothers, sisters, daughters and granddaughters of men and women who served our Nation in the armed forces during time of war. It is a non-profit, community-oriented organization and supports The American Legion in all its legislative activities.

Preferential second-class postal rates for authorized nonprofit publications have always been part of the Nation's historic policy of encouraging dissemination of material of benefit to the public. Certain requirements, however, are placed upon those who publish under that rate structure. In every way, the National News has conformed to these requirements and to the intent of the Congress.

The Auxiliary, last year, through its National State and local organzations, contributed $5,828,000 in aid and nearly three million hours of volunteer effort to their communities.

The money and time donated by Auxiliary members demonstrate their devotion to the community, although the organization is by definition a veterans Auxiliary. It has always been believed that complete aid to the veteran and his dependent can only be accomplished through attention to the needs and problems of the whole community. By definition and by action, the Auxiliary has long been recognized as a leader among the nonprofit, community-oriented women's organizations.

The Auxiliary first began publication of a magazine in 1927. Two years ago, rising costs forced cutbacks in publication to six issues per year so that National News now operates as a bimonthly, five-by-eight inch, forty-eight page publication. The advertising content is very small, averaging only 18.9 per cent in 1972.

All advertising revenue is applied toward the cost of publishing the magazine, which under the existing rate structure, is operating on the barest of margins.

The impact of the new postal rate increases on the American Legion Auxiliary and on its magazine will be disastrous. The Department publications may also face termination of publication if relief from the excessive increases is not granted.

Under the new schedule of rates, the annual postage costs of National News will go from $21,000 to $105,675, an increase of over five hundred per cent. The organization cannot financially meet such an increase at the present rate of revenue.

National News receives nearly all of its revenue from dues paid to the national organization. This revenue amounted to about $334,000 last year and an additional $50,000 was received from advertising. The membership has remained fairly stable since 1955 and no substantial increase in advertising is anticipated.

Publication and related expenses allocated from the National News budget in 1972 amounted to $301,898.96. Expenses in 1973, including a five per cent increase in the cost of paper, a two and a half per cent increase in labor costs and the projected 1973 postage increase will be approximately $320,000.

By 1982, when the full postal increase has been added to the other publication costs, the expenses, discounting other increases, will approximate $382,573, leaving the Auxiliary with about $2,000 to meet other rising costs. National News will then be out of business.

Most of the Auxiliary Departments share publication of a newspaper with The American Legion. In many cases, the Legion absorbs the total cost of publication; in others, it charges the Auxiliary a flat fee. The increase in postage, resulting in higher costs to the Legion, will likewise increase the cost to the state organizations of the Auxiliary.

Twelve of the Auxiliary Departments publish separate newspapers, nine of them financed through dues to the organizations. One is financed through the general fund—which of course means dues—and the other two finance publications through separate subscription fees which are supplemented by monies from the general fund.

Mrs. Chilton told the Congress that in a survey conducted this month, two of the nine states dependent on dues financing said that a dues increase to cover postal increases would be impossible. An increase in dues must be approved by convention action. Any increase usually means a decrease in members. Seven of these nine states said it would be very difficult to secure the approval of convention delegates for such an increase.

Of the twelve states affected, two replied that the postal increases will force their newspapers to discontinue publications. Six expressed grave doubts that they could continue to publish and only one was sure that deficits could be covered by the general fund to maintain publication.

Since National News is now published only once every two months, the Department newspapers are a necessary program aid to the members, providing useful information to assist them in their community activities.

Because of the serious problems brought about by the increase in postal rates, several alternatives of publication have been studied. None have proven to be the answer.

Mrs. Chilton said the postal increases as scheduled over the next ten years will not permit the Auxiliary publications to survive. She endorsed S. 1395 and H.R. 6157 as legislation which would enable National News and publications of its kind to continue to publish—not just for the next three or four years while costs can still be met—but for as long as the need for them exists.

Department publications: In addition to 24 years of service as Department Adjutant of Maryland, Dan Burkhardt is the editor and publisher of the Free State Warrior, the official Legion newspaper in his State. He testified in behalf of his newspaper and also for publications in the other Departments of the Legion. Mr. Burkhardt pointed to the rising costs of labor, material and supplies in addition to the postage rate increase which in some cases totaled several hundred per cent. He said "when profit making publications such as Look and Life are forced to give up the ghost you know the rest of us are not far behind.

"Not just veterans publications are involved . . . church papers, farm publications, labor papers and all the other worthy contributors to the national scene will be gone unless the Congress provides relief. In my own publication we devote considerable space to free printing of internal revenue information. We print a column every month for the Social Security Administration; information from the Veterans Administration; a column covering traffic safety, one by our Chaplain and another covering assistance to children and youth.

"Our newspaper contains information on dangerous drugs and promotes the Medical Eye Bank, Heart Fund, Diabetes Association and many other charitable drives. We are now engaged in publishing a definitive work on the Flag of the United States of America and history of the Star Spangled Banner.

"In the case of my own newspaper, and this is true of many other nonprofit publications, no one receives any salary or expense account. We have already cut to the bone in order to make the grade. We are tied to a tight dues structure which prevents any raise, therefore, the postal increases simply mean we cannot survive unless some relief is granted."

Legion proposals: Bills have been introduced in both Houses at the Legion's request which will provide the relief needed if our magazines and other publications are to survive. The Senate bill is S. 1395, introduced by Senator Jennings Randolph of West Virginia. The House bill is H.R. 6157, by Congressman Lawrence J. Hogan of Maryland. Our proposals are incorporated in each of these measures.

Briefly, these bills would 1) make it clear that the Postal Service is obliagted to provide postal services at rates which will encourage and support the widest possible dissemination of news and information of benefit to the public; 2) apportion the costs of postal operations to all users of the mail on a fair and equitable basis that takes into consideration all aspects of postal policy; 3) prohibit imposition of the exorbitant and unfair per piece charge on second-class qualified nonprofit publications now in effect. (This is the principal inequity in the existing rate schedule); 4) freeze second-class postal rates at the level of July 6, 1972, for the first 250,000 copies of newspapers and magazines sent through the mails; and 5) provide that revenues received from any increase in rates on qualified nonprofit publications after July 6, 1972, shall not exceed 50 per cent of the amount that would otherwise be received from any increase in rates for such class of publications.

Our recommendations are before the Congress and our spokesmen have made the case for our organizations. Now is the time to contact your Senators and the Congressman from your District. We also urge each of you to write to the members of the Senate and House Committees on Post Office and Civil Service. The names of those members were published in our Legislative News Bulletin of February 20. Please ask the members of the Senate Committee (and your own Senators), to support S. 1395. Ask the members of the House Committee (and your own Congressman), to support H.R. 6157. There are a number of other bills pending on this subject but S. 1395 and H.R. 6157 are the ones that would provide the most help for nonprofit publications such as ours.

Contacts by letter or telegram should be made as soon as possible. If the Legion and the Auxiliary are to obtain the legislation needed so that our members can continue to receive their publications as in the past, an all-out effort must be made without delay. The Postal Service sets the rates but the Congress can intervene. It must reassert its historic policy of providing preferential rate treatment for authorized nonprofit mailers by appropriate legislation.

It is important that every member of the Congress hear from his or her constituents on this subject. There are many organizations in every community who should be concerned about the survival of their own publications. This includes churches, fraternal, farm and labor groups in addition to veterans organizations. These groups should be contacted and urged to join in our protests. If all the nonprofit organizations make their voices heard loud and clear on Capitol Hill, the Congress will respond. Now is the time for action and we need your help.

THE SAN ANTONIO EXPRESSWAY

HON. BOB ECKHARDT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. ECKHARDT. Mr. Speaker, yesterday, I submitted for the RECORD the comments of several administrative agencies and executive officers regarding the long range impact of the passage of legislation exempting the San Antonio North Expressway from the reach of Federal environmental statutes. Today, I would like to add a statement from the National Trust for Historic Preservation, whose responsibility it is to facilitate public participation in the preservaton of sites of national significance or interest, regarding the proposed exemption:

NATIONAL TRUST FOR
HISTORIC PRESERVATION,
Washington, D.C., April 19, 1973.

Congressman BOB ECKHARDT,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ECKHARDT: Thank you for your letter of April 13th requesting a position statement from the National Trust for Historic Preservation in regard to Section 147, "Termination of Federal-Aid Relationship", pertaining to the San Antonio North Expressway in S. 502, the Federal-Aid Highway Act. During the consideration of the Federal-Aid Highway Act during the last Congress, the National Trust expressed its concern to a number of members of the Congress, on the matter of the San Antonio North Expressway. At that time, we said in part:

"The San Antonio North Expressway has a long and complicated history. The San Antonio Conservation Society, which has had so much to do with the North Expressway controversy, is a member organization of the National Trust. It is our conviction that should this section of the bill be passed intact, it will have an important nation-wide impact and seriously threaten the effectiveness of federal environmental laws. By giving legislative relief to the Texas Highway Department in the matter of segmenting highway construction, this section of the bill will set a very dangerous precedent to ignore and disregard important environmental and historic preservation considerations. Section 147 of the bill will in effect abrogate the environmental protections that have been upheld by the courts. With the upcoming observance of the 200th anniversary of the founding of our nation, we should not now erode the reminders of our historical past and the natural beauty that is so distinctly American."

As you know, the National Trust for Historic Preservation in the United States was created by an Act of Congress in 1949 to further the national preservation policy enunciated in the Historic Sites Act of 1935 to facilitate public participation in the preservation of sites, buildings and objects of national significance or interest, and to provide a national trust to acquire such properties significant in American history and culture and preserve and administer them for public benefit. We act as a leader in the preservation community and today have well over 1,000 organizational members and over 37,000 individual members throughout the country. Through our technical services, we provide advice and help on preservation to our members and others ranging from furnishing a historic house museum to historic district legislation and battling the bulldozer.

As part of this work to foster preservation, we have for some years been actively concerned about the adverse impact that highways can have on areas of historical and architectural interest. It may interest you to know that we have just finished administering a grant from the Department of Transportation to develop a handbook of preservation factors in highway planning. We are pleased to have the opportunity to again state our views in regard to Section 147 of the Federal Aid-Highway Act. Should you desire, we will be happy to discuss our views on S. 502 with you in more detail at your convenience.

Sincerely,

JAMES BIDDLE,
President.

NEW YORK CITY'S OFF-TRACK BETTING

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. CAREY of New York. Mr. Speaker, all New Yorkers are familiar with the tremendous success of the city's Off-Track Betting Corporation, which is headed by Howard Samuels. Statistics have shown that OTB has succeeded in hindering the illegal activities of the bookmaker, while at the same time bringing a tremendous amount of income into New York City. The following two articles, one from the New York Times Sunday magazine and the other from New York Magazine, point to this fact. I offer these articles as guidance to other jurisdictions who may be contemplating similar programs for public wagering:

[From the New York Times Magazine, Apr. 1, 1973]

AFTER 2 YEARS, OTB'S IN THE MONEY: AND THE BOOKIE STANDS IN LINE

(By Fred J. Cook)

The master bookie was bragging. A veteran of the business (he likes to say, perhaps with pardonable exaggeration, that he's been in it for 50 years), he was ridiculing the idea that the Off-Track Betting Corporation's invasion of his preserve could ever hurt him.

"Naw," he said, "I like it. The clients I have would rather bet with me than with OTB." He explained in his expansive fashion that he disdains the $2 and $5 bettor, even the $50 bettor. Only the big action for him. "Those $1,000 bets—I always take that kind of action. I love it," he confided.

OTB has been a real help to him in his business, he insisted, somewhat surprisingly. "Look," he said, "suppose I get overloaded on a long shot. I can just send a guy over to OTB and lay off right there; I don't have to worry about laying off at the track."

The layoff is, as the initiated know, the insurance system by which a bookie guarantees himself against financial disaster if some 40-to-1 long shot comes in first. To protect himself on days when his clientele has become irrationally fascinated en masse with such a nag, the bookie must cover himself by betting enough on the horse so that he won't be hurt if the unlikely animal wins. If the hayburner loses, the bookie who has calculated his needs correctly at least breaks even on this particular race, and takes his profit from the other ventures of the day. If the horse wins, he wins along with his bettors, and can pay off without feeling any pain.

OTB, according to the master book, makes this layoff system convenient and especially remunerative. "Look at it this way," he says. "I get a break laying off with OTB. They pay track odds."

He winks.

The wink is meaningful. No bookie in his right mind pays off at odds of more than 20-to-1, regardless of what the track pays. But a bookie who has laid off his dangerous play at his friendly neighborhood OTB office can collect 30- or 40-to-1 on his money, while giving his customers only the 20-to-1 odds his profession sets.

Is the master bookie puffing smoke through both ears, or is he telling the truth about his profession in the era of OTB? In his case, he's probably telling the truth, but much evidence indicates his experience is hardly typical of what has happened to his fraternity as a whole. Actually, one fairly well established fact emerges: A lot of bookies have been badly hurt by the competition of OTB.

Of course, there is little doubt that the big-time bookie, handling heavy action, is still prospering despite OTB. For one thing, the really big play—those $500 and $1,000 bets the master bookie relishes—comes largely from wagering on sports: basketball, prize fights, hockey, football and baseball. The sports bettor is the big plunger; and, since three- and four-figure gambles are ingrained in his nature, he plunges the same way when he becomes fascinated with a horse.

This kind of bettor still prefers to patronize his favorite bookie for a number of reasons. First, there is credit. If he loses today, he may win tomorrow—or, at least before the end of the week when he has to settle his account. Second, if he wins, there is no tax on that money if he doesn't declare his winnings, Internal Revenue is not looking over his shoulder. And then there is a powerful psychological motivation: There's a certain panache about dealing with a Damon Runyonesque bookie character, much as it was a status symbol in Prohibition days to be on a first-name basis with a big bootlegger.

A businessman, who possesses an impressive wad and likes the thrill of a daily gamble was in a prominent West Side Steak house one night recently, and he was exulting because he had hit a real long shot at Aqueduct. He was griping a bit, too, because he got paid off only at his bookie's top 20-to-1 rate.

"Well, why didn't you go over and place the bet with OTB?" someone asked.

The bettor reared back as if someone had just made an unpardonable suggestion. "You think I would go over there and stand in that line?" he asked in offended tones.

"No, but you could have sent someone to place the bet for you," he was told.

"I wouldn't think of it,' the bettor replied huffily. "I wouldn't think of betting with anyone but Mannie. I'd rather take the 20-to-1."

That's status for you—and, perhaps, a tax break, too.

In the shadowy world of the bookie, it is often hard to get at the truth. Bookies are a paradoxical breed, always boasting like the master bookie about the big money they handle; then, in the next breath, moaning about what a hard life they have because so many of their customers have picked winning horses. To hear them tell it, theirs is the best of all possible worlds one minute—and the worst the very next.

The fraternity's favorite line before OTB came in was that legalization couldn't hurt them, at all; they welcomed OTB because legal betting would whet the appetite of thousands of innocents who would be brought into the gambling fold for the shearing. Now, confronted with the reality, they are as little likely to admit that this forecast was wrong as they are to acknowledge that they have ever committed the cardinal sin of the profession—getting cleaned out, or nearly so, by miscalculating the damage that could be caused by a winning long shot.

Although, the master bookie with a well-heeled clientele addicted to heavy betting on sports and an occasional fling on the horses, may, indeed, hardly feel the pinch, the same is not true for a large number of neighborhood bookies who used to handle the smaller play of the tip-sheet clan.

For example, a few years ago a number of bookies used to congregate around the Jewelers' Exchange in the Bowery area. One veteran operator even had a booth in the exchange. He had a few watches and trinkets scattered about has window-dressing, but it is doubtful that he ever tinkered with a mainspring. He spent a busy day booking horses.

This ingenious innovator is now dead, but it seems significant that no successor has appeared to handle what was once a lucrative trade. Significant, too, according to habitues of the exchange, is the fact that the other bookies who used to throng the area have vanished as if whisked away by some magic wand.

Perhaps one of the most striking examples of the way OTB is hurting came in February, when police arrested five alleged bookies who had been infiltrating the betting lines at OTB offices in Queens and Brooklyn. In the same raids, police arrested four more men in a syndicate "figure room" in Brooklyn to which the bets had been funneled. The handle was reported to have been between $15,000 and $20,000 a day.

According to authorities, the bookies had begun to hang around OTB offices because so many of their former customers had been lured away to the legal betting windows. Howard J. Samuels, chairman of OTB, said at the time: "They have been approaching our customers in our offices, telling them they don't have to wait on line to bet with them and offering quick service in placing and collecting wagers. They have also taken bets on football, basketball and hockey—sports action which we are not permitted to handle. They have also offered credit."

When a bookie has to chase down his former customers and take the risk of trying to proposition them almost in front of the OTB windows, it stands to reason that he is finding the new world of, legalized gambling less of a paradise than the master bookie pictured. Ralph Salerno, the veteran crime consultant who is now an adviser to OTB, is convinced that legalized betting has put a definite crimp in the bookies' business. He cites one graphic example:

City detectives, monitoring a legal wiretap on a major syndicate crime operation, recorded a revealing conversation between a young mobster and his girl friend. The girl had obtained a tip virtually from the horse's mouth about a long shot that was supposed to win, and she telephoned her boy friend to get down a bet for her. He listened to her description of the hot nag, and then the conversation went like this:

He: I think I'll put down a bet myself if it's that good.

She: Where you going to take it—to Johnny?

He: Naw. He won't give me the full odds. I'll go to OTB.

She (surprised): You mean you go there?

He: Sure, we all do. You can walk in like a gentleman; you don't have to hunt for somebody in a cellar. And you can get the full odds on a race, no chiseling.

"This was a thief," Salerno emphasizes, "and when even his kind prefers to bet with us instead of using the underworld's own bookmaking system, we must be hurting [them]."

Much other evidence points in the same direction. Late last year, the Fund for the City of New York published a report on gambling, based on a survey of bettors made by the Oliver Quayle organization. Quayle's opinion-samplers concluded: "Three times as many horse players say they bet with OTB as say they bet with bookmakers. OTB would appear then to be cutting substantially into illegal bookmaking operations."

The Quayle survey analyzed the habits of betting addicts in several ways. In one series of questions, the pollsters asked sports bettors, who also sometimes bet on horses, how they placed their action. This group, whose sports bets had to be placed with bookies, reported that some 41 per cent of their betting dollars were going to OTB, and only 25 per cent to bookmakers. The Quayle report concluded that, "while bookmaking is still a thriving business, betting with OTB has taken a very substantial sum of [bookmakers'] former business away from them. . . ."

In another portion of the study, the Quayle pollsters questioned those who said they bet only on horses. The object was to find out whether this particular clientele—the bettors directly affected by OTB—were betting with bookies as much as formerly or whether they were betting less.

Of those surveyed, 29 per cent said they were betting with bookies "much less" than formerly, and 30 per cent said "somewhat less." Thirty-four per cent said they were betting with bookies about the same as before the advent of OTB; 5 per cent were not certain—and, a significant figure, only 2 per cent said they actually bet more with bookmakers now.

The Quayle report concluded: "All the foregoing data make it clear that OTB, with all its teething problems and occasional computer breakdowns, has taken a great deal of betting money out of illegal channels. Those who fear that the advent of OTB has whetted an appetite for betting that can only be satisfied by wagering with bookmakers can put their fears to rest. Our data show that, of those still betting with bookmakers now, only a handful say they are wagering more with bookies now than they did in the past. Such data also demonstrate rather conclusively, in our judgment, that while legalizing sports betting will not do away with bookmaking on sports like football, basketball and baseball, most of the money now bet with bookies on these sports (which is also most of the total money now bet on sports) would flow into a legal operation."

What appears to have happened is that OTB has attracted the great mass of the small-time betters. The master bookie who licks his lips over the $1,000 plunger still gets much of the heavier action, but the thousands of small fry who used to keep the neighborhood bookie in business have transferred their allegiance in great numbers to OTB.

District Attorney William Kahn of Nassau County, not an advocate of legalized gambling, disclosed in announcing the indictment of an organized-crime bookmaking ring that his legalized widetaps had produced some significant information. They showed, Kahn said, that bookies were turning down racetrack bets of under $100. Those wishing to bet smaller amounts were being told to "go to OTB."

What this indicates to Ralph Salerno is that "organized-crime bookmakers are ceding the major portion of their market to us." Small horse bets were profitable to the illegal bookie only if he did a volume business; take away the volume, and it's hardly worth his while to deal with picayune bets. Yet, the evidence indicates, most horserace betting is relatively small-time stuff.

In the Quayle survey, horse bettors were asked about the size of their wagers. Only 5 per cent bet $50 or more. When asked what was the highest bet they had ever placed, only 24 per cent said that they had ever risked more than $50. Howard Samuels and his staff see these findings as significant as they plan their next hoped-for expansion of legalized gambling.

This is to invade the territory now preempted by the numbers racket, the most flourishing betting ploy in Harlem and many other poorer areas of the city. Samuels unveiled his proposal at a City Hall press conference Feb. 26, when he announced he would ask Gov. Nelson A. Rockefeller and the State Legislature to approve a bill putting OTB into the numbers field.

How could OTB compete with the lucrative numbers racket? Well, said Samuels, just as in horse betting, it would pay odds: 750-to-1 on a winning number instead of the current 600- or 500-to-1 payout by numbers runners. In addition to the 75 per cent of the handle returned to winners, there would be other benefits. Fifteen per cent of the take would be funneled directly back to planning boards or school boards in the communities generating the action. Another 5 percent would be spent for salaries for those hired for the new numbers operation, and the remaining 5 per cent would be used to defray the expenses of OTB.

Though Samuels admitted the program might have "tough sledding" in getting state approval, he predicted it "would strike a deadly blow against organized crime" if it became a reality. He may be right.

As one Harlem resident reports, the numbers boys who scurry up and down the streets daily during the heat of the action are already becoming jittery at the prospect of possible OTB competition. A couple of them were commiserating with each other recently in a Harlem barbershop.

"If that goes through," said one, referring to the new OTB plan, "we're all going to have to go out and get jobs."

"Damn," said the other. "Do you know how I can get a job with OTB?"

[From the New York Magazine, Apr. 2, 1973]

THE CITY POLITIC: A STUDY IN RACING RELATIONS

(By Pete Axthelm)

The Governor's Commission on the Future of Horse Racing in New York State, headed by former investment banker and Con Ed executive Charles B. Delafield, labored for eight months to bring forth a 180-page document designed, apparently, to kill New York's OTB. Its charts, graphs and compilations of facts are impressive, and some of its recommendations are unquestionably sound, but instead of dealing with the crisis in the gambling industry in a searching and visionary way, the report, in political terms, comes down to a straightforward power grab by the state. New York City put up the money to launch OTB and suffered the risks and setbacks of its first hesitant days. But now that the risks have passed and the proof is in, the state will be happy to snatch OTB out from under the city.

When the nine-member Delafield Commission was appointed last summer by Governor Rockefeller, everyone familiar with the racing industry knew that significant changes were needed. New York racing, poorly promoted and dependent on an elderly clientele that was not being replenished by enough new fans, had proven vulnerable to off-track competition for the betting dollar. The cost of going to the races was rising steadily, the quality of the sport was declining, and many fans—particularly the smaller bettors—had switched their allegiance to their neighborhood betting parlors. To make matters worse, the hastily-drawn 1970 bill that authorized OTB had provided woefully inadequate shares of off-track revenues to the tracks—as OTB President Howard Samuels was among the first to admit.

The state government showed a poignantly paternalistic interest in the problems of Yonkers and Roosevelt Raceways and the New York Racing Association—and with good reason. Under existing law, the state takes in a healthy 10 per cent of on-track handle, while the lion's share of OTB profits goes to the city. So as OTB grew—New Yorkers now bet more than $2 million a day at OTB offices—and the tracks faltered, city income increased by some $11 million in 1972 while state revenue fell by $8 million. Faced with such figures, the Delafield Report understandably concluded, "OTB's net effect has been redistributive."

The Commission had clearly been appointed to do some harsh redistributing of its own. Under the Delafield proposals, the track owners and the state will turn racing back into a private garden party for the wealthy, OTB will be emasculated as a force in the gambling market, what's left of it will be turned over to the state—and the city will be right back where it was before it took on the massive task and headaches involved in making OTB work. Even among the horseplayers themselves, the Delafield scheme will draw sharp class distinctions. Those who can afford to attend the races will enjoy a tax reduction, from 17 per cent of the mutuel handle down to 14. But OTB customers will be subjected to a tax hike from 17 to 25 per cent on exotic wagers (three or more horses in one bet), plus a 5 per cent surcharge on all bets—and the eventual elimination from OTB of all forms of betting except exotic, lottery-type gimmicks.

The Commission's attempt to discourage the little man from stumbling into the exciting and alluring world of gambling is most disheartening. The thinking of the Commission is perhaps best exemplified by its proposal of the 5 per cent surcharge on off-track wagers. Instead of drawing fans to the tracks by making on-track beting more appealing, the state is now going to make off-track betting more repugnant. One result of the proposed $2.10 price tag on a $2 ticket wil be to drive many OTB fans to friendly bookmakers; another will be an exodus of disillusioned customers from the betting industry. And for those who stay around, there will be still another deterrent. As regular win, place, show and exacta betting is phased out of OTB, gimmick bets will offer larger but less frequent payoffs; and frequent rewards—even smaller ones—are what keep new customers interested in betting. Thus the Delafield plan could deprive OTB of one of its strongest asets—the influx of new fans.

Track management could hardly be more delighted with the Delafield Report; the industry is already marshaling its lobbying forces to press the proposals into law. Unquestionably the most thoughtful and potentially far-reaching recommendation is the roll-back of the on-track betting tax. Students of pari-mutuel wagering have long maintained that a decrease in such taxation leads to an over-all rise in volume and total tax revenues, simply by keeping more betting money in circulation—and more horseplayers solvent. Experiments of this nature have succeeded dramatically at smaller tracks, and racing people are eagerly awaiting the results of an "experiment" with the lower tax at the Aqueduct fall meeting.

Other Delafield suggestions, such as a fairer share of OTB money for the tracks, better track promotion, and wider experiments with television racing, are also interesting—particularly because they have all been voiced in the past by Howard Samuels. Like any thinking man in the betting business, Samuels has recognized the needs of tracks and horsemen and the vast potential of television. But his hands were tied: the tracks' share couldn't be increased without new legislation, and television was effectively blocked by Rockefeller's racing commissioner, Joseph Gimma. Now the state is willing to do the things that New York OTB has wanted all along—while cutting the city out of the action. When Delafield is asked why his imminently sound cures for racing's ills couldn't be utilized under city control, he refers vaguely to the problems of regulation if many cities are allowed to run their own betting operations. "It would be like dealing with a lot of little utilities companies," he said at one point. "From my experience, I'd rather deal with one Con Ed." Considering the power situation, the metaphor is revealing.

The greatest disappointment of the Delafield Report, however, is neither its state-oriented politics nor its pro-track posture. Created by Rockefeller and pledged to making racing "viable," the Commission practically had its biases built in; yet, as its deliberations proceeded, there seemed reason to hope for broader and bolder strokes than the mere protection of parochial interests, but the Delafield Commission offered only a cautious retreat from the critical issues.

Sports betting, for example, was rejected out of hand, partly because of "security problems" and partly because it would compete with racing for the betting dollar. If the origin of racing's alleged right to exist without competition seems obscure, consider the equally murky logic of the security argument: are large and easily spotted leftfielders and split ends any more difficult to police than 112-pound jockeys? In addition to rejecting the idea of casino gambling, the Commission also backed gingerly away from Sunday racing, an innovation that could open up the sport to thousands who can't go to the tracks on weekdays. The scapegoats in this case are the unions, who would ask for huge bonuses for Sunday work; presumably it is easier to hide from that problem than to negotiate Sunday racing into being. Also interestingly, Commission member M. Donald Grant didn't object one bit to this conclusion; Grant's Mets play baseball on Sunday, and their right to head off competition is apparently every bit as sacred as racing's.

Without a massive infusion of new fans, racing will be left with essentially the same problem it faced before the Delafield Report. The on-track rollback will undoubtedly breathe some life into the wallets of racing's sturdy but aging constituency; the redistribution of revenues will surely make the rich richer. But those changes are basically short-term. The real future of legal gambling still lies off the tracks, and it will be realized only by leaders who are willing to make high-stakes bets at long odds. New York City was daring, or desperate, enough to take such chances—but now the prospect of a giant payoff in legal gambling may be snatched away. The Delafield Commission would then turn it all over to the kinds of millionaires who bet $2 to show—and that doesn't promise much action for anybody.

ARE WE CONDEMNED TO REPEAT THE PAST?

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. HOGAN. Mr. Speaker, today I would like to insert in the RECORD the third part of an abortion commentary by Dr. Herbert Ratner, M.D., public health director of Oak Park, Ill., and editor of Child and Family Quarterly. The article is entitled "Commonwealth Against Brunelle II." Commentary published in "Child and Family Quarterly," volume 9, number 2, page 159:

ARE WE CONDEMNED TO REPEAT THE PAST?

It was not too long ago that our country's concern with life involved us in World War II. Following the war, the impact of the Nazi attack on innocent human life as seen in the genocidal persecution of non-Aryans, the medical atrocities, and the pro-abortion and pro-euthanasia movements impelled medicine to recommit itself to the rights of the living. This recommitment took the form of the Geneva reformulation of the Hippocratic Oath by the World Medical Association and the Helsinki Declaration on Human Experimentation, a recommitment in which organized American medicine participated. Concerning abortion, the World Medical Association reaffirmed the physician's obligation to "maintain the utmost respect for human life from the time of conception."

Yet one generation later, in headlong fashion, we are renouncing our respect for early human life and increasingly renouncing our respect for later human life—the disadvantaged and elderly. Today we see pro-abortion advocates (as well as euthanasiasts and over-enthusiastic medical experimenters) espousing the very principle which was the basis of our condemnation of prominent German physicians at the Nuremberg trials, that is, that a justified function of the medical profession is to serve society's demands and science's dictates irrespective of the rights of the living.

How could we have forgotten so quickly? Did we not grasp the lessons taught by mankind's greatest challenge to the integrity and independence of medicine as a learned profession dedicated to healing? Or do these lessons retreat from our consciousness as we succumb to 'population explosion' propaganda or confront the insoluble complexities of the abortion issue? What lessons of World War II have we failed to pass on to new generations of physicians born since the thirties to whom the Nazi holocaust is a remote happening of a bygone, irrelevant age?

To forget in the sixties and seventies the Geneva and Helsinki declarations of the forties is a Pyrrhic victory of devastating proportions: an ironic case of the vanquished vanquishing the victors—of winning World War II physically but losing it spiritually. The historical facts and factors associated with the decline and fall of German medicine contain a teaching we must not ignore.

We cannot remind ourselves too often of modern civilization's darkest hour. As the official German physician-scholars of the Nuremberg trials emphasized in 1949:

"It does not seem impossible that this very recent history may repeat itself in some fashion, or even that it is not already repeating itself in some part of the world. That is why we think it necessary to recall ceaselessly this lesson from the past."

Unfortunately, as Gabriel Marcel states in an essay entitled *Techniques of Degradation*, we must contend with "the extraordinary unreadiness men show to learn from the lessons of the past" despite George Santayana's stern warning that "Those who cannot remember the past are condemned to repeat it."

What happened then to German medicine is happening now to American medicine. And we speak not only of the fetus. To permit feticide for social and other non-medical reasons whether for convenience, economy, psychologic distress, 'overpopulation,' or for 'the good of the one to be killed,' is to introduce the principle of euthanasia. Today, the forces arguing and fighting for euthanasia practically match the forces fighting for abortion—fetal euthanasia. And euthanasia in any form inexorably leads to the extermination of—to use the Nazi phrase—"useless eaters." In this sense abortion is the tip of the euthanasia iceberg, the open sea to the widespread acceptance of killing as a primary function of the physician and his contribution to the solution of national social and economic problems. Much is at stake here. The ultimate decline and fall of American medicine is contained in the abortion controversy.

In retrospect the historical facts relating to the breakdown of German medicine stand out clearly.

1. A highly cultured nation, Germany, and one of the most esteemed national bodies of physicians in the world, were not immune to decadent forces and moral collapse.

2. The erosion of medical values came from within the medical profession and preceded the ascendency of Hitler.

3. Medicine's downtrend had small beginnings—a little mistake at the beginning became a catastrophic mistake at the end.

4. What started out as voluntary, subsequently became compulsory: the "right to die" was quickly replaced by the "right to kill."

5. Many academically prominent and other highly respected physicians were implicated.

Noteworthy in reporting, documenting and explicating these facts have been psychiatrists Leo Alexander, M.D., and Frederic Wertham, M.D., Yale Kamisar, Professor of Law, formerly of the University of Minnesota and now at the University of Michigan, has also analyzed the German experience in the context of the euthanasia movement. They have done their utmost to warn us.

Alexander was one of two official medical experts representing the United States at the Nuremberg trials in 1947. The other expert was Professor Andrew Ivy, M.D., of the University of Illinois School of Medicine. It is significant that today, 23 years later, both have taken firm public positions against abortion-on-demand. Following his return from the Trials, Alexander published his observations in the *New England Journal of Medicine* in an article entitled, "Medical Science Under Dictatorship."

Wertham, a practicing psychiatrist in the U.S. received his medical training in Germany and was personally acquainted with the erosion of psychiatry in his native land. His book entitled, *A Sign for Cain: An Exploration of Human Violence*, is the most recent warning of major proportions relating to the ascendency of violence as a solution to social problems.

Kamisar's contribution is an extensive analysis entitled, "Some Non-Religious Views Against Proposed 'Mercy Killing' Legislation."

Contrary to popular opinion that the fall of German medicine resulted from a handful of psychopaths and madmen who gained control, these three analysts show that it began by small, unreflective, pragmatic beginnings within the medical profession. Ultimately these small beginnings made the downfall of German medicine inevitable. The studies of these critics validated the cogency of the "wedge principle"—the "camel's nose in the tent" thesis that if the nose gains entrance the rest of his body will ultimately take over. Kamisar recalls in this connection Supreme Court Justice Cardozo's judicial insight concerning "the tendency of a principle to expand itself to the limit of its logic."

Alexander explicates how the "wedge principle" operated in Germany:

"Whatever proportions these crimes finally assumed, it became evident to all who investigated them that they had started from small beginnings. The beginnings at first were merely a subtle shift in emphasis in the basic attitude of the physicians. It started with the acceptance of the attitude basic in the euthanasia movement that there is such a thing as life not worthy to be lived. This attitude in its early stages concerned itself merely with the severely and chronically sick. Gradually the sphere of those to be included in this category was enlarged to encompass the socially unproductive, the ideologically unwanted, the racially unwanted and finally all non-Germans. But it is important to realize that the infinitely small wedge-in lever from which this entire trend of mind received its impetus was the attitude toward the nonrehabilitable sick.

"It is, therefore, this subtle shift in emphasis of the physician's attitude that one must thoroughly investigate. It is a recent significant trend in medicine, including psychiatry, to regard prevention as more important than cure. Observation and recognition of early signs and symptoms have become the basis for prevention of further advance of disease.

"In looking for these early signs one may well retrace the early steps of propaganda on the part of the Nazis in Germany as well as in the countries that they overran and in which they attempted to gain supporters by means of indoctrination, seduction, and propaganda.

There is no doubt that in Germany itself the first and most effective step of propaganda within the medical profession was the propaganda against the useless, incurably sick."

Later, Alexander reemphasizes that:

"It is the first seemingly innocent step away from principle that frequently decides a career of crime. Corrosion begins in microscopic proportions."

Alexander subsequently applies his observations to the United States:

"Under all forms of dictatorship the dictating bodies or individuals claim that all that is done is being done for the best of the people as a whole, and for that reason they look at health merely in terms of utility, efficiency and productivity. It is natural in such a setting that eventually Hegel's principle that 'what is useful is good wins out completely. The killing center is the *reductio ad absurdum* of all health planning based only on rational principles and economy and not on humane compassion and divine law. To be sure, American physicians are still far from the point of thinking of killing centers, but they have arrived at a danger point in thinking, at which likelihood of full rehabilitation is considered a factor that should determine the amount of time, effort and cost to be devoted to a particular type of patient on the part of the social body upon which the decision rests. At this point Americans should remember that the enormity of the euthanasia movement is present in their own midst.

"The case, therefore, that I should like to make is that American medicine must realize where it stands in its fundamental premises. There can be no doubt that in a subtle way the Hegelian premise of 'what is useful is right' has infected society including the medical portion. . . . The destructive principle, once unleashed, is bound to engulf the whole personality and to occupy all its relationships. Destructive urges and destructive concepts arising therefrom cannot remain limited or focused upon one subject or several subjects alone, but must inevitably spread and be directed against one's entire surrounding world, including one's own group and ultimately the self. The ameliorative point of view maintained in relation to all others is the only real means of self-preservation."

The above was written in 1949. In the light of what has happened since, Alexander's explicit warning takes on prophetic proportions. Eighteen short years later, the American Medical Association took its first step down the last mile. In 1967 at its Annual Meeting it accepted a new principle completely alien to medicine's tradition, namely, that a physician on the basis of his determination of fitness can determine, in cooperation with the guardian, who should or should not be permitted to live. They introduced this principle when they accepted a provision of the Model Code of the American Law Institute concerning fetal indications for therapeutic abortion. The diabolical misuse of the term *therapeutic* should be noted. From acts directed to the elimination of a disease, it now is extended to acts directed to the elimination of the patient who has the disease.

Three years later, again in the context of the abortion issue, the American Medical Association took another giant step in imitation of German medicine. In 1970 at its Annual Meeting it introduced an additional principle, one completely inimical to the nature of a learned profession and fraught with forebodings, that what is legal is ethical. This was done, presumably, to free physicians from New York and other pro-abortion states from the bind created by abortion-on-demand, a lucrative, legally permissable act on one hand and a medically unethical act on the other.

Finally, to show how fast we have moved since Alexander's 1947 report, "killing centers" in the form of abortariums now exist in New York, California and elsewhere.

Lastly, we have Wertham's account of the insidious beginnings that culminated in the ultimate degradation of German medicine. Psychiatry was the chief culprit. In his chapter, "The 'Euthanasia' Murders," Wertham recalls Dr. Karl Brandt's key defense at the Nuremberg trials. Brandt was the medical chief of Nazi Germany's euthanasia project, the project that ultimately led to the extermination of "useless eaters."

"And when Dr. Karl Brandt . . . defended himself for his leading role in the action, he stated that he had asked for the 'most critical' evaluation of who was mentally incurable. And he added: 'Were not the regular professors of the universities with the program? Who could there be who was better qualified than they?' Wertham adds."

SURFACE MINING LEGISLATION

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. BLATNIK. Mr. Speaker, on Monday of this week, April 16, 1973, Mr. Robert J. Babich, executive vice president of the Northeastern Minnesota Development Association, testified before two subcommittees of the House Committee on Interior and Insular Affairs on pending surface mining legislation. His remarks before joint hearings of the Environmental Subcommittee and Mines and Mining Subcommittee appropriately and succinctly call attention to the complex and far-reaching affect of this proposed legislation. His testimony is an excellent illustration of the many diverse types of mining situations that must be considered in the development of efficient legislation. Mr. Babich represents an organization which is deeply concerned with both the environment and economic development. In northeastern Minnesota we are proud of our clean air, clean water, and untrammeled forests and we are doing all in our power to keep it that way. Mr. Babich's approach to regulating surface mining as it applies to iron ore and taconite mining in northeastern Minnesota is responsible and effective. I want to take this opportunity to call to the attention of my colleagues this balanced, well-reasoned statement:

Mr. Chairman, members of the committee, my name is Robert J. Babich and I am the executive vice president of the Northeastern Minnesota Development Association, hereafter referred to as NEMDA.

Let me first express my sincere thanks for allowing me to visit with you about this very important legislation before the committee. It is my hope that after our discussion here today we may all be a bit wiser in the matter of legislation regulating the reclamation of surface mining land.

To help you better understand the reason for my appearance today, let me brief you on the origin and functions of NEMDA.

NEMDA was founded back in 1964 under the direction of Hubert Humphrey, Walter Mondale, John Blatnik, former Minnesota Governor Karl Rolvaag, labor and industrial leaders, a group of concerned citizens and myself to revitalize the depressed area of Northeastern Minnesota. It was at that time that we received a mandate from the state through the passage of the Taconite Amendment to develop the taconite industry to its fullest potential.

We organized NEMDA both to encourage the development of our mining and wood fiber industries and to diversify the economy by bringing other types of industry to Northeastern Minnesota. Since that time NEMDA has played a key role in the economic development of the six counties we cover in Northeastern Minnesota.

It gives me pleasure to tell you that our efforts have been successful. Industry, labor unions and many, many small businesses of all types invested their money and manpower into our development program. As a result, today the economy of Northeastern Minnesota is healthier and more stable than at any other time in history.

For instance, we have managed to diversify our economic base by encouraging the growth of satellite industries to service our basic industries. This may come as a surprise to some of you, but we now have a mushrooming garment industry in our area which is providing supplemental incomes that weren't there eight years ago. And we have worked hard to develop and sophisticate our service and recreation industries. We have one of the most beautiful sections of the country, and we must take advantage of the ever-increasing tourist-travel dollar.

We are witnessing growth in our wood fiber industry that we haven't seen before. Not only are our wood fiber plants expanding, they are also diversifying their product lines to more fully utilize our great sources of raw material in Northeastern Minnesota. All of this means jobs and future opportunities for today's families and their children.

On a statewide basis, the forest products industry is the third largest industry in Minnesota. By far the largest single producer of forest products in Minnesota is the pulp and paper manufacturing industry. Eleven pulp and paper mills in the state the equivalent of a million and a half cords of pulpwood annually.

Products from these eleven mills are valued at about $350 million annually. From 1960 to 1970, the pulp and paper industry of the state expanded $143 million in basic capital investment and an additional $48 million in plant maintenance. These mills employ over 10,000 people whose earnings exceed $100 million each year. They have a freight bill of $30 million and they purchase $120 million of materials and supplies, exclusive of pulpwood.

In addition, pulpwood harvesting provides full and part-time employment for another 9,000 people. Nearly all the pulpwood harvested in Minnesota comes from 17 counties in the northeast and north central section of the state. All Minnesota pulp and paper manufacturing facilities are located in the same area—Northeastern Minnesota.

An additional 10,000 people are employed in other wood fiber industries such as saw mills, box factories and box manufacturing in the state of Minnesota.

As you can see, this is a substantial part of our economy. It is an industry which will continue to grow through proper forest management and assurances to the industry of an adequate supply of raw material.

Iron ore mining is another industry which has significant impact on the economy of Minnesota, especally Northeastern Minnesota. The following facts and figures will illustrate just how important iron mining is to the state.

Today there are about 12,000 people employed in mining in Minnesota, with about 10,000 of those working in year-around jobs in the taconite industry. These people were paid more than $150,000,000 in wages in 1972. A recent study showed that the number of additional jobs in industries closely tied to mining is estimated to be another 12,000. Indirectly, each mining job supports between eight and nine people.

Much of the goods and services required by the mining industry is purchased from 1700 Minnesota firms. In 1972, purchases from these Minnesota firms totaled more than $175,000,000 with taconite firms spending over $160,000,000 of this amount, and this figure represents only a part of the total expenditure for taconite production.

Taconite's importance is also reflected in tax payments. The estimated taconite taxes paid to state and local governments in 1972 is $20,000,000. In addition, commercial railroads paid more than $2,500,000 in gross earnings taxes derived from hauling iron ore and taconite.

To date there has been approximately $1.2 billion invested in taconite plants in Northeastern Minnesota, with another $220,000,000 in taconite facilities under construction. These six commercial plants are producing 39,700,000 tons of taconite pellets annually. When the new facilities are completed they will have an additional annual tonnage capacity of 6,000,000 tons.

However, in the past decade we have seen a steady decline in our natural ore production. From 1971 there was a drop in natural production from 16,462,000 tons to 14,297,000 tons. As our natural ore bodies are depleted, the mines close, and of course this means unemployment. Today there are about 2,000 people still working in natural ore mines. We expect all of the men and women will be unemployed by 1985.

The answer to this problem is to continue to expand our taconite industry. Most authorities agree that production of taconite pellets could reach 65,000,000 tons per year, as competitive and economic conditions permit. Achieving this rate of production would have a beneficial effect on the economy of Minnesota and Iron Range communities. It would certainly solve the unemployment caused by the closing of natural ore mines. Maturing of the industry to the potential 65,000,000 ton mark, however, depends on many factors.

Our future, of course, is in taconite, and with all plants going at or near full capacity, the taconite industry will produce 40,000,000 tons of pellets in 1973. But that's less than two-thirds of our potential. Sustaining a healthy economy depends on further taconite development to replace jobs being lost in natural ore mines.

We are also facing competition from other areas of the nation and world. Other iron ore producing areas have been very busy promoting and developing their iron ore reserves. Twenty years ago, Minnesota shipments were 22 percent of the world's production. Now they are less than 7 percent. This is due to new discoveries and lower production costs in other parts of the country and world. Ores produced in foreign countries also have become more competitive because of changes in ocean transportation, like ships five to eight times larger than the biggest on the Great Lakes. Twenty years ago there was little or no mining in Australia, Brazil, India, Labrador, Liberia, Peru, Quebec, or Venezuela. Today, they're all competing with us. And, their ore deposits are typically very large, and of high quality.

Also the last twenty years have seen dramatic changes in steelmaking. In 1971 Russia produced more steel than the U.S. Japan has become the world's third largest steelmaker, the world's largest shipbuilder, and the builder of the world's largest ships. Japan's steel industry has been built around deepwater harbors which can accommodate these huge ore carriers, hauling ore from all parts of the world.

So the changing world, plus the fact that iron ore is plentiful and produced by many other nations, has an impact on Minnesota's iron ore and taconite pellet production.

As I stated earlier, employment in natural ore has been steadily declining. On the other hand, growth in the taconite industry has provided new jobs to replace those being lost due to the decline in natural ore production.

Gentlemen, for the first time in the history of Northeastern Minnesota, people like my nine brothers and sisters and their families have year 'round employment. In my father's twenty-eight years as an iron ore miner, the best employment year he had was nine months. Most years were much less. Today, we are blessed with a clean taconite industry creating jobs for our people.

In studying your bill, I find that it could become effective legislation controlling surface and strip mining and continue to permit development of our mineral resources. However, there are provisions in the bill, as they relate to iron mining which seriously threaten the existence of our iron mining industry in Northeastern Minnesota.

There are provisions in the bill which would limit the term of any permit for surface mining and reclamation five years or less. In view of the enormous capital investment for iron mining operations, normally involving loans running for 25 to 30 years, such a limitation would create serious financial problems.

There is also a provision to force backfilling of our open pits. You must understand that our iron mines operate for as long as 50 years. The natural iron ore open pits of years past are now our source for the low grade taconite ores. To limit permits to five years and force backfilling in our open pits are regulations that could very well kill the taconite industry in Northeastern Minnesota.

Gentlemen, as I have illustrated in my testimony, the economy of our state and especially Northeastern Minnesota basically relies on the wood fiber and iron mining industries. Both of these industries have made every effort to comply with new state and federal regulations regarding air and water quality. In this compliance they have invested millions of dollars for pollution equipment which adds not one cent to the companies' earnings. Our companies have recognized their responsibilities and have willingly invested their money to correct environmental problems.

The mining companies are not opposed to legislation regulating reclamation of mine lands. However, these regulations must be written so as to allow these to continue to operate in realistic terms.

We at NEMDA are knowledgeable of the iron mining industry in Northeastern Minnesota, and have a deep desire, as I'm sure you do, to see that legislation to regulate surface mining is effective and equitable. We offer our services to you in reviewing and amending your "working document".

Again, thank you for your time and consideration.

GROWTH IN THE TACONITE INDUSTRY IN MINNESOTA FOLLOWING PASSAGE OF THE TACONITE AMENDMENT IN 1964

[Dollar amounts in thousands]

	Annual capacity (thousands of tons)	Investment	Employment
Taconite facilities presently in operation:			
Reserve Mining Co	10,800	$350,000	3,200
Erie Mining Co	10,500	350,000	2,900
Minntac	12,000	275,000	2,000
Eveleth Taconite Co	2,000	45,000	450
Butler Taconite	2,000	56,000	400
National Steel Pellet	2,400	90,000	425
Total, 6 commercial plants	39,700	1,166,000	9,375
Taconite facilities in operation prior to the passage of the taconite amendment in 1964:			
Reserve Mining Co	6,500	210,000	2,500
Erie Mining Co	7,500	300,000	2,400
Pilotac (United States Steel)	1,000	50,000	500
Total, 2 commercial plants and 1 pilot plant	15,000	560,000	5,400
Growth since 1964	24,700	606,000	3,975
Additional taconite facilities under consideration:			
X	2,000	70,000	600
Y	4,000	150,000	1,300
Total	6,000	220,000	1,900

GLENSIDE NEWS MARKS 50TH ANNIVERSARY

HON. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. COUGHLIN. Mr. Speaker, I am pleased to call to the attention of my colleagues the 50th anniversary of the Glenside News, one of the fine community newspapers that enjoys such loyal readership in the Montgomery County section of the 13th Congressional District.

For many years, weekly newspapers have served the many Montgomery County communities with an interesting blend of local news items. Their stature in the community has grown over the decades.

The Glenside News first was published on February 7, 1923, by the Robinson Publishing Co., later sold in 1939. From then until 1959, the Glenside News was published as one of the Times Chronicle Newspapers.

In 1959, the Times Chronicle Newspapers were purchased by Montgomery Publishing Co., one of the largest weekly newspaper chains in the area. While a member of a chain of weeklies, the Glenside News has remained closely attuned to local needs. It serves residents of the Greater Glenside Area including Glenside, Ardsley, Edge Hill, North Hills, Custis Woods, Glenside Gardens, Laverock, Roslyn, Weldon, and Wyncote.

The excellence of the Glenside News is shown by the numerous editorial awards that the newspaper and its staff have received. Not only has the newspaper been cited by the Pennsylvania Newspaper Publishers Association in statewide competition, but it also has been honored by the National Newspaper Association in nationwide contests.

With a current circulation of 4,500, the Glenside News today commands a special place in the affections of its readers. While printing local news of importance and interest, the newspaper has won a deserved reputation for integrity, dignity and civic-mindedness in its half-century of publishing.

I salute the staff of the Glenside News for its outstanding efforts in the field of community journalism, exemplified by its high standards of writing, editing and publishing. They have maintained a proud record.

The communities served by the Glenside News, I am certain, regard the newspaper as a vital part of local life. They are fortunate in having so professional and community-oriented a newspaper covering local news events.

I offer my congratulations and best wishes on this 50th anniversary, and know the Glenside News will continue for many more years to serve its readers honestly and effectively.

SHOE PRICES RAPIDLY RISING DUE TO HIDE EXPORTS

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. ANDERSON of California. Mr. Speaker, as consumers we all have a tendency to grumble, shake our heads, and then proceed to buy high priced commodities.

But, as Members of Congress we cannot just shake our heads and passively accept inflated prices. We must take action.

Food prices are an easily visible indicator of our runaway economy. But other essential products have prices which are also skyrocketing.

Wholesale shoe prices are climbing. It is not the retailers or wholesalers fault that shoe prices have gone up. The rising price of hides because of their increased exportation is the villain behind the increasing price of shoes.

In the last 10 years, U.S. hide exports have risen from under 7 million to over 17 million hides annually.

During the same time period, shoe imports into the United States have climbed from 50 million pairs to almost 300 million pairs—a sixfold increase.

The increasing net deficit in foreign trade of hides, leather, and shoes, has paralleled the increased hide export and shoe import figures. Since 1962, the net deficit has gone from $150 million to over $1 billion in 1972.

A shoe retailer recently explained the necessary price increase in a letter to the dealers selling his products.

His letter cogently details how the exportation of hides is raising the price shoe manufacturers pay for their major raw material—hides.

Mr. Speaker, I would like to share one shoe producer's dilemma with all of my colleagues. After all, we all share in his dilemma—we must all purchase shoes.

The following letter was sent to a shoe dealer in my district:

NEW PRICES EFFECTIVE APRIL 1, 1973

MUSEBECK SHOE CO., INC.,
March 30, 1973.

To all Foot-So-Port Dealers:

It is with a feeling of helplessness of being caught up in a flow of events that you cannot fight against that we announce another increase in our wholesale shoe prices.

Several factors bring this about. Nothing has been done to stop the export of hides out of this country; in fact, it's still increasing, with outside countries bidding up the price.

On top of this, since Phase III has been discontinued, we are now beginning to get price increases from other suppliers, all of which bring about the prediction that shoe retail prices will have to go up from $1.00 to $3.00 a pair very shortly. We feel that our prices are still competitive in our particular field, but we have to recognize that the leather shoe of high quality is becoming a premium product, as are all leather products.

We are seeing a parallel in other raw material products, such as wool, which is forcing all wool clothing to record highs; and the export of logs and lumber, which has added over a thousand dollars to the cost of a home in the last few months.

The government so far doesn't seem to have come up with any solution except the statement that we don't dare offend any foreign countries for fear of a trade war, which would make things worse. We are beginning to wonder how long we can keep on buying overseas at the expense of jobs in this country and continuing inflation.

Thanking you for your understanding of the situation.

Sincerely,
W. W. GALLAHER, *President*.

ALL-AMERICA CITY

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. O'NEILL. Mr. Speaker, I am placing in the RECORD a letter from the managing editor of the Saturday Evening Post regarding the city of Somerville, which has just been awarded the title of All-America City. I am justly proud to represent the city of Somerville, and the exemplary citizens who have demonstrated their devotion to ideals of democracy and leadership in attaining national recognition from the Saturday Evening Post and the National Municipal League. Each and every member of the community deserves congratulations and gratitude for having made Somerville such a fine place to live and work.

The letter follows:

THE SATURDAY EVENING POST,
April 9, 1973.

Hon. THOMAS P. O'NEILL, Jr.,
Representative from Massachusetts,
Rayburn Office Building,
Washington, D.C.

DEAR REPRESENTATIVE O'NEILL: It is my pleasure to inform you that Somerville, Massachusetts, has just been awarded the title of All-America City.

The award goes to Somerville for the vigorous action of its citizens in bringing about major improvements in their community, thus setting an example of good citizenship to the nation.

The All-American Cities Awards contest, now entering its 25th year, is co-sponsored by the National Municipal League and The Saturday Evening Post to recognize and encourage citizen action. Each year, eleven winners are selected for the honor by a jury of distinguished citizens and experts on government impanelled by the League.

The names of the eleven winners will be *released officially on April 15,* and an article highlighting the All-America Cities will appear in the May/June issue of The Saturday Evening Post, on sale, April 15.

The Post is proud to announce this year's fine new team of All-America Cities. We know that you will join us in offering the heartiest congratulations to the citizens in your constituency who have shown such an avid interest in their community.

Sincerely,
FREDERICK A. BIRMINGHAM,
Managing Editor.

REPORT ON FIRST 100 DAYS IN CONGRESS

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. HUBER. Mr. Speaker, to report on my activities since this session of Congress began 100 days ago, next week, my office will be sending our first regular newsletter to my constituents.

Emphasis has been placed on two matters of particular concern to Michigan's 18th District which I have the honor to represent. One is the forced busing mess that is growing into a countrywide cancer, and the other is the dilemma faced by me and other Members of Congress who want to drastically cut spending by the Federal Government but not cripple essential programs.

The report follows:

April 1973.

Roughly 100 days have passed since coming to Washington as your Representative from Michigan's redefined 18th District. This first regular report will summarize my principal activities and assignments during this period, and note legislation I have introduced. It also will indicate the dilemma faced by me and other Congressmen who want to hold down your taxes while voting for worthwhile programs.

Let me repeat: your comments and suggestions on Congressional and national matters always will be welcomed and carefully weighed. My offices in Royal Oak and Washington are staffed to be of service to you on matters relating to the federal government.

To serve constituents better, I have made it a point to meet and confer with top officials here in Washington at both day and evening meetings. Among those have been Secy. of State Rogers, Secy. of HEW Weinberger, Secy. of Navy Warner, OEO Director Phillips, Pres. Advisor Kissinger, Pres. Assts. Haldeman and Friedersdorf, and high level officials of the Department of Housing and Urban Development. Numerous contacts are made daily with lesser officials throughout the bureaucracy.

Relevant, responsible committee posts have been assigned me for the next two years. I will serve on the Committee on Education and Labor, and its Special Education and General Labor Subcommittees. Here my years of experience as a Michigan legislator and as a manufacturer will be most useful.

I also agreed to serve on the Veterans' Affairs Committee and three of its Subcommittees—Education and Training, Hospitals, and Housing. Here again, my training and experience such as my U.S. Army service, years in the American Legion, and the past Post Commander in the Catholic War Veterans should make a contribution to the deliberations and work of the groups.

Meeting at the White House at the President's invitation to explore ways to slash federal spending and thus stop increasing taxes.

An influential post has resulted from my world travel and work with the Detroit Chamber of Commerce promoting overseas trade and my concern for developing fiscally sound economic policies. I have been selected to serve on the 16 member Republican Task Force on International Economic Policy. This group will study such key issues as monetary reform, the U.S. trade deficit, international investments, and the role of the multinational corporation.

Members of Ferndale School Board meet with me to fight racial discrimination charge by HEW against the district.

Ban busing: To resolve the forced busing mess in this country, I am working on a day-to-day basis with like-minded Members of Congress and with concerned organizations and individuals.

We have introduced four Constitutional Amendments to reduce and eliminate forced busing. (I testified before the House Education and Labor and the Senate Judiciary Committees on these earlier.) Under this legislation, a child's neighborhood would remain the appropriate area for determining his public school assignment. Getting a Constitutional Amendment adopted, however, calls for a two-thirds vote in both the House and Senate, and then ratification by 38 states—a process that is slow and uncertain. Hence, we also are attacking the problem of forced busing by enacting new federal laws. One of our bills makes it clear all court-ordered busing would be stopped until all appeals have been exhausted. Another would limit student assignment to a child's neighborhood.

There is no question of the effectiveness, in total, of the concerted efforts of the nation's citizens groups that oppose forced busing. Equally true, the battles for high quality education for all, for neighborhood schools, and for an end to forced busing is still far from won. You can count on my continued participation with anti-busing groups in Michigan. Coupled with efforts in other Congressional Districts, we can help persuade the courts as well as Congress that the majority of Americans, will not tolerate forced busing for arbitrary racial balances.

A 15%–20% increase in income taxes is about the last thing most taxpayers can handle without further cutting their standards of living. Yet this is exactly what the nation faces unless excessive spending by the federal government is slashed.

The problem becomes especially acute when bad legislation is masked by alluring names and labels. It poses a special problem for me and other Congressmen who want to trim waste and the nice-but-necessary projects, but at the same time make sure we do not cripple essential programs.

The Vocational Rehabilitation Act presents a good example of the problem. Over strong Republican opposition, the Democrats forced a bill through Congress that would increase federal spending by a full *billion* dollars above the level we can pay without increasing taxes or slashing some other equally important program. I had voted *for* an expanded but reasonable Republican vocational rehabilitation program that failed to pass, then voted *against* the wastefully extravagant Democrat bill that passes. The President vetoed this over-stuffed bill, and the Senate sustained his veto.

Supporters of the extravagant version didn't bother to point out that such excessive spending would mean more deficit spending and inflation more devaluation of the U.S. dollar and more federal income taxes. They didn't remind us that haphazardly passing out bundles of taxpayers' money rarely solves problems or hits the target. They certainly didn't show how much the federal rehabilitation program had expanded and improved since President Nixon came into office. For example, the budget for vocational rehabilitation, from fiscal year 1969 to fiscal year 1974, shows a 75% increase. The number of Americans being served jumps from 781,000 to some 1,225,000 during this period. And its estimated about 350,000 persons will be rehabilitated compared with 241,000 at the start of Nixon's administration in 1969.

Of course we must and will continue to meet essential needs of our citizens, but with costs as high as they are today we cannot afford to waste taxpayers' money. My vote on this bill—as it will be on others that have become extravagantly padded—will be to cut wasteful spending in order to avoid the need for an increase in our already heavy income taxes.

Helping constituents with their problems began the day I became your Congressman. For instance:

3713 letters mailed.

12 round trips made to the 18th District.

47 bills and resolutions introduced.

128 problem cases handled, including ones involving Social Security, Veterans Administration, Army, Navy, Air Force and Civil Service.

355 long distance phone calls completed.

131 citizens visited our Washington office.

96 citizens visited our Royal Oak office.

152,000 questionnaires, seeking 18th District opinions, distributed.

National Commander Jos. Sanson recently presented me with Honorary Life Membership in AMVETS.

In voting, and in proposing new legislation, my prior experience as a mayor, county supervisor and State Senator is helping me get off to a fast, sure start. In deciding how to vote, or whether or not to introduce legislation, each issue is approached on its individual merit—its advantages or disadvantages to my neighbors in Michigan and to those in the rest of the nation. Here are typical measures introduced since coming to Washington in January:

To improve Postal Service:

Each year have Congress pass on requests from the U.S. Postal Service for supplementary operating funds.

To aid veterans:

Insure that their disability rates will not be lowered.

To protect the environment:

Provide tax incentives to recycle trash, or to burn it for fuel.

To help the taxpayer:

Create a Senate-House Committee on the Budget to tighten control of federal spending.

Give single persons the same federal income tax benefits as married ones.

To fight crime:

Impose stiff, mandatory sentences on those using firearms in committing a felony.

Make it a federal crime to kill or assault a fireman or policeman performing his duty.

THE REALITY OF REGIONALISM

HON. PAUL W. CRONIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. CRONIN. Mr. Speaker, several weeks ago, we in the Congress were honored by the visit of the Honorable Frank McManus, a member of the British Parliament elected by the people of Northern Ireland. Mr. McManus was in Washington to speak with Members of Congress about the tragic events in Northern Ireland. He spoke in highly moving terms, and I know that his words had a profound effect on many of my colleagues. To his credit, he was able to take the complex issues relative to Northern Ireland, which are often difficult for the American people to follow, and place them in a context which could be understood by all.

Mr. McManus has set forth one possible solution to the hostilities in a book entitled: "Ulster—The Future." This book has been reviewed by Mr. Fred O'Brien, of Charlestown, Mass., who is a contributing author to "The Irish People" and a frequent commentator on the events in Northern Ireland.

Mr. Speaker, I respectfully request that Mr. O'Brien's review be placed in the RECORD.

The review follows:

THE REALITY OF REGIONALISM

(By Fred Burns O'Brien)

Having just finished reading the booklet "Ulster—The Future" by The Honorable Frank McManus, M.P., it seems appropriate to offer more discussion on the theory of regionalism that Mr. McManus presents so convincingly. The theory of regional government is a rational approach to the problem of uniting all the people of the island of Ireland, including those at extreme poles on the political spectrum. Most concepts discussed herein are those developed by Mr. McManus, however, a few ideas developed as an outgrowth of those which are my own.

Dividing Ireland into the four provinces with strong regional parliaments is confronting the problem of implementing unity face to face. No citizen of the Six Counties, Orange or Green, is going to accept the Dublin Government suddenly being thrust upon them in a governing capacity. All the people would feel resentment to some degree for they would be passed from one domineering force to another with the new one being as unfamiliar with local problems as the past government across the Irish Sea., Frank McManus fully realizes that a new Ulster, like a new Ireland, requires new creative government. This eliminates the Government of Dublin as it presently exists. There, they have had one-party government similar to that of one-party domination in the North with the one exception that the "Republic" has had an opposition that was able to interrupt its rule twice over the last forty years of its power. The Government of Dublin is as stale as that of Stormont was before it was brought down and deep down as indifferent as that in London. The indifference of both London and Dublin has prolonged the agony of the North. There has never been any real pressure from either government to have a settlement, only guarded words.

The regional government could be looked at as permanent government in a transitional context. A united nine-county Ulster would allow its inhabitants to adjust to the idea of the united province and accept this entity eventually transmitting their loyalty to a central Irish Government which would be the overseer of the regional areas. Until that time the regional and central governments could work hand in hand for the betterment of the province. This form of regionalism would be beneficial to the people of Ireland as a whole especially in areas with particular problems. The North has been living under a wartime atmosphere and needs delicate reshaping that only its citizens can work out. The West of Ireland needs a special attention on development that a regional parliament would give attention of a particular sort that the central government would not be able to allow for due to complexitys.

Ulster's problems are best understood by those who live there and best resolved by all factions of opinions hammering out viable programs offering equitable solutions. The population of the full nine counties would reflect almost a 50–50 division between the two major sectarian groupings. This would give rise to a healthy political climate where there would always be effective opposition. Mr. McManus contends that initially the present Unionist coalition of opinion would be in the majority and control the proposed Ulster Parliament. Their position of power would not be decimated by this form of Irish unity. They would maintain power, but in a rational vein.

The melding of "historic Ulster" is simple geographic sanity. It is a vehicle that is needed to assure the present Protestant majority of the Six County State that they will not be so dominated as to be devoid of equality. The fears of Protestants have to be alleviated and appeased. Some of the Protestant fears are mythical as pointed out at the beginning of the McManus booklet. The inflammatory rhetoric of the Orange Order conjure myths to keep in line those who by their way of life should be opposed to the leaders of the order. The other fears are certainly legitimate and must be tended to by the government. These would be in reference to the divorce laws, contraception, abortion, censorship and other social legislation. The denial of these entities are certain to bring cries of papist tyranny and verify the Orange myths.

Asking Unionists to accept Regionalism offers a less offensive tone to it than ordering them to reject all that they hold necessary to their existence and have them accept the Dublin Government at face value. This would surely bring on a civil war. Regionalism brings a new Ulster for all parties to offer concrete contributions regardless of past politics. McManus cites the regional approach of Switzerland, Germany and the United States as workable regionally based states with controlling central governments.

The United States of America has always had regionalism. Each region or block of states have certain problems fixed to their particular region to be considered and solved by those of power in the regions. The Congressmen and Senators of the Southern States of the United States have a different approach to the central government than their counterparts in the Northeast States. There are pertinent regional concerns that are primary goals of representatives of the region and of course there are central issues of a national concern that are solved in the context of the whole nation, but always with over-riding regional concerns. This would be true in Ireland as well as the United States.

The booklet presents the overbearing issue of domination. Do those in Ulster want to be dominated by either London or Dublin? McManus correctly, in my judgment, states that the overwhelming number of Ulster citizens would reject domination of either in favor of the regional concept with allegiance eventually to an Irish central government reshaped to be acceptable to all the Irish people. In addition to the idea of domination by an "outside force" Mr. McManus dwells on the all too true fact that unity of the two states that make up Ireland is not just a possibility, but a certain necessity. It is only a matter of when and it will not be too great a time because of the economic strain on the British economy in financing the North and the added pressure of Europe leaning on Britain to resolve their "internal problems."

The establishment of an Ulster identity formed by all of the people can be accepted by all its people, healing wounds of the past as all of Ulster will strive to maintain benefits that will accrue to them. The figure in the booklet suggests that a nine-county Ulster will make up 40% of the population of Ireland. Numerically as stated, the Protestants will control Ulster and have a powerful voice in the central government. This cold fact should alleviate many Protestant fears since they will control 40% of the population of Ireland and they will be stronger that their 25% of the population. The more advanced North will be able to exert a great influence due to their industrial potential.

Ulster certainly has a future if those of Ulster want it and can repress past myths in favor of a reasonable future. Each side must divest itself of selfish one-sided goals in favor of what is best for the entire community. These are easy words to say and are general concepts. They have not been effectuated because they remain general and easy for politicians to speak of, but far too broad for practical enactment. This is another reason in favor of regionalism which could be implemented since it is more specific and operable.

For anyone with an interest in the future of the North, I highly recommend reading *Ulster—The Future*. It offers a rational approach to a problem that must be solved.

ARMY MEDICAL CORPS

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. FUQUA. Mr. Speaker, on April 12, I introduced H.R. 6907, a bill which would bring long-needed equity into the promotion considerations of all officers in the U.S. Army. The Army is entering a period of experimentation, with the end of selective service and the initiating of the concept of the volunteer army. It would be especially fitting that if at the same time, the Army could be reorganized so that the officers of the Army Medical Service Corps achieve the recognition they deserve and have been denied for too long.

H.R. 6907 would elevate the rank of the chief of the Army Medical Service

Corps to a major general; the assistant chiefs, the heads of the various sections in the corps, would rank at brigadier general. Such upgrading of rank would present an equitable position with other Army officers and thus undoubtedly enhance the prestige of the corps. According to the current ratio of 5 general officer positions for 1,000 Regular Army strength, there should be 10 such positions in the Medical Service Corps, instead of the single such position now allocated.

Recent statistics reveal that 11 percent of all Army officers with graduate degrees are in the Medical Service Corps, and that this corps also boasts 31 percent of all doctorate degrees. This educational background demands attention in promotion considerations.

Until this time, the Army has had no problem in securing health care professionals; at least on the surface, it would seem that way. There was always the doctor draft. The Army depended on this situation, since the retention rate has not been overwhelming in this area. And how can we expect a good retention rate, with less chance of promotion than for officers in other corps in the same Army or with the great disparity between civilian and military income.

We are now in a position where the Army must begin to depend on volunteers. This upgrading of rank for health care professionals is one sure way to at least encourage these needed officers to consider the military as a satisfying career, this is one sure way to increase retention. Surely the retention factor alone would present a long-term financial savings as well.

As the Nation and Congress turn more and more attention to the question of health in this country, the Army cannot be exempt from this consideration. The health and well-being of the Army should be a prime concern. With the volunteer army, it will be a necessity to provide comprehensive health care to all military professionals. Upgrading the rank of the Army Medical Service Corps by H.R. 6907 is an initial step in this whole process.

SCRANTON PREP—STAR CHAMPION

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. McDADE. Mr. Speaker, last St. Patrick's Day, Irish eyes were smiling on the Scranton Prep basketball team as they defeated Pittsburgh North Catholic High School 48–44 in Pittsburgh to win the PCIAA class A State championship. The victory gave Prep their first State championship in the school's history and culminated one of their finest seasons.

It was much more than good luck which accounted for the tremendous season enjoyed by the Cavaliers under the very able leadership of Coach Jack Farrell. Included in their championship season was a 17-game winning streak, a victory in the prestigious Lynett Tournament that gave Coach Farrell his 100th victory at Prep, and the succession of victories that led to their final win over Pittsburgh.

Not to be outdone by the varsity, the Prep junior varsity posted an 18-2 record this year, indicating that my alma mater should enjoy continued success in the future.

Mr. Speaker, I know the Members of the House will join me in extending to the coaches, faculty, students, and players at Scranton Prep our hearty congratulations on this outstanding achievement.

NEW WAY TO FIGHT POVERTY NEEDED

HON. PAUL W. CRONIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. CRONIN. Mr. Speaker, a recent editorial in the Maine Sunday Telegram, Portland, Maine, points out that since the war on poverty has not worked, another method to fight poverty must be undertaken.

The strategies and plans to raise the poor out of poverty have failed and the only way to do that is to learn from past mistakes, scrap and restructure programs which have failed, and develop a new and progressive program based on programs which have been successful.

It is for these reasons that OEO must be restructured.

I include the following editorial in the RECORD:

[The Portland, Maine, Telegram, Feb. 25, 1973]

WAR ON POVERTY; WHAT BATTLES WON?

OEO—sloganized as the "war on poverty"—was a high and splendid idea. But after eight years and billions of dollars, its record of results achieved in defeating poverty was a sorry one.

As soon as President Nixon said he was dismantling the Office of Economic Opportunity, wailing words poured out from congressmen on Capitol Hill, including wails from the Maine delegation. After weeks of hearing those wails we came across two statistics which strike us as somewhat relevant . . . Since 1950 a congressman's salary has increased 183 per cent and the price of a manure spreader has increased 395 per cent.

Enough expensive crocodile tears, we say.

Now the job is not to mouth political invective over the dismemberment of OEO because of its failure to win the war against poverty. The job is to develop other tools that may perform more effectively. For America should and must continue the fight against poverty in our midst.

Today, the challenge to the windy army of OEO poverty fighters is not to keep themselves on the payroll but rather to marshall enough convincing facts, figures and program proposals to persuade local government authorities to finance provenly effective anti-poverty programs out of new revenue sharing funds.

So far this is not happening. Why not?

It is a cherished tenet in America that the closer government is to the people the more effective and more responsive government is to the needs of the people.

If this tenet is true, why are local officials not responding more to the needs of the poor, the sick, the elderly, the children? Local officials surely are not steely hearted human beings. Furthermore, as politicians they know that to be re-elected they need the votes of the poor, because the poor and the aged are numerous.

Is the fault therefore with the innumerable agencies of OEO?

Are they unable to present a convincing case?

Are these tens of thousands of people on OEO payrolls unable to muster provable facts that their programs are indeed moving people up out of poverty? Are they unable to show that dollar for dollar they are achieving results that demonstrably deserve re-financing from local budgets, where all are better able to see both the costs and the results? If they can't do this, then let's stop the wailing about the end of OEO.

The fight against poverty can be won not by putting a few poor on OEO payrolls, but only by helping people move themselves up out of poverty. If the OEO agencies can show they are performing this vital job, then we are confident that they can compete successfully in getting their due share of revenue-sharing funds from Maine town, municipal and state government. And then carry on their work.

While the American people have no love for taxes, the one thing they really hate is paying taxes to government agencies which fail to deliver the goods. And that has been the fault of OEO nationwide. Its goals are fine. Its performance is not. Who therefore, can quarrel with the President's proposal that a more effective method to fight poverty be tried?

FEDERAL-AID HIGHWAY ACT MONEYS FOR ALASKA

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. YOUNG of Alaska. Mr. Speaker, today is a very important day in the history of Alaska, And because of this, I would like to insert my remarks.

I say this is an important day for my State because the Congress has approved the Federal-Aid Highway Act of 1973. For many of my colleagues, this action will bring needed highway improvement. For others, it will open the way for improved inner-city transportation.

But for Alaska, the law means more, much more. It means that a major segment of the only road connecting Alaska with her sister States will be paved for the first time. It also means that Alaska will receive $20 million for each of the next 3 years to improve and expand her highway system.

Alaska is the only State in the Union that has never been made eligible to receive Federal interstate highway trust funds; this you all know. But Alaska's very special needs have not been forgotten by her friends in the Congress.

The quest for these highway improvement moneys started many years ago, when the Honorable Howard Pollock was Alaska's only Representative in Congress. The late Nick Begich worked long and hard with Mr. BLATNICK, the Honorable Representative from Minnesota who chairs the House Committee on Public Works, to provide for badly needed highway improvement funds.

The Honorable **Don H. Clausen**, the gentleman from California, has also given Alaska his able assistance in committee meetings and on the floor. To these gentlemen and to others who have worked to help Alaska become a more equal partner in the Union go my thanks and the sincere appreciation of all Alaska.

They know that Alaska, a State 2½ times the size of Texas has only 7,500 miles of roads. They are aware, too, that Texas, by way of comparison, has 248,340 miles in its road systems. The distinguished Members who have helped include Alaska in this highway appropriation measure know that Rhode Island, a State smaller than Alaska's Malaspina Glacier, has 5,500 miles of roads, very nearly as many miles of highways and city streets as there are in all of Alaska.

Alaska, I may remind you, is one-fifth the size of the entire continental United States. In the 50 States and the District of Columbia, there are 3,758,942 miles of roads, highways, and city streets. If the Nation's roadways were built in proportion to the size of each State, Alaska's highway system would have to be expanded a hundredfold. For the present, this is obviously impossible. But before closing my remarks, I must point out that Nevada, a State with a population closest to Alaska's has a road system seven times the size of Alaska's.

Appropriations for the next 3 fiscal years—$20 million for each—will bring substantial improvement to Alaska's road system. And, the specific allocation that links the main body of the State and the panhandle region of southeast Alaska will enable Alaskans and all citizens who each year visit the Great Land in increasing numbers to make their journeys more safely and with greater convenience.

A SYMBOLIC VOTE

HON. WILLIAM L. ARMSTRONG

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. ARMSTRONG. Mr. Speaker, today's vote on the highway trust fund amendment, an amendment to provide some additional funding for mass transit, posed the most difficult decision which I have faced on any legislation since coming to Congress. After weighing arguments presented during floor debate and studying the written reports on the proposed amendment, I voted against diverting money from the highway trust fund.

This was a difficult decision because I am for mass transit. This country needs environmentally and economically sound mass transit systems; this need is particularly acute in my home State, Colorado. But the amendment proposed today would not solve the problem. On the contrary, I am convinced the amendment would undermine both mass transit and highway programs.

Of course, today's vote was mostly symbolic. In its original form S. 502 already provides $3 billion in general fund money for mass transit. So permitting the diversion of a part of the $700 million in urban systems money would not have significant financial impact.

But it would undoubtedly foster the impression that mass transit funding problems are solved. And nothing could be further from the truth.

Since it is obvious there is not enough money in the highway fund now, or in the future, to finance both highways and mass transit, creating competition for highway user funds will divert attention from the real need—separate funding for transit on a realistic basis.

Some people believe the highway fund has a heavy surplus. But the National Transportation Report, submitted to Congress last year by the Department of Transportation, estimates $600 billion is required to meet highway needs between now and 1990. The highway trust fund will have income of less than half this amount. And the $5.4 billion balance expected in the trust fund at the end of this fiscal year is already $2.6 billion short of unpaid obligations.

Tying the future of mass transit to an already depleted highway fund does not make sense. We must have responsible financing of mass transit on its own merits.

In this respect the legislation adopted by the House today is a constructive step. It provides $3 billion in new authorizations on the basis of an 80–20 matching formula, an improvement over the previous 2–1 formula.

A new degree of local flexibility permitting a city to substitute all or a part of its urban highway money for mass transit investments—either fixed rail or rolling stock for rail or bus operations—is also included. This will be made available in advance obligational authority against general revenues. The $700 million earmarked for urban highways will be available for such optional use.

Furthermore, existing legislation permits the use of any interstate, primary, secondary or urban money wherever the needs exist for construction of preferential bus lanes, fringe parking facilities and so on.

I should also point out that this legislation extends the Nation's program for highway construction by providing an additional $3.5 billion for completion of the Interstate System; $1.1 billion per year for urban roads; $1.1 billion a year for primary and secondary work in rural areas; and lesser amounts for other purposes. This highway construction program is the greatest single public works project in the history of our country and it is worthwhile to note that the Interstate Highway System is the only pay-as-you-go project of large magnitude which the Federal Government has undertaken.

All in all, Mr. Speaker, this is a good bill. But I deeply regret the symbolic overtones of today's House action. Many Americans will interpret today's action as being antimass transit and it is for this reason that I wished to explain my reasons for opposing the amendment and to reaffirm my own support for mass transit systems which are so urgently needed.

MINNESOTA'S WCCO: SQUARESVILLE-ON-THE-AIR?

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. NELSEN. Mr. Speaker, this morning's issue of the Wall Street Journal features a delightful front-page article on a friend known to nearly everybody in Minnesota, radio station WCCO. Of course, some faithful listeners may be a bit surprised to find WCCO described as squaresville-on-the-air. But on the other hand, maybe that is why this popular station is one of the most successful in the entire country.

Since Morgan Mundane, "sports editor" of the Congressional Record seems to be covering a wrestling match between President and Congress at the moment, I am pleased to substitute for him by inserting the WCCO story in the Record:

"Just Folks" Radio: WCCO Still Sounds as It Did in the 1940's, but Minnesotans Listen

(By M. Howard Gelfand)

Minneapolis.—Listen to WCCO radio:

At the crack of dawn, Maynard Speece tells folks about the price of frozen pork bellies. Later in the morning, Howard Viken plays a Patti Page ballad for his listeners. During the afternoon, Steve Cannon makes the city's worst sports prognostications. At night, Ray Christensen tells a quiz show contestant "Gee, it was fun talking about your farm."

Without listening any further, you should begin to understand why a local newspaper columnist labels WCCO radio "squaresville-on-the-air." What you may have a bit more trouble understanding is that Maynard and Howard and Steve and Ray and their associates dominate their listening area like no other metropolitan radio station in the country.

Most big-city radio stations are thrilled to muster a tenth of their area's listening audience. Only a handful of them can claim a share of audience greater than 20%. But Maynard and Howard and Steve and Ray, et al., regularly command 30% to 40% of the Minneapolis-St. Paul radio audience (depending on which figures you use).

All those listeners don't hear the strident jukebox sounds of "top-40" rock music; nor do they hear all-news or all-talk or all-"easy listening" music or any of the other round-the-clock formats that have dominated radio in the years since television first reared its head. Instead, WCCO offers a little music, a little sports, a good deal of news, a resolute avoidance of anything controversial, and an endless stream of light chatter about home, farm, family and anything else that Maynard and Howard and Steve and Ray find interesting.

A MODEL—OF THE 1940'S

That sounds like a standard radio format for the 1940s, and it is. In fact, other than the demise of a couple of soap operas, the only difference between the WCCO of 1953 and the WCCO of 1973 is that in those days, WCCO was fighting for dominance of the Twin Cities radio market; these days, WCCO *is* the Twin Cities radio market.

WCCO radio (there's a sister television station) acquired that dominance by flatly refusing to change with the times during the mid-1950s. A good many broadcasters decided then to focus their energies on TV; many also converted their radio operations to, in effect, free jukeboxes that occasionally tell time, temperature and a few headlines.

One WCCO rival, KSTP, maintained a talk-and-music format but shifted much of its radio talent to KSTP–TV, and it has gradually seen its share of the audience slip to 3% from 26% two decades ago. Currently, two rock-music stations vie for second place in the 20-station market with about 10% of the Twin Cities audience apiece.

As a result, WCCO "is one of the last radio stations in the country to appeal to a wide range of audience," says Leonard Bart, professor of broadcasting at the University of Minnesota. "It's a model of how to run a successful radio station—in the 1940s. But somehow they've been able to sustain their appeal, largely because their 'we're-just-like-you' approach is so much a part of their market."

Standing pat was a gamble. "We lost money in those years (in the early 1950s), but we knew we could hang on," says Lawrence Haeg, president of Midwest Radio-Television Inc., which owns WCCO. "Other stations were cutting their advertising rates, but we said 'by God, these are our rates, and this is what you'll pay'."

WCCO is still saying just that (station manager Phil Lewis is fond of referring to "the novelty of television"), and advertisers pay. It's estimated that last year's pretax profit was more than $3 million, or over 40% of WCCO's $7 million in revenue, a staggering performance in an industry where a 20% profit margin is considered exceptional. (The profits remain in the Twin Cities. Midwest Radio-Television Inc. is controlled, through some rather complex corporate geneology, by Minneapolis Star & Tribune Co. and by the Ridder family, which also controls a nationwide string of newspapers, including those in St. Paul.)

A BELLYDANCER AND DAVID HALBERSTAM

One reason for that prosperity is purely technical. For civil defense reasons, the federal government in 1932 designated WCCO and 11 other stations as "clear-channel" stations, meaning that after sundown no other stations can share their frequencies. During the day, WCCO's 50,000-watt signal booms out to all of Minnesota plus large chunks of Wisconsin, Iowa and the Dakotas. At night, the same signal carries as far as Ohio to the East and Texas to the South.

But all that signal does, of course, is transmit the sounds of WCCO, sounds like the 10:30 show done each morning by Charlie Boone and Roger Erickson, who are probably the station's best-known announcers. The two of them go light on the music—in 90 minutes they may play no more than four records—and heavy on the interviews, with guests ranging from a bellydancer to touring authors like David Halberstam, who called the show one of the best he'd been on.

Messrs. Boone and Erickson also do skits they concoct themselves, such as their tongue-in-cheek campaign to save the skeet, which they claimed was an endangered species nearing extinction. (Indeed it is—skeet shooting consists of blasting clay targets out of the air with a shotgun.) And they toss around humor of a sort.

Roger: "Hey, have ya seen those pictures from 'Last Tango in Paris'?"

Charlie: "If that's what goes on in Paris, now I know why it took them so long to sign a peace treaty." Or, perhaps:

Charlie: "Say, women's lib keeps saying it's time women take things into their own hands."

Roger: "You mean, like a mop?"

Charlie: "No, that's not what they have in mind."

Then, as often as not, comes a commercial, to which Roger and Charlie transfer their energies with such enthusiasm that they'll often run 15 or 20 seconds over on a one-minute commercial. Advertisers, who pay $85 to $105 a minute for the privilege, don't object.

Jack Miller, editor of the North Country Anvil, a local review, recently offered Messrs. Boone and Erickson this faintly sarcastic praise: "Perhaps the greatest thing about B&E is that they *never* get controversial. They tell you so, too. . . . They don't invite any fringe nuts that are going to say something upsetting on the air. And even with the middle-of-the-road guests they have, B&E are always diligent about seeing that the discussion is kept light and fluffy—in a word, optimistic. And isn't that what we need, when the world is in such a depressing state?"

Charlie Boone thinks so. "We don't like to make people uncomfortable," he says. "It was frustrating for us during the Vietnam war. We had to be objective, and it was difficult for us to remain silent. We had to keep light and fun because people needed that." But occasionally an edge shows through, as when, playing a pompous Senator, he declared, "I don't mind the Defense Department spending $81 billion on bombs, missiles and bullets—as long as it's spent constructively."

The voices and the programs change as the day rolls on, but the mood remains the same. Mr. Cannon's afternoon "drive-time" show features such characters (played by Mr. Cannon) as Morgan Mundane, "sports editor of the Congressional Record," whose prognostications are invariably wrong.

Mr. Christensen's 9 p.m. quiz show is entitled "Honest-to-Goodness" and contestants really do win cash prizes of $8.30 for answering questions like "What was the original name of the comic strip 'Popeye'?" (answer: "Thimble Theater"). Mostly, though, Mr. Christensen and co-host Steve Edstrom just chat with contestants about their families, jobs and farms.

"WE LIKE IT HERE"

Talky shows like these take years to build audiences, but then station manager Lewis can't recall an announcer quitting for another job in years, Messrs. Boone and Erickson have 14 years each at WCCO, making them relative newcomers alongside Maynard Speece and Howard Viken, who have 20 and 23 years in, respectively.

"We've all had many offers, but we like it here, and it would take more than money to make us move," says Charlie Boone. Not that Mr. Boone is starving. He's reported to earn about $60,000 a year, while Mr. Viken, who presides over the morning "drive-time," pulls down an estimated $100,000 a year.

Lacing all the chitchat together is a quite substantial amount of local news and information—almost 4½ hours daily, not counting the hourly "feed" of national headlines from the CBS radio network, with which WCCO is affiliated. Local residents clearly rely on WCCO to be their news bulletin board. When the station announced at 4:45 one morning that Honeywell Inc. didn't want the first shift at local plant to report because of a power failure, some 90% of the 1,300 employes got the word.

Though WCCO news has won a variety of awards over the years, there are those who think its quality isn't terribly exciting. Paul Gruchow, who heads the news department at KSJN radio, a local noncommercial station, says, "Among commercial operations, WCCO makes a more serious effort than anyone else, but a great deal of what they do is simply a shortened version of the Minneapolis Tribune. It seems to me that their news operation constitutes a minimum response to an obligation that can be fairly placed upon them as the richest station around."

PLAY-BY-PLAY OF A TORNADO

Nonetheless, and possibly because of the size of its audience, WCCO does make news. Secretary of Agriculture Earl Butz, for example, made his first public defense of the cutback in federal aid to farmers on a recent WCCO call-in show.

During a call-in show in 1964, Sen. Hubert Humphrey was talking to Roger Erickson from the Democratic National Convention when the CBS network broke in with a bulletin—President Johnson wanted the Minnesota Senator as a running-mate and was trying to get a call through to him. "A man could miss the train," Sen. Humphrey remarked as he hung up the telephone.

If there's a news area in which WCCO excels, it's the weather. On summer nights when there are tornado warnings, a tour of the Twin Cities would reveal thousands of people standing on their porches, staring at the sky, the sound of WCCO coming from their living rooms. The station has tracked tornados for so long that for many listeners, calling WCCO is a reflex action when they spy a twister. As a result, the station often outdoes the Weather Service at tracing tornados.

"I'll always recall the May 1965 tornado that killed 14 persons in Fridley (a suburb)," says former WCCO promotion manager Rob Brown. "We did an actual play-by-play of that thing. It was the most exciting, rewarding thing I've ever done." It also won Peabody and duPont awards for the station.

Tornadoes are serious business in Minnesota, and WCCO has been persuaded to use its nerve-shattering klaxon horn only when a tornado is actually sighted, not every time there's a "tornado watch" (conditions in which a tornado could develop). Critics charged overuse of the klaxon was a scare tactic that didn't exactly reduce the station's audience.

But then WCCO has never been particularly bashful about blowing its own horn. When rival WDGY, a rock station, made a splash in 1957 with lucrative contests and cash giveaways, Mr. Haeg countered with "Big Bill Cash," a mythical figure who gave up to $5,000 to listeners who answered their phone with a designated phrase announced on WCCO. WDGY retorted by announcing WCCO's phrase on its own programs, so WCCO began selecting such self-serving aphorisms as "WCCO, your good neighbor to the northwest." WDGY eventually surrendered.

If the winds of change are blowing at WCCO, they're not blowing very hard. The advertising department recently dropped its ban on ads for hemorrhoid remedies, "but we still won't play the commercials during the dinner hour," says Clayton Kaufman, WCCO's national advertising director. Music director Dennis Long, at 29 the youngest member of the announcing staff, manages to slip a few Beatles and James Taylor tunes in among the Lawrence Welk and Ferrante and Teicher standards, but he acknowledges that "the music is secondary" to the station's conversational fare.

The reason change comes slowly, if at all, is simple enough. "Just look at this antiquated equipment. Some of this stuff is as old as the station itself (50 years)," growls the normally affable Howard Viken as he points to the control board in his announcing booth. Then he explains that when he and other announcers have tried to persuade management to modernize, the answer is always the same—"If it works, leave it alone."

LOOK TO THE CROSS

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. DOMINICK V. DANIELS. Mr. Speaker, as we approach the season when we observe the celebration of the risen Christ, I would like to offer to my colleagues in this House a few words of poetic inspiration by a valued constituent, Mrs. Georgianna Childs Mello of Jersey City, N.J. Mrs. Mello is a dear friend of mine of many years standing and I think her words will be of value to all who read this Record.

Her poem follows:

Look to the Cross

(By Georgianna Childs Mello)

A Cross stands high on a hill in Calvary
Symbol of strength . . . courage . . . misery,
How His heart must yearn for those
Who know not what His eyes discern
For the young and old who have ignored Him;
Sometimes I wonder as I sit and ponder
The wrongs we have done, His mysteries we flounder,
I wonder what He thinks, as He looks down from Calvary
I wonder what He would say, of all this blood and thunder.
Nearer each day His coming seems nearer,
Nearer, oh nearer, each day my God; nearer oh nearer,
Let us not forget His teaching, and stop this reaching
For the moon, the stars, the sun.
But rather reach for the things He taught;
A different world would we see, as we Look to the Cross on Calvary.

CONGRESSMAN DOMINICK V. DANIELS SAYS "ISRAEL MUST CONTINUE TO EXIST"

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. DOMINICK V. DANIELS. Mr. Speaker, as part of the celebration of the 25th anniversary of Israel, Arnold Forster, general counsel of the Anti-Defamation League of B'nai B'rith interviewed Prime Minister Golda Meir and Mr. Abba Eban, the Foreign Minister of Israel. The interviews are so significant that I urge all Members of this House and all Americans who read the Record to pause for a few minutes to listen to the voices of two of the most respected leaders of this plucky little nation which in a short quarter century has taught the world so much.

Mr. Speaker, the qualities of the small Jewish state are those that all people who love liberty should emulate. Alone in a hostile world, Israel has by the bravery of her people managed to remain viable as a nation. Yet, through a quarter century of war and near war she has kept her democratic traditions alive.

I urge all Members of this House to ponder on our historic commitment to the only democratic nation in the troubled Middle East. Israel must continue to exist and this nation must not renege on our commitment.

The interviews follow:

Conversation With Golda Meir

"I believed that when there would be a Jewish state, anti-Semitism would disappear. To my sorrow, that didn't happen."

Forster. What does the existence of Israel mean for Jews in other countries?

Meir. It has made them more conscious of their Jewishness, which is not in contradiction to their being good citizens or loyal to the countries in which they live. But they are Jews, and there's a connection in history and culture and religion. Maybe some of them have never known too much about Jewish history and Jewish past. Israel has awakened in them a desire to know more about themselves, as Jews.

Forster. Israel is a small country, with limited resources. Why is it committed to the burden of unlimited immigration?

Meir. Because that's what this is all about. We haven't created something for a number of Jews that happened to be here at a given time. When the estate was established, we were only about 650,000 Jews. It would have been absolutely ridiculous if we would have thought that for that number of Jews we needed a state.

Forster. Can you see a limitation on the number of Jews in Israel?

Meir. Never, never.

Forster. Do you regard Israel as having a special role among nations?

Meir. No, I don't think that we have to be something for the nations of the world. We have to be a Jewish state. When I say a Jewish state, I don't mean that no others can live among us, God forbid. We have a minority of non-Jews now of about 13, 14%, and always room for people who are not Jewish. But when I say a Jewish state, I mean that this is where Jewish culture, the Hebrew language, the principals of Judaism are carried out and implemented. For ourselves, I would want this to be a model state that would have an informed society, justice, and not too great differences between various groups in society. I would like a society where each one really has equal opportunity, where those that come to us from societies in which they have been held back be given greater opportunities in order to reach a certain cultural or educational level. I would like a society where it's good to live for everybody—not because we want to be a model for other countries but for ourselves.

Forster. Has Israel's presence for a quarter of a century changed anti-Semitism anywhere in the world?

Meir. This is probably my greatest disappointment. I believed that when there would be a Jewish state, anti-Semitism would automatically disappear. To my sorrow, that didn't happen. There is anti-Semitism in the world—in some places, very evident and very brutal, in other places, less. Anti-Semitism did not disappear.

Forster. It's made no fundamental difference in the feelings of Christians toward Jews?

Meir. That I wouldn't say. For instance, when I was Minister of Foreign Affairs back in '57, a foreign minister said to me, look, I don't understand, Jews were never known as outstanding farmers, or as soldiers. This was after the Sinai Campaign. He asked me, what happened to you people? He said in his country a team of farmers from Israel have done wonderful things for his people. And now, he said, you have won this war, in several hours practically. You've done something which is held up as an example of what your army is. I said, yes, it's because wherever we were, we had no natural roots. We grew and sometimes hoped that we contributed something wherever we were. You can take a plant out of its natural environment and replant it somewhere else. It will grow, maybe even give fruit, but it will not be the same as where it came from. Go back to the country which grows this plant naturally, with full roots and accustomed to the climate, and it develops differently. This is what happened to us, coming back to our land. Once upon a time we were farmers. We go back to the soil and we become good at it again.

Forster. Do you see a major challenge in the character of the Israeli people over the 25 years of Israel's existence?

Meir. It isn't correct to begin our existence here from the 14th of May, 1948. There were always Jews here. Throughout the 2,000 years since our dispersion, this country was never entirely free of Jews. On November 29, 1947, the United Nations declared that there should be a Jewish state. They would never have declared it if all the elements of a state had not already been created. The basis, the foundation, was created for many, many decades. The United Nations decided on the fact that the foundation was already here and because the second war highlighted what happens to a people who have no place in the world to which they can come. I'm convinced, for instance, that during the Holocaust, during the Nazi regime, if there had been a Jewish state at that time—I don't say that we could have saved all of the six million Jews, but there's no doubt whatsoever in my mind that many of them would have been saved. In the darkest, darkest hours of that period, we were dependent upon the number of certificates that we got from another power as to how many Jews we could bring into the country. If the doors of Israel had been open, as they are today, many of those that are not here any more would have been alive. Many of those children that were sent to the gas chambers would have been alive. We would have brought them here.

Forster. Now there is an Israel and Soviet Jewry is in trouble . . .

Meir. Here is a very concrete example of what having a Jewish state means to a Jew. There are three million, four million Jews in Russia, nobody really knows. Many of them, don't forget, are the second and third generation of Jews after the Bolshevik revolution. For decades, these Jews were cut off from contact with any other Jewish groups. Study of Hebrew is prohibited, it's a crime. Zionism is a crime. Jews are supposed to become non-Jews as far as the religion is concerned, as far as their history is concerned. But their identity cards say who is a Jew. This is the situation of Jews in the Soviet Union. They're not to develop anything of their Jewishness, but as far as their government is concerned they're Jews. So in that kind of atmosphere, in that double kind of existence, they would go on living until I don't know what would have happened to them. With the establishment of the Jewish state, those that remembered their Jewishness, and those that knew very little of it, all of a sudden became conscious that they're Jews and that they're not entirely dependent, that their fate is not decided only and entirely by the Soviet Union. There is a Jewish state with which they can identify themselves, to which they can go and be equal in every way and end this schizophrenia. What's happening now in the Soviet Union is something that nobody has really yet grasped. Young people, some of them really didn't know they were Jews anymore because their parents tried to hide it from them to maybe make their lives easier for them, all of a sudden have come aware of their Jewishness. The heroism with which they fight, not against the regime, but for the right to come and be themselves in a Jewish state! They couldn't struggle to go to Canada, or to go to France, because that would mean that they wanted a different regime. But when they struggle to come to Israel, it's not because they're against the Bolshevik regime, the communist regime; they are struggling for their self-identity and their self-expression as Jews. This is the only place that they can come to this self-expression. And what about Jews that are in Arab countries, in Moslem countries? Most of them have come here, hundreds of thousands of them. Those that are left, discriminated against, treated brutally, the only reason that they can go on and not give up is because there is an Israel to which they hope to come eventually.

Forster. What will happen in the next 25 years?

Meir. There's no limit to my dreams because nobody will say to me, ah, 25 years ago you said this will happen but it didn't. I just won't be here. I hope one thing first—that there will be no problems of security for Israel; that we will live in peace with our neighbors, or, rather, that our neighbors will live in peace with us. Not merely formal peace treaties, but that this will be really a region of cooperation between the countries with great development to which Israel can contribute, and is anxious to contribute. I hope there will be millions of Jews here, with a fine, decent society, a good culture. I hope we will live not only in an area and region of peace, but in a world that knows no more wars.

Forster. And then, what will Israel's final destiny be?

Meir. Millions of Jews participating in all the good things that all decent nations of the world participate in. I'm convinced that 25 years from now wars will be something of the past; there will be more cooperation among peoples of the world. The scientific developments will go on and bring people closer together. There will be more a community of nations, not with anybody foregoing a specific identity, but with people growing closer together. I hope that the disparity between nations in the world, of the haves and have-nots, will disappear, that there will be more equality among not only individuals in each society, but more equality and more cooperation between peoples of the world.

Conversation With Abba Eban

"The Arab states are the only states in the world which refuse to come into dialogue with their adversary."

Forster. Your Excellency, your assignment for almost 25 years has been to interpret Israel to the world. Are you a frustrated man as a result?

Eban. No. I'm very much a fulfilled man. I don't believe that any of the predictions or appraisals that I have made have been substantively discredited by history. The value of Israel's 25th anniversary is that it enables us to take a panoramic look at our achievements. I think an Israeli can get a genuine and justified surge of pride. First of all, the feat of survival against the very strong forces raised up against us from the earliest days until now. Beyond survival, there are two greater accomplishments: the degree of our integration into the international family against heavy challenge; the economic, social and cultural growth, which, with all occasional setbacks, is without any precedent. Take our exports then and our exports now, our gross product then, and now, our educational enterprise in those days and in these, the total resources that the nation creates year by year, and, of course, the fantastic growth of population, for which there is no parallel in the history of political institutions—you get a spectacle of vitality and growth, which does not have precedent.

Forster. What was your motivation in coming here?

Eban. I arrived in Israel before it was Israel, in 1941. My motivation was the same as that which has brought millions of Jews—the sense of being a part of Jewish history, the feeling that history has dealt with the Jewish people in a special way and that our main vocation must be to give new life and identity and a new birth of freedom to the Jewish people. This sense of duty and vocation was extremely reinforced by the spiritual and moral experience of the Holocaust.

Forster. Must Israel be a Jewish state?

Eban. It has no meaning otherwise. After all, what was our purpose? We saw a new world society arising at the end of the second world war. The central theme was the self-determination of peoples. Every nation was about to realize its own identity and to develop its culture within the shelter of free institutions, except the one nation that had suffered the most, the absence of a home and a shelter for its body and its spirit. This was a very serious danger in 1945. The greatest victim of history was going to stand as if it were in the corridors and not be given the chance of expressing itself in free social and cultural institutions.

Forster. After 25 years of a Jewish state, can you say what the impact of Israel is on anti-Semitism in the non-Jewish world?

Eban. Anti-Semitism is a disease of the Gentile mind. I, therefore, don't think it's very much affected by what Jews do or do not do. It is an index of the moral health of non-Jews; the virtues or defects of Jews have very little effect upon it. But, it has given Jews, themselves, the power to transcend and to resist anti-Semitism by giving triumphant expression to their own resilience. If anti-Semites were interested in a refutation of their prejudices, which, of course, most of them are not, they would see here an answer to the great questions: Is the Jewish people constructive, can it create? Does it have its own stature? Is it able to make sacrifices? Does it represent deep human values? Does its glorious past represent a memory or does it have effect and influence on the present? All of these are no longer questions to be answered hypothetically, or in terms of abstract argument. Israel is an answer. I think many peoples, especially small, struggling peoples and deprived communities within societies, can draw courage from the saga of Jewish recuperation.

Forster. Has Israel changed Jewish attitudes toward Christians?

Eban. We face the non-Jewish world in a more normal posture, no longer in a constant posture of supplication, no longer nervous about the reaction of others. The central fact of Jewish history, until Israel's establishment, was passivity. Jewish history consisted of what Jews endured, suffered, surmounted, resisted, not of what Jews did and created. Now, and hence forward, within a territory, however small, Jewish decisions move armies, raise taxes, receive kinsmen, reanimate a culture, and compel the reaction of others near and far. Our history has entered a phase of autonomy. Now, in the relationship between Jews and non-Jews there is equality.

Forster. Is Israel subject to the will of the great powers?

Eban. I think we've proved, perhaps more than any other small nation, that the great powers do not dictate the course of historic evolution. At nearly every stage of its destiny, Israel has found one or another of the powers to be in its way, and has always managed to surmount that obstacle. Israel, of course, is not independent of world opinion, we have needed international support. I think we've been more successful than any other nation in obtaining it. But whenever our own security and survival and identity have been at issue, we have not hesitated to take lonely decisions. We were born out of a lonely decision.

Forster. How do you evaluate the American role since the creation of Israel?

Eban. The American-Israel partnership has been unusual and moving. Moving, first of all, because of the enormous disparity between the size of the partners. Despite that disparity, there has been a very strange atmosphere of equality in that relationship. The United States has been the crucial and formative influence at every stage. The period since 1970 has been especially creative and fruitful because of the necessity for an indigenous balance of power in the Middle East. It has enabled Israel to look after itself and defend a common interest without making any claims upon American sacrifice, or even any contingent claim upon American manpower. This independent vitality has been appreciated by the people, the Congress, the President, and has resulted in the strengthening of Israel within the framework of a common policy for maintaining the international equilibrium in the Middle East. Another moving part of the partnership is that it has never been a source of internal discord, either in the United States or in Israel. It has been based upon an American national consensus and the intergovernmental relationship has been enriched on both sides by an active and conscious public opinion.

Forster. I take it you would not sum up the United Nations role in the same flattering terms.

Eban. There was a time when the United Nations' role mattered very much. Now our membership in the United Nations is far more important than any single resolution of the United Nations, because our membership is the identity certificate of a state. The struggle in 1947, 1948 and 9, was between Israel and five Arab states. Israel is still one Israel, but the five Arab states have become 18. The seven or eight Moslem countries have become about 15. The Soviet bloc has come from five to 12. Our starting point is statistically so impossible that we're caught up in a parliamentary deadlock. If we had 19 Israeli states and 12 Jewish states, we would do very well in the U.N. Its resolutions really reflect the power of balance; they don't reflect conscience.

Forster. What must the Israelis and the Arabs overcome to achieve peace?

Eban. What the Arabs have to overcome is their taboo and their complex about negotiation. There isn't peace because there has not been negotiation. Within the last two or three years all other nations have overcome the complexes, the inhibitions, the taboos, which prevented them from having a dialogue with their adversary. The Arab states are the only states in the world which refuse to come into dialogue with their adversary. They are swimming against all the currents in modern international life. They say because we have a conflict with Israel we'll not talk with her. We say because you have a conflict with us, therefore you must talk with us. What Israelis have to overcome is chiefly a scepticism born of 25 years of longing for peace and the danger of believing it might be a hopeless dream.

Forster. With President Nasser gone, is there an Arab leader strong enough to take the Arab nations from their present hostilities to peace with Israel?

Eban. Whether Nasser was strong enough or not, he didn't take the Arab states from hostility to peace with Israel. He didn't have the moral strength to do it, even if he had the objective strength. I think that Arab leaders will have to understand soon that peace is what their people want, and, therefore, it isn't an act of political revolt or political courage to realize it. I think it's an illusion to believe that the Arab peoples want militants and war and hostility—therefore, a leader who keeps his ear to the ground will respond to the militant and hostile elements in Arab life. We have proven this by coming into contact with an Arab community that was regarded as the most hostile and immoderate of all Arab communities, mainly the Palestine Arabs. And we find that the million Arabs living with us west of the Jordan are convinced of the futility of war and understand that they are its constant victims. They have little to do with the alleged Palestinian leaders, the dogmatists in Beirut and European capitals who think in terms of bombs and hand grenades. So I think that Arab leadership will wake up to the idea that the Arab leader who makes peace with Israel will go down in history for his statesmanship and his enlightenment and will not be cursed as a traitor.

Forster. What is your concept of a proper Mideast peace?

EBAN. A Middle Eastern peace must proceed from the initiative and the agreement of Middle Eastern peoples. If we write and build peace together, that is a real assurance that it will be kept. There must be substantive alteration of fragile armistice lines in order to prevent future war. After all, those who built the peace and security system in Europe didn't put Danzig in the Polish Corridor and the old Czech frontier where it was before. The way to make peace is not to reconstruct the conditions that led to the war. Nevertheless, we don't envision the annexation of large Arab populations. I believe that there would be a territorial compromise and while the Arab states would not get back everything, they could get back a very great deal. Once the boundaries were determined, my vision is of something that goes beyond peace, into what I have called a Middle Eastern community, something like the European community, combining separate sovereignty with a high degree of social and economic integration. We should have open boundaries. There are precedents in the Moslem world for political separatism in order to express cultural identity and juridical authority. But this does not mean that we must be hermetically sealed off from each other. I think there should be a flow of trade and of human commerce across our boundaries.

FORSTER. Looking back at this time of stocktaking, any regrets?

EBAN. Our central disappointment is the absence of peace, and to this we must address ourselves as we enter the second half of our first jubilee.

ANOTHER OEO COSTLY MISTAKE—WINE FIASCO OFFERS VALUABLE LESSON

HON. WILLIAM L. DICKINSON

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. DICKINSON. Mr. Speaker, one of the less successful OEO programs occurred in Atoka County, Okla. It all began when a naive bureaucrat decided that anyone could produce wine. Therefore, by emphasizing typical bureaucratic methods, OEO spent a total of $62,000 for planning studies, land, salaries, and grapevines and placed six poverty familes on the land.

The program did not become very popular because few of the supervisors had ever grown grapes before. The rocky soil, the long hours, and the hard work in the hot sun proved to be insurmountable difficulties. The poor people did not stay around very long. Funds became exhausted and no grapes ever appeared.

According to OEO officials, the program failed because more Government funds were not available.

In truth, however, the program failed because it was ill-conceived, poorly planned, and essentially unworkable, yet very typical of many of OEO's projects.

I include the following editorials from the Perryton Herald and the Tulsa Tribune in the RECORD:

[From the Perryton (Tex.) Herald, Feb. 25, 1973]

SOURED GRAPES

The demise of the Office of Economic Opportunity is deplored loudly in some quarters, primarily by bureaucrats in that agency who are now losing their soft jobs.

But the OEO will not be missed, except with a feeling of relief, by the American taxpayer.

It is a classic example of what President Nixon has described as "throwing money at problems."

In Oklahoma, the OEO had a gradiose scheme to relocate poor people on some rocky hillsides in that state, with the promise that they would become self supporting farmers by planting grapevines and havesting the grapes.

Nobody in the agency checked on grape growing very thoroughly or they would have learned that grapevines grow slowly and that it takes a lot of grapes to make a living once they bear fruit.

The project, designed to lift thousands of people out of poverty by setting them on tiny acreages of hardscrabble land in Atoka county, never did get going. For one thing, the first settlers on the grape orchards quickly tired of the hard manual labor required to set up a vineyard.

Although a lot of people visited the site and took advantage of free transportation and meals while getting started, when the work began in earnest, the settlers left in droves.

When the project finally died, only three families were left.

Yet, with typical bureaucratic arrogance, OEO officials maintain there was nothing wrong with the grape growing project. They merely ran out of money before if got established, they said, and their cure for it was to get more government appropriations.

What we need is the pruning shears applied to more boondoggle projects as well as grapes.

[From the Tulsa Tribune, Feb. 21, 1973]

A DOLLAR A GRAPE

The OEO's aborted Atoka County vineyard program will prove to be a good investment if it gets across to a number of citizens what lousy investments some of these much-heralded government uplift schemes can be.

Robert White, new OEO director for Oklahoma, blames the end of this turkey on President Nixon's abolishment of the OEO. It should never have been hatched.

The scheme, you recall, was to settle poor people on lands deemed suitable for grapes. As a modest starter, the OEO spent $24,000 for salaries of planners and supervisors, $28,000 for land and $10,000 for grapevines. At the peak, six families were at the vineyard site. At the closeout this week there were three left.

Maybe wine grapes will grow in Oklahoma. We have hot summers and cool winters which some vines like. Vines can thrive on very sorry land, and we've got some of that, too. But to plunge people who haven't been able to make the grade at anything else into an agricultural experiment of the highest delicacy was a little fantastic.

The fact that the first year's salaries for supervision nearly equalled the cost of the land and more than doubled the cost of the vines tells a lot about what is wrong with many "poverty programs." The bureaucracy is likely to do a lot better than the poor.

But this dollar-a-grape fiasco (really, there weren't any grapes) might intrigue Oklahomans into some intelligent experimentation. Wine is a red hot item right now, what with college students going ape over it, and if Oklahoma has prospects this is the time to test them.

There is no reason why OSU couldn't retain 10 acres of the Atoka plot for experimentation with a number of varieties of grapes. Five years after the vines begin producing there would be some basis for judging quantity and quality. After that, enterprising people who are willing to do the very tough work of cultivating, pruning and hunting for pickers might have a run at it and we could gradually develop a wine industry.

Arkansas produces wines, most of them, alas, of tank car quality and heavily laced with alcohol for the wino trade. But how do we know the Chateau d'Atoka might not be surprisingly drinkable?

In the meantime, we'll have to look around for some other way to help the poor without requiring them to be instant experts under well-paid supervisors who don't know from nawthin'.

SUPPORT FOR REVISION OF TITLE I, ESEA

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. QUIE. Mr. Speaker, I am continuing to receive reactions from educators across the United States to my bill H.R. 5163, the Educationally Disadvantaged Children's Act of 1973. The responses to this bill, which would amend and extend title I of the Elementary and Secondary Education Act, have been gratifying. Professionals working in the field have indicated clearly that distributing title I money on the basis of educational need would be of great benefit to the children of our country.

I am again reproducing several statements which I have recently received and which I think will be of interest to all Members:

Gregory R. Anrig, commissioner of education, State of Massachusetts, March 21, 1973:

Your proposed legislation has much to commend it. I certainly agree that it is undesirable to label all poor children as educationally deprived; individual assessment of educational needs is an intelligent approach to remediation; and the involvement of parents is, I believe, vital in establishing meaningful goals.

Dr. A. Edward Blackhurst, director, Regional Special Education Instructional Materials Center, University of Kentucky, Lexington, Ky., April 5, 1973:

Recently, I have had the opportunity to review H.R. 5163, which you introduced to the House of Representatives on March 5. As a professional special educator, I am vitally interested in legislation that is designed to improve the quality of education for handicapped children. Therefore, I would like to provide you with my reaction to your Bill.

The bill has a number of innovative provisions to commend it. Eligibility requirements are based upon deficits in learning as opposed to deficits in the educational system. This will enable local and state administrators to focus directly on the child and modify the systems to meet the unique needs of each child. Not only will this do much to improve individualization of instruction, it will also provide for greater accountability in terms of child progress (as opposed to simply collecting data on such things as number of children served). In addition, the bill provides for an emphasis on making services available to those who are in greatest need. . . .

You are to be commended for your continued interest and support of legislation for handicapped children. Such efforts are certainly needed and appreciated by all of us who are concerned with improving the quality of education for all children.

Herbert J. Prehm, chairman, Department of Special Education, University of Oregon, Eugene, Oreg., April 10, 1973:

As you note in your address to the Congress, your bill is innovative and contains important changes in practice. I strongly support the use of criterion-referenced testing to determine educational need. As you are well aware, the use of educationally relevant performance data to determine who should receive supplementary educational services would constitute a major breakthrough in education. Your perceptions that your approach would significantly increase the probability that those children who need the service will get it is, I believe, correct. Your approach is much better, in my mind, than the use of outdated census and income data.

I also concur with your intent to involve the parents of children served. In addition to providing the student with extra assistance, this feature should improve school-home understanding and cooperation. The involvement of the schools, parents, and child in the development of an educational plan is important.

Your bill would benefit *all* children who are in need of educational assistance without regard for the reason for the need. This concept, which I believe expresses each child's right to an appropriate education, benefits both normal and handicapped children. Your concept is important, in need of affirmation by Congress, and has my hearty support.

In summary, I support this important piece of legislation. It is, in my opinion, well thought out, logical, documented, and of potentially significant impact. If I can be of any further assistance, do not hesitate to call upon me.

Duane Christensen, director, special education, Bemidji Regional Interdistrict Council, Bemidji, Minn., April 6, 1973:

We are writing you in regard to the introduced bill H.R. 5163, which would amend Title I funding to be given to help the educationally handicapped. We have read your report of March 6, 1973, to the House of Representatives. You gave a fine report which was certainly to the point. There are many things we agree with. We agree there needs to be a change in the distribution of Federal monies. We agree there needs to be a change in the distribution of Federal monies. We agree that we can no longer use low income as an indicator of educational need. We agree that some type of criterion-referenced test would indicate better an educational need and identify those students who need help.

Kathryn M. Brewer, SLBP resource teacher, Gatewood Elementary School, Hopkins, Minn.:

I wholeheartedly support your proposal to distribute Title I funds on the basis of need instead of income.

At the present time, the Special Learning and Behavior Problems program in the Hopkins Public Schools receives Title I, state, and local monies. Only six of our eight elementary schools have qualified for Title I monies on the basis of current regulations. As an SLBP resource teacher in the district, I am aware of the disparity between income and learning disabilities. This funding situation has created an administrative nightmare in our district.

I am also concerned that Title I funds will lose their categorical designation. For me, this presents the possibility that there will be a cutback or termination of SLBP funding.

I have a great personal investment in the program, the children I service, the parents, classroom teachers, and my support team. I cannot give it up.

I appreciate your efforts to see that funding for special education programs becomes more equitable.

Dr. H. A. Goodstein, associate professor of education, assistant director, arithmetic project for the mentally handicapped, the University of Connecticut, Storrs, Conn., April 6, 1973:

I am grateful for the opportunity to review H.R. 5163, the "Educationally Disadvantaged Children's Act of 1973." My general response is that this thoughtful piece of legislation represents an imaginative approach to the marshalling of federal resources toward the improvement of the educational process. I agree with your premise that the allocation of resources on the basis of census and AFDC data is discriminatory. Children who are educationally disadvantaged do not always carry the additional burden of poverty.

Further, I endorse the concept that resources can most profitably be employed to ameliorate deficiencies in the tool subjects of reading (more broadly defined as language arts) and mathematics. These two curriculum areas represent the tools necessary for economic competitiveness in our society. One of the primary responsibilities of our public schools must be to insure its graduates of an opportunity to be productive. Graduates of our schools (or dropouts) who fail to read or do mathematics at least 5th or 6th grade level will find employment opportunity severely restricted. A sixth grade level may appear at first glance to represent an inadequate baseline. I am not, however, referring to a "normative" 6th grade performance, which may not imply that a child can perform on the sixth grade curriculum; but, rather, to a "criterion-referenced performance."

As a special educator, I was especially pleased to see the inclusion of "handicapped" children within the scope of the bill. This is consistent with recent litigation which has resulted in the affirmation of the right of all children to a public education. Many states and districts are moving rapidly to "mainstream" many handicapped children in the elementary school. This bill will provide needed resources to these districts to assist in the educational accommodations necessary to provide for the educational progress of these children.

Cyril B. Busbee, State superintendent of education, State of South Carolina, April 2, 1973:

Your proposal to determine Title I allocations to States and districts on the basis of measured educational deprivation seems to have merit. Seemingly, if it is the intention of Congress to attack a National problem of educational deprivation with the intent of providing financial resources for that purpose, it would be reasonable to assume that a direct measure of educational deprivation should be considered. I am sure you would allow sufficient time for the development of the appropriate measuring devise to establish a point of deprivation.

In order not to dissipate the ultimate financial input, it would seem that criteria would have to be established in order to concentrate the new programs on the most educationally deprived students. Seemingly, an approach to attacking the problem of deprivation at its points of concentration would be necessary in order to be effective.

Robert B. Docking, Governor of Kansas, March 29, 1973:

Thank you for your letter of March 13, 1973, regarding your introduction of H.R. 5163 to amend Title I of the Elementary and Secondary Education Act of 1965.

The material you enclosed in your letter has been reviewed and it is felt that monies should be allocated on an individual basis according to the needs of children instead of the census and AFDC data presently being used. Therefore, the philosophy of your bill, I feel, is good as there are many children, regardless of the income of their parents, who have great need for individualized instruction.

M. L. Brockette, deputy commissioner of education, Texas Education Agency, Austin, Tex., March 26, 1973:

Thank you for the opportunity to review your proposed amendment to Title I of the Elementary and Secondary Education Act of 1965.

The Texas Education Agency began using criterion-referenced mathematics tests in the Fall of 1970 in a pilot test in one region of the State. The results of the pilot testing indicated that this type of test was useful to teachers and other school personnel. Because of the positive evaluation results received from the pilot test, the 1971 statewide assessment of sixth graders in reading and mathematics was based on the use of criterion-referenced tests. . . .

Based on an evaluation of the 1973 assessment, approximately 140,000 sixth grade students took criterion-referenced reading and mathematics tests this year. Because of their usefulness as instructional tools for diagnosing individual educational needs of pupils and developing individual instructional plans, these tests were provided to schools as a part of our guidance program.

Our experience with the reading and mathematics assessment project gives evidence of several advantages of criterion-referenced testing:

1. The use of student performance measures on educational objectives or the determination of eligibility for support under this proposed legislation seems superior to reliance upon such descriptors as poverty and ethnicity.

2. Classroom teachers have been provided specific diagnostic information on the educational objectives obtained by individual students. They have also received reports of the number and percent of students achieving each of the reading and math objectives. This information has proven more effective for planning improved instructional procedures and strategies than the knowledge that a student is performing two years below grade level.

3. Criterion-referenced instruments have focused attention on specific learnings that educators and citizens want accomplished in the public schools. We have had to address the problem of identifying basic or essential objectives from among all those included on each of the instruments.

4. Teachers, counselors, pupils, and parents have been led to review each student's attainment of reading and mathematics objectives instead of looking only at his placement in a statistical population such as a national norm.

5. Criterion-referenced instruments also contribute to program evaluation because each item can be verified as to its sensitivity to instruction. The use of the instruments in a pre/post situation would yield important information about gains made in the achievement of reading and mathematics objectives.

LABOR POLICIES OF ROYAL DUTCH PETROLEUM CO. AND SHELL OIL CO. IN THE UNITED STATES

HON. BOB ECKHARDT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. ECKHARDT. Mr. Speaker, I wish to bring to the attention of my colleagues the following perceptive letter of Mr. A.

F. Grospiron raising searching questions about the above topic:

Mr. G. A. Wagner,
Chairman of the Board, Shell Oil Co., U.S.A. President, Royal Dutch Petroleum Co., The Hague, The Netherlands.

Dear Sir: I address you both as Chairman of the Board of Shell Oil Company of the United States and as President of Royal Dutch Petroleum Company, one of the parent companies of the United States company.

My purpose is to call your attention to and ask for an explanation of the inconsistency of labor policies of Shell in the United States with labor policies of European affiliates of the Royal Dutch/Shell group of companies.

This union has sought to negotiate with Shell U.S. a health and safety clause in its contracts comparable to such clauses granted by nearly all U.S. oil companies. Your company has failed to agree or even to seriously negotiate toward this end.

But I am informed that in several European countries, subsidiaries of the Royal/Dutch Shell Group of Companies accede to joint labor-management monitoring and enforcement of health and safety conditions:

That in West Germany Shell discusses and decides health and safety matters jointly with the labor union in Hamburg, Essen, Frankfurt and Wassling facilities.

That in The Netherlands recent legislation compels your management to deal with health and safety problems jointly with local unions.

That health and safety matters are subject to joint, participatory decision-making procedures between labor and management in the Goteborg, Sweden, refinery.

That particularly comprehensive joint decision-making prevails in the Vienna, Austria, refinery.

It would appear to me that our union proposals in the United States are very modest compared to these arrangements to which your companies have acceded in Europe.

Statements made by Shell officials in the United States, specifically statements made by Mr. A. C. Hogge, Vice President of employee relations, and letters signed by Mr. W. H. Cothern, manager of consumer relations, have distorted the union proposal. They say that the union seeks to direct capital expenditures of the company.

This is not true.

Perhaps your expereince in Europe has caused you or some other corporate officials to misunderstand the motives of American trade unionists. I understand that in Germany labor representatives make up one-third of the membership of supervisory boards which decide on investment and production; that under a new Swedish arrangement at least two elected union representatives will sit on Shell's board of directors in that country; that as of the forthcoming summer one-third of the supervisory assembly of the Oslo, Norway, refinery will be union representatives; that in the Vienna refinery union-representatives participate extensively in joint decision-making.

I reiterate that the Oil, Chemical and Atomic Workers International Union does not seek and has no intention of seeking such involvement in management matters. We ask only the establishment of joint labor-management procedures for the protection of life and health of workers while they are on the job.

I request an explanation of the inconsistency by which Shell accedes to extensive union involvement in management affairs in various European countries yet denies the Union an opportunity to concern itself with the life and health of its own members in the United States.

Very truly yours,
A. F. Grospiron,
President.

A COMMUNITY'S DREAM: A ROSEVILLE COMMUNITY HOSPITAL

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. JOHNSON of California, Mr. Speaker, next Saturday, April 28, I will be privileged to dedicate the recent addition of the Roseville Community Hospital. This dedication ceremony coincides with the 30th anniversary of an idea which grew into a fine community institution. It was 30 years ago, while I was mayor of the city of Roseville, that we first organized an effort to build and operate a community hospital. In fact the first event on this long road to success took place on April 10, 1943, when several of us sponsored a dance to raise the first funds for the hospital. It took us 10 years of long, hard work to get that hospital built, but built it was and the hospital became a reality on November 2, 1952. Since that time we have had four expansions, including that which we will dedicate on Saturday. This addition of 99 beds raises to 255 beds the total capacity of the hospital. Twenty-one of these new beds are in the new intensive care and coronary care unit, which will be the finest in northern California.

For those of my colleagues who may be undertaking a new hospital project I would like to retrace some of the history of this event, taking it step by step. It is a difficult project—one which involved a lot of time, effort and money—but, as one who walked this road, it was one which I can say with great confidence and pride, is worth every nickel and every minute we have invested in it.

On December 7, 1941, when the great naval base at Pearl Harbor was attacked, our Nation was plunged into a worldwide conflict which affected every American. Citizens of the Western States feared that an invasion could be imminent. The California National Guard was federalized and a unit was formed in Roseville. As mayor of the city of Roseville, I organized and chaired a Roseville Civilian Defense Council. The Roseville Joint Union High School board of trustees cancelled physical education programs in the high school's gymnasium and the gym was transformed into an emergency hospital, under the supervision of Hattie Broyer, a registered nurse. The citizens were determined, in a unity of purpose, to be prepared to meet any crisis.

It was in this setting that the community came to the conclusion that a city of some 8,000 people should have a community hospital and under the aegis of the Civilian Defense Council a series of fund-raising events for such a hospital was held. The first of these events occurred on April 10, 1943. The benefit for the emergency hospital fund was held in two dance halls, the Eagles Hall and the Masonic Hall. Over $1,100 was raised by the affair. The general chairman of the benefit committee was Irvin D. Elliott. His committee members were:

R. F. "Rube" Nelson, T. A. "Tony" Mealia, Charles C. Lee, G. J. Geron Wilson, J. B. "Brick" Paolini, Wm. Emerson, Dr. Lucas Empey, Dr. James F. McAnally, Tom J. Pugh, Chas. W. Lauppe, Mrs. Hattie Broyer.

Roy Carr, Catherine Wamsley, Mrs. J. M. Blair, Mrs. L. E. Etzel, Mrs. Fred Pannell, Joe Giannoni, Uno J. Hebuck, James "Jimmie" Giles, L. DeWitt Spark, Elwin H. Gregory, Dr. L. E. Jones.

Dr. R. H. Eveleth, Dr. W. E. Weddle, Dorse Hite, Mrs. Anne E. Bailey, Elsie Dunn, Mrs. W. V. Schultz, Mrs. L. E. Lonergan, Mrs. Floyd Stanley, Mrs. E. B. Huskinson, Mrs. J. G. Kenerelly, Mrs. Alta Graham.

Mrs. Vernon Finacom, Henry B. Berry, S. J. Briggs, W. R. Stephens, Pete Wamsley, Clifford Geach, Phillip Leak, J. E. Riley, P. C. Hughes, J. B. Erickson, Clyde Herlitz.

Leo Maxey, J. H. Fleming, Dave Fredrickson, Walter Hanish, John Macario, Mrs. W. R. Calvin, Mrs. Edith Spanger, Mrs. Edgar O'Brien, Col. D. White, J. M. Thornhill, Jerry Cudly.

A. W. Nelson, Wendell Keen, Eugene E. Watson, W. C. Keehner, J. L. Seawell, R. M. Allen, H. A. Richardson, E. M. Gates, Ben Abell, Louise Butler, Fred Garbolino, Lou Mohan.

In September 1943, we organized a Victory Garden Fair and Harvest Festival, sponsored by the Civilian Defense Council. Over 3,000 people rallied to support this project on Labor Day, September 5, 1943. Net proceeds were deposited in the hospital fund. On August 13, 1944, the Second Harvest Festival was held in Royer Park with 4,000 persons attending. Willard Dietrich, superintendent of city parks, was general chairman of the event which had a dual purpose of providing an opportunity for community recreation, and swelling the coffers of the Roseville Hospital Fund.

In early 1945, our Civilian Defense Council organized a second multihall dance for the benefit of the Hospital. Once again, the Masonic, Eagles, and Odd Fellows halls were used for the Washington's Birthday event. Virginia Arp wrote in the Roseville Press Tribune on Friday, February 23, 1945, "Roseville's big effort was a huge success."

The final fund-raising activity during the year of 1945 was another festival which occurred just prior to the termination of the war with Japan. The Roseville Press Tribune of Wednesday, August 15, 1945, carried two headlines. The largest said, "War Is Over" and under that in smaller type "Harvest Festival Crowd Largest One to Date." Between 4,000 and 5,000 people attended.

In addition to raising some $15,000, these events generated an enthusiasm on the part of the citizens of Roseville to see to it that a community hospital was obtained for the city of Roseville and the surrounding community. The hospital project caught on quickly and the hospital fund quickly reached $15,000. Near the end of 1946, Father Vito Mastretta, pastor of St. Rose of Lima Catholic Church, became active in the effort and indicated that a site for the hospital had been guaranteed without cost by a local resident. While no positive action was taken to construct a hospital by the sisters, several important contributions were made by Father Mastretta. The cost of such a hospital, operated by the sisters, was put at $200,000 to $250,000.

By the end of 1947, I was able to report to the city council the results of personal investigations into the hospital proposal and said that it might be possible that State and Federal funds could be made available to the local project, providing the city was prepared to donate its share. On Friday, February 20, 1948, we called for some 700 voters to sign petitions to place a $250,000 bond issue on the municipal ballot scheduled for April 13, 1948. The municipal ballot of April 13, 1948, carried two propositions concerning a municipal hospital. The first proposition that a hospital be built carried by a vote of 2,089 for and 242 against. The second proposition authorizing a $250,000 bond issue carried by a vote of 2,008 for and 357 against. During the months of February and March 1948, hospitals and hospital programs were investigated thoroughly by Mayor Johnson, members of the city council, and staff of the city of Roseville. On June 17, 1948, city councilmen Ernest Amick and Milt Roberts; Dr. K. R. Monson; Dr. A. E. Hirschler; Dr. Berry Boston; and Dr. Leo Barusch; also Joseph Barbieri, Carl Laughridge, Eugene Watson, Robert Bates, John Piches, Raymond Long, C. C. Cuff, L. DeWitt Spark, Milton P. Kjer and myself as mayor, met with Dr. P. K. Gilman, chief of the Bureau of Hospitals, California Department of Health and John R. Derry, planning engineer for the Bureau of Hospitals. The two officials explained how the priority system and the theory of matching funds worked. Mr. Derry stated that the cost of hospitals throughout the State varied from $11,000 to $23,500 per bed and that upkeep costs averaged about $8.00 per day per patient. He felt that the cost of a one-story hospital would approximate $15,000 per bed. The balance of the year 1948 passed with the city of Roseville trying to become eligible for State and Federal matching funds to no avail. On December 15, 1948, the city council authorized working drawing prepared for a 50-bed hospital with the capability of later expansion to 100 beds. On December 21, 1948, tentative approval was given to a portion of the Adamson tract, formerly the Jerry Shelley ranch, as the site for Roseville's proposed hospital. On January 11, 1949, the city of Roseville accepted a gift of eight and one-half acres of land from Mrs. Frances Adamson as the site for the proposed community hospital and the location was approved by the State Department of Health. L. DeWitt Spark, city attorney, worked out the details leading to the annexation of the site to the city.

In March 1949, Dr. Edwin Hal Kelley, project committee chairman, gave the status of the project as follows:

First. The city has acquired 8½ acres as the site;

Second. The building will be 50-bed capacity at first, with facilities to extend the capacity to 150 beds when needed;

Third. Expected cost of the building is $600,000, of which $262,000 is now available; and

Fourth. The hospital will serve approximately 30,000 persons in a 15-square mile area.

On January 30, 1950, Dr. H. P. Carey, chief of the medical staff at the Gridley Hospital, spoke to some 32 local doctors and city officials about the Gridley Hospital. He explained that a 25-bed hospital was financed entirely by funds raised through public subscription and after seven months of operation the hospital was "running in the black." Dr. Carey pointed out that the Gridley Hospital was run on a nonprofit basis under a board of directors appointed by members of the hospital corporation. He explained that a business manager handled the business of the hospital and a physician was in charge of the staff. He told the group that the hospital cost $264,000 to construct and about $100,000 to equip. This particular meeting laid the groundwork for the administration and operation of the Roseville Community Hospital and started the leaders of the hospital movement to shift away from the idea that it was absolutely necessary to wait for State and Federal participation in order to obtain a hospital for the community. A mass meeting involving all interested citizens of Roseville was called March 16, 1950, as the first phase of concrete organization for the hospital. Practically every organization, labor unions, fraternal lodges, business associations, and professional clubs, had representatives present in order to learn of the hospital plan and then set up the machinery to make it function. The mayor noted that the plan had been endorsed by the doctors and the city council, and outlined the proposed procedures. First, a nonprofit corporation would be established for the purpose of administering a fund-raising campaign to collect $150,000, which when added to the $250,000 bonds voted by the people, should be sufficient to build and equip a 25-bed hospital.

On March 22, 1950, the city attorney drew up incorporation papers with 10 local residents as the initial members. Each of the 10 members pledged the sum of $100 toward the coming fundraising campaign. They were Mrs. J. A. Trollop, C. Doulton Burner, Rev. E. N. Dabritz, Everett F. Bush, C. C. Smith, Carl G. Laughridge, W. J. McNeil, William Nixon, Clark Turner, and myself. By April of 1950, architect plans for a 25-bed hospital were given tentative approval. The design had five wings fanning out from a central nurses' station so that a nurse would have to walk a maximum of 60 feet from her station to any point in the hospital and it would be possible for her to view all hospital corridors from the central location. Roseville doctors, including Carl Angella, Newton Craig, Arthur Hirschler, Louis Jones, Edwin Hal Kelley, James McAnally, and Kenneth Monson generally approved the preliminary plans.

Clark Turner became president of the expanded corporation and on April 28, 1950, he called a meeting of doctors, city councilmen, and all members of the fundraising corporation. Unified support for the hospital was pledged by all those in attendance, with the firm understanding it be "divorced" completely from politics. Only the council's approval to draft plans for the structure was needed when a difference of opinion arose as to whether construction of the building or the fundraising campaign should be started first. The Roseville Press Tribune carried a front page editorial on June 2, 1950, telling that "a serious rift between Roseville community leaders is threatening the realization of something of prime importance—a hospital for this area." The editorial ended with the plea, "Let's get together, Let's have the hospital."

The future of the Roseville Community Hospital, at this point, was questionable. As the country became more deeply involved in the Korean war, material prices and wages continued to climb. The result was that the financial capability of the city to build a hospital diminished. On October 18, 1950, the city council approved final plans for a hospital at a cost of $220,000 by a 3-to-2 vote. On November 8, 1950, the city council hired Walter Mezger of Modesto as consultant on Roseville's proposed hospital project. Mezger felt the general plan was very satisfactory, well above standard, and so reported to the city council. The plan called for 25 to 27 beds with approximately 560 square feet of floor space per bed.

In January 1951 the timetable had been set back a month or so and it was announced that the $250,000 project would be advertised for bid on February 22, and bids opened on March 22. Construction would begin on April 2 and the completion date was set at October 15. The cost of the building was estimated at $212,500 for construction costs, $17,000 for architect fees, $300 for consultant fees, $63,000 for equipment and the remainder for land development and incidentals. On June 20, 1951, the city council was informed that State and Federal funds were still far out of reach and it was decided to revise the architects' plans and build a less elaborate structure with what money was available. Bids were advertised July 25, 1951. On September 12, 1951, the bids were opened and all six bids exceeded $250,000. As September came to an end and progress seemed at a standstill, Mayor Bill Finger, Jr., investigated the possibility of building the hospital without an architect. The council reviewed all prior considerations for construction of a hospital and on October 26, 1951, Councilman Paul Lunardi announced he would have Erling Olauson, an architect from Sacramento, attend the council meeting on the following Wednesday to present his plan to save $100,000. Mr. Olauson reported to the council that he could build and equip a 25-bed hospital in Roseville for $250,000 or less. Specifically, the hospital would have 25 beds with potential expansion to 49 beds; an area of 10,500 square feet, or 400 square feet per bed, at a cost of $15 per square foot; a concrete block and frame construction with 4-hour firewall and air conditioning and heating throughout; group I equipment and possibly certain X-ray equipment and drapes; and finally, guaranteed approval by the State health department and fire marshal, as well as the division of hospital architecture. The council decided to ask the doctors to review Olauson's plans and report back to them. With great patience and understanding, the doctors reviewed both plans, but were mainly concerned with getting a hospital built as soon as possible. On December 12, 1951, the city council voted to hire Mr. Olauson.

On February 11, 1952, the Roseville city council accepted bids for the hospital. The low bid of $158,765 was submitted by Carter Construction Co. of Sacramento. The bids included construction and group I equipment.

The brief ground-breaking ceremony was held at 11 a.m., Monday, March 24, 1952, with some 150 persons, representing various local organizations and interested citizens, present to hear Mayor Bill Finger, Jr., proclaim the start of construction.

In June, Lewis S. Porter was hired as consultant-administrator to begin his work on June 23, 1952. Clark Turner, head of the hospital association announced that Porter was the unanimous selection of the association members and stated he would act as consultant until the association assumed control. He would then take over duties as full-time administrator.

On August 6, 1952, the following officers of the medical staff were elected: Dr. Louis E. Jones, chief of staff; Dr. James F. McAnally, assistant chief of staff; and Dr. Edwin Hal Kelley, secretary. On October 3, the contractor announced that except for a few odds and ends, the building was complete.

Roseville's great dream became reality at an open house on Sunday, November 2, 1952. Opening day ceremonies were held in front of the hospital. Presiding as moderator was Charles Lauppe, civic leader. Words of welcome were delivered by State Senator Harold T. Johnson; Mayor Hal Wentworth; J. B. "Brick" Paolini, chairman of Placer County Board of Supervisors; John R. Derry, assistant chief of State Bureau of Hospitals; George Erb, president of Roseville Area Chamber of Commerce; Dr. Louis E. Jones, medical chief of staff; Clark Turner, president of the hospital association; and administrator Porter.

The first patient, Bobby James, 12, of 126 Riverside Avenue, christened the hospital by having his tonsils and adenoids removed. His doctor was Dr. Colin Greenlaw, who replaced Dr. Newton Craig in Roseville.

Community interest in the hospital continued to grow as the neeed for additional facilities quickly became apparent. In less than 3 years, the hospital opened its first addition. Dedication ceremonies were held on May 8, 1955, for a new facility which added 16 new beds, bringing the total to 42. The new beds provided services for medical, surgical, and pediatric patients.

By the turn of the decade the hospital facilities were again being fully taxed and thought was given to further expansion. By June of 1962, a 57-bed addition was completed and open for use. The additional space made room for additional general hospital beds and expanded pediatric services.

Prior to the opening of the second addition, plans were laid for still another expansion. In March 1962 the hospital applied to the Federal Government for Hill-Burton construction funds. On February 20, 1963, Roseville Community Hospital received $786,194 in Hill-Burton funds. One month later Cox-Liske, architects, was awarded a contract for a 52-bed addition. Ground-breaking ceremonies were held on July 1, 1964. By April 1966 the third addition was ready for occupancy. It provided a new medical floor and a complete pediatric unit. By now the hospital had 156 beds.

A contract was signed with Mansell Dexter, architect, in December 1969 for construction on a fourth addition which would add 99 new beds. The C. S. Plumb Co. received the general contract for erection of the $6.5 million project, on June 1, 1971. Ground was broken for this addition on the last day of June in 1971. The latest addition contains 21 beds in new intensive care and coronary care units. These two facilities are among the finest in the State of California, and are the most up-to-date in northern California. Open house and dedication ceremonies are being held on April 28, 1973.

The newest addition includes an emergency room seven times larger than the previous room. It encompasses a new minor surgery room, an emergency monitoring room, and several special procedure rooms. The expansion project also provides a new maternity unit with five labor rooms, a recovery room, two general nurseries, an infant intensive care unit, and two new delivery rooms.

The $5.5 million addition adds 53,000 square feet of space and houses a new laboratory, a nuclear medicine department, a physical therapy department, a pathology department, and the emergency room.

It is with pride that I will be able to join George Coley, president of the hospital board of directors, John T. Major, president of the Hospital Addition Corp., and Rev. Roy W. Herndon at the dedication ceremonies.

Most recently, Roseville Community Hospital has participated in a pilot project in conjunction with the school of medicine at the University of California, Davis, under the sponsorship of the regional medical program of the Federal Government. The primary objective of the project was to develop a quality continuing medical education program designed for a medium sized hospital and its community, and to develop an inservice training program in intensive coronary care and cardiopulmonary resuscitation for nurses and allied health personnel in the area.

A screening program was developed to inform citizens of the community about ways to detect and prevent chronic diseases, encouraging them to seek medical advice early, and increasing their knowledge about heart disease, cancer, and stroke.

In its 3 years of existence, the Roseville project presented 87 programs accounting for over 1,400 hours of instruction and active participation in classes on heart disease, cancer, stroke, renal diseases, and other related diseases. Two hundred and thirty-six nurses received a combined total of 15,600 hours of training in intensive coronary care. One thousand and thirty-six community residents participated in the screening program. This screening produced significant changes in the levels of knowledge and awareness about the importance of early detection of diseases, and the attitudes about seeking early medical advice. Nearly 75 percent of the participants returned to their personal physicians for further consultations. In final analysis, 90 percent of the "true" project costs were expended for the direct benefit of the community.

It is easy to see that the Roseville Community Hospital has been in the center of community development for over 30 years. This constantly expanding institution has brought continually improved health care to the citizens of Roseville and surrounding towns through its diligent efforts to keep pace with the latest developments in the field of medical care. Although the facilities tell a fascinating story, it is the people who serve the hospital in many capacities that are the impetus for its rapid growth and outstanding reputation. The city of Roseville can be proud of its hospital and of the people who share in its operation.

IN MINNEAPOLIS: HEARINGS ON THE FEDERAL BUDGET

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. FRASER. Mr. Speaker, on March 19, Senator MONDALE, Senator HUMPHREY, and myself sponsored hearings in Minneapolis on the impact of the fiscal 1974 Federal budget on Minnesota's Fifth Congressional District.

Forty witnesses representing a wide range of community groups and Government agencies testified at the day-long hearings.

The witness list is as follows:

WITNESS LIST

MORNING SESSION

Duane Scribner, Staff Assistant to Governor Anderson.

Vera Likens, State Commisisoner of Public Welfare.

State Representative Martin Sabo.

State Senator Nicholas Coleman.

Thomas Olson, Chairman, Hennepin County Board of Commissioners.

Bernard Steffan, Anoka County Administrator.

Virgil Moline, President, Mpls. Central Labor Union Council.

Thomas Ogdahl, Executive Secretary to Mayor Charles Stenvig.

Mayor Duane Miedtke, St. Anthony.

Dr. John Davis, Superintendent, Minneapolis Board of Education.

Duane Lundgren, Director, Special Services, Fridley Public Schools.

Dr. Chris Huber, Ass't Superintendent, Columbia Heights Schools.

Alderman Richard Erdahl and Alderman John Derus, Minneapolis City Council.

President Malcolm Moos, Vice President Stanley Wenberg, University of Minnesota.

AFTERNOON SESSION

David Roe, President, Minnesota Federation of Labor.

Ervin Gaines, Director, Minneapolis Public Library.

Roger Mahachek, Carl Lindquist (daytime activity for retarded).
Mary Lottarman (day care).
Irene Gallagher, Higher Education for Low Income People (HELP).
Earl Craig.
Gary Levin (public employment).
Diana Baker (higher education for AFDC recipients-Metro Jr. College).
David Brown (health research).
Leola Jackson, Pilot City Regional Center.
Dan Kain, Eden House.
Blanche MacIntosh (Medicare costs).
Joanne Gorecki, Neighborhood Youth Corps.
Ann Salas, Adult Basic Eeducation.
Melba Sharp (compensatory education, ESEA Title I).
Van White (housing rehabilitation loans).
Leslie Gilbert (federally subsidized housing).
Sanda Jones (housing construction).
Fred Hempel (alcohol treatment).
Agnes Johnson, Senior Citizens Centers.
Leland Carrienger (methadone treatment).
Robert Walther, United Way.
Mrs. Lorraie Evenson (student loans).
Dr. MacBain Smith, Veterans Hospital, Neighborhood Youth Corps.
Gleason Glover, Minneapolis Urban League.
Normandy D. Eckert.

IMPACT ON MINNESOTA

Mr. Speaker, the State planning agency has assessed the impact of program funding changes on those areas which face the most dramatic cutbacks. In the social services, if the State is to maintain the current level of assistance without Federal money, an additional $22 million must be appropriated by the State and counties. Vera Likens, the State commissioner of public welfare, testified that the problems caused by funding shortage are aggravated by new Federal regulations for eligibility for social services which greatly reduce the number of people who may be helped. One example is the impact of new rules on child-care programs. These centers allow mothers to work by providing adequate care for their children. Proposed regulations cut the number of children in free day-care facilities by half from 4,000 to 2,000. Because of this 900 new families will be forced from their jobs onto the welfare rolls, at a cost to the taxpayers of $2,670,000.

In the mental health field, social service contractions will allow only 40 percent of those now helped to continue to be served. Vocational rehabilitation, delinquency prevention, home delivered meals for senior and handicapped citizens will also be cut. Programs in the fields of alcoholism, drug abuse, legal services, and family counseling are also scheduled for elimination. At the present 112,570 Minnesotans are receiving social services; if the proposed regulations are enacted, that number will fall to 72,900.

With the restriction on programs and eligibility, our State will not be able to use much of its $46.7 million allocation of revenue sharing for social services. Many people will be forced back into dependency, after participating in programs that were designed to foster self-sufficiency in our citizens.

Other important programs that are affected by the budget changes are a cutback in medical research and training at the University of Minnesota, discontinuance of community action programs, and the loss of 3,000 housing units covered under present Federal programs. In the area of ecology, water quality will be funded at about half the level authorized by Congress and the land and water conservation fund will lose about 75 percent of its fiscal 1973 moneys. Young people are affected by the loss of 10,000 summer jobs provided by the Neighborhood Youth Corps and by cutbacks in Federal aid to education. Public service employment is to be discontinued with a resulting loss of 2,500 jobs.

Duane Scribner, special assistant to Gov. Wendell Anderson, described the problems facing the State government, because of the uncertainty and timing of the cutbacks in Federal program. Minnesota uses a biennium period of budgeting, and the proposals for the biennium ending July 1, 1975, had to be made while the plans for the Federal budget for fiscal year 1974 were only rumors. The unfortunate result is that the State has no opportunity for thoughtful planning, hence it cannot respond responsibly to the changes on the Federal level. Essential in the concept of revenue sharing has been increased responsibility for State and local jurisdictions. There is no opportunity for State and local responsibility in the budget proposed by President Nixon.

IMPACT ON MINNEAPOLIS AND HENNIPIN COUNTY

The chairman of the Hennepin County Board of Commissioners termed the impact of the Federal budget for fiscal 1974 "a tragedy of monumental proportions" affecting some 100,000 persons in Hennepin County. The termination of categorical grants seems to have been made without regard to the viability of the programs. In this county 64 programs have been notified of their terminations. This will force many people to go on public assistance. The closing of one day-care center alone will cost the taxpayers $114,000. Of this, $90,000 represents new welfare recipients who were previously employed and supporting their families while the children were cared for in day-care facilities. The remaining $24,000 is lost income tax revenue from the staff members who have been fired. This monetary loss does not measure the social loss that is incurred by the return to dependency of those who had been employed.

In Minneapolis, the phasing out of social services is particularly harmful to the elderly, the poor, and minorities. Those programs which are scheduled for radical budget surgery are model cities, Minneapolis Age and Opportunity Center, Inc.—MAO, urban renewal, neighborhood development program—NDP, HUD 235 and 236 housing subsidies, and open space programs. Manpower programs are also reduced to a skeleton. Emergency Employment Act cuts will allow only 20 or 30 jobs to be funded instead of the current 180. There is no money available locally to provide for the continuation of these programs.

EDUCATION

In the Minneapolis school system, only the carefully budgeted surplus at the end of the current school year will permit the same level of service to be provided next year. In the following year, however, a deficit of between $4 to $8 million is forecast. Dr. John Davis, superintendent of the board of education, testified that the uncertainty of the Federal role in education makes planning impossible. Elementary and Secondary Education Act—ESEA—funds for Minneapolis are projected to drop from $6.7 to $4.2 million with the new budget.

The majority of title I funds have been used to teach children basic skills through the development of new teaching materials and a standardization of curriculum for title I schools, since disadvantaged students have high mobility and change schools frequently. Evaluations have reported growth in the pupils' performance in the vital areas of reading and math. In order to acquaint the teachers with new teaching methods utilizing materials developed with title I funds, a corps of experienced teachers assist those in the classroom to determine how to most effectively employ the new programs. To help older children learn to read, two basic skills centers have been set up, funded by local money and title I funds.

Options have been developed for those pupils who are unable to succeed in a traditional learning setting. These are used for children in the traditionally difficult years of junior high school. Here each student is given a chance to succeed by setting short-term goals which are possible to attain. Not only is growth in academic achievement realized, but, more importantly, self-control and self-confidence are gained.

These are just some of the many innovative programs which have been developed with the help of title I funds to solve problems which had not previously been tackled. Success has been demonstrated. Yet the funds for ESEA are being drastically cut. State and local governments have already taken over some support of programs which were initially funded by Federal money. Categorical grants cannot be made up entirely by our State and local funds. We must depend on the Federal Government to help schools to serve the children with the greatest needs.

Another cutback that concerns schools is the termination of the Neighborhood Youth Corps—NYC—which is funded by the Office of Economic Opportunity whose future is tenuous: Last summer in Hennepin County, NYC provided jobs for over 3,100 youths, who earned $776,000 and made important contributions in the community through their work. During the current school year 913 students are in the NYC to earn money to stay in school. Only 25 NYC participants have dropped out of school this year. In a letter from the National Alliance of Businessmen to support the reinstatement of this program, they admitted that even with an expanded economy, the private sector could not have provided these jobs for young people, particularly during the school year.

Testimony of the impact of the Federal budget on higher education was provided by President Malcolm Moos of the University of Minnesota and Vice President Stanley Wenberg. Moos called the outlook for the State-Federal partnership in education discouraging. In his words the impact of the Federal budget for fiscal 1974 is "the most severe cutback of Federal support in the history of this institution." The immediate impact is a loss of $11 million in Federal support with such a decrease continuing over several years as programs are eliminated.

The budget cutbacks at the university are interdisciplinary with no apparent pattern. One area where these reductions are most puzzling is in the health field. Program cuts are scheduled in the medical school, the school of nursing, and the College of Veterinary Medicine, where enrollment was enlarged with Federal encouragement. These fields all have severe manpower shortages which affect the national health and the cost of medical care. Altogether one-third of the Federal training support may be lost. NIH grants alone may be reduced by $8 million in the next 2 years. The State of Minnesota does not have the resources to make this up.

Another area of hard felt impact is student aid. Although the concept of basic opportunity grants is promising, the immediate availability for student aid is limited. Formerly these students were served under the national direct student loan program through their schools. The banking community has not yet been able to implement the BOG loans. Currently there is widespread confusion as to where a student may obtain funds to continue his education.

LIBRARIES

An important source of self-help and improvement has been available to our citizens through the public library programs. This program has been affected by proposed cutbacks. In fiscal year 1972, Minnesota received $1.1 million from the Library Services and Construction Act. This program is in danger due to lack of funds. If these services are not available to people without ties to educational institutions, in both rural and urban areas, in all economic groups, learning will be controlled by the elite. In the Federal budget $80 million is proposed for public information abroad through Voice of America and other organizations; nothing is allocated for U.S. citizens through aid to libraries.

DAY CARE

In Hennepin County, there are 90,000 children who are potential users of day-care facilities; 59,600 of these are youngsters whose mother would work if adequate care were available for the youngsters. At the present there are 1,991 spaces in licensed day-care centers in the county. Letters were presented from staff members of centers around Minneapolis begging for continued support for this vital need. They spoke eloquently of the community support for these centers.

One of the key problems for the facilities is the new restrictions which HEW has placed on eligibility. In one center where 100 children are currently served by day care and latch key programs, the new regulations would make only 35 eligible. The only alternative for the mothers of the 65 ineligible children is to stop working and go on welfare. Calculations of the Greater Minneapolis Day-Care Association show that the new regulations will cost taxpayers $51,363 per month in added welfare payments, minus the cost of closing or limiting the centers.

HOUSING AND URBAN RENEWAL

In this area the budget cuts and program freezes will have a dramatic impact on plans to revitalize the cities. Model cities will receive some money to carry it through the next fiscal year, but the $3 million it obtains is a decrease of almost 50 percent. The 235 and 236 housing subsidy programs have been frozen. In Minneapolis alone, 40 to 50 percent of the 1,400 new housing units constructed last year were financed by funds that are now frozen. This will cause a $10 million loss in construction money. Approximately 700 to 750 families are to be relocated, because of development plans. Of these, 75 percent would have been eligible to receive the housing subsidies which are now impounded.

Urban renewal will be further slowed by the decimation of the neighborhood development program funds. A loss of 312 rehabilitation loans will produce a loss of at least $1 million in funds per year. Taken one by one, these programs represent only a tiny fraction of the Federal budget. To the Minneapolis area, however, they represent huge sums of money which cannot be replaced by revenue-sharing funds.

SENIOR CITIZENS

Cutbacks in programs for senior citizens will have the inevitable effect of further lessening their independence and forcing many of them into institutions. Virgil Moline, president of the AFL–CIO Central Labor Council, estimated that 6,000 elderly who live in public housing will be affected by proposed regulation changes. The support which they receive to maintain their self-sufficiency will be taken away. Another area where the proposed funding decrease will cause problems is in the "senior aides" program. This program keeps the 80 senior aides off old age assistance by enabling them to support themselves by working 20 hours per week in community service jobs. Other services provided by Minneapolis Age and Opportunity Center, Inc., provide just the margin of help necessary to keep many elderly citizens in their own homes with dignity instead of being institutionalized.

Low-income housing for the elderly is also being cut back. One project was notified in December of a $1.6 million grant for such a program, only to have it terminated 4 months later. Medicare payments for medical care are slated to be decreased with the elderly paying a greater share. In Minnesota, medicare recipients will have an additional $22 million in health care costs which are not reimbursed by the Federal program.

Testimony was received from representatives of other programs which allow people with some problem to be productive members of society with treatment or after institutional care. Letters from parents of retarded children and adults pleaded for the continuation of funds for those projects which train and teach these people to be useful and productive citizens. Similarly funds to teach physically handicapped children and adults have received notice of Federal cutbacks. Despite the concern over returning veterans from Vietnam, the VA hospital is losing money for research which amounts to at least 16 percent of the current research budget. How can the small amount of money which the Government saves with these economies be more important than the services which allow these citizens to become dignified, productive members of our society?

The impact of the budget on poor people has been most severe. Dismemberment of OEO is just the beginning; with it goes the Community Action program whose goal is help for the poor. In Anoka County, the Community Action Agency paid the salaries of $114,907 to people who would otherwise be on welfare. The total economic impact of the agency through spending and respending in the community is estimated to be $1 million. This source of imaginative programs which have given help and dignity to the disadvantaged has been terminated.

Although no testimony was presented specifically on the topic of revenue sharing, the subject was a key factor in much of the presentation. The concept of a return of money to the State and local jurisdictions for their use in those programs especially important to their constituents with fewer levels of redtape was welcomed by most people. Testimony from representatives of those agencies and departments which face cutbacks or termination of Federal aid indicate some problems with the implementation of this program.

Vera Likens, State commissioner of public welfare, summarized some of the problems her department faces with revenue sharing. Not unexpectedly, the first difficulty is the amount that will be received by Minnesota. Of the $2.5 billion authorized by Congress for social services, our State was to receive $46.7 million. Although this is substantially less than the department's estimates of the funds needed to adequately meet the needs of low-income citizens, the amount was sufficient to maintain the programs at current levels with no expansion. However, the new rules proposed by HEW for social services would preclude Minnesota from spending about one-quarter of that $46.7 million. These regulations will severely limit those programs necessary for some of our citizens to become or continue to be self-supporting individuals.

The effect of these regulations will be to place greater costs on the taxpayers and to increase the number of social problems. Among the programs affected by these proposed regulations, in addition to the child-care limitations discussed above, are help for the elderly, drug abuse and alcoholism programs, treatment and rehabilitation for the mentally ill and handicapped.

In the discussion about revenue sharing, one of its most attractive features was the responsibility to be shared between the Federal Government and the State and local levels. The funds brought by revenue sharing were to be "new" money. State and local governments were to have autonomy to build programs relevant to their own pressing problems. Yet the President's budget proposals note that revenue-sharing funds can be used to fund those expenditures which have been eliminated by the Federal Government. Flexibility and freedom brought by the general revenue sharing cannot be achieved if moneys are used to pick up abandoned Federal support. Martin Sabo, speaker of the Minnesota House of Representatives, has called the special revenue sharing self-defeating. With the present uncertainties and unanswered questions, this is an apt description.

HELP DECIDE!

HON. RICHARD H. FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. FULTON. Mr. Speaker, a new citizen's organization to seek out and publish grass-roots public opinion on a nonpartisan basis was formed recently in Tennessee's Fifth Congressional District.

The group is known as Help Decide! Though formally operating since only March 5 the group has come up with some very interesting and significant public opinion findings on the matter of cutbacks in Federal support for social service and other human need programs as well as how State and local governments should spend their general revenue sharing dollars.

Mr. Speaker, the president of Church Women United in Nashville, Mrs. Carleen Waller, who is also a member of the compilation committee of Help Decide! has been good enough to forward me the results of the organization's findings and I include it in the RECORD at this point commending it to the attention of our colleagues:

HELP DECIDE!
Nashville, Tenn.

Memo to: Mayor Beverly Briley and Members of Metropolitan Nashville Council; Other Public Officials, Metropolitan Nashville; Governor Winfield Dunn and Members of Davidson County Delegation to the 88th Tennessee General Assembly and Members of Appropriate Committees, General Assembly; Senators Howard Baker and William Brock; Congressman Richard Fulton; and Other Public Officials.

On March 5th, Post Office Box 1669 was opened under the name of Help Decide! by a group of Nashville citizens, and members of the Nashville community were invited to express their opinions by mail on the effects of federal cutbacks on their families and neighborhoods, on their priorities for the spending of federal general revenue sharing funds, and on their concern for a citizens' group to help set priorities in future decisions.

By March 17th, some 650 letters had been received and tabulated.

We are submitting the results of this tabulation for your information and consideration, along with some sample comments from the letters.

Several general observations should be made about the letters:

1. The overwhelming interest in the continuation of day care and services for children and youth. This was coupled with fears of parents who might have to be returned to welfare rolls, who would lose jobs because of no child care, or who had children receiving services for the retarded who would have no help or might have to be institutionalized.

2. The broad scope of the cutbacks began to be evident, showing that the problem is much greater than just the cutbacks in social services, ineligibility tightening, and private matching funding. Some forty different cutbacks were mentioned, affecting people in every part of the county. A list of more than fifty programs that will be curtailed or dismantled has been assembled.

Those writing the letters expressed fears of just how many programs will be discontinued, with such expressions as fear of pension losses, fear of lack of medical help, fear of hunger and the like also being brought on by the known problems.

3. The entire community seems to be concerned that the elderly, the handicapped, the disadvantaged, the retarded and all of those needing special help receive priority in funding decisions.

4. Interest in water-sewer services was secondary whenever it was mentioned (in less than 7% of the letters). It usually was coupled with phrasing such as "they're important, but our first interest must be people." This was true also of streets, fire protection, and other such specific programs.

5. There is much frustration that no government agency or official will release a total list of cutbacks in federal funds in Metropolitan Nashville and Tennessee, including medical programs, OEO programs, and the like. There is general fear that it is much worse than "they" want us to know. "How much money will we lose?" continues to be asked.

6. There is real outrage in the letters that the group that is being hurt the most, next to children, aged, etc., is the "working man" who is just managing to get by and will see many of the services needed by his family snatched away.

7. The second greatest concern of all the letters received so far has been for some group to be formed that will speak out on behalf of the people of the community in such a crisis, an independent group that will "not play politics with people."

The cries for someone or some group "to fight for us" are moving, and there is a real sense of panic and outrage that somehow "government" cannot hear.

8. Taxes, tax rates, water rates, buildings, capital improvements—all of these received practically no expressions of concern in the letters. There were numerous requests as to "what can we spend revenue sharing money for legally?" and "Why aren't other plans being suggested?"

The letters are all thoughtful, and represent a great outpouring of concern for human needs and the future of the community.

Help Decide! will continue to serve as a channel for such responses and urges the proper government agencies and officials to seriously consider the need for regular citizen participation in the kinds of hard decisions that must be made in the months ahead about programs, services, revenue sharing funds, jobs, taxes, and most important, human needs.

Signed: Compilation Committee:

Carleen Walter, President, Church Women United in Nashville; Mary M. Wade, President, League of Women Voters of Nashville; Helen Clark, Citizen Action, Church Women United in Nashville; Barbara Mann, Vice-President, League of Women Voters of Nashville; Eleanor Willis, Director, Heads-Up Day Care Center; Earline Kendall, Tennessee Association on Children Under Six; Betsy Edwards, Vice-President, Church Women United in Nashville; Dorothy Luton, Chairman, Christian Social Relations, Tennessee United Methodist Women; and Pat Kalmans, Advocate, Family and Children's Service.

Dated: March 19, 1973.

For Further Information: Call 269-6475 (Carleen Waller): 297-8658 (Mary M. Wade).

COMPILATION OF REPLIES RECEIVED MARCH 5-17 1973, EXPRESSING PRIORITIES FOR THE SPENDING OF REVENUE SHARING FUNDS

(Percentages are based on 600 replies)

Programs For Children—84 percent mentioned programs for children; 30 percent specified day care; 8 percent mentioned youth programs; 12 percent mentioned special education services; 12 percent mentioned schools, regular and special; 14 percent mentioned handicapped children; 15 percent mentioned retarded children.

Social Services For Low Income Families, Needy—64 percent, with many naming a specific service, many mentioning "the poor".

Sewer—Water Services—7 percent. "While they are important, our first priority should be. . . ." "We must have them, but they should be funded with regular tax monies and monthly rates. . . ."

Pay Raises—1.6 percent.

Replace Federal Fund Cutbacks—29 percent.

Health Services (Including mental health, hospitals, etc.)—12 percent.

Transportation—6 percent.

Housing Programs—5 percent.

Human Needs, People Needs (General Mention)—41 percent.

Jobs—5 percent.

Citizens' Lobby—83 percent; only 4 No votes.

Streets, 2 votes; *Taxes lowered,* 5 votes; *Drug Programs,* 6 votes; *One of Present Revenue Sharing Plans,* 3 votes; *Parks,* 4 votes; *Planned Parenthood,* 6 votes; *Environment,* 3 votes; *Fire Protection,* 12 votes.

Sample Answers—How do you think Revenue Sharing Funds should be spent?

Human beings pay better dividends than sewers!

Not for improving golf courses!

Human needs first and capital needs next!

Not for big salaries or regular government utility functions.

Let's not have a political patronage bonanza.

Now that the war on poverty is over, the war of survival begins.

The top priority should be those who cannot help themselves—the poor, children, the aged, disabled, and mentally ill.

People Services.

Stop trying to weed out the weakest and most needy.

A large amount should be spent to help people help themselves.

For those who have to depend on others for help!

Should not be left in the hands of politicians.

Lower water bills would be a help!

However it is divided, it will not be adequate.

Help the parents who are trying to work and keep their families together.

Human beings in need, not buildings and big jobs.

We have already obligated ourselves to the retarded, the disadvantaged, the physically handicapped. We can't let them down.

Surely our lawmakers can devise a better plan than the two that they have shown us so far.

Salvage the needed programs that are being cut out before we plan for new needs.

Children! Children!

Spend it to help those who have no political muscle.

Why won't anybody come out and say just what things it could be spent on? Is it a secret?

Anything that affects our children.

Don't take away the jobs of people willing to work.

People first!

The need for sewers is great, and pay raises for policemen and firemen also, but I strongly feel the Metro Council must at the same time look seriously at the needs of the poor and aged in this community and should have before them a proposal that meets the needs of this group. I do not believe we can ignore this situation now with the excuse that special funds will be available later.

If priorities were established, the taxpayer would feel his tax dollar was being spent in the best way possible to meet the needs of the community. Don't do away with the progress we have made in meeting human needs!

Charity begins at home, and it's past time to begin here at home in Nashville.

It's time to change our priorities from destruction to investing in human beings.

Use our dollars to save our children. Tomorrow may be too late. Don't wait for another generation to be spoiled.

We need to hold local government to its responsibilities—don't let them cop out on any of the needs.

Why won't they print a list of all of the things that are being cut out, so that Metropolitan Council can make the right kind of decision about what should come first? Don't spend the revenue sharing money until we know just how bad it is, and what we've got ahead in this community.

We cannot allow any child to be deprived.

Sample Answers—How are federal funding cutbacks affecting you, your family or your neighborhood?

I am the sole support of my children without anything but my check from my job. My children's care would take one-third of my pay check. I surely pray that my children will be able to remain in the day care. It would be more of a burden that I can bear.

I am the head of my house with four children to support, and without a job it will be very hard to live.

How can you tell a child that is 5 years old you cannot go back because I can't afford to send you and the federal funds are cut.

I am the mother of 5 children 13, 9, 4, 3, 2. The center has helped me to hold my family together since I have had four operations in the past, and the last one left me 100% disabled.

I am desperate. I don't know I'll be able to survive. I have five children and there is just me to support them.

How can they play politics with my children?

I will either have to quit work or try to struggle by myself. I was on Aid for Dependent Children. I would not have respect for myself if I quit work. Please—help, help, help!

I have a retarded child, and I cannot stand by and see him not have the opportunity to live a happy life.

I could not work if they didn't have the program for old people that keeps my 84-year-old mother all day. What would happen to us?

I am a disabled widow. The center is a great source of help to me.

My community will be without recreation or day care.

No family and no community should have to decide between adequate child care and a safe sewage disposal system.

I can't tell you what's in my heart except my love for my children. Mothers like me have to work to support our kids. You help the kids overseas and I think that's wonderful, but I want some of that help too. Try to help us too.

My retarded child may end up in an institution if you take away the help she's getting now.

Sample Answers—Does Nashville need an independent Citizens' Lobby?

Citizens need their own special interest groups.

It is past time for it.

Yes, and it needs to be lobbying right now.

We need some help for those of us who have no political clout to protect ourselves.

The people should have the final say on sewer-water services, taxes, pay raises.

If we had such a lobby, we wouldn't be in the fix we're in today!

The ordinary citizen should be heard.

Yes, even if it's lost on deaf ears, we need to go all out to protest and speak our minds. That would be a step in the right direction.

A citizens' group is desperately needed. Taxpayers just don't have any voice.

Definitely. The citizens' groups would be in a position to know what is most needed more than the politicians are!

Yes, and Help Decide is a fine beginning.

Register my vote for a citizen's lobby.

We need a forum for public opinion.

There needs to be a lobby for the benefit of all young children.

Yes, everyone else has a lobby, why not us?

Thank you for giving the people of Nashville a chance to express themselves.

Count me in!

I need *somebody* to fight for me and my family.

Government and big business don't seem to hear anybody else.

Somebody needs to get all this information together and tell us what's really going on and help us to do something about it. It's situations like the one we're in now that show just how little Nashville citizens have to say about what goes on.

You must be crazy! No one has helped decide anything in this town for 40 years. Just relax. Big Daddy will let you know what "they decide."

PAN AMERICAN DAY

Hon. PETER H. B. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. FRELINGHUYSEN. Mr. Speaker, Pan American Day is an appropriate time to reflect on the meaning of recent developments in the inter-American system. The winds of change which are blowing through the Organization of American States are in many ways similar to those so apparent at the United Nations. Small states in the OAS, as in the U.N., are clamoring for a larger role in organizational policies. The leadership of the United States in both organizations is under challenge.

In our bilateral relationships with Latin America changes are also in evidence. We are in dispute with Peru and Ecuador over fishing limits. Relations with the Allende government in Chile are strained. The most recent dispute arose during the stormy U.N. Security Council session held in Panama. The changes are not all for the worse, however. In January, we signed an antihijacking accord with the Cuban Government—which may lead to more normalized relations with the Castro regime. Our response to the victims of the devastating earthquake in Nicaragua was immediate and invaluable.

One lesson to be learned from these developments is that the United States must recognize the desire on the part of the Latin Americans to stand apart from the American embrace. We must adapt to the changing attitudes of our Latin American neighbors and constructively respond to their new self-awareness. In that way we can help to channel their energies into new and constructive inter-American relationships.

MILITARY BASE CLOSINGS

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. HARRINGTON. Mr. Speaker, on April 17, 1973, Secretary Richardson announced that the Defense Department would close 274 bases throughout the Nation, including the Boston Naval Shipyard, Westover Air Force Base, and the Newport Naval Facility. The reasoning used by the administration is that the closings will save over $3 billion without in any way diminishing our national security. As a long-time critic of excessive defense spending, I now find myself in the anomalous position of supporting a Defense Department directive which causes tremendous economic hardship to my own area.

That being the case, I could reverse my position and in the course open myself to valid charges of inconsistency and hypocrisy, or I can make some attempt to deal with the situation and offer some suggestions for its possible solution. I make no claim to expertise, but it seems to me that the most effective approach would be a strong coalition of those on the Federal and State levels and those in the business community to find the jobs and attract the new business we need to the area.

Over 25 percent of the jobs that will be eliminated are in two New England States—Massachusetts and Rhode Island—where some 34,000 jobs will be lost. The Boston Naval Shipyard, Westover Field, and other military facilities in Massachusetts will be closed. The Newport Naval Complex in Rhode Island will also close.

The economic impact of the base closings is my primary concern. The net loss of 34,000 jobs in our area is a crushing blow we cannot absorb alone at a time when the unemployment rates in Massachusetts and Rhode Island stand at 7.2 and 6.4 percent respectively. Unemployment in Massachusetts will rise from 7.2 to 7.6 percent if these men and women are laid off and not given jobs. The tax base will deteriorate, State welfare and unemployment compensation expenses will rise, retail sales will fall, and stagnation will continue. I understand that little consideration was given by the Defense Department to the economic effects of the base closings. I wish such considerations had been taken into account and that the Defense Department had a thorough, effective program ready to put in place. They have no such plan. The challenge to us now is to join together and formulate and implement a program that will help avert the economic crisis we face.

We must have a full range of financial assistance from Federal dollars to private capital to combat the effects of these cuts in our area. Pulling installations out without provision for this kind of assistance would be another example of a thoughtless and fragmented approach to the problems of our economy.

In short, we need economic conversion. That is a grand phrase we heard frequently as we withdrew from Vietnam, but it has never meant anything and it has never been a practical reality. The concept is just too big. But here we have a concrete situation of manageable dimensions. Here we have a problem with which we can deal. We have been presented with a rare challenge. If we live up to that challenge, we can provide a model for others to follow.

Such a transition will require action on the part of the Department of Defense and the executive branch of the Federal Government. It will require congressional involvement and the involvement of the congressional delegations from the States affected. It will require, most of all, the active participation of the business community and the cooperation of labor unions. But it can work, and we can make economic conversion a positive reality, rather than a negative code word.

I have four suggestions to offer today:

First, the Defense Department should use the resources at its disposal to assist States and local communities in the adjustment process. When many bases were closed in 1964, then-Defense Secretary Robert McNamara established the Office of Economic Adjustment to deal with the same problems facing us today. President Nixon, also recognizing the problem, established a Cabinet-level committee in 1970, the Interagency Economic Adjustment Assistance Committee, to coordinate the Federal programs providing local development assistance.

I have worked with the Office and the committee, and they do not fully measure up to performance standards we would ideally seek.

I suggest that we take a hard look at the budget of the Office of Economic Adjustment and consider doubling its funding and personnel to help them better meet the needs of the communities affected.

I also suggest that we consider moving the Office out of the Defense Department and vesting its authority in the Department of Commerce or some other appropriate domestic agency because this is essentially a domestic issue.

Second, we should offer adequate adjustment assistance to workers laid off by base closings. Congress has enacted adjustment assistance in the form of retraining allowances, relocation allowances, and a salary stipend for a year for workers displaced by international trade. I intend to introduce similar legislation to assist workers displaced by the closing of military installations. I hope that it can be passed promptly by the Congress and signed into law by the President.

Third, the land in New England that will be abandoned is prime industrial land. It should not be used for different defense purposes that would not create the new jobs that are needed. It should not be used for recreational purposes alone. It should instead be used in such a way that new industry will move in and create the jobs necessary to put the displaced workers back to work.

The congressional delegations from the affected states should work closely with the Defense Department, the General Services Administration—which disposes of excess property—and the Federal Property Review Board, to make sure that by December 31, 1973, when the Boston Naval Shipyard will close, plans are well underway for the appropriate disposal of the land.

Fourth, we should provide additional retirement and severance benefits to those who are laid off. Ordinary retirement and severance benefits are insufficient for men and women who, for no fault of their own, will have their lives disrupted. The portability of pensions and all other pension rights must be protected. We should consider increasing retirement benefits for civilian employees along the same lines as the increased benefits that went to postal workers when the Postal Corporation was formed. We should also consider plans to authorize and appropriate some period's pay—such as 1 month—for every year worked at the military bases for the civilians whose jobs have been eliminated. This would apply only to those ineligible for adjustment assistance.

The Department of Defense can provide the severance pay by an administrative action. Adjustment assistance takes legislative authority and will therefore take far longer to implement. Therefore, the Department of Defense should provide such severance benefits now while the Congress begins action on legislation authorizing adjustment assistance.

These are but a few initial suggestions. I would welcome any recommendations from any Member of Congress, official of the Federal Government, businessman, labor leader or interested citizen. What we really need now is the energy to persevere, ideas with which to work, and the imagination to put those ideas to practical use. I would call on business leaders in particular to come forth and give us the ideas with which we can put our economy back together and achieve real, stable prosperity.

STATEMENT CONCERNING SECRETARY ROGERS' ANNUAL REPORT TO THE CONGRESS

HON. WILLIAM S. MAILLIARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. MAILLIARD. Mr. Speaker, Secretary Rogers' report to the Congress on U.S. foreign policy in 1972, which was issued today, covers one of the most significant years in this Nation's foreign relations. The President's journeys to Peking and Moscow represented an historic turning point. But progress was made on other fronts as well. Many of our diplomatic efforts never make the headlines, and Secretary Rogers' report serves to remind us that the tasks of diplomacy are intricate, complex, and wide ranging. They encompass not only relationships among the superpowers but also the very human relationships involved in efforts to advance the well-being of peoples throughout the world. We should all be grateful to Secretary Rogers for providing us with a comprehensive and illuminating review of the events of 1972 and for identifying problems and opportunities which lie ahead.

SOCIAL SERVICES—THE REAL STORY

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. HUBER. Mr. Speaker, I think it is time to set the record straight with regard to the proposed new regulations governing federally supported social services.

There has been a great outcry to the general effect that the new regulations proposed by the Department of Health, Education, and Welfare "will cripple thousands of vital human service programs"; that they will "gut existing programs which provide many families with the help they need to get off the welfare rolls and become self-supporting"; that they will have a "severe and tragic impact" on individuals "currently benefiting from day care programs"; that they are "so restrictive—they would eliminate completely existing programs which provide child protective services, emergency care, day care" and other services; that they reflect a "callous, indifferent attitude—toward the needy people of America"; that they will "not only halt the growth of day-care centers—they may well doom existing ones." The catalog of projected "terrors" goes on and on.

Perhaps some of the taxpayers in this country would be interested in the real facts, so contrasted with the kind of hand-wringing hysteria we are being treated to in the CONGRESSIONAL RECORD and in the press.

First of all, to put the picture in perspective, it should be pointed out that the new regulations were necessitated by an act of Congress. Last year faced with the fact that the federally supported social services program had become a flagrantly abused and financially skyrocketing boondoggle, Congress clamped a $2.5 billion ceiling on it. Had no such action been taken, the fiscal year 1973 cost of the program would have reached at least $4.65 billion or nearly twice the maximum mandated by Congress. Almost to a man, Members of Congress who now flail the HEW regulations voted for the ceiling. But, as so often happens in the Congress these days, some Members would like to have their cake and eat it, too. They seem not to realize that a vote to curb spending also means curbing the scope of the programs on which the money was being spent.

Significantly, however, the new regulations will actually channel more money to the truly needy than they have thus far been receiving under these programs. This will happen, because the new regulations force spending to be focused on those in greatest need and because administration is tightened up to reduce waste and duplication of effort.

Today, I would like to discuss specifically the effect of the new regulations on child care. In the future I hope to discuss other aspects of the rules changes.

Critics of the new regulations complain that they will "play havoc with those who are in greatest need." That simply is not true. The curtailment is in fact meant to eliminate services to those who need them least and to concentrate most of the Federal dollars available for child care on those who have the greatest need—those families and individuals who receive cash assistance, because of their very low income.

Critics of the new regulations complain that "day care will no longer be available to parents in job training or full time jobs." Once again the charge simply is not true.

In order to target aid to those who need it most, the Department has made two major changes in the day-care regulation:

First. The scope of support for day care would be restricted to the purpose of enabling caretaker relative to participate in employment, training or receipt of needed services.

Second. The member of former and potential welfare recipients who are eligible for day-care support has been reduced. This targets available moneys on those most in need; namely, those whose incomes are so low that they must have cash assistance to survive. This reduction is accomplished by means of two changes in the regulations:

First. The income level for eligibility for services as potential welfare recipients would be estimated at 133⅓ percent of the State's welfare assistance payment level, whereas formerly States could set any reasonable level. Some States permitted a family of four with an income of $8,000 to $9,000 to qualify. That is several times the income permitted for a family to qualify for welfare assistance payments.

Second. Group eligibility as potential recipients is eliminated. People formerly could qualify for services simply because they lived in a public housing project, model cities area, Indian reservation, low-income census tract, et cetera, regardless of the real need for the services.

Another change in the regulations reduced from 2 years to 3 months the time period during which "former" welfare recipients are eligible for services, including day care, and reduced from 5 years to 6 months the period during which "potential" welfare recipients are eligible for services.

Critics have charged that this will "undercut * * * efforts to help individuals move from reliance on welfare benefits to a position of financial independence." They overlook two very significant factors however, in making such a charge:

First, the longer periods permitted many people to qualify for services long after they had achieved "a position of financial independence."

Second, the shorter periods proposed are only initial limitations. If, for example, a family has been off from welfare for 3 months, but a review of their situation at the end of 3 months indicates they might be forced to return to welfare if day-care services are denied, it is possible for that family to continue eligible for services under the "potential" category. Further, the 6-months limitation for potential recipients does not preclude receipt of services for a longer period of time; it merely requires that the State certify, at the end of each 6-month period, that the family is still in immediate danger of welfare dependency if services, including day care, are not provided.

What these criticisms amount to, then, is primarily an attempt to obscure the real issue—the need to curtail a ballooning and badly abused program—behind a cloud of rhetoric about "gutting programs for the poor," "callousness," "indifference," "crippling vital services," "eliminating child care," and other fallacious, but emotional verbiage.

When it is all boiled down to its essence, what the critics really want to save is jobs for a lot of professional "servants of the poor" and child-care programs for a lot of mothers who would rather work than stay home and raise their own children.

In witness of this latter fact I include in the RECORD at the close of my remarks an article by Barbara Garson, the author of the bitterly satirical play "MacBird," which appeared in the New York Times on Thursday, March 15, 1973. Miss Garson views her article as a defense of the current program. I view it as ample evidence that the current program is being abused and should be curtailed as required by congressional action and the proposed HEW regulations.

Why, for example, do the taxpayers owe Miss Garson a right to write? If she took a real job instead of indulging herself in a professoinal luxury all of us might enjoy but most cannot afford, she could pay for professional child care.

Or consider her own attitude toward child raising:

> If working eight hours a day is a hard way to be a mother, staying home alone in a room all day with your kids is even worse.

It may be each woman's right within her capabilities, to decide whether she will raise her own family or let someone else do it. But why should the taxpayers be called upon to subsidize her "liberation."

Miss Garson concludes her column by suggesting that rather than entrust her child to "some woman with two kids of her own who takes in three children at $25 a week and sits them in front of the television all day" she would rather "do the responsible thing for my child, stop working, and go on welfare." I suggest that if she really wants to do the responsible thing, maybe she should go back to her husband.

The article follows:

THEN ON THE OTHER

(By Barbara Garson)

When my daughter was 3 years old, I wanted to start writing again. I didn't have the money for professional child care so I got involved in a string of collapsing parent-controlled co-ops. After a few months Juliet was getting ragged around the edges. So I decided to put off my literary comeback.

Then I was lucky enough to get into Greenwich House, a first-rate day care center with a long, long waiting list. Greenwich House is 75 per cent Federally supported. We parents pay zero to $25.25 a week, depending on income. Greenwich House is professional, loving, unexperimental and above all, stable.

Now I could start writing full time with a clear conscience and a good hope of supporting myself. As a matter of fact, I've finished another play which I have dedicated to my school.

Among the mothers of Greenwich House are nurses, receptionists, messengers, and a couple of welfare women going to school. Most of them are divorced, or separated like me.

Many of us single parents have somewhat unstable lives. It must be the times. We always seem to be losing a job or an apartment or a husband. That makes childhood a little different for my daughter than it was for me.

My parents have been married for 34 years. They still live in our old home with the same good neighbors on the block. When I visit my folks I feel like I'm on an anthropological field trip. "Look Juliet," I say. "This is a home. This is how people once lived."

Greenwich House helps me give my child a little of that world I grew up in.

After nursery school Greenwich House sees our children through the years with the after-school program, summer camp and even music lessons.

Many of the day-care mothers have worked out exchanges so that Billy's mother picks up Jerry after school and Jerry's mother takes them both to the movies on Saturday. These are more than free baby-sitting arrangements. This is how our children can make friends that don't disappear. Making friends in the neighborhood seems so simple and ordinary. Yet without Greenwich House it would be difficult for us modern Manhattan working mothers to arrange.

The Department of Health, Eaucation and Welfare has decided that the Federal Government will no longer subsidize child care for working mothers. The new H.E.W. regulations don't close the centers. They simply transfer the subsidy from working mothers to welfare mothers. Now surely welfare mothers need a Greenwich House, too. If working eight hours a day is a hard way to be a mother, staying home alone in a room all day with your kids is even worse. A welfare child needs the continuity of day care at least as much as my child does.

But this is not what the new regulations provide. Under the proposed rules the Federal Government subsidizes day care only to make welfare mothers find jobs (or work off their checks for below the minimum wage on the work-fare programs). After three months it is assumed they have "stabilized" their incomes. Then they too are kicked out. From a school Greenwich House becomes a temporary holding hall for little kids, while their mothers seek work. Then those mothers, like me, must find some other makeshift arrangement.

What can those politicians, those motherhood lovers have in mind? I guess they figure they'll use day care to clear the welfare rolls. The mothers will manage somehow. And the kids—oh, they'll turn out all right. After all, didn't Mr. Nixon group up in adversity?

Private day care costs at least $45 a week per child. For most of us at Greenwich House that's about one-half of our salaries. Under the new regulations our only real options are to go on welfare, or to find some woman who takes in three children at $25 a week and sits them in front of the television all day. That's the kind of arrangements most low-paid working mothers make right now. Frankly I'm too middle class for that. I'd rather do the responsible thing for my child, stop working and go on welfare.

JAMES J. KILPATRICK ON THE GREAT SOCIETY

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. ARCHER. Mr. Speaker, a recent report by the Government Accounting Office which was released on February 20, 1973, concerns a study on the Neighborhood Youth Corps. The figures which the report presents illustrates that the program has been a failure.

Similar to many of the Great Society programs which are now or have been administered by OEO, the Neighborhood Youth Corps was built on an idealistic base which simply has not worked.

James J. Kilpatrick, the noted writer and commentator, recently wrote an article on this subject and I include it to be printed in the RECORD at this point:

[From the Albuquerque, N. Mex.,
Journal, Mar. 5, 1973]

(By James J. Kilpatrick)

RESPONSE TO MALARKEY

WASHINGTON.—Several thousand poverty workers descended recently on Capitol Hill, there to lobby for their jobs and to publicize their cause. They had learned their catechism well.

What is Richard Nixon? Richard Nixon is an oppressor. Whom does Richard Nixon oppress? Richard Nixon oppresses the poor. Why does he oppress the poor? He oppresses the poor because he lacks compassion. What else does he lack? He lacks sensitivity also. How does he oppress the poor? He oppresses the poor by demanding that certain anti-poverty programs be dismantled. What do we call these demands? We call them brutal and savage.

Nixon replied to this malarkey in a speech that crackled with common sense. A great many fed-up Americans, listening on their car radios, must have wanted to honk their horns in approbation. He took deadly aim on the "almost Utopian commitments" of the Great Society that "in case after case amounted to dismal failure."

"Those who make a profession out of poverty got fat," he said. "The taxpayers got stuck, and the disadvantaged themselves got little but broken promises."

For a telling example of what Nixon was talking about, consider the Neighborhood Youth Corps. This well-intentioned boondoggle was created under the Economic Opportunity Act of 1964. It is administered by the Department of Labor. One of its purposes is to provide meaningful employment and remedial education for potential dropouts, in order to keep them in school.

On Feb. 20 the General Accounting Office released a report on the Neighborhood Youth Corps' operation in 1970–71 in Houston, Norfolk, and Washington, D.C. The report made dismal reading.

During the 1971 fiscal year, the Corps had a budget of $59 million for its in-school program. Nationwide, an estimated one million youths were eligible. Of these, only 95,000 got a taste of the gravy. In the three cities studied by the GAO, 2367 youths shared in a program that cost $1,575,000.

The Labor Department had set up criteria for determining potential dropouts. These criteria, it appears, were widely ignored. Examination of a sample group indicated that probably 35 per cent of the youths were ineligible. They never had thought of dropping out.

Did the program operate effectively for the other two-thirds? No, indeed. In Washington, for example, the GAO auditors compared Corps enrollees who had "identified dropout potential" with a similar group of non-enrolled youths. The actual dropout rate was 18.7 per cent for those who were enrolled. It was 11.8 for those who were not.

The program was intended to provide remedial education for poor students. Only 17 per cent of them got it.

The program also was to provide "meaningful" job opportunities. On the average, enrollees worked about 10 hours a week and earned some $600 during the school year. Most of the participating girls were assigned to clerical work, and these benefited from the program.

It appeared, however, that some 54 per cent of the boys were shuffled off to jobs as assistant janitors. In Washington, 40 per cent of the boys in the sample group were assigned to a "courtesy patrol." Their duties were "to patrol neighborhoods and help residents carry groceries, help elderly people off buses, help remove litter, and maintain general surveillance over neighborhood streets."

The GAO auditors visited a courtesy patrol work station. In their observation, more than half the sampled youths were simply lounging around. "All the courtesy patrol members were assembled in the same room with no apparent work to perform. During the entire length of our visit, not one left the room to patrol the streets or serve residents."

To borrow from Nixon's speech, this doubtless was "compassion that meant well." If this kind of thing can be replaced by "compassion that works," Nixon and the Congress will have applause coming; and the catechism will be exposed as a lie.

SUPPORT FOR NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. BADILLO. Mr. Speaker, perhaps the most difficult and complex task facing the 93d Congress is the setting of national budget priorities. Particularly at a time of soaring inflation and nagging unemployment, the disposition of Federal funds deserves the most careful consideration.

At this time, I want to urge the support of my colleagues for legislation that would extend the life of the National Foundation on the Arts and the Humanities for another 3 years, with authorizations of $450 million for each of the two endowments. This legislation has been introduced and subjected to hearings in both the House and the Senate, and I am hopeful that early and affirmative action will be taken.

Since the legislation establishing the National Foundation on the Arts and the Humanities was enacted by the 89th Congress, there has been a growing appreciation, both within the Congress and among the general public that the cultural resources of this Nation are as vital and in need of preservation as are our natural resources. The Federal Government has an important role to play in this effort, and this has been recognized in the funding increases for the arts and humanities over the past 2 years. The Federal-State partnership established under the arts and humanities legislation deserves even greater support and encouragement, for every dollar invested by the Federal Government is matched by the State, and that $2 is in turn matched by the ultimate recipient, with the result that a single Federal dollar becomes a $4 expenditure on the arts.

I urge my colleagues to keep this in mind as the authorizations and appropriations for the arts and humanities are considered.

FEDERAL EXPENDITURES SHOULD NOT EXCEED REVENUES

HON. WILLIAM H. HUDNUT III

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. HUDNUT. Mr. Speaker, our national debt has now reached the astronomical figure of $460 billion. Few people can visualize the vastness of this amount, but it can be graphically illustrated if we picture it as converted into $1 bills. It is said if we place 1 billion $1 bills end to end, they would extend four times around the world. If we carried this a step further and converted our entire national debt into $1 bills, they would form stacks end to end, 1,840 bills deep, stretched around the entire world.

Since 1930 there have been only 6 fiscal years when we had a balanced budget. Three of these years were in the Truman administraton—1947, 1948, and 1951, and three were in the Eisenhower administration—1956, 1957, and 1960. For the most part, these deficits have been due to extenuating circumstances such as economic recessions or wars. However, there were years—such as during the Kennedy administration when we saw "planned deficits" as a matter of economic policy.

Historian Arthur M. Schlesinger, Jr., in his book "A Thousand Days," described this as "a revolution in fiscal policy" which committed itself "to a radical principle: The deliberate creation of budgetary deficits at a time when there was no economic emergency." At that time former President Eisenhower warned "the deficit road through history has lured nations to financial misery and disaster." President Eisenhower denounced the Kennedy administration's "vast, reckless plan." Schlesinger writes that "neither the passion for a balanced budget or the fear of inflation" was allowed to abort the fiscal revolution. The Kennedy administration dismissed Eisenhower's plea and warning as a "right-winger's mythology."

Today, we see the results of these years of Federal deficits in the high prices for meats and other products, in increased rents and interest costs, as well as the devaluation of our dollar in foreign trade. Seemingly, the entire economy of the United States is on very shaky grounds.

If ever there were a time ripe for corrective action, surely it is now. And that action can only come from one source, the body invested by the Constitution of the United States with the responsibility for action in fiscal matters of this country, the Congress. I personally feel the time has now come when we must get our house in order. In an attempt to remedy this situation, I am introducing a bill to provide that Federal expenditures shall not exceed Federal revenues, except in time of war or grave national emergency declared by the Congress by a concurrent resolution which has passed each House by at least two-thirds of the authorized Members of that House. Also, there is a provision for a systematic reduction of the public debt beginning with 2 percent the first year and gradually reaching 5 percent each year.

In discussions with my constituents, I find the vast majority do not want any more deficit spending. I believe they represent the views of most Americans who are fed up with high taxes and inflation and feel that Congress should begin to handle the Nation's budget as they do their own family budget—living within their means.

The Joint Study Committee on the Budget has already made a good start in their recommendations for better budget control and I hope this proposal I am sponsoring will receive very serious consideration.

W. D. P. CAREY

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. SHRIVER. Mr. Speaker, one of this Nation's distinguished business leaders and an active civic leader of Hutchinson, Kans., Mr. W. D. P. Carey, passed away on April 7, 1973. Mr. Carey had achieved success as a businessman, attorney, and community leader.

Many of the progressive developments in the Hutchinson community were stimulated by the leadership of Mr. Carey. Whether it was a sports arena for the city, a hotel, flood control, a hospital, or the United Fund, he was in the forefront hard at work.

Mr. Carey was a director "emeritus" of Tenneco and had served as president of the Packaging Corp. of America.

The Carey family long has been synonymous with Hutchinson. In recent months, however, the family has experienced the loss of Howard J. Carey, Sr., a brother, and Howard's widow, Mrs. Louise Carey.

Mrs. Shriver joins with me in conveying our deepest sympathies to Mrs. W. D. P. Carey; her daughter, Mrs. Gwen Everett; and a son, W. D. P. Carey, Jr. Under leave to extend my remarks in the RECORD, I include the following editorial from the Hutchinson, Kans., News which eloquently eulogizes this outstanding citizen—W. D. P. Carey:

W. D. P. CAREY

William Carey was a Renaissance man.

That is defined as a "present-day man with many broad interests who has opportunity to indulge himself in them so as to acquire a knowledge of each that is more than superficial."

He went beyond that definition, from the arena of knowledge into the field of action. Devoted as he was to education and the arts, he did not accumulate knowledge and understanding for their own sakes but as tools with which man serves himself and others.

Simply to run an inventory of those interests is to invite both the error of omission and disbelief. They included the law, which to him was the frame on which to build both a civilized society and a personal life. Along with that passion came business. He approached that with the zeal of a talented football player—which he also was—marshaling his strategy and resources to fashion a win. But business was a bit more than a game to be played superbly, as he did. It also was a skeleton to be fleshed with people, inspired with imagination, and imbued with moral fiber.

And then what? Golf, of course. Community duty, of course. Service to country, to his schools, to his business associates. Art was there, and a smattering of music; deep interest in history; some politics; man's social needs, as they can be met with better hospitals, better parks and recreation, better housing, better jobs.

Above all stood his sense of devotion. First, to his family. Then, to his home community. How well he met those self-imposed obligations is clear in the long record of duty which was noted in the Sunday report of his death.

Suffice it to say that if we had such a title as Citizen Of The Century, this century's honor would go to William Carey.

It has been an unhappy season for the Carey family, and for their friends throughout the land. Though deaths came cruelly fast, the losses served as testimony to the abundance and fullness which the lives of this remarkable family have given to all of us.

DIPLOMATIC DOUBLE STANDARDS OR JET AIRCRAFT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. RARICK. Mr. Speaker, undoubtedly, the sale of three used jet airliners to Rhodesia will bring cries of anguish from the same crowd that engineered the economic sanctions the U.N. imposed against that country several years ago. The airplanes represent the first jet aircraft acquired by the Rhodesian airline.

This still leaves Rhodesia lagging behind Communist China in jet transportation. The Chinese, you will recall, purchased ten 707 jet airliners from an American firm last fall for a reported $125 million. But the Red Chinese got a better deal still—free training for Chinese pilots was thrown in for boot.

It is interesting to note that within a few days after the Chinese made their deal with the American businessmen to buy commercial airliners—for peacetime purposes only—the Nation's news reported:

> About one dozen MIG 19 jet fighter planes were delivered by China to North Vietnam. . . . At the time Hanoi was down to fewer than two dozen jet fighters and was losing them in dogfights with American attacking aircraft at such a rate that they would have been out within two weeks.

Here is another example of the double standard in U.S. diplomatic relations. While UN imposed economic sanctions against non-Communist Rhodesia continue to be respected by the United States, we allow U.S. made planes to be sent to the same Communist who supplied the war material to prolong the killing of our fighting men in Vietnam.

Related newsclippings follow:

[From the Star and News, April 17, 1973]

FIRM EXPLAINS SALES OF THREE JETS TO RHODESIANS

GENEVA.—Three Boeing jet airliners delivered to Rhodesia in violation of the economic sanctions imposed by the United Nations were owned by a bankrupt West German charter company, according to a spokesman for Jet Aviation, an aircraft maintenance company in Basel said.

The spokesman said yesterday the four-engine aircraft left the Basel airport on Thursday and Friday for Lisbon. The Boeings are said to be the first jet aircraft acquired by the Rhodesian airline, Air Rhodesia.

Jet Aviation, according to the spokesman, prepared the planes for the flight to Lisbon without knowing their ultimate destination. They arrived in Salisbury, the Rhodesian capital, on Saturday.

The spokesman said that the three planes belonged to a Munich charter company, Calair, which went bankrupt last year.

[From the Washington Evening Star, Sept. 18, 1972]

OTHERS WOULD FOLLOW BOEING CHINA DEAL

(By Stephen M. Aug)

Months of patient effort and weeks of hard negotiating have won the Boeing Co. not only an unusual cash purchase for $125 million worth of its planes, but a stretch-out of its 707 production, continued employment for hundreds of workers and more than a foot in the door to greater trade with the Peoples Republic of China.

The deal, completed Saturday, is the largest transaction to date since trade barriers have been eased between the United States and mainland China.

An examination of records at the Commerce Department, however, indicates that a number of other companies—some of them unidentified—are looking toward further deals with the Chinese.

Among them:

Pratt & Whitney Division of United Aircraft Corp. received last Thursday a Commerce Department license to export $12,112,000 worth of aircraft engines and parts for installation on U.S. planes. These would be replacements for the engines to be placed on the 10 Boeing 707s the Chinese have ordered. A Pratt & Whitney spokesman said a company delegation leaves for China today to negotiate the deal.

An export license was issued Aug. 2 to an unidentified company to demonstrate and resell $6,713 worth of outboard motors.

On July 25 the department issued a temporary license for a demonstration of $6,000 worth of data processing equipment. This, however, is not to be sold, but is to be returned to the United States. The department did not identify who received the license.

The department's quarterly report for the three months ended June 30 says export licenses for sales of more than $150 million were approved for the Peoples Republic of China. Commercial aircraft for civil airline operations accounted for all but a few thousand dollars.

Virtually all of this was accounted for by the Boeing license which was granted June 30. In mid-July, the government granted McDonnell-Douglas Corp. a $21 million temporary license authorizing a demonstration flight of an airplane to China.

But Douglas officials never went to China, nor did their plane. They weren't invited, and business with the Chinese at this point is by invitation only.

LOCKHEED LESSON

Sometimes, of course, even invitations haven't resulted in sales, as Lockheed Aircraft Corp. learned.

A five-member team headed by Lockheed international vice president Robert I. Mitchell visited China from May 28 to June 14 in an effort to sell airplanes—the jumbo L1011 Tristar, L100 Hercules and the Jetstar, an executive jet plane. Although there has been a continuing exchange of correspondence since the visit, no sales have resulted.

Commerce Department records indicate a number of sales to the Chinese of photographic film—some direct, and some of it U.S. products re-shipped from Hong Kong.

The only significant export to China since the trade barriers began coming down last year—and prior to Boeing—was the sale of about $6.6 million worth of communications satellite equipment by RCA Corp. The company's first sale was made in connection with President Nixon's February visit to China.

STEADY IMPORT FLOW

There continues, however, to be a steady flow of imports from China. During the first seven months of this year, $16.8 million worth of Chinese goods have been imported.

George Driscoll of the China desk at the Commerce Department, said the first direct transactions between U.S. and Chinese firms after the RCA deal were made in connection with the Chinese Export Commodities Fair at Kwangchow from April 15 to May 15. After $6 million worth of business was transacted—although none of it was export business from American firms.

Among the importers is Seabrook Foods Inc. of Great Neck, N.Y. Murray P. Berger, president, was among those who attended the fair. His company has ordered about $200,000 worth of frozen vegetables—including some 9-inch green beans—and frozen shrimp. Compared with the $75 million in sales Seabrook Corp., Leviant International, Boeing, RCA, May Lee Import-Export Corp., Bloomingdale's, Sobin Chemicals, Envirotech Corp., and Alexander's Department Store. Trade associations also appeared from Minneapolis, Chicago, San Francisco and Hawaii. The China Trade Association of Washington also was represented.

The Chinese, these businessmen must have found out, are tough negotiators. Boeing's chief negotiator on the 707 transaction, Byron H. Miller, international sales director, said his sales team had "a quite arduous time . . . It was by far the most rigorous negotiations I've ever been involved in."

"VERY ARDUOUS"

At a news conference yesterday, Miller said they were "very, very protracted and detailed negotiations." The result, he said, was a 125-page contract, and "we went through that thing 10 times . . . it was very arduous."

Although most sessions began at 9 a.m. and ended at 5 or 6 p.m. with a two or three-hour mid-day recess, loggerheads that developed resulted in no meetings at all for two or three days at a time.

Miller traced the progress of the deal starting perhaps two years ago when Boeing received several "always somewhat mysterious" inquiries about its aircraft. The source was eventually traced to mainland China, but several indirect attempts by Boeing to obtain authorization to send a delegation to China were unsuccessful.

SIGNING SEPTEMBER 9

Then, last March 7, the company applied directly to the China National Machinery Import & Export Corp., which negotiates such deals. A cable to Boeing three weeks later invited a delegation to the April-May trade fair. Negotiations began April 15 and trade documents were signed Sept. 9. Nine different Boeing officials took part at one time or another.

Miller said the Chinese want details of the contract kept confidential. But he said the deal is for cash—almost unheard of in airplane sales—with a 30 percent down payment and full payment in U.S. dollars through the Bank of China and an unidentified bank in an unidentified country when the planes are delivered.

The contract includes training for Chinese pilots on the ground and in simulators at Boeing headquarters in Seattle, plus flight training in China. The planes will have Pratt & Whitney engines, and these account for about 15 percent of the $125 million price for the 10 aircraft.

The planes will be used on both domestic and international routes, Miller said, speculating that they would likely reach such Western nations as Japan, Canada and France.

HANOI GETS JETS FROM PEKING

(By Henry S. Bradsher)

SAIGON.—About one dozen MIG 19 jet fighter planes were delivered by China to North Vietnam early last week. At the time Hanoi was down to fewer than two dozen jet fighters and was losing them in dogfights with American attacking aircraft at such a rate that they would have been out within two weeks.

The fact that China came through with help at a time when the flow of Soviet aid has been greatly reduced by the U.S. blockade of North Vietnam emphasizes the increased importance of Peking to Hanoi.

China has since 1965 supplied mostly light weapons and bulk civilian goods to North Vietnam while the Soviet Union provided sophisticated heavy weaponry and technical goods. But now with roles shifting, the blockade is only one reason.

* * * * *

China has over the years also provided jet fighters to North Vietnam. The MIG 19s which China now is making at a rate of 450 a year is a modified copy of a Soviet design. The Soviets have provided later and better MIG 21s to Hanoi. But the North has been running out of them. Delivery of planes early last week was a Chinese effort to keep the North Vietnamese air defenses viable.

China has also provided North Vietnamese with Chinese produced copies of Soviet bombers. These are stationed in Southern China to protect them from U.S. air raids and have not been used against South Vietnam.

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MIDAIR COLLISION AVOIDANCE ACT OF 1973

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. GOLDWATER. Mr. Speaker, the recent collision between a NASA plane and a Navy jet, which tragically took 16 lives, demonstrates once again that Congress must enact legislation to require the installation of collision avoidance systems on most civilian and military aircraft. There is no doubt that the danger of midair collisions is increasing, and on the basis of personal studies that I have undertaken, unless we do something immediately, hundreds and perhaps thousands of people will die in such collisions in the next 10 years. In fact, the National Transportation Safety Board has projected 972 fatalities from 335 collisions between 1970–79.

Unfortunately, ground based radar does not always pick up aircraft, and a great percentage of aircraft flying today is classified as the lighweight, small general aviation type. For the most part, such planes fly outside the control of radar and aircontrollers on the ground. Actually, its a tribute to the pilots of such aircraft that more mid-air collisions do not occur than the already frightening number that do.

It is not a very pleasant subject to bring before the Members of the House, but after all, practically all of us are required to fly great distances, and while there is always the danger of an accident occurring, it can be increased many times over unless proper precautions are taken. One of these precautions should be the installation of effective collision avoidance systems. As our colleague in the other body (Mr. Moss) pointed out in a statement yesterday, the technological know-how is available to effect a program of collision avoidance on most aircraft.

Together with my colleague (Mr. Moss), I introduced legislation yesterday that would set a target date of March 1974, for completion of testing of mid-air collision avoidance systems. The bill, H.R. 7125, requires that all airliners and military aircraft must have a collision avoidance system by June 1976. Additionally, by June 1977 all business and other commercial aircraft would be required to have the system operative and by June 1978 all aircraft would have to comply. This would exclude certain type aircraft that operate away from congested areas such as specialized sport, experimental, antique, agricultural planes and gliders.

We have a serious obligation to do everything possible to reduce the chances of midair collisions. I am very hopeful that we can get some hearings on this bill in the near future, and if any of my colleagues would like to discuss it with me please let me know.

Mr. Speaker, I would like to include a copy of H.R. 7125 as a part of my remarks at this point. The preamble, or findings and purpose, of the bill describe the seriousness of the midair collision problem. The bill is as follows:

H.R. 7125

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Mid-Air Collision Avoidance Act of 1973".

FINDINGS AND PURPOSE

SEC. 2. (a) Whereas mid-air collisions have already caused and will continue to cause a tragic loss of human and economic resources, inasmuch as—

(1) mid-air collisions between air carrier, general aviation and military aircraft have caused a tragic loss of human life totaling 966 fatalities from 178 reported mid-air collisions between 1956 and 1970;

(2) the National Transportation Safety Board projects that, based on past levels of collisions and fatalities, the nation can expect to witness the loss of 972 lives from 335 collisions between 1970 and 1979;

(3) single collisions have resulted in damage claims of some $70 million; payments of some $29 million; and, based on qualified estimates, could result in a cost to the airlines of some $180 million if involving two wide-body airliners;

(4) the nation will experience a dramatic rise in airspace congestion as the airline aircraft fleet is expected to grow over 40 percent and the general aviation fleet by over 73 percent between 1971 and 1981.

(b) Whereas studies, analysis and tests have already demonstrated that economical and effective collision avoidance systems can be made available to reduce markedly the incidence of mid-air collisions that cannot be prevented with the nation's ground-based air traffic control system alone, inasmuch as—

(1) the National Transportation Safety Board reported in 1971 that "an estimated 82 percent of the accidents studied may have been avoided if collision avoidance systems (CAS) and pilot warning indicators (PWI) had been installed aboard the involved aircraft";

(2) in four of the eleven collisions between air carriers and uncontrolled aircraft, the uncontrolled aircraft was not even seen on the ground-based radar; and

(3) the Administrator of the Federal Aviation Administration has stated that efforts to evaluate three advanced designs proposed by industry, in versions suitable for all classes of aircraft, can be completed by March 1975.

(c) Therefore, the purpose of this Act is to require the Administrator of the Federal Aviation Administration to expedite the evaluation and selection of a national standard for a collision avoidance system; proceed to develop plans for operating rules and regulations integrating this system into the ground-based air traffic control system; and require the installation of a collision avoidance system on all classes of aircraft by certain dates.

EVALUATION, SELECTION AND IMPLEMENTATION OF COLLISION AVOIDANCE SYSTEMS

SEC. 3. (a) Not later than March 30, 1974, the Administrator of the Federal Aviation Administration, in cooperation with the National Aeronautics and Space Administration and the Secretary of Defense acting through the Interdepartmental Group on Collision Avoidance and Pilot Warning, shall complete the flight test and evaluation of currently competing airborne collision avoidance systems, as defined in section 101 (37) of the Federal Aviation Act of 1958, and not later than June 30, 1974 shall select a national standard for such systems.

(b) The selected standard shall be technically and economically suitable for all classes of civil aircraft, as defined in section 101(14) of the Federal Aviation Act of 1948.

(c) Not later than December 30, 1974, the Administrator of the Federal Aviation Administration shall publish implementation rules and regulations to describe compatible use and operating procedures between CAS systems and the existing air traffic control system.

AMENDMENTS TO THE FEDERAL AVIATION ACT OF 1958

SEC. 4. (a) Section 101 of the Federal Aviation Act of 1958 is amended by inserting at the end thereof the following:

"(37) 'Collision avoidance system' means an all weather cooperative system on an aircraft which is compatible with but independent of ground based air traffic control systems and can detect all other aircraft representing a potential collision threat and, if necessary, indicate to the pilot a safe evasion maneuver."

(b) Section 601 of the Federal Aviation Act of 1958 is amended by adding at the end thereof the following new subsection:

COLLISION AVOIDANCE SYSTEM

"(d) (1) Minimum standards pursuant to this section shall include the requirement that—

"(A) not later than June 30, 1976, a collision avoidance system shall be installed on any aircraft which is operated by an air carrier or a supplemental air carrier, and has a maximum certificated takeoff weight in excess of 60,000 pounds;

"(B) not later than June 30, 1976, a collision avoidance system shall be installed on all public aircraft;

"(C) not later than June 30, 1977, a collision avoidance system shall be installed on any civil aircraft which has a maximum certificated gross weight in excess of 12,500 pounds;

"(D) not later than June 30, 1978, a collision avoidance system shall be installed on all civil aircraft not covered by clauses (A) and (C) above.

"(2) Specialized sport, experimental, and agricultural aircraft and gliders as defined by the Administrator, shall be excepted from the provisions of this subsection when operating outside congested terminal airspace."

WELFARE SCANDAL—XIV

HON. VERNON W. THOMSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. THOMSON of Wisconsin. Mr. Speaker, evidence of the massive failure of our welfare system overwhelmingly demands urgent rethinking of the entire, outdated apparatus by which we try to help the poor and helpless. The system invites fraud and is characterized by inefficient administration. It further encourages a breakdown of individual responsibility through its bureaucratic clumsiness.

For 3 months, two reporters for the Milwaukee Sentinel investigated the operations of the Milwaukee County Welfare Department. What they found was scandalous and the subject of a series of articles in the Sentinel. Today's 14th installment of this series shows how the welfare department and both taxpayers and businessmen dealing with some welfare clients are victimized by an inefficient, sloppily administered program of public assistance.

To stretch our available resources to reach and help the truly needy, we must tighten up our procedures and eliminate such duplicative funding for some clients at the expense of everybody else.

BUSINESS PAYS WELFARE TWICE

(By Gene Cunningham and Stuart Wilk)

While Milwaukee County taxpayers are taking a beating from the welfare department, a number of businessmen are getting hit twice.

They not only pay tax money for waste and fraud. In addition, they take losses on their business transactions through the department.

For example:

One plumbing contractor is trying unsuccessfully to collect $1,120 in unpaid bills for work ordered by the department on homes owned by welfare recipients.

A furniture company wrote off $1,131 on its income tax as a bad debt. The amount was the unpaid balance on furniture ordered by the department for welfare recipients.

An optometrist said he loses hundreds of dollars every month because the welfare department will not pay the full cost of glasses ordered by welfare recipients nor will the department tell him what amount it will pay for glasses.

A real estate broker complained to the department that welfare recipients owed him $1,261 in unpaid rents and security deposits, money they had been given but had spent for something else.

The department, the businessmen said, insists that although it authorizes and orders items and services for welfare recipients it will not pay the cost.

Instead, the money is given to the recipient who often spends it for something else, leaving the businessman or landlord with a collection of unpaid bills.

"The authorization for the work comes from the welfare department, but then they don't pay for it," the plumbing contractor complained.

He is currently sending the department bills for work done for 13 different welfare recipients. Some of the unpaid bills date back to 1970.

The department, he said, told him it "had no record of having been billed" for six of the accounts. He showed a Sentinel reporter copies of bills and letters he had sent the department.

In some cases, he said, the department insisted it had not authorized the work.

In others, the department said the money already had been given to the recipients and that it was up to the plumbing contractor to collect from them.

The furniture store owner said he took telephone orders from department workers for more than $5,000 worth of furniture from 1968 into 1970.

He and his bookkeeper said they knew the department workers who phoned in the orders and that the proper acknowledgments of the orders were sent by the store to the department.

When it became apparent that some of the recipients' accounts were not going to be paid, the store contacted the welfare department.

The department's answer was that the money had been given to the recipients and that the store had to collect from them, the owner said.

He began a letter writing campaign to the department.

"Orders were taken from your caseworkers. . . . Our business was strictly with the Milwaukee County Welfare Department and we were not aware that any moneys were sent to your clients," he wrote.

He explained further that he had given the department a discount price that he did not give to individual retail customers.

The reply was the same—collect from the welfare recipients.

"As we stated before, we do not and did not deal with your clients. We dealt with welfare department homemakers and caseworkers. We feel it is the responsibility of the ordering party, namely the welfare department, to pay this charge," the storeowner wrote in a later letter.

When it became apparent that the department was not about to pay the bills, the store wrote off the unpaid balance of $1,131 as a bad debt.

In some cases, the store repossessed some of the items.

In others, the welfare recipients could not be located or the items bought were mattresses that cannot be repossessed and resold, the store owner said.

The optometrist said that he loses hundreds of dollars every month on glasses sold to welfare recipients because many of them demand expensive, stylish frames which Title 19 Medicaid allowances apparently will not cover.

"They say 'I want those gold wire shades' and when you tell them welfare won't pay for those" they argue with you, he said.

He said that last month his bill to the department for glasses for welfare recipients came to more than $2,500. He received a check for $1,974 in payment, he said.

The optometrist said he had tried unsuccessfully to find out from the welfare department how much Title 19 will pay for glasses.

He was told "we can't tell you because then you'll always charge that amount," he said.

The optometrist said that about one-fourth of his business is from welfare recipients but that he is seriously considering refusing to sell to them.

The real estate broker who complained to the department about unpaid rents and security deposits asked that the department put welfare recipients on vouchers and make payment direct to the landlord instead of giving the recipients the money.

"The voucher system is the only answer to the increasing trend of welfare recipients in not paying their rents and security deposits," he said.

The broker also contacted Supervisor William E. Nagel, chairman of the County Board's Welfare and Human Resources Committee.

Nagel checked the cases about which the broker had complained. He reported that in many of them the rent money had been given to the recipients who had simply spent it for something other than rent.

In a letter last January to Arthur Silverman, director of the welfare department, Nagel said:

"It is shocking to think nothing can be done to prevent such flagrant abuse of public money."

Nagel also introduced a resolution calling for a study of nonpayment of rent by welfare recipients and its cost to the county in lost security deposits, duplicate rent payments by the department and costs of moving recipients to other housing.

THE ANTI-CIVIL RIGHTS GENOCIDE TREATY

HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. ROUSSELOT. Mr. Speaker, the Senate has the constitutional responsibility to ratify treaties presented to it by the President. The House of Representatives does not have ratification power. Nonetheless, there are, from time to time, treaties under consideration which may have such great impact on our whole system of Government that we as Members of Congress have a responsibility to those who have elected us and to all of the American people to make our concerns known. The Senate Foreign Relations Committee has reported out such a treaty. This treaty is the Genocide Convention—a Convention which would seriously disturb and disrupt our present form of Government.

In an article in the American Bar Association Journal for August 1949, Orie L. Phillips, Chief Judge of the U.S. Court of Appeals for the 10th Circuit, stated that the Convention would:

> . . . define certain acts, which have traditionally been regarded as domestic crimes, as international crimes and to obligate the United States to provide for their punishment and for the trial of persons accused thereof either in our domestic courts or in an international tribunal.

Judge Phillips has raised an important point that I wish to investigate at some greater length. If the U.S. Senate was to ratify the Genocide Convention, the United States would undertake an obligation to prosecute and punish public officials and private citizens of the United States for acts not embodied in the term genocide. In article II of the Genocide Convention, the term "genocide" embraces five specified acts "committed with intent to destroy, in whole or in part, a national ethnical, racial, or religious group, as such." The real meaning of the term genocide considers genocide only that which intends the complete destruction or the complete wiping out of a group. Under the terms of the Convention, any public official or private individual is subject to prosecution and punishment if he intentionally destroys a single member of any of the specified groups.

In 1950 the subcommittee of the Senate Committee on Foreign Relations realized that the convention distorts the idea embraced in the word "genocide." For that reason, they stated that the Senate should not consider ratification of the treaty unless it announced a certain understanding of the meaning.

In 1970 and 1973 the committee in its report stated:

> While the committee had no particular problem with the meaning of these words in order to allay any misconceptions, it recommends two understandings to this article . . .

The first understanding—which is of relevance to us—would construe the words "intent to destroy, in whole or in part, a national, ethnical, racial or religious group as such" to mean the intent "to destroy, such a group in such manner as to affect a substantial part of the group concerned."

Mr. Eberhard P. Deutsch on behalf of the American Bar Association stated:

> It is again submitted that such an understanding in ratification of the Genocide Convention by the United States would hardly stand in the way of a finding of guilt.

The drafters of the convention have attempted—through their distortion of the concept of genocide—to make punishable either in the courts of an adherent to the treaty or in an international tribunal to be established under the terms of the treaty all of the acts enumerated in articles I and III of the convention.

Since the provisions of the treaty make an intent to destroy a single individual belonging to one of the four designated groups an act of genocide, the treaty would make any person in any of the countries adhering to it a potential victim of genocide. Almost every single person on the Earth belongs to one or more of the four groups designated.

The ratification of this convention would lead the United States into affirming something quite different than its name implies. The drafters of the convention have not even shown an understanding of that which they are attempting to stop.

Treaties must always be given serious consideration. And this one must be given very serious consideration. I ask my distinguished colleagues in the Senate to defeat ratification of this convention.

NEW INTERNATIONAL AIRPORT

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. BROYHILL of Virginia. Mr. Speaker, I want to call to the attention of my colleagues a project being undertaken under the leadership of a Virginia corporation which will greatly enhance civil aviation in Southeast Asia. I refer to the proposed new international airport near Bangkok to be designed and built by 1978 by Northrop Airport Development Corp.—NADC—of Vienna, Va., which is located in my district.

Southeast Asia and the Pacific represent the fastest developing air travel market in the world, and one of the key hubs in that area is Bangkok. Air traffic through Don Maung, the present Bangkok airport, will reach saturation levels by 1977. Even today, the airport at Don Muang is so outdated that it is impossible for one super-jet to taxi past the terminal while another is taking off.

Furthermore, the airport at Don Muang is a combination military and commercial installation, even though the separation of military and civil aviation already is standard worldwide.

The Government of Thailand has long been aware that a critical situation is approaching and it has set aside land for a new international airport. Thailand has been beset by declining world rice prices and narrowing markets for its natural rubber products. It needs to expand its tourist trade. However, with the present squeeze at Don Muang airport it is impossible to do so—and the straining treasury cannot provide the capital for a new airport without jeopardizing other key domestic programs.

Northrop Airport Development Corp. has conceived of a way to help get the Thai Government out of this aviation dilemma without placing any additional strain on the government's own capital resources.

For the first time, a private company is offering a turnkey civilian airport, complete from planning through operation—and this landmark innovation actually includes private financing. It will cost the Thai Government nothing except the land, which it will provide at no cost to the private airport company, and except for the cost of certain governmental services that the Thai Government will supply for the operation of the airport, such as control tower service and security and immigration service. Furthermore, the company's systems approach to airport construction should compress by 40 percent the time normally required to build such a facility, thus allowing profitable operations to begin 3 or 4 years sooner than otherwise.

Briefly, NADC contemplates establishing a new corporation called the Northrop Thailand Airport Co. in which Thai private investors will hold majority ownership. Capital of approximately $100 million will be obtained through investments and loans from foreign and Thai sources. After the airport opens the new company will operate it under a 20-year franchise—but the Thai Government at all times reserves the right to buy the airport.

This concept provides the money for this essential facility without calling up images of a rich American Big Brother operation. I want to stress that this is a wholly private enterprise.

Mr. Speaker, I believe this may provide the answer to a potentially serious problem for civil aviation. The benefits in terms of safety alone would deserve our wholehearted support. For not only does this approach provide the capital, it also exports sophisticated communications equipment, American technical know-how, and American air safety standards which are the highest in the world.

In addition to the overriding advantages we would all gain from having a modern airport with all the best safety and communications equipment now available, this project will provide a tremendous economic stimulus to our Thai friends. An NADC study concludes that during the initial twenty years of airport operations, the contribution to the economy of Thailand by foreign air visitors beyond that accruing from Don Muang operations in 1976, is estimated to be $55 billion in 1970 constant prices. In addition, another $6.6 billion is estimated to be expended on the construction of hotel rooms for these visitors. The incremental savings to the economy of Thailand resulting from the expanded and modernized air cargo facilities at the new airport is estimated at $6.8 billion for the 20 year period.

However, this project is not a case where a foreign operation by an American company exports jobs and dollars—quite the reverse. This is a case where a foreign operation can help create jobs for Americans as well as funnel dollars back home.

Northrop Thailand Airport Co. will be financed by loans and investments from Thai and foreign sources, thus minimizing the American dollar outlays as well as relieving pressure on the U.S. reserves by utilizing Eurodollars and Asian dollars abroad. In addition, interest and dividends on the American portion of the capitalization over 25 years will have a significant impact on our balance of payments deficit. Construction of the new facility will require raw materials and equipment from the United States. Sophisticated safety and communications gear manufactured here will be installed there. Management services in the form of planning, design and construction management will be almost wholly American. All these factors will have an effect on American employment.

On-site employment of nationals wherever possible will stimulate the Thai economy. This stimulation will increase its buying power, thus creating new markets for American products of all kinds.

But let us not be too hasty in crediting these benefits to our balance-of-payments ledger. Our recent economic policies have improved our opportunities in the world market. It remains our task to take advantage of them. The organizations established by the Government and the Congress to support foreign trade and promote the expansion of private enterprise in the developing world, such as the Export-Import Bank, the Overseas Private Investment Corporation, the Private Export Financing Corporation, and the Foreign Credit Insurance Association, must take an aggressive stance by participating in the financing necessary to capitalize this project and others like it. If we neglect this opportunity to support a facility providing these benefits to the world, the Thais, and our own people, other countries will not be so reluctant. Such support is one of the simplest and least costly ways of financing economic aid to developing nations.

Mr. Speaker, for too long the United States has concentrated exclusively on the AID approach to foreign assistance. Here is a case where private investment can help get our Government out of the support business, yet can show evidence of our continuing interest in long-term capital investment in Southeast Asia. We can point to this project with pride as a prime example of private industry's promotion of trade and innovative financing from private sources replacing governmental foreign aid.

Here is a project from which everyone gains. The Government of Thailand shall have its badly needed airport. The Thai people will benefit from the increased tourism and increased employment. The people of the United States will benefit from the improvement in our balance of payments, increased employment at home, and the new market for American goods in Southeast Asia. And the people of every nation in the world will benefit from better contact with Southeast Asia.

To assemble the financial package envisioned in this plan will require the support and assistance of several governments and several governmental agencies thereof. I would hope that NADC will promptly receive that support. Surely, if the United States is unwilling to encourage the private development of Thailand there will be other countries ready to step in and offer assistance on other terms.

TAX CREDITS FOR NONPUBLIC ELEMENTARY AND SECONDARY EDUCATION

HON. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. COUGHLIN. Mr. Speaker, yesterday I introduced legislation to create a tax credit against the expenses of education at private nonprofit elementary and secondary schools. The amount of the credit would equal 100 percent of nonpublic elementary and secondary education costs up to a maximum credit of $200 per dependent in any year. I am pleased to announce that I am joined in sponsoring this measure by 21 of my colleagues representing 16 States and Territories.

It is widely recognized that the viability of our public education system, as it has evolved, is in large measure dependent upon the existence of nonpublic schools. Public education is, of course, the backbone of our educational system and as such deserves our primary attention and support. However, it is a fact of life that private and parochial schools now enroll 5½ million students or 11 percent of all elementary and secondary school students in the country. A study by the National Catholic Education Association underscores the vital role nonpublic schools play, especially in urban areas. In New York, for example, 24.3 percent of all students attend nonpublic schools; in Chicago, 27.3 percent attend nonpublic schools; and in Philadelphia, the figure is 33.6 percent.

Nonpublic education is in a state of crisis and we can no longer afford to ignore that fact. As a result of increases in teacher salaries and operating costs, private school tuition has risen and enrollment has declined in recent years, placing additional strains on public education facilities and making greater demands on public funds. Many nonpublic schools have been forced to close or to curtail their programs. This trend is likely to continue if some means is not devised to reduce the hardship experienced by families who send their children to nonpublic schools.

For whatever reason families may prefer a nonpublic school education for their children—specially tailored or experimental programs, proximity, or religious conviction—they should be accorded this choice. Moreover, it should not be a choice exclusively available to the well to do. For this reason I have constructed my bill in such a way that the full amount of the tax credit would be available to those least able to finance nonpublic education for their children—lower and middle-income taxpayers who earn $19,000 a year or less. This allows the vast majority of nonpublic school parents to receive the maximum benefit of the credit. For those with higher incomes, the credit would be reduced by 1 percent of income in excess of $19,000 in recognition of their greater ability to pay. Because of the urgent need for this legislation, I have recommended an effective date of December 31, 1973. The tax credit would thereby be applicable to educational expenses incurred in taxable years starting with 1974.

Tax credits offer a financially sound solution to the mounting crisis of nonpublic education. It has been estimated that if public education were required to absorb private school pupils, the additional cost to the taxpayer could run as high as $8 billion. While my tax credit proposal would result in some loss of revenue, it is clearly a much less costly approach. The long-term cost savings are all the more apparent when one compares the cost of educating a student in the public schools—approximately $1,000 a year—to the modest $200 tax credit which I am proposing.

As the scope of the difficulties encountered by parents in meeting the rising costs of nonpublic education and the wider implications for public education costs have become more apparent, support for the tax credit concept has broadened. President Nixon has endorsed the principle. The tax credit proposal was one of the major recommendations of the President's Panel on Nonpublic Education. Treasury Secretary George Schultz suggested legislation very similar to my own proposal when he testified before the House Ways and Means Committee last year.

As one who has been concerned with aiding parents of nonpublic school pupils for some time, I recognize the uncertainty which surrounds this issue due to various court actions. The situation is far from clear at this time. Tax credits for nonpublic education enacted at the State level have been upheld by courts in New York and Minnesota but ruled against in Ohio. The Ohio decision is presently on appeal to the Supreme Court and I welcome a ruling which I am confident will support the tax credit approach. However, in the absence of judicial clarification of this issue, I believe the Congress has a responsibility to develop and enact measures which are reasonable and constructive.

Mr. Speaker, I want to express my appreciation to my colleagues who joined me as sponsors of this legislation and I insert a list of their names in the RECORD:

LIST OF COSPONSORS

Mark Andrews, Republican, of North Dakota.

John Buchanan, Republican, of Alabama.

Clair W. Burgener, Republican, of California.

James C. Cleveland, Republican, of New Hampshire.

James M. Collins, Republican, of Texas.

Ron de Lugo, Democrat, of the Virgin Islands.

William L. Dickinson, Republican, of Alabama.

O. C. Fisher, Democrat, of Texas.

Walter Flowers, Democrat, of Alabama.

Bill Frenzel, Republican, of Minnesota.

Orval Hansen, Republican, of Idaho.

Ken Hechler, Democrat, of West Virginia.

Margaret M. Heckler, Republican, of Massachusetts.

Robert J. Huber, Republican, of Michigan.

John E. Hunt, Republican, of New Jersey.

Romano L. Mazzoli, Democrat, of Kentucky.

Bertram L. Podell, Democrat, of New York.

Leo J. Ryan, Democrat, of California.

Ronald A. Sarasin, Republican, of Connecticut.

William F. Walsh, Republican, of New York.

Antonio Borja Won Pat, Democrat, of Guam.

THANKS

HON. JOHN W. WYDLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. WYDLER. Mr. Speaker, the Americanism Chairman of the Hollis-Bellaire-Mark Post No. 980 of the American Legion has forwarded on to me a poetic tribute he wrote with regard to the cease-fire in Vietnam, and I would like to share with my colleagues the eloquence of the sentiments expressed. The tribute follows:

THANKS

I speak for the men in the Air Force,
The Army, the Navy, Marines,
The Coast Guard and all our Allies,
And for those in the Submarines.

I speak for all those in Service
Who are stationed all over this world,
Fighting for the Honor and Glory
Of keeping Our Flag unfurled.

You at home have prayed for our safety,
And for the hope we would surely return
With the Flag of Victory flying,
On our ships from the bow to the stern.

In our hearts we will ever be thankful
For the time which we know that you spent,
Praying in church every Sunday
And praying each day during Lent.

We know that you prayed every morning,
We know that you prayed every night.
We know that your prayers had injected
The courage that helped win the fight.
The prayers that you said weren't wasted,
For each moment, each hour, each day,
Found some wounded patiently waiting
For the moment you started to pray.

Your prayers saved the lives of many,
And the souls of those who are dead,
Who fought and died like the heroes they were,
To bring peace in the world ahead.

Now, we may be your Sweetheart, your Brother,
Your Father, or maybe your Son,
But, whoever we are, we just want to say,
"Thanks" for a job well done.

WALTER J. KAISER, Jr.,
Americanism Chairman.

PYSANKY—UKRAINIAN EASTER

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. DOMINICK V. DANIELS. Mr. Speaker, in the 14th Congressional District of New Jersey which I have the honor to represent there is a large community of Ukrainian-descended people. Because they are hard working, have a tradition of taking care of their own, and law abiding, they are often overlooked by the community at large. As a Congressman representing a large Ukrainian community, I am often invited to Ukrainian social events. I have been privileged to share in their ancient culture and partake of the unexcelled generosity and thoughtfulness of this wonderful group of people. Many Americans not of Ukrainian descent have not been so privileged, and thus, know very little of Ukrainian folkways.

Mr. Speaker, I was delighted to read this afternoon in the Washington Star-News an article by Diana McClellan describing the preparation of Ukrainian Easter eggs. For the benefit of all my colleagues who have not been privileged to know much about the Ukrainian people, I include Miss McClellan's fine article in the RECORD.

The article follows:

PYSANKY—UKRAINIAN EASTER

(By Diana McLellan)

They look impossibly difficult to make.

But Ukrainian Easter eggs, with their intricate designs, their tulip-bright hues and their profusion of ancient symbolism, have been lovingly made every year for 1,000 years by Ukrainian families with no closer claim to genius than you or me.

The art of creating the elegant symbols of the rebirth of spring and the resurrection of Christ is called Pysanky.

It needs few special tools. The only really esoteric one, a stylus called a kistka, is available locally at the Country Store of Washington, Va., where a demonstration will be held Saturday.

"They're made by Ukrainian women but they can't make too many at a time because it makes their fingers bleed," the proprietor said yesterday. Considering that, the $2 price is really a bargain.

Eggs, beeswax, crepe paper (you extract the dye from it) and some kleenex are the only other supplies you need to create dazzlingly authentic Ukrainian eggs.

In the old days, of course, dyes were extracted from onion skins and various other natural color sources, and some people today use plain old Rit.

You can choose the symbols you'll put on your eggs from an enormous traditional repertoire. Originally, families from the Carpathian mountains stuck to geometric paterns for their eggs; various types of crosses abounded, triangles represented the holy trinity, and curlicued lines encircling the eggs symbolized eternity.

Lowlanders liked to use animals, and didn't mind introducing symbols of temporal fortune among the religious motifs.

Reindeer and horses, for example, both stood for material wealth. Hens and roosters—always shown at rest—stood for fertility. The fish, as it had since early Christian days, stood for Christ. Suns meant good fortune; flowers, happiness; wheat, a good harvest, and so on.

The eggs themselves were decorated raw—fertility symbol, again—and were not intended to be eaten.

In fact, kept around the house all year, they were supposed to protect the home, and act as a heaven-approved fire and lightning insurance. Present-day egg-decorators, discouraged by the nasty smell that accompanies accidents to middle-aged raw eggs, tend to blow the eggs before decorating.

Nobody has yet determined whether this weakens the fire-preventing power of the eggs, but they still make handsome gifts for Easter.

ANOTHER VIEW OF NIXON BUDGET

HON. LUCIEN N. NEDZI

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. NEDZI. Mr. Speaker, the President's recent televised remarks to the Nation concerning his budget and problem of inflation have evoked some salty comments from the Detroit Free Press.

An editorial in the March 31 issue of the Free Press found some flaws in the President's argument. Since the Congress was the target of the President's attack, it might be well for us to heed the points made in the editorial.

Under leave to extend my remarks in the RECORD, the editorial follows:

CONNING THE CITIZENRY

To say that the nation must keep its budget balanced to hold prices stable is not the same as saying that Congress must adopt President Nixon's budget, Mr. Nixon to the contrary notwithstanding.

He tried hard to give that impression on television Thursday night when he said: "If I were to approve the increases in my budget that have been proposed in the Congress it would mean a 15 percent increase in your taxes, or an increase in prices for every American."

Then, a few moments later, he leaned even harder. He didn't earn the sobriquet of Tricky Dick for nothing. "I admit there is an honest difference of opinion on the matter of the federal budget," he said. "If you are willing to pay the higher taxes or prices that will result if we increase federal spending over my budget, as some in Congress have proposed, you should ask your senators and congressmen to override my vetoes." But if you don't want higher taxes, he said, write your congressman that, too.

This is a phony and specious argument, and the President knows it. He is relying on the people not knowing it and, given the complexities of the budget, he may be right.

There is no argument in Congress over the size of the federal budget. We have yet to hear a voice from Capitol Hill arguing that the President's proposed $268 billion overall budget is seriously out of line.

What is being argued is how the pie is to be divided. Mr. Nixon has proposed slashing existing programs for education, housing, agriculture and welfare. He wants more money for the Pentagon, law enforcement, the environment, energy, transportation and a federal tax credit for private school tuition.

With some of these changes we can agree, as do many members of Congress. With other proposals, though, especially more money for the Pentagon just after we have extricated ourselves from Vietnam, we and many members of Congress disagree. That is the "honest difference of opinion."

Further, no one expects every pet project to pass Congress and wind up on the President's desk. Yet that is what the President was saying.

When he talked about a 15 percent tax increase, he was basing it on his budget as submitted—plus all the possible addons. He was not talking about substituting a congressional proposal for one of his own. He was not talking about the congressional duty to weigh priorities.

What he was doing was trying to pull a con job on the American people.

DEMOCRACY—THE HEART OF THE GREEK PEOPLE

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. RODINO. Mr. Speaker, if liberty and equality, as is thought by some, are chiefly to be found in democracy, they will be best attained when all persons alike share in the government to the utmost.

Aristotle, as we all well know, wrote the above words when Greece stood forth among all nations as the fatherland of freedom, justice, and democracy. It is from the teachings of her early philosophers and from the examples her early leaders laid that free nations have followed, developed, and patterned themselves, bending to the particular needs and focus of their own times. From the principles of their ancient courts, to the strength behind their Hippocratic oath, to the continued emphasis on the need for a balance between the rational and the emotional in their art, their drama, in every aspect of their daily lives—few of us will disagree that the Greek nation has provided an invaluable foundation for the understanding and the implementation of the democratic principles free men cherish today.

It is therefore extremely painful and disconcerting to know that in the past 6 years, only vestiges of this Nation's remarkable past remain. For on April 21, 1967, representative democracy in Greece was smothered and the situation, since that date, grows ever more abusive. The cruel beatings of the Greek University students serve as only the most recent example of the oppressive nature of the Greek junta. And, as the sixth year of miltary rule draws near, the words of Aristotle seem now to have come almost from a land of make believe.

I would like to take this moment to once again reaffirm my hope that the Greek people will once again enjoy a life of freedom and personal fulfillment. Democracy is embedded far too deeply in the hearts of these men and women to remain forever dormant. And, I know that the Greek people have not given up their hopes and dreams and their courage. I join with these brave citizens in their goal that democracy will be "best attained when all persons alike share in the government to the utmost."

CENTRAL PARK: EMBATTLED EDEN WITH FRIENDS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. RANGEL. Mr. Speaker, Central Park, America's most spectacular urban park, is located in my congressional district. Occupying the heart of Manhattan, Central Park has provided opportunities for recreation and relaxation for a century.

Central Park also represents one of the earliest victories for urban environmentalists in the fight against overdevelopment. Bicycle lanes, playgrounds, a zoo, benches, softball diamonds, rowboats, horse paths, and hiking trails can be found there. Both New Yorkers and visitors share its wonders each year. The Shakespeare in the Park program is nationally known.

Our Town, a community newspaper with a long-term commitment to the preservation and expansion of park areas in New York City, recently published an article on Central Park which I would like to call to the attention of my colleagues:

CENTRAL PARK: EMBATTLED EDEN WITH FRIENDS

(By Rose Smolin)

"A large public park in a democracy? Ridiculous!" was the spontaneous outcry in 1844 when Central Park was proposed for metropolitan New York.

For old aristocratic countries to create parks for the aristocrats—that was acceptable. For the general public—never. A park would be a folly in a Republic, so the argument ran, because it would necessarily be open to all the people.

Central Park has been a green oasis in the middle of the city for over a hundred years. It stands as a masterpiece of 19th century landscape art, but like any old masterpiece, it needs care.

When Estelle Wolf says sadly, "It looks so bad," she has that note of compassion in her voice that one has for a friend who is not well. As Membership Chairman of the Friends of Central Park, which was organized in 1967 by Mr. Robert M. Makla, she is thinking of the way the Park looked before time and use dulled its magnificence. She is thinking about the care and concentration that Frederick Law Olmsted and Calvert Vaux put into its creation.

"A more uncompromising locality was never given to any Adam to make and Eden of," Clarence Chatham Cook wrote in 1867. He added, "Nature having done almost nothing, art had to do it all."

Olmsted and Vaux transformed this land which was all rock and swamp into one of the most beautiful parks in the world. It was their genius which created an environment within its walls which is in extreme contrast to all that lies outside. They created the paths to lead inward taking the visitor by the hand as it were into sylvan pleasure.

These artists created this beauty; the Friends of Central Park do their best to maintain it. They have raised enough money to have over fifty old trees cared for in order to insure their continued life. Since the Park has no tree surgeon, they have hired one.

When the Park was created, each tree and the place it was to occupy were carefully chosen. Rising ground and shrubbery were created to hide walls. Olmsted and Vaux wanted those who would contemplate these scenes after they were created to feel that they were transformed and elevated as they would be in a painting by a master.

Yet there are, and have always been, individuals and organizations who would never think of commissioning someone to paint a fountain or any material object into the middle of a Constable landscape but who will eagerly propose that some man-made object be put into one of those carefully planned areas.

Bloomingdale's is the latest with their offer of $150,000 to lay some decorative tiles in the Mall to make provision for entertainment. Olmsted and Vaux were very specific about such intrusions. "The Park should be free," Olmsted wrote, "from the rigidity and confinement of the city with its incessant emphasis on artificial objects."

The Friends of Central Park are against the Bloomingdale proposal because they feel the priority is wrong. The money is to be matched by the city, and the experience of "The Friends" is that the city never has enough money for the essential upkeep of the Park. They would like to see that beautiful focal area, Bethesda Fountain and the Terrace, restored. They point out that Belvedere Castle is in ruins. They would like to see the money spent to make the Park look the way it used to look.

The Park has become, as its creators intended, many things to many people. For lovers, the Park is a romantic setting; for bird-watchers, a wild-life preserve; for city children, a backyard; for music lovers, an outdoor concert hall; for artists, a place to sketch and paint.

The Park does a great deal for New Yorkers; the Friends of Central Park do what they can for the Park. But it needs care; it needs cleaning; it needs restoration; it needs even more friends.

The role of William Cullen Bryant in the creation of the Park and a remark which he made should be recalled. We remember him for his poem "Thanatopsis." His contemporaries knew him as the active and opinionated editor of The Evening Post and as an outdoorsman.

Bryant was also a man of decision, and he decided that the city needed a park. It was on July 3, 1844 that he took his broad-brimmed hat from the office rack and set out on foot to cover mid-Manhattan in order to find a suitable place for the park he had in mind. His was not a pleasant amble but a determined march over rough terrain without benefit of side-walks and very few paths.

He went back to his office and wrote the editorial in which he cited the present location as being the ideal one. He referred to it by a name of his own invention "The Central Park" although the city buildings at that time had only reached Twenty-Third Street.

It was certainly the center of Bryant's interest as he wrote a series of editorials to cajole New Yorkers into accepting the future need for such a haven. When it was suggested to Bryant that he was advancing a lost cause, he made the remark which is worth considering today.

"I know New Yorkers," he said, "They won't bother to keep the streets clean, but they are likely to engage in a scheme with an air of magnificence."

History proves that he did, indeed, know his New Yorkers. But what would be a "scheme of magnificence" in our time? The task of restoring the Park to its former beauty would qualify. This could be done if it had enough partisans. It is a simple matter to become a Friend of Central Park; one need only write to the organization, Lenox Hill Post Office, Box 610, New York City 10021 or call UN1-9696 for a membership form.

TRIBUTE TO LARRY E. TOWNSEND

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. ANDERSON of California. Mr. Speaker, on March 5, Lee and I lost a dear friend, and the people of the State of California, as well as the Nation, lost an outstanding leader.

But even in our loss of California State Assemblyman Larry E. Townsend, we retain many memories that we should like to share with the other Members of Congress.

We can surely say his death, coming at the age of 43, could be due in no small part to his ceaseless fight for the persons he represented.

During his 7 years as the Representative from the 67th Assembly District, Larry fought untiringly for the principles he believed in so strongly. Those very ideals, which were so dear to Larry, are the same ones which have made our country great.

Larry's background helped to make him the legislator committed to the American way of life that he was.

A native of Memphis, Tenn., Larry came to California in 1950. He finished his higher education in the San Diego area and started to work with the San Diego Gas and Electric Co.

He soon became active with Local No. 465 of the International Brotherhood of Electrical Workers, and was appointed to the brotherhood's staff in 1957, where he served until his election to the California State Assembly.

Interested in politics since his high school days when he became a Young Democrat, Larry Townsend served 3 years as a member of the Los Angeles County Central Committee.

Clearly showing his commitment to his community of Torrance, Larry served as chairman of the Torrance Civil Service Commission for two terms, and as director of Little Company of Mary Hospital.

While ably representing the people of Gardena, Lawndale, and parts of Carson, Compton, Hawthorne, Redondo Beach, and Torrance, Larry championed many causes in the fields of education, health, and tax relief for property owners. He also spearheaded the development of the Southern California Regional Occupational Center in Torrance, and supported the fireman paramedic bill which provides emergency aid to heart attack victims.

Recently Larry was appointed chairman of the important California State Assembly Transportation Committee. He has served as a distinguished member of the Health, Commerce and Public Utilities, Governmental Organization, and Joint Retirement Committees.

Larry served all of us well as an outstanding legislator.

We still have a legacy of his contributions in his wife, Shirley. Shirley, who was always firmly at his side, understood his dreams as the reasons for his toils. We are confident that his goals and dreams will continue with the efforts of this outstanding woman and their three children, Dale, LaShirl, and Lauren.

Mr. Speaker, it was for all of us that Larry Townsend worked so diligently in the vineyards of public service. Now, as we continue to reap his harvest, we mourn the passing of a great legislator and a close, personal friend—Larry Townsend.

SER

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. ROYBAL. Mr. Speaker, today I have introduced legislation to authorize funding for the establishment and operation of service, employment and redevelopment—SER—centers to meet the needs of the unemployed and underemployed Spanish-speaking population of this country.

Since its formation on June 10, 1966, SER has been the largest and one of the most effective manpower programs serving the Spanish-speaking people.

Administered by Jobs for Progress, Inc., a nonprofit corporation, SER is funded principally through Department of Labor and Department of Health, Education, and Welfare funds. SER extends its resources throughout the country, assisting a variety of local programs and upgrading the economic opportunities of Spanish-speaking Americans.

SER was formed in 1966 through the joint funding of the Department of Labor and the Office of Economic Opportunity. Prior to the formation of SER, the League of United Latin American Citizens had been operating job placement centers of the Spanish-speaking organization, the American GI Forum, and formed Jobs for Progress, Inc. The manpower program became known as SER, which means "to be" in Spanish. The initials also stand for the goals of the organization—service, employment, redevelopment—the means by which the poverty and despair of many Spanish-speaking people can be eliminated.

By August 1969 SER was clearly on the move, expanding and extending manpower services to many people for the first time. By 1970, 23 programs were operational. On a national scale, Spanish-speaking leaders from various communities were coming together—pooling their knowledge, experience and hope. Today, SER is a dynamic organization which is expanding beyond its original territory to meet the needs of people in cities such as Gary, Ind., and Racine, Wis.

In addition to skills training through a variety of educational institutions and on-the-job training, SER provides the enrollee with supportive services to insure firm placement in a meaningful job. SER is also conducting successful experimental programs such as Operation Detour, a program for young first offenders, offering an alternative to court backlogs and imprisonment. Another innovative program is the SER Residential Youth Center in San Jose, Calif. Here an environment marked by drugs, hopelessness and crime is being replaced by a living situation which allows individual potential to flourish. These are just samples of the many innovative programs being developed to provide creative solutions to persistent problems unique to the Spanish speaking.

The majority of society knows little or nothing about Spanish-speaking people beyond the adverse images created and perpetrated by the mass media. Counteracting these attitudes is an overwhelming problem. Through training and employment, SER is helping to erase false notions and practices which have kept Spanish-speaking Americans from full and equal participation in the benefits of this country. In many parts of the United States, people of Spanish-speaking origin—the second largest minority in the country—are at the bottom of the economic, educational, and social ladders. Traditionally, institutions have been unresponsive to their needs, and the results have been devastating: people crowded into dehumanizing barrios, an alarming school dropout rate, escape through drugs or crime—a seemingly inescapable cycle of social and economic oppression.

The purpose of SER is to help build a better America. This is not an unfamiliar or uncomfortable idea to the Spanish speaking. They have been helping to build America for centuries. They realize that although our present society has much to offer, a great deal still needs to be changed. SER has become a catalyst for positive change by breaking the barriers of traditional employment patterns and by helping business and industry to understand that Spanish-speaking people are a valuable resource. As a specific goal, SER wants the Spanish-speaking disadvantaged of this land to become self-sufficient. It will do this by continuing to be the major national vehicle for the delivery of manpower services to the Spanish speaking.

During fiscal year 1972, SER served a total of 11,163 people. Of this number 5,305 were trained; 3,478 were placed directly on full-time, permanent and meaningful jobs; and 2,380 received supportive services. The number trained exceeds SER contractual obligation to DOL of 3,905 trainees by 1,400 people. This demonstrates SER's commitment to efficiently serve the Spanish-speaking community beyond what is required in the contract.

SER is providing quality training to the trainee in the areas of job preparation; adult basic and adult advanced education; English as a second language; institutional training, and on-the-job training. SER is operating at 101 percent of planned capacity. This represents excellent planning and management on the part of the local project directors and their staffs. A mere 12 percent of the trainees are in holding. Only 16 percent of the trainees terminated from the program early.

SER is placing 79 out of every 100 people trained. This is accomplished by careful assessment, counseling, education, training, and followup of trainees. In program year 1972 SER placed 5,346 people on full-time, permanent, and meaningful jobs. This figure exceeded SER's contractual obligation to DOL of 2,499 by 2,847.

One of SER's notable achievements is the cost of per trainee figure of $1,085 and the cost per placement of $1,341. Every local staff member has served 22 clients. For every $1 spent on an enrollee, the return to the community, in the form of increased earnings, is $1.24.

I include a copy of my bill. The bill follows:

H.R. 7275

To authorize financial assistance for service, employment, and redevelopment (SER) centers

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Service, Employment, and Redevelopment (SER) Assistance Act".

DEFINITIONS

SEC. 2. For the purposes of this Act, the term—

(1) "Secretary" means the Secretary of Labor; and

(2) "State" includes the District of Columbia and the Commonwealth of Puerto Rico.

STATEMENT OF FINDINGS AND PURPOSE

SEC. 3. Due to the unmet needs of the unemployed and underemployed Spanish-speaking population of the United States, it is essential to the welfare of all Americans that action be taken by the United States Government to provide funds for bilingual manpower training, job placement, counseling, remedial education, and other related services.

APPROPRIATION AUTHORIZED

SEC. 4. (a) For the purposes of carrying out this Act, there are authorized to be appropriated $30,000,000 for the fiscal year ending June 30, 1974, $35,000,000 for the fiscal year ending June 30, 1975, and $40,000,000 for the fiscal year ending June 30, 1976, and each of the four succeeding fiscal years.

(b) Notwithstanding any other provision of law, unless enacted in specific limitation of the provisions of this subsection, any funds appropriated to carry out this Act which are not obligated prior to the end of the fiscal year for which such funds were appropriated shall remain available for obligation during the succeeding fiscal year, and any funds obligated in any fiscal year may be expended during a period of two years from the date of obligation.

PROGRAM AUTHORIZED

SEC. 5. The Secretary shall make financial assistance available under this Act for the establishment and operation in any State of service, employment, and redevelopment centers which shall include education classes specifically designed to assist the disadvantaged Spanish-speaking clients who are unemployed or underemployed. The educational components of a service, employment, and redevelopment program shall consist of adult basic education, advanced adult education, world of work orientation, and English as a second language, with the classes being specifically adapted to the particular needs of the community where the center is located; and any such program shall include (in addition to the educational components) services in the areas of recruitment, counseling, vocational training, job development, job placement, outreach, follow-up services, on-the-job training, and other appropriate and related services. Service, employment, and redevelopment centers shall also conduct research and development activities which will improve program performance. No funds shall be made available for any program under this section unless the Secretary determines that adequate provisions are made to assure that (1) residents of the area to be served by such program are involved in the planning and operation of the center, and (2) the business community in the area to be served by such program is consulted in its development and operation. The Secretary shall give priority to any program authorized under this section serving residents of an inner-city area with substantial unemployment or underemployment.

EQUITABLE DISTRIBUTION OF ASSISTANCE

SEC. 6. The Secretary shall establish criteria designed to achieve an equitable distribution of assistance among the States under this Act. In developing such criteria he shall consider, among other relevant factors, the ratios of the population, unemployment rates, educational achievement levels, and income levels of Spanish-speaking individuals.

LIMITATIONS OF FEDERAL ASSISTANCE

SEC. 7. Federal financial assistance to any program carried out pursuant to this Act shall not exceed 90 per centum of the cost of such program, including costs of administration; except that the Secretary may approve assistance in excess of that percentage if he determines, pursuant to regulations establishing objective criteria for such determinations, that this is necessary in furtherance of the objectives of this Act. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment, and services.

ADMINISTRATION

SEC. 8. (a) The Secretary shall prescribe regulations to assure that programs assisted under this Act have adequate internal administrative controls, accounting requirements, personnel standards, evaluation procedures, availability of in-service training and technical assistance programs, and other policies as may be necessary to promote the effective use of funds received under this Act.

(b) The Secretary may prescribe such additional rules and regulations as he deems necessary to carry out the provisions of this Act.

(c) In carrying out his functions under this Act, the Secretary is authorized to utilize, with their assent, the services and facilities of Federal agencies without reimbursement, and, with the consent of any State or political subdivision of a State, to accept and utilize the services and facilities of the agencies of such State or subdivision without reimbursement.

REPORTS

SEC. 9. The Secretary shall transmit, as a part of the annual report required of the Department of Labor, a detailed report setting forth appropriate information with respect to the activities conducted under this Act.

CLEVELAND'S BOOSTER: LARRY ROBINSON

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. STOKES. Mr. Speaker, the city of Cleveland, like most major American cities, suffers from the exodus to suburban areas. The city will not enjoy a revitalization until commerce and consumers both return to the downtown area.

In spite of this, many Clevelanders have great faith that—with enough money and a deep commitment—our city will thrive once more. A leader in the articulation of this credo is Mr. Larry Robinson, president of J. B. Robinson Jewelers.

Larry Robinson deserves credit for tying his own personal business interests to the future of Greater Cleveland. In an interview with the Chicago Tribune on April 5, Mr. Robinson explained his philosophy.

The article follows:

JANEWAY—JEWELER REFLECTS ON FACETS OF GROWTH

(By Eliot Janeway)

NEW YORK, April 4.—As greater Cleveland goes, so goes America's industrial economy; and as downtown Cleveland goes, so goes America's progress in bringing its blighted center city cores back to vigorous economic life.

Larry Robinson, a native of Cleveland and head of a chain of retail jewelry stores, has been riding the consumer spending boom and giving downtown Cleveland a lead to ride it too.

Retailer Robinson, a graduate of the Harvard Business School, has combined his avocation as a civic leader and erstwhile radio-TV host of "rap" sessions on urban problems and his vocation by going public as his own mass merchandiser.

Ad-libbing his commercials and writing his own ads for J. B. Robinson Company Jewelers, he has translated a catch phrase into good business. He has become both the medium and the message.

JANEWAY. How did you get started in the retail jewelry business?

ROBINSON. When my father died in 1959, he left me a small wholesale jewelry business. Rather than liquidate, I decided to quit the world of the executive suite and go into the retailing business. In 12 years, our sales have gone from about $200,000 to approximately $4 million a year.

JANEWAY. Which means that you have done very well as a proprietor. Do you attribute your success to Harvard Business School marketing techniques?

ROBINSON. Right. One of the things I learned there was that the only way to be successful in any kind of marketing business is to give customers what they want, and that's what my people do. This means broad high-quality assortment, low prices, nice people to get along with, and strong guarantees in terms of exchanging or returning merchandise.

For instance, we are just about to announce an offer to exchange any Robinson diamond bought a year ago or earlier for the original cost plus 10 per cent towards the purchase of a larger and more valuable diamond.

JANEWAY. In other words, you are treating diamonds like automobiles?

ROBINSON. Not really, because automobiles depreciate in value. We are taking into account the fact that diamonds appreciate in value over the years.

Incidentally, what has been going on in the diamond markets internationally is just incredible, particularly in the last five years. For instance, both downtown Cleveland and did you know that America is now a net exporter of cut diamonds that weigh more than a half-carat?

JANEWAY. But we mine almost no diamonds here. Is that all reexport?

ROBINSON. That is part of it. The value added is by American cutters who reexport to foreigners. Just prior to, during, and right after the dollar devaluation, the Europeans were all over New York. If I wanted a two-carat stone, some of the cutters were reluctant to tell me where I could find one because they knew they could get a lot more money from the Europeans.

JANEWAY. Do you see more people buying jewelry for investment since the dollar was devalued?

ROBINSON. Yes. Our sales of diamonds and also of gold jewelry have gone up sharply in recent months. The Europeans, however, have been somewhat more aggressive in purchasing jewelry for investment because they have had more experience with inflation.

JANEWAY. How much have diamond prices increased over the last few years?

ROBINSON. In the last five years, diamond prices at the wholesale level have increased more than 50 per cent; and in the last decade, they have more than doubled.

JANEWAY. Has that increase contributed to your sales this year?

ROBINSON. Not significantly. In spite of the new life styles, people are still becoming engaged and getting married in the old fashioned way. Our overall business is up 40 per cent over last year, and 70 per cent of that business came from diamonds. Since our average engagement ring sale today is about $375 as compared with $350 late last year, I would say that most of that increase was from greater volume, rather than higher prices.

JANEWAY. Does your business all come from suburban shopping centers?

ROBINSON. Eight of our stores are in major shopping malls around the state. But our downtown Cleveland store, which is our headquarters, is far and away our leading volume and profit producer.

JANEWAY. Does that indicate an economic resurgence for downtown Cleveland?

ROBINSON. Our volume went up even when Cleveland was down cyclically, but I think our experience is reflecting a tremendous upsurge of retail spending in industrial Cleveland.

In the first five years of this decade, we will have about half a billion dollars of construction in downtown Cleveland. And we have plans to expand our downtown store again, altho we have already expanded it seven times in the last five years. Naturally, I'm bullish about the future of Robinson Jewelers, but I am also bullish on the future of the greater Cleveland area.

PRESIDENT NIXON'S ENERGY MESSAGE

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. HOWARD. Mr. Speaker, since early December we have anxiously been awaiting the President's energy message. The plans, programs, and legislation it proposes were accepted openly. It must be admitted that there are many things of great interest and note contained in the message.

As chairman of the Public Works Subcommittee on Energy, I have particular interest in the contents of the message and would like to share some of my initial reactions to it with you. Of course, it goes without saying that this lengthy document merits serious and painstaking review, not only by me but by the Congress as well as the public which will be most affected by any action taken on its behalf.

First, I would like to commend the President for his treatment of conservation of energy. There is no doubt that Americans consciously and unconsciously waste tremendous amounts of energy annually. I was particularly pleased with the suggestion that automobiles and home appliances be labeled as to energy consumption. I only hope that he is not being overly optimistic in his suggestion that companies will do this voluntarily. I would have been more pleased if he had mentioned that if voluntary action is not taken, some type of compulsory legislative action may be necessary.

Next, I should like to comment upon the proposed deregulation of new natural gas at the well-head. This is not a new proposal; as it has been championed by the energy industry for some time with a growing number of converts both in Congress and the administration. In the hearings I chaired in August 1972, we heard extensive discussion of this topic from various industries and from Mr. John Nassikas, chairman of the Federal Power Commission. As was mentioned in the President's message, we were frequently told how Government price regulation has not provided the necessary incentives needed for continued exploration and development. However, we never received a satisfactory explanation as to exactly where the inadequacy lay. We were told by Mr. Nassikas that the Federal Power Commission attempted to set rates which would provide a reasonable profit, yet seemingly this profit was not enough. I question whether they were not receiving a sufficient profit or merely not the desired profit. Although a few cents increase may seem insignificant, it has been said that the 4-cent increase that occurred over the last few years has cost the consumer $4 billion. Further, as a result of a recent speech by Chairman Nassikas April 11, 1973, the Washington Post noted that critics of a substantial rate increase said that doubling the present rate of 26 cents would cost the American consumers as much as $50 billion over the next 20 years." Considering the present problems with the rising cost of living, it is questionable just how much of a rate increase the American public can absorb.

I was pleased to see that the President was not oblivious to this problem as is evidenced by his allowing the Secretary of Interior to "impose a ceiling on the price of new natural gas when circumstances warrant." However, it may be pointed out that in a similar situation this spring, the administration was forced to put price ceilings on the rate increases for home heating oil requested by the energy industry. Although the President's suggested action has potential merit, serious debate concerning its overall wisdom is essential before final action is taken.

Debate will also be essential in the increased availability of offshore leasing; especially the extent to which this shall be done on the Atlantic coast. Since no one knows what an "acceptable environmental risk" is, I was most gratified to find that serious environmental danger will prevent leasing in a particular area.

I must admit I was at a loss to explain the statement; "we are continuing the Santa Barbara suspension," since on April 13, 1973, an article appeared in the Evening Star titled "New Drilling Off California Eyed by U.S." The article began: "The Interior Department has quietly taken the first step toward renewed massive oil drilling over a 290-square mile stretch off the California coast." Perhaps this is merely an example of the right hand not knowing what the left hand is doing. Nonetheless, it is grounds for serious confusion on my part.

I would also like to point out with respect to natural gas deregulation, that it would be more reassuring if some requirement were placed on the companies to guarantee that the increased rates resulted in increased exploration and development, and not primarily increased profit.

The prospect of offshore superports is a great concern to me, and I have introduced H.R. 2020 dealing with this subject. My bill would give the legislature of a State the right to prevent the construction of such a port off its coast. This seems to me both right and reasonable, since no State should be burdened with such an enterprise if, after weighing the benefits and drawbacks, the State decides against the proposal. The President would place such power with the Secretary of Interior.

What alarms me somewhat in the President's message is the failure to go all-out in making funds available for research and development. Such failure suggests that perhaps the administration still does not fully appreciate the seriousness of the energy problem.

The administration still seems unaware that we are in need of immediate action. If we are to avert economic disaster; if we are to avert being reduced to a second-rate Nation; if we are to avert getting boxed into a corner that may lead to war; we had better get moving on a crash program that will assure our energy needs over the near term. Such an intensive program always costs; but this is to be expected. When you are in circumstances that demand quick, decisive, productive action, to be penny-wise can be pound-foolish. I hope this fact of life will soon become apparent to the President's advisers.

TAX EQUITY FOR WORKING MARRIED COUPLES

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. KOCH. Mr. Speaker, as we all know, millions of Americans have just finished filing their 1972 tax returns. Unfortunately, working married couples found they were paying higher taxes than they would if single or head of a single income household.

I have introduced legislation—H.R. 850—to eliminate the tax inequities faced by working married couples. While it may be true that some family incomes are substantially increased because of a wife's work, the greater majority of working women come from lower- and middle-income families and work to meet today's high cost of living.

I would, at this time, like to bring to the attention of my colleagues an organization called Married Americans for Tax Equality—MATE. This group, consisting of working married couples, was formed to fight this arbitrary tax law. On April 18, 1973, Anita Murray submitted a statement to the Ways and Means Committee for inclusion in the hearings being held on tax reform on the tax inequity suffered by the working married couple. Ms Murray's statement follows:

STATEMENT BY ANITA MURRAY FROM MATE (MARRIED AMERICANS FOR TAX EQUALITY)

Should a marriage license cost $200, $1,000, or $2,000 per year? As a result of changes in the Federal income tax law in 1969, which lowered taxes for single persons, married couples where both partners work, now pay higher taxes than if they were single. MATE (Married Americans for Tax Equality, 15 Charles St., New York City) was formed to fight this discriminatory tax penalty for married working couples.

The change in the rate structure brought about by the 1969 Tax Reform Act was the result of Congressional concern over the higher tax rate imposed on the income of a single wage earner as compared to the rates on that same level of combined income earned by a married couple.

It was said at that time that the single person could pay as much as 42% higher taxes than such married couple. Under the new rate structure, whereby a lower rate than before the 1969 act is imposed on single persons at a given level of income, the higher taxes payable by a married couple where both spouses work, can be as much as or more than that percentage higher than if the two working persons were able to file as single taxpayers.

Before this change, married persons filing separately used the same rates as single persons. Now, if a married person files separately, he or she must use higher rates than the rates used by a single person at the same income level.

Let us illustrate. Joan, who is single, earned $10,000 in 1972 and paid taxes of $1,525, using the pre-computed table which incorporates the standard deduction. Her fiance Dave, who earned $15,000, paid taxes of $2,702, also using the standard deduction. Thus, their combined tax liability was $4,227. Under current law, if Joan and David had married on or before December 31, 1972, the total tax on their joint income would have been $4,860, or $633 more than the taxes they actually paid as single persons. It looks like this might be a very long engagement.

As single persons, Joan and Dave are each entitled to a maximum standard deduction of the lessor of 15% of adjusted gross income or $2,000. As a married couple, they would be entitled to a maximum standard deduction of only $2,000 if they filed jointly, or $1,000 each if they filed separately.

The following chart illustrates the tax penalties paid by married couples at various income levels who use the standard deduction:

CHART 1.—NO DEPENDENTS, 1972 FEDERAL INCOME TAX PENALTIES FOR MARRIAGE

	Husband's income				
Wife's income	$5,000	$10,000	$15,000	$20,000	$30,000
$5,000	−$200	−$130	−$203	−$110	+$187
$10,000	−130	−350	−633	−780	−888
$15,000	−203	−633	−1,156	−1,503	−2,006
$20,000	−110	−780	−1,503	−2,055	−2,903
$30,000	+187	−888	−2,006	−2,903	−4,136

Note: The standard deduction is assumed in all cases. A negative amount in the chart indicates that the tax as a married couple is higher than for 2 single persons. A positive amount indicates that the tax is lower if the couple is married.

The situation is even worse for the working mother. Carole, a young widow with one child, earned $12,000 in 1972. In order to be thus gainfully employed, she paid $200 a month in child care expenses. Using head of household rates and after taking $500 in miscellaneous deductions plus $2,400 ($200 a month) in child care deductions, she paid $1,392 in taxes. Bill, who is single, earned $16,000 and paid taxes of $2,992 using the standard deduction. Their combined tax liability as single persons was $4,384. If Carole and Bill had married, their joint tax liability would have been $5,580 using the standard deduction. This would be $1,196 more than the taxes they paid as single persons. Since their joint income was over $27,500, they could not claim any child care deduction if married, and they would be allowed a maximum standard deduction of only $2,000, assuming their itemized deductions do not exceed that amount.

In connection with the child care deduction, there are several discriminatory aspects regarding married couples. As indicated above, it is the joint income that is taken into account in determining the income limitation for taking the deduction as opposed to the income of the person supporting the child. In addition, the couple must file a joint return to claim the child care deduction, and both spouses must be gainfully employed on a substantially full-time basis, whereas there is no similar requirement for a single person.

To summarize, although we object to all of the many other restrictions in the tax law that discriminate against married persons, these three provisions are responsible for a large proportion of the higher taxes paid by working couples who marry:

1. Single persons can use lower rates than married workers filing separately.

2. Each single person can take a maximum standard deduction of $2,000, but married persons are allowed a maximum of only $2,000 between the two of them, or $1,000 each. The low-income allowance is similarly restricted.

3. The maximum income limitation for child care deductions applies to the joint income of the two spouses rather than to the individual's income.

Our country has traditionally considered the family the mainstay of society, but it appears that for tax purposes, it has negative value. When this type of tax structure was tried in Sweden, tax divorces became so popular, and so respectable, that the law was finally changed in 1971 to eliminate tax penalties for marriage. We hope that Congress will act quickly to avoid widespread social consequences in the U.S.

In these times of economic stress, this inequity cannot be ignored. In most two-worker families, both husband and wife must work to provide the basic necessities of life. For working mothers and low-income couples, the difference may mean not being able to afford the luxury of legal marriage.

We urge you to protect the happiness and dignity of working Americans and prevent further damage to our society by removing the discriminatory tax penalty for marriage at once. Don't legislate against marriage—it's in enough trouble already.

Thank you.

This statement was prepared in consultation with Linda B. Hirschson, Member of the New York State Bar.

Respectfully submitted,

ANITA MURRAY.

ALASKA PIPELINE VERSUS TRANS-CANADIAN PIPELINE

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. ASPIN. Mr. Speaker, today the Honorable William A. Egan, Governor of Alaska, testified before the subcommittee on Public Lands of the House Interior and Insular Affairs Committee.

Governor Egan argued vigorously for the advantages of the Alaska pipeline and against the trans-Canadian pipeline.

While I have the greatest respect for Governor Egan, I must respectfully disagree with some of his assertions and facts.

There is an interesting contradiction between the testimony of Governor Egan and Under Secretary of the Interior, John C. Whitaker. Governor Egan argues that the prices of oil will be determined by the flow of foreign crude, while Under Secretary Whitaker claims that the flow of gulf coast oil to the midwest and the northeast will determine prices.

Hopefully, in the future, these two individuals who are on the same side of the issue, can at least get their story properly lined up.

Actually, in a certain sense, both Governor Egan and Under Secretary Whitaker are correct when they argue that either foreign crude or diverted gulf coast oil will help determine midwest prices. Prices will be determined by supply—regardless of where it comes from. In fact, 2-million-barrels-per-day of Alaskan oil flowing into the midwest and east will have an effect on price. Economist Charles Cicchetti has estimated that the per barrel price of crude oil could be cut 32 cents in the midwest and 33 cents in the east by building Canadian pipeline.

Despite all their claims to the contrary, neither Governor Egan nor Under Secretary Whitaker has successfully refuted the fact that oil prices could be, at a minimum, held down and possibly even lowered if a trans-Canadian pipeline is built.

The MacKenzie Valley Pipeline Research group has estimated the cost of constructing a Canadian pipeline at $3.4 billion.

Governor Egan makes the statement:

> To be economically justifiable, the trans-Canadian line would have to cost no more than $4.2–$4.375 billion.

If Governor Egan believed—which I am sure he does not—that the Canadian pipeline would cost only $3.4 billion, then it should be considered economically justifiable.

Governor Egan argues that the true cost of the trans-Canadian pipeline will be $7 billion—which, according to him, would make it economically unfeasible.

I disagree. Neither Governor Egan nor the Department of the Interior have provided any documentation to prove their assertion that a pipeline would cost so much. The MacKenzie Valley Pipeline Research Group, on the other hand, has done a series of extensive studies that indicate the estimated cost of the pipeline at $3.4 billion.

Governor Egan also claims that the west coast's deficit in 1980 will be 2.4 million-barrels-per-day. If Governor Egan accepts the projections of the Interior Department and the National Petroleum Council, there would be a projected surplus on the west coast of 200,000 barrels per day.

Mr. Speaker, I have the greatest respect for the distinguished Governor of Alaska. I believe that he fails to perceive the economic and environmental advantages of the Canadian pipeline.

PEYSER CALLS FOR FULL AND VOLUNTARY DISCLOSURE IN WATERGATE CASE

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. PEYSER. Mr. Speaker, we as a political body are being faced with a national disgrace in the Watergate affair. No one should be rubbing their hands in glee over what looks to them like a political advantage being created by this illegal action that took place during the last presidential campaign.

All Members of this Congress should realize that the public's faith in all of us in the political world is being shaken. Now more than ever to maintain the integrity of our political system I hope that we can pull together to bring about a speedy end and bring to justice those who are guilty in this affair. It is for this reason and for the good of this country that I call on all of those people at any level of government who have been involved in the Watergate affair to step forward now and disclose their involvement without waiting for subpenas or indictments.

THE WARSAW GHETTO REMEMBERED

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. BRASCO. Mr. Speaker, shortly the Passover will be over, ending once again the celebration of the struggle of an ancient people to be free. This Passover marks the 30th anniversary of the foredoomed yet heroic uprising by the Jews of the Warsaw ghetto against their Nazi murderers.

When Hitler's legions overran Poland, 3½ million Jews resided there. Today virtually all are gone. Many perished in the ghetto of Warsaw, methodically slaughtered by the barbaric regime which will ever remain a byword for beastliness, horror, and merciless assassination of the helpless.

A few survivors had escaped from Treblinka and other murder camps the Nazis had set up in a semicircle around Warsaw. In that unhappy place, more than half a million Polish Jews had been crammed, like cattle readied for the slaughterhouse. At first incredulous, and then with growing amazement and horror, they realized what fate awaited them.

Penned in and dying like flies from disease and malnutrition, they were told "resettlement in the east" was their fate. The Nazi regime decreed to the Judenrat of the ghetto, its Jewish government, that a minimum of 10,000 Jews daily had to be assembled at the Umschlagplatz, or railroad square, for shipment. A minuscule handful of such people escaped to tell the tale.

In spite of repeated urgings by the Jewish community leadership, a heroic band of doomed men and women set out to make the Nazi beasts pay as high a price as possible for liquidation of the rest of the ghetto.

Begging, borrowing, and stealing a few weapons, and with some aid from the Polish resistance, they painfully constructed a resistance organization.

Couriers risked their lives to obtain a few gallons of gasoline for bombs, a few pounds of explosives, and a handful of weapons.

In the spring of 1943, they began their resistance; asking for but not receiving active military assistance from the Polish underground. The Nazis, taken utterly aback at this act of suicidal courage, mustered a massive force of airplanes, tanks, and mechanized troops to crush the pitifully small resistance that was, in spite of all, taking a significant toll of the barbarous SS troops and their allies.

The Warsaw ghetto was flailed by carpet bombing. Tanks and artillery smashed entire buildings. All inhabitants of entire blocks were killed if a single shot was fired from them. Poison gas was pumped into sewer systems. Other poisons were dropped into water systems. Dogs were used to ferret out women and children cowering in the ruins. And still, handfuls of Jews fought back, at times with only bricks and clubs.

Almost all died, horribly, mercilessly cut down wherever found. No prisoners were taken. All Jews were executed on the spot. And at last the massive funeral pyre of Polish Jewry was empty of life, burning and crackling over the mass grave of a Jewish community which had lived in Poland for more than a thousand years.

Gen. Jurgen Stroop of the SS had pictures taken of his "great victory," presenting them in a folio bound with human skin to Hitler.

This, then, is our glory remembrance of the Jews of Warsaw on this Passover. Consider it a free gift to their fellow Jews and to all those around the world who cherish freedom and dignity. For when they knew they had to die, they chose to perish on their feet, rather than to be butchered like animals on their knees.

Two vignettes from that event are worth recounting here. At one point, a young Jewish father and his small 7- or 8-year-old son were flushed out of a building. Nazi soldiers tried to separate them. Each time the terrified youngster rushed back to the shelter of his doomed father's arms. Finally, the Nazis, laughing, granted the two of them the final gift of dying together. That was one Jewish mentality, and it perished in the ghetto of Warsaw with its victims and adherents.

The other story is very different. It concerns a group of young Jewish men and women surrounded by the Nazis and ordered out. They came out, all right; with guns blazing, dying in a hail of automatic weapons fire with several of their tormentors and murderers.

Even though they died, their message and spirit lives. Israel and the modern Jewish people embody that feeling. It moves Jews in Russia to take any risk for freedom. It burns in the hearts of their coreligionists around the world, and touches the hearts of all men who know the joy of freedom.

ANNOUNCEMENT OF HEARINGS ON EQUAL EMPLOYMENT OPPORTUNITIES IN PRESENT AND PROPOSED DRUG ENFORCEMENT AGENCIES

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. EDWARDS of California. Mr. Speaker, the Civil Rights Oversight Subcommittee of the House Committee on the Judiciary will hold hearings commencing on May 2, 1973, in room 2226, Rayburn House Office Building. The subject of the hearings will be current employment opportunities available to minorities in the Bureau of Narcotics and

Dangerous Drugs, the Office of Drug Abuse Law Enforcement, and the Office of National Narcotics Intelligence. The subcommittee will also hear testimony on affirmative action plans for the proposed Drug Enforcement Administration which if approved by the Congress will be comprised of the above-mentioned agencies and transferred special agents from the Bureau of Customs.

Interested persons may submit testimony to the House Committee on the Judiciary, 2137 Rayburn House Office Building, Washington, D.C. 20515.

THE 30TH ANNIVERSARY OF THE WARSAW GHETTO UPRISING

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. ROONEY of New York. Mr. Speaker, the tragic stories of the persecutions of the Jews are as old as the history of man. From slavery under the Pharaohs to the pogroms of the last two centuries, the Jew has never known when the knock on the door will come. Even today the Soviet Union has flouted world opinion with its blatant use of the education tax to stifle Jewish immigration to Israel. So frequent are these stories in our history that it might be expected that the world might become callous to the plight of world Jewry. That, fortunately, is not so because free people everywhere have a great compassion for the Jewish people, who for centuries have been forced to bear the shackles of oppression and submit to the basest types of persecution.

Interspersed in the legacy of this persecution are gratifying sagas of successful Jewish resistance; stories of great courage and valiant attempts to rise up against their oppressors and tormentors. The most historic and valiant of these heroic uprisings started on the morning of April 19, 1943, in Warsaw, Poland.

On that day 60,000 Jews, more than half of them women and children, penned in an area only 1,000 by 300 yards and led by Mordecai Anzelewicz and his Jewish Combat Organization—ZOB—lashed out at their Nazi tormentors, armed with only a few pistols and rifles, a dozen or so machineguns that had been smuggled in, and homemade grenades. They were pitted against crack Nazi troops armed with tanks, artillery, and flamethrowers.

The outcome was never in doubt. But what had been planned as a 3-day operation by the Nazis turned into 4 weeks of savage house-to-house fighting. Finally the end came on May 16 when the last of the ZOB outposts were overrun.

During the 4 weeks of fighting over 800 acres of the ghetto were destroyed—gone were the homes and shops of thousands and thousands of Jews. Gone, too, were more than 56,000 Jewish men, women, and children captured or killed by the Nazis. Others died in the firing of the ghetto.

But, Mr. Speaker, not gone and not dead is the memory of the Jewish fighters who challenged the Nazi military might. Not gone or destroyed by the awful fires is the evidence of equally outstanding courage shown by the survivors who mourned their dead while caring for the wounded, the aged, and the orphaned. Many of them subsequently found a new life in Israel where at least some of the horrors of the ghetto uprising could be erased from their daily thoughts and their nightly dreams.

May our Jewish friends and neighbors gain renewed faith and restored courage from their observance of the anniversary of this historic event. May all of us renew our determination to do everything in our power to end for all peoples of all races, of all faiths and of all creeds the types of oppression and persecution which have for so long a time and over so wide an area of the globe beset the Jewish people.

APRIL IS CANCER CONTROL MONTH

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mrs. GRASSO. Mr. Speaker, cancer is a disease that knows neither limits nor favorites among its victims.

April is Cancer Control Month, a time when we pay tribute to the American Cancer Society's never-ending dedication to finding a cure for cancer, and to the efforts of private citizens to encourage through their contributions the work of scientists and technicians to find cures and effective treatment for this dread disease. In addition to the countless Americans who presently suffer from cancer, it is estimated that during 1973 more than 650,000 new cases of cancer will strike Americans from all walks of life. Fortunately, many forms of cancer are curable if detected early and treated promptly, and it has been an important goal of the American Cancer Society to alert the public to cancer's warning signals.

Medical researchers and scientists have made important strides in the struggle to rid cancer from our midst. One invaluable tool now being used by many is the Connecticut Tumor Registry. Since 1935, this organization has compiled a record of cancer cases and treatments in my State. The file is unique in that it has followed every cancer victim in the State during the past 38 years. The information store provides an uninterrupted record of cancer treatments and their results with more than 120,000 State victims of this disease.

It was my great honor to be an early sponsor of legislation during the 92d Congress to focus attention on the need for a national attack on cancer. The National Cancer Act of 1972 which emerged from that Congress institutionalized our national commitment to seek a cure for cancer. The Congress appropriated $492 million for fiscal year 1973. While spending for cancer research has been increased over last year; regretably, some $60 million which has been appropriated by Congress for use in the war against cancer is not being spent.

Although progress has been made, the road ahead will not be an easy one. We must continue to broaden our cancer research capabilities and to assure those in research that adequate support will be sustained until success is achieved.

Mr. Speaker, too many people now endure the agony of this disease and too many bear the sorrow of having a loved one as its victim. It is my hope that Cancer Control Month will serve as a catalyst to renew our commitment and strengthen our determination to make cancer go the way of polio, small pox, and other diseases which man has overcome.

THE 30TH ANNIVERSARY OF THE WARSAW GHETTO UPRISING

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. EILBERG. Mr. Speaker, today is the 30th anniversary of the Warsaw ghetto uprising. That battle, in which a handful of poorly armed, starving Polish Jews stood off the German army for 35 days, has become a symbol for people all over the world, who are fighting for their freedom.

The Jews of the Warsaw ghetto never had a chance of winning, but they died as free men and women, because they chose to stand and fight for their liberty.

Every year at this time the Jewish people celebrate Passover, the holiday of freedom. It is a time when we remember our liberation from slavery in Egypt and of the many other occasions when we had to fight and die for freedom.

The battle of the Warsaw ghetto is one such incident. At this time I enter into the RECORD a poem written by Marilyn Krantz, the editor of a newspaper in my district, about the Warsaw ghetto Uprising:

THE MARTYRS' VOICE—ON THE 30TH ANNIVERSARY OF THE WARSAW GHETTO UPRISING

(By Marilyn Krantz)

Sh-h-h, listen world, can you not hear
Their voices, clear and bright?
Do listen now! 'Tis bad enough
They went unheard that night.

Today's Passover ritual
Includes the Martyrs' story,
A bold chapter in the annals
Of spiritual glory,
For the Festival of Freedom
Took on an added light
As they lashed out with defiance
Against oppression's might,
Armed with the shield of courage
And sword of determination—
Their acts upheld the dignity
Of the Jewish nation.

The Ghetto stood, a lost island
In the vast sea of life,
All alone in its anguish,
Left to end its own strife—
Both the young and the old
Vowed, in facing their plight,
That if death had to come
They would meet it in fight.

Can you hear the ghetto fighters
As the battle began,
Calling out from hell's abyss?
Hear them now, if you can,
As they matched the Nazi tyrant,
Blow for blow, look for look,
Knowing well their death sentence
Was written in his book;
And one thought brought them solace
In their pain. This they knew:
In the streets of Warsaw's Ghetto
Would be Nazi blood, too!

Oh, how weary and weak
From starvation and need
Were these people and yet,
In the name of their creed
They pitted their bodies,
So beaten and plundered,
Against the oppressors
As angry hearts thundered.

And often, so often,
From the depths of despair
The remnants cried out,
"Doesn't anyone care? . . .
Where ARE all the people?
Won't they come to our side?"
But their cries went unanswered;
As they suffered and died.

They fought not for themselves—
How could they hope to win,
So greatly outnumbered
By the mongers of sin!
It was for US, the living . . .
For a world of better years . . .
That their heroic message
Was inscribed with blood and tears.

And in the end, the vile Nazi
Did not fulfill his goals;
They who'd enslaved Jewish bodies
Could not enslave their souls;
To Heaven's arms went the Martyrs
From each Ghetto street,
The song of faith upon their lips
Resounding, pure and sweet.

These were part of six million—
Six million in all—
Who 'neath wheels of destruction
Had been destined to fall . . .
Whose lives once had meaning
Until they were shattered . . .
Whose bodies, once whole,
Were broken and tattered . . .
Who went to their graves
Asking how it could be
That a civilized world
Had not answered their plea.

Shall we light a yortzeit candle
To honor each one?
The light of SIX MILLION CANDLES
Would outshine the sun!

Now, only our remembering
Their message bold, inspiring,
Can give meaning to their living
And purpose to their dying . . .
Now, only by upholding
The Ghetto fighters' plea
For one's right to live in freedom
Can we preserve man's dignity.

Sh-h-h, listen world, can you not hear
Their voices, clear and bright?
Do listen now! 'Tis bad enough
They went unheard that night.

A TRIBUTE TO MARY GRIGGS

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. EDWARDS of California. Mr. Speaker, I want to recognize Mary Griggs of the Fremont Unified School District in California on the occasion of her retirement. Mrs. Griggs has been a teacher most of her life and for the past 10 years hundreds of Fremont students have had the opportunity to learn from her and to experience the joy and enthusiasm she brings to her work, and hence to school. Her special skills and rapport with children have led her to her present position as a teacher in the gifted children program at Millard Elementary School.

While teaching has been Mrs. Grigg's career, her love and understanding of children also extends beyond the classroom. She has been a Camp Fire Girl field director, worked with the Blue Birds, and taught in church schools. In addition, she has given her time to tutoring ghetto children, to directing dramatic and musical productions given by children, and to taking them on cultural and sports outings. In these activities, as in her profession, Mrs. Griggs has had a positive influence on her students which they long remember, often returning in later years to express their appreciation. Her retirement will certainly be a loss to the Fremont School District and to the community, but especially to those children who will no longer have the opportunity to have her as a teacher.

OBSCENE RADIO BROADCASTING—X

HON. JAMES V. STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. JAMES V. STANTON. Mr. Speaker, over the last few months, I have been inserting into the CONGRESSIONAL RECORD—February 5, 6, 7, 8, 21, 26, 28, March 28 and April 3—several items relating to controversial broadcasting by station WERE in Cleveland, Ohio, and on how this appears to be part of a national trend in programing by radio.

I am happy to report to this body that I have had some additional success in getting the Federal Communications Commission to accept responsibility for this situation. For the information of those who have been watching this situation unfold, I insert here the letter I received from the FCC in reply to my original letter to Chairman Birch:

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C. April 11, 1973.

Hon. JAMES V. STANTON,
House of Representatives,
Washington, D.C.

DEAR MR. STANTON: This is in response to your letter of February 1, 1973, regarding complaints from your constituents alleging that obscene program material is presently being broadcast by Station WERE(AM), Cleveland, Ohio. You suggest three alternative courses of action which this Commission could pursue in attempting to curb obscene programming: (1) action under Title 18, United States Code, Section 1464; (2) imposition of sanctions pursuant to the Commission's "authority to act in the public interest"; and (3) institution of a Commission inquiry and rule-making proceeding with a view to promulgating a national regulatory policy. You request to be advised as to what Commission action is being taken in this area and you invite comment on the possible courses of action which you have suggested.

This is a most difficult area. The Commission must scrupulously observe the fine line between censorship—wisely proscribed by the First Amendment and the Communications Act (Section 326)—and the discharge of its responsibilities under the Act to deter the broadcasting of obscene and indecent material. I believe that we are acting effectively and properly in this sensitive field. I shall detail our actions in the course of my seriatim comments on your suggestions.

As you know, criminal prosecution under Section 1464 is solely within the jurisdiction of the Department of Justice. The Commission has thus referred a number of complaints to the Department of Justice for possible criminal prosecution under 18 U.S.C., Section 1464.

Under Sections 312(a)(6) and 503(b)(1)(E) of the Communications Act of 1934, as amended, the Commission is authorized to revoke broadcast licenses and to impose forfeitures for violation of Section 1464. In any action under these provisions, the Commission is of course guided by the decisions of the courts defining terms such as obscenity and thereby indicating the constitutionally permissible distinctions which must be drawn between protected and unprotected speech.

Rather than discuss in this letter what those guidelines are, I have enclosed a copy of our just adopted letter to Sonderling Broadcasting Corporation, the licensee of Station WGLD–FM, Oak Park, Illinois. That letter constitutes a Notice of Apparent Liability for a forfeiture of $2000 for violation of 18 U.S.C. 1464 as a result of broadcast of apparently obscene and indecent material on a radio talk show, "Femme Forum." As you will see, the letter treats fully the legal and policy considerations applicable to this area. It represents th definitive statement of the Commission's position, and may well become the "test case" whereby we obtain judicial clarification. You will also note that the letter is pertinent to many of the considerations raised by you.

We are also now engaged in a review of complaints received concerning allegedly obscene or indecent material broadcast by Station WERE–AM and other stations. We have instituted a Section 403 proceeding in order to assure that our investigation in this area can be fully and effectively carried out. See enclosed Order. We shall of course keep you apprised of any public developments.

As to the suggestion that we act under the public interest standard, we believe that no useful purpose would be served by proceeding in this fashion. You are, I am sure, in full agreement that the Commission "could not properly assess program after program, stating that one was consistent with the public interest and another was not." (*WUHY–FM*, 24 FCC 2d at p. 413). As we there noted, citing *Banzhaf* v. *FCC* 405 F. 2d 1082, 1095, that would be "flagrant censorship." So if we were to proceed under the public interest standard—as we did in *WUHY*—it would be necessary to meet the same specific criteria as in the case of the broadcast of indecent material, "namely, that the material is patently offensive by contemporary community standards and utterly without redeeming social value."

In short, in our judgment, the standard here remains the statutory one against broadcast of obscene *or* indecent material—with the important qualification that the criteria are applied with recognition of the unique characteristics of the broadcast medium. See Sonderling Letter, pp. 5–7.

Similarly, we do not believe that it would be appropriate to initiate an overall inquiry and rule-making proceeding. We cannot change or further refine the controlling criteria in this First Amendment field. Rather, it becomes a matter of applying them to particular factual situations in a manner that serves the public interest. By that, I mean in such a way that we do not "chill" any protected speech and yet at the same time "weed out" the impermissible (the obscene or indecent). As to the broadcaster's responsibility to exercise his responsible judgment to avoid presentation of prurient trash, I believe that my recent NAB speech has certainly made that clear. See enclosed copy.

With respect to your inquiry concerning station retention of tapes, there are no Commission rules or regulations which require a broadcast licensee to keep tapes of its programs. The Commission recently considered requiring licensees to keep tapes of "open mike" programs, *Notice of Proposed Rule Making*, FCC 71-804 (July 22, 1970). After reviewing comments on the proposal, the Commission withdrew its Notice (Report and Order, FCC 71-804 (August 4, 1971) for the reason that such rules did not appear to be clearly warranted at that time, and, if adopted, they would be financially and administratively burdensome for many licensees, particularly those of small stations. In this regard, the Commission has noted the cost of audiotaping all or certain types of programs broadcast and the higher cost of videotaping, as well as the added expense for storage space, all of which would have to be borne for a time period sufficient in length to make such rules effective, and the difficulty in distinguishing between stations capable of bearing such increased operational and financial burdens and those which could not.

I note your attention to introduce legislation which would "assure more effective and fair enforcement of Section 1464." I would be glad to give you my comments on such legislation.

I fully share your concern that the airwaves not be polluted by the broadcast of obscene or indecent material. Our goal here is clear. As we stated in the conclusion of the *Sonderling* letter,

"It is not our function, consistent with the First Amendment and Section 326 of the Communications Act, to impose upon broadcasters and listeners alike our personal standards of good taste. But neither is it our function to ignore the presentation of programming that in our view violates a criminal statute (18 U.S.C. 1464), especially when Congress has assigned to us a special role in the enforcement of that statute."

I hope that the foregoing is helpful to you.

Sincerely,

DEAN BURCH, *Chairman*.

DECENTRALIZED RESPONSIBILITY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. RANGEL. Mr. Speaker, in President Nixon's haste to shift support of social programs from the Federal Government to State and local governments and private sector groups, we must carefully consider the potential for action that exists in these decentralized areas. If the President succeeds in delegating responsibilities away from the Federal Government, then the hope for social progress and change clearly lies in communities across this Nation.

In this light, I submit for your attention and the attention of my colleagues, the statement of Alex Prempeh, president of Effective Rehabilitation for Community Tenants, Inc.—ERECT—to the Human Resources Administration and mayor's office for the handicapped in New York City.

STATEMENT BY ALEX PREMPEH

My appearance here before you today, is, hopefully, to shed some light on a very serious problem, which may produce more effective and meaningful solutions.

First, the needs of the elderly have been neglected far too long in our city. Coupled with that of the handicapped, care of the aged has only recently been recognized as a major priority and responsibility of government at city, state and federal levels. But to date these needs, this responsibility and this priority have not been fully recognized at the community level.

While all money resources were being directed towards programs for the poor, economic opportunity, manpower, education, employment and housing, the true necessity for a program combining subsistence with shelter for this segment of the community has been sadly neglected, even denied recognition, as more and more of our senior citizens reach the golden years of their lives.

In far too many instances, our elderly and handicapped have to endure substandard, over-crowded or dilapidated housing, quite often in the most squalid conditions.

My experiences over the past thirty years have familiarized me with these circumstances and conditions, in real estate management and local political clubhouses, as neighborhood captain, housing developer, anti-poverty worker, organizer, and subsequently as consultant to Medicare Alert and director of Medicaid Alert.

Working with these conditions brought me close associations with the first President's Commission on the Aged, the Governor's Office of the Aging, Community Service groups and eventually, the New York City Office for the Aging. This has given me enriching relationships with most of the recognized personalities in this field, who have made pioneering efforts to bring these problems to the forefront. Now today I ask that this responsibility be fully assumed at the neghborhood community level.

In regard to service and support programs for the elderly and handicapped, which Federal and State legislation is expected to curtail or seriously cut back, I must point to their failure to organize neighborhood and agencies which must now be considered a major priority. Housing for the elderly has primarily been delegated to City and State agencies. The weak efforts of New York State Senior Citizens projects and City Housing Authority Senior Citizens projects to seek community involvement have fostered little community responsibilities and/or participation.

When Federal legislation made it possible under Section 202 to encourage local sponsorship and local participation regarding food, clothing and shelter for the elderly and handicapped, far too few groups were prepared to take advantage of this opportunity.

Since 1959, the Section 202 program grew to 45,527 units under construction as of September, 1969, of which 27,780 had been completed. But in 1969, when it was just beginning to fulfill expectations, the Section 202 program was replaced by the Section 236 rental housing program, in an attempt to coordinate and simplify government-financed housing programs. As of today Section 236 is dead and nothing but revenue-sharing will arise from the ashes. It is now up to Municipal and State agencies to supply the leadership.

In the course of these changes, workable arrangements were sought to encourage the participation of the private sector with government programs and lending agencies. Today I am proud to be a part of this combination and its involvement in the production of housing. But it still remains for government and the private sector to develop a workable arrangement with neighborhood and community agencies to assume the responsibility for the care of the elderly and handicapped tenants, whether of low or moderate income, whether receiving welfare or social security assistance.

As the price for assuming roles of responsibility, management and accountability, the principal themes from community groups are of "control" and "a piece of the action." Although the private sector firm with which I am associated is offering both of these incentives to community groups qualified in housing management, there are no groups qualified in management and care of the elderly and handicapped.

Unless neighborhood and community groups can be organized to operate in true partnership with government and the private sector, the problems of food, clothing and shelter cannot be solved by centralized agencies. To gain a piece of the action rather than left-overs or crumbs, neighborhood and community groups must be encouraged to take a serious look at their roles in respect to the elderly and handicapped before they become part of our forgotten yesterdays.

Service and support programs for the elderly and handicapped should take into consideration combinations of vocational education, rehabilitation and adult education with child care, mental care and health related programs. Such combinations may provide a pooling of appropriate resources which until now have only been moderately tapped, and may, with your concerted efforts and time, successfully be co-ordinated with private sector involvement.

To particularly characterize the plight of my own people, and especially in Harlem, where there are comparatively few facilities for the aged, the elderly and the handicapped, let me make a strong, personal plea. I know of no black organization with the capacity and the willingness to build and care for our own aged brethren. Until blacks and Puerto Ricans see the need to care for their own, and until city and state agencies organize and finance community groups especially for our elderly and handicapped, we cannot expect this situation to change.

We must see the problem as it is related to our own homes and our own neighborhoods or communities and then look around to see how others solved their problems.

I hope this will be of some help in this critical situation. Thank you.

A SALUTE TO JOE MOLONY AND MIKE MAZUCA

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. KEMP. Mr. Speaker, yesterday, I voted against a 1-year extension of the President's authority to impose wage-price controls for two reasons; first, while temporary controls are justified to control inflation during wartime, they are not justified during peacetime; and second, controls are inequitable and unfair to American working men and women.

The application of wage-price controls during peacetime undermines responsible business practice as well as collective

bargaining. Controls render both superfluous, because the accomplishments in the marketplace or at the bargaining table are superseded by legislative fiat.

I mention this, because of the admiration I hold for those individuals in labor and management who have made the extra effort to work out reasonable and equitable agreements.

The United Steelworkers have two such individuals, Mike Mazuca and Joseph Molony. Joe Molony is retiring as international vice president of the United Steelworkers of America and on Tuesday, May 24, 1973, at the Statler-Hilton Hotel in Buffalo, his friends will be on hand to talk over old times, reminisce, and salute this great labor leader. I include at this point articles on Mike and Joe:

[From the Buffalo Evening News, Feb. 17, 1973]

Will Steelworkers' Mazuca Get a Brass Ring?

(By Ed Kelly)

When, after a heated election battle, Mike Mazuca of Buffalo was chosen as state director of the United Steel Workers (AFL–CIO) in 1969, more than a few tasks awaited him.

There were political rifts to be closed, better rapport to be established between his district administration and the union's international administration in Pittsburgh, a backlog of bargaining and local union problems to be cleared up, safety programs to be designed and implemented.

Mazuca was undaunted. He tackled the problems with the same zest he lavished upon rival ball carriers when he played running guard for UB Coach Jimmy Wilson's famed Baby Bulls football team of 1932.

Mazuca brought to the administration of his district an enormous energy, massive enough to match his physical size. The former foundryman from Worthington Pump stands 6 feet 2, weighs 250 pounds.

"I was never small," he chuckles, "bowing in at 16 pounds at birth."

Hours after being sworn into office, Mazuca set about what he calls "welding the state district into a unified whole."

He became a highly mobile and visible leader, moving about the state, setting up conferences in his Rochester, Syracuse, Albany and New York City subdistricts, spending time in his Lackawanna subdistrict.

At the same time he kept close to his subdistrict office in Cleveland that serves the USW local union representing Great Lakes seamen.

Mazuca was in Pittsburgh often for meetings of the USW's International Executive Board (of which, as a district director, he is automatically a member), in Washington frequently for union legislative and other sessions, in several cities on many occasions for USW company-wide and industry-wide bargaining conferences.

He'd also turn up in far corners of the state when occasion demanded.

For instance, after a mine disaster took 91 lives in Idaho last year, Mazuca sped to our state's North Country, donned a hard hat and went deep into the ground to see first-hand what precautions safeguard his members working in the zinc mines there.

But most of the time, Mike Mazuca was in his third-floor office in the Edwards Bldg. on Franklin St. where, through 50 union staff representatives and nearly a score of office aides, by phone and by mail, he tended to day-to-day operations of his District 4.

It's a whopper geographically, stretching from Montauk Pt., L.I., on the Atlantic to Dunkirk on Lake Erie. Its nearly 60,000 members belong to 238 locals.

A firm believer in delegating responsibility, Mazuca insisted from the first that, where possible, the principal burden of servicing a membership be borne by the local union representing that membership.

To represent his district and its member-local unions in major arbitration cases and situations arising under the federal labor law, Mazuca re-instituted the office of district counsel and retained attorney Tom McMahon to fill it.

The Mazuca directorship has given USW members a chance to do some exciting things, educationally, under a closer-than-ever working relationship between his District 4 and Cornell's State School of Industrial & Labor Relations. And his administration has seen stepped-up District 4 interest in the legislative area—local, state and federal.

The achievements of Mazuca's first term have been several. The tasks he set himself in 1969 have been largely completed, and successfully. His popularity with staff and rank-and-file has risen. His political position within the district, accordingly, has become impregnable.

So it wasn't surprising last Tuesday when USW members in the state, apparently embracing the wisdom of the old adage that "one good term deserves another," re-elected Mike Mazuca to lead them for another four years.

He was unopposed for the $25,000-a-year post. A would-be challenger failed to get enough local union endorsements to get on the ballot. Those who worked against Mazuca in 1969, including his then prinicpal opponent for the directorship (who was backed up by the international leadership in Pittsburgh), were solidly behind him in 1973.

The beginning of his second term next June 1 will find Mike Mazuca facing a brand new set of tasks.

Several stem from the recent merger—at the international level—of the independent International Union of District 50, Allied & Technical Workers, with the United Steel Workers. That amalgamation has added 8000 new members to Mazcua's district, most of them in Western New York, and has prompted him to set up a new sub-district office in Niagara Falls.

The merger has been concluded but still to be worked out is an alignment of the dues and initiation-fee structures of former District 50 and its new parent organization.

Many members of District 50, opposed to the merger, remain unhappy in the USW. They must be won over.

Within the USW are several company-wide and industry-wide conferences of local unions, formed to enable them to present a united front in bargaining. The local unions of old District 50 must be slotted into their appropriate conferences.

And the former District 50 units and their members must be worked into the existing USW safety and workmen's compensation programs.

"We've got another welding job to do," says Mazuca. "The membership of our Steelworkers district must be integrated in such a way that the result is a sound district in which all share the same programs, responsibilities, services and goals."

Mazuca's confident it can be done.

Though he himself says nothing publicly about the matter, Mazuca's friends believe that the USW state leader, four years from now, will be in a strong position to seek higher office in the international union.

They point out that the two top posts—president and secretary-treasurer—will be up for grabs in 1977. Incumbents I. W. Abel and Walter Burke will be unable to seek re-election then because of a 65-year age limit prescribed by the USW's international constitution.

Mazuca will be 62 when the next international union elections roll around.

By that time, his supporters feel, he'll have been head of the New York State district—a good power-base within the USW—for eight years and, they're confident, will have built up an impressive record.

They note also that Mazuca's stock should be pretty high with the current USW top leadership because of the massive way in which local unions in his district, during the recent nomination period, rallied behind the incumbent international leadership and its slate.

"There'll be one helluva scramble for the top big jobs in '77," predicts the head of a big USW local here. "And Mike Mazuca's got as good a chance as any, and a better chance than most, to grab one of the brass rings."

Biographical Sketch of Joseph P. Molony, International Vice President, United Steelworkers of America, AFL–CIO—CLC

Joseph P. Molony, International Vice President of the United Steelworkers of America, came to the United States at the age of 20 from his native Ireland where he was born on November 6, 1906.

One of Mr. Molony's first jobs was as a laborer for the New York, New Haven and Hartford Railroad. He also worked on the ore docks of Republic Steel Corporation in Buffalo.

The year 1937 was the year of the "Little Steel Strike," and it was during the strike that Mr. Molony was appointed as an organizer for the Steel Workers Organizing Committee (SWOC), predecessor of the United Steelworkers of America.

At the First Constitutional Convention of the USWA in Cleveland, Ohio, in 1942, Mr. Molony was elected Director of USWA District 4 (New York State). Time after time he was re-elected Director without opposition to head the District until 1965 when he was elected International Vice President.

As Director of District 4, Mr. Molony pioneered in the area of workmen's compensation in New York where he served as a member of the Governor's (New York State) Workmen's Compensation Committee.

Mr. Molony is Chairman of the USWA's Committee on Civil Rights, the first International Union officer to serve as head of the Committee. He is also a member of the AFL–CIO Civil Rights Committee. Mr. Molony was one of the participants invited by President Johnson to attend the 1966 White House Conference on Civil Rights.

He was Chairman of the Union's negotiating committee with Bethlehem Steel until 1965 when he was elected International Vice President. He also served as Chairman of the USWA organizing drive of Great Lakes seamen.

He is presently Chairman of the Nonferrous Industry Coordinating Committee.

Mr. Molony not only has insisted throughout his labor career that union officials should become active in civic affairs but has set examples by his own record of public service. He served for three terms as Chairman of the Niagara Frontier Port Authority. He also was Chairman of the Buffalo Zoning Board, General Chairman of the United Negro College Fund of Western New York; and a Director of the Buffalo Urban League.

Mr. Molony was the first to be given the Buffalo Evening News Outstanding Citizenship Award. He was given the Brotherhood Award of the Buffalo Chapter of the National Conference of Christians and Jews. The Buffalo Diocesan Labor-Management College honored Mr. Molony in 1960 with its Bishop's Plaque.

Mr. Molony is a member of the Board of Directors of the United Fund of Allegheny County and served as Associate Campaign Chairman of the 1972 United Fund Campaign. He is a member of the Board of Directors of the Health and Welfare Association of Allegheny County, and a member of the Board of Directors of the Pittsburgh History

& Landmarks Foundation. He served as Chairman of the Boys Town of Italy Fund Drive for 1970 and 1971. In September 1971, Mr. Molony was appointed as a member of the Airport Advisory Committee of Allegheny County.

Mr. Molony is known throughout the Union as a story teller par excellence. He is best known, however, for his deep, life-long commitment to the welfare of Steelworkers and his adopted country. Though his formal education was cut short, he is probably one of the best-read and best-informed union officials.

He served with the U.S. Army from 1943 to 1945.

He and his wife, the former Marguerite Bouchard, reside in Pittsburgh. They have one son, Michael.

CINCO DE MAYO—1973

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. ANDERSON of California. Mr. Speaker, on Cinco de Mayo, millions of Americans will observe an historic landmark in mankind's age-old struggle against tyranny, and in the New World's efforts to rid itself of the oppression of the Old World. For on that day, in the year of 1862, Mexico's great President Benito Juarez led a force of patriots to victory over the armies of France and her puppet Emperor Maximilian.

It is entirely fitting that America's second largest minority, those among us whose heritage includes Hispanic culture, the Spanish language, Indian blood, and Mexican ancestry, should join with their brothers of the Republic of Mexico in observance of this event. And it is fitting, too, that the people of the United States, speaking through this freely elected Congress, should recognize this day as fateful, not only in the history of Mexico but for all of the peoples of the New World. For the victory of Juarez marked a turning point; hard fought proof that the peoples of Mexico would not endure foreign rule and that they would find the strength to successfully resist it. Surely every American, North and South, is indebted to the brave people of Mexico for that.

In my own State of California, schools, cities, and organizations throughout the State will be observing this event, partly for the reasons I have already mentioned, but also as a gesture of solidarity with and affection for the people whose heritage is part of our own. For to the extent that California, a relatively new and yet not unpromising place, has a heritage, a culture, and a tradition, that heritage is inextricably bound up with the people of Mexico. And in observing Cinco de Mayo we honor not merely a gracious tradition and a great blow struck for human freedom in the past, we honor the present and, hopefully, the future as well. Indeed, we honor ourselves, for we Californians began as Mexicans and part of that heritage remains with us in the names of our cities and streets, in our history, our music, our literature, and our customs.

Cinco de Mayo celebrates the past, but it also recognizes that the struggle against tyranny and oppression is unending. Within recent years the people of the Southwest have witnessed the resumption of that struggle by a new brand of patriots, who call themselves Chicanos and who have already added to the rolls of humanity's heroes a new name that is honored everywhere in the world where men respect courage and love justice—the name of César Chavez.

THE CHICANO

The word "Chicano" is new to many of us. It is frightening to some and disturbing to others. It has been used most widely by younger Mexican-Americans, and those in the forefront of the struggle to improve the lives of their people and their communities and, therefore, those most likely to be perceived on television, and in the press as troublesome. But I believe those who are troubled and fearful have not thought deeply of the matter. For what does it profit the United States of America if we gain the world, but lose millions of our own to poverty, lack of education, and indignity.

The United States prides itself on being a nation of free, independent, and prosperous citizens. Time and again throughout our history we have declared war on poverty. The Chicano means to help us win that war, and proposes that we fight it as though we intended to win. Over 30 years ago, in a land caught in a cruel economic depression, a prophetic voice arose from the fields and orchards of California decrying the cruelty and injustice to those whose toil brought food to the table of our Nation, but who themselves were condemned to poverty and ignorance and often to hunger. The man was John Steinbeck and the book was "Grapes of Wrath." And he told a story of injustice and depression that shocked the conscience of the world and brought him a Nobel prize. Today, over three decades later, those who pick the grapes and harvest the lettuce are still struggling to win rights that other Americans assume as their birthright: Decent wages, job security, collective bargaining, education for their children, and respect for their culture.

However, I do not wish to dwell too much on the unhappy side of a complex story. The Chicano is, in fact, an amalgam of three cultures: The Hispanic, the Indian, and the North American. And from the beginning of these three traditions, he was created, indeed, he embodies, something new and unique in the world. A new man with an old culture. And rather than fear this new man, I think we might well try to understand and perhaps even learn from him.

THE POWER OF FAITH

One of the things we can learn, I believe, has something to do with the power of faith. For the Mexican-American community, as we all know, is above all a religious community. The spiritual and mystical approach to life, which finds itself under attack and even in decline in so many areas of modern life, remains as strong in today's barrio as it was two centuries ago. The church, it is true, has changed. Some of the priests and nuns have changed. Even some of the saints have been changed. But the people's faith does not change. Surely there is something profoundly satisfying in this fact. For it means that people, having found something which nourishes life and gives men hope, will not abandon it for the sake of transient pleasure and advantages.

THE CHICANO FAMILY

Secondly, I should like to mention the Chicano family—La Raza. Again there are voices among us which assert that the American family is finished; that the family system grew out of certain economic and historical conditions and that since these circumstances no longer remain, the family has lost its function. I have never known a Mexican American scholar to write or speak in this vein.

Nor are there many who dwell upon such themes as "the generation gap." On the contrary, hardship and struggle has cemented the Chicano family and made it stronger than ever. In the great majority of cases the children remain at home and respect the authority of their parents, regardless of age, until they are themselves ready to assume responsibilities of their own.

For most Mexican Americans the home and family remains a kind of sanctuary, a complete society. The very old and the very young often live side by side, depending upon each other. Whatever their fortunes may be in dealing with the outside world, the family remains united, interdependent, and fiercely loyal. What the family has, it shares. What it must suffer, it endures together. I think we might all learn something from the seamless robe of the Chicano family. For surely we do not need more loneliness, more alienation, more isolation from one another.

A HUMANIST TRADITION

Finally, I would speak of the Chicano as the bearer of a rich humanist tradition, rooted in the beauty of the Spanish language and the natural poetry of those who retain a feeling for nature and the land. I refer not merely to a superficial formality in manners and language, but rather to that innate courtesy which characterizes a highly social way of life.

The ethic of personal success, of material acquisition, of competitive individualism, has not been a prominent part of Chicano culture. There is instead a sense of community and of lives shared. Their leaders seem to possess a ready eloquence, perhaps the product of a bilingual culture, which we can only envy.

Perhaps no group of Americans has been more willing to fight for the United States, certainly none has fought with greater valor or suffered higher casualties proportionate to their numbers in the total population, and yet the Chicano in civil society is truly a gentle man. In personal address, in the conduct of the ordinary business of life, he rarely forgets the purely human element.

Faith, family, humanity—these I think are some of the virtues of our fellow Americans whose heritage is Mexican, whose language is Spanish, and in whose veins is the blood of the Aztecs. Doubtless one could name many others, perhaps more important. But I can only speak of my own knowledge and experience as a friend and lifelong neighbor of Mexican-American people.

I have chosen the occasion of Cinco de Mayo to make these remarks partly because I feel the time is appropriate, and also because a new age demands new insights. The familiar stereotypes by which the Mexican American has been portrayed in the movies, and, shamefully, is too often still portrayed on television advertisements, has created a totally false and dehumanizing picture.

The comical bandido, the lazy peon sleeping under a cactus, are perhaps not meant to be vicious or degrading. But they are the products of greedy men eager to exploit the ignorance of the general public. Stereotypes have been created which, deliberately or not, were meant to reinforce the Anglo's good opinion of himself by dehumanizing others.

In recent years we have begun to learn, slowly and painfully, of the terrible price that this Nation must pay for the all too human tendency to think of certain groups within our society as "other." Much has been written and spoken about the Nation's largest minority. But we are only beginning to realize that there are even minorities among the minorities. Not with the aim of pitting one exploited group against another. But simply to recognize that diversity is not the exclusive province of the affluent.

But it is not only the problems of the Chicano people—the poverty, poor housing, lack of equal opportunity, that demand our attention. It is also the successes. Their distinguished record in the Armed Forces, the rising numbers of Chicano students attending our colleges and universities who will surely be the instruments of a profound social change for their entire people in the not too distant future; and the growing authority of men like Cesar Chavez, who embody the deepest aspirations for peace and justice not simply of the Mexican-American, but for all the American people.

I am confident that the coming of Cinco de Mayo, 1973, will bring us closer to the day when this strong people, so long denied their proper place in our legislatures, our schools, our corporate, and business life, will cease to pick "the grapes of wrath." And that this generation of Chicanos which has progressed so rapidly in so many areas—which has a clear idea of its own destiny, will fullfill the words of the prophet who foretold that the day would come when—

> Those who have labored in the vineyard shall keep the fruit thereof.

MANPOWER AND DIGESTIVE DISEASES

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. HASTINGS. Mr. Speaker, a National Conference on Digestive Diseases as a National Problem will be held on May 18 at the National Institutes of Health. More than 500 persons will gather to develop a long range attack on every phase of this national problem.

It will be preceded by a 3-day workshop, April 23–25, at Arlie House in Virginia, where 150 will work at analyzing the present status of digestive disease research, manpower development and the delivery system for care.

Chairman of this conference is Dr. Fred Kern, Jr., head of the Division of Gastroenterology at the University of Colorado School of Medicine.

Impetus for the conference came about largely as a result of a law passed last year establishing the National Institute of Arthritis, Metabolism and Digestive Disease, focussing attention on the lack of adequate research in this area. That bill was considered by the Subcommittee on Public Health and Environment, of which I am a member. I participated in the hearings and am pleased to say that I worked for its passage both in the committee and on the floor of the House.

It has been brought to my attention that Dr. Kern has co-authored—along with Dr. Thomas R. Hendrix, head of the Division of Gastroenterology at Johns Hopkins University School of Medicine and also a member of the steering committee of the national conference—an excellent editorial which appeared in the March 1973 issue of Hospital Practice.

Mr. Speaker, I insert this editorial at this point in the CONGRESSIONAL RECORD and commend it to my colleagues for study.

MANPOWER AND DIGESTIVE DISEASE

The 1967 Conference on Digestive Disease as a National Problem focused attention on the magnitude of the digestive disease problem and the proportionally small share of resources, both in manpower and in funds for research and training, that were allocated to digestive disease. A manpower survey showed that there were only 2,004 specialists in digestive disease in the United States and that they were unevenly distributed—some communities had many, four states had none. The real meaning of these figures can be questioned because the "gastroenterologists" identified in that survey were self-designated, i.e., physicians who identified themselves as having a special interest in digestive disease. Thus, the survey did not furnish information about what proportion of gastroenterologists was specially qualified or about the level of their knowledge and skills. From its beginning in 1940 and through December 1972, only 675 physicians have been certified by the American Board of Internal Medicine Subspeciality Board on Gastroenterology. How do these figures compare with the number of specialists in other areas of internal medicine? Again, data are incomplete, but, for example, several sources of information suggest that there are three to four times as many cardiologists as gastroenterologists. An informal survey published late in 1972 showed that there are many vacant academic positions for gastroenterologists—more than for any other specialty within internal medicine.

Despite the apparent shortage of manpower, reactions catalyzed by the 1967 conference are continuing to stimulate favorable decisions in behalf of digestive disease. Awareness of digestive disease as a major health and economic problem has increased. Money invested in digestive disease research has borne a rich harvest of fundamental as well as pragmatic information, e.g., in relation to bile salt metabolism and gallstones, intestinal secretion and toxigenic and choleretic diarrheas, hepatitis-associated antigen and acute and chronic liver disease, the complex interaction of gastrointestinal hormones, and the motor and secretory disorders of the GI tract—to mention only a few active areas of productive basic and clinical investigation.

There is considerable expectation that as this wave of interest and discovery in digestive disease gains momentum we will be able to replace the empiric approach to therapy of digestive disease by rational therapy, based on an understanding of the pathophysiology of these disorders. Cholecystectomy will be replaced by correction of disordered hepatic lipid excretion; paregoric and Kaopectate will be replaced by oral fluid and electrolyte solutions and by agents that interfere with the link between secretory stimuli and secretion; chronic active liver disease will be contained by an understanding of antigen and host interaction; and secretory and motor abormalities will be managed by correcting or circumventing neurohumoral imbalances.

The likelihood, however, that these bright hopes will be realized is in jeopardy. At a time when we need to push ahead to capitalize on the gains that we have made in the understanding of the physiologic basis of digestive disease, research resources are being threatened. At a time when we should translate our new understanding into more effective patterns of practice at all levels of medical care, funds for training are scheduled to be phased out.

Intelligent planning for the education and training of manpower for the future care of patients with digestive disease is obviously desirable, but it is especially difficult now because of all of the uncertainties of future medical practice. Some of the issues that affect our planning will be mentioned briefly. In the future, who will provide primary medical care for digestive disease patients? Will it be the family practitioners, internists, or gastroenterologists? Will general surgeons continue to be involved as primary physicians? Will physicians' assistants, or some equivalent, have the major role in primary medical care, as has been forecast?

Ideally, the best system is the one that provides the best medical care for the patients. Should patients with duodenal ulcer, for example, be cared for by generalists and referred to gastroenterologists only after they develop complications? Or should such patients be managed primarily by gastroenterologists with the hope that their supposedly greater understanding of gastric physiology and gastric secretion will prevent or delay complications? How will changes in the organization of medical care affect our training needs? Unfortunately, facts are not available to answer these and many similar questions that have a direct bearing on the deployment of resources in academic and teaching-hospital gastroenterology programs. It is important to know whether our teaching effort should be directed primarily toward physicians' assistants, medical students, residents in internal medicine and family practice or toward trainees or fellows in gastroenterology. It would be helpful to know how many digestive disease specialists per 100,000 population would be optimal in 1983. Now that we are having potentially disastrous cuts in federal research and training funds it is of crucial importance to know how best to use our diminishing funds.

It is evident that our specialty, like much of medicine, is in a state of flux and uncertainty. We recognize the need for critical data and equally critical determination of policy, as guides for our teaching and training efforts. It is partially for this reason that the American Gastroenterological Association and the National Institute of Arthritis, Metabolism, and Digestive Diseases of the National Institutes of Health (with support from other digestive disease societies, federal agencies, and pharmaceutical firms) have organized a second Conference on Digestive Disease as a National Problem to be held this spring. In preparation for this conference, data are being collected that relate directly to some of the questions asked here. We do not expect definitive answers to many questions, but we do anticipate that the data and their subsequent discussion at workshops and at the conference by gastroenterologists, biomedical scientists in other fields, health administrators, economists, laymen, and others will more clearly define the policy issues and will help design future studies that will provide more precise information.

The need for manpower trained to care for patients with digestive disease is not at issue because of the overwhelming evidence that digestive disease is a major health problem that affects many millions of people—more than any other category of illness. Although only cancer of the digestive tract and cirrhosis are major killers, the morbidity and costs of digestive disease are staggering. Hospitalizations for digestive disease outnumber those for heart disease by five to three; hospitalizations for peptic ulcer and for cholecystitis each outnumber hospitalizations for coronary disease by a similar proportion. Digestive disease is the leading cause of visits to private clinics, the leading cause of hospitalization in VA hospitals, etc. The statistical documentation of the importance of digestive disease is impressive.

Because of the numbers of people affected it seems likely that regardless of future changes in systems and priorities, digestive disease will continue to be cared for on many levels, as it is now. Consequently, the training needs for this category of disease are enormous. Only a small proportion of digestive diseases is now treated by gastroenterologists. Most patients with these disorders are seen by family physicians, internists, pediatricians, and general surgeons. To ensure optimal care for patients with digestive disease, the new knowledge must be disseminated more effectively and specialty advice must be more timely and more available. This requires, first, more time and effort devoted to the presentation of the pathophysiologic basis of digestive disease to undergraduate medical students and a greater exposure in postgraduate residency training to the best and most advanced practice in digestive disease; second, an appropriate distribution of excellently trained specialists in digestive disease to provide consultation and advice in the care of the complex problems in this area; and, finally, provision for a continuing supply of highly motivated individuals for teaching and research so that our understanding of digestive disease continues to grow and our new insights are disseminated in usable, stimulating forms to undergraduates, residents, and all practicing physicians dealing with digestive disease.

In the words of Shakespeare's Brutus:

There is a tide in the affairs of men,
Which, taken at the flood, leads on to fortune;
Omitted, all the voyage of their life
Is bound in shallows and in miseries.

FRED KERN, Jr., M.D.
THOMAS R. HENDRIX, M.D.

HOUSING DISCRIMINATION BY SEX AND AGE MUST END

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. BADILLO. Mr. Speaker, I am introducing a bill today which amends the 1964 Civil Rights Act to prohibit housing discrimination on the basis of race, color, creed, national origin, sex, marital status, or in the case of adults, age. For the purposes of this bill, the term adult applies to any individual 18 years old or older.

Last year, while making a study of housing laws, I was startled to find that discrimination by sex was not a part of the so-called fair housing provisions of the 1968 law. Not only that, but I was also advised that the passage of the equal rights amendment would not remedy this situation since its provisions would only be applicable to situations where either Federal or State action was involved. This, of course, would leave untouched the much wider area of accommodations which by all indications had to be reached.

It seemed at first as though the addition of the terms "sex, marital status or age" to the 1968 act would serve my purpose. However, there was some area of doubt that made me wonder if this would indeed do. To begin with, title VIII provides that before a complainant may institute enforcement proceedings in Federal court, he must have filed a written complaint with the Secretary of the Department of Housing and Urban Development who is then charged with making a preliminary investigation with a view to resolving the dispute through "conference, conciliation, and persuasion."

Only after the Secretary has declined to attempt administrative resolution, or such a process, as carried out by him or any appropriate State or local agency to which the dispute may be referred, has proved unavailing within given time limits, may an aggrieved person effectively pursue his remedies in Federal court. My study indicated that this process of mediation often has caused long delays. Furthermore, a great deal of responsibility was vested in the person of the Secretary who, depending on his own convictions, was left to decide the appropriateness of the complaint, the referral process, or indeed, the urgency of the matter.

It seemed to me that this, at certain times, could prove to be a great drawback to persons who felt themselves injured. After all, when we write the laws we cannot predict who will be administering them. Consequently, it appeared wiser to amend the 1964 act, giving a dual avenue to redress: First, a complainant can address his complaint to the Attorney General who, if he deems the person unable to institute proceedings for his own relief, initiate and maintain appropriate legal procedures to rectify the situation in the name of the United States, or, second, give the person the choice to sue in any Federal court for a redress of his grievances.

In the latter case, should the Attorney General delay in intervening, or indeed be inhibited in his actions by possible political considerations, a meritorious cause may be backed by a group and brought to a successful conclusion without the mandatory referral to the Secretary's arbitration, as would be the case under the 1968 act.

The very broad wording of my bill is designed to give the same type of protection which was invoked by the Supreme Court in 1968 in *Jones* v. *Mayer Co.*, 392 U.S. 409 (1969) when it held all racial discrimination in the sale or rental of property, private as well as public, to be a violation of the 1866 Civil Rights Act.

Mr. Speaker, it is time and more than time that we did something to end discriminatory practices which are presently injuring large portions of our population. My initial investigation into the field of sex discrimination, I contacted New York City's 10 largest property management firms, revealed that when women seek rental housing a majority of the firms will impose the "1 week's salary must equal 1 month's rent" rule. However, they do not include child support payments in the applicant's income—only income from stocks and bonds. Thus, a woman may not qualify for a decent apartment because she is deemed to be financially unable to support the expense. However, HUD, when it computes income, does take into account child support payments, in this manner often disqualifying the same women for subsidized housing this time because they are judged to be to well to do to qualify for assistance. Such absurities must stop. I am not even mentioning here the thorny aspects of financing which have already received considerable publicity.

It has also come to my attention that older persons as well as youth have considerable difficulty because of their age in competing in the tight housing market. This too must not be permitted to continue. The National Council of Senior Citizens backs this legislation. Our senior citizens are concluding lives of rich contributions to our society—they deserve and should receive respect and consideration and should not be shunted aside into what has been so aptly described as the "last segregation." Our youth, also deserve fair consideration. To use age as a sole disqualifying factor is unworthy of this Nation. Some directors of off-campus housing, who have learned of my intention to introduce this measure, have already signified their support. In their estimation, the bill fills a real need.

I hope that Members will support this much-needed legislation and join me in urging its speedy consideration and enactment.

OEO-FUNDED GROUP DISRUPTS HARVARD COMMENCEMENT

HON. JOHN B. CONLAN

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. CONLAN. Mr. Speaker, in view of the controversy concerning dismantlement of the Office of Economic Opportunity and new leadership in the Federal Government's poverty programing, I should like to bring to the attention of Members of this body another example of mismanagement and poor judgment in OEO funding that created the disgraceful disruption of the 1970 commencement at Harvard University, where I did my graduate work.

It was about 9 p.m. on June 10, 1970, and the Harvard University band and the combined Harvard-Radcliffe Glee Club were completing their traditional commencement concert in the Harvard Yard. Harvard's 334th commencement week was in full swing. Class reunions were being held, the senior class was having its last party at one of the houses, and the concert in the yard, because it was free and open to the public, was attended by many members of the Cambridge community.

In another part of Harvard Yard, soul music was blaring forth from numerous speakers which 300 members of the Riverside planning team had brought with them. They seized a corner of the Harvard Yard between two dormitories which were housing the families of the 25th reunion class.

The Riverside Planning Team—RPT—is a neighborhood association organized and supported by the Cambridge economic opportunity committee, which is supported by OEO funds.

The Riverside group had decided to take over a section of the Harvard Yard to demonstrate for low-cost housing in the Cambridge area. The group wrote the president of Harvard University and demanded that he cancel his commencement eve plans and meet with the group.

During that week, RPT circulated flyers and used sound trucks to encourage community residents to walk to Harvard and participate in a low-cost housing demonstration in the Harvard Yard. That night they stated that they would not leave and would not turn off the music until the Harvard president appeared. During the evening RPT provided meals for its members.

Late that evening a representative of the president's office did meet with the group, but he was unable to satisfy its request. In the early hours of the next morning many graduates returned from reunion activities. They were greeted by the deafening sounds of rock music. RPT refused to turn off their loud speakers and many minor confrontations occurred before police had to be called in. The police brought the situation under control at about 3 a.m.

It was later discovered that the organization, publicity, sound trucks, food, and legal service personnel which RPT brought with them were all paid for out of OEO funds.

The next day was commencement day, and because of space limitations all attending the commencement exercises were required to present tickets for admittance. However, the Riverside planning team had staked out spots throughout the night in the Harvard Yard, thus assuring for its members strategic locations during the commencement.

Halfway through the exercises, the RPT people decided to make their move. With bullhorns in hand, they marched and yelled their way onto the stage as the Harvard president was conferring degrees. They mounted the stage, seized the microphones, and began shouting demands over the public address system.

The exercises stopped and the microphones were turned off. RPT demonstrators then used their OEO-purchased bullhorns to take over the exercises. At that point, the Harvard Corp. voted to give RPT 2 minutes for a statement. RPT members took the microphones, insulted the Harvard president and corporation for almost 5 minutes, and were finally escorted off stage by university police.

The commencement finally continued after a 20-minute delay.

The OEO-funded Cambridge Economic Opportunity Committee's executive director, the community coordinator for social services, and the director of Cambridge Legal Services were all in attendance to render legal assistance in case an incident involving the police occurred.

There appears little doubt, therefore, that OEO funds and personnel were used to organize and carry out the takeover of Harvard's 334th commencement exercises. In fact, Mr. Speaker, the local OEO agency endorsed the entire activity.

Such activities supported by OEO funds raised many serious questions. It is indeed an outrageous situation to have OEO funds supporting demonstrations that involve trespassing, disturbing the peace, assault and battery, larceny, disorderly conduct, violations of freedom of speech, and other offenses.

Mr. Speaker, the time has come for us to look deeply into the history of the Office of Economic Opportunity and to acknowledge, as painful as it may be, the many examples of misspent and fraudulently spent public funds. There must be a better and more efficient manner to provide services for the disadvantaged without spending public tax dollars on such illegal, self-serving activities.

Let us work together to restructure the poverty program to meet the needs of the poor.

Let us work together to develop a new system.

Let us accept the fact that OEO programs have proved to be a colossal failure in many instances and that they have been a monstrous waste of public funds.

Let us devise a new program that will prevent public funds from ever again being used to disrupt the activities of higher education.

I insert the following article from the Boston Herald Traveler outlining the events of the 1970 Harvard commencement in the RECORD at this point:

[From the Boston Herald Traveler, June 11, 1970]

CIVIL RIGHTS GROUP STAGES CAMP-IN AT HARVARD YARD

(By Paul Giguere and Tom Sewell)

Some 150 members of a Cambridge civil rights organization seeking low-rent housing began a sit-in under a tent in the Harvard Yard on commencement eve last night.

The "Camp-in" followed a march at 5 p.m. to the offices of Harvard President Nathan Pusey, led by Mrs. Sandra Graham, president of the Riverside planning team of the Cambridge Economic Opportunity Committee Inc.

Dr. Pusey was not there, but Edward Gruson, community affairs officer for Harvard, persuaded the protesters to move to nearby Gray Hall for discussion.

Gruson and Mrs. Graham and others engaged in an exchange before entering the hall, but there was no serious disturbance.

At the meeting in Gray Hall, the CEOC called upon the Harvard Corporation to turn over 100,000 square feet of "largely vacant property known as "Treeland" in the Riverside neighborhood area of Cambridge for construction of low-rent family housing.

Another demand was that during the Treeland construction one-third of the 500 student apartments in Peabody Terrace be given to Riverside families "threatened with evictions and rent increases."

Gruson advised the meeting that he could not at the time discuss the Treeland question. But he pledged that the corporation would build low and middle income housing in the future.

A SERMON ON ARCHIE BUNKERISM

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. CORMAN. Mr. Speaker, last fall my minister, Dr. Kermit L. Long, of the First United Methodist Church of North Hollywood, Calif., preached a remarkable sermon under the title of "Jesus Christ and Archie Bunkerism." Dr. Long believes that "there is more Christian gospel preached from the 'All in the Family' television show than from many churches and temples—if we get the message."

More than 60 million Americans view the show every Saturday night. Its popularity loses no ground as each week passes, but its effect has become far more complex and disturbing than mere entertainment.

"Getting the message" is the underlying theme of Dr. Long's forceful sermon. It is such an important and timely message that I am inserting Dr. Long's sermon at this point in the RECORD and strongly recommend its reading to my colleagues.

The sermon follows:

JESUS CHRIST AND ARCHIE BUNKERISM

(By Dr. Kermit L. Long, preached October 22, 1972, First United Methodist Church of North Hollywood, Calif.)

"America's number one television hero, Archie Bunker, is a prejudiced, ignorant, lower middle-class, white Anglo-Saxon Protestant, beer-bellied bigot." That's what he is according to a quote from Ebony Magazine's June 1972 issue. In real life the actor, Carroll O'Connor, is anything but Archie Bunker; in fact he is the opposite of Archie Bunker, or else, he says, he could never stomach playing such a nasty bigoted part. He, Jean Stapleton, who plays the part of his wife Edith ("dingbat"), and the rest of the *All in the Family* staff have won 10 Emmys. Without a doubt this is the most popular program on television today. We laugh at them, and we laugh with them. We enjoy the sweet, soft-spoken, beautiful blonde daughter and her long haired liberal husband, the son-in-law whom Archie calls "meat-head." In fact, on any given Saturday night over 50 percent of the viewing public is looking at this program. Now I know and you know that the church, through its clergy and laity, speaks of what eternity has to say to the hours. We already have our agenda. It's in the Book—the Bible. It's in the theology of our faith and in the history of the people of God through the centuries of time. But if we are wise at all, we will also be cognizant of the fact that the world, too, prepares the agenda for the church. Thus I have chosen to speak on *Jesus Christ and Archie Bunkerism.*

In an *Ebony Magazine* article containing an interview with Mr. Carroll O'Connor, someone said, let's talk about Archie a bit. How does a man like yourself a man whose background and views are so different from those of Archie, bring him to real life? "Well," said Mr. O'Connor, "we didn't do any real research on this. We just tried to be open and sensitive to where we were in the world." In Hamlet's advice to the players, he tells them to hold up a mirror to life. This is real acting—holding up a mirror to life. This is what the actor is supposed to do. So when Carroll O'Connor was asked, "do you really believe that white America is as bad as you portray white America to be?" he answered, "I believe that Archie Bunker really represents a pretty good slice of white America even yet today. I have seen it. I have talked with Archie Bunkers in New York. I have talked with them in Boston, Tulsa, Cleveland and in Dallas. I know them best in New York where I have spent most of my life so this is why I play him in New York."

Archie Bunker is a man who is on a bridge. He is so rigid, so inflexible that he can't change. In his case it's just easier to name call than to try to be open to change. We know that God calls us to change, that the past is gone. But Archie doesn't want to let it go. He doesn't want to cross over the bridge. Because other people are crossing over the bridge Archie becomes the loser . . . and he is portrayed as a loser. Do you think Archie is enjoying life? Look at him as he comes in from work. There is always something wrong. (If you are always unhappy you'd better look at yourself, not at other people. Something is wrong with you.) He usually comes storming in, hanging up his old hat and jacket in the corner, full of complaints. The subway has been slow again. The Puerto Rican guard has given him trouble. The Blacks are moving in next door. And the Communists are threatening his life and all of our lives. The Hippies are bothering him. The world seems to be closing in on him and while we look at him and laugh at him, the guy is really in pain. He is hurting. And from his hurt he strikes out; he name calls. He is a bigot, full of prejudice, a bigot who is digging his own grave right here on earth.

Norman Lear, director and producer of the *All in the Family* show, Rabbi Heller of Los Angeles, and Dr. L. L. White a United Methodist black preacher appeared together on a television panel discussion during September, 1972. The discussion brought out the fact that Archie Bunker had the inability to adjust. He was always trying to build himself up by hurting someone else. (That's not how you build yourself up. You minister to the other person first, and then God, in His mysterious ways, has a way of building you up.) Since Archie hasn't learned this, it is pointed out that he is always the loser, and because he is always the loser we laugh at him. L. L. White, the black panther, was asked if this laughter bothered him. "No," he said, "laughter can ventilate feelings. It can be happy. We ought to look at prejudice and laugh at it for the ridiculous stance which it is. Then we ought to do something about it." Dr. White continued, "As a black man it doesn't matter if you laugh, just so you are laughing with me not at me. If you are laughing with me, there is a bond; if you are laughing at me, there is a barrier."

In *All in the Family,* viewed every Saturday by over 60 million persons, Archie is always the loser. But I am not sure that in real life Archie Bunker is always the loser. In God's eternal plan he is, but often in this life he is not. I have seen some Archie Bunkers who were pretty prosperous at the other fellow's expense, and you have too.

The program is not as realistic as it might be. Do you think that Lionel, the young, kind, beautiful black neighbor boy would really put up with what he has been through at the hands of Archie Bunker for a year and a half? He is finally starting to speak up—but it is past due. Even though they are in the home of a white man being served a cup of coffee, the young blacks today won't put up with racial insults. They are not sweet and polite and kind like Lionel. They might throw a bomb in the house and carry a knife on their body. While we might not appreciate that, we ought to at least understand it. There is a limit as to how much bigotry one can take . . . how much suffering one will go through at the hands of an ignorant fool.

Some of us think there is more Christian gospel being preached from that program than from many churches and temples . . . if we get the message. This is why I was saddened when Norman Lear, the producer of the show, when asked what the basic ethic on which the show was produced said, "it doesn't have any ethic." He continued that he didn't think of the program having any mission at all. His only job was to entertain. I thought, "Boy, if I was on this panel I'd really let him have it, slap him but kindly, I hope." Dr. L. L. White came through saying, "Now you may not have a mission, you may not think of this as a mission, but how can you possibly evade the responsibility of saving something when you realize the power of the media?"

All of us have a mission, whether we stand in the pulpit, produce an *All in the Family* show, teach school, go to the office, go to the farm, or go to the plant. We all have the mission to bury bigotry once and for all. If you are not in the business of burying bigotry I don't give a hoot what you do, you are not doing what God is calling you to do in our time. I know this isn't always the way people talk out in the world. Even a top executive of United States Steel said, "Our business in United States Steel is not to make steel, our business is to make money." Oh, I know a little bit about free enterprise. You have to make money, and you have to have profit to keep the economy going to produce the products that satisfy and serve people. But why must money be put ahead of service? Through your vocation and mine if we are dedicated people of God we have but one mission . . . to glorify God, by serving people. I'd like to see U.S. Steel and our other friends make the money by which they can do that. No wonder socialism and communism have got more than a foothold in the door. It's because of the blindness of some in our capitalistic system. Put this down for a certainty: if we do not learn how to use our capitalistic free enterprise system to serve people, God will let us fail. He might even help us. It is so easy, of course, to miss this business of mission . . . the loving acceptance and service of people, all people, regardless of color or creed. Character, not color, is what counts! Character, not creed, is what counts! Mission, not money, is what counts! Where are we? Are we following Jesus Christ or Archie Bunker? If you look to Jesus and get his pattern of life it's pretty simple. It's not only a lot different from Archie Bunkerism, it's a lot different from some of our own statements and behavior patterns. One of the troubles we have today is the trouble of making distinctions. I know we have to make decisions. And many of these decisions are not easy. But we also need to make distinctions and understand that there can be unity and equality within.

Yes, in the midst of all of our division, in the midst of all of our diversities, there can be a unity and a love. To make adequate distinctions as well as decisions is one of the needs of our time, so that we don't stereotype people and over-simplify and categorize people as Archie Bunker is so prone to do. He has a name for everybody, every class of people. They are not his type of folks, you know, like we are—white. It's a funny thing but it's done. Jesus is all white, like Santa Claus, and Protestant of course.

There is no difficulty with Protestant or Catholic, black or white, Jew or Gentile when we are all the people of God. Why do we categorize people and name call them when we don't understand them? We do this politically. During the 1972 presidential campaign I heard Mr. Nixon referred to as a Facist. I heard Mr. McGovern referred to as a Communist. It's a sickness of our time. These men are no more saints than you or I are saints, but they are both dedicated men. I know them both. It hurts when people categorize and name call because they are on another side of the political fence. We do that socially, too, you know. We even do it religiously. If someone doesn't say the same thing we want them to say, religiously speaking, they are heretics. That's prejudice—that's judgement, and none of us is good or smart enough to judge. Let God judge; that's his business. Can't we, in the church, have unity and diversity of theological and doctrinal opinions? If we can, we are the church; if not, we are something less than the church. Some of us love the Apostle's Creed which we use this morning. One of you said so as we came in. You were so glad we were using the Apostle's Creed again. On the other hand, I have been with this congregation as pastor long enough to know that some of you refuse to repeat the Apostle's Creed. You don't believe some aspects of it. But do you know what? We can still gather in love. You don't have to believe everything that some church fathers of several centuries ago said you had to believe to be a person of God. In fact, the church has been changing the creeds for nearly 2,000 years. We can gather with diversity of theological opinions, with diversity of doctrine, but in unity and love. That is the church. It doesn't take any prophet to see it, yet we are so slow to see it. This is why we had better look to Jesus Christ instead of Archie Bunker when we want to get serious about our life. For you see, Jesus accepted people as people, not as Jew or Gentile, not as Jew or Samaritan, not as saint or sinner. He was at home in the temple with the leaders of the faith. He was at home in the dwelling of the sinner. Oh, the "Righteous" were all upset that he would hobnob with such sinners. They looked down their noses at those people, but Jesus didn't. He accepted all people as people. Isn't that beautiful? That's Jesus. The Jews in his day didn't talk to those niggers. No they didn't call them niggers, they called them Samaritans. But it's the same thing—prejudice. The Jews felt the Samaritans were lesser folk. If Jesus had been that kind of a person we never would have had the beautiful story of the woman of Samaria at Jacob's Well who found salvation when a Jewish gentleman whom she learned later to be the Messiah, the Saviour of the world, accepted her as a person. How beautiful it is to accept people as people, instead of categorizing them and Archie Bunkerizing them.

We have been a long time getting close to Jesus. I think we are on the way and it is a beautiful day in which to live. Even Aristotle, smart as he was, declared that only a comparatively few people would really live lives that were worthwhile. First of all the slaves could not live happy lives because they were the tools of other men. Then, those who die young would not find happiness because they had not lived long enough. And those who were diseased could not ever find happiness—they were too miserable. Those who were paupers, the poor people, couldn't find happiness because they just didn't have enough of the world's goods. Well now, if you take these four groups from society, there are not many left. If that is what it takes to be happy, most of us aren't going to make it. Some of us have to learn to live with poverty or near poverty. All of us have to learn to live with some problems of one kind or another. So we look beyond Aristotle to Jesus, who bases all of life upon God, and in whom the measure of time is but a segment of eternity. There are some who will not receive in this life all that common sense would dictate that they are entitled to. This is why there must be and why there will be an eternity.

Wherever Christ is present there is unity and equality in diversity, and people find the way of accepting and loving one another and living together for the enrichment of one another. Even the Jews had trouble when they were proselyting people. The Jews knew that a proselyte, one who became a Jew, could not possibly live life at the same qualitative level as one who was a blood descendant of Abraham. The Jews had their hang up with prejudice too. And of course if you happened to be a slave, your religious duties as a Jew must not interfere with your service to your Jewish master. A wife was the property of her husband. She wasn't a free and equal person. A wife was like a cow. In some countries today, a man is still worth ten women. How would you girls like to live in that kind of a country? Said Josephus, the historian, "Women are inferior to men." Now I don't care whether he is a church historian or whether he is the Pope, if it is a lie, we don't have to buy it. Look to the gospel and the spirit of the Master and you will find the difference between Jesus Christ and Archie Bunkerism. Paul looked seriously at Jesus. He knew who he was, he knew what he was, and he learned his lesson well. Paul says to the Galatians who were hung up on the law, "find love." Paul said that there is neither Jew nor Greek, for you are all one in Christ Jesus. If you would see what man can be, look to Jesus. All colors and all races meet in Him like the rivers meet in the sea.

So we come now to the place for decision. Preachers either preach for display or decision. Most of us are white. It is almost impossible for us to realize how subtle this evil of racism is . . . it's all a part of our culture. This is the moment for decision right now. Oh, I am not just inviting you to come forward, but if there is anybody here today who wants to say, I'll accept Jesus Christ and his way of life for me and I promise to support his church with my prayers, my presence, my gifts, and my service because I do believe in the Bible, I do believe in Him and I want the church, if you will come forward we will receive you this morning. But the main emphasis and the call to discipleship is not a call to come forward but to go out into the world and be disciples of Jesus Christ, the Lord of all who loves and accepts people as they are, regardless of whether they are black or white, male or female, slave or free, Protestant or Catholic, Jew or Gentile. People and people in God's sight if we understand Jesus. You are invited to go into the world as an ambassador of love accepting all people—even those with whom you must of necessity for integrity's sake disagree. Will you still accept and love each person as a child of God? If so you will be a faithful follower of Jesus, who recognizes we are all one in the family of God.

WILLIAM BENTON

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. GIAIMO. Mr. Speaker, it is with a great sense of personal loss that I rise to call the attention of my colleagues to the career of former Senator William Benton, who departed this life March 18, 1973.

There is no way that I could fully convey to my colleagues the affection and respect which I held for this man. The knowledge that he was my friend gives me, in deepest humility, one of the greatest satisfactions of my life. I have personally conveyed my sympathy and my own sense of loss to Bill's lovely wife, Helen, but I want to share with this great body several of the highlights of the life of this outstanding man—a man who loved his country and his government with such commitment as to demand the full measure of his energies and his talents, which were many.

There are many men and women who excel in one and sometimes several fields; very few, however, achieve the total success and quality of performance as was achieved by Bill Benton in numerous and diverse areas of human endeavor. He devoted his energies and deep sense of personal concern in politics, education, philanthropy, foreign service, the arts, and his "original" career, advertising.

Bill began his many years in business as a copywriter in New York City. With Chester Bowles, another outstanding businessman and statesman hailing from my State of Connecticut, the Benton and Bowles Advertising Agency was formed, which, despite the depression, had grown into the sixth largest agency in the world by the time the two men sold their interests.

Bill then spent several years in Chicago, serving as an officer and benefactor of the University of Chicago. His business acumen led him to become owner of the Encyclopaedia Britannica, and his support and devotion to the furtherance of the cause of quality education led him to arrange for royalties from the sale of the firm's prestigious volumes to go the University of Chicago. This arrangement has raised more than $45 million for higher education over the years.

Following other success in business, Bill actively entered public service as one of the founders of the Committee for Economic Development to help rebuild Europe. He followed this endeavor with service as Assistant Secretary for Public Affairs in the Department of State, where he organized and supervised the Voice of America programs. These auspicious beginnings of his public service career were succeeded by his chairmanship of the first United States delegation to the United Nations Educational, Scientific, and Cultural Organization and, some 15 years later, his service as the first U.S. Ambassador to UNESCO.

Bill Benton's political career in Connecticut began in 1949 with his appointment to the U.S. Senate, followed by victory in a special election in 1950 to fill the remainder of an existing Senate term. Gregarious and intelligent, Bill rapidly earned the respect of political leaders throughout Connecticut. With unusual courage, he spoke out early and strongly against the tide of McCarthyism, a stand which, in the minds of many observers, led to the stemming of the McCarthyism tide and the end of Bill Benton's career in public office. Largely as a result of the courage which he displayed during his Senate service, John F. Kennedy once remarked that Bill Benton would have a rightful place in a new edition of his book, "Profiles in Courage," were such ever written.

Public service continued to be the hallmark of Bill's career after he left the U.S. Senate. In education—as a trustee of numerous institutions and benefactor of many as well— in public service—as a traveler, organizer of seminars, author and lecturer; and in philanthropy—as an unselfish donator of his time and wealth, Bill Benton was a positive force in his State and Nation. He was a student of the world, as well.

It has been said that Bill Benton possessed a "Midas touch." Certainly his success in so many areas is to be admired, but one must also recognize that there are times when the man of greatest courage and conviction stands alone. Bill Benton was not afraid to speak out for his convictions, however lonely or unpopular his position might be at the time. He achieved a statesmanship level reached by very few men in our lifetime, with the gentleness and ideology of his nature always evident in his actions. The lives of all citizens of this country have been enriched because Bill Benton lived and because he cared.

If indeed a man lives as long as his goals are valued and his work remembered, Bill Benton is perpetuated in the minds and hearts of scholars everywhere.

FIRST WOMAN OPTOMETRIST IN AIR FORCE

HON. HAROLD RUNNELS

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. RUNNELS. Mr. Speaker, the many women serving in various capacities in our Armed Forces have a long tradition of excellence in all branches. One young woman in the Air Force is carving a career for herself in a field previously served only by men.

Capt. Allison Smith, of Artesia, N. Mex., has become the first woman optometrist in the Air Force. I am heartened to see that the Air Force will be able to benefit from her training and talent. Captain Smith has a tradition of optometry in her family. Her grandfather practiced in Alva, Okla., and her uncle still maintains his optometric practice there. She was determined to keep this family tradition alive, and, following 2 years of undergraduate work at the University of New Mexico at Albuquerque, she graduated from the School of Optometry of the University of California at Berkeley. After 2 years in private practice in San Rafael, Calif., Captain Smith found herself intrigued by recruiting materials, and thus, embarked on her military career.

Captain Smith's service reflects a very healthy situation with the Armed Forces. All career options in the service, at all levels of capacity, should be open to anyone who can qualify on the basis of ability. In this way, each individual functions at his highest level of ability and the Nation benefits from this utilization of aptitude and skill.

LEGISLATION TO MAKE THE GOVERNMENT PUBLIC INFORMATION PROFESSIONAL A PUBLIC TRUST

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, if the ideal of democracy is based upon a fully informed public, the accuracy of the information the public receives from its government will determine how close a society comes to the democratic ideal. Our society misses the mark by a wide margin, according to the unanimous report issued by the House Government Operations Committee after its Foreign Operations and Government Information Subcommittee held 41 days of hearings, listening to 142 witnesses. One of the reasons, the committee reported, is that decisions about public access to public records are not being made by public information experts.

The Federal Government's public information professionals usually are relegated to the level of press agents, called in to beat the drums and crank up the propaganda machine after the policy decisions already have been made. Those Government employees whose profession is informing the public do not even make the decisions on the single Federal law which is designed to guarantee public information.

In nearly all Federal agencies, the committee reported, requests for access to public records are channeled through the agency's lawyers, or they are handled by an administrative officer. Seldom is the public information expert even consulted; almost never does the public information expert make any decisions about the public's right to know.

"Public information experts," the committee's report concluded, "should serve as a bridge between an impersonal government and the individual citizen to make certain that he is sufficiently informed about Federal programs that may affect him and his family."

I have introduced legislation to create that bridge by establishing the public information function at the top level of every Federal agency and by permitting the public information experts to serve as the people's voice in Government with the power to make the basic advisory decisions under the Freedom of Information Act.

It is not a complicated piece of legislation. It requires each agency head to assign a chief public information officer at the top administrative level. It requires the chief public information officer to receive all requests for public records and to answer those requests. He also must set up the rules, establish the fees and approve the reports under the Freedom of Information Act. Only the head of the agency could overrule the information expert's actions.

Such a system assigns clear responsibility for proper administration of public information. And the responsibility is clearly upon an employee who leans heavily toward the public's right to know, not the Government's claim for secrecy. Following is the text of the legislation:

H.R. 7268

A bill to amend section 552 of title 5, United States Code, known as the "Freedom of Information Act"

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 552 of title 5, United States Code, is amended by adding at the end thereof the following new subsection:

"(d) (1) The head of each agency shall—

"(A) appoint, without regard to the provisions of this title governing appointments in the competitive service, a chief public information officer;

"(B) except in the case of an agency which is an Executive department, fix the annual rate of pay of such officer at a rate not to exceed the annual rate of pay, as in effect from time to time, of Level IV of the Executive Schedule of section 5315 of this title; and

"(C) prescribe the duties of such officer, which shall include—

"(i) receiving all requests for records made under this section to the agency by which he is employed;

"(ii) approving such requests made to such agency, subject to reversal by the head of such agency;

"(iii) approving all fees charged by such agency to persons requesting records from such agency under this section, subject to reversal by the head of such agency;

"(iv) approving any rules proposed to be published by such agency under this section, subject to reversal by the head of such agency; and

"(v) approving all reports or memoranda which may be required to be submitted to the Congress regarding activities of or expenditures for public information purposes under this section subject to approval by the head of such agency.

"(2) The chief public information officer appointed by the head of each agency under paragraph (1) shall be an assistant to such head, and in the case of an agency which is an Executive department, such officer shall be Assistant Secretary of such Executive department.

"(3) The head of each agency may appoint and fix the pay of such personnel as necessary to assist the chief public information officer carry out his duties under this subsection."

MUNTU DRUM SALUTES BLACK PRESS

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. STOKES. Mr. Speaker, the history of the black press predates the freedom of black people in this country. From its earliest origins until the present day, the black press has been the spokesman in this country for freedom, equality, and dignity.

The March 13 issue of the Muntu Drum of Cuyahoga Community College was dedicated to the 146th anniversary of the black press. It was fitting that one of Ohio's newest black newspapers should pay tribute to its historical predecessors in the State of Ohio.

Mr. Speaker, I want to share with my colleagues two excellent articles that appeared in this edition of the Muntu Drum. The first is "Deans of Ohio Black Journalism" and the second is "Development of Black Press in Ohio."

Both articles follow:

DEANS OF OHIO BLACK JOURNALISM

Turning to two outstanding figures, Wendell Phillips Dabney and W. O. Walker, in Ohio Black Journalism we first have Wendell Phillips Dabney who was born November 4, 1865, in Richmond, Virginia, to John and Elizabeth Dabney. Wendell Phillips Dabney was named after the celebrated abolitionists. "At the age of seven Dabney entered Lancaster School erected and named in honor of the Lancastrian System of schools then existing in England. The first school that Dabney attended was for white kids but later became a school for Black children. Wendell had a brother nine years older than he, whom he admired quite a lot.

As a little boy, he lived for the time when he could get to go out with his older brother, Clarence, who was nine years older and was allowed more freedom. Clarence, his main hero, was king among the boys in his district. No boy bothered him, for he was a good fighter and would defend himself against white or colored. Dabney's elder brother whom he admired very much was a great disappointment to him. His brother had several racial encounters with whites in Richmond, Virginia, which he ended up having to spend some time in city jail and later was ordered to leave the city of Richmond, Virginia. This incident was very much disheartening to Dabney who had held his brother very high as an idol.

After Dabney's brother left and went to New York City he started working after school with his father, who had a catering service.

One afternoon when Dabney returned home with his father, his mother informed him that he was going to Oberlin College. Dabney was shocked to hear this because he wanted to work with his father and earn more money.

Dabney went to Oberlin College where he lived off campus in a boarding school with other Black Students. He only remained at Oberlin for a year; while there he was a member of the Cademian Literary Society.

After Dabney left Oberlin he went to Richmond. but not to stay. He left Richmond, to go to Cincinnati, Ohio, where he remained for the rest of his life. While in the Queen City he became involved in politics and in 1907 felt that there was a need to have a vehicle to speak for Blacks in that city. On February 13, 1907, he started the procedures to begin a newspaper. Dabney named it the Union, and its motto was: "For no people can become great without being united, for in the Union there is strength."

Dabney's paper was very unique because he ran it by himself up until his death in 1952. He supported the Republican Party and also did his paper until later years in his life when he came to believe in supporting individuals instead of a party.

Dabney was considered by many to be a militant editor who spoke up for Blacks in Cincinnati with his paper, but not only on the local but also on the national level.

On June 5, 1972, when Wendell Phillips Dabney died the Union also died, because there was no one to carry on with the papers.

Secondly we have William O. Walker, editor and publisher of the Call and Post, Walker was born in Selma, Alabama, on September 19, 1896. He was educated in the public schools of that city. The editor also attended Wilberforce University and later graduated from Oberlin Business College in 1918.

After graduating from Oberlin Business College, Walker worked for the Pittsburgh Courier as a reporter and later became City Editor of that paper. He remained with the Courier until 1920 when he took a position with the Norfolk Journal and Guide.

In 1932, Walker decided to come to Cleveland, Ohio to work on the almost defunct Call and Post. At the time that he came to Cleveland, the paper owed a lot of money to the Murrell Brother who had been publishing it. The paper was prepared on East 55th. Street and the press-work was done at the plant of the American Bohemian Publishing Co.

Young Walker was given $35.00 dollars a week for his services to the paper and after that he began looking for other qualified people to work on the Call and Post. Some of those people were Mrs. Ida James, Eugene "Gene" Ivey, Harry Alexander and Charles H. Loeb.

In 1940 the Call and Post was incorporated as the P.W. Publishing Company.

Today W. O. Walker is the man in charge of the Call and Post, located in Cleveland, Columbus and Cincinnati, Ohio.

The history of the Call and Post is very short, at one time in the city of Cleveland, Ohio, there existed two Black papers: Cleveland Call edited by Garrett A. Morgan who used the paper to advertise his goods. The other paper was the Cleveland Post edited by Perry B. Jackson. Both papers were in financial trouble so they merged together to form the Call and Post. This merger was later called a "marriage of their misery." With the leadership of W. O. Walker behind the Call and Post it has been in existence ever since their merger back in 1921.

In conclusion I would like to say that the Black Press was started in Ohio as the Freedoms' Journal in New York City, was started to speak out against evils and mistreatment of Blacks in the state of Ohio. Most Black newspapers in Ohio, supported the Republican Party. This was illustrated with the Union edited by Dabney and also the Call and Post edited by W. O. Walker. Since the Call and Post is a Republican paper I wonder if it had not supported Carl B. Stokes, whether it would still be in print today. For the Call and Post to support Stokes, a Democrat, one can surmise that it might have gone out of print if it hadn't supported the Black Democrat.

However, being loyal to the Republican party is what has kept a number of Black papers in existence. Dabney and Walker both were given jobs by the Republican Party.

Public issues were at the birth of the Black press, public issues remain at the heart of the Black press today and will probably in the future.

DEVELOPMENT OF THE BLACK PRESS IN OHIO

(By Ulysses Glen)

The Black Press in the state of Ohio is one hundred and twenty-nine years old. It was started sixteen years after Freedom's Journal was started in New York City by Samuel E. Cornish and John B. Russwurm. This was the first Black paper of its kind in the country.

"The Black Press in the U.S.A. is approximately half the age of the white press, having begun in 1827, when the white press already existed 137 years."

The Palladium of Liberty, the first Black newspaper in Ohio, started in the state's capital, Columbus, in 1843. The name Palladium of Liberty is similar to a number of other earlier Black newspapers. Their names let the reader know that they were speaking for someone's freedom. The following quote gives a brief history and flavor of Ohio's first Black newspaper.

"Established by a group of free Negroes in the Columbus area, the Palladium "devoted to the interests of the colored people generally, was an early, albeit, short-lived, civil rights paper. Its express purpose was to aid in the amelioration of unjust conditions in which the free Blacks of Ohio lived, to help in the attainment of the prerogatives of citizenship to which they were entitled, to agitate for the abolition of slavery. The editor, David Jenkins, had a many-faceted career. At various times, he was a farmer, barber, paper hanger, painter and glazier. As a leading participant in civil rights activities in Columbus' Black Community Jenkins was an energetic operator in the local Underground Railroad and a trustee of a Negro school society. Following service in the Civil War as recruiting officer of 127 Ohio Infantry, he was appointed to the Freedom's Bureau in Mississippi."

Since Palladium of Liberty was started before a number of Black Americans were allowed to read, one can surmise that Ohio's first Black newspaper was intended for whites who were sympathic toward the abolishment of slavery and the freeing of Blacks. The Palladium of Liberty like Freedom's Journal only existed for one year. Money was one of the reasons that a number of early Black newspapers had a short life. Blacks could not support them. If the paper was sponsored by a white group it could not speak out too militantly or the white group would stop supporting it.

There were also five other Black papers that existed in Columbus. These were: Ohio State Monitor started in 1918 and lasting until 1925; the editors were J. Wesley Carter, R. Doyle Phillips and F. H. Cook; The Ohio Torch founded October 1, 1928, the Ohio Historical Society has copies up until January, 1930; the editor was Charles H. Woode; Ohio State News was started in 1935 and existed until September 27, 1952, the editor was Llewllyn A. Coles; The Ohio Sentinel was started in 1949 and lasted until 1963, the editors were Russel A. Jackson, Theodore Coleman, and W.D. Gillespie; Columbus Call & Post started in 1965; editors are Amos H. Lynch and John Combs; Columbus Challenger is a monthly, started in 1963 and is still being published today; the editor and publisher is Robert Deal Broadus; The Onys was started in 1971 and is still in print, the editors are M.D. Dones and Jacquelyne Dorsern."

"There are seven Black newspapers published in (Cincinnati) Ohio, the first of them was started in 1863 and lasted for ten years. The name of that paper was The Colored Citizen, the editors were Joseph C. Corbin, John P. Sampson; Charles W. Bell, H. F. Leonard and Reverend George Williams. The six other papers in Cincinnati were: The Afro-Americans founded in 1882; there is no information as to how long this paper was in print. The editor of the paper was Peter H. Clark; The Union was founded in 1907 by Wendell Phillips Dabney and was in existence until his death 1952. The second part of this paper will give more information on The Union and Dabney; Cincinnati News was started December 6, 1963 and was a short lived newspaper. It was edited by Anthony C. Mathis; Cincinnati Call & Post was started in 1963 in that city. The Call and Post and editor will be discussed in my paper later. The Leader was started in 1952 and only lasted for one year. The editor was William C. Brown; Cincinnati Herald was founded in 1954 by Gerald L. and Mojorie B. Porter. The paper was in existence for eleven years."

There were a number of Black newspapers in Cleveland, Ohio, but there were only three of which any records or information can be found. They are as follows: The Gazette, which started August 25, 1883 and lasted until May 20, 1945. The editor of this paper was Harry C. Smith, who was elected for three terms to the Ohio Legislature from Cuyahoga County. The Cleveland Advocate was founded in 1914 by Ormond Forte, who is believed to be related to Roland Forte, who works on the Call and Post in Cleveland today. Forte is somewhat different from a lot of the other earlier founders of Black newspapers in Ohio where he had journalism experience having worked on the now defunct paper The Cleveland News. Another Cleveland based paper is the Call and Post which was started in 1921 and is still in existence today. I will discuss this paper in more detail in the second part of my paper on W. O. Walker, who is the editor of The Call and Post.

In Dayton, Ohio, there were five Black newspapers, the first being The Dayton Tattler, founded in 1890 and lasting until 1891. The editor of the paper was the late Paul L. Dunbar, who was also a noted poet; The Forum was started in 1913, and lasted until 1949. The editor of that paper was John H. Rives; The Ohio Daily Express was started in 1942 and was printed until 1955. It was edited by Leon W. Taylor and Paige Strickland; The New Dayton Express was started in 1964 and is still in print today. The editors were Joseph S. Saunders 1964–69, Sidney D. Davis 1969–71. Charles M. Austin, April-May 1971 and Eugene W. Tate June 1971 to present; The Advocate was started in 1971 and is still in print; the editor is Leo Cooper.

There was only information on three Black papers that were started in Toledo, Ohio: The Script was started in 1943 and lasted until 1949; the editors were W. E. Barnett and Frances Alexander; Sepia City Press was started in 1948 and was in existence for two years; the editor was O. Wendell Shaw; Bronze Raven was started in 1948 and is still in print today; the editors are Frances A. Belcher, 1948–1963 and Richard Belcher 1963 to present.

There was only one Black newspaper printed in Urban, Ohio, which was The Informer started in 1898 and existed until 1920; the editor was W. W. B. Curry.

In Hamilton, Ohio, there had been only one Black paper in existence; it was the Fort Hamilton American, started in 1940 and lasted until 1971, the editors were Olvin D. Smith 1940–68 and Judson B. Reece 1969–71.

In the steel city of the world, Youngstown, Ohio, there have been three Black newspapers; two of the three are still in print today. The following two papers are being printed in Youngstown, Critiqula started in 1969, a bi-monthly phamphlet format paper, the editor is not listed; Mohoning Valley Challengers was founded in 1967 and it's editor is Nathaniel C. Lee. The third paper in Youngstown was the Buckey Review which was J. Maznard Dickerson, William Vaughn, Nathaniel R. Jones and B. B. Burrowes.

A REWARD FOR LONG AND FAITHFUL SERVICE

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. ASHBROOK. Mr. Speaker, for a number of years I have attempted to call to public attention cases of public servants who dared to buck the bureaucracy in the interest of a more fair and efficient Federal service. Sad to say, in most cases their efforts, however meritorious, eventually resulted in their leaving Government employment.

In his column, Washington Watch, of April 15, 1973, veteran reporter and Pulitzer Prize winner, Clark Mollenhoff, recounts the latest developments in the case of John D. Hemenway, the Foreign Service Officer who battled the State Department for several years in appealing his selection out at that department. Having transferred to the Department of Defense in 1969, Mr. Hemenway was ousted on April 13 despite his qualifications for serving in a useful capacity in DoD.

I insert at this point the abovementioned column by Clark Mollenhoff as it appeared in the Richmond Times-Dispatch on Sunday, April 15, 1973:

RICHARDSON PERSISTS IN ATTEMPT TO FIRE EXPERT

(By Clark R. Mollenhoff)

WASHINGTON.—By all odds, John D. Hemenway is the kind of bright and hardworking foreign affairs expert who should be moving forward in the Nixon administration.

Instead, this 46-year-old Rhodes scholar, with fluency in Russian and German, is on the way out because he is persona non grata with Elliot L. Richardson, the new U.S. secretary of defense.

The first attempt at firing Hemenway was made for Richardson even before he was confirmed as defense secretary, through his alter ego, Jonathan Moore, who had preceded Richardson from the Health, Education and Welfare Department to Defense. Moore's job was to eliminate men who had been on Defense Secretary Melvin Laird's team.

Many of Laird's men bowed out voluntarily because they didn't want to serve under Richardson. But Hemenway wanted to remain as a confidential assistant in the International Security Affairs Division for Europe, in which he had served since 1969.

Moore bungled the first attempt at firing Hemenway in January, and has missed again, since then. However, a third effort to fire Hemenway may be made in such a way that it will not be vulnerable to charges of irregularities that made the first two attempts fail.

One might rightly ask what Hemenway, a bright Republican conservative foreign affairs expert, has done to merit such special attention from Richardson and his personnel expert.

The answer is that Hemenway has fought vigorously for his rights to a State Department job as a career Foreign Service officer, from which he was "selected out" (discharged) by the Johnson administration in its last days in office.

In the first weeks that Richardson was undersecretary of state in 1969, Hemenway's appeal from the "selection out" routinely fell under Richardson's authority. Richardson and Moore, who was his man Friday on such matters at the State Department in those days, gave the case to the same personnel division that Hemenway contended was involved in lying, falsifying records and otherwise illegally trying to fire him.

Richardson and Secretary of State William P. Rogers then rubber-stamped the personnel division's finding that it had acted properly in selecting Hemenway out.

Defense Secretary Laird and assistant secretary Warren Nutter recognized Hemenway for the bright and capable Foreign Service expert that he was and hired him, at essentially the same level, in the International Securities Affairs Division.

But, Hemenway still had career job rights at the State Department and he pursued these to force the first grievance hearing in history. In filing that action with the Civil Service Commission, Hemenway challenged the judgment of Undersecretary of State Richardson.

In one of the most painful and drawn out proceedings in the history of the State Department, Hemenway proved that top personnel officials in the State Department had sworn to false records.

The three-man hearing panel that heard the Hemenway case, in effect, found for him on all counts and ruled that he should be reinstated, promoted, have his legal fees paid and receive an apology, and that letters of retraction be sent to those who had been officially misinformed about the Hemenway case by the State Department press office.

The three-man panel also ruled that Hemenway's records should be expunged of the untruthful and derogatory material the personnel division had wrongfully placed in his file.

The decision meant that Undersecretary Richardson and his special assistant Moore had been wrong and had incorrectly advised the secretary of state. It also branded them as having major responsibility for a grave injustice.

However, the State Department simply set aside the hearing decision and refused to implement any of the recommendations favorable to Hemenway. There were letters of protest filed for Hemenway by both the most conservative and most liberal congressmen and senators, including liberal Democrat William Proxmire of Wisconsin and Republican Strom Thurmond, an ultra conservative from South Carolina. Sen. Henry M. Jackson, a moderately liberal Democrat from Washington, also spoke for Hemenway.

Undersecretary John Irwin finally agreed to a half-hearted apology to Hemenway and to pay his legal fees. But he refused to reinstate him as a Foreign Service officer and then left for Paris, where he is now serving as U.S. ambassador.

It is doubtful that any of those who have taken part in the elimination of Hemenway from the State and Defense departments can match his record as an honor graduate from the U.S. Naval Academy in 1951 with a B.S. in engineering; a B.A. degree in politics, philosophy and economics from the University of Oxford in 1954, and a master's degree from Oxford in international studies in 1956.

The Milwaukee, Wis., native is fluent in Russian and German and served in Moscow and Berlin as a career Foreign Service officer between 1954 and 1969.

Hemenway enlisted in the Army as a private at 17 in World War II and at 18 was commissioned a second lieutenant on the battlefield. He returned to the Naval Academy in 1947.

Hemenway is a man who has proved he will stand out in any crowd. Yet, the Nixon administration blundered early by going along with the Foreign Service crowd from Democratic administrations that used provably foul means to fire capable, but independent, conservatives who occasionally dissented but who usually proved they were right.

If there are too few bright conservatives in the State Department, Elliot Richardson has a large measure of the responsibility. If the few brighter conservatives who survived under Defense Secretary Laird are being eliminated, it is the direct responsibility of Richardson. If it is permitted to continue, President Nixon cannot avoid a measure of responsibility when both liberals and conservatives in Congress have joined in protest.

COMMENTS ON OEO—CBS MORNING NEWS

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. LANDGREBE. Mr. Speaker, on the CBS morning news of Thursday, April 5, 1973, M. Stanton Evans, editor of the Indianapolis News, presented his thoughts on the recent activities of OEO.

I include Mr. Evans' remarks in the RECORD:

OPINION BY M. STANTON EVANS

JOHN HART. Here's an opinion from M. Stanton Evans, Editor of the Indianapolis News. His own opinion.

M. STANTON EVANS. Efforts by the Nixon Administration to phase out the controversial Office of Economic Opportunity have met with predictable cries of outrage and alarm.

To hear the critics tell it, Nixon and acting OEO Director Howard Phillips are abolishing everything that is good and holy in government, showing their insensitivity to poor people and the needs of the disadvantaged.

A glance at the record and the Phillips' pruning operation, however, suggests an entirely different weeding.

Phillips states the matter well when he asserts that this agency has not done much to lift people out of poverty. Some grants tended to foster the welfare ethic rather than the work ethic. Too much of the antipoverty money has gone into setting up an administrative bureaucracy, rather than into the hands of the poor.

Some of the poverty bureaucrats have responded to Phillips' program by filing suit to prevent the abolition of their jobs. An all too typical example of the attitude which prevails in certain governmental circles. Obviously these tax consumers feel they have a standing entitlement to other people's money and will defend to the death their right to sponge a living off the working taxpayer.

North Carolina Senator Jesse Helms observes that since 1964, some $2.8 billion has been poured out for OEO projects and that in some instances up to 85 percent of the money for local programs has gone to pay for bureaucratic salaries.

The results of this expenditure in terms of generating local effort have been poor indeed. Particularly when compared to private self-help endeavors in comparable areas of concern.

Citizens tired of seeing their money used in this fashion should let their congressmen know how they feel and urge support of the Phillips' crackdown.

HART. That's his opinion, not necessarily CBS's, or the station you're watching this morning.

REAL STORY OF AGRICULTURE NOT BEING TOLD TODAY

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. ZWACH. Mr. Speaker, on March 29, 1973, Arnold Paulson, executive director of the National Organization for Raw Materials, Inc.—NORM—testified before the House Committee on Agriculture.

Mr. Harlan Vander Zee, president of NORM followed Mr. Paulson's presentation with remarks of his own.

Mr. Speaker, I would like to insert into the RECORD the statements of these two gentlemen, as well as a few complementary tables and a statement by Mr. Walter A. Bowers, also of NORM. I urge all my colleagues to read over the statements:

REMARKS OF ARNOLD E. PAULSON

Thank you very much Congressman Zwach, Mr. Chairman, and distinguished members of the House Committee on Agriculture. My name is Arnold Paulson, and as Congressman Zwach has said, I am from Granite Falls, Minnesota. With me here today, and on my right is Harlan Vander Zee, the national president of the National Organization for Raw Materials, Inc. Hereford, Texas. To my left is Mr. Walter Bowers, from Yates Center, Kansas. Mr. Bowers has distinguished himself with many years of service here in Washington, having served with the Treasury Department, the Pentagon Department of Commerce, and several other government agencies. Mr. Harry Rash, Banker from Thayer, Kansas is also with us, but he is attending another hearing at this time.

With your permission, we would like to split our testimony. I am going to deviate from the 15 pages of testimony and supplements that I have turned in because it is much too lengthy to cover in the time allotted. Also with your permission, I would like to adlib and make a few comments to the testimony as presented.

Our testimony today is in direct conflict with public sympathy. Everyone today, it seems is screaming about the high cost of food without really knowing the facts behind the cost of food. The only way the consumers of America can really expect a cut in food costs without taking it out of the hide of the producers is by all of the working people, labor and management, to go on strike for lower wages.

Labor, interest costs and taxes are the basic cost factors for everything the consumer buys. So, it seems ridiculous for the public to jump on the most efficient producers, and the lowest income segments of the economy the moment they get their first increase in wages in the last twenty years.

Probably the responsibility for public ignorance is due to the method of tabulating the Consumer Price Index and the Wholesale Price Index. The government revises these indexes every ten years, and both of these indexes are brought into balance with a lead pencil, as if everything is equal. So I would recommend that the first order of business, in my opinion, should be to revise the Wholesale Price Index and the Consumer Price Index to an honest, realistic base period equal to 100, so that the general public will know the horrible dislocation that exists between the consumer cost of living and the prices that are in balance with the wage and tural producers.

If we check the records and revise the consumer price index to reality, the consumer will discover that the cost of living is much higher than the government indexes reveal, and that agricultural income is much lower than the wholesale price indexes reveal.

Now, the real story of agriculture is not being told in America today, and the real story of our country's problems are not being told; and these stories must be told if we are to find lasting solutions to our nation's economic and monetary problems.

We are not here today representing the best interests of agriculture alone. We are here today in spite of agriculture. We are here for America. The reason we are so vitally interested and concerned about agriculture, and the income of raw material producers is because agriculture in itself is the greatest contributor and creator of new wealth for our National Economy.

We can trace all of our nation's domestic and international monetary problems to the cause and treatment of agriculture, and if we had the time this morning, we could prove this mathematically by using the official records of government. The problem we are faced with today, both in agriculture and the consumer problem are economic, monetary problems—domestically and international—and can be traced directly to the treatment of agriculture.

It boils down to one specific thing—New Wealth. What is it? Where does it come from? What is it worth? All of the consumer goods are high today, not just food, and these foods are not high because of high farm prices. Our cost of living is high today because of low farm prices over the years, and because of the amount of New Wealth that our economy losses each year as a result of the underpayment to agriculture. By underpayment, I mean honest prices for the cost of production plus a reasonable profit for the producers risk and work.

Now the reason that I mentioned earlier, that all of our domestic and international problems can be traced to agriculture is because we have completely ignored, or forgotten the value of New Wealth. Every year this nation must produce, create, or generate X number of billions of dollars of New Wealth to operate a solvent, stable economic system.

Where does new wealth come from? What is new wealth? The word new tells us it has to be something New that was not in existance before, and the only thing new that comes into being during the course of the year is our raw material production. All of science has failed to produce something from nothing. Money is not wealth. Money will merely purchase wealth. People want goods for their money—real wealth. Money would be worthless if it wasn't for what money will purchase! Yet, for some reason we have made economics the Flow of Money—rather than the flow of goods and services.

The real wealth that God gave humanity is not money but Raw Materials in the form of agriculture that we take from the land, and other raw materials from the sea, the mines, the forests and the air. This is the only thing New, and this is the New Wealth that we bring into being each year. Its value is nothing more than the price we pay for it in monetary terms. So, when we underpay ourselves as a nation for this New Wealth, it means that we have operating losses throughout the entire economy that have to be covered up by increased debt expansion, and increased burdens of interest. This is why our nation has gotten into the crisis it is in today.

All raw material prices must be at full honest parity, not for the producer alone, but for the entire Nation. By parity we mean prices actually being received by Agricul- interest costs that makes up our Consumer Price Index and Cost of Living.

The Nation must monetize real wealth. We can no longer afford to monetize debt and call this prosperity. It simply boils down to a matter of how money gets into circulation. Money is either earned into circulation from production, or borrowed into circulation via debt expansion. Which of the two makes the most sense?

We have become the greatest producing nation the world has ever known, so production is not our problem. Our problem has been our ability for the entire system to exchange this production with one another without the need of excessive debt expansion . . . to buy with earned income, rather than with borrowed income.

What has happened over the years as a result of low farm prices is that the entire nation has ben forced to substitute excessive debt expansion in order to exchange production with one another. When the nation fails to create, or earn the earned income necessary to exchange production of goods and services, then the goods either end up as surplus in the midst of want, or goods and services must be purchased with excessive credit.

Every segment of society is interdependent upon each other for the sale of their excess production. Unless the buying power of all segments are in balance with one another it becomes impossible to exchange production with one another without someone being forced to borrow excessively, or they are forced to go without, thus causing either surplus production, or unemployment.

One other item I would like to make clear that is not in my testimony. We are being told constantly that the farmers are only receiving about 40 percent of the consumer food dollar. This is not true. The farmers only receive about five cents (5 cents) of the food dollar, the other is wage and interest costs. From the 40 percent the farmers receive in gross income, the producer must pay for his chemicals, fertilizer, gasoline and all operating expenses. This is all going to the agri-business segments. The producers only get a nickel out of the food dollar for themselves.

Out of the nickel, the producer must buy his own food, clothing and shelter, make the mortgage payments on debt, meet the interest costs, support his church, pay his own personal income tax to state and federal governments . . . Not out of the 40 percent, but out of the nickel. If we will check the records we will discover that consumer income is the biggest cost factor of everything the consumer buys, including food. I think this is the story that should be told to the housewives who are on strike protesting because of high food costs.

In 1972, 79.8 percent of the total national income was wages, salaries and net interest profits on savings. The remaining 20.2 percent went to all of owners of private enterprise business units, such as corporations, small business, professionals, rental income of property, net farm and the self employed. Out of this 20 percent they had to pay all of their living costs, income taxes, etc. So it is easy to see that wages and interest is the biggest cost factor of everything—not the raw materials.

In closing I would like to make another comment. We hear a lot of talk about the imbalance in payment from trade and international deficits. Have we ever read in the newspapers about the horrible dislocation and balance of payment of trade between Metro-America and Rural America? This is the crisis of America today! The income or the millions of people who live in the rural areas and towns, and the prices they must pay for goods and services they must buy from Metro-America. Compare the buying power of the two areas and we will discover why we have unemployment, welfare and massive deficits. This is the dislocation that America must discover first, even before our international monetary problems, and the exchange values of currency, that merely protects the International Financiers from taking their losses.

Gentlemen, I sincerely want to thank you for the opportunity of being here. I wish I could spend 4 or 5 days telling our story, but the time is limited. I trust you will read the testimony that we submitted and the supplementary article that appears in Acres, U.S.A., on pages 15, 16, 17, and 18. At this time I would like to turn my time over to Mr. Walter Bowers who will conclude our presentation. Thank you.

TESTIMONY OF HARLAN VANDER ZEE HEREFORD, TEX.

HARLAN VANDER ZEE. Thank you Mr. Chairman. I saw Mr. Graham Purcell walk into the room. I would like to make a comment that we certainly lost a champion to agriculture when he was not reelected. This is no reflection against another champion Bob Price whom we all respect highly. It would have been a loss to agriculture to have lost either of them. I certainly hope to see Mr. Purcell back in a position of authority sometime in the future. He is a fine supporter of the cause.

A lot has been said that farmers should come to Washington to present a united front and let the Congressmen know what they want. It is so difficult to get two million farmers to agree, but honestly gentlemen, their one major problem is income. Their one problem is PRICE. They have no other major problems. When their income is sufficient, and their prices are adequate and fair at a parity level, then all of their other problems would disappear, big ones. That is what the National Organization for Raw Materials, Inc. (NORM) is all about, and almost only what NORM supports, is fairness, and honesty, and equity.

I think Mr. Webster and his dictionary said when I looked up the word "parity" in an old copy, and again in a newer edition, the definition had to do with farmers being paid for not doing anything, and that is the concept of the American public today. This is not the definition of parity at all. Parity has become a dirty word because of misunderstanding, it seems to mean welfare, it means give away, socialism and terms like that.

NORM supports the honest concept of parity, which means a standard of measurement of value of exchange. Parity means receiving equitable prices for goods exchanged for other goods at equal values. Parity must exist if we are to have a balanced, stable, solvent economic system.

Agriculture needs and must have a loan program to guarantee that the purchases of farm commodities will be on an equitable basis. Agriculture needs a law making it unlawful for the trades to pay less than a parity price for farm commodities. Just as Mr. Bowers has said, a law like the minimum wage law that makes it unlawful to hire labor for less than a specific price. Then there will not be any need for government subsidies.

The farmers don't want subsidies, honestly they don't. It is embarrassing. It is degrading somewhat for a man to have to receive a green check in the mailbox. BUT, it is necessary until our nation decides that we are willing to provide and pay what commodities are worth at the marketplace to keep this man in a level with the other segments of the economy.

Norm supports the concept that it is necessary to control our production with the needs of domestic use and exports, and also a reasonable emergency food and fiber reserve for both humans and livestock. We cover this in our printed testimony.

I certainly do thank you for permitting us to appear here today. We have over run our time, but we certainly do appreciate your attention.

I challenge the American public to further explore the thinking of this man, Arnold Paulson. This has not jumped up in a few years. It has been many years. A man named Carl Wilken, whom I imagine some of you gentlemen know, began this study in the '30's. He has testified before this committee on many occasions prior to his death in December 1968. This is the continuation of that research.

The only challenge that we might extend today is, "that if things we are now doing are good, why aren't they working?" And, I think some very good thoughts can be derived from further exploration of Mr. Arnold Paulson's thinking. Thank you!

[Dollar amounts in billions]

Component	Total accumulated income 22 years	Average per year	Percent increase	Parity (percent)
National income	$11, 192.00	$508.73	139.12	87.33
Wages and interest	8, 344.90	379.30	173.80	
Corporation profits after taxes	826.90	37.58	84.60	67.42
Small business and professions	871.40	39.61	78.10	65.04
Rental income persons	380.30	17.29	118.81	79.91
Gross farm income	955.80	43.45	33.92	48.91
Net interest profits of persons	331.90	15.08	728.57	
Wages and compensation	8, 013.00	364.23	166.44	
Private enterprise	2, 386.80	108.49	66.24	60.71
Net farm income	308.20	14.01	−5.09	

Note: Table illustrates the increase of income for each of the segments of the economy from a base period of 5 years, 1946–50=100 through the following 22-year period, 1951–72 inclusive.

Comparing all other segments in ratio to the increase in wages and interest costs over the 22 years the following shortages resulted. Or, had other segments kept in balance with wages and interest increase costs their income should have been greater.

National income—$1,622.5 billion income shortage.

Private enterprise—$1,544.18 billion income shortage.

Small business and professions—$468.16 billion income shortage.

Corporation profits after taxes—$399.50 billion income shortage.

Net farm income—$580.80 billion income shortage.

Gross farm income—$998.10 billion income shortage.

Rental income of persons—$95.48 billion income shortage.

As a result of these operating losses, the Gross Public and Private Debt increased nearly $1,700 billion. The governments lost all of the tax revenue from these losses.

National income only increased 139.12 percent, not sufficient to cover the increase in wages and interest costs of 173.8 percent, so it is only natural to assume the loss had to be covered either by debt expansion, loss of profits, or both. As a result, government could not balance its budgets, liquidity crisis resulted.

ARNOLD E. PAULSON.

OPERATING LOSS STATEMENT OF THE NATIONAL ECONOMY

From the base period years 1946–1950=100 Through 1972

By: Arnold E. Paulson, Executive Director, National Organization for Raw Materials, Inc., 220–10th Avenue, Granite Falls, Minnesota 56241. Tel. 612–564–2555.

The following five year period 1946–1950 inclusive has been used to illustrate the Operating Losses of the National Economy up to the end of 1972. This analysis is based upon employing Wages, Salaries and Interest as the cost factor of operating the economy.

The following data illustrates the average income per year for the base period of 1946–1950. Had the economy of the United States remained in the same ratio of balance from 1951 thru the end of 1972, then all segments of the economy should have had the same percentage ratio increase of income . . . to be in balance with their increase in operating costs.

Example: During this 22 year period from the end of 1950, the National Income to be in balance with operating costs should have increased at the same ratio as the wages and interest. The very same should have applied to all of Private Enterprise which has the responsibility of meeting every dollar of wages, salaries, interest and taxes paid by everyone—including governments and all government employees.

Unless Private Enterprise earns its fair share of the national income, then shortages occur resulting in lost profits and savings vitally essential for Private Enterprise segments to invest capital to create new jobs, build and replace plants and factories for expansion. When these shortages occur, Private Enterprise is either forced to borrow and go into debt to meet increased wages, and for expansion, or curtail employment and expansion. As a result the Federal Government has a direct loss of Tax Revenue from this lost income which either has to be borne by the employees, or by government deficits.

(In billions)

Component:	*1946–50 Average*
National income—average for years 1946–1950=100	$212.74
Average Wage and Salary Payments, Compensation to Wages and Salaries, plus Net Interest Profits of persons	138.52
Wages and Salaries, and Compensation Payments Without Interest	136.70
Compensation, or Supplements to Wages and Salaries	6.40
Private enterprise income average 1946–1950	65.26

Private Enterprise Income represents the income of Corporation Profits after Taxes, Rental Income of Persons, Small Business, Professionals, Net Farm.

The following statistics represent the average income 1946–1950 (per year) =100 for the segments listed.

(In billions)

Gross Farm Income	$32.440
Net Farm Income	14.760
Small Business and Professions	22.240
Rental Income of Persons	7.900
Corporation Profits Before Taxes	29.300
Corporation Profits After Taxes	20.360

TO RESTORE THE ECONOMIC BALANCE OF AMERICA

(By Walter A. Bowers)

Economic balance of this nation can be restored by Congress and the President working together within five simple guidelines:

1. Farmers (producers of food and fiber products) must receive in money ten (10%) percent of the gross national product (GNP).

2. Minimum prices must be established each year based on the cost of living in the same way that wages for labor are tied to the cost of living.

3. The value of paper money should be stabilized by never issuing more than $10.00 in paper money for each $1.00 of gold in Fort Knox.

4. Federal debt should never exceed twenty (20%) percent of total assessed value of property in the United States.

5. The Federal budget should never exceed twenty (20%) percent of the national income (NI) of the United States.

Great civilizations of the past have disappeared from the pages of history and their temples and palaces reduced to sand dunes and rubble when rulers failed to allocate to farmers a proper proportion of the national income. The prophets Amos and Ezekiel warned that Israel would fall because of failure to share properly national income with farmers. The Roman Empire fell when slaves working for nothing on corporate farms forced the free and independent farmer and his family into the welfare and food stamp programs of the cities.

Tying minimum farm product prices to the fluctuations of the cost of living related to an honest parity base would immediately double gross income of American farms from $65 billion to $130 billion. NORM economic studies show new wealth produced by farmers multiplies seven times as it permeates through the national economy from producer to consumer. Seven times the $65 billion increase would add $450 billion to the nation's gross national product (GNP), and $400 billion would be added to the national income (NI). Since the Federal government is estimated to take twenty-five (25%) percent of the National income in taxes, doubling farm income would produce $100 billion more in Federal tax revenues. With this additional $100 billion Congress could wipe out the President's $45 billion 1972–1973 deficit then could pay off ten (10%) percent of the $450 billion Federal debt and still leave the President a surplus to finance additional revenue sharing and city welfare programs.

To stabilize the value of the dollar issuance of paper money should be limited to ten (10) times the $10 billion of gold in Fort Knox (valued at $40.00 per ounce). No further devaluation of the dollar should be permitted. No further shipments of gold out of the United States should be allowed. All United States gold should be brought home from the I.M.F., Export-Import Bank, World Bank or other foreign depositaries. No American farm products should be sold abroad below honest parity prices and payment therefore must be in gold at $35.00 per ounce. Congress should order cancellation of sales of products to Russia and China on credit and payment required in gold at $35.00 per ounce. Tariff surcharges should be imposed immediately on all imports equal in percentage to the decline in value of the dollar below $35.00 paper per ounce of gold. This rule should apply especially to countries with which the United States now has an unfavorable trade balance and particularly to Japan, Germany and those from whom the United States buys minerals.

Within the borders of the United States, Congress should immediately require the change of color of all paper money from green to blue within ninety days. Congress should forbid acceptance of any outstanding green paper money from any foreign country except in payment (at face value at rate of $35.00 per ounce of gold) of outstanding $18 billion World War I debts, $100 billion World War II loans and lend-lease balances and $200 billion Marshall plan reconstruction and Truman plan underdeveloped nation obligations. When the supply of green paper money is exhausted, the United States can thereafter accept gold at $35.00 per ounce in further settlement of debts.

From this date forward the rule in the United States should be "Buy American". Shipments overseas should be made in American owned ships. Travel abroad should be only in American planes to countries that will accept American money at $35.00 per ounce of gold. There should be no further "favored nation" import agreements on any food or fiber products. American workmen should buy American products—they will get better repairs and service on such products from American workmen. And in permitting import of any foreign made products only those countries that pay wage scales equal to American wage scales should be considered.

From the $100 billion annual increase in Federal revenues made possible by doubling gross farm income, the Federal debt should be reduced $45 billion or ten (10%) percent annually until Federal debt is reduced below twenty (20%) percent of total assessed valuation in America.

The Federal budget should never exceed twenty (20%) percent of national income (NI).

To summarize, five simple guidlines would keep the economy of the United States in proper balance:

1. 10% of the gross national product for farming.

2. Minimum prices for farm products tied to the cost of living.

3. Paper money limited to ten times gold.

4. Federal debt limited to 20% of assessed valuation.

5. Federal budget limited to 20% of national income.

These five simple guidelines would restore world respect for the United States and would restore the position among nations of the American dollar. These simple rules would demonstrate how a free people can insure equitable distribution of national income between city and farm people, can stabilize the value of money, can control the use of credit and can control functions and activities of government.

WIDESPREAD SUPPORT FOR VOTER REGISTRATION REFORM

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. RANGEL. Mr. Speaker, in my involvement in voter registration reform, I have been in contact with and have received support from individuals and organizations working in this field. University professors, State election officials, civil rights groups, labor unions, and concerned citizens have written me expressing support for my proposal to reform our system of voter registration. I would like to share these correspondences with my colleagues. They clearly point out the concern that exists for enactment of progressive laws for voter registration.

The correspondence follows:

Massachusetts Institute of
Technology, Department of
Political Science,
Hon. Charles B. Rangel,
House of Representatives, Congress of the United States, Washington, D.C.

Dear Congressman Rangel: Thank you very much for your letter of January 18. In general, I strongly approve of the objectives and methods of the "Voter Registration Rights Act of 1973", so far as these are briefly described in your letter. I would like to know a good deal more, and would welcome a copy of the introduced bill, along with any hearings which may be held on the subject during the 93rd Congress. In particular, perhaps, I like the notion of providing monetary incentives to secure compliance—since, as we all know, such incentives tend to get results without an excess of hard feelings.

You may have seen a copy of my *Washington University Law Quarterly article*, "A Political Scientists and Voting Rights Litigation: The Case of the 1966 Texas Registration Statute." In case you haven't, I am enclosing one of my few remaining offprints. The article, as it seems to me, deals with a number of of the most important issues which surround this entire area of public law. I hope it may be of use.

Contemplation of the personal-registration requirement and its measurable burdens on the poorer half of our population has led me to the conclusion that it should be abolished altogether as depriving identifiable classe of people of equal protection of the laws. A uniform enrollment procedure conducted by public authority (whether state or federal) should be substituted; this would bring the United States into line with practice which exists in one variant or another throughout the entire Western world.

Naturally, I recognize that this a "radical" approach to the problem ("radical" in the 1867, 40th-Congress sense of the term). Still, to argue for it may be to sharpen the issue enough so that some effective action can be taken by Congress, even if it falls short of some doctrinaire ideal.

Again, I am happy to endorse the purposes and methods of your proposed legislation, as stated in your letter. If I can help in any further way, please don't hesitate to let me know.

American Federation of Labor and
Congress of Industrial Organizations,
Washington, D.C., January 22, 1973.
Hon. Charles B. Rangel,
U. S. House of Representatives,
Washington, D.C.

Dear Congressman: This is in reply to your letter of January 15, 1973 concerning voter registration. I am glad to know of your plans to introduce the "Voter Registration Rights Act of 1973."

As I pointed out in testimony before the House Subcommittee on Census and Statistics on March 22, 1972 the AFL–CIO "is deeply interested in standardizing and modernizing voting laws and has been for many years." In the last session of Congress we testified in favor of and urged Congress to enact Senator Gale McGee's bill, S. 2574 to establish a national system of voter registration by mail for voting in federal elections, and to encourage the states to adopt similar systems for voting in state and local elections. Because of your interest in this legislation I am enclosing herewith a copy of our statements before the Senate Post Office and Civil Service Committee on registration and voting legislation on October 19, 1971 and before the House Subcommittee on Census and Statistics on March 22, 1972.

From these statements I think you will see that efforts to improve and modernize present voter registration machinery have the strong support of the AFL–CIO.

Northwestern University,
College of Arts and Sciences,
Evanston, Ill., February 23, 1973.
Hon. Charles B. Rangel,
House of Representatives.
Washington, D.C.

Dear Congressman Rangel: I strongly support your efforts to modernize this country's out-dated registration procedures. I believe that people are becoming increasingly aware of the problems involved in tolerating archaic practices that systematically discriminate against minorities, youth, the less educated, the mobile, those in the military service, Americans living abroad and the poor.

The present system is a national disgrace. Instead of facilitating voting, it effectively serves to bar people from exercising their right to the franchise. The members not participating in elections run to the tens of millions—approximately 63 million in 1972 alone.

Our registration laws are relics of another age—often simply experiments in certifying people to vote or, on occasions, in moralizing. When the pressures that brought about the legislation passed and the problem either disappeared or were amenable to other and more direct correctives, the laws instituting the practices were ont repealed. They simply formed an accumulated set of barriers to a decently progressive and effective registration system; an area in which the United States sadly lags behind other major democracies.

I believe that tens of millions of potential voters need a modern and more rational means for enrolling. I feel that our states and localities need some recognition of the tremendous burden placed on them and would welcome some help. Consequently, I warmly endorse your proposal for a national mail registration system, coordinated by the Bureau of the Census. Monetary incentives to the states would represent an appreciated assistance to them in executing their duties.

Once registered, people vote. The goal of an easily accessible franchise, open to all who care to exercise it, strikes me as the objective of a democracy. We do not now have such a political system. Your proposed bill would move us towards a truly open and representative ballot.

NATIONAL EDUCATION ASSOCIATION,
Washington, D.C., January 23, 1973.
Hon. CHARLES B. RANGEL,
Cannon House Office Building,
Washington, D.C.

DEAR CONGRESSMAN RANGEL: The National Education Association has been and will continue to be a strong supporter of a national registration system for federal elections. Therefore, we are pleased to learn that you plan to sponsor the "Voter Registration Rights Act of 1973."

I understand that Rosalyn Hester of our staff has been in touch with one of your staff members, Ken Garfield, regarding this legislation. Recently, at Mr. Garfield's request, Ms. Hester forwarded some of our materials to your office. However, I am enclosing a copy of the testimony we presented before the Subcommittee on Census and Statistics of the House Post Office and Civil Service Committee last May. The statement sets forth the rationale for NEA support. I hope you find the testimony helpful.

We look forward to working with you and your colleagues to bring about the enactment of a National System of Voter Registration.

With best wishes.

CITIZENS' RESEARCH FOUNDATION,
Princeton, N.J., February 7, 1973.
Hon. CHARLES B. RANGEL,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN RANGEL: Thank you for your letter of January 18th, regarding the Voter Registration Rights Act of 1973. The Citizens' Research Foundation is not an advocacy organization and does not take a position with reference to legislation.

However, I have always felt that governments, federal and/or state, should take the responsibility for the registration of voters. As you know, in all other mature democracies in the world, governments are responsible to keep the voters' rolls current. It is only in the U.S. that this responsibility devolves upon the citizen, the candidate, and the party. This, in turn, increases costs for candidates and parties and leads them to seek out assistance from special interests.

There is no question in my mind that the government should do more than just encourage registration and voting. It should take the responsibility of registering voters on a non-partisan basis.

With best wishes,

STATE OF ALASKA,
Juneau, Alaska, January 29, 1973.
Mr. CHARLES B. RANGEL,
House of Representatives,
Washington, D.C.

DEAR MR. RANGEL: I was delighted to learn of your efforts toward improving the electoral process. Enclosed is a phamphlet which was prepared by the American University Institute of Election Administration for the U.S. General Accounting Office.

It is my feeling and the feeling of others about the responsibility of conducting elections that a nationwide effort is needed to upgrade the entire election process. Toward this end, the first national meeting in New Orleans is being held on February 1 and 2 to discuss in detail the problems encountered in the last national election. Attending this meeting will be lieutenant governors and/or secretaries of state representing each one of our 50 states. I am hopeful that many worthwhile suggestions and proposals will be forthcoming as a result of this conference.

In Alaska, we are developing a pilot program that will see us attempt to effect what we call an "on-line voter registration system" utilizing computer capabilities already in existence. We feel that this program would have national application and would be very interested in discussing the matter with you, soon.

Your stated approach of "the strengthening of local systems" is an excellent one.

LEADERSHIP CONFERENCE
ON CIVIL RIGHTS,
Washington, D.C., February 1, 1973.
Hon. CHARLES B. RANGEL,
House of Representatives, House Office Building, Washington, D.C.

DEAR CONGRESSMAN RANGEL: The Leadership Conference does support, in principle, the kind of expedited voter registration you seek to put into law. In the last Congress the Conference worked for passage of Senator Gale McGee's Voter Registration Bill. From your description, your measure sounds similar to his, so I'm sure we would be interested in examining it. Please send us a copy and I will be glad to refer it to our Legislative Committee.

ASHEVILLE, N.C.,
February 18, 1973.

DEAR MR. RANGEL: I was happy to read your letter in the N.Y. Times of 2/9 relative to legislation to opening up registration for voting. I urged registration by mail to my N.C. State legislators but got no takers.

When I read of % of voters in other western democracies I wonder about the U.S.

Good luck to you in your efforts. We are transplanted N.Y. Cityites.

CONCERN OVER EVENTS IN THE KINGDOM OF SIKKIM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. LONG of Maryland. Mr. Speaker, I want to express my deep concern over recent events in the Kingdom of Sikkim, one of India's small neighbors. I have several newspaper accounts which I shall include at the end of my statement and which show that the Government of India has exploited its dominance over Sikkim in order to destroy the independence of that tiny nation and disrupt its legal government.

India has a strategic interest in Sikkim, which borders on Communist-controlled Tibet and which is located on one of the major Himalayan passes from China to India. India had an impressive presence in Sikkim even before the recent disturbances there. Two Indian divisions are garrisoned in Sikkim. In addition, India controls Sikkim's communications and foreign relations. Most internal affairs had been left to the Sikkimese Government. An election in January of this year endorsed the administration of the Chogyal or king. Opposition leaders, charging election-rigging and government mismanagement, staged demonstrations rather than protesting the election results through the legal means available to them. Observers familiar with the Sikimese electoral system largely discount the likelihood of election-rigging. They point out that Indian magistrates would be called on to referee any disputed election results.

The Indian press and official representative of the Indian Government have reported that thousands of demonstrators led by the opposition parties have converged on the capitol and that violence and a breakdown of control by the Government of Sikkim have occurred.

However, according to representatives of the Government of Sikkim, there has been very little violence. The Chogyal and his son, in a telephone conversation to London, discussed their administration's efforts to avoid incidents which could cause communal strife. They also revealed that there had been considerable pressure by Indian representatives to turn over control of the Government to India. Since that time, telephone service to Sikkim has reportedly been discontinued, and India has taken over control of the administration of the country. Foreign newsmen have been barred from the kingdom.

India's actions during this 5-week period have been extremely suspicious. It has been generally recognized that the bulk of the people participating in the demonstration are of Nepali origin. Yet there apparently were no effective steps taken by either the Indian Army in Sikkim or by authorities in India to prevent a flood of Nepali demonstrators from India's northern provinces from crossing into Sikkim.

Similarly, the Indian Government and press have been sympathetic to the opposition and critical of the legal administration and the royal family. Repeating opposition charges, they have frequently referred to the royal palace as gold topped—it has a red tin roof—and to the Gangtok football stadium where demonstrators camped as a royal polo ground. The Indians estimated that there were 20,000 demonstrators, though Sikkimese observers place the number at about 4,000. The discrepancy may well stem from Indian efforts to justify their takeover.

In sum, action of the Indian Government seems to have been aimed primarily at consolidating its control over its neighbor rather than promoting reform or reducing civil strife. The entire episode is merely a thinly disguised takeover of a smaller country by a large and increasingly aggressive neighbor. We have helped India for years through our foreign aid program. We have seen an increasing amount of war and aggression on that subcontinent. It should be obvious that India has learned to help itself.

The newspaper articles follow:

[From the New York Times, Apr. 9, 1973]

New Delhi Takes Over Control of Sikkim on Request of Ruler

Gangtok, Sikkim, April 8.—The Indian Government today took over the administration of the troubled Himalayan monarchy of Sikkim, which has been shaken by agitation for political reform during the last week.

An announcement from India House, the office of the resident political officer in this Indian protectorate, said that the move had been made at the request of Sikkim's ruler, Chogyal Palden Thondup Namgyal, who reportedly has been confined to his palace throughout the protests along with his American-born wife, the former Hope Cooke of New York.

The take-over came as thousands of anti-Government demonstrators were camped on the polo ground of this capital, which is 5,500 feet up in the Himalayas. K. S. Bajpai, the resident political officer, is to direct the administration under the Chogyal, who will continue to be head of state. A special officer will arrive later from New Dehli to replace Mr. Bajpai.

EFFORT TO AVERT COLLAPSE

Mr. Bajpai told newsmen it had been hoped that a breakdown of the administration could be averted. "We regret that it did not prove possible," he said.

He said that the 50-year-old Chogyal had asked India to take over responsibility for law and order in his kingdom, which borders Chinese-ruled Tibet.

Apart from the demonstrators, life appeared normal and tranquil. The Indian army was not much in evidence, although reports said it had been welcomed with cheers all over the kingdom.

A reporter who drove the 40 miles from the West Bengal town of Kalimpong saw few signs of unrest.

But all indications were that the administration had collapsed. Border checkpoints were manned by supporters of the Joint Action Committee, which consists of two opposition groups that have been leading the popular movement for reform and against the rule of the Chogyal. No officials were seen on the route to Gangtok.

Opposition Bars Negotiation

New Delhi, April 8.—The leader of the campaign for political reforms in Sikkim said today that the time had passed for negotiations with representatives of the ruler, the Press Trust of Indian reported.

Kazi Lendup Dorji, president of the Joint Action Committee, told newsmen in Gangtok that his supporters were "virtually calling for the abdication of the Chogyal," according to the news agency.

He spoke before India announced that she had taken over administration of Sikkim.

Mr. Bajpa who was placed in charge of the administration, told newsmen that all political factions in Sikkim had appealed to India to take over. He said India would help to solve political problems "in consonance with the spirit of the age."

KEY ISSUE IS ORDER

The most important issue, he said, is the restoration of law and order. Such questions as the safeguarding of minority rights can be tackled later, he said.

A major factor in the crisis was the discontent of the majority Nepali community over the State Council. In the council they have only equal representation with the Lepchi and Bhutia communities, which form only about a quarter of the population of 200,000.

The take-over by India came as thousands of Nepalis gathered in the tiny capital to press their demands. The Joint Action Committee was said to be in control of large parts of the kingdom and many Sikkimese officials were reported defeating to join it.

The Indian Government has barred all non-Indian reporters from Sikkim.

A spokesman for the royal palace in Gangtok, reached by telephone from New York early yesterday, declared that there had been "no such thing" as widespread fighting. But he conceded that Indian troops, stationed in Sikkim for years to secure the border with China, had been asked to help quell the demonstrations.

J. Densapa, secretary to the Sikkimese ruler, told The New York Times that Indian units had occupied police stations that demonstrators had threatened to take over. But he reported that Sikkimese police rather than Indian soldiers continued to guard the royal couple who, he added, had been able to go outside the palace.

Mr. Densapa asserted that there had been "some trouble" but "no violence" in his country. At the same time, he charged that the rebellious opposition elements had forced "innocent village folk" to join them by burning their houses and otherwise intimidating them.

He said that only one death "in the camp of the demonstrators" had been reported since the agitation started and that about 200 people had been arrested for "unlawful assembly." All but about 10 were subsequently released, Mr. Densapa added.

Among those still being held, the palace spokesman named Kashiraj Pradhan, leader of the State Congress party, He said that the opposition leader had been arrested after the January council election because he had been making "inflammatory speeches amounting to subversion leading up to this sort of trouble."

Mr. Densapa described the opposition as Sikkimese subjects of Nepalese origin and characterized their leaders as "undesirable elements." He dismissed the possibility that the unrest might have been instigated either by China, or by India, which he called "our protecting power."

[From the Washington Post, Apr. 10, 1973]

Sikkim King Hints of Indian Pressure

(By Bernard D. Nossiter)

London, April 9.—A telephone interview with the royal family in Gangtok, taped here Saturday, suggests that India has exploited Sikkim's troubles to take over the Himalayan kingdom.

Neither the king, or Choygal, Palden Thondup Namgyal, 50, nor the crown prince, Tenzing Namgyal, 20, would say flatly that India had inspired their difficulties. With the Indian army at their doorstep, both chose their words carefully.

"Everything is going reasonably well," Prince Tenzing said. It is just that, you know, the element outside us has been causing some problems, and that we have several times been approached by the political officer to hand over all power to the government of. . . ."

On this last word, the telephone line which had been remarkably clear, suddenly went dead for an instant, obliterating the identity of the "government." In the context, there seemed little doubt that Prince Tenzing was referring to Delhi's political officer and the government of India.

In the course of the half-hour discussion, the king reluctantly acknowledged that he had asked the Indian army to intervene. But almost in the next breath, he talked of "outside elements" causing violence and cited protests in Darjeeling. Darjeeling is in the Indian state of West Bengal.

KING'S PREDICTION

Both royal figures said on Saturday afternoon, London time, that they were in control, if not in full control. The king, who is married to an American, Hope Cooke, predicted that he would have full control in 24 or 48 hours.

But the next day, Sunday, India took over administration of the tiny kingdom, saying it had done so "in the interests of law and order, at the request of the Choygal."

India's interest in Sikkim is not new. Delhi took advantage of a 1949 rising to send in troops and establish a protectorate over the kingdom. Since then, India has run Sikkim's defense, foreign affairs and communications.

Sikkim lies across an historic invasion route between China and India. Troops from both armies have fired at each other across Himalayan passes nearly 20,000 feet up.

The king's removal last May of India's chief administrator and Chinese hints that Peking wants less hostile relations with India may have encouraged New Delhi to seize firmer control of the little land.

FOREIGN CORRESPONDENTS

Impartial accounts of the events in Sikkim are impossible to come by. India has refused to permit any foreign correspondents to enter the kingdom since the disturbances began last week.

The interview with the king and his heir was initiated from a London apartment by a fellow student of the prince at Cambridge. The student and two friends spoke with Gangtok over an open line. The three interviewers asked that their names not be used because they fear reprisals by the Indian government.

The king and Prince Tenzing spoke in perfect English and they were told that their remarks were being recorded. Another attempt was made to reach them on Sunday, but the Indian-controlled communications to the palace were cut off.

Prince Tenzing began by outlining the background of the disturbances. A mob of about 4,000, armed with clubs, he said, had stormed Gangtok to demand "certain rights." According to the prince, many of them had been forced to demonstrate by a "hard core" who had threatened them with knives.

The prince twice disputed in detail a story related by the government-controlled All India Radio that he personally had shot some demonstrators. As he told it, a crowd of about 1,000 had surrounded his car at Ranipur, outside Gangtok, threatening "an ugly situation."

MEN SHOT

"I drove through the barrier that they put up against me. I broke the barrier through, and my security man shot one man in the side and one in the leg because they were attempting to stop me."

Since the demonstrators are Nepalese Hindus and the royal family are Tibetan Buddhists, the All India Radio story said communal antagonisms were at the bottom of the unrest. The prince's account was apparently an effort to allay these passions.

Prince Tenzing acknowledged that the demonstrators were led by two political parties representing the Nepalese who were counted out in Sikkim's general election in January. He did not specify the "rights" they sought. But it is known that the Nepalese, a majority, believe they have been underrepresented and victimized by false electoral counts in Sikkim.

Next, the king came on the line.

"We have had to hand over a certain amount of law and order problems to the Indian army or rather the government of India," he said.

"Did you call in the Indian army?" he was asked.

"Well, they are here," was the reply.

"Yes, but did you ask them to intervene in the internal affairs?"

"Yes . . . in four points in Sikkim."

OUTSIDE ELEMENTS

The king continued:

"The present situation is rather good . . . I won't say I have complete control now but I will have complete control in 24 or 48 hours time . . . I can face my people anywhere. As far as my family is concerned, we can go anywhere, and although there may be some outside elements that maybe resort to violence, but no Sikkimese though . . . There are outside elements, otherwise why should the people in Darjeeling and elsewhere be protesting?"

The prince then took back the telephone. He spoke of "the outside element" and made his abortive mention of the obliterated government's demand for full power.

"We are in control," he said. "You see the whole reason why there has been no bloodshed, why the crowd has been allowed to come to Gangtok, has been that my father does not want any violence whatsoever."

"But in fact, we have all the guns and ammunition. We could have wiped out the whole crowd. So in order not to make . . . because the crowd contains . . . nearly 99.9 per cent Nepalese, if we fire on them, then it's going to become communal."

The shots by his security man, he said, were the first in the history of Sikkim. But, he insisted, the two victims "are not going to die. No one has been killed at all."

The crowd in Gangtok, he said, has been dispersed with tear gas, "without violence."

"Everything is going reasonably well," said the prince.

Indian Names Official To Administer Sikkim

New Delhi, April 9.—The Indian government named a senior civil servant, B. S. Das, to take charge of the government of the little Himalayan protectorate of Sikkim.

Das was formerly India's representative in Bhutan, another Himalayan kingdom, and is now commissioner for the Delhi Municipal Corporation.

S. P. Singh, India's minister of state for foreign affairs, told Parliament that India took over the administration of Sikkim yesterday because of "the complete breakdown of law and order" there.

He said that "excesses of the police" had caused many casualties, including deaths, among demonstrators protesting the kingdom's political system which discriminates against the Nepalese majority.

"There were charges of malpractices, corruption and rigging of elections on the part of the Sikkim durbar (royal court)," Singh said.

After talks with Indian officials in Sikkim, Kazi Lendup Dorji, a leader of the rebels, announced that the "current phase" of protest had been suspended.

[From the New York Times, Apr. 12, 1973]

Princess of Sikkim Accuses Indian Agents in Disorders

Hong Kong, April 11.—Princess Pema Tsedeurn Yapshi-Pheunkhang, sister of the Chogyal, or King, of the Himalayan Kingdom of Sikkim, charged here today that Indian intelligence agents were interfering in the internal affairs of her country.

Earlier this week, the Indian Government named a senior civil servant to take charge of the administration of Sikkim in response to a request by the Chogyal, Palden Thondup Namgyal, as disorders swept the country. India was already responsible for Sikkim's defense and foreign policy.

The Indian move followed nearly two weeks of agitation for political change in Sikkim. Demonstrators had converged on the palace of the Chogyal, whose wife is an American, the former Hope Cooke.

Speaking at a news conference, the Princess said she sincerely believed that Prime Minister Indira Gandhi and her Government did not know what Indian agents were doing. She added that she would strongly recommend that the governments of India and Sikkim jointly investigate the situation.

"The powers of Indian intelligence should be curbed," she said.

The Princess said that Indian intelligence agents had heavily financed the two opposition parties, the National Congress and the State Congress which has been in the vanguard of demonstration against the administration and the Chogyal. The committee has put forward demands for political reform.

The Princess said the National Congress had expected to "sweep the field" in recent elections, she said, but the Sikkim National party had won a majority of seats.

The opposition accused the Chogyal of rigging the elections, she said, but the vote counting was supervised by senior civil servants and magistrates.

Princess Pema said the Chogyal was anxious that all communities should be represented in the government and had asked the national party to join with the National Congress and State Congress party in forming a new cabinet.

However, the opposition parties refused and resorted to "terrorism and lawlessness" to attain their objectives, she stated.

The Princess said that the people agitating were "supporters of the parties that lost the election."

Princess Pema took issue with reports accusing the police of attacking demonstrators or committing excesses. She said the opposition parties "resorted to terrorist action and the police tried to maintain law and order."

"It would be better if all the parties concerned get together and discuss the question of any changes," she said. "But you cannot just give into one section. Change must come about by agreement. And we must not forget that elections were held in a democratic way."

The Princess said Indians from Darjeeling had gone into Sikkim to take part in the demonstrations and described them as "imported agitators." She added that India was "making trouble for itself" by permitting this.

"The present situation is not in the interest of India or Sikkim," Princess Pema said. "It is in India's interest to have a stable government in Sikkim."

WARSAW GHETTO UPRISING

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. ANDERSON of California. Mr. Speaker, after 30 years, it becomes easy to forget the heroism of Polish Jews in the Warsaw ghetto against Nazi tyranny and execution.

But the lives that were lost and the heroism that was exhibited on April 19, 1943, cannot be forgotten.

On that date, the Jewish Combat Organization—ZOB—commanded by Mordecai Anzelewica, began armed resistance against the Nazi troops in the ghetto of Warsaw, Poland.

Outnumbered and outarmed, the ZOB forces fought gallantly. The last ZOB outpost was attacked on May 8, 1943, by the Nazis. With defeat imminent, the leaders of the uprising committed suicide.

During the fighting, over 800 acres of the ghetto were destroyed and 56,000 Jews were captured or killed. Others were burned in the ghetto's flaming ruins.

Today, as we solemnly observe the Warsaw Ghetto Uprising's 30th anniversary, I would recall the sacrifices made by 6 million European Jews and an equal number of Europeans of other denominations who died as a result of the Nazi terror in World War II.

Vladka Meed, who struggled and fought through the Warsaw Ghetto Uprising, described the nightmare in last Sunday's Washington Post this way:

Warsaw Ghetto Uprising

We know already about the destruction. We know it very well, but we know so little about the life behind it. And sometimes, I am resenting that we only show destruction, destruction, holocaust. I mean how the Germans operated and how the Jews were killed in the streets. It's horrible. But I would like to reveal the life beyond this, how they lived. There were really very high moments in life. We had starvation, it's true. But at the same time we had a net of illegal schools, 85 illegal schools, in the Warsaw ghetto.

In the beginning our philosophy was to survive as human beings. We didn't know when the ghetto was created that this was really destruction, absolute annihilation. We didn't believe it. So the way was to survive as human beings. This was the ghetto philosophy and this was resistance, for living. Later on, the resistance was for a dignified death. But resistance was true all the time.

GREAT RIVER ROAD

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 1973

Mr. BLATNIK. Mr. Speaker, in addition to the brief remarks I made on the floor of the House yesterday during general debate on the Federal-Aid Highway Act of 1973, I want to submit a more detailed statement on the history, background, and current status of the Great River Road.

Section 131 of the bill authorizes 3 years funding for the Great River Road, a scenic, recreational, and historic roadway along the Mississippi River from its headwaters in Lake Itasca, Minn., to the Gulf of Mexico.

MINIMAL CONSTRUCTION NEEDED

Most of the Great River Road is already built; only an estimated 700 miles of new construction remain to be done, according to information provided by the Department of Transportation. The balance will require upgrading to meet scenic road standards of environmental protection and enhancement.

Most of this new mileage will be built, Great River Road or no; and most of the rest of the route will, in time, be upgraded to meet increased traffic needs.

The question is whether this highway development will be accompanied by strip zoning and environmental degradation, or whether this Congress will give the States incentive and encouragement to build it in an orderly, planned, responsible manner with concern for the historic and scenic values along its route.

Earlier this year, I asked the 10 Mississippi River States to give me an up-to-date status report on their portions of the Great River Road. The responses I received indicate that 1,000 miles have been completed; another 1,000 exist but need upgrading; and 192 miles are scheduled for construction or upgrading within the next 5 years.

The States were most enthusiastic in their support of the road, and a number informed me that they have put it at the top of their scenic-road priority list.

Most of the States have completed all their planning, and are ready to proceed with construction once the funds provided in this bill are made available.

All States will comply with Federal requirements for environmental impact statements and the public hearing process; they have developed, or are developing, their own State-level procedures as well.

SCENIC AND ENVIRONMENTAL STANDARDS

Upgrading of existing roads to scenic highway standards entails acquisition of wide strips of land on both sides of the road, to protect the quality of the landscape. Strips of wildwood, bluff faces, swamps, and islands would be acquired outright, and protected from the unsightly hotdog stands, gas stations, and straggling shopping centers which inevitably accompany uncontrolled development.

Woodlands would be preserved or restored; original vegetation would be replanted, and animal habitat protected from the bulldozer and powersaw.

Farmers would continue tilling the land within the scenic easements and enjoy all rights of property except the right to put up billboards or other scenic defacements, or commercial or residential buildings.

The Great River Road will thus be a two-lane or four-lane country road, crisscrossing the river many times, and traversing permanently protected woodlands, scenic river valley, peaceful farmland, and some of the most historic areas of the Nation.

It will enable city dweller and rural American alike to enjoy and learn from 65 major scenic and historic areas, including two national forests, Superior and Chippewa; two national parks, Mamouth Cave and Voyaguers; one national monument, Effigy Mounds; several national wildlife refuges; numerous national memorials; historic landmarks; historic and military parks; as well as State parks and forests.

RECREATIONAL HIGHWAY NEEDED

Increased income, more leisure time, and a growing interest in the natural and historic values of our Nation have put more and more Americans on the road, accelerating the demand for recreational, scenic, and historical routes.

The Department of Transportation's 1972 highway needs study points out, for example, that in 1969 an estimated 11.6 billion automobile trips were made for recreation, generating a total of 150 billion vehicle miles, or 18 percent of total vehicle miles traveled.

Figures compiled by the Recreational Vehicle Institute show that sales of motor homes, travel trailers, campers, and other recreational vehicles grew from 483,000 in 1968 to 729,000 in 1972; with projections of well over 800,000 sales in 1973 and 1 million by 1980. Over 5 million American families now own one or more such vehicles; 8 million will be in use by 1978.

In short, the surge toward the open road, which has already caused tremendous problems of overuse in our national parks and forests, will increase with each coming year.

The Great River Road offers a solution to this overcrowding.

Specifically created to the needs of motoring America, it rivals the far western areas in historic sites, scenic beauty, and cultural interest. It is more accessible than the West to both east coast and midwestern travelers, and will absorb many who would otherwise continue westward, thus relieving pressure on Yosemite, Yellowstone, and other western areas.

If, in the future, vehicles are restricted in our more crowded parks, the Great River Road will be ready for those who choose, or those who must travel by car or trailer.

BACKGROUND—1938 BEGINNING

Mr. Speaker, the Great River Road is far from a new concept.

It was initiated in 1938 by then Interior Secretary Harold Ickes as a mid-continent parkway from Minnesota to the Gulf of Mexico.

Ickes appointed to the Mississippi River Parkway Commission the Governors of the 10 parkway States, to study the feasibility of this proposal.

Work was interrupted by World War II, but the Commission was reactivated in 1947 and in 1949 received a $250,000 appropriation from Congress for the parkway feasibility study by the National Park Service and the Bureau of Public Roads.

The study was published in 1951 at a cost of $150,000; the remaining $100,000 was returned to the Treasury. That study recommended a parkway—since changed to a scenic highway—along the Mississippi River, crossing back and forth over mostly existing or planned highways to avoid duplication and excessive cost. The study also recommended detailed phase I planning reports.

In 1954 the Congress authorized $250,000 in BPR funds for the road, which have been spent over the years.

By 1960 the phase I reports had been completed for each of the 10 States, recommending the general route, scenic easements, control of access, control of development of recreational areas along the route, and land acquisition for right-of-way.

In 1960, also phase II reports were begun, describing features of the route, delineating scenic corridors, preparing strip maps.

An additional $250,000 were authorized in the Federal-Aid Highway Act of 1964, for continued detailed planning apportioned to the States on the basis of need.

To date $404,000 of the total $500,000 planning money has been apportioned; $326,000 has been spent. Most of the phase II reports have been completed.

GREAT RIVER ROAD NOW EXISTS

But the Great River Road is far more than a paper highway at this point. Markers have been placed along the length of the route; major historical, archeological, and natural areas have been located, and wayside stops, small parks, and scenic outlooks selected.

The vast preponderance of the road is already in existence; it needs upgrading to meet advanced scenic and environmental standards not in existence when those segments were built.

Mr. Speaker, we need an up-to-date cost estimate of completing the Great River Road. The last estimate, done in 1951, put the cost at $560 million. However that estimate is in 1951 dollars; a current estimate should be made on projected costs of new construction and upgrading of existing highways.

JUSTIFIED BY EVERY STANDPOINT

Mr. Speaker, I believe the Great River Road is fully justified on environmental, cultural, and economic grounds.

It will insure that the remaining undeveloped areas along the Mississippi will be preserved.

It will bring closer to all Americans, in all parts of the country, the history and culture of the Midwest, stretching 300 years back to the colorful history of the French in North America, from the Voyageurs of the fur trade to the hardy discoverers of the "Father of Waters" and the New Orleans Cajun legacy of Arcadian courage; as well as the native American Effigy Mounds, which affords a unique glimpse of the high civilization which has all but been obliterated elsewhere.

Americans want to see, enjoy, and learn from all those sites.

The beauty and history of America belong to all her people, whether they elect to approach by car or by backpack.

The Great River Road will bring closer to all Americans the priceless heritage and tradition which lie along the banks of the Mississippi River.

SENATE—*Monday, April 30, 1973*

The Senate met at 12 o'clock noon and was called to order by the President pro tempore (Mr. EASTLAND).

PRAYER

The Reverend Jesse E. Thomas, Round Hill Community Church, Greenwich, Conn., offered the following prayer:

God of our fathers, we pray for this Nation our fathers founded. We thank Thee for the toil and tears of others and for qualities of character that have been woven into the fabric of this Nation. We pray with earnest hearts for the cause of justice and peace abroad, and for order and tranquillity at home. Give us all a due sense of integrity, and save us from violence, discord, and confusion. Endue with wisdom and compassion our leaders, and may the people be so endowed that they can discern between good and evil. So bind us together as a people that we may be one Nation.

O God, our Father, who canst not make a good world out of evil men and women, cleanse our hearts, forgive our sins, and amend our ways. Here in this place, may Thy transforming grace change our lives. May we be a more fit body of Thy people to strive for righteousness.

In Thy holy name, we pray. Amen.

EXECUTIVE MESSAGES RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of April 18, 1973, the Secretary of the Senate received the following messages in writing from the President of the United States:

On April 19, 1973: Sundry nominations.

On April 24, 1973: Sundry nominations.

On April 27, 1973: Sundry nominations.

(The nominations are printed at the end of Senate proceedings.)

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of April 18, 1973, the Secretary of the Senate received the following messages from the House of Representatives:

On April 18, 1973:

That the House had agreed to the amendment of the Senate to the amendment of the House to the bill (S. 50) to strengthen and improve the Older Americans Act of 1965, and for other purposes.

That the House had passed a bill (H.R. 6691) making appropriations for the legislative branch for the fiscal year ending June 30, 1974, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

That the Speaker had affixed his signature to the following enrolled bill and joint resolution:

H.R. 6883. An act to amend the Agricultural Adjustment Act of 1938 with respect to rice; and

H.J. Res. 496. Joint resolution making supplemental appropriations for the fiscal year ending June 30, 1973, for the Civil Aeronautics Board and the Veterans' Administration, and for other purposes.

The above bill and joint resolution were subsequently, on April 19, 1973, signed by the Acting President pro tempore (Mr. METCALF).

On April 19, 1973:

That the House had agreed to the following concurrent resolutions:

S. Con. Res. 2. Concurrent resolution authorizing the printing of additional copies of Senate hearings entitled "Runaway Youth";

S. Con. Res. 3. Concurrent resolution authorizing the printing of additional copies of Senate hearings entitled "Saturday Night Special Handguns, S. 2507";

S. Con. Res. 4. Concurrent resolution authorizing the printing of additional copies of Senate hearings entitled "Juvenile Confinement Institutions and Correctional Systems";

S. Con. Res. 13. Concurrent resolution authorizing the printing of additional copies of Senate hearings on the sudden infant death syndrome.

ENROLLED BILL SIGNED

That the Speaker had affixed his signature to the enrolled bill (S. 50) to strengthen and improve the Older Americans Act of 1965, and for other purposes.

The enrolled bill was subsequently, on April 23, 1973, signed by the Acting President pro tempore (Mr. METCALF).

On April 23, 1973:

That the House had passed the bill (S. 502) to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, with an amendment, in which it requested the concurrence of the Senate; that the House insisted upon its amendment to the bill, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WRIGHT, Mr. BLATNIK, Mr. KLUCZYNSKI, Mr. JOHNSON of California, Mr. JAMES V. STANTON, Mr. HARSHA, Mr. CLEVELAND, Mr. DON H. CLAUSEN, and Mr. SNYDER were appointed managers on the part of the House at the conference.

That the House had disagreed to the amendment of the Senate to the joint resolution (H.J. Res. 393) to amend the Education Amendments of 1972 to extend the authorization of the National Commission on the Financing of Postsecondary Education and the period within which it must make its final report; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PERKINS, Mr. O'HARA, and Mr. QUIE were appointed managers on the part of the House at the conference.

That the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 109. Concurrent resolution providing for the printing of remarks of tribute to the late President of the United States, Lyndon Baines Johnson;

H. Con. Res. 126. Concurrent resolution to provide for the printing of 1,000 additional hearings entitled "Year-Round Schools"; and

H. Con. Res. 156. Concurrent resolution to provide for the printing of 1,000 additional hearings entitled "Corrections, Federal and State Parole Systems", parts VII-A, and VII-B, serial 15, 92d Congress.

REPORTS OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of April 18, 1973, the following reports of a committee were submitted on April 27, 1973:

By Mr. KENNEDY, from the Committee on Labor and Public Welfare, with an amendment:

S. 14. A bill to amend the Public Health Service Act to provide assistance and encouragement for the establishment and expansion of health maintenance organizations, health care resources, and the establishment of a Quality Health Care Commission, and for other purposes (Rept. No. 93-129); and

S. 607. A bill to amend the Lead Based Paint Poisoning Prevention Act, and for other purposes (Rept. No. 93-130).

By Mr. KENNEDY, from the Committee on Labor and Public Welfare, with amendments:

S. 723. A bill to establish a National Institute of Health Care Delivery, and for other purposes (Rept. No. 93-131).

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, April 18, 1973, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF THE CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING THE SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

AUTHORIZATION OF FURTHER APPROPRIATIONS FOR THE OFFICE OF ENVIRONMENTAL QUALITY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 118, S. 1379.

The President pro tempore. The bill will be stated by title.

The assistant legislative clerk read as follows:

S. 1379, to authorize further appropriations for the Office of Environmental Quality, and for other purposes.

The **PRESIDENT** pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Public Works with amendments, on page 1, line 3, after the word "Environmental", strike out "&"; in line 8, after the word "Quality", strike out "such sums as the President may request" and insert "$1,500,000"; in line 9, after the word "for", insert "the"; in the same line, after the word "year", insert "ending June 30,"; and, in line 10, after the word "and", strike out "for each fiscal year thereafter." and insert "$2,000,000 for the fiscal year ending June 30, 1975."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 205 of the Environmental Quality Improvement Act of 1970 (42 U.S.C. 4374) is amended to read as follows:

"Sec. 205. There are hereby authorized to be appropriated for the operations of the Office of Environmental Quality and the Council on Environmental Quality $1,500,000 for the fiscal year ending June 30, 1974, and $2,000,000 for the fiscal year ending June 30, 1975. This authorization is in addition to those contained in Public Law 91–190."

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc.

The amendments were considered and agreed to en bloc.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

THE CASE FOR REDUCING U.S. FORCES IN EUROPE

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record a commentary written by Mr. James Goldsborough, published in the International edition of the Herald-Tribune under date of April 12, 1973, entitled "The Case for Reducing U.S. Forces in Europe."

The being no objection, the article was ordered to be printed in the Record, as follows:

The Case for Reducing U.S. Forces in Europe

(By James Goldsborough)

Paris—The time has come to consider a unilateral reduction of U.S. forces in Europe on its political and military merits, not just on how much money it would save. The Nixon administration has bought time against any such move while the MBFR talks continue with the Soviet Union, but the indications are so far that very little can be achieved in Vienna.

Senate backers of the Mansfield proposals for cutting U.S. force levels in Europe from 300,000 to 150,000 and eventually reducing them even more have emphasized the savings that would result—estimated at anywhere from $3.5 billion a year up. Given the U.S. balance-of-payments deficits and two recent dollar devaluations, this is not an argument without merit.

But because of this emphasis on savings, too little attention is paid to the political and military consequences of a unilateral U.S. force reduction.

SHOCK TREATMENT

There is a growing body of people in Europe who believe that, politically, a U.S. reduction would have a therapeutic effect on the nations of Western Europe. These people believe that it will now take no less than shock treatment to put an end to the European's bickering and quarrels, and clear the path for greater political and military cooperation among them.

The Soviet Union understands the implications of a unilateral U.S. reduction, and that is one of the principal reasons Moscow agreed to enter into the mutual and balanced force reductions talks in Vienna and so helped defeat the Mansfield bill when it first came to a vote two years ago. The Russians understand that unilateral U.S. reductions would lead to new pressures and policies in Western Europe, and that is something they prefer to forestall.

The Soviet Union also hoped the MBFR talks would lead to national force reductions, especially among the national forces in the German-Polish-Czechoslovakian area. This would be an initial step toward the neutralization, or Finlandization, of West Germany, something the West could hardly accept.

But for the moment at least, things are not going well in Vienna. The Russians have complicated the situation by insisting that Hungary be left out of the conference. What's more, to believe the intelligence reports, the Soviet Union is now moving new forces into Central Europe to use as bargaining chips in any eventual reductions, which, if true, would make a mockery of the entire negotiation.

David Packard, former U.S. under secretary of defense, told the recent Europe-America conference in Amsterdam that at best only "token reductions" could be expected at Vienna.

TRADE DEFICIT AREA

U.S. policy has been to do everything short of considering the merits of a unilateral reduction. This has gone so far as to involve a complicated linking of defense and commercial issues, so that the general feeling among Europeans is, as Belgian Jean Rey put it recently, "that you expect us to run a constant trade deficit to help you pay for your overseas investments"—including foreign military commitments.

Raymond Aron, one of the few Frenchmen at the Amsterdam conference, said that while he found it "fair that Europeans, if they desire the presence of U.S. troops, pay the cost in cash," that he also found it "deplorable, for the continuity of our friendship, to mix, or give the impression of mixing, protection and trade, troops and tariffs."

Yet the U.S. administration is bent on winning trade advantages to offset these costs. And there even is a growing suspicion that the administration prefers a trade surplus, as a means of offsetting the costs, to outright payment from the Europeans, for the latter decidedly gives the U.S. soldiers the taint of mercenaries.

Mr. Aron made another telling point: That the continued U.S. defense of Europe "psychologically weakens and discourages the Europeans from taking charge of their own defense." It was clear that he thought a unilateral U.S. reduction would prod the Europeans, push them toward what Sir Edward Tomkins, the British Ambassador to Paris, called this month a common European "decision-making body, common diplomacy and foreign policy, and finally, a common Euopean defense."

According to some military experts, the principal immediate military effect of a unilateral U.S. reduction in forces would be to lower the nuclear threshold, that is, to increase the chances that a conflict would be a nuclear one. Since the Warsaw Pact forces already are stronger in manpower than NATO forces in Central and Northern Europe by the ratio of about five to three, and are markedly superior in tanks and aircraft, a sharp reduction in U.S. men and equipment would reduce the credibility that NATO could repulse an attack from the East with conventional forces.

Consequently, the chances that NATO would respond with tactical nuclear weapons to an attack would be increased, with the danger that the use of tactical nuclear weapons would quickly escalate into strategic nuclear warfare.

But this lowering of the nuclear threshold is a questionable argument, since it already is NATO strategy to use tactical nuclear weapons from the outset of a conflict if necessary, and that it is known that the Warsaw Pact nations, in all their recent maneuvers, were also simulating their early use in a conflict.

It is hardly likely that the difference of 150,000 or 200,000 men is going to alter this strategy. On the contrary, Mr. Packard, in his paper in Amsterdam, said that the West already knew that it could never match the Warsaw Pact's manpower, and that the only way to maintain parity was through better technology and equipment, both conventional and nuclear.

It can also be argued that though a U.S. forces reduction could conceivably affect NATO's options, by the same token it might reduce the risks of any foolhardy probes from the East, precisely because of the dissuasive effects of immediate nuclear retaliation.

One of the principal consequences of a U.S. reduction would be to expose more than ever the French military contradictions and stimulate France into realistic military cooperation with its European partners. The French certainly suspect some of this and it is one of the reasons France's voice has been loudest that present U.S. forces be maintained, even though France pays not a penny for them.

French military policy is at present completely out of line with NATO policy. The two French divisions in West Germany are well back from the East German border, and they would be more likely to retreat into France in a conflict rather than advance. French strategy is still based on immediate massive retaliation if France is endangered, but there would be no counting on the French if the attack was against Norway, or Yugoslavia, or even West Germany itself.

A U.S. reduction of forces is not going to bring France back into NATO, but it could perfectly well lead to a French re-evaluation of the possibilities for better cooperation with its allies, at least in the form of closer nuclear cooperation with Great Britain to give the European nuclear forces more credibility.

BELIEF IN DÉTENTE

The British favor such cooperation, and French opposition to it certainly will not be increased by the departure of Michel Debré from the Defense Ministry. The French believe perhaps more than anybody in the permanence of détente. But despite the deep-seeded Gaulism of the high command, they have not yet gone so far as to base their defense policy on that belief.

As for the West Germans, they have had their contingency plans ready in the case of U.S. reductions for some time, and it is not for a few U.S. divisions that they are going to rush into the arms of the Soviet Union.

Almost 30 years after the end of the war, it is an anomaly to continue to quarter over 300,000 U.S. troops in Europe, especially since Europe now has the means to take up the slack. Neither as a symbolic force nor as a "tripwire" are such levels needed. Nor are they a significant deterrent, for the real

> deterrent is in the missile silos and the submarines. An important expense for America, they have become an excuse for the Europeans. A significant drawdown would serve both sides of the Atlantic.

QUORUM CALL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HATHAWAY). Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I yield the time remaining to me to the distinguished senior Senator from Mississippi, the President pro tempore of the Senate (Mr. EASTLAND).

DEATH OF THE HONORABLE FELTON M. "SKEETER" JOHNSTON, FORMER SECRETARY OF THE SENATE

Mr. EASTLAND. Mr. President, it is my sad duty to inform the Senate of the sudden passing of the Honorable Felton M. "Skeeter" Johnston, former Secretary of the Senate, on Friday, April 20.

Skeeter was a Mississippian and a Democrat.

Shortly following his graduation from the University of Mississippi in June of 1929, Skeeter began his service to the Senate as a stenographer in the office of the late Senator Pat Harrison. In 1933, he was appointed to the staff of the Finance Committee and served that committee as its clerk from 1934 through 1941.

On October 15, 1945, he was elected Secretary to the Democratic majority and served this side of the aisle as Secretary until his election as Secretary of the Senate on January 5, 1955. He voluntarily retired from this position on December 30, 1965.

His record of 33 years of outstanding and dedicated service to this institution epitomized the finest qualities of Government service. Those of us who were fortunate enough to be associated with Skeeter were enriched by this association and will cherish his memory. Senators from both sides of the aisle whose terms began during his tenure as Secretary of the Senate will particularly remember him for the efficient and businesslike manner in which he assisted them upon their arrival in Washington.

The family of Felton M. Johnston remembers him with deep affection and respect for the qualities of loyalty, honesty, thoughtfulness, generosity, and patriotism which distinguished his life and career. His loyalty and devotion to his friends and colleagues were amply rewarded by the deep and enduring friendships which were forged and maintained throughout his life and which sustained him after the death of his beloved wife, Wanda. His devotion to the U.S. Senate was rewarded by the opportunities he was given to serve this great body for many years. He discharged his official responsibilities with scrupulous honesty and with honor; and, in his long experience in American politics, he did not succumb to cynicism. As a citizen, public servant, and enlisted man in the U.S. Army, he manifested his love for his country and his loyalty to it. This patriotism came to him naturally and from the heart—it sought no reward.

He loved people. He loved to be of service to them. He was a profoundly kind and decent man.

I know I can speak for the entire membership of this body when I tender the condolences of the Senate to his son and daughter on their loss. The country has lost a great American and a great public servant.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. MANSFIELD. Mr. President, I wish to be associated with the remarks just made by the distinguished President pro tempore of the Senate on the passing of Felton "Skeeter" Johnston. Everything that the Senator from Mississippi said about him is true. He was a good, faithful, loyal servant.

Coincidentally, it is my understanding that at approximately the same time his successor, Emery Frazier, passed away; and what has been said about Felton Johnston can equally be said about Emery Frazier. They were both outstanding public servants.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time allocated to the distinguished Senator from Maryland (Mr. MATHIAS) be allocated, instead, to the distinguished Senator from Oregon (Mr. HATFIELD).

The PRESIDING OFFICER. Without objection, it is so ordered.

Does the Senator from Pennsylvania desire recognition?

Mr. SCOTT of Pennsylvania. Yes, Mr. President.

A BAD DAY AT CREDIBILITY GAP

Mr. SCOTT of Pennsylvania. Mr. President, this is a bad day at credibility gap. The lack of grace in power has led to a fall from grace. The President will speak at 9 o'clock tonight. I commend him for his firmness, his determination, and his meeting head-on the most unpleasant kind of situation that can confront a Chief Executive.

I pass no judgment on the individuals concerned, because that judgment is for the investigative authorities.

I have only sadness at personal tragedies and at the grief which will result from them. But the action which has been taken is one which, so far as I know, every Senator will agree should be taken when those in whom a President places his trust have failed, in his judgment, to merit or justify that relationship.

I associate myself with a statement made by a very respected Pennsylvanian, Gen. Matthew B. Ridgway, general of the U.S. Army, retired, who made this statement about the 18th of September 1972. I quote the following two paragraphs, and I associate myself with them:

> Recognition of the primal principles which have evolved in every societal fabric throughout the ages—refusal to deal in lies, to cheat, or to steal—must become essential elements in the mores of our people, if we expect to raise the tone of our national life and to contribute to a better world.
>
> The name of this game is leadership, the elevation to the seats of power in our land of men with wisdom, integrity, and moral courage of the highest standards. There are plenty such among us. They must be identified and utilized. Their role will be one of extreme difficulty. The masses will never perceive their worth nor willingly follow them initially. But a minority will, and with the leaders that minority will steadily grow, as will the strength of our nation, which in the final analysis rests on the character of its people.

Mr. President, I believe that all those who honor the profession of politics will feel that what has been done was correctly done by the Chief Executive. The disgraceful episode of the Watergate, which represented a nexus of crimes founded upon stupidity and lacking to this day clear motivation, was bad, in itself, but not as damaging to our confidence in others as the subsequent coverup—a coverup not known to the President on the 20th of March, as I am certain in my own knowledge it was not known, since that is the day I talked to him at length, and confidentially; becoming known to him shortly thereafter; acted upon by him forcefully as soon as he felt he had the facts.

But this whole shabby, disgraceful episode is not the action of men schooled or grounded in the art of politics. It has been condemned by former national chairmen of the party, including myself as such; it has been condemned by every Republican who has spoken out and by every Democrat, so far as I am aware. It has tainted the fabric of our profession. What we have to do now is to gain restoration of the confidence of the American people in the profession of politics, an honorable profession. Indeed, I would trust a man of political faith as quickly—or more quickly—as any other person I know; because he has no tool of his trade except his given word, which is his bond.

So I hope it will become clear to the American people that the man in the White House, who is the President and is himself a practicing member of the political art, had no more to do with this than those of us here who also are professionals and are proud of it. He has done the right thing, and I am glad he has done it.

Mr. MANSFIELD. Mr. President, I wish to commend the President of the United States for the action he has taken this morning. I know too little about the realities of the situation, but I am sure that the President had full access to all the facts finally and that, on the basis of those facts, he acted accordingly.

The Watergate affair and all its ramifications—and they extend far and wide and go back a long time, on the basis of the newspaper reports—is not a Republican tragedy but is, in essence, an American tragedy; because what it struck at were the roots of a democratic government, a constitutional government, a government based on a two-party system.

The President, in acting as he did, displayed a greater loyalty to the American people, as he should, than to those around him.

It is a sad episode. The matter, of course, is not completed, because we still have the grand jury in operation, we still have the court of Judge Sirica in operation, and we still have the Ervin special committee in operation. So this is a start which will help to clear the air. But all the facts will have to be laid out; and out of this let us hope that all of us will learn a lesson as to how Government should be operated—in the open—and all of us should become aware of the fact that the only loyalty we owe is to the people, because it is the people who are the government.

Mr. HATFIELD. Mr. President, I thank the minority leader, the Senator from Pennsylvania (Mr. SCOTT), for the very eloquent words that certainly bespeak the feelings of all of us, Democrats and Republicans. His remarks certainly are consistent with the great position of integrity and leadership Senator SCOTT has occupied over many years of service in our party, as party chairman, as a Representative, as a Senator, and now as our minority leader in the Senate.

I also commend the President of the United States for the action that has just been reported in the press, indicating that four of the President's major advisers—Mr. Kleindienst, Mr. Ehrlichman, Mr. Haldeman, and Mr. Dean—will be leaving the administration by resignation.

But, Mr. President, let me make clear that what the American people desire is the truth. I believe that appropriate persons may well have to leave the administration.

But the next and most important step for the President to take is to tell the American people the truth, the whole truth, and nothing but the truth, concerning this entire episode. I trust and believe that this will be done.

WATERGATE AND CAMBODIA

Mr. HATFIELD. Mr. President, while the Watergate case and U.S. bombing in Cambodia might appear at first to be separate and distinct, I submit that they are, in fact, interrelated.

Can the Constitution and the rule of law withstand assaults now directed at them from two flanks? The past week marked the 50th day of the unconstitutional U.S. bombing in Cambodia. Revelations in the Watergate case erode public confidence in Government adherence. to the fundamental law of this country.

Bombing in Cambodia continues without explanation by the administration to Congress or to the public. Such an explanation was promised to the Foreign Operations Subcommittee of the Appropriations Committee at our classified hearing on April 11. The material was to be delivered by April 13. The hearing record is going to print 2 weeks later, with no justification submitted by the administration for the constitutional basis of this bombing.

Such arrogance by the administration cannot be tolerated. For over 50 days, our B-52's have rained bombs upon the villages and hamlets of Cambodia, while the administration blithely ignores constitutional restraints and congressional laws.

I was advised a draft document attempting to give such a rationale was prepared by State Department legal advisers and sent to the White House, where it was been gathering dust. I am forced to assume that White House officials have neither the time nor the willingness to address this legal issue. Based on recent events, I also recognize that criticism will be leveled at any legal justification for any action now emanating from the White House.

Fundamental respect for rule by law in this country is jeopardized by assertions surrounding the Watergate case. At the same time, the Constitution is flaunted by military actions taken in Southeast Asia.

Such flagrant disrespect for the basic tenets by which this country has survived could create a legacy that must alarm all Americans. Such ruptures in our Constitution and the rule of law threaten the very political process by which this country functions. The integrity of the Republic is under siege.

Government's truth and credibility is strained by recent events in the domestic and foreign policy areas. Recovery from such attacks represent a major task for all public officials. In the foreign policy area, Congress must begin to repair this damage, and offer hope for restoration of truth and of trust. An immediate step will start this next week with Senate consideration of a specific legislative measure to mandate adherence to the Constitution, and to stop our intervention in the Cambodian civil war.

Congress cannot stand by and watch constitutional government and the people's right to know wither away.

Mr. President, I ask unanimous consent that following these remarks the following prior statements of mine appear in the RECORD: An April 12 statement on the Cambodian bombing; an April 17 statement on Laos bombing; and an April 26 statement on the Watergate case.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. BOMBING IN CAMBODIA

The course of U.S. actions in Cambodia in recent days brings back memories of the early stages of this country's intervention in Vietnam. I fear the pattern of secret commitments and public denials is being repeated.

I am profoundly worried and concerned over the present trend of events in Indochina. My anxiety has intensified since questioning State Department and Defense Department officials yesterday (Wednesday) at a classified session of the Foreign Operations Subcommittee of the Appropriations Committee.

We are achieving neither peace nor honor in Indochina.

Developments in the past days heighten the unpleasant but unavoidable truth that the U.S. is not out of Indochina and that we are on the verge of more, rather than less, involvement in the continuing Indochinese war.

The conflict in Cambodia is basically a civil war—this should be made clear to everyone. Cambodians are fighting Cambodians, and yet one side is being besieged by U.S. bombs dropped from U.S. planes flown by U.S. pilots. Innocent civilians are being killed by those bombs.

Our bombing, our military aid, our airlift and sealift of supplies, and even further steps, such as supporting another possible South Vietnamese invasion of Cambodia, all are seen as indispensable for the survival of the Lon Nol government. Yet, Congress and the American public repeatedly are told that the Administration has no "commitment" to that government. Such hypocrisy must halt.

No shred of constitutional authority nor any legal justification exists justifying our military actions in support of the Lon Nol government.

U.S. efforts to insure Lon Nol's survival fly in the face of clear Congressional directive spelling out that authorized military and economic aid shall not constitute a commitment to the defense of Cambodia.

Executive autocracy must not be allowed to trample the Constitution and the will of Congress. We are intervening in another civil war. We are killing innocent people. We are violating the Constitution of the United States. We are ignoring the law of the land.

In the words of the prophet Jeremiah, "they say 'peace, peace', when there is no peace."

Let this be clear: the Administration should expect no funds from Congress for continuing the war while boasting about peace.

LAOS BOMBING

Expansion of the air war into Laos and its intensification in Cambodian carries with it the fear that they are a possible prelude to renewed bombing of North Vietnam. Such actions only will repeat the tragic loss of American life and create new American POW's. The threat of more POWs and U.S. deaths even now permeates the deadly bombing missions over Cambodia and Laos.

The American people have been told again and again in that we have achieved peace in Indochina, and yet we continue to rain death on villages and hamlets in Cambodia and Laos. This further erodes confidence of the American people in their government. The people of this country know that the substitution of Indochinese deaths for American deaths is not peace.

The American people deserve a complete explanation by this administration of its definition of peace and its plans for Indochina. How long will this illegal bombing continue? Is the military "winding down" or "heating up" this war? Can the American people ever expect an end to this tragic war?

WATERGATE CASE

Sen. Mark Hatfield said Thursday that the burden in the Watergate case is on President Nixon to demonstrate that he is "as clean as a hound's tooth."

Recalling a similar statement about Nixon by Dwight Eisenhower prior to the so-called "Checkers speech," Hatfield said that "once again he must prove himself."

Hatfield said that "this is not just a crisis of a political party, but of the political process."

"The taint from this scandal threatens to engulf not only Mr. Nixon, but the institution of the Presidency as well.

"Already trust in all government is eroding and estrangement from the political process strains the very capacity to govern.

"While the statements of accusation, recrimination and vindication from the White House staff reflect the personal tragedy in those lives ensnared in this web, I trust that the results will expose the guilty parties and that they will be brought to justice."

Eisenhower made the "clean as a hound's tooth" statement in an off-the-record press conference Sept. 20, 1952 and the Nixon television appearance defending the "Nixon fund" followed on Sept. 23.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CAMBODIA

Mr. MANSFIELD. Mr. President, I associate myself with the remarks just made by the distinguished Senator from Oregon (Mr. HATFIELD).

We are engaged anew in a civil war. We are, in effect, asking for, if not actually seeking, a reinvolvement in Cambodia based on the expanded bombing for which $500 million recently has been requested by the Department of Defense. To further implement what is going on in Cambodia we have brought about a cessation of the minesweeping operations at Haiphong Harbor. The result, of course, is that we are not as close to peace in Indochina as we thought we were.

There are no constitutional grounds for our involvement in Cambodia. The problem there is diplomatic, not political. As far as bombers, river convoys, and the like are concerned, it only intensifies our involvement in a situation in an area in which we have no business. If it continues, the possibilities of a break of the fragile peace in Vietnam will become more and more apparent.

It is unfortunate that this country ever became immersed in Indochina. We never had any business in any of the three countries of that region in the first place; and we have none today.

The continued bombing of Cambodia casts doubt on our achievements by way of negotiations in Vietnam, and unfortunately it appears we are digging in deeper and deeper all the time. The only solution I can see is that the only symbol of Cambodia's nationalism who could be called upon to bring about a unification of that sad nation is Prince Norodom Sihanouk. I would state that if he were to return to Cambodia—and he will again shortly, I understand—he will be the symbol around which all Cambodians will rally. Through him, there will be the possibility of once again creating a united, neutral Cambodia.

Again, I commend the distinguished Senator from Oregon.

U.S. FOREST SERVICE REGIONAL STRUCTURE

Mr. MANSFIELD. Mr. President, during the recess of the U.S. Congress, the Secretary of Agriculture announced that the U.S. Forest Service would adjust its regional organization to fit with the standard Federal regional structure. I wish to take this opportunity to let my colleagues here in the Senate know that I am unalterably opposed to this plan. The present structure is adequate and conforms to the major areas of U.S. forestry activity in the United States. As we all know, Forest Service activity is concentrated in several different areas of the continental United States and is not uniform throughout. Therefore, I think it is ridiculous that it be required to conform with the standard Federal regional structure. Timber is a renewable resource and requires on the ground management.

Region I is one of the most active forest areas in the Nation and to move a regional office at a time when there is a greater demand for increased timber sales and management activities is difficult to understand. The rationale behind this plan obviously does not include efficiency and effectiveness because of such large distances involved. The Federal officials who devised this plan apparently have never been outside of New York City or Washington, D.C., and are not aware of the vast distances in the West. If you will look at the map, you will find that Missoula, Mont., presently the headquarters for region I, is approximately 800 to 900 miles from Denver. The proposed regional setup announced by Secretary Butz places 10 States within region C and the two large forest areas at opposite ends. I do not see how any efficient administrative plan can handle such a situation. Transportation services between Missoula and Denver and Portland, Oreg., headquarters of region A, are very bad and there is no direct air service. What is to happen at the research facilities at Missoula—the smokejumpers school, the Forest Service Fire Research Laboratory, and associated facilities that are operating at Montana's two universities in Bozeman and Missoula.

Adding these additional Forest Service activities to the regional complex in Denver only compounds what is a serious and growing problem for this mid-continent city. This seems to be contrary to everything the administration is attempting to do in returning the governmental process to the local level. This action and others merely creates a larger bureaucratic monster in Denver.

Missoula, Mont., is a beautiful city with a moderate climate and home of one of Montana's two universities. There is absolutely no reason why personnel would not wish to maintain their present residencies in this community.

Mr. President, rumors have come to my attention that the Montana congressional delegation has agreed to this move of the regional headquarters because of a compromise reached between the delegation and the administration. Supposedly, Malmstrom Air Force Base, one of the most important Strategic Air Command bases in the continental United States is to be preserved and maintained if we agreed to the closing of the Forest Service Regional Office in Missoula. I wish to state here and now that I in no way participated in any such discussion in conjunction with the administration's plan to reduce Federal activity. Both the regional headquarters of the U.S. Forest Service and its associated activities in Missoula and the Strategic Air Command Base at Malmstrom are necessary and vital parts of our Federal activity.

I am also greatly concerned about reports that the Secretary of Agriculture has placed a muzzle on Forest Service personnel who disagree with this plan.

The Forest Service has traditionally been one of the most active and semi-independent agencies in our Federal system. They have done an excellent job and, only in recent years, have they become burdened with excessive Office of Management and Budget controls which are limiting and curtailing their management of our forests. There are a great many demands for new timber sales and improved management of our national forests. This can only be done with adequate management at the ground level. This means maintaining regional headquarters as they are now structured. Also, I believe that the Forest Service should be granted additional funds for the proper management of their agency. At the present, the administration has impounded funds and further hampered this necessary work.

I wish to place myself on record—and I know I speak for my distinguished colleague the Senator from Montana (Mr. METCALF) and our two colleagues in the House, Representatives MELCHER and SHOUP—that we shall not stand by and watch this consolidation take place.

Mr. President, I ask unanimous consent to have printed at this point in my remarks, the joint statement released by my colleague, Senator LEE METCALF, at the time of the announcement, and also the news release issued by the U.S. Department of Agriculture announcing that there would be a reduction—a phasing out—of the regional offices at Missoula, Mont., Albuquerque, N. Mex., and Ogden, Utah, and the experiment station headquarters at Ogden, Utah, and Asheville, N.C.

There being no objection, the statement and release were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATORS MANSFIELD AND METCALF

Senators Mansfield and Metcalf said the announcement by the Nixon Administration that the Regional Forest Service Office at Missoula will be transferred to Denver "is "another example of this Administration's distorted view of our natural resource priorities."

"This is not an economy move, but rather a stupid, shortsighted, ill-advised decision which will hinder the proper management of forest resources which are basic to the economy of Montana and the nation," the Montana Senators said in a statement from their Washington offices.

"President Nixon's budget ax has now fallen on an effective facility for the management of important timber resources."

"The personnel most familiar with forest management problems and programs and who have first-hand knowledge and experience will now be required to make decisions in an urban area far from the forest resource they must manage."

"The transfer of management from the immediate vicinity of programs and from the center of the resource will only result in misunderstanding and additional bureaucratic red-tape."

Another important factor, according to the Montana Senators, is that the citizens living in the Forest Service area will not be able to present their views effectively to the officials who will make the decisions.

"Instead, they will have to travel some 800 miles to Denver to present their views, which in our opinion is not in line with the Nixon Administration's policy directive that the government should be close to the people," the Senators said.

"Previous Administrations have considered the Forest Service facilities at Missoula as an outstanding example of how a Federal agency can work with the local citizens in the effort to establish sound management policies and practices.

"But this Administration doesn't want citizen participation in the decision-making process on managing the resources of our national forests.

"The Regional Office in Missoula, along with the fire control center, the forestry research center and the School of Forestry, University of Montana, are important groups attempting to solve many of the problems of forest management.

"This effective team must not be dismantled," the Senators said. "Instead, it would be economically sound to continue the various forest service and university facilities in the same community, and near the center of the resource that they must protect and manage for our benefit and for future generations.

"We will fight this move. We will not stand by and approve a closure decision made by a so-called management expert who doesn't know the difference between chip wood and a tree."

[News from U.S. Department of Agriculture]

Forest Service To Adjust Regional Structure

Washington, April 24.—The Forest Service, U.S. Department of Agriculture, will adjust its regional organization to fit within the standard federal regional structure, Secretary of Agriculture Earl L. Butz announced today.

Secretary Butz said the change in organization will require phasing out of regional offices at Missoula, Mont.; Albuquerque, N.M.; and Ogden, Utah; and experiment station headquarters at Ogden, Utah, and Asheville, N.C. Although these five headquarters offices will be discontinued, other Forest Service offices presently at these locations will remain in operation.

Some 1,000 employees will be affected by phasing out of the five offices. Every effort will be made to provide employment opportunities for these people elsewhere in the Forest Service organization. Secretary Butz said. The schedule for making the organizational adjustments will be developed by the Forest Service, he reported.

Secretary Butz said these actions will enable the Forest Service to improve its efficiency and effectiveness in carrying out its resource management, research and state and private forestry programs. One result, he said, would be to make more funds and manpower available for on-the-ground activities in the 155 national forests which contain 187 million acres.

In addition, he said, greater efforts can be diverted directly to research by reduction of the two experiment station headquarters, and the Forest Service's ability to work with state and local governments will be improved through closer coordination with the federal regional councils.

The present Forest Service organization includes nine national forest system regional offices, eight experiment station headquarters offices and two state and private area offices. With the change, the system will be realigned into six regions, six experiment stations and two state and private forestry areas.

Full regional office status will continue at Atlanta, Ga.; Milwaukee, Wis.; Denver, Colo.; San Francisco, Calif.; Portland, Ore.; and Juneau, Alaska. Experiment station headquarters will be continued at Upper Darby, Pa.; St. Paul, Minn.; New Orleans, La.; Ft. Collins, Colo.; Berkeley, Calif.; and Portland, Ore. The Forest Products Laboratory at Madison, Wis., and the Institute of Tropical Forestry in Puerto Rico will be maintained. The state and private area offices will remain at Upper Darby and Atlanta.

Secretary Butz said most other regional structures in the federal government now conform to the standard federal region concept, as a result of the government-wide effort directed by the Office of Management and Budget. He said the effort is geared to simplify and improve the ability of the federal government to provide service through conformance to the standard region concept.

Another factor considered in the decision, he said, is the review being made by all federal agencies to determine where expenditures can be reduced. In addition to regional changes, he said, the Forest Service's review will lead to national forest and ranger district headquarters consolidations, as well as changes in the agency's headquarters office in Washington, D.C.

Mr. MANSFIELD. Mr. President, I suggest thc absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF EDUCATION AMENDMENTS OF 1972

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on House Joint Resolution 393.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the joint resolution (H.J. Res. 393) to amend the Education Amendments of 1972 to extend the authorization of the National Commission on the Financing of Postsecondary Education and the period within which it must make its final report, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MANSFIELD. I move that the Senate insist upon its amendment and agree to the request of the House for a conference on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Pell, Mr. Randolph, Mr. Williams, Mr. Kennedy, Mr. Mondale, Mr. Eagleton, Mr. Cranston, Mr. Hathaway, Mr. Dominick, Mr. Javits, Mr. Schweiker, Mr. Beall, and Mr. Stafford conferees on the part of the Senate.

ORDER OF BUSINESS

Mr. ROBERT C. BYRD. Mr. President, how much time remains under the preceding orders?

The PRESIDING OFFICER. Seven minutes remain to the Senator from Oregon.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that all time not consumed under the orders be utilized for a period for the transaction of routine morning business later today, to follow the various orders, with statements limited therein to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, the Senator from Michigan (Mr. Griffin) was to be recognized for not to exceed 15 minutes.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the name of the distinguished Senator from Illinois (Mr. Percy) be substituted for the name of Mr. Griffin.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PERCY. I thank the distinguished assistant majority leader.

THE NECESSITY FOR AN IMPARTIAL INVESTIGATION OF THE WATERGATE MATTER

Mr. PERCY. Mr. President, the events of the last few weeks have shaken the confidence of the people of this country in the integrity of their Government. Charges of crimes, coverups, suitcases full of moneys, and corruption have been the daily fare day after day in our newspapers.

Mr. President, I have just returned from a brief visit to London and Paris, and I can certify that this matter has been one of the gravest concern to every American traveling abroad. I was approached by people who would recognize me on the street. One woman just grabbed my arm and said, "Is not this awful?" She did not even have to say what she was talking about. Someone else indicated to me that he had been a member of the Republican National Committee for many years and that everything he believed in and had worked for and hoped for with respect to our country had simply fallen apart in front of his very eyes.

The ability of this administration to govern is in jeopardy because the people, from whom we derive our powers, are beginning to believe that they no longer trust their representatives or the system itself. In the the truest sense of the word, this is a crisis.

In times like these, not only is it necessary to discover all of the facts, and see to it that justice is done, but it is also vital that there be an appearance of justice.

At the present, the investigation into the whole sordid series of events loosely referred to as the Watergate affair is being conducted by the Justice Department under the direction of Assistant Attorney General Henry E. Petersen. I am in no way impugning the integrity of this man. However, charges have been made concerning his stewardship in this matter, and as a result, there are already doubts in many people's minds whether even this investigation will bring out all the facts, even if Secretary Richardson takes over overall supervision. Whether or not this investigation does uncover all the facts, there will still be those who will remain skeptical.

I do not think that we can afford such a reaction, and yet we must anticipate it. The investigation of the entire Watergate scandal must be conducted by someone who is a person of great integrity and who is completely apolitical. There should be no possibility that this person could be influenced by political considerations either because of his personal or professional relations with anyone involved in Government or implicated in this matter.

For these reasons, I had intended to introduce today a Senate resolution saying that it is the sense of the Senate that the President should appoint a special prosecutor to conduct the investigation and prosecution of those who have perverted our electoral and judicial processes in the 1972 Presidential election campaign and the months thereafter. The resolution would have called upon the President to submit the name of his choice for this position to the Senate for approval. If the person that the President would select for the role of special prosecutor was the type of person who was envisioned by this resolution, I am certain that the Senate would have concurred in the President's choice without delay.

The American Bar Association's president, Robert Meserve, has indicated his support for a special prosecutor. The prestigious New York Bar Association has also gone on record as supporting such an appointment. There is precedent for such action. On February 1 and 2 of 1924, the Senate and House passed a joint resolution calling on President Coolidge to appoint a special counsel independent of the Department of Justice to investigate the scandals in the Harding administration, known generally under the heading of Teapot Dome. President Coolidge took the advice of the Congress and did appoint two men to handle the investigation. By June, all concerned in the oil lease scandals were under indictment. Mr. President, that type of quick action is what we now need.

The need for a special prosecutor has been recognized by the Christian Science Monitor, The New York Times, the Washington Post, and a host of other major newspapers which have led the way in bringing this matter to the attention of the American public.

I submit that with the latest developments of this morning, with major resignations of Attorney General Kleindienst, John Ehrlichman, H. R. Haldeman, and John Dean, the process of restoring public faith in the Government has begun. The President could continue this process by appointing a special prosecutor.

Secretary Rogers, in an appearance before the Foreign Relations Committee this morning, in a helpful and candid statement on this subject, indicated that delay as the thing he would be particularly concerned about in this matter.

I am not submitting the resolution today because of the dramatic announcements that have been made now by the White House. I applaud the President's decision appointing Mr. Elliot Richardson as Attorney General. I have been privileged to know Mr. Richardson for many years. I look upon him as a man of impeccable judgment and integrity, great courage, and deep conviction, and with considerable experience in government, both in his own State of Massachusetts as well as in the U.S. Government.

I think it unfortunate that we must borrow men who are already deeply involved in heavy and responsible work, such as Mr. Ruckelshaus in the EPA, and take him into the FBI, and to take Mr. Elliot Richardson, who has just assumed enormous responsibilites in the Department of Defense, into the Justice Department; but I think it shows the sense of urgency the President has placed on the matter. He is taking a man who without any question has the competency to do this job and who is highly regarded, I feel, on both sides of the aisle, by those who know him.

The question, however, is whether or not, in principle, we can just deal in personalities or whether or not we should deal in the principle of the matter as to whether or not the executive branch of the Government, certain officers of whom are being investigated now, should then be the same arm that carries on the prosecution. Obviously, if Mr. Peterson stays on as the Assistant Attorney General, he would be in overall charge of this case.

The President has made it very clear this morning that he is charging Mr. Elliot Richardson with full personal responsonsibility of carrying on an exhaustive investigation, but I still raise the question as to whether or not—so there can be no possible appearance of a conflict of interest or any appearance of any political influences—as to whether a man of impeccable integrity and judgment, apolitical, and not engaged in party politics in any real sense of the word or held public office, should not be the special prosecutor appointed in this case, as was done in 1924.

The Teapot Dome scandal, I think, is smaller in relative importance than this matter with which we are now confronted. With the dimensions of the events which have unfolded, I would anticipate that the whole story is not yet out and that the matter will become worse rather than better.

The prosecution of this case should be beyond any reproach. I am not in any way imputing that Mr. Richardson would not be one of the most qualified persons that I could think of to fill this post. He would be an excellent choice. However, in this case I still hold the conviction and, after checking with some of my highly respected colleagues in the Senate since the President's dramatic decisions to make personnel changes, I feel in principle that this matter could best be handled by a special prosecutor. However, I reserved judgment on this matter until after I have heard the President this evening.

I do not know what the President will say. However, I have the strong conviction that the President is taking this matter into his own hands at this time and has decided that a complete and honest disclosure is the only way to meet this crisis.

I would hope and, as I explained yesterday, pray that in every action the President takes the initiative. As I have stated, I really want to see the credibility of the President and the White House and the executive branch of the Government restored. We have an obligation and a responsibility to make such suggestions as we can. I have tried to do so in the last 6 or 7 months now. However, at this stage I feel it best to wait until after we have heard from the President. I look forward with great interest to the speech of the President and I commend the action that has been taken this morning. That action does not presume that criminal activity is involved. However, there must be action of this kind so that the processes of the Government can continue and so that we can restore credibility in Government as rapidly as possible.

It is perfectly apparent to all of us that there is a sense of urgency involved in the matter and that we must deal with this matter with the greatest dispatch and comprehensiveness.

I, therefore, will take no further action with respect to my resolution.

I appreciate the sponsorship that has been indicated from both sides of the aisle. However, I will not take any action until after the President has addressed the Nation tonight at 9 p.m.

ORDER OF BUSINESS

The PRESIDING OFFICER (Mr. HATHAWAY). Under the previous order, the Senator from West Virginia (Mr. ROBERT C. BYRD) is recognized for not to exceed 15 minutes.

Mr. ROBERT C. BYRD. Mr. President, I yield back the time allotted to me under the previous order.

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous unanimous-consent agreement, there will now be a period for the transaction of routine morning business with statements limited therein to 3 minutes.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE MASSIVE 1973 FLOODS

Mr. ROBERT C. BYRD. Mr. President, at the request of the distinguished Senator from Mississippi (Mr. STENNIS), I ask unanimous consent that there be printed at this point in the RECORD a statement by the Senator from Mississippi (Mr. STENNIS) with respect to the recent floods in Mississippi.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT BY SENATOR JOHN C. STENNIS

Last Friday, I accompanied the President on an inspection from the air of the flooded areas of the State of Mississippi. The damage is awesome, and my heart is heavy for those many thousands of our people who have suffered such extreme hardships and disastrous economic losses.

As the rains continue and the waters reach high on our levees it is increasingly clear that flood protection for our Lower Mississippi River Valley must receive a higher national priority for work in the field of water resources.

This is the third great flood in fifty years. The flood of 1927 inundated 26,000 square miles in the Lower Mississippi Valley, displaced over 600,000 people, did damage which in terms of today's values would be over a billion dollars, and 214 people lost their lives. Since then some $1.7 billion dollars have been expended to help protect the area from such floods. Much has been done, but there is much left to be done.

Over the years, I have made a joint effort with the late Senator Ellender and Senator McClellan, as fellow members of the Senate Appropriations Committee, to increase the funds appropriated for necessary flood control work. From year to year we were frequently able to increase the amount of money provided by the budget. All too often, however, the additional amounts were frozen in budgetary reserve and not expended. It has taken much effort and many frustrations to get the project up to a consistent budget level of $110 million. This is not enough.

In the Yazoo Basin—our Mississippi Delta region—a total of $307 million worth of flood control work has been authorized by Congress in the Yazoo Basin. Funds totalling $165 million have been appropriated through the current fiscal year to carry out the work. This is not enough.

In the eastern part of our State, channel improvements for flood control along 22 miles of tributary streams of the Tombigbee River were authorized by the Congress. The total cost of the work is estimated to be $52 million. To date, $5.7 million have been made available for the work. This is not enough.

Today Damage Survey Teams from the Federal Office of Emergency Preparedness and State employees are in the field estimating the damage caused by the floods. In many cases the water will have to recede before meaningful estimates can be made. However, preliminary estimates of the Corps of Engineers indicate that at present 3,180,000 acres of land have been flooded in Mississippi, and damages to date are $92,800,000 in our State alone. Thousands of people have been driven from their homes. Prime croplands are saturated or completely under water, 37 of our counties have been declared a part of the flood disaster area.

I want to make the point very strongly that the levees, flood control dams on the tributary rivers, flood walls, and other completed works have all paid off. The projects of the Corps of Engineers have prevented $3.9 billion in damages in this one flood. The forethought shown in the planning of these projects over the years has been so effetcive that the Engineers are entitled to be commended very highly. The overall project for the Mississippi River and Tributaries is only about half completed, but its effectiveness has prevented what otherwise would have been an infinitely greated disaster throughout the central region of our nation.

I also want to compliment the Army Engineers for their work during the flood. They have led the emergency flood fight, and they have labored tirelessly. The people of the Valley are greatly indebted to the personnel of the Corps of Engineers, military and civilian, who have done such a fine job.

While the protection afforded by the flood control projects that have been completed to date has so far spared us the devastating losses and suffering of 1927 and 1937, still the damage is tremendous and we must do more to protect our people.

When the present flood has passed, we must look to the future. The existing flood control project authorizations in the Yazoo Basin must be reviewed to see what additional authorizations are appropriate, based on the new flood data. The review study of the Tombigbee River and its tributaries, which is now in progress, must be completed as soon as possible. The Administration must be convinced of the absolute necessity for increased appropriations for flood control.

The people of the Lower Mississippi Valley have learned again the power of a flood on the great Mississippi River pushing against the levees that line its banks and backing into the tributary streams to wreak havoc. We must press forward with determination for the completion of the flood control projects that can spare us from the great misfortune that so many of our citizens are undergoing today.

EXTENSION OF TIME LIMITATION ON STATEMENTS DURING MORNING BUSINESS TODAY

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the time limitation on statements during morning business today be limited to 5 minutes instead of the usual 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

AN ILLEGAL USE OF FUNDS: THE NIXON ADMINISTRATION'S BATTLE OF THE BUDGET PROPAGANDA KIT

Mr. HUMPHREY. Mr. President, on April 17, I brought the attention of the Senate to a massive propaganda attempt by the White House to discredit the Congress. The White House has issued orders to the public information officers in the various agencies to prepare speeches, statements, and radio messages with slanted, half-truth anti-Congress material on Federal spending for the use of political appointees in a systematic attempt to undermine respect for the Congress as a political institution.

Mr. President, I consider this "Selling of the Budget 1973" to be an illegal use of the taxpayers' money. It is my judgment that it violates numerous Federal statutes, including section 1913 of title 18 of the United States Code, and title VI, section 608(a) of the Treasury, Postal Service, and General Government Appropriations Act, 1973.

Since my first statement on this matter, other developments have come to light.

Washington Post Reporter Mike Causey, on April 25, 1973, published an article in which he noted that the National Institutes of Health public information officers have been issued orders to write "speeches blasting the big spenders in Congress." Causey notes that:

> Writers at NIH report that several editorial offerings have been rejected by HEW officials who gave them a tongue lashing because the material contained "too much information" and not enough pro-Administration or anti-Congressional material.

These are quotations from the article to which I have referred.

Mr. President, I am appalled at this conscious effort to feed the public half-truths, insinuations, and innuendo. I demand that it cease immediately, and I further demand that those responsible be required to account for these illegal activities.

In addition, Mr. President, Public Citizen, Inc., a public interest law group, has filed a civil suit in the U.S. district court seeking to stop the administration's usage of this battle of the budget propaganda kit.

The suit specifically asks that the court enjoin the responsible administration officials from "continuing to engage in actions designed to influence the passage of legislation pending before Congress," and direct the responsible officials to "revoke any and all suggestions, guidelines, and instructions issued by them in that attempt to influence the passage of legislation."

Finally, Mr. President, on April 17, I asked the American Law Division of the Library of Congress to prepare a memorandum for me concerning the lobbying efforts financed by Federal appropriated funds. The memorandum notes that:

> Since the (battle of budget kit) enumerates or mentions specific pieces of legislation and urges certain Government employees to give speeches to the general public incorporating phrases of the speeches suggests in the (kit) to urge taxpayers to "write their Congressmen to tell them where you stand," then by statute, this matter would be intended or designed to influence Members of Congress to favor or oppose legislation.

Clearly illegal under terms of section 1913 and section 608(a) of the relevant law.

Mr. President, here is another illegal action: the misuse of appropriated funds in open violation of Federal statutes. The time to stop this nonsense is now, and those responsible should be held accountable.

I have asked the Comptroller General to report to the Congress on the source of the funds used to prepare this battle of the budget book and whether or not the preparation of this kit is in his opinion, a violation of law. I would hope that the administration would cooperate fully with the Comptroller General.

Mr. President, I ask unanimous consent that the article written by Mike Causey, "NIH Peddling Anti-Congress Editorials," a copy of the suit papers filed by Public Citizen, Inc., and the memorandum prepared for me by the American Law Division of the Library of Congress and further articles written by Mike Causey be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Apr. 25, 1973]

NIH PEDDLING ANTI-CONGRESS EDITORIALS

(By Mike Causey)

In a new move in the White House's battle against congressional budget-busters, the Administration has ordered federal workers to crank out weekly "canned" editorials which it hopes to peddle to newspapers and magazines.

Federal workers have already been ordered to write—and officials to give—speeches blasting big spenders in Congress. Now, the National Institutes of Health, a major unit of HEW, has told publicists to supply 800-word editorials explaining the Administration's controversial health spending priorities. It hopes the articles will be picked up by publications such as the Reader's Digest, and small-town newspapers hungry for news "features."

Public information officers at NIH got their production quotas several weeks ago from Storm Whaley, a political appointee who is associate director for communications. At the session, Whaley told dozens of NIH writers and aides to come up with an editorial a week on selected health subjects.

Employees were told that the editorials were to be used, in some cases, as feature stories which would carry the byline of HEW Secretary Caspar W. Weinberger, or other top officials. They were told to write the editorials in such a way as to make them usable for speeches, magazine features or editorials for small town newspapers which frequently use so-called canned or mass-produced editorials.

Several workers—fearing they might be caught up in a fight between the White House and Congress—asked that the editorial directive be put in writing. They were told that verbal authorization is all that was necessary. NIH earlier warned employees to preclear talks with Congressmen, reminding workers they could be disciplined for violating the anti-lobbying law.

Whaley told this column that the editorials are not intended to be political but rather "to describe some of the activities we are interested in." He said they are to be "sort of a modified press release of about 800 words." Topics assigned so far include glaucoma, arthritis, the atomic heart pacemaker, and venereal disease. Despite the rather grim titles, employees say the've been told to include digs against the Congress for "wasteful" spending plans that would duplicate and confuse present government research.

Writers at NIH report that several editorial offerings have been rejected by HEW officials, who gave them a tongue-lashing because the material contained "too much information" and not enough pro-Administration, or anti-Congressional material.

Some employees feel the editorial quota is part of the White House-program called "Battle of The Budget—1973." Details of that push were first outlined here April 4.

The battle of the budget document, in looseleaf notebook form, went to information chiefs at all federal agencies. It directs them to enter the crowd war against the "Far Out Fifteen," legislative programs which Mr. Nixon opposes. The document tells speech and press release writers how to attack "big spenders" in Congress, and advises them to lace speeches with "one liner" anti Congress jokes, and to warn the taxpayers of a 15 per cent income tax boost, if Congressional big-spenders have their way. As also reported here, a number of agencies have been assigned speech making quotas, under which officials are to seek out, and speak before, influential groups on the Battle of the Budget.

While the canned editorials do qualify as legitimate public information, they also could be viewed as lobbying in view of the battle between Congress and the White House over health fund priorities. Using the government's information facilities to write distribute and locate major media markets for the editorials would give the Administration a public relations head start the Congress couldn't match.

THE LIBRARY OF CONGRESS,
Washington, D.C., April 19, 1973.

To: Hon. HUBERT H. HUMPHREY.
Attention: Mr. Healy.
From: American Law Division.
Subject: Lobbying Efforts Financed by Federally Appropriated Funds.

This is in response to your inquiry of April 17, 1973, concerning lobbying efforts financed by funds appropriated by Congress.

Title 18 of the United States Code, Section 1913, prohibits lobbying with funds appropriated by any enactment of Congress. The original act was Title 18 U.S.C. 201, enacted July 11, 1919. The present wording of the statute was enacted on June 25, 1948. The wording of the statute is as follows:

"§ 1913. Lobbying with appropriated moneys.

"No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

"Whoever, being an officer or employee of the United States or of any department or agency thereof, violates or attempts to violate this section, shall be fined not more than $500 or imprisoned not more than one year, or both; and after notice and hearing by the superior officer vested with the power of removing him, shall be removed from office or employment. (June 25, 1948, ch. 645, 62 Stat. 792.)"

The terms "department" and "agency" used in § 1913 are defined in Section 6 of Title 18:

"§ 6. Department and agency defined.

"As used in this title:

"The term 'department' means one of the executive departments enumerated in section 1 of Title 5, unless the context shows that such term was intended to describe the executive, legislative, or judicial branches of the government.

"The term 'agency' includes any department, independent establishment, commission, administration, authority, board or bureau of the United States or any corporation in which the United States has a proprietary interest, unless the context shows that such term was intended to be used in a more limited sense. (June 25, 1948, ch. 645, 62 Stat. 685.)"

A survey of Federal cases which cite either Section 1913 of Title 18, U.S.C., or Section 201 of Title 18, U.S.C. prior to 1948, reveals that this statute has been used very little. In 1952, in the United States District Court for the Southern District of New York, Section 1913 was cited on a matter not particularly germane to the issue at hand. (*Angilly* v. *United States*, 105 F. Supp. 257, cited § 1913 in support of the constitutionality, with respect to due process of law, of the dismissal of a government employee for conduct which constitutes a crime.) In addition to the case mentioned above, it was recently reported in Law Week of April 10, 1973, 41 LW 1155, that in a case in the United States District Court for the District of Columbia, certain organizations "dust off an obscure federal criminal statute to challenge . . ." the use of federally appropriated funds to finance a lobbying effort. In that case, *National Ass'n for Community Development* v. *Hodgson*, (USDC Dist. Col., 3–30–73), the court held that plaintiffs, a public interest organization, have standing and could instigate a civil suit based on the criminal statute in Title 18 U.S.C. 1913, and that the jurisdictional amount has been met. The court's explanation of the apparent legislative intent of § 1913 was reported to be:

". . . to prevent corruption of the legislative processes by government financial support of a lobbying organization. Prohibiting federal funds to be used for lobbying precludes any possibility of a privately financed 'voice of the people' being drowned out by a publicly funded special interest group (41 LW 2537)."

Although the alleged expenditure and use of appropriated funds for the lobbying effort involved in relation to the "kit" in question was not directed from, or to, a "lobbying organization" or a "publicly funded special interest group" as such, it could be argued that the legislative intent of § 1913 was in fact intended to cover such a situation as presented here. This may be inferred from the language of the statute itself which provides for the penalty of fines, imprisonment, and removal from office or employment of "an officer or employee of the United States or any department or agency thereof" who violates or attempts to violate this section. From this, it may be argued that the statute applies not only to lobbying by an "organization" or "special interest group," but even more specifically, it applies to an individual or a group of government employees who use appropriated funds to lobby or assist in lobbying for or against legislation.

The initial consideration which should be raised in applying § 1913 to this particular situation would be a determination of what funds were used to finance the production of these kits. The statute prohibits the use of any "money appropriated by any enactment of Congress," and so the funds used must fit within this framework to encounter the statutory prohibition.

Secondly, it must be determined whether this "printed or written matter" was "intended or designed to influence in any manner a Member of Congress, to favor or oppose . . . any legislation or appropriation." It may be argued in this sense that since the memorandum in question enumerates or mentions specific pieces of legislation and urges certain government employees to give speeches to the general public incorporating phrases or speeches suggested in the memorandum to urge taxpayers "to write their Congressmen to tell them where you stand," (*N.Y. Times*, Monday, April 4, 1973, p. 30), then by the statute, this matter would be intended or designed to influence Members of Congress to favor or oppose any legislation. It may further be argued that the "message" communicated to Congress by means of this "kit" is neither "on the request of any Member of Congress" nor "through the proper official channels."

In addition to the criminal statute of Title 18 of the U.S.C., a further prohibition on the use of appropriated money for publicity or propaganda purposes is provided in Title VI, Section 608(a) of Public Law 92–351, known as the "Treasury, Postal Service, and General Government Appropriation Act, 1973." This section provides:

"Sec. 608(a) No part of any appropriation contained in this or any other Act, or of the funds available for expenditure by any corporation or agency, shall be used for publicity or propaganda purposes designed to support or defeat legislation pending before Congress."

The practical considerations raised in reference to the criminal statute of Title 18 U.S.C. § 1913, must again be raised to apply this present situation to the prohibition expressed in P.L. 92-351. The source of the funds used to publish, compile or produce the "kit" in question must be established to determine whether they are "part of any appropriation contained in this or any other Act." It may be argued, as in the case of the criminal statute, that by the instructions and suggestions on the face of the memorandum or "kit" in question, and from any additional instructions that accompanies such kit, that the purpose of the kit was to generate "publicity or propaganda . . . designed to support or defeat legislation pending before Congress." This section may have a more narrow application than the criminal statute of Title 18, as section 608(a) discusses the support or defeat of "legislation pending before Congress," while 18 U.S.C. § 1913 discusses "any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation." Further, the criminal statute prohibits the use of such appropriated funds directly or indirectly to pay for matters which would influence Congressmen, while Sec. 608(a) of the the appropriation act does not mention indirect use of appropriated funds. In either case, however, the argument could be advanced that the salaries of the government employees who compiled such a kit were from appropriations made by Congress and thus such funds were expended for publicity or propaganda, evidenced by the material contained in the "kit."

JACK MASKELL,
Legislative Attorney.

[U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA]

PUBLIC CITIZEN, INC., PLAINTIFF, v. KEN W. CLAWSON, DEPUTY DIRECTOR OF COMMUNICATIONS FOR THE EXECUTIVE BRANCH, DEFENDANT

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

1. This is an action which seeks to enjoin defendant, who is the Deputy Director of Communications for the Executive Branch, from continuing to carry out at public expense a massive publicity campaign designed to influence the passage of certain legislation pending before the Congress, which campaign significantly exceeds in scope and purpose customary and lawful communications by members of the Executive Branch to the Congress and the public concerning pending legislation.

2. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1361.

3. The value of the amount in controversy exceeds $10,000.

4. The plaintiff Public Citizen, Inc. is a taxpaying non-profit organization whose activities include efforts to insure that government officials carry out their duties according to law and that the laws, as written by the Congress, are enforced when government officials are unwilling or unable to do so. In the slightly more than eighteen months since it began to seek public contributions, Public Citizen has received contributions from approximately 100,000 individuals who support its objectives. Most of such persons are taxpayers, and among them are many persons who will be benefited by certain legislation pending before the Congress which defendant is illegally lobbying to defeat. In addition to its own organizational interests, Public Citizen sues on behalf of all of the aforementioned persons in this action.

5. Article 1, Section 9, Clause 7 of the United States Constitution provides in pertinent part that "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by law; * * *"

6. Section 628 of Title 31, United States Code provides: "Except as otherwise provided by law, sums appropriated for the various branches of expenditure in the public service shall be applied solely to the objects for which they are respectively made, and for no others."

7. Section 1913 of Title 18, United States Code provides, in pertinent part, that "[n]o part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any matter a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation * * *"

8. Section 608(a) of the Treasury, Postal Service, and General Government Appropriation Act, 1973, P.L. 92-351, 1972 U.S.C. Cong. & Adm. News 556, 570 which includes an appropriation of funds for the White House Office, provides that "[n]o part of any appropriation contained in this or any other Act, or of the funds available for expenditure by any corporation or agency shall be used for publicity or propaganda purposes designed to support or defeat legislation pending before Congress."

9. Beginning at a time unknown to plaintiff and continuing until the present time, defendant and persons under his supervision and control have orchestrated a massive publicity and propaganda campaign designed to effect the defeat of approximately fifteen bills pending before the Congress which the President opposes for budgetary reasons, and to support various proposals for legislation contained in the President's budget for fiscal year 1974. In connection with this campaign, defendant and said persons have:

(a) prepared and disseminated to various officers and employees of the Executive Branch a document entitled "The Battle of the Budget, 1973," a copy of which is filed herewith, and other written and oral communications contained suggestions, guidelines, and instructions regarding the distribution by said officers and employees of speeches, editorials, articles, and other materials designed to influence the passage of said legislation;

(b) distributed to the media for publication written and oral communications designed to influence the passage of said legislation;

(c) prepared and disseminated to various officers and employees of the Executive Branch suggestions, guidelines, and instructions regarding the scheduling by said officers and employees of speaking appearances throughout the country to present addresses designed to influence the passage of said legislation;

(d) engaged in other activities presently unknown to plaintiffs, designed to influence the passage of said legislation.

10. As a result of the foregoing actions of defendant, various officers and employees of the Executive Branch have delivered speeches containing passages which were taken directly from the materials supplied by defendant and which were designed to influence the passage of said legislation.

11. Congress has made no appropriation of funds for the purposes of financing the actions complained of in paragraphs 9 and 10.

12. The actions of defendant and others complained of in paragraphs 9 and 10 are unlawful, in that:

(a) the expenditure of public monies for purposes for which no appropriations has been made violates Article 1, Section 9, Clause 7 of the United States Constitution and Section 628 of Title 31 of the United States Code;

(b) expenditures of other appropriated monies for such purposes constitutes the use, without express authorization by Congress, of appropriated funds to pay directly or indirectly for personal services, printed or written matter, or other devices intended or designed to influence in some manner Members of Congress to favor or oppose, by vote or otherwise, legislation before them, thus violating the specific prohibition of Section 1913 of Title 18 of the United States Code; and

(c) the expenditure of other appropriated monies for such purposes constitutes the use of appropriated funds for publicity or propaganda purposes designed to support or defeat legislation pending before Congress, thus violating Section 608(a) of the Treasury, Postal Service, and General Government Appropriation Act, 1973, P.L. 92-351, 1972 Cong. & Adm. News 556, 570.

13. As taxpayers, plaintiff and the persons on whose behalf it brings this action have been and will continue to be harmed by defendant's actions in unlawfully diverting tax monies.

14. As potential beneficiaries of some of the approximately fifteen bills against which the actions complained of in paragarphs 9 and 10 are directed, plaintiff and the persons on whose behalf it is bringing this action have been and will continue to be harmed by said actions, which make passage of said bills less likely.

15. As citizens, plaintiff and the persons on whose behalf it is bringing this action have been and will be harmed by the continued abuse of the legislative process that occurs when public monies are used to lobby for or against the passage of legislation pending before Congress in the manner described in paragraphs 9 and 10 hereof.

16. The harms to plaintiff and the persons in whose behalf it is bringing this action, which harms are described in paragraphs 13, 14, and 15 hereof, are irreparable since it is extremely difficult to determine the cost to the taxpayers of the expenses resulting from defendant's actions, since it is virtually impossible to counteract the effects of publicity and propaganda once it has been disseminated, and since the abuse of the legislative process can never be adequately corrected by remedial action.

17. Defendant will continue to engage in the unlawful actions complained of in paragraphs 9 and 10 unless this Court enjoins him from doing so.

WHEREFORE plaintiff prays for:

(1) an order preliminarily enjoining defendant and persons under his supervision and control and others acting in concert with them from continuing to engage in the actions complained of in paragraph 9 or any other actions designed to influence the passage of legislation pending before the Congress, and requiring defendant, pending the final outcome of this action, to recall and refrain from distributing or disclosing all existing copies of the document entitled "The Battle of the Budget, 1973;" and

(2) a final order:

(a) declaring unlawful the actions of defendant and persons under his supervision and control complained of in paragraphs 9 and 10;

(b) permanently enjoining defendant and said persons and others acting in concert with them from engaging in the actions complained of in paragraphs 9 and 10 or any other actions designed to influence the passage of legislation pending before Congress.

(c) directing defendant and said persons to revoke any and all suggestions, guidelines, and instructions, written or oral, issued by them and designed to cause officers and employees of the Executive Branch to engage in activities designed to bring about the passage or defeat of legislation pending before the Congress;

(d) directing defendant to notify such officers and employees in writing that such suggestions, guidelines, and instructions have been revoked pursuant to order of the Court, and to advise such officers and employees in said notification that the continued adherence to suggestions, guidelines, or instructions involving the expenditure of public monies to attempt to bring about the passage or defeat of legislation pending before Congress is unlawful;

(e) awarding plaintiff its costs and disbursements in this action; and

(f) granting such other and further relief as the Court may deem necessary or appropriate.

Dated Washington, D.C., April 20, 1973.

W. Thomas Jacks.
Alan B. Morrison.

U.S. District Court for the District of Columbia

Public Citizen, Inc., Plaintiff, v. Ken W. Clawson, Deputy Director of Communications for the Executive Branch, Defendant

AFFIDAVITT OF ALAN B. MORRISON, ESQUIRE

Washington, District of Columbia, ss.

Alan B. Morrison, being duly sworn, deposes and says:

1. I am Director of Litigation for plaintiff Public Citizen, Inc., and an attorney for plaintiff in this case. I am familiar with the background of the suit and the facts on which plaintiff's claim is based.

2. Upon reading the newspaper reports which are attached as Exhibits A. B, and C hereto, my associate, W. Thomas Jacks and I undertook to investigate the facts reported therein.

3. In connection with that investigation, I spoke to David Broder and Mike Causey, who are writers for The Washington Post and who are the authors of the newspaper articles mentioned in paragraph 2 above, about the possibility of their executing affidavits attesting to the truth of the matters reported by them. Both declined to do so because they feared that their involvement in this action to that extent would subject them to questions concerning the identity of their sources of information which they would feel obligated not to answer, thus exposing them to the possibility of fine or imprisonment. Neither suggested any reason for declining to execute an affidavit other than the one just mentioned.

4. Other news stories have been published concerning the subject matter of this dispute; they are attached as Exhibits D and E hereto.

5. To the best of my knowledge information, and belief, there have been no denials of the substance of these articles or that defendant was responsible for the publicity campaign described in them and in the complaint.

6. On the basis of the investigation conducted by Mr. Jacks and me, it is my belief that the matters alleged in the complaint are true.

7. Plaintiff desires to move for a preliminary injunction at the earliest practicable date in order to bring the unlawful acts alleged in the complaint to a halt. It is my opinion that the evidence which plaintiff now possesses, which consist of the accompanying Exhibits A–E, the absence of any denials thereto, and the collection of documents entitled "The Battle of the Budget, 1973," which was filed with the complaint, may not be sufficient to support the factual findings which a court is required to make under Rule 52(a) of the Federal Rules of Civil Procedure in order to grant a preliminary injunction. The factual information to support such findings is in the possession of the defendant, and our investigation has determined that defendant will not make such information available except under compulsory process, such as is available under Rules 30 and 36. It is for this reason that plaintiff is moving for an order permitting defendant's deposition to be taken on May 2, 1973 or in the alternative, shortening the time for defendant to reply to plaintiff's requests for admission.

Alan B. Morrison.

[Exhibit A]

[From the Washington Post, Wednesday, Apr. 4, 1973]

PR Men Gird for "Battle of Budget"

(By Mike Causey)

The Nixon administration is mobilizing the bureaucracy's extensive, and expensive, public relations apparatus for an attack on the "spendthrift" Democratic-controlled Congress.

To make sure voters get the same message, federal writers have been given a detailed set of guidelines by the White House, telling them where, when and how to warn taxpayers of the dangers to their pocketbooks if Congress tampers with the President's budget.

The guidelines, obtained by this column, tell government specialists how to write speeches warning of tax increases, and give lists of 15 federal programs to be hit, anti-Congressional "one liners" to be used by officials on the banquet circuit, and examples of "horror stories" to be used in spotlighting federal programs Mr. Nixon wants to end.

The idea is to rally public pressure against Congress not to tamper with the budget. The approach is not new. It was used by the Kennedy administration to push antipoverty programs and civil rights, and by the Johnson administration to build support for our presence in Vietnam. But the scope of the latest operation, and its tight control from the White House, may be unprecedented, and is definitely attack-oriented.

Kits, called "The Battle of the Budget, 1973," were distributed yesterday morning to top agency officials and public relations aides. The kit includes detailed instructions as to how future government press releases, and speeches, are to be written, listing:

"Major Themes."

"Key Facts."

"Sample Speech Material. One-Liners, Sample Speech," and "Anecdotes" that lampoon unsuccessful federal programs, members of Congress and anti-administration newspapers.

Examples of how "Horror Stories Might Be Used" in speech material and "canned" editorials written for newspapers and television stations include the following:

"Each day the Congress persists in its efforts to foist on the American public a gaggle of runaway spending schemes . . . and boondoggling programs which fuel inflation and threaten higher taxes.

"The pat response by the President's critics is that the President is hurting the poor, not responding to the people and has his priorities mixed up."

It then lists the programs Mr. Nixon has "targeted for cutbacks," and the "horror stories" to be used to illustrate they have been a waste of time and taxpayers' money. They include the Concentrated Employment Program in East Harlem that had "the commendable goal of 1,400 enrollees" in a job training, placement system.

"Only 616 persons were actually enrolled," the guideline sheet says, "while 170 of those dropped out. Instead of the hoped-for job placements of 920, the magic figure for the number of persons placed in jobs was 6. That is to say, thousands of dollars were spent for a program whose final results were a one out of 100 ratio of job placement."

In a section called "Support for the President's Stand," speech-writers are told to draw on Mr. Nixon's earlier antispending statements—which are attached—and to use this followup:

"As President Nixon has said, 'The way to hold the line on taxes is to hold the line on federal spending'." The suggested followup in a speech is "It is as simple as that."

The speech-writers are then given this suggestion for phrases their bosses must use in upcoming speech-making tours. They should tell taxpayer groups:

"But holding that line means doing away with some of the favorite sacred cows that the Congress has funded and refunded again and again for decades." The sample speech continues:

"As far as the public is concerned, these sacred cows stopped giving milk years ago. But each special program has a small but determined band of special beneficiaries—people who have been receiving something for nothing; people who have been getting a free ride at the taxpayers' expense. These free loaders are not going to be evicted without a fight."

[Exhibit B]

[From the Washington Post, Apr. 6, 1973]

Administration Supplies One-Liners

(By Mike Causey)

The White House has ordered government officials making the rubber chicken banquet circuit to spice their talks to citizens groups with bright but deadly quips lampooning congressmen who disagree with Mr. Nixon's spending priorities. The idea is to scare them off or send them into enforced retirement next November.

The how-to-make-speeches kit, first revealed here April 4, is a detailed guide as to which spending programs the administration opposes, and ways to hit "spendthrift" congressmen and make them look silly and fiscal dangerous to the voters.

One section of the closely held guidebook, called "The Battle of the Budget, 1973," includes "one-liners, sample speeches and anecdotes" with specific directions as to how to employ "Epithets for Congress." Examples of items to be used in speeches include:

"The buck-passing Congress . . . the 15 per cent Congress (forcing a tax increase of that much) . . . the credit-card Congress . . . the maverick Congress (ignoring the will of the people)."

Officials looking for an ice-breaker in speech material are told to say: "This may look like a Santa Claus Congress—but it's got a bagful of bad news for the taxpayer."

When defending Mr. Nixon for refusing to spend program funds voted by Congress, officials are to say: "Just because the Congress passes the buck doesn't mean the President has to spend it." Other one-liners:

"When Congress can't add, Senator Scott (the Republican leader) has said the President must subtract. Otherwise the budget will keep on multiplying and the taxpayer's dollar will keep on dividing."

Mandatory use of White House-approved phrases in talks and press releases indicates the administration has declared all-out war on congressmen who back programs the President doesn't, and that the bureaucracy's unmatched communications resources will be used to beat Congress over the head. Caught in the middle will be career federal workers who must one day poke fun at a congressman before his constituents, then go up to Capitol Hill and ask the same congressman for money.

"When one man helps himself to another man's bank account," the speechwriters guide says, "that's called embezzlement. But when a big-spending congressman helps himself to the taxpayer's income with higher prices and taxes, then it's called 'compassion.'"

With an eye to the 1974 congressional elections, federal officials are told to remind voters—and worried congressmen—of Mr. Nixon's huge victory at the polls. They will do this using item No. 9 in the "budget one-liners" section. It goes:

"The issue of 'no taxation without representation' was settled in this country two hundred years ago—and it still holds today. No member of Congress who read the election results last fall and the opinion polls this winter can claim he is representing the people if he forces a tax increase down their throats this spring."

Homing in on spending opposed by the administration, the government spokesman is to ask audiences: "Does the Congress really want programs of compassion for the poor, or does it just want to indulge its passion for poor programs?"

The speech-guidelines kit lists "The Far-Out Fifteen," which it describes as a "$9 billion herd of Trojan horses that are thundering our way from out of the Congress, brightly painted and outfitted with very attractive accessories . . ." These are bills, it is explained, that are being touted by Democrats as save-the-people legislation which, the Republicans say, would do little but raise taxes by 15 per cent. Examples of the "Far Out Fifteen" include airport building, anti-hijacking legislation, the Economic Development Administration, the older Americans legislation and flood control bills.

On flood control, for example, the guidebook explains what it would mean, and how federal officials by word and press release, are to kill it in this "speech insert."

"If anything warms congressional hearts more than fund-raising dinners, it is dams. Big dams, little dams, earth dams, concrete dams—they all mean flood control, recreation, conservation reclamation. And more than that, they mean vote-getting pork from the federal barrel."

[Exhibit C]

[From the Washington Post, Apr. 8, 1973]

White House Girds for Budget Battle

(By David S. Broder)

Last Wednesday afternoon, the weekly meeting of the departmental information officers of the Nixon administration was shifted from its regular location in the Executive Office Building to the Theodore Roosevelt Room of the White House.

The occasion was something of a celebration. Ken W. Clawson, the deputy director of communications for the executive branch and organizer of the session, passed out cufflinks with the presidential seal to everyone present.

Such mementoes have been traditional at the White House for years, celebrating the end of wars, the resolution of missile crises, or the passage of major pieces of legislation.

As far as anyone could remember, however, this was the first time that the agency publicity men, the top echelon of the army of government flacks, were so well rewarded for their part in sustaining a presidential veto.

"One down," said Clawson, referring to the previous day's Senate vote upholding Mr. Nixon's veto of the vocational rehabilitation act. "One down and 14 to go."

Facing at least 15 possible veto showdowns with Congress, the White House has mobilized all the resources of the executive branch for the 1973 battle of the budget. In this struggle, mobilizing public opinion on the President's side of the debate is regarded as one of the most vital battlegrounds.

Mr. Nixon's men are organizing it with the same thoroughness—and many of the same techniques—they used in the last election campaign. In time, the "selling of the budget" may make as striking a chapter in the public relations textbooks as "the selling of the President."

Clawson, a former Washington Post reporter who is expected to succeed the departing Herbert G. Klein as the administration's information director, is the coordinator of the budget campaign.

As in the last campaign, Mr. Nixon himself is being used sparingly for crucial roles in the publicity drive. The President provides the basic themes and the overall message and delivers—in occasional radio and television talks to the public and in messages to Congress—the key statements in the budget battle.

But the day-to-day work of keeping the message before the public is being done by Cabinet officers and agency heads, just as those men or their predecessors served as "surrogate candidates" for the President last fall.

Clawson, who coordinated the "surrogates" in the 1972 campaign, is marshaling them with similar efficiency and an eye for detail in this new campaign.

In an interview last week, he insisted that each Cabinet member is setting his own speech schedule and picking his own topics, with the White House merely offering background material on budget issues and providing sugestions on ways to reach as wide an audience as possible in the city he chooses to visit.

But participants in Clawson's weekly meetings depict the White House role as central in the whole publicity drive.

Weeks ago, they say, Clawson announced to the agency information chiefs that the President wanted his hold-the-line budget drive given top priority in every possible forum. Applying this doctrine, Clawson ordered a quota of one "economy" speech per week for every presidential appointee in the department or agency.

Last week, the quota was tripled, with the flacks told they would be responsible for producing three appearances a week by each political appointee.

Target areas were identified—mainly small to medium-sized cities with conservative Democratic or liberal Republican congressmen. Agency public relations men were told to coordinate their principals' speaking plans with John Guthrie, an aide to presidential assistant H. R. (Bob) Haldeman, in order to avoid overlapping appearances and to assure maximum coverage.

In recent weeks, Clawson has added other assignments to the expanding drive:

Each department or agency was told to deliver two signed editorial page-style commentaries on the budget battle by its officials,, which Clawson is atempting to place in newspapers around the country.

Each agency publicity man was directed to produce several ideas on budget stories for trade and business publications.

Each department with a radio facility was told to produce recorded budget messages for radio stations to tape for their own use.

A list of radio talk shows across the country was distributed and the publicity men were urged to line up interviews for their bosses—via long-distance.

The White House is also playing a leading role in shaping the contents of the message. In addition to distributing the President's own economy statements and legislative veto messages to a list of some 1,500 editors, editorial writers and broadcasting executives, Clawson's office prepared a bulky "battle of the budget" kit as a guide to agency speechwriters.

A copy of the document, obtained by (Washington Post reporter Mike Causey, lists "horror stories" and "program failures" that can be used to justify presidential budget cuts; letters to the White House; editorials and polls supporting Mr. Nixon's stand; and "one-liners" and anecdotes directed against the congressional "budget-busters."

Material from the White House speech kit has been turning up regularly in the texts of Secretary of Commerce Frederick B. Dent, Secretary of Housing and Urban Development James T. Lynn and others. For example, when presidential counselor Anne Armstrong told a San Antonio audience that "holding the line means putting some sacred cows out to pasture," she was quoting a Clawson one-liner.

When Dent told the Wholesale Grocers Association about the anti-poverty agency's employment program in East Harlem, he was citing one of the Clawson-certified "horror stories."

When Lynn told audiences in Washington, Indianapolis, Charleston, W. Va., Richmond, and Anderson, S.C., that the alternative to budget-cutting would be a 15 per cent tax raise, he was parroting one of Clawson's recommended "major themes."

The White House has also encouraged the advertising of similar themes by private-citizen allies of the President. Last Tuesday, The Washington Post carried the first full-page ad in a planned national campaign by a newly formed group called Citizens for Control of Federal Spending.

The chairman of the organization is David Packard, former deputy Secretary of Defense and head of the 1972 Nixon campaign in California. Its "legislative consultant" is Bryce N. Harlow, counselor to the President in the first Nixon administration and formerly top White House lobbyist. The list of other officers and members is studded with social friends of the President and former members of his administration.

The new organization has rented space on the same floor of a Washington office building with the local office of J. Walter Thompson, the advertising agency that contributed Haldeman and so many others to the White House staff, but its own agency is Wagner and Baroody, a firm whose principals have worked for Mr. Nixon and the Republican National Committee.

When H. Lee Choate, the retired Air Force officer who is listed as executive director of the Citizens for Control of Federal Spending, was asked if the group had any ties to the White House, he said, "No."

"They're aware of our existence, "because our three leaders (Packard and ex-Reps. John W. Byrnes of Wisconsin and James Roosevelt of California) visited the President and told him what they were prepared to do. He was very grateful and encouraged them to go on."

Clawson, denying any more role in the creation of the citizens committee than he acknowledged in the orchestration of the administration's own publicity campaign, expressed optimism about the way the battle of the budget is going.

"I think we're winning it in the country," he said, citing a series of public opinion surveys, including the latest Gallup Poll. That poll reports that by majorities ranging from 54 per cent to 65 per cent, voters believe that federal taxes are too high, that it is very important to balance the budget and that it is more important to hold down spending and taxes than to increase spending for social programs.

"We know the country is with us," Clawson said, "but the people who are hit by the budget cuts are the organized special interest groups—like the professional poverty workers—who are just lobbying the hell out of Capitol Hill."

"The question is whether congressmen will respond to their constituency back home or to the organized pressure groups," he said.

So far, the President is winning the battle both in the country and on Capitol Hill, where his first veto was sustained and the Senate has passed a spending ceiling even lower than the one Mr. Nixon recommended.

The way things are going, Clawson may have to request a supplemental appropriation for more presidential jewelry for his flacks.

[EXHIBIT D]

[From the Washington Post, Apr. 19, 1973]

"FAR-OUT 15" SKIRMISH NOW A BATTLE

(By Mike Causey)

While the administration steps up attacks on congressional budget-busters using the bureaucracy as the battering ram—key Democrats are studying a little-used federal law that provides fines and jail terms for civil servants who get caught in the lobbying business.

Under orders from the White House, federal agencies have been told to whip up public opposition to the so-called Far Out Fifteen. They are legislative proposals Mr. Nixon says would ruin his budget and force unwanted tax increases. Many of the programs under attack are pet projects of powerful Senate and House Democrats eyeing the 1974 congressional elections.

The result of the executive vs. legislative branch brawl, now being fought with press releases and speeches, could be that some career civil servants will find themselves caught in a legal meat grinder that could cost them their jobs. It could also bottle up agency money packages in a revenue-seeking Congress.

The law in question, one of the most frequently bent on the books, is the anti-lobbying statute, known in the trade as U.S.C. 18, 645, 62 Stat. 792. It reads:

"No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any matter a member of Congress to favor, or oppose, by vote or otherwise, any legislation or appropriation by Congress . . . but this shall not prevent officers or employees of the U.S. . . . on the request of any member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business."

Like most laws, the above can, and probably does, mean lots of things.

One reading would indicate that civil servants who get involved—as speech writers, secretaries or liaisons—in lobbying against a congressional project would be in violation of the law. If that is true, the law has been violated frequently by other administrations.

If, however, you take the approach that federal workers report directly to the President, it could be argued that they should do what he says, even if it means butting heads with Congress.

Some congressmen are considering a test of the law. The outcome could be a clear mandate for the President, any President, to use the bureaucracy as he sees fit, or to put it more directly under control of the Congress. Unfortunately for the "test case" federal workers caught in the middle, it could mean loss of a job, a $500 fine and a year's room and board at some federal penitentiary.

RIGHT TO STRIKE HEARINGS

The first ever on the controversial proposal to give postal employees the right-to-strike open today before Rep. Charles H. Wilson's (D-Calif.) Postal Facilities subcommittee. Postmaster General E. T. Klassen is leadoff witness.

In addition to the right to strike, postal unions are seeking the right to negotiate the union shop, which would require rank-and-file employees to join organizations, or at least pay dues to them.

Klassen has said before that he would not oppose the right to strike, provided postal unions stop asking Congress to legislate on their working conditions and instead stick to the bargaining table.

National Right to Work Committee, which opposes compulsory unionism, will also testify this week as will heads of major postal unions.

Music Sooths The Savage Scientists: Department of Transportation has installed piped-in music at its research facility next door to the CIA in McLean. Reaction to the music from workers is mixed. But in these times of belt-tightening at DOT, some wonder about the cost of the sound of music.

Job Hunters: The White House Fellows group is looking for a secretary, up to Grade 7. Call 382–4661 . . . National Capital Housing Authority wants an attorney (D.C. bar) with landlord-tenant experience. Call 382–8025.

Agency for International Development's Rosslyn office has openings for GS 7–9 and 11 contract specialists. Call 557–0187.

[EXHIBIT E]

[From the Washington Post, Apr. 11, 1973]

SPEECHES ATTACKING CONGRESS PROBED

(By Mike Causey)

Sen. Edmund Muskie (D-Maine) has asked the General Accounting Office to investigate the background and legality of speech writer guidelines sent federal agencies from the White House, telling when, where and how often to attack "spendthrift" members of Congress.

Muskie says the 200-plus page guidelines—first outlined here April 4—constitute a "major propaganda campaign" against the Congress He wants GAO to find out who wrote the guidelines, if they were prepared on government time and with federal facilities, and if they violate the 1913 law which bars civil servants from lobbying for or against programs before the Congress.

The Maine senator said the speech kits have been circulated to top press officials in every agency and tell government specialists "how to write speeches warning to tax increases and give lists of 15 federal programs to be attacked."

The speechwriters' guide also includes "horror stories" to be used in ridiculing the "far out 15" programs, contains a section of "epithets for Congressmen" who support the programs, and has a list of "one-liner" jokes to be used in speeches.

In his letter to Comptroller General Elmer B. Staats, Muskie included a copy of additional instructions being used by the Commerce Department. They order top officials to "immediately identify" two or more "major forums" between now and April 23 at which the anticongressional speeches may be made. The Commerce directive also tells district officials to "make arrangements to deliver such a speech yourself before a minimum of four additional groups during the same period as well as handling on your own any of the major forums for which a departmental spokesmen is not available.

Democrats are especially upset by the speechwriters' guide. Majority Whip Thomas P. O'Neill Jr., has called it a federally financed "administration attempt to malign Congress" and to use federal workers as "tin soldiers" to discredit Congress and "to push President Nixon's scheme for one-man rule.

Muskie has asked the GAO to find out, and give him a preliminary report by April 30 as to:

Who authorized production of the kits?

Who paid for them?

What is their distribution in federal agencies?

What instructions accompanied the kits?

Were federal funds used to finance "this propaganda campaign"?

Do speeches written and prepared according to guidelines in the kits violate the 1913 law which prohibits federal workers from legislative lobbying?

Last Sunday, Washington Post Staff Writer David S. Broder identified Ken W. Clawson, deputy director of communications for the executive branch as the White House official coordinating the campaign to defeat the "far out 15" legislative proposals.

The speech kits identify the next targets as flood-control legislation, the older Americans measure, an antihijacking bill, emergency farm loans, airport grant extension, among others. These programs, the speech kit fact sheet says, are expensive pie-in-the-sky political ploys of the Democrats whose only sure-fire guarantee is a 13 per cent tax hike for the American public.

Speechwriters and speechgivers have been told to use quotes from the President and his top aides, referring to the programs in such terms as ". . . a $9 billion herd of Trojan horses" thundering out of Congress and as "daggers" pointed at the taxpayer's pocketbook.

Federal employees drafted into the fight against Congress are warned that the programs have strong special interest backing, and have political sex appeal to individuals and communities.

Democrats who control Congress and are the main backers of the "far out 15" are furious over the attack plan which, while not umque to this administration, appears much more professional and hard-hitting than past attempts by the Kennedy and Johnson administrations to utilize the resources of the bureaucracy to win public backing for plans and programs.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CLARK). Without objection, it is so ordered.

EXECUTIVE MESSAGES REFERRED

As in executive session, the President pro tempore laid before the Senate messages from the President of the United States, received during the adjournment of the Senate, submitting sundry nominations, which were referred to the appropriate committees.

(The nominations are printed at the end of Senate proceedings.)

HOUSE BILL REFERRED

The bill (H.R. 6691) making appropriations for the legislative branch for the fiscal year ending June 30, 1974, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

HOUSE CONCURRENT RESOLUTIONS REFERRED

The following concurrent resolutions were referred to the Committee on Rules and Administration:

H. Con. Res. 109. Concurrent resolution providing for the printing of remarks of tribute to the late President of the United States, Lyndon Baines Johnson;

H. Con. Res. 126. Concurrent resolution to provide for the printing of 1,000 additional hearings entitled "Year-Round Schools"; and

H. Con. Res. 156. Concurrent resolution to provide for the printing of 1,000 additional hearings entitled "Corrections, Federal and

State Parole Systems," parts VII-A and VII-B, serial 15, 92d Congress.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that he had presented to the President of the United States the following enrolled bills:

On April 19, 1973:

S. 1493. An act to amend title 37, United States Code, relating to promotion of members of the uniformed services who are in a missing status.

On April 23, 1973:

S. 50. An act to strengthen and improve the Older Americans Act of 1965, and for other purposes.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Loan to Corn Power Cooperative, Humboldt, Iowa

A letter from the Administrator, Rural Electrification Administration, Rural Electrification Administration, reporting, pursuant to law, on the approval of a loan to Corn Belt Power Cooperative of Humboldt, Iowa (with an accompanying paper). Referred to the Committee on Appropriations.

Report on Construction Projects Proposed To Be Undertaken by the Army National Guard

A letter from the Deputy Assistant Secretary of Defense (Installations and Housing), transmitting, pursuant to law, a report on construction projects proposed to be undertaken by the Army National Guard (with an accompanying report). Referred to the Committee on Armed Services.

Report on Construction Projects Proposed to be Undertaken for the Air National Guard

A letter from the Deputy Assistant Secretary of Defense (Installations and Housing), transmitting, pursuant to law, a report on construction projects proposed to be undertaken for the Air National Guard (with an accompanying report). Referred to the Committee on Armed Services.

Report of Actual Procurement Receipts for Medical Stockpile of Civil Defense Emergency Supplies and Equipment Purposes

A letter from the Secretary of Health, Education, and Welfare, reporting, pursuant to law, on actual procurement receipts for medical stockpile of civil defense emergency supplies and equipment purposes, for the quarter ended March 31, 1973. Referred to the Committee on Armed Services.

Proposed Donation of Surplus Property to Coronado, Calif.

A letter from the Chief of Legislative Affairs, Department of the Navy, reporting, pursuant to law, on the proposed donation of certain surplus property to the city of Coronado, Calif. Referred to the Committee on Armed Services.

Proposed Legislation From Department of the Navy

A letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation authorizing the Secretary of the Navy to receive for instruction at the U.S. Naval Academy two citizens and subject of the Empire of Iran (with and accompanying paper). Referred to the Committee on Armed Services.

Proposed Legislation From the Secretary of Housing and Urban Development

A letter from the Secretary of Housing and Urban Development, transmitting a draft of proposed legislation to provide Federal revenues to State and local governments and afford them broad discretion in carrying out community development activities (with accompanying papers). Referred to the Committee on Banking, Housing and Urban Affairs.

Report of Civil Aeronautics Board

A letter from the Chairman, Civil Aeronautics Board, transmitting, pursuant to law, a report of that Board, for the fiscal year 1972 (with an accompanying report). Referred to the Committee on Conmmerce.

Report of National Railroad Passenger Corporation

A letter from the Vice President of Public and Government Affairs, National Railroad Passenger Corporation (Amtrak), transmitting, pursuant to law, a report of that Corporation, for the month of March, 1973 (with an accompanying report). Referred to the Committee on Commerce.

Proposed Legislation From the Secretary of Transportation

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations, and for other purposes (with accompanying papers). Referred to the Committee on Commerce.

Proposed Legislation From the District of Columbia Government

A letter from the Commissioner, the District of Columbia, transmitting a draft of proposed legislation to authorize certain programs and activities of the government of the District of Columbia, and for other purposes (with an accompanying paper). Referred to the Committee on the District of Columbia.

Proposed Legislation From the Secretary of the Treasury

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to be cited as the "Retirement Benefits Tax Act" (with accompanying papers). Referred to the Committee on Finance.

Proposed Legislation From the Department of Defense

A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954 with respect to the deduction for moving expenses (with an accompanying paper). Referred to the Committee on Finance.

Proposed Legislation From Department of State

A letter from the Acting Assistant Secretary for Congressional Relations, Department of State, transmitting a draft of proposed legislation to amend title VIII of the Foreign Service Act of 1946, as amended, relating to the Foreign Service retirement and disability system, and for other purposes (with accompanying papers). Referred to the Committee on Foreign Relations.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a secret report entitled "U.S. Agreements With and Assistance to Free World Forces in Southeast Asia Show Need for Improved Reporting to the Congress" (with an accompanying report). Referred to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a secret report entitled "Readiness of the Air Force in Europe" (with an accompanying report). Referred to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Enlisted Aide Program of the Military Services," Department of Defense, dated April 18, 1973 (with an accompanying report). Referred to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Audit of Federal Deposit Insurance Corporation for the Year Ended June 30, 1972 Limited By Agency Restriction On Access to Bank Examination Records," dated April 23, 1973 (with an accompanying report). Referred to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "For Safer Motor Vehicles—More Effective Efforts Needed to Insure Compliance With Federal Safety Standards," National Highway Traffic Safety Administration, Department of Transportation, dated April 24, 1973 (with an accompanying report). Referred to the Committee on Government Operations.

Reports of Seven River Basin Commissions Under Water Resources Planning Act of 1965

A letter from the Deputy Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, reports on the seven River Basin Commissions established under the Water Resources Planning Act of 1965 (with accompanying reports). Referred to the Committee on Interior and Insular Affairs.

Proposed Contract for a Research Project Entitled "Advanced Techniques for Radon Gas Removal"

A letter from the Deputy Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed contract with Arthur D. Little, Inc., Cambridge, Mass., for a research project entitled "Advanced Techniques for Radon Gas Removal" (with accompanying papers). Refered to the Committee on Interior and Insular Affairs.

Report on Activities of the Charles R. Robertson Lignite Research Laboratory

A letter from the Acting Secretary of the Interior, reporting, pursuant to law, on the activities of, expenditures by, and donations to the Charles R. Robertson Lignite Research Laboratory of the Bureau of Mines at Grand Forks, N. Dak., for the calendar year 1972. Referred to the Committee on Interior and Insular Affairs.

Bankruptcy Rules and Official Forms Covering General Bankruptcy Cases

A letter from the Chief Justice of the United States, transmitting, pursuant to law, bankruptcy rules and official forms covering general bankruptcy cases (with accompanying papers). Referred to the Committee on the Judiciary.

Proposed Legislation From the U.S. Courts

A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to authorize the position of crier-clerk within the judicial branch of the Government of the United States, and for other purposes (with an accompanying paper). Referred to the Committee on the Judiciary.

Proposed Legislation From the Secretary of Commerce

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the Trademark Act of 1946 and title 35 of the United States Code to change the name of the Patent Office to the "Patent and Trademark Office" (with an accompanying paper). Referred to the Committee on the Judiciary.

Proposed Legislation from the Attorney General

A letter from the Attorney General, transmitting a draft of proposed legislation to amend section 4082(c) of title 18, United States Code, to extend the limits of confinement of Federal prisoners (with an accompanying paper). Referred to the Committee on the Judiciary.

Reports of National Labor Relations Board

A letter from the Chairman, National Labor Relations Board, transmitting, pursuant to law, reports of that Board, for the fiscal year ended June 30, 1972 (with accompanying reports). Referred to the Committee on Labor and Public Welfare.

Report on Public Employment Program

A letter from the Secretary of Labor, transmitting, pursuant to law, a report on the public employment program, dated February 1, 1973 (with an accompanying report). Referred to the Committee on Labor and Public Welfare.

Proposed Legislation From Department of Health, Education, and Welfare

A letter from the Acting Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to extend the authorization of appropriations for the Bilingual Education Act, for the dropout prevention program, and for section 309 of the Adult Education Act (with an accompanying paper). Referred to the Committee on Labor and Public Welfare.

Delegate Lists—Correction of Final Report of the 1971 White House Conference on Aging

A letter from the White House Conference on Aging, transmitting, for the information of the Senate, a corrected printing to be inserted in volume I, appendix E, of the final report of that Conference (with an accompanying paper). Referred to the Committee on Labor and Public Welfare.

Report of the Interim Compliance Panel, Department of the Interior

A letter from the Acting Secretary of the Interior, transmitting, pursuant to law, the annual report of the Interim Compliance Panel, for the calendar year 1972 (with an accompanying report). Referred to the Committee on Labor and Public Welfare.

Proposed Legislation From the Secretary of Commerce

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend section 142 of title 13, United States Code, entitled "Census" (with accompanying papers). Referred to the Committee on Post Office and Civil Service.

Report Entitled "The Effect of Pollution Abatement on International Trade"

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report entitled "The Effect of Pollution Abatement on International Trade" (with an accompanying report). Referred to the Committee on Public Works.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the PRESIDENT pro tempore:

A resolution adopted by the City Council of Elizabeth, N. J., praying for the enactment of legislation to allow tax credits for income tax purposes. Referred to the Committee on Finance.

REPORTS OF COMMITTEES

By Mr. CRANSTON, from the Committee on Banking, Housing and Urban Affairs:

S. 1672. An original bill to amend the Small Business Act. Ordered placed on the calendar. (Rept. No. 93-132).

EXTENSION OF TIME FOR FILING REPORT OF SPECIAL COMMITTEE ON AGING

Mr. CHURCH. Mr. President, I ask unanimous consent to move from April 30 to May 15 the date by which the report of the Senate Special Committee on Aging, "Developments in Aging, 1972, January–March, 1973," shall be submitted. I am making this request in order to give additional time for completion of minority views.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. ALLEN:

S. 1656. A bill for the relief of Hernan Beteta. Referred to the Committee on the Judiciary.

By Mr. TALMADGE (by request):

S. 1657. A bill to amend the Food Stamp Act of 1964, as amended, for the purpose of authorizing appropriations for fiscal years subsequent to the fiscal year ending June 30, 1973. Referred to the Committee on Agriculture and Forestry.

By Mr. BAYH:

S. 1658. A bill for the relief of Marguerita Ponce. Referred to the Committee on the Judiciary.

By Mr. MONDALE:

S. 1659. A bill to exclude certain lands from the boundaries of the Voyageurs National Park. Referred to the Committee on Interior and Insular Affairs.

By Mr. PROXMIRE:

S. 1660. A bill for the relief of the estate of James J. Caldwell. Referred to the Committee on the Judiciary.

By Mr. CASE:

S. 1661. A bill for the relief of Barry R. Scharaga. Referred to the Committee on the Judiciary.

By Mr. PACKWOOD (for himself, Mr. Bellmon, Mr. Brooke, Mr. Burdick, Mr. Case, Mr. Dole, Mr. Domenici, Mr. Dominick, Mr. Gurney, Mr. Gravel, Mr. Hansen, Mr. Hart, Mr. Haskell, Mr. Hathaway, Mr. Humphrey, Mr. Javits, Mr. McGovern, Mr. Mathias, Mr. Mondale, Mr. Randolph, Mr. Roth, Mr. Saxbe, Mr. Taft, Mr. Thurmond, and Mr. Tunney):

S. 1662. A bill to provide for a daily index of the Congressional Record. Referred to the Committee on Rules and Administration.

By Mr. YOUNG:

S. 1663. A bill for the relief of Arthur O. Bilden. Referred to the Committee on Veterans' Affairs.

By Mr. CHURCH (for himself, Mr. Clark, Mr. Bible, Mr. Chiles, Mr. Hughes, Mr. Kennedy, Mr. Pell, Mr. Williams, Mr. Randolph, Mr. Ribicoff, Mr. Humphrey, Mr. McIntyre, Mr. Stevenson, Mr. McGovern, Mr. Nelson, Mr. Biden, Mr. Abourezk, Mr. Tunney, Mr. McGee, Mr. Haskell, Mr. Bayh, Mr. Hart, Mr. Metcalf, Mr. Pastore and Mr. Cranston):

S. 1664. A bill to prohibit any material to be enclosed with any social security check which contains the name, signature, or title of any Federal officer other than the Commissioner of the Social Security Administration, and for other purposes. Referred to the Committee on Finance.

By Mr. GRAVEL:

S. 1665. A bill to terminate the Airlines Mutual Aid Agreement. Referred to the Committee on Commerce.

By Mr. GRAVEL (for himself, Mr. Bayh, Mr. McGovern and Mr. Ribicoff):

S. 1666. A bill to amend title 39, United States Code, to establish improved standards to achieve efficient mail service, to provide an effective method of reimbursing the U.S. Postal Service for public service costs while maintaining a reasonable postal rate structure, and for other purposes. Referred to the Committee on Post Office and Civil Service.

By Mr. PROXMIRE:

S. 1667. A bill to limit the amount that may be paid in advance under certain Federal contracts, and for other purposes. Referred to the Committee on the Judiciary.

By Mr. WEICKER:

S. 1668. A bill to amend the National Environmental Policy Act of 1969 in order to insure the balancing of environmental considerations with economic and social considerations in complying with the provisions of such act. Referred to the Committee on Interior and Insular Affairs.

By Mr. McGOVERN (for himself, Mr. Cranston, Mr. Kennedy, Mr. Mondale, Mr. Case, Mr. Humphrey, Mr. Nelson, Mr. Hart, Mr. Clark, and Mr. Abourezk):

S. 1669. A bill to amend the Food Stamp Act of 1964, as amended. Referred to the Committee on Agriculture and Forestry.

By Mr. McGOVERN:

S. 1670. A bill to provide for the establishment of the George Washington Institute for the Social Sciences. Referred to the Committee on Labor and Public Welfare.

By Mr. McGOVERN (for himself and Mr. Abourezk):

S. 1671. A bill to provide for the establishment of a national cemetery near the Fort Randall Dam, S. Dak. Referred to the Committee on Veterans' Affairs.

By Mr. CRANSTON, from the Committee on Banking, Housing and Urban Affairs:

S. 1672. An original bill to amend the Small Business Act. Ordered placed on the calendar.

By Mr. CRANSTON:

S. 1673. A bill for the relief of Mrs. Zosima Telebanco Van Zanten. Referred to the Committee on the Judiciary.

By Mr. PERCY (for himself, Mr. Cook, Mr. McGovern, and Mr. Schweiker):

S.J. Res. 99. A joint resolution to authorize the President to designate the period from March 3, 1974, through March 9, 1974, as "National Nutrition Week." Referred to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. TALMADGE (by request):

S. 1657. A bill to amend the Food Stamp Act of 1964, as amended, for the purpose of authorizing appropriations for fiscal years subsequent to the fiscal year ending June 30, 1973. Referred to the Committee on Agriculture and Forestry.

Mr. TALMADGE. Mr. President, by request I introduce a bill to amend the

Food Stamp Act of 1964, as amended, and I ask unanimous consent that a copy of the bill together with a letter from the Department of Agriculture requesting the bill be printed at this point in the Record.

There being no objection, the bill and letter were ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of subsection (a) of Section 16 of the Food Stamp Act of 1964, as amended (7 U.S.C. 2025(a)), is amended by striking out "June 30, 1972 and June 30, 1973" and substituting "June 30, 1972 through June 30, 1977".

Department of Agriculture,
Office of the Secretary,
Washington, D.C., April 13, 1973.

Hon. Spiro T. Agnew,
President of the Senate,
U.S. Senate,
Washington, D.C.

Dear Mr. President: Enclosed for the consideration of the Congress is a draft of a proposed bill to amend Section 16 of the Food Stamp Act of 1964, as amended.

The proposed amendment to Section 16 would provide appropriation authority through fiscal year 1977. Public Law 91–671, approved by the President on January 11, 1971, provides appropriation authority only through fiscal year 1973. Extension of the appropriation authority is requested in order to continue to provide food assistance to those in need by supplementing their food purchasing power and to continue the policy of orderly and progressive expansion. Also, extension of the appropriation authority will permit State welfare agencies and this Department to build the administrative organization needed to adequately supervise already operating programs. In February of this year the Food Stamp Program was operating in 2,209 areas in 47 States and the District of Columbia, with 12.4 million persons participating.

The actual level of the annual appropriation for each fiscal year beyond 1973 would be determined by the Congress under the annual appropriation process.

Because the proposed amendment of Section 16 is concerned only with the continuation of appropriation authority, it would not affect program costs or employment requirements for the program.

The Office of Management and Budget advises that there is no objection to the presentation of this proposed legislation and that the enactment of this proposed amendment would be consistent with the objectives of the Administration.

A similar letter is being sent to the Speaker of the House.

Sincerely,

Clayton Yeutter,
Acting Secretary.

By Mr. MONDALE:

S. 1659. A bill to exclude certain lands from the boundaries of the Voyageurs National Park. Referred to the Committee on Interior and Insular Affairs.

Mr. MONDALE. Mr. President, I am today introducing a bill to exclude an 85-acre plot of land from the boundaries of Voyageurs National Park.

Under ordinary circumstances I would be inclined to refrain from any boundary adjustments until the park had been formally established. However, I feel there are especially compelling reasons for this exception.

The land in question is owned by Mr. Robert Gawboy, Jr. and his relatives. Mr. Gawboy is a Chippewa, and the land was given to his grandfather by the Federal Government shortly after the turn of the centuryy.

In spite of repeated attempts to obtain the exclusion of his property prior to final passage of the Voyaguers National Park Act, Mr. Gawboy's land was not exempted. In my view, this exemption would be fully compatible with the intent of Congress in authorizing the park's creation. The affected lands would be preserved in their natural condition, but would remain under the ownership of Mr. Gawboy, his relatives and their heirs.

This bill provides a way to permit Mr. Gawboy to keep his property rather than needlessly forcing Federal purchase of this small plot of Indian-owned land.

Mr. President, I ask unanimous consent that the full text of my bill be printed in full at this point in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1659

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That notwithstanding the provisions of the Act entitled "An Act to authorize the establishment of the Voyageurs National Park in the State of Minnesota, and for other purposes", approved January 8, 1971, the land described as Outside Nett Lake Allotment No. 396, lots 6 and 7, section 28, township 70 north, range 18 west, 4th principal meridian, Minnesota; shall not be considered, on and after the date of the enactment of this Act, a part of, or within the exterior boundaries of, the Voyageurs National Park.

Sec. 2. The Secretary of the Interior shall take such action as may be necessary to carry out the purpose of this Act.

By Mr. PACKWOOD (for himself, Mr. Bellmon, Mr. Brooke, Mr. Burdick, Mr. Case, Mr. Dole, Mr. Domenici, Mr. Dominick, Mr. Gurney, Mr. Gravel, Mr. Hansen, Mr. Hart, Mr. Haskell, Mr. Hathaway, Mr. Humphrey, Mr. Javits, Mr. McGovern, Mr. Mathias, Mr. Mondale, Mr. Randolph, Mr. Roth, Mr. Saxbe, Mr. Taft, Mr. Thurmond, and Mr. Tunney):

S. 1662. A bill to provide for a daily index of the Congressional Record. Referred to the Committee on Rules and Administration.

Mr. PACKWOOD. Mr. President, I introduce today—for myself and 24 other Senators—a bill which would require that an index be printed in every daily issue of the Congressional Record.

For the past century, the proceedings and debates of Congress have been printed in the Congressional Record. But, because of its staggering number of pages, though it is one of the most valuable Government publications, it is also one of the least used—because it is not indexed.

Today it is impossible for a Senator or Congressman or a member of their staff to pinpoint a bill or speech—or get an overview of everything that was printed in the Record, without wasting time and the taxpayer's money. And, as a result, most congressional offices either totally discard the Congressional Record—making no use of it whatever—or waste the taxpayer's money by pouring over, page-by-page, every day of the week, a document the size of "Gone With the Wind."

Mr. President, just because Senators and their staffs chose to squint and pore over finely printed pages 100 years ago and waste the taxpayer's time and money in the process is no reason for us to do the same.

Accordingly, I am introducing this bill to require that every daily issue of the Congressional Record be accompanied by an index—so that those who need to use the Record, can do so expeditiously.

Mr. President, I ask that a copy of this bill be printed at this point in the Record, together with four articles from Oregon newspapers endorsing this bill.

There being no objection, the bill and articles were ordered to be printed in the Record, as follows:

S. 1662

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That (a) the second sentence of section 901 of title 44, United States Code, is amended by inserting immediately after "Congressional Record" the following: "daily (whenever either House of Congress is in session) and".

(b) Section 902 of such title is amended by striking out "semimonthly" and inserting in lieu thereof "daily, semimonthly,".

(c) The first sentence of section 905 of such title is amended by inserting after "daily Record" the following: "the daily index,".

(d) The second full paragraph of section 906 of such title, relating to copies of the daily Record to be reserved in unstitched form, is amended by inserting immediately after "daily Record" the following: "(excluding the daily index)".

[From the Pendleton (Oreg.) East Oregonian Mar. 24, 1973]

By All Means

Only those who are required to read the Congressional Record. It's a bulky collection of dullsville, including junk that congressmen insert to please their constituents, edited speeches that either delete some of what a congressman actually said or pretty it up, and a lot of other trivia.

Sen. Bob Packwood wants to make plodding through the Record easier for those who must do it daily. He proposes that it be indexed. Anything to make it easier for the long suffering readers of the thing should be done without regard for the expense.

[From the Salem (Oreg.) Capital Journal, Mar. 22, 1973]

An Index for the Puffery?

Sen. Bob Packwood of Oregon is one of 21 lawmakers pushing for daily indexing of the Congressional Record.

This huge document of all testimony and supportive material results each day in a document larger than a Salem phone book.

There is an indexing crew already, but they publish the index only twice a month, meaning that when the material is fresh (and presumably most often needed) you have to grope.

With today's methods and computers this should be fairly simple to do.

We'll reluctantly agree. We get the Congressional Record (free) and sometimes try to paw through it. It's difficult to find anything. We'd prefer that it be scrapped for most of it is junk and puffery—congressmen lauding each other, extolling a fine citizen from back home, or even reprinting a Capital Journal editorial at the request of one of those discerning readers who agrees with its message. But there probably is enough vital testimony sandwiched into the pages to make it what Packwood calls a "priceless document."

If we must print it, and index it, the least that could be done is to offset the additional cost of indexing, by reducing the daily press run to far less than the present 49,000 copies. All of these are distributed free, often unrequested.

[From the Cottage Grove (Oreg.) Sentinel, Mar. 22, 1973]

Senator Seeks Daily Congressional Record Index

Every day that Congress is in session, 49,000 persons wade through a document the size of "Gone With The Wind"—and "it's a waste of time" claims Senator Bob Packwood, (R) Oregon, who is planning a small revolution in Senate tradition.

He is proposing legislation to index the "Congressional Record"—the verbatim transcript of everything that's said and done in congress. Since its inception 100 years ago, there has never been a daily index.

The record is printed in fine print, smaller than that of some newspapers, and is so bulky and unwieldy it's impossible to pinpoint a bill or speech without wasting time, Packwood says.

His proposal, which already has 21 co-sponsors, would require the publication of an index with each daily issue of the Record.

The proposal would not involve any great expense or difficulty Sen. Packwood says. There already is Congressional Record Index Office of the Government Printing Office which indexes the Congressional Record. But, the office does its indexing the day after the Record is published—then holds the index cards in a cumulative, semi-monthly index. Sen. Packwood's bill would require that the day's publication be indexed the same day.

"The Congressional Record can be a priceless tool of government, and I think it is time we made it easier to use" he says. "Just because Senators and their staffs chose to squint and pour over finely printed pages—100 years ago—and waste the taxpayer's time and money in the process, is no reason for us to do the same thing."

Mixed Car

(By A. M. Tewksbury)

Sen. Bob Packwood has proposed that a daily index be published in each issue of the *Congressional Record*. We don't want to discourage the Senator, but we suggested the same thing way back in 1939. It was one of a long list of improvements we proposed in a special report to the Librarian of Congress after a detailed study of the functioning of the Library's Legislative Reference Service. As far as we know, none of our suggested reforms have been adopted, but they made good sense then and more sense now.

By Mr. CHURCH (for himself, Mr. Clark, Mr. Bible, Mr. Chiles, Mr. Hughes, Mr. Kennedy, Mr. Pell, Mr. Williams, Mr. Randolph, Mr. Ribicoff, Mr. Humphrey, Mr. McIntyre, Mr. Stevenson, Mr. McGovern, Mr. Nelson, Mr. Biden, Mr. Abourezk, Mr. Tunney, Mr. McGee, Mr. Haskell, Mr. Bayh, Mr. Hart, Mr. Metcalf, Mr. Pastore, and Mr. Cranston):

S. 1664. A bill to prohibit any material to be enclosed with any social security check which contains the name, signature, or title of any Federal officer other than the Commissioner of the Social Security Administration, and for other purposes. Referred to the Committee on Finance.

Mr. CHURCH. Mr. President, I introduce for appropriate reference, a bill to prohibit any material to be enclosed with any social security check which contains the name, signature, or title of any Federal officer other than the Commissioner of the Social Security Administration.

The social security system is one of the landmark legislative achievements of our Nation—protecting workers and their families from loss of earnings, because of retirement, death or disability.

Today approximately 28 million Americans receive social security benefits, including more than 18 million persons age 65 or older.

Equally important, social security keeps 10 million Americans out of poverty. Without these benefits, millions of individuals would be forced onto the welfare rolls. Others would be required to depend upon relatives, many of whom would be financially hardpressed to provide economic assistance. And without these payments, 19 out of 20 social security beneficiaries would not even achieve a moderate standard of living.

These basic facts of life underscore the need to maintain the integrity of social security and to insure that it is never used for partisan purposes.

However, it has become the custom for both Republican and Democratic administrations to include announcements with social security increases which generally suggest that a boost in benefits is the result of action taken by the President.

The most recent example occurred this past October when 28 million social security beneficiaries received an announcement 1 month before the Presidential election. That notice said:

> Your social security payment has been increased by 20 percent, starting with this month's check, by a new statute enacted by the Congress and signed into law by President Richard Nixon on July 1, 1972.
>
> The President also signed into law a provision which will allow your social security benefits to increase automatically if the cost of living goes up. Automatic benefit increases will be added to your check in future years according to the conditions set out in that law.

This practice, I strongly believe, is subject to serious potential mischief for several reasons. First, it may undermine the social security program by using the system for political advantage. Second, using the social security mailing process for this purpose may create a misleading, erroneous or partisan impression in the minds of millions of potential voters.

Such notices, in my opinion, serve no useful purpose. Consequently, I introduce legislation today to prohibit social security announcements from making reference to the name or title of any individual who holds a Federal elective office or is a candidate for such office.

No one benefits—least of all the elderly—when the social security mailing process is used for narrow, partisan purposes. Social security is too vital to be demeaned in this fashion.

Today the vast majority of older Americans depend upon social security for their principal means of support. Approximately 65 percent of retired workers and 49 percent of aged couples rely upon social security for over half of their income.

For these older Americans, the social security system is simply too important to be exploited.

Mr. President, I urge early and favorable consideration of this measure.

Additionally, I ask unanimous consent that the text of this bill be printed at this point in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1664

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, Section 205 of the Social Security Act is amended by adding after subsection (q) thereof the following:

"(r) The Secretary shall not permit material to be enclosed with any social security check which—

(1) is not related to the provisions of Title II and Title XVIII of the Social Security Act; or

(2) contains the name, signature, or title of any officer of the Government of the United States other than the Commissioner of the Social Security Administration.

By Mr. GRAVEL:

S. 1665. A bill to terminate the Airlines Mutual Aid Agreement. Referred to the Committee on Commerce.

Mr. GRAVEL. Mr. President, I rise to introduce a bill that would terminate the airline industry's 14-year-old mutual aid agreement on the grounds that the agreement is seriously detrimental to the interests of commerce, labor, and the consumer.

The agreement was originally reached in 1958 by six airlines—American, Capital, Eastern, Pan American, TWA, and United. This occurred shortly after Capital Airlines—struck by the International Association of Machinists—requested assistance from its fellow airlines.

The agreement provided mutual assistance in the event that the flight operations of any of the carriers were shut down by reason of: First, a strike called to enforce union demands in excess of or opposed to the recommendations of a Presidential Emergency Board appointed under section 10 of the Railway Labor Act; or two, a strike called before exhaustion of the procedures of the Railway Labor Act in disputes between carriers and employees; or three, a strike which is otherwise unlawful. Such assistance was in the form of an agreement by the air carrier parties to pay to the strike-bound carrier the increased revenues of the other carrier parties attributable to the strike, less applicable added direct expenses. These were the so-called windfall payments.

The agreement, for 1 year's duration, was filed with the Civil Aeronautics Board for approval under section 412 of the Federal Aviation Act. The CAB approved the agreement on May 20, 1959.

The following year the CAB approved an extension of the agreement—an agreement, moreover, which had since been broadened in both membership and scope. It now included four additional airlines and contained an amendment providing payments to struck carriers in situations where the strike had been carried in the absence of the establishment of a Presidential Emergency Board and the struck carrier had in all respects acted in compliance with the Railway Labor Act. Thus, with CAB approval of this new looser interpretation, virtually all strikes became legitimate grounds for mutual assistance among the airlines. And the original contention—that the agreement had been executed to protect the carriers primarily against strikes founded on rejection of Emergency Board recommendations—was clearly exposed for what it was: a shameful gimmick to obtain CAB approval of the agreement.

In subsequent years, the mutual aid agreement has been regularly extended by CAB, and further amended to the benefit of the airlines so that now payments are so liberal that a strike-bound airline has little incentive to end the strike—to seriously engage in collective bargaining, speedily reach agreement, and return to full operations.

And why should it, if a strike hardly puts a crimp in its earnings? Consider the case of Northwest Airlines. Thanks to the mutual aid agreement that airline has survived four strikes provoked by its own adamant demands—a 45-day walkout by the machinists in 1966, a 5-hour work stoppage by the pilots in 1969, a 160-day tie-up by the Brotherhood of Railway and Airline Clerks in 1970, and a 95-day strike by the pilots in 1972—and even managed to parlay those strikes into profits. During the most recent strike, the airline received mutual aid payments of $43.1 million. Using that amount—and a little of its own funds—to operate only its most profitable routes with available personnel, Northwest showed earnings for that quarter of $2.8 million.

Labor, for its part, suffers considerably at the hands of the mutual aid agreement. Its bargaining representatives are at an unfair disadvantage at the bargaining table. The striking employees live on subsistence-level strike funds for considerably longer than they would otherwise have to. And many workers from other unions who are idled by a strike are denied Government assistance due to existing State laws.

Most importantly, the general public also suffers great hardships as a result of the agreement's existence and frequent use. Especially hard-hit by protracted agreement-abetted strikes are small communities which depend on a single line for commercial and passenger service. Fargo, N. Dak.—virtually paralyzed by the 1972 pilots' strike—became so desperate that it petitioned CAB to cancel Northwest's operating certificate and provide the city with a new carrier's service.

Moreover, what started out as a limited group insurance system has—with increased CAB subsidies to several local carriers—evolved into a generous corporate welfare plan partially supported by the Government. I view this as a particularly ironic situation in view of the Government's increasingly dim view of welfare for needy individuals.

Perhaps the most convincing evidence against continuation of the mutual aid agreement is contained in a simple statistical comparison: During the 8 years preceding execution of the agreement, there were 38 strikes averaging 15.1 days each. During the first 12 years following execution of the agreement—thus omitting the 95-day pilots' strike—there were 62 walkout averaging 35.5 days each.

The well documented disruptive effects of the mutual aid agreement have prompted many concerned individuals—inside and outside the Government—to call for its modification, especially in the area of payment levels. It is now time, however, for more decisive action. With my introduction of this legislation—and my support of identical legislation which has been introduced in the House by Congressmen KARTH and FRASER of Minnesota—I earnestly request that the mutual aid agreement not be modified but terminated because it is incompatible with the public policy of the United States as provided in its existing labor relations laws. The agreement is a threat to equitable collective bargaining and a danger to the commerce of our Nation. Overall, it is a one-sided pact that has been sanctioned by the Federal Government for 14 years and which I now sincerely believe should be brought to a speedy and conclusive end.

By Mr. GRAVEL (for himself, Mr. BAYH, Mr. MCGOVERN, and Mr. RIBICOFF):

S. 1666. A bill to amend title 39, United States Code, to establish improved standards to achieve efficient mail service, to provide an effective method of reimbursing the U.S. Postal Service for public service costs while maintaining a reasonable postal rate structure, and for other purposes. Referred to the Committee on Post Office and Civil Service.

Mr. GRAVEL. Mr. President, there are several universal standards by which a nation is judged by its peers. These standards include such things as:

Is the Government honest and evenhanded?

Is transportation swift and reliable?

Is the civil service trustworthy and effective?

And: Is the mail service efficient and dependable?

Certainly if we were to be judged by the last of these standards alone, we would be considered third or fourth rate. The postal service of the United States—the greatest, strongest, and wealthiest country in the world—is a national scandal. The postal service being provided to the American people would not be acceptable in many nations that are considered to be less advanced than the United States.

Two years ago, when the U.S. Postal Service was coming into being, we were told that the new quasi-corporation would solve all the ills that were besetting the mails.

Two years have passed. The postal service today—judged by the USPS's own figures—is worse than it was in the dying days of the old Post Office Department.

Mr. President, we cannot afford to permit this steady erosion of our principal system of communications to continue.

As long ago as 1829, Andrew Jackson said:

> The Post Office is to the body politic what veins and arteries are to the natural—carrying rapidly and regularly to the remotest parts of the system correct information of the operations of government and bringing back to it the wishes and feelings of the people.

The Postal Service should be—must be—this and much more besides. It should be, as Woodrow Wilson once wrote:

> The Messenger of Sympathy and Love; the Servant of Parted Friends; the Consoler of the Lonely; the Bond of the Scattered Family; the Enlarger of the Common Life; the Carrier of News and Knowledge; the Instrument of Trade and Industry; the Promoter of Mutual Acquaintance, Of Peace and Good Will Among Men and Nations.

No one could honestly say that the Postal Service today is fulfilling this mission. The mails are slow and uncertain. Service has been sacrificed on a false altar of petty economies.

Even the Postmaster General, Elmer T. Klassen, has admitted to the Senate Post Office Committee that the U.S. Postal Service was so hellbent on reducing costs that we perhaps lost track of service.

We must make certain, Mr. President, that no one in authority ever again loses track of service.

The mail service to, from, and within the State of Alaska, has deteriorated to such an alarming degree during the past 2 years that I asked the General Accounting Office to conduct a Postal Service survey. This survey began just after the first of the year and is near completion. Alaskans are accustomed to getting the short end of the stick as far as services go, and we recognize that we do have unique problems of distance and weather not normally encountered in the Lower 48 States. However, the report of one Alaskan, that it took 30 days to get a letter delivered 60 miles away, had nothing to do with weather—just poor service. Once it became known that a GAO investigation was underway, my office was flooded with letters citing a wide range of incredible experiences from mail delivered opened to packages marked airmail and fragile being delivered by second-class mail and in damaged condition. Cases were cited of food being delivered spoiled when postage had been paid for expedited service, or left dumped from the airfields and exposed to weather.

This is not intended to reflect adversely upon the overworked and dedicated Postal employees who perform their duties against great odds. As a matter of fact, were it not for their dedication, we would probably have no service at all. The main problem stems from administrative practices and serious understaffing.

I have today introduced legislation, S. 1666, which would establish specific standards of service, and which would require Congress to make whatever appropriations are necessary to insure that these standards are met.

The standards are really quite modest. They are practically minimal. They are:

First. Guaranteed next-day delivery of first-class mail within a 500-mile radius.

Second. Guaranteed third-day delivery of first-class mail any place within the United States beyond the 500-mile radius.

Third. Six-days-a-week delivery service, including parcel post.

Fourth. Six-day window service in post offices.

Fifth. Second attempt at delivery of parcel post.

The standards, in short, would bring the postal service up to the place it was 15 years ago. Is that too much to ask?

On reflection, Mr. President, we must all realize that Congress went entirely too far when it washed its hands of the postal service. The sad and dreary story of postal service failure ever since should cause us collectively and individually to examine our consciences. Congress must, at the very least, conduct oversight over this essential public service which touches almost every citizen of this Nation every working day of the year.

My bill, Mr. President, mandates the Post Office and Civil Service Committees of both Houses of Congress to conduct each year a thorough investigation of the performance of the United States Postal Service in order to make certain that the modest standards I have mentioned earlier are indeed being met.

My bill further provides that any managerial or administrative official who deliberately and knowingly violates or circumvents the standards of service shall be promptly discharged from the U.S. Postal Service.

The conduct of the mails is public business. It affects the economic, social, and political welfare of every one of our citizens. It is our manifest duty to oversee the operation of this essential system of communications and to make certain that decent standards of service are maintained.

By Mr. PROXMIRE:

S. 1667. A bill to limit the amount that may be paid in advance under certain Federal contracts, and for other purposes. Referred to the Committee on the Judiciary.

Mr. PROXMIRE. Mr. President, I introduce a bill that would reestablish congressional control over back-door financing of defense contractors. In light of the Lockheed bailout, the C5A and Cheyenne problems, the purchase of stock in floundering companies, unusual loans to Grumman, and a host of other relatively unknown examples, it is clear that Congress has no real control over bailouts and back-door financing.

BYRD-PROXMIRE AMENDMENT OF 1970

Once before we addressed this problem with regard to loans made under the Defense Production Act. A Byrd-Proxmire amendment subsequently was accepted by the Senate in a 75 to 0 vote and was passed by the House to become law on August 13, 1970. The Byrd-Proxmire amendment provided that any loan or guarantee made under the Defense Production Act section 2091 shall not exceed $20 million without the approval of Congress. It was necessary due to the rather open ended language of that act and was designed to curtail unlimited loans to contractors.

UNUSUAL ADVANCE PAYMENTS

That did not shut off the back-door financing, however. Instead of invoking section 2091, the Defense Department turned to title 10, United States Code, section 2307. Under this provision, emergency advance and other payments can be made to a distressed contractor up to the total dollar amount of his contracts without any proof of work completed. In effect, they are loans whereby the contractor can keep his cash position solvent. This is the law being used to provide Grumman with "loans" for the F–14 program.

DEFENSE PRODUCTION ACT, SECTION 2092 APP.

There is another way to get around the congressionally imposed $20 million level. The Defense Department can make use of the loan and loan guarantee authority in a companion section to 2091 of the Defense Production Act. Since the $20 million level only applies to one section—2091—it leaves section 2092 open for exploitation. By its terms, section 2092 applies directly to the President and to those who are delegated his authority. It essentially contains the same powers as in section 2091. According to the General Counsel of the Department of Defense, section 2092 has not been used since it was enacted in 1950. Nonetheless, the authority is there ready to be invoked.

VAST EXECUTIVE POWERS IN PUBLIC LAW 85–804

By far the most extensive powers given to the President and the Department of Defense reside in Public Law 85–804—title 50, section 1431, U.S.C. This law allows the President or any department he authorizes to enter into contracts or modify contracts without regard to other laws if it would "facilitate the national defense." It also allows for advance payments.

The authority is delegated to the Secretaries of Defense, Army, Navy, and Air Force, and can be further delegated. Above $50,000 in obligation, the action must be approved by a Deputy Assistant Secretary or higher or by a departmental Contract Adjustment Board. The Department of Defense must report to Congress by March 15 of each year with an accounting of the actions under this law of the previous year.

A review of these annual reports indicates that Public Law 85–804 has been used to obligate $700 million from 1959 to 1972. This is a staggering amount of money to be obligated by a back-door technique. It has been used to purchase stock as collateral in the Gap Instruments Corp., of Long Island. It has been used to provide financing for the ill-fated C5–A airplane and Cheyenne helicopter programs. It is the broadest and most flexible contract modification law on the books. The Department of Defense can virtually take any action it desires simply by stating that it would "facilitate the national defense."

EVEN THE SELECTIVE SERVICE ACT HAS EMERGENCY PROVISIONS

My review of existing emergency legislation also has uncovered a little known provision of the Selective Service Act, title 50, section 468 App. which remains in force due to the national emergency of 1950. It does not appear that the extensive authority given the President under the Selective Service Act has been used, but it could be. In fact there have been strong hints that use of this act was under consideration as a technique to compel Grumman to produce F–14's.

The Selective Service Act permits the President, after receiving advice from the National Security Resources Board, to place orders for military goods and compel production by seizing the plant if necessary. In fact the President can take over a defense plant and run it as he sees fit simply by declaring it is in the interests of national security.

"Fair and just compensation" is required for any products furnished but there is no definition of what is fair and just.

NEEDED CONGRESSIONAL APPROVAL FOR BACKDOOR FINANCING

My bill would take the concept so readily accepted by Congress in 1970—the idea of a $20 million limit without congresional approval—and apply it to these other laws that permit back-door financing. In no way does it cut off emergency authority of the Department of Defense of the President. It simply requires that any action involving obligations of Federal resources over $20 million must first be approved by Congress. If Congress says OK, then they go through. But Congress can also say no and that is the authority it does not now have. Each individual case would be debated on its merits. There would be less chance of back-door bailouts.

For those who would be concerned about the limitation of Presidential authority in an emergency, there are two sound points to consider. First, Congress can always give its approval as I am sure it would in an emergency.

Second, and even more important, the President has extensive emergency authority to meet any circumstances without the laws in question. Under title 10, the President has two sections—4501 and 9501—which give him vast authority to place orders for defense goods, transfer production, insure production, and seize facilities if necessary. The qualifying time phrase is "in time of war or when war is imminent." Similar provisions exist in title 50, United States Code, section 82.

It is obvious, therefore that loopholes must be plugged while still allowing broad leeway in time of national emergencies. My bill would do just that.

A SUMMARY OF RELEVANT LAWS

Mr. President, the following is a short summary of the current legislation that enables the Department of Defense to take such extraordinary actions without prior congressional approval:

First, 50 U.S.C. 1431: National defense contracts, authorization and official approval. Public Law 85–804:

This section empowers the President to authorize Government agencies to amend or modify contracts, and to make advance payments on contracts, when the President believes such action would facilitate the national defense. This section applies only during a national emergency.

As implemented by Executive Order 10789—1958—agencies may take the actions specifically enumerated in the section, as well as "modify or amend or settle claims" and "enter into agreements—modifying or releasing accrued obligations."

Other parts of the Executive order make the following provisions, among others:

First. Proper records must be kept and made available for public inspection unless disclosure would harm the national security.

Second. A report to the Congress of all actions taken during the previous year under the section must be made by March 15.

Third. Advance payments may be made only after obtaining adequate security.

Fourth. The Comptroller General has access to "directly pertinent" corporate records, subject to certain limitations in section 1433.

Fifth. A contract amendment may not increase the price to an amount higher than the lowest rejected bid of a responsible bidder.

Second, 50 United State Code App. 2092: Loans to private business enterprises. Defense Production Act:

This section allows the President to provide for direct loans to private business enterprises to expedite the national defense. Loans may be extended only to the extent that they are "not otherwise available on reasonable terms." Statutory termination date is June 30, 1974, as extended. The previous section 2091, which provides for loan guarantees, was amended in 1970 to include a $20 million limit on guarantees unless approved by Congress.

Third, 10 United States Code 2307: Advance payments:

This section allows heads of agencies to make advance, partial, progress or other payments, not to exceed the unpaid contract price, and only if the contractor provides adequate security.

Fourth, 50 United States Code App. 468: Utilization of industry. Selective Service Act:

This section authorizes the President to compel producers to fulfill defense contract obligations. Nonfulfillment includes failure to fill an order "within the period of time prescribed by the President" and failure to furnish articles at the contract price, among others. In the event of noncompliance, the President is authorized to take immediate possession of any facility and to operate it to produce the contract material. This section applies only during a national emergency.

Mr. President, I ask unanimous consent that my exchange of correspondence with the General Counsel of the Department of Defense be placed in the RECORD at this point, except for his lenghtly appendices.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

CONGRESS OF THE UNITED STATES,
Washington, D.C., February 15, 1973.

Mr. J. FRED BUZHARDT,
General Counsel, Department of Defense, Washington, D.C.

DEAR MR. BUZHARDT: I am undertaking a review of the emergency legislation now on the statue books which might be used by the President or the Department of Defense as authority for providing emergency relief to defense contractors in various kinds of financial difficulty.

I have read your testimony of January 15th on this subject before Senator Byrd's Armed Services Subcommittee on General Legislation, and I would much appreciate it if you would answer the following questions which that testimony brings to my mind.

(1) In your testimony you cited three statutory provisions which might be used by the Deparment as authority for emergency relief:

Title 50, Section 1431 U.S.C. (P.L. 85–804).

Title 50, Section 2091 U.S.C. App. (Defense Production Act).

Title 10, Section 2307 U.S.C. (Advance and Other Payments).

Would you please provide me with a detailed record of the use made by the Department of these provisions during the past three years—the dates of each action taken, the names of the corporations or other beneficiaries involved, and the dollar extent of each obligation or commitment? (My interest in Title 10, Section 2307 U.S.C. is limited to advance payments and other payments of an emergency nature which may have been made, not to customary progress payments provided for in contracts when entered into). Would you also provide me with a separate record of those occasions on which these provisions have been used, at *any time* since they became effective, to provide a corporation or other beneficiary with relief in excess of $20 million?

(2) You did not refer in your testimony to Title 50, Section 2092 App. (which applies by its terms to the President alone). Title 50, Section 2092 App. authorizes the President to loan (or guarantee loans) to private business enterprises under specified circumstances beneficial to the national defense. Would you please provide me with a detailed record of the use made of this provision during the past *three* years?

Would you also provide me with a separate record of those occasions when it has been used, at *any* time since it became effective, to provide a private business enterprise with aid in excess of $20 million?

(3) You did not refer in your testimony either to Title 50, Section 468 App. U.S.C. or to Title 50, Section 1152 App. U.S.C., which provisions were referred to as the "Selected Service Act" and the "War Powers Act" by the Navy last year in testimony to the Tactical Air Power Subcommittee of the Senate Armed Services Committee. The Navy suggested in that testimony (at page 3812 of Volume 6 of the Committee's FY 1973 authorization hearings) that these provisions could be invoked to compel defense contractors on the F–14 to continue production of the planes. Is it your opinion, also, that either or both of these provisions would be legally applicable to compel continued production of the F–14 by those F–14 contractors unwilling to continue production without a restructured contract? If you believe that Title 50, Section 468 App. U.S.C. would be applicable, how would the "fair and just compensation" called for by subsection (d) of that section be determined (would it be the *costs* of continued production, the existing contract price, or something else instead)? If you believe that Title 50, Section 1152 App. U.S.C. would be applicable, how would the price to the government of continued production be determined under that section? Would you please provide me with a detailed record of the last *five* times *each* of these Sections has been used to compel production of a major weapon system program—the dates of each action, the names of the contractors involved, the dollar magnitude of the production work in question, and a precise explanation as to how the price of that work to the government was determined?

I would deeply appreciate it if you could provide me with answers to the above questions by March 5, 1973. Should you be reluctant, in light of present negotiations regarding the F–14, to answer now those questions which refer directly to that program, I would accept immediate answers to all other questions (including those regarding the historical use of Title 50, Sections 468 App. and 1152 App.) and a later reply to the F–14 related questions. Mr. Ron Tammen of my staff (Ext. 55653) would be happy to assist you in responding to this request.

Sincerely,

WILLIAM PROXMIRE,
Subcommittee on Priorities and Economy in Government.

GENERAL COUNSEL OF THE
DEPARTMENT OF DEFENSE,
Washington, D.C. March 7, 1973.

Hon. WILLIAM PROXMIRE,
Chairman, Subcommittee on Priorities and Economy in Government, Joint Economic Committee, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Reference is made to your letter of February 15, 1973 in which you asked for certain information in connection with your review of legislation which provides for financial assistance to contractors.

Pursuant to section 4 of Public Law 85–804 (50 U.S.C. 1434), the Department of Defense annually provides a report to the Congress of actions taken under that authority. I am providing as Enclosure 1 a copy of each year's report with the exception of the report for calendar year 1972 which is in the process of preparation. A copy of the 1972 report will be sent to you when it is transmitted to the Congress within the next few weeks.

Enclosure 2 represents information compiled by the military departments in response to your inquiry concerning actions taken under section 301 of the Defense Production Act (50 U.S.C. App. 2091) and 10 U.S.C. 2307.

Authority to take loan action under section 302 of the Defense Production Act (50 U.S.C. App. 2092) was delegated to the Secretary of Treasury and to Director of the Office of Emergency Preparedness by section 310 of Executive Order 10480, as amended. We understand that no loan action by those agencies has been taken under this authority for many years, and we have been unable to find any record in the Department of Defense which would indicate the extent Defense contractors were ever involved in such loans since enactment of that provision in 1950. You may wish to make further inquiry of those agencies.

We find no record of the use by the Department of Defense of section 18 of the Selective Service Act (50 U.S.C. App. 468) since its enactment in 1968. In the light of present negotiations concerning the continuance of the production of the F–14, we would prefer not to give an opinion as to the provision's applicability to the situation at this time.

The provisions of 50 U.S.C. App. 1152 are no longer in effect. As indicated in 50 U.S.C. App. 645, the provisions of section 1152(a) were to remain in force until June 30, 1949, or until June 30, 1950 in the case of contracts or orders for tin and tin products. (The only extension beyond these dates was in connection with import controls on fats, oils, rice, and rice products, in which case the final expiration date was August 1, 1951. See note following 50 U.S.C. App. 1152.) Additionally, it should be noted that the national emergency declared on September 8, 1939 and referenced in section 1152(a)(1) was terminated on April 29, 1952 by Presidential Proclamation No. 2974. We have found no record which indicates the extent this authority was used prior to its expiration.

I trust the foregoing information will meet your needs.

Sincerely,

J. FRED BUZHARDT.

By Mr. WEICKER:

S. 1668. A bill to amend the National Environmental Policy Act of 1969 in order to insure the balancing of environmental considerations with economic and social considerations in complying with the provisions of such act. Referred to the Committee on Interior and Insular Affairs.

Mr. WEICKER. Mr. President, today I am introducing a bill that will strengthen and improve the National Environmental Policy Act.

The National Environmental Policy Act has been law for over 3 years. During this time it has had far-reaching effects on Federal agency decisionmaking. As a result of NEPA, the environmental implications of proposed Federal actions are more likely to be recognized and weighed now than they were in the past. Because of NEPA, citizens and communities who believe that environmental consequences have not been adequately considered by an agency now have recourse through the legal system to insure that environmental values have been given fair consideration. An examination of the record of litigation brought under NEPA shows that the law has proved to be an effective tool for concerned citizens attempting to protect the quality of their local environment.

But these past 3 years have also shown that NEPA, like any human creation, could still be improved. The amendment I propose is an attempt to improve NEPA, not cripple it. The purpose of this amendment is to clarify the original intent of Congress when drafting NEPA so that citizens and communities may be assured that all predictable effects to their human, as well as natural, environment have been weighed before a Federal project is undertaken.

The courts across the country have not uniformly interpreted the meaning of the term "environmental impact" contained in NEPA. They have questioned whether "environmental" is to be construed narrowly, to refer only to physical, chemical, and biological effects, or more broadly to include the social, economic, and cultural aspects of man's environment. Fortunately, many courts have adopted the broad interpretation which Congress clearly had in mind.

In Goose Hollow Foothills League against Romney, U.S. District Court Judge Alfred Goodwin held that factors such as changing the character of a neighborhood, increasing population concentration, increasing traffic and destroying visual amenities did constitute significant environmental effect which HUD should have included in an environmental statement. Similarly, in Hanly against Mitchell, U.S. Circuit Court Judges Waterman, Hays, and Feinberg found that:

> The National Environmental Policy Act contains no list of so-called "environmental considerations", but without question its aims extend beyond sewage and garbage and even beyond water and air pollution . . . The Act must be construed to include protection of the quality of life for city residents. Noise, traffic, over-burdened mass transportation systems, crime, congestion and even availability of drugs all affect the urban "environment" and are surely results of the "profound influences of . . . high-density urbanization (and) industrial expansion."

These are encouraging signs. However, it is time for Congress to spell out in no uncertain terms its intent that economic and social factors be considered as a component of the human environment. Chief Judge Friendly was unfortunately in the minority in a second appeal of *Hanly* v. *Kleindienst* (sub. nom. *Hanly* v. *Mitchell*). His dissenting opinion reads in part:

> I see no ground for the majority's doubt "whether psychological and sociological effects upon neighbors constitute the type of factors that may be considered in making such determination (of significant environmental effect) since they do not lend themselves to measurement.

It is clear that the intent of Congress as expressed in section 102(2)(B) of NEPA was that just such effects be considered whether "presently unquantifiable" or not and should be weighed and balanced against considerations more amenable to computation. The Council on Environmental Quality has recognized this to be congressional intent in their third annual report. To quote from that document:

> The legislative history suggests that the Congress did expect the 102 statement to record the agency's tradeoffs of competing values. In explaining the bill on the Senate floor, Senator Jackson said: "Subsection 102 (c) (now 102(2)(c)) establishes a procedure designed to insure that in instances where a proposed major Federal action would have a significant impact on the environment that the impact has in fact been considered that any adverse effects which cannot be avoided are justified by some other stated consideration of national policy that short-term uses are consistent with long-term productivity, and that any irreversible and irretrievable commitments of resources are warranted.

Other court cases such as the Calvert Cliffs case and the Natural Resources Defense Council against Morton have upheld this interpretation of NEPA. However, there is a danger that these decisions will be interpreted to require that only negative effects to the natural environment and beneficial effects to the human environment be discussed in environmental statements. Essentially, this has been the response of the Atomic Energy Commission to the Calvert Cliffs decision. AEC's subsequent guidelines broadened the content of the commission's impact statements to include discussion of project benefits of all kinds compared with narrow definitions of environmental costs.

This bill seeks to insure that all costs to the human environment be set forth in the environmental statement. Clearly this was the intent of Congress and it is most important that we make this clear, particularly if environmental statements are now used as vehicles for discussion of project benefits of all kinds while adverse economic and cultural impacts are treated summarily or ignored. The public has a right to know about the social costs and social benefits as well as the economic costs and economics benefits which a given project will produce.

Mr. President, I ask unanimous consent that the bill be inserted at this point in the RECORD, followed by a section-by-section analysis and a bibliography of relevant materials.

There being no objection, the bill and material were ordered to be printed in the RECORD, as follows:

S. 1668

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the National Environmental Policy Act of 1969 is amended—

(1) in section 102(2)(C)(i), by inserting after "action," the following: "together with the impact of the proposed action on the economic, social and cultural dimensions which contribute to the quality of the human environment.";

(2) in section 102(2)(C)(ii), by inserting after "implemented," the following: "along with any opposing considerations of national policy as set forth in Sec. 102(2)(B) which are used to justify implementation of such proposal.";

(3) in section 102(2)(C)(iii), by inserting after "action," the following: "including the reasons, environmental, social or economic, for rejection of such alternatives."; and

(4) in section 102(2)(C)(v), by inserting after "implemented" the following: "and that any such commitments are warranted in terms of balancing policy considerations as set forth in Sec. 102(2)(B).".

SECTION-BY-SECTION ANALYSIS

Section 1: This Section amends the existing subsection 102(2) of NEPA to clarify that the balancing performed under Section 102(2)(B) is required, under Section 102(2)(C), to be made explicit in the environmental statement.

Subparagraph (1) clarifies the meaning of environmental impact, defining it to include human environmental dimensions.

Subparagraph (2) deals with any unavoidable adverse environmental effects. Environmental here is meant to include human environmental factors as well as natural factors. This section requires that agencies document the balancing required in Section 102(2)(B) in the environmental statement.

Subparagraph (3) relates to alternatives to the proposed action. Full descriptions of rejected alternatives, as well as the proposed action, in terms of environmental, social and economic effects must be included in environmental statements.

Subparagraph (4) requires that any irreversible and irretrievable commitments of resources must be shown to be warranted in terms of the balancing of Section 102(2)(B). It will be noted that a superficial rationalization for proceeding with a proposed action despite such irreversible commitments will not constitute such a demonstration.

BIBLIOGRAPHY OF RELEVANT MATERIALS

COURT CASES

1. *Calvert Cliffs Coordinating Committee v. AEC,* 1 ELR 20346 (D.C. Cir. 1971)

2. *Environmental Defense Fund v. Corps of Engineers of the United States Army,* no. LR–

70-C-203 (E.D. Ark. Nov. 16, Dec. 22, 1970, Jan. 21, Feb. 19, 1971) 1 ELR 20130.

3. *Goose Hollows Foothills League v. Romney*, 334 F Supp 877 (1971).

4. *Hanly v. Mitchell*, 460 F. 2d 640 (1972).

5. *Hanly v. Kleindienst*, No. 357 (2d Cir. 1972) 2 ELR 20717.

6. *Natural Resources Defense Council v. Morton*, No. 71-2031 (D.C. Cir. 1972) 2 ELR 20029.

OTHER MATERIALS

1. Council on Environmental Quality. *Third Annual Report, Environmental Quality.* Washington, D.C.: U.S. Government Printing Office, 1972. p. 244.

2. General Accounting Office. *Adequacy of Selected Environmental Impact Statements Prepared Under the National Environmental Policy Act of 1969.* Report to the Subcommittee on Fisheries and Wildlife Conservation, Committee on Merchant Marine and Fisheries, House of Representatives. Washington, D.C.: Comptroller General of the United States, 1972.

3. ———. *Improvements Needed in Federal Efforts to Implement the National Environmental Policy Act of 1969.* Report to the Subcommittee on Fisheries and Wildlife Conservation, Committee on Merchant Marine and Fisheries. House of Representatives. Washington, D.C.: Comptroller General of the United States, 1972.

4. Administration of the National Environmental Policy Act—1972, Hearings before the Subcommittee on Fisheries and Wildlife Conservation of the Committee on Merchant Marine and Fisheries, House of Representatives, February 17, February 25, and May 24, 1972. Serial No. 92-24, pp. 379-389.

5. Calvert Cliffs Court Decision, Hearing before the Committee on Interior and Insular Affairs, United States Senate, Pursuant to S. Res. 45, November 3, 1971, Part 1. Serial No. 92-14. pp. 20-25.

By Mr. McGOVERN (for himself, Mr. CRANSTON, Mr. KENNEDY, Mr. MONDALE, Mr. CASE, Mr. HUMPHREY, Mr. NELSON, Mr. HART, Mr. CLARK, and Mr. ABOUREZK):

S. 1669. A bill to amend the Food Stamp Act of 1964, as amended. Referred to the Committee on Agriculture and Forestry.

THE FAMILY NUTRITION ACT OF 1973

Mr. McGOVERN. Mr. President, today I am introducing on behalf of myself and my colleagues the Family Nutrition Act of 1973. I consider this to be one of the most important pieces of legislation that Congress will be required to pass judgment on this year.

We are all aware, Mr. President, of the widespread concern throughout the Nation now regarding the problem of nutrition, especially the problem of obtaining an adequate diet during a time of rising prices.

This concern is nowhere felt more deeply than among the Nation's 26 million poor—women, children, and elderly living on fixed incomes or pensions.

Over the past 4 years, the Federal Government, in cooperation with State and local officials, has attempted to alleviate that concern by launching a truly magnificent effort to provide nutritional assistance to those either suffering or in danger of suffering from malnutrition.

This effort has been based on humanitarian feelings and commonsense. It is simply unacceptable in a nation as rich as ours that anybody in need should go hungry. And it is commonsense that adequate nutrition is the fundamental base for good health and full participation in our national life.

To that end, old programs have been improved and new programs—for the very young and the very old—have been launched.

One of the old programs that has been vastly improved is the food stamp program. Four years ago, the benefits of this program were inadequate and only 3 million of the Nation's needy were participating in the program.

Through congressional and Executive leadership the benefits have been improved and participation now hovers around the 12 million mark.

There are few efforts that this Government has ever launched to deal with the problems of its disadvantaged citizens that can match this record. It should be noted that a food program of this size has provided a most valuable cash market for the American farmer.

But the job we set out to do is not yet done. There are still the hungry and still the sick in America who need help and now is the time to make the further improvements in the food stamp program to make sure that help is given.

It is in that spirit that the Family Nutrition Act of 1973 has been drafted. This bill, Mr. President, does not represent a sweeping revision of the food stamp program. It seeks to make limited and specific remedies in the manner in which the present program operates to insure the participation of those in need and to insure that the need is adequately met.

And, while these specific remedies will require expenditures above what the administration has requested, we do not expect those expenditures to exceed, perhaps not even equal, the funds appropriated this year for the program.

Let us take a look at what this bill seeks to accomplish.

Last year, Congress, seeking to simplify assistance programs, increased the cash benefits available to many of our older citizens through the new supplemental security income program. This is a needed and commendable step forward in the way our assistance programs operate. But, at the same time, Congress made all elderly receiving cash benefits through SSI ineligible for the food stamp program. Since that time, Mr. President, the Senate Nutrition Committee and individual Members of Congress have been told repeatedly by representatives of the Nation's older citizens, that many of the Nation's elderly will simply not be able to survive, pay the rent, medical bills and buy the food as well, on the cash they are going to receive. They have asked for a very simple thing. If we are still eligible, by virtue of income regardless of how received, for the benefits of the food stamp program, then let us continue to receive stamps. The stamps do not give us all that much—maybe $10 or $20 a month—but that $10 or $20 is the difference between existing on bread, soup, and starch, and being able to buy a little protein and vegetables as well.

We believe that is a reasonable request. The administration estimated that 1.5 million elderly citizens now in the food stamp program would be rendered ineligible because of SSI payments. If half of those are still eligible by virtue of income, then we are simply saying they should continue to receive food benefits because they so obviously need them. Let us not sacrifice the nutritional sufficiency of these elderly in the name of administrative efficiency. In time, we all hope that their cash income support will be high enough so that they will not need additional food assistance but that time has not yet arrived.

There are several other provisions in the Family Nutrition Act that also benefit the elderly. One provides for the use of food stamps to purchase meals at senior citizen eating centers. This provision is an important step toward fulfilling this country's obligation to provide the opportunity for adequate nutrition to every aged resident. Just as importantly, it provides the elderly with the opportunity to combine a well-balanced diet with the companionship and society which—all too often—they would otherwise be denied. Until now, the elderly poor who participate in the food stamp program have been restricted to taking their meals in what is often the unwanted loneliness of their own residences. This provision will open up a new vista for companionship to them: the opportunity to obtain low-cost food in the more companionable atmosphere of senior citizens centers or restaurants. By providing this chance for new social contacts, we are adding a vital element of human warmth and dignity to the later years of those who have given so much to this Nation. Another raises the allowable resource requirement for the elderly from $3,000 per household to $3,000 per individual. We have a dual purpose here. The first is to permit the elderly to live together and reduce their overhead expenses without losing their food stamp benefits. The second is to permit a $1,500 set-aside to allow for burial expenses. The Nutrition Committee has been informed that many elderly would rather starve than "go into their burial money." An additional provision for the elderly provides for supplemental benefits to meet special dietary needs as determined and prescribed by competent medical authorities and approved by the Secretary of Agriculture. It is difficult enough today to achieve an adequate diet. But when you have the special health problems of age—diabetes, high blood pressure, heart disease—it is almost impossible, especially on a limited income.

Another group with special nutrition problems today, like the elderly, are pregnant women, infants, and large families. We have several provisions in the Family Nutrition Act of 1973 to assist them. As with the old, we provide for an additional personal allotment for pregnant women and for children under 1 year of age, $12 per month more. If there is one fact that has been brought home time and again to the Nutrition Committee, it is that malnutrition in pregnancy or infancy is paid for throughout life in retarded physical and mental ability. If that little extra for mothers and young children prevents that result, it will have paid for itself millions of times over in money that will not have to be spent taking care of people who are truly not able to care for themselves. As for the larger families, and the average food stamp family is now five persons, we provide for a slight reduction in how much they must pay for their food stamp allotment. Under present law, the maximum cost may be 30 percent of a families income. In actuality, the average throughout the program is around 28 percent but for the larger families in the higher income States, it is nearly 30 percent. According to the Bureau of Labor Statistics Consumer Price Index, the average expenditure for food by families in the Nation is around 25 percent. For that reason, we have recommended a reduction in the maximum purchase price from 30 to 25 percent.

For everyone in the program, we have attempted to deal with the current problem of rapidly rising food prices. Inflation hurts everyone but it hurts the poor most of all. The current food stamp program provides for an annual cost-of-food adjustment in the program's allotment. In practice, this means that the Department of Agriculture updates the allotment every June based on the increase in the cost of food as of the previous December. Anyone who has been following this year's price rises since December, never mind before, knows that this is simply no longer adequate. Senator Case, an original cosponsor of the Family Nutrition Act of 1973, is especially concerned about this injustice and, at his specific suggestion, we are recommending that the updating as of this July 1 be required to incorporate the rise in the cost of food through March 31 of this year, and that henceforth the updating take place every 6 months instead of annually. When and if this price situation comes under control, the Congress may want to return to an annual adjustment which, in a time of relative price stability, is clearly adequate.

The Family Nutrition Act of 1973 also contains a number of administrative improvements designed to make this program more accessible to needy persons. The administration has said that this program is available to all who are in need. The Nutrition Committee has received sufficient information regarding the actual administration of the program to bring that assertion into some doubt. It is true the program is out there and waiting. If a person is actually aware that it exists, and many are not. If a person can manage to take time out from work to wait for hours in line to file an application, and many cannot. If a person can wait the month or months for his application to be investigated and approved. That is a long time to go hungry. We have, therefore, recommended several provisions to alleviate each of these administrative problems. First, we have mandated both outreach and certification workers to make sure that the isolated hungry poor, especially the isolated and the elderly, are informed that the program exists and then to make sure that there are adequate personnel to accept and process their applications. Our formula is one outreach worker for every 500 eligible nonparticipating households—households, not individuals, mind you—which actually works out to two outreach workers per county now in the program, and one certification worker per 1,000 participating households, or about one per county. Second, we provide for a simplification of the certification procedure itself, requiring that an application be acted upon within 15 days of its submission, or that temporary certification be provided at that point. Experience has shown, Mr. President, that the vast majority of applications are eventually approved, though it make take months for the wheels to grind. While some may argue that this automatic temporary certification is an incentive to cheat, we believe that the current financial and criminal penalties for defrauding the Government in this program, are adequate to deter potential cheats.

Our concern must be with meeting the real hunger of the poor as quickly and adequately as possible. Finally, to assist the States in the administration of the program, we are recommending an increase in the Federal Government's share of the administrative expenses from 62 to 80 percent. That, of course, sounds like a significant increase but in actual dollars and cents it amounts to around 7 million additional over this year's expenditures.

Last year, Mr. President, the Congress appropriated almost $2.5 billion for the food stamp program. The administration estimates that the cost of the program at the end of this fiscal year will run about $2.2 billion. The administration also estimates that next year—given the elimination of 1.5 million elderly participants, plus further reductions in participating due to improved economic conditions and administrative procedures designed to catch ineligibles—that the program will again cost $2.2 billion.

We have attempted, as best we can, to estimate the additional cost above the administration's budget estimate for the coming fiscal year of the recommendations in the Family Nutrition Act of 1973. It is our judgment that those recommendations will cost, at least, $200 million additional, and, at most, given increased participation because of improved outreach, an additional $300 million. If the additional cost works out to be the lower figure, then the program in the next fiscal year will cost $100 million less than Congress appropriated for the current year. If it approaches the higher figure, then the cost of the program next year will approximate the amount appropriated for this year.

Mr. President, we all realize that great care must be given to budgetary responsibility. All agree that programs must be carefully scrutinized as to their effectiveness. It is in this context that the Family Nutrition Act is being set forth today. No effort in the past decade has been more successful than this antihunger effort. It works because it is the essence of simplicity and good sense. and good health is essential to participation in our society. We believe that the Family Nutrition Act of 1973 continues in a responsible and considered way this country's commitment to providing good nutrition for all of the American people, be they rich or be they poor.

Mr. President, I ask unanimous consent that an explanation of the Family Nutrition Act of 1973 be printed at this point in the Record.

There being no objection, the explanation was ordered to be printed in the Record, as follows:

EXPLANATION OF THE FAMILY NUTRITION ACT OF 1973

Definition of "Household". Eligibility for and participation in the program is made on a household basis. Based on this provision, the DOA issued regulations and instructions which provide that persons who share common living quarters shall be considered a "household" for Food Stamp Program purposes. These provisions are inconsistent with the current Food Stamp Act (as determined by the United States District Court for the Northern District of California in the case of Knowles v. Butz) and the bill provides for this codification. There is no attempt to amend the "related individuals" provision which has been ruled invalid but is currently on appeal.

The definition is further modified by striking the last sentence, which was added by P.L. 92–603 (H.R. 1): "No person who is eligible (or upon application should be eligible) to receive supplemental security benefits under Title XVI of such Act shall be considered to be a member of a household or an elderly person for the purposes of this Act" and was to become effective January 1, 1974. (The effect of this amendment is dealt with further below.)

Eligible Households. The Secretary shall continue, in consultation with the Secretary of HEW, to establish the uniform national standards of eligibility but the Bill provides for certain specific requirements as follows:

1. In no event shall the income eligibility requirement be less than the poverty line.

2. In determining which receipts are to be included in the computation of "income", only receipts that are actually received and available for general expenditures by the household are to be considered. This provision is specifically meant to exclude school loans for tuition, school fees, and books even though repayment is deferred until completion of the recipient's education.

3. All income which is excluded under Section 119 of the Internal Revenue Code is to be excluded under the provisions of this Bill. This provision is specifically meant to exclude from the computation of income the cost of lodging furnished to farm workers by their employers.

4. The maximum allowable resources are established at $3,000 per person over 60 in the household.

5. Concomitant with the amendment to the definition of "household" (above) relating to the eligibility of persons who are old, blind, or disabled, the Bill specifically states that such persons who receive Supplemental Security Income pursuant to Title XVI of the Social Security Act shall be allowed to participate under those conditions that apply to those who receive their income from any other source.

6. The provision that eliminated the eligibility of an individual who had reached his eighteenth birthday for one year after such person is claimed as a dependent by a taxpayer who is not a member of an eligible household is eliminated. Such person would still not be eligible during the taxable year he or she is so claimed.

7. The provision providing for temporary emergency standards of eligibility is modified to include mechanical failure as well as natural disasters.

8. The Secretary is also required to formu-

late uniform national standards for the distribution of federally donated foods.

Work Requirement. A work requirement exists in the current law which cuts off entire families from food stamp benefits if any single member of the family should be found able but unwilling to work. This bill is designed to protect the children and others in a family who may be unable to work. Essentially, it would require a reduction in food stamp allotments commensurate with the number of individuals who are required to register for employment, but who refuse to do so. In other words, if in a family of six there were one adult who was required by the law to register for work, and that individual refused to do so, the family would receive henceforth ⅚ of the food stamp allotment that they would normally be entitled to.

Use of Coupons. Under the Bill the Secretary is granted the power to investigate complaints made by participating households into the pricing policies of retail food stores where it is claimed that the pricing policy of the retail outlet discriminates against participating households in such a way as to lessen the purchasing power of the food stamp allotment. This is not meant as a carte blanche to investigate and control the general price level of consumer foods.

Value of Coupon Allotment. The bill provides that the face value of the coupon allotment be updated twice a year instead of annually and that the updating that is scheduled to occur July 1st, incorporate the rise in the cost of food through March 31st of this year. As the law currently reads, January increases in the cost of food would not be reflected in the allowable coupon allotments until July of the Next year. The Bill also provides an extra allotment for a pregnant woman, a $12 bonus per month for each child under one year of age, and an allotment bonus to persons medically certified as requiring a special diet of such an amount as the Secretary determines is necessary to provide that person with a nutritionally adequate diet.

Cost of Food Stamp Allotment. The maximum charge that can be made for the coupon allotment of each household is reduced from 30 percentum to 25 percentum of the household's income.

Certification of Households. Certification of applicant households would be made on the basis of a simplified application containing the necessary information and each application would be required to be acted upon within 15 days from the date that the initial request is made. Any household whose application was not acted upon within the 15 days would be granted a provisional certification until such time that a decision on the merits could be reached. Households which are receiving assistance pursuant to Title IV of the Social Security Act would qualify automatically since their need is already proven.

The income of households whose income is earned on a seasonal basis will be averaged on a 3, 6, or 12 month basis, as the applicant chooses, and certification would be for a like period of time.

Certification of any household would not lapse or be otherwise adversely affected except pursuant to a fair hearing, except that each participating household would have the obligation to report to the appropriate State agency any change in income or family size within 30 days of such change. In the event that any household so required fails to report such household's eligibility would terminate, until such time as compliance is met.

State Plan of Operation. As is currently the law, each state would be required to submit a plan of operation that provides for the incorporation of eligibility standards promulgated by the Secretary and for the certification of applicant households in accordance with federal guidelines. In addition, however, new provisions provide for:

1. employment by the State of one worker per every 1000 participating households for the purpose of undertaking the certification and re-certification of applicant households.

2. employment by the State of one worker per every 500 households in that subdivision whose incomes are under the income poverty guidelines but who are not currently participating.

3. granting authority to the hearing board to allow them in appropriate cases to grant retroactive relief.

4. issuance of coupon allotments no less than two times per month.

5. the reinstatement of the provision which was repealed by P. L. 92–603 (H.R. 1) providing any household that is participating in the food stamp program by reason of its participation in a program pursuant to Title IV of the Social Security Act (AFDC) with the option to have its coupon allotment deducted from such grant and distributed to it with such grant.

State failure to comply. If a State agency fails substantially to comply with the provisions of this Act the Secretary would no longer be allowed to totally discontinue the further issuance of coupons in the political subdivisions involved. In lieu thereof the Secretary would pursue one or more of the following sanctions:

1. request the Attorney General to petition any district court of the United States having jurisdiction over the State agency to enjoin such State to comply with this Act, the regulations, or the State plan of operation.

2. disallow for cost sharing purposes under this Act administrative funds expended by the State agency not in compliance with this Act, the regulations, or the State plan of operations;

3. require the State agency to reimburse any households affected by the agency's failure to comply with this Act, the regulations, or the State plan of operations for the benefits under the program that such households have been denied thereby; or

4. directly administer such program throughout the State or in such political subdivisions as the Secretary deems appropriate.

Use of Food Stamps by Senior Citizens. Members of an eligible household who are sixty or over or such persons and their spouses would be allowed to use food stamps to purchase meals prepared by senior citizens' centers and various other eating establishments which prepares meals especially for elderly persons.

Cooperation with State Agencies. The Secretary is currently authorized to pay to each State agency an amount equal to 62½ per centum of the cost of salaries and other administrative expenses involved in carrying the provisions of the Food Stamp Act. This per centum would be raised to 80% and would include the cost of the added personnel required for certification and outreach services.

Authorization. The bill provides for an open ended authorization for the FY 1974, 75 and 76 as was the case for FY 1972 and 1973.

By Mr. McGOVERN:

S. 1670. A bill to provide for the establishment of the George Washington Institute for the Social Sciences. Referred to the Committee on Labor and Public Welfare.

GEORGE WASHINGTON INSTITUTE OF THE SOCIAL SCIENCES

Mr. McGOVERN. Mr. Persident, there has recently been much discussion in the Congress and in the media about the programs to which priority should be given in order to resume the forward pace of progress of this Nation.

The administration has amply demonstrated its ideas of how it should be done. Many of us disagree, seeing a backward trend, and have proposed other programs more pertinent to the results desired.

Those programs we will continue to encourage in order to place above all else the welfare of all our people, their health care, education, and job training and opportunities.

Within these general categories there are innumerable goals to be pursued. All of them, if they are to be explicitly and rationally formulated, need detailed study in terms of budget data and economic analyses in order that the best courses of action can be selected.

The recognition of this need is not new. I have stated before the importance of a source of ready, reliable information on social issues. But that information must be accompanied by responsible, sophisticated analysis. Senator MONDALE, in discussing the more than $400 million worth of statistics produced in this Government, said they are worth almost nothing because no one looks at them. Senator JAVITS has observed that there is a need for some sort of coordinating mechanism which would consider all of the alternatives and options open to us. Others in and out of Congress state that this body must be more than a brake or a rubber stamp on legislative initiatives from the White House.

For these purposes and in order to establish a framework within which consistent decisions can be made in a considered manner, and to stimulate informed awareness and discussion of national priorities, I propose the establishment within Congress of an institute to be known as the "George Washington Memorial Institute for the Social Sciences." It will conduct analyses of national goals and priorities and provide the Congress with the information and data needed for enlightened decisions.

I ask unanimous consent that this bill will be printed in the RECORD.

There being on objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1670

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Institute for the Social Sciences Act."

TITLE I—FULL OPPORTUNITY

DECLARATION OF POLICY

In order to promote the general welfare, the Congress declares that it is the continuing policy and responsibility of the Federal Government, consistent with the primary responsibilities of State and local governments and the private sector, to promote and encourage such conditions as will give every American the opportunity to live in decency and dignity, and to provide a clear and precise picture of whether such conditions are promoted and encouraged in such areas as health, education and training, rehabilitation, housing, vocational opportunities, the arts and humanities, and special assistance for the mentally ill and retarded, the deprived, the abandoned, and the criminal, and by measuring progress in meeting such needs.

The Congress finds and declares that there is a need for a more explicit and rational formulation of national goals and priorities, and that the Congress needs more detailed and current budget data and economic analysis in order to make informed priority decisions among alternative programs and courses of action. In order to meet these needs and establish a framework of national priorities within which individual decisions can be made in a consistent and considered manner, and to stimulate an informed awareness and discussion of national priorities, it is hereby declared to be the intent of Congress to establish an Institute within the Congress which will conduct a continuing analysis of national goals and priorities and will provide the Congress with the information, data, and analysis necessary for enlightened priority decisions.

DECLARATIONS

The Congress declares that our first President George Washington—

(1) left a bequest to endow a national university in his last will and testament;

(2) repeatedly urged upon the Congress the importance of establishing a national university; and

(3) surveyed a site for such a university with the cooperation and assistance of the Commissioners of the District of Columbia.

ESTABLISHMENT OF INSTITUTE

(A) There is hereby established in Washington, District of Columbia, an institute to be known as the "George Washington Memorial Institute for the Social Sciences" (Hereinafter referred to as the "Institute"), to promote through such Institute the social welfare of the United States by—

(a) providing research relating to the social need of citizens and to policies which will give every American the long-range opportunity for "the pursuit of happiness" as provided in the fundamental policy contained in the Declaration of Independence;

(b) gathering, for study and evaluation, various reports, studies, documents, and data prepared by the Federal Government, and other public and private organizations, relevant to social conditions in the United States; and

(c) organizing conferences and seminars with persons of outstanding achievement and capacity from the professions, industry, agriculture, labor, commerce, institutions of higher education and other appropriate areas.

(B) The Institute shall be housed in such public buildings as may be made available for this purpose in Washington, District of Columbia. In order to carry out the provisions of this subsection the Administrator of General Services is authorized to provide such buildings, facilities, and equipment to the Institute as may be necessary.

BOARD OF TRUSTEES

(a) The Institute shall be under the direction and control of a Board of Trustees (Hereinafter referred to as the "Board") which shall be composed of—

(1) the Secretary of Health, Education and Welfare;

(2) the Librarian of Congress;

(3) the Chairman of the National Endowment of the Humanities;

(4) the Secretary of the Smithsonian Institution;

(5) the Director of the National Science Foundation;

(6) the Director of the Institute; and

(7) seven members to be appointed by the majority leader of the Senate, and the Speaker of the House of Representatives and confirmed by a majority of each House. Two of said appointed members shall be members of a university or college faculty and five shall be drawn from state and local government and the cultural, industrial, agricultural commercial and other walks of life.

(b) The majority leader of the Senate and the Speaker of the House of Representatives shall designate a Chairman and a Vice Chairman from among the members appointed and with concurrence of both Houses. A majority of the members of the Board shall constitute a quorum.

(c) The seven appointed members under (a) (7) shall serve terms of six years, except that (1) of those members initially taking office, two shall serve terms of two years, two shall serve terms of four years, and three shall serve terms of six years, and (2) a vacancy shall be filled only for the unexpired portion of any term.

(d) Members of the Board shall receive no compensation, but shall be reimbursed for their travel expenses, including a per diem allowance, in accordance with section 5703 (c) of title 5, United States Code, when engaged in the performance of their duties as such members.

There shall be a Director and an Assistant Director each of whom shall be appointed by the Board of Trustees. The Institute shall be under the control and supervision of the Director, and shall have a seal adopted by him. The Assistant Director shall perform such duties as may be assigned to him by the Director, and, during the absence or incapacity of the Director, or during a vacancy in that office, shall act as the Director.

(a) The annual compensation of the Director shall be equal to the annual compensation of the Comptroller General of the United States. The annual compensation of the Assistant Director shall be equal to that of the Assistant Comptroller General of the United Sates.

(b) The terms of office of the Director and the Assistant Director first appointed shall expire on January 31, 1978. The terms of office of Directors and Assistant Directors subsequently appointed shall expire on January 31 every four years thereafter. Except in the case of his removal under the provisions of subsection (c), a Director or Assistant Director may serve until his successor is appointed.

(c) The Director or Assistant Director may be removed at any time by a resolution of the Senate or the House of Representatives. A vacancy occurring during the term of the Director or Assistant Director shall be filled by appointment, as provided in this section.

(d) The professional staff members, including the Director and Assistant Director, shall be persons selected without regard to political affiliations who, as a result of training, experience, and attainments, are exceptionally qualified to analyze and interpret publicly policies and programs.

FUNCTIONS OF THE INSTITUTE

(a) The Institute shall make such studies as it deems necessary to carry out the purposes herein designated. Primary emphasis shall be given to supplying such analysis as will be most useful to the Congress in voting on the measures and appropriations which come before it, and on providing the framework and overview of priority considerations within which a meaningful consideration of individual measures can be undertaken.

(b) The Institute shall submit to the Congress on March 1 of each year a national goals and priorities report and copies of such report shall be furnished to the Committee on Appropriations of the Senate and of the House of Representatives, the Joint Economic Committee, and other interested committees. The report shall include, but not be limited to—

(1) An analysis, in terms of national goals and priorities, of the programs in the annual budget submitted by the President, the Economic Report of the President, and the Social Report of the President;

(2) an examination of resources available to the Nation, the foreseeable costs and expected benefits of existing and proposed Federal programs, and the resource and cost implications of alternative sets of national priorities; and

(3) recommendations concerning spending priorities among Federal programs and courses of action, including the identification of those programs and courses of action which should be given greatest priority and those which could more properly be deferred.

(c) In addition to the national goals and priorities report and other reports and studies which the Institute submits to the Congress, the Institute shall provide upon request to any Member of the Congress further information, data, or analysis relevant to an informed determination of national goals and priorities.

POWER OF THE INSTITUTE

(a) In the performance of its functions under this title, the Institute is authorized—

(1) to make, promulgate, issue, rescind, and amend rules and regulations governing the manner of the operations of the Institute.

(2) to employ and fix the compensation of such employees, and purchase or otherwise acquire such furniture, office equipment, books, stationery, and other supplies, as may be necessary for the proper performance of the duties of the Institute and as may be appropriated for by the Congress;

(3) to obtain the services of experts and consultants, in accordance with the provisions of section 3109 of title 5, United States Code; and

(4) to use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States.

(b) (1) Each department, agency, and instrumentality of the executive branch of Government, including independent agencies, is authorized and directed, to the extent permitted by law, to furnish to the Institute, upon request made by the Director, such information as the Director considers necessary to carry out the functions of the Institute.

(2) The Comptroller General of the United States shall furnish to the Director copies of analyses of expenditures prepared by the General Accounting Office with respect to any department or agency in the executive branch.

(3) The Office of Management and Budget shall furnish to the Director copies of special analytic studies, program and financial plans, and such other reports of a similar nature as may be required under the planning-programing-budgeting system, or any other law.

JOINT ECONOMIC COMMITTEE HEARINGS

The Joint Economic Committee of the Congress shall hold hearings on the national goals and priorities report and on such other reports and duties of the Institute as it deems advisable.

PAYMENT OF EXPENSES

All expenses and salaries of the Institute shall be paid by the Secretary of the Senate from funds appropriated for the Institute upon vouchers signed by the Director, or in the event of a vacancy in that office, the Acting Director.

FELLOWS

In keeping with the spirit of President George Washington's unsatisfied bequest calling for the creation of a national institution of higher learning—

(a) There shall be within the Institute, George Washington Memorial Fellows (hereinafter referred to as "Fellows"), who shall assist in carrying out the functions of the Institute pursuant to services they can render by virtue of their expertise.

(b) The Board shall select Fellows on the basis of outstanding achievement and capacity in the requirements of their special fields from among the social scientists and others of the United States (and, where appropriate, of other Nations) without regard to their current place of employment. In selecting Fellows, the Board shall maintain, to the extent practicable, a representative distribution among scholars in the various disciplines of sociology, political science, psychology, anthropology, economics, social work, urban affairs, law, and such other disciplines as the Board may consider to be engaged in social research.

(c) (1) Fellows shall be appointed for terms not to exceed twenty-seven months, except when the Board deems a longer period appropriate.

(2) Fellows shall be compensated at rates established by the Board sufficient to provide a stipend and expenses incidental to service at the Institute, including travel expenses and a living allowance.

SATISFACTION OF BEQUEST

Enactment of this Act shall serve to discharge any and all obligations on the part of the Federal Government under the bequest of President George Washington.

AUTHORIZATION OF APPROPRIATIONS

In order to carry out the provisions of this Act there is authorized to be appropriated a sum not to exceed $10,000,000 for the fiscal year ending June 30, 1974, and not to exceed $5,500,000 for each succeeding fiscal year. Any sum appropriated pursuant to this section shall remain available until expended.

By Mr. McGOVERN (for himself and Mr. ABOUREZK):

S. 1671. A bill to provide for the establishment of a national cemetery near the Fort Randall Dam, S. Dak. Referred to the Committee on Veterans' Affairs.

FORT RANDALL NATIONAL CEMETERY

Mr. McGOVERN. Mr. President, South Dakotans have felt the need for a national cemetery for veterans for many years. A number of South Dakota veterans are already buried on a plot of government-owned land near Fort Randall, and it seems only fitting that this site be designated as a national cemetery for veterans.

To accomplish this purpose, and in compliance with the South Dakota State Legislature House Concurrent Resolution No. 501, I am joining with my colleague, Senator ABOUREZK, to introduce a bill which directs the Secretary of the Army to establish and maintain a national cemetery for veterans on the site previously referred to.

Mr. President, I ask unanimous consent that House Concurrent Resolution No. 501 as passed by the South Dakota State Legislature be printed in the RECORD as well as the text of the bill following my remarks.

There being no objection, the resolution and bill were ordered to be printed in the RECORD, as follows:

HOUSE CONCURRENT RESOLUTION No. 501

A concurrent resolution, Memorializing the Congress of the United States to direct the Secretary of the Army to establish a national cemetery at a site near the Fort Randall Dam in Gregory County, South Dakota

Be it resolved by the House of Representatives of the State of South Dakota, the Senate concurring therein:

Whereas, one of the first duties of this nation is to provide suitable resting places for those who have given a full measure of service to their country; and

Whereas, a great need exists on the central plains of this great nation for a national cemetery to serve as final resting place for this nation's honored dead; and

Whereas, the United States Government owns approximately three hundred twenty acres of land located on the southeast side of Fort Randall Dam in Gregory County, in the central plains of South Dakota; and

Whereas, a cemetery containing the graves of United States veterans of the earlier era already exists on a portion of the above said acreage.

Now, therefore, be it resolved, by the House of Representatives of the Forty-eighth Legislature of the State of South Dakota, the Senate concurring therein, that the Congress of the United States be memorialized to direct the Secretary of the Army to establish a national cemetery on a portion of the above said three hundred twenty acres of federal land located on the southeast side of Fort Randall Dam in Gregory County in order that this great nation can fulfill its obligation to those of its citizens who answered the call during the time when our great republic was threatened by the enemies of freedom; and

Be it further resolved, that copies of this concurrent resolution be transmitted by the Chief Clerk of the House of Representatives of the State of South Dakota to the offices of the President and Vice President of the United States, the Speaker of the House of Representatives of the United States, the members of the Congressional delegation of the State of South Dakota, the Secretary of the Army of the United States and the Governor of the State of South Dakota.

Adopted by the House, January 30, 1973.

Concurred in by the Senate, February 6, 1973.

S. 1671

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is authorized and directed to establish a national cemetery within the area of approximately three hundred and twenty acres of Government-owned land located at the southeast side of Fort Randall Dam, South Dakota.

SEC. 2. The Secretary of the Army is authorized to provide for the care and maintenance of the cemetery established pursuant to the first section of this Act and is authorized to prescribe such regulations as he may deem necessary for administration of this Act.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

By Mr. PERCY (for himself, Mr. COOK, Mr. McGOVERN, and Mr. SCHWEIKER):

S.J. Res. 99. A joint resolution to authorize the President to designate the period from March 3, 1974, through March 9, 1974, as "National Nutrition Week." Referred to the Committee on the Judiciary.

NATIONAL NUTRITION WEEK

Mr. PERCY. Mr. President, the Senate Select Committee on Nutrition and Human Needs, of which I am the ranking Republican member, has held a number of hearings during the 93d Congress. In the course of these hearings, the committee has looked into the problems of nutritional advertising, particularly for children's television; the relationship of diet and dietary additives to tooth decay; the nutritional adequacy of popular weight-reduction diets currently followed by many Americans; and the sale of competitive foods in schools participating in the national school lunch program.

At each of the hearings, it becomes more apparent that the American public is sometimes taken in by overzealous commercial interests—interests of the food industry, or proponents of fad diets, of the advertising industry. It has also become apparent that the Federal Government cannot be entirely responsible for the protection of American consumers from those commercial interests.

The best protection the public has against unsafe or ineffective diet plans, against advertising that does not provide adequate or correct nutrition information about food products, and against food products that are either potentially harmful or without nutritional value is an awareness and understanding of the facts about good nutrition. Every step taken to bring accurate nutrition information to Americans is of course beneficial to the individuals who are thus better informed. But every such step is equally beneficial to our whole society as its members are given an added opportunity to maintain good health.

National Nutrition Week was observed this past March by the American Dietetic Association and its affiliates across the country. The success of National Nutrition Week next year, however, would be immeasurably enhanced by a Presidential proclamation. Such a proclamation would be one more important step toward bringing factual and up-to-date nutrition information to all Americans.

Consequently, I am pleased to introduce today a resolution on behalf of myself, Senator COOK, Senator McGOVERN, and Senator SCHWEIKER, calling for the designation of the period of March 3, 1974, through March 9, 1974, as National Nutrition Week. I ask unanimous consent that this joint resolution be printed at this point in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 99

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating the period from March 3, 1974, through March 9, 1974, as "National Nutrition Week", and calling upon the people of the United States and interested groups and organizations to observe that week with appropriate ceremonies and activities.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 250

At the request of Mr. RIBICOFF, the Senator from Rhode Island (Mr. PASTORE) was added as a cosponsor of S. 250, to provide tuition tax credits to parents of nonpublic school students.

S. 371

At the request of Mr. TOWER, the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 371, to provide that certain provisions of the Natural Gas Act relating to rates and charges shall not apply to persons engaged in the production or gathering and sale but not in the transmission of natural gas.

S. 433

At the request of Mr. Mansfield (for Mr. Magnuson), the Senator from Tennessee (Mr. Baker), the Senator from Alaska (Mr. Gravel), and the Senator from Minnesota (Mr. Mondale) were added as cosponsors of S. 433, a bill to assure that the public is provided with an adequate quantity of safe drinking water, and for other purposes.

S. 645

At the request of Mr. Bayh, the Senator from South Dakota (Mr. Abourezk) was added as a cosponsor of S. 645, a bill to strengthen interstate reporting and interstate services for parents of runaway children; to conduct research on the size of the runaway youth population; for the establishment, maintenance, and operation of temporary housing and counseling services for transient youth, and for other purposes.

S. 780

At the request of Mr. Sparkman, the Senator from Indiana (Mr. Bayh) was added as a cosponsor of S. 730, a bill to amend the Clayton Act by adding a new section to prohibit sales below cost for the purpose of destroying competition or eliminating a competitor.

S. 821

At the request of Mr. Bayh, the Senator from South Dakota (Mr. Abourezk) and the Senator from New Jersey (Mr. Case) were added as cosponsors of S. 821, a bill to improve the quality of juvenile justice in the United States and to provide a comprehensive, coordinated approach to the problems of juvenile delinquency, and for other purposes.

S. 838

At the request of Mr. Tower, the Senator from Colorado (Mr. Dominick) was added as a cosponsor of S. 838, a bill to amend title 10, United States Code, to permit the recomputation of retired pay of certain members and former members of the Armed Forces.

S. 919

At the request of Mr. Gurney, the Senator from Nevada (Mr. Bible), the Senator from California (Mr. Tunney), the Senator from Delaware (Mr. Roth), and the Senator from New Jersey (Mr. Williams) were added as cosponsors of S. 919, a bill to permit spouses and widows of medicare beneficiaries and early retirees to purchase medicare coverage at cost.

S. 948

At the request of Mr. Mondale, the Senator from Illinois (Mr. Stevenson) was added as a cosponsor of S. 948, a bill to amend the Federal Property and Administrative Services Act of 1949 to provide for the use of excess property by certain grantees.

S. 971

At the request of Mr. Taft, the Senator from New York (Mr. Javits), the Senator from Minnesota (Mr. Humphrey), the Senator from Utah (Mr. Moss), and the Senator from West Virginia (Mr. Randolph) were added as cosponsors of S. 971, the Home Preservation Act of 1973.

S. 983, S. 984, S. 985

At the request of Mr. Bayh, the Senator from Colorado (Mr. Dominick), and the Senator from New York (Mr. Javits) were added as cosponsors of S. 983, a bill to amend the Controlled Substances Act to move certain barbiturates from schedule III of such act to schedule II; and S. 984, a bill to amend the Controlled Substances Act to require identification by manufacturer of each schedule II dosage unit produced; and S. 985, a bill to amend the Controlled Substances Act to establish effective controls against diversion of particular controlled substances and to assist law enforcement agencies in the investigation of the diversion of controlled substances into other than legitimate medical, scientific, and industrial channels, by requiring manufacturers to incorporate inert, innocuous tracer elements in all schedule II and III depressant and stimulant substances, and for other purposes.

S. 1082

At the request of Mr. Weicker, for the Senator from Indiana (Mr. Bayh), the Senator from Illinois (Mr. Percy), and the Senator from Ohio (Mr. Taft) were added as cosponsors of S. 1082, Bread Tax Repeal Act of 1973.

S. 1103

At the request of Mr. Hart, the Senator from Minnesota (Mr. Humphrey) was added as a cosponsor of S. 1103, the Congressional Election Finance Act of 1973.

S. 1109

At the request of Mr. Mondale, the Senator from South Dakota (Mr. Abourezk), the Senator from Delaware (Mr. Biden), the Senator from New Jersey (Mr. Case), the Senator from Florida (Mr. Chiles), the Senator from Alaska (Mr. Gravel), the Senator from Minnesota (Mr. Humphrey), the Senator from New Hampshire (Mr. McIntyre), the Senator from Wisconsin (Mr. Nelson), the Senator from Rhode Island (Mr. Pell), the Senator from Illinois (Mr. Stevenson), and the Senator from California (Mr. Tunney) were added as cosponsors of S. 1109, a bill to amend the Internal Revenue Code of 1954 to provide that the designation of payments to the Presidential Election Campaign Fund be made on the front page of the taxpayer's income tax return form.

S. 1146

At the request of Mr. Weicker, the Senator from Minnesota (Mr. Humphrey), the Senator from New Hampshire (Mr. McIntyre), and the Senator from Minnesota (Mr. Mondale), and the Senator from Rhode Island (Mr. Pastore) were added as cosponsors of S. 1146, a bill to provide for repayment of certain sums advanced to providers of services under title XVIII of the Social Security Act.

S. 1189

At the request of Mr. Weicker, the Senator from South Dakota (Mr. McGovern) was added as a cosponsor of S. 1189, the Federal Election Campaign Reform Act of 1973.

S. 1218

At the request of Mr. Gravel, the Senator from Minnesota (Mr. Humphrey), and the Senator from Hawaii (Mr. Inouye) were added as cosponsors of S. 1218, a bill to amend title II of the Communications Act of 1934 to authorize common carriers subject to such title to provide certain free or reduced rate service for individuals who are deaf or hard of hearing.

S. 1252

At the request of Mr. Bayh, the Senator from Connecticut (Mr. Ribicoff), the Senator from Michigan (Mr. Hart), the Senator from Illinois (Mr. Stevenson), the Senator from Nevada (Mr. Bible), the Senator from New York (Mr. Javits), the Senator from Idaho (Mr. Church), the Senator from Missouri (Mr. Eagleton), the Senator from Rhode Island (Mr. Pastore), the Senator from California (Mr. Tunney), the Senator from Minnesota (Mr. Humphrey), the Senator from Rhode Island (Mr. Pell), the Senator from Utah, (Mr. Moss), and the Senator from South Dakota (Mr. McGovern), were aded as cosponsors of S. 1252, a bill to amend the Controlled Substances Act to establish effective controls, including production quotas, stricter distribution and storage security, and more stringent import and export standards, against diversion and abuse of methaqualone, by placing this depressant substance on schedule II of such Act.

S. 1407

At the request of Mr. Burdick, the Senators from Minnesota (Mr. Humphrey and Mr. Mondale) were added as cosponsors of S. 1407, to amend the Interstate Commerce Act in order to give the Interstate Commerce Commission certain authority over railroad car service when an emergency is or may be imminent.

S. 1507

At the request of Mr. Gurney, the Senator from Rhode Island (Mr. Pastore) was added as a cosponsor of S. 1507, a bill to restrict the amount of export of softwood lumber.

S. 1527

At the request of Mr. Weicker, the Senator from Nevada (Mr. Bible), the Senator from Florida (Mr. Chiles), the Senator from Kentucky (Mr. Cook), the Senator from Colorado (Mr. Haskill), and the Senator from New Hampshire (Mr. McIntyre), were added as cosponsors of S. 1257, the Lobster Conservation Control Act of 1973.

S. 1544

At the request of Mr. Mondale, the Senator from Oregon (Mr. Hatfield) was added as a cosponsor of S. 1544, a bill to prohibit the further expenditure of funds to finance the involvement of the Armed Forces of the United States in Cambodia.

S. 1578

At the request of Mr. Bayh, the Senator from New York (Mr. Javits) was added as a cosponsor of S. 1578, a bill to provide for a national program of disaster insurance.

S. 1592

At the request of Mr. Mansfield (for Mr. Magnuson), the Senator from New Hampshire (Mr. McIntyre) was added as a cosponsor of S. 1592, the Endangered Species Act of 1973.

S. 1599

At the request of Mr. Saxbe, the Senator from Montana (Mr. Mansfield), the Senator from Connecticut (Mr. Ribicoff), and the Senator from Wisconsin (Mr. Proxmire) were added as cosponsors of S. 1599, a bill to provide for the continued sale of gasoline to independent gasoline retailers.

SENATE JOINT RESOLUTION 95

At the request of Mr. Humphrey, the Senator from Wyoming (Mr. McGee) and the Senator from Iowa (Mr. Clark) were added as cosponsors of Senate Joint Resolution 95, authorizing and directing the Secretary of Commerce to conduct a Census of Agriculture in 1974 and to insure that such data acquired from this census be made available to the public as soon as practicable.

SOCIAL SERVICES FOR THE AGED—AMENDMENT

AMENDMENT NO. 93

(Ordered to be printed, and referred to the Committee on Finance.)

Mr. SCOTT of Pennsylvania (for himself, Mr. Schweiker, Mr. Bible, Mr. Burdick, Mr. Cook, Mr. Cranston, Mr. Gurney, Mr. Hollings, Mr. Hughes, Mr. McGovern, Mr. Moss, Mr. Pastore, Mr. Percy, Mr. Randolph, Mr. Stafford, Mr. Tunney, and Mr. Young) submitted an amendment, intended to be proposed by them, jointly, to the bill (S. 582) social services for the aged.

ADDITIONAL COSPONSOR OF AN AMENDMENT

AMENDMENT NO. 18 TO S. 371

At the request of Mr. Tower, the Senator from Utah (Mr. Bennett) was added as a cosponsor of amendment No. 18, to S. 371.

NOTICE OF HEARINGS ON REPORT OF COMMISSION ON CONSUMER FINANCE

Mr. PROXMIRE. Mr. President, the Subcommittee on Consumer Credit of the Committee on Banking, Housing and Urban Affairs will commence hearings on the report of the National Commission on Consumer Finance at 10 a.m. on May 17, 18, and 21 in room 5302 Dirksen Office Building.

All persons wishing to testify should contact Mr. Kenneth A. McLean, room 5300, Dirksen Office Building; telephone 225-7391.

NOTICE OF HEARINGS ON FAIR CREDIT BILLING LEGISLATION

Mr. PROXMIRE. Mr. President, the Subcommittee on Consumer Credit of the Committee on Banking, Housing and Urban Affairs will commence hearings on S. 914 and S. 1630 at 10 a.m. on May 22, 23, and 24 in room 5302, Dirksen Office Building.

All persons wishing to testify should contact Mr. Kenneth A. McLean, room 5300, Dirksen Office Building; telephone 225-7391.

NOTICE OF HEARING ON A NOMINATION

Mr. BIBLE. Mr. President, on behalf of Chairman Jackson, I would like to announce for the information of the Senate and the public that the Committee on Interior and Insular Affairs will hold an open hearing on May 3 at 3 p.m. on the nomination of James T. Clarke by President Nixon to be Assistant Secretary of the Interior for Management.

This announcement is made so that any Member of the Senate or the public who desires to comment on the nomination will have adequate notice and may do so.

I ask unanimous consent to include a copy of the biographical sketch of this nominee.

There being no objection, the biographical sketch was ordered to be printed in the Record, as follows:

Biography of James T. Clarke

James T. Clarke, 35, of Detroit, has been nominated by the President of the position of Assistant Secretary of Interior for Management. His duties will include the management and administrative activities of the Department.

Mr. Clarke is currently a partner in Coopers & Lybrand (formerly Lybrand, Ross Bros. & Montgomery), one of the largest international accounting and consulting firms. A certified public accountant, he is in charge of the firm's consulting practice in Detroit and coordinates its consulting services to government throughout the Midwest. He joined the firm in 1961 and now specializes in assignments concerning financial analysis, organizational planning and budgeting accounting and EDP systems.

He was born in Petoskey, Michigan, and received a B.A., degree with honors in economics from the College of Wooster, in Ohio, and an M.B.A. degree in finance from the University of Michigan. From 1962 to 1965 he was a supply officer in the Navy; he was honorably discharged as a lieutenant.

Mr. Clarke is a member of the American Institute of CPA's and the Michigan Association of CPA's, for which he is Chairman of the Management Advisory Services Committee. He is also a member of the Federal Government Accountants Association and has held a number of positions in the Junior Chamber of Commerce.

He is married to the former Patricia Kemp of Detroit. They have a son, Timothy, 2.

NOTICE OF CHANGE IN PLACE OF HEARING

Mr. BURDICK. Mr. President, I wish to announce that the hearing of the Subcommittee on Improvements in Judicial Machinery on additional U.S. district judgeships previously noticed for May 2, 1973, will be held in room S. 224 in the Capitol at 10 a.m., rather than in room 1318, Dirksen Office Building.

NOTICE OF HEARINGS ON JUDICIAL DISQUALIFICATION BILL

Mr. BURDICK. Mr. President, as chairman of the Judiciary Subcommittee on Improvements in Judicial Machinery, I wish to announce hearings for the consideration of S. 1064, a bill to amend 28 U.S.C. 455 specifying the circumstances under which a Federal judge should disqualify himself from participation in a case.

The hearing will be held on May 17, 1973, beginning at 10 a.m., in room 457, Russell Office Building.

Those who wish to submit a statement for inclusion in the hearing record should communicate as soon as possible with the Subcommittee on Improvements in Judicial Machinery, room 6306, Dirksen Office Building—extension 5-3618.

ADDITIONAL STATEMENTS

VIETNAMESE VETERANS: TOP WHITE HOUSE PRIORITY

Mr. SCOTT of Pennsylvania. Mr. President, in a recent letter to the editor of the New York Times, Mr. Donald Johnson, Administrator of the Veterans' Administration, clearly details what the Federal Government is doing to help Vietnam veterans. He points to the "compassionate concern for these young veterans" as this Nation enters a long-awaited era of peace. He explains that we want to make certain these young men, home at last from a long and grueling war, receive the best health and medical services available.

In a recent meeting, Mr. Johnson told me he was hopeful that Federal money would soon become available for a new and badly needed Veterans' Administration hospital for the Philadelphia area. This is the kind of progress we all look forward to as we support his efforts in keeping the needs of Vietnam veterans a continuing top priority.

Mr. President, I ask unanimous consent that Mr. Johnson's informative report in his April 14, 1973 letter to the Times be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Veterans' Administration,
Washington, April 2, 1973.

Vietnam Veterans: Top White House Priority

To the Editor:

Although your lead editorial of March 28 is completely misleading, I agree with its caption: This, is, indeed, the "Age of the VietVets," the more so now that President Nixon's program to end the war and win an honorable peace has been capped with the return of our P.O.W.'s and the absence in Vietnam of American forces for the first time in twelve years.

A compassionate concern for these young veterans has long had top priority Administration considerations, and, as the President noted in his March 25 statement, "In every area of Government concern, we are now doing more than we have ever done before to help our American veterans."

Here are the facts:

The latest Veterans Administration medical-care budget of $2.7 billion is 80 per cent higher than the 1969 budget; more veterans are receiving health care than ever before; V.A. hospital staffs have been augmented by thousands of employes.

The President has approved two increases in compensation for disabled veterans, and there has been an 85 per cent increase over

1969 in V.A. vocational rehabilitation training.

The number of home loans under the G.I. Bill has doubled in the last four years; the President has twice approved increases in G.I. Bill education and training allowances, and the number of veterans now training under the G.I. Bill is about three times the number of trainees in 1968.

Your editorial referred to "tragically high" veteran unemployment but ignored dramatic gains in this problem area in the nearly two years since President Nixon launched his national Jobs for Veterans program. The unemployment rate for all Vietnam era veterans—once nearly 10 per cent—was down to 5.7 percent last month.

The editorial conceded Mr. Nixon could point with pride to recent increases in educational allowances but argued that present allowances fall "pitifully short," and World War II veterans were given higher benefits.

The present single veteran allowance of $1,980 for a school year is nearly three times the World War II allowance and gives most veterans more monetary assistance than after World War II, even allowing for inflation and increased school costs. The World War II G.I. Bill paid tuition, books and supplies only up to $500, and—unlike the current G.I. Bill—placed a $210 ceiling on a veteran's combined allowance and outside earnings.

Your editorial's branding of benefits for older veterans as "a long-term boondoggle—a mortgage on society—and an extravagance" seems to warn Vietnam veterans that no matter how much their military service may be valued now, as far as The Times is concerned they will be strictly on their own as they grow older. This letter will give your readers at least a glimpse of the other side of the coin.

DONALD E. JOHNSON, *Administrator.*

U.S.-LATIN AMERICA RELATIONS

Mr. KENNEDY. Mr. President, Sol Linowitz has been observing relations between the United States and Latin America for several decades and has been one of our most thoughtful policymakers in that area as well.

Therefore his recent article in the World magazine on this subject is of particular interest.

For he describes what public opinion leaders in Latin America have been complaining about for 4 years—the absolute failure of this administration to enunciate or implement a policy towards Latin America.

The missed opportunities of this administration are cited—the decision to impose on Latin America the same onerous 10-percent surcharge despite the traditional balance of trade and balance of payments in our favor, the decision to warp the purposes of multinational leading institutions by demanding that they play a role in carrying out United States antiexpropriation policy.

He might also have included the decision to link U.S. foreign policy to the destinies of private U.S. corporations, the decision not to support imaginative ways of providing additional development assistance through SDR allocations for developing nations, and the decision to put far more political muscle behind the drive to maintain military aid than behind the effort to obtain humanitarian and development assistance.

In addition to his critique of the administration's nonpolicy toward Latin America, Ambassador Linowitz also puts forth a sensible set of principles that should be considered carefully as a basis for reestablishing a coherent policy toward Latin America.

I believe this article deserves the close attention of my colleagues and, therefore, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LOOK, MR. PRESIDENT, LATIN AMERICA IS ON THE MAP, TOO

(By Sol M. Linowitz)

Few leaders have had such clear guides by which to formulate a policy for a region. "Yet for some . . . reason, the President has failed to respond."

Not long ago the *Journal do Brasil* (a not unfriendly Brazilian newspaper) ran a cartoon that shows President Nixon standing before a globe of earth contemplating Europe, the United States, and Asia. In the next panel, Nixon, crouching down, peers in astonishment at South America and exclaims: "Look, there's a map on the underside, too!"

The cartoon's implications are painfully clear: To Latin Americans, President Nixon is the first U.S. President in this century who has prided himself on his mastery of world affairs, yet has had literally no policy for Latin America. Other presidents during the past seventy years, whether their goals were regarded as constructive or jingoistic, at least seemed to have some clear idea of what they wanted to accomplish "south of the border." Theodore Roosevelt had his Big Stick and Gunboat policies, replete with territorial-imperative chest pounding. FDR launched the well-meaning, paternalistic Good Neighbor policy. And John F. Kennedy created the Alliance for Progress, which was later furthered by Lyndon B. Johnson. But the Nixon administration has seemed rudderless in this area, and Latin Americans speak bluntly of the Nixon "non-policy" toward Latin America.

Ironically, the relationship between the United States and Latin America inherited by the Nixon administration was basically a healthy, cooperative one.

There were, of course, problems and quarrels. But under the Alliance for Progress, Latin America has managed to achieve an annual average of 2.4 percent real per capita growth. This was exactly one decimal point below target, but far better than might have been expected during the 1960s, when the area's terms of trade and income from export commodities suffered badly. During that decade the United States contributed over $8 billion in bilateral aid and was responsible for much of the $6.5 billion in loans from international institutions such as the World Bank and the Inter-American Development Bank. The Latin Americans themselves, moreover, put up at least 90 percent of the capital required to fuel development and built up a sizable infrastructure of public-works projects and social programs.

One of the Alliance's crowning achievements was in export expansion and diversification—which is the critical bone of contention between the United States and Latin America today. Under the Alliance, Latin America moved away from the wasteful import-substitution policy that had been its mainstay during the 1950s, and concentrated instead on diversifying its exports. However, toward the end of the decade, Latin American leaders realized that further success in this program would require the United States and other countries of the developed world to tear down the trade barriers to Latin American-manufactured exports. It was at this stage that President Nixon stepped onto the scene.

Then came two striking developments in U.S.-Latin American relations: the Rockefeller mission to Latin America and the Latin American meeting that produced the document called the consensus of Viña del Mar.

In late January 1969, Nixon announced that he was sending Gov. Nelson Rockefeller—a former Co-ordinator of Inter-American Affairs, long known for his deep interest in the area—on a fact-finding mission to a dozen Latin American capitals. Rockefeller surrounded himself with highly respected experts from a wide range of disciplines and embarked on a whirlwind tour of Latin America. Some skeptics asked whether still another study was in fact necessary, but when it came out, the Rockefeller report did demonstrate the importance of Latin America for the United States objectives, and recommended significant action. The President accepted the report, and Latin Americans waited to see whether he would act on it.

Meanwhile—at precisely the same time as the Rockefeller mission—there was a meeting of CECLA—the Special Coordinating Committee on Latin America, which consists of all OAS members except the United States. The purpose of the meeting was to coordinate the Latin American position within the Alliance, and the conferees agreed on a statement issued as the consensus of Viña del Mar.

The consensus covered a good deal of ground, ranging from international financing to the transfer of technology and the role of foreign direct investment; and from tariffs and quotas to the prices of commodities on the world markets.

Specifically, it asked that the United States eliminate tariff and non-tariff barriers on goods from the developing world and that it champion Latin exports by helping secure similar treatment for them in other developed markets. The CECLA group also sought greater financial cooperation that would allow recipients of aid to set their own priorities with no strings attached to the foreign aid they received.

Few national leaders in their first year in office have had such clear guides as the consensus and the Rockefeller report by which to formulate a foreign policy for a region. Yet for some inexplicable reason, the President failed to respond. In his only major Latin American policy statement, on October 31, 1969, the President indicated his awareness of the key problems, and then to the great disappointment of Latin Americans did very little about them.

The Nixon proposal for Latin America, as outlined in the October speech, was known as Action for Progress in the Americas; its ideas were meant to be the backbone of the Nixon policy for Latin America. On the face of it, the program seemed to offer highly positive concessions to Latin America in four key areas.

First, with respect to trade preferences, the statement said that the United States would urge other industrialized countries to agree on a uniform, nondiscriminatory system toward developing countries. The system would be very generous, with no ceiling on preferential products that Latin America felt it could sell to the United States; and the United States would be prepared to go ahead with preferences for Latin America on a number of products if Europe and Japan could not be persuaded to go along on a more general trade preference for all developing countries.

A second point was the untying of U.S. AID (Agency for International Development) loans. It was emphasized in the policy statement as a significant step forward. What was not underscored was the fact that while AID recipients would no longer be tied to U.S. sources alone, they would be free to purchase manufactured imports with AID funds only from sources *within Latin America*.

A third and slightly related point was the promise to move toward increased multilateralization of U.S. aid for Latin America.

The program's last key point concerned the need to "deal realistically with governments in the inter-American system as they are." The President conceded that each nation had a right to decide whether or not it wanted foreign private investment. Without threatening countries that might choose the path of expropriation, the President quietly warned that such action might seriously affect investor confidence.

Latin Americans accepted these key policy positions with a sense of hope, which has over the months turned to cynicism and disillusionment.

One major setback to Latin American confidence in the new program came on August 15, 1971, when the Nixon new economic game was announced. The plan placed a 10 percent surcharge on imports to protect the U.S. balance of payments, and Latin America found itself lumped in with the other exporting areas. Many commodities that make up the bulk of Latin American exports were excluded, and White House spokesmen pointed out that only 22 percent of Latin American exports would be affected by the surcharge. However, they missed two important points that did not escape Latin Americans: First, the exports affected were fast-growing manufactured products, which Latin producers had worked long years to be able to manufacture for successful marketing in the United States. Second, Latin America's dollar-trade deficit with the United States had exceeded a billion dollars the previous year; and Latin Americans understandably felt that they should not be penalized in the same category as the European, Japanese, and other exporters who had contributed to the balance of payments predicament of the United States.

Quite clearly, the President had missed an extraordinary opportunity. He could have said he recognized that Latin America was not a factor in U.S. economic problems and could have absolved the area from the added burden of the surtax. Having failed to do so, however, he could no longer blame a protectionist Congress (as his administration had been doing) for the failure to live up to his commitment on trade preferences for Latin America.

The predictable result was to unite Latin America firmly against the United States. Even such strange bedfellows as Brazil and Chile were able to get together with other Latin American countries in an emergency CECLA meeting in Buenos Aires that condemned the U.S. action and explored possible sanctions against the United States. A belated decision (made after the CECLA affair) to roll back the 10 percent AIO cut failed to overcome the resentment and hostility that had been aroused.

The promised multilateralization of aid also proved to be a disappointment to the Latin Americans. At the beginning of last year, President Nixon issued a statement that appeared to increase politicization of technical aid channels through the Inter-American Development Bank and the World Bank. He warned that all U.S. aid—including that funneled through multilateral institutions—would, in the absence of special circumstances, be cut off from countries that expropriated U.S. investments without prompt and adequate compensation.

Other statements exacerbated the situation. While still secretary of the treasury, John Connally stated in an interview: "The United States can afford to be tough with Latin Americans because we have no friends left there anymore." Later, as good-will ambassador to Latin America, Connally warned Venezuelans that "the United States has the power to export prosperity or poverty to any country in the world to which it chooses to do so."

Against this background it is quite clear that the Nixon non-policy toward Latin America has had one effect: It has united Latin America in opposition toward the United States and its surrogates—the hundreds of subsidiaries of U.S. corporations spread throughout the region. On other issues it has helped set Latin American leaders against each other in their efforts to vie for leadership of the region precisely at the time when the nations of Latin America should be working solidly together for development of the continent.

Netiher the United States nor U.S. private investment in the area has benefited from this non-policy toward Latin America. Therefore, what we now need—and need badly—is a cohesive policy for Latin America that will take into account the hemisphere's special requirements and desires. And this challenge presents the new Nixon administration with an extraordinary opportunity at a pivotal moment.

What should be the ingredients of such a policy? Here are a few suggestions:

1. Define U.S. goals in the hemisphere, and spell out just as clearly what the United States expects of others. Then stick to these commitments.

There is no need of studies and analyses that make clear what our approach should be and how we should go about it. What we need—and desperately—is to recognize that clarity, like charity, must begin at home. To talk about "partnership" at a time when there is not even a constructive dialogue is neither realistic nor constructive. To be effective, a partnership must begin at the top—with the President. There must also be a genuine commitment on the part of the President, which in turn is reflected throughout the administration.

2. Move the Alliance for Progress toward a second stage, in which it would really be directed on a multilateral basis, with goals mutually defined.

We have long since passed the time when the United States can attempt to direct the destiny of Latin America. It is now necessary for all sides to participate in setting up goals and guideposts. The consensus of Vina del Mar and the recommendations of the Rockefeller commission can be important guides in establishing common objectives. The United States should indicate its readiness to join in developing such common goals.

3. Use existing inter-American institutions to conduct as much of our governmental business with Latin America as possible.

The OAS and the Inter-American Development Bank are two established organizations in which the United States can place its trust in dealing with the area. Both are staffed with dedicated international civil servants who are seeking to develop the region and who can speak both the language of the United States and that of Latin America. We should make clear our confidence in, and respect for, such inter-American institutions.

4. Once the United States has agreed to the principle of multilateralism, we should assure that decisions with respect to multilateral aid are truly multilateral.

As is true with any corporate board of directors, the role of the board of a multinational institution is to set overall standards and leave everyday management to the professional managerial staff. The same should apply in the case of international lending institutions. It would be helpful in this regard if Japan, European countries, and others were to join such institutions as the Inter-American Development Bank in order to assure that they are truly multilateral and not dominated by the political influence, express or implied, of the United States.

5. Open up the U.S. market to Latin American products to the greatest extent possible and in a way that will truly benefit interhemispheric trade.

One idea worth exploration would be for the United States to allow Latin American products to come in free of all duties and quotas to the extent of the almost $2 billion trade surplus it has with the region. There is no reason why a nation as powerful as the United States must make its mark at the expense of its developing neighbors. To make the formula more acceptable to Congress, the United States could insist that Latin nations reduce their barriers against U.S. exports to the degree they benefit from increased exports to the United States.

6. *Help rekindle the fire of economic integration.*

During the first eight or nine years, regional integration worked well, but it has since been stymied in its growth. Both LAFTA (Latin American Free Trade Association), which includes all of South America plus Mexico, and the Central American Common Market have run into difficult times. At the presidents summit meeting in April 1967, a Latin American common market was the leading item on the agenda. The United States could help revive interest in it by offering to become a nonreciprocal member—which would open up its markets—but not insist on the same from Latin Americans. A major market outside the area could be the stimulus that regional integration needs to set its export goals high and to develop the way to reach them.

7. *Make clear the nature of the relationship between the U.S. government and Latin American subsidiaries of U.S. parent companies.*

If the U.S. government has a responsibility for helping American companies in conflict with foreign governments, then it must also be prepared to be responsible for companies that conduct themselves badly in a particular country. The United States could insist that American companies follow a specific code of conduct of responsible international companies that would state what rights companies should be able to expect when dealing internationally, and what duties to the host country they have in return. If a U.S. company is wronged under such a code, then the U.S. government could, in good conscience, step in to make this known to an international tribunal, while avoiding any unilateral action.

8. *Accept the idea that Latin American countries—like other countries of the world—have the freedom to determine their own political, social, and economic systems on behalf of Latin Americans and in a Latin American way.*

The United States must learn to understand and accept the fact that differences exist among people and their ways of looking at things. And it must learn to adapt to these systems when they pose no intrinsic danger to the United States, and to avoid hostile knee-jerk reaction when disagreement occurs.

There is, of course, no guarantee that such policies will entirely abate hostility and tension. But they could begin to change the climate and move us back to a spirit of cooperation, rather than conflict. The need has never been greater, both in our own interest and in the interest of hemispheric progress and world peace.

TWENTY-FIFTH ANNIVERSARY OF THE STATE UNIVERSITY OF NEW YORK

Mr. JAVITS. Mr. President, a joint meeting of the New York State Legislature was held on March 13 to commemorate the passage 25 years ago of the legislation creating the State University of New York.

New York was the last of the States to found a State university. That was in 1948. Today, this university is the largest in the Nation, with a total of 364,000 full-time and part-time students presently enrolled at 72 campuses within the State of New York.

By this spring, or just 25 years after its creation, State University of New York will have graduated more than a half-million students.

The university is observing its silver anniversary with a series of special events which began with the March 13 joint meeting of the legislature. Other observances will be held on university campuses and at other locations through October.

The historic legislation creating the university was passed by the State Senate on March 10, 1948, and by the Assembly on March 13. It was signed into law by then Gov. Thomas E. Dewey on March 30 of that year.

The joint legislative meeting marked this commitment of New York's State government to expand educational opportunities in New York. It was attended by Gov. Nelson A. Rockefeller, who personally has made the enlargement of and enhancement in quality of the State University of New York a prime objective of his administration, and by other representatives of the executive department, the State university's board of trustees and its distinguished chancellor, Ernest L. Boyer, and more than 400 guests, including educators and university students and alumni, in addition to the members of both Houses of the 1973 legislature.

On this occasion, the university presented Distinguished Service Awards to four individuals and to the executive and legislative branches of State government.

Posthumous awards were made to Governor Dewey, to Assemblyman Irwin Steingut, and to State Senator Benjamin F. Feinberg. Assemblyman Steingut of Brooklyn, and Senator Feinberg of Plattsburgh were the principal sponsors of the 1948 legislation in their respective houses.

These awards were received at the ceremony by the sons of each of the three men, Thomas R. Dewey Jr., Stanley Steingut, now assembly Democratic minority leader, and Robert J. Feinberg, county judge and family court judge in Clinton County, N.Y.

The fourth person who was honored at the ceremony is Frank C. Moore, a former Lieutenant Governor and State comptroller of New York who served on the university's board of trustees from its inception in 1948 until 1965. He was board chairman for 11 years, from 1954 until 1965.

These awards were presented by four university students and four university alumni.

The Distinguished Service Awards to the executive and legislative branches were presented by Mrs. Maurice T. Moore, board chairman, and were received, respectively, by Governor Rockefeller, Assembly Speaker Perry B. Duryea, and Senate Majority Leader Warren M. Anderson.

Replicas of the seven awards were presented to each assemblyman and senator now serving in the legislature.

I ask unanimous consent that the remarks of Governor Rockefeller and Chancellor Boyer be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Excerpts of Remarks by Gov. Nelson A. Rockefeller

I am deeply moved by this honor.

Naturally, at this time, my thoughts go back to taking office in 1959.

At that time the State University had 38,000 full-time students.

At that time 60 per cent of New York's students were in private colleges—compared to 20 percent in California.

It was clear that the post-war baby boom would soon be reaching college age.

And my Administration was determined that no young person would be denied the opportunity for higher education for lack of personal means or lack of educational facilities.

Therefore, in that first year I asked the State Board of Regents to join me in appointing a committee to study the State's future needs in higher education.

This outstanding committee, led by Dr. Henry Heald, warned that we had to double our State program of higher education between 1960 and 1970.

My Administration proposed and the Legislature approved creation of the State University Construction Fund to tackle the giant building task.

The construction fund launched a university construction program unparalleled anywhere on earth.

Almost $1.3 billion worth of projects are already completed.

Another $900 million worth of projects are under construction or in the design stage.

As a result of this unprecedented commitment, we have gone from 46 rather small campuses before to 72 modern campuses today;

Including four major university centers.

We have gone from 13 community colleges to 38.

At the same time that we were building facilities, we were building financial opportunity for students in need.

The existing program of Regents scholarships has been increased from 25,000 students when the Administration took office, to 86,000 today.

An entirely new form of support, the Scholar Incentive Awards, was begun in 1961.

Today, Scholar Incentive aid is paid to 277,000 college students in both public and private colleges.

And so, in an incredibly brief span, a state universtiy system accommodating 38,000 full-time students has been expanded into a system with over 235,000 full-time students today;

The largest public university system anywhere.

The most exciting result is that we have managed to achieve simultaneous growth both physically and academically.

When we say today that New York has a state university system second to none, we mean both in size and academic stature.

The eyes of the world biology community, for example, are on the research in life-synthesis being carried out on the Buffalo campus.

Our newly created Empire State College is more than a university without walls;

It is a university without barriers—taking college to people who might never have reached a conventional campus.

Nobel laureates in the sciences—and world acclaimed figures in the humanities are members of State University faculties.

We have fulfilled our objective of providing the people of New York with an outstanding system of public higher education.

But in no area is it more important to remain vital and dynamic and attuned to change than in higher education.

The problems of the 70's will not be met with the solutions that served us well in the 60's.

That is why I named a superbly qualified group—the Keppel Task Force—to make a searching inquiry as to where New York should now be headed in higher education.

The major recommendations of the Task Force offer a great deal of good sense;

To guarantee some form of post high school education to every student;

To provide adequate support to low-income students to allow them the choice of public or private college;

To bring tuition into line in public colleges upstate and in New York City;

To relate student aid progressively to a family's ability to pay;

To carry out statewide and regional planning and cooperation in higher education.

And to have the Governor nominate the members of the Regents with the advice and consent of the Legislature.

We want to achieve a healthy balance of public and private colleges in which opportunity is open to all students with a will to learn—and never barred by family financial circumstances.

I thank you once more for the honor conferred on me, and add only this.

Over the years my Administration has been committed to many goals.

But if compelled to stand on one alone, I would want it to be the part this Administration has been permitted to play in providing a place where the hopes and dreams of our people for their children can find fulfillment.

And that, in great measure, is the meaning of the State University.

Remarks by Ernest L. Boyer, Chancellor, State University of New York

Mrs. Moore, Governor Rockefeller, Speaker Duryea, Majority Leader Anderson, Attorney General Lefkowitz, Comptroller Levitt, Members of the Assembly and Senate, President McGill, distinguished guests and friends.

On November 11, 1647, leaders of the Massachusetts Bay Colony passed a law requiring each town to provide a schoolmaster to teach the village children to read and write. It was a bold move, one which affirmed that, in a free society, education is far too important to be left to chance.

And on March 13, 1948, exactly 300 years and 4 months later, another move was made, equally as bold. On that day the New York leaders passed a law which was rooted deep in the tradition of the colonial village school. This act, one which we celebrate here today, declared that higher learning also must be open to the many and not just the few, and recognized that, as educational needs expand, educational opportunities must expand as well.

Therefore, we pause today to pay tribute to the visionaries, to those who dreamed the dream and to a legislative act which one Assembly man at the time described as "the most important bill we'll pass this session."

From the vantage point of history, that was a staggering understatement indeed, for the impact of that single act can be measured in a thousand separate ways.

We have already heard of the 500,000 students who have completed their degrees.

We could record the 82,000 disadvantaged youths who have enrolled in our Urban and Cooperative Centers and matriculated on our campuses during the past six years.

We could record State University's impact on the farms. Because of University research and extension service, the New York dairy farmer gets 4,000 more pounds of milk per cow each year than he got in 1948.

We could underscore the service to the poor. This year it is estimated that over 20 percent of the students on our campuses come from families with a net taxable income below the national poverty level.

The impact on health care has also been dramatic. Today almost 2,000 physicians and 10,000 nurses are in preparation at State University campuses—the largest medical training program in the world.

Or we could talk about the service to communities with almost 20,000 State University students last year working as volunteers at hospitals, day care centers, retirement homes, and sponsoring blood banks, ambulance service, and TV telethons for crippled children.

I'm suggesting that if one wishes to measure the impact of the University, the yardsticks everywhere abound.

But statistics, while impressive to the ear, often clog the mind. Ultimately, a university must be reduced to human scale. After all, we're dealing not with passive objects but with people—friends and neighbors, sons and daughters—and, in the end, the impact of a university is not something to be quantified but something to be sensed and felt.

That distinguished man of American letters, Archibald MacLeish, recently observed that, as we in our public life grow more distant from each other, we "find ourselves hungrier and hungrier for the human truth, the untouched, uncoached, undoctored, untinted human self, the self itself, the man, the woman."

Viewing the State University from this vantage point:

It is the story of Mrs. Joan Cofield, an American Indian and mother of two, who graduated from Albany with honors and won a fellowship to study for her Ph. D.

It's the story of the Rochester mailman who has worked out a program of American history with his Empire State College mentor which makes it possible for him to go to college and keep his job.

And it's the story of the two-year college graduate on Long Island who was immediately employed as a computer programmer by an industry close to home.

The story of the University is the story of human service.

Just two weeks ago all of the colleges of this State joined together to pledge cooperation on many fronts. In the concluding paragraph of our statement, we agree that we were coming together for just one aim, "to encourage the intellectual development of individual men and women so that the knowledge gained can be put to the service of others."

This, then, is the dream, and the focus of our celebration:

The man, the woman, the individual students who, through education, may enrich their minds, develop skills for work, and expand their human spirit.

On behalf of the students and the families we have served, may I tell you that it is an honor for us to be honoring you today.

TOWN'S JOBS GO ABROAD

Mr. HATHAWAY. Mr. President, on the front page of this morning's Washington Post is an excellent story by Helen Dewar which describes the plight of a small rural town in Virginia, whose only major industry is lost because of the press of foreign competition. It is a story which has been repeated many times in recent years in all sections of our country—and especially in my native New England. Fortunately, this particular story has at least the hope of a happy ending, as the President has moved to make adjustment assistance available to the workers directly affected by the closing.

I recommend the story to my colleagues, not only because it graphically describes a situation that has become all too common, but also because it points up the need for more effective and far-reaching adjustment assistance when cases like this arise. I commend the President for his action in this case and for the steps taken in his trade proposal which make trade assistance more readily available to those who need it. But loosening the qualifications will not be enough if the assistance which is forthcoming is unrealistic in amount and unhelpful application. I intend to study this section of the President's proposal carefully and take steps to insure that the program will be adequately funded and provide effective assistance to those individuals most directly hurt. In addition, I am developing a proposal to expand the adjustment assistance concept to include help to the community, itself, which is dependent on an industry which is being damaged by imports. Providing assistance to these communities which will enable them to rebuild their local economies is the only kind of help which will lead to true adjustment.

Foreign trade is vitally important to our country and, on balance, is of great benefit to the national economy. But, as the Post story indicates, there are costs, costs which are caused in large part by the actions of our Government. For this reason, I feel it is incumbent upon us, where we are able to minimize these costs and spread them more equitably among all of our citizens.

Mr. President, I ask unanimous consent that the above mentioned story be printed in the RECORD.

There being no objection, the story was ordered to be printed in the RECORD, as follows:

AND A TOWN'S JOBS GO ABROAD

(By Helen Dewar)

TAZEWELL, VA.—It was this small Appalachian town's biggest industry, employing up to 1,000 people and producing millions of dollars worth of electrolytic capacitors, primarily for television sets.

But that was before the General Instrument Corp., a large multinational conglomerate headquartered in New Jersey, found that because of labor costs and tariff concessions it would be cheaper to produce the capacitors abroad.

Now the plant's machinery has been boxed up and shipped to General Instrument plants in Taiwan and Portugal, where the capacitors—devices used to store electric charges—can be produced at less than one-third of American labor costs.

That makes them competitive with capacitors produced in Japan, where the cost of labor is significantly lower than it is in the United States.

Only the big empty plant and the former employees remain behind, victims of international trade policy machinations that many of the workers in Southwest Virginia do not even pretend to understand.

Since the plant closed last September, a few of the 300 employees who remained to the end have found employment in North Carolina. A few others have been able to land jobs in nearly coal mines or at equipment shops that dot the highways through the picturesque Clinch River Valley, in which this community of about 5,000 people lies, almost 300 miles southwest of Washington.

But union officials estimate that 80 or 90 per cent of them are unemployed, simply because there is little industry in Tazewell and people here are loath to leave.

Some went on welfare and began receiving food stamps, but others, true to the strong work ethic of the area, were holding out as long as they could.

Many were near the end of their resources when, two weeks ago, the White House announced that President Nixon had broken a tie vote of the U.S. Tariff Commission and ruled that the plant had been closed because of increased imports of capacitors arising from trade concessions.

Those concessions, which sometimes include the lowering of U.S. tariffs, resulted in foreign-made capacitors selling at a lower price than those made in Tazewell.

President Nixon's order made Tazewell the 75th American community to receive assistance under the Trade Expansion Act of 1962, which provides cash allowances, job retraining and other services to people thrown out of work as a result of trade agreements.

The impact of the plant closing on the local economy was cushioned by the fact that at least 70 per cent of the assembly line workers were women, most of whom had husbands who were working elsewhere.

But single people, widows and divorcees, men without working wives and couples who once considered themselves fortunate to be working together at the plant—about 30 per cent of the work force—were left without anything but unemployment insurance, except for the few who found new jobs.

Stella Kinder, a 54-year-old widow who worked as an assembler at the plant since shortly after it opened 18 years ago, said she knocked on doors all over Tazewell trying to find work and faced going on welfare when her unemployment insurance ran out.

"I don't like the idea but . . . ," she said earlier this month, her voice trailing off as she left the sentence uncompleted.

But then came the reprieve from Mr. Nixon, just as Mrs. Kinder and others were about to receive their last unemployment check.

"The people were overwhelmed, they couldn't believe it," said Irma Mitchell, secretary of the Tazewell steelworkers union local that which, together with the company, had filed the request for adjustment assistance. "We know it won't last forever, but we hope it will tide us over until we get new industry."

The aid—the first such assistance to be received by any Virginia locality—could last up to a year and a half, according to the U.S. Labor Department, which is involved in administering the program. Claims will start being processed through the Virginia Employment Commission in about a month, after eligibility is determined and administrative details are worked out.

In the meantime, the Tazewell County Board of Supervisors, working with the newly formed Tazewell Chamber of Commerce, has hired an industrial consultant and taken other steps to lure new industry into the community—and, they hope, a buyer for the old General Instrument building.

"No one thought this kind of thing could happen—you know, trade deals way off in Europe or Asia that might affect us—until General Instrument proved that it was a smaller world than we ever imagined," said a community leader. "It didn't bring about an overnight miracle, but it did wake some people up, you might say. There may be hope yet."

For Mrs. Kinder and other older employees of the plant, hope is tempered by fear that new plants will hire only young people, "Anything that comes in probably won't be interested in hiring me," said Mrs. Kinder, who added that a small new plant in the town recently turned her down at the same time it was hiring several younger people.

However, Ewell R. Templeton, the county's industrial development consultant, says he is assured that new firms will be interested in "experience, not age."

For General Instrument, which last year had manufacturing facilities in 12 states and nine foreign countries with net sales of $276 million, the decision to close down the Tazewell plant was dictated by the Japanese competition, an official said.

"You can't compete against Japan by having a plant in Virginia," he said, "but you can compete with a factory in Taiwan."

Although some Tazewell leaders blamed the steelworkers union and its pressure for higher wages for the plant's closure, the General Instrument spokesman said this was not so. "In the final analysis, it didn't depend on whether it was union or non-union," he said. "The name of the ballgame is that you can't compete here with Japanese-made products."

Employees in one large division of the plan, formation and etching, once offered to take a cut in pay if the plant would stay, but management officials said even that would not help the plant remain.

Mrs. Mitchell and other union officials don't blame the company, although they do criticize the country's trade policies.

"As a whole, the workers didn't feel the company could do anything about the situation," said Mrs. Mitchell "but they did feel the government could do something about companies going abroad."

The union officials praise the company for having given five months' advance notice of the closure and paying severance pay of one day's wages for each year worked.

Mrs. Mitchell and her husband, Leslie, both worked at the plant but consider themselves lucky to have landed a job managing a local motel. "We were the fortunate ones . . . it was prayer, luck and the grace of God," Mrs. Mitchell says.

"We knew the plant was below average in pay (in relation to national industrial averages) but it was a good place to work," Mrs. Mitchell said. "Well, come to think of it, it was the only place we had. We were foolish that both of us worked at the same place, but we never thought it would happen; you never do."

Less fortunate was a friend of the Mitchells' who failed to take out medical insurance after her company policy lapsed and subsequently contracted a lingering, ultimately fatal illness. The woman's husband went into debt to cover her hospitalization and even had to borrow money to travel to see her in the hospital, Mrs. Mitchell said.

Another woman, a divorcee with five children, receives $219 a month in welfare payments and "just can't live on it," says Pearlie Stone, treasurer of the union. The woman is embarrassed about receiving welfare and has tried to keep it a secret, she added.

No one knows exactly what kind of assistance will be offered, except that there will be a cash outlay of 65 per cent of a person's wages for at least a year, along with a lump sum payment covering some past losses.

Because tariff concessions may have caused dismissal of some employees well before the plant actually closed, it won't be known until a federal investigation is completed how many will receive assistance. The White House announcement, however, said that about 400 former employees are expected to qualify.

SOBRIETY IN THE SENATE

Mr. SCOTT of Pennsylvania. Mr. President, the Albuquerque Tribune recently published an editorial noting that freshman Senators led by Pete Domenici were instrumental in sustaining the veto of the vocational rehabilitation bill. The idea of the veto was to take a firm stand against irresponsible Federal spending.

By sustaining the veto, the editorial explains, Mr. Domenici and the other freshman Senators who voted with us cast their vote against what the editorial refers to as "well-intentioned, but lavish spending schemes." Actually, the President's budget calls for $650 million more for these programs this year.

Mr. President, I ask unanimous consent that the text of the April 3, 1973, editorial be printed in full in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Sobriety in the Senate

The 36 senators who supported President Nixon's first 1973 veto may have given him the leverage he needs to hold the line on inflationary federal spending this year.

The issue was whether to pass over the President's veto a two-year, $2.6 billion job-training-for-the-handicapped bill so popular that only two senators voted against it in February.

Yet the vote on the same bill was 60 to 36, four votes short of the two-thirds margin necessary to override the presidential veto.

Credit should go to senators like Baker and Brock of Tennessee, Taft and Saxbe of Ohio, Cook of Kentucky, Tower of Texas, Domenici of New Mexico and Dominick of Colorado for casting a responsible vote.

Had the veto been overridden, more than a dozen bills might have skipped merrily through Congress this spring offering non-existent federal money to farmers, veterans, old people and other worthy groups in defiance of the President's $268.7 billion budget ceiling for the year starting in July.

The result, as Sen. Hugh Scott, R-Pa., ably pointed out on the Senate floor, would have been another spending binge, an economic hangover, more inflation or higher taxes.

"It is not going to be easier to stop on the second, third or fourth drink," he warned, "than it is to stop right now.'

In a sense, of course, the President is a sitting duck for criticism every time he vetoes a bill that promises to help the sick, the crippled or the retarded.

Sen. Hubert H. Humphrey, D-Minn., called his latest veto "the worst, the most cruel, the most inhumane ever handed down."

What the senator failed to mention is that federal aid to the handicapped will have increased 75 per cent, and the number of persons served 50 per cent, to 1,225,000, since Nixon took office in 1969. Spending is running at the rate of about $650 million a year.

The issue, then, is not whether the President is a fool or a miser.

The issue is whether Congress has the courage—and good sense—to say no to well-intentioned but lavish spending schemes.

NATIONAL INSTITUTE OF JUSTICE

Mr. HUMPHREY. Mr. President, on March 29, I introduced legislation (S. 1422) which would establish the National Institute of Justice to undertake the refinement and reform of judicial and related processes on a national scale.

Since World War II, there have been vast social and economic changes in America which have made us increasingly unable to cope effectively with the overall problems of criminal and civil justice. The result is that justice in our Nation increasingly falls short of any reasonable ideal. Our courts are seriously overburdened. Respect for our law enforcement mechanisms is declining. Jails and prisons have become institutions of higher education in crime.

Therefore, I believe, as does the American Bar Association, that a National Institute of Justice could remedy some of these problems.

It would conduct a study of the causes of delay in the administering of justice, identify the problems, and recommend solutions.

It would establish priorities, objectives, and continuing evaluation of the judicial system at all levels.

It would survey, collect, analyze, and disseminate information about the operation at all levels of the judicial system, with emphasis on improvements and innovations.

The Institute of Justice would be nonpartisan and would comprise the finest legal minds in the country. It would not supplant existing State, local, or Federal entities.

The president of the American Judicature Society, Judge Robert H. Hall, of the Georgia Court of Appeals, has given a strong endorsement of proposals for a National Institute of Justice before the National Conference of Bar Presidents on February 9, 1973, at the midwinter meeting of the American Bar Association in Cleveland, Ohio. His succinct statement is extremely helpful and I hope it will clear away some of the impediments to the scheduling of congressional hearings on S. 1422.

I ask unanimous consent that Judge Hall's statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Comments Before the National Conference of Bar Presidents

As a state judge, I rise to make two brief but important points. One is that a National Institute of Justice would be of great assistance in improving the administration of justice in our state and federal judicial systems. The other is to say that the bench and bar of our fifty states have no reason whatever to fear some sort of federal domination from this type of Institute.

To begin with there are some problems in our justice systems, state and federal, which are national in scope and must be examined by empirical research on a unified or national basis. They cannot be solved by a fragmented approach. Our state and federal judicial systems are interrelated. Any change in one automatically affects the other. Within each of these two systems we have separate and independent fragments—the bench, bar, police, prosecutor, public defenders, corrections and others. All are part of the entire system of justice but each normally goes its separate way, suspicious of each other and jealous of its own functions. There is no agency in existence today capable of performing co-ordinated research on this problem. There are many organizations composed solely of judges including Federal Judicial Center and the National Center for State Courts. There are also organizations such as the American Bar Association, American Judicature Society and the National Conference of Bar Presidents that are predominantly made up of lawyers. While all of these organizations perform well within their capabilities, they are, except for the Federal Judicial Center, private bodies and by virtue of their membership none can provide a broad based unified approach.

The Law Enforcement Assistance Administration is as its name indicates involved only in law enforcement programs which mainly deal with block grants to our states. These block grants will undoubtedly continue either under LEAA or be switched over to the President's revenue sharing plan. It is true that some 15 percent of LEAA funds are reserved for discretionary grants at the national level; however, they are restricted to the area of criminal justice in the states. We must have an entity capable of dealing with the totality of justice nation wide.

From the very inception of the idea for a National Institute of Justice everyone involved in this endeavor has said that the Institute should be neither a new federal agency nor a part of the existing federal structure. The concept has been to establish non-political, federally chartered corporation, governed by representatives of the bench, bar and public. In addition to the limitations I have already mentioned, we must remember that LEAA is a part of the United States Justice Department. A giant step was taken in the 1930's to remove the federal courts from the administrative control of the Justice Department. It would be ironic if we in the 1970's placed the administration of national research grants for state courts under this federal agency. The best way to avoid the specter of federal control is to avoid placing a research institute under a federal agency.

Cardozo told us that "Justice is not to be taken by storm. She is wooed by slow advances." A National Institute of Justice will allow the bench, bar and public to "woo" her together in a unified manner.

OMBUDSMAN FOR BUSINESS

Mr. SCOTT of Pennsylvania. Mr. President, the Commerce Department's Business Ombudsman program has been operating for 3 years and has dramatically improved the relationship between Government and the business community. I ask unanimous consent to have printed in the RECORD, an announcement to this effect by the Secretary of Commerce.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

OMBUDSMAN FOR BUSINESS BEGINS THIRD YEAR OF OPERATIONS

Secretary of Commerce Frederick B. Dent, citing a constantly increasing caseload in services provided by the Ombudsman for Business who has just begun his third year of operations, said today the Nixon Administration is making progress in its effort to improve communications and understanding between the Government and the business community.

During the 24 months since the office of the Ombudsman was established in the Commerce Department under the direction of Thomas E. Drumm, Jr., it has received more than 8,200 requests for information from businessmen and others. More than 440 inquirers were handled in February 1973 and over 500 in March.

The Ombudsman for Business is one central place in the Federal Government where businessmen and others can come directly with requests for information and service and bring their suggestions, criticisms and complaints.

The Secretary noted that while the designation is Ombudsman for Business, the users of the service include not only business firms of all sizes, but also members of Congress, attorneys, academe, minority entrepreneurs, state and local entities, professional, trade and manufacturers associations, the U.S. Chamber of Commerce and other chambers throughout the country, trade related organizations, CPA's, and the general public.

The requests for services from the 50 States, the District of Columbia, Guam, Puerto Rico, the Virgin Islands, and over 47 foreign countries, have covered a wide range of government programs, including government procurement; financial assistance—loans, grants, and guarantees; truth in lending and advertising; product safety; occupational safety and health; industrial pollution abatement; wages and hours; standards, technology transfer; metric system; franchising; patents; trade with China, Russia and the bloc countries; and programs of OPIC FCIA, Export-Import Bank, AID, World Bank, and numerous other programs concerned with domestic and international trade.

The "good offices" approach of the Ombudsman has reconciled a number of government/business misunderstandings and has resulted in improved government program performance, communication, understanding and delivery of government services.

The heads of 15 departments and agencies have designated senior officials to serve in a liaison capacity with the Ombudsman. With these resources, the services of the office are government-wide.

The Ombudsman also renders on-the-spot services throughout the Nation through the District Offices of the Department of Commerce and regional offices of other departments and agencies, and overseas through U.S. embassies and consulates.

As a result of the Ombudsman's activities the channels of communication between government and business have been broadened. There has been an improvement in program performance, bureaucratic red tape and delays have been reduced, government services to the business and general public have been advanced, and the economy has benefited.

To utilize the service, address Thomas E. Drumm, Jr., Ombudsman for Business, U.S. Department of Commerce, Office of the Secretary, Washington, D.C., 20230, or call (202) 967-3178.

CONSTANCE BEAUMONT

Mr. PERCY. Mr. President, Constance Beaumont has been a member of my staff for almost 3 years. After having worked in the office of Senator ROBERT DOLE, she joined my legislative staff in April of 1970 and, since that time, has been an invaluable aide. Her particular area of responsibility has been the problems of the elderly and she has attacked these problems with spirit and with a great deal of compassion and understanding.

Every Senator must rely heavily on his staff for advice, research, and counsel. Mrs. Constance Beaumont has provided all of these with both skill and talent. Unfortunately, Constance has recently left my staff to become the Director of Government Relations for the American Association of Homes for the Aged, here in Washington. I can say only that our loss is their gain.

Mr. President, on behalf of all the members of my staff and all of those who have worked with Constance Beaumont over these last 3 years, I wish her the very best in her new career. She has been a great credit to my office and to the U.S. Senate.

RECENT EVENTS IN RHODESIA

Mr. HUMPHREY. Mr. President, I would like to bring to the attention of my colleagues several articles which recently appeared concerning the deteriorating economic and political situation in Rhodesia.

It is clear that the economic sanctions against Rhodesia's minority white regime, though not completely effective, are beginning to place great pressure on the Smith government. As David Ottaway reports in the Washington Post, the combination of a drought and meager foreign currency reserves may force the government to negotiate a settlement after more than 7 years of minority rule.

In the midst of these indications that the Smith government is experiencing great difficulties comes the news that it also is embarking on policies designed to halt racial integration, prevent African participation in the political process and establish a white supremist state modeled after its South African neighbor.

The Rhodesian Government has continued to pursue a path of restriction of individual freedom and harassment of those who either state the truth or work for change of official policies.

Recently, a Rhodesian court sentenced Peter Niesewand, a 28-year-old South African newsman holding Rhodesian citizenship, to a year at hard labor for reporting Rhodesian Army operations against black guerrilla forces.

The New York Times reports from Salisbury that key portions of Mr. Niesewand's trial appealing his case were held in secret. This type of "justice" is characteristic of the behavior of the Smith regime which routinely arrests, detains, and imprisons those who dare to disagree or oppose government policies.

Writing on the editorial page of the New York Times, Miss Judith Todd, daughter of a former Prime Minister of Rhodesia now being held under house arrest in Rhodesia, eloquently describes the current state of affairs in Rhodesia.

Recently in the United States, Miss Todd was able to tell many of us about the need for continued international pressure on the Rhodesian Government. As she states:

> Only continuing pressure may lead white leaders to a negotiating table with African leaders.

Mr. President, very few Americans are aware that our Government has officially broken the sanctions against Rhodesia established by the United Nations.

Through our imports of chrome and other minerals, authorized by an act of Congress, we supply needed foreign currency and psychological support to a racist regime representing only 5 percent of Rhodesia's population.

I am personally determined to change our policy and am in the process of asking my colleagues to join with me in such an effort.

Mr. President, I ask unanimous consent that Mr. David Ottaway's article entitled "Pressure Mounts on Rhodesia," Judith Todd's essay on "Mr. Smith's Regime," and Charles Mohr's article entitled "Journalist's Appeal Is Heard in Rhodesia" be printed in the Record.

There being no objection, the material was ordered to be printed in the Record. as follows:

[From the Washington Post, Apr. 21, 1973]

Pressure Mounts on Rhodesia

(By David B. Ottaway)

Rhodesian Prime Minister Ian Smith is now faced with growing pressure at home and abroad to enter into direct negotiations with African nationalist leaders and peacefully end the dispute that has kept the breakaway British colony an international pariah for more than seven years.

Britain has just stiffened its terms for granting recognition to the white minority government in Rhodesia, demanding that it come to an agreement with black nationalist leaders in the country.

Guerrilla attacks from neighboring Zambia, once sporadic, have recently turned into a sustained, though still small-scale, movement within the country, and 15 whites have been killed in the past few months.

At the same time, the East African country—already facing the worst drought in years—is now being hit with a sharp cut in its meager foreign exchange earnings as a result of the government's decision to close Rhodesia's border with Zambia, cutting off the shipment of Zambian copper through the country.

The reaction of Rhodesia's white leadership so far has been to stiffen its stand at home. It has passed laws to implement what it calls "provincialization" of the country—the Rhodesian equivalent of the South African system of segregated homelands for the black population.

It has also told the moderate African nationalists grouped within the African National Council that will give them no better terms than those proposed in the 1971 settlement package, which was worked out between the British and Smith and overwhelmingly rejected by the 5 million black Africans of Rhodesia.

According to African analysts here and to Judith Todd, the daughter of former Rhodesian Prime Minister Garfield Todd, it is a critical time in the history of the 250,000 whites' struggle to maintain their rule, a struggle that has been going on since the Smith government declared the country's unilateral independence from Britain in 1965.

"I don't think time is on the side of a peaceful solution," said Miss Todd in a recent interview here.

Miss Todd, now a close ally of the moderate black Rhodesian nationalist—particularly since she and her father spent five weeks in solitary confinement last year—believes that conditions are now better to force Smith to the negotiating table than at any previous time.

"The pressures are all there to get the whites to the table," Miss Todd said. "There is a very remote chance that a peaceful settlement can be achieved . . . but it is there."

Miss Todd, believes that the repeal of the so-called Byrd Amendment could well be the key to negotiations.

The amendment, named after Sen. Harry F. Byrd (D.-Va.), was passed by Congress in October 1971 and allows U.S. companies to break U.N. sanctions to import Rhodesian chrome and other strategic materials.

An effort to repeal the amendment nearly succeeded in the Senate last year, and another repeal campaign is now being organized in both the House and the Senate.

The argument, Miss Todd and other Rhodesian specialists make is that a repeal of the Byrd amendment coming hard upon other pressures now being exerted on the Smith government, could finally break the whites' stubborn resistance to holding talks with the nationalists.

The economic situation in Rhodesia, while still far from desperate, has become steadily worse, and there is presently little reason to expect a change in this trend.

Rhodesia had a $26 million deficit in its balance of payments in 1971, and the deficit for 1972 is expected to be considerably larger.

Rhodesia's decision in January to close its border with Zambia, is retaliation for alleged guerrilla incursions from that country, has resulted in the loss of income from shipments of Zambian copper via Rhodesian rail lines to the Mozambique port of Beira. This will mean a cut of $20 million in Rhodesian government revenues this year.

If the Byrd Amendment is repealed, it would represent the loss of perhaps another $13 million—the value of U.S. imports of Rhodesian chrome, ferrochrome, nickel and beryllium last year.

The shift in the British government's position, however, is clearly far more significant and troublesome to the Smith government.

British Foreign Secretary Sir Alec Douglas-Home told Parliament a week ago, "It is quite clear that there must be a basic agreement between responsible Africans and the Rhodesian administration before any proposals (for further talks with Britain) can be seriously considered."

Smith had hinted recently that a breakthrough in the off-again, on-again talks with the British was imminent, and Sir Alec's statement has dashed this hope.

The British are understood to have shifted their policy because of increasing pressure from Nigeria, whose oil and natural gas wealth are of considerable interest to London, as well as from the socialist governments now in power in New Zealand and Australia.

The prospects for talks between Rhodesian whites and the moderate African National Council are only slightly brighter than the likelihood of an accord.

The two sides have been holding "talks about talks" for some time, and, according to Miss Todd, the African group has drawn up its own set of proposals.

But it will not make them public, she says, until the Smith government agrees to talk about something other than the 1971 British-Rhodesian settlement package, which effectively eliminated the prospect of black rule before the turn of the century.

Smith, who had been counting on a breakthrough with the British and a government-sponsored campaign among blacks to win support for the 1971 terms, has so far shown little flexibility.

Indeed, he has jailed three top African National Council leaders, arrested six lesser members, and taken away the passport of Bishop Abel Muzorewa, the council's president and its most important lobbyist abroad.

In addition, last November the government introduced the South African system of pass laws requiring all non-whites over 16 years of age to carry identity papers at all times, a measure it said was being taken primarily for security reasons.

In January, it issued a decree imposing collective punishment on tribes for any guerrilla activities taking place on their lands.

Late last month, it began the formation of two African regional administrative authorities in Mashonaland and Matabeleland, the provinces inhabited by the two main African ethnic groups, the Mashona and Matabele.

Members of these authorities, or executives, are to be elected by the existing provincial assembly of government-appointed chiefs, and they are to have responsibility initially for taxation, health and education.

In the past, the government-appointed chiefs have been the main allies of the white government, but their authority over the black population is now being seriously challenged both by the guerillas and by the moderate nationalists.

These new provincial authorities appear to be the keystone of the Rhodesian system of provincialization.

The Rhodesians have yet to spell out where provincialization will lead, but it is clear that its immediate effect is to put a brake on the further integration of the black and white populations, block African participation in the political system and lay the foundations for a permanent white supremacist state.

Mr. Smith's Regime

(By Judith Todd)

London.—Rhodesia's Smith regime tends to regard any opposition as a threat to its existence. Leaders of the African people (95 per cent of the population) have been held in prisons and detention camps for years without trial—one man, Daniel Madzimbamuto, is now entering his fourteenth year of detention—parties and newspapers have been banned and activities within the country are rigorously controlled by laws and regulations. One of the latest regulations makes it an offense, punishable by up to seven years imprisonment, to spread rumors.

Peter Niesewand, 28-year-old reporter for the B.B.C. U.P.I., Reuters and The Guardian has now been detained. Niesewand is not even a protester. He is simply an accurate journalist who, by competently reporting events in Rhodesia, fell foul of the Smith regime. Like all other detainees he is held under an order signed by the Minister of Law and Order which states that he is detained because of the "belief" that he may in the future do something against the State.

Quite apart from the detention order, Niesewand has been charged and found guilty under Rhodesia's Official Secrets Act. His trial was in secret. The charges are not known. The sentence, announced to waiting newsmen by a court official, was two years hard labor, one suspended conditionally. The sentence has aroused a storm of protest in Britain and it is possible that enough pressure will be brought on the Smith regime to secure Niesewand's release. If not, he will serve his sentence and then may continue to be held indefinitely under the detention order which remains in force, whatever Peter's circumstances, until it is revoked by the Minister of Law and Order.

Sometimes the actions of the Smith regime verge on the ridiculous. In January 1972 my father and I were arrested—no charges, no trial. After five weeks in prison we were released, only to be put under immediate house arrest. My father is still under house arrest. Last July I was given permission to leave Rhodesia for England. At the airport, just as I was leaving, a new detention order was served on me. This stated that if I returned to Rhodesia, I must go immediately to my last place of detention; that although I was being allowed to leave Rhodesia I still remained a detainee (which means that Rhodesian newspapers are not allowed to print my name); and that if while overseas I did anything subversive—"subversive" was not defined—I would be liable to a year's imprisonment on my return to Rhodesia. As my new book has just been banned by special governmental decree for "security reasons" the incentives to return to Rhodesia are not great.

The situation inside Rhodesia is critical. Africans who have left the country and trained in guerrilla warfare are returning to fight and are now being supported by the local population. Since last December more than a dozen whites have been killed, an alarming number bearing in mind that the total white population is only about 275,000.

The Smith regime has responded by sentencing captured guerrillas to death and, in a brutal campaign to "disinfect" local groups believed to have aided guerrillas, has embarked on a program of collective punishments under which cattle have been seized, villages fined, schools closed and turned into interrogation camps where hundreds of men are being held.

The only African political organization in Rhodesia, the African National Council is, however, under the leadership of the United Methodist Bishop Abel Muzorewa, pleading for peaceful change and for talks and compromise between white and black leaders. The weapon on the side of peaceful change is the continuing United Nations mandatory sanctions policy against the illegal Smith regime. This policy has gravely damaged the Rhodesian economy and, more importantly, keeps the regime isolated. Only continuing pressure of this kind may lead white leaders to a negotiating table with African leaders.

The United States decision to import Rhodesian minerals, and thus to provide foreign currency to the Smith regime, is one which President Nixon could easily get revoked. By doing so, he would be assisting in the arduous task of seeking peacefully to change Rhodesia from a repressive white-supremacist state into a country where citizens of any colour were accorded their rights and dignity and men held for years in camps and jails were given their freedom and the chance to start trying to mend their lives and families.

Journalist's Appeal Is Heard in Rhodesia

(By Charles Mohr)

Salisbury, Rhodesia, April 27.—The Rhodesian Appeals Court heard today the appeal of Peter Niesewand, journalist, whose case has aroused an international furor and jeopardized the possibility of a settlement of Rhodesia's lengthy dispute with Britain.

Mr. Niesewand, 28 years old, a South African who holds Rhodesian citizenship, was sentenced to a year at hard labor three weeks ago after a secret trial in which he was accused of violating the Official Secrets Act by publishing accounts of army operations against black guerrilla forces.

The three-judge court heard arguments on points of law openly, but were forced by a Government order to hear points of evidence in secret session. The judges will announce their decision later.

Mr. Niesewand's lawyer, Israel A. Maisels, presented the court today with what he called "certain further information" that he asserted would exonerate Mr. Niesewand. Mr. Maisels said the information that Mr. Niesewand had reported had "ceased to be secret by an act of the Government itself."

BRITISH ARE ANGRY

Because of the order on secrecy, Mr. Maisels was not permitted to explain what his new information was. The implication seemed to be that in a recent public statement a high Government official had touched on the same "secret" material that Mr. Niesewand had published.

The British have reacted strongly to the prosecution of Mr. Niesewand, a freelance journalist who represented the British Broadcasting Corporation, the Guardian, United Press International, Reuters and Agence France-Presse here.

Prime Minister Heath said earlier this month that the case had "damaged the possibilities of getting a settlement" of Britain's constitutional dispute with her former colony.

Britain has demanded that Mr. Niesewand be set free and permitted to leave Rhodesia.

Britain and Rhodesia are at odds over how Rhodesia's white minority and black majority can justly share political power. Prime Minister Ian D. Smith has said recently that he is eager to make new efforts to reach a settlement. The tone of British comment on the Niesewand case indicates that London regards the affair as a provocative and unnecessary act that complicates a delicate political situation. Critics also condemned the secrecy of Mr. Niesewand's trial.

The appeals court justices published today what they called an edited version of the lower court's previously secret judgment against Mr. Niesewand and of the charges against him, as well as his appeal. These edited documents did not reveal exactly what Mr. Niesewand's offense was and they did not show any of the government evidence.

Mr. Niesewand had moved to have his appeal heard in public, but the court was presented with a certificate signed by the Minister of Justice, Law and Order, Desmond W. Lardner-Burke, saying this would not be in the national interest. Key issues of the appeals argument were heard in secret after an open morning session mostly devoted to discussion of legal points.

The ministerial certificate surprised some observers. Prime Minister Smith, asked in an interview recently about the secrecy of the trial and how it could be shown that justice had been done, replied: "We will have to accept the decision of courts here."

Mr. Niesewand's friends and other critics have said the articles that caused his arrest concerned matters of common knowledge about army operations against black guerrillas.

SENATOR THURMOND'S PRAYER BREAKFAST REMARKS

Mr. PERCY. Mr. President, a few weeks ago at the regular meeting of the Senate Prayer Breakfast Group, our colleague Strom Thurmond led the service and gave a memorable address to the Members on the subject of happiness and religion.

I asked Senator Thurmond to share a copy of his remarks with me; now I would like to share them with our colleagues who were not present that day.

In his remarks, Senator Thurmond points out that for many people the most difficult battle is the battle against unhappiness. He cited a recent French Gallup poll which revealed that 44 percent of the respondents said they were moderately happy; 40 percent said they were not very happy; 8 percent said they were happy; and another 8 percent said they did not know.

As other Senators will see when they read Senator Thurmond's remarks, he suggests that the most effective strategy one can pursue in the battle against unhappiness is to make a meaningful commitment to something or someone other than oneself. In this sort of commitment it is the constant seeking after perfection in the relationship that makes living worthwhile.

Mr. President, I ask unanimous consent that Senator Thurmond's thought-provoking and excellent remarks from the March 14 Prayer Breakfast be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Happiness and Religion

(Remarks by Senator Strom Thurmond)

Some years back a book was written which expressed the spirit of the 1920s under the somewhat imperious title of The Right to Happiness—a right, so the author argued, which should be asserted with all vigor. Unfortunately, that view of happiness has failed to bring happiness to those who proclaimed it most vigorously.

It is fair to say that for most human beings the major battle of everyday life is the battle against unhappiness. Everyone wants to be happy; yet, how few there are who are really happy.

It seems as though Henry Thoreau was exaggerating the facts when he wrote that the masses of men lead lives of "quiet desperation." And yet, a recent French Gallup poll taken on this question of happiness reveals that of the people who answered the question, 44 percent said that they were moderately happy; 40 percent, not very happy; 8 percent, happy; and the other 8 percent did not know whether they were or not. I was struck by the findings that only 8 out of a hundred considered themselves happy.

This seeking of happiness, therefore, is a goal in which, like the battle against disease, we are all engaged.

My remarks this morning stand against the background of two convictions: First, that happiness is not entirely a matter of disposition and temperament; it can be cultivated and won. Second, real happiness, that is, pure joy, and real religion go hand in hand; and we can even go further and say that you never have real religion without happiness, or vice versa.

TWO CLASSIC STRATEGIES

Consider first two classic strategies that have been used over and over again in this battle against unhappiness. The first one is the strategy of detachment. It is a strategy of withdrawal, denial. It is quite obviously a strategy of defense. It is an attempt to eliminate from a man's life those things which might be the cause of unhappiness. It is strategy as old as the beginning of mankind.

Three hundred years before Christ, a Greek philosopher named Pyrrho rebuked the terrified passengers in a storm at sea by pointing to a little pig that kept on feeding throughout the commotion. "Such", he said, "ought to be the tranquility of the wise man." His view was the gospel of uninvolvement achieved by reducing life to its lowest terms. The American philosopher, Paul Elmer More, commenting on the story of the pig, said, "There is an example of an affirmation, an affirmation of the sty."

Three hundred and fifty years later Epictetus was more explicit in the counsel that he gave. "When you fondle your wife or your child", he said, "say to yourself that you are fondling just a human being; so that, should they die, it will not affect you." It is the strategy of detachment. Do not become too involved in human emotions and then when those whom you love are taken away, you will be left in all the serenity of your environment.

We see many other expressions of the strategy of detachment. A man, for instance, who has loved deeply and been hurt greatly by the one whom he loved says, "I have been burned once, but it will not happen again." Or, a man has thrown in his lot with a great political cause and after he has spent everything in that cause, events turn against him and betray him. He says, "I have been hurt once but never again", and withdraws from active political life. It is expressed in the advice that the fond parent gives to the child who is desperately longing for something way beyond him, and the parent says, "Don't set your heart upon it." Another person who is giving advice says, "Don't expect too much and you will never be disappointed." It is, in other words, a strategy of reducing life to its lowest terms and achieving a kind of absence of pain and daring to call it happiness.

STRATEGY OF ATTACHMENT

The other classic strategy, at the opposite extreme, we might call the strategy of attachment. It is the strategy of attack, of annexation to our lives of the things which we believe we need to make us happy.

In considering what we think is needed to be happy, there is general agreement that a list compiled by Bertrand Russell is a good guide. The first item on this list is health and a certain amount of economic security. Most of us would find it hard to be happy if we should be stricken with paralysis this morning, so that tomorrow and the day after we could not go about our way. Also, we would find it difficult to be happy if we faced winter days with no heat or with inadequate food. We need, in other words, the minimum of health and economic security.

The second thing that a man needs is work that is worth doing. A man must earn a living, but he must do something more than that, for one of his characteristics is that he is made by God to share in God's creative enterprise. No one is really happy unless he is doing something that he recognizes is worth doing, and that gives him an opportunity to express something at least of his own native talent and ability.

The third item is people to live with and love. Some of us like to have periods of solitude and seclusion, but most of us would find it hard to be happy without people around us whom we love, and above all, a family that loves us.

Fourth, Mr. Russell listed interests that are worth cultivating; that is, a breadth of interest which gives a man a delight in many things. I remember that Emerson once said, "I like a man who likes to see a fine barn as well as a good tragedy."

These four, then, we might say are the basic things, the necessities, that a man who follows the strategy of attachment sets out to attach himself to in order to be happy.

But all those things are here today and gone tomorrow. Health is not constant; it flares up with all of its vibrant exuberance, and then fades away. Money, wealth, security and comfort evaporate like the morning dew. People we love come and disappear in the twilight. Also, the interests that we delight in begin to shrink as time passes.

Such should make us wonder about this strategy for happiness and we wonder even more when we go on to note the fact that there are some people who have all those things and yet are miserable. Conversely, others have practically none of those things and yet their lives radiate a sincere state of happiness. So, while happiness is not entirely independent of external circumstances, real happiness is certainly not to be found in any of these stage properties of life.

THE THIRD STRATEGY

There is, therefore, a third strategy suggested by a word which I have used a great many times to suggest other things—the word being commitment. A commitment is a response to a recognized claim. You see at once the contrast between this strategy and the other two. In contrast with detachment this is positive, not negative; and in contrast with attachment, it is not possessive, but its desire is to be possessed by something good or someone great. The person who goes out to attach things to himself finds the center of gravity right here in himself, whereas the person who goes out to make a great commitment finds the center of gravity out there, toward which he is drawn by some irresistible power greater than himself, and it is in this way that real happiness lies.

Let us take an example of these strategies from a familiar situation in life in the realm of human relationships, and that, I think, is the realm in which much unhappinesss grows. Imagine, if you can, three mothers. Each one has a son and each son marries so that the mother becomes a mother-in-law. What we say of this personal situation is true of all human relations but perhaps it is more intense in this particular one.

The first mother-in-law says to herself something like this: They will have to lead their own life, and I will lead mine. My son has left me and my home, my care and my responsibility, and taken a wife and his own way of life. That is perfectly right. He should. I will go my way and they will go their way and we will never come into conflict. That is the strategy of detachment.

The second mother-in-law says, my son has not left me; he has brought to me another child, and I will put my arms about her and include them both in my embrace. They will come to live with me, they will fill my life in my old age, they will make the pattern of life beautiful for me as I travel down the twilight path. They will live my way and think my thoughts, and when they have children, their children will grow up in the pattern and tradition of their grandfather and their grandmother. That is the strategy of attachment.

The third mother-in-law says, here is a new family beginning. They will go their way and develop along their own lines. I know that I can never have all of them. (I wish that we could realize that we can never have all of anyone.) I never can have all of their life. I don't expect them to spend all their time with me, or to do everything the way I have done it. I will not be hurt when they prefer the company of their contemporaries to mine; that is as it should be. Their life must go its own way and develop according to its own bent. Their life cannot be the way my life is, but I recognize their claim upon my affection, my care and my love and I stand here committed to that family. Everything that I have is theirs if they want it, and if they don't want it, all that I am in love and affection is theirs. That is the strategy of commitment.

STRATEGY OF COMMITMENT

It is just this strategy of commitment which finds its enduring expression in the secular realm in the "self-evident" truth of the Founding Fathers when they spoke in the Declaration of Independence of our God-given right, not to happiness, but to the pursuit thereof. They recognized that true happiness is found not in the attaining but in the pursuing. Happiness can never be captured nor can it be guaranteed. Rather, it is a gift or by-product of life, a life lived bravely and boldly, a life which fulfills the best that is within us—the power to achieve which God has placed within our human reach.

Therefore, I see our task in life as not to attain happiness as a goal in itself, to satisfy the endless demands of the ego, but rather to find meaning in living, to taste life to its fullest and know it as the gracious gift of God. Happiness, in this light, is commitment regardless of consequence; it is a result, not a goal; a blessing, not an excuse. It is achieved through a life filled and fulfilled with meaning, purpose and commitment.

Could there be a more valuable lesson for America today than this? This view is at the heart of the Biblical teaching in both the Old and New Testament: "Happy is the Man," wrote the author of Proverbs, "Who findeth wisdom;" "Happy is the people", wrote the Psalmist, "Whose God is the Lord."

Scholars tell us that in the Sermon on the Mount, the word "blessed" is very close to our word "happy." "Blessed (happy) are the pure in heart, for they shall see God."

With keen insight, the Bible does not use the noun "blessedness." Rather, "blessed" and "happy" are found as translations for the same word, suggesting that quality of life "where true joys are to be found."

As we gather here this morning, facing together a year of important decisions for our Nation and for the world, let our lives reflect this commitment which I have illustrated. Such a viewpoint will strengthen us in the grave responsibilities we face here in the Senate. As instruments of the Divine Love, may we reveal to our fellow men that "unconquerable gladness" is at the heart of true religion. May we in this life of tragedy and triumph, with its mingled pain and pleasure, commit ourselves to the life of the world, all of it, good and bad, light and shade, joy and grief, saying with Paul the Apostle, "I have learned, whether at sea or on land, in storm or in sunshine, to be content. I know how to be abased and how to abound." In the battle against unhappiness, we may be well on our way toward victory.

JAYCEES PROMOTE SCHOOL FOOD PROGRAMS IN MICHIGAN

Mr. HART. Mr. President, some of my colleagues have called attention to an outstanding new program being undertaken by the national Jaycees; namely, the improved child nutrition project.

It is enormously gratifying to find a national organization of the stature and strength of the Jaycees dedicating its efforts to helping meet a basic and urgent need; namely, to push the school food programs "the last mile" so that they actually reach the children who can most benefit by them.

Mr. President, we all recognize that great strides have been taken over the past 10 or 11 years in extending child nutrition programs. We are at the point where fresh impetus is needed to reach those schools or communities where lack of facilities or equipment, school board opposition, or citizen indifference is holding up delivery on a national commitment to our children.

Happily, this Jaycee effort is now moving into Michigan, where a workshop will be held on May 5. All of us concerned with wiping out hunger and malnutrition will wish them well.

ARCHITECTURAL BARRIERS TO THE HANDICAPPED—A DENIAL OF ACCESS

Mr. JAVITS. Mr. President, as the Committee on Labor and Public Welfare pointed out in its report on the Rehabilitation Act of 1972—

> Barrier-free design in Federal buildings and in Federally-assisted projects is mandated in present law, but has never been adequately enforced.

As a matter of fact, even though the Congress created such statutes, we have been remiss right here on Capitol Hill, and it was not until about 2 months ago that a ramp was constructed to ease entry of persons in wheelchairs to the Dirksen Senate Office Building. In addition, meetings have been held with the Architect of the Capitol—and my office has participated in such conferences—to find means to bring the Capitol and the office facilities into compliance with the spirit of providing access for the handicapped to their Government.

A judge of the civil court of the city of New York, Judge Nathaniel Sorkin, himself confined to a wheelchair as a result of a childhood bout with polio, has written a significant article in the March–April 1973, issue of Case & Comment on the access to justice of the handicapped. I ask unanimous consent that this article appear at this point in the RECORD. As Judge Sorkin points out, those who have lost the use of their limbs are too often exluded in fact from most of the public facilities which our whole society helps build and support.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EQUAL ACCESS TO EQUAL JUSTICE: A CIVIL RIGHT FOR THE PHYSICALLY HANDICAPPED

(By Nathaniel Sorkin)

It is an obvious fact, although generally overlooked, that the most discriminated minority in our Nation, State, and City is a group of our citizens whose disadvantage arises from factors which cut across all ethnic, and economic lines—the physically handicapped. For they, who from circumstances of birth, accident, illness or war, are deprived of the use of their limbs, are in fact excluded from most of the public facilities which their tax dollars help to support. The physically handicapped are de facto barred from using the city's subways and to an only slighter degree from the city's surface transportation system. They are not merely relegated to the back of the bus, they are totally excluded. Public buildings, particularly those built in the past, have impressive monumental entrances fronted upon by massive flights of granite steps, pleasant to the eyes of the ordinary person, but terrifying to the physically handicapped.

DENIAL OF DUE PROCESS

Discrimination against any group on irrational and unjust basis is an affront to any civilized people. When it amounts to a denial of access to due process of law, it cannot be tolerated.

Under the American judicial system every person has the right to enjoy equal justice under the law. Each is entitled to have a day in court. And, this implies a right to physically enter the courthouse. Nevertheless, courthouses are seldom barrier-free for handicapped persons.

A Law Day USA observance, held this year at the courthouse at the northern end of the Civic Center in New York County, had as its theme "Equal Access to Equal Justice" to mark the Civil Court's rededication to the law and to equal justice under the law. It also served to give recognition to the fact that the steps at this courthouse are legendary rather than real. Unlike other courthouses, it was designed with ground-level entrances, as well as doorways, elevators and restrooms wide enough for wheelchairs.

As a feature of the ceremony, a plaque, showing the world-wide used and recognized Symbol of Access for the handicapped, was unveiled on the facade of the courthouse before representatives of the bench and bar, government agencies, architectural firms and the handicapped. The robed judges of the Civil Court participated in the observance.

ACCESS TO THE GROUNDS AND BUILDINGS

The Symbol of Access depicts a figure seated in a wheelchair. It serves as a representation to persons with physical impediments that the facility upon which it appears is without architectural barriers and affords them access with dignity. On a courthouse it indicates that the Temple of Justice is accessible to the handicapped. The fact that the Symbol is used and recognized worldwide is noteworthy. Physical disability is neither characteristic of any particular nation, nor discriminatory in its selectivity of persons. It cuts across all boundaries and differences. No class or group of people is immune.

While the handicapped may be a minority within a single group, collectively they are many. In the United States, for example, it is estimated that 12% of the total population is handicapped. In these enlightened times, when civil rights of all minorities are in the forefront, it seems strange that planners and designers of public buildings give little consideration to providing equal access for that portion of the populace disabled as a result of illness, accident or warfare, but restored to productive lives through the efforts of rehabilitation medicine.

The fact that so large a segment of the population has physical impediments should not, in itself, be the justification for eliminating architectural barriers in public buildings. The right to equal access needs no justification. Providing access to the handicapped entails no increased cost in construction, but merely a recognition of the obvious and a will by architects and builders. Such access is implicit in the concept of equality under the law. Freedom of movement with dignity should be available to all as a matter of right, not as a matter of privilege.

CONSTITUTIONAL GUARANTIES

Our Constitution guarantees that neither the Nation nor the States shall discriminate against any group. When public buildings are constructed without ground-level entrances, doorways and corridors wide enough to accommodate persons with impaired ability to walk, there is patent discrimination, unwitting and unwillful as it may be.

The Civil Rights Acts of 1964 and 1968 provide for public accommodation laws designed to enforce the Constitution's 14th Amendment. As a practical matter the difference between accommodation and access is almost minimal. Anything less than equal access to a public building violates the spirit, if not the letter, of our Constitution.

The theme of "Equal Access to Equal Justice" for the handicapped, has its foundation in the basic principles of decency, justice and equality. Equal access is important, not because the law may require it, but because fairness and logic, the touchstones of the law, compel it.

CONCLUSION

Like every other minority group, the handicapped have within their ranks persons of talent and skill, capable of contributing much to the law and to society generally. If the community is to avail itself of the benefits of their contributions, proper facilities must be provided to enable them to make those contributions. Public awareness of architectural barriers is a primary requirement to overcome the situation that confronts physically impaired persons seeking access to a courthouse or other public building. When the problem is recognized, the solution will be found. Only then, with equal access provided for all persons, will the handicapped enjoy the equality and justice so basic to our institutions.

A CAUTIOUS EYE ON SUPERPORTS

Mr. BIDEN. Mr. President, the question of construction of offshore port facilities of our coastlines has been the topic of recent Senate hearings and much private debate.

I have long felt that there is a need for further information on the entire spectrum of questions that have been raised concerning proposed superports, questions which range from the need for such facilities to the environmental damage that may ensue if they are constructed.

The coastal waters of my own State of Delaware have been named as a possible site for port construction and I have followed the debate with much interest.

Recently the Wilmington Evening Journal published an article by Ernest W. Thorn, a member of the Common Cause organization in Delaware. Mr. Thorn's article outlines the action he feels should be taken before any decision on superports are made.

Mr. Thorn's views summarize many of the unanswered questions concerning these offshore facilities and offer some helpful direction for gathering information concerning the issue.

I request unanimous consent that the article be printed in full in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SUPERPORT: LET US MAKE SURE IT IS REALLY NECESSARY

(By Ernest W. Thorn)

As an environmentalist, I hope Delaware does not need a superport in its bay or offshore in the ocean for unloading crude oil from super-large tankers to pipelines or barges. As our neighbors in New Jersey and New York are not apt to want a superport either, a decision will need to be made on the basis of facts. Much research remains to be done. To resolve the problem in an expeditious and orderly manner, I recommend the following steps be taken by our governor, senators and representatives (federal and state), with active encouragement from you and me:

1. An independent audit of current energy consumption forecasts needs to be made to verify their validity. The need for a superport is predicated upon forecasts that the U.S. energy demand is so outpacing domestic supplies that by 1980 the United States will need to import 48 per cent of its oil requirements and by 1985, 57 per cent. On the other hand, as recently as 1970, the President's Task Force on Oil Imports predicted that the U.S. would have to import no more than 27 percent of its oil by 1980.

2. Any energy conserving measures that could be used to reduce substantially our mounting crude oil imports should be given highest priority and vigorous implementation. Toward the end of '72, the President's Office of Emergency Preparedness completed a study, "The Potential for Energy Conservation" from which it concluded that energy demand can be reduced substantially, provided we are willing to make the effort. The study's authors estimate, for example, that America could slash projected energy requirements in 1980 by the equivalent of 7.3 million barrels of crude oil a day, Table 2 in the Summary Report of the Delaware Bay Oil Transport Committee (Gaither Committee) presents a forecast from the Delaware Bay Transportation Co. of 4,600 millions of imported barrels of petroleum and gas in 1980. Per day this would be 12.6 million barrels. So, with a will, we Americans could eliminate 58 per cent of the 1980 projected import requirements.

3. To reduce our dependence on imports of oil and natural gas, any research and development that might bring new domestic sources of clean energy into production must be assured a high priority by Congress and the President. At the moment other sources are either too dirty to be safe in large quantities for our lungs (coal), in short supply (natural gas and energy from nuclear fission), or not sufficiently developed to meet demands of the next 10 years (nuclear fusion, nuclear fast breeder reactor, solar energy, geothermal energy, gasification of coal).

4. On a joint basis with New Jersey and New York, the Delaware legislators and Gov. Sherman W. Tribitt should have an independent study made from a regional viewpoint, as called for in the Gaither Committee's fourth recommendation, to agree on the ideal location (or locations) for a superport from economic and environmental view-

points—in the event one or more should be needed after taking into account the preceding three considerations.

The Gaither Committee appears to have done a very good job with its assignment limiting it to what was best for Delaware. A similar committee, which has the confidence of the political leaders and citizens in all three states, should now determine what is best from a regional viewpoint. In addition, this regional committee should determine the preconditions that the three states should require for the isuuance of any federal permits for construction and for operations of an offshore facility.

In announcing the tentative recommendations of the Philadelphia District Army Corps of Engineers on Jan. 8, Col. Carroll D. Strider requested that concerned citizens advise him of the conditions that need to be made a part of any construction permit to assure that the facility will not create or otherwise induce undesirable social and environmental conditions. I would think there ought to be conditions on an operating franchise also. However, necessary preconditions probably cannot be finalized until we know the results from the next two steps.

5. Through environmental-impact studies of all superport sites under consideration must be insisted upon. With his announcement of Jan. 8, Col. Strider enclosed a Summary of Enivornmental Consideration which states that the environmental study made is "preliminary and subject to updating based on changing conditions. In some instances, there is a lack of detailed knowledge in a number of areas essential to the comprehensive environmental analysis of deep-water port facilities. Current federal research activities should, however, improve this situation."

6. To give us a real option in choosing between a bay or ocean superport location, containment devices able to localize oil spillage and ease clean-up must be expeditiously researched and developed for ocean superports. A containment device is used to surround an oil tanker when it is unloading into a pipeline, so that in the event of a spill the oil is in a confined area from which it can be readily collected with very limited ecological damage.

When, as and if, it should be determined there is to be a superport and if the affected states can participate in environmental controls through necssary preconditions to construction and operations, a superport offshore in the ocean would be much preferable to one in a bay with respect to the ecological damage from those oil spills that may result from collisions or going aground, but would currently be at a distinct disadvantage in unloading spills. At least in Dean W. S. Gaither's opinion, the containment devices proposed for an offshore superport by the Maritime Administration have not been sufficiently tested to assure that they would give adequate protection in the high waves of the ocean. It would be beneficial not to have this limiting factor when a regional committee is determining the best location or locations.

7. It is imperative that our current state General Assembly establish a program to regulate completely the petroleum transfer operations now being conducted within Delaware water, in accord with Gaither Committee recommendation.

Extensive oil transfers from oil tankers to barges (lightering) occur now in Delaware waters, a little more than three miles off shore from Big Stone Beach—12 miles up Bay from Cape Henlopen. Currently no spill containment devices or other spill localization and clean-up systems are available at this mooring site. The tank and barge operators are to be commended for their care in unloading, as no major spills have occurred. However, the risk is there and is growing. Containment devices and state control are needed as long as this lightering operation continues.

As the lightering area is in a federal navigable waterway, there is a legal question as to the right of the state of Delaware to legislate controls. This will be decided by a case before the U.S. Supreme Court against Florida legislation. If Florida loses its case, let us urge through our governor and congressmen that the federal government expand current Coast Guard requirements by providing for containment devices.

8. The General Assembly must also take action now to end the traditionally limited liability and standard of liability with respect to damages caused by spilled oil, so as to provide an adequate remedy to private property owners, in accordance with another Gaither Committee recommendation.

The Gaither Committee recommends modeling legislation after a Florida law, provided that the Florida law is upheld in a current test case before the U.S. Supreme Court. A decision is expected this spring.

9. U.S. Sens. William V. Roth Jr. Joseph R. Biden Jr. should urge fellow senators to vote against ratification of two international conventions from the Intergovernmental Maritime Consultive Organization (IMCO) respecting oil pollution damage and liability for such damages, if further investigation verifies the substantial opinions reported by the Gaither Committee ". . . that the provisions of the conventions are inadequate to provide for appropriate compensation to individuals and local government injured by oil spills."

The two IMCO conventions are now before the U.S. Senate. Ratification of the conventions would pre-empt all state laws and prevent measures from being taken by the Delaware General Assembly.

No doubt Delaware's political leaders are aware of the problems I attempted to cover. Nevertheless, I believe the problems and proposed solutions or their alternatives need more public airing.

If the threat of an energy crisis is valid and cannot be overcome by a combination of new sources of domestic clean energy and a concerted national effort to conserve energy, it will do no good to say we do not want a superport. But let's be sure of the facts.

If in concerted efforts, such as NASA, our nation can get a man to the moon within one decade and, such as the Manhattan Project, can develop a nuclear bomb, why can't we lick the energy crisis and its related oil import problem by establishing a high priority program to bring alternative sources of domestic clean energy into production in time and implement the findings of the President's Office of Emergency Preparedness to substantially reduce our energy demands.

A ROCKEFELLER LOOKS AT LIFE IN AMERICA

Mr. PERCY. Mr. President, I would like to call to the attention of my colleagues a book recently written by John D. Rockefeller III. We are all familiar with Mr. Rockefeller's work as Chairman of the Commission on Population Growth and the American Future, his efforts in the field of conservation and ecology, and his lifelong dedication to his philanathropic works.

Now he has distinguished himself further by authoring this sensitive, logical, and thought provoking work, entitled "The Second American Revolution." One might not think of John Rockefeller as a revolutionary, but he proves with the publication of this book that he is, indeed, at the forefront of the second American revolution—a revolution he considers peaceful, positive, and progressive.

Mr. Rockefeller's basic premise is that many of the "quality of life" clauses guaranteed in the Declaration of Independence have been all but ignored for nearly two centuries while Americans raced ahead with economic and material progress. There is a deep need in this country, he maintains, for a movement toward more humanistic progress. He sees that movement gaining momentum in a variety of areas.

The youth movement, which predominated in the 1960's, is now moving away from aggressive reaction to specific events and is leading the way in such battlefronts as the effort to save our environment. The work of the young people is more thoughtful and, consequently, more effective than it once was.

He discusses the women's liberation movement, which also has moved from what seemed to be a militant position toward a quiet—and much more effective—insistence on equality. As Mr. Rockefeller points out, this movement has affected the lives of American women who previously had never given a thought to the fact that they had a choice in the direction of their lives.

As a former businessman, I found particularly effective Mr. Rockefeller's treatment of the issue of corporate involvement. He points out that while business can and must impose some reforms on itself, its first responsibility is to maintain the economy of this country, and that an overextention into the field of social reform would be as inappropriate as no involvement at all.

Mr. Rockefeller has expressed very articulately the idea that this second revolution will be peaceful. As I told him, it is important for those who see this revolution in a positive light to speak out and to counterbalance the prophets of gloom.

Mr. Rockefeller has brought insight, breadth of experience, and uncommon concern for the welfare of the citizens of this country to bear on his account of the changes we are experiencing as a nation.

His accomplishment is great, Mr. President, and I heartily commend "The Second American Revolution" to the attention of my colleagues in the Senate, in the House, to the executive and judicial branches of Government, and to all thinking Americans interested in the trend and the quality of American life.

So that my colleagues will have the benefit of other judgments of Mr. Rockefeller's work, I ask unanimous consent that book reviews from the Wall Street Journal, the Philadelphia Bulletin, and the Book-of-the-Month Club News be printed into the Record.

There being no objection, the book reviews were ordered to be printed in the Record, as follows:

A Rockefeller Looks at Life in America

(By Edmund Fuller)

"Democracy is the most fragile and difficult political system ever devised. Its fragility lies precisely in the fact that it is the system best suited to the human condition itself, since it allows maximum freedom for all the whims and emotions, the wants and the needs, of the individual person. Democracy is difficult because men and women are difficult."

Those are words of John D. Rockefeller III in a small, challenging book, "The Second American Revolution: Some Personal Observations." It is an eclectic book—there are mighty few in history that are not. He does not offer himself as a source of dazzling new vision (thank God!) but comes forward as a thoughtful man who has been putting forth great effort to understand his time. "I have talked to countless people, I have read much more than is my normal habit, I have traveled extensively, and I have listened as I have never listened before. I lay claim to no definitive answers, only to a personal view, to honest questions and honest attempts to think them through."

The influence of ideas often is related in part to who utters them. Mr. Rockefeller has been especially struck by two books since 1970: "Without Marx or Jesus" by the French writer, Jean-Francois Revel, and "The Greening of America," by Charles Reich. He agrees with some of their major premises and such points gain particular force and influence in our present society by his restatement, which may win a hearing, in quarters not previously disposed to listen, for the idea that we are in fact in a revolution, of a new kind, nonviolent and irreversible.

The eldest of the five Rockefeller brothers observes with nice understatement: "The name Rockefeller does not connote a revolutionary, and my life situation has fostered a careful and cautious attitude that verges on conservatism. I am not given to errant causes. I have quite a consistent record as a Republican and a supporter of Republican candidates." Thus the special value of his testimony. The name "Reich" has more clout with the counter-culture than does the name "Rockefeller"; it is just the reverse with the Establishment and for the social movements this book discusses it is essential to reach the Establishment. He devotes a chapter to "The Crucial Role of the Moderates."

"I have come increasingly to see that old patterns are breaking down and new ones developing, that change is necessary, not for its own sake, but if we are to meet our problems, needs, and opportunities with hope and confidence. . . . I believe that we are at a turning point in our history . . . that instead of being overwhelmed by our problems, we must have faith that they can be solved, that we can achieve a society in which humanistic values predominate. However, the justification for this faith will depend on Americans generally feeling a sense of responsibility for what happens in their country, on their ability to see and understand the hopeful prospect that lies ahead and to commit themselves to achieving it. This faith and responsibility and commitment should become the substance and the driving force of our Bicentennial in the years ahead. I can think of no more fitting way to commemorate the 200th anniversaries of American independence and the founding of the United States."

It is not that our problems have arisen all at once but that modern communication has made us aware of them all at once, which is unnerving and unsettling. It has brought "a crisis of awareness, and this in turn has produced a crisis of faith in terms of the future of our society." The book discusses a broad range of subjects: political, economic, moral, cultural, educational. He looks in a calm way at radical shifts in sexual mores, personal appearance, and life-styles. He might be reassuring to some culture-shocked returning POWs.

Some of our worst problems are ironic results of excesses in our best accomplishments. ". . . The pioneering spirit born out of the westward drive to expand to the full limits of this continent . . . produced a breed of rugged individuals, but also a pattern of life which competition predominates over compassion, violence is an ugly undercurrent, and exploitation and destruction of nature's bounty are seen as natural."

A few of the questions he examines:

Population. The recent decline in the U.S. birthrate does not mean the end of that problem, even here. He is concerned with the unemployment created by sophisticated technology, while at the same time the drive for efficiency tends to make work become increasingly dehumanized.

In the affluent society the gap between haves and have-nots continues to widen dangerously.

In both business and government the power of bureaucracies "becomes more centralized and distant from the people and alienation and impersonalism grow."

He is concerned for the environment. We are just entering a new phase when second looks are causing some, who paid lip-service to environmental concerns, to say: "It would be good to have clean air and water and to save the planet but we can't afford it."

He welcomes Ralph Nader's consumerism. He is responsive to the women's movement, asserting that "Women's Liberation is men's liberation, and . . . together they can become human liberation." He devotes much space to the role of youth, affirming that: "Far from being some subversive force, the central drive of the youth movement in this country has been squarely in the best American tradition of individual initiative. In the Estes Park [youth conference] spirit of 'a rage of love' for American ideals, it is reminiscent of revolutionary America of 200 years ago."

Mr. Rockefeller advocates decentralization of powers and more initiative from the private sector, but he sees an essential, permanent government role as the *"facilitator of participation."* In other words, as a prod.

Having worked most of his life in philanthropy, he believes that America must be "A Giving Society." He says: "We are well into an unprecedented financial crisis in the private nonprofit sector. . . . The fact of the matter is that private giving has not increased as fast as the gross national product or the federal budget or the rise in costs of operating." As a result we see "institutions closing their doors or drastically curtailing their services or gradually being taken over by the government." He sees the "growing imbalance between the major sectors of our society"—the private and the public—as one of the most urgent concerns.

He calls also for "A Learning Society," offering sound comments on education. On the currently hot subject of encroachment upon the press and TV from some quarters he urges Jefferson's admonition to "trust the public judgment," and is firmly opposed to any who would "place themselves in the position of judging what their fellow citizens can see and hear and learn."

A chapter is devoted to "A Planning Society." "Planning" has been an emotion-freighted word in public debate, which is odd since neither business, government, nor a private household can survive without it. Mr. Rockefeller stresses the difference between a "planned society" in the regimented sense, and his "planning society . . . based on freedom of choice, which requires widespread involvement and maximum knowledge and understanding."

He closes his book with strong affirmations of optimism about our future. "The Second American Revolution" is an important challenge from a man of experience and vision who has kept his mind free from the bonds of ideologies, rigid class-determined attitudes either economic or social, and sacred-cow assumptions. The book is an invitation to keep a promise. "This country can become the despair of the world. Or it can fulfill its transcendental mission."

A Rockefeller Calls for a Revolution

(By Martin H. Belsky)

Anyone who is John D. Rockeller 3d, and who is the eldest brother of two governors and father of a possible third, is an unlikely revolutionary.

But this Rockefeller is a progressive activist, involved in philanthropic pursuits and extensive public service in behalf of consumerism, education, civil rights, urban housing, and poverty. He seeks to become a revolutionary synthesist—able to rationalize the nature of radical movements and to integrate their aims into the existing social structure.

ALREADY BEGUN

Rockefeller's premise is that "The Second American Revolution" has already begun and that we must react immediately or risk destruction.

The First American Revolution established humanistic values that the Industrial Revolution subordinated to materialistic demands. The answer is not to discard democratic capitalism but rather to redefine it, making it more human and humane.

LEADING THE WAY

The moderates—"those who . . . have made it"—must lead the way, and Rockefeller must be the "midwife," utilizing criticisms of the present system to define new goals.

The author handles his role well.

"Black power" is not a call for disorder but rather the expression of individual dignity. The "Youth Movement" seeks not to overturn the social structure but rather to establish a person-centered society. Both movements will promote humanity and idealism in all Americans.

In his synthesis—termed the "humanistic revolution"—Rockefeller asks the system to respond to crisis by restructuring existing institutions.

Population control, environmental rehabilitation, and economic revitalization will be accomplished through a cooperative effort of a less bureaucratic, more responsive government, an open, more responsible business leadership, and a "giving, learning and planning" society.

"CAUTIOUS ATTITUDE"

Based on his experience in philanthropy, Rockefeller relies too heavily on the "private, non-profit sector" to be the pioneer of reform. However, he also offers creative ideas for change—including redefining work to provide qualitative measurements of productivity, decentarlizing government to make it a facilitator rather than a manager of change, and establishing new structures to plan and effectuate humanistic goals.

Those who have been seeking social change will find little new or novel in this book. Its appeal is not to those who have reacted but to those who haven't and should.

Reforms, often disregarded as idealistic, are now offered as essential by one who defines himself as "a Republican" with a "careful and cautious attitude verging on conservatism."

Rockefeller provides a clear and methodical analysis of the changes in American Society, and uses his personal observations to suggest reform through people participation. He is optimistic that people will no longer be content to be pawns of fate but rather will now seek to influence their destiny.

Let's hope he is right

The Second American Revolution

(By John D. Rockefeller 3rd)

Quite apart from the interest lent by the status of the author, which is frankly difficult to overlook—now in his mid-60s, he is the eldest of the five sons of John D. Rockefeller, Jr.—this is an arresting book, seriously intended, optimistic in tone, logically and effectively presented. The revolution which Mr. Rockefeller has in mind, and which he sees in progress and hopes will continue, is humanistic. Unless unfortunately diverted it will, he believes, change the mental and moral structure of the United States and result in a happier and more nearly united country. He quotes both Charles Reich and Jean-François Revel in support of his view that a movement of enormous significance has been under way. Among the topics related to it which he raises for discussion are population problems (these he has studied in depth and analyzes with true firsthand knowledge), minority problems (the Kerner Commission report, identifying white racism as a fundamental cause of civil disorder, he labels "one of the most impressive reports ever produced by a national commission"), the youth movement, and impending changes in the nation's industrial system, in corporate responsibility and in the role of government (government should "conserve and generate the powers of individual initiative and aim at being a facilitator of participation"). Subtitled, modestly enough, "Some Personal Observations," Mr. Rockefeller's book is positive, confident, possibly even overconfident in tone—but, says Mr. Rockefeller, "I am uncomfortable merely phrasing a thought in negative terms." It is a constructive book, a hopeful book, well expressed, worthy of great respect and warranting wide attention. ($6.50)—Holger Lundbergh

CHARTING COURSE TOWARD HIGHER HUMANISM

(By J. Z. Howard)

A new book by John D. Rockefeller 3rd, "The Second American Revolution" (Harper & Row, N.Y., $6.50), is published this month, but was finished by him in December 1972.

The date is of interest because of the fact that the U.S. Supreme Court on Jan. 22, 1973, barred states from interfering with the decision of a woman and her doctor to end pregnancy within the first three months.

On Page 64 of his 1972 book, Rockefeller, in discussing the May 1972 report of the Commission on Population Growth and the American Future, a body of which he was chairman, mentions the Commission's recommendation "that the matter of abortion should be left to the conscience of the individual concerned in consultation with her physician."

Thus we see that the nine old men of the Supreme Court do not always themselves originate the drastic ideas which they promulgate. Whether the Court's abortion ruling stems directly or entirely from the Rockefeller Commission's recommendation is a matter for speculation.

But certainly the recommendation marks the eldest of the five grandsons of the original John D. as a leader in innovative social thinking. This instance is a mere hint of how far this scion of a phenomenal family has thought in that field—the entire new book spells that out provocatively and in great detail.

Rockefeller starts with the values asserted in the Declaration of Independence, the goals that sparked the First American Revolution: equality of justice and opportunity for everybody—the "unalienable rights" of life, liberty and the pursuit of happiness. These goals, though they have been beacons for people in America and around the world, have not yet been fulfilled, despite persistent lip service. Impatience with this failure is moving this country toward the Second American Revolution, Rockefeller says, starting with the 1954 Supreme Court anti-discrimination ruling.

He examines the factors in this new revolutionary trend—the roles of blacks, youth and women, all making their own declaration of rights. He shows how the Second Revolution can be won satisfactorily: only by winning the understanding and support of a great body of the moderates.

Rockefeller seeks a way of achieving all the legitimate goals without violence and for the benefit of all the people. He is not dictatorial, but wants people to work out things for themselves, aided by conscientious leaders in all walks. His book is full of suggestions as to how this might be done, and optimism that it can and will be done.

Regarding the blacks:

"Progress has been made," says Rockefeller, "but the basic patterns persist—patterns of ghetto living, of unemployment and of underemployment, of inadequate education, of housing segregation . . . a little progress only whets the appetite for more progress . . .

"I think blacks are helping to give us our humanity, in stimulating and playing a central role in the humanistic revolution . . . the awakening of black consciousness has in turn stimulated other groups to assert their identity and seek equality . . ."

Among the needs, if the Second Revolution is to make a better America, he lists: encouragement of philanthropy, personal involvement of individuals and businesses as well as involvement of their dollars, goal-setting institutions—not to tell people what to do, but to stimulate them to work out the best answers to problems themselves. Rockefeller poses a question and gives an answer:

"Can we the people successfully move our society forward in more humanistic directions, toward a higher level of human existence? I believe we have no other real choice. We cannot stand still, muddle through, try to turn the clock back . . . only once before in our history did we face the ultimate test. Now, as then, the issue is, in Lincoln's words whether 'government of the people, by the people, for the people' shall perish.

"For myself, I am basically optimistic . . . yet I like to think that my optimism is tempered by a good measure of realism . . ."

Rockefeller's book is full of such sincere, tolerant, temperate, wise statements.

This work may well be rated, in after years, as the greatest book of these times. If this rating does not come, it will be, in my opinion, only because not enough of us Americans—politicians, business men, scientists, teachers, writers, what not—read it and take it to heart. Intrinsically, all "the makings" are there.

BETTER COMMUNITIES ACT—A RETREAT FROM URBAN AMERICA

Mr. HUMPHREY. Mr. President, last year, the Nixon administration proposed a community development special revenue-sharing plan. It was a simple plan—take all the HUD development money and lump it into one single fund, toss it back at local government and say, "Okay, you spend all the funds any way you like. We are returning power and money to the people."

The legislation got nowhere.

This year, the Nixon administration resubmitted the special revenue-sharing plan, only now they call it the Better Communities Act.

The Better Communities Act would close down urban renewal, model cities, grants for water and sewer lines, parks and open space, and construction of neighborhood facilities. Replacing these categorical programs would be a $3.2 billion fund to be distributed among urban areas to be used at the discretion of local officials for community development activity.

And, it is supposed to do great things.

Cut redtape.

Promote local decisionmaking.

Eliminate all matching funds.

Protect all minorities.

That is the rhetoric.

What the Better Communities Act actually does is drop all the problems back into the hands of local government and say "you solve 'em" but with less money and little Federal direction or expertise assistance.

The legislation is replete with statistical games over the amount of funds that will be going to communities—minimum guarantees, phaseout, hold harmless, and the like. But the end result is a reduction of funds going to cities with the greatest need and most massive problems.

In the guise of local control, the legislation will set back efforts at comprehensive urban planning.

In the guise of reducing redtape, the legislation will put a premium on spending as much money as quickly as possible—to throw money at problems—without specifying what goals should be accomplished and in what period of time.

In the guise of protecting minorities, it leaves minorities helpless to deal with the all too often unresponsive local powerstructures and establishments.

And, in the guise of promoting the interest of middle Americans, it clearly says "solutions to your pressing problems of street repair, pollution, crime, sewage and water and increasing the local commercial tax base to lighten the load of residential property taxes will have to wait."

The Better Communities Act does not represent a thoughtful approach to urban problems.

It represents an admission of defeat and disinterest of the Nixon administration in the future of American cities.

It is a retreat, not a step forward.

It is a serious setback for Federal assistance and progress toward overcoming problems which do not recognize jurisdictional boundaries.

Mr. President, the Nixon administration continually alleges that programs such as urban renewal or open space are inflexible or have failed to accomplish the slightest good.

In the official OMB program evaluations supplied my Consumer Economics Subcommittee, urban renewal, for example, was being terminated for one reason that "the program has not been effective in impressing urban living conditions." Yet recent research on this program, as published in a committee print of the Senate Banking, Housing and Urban Affairs, suggests that urban renewal has greatly assisted in an important aspect of improving urban living conditions—increasing local tax revenues from project sites after redevelopment—tax revenues that could be utilized to finance needed public services.

Mr. President, I am not suggesting that every program, including urban renewal, must be continued just as is. We must constantly reevaluate programs.

But the Nixon administration's Better Communities Act is not a reevaluation; it is a wholesale scrapping.

Fortunately, there is an alternative—an innovative, well-developed, conceptually sound alternative to the Better Communities Act.

I am talking about the housing and urban development legislation that passed the Senate last year by a vote of 80 to 1.

The legislation would, among other things:

Establish a block grant community development program.

Require applications from communities seeking funds to outline development objectives for 3-year periods—to specifically state what plans were to meet community housing needs, prevent and eliminate slums, and upgrade community services.

Assure continuity of funding for plans with a guarantee that funds would be distributed 1 year in advance.

Specify that comprehensive planning should reflect community needs for housing, employment, education, and health with adequate opportunity for citizens participations and the involvement of minorities in the projects located in their neighborhoods that are selected for grants.

That is not all of the provisions of last year's legislation.

Of one thing I am certain, though.

The legislation that passed the Senate last year is not a bailout on part of the Federal Government.

It was a responsible approach, developed through consultation with mayors, county officials, Governors, urban planners, and the best expertise of our universities and colleges.

I urge repassage of legislation such as last year's bill.

Finally, Mr. President, an editorial published in the April 27, 1973, New York Times, also took issue with the Nixon administration's proposal.

I concur in the judgment of the New York Times on the proposed legislation. And, I want to assure the American people that, as the Times suggests, the Congress will rewrite this bill to "achieve a better balance between local automony and Federal leadership."

Mr. President, I ask unanimous consent that the editorial from the New York Times, "The Urban Losers" be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Urban Losers

It is no accident that the Nixon Administration's bill to shut down urban renewal, Model Cities and other urban programs and substitute a share of Federal revenue is entitled the "Better Communities Act." The objective is to shift Federal money and public attention away from the cities where the Administration's political support is weakest and transfer them to the suburbs where its support is greatest. To achieve that shift, the Administration has not only proclaimed an end to the crisis of the cities but has also stopped talking about cities altogether in favor of "communities."

In addition to urban renewal and Model Cities, the programs which the Administration seeks to abolish include grants for water and sewer lines, parks and open space and construction of neighborhood facilities. The White House has deferred until September its recommendations for a substitute for public housing, housing for the elderly, rent supplements and the other housing programs it has suspended.

President Nixon and his associates are fond of referring to urban programs as "inflexible and fragmented" programs. But they could more accurately be described as money targeted for specific problems.

Those problems are overwhelmingly concentrated in the cities. That is where the masses of poor people live, where the slums are, where the overaged and dilapidated public facilities are. The most urgent problems are not out in the new subdivisions or along the six-lane beltway.

Administration spokesmen contantly talk about "red tape" and about the levels of government that are "closest to the people." But the critical question is not which unit of government spends the money but where and for what specific purposes the money is spent. "Neighborhood facilities," for example, could mean new streets and a firehouse in a wealthy neighborhood or a clinic and a playground in a slum. Federal bureaucrats with their guidelines, sometimes described as "red tape," are often more zealous in asserting the interests of the politically impotent poor than are local governments responsive to established, influential elements in the community.

Under the Better Communities Act submitted to Congress the other day by Secretary of Housing and Urban Development James T. Lynn, the poor in the crowded urban centers would be the losers. The cities in which they live would receive each year only the average of the funds which they received during the five fiscal years from 1968 through 1972. Under a "hold harmless" provision, they could not receive less but they would not receive more even though the average of those years is already inadequate and even though their problems may be worsening.

Moreover, since the President's budget provides no new money in the fiscal year beginning July 1 and since the money under the new plan to start on July 1, 1974, would be heavily mortgaged by commitments already in the pipeline, it would be fiscal 1978 before most cities would struggle back to the level of Federal help which they reached last year.

The states and the counties, meanwhile, would gain markedly under the Administration bill. Yet except for conservative political dogma, there is no persuasive reason to cut the states into this spending stream. Most state governments have no experience or particular competence in urban problems. Even New York under Governor Rockefeller's ambitious reach has had difficulty in defining what it can usefully do about inner city problems.

The National Association of County Officials is understandably delighted with the bill. But the county is not a unit of government with a uniform definition. In many states the county government is a moribund affair which only serves to give the sheriff and the coroner a place to park their cars. Among counties which are live, viable units, many have no serious urban needs.

The defects in the Administration bill are inevitable in any attempt to get away from specific categories and devise automatic formulas. The difficulty is that problems are not uniform across the country. There is no substitute for local officials making applications for Federal money to meet specific problems and for Federal officials making judgments on those applications.

Congress ought to rewrite this bill to achieve a better balance between local autonomy and Federal leadership. The urban poor must not be the losers in the necessary reshaping of the Federal system of grants-in-aid.

ARMS SALES ABROAD

Mr. ROTH. Mr. President, a recent edition of the Wall Street Journal carried an article by Mr. Richard J. Levine on increasing American arms sales abroad.

According to this article, U.S. arms sales on a government-to-government basis will reach nearly $4 billion in fiscal year 1973, compared to $2.07 billion in fiscal year 1971 and $914 million in fiscal year 1970. These figures reflect a continuing demand for U.S. arms abroad, particularly among developing countries in Latin America and the Middle East. In addition, they reportedly reflect a more relaxed U.S. official attitude toward such sales, partly because of their balance-of-payments effects.

I find these trends particularly disturbing. At a time when international tensions are diminishing, I would hope we should be moving in the general direction of limiting arms sales rather than encouraging them. While balance-of-payments considerations may, in the short-run, be a tempting reason for relaxing our restraints on our own sales, in the long-run it may be most unhealthy for our economy as well as embarrassing to our foreign policy to become excessively dependent, like the French, upon military sales to maintain balance-of-payments equilibrium.

To me these figures suggest more than ever the need to give careful consideration to the possibilities for international agreements to control conventional arms transfer. At the present time, the Arms Control and Disarmament Agency, with the help of other executive agencies and departments, is preparing a report to the Congress on the nature of the trade in weapons, on the economic, military, and political implications of arms sales for both sellers and buyers, and on international control possibilities. This report will include recommendations for future U.S. policies.

I think this report gives our executive departments a unique opportunity to make bold proposals in the area of conventional arms restraint as a complement to our continuing endeavors in the area of nuclear arms control.

I would like to commend Mr. Levine's article to the attention of my colleagues and ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Wall Street Journal,
Apr. 27, 1973]

U.S. Arms Sales Spurt Overseas, Aiding Firms, Upsetting Lawmakers

(By Richard J. Levine)

Washington.—American arms sales to foreign governments are booming as never before, helping the U.S.'s defense industry and distressing some legislators.

The boom began about three years ago, when U.S. defense contractors were reeling from Pentagon procurement cutbacks that accompanied America's shrinking military role in Vietnam. The boom has continued to build, and barring some dramatic lessening in international tensions, overseas markets for American weapons are likely to remain strong, keeping the U.S. in first place among the world's arms sellers.

U.S. arms sales on a government-to-government basis will reach nearly $4 billion in fiscal 1973, which ends June 30. That's roughly double the fiscal 1971 sales of $2.07 billion and quadruple the fiscal 1970 sales of $914 million. (In addition to these government-to-government sales, American companies have been selling more than $500 million in arms a year directly to foreign customers in straight "commercial" deals.)

"We're doing two and three times the sales" of the early and mid-1960s "when we were really promoting, and the curve is going up," says Vice Adm. Ray Peet, director of the Pentagon's Defense Security Assistance Agency, which negotiates arms sales with foreign governments.

"MERCHANTS OF DEATH"

Four developments are primarily responsible for the rising sales: Washington's new, more tolerant attitude toward the sales; the strengthening economies of potential purchasers, especially in the Middle East and Latin America; the continuing appetite for American-made arms, and the increasing sophistication and rising price tags of the weapons being bought.

Neither the Pentagon nor the State Department enjoys discussing the details behind the sales figures. "Let's face it, merchants of death are never popular," one Pentagon insider says. But in recent months, bits of information have filtered out that, when pieced together, give some insight into the expanding dimension of the U.S. sales abroad. These include:

Last month's announcement by Northrop Corp., one of the most successful American companies in foreign markets, that it expects orders for its new F5E "international fighter" to "ultimately reach at least 1,000 planes" and that about 30% of the company's business now is "international in scope." Indications are that roughly 300 of these planes, designed exclusively for export, will be given by the U.S. to poorer nations, while the others will be sold. The F5E program, Northrop estimates, "will contribute nearly $2 billion to U.S. exports."

The Pentagon's disclosure that Iran has placed orders for 489 helicopters that will cost $720 million—part of some $2 billion in arms purchases by Iran in the past year and a half. In addition to the choppers, which will be built by Textron Inc.'s Bell Aerospace Co., Iran has been buying McDonnell Douglas Corp. F4 fighter-bombers, Lockheed Aircraft Corp. C–130 transports, Northrop F5Es and Boeing 707s fitted as aerial refuelers. Financed from oil revenue, this big buildup will give Iran better equipment than U.S. forces in some instances—an irony that isn't lost on U.S. military men. The Armed Forces Journal, a private periodical that often reflects military thinking, recently observed: "With (the helicopter) deliveries to Iran beginning in 1974, the U.S. Army is faced with the paradox of a friendly nation having more capable helicopters than the U.S. possesses in the older model Hueys and Cobras." Iran is also said to be casting covetous glances at the McDonnell Douglas F15 fighter, just going into production.

Reports that Brazil is considering major purchases of fighter planes and other arms later this year and that U.S. companies are in the thick of the negotiations. France and Britain had dominated sales in Latin America for several years as a result of restrictions imposed by Washington.

NO HARD SELL

U.S. officials view expanding arms sales as a means of bolstering both the Nixon doctrine (which calls for America's allies to assume a greater role in their own defense) and Washington's precarious balance of payments. But they insist that the U.S. hasn't taken to "promoting" weapons sales abroad in the hard-sell manner of the Russians, British and French—increasingly tough competitors in international armaments trade. It remains U.S. policy, officials assert, to avoid selling weapons that would launch local arms races or would be so expensive that they would stultify a country's domestic development.

Such assurances, however, have done little to dispel the deep disillusionment of many lawmakers with the Military Assistance Program, which encompasses both military sales to foreigners and outright military grants to poorer countries. Congressional critics see the program as dangerous to world peace, supportive of right-wing governments and detrimental to economic development abroad.

"Many people are disenchanted with foreign military assistance because it's provided so easily to military regimes which lack any commitment to democratic government," Sen. Hubert Humphrey (D., Min.) declares. "The international trade and proliferation of conventional arms have reached such proportions as to pose a threat to world security nearly equivalent to the one created by the presence of vast nuclear arsenals."

Chairman J. W. Fulbright of the Senate Foreign Relations Committee, which oversees the Military Assistance Program, says his aim is "to get the State and Defense Departments out of the arms-sales business and get these transactions back to a free-enterprise, commercial basis, where they belong."

Northrop's F5E fighter, seen as a symbol of arms sales because it's designed exclusively for export, has drawn harsh comment in past years. To Sen. George McGovern (D., S.D.), the plane "exemplifies one of the uglier aspects of this country's profile abroad." He has expressed fear that it could end up in the hands of "right-wing governments" that would use it "to quell internal disputes," thus identifying Washington "with the forces of repression."

Despite Capitol Hill unhappiness, there isn't any question that U.S. policy toward arms sales has changed in the past few years and that the Nixon administration has decided, in the words of State Department officials, to be "more responsive" to prospective arms buyers, especially in Latin America and the Middle East.

While there haven't been any major policy pronouncements, industry clearly discerns Washington's more favorable attitude toward arms sales. An executive with a major American defense contractor heavily involved abroad declares: "There's a much stronger feeling on the part of the administration these days to encourage sales. We're getting better cooperation from our embassies and Military Assistance Advisory Groups."

During the late 1960s, the Johnson administration, under congressional attack for too aggressively selling arms to underdeveloped nations, adopted a stance that made it more difficult for U.S. companies to peddle weapons abroad. The unhappiness on Capitol Hill resulted in legislative restrictions on sales in Latin America and Africa that the Nixon administration would like to see removed.

Currently, U.S. arms sales to Latin America are restricted by law to $100 million annually, with the President empowered to increase this ceiling by $50 million if he decides it is in the national interest. The ceiling on sales to Africa is $40 million annually.

Washington abandoned the go-slow approach to sales, U.S. officials say, because the policy was a failure. One major lesson learned, Secretary of State William Rogers has told Congress, is that "if U.S. equipment isn't available, Latin American countries will go elsewhere." Another official puts it more bluntly: "We were cutting our own throats. By bureaucratic fiat we were keeping American companies out of Latin America."

The Pentagon estimates that, as a result of government policy, U.S. contractors have lost out on roughly $500 million in arms business south of the border in the last five years—with Britain and France getting most of it. U.S. analysts also expect the Soviet Union will soon be selling weapons in Latin America, probably to Chile and Peru.

According to Defense Secretary Elliot Richardson, business lost by American companies in Latin America not only hurt the U.S. balance of payments but also deprived "us of the opportunity for the kinds of relationships that can be established and maintained through cooperation in training and maintenance of equipment provided." Translation: Loss of military sales can mean loss of U.S. influence and loss of commercial sales in Latin America.

Washington's reluctance to sell arms to Latin America also created diplomatic problems. Many Latin American leaders felt U.S. policy was paternalistic, with Uncle Sam assuming responsibility for deciding what they needed for their defense forces.

To a large extent, growing U.S. weapons sales abroad reflect the increased economic strength of America's friends, enabling them to buy arms rather than rely on free grants of mostly older equipment. "Many nations now have the capability to pay either cash on the barrelhead for their purchases from us or buy with the help of credits annually authorized by the Congress," Secretary Richardson says. Of the $3.45 billion in arms sold abroad in fiscal 1972, only $550 million was financed with U.S. credits; the rest was for cash.

Since 1965, U.S. military sales have exceeded grants every year, though the grant category excludes the huge military aid given to Vietnam and Laos directly from the defense budget. Current sales are running about eight times the level of grants, and the number of countries getting grant aid has been cut by more than half from the high of 45 nations in 1964.

The switch to sales occurred first in Western Europe. Most recently, it has been evident in the Mideast, where heightened tensions and expanding oil wealth have led to major arms purchases from the U.S. With oil revenue in that region expected to more than triple by 1980, a Pentagon expert foresees U.S. weapons sales in the Mideast "remaining at a high level," outstripping those in Europe.

In the long-running Arab-Israeli dispute, the U.S. has supplied arms to both sides, despite its policy of restraint. By far the largest cache has gone to Israel. According to a new government report, the Israelis bought $317.9 million of U.S. weapons for cash in fiscal 1972 and received U.S. loans and guarantees totaling another $300 million for arms purchases.

The U.S. sales boom also reflects the heavy purchase of high-performance aircraft that carry big price tags (such as the $3.5 million F4)—despite Washington's insistence that it wants to avoid overburdening allies with sophisticated weapons systems.

The Nixon administration is hoping the increasing emphasis on cash sales will protect the overall military aid program from congressional attack. Earlier this month, Sen. Fulbright, introduced a bill that would phase out military grants over a two-year period and reduce government credits for sales to $200 million annually from the $525 million sought by the administration.

RESPECT

Mr. ALLEN. Mr. President, our Nation has weathered an unhappy period in its history—a period characterized by a massive questioning of national purpose—a period of self-doubt—of divisiveness—of traumatic confrontations such as to test the mettle of our national character. We have been assaulted by the cynics, skeptics, the critics, defeatists, and whining disaffected spokesmen whose virtue seems to be a penetrating evil eye which sees nothing but fault in the fundamental values of our Nation and the ideals which have made ours the greatest Nation on earth.

Mr. President, it is truly refreshing and inspiring to detect evidence of a changing attitude. I am extremely grateful to Mrs. Dianne Lewis, president of Westhills Parent-Teachers Association and Mr. John B. Bush, acting administrator of the Westhills Primary School in Bessemer, Ala., for providing me with an example which illustrates a revival of spirit which proclaims the emergence of a new day, a new attitude, a new spirit of optimism.

On April 20, 1973, Mrs. Lewis and Mr. Bush informed me by letter of activities inaugurated in the Westhills Primary School. More specifically, a program structured around the theme of respect. This program has been conducted throughout the school year and will be climaxed during the first week of May with a festival day during which emphasis will be centered on respect and love of country.

The festival theme will be "Make America Proud of You." On Friday, May 4, 1973, the festival will feature games, patriotic songs, children's choirs, and band music. I am proud to say that representatives from all branches of the military service will be present.

Mr. President, the underlying purpose of this commendable endeavor has been to instill in the individual child, a greater appreciation of the meaning of respect—respect for self, respect for others, and respect for and love of country. In this connection, I recall the sentiments of Ralph Waldo Emerson who said:

> The true test of civilization is not the census, nor the size of cities, nor the crops—no, but by the kind of man the country turns out.

To the extent that the youth of our Nation regain respect of self and the ideals upon which this Nation was founded—to that extent will we preserve for posterity the highest and the best and most noble accomplishments of our Nation and Western civilization.

Mr. President, I sincerely trust that schools and school systems and parents of children throughout the Nation will recognize in Westhills Elementary School a program worthy of emulation.

I commend Mrs. Lewis Bush, and the parents, teachers, students, and all those who have participated in this worthy program and request unanimous consent that the letter from Mrs. Lewis and Mr. Bush which briefly describes the program be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

WESTHILLS SCHOOL,
Bessemer, Ala., April 20, 1973.

Hon. JAMES B. ALLEN,
Senate Office Building,
Washington, D.C.

DEAR SENATOR ALLEN: For some time you have pointed up the need for our society to return to those principles and ideals which in the past have served to make our country great. Many of these principles are based on one word, "Respect", respect for self, respect for others, respect for country.

The Westhills Primary School has conducted a program of RESPECT during this school year. This program is being climaxed during the first week of May with emphasis on "Respect and Love of Country".

On Friday, May the 4th, the Westhills P.T.A. and school will climax the week with a big Patriotic Festival, to be held at the school. Special music programs with choirs, childrens' groups and a program of martial and patriotic band music will be interspersed with games, supper and other activities. Representatives from all branches of the military service will also be present during the time of the Festival. The theme for the festival will be, *Make America Proud of You.*

We believe that activities of this type are not only important but are essential if we are to develop citizens who do share an interest and concern as well as a genuine love for their country.

If you could possibly send greetings to the students, parents and teachers prior to May 4th, concerning the Patriotic Festival effort, it would certainly add a great deal of prestige to this worthy effort and emphasis.

Sincerely yours,

(Mrs.) DIANNE LEWIS,
President, Westhills Parent Teachers Association.
JOHN B. BUSH,
Acting Administrator, Westhills Primary School.

MITCHELL MELICH

Mr. BENNETT. Mr. President, a prominent Utah attorney, Mr. Mitchell Melich, has returned to private life following 4 years of distinguished service as Solicitor of the Department of Interior. I take this opportunity to commend him for his performance in this position, and to express my best wishes to him on the completion of this phase of his career.

Our colleague in the other body, the Honorable JULIA BUTLER HANSEN, of Washington, best expressed the esteem in which Mr. Melich and his office were held by Congress during a recent hearing of the Appropriations Subcommittee which she chairs. In remarks to the Deputy Solicitor, Mr. Raymond Coulter, Mrs. Hansen said:

> The Committee is deeply appreciative, Mr. Coulter, of the many difficult problems which have been before the Solicitor's Office in which Mr. Melich and yourself did an excellent job. We have had many controversial opinions that have had to come from the Solicitor's Office and they have come forthrightly and in response to the Committee. I don't think at any time in the Department of Interior has a Solicitor been as frank nor as forthright nor as prompt about sending decisions to the Committee upon which the Committee could base its action as has been done during the past four years.

Congresswoman HANSEN later added:

> I have served with many Solicitors and in my life I have worked with many, many attorneys, lawyers, counsellors, barristers, what have you, and I have never found two more dedicated men who had more integrity than Mr. Melich and Mr. Coulter.

Mr. President, I endorse the remarks of Mrs. HANSEN and applaud Mr. Melich for the high degree of integrity, dedication, and professionalism which he brought to the Office of Solicitor. I am sure that others join me in wishing him well in future endeavors.

DEATH OF FELTON "SKEETER" JOHNSTON

Mr. SPARKMAN. Mr. President, I want to join with other colleagues here in the Senate in expressing my genuine sorrow to learn of the death of Felton M. Johnston—"Skeeter" as we all knew him. He had a long service here in the Senate. After serving as Secretary to the Senate Democrats, he became Secretary of the Senate. He did an excellent job serving all Senators faithfully and effectively. No one was ever more dedicated to his work than Skeeter Johnston.

He was a great American, one who served his country well, and one whom those of us who had the privilege of working with him will long remember with gratitude for his wonderful service to us.

UNDERSTANDING FARM PROBLEMS AND FARM PRICES

Mr. YOUNG. Mr. President, it is unfortunate that most consumers have so little knowledge and understanding of farm problems and particularly farm prices. A better understanding would be in the best interests of both producers and consumers. No nation in the world is so blessed as the people in the United States are in having abundant supplies of food commodities and at such reasonable prices. It is true some food prices are higher now than for some years, but few realize that less than a year ago most farm prices were far below what is considered by Government standards to be a fair price.

Mr. President, a resolution adopted by the Dickinson Chamber of Commerce of Dickinson, N. Dak., very accurately sets forth the thinking of rural America. I ask unanimous consent that this resolution be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

RESOLUTION

Whereas, income from agriculture is the primary support of the Dickinson Community, bringing in the major portion of wealth in Southwestern North Dakota.

And whereas, the farm community is the lifeblood of Dickinson.

And whereas, the prices of raw agricultural products have just recently improved to the point of allowing the farm and ranch operators to receive closer to parity for their production.

And whereas, the agricultural sector of the United States is an efficient sector of our economy. Americans have a great blessing in a viable, healthy, efficient agricultural production sector, producing the greatest abundance, variety, and highest quality of food in the world at reasonable prices.

According to the "Banking Journal of the American Bankers Association", the American public spends less of their paycheck for food than anywhere in the world. Americans spend 16% of their paycheck, down from 22% in 1950 and 25% in 1947. Canada spends 20%, Western Europe and Japan spend from 37 to 39%, and India spends 60% of their paychecks for food.

And whereas, the American farmer has not been a contributor to inflation, but a victim of it.

Now therefore, be it resolved that the Board of Directors of the Dickinson Chamber of Commerce, on recommendation of their agriculture Committee, feels that any boycott or government action to force raw agriculture product price down from present levels are not in the best interest of the farm sector or the consumers of this country.

WILLIAM BENTON—BUSINESSMAN/ EDUCATOR/STATESMAN

Mr. PROXMIRE. Mr. President, I did not have the honor of serving in the U.S. Senate with William Benton. Yet his brilliant career in business, in education, in Government could not escape me as it could not escape others.

He was a man who knew hard work, despite his background; who knew the business world as few men have, serving it through advertising and entertainment; who knew monetary success, but yet was willing to give up moneymaking to devote himself to other careers—higher education, publishing, Government service, and public office.

Senator Benton was, indeed, a remarkable man, an honorable man, a courageous man.

Mr. President, Senator Benton showed courage in a way that will long be remembered in Wisconsin. In an editorial shortly after his death, the Milwaukee Journal reminded its readers about that courage. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WILLIAM BENTON

A 22-year-old memory of one of the finest hours of courage and conscience in American politics is freshened, though in sad context, by the recent death of William Benton. For it was he, as a freshman senator from Connecticut, who scorned the consequences to himself by taking the Senate floor on Aug. 6, 1951, to demand the expulsion of the fearsome, marauding, witch hunting senator from Wisconsin, Joseph R. McCarthy. The brave act, mostly unappreciated at the time, did cost Benton his seat in the 1952 election, but his true accusations of fraud and deceit were the first triggering of McCarthy's eventual downfall, three years later, and the final discrediting of "McCarthyism."

That is far from the whole story of Benton's distinguished contributions to the uplifting of American society. Having made an early fortune as a founder of the famous Benton & Bowles advertising firm, he "retired" from it at 35 and pursued a notable career of public service, in politics, diplomacy and scholarship, for 37 more years, until he died. Before his Senate term he led the development of adult education by radio at the University of Chicago and was an assistant secretary of state. He later became a leader of UNESCO, of the Committee for Economic Development and the Fair Campaign Practices Committee. He wound up as publisher of the Encyclopaedia Britannica. But he will mainly be recorded in history as the politician who dared to call the first shot against the McCarthyist menace to his country.

THE NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES

Mr. DOMINICK. Mr. President, previously I have announced my support of S. 795, the bill which would continue funding for the National Foundation on the Arts and Humanities. When this legislation was originally passed in 1965, it established the role of the Federal Government as one of creating and sustaining a climate which would encourage freedom of thought, imagination, and inquiry while supporting national progress in the humanities and the arts.

Since 1965, the national endowment has participated in a growing diversity of programs and effected a wider geographical distribution in its activities for more of our citizens. Its programs include assistance for museums, orchestras, and community-based groups with professional direction and minority ethnic orientation. It has provided fellowships to individuals for study and research into areas ranging from the environment to medical discoveries.

In my own State of Colorado, the foundation has assisted various organizations and individuals. Such assistance covers a wide spectrum of activities, including to mention only a few:

Grants to the Colorado Council on the Arts and Humanities for carrying out its activities;

A grant to Uplands, Inc., Durango, to support planning of a cultural village to foster understanding of Indian and Hispanic Arts;

A grant to the University of Colorado for expansion of its film program to include free programs for children and film showings throughout the State of Colorado;

A grant to the Community Center for the Creative Arts in Greeley, which provides classes for Greeley citizens;

A grant to the Central City Opera Association for support of its productions;

Grants to the Changing Scene Theater in Denver for productions and development of plays by resident playwrights; and

A grant to the Denver Symphony Association for support of a high school concert series and a special concert for the Chicano community.

Mr. President, the endowment will now become involved in planning for the upcoming bicentennial celebration which, as Members of this body know, also falls in the year of the centennial celebration of my own State.

It is fitting that the endowment under increased funding participate in that celebration in such a way that some of the products of that celebration become lasting artistic and humanistic additions to our country.

Mr. President, truly the endowment's progress has justified a continued expansion of its activities, and I will support the bill to continue its growth.

DEATH OF EMERY FRAZIER

Mr. SPARKMAN. Mr. President, I was sorry to learn of the death of Emery Frazier. He served long and faithfully in the Senate.

Many of us will also remember his serving in many national Democratic conventions. The appearance and the voice of Emery Frazier became known throughout the country from those services.

Emery Frazier was a great American and a dedicated public servant whom we shall all remember affectionately.

DEATH OF FORMER PRESIDENT HARRY S TRUMAN

Mr. LONG. Mr. President, Harry S Truman was a great President, a great Senator, a great judge; but, above all, he was a great American.

He led our country with wisdom and dignity for nearly 8 challenging years and the leadership he provided for the free world will be remembered by history as a credit to our country.

President Truman's foreign policies did much to promote peace in the world. I am thinking especially of his initiation of the Marshall plan, his program of aid to underdeveloped countries, the creation of NATO and the birth of the United Nations, both during his administration, and his steadfastness in meeting aggression. The Truman doctrine and his defiance of Stalin's attempt to isolate Berlin point up both his courage and his foresight.

I am reminded of the observation of the eminent 19th-century preacher, Henry Ward Beecher, when he said:

> Greatness lies not in being strong, but in the right use of strength.

Harry Truman was President when I first came to Washington as a U.S. Senator in 1948. I can remember well not only his courage and fortitude but also his humility. He had what we call "the common touch." Although he was the President of the United States—having achieved the highest office in our Nation and the most important position in the world—he never forgot that he was a simple man from Lamar, Mo.

The spirit of his honesty and integrity are captured in this excerpt from a letter he wrote to his daughter, Margaret:

> Right must always prevail. Do not let glamor get you. There are decent, honorable people among the very rich, just as there are among the very poor. Honor knows no class. . . . Remember always to keep your balance no matter how great you may become in your own time. Your Dad will never be reckoned among the great but you can be sure he did his level best and gave all he had to his country.

President Truman often said:

> If you do your best, history will do the rest.

Mr. President, he did his best and his best was great. History will do him justice.

PROTECTING THE PRESS

Mr. BIDEN. Mr. President, I recently submitted for inclusion in the RECORD correspondence I had received from Delaware newsmen concerning freedom of the press and related issues.

At this time I would like to add the views of Delaware editor James Flood as expressed in an editorial which he recently wrote.

I request unanimous consent that the article be printed in full in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PROTECTING THE PRESS

Newsmen have gone to jail in recent months rather than reveal the confidential sources of information which they used in news stories, and this has given rise to interest and debate over the idea of providing a special "shield" for newsmen.

The idea is that newsmen should be protected by a law in addition to the First Amendment provision that "Congress shall make no law . . . abridging the freedom of speech, or of the press."

At first blush the idea sounds like a good one. In doing investigative stories a writer should be able to protect his sources of information from later prying by a grand jury. Only if a newsman is able to give such protection will some sources be willing to talk.

But on more reflection several questions arise. Who is a qualified newsman? If a shield law is enacted what is to prevent later changes, and possibly more restrictions, because some newsmen had abused the privilege? Why should a newsman have any greater rights in the First Amendment area than any other citizen?

On balance I believe the nation's free press, which is to say the public's right to know, will be better protected if Congress does not legislate any boundaries of press freedom. If this means that some newsmen go to jail then this will have to be counted as one price in keeping the press free.

The public may well get a little tired about the press talking about "freedom," when certainly the press regularly commits sins of irresponsible journalism. But on the whole the public is served well by the press in this country, far better today than a generation or two ago. It is important that the public, and gadflies within the journalistic community, keep pointing out the faults of the press. It is equally important that the press, when criticized, respond in other than bleats of pious purity.

It remains, in the words of James Madison, that "A popular government without popular information or the means of acquiring it is but a prologue to a farce or tragedy or perhaps both."

What is ultimately at stake in a free press is a free government and a free people, and that is something which affects us all.

UNDERSTANDING GENOCIDE

Mr. PROXMIRE. Mr. President, once again I want to call attention to an important matter of international concern, the Genocide Convention. After more than 25 years of discussion, this treaty has again been reported favorably out of the Foreign Relations Committee and presently warrants the careful consideration of every Senator.

The Senate's hesitation in acting on this treaty has been prolonged by confusion as to the precise definition of "genocide" under the convention's terms. I have found that many criticisms of the Genocide Convention reflect a misunderstanding of certain provisions. The purpose of the treaty is "to make genocide an international crime, whether committed during peace or war." Although all of us would agree that genocide is a particularly heinous crime, many are opposed to this effort to outlaw genocide.

As the term "genocide" has fallen into casual and common usage, the meaning of the word has become sufficiently broad and vague to create confusion as to just what constitutes genocide. As a result, a number of persons have expressed the fear that ratification of the genocide convention could have dire consequences for our military, birth control programs, and police actions. However, the genocide convention itself states a very specific definition of genocide which is carefully worded to limit application of the treaty.

Article II of the convention states that genocide means "any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such:

First, killing members of the group;

Second, causing serious bodily or mental harm to members of the group;

Third, deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;

Fourth, imposing measures intended to prevent births within the group; and

Fifth, forcibly transferring children of the group to another group.

In addition, the Committee on Foreign Relations took great care to eliminate any ambiguity in the provisions. Accordingly, the treaty was reported with two understandings recommended to the Senate with respect to article II:

First. That the U.S. Government understands and construes the words "intent to destroy, in whole or in part, a national ethnical, racial, or religious group, as such" appearing in article II to mean the intent to destroy a national, ethnical, racial, or religious group by the acts specified in article II in such a manner as to affect a substantial part of the group concerned.

Second. That the U.S. Government understands and construes the words "mental harm" appearing in article II (b) to mean permanent impairment of mental faculties."

There have been allegations that school busing, birth control clinics, lynchings, police actions with respect to the Black Panthers, and the incidents at My Lai constitute genocide. The Foreign Relations Committee made it clear that such acts do not fall within the provisions of the convention unless the intent to destroy the group as a group is proven. Harassment of minority groups and racial and religious intolerance generally, no matter how reprehensible, are not outlawed per se by the Genocide Convention. Far from outlawing discrimination, article II is so written as to make it very difficult to prove the "intent" element necessary to sustain a charge of genocide.

The meaning of genocide in the treaty is thus clear and unequivocal. Fears that false charges of genocide could lead to conviction are simply unwarranted.

Mr. President, I urge the Senate to ratify this treaty without further delay.

HOPEFUL MOVE IN SOUTH ASIA

Mr. KENNEDY. Mr. President, over the past 2 weeks a number of hopeful steps have been taken by the nations of South Asia to resolve the humanitarian questions remaining in the aftermath of the conflict in 1971. On April 17, the Governments of India and Bangladesh announced a major new diplomatic initiative to help provide for the orderly repatriation and exchange of prisoners of war, civilian internees, and minority populations among all countries on the subcontinent. Last week, the Government of Pakistan asked for further clarification of the offer.

Hopefully, a new dialog has begun among the nations of South Asia which will finally break the diplomatic logjam that has for so long caught innocent civilians on all sides. The basic responsibility for a bright and peaceful future for South Asia rests, of course, on the courage and good-will of the leaders and people of India, Pakistan, and Bangladesh. I am fully confident that they see, and will act upon, the new opportunities at hand.

For our part, we must continue to offer our support and provide whatever continuing assistance that is necessary to help these nations help themselves.

Mr. President, a recent editorial in the Washington Post clearly sets forth the issues involved in the humanitarian crisis that confronts South Asia today, and I commend it to the attention of all Senators. I ask unanimous consent that the editorial be printed in the RECORD, as well as the complete text of the joint declaration issued by India and Bangladesh on April 17, 1973, in New Delhi and Dacca.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Apr. 26, 1973]

A HOPEFUL MOVE IN SOUTH ASIA

A major advance in relations on the South Asian subcontinent is promised by the proposal of India and Bangladesh to return the 90,000 Pakistani POWs held for the last 16 months, if Pakistan will 1) release some 200,000 Bengali civilians stranded since the 1971 war and 2), in a kind of exchange, accept back some 200,000 Biharis who have been interned in Bangladesh but do not wish to stay there. By this one stroke, three important groups, each posing a political knot as well as a humanitarian issue, could start their lives anew. What makes the deal considerably more palatable for Pakistan is that Bangladesh no longer demands Pakistani recognition as a condition of POW return. Bangladesh still threatens to retain up to 200 POWs to try as war criminals, but since trials would ensure Bangladesh—a major supplicant for international handouts—major political damage, one hopes that Sheikh Mujib will find a way around them. Besides, Pakistan could hold counter-trials of Bengalis.

To outsiders, it may seem odd, not to say distasteful, that problems can be solved by official decisions to move large communities of people from one country to another, rather than to treat their condition in place. But large scale transfers of people have been a feature of political life in the subcontinent at least since India and Pakistan were born as modern states a quarter-century ago. Moreover, many Americans tend to forget how immense was the movement of people from one country to another in Europe after World War II. The Soviet Union alone, for instance, physically expelled some 10 million people from areas conquered by the Red Army; no one now challenges that astonishing act. The one conspicuous postwar exception to the notion of resolving political issues by moving people around the map is the Mideast, where the claim of some Palestinians to return to their former homes in what now is Israel is still part of the politics of the region.

In the current case of the subcontinent, the three groups of people who would be moved (one composed of military prisoners, two of civilian internees) wish to move. This is what makes the new Indian proposal seemingly such a natural. It was only last July that India and Pakistan agreed, at Simla, to work for "an end to the conflict and confrontation that have hitherto marred relations." Not without strain, they have since moved a significant distance toward their goal—not by American prodding, it might be noted, but in response to their own sense of what is necessary and right.

BANGLADESH-INDIA JOINT DECLARATION ISSUED AT NEW DELHI AND DACCA ON APRIL 17

The Government of India and the Government of the People's Republic of Bangladesh have been giving consistently their most anxious thought and consideration to the problem of restoring friendly, harmonious and good neighbourly relations between India, Bangladesh and Pakistan on the basis of sovereign equality of each State with the object of promoting, in every possible way, durable peace in the sub-continent so that each country may devote its resources and energies to the pressing task of advancing the welfare of its own people. With this object in view, the Government of India and the Government of the People's Republic of Bangladesh have been carrying on mutual consultations. More recently, the Foreign Minister of the People's Republic of Bangladesh, His Excellency Dr. Kamal Hossain, paid a visit to Delhi on April 13, 1973, at the invitation of the Minister of External Affairs, Government of India, Sardar Swaran Singh. Discussions between the two Ministers concluded on April 16, 1973.

2. During these discussions and mutual consultations, the Government of India and the Government of the People's Republic of Bangladesh considered measures to promote jointly the processes of normalization in the sub-continent and to solve humanitarian and other problems arising out of the armed conflict of 1971.

3. Reviewing the entire situation in the sub-continent, the Government of India and the Government of the People's Republic of Bangladesh noted with regret and concern that progress, in the establishment of friendly and harmonious relations, has not yet been achieved owing to the failure of Pakistan to recognize the realities in the sub-continent. They felt that the policy hitherto pursued by the Government of Pakistan has stood in the way of negotiations among the three countries on the basis of sovereign equality of each. They further noted with concern that Pakistan continued to persist in hostility towards Bangladesh and despite clear provisions of the Simla Agreement, continued to maintain a hostile attitude against India. The Government of the People's Republic of Bangladesh reiterated their stand that they cannot participate in any discussions with Pakistan at any level except on the basis of sovereign equality.

4. Despite the difficulties created and the hostility manifested by the Government of Pakistan, the Government of India and the Government of the People's Republic of Bangladesh are resolved to continue their efforts to reduce tension, promote friendly and harmonious relations in the sub-continent and work together towards the establishment of a durable peace.

5. Inspired by this vision and sustained by the hope that in the larger interests of reconciliation, peace and stability in the sub-continent, Pakistan will refrain from persisting in hostility and bearing in mind the letter and spirit of the Simla Agreement concluded between India and Pakistan which Bangladesh had welcomed, the Government of India and the Government of the People's Republic of Bangladesh jointly declare as follows:

"Without prejudice to the respective positions of the Government of India and the People's Republic of Bangladesh, the two Governments are ready to seek a solution to all humanitarian problems through simultaneous repatriation of the Pakistani prisoners of war and civilian internees, except those required by the Government of the People's Republic of Bangladesh for trial on criminal charges, repatriation of the Bangalees forcibly detained in Pakistan and repatriation of the Pakistanis in Bangladesh, that is, all non-Bangalees who owe allegiance and have opted for repatriation to Pakistan."

6. The Government of India and the Government of the People's Republic of Bangladesh earnestly hope that Pakistan will respond to the constructive initiative taken by the two Governments to resolve the humanitarian problems in the manner set out in paragraph 5.

DELAWARE STATE POLICE 50TH ANNIVERSARY

Mr. BIDEN. Mr. President, the Delaware State Police will soon celebrate its 50th anniversary of service to the State of Delaware.

This organization has grown in the past half century, from a one-man motorcycle officer to a force of 401 State troopers and more than 100 civilians.

The history of this law enforcement group reflects the changing needs of our society in the past five decades and I would like to offer my praise and thanks to those men who constantly serve Delawareans in their fight against lawlessness.

The May 1973 edition of the magazine Delaware Today presents an interesting history of the Delaware State police which I would like to share.

I request unanimous consent that the text of that article be printed in full at this point in my remarks:

There being no objection, the text of the article was ordered to be printed in the RECORD, as follows:

DELAWARE STATE POLICE HISTORY

(By Anne Purinton)

The date is April 28, 1923. The Model-T Ford is "speeding" on the newly-paved Philadelphia Pike—going 40 miles an hour on that 35-mile-per-hour road. Suddenly a motorcycle appears.

Words like "fuzz" and "pig" do not spring to the driver's mind. Instead he meekly acknowledges his error—admits that the trooper, muffled against the winter elements in whip cords, is quite correct—he WAS speeding.

He admits his error. Retired police officers claim that nine out of ten offenders did in those days. Penalty was imposed at the nearest Magistrate's Court, where the usual procedure was to pay a $10 fine. The offender could consider himself fortunate if the magistrate comprehended the case review. In the words of one retired police officer, "The magistrates—many of them—were a bunch of pitiful old men, politically appointed; if the offender got any semblance of justice, he was lucky."

Fifty years ago—April 28, 1923—The Delaware State Police were officially born. They have grown from a single traffic officer in 1920, (when the Delaware State Police had its informal start) to an organization of 401 troopers and more than 100 civilians.

Charles J. McGarigle of Wilmington was the first traffic officer. His assignment was to patrol on motorcycle the newly constructed Philadelphia Pike, which was then the main artery from Pennsylvania to Delaware.

A year later in 1924 he was captain of a five-membered force of traffic officers who, along with ten members of the Engineering Force of the State Highway Department, were commissioned to enforce the motor vehicle laws, especially those regarding speeding, reckless driving and driving while intoxicated. With no training and little actual direction it was no easy job.

Headquarters for the traffic police was an old timekeeper's shack set up at Bellevue Hollow on the Philadelphia Pike.

First aid knowledge was essential in the early days, with the next priority finding means of getting the injured to the nearest doctor.

The value of having the traffic officers enforce the State's Criminal Code as well as its Motor Vehicle Laws was soon realized and legislation was approved in February 1921 that conferred greater police powers on the officers. This legislation stated "that all Traffic Officers in the employ of the State Highway Department shall hereafter be conservators of the peace throughout the State and shall have power and it shall be their duty to suppress all acts of violence and all infractions of laws relating to the safety of persons and property."

Minutes of the State Highway Commission during the years 1920, 1921 and 1922 continually refer to efforts of the Highway Department to expand its Traffic Police force; however, the money to do so was just not available. On several occasions it was recommended that the fines collected by the Traffic Police be used by the Highway Department to maintain a larger force rather than be turned over to the counties in which the arrests were made. The Legislature, however, refused to take such action and the five-member Traffic Police force struggled on, at times with only two or three patrolling the highways because others were on leave recovering from injuries suffered in motorcycle accidents.

As one retired officer explains, "At one time or another I was in every hospital in the State. Actually, I was lucky. There were many motorcycle injuries on the clay and dirt roads and on the newly paved highways. Several of my buddies lost arms and legs in accidents."

A Citizen's Highway Police was formed in the spring of 1921—it eventually totaled 60 in number—to help the overburdened traffic officers in their attempt to curb the increasing number of highway accidents. Public criticism of the activities of some of the citizen police caused the abandonment of this means of highway protection. The stage was set to formalize and enlarge the paid State Highway Police, for which the State Highway Department 1923 budget had allocated $14,000. The tiny band of traffic police had covered 71,976 miles during the first 11 months of 1922 making 666 arrests, but there was a growing feeling that the budget, size of force and duties of the Highway Police needed considerable expansion.

The signing of a bill by Governor William D. Denney on April 28, 1923 "justified a material increase in the Highway Police Force," according to Chief Engineering C. Douglass Buck's 1923 Annual Report.

With the passing of legislation, the Highway Department moved rapidly to increase its police force. Sergeant August Ahlquist was hired June 1, 1923, and appointed captain with the assignment of recruiting and training men and reorganizing the Traffic Police.

During those early days, Delaware's major roads were patrolled daily from Claymont to the State's southern boundary with Maryland. Riding motorcycles, the Highway Police would travel through each of the three counties stopping at post offices in each community to have their worksheets stamped, and to see if they were needed by anyone.

Patrolling by motorcycle, while more convenient and less expensive means of transportation than the automobile of the day, was a gruelling experience in the winter months. Retired troopers recall times when they were almost "frozen stiff" and were barely able to straighten up and walk, much less attempt to write out a ticket or report after chasing a speeder.

Not only did the trooper of the '20s not have the patrol car of today equipped with forcement devices such as radar and VASCAR, but if they worked an eight-hour shift troopers report, "If we worked a 10 or 12-hour day—8 a.m. till 6 p.m. or noon to midnight—we only worked a six-day week. It was the night shift—midnight to 8 a.m. where you got no day off."

To provide the public with a means of communicating with the Highway Police patrolling the state, a flag system was initiated in 1924. The telephone numbers of 42 places of business throughout the state were listed in local newspapers by Superintendent Reynolds. Persons in need of a State Policeman's service, would call the nearest flag station and a flag would be raised to attract the attention of an officer as he passed on his patrol.

Enforcing the state's motor vehicle and traffic safety laws and tracking down bootleggers kept the first Delaware State Police busy. "We really didn't concern ourselves too much with bootleggers though," reminisces one retired trooper, "Many of us were against the strict prohibition laws of the times," he remembers.

In 1931, legislation was passed officially changing the name fo the "State Highway Police" to the "State Police." Gradually the organization grew to meet the police service needs of Delaware. Motorcycles were abandoned in favor of State Police patrol cars. Compared to the all-day ride the Highway Police Officer of 1923 made astride his motorcycle, a helicopter now patrols the 100-mile length of the state in less than an hour's time.

Today's State Police operates from nine troops—five in New Castle County, one in Kent County and three in Sussex County. Headquarters and the State Police Training Academy are in Dover.

Colonel George J. Bundek, Superintendent of State Police, recently said, "Today's Delaware State Trooper finds himself working in a continually changing society. He is confronted with complex legal questions which require instantaneous decisions, and the public often expects him to act as a social worker, psychiatrist and legal advisor, as well as a police officer."

He noted that "despite the continual pressure they face and the criticism to which they are often subjected, Delaware State Troopers do not hesitate to put their lives in jeopardy as the front-line troopers in society's battle against lawlessness. As the Delaware State Police has changed during its first 50 years, changes in its service will continue in the years ahead to meet the needs of all Delaware citizens."

COSMETIC SAFETY

Mr. EAGLETON. Mr. President, as the sponsor of the Cosmetic Safety Act (S. 863), I read Mrs. Virginia Knauer's remarks to the American Society of Perfumers on April 18 with considerable interest.

Mrs. Knauer, Special Assistant to the President for Consumer Affairs, has been interested in the problems associated with cosmetics for some time. She has been especially active in the effort to encourage ingredient labeling by cosmetics manufacturers.

In her remarks, Mrs. Knauer points to several hopeful signs in the effort to insure that consumers know what they are getting when they buy cosmetic products.

First, Avon, Colgate-Palmolive, and Max Factor intend to list ingredients on the labels of their products in the coming months. Second, several medical groups have indicated their support for stricter regulation in this area, including the American Academy of Allergy, the American Medical Women's Association, the American Academy of Dermatology, and the American Medical Association's Committee on Cutaneous Health.

Mrs. Knauer urged perfume manufacturers to voluntarily supply the Food and Drug Administration with more information about their products and the sensitizing ingredients they contain. She also urged them to tread carefully in claiming "trade secrets," providing as much information as possible to the Government.

While I have less confidence than Mrs. Knauer in the voluntary approach to regulation of the cosmetics industry, I do think that her comments are worthwhile and I commend them to my colleagues.

I ask unanimous consent that Mrs. Knauer's speech to the American Society of Perfumers be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

The Cosmetic Industry Response to Consumer Needs

(Note.—This text is the basis for Mrs. Knauer's oral remarks. It should be used with the understanding that some material may be added or omitted during presentation.)

Almost eight months ago your program chairman, Andre Mallegol, invited me to speak here today. I generally decline speaking engagements so far in advance. This is because the President often asks me to perform special missions on short notice which preempt my regular schedule.

In this case, however—because of our mutual interest in a very important consumer matter—I decided to accept Mr. Mallegol's kind invitation. Both industry and consumers have a great stake in cosmetic safety and cosmetic ingredient labeling, and that is why this 19th Annual Symposium is so important.

April, 1973 is a critical time for your industry. At this very moment, the fundamental decision of whether to require mandatory cosmetic ingredient labeling is being considered by the Food and Drug Administration. At the same time, Congress is taking a hard look at your industry with an eye toward tough new legislation. Since January of this year, five new bills have been introduced in Congress which, among other things, would require all cosmetics to be tested for safety and for various test results to be submitted to FDA before marketing.

In addition to government, the medical profession also has its eye on the cosmetics industry. Over the past few months, my office—in response to consumer and press inquiries—has contacted several of the major medical organizations and associations. We have asked for their views concerning cosmetic safety and cosmetic information disclosures. Recently I reported that three major medical associations—the American Medical Women's Association, the American Academy of Dermatology and the American Medical Association's Committee on Cutaneous Health—all passed resolutions calling for increased cosmetic testing, adoption of ingredient labeling, and the filing of formula information and adverse reaction data with FDA.

Today, I have another name to add to the list. I have just received a letter from the immediate past president of the American Academy of Allergy. He said—and I quote: "I am happy to report that the Executive Committee . . . was strongly in favor of having available all inforamtion regarding the content of cosmetic formulations."

The Academy further endorsed the resolution of the American Medical Women's Association. This reoslution calls for the following:

First, adoption of cosmetic ingredient labeling by all cosmetic companies;

Second, filing of complete ingredient formulations and all adverse reaction reports with FDA;

Third, open information policies between the cosmetic manufacturers, FDA and the Poison Control Centers;

Fourth, adoption of identity, quality and safety standards by the industry.

Why would Congress, the FDA and several of the major medical associations be urging such strong actions regarding your industry? To any consumer who has suffered a severe reaction to a cosmetic product, the answer is obvious. To the industry, however, the answer might not seem so clear-cut. For this reason, let's explore the real issue—consumer safety—in more depth.

As you know, I have long been an advocate of both cosmetic ingredient labeling and generally, additional safety measures for cosmetic products. I have taken this position because I know what has happened without these measures.

Every year, thousands suffer adverse reactions to cosmetics. With rare exception, these Americans have no way of knowing what is in the cosmetic. Thus, they have no way of avoiding ingredients that may have been medically identified as the cause of allergic reactions. Similarly, because no test data or very few adverse reaction reports are available to FDA, doctors have no convenient way of checking into potentially troublesome ingredients in a particular product.

Industry officials have estimated that over 30 million Americans may exhibit allergic reactions to many commonly encountered substances. While these figures may define the scope of the problem, they cannot reveal the pain and suffering, experienced by these millions of people. The letters that reach my office from consumers who have suffered disfigurement and pain tell the real story. So that you can better understand what these people have experienced, I'd like to share some recent letters with you.

One letter comes from a woman in Illinois who experienced three and a half weeks of agony after using a new hair spray. In describing her painful reaction to the spray, she wrote me: "My face and ears were covered with an awful rash, itchy skin and puffiness around the eyes." She asked me to help her find out what ingredient in the spray has caused this terrible suffering. She had written the manufacturer who had simply put the blame on the perfume but gave no trade name for the fragrance or any other information that might help her avoid such a reaction with another product.

Another letter comes from a 33-year-old woman who suffered an infection in both eyes. Her doctor diagnosed the infection as an adverse reaction to her eye makeup. She asked me to continue my efforts toward full cosmetic ingredient labeling and safety, adding "I've invested so much money trying products which I hope won't affect me. . . . I am one of those people who need ingredient labeling," she concluded.

These two letters are just a sampling of the hundreds I've received from consumers who need help. Consumers and consumer groups recognize that they need ingredient labeling for their own protection and are now demanding it. With this labeling, they will be able to make better and safer buying decisions.

Consumers also recognize the need for adequate product testing. As cosmetic companies rush new products on the market in an effort to beat their competitors, they can create a situation where the consumer becomes the test animal. Since consumers can only hope the cosmetics they buy are adequately tested, they are often at the mercy of "quick on the trigger" marketers and advertising agencies.

Toni Stabile, in her revised book *Cosmetics: The Great American Skin Game,* tells of one incident in which women began getting serious reactions to a new kind of eye pencil. Upon investigation by the FDA, it was found that the eye pencil contained coal-tar, forbidden for use around the eyes since 1938.

Upon further investigation by FDA, it was found that fully 95 percent of all eye pencils on the market were made by one small company whose name was unknown to the public. This company had been putting coal-tar in eye pencils for nine years before it was discovered by FDA. Although the large cosmetic companies marketing the pencils claimed to have spot-checked for safety, they said that since the coal-tar was only present in certain colors, it was not detected during testing.

Such incredible occurrences, often with tragic results for consumers, have reinforced my own convictions—and actions—concerning cosmetic safety.

I have met with many consumer groups across the country. Last July, 13 national organizations representing over two-and-one-half million women joined me in calling for ingredient labeling and greater safety at press conferences in several major cities. These organizations continue to be strong advocates of ingredient labeling.

In addition to consumers, I have worked with FDA and the industry itself, I have encouraged FDA to take additional steps to assure the safety of cosmetic products. At the industry level, I have maintained close contact with industry leaders and have urged their full cooperation with FDA.

Early last year I also went to the retailers. I told the major retailing associations of Avon's new policy to provide consumers with ingredient information upon request. I urged these associations to support my call for such disclosures by other firms.

In response to my request for support, members of the Mass Retailing Institute and the National Association of Chain Drug Stores promised to ask their cosmetic suppliers to provide shoppers with information regarding cosmetic ingredients. In addition, both Osco Drugs and Giant Foods have initiated their own programs to obtain cosmetic information for the consumer.

I am encouraged by the positive action taken by these retailers. As I have stated on several occasions, I believe the retailer is the consumer's purchasing agent; as such, he should be the consumer's advocate.

The FDA has proven itself another strong advocate for cosmetic safety. At a press conference last April, FDA Commissioner Charles Edwards and I announced new FDA regulations calling for voluntary registration of cosmetic manufacturers and packers and for voluntary filing with FDA of product ingredients and formulations.

Moreover, the voluntary regulations call for participating companies to provide poison control centers and licensed physicians with all the information needed to treat patients suspected of an allergic or sensitive reaction to a cosmetic.

A month later, FDA published another proposed regulation that would alter its past "closed door" policy regarding cosmetic information. FDA proposed to open its adverse reaction and complaint data to the public upon request. These data would be made available without disclosing the manufacturer's name and without revealing trade secrets.

When I discussed the issue of cosmetic ingredient labeling with members of the industry, several indicated their need for guidance from government on how best to present ingredient information. I communicated their views to FDA. In hopes of accelerating progressive voluntary action, FDA published guidelines for the voluntary labeling of cosmetics products. While some forward-looking companies made the commitment to voluntary labeling, upon further consideration FDA, on February 7, 1973, proposed mandatory labeling of cosmetic products using the format of these guidelines.

Your industry is at this point in history today. As many of you know, April 9 was the deadline for comments on the FDA proposal for mandatory labeling and on another proposal—this one written by Professor Joseph A. Gage and the Consumer Federation of America. FDA's proposal would require the labeling of each cosmetic ingredient in descending order of predominance—except for fragrances, flavorings and colorings which would simply be listed as such.

The Page proposal calls for full ingredient listing, including fragrances, flavors and colors. The proposal also contains extensive provisions for determining and safeguarding trade secrets.

Concerning trade secrets, I am well aware of the need for their protection. While the FDA proposal does not contain a specific provision for trade secrets, the Fair Packaging and Labeling Act does, of course, protect trade secrets from ingredient disclosure requirements. This trade secrets exemption will no doubt be closely watched by advocates for cosmetic labeling legislation. How you use this exemption is therefore of crucial significance.

In addition to the many steps FDA and my office are taking to provide the consumer with more cosmetic safety, Congress has a few moves up its own sleeve.

According to a recent report in the magazine *Product Management,* Senator Frank Moss of Utah is planning new hearings this summer on the question of cosmetic legislation. These hearings come on the heels of the five bills already before Congress which would require filing of ingredients, premarket clearance and full label disclosures of cosmetic products.

With so much legislation under consideration that could affect your entire industry, clearly now—as never before—is the time for you to stand up and be counted. Already several of the large cosmetic companies have made a strong commitment to the consumer.

As many of you know, last July, I wrote to 19 leading cosmetic manufacturers asking them to inform me of their policies on ingredient labeling. Since that time, I have continued to correspond with these companies. I would like to summarize their positions as related to me.

To date, three companies have told me of their target dates for ingredient labeling of their products. The most recent good news came from Avon, which only last month informed me that by the fourth quarter of 1973 all its new products will carry ingredient labels. For the rest of its product line, Avon is shooting for full ingredient labeling by the third quarter of 1974.

Colgate-Palmolive has also given me very heartening news. Since January 17 of this year, one of its shampoos began to carry ingredient labeling. In addition, two new toothpastes are being test-marketed with ingredient labels and "product information panels" for six detergents are now being printed.

Another leader is Max Factor which has informed me that its ingredient labeling program will be implemented by mid-year.

In addition to these three companies with definite time tables for ingredient labeling, all the others I contacted indicated they were taking some steps to provide more information to FDA and consumers. I have reported this information to consumers.

I would also like to point out that a number of individuals within the industry have made deep personal commitments to ingredient labeling. Arlene Dahl, whose line of beauty aids is produced for Sears, was among the first to express her support for my efforts. She has already placed ingredient labeling on her product packaging.

For years, Julius B. Kahn, President of Ar-Ex Products, has been providing a Professional Formulary of his products to physicians, druggists and cosmeticians. In adapting this formulary for consumer use, his company became the first to provide ingredient information to consumers at the point of sale.

The responses of these companies are good news to everyone. But because many other companies are far behind in providing information to consumers and to FDA, the possibility of mandatory regulation becomes more likely.

With this in mind, I would like to zero in on your product: perfume. I am well aware of the problems involved with listing perfume ingredients. So is FDA. For this reason, the agency's proposal to require mandatory ingredient labeling exempts the listing of ingredients in fragrances.

But this doesn't mean that you should wash your hands of the matter. As you are an integral part of the cosmetics industry, I hope you will make a concerted effort to provide ingredient disclosures wherever possible. In circumstances where the ingredients are too numerous to list, I hope you will provide FDA with as much information about your fragrances as possible.

As I mentioned before, FDA has issued new regulations providing for the voluntary filing of product formulations. Under these regulations, you—the perfumers—could take an active role in helping the allergy-prone consumer.

According to FDA officials I have spoken with, the agency is requesting cosmetic companies to list the identity of fragrances in their products by their trade names and numbers. For the sake of the many consumers who suffer reactions to perfumes, I hope you will support this listing procedure and cooperate with FDA should a further break-down of the perfume's ingredients be necessary.

In addition to your active cooperation in the voluntary filing program, you obviously can further advance consumer protection through more extensive pre-market testing. As you may know, the Research Institute for Fragrance Materials has embarked on an ambitious project of systematically testing all known perfume ingredients. Once the findings are released, all sensitizing ingredients will be listed as such. It will then be up to you to either discontinue using these sensitizers or to inform the FDA and medical authorities about the identity of these ingredients.

There is another area that I know perfumers are particularly interested in and that's protecting trade secrets. While these secrets are vital to your industry, I ask that you not hide behind a veil of secrecy if it is not necessary. Trade secrets are protected under law but this law should not be abused.

Perfumers can also help the consumer in the general areas I call "the consumer's right to know." Recently, this right has become embroiled in a controversy concerning civet. As you know, several stories have run in the press about the mistreatment of the civet cat. This cat excretes a musk-smelling substance that is sometimes used in perfume.

I have received many letters from animal lovers who demand the right to know whether animal scents are used in perfumes. I hope you will provide consumers with this information so that if they are opposed to using animal scents in perfumes they can choose those products that only contain non-animal scents.

The points I raise here today are critical to all parts of the cosmetic industry. Since that day eight months ago when I accepted your invitation, the growth of consumer, medical, and congressional concern have made future government action almost inevitable. Your industry's response to voluntary programs will determine the nature of this future action.

With this in mind, you have two real options open to you. You can hide your head in the sand and hope all this talk of government regulation will just go away.

Or you can take the positive approach—already taken by some of the leading cosmetic companies—and decide to help the consumer. It is this second approach that will lead to better understanding and a growth of your industry that is based on information and cooperation.

QUEEN ISABELLA DAY

Mr. PROXMIRE. Mr. President, as you well know on October 12, 1492, Christopher Columbus discovered America. The historical background of this important event reveals that Columbus had great difficulty finding a patron to finance his risky and expensive voyage. He first approached the King of Portugal in 1484, who promptly rejected the unorthodox idea of sailing west. It was Queen Isabella of Spain who finally decided 8 years later to accept Columbus' plan.

Just as Christopher Columbus deserves the annual holiday in memory of his great deed, Queen Isabella deserves credit as the person who singlehandedly made Columbus' trip possible. I believe it is appropriate that we designate one day each year to commemorate the person originally responsible for the discovery of America. I therefore support Governor Lucey's decision to proclaim Monday, April 23 as "Queen Isabella Day" in the State of Wisconsin, and ask that the document be printed in the RECORD.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

THE STATE OF WISCONSIN—A PROCLAMATION

Whereas, the enthusiasm and support of a single ruler led to the discovery of America and the resounding effect this discovery had upon the history of the world; and

Whereas, this great ruler, Queen Isabella of Castile, wife of Ferdinand of Aragon, was the sole backer of Christopher Columbus, whose proposed expedition to the New World was contrary to the 15th Century concept of the world; and

Whereas, the shrewd intuition of Queen Isabella, as well as the financial support and risk taken by Her Majesty on behalf of Spain, was responsible for uncovering the unknown riches of the Western Hemisphere; and

Whereas, the history of America has direct linkage to the birth of Queen Isabella on April 22, 1451.

Now, therefore, I, Patrick J. Lucey, Governor of the State of Wisconsin, do hereby proclaim Monday, April 23, 1973 as "Queen Isabella Day" in the State of Wisconsin and urge all citizens to reacquaint themselves with the earliest history of our Nation by honoring this Spanish Citizen who was solely responsible for America's Discovery.

In testimony whereof, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison, this twenty-seventh day of March in the year of our Lord one thousand nine hundred and seventy-three.

PATRICK J. LUCEY,
Governor.

RURAL AREAS ALREADY HARD HIT BY HOUSING FREEZE

Mr. EAGLETON. Mr. President, the 18-month housing moratorium imposed by the administration on January 5 applies not only to programs administered by the Department of Housing and Urban Development.

Also caught up in the net were a number of programs administered by the Farmers Home Administration which provide housing assistance in rural areas and small towns. These programs include subsidized housing loans, rental and cooperative housing loans, farm labor housing grants, and farm labor subsidized housing loans.

The potential loss to Missouri of the freeze on rural housing programs has been estimated at $65.9 million in loans and 6,008 man-years of employment.

Actually the effects of the housing moratorium are being felt earlier and more drastically in rural America.

We have been assured by Secretary Lynn and other administration officials that housing starts under HUD's subsidized housing programs will continue at an annual rate of 250,000 for the next 18 months because of commitments entered into before the January 5 freeze.

The same claims have not been made with respect to rural housing programs. The Department of Agriculture has estimated that, because of their shorter lead-time, FMHA projects in the pipeline before the moratorium will be completed within 6 months.

This means that there will be no new housing starts under these rural housing programs during the fiscal year beginning July 1.

Now an analysis by the rural housing alliance reveals that the moratorium has already drastically curtailed housing loans in rural areas.

During February, the first full month of the moratorium, the number of interest subsidy loans made by FMHA dropped by 80 percent from the monthly average number of loans made during the first half of fiscal 1973.

Missouri is one of 20 States in which the loan cutback equaled or exceeded the national average.

FMHA made an average of 185 initial interest credit loans per month in Missouri during the last 6 months of 1972. In February 1973, it made only 24 such loans.

The dollar amount of the cutback was from an average of $2,776,540 each month last fall to only $388,080 in February.

Mr. President, this freeze on rural housing programs is not an isolated matter. The list of targets includes REA, water and sewer grants, REAP, disaster loans, the school milk program, and price support programs.

I believe there is a limit to the punishment that rural America can take from this administration.

Mr. President, I urge early action on legislation now before the Senate Housing Subcommittee to require the Secretary of Agriculture to carry out all rural housing programs authorized and funded by Congress.

RECOGNITION OF STARTING DATE OF VIETNAM CONFLICT

Mr. COTTON. Mr. President, the Legislature of the State of New Hampshire, acting to try to help make certain that all Vietnam veterans receive the benefits to which they are entitled, passed house concurrent resolution No. 3 "Memorializing the Congress of the United States to enact legislation setting February 1, 1955, as the starting date of the Vietnam conflict in order to give recognition to all who served in the Vietnam theater of war."

I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

HOUSE CONCURRENT RESOLUTION NO. 3

Memorializing the Congress of the United States to enact legislation setting February 1, 1955, as the starting date of the Vietnam Conflict in order to give recognition to all who served in the Vietnam theatre of war

Whereas, on November 8, 1950, the first American United States Air Force advisers arrived in Vietnam to assist the French and South Vietnamese, who at that time were deeply engaged in the Indochina War, and we have remained in Vietnam during twenty years of continuing combat, and

Whereas, after the fall of Dien Bien Phu in May 1954 and the partitioning of Vietnam at the 17th parallel, French forces withdrew and the American presence was gradually increased and escalated as more and more Americans were committed during the ensuing years of insurgency, and

Whereas, many Americans were killed and injured during the twenty years of continuous strife, the first combat death that the government officially recognizes occurred in 1961, over three and one-half years before the date now set as the start of the Vietnam Conflict, August 5, 1964, and

Whereas, the United States Senate has twice voted to repeal the Gulf of Tonkin Resolution that was passed as a result of the attack by the North Vietnamese on August 5, 1964 against United States Navy ships cruising in the Tonkin Gulf. The administration has publicly stated that it does not regard the Gulf of Tonkin Resolution as the basis for its authority to operate in Vietnam, therefore there no longer exists any validity for retaining August 5, 1964 as the starting date of the Vietnam Conflict, now therefore be it

Resolved by the House of Representatives of the State of New Hampshire, the Senate concurring:

That the Congress of the United States is hereby memorialized to set February 1, 1955 as the starting date of the Vietnam Conflict for the purposes of veterans administration and all other branches of the federal government so that all Vietnam Veterans may receive their full entitlement to benefits; and be it further

Resolved, that the Secretary of State be instructed to forward a copy of this concurrent resolution to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives, and to each member of the congressional delegation from New Hampshire.

SENATOR MUSKIE ON A NEW OIL POLICY FOR THE NATION

Mr. McINTYRE. Mr. President, tomorrow is May Day. It is also Loyalty Day and a number of other observance "days."

For many of us, May 1 of this year has a new significance. It will mark the day that quotas are finally lifted from imported oil.

Because this occasion signals, as it does, the start of a new oil policy for the Nation, I would like to call my colleagues' attention to an analysis by the distinguished senior Senator from Maine, the Honorable EDMUND S. MUSKIE.

Speaking before the Maine Oil and Heating Equipment Dealers Association in Portland, Maine, Senator MUSKIE examined some of the broader implications of the new program for our Northeast region and then focused closer attention on some of the elements which will bear close attention by New Englanders in the months ahead.

I ask unanimous consent to have the text of Senator MUSKIE's remarks printed in the RECORD, because, in my judgment, his cautionary analysis couples fairness and restraint with sharp insight into exactly what we can expect from this new policy in short- and long-range terms.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A NEW OIL POLICY FOR THE NATION

It is a pleasure to be here today to discuss a question which is of vital importance to the people of Maine—the question of whether they will have sufficient oil to heat their homes, their factories, and their schools next winter, and in future winters.

This is not a new concern. Indeed, it is a matter which has occupied my attention since the year I entered the United States Senate in 1959—the year that the Mandatory Oil Import Quota Program was put into effect.

But it is a concern which has taken on new dimensions in the last year—partly because of rapidly changing circumstances in the world oil market, but primarily because of acute shortages which were experienced this winter in Maine.

To many of you in this room, the President's energy message last Wednesday must have had a curious ring when he said "in the years ahead, we must face up to the *possibility* of occasional energy shortages and some increase in prices."

That future "possibility" of which the President spoke seemed strangely real to MOHEDA's officers and me when we met in Washington last February to seek ways of securing fuel oil for dealers who had been rationed or cut off by their suppliers.

The plain truth of the matter is that oil distributors in Maine did encounter shortages this winter. And, despite the President's initiatives, there will be continued supply problems with gasoline this summer and heating oil next winter because his actions came too late.

The story of how we arrived at this situation is familiar to you, I am sure. It came about through a combination of a continued rapid growth of demand for oil, declining fuel reserves, insufficient refinery capacity, inadequate planning by both government and industry, and dramatic political changes in the Middle East which raised the price of crude oil.

The President's response, outlined in a 20-page document of analyses and proposals, urges four basic approaches to a solution—(1) sharply increased petroleum imports; (2) greater utilization of domestic energy sources; (3) the development of alternate energy sources; and (4) energy conservation measures.

Many of his proposals are controversial. Many do not go far enough. Some particularly those dealing with the environment, go too far. The President's message is, nonetheless, the first significant effort by this Administration to articulate a comprehensive national policy for the use and development of energy.

What I find disturbing, however, is the fact that the current fuel shortages might very well have been avoided if the President had taken steps to abolish the import quota program sooner.

It was just over 3 years ago, that the President's Cabinet Task Force on oil import controls recommended replacing the import quota program with a flexible tariff system not unlike the one proposed a week ago. But the President turned down this recommendation at the time.

And last fall, on the basis of assurances from the major oil companies that there would be adequate stocks of heating oil for the 1972–73 heating season, as well as grossly inaccurate projections by the Office of Emergency Preparedness, the President specifically rejected our urgent requests to increase the #2 allocations for the Northeastern Region.

Finally, when it became plain that his failure to act was leading to a crisis of serious proportions, the President announced a temporary lifting of import restrictions. But even this proved inadequate and it was only a mild winter that saved New England from severe problems.

During this period, the major domestic refiners who had persistently opposed imports found themselves caught in a dilemma. In order to fulfill the assurances they had given the Administration, they had to maintain a high output of heating oil at the very time they should have been producing gasoline in greater quantity. What this seems to indicate is that we are now caught in a circular game of "catch-up" with gasoline shortages this summer and further fuel oil shortages this winter, and on and on until we can import and produce a sufficient supply of refined products to meet our needs.

In retrospect, it seems incredible that the decisions of a relatively small number of individuals—both in and out of government—could have placed us in these circumstances. Our neighbor, Senator Tom McIntyre of New Hampshire, made perhaps the most accurate assessment of the situation in his testimony to the Cost of Living Council in February.

"In my opinion," he said "it is apparent that either two things happened. Either the Federal officials responsible for oil policy in this country displayed an unbelievable level of incompetency, or the petroleum industry itself misrepresented the facts. I personally believe that a combination of both factors was at work."

This, then, is part of the story of how we arrived at our present circumstances. There is no need to dwell on this history, except that it helps explain some of the forces which are at work in Washington and why we New Englanders have reason to view Federal oil policies—new and old—with Yankee skepticism. It is also important because it points out that the long-range factors which are generally cited as the cause of the "energy crisis" are not sufficient to explain our current predicament.

Now, we are to have a new oil policy. In six days, on May 1st, the current quota program will be scrapped and in its place will be a system of unlimited imports and a system of license fees.

I do not presume to know precisely what impact this new system will have for the consumer and marketer. To do this requires a knowledge of marketing forces and competitive factors about which I am not expert. For this reason, I am looking forward to hearing the remarks of the other gentlemen on this panel.

I would, however, like to make some general observations.

First, the Chairman of the President's Oil Policy Committee has defined the objectives of the new program in these words: "To import oil to satisfy the short-term needs of U.S. refiners and consumers, while providing longer-term stability and additional incentives for increased domestic production and new refinery construction."

These goals are clearly desirable. But they also establish the standard by which the new program should be judged. For the citizens of Maine, the President's intentions would assure an adequate supply, at a reasonable price, without major disruption of our marketing system. However, because the New England Region depends on imports far more than any other region of the country, it may be difficult indeed to achieve these objectives.

Secondly, the elimination of quantitative import restrictions, with a gradual transition to a system of import fees, is conceptually sound. The uncertainties and human miscalculations associated with the quota program are largely absent. It also provides the opportunity for the long-range commitments necessary to obtain both supply and favorable prices.

Third, the exemptions from import fees granted to independent deepwater terminal operators are intended to provide a sufficient measure of protection for them to compete effectively with the major oil companies. Historically, the presence of the independents in the New England market has been a positive and healthy competitive factor. This influence should be preserved.

However, the President's proclamation gives the terminal operators a fee-exempt allocation of only 50,000 barrels-per-day of No. 2 oil. This is no more than last year and clearly would seem to be inadequate for the coming year.

Additional fee-exempt imports will have to be obtained from the oil import appeals board on a case-by-case basis. This would be cumbersome and adds an unnecessary element of uncertainty. Therefore, the role of the Oil Imports Appeals Board is of critical importance in the new system, particularly for New England. It remains to be seen whether in practice, the Board will be responsive to the needs of those who serve New England.

Fourth, despite some complaints that the initial fee structure is set too low to protect the independents' competitive position, it was probably necessary if the President is to minimize the impact of higher prices for the consumer. Nevertheless, the price of heating oil will inevitably climb this year and in the future, and Maine consumers should be aware of this.

Fifth, I am greatly concerned with the absence of any provision in the new program to assure that independent refiners, marketers and retain dealers will not be cut off from products previously supplied by the major oil companies. We are already seeing this happen in New England and the situation is aggravated by the withdrawal of several major companies from the Northern New England market.

Administration officials are apparently intending to rely upon "jawboning" if such dislocations persist under the license fee system.

I am not convinced that this is sufficient. I am therefore supporting legislation to give the President authority to allocate national supplies among dealers where necessary to cope with shortages. The Congress has a responsibility to assure that the major oil companies do not use a national shortage as an opportunity to drive independent marketers out of business by favoring their own distribution outlets.

Finally, I would like to say a word about William Simon, Chairman of the President's

Oil Policy Committee. Over the past fourteen years, the New England Congressional Delegation has had to deal with Federal officials responsible for oil policy on an adversary basis.

Since Mr. Simon has assumed the Chairmanship of the Oil Policy Committee, he has opened a clear line of communication with New England officials. He has displayed a genuine interest in the problems and needs of our region. The new policy he has helped shape and which he will administer holds promise—if it is administered flexibly and wisely, with a willingness to make appropriate adjustments where necessary. While our earlier experience was not favorable, the initiatives taken by Mr. Simon are encouraging.

I know we would both be pleased if I could conclude my remarks by assuring you that the uncertainties and difficulties which MOHEDA faced last winter, can be avoided next winter. Unfortunately, neither I nor anyone else can give such assurances.

The world energy picture has changed dramatically in the last 3 years. We shall continue to suffer from this, and from the misguided policies of the past. Now, we have a new oil import policy and have begun seriously to debate a new national energy policy. If we are successful in devising a coherent and comprehensive policy, we can overcome our current difficulties and satisfy our energy requirements for the future.

In the meantime, we might reflect on an observation made recently by the Director of the Petroleum Industry Research Foundation. He said, "what we are doing is shifting from the age of oil to another energy age. Historically speaking, transition periods are very interesting . . . but living through them may not be so much fun."

THE NATION'S ENERGY NEEDS

Mr. HASKELL. Mr. President, I am honored to present to the Senate a joint resolution from the Colorado Senate memorializing the Congress to give top priority to defining and implementing a national energy policy. As a member of the Committee on Interior and Insular Affairs, which is conducting an extensive and comprehensive study of the Nation's energy needs, I cannot overemphasize that this body must take a positive step toward insuring the energy needs of this Nation. Mr. President, I ask unanimous consent that Colorado Senate Joint Resolution 1 be printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

SENATE JOINT MEMORIAL No. 1

Memorializing the Congress of the United States to define and implement a national energy policy.

Whereas, Educational, governmental, and industrial facilities in the State of Colorado have been shut down because of a fuel shortage; and

Whereas, This serious condition is expected to continue and worsen in the future, unless immediate action is taken to correct the causes thereof; and

Whereas, The General Assembly of the State of Colorado considers the present fuel shortage to be an immediate threat to the health, safety, and welfare of the citizens of the state; and

Whereas, Increased reliance on importation of fossil fuels presents a problem of national security and balance of payments; and

Whereas, There is a need for a national policy which will provide adequate supplies of energy at reasonable cost and protect the environment; and

Whereas, Such objectives can be achieved by private enterprise under wise governmental policy; now, therefore,

Be It Resolved by the Senate of the Forty-ninth General Assembly of the State of Colorado, the House of Representatives concurring herein:

That the Congress of the United States is hereby memorialized to give top priority to immediately defining and implementing a National Energy Policy, including objectives to:

(1) Encourage the economic and efficient use, as well as the conservation of energy by:

(a) Encouraging and supporting research into additional methods to conserve energy and decrease per capita consumption of energy; and

(b) Providing financial incentives to schools, educational institutions, and industries involved in research and education concerning energy conservation and the reduction of per capita consumption of energy; and

(c) Supporting changes in technology designed to conserve energy and more economically utilize available resources;

(2) Manage the leasing of federal lands located within the state of Colorado (which constitute thirty-five percent of the land of Colorado), so as to encourage their development for the production of energy resources giving consideration to the energy needs of Colorado's people and its environment;

(3) Provide a tax policy which would encourage exploration and development in order to increase the supply of domestic oil and gas;

(4) Encourage and facilitate an increase of refinery and transportation capacity for petroleum products;

(5) Achieve a reasonable balance between protecting the environment and developing, processing, and transporting needed energy resources;

(6) Gradually relax price controls on natural gas, but with provisions for equitable price treatment for consumers; and

(7) Encourage the release of atomic energy blocks of land for development of nuclear power.

Be it further resolved, That the Congress of the United States is hereby memorialized to do all that it deems necessary to promote the development of sources of clean and efficient energy through such means as:

(1) Encouragement and support of research to determine the energy potential of resources, such as solar, geothermal, nuclear fusion and fission, oil shale, tar sands, and the gasification and liquefaction of coal;

(2) Provision for tax incentives to industries involved in such research and development; and

Be it further resolved, that copies of this Memorial be transmitted to the President of the United States, the President of the Senate of the Congress of the United States, the Speaker of the House of Representatives of the Congress of the United States, and the members of Congress from the States of Colorado.

THE THREE LIVES OF MARK CLARK

Mr. THURMOND. Mr. President, during my careers both in and out of the military, I have had the pleasure of knowing many outstanding persons. One of the most dedicated and respected men with whom I have ever had contact is Gen. Mark Clark, who now makes his home in Charleston, S.C.

Thus, I was delighted to see a magazine article recently on General Clark. Obviously, it would take years of research and volumes of books to do justice to the outstanding service this great American has given his country. But the article referred to is a very good synopsis of the man and the soldier.

Mr. President, I ask unanimous consent that the article from the April issue of the Sandlapper magazine entitled "The Three Lives of Mark Clark," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE THREE LIVES OF MARK CLARK

(By Tom Hamrick)

The first time I met Mark Wayne Clark, artillery was booming in the backdrop and the Chinese were sending us presents considerably more potent than pandas. Clark, four stars winking at the sun, was the closest thing to a supreme being on earth for a lot of us in uniform that day 20 years ago. Everything is foggy to me now about his inspection tour as commander of United Nations forces in Korea except the warning which had been italicized in messages preceding his visit. "If you value your lives," the Telex from his information officer said, in effect, "don't shoot any photos of the right side of his face. He thinks that's his bad side." At the time, I considered that enough to remember. Never before in the history of the Orient were so many photos taken of the left side of anybody's countenance.

All that was in part one of Clark's army career, which carried the son of a soldier from his cradle on a now-forgotten upstate New York army post in 1896 into the annals of history as one of the nation's best-known warriors. As Gen. Dwight D. Eisenhower's right arm, he helped engineer the D-day invasion which doomed Hitler's Fortress Europa. He persuaded the French in Africa to quash their alliance with the Axes and thereby laid the groundwork for the expulsion of the Germans and Italians from the Dark Continent. His Fifth Army, slogging its way up the Italian boot, forced Benito Mussolini into unexpected retirement and captured Naples and Rome. Later, when Eisenhower won the Presidency and was trying to wrap up the Korean War in 1952, it was perhaps only natural to assign the mission to Clark.

All that should be a sufficiency in any man's life. For Clark, it was only a prelude to winning "the battle of The Citadel," taking the helm of a military college with a sagging enrollment and a football team unfamiliar with victory and pushing both to new peaks. Clark's distinguished career at The Citadel will never cause more than a footnote in history; any Citadel cadet will regard that as a negligent pity.

Kim and a smiling maid met me at the door to the "Top of the Mark" when I punched the buzzer to his top-deck apartment—Charleston's only penthouse—capping the Francis Marion Hotel. The maid invited me in while Kim rubbed Pekingese fur on my left pants leg.

I walked into a museum, otherwise decorated with soft places to sit. A pair of one-pounders dating to Oliver Cromwell points at visitors from floor level just inside the door. A collection of international trophies, gifts and souvenirs, from Chinese screens to a brass replica of a woman's dainty hand, embellish the general's latter-day holdings. Photographs are everywhere, picturing Clark with world-famed figures whom school kids will read about 200 years from now. A five-foot-wide glassed frame on a wall protects some 100 decorations he has won on the battlefront or has been presented by heads of state.

The 76 years of Gen. Clark moved onto the scene, not an inch out of the perpendicular I remembered from Korea. A Gary Cooper shape of a man, he strides like an athlete accustomed to walking up to five miles a day around downtown Charleston. I immediately was convinced he lies about his age. Despite what his four-page biography from The Citadel's press office reads,

you tell yourself this man is not a whisper over 56. I was also impressed that the right-face photo orders we had gotten in Korea had been somebody's imagination at play. The cut of him on either side is as handsomely chiseled as the profile on a well-kept coin.

We went into the bar, complete with three or four stools, again surrounded by photos, souvenirs and remembrances of American victories around the world. A lot of Citadel cadets have shared something stronger than cola with him here. When Clark took command of the state's 130-year-old military college as president in 1954, he was appalled that "when I'd go into a Charleston restaurant and have a cocktail, I'd see Citadel cadets at the next table having theirs out of a teacup." Believing that knowing how and when to drink is the mark of a gentleman, Clark eschewed the bone-dry regulations of The Citadel. Cadets were sneaking the stuff into the barracks and drinking it because they weren't allowed to tipple, anywhere, *period*. "A young man is going to drink," Clark insisted, and he modified a cadet regulation so his charges could have a friendly nip or two off campus without risking expulsion. Booze in the barracks nose-dived.

Clark's career at The Citadel began quite casually. "Would you be interested in being president of The Citadel?" the late Gov. James F. Byrnes wired him in 1953, as Clark planned to bring his 40-year army career to a close. The invitation was but one of a deluge of job offers which inundated Clark. Industry dangled fat bait in front of him; "one offered me more money than I'd dreamed of," he said The University of California at Los Angeles asked him to become their chancellor. By comparison, The Citadel's pay was a pittance: $12,000.

Clark chucked all other offers when the bid from Byrnes came through. "I'd always been impressed with the way a Citadel cadet stood out as a soldier," he recalled. (Anyway, he considered in retrospect, he would have been ill at ease in industry.) He and Eisenhower talked it over at the White House. The President, in something less than half jest, asked if Clark could not be retained in uniform, whatever his pleasure. Finally, Eisenhower conceded victory to The Citadel: "I don't know anything better," he told Clark. "You'll like it."

Although Clark aspired to The Citadel, he was unsure it was the place for him. "The scholastic handcuffs might be too tight," he argued with himself. All apprehension, he noted, was dumped when The Citadel's officialdom "promised I could run the place and nobody would be second guessing me every minute." It was to be a post he would happily hold for 11 years, calling it "one of my finest commands." He retired in 1965 when he tipped 70 "because I thought somebody ought to set that as an age precedent for a Citadel president."

His Citadel record:

Almost immediately, his acceptance of the post made national news. People read about The Citadel's new president in publications from Spartanburg to Spokane. *Life* magazine saluted him with a pictorial spread. Ralph Edwards surprised him before tens of millions with a *This Is Your Life* television edition.

He took over a student enrollment which had dipped to 1,318 and in three years boosted it to 2,071, capacitating facilities.

He began personally supervising student recruitment. Edward M. Blight, son of a soldier friend and the first cadet he procured in his hunt for new faces, chalked up straight A's for four years and set a record no student at The Citadel has ever equaled.

Citadel athletic teams, which had apologized for being alive, found a great ally who detested mere "moral victories." Clark immediately organized an experienced coaching staff and sent it forth to beat the bushes for players who could find the goal line and still meet The Citadel's exacting demands. Good players who were lousy cadets soon found the red carpet jerked from under them. "No matter how great a star he is, he is supposed to be a Citadel cadet first," Clark said. And he meant it. Today's Bulldogs have both growl and teeth.

He was appalled that one of the nation's elite military colleges lacked an honor code. He left it to a student vote and won support by a 97 percent majority. To enforce the code, Clark set up a student court which tried cadets charged with infractions. If expulsion was recommended, Clark normally complied. (And he personally sought to place The Citadel's rejections in other colleges.)

"Because a commander has to know what is going on," he said, he instituted a cadet advisory system which met routinely to post him on problems, gripes and shortcomings as they saw them. "We won't wink at regulations. Let's change them if we can't enforce them," he proclaimed.

He established an "open door" policy; cadets who couldn't get satisfactory answers anywhere else had a four-star ear to talk into.

To tune in his corps of cadets to world affairs, Clark launched a "Greater Issues" platform program and brought some of the nation's leaders—including ex-boss Ike—to address the corps. Students were encouraged to recommend guest speakers, "but don't suggest some stripteaser come here!"

He inaugurated a summer camp program on campus to introduce high school students with a talent for leadership to his "God and Country Environment," as the cadets hailed it. Emphasis was placed on sports and physical fitness. Summer classes were also phased in, so the college no longer spent hot weather in the doldrums.

When he learned The Citadel had been collecting "war trophies" from its cadets for more than a century and hiding them behind cobwebs, he ordered a museum opened. One wing now houses his own irreplaceable World War II and Korean War memorabilia. The attraction has become one of the college's prime tourism lures.

And he proved to the student body that a star-spangled war hero could laugh as loudly as any cadet. There was the time, for example, when one of his cadets freed a boa constrictor in a dormitory, then gleefully notified the press. "No such thing," responded Clark when the media queried him. Then both he and the press chortled when the snake was dragged forth into the national eye. Fond of fishing, one of his favorite cartoons published in the campus newspaper shows him in full dress with a cane pole behind his back.

When the time for self-inflicted second retirement came in 1965, Clark toyed with the idea of moving to San Mateo, California. But his first wife, Renie, joined him in opting for Charleston. "We had a lot of friends here, and we liked what the people here stood for," he reflected. Renie died a year later, ending a 43-year love affair, but not before the management of the Jack Tar hotel chain invited them to take perpetual lease on its 12th floor, sharing space with a ballroom across a hallway. "No one has a better view of Charleston," Clark reported. He spends fractional idle time at a magnipower spyglass which points toward Ft. Sumter and the harbor.

If old soldiers are supposed to fade away, somehow Clark missed the message. He has cranked out two books on his experiences, and he now mentally catalogs notes he is considering for a third volume. When the movie *Patton* came to the parlor screen, it was Clark that *TV Guide* asked an article on his wartime friend. He is at his desk constantly, a sheaf of papers before him. He is military consultant to *Encyclopedia Americana* and is reviewing authority of military manuscripts for a bevy of publishers.

For years now, he has successfully beaten back political suggestions to run for governor or senator. "I don't like nor admire politics one bit. I'm too unbending to be a politician," he argued.

Nonetheless, he headed up President Nixon's campaign in South Carolina in 1968—"because I admired him." He was also a fund raiser in one campaign for U.S. Senator Strom Thurmond, served as honoragy state chairman of Nixon's bid for reelection in 1972, and was adviser to the house armed services committee during the reign of the late U.S. Rep. L. Mendel Rivers of Charleston.

When congress sought advice on killing the draft, the solons turned to Clark to head up a reporting committee. More recently, he became chairman of the American Battle Monuments Commission, touring areas overseas where a quarter million U.S. servicemen are buried. He is particularly absorbed by the latter mission because some foreign governments which erected monuments to slain Americans have allowed these hallowed fields to become dilapidated and overrun by weeds. "Too many visitors thought they were our responsibility, I told them," he said.

He and the second Mrs. Clark, Mary, a pretty blondish woman somewhere near the mid-century horizon were married in late 1967. The general has found that between daily walking stints and the fishing he loves, they have little time to talk about real retirement.

RETAIN PRESENT CAPITAL GAINS TREATMENT OF INCOME IN CUTTING AND DISPOSAL OF TIMBER

Mr. COTTON. Mr. President, emphasizing the importance of the timber industry to the State of New Hampshire, the legislature passed Senate Concurrent Resolution No. 2 "memorializing Congress to retain the present capital gains treatment of income in the cutting and disposal of timber."

I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

SENATE CONCURRENT RESOLUTION NO. 2

Memorializing Congress to retain the present capital gains treatment of income in the cutting and disposal of timber.

Whereas, the State of New Hampshire is eighty-seven percent forested and over eighty-five and eight-tenths percent of the commercial land in New Hampshire is owned by private woodland owners and farmers, and

Whereas, the capital gains treatment of timber has been an incentive to grow timber in spite of the many risks involved such as fire, wind, insects, and disease, and

Whereas, The forest lands of New Hampshire provide many jobs and support many industries and communities in our state.

Now, Therefore, Be it Resolved by the Senate of the general Court of New Hampshire, the House of Representatives concurring:

That the general Court of the State of New Hampshire recommends the retention of the present capital gains treatment of income from the cutting and disposal of timber under Internal Revenue Code 631(a) and 631(b) and

Be It Further Resolved, That a copy of these resolutions be forwarded by the Clerk of the Senate to the congressional delegation from the State of New Hampshire and to the Honorable Wilbur Mills, Chairman of the Committee on Ways and Means of the United States House of Representatives.

THE RETIREMENT OF GIL ROWLAND

Mr. THURMOND. Mr. President, for the past 25 years, the people in and around Greenville, S.C., have been served in the finest journalistic tradition by Mr. Gil Rowland. During his distinguished career with the Greenville Piedmont, Gil Rowland used the power of his pen not only to report on matters of great concern fairly and objectively, but also to better the lives of those in his community.

His recent retirement from the newspaper ended a quarter century of public service. But those who know Gil Rowland have no doubt that he will continue to take an active interest in the Greenville community and the State of South Carolina.

I ask unanimous consent that two articles from the Greenville News and the Greenville Piedmont entitled "Newspaperman Gil Rowland Retiring From Piedmont After 25 Years," April 26, 1973; and "Good Afternoon Unpreachified," April 26, 1973, be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

NEWSPAPERMAN GIL ROWLAND

(By Jack Norris)

What stands out most vividly in a man's mind after 25 years as a columnist and news reporter?

A handful of unusual people and significant local events, said Gil Rowland, who is retiring Monday from the staff of The Greenville Piedmont.

High on his list of unusual persons, Rowland placed a Greenville man; a woman, who is a sort of female Johnnie Appleseed; and a young Japanese who traveled over much of the world on a bicycle.

Of Dr. L. P. Hollis, longtime superintendent of Parker District Schools, Rowland said:

"In my lifetime he was Greenville's great innovator. So many people will look back over good things that have happened here and say, 'Pete Hollis did that.' "

"In the field of education Hollis worked to eliminate rigid curriculum requirements as far back as the 30s. He pioneered in adult education, in getting students out of the classroom to see the actual thing they were studying about: he was one of the first locally to develop vocational education in the public schools; and although continued education for teachers was not a new concept, he was innovative in this, too," Rowland said.

"Peace Pilgrim," was the woman who came first to Rowland's mind. He first interviewed her when she walked into The Greenville News-Piedmont building one night years ago and was shown to his desk.

After the interview he telephoned a prominent Greenville woman who gave the Peace Pilgrim lodging for the night.

"Nobody knows why this woman got on this peace kick. She gave up her home, her family, and her friends and would never talk about them again. She went everywhere with the clothes on her back and nothing but a comb and toothbrush in her pocketbook. If anybody offered her food she ate; and if anybody offered her a night's lodging she would sleep in a bed. Otherwise she'd just sleep in a car somewhere if she could find one," he said.

"She maintained that she was not afraid to walk anywhere at any time because she loved all things and all persons. She was either very smart or a very big nut," Rowland said, adding that she has passed through Greenville a number of times in her travelling about the United States.

Also vivid in Rowland's memory was the Japanese youth, "Shum" who travelled with a modest budget even more widely than Rowland, himself, has in recent years.

Shum was in his early 20s when he arrived in Greenville by bicycle, after spending six months traveling about the United States, Rowland said.

Mr. and Mrs. Rowland and Shum are members of SERVAS, a group of persons who like to travel and give other travelers a night's lodging, and this is how Rowland met Shum.

After the young Japanese left Greenville he traveled up the Atlantic Coast to New York, went by boat to Plymouth, England, and then toured Europe by bicycle for three years.

"When he finally got into Afghanistan he was pretty tired out and he went on back home by train," Rowland said, adding that, two years ago, when he was visiting Japan he visited Shum.

"Shum was very worried about world conditions. He told me he was going to travel to Tibet, live in a monestery, mediate, and seek truth," Rowland said.

Rowland recalled that, while on his round-the-world journey two years ago a student from India who had stayed frequently with the Rowlands while attending school in America, arranged for him to visit the Dali Llama of Tibet, who had fled that country before the Communist takeover and was living in exile in northern India.

"My friend arranged the trip with officals by telling them that I was a very well known American journalist employed by the Associated Press, and I was given a chauffeur, and a limousine. I remember I had a pass through four checkpoints to get to the Llama, and I was given a 15-minute interview but it didn't amount to very much."

Rowland thought that the interview might have turned out better if the Dali Llama had used an interpreter instead of insisting on speaking English.

"He said things like: 'we glad you came,' I asked, do you think your people will ever get back to Tibet, and he replied: 'yes, we will eventually triumph over all our enemies," Rowland said.

Looking back over significant local events of the past 25 years, Rowland said one was certainly the much publicized Willie Earle lynching trial in 1947 which got much attention nationally.

"This was the first time in many years that white men were brought to trial in the South for lynching a Negro and even though all were acquitted it showed that attitudes were changing dramatically," Rowland said.

A significant event occurred in 1945 when Greenville City Council voted against urban renewal—"it was one of the most negative things that happened here in the 40s and it set the stage for our getting pretty badly behind the times in the years that followed," Rowland said.

Rowland said another milestone was when the Rev. J. S. Hall, then pastor of Springfield Baptist Church, led a march to the airport when baseball player Jackie Robinson came to Greenville to protest segregation of public waiting rooms.

"When the issue to eliminate sub-standard housing here got the backing of the Greater Greenville Chamber of Commerce I did everything I could to help it along. The chamber deserves a great deal of credit for what has been accomplished in reducing the amount of such housing," Rowland said.

Rowland, who was at one time a teacher at Parker High School, said he got into newspaper work almost by accident because Parker High was submitting a weekly column of school events being published by the Piedmont.

"Another teacher was doing it and when he went to work at Furman University I was asked to take over putting out the column which I did somewhat reluctantly. I brought the column down every Thursday and I began to get interested in newspaper work. Early in the 40s I began part-time and in 1945 I became a full-time reporter," Rowland said.

Commenting briefly on his daily column which has run in The Piedmont for years, Rowland said it grew out of his interest in people, and the fact that people generally are interested in the thoughts and activities of others.

"I never had any carefully laid out plan—if one thing didn't work out I tried another and the editors gave me extremely free rein. They left me alone. They never said, 'This is good stuff do more of it; or 'I think I'd go easy on this topic if I were you.' "

Rowland said he was sometimes telephoned by individuals who had been angered by one of his columns, but that he was never threatened with physical violence.

He said his position was that if a person believed something erroneous had appeared in the column he was entitled to make a comment to set the record straight.

He said his most depressing chore in recent years has been having to tell a person with a friend or neighbor who had experienced a series of misfortunes that he couldn't just write a column publicizing the situation and start a fundraising campaign.

Except for a year spent doing public relations work for the South Carolina Human Relations Council, Rowland remained in journalism from 1945 until his retirement this week.

"Had other organizations presented me with enticing offers I might have considered them, but my work has been both interesting and satisfying," he said.

There is both routine and novelty in news reporting, as in most other work, Rowland believes.

GOOD AFTERNOON "UNPREACHIFIED"

(By William C. Morris)

This is the story that nobody wanted to write, least of all Gil Rowland who resigns from the Greenville Piedmont staff after this week.

"Do we have to?" Gil asked when told that he would be the subject of one of those resignation features that almost always accompanies a veteran employe who has reached his 65th birthdate.

Relaxed at the desk where he's produced nearly 3,000 "Good Afternoon" columns, Gil said he was ready for the ordeal.

"It all began when I was teaching at Parker," he said.

In the early 1940s, Wendell Fletcher was teacher of a Parker high school class that produced stories for publication in The Piedmont. "When Wendell left to go to Furman, the principal came to me and asked me to take over," Rowland recalled.

That was the sketchy beginning of a career that spanned nearly every aspect of the news media, including photography, sports writing, desk work, a managing editor's position and finally as columnist and dean of staff writers.

The fulltime career comes to a close this weekend, but Gil's familiar by-line will continue once-a-week after that. "I'm not quitting," he said, "but it'll be a change of direction."

At Parker, Gil admits he knew little about writing, but he possessed a natural curiosity about people that today is evident in his writing—even his telephone conversations with them.

City Editor George Chaplin of The Piedmont influenced Gil with his suggestions and tips about the ingredients of a story.

"Pretty soon I got interested and became a part-time employe of The Piedmont," Rowland said. The career has stretched over 30 years, less a year that he spent with the South Carolina Human Relations Council.

"My first job on a newspaper was as a photographer," said Gil, who once received an Associated Press award for a feature picture.

What has changed most over the years? "The most significant thing is the speeded up process. We didn't have as many competing things in those years. Today we want things in more capsule form," he said.

The years of writing have convinced him of the readers' appetite for news. "People are interested in people," he summarized. "They are interested in the failures, struggles and frustrations of other people."

In recent years, Gil Rowland has tried to write more and more of what the trade calls a "human interest story." He also has added another ingredient to his column.

"I never could get the old teacher idea out of my noggin," he explained, "that in addition to being entertaining, there might be a worthwhile idea."

The worthwhile ideas have broadened his writing subjects to embrace community projects, particularly those affected substandard conditions and low-income groups.

"The world has changed so radically in 30 years," Gil mused. "Greenville's problem has been to keep up and adjust. In doing that, people have become more separated in attitudes, life style and interests." Some of this has been spurred by the influx of management-level people from other sections.

As for his formal retirement, he says: "No matter how much you love a job, there comes a time when a change of jobs is desirable—to get out of a rut."

So, beginning next week, Gil Rowland will have his desk cleared to begin "wandering around a bit." He's still not sure what he'll do with all the leisure time.

His two children (Howard, 30, and Miriam, 25) are on their own. There's a VW camper in the yard and a whole new life ahead of him and his wife Clay.

Finally, Gil said of the interview, "Isn't that enough? I want to avoid being preachified."

Good afternoon—for awhile.

THE ODYSSEY OF HARRY TRUMAN IN MONTANA

Mr. METCALF. Mr. President, accolades have been paid to ex-President Truman for his courage, his forthrightness and his inherent honesty and he has been widely praised and extolled. I concur. However, Montana's claim on Harry Truman has not been completely presented.

The story of his appearance in Butte and his inspiration the "Give 'em Hell, Harry" shouts from the audience gave to President Truman's campaign have been frequently told. Likewise, his statement at the dedication of Hungry Horse Dam in Kalispell admonishing the people to go out and look at the dam because it would be the last river and power project if the Republicans were elected was prophetic and often quoted.

But to complete the record, the Montana Historical Society in February of this year summarized the odyssey of Harry Truman in Montana. This account of his early years explains why Mr. Truman as Senator, Vice President and President was especially beloved by Montonans. I ask unanimous consent that the Montana Historical Society article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Odyssey of Harry Truman in Montana

It is nearly 60 years ago that a 29-year-old farmer named Harry S. Truman, from Grandview, Missouri came out to Glasgow, in Northeastern Montana, to register for a homestead. It was the first of six known visits which this irrepressibly "common man" was to make to Montana. Except for the 1913 trip, during which he was one of thousands, most of them nameless now, Mr. Truman's visits were well publicized. Indeed, his campaign of 1948, following which he triumphed so surprisingly over Thomas E. Dewey, reached a high-water mark in Montana. Until his life ended the day after Christmas, 1972, Truman himself maintained there was no doubt that his famous "'Give 'em hell' Harry" style got its start when he addressed a crowd of nearly 10,000 at Butte's Naranche Stadium on June 8, 1948.

Well known, and sometimes criticized, for his flat, midwestern delivery, President Truman's remarks in Butte were anything but dull. He defended his programs and blasted the 80th ("No Nothing") Congress. His hard-hitting, no-punches-spared style was set from then on. Moreover, Butte became one of his favorite cities, and he never forgot it.

But in September, 1913, these things were far in the future for Harry Truman. World War I, a haberdashery in Kansas City, a judgeship, the U.S. Senate, the vice presidency and the shattering death of Franklin D. Roosevelt were worlds removed from the life of a young man trying to establish a livelihood to support his younger brother and sister and someday make it possible for him to marry his childhood sweetheart, Elizabeth Wallace.

In that September of 1913, some 1,600,000 acres of the Fort Peck Indian Reservation near Glasgow were thrown open to homesteaders. To avoid the land speculators and "musclemen" land grabbers who dominated many earlier land openings, a drawing was held for the Fort Peck land.

No record remains describing young Truman's thoughts as he visited the small Montana town between September 1 and 21 to register for a chance for land. Over 12,000 people registered for the 8,405 homesteads of 160 acres each.

Apparently an unsuccessful registrant, Truman went back home to Grandview, where, in the same year, he bought a second-hand Stafford touring car to make it easier for him to court the golden-haired Bess, who lived in Independence.

It was over three decades later, in 1944, that he made his next visit to Montana, in behalf of Franklin D. Roosevelt, whose death soon after he began his fourth term in 1945 propelled the farm boy from Kansas to the presidency.

In 1944, Vice President Truman began his love affair with Butte. He donned a hard hat and descended, along with the four reporters covering his trip, into the Leonard mine. He and this group formed the "Hard Rock Club," to which he referred many times on subsequent visits to the state. The presence of only four reporters, however, suggests the lacklustre news value of the trip.

But June, 1948, was a different story. Now Truman came to Montana as President of the United States and drew an estimated 40,000 people along his parade route in Butte. This time, he was accompanied by 58 newsmen.

It was in 1948 that Truman lashed out at the 80th Congress and defended himself and the policies he had begun. "They have been telling you a lot of things about Harry Truman," he said, "but the country has been pretty well run in the last three years. . . ."

President Truman returned to the Big Sky Country in 1950 and again spoke in Butte, before a crowd of 6,000.

He defended U.S. government involvement in business and other areas, pointing to low cost housing and unemployment insurance, on which many miners in Butte had recently been forced to depend.

Introduced by Montana's U.S. Senator Mike Mansfield as a "man of the people," Truman said his 1950 trip was not political, but was to "report to my boss—the people."

In 1952 President Truman was back in Montana to set off the dynamite charge that moved the first earth for the Tiber Dam Project near Chester and later to put Hungry Horse Dam at Columbia Falls into production by throwing a switch in the Kalispeel gym.

In his speech, he backed Montana democratic candiates for office, and spoke warmly for the Adlai Stevenson-John Sparkman ticket. But the Eisenhower-Nixon team won in Montana by 51,181 votes.

In 1956, Harry Truman came out of his "retirement" to again travel the campaign trail, this time for Stevenson and Estes Kefauver. He made only one speech in Montana, and requested that it be given in his favorite city. It was a nostalgic visit, a remembrance of old days and old glories. To Montana's U.S. Senators Mike Mansfield and James Murray, the former President said, "It's like old times. I'd give my right eye to be back in the Senate with you."

He told his audience, "It was in Butte where I began telling people about that do-nothing Republican Congress. You know what happened after that. The people took proper care of the Republicans when election day rolled around. . . . A lot of people were surprised at the outcome of the 1948 election. I think the same people are going to be surprised this year—because I think Stevenson and Kefauver are going to win." But they lost, and in Montana, Eisenhower and Nixon won by 38,695 votes.

Harry S. Truman, with whom historians are expected to deal kindly, apparently sensed, in Montana, and especially in Butte, that people knew him for what he was, a "common man" with uncommon courage. An interesting supposition, now that he is gone, is what history might have had to say about him had he drawn a good number that day in Glasgow, Montana, nearly six decades ago.

REPORT ON WIRETAPPING AND ELECTRONIC SURVEILLANCE

Mr. McCLELLAN. Mr. President, court-ordered wiretapping and electronic surveillance authorized by title III of the "Omnibus Crime Control and Safe Streets Act of 1968" is playing a key role in the war against crime. As the Attorney General testified on April 5 before the Senate Committee on Appropriations:

> The provision for . . . [wiretapping] by Congress has been the most significant, most important weapon that our country has had to deal effectively with the problem of organized crime. . . . Now after four and a half years we have more than one-half of the leadership of organized crime in the country under indictment.

His testimony was also underscored by that of the Assistant Attorney General for Narcotics:

> I would say wiretapping is one of the principal tools needed and necessary to develop major conspiracy . . . cases. It is expensive. It is time-consuming. It is very tedious investigative work. It takes an awful lot of manpower to operate taps and surveillance devices. But it is an absolutely effective and necessary tool.

Mr. President, during 1972, there were 855 orders for intercepts issued by Federal and State judges, and 2,861 arrests flowed from the information obtained. So far, 402 convictions have already resulted, and more are expected. This is compelling evidence of the effectiveness of wiretapping and electronic surveillance in combating organized crime.

In order to protect the public and keep it informed, title III of the act provides that prosecutors who seek surveillance orders and judges who issue them are required to file detailed reports each year to the Administrative Office of the U.S.

Courts. The Administrator is required to transmit to Congress a summary and analysis of this information.

These public disclosure provisions reflect the judgment of Congress that complete and regular public accounting is essential to any system requiring the use of electronic surveillance techniques—no matter how limited its use. Public support for the power to wiretap and bug—even under authorization—can only be obtained where the citizenry is responsibly informed as to the extent and character of its use.

The Fifth Annual Surveillance report which has just been released by the Director of the Administrative Office indicates that 18 of the 21 jurisdictions which have laws authorizing courts to issue surveillance orders used their statutes in 1972.

In these 18 jurisdictions, Federal judges signed 206 orders for intercepts and 649 were signed by State judges. Of the 649 State orders, 294 or 45 percent were issued in New York, while 235 or 36 percent were issued in New Jersey.

The 855 applications filed during 1972 compares with 596 applications filed in 1970. On the Federal level, the decrease from 285 in 1971 to 206 in 1972 results from a shift in emphasis by the Department of Justice from gambling to narcotics and other offenses. In narcotics cases, it is usually more difficult to establish the probable cause required to authorize the tap.

In 1971 and 1972, the Justice Department mounted an extraordinary effort to deal with syndicated gambling, relying principally on electronic surveillance. In 1971, 251 of its 285 applications were in the gambling field. Only 22 were for narcotics. In contrast, 146 of its 1972 orders were for gambling, while the narcotic figure rose to 35.

During 1971–72, eight known or suspected organized crime figures were convicted, including the head of the New Jersey syndicate and high ranking members of the Genovese-New York and Detroit syndicates. Twenty-eight more such figures, including the heads of the Brooklyn, Kansas City and Florida syndicates, and two high-ranking members of the Cleveland syndicates were indicted.

Mr. President, I am hopeful that the shift in emphasis to narcotics cases will now carry with it a similar record of achievement.

On the State level, the rise in surveillance orders from 531 in 1971 to 649 in 1972 represents an increasing pattern of utilization of State statutes authorizing surveillance by States other than New York and New Jersey. I am confident that when all of the States begin to use the authority concurred by the 1968 act, they, too, will have a record of success in combating crime through the use of electronic surveillance techniques.

On the Federal level, of 206 authorized intercepts, 205 were installed and 48 extensions were granted. The 205 authorizations were granted for an average length of 16 days; the extensions were granted for an average of 15 days. The State picture varied. In New Jersey, for example, of the 68 authorized intercepts of the attorney general's office, 67 were installed and 13 extensions were granted. The 67 authorizations were granted for an average length of 18 days; the extensions for 21 days.

Of the 841 devices installed in 1972 on the Federal and State level, 779 involved a telephone wiretap. Twenty-nine applications specified a microphone device, and 28 requests specified both a telephone tap and a microphone.

The offenses specified in the 841 applications covered a wide range of criminal activity, but several broad categories of crime predominated: gambling 497; narcotics 230; homicide and assault 35; larceny 22; loan sharking 13; and receiving stolen property 31.

In 1972 the average intercept involved 51 persons and 600 intercepts, of which 303 or 50.5 percent were incriminating. In contrast, in 1971 the average wiretap involved 40 persons and 643 intercepts, of which 399 or 60 percent were incriminating. In Federal cases during 1972, the average intercept involved 66 persons and 1,023 intercepts, of which 614 or 60 percent were incriminating. In 1971 the average intercept involved 53 persons and 916 intercepts, of which 648 or 71 percent were incriminating.

The increase in the number of persons involved in surveillance and corresponding decrease in the percentage of incriminating intercepts is attributable to the shifting character of the offenses under surveillance. In 1971, gambling led the list with 570 ordered; while in 1972 the gambling figure dropped to 497. In 1971, there were only 126 narcotics cases. In 1972, the narcotic's figure had increased to 230. Experience has shown that it is relatively easier to focus on incriminating telephone calls in the gambling area, while in the narcotics field, it is necessary to conduct surveillance over an increased number of conversations to obtain incriminating evidence.

Nevertheless, to show the extraordinarily limited character of even this surveillance, statistics furnished by the American Telephone & Telegraph Co. to the Subcommittee on Criminal Laws and Procedures, which I am privileged to chair, show that there are approximately 119 million telephones, including extensions, in the United States and that they are used to make more than 159 billion calls each year. The percentage of calls, therefore, subject to surveillance in 1972 is almost too small to calculate. It is less than .0000039 percent. The privacy of the average citizen, in short, is not threatened by the court ordered surveillance authorized by title III.

Indeed, the 1968 act prohibits wiretapping not authorized by the courts. And these provisions, too, have been used with significant effect.

The first conviction obtained under title III, for example, was that of Enid Roth, an NBC program director, who pleaded nolo contendere to a count alleging illegal interception of proceedings of the platform committee of the National Democratic Party during the 1968 convention by means of a microphone concealed behind a curtain in a conference room. The most important case yet developed under the 1968 act, however, has been the Watergate affair. The investigation, prosecutions, and convictions in this case were all made possible by the 1968 act. Without it, we would not have had available on the books a Federal felony punishable by 5 years imprisonment and a $10,000 fine (18 U.S.C. 2511). As tragic and regrettable as this whole affair has been, I am glad that the 1968 act could be used to bring these men to justice. The Senate can know that it did its part in strengthening this aspect of the law, too.

The total cost of each intercept—manpower and equipment—ranged from a low of $5 to a high of $82,628, with the average intercept nationally running $5,435, and the average Federal intercept running $9,795. The figures should do a great deal to relieve the fears of some citizens of an excessive use of these techniques by legitimate law-enforcement agents. Most police departments, including the Federal law-enforcement agencies, simply do not have the manpower and other resources to conduct widespread or indiscriminate surveillance.

Most of the cases in which there were intercepts reported are, of course, still under investigation or are awaiting trial. Indeed, the studies of the Subcommittee on Criminal Laws and Procedures indicate that the average delay from indictment to trial in organized crime cases is 22.5 months. Consequently, conviction results will always lag behind arrests. Nevertheless, the 1972 annual report, as I have said, indicates that as of December 31, 1972, 2,861 arrests had resulted from intercepts made during last year. In addition, 402 convictions have been obtained.

Recognizing that arrests and convictions would lag behind surveillance, title III required supplementary reports to be filed on the results of past year's surveillance. According to these supplementary reports, during 1972, there were 732 arrests and 1,193 convictions as a result of intercepts installed in previous years. Taken together with the data from previous annual reports, this indicates from June 1968 to December 1972, there have been 2,742 orders which have yielded 6,956 arrests, and 2,495 convictions. These are indeed impressive figures, and certainly should put to rest any suggestion that wiretapping is ineffective in combating crime.

Mr. President, to gain a sense of the concrete results of electronic surveillance, it may be helpful to look at the facts of several cases in which intercepts brought otherwise elusive lawbreakers to justice.

On June 1, 1971, a Federal jury found Martin and Jesse Sklaroff guilty of transmission of gambling information.

This was the first Federal wiretap under title III. It was in operation 6 days—171 conversations were involved, of which 161 were incriminating—94 percent. The telephone was in a public booth in the Miami International Airport; visual surveillance was maintained on the booth, so that the tap was in operation only when the suspect entered the booth. When Sklaroff, one of the Nation's leading layoff men—the underworld figure who reinsures bets—was convicted, he told the Atlanta Journal on June 1, 1971:

> You can't work with a telephone—I'm gonna have to find another business. The Federal wiretaps are going to put us all out of business.

The case is now on appeal in the Fifth Circuit.

On October 13, 1971, the Tenth Circuit Court of Appeals decided *United States* v. *Cox,* 449 F. 2d 679 (10th Cir. 1971), *cert. denied,* 406 U.S. 934 (1972), in which it sustained the constitutionality of title III and affirmed the conviction in the appeal before it.

The case involved four bank robbers whose conversations were overheard during the course of a wiretap issued in a narcotics investigation. The wiretap was installed for 19 days on a residential telephone; 1,216 intercepts were involved, of which 157 were incriminating—12 percent. This one wiretap has resulted in 19 convictions: 14 for narcotics, 4 for bank robbery, and 1 for assault on a Federal narcotics agent. In addition to uncovering the scope of the narcotics ring and solving the bank robbery, the officers were able to prevent a murder with information overheard on the tap.

Finally, when Cox's narcotics conviction was appealed, the Eighth Circuit Court of Appeals in *United States* v. *Cox,* 462 F. 2d 1293 (8th Cir. 1972), followed the lead of the Tenth Circuit and sustained the constitutionality of title III and affirmed that conviction, too.

Indeed, only one district court to date has upheld a challenge to the constitutionality of the various provisions of title III. In *United States* v. *Whitaker,* 343 F. Supp. 358 (E.D. Pa. 1972), Judge Joseph Lord III held title III unconstitutional. I am pleased to report, however, that his decision was reversed by the Third Circuit on February 27, 1973.

More recently, on April 5, 1973, in United States against Tortorello, the Second Court of Appeals sustained both the constitutionality of title III and a New York State statute modeled on title III, in affirming the stock fraud conviction of Arthur Tortorello.

Tortorello's criminal record began in 1929—more than four decades ago. A member of the Gambino syndicate in New York City, he collected arrests ranging from burglary, assault and battery, and forgery to a 1-year sentence for kidnaping. The New York County District Attorney's Office obtained in 1969 a series of wiretap and surveillance orders in connection with an investigation of stolen property and forged instruments. The execution of the orders uncovered a complex fraudulent scheme in which Tortorello conspired to dispose of thousands of unregistered and worthless stock to the unsuspecting public.

Tortorello has now been convicted and sentenced to 5 years in jail and a $10,000 fine. As in the Sklaroff and Cox cases, the indispensable key to his conviction was the surveillance orders authorized by title III.

Mr. President, I am proud to have been associated with the effort that led to the enactment of title III of the 1968 act. I am pleased, too, that the effort of the Senate to strengthen law enforcement with this necessary tool has met and passed its constitutional tests in the courts. It vindicates, I think, the Senate's judgment to include title III in the 1968 act.

Mr. President, I ask unanimous consent that the following exhibits appear in the RECORD at the conclusion of my remarks.

Exhibit No. 1, jurisdictions with statutes authorizing the interception of wire or oral communications, January 1, 1972, to December 31, 1972.

Exhibit No. 2, court-authorized Federal electronic surveillance.

Exhibit No. 3, summary report on authorized intercepts granted.

Exhibit No. 4, known or suspected organized crime figures prosecuted under Federal antigambling laws.

Exhibit No. 5, gambling operations indicted by Organized Crime and Racketeering Section during fiscal year 1971.

Exhibit No. 6, conviction of persons involved in major gambling rings, fiscal year 1972.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXHIBIT 1.—JURISDICTIONS WITH STATUTES AUTHORIZING THE INTERCEPTION OF WIRE OR ORAL COMMUNICATIONS EFFECTIVE DURING THE PERIOD JAN. 1, 1972 TO DEC. 31, 1972

State	Statutory citation[1]	Reported use of wiretap in 1972
Federal	18:2510 to 2520	Yes.
Arizona	13:1051 to 13:1059	Yes.
Colorado	40-4-26 to 40-4-33	Yes.
Connecticut	Public Act No. 68	Yes.
Delaware	11:XLII.757	Yes.
Florida	934.01 to 934.10	Yes.
Georgia	26-3001 to 26-3010	Yes.
Kansas	22-2513	Yes.
Maryland	35-92 to 35-99	Yes.
Massachusetts	272-99	Yes.
Minnesota	626A.01 to 626A.23	Yes.
Nebraska	86-701 to 86-707	Yes.
Nevada	200.610 to 200.690	Yes.
New Hampshire	570-A:1 to 570-A:11	No.
New Jersey	2A:156A-1 to 2A:156A-26	Yes.
New York	813-J to 813-M; 814 to 825	Yes.
Oregon	141.720 to 141.900	Yes.
Rhode Island	12-5.1-1 to 12-5.1-16	Yes.
South Dakota	23-13A-1 to 23-13A-11	No.
Washington	9.73.030 to 9.73.080	No.
Wisconsin	968.27 to 968.33	Yes.

[1] Excludes jurisdictions which enacted legislation in 1973.

EXHIBIT 2

Court Authorized Federal Electronic Surveillance

During the years 1969 through April 24, 1973, a total of 889 court orders (including 183 extensions) have been obtained and executed in connection with Federal investigations.

The categories of offenses in which the 889 court orders have been obtained and executed are as follows:

Gambling	653
Narcotics	152
Extortionate Credit Transactions	38
Counterfeiting	12
Interstate Transportation of Stolen Property	15
Bribery	5
Theft and Robbery	3
Racketeer Influenced and Corrupt Organizations	6
Obstruction of Justice	2
Kidnapping	1
Interstate Transportation of Explosives	1
Interference with Commerce	1
Total	889

EXHIBIT NO. 3

SUMMARY REPORT ON AUTHORIZED INTERCEPTS GRANTED PURSUANT TO TITLE 18, UNITED STATES CODE, SECTION 2518 JUNE 20-DEC. 31, 1968, JAN. 1-DEC. 31, 1969 THROUGH 1972

Summary item[1]	Reporting period 1968	1969	1970	1971	1972
Intercept applications authorized	174	301	596	816	855
Federal		33	182	285	206
State	174	268	414	531	649
Average length of original authorization (days)	20	23	22	22	22
Number of extensions	128	200	237	228	246
Average length of extensions (days)	20	21	20	24	24
Location of authorized intercept:					
Residence	67	134	203	342	351
Apartment	49	68	163	211	218
Multiple dwelling	10	14	39	45	56
Business	45	71	121	134	120
Business and living quarters		5	30	40	48
Not indicated or other	3	9	40	44	62
Major offenses specified in application:					
Arson and explosives	1	1	13	2	2
Bribery	5	11	16	16	9
Drugs	71	89	127	126	230
Extortion (includes usury and loansharking)	13	10	17	5	13
Gambling	20	102	325	570	497
Homicide and assault	22	19	21	18	35
Larceny	19	10	31	31	22
Robbery	8	24	13	17	9
Other	15	35	33	31	38
Intercept applications installed[2]	147	270	582	792	841
Federal		30	179	281	205
State	147	240	403	511	638
For authorized intercepts installed:					
Actual number of days in use	[3] NA	9,018.0	11,190.5	14,582.5	15,561
Average number of persons involved	29	53	44	40	51
Average number of intercepted communications	454	544	656	643	600
Average number of incriminating intercepted communications	98	265	296	399	303
Number of authorizations where cost reported	120	262	569	776	805
Average cost where cost reported	$1,358	$2,634	$5,534	$4,599	$5,435
Number of orders costing:					
$1,000 or less	75	127	178	241	206
$1,001 to $2,000	21	45	88	163	156
$2,001 to $5,000	18	54	139	162	185
$5,001 to $10,000	6	24	88	114	124
$10,001 and over		12	76	96	134

[1] See reverse side for minor revisions of previously published data.

[2] Installed intercepts includes only those intercepts where a report was received from a prosecuting attorney.

[3] NA—Not available.

EXHIBIT 4

KNOWN OR SUSPECTED ORGANIZED CRIME FIGURES PROSECUTED UNDER FEDERAL ANTIGAMBLING LAWS, 1971-72[1]

Name	District	Comments
Indictments, 1971:		
Michael Astarita[2,3]	D.N.J.	
Gaetano Musto[3]		
Arthur Belli[4]	D.N.J.	
Anthony Astore[4]		
Raffael Sabbato[4]		
Eugenio Stephano Campo[3] (U.S. v. Nicholas Nardone, et al.)[5]	D.N.J.	
Frank Joseph Caracci[6]	E.D.La	
Vincent J. Marcello[6]		
Salvadore J. Marcello[6] (U.S. v. Baily Mfg. Co.)		
Nicholas Civella[3]	W.D.Mo.	Boss of the Kansas City Syndicate.
Anthony Thomas Civella[3]		
Frank Tousa[3]		
Joseph Colombo, Sr.[4]	E.D.N.Y.	Boss of the Broklyn Syndicate; Colombo has been incapacitated by an assassin's bullet.
Thomas Amato[4]		
Albert Di Stephano[6]	S.D.Ohio	Later committed suicide.
Jack Herman[4] (U.S. v. Sam Winer, et al.)	S.D.Fla.	
John James LaGorga[3] (U.S. v. Irwin Charles Ager, et al.)	W.D.Pa	
Joseph Louis Lanza[4]	N.D.Fla	
John Nardi[3]	N.D.Ohio	Nardi and Delsanter are high-ranking members of the Cleveland Syndicate.
Anthony Delsanter[3] (U.S. v. Joseph James Lanese, et al.)		
Frank Thomas Narducci[4]	E.D.Pa.	
Louis Ruggirello[3]	E.D.Mich.	
Anthony Imbrunone[3]		
John Pasquale Tronolone[4] (U.S. v. Dade Marder, et al.)	S.D. Fla.	
Indictments, 1972:		
Frank Cerone[4]	N.D.Ill.	
Alexander "Pope Dee" Dalessio[4]	E.D.N.Y.	
Henry Trafficante[4]	M.D.Fla.	Boss of the large Florida Syndicate.
Peter Valente[4] (U.S. v. Ernest Mario, et al.)	S.D.N.Y.	
Convictions 1971:		
Samuel Rizzo De Cavalcante[3]	D.N.J.	Boss of the New Jersey Syndicate.
Charles Majuri[3]		
Joseph Ippolito[3]		
Anthony De Pasque[3]		
Alessio Barrasso[3]		
Nick Zarro[3]		
Ralph Masciola[3]		
Joseph Anthony Ferrarra[3]		
Pasquale Monzelli[3]	E.D.Pa.	
James Michael Pignetti	S.D.N.Y.	
Nicholas Ratteni (U.S. v. William Alter, et al.)	S.D.N.Y.	High-ranking member of the Genovese Syndicate.
Convictions, 1972:		
Nicholas Fino[4] (U.S. v. Joseph Fino, et al.)	W.D.N.Y.	
Jack Anthony Lucido	E.D.Mich.	
Peter Cavataio (U.S. v. Donald Dawson, et al.)		
Francis Santo (U.S. v. Al Mones, et al.)	S.D.Fla.	
Anthony Joseph Zerilli	C.D.Calif.	Zerilli and Polizzi are high-ranking members of the Detroit Syndicate.
Michael Santo Polizzi		
Anthony Giardano		

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[1] This list does not include persons who have been acquitted or persons whose convictions have been reversed on appeal.

[2] Persons named in the same indictment are listed together.

[3] Case involved utilization of court-ordered electronic surveillance.

[4] Case involved both the utilization of court-ordered surveillance and a violation of 18 U.S.C. 1955.

[5] Unless otherwise noted, the defendants listed were also the defendants named in the title of the indictment, e.g., the case in which Michael Astarita was prosecuted was filed as U.S. v. Astarita.

[6] Case involved utilization of 18 U.S.C. 1955.

EXHIBIT NO. 5

GAMBLING OPERATIONS INDICTED BY ORGANIZED CRIME AND RACKETEERING SECTION DURING FISCAL YEAR 1971

	Indictments	Estimated annual
Total gambling operations indicted	[1] 129	$867,465,000
Indictments involving use of court-ordered electronic surveillance	89	766,871,000
Gambling indictments involving violations of 18 U.S.C. 1955	55	440,160,000
Gambling indictments involving both the use of court-ordered electronic surveillance and violations of 18 U.S.C. 1955	45	420,565,000

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[1] This total includes only the indictments of gambling operations doing a significant annual business; the total comprises 76 percent of the 169 indictments returned by the section during fiscal year 1971.

EXHIBIT NO. 6

CONVICTIONS OF PERSONS INVOLVED IN MAJOR GAMBLING RINGS, FISCAL YEAR 1972

Case	Number of defendants convicted	Size of operation
U.S. v. William Alter, et al. S.D.N.Y. (1971)	6	Handled over $50 million annually.
U.S. v. David Marder,[3] et al. S.D. Fla. (1971)	2	Handled $150,000 a week.
U.S. v Sol Titkin, et al. N.D. Ohio (1971)	2	Records showed $200,000 business in a 5-day period.
U.S. v. Raul Jimenez, et al S.D.N.Y. (1971)	7	Handled $5 million a year.
U.S. v. Joseph Colombo, et al. E.D.N.Y. (1971)	14	Annual gross of $10 million.
U.S. v. Petter Tenore,[3] ef al. S.D.N.Y. (1972)	5	Handled $10,000 a day.
U.S. v. Vincent Cafaro et al S.D.N.Y. (1972)	4	Handled $65,000 a week.
U.S. v. Vincent Peter Pisacano,[1] et al. S.D.N.Y (1972)	6	Handled $2.9 million annually.
U.S. v. Earl Benton,[2] et al. S.D.N.Y. (1972)	7	Handled $5,000 a day.
U.S v. Norman Simon,[3] et al. D.C. Calif (1972)	6	Grossed $10,000 a day.
U.S.v. Richard Becker,[3] et al. S.D.N.Y. (1972)	7	Grossed approximately $125,000 a day.
U.S. v. Ronald Sacco,[3] et al. N.D. Calif. (1972)	13	Annual gross of over $15 million.

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[1] Court-ordered electronic surveillance used in investigating the case.

[2] Case involved violation of 18 U.S.C. 1955.

[3] Prosecution of case involved both the utilization of court-ordered electronic surveillance and a violation of 18 U.S.C. 1955.

WORKER ALIENATION

Mr. KENNEDY. Mr. President, recently, the Urban Research Corp. sponsored a seminar in New York on the changing work ethic. Previously a similar conference was held in Chicago and soon the final session will be held in San Francisco.

These conferences have produced a tremendous response from corporate management, from government management, and from labor union leadership. I believe the key element underlying this interest is a belief that we cannot afford to disregard the implications of job dissatisfaction and worker alienation in America today.

Many ask whether there is a great difference between today's worker and his predecessor, whether the more modern factory is more or less authoritarian, whether the connection between job satisfaction and absenteeism, work turnover, poor product quality, and even alcoholism or drug use among the workers can be proved.

At the very least, it is becoming generally accepted that these questions deserve our attention and our concern. Last year, 2 days of hearings of the Subcommittee on Employment, Manpower, and Poverty which I chaired, demonstrated the need for further information on this subject. For that reason, I introduced legislation on this subject. A similar bill, S. 736, the Worker Alienation Research and Technical Assistance Act of 1973 has been reintroduced with 17 cosponsors.

In December, HEW issued its report on work in America. Despite the rigorous analysis of existing research completed in that effort, it was the view of most observers, including Secretary Richardson, that more data was needed, more experimentation required, and more concern demanded of business, labor, and government in this matter.

The Urban Research Corporation has played an important role in stimulating discussion and focusing attention on this problem. I was privileged to attend the recent conference and was impressed with the workshops and with the addresses by the distinguished Senator from Illinois, Mr. Percy, by George Gallup, Jr., of the American Institute of Public Opinion, and by Mr. Robert D. Lilley, president of American Telephone & Telegraph Co.

I would call particular attention to the report by Mr. Gallup on the latest job satisfaction surveys conducted in late January 1973, by the Gallup poll. This survey showed a 10-percent drop in the level of job satisfaction among American workers over the past 4 years and a drop of 7 points in the past 13 months alone. According to Mr. Gallup, if that trend continued in the next 4 years, half of all American workers would be dissatisfied with their jobs.

Because of the importance of this issue, I ask unanimous consent that the four addresses to the conference, including my own, be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Address by Senator Edward M. Kennedy to the Urban Research Corporation Conference on the Changing Work Ethic, New York, N.Y.

I appreciate the opportunity to address this distinguished gathering this evening.

Also, I want to commend the Urban Research Corporation for undertaking this series of seminars into "The Changing Work Ethic." The United Auto Workers, AT&T, Corning Glass Works, and General Electric Company also deserve public recognition for their role in sponsoring this conference.

Since Sunday, you have heard from academic, union and business leaders who have been spending time, resources and energies in exploring the degree of worker alienation in America, its relation to productivity and its relevance to the quality of American life.

The reason for this rising concern with the quality of work extends far deeper than a knee-jerk response to headlines of blue collar blues. For the nation today is engaged in a series of tests; a test whether it can maintain a steadily rising standard of living for its citizens, a test whether it can extend its economic bounty to those who have never enjoyed economic comfort, a test whether it can maintain the strength of the powerful economic machine that fuels our growth, and, finally, a test whether it can achieve a continuing enrichment of the quality of life in this land.

And you leaders meet today because you have the foresight and vision to know that improving the quality of life includes improving the quality of work.

The direct concern of industry and management in improving the quality of work is all too evident. For the very future of American economic growth depends on our ability to withstand the intense pressure from foreign competition. And the failure to recognize the debilitating impact of job dissatisfaction could prove to be a lethal defect in the effort to increase productivity and to maximize our competitive ability.

As former Price Commission Chairman C. Jackson Grayson Jr. said, "There is an illusion that you can get higher productivity by speedups and cost-cutting, and simply by turning out more things, more goods and services. This is not enough. Some new realities are emerging about the quality of things we produce, about work and the quality of work, and about the quality of our lives. We must learn about and explore these realities."

Those realities are showing up in a host of studies and surveys.

George Gallup Jr. yesterday reported to this group the latest poll which showed a 10 percent drop in the past four years in the number of workers who are satisfied with their jobs.

Workers under thirty ranked the interesting nature of the work, their opportunities to develop their own special abilities and their chances for promotion higher even than more pay in a 1970 nationwide study by the University of Michigan Survey Research Center.

A survey of white blue-collar union members by the W. E. Upjohn Institute for Employment Research showed a 20 times greater willingness to change jobs among workers in monotonous and unchallenging jobs even though they were making high wages and had substantial job security.

These attitude surveys are backed up by other reports. A Bureau of Labor Statistics study showed a 36 percent increase in the average daily rate of absenteeism between 1961 and 1971. In one industrial giant, absenteeism rose 50 percent; worker turnover rose 70 percent; worker grievances rose 38 percent; and disciplinary layoffs rose 44 percent between 1965 and 1970, according to the National Commission on Productivity.

While these data do not appear directly on a company's balance sheet, we know that they mean higher costs, higher prices and ultimately lower prospects for surviving a competitive market.

There are other reasons for the nation's industrial managers to be concerned. For job discontent and dissatisfaction unquestioningly have marked effects on the quality of the product.

During 1972, while 11.2 million cars, buses and trucks were sold, 7.8 million vehicles were ordered recalled to American manufacturing plants for corrections. In other industries, spoilage in some plants is reported as high as 29 percent. And if there is one across-the-board conclusion of recent experiments to reduce worker alienation, it is that the quality of the product improves when job dissatisfaction decreases.

All over the industrial world—in Sweden, in Norway, in Italy, in Germany—industries are experimenting with ways to give workers greater participation in the work and decision making, and greater opportunity, to use and reward the skills of their heads and hands. In the United States, too often our efforts are all in the other direction. Are we improving the quality of life in this nation by paying industry enormous tax subsidies to replace workers with machines, and making the work that remains more routine and monotonous than ever?

Technology is only one part of the economic equation, an important part, but inadequate without the cooperation and collaboration of labor. In the past, industry has spent most of its capital and most of its energies to refine and polish the machine, and it has forgotten all too often that there is a human being struggling to keep pace with that machine. But the realities of modern competition and the search for ways to improve productivity and to improve quality now are producing a rising corporate awareness of the dangers and costs of worker discontent.

Labor unions have at least an equal concern with the rising evidence of this discontent. For beyond their own interest in the ability of American industry to withstand foreign competition, they have a special responsibility and a special right to represent and to speak for their members.

Through the past 35 years, unions have achieved a marked change in the status of the American worker. In job security, in wages, in fringe benefits, in working conditions—vast numbers of American workers clearly have moved beyond even their own expectations of a generation ago.

Those improvements have not come without struggle and conflict; neither have they been fully secured—particularly for non-unionized workers. Nor, in our dynamic society, are they goals that can be achieved once and for all and then forgotten.

Any discussion of the quality of work must be premised on the recognition that improvements in these aspects of the conditions of work must continue.

Workers not only have a legitimate right to expect their paychecks to outdistance the spiral in the price of the food they eat and the rents they pay, they also have a right to expect to share in the gains of productivity. And they have a right to the security of a job and to due process in any decisions affecting that security. Finally, they have a right to demand that industry observe and Federal authorities enforce occupational safety and health regulations. The killing of 15,000 workers a year and the disabling of another 2.2 million must come to an end.

Today a major oil company is facing a strike of its workers because of a threat in their work environment to their quality of life. Their strike is over more than dollars and cents. In their view, it is over life and death.

No worker is going to be satisfied with his job if he believes the machine he operates or the industrial fumes he breathes threaten his health. Meeting these needs are first on anyone's priority list of how to improve the quality of work and of how to reduce job dissatisfaction.

But today. we are finding that improvements in these primary aspects of the job are only part of the answer.

For studies have shown that job stress clearly has an effect on the mental and physical well-being of the worker. Heart disease and high blood pressure are not confined to the board room but affect other jobs as well, right down to the assembly line. Nor can we avoid the disturbing number of workers whose addiction to drugs is tied in some way to their revulsion for their job.

A U.A.W.-sponsored study showed one in every three workers under 30 surveyed used "Speed," marijuana and other drugs—many of them on the job. Other studies show similar high rates of drug use among dissatisfied white collar workers. For many of them, it is their way of coping with robot-like and repetitive jobs.

A work force that is becoming younger each year, with 22 million now under the age of 30, a work force where 80 percent have a high school diploma compared to the eighth grade average of a generation ago, and a work force that comes from a society where choice and independent thought are more highly prized than ever before—that work force no longer is going to accept dead-end jobs. Nor is that work force going to accept without protest a compulsory overtime at those jobs.

Workers want a chance to use their better education. They want a chance to contribute and to have that contribution recognized. They want a chance to be treated as free-willed human beings and not as steel-plated production tools.

Union leaders have more than studies and surveys to cause them concern. For the most forceful expression of job dissatisfaction comes from the workers themselves. They seem to be saying, as eloquently as Dostoevsky that: "To crush, to annihilate a man utterly, to inflict on him the most terrible of punishments so that the most ferocious murderer would shudder at it and dread it beforehand, one need only give him work of an absolutely, completely useless and irrational character."

How can one mistake the cry of the worker who testifies: ". . . All we are left with is the dead-end job—jobs that offer little challenge to the more educated worker, little chance for advancement, and hardly any chance to participate as a worker."

Can we expect satisfaction from the worker who recalls that when a friend of his was killed in a car accident, and he took the day off to attend his funeral, he was disciplined for two days because this was an unexcused absence?

Are our institutions responsive to the complaint of a high union official who says: "The most attention the worker gets is when they sign him up. And then he is swallowed up, placed on a treadmill to oblivian, smothered by the corporation."

Or an assembly line worker who says, "Sometimes you get the feeling you want to stop this goddamned machinery . . . that happens all the time. You're nothing but a tool. But there's nothing you can do about it . . ."

Just as management and labor have specific interests in the problems of the quality of work, so too does government. For government today is the largest single employer in the country. Last week, at Airlie House, a seminar of top Federal managers met on this issue and its relationship to productivity in the public sector. The first tentative efforts to explore ways of relieving dissatisfaction in the 3 million member Federal bureaucracy will begin shortly in the Social Security Administration under the sponsorship of the National Commission on Productivity. The Commission's activities and the now well-known task force report on work in America prepared for H.E.W. are further evidence of the mounting attention being paid to the worker and to work itself in our society.

Aside from its responsibilities as an employer, government has a primary responsibility in meeting the challenge of improving the quality of life in this country.

Therefore, to try and find more definitive answers to the questions still remaining about the extent of job dissatisfaction and its relationship to economic productivity and to the quality of life, I introduced last August, with three cosponsors, the Worker Alienation Research and Technical Assistance Act. It has been reintroduced in the 93rd Congress with 17 cosponsors.

It authorizes the Secretaries of Labor and Health, Education, and Welfare to:

Conduct research to determine the extent and severity of job discontent throughout the land;

To examine methods being used here and abroad to decrease worker alienation;

To disseminate the results of this research to unions, companies, schools of management and industrial engineering and the general public;

To provide technical assistance to workers, unions, companies and state and local governments for experimental and demonstration projects in improving the quality of work;

To conduct pilot projects in Federal agencies to try and relieve worker dissatisfaction; and

To make recommendations for further legislation if necessary by December 31, 1974.

What it attempts to do is provide, on a national basis, some way of coping with the difficulties of generalizing from the information we now have available.

Government clearly can best act as a catalyst, providing a central clearinghouse of information, providing models, and providing some seed money for undertaking pilot projects in collaboration with unions and management.

But management and labor bear the major responsibility for grappling with the problems of dissatisfaction and for finding solutions.

This assembly is a heartening sign that you recognize those responsibilities. I know that numerous corporations and unions already have begun to move in this direction. The American Society for Personnel Administration reported last week that of 600 firms studied, one-fourth have tried job enrichment. How far they have pushed these experiments and with what results is not fully known. But it is clear that some managers have recognized the problem and begun to take steps to resolve it. Unfortunately they are in the minority.

While many of the experiments have produced unassailable benefits, single-shot solutions will not be the answer. Different industries will require different answers. Frederick Winslow Taylor thought scientific management was the one sure way for all plants to solve all problems. We know now that there is no sure way.

But the more prominent experiments of General Foods, A.T. & T., Corning Glass and others do offer hope that significant gains in reducing absenteeism, in reducing turnover, and in achieving moderate productivity gains can be accomplished if worker dissatisfaction is decreased.

For what workers want, as over a hundred studies have shown, is to feel that they and the work they do is important and has meaning.

Labor unions also are examining how they can respond to the problems of job discontent, and they are demanding rightfully that they be part of any management plan to seek ways of easing job pressures. It must be obvious that the least friction will result if management and labor work together in devising new work arrangements, flexible hours or other innovations.

The steelworkers participation in productivity councils, the host of progressive steps taken by the U.A.W., the job pressures committees of the Communications Workers of America—these are only three examples of progressive labor movement activity in this area.

The process for dealing with job dissatisfaction may be directly through the collective bargaining process. But other methods also may develop outside the bargaining tables as management and labor seek the benefits that reduced job dissatisfaction can bring to them both.

Perhaps one of the most promising displays of what can be accomplished when the potential of the worker is tapped occurred last fall in Fontana, Calif.

Japanese competition threatened a Kaiser Steel plant there with closing. As a last resort, management finally decided to give the union free rein in coming up with a solution. The workers rearranged the production flow; the workers altered the production schedule; the workers re-shaped the tools. The result was astonishing. Production jumped by 32 percent in three months and the quality of production jumped as well, with faulty products dropping from 29 percent to 9 percent.

In how many places can that be duplicated? No one knows. But it proves that the humanization of work is not only an end in itself. It can also be a fruitful means toward unleashing the greater potentials of our work force to meet the realities of a tough, competitive, industrializing globe.

In the future, more managers may discover that offering the worker an opportunity to participate in decisions affecting his job, an opportunity to increase his self esteem, and an opportunity to receive greater satisfaction, may prove economically beneficial to both the company and the nation.

For we must never forget that in addition to our technological genius, it is to the creativity, the commitment and the energy of American workers that our nation owes its pre-eminent role in the world. The men and women who comprise the American work force are still the nation's greatest resource. And we forget that fact only at our own risk and at the risk of failing in our pursuit of a richer, more durable and more satisfying quality of life for all Americans.

Camus wrote: "Without work all life goes rotten. But when work is soulless, life stifles and dies."

We must act and act soon to restore the soul to work and to raise once more the spirit and quality of life in America.

Address by Senator Charles H. Percy Before the National Conference on the Changing Work Ethic

I am honored by your invitation to speak here today on the theme of quality of work in America. I know that in this audience are the men and women who have been most adventuresome and most creative in this challenging new field. For you are helping to chip away—through experimentation, research and innovation in the American workplace—at an entrenched, authoritarian industrial system that has taken decades and decades to build.

I have asked myself why such change is so difficult, why many people have tended to resist the simple proposition that by improving the nature of jobs we can both make people better satisfied and become a more productive society.

I think the central reason why change of this kind is so difficult is that our industries have been so enormously successful. With the jobs, income and products created by America's industrial machine we have created very great prosperity and enormous economic muscle. And so we encounter the problem of institutional rigidity. If it works, why change it? And even if it doesn't seem to be working as well as it used to, we are accustomed to established ways of doing things, and have difficulty taking the mental leap that is often necessary to break our old habits and find new solutions.

We continue, for example, to think in terms of the idea that work should be broken down into increasingly finer details of specialization and that people should be organized in formal, pyramidic ways, all in the name of efficiency. But if such ideas of organization have now become obsolete because of their adverse effects on people and on the quality of output, efficiency becomes a myth. Then it is time to change.

I would like to suggest four separate but interrelated reasons why I think we are now on the brink of a major breakthrough in the effort to change our ideas about work.

First, we find we are suddenly an educationally affluent society. In quantity, if not yet in quality, Americans must be the best educated society on earth. A short generation ago, 40 percent of all American workers were high-school graduates, up from five percent in 1900. Today, almost 80 percent of the men and women under 34 have at least a high-school diploma, and a third of those go on to a year or more of college.

Second, there has been a collapse of respect for our traditional values and institutions, as documented both by our own observations and national surveys. A Harris poll revealed, for example, that public confidence in the executive branch of government fell from 41 percent to 27 percent between 1966 and 1972; confidence in Congress dropped from 42 percent to 21 percent; confidence in corporations, from 55 percent to 27 percent.

Third, we are becoming perhaps a more conservative, individualistic society. President Nixon's call for a return to individual responsibility finds a response in all levels of the contemporary public, perhaps as a reaction to the fact that many of the Great Society's programs have—unfortunately—not delivered what they promised.

Fourth, I perceive an acute feeling that some parts of the giant, all-powerful industrial machine that we built in the great period of American industrial expansion since the Civil War have developed profound shortcomings. There is a strong feeling that managerial and labor institutions have sometimes grown too rigid. Too often they have become selfish, insensitive to the needs of consumers and blind to the broader needs of our society. There is a growing feeling that American productive know-how is no longer considered, —and might never again be—the last best hope for solution of the earth's pressing problems.

These forces have measurably changed almost every social institution in the country from marriage and family through community, church and school. In some cases—for example, the educational establishment—they have been transfiguring.

But, for the most part, the forces visibly whipsawing our society have operated, and continue to operate, outside the plant gate and office door.

As a social institution, the American workplace has stubbornly remained virtually the last redoubt of yesterday's values.

This is the key to the need now for a new awareness of work quality: Americans who work have significantly changed. But the work they perform and the way they are organized to perform it have not changed.

In the way we structure and organize work, we frequently seem to apply the old paternalistic notions that father—or management—knows best; and that the children—or employees—should be neither expected nor permitted to ask how or why. A question-asker is frequently considered a troublemaker because his questionings seem to challenge the institution itself. In many of our organizations, the suggestion box is considered proof of enlightenment. Both management and labor tend to view the worker as a person whose value stems only from his function as a fractional part of the vast productive machine.

These attitudes, and the systems that are built on them, are now under serious attack, and I wholeheartedly join in it.

Outside the plant gate or office door is the new American: A future-oriented, demanding, expectant, educated, freedom-loving individual. Inside that gate or door this interesting, creative, inventive American is required to conform to a past-oriented, authoritarian, hierarchical, class-based, freedom-fearing social system.

Is there any wonder then that, in the past two years, the national media have given us example after example of the grinding effects of old-style jobs on new workers? Two *Washington Post* investigative reporters, Haynes Johnson and Nick Kotz, wrote in a major series of articles based on months of interviewing that:

"The worker's complaint is simple. He says he hates the job, particularly the monotonous factory job. At times he hates it so much that he deliberately will throw a monkey wrench in the machinery, or turn to drugs to escape the boredom. To him, whether the job is better than it used to be or pays more and gives greater benefits is beside the point."

Again and again the same theme is stressed: In spite of more pay and benefits than ever before, all kinds of working men and women, "blue collar" and "white collar," are unhappy in their work, and thus unhappy and unfulfilled in a large and very important part of their lives.

In my recent Senate campaign in Illinois this fact was brought home to me again and again. In countless encounters with people in their places of work, it was acutely clear to me how frustrated people seem to be in their jobs.

To me, the fact of job dissatisfaction and the need for a new quality in work is a very clear, very compelling problem.

To my surprise, this conclusion is not as widely acceptd as I had thought. I find that the idea is often labelled a fad; it is derogated as pop sociology, or sidewalk psychology. It is even called a threat to free enterprise.

These attitudes are echoed in government, where I have discovered there is a stronger urge to *study* the problem of worker alienation and job dissatisfaction than there is to *do* something about it.

We already have a great deal of knowledge—enough to warrant action. We have the results of successful quality of work experiments, some of which are being discussed in this conference. To me, they are proof enough both that there is an immediate and perceivable problem, and that there are available techniques of solving the problem.

A negative way to analyze this problem is to view the cause as worker alienation, to believe that there is something wrong with the American worker—that he is newly prone to alcoholism and drug abuse, that he is innately rebellious, that he bears an inborn grudge against the industrial organization, rather than against the nature of the work he is asked to do. I believe that this is just plain wrong. I believe Americans want to express themselves in creative, valuable ways and that we can so structure their work. Simply measuring how alienated or dissatisfied we have become is nothing more than a superbly bureaucratic way to avoid facing and solving the problem.

The costs to our society of increasing worker frustration are only beginning to be studied, but there is some evidence that profound dissatisfaction with work has a kind of polluting effect on the larger society.

The dissatisfied worker doesn't just shrug off the bad psychological effect of his frustration. It is often expressed in anti-social, harmful, unproductive ways—in absenteeism, high quit rates, wildcat strikes, sabotage, poor quality; in drugs and alcohol addiction, aggression, and delinquency; in a decline in physical and mental health, family stability, and community participation and cohesiveness.

For all these reasons government has a stake and must take part in changing the conditions of work in America. Government can help by creating demonstration projects that reorganize work on the basis of quality of work principles. The Quality of Work Programs of the National Commission on Productivity is gearing up to provide such assistance through advice and seed-money.

But the primary responsibility for improving the quality of work lies with the private sector. What can labor and management do together to implement job satisfaction programs?

I suggest the following kinds of initiatives, both for companies and unions:

Question old ways of organizing work.

Find ways to put highly fragmented, fractionated jobs back together into whole jobs.

Use the workers' own knowledge and insights to design work so that they can begin to participate in the management of their jobs, and thus have a personal stake in good job performance.

Look especially closely for unnecessary levels of supervision: There is nothing more damaging to a responsible individual than the lack of trust constantly shown by subjecting his work to unnecessary oversight. Instead, find ways to permit the employee and his co-workers to check their own work.

Most important, stop thinking that you, the manager, the industrial engineer, the fellow with the degree, know all there is to know about the job, the plant and its people. The more you ask the people who do the work how to improve it, the more you'll learn from them.

And finally, share the rewards of increased productivity. Design incentive pay plans based on worker teams or identifiable worker groups, so that the people who work together to increase productivity get the rewards of their group effort.

I am pleased that an amendment I offered to the 1971 Economic Stabilization Act Amendments to provide an exemption from wage controls for incentive pay plans seems to have worked: 75 such plans have been approved for 85 companies in the nine full months since the plan has been available. Though pay alone has been shown to matter increasingly less, particularly to younger workers, it is still an important motivator.

These types of quality of work techniques have worked. One of the leading corporations of my state, Motorola, has dismantled one of its old assembly lines and put jobs back together. One worker now assembles a complex piece of electronic equipment. This has required patience and it has not been cheap, but the experiment has paid off in terms of higher quality and a more satisfied work force.

The NBC-TV *First Tuesday* program on March 6 impressed me deeply because it showed first-hand how workers involved in quality of work efforts respond to their experience. I've taken this statement by an installer for Chesapeake and Potomac Telephone Company in Northern Virginia from the program's transcript:

"I was ready to quite at one time, 'cause I felt the telephone company had no use for me: I was just another body that came in daily, did what I was told to do, and gave them their answers just the way they wanted them. Now I've got my own area I take care of, and as far as I'm concerned I'm the telephone company, the whole telephone company, in this certain area. It really develops a sense of responsibility and pride in your job, something that I didn't have before."

To me, this is a perfect example of a human response to responsibility and trust. It shows the persistent, obstinate hunger a man has for pride in his work.

I know that many of you can provide similar examples from your own immediate experience. I can only reiterate that it is in your interest—and in the national interest—that we build on these successful experiences and accelerate our efforts to expand them.

We have wonderful raw material to work with: A work force that is well-educated, creative, vigorous, and willing—*when motivated.* The result will be better use of our human resources—which benefits everyone. Quality of work is as effective for affluent whites as for poor minorities. Its goal is to improve work and utilize American human potential. It is an everybody-wins effort because it improves the quality of working life and at the same time makes us a more productive, more competitive, better fulfilled society.

Quality of work is an idea whose time has come. You represent the groups that have the power to implement it. Your survival and our future national economic strength may well depend upon your decisions and the extent of your commitment.

HOW MUCH IS THE AMERICAN WORK ETHIC CHANGING?

(By George Gallup, Jr., President, American Institute of Public Opinion)

Mr. Naisbitt, Ladies & Gentlemen. At the investigation of Mr. Naisbitt and the Urban Research Corporation, the Gallup Organization sought to seek fresh insight regarding the current status of the work ethic in America. I think we've come up with some important findings and I'm pleased to report these to you tonight for the first time.

Our findings lend to the conclusion is that there are absolutely no problems—so there will be no conference and you can all go home.

Much valuable information has been produced by the flood of books and article about worker dissatisfaction and productivity—about the so-called "blue collar blues" and the "white-collar woes". At the same time, however, the conclusions are frequently contradictory and range from the belief that work has suddenly become a four-letter word in this country to the belief that the problem of worker dissatisfaction exists only in the minds of sociologists looking for something to worry about.

The fact remains, however, that our nation in recent years has faltered in making real gains in productivity. Actually, since 1965, the U.S. has demonstrated the worst productivity record of any major power. Attitudes on work clearly differ from country to country. There are certain very obvious signs. In Japan, workers lustily sing songs which ring with the praises of their company or employer. Can you imagine American workers marching along, with voices raised in unison, singing "Fight on for United Conglomerate"?

At any rate, the U.S. government for some time has been worrying about how to increase productivity in this country, which would help relieve inflationary pressures and make American products more competitive in world markets.

I think all of us would agree that there is much to be learned about the mood of workers in the United States—about attitudes on the "work ethic"—and that we should do all we can to gain this knowledge. If, as some observers feel, worker dissatisfaction is limited to a vocal minority, it is still true that, in the case of a nation's workforce, "a little dissatisfaction goes a long way."

As you know, a government task force recently produced a report entitled "Work in America". This conclusion was drawn:

Because work is central to the lives of so many Americans, either the absence of work or employment in meaningless work is creating an increasingly intolerable situation. The human costs of this state of affairs are manifested in worker alienation, alcoholism, drug addiction and other symptoms of poor mental health . . . A great part of the staggering national bill in the areas of crime and delinquency, mental and physical health, manpower and welfare are generated in our national policies and attitudes toward work.

Trying to increase productivity is an extremely difficult task since many factors are involved—technology, economic controls, social welfare programs, and "make-work" projects or "feather-bedding"—which is, as you know, the practice of some labor unions of requiring more men than are actually needed to do a particular job.

The practice of feather-bedding is currently under fire from some quarters since it runs head-on into the drive to increase productivity in this country.

A recent Gallup Poll shows that a majority of Americans, 55 per cent, would like to see a law passed which would outlaw feather-bedding. Of particular interest are the views of persons in labor union families. The results show as many union people against feather-bedding as in favor of it.

While many factors are involved in the attempt to increase the productivity rate in the United States, one factor of vital importance is, of course, the attitudes of workers. Newsweek in its recent excellent cover article, "Who Wants to Work", said:

"The mood of this vast work force is obviously of tremendous importance to the country as a whole as well as to the individuals themselves. Worker attitudes affect productivity—how competitive the nation is versus nations such as Japan and how high America's standard of living can go. On a more philosophic but no less significant level, a nation's attitude toward work is a reflection of its sense of itself. The work ethic President Nixon is so fond of celebrating involves not only a job but a way of life."

We at the Gallup Organization have only begun to research the problem of worker dissatisfaction and productivity. However, in a recent nationwide survey, which I am reporting for the first time, we sought to turn over new ground. Specifically, we attempted to:

1. Take an up-to-date reading on worker satisfaction, using a social indicator which we first used nearly a quarter of a century ago.
2. Measure the degree of satisfaction or dissatisfaction.
3. Find out among which groups dissatisfaction is concentrated.
4. Determine as nearly as possible the reasons people have for being dissatisfied—or satisfied—with their work.
5. Learn what we can do about how hard Americans are working and to find out why they don't work harder.
6. And, finally, to gain some insight into the relationship between job satisfaction and productivity.

The survey reached 1,520 adults, 18 and older, in personal interviews conducted in late January in more than 300 scientifically selected localities across the nation. The findings can be projected to the total adult civilian non-institutionalized population which now numbers approximately 136 million.

Before presenting our latest findings, I would like to comment briefly on the Gallup Poll findings presented in the *Newsweek* article. The article said:

"But in actual fact, the thesis that most Americans are indeed contented with their jobs finds powerful support among public-opinion specialists and some thinkers.

"For example, a Gallup Poll reports that, contrary to what HEW and the others say, eight out of ten Americans are satisfied with the work they do. And the situation is getting better, not worse, says Gallup. Back in 1949, 'three out of ten whites and nearly half of blacks said they were dissatisfied or had qualifications about the work they were doing' vs. the two out of ten for today, according to Gallup."

While this statement is indeed true—there is a big difference between 1949 and today in terms of job satisfaction—we have a still later figure than the proportion quoted in Newsweek and it shows a change.

Now I would like to give our latest survey results. The first finding that stands out is the finding that job satisfaction in the U.S. remains extremely high—77 adults in every 100 say they are satisfied with the work they do. This is not only a high proportion in itself, but it is high when compared to data from other nations. For example, job satisfaction in Great Britain, according to a Gallup Poll taken last year, was at 68 per cent.

In addition, nearly half of all persons interviewed (48 per cent) in our latest survey say they are "very satisfied". Only 11 per cent say they are dissatisfied and a very small proportion say they are "very dissatisfied"—only 3 per cent.

But the next point is equally important. While job satisfaction remains high, the trend over the last four years merits close attention, inasmuch as it shows a 10 point drop in job satisfaction over the period of four years. Between the two latest surveys, only 13 months apart, the decline has been 7 points. Projected to numbers of people, this means that roughly three-quarters of a million people left the ranks of the satisfied each month during this 13 month period. If this rate were to continue, the job satisfaction index would be at about the 50 per cent level in only four years time.

But before becoming overly alarmed, we should examine the trend more closely. It will be seen that, while the satisfaction percentage has dropped 7 points in just a little over a year, there has not been a corresponding increase in the percentage who say they are dissatisfied. In fact, more than half of those who have left the ranks of the satisfied during the last 13 months can now be found among those who express "no opinion" or uncertainty.

This, I think, can be considered good news, since it should be easier to win back those who are wavering than those who are firmly dissatisfied.

And it is this group of persons who are presently neither definitely satisfied nor definitely disatisfied who, presumably, would be particularly susceptible to recent efforts to improve the mood of workers and promote productivity.

A survey, of more than 600 firms, recently conducted by Prentice-Hall and the American Society for Personnel Administration, and reported in the *Wall Street Journal,* shows that almost half have formal work-measure plans and 20 per cent of those plan to expand them. One-fourth of the firms have tried job enrichment, and two out of three are pleased with the impact on output. Many say they will expand efforts to improve employee job satisfaction. About 46% of the companies tie incentive pay to work measurements.

Analysis of the survey findings by occupation groups, sex, education, age and race reveal this important finding: the decline in job satisfaction since 1969 has been "across-the-board." This would indicate that the sources for this dissatisfaction—or uncertainty—must be looked for not only on the production line but behind the sales counter and in the board room.

At the same time, however, the decline in job satisfaction has been particularly marked in the case of Blacks and young persons.

A posible reason for the sharp decline in job satisfaction among Blacks is the fact that they are particularly hard hit by inflation, since many have relatively low incomes.

The trend among young people should be examined carefully. It is vitally important to look at the attitude of young persons in the work force, since they will provide much of the energy and creativity behind productivity for the remaining quarter of this century.

It is perhaps to be expected that young adults in their twenties would not be as bullish about work as older persons, since many are in the process of trying to settle into a job that suits them. Yet the tables show an accelerated trend. While job satisfaction has declined 8 points since 1969 among persons 30 to 49 years old, and 9 points among those 50 and over, the drop has been 14 points among adults under 30 years of age.

Job satisfaction has declined somewhat over the last four years, but this trend should not be read apart from other trends.

Since 1949 the Gallup Poll has employed social indicators which reveal satisfaction levels in terms of housing, income, education, and so forth. When satisfaction with housing, income and education were on an upswing, between 1949 and 1969, job satisfaction showed a comparable uptrend. And the decline in job satisfaction since 1969 has been accompanied by downtrends in terms of housing, income and education.

In addition, a close relationship between job satisfaction and other satisfactions is found when the views of those who are satisfied with their work are compared with those who are not, as revealed by the table in the report. In the case of every item there is a wide difference in views—satisfaction with income, quality of life, housing, standard of living, the future facing one's family, the education of one's children, the way the nation is being governed.

Another important factor related to a decline in job satisfaction could be worry over inflation. Recent Gallup surveys show six in every ten persons naming inflation as one of the nations' two top problems. The public's current concern about high prices is underlined by a recent Gallup survey on the cost of living. The median estimate of what a family of four needs per week to make ends meet has climbed dramatically to a record high of $149 today, representing a nearly 50 per cent increase since 1967, when the estimate was $101.

Now, let's examine the key background characteristics of the "very satisfied" worker versus the "very dissatisfied" worker. A profile of the person who is "very satisfied" with his job reveals that he is likely to be white, middle-aged, with a college background, and in business or the professions.

In sharp contrast is the "very dissatisfied" worker. Here is his profile: He is likely to be non-white, young, with less than a college background and an unskilled manual worker.

Those who said they were satisfied were asked to give their reasons.

The chief reason is "enjoyment of their work", named by 39 per cent, followed by "good pay", named by 17 per cent and the belief that their work "help society", offered as a reason by 15 per cent.

Of particular significance is the fact that, among persons who have a college background, as many give as their main reason the belief that their work "helps society" as name enjoyment of their work.

More than one observer has expressed the belief that the fastest cure for worker dissatisfaction is a fat pay check. Yet when we examine the reasons given by wage earners who are dissatisfied with their jobs, nonpecuniary reasons are seen to outweigh the money factor. I must stress, however, that the sample base is small for this table and the results are therefore subject to considerable sampling error.

A key question is—what is the relationship between job classification and productivity? One doesn't need a survey to draw the conclusion that a happy worker is going to be more active and a better producer than a disgruntled and unmotivated worker. The question is, to what extent is there a relationship?

A cross-tabulation of survey findings is most revealing on this score. Among those in the survey who say they are "very satisfied" with their jobs, 22 per cent say they could accomplish thirty per cent or more per day. In sharp contrast, among those in the survey who say they are "very dissatisfied" with their jobs, 38 per cent say they could accomplish thirty per cent or more per day.

Fifty-one per cent of persons in the latest survey think Americans are not turning out as much work each day as they should, with the proportion six in ten among persons in business or the professions.

When asked if they themselves could accomplish more each day if they tried, a majority of 54 per cent said yes. Among young persons the figure is 67 per cent.

Asked how much more they could accomplish, 4 in 10 in the national sample said 20 per cent or more.

Why don't people work harder? Good solid clues as to the appropriate steps that should be taken, both by business and government, are seen in the answers people give for not trying to accomplish more each day.

Some workers apparently feel they would not benefit from making a greater effort and increasing their productivity. Some, particularly young adults, cite "lack of incentive". Others say they would not get paid for accomplishing more, while still others indicate a lack of interest in their work.

The findings I have presented here tonight seem to me to give clear indication that worker morale in the United States is not on the verge of collapse—that the typical American in both white-collar and blue-collar jobs, is, by and large, content.

But I think it is also true that there is a greater degree of discontent today than we have found for a number of years—particularly among young persons. I think it is safe to say that young workers dissatisfied with their jobs pose a growing threat to U.S. industrial output.

With the steady rise in formal education in this country, youth have come to expect more—and so they will increasingly be asking questions such as: What is my company doing to help society as a whole? Where do I fit into the picture—will my efforts contribute to the greater good of society? Unless the young worker of today can answer these questions to his own satisfaction, he will not be putting his best effort into his work—and the productivity level in this country can be expected to slide.

JOB SATISFACTION

"On the whole, would you say you are satisfied or dissatisfied with the work you do?"

NATIONWIDE

[In percent]

	Satisfied	Dissatisfied	No opinion
January 1949	67	20	13
July 1963	85	11	4
September 1965	82	13	5
November 1966	86	8	6
−10 pts.:			
April 1969	87	7	6
December 1971	84	9	7
January 1973	77	11	12

Job satisfaction—Degree of satisfaction and dissatisfaction

	Percent
Very satisfied	48
Somewhat satisfied	22
Undecided	7
Total satisfied	77
Very dissatisfied	3
Somewhat dissatisfied	7
Undecided	1
Total dissatisfied	11
No opinion	12
Grand total	100

JOB SATISFACTION—MANUAL WORKERS

[In percent]

	Satisfied	Dissatisfied	No opinion
1949	61	26	13
1963	67	31	2
1965	80	14	5
1966	86	9	5
−6 pts.:			
1969	86	10	4
1971	84	12	4
1973	80	13	9

JOB SATISFACTION—CLERICAL AND SALES (WHITE-COLLAR)

[In percent]

	Satisfied	Dissatisfied	No opinion
1949	70	19	11
1963	78	19	3
1965	82	13	5
1966	89	8	3
+11 pts.:			
1969	92	5	3
1971	86	12	2
1973	81	13	6

JOB SATISFACTION—PROFESSIONAL AND BUSINESS

[In percent]

	Satisfied	Dissatisfied	No opinion
1949	80	11	9
1963	76	20	4
1965	92	7	1
1966	94	5	1
−8 pts.:			
1969	93	4	3
1971	93	4	3
1973	85	10	5

JOB SATISFACTION—BY SEX

[In percent]

	Satisfied	Dissatisfied	No opinion
MEN:			
1949	67	19	14
1963	87	10	3
1965	84	11	5
1966	86	8	6
−10 pts.:			
1969	88	7	5
1971	83	12	5
1973	78	12	10
WOMEN			
1949	66	22	12
1963	84	10	6
1965	80	14	6
1966	86	8	6
−11 pts.:			
1969	87	7	6
1971	84	7	9
1973	76	10	14

JOB SATISFACTION—EDUCATION

[In percent]

	Satisfied	Dissatisfied	No opinion
COLLEGE			
1949	78	11	11
1963	92	6	2
1965	89	8	3
1966	91	6	3
−7 pts.:			
1969	91	6	3
1971	88	7	5
1973	84	10	6
HIGH SCHOOL			
1949	70	21	9
1963	86	11	3
1965	86	10	4
1966	87	9	4
−14 pts.:			
1969	89	7	4
1971	84	10	6
1973	75	13	12
GRADE SCHOOL			
1949	59	23	18
1963	80	12	8
1965	71	19	10
1966	81	9	10
−10 pts.:			
1969	81	8	11
1971	78	10	12
1973	71	9	20

JOB SATISFACTION—BY AGE

[In percent]

	Satisfied	Dissatisfied	No opinion
UNDER 30 YEARS			
1949	66	24	10
1963	79	14	7
1965	79	14	7
1966	87	10	3
−14 pts.:			
1969	86	10	4
1971	82	12	6
1973	72	20	8
30–49 YEARS			
1949	73	20	7
1963	87	11	2
1965	86	13	7
1966	87	11	2
−8 pts.:			
1969	91	6	3
1971	87	9	4
1973	83	9	8
50 AND OVER			
1949	58	19	23
1963	83	9	8
1965	80	9	9
1966	85	5	10
−9 pts.:			
1969	83	7	10
1971	81	8	11
1973	74	7	19

JOB SATISFACTION—BY RACE

[In percent]

	Satisfied	Dissatisfied	No opinion
WHITES			
1949	69	19	12
1963	90	7	3
1966	87	8	5
−8 pts.:			
1969	88	6	6
1971	85	9	8
1973	80	10	10

	Satisfied	Dis-satisfied	No opinion
NONWHITES			
1949	55	33	12
1963	54	33	13
1966	69	18	13
—23 pts.:			
1969	76	18	6
1971	68	21	11
1973 [1]	53	22	25

[1] Results for nonwhites for 1973 based on only 1 survey and therefore subject to wide sampling error.

Profile of the person "Very Satisfied" with his job

	Percent
National	48
Whites	50
Non-Whites	26
College	53
High school	47
Grade school	43
18–29 years	41
30–49 years	53
50 and over	47
Professional and business	55
Clerical and sales	51
Manual labor	48
Skilled	52
Unskilled	45
$15,000 and over	55
$10,000–$14,999	47
$7,000–$9,999	59
$5,000–$6,999	47
$3,000–$4,999	37
Under $3,000	26

Profile of the person "Very Dissatisfied" with his job

	Percent
National	11
Whites	10
Non-whites	22
College	10
High school	13
Grade school	9
18–29 years	20
30–49 years	9
50 and over	7
Professional and business	11
Clerical and sales	13
Manual labor	14
Skilled	8
Unskilled	18
$15,000 and over	10
$10,000–$14,000	11
$7,000–$9,999	10
$5,000–$6,999	15
$3,000–$4,999	15
Under $3,000	10

Job satisfaction—Reasons satisfied (wage earners, nationwide)

	Percent
1. Enjoy my work	39
2. Good pay	17
3. Helps society	15
4. Like people work with	11
5. Interesting work	8
6. Good working conditions	7
7. Challenging job	5

Job satisfaction—Reasons satisfied (wage earners, college)

	Percent
1. Helps society	30
2. Enjoy my work	30
3. Good pay	15
4. Interesting work	13
5. Like people work with	10
Challenging job	10
6. I work my own time	5

Job satisfaction—Reasons satisfied (wage earners, 18–30 years)

	Percent
1. Enjoy my work	37
2. Help society	17
3. Like people work with	16
4. Good pay	15
5. Interesting work	13
6. Challenging job	6
Good working conditions	6

Job dissatisfaction—Reasons dissatisfied (wage earners, nationwide)

	Percent
1. Poor wages	34
2. Boring job	20
3. Not doing what I want to	17
4. Have to work too hard	10
5. Being held back	9
6. Hours too long	8
7. Not many benefits	5

JOB SATISFACTION RELATED TO OTHER SATISFACTIONS [1]

	Those satisfied with job (percent)	Those dis-satisfied with job (percent)	Difference (pts.)
a. Satisfied with income	68	34	34
b. Satisfied with quality of life	79	48	31
c. Satisfied with housing	77	51	26
d. Satisfied with standard of living	81	55	26
e. Satisfied with future facing you and your family	61	36	25
f. Satisfied with education children are receiving	62	45	17
g. Satisfied with way Nation is being governed	39	22	17

[1] Based on 1971 surveys.

Relationship between job satisfaction and productivity

(NOTE.—Percent saying could accomplish 30% or more per day.)

	Percent
Those "very satisfied" with job	22
Those "very dissatisfied" with job	38

Productivity

"Some persons claim that American workers are not turning out as much work each day as they should. Do you agree or disagree with this?"

Percentage of agreeing:	Percent
National	51
Men	57
Women	47
College	58
High school	51
Grade school	42
Under 30 years	45
30–49 years	53
50 and over	54
Professional and business	60
Clerical and sales	63
Manual workers	45

Productivity—Self appraisal

"In your own case, could you accomplish more each day if you tried?"

Percentage of saying Yes:	Percent
National	54
Men	53
Women	55
College	64
High school	55
Grade school	40
Under 30 years	67
30–49 years	60
50 and over	39
Professional and business	66
Clerical and sales	67
Manual workers	52

Productivity

"How much more could you accomplish each day if you tried?" (asked of those who say they could accomplish more)

	Percent
Ten percent	14
Twenty percent	16
Thirty percent	10
Forty percent	4
Fifty percent	5
Over 50 percent	3
Do not know/no answer	2
Total	54

Productivity—Why not try to accomplish more? (Wage earners, nationwide)

	Percent
1. No incentive	6
2. I do not push myself	5
3. I lack initiative	4
Too many things to do at once	4
4. Do not get paid for accomplishing more	3
5. No one else does—why should I?	3
6. Disinterested in work	3
7. Get too tired	3
8. Health problems limit me	3

Productivity—Why not try to accomplish More? (Wage earners, 18–32 years)

	Percent
1. No incentive	11
2. I lack initiative	8
3. Disinterested in work	6
Don't push myself	6
4. Too many things to do at once	5
Get too tired	5

DESIGN OF THE SAMPLE

The design of the sample is that of a replicated probability sample down to the block level in the case of urban areas and to segments of townships in the case of rural areas.

After stratifying the nation geopraphically and by size of community in order to insure conformity of the sample with the lastest available estimates by the Census Bureau of the distribution of the adult population, about 320 different sampling locations or areas were selected on a strictly random basis. The interviewers had no choice whatsoever concerning the part of the city or county in which they conducted their interviews.

Approximately 5 interviews were conducted in each such randomly selected sampling point. Interviewers were given maps of the area to which they were assigned, with a starting point indicated, and required to follow a specified direction. At each occupied dwelling unit, interviewers were instructed to select respondents by following a prescribed systematic method and by a male-female assignment. This procedure was followed until the assigned number of interviews was completed.

Since this sampling procedure is designed to produce a sample which approximates the adult civilian population (21 and older) living in private households in the U.S. (that is, excluding those in prisons and hospitals, hotels, religious and educational institutions, and on military reservations), the survey results can be applied to this population for the purpose of projecting percentages into number of people. The manner in which the sample is drawn also produces a sample which approximates the population of private households in the United States. Therefore, survey results can also be projected in terms of number of households when appropriate.

SAMPLING TOLERANCES

In interpreting survey results, it should be borne in mind that all sample surveys are subject to sampling error, that is, the extent to which the results may differ from what would be obtained if the whole population surveyed had been interviewed. The size of such sampling errors depends largely on the number of interviews.

The following tables may be used in estimating the sampling error of any percentage in this report. The computed allowances have taken into account the effect of the sample design upon sampling error. They may be interpreted as indicating the range (plus or minus the figure shown) within which the results of repeated samplings in the same time period could be expected to vary, 95 per cent of the time, assuming the same sampling procedure, the same interviewers, and the same questionnaire.

Table A shows how much allowance should be made for the sampling error of a percentage.

The table would be used in the following manner: Let us say a reported percentage is 33 for a group which includes 1500 respondents. Then we go to row "percentages near 30" in the table and go across to the column headed "1500." The number at this point is 3, which means that the 33 per cent obtained in the sample is subject to a sampling error of plus or minus 3 points. Another way of saying it is that very probably (95 chances out of 100) the average of repeated samplings would be somewhere between 30 and 36, with the most likely figure the 33 obtained.

In comparing survey results in two samples, such as men and women, the question arises as to how large must a difference between them be before one can be reasonably sure that it reflects a real difference. In tables B and C, the number of points which must be allowed for, in such comparisons, is indicated.

Two tables are provided. One is for percentages near 20 or 80; the other for percentages near 50. For percentages in between, the error to be allowed for is between that shown in the two tables.

Here is an example of how the tables would be used: Let us say that 50 per cent of men respond a certain way and 40 per cent of women respond that way also, for a difference of 10 percentage points between them. Can we say with any assurance that the 10-point difference reflects a real difference between men and women on the question? The sample contains approximately 750 men and 750 women.

Since the percentages are near 50, we consult Table B, and since the two samples are about 750 persons each, we look for the number in the column headed "750" which is also in the row designated "750." We find the number 6 here. This means that the allowance for error should be 6 points, and that in concluding that the percentage among men is somewhere between 4 and 16 points higher than the percentage among women we should be wrong only about 5 per cent of the time. In other words, we can conclude with considerable confidence that it amounts to at least 4 percentage points.

If, in another case, men's responses amount to 22 per cent, say, and women's 24 per cent, we consult Table B because these percentages are near 20. We look in the column headed "750" and see that the number is 5. Obviously, then, the 2-point difference is inconclusive.

TABLE A.—RECOMMENDED ALLOWANCE FOR SAMPLING ERROR OF A PERCENTAGE

	In percentage points (at 95 in 100 confidence level)[1] sample						
	1500	1000	750	600	400	200	100
Percentages near 10	2	2	3	3	4	5	7
Percentages near 20	2	3	4	4	5	7	9
Percentages near 30	3	4	4	4	6	8	10
Percentages near 40	3	4	4	5	6	8	11
Percentages near 50	3	4	4	5	6	8	11
Percentages near 60	3	4	4	5	6	8	11
Percentages near 70	3	4	4	4	6	8	10
Percentages near 80	2	3	4	4	5	7	9
Percentages near 90	2	2	3	3	4	5	7

[1] The chances are 95 in 100 that the sampling error is not larger than the figures shown.

TABLE B.—RECOMMENDED ALLOWANCE FOR SAMPLING ERROR OF THE DIFFERENCE

	In percentage points (at 95 in 100 confidence level);[1] percentages near 20 or percentages near 80			
	750	600	400	200
Size of the sample:				
750	5			
600	5	6		
400	6	6	7	
200	8	8	8	10

[1] The chances are 95 in 100 that the sampling error is not larger than the figures shown.

TABLE C

	Percentages near 50			
	750	600	400	200
Size of the sample:				
750	6			
600	7	7		
400	7	8	8	
200	10	10	10	12

IT'S THEIR COMPANY, TOO

(By Robert D. Lilley, President, American Telephone and Telegraph Co.)

The participation in a meeting such as this by representatives from business, labor, government and education is, I feel, a clear demonstration that America is genuinely concerned about its working people. If there is a single theme that has prevailed here, it is this: we are serious indeed about finding—and implementing—responsive, innovative means of meeting the changing needs and expectations of working men and women.

It is imperative for all concerned that we reach a fuller understanding of what can be done to provide an environment in which employees can perform to the best of their ability, and, when they go home at night, feel that it was worth it.

Needless to say, this isn't an easy task we have assigned ourselves. In the Bell System, for example, we have one million employees, and they range from the messenger who dropped out of high school to the scientist from M.I.T.; from the installer with six months' service to the foreman who has four decades of experience; from the programmer who works in a comfortable office to the splicer who must be outside in all kinds of bad weather. Our efforts, whatever they are, need to be directed to all of them.

How successfully we meet the challenge will bear strongly on how well we, as a corporation or a government agency or whatever, perform our function. For the Bell System, that function is service. Each business day of the year, some 400 million messages are carried on our nationwide telecommunications network. That means 400 million contacts a day with our customers, and that isn't counting the many, many face-to-face contacts that occur every day of the year. Not everyone making a call actually talks to a telephone employee, of course, but one way or another the question of whether customers get the kind of service they want depends to a large extent on how well our people have done their job.

So the attitudes—the work ethics, if you will—of employees is of particular concern to us, as it is to any organization with service responsibilities.

A couple of months ago I talked to a group of retired telephone people, and I knew that one of the things they most wanted to hear about was today's telephone employees. What kind of people are they? What kind of job do they do? Do they have the same spirit of service that their predecessors had? These are reasonable questions, especially when there seems to be an increasingly popular notion that young Americans don't like to work and they make cantankerous, rebellious employees who do a slipshod job.

I'll tell you what I told them: Most of the young men and young women coming into the telephone business today—like most of our longer-service employees—are good workers. What's more, they display a very real desire to serve the public well. I assured the audience that these are people who take pride in their work—and who we can take pride in.

We ended 1972 with only about 400 more employees than we started the year with. Yet at year's end we were handling a volume of business fully 10 per cent higher than we were at the beginning. Taking a closer look at this, the traditional measure of productivity in the telephone business is the number of employees it takes to serve 10,000 telephones. In 1971 it took 77 employees to serve 10,000 phones. Last year it took 73. We could not have accomplished that kind of increased productivity if our younger employees—who account for more than 50 per cent of our total work force—were lazy or non-productive.

There is no question, however, that there are important differences between yesterday's and today's employee, and that some of these differences are revealed in the attitudes and priorities that young people bring to the job.

They tend to reject jobs that are menial, unpleasant or boring. They resent arbitrary displays of authority. They are turned off by policies or work rules which seem to unduly restrict their freedom or undermine their individuality. Yesterday's employee felt the same way, but today's employee is quicker to let you know about it.

Where once it was thought that good wages, job security and attractive fringe benefits were enough to insure hard work, high productivity and employee loyalty, we are witnessing the emergence of a new dimension in employer-employee relations. It isn't that economic priorities aren't still important to working people, but an increasing number of employees now want—and expect—more from their jobs. They want to derive some sense of satisfaction from work. They want their hours spent on the job to be interesting and challenging. They want a chance to get ahead.

It is factors such as these—and a good many more—that are creating what we are now calling the changing work ethic. While some of the changes taking place may cause us some fitful hours, I see no cause in the long run for either alarm or dismay.

That young people don't want jobs that are unsatisfying to them doesn't reflect unfavorably on their attitude toward work. Just the opposite. It indicates that they care what they do with their lives. They don't want to feel that they are wasting their lives. Nor should it be disturbing that they question old ways of doing things and demand to try new ways. That's what we need. We stand still if we don't experiment, if we don't innovate.

On the basis of what I see in the Bell System, I agree with those who argue that the younger generation does take work seriously. There are exceptions, of course, but most recognize that work is a necessary part of life and they want to make the best of it. Or, as our contemporary "Adam Smith" puts it: ". . . people like to work, as opposed to not working or hanging around the house . . . Given any degree of pleasantness, encouragement and satisfaction, they would go to work even without the exhortations of the Ethic."

As with any change, there are bound to be some growing pains. And so it is with the changing work ethic. We see signs of dissatisfaction on the assembly line as well as among some young, college-educated managers who are finding the transition into the world of work to be harder than they expected.

Frankly, I'm not sure we can—or could ever hope to—eliminate dissatisfaction in all cases. The expectations of young people in our society are exceedingly high—for some, I suspect, unrealistically so. I am told, for example, that we are graduating more students from colleges than we have jobs that truly require college degrees. We have led our young people to believe that a college diploma was their pass to the good life, and some are deciding—or have discovered—that it ain't necessarily so.

Dissatisfaction, whatever its cause, is often expressed in absenteeism, poor workmanship, disinterest and so on—sometimes in alcoholism and drug use. But, as you have heard here these past two days, it can be substantially diminished, even eliminated in many instances, if we structure and restructure jobs and the organization of work in such a way that competent people will find work a challenging, rewarding and involving experience.

What I am leading up to, of course, is job enrichment. Bob Ford, who has been AT&T's guiding genius in these matters for some years now, had a workshop here yesterday; so I know some of you are familiar with our efforts in this direction. I'm not going to get into it very deeply or throw out a lot of examples, but I thought I would at least offer you our rationale for moving ahead with this concept.

In many craft jobs, for example, we found the work arranged in such a way that just about everything was keyed to the average person. We also found that there was overlapping of job modules between the various craft levels, and that this was causing craftsmen to take a passive, tell-me-what-to-do approach to their work. Under this sort of arrangement, above-average and outstanding people weren't achieving as well as they could. It was obvious that if we didn't bolster the jobs of these high-potential employees—i.e., give them a good module of work with control over it and effective feedback—we stood to lose them.

We are still a long way from fully implementing this concept throughout the Bell System, but I think there is a general agreement that the old theories about fragmenting jobs to achieve efficiency, cost reductions and productivity can have just the opposite results.

Two other points about this ought to be made, I think. One is that you have to expect some problems. For instance, not all workers have the aptitude to handle improved job modules and not all managers are eager to give up any of their supervisory prerogatives. The other thing is that this is not the total answer. It has to be used in conjunction with other management techniques and other management programs—in addition, I hasten to add, to good wage and benefit schedules.

I'm well aware, as I know you are, that the labor movement has been raising serious questions about industry's intentions. Some labor spokesmen, as the Wall Street Journal pointed out recently, view job enrichment as a scheme for getting more work out of fewer workers.

Managing people involves a whole range of interrelated objectives. One is communicating to employees those kinds of information that are of real interest to them. Survey after survey of employee communications media turns up requests for more information that employees can relate to their own jobs, to their part of the business. The other side of the coin is upward communications—making certain that avenues are available for employees to, in effect, talk back to management.

A sustained effort also must be made to take human needs into consideration when industry develops new kinds of equipment. It isn't enough to ask whether employees can operate a piece of gear. We have to ask ourselves, will they? AT&T and Bell Telephone Laboratories recently set up a task force to dig into this problem, to make sure that human needs are considered at the design stage. It's too late when new equipment is introduced into a central office or an operating center to find that it will dehumanize or bore the person who must use it.

One of our best success stories to date has been in the northern operating area of the Chesapeake and Potomac Telephone Company of Virginia. Chip Pfautz and Wendell Kenyon from the C&P Company talked about this program at a workshop yesterday afternoon. This was a situation where the Company took a full human resources approach that cut across departmental boundary lines and where key managers threw their full support behind the program.

Along with a few people from our Human Resources Development group at AT&T, I spent a day down there not too long ago talking to employees who were involved in the program. It was an encouraging day.

When the employees talked about the Company and their jobs, they did so in terms of my customer, my directory, my Company. They talk about the Company standing behind them and treating them as individuals. On the plane back to New York, I thought, "Now if we can only get all one million to feel like that."

That's not a bad goal to reach for.

Thank you.

DISASTROUS IMPACT OF BUDGET CUTS IN MINNESOTA

Mr. MONDALE. Mr. President, the President's proposed cuts in the social services area will have a profound impact on the people in my State of Minnesota. I have received many letters concerning these cuts and I would like to share just two of them with my colleagues today.

The first letter, from Mr. Hannis Smith, director of the office of public libraries and interlibrary cooperation, points out the great accomplishments of the library program in Minnesota. He talks about the damage that would be done if the administration's request is upheld by Congress.

The second letter comes from Howard B. Casmey, commissioner of education in Minnesota, who points out the hardships that would occur if title III and V are terminated in the upcoming budget.

Mr. President, I share the concerns expressed by these Minnesota education leaders and I ask unanimous consent that their letters be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

IMPACT OF ESEA TITLES III AND V TERMINATION

Pursuant to your request, the following information details the consequences in Minnesota of the Nixon administration's anticipated termination of ESEA Titles III and V.

TITLE III IMPLICATIONS

Intended to support educational innovation and reform, Title III has had decided impact on education in this state. The following list is descriptive of but a few categories of practices which have been stimulated and nurtured in particular communities through this program:

1. Education for the handicapped (Crookston, St. Paul, Minneapolis, Willmar, Marshall, Morris).
2. Technology utilization (TIES in the Seven County Metro. Area, Owatonna, Bloomington, Hopkins, St. Cloud, Montevideo, Osseo).
3. Individualization of Instruction (19 Southwestern counties, Stillwater, Lakeville, Staples, St. Paul, Winona, Roseville, Duluth).
4. Arts and Humanities (Minneapolis, Marshall and the entire Southwestern portion of the state, Alexandria, St. Paul, Mankato).
5. Human Relations (Minneapolis, Duluth, Rochester, Rosemount, Albert Lea).
6. Pre-school education (St. Paul, St. Cloud, Brainerd, Fridley).
7. Vocational Education (St. Paul Career Support Center, Minneapolis Work Opportunities Center, Little Falls, North St. Paul).
8. Accountability and Cost Effectiveness (Mora, Osseo, Kennedy, Staples, Duluth).
9. Environmental Education (Grand Marais, Albert Lea, Golden Valley, Windom).

This admittedly fragmentary list hopefully provides some intimation of Title III's responsiveness to educational needs specific to certain communities. It, furthermore, is our contention that the impact of this program may be displayed in numbers of pupils and educators served. During the 1971–72 school year 42,679 public elementary and secondary Minnesota pupils were directly enrolled in a Title III supported program. Additionally 4,151 non-public Minnesota pupils were enrolled in such programs. Public and non-public Minnesota educators who were directly involved with and affected by Title III activities numbered 3,153. If one is concerned regarding the dissemination of Title III practices, it is possible to demonstrate that some 466,000 Minnesota pupils were indirectly affected by Title III programs operating in schools or districts other than their own. Title III has also made significant contributions to educators' capabilities to perfrom needs assessments, to evaluate individuals and programs, and to develop some basic acquaintance with the concept of cost-benefits.

In the event that Title III is terminated as of June 30, 1973, some 28 projects will be obliged to conclude their activities between one and two years short of the three year financial life span which they had reason to expect if project evaluations were favorable. A total of 374 full and part-time individuals at the local district level will have to be terminated if already strapped district budgets cannot absorb them.

Perhaps, most significantly, a catalytic agent which has caused educators, laymen, and students to rigorously conceive and test new solutions to educational problems and opportunities will be replaced by a return to conventionalism and a reluctance to strive for educational improvement.

TITLE V IMPLICATIONS

Unlike some legislation of the last decade which has responded to limitations of certain agencies by simply establishing new agencies to assume non-performed or ill-managed functions, Title V was historic in its assertion of a belief in and a financial willingness to invest in State Departments of Education. Coming at a time when suspicion and mistrust of federal involvement in State and local educational affairs was substanial, the effort to strengthen State Departments was insightful and statesmanlike. Now, in the eighth year of their acceptance of such assistance, state agencies have demonstrated the capacity to perform a "bootstraps" operation.

To cite some output measures descriptive of products of the Federal investment in the Minnesota Department of Education, I present the following abbreviated list:

1. Establishment of a Planning Division responsible for short, intermediate, and long range developmental planning.

2. Installation of a State Educational Assessment Section responsible for determination of pupil performance in selected curriculum areas by development and administration of testing instruments for Minnesota pupils.

3. Implementation of the Minnesota Right to Read program, designed to reduce illiteracy to the one percent level by December 31, 1975, and now regarded by HEW officials as a national model.

4. Furtherance of the goal of equal educational opportunity for all Minnesota children and youth, regardless of racial or socio-economic condition, by establishing an Equal Educational Opportunities Section to serve as an advocate for such pupils.

5. Establishment of a Federal Program Coordinator's office which has resulted in Minnesota maximizing its access to Federal funds and has contributed to harmonious blending of resources from diverse funding agencies and programs.

6. Development of evaluation expertise in the agency by the establishment of such a section and the coordination of evaluation throughout the agency, as well as the installation of evaluative practices in school districts formerly devoid of such.

7. Provision of improved service to state agency and local district personnel by establishment of a full time Legal Services Section, staffed by an Assistant Attorney General.

8. Improvement of Management capabilities by secural of systems analysts, Program Budgeting Coordinators, and the provision of training to staff to commence utilization of improved procedures resulting in greater effectiveness and efficiency.

9. Provision of improved recruitment, selection and training activities for State personnel.

10. Establishment of greater responsiveness to internal management, the Federal government, the Legislature, the Governor's office, school district personnel and the public at large through development of a Data Systems Section responsible for the collection, processing, analysis, recording, and dissemination of a broad array of educational information.

11. Introduction of improved teaching practices and aspirations through support of efforts dealing with environmental education, summer school programs, the community school, foreign languages, education for the gifted, science, social studies, and mathematics.

12. Improvement in leadership provided to teacher training institutions by developing programs making their and the Department's expectations more responsive to pupil and community need.

13. Establishment of a Publications Section which has made the Department more consumer-oriented by allowing it to communicate directly with 60,000 educators, 435 local boards of education, and Minnesotans generally.

I prefaced this list by referring to it as abbreviated, and it is as compared to the range of Title V inspired and supported activity in which this Department has engaged since I assumed responsibility for the program's general direction in April of 1966. Additionally, I have compressed many individual activities to secure the generality of the 13 preceding statements. Nonetheless, the fact remains that much remains to be done before many would acknowledge this agency to be really effective in discharging the Minnesota Constitution's mandate to provide "a general and uniform education." However, a further fact exists that the President's budget calls for termination of Title V as of June 30, 1973. While some of the Title V initiated activities have been, and may be financially assumed by the Legislature, the expectation that it could immediately assume a near $700,000 obligation as of that time is absurd. Consequently, we face the prospect of seeing the merits of our Title V program threatened, its programmatic functions terminated, and some 50 highly trained, dedicated personnel lost.

As a more specific explication of the problem, I am attaching an enclosure which has been used to detail portions of the problem for the Senate Education Committee. Also, I have included a Department organizational chart descriptive of functions which will either be terminated or severely impaired if the President's intentions are realized.

IMPACT OF TITLE V ESEA SUPPORT

Pursuant to your request, I shall briefly detail in this memo the impact of Title V ESEA support within the Minnesota Department of Education. As you recall, this is one of the several education programs which President Nixon has recommended for zero funding in F.Y. '74.

1. Organizational Component: Division of Planning and Development:

Function: Short, intermediate, long-range planning; management of a variety of Federal and State grant programs; Equal Educational Opportunities.

Number of Positions: Eight (budgeted); four filled.

Financial Support Required: Salaries: $152,000 (for full staffing); Other: $85,000 (contracted services, largely).

2. Organizational Component: Federal Programs Coordinator Function: Generation of federal educational revenues; liaison with Federal agencies and Congressional delegation.

Number of Positions: Three.

Financial Support Required: Salaries: $40,066. Other: $23,757.

3. Organizational Component: Publications Section.

Function: Dissemination of State Board and Department of Education activities, regulations, service provisions, etc.

Number of Positions: Four.

Financial Support Required: Salaries: $42,677; Other: $38,850 (largely printing).

4. Organizational Component: Information Systems Section:

Function: Development and provision of data processing services for entire Department; collection and processing of data from school districts and school personnel.

Number of Positions: Eight (two vacant).

Financial Support Required: Salaries: $89,658; Other: $40,800 (largely to Division of Computer Services, Department of Administration).

5. Organizational Component: Administrative Services Section:

Function: Financial management, systems analysis, procurement, general Department support.

Number of Positions: Ten (three vacant).

Financial Support Required: Salaries: $80,693 (for current staffing); Other: $3,126.

6. Organizational Component: Certification Section:

Function: Processing of teacher certification requests; monitoring of school district teacher assignment practices.

Number of Positions: Two.

Financial Support Required: Salaries: $15,000.

7. Organizational Component: Research and State Aids:

Function: Processing of school district financial and statistical reportage; development of information for planning purposes.

Number of Positions: Four (two vacant).

Financial Support Required: Salaries: $16,000.

8. Organizational Component: Professions Development Section:

Function: Development of entry level and developmental standards for teachers and administrators; implementation of legislative statutes and State Board Regulations.

Number of Positions: Two.

Financial Support Required: Salaries: $36,000; Other: $10,000 (Task Force support costs).

9. Organizational Component: Elementary and Secondary Education Section:

Function: Implementation of monitoring functions of North Central and summer school programs.

Number of Positions: Two.

Financial Support Required: Salaries: $23,040.

10. Organizational Component: Professional Library Section:

Function: Cumulation of professional educational materials; pursuit of information retrieval; liaison with other educational strata in development of common collections.

Number of Positions: One.

Financial Support Required: Salaries: $12,984.

It should be noted that state salary support for these 44 positions would require roughly $507,000 per annum if title V ESEA funds were to become unavailable and the State chose to continue these functions.

REVENUE 134863—ESEA TITLE V

Name	Position number	A/C I.D.	Percent
Federal programs coordinator:			
Gloria Rockne	205370	513440	100
Edwin Cain	205720	513440	100
Anne St. Pierre	205940	513440	100
Publications:			
James Lee	205610	518944	100
Ralph Berenger	205530	518944	100
Linnea Lose	205500	518944	100
Judith Schell	210781	518944	100
Information systems:			
Maureen Ferrin	205270	516583	100
Rachel Oerter	205390	516583	100
John Butterfield	205550	516583	100
Vacant (systems analyst)	205560	516583	100
William White	205570	516583	100
Lane Esswein	205580	516583	100
Richard Locke	205710	516583	100
Vacant (trainee)	210390	516583	100
Administrative services:			
Kathy Dahlman	205160	517409	100
Vacant (clerk typist)	205210	517409	100
Patricia Rahlien	205260	517409	100
Richard Johnson	205380	517409	100
Vacant (clerk-procurement)	205400	517409	100
Bette King	250430	517409	100
Pat Baggenstoss	205470	517409	100
Mildred Harvey	205510	517409	100
Robert Wilson	205540	517409	100
Vacant (auditor)	210341	517409	100
Certification:			
Minnie Baxton	205330	507046	100
Ilione Casper	205450	507046	100
Legal:			
Charles Mottl	205950	515114	100
Research and State aids:			
Deborah Peterson	210362	510057	100
Vacant (clerk typist)	210361	510057	100
Vacant (clerk typist)	210410	510057	100
Joyce Clague	210790	510057	100
Education professions development:			
William Allen	208940	487058	100
Thomas Filla	210010	487058	100
Instruction:			
Vacant (clerk typist)	205781	485524	100
William Papke	209020	485524	100
Planning and development:			
Judith Neudahl	205410	513515	100
Greg Waddick	205740	513515	50
Gayle Anderson	205810	502096	50
Walter Jones	205830	502559	25
Printice Engstrom	205840	501460	100
Donald Hadfield	205860	502559	25
Archie Holmes	205870	502559	25
Jerome Webster	205990	501197	50
Professional libraries: Patsy Tupper	205520	520072	100

STATE OF MINNESOTA,
DEPARTMENT OF EDUCATION,
St. Paul, Minn., February 7, 1973.
Senator WALTER F. MONDALE,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR MONDALE: When the American Library Association and the Minnesota Library Association gave the luncheon in Washington on last Thursday for members of the Congress, our office furnished a one-page brief on the accomplishments of the Library Services Act program in Minnesota. A copy of it is enclosed for your convenient references. I trust that it will be informative and helpful.

In a lengthy account of the proposed projects to be discontinued in the President's 1974 budget I found a statement that the projects being discontinued had either outlived their usefulness, or were failures. Since I have administered the LSCA program in Minnesota from its inception during the Eisenhower administration, and have been quite familiar with the program as it has developed both in Minnesota and in other states. I can only say that neither of these reasons applies to the Library Services and Construction Act. Anyone saying that they do is either totally ignorant of the program and its accomplishments, or has been totally misinformed.

A few years ago, one of the higher officials in the Office of Education Bureau of Libraries who is no longer connected with the Bureau, made a speech before a large assembly of state library agency directors. After the speech the group of state leaders spent nearly an hour correcting the incorrect statements made by that official. In the light of that event, there are many who think that the current widespread misinformation may actually be a deliberate distortion of known facts.

The enclosed information sheet demonstrates clearly that the program did not fail in Minnesota, and this kind of progress has been repeated in other states. That it has outlived its purpose is emphatically disproved by the fact that most states still have rural areas which are without public library services and urban areas where library services need substantial improvement. The program has not yet completed its stated purposes at the time of its passage.

The reasons for not yet completing its purposes are easy to identify:

(1) Local officials (city and county) who have the legal authority to establish library service and provide for its support have regarded the funding as haphazard (e.g. There is no set appropriation yet for the fiscal year which began over seven months ago!), and/or (2) Such officials have regarded the sums available for getting started are insufficient to establish quality service, and therefore do not justify the imposition of a new local tax.

The prospects of being funded too little and too late have served as serious handicaps in enlisting the active collaboration of local officials in many cases.

While the total amount of LSCA Title I (Services) funds used in Minnesota since 1957 is slightly more than $6,000,000 and may appear large at first glance, it has been spread over 16 years. It averages out about $200 per capita for the entire period, an average of 12½¢ per year! With the costs of good public library service averaging around $5.00 per year for the time covered, it can easily be seen that the federal addition is not statistically meaningful. Please note the underlining, I will return to this later.

Many administration speakers, including the President himself, have emphasized over and over again that their proposals are to return decision making to the states and local governmental units. I believe that a careful examination of the programs which the President wishes to eliminate entirely will show that many, if not most, of them are already returning the decision making to the states and local government. Certainly the LSCA is an example of such return.

There has never been any direction of this program from Washington. Every state makes its Plan according to the needs and peculiarities of its own situation, and there is no state in the Union where state government can force local government to establish public libraries.

I believe this makes it abundantly clear that the Library Services and Construction Act projects have been run by state and local government, on a voluntary basis, with only a benign form of guidance (regulations) from Washington. The law was well written, and in practice has proved an outstanding example of federal, state and local governmental partnership. For that reason alone, it is worthy of continuing until it accomplishes its purpose.

But there is another reason which reinforces the justification for continuing the LSCA programs. I stated earlier that the funds have not been statistically meaningful quantities. They have really been seed monies. As you know, Minnesota instituted its first state aid to public libraries under the impetus of the LSCA matching. We cannot make a percentage comparison between no money and $500,000 a year in state aid, but we can compare the increase in local funds provided. While some of the increase is unquestionably due to inflated costs, the increase in Minnesota from 1956 to 1971 was from just over $4 millions, to just over $16 millions. Somewhat over half of the increase was due to inflated costs, the rest was new money largely stimulated by LSCA! The seed sprouted to a bountiful harvest.

Most of the United States will reflect this kind of growth from the seed planted by LSCA. Just one fact will illustrate this. In 1954 (the last year before LSCA for which figures are available to me) there were 25 states providing some state aid to public libraries. The total amount was just over $5½ millions, or 3.76¢ per capita. In 1972, there were 38 states providing some state aid to public libraries with a total of over $66 millions, or 32.69¢ per capita! I have served on various active committees and advisory committees over the years which have had a responsibility toward LSCA, and I found that the consensus of my peers is that a substantial part of this growth is directly attributable to LSCA!

Please do everything you can to insure that we continue to receive these "packets of seed." For public libraries, they have proved to be a "green revolution" producing a bountiful harvest. But the job is not yet complete, so the seed money still is badly needed if ever the job is to be completed.

Sincerely yours,
HANNIS S. SMITH,
Director.

ACCOMPLISHMENTS IN MINNESOTA UNDER THE LIBRARY SERVICES AND CONSTRUCTION ACT: 1957–72

Public Library Service: The Minnesota LSCA Program has, from the beginning, used a combination of federal, state and local funds for establishing and improving public library service.

Some results:

10 multi-county regional library systems, covering 39 counties.

14 county library service systems, for a total of 53 counties 100% served.

35 bookmobiles providing easy access to people in 41 counties.

1957 population supporting public library service: 2,215,025 (74%).

1973 population supporting public library service: 3,421,276 (90%). Increase (including population growth): 54.8%.

The 383,793 people not yet supporting public library service are all rural and small village residents of 34 counties, mostly in western and southern Minnesota. They have access to nearby libraries through payment of an appropriate non-resident fee.

Books:

1957 book stock of all public libraries: 4,330,572 (1.45 per capita).

1972 book stock of all public libraries: 7,184,935 (1.77 per capita).

Total new additions during period: 3,935,685, or 1.03 per capita.

The figure for per capita served by libraries was 1.95 and 1.98 for a growth of only .03 per capita for the 15-year period. Bookstocks barely kept pace with population growth and additions to service areas.

Films:

In 1957, only the two largest public libraries had 16 mm film service.

By 1973, all 26 of the larger public libraries and public library systems in the state have 16 mm film service; many with 8mm also.

Library use:

All of this is meaningless unless used by the public. Minnesota consistently scores well above the national average in library use, and it is growing.

Circulation of materials: 1957 11,624,799 (5. 2 per capita served).

Circulation of materials: 1972 19,901,120 (5.8 per capita served).

Books-by-mail:

A special books-by-mail program is underway in 5 library systems serving 18 counties.

Public Library Buildings: The LSCA, Title II, funds have helped build 31 new public library buildings in Minnesota. All are strategically located, well-designed and usable by the handicapped. They have been planned to fit the long-range plan of state-wide development. Nine of them are headquarters of larger systems, the others branches of such larger systems.

Institution Libraries: Substantial improvements in physical facilities, furniture, and materials collections have been made in twelve of the welfare and correctional institution libraries in the state since the new Titles were added to LSCA.

Interlibrary Cooperation: Minnesota's outstanding achievement in this field is the highly successful Minnesota Interlibrary Teletype Exchange (MINITEX). In 1973 there are 17 public, 18 junior college, 24 senior college, and 8 special libraries collaborating with the University of Minnesota Libraries on this project. In addition to expediting requested information and published materials, MINITEX is completing work on a Minnesota Union List of Serials. This was given high priority because 70% of requests are being filled from serial publications.

PLUG IN HERE FOR KNOWLEDGE

Learn how you can . . . borrow more books from your library than it owns; benefit from tax monies made available only on a statewide basis; enlist the talents of people not on your library's payroll; utilize services not provided for in your library's budget; be a more satisfied library user through the Minnesota well-read library network.

Perhaps you can already "plug into" part of the Well-Read Network. Of the eleven state library regions shown on the map, five already exist at varying points in their development. Also, there are several strong single-county libraries with the population and tax base necessary for good beginning development. In some of these the library income from local funds is at a reasonably high tax rate, but far from sufficient to support good service; this is where state and federal funds are used to help. The legislature has already established modest state aid to public libraries—a fund which will have to be expanded as more network segments are established.

The Network goal is being worked towards in several steps. Sub-regions may very well develop before local authorities are ready to accept the larger, numbered systems. [The numbered systems are designed to serve 100,000 or more library users, and each would have a sound working relationship with all the school, academic and specialized libraries in its area.]

In every numbered region there would be at least one large collection of library materials having more than 100,000 titles; and a number of substantial, though smaller, collections strategically located in the surrounding area. In smaller community centers there would be branches stronger than the average small community library is today. There would be bookmobiles to serve as branches-on-wheels for people in rural areas.

Such a network would reach every citizen of the state. He would bring his request to the most convenient library, and through the network would receive any material he wanted from any library in the state.

That's how the Well-Read Network will serve you. Won't you serve it? Inform yourself concerning its particulars in your community—and then go to bat for a better library system for all of us!

This brochure is designed to tell you about a dream: Minnesota's dream for an expanded and improved library system for each of its citizens. It is called the Well-Read Library Network.

The Network is designed to serve you.

To meet the growing needs of its people for reliable and up-to-date information on an immense variety of subjects, and to provide the reading public with works of literary and artistic merit, Minnesota must both expand the territory served by minimum adequate public library service, and coordinate the services of its growing public libraries with the services of all other kinds of libraries in the state: school, academic and specialized.

When the first federal funds were made available in Minnesota for the development of public library service, the Library Division of the State Department of Education, with advice from the Minnesota Library Association, developed a plan for providing good library service to everyone in the state: a statewide network of libraries with service outlets close to every resident. The inside of this brochure describes this network and the present state of its development.

The total Well-Read Network is still a dream. But as parts of it are established, other sections go into experimental or early developmental form. There is progress to report, fortunately; the time is fast approaching when such a network will be a necessity.

How will Minnesota make its network a flourishing reality? The decision to have it and to take part in it must be made at the local level. Individuals like yourself in each of our state's communities, will—by their interest or apathy regarding the network—determine the extent of its success.

Just as each local library or bookmobile must feed into the network, so does local government feed into its development. Minnesota law provides that counties, cities and villages may establish and support library service—and that these units of government in contiguous areas may join together in supporting and operating such a service. The legal base of the network has already been laid by the legislature; now there must be official action at the local level to implement the law.

In dreams begin responsibilities. The prospect of a Well-Read Network outlet in his or her community should be of personal interest to every Minnesotan.

ENERGY AND THE ENVIRONMENT

Mr. BARTLETT. Mr. President, I ask unanimous consent to have printed in the RECORD a statement prepared by former Secretary of the Interior, Mr. Walter J. Hickel, for the Sixth Public Relations World Congress, at Geneva, Switzerland.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ENERGY AND THE ENVIRONMENT

(By Walter J. Hickel)

I. ENERGY

"There is an unusual tie-in between energy and life, energy and poverty, energy and peace."

The controversy surrounding energy has to be seen in the context of world concern about the environment.

We've all heard that pollution is tarnishing the great civilizations of modern man. It is threatening to damage the life support system on which humans and all animals depend.

This is central to the energy question because the greatest amount of pollution comes from the production and use of energy.

People say the energy industry is "Public Enemy No. 1," but I say it is the great hope of mankind, and the hope of the environment.

Show me any area in the world where there is a shortage of energy, and I'll show you basic poverty.

There's no shortcut to human activity. It all takes energy. If you want to go to town from the countryside, there's no way to do it without using energy; even if you walk.

To achieve a standard of living as the Swiss enjoy in this great capital of Geneva requires the equivalent energy output of 200 adult slaves per person.

In many respects we are still only one step from slavery. But harnessing energy has helped us take that step away from the slavery of hunger, lack of shelter, disease and ignorance. It is a step toward freedom in its most basic sense.

It would be a tragedy if our concern about pollution turned us against this great emancipator called energy which is freeing and improving the lot of mankind.

With the awakening of environmental concern, a concern I share, certain people want to drive a Cadillac but not produce energy. These people, in nations such as my own, want to export pollution. They want other nations to do the drilling, pumping, refining and transporting of oil so that their own water and land be untouched by man.

This is no answer. In fact it is a new form of imperialism under the guise of the holy cause of the environment. In reality they are saying, "Let other people's children choke on smog and play in polluted streams. Let other nations' wildlife be destroyed. But we must protect our own."

This philosophy, however misguided, is gaining strength. Its advocates are currently attempting to prevent the vast oil reserves above the Arctic Circle in my State of Alaska from being used.

This is the worst kind of conservation. We are one world with one system. Ecologically, it is impossible to export pollution. We must clean it up.

Enemy No. 1, the energy industry, is in reality the answer.

We are not going to solve the problems of the world with less energy. I don't mean wasting it on senseless gadgets, but utilizing it to free mankind and clean up the environment.

With the leadership of the United Nations and strong government regulations this can be done. Energy doesn't have to disrupt. The answer lies in national and international guidelines for the use of energy without the abuse of the environment.

Oil companies are resented because of their economic power and their seeming disregard in the past for nature. But this hatefulness is now coming to haunt us. To punish is not the answer.

In our short history, America has many examples that hate is no answer to greed. At the turn of the century there was a public reaction against the men who had built America's railroads.

These so-called "Robber Barons"—Rockefeller, Morgan, and Vanderbilt—became the object of public hatred. Laws were passed designed to destroy these men, but in reality all they destroyed was the magnificent railroad system which had criss-crossed and united our untamed country.

If today we treat the worldwide energy industry like we did the U.S. railroads, we'll have a lost civilization.

In reality, there is no world energy crisis. The voices of doomsday are not real. The earth will not run out of resources. The only thing we might run out of is imagination.

Using modern computer technology, a well-intentioned group of men called the Club of Rome sponsored a report which has forecast doom for the human race.

The weakness of a computer is that it can only compute on the basis of what is known. This is a shaky way to predict the future. What if we had used a computer 200 years ago to forecast energy resources for 1973? At that time man depended on firewood, horses, water and wind. The conclusions would have been more disastrous than those of the Club of Rome today. We would have forecast doom and starvation because there are not enough forests and workhorses on earth to care for the needs of our growing population.

Computers have their place, but I have more faith in the creative capacity of man; and that is uncomputable.

Today we have fossil fuels and hydroelectric power. Tomorrow we shall use geothermal resources by tapping the heat deep beneath the crust of the earth.

We shall develop the art of gasification and liquefication of the soft coals we have abandoned in the past. This will become a mammoth source of nearly pure power.

I see this liquefied natural gas as the answer to automobile pollution. By replacing the gas tank in your car with a propane-like bottle we can solve the majority of the world's man-made air pollution. The technology is there. All we need is to apply the new methods to produce natural gas.

Also awaiting us is the heat of the sun, and the tremendous energy of the hydrogen bomb. Man is already working on this. Some scientists predict breakthroughs within a decade or two. With fusion we can produce a pure energy which regenerates itself.

No, there is no world energy crisis. The crisis that exists is one of control. Fossil fuels are the major source of power now and will be for the remainder of this century. The nations which control petroleum will have great political and economic power in the decades immediately ahead.

Whether we have peace or war may well depend on how this new balance of power will be used. The Middle East nations, with their vast reserves, are being swept into the mainstream. Likewise, the Arctic will have an ever-increasing role in world affairs.

The ten million square miles on top of the earth contains a staggering wealth of fossil fuels left over from an earlier age when much of it was covered by tropical jungle. Canada, Alaska, the Scandinavian countries, and especially the Soviet Union and its mighty Siberia will all share in the new Arctic Age which is ahead of us.

There is no fear in the quantity of reserves waiting for mankind. The only concern is in the control of those resources. Will they be distributed to meet the needs of all men everywhere or will they be horded for the benefit of a small elite?

The 21st century, the world of tomorrow, will be a world of unlimited energy. With the new sources I have mentioned, especially geothermal power, solar heat and fusion, every nation will have its own supply. Gone will be the tools for energy blackmail.

I sometimes think that this area, which some of us in this room may see, is slow in coming only because the decision-makers are fearful of upsetting the total economic situation as we know it today. They are locked into the past.

There is an unusual tie-in between energy and life, energy and poverty, energy and peace.

The challenge of the moment is for both the developed and the developing nations to share our common needs and our common opportunities. Then we can usher in a millennium of peace which could be only one or two generations away.

II. ENVIRONMENT

"Humans are the most precious things on earth."

In our zest for cleaning up the environment, and I have that zest and that concern, we must not overreact to the point where we protect wildlife and nature while ignoring the needs of man.

People equate the using of nature with the destruction of the environment, when in reality man cannot exist without using nature. The secret for man's life on earth, in fact for all life on earth, is for man to be compatible with nature. We must not abuse it, but we must use it.

For example, God put a tree on earth to be used, not just to be cut down, but to be used; perhaps for birds to nest in, or simply to be looked at for mere enjoyment to restore the spirit and perspective of man.

If a tree grows somewhere unused by man or animal it is somehow wasted. Like a human being, it must be needed by someone. But likewise, like a human being, it should not be exploited. Man, being the only reasoning animal, has to be the one concerned about other life on earth.

There's a struggle going on in my country. I call it the civil war of priorities—neighbor against neighbor, man against need—overpreservation or use of our resources.

Bitter voices have been raised, on the one side pleading, "Give us work, give us energy for our homes"; on the other side shouting, "Stop the rape of our environment, protect our wildlife and our wilderness."

This same battle is going on between the rich and the poor throughout the world. Somewhere in between there's a still small voice that says, "If we work together we can do it right."

As far as pollution and environmental desecration go, we cannot undo all the wrongs of yesterday, but we can guide responsibly the needs of tomorrow.

We cannot condone exploitation of one resource at the expense of another resource, even if that resource has no dollar value, such as a sunset, a lonely stretch of beach, or the right to roam.

But neither can we preserve untouched all those resources that man needs. All human needs must be taken into consideration, those of everyday necessity such as food and energy, or those of lasting beauty, such as a wilderness. In evaluating the total situation, I am convinced we can make use and conservation compatible. For the good of the human, they must be made compatible.

With technology and the right attitude in our governmental leaders we can see the job well done, but only if we are guided by the fact that the most precious thing on earth is the human. The whole world can unite on that basis. I remember well when the leader of the Chinese delegation to the U.N. Conference on the Human Environment last June in Stockholm addressed himself eloquently to that theme.

I have no time for those who say they are dedicated to the environment but disregard the needs of people. The question is not what kind of a world do we want for elephants, or reindeer, or pandas, or Sequoias, or tundra, but what kind of a world do we want for our children.

Wilderness is not the world. The world is both in wilderness and people, in animals of rich variety, in water and air, in the world of modern technology and the world of timeless nature.

Dr. Paul Brandwein put it well: a world which does not conserve its children, does not conserve its elephants. It does not conserve its environment or its resources or its knowledge or its values. It is neither competent nor compassionate. Its ends are neither human nor humane.

I am most happy to be here in Geneva at this time to moderate this panel at the Sixth Public Relations World Congress. Maurice Strong, the man who organized and led the United Nations Environmental Conference, asked me to participate on his behalf. He is in Nairobi, Kenya this week where he is setting up the headquarters for the new United Nations Environmental Agency. I have known Secretary Strong since 1970, before he was named to head the U.N. environmental effort. As U.S. Secretary of the Interior and afterwards, I have worked closely with him on his approach to making the environment a truly global issue.

From the beginning I have been a firm believer that the United Nations is the one hope the world has for effective environmental action.

Pollution knows no boundaries. Every major river eventually empties into the oceans. A river doesn't know whether it is flowing through a Socialist country or a Capitalist country; but if we pollute it, it will carry that pollution into our common seas.

I thank God that visionaries over 25 years ago succeeded in organizing the United Nations. Without it there would be no natural forum for mankind to confront the common dangers and opportunities of the environment. There would be no one to listen to the cry of life. The environment is going to do for the original intent of the United Nations what diplomacy and politics have failed to do. It will provide a common concern that bridges national self-interest.

You, who deal with the media, must tell that story. Many nations, including my own are falling into the mentality that it is time to let the world take care of itself. We want to look after only those problems within our own borders. Parliaments and congresses are cutting back their appropriations to finance United Nations activities.

But the realities of the environment cannot be ignored. No one nation can clean up only its own back yard and expect to have a clean environment. The urgent call of the hour is for all people to reach out to the others and help carry the responsibility of learning how to use nature and preserve her for the good of all mankind.

Do not narrow your thinking to those who propound a negative philosophy of doom. Those who want to turn off the lights of the world are not the true friends of the world or the future.

The human family is being drawn together by the environmental challenge, and this is a great and important event in world history.

My hope of the future is to concentrate on solutions, answers and imaginative approaches to the problems at hand rather than repeating the already shop-worn cliches of the doomsday philosophers.

I am fed up with those who profit in terms of fame and fortune by being negative. This is not doomsday; it is opportunity-day. We can look in a mirror and see if our face is dirty. If it's dirty, then let's wash it. Not talk about it.

There is an old belief in journalism that something has to be negative to be news. I'm tired of this attitude. Criticism is necessary, but with it should go responsibility. Man caused the problem we are looking at. Many can clean it up.

The best public relations, especially in the environmental area, is action.

When I was appointed as Secretary of the Interior for the United States, responsible for our natural resources and public lands, I was attacked by the press. False stories were written, and the people became afraid I would promote policies that would desecrate the land and its beauty.

I didn't get angry with the press. I didn't even hire a public relations firm. I set out to do a job believing that if I made a decision in the best interest of all two hundred million of our people, it would also benefit the special few. I began to clean up the relationship between industry and government.

Within only a few weeks, the press changed their attitude. Words are cheap, and they are being used by all sides. But action on behalf of the people is the best form of public relations I know.

Today we must generate a global demand for action on the part of our leaders in government and industry in all corners of the earth. If we do, it is not too late.

DEATH OF EMERY L. FRAZIER

Mr. HUDDLESTON. Mr. President, the Nation and my home State of Kentucky have suffered a very great loss with the death last week of Emery L. Frazier, who for many years served as chief clerk of the U.S. Senate, and who also served as a legislative clerk in the Kentucky House of Representatives.

Kentucky is a State rich in political history, and we have produced many great politicians and statesmen—from Henry Clay to Alben Barkley and my predecessor, John Sherman Cooper. Emery Frazier belongs in that select group because he too served his State and his country with devotion and honor.

Mr. Frazier was born in Woodford County, but he soon moved to Lawrenceburg, where he attended high school. After graduating from the University of Kentucky, he served a term in the State legislature and also served several terms as mayor of Whitesburg.

He then came to Washington with Alben Barkley in 1933 and started his career as a legislative clerk. He was later named chief clerk of the Senate and served in that position until 1966. Finally, Mr. Frazier served a brief term of less than a year as secretary of the Senate.

Emery Frazier was also a great member and leader of the Democratic Party, as evidenced by the fact that he was the chief reading clerk of every Democratic national convention from 1936 to 1965.

Today, we have a very strong Democratic Party in Kentucky. It is a party that serves the State and the Nation well—and it is because of hard work and devotion of men like Alben Barkley and Emery Frazier that this is the case.

Mr. President, our great country has lost an outstanding citizen. He will be impossible to replace, but we can pay tribute and honor to his memory. To that end, I ask unanimous consent that an article about Mr. Frazier, which appeared in last Wednesday's Louisville

Courier-Journal, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Emery L. Frazier, Kentuckian Who Served As U.S. Senate Aide, Dies At 76

Emery L. Frazier, 76, the Kentuckian who called the roll of states at Democratic national conventions for many years and served the U.S. Senate as reading clerk, chief clerk and secretary, died at 4 a.m. yesterday at Louisville's Methodist Evangelical Hospital.

Frazier went to Washington in 1933 as a legislative aide and had worked as reading clerk and chief clerk. He was named secretary of the Senate in January 1966. He retired in October 1966.

He had called the roll of states at Democratic conventions since 1932.

Although born in Woodford County and reared in neighboring Anderson County, Frazier throughout his adult life regarded Whitesburg, the county seat of Letcher, as his adopted home.

A graduate of the University of Kentucky School of Law, Frazier served in the 1922 Kentucky General Assembly as state representative from Anderson County.

WORKED FOR COURIER-JOURNAL

He moved to Whitesburg the following year where he opened a law practice, became town clerk and was later elected mayor.

Although he lived in Whitesburg only 10 years—1923 to 1933—his terms as mayor were characterized by civic progress that included construction of the town's first paved streets and sewer lines, and the installation of electric and telephone lines.

Frazier also worked as a part-time correspondent for The Courier-Journal in Eastern Kentucky. In 1927, tipping a Louisville & Nashville Railroad porter $5 to serve as his courier, Frazier sent out the first eyewitness account and pictures of the disastrous flood that year.

Before moving to Washington, Frazier also served as a clerk in the Kentucky House of Representatives and as secretary to state Democratic Party conventions.

He liked to recall in more recent years that he called the roll of delegates at the last state nominating convention, held in Lexington, which nominated Ruby Lafoon for governor and A. B. Chandler for lieutenant governor.

Although Frazier refrained from publicly discussing prominent politicians he came to know in his Senate job and at national conventions, he was acquainted with four Democratic presidents—Franklin D. Roosevelt, Harry S. Truman, John F. Kennedy and Lyndon Baines Johnson.

The names of Truman, Kennedy, and Johnson rolled from Frazier's lips on numerous roll-call votes in the Senate before these three men ascended to the White House.

In private conversations, Frazier liked to spin yarns about colorful American political figures of the Roosevelt era, particularly Jimmy Walker, former mayor of New York, "Boss" Ed Crump, of Memphis, and Anton Cermak, the mayor of Chicago, who was killed in Miami during an assassination attempt against Roosevelt.

"They were all strong-willed men with aggressive personalities," Frazier would recall.

Frazier was a close friend of the late Alben Barkley, Kentucky senator and vice president under Truman. In conversations with Kentuckians, Frazier would recall Barkley's temporary split with Roosevelt in 1944—an event triggered by the president's veto of a tax bill that Barkley, then Senate majority leader, got the Senate to pass.

Barkley's denunciation of the Roosevelt veto, made in a speech from the Senate floor, was said by Frazier to be the most dramatic event he ever witnessed in the Senate during his years in Washington.

"He poured out his entire soul in that speech," Frazier would say.

A modest person, Frazier was the bane of newspaper reporters. Although he witnessed momentous legislative events and was privy to the infighting that preceded congressional action, he would gloss over the intimate details.

"My only interest is in the mechanics of legislation and the conventions," Frazier would say to reporters, his eyes twinkling mischievously.

There are no immediate survivors.

The funeral will be at 2:30 p.m. tomorrow at Gordon Funeral Home, Lawrenceburg, Ky., with burial in Hebron Cemetery, Anderson County. The body will be at the funeral home after 11 a.m. today.

ROLLBACK OF BEEF PRICES—RESOLUTION OF OKLAHOMA SENATE

Mr. BARTLETT. Mr. President, I ask unanimous consent to have printed in the Record a resolution of the Oklahoma Senate memorializing Congress to defeat legislation providing for a rollback of beef prices.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Senate Resolution No. 36

A resolution memorializing Congress to defeat legislation providing for a rollback of beef prices; and directing distribution

Whereas, agriculture is the number one industry in Oklahoma; and

Whereas, the livestock industry is the largest segment of the agriculture industry in Oklahoma by generating approximately $800 million per year into the economy of this state, as well as being an important segment of the over-all economy and prosperity of Oklahoma; and

Whereas, House Bill No. 6168 will be considered in the Congress of the United States; and

Whereas, this bill would roll back meat prices to the January 10, 1973, level and would cost Oklahoma cattlemen about $227.5 million dollars; and

Whereas, Oklahoma cattlemen have faced the most severe winter weather in history, in addition to paying higher prices for feed; and

Whereas, cattle feeders have been affected also by the withdrawal of use of D. E. S. January 1 of this year, which had the effect of adding ten percent (10%) to the cost of feeding cattle; and

Whereas, livestock producers and feeders contract for cattle months in advance of the actual delivery date and many would be facing bankruptcy by the effect of House Bill No. 6168.

Now, therefore, be it resolved by the Senate of the 1st session of the 34th Oklahoma Legislature:

That the United States House of Representatives be and hereby is respectfully urged to defeat any legislation designed to roll back beef prices and particularly to defeat House Bill No. 6168, which would have drastic effect upon the economy of Oklahoma and other primary agricultural states.

That the Oklahoma Congressional delegation actively oppose the passage of House Bill No. 6168 in the United States House of Representatives.

That duly authenticated copies of this Resolution be distributed to each member of the Oklahoma Congressional delegation.

Adopted by the Senate the 12th day of April, 1973.

ROBERT W. WOODRUFF, PRESIDENT OF COCA-COLA CO.

Mr. TALMADGE. Mr. President, 50 years ago Mr. Robert W. Woodruff became president of the Coca-Cola Co., and from that time forward he has wisely guided the company to great success throughout the United States and in every country of the world except China, Russia, and Portgual. As a businessman, Mr. Woodruff is a humanitarian who has contributed beyond measure to the well-being of his fellow man in Georgia and all across our country.

The April issue of Atlanta magazine contains a very fine profile of Mr. Woodruff, in which he is described as "a gifted and giving man." This is a well-deserved tribute to a great Georgian, an outstanding American, and a gentleman of the first order.

I bring this article to the attention of the Senate, and ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Robert W. Woodruff

(Note.—Fifty years ago this month 33-year-old Robert Winship Woodruff accepted the presidency of The Coca-Cola Company. Warren Harding was President and Andrew Mellon secretary of the Treasury. Stalin and Trotsky were jockeying for power to succeed the ailing Lenin in Bolshevik Russia. Mussolini had just come to power in Italy. Internationally, currency was chaotic. Atlanta had just opened the Spring Street Viaduct, and was enjoying a building boom on Marietta Street and around Five Points.

(Woodruff's father Ernest was one of a group of businessmen who had bought the Coca-Cola Company in 1919 for $25 million—at the time the largest transaction ever consummated in the South. But Robert Woodruff's selection was no silver platter gift. He already had demonstrated his independence and his business acumen.

(Restless with college life at Emory-at-Oxford, the eldest of the three living sons of Emily Winship and Ernest Woodruff had gone to work at 20 as an apprentice machinist at an Atlanta foundry (60 cents a day), then moved up, moved out, and at 24—a year after he was married—started selling White Motor Co. trucks. He did so well that after a World War I Army stint (as a major in Ordnance), he was vice president and sales manager of White when Coca-Cola offered him its presidency, a position he entered April 28, 1923.

(The first Coca-Cola syrup had been sold in Atlanta in 1886, four years before Robert Woodruff was born. Its steady growth into an international, diversified, prospering giant is linked intimately with Robert W. Woodruff.

(But this is neither a corporate history nor a personal biography. It is an anniversary portrait from the memory of friends of an extraordinary man.)

In a fulfillment beyond the deepest yearnings of most men, Robert Winship Woodruff has lived long enough and well enough to measure the length of his own shadow.

Very alert, and still incisive at 83, this restless, introspective man spends his days at his office on North Avenue, his home on Tuxedo Road, his River House apartment on 52d Street in New York, or Ichauway, his plantation-hunting preserve in Southwest Georgia, pondering alternatives, searching his intuition for the most productive employment of his ever-growing fortune to the betterment of his community.

This is today his most urgent and demanding task, for with all individuals of great financial acumen, in time it becomes far easier to make money than to give it way with wisdom.

In ways dreamed by few—even those who smile knowingly when they read of multi-million-dollar gifts from an "anonymous donor"—Bob Woodruff has made stunning contributions to the greening of Atlanta; from his own resources, and from those of others whom he has helped make rich through his business judgment, and whom he influences through his assent.

He is a complex man of baronial extravagances and simple pleasures, a college drop-out of intuitive genius, an executive with an uncanny ability—attested by educators, businessmen, politicians—to listen, see the total picture quickly, and take constructive action.

"Good vibes" is what Woodruff's grand-nieces and -nephews probably would call this essential electricity, this near-telepathic communication with men and women in all walks of life.

A venerable colleague and long-time friend put it in plainer English: "He listens to people," said John A. Sibley, honorary chairman of the board of the Trust Company of Georgia, and one of Woodruff's oldest friends. "He sees instinctively what they need, what troubles them. He gets to the kernel, the ultimate in his judgment. People know this. They feel affirmed and assured in his presence."

But not only people: "Watch Robert Woodruff with animals," Sibley suggests "He is a fine horseman, a real outdoors man. He loves horses, dogs, all animals. There is an understanding between them. They trust him. He considers them, and they do their best, perform their utmost for him." (Woodruff has remarked over the years that the real duty of a hunter was to give his horses and dogs a day of pleasure.) This gift communication set his executive style.

From his beginning at Coca-Cola, he has been a man-to-man executive, avoiding "conferences," by-passing memos and paper work, instead talking to individuals, listening, deciding.

To say that his *modus operandi* works is magnificent understatement. As businessmen are wont to say: Look at the bottom line. One share of Coca-Cola stock bought in 1919 for $40 is worth more than $16,000 today, considering splits and dividends. Integrity of the stock was one reason why Woodruff abandoned the $85,000-a-year vice presidency of the White Motor Company to accept the $35,000 presidency of Coca-Cola. He had been scraping to buy Coke stock for several years. It had fallen from 40 to about 19, and he told friends he was going to see what he could do to recoup his losses.

Besides, he had a couple of aces in the hole. His former employer, Walter White, and his friend, Walter Teagle of the Standard Oil Company, each had assured him that he could have his choice of jobs with either company should he decide he had made a bad decision by coming home. He did go back to the White Motor Company in 1929 upon the death of White. He took over the interim presidency for one year, holding the presidencies of both companies, commuting between Cleveland and Atlanta.

"I want everybody associated with Coca-Cola to make money," Woodruff has said. As everybody knows, most of them have. Adding his own executive genius to the established Coca-Cola system of selling syrup and support in advertising, marketing and merchandising to locally owned bottlers, Woodruff transformed a national drink into a world-wide favorite, available in every country but China, Russia and Portugal. And the company that offered only one product until 1950 now is a multi-national corporation selling 250 products, including other soft drinks, flavors, citrus products, coffee and, through a subsidiary, water purification systems.

The concept of a cooperating group of independent local businesses rendering a fair profit at all levels is considered by many as an exemplary model of the American way of business. "The Company could never have achieved this acceptance and image (world-wide) with any other way of doing business," said present Board Chairman J. Paul Austin. "Nor could any company have afforded the breadth of expansion this has made possible."

So pervasive is Bob Woodruff's influence in all this flowering that even though he retired officially in 1955, and now is nominally only a director and chairman of the finance committee, his associates once adjourned an important meeting when he did not appear, declaring they lacked a quorum.

If it can be said that Coca-Cola and Bob Woodruff have been synonymous for 50 years, it also is true that his business and civic and personal life have melded until they cannot be distinguished.

In Nell Hodgson, one of the spirited daughters of a large and talented Athens, Ga., family, Woodruff met a woman to match his mettle, or better still, to complement it. From the beginning, she knew she was "married to a kite," but she adored him, was proud and protective of the Company, and found her greatest pleasure with him and with their friends and families.

Both Mr. and Mrs. Woodruff had a flair for sociability. Their lives became a swift succession of glamorous hospitality extended and received. They were invited everywhere, entertained in elegant ways. Mrs. Woodruff, whose face and manner had a petal softness, ran her households as efficiently as he ran his business. She sang well—ballads, lullabies, *lieder*. She rode and hunted, enjoyed birds and nature. She was a gifted raconteur, especially adept at dialect, her sense of comedy matching his more cryptic and astringent wit. When she was invited to the White House to be presented to the visiting Queen Elizabeth of England, one of her nieces carefully admonished her. "Now, Nana, do be careful. You must not turn on your British accent when you meet the queen."

The Woodruffs moved freely among four places of abode. Their spacious Georgian house in Atlanta was home. They acquired the 4,600-acre ranch of the late Buffalo Bill near Cody, Wyo. They had Ichuaway with its 37,000 acres. And they had a stunning duplex in New York. Atlanta friends of Nell Woodruff remarked enviously that she could go to New York to entertain guests for luncheon in her apartment easier than they could make a trip to Buckhead. Every house was perfectly appointed, completely staffed. The refrigerators were stocked, brasses and silver polished, linen and flowers fresh.

A chauffeur in Atlanta whisked her to their waiting private plane (one of which she decorated herself, principally with beautiful paintings of mourning doves by Athos Menaboni.) The plane floated down at a private airport where a car awaited to whisk her to River House.

"It was like moving around with royalty," says Mrs. T. Erwin Schneider, "yet the Woodruffs gave themselves no airs at all. All paths were smoothed ahead of them. It was as if they had a brace of equerries preparing the way."

Mrs. Schneider traveled often with her beloved friend, including a trip to Geneva, where Mrs. Woodruff had been appointed by President Dwight D. Eisenhower a member of the American delegation to the World Health Organization of the United Nations, an appointment to which she brought a graceful and informed effectiveness. One time when the two ladies were traveling by train to the Woodruff ranch in Wyoming, the conductor knocked on their compartment to give them a message. The president of the railroad had called, he told them, to order the train halted at a point near the ranch to save them several hours of tedious travel. When he had gone, Nell Woodruff smiled at Mrs. Schneider. "Have you ever had a train stopped for you before?" she asked in amusement. "Isn't it wonderful what a little five-cent drink can do?"

The late Ernest Woodruff, Robert's father, was known for his prudent handling of money. One day he observed to his son that from his point of view, four homes seemed a conspicuous extravagance. "But, Pa," his son cajoled him, "Have you ever heard of any other man with four houses and the same wife in all of them?"

Mrs. Woodruff had finished two years of nurse's training when she married the "city slicker from Atlanta" as she sometimes called her husband, and she kept a lifelong interest in that healing ministration. During World War II, she served as a nurse's aide in Washington, D.C. and held credentials permitting her to serve in that capacity in any hospital in the United States. She never missed a chance to take over the nursing of their friends in their illnesses. Mrs. J. Elliott Scarborough, whose late husband was head of the Winship Memorial Clinic at Emory and Mr. Woodruff's personal physician and devoted companion, recalls gratefully that Mrs. Woodruff was in the room with her, at her side upon the birth of each of her three children.

In 1968, Emory University named its new nursing school the Nell Hodgson Woodruff School of Nursing. Mrs. Woodruff was on hand at the groundbreaking. Her husband, in one of his very rare public pronouncements, took the opportunity to bespeak his pride in his wife and her quality of human compassion. Mrs. Woodruff delightedly telephoned a friend later. "I've never been so thrilled," she said. "Wasn't that the nicest thing you ever heard of?"

Within a week she died suddenly at Ichauway. They had celebrated their 55th anniversary a few months earlier.

In a reflective mood on one occasion, Mrs. Woodruff had remarked on her charmed existence, and declared that she had never really been tested in her whole life. "Ah, but you have, Nell," Mrs. Schneider remembers replying. "Great wealth and great power are the most demanding tests of anything in the world."

Bob Woodruff has been blessed with many happy family relationships. He was devoted to his mother, and spent much time with her until her death in 1939. One of his favorite places, even as a grown man, was at her knee as she read or talked.

With no children of their own, the Woodruffs showered affection on 30 nieces and nephews—the three children of Woodruff's brother George, and the 27 offspring of Mrs. Woodruff's eight brothers and sisters. These young folks poured in and out of all the Woodruff residences throughout the years. Mrs. Robert Watt, nee Nell Hodgson of Athens, was named for Mrs. Woodruff, and her childhood was somewhat divided between the households of her parents and her aunt and uncle. "All the nieces and nephews just worship them both," Nell Watt says. "I can't tell you how many things our Uncle Bob and Nana have done for us all and now for our children. He's just their Bimpa to the youngest ones."

A cross-stitched sampler at Ichauway says it well: "Happiness is a rich uncle."

Another niece, Mrs. Rutherford L. Ellis, the former Martha Hodgson, now widowed, has served as Mr. Woodruff's hostess from time to time since her aunt's death.

At the office, Mrs. Lucille Huffman has been Woodruff's personal secretary for 45 years, and every year, she says, has been busy, exciting, happy. Officially, Mrs. Huffman is assistant treasurer, one of the two women officers of the Company. She has been eligible for retirement for several years, yet stays on at their mutual pleasure, voted extension each year by the Board upon Woodruff's motion. "He doesn't like change," she says. "He sticks to people and they stick to him." Mrs. Huffman knows his favorite friends, his irritations, his gratifications, all his ways. "He's done so much good that nobody has ever suspected. He's so soft-hearted. So kind. Some people bore him of course, and he avoids dreary characters like the plague. He never gets caught with tedious ones twice. He can stand ignorance, but he can't tolerate stupidity."

Though The Coca-Cola Company has built a new office structure, Woodruff's offices remain in the old building on North Avenue, adjacent to that of Joseph W. Jones, vice president of the Company and Woodruff's principal business assistant, and down the corridor from the offices of President Charles W. Duncan, Jr. and Board Chairman J. Paul Austin. The walls of the halls, the conference room, his office, and his private dining room are a virtual gallery of leaders of the 20th Century, all autographed affectionately. His office itself is a museum of memories. It contains the roll-top desks of his father and grandfathers, portraits of them all (Grandfather Woodruff with an ear trumpet in hand), hundreds of mementoes, gimcracks, knick-knacks, scrapbooks, and at the left hand of his writing pad, a black leather Bible. Facing him is an engraved reminder reading, "There is no limit to what a man can do or where he can go if he doesn't mind who gets the credit."

A Presbyterian by denomination, Woodruff is not much of a church-goer. His clergy friends come to him, and often bring copies of their sermons. Quietly, he has refurbished and restored many small churches that have fallen into need, and one congregation, knowing his dislike of trumpet-blowing for his benefactions, simply wrote a letter to God thanking him for letting such a fine man come their way when they needed him.

In the center drawer of Woodruff's desk in his office are five watches which Mrs. Huffman ceremoniously keeps wound. He always checks to see if they are running. They always are. It is a little game he plays with Mrs. Huffman. "What can anybody give a person like Mr. Woodruff, who has everything?" Mrs. Huffman asks. "Nothing of value. So you give him something of amusement or sentiment. He appreciates this. He don't let one of his little treasures be thrown away."

Woodruff himself is a discerning gift-giver. His favorite token is one fresh rose delivered at the significant moment. But his personal gifts range from swimming pools to silver to fresh vegetables from the country. He is particularly thoughtful of the widows of his old friends, and makes it a point not only to remember them at sentimental times but to plan special hospitality for them on other occasions. Before the start of each month, Mrs. Huffman presents him with a list of anniversaries of friends he wishes to remember—and he selects the gifts.

Of the many portraits painted of Woodruff, two of the finest are by Elizabeth Shoumatoff (who was working on President Franklin Roosevelt's portrait at the time of his death). The Shoumatoff portraits are almost identical, except that one does not have Woodruff holding a cigar. The ubiquitous cigar has become a personality signature.

Julian Harris, whose broad-shouldered, handsome bronze bust of Woodruff rests in the lobby of the Robert Woodruff Library for Advanced Studies at Emory, found him a surprisingly patient sitter in their seven meetings while Harris was doing the initial molding. At one time he asked his subject to look at a pine tree outside the studio. Woodruff obliged; then his attention wandered. Harris asked him again, and the same thing happened. Finally Harris blurted out: "Look at the pine tree, damn it!"

The artist immediately apologized. "Does anybody ever presume to give you orders?" he asked.

Woodruff laughed and retorted: "Yes: Luther." Luthern Cain Jr. is Woodruff's black chauffeur, his valet, his constant attendant and his friend. Cain is admittedly indispensable to Woodruff, and with all due propriety and respect, knows it.

Woodruff has always had an easy country man's way with all his neighbors at Ichauway. Nell Watt remembers with nostalgic pleasure the lovely wedding of a pretty black girl in the big house, arranged by the Woodruffs. At Christmas time, she says, the screened back porch of the old white clapboard house sagged with strain when the black neighbors came to sing spirituals and get their "Santa Claus." Sometimes such guests as Morton Downey sang along with them.

While Dwight D. Eisenhower was President, he dropped in unannounced at Ichauway one time, pulling up at the green circle of winter rye grass centered with the live oak tree in front of the unpretentious house. Prepared for anything, the Ichauway staff were equal to this unexpected honor. They served the President quail and ham.

The President, a golfing buddy of Woodruff's (Ike said he was the only golfer he knew he could beat) loved to hear the spirituals at Ichauway. From time to time he telephoned impulsively during his years at the White House to say, "Bob, put my chorus on. I want to hear them sing 'Just a Closer Walk with Thee'."

During Mrs. Woodruff's lifetime, she had remarked that she scarcely remembered when they had had a meal alone. Even now, Woodruff is rarely without a guest in his household.

The ranch in Wyoming has been sold, but Ichauway continues to be one of Woodruff's favorite places. The bird dogs are there, descendants of the retrievers, pointers and setters—Preacher Dick, Lloyd George, Lady Maritana, Old Mattie—and the others who are buried in Ichauway's canine Valhalla, a private burial nook with appropriate headstones.

The house is picturesque and homey, and in the chill of the hunting season, the fireplaces crackle with fat "lightard" knots bursting with resin. The sideboard groans with food—good country food: fried chicken, string beans, turnip greens, black-eyed peas, sausage, guinea hens, catfish, barbecued ribs, venison steak. In season there are watermelon and berry cobbler, and always homemade cornbread, cane syrup, and fresh buttermilk.

People who fit this memory of the past, this appealing anachronism, are welcomed as much by the staff as by their host. Only trusting people are invited, and they are well known to each other. "Life is pleasanter lived among the people you were brought up with." Woodruff has commented. "That may sound sentimental, but it is true."

Dr. Philip Weltner, a bookish man, former president of Oglethorpe University, and one of Atlanta's respected social visionaries, served fruitful years as consultant to the Emily and Ernest Woodruff Foundation. In one of their discussions, Woodruff suggested that Weltner come to Ichauway to continue the conversation. Demurring, Weltner confessed that if one of the bird dogs pointed a covey of quail, he would not be able to pull the trigger of his gun. "I would be too interested in looking at them."

Woodruff searched his face quizically. "You would, hmmmm? Well, then I guess you have no business at Ichauway."

And Weltner has never been there. But hundreds of other people have: politicians, professional sportsmen, singers, educators, doctors, business magnates, including the Jack Adairs, the Ivan Allens, the Henry and Robert Troutmans, the Sibleys, the Carl Sanders.

Much of Ichauway is wooded with miles of trails and roads threading through slender pines, great oaks, the draperies of Spanish moss along the banks of Chicawawatchee Creek, and visitors cherish invitations for the refreshing company of their host as well as a chance to enjoy a spacious outdoor world that exists mainly in tender memory of vigorous Southern men.

"I admire no one more than Mr. Woodruff," Carl Sanders says. "He's a brilliant man with a peculiar gift of insight. He's a marvelous host. I learn so much from him. Everybody does. When I was governor, his advice and counsel meant so much to me. I'm afraid there'll never be anyone like him. He's one of a kind."

His friends visit him also in his Atlanta home, some of them dropping in as a kind of ritual, to discuss a problem or pass an hour or so in comradeship. Richard H. Rich, chairman of the executive committee of Rich's Inc., whose mercantile organization was building a major store on Alabama Street the year Woodruff took the presidency of Coca-Cola, considers himself fortunate to be one of these visitors: "He makes people feel he has just been waiting to see them individually, to greet them. It is flattering. He's a remarkable person, a man of strong contrasts. There is that hard-core exterior and soft interior in human relations. He has strong likes and dislikes. I find him very warm and friendly and I appreciate him."

Woodruff has always been the friend and advisor to Atlanta's mayors the Late William B. Hartsfield was his boyhood schoolmate, and remained close to him. Former Mayor Ivan Allen enjoyed Woodruff's social and business friendship long before succeeding Hartsfield, and had his support through his two eventful terms. Sam Massell, younger than either of his recent predecessors, inherited Woodruff's counsel as well. Massell has great respect for Woodruff, not only for his wisdom, but for his proven love of Atlanta. "I feel I could go to him for anything needed for the city," he says, "and I don't mean just money. I mean advice, help, direction. He's very bright. Brilliant, really. You hardly begin to fill him in, and he understands the situation."

Of all men, Boisfeuillet Jones, formerly special assistant to the secretary of Health, Education and Welfare and now president of the Emily and Ernest Woodruff Foundation, perhaps best sees the intensity of Woodruff's concern and devotion to Atlanta.

Actually there are five foundations, all of them interrelated through their growth from Coca-Cola investments: the Trebor Foundation, the Joseph B. Whitehead Foundation, the Lettie Pate Evans Foundation, the Lettie Pate Whitehead Foundation, and the Emily and Earnest Woodruff Foundation. Their assets total about $553 million, most of it international stock of The Coca-Cola Company. Except for the Trebor Foundation (Robert spelled backward) with assets of $38 million, none of these can be considered Robert Woodruff's own money.

The funds are controlled by a board including George A. Woodruff (Robert Woodruff's only living brother), J. Paul Austin, John A. Sibley and James M. Sibley. Joseph W. Jones is alternate member. But it is understood that Robert Woodruff "influences" the grants and gifts from all these sources.

These Foundations are at the heart of virtually every capital funds campaign in Metro Atlanta. Their general pattern of philanthropic interest centers on health, education, youth activities, culture, and in recent years, the problems of crime, job training, welfare services in the inner city, etc. In the past, grants have been made anonymously, respecting Woodruff's distaste for personal publicity, and his feeling that operating quietly gets more things done. "In any event, the people who really count know about the grants anyway," it is often remarked.

Anonymity has actually worn a very opaque veil. One of the "worst kept secrets in Atlanta," according to the late William B. Hartsfield, was the source of $8 million given toward the construction of the Atlanta Memorial Arts Center. These gifts have since been identified by such publications as *The New York Times* and the Twentieth Century Fund Study *The Big Foundations*, compiled by Waldemar A. Nielsen and published in 1972 by the Columbia University Press.

Gudmund Vigtel, Director of High Museum, which is a part of the $13 million Memorial Arts Center, says the new building has changed everything for the museum. Attendance tripled the year of its opening. Membership did likewise. Income from membership went from $30,000 to $146,000 last year. "While you may not think that is very dramatic," Vigtel says, "let me tell you it is one of the highest figures in the country."

Dr. Weltner, who helped focus Woodruff's attention on the city's need for an arts center, says Woodruff admittedly is no culture buff. "So the fact that he gave the arts the momentum he did is even more to his credit. He knew the city needed it."

This month, when the dogwoods are in full bloom, Atlanta's new Central City park in the environs of Five Points has opened in a preliminary way as a downtown oasis. This park is the result of a gift of stock valued at $9 million marked "anonymous" a year or so ago. At the same time the park gift was made, a grant of $1 million was made to the Martin Luther King memorial for a park to be developed across the street from the late Dr. King's church, the Ebenezer Baptist, and his burial plot.

For years Woodruff was a trustee and member of the finance, executive and nominating committees of Tuskegee Institute, and has been much involved with that institution's development. Three major capital grants amounting to about $6 million have also been made recently to the Atlanta University complex. The Boys Clubs of America, Goodwill Industries, Y.M.C.A., Red Cross, dozens of other agencies have received grants, and in 1971, a gift of $75,000 to Fernbank Center assured the purchase of 65 acres of crucial land. That was the year that the city received its Center City park grant, and $28 million more was distributed in 28 gifts, including seven to Emory's Medical Center.

Last July, the Woodruff Foundation gave about $36 million to Atlanta educational institutions, plus more than $10 million to the Atlanta Arts Alliance as an endowment for the Memorial Arts Center's operation. A gift of $1 million was made recently to the Atlanta Historical Society toward the construction of a new archives building.

But Emory University has received the lion's share of the Foundations' benefactions since 1937. Amounts in excess of $100 million have found their way to Emory under the "influence" of the Woodruffs, most of them channeled to the establishment of the Woodruff Medical Center. The name was chosen to honor the Woodruff family, not an individual member, since much of the money represented the Woodruff family's wealth. The Woodruff Medical Center continues to expand. It now embraces 16 major medical and research units and related agencies.

Dr. Arthur Richardson became dean of the Emory Medical School 16 years ago. He declares that Woodruff has never made a demand on him. "He can take facts, many facts, put them in relationship and come to the right conclusion. He is not distracted by details. He is also not a man to second-guess, and you'd better not try. Once he is committed, he is committed 100 per cent."

For his part, Dr. Sanford Atwood, who has spearheaded a huge development program at Emory since he came 10 years ago as its president, considers Woodruff the "grandest man I've ever known. They way he thinks, acts, accomplishes, his feeling for his fellow man. . . . Of course one of his profound and lasting interests is Emory University. This has perspicacity behind it. Through scholarship and research and service activities, a university is one of the strongest forces for cultural advancement and the forward thrust of society. Mr. Woodruff and I have a perfectly wonderful association. We talk. He suggests. He makes no demands. He is a very great person."

More than 35 years ago, Woodruff's good friend, the late Ralph McGill, wrote him a long letter upon the death of his brother Henry. "So many men," McGill wrote, "never realize the hard fact that they are a part of mankind, and that they must be responsible to mankind. You have learned that the bell tolls for you, and you have answered it in measure greater than was required of you. You have given of your wealth and more important, of yourself."

McGill would not have written it better in 1973.

But canny old Dr. Weltner, the man who couldn't fire a gun at a quail, perhaps says it best: "I think of Woodruff and Augustus Caesar," he mused; "When Augustus Caesar came to Rome, the city was built of bricks. When he left it, Rome was a city built of marble."

DEATH OF THOMAS P. STONEY, FORMER MAYOR OF CHARLESTON, S.C.

Mr. THURMOND. Mr. President, Thomas P. Stoney of Charleston, S.C., who died April 21, 1973, at age 83, the victim of a hit-and-run driver, was an outstanding leader in his community and State for more than a half century.

His service spanned not only a long period of years but a variety of roles in public affairs. After graduation from the University of South Carolina Law School in 1911, he entered the practice of law in his home city. At the age of 26, Mr. Stoney was elected circuit solicitor, a post which he filled with distinction until being elected mayor of Charleston 7 years later.

His two terms at the helm of the city administration resulted in a number of outstanding accomplishments. During his administration the city's first airport was established, as well as a number of recreational and playground facilities.

Mr. Stoney's strong and progressive leadership has been felt through the years. Since leaving the mayor's office in 1931, his wise counsel was sought and followed in many areas of civic and public life. He was a champion of the underdog throughout his career, and never feared to fight for those principles which he felt were right.

His interest in politics and public life transcended local affairs, extending to a broad range of state matters and Presidential elections.

Mr. Stoney was an excellent speaker and a respected lawyer who contributed a lifetime of public service. His untimely death as the result of a hit-and-run automobile was a shock to all who knew him.

Mr. President, at the time of his death a number of newspaper tributes were published about his life and career. I ask unanimous consent that four such articles be printed in the Record at the conclusion of my remarks. They are as follows: "Thomas P. Stoney Killed in Hit-Run," the News and Courier, Charleston, S.C., April 23, 1973, "Stoney Was Known as Man of Courage," Charleston Evening Post, Charleston, S.C., April 23, 1973; "Thomas P. Stoney," the News and Courier, Charleston, S.C., April 27, 1973.

There being no objection, the articles were ordered to be printed in the Record, as follows:

THOMAS P. STONEY KILLED IN HIT–RUN

Thomas Porcher Stoney, lawyer and former mayor of Charleston, died Saturday night when he was hit by a car on U. S. 17 at Awendaw. He was 83 years old.

Charleston County Policeman Dan Lunsford said Mr. Stoney was struck by an unidentified automobile when he attempted to cross the highway.

Mrs. Stoney was in the family vehicle when the accident occurred, Deputy Coroner William Wood reported.

Wood said Mrs. Stoney had parked on the highway shoulder, headed south, at about 10:30 p.m. 20 miles north of Mount Pleasant.

Mr. Stoney got out and was struck by a car headed north, Wood said, as he walked toward a grocery on the other side of the road.

Charleston Mayor J. Palmer Gaillard ordered flags to be flown at half staff on city buildings until the funeral at 3 p.m. today at St. Philip's Episcopal Church.

Burial will be in Strawberry Chapel cemetery in Berkeley County, directed by Stuhr's.

Mr. Stoney was born Dec. 16, 1889, at Medway Plantation in Berkeley County, a son of S. Porcher Stoney and Mrs. Eliza C. Croft Stoney.

Surviving are: his widow, Mrs. Beverly Stoney, a Charleston Realtor; Charleston County Judge Theodore DuBose Stoney, and Laurence O'Hear Stoney, a Charleston lawyer, and several grandchildren.

Mr. Stoney attended Catawba Academy at Rock Hill and Porter Military Academy at Charleston. After two years at the University of the South in Sewanee, Tenn., he entered the University of South Carolina Law School, graduating in 1911.

He began his law practice the same year with J. P. Kennedy Bryan. In 1916 he was elected solicitor for the 9th Judicial District.

Mr. Stoney served as solicitor until his election in 1923 as mayor. He was re-elected mayor in 1927 and completed his second term in 1931.

As mayor, Mr. Stoney was instrumental in establishing Charleston's first airport, a facility on James Island. It was transferred to the present site in 1929.

Under his administration, a municipal golf course was laid out on James Island; Johnson Hagood Memorial Stadium and Thomas P. Stoney field were built, and the Gen. William Moultrie Memorial Playground opened.

Throughout his life, he was known as a champion of the underdog. In 1931, he lashed out at the Federal Farm Board's proposal that cotton farmers destroy a third of their crops to prevent a surplus, calling the plan "preposterous on its face."

In talks to state and local groups, Mr. Stoney reversed his initial support of Franklin D. Roosevelt's administration and became an ardent supporter of states' rights. He lost a race for the U.S. Senate to James F. Byrnes in 1936.

Mr. Stoney broke philosophical ties with the Democratic Party in 1948 when he stumped for the Thurmond-Wright States Rights ticket.

In 1956, he was named an elector for South Carolinians for Independent Electors. Four years earlier he had traveled some 2,100 miles campaigning for Dwight D. Eisenhower.

He supported Barry Goldwater in 1964, saying that the Democratic Party was "set upon a course that is hell-bent for national socialism."

Mr. Stoney served as president of the Charleston County Bar Assn., the Charleston Chamber of Commerce and the University of South Carolina Alumni Assn. He had been a trustee of Porter Military Academy, Swanee and the College of Charleston.

He was a 32nd degree Mason, a Shriner, a member of the Charleston Rifle Club, the Huguenot Society, Elks, Moose and Knights of Pythias. He held membership in the St. Cecilia Society, and Alpha Tau Omega and Omicron Delta Kappa fraternities.

Mayor Gillard said in a statement yesterday:

"He was the most colorful and astute politician this city will ever have. He never wavered from what he believed to be right and would take on all comers and odds in any fight in the political arena.

"His leadership was recognized throughout the state and his opinions and advice were constantly sought by those with public responsibilities.

"Few, if any, achieved political success in this area without receiving the benefit of his counsel.

"The most pleasant experiences of my political life were those occasions when I would discuss with him a particular problem about our city. His understanding of the situation, his sincere desire to be of help and his unique ability to suggest a solution never ceased to amaze me. A conversation with Mr. Stoney was truly an education in itself.

"But his true greatness was in his love and devotion to his friends and his city. The greater part of his life was devoted to helping others with their problems. He was truly the friend of the little man.

"Charleston has lost a great man. I have lost a dear friend. And on behalf of all Charlestonians, I extend our heart felt sympathy to his family."

U.S. Sen. Ernest F. Hollings, as Governor who appointed Mr. Stoney to the State Board of Corrections in 1959, credited him with having done a "tremendous job" in that post.

With Mr. Stoney on the board, Sen. Hollings said, the prison system gained a new camp, new rehabilitation programs, a new education system and a Jaycee chapter.

"We came from about the bottom of the ladder in reform," said Sen. Hollings. "And a lot of that was due to Mr. Stoney's leadership. He kept it up to the very end."

STONEY WAS KNOWN AS MAN OF COURAGE

(By Sally Lofton and Jack Leland)

Funeral services for Thomas Porcher Stoney, former mayor of Charleston, were to be held today at St. Philip's Protestant Episcopal Church.

Burial was to be in Strawberry Chapel churchyard in Berkeley County.

Mr. Stoney, 83, was killed in a hit-and-run accident Saturday night as he attempted to cross U.S. Highway 17 in Awendaw.

Flags on city buildings were flown at half staff today, upon order of Mayor Gaillard. City Hall was to be closed during the funeral.

"He was the most colorful and astute politician this city will ever have." Gaillard said. "He never wavered from what he believed to be right and would take on all comers and odds in any fight in the political arena.

"His leadership was recognized throughout the state and his opinions and advice were constantly sought by those with public responsibilities," he continued.

"Few, if any, achieved political success in this area without receiving the benefit of his counsel."

Gaillard said Mr. Stoney's "true greatness" was in his love and devotion to his friends and the city of which he served as mayor from 1923 to 1931.

"Charleston has lost a great man. I have lost a dear friend. And on behalf of all Charlestonians, I extend our heart-felt sympathy to his family."

According to the Charleston County coroner's office, Mr. Stoney was struck by a car headed north on the highway as he tried to cross from his car to a grocery on the other side. Mrs. Stoney was waiting in their vehicle at the time.

An inquest is planned, according to Coroner Kenneth Chue.

Mr. Stoney was a farsighted thinker who predicted most of the political changes that have occurred in the last four decades. He never failed to speak up whenever an issue arose and was known as an aggressive and courageous fighter in all controversies in which he engaged.

He was born at Medway Plantation in Berkeley County Dec. 16, 1889, a son of Samuel Porcher Stoney and Eliza Chaplin Croft Stoney. He attended Catawba Academy at Rock Hill and Porter Military Academy at Charleston.

After two years at the University of the South (Sewanee) he entered the University of South Carolina Law School, graduating in 1911 and beginning law practice that same year. He was an ardent sports fan and played on the Carolina football team from 1909 to 1911.

In 1915, he married Miss Beverly DuBose of Columbia. They had three children, Charleston County Judge Theodore DuBose Stoney; Charleston lawyer Laurence O'Hear Stoney, and Randell Croft Stoney, a Charleston realtor.

Mr. Stoney entered the law firm of J. P. Kennedy Bryan in 1911, shortly after his admission to the South Carolina bar. In 1914–15 he was a member of the firm of Stoney and Cordes. He was elected solicitor for the 9th Judicial District in 1915, the youngest solicitor ever elected, serving until 1923 when he was elected mayor of Charleston.

He was re-elected in 1927 and served until 1931, when he returned to law practice as a member of the firm of Stoney, Pritchard and Crosland. That firm was to gain a reputation as one of the strongest law teams in South Carolina. It was dissolved in 1954. He was in practice with his son at the time of his death.

While mayor of Charleston, Mr. Stoney was instrumental in establishing Charleston's first airport, on James Island, and saw it transferred to its present site in 1929. In 1965, after the city gave the U.S. Air Force several thousand acres of land as a site for its present base. Mr. Stoney charged that the city was not adequately protected in the contract it signed and said: "The Air Force has traded the city out of its breeches."

He was credited with creating the first Johnson Hagood Stadium, and with the establishment of Harmon Field and Moultrie Playground. During his tenure as mayor, the first landfill program was initiated to create two playgrounds and a baseball field, which was named in his honor.

In 1931, when the Federal Farm Board proposed that cotton farmers destroy one third of their growing crops to prevent a cotton surplus, Mayor Stoney rose to defend the farmers. He said: "The proposal . . . is preposterous on its face. Why not propose that manufacturers and merchants destroy one third of their holdings in cotton goods. Prevention of surpluses can only be had by developing new uses for raw materials."

Throughout his life, he was a champion of the underdog. In 1932 reading that a Spartanburg Negro with the mentality of a nine-year-old child was to be electrocuted for murder, he wrote Gov. Ibra C. Blackwood and requested clemency.

He had misgivings about the Franklin D. Roosevelt administration from the first, although he supported the Democratic Party at the time. He warned the 1932 "lame duck" Congress against trying to institute Roosevelt's announced programs before FDR was inaugurated as President. However, he backed Roosevelt in 1933 and called for united support of the new regime in Washington.

In 1934, he expressed hopes of being named the U.S. district attorney at Charleston, a hope that never was realized. His political opponents later charged him with opposing Roosevelt because of the President's failure to name him to the post, an allegation Mr. Stoney denied.

By 1934, he was moving away from the national Democratic Party, chastizing its congressmen for supporting the National Recovery Act (NRA), because it continued high tariffs on Southern raw materials and benefited Eastern manufacturers.

In 1935, Mr. Stoney began speaknig out against the growing strength of the federal government under the Roosevelt Fair Deal. He listed 10 powers he said the President had usurped and warned against further centralization of power in Washington.

Mr. Stoney was an early advocate of the tourist trade and made numerous speeches in the late 1930s urging more funds for tourist promotion in Charleston.

His disaffection with the New Deal grew and, in 1936, he said in a speech that "all of his spending is like giving a drunk some drinks in an effort to sober him up."

That same year, he became a candidate for the U.S. Senate against veteran James F. Byrnes, but Byrnes won by a 7–1 margin.

During his campaign, he became more and more critical of the leadership in the National Democratic Party which he said, "deserted its historic principles to follow those of Hot Dog Frankfurter, Little Tuggie Tugwell, Too Damned Dumb Hopkins, Mrs. Itches (Ickes) Moley and Cracked Down, now Cracked-Up Hugh Johnson". However, he made it clear he would remain in the party.

By 1939 Mr. Stoney was urging a build-up of the nation's military strength as Adolph Hitler's power grew in Europe. He suggested that American Communist Party Leader Earl Browder he jailed for saying he would side with Russia in event of a war with the Soviets.

During the war, Mr. Stoney headed the Charleston United War Drive but found time to warn Congress against passage of the Wagner-Murray-Dingle Bill, which would have socialized the nation's medical program. He warned that the nation was "drifting toward a socialized state".

In 1947, after Federal Judge J. Waites Waring ordered the Democratic Party primaries open to Negroes, Mr. Stoney thundered: "The Democratic Party is dead as of this date. If we cannot organize politically as a white party, then we are not free men." He staunchly opposed the abandonment of the two-thirds majority vote rule in the national party and warned that it would disenfranchise the South.

His break with the party appeared certain in 1948, when he stumped for the Thurmond-Wright "States Rights" ticket. He said: "You are either for Light-Headed Harry Truman and Dear Alben Barkley, or you are for Thurmond and Wright."

In 1952, he was a delegate to the state Democratic Party convention where he opposed support of the Adlai Stevenson—John Sparkman ticket. In an emotional speech he said: "Vote with your heads instead of your bellies." He described the Stevenson-Sparkman team as "spiritual children of Tumanism". He spoke out for Eisenhower and strongly urged a return to "strict constitutional government to prevent a takeover by any branch of the government".

By 1956, Mr. Stoney was a leader in the South Carolinians for Independent Electors.

He told audiences that the only way the people of this state could make their votes count was to vote independently and force the national parties to reckon with them.

In 1964, he supported Barry Goldwater for the presidency as chairman of the "Individuals for Goldwater Committee". At that time he charged the Democratic Party with being "set upon a course that is hell-bent for national socialism.

When it was announced that Highway I–95 was being routed away from Charleston, Mr. Stoney was named chairman of a group which unsuccessfully opposed the routing.

Mr. Stoney had served as president of the Charleston County Bar Association, the Charleston Chamber of Commerce, the University of South Carolina Alumni and other organizations. He had been a trustee of Porter Military Academy, Sewanee and the College of Charleston.

He held memberships in many organizations. Among them were the St. Cecilia Society, Alpha Tau Omega fraternity; Omicron Delta Kappa fraternity, the Huguenot Society, the Elks, the Order of Moose and Knights of Pythias. He was a 32nd degree Mason and a member of the Shrine and the Ashley Rifle Club.

THOMAS P. STONEY

Endowed with courage, vigor and a keen mind, Thomas Porcher Stoney was born to leadership. For more than half a century he was prominent, both in and out of political office, in the affairs of Charleston.

Descended from pioneer English and French families, he grew up at Medway Plantation in Berkeley County, went off to school and started practicing law in 1911 at Charleston. Within four years at age 25, he was elected solicitor of the 9th Judicial Circuit.

As prosecuting attorney, the starting place for many an American politician, Mr. Stoney made an instant public impact. In 1923 he ran for mayor against John P. Grace, for years a dominant political figure in Charleston, and won. He was reelected in 1927. After completing his second term in City Hall, he continued to play an influential role in the political and civic life of this community.

While he had the bearing and assurance of aristocracy, Tom Stoney also had the common touch and an abiding concern for the underdog that brought admiration and support from people in every walk of life. In later years, his deep faith in states rights caused him to leave the Democratic Party, first to support independent tickets and later Republican candidates for President. He retained the respect of citizens of all factions, and his counsel was sought in many circles.

Mr. Stoney's death at age 83 from a hit-and-run automobile is a tragic ending for a useful and distinguished lifetime of public service. Shrewd in business and politics, witty, wise and proud, he was quick to sense an affront but willing to forgive. Thomas P. Stoney will be remembered with affection, gratitude and esteem in the region of his birth.

THOMAS P. STONEY

To The News and Courier:

Thomas Porcher Stoney was the greatest man I ever knew. It was my high privilege to serve as his first executive private secretary when he became mayor of Charleston. In this position I had ample opportunity to study the characteristics of this great man. I came to understand as a very young person what a servant of the people should be in every sense of the word.

Mr. Stoney was every inch a patriot. He loved his country, his state, and his city, with utterly unselfish dedication. When I left Mr. Stoney to go to the theological seminary to study for the ministry of the Protestant Episcopal Church I realized every day of my life that I had received splendid preparation for this exalted work as Mr. Stoney's secretary.

I have lost a friend and the people in every walk of life have lost a friend whose devoted love and loyalty could never be doubted.

LAWTON RILEY.

CANTERBURY HOUSE.

BEEF PRICES AT THEIR NATURAL LEVELS—RESOLUTION OF OKLAHOMA HOUSE OF REPRESENTATIVES

Mr. BARTLETT. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution of the Oklahoma House of Representatives memorializing Congress to prevail upon the President's Council of Economic Advisers to permit beef prices to seek natural levels until such time as there is a rollback of prices on items that directly affect cattlemen's cost of beef production.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

HOUSE RESOLUTION NO. 1049

A resolution memorializing Congress to prevail upon the President's Council of Economic Advisers to permit beef prices to seek natural levels until such time as there is a rollback of prices on items that directly affect cattlemen's cost of beef production; and directing distribution

Whereas, the wholesale price index compiled by the Department of Labor reflected a 2.2% inflation rate in March—the steepest monthly hike since January, 1951; and

Whereas, the near billion dollar per year cattlemen's beef industry in the State of Oklahoma is squeezed between inflated costs of machinery, livestock feed, and other essentials to beef production and the artificially limited sales returns imposed by the government on beef; and

Whereas, the aforesaid inflation ran unchecked until recent federal government attempts to curb it, and the curb now imposed on beef prices leaves the cattlemen in untenable financial positions; and

Whereas, the federal government's limit of prices on a selected product, like beef, is grossly unfair when there is no limit on important items directly affecting beef production; and

Whereas, the present policy of selective controls on beef is destructive of the cattlemen's beef production efforts and is one that, in the vernacular, "kills the goose" that has been laying the cherished egg of quality beef for the consumer.

Now, therefore, be it resolved by the House of Representatives of the 1st session of the 34th Oklahoma Legislature:

SECTION 1. The Congress of the United States is respectfully urged to prevail upon the President's Council of Economic Advisors to let the price of beef seek its natural level until such time as the Congress is prepared to roll back prices on items that directly affect the cattlemen's beef production.

SECTION 2. That a duly authenticated copy of this Resolution be distributed to each member of the Oklahoma Congressional delegation and to the office of the President of the United States.

Adopted by the House of Representatives the 16th day of April, 1973.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. CLARK). Is there further morning business? If not, morning business is concluded.

VOTER REGISTRATION ACT

The PRESIDING OFFICER (Mr. CLARK). Under the previous unanimous-consent agreement, and the hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, S. 352, which the clerk will state.

The legislative clerk read as follows:

S. 352, to amend title 13, United States Code, to establish within the Bureau of the Census a Voter Registration Administration for the purpose of administering a voter registration program through the Postal Service.

The Senate resumed the consideration of the bill.

The PRESIDING OFFICER. Under the previous order, the 1 hour allotted before the Senate proceeds to vote on the cloture motion will be equally divided and controlled by the Senator from Wyoming (Mr. MCGEE) and the Senator from Alabama (Mr. ALLEN).

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time not be charged against either side.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McGEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McGEE. Mr. President, I yield to the Senator from Alabama for 15 seconds.

Mr. ALLEN. Mr. President, I yield such time as has been assigned to me to the distinguished Senator from Hawaii (Mr. FONG) who was absent from the Senate at the time of the assignment of the time, and yield control of the time to him in opposition to the cloture motion.

Mr. McGEE. Mr. President, I now yield to the distinguished Senator from Massachusetts (Mr. KENNEDY) for 7 or 8 minutes.

Mr. KENNEDY. Mr. President, I give my strong support to S. 352, and I hope that the Senate will vote to invoke cloture this afternoon. I have had the opportunity to testify before the floor manager of this bill and the Committee on Post Office and Civil Service on two different occasions in support of the measure.

Now, the Senate has the opportunity to express its will on whether we shall, as the people's representatives, be able to vote on an issue which is probably as basic and as fundamental to our democracy and the cause of freedom as any issue which will be before the Senate in this session or perhaps in many sessions to come.

From the earliest days of the Republic, we find statements and the concerns over the importance of the right to vote. Yet, from the earliest days of the Constitution itself, on into recent times, we find that serious road blocks have been placed in front of the American people in the exercise of this most basic and fundamental of all rights, the right to vote.

In recent years, the Supreme Court and Congress have taken extremely important steps toward removing many of these roadblocks. The Voting Rights Act and the 18-year-old vote are two of the most recent landmarks of our concern in Congress.

Until fairly recently, the Nation endured a situation in which individuals who voted in sparsely populated areas often had their votes count many times as much as those who lived in the industrial areas. But the Supreme Court recognized the importance of one man, one vote as an important step in maintaining and improving and strengthening our free society and our democracy, and the Court's decision has been vindicated many times over in the new vitality given our political process.

So, particularly in recent times, there has been a constant effort by Congress and by the Supreme Court to make the right to vote available to all the American people.

The matter before the Senate this afternoon represents an effort to eliminate another major obstacle that restricts the franchise in our society—the enormous burden of unfair registration requirements that effectively deny the right to vote to millions of our citizens.

We do not have to look very far in any of our States, including my own State of Massachusetts, to realize the constant barriers that registration imposes on individuals seeking to express their views at the polls. The place where one registers to vote may be many miles from where he lives. The place where one registers is often closed at the times when persons would find it most convenient to register. Most people in this country are working people, and it just happens that most of the hours during which registration offices are open coincide with the hours when most people have to go to work to provide for their families. Typically, there is only a very limited period, shortly before an election, when adjustments are made to permit citizens to register more easily.

The fact is that the requirements of voter registration in most States have grown up only in the last 75 years or so. Their effect has not been to encourage people to participate in the election system, rather, the effect has been to harass the people who wish to vote. The burden of registration is the major reason why 62 million eligible voters failed to go to the polls on election day last November. The number of nonvoters has grown in each election since 1960. Certainly this is an unfortunate situation. No other free society in the world has such a low turnout of voters.

There are those who say that America's low voter turnout is a result of the malaise that exists among the American people; that the people do not wish to exercise their right to franchise; that they are not pleased with the candidates who are running.

But why can we not simply agree that voter apathy is a factor, too, and go on to deal with serious and immediate problems of voter registration? The effort being made here today is to eliminate registration as a barrier to voting. The bill before the Senate is a reasonable and responsible measure which, at a single stroke, is capable of opening up the franchise to millions of citizens.

I think this legislation is constructive. I think it has been well thought through by the committee. It represents a major new effort by the Senate to build on the progress we have made in many other areas of voter participation.

I, for one, cannot understand what justification exists for Members of this body to try to filibuster a proposal that goes to the heart of our democratic process, or to try to prevent the issue from coming to a vote before the Senate this afternoon. At a time when there is considerable concern about the public malaise, I hope that the Senate will identify itself with the first right of Americans, going back to the first days of the Republic—the right to vote.

Mr. FONG. Mr. President, I yield 6 minutes to the distinguished Senator from Alabama.

Mr. ALLEN. Mr. President, I thank the Senator from Hawaii.

Some explanation is probably in order today about the cloture motion, which was filed on April 17 by the junior Senator from Alabama and 20 other Senators. The bill has been before the Senate since April 6 of this year.

There was no disposition apparently on the part of the leadership to bring the matter to a conclusion and there was no inclination on the part of the sponsor of the bill, the distinguished Senator from Wyoming (Mr. McGee), so at the time that the cloture motion was filed, the Senator from Alabama correctly stated that in his judgment all 21 signers of the cloture motion would vote against the invoking of cloture, a vehicle available to Members of the Senate to show that a sufficient number of Senators wish to prevent a vote on the bill are opposed to passage of the bill.

It is the hope of those who signed the cloture motion and provided the vehicle for this vote that the cloture motion will be defeated, that it would be defeated by such an overwhelming margin that not only the leadership but also the distinguished Senator from Wyoming will be willing to withdraw this bill from consideration by the Senate.

They say the whole country wants this bill and that there is strong sentiment in the Senate for the bill. Where is the support for the bill, Mr. President? There are two Senators in the Chamber—three now—and two of those Senators are opposed to the bill and one is in favor of the bill. It would seem to the Senator from Alabama that if there is so much support for the bill every Senator would be in his seat clamoring for cloture to be invoked in order that consideration of the bill might be had.

Having postcards sent out—by the way, why send 240 million of these cards throughout the country by the post office system? Why do that? Why not have the cards picked up at a local office, the county tax collector's office, the place where automobile tags are picked up? Do not go to the trouble of sending out tens of millions of these cards throughout the country. They would be sent to residences whether there are adults in the house or not, and without regard to who might live there. Why go to all that trouble? I suspect the reason it is proposed they go through the mail is so that the Committee on Post Office and Civil Service, headed by the Senator from Wyoming (Mr. McGee) would have jurisdiction of the bill. The bill should be considered by the Committee on the Judiciary, as almost everyone concedes.

How much good does a postal card registration do? The great State of Texas has had registration not only by post card but also by coupon in the newspaper or by letter, any type notice to the registrar that the man wants to vote.

What is the registration percentage in Texas? According to the 1970 Census figures, 62.3 percent of voting age Texans are registered to vote where they had the post card system, and after 30 years. So the reason for a light vote is not the registration but rather the failure of people to go out and vote.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FONG. I yield 2 additional minutes to the Senator from Alabama.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 2 additional minutes.

Mr. ALLEN. I thank the Senator.

Mr. President, let us look at another State that does not have post card registration, the State of Utah. How many voters are registered there without post cards? The percentage in the State of Utah is 98.4 percent. In the good State of Utah 98.4 percent of the people are registered to vote.

Yet under this bill they would send out two cards, or a card doubled over; the recipient would fill in a question or two and send it back to the registrar, and on that basis they would be registered. We would have a situation where a man registered by post card would never be seen by the registrar. Under this bill they would broadcast possibly a half million post cards throughout the State of Utah in order to get this remaining 1.6 percent of the people registered who are not now registered. What greater example of overkill could we have than to send out that many cards in order to register 1.6 percent of the people in the State of Utah.

In the State of Texas they have postcard registration and they have only 63.2 percent of the people registered.

This would cost $50 million to $100 million a year.

Mr. President, I ask unanimous consent to have printed in the Record an editorial from the Birmingham News entitled "The Reluctant Voter," another editorial from the Birmingham News entitled "Protect the Vote," and an article by James J. Kilpatrick entitled "Postcard Registration Bill Is a Bad One."

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Birmingham News, Feb. 5, 1973]

THE RELUCTANT VOTER

Americans tend to register poor showings in elections, whether the elections are held for president or local school board member; particularly if they are for a local bond issue, in which case citizens rationally would be expected to be interested in how their money will be spent.

The voter turnout is especially poor when compared to the "democratic" elections of, say, the Soviet Union, where the only choice the voter has is to vote yes to the party's slate. Failure to vote in such countries could be injurious to the citizen's health.

The question, however, is whether the problm of low voter turnouts in this country is something the government should do anything about. Presumably there are no barriers to those who wish to register and put forth the effort to get their bodies into the proper voting machine on the appointed day.

The severity of the problem may, however, vary with the interests of the individual assessing the problem. To a politician belonging to a party which lost the last national election—such as Sen. Edward M. Kennedy of Massachusetts—the situation cries out for action.

Naturally the first step toward a solution of the problem entails finding a villain. "Registration is the villain," Kennedy has determined, "and 1972 is no exception." With this fanfare, Teddy K. proposes a federal law which would allow all those potential Democrats who so far have not registered to do so via postcard.

Kennedy's proposal may not solve the problem of citizen apathy, but the operators of machine politics will love it. In wards where residents of cemeteries mysteriously continue to "vote," think of the possibilities for the enterprising ballot box stuffer if a potential voter need not even present his body for official inspection before being conferred the privilege of casting a ballot.

Another point: If a voting-age citizen lacks the cognitive resources to comply with simple registration procedures, will he have the perspicacity to distinguish between a registration postcard and his junk mail? Further, will door-to-door federal registration field workers be needed to help the afflicted individual fill out his postcard?

Registration procedures are just not that complicated for those blessed with ordinary walking around sense. Kennedy himself is a registered voter, proving the point.

With the Democrats' luck, new registrants gained through a postcard system would vote Republican anyway—just as the celebrated "youth vote" went for Nixon despite prior Democratic illusions to the contrary.

If the Democrats keep giving the country candidates such as Sen. George McGovern, they will continue to lose sweepingly, despite all the "villains" they find on which to blame their misfortunes.

[From the Birmingham News, April 17, 1973]

PROTECT THE VOTE

Americans who have been around long enough to have seen national, statewide and local elections turn on the basis of a few stolen or questionable votes shudder at the prospect of the proposed postcard registration.

The bill would use the U.S. Census Bureau to identify potential voters and to prepare registration cards. The Postal Service would deliver them. The potential voter would in turn only have to mail the card to his proper board of registrars.

The motivation for the bill is the conviction that not enough Americans vote. Apparently the philosophy is that the more persons who are registered to vote the bigger be the turnout in elections.

This theory patently will not bear scrutiny. In the hotly contested 1972 presidential elections only 57 per cent of the eligible voters saw fit to cast their ballot. Out of an estimated 139 million eligible to vote, approximately 64 million chose not to exercise their franchise.

Statistically no evidence exists to support the theory that making it easier to register will result in a larger percentage of voters in any given election.

If a potential voter will not expend the time and energy required to register, why expect him to make a like commitment of time and energy to vote?

On the other hand the voter registration bill could open the election process to all sorts of crooked voting. Close, hotly contested elections could be determined by the party or candidate who could vote the largest-number of persons two or more times.

Voter registration requirements over the nation vary from state to state. Probably a great deal could be done to make registration easier. The number of hours per week that registration offices are open could be increased with an adequate number of night-time hours provided. Holiday and weekend hours could also be made available and temporary registration offices could be set up in neighborhoods so as to be easily accessible to potential voters.

Patently, the so-called tombstone, mail-order registration bill is not a sensible solution which will serve the American election process and is therefore not in the best interests of the nation.

Majority Democrats in Congress who are pushing the bill would do well to look down the road to the time when they may not be of the majority party and rue the day they face defeat in a hotly contested race because of illegally cast votes.

POSTCARD REGISTRATION BILL IS A BAD ONE

(By James J. Kilpatrick)

Pliny the Elder, so we are told, once remarked that "no book was so bad but some good might be got out of it." The same gentle maxim ordinarily applies to bills that reach the floor of the United States Senate.

But Sen. Gale McGee's S. 352, now the pending business before the Senate, may well constitute an exception to the rule. This is the Voter Registration Act, otherwise known as the Postcard Registration Bill. It is so bad that no good whatever can be got out of it.

The bill might better be entitled, "An Act To Waste the Time and Money of the People and To Undermine the Constitution of the United States." To be sure, the Democratic senator from Wyoming does not these purposes in mind. His idea is to make it easier for eligible persons to register as voters, in the hope that, once registered, they will vote in greater numbers. The gentleman is full of good intentions and bad law.

It is arguable, indeed, that McGee's first premise is in error. Is there any valid reason why vast numbers of people should vote? More precisely, is there any evidence to prove a correlation between good government and mass voting? It seems exceedingly doubtful.

Utah and Montana, by way of example, traditionally have ranked high among the states in terms of voter turnout. Alabama and Louisiana traditionally have ranked low. Yet each of the states has sent some able and distinguished men to Congress; and each of them has sent men whose abilities were not quite so great and whose distinction was scarcely visible. There is nothing whatever, so far as I know, to prove that democracy is healthier, or government more virtuous, if 70 or 80 or 90 percent of the eligible persons register to vote.

This further threshold observation: The right to vote, like other rights, is noncompulsory in its exercise. Just as the right to speak embraces a right to remain silent, so the right to vote embraces a right not to vote. Now that poll taxes and literacy tests have been effectively abolished, nothing stands between the eligible adult and the ballot box but his own indifference. McGee's bill would do nothing to alter this human characteristic.

The senator proposes to create within the Bureau of the Census a new agency, the Federal Voter Registration Administration. The agency would be charged with mailing postcards, with return cards attached, to every postal address in the country. The cards would be mailed no earlier than 45 days and no later than 30 days prior to the close of registration for a "federal" election—that is, an election to name members of Congress or presidential electors. The cards would be processed by local registrars, McGee supposes this costly and clumsy system would produce millions of new voters.

The bill is bad on its merits, and bad in principle, too.

No one, least of all the senator from Wyoming, has any realistic idea of what the scheme would cost. Two years ago, when similar proposals were under consideration, the start-up costs were estimated all the way from $191 million to $527 million and the annual costs between $26 million and $134 million.

Neither does anyone have any clear idea of how the system would work. The Census Bureau opposes it. So does the Postal Service. So does the Department of Justice, which presumably would have some responsibility—still unclear—for prosecuting the massive fraud that could be expected. Sen. James B. Allen, D-Ala., chief opponent of McGee's bill, has raised serious questions of mechanics that the proponents have been unable to answer.

These considerations to one side, the bill would do grave violence to constitutional principles as old as the nation itself. The system would provide one more pernicious assault upon responsibilities plainly vested in the states. The senator would use a junk mail device for junking the Constitution. Seventeen months ago the Senate killed a quite similar proposal, on the mature conclusion that the scheme was unworkable and wrong. It still is.

The PRESIDING OFFICER. Who yields time?

Mr. FONG. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Hawaii is recognized for 5 minutes.

Mr. FONG. I thank the distinguished Senator from Alabama for managing this bill on behalf of the opposition while I was away. He has done yeoman service for those who oppose the bill, and I thank him sincerely.

Mr. President, I rise to oppose the cloture motion to cut off debate on S. 352, the voter registration bill pending before the Senate.

It is a poorly drawn bill. There is much to be done to the bill. Many of its provisions need to be redrafted and spelled out in detail.

The Senate has debated this measure for only 7 days. This bill has very far-reaching effects. It completely revises our whole voter registration system. Rollcall votes have been taken on only eight amendments to the bill—three of which were committee amendments.

I am informed that many Senators are ready to offer other amendments to perfect the bill, if it can be perfected. Because we have had only 7 days debate on the bill and have not given sufficient time for many other amendments which are intended to be brought before this body I think the cloture petition is premature.

This bill certainly needs to be debated further to apprise all Senators and the American people of the drastic implications S. 352 would have on our political system.

As I stated in my minority views on S. 352, this bill is not just a simple voter mail registration legislation.

Its effect on our entire political system would be drastic.

Its effect on the State voter registration procedures is drastic.

It would replace the traditional State voter function with a Federal bureaucracy far removed from the people who know the problems of voter registration.

It would have serious adverse effects on our political party system by making party delegate elections to national political party presidential nominating conventions Federal elections. This the bill would do without requiring any political party membership in order to vote in those party elections.

We have gone far afield here in connection with the political party delegates to national presidential nominating conventions.

There would be much dissension and many problems that could arise because a person who may not be registered in a political party is voting in the political party convention elections.

This bill would invite fraud on a national scale, unparalleled in our Nation's history of political elections.

A person would simply file a post card stating that he is a resident of such and such address, and that he is such and such an age, that he has been a resident for 30 days. That card is sent to the registrar's office and the registrar picks it up and says that that person is registered to vote. That would be a bona fide certificate authorizing him to vote. There could be no dispute over the certificate. We would be saying that anyone who sends in a post card and gets a receipt for that post card would be entitled to vote. It would invite fraud on a national scale in our voter registration process.

This system would establish a Federal bureaucracy charged with involving itself in elections at all levels. This opens the way for political chicanery and collusion at Federal, State, and local levels among government and political party officials.

It mandates a change in the Constitution of the United States without following the legal procedures set out in the Constitution for making such changes.

The Senator from Massachusetts has said that we in this body have passed bills which dealt with barriers to election. Yes, we have passed bills which dealt with some of the practices which deprived some of our citizens of the right to vote. But it is only when our citizens have been deprived of the constitutional right to vote that we as a body have acted. However, in this case there is no deprivation of the right to vote or to register. We have seen how easy it is in some States to register. For example, as alluded to by the distinguished Senator from Alabama, in the State of Texas one can register by sending in a coupon from a newspaper or, in the State of North Dakota, one does not even have to register; all he has to do is vote.

When we consider that in most States registration is such a simple matter of one's going down to the registrar's office or seeing the registrar at the corner drug store, or on the street corner, or having the registrar go to one's home and asking him to register, when we find that all this has been done in the interest of getting more people to register, we find that there is no barrier to registration. The Congress should not meddle in problems like these, which have always been in the province of State or local governments.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. FONG. Mr. President, I yield myself another 3 minutes.

As I have said, the bill would establish a Federal bureaucracy charged with involving itself in elections at all levels. It mandates a change, as I said, in the Constitution of the United States.

It would authorize the expenditure of over $100 million on a program that has little promise for obtaining its goals.

The bill provides that the registration bureau will send out cards at least once in 2 years. If cards were sent out only once in 2 years, it would incur an expenditure of over $100 million. If cards were sent twice in 2 years, it would be an expenditure of $200 million. And for what purpose? Not for the purpose of making it easier for people to register. There is no barrier to registration, as we have pointed out. It is so easy for people to register. Why spend this money when our country is in such poor financial condition?

I also believe S. 352 should be referred to other Senate committees for expert considerations of various provisions of the pending measure.

The bill was referred to the Committee on Post Office and Civil Service only because the Census Bureau had been brought into play. The Census Bureau would supervise the voter registration system. Outside of that, the Committee on Post Office and Civil Service would never have jurisdiction over the bill. There are many provisions in the bill—provisions dealing with punishment and fraud, for example—which are in the province of the Judiciary Committee, and the bill should be referred to the Judiciary Committee for that purpose.

The Rules and Administration Committee should be allowed to consider the bill in light of the effect it would have on Federal elections.

The Government Operations Committee should consider the bill because of the great impact this measure would have on State laws, and the new relationship it establishes between Federal, State, and local governments.

There are many, many areas involved in this legislation which should receive further consideration in other Senate committees and on the Senate floor.

Because there are many problems which are going to be introduced by this bill, because there are many Senators who wish to speak on it, and because of the fact that we have debated it for only about 7 days and taken up only eight amendments, we should not invoke cloture at this time. We should have more time to explore all the provisions of the bill. We should have time to work on the bill to make it a better bill. We should have more time to study the implications of the bill and what it would do to our whole political system.

Mr. McGEE. Mr. President, I yield 10 minutes to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, I am very pleased to have an opportunity to join with the distinguished Senator from Wyoming today in discussion of S. 352. This permits me once again to congratulate him on his exemplary leadership in forwarding this legislation.

The background of the bill is well known by the Members of the Congress. There were several bills introduced to provide a better system of voter registration, and the legislation before us is the result of the condensation of several of these measures, plus hearings that have been held by the Committee on Post Office and Civil Service, plus the deep interest that has been expressed by a number of public organizations that have spent a good deal of time and money in encouraging voter participation and voter registration.

I am one of the cosponsors of S. 352, and in the moments I have here today, I should like to state once again, as I did last week, why I believe this legislation is necessary.

First of all, effective representative government depends on the widest participation in the system. Our first objective as legislators here should be to remove every possible impediment, every possible obstacle, from the right to vote—in other words, to make it easier for the citizenry to participate in the political process.

The fact is that we have made it difficult over the years for that individual to participate. Our society today is much different than it was some years ago. It is much more mobile. There are large numbers of Americans who have moved from one State to another in a year, from one community to another, and any kind of registration laws, or any kind of law that limits the opportunity of that citizen to register and to vote, is an infringement on the right to vote, and indeed it limits the effectiveness of democratic parliamentary goverment.

People must be given the feeling that they can have a say in who governs, and restricted participation could well be indicative of a feeling of helplessness, of being powerless, and the general notion that, no matter what happens in government, the average citizen will not be regarded, nor will his needs be met.

So we are talking here today of how we make the principle of the right to vote an effective principle and how we put it to work. The facts are very evident that the many State laws that we have relating to voter registration have made it difficult in some places, and surely very difficult in others, for the widest possible voter participation.

We are seeking to establish a National Voter Registration Administration within the Bureau of the Census under the terms of S. 352. This Voter Registration Administration would utilize the census records to notify all eligible voters of their right to vote.

It would allow for a national system of post card voter registration by having the National Voter Registration Administration mail blank registration forms to every household and address in the country, allowing anyone at that address, if qualified by age to vote, to fill out the post card, mail that card back to the local registrar, and become a registered voter.

Under any system, there are complications. Under any system, there can be some voting fraud. But we believe that the system set up under S. 352 minimizes those possibilities, and it provides for stern penalties for fraud, and it does offer the machinery to see that voters are registered and that, once registered, they have every opportunity to cast their vote.

Is there a need? Well, in recent Presidential elections, there has been a trend away from participation at the ballot box. I know that people will say that is not due to the difficulties in registration, and it may not be due entirely to that. In fact, I am sure it is not.

In 964, more than 43 million eligible voters failed to vote.

In the 1972 election there were several million voters who failed to vote because they had moved their household goods from one State to another or from one jurisdiction to another and were therefore unable, within the period of time prescribed by State law, to register and vote.

In 1968, there were 47 million eligible voters who did not vote.

In 1972, that figure jumped to 62 million voters. An average of 44 percent out of a total electorate of 139 million eligible participants did not vote.

Mr. President, I am not here to say that percentage figure is due to the difficulties in voter registration. However, I am here to say that the difficulties in voter registration contributed to that lack of political interest and political participation. In fact, once we have accomplished this legislation, I would hope that the Congress of the United States might set up a select committee to look into all of the reasons we can detail or discover as to why 44 percent of the eligible electorate of this country did not vote in a recent Presidential election and, in other elections, as high as 35 percent of the eligible voters did not vote.

Our national record on voter participation does not look good for a country that says it is a great democracy. When we compare our record to the records of European countries, we discover that their record is much better. Eighty-seven percent of those eligible to vote in West Germany do so. Perhaps they take their democracy a little more seriously than we do because, within the last two generations, up to 1945, they had to live under a severe totalitarian dictatorship. Perhaps, therefore, our friends and compatriots in West Germany appreciate the importance of the ballot and therefore participate.

Eighty percent of the eligible voters in France vote.

Mr. President, by the way, they have open registration there. When one is a citizen and of voting age, he is automatically registered and can vote.

Eighty-nine percent of the eligible voters in Denmark participate in the electoral process in their parliamentary elections and 76 percent of the eligible voters in our neighboring country of Canada participate in the electoral process.

I think that those figures indicate that there must be something wrong there and there must be something better that we can do here in terms of educating and encouraging the people to vote.

We have a massive education program. We have spent millions of dollars to encourage people to register and to vote. However, there are many reasons why they do not do so. However, among the people who register to vote, it should be noted that nine out of every 10 do vote.

So the issue is how do we get people registered. When they are registered, they tend to vote. Most of those who fail to register do so because they do not want to register, did not register for some reason, or there were difficulties involved in registering.

The Senator from Wyoming is not saying that, if we pass this legislation, everyone will rush to the polls and vote. He is not saying that voter registration will be perfect.

The Senator from Wyoming is saying in substance that this is one more step in improving the electoral process and toward making the franchise and right to vote a meaningful reality. And on that basis, I think that this legislation deserves and merits our support.

Effective democratic government depends on wide participation in the system. People must be given the feeling that they can have a say in who governs. Restricted participation could well be indicative of a feeling of helpless, powerless, and a general notion that, no matter what happens in government, the average citizen will not be regarded or his needs met.

The resulting hodgepodge of voter registration obstacles makes voting difficult for many blue-collar workers, poor people, members of ethnic minorities, elderly persons, and persons with less formal education.

Mr. President, why do I make that statement? I make the statement, because the facts are clear. That is exactly what happens.

The PRESIDING OFFICER (Mr. CLARK). The time of the Senator has expired.

Mr. McGEE. Mr. President, I yield 2 additional minutes to the Senator from Wyoming.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 2 additional minutes.

Mr. HUMPHREY. Mr. President, one study of the 1968 elections showed that only 69 percent of America's manual workers were registered to vote in 1968, in spite of the efforts of AFL–CIO Cope in registering drives.

Among the obstacles to registration is that registration offices open at inconvenient hours and require many people to drive many miles to register in the courthouses. Also, they require reregistration if the voter fails to vote in a single election.

There are uneven and sometimes restrictive registration dates. Pennsylvania closes its books 50 days before election. Rhode Island closes its books 60 days before election.

There are different registration systems for different levels of Government. One State, Missouri, has six different registration systems, depending on city size.

We can find States in which it is very easy to register. However, if one goes into some of the Midwestern States, he will find that it is very difficult to register. Only recently in Minnesota was is possible to register people at the polls. They close the office at 4 o'clock and, before the final date for registration, they extend the hours to 7 o'clock.

There ought to be one system for national elections. why do we not ask people to register in the same way they get their income tax blanks? We know that the Government finds every citizen for that purpose. One can hide in a cave, he can dig under the tundra, he can hide in an iceburg, or he can go into the mountains or wilderness area, and the Internal Revenue Service will find him and give him his income tax blank. The Internal Revenue Service also tells him to get it back not later than April 15.

The Government that can find someone when it wants to tax him ought to give that same person a chance to register in the same manner.

I suggest that we use that same system to get people to register.

I am still of the old-fashioned idea that there should be no taxation without representation. And there is not any representation unless a person can vote.

Legislation can not guarantee that people will vote. But, legislation can remove obstacles that have stood in the way of such voting.

The Post Office Committee has shown that 9 out of 10 registered Americans do vote; but fewer than 6 out of 10 voting age Americans vote; that is, the unregister faction.

Thus, registration does have an effect.

The PRESIDING OFFICER. Who yields time? If no one yields time, time will be charged equally against both sides.

Mr. McGEE. Mr. President, I yield my self time until someone from the other side comes to the Chamber to use their allotted share of the divided time.

Mr. FONG. Mr. President, will the Senator yield?

Mr. McGEE. On whose time?

Mr. FONG. On my time.

Mr. McGEE. I will be happy to yield to the Senator from Hawaii.

Mr. FONG. Mr. President, in response to the distinguished Senator from Wyoming, I want to say that this side has already covered all of its pertinent arguments. Those arguments are so concise and overwhelming that we need not take any more time.

Mr. McGEE. Mr. President, I would assume that those in opposition are ready to vote.

Mr. FONG. Mr. President, we are ready to vote on the cloture motion.

Mr. McGEE. The Senator ought to be ready to vote on the bill.

Mr. President, let me take a few moments while we gaze over this vast hall to point out that a year ago we had this bill up before the Senate for consideration. The curious thing is that we heard the same tired arguments and alibis about why we should not act. Among the alibis was that they had not had enough time to study it. We then spent another year, and we still hear them say that they have not had enough time to study the matter.

Mr. President, I am sure that if we take 10 years to study the matter, they would still say that they had not had enough time.

I say that their time is running out. We had an election in this country last November, an election that should have been a shock to everyone, not in its outcome, but in the lack of performance itself. Sixty-two million Americans who were old enough to vote did not vote. That is almost as many Americans as did vote. What is even more incriminating, Mr. President, is that this is the worst voter registration record among any of the so-called democratic countries of the world.

All the republics of Western civilization out-register and out-vote us, and apparently are more responsible than we. Or are they? We have to conclude either that they are or they are not. I do not think they are more responsible; they simply make it easier to vote. They make it possible to register in a more simple fashion, so that the voters in England or Canada or France are not obstructed as readily as we seem to obstruct registration, with the variables existing among our many States.

That is the reason why we feel that the time is now to get caught trying, on this new voter registration addition. I stress the fact that it is an addiction. This is no substitute for voter registration, Mr. President; this is another step toward increasing the numbers of eligible voters who will be registered. It is simply another device; it is an application for registration. The evidence is overwhelming, whether it be from the League of Women Voters, the National League of Municipalities, the recent Gallup poll, or the rest of the studies recently made. The fact remains they found that a substantial number of Americans, running into the tens of millions out of those 62 million, did not vote because of difficulties in the way of their registering to vote.

This is simply an effort to remove that block, to remove that alibi, to destroy it somehow. Of course, there will be many who still will not vote, but we dare not allow impedimenta to stand in the way of those who otherwise would vote.

Mr. President, in this bill there is nothing new, essentially, set up. It involves simply the mailing of post cards to facilitate registration for those who have not already registered under the regular systems that exist now. It is an addition, an application for registration.

To assist in that effort, we limit it to only Federal elections, as the Voting Rights Act of 1970 already does, but it would extend that same procedure to the elections for U.S. Senators and Members of the House of Representatives.

The specter of fraud has been raised here. I would just like to say, Mr. President, that in areas where they have had post card registration, whatever else the performance, as alluded to by the Senator from Alabama, the fact remains that there was no fraud. Again and again the registrars of the States have reminded us that the fraud occurs, not in registration, but at the ballot box, in the electing process, and that fraud is the result of officials who decide to defraud.

Who is to argue fraud on a day like today, when the whole symbolism of those who would cheat or abuse their public responsibility hangs heavily over all of us, not just those on one side of the aisle, but over all of us?

You cannot write a constitution for any country that will prevent fraud. You cannot write a law that will not be evaded, if you have officials who try to do so.

What we can do is not defraud the voter; and that is the biggest fraud present today. That is pretty strong language for this special day, but it is still the biggest fraud, that 62 million Americans old enough to vote still do not get to the polls, for one reason or another—tens of millions of them, according to the breakdown studies, because of obstacles in the way of voting.

So I say, Mr. President, that in the wake of this long and protracted discussion we have had here for many days now, and the pending business at hand, which requires that we remove this kind of delay from the consideration of other matters by this body, whatever else the Senate of the United States does, it must be given a chance to stand up and be counted on voter registration.

Stand up and be counted. Do not hide behind a cloture vote. Do not hide behind the wall of some obtuse motion. It is time the American people know where the Senate and the Senators stand.

Do you support an extension of voter registration as a process, or do you oppose it? That is the issue here, and that is the reason the Senator from Wyoming insists that this body be given the chance to vote—not the chance to duck. Too many people have been ducking in this country lately. There are too many people who have been evading the responsibilities of good government.

So I say, Mr. President, now is the time. This body can be measured by its vote on this cloture motion. Cloture must be broken, if there are those who would still persist in delaying action. If that persistence is not to continue, it is time that we vote, straight up or down, on the merits of this bill.

There is a real difference of opinion on how good the bill is. Some think it is great; others do not think so. The way we settle that sort of dispute, in our kind of society, is to vote. If our misgivings are really serious, let us test the judgment of the Senate of the United States. Let us see how the Senate will vote, and not evade that responsibility by ducking behind a cloture motion.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. FONG. Mr. President, I yield 5 minutes to the distinguished Senator from Alabama.

Mr. ALLEN. Mr. President, I thank the distinguished Senator from Hawaii for yielding to me a second time to speak on this measure.

I feel that an era has passed in the U.S. Senate with regard to the matter of registration of voters. During all of the debate on this bill in the last Congress, and during the some 2 weeks of debates so far during this Congress, in the listing of the various barriers to voting and voter registration by the distinguished Senator from Wyoming (Mr. McGEE), and by the distinguished Senator from Minnesota (Mr. HUMPHREY), just a few minutes ago, not one single time was the statement made or the question raised as to whether or not there are barriers to voting or to registration imposed by voter registration officials in Alabama and the South.

Throughout the 1965 and 1970 debates on the Voting Rights Act, the statement was made time and again on the floor of the Senate that voter registration officials in Alabama and the South would not allow fully qualified voters to register to vote. Not once, however, has that charge been made with respect to this bill, and I am proud that that is the case. I do not feel that that situation ever existed, but not once has that charge been made by those who advocate the passage of this measure.

They say the hours are too short, the time for opening the books is too limited. But never once have they said that a person cannot go in and register.

I do not know what barriers there are. All you have to be to register anywhere in the United States, as far as the Senator from Alabama knows, is 18 years of age and a resident citizen of the State. That is all it takes—no literacy test, no educational requirements. So what is so hard about registering? Why should not an applicant for registration bother to go by the registration office and present himself, saying, "I am 18 years of age, I live here in the county, and I want to register"? That is all it would take to go into all the hocus-pocus of sending hundreds of millions of post cards throughout the country on a blanket basis, irrespective of whether people vote or not.

The Senator from Minnesota raised the parallel of the Internal Revenue Service seeking one out, but at least they send the forms to a person who is believed to be subject to the income tax laws. They send the forms out to a designated person.

In this bill, the post card would be sent out, broadcast throughout the country, on a junk mail basis. So it would seem to the Senator from Alabama that there is no occasion for setting up another vast Federal bureaucracy to seek to get people to register to vote when they already have access to the registration office.

Why send all the postcards—double cards—through the mail when they could be left at the post office and all a person would have to do would be to come by and pick them up But, no, they have to make it hard and complicated.

I submit that this would open up ways for fraud and corruption, for the registration of tombstones throughout the big cities, for the registration of fictitious persons, or for the registration of deceased persons.

Just the other day, an articles was published in the newspaper to the effect that a great insurance company, which has gone into bankruptcy, was in the business practice of issuing fictitious insurance policies and then selling those policies to another company. The record shows that this one insurance company issued 56,000 fictitious policies on supposed individuals who were living, and sold them to larger insurance companies.

The PRESIDING OFFICER (Mr. SCOTT of Virginia). The 5 minutes of the Senator from Alabama have expired.

Mr. ALLEN. May I have 1 more minute?

Mr. FONG. I yield 1 more minute to the Senator from Alabama.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 1 additional minute.

Mr. ALLEN. So, if an insurance company could perpetrate such a fraud on another, larger insurance company, which has ways and means of finding out about the nonexistence of fictitious names, think how many frauds could be perpetrated throughout the country by interested people, or pressure groups of people registering fictitious people at the polls.

Mr. President, this bill is not necessary. It will add another Federal bureau to cost $100 million a year, according to the best estimates. I, therefore, hope that the effort to invoke cloture will not succeed and that the vote of Senators will be "nay" on the motion to invoke it.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. Six minutes remain to the Senator from Hawaii.

Mr. FONG. Mr. President, I yield myself the remaining 6 minutes.

The PRESIDING OFFICER. The Senator from Hawaii is recognized for 6 minutes.

Mr. FONG. Mr. President, this bill will not increase substantialy the number of people who will register to vote. Just look at the State of North Dakota, for example, where they have no preregistration. The only thing a citizen has to do in North Dakota is to go down on election day and vote. Yet even without the registering of voters in the State of North Dakota, we find that in the 1972 election, 30.1 percent—nearly one-third—of the eligible voters in North Dakota did not vote.

In Texas—which has been alluded to by the distinguished Senator from Alabama—where they register by coupon, during every election season the newspapers carry a registration coupon in their advertisements. Here we find that in Texas—where we find a similar type of voting prescribed as would be in this bill except that instead of registering by coupon they would send in a post card.

Mr. ALLEN. Mr. President, will the Senator from Hawaii yield at that point?

Mr. FONG. I yield.

Mr. ALLEN. Would not this bill confer on the person who registered by post card something in the nature of second-class citizenship, in that he would not be allowed to vote in State races held at the same time? If he went into the voting booth, he would be told to go down on the machine or on the paper ballot only as far as the Federal officers were concerned in any State voting. How in the world would that be handled? Could the Senator explain that?

Mr. FONG. This bill would set up a very special registration system which would deal only with those running for Federal office. It would go a little further by dealing with the section of political party delegates to national conventions. Presently, under the State voter registration system, the citizen would comply with the laws of the State and the laws of the State are different from the law which we would pass here. Therefore, each State would have a different registration system for its various offices.

Mr. President, I alluded to the State of Texas where one registers by sending in a coupon. Despite this simple registration procedure, 54.9 percent—more than half—of the eligible voters in Texas did not vote on election day.

How easy can we make it? Here we say, in Texas, "Clip the coupon. Send it in and register"—yet only 45 percent of the people voted; 54.9 percent did not vote.

So here we have a bill to spend at least $100 million every 2 years—at least—because the Voter Registration Administration may send out cards more than once in each election year. If they send out two mailings in each election year, it will cost approximately $200 million. For what?

As the distinguished Senator from Alabama has said, the State of Utah has a registration of almost 98 percent. Here we would send out thousands of cards to the people of Utah because it is contemplated we will have to send out at least three or four times the number of necessary cards to reach all the eligible voters in the United States, and there are over 88 million addresses. In order to be sure that everyone living at a certain address is reached, it necessitates the sending out of approximately 320 million cards. And, for what? Just to catch the 1 percent or the 2 percent of the voters in the State of Utah who did not register?

Mr. President, why is it that people do not register? A survey was made in 1968, by the Bureau of the Census, of 50,000 households—not 15,000 people, as the Gallup poll would poll or the Harris poll would inquire, but 50,000 households. If we say there are three persons in a household, that would be a survey taken of approximately 150,000 people in the United States. Of the 50,00 households surveyed, 26,942 reportedly had not registered to vote.

In other words, more than 50 percent of the 50,000 households did not have a single person in them registering to vote.

As to the reasons for not registering to vote, the answers recorded were in the following categories:

Not a citizen of the United States.
Have not lived here long enough.
Never got around to it.
Dislike politics, and so forth.

Fifty-three percent, or over half, said they did not register because they disliked politics or were not interested. That is the reason over half of those not registered did not register. It is not because of State registration laws.

Mr. CHILES. Mr. President, it is my intention to vote for this cloture motion so that the Senate will be able to proceed and work its will on S. 352. I feel ample time has been available for Senators to fully air their views in consideration on this legislation.

I support passage of S. 352, a bill to increase voter registration in the Federal election process. At the present time, the level of voter participation in the United States is at a shocking 60 percent, and the trend is downward pointing to an even lower figure in the years to come unless something is done to prevent it.

Archaic restrictions which inhibit full voter participation in persist in spite of efforts to remove them. Over the past century the elimination of the requirement for property ownership and the extension of universal suffrage to all adults, regardless of sex, race, or color, were important landmarks in broadening the voter franchise. More recently, largely through the efforts of my distinguished predecessor, Senator Spessard Holland, we have seen the removal of the poll tax.

Still, people are discouraged from exercising their precious right to vote. Voters are faced with obstacles that are outdated, ineffective and simply inappropriate for a highly mobile society. For example, in some States an individual must personally appear before the registrar. Often the registration offices are open only during the business hours from Monday to Friday which is a source of discouragement and inconvenience for many working people. In addition, citizens must frequently travel long distances and through heavy traffice. There are other equally frustrating registration obstacles which tend to harass and confuse the prospective voter.

The proposed bill will eliminate these barriers by establishing a voter registration program through the mail. Under this plan a distribution system will be provided whereby postcard-size registration forms conforming to each State's requirement for voter registration will be mailed by the National Voter Registration Administration to every postal address and residence. In addition, the forms will be readily available at various State and Federal facilities throughout the country. The voter can then mail or deliver his completed form to the local registration agent, who will later inform the applicant of his acceptance or rejection. The cost of such mailings will be borne by the Voter Registration Administration. Other countries in the free world—England for example—that use a variation of postcard registration report that voter participation is well above 75 percent and irregularities in procedures do not appear to be a problem.

Some people have expressed concern that registration by mail will lead to fraud. I believe, however, that these fears are unfounded. Nothing in this bill prevents the county clerks from investigating the qualifications of applicants who register by mail. In fact, if a State official has reason to believe that individuals who are not qualified electors are attempting to register to vote under the provisions of S. 352, he may notify the Administration and request its assistance to prevent fraudulent registration.

The administration is authorized to give assistance and issue a report on its findings. In addition, this bill provides stiff penalties for fraud. Fines of up to $10,000 can be levied or imprisonment for not more than 5 years or both can be imposed on anyone who gives false information on the registration postcard. Such provisions are in addition to the State penalties now in effect and the same scrutiny and safeguards as exist now will continue to be maintained.

With the great number of complex issues that confront our country today, many Americans are experiencing a serious disillusionment with their Government. They feel powerless and that their Government is too large, too far away and too out of touch with how they really feel about important issues. A vital step towards dealing with this crisis is to simplify the registration process so that all Amercans will be encouraged to express themselves at the polls. If the voter still does not participate, at least we have the knowledge that we have removed redtape, unnecessary obstacles and outmoded, confusing restrictions.

CLOTURE MOTION

The PRESIDING OFFICER (Mr. Scott of Virginia). The hour of 2 o'clock having arrived, under the unanimous-consent agreement, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion which the clerk will state.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the bill (S. 352), a bill to amend title 13, United States Code, to establish within the Bureau of the Census a Voter Registration Administration for the purpose of administering a voter registration program through the Postal Service.

1. James B. Allen.
2. Paul Fannin.
3. Jesse Helms.
4. Edward Gurney.
5. Bill Roth.
6. James Buckley.
7. William L. Scott.
8. Robert Dole.
9. Robert Griffin.
10. Clifford Hansen.
11. Norris Cotton.
12. Hugh Scott.
13. Marlow Cook.
14. Wallace F. Bennett.
15. Ted Stevens.
16. Bob Packwood.
17. Dewey Bartlett.
18. Strom Thurmond.
19. George G. Aiken.
20. H. E. Talmadge.
21. Pete V. Domenici.

CALL OF THE ROLL

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair now directs the clerk to call the roll to ascertain the presence of a quorum.

Mr. FONG. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FONG. I understand that those in favor of cloture will vote "yea."

The PRESIDING OFFICER. The Senator is correct.

The clerk will call the roll.

The second assistant legislative clerk called the roll, and the following Senators answered to their names:

[No. 108 Leg.]

Abourezk
Aiken
Allen
Baker
Bartlett
Bayh
Bellmon
Bennett
Bentsen
Bible
Biden
Brock
Brooke
Buckley
Burdick
Byrd, Harry F., Jr.
Byrd, Robert C.
Case
Chiles
Church
Clark
Cook
Cotton
Cranston
Curtis
Dole
Domenici
Dominick
Eagleton
Eastland
Ervin
Fannin
Fong
Fulbright
Goldwater
Gravel
Gurney
Hart
Hartke
Haskell
Hatfield
Hathaway
Helms
Hollings
Hruska
Huddleston
Humphrey
Inouye
Jackson
Javits
Johnston
Kennedy
Long
Mansfield
Mathias
McClellan
McClure
McGee
McGovern
McIntyre
Metcalf
Mondale
Montoya
Muskie
Nelson
Nunn
Packwood
Pastore
Pell
Percy
Proxmire
Randolph
Ribicoff
Roth
Saxbe
Schweiker
Scott, Pa.
Scott, Va.
Sparkman
Stafford
Stevenson
Symington
Talmadge
Thurmond
Tower
Weicker
Williams
Young

Mr. ROBERT C. BYRD. I announce that the Senator from Iowa (Mr. Hughes), the Senator from Washington (Mr. Magnuson), and the Senator from California (Mr. Tunney), are necessarily absent.

I further announce that the Senator from Nevada (Mr. Cannon) and the Senator from Utah (Mr. Moss), are absent on official business.

I also announce that the Senator from Mississippi (Mr. Stennis) is absent because of illness.

Mr. SCOTT of Pennsylvania. I announce that the Senator from Maryland (Mr. Beall), the Senator from Michigan (Mr. Griffin), the Senator from Kansas (Mr. Pearson), and the Senator from Ohio (Mr. Taft) are absent on official business.

The Senator from Wyoming (Mr. Hansen) and the Senator from Alaska (Mr. Stevens) are necessarily absent.

The PRESIDING OFFICER (Mr. Scott of Virginia). A quorum is present.

VOTE

The PRESIDING OFFICER. Pursuant to rule XXII, a rollcall has been had, and a quorum is present. The question before the Senate is: Is it the sense of the Senate that debate on S. 352, a bill to amend title 13, United States Code, to establish within the Bureau of the Census a Voter Registration Administration for the purpose of administering a voter registration program through the Postal Service, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. SPARKMAN. On this vote I have a live pair with the Senator from Washington (Mr. Magnuson) and the Senator from Utah (Mr. Moss), each of whom would vote "yea." I would vote "nay." I withhold my vote.

Mr. ROBERT C. BYRD. I announce that the Senator from Iowa (Mr. Hughes), the Senator from Washington (Mr. Magnuson), and the Senator from California (Mr. Tunney) are necessarily absent.

I further announce that the Senator from Nevada (Mr. Cannon) and the Senator from Utah (Mr. Moss) are absent on official business.

I also announce that the Senator from Mississippi (Mr. Stennis), is absent because of illness.

On this vote, the Senator from California (Mr. Tunney) and the Senator from Iowa (Mr. Hughes) are paired with the Senator from Mississippi (Mr. Stennis).

If present and voting, the Senator from California and the Senator from Iowa would both vote "yea," and the Senator from Mississippi would vote "nay."

Mr. SCOTT of Pennsylvania. I announce that the Senator from Maryland (Mr. Beall), the Senator from Michigan (Mr. Griffin), the Senator from Kansas (Mr. Pearson), and the Senator from Ohio (Mr. Taft) are absent on official business.

The Senator from Wyoming (Mr. Hansen) and the Senator from Alaska (Mr. Stevens) are necessarily absent.

The yeas and nays resulted—yeas 56, nays 31, as follows:

[No. 109 Leg.]

YEAS—56

Abourezk
Aiken
Bayh
Bellmon
Bentsen
Biden
Brock
Brooke
Burdick
Byrd, Robert C.
Case
Chiles
Church
Clark
Cook
Cranston
Dole
Eagleton
Fulbright
Gravel
Hart
Hartke
Haskell
Hatfield
Hathaway
Hollings
Huddleston
Humphrey
Inouye
Jackson
Javits
Johnston
Kennedy
Long
Mansfield
Mathias
McGee
McGovern
McIntyre
Metcalf
Mondale
Montoya
Muskie
Nelson
Packwood
Pastore
Pell
Percy
Proxmire
Randolph
Ribicoff
Saxbe
Schweiker
Stevenson
Symington
Williams

NAYS—31

Allen
Baker
Bartlett
Bennett
Bible
Buckley
Byrd, Harry F., Jr.
Cotton
Curtis
Domenici
Dominick
Eastland
Ervin
Fannin
Fong
Goldwater
Gurney
Helms
Hruska
McClellan
McClure
Nunn
Roth
Scott, Pa.
Scott, Va.
Stafford
Talmadge
Thurmond
Tower
Weicker
Young

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Sparkman, against

NOT VOTING—12

Beall
Cannon
Griffin
Hansen
Hughes
Magnuson
Moss
Pearson
Stennis
Stevens
Taft
Tunney

The PRESIDING OFFICER. On this vote the yeas are 56; the nays are 31. Two-thirds of the Senators present and voting not having voted in the affirmative, the cloture motion is not agreed to.

Under the previous order, the Senator from Wyoming (Mr. McGee), is recognized.

Mr. McGEE. Mr. President, I have a

number of remarks I want to address myself to for some time. If it will assist Senators in making whatever plans they might have, I would anticipate that no one of them would have any difficulty in making his way to his office, but——

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. McGEE. I will only for the purpose of a question, if I do not lose my right to the floor.

Mr. SPARKMAN. The Senator, I am sure, is aware of the fact that at midnight tonight the Economic Stabilization Act expires unless we take certain action.

We have a conference report at the table. The Senate is supposed to act first. I should certainly like an opportunity to take up the conference report. I hope that it will not take too much time.

Mr. McGEE. Mr. President, I would say in response to the Senator's question, which was whether there will be an opportunity to take up the Economic Stabilization Act conference report later this afternoon, that that measure has not been waiting as long as this bill has been waiting for action by this body.

I would not be prepared to make an estimate. I am aware of the urgency of the matter. However, I am not prepared to set aside this measure at this time in order to proceed toward whatever action the Senator envisages on that particular measure.

Mr. SPARKMAN. Will the Senator yield?

Mr. McGEE. Mr. President, I will yield to the Senator from Alabama without losing my right to the floor.

Mr. SPARKMAN. I would point out that the Senator is opposed to the act. We have no way of knowing what the House will do. It is entirely possible that we will have to go back to conference. So, time is of the essence. I am not asking the Senator to set aside the bill or to yield the floor. I am asking him to yield sufficient time so that we might bring up the conference report.

Mr. McGEE. Mr. President, I appreciate the point of the Senator who is chairman of the conferees in this very troublesome and difficult situation. It is doubly appreciated here. I would not be prepared to suggest a time, however, that this matter be considered.

We have been put probably in a more frustrating position with reference to this measure with regard to which there seems to be a surplus of votes. The votes are very substantial. On every occasion on which this matter has been considered and voted on, a switch in two votes would have changed the outcome of the vote.

For that reason, I want to continue to pursue the merits of this particular proposal. It has been delayed now for many days, and it has been delayed apparently for the reason that there are not enough Senators against it to debate it in open debate at a moment when we in this body are all under fire because we will not stand up and be counted. I think it is imperative that we do so.

There has been some suggestion that there are pitfalls in the bill. Others believe the bill to be a very workable and constructive measure.

This happens in almost every bill before this body. I suggest that the way to settle the question is to vote on it. That is what our system of government is all about. We only ask for the right to vote.

Mr. President, when we look back upon the election in the past November, we realize that 62 million people who were old enough to vote did not vote. The studies on the matter since last November tell us that tens of millions of those 62 million people did not vote because of the difficulties and obstacles put in the way of their voting. It seems to me that it is imperative that this body face up to this matter.

That is the reason I am not willing to accede to the request of the Senator from Alabama, the distinguished chairman of the conference committee.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. McGEE. Mr. President, I would be glad to yield to the Senator from Idaho for a moment without losing my right to the floor.

Mr. ALLEN. Mr. President, reserving the right to object, and I shall not object on this occasion, I want to serve notice that hereafter I will demand the regular order.

The Senator from Wyoming has the floor. He is entitled to the floor. He can avail himself of the floor and use it until midnight if he sees fit to do so. However, I shall object to his parceling out time and deciding on his own desire to whom he will yield the floor.

So, I shall demand the regular order hereafter. However, in this case, not having given notice, I interpose no objection.

Mr. McGEE. Mr. President, it is my understanding that I would yield for only a moment. This is not an effort to kill time.

I assure the Senator from Alabama that I have had 5 days in northwest Wyoming where I was counting antelope, deer, and other animals. So, I am in great shape. If midnight is the challenge, I believe I can at least give it a try.

Mr. ALLEN. Mr. President, if the Senator wants to filibuster his own bill as well as the Economic Stabilization Act, he is at liberty to do so.

Mr. McGEE. Mr. President, I suggest that I am in no more difficult position than the Senators who vote for a cloture motion when they do not intend to vote for the bill.

The Senator from Wyoming is in good shape and can hang on for a while.

Mr. President, the Senator from Wyoming yields 1 minute to the Senator from Idaho for the purpose of making a unanimous-consent request, without losing his right to the floor.

EXTENSION OF TIME FOR FILING REPORT OF SPECIAL COMMITTEE ON AGING

Mr. CHURCH. Mr. President, I ask unanimous consent to move from April 30 to May 15 the date by which the report of the Senate Special Committee on Aging, "Developments in Aging, 1972, January-March, 1973," shall be submitted. I am making this request in order to give additional time for completion of minority views.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTER REGISTRATION ACT

The Senate continued with the consideration of the bill (S. 352) to amend title 13, United States Code, to establish within the Bureau of the Census a Voter Registration Administration for the purpose of administering a voter registration program through the Postal Service.

Mr. TOWER. Mr. President, will the Senator yield for a question?

Mr. McGEE. Mr. President, I yield for a question without losing my right to the floor.

Mr. TOWER. Mr. President, the Senator does have a right to yield for a question without losing his right to the floor.

Mr. McGEE. Mr. President, I wanted to make sure, because I have seen the floor slip away from time to time. So, this is double assurance.

Mr. ROBERT C. BYRD. Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. The Senate will be in order.

Mr. TOWER. Mr. President, does the Senator from Wyoming intend to keep the floor until midnight if necessary?

Mr. McGEE. Mr. President, I intend to keep the floor until midnight or later if necessary. I do not know what will happen. It appears this afternoon that a lot of things have been happening.

Mr. TOWER. Mr. President, in other words, there will be no opportunity to take up the Economic Stabilization Act conference report. I think that we have a right to inform the country that the controls expire at midnight tonight.

Mr. McGEE. Mr. President, I hope so, and I hope that we advise the country also about the delay in the bill we are considering.

Mr. TOWER. I think that there can be little question about the relative urgency of the two bills.

Mr. McGEE. Mr. President, I suppose that one can say that if he is opposed to it. I think that urgency is a relative term.

We have known for a long time that the Economic Stabilization Act has an expiration date of the 30th of April. We knew that a long time ago.

Mr. President, the pending bill reached the floor in plenty of time to get voter registration. There has been delay after delay. That is why I am reluctant to be squeezed out of the box at a time when we ought to face up to the issue of voter registration. And if there are those who fail to face up to the facts, I think the news ought to be also posted in the headlines that they are being derelict in watching the calendar. That date of April 30 has been on the calendar ever since I received my calendar at Christmas time.

This bill has been the pending business for a long time. We have challenged those who oppose the bill to give us an opportunity to vote. That is the only thing involved, the giving to the Senate of the

United States a chance to vote its will. That is all.

I would think that this body would certainly be the object of a lot of questions and some attacks around the country if at a time like this, when we are trying to encourage participatory democracy and getting people to vote and register, we were to try to delay such a decision by parliamentary procedure. Let us vote it up or down.

Everybody knows what the issues are. If we disagree over the issues, let us vote our disagreement. That is all we are arguing. It is simply that the time is now.

I must say, Mr. President, that I have been somewhat mystified at the seriousness of this mobilized slowdown of action on this bill. It would appear to a great many not to be that important. We have had many prolonged discussions here on a lot of great issues in the 15 years since I have been in the Senate, but never one on this kind of issue, involving this kind of operative procedures and issues at stake. But again, that is always a choice for the Members of this body, the choice being that you can delay by whatever parliamentary procedures or maneuvers are available to you.

All this body needs to do and must do before we are through with this question is agree to stand up and be counted. Vote yea or nay, it matters not, but let your constituents know where you stand. A U.S. Senator has that responsibility.

Mr. LONG. Mr. President, will the Senator yield?

Mr. McGEE. With the understanding that it is for a question, and that I do not lose my right to the floor, I yield to the Senator from Louisiana.

Mr. LONG. Mr. President, has it occurred to the Senator that he appears to be making headway toward enacting his legislative proposal, and that to become an obstructionist to other important legislation at this point in the session might very much hurt his cause, at a time when it appears he is making headway? Some of us voted with him today who did not vote for cloture before. Has that thought occurred to the Senator?

Mr. McGEE. That thought certainly has occurred to me, and I am particularly grateful to the Senator from Louisiana for his broadmindedness on this whole question. The point he raises gives the Senator from Wyoming considerable pause. It is a matter of considerable concern to me.

However, in the light of other events that have been taking place, I doubt that more than a few will notice even the deadline marking the expiration of the Economic Stabilization Act, in the light of other developments.

But that should not let any of us forget that that is important, that economic stabilization is a key factor, that the failure of the administration, in phase III, to come to grips with it is a great part of the explanation for the plight we find ourselves in now, with the inflationary situation, high prices, and everything. It is simply a plight we ran away from.

But I also know that in this particular case, if it makes a difference to this administration that controls be continued, that ought to be evaluated on the same scale of assessments in terms of producing action on this bill. I think this bill is a significant one, and I think that the one should not be shunted aside for the other, for the reason that we were here for a long time, and first, and that under those circumstances this ought well to have been a consideration for those who voted against cloture, if it is that important. But obviously 31 Senators did not think it was that important.

Mr. LONG. Will the Senator yield for a further question?

Mr. McGEE. So with that in mind, I again would want to say that I certainly agree with my colleague that it is a difficult kind of decision to have to make.

Mr. LONG. Would the Senator be willing to consider the fact that he would perhaps help his cause better, and probably come nearer to having a better chance of succeeding in that which he is attempting to achieve in this Congress, if he did not disappoint some of those who are supporting him by engaging in a somewhat irresponsible endeavor to impede other legislation, and instead do the best he can, all factors considered?

Mr. McGEE. I can pledge, in response to the Senator's question, that the Senator from Wyoming will do the very best, all factors considered, that he can; and he knows that the Senator from Louisiana knows that the Senator from Wyoming is not unknown for his cooperativeness around this Chamber. We try to keep things moving.

But I would have to say that in this instance the responsibility does not rest on the shoulders of the Senator from Wyoming, but rather I would think on the shoulders of those who prevented an up-or-down vote on this matter long ago, and that we are still stuck with that situation. If economic stabilization continuation by midnight tonight is that important, then call off the dogs and let us get going on an up-or-down vote.

Mr. LONG. Might I suggest to the Senator that if he will simply persist in what he has been trying to achieve in this area in good humor, and yield to some of the frustrations that are necessarily a part of this type of struggle, in due course he will prevail with what he is trying to do?

Mr. McGEE. I thank my colleague from Louisiana for his helpful comments and his understanding on this question, and I can assure him, as his friend, that I can sweat this one out. In fact, while I was trying to relax, counting those moose and those elk, this was the issue that always loomed largest, particularly in the middle of the night: What do you do when the chips are down?

It seemed to me that what we can still do, I think, today, is see if there is not a possibility of achieving the best of both worlds. I doubt it. I have not heard any rumblings that would suggest so. If they are not forthcoming, I am not interested.

Mr. LONG. Will the Senator yield for a further question?

Mr. McGEE. I yield to the Senator from Louisiana for a question.

Mr. LONG. Does the Senator have any reason to believe that the leadership would not be willing to call this bill back before the Senate after the disposition of the Economic Stabilization Act, if that is what the leadership has in mind?

Mr. McGEE. No one has told me that. I have had no dialog with anyone.

But I do not intend to leave the floor. I will be right here, so everyone will know where I am. I am prepared to go on until we drop over in the middle of the night, and we will worry tomorrow about how we succeed.

This is, again, with the deepest understanding of the implications of all that, and it is very frustrating, but you still have to make a decision on it. I have had to make the decision. No one has had to make it for me.

But I would say that I do appreciate the thoughtfulness of the senior Senator from Louisiana, and I shall continue to be troubled over this question.

Mr. President, the issue that faces us here today is the matter of trying to get a straight up or down vote. All kinds of misrepresentation have occurred in regard to this bill. The bill does not create national voter lists, for example, as has been suggested. We already have a national voter list. The Voting Rights Act of 1970 created it for the office of President. All this measure would do would be to add the offices of Senators and Representatives to the same list. It is nothing new for the States.

Likewise, I might say that this is not a new registration process. This is an application, for an additional way to register. All of the existing ways will continue to be employed for registering voters. This is simply another one, under the terms described in the bill, and it is an application.

That application goes to the State registrars. It does not go to any Federal agent or Federal agency. The States remain the judges of the validity of that registration application. We have tried to make it as simple as possible. We want to leave the basic judgment decision at the State level rather than to write national laws for the procedures. In that process, we believe we have advanced the odds for several million additional Americans actually to be able to register. The gap between registering and voting will always be there, but I submit that the performance of those already registered is delightfully high indeed. It ranges from 70 percent, 80 percent, even to 90 percent.

The real problem lies with those who, for one reason or another, did not or could not get to register.

As to the question raised by some of my distinguished colleagues about the cost of the system, let me say first that the amount now being spent to register voters is phenomenal. It runs into several hundred millions of dollars. The money spent by the various campaign committees to register voters, organizations like the League of Women Voters, those in labor, and in business, all organizing good citizen registration programs across the country in all the 50 States, amounts to a great deal, even in some States which have liberalized registration procedures on their own. As the registrar of voters in the city of New York testified before the committee, they take mobile outfits door to door to register the voters, and it costs about $8 a vote to register them.

That only says to me that the cost factor is a mixed business. The best estimates we could get from those who would have to beef up their operation to make this simple mailing possible talk in terms of somewhere between $15 million and $25 million, and not the specter of hundreds of millions of dollars which has been raised around here. That has to be at observed levels. It has to indulge the absurdity of sending practically every registration card by special delivery, by multiplying the optimum of those who will respond, ignoring the fact that 75 million people in this last election were already registered to vote, and voted—and not by postcard.

We are going after only those who are left over. They are the ones that would respond. We offer a small, meaningful formula for the States that believe they would be burdened by this extra manpower work.

But, my friends, think of raising the question of cost, when our mandate is to show the rest of the world that more and more Americans are willing to participate in their elections. We are being watched. People are looking to us for leadership, but they only find that we have placed obstacles in the way.

So, Mr. President, in the wake of these rather brief discussions on the cloture petition, I merely repeat that the time to vote is now. This body dare not hide behind the cloak of cloture.

Mr. BROCK. Mr. President, will the Senator from Wyoming yield?

Mr. McGEE. I am happy to yield to the distinguished Senator from Tennessee, who is one of the cosponsors of the bill, for the purpose of asking a question.

Mr. BROCK. Just for the purpose of asking a question or two, with some expansion, perhaps.

The Senator has mentioned the fact that it does cost a great deal of money for the mobile registrations, where they go out into the county and register people. But I should like to raise another point about that, in addition to the expense, and that is the fact that in an awful lot of areas in this country, if an election commission is under the control of one or the other party, that becomes a tool which can be abused and, in fact, has been abused in some instances, North and South, so far as I know, where the registrars, by selective registration, deliberately use their office to enhance the prospects of one party or the other.

I would therefore ask the Senator from Wyoming if—I know that probably is not the case in his State, because his State has a remarkably clean record, but I do know in other States, and the Senator does, too—this has not been the practice, to the disadvantage of the electorate.

Mr. McGEE. That is absolutely true. That is not just the monopoly of any one political party.

Mr. BROCK. No, it is not.

Mr. McGEE. We want to be more consistent with the areas where one party may prevail more substantially to dominate the other, that takes arbitrary measures, perhaps, on the part of the registrar, that would make it increasingly difficult for someone of the other party to register. It is that kind of thing that raises another aspect of this procedure and that is the post card registration.

Mr. BROCK. Then would not the Senator agree that post card registration is probably the most nondiscriminatory form we could devise, because every individual would have a full and equal opportunity to avail himself of this process and it would not be subject to the whim of the registrars of a different party?

Mr. McGEE. That is an apt observation by the Senator. It bears out what one of the registrars from one of the States said that it was their experience that one manipulated elections not by mailing a coupon or post card, but by the manipulation of officials who were in charge as they prepared the voter lists or as they mounted the number of obstacles placed in the way of those who otherwise might have registered for the party out of power in a general area.

Mr. BROCK. Mr. Randall B. Wood, former director of elections in the State of Texas, has noted:

> You do not effect fraud whether you register by mail or in person. The voter does not induce fraud into the election system. Fraud is induced with the knowledge or active participation of election officials.
>
> A Texas citizen who had just been released from the State hospital filled out and mailed in about fifty voter registration forms with different names and addresses. That was discovered in a couple of weeks, but these experiences have been few and far between.

Mr. Wood's testimony further indicates that his State, which presently practices registration by mail has experienced relatively no fraud at the registration level.

That is a fair summation of the facts, I believe.

Mr. McGEE. I think that really hits the nail on the head. What it should say to us is that we cannot write a law that would prevent any willful official from taking advantage of it, but we can introduce penalties that would suggest the unwisdom of trying to do violence. We have that in elections now. This bill would provide severe penalties for anyone who would try to do violence to the registration system—$10,000 fine and 5 years in prison. There are variables in the penalties in the income tax procedure, which is carried out almost entirely by mail. That seems to be a sufficiently strong policing method. Some people, of course, try to get away with it, but they are prosecuted. The simple inducement to register is at such a low level that we do not count the registrants but the votes.

Mr. BROCK. That is correct.

Mr. McGEE. That the level where it seemed to be worth the chance of getting caught would be at the ballot box rather than at the registrar's table. I would think that that in itself would give eloquent testimony to the point the Senator has been making.

Mr. BROCK. The Senator——

Mr. McGEE. I apologize to my colleague for having broken off our dialog for the moment. I was trying to settle another matter that is involved here.

Mr. BROCK. I am prepared to resume the colloquy, but if the Senator wants to go on to something else——

Mr. McGEE. I would like to resume the colloquy.

Mr. BROCK. If the Senator will yield further, is it not true that in existing registration, very few registration agencies require any identification at all? Very few agencies require anything more, as a matter of fact, than the personal signature. Once on the registration rolls, very few registration offices verify names and addresses against tax rolls, drivers' licenses, city directories, and the rest. As a matter of fact, very few election jurisdiction budgets even allow for registration fraud investigation. Very few States or counties check the names on their rolls against the rolls of other jurisdictions, other counties, other cities. If one has the desire, he can register and vote in nearly every political jurisdiction in the country and, with very few exceptions, would not be detected.

In my State, we have had instances of people who have registered in six, seven, or more counties, if I recall correctly. In one court suit, an individual actually registered and voted in seven different counties, all on the same day.

That is a process that is very difficult to detect and very difficult to stop.

We have other specific statements that I think bear on this matter. I should like to quote the president of the board of elections of New York City, Mr. David Dinkins, who said:

> We do not see fraud as presenting any problem in registration-by-mail legislation. If anything, we can tighten things up a bit.

Mr. Willard A. Morris, administrator of the Maryland Board of Elections, has noted:

> In Maryland, we register by mail members of the Armed Forces, Merchant Marines, the Red Cross, the USO and other organizations serving the Armed Forces outside of the United States, civilian employees of the United States, all of these including their spouses and dependents, the ill and disabled, we have it and it does work.

I think that is an excellent statement of the logic of this particular bill. I think that is the essence of what the Senator is trying to achieve. Rather than compounding the problem of fraud, we hope to enhance our ability to address it in a better fashion.

I am impressed with the Senator's point that 95 percent of the tax returns in the United States are done in the home and mailed in. That is almost as if we were voting in the home, much less registering. But we have a minimum of fraud, and I think we can anticipate, because of the penalties in this bill and the safeguards it incorporates, that the same will apply here. I do not believe we are adding to the prospect of fraud. As a matter of fact, I think there is an excellent chance that we are reducing that prospect.

Mr. McGEE. I am interested in the point the Senator from Tennessee has made. As I recall, in part of his testimony during the hearings, the point was made that the broader your base of registrants from as many sources as possible, the more difficult it is to mobilize them for any disciplined purpose, such as voting for me, such as voting for one party; that, if anything, rather than introducing a new risk of fraud, it actually takes the edge off some of the existing risks of fraud—fraud that has already appeared on the record in some ballot boxes.

Mr. BROCK. The Senator is correct.

One advantage I see in mail registration is that there have been instances——

Mr. McGEE. The Senator should make clear that that is m-a-i-l registration, or he is going to be in trouble.

Mr. BROCK. The Senator is correct.

There have been instances in certain sections of this country where people could not register if they were black. We attempted to deal with that in the Voting Rights Act of 1965, and I think rightly so. There have been equal instances in which if it were not impossible, it certainly was difficult to register if you were a Republican.

I can cite some individuals who have come to me with that complaint in counties outside of my own State. They simply said that they were discouraged, if not outright refused; that, as a matter of fact, when they tried to register, the registrar, when they said they wanted the Republican book, simply turned to them and said, "I'm sorry, but we're out to lunch." It happened to be about 9:30 in the morning.

That sort of thing begins to wear thin after a while, and it seems to me that the effort of this bill is to deal with exactly that kind of situation.

Let me give another example. Further testimony from Maryland was given to us by Mrs. Gerber, the elections administrator for Montgomery County. She said:

> In 1972, before the general election, one thousand of our new registrations were mail registrations and there has been no fraud involved.

That is pretty eloquent testimony, I think.

As a matter of fact, it has been my experience, in studying the election codes of the various States, that those States which do allow registration by mail have less fraud than those which do not. I think the very logic of that case should bear upon the debate today.

Let me cite a couple of the safeguards in S. 352 against fraud.

Under the bill, the local election official must send a nonforwardable registration verification form to all who register by mail. If there is no such address or no such person residing at the address, the verification form would be returned to the local election official for investigation.

Let me tell the Senator why I think that is important. We have had a case with which I am familiar—or about which I have been told—in which some 17 individuals registered and voted for years from the same address. Upon investigation of the address, we found that it was a vacant lot, that it had been vacant since 1958. Yet, those people had voted every 4 years, because in Tennessee people cannot stay on the registration books. They are automatically purged if they do not vote every 4 years. They had been voting from a vacant lot.

Mr. McGEE. And that was without any post card registration.

Mr. BROCK. Absolutely.

Mr. McGEE. Under the present system.

Mr. BROCK. Without any post card registration at all.

We had a county in which I think the registered voter population was approximately 2,500 people, and in one election 969 absentee ballots were cast. On appeal, the judge threw out the ballots and threw out the count, but he did not throw out the people who were elected by those ballots. They were allowed to serve.

There is a second safeguard in this bill: Upon request by State or local election officials, the Voter Registration Administration can provide fraud investigation assistance. Today, the vast majority of local registration operations cannot afford such investigation.

From my own experience in the State of Tennessee, we have had time and time again, claims of fraud. It is very difficult to prove voter fraud, either in the form of absentee ballot or by people who go behind the curtains and pull the lever for someone who may be semiliterate. But the claims were of such substance and of such number that we tried to get those investigated. There simply was not any mechanism. The judges or others who were requested either did not have jurisdiction or did not have time or did not have the personnel. Perhaps some of them did not have any interest. I do not know that. But I do know that very rarely do we ever get that sort of thing investigated and prosecuted.

I do know that an awful lot of people have felt for many years that this is a matter that should be a subject of great concern; it should be corrected; and it has not been adequately addressed, at least to their satisfaction.

There is a third protection in the bill. The Attorney General is empowered to bring civil action against fraudulent registration. That is clearly pointed out to the individual when he registers.

Fourth, those involved in registration could receive a fine of $10,000 or 5 years in prison or both. As the Senator from Wyoming (Mr. McGEE) pointed out, that is a fairly strong penalty for those who might want to abuse the process.

Mr. President, every State in the Union, to my knowledge, allows for the challenge of a voter at the polling place on election day. In most circumstances, the challenged vote is set aside until the challenge is resolved, at which time it is either admitted or thrown out. Clearly, a questionable voter or series of voters can be challenged at any given locale in the country.

In Tennessee I have seen citizen efforts on the election day. We still have occasional abuses, but by and large we have made enormous progress. Both parties have poll watchers on election day. If they think someone is not a legitimate voter they challenge him then and there. That system works and it is the kind of system that will protect this country against further abuses.

The purpose of this bill is to enhance the opportunity for people to participate in the political process. Certainly, it is not to increase fraud but to enhance the opportunity for participation in government and faith in the system.

Our political parties are aggressive. If they believe they are threatened by a massive conspiracy to commit vote fraud by post card or any other means, they will make sure that their representatives at the polls protect their interest.

In short, I dismiss the argument that we cannot institute post card registration because of potential fraud. Where fraud prevention measures have the effect of disenfranchising legitimate voters, they ill-serve democracy.

We cannot prevent a man from registering to vote, just because we suspect he may commit fraud, any more than we can prevent a man from getting a marriage license just because we fear he may commit bigamy.

If he violates the law, in either instance, he can be punished. The bill we are discussing provides many assurances of that, and as evidence of my concern, I plan to introduce an amendment to provide an additional assurance against the possibility of dual registration.

In this final analysis, there is no evidence that S. 352 would increase vote fraud. If you have corrupt election officials, you will have vote fraud. That has always been the case, and always will be.

The post card system does nothing to encourage fraud, and may, in fact, have a side benefit of reducing it.

There are over 44 million Americans who are eligible to vote by age and citizenship, but cannot, for the simple reason that they are not registered.

There are many reasons why they are not registered, and whatever other reasons may be cited, among those reasons are surely these:

Company transfers to a new State;

Inability to reach a registration point because of age, health, distance, transportation, or inconvenient operating hours; and

Complicated or antiquated registration procedures.

In Tennessee, despite the best efforts of our registrars, there were over 723,000 unregistered, but otherwise eligible, voters in 1972. This is a number of people equal to the combined populations of Memphis and Chattanooga.

One of the arguments raised by opponents of S. 352 is that the establishment of a Voter Registration Administration has the effect of taking power from the States and vesting it in the Federal Government. I think my record in that area is clear, and I assure you that I would not be a party to such a plan.

S. 352 will not have that effect. It does not replace State initiatives; it does not reduce State responsibilities. It supplements them. But it does something else, too. It increases the impact and power of the people to have an impact on their Government. It gives to the citizens of this country, Mr. and Mrs. America if you will, an avenue for increasing their participation in the Federal electoral process. More voters can mean more input into the governmental system and more interest in making the system work.

One of the great strengths of the bill is that it allows for the streamlining of the registration procedure, without altering State and local standards and criteria for eligibility.

As such, it is clearly constitutional, as has been stated by Prof. Alexander Bickel, perhaps the leading conservative constitutional authority.

In the course of this debate, it has been implied that the only reason we have unregistered voters is that the people are apathetic. There is some justification for that view, but I would like to take it one step further and ask why are people apathetic.

I believe the answer is that they see government as too remote, too complicated, and too insensitive to their lives. By bringing the registration system closer to them, we can strike a blow against apathy. We can show that we do care, that government is responsive.

Another concern that has been stated by the opponents of this legislation is a fear that it will lead to vote fraud. This is a most appropriate concern.

Vote fraud is a terrible crime, since each fraudulent vote cast robs from some other citizen his precious right of franchise. We must be ever alert to the problem of fraud, and seek to wipe it out wherever and whenever it exists.

Now, that is important, vote fraud exists. It has existed for years. There are instances of it in every election, elections, mind you, where postcard registration is not involved.

Nearly all voter registration offices require no identification for registration—one's signature is the only identification required.

Once on registration roll, nearly all registration offices do not verify names and addresses—against tax rolls, driver's license, and so forth.

Most election jurisdiction budgets do not allow registration fraud investigation.

Very few States or counties presently check the names on their rolls against the rolls of other jurisdictions.

If one has the desire, he can register and vote in nearly every political jurisdiction in the country and it would not be detected.

All of these things can happen now, without post card registration. The simple fact of the matter is that we have substantial expert opinion that this legislation would strengthen fraud-prevention efforts, through Federal assistance for investigation, prosecution by the Attorney General, and criminal penalties for violators.

I wish to ask the Senator one question. One of the things that bothers me a little about the bill, and I think I mentioned this in my testimony, is the fact there is no requirement for a statement or affidavit on the registration card itself in which the individual states categorically that he is not registered in any other place, and if he is, where and why. I refer the Senator to the type statement we require from military and governmental personnel stationed overseas. That is supplied on standard form 76, part A. The statement says on the form for overseas personnel:

> I am not requesting a ballot from any other State and am not voting in any other manner in this election, except by the absentee process, and have not voted and do not intend to vote in this election at any other address.

I wonder if such a statement should not be incorporated in the bill and if not in the bill, certainly in the legislative intent that we establish here. I think it is important for the individual to give us some indication of his good faith that he is not going to abuse the process.

I have a lot of latitude in my mind as to the kind of statement that would be required. I have an amendment prepared to place the statement in specific terminology. I am not sure that is the way to go about it. But what I want is an expression of intention, some statement of guarantee on the part of the voter that he does not intend to abuse the process, that he will not register in more than one location. I think we need some assurance on that.

Mr. McGEE. The only reason the committee did not put that on a specific form at this stage was that there are several possibilities there and we felt that to select one of them would be to tie the hands of the administrative agency responsible for actually preparing the form. Some have suggested it might be sufficient to have them put their social security numbers there. That would be some kind of check. But the distinguished chairman of the Committee on Finance has reminded us that a great many people have several social security numbers and that would not lock them in properly. Mrs. McGee has just applied for a social security number and she now has five that she has received in the last 3 weeks. There was all kinds of shifting around in connection with the application for a social security number.

Therefore, we would have to know more about that. Whether one could put a signature on the card as is done in the case of an income tax return and affirm that that is his authentic signature and that these facts on the card are as stated, I do not know.

What we wanted, both in the report on the bill and in the legislative intent on the floor of the Senate, was to make it abundantly clear that we want that type on the form, but we were a little reluctant to prescribe the type device. We wanted to leave a little latitude for the administrator.

Mr. BROCK. I agree with the Senator, because it is quite possible that we are going to find there are problem areas that crop up that have not been anticipated, and the administrator should have some flexibility in attempting to deal with that problem.

But for the record, it is the intent of the sponsors of the bill, and certainly it is on my part, that a statement, an affidavit of some description be incorporated in the post card form that would give us clear evidence of the individual's intention to register in this one instance and not abuse the process by multiple registrations.

Mr. McGEE. Indeed, it is. That is the intent of those of us, including the Senator from Tennessee, who are sponsors of this measure. I would add that in addition to that, upon the receipt of a post card with that affidavit statement, the registrar in that State or that county or locality still could challenge him. He could still say, "I do not think this is right." It is not automatically a guarantee of registration. If he wants to challenge it, he can challenge it, and ask for investigatory help if he needs it to verify it or disqualify it. But he makes that decision as he does now where the person walks in that office. He does not know if that person is John Doe or John Dew.

Mr. BROCK. Does the Senator from Wyoming agree that a registrar would be more suspicious of a registration received in the mail than when a prospective registrant walked in the office?

Mr. McGEE. It is much easier to walk in the door, fill out a form, and sign a name. "Who are you?" He does not know who you are, except in a tiny precinct, but the fact that the person walked in totally disarms the registrar. The fact that on a post card they would get the same kind of information, although under oath, would seem to tighten it more and be less disarming and subject to closer surveillance.

Mr. BROCK. I completely agree. I would like to ask the Senator two questions. Would it not be possible for a State participating in the program to draft its own statement on the cards to be mailed?

Mr. McGEE. That would not be out of the question at all—whatever would seem to meet the requirements of a particular State in that case.

Mr. BROCK. Because we are not, by any method or by design or device, obviating any State law; we are trying to strengthen it.

Mr. McGEE. And we are not trying to create any voter lists of any sort that would be available to anybody. All we are trying to do is set up a mechanism that already exists for the mass application of registration. That is all that is involved.

Mr. BROCK. I thank the Senator.

I should point out at this point that I appreciate the Senator's accepting my suggestion with regard to privacy in protecting this national list in the bill as it is incorporated today. I think that was an important improvement.

I would like to address one other question to the Senator with regard to this entire subject matter. If we had this law, the individual, as he envisions it, would be signing the post card with some form of affidavit as designed by the administrator. Would it be possible for a State to require that signature to be notarized, for example?

Mr. McGEE. I can think of its posing some logistical problems, unless they had notaries who went to wherever they received the post card, and notaries were sent out there. I think that would introduce an operating factor of some dimensions—I am not sure, right off the top of my head—as well as some cost factor. It is not notarized in the income tax form. The idea for introducing the bill is to make it easier for one to register and this might be an unnecessary obstacle. I am not sure.

Mr. BROCK. I am suggesting it because I think it is worth exploring. I do not think it is something that we should mandate legislatively, but I think it would be worth exploring.

Mr. McGEE. This colloquy would surface that as another possibility, so that those in charge when this system is set up would certainly delve into it to make sure what it means in a national voter registration effort.

Mr. BROCK. One last question: One of our colleagues said to me he does not think this bill is necessary because in most of the States, and certainly most of the cities, of this country, the registrars are located in precincts, and they know everybody in the precinct; therefore, there is no possibility of fraud at the precinct level.

Perhaps my experience is somewhat limited. I have not had experience in the legislative process outside the State of Tennessee, but in the State of Tennessee—and I think in a good many other places—that simply is not so. Most of the time the registration is at the county courthouse or the city hall, and the individual can be required to drive 5 or 10 more miles into town. He can walk into that office, never having been seen by that registrar at all before at any point in time, and simply sign and be registered.

Mr. McGEE. He can, indeed. There are some large cities where not only does one have to drive to the city, but he has to do it between 9 and 5. There are some city halls, where there is such a requirement, which are not open evenings, Saturdays, or Sundays, and so it is additionally difficult. The fact that it is so limited in that way, in reverse order, would surely tell us that the registrar in the city hall or the county clerk's office could not possibly know voters face to face and has to take them on faith—and that is no lisp.

Mr. BROCK. I thank the Senator for his response.

As the Senator knows, I am very interested in the bill. I think it is in the interest of both political parties—not one or the other, but both. I think it is in the interest of the system. I frankly think that, once established, to the contrary of some of the arguments that have been made against it, it will be found that this bill goes a long way not only toward enhancing the ability of participation on the part of the citizen—and that is desperately needed today—but also that it goes a long way toward reducing the tendency of even the opportunity for voter fraud. I think that is terribly important.

Mr. McGEE. I appreciate the comments of the Senator from Tennessee on the bill in general. He has been so deeply involved in its many ramifications that his testimony in a particular sense comes as expertise from his grassroots experience with the dimensions of the problem. To that extent, he has given unique and real professional advice, because it was reduced to what had been experience in real life, real live election procedures and registration procedures. That ought to say even more to the Members of this body than some of the theories on which we have to operate on something like this, something that has not been tried on a nationwide basis. We have to reason from that kind of statement.

Mr. BROCK. I thank the Senator from Wyoming for his comments and his leadership.

Mr. McGEE. Mr. President, I have been sitting back in my chair quietly reflecting on the history of the measure now being debated in this Chamber, and I should like to share some of my thoughts with the Senate.

In the summer of 1971, I mentioned to my staff my great concern with the low voter turnout for elections in this country and tossed out some suggestions on how this could be improved. As a history professor with an abiding interest in foreign affairs, I have traveled extensively abroad, talking with and listening to citizens of other countries. One of the most frequently asked questions of me was "Since America is the world's most powerful country, has the largest gross national product, the highest educational level in the world, and the most famous democracy in the world, why does it have approximately the lowest turnout of voters in the world for the election process?"

As a citizen of this country and a public servant, I was and continue to be hard pressed for an answer to this query. My answer has been we are working on it, and that is why I am in this Chamber at this particular time. My staff put these ideas in mind in the form of a rough draft bill and we announced hearings in early October 1971. The response was overwhelming. Groups and individuals from all areas and persuasions came to Washington to talk about improving voter participation, and one way was to improve the archaic registration processes.

Testimony from experts in response to why we do not match up to other countries in voter participation suggested that other countries make it easy for their citizens to vote; the United States, with its complicated system of voter registration requirements controlled by the States, makes it extremely difficult. The committee made appropriate changes in response to this testimony and presented S. 2574 to the Senate floor for debate in November of 1971.

The bill approved by the committee set up a Voter Registration Administration within the Bureau of the Census which would send out post cards to postal addressees at least 30 days prior to a Federal election. The citizen would simply mail this perforated post card to his registrar or county clerk and he was registered. Safeguards for prevention of election fraud were written into the bill. States could still fix their own requirements for State and local elections; but should they choose the McGee plan, a Federal subsidy would aid them in financing the burden of registering voters.

The McGee bill was ready for debate on the merits in late November 1971 by the full body but somehow a number of factors prevented this from taking place. First, certain Members of this body had no desire for the bill to see the light of day. Second, the Senate was moving toward adjournment of the first session of the 92d Congress and the bill became steamrollered by last minute appropriation bills, and so forth, and I was the nice guy who yielded to a plea by the leaders to agree to a 2-hour debate on the bill, then vote if unanimously agreed to. On December 3, we discussed the bill for the allotted time upon which I said, "Let's vote." As you can imagine, the same individuals who raised objections in the first place said "let's not vote," so the bill was set aside.

S. 2574 returned to the spotlight of Senate debate in March of last year. I came to the Senate floor prepared again to vote on the bill—yes or no on its merits after reasonable discussion. Again opponents raised allegations of election fraud without stating any proof that anything like this would even remotely have a possibility of occurring. Second, the old line of "This bill belongs in the Judiciary Committee for further study" was echoed. The able Senator from Massachusets (Mr. KENNEDY) stated in Senate debate on December 3, 1971, on this bill that—

> The only time the argument over jurisdiction is made is when no other good argument can be made.

Senator KENNEDY also pointed out that this Judiciary Committee argument was used in 1970 when the 18-year-old vote came up for a floor vote. "Let's send it to the Judiciary Committee" it was said. The Senate then, as it has now, recognized those arguments for what they were—delaying tactics—and refused to avert them.

Third, the so-called constitutional experts informed the bill's opponents that the bill was probably unconstitutional because it had a 30-day residence requirement instead of the lengthy periods required by some States. We argued that this was not unconstitutional and cited many instances where there was abundant constitutional, legislative, and judicial precedent to support enactment of this legislation. As to voter registration, the Constitution in article I, section 4, gives the right to the Congress to make or alter regulations relating to times, places, and the manner of holding elections for Senators and Representatives.

The Supreme Court as early as 1932 in Smiley against Holm interpreted article I, section 4 to mean Congress has abundant authority to do this. Congress may reduce requirements for voting in Federal elections if it wishes. Oregon against Mitchell affirmed this right of Congress to reduce residence requirements in Presidential elections, on the ground that such requirements interfere with the constitutional right of citizens to travel freely from State to State. Finally, just last spring, the Supreme Court in *Dunn* v. *Blumstein*, 405 U.S. 330, stated that durational residence requirements are violative of the Equal Protection Clause of the 14th amendment, as they are not necessary to further a compeling State interest.

The Supreme Court went on to say that a period of 30 days appears to be ample to complete whatever administrative tasks are needed to prevent fraud and insure the purity of the ballot box. I think finally we can place this constitutional argument to rest and realize once and for all that Congress has the power and the responsibility to act in regard to Federal elections.

Since these three groundless and fallacious arguments dominated the Senate's time again, no discussion of the bill's merits was allowed. The bill was tabled by a scant four votes and that ended any hopes of enactment before the 1972 Presidential election.

Disproving the notion that the Senator was only interested in seeing a voter registration bill enacted to help the Democratic Party register 1972 Presidential and congressional voters, the bill was reintroduced early in this session of Congress. New hearings were held and to reecho the Senator from Wyoming's nonpartisan motives, he had many members of the Republican party cosponsor the bill. One of the most enlightening pieces of testimony I have heard since being in the body, and that is 15 years, was delivered by the junior Senator from Tennessee, Mr. BROCK, before the Post Office and Civil Service Committee hearings on Friday, March 16, 1973.

In an excellent statement complete with statistics, he put the argument to rest that if several million more voters had shown up at the polls on November 7 that the Democratic candidate would have received the lion's share of them. Senator BROCK's statistics show just about the opposite. The incumbent Mr. Nixon would have received even a larger percentage than he amassed. The Senator from Tennessee knows, too, for he had an instrumental role in the incumbent's reelection campaign and I should be more specific in light of recent developments. He was the Director of Youth for Nixon.

Senator BROCK says the bill currently pending in the Senate, S. 352, will work and is a good bill. The Senator from Oklahoma, Mr. BELLMON, agrees. I respect the view of these distinguished colleagues along with the other cosponsors and supporters of the bill from the party across the aisle.

On March 16, 1973, Mary C. Lawton, Deputy Assistant Attorney General, Office of Legal Counsel, Department of Justice testified before the Post Office and Civil Service Committee on S. 352. Ms. Lawton stated the views of the Justice Department that this bill is questionable on constitutional grounds, contains fraud potential, and that its expense is too great in view of the fact it offers no real assurance that its provisions would induce more people to vote. The committee rejects those views.

With regard to the constitutionality of the bill, I believe that this question was answered sufficiently in light of the recent court decisions I mentioned a moment ago. The committee believes the authority of Congress with respect to national voting is well defined. Congress has the power, and the introduction of S. 352 indicates the desire of Congress to exercise it. To reiterate, it is the opinion of the committee that the constitutional argument is fallacious and moot.

Second, does the bill increase fraud potential? Witnesses testified that fraud is already rampant. This bill offers no more opportunity for voter fraud than exists already. S. 352 retains the safeguards of present State law in addition to providing new Federal safeguards and criminal penalties to deter fraud.

The witness cited a figure of $190 to $527 million as the cost of a program of voter registration. Apparently she was mistakenly referring to S. 2457 of the 92d Congress, introduced by Senator KENNEDY, a susbtantially different measure from S. 352. Best committee estimates are that S. 352 would cost between $25–$30 million, a relatively small amount measured against the value to be achieved in bringing the Nation closer to its goal of true participatory democracy.

The Justice Department raised 10 technical questions in their testimony which the committee has considered. I would like to take a few moments to respond to these:

First. The first question queries the requirement that registration forms would be sent to the occupants of U.S. households. Because of the unidentified number of eligible voters in each household, how will the Voter Registration Administration know how many forms to send each address?

My answer to that is four or five registration forms would be delivered by mail to each household. If this number were not sufficient, section 406(b) of the bill provides for public distribution of the forms at post offices and other Federal installations.

Second. The bill provides that registration forms shall elicit information responsive to State law and responsive to voting qualifications criteria established by the Voter Registration Administration. The Justice Department questions whether the Voter Registration Administration could veto the requirements of State law.

In responding to this, the bill provides that both the State and Voter Registration Administration qualifications will be reflected on the form. The Voter Registration Administration is nowhere empowered to circumvent or overthrow State law.

Third. If a State refuses to participate in the mechanism provided for State and local elections and declines to process the forms for Federal elections, what provision is there to require compliance?

Let me state that the bill encompasses but does not require State participation in State and local elections. A State refusing to process the forms for Federal elections would be in violation of Federal law. Appropriate State officials could be penalized for violation of section 408(b).

Fourth. Must State and local officials be bound by the registrant's own classification of himself as a resident of the State?

The answer here is simple. State law would apply. If a citizen meets the requirements of State law, he is a duly qualified elector. This bill would not affect the current procedures available for determining classification of the potential voter.

Who determines the qualifications of the nonresident who votes in his former State in a presidential election?

The answer is that Federal law would apply here. Congress enacted the Voting Rights Act Amendments of 1970 and they were upheld in *Oregon* v. *Mitchell*. These amendments gave Congress the authority to determine residence requirements in presidential elections.

Fifth. Who processes the forms for a State that has no registration procedure?

It is clear that section 410 authorizes the Voter Registration Administration to issue regulations which may exclude a State from the provisions of S. 352 if that State does not require a qualified applicant to register prior to the date of a Federal election.

Sixth. Do the penal provisions of the bill in section 408 preclude resort to State civil or criminal remedies?

To answer this, the bill provides that, in order to prevent fraud, a State official may take appropriate action under State law in addition to remedies available through the penal provisions of section 408.

Seventh. What is the relationship of the penal provisions in this bill to the existing Federal election laws carrying out quite different penalties, such as 18 U.S.C. 245, 594, 597 and so forth?

In the bill, section 408 prescribes penalties for fraudulent voter registration. These provisions are not in conflict with law now on the books. Existing laws provide penalties for voter fraud. They may be invoked under provisions of S. 352 just as they can be under the present system. For example, section 1001 of title 18, United States Code, is applicable to fraudulent statements in completing the registration form. Section 245(b)(1)(A) of title 18, United States Code, prescribes penalties for those interfering with citizens qualifying to vote. Section 594 prescribes penalties for persons coercing or intimidating voters. Section 597 prescribes penalties for persons expending money to influence voting.

Eighth. Will the exclusion of the election of delegates in Guam and the Virgin Islands and the election of a resident Commissioner in Puerto Rico raise equal protection problems?

In responding to this query, the committee has amended the bill as introduced to add Guam, the Virgin Islands, and Puerto Rico into the definition of State in section 401(2).

Ninth. Does the processing of registration forms in section 409(a) of the bill include independent investigation of the qualifications of a prospective registrant or is it limited to the handling of the registration form itself?

Simply, section 410 of S. 352 provides that the Voter Registration Administration is authorized to issue rules and regulations for the administration of this chapter. The committee believes that the detailed subject of independent investigation can be better controlled by regulation.

Tenth. Possession of the voter registration form under section 405(c) would be prima facie evidence that the individual is qualified. Would the State or local official be obliged to permit the holder of the form to vote even if he knows of his own knowledge that he lacks necessary qualifications?

My answer would be clearly that possession of the registration form indicating that the individual is entitled to vote in an election shall be prima facie evidence that the individual is a qualified and registered elector. Under section 407, the State official may take appropriate action under State law if he has reason to believe that individuals registering to vote are not qualified. In addition, he may notify the Voter Registration Administration and request its assistance to prevent any fraudulent registration.

By sending up a smokescreen of fraud, jurisdiction, constitutionality, cost, and other devices the opponents have avoided talking about the substance of the bill. It is very distressing to the Senator from Wyoming that in all the opposition debate on this bill extending from November and December 1971, and March 1972, to the present, there has been little if any discussion of the bill on the merits. It seems probably a little curious to the people sitting in the gallery to be discussing a bill they had heard about registering voters by post card and then to come in to this body and listen to very little debate whatsoever on post card registration. This body owes it to the people in the galleries for they represent the people of this Nation who are continually being strangled by archaic and burdensome registration requirements. As Joseph McCaffrey mentioned in an editorial last week on the bill and I paraphrase:

> The Senate is faced with voting on a bill which is somewhat unique. If it is enacted it will work. More people will vote and it will help to register more voters. The opponents most of all know this, and that is why the bill is being subject to extended debate.

I agree with him. The Post Office and Civil Service Committee has looked long and hard at this bill and has answered all arguments made by the bill's opponents fully and I believe convincingly.

Voter participation in this country is at the crossroads. If real representative government in the United States is going to prevail, it must be structured so that all can participate. In this modern day there is no possible excuse for a registration system which tends to limit the free exercise of citizenship. There can be absolutely no justification for sustaining an inefficient system which prevents the unwary from knowing and using what is commonplace to the informed.

Mr. BIDEN. Will the Senator yield?

Mr. McGEE. I yield.

Mr. BIDEN. I have heard a good deal of debate on this bill in the last several weeks. One of the things that puzzles me is this: It is my understanding that the State of Texas has a registration system that is very similar to that which the Senator from Wyoming has proposed today and that he has been proposing for the last several weeks. My first question is: What is the difference between that system and the system which is working well at present? I have heard of no allegations of fraud in the Texas registration system. I am curious as to whether there is a difference between the proposal of the Senator from Wyoming and the system which exists in the State of Texas.

Mr. McGEE. The only real difference, specifically, that I would single out in my proposed legislation is that we are tighter on the penalty for anyone who would abuse it than the State of Texas is in its procedure. Second, the State of Texas is a little more loose in the way it solicits registrants. They run ads in the newspapers and print handbills which are passed out to prospective registrants.

That goes much further than this envisages. However, what it does say is that even with all of that, they have no measurable incidence of fraud in the registration process.

As the Texas registrar testified before the hearings, in fact, the only fraud that they encountered was at the ballot box where corrupt officials juggled the ballot boxes, seized them, stuffed them, or did whatever else they could do to distort the election, not the registration process. They had no evidence of tampering with registration lists.

Mr. BIDEN. Mr. President, is there any indication that the voters in Texas are any more or less honest than the voters in other States, or is it merely that the system is not as fraught with fraud as it has been suggested in the last few weeks?

Mr. McGEE. Mr. President, I would certainly say that the State of Texas is not any more subject to fraud than is any other State. And I say that with the distinguished Senator from Texas present. American people are all alike. They move all over. People start in Texas and wind up in Wyoming, as a great many have. I do not think that has anything to do with it.

Mr. TOWER. Mr. President, would the Senator yield for a question?

Mr. McGEE. Mr. President, I will yield for a question if the Senator puts a question mark after the question and if I do not lose my right to the floor.

Mr. TOWER. Mr. President, is the Senator from Wyoming not aware that the most outstanding characteristic of Texans worldwide is their honesty?

Mr. McGEE. I thought the Senator was going to say that they move to the State of Wyoming.

Mr. TOWER. That has to do with the eternal vigilance of the law officials in our State.

Mr. McGEE. Mr. President, I would have to say that there are a number of ranches in the State of Wyoming that would dwarf the State of Delaware.

Mr. BIDEN. The Senator from Wyoming is about to lose my support.

Mr. McGEE. Mr. President, that merely suggests that one has to be more skillful in making a living than he would have to be if he had more.

Mr. BIDEN. Mr. President, in the State of Delaware, according to the figures coming out of the committee and the little homework that I have done on the subject, we rank relatively high in the number of people registered and rank relatively high in those registered and voting. However, even in our State, we are in a position where only 70 percent of our eligible voters are registered and about the same percentage vote.

In our small State, which is much more accessible to polling places and registration places than is the case in other States, I suspect, we are in a position in which it is very difficult to make registration available to a significant portion of the population in light of the fact that 30 percent of the people in my State do not register. Our State is only 100 miles long and less than 50 miles wide. There are only three points where people can register in the normal course of events. The pending bill would eliminate the requirement that the farmer get off the plow between 9 and 5 and get to the courthouse, 30 miles away, find the basement of that courthouse, and find a solicitous registrar who would give him time to register.

Mr. McGEE. Mr. President, that is true. This is the gap that we are trying to help close. It will not close the whole gap by any means. We make no pretense about what this is capable of doing. However, we believe that it would close it significantly and would bring in nationwide some tens of millions of new participants in the election. In Wyoming and in Delaware we are talking about thousands, rather than millions. It is the percentage gap that concerns us.

Mr. BIDEN. Mr. President, with reference to the cost of this legislation if it were to pass and become law, would the cost of this legislation to the American taxpayer be cheaper in the long run to have legislation whereby people who want to register for the Federal elections can do so by post card as suggested and thus eliminate the need for additional or other forms of registration throughout the State. Would the total cost involved be less?

Mr. McGEE. There would be cost involved. The best estimate we can get from those who run the machines that do the computing and the mailing, the cost would range somewhere between $15 million and $30 million or $35 million. However, this has to be kept in a relative setting, and that relative setting is that we are now spending many times that amount in voter registration in every State.

As the registrar of the city of New York testified before the hearings, this would be a whole lot cheaper for him. In the registration drives, they move around registering people, and it costs them $8 a vote by the time they pay the bills and monopolize the manpower and the machines required.

Mr. BIDEN. Mr. President, as the Senator envisions it, would the enactment of this legislation eliminate the need in my small State for the voting and registration vans and the physical plant moving around? We conducted like a bookmobile unit that goes around, very unannounced on most occasions. Would it eliminate the cost factor there?

Mr. McGEE. Mr. President, I do not know that I would say it would eliminate the need to have that cost factor. It would still have to be the judgment locally as to whether that sort of thing would make a difference in that particular State or precinct. However, that is another matter. Playing the odds statistically, the chance is that the cost would be much less and the cost factor would be down as a result. The States, should they not decide to accept the post card system for State and local elections would possibly continue with the vans. This is the reason for the incentive payment of 30 percent to States who adopt this plan for their elections.

Mr. BIDEN. Mr. President, the uniformity which this would bring across the country with regard to Federal elections is somehow looked upon as being implicity bad. What are the arguments against uniformity? Is there any reason why there should not be a uniform system of registration?

Mr. McGEE. Mr. President, there is nothing at all bad in achieving some kind of uniformity in Federal elections. As a matter of fact, the lack of uniformity is one of the complications involved. People move from one State to another State and find that they are disenfranchised, because they have different mechanisms and requirements in the other State. So, in Federal elections if we can minimize the differences for elections involving Federal office, such as voting for the President of the United States, it would seem to me to make it more consistent, which is a better word than uniform, with the equal rights of all American citizens old enough to vote. That is the key.

Mr. BIDEN. Mr. President, I thank the Senator for being so responsive to my question. Before sitting down, I would like to point out that I believe the population of the State of Delaware is larger than that of Wyoming. However, I am not sure.

Mr. McGEE. Mr. President, I would guess that the population of Delaware is larger than that of Wyoming. We believe in quality living, and we are very selective in the process.

Mr. ROBERT C. BYRD. Mr. President, may we have order in the Senate, and may we have order in the galleries?

The PRESIDING OFFICER. The Senate will be in order. The galleries will be in order.

Mr. MANSFIELD. Mr. President, could the distinguished Senator from Delaware tell us which State in the Union is the first State?

Mr. BIDEN. Mr. President, the first State in the Union is Delaware, and we would be delighted if the other States would all follow us.

Mr. McGEE. Mr. President, I must say that the State of Delaware set a great example for a number of big States in which no pilgrims landed and to which no pioneers from Europe came. We are grateful to let Delaware develop this whole enterprise many years after the fact.

Mr. BIDEN. We are delighted to have you join us.

Mr. McGEE. The only drawback is that it also has something to contribute to the order of seniority in this Chamber, as I found out when I arrived here 15 years ago, and that coming from a State which was not admitted to the Union until 1890 has some drawbacks.

Mr. BIDEN. Inasmuch as the Senator from Delaware happens to be No. 100 in seniority, I had rather not talk about that subject.

Mr. McGEE. Well, I thank the Senator from Delaware for his remarks here, and I want to say that his was one of the unique campaigns, in his freshman endeavor in seeking a seat in this body, to dare to make this kind of registration an issue in a statewide campaign. I think it not only showed courage on his part, but a very astute recognition of the sensitivity of people, who want the barriers removed that keep them out of the registration files. They want those obstacles minimized, and I think the voters of Delaware not only showed superb judgment in their selection of a Senator, but reflected a popular public demand for this kind of procedure; and I would like to say that we in this body have come to be very proud of the contributions in the U.S. Senate by our youngest Member of this body. That should mean that he has many long years of seniority looming ahead, much more so than some of the rest of us sitting here.

Mr. MANSFIELD. Mr. President, would the Senator consider laying aside the pending business for the moment, to take up a conference report?

Mr. McGEE. Mr. President, I would like to inquire first as to the procedure in such event. Is it in order that I ask that the Senate immediately return to the consideration of S. 352, and that the Senator from Wyoming would have the floor, as he did at the beginning of today's session?

Mr. MANSFIELD. Mr. President, I make that request, even though the matter is a privileged matter.

The PRESIDING OFFICER (Mr. SCOTT of Virginia). The Chair would state to the Senator from Wyoming that the Senate would resume the consideration of the measure now before it, the unfinished business, upon the termination of the privileged matter.

Mr. McGEE. And the Senator from Wyoming would again obtain the floor?

The PRESIDING OFFICER. The Chair would state that that would require unanimous consent of the Senate.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Wyoming, at the conclusion of the consideration of the conference report, be given the right to the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. ROBERT C. BYRD. Mr. President, on behalf of the distinguished Senator from New York (Mr. JAVITS), I ask unanimous consent that Mrs. Leslie Bander, of the staff of the Joint Economic Committee, be permitted the privilege of the floor during the debate on the price and wage control conference report.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF ECONOMIC STABILIZATION ACT OF 1970—CONFERENCE REPORT

Mr. SPARKMAN. Mr. President, I call up the conference report on S. 398.

The PRESIDING OFFICER. The report will be stated by title.

The legislative clerk read as follows:

> The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 398) to extend and amend the Economic Stabilization Act of 1970 having met after full and free conference, having agreed to recommend and do recommend that the Senate agree to the same with an amendment. Signed by a majority of the conferees on the part of both Houses.

The PRESIDING OFFICER. Without objection, the Senate will proceed to its immediate consideration.

(For the text of the conference report, see Senate proceedings of April 18, 1973, page 12877.)

Mr. SPARKMAN. Mr. President, I ask unanimous consent that during the consideration of the conference report, the following staff members of the Committee on Banking, Housing and Urban Affairs be accorded the privilege of the floor: Dudley O'Neal, Kenneth McLean, Michael Burns, T. J. Oden, and Steve Paradise.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, the conference report, S. 398, was agreed to by a majority of the Senate conferees and a majority of the conferees of the House, although not all the conferees agreed to it.

As I said a few days ago, when it was up, it was not a satisfactory report for anyone. However, that is often true with reference to conference reports, because they are free conferences and each side, naturally, will contend for the things it wants, and the result is, in nearly every instance, that it becomes a compromise. That is what this conference report is.

However, it is an agreed-on settlement of the case and I feel that the Senate should adopt the conference report.

This legislation will expire at midnight tonight, when we finish here in the Senate, assuming that the Senate adopts the conference report, and then it has to go over to the House and be acted on by the House. We certainly hope and anticipate getting the conference report agreed to by both Houses and down to the President before midnight tonight. That means that we are going to have to move along.

However, Mr. President, I am not going to make any lengthy discussion of this matter but there is one thing I invite the attention of the Senate to, and that is the amendment written into the Senate bill as offered by the Senator from New Hampshire (Mr. MCINTYRE), relating to the allocation of petroleum supplies in order that there might be an equitable distribution.

Within the past few weeks, my attention has been called to a very bad situation prevailing in many parts of the country with reference to what we might call the independent gasoline dealers and marketers. I recall pictures in the newspapers, about the time we took the Easter recess, showing gasoline stations closed down with the distributor not able to get gasoline with which to supply the stations he had been supplying.

I had one such situation in my State called to my attention recently. In fact, he came here and went over the situation with me. He is a rather large distributor, but an independent one. He has several hundred stations to supply. He was getting his oil from a large distributor, likewise an independent, dependent upon the independent refineries—what we might call the smaller refiners.

The result was, all the way along, that gas could not be supplied.

I have gone to just about all the large gasoline companies, refineries, and so forth, trying to get gasoline for those particular stations, but none of them have been able to come up with an adequate supply. This is a vexing problem, I realize that.

We have hearings scheduled on gasoline and rationing set for next week, but at least this provision is in here to give power to the President to allocate petroleum to the end that there might be an equitable distribution.

I have just received a letter from the gentleman who came to see me. It makes a great deal of sense. He proposes this: that there are things that can be done and can be done without further legislation, as a matter of fact.

He calls attention to this, and I read from his letter as follows:

> The Secretary of the Interior is authorized by law to sell outer continental shelf royalty oil belonging to and available to the United States under oil and gas leases. Regulations have been promulgated to implement this authority and provide "except when special circumstances warrant other action, as determined by the Secretary . . ." that royalty oil may be sold to small refiners for use in their refineries and not for resale in kind. Exchange agreements for other crude oil on an equivalent value basis is not construed as constituting a prohibited resale in kind.

Then he goes on to say:

> While this provides some relief to the small refiner, it gives no relief to the small marketer who has been wiped out and who stands at the mercy of the major and independent oil refiners. The Government has a responsibility in the allocation of its own resources to see that all levels of the industry are treated fairly and equitably.

He goes on and proposes that a special circumstance—indeed, an extraordinary circumstance—prevails in the oil industry warranting action by the Secretary. Under the special circumstance authority reserved in section 225a.3, royalty oil should be disposed to small marketers for use in their operations and, further, that agreements providing for the exchange or royalty oil purchased under these regulations or other petroleum products on an equivalent value basis will not be construed as constituting a prohibited resale in kind.

Mr. President, there is another thought that he advances, that some agency of Government, perhaps the Small Business Administration, or committees of Congress, should exercise oversight on this question of the small independent dealers getting an adequate gasoline supply, that the SBA, for instance, could help work out means, methods, and steps by which the smaller gasoline dealers could be supplied with an adequate supply of gasoline.

I thought that was a very good suggestion the writer of this letter made, particularly in line with the thought that the amendment of the Senator from New Hampshire (Mr. McIntyre) is carried in the conference report.

Mr. President, that is about all I care to say. I do hope for acceptance by the Senate of this conference report.

I yield now to the distinguished Senator from Texas (Mr. Tower) such time as he may require.

Mr. TOWER. Mr. President, I did not sign the conference report, and I was one of those who were rather dissatisfied with the outcome of the conference. But I think that we must all subordinate the things we dislike about the conference report to the greater need of preventing the authority under the Stabilization Act from expiring at midnight tonight. It is an authority that must continue, and I think we would hesitate to forecast what might happen to the economy if we failed to extend this authority.

Economic controls are something that I think most of us dislike—those of us who believe in a market regulated economy; but when market regulation ultimately does not work, when it contains some distortion and anomalies, it becomes apparent that we have to take some sort of transitory means to restore order in the economy, and that is all I regard this as being.

I hope we will not have to come back here a year hence and ask for further extension of the authority under this act. I hope the Senate will act with dispatch this afternoon. Only a few minutes remain to us, and then the House can act. We are compelled to act first. Therefore, I hope the Senate will act with great dispatch and rush this measure over to the House so that they may act on it before the time they adjourn this evening.

Mr. President, I should like to explain the action of the conference on section 5 of the bill.

The Stabilization Act currently provides that employer contributions to certain fringe benefit programs may be controlled if the contributions are determined to be unreasonably inconsistent with the general wage and salary standards.

The bill as passed by the House would have changed current law to provide that contributions made by employers necessary to maintain reasonable benefit provisions could not be controlled. It thus would have shifted the criterion of control from the level of contributions to the level of resulting benefits. However, as he stated on the House floor, the sponsor in the House, Mr. Rees, intended to make sure that building trades employees who are under the jurisdiction of the Construction Industry Stabilization Committee are treated equitably with respect to fringe benefit programs.

In order to clarify that no change was to be made as to the authority currently being exercised by agencies of the economic stabilization program to regulate employer contributions to various fringe benefit plans, the conference deleted this amendment and substituted an amendment which provides that the rules with respect to fringe benefits shall be administered equitably with respect to employees in all the industries subject to economic stabilization program controls. Obviously, we do not mean everyone has to get the same benefits. But all must be treated fairly and be given equal protection.

Mr. President, I should now like to turn to section 7 of the conference bill which provides for hearings before agency action to reduce wage or salary increases.

This language is not intended to supersede or repeal the explicit exemption of the economic stabilization program from the provisions of the Administrative Procedure Act, by section 207(a) of the Economic Stabilization Act Amendments of 1971.

In addition, this provision applies only to final orders which have the effect of reducing the level of wages or salaries which may be paid. It does not prevent the Cost of Living Council from withholding approval of a wage increase, and deferring the implementation of the increase, pending the outcome of the hearing which the amendment mandates.

Finally, the amendment is not intended to interfere with the very successful practice of obtaining advice from tripartite bodies on wage and salary decisions. This practice was begun by the Pay Board and has been continued and expanded upon by the Cost of Living Council through the establishment of advisory committees composed of representatives of business, labor, and the public which advise the Council on disposition of individual cases as well as other collective bargaining issues. This form of public participation in the program is essential and nothing in this amendment is intended in any way to restrict that activity.

Mr. JAVITS. Mr. President, I thank Senator Case for staying his hand until I have had a chance to say a word, as he intends to bring up a matter in which I join very strongly, one which deals with a specialized aspect of the Economic Stabilization Act and authority.

When this matter was up before, I voted with Senator Proxmire and others to approve this conference report. I appreciate very much that Senator Sparkman and Senator Tower, in good faith, and for reasons which they considered quite appropriate, sought to have the matter rereferred to conference.

I agree with Senator Tower about the overriding importance of having this law on the books. I also feel very strongly that the omission of specificity respecting rent controls in areas of the country where local action or State action will not do what needs to be done in the interests of economic stabilization, a subject to be raised by Senator Case, also needs attention.

But, Mr. President, in the final analysis, I shall vote for this conference report, as I did before, and the reason is this: If we want the right thing done, we have to have the legal machinery to do it. In a democracy, many things can happen notwithstanding the best intentions; so that if the law is not on the books, it may very well cause a tremendous dislocation in the country by the sheer vacuum which will be created in the authority of the President.

But in giving the President authority, I would be less than honest with myself and with the country if I did not state that I think the President was completely premature in installing phase III; that the theory that effective price and wage controls continue during phase III which is inactive rather than active control, is completely inappropriate to the inflationary situation. Inflation is getting worse, not better.

In my judgment, the danger that the slower remedies which are being applied, in terms of monetary and fiscal affairs, will take hold is, in my judgment, running too much of a risk or the country; and I express the hope and the expectation that the President will not wait too long to see that phase III was premature and that we will have a phase IV, which in essence will be a phase II.

The fact is that the history of the situation demonstrates that the country did very well under phase II. There was confidence that we really were trying to get hold of this inflationary situation. The doctrinaire view that controls should be taken off at the earliest possible moment, without appraising what is the earliest possible moment, in my judgment, has turned out to be harmful to the country, to the economy, and to the confidence which those who produce—including workers, not just managers and investors—must have in this economy.

So, Mr. President, I hope, with other Members of the Senate, to develop this issue as the days go on. But, in order to do anything, you have to have power, and this law will give the power.

I hope very much that the other body will see it as we do and will give the power so that it may be exercised, confident in the fact that in our country—no matter how much the President may think he is going to run it all his own way—will in the final analysis have what Congress and the people want with respect to economic stabilization. This is in no way assuming that the President wants to do anything different from what I want to do or any other Member in good faith in this body wants to do—to wit, control effectively, in the interests of our people, the inflationary movement of prices. But I express my view, at the same time I vote for this authority, which is a great authority, that the taking off of phase II and its succession by phase III was premature and that we should return, in a phase IV, to the price and wage controls, both fully equally, which had the country on a pretty reasonable level, and which I believe can again restore the country to a pretty reasonable level. I do not believe a freeze will do it, as it will freeze in many inequities which have already occurred.

For example, my dairy farmers in northern New York feel deeply abused by the rise in feed prices, whereas other commodities may be the subject of material windfalls to their producers. Therefore, utilization of the cutlass instead of the scalpel in legislation will not be effective and will not be just.

I hope very much that the power we are giving—and it is going to be up to us to see that it is given—is used wisely and constructively. We are not yet ready to relinquish a price and wage control mechanism, and we should return to it at the earliest time.

Mr. CASE. Mr. President, I shall not keep my colleagues long. At the conclusion of a very brief statement, I expect to move—and I understand that the motion will be in order—to recommit the conference report to conference, with instructions to the Senate conferees to insist upon the Senate amendments.

Am I correct in my understanding?

The PRESIDING OFFICER. The Senator is correct.

Mr. CASE. I thank the Chair.

Mr. President, the need for effective rent control in low-vacancy areas is well documented. In my State of New Jersey, rent increases, sometimes as high as 100 percent and many averaging between 20 percent and 40 percent, have been reported.

Unfortunately, those most directly and deeply affected are people with fixed, small incomes, especially older people who in many cases cannot pay the increased rent and must search for less costly housing.

Unfortunately, for older people this means moving at a time in life when getting from one place to another is fraught with great difficulty and hardship. Moreover, the fact that there are no available apartments in many areas means moving a great distance and possibly severing family ties which provide a measure of security and affection for older people.

Mr. President, that is why the Senate rent control amendment to the Economic Stabilization Act is so needed.

That is why the Senate acted as it did in approving the amendment, when I offered it, by a vote of 50 to 38, as I recall. That amendment would impose rent controls only in those areas where needed. It would not be across the board. It would only impose them as long as they are needed and, most importantly, would guard against blatant rent gouging, but would allow reasonable rent increases where such increases are justifiable. The imposition of controls would be on the basis of rental vacancies.

I cannot imagine, assuming one is willing to accept controls in any sense at all, any system of regulation more fair or more reasonable.

I am sorry, indeed, that the House of Representatives never had the opportunity to consider the Senate's rent control amendment. Instead, the House voted on a flat, nationwide system of rent controls that would have been difficult and expensive to enforce. No one likes controls, especially controls that go beyond necessity. The amendment I presented was designed to safeguard tenants but not at the expense of landlords. Moreover, I believe it was designed in such a manner that the market mechanisms of the economy would not be adversely affected.

The many failures of the phase III economic program are well known. We know there is little that can be done to control price increases, short of a freeze on all prices. Food prices constantly increase, putting pressure on all American households. Such increases hit hardest the rent payer, who not only faces food price increases but must also pay higher rental charges.

This, I think, is most unfair, and can be reversed if the Senate insists on its amendments to the Economic Stabilization Act. This act, when renewed, will give the President ample authority to guard against any increases that may occur should final approval be delayed for a day or two. And, as I have urged, the President should act to control prices and especially rents. We should move with all speed and do our best to see that there is no gap. But I do not worry about a day or so without nominal controls. That could be taken care of when we take the matter up again. There is a point beyond which we should not yield to unreasonable action on the part of the other body if, indeed, the other body itself is involved, as opposed to a few individuals in a position of some strategic importance.

In the long run the need will require that Congress act fairly in this matter. I believe that the President should act to control prices and in doing so should include rents. Because of the difficulty I have had, and I know other colleagues have had, persuading the administration to impose reasonable rent controls under discretionary authority, I thought it necessary for me at least to express my views about the situation by offering the amendment, which I did, and which the Senate accepted. I hope the Senate will repeat its action. I do not expect to press anyone into a position that would be difficult. For that reason I am not going to ask for a record vote. I shall be content to have this matter decided by a voice vote.

Therefore, I move that the report be recommitted to conference, with instructions to our Senate conferees to insist on the provisions of the bill as originally passed by the Senate.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. JAVITS. Mr. President, I joined with the distinguished Senator from New Jersey (Mr. CASE) before with regard to this matter in proposing the amendment, and I join him again. I have no illusions as to where we are going in this matter at this time, the 11th minute of the 11th hour. But I deeply feel the position needs to be maintained. As we have learned from long experience in this body that does not necessarily mean our voices are falling on deaf ears. I adopt everything the Senator said but I would like to add a few facts. One is that this issue of rent control by the Federal Government in those areas where local action is unlikely to result in controls, was approved by a special committee acting in the name of the President, headed by a former colleague, Tom Curtis of Missouri, after exhaustive testimony. None of the facts there adduced that brought about reasonable federal control have changed.

In my State of New York, the city of New York has, generally speaking, an effective rent control mechanism, again, without French style rent control, where properties had to be permitted to rot because increased costs could not be passed on. The amendment of the Senator from New Jersey (Mr. Case) guarded against that, and quite properly.

Then, outside of New York City, in the suburbs surrounding New York, where we have a population in the area of 2.5 million to 3 million people, where vacancy rates of less than 2 percent exist. Some landlords, before they will give anyone any kind of lease for any period of time, insist on a 20- to 40-percent rent increase. With rent constituting 25 to 30 percent of the family budget, I could not think of anything to fire inflation more. This is something we can and should avoid. It is a national problem, and we should not depend on State legislatures where there may be a rural feeling and a feeling against rent controls which does not express the interest of the Nation or justice in the suburban community.

I have no illusion as to where the Senator from New Jersey is going with this motion, and neither does he. The important thing is that the position should be maintained and the matter should be pressed on the administration. It would have full authority under this law as it had before and I would urge at the very least what we have said and are prepared to prove may be the subject for appropriate action once the basic authority is granted. But in the interim I shall vote for and support the Senator from New Jersey, as I have before because I feel he is right on the merits and the substantive matter.

Mr. TOWER. Mr. President, I hope that the motion of the Senator from New Jersey will be defeated. I think the matter of rent controls is extremely important. It is a matter that deserves the concern of Congress. The fact of the matter is that we did adopt the amendment of the Senator from New Jersey on the floor of the Senate by a vote of 50 to 38. It is also a fact that some four rent control amendments to the Economic Stabilization Act were defeated by very heavy majorities in the House of Representatives.

Now, actually, the Senate rescission in conference on the rent control provision was the only major concession the Senate conferees made to the House.

I must confess there were some of us who were Senate conferees who would have liked to make more concessions to them, but essentially it is a Senate bill that came out of conference.

Even if we could recommit this measure to the conference committee, and if we were successful in the conference in insisting upon the Senate provision on rent controls, I am afraid that that would be a fatal action in terms of this bill.

There is no assurance at this moment that the conference report will be adopted by the House, and although the administration would like to see the conference report adopted in both Houses, there are strong elements on both sides of the aisle in the House that I think quite conceivably might seize on any particular aspect of the report to try to bring about its defeat. Certainly, an all-Senate bill, when we consider the rather strong votes in the House for the House version, would, I think, present the bill with a fatal weakness which would prevent its survival in the House.

But I find, purely from a practical standpoint, the House at this moment is recessed, subject to the call of the Chair, and the hour is now 4:30, and I do not think they intend to stay around very long for the remainder of the afternoon. It is, therefore, incumbent upon us to act with dispatch. We could not invoke a conference today, and it is unlikely that we could act with any great alacrity once a conference was convened; and at midnight tonight phase III would die. Indeed, the authority under which the administration could revive phase II, as has been suggested by my colleague from New York, would expire.

Therefore, the exigency of the situation demands that we act now. So if we want to continue the authority, it is essential that the motion offered by my good friend from New Jersey, on a matter for which he has a genuine and abiding concern, in this instance I think must be defeated.

Mr. SPARKMAN. Mr. President, I want to add just this word to what the Senator from Texas has said about phase II. The point I want to make is as follows: Did not Dr. Dunlop testify that the power that the President had under phase II to control rents continues and that the President could invoke rent controls if he saw fit to do so?

Mr. TOWER. The Senator from Alabama is absolutely correct. If we were to adopt this motion and delay the adoption of the conference report, to the extent that the authority expired at midnight tonight there would be no authority to control rents. There is now authority to control rents. I would think that the prudent course to be followed by the Senator from New York and the Senator from New Jersey would be to use the great persuasive powers which they have with the administration, but the fact is that there is authority now to control rents. It is not presently mandated, but at least it is there.

Mr. SPARKMAN. And the Senator says there would be no authority if the law died. That is because the basic authority is in the basic Economic Stabilization Act itself?

Mr. TOWER. The Senator from Alabama is correct.

Mr. CASE. Mr. President, I have no intention to take any longer. I would be willing to move to a vote on my motion.

The PRESIDING OFFICER. The question is on the motion of the Senator from New Jersey to recommit. [Putting the question.]

The motion was rejected.

Mr. EAGLETON. Mr. President, I am pleased that the conferees adopted the Senate amendment which I submitted to authorize the President to establish an equitable system for allocation of scarce petroleum products.

In the 5 weeks since this measure was passed by the Senate, the fuel shortage has gone from serious to critical in many areas of the country. It seriously threatens the operation of public utilities, farmers and a growing number of businesses.

An article in today's Wall Street Journal quotes the president of Standard Oil Co. as estimating a gap as high as 5 percent between gasoline supply and demand this summer. The same article notes reports that almost 10 percent of the independent service stations in New England have had to shut down or limit their hours of business. I ask unanimous consent that the article be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. EAGLETON. Mr. President, I am concerned also that the fuel shortage is being used by certain major suppliers to eliminate competition, to abandon marginal dealerships and customers, to drive up prices, and to exercise leverage in the interest of promoting the sale of their nonpetroleum products.

It is no longer a question of whether we shall have allocation of fuels. Allocation is already a fact of life in most parts of the country. Rather, the question is whether that allocation will be controlled by the presidents of a few major companies having a vested interest in the outcome, or by the President of the United States.

The amendment I submitted does not bind the hands of the President except to provide that any system set up should be fair and equitable to all concerned and be designed to assure all areas of the country that they will get the fuel they need for essential purposes. The amendment also provides that any system established should be directed toward maintaining competition in the petroleum industry.

This latter provision has been misconstrued by some as an invitation to the Federal Government to step in and take fuel away from dealers who have contracted for it in order to give it to their competitors down the street. That was not my intent in writing and introducing the measure. I do not expect the Federal Government to be going around abridging contracts. However, if the suppliers themselves are changing the terms of existing contracts, I anticipate that the administration would step in to require some minimum standards of fairness to all concerned. Beyond that, I would hope the administration will focus on ways to increase the overall fuel supply in areas of need and to see that each sector of the market receives a fair share.

Mr. President, as an indication of the strong support this provision has among both brand name and independent oil dealers, I would note that the gasoline committee of the National Oil Jobbers Council endorsed the Eagleton amendment at its meeting in St. Louis on Friday. The measure has also been endorsed by the Society of Independent Gasoline Marketers of America.

[From the Wall Street Journal, Apr. 30, 1973]

Prices of Gasoline, Heating Oil, Diesel Rise as Supply Tightens and Crude Costs Climb

(By James C. Tanner)

New York.—Prices of fuels are beginning to increase generally, reflecting some spot shortages as well as rising costs of crude oil.

Effective tomorrow, Cities Services Oil Co. will boost dealer and consumer tankwagon prices for both regular and premium grades of gasoline one cent a gallon throughout its marketing system.

So-called "rack" prices for gasoline are being increased 1.2 cents a gallon, the Cities Service Co. subsidiary said. These prices apply to wholesale distributors of gasoline whose contracts with the company are based upon terminal posting rather than on tankwagon prices.

Cities Service also said it is raising prices of heating oils one cent a gallon at all levels of distribution. Diesel fuel prices are being increased between one cent and 1.5 cents a gallon, depending upon supply points, the company added.

The increases, Cities Service said, are in keeping with guidelines established by the Cost of Living Council. The move also is in line with scattered price boosts made recently by several major marketers of gasoline and heating oils around the country.

Last week, Southwestern petroleum refiners generally increased their posting by one cent a gallon for No. 2 fuel pipelined to Midwestern markets. That pushed the refinery price for the home heating oil to a record 11.5 cents a gallon.

One reason for the rising fuel charges is the higher price refiners are having to pay for crude oil. Costs of crude oil have risen 25 cents to 40 cents a barrel in recent weeks, reaching $4 a barrel for preferred "sweet" types of petroleum such as low-sulphur Louisiana crudes.

Generally, a 25-cent-a-barrel increase in the price of crude means about one cent more a gallon in the price of products. In some cases, however, prices of gasoline at the pump are up as much as four cents a gallon.

Even though they are paying higher prices, many refiners aren't able to get all the crude they need to meet surging product demand. Harry Bridges, president of Shell Oil Co., said that company's refinery processing increased 12% to slightly more than one million barrels a day in the first three months of this year. Operations would have been at a higher level, he said, if it hadn't been for crude oil shortages.

Despite the nation's refineries operating near capacity, demand for petroleum products, particularly gasoline, is so strong that inventories are shrinking to what some oil observers consider critical levels. As of April 20, according to the American Petroleum Institute, gasoline stocks totaled 204.4 million barrels, down 4.5 million barrels from the week-earlier level and down 23 million barrels from a year earlier.

George V. Myers, executive vice president of Standard Oil Co. (Indiana), estimates that the gap between gasoline supply and demand "may be as high as 5% during the heavy summer driving months".

As a result of tightening supplies, many oil companies have started rationing the amounts given their dealers. Getty Oil Co. (Eastern Operations) Inc., the refining and marketing subsidiary of Getty Oil Co., is one company that has begun a gasoline allocations program. Its customers—including dealers, distributors and commercial accounts—are receiving allocations based on 92% of their average monthly purchases made during the first quarter of 1973. Cities Service, it was learned, is restricting supplies of gasoline to its 8,700 service stations to 80% of the volumes the outlets received last year.

Independent service stations—those without major oil company and refinery connections—are being pinched even harder by the spot shortages of gasoline. According to the Associated Press, almost 10% of the independent service stations in New England have been forced to close or shorten their hours.

FPC Says Some Areas Face Electricity Pinch

Washington.—Some regions of the nation may have problems in meeting electricity demand during peak periods this summer, a Federal Power Commission report warns.

The staff report says electricity reserve margins of utilities in parts of the Southeast and Midwest are hurt by delays in construction of nuclear power units and that the predominantly hydroelectric Pacific Northwest area is faced with low water conditions for the coming summer and winter seasons.

Also, much of the expected reserve in several areas will depend on relatively new and immature generating units with unknown dependability for the summer season, the FPC staff says.

However, the report says that overall reserve capacity for electric utilities, as a percentage of projected peak load, will be about the same this summer as it was last year, and that the available generation is better distributed around the country than a year ago.

SENATOR GAYLORD NELSON'S FIGHT AGAINST BIG BUSINESS SECRECY

Mr. ABOUREZK. Mr. President, the Senate and House will shortly decide whether to make a small but significant change in this country's long-standing public policy of allowing giant corporations to exercise great power in great secrecy.

The decision will be made by our acceptance or rejection of the conference report (H. Rept. No. 93–148) on S. 398, the bill to extend and amend the Economic Stabilization Act of 1970.

If the Congress passes that conference report, and the President does not veto the bill, there will come into the United States Code a new legal requirement, in the form of an amendment to section 205 of the Economic Stabilization Act of 1970.

Under that new law, corporations having annual sales of $250 million or more, desiring to raise prices more than 1.5 percent a year on a product accounting for more than 5 percent of their total annual revenues, will have to share with the public at large the information they give the Government to justify that increase.

If the conference report is rejected and we adopt instead a mere extension of the Economic Stabilization Act—as some administration and big business forces have been urging—the Congress will once again be denying the people's right to have that information. Instead we will be affirming again the existing unfair and outmoded law and policy, a policy of deep, dark secrecy for the product-line information of giant corporations.

Therefore, I earnestly hope that the Senate and House and the President will accept this conference report, with the reform that it contains of the secrecy provisions of section 205 of the Economic Stabilzation Act.

If the conference report does pass, we shall all be deeply indebted to the junior Senator from Maine (Mr. Hathaway), the author and highly effective parliamentary shepherd of the disclosure amendment.

But win or lose on this particular amendment, I believe that the principle embodied in section 6 of the conference report before the Senate, the public disclosure section or "Hathaway amendment," is the coming principle, the wave of the future.

And if that belief is correct, the country and everyone in it who believes in freedom and democracy and the accountability of power, owe an enormous debt of gratitude to the one man who, more than any other, is making the waves in the fight against corporate secrecy. That man is the Senator from Wisconsin (Mr. Nelson).

SENATOR NELSON'S HEARINGS AND LEGISLATIVE PROPOSALS

Patiently, persistently, for many years, Senator Nelson has been probing the complex pattern of laws and rules and regulations which add up to an overall national policy of Government-protected secrecy for the operations of giant corporations. He has been holding hearings on corporate giantism in his Senate Small Business Subcommittee on Monopoly since 1967. Since 1971, those still-continuing hearings have focused particularly on corporate secrecy.

In the fall of 1971, after the first corporate secrecy hearings, Senator Nelson proposed an amendment to the Economic Stabilization Act, similar to but somewhat broader than the amendment contained in the present conference report. While it did not pass, the "Nelson amendment" helped pave the way and create the climate that made the conference report now before us politically possible.

In the present Congress, Senator Nelson is the sponsor of S. 875—H.R. 4311—the Vanik-Nelson bill to require public disclosure of the most important information contained in the Federal income tax returns of giant corporations—those with assets of $50 million or more.

In the last Congress, Senator Nelson was the cosponsor, with Senator Metcalf and others, of S. 3923, the Corporate Ownership Reporting Act. Now being prepared for reintroduction in an improved form, that bill would take some of the mystery out of the interlocking ownership and control of big-business wealth. It would do that by requiring periodic disclosure of the names of those able to vote 1 percent or more of any class of voting stock of corporations having gross income of $10 million or more.

Only yesterday the Potomac magazine section of The Washington Post contained a review by Rudy Maxa of recent publications of the Government Printing Office of particular interest and importance. The record of Senator Nelson's hearings on corporate secrecy headed the list.

The summer 1972 issue of Mergers & Acquisitions—The Journal of Corporate Venture contained a "Disclosure Roundup" featuring an editorial and three articles on the subject of corporate secrecy. One of the articles was by Gaylord Nelson and reviewed the aspects of big business secrecy that are most worrisome to him.

THREE ISSUES

Of the many issues mentioned by the Senator, three are of particular relevance today.

The first is the contrast between the secrecy enjoyed by big business and the increasing lack of secrecy, even of ordinary and decent privacy, experienced by individual citizens and small business concerns. In an age in which consumers and small business must "tell all" to computerized data banks—owned and controlled by big business and big government for the most part—in order to obtain the common necessities of life and commerce, privacy for the little man has all but vanished. Even worse, as today's headlines remind us, the "power establishment" is increasingly uncontent even with the information we are compelled to put on its computer tapes with our knowledge and is, therefore, resorting to clandestine electronic eavesdropping.

The second of Senator Nelson's points that is especially timely involves the current fuel shortage. Listen to these words, written many months ago and found in the Senator's article entitled "The Exposed Individual and the Secret Corporation:"

> Information on ownership of natural resources, especially by giant corporations, should be in the public domain. Congressional and public evaluation of the much-touted "energy crisis" is simply impossible when even the U. S. Bureau of Mines lacks data on the location and ownership of all proven and probable reserves of energy minerals.

Finally, and most in point in today's debate, are Senator Nelson's comments on the inadequacy of the Securities and Exchange Commission's line-of-business reporting requirements, as applied to big business, and their inequity, as applied to small business. The adoption of the conference report on S. 398 will move the country a short but worthwhile distance in the direction of the reforms the Senator has proposed.

I urge the Senate to vote for passage of the conference report.

Mr. President, I ask unanimous consent to insert in the Record at this point excerpts from an article by Rudy Maxa in the April 29 Washington Post and the four-part "Disclosure Roundup" published in the summer 1972 issue of Mergers & Acquisitions.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From Potomac magazine, Apr. 29, 1973]

Glories of the GPO—The Writes of Spring

(By Rudy Maxa)

It is an exceptional spring at the Government Printing Office, with a healthy crop of interesting and instructive books and pamphlets to alternately cheer and concern you.

The publications to worry you are, as usual, products of Senate hearings. Some people complain newspapers fill their non-advertising space with bad news; a reading of most Senate hearings makes newspapers look like Disney World press releases.

Early last winter the Subcommittee on Monopoly, part of the Senate's Select Committee on Small Business, conducted four days of hearings on the subject of corporate secrecy.

"The word is power," said Sen. Gaylord Nelson (D-Wis.) at the opening of the hearings. "The issue is power: economic, political, social and cultural power."

In theory, Nelson stated, a corporation is subservient to the state that charters it. But those were the old days, in some cases, Standard Oil of New Jersey had 1967 sales of almost $13.3 billion, Nelson said while the combined general revenues of the state that chartered the company (New Jersey) and all the local governments in that state were under $3 billion.

Some people worry that when companies grow that large, corporate secrecy as it applies to product safety, political influence and fair competition pricing becomes an issue of national concern. The 75 cents Role of Giant Corporations—Part 2 (56C) is well worth the price, if only to read the cogent testimony of Ralph Nader, who claimed the public knowns more about the internal workings of the CIA than that old dragon of his, General Motors.

"How many times do you hear auto management say, 'Labor wages should not increase faster than productivity gains'?" Nader asked. "They continue to be able to say that because they don't have to disclose their productivity gains.

"United States Steel, to move to a property tax area, has, in effect, told the Gary, Ind., property tax collector that it is none of his business what kind of investment the company is putting into taxable plant facilities," Nader continued. "The IRS and its corporate clients strike almost 30,000 private tax deals a year which in effect become secret law between the IRS and the corporation, applicable to no other taxpayers, business or individual, and not subject to judicial or any other form of review."

Further interesting comments are voiced by Harvard professor John Kenneth Galbraith, Sen. Robert Taft, (R-Ohio) and three other professors.

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WHERE TO GET IT

Books or pamphlets mentioned above may be obtained by making check or money order payable to "Superintendent of Documents." Print or type desired publications and item number (listed after boldface title) on one piece of paper. Then, to expedite order processing, provide your name and address on a separate piece of paper for use as a return mailing label.

Mail payment, order list, name and address mailing label to: Public Documents Distribution Center, 5801 Tabor Ave., Philadelphia, Pa. 19120.

If you would like to receive the GPO's free biweekly list of new government publications, send your name and address to: Selected List, Box 1821, Washington, D.C. 20013.

Two months ago in this space, passing reference was made to American University's Foreign Area Studies department that had assembled several books on foreign countries. The reference should have been more than passing. About 80 books exist (on 80 countries), including a 1972 book on the People's Republic of China. If you wish a copy of the list, along with order numbers and prices, drop a short note to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20401 and ask for the listing of the foreign area studies handbooks.

And that's not all. In last month's "Golden Oldies Review," the book *National Forest Vacations* was incorrectly listed with a nickel price tag. The correct price is 50 cents.

[From Mergers & Acquisitions, summer 1972]

Disclosure Roundup

"When *I* use a word," Humpty Dumpty said, in rather a scornful tone, "it means just what I choose it to mean—neither more nor less."

"The question is," said Alice, "whether you *can* make words mean so many different things."

"The question is," said Humpty Dumpty, "which is to be master——that's all."

The world seems to be composed of men and institutions who function either as information sources or as information sinks. Either they *produce* large amounts of useful information (sources), or they *absorb* large amounts of information (sinks).

It is certainly a proper function of government to gather information and to reciprocate as source in the public interest. It is not the proper function of government to act as sink to protect the administration or any special interests under the cover of "secrecy" whether military or commercial.

It is certainly a proper function of the corporation to gather information in the interest of its special constituency, the stockholder, but it must reciprocate. It must not act as a sink in the special interest of management or against the public interest under the cover of "trade secret."

In the three following articles, U.S. Senator Gaylord Nelson, the AFL-CIO's Markley Roberts and Don Etra from Nader's shop sharply question the state of "public" information in these United States. Together, they point up that controlling and managing information—whether about war casualties or product profitability—works against the public interest, that the situation is getting worse and that corrective activity is desperately needed.

What does all this have to do with mergers and acquisitions? An awesome lot because good mergers are made in a heaven of good information, and there is an identity between the information needs of labor and the consumer, and the information needs of a stockholder in a company about to be merged into a corporate sink. Most of the facts necessary to judge a proposed merger from an investment standpoint are not available to stockholders, having been suppressed in the interest of management, although ostensibly—as with so-called trade secrets—in the interest of the shareholders.

In the merger craze of the 1960s, the newly emerging corporate giants went to great lengths to convince the investing public that they were something other than what they appeared to be. One agglomerator who was buying up companies at a rate his successors in the seventies are trying to match in selling them off, stated in an address before the New York Society of Security Analysis: "We are not a conglomerate; we are a mutual fund that manages our own investments." Many little pointed heads nodded—ah, wisdom from on high! It occurred to only a few that there was a vast difference between a decision to invest in an agglomerate in which the sales, profit and capital investment profile were consolidated for many different subsidiaries and product lines, and a decision to invest in a portfolio of companies whose separate financial histories were readily available. It occurred to none that such a statement was ridiculous since a mutual fund optimizes its desired risk profile by continual portfolio buying and selling. Thus the $64 million question—"You've bought twenty companies this year; how many have you sold?"—went unasked. The answer, of course, was none. If such subtleties escaped the New York security analysts, no wonder the artless entrepreneurs and stockholders with companies to sell were taken in by this "logic."

Agglomeration holds substantial, albeit transitory, benefits for management because of continuous opportunities to "manage" the flow of information. Games can be played with the allocation of corporate headquarters' costs and interdivisional charges such that *years* of mismanagement can be covered up. Even if the whole company stinks, it is possible to cover up by making more acquisitions and pooling earning backwards. Without accounting rules that require meaningful disclosure of financial data, it is a near-impossibility for a potential seller to ascertain the true state of affairs of a buyer. Thus the enterpreneur, after spending twenty years building up his company, trades it for equities whose real value can only be guessed at.

All of the indications of the impending failure of the Penn Central and the big write-offs at LTV and Litton were covered up by accounting legerdemain which converted what should have been booked as a loss, into a standing, ostensibly non-wasting asset. And many profits that need not have been booked at all—because they had not yet been realized—were booked and the taxes paid solely in the interest of preserving management's position and insulating it from criticism.

After long years of similar cover-ups in government—which were, in large measure, the cause for the continuance of the Viet Nam debacle—the Freedom of Information Act is finally making "sources" out of the "sinkers" that have been running national government. Can and should this act be extended to apply to the corporate giants, which are, after all, in a real sense, public not private entities?

All attempts at suppression and distortion of information wind up hurting the stockholder, for soon management cannot distinguish the real from the illusory. They create their own house of mirrors—mirrors that can distort the financial figures to look fat, or thin, or even invisible from without. After years of this, there's finally no way out—and in comes the sheriff. For they have finally arrived at the ultimate in self-disillusionment where all the figures, like Humpty Dumpty's words, mean exactly what they want them to mean—neither more nor less.

The Exposed Individual and the Secret Corporation

(By Senator Gaylord Nelson)

(Note.—Gaylord Nelson, a Democrat and a lawyer, was elected to the Wisconsin Legislature in 1948, as Governor of Wisconsin in 1958 and again in 1960, and U.S. Senator from Wisconsin in 1962 and again in 1968. He currently serves as Chairman of two Senate subcommittees, the Labor and Public Welfare Subcommittee on Employment, Manpower and Poverty and the Small Business Subcommittee on Monopoly. In the latter post, since 1969, he has been studying and holding hearings on "The Role of Giant Corporations in the American and World Economies." The probe has increasingly focused on "corporate secrecy" as a problem that needs, and is susceptible to legislative reform.)

"Unlike democratic society, totalitarian organization claims secrecy for the regime and full surveillance over the lives of groups and individuals."—Zelman Cowen in "The Private Man."

A typical credit file contains a person's name, address, date of birth, marital status, social security number, place of employment, approximate salary, charge accounts, checking and savings accounts and other financial information, and even, in the case of insurance company files, medical and psychiatric histories and "moral hazards"—extramarital affairs, homosexuality, heavy drinking or other social observations which might conceivably affect the risk.

As the eminent Australian barrister Zelman Cowen noted, such surveillance is characteristic of a totalitarian state—as is the contrasting demand of "secrecy for the regime." In America's complex society, "the regime" has many faces, of which Big Business and Big Government are easily the two major factors which largely determine the quality of every individual's life. Increasingly, these and other components of the power pyramid no longer act as "countervailing powers," to use the term coined by Professor J. K. Galbraith, to provide an effective system of checks and balances. Instead, business and government reinforce one another in their mutual craving for secrecy and mutual disregard for individual privacy. It is our contention that insofar as we gratify that insatiable demand for secrecy, this nation will move closer and closer to totalitarianism.

If we accept this thesis, it follows that the individual who values his freedom and hates totalitarianism must fight as hard *against* secrecy for Big Business and Big Government as he will fight *for* his own privacy. Sadly, most individuals—the political grassroots—are largely unaware of the issue. Even those who instinctively accept the thesis that secrecy for "the regime" is dangerous—Jeffersonian conservatives, liberals, radicals and populists all do when it is put to them squarely—assign it a rather law priority. Yet preservation of secrecy is at or near the top of any list of Big Business priorities.

As a result of this imbalance, the battle against "secrecy for the regime" fares badly. To the extent that it exists, the thrust is almost entirely against secrecy in the government sector. A notable victory for the forces opposed to secrecy was the Freedom of Information Act, passed in 1966 after a long, hard battle spearheaded by Representative John E. Moss (D-Calif.). But that act, which gives the individual qualified rights of access to the files of Big Government, contains an express exemption for anything in those files that is a secret of Big Business!

GIANT CORPORATIONS AS "THE REGIME"

Some readers may not accept the first premise of our thesis, which is that Big Business today is a co-equal half (at least!) of "the regime." Yet the evidence is everywhere around us. A few examples plucked from the record of the corporate giantism/corporate secrecy hearings of the Senate Small Business Subcommittee on Monopoly will illustrate.

"Big Business," as used here and in any realistic appraisal, means, *at most*, the 2,400 concerns, more or less, included in the prenotification (Tier I) and notification (Tier II) segments of the Nixon Administration's price stabilization scheme. That means firms having annual business receipts of $100 million or more (Tier I) or in the $50 million to $100 million range (Tier II). For most meaningful analyses however—political, economic and social—"Big Business" may be defined as only the billion-dollar-and-up corporations, so great has their share of the total power and property become.

The largest corporations now dwarf not only the states that chartered them, not only the industries in which they operate, but even most sovereign nations of the world. A listing of the 100 largest "money powers" of the world in 1970—in which both countries (by gross national product) and corporations (by net sales) were interspersed and ranked by size—included 51 corporations and only 49 sovereign national states. (General Motors, number 24 in the ranking, came just after Switzerland and just ahead of Yugoslavia. The slots from 61 through 70 inclusive were *all* occupied by business corporations, sandwiched in between the Republic of China (Taiwan), No. 60, and Malaysia, No. 71.)

The total budget receipts of the United States government from all tax and other revenue sources were $210 billion in fiscal 1970 (ending in mid-1969). The total 1969 sales of the "Fortune 500" were $444.7 billion, or more than twice as much.

And who can doubt that the needs of giant corporations are a prime determinant of giant government's policies? In a country where decent mass transportation has almost vanished—choked nearly to extinction by cars and highways—the President could think of no better way to attack unemployment, in his New Economic Policy of August 15, 1971, than to give tax and trade-policy stimulation to the sale of automobiles!

Perhaps the strongest statement at the Monopoly Subcommittee hearings on the giant corporations' role as full partner in "the regime" came from Professor Galbraith. Summarizing his now-familiar argument in *The New Industrial State,* he said:

"In the actual development of the great corporation there is a full break with the private firm of the classical market. As it enters the company of giants, the 2,000-odd firms that do around half of the non-public business of the country, it must be regarded by any man of minimally untrammelled mind as a public institution.

"The cliches of private enterprise are used by such corporations primarily to disguise their essentially public character, including their private exercise of what is, in fact, public power.

"What do we mean by the exercise of public power, and how do we define a public corporation? Such a corporation fixes its own prices. It has extensive control over it costs. It influences its consumers. It has extensive power in relation to its suppliers. It has great paid and unpaid access to public and political opinion. What it needs from the government is sound public policy.

"It has, on frequent occasions, a hammerlock on the Pentagon. The case is clearest with the large specialized weapons firms, including one, Lockheed, which was extensively discussed before this body earlier this year. Much of the fixed plant of the corporation is publicly owned; even the shop in which it is building the Tristar belongs to the government. Working capital comes from the government. Its business comes all but exclusively from the government. Its cost overruns are socialized. Its capital needs, even those resulting from the mismanagement of its civilian business, have now been guaranteed by the government.

"Only its earnings, when it makes them, and the salaries of its executives are strictly in the private sector."

For powers such as these to justify secrecy on the grounds that they are "private" enterprise is simply unacceptable to anyone of "minimally untrammelled mind." Yet secret the giants are, and secret they have insisted (thus far successfully) they shall remain.

THE INDIVIUAL'S EXPOSURE

The disparity between what the individual can find out about the giant corporations and what the giant corporations can find out about the individual, comports all too closely with Cowen's two characteristics of "totalitarian organization."

Congress in 1970 tried to impede the spreading erosion of personal privacy with passage of the Fair Credit Reporting Act. The law imposes modest restrictions on the collection, use and dissemination of data in the mushrooming files of the country's 2,000-odd credit bureaus. It also gives the beleaguered individual the right to see and correct the information about himself in those files—if he happens to discover it. But the law is as impossible of enforcement as that requiring a "beep" signal anytime a telephone conversation is being tape-recorded.

Corporations—with their computerized data banks containing detailed, personal dossiers on just about anyone who has ever applied for credit, insurance or employment—are, of course, not alone in their disregard for personal privacy. The Senate Judiciary Subcommittee on Constitutional Rights brought to light the extensive network of military surveillance of private citizens. Following hearings early in 1971, the Army issued a well-publicized order to its domestic intelligence officers to destroy the records they had gathered on hundreds of civilian peace organizations and "political dissidents" in its mission to help cope with domestic disorders in the late 1960s.

Computer people only snicker about the "order." There can be no real assurance that *any* information that has *ever* been committed to a computer tape has been expunged from all existing electronic storage media or will be made available only to "authorized" persons for "legitimate" purposes.

At this point, then, there seems to be little basis for hope that the individual can ever regain his own lost privacy. He can, however, at least insist that "the regime"—including both Big Business and Big Government—become as exposed to him as he is to them.

THE GIANT CORPORATIONS' SECRETS

What kinds of corporate data are not, but should be, available to the individual?

Segmental financial information

For too long, one element of socially useful business competition has been prevented from functioning in the way that Adam Smith himself thought was essential. That element is public information about where the profits are being made and where the losses are being experienced, stated in *recognizable, comparable terms of corporate organization, standard industry classification, and geography.* Competitive equity between large and small businesses, and competition itself, are endangered when the giants refuse—and are permitted to refuse—to tell how they are doing on an itemized basis.

Recent requirements of the Securities and Exchange Commission for information on "lines of business" in registration statements and annual reports (see M&A, Vol. 4, No. 2, pp. 12-19) are but a meagre step in the right direction. Besides being totally inadequate, the SEC rules are unfair to small business in defining what constitutes reportable lines of business. The SEC presently requires disclosure of a maximum of ten lines of business each accounting for at least ten percent of sales or income—whether the company has $50 million or $20 billion in annual sales.

A far more equitable approach would be to require segmented reporting of sales and profit (or loss) data for any Standard Industrial Classification (SIC) segment of the registrant's business that accounts for $10 million or more in sales ($5 million for companies with sales under $50 million). There would, of course, be *no* maximum number of separate SIC segments to be reported under this formula.

Nor would it matter whether the unit of business for reporting purposes corresponded with a two-digit or seven-digit SIC level. Reporting at the two-digit SIC level (e.g., SIC Code 37, Transportation Equipment) might conceivably be too fine for a small but diversified registrant, who would therefore be permitted to lump two or more two-digit industrial segments into one "line of business" accounting for $5 million in sales. Conversely, the giant auto makers would find the seven-digit Census product codes (e.g., Code 37111 11, Passenger Cars, Knocked Down or Assembled, and Chassis for Sale Separately) too gross. They would accordingly be required to itemize still further by product within that seven-digit code, or perhaps by brand names, plants, or geographic distributions, to produce reporting segments of approximately $10 million each in sales.

It is admittedly open to question whether such detailed disclosure would be good for General Motors (although it is by no means certain it would not be); but it most certainly would be good for the country!

Ownership and control information

Senator Lee Metcalf (D-Mont.) related for the corporate secrecy hearings an incident concerning the Federal Communications Commission that would be, in his term, ludicrous—if it weren't so alarming. The FCC had a rule that no party could hold more than one percent of a broadcast company's stock, but only sporadic, and usually outdated, information on compliance with the rule was available. When a survey revealed that some banks were holding over five percent of the stock in stations and at least one held over ten percent, the FCC changed the rule!

Senator Metcalf remarked:

"Under the new rule the one percent limit applies to individuals, but the limit is raised to three percent for a mutual fund and five percent for a bank. . . . Instead of enforcing the rules, the Commission simply rewrote them. And it gave the banks three years to comply with the new five percent rule. Then the banks may come in and get a ten percent limit."

The real (not straw-party) names of all persons and companies having power to vote one percent or more of the voting securities of all corporations in regulated industries and all other corporations with sales of $10 million or more a year should be a matter of public record, with the records kept current quarterly. Such disclosure is already required for regulated corporations, but is not adequately enforced. Legislation to that end, for unregulated corporations, was introduced in August 1972 by Senator Metcalf, Senator Fred R. Harris (D-Okla.) and the writer.

Information on ownership of natural resources, especially by giant corporations, should be in the public domain. Congressional and public evaluation of the much-touted "energy crisis" is simply impossible when even the U.S. Bureau of Mines lacks data on the location and ownership of all proven and probable reserves of energy minerals. Full details of the ownership and control of agricultural properties and other real estate by giant corporations should also be fully and easily accessible to the public.

Product information

Ralph Nader, testifying on this point, stated:

"Product information to the consumers is the critical touchstone of the effective functioning of the market system. Without the consumer knowing what he or she is buying, they cannot feed back critically through the market system and raise the quality of competition by choosing the better product or service and rejecting the shoddier.

"This, of course, is the touchstone of the classical market theory which big businessmen like to pay lip service to at Chamber of Commerce luncheons. But what do they do in practice?

"They systematically deny consumers basic information on the contents of the most important products they buy, from food to automobiles."

Competition is not the only element of a democratic society that suffers when manufacturers knowingly withhold from the public information they possess about the serviceability, life expectancy, safety hazards and performance limitations of their products. Lives and property are endangered. Morality is eroded.

Innovation information

The "hows" of this proposal are still unclear, but it would seemingly be in the public interest to require public disclosure of new and useful inventions for which giant corporations have obtained patents, but have no intention of developing and marketing. Such business decisions may protect a corporation's markets or investments, but impoverish mankind.

Procurement information

There should be no secrets whatever about the negotiation for and awards of contracts by big government to big business for the purchase of unclassified goods and services.

Environmental impact information

The recent rediscovery of the Refuse Act of 1899, Ralph Nader charged in the corporate secrecy hearings, is an example of big business utilizing disclosure to obtain a "license to pollute." That indictment may, however, have been too harsh. For if the disclosure of effluent discharges into waterways. in accordance with the Corps of Engineers' new permit system, improves general knowledge of what has been happening all along anyway, the public is no worse off and may, with the new information, be better able to insist on improved enforcement of both old and new statutes, or amendment of the laws.

Employment practices and working conditions information

Is an employer morally obligated to disclose to its employees known health hazards in the plant, even those that are lawful? To the extent such failures to disclose are not already illegal under the Occupational Safety and Health Act or other statutes, they must be made so.

On the civil rights front, demands of minority and ethnic groups, and of women, for a fairer shake in American enterprise cannot be evaluated, much less met, without public information from corporations on their hiring practices and existing employment at all wage and salary levels. Claims that such data are "proprietary" must be challenged.

Political activity information

The Federal Election Campaign Act passed early in 1972 may help reduce the influence of giant corporations and enhance the influence of individuals in the electoral process; but this remains to be seen. The law should make it easier to link big individual contributors both to the candidates they support and the corporations they serve.

Information on tax settlement deals

Only about one revenue ruling in fifty is ever published. The unpublished decisions not only involve vast amounts of revenue lost to the Treasury, but also amounts to a species of private, secret "law" for the corporate taxpayers whose accounts are closed out in that fashion. Further scrutiny of this practice appears to be in order.

CORPORATE ARGUMENTS AND PUBLIC ANSWERS

It is significant that witnesses representing a spectrum of sharply divergent economic viewpoints—Nader, Galbraith, Mueller, Walter Adams and Donald F. Turner—were unanimous in their assessment of secrecy on the part of the corporate giants: they all agree it has to end. Nevertheless, the giants themselves defend the practice and their arguments deserve consideration. They claim that the types of disclosure advocated here are too complex or costly for their present accounting systems and that such disclosure would put them at a competitive disadvantage, especially with foreign competitors.

The accounting argument was perhaps best answered at the hearings by Professor Turner, who was chief of the Justice Department's Antitrust Division during the Johnson Administration. He remarked:

"That some managements may keep inadequate or inappropriate cost accounting records is quite possible; that their records are such that they have virtually no idea as to whether they are making a profit or a loss on various product lines is wildly implausible. But if there are such cases, the stockholders deserve to know them, and the management thrown out as hopelessly incompetent."

It seems improbable that such incompetence is, in fact, very common among the giant corporations. It simply taxes one's credulity when the executive head of the Financial Executives Institute testifies (as he did at a meeting of a panel of the Business Advisory Council on Federal Reports on January 21, 1971), that: ". . . the requirement to report by Enterprise SIC codes would be very burdensome and costly to reporting companies. . . . We know that major companies do not maintain financial data by Enterprise SIC codes."

In the context in which that statement was made, it amounted to an assertion that corporations having sales of a billion dollars or more a year would be unable to *estimate* on an annual basis their total revenues and net income (nothing more) for separate industrial segments having sales amounting to no less than $10 million and no more narrowly defined than the three-digit Enterprise SIC level (e.g., Code 13.0, Oil and Gas Extraction; Code 37.3, Ship and Boat Building and Repairing).

Since the real reason the giants are fighting such disclosure is not the accounting situation cited, it must stem from competitive qualms. Here again Professor Turner offered some helpful insights:

"It is often suggested that to force corporations to disclose more precise cost and profit or loss data to their competitors would have undesirable effects on competition. How so? One can perhaps see the private interest a particular company may have in not periodically disclosing its vulnerability to its competitors.

"It may well feel that with that knowledge the competitors would compete more aggressively in price than they would otherwise do. But certainly as a general proposition, that is what we like to see. One of the main purposes of competition is to reward the more efficient firms, and to punish the less efficient.

"It is desirable that firms who find themselves to be more efficient than other firms endeavor to take full advantage of that fact.

"It is desirable that the firm which finds itself less efficient than others should be under heavy pressure to pull up its socks."

Another answer to the argument, of course, is that single-line producers, if they are public corporations, are openly exposed to their competitors. Even if closely held, the small single-line producers increasingly will have the same kind of exposure as the individual citizen through the computerized networks of data banks containing information furnished in connection with credit applications, contract negotiations, etc. To put it most simply, if Maytag can live in a world in which its giant conglomerate competitors—including General Electric, Westinghouse and GM—know how it is doing on a product line basis (because it *has* only one product line), why could not GE, Westinghouse and GM live in a world in which Maytag had the same product-line data about them?

TWO LOST SKIRMISHES

The power of the giants to protect the system of secrecy was demonstrated in two recent skirmishes with forces opposed to secrecy. The first involved a proposal made early in 1971 by the Federal Trade Commission to collect confidential data on the various industrial segments of the nation's largest corporations. The idea was to provide an annual check on the industry statistics included in the FTC's *Quarterly Financial Report for Manufacturing Corporations*. That report, which costs the government about $900,000 a year to produce, is supposed to provide data on profits and losses in industries at the three-digit Enterprise SIC level. Its usefulness for that purpose is suspect, however, due to the FTC's practice of collecting only *consolidated* balance-sheet and income-statement data from the corporations in its sample, no matter how large or diversified they are. Each corporation's data are then assigned to a single industry. It seems, for example, that until recently the entire consolidated operating results of the electronics and aerospace giant, Ling-Temco-Vought, were attributed to the industry "food and kindred products."

The FTC was willing to continue to "make do" with the consolidated *quarterly* reporting. But it wanted a supplemental *annual* report, containing profit-and-loss data from corporations broken down into the broad standard industrial groupings. The Commission also was willing to limit the requirement for line-of-business reporting to the very largest corporations—initially, those with assets of $1 billion or more. And it was willing to keep the annual line-of-business reports of individual companies completely confidential, as has always been the case with the quarterly, consolidated reports.

Despite the excessive modesty of these reform proposals, big business interests raised a chorus of opposition when the Office of Management and Budget invited them to comment on the form the FTC planned to use. The program was tabled, and while not formally dead, there is no indication when it may be revived.

The other skirmish, fought in Congress, involved an effort to amend the economic stabilization legislation to provide for public disclosure of information offered by corporate giants in support of price and wage increases. The amendment failed in both houses of Congress, and the law was passed instead with a section guaranteeing secrecy for corporate data.

Despite this defeat, the economic stabilization program has provided an important basis for future assaults on corporate secrecy. Indeed, economic historians may well record one feature of the program as the Nixon Administration's most significant contribution. That is the deliberate, clear recognition of a double standard—in fact, a triple standard—for the application of onerous regulation, a standard based on *no other criterion than business size*. Galbraith referred to it as "a watershed action, one that recognizes the new shape in the American economy." He observed:

The consequence, therefore, of the actions that have been taken since August 15 is acceptance of the fact that the big corporation has a special public standing.

Thus while secrecy may be of no concern when practiced by the neighborhood pretzel peddler, it *is* unacceptable when practiced by the corporate giants.

Can the gloomy future implicit in the ominous phrase—"1984: minus twelve and counting"—yet be averted? An end to unwarranted secrecy of the giant powers in our lives could still stop that count.

FTC RELEASES PRODUCT SHIPMENTS DATA FOR 1,000 LARGEST CORPORATIONS—TWENTY YEARS LATE

Now it can be told! General Motors shipped household refrigerators valued at $176.6 million that year. Those shipments accounted for only 2 percent of GM's total shipments—but for over 19 percent of the total shipments of refrigerators by fifteen corporations, all members of the "1,000-largest club." GM shipped 73 product classes, ranging from passenger cars ($4.3 billion) to edge tools ($74). Refrigerators ranked fifth for GM, but GM ranked first for refrigerators.

All these fascinating nuggets of information are contained in a publication released by the Federal Trade Commission in mid-September 1972—after this article was written. There's just one hitch. The data are for 1950. Nevertheless, this one-time-only collection and belated release of "Value of Shipments Data by Product Class for the 1,000 Largest Manufacturing Corporations in 1950" is immensely important. It demonstrates what can be done and what should be done, with refinements and improvements, annually.

THE CURTAIN OF CONGLOMERATE SECRECY

(By Markley Roberts)

(NOTE.—Markley Roberts is an economist with the American Federation of Labor and Congress of Industrial Organizations.)

Conglomerates present unions with an extremely difficult position in the area of collective bargaining. One such corporation having contracts with a dozen or more unions may well be able to sustain a strike in any single segment of its far-flung operations. Thus the ultimate sanction that makes collective bargaining viable—the economic power it can wield through the strike—may not exist when dealing with a huge, diversified concern.

Equally important, however, may be the loss of bargaining power which results because the unions have no meaningful financial data on a conglomerate's operations to back up their demands. Corporate financial reports to stockholders and to the Securities and Exchange Commission (10-K reports) at best don't provide much hard data for union negotiators to utilize, but the consolidated financial statement of the conglomerates present a nearly impossible situation. Even the most basic statistics—total sales and net income—for any particular segment of the conglomerate's operations are unavailable.

Even under the SEC's "line of business" disclosure requirements, essential information on individual subsidiaries or divisions of a conglomerate remain buried in the consolidated financial statement. Most big corporations—especially the multi-product, multinational companies—refuse to break down their sales, cost, price and profit data by product line in a meaningful way. Thus, when a large conglomerate swallows up a major U.S. corporation, information that was previously available to the public disappears forever after into the consolidated earnings statement and balance sheet.

ITT, for example, has taken over more than 100 businesses in the past ten years, including such major U.S. employers as Avis, Sheraton Corp. of America, Rayonier, Marquis-Who's Who, Levitt & Sons, Bobb-Merrill and Continental Baking Co., whose products include Wonder bread, Hostess cakes and Morton's frozen foods. Each such acquisition leaves the public with virtually no further information on the acquired companies. ITT has traditionally divided its sales and revenues into three broad categories for reporting purposes: manufacturing, consumer and business services and telecommunication utilities. But what does that tell one about the continued profitability or lack of it of Rayonier?

Or consider the case of Sunshine Biscuits, one of the top three U.S. producers of crackers, cookies and snack foods. It was taken over in 1966 by American Brands, a major cigarette and cigar producer. In line with SEC requirements, American Brands provided the following percentage breakdown of its operating results by product lines in 1971:

[In percent]

	Sales		Oper. Inc.	
	1971	1970	1971	1970
Tobacco products:				
Domestic	35.3	38.5	61.3	67.3
International	37.0	38.4	16.8	1.8
Hardware	2.7	1.0	6.6	1.8
Distilled beverages	4.8	5.1	5.8	1.9
Food products	12.3	13.1	2.1	1.9
Office services and supplies.	2.4	1.8		1.8
Toiletries	2.1	1.7	3.6	2.2
Less intra-co. sales	dr0.5	dr0.5		
Total	100	100	100	100

From this we can see that American Brands' food product line was relatively unprofitable, accounting for 12.3 percent of total sales, but only 2.1 percent of total operating income (in contrast to domestic tobacco products, which accounted for 35.5 percent of sales and 61.3 percent of profits). But there's still no way to separate financial data for Sunshine Biscuits from the financial data for another wholly owned American Brands subsidiary, Duffy-Mott Co. (acquired in 1968–69), which processes and markets food products such as applesauce, apple juice, puddings, vegetables and seafood. The detailed information that was once available for both Sunshine Biscuits and Duffy-Mott no longer exists—at least not for public consumption. Is it fair that a corporation should be protected in this way from public scrutiny merely because it has been taken over by some larger corporate entity?

It is readily apparent that, even with line of business reporting, the financial report still conceals far more than it reveals about specific operations. It does not show what items within a particular line of business account for what share of sales and income;

thus one cannot calculate product-by-product connections among costs, prices and profits. The union is still unable to point to high profits for a particular product or plant to justify higher wages—even if this is the case.

As far as the public which needs specific information about a particular product or particular subsidiary of a multi-product corporation is concerned, these vast enterprises may as well be family-held, non-public corporations. The helpless individual gets *no* cost-price-profit information from the latter, and no *meaningful* data from the former.

In contrast to the multi-product conglomerates, which, with their consolidated balance sheets can avoid public disclosure of product-by-product cost and profit data, the single-product companies—large and small—must file informative financial reports. Publicly held, single-product corporations (such as American Motors or Maytag), as well as corporations in regulated industries (the airlines, for example), have been putting out product-related financial data for years—without ever giving away legitimate trade secrets. Profits on a product line of a single-product corporation can be estimated with a high degree of accuracy from the quarterly and annual reports submitted to stockholders and filed with the SEC. These reports show net sales, major costs and investments, depreciation and amortization of plant and equipment, net income before and after taxes and earnings per share. Anyone—a consumer watchdog, a government investigator, a business competitor or a union negotiator—can arrive at reasonably accurate estimates of the effect on profits of a specific wage or price increase.

Obviously, managers of conglomerates are being rewarded by these inadequate reporting standards. For by not requiring detailed reports for each of their operating subsidiaries, it is impossible to obtain a meaningful indication of how successfully a giant company is managing its various acquisitions. By shuffling what is to be included in each reportable "line of business" (this is left to the judgment of management, hardly an unbiased party),a multi-unit company can easily ensure that it will look good to investors by obscuring operating results, hiding profit declines and overstating growth in earnings.

THE PRICE PROGRAM

The need for accurate cost, price and profit data came to public attention with special urgency as a result of the price program put into effect by President Nixon last year. Labor skepticism about this unenforced program stems in part from the fact that corporate financial data given to the Price Commission to justify requests for price boosts don't get public scrutiny. Since the price panel has no labor or consumer representatives, the public has no way to find out if the Price Commission's decisions are justified. Individual company costs, profit margins and mark-up percentages are concealed in documents available only to the Price Commission and to the Internal Revenue Service.

The AFL–CIO has called for open Price Commission hearings and an end to secrecy in the commission's proceedings. Sen. Gaylord Nelson (D-Wis.) issued a prophetic warning about the potential loss of public confidence in the price control program which could result from the secrecy curtain on price decisions:

"At the present time, when labor wins a wage increase, all the essential information is in the public domain. Anyone interested can find out exactly what the workers got before the wage increase and what they will get after the wage increase. The public has what it needs to form an intelligent, independent judgment on whether the Pay Board acted wisely or unwisely. It is terribly important that the public be able to perform this function of Monday-morning-quarterbacking the decisions of the Pay Board.

"It is just as important for the public to be able to evaluate the decisions of the Price Commission. But here the situation is very different. The public cannot carry out its vital function of Monday-morning quarterbacking the commission's decisions. That is because the TV screen goes blank during the winning plays and there is no live audience admitted to the "game."

"These 'games'—the proceedings and reasoning of the Price Commission—result in immense taxation of the American consumer, in the form of approved price increases. Yet they are played with no spectators. There is no one there but the players: the corporation that wants the price increase and the Price Commission that approves it.

"This can truly be described as a kind of taxation without representation. It is unfair and unreasonable, and it will, if it persists, cost the whole Phase 2 program the public confidence that it needs to succeed."

Arch Booth, executive vice president of the U.S. Chamber of Commerce, was one of the many who opposed Price Commission disclosure of big corporations' financial data to the general public. He warned that business cooperation might be withdrawn if the Price Commission "let the public see confidential records" of these corporations. Congress once again came to the aid of the big corporations and refused to add anti-secrecy provisions to the Economic Stabilization Act, which authorizes the price control program. The Senate rejected a 1971 proposal by Sen. Nelson to require corporations with annual sales of $50 million or more to justify their price increases publicly. The House turned down a similar proposal by Rep. Herman Badillo (D-N.Y.).

The public's right to know goes far beyond the present price control program with its anti-consumer inequities and its pro-business bias—becaus that right to know is an essential feature of a democratic society. Even if the price program didn't exist, it would be essential for the public to understand how giant U.S. corporations—not only the "top 500" but also the 2,400 firms with annual sales over $50 million—manipulate their costs, prices and profits in ways that may be contrary to the public interest.

The public needs detailed, standardized corporate financial reporting to understand how the economic giants are shaping the economy. The pubic's right to know and the public interest require an end to corporate secrecy on cost, price and profit information that vitally affects more than 200 million American citizens.

CORPORATE DISCLOSURE: A CHALLENGE TO ACCOUNTANTS

(By Donald Etra)

(NOTE.—Donald Etra is associated with Ralph Nader's Corporate Accountability Research Group and is coauthor of Citibank by the Nader Task Force on First National City Bank, New York City, to be published soon. He holds a B.A. from Yale College and J.D. and M.B.A. degrees from Columbia University, and is a member of the New York Bar.)

"Accounting should provide to the public an understandable presentation of a corporation's financial progress and social impact."—Statement of Accounting Objectives, Corporate Accountability Research Group.

The public's right to know about a corporation's activities stems from two sources. First, every corporation owes its existence to the public which has granted the corporation its charter. It is this charter which furnishes a corporation with its indispensable assets—immortality (the privilege of continuing beyond the lives of its members) and limited liability (the privilege of subjecting to risk only those assets designated as belonging to the corporation). A corporate charter constitutes a kind of public subsidy; in return for this subsidy, a corporation has certain obligations to the public. One area of responsibility is to furnish the society with information about its activities; for without such information the public cannot decide if the corporation merits continued subsidization.

The public's right to know also derives from the fact that, in this day of giant corporations, corporate decisions influence the entire community. As J.A.C. Hetherington observes:

"If American Motors, the largest industrial employer in Wisconsin, were to discontinue the manufacture of automobiles in Racine, Wisconsin, this would be a matter of considerable importance to the economic interests and prospects of the entire state, including many persons who live far from Racine and who never owned an American Motors car.[1]"

Still more broadly, the health and safety of every individual is predicated on corporate decisions, especially in the realms of product safety and environmental protection. When the largest corporations wield more financial power than the states in which they reside, it is unrealistic to believe that the public can avoid either the beneficence or wrath of corporate influence.

Since it is *from* the public that corporations derive their power, and *at* the public that corporations direct their activities, it is *to* the public that corporations owe forthright and meaningful disclosure. Some of the interest groups which are vitally interested in a corporation's activities are consumers, labor, investors, creditors and government. These segments of the public need various kinds of information and can thus benefit from various kinds of corporate disclosure.

CONSUMERS

Consumers are most directly interested in the finished products of corporations, Their initial concern is a product's price. Adequate price information entails disclosure of unit prices to facilitate the buyer's assessment of the comparative costs of similar products. Similarly, disclosure of the profit margins of goods would enable a consumer to judge whether the retail price is commensurate with the company's production costs. (Disclosure of profit margins by product line would also benefit the consumer by creating potential entrants to the marketplace. The very threat of entry has an ameliorative effect on price, and actual entry results in greater competition. As economists and historians are wont to illustrate, competition—either actual or potential—results in the production of better goods at lower prices.)

Consumers are also entitled to know more about the products they buy. Is the product safe? Durable? Nutritious? Without access to such information, the decision to buy must too often be based, not on the quality of the goods, but on superficial packaging and unsubstantiated advertising claims.

Cynics might argue that consumers are lazy and do not bother to read even that information which is already available. Studies have shown, however, that not only do consumers want more information, they act on the basis of it. For instance, in 1971, the Consumer Research Institute studied the buying habits of 950 households that were given nutritional information on various food items. Among the conclusions of this test were these: (1) nutrient information was used by the consumers, as demonstrated by the fact that their purchase patterns changed after the introduction of nutrient labeling; and (2) in situations where a product brand had a real nutritional advantage,

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Footnotes at end of article.

there was a major increase in that product's share of the market.[2]

LABOR

Labor groups need to know the profits of a company in order to determine if wages constitute a fair share of those profits. Workers are also concerned with the financial performance of a company because their own financial security is tied to the fortunes of their employer. The corporate pension plan is another area of particular concern to employees. Is it adequately funded? Under what circumstances do employees risk forfeiture of their accumulated pension rights?

A study by the State of New York Insurance Department indicated that employers have been less than honest in telling employees about their pension funds:

"Only 84 out of 188 plans analyzed for this purpose clearly stated that pension benefits were not promised or guaranteed. *Contrary to the facts*, 70 plans out of 188 expressly stated or implied that the benefits were guaranteed or promised without reservation. An additional 34 plans were completely silent on the conditional nature of the pension 'promise.' [3]" (emphasis added)

INVESTORS AND CREDITORS

Investors and creditors use the traditional kinds of data presented in balance sheets and income statements to derive such ratios as earnings-per-share and debt-to-equity for comparison of alternative investment or loan opportunities. But the life of a corporation is dynamic, not static. A wise investment or credit decision requires not only a snapshot of the present financial condition of a company, but also some indication of where the company has been and where it is going. Some companies already follow the commendable practice of including in their annual reports, a ten-year summary of past earnings to provide perspective. The next step should be forecasting of some sort.

In the past, by not allowing even limited forecasting, the SEC has created the conditions under which companies can hide by omission significant data bearing on future earnings. Depreciation allowances, tax credits and so-called extraordinary items can all be manipulated to improve the immediate picture at the expense of a future year's result. It is often hard to believe that management has not foreseen the necessity for certain extraordinary write-offs years before they finally appear on the income statement. If so, the lack of forewarning to the public is deceitful. A company should be required to disclose what depreciation allowances and tax incentives it has already used up and, on the positive side, any special items it is holding in reserve for possible future use should real performance not meet expectations. The SEC seems to be moving in this direction, as well it should since under securities law an omission of a material fact is as fraudulent as a willful misstatement of fact.

The objective of certified financial statements should be to tell a candid and objective story—what has happened, what is happening, and what might reasonably be expected to happen to a company.

Is there any limit, then, to what should be disclosed? The country's larger corporations should be required to make public everything except trade secrets. Trade secrets should be redefined as that information which a company would not pay to develop if it had to make it public. Outside of processing techniques, the burden should be on the corporation to prove that something is, in fact, a legitimate trade secret.

GOVERNMENT

The government's interest in the disclosure of a company's financial performance stems from its need to accurately and fairly determine the company's tax liability. The government also needs microeconomic statistics, such as productivity and return on investment data for individual firms, so that macroeconomic statistics can be developed to describe the course of the economy as a whole and to assess the effectiveness of government fiscal and monetary policies.

Although the government's utilization of corporate data differs from that of investors and creditors, it needs the same basic financial information. If financial disclosure is to be anything but a farce, the data provided to the government must be computed in the same way as the data disclosed to shareholders. For instance, the profit a company reports to its shareholders should be the same profit figure quoted to the government. Under present accounting rules, however, no such requirement exists.

A 1971 study of 100 corporations chosen at random from the Fortune 500 revealed significant discrepancies between the way corporations broke down their sales and profit data for the public in their annual reports and the way they broke down the same data for the government in the 10-K forms filed with the Securities and Exchange Commission. Only 39 companies gave identical breakdowns of both sales and earnings in their annual reports as in their 10-Ks; 12 companies disclosed different figures in their 10-Ks and annual reports; 10 companies reported both sales and profit breakdowns to the SEC and identical sales, but not identical profit figures to shareholders; and 39 reported by classes of products or services to the SEC, but did not give shareholders any product line breakdowns in the annual report.[4] Consistent reporting practices should certainly be required.

Having sketched some of the interest groups that have a need and a right to know about corporate activities, the next question is how accountants can help serve these groups. Because it is the accounting profession which formulates the "generally accepted accounting principles" which determine how (and to some extent, what) financial information must be presented, accountants play a vital role in determining whether the public get the information it requires.

IMPARTIALITY

Because the financial information disclosed by a company reflects the performance of its management, management has a particular interest in the form and content of corporate disclosure. If the kind of information to be disclosed were left solely to the discretion of management, they would understandably seek to present those facts which would show them in the most favorable light.

Is the role of accountants one of aiding and abetting management, or one of serving the public? Contrary to the views of Robert Mautz [5] and his followers, who assert that the accountant's sole role is to serve management, the law is clear:

"The responsibility of the public accountant is not only to the client who pays his fee, but also to investors, creditors, and others who may rely on the financial statement which he certifies." [6]

If the certified public accountant is to live up to his middle name, he must remain absolutely impartial. And if he is to satisfy the legitimate informational needs of the public, he must resist the temptation to be merely a pawn, a tool of management, who creates a morass of "generally accepted accounting principles" that are acceptable to only one interest group.

To ensure that accountants once again achieve independence, the following changes are called for:

The creation of a rule-making body that represents all interest groups.

A prohibition against accounting firms providing management consulting services to accounting clients.

A limitation on the length of service that any one accounting firm can provide to the same company.

The group that established accounting principles, formerly the Accounting Principles Board and now the Financial Accounting Standards Board, must include in its ranks representatives from all interested parties—consumers, labor, creditors, investors, scholars, government and management. Economists and other social scientists would also be welcome additions to this rule-making body. These public representatives would force the accountants to justify existing, as well as proposed, accounting principles and procedures and would ensure that corporations reveal the kinds of information the public needs to make wise investor and consumer decisions. At all costs, the situation must be avoided which existed under the Accounting Principles Board, where the accounting principles were determined by a small clique representing the Big Eight accounting firms. It is not surprising that current accounting principles reflect the interests of their clients—Big Business—rather than the interests of the public as a whole.

A second area of potential abuse exists when an accounting firm performs management consulting services for its regular accounting clients. Critics rightfully question whether the firm which provides advice can objectively evaluate the results of having followed that advice. As Professor Abraham Briloff has shown, the public feels that any firm which performs both services compromises its independence.[7] To avoid such conflict-of-interest situations, accounting firms should be prohibited from offering consulting services to the firms they audit—or, at the very least, should be required to disclose in the certification statement the fact that they have done so.

The very fact that management (in form only is it the board of directors) retains an accounting firm, inevitably creates a community of interest between management and the accountants. Without nationalizing the accounting profession, there is no way to change the system of who pays the fee. However, there may be ways to prevent the community of interest from growing too strong. A rule could be established that no accounting firm may serve the same client for more than four consecutive years—thus preventing long-term back-scratching relationships from developing. Under such a system, an accountant would have less incentive to present management in a deceptively favorable light, just to be retained.

Admittedly, changing accounting firms every four years would be inconvenient. The new firm would have to adjust to a company's internal accounting idiosyncracies. On the other hand, an accountant who has been on retainer for many years is sometimes *too* familiar with a company's procedures. He no longer asks questions. However, it is because old assumptions *must* be challenged that a company should periodically change accountants for the good of all. The annals of accounting might well be different if auditors and accountants had asked: Is there really salad oil in those tanks; or, What is the collateral behind that loan? A new accountant must ask these questions. He is starting from scratch and has no old information to rely upon.

UNDERSTANDABILITY

Much of what is disclosed by way of corporate financial statements is more or less incomprehensible to the general public and even to the average investor. It behooves the accounting profession to work to ensure that the information which companies disclose is understandable. It was Homer Kripke who wisely observed:

"My assertion is that a typical prospectus *cannot* enable a lay investor to achieve an informed investment decision." [8]

Footnotes at end of article.

If accounting statements are to be of any use, they must be understood. To promote this objective, the first aim should be to eliminate unnecessary technical jargon. While words like "flow-through" and "pooling method" which are bandied about in footnotes are a convenient shorthand for the experts, they constitute a trap for most laymen. Where such terms can be avoided by using nontechnical terminology, this should be done. In any case, a glossary of definitions should be included for the benefit of the many.

No financial statement is an island. To be meaningful, it must be comparable with financial statements of other companies, particularly those of similar size within the same industry. To accomplish this, a uniform system of accounting is necessary. There is no justification for retaining six alternate methods for evaluating inventories or three methods of accounting for the investment tax credit. The whole realm of accounting principles desperately needs to be scrutinized for instances where the same economic event is amenable to varying accounting treatments, each producing a different income statement result. As long as such options are available, management can be expected to exploit the situation to its own advantage.

The private accounting profession would do well to take note of the Cost Accounting Standards Board, a federal body created to implement uniform cost accounting standards for defense contractors. One study estimated that the government could save two billion dollars a year if defense contractors were required to use standardized methods of computing costs. Is not the private sector entitled to similar savings?

Accountants offer two arguments against uniform accounting principles. The profession pleads that flexibility is needed to account for the myriad of economic events that besiege a corporation, and the profession cries out that uniform procedures would transform putative professionals into pedestrian pencil pushers.

Fexibility for flexibility's sake has no merit in accounting. When those rare circumstances crop up where a uniform accounting method would not accurately reflect the actual economic event, exceptions should be allowed. But the burden of proof should be on the firm wishing to deviate from the norm, rather than the present situation where alternative methods may be used at the whim of management.

In addition to allowing widely differing methods for describing the same event, another problem with present accounting rules is that many simply fail to make sense. We strongly recommend that all accounting rules and all the Opinions of the old Accounting Principles Board be reexamined to determine if they are reasonable or whether they merely cater to a particular interest group. Each rule must be put to a common sense test: does the rule describe an event that has happened in the real world?

It is enlightening to submit the APB's pooling rule to this test. In the real world when one company acquires another company's assets, it almost always acquires the assets at their market price. Pooling, however, permits an acquiring company to represent that it still values the acquired assets at their historical cost basis—something which is not at all reflective of what has really taken place. Our conclusion: APB Opinion No. 16 (the pooling opinion) does not meet the common sense test; therefore, pooling should be eliminated as an accounting procedure.

Accountants should also subject their rules to a functional test: Is the rule merely procedural or will it have substantive impact? Some assert that the merger movement of the 1960s was fired up in no small part by the availability of pooling. Indeed, as one corporate financial officer observed, if the Accounting Principles Board had outlawed the use of pooling:

". . . the merger movement would have been stopped more effectively than by anything the Department of Justice [by invoking the antitrust laws] might do."[9]

When an accounting rule changes the behavior of firms that use it, accountants are in some measure responsible for its social consequences. The accounting profession has traditionally shied away from attaching value judgments to their rule-making responsibility. Yet they must be sensitive to whether the rules will be to the benefit or detriment of the public.

SOCIAL COST ACCOUNTING

Every once in a while, accountants should think about the broad cost relationships within society. What, for instance, is the relationship between the automobile industry and the insurance industry? Why are insurance rates so high? What is the average cost of fixing a car that has been in a low-speed collision? How much would it cost GM to provide decent bumpers? If GM invested ten dollars more per car for better bumpers, what would the aggregate savings be to car owners in terms of lower repair costs and insurance premiums? These are the kinds of questions which can lead to significant change. It is this kind of analysis that has led some insurance companies to reduce insurance costs for those people who have taken driver education courses.

Accountants are trained to analyze cost-benefit relationships. They are familiar with the procedures used to compute costs, and they have the wherewithal to communicate complex financial information. Such qualifications make the accounting profession an indispensible party to the task of translating the newer sophisticated concepts of costs into concrete accounting practices.

Some will contend that social cost accounting is doomed by its own complexity. They argue that no one can compute all the factors that bear on real-world relationships, However, the advent of new technologies, greater sophistication about what is of value, and recent successful experiments have shown that the contrary is true. Ecologists and zoologists have proven that one kind of tampering with the environment (the use of pesticides) leads to a directly attributable result (a hardier strain of insects). Doctors have proven that antibiotics have caused stronger strains of virus. Bankers, in their weaker moments, admit that their conservative policies which caused them to redline certain districts wherein mortgages were not issued, resulted in neighborhood decay and riots. Many of these relationships, considered quite tenuous a short time ago, are now recognized as valid and form the basis for important policy decisions about future actions.

CORPORATE IMPACT STATEMENT

A full-scale reevaluation of the corporation's impact on a community—the costs it foists on the community, as well as the benefits it provides to the community—is in order. Under the National Environmental Policy Act, federal agencies must file "impact statements" whenever their actions affect the environment. The larger corporations—whose actions often have far greater impact on the environment—should be subject to the same requirement.

In the area of pollution, the technology now exists to measure the environmental impact of a corporation. With devices to measure the chemical content of the air, the source of pollution—by plant and smokestack—can be identified. Other measures exist to compute the effect of effluents on a body of water.

As the traditional experts in computing costs, it would be natural for accountants to play a central role in devising the indices for computing the costs of a company's pollution. In so doing, accountants would be providing remedies for those who bear the brunt of corporate pollution. The individual whose car is corroded by fumes from the local plant, and the community that is forced to install a new sewer plant must be provided with facts to back up their case in court.

It took a long time for the courts to develop the principles of product liability. Now the principles of environmental liability—that corporations are liable for the harm they do to the environment—are just beginning to be formulated. Corporate impact statements, which force a company to reveal and assess its adverse effect on the community, can play a vital part in their development.

A PUBLIC INTEREST CPA FIRM

Many of the suggestions described above will forever remain suggestions, unless the accounting profession takes it upon itself to implement these and similar ideas. One concrete way accountants can begin to change their profession is by establishing a public interest CPA firm.

What is a public interest CPA firm? Not too long ago, people were equally vague about public interest law firms. Yet, today the idea of public interest law firms, acting as private attorneys general, to initiate suits having widespread implications for the public and to lobby for consumer legislation is widely acclaimed. Why not a similar role for accountants as well?

If every CPA taxed himself three dollars per annum, the money could be used to pay five or six accountants a competitive wage so that they could sever their interests from private practice and form the first public interest CPA firm. Suggestions for meaningful projects requiring accounting expertise could come from professional colleagues or members of the public.

CONCLUSION

We began by examining why the public has a right to know and sketched the kind of information needed. We then turned to the profession whose task it is to present corporate information understandably and impartially. Now is the time for accountants to move beyond the basics, to fight for more and better prepared information. The possibilities have been outlined; it is up to individual accountants and public interest CPA firms to make them realities.

FOOTNOTES

[1] J.A.C. Hetherington, "Fact and Legal Theory: Shareholders, Managers, and Corporate Responsibility," 21 *Stanford Law Review* 248 (Jan. 1969).

[2] *Federal Register*, Vol. 37, No. 62, March 30, 1972. p. 6495.

[3] Martin S. House, *Private Employee Benefit Plans: A Public Trust*. State of New York Insurance Department, 1956, p. 105,

[4] "10-K and the Annual Report, How 100 Leading Corporations Reported Sales and Earnings to the SEC and to Shareholders," Selvage, Lee and Howard, Inc., New York, October 1971, p. 7.

[5] Walter F. Frese and Robert K. Mautz, "Financial Reporting by Whom," *Harvard Business Review*, Vol. 50, No. 2, Mar.–Apr. 1972.

[6] *Touche, Niven, Bailey & Smart*, 37 SEC 629, 670 (1957).

[7] See Abraham Briloff, *The Effectiveness of Accounting Communication*, Praeger Publishers, New York, 1967, especially Chapter 6, "The Proliferation of Services to Management."

[8] Homer Kripke, "The SEC, Some Myths and Some Realities," 45 *New York University Law Review*, 1151, 1153 (Dec. 1970).

[9] Frese and Mautz, *Op. Cit.*, p. 10.

Mr. STEVENSON. Mr. President, during the Easter recess, I met with independent petroleum refiners, marketers, and retailers in Illinois. These independents are desperate. Many of them are being forced out of business by the cutoff of their supplies by major oil companies.

The Penn-Guin Oil Co., a branded independent distributing Citgo Products in Chicago, has been a family business for more than 60 years and has been associated with Cities Service since 1930. It has been told by Cities Service that its contract will be terminated as of May 31. The owner of Penn-Guin believes this policy will effectively puts his company out of business.

The Cropsey Independent Oil Co. of Cropsey, Ill., has been a family business for 18 years. Now its independent supplier, Hicks Oil & Hicksgas of Roberts, Ill., which also receives its product from Cities Service, has been cut off—and in time this independent may be forced out of business.

The Concord Oil Co. operates 12 independent gas stations in the Chicago area. Concord's suppliers have been Triangle Refining, Conoco, and Clark. Triangle closed its Chicago terminal on April 15, and Conoco has put Concord on allotment. It may soon have to close all 12 of its stations.

These are but a few examples. There are many of the independent companies in Illinois which are in similar straits. Hundreds of gas stations are involved, and the number can be multiplied nationwide.

The major oil companies, who are cutting off the independents, seem to have their storage tanks full in the Chicago area. And many of the majors are reporting record first quarter sales and profits.

This threat to the independents cannot be ignored. The biggest loser if the independents are forced out of business will be the consumer. The independents "keep the majors honest" in their pricing practices. They provide the primary source of competition in an industry that sorely needs competition.

The administration has ignored the threat. Last week an administration spokesman said there is no present or prospective gasoline shortage, and that "just a few independent" and "a few marginal gas stations" may be forced out of business. Gasoline should be available, we are told, down the road at the next station. The "next station," of course, will be owned by a major oil company, and the cost will be many cents more per gallon with the extra profits going to the big companies.

The administration, through the Justice Department, should be conducting a major investigation of the practices of the major oil companies. My talks with the independents and the evidence they presented to me strongly suggest the need to determine whether the major oil companies are violating the antitrust laws. The actions of the majors are curtailing competition. Gasoline is not being made available to the independents, and yet the majors are opening up their own discount stations. Independent refiners are not selling to independent marketers because the majors can promise the refiners a continuing source of crude oil if the refiners in turn give the majors first call on their refined products. Many refineries are not being operated to their full capacity, and it is uncertain whether this is solely the result of an overall shortage of crude oil or whether certain major refineries are deliberately being operated at less than maximum capacity.

Despite such evidence, I see little to suggest that any investigation is contemplated by the Justice Department. With the imminent prospect of price increases that may raise the cost of gasoline to 50 cents a gallon at the pump, there can be few higher priorities in the antitrust field.

Such an investigation would take time, and action is needed now to preserve competition in the oil industry. Section 2 of the Economic Stabilization Act amendments gives the President the authority to systematically allocate supplies of petroleum products "in order to meet the essential needs of various sections of the Nation and to prevent anticompetitive effects resulting from shortages" of petroleum products.

As soon as the President signs this act, he should use this authority. I urge him to act to save the independents, and in turn to save consumers hundreds of millions of dollars.

Time and again, the President and his advisers have acted to favor big oil and harm small oil and the consumer. The Presidential task force on the oil import quota system recommended in 1970 that the quota system be scrapped. Senator KENNEDY and I, along with over 30 of our colleagues, urged a temporary suspension of the quotas in Senate Joint Resolution 23 introduced in January of this year—and I recommended a similar action in letters to the President and the Secretary of the Interior last year. But until a week and a half ago the President failed to heed any of these recommendations and took only the most incremental steps in regard to the quota system. He now says he realizes that the mandatory import program was "of virtually no benefit any longer."

In his energy message, the President gave us a new "tariff" system. But it is doubtful that this change will benefit the independents at all, and in other sections of his energy message Mr. Nixon proposes other actions that promise more of the same—million of dollars in tax breaks to the major oil companies and billions more in costs to the consumers of energy.

This provision will give the President the specific authority to help independents and consumers. Today, the major oil companies control about 95 percent of the production of oil used in this country. They control 68 percent of the retail gasoline outlets. If the majors are allowed by the administration to use the present fuel shortage for their own purposes and allocate petroleum products according to their own formulas and priorities, they will surely push that 68 percent much higher and could end up monopolizing every phase of the oil production and distribution system.

The concentration of power in one oil company, Standard Oil, was a major cause of the first great antitrust movement in the United States. The very word "trust" was devised by Standard Oil attorneys in 1879. Standard was viewed as an archdemon in the public eye in the latter years of the 19th century. From this perception came the public pressure that led to State antitrust legislation in the 1880's and the passage of the Sherman Act in 1890. The very culmination of the great "trust-busting" era was the dissolution of Standard Oil into 34 companies in 1911. Wholesalers and retailers buying from independent refiners had been threatened with destructive competition by Standard. By 1882 it was estimated that Standard Oil controlled from 90 to 95 percent of all oil refined in the United States.

How current this all sounds. Now it is all the major oil companies apparently trying to control the entire industry. History could be repeating itself, and we may be in another era when a major antimonopolistic effort by the Government is necessary.

The Senator from Michigan (Mr. HART) has introduced new antitrust legislation. Appropriately enough the first subject of hearings on this legislation will be the oil industry. But that is a long-term solution. The antitrust tools may be there now for an administration that wants to use them. And now this act will give President Nixon the power to take administrative action.

The oil companies are fond of telling us "the Nation that runs on oil cannot afford to run short." The Nation that runs short of independent oil companies may not be able to afford the gasoline it needs. Action must be taken now to preserve the independents and in turn to protect the consumer. I urge the President to use the power Congress is about to give him.

Mr. HATFIELD. Mr. President, as one of the two Senators who voted against Senate extension of the Economic Stabilization Act of 1971, I would like to briefly explain the reasons why I opposed this measure and why I am voting against the conference report.

First, and most importantly, is the reality of congressional power eroding to the Executive. A great deal of criticism within this body, within the House of Representatives, and in the private sector, has centered on congressional irresponsibility and acquiesence to the executive branch. Yet, we continue to pass bills such as the one before us today. The Economic Stabilization Act potentially eliminates the Congress from any meaningful role in guiding the principles of our economy. We simply hand over the reins to the President. It is time we started exercising the authority and responsibility granted us under the Constitution and take a step toward consistency in action as well as rhetoric.

The second reason is the impracticality of wage and price controls. They can no longer serve the purpose they were originally conceived to serve. The original purpose was to give a psychological push to the economy. I do not think anyone really expected the freeze to work in an economy of our complexity and size. It has not worked in any economy in the past, and there was no reason to expect it to work here. But it was hoped that a good psychological shock, coupled with effective Government action in its budgetary allocations, could curb inflation. The former occurred; the latter did not.

Consequently, inflation and unemployment continue to plague us as before.

Unless and until the Federal Government reduces its expenditures, inflation will continue unabated. I applaud congressional efforts to reform budgetary procedures and limit Federal expenditures within a system of proper national priorities, and I hope that these efforts will be successful. The onus for inflation is on the Federal Government. The consumer, the worker, the businessman, the housewife, and the farmer should not be made to bear any more of the burden for the Government's mistakes than they have already had to bear.

Mr. SPARKMAN. Mr. President, I move that the conference report be adopted.

The PRESIDING OFFICER. The question is on the adoption of the conference report. [Putting the question.]

The report was agreed to.

Mr. TOWER. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. SPARKMAN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

VOTER REGISTRATION ACT

The Senate continued with the consideration of the bill (S. 352) to amend title 13, United States Code, to establish within the Bureau of the Census a Voter Registration Administration for the purpose of administering a voter registration program through the Postal Service.

The PRESIDING OFFICER. Pursuant to the unanimous consent order, the Senator from Wyoming is recognized.

Mr. McGEE. Mr. President, may I inquire into the parliamentary situation?

The PRESIDING OFFICER. The Senate has returned to the consideration of the voter registration bill.

The clerk will state the bill by title.

The assistant legislative clerk read the bill (S. 352) by title, as follows:

> A bill to amend title 13, United States Code, to establish within the Bureau of the Census a Voter Registration Administration for the purpose of administering a voter registration program through the Postal Service.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. McGEE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McGEE. May I suggest the absence of a quorum with the understanding that I do not lose my right to the floor, by unanimous consent?

The PRESIDING OFFICER. If unanimous consent is granted.

Mr. McGEE. Mr. President, I make that request.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. McGEE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 5:30 P.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess until the hour of 5:30 today.

The PRESIDING OFFICER. Without objection, it is so ordered. Thereupon, at 4:40 p.m., the Senate took a recess until 5:30 p.m.; whereupon the Senate reassembled when called to order by the Presiding Officer (Mr. ALLEN).

ORDER OF BUSINESS

The PRESIDING OFFICER. Under the previous order, the distinguished Senator from Wyoming (Mr. McGEE) was to be recognized at this time.

Mr. MANSFIELD. Mr. President, standing in for him, I yield to the distinguished Senator from Kentucky (Mr. COOK).

LITTLE CIGAR ACT OF 1973

Mr. COOK. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of my motion of April 10, 1973, to reconsider the passage of S. 1165.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COOK. Mr. President, I ask unanimous consent that the Senate reconsider the vote by which S. 1165 was passed.

The PRESIDING OFFICER. The bill will be stated by title.

The legislative clerk read the bill (S. 1165) by title, as follows:

> A bill to amend the Federal Cigarette Labeling and Advertising Act of 1965 as amended by the Public Health Cigarette Smoking Act of 1969 to define the term "little cigar," and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky? The Chair hears none, and it is so ordered.

The question is on the passage of the bill.

The bill was passed as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Little Cigar Act of 1973".
>
> SEC. 2. Section 3 of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1331–1340) as amended by the Public Health Cigarette Smoking Act of 1969 is amended by inserting the following new subsection:
>
> "(7) The term 'little cigar' means any roll of tobacco wrapped in leaf tobacco or any substance containing tobacco (other than any roll of tobacco which is a cigarette within the meaning of subsection (1)) and as to which one thousand units weigh not more than three pounds."
>
> SEC. 3. Section 6 of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1331-1340) as amended by the Public Health Cigarette Smoking Act of 1969 is amended by inserting the words "and little cigars" after the word "cigarettes".
>
> SEC. 4. The amendment made by this Act shall become effective thirty days after the date of enactment.

AUTHORIZATION FOR CERTAIN ACTION TO BE TAKEN DURING THE ADJOURNMENT

Mr. MANSFIELD. Mr. President I ask unanimous consent that the Secretary of the Senate be authorized to receive messages from the House of Representatives during the adjournment of the Senate and that the Vice President, the President pro tempore, and the Acting President pro tempore be authorized to sign any duly enrolled bills.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATORS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that immediately following the recognition of the two leaders on tomorrow under the standing order, the following Senators be recognized, each for not to exceed 15 minutes, and in the order stated: Mr. HASKELL, Mr. CURTIS, Mr. PERCY, Mr. DOMENICI, Mr. GRIFFIN, and Mr. ROBERT C. BYRD.

The PRESIDING OFFICER. Without objection, it is so ordered.

EULOGIES TO THE LATE FORMER SENATOR BENTON

Mr. ROBERT C. BYRD. Mr. President, on behalf of the distinguished Senator from Connecticut (Mr. RIBICOFF), I ask unanimous consent that the RECORD, for eulogies to the late former Senator William Benton remain open for an additional week, so that Senators who, due to the recess, have not had an opportunity to make statements may do so.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will please call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER (Mr. HUDDLESTON). Without objection, it is so ordered.

RECESS UNTIL 6:15 P.M.

Mr. ROBERT C. BYRD. Mr. President, I move that the Senate stand in recess until 6:15 p.m. today.

The motion was agreed to, and, at 5:40 p.m., the Senate took a recess until 6:15 p.m.; whereupon the Senate reassembled when called to order by the Presiding Officer (Mr. TALMADGE).

RECESS UNTIL 6:30 P.M.

Mr. ROBERT C. BYRD. Mr. President, I move that the Senate stand in recess until 6:30 p.m. today.

The motion was agreed to, and at 6:16 p.m., the Senate took a recess until 6:30 p.m.; whereupon the Senate reassembled when called to order by the Presiding Officer (Mr. ALLEN).

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Berry, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 398) to extend and amend the Economic Stabilization Act of 1970.

The message also announced that the House had passed without amendment the bill (S. 1494) to amend section 236 of the Central Intelligence Agency Retirement Act of 1964 for certain employees to limit the number of employees that may be retired under such act during specified periods.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (S. 398) to extend and amend the Economic Stabilization Act of 1970.

ORDER FOR PERIOD FOR TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW AND FOR CONSIDERATION OF UNFINISHED BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at the conclusion of the orders for recognition of Senators on tomorrow, there be a period for the transaction of routine morning business of not to exceed 30 minutes, with statements limited therein to 3 minutes, at the conclusion of which the Chair lay before the Senate the unfinished business, S. 352.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program for tomorrow is as follows:

The Senate will convene at 12 o'clock noon. The two leaders or their designees will then be recognized under the standing order, after which the following Senators will be recognized, each for not to exceed 15 minutes, and in the order stated: Mr. HASKELL, Mr. CURTIS, Mr. PERCY, Mr. DOMENICI, Mr. GRIFFIN, and Mr. ROBERT C. BYRD.

There will then be a period for the transaction of routine morning business of not to exceed 30 minutes, with statements limited therein to 3 minutes, at the conclusion of which the Senate will resume the consideration of the unfinished business, S. 352, the post card registration bill.

A motion to invoke cloture will be entered tomorrow, and the vote on that motion will occur on Thursday next.

During the afternoon of tomorrow, the leadership intends to set aside—with consent, of course—the unfinished business and to proceed to the consideration of S. 795, a bill to amend the National Foundation on the Arts and the Humanities Act of 1965. Other measures on the calendar may likewise be taken up, if consent is given.

There will be yea-and-nay votes tomorrow, quite surely, especially with respect to the bill to amend the National Foundation on the Arts and Humanities Act and with regard to amendments thereto.

ADJOURNMENT

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and at 6:34 p.m. the Senate adjourned until tomorrow, May 1, 1973, at 12 o'clock noon.

NOMINATIONS

Executive nomination received by the Senate on April 19, 1973, pursuant to the order of April 18, 1973:

NATIONAL COMMISSION ON MATERIALS POLICY

Frederick B. Dent, of South Carolina, to be a Member of the National Commission on Materials Policy, vice Peter G. Peterson, resigned.

Executive nomination received by the Senate on April 24, 1973, pursuant to the order of April 18, 1973:

DEPARTMENT OF THE INTERIOR

James T. Clark, of Michigan, to be an Assistant Secretary of the Interior, vice Richard S. Bodman, resigned.

Executive nomination received by the Senate on April 27, 1973, pursuant to the order of April 18, 1973:

DEPARTMENT OF JUSTICE

Mitchell A. Newberger, of Florida, to be U.S. marshal for the middle district of Florida for the term of 4 years, vice Andrew J. F. Peeples, retired.

IN THE NAVY

Rear Adm. Merton D. Van Orden, U.S. Navy, to be Chief of Naval Research in the Department of the Navy for a term of 3 years in accordance with title 10, U.S. Code, section 5150.

IN THE AIR FORCE

The following-named Air National Guard of the United States officers for promotion in the Reserve of the Air Force, under the appropriate provisions of section 593(a), title 10, United States Code, as amended.

LINE OF THE AIR FORCE

Major to lieutenant colonel

Leroy A. Aafedt, [redacted].
Ray D. Airy, [redacted].
Winfred L. Appleby, [redacted].
Shirley R. Ashby, [redacted].
Dale G. Bailey, [redacted].
Ronald N. Browne, [redacted].
James J. Butler Jr., [redacted].
William F. Carroll Jr., [redacted].
William G. Caudill, [redacted].
Alfred P. Christoffersen, [redacted].
Edward B. Cogswell Jr., [redacted].
Thomas C. Costin, [redacted].
Patrick J. Crakes, [redacted].
James L. Delaney, [redacted].
John A. Earll, [redacted].
Jerry R. Edwards, [redacted].
Robert P. Ellingson Jr., [redacted].
Gerald L. Glade, [redacted].
Charles W. Harris, [redacted].
Robert E. Harris, [redacted].
Jesse J. Henderson, [redacted].
Bernard J. Hevel, [redacted].
Richard E. Higgins, [redacted].
Herbert L. Johnson, [redacted].
Jack H. Lykes, [redacted].
Roy B. McKanna Jr., [redacted].
Thomas C. McLaughlin, [redacted].
James L. Metzger, [redacted].
Clifford R. Moore, [redacted].
Allan L. Olson, [redacted].
Richard A. Pihl, [redacted].
Robert W. Schaumann, [redacted].
Donald G. Simpson, [redacted].
Pinckney B. Smith, [redacted].
Ted D. Tyus, [redacted].
Harry E. Warlick, [redacted].
Clarence B. Wingert, Jr., [redacted].

IN THE AIR FORCE

The following officer for appointment in the Reserve of the Air Force (Line of the Air Force) in the grade in lieutenant colonel, under the provisions of sections 593 and 8351, title 10, United States Code, and Public Law 92–129:

Frymire, Richard L., Jr., [redacted]

The following officers for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with dates of rank to be determined by the Secretary of the Air Force:

DENTAL

To be lieutenant colonel

Roraff, Arthur R., [redacted]

To be first lieutenant

Marx, Robert E., [redacted]

The following officers for appointment in the Regular Air Force, in the grade indicated, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

To be first lieutenant

Abram, Leslie D., [redacted].
Abramson, Bruce D., [redacted].
Allenson, Stephen P., [redacted].
Allison, Charles L., [redacted].
Alward, John B., [redacted].
Anderson, Ralph P., [redacted].
Andrea, Ronald L., [redacted].
Arant, Michael H., [redacted].
Artz, John C., [redacted].
Austermiller, Daryl L., [redacted].
Austin, Gregory A., [redacted].
Aylsworth, George W., [redacted].
Bannon, Edward A., [redacted].
Barber, Joan E., [redacted].
Barnett, Barbara J., [redacted].
Bates, Francis C., [redacted].
Batstone, Brian G., [redacted].
Beck, Christopher A., [redacted].
Beemer, James E., [redacted].
Bellinger, Robert W., [redacted].
Berner, Brent A., [redacted].
Bidzila, Joetta A., [redacted].
Black, William A., [redacted].
Bostick, James K., [redacted].
Bowling, Vernon B., [redacted].
Brandon, William G., Jr., [redacted].
Brashear, Dick D., II, [redacted].
Bridges, Gary L., [redacted].
Brown, Donald E., [redacted].
Brown, William R., [redacted].
Buchanan, Paul E., Jr., [redacted].
Burch, Bob C., [redacted].
Burman, David T., [redacted].

Burton, Charles D., Jr., [redacted].
Cadalzo, Alberto, Jr., [redacted].
Carosella, Peter, [redacted].
Chalmer, Lawrence R., [redacted].
Chandler, John W., [redacted].
Chappell, James R., Jr., [redacted].
Christensen, John L., Jr., [redacted].
Clark, Fred M., [redacted].
Clark, Jerry W., [redacted].
Clark, Lawrence E., [redacted].
Clifford, Randolph J., [redacted].
Cole, Alvin R., [redacted].
Colon, Luis R., [redacted].
Combs, Michael B., [redacted].
Connolly, Thomas V., III, [redacted].
Cooper, William T., [redacted].
Corbit, Richard E., [redacted].
Corrigan, Richard, [redacted].
Crane, Charles E., [redacted].
Crawford, Frederick L. II, [redacted].
Criss, George W. III, [redacted].
Cronin, Andrew T., [redacted].
Culberson, Dennis D., [redacted].
Darden, Robert S., [redacted].
Dennard, Michael D., [redacted].
Dennis, Gerald D., [redacted].
Deppe, Larry D., [redacted].
Devlaming, Douglas M., [redacted].
Deyde, Ronald A., [redacted].
Dickerson, David L., [redacted].
Dow, John C., [redacted].
Duhe, Richard J., [redacted].
Dunton, Frank P., [redacted].
Duplantis, Allan J., [redacted].
Eagar, William E., [redacted].
Eccard, Lawrence D., [redacted].
Ellis, Billy B., [redacted].
Engstrom, William H., [redacted].
Etter, Leo F., [redacted].
Famulare, Eugene J., [redacted].
Farver, Douglas K., [redacted].
Fell, James H., [redacted].
Figun, Stephen L., [redacted].
Fischer, Wayne A., [redacted].
Fitch, Thomas M., [redacted].
Flomer, William A., [redacted].
Foley, Philip A., [redacted].
Folmar, William A., [redacted].
Foster, Stanley R., [redacted].
Francis, David G., [redacted].
Fraunfelder, Richard D., [redacted].
Frome, Richard J., [redacted].
Gerasimowicz, Gary A., [redacted].
Gerber, Donald J., [redacted].
Giles, Truett A. II, [redacted].
Glomski, Gerald J., [redacted].
Gordon, Bruce A., [redacted].
Grant, James R., Jr., [redacted].
Grant, Russell J., [redacted].
Greenfield, John P., [redacted].
Gregg, Duncan S., [redacted].
Gunn, William B., [redacted].
Hall, Michael S., [redacted].
Hamilton, Wilbur R., [redacted].
Hammond, David A., [redacted],
Hardin, Philip R., [redacted].
Hash, Jay R., [redacted].
Head, Barry L., [redacted].
Heeb, Jeffrey O., [redacted].
Heller, Stuart C., [redacted].
Helwick, Thomas P., [redacted].
Henderson, Joseph S., [redacted].
Hickman, Burl E., [redacted].
Hilbus, Essley C., [redacted].
Hill, James B. III, [redacted].
Hinkle, Charles W., [redacted].
Hite, Bruce E., [redacted].
Hoffman, Frederick C., Jr., [redacted].
Holcombe, David E., [redacted].
Holliday, Charles R., [redacted].
Hough, Richard F., [redacted].
Hudson, Timothy D., [redacted].
Hulgan, Benford H., Jr., [redacted].
Hunnewell, Neil F., [redacted].
Hurt, Michael G., [redacted].
Hutson, Paul E., [redacted].
Hwang, Shu M., [redacted].
Hythecker, Norman L., [redacted].
Jackson, George F. III, [redacted].
Jackson, John P., [redacted].
Jessen, Jerome D., [redacted].
Johnson, Dion W., [redacted].
Johnson, Melvin N., [redacted].
Jones, Charles D., [redacted].
Joy, Harold S., [redacted].
Kelly, Dennis P., [redacted].
Kent, Jesse G., Jr., [redacted].
Kepner, Richard S., [redacted].
Kermes, Robert J., [redacted].
Knobler, Harry A., [redacted].
Koczur, Manfred, [redacted].
Krop, John M., [redacted].
Kunsemiller, Alan R., [redacted].
Lackey, John E., [redacted].
Lafon, Edward C., [redacted].
Larcom, Eugene L., [redacted].
Larson, Jay L., [redacted].
Latino, Thomas J., [redacted].
Laut, Thomas J., [redacted].
Lee Joseph I., Jr., [redacted].
Legg, James R., [redacted].
Leighton, Porter C., [redacted].
Levine, Barry H., [redacted].
Lindeman, Harvie D., [redacted].
Lippincott, Robert L., Jr., [redacted].
Low, Howard B., [redacted].
Lumby, Ronald L., [redacted].
Lund, Dennis E., [redacted].
Maguire, Thomas J. III, [redacted].
Maheux, Randolph M., [redacted].
Mahlum, Walton C., [redacted].
Maier, John C., Jr., [redacted].
Male, Evan J., Jr., [redacted].
Maltman, Douglas T., [redacted].
Matthias, Craig S., [redacted].
McAlister, Jerry P., [redacted].
McAndrew, William P., III. [redacted].
Mead, Robert C., [redacted].
Mengel, Jay A., [redacted].
Mentzer, David R., [redacted].
Messier, Donald A., [redacted].
Milwer, Frederick P., [redacted].
Moore, Dwight A., [redacted].
Moyle, Gregory W., [redacted].
Mullen, Thomas M., [redacted].
Murray, Gerald W., [redacted].
Mutty, Judith [redacted].
Nabb, Alan G., [redacted].
Nelson, Robert O., [redacted].
Newton, Peter H., [redacted].
Nishi, Clark D., [redacted].
Noll, Clifford J., [redacted].
Nuber, James R., [redacted].
Nute, Cyril T., [redacted].
O'Neill, Thomas M., [redacted].
Orrell, Bennie D., [redacted].
Ott, Edgar A., [redacted].
Packard, Cynthia L., [redacted].
Panza, Robert C., [redacted].
Parmelee, James W., [redacted].
Patterson, Dennis C., [redacted].
Payne, Milton O., Jr., [redacted].
Perkins, B. R. Jr., [redacted].
Phillips, Roy B., [redacted].
Poch, Keith F., [redacted].
Prairie, Gerald L., Jr., [redacted].
Price, Roger B., [redacted].
Reynolds, Kenneth R., [redacted].
Rhode, Charles G., [redacted].
Rhule, William L., II, [redacted].
Richard, Louis H., Jr., [redacted].
Rising, Stanley A., Jr., [redacted].
Rodriguez, Luis M., [redacted].
Roe, John W., [redacted].
Rogers, Henry D., Jr., [redacted].
Rohlfing, Robert A., [redacted].
Rovira, Joaquin J., [redacted].
Rukstalis, Vincent, [redacted].
Ryan, Timothy C., [redacted].
Ryder, Dennis R., [redacted].
Saatjian, Ronald P., [redacted].
Sabanosh, Alan R., [redacted].
Safrit, David M., [redacted].
Salters, Roger E., [redacted].
Santucci, Edward B., [redacted].
Sargent, Billie E., [redacted].
Schofield, Richard D., [redacted].
Schuppe, Thomas F., [redacted].
Scott, Lowell E., [redacted].
Scott, William J., [redacted].
Scully, Dennis J., [redacted].
Sherwood, Michael D., [redacted].
Shockley, Julian R. Jr., [redacted].
Silva Stephen J., [redacted].
Simcox, James D., Jr., [redacted].
Sime, Donald L., [redacted].
Sims, Jack E., [redacted].
Skillings, Richard L., [redacted].
Smeltzer, Glen D., Jr., [redacted].
Smiley, John E., [redacted].
Smith, Donald L., [redacted].
Smith, Jack W., [redacted].
Smith, Robert E., [redacted].
Smith, Robert L., [redacted].
Snodgrass, Charles G., [redacted].
Southard, Robert Y., [redacted].
Stidsen, Richard W., [redacted].
Stites, Ronald D., [redacted].
St. John, Shelton C., Jr., [redacted].
Stohl, Bruce G., [redacted].
Stolz, Gary J., [redacted].
Stubbs, Steve E., [redacted].
Sullivan, Stephen G., [redacted].
Sundberg, Eric E., [redacted].
Sutton, Joseph E., [redacted].
Sweaney, Edward J., [redacted].
Swift, Michael S., [redacted].
Terkuile, Reinold W. II, [redacted].
Theokas, Richard P., [redacted].
Thomas, Michael E., [redacted].
Thornton, John D. [redacted].
Tims, James E., [redacted].
Umpleby, Howard D., [redacted].
Vanrees, Richard P., [redacted].
Wade, Lawrence T. III, [redacted].
Wainscott, Richard H., [redacted].
Ward, James M., [redacted].
Warren, Michael E., [redacted].
White, Norman L., [redacted].
Whitfield, Robert B., [redacted].
Whitney, Mason C., [redacted].
Willett, Gordon H., [redacted].
Williams, Frank M., [redacted].
Wilson, James L., [redacted].
Withey, James A., [redacted].
Wray, Warren K., [redacted].
Young, Terry L., [redacted].

IN THE AIR FORCE

The following cadets, U.S. Air Force Academy, for appointment in the Regular Air Force in the grade of second lieutenant, effective upon their graduation, under the provisions of section 8284 and 9353, title 10, United States Code. Date of rank to be determined by the Secretary of the Air Force.

Abraham, Robert E., [redacted].
Adams, Kenneth C., [redacted].
Aderhold, David J., [redacted].
Adriance, Bruce E., [redacted].
Albert, John G., [redacted].
Alexander, Kelly D., [redacted].
Allen, Joel M., [redacted].
Allen, Robert H., [redacted].
Allgood, James E., [redacted].
Almeida, James A., [redacted].
Altman, Robert W., [redacted].
Ambrose, Charles E. Jr., [redacted].
Amos, Jimmie D., [redacted].
Andermann, Brian E., [redacted].
Anderson, Cortland J., [redacted].
Anderson, Emmet D. Jr., [redacted].
Anderson, Erik C., [redacted].
Anderson, Gary L., [redacted].
Anderson, Michael E., [redacted].
Anderson, Steven J., [redacted].
Anselm, Richard, [redacted].
Arnett, James M., [redacted].
Ashler, Frederick L., [redacted].
Atwood, Horace D., [redacted].
Avila, Edward R., [redacted].
Avvento, Gennaro J., [redacted].
Awtrey, Clyde A., [redacted].
Bailey, Thomas D., [redacted].
Baillie, Carl C., [redacted].
Baker, Richard A., [redacted].
Balash, Lawrence, [redacted].
Baldwin, Conrad C., Jr., [redacted].
Baldwin, Mark W., [redacted].
Ballard, Mark R., [redacted].
Barcus, David M., [redacted].
Barr, Barry W., [redacted].
Barron, John I., III, [redacted].
Barry, John L., [redacted].

Barton, Harold H., Jr., [redacted].
Bash, Darrell D., [redacted].
Bass, Roy H., Jr., [redacted].
Beal, Byron E., [redacted].
Beally, Timothy N. [redacted].
Beard, Brian B., [redacted].
Beard, John H., [redacted].
Beck, William P., [redacted].
Beckmann, Wilfried N., [redacted].
Bedore, Craig W., [redacted].
Beigh, Roger A., [redacted].
Bendick, Gordon L., [redacted].
Bennett, Bruce G., [redacted].
Berdeaux, Donald H., [redacted].
Berthiaume, Richard A., [redacted].
Betts, Kenneth N., Jr., [redacted].
Beyer, Gregory T., [redacted].
Birch, Dale W., [redacted].
Black, Christopher S., [redacted].
Black, John A., [redacted].
Blanchard, Samuel A., [redacted].
Blanchette, Jeffrey G., [redacted].
Blandin, Robert R., [redacted].
Blase, Thomas L., [redacted].
Blecher, John R., [redacted].
Blohm, Michael R., [redacted].
Blokland, Gary, [redacted].
Boehm, James G., [redacted].
Bolton, Robert M., [redacted].
Bonn, Kenneth, [redacted].
Bottenus, Robert J., [redacted].
Boyce, Dennis E., [redacted].
Boyd, Raymond A., Jr., [redacted].
Boyle, James M., [redacted].
Boyt, Thomas E., [redacted].
Brammeler, Charles L., Jr., [redacted].
Bratten, Gordon L., [redacted].
Brechbuhl, Peter R., [redacted].
Breckenridge, Ronald R., [redacted].
Brennan, Scott W., [redacted].
Brenner, Paul H., [redacted].
Briding, Alan J., [redacted].
Brienzo, Frank L., [redacted].
Bright, Victor A., Jr., [redacted].
Brobeck, Gary L., [redacted].
Broderick, Ralph S., Jr., [redacted].
Bromberek, Clarence S., [redacted].
Brooks, James M., [redacted].
Brown, David M., [redacted].
Brown, Eric F., [redacted].
Brown, Jeffrey H., [redacted].
Brundage, Roy C., [redacted].
Bryant, David E., [redacted].
Buchanan, Richard K., [redacted].
Buckley, James L., III, [redacted].
Bullock, Bernard A., [redacted].
Burger, Robert D., [redacted].
Burke, Stephen F., [redacted].
Burnett, David M., [redacted].
Buse, David L., [redacted].
Butler, Ernest E., Jr., [redacted].
Butler, Thomas, [redacted].
Callard, James R., [redacted].
Callaway, Bernard B., [redacted].
Calomino, Allan, [redacted].
Cardenas, Richard L., [redacted].
Carlson, Joel A., [redacted].
Carolan, Robert J., [redacted].
Carpenter, William D., [redacted].
Carr, John F., [redacted].
Casey, James M., [redacted].
Catlin, Benjamin S., IV, [redacted].
Chalifoux, Michael, [redacted].
Chambers, Maydn G., [redacted].
Chapman, Gregory S., [redacted].
Charfauros, Kenneth H., [redacted].
Cheeseman, Gary R., [redacted].
Cherry, Phillip S., [redacted].
Childers, Frank W, [redacted].
Childress, Charlie, Jr., [redacted].
Christal, Johnny M., [redacted].
Christensen, John L., [redacted].
Chun, Mark C., [redacted].
Cira, Anthony T., [redacted].
Clark, Bryan R., [redacted].
Clark, Dennis R., [redacted].
Clatterbaugh, Charles C., [redacted].
Cleary, Michael S., [redacted].
Cleland, David I., Jr., [redacted].
Cleveland, Craig D., [redacted].
Clovicko, Cary, [redacted].
Coffman, Mark R., [redacted].
Cohn, William F., [redacted].
Coker, Luke A., [redacted].
Collins, John R., [redacted].
Collins, Richard B., [redacted].
Combs, Kenneth A., [redacted].
Comer, Richard L., [redacted].
Comtois, Norman F., [redacted].
Connelly, Daniel P., [redacted].
Cook, Gerald L., [redacted].
Cooper, Paul T., Jr., [redacted].
Cooper, Robert L., Jr., [redacted].
Cooper, Timothy W., [redacted].
Corley, John D., [redacted].
Cornell, Charles O., [redacted].
Correll, Eugene A., [redacted].
Cost, Thomas M., [redacted].
Cotten, John P., [redacted].
Cottrell, Daniel E., [redacted].
Crandley, John F., Jr., [redacted].
Crank, Chester T., [redacted].
Cristiani, Steven J., [redacted].
Crites, Carl B., [redacted].
Crockford, William W., [redacted].
Cropper, James W., [redacted].
Cross, Christopher A., [redacted].
Cruice, Edward J., III, [redacted].
Cuadros, Ricardo G., [redacted].
Culbertson, William C., [redacted].
Cummins, Gregory W., [redacted].
Cunningham, Breck A., [redacted].
Cunningham, William F., Jr., [redacted].
Cuomo, Gennaro, [redacted].
Cutter, Michael J., [redacted].
Dahmer, Forrest K., [redacted].
Dalrymple, Stephen H., [redacted].
Danielson, Dennis L., [redacted].
Dannels, Barton L., [redacted].
Davenport, Michael J., [redacted].
Davis, Edward M., [redacted].
Dean, Jimmie E., [redacted].
Deason, John M., [redacted].
Debruin, Philip C., [redacted].
Decker, Robert L., [redacted].
Delong, Hugh K., III, [redacted].
Dempsey, John R., [redacted].
Dendinger, Michael E., [redacted].
Derosa, Anthony, [redacted].
Derry, Christopher J., [redacted].
Dick, Douglas R., [redacted].
Diehl, Steven L., [redacted].
Diffley, William J., [redacted].
Dodge, Larry C., [redacted].
Dofelmier, Carl T., [redacted].
Dorris, George W., [redacted].
Drake, Eddy P., [redacted].
Dretar, Stephen P., [redacted].
Droppo, Gerald W., [redacted].
Drury, William J., [redacted].
Duerson, Stuart T., [redacted].
Dulin, Patrick J., [redacted].
Dunbar, Robert J., [redacted].
Dunlap, Alden L., Jr., [redacted].
Dunn, Arthur L., Jr., [redacted].
Dutelle, Gary A., [redacted].
Eames, Robert A., [redacted].
Edwards, Howard M., [redacted].
Eilers, Richard L., [redacted].
Eisenhart, John A., [redacted].
Eller, Jonathan R., [redacted].
Elliott, Howard C., [redacted].
Ellis, David T., [redacted].
Ellis, Frank T., Jr. [redacted].
Ely, Richard O., II, [redacted].
Englebretson, Mark S., [redacted].
Enright, Randall M., [redacted].
Ergonis, Resty J., [redacted].
Essig, David L., [redacted].
Evans, Paul G., [redacted].
Evans, Steven A., [redacted].
Ewert, Lanny L., [redacted].
Faber, Larry E., [redacted].
Faris, Ronald J., [redacted].
Farr, Charles M., [redacted].
Farrell, Michial G., [redacted].
Faye, Philip A., [redacted].
Fazio, Richard P., [redacted].
Felton, Charles E., [redacted].
Fenton, Stephen T., [redacted].
Ferris, Mark E., [redacted].
Fickes, Richard J., [redacted].
Flavin, John R., [redacted].
Floyd, David W., [redacted].
Flynn, Charles C., [redacted].
Flynn, James H., [redacted].
Foerster, Carl A., [redacted].
Forbes, Michael R., [redacted].
Foreman, John T., [redacted].
Forrester, Joe D., [redacted].
Fotinakes, Randall D., [redacted].
Fox, William E., [redacted].
Frank, William D., [redacted].
Fraser, Robert S., [redacted].
Frazier, Edwin B., Jr., [redacted].
Freund, Paul G., [redacted].
Fritz, Marc A., [redacted].
Frodsham, Gene M., [redacted].
Frohlich, Robert A., [redacted].
Fulk, David L., [redacted].
Gade, Dale R., [redacted].
Galvin, Timothy J., [redacted].
Gambardella, Frank V., [redacted].
Gammon, Hugh H. Jr., [redacted].
Garlington, Alan R., [redacted].
Garrard, John M., [redacted].
Garrity, Kevin S., [redacted].
Gast, Stephen R., [redacted].
Gaylor, Don K., [redacted].
Gee, Gary F., [redacted].
Geers, Terry D., [redacted].
Geesaman, Dennis E., [redacted].
Gempler, Gregory J., [redacted].
Gesch, Wolfgang E., [redacted].
Gessert, David P., [redacted].
Gilbert, Robert L., [redacted].
Gilbert, Russell L., [redacted].
Gillig, Grant W., [redacted].
Gillin, William T., [redacted].
Gilmer, Lee R., [redacted].
Gimborys, Peter F., [redacted].
Glavan, John R., [redacted].
Glitz, Robert J., [redacted].
Gober, Marc T., [redacted].
Goetz, William T., [redacted].
Golson, Bruce W., [redacted].
Gonyea, Gregory T., [redacted].
Gore, Monnie L. Jr., [redacted].
Graf, Gerald R., [redacted].
Graybeal, Terry A., [redacted].
Grayson, Alan R., [redacted].
Grayson, Thomas G., [redacted].
Greathouse, Larry L., [redacted].
Greer, David W., [redacted].
Grier, Samuel L., Jr., [redacted].
Griffith, Michael D., [redacted].
Gross, Donald W., [redacted].
Gulasey, Steven J., [redacted].
Gutierrez, Sidney M., [redacted].
Guttman, Paul M., [redacted].
Haddock, Barry W., [redacted].
Haegele, Edward S., [redacted].
Halfast, Richard D., [redacted].
Haman, Robert M., [redacted].
Hamilton, Thomas L., [redacted].
Hammond, Lloyd B., Jr., [redacted].
Handlin, Daniel W., Jr., [redacted].
Hannan, David T., [redacted].
Hansel, Steven E., [redacted].
Hansen, Steven L., [redacted].
Hansen, Timothy J., [redacted].
Hanson, David T., [redacted].
Harbeck, William L., [redacted].
Harman, Steven A., [redacted].
Harmon, David M., [redacted].
Harmon, Michael P., [redacted].
Harper, Mark C., [redacted].
Harr, John A., [redacted].
Harris, James J., Jr., [redacted].
Harris, William M., [redacted].
Harrison, Charles R., [redacted].
Harrison, Herbert A., [redacted].
Hart, Roy A., [redacted].
Hartman, Robert D., [redacted].
Harveson, Walter P., [redacted].
Haugh, Dennis E., [redacted].
Hawkins, Edwin P., Jr., [redacted].
Hawkins, Robert A., [redacted].
Hay, Michael R., [redacted].
Hayes, Richard A., [redacted].
Hayes, Timothy W., [redacted].
Haylett, Dean H., [redacted].
Haylock, Robert P., II, [redacted].

Head, Michael J., [redacted].
Healy, Roger F., [redacted].
Hearnsberger, Eric, [redacted].
Heater, Henry E., [redacted].
Heely, William E., [redacted].
Hegner, John W., [redacted].
Heironimus, James D., Jr., [redacted].
Heisey, Edward A., [redacted].
Henehan, Michael S., [redacted].
Henningsen, Gerry M., [redacted].
Henry, Kenneth L., [redacted].
Hessney, John S., [redacted].
Hill, Martin V. II, [redacted].
Hill, Richard J., [redacted].
Hinds, Ralph W. III, [redacted].
Hinkle, John C., [redacted].
Hirschi, Bradford B., [redacted].
Hitzeman, Keith A., [redacted].
Hodges, Rudnaldo, [redacted].
Holt, Steven L., [redacted].
Holum, Wayne K., [redacted].
Homburg, Robert C., [redacted].
Hooten, Robert L., [redacted].
Hoover, Alan D., [redacted].
Horton, Robert P., [redacted].
Hoskins, Ronald D., [redacted].
Hough, Luther W. III, [redacted].
Houk, Richard W., [redacted].
Hower, Daryl L., [redacted].
Howey, Allan W., [redacted].
Hub, Michael G., [redacted].
Huber, Herbert E., [redacted].
Hubert, Michael J., [redacted].
Hudson, John L., [redacted].
Huelskamp, David G., [redacted].
Hulsey, Douglas M., Jr., [redacted].
Iagulli, James V., [redacted].
Ideen, Dana R., [redacted].
Iversen, Ronald J., [redacted].
Jabour, William J., [redacted].
Jaco, Chris K., [redacted].
Jaczinski, John S. III, [redacted].
Jarman, Leonard L., [redacted].
Jensen, David W., [redacted].
Johnson, Henry E., [redacted].
Johnson, Noel G., [redacted].
Johnson, Ronald G., [redacted].
Johnston, Bruce B., [redacted].
Johnston, Glen A., [redacted].
Johnston, Rick A., [redacted].
Jones, Brian W., [redacted].
Jones, Richard L., [redacted].
Jordan, Patric, [redacted].
Kahoe, Joseph J., [redacted].
Kalkman, James R., Jr., [redacted].
Kammire, Frederick A., [redacted].
Karnezis, Ivan J., [redacted].
Karvosky, Richard J., [redacted].
Kaufman, Michael D., [redacted].
Kearns, Wade J., [redacted].
Keesee, John E., [redacted].
Kehias, George A., [redacted].
Kehoe, Peter L., [redacted].
Keirnes, Duncan C., [redacted].
Kennedy, Thomas M., [redacted].
Kimberling, Michael C., [redacted].
Kinback, Alan C., [redacted].
Kinder, Dean A., [redacted].
Kintzing, Edward T., [redacted].
Kirchner, Keith A., [redacted].
Klotz, Frank G., [redacted].
Knarr, Robert C., [redacted].
Kniffen, Stephen B., [redacted].
Knight, Jeffrey B., [redacted].
Knowles, Frederick S., Jr., [redacted].
Knox, Kirby E., [redacted].
Koehn, Kimet J., [redacted].
Koerner, Michael J., [redacted].
Kohler, Jeffrey B., [redacted].
Koncel, Anthony W., [redacted].
Koser, Michael C., [redacted].
Kowalski, Bogdan R., [redacted].
Krafft, Gregory W., [redacted].
Kroessig, Thomas A., [redacted].
Kuconis, John E., [redacted].
Kuprel, Stephen A., [redacted].
Kuyk, Charles F., [redacted].
Lady, Craig E., [redacted].
Lake, Calvin K., [redacted].
Lakin, Terrence D., [redacted].
Laney, Michael H., [redacted].
Larned, Thomas H., [redacted].
Lattner, John W., [redacted].
Lauderdale, Earle C., [redacted].
Lauritzen, William G., [redacted].
Lauten, John J., [redacted].
Lavigne, Todd V., [redacted].
Lease, Boyd B., [redacted].
Leeman, Richard C., [redacted].
Legg, Otto, P., III., [redacted].
Lemons James L., [redacted].
Lenz, Eric H., [redacted].
Lesser, John D. II, [redacted].
Lewis, Gerald E., [redacted].
Lilly, Kirk, [redacted].
Lineberger, Vance E., [redacted].
Linnell, Robert S., Jr., [redacted].
Long, Timothy L., [redacted].
Loper, Clifford M., [redacted].
Lorenz, Stephen R., [redacted].
Love, Francis E., [redacted].
Luther, Howard T., [redacted].
Lutz, David W., [redacted].
MacDonald, William C., [redacted].
Machovina, George S., [redacted].
MacPherson, Craig K., [redacted].
Magnusson, Kent E., [redacted].
Mahood, Harvey A., [redacted].
Malberg, Eugene A., [redacted].
Manley, Gerald B., [redacted].
Manley, Paul R., [redacted].
Mann, John C., [redacted].
Manning, David H., [redacted].
Manson, Robert A., [redacted].
Maple, Dennis E., [redacted].
Maravilla, Ernest, [redacted].
Maricle, Wayne S., [redacted].
Marinella, Stephen J., [redacted].
Marozick, Philip J., [redacted].
Marple, Robert K., IV, [redacted].
Marsh, Robert L., Jr., [redacted].
Massey, John P., [redacted].
Mateos, James, Jr., [redacted].
Matthews, Randy J., [redacted].
Matustik, Raymond E., Jr., [redacted].
Maurer, Alfred C., [redacted].
Mayberry, Thomas L., [redacted].
Mayer, Michael H., [redacted].
Mayhew, Mark E., [redacted].
Mazurowski, Paul R., [redacted].
Mazza, Dominic L., [redacted].
McAllister, Timothy J., [redacted].
McCalmont, Jack D., [redacted].
McCauley, Stephens P., [redacted].
McClain, William D., [redacted].
McClellan, Mark D., [redacted].
McCoy, Steven D., [redacted].
McCullar, Kelly L., [redacted].
McDavid, Stephen T., [redacted].
McDevitt, John A., [redacted].
McGrath, Michael D., [redacted].
McHugh, Kevin E., [redacted].
McKenna, Kenneth E., [redacted].
McKenzie, William A., [redacted].
McKinnis, William C., Jr., [redacted].
McLaughlin, Scott W., [redacted].
McMillan, Charles T., II, [redacted].
McMillan, Donald L., [redacted].
McMurray, John E., Jr., [redacted].
McNeil, Frederick L., [redacted].
McNellis, Kevin M., [redacted].
Meachem, J. F., [redacted].
Meints, Jeffrey S., [redacted].
Meister, Donald J., [redacted].
Merideth, Denny J., III, [redacted].
Meyer, Bruce W., [redacted].
Meyer, Charles, A., Jr., [redacted].
Meyers, Robert H., [redacted].
Michael, Geoffrey P., [redacted].
Miller, Douglas J., [redacted].
Miller, Louis K., [redacted].
Miller, Milton J., [redacted].
Miller, William H., [redacted].
Miller, William T., [redacted].
Mills, Scott E., [redacted].
Minto, David W., [redacted].
Mitchell, Charles H., [redacted].
Mitchell, David L., [redacted].
Mitchell, Howard J., [redacted].
Mitchell, Joseph R., Jr., [redacted].
Mitchell, Orderia F., [redacted].
Mitchell, Robert V., [redacted].
Mize, Robert W., [redacted].
Moran, Ronald L., [redacted].
Morrison, Donald L., [redacted].
Morrow, Greyson B., [redacted].
Morse, Neil J., [redacted].
Moses, Glenn E., [redacted].
Mosier, Michael L., [redacted].
Motley, Paul B., [redacted].
Moudry, James A., [redacted].
Muckley, David A., [redacted].
Mullins, David W., [redacted].
Mullvain, Steven L., [redacted].
Munhall, Douglas S., [redacted].
Munson, Robert A., [redacted].
Murphy, Alan R., [redacted].
Muse, John R., [redacted].
Nacke, Alan T., [redacted].
Naigle, William J., [redacted].
Naumann, William W., III, [redacted].
Neal, Robert L., [redacted].
Nearing, Wayne T., [redacted].
Nehring, Kevin J., [redacted].
Neifert, Marc J., [redacted].
Nelson, Sherman D., [redacted].
Nenortas, Viktor E., [redacted].
Nicholas, Christopher J., [redacted].
Nichols, Gary T., [redacted].
Nickerson, Eric J., [redacted].
Nishimuta, Michael P., [redacted].
Niskala, Gary C., [redacted].
Noble, Bart E., [redacted].
Noel, George E., Jr., [redacted].
Nolen, Lawrence D., [redacted].
Noss, John F., [redacted].
Noto, Vincent, C., Jr., [redacted].
Ochmanek, David A., [redacted].
Oconnor, Gerald T., [redacted].
Oconnor, John J., II, [redacted].
Odell, Randall A., [redacted].
Odell, Wayne E., [redacted].
Ogilvie, Eugene S., [redacted].
Ohollaren, Daniel B., [redacted].
Oliger, Leland D., [redacted].
Olin, Jerome C., [redacted].
Ollis, Robert B., [redacted].
Olson, Phillip J., [redacted].
Orcutt, William D., [redacted].
Osborn, Billy K., [redacted].
Osborne, Stanley R., [redacted].
Ottinger, Donald M., Jr., [redacted].
Ottofy, Glyn M., [redacted].
Pace, John M., [redacted].
Paladini, Steven M., [redacted].
Paling, Robert F., [redacted].
Pallas, Nicholas T., [redacted].
Parisi, Vincent M., II, [redacted].
Park, John T., [redacted].
Parker, James, P., [redacted].
Parker, Scott D., [redacted].
Parry, Edward L., [redacted].
Pastiak, Robert, [redacted].
Patchin, John C., [redacted].
Patterson, William W., [redacted].
Patton, Michael C., [redacted].
Payne, John H., [redacted].
Pedden, Raymond A., [redacted].
Peffer, Frank E., [redacted].
Peluso, Joseph, [redacted].
Pemberton, John C., [redacted].
Pence, Roy, Jr., [redacted].
Penix, Arnold R., [redacted].
Penta, Peter J., Jr., [redacted].
Peragallo, James L., [redacted].
Perona, Andrew D., [redacted].
Petersen, John J., [redacted].
Peterson, Quentin L., [redacted].
Petro, John, [redacted].
Pettit, Donald D., [redacted].
Phillips, Albert L., Jr., [redacted].
Pierre, Daniel J., [redacted].
Pilcher, John W., Jr., [redacted].
Pitcovich, Paul A., [redacted].
Polkabla, Lawrence J., [redacted].
Popper, Stephen E., [redacted].
Poquette, Daniel C., [redacted].
Powell, Terrell J., [redacted].
Powers, Kevin W. [redacted].
Powers, Victor C., [redacted].
Preble, Edwin G., Jr., [redacted].
Prechter, Gary C., [redacted].
Pretz, John M., [redacted].

Price, James L., [redacted].
Price, Ronald C., [redacted].
Price, William L., [redacted].
Prill, Mark E., [redacted].
Pulham, Charles E., Jr., [redacted].
Purcey, Gordon K., [redacted].
Putz, Randall, [redacted].
Quackenbush, David J., [redacted].
Quick, Martin A., [redacted].
Quinnell, Charles W., [redacted].
Rabins, John M., [redacted].
Radcliffe, Johann, [redacted].
Radov, Larry G., [redacted].
Rake, William F., [redacted].
Ralph, Richard A., [redacted].
Ralston, Mark D., [redacted].
Ramm, Donald E., [redacted].
Rampulla, George M., [redacted].
Randolph, Lynn D., [redacted].
Ranft, Andrew J., [redacted].
Rasmussen, Neil J., [redacted].
Ream, Thomas J., [redacted].
Reed, Stalker E., Jr., [redacted].
Regni, John F., [redacted].
Reinecke, Gregg H., [redacted].
Renko, Gregory J., [redacted].
Rensel, Dennis J., [redacted].
Richardson, Donald L., [redacted].
Richardson, Douglas J., [redacted].
Richter, Douglas W., [redacted].
Ricker, David K., [redacted].
Ricks, Edward J., [redacted].
Rider, Richard K., [redacted].
Rietsema, Kees W., [redacted].
Rightmyer, Donald W., [redacted].
Ritchhart, Kenneth M. [redacted].
Ritter, William F., [redacted].
Robbins, Richard V., [redacted].
Roberson, William C., [redacted].
Roberts, David E., [redacted].
Rogacki, John R., [redacted].
Rollinger, Michael J., [redacted].
Rolsen, John F., [redacted].
Romain, Mark G., [redacted].
Romcevich, Daniel M., [redacted].
Roodhouse, David A., [redacted].
Rooney, Patrick J., [redacted].
Rosenberg, William E., [redacted].
Roskey, John E., [redacted].
Rosser, John P., [redacted].
Rossetti, Stephen, [redacted].
Rotach, Alan M., [redacted].
Rothwell, William J. Jr., [redacted].
Russell, James E., [redacted].
Russell, James H., [redacted].
Sage, Randall L., [redacted].
Salmonson, Anthony C., [redacted].
Samelson, Kirk S., [redacted].
Sanchez, Francisco P., [redacted].
Sandberg, Stuart A., [redacted].
Sanders, Richard D., [redacted].
Saunders, Thomas H. Jr., [redacted].
Savell, Stephen M., [redacted].
Schaller, Richard, [redacted].
Schanberger, Richard D., [redacted].
Scheinost, Barry J., [redacted].
Schenk, David A., [redacted].
Schiefer, Michael A., [redacted].
Schineller, Robert E., [redacted].
Schisler, Gary H., [redacted].
Schlabs, Michael W., [redacted].
Schmitt, Thomas W., [redacted].
Schroeder, Gorodon D., [redacted].
Schrupp, David M., [redacted].
Schuessler, Thomas L., [redacted].
Schwartz, Kenneth L., [redacted].
Schwartz, Norton A., [redacted].
Scott, Ronald J. Jr., [redacted].
Scully, James E., [redacted].
Searles, Dewitt R., III, [redacted].
Sebald, Christopher L., [redacted].
Seder, Kenneth E., [redacted].
Sensiba Greg S., [redacted].
Shaffer, Patrick, [redacted].
Shagets, Frank W., [redacted].
Shamrell, Richard T., [redacted].
Shanahan, David P., [redacted].
Sheldon, Steven H., [redacted].
Sheppard, Patrick L., [redacted].
Shurtleff, Richard W., [redacted].
Silver, James W., [redacted].
Simpson, Scott L., [redacted].
Singleton, Victor H., [redacted].
Sisco, William M., [redacted].
Sisson, Timothy L., [redacted].
Skalko, David J., [redacted].
Slawter, Bruce D., [redacted].
Sloan, Donald W., [redacted].
Smallman, Alan R., [redacted].
Smith, Charles E., III, [redacted].
Smith, David S., [redacted].
Smith, Drew G., [redacted].
Smith, James M., [redacted].
Smith, Michael L., [redacted].
Smith, Michael W., [redacted].
Smith, Michael P., [redacted].
Smith, Milton L., III, [redacted].
Smith, Robert H., [redacted].
Smith, Roger E., [redacted].
Smith, Roy P., [redacted].
Smith, Thomas R., [redacted].
Smith, Warren L., [redacted].
Soda, Kenneth J., [redacted].
Soligan, James N., [redacted].
Solis, Onesimo, Jr., [redacted].
Sortland, Gary L., [redacted].
Sovey, Joseph B., [redacted].
Spehar, Michael L., [redacted].
Sponaugle, Troy J., [redacted].
Sporte, Thomas P., [redacted].
Stallworth, Charles E., [redacted].
Stampley, Michael C., [redacted].
Stanberry, Wayne P., [redacted].
Stangl, David P., [redacted].
Stanley, Kenneth C., Jr., [redacted].
Stanton, Billy J., Jr., [redacted].
Stayton, Rowe P., [redacted].
Stefonik, John R., [redacted].
Stein, Grover N., [redacted].
Stewart, Bruce F., [redacted].
Stewart, Charles D., [redacted].
Stewart, Clay A., [redacted].
Stewart, Donald B., [redacted].
Stilson, Devin T., [redacted].
Stilwell, Neil C., [redacted].
Stilwell, Thomas H., [redacted].
Stine, Walter S., [redacted].
Stollings, Michael N., [redacted].
Stone, Laurence F., [redacted].
Stonehouse, David J., [redacted].
Strain, Glenn C., [redacted].
Straiton, Thomas R., [redacted].
Stratton, Robert A., [redacted].
Strauss, Douglas J., [redacted].
Strawa, Anthony W., [redacted].
Streib, Allan B., [redacted].
Stuckley, Mark H., [redacted].
Stucky, Paul R., [redacted].
Sullenberger, Chesley B., [redacted].
Summers, Robert P., [redacted].
Sutula, Donald G., [redacted].
Swan, William S., [redacted].
Swertfager, Thomas A., [redacted].
Swider, Raymond J., Jr., [redacted].
Taft, Robert E., [redacted].
Taravella, Christopher A., [redacted].
Taylor, Ewing R., III, [redacted].
Taylor, Paul W., [redacted].
Theken, Terry W., [redacted].
Thiel, William R., [redacted].
Thomas, David L., [redacted].
Thomas, Ronald L., [redacted].
Thompson, James M., [redacted].
Thompson, John A., Jr., [redacted].
Thompson, William L., [redacted].
Thorn, William F., [redacted].
Thuotte, Victor E., Jr., [redacted].
Ticknor, Robert W., [redacted].
Tillman, Michael S., [redacted].
Torrey, Samuel R., [redacted].
Tota, Samuel G., [redacted].
Tramontana, Michael W., [redacted].
Tremonte, Michael F., [redacted].
Triplett, Gary M., [redacted].
Troncoso, Michael E., [redacted].
Truax, Michael J., [redacted].
Tucker, Chris L., [redacted].
Turner, Michael R., [redacted].
Ulmer, Richard M., [redacted].
Underwood, Peter K., [redacted].
Vancoevering, John B., [redacted].
Vandam, Richard A., [redacted].
Vandrie, Gary L., [redacted].
Vanells, Marc, [redacted].
Vanheeswyk, Leslie R., [redacted].
Varn, George L., [redacted].
Veatch, Raymond J., [redacted].
Vechik, Gary L., [redacted].
Veenstra, Randall A., [redacted].
Veldman, Francis E., II, [redacted].
Vinnedge, William C., [redacted].
Vitelli, James, [redacted].
Vogel, Eric M., [redacted].
Vogler, James B., III, [redacted].
Voigt, Robert E., [redacted].
Volkman, Kenneth A., [redacted].
Volodzko, Konstantin, [redacted].
Wachs, Calvin O., [redacted].
Wagaman, Richard S., [redacted].
Wagoner, John H., [redacted].
Walker, Donald L., [redacted].
Walker, Harry C., III, [redacted].
Walker, Joseph P., [redacted].
Walker, Keith A., [redacted].
Walker, Michael A., [redacted].
Wallace, Raymond E., [redacted].
Wallace, Richard B., [redacted].
Waller, Steven D., [redacted].
Wassenar, Kenneth D., [redacted].
Watt, Vance L., [redacted].
Wauchop, Johnnie H., [redacted].
Way, Spencer, Jr., [redacted].
Welcome, Gerald F., [redacted].
Welteroth, James R., [redacted].
Wenger, Michael S., [redacted].
West, Paul R., Jr., [redacted].
Westbrook, Landon L., [redacted].
Western, James R., Jr., [redacted].
Wetekam, Donald J., [redacted].
Wetzel, Michael R., [redacted].
Whitaker, Johnny, [redacted].
Whitt, Earl E., Jr., [redacted].
Wickers, Rodney W., [redacted].
Wigington, John T., III, [redacted].
Wigle, Gary B., [redacted].
Wilcox, Donald A., [redacted].
Wilken, Michael J., [redacted].
Williams, Larry T., [redacted].
Williams, Lester D., [redacted].
Willis, Henry S., [redacted].
Willis, Stephen B., [redacted].
Wilmert, Terance L., [redacted].
Wilson, Scott, [redacted].
Wilson, William M., Jr., [redacted].
Winburg, Roger S., [redacted].
Winburn, James K., [redacted].
Witkowski, Mark H., [redacted].
Womack, Kenneth W., [redacted].
Wright, Bruce A., [redacted].
Wrisley, Dale E., [redacted].
Wurster, Donald C., [redacted].
Wyatt, William C., [redacted].
Yagher, Ray A., Jr., [redacted].
Yamato, Masaaki, [redacted].
Yaniglos, James, [redacted].
Yavorsky, Philip G., [redacted].
Yestness, Steven R., [redacted].
Youel, Roger H., [redacted].
Young, Bradley C., [redacted].
Young, Christopher R., [redacted].
Young, Karlon K., [redacted].
Young, Michael M., [redacted].
Zachrist, Robert E., Jr., [redacted].
Zeigler, Bloise A., [redacted].
Zimmerman, Lee W., [redacted].
Zwiebel, John M., [redacted].
Zwirko, Edward J., Jr., [redacted].

The following Cadets, U.S. Military Academy, for appointment in the Regular Air Force in the grade of second lieutenant, effective upon their graduation, under the provisions of section 541 and 8284, title 10, United States Code. Date of rank to be determined by the Secretary of the Air Force:

Benoit, Mark E., [redacted].
Bjurstrom, Richard G., [redacted].
Bull, Stephen D., III, [redacted].
Critchlow, Carl L., [redacted].
Cromack, Douglas T., [redacted].
Cronin, John M., [redacted].
Currie, Paul T., [redacted].

Dickinson, Richard H., [redacted].
Hawkins, James A., [redacted].
Hill, Philip W., [redacted].
Jaremko, Joseph E., [redacted].
Kincart, Jack L., [redacted].
Kippie, Peter W., [redacted].
Krahl, Robert J., [redacted].
Lubozynski, Frank T., [redacted].
Marsh, Robert A., Jr., [redacted].
McInerney, Patrick J., [redacted].
McMurtry, Walter P., [redacted].
Moline, William P., [redacted].
Naum, Michael C., [redacted].
Ohagan, Michael, [redacted].
Owens, William S., [redacted].
Pearson, William R., [redacted].
Robinson, John N., III, [redacted].
Shaka, Gregory M., [redacted].
Spielberger, Michael C., [redacted].
Stanton, Michael R., [redacted].
Topping, Gary E., [redacted].
Vaccaro, Kenneth, [redacted].
Westfall, Christopher T., [redacted].
Young, Carlton E., [redacted].
Zielinski, John J., [redacted].

IN THE MARINE CORPS

The following-named officers of the Marine Corps for temporary appointment to the grade of colonel:

Dan C. Alexander
Francis Andriliunas
Kermit W. Andrus
Leon N. Angelo
Glen H. Barlow
William D. Bassett, Jr.
Sydney H. Batchelder, Jr.
Harold L. Blanton, Jr.
John R. Braddon
Albert E. Brewster, Jr.
Ernest C. Cheatham, Jr.
Gerald B. Cornwall
John V. Cox
Joseph Deprima
Daniel M. Duffield, Jr.
Ronald P. Dunwell
Hans G. Edebohls
Edward F. Fitzgerald
Paul K. German, Jr.
Richard O. Gillick
Harry T. Hagaman
John B. Harris
Francis J. Heath, Jr.
Maurice Hunter
John W. Irion, Jr.
Frederick S. Johnson
Chester T. Jones
Joseph F. Jones
Raymond H. Kansier
Floyd A. Karker, Jr.
James P. King
Charles R. Kucharski, Jr.
Richard A. Kuci
Ray G. Kummerow
Robert W. Lewis
Ronald J. Lynch
Robert W. McInnis
Don A. Mickle
Robert L. Milbrad
Wendell P. Morgenthaler
James H. Olds
Evan L. Parker, Jr.
James R. Penny
Horacio E. Perea
John Phillips
Gerald H. Polakoff
Wesley H. Rice
William E. Riley, Jr.
Melvin H. Sautter
Joseph Scoppa
Arthur B. Shilan
Don J. Slee
Melvin J. Steinberg
Richard D. Taber, Sr.
John J. Tolnay
Henry R. Vitali
Dallas R. Walker
George M. Wilson

The following-named officers of the Marine Corps Reserve for temporary appointment to the grade of colonel:

Alvin W. Bowen.
Billy M. Mitchell.

HOUSE OF REPRESENTATIVES—*Monday, April 30, 1973*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

If any man will come after Me, let him deny himself, and take up his cross and follow Me.—Matthew 16: 27.

O God, our Father, who hast led us apart from the busy world into the quiet of Thy presence, grant us grace to worship Thee in spirit and in truth that our hearts may be strengthened, our spirits refreshed, and our minds stimulated to think clearly and cleanly.

On this first day of the rest of our lives, we confess that we have done that which we ought not to have done and we have left undone that which we ought to have done. Do Thou have mercy upon us; pardon and deliver us from all our sins; confirm and strengthen us in all goodness that henceforth we may serve Thee and our country in newness of life and with the glory of love.

Bless Thou the leaders and the people of our beloved Republic. So reign in their hearts and so rule them in their endeavors that justice and peace may prevail: to the glory of Thy holy name and the good of all mankind; through Christ our Lord. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

A TIME TO WEEP

(Mr. KOCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KOCH. Mr. Speaker, the announcement today of the resignations of Richard Kleindienst, H. R. Haldeman, John Ehrlichman, and John W. Dean III will stun the country even though anyone following the daily news reports knew these resignations had to come. This is a tragic time for our country and for our Government. It is particularly distressing for a public officeholder because when any government officer betrays his public's trust, the people's confidence in all government officials is diminished.

Unfortunately, the public at large holds politicians in very low regard and this latest assault on good government by those closest to the President will add to the contempt that so many of our citizens have for those in public office. Indeed, the current joke in the Halls of Congress today relates to the conversation that one member of the remaining White House staff allegedly had with another:

> When you see my mother, please don't tell her I'm on the White House staff. She thinks I'm a piano player in a bordello, and I don't want to upset her.

Mr. Speaker, a scandal comparable to the one we are suffering took place in Great Britain; it was known as the Profumo affair. There the government toppled. I really do not know what the President can say tonight which can rehabilitate his administration but I shall listen with great interest. I want to support the President not because he is Richard M. Nixon, but because of the respect I have for the Presidency and for our form of government. I silently weep because unintentionally or otherwise, Richard Nixon has allowed the office of the Presidency to fall to such a low level. This is not a time to gloat. This is a time to weep.

U.S. COMBAT DEATH IN CAMBODIA

(Mr. BINGHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BINGHAM. Mr. Speaker, it is imperative that Congress take immediate steps to cut off all funding for America's military involvement in Indochina. With the signing of the cease-fire agreement in Paris this January, it was hoped that an end to the U.S. armed presence in the Asian conflict had been reached. Instead, the President soon ordered resumption of massive bombing attacks in Cambodia and Laos without congressional authorization. Moreover, ominous threats have been issued by Secretary of Defense Richardson to the effect that our military forces may be sent back into action in Vietnam in response to the increased fighting between the Thieu government and the Communist forces. To quote Senator WALTER MONDALE of Minnesota, our "light at the end of the tunnel" is turning into a "tunnel at the end of the light."

The U.S. bombing of Cambodia causes untold suffering and devastation for the inhabitants of that distant, war-torn land, and our miltiary involvement causes tragedy right here at home as well.

According to an April 26 Department of Defense bulletin, Air Force Lt. Joseph Gambino, Jr., of the Bronx., a resident of my district, was shot down on April 7 while piloting a small propeller-driven lookout plane in Cambodia. The Defense Department listed him as the first American serviceman killed in Cambodia since the Vietnam cease-fire agreement was signed. His death represents a terrible personal tragedy for his family and a loss to his home community and to the Nation of a bright young life.

Close to 50,000 Americans have been killed thus far in Indochina, Mr. Speaker, another quarter of a million wounded, and hundreds more are still missing in action. The American people have had enough.

If we, the Congress, cut off all funding for American military operations in Cambodia, Laos, and Vietnam, no more lives of brave young Americans will be lost in the trauma of Indochina, and the internecine struggles which rage in those lands will no longer be fueled by American participation.

Along with 65 cosponsors, I have introduced funding cutoff legislation which would terminate all U.S. air, sea, and ground operations in Laos, Cambodia, and Vietnam. For the sake of our Nation, which wants no more part in the bloodshed and destruction of Indochina, we must take this unmistakeable and unambiguous step which would close the curtain on American military participation in the Indochina war and prevent the President from continuing or resuming bombing in Cambodia, Laos, and Vietnam or reintroducing land and naval forces in the conflict.

FIFTY MILES PER GALLON OF GAS

(Mr. WYMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WYMAN. Mr. Speaker, right now 50 miles to the gallon is possible only with motorbikes or very tiny cars. Yet who is to say American technology cannot devise an automobile engine that can get 50 miles to the gallon?

In this time of acute energy crisis when something must be done to check our voracious appetite for gasoline in this country—about 6½ million barrels each day—it is the responsibility of the auto makers to put their heads together and build an engine that will double, triple, and even quadruple today's ridiculously low gasoline mileage. If the industry requires exemption from antitrust restrictions to make a common effort in this direction Congress should provide it, but first the industry itself owes it to the country to get going on this and get going now.

If, indeed there is a national security problem in the huge increases in imports of gasoline and oil from abroad to keep the wheels of industry and vehicular traffic moving in the United States, and there is an acute problem with 365 Soviet submarines in being, the time is coming when one of the restraints likely to be required if not accepted voluntarily, is acknowledgement of the truth that in such circumstances, citizens cannot have a right to insist on operating cars as long as 15 feet, weighing 2 to 3 tons, and consuming two or three times as much fuel as smaller counterparts.

President Nixon has sent a special energy message to the Congress urging the adoption of a "national energy-conservation ethic." To help achieve this important goal the U.S. auto industry can and should take the lead. Elimination of 400-plus horsepower single-car engines, and reduction of oversized cars is bound to come, if not by consumer preference, by a combination of industrial cooperation and, if need be, legislation.

FOXES IN THE CHICKEN COOP

(Mr. SCHERLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHERLE. Mr. Speaker, I think everyone has just learned that the Katzenjammer Kids, Hans and Fritz, Ehrlichman and Haldeman, have just resigned along with Kleindienst and John Dean. For these people I have only two words to say, and that is good riddance.

Mr. Speaker, the handwriting appeared on the wall more than 2 years ago. President Nixon had barely completed the first half of his first term, but already the arrogance and incompetence of the "palace guard" as H. R. Haldeman and John Ehrlichman were then called, earned many enemies for the administration. In an effort to warn the President about the dangerous deficiencies in his staff at the highest level, we published the following article in our newsletter on February 3, 1971:

> FOXES IN THE CHICKEN COOP
>
> Presently promenading piously through the plush paneled offices of the White House is a platoon of pompous pinheads. These incredibly incompetent White House staffers have managed in two short years to embarrass the President in almost every facet of his Chief Executive's post. So skilled have they been in their "goof-ups" that the only remaining question is whether they have acted deliberately in their exhibition of stupidity, or have managed to grope their way down the primrose path of pathetic prattling through stark naivete.
>
> As the lengthy litany of blunders continues, it must be possible for word to reach the President somehow that unless he casts out those on his staff who are unable or unwilling to toe the line of responsibility, grave consequences lie ahead.

So completely had they isolated the President—under the guise of protecting him—that the message never seemed to reach him. This pair of power brokers erected an impenetrable wall between the Chief Executive and his constitutional coequals in the legislative branch. Instead of harmony, they bred animosity. Strangely enough, these supposedly polished products of Madison Avenue lacked even the most rudimentary instinct for public relations. Their reckless political blunders alienated virtually everyone on Capitol Hill. They began by inspiring dislike and ended by forfeiting even the minimum of respect due to representatives of the White House.

This administration will never regain the people's trust until this brigade of Brutuses is relieved of responsibility. Honorable men would resign instead of waiting to be fired, but we are not dealing with honorable men. They are so busy trying to salvage what they can of their own skins that they have given no thought to the integrity of the Government or the reputation of the Nation. But if they will not go willingly, they must still go—and there should be no bands playing at their exit. Having fallen from grace, they must fall from favor as well, or they will stain the image of the Presidency itself.

REACTIONS TO WATERGATE

(Mr. CARTER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. CARTER. Mr. Speaker, each year almost every U.S. Representative sends out a questionnaire to sense the feeling of his constituents. During the Easter recess I though it necessary to conduct an oral poll concerning the Watergate incident.

One of the first citizens I interviewed was Circuit Judge Pleas Jones, a renowned jurist from Williamsburg, Ky. I asked him what he thought of the Watergate.

He replied:

> It reminds me of the time Marie saw what she thought was a helpless kitten lodged in the fork of a tree. She enlisted my assistance in rescuing the beleaguered feline.
>
> I climbed the tree and found that instead of a helpless kitten, it was a wildcat. I never got so tired of one animal in all my life!

I then asked the sage of Shadersburg, Billie Polston of Monroe County, his thoughts on the Watergate Caper.

He told me it reminded him of a sad faced undertaker who had entered a restaurant and had ordered. After the waiter served his soup, he asked the gentleman with the mournful expression if he liked the soup. His reply: "I am sorry I even stirred it."

Then I visited Napoleon B. Perkins of Whitley City, I asked him what he thought about Watergate.

Nip mused:

> Watergate, Watergate, that Hoss won't be in the money. It will be Secretariat, my Gallant and Impecunious, one, two, three.

FLOOD INSURANCE HEARINGS

(Mr. BARRETT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BARRETT. Mr. Speaker, the Subcommittee on Housing will hold 3 days of hearings, May 8, 9, and 10, on a number of pending flood insurance bills. The subcommittee will hear testimony on the administration's flood insurance proposal, H.R. 6524, introduced by Chairman PATMAN, myself, and Mr. WIDNALL; H.R. 6903, introduced by my distinguished colleague from Pennsylvania, Mr. FLOOD, to establish a national program of Federal insurance against catastrophic disasters; and H.R. 4920, introduced by my colleague from California, Mr. DANIELSON, to create a Federal Disaster Insurance Corporation.

The recent spring floods on the Missouri and Mississippi Rivers demonstrates again the vital need for flood insurance for all residential and commercial structures. It is an opportune moment for the subcommittee to be hearing testimony on the proposed flood insurance proposals, as well as receiving a report from the Federal Insurance Administration on the operations of the Federal flood insurance program. I would hope that the Committee will take prompt action upon the completion of the hearings.

The subcommittee will also be hearing testimony from George Bernstein, the Federal Flood Insurance Administrator and the Administrator for the Office of Interstate Land Sales, on the recent hearings conducted by HUD on a number of problems in the interstate land sales area. I would hope that this report might lead to some additional legislation this year.

The hearings will begin at 10 a.m. in room 2128, Rayburn House Office Building, on May 8, 1973.

AUTHORIZING SPEAKER TO DECLARE RECESSES TODAY

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that it may be in order at any time today for the Speaker to declare recesses subject to the call of the Chair.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. GROSS. Mr. Speaker, reserving the right to object, may I ask the distinguished majority leader if this would apply only to the pending legislation that is expected to come over from the other body?

Mr. O'NEILL. The gentleman is correct—the Economic Stabilization Act.

Mr. GROSS. The recess, then, would be for no other purpose?

Mr. O'NEILL. That is correct.

Mr. GROSS. Other than the consideration of that legislation?

Mr. O'NEILL. The gentleman is correct.

Mr. GROSS. And the House will be notified 15 minutes in advance?

Mr. O'NEILL. The gentleman is correct.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

FIVE PRESIDENTS ON THE PRESIDENCY

(Mr. O'NEILL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. O'NEILL. Mr. Speaker, during the Easter recess when we were in our home districts learning how our people feel about the issues and rejuvenating ourselves to get a fresh perspective on our Government, we were pleased to watch an excellent television program by the Columbia Broadcasting System last Thursday. The program, the "Five Presidents on the Presidency" was truly one of the finest I have ever seen and CBS is to be complimented for such a worthwhile use of its air time.

There is one part of the show that bears repeating at this time, because of its current applicability. President Nixon was seen talking about consulting with the Congress about military operations.

What he said was—

I can assure the American people that this President is going to bend over backwards to consult the Senate and consult the House whenever he feels it can be done without jeopardizing the lives of American men.

Well now, what about this current Cambodian situation?

We have an escalation in the bombing in that country. And we have it going on—full blast—without any consultation with the majority leadership of the House. I have been to the White House and have heard the President speak for hours about trade and the energy crisis.

But never has he mentioned, or, as he put it on television, consulted with, the leadership about this new bombing.

Curiously, he mentioned how he would consult with us if he could do it without jeopardizing the lives of American servicemen. Yet he is the one who is jeopardizing the lives of the airmen who are flying those bombers over Cambodia—and he is still not consulting with us. Perhaps he knows that if he did, I for one, would tell him to stop jeopardizing those lives.

President Nixon's attitude toward Congress in this matter is typical. He has never given us the total information about the war in Vietnam and perhaps he never will.

But one thing is certain. We will continue to call attention to his mistakes as he makes them—you can bet on that.

Mr. LONG of Maryland. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. Mr. Speaker, I would ask the distinguished majority leader what happens if some of our Air Force personnel who are bombing over Cambodia are captured and taken prisoner? Will we not then have a POW problem all over again?

Mr. O'NEILL. I would have to concur with the gentleman from Maryland. But, as I say, Mr. Speaker, we have no knowledge as to how President Nixon would act because the President has not conferred with any Members of the House.

Mr. LONG of Maryland. Mr. Speaker, if the gentleman will yield further, we certainly do not want to be placed in another bind where once again hostages are in the hands of the Communists in Southeast Asia.

Mr. O'NEILL. I thank the gentleman for his comments.

CALL OF THE HOUSE

Mr. RONCALIO of Wyoming. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 112]

Abdnor
Armstrong
Ashbrook
Badillo
Biaggi
Blatnik
Bowen
Bray
Buchanan
Burke, Calif.
Carey, N.Y.
Carney, Ohio
Chisholm
Clark
Conyers
Coughlin
Culver
Daniel, Robert W., Jr.
Davis, Wis.
Delaney
Denholm
Dennis
Eckhardt
Edwards, Calif.
Erlenborn
Esch
Findley
Fish
Flowers
Foley
Ford, Gerald R.
Giaimo
Gray
Green, Oreg.
Grover
Gubser
Hanna
Hansen, Wash.
Harsha
Hébert
Heinz
Helstoski
Henderson
Holifield
Holtzman
Huber
Jarman
Johnson, Calif.
Johnson, Colo.
Jones, Ala.
Jones, Tenn.
King
Kluczynski
Litton
Lujan
McCloskey
McCormack
McKay
McSpadden
Madden
Martin, N.C.
Mathis, Ga.
Matsunaga
Michel
Milford
Mink
Minshall, Ohio
Moakley
Moorhead, Pa.
Mosher
Myers
Owens
Passman
Pepper
Pickle
Powell, Ohio
Price, Tex.
Pritchard
Railsback
Reuss
Rhodes
Robison, N.Y.
Rogers
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roy
Ruppe
Ryan
Sandman
Seiberling
Sikes
Sisk
Smith, Iowa
Snyder
Staggers
Steed
Symington
Talcott
Teague, Tex.
Van Deerlin
Veysey
Whalen
Whitten
Wiggins
Wilson, Bob
Young, Alaska
Young, Ill.

The SPEAKER. On this rollcall 325 Members have recorded their presence by electronic device, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

IMMEDIATE DISPOSAL OF CERTAIN ABACA AND SISAL CORDAGE FIBER

The Clerk called the bill (H.R. 4682) to provide for the immediate disposal of certain abaca and sisal cordage fiber now held in the national stockpile.

There being no objection, the Clerk read the bill as follows:

H.R. 4682

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 3(e) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)), the abaca cordage fiber and sisal cordage fiber which was declared obsolescent by the Office of Emergency Preparedness and with respect to which notice of disposal was published in the Federal Register by the General Services Administration on January 9, 1973, may be disposed of on or after the date of the enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING CENTRAL INTELLIGENCE AGENCY RETIREMENT ACT OF 1964

The Clerk called the bill (S. 1494) to amend section 236 of the Central Intelligence Agency Retirement Act of 1964 for certain employees to limit the number of employees that may be retired under such act during specified periods.

There being no objection, the Clerk read the Senate bill as follows:

S. 1494

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 236 of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees, as amended (78 Stat. 1043; 50 U.S.C. 403 note), is amended by (1) striking out "eight hundred" and inserting in lieu thereof "twenty-one hundred", and (2) striking out the period at the end of such section and inserting in lieu thereof a comma and the following: "nor a total of fifteen hundred during the period beginning on July 1, 1974, and ending on June 30, 1979."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the Consent Calendar.

PERSONAL EXPLANATION

Mr. DULSKI. Mr. Speaker, due to illness, I missed a number of rollcall votes preceding the Easter recess. Although I had leave from the House because of my illness, I would like to be recorded as to my position on the various votes.

Had I been present and voting I would have voted "yea" on rollcalls Nos. 77, 79, 80, 83, 84, 85, 86, 90, 91, 100, 102, 104, 105, 108, and 110.

Had I been present and voting, I would have voted "nay" on rollcalls, Nos. 88, 92, 93, 94, 95, 96, 107, and 111.

RECESS

The SPEAKER. Pursuant to a previous order of the House, the Chair declares a recess subject to the call of the Chair.

The bells will be rung 15 minutes prior to the reconvening of the House.

Accordingly (at 12 o'clock and 28 minutes p.m.), the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 4 o'clock and 58 minutes p.m.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 398) entitled "An act to extend and amend the Economic Stabilization Act of 1970."

The message also announced that the Senate insists upon its amendments to the joint resolution (H.J. Res. 393) entitled "Joint resolution to amend the Education Amendments of 1972 to extend the authorization of the National Commission on the Financing of Postsecondary Education and the period within which it must make its final report," agrees to a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Pell, Mr. Randolph, Mr. Williams, Mr. Kennedy, Mr. Mondale, Mr. Eagleton, Mr. Cranston, Mr. Hathaway, Mr. Dominick, Mr. Javits, Mr. Schweiker, Mr. Beall, and Mr. Stafford to be the conferees on the part of the Senate.

CONFERENCE REPORT ON HOUSE JOINT RESOLUTION 393, EXTENDING DATE FOR FILING REPORT BY NATIONAL COMMISSION ON FINANCING OF POSTSECONDARY EDUCATION

Mr. PERKINS submitted the following conference report and statement on the joint resolution (H.J. Res. 393) to amend the Education Amendments of 1972 to extend the authorization of the National Commission on the Financing of Postsecondary Education and the period within which it must make its final report:

Conference Report (H. Rept. No. 93–158)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the joint resolution (H.J. Res. 393) to amend the Education Amendments of 1972 to extend the authorization of the National Commission on the Financing of Postsecondary Education and the period within which it must make its final report, having met, after full and free conference, have been unable to agree.

Carl D. Perkins,
James G. O'Hara,
Albert H. Quie,
Managers on the Part of the House.

Claiborne Pell,
Jennings Randolph,
Harrison Williams,
Edward M. Kennedy,
Walter F. Mondale,
Alan Cranston,
Tom Eagleton,
William D. Hathaway,
Peter Dominick,
Jacob K. Javits,
Richard S. Schweiker,
J. Glenn Beall,
Robert T. Stafford,
Managers on the Part of the Senate.

Joint Explanatory Statement of the Committee of Conference

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the joint resolution (H.J. Res. 393) to amend the Education Amendments of 1972 to extend the authorization of the National Commission on the Financing of Postsecondary Education and the period within which it must make its final report, submit the following joint statement to the House and the Senate in explanation of the accompanying conference report: The report states that the conferees have been unable to agree. This is a technical disagreement occasioned by the House rules. The Senate amendment provides, first, that if the appropriation for fiscal year 1973 for making payments under the Basic Educational Opportunity Grant Program (subpart I of part A, of title IV of the Higher Education Act of 1965, as amended) does not exceed $385,000,000, payments under that program shall not be made on the basis of the entitlement of any student, as defined by the Commissioner of Education, at an institution of higher education prior to July 1, 1973, or any student who is in attendance at such an institution at less than a full-time rate.

The Senate amendment further provides that the joint resolution shall be effective as of May 1, 1973.

Under the House rules, the Senate amendment appears in part to be not germane to the House bill. It is the understanding of the conferees that the Chairman of the House conferees will, at the appropriate time after the presentation of the conference report, move that the House recede from its disagreement and concur in the Senate amendment.

It is the further understanding and intention of the conferees that the resolution, in limiting payments under the Basic Educational Opportunity Grant Program, under the conditions described therein, to initial year students, shall not be interpreted as denying the benefits of any other student assistance program authorized in title IV of the Higher Education Act to any otherwise eligible student, and that such benefits shall be available to all eligible students to the full extent that funds appropriated by the Congress shall permit.

Carl D. Perkins,
James G. O'Hara,
Albert H. Quie,
Managers on the Part of the House.

Claiborne Pell,
Jennings Randolph,
Harrison Williams,
Edward M. Kennedy,
Walter F. Mondale,
Alan Cranston,
Tom Eagleton,
William D. Hathaway,
Peter Dominick,
Jacob K. Javits,
Richard Schweiker,
J. Glenn Beall,
Robert T. Stafford,
Managers on the Part of the Senate.

CONFERENCE REPORT ON S. 398, TO EXTEND AND AMEND THE ECONOMIC STABILIZATION ACT OF 1970

Mr. PATMAN. Mr. Speaker, I call up the conference report on the bill (S. 398) to extend and amend the Economic Stabilization Act of 1970, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

Mr. PATMAN (during the reading). Mr. Speaker, in view of the fact that we all have this report, I ask unanimous consent that it be considered as read.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. BLACKBURN. Mr. Speaker, I object.

The SPEAKER. Objection is heard. The Clerk will read the statement.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of April 18, 1973.)

Mr. PATMAN. Mr. Speaker, I yield 30 minutes to the gentleman from New Jersey (Mr. Widnall), pending which I yield myself such time as I may consume.

Mr. Speaker, the conference version of the Economic Stabilization Act Amendments of 1973 retained all provisions of the legislation adopted in this House last week. As you know, the House adopted provisions which would: First, extend the Economic Stabilization Act until April 30, 1974; second, give wage earners an opportunity to be heard before stabilization authorities in cases involving a reduction of negotiated wage increases; and third, harmonizes various wage stabilization regulations to insure that all payments pursuant to qualified fringe benefit plans are treated the same. The conferees did accept a clarifying amendment to this last provision which would result in all employees in all industries subject to controls being treated equally. Otherwise, the conferees accepted the provisions adopted by this House in every other respect.

In addition to the House-passed bill, the conferees accepted the following:

First, an amendment designating the legislation as the "Economic Stabilization Act Amendments of 1973";

Second, authorization of the President to set priorities of use and systematic allocation of petroleum products;

Third, definition of "substandard earnings" to mean $3.50 per hour or less;

Fourth, clarification of the authority vested in the President by the Economic Stabilization Act to insure that it does not authorize or require the President to withhold any funds; and

Fifth, disclosure of justification of certain price increases by companies subject to cost of living reporting requirements. On this last item the House conferees insisted and obtained acceptance of an amendment which would narrow the Senate disclosure provision to insure that under no circumstances would trade secrets, processes, operations, style of work or apparatus of a business enterprise required to report would be subject to this provision.

It should be noted that the Senate bill also contained provisions relating to: First, unemployment; Second, rent controls, and Third, the reporting on food and health insurance prices. These provisions were rejected by the House conferees.

Mr. WIDNALL. Mr. Speaker, at this time I yield myself such time as I may consume.

(Mr. WIDNALL asked and was given permission to revise and extend his remarks.)

Mr. WIDNALL. Mr. Speaker, it is obvious to all who have looked at the conference report on the bill before us that your minority conferees did not sign it. We refrained for two reasons. First, we objected to the acceptance of certain provisions of the Senate-passed bill because they are, in our judgment, objectionable. Second, and perhaps more important, we refused to sign the report because the majority of your conferees did not attempt to carry out the will of the House. On the contrary, they attempted to recapture pet provisos which had been soundly rejected here on the floor April 16.

Mr. Speaker, let me just review briefly the checkered history of this legislation. On January 15, 1973, at the administration's request, and in plenty of time to avoid "expiration excitement," the chairman and I introduced H.R. 2099 providing for a 1-year extension of the Economic Stabilization Act.

For reasons best known to the chairman, hearings were not commenced until March 26. After they started, 20 Members of the majority on the committee cosponsored a new bill—the now notorious H.R. 6168—containing not only the 1-year extension but a proliferation of misconceived mandates known only too well to the Members of this House.

The rule was soundly thrashed by a vote of 147 yeas to 258 nays—which included 76 Democrats—and our original bill was made in order as a substitute. I need not remind the House that it was this simple extension with two minor amendments which was finally passed. By its action on the rule and the decisive rejection of amendments offered on the floor, this House soundly rejected the committee's recommendations.

Mr. Speaker, though it would appear from the numbers that the Senate receded on more points—six to five—than did the House, the fact of the matter is that the interests of the House were not upheld in an honorable way by your conferees. For this reason, we refused to sign the conference report.

Let me now turn to the results of this debacle. There were 11 points of difference between the two bills.

There were nine provisions in the Senate version which were not in the House version. One was of no importance—being only a title and no harm was done by accepting the Senate version. Two others were of minor significance—requiring only reports to Congress on food prices and health insurance prices. Your conferees held fast on these insisting the Senate recede—which it did.

Of the four Senate provisions which were dropped in conference, only two were of any significance. One established as a goal the reduction of unemployment to 4 percent by April 30, 1974, and stated the sense of Congress that the President should pursue policies to achieve it. To have adopted this would have been highly inflationary and directly contrary to our own efforts to stabilize fiscal policy. Reflecting on its own action, the other body voluntarily receded on this. The second was the rent control provision to which I have previously alluded.

Four Senate provisions were accepted by the House conferees. Of those, one related to a mater which had never been considered here, either in committee or on the floor; and three duplicated provisions which had been reported out in H.R. 6168 but died on the floor.

The one not previously considered was a repeal of authority under this act for the President to impound funds.

Those previously rejected included authority for the President to allocate petroleum products, an exemption from wage controls for those earning less than $3.50 an hour, and a section on public disclosure of corporate information. What effect will the acceptance of these provisions have on our efforts to control inflation?

The first will have practically no value. I think we all recognize that we are facing some fuel shortages and have been thankful for the mild winter. Most would probably agree that we need a national policy on fuels and power and I think it is obvious that so long as shortages exist, we will witness some unpleasant upward price pressures.

However, this proviso does not speak to these issues—it merely authorizes rationing—not just to ameliorate shortages but to prevent "anticompetitive effects resulting from shortages." It says not one word about increasing supplies or controlling price. What it does do is give the President authority—very broad authority—to dictate marketing procedures within the fuel industry. This could compound present difficulties but it will not be beneficial in combating inflation. The proposal has no place in this legislation.

A second proviso defines substandard wages as those below $3.50 per hour. The administrators have pointed out that if all wages under this figure are exempted from controls it could be quite inflationary. This would result in the exemption of about 80 percent of workers in the food industries and some 75 percent of all workers.

Existing law and legislative history make it quite clear that Congress is opposed to the use of any authority under this act to restrict the upward mobility of those making substandard wages. This proviso has been prompted by a difference of opinion between Congress and the administrators downtown as to what the proper figure should be. The question is: Should we let our emotions or economic realities govern? If we expect to operate a successful program of price and wage controls, it must be the latter.

The Senate bill contained a section on public disclosure of information which your conferees accepted. This provision was rejected in the Banking and Currency Committee before the bill was reported because it was felt that it required the disclosure of too much cost information of a confidential nature. Many companies advised us that while they did not object to providing full information on a confidential basis to the Cost of Living Council as justification for approvals of price increases, that they felt it was unfair, and perhaps illegal, to make such information available to their competitors both foreign and domestic. In the conference, the Senate accepted an amendment indicating that it would not be required to disclose information which "relates to trade secrets, processes, operations, style of work, or apparatus of the business enterprise." It was our intention that this language would protect against the disclosure of information which would have anticompetitive effects and we hope it will be so construed. We would certainly consider confidential cost information a "trade secret."

The House prevailed on the two points in its bill which were not included in the Senate version. At the time of their adoption, we saw no problems with these amendments but later reflecting calmly on the language, some further interpretation seemed desirable.

The first of these is a requirement that the agency—presumably the Cost of Living Council—not issue any order reducing any wage or salary in effect or proposed to be put into effect without an opportunity for a hearing. The objective of this amendment was to assure an opportunity for workers to present their story properly to those in the Government administering wage controls. Certainly, this is proper and fair.

But the question arises as to whether or not formal hearings must be held in every instance. As the Cost of Living Council points out, there have been many instances where modest reductions have been worked out agreeably through informal conferences between the affected parties. The ability to do so expedites decisions. Even under this procedure, as we all know, decisions were too long in coming. If we are to require formal hearings in every instance as a prelude to a ruling, the decisionmaking will grind to a halt.

Certainly, it was not my intention, and I believe all will agree, to mandate a procedure that would cause excessive delays in granting wage adjustments. What I did want to do was to assure that when an employee unit felt a ruling was unfair that it should be guaranteed the opportunity to present its case. This is what I think this amendment says when it refers to an "opportunity for a hearing." So long as it is interpreted this way, I do not see how one can object to it.

The second House amendment, to which the Senate agreed with an amendment, was a definition of wages and salaries. As explained here during debate on the bill, it was intended that employees subject to wage rulings by the Cost of Living Council and the Construction Industry Stabilization Council would be treated equally as regards fringe benefits. The amendment which the Senate offered clarified this point.

Mr. Speaker, at this point I would like to ask the gentleman from California (Mr. REES), who, I believe, is here at this time, if that is not his understanding of the effect?

Mr. REES. Mr. Speaker, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from California (Mr. REES).

Mr. REES. Mr. Speaker, in answer to the gentleman's question, yes, the intention of the amendment was to make it very specific, that the information specifically excludes "any information"—I am reading directly here—"or data which concerns or relates to the trade secrets, processes, operations, style of work, or operators of the business enterprise."

So the intention is that none of the information that is required to be made public in the administered industry would in any way affect the various trade secrets, processes, et cetera. And as the gentleman knows, the amendment was accepted unanimously in the conference committee.

Mr. J. WILLIAM STANTON. Mr. Speaker, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Ohio (Mr. J. WILLIAM STANTON).

Mr. J. WILLIAM STANTON. Mr. Speaker, I thank the gentleman for yielding, and take this time to further clarify the situation, because the gentleman from California in the conference, with the offer of a single-sentence amendment, completely changed the mind of the chairman of our committee, who voted against this amendment in committee and turned around, because of the gentleman's language, and voted for it. There were added two sections which were, of course——

Mr. PATMAN. Mr. Speaker, may I ask the gentleman to yield for a correction?

I did not vote against it in the committee; I voted for it.

Mr. J. WILLIAM STANTON. Mr. Speaker, I appreciate the gentleman's remarks.

I will simply say that the Chairman of the Committee on Banking and Currency before the full membership of the House—and I have it on page 354, the Gonzalez-Stephens amendment—the gentleman voted yes to knock out this section in the Committee on Banking and Currency.

Now, if the gentleman wishes to retract this on the financial disclosure section and vote aye along with 22 other members of our committee and he wishes his stand to be corrected, I will be glad to accept it.

Mr PATMAN. Well, if the gentleman will yield——

Mr. J. WILLIAM STANTON. Mr. Speaker, I say to the gentleman from California (Mr. REES) that one thing that, of course, bothers me and the companies in my district and around the country is the question of being asked to disclose information which puts them in a noncompetitive position, especially with foreign competitors.

I want to make sure the intention of the gentleman from California, as we discussed during the conference, is that in no way would this section require companies to reveal trade secrets which would put them in a noncompetitive position with any of their competitors.

Mr. REES. Mr. Speaker, will the gentleman yield?

Mr. J. WILLIAM STANTON. I yield to the gentleman from California (Mr. REES).

Mr. REES. Mr. Speaker, there are two points of this amendment. One affects some companies, companies which are affected by the amendment, and these companies affected by the amendment are defined by the administrative regulation promulgated by the Wage-Price Board, and those are corporations that have annual sales or revenue of over $250 million a year. So this only affects about 800 corporations; it does not affect small business.

Mr. J. WILLIAM STANTON. I thoroughly understand the gentleman's report.

Mr. REES. Mr. Speaker, in looking at many of the types of companies and businesses that would be affected and reading the lists, it was felt that if we put in this very specific language about trade secrets, that the same shall not be revealed, this would be the intent of the legislation which basically on those factors make up the price.

However, if one of those factors is a trade secret or process, that shall not be revealed in the public disclosure.

Mr. WIDNALL. Mr. Speaker, this legislation has traveled a frightening course. None of us are happy about the consequences of inflation, nor is the administration. Some Members have argued that the Congress is abdicating its responsibility if it does not maintain more specific price control measures as this bill has done. I disagree with that. I believe that we have initiated the maximum administrative flexibility.

I further want to point out that Congress' responsibility for controlling inflation does not end with enactment of this legislation. In the months ahead we will be voting on a number of appropriation bills. Those who are anxious to get inflation under control will be also anxious to attack the root causes of it by responsible votes on these appropriation measures.

CALL OF THE HOUSE

Mr. SYMMS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McFALL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 113]

Abdnor
Badillo
Blatnik
Bowen
Broyhill, Va.
Carney, Ohio
Clark
Conyers
Culver
Delaney
Denholm
Diggs
Edwards, Calif.
Erlenborn
Evins, Tenn.
Fish
Gray
Green, Oreg.
Grover
Hamilton
Hanna
Hansen, Wash.
Harsha
Hébert
Heinz
Huber
Jarman
Johnson, Calif.
Johnson, Colo.
Jones, Ala.
Jones, Tenn.
King
Kuykendall
Lujan
McKay
McSpadden
Maraziti
Martin, N.C.
Matsunaga
Milford
Murphy, N.Y.
Myers
O'Hara
Passman
Price, Tex.
Pritchard
Railsback
Rhodes
Rooney, N.Y.
Rostenkowski
Ryan
Sikes
Talcott
Teague, Tex.
Van Deerlin
Veysey
Whalen
Whitten
Young, Ill.

The SPEAKER. On this rollcall 374 Members have recorded their presence by electronic device, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CONFERENCE REPORT ON S. 398, TO EXTEND AND AMEND THE ECONOMIC STABILIZATION ACT OF 1970

Mr. PATMAN. Mr. Speaker, I yield 4 minutes to the gentlewoman from Missouri (Mrs. SULLIVAN).

(Mrs. SULLIVAN asked and was given permission to revise and extend her remarks.)

Mrs. SULLIVAN. Mr. Speaker, as a result of the votes cast in the House on April 16, when a Republican-sponsored simple extension of the Economic Stabilization Act was substituted for the strong roll back anti-inflation bill the Committee on Banking and Currency had recommended, there was very little the House Conference could do about really combating inflation. Hence, although the Conference bill is under attack on the alleged grounds that it goes too far, the simple fact is that it does very little more than give President Nixon the same powers which he has used so ineffectually up to now, in combating inflation. There are no rollbacks in any prices or rents, despite the disasters of phase III.

So, in effect, the House limited us to giving Mr. Nixon a vote of confidence in his handling of phase III. If we can believe the public opinion polls, about the only people in the United States who feel that the President has done a good job in combating inflation are Members of the House of Representatives who voted for the Republican substitute on April 16.

We are told never to mention the word rope in the house of a man who has been hanged as a horse thief, but I am reminded by the consumer tragedy which occurred in the House 2 weeks ago today of what happened in the Banking and Currency Committee last fall when we tried to get subpena power to get to the bottom of the clear violations of banking and other laws, in connection with the Watergate situation. We lost an opportunity to prevent 6 long months of national uncertainty as to what had happened, and who was responsible, for the vast flow of campaign dollars into the Committee for the Reelection of the President and the peculiar manner in which those funds were being used. And as a result, the Government is now in a state of crisis—there is no other word for it.

The White House twisted arms last fall and the Banking and Currency Committee was denied the opportunity to question Mr. Stans, Mr. Mitchell, and others who, under oath, could have shed light on one of the most unbelievable chapters in American political history, leading to the termination today of the employment of the President's three top White House officials and of the Attorney General.

The scandals in connection with price and wage controls are just as visible to the country as Watergate and they are at least equally serious. We have let our economy disintegrate in the worst inflation we have had since the start of the Korean war—an inflation which was stopped in 1951 by the firm and effective use of controls, but which is not being stopped today even though President Nixon has more powers to deal with the problem than Harry Truman ever had, and even more power to fight inflation, than Franklin D. Roosevelt had during any time in World War II.

President Nixon has full, unlimited power, to regulate any price, any wage, any salary, any rent, any raw agricultural product, any industrial commodity, and any form of credit. Think of the magnitude of this power, and then compare it with the results he has achieved in terms of fighting inflation.

Imagine we will pass this conference report so that existing programs can continue—for whatever good they do. But this bill is the consumer's Waterloo, if not his Watergate.

I hope that during the coming months the Committee on Banking and Currency and appropriate subcommittees will be able to pinpoint the extent of the Nation's economic disaster in the manner in which the controls have been operated. We see in every story on the financial pages of the newspapers every day, the consequences of the economic policies Mr. Nixon has been following and which the Congress through this weak bill is in effect endorsing. In the meantime we have little choice but to pass what could be salvaged in conference. But I hope none of the Members tries to convince consumer-constituents that this is any bill worth celebrating. It is an economic Watergate.

Mr. PATMAN. Mr. Speaker I yield 3 minutes to the gentleman from Georgia (Mr. STEPHENS).

Mr. STEPHENS. Mr. Speaker before we vote on this tonight, I want to tell the Members that I am opposed to the rule. I want the Members to know the truth when they vote upon it.

The first thing that this bill does, now that we have it here in this conference report, is to abandon the idea that the House is going to assume any responsibility for helping curb prices and wages. We have left it entirely up to the executive branch of the Government. The public has been expecting us to do something about it.

The second thing is that in this conference report, as it came out, we have a provision that conference report, and I read a small portion of it in which it says:

> A business enterprise may exclude from any report made public public pursuant to paragraph 1 any information or data reported to the Cost of Living Council, proprietary in nature . . .

It has been reported to the Members that there have been amendments made which would alleviate this question as to what is proprietary in nature.

Mr. Speaker, the Members can bet their bottom dollars that the final decision as to what is proprietary in nature and what is a trade secret is going to be made, as it says here, by the President or his delegate, who shall issue regulations.

Mr. Speaker, those regulations are going to be made by someone who is not responsible to any elected person. That is going to be the determining factor.

Business people have said that they cannot live with this. They say it is just helpful to big business. Why should we discriminate against one business or another, big or little business?

The third thing is that when interpretations which are made or reported, we are asking people to go into a multiplicity of lawsuits. People say that the regulations which deal with trade secrets, someone has said that one has to reveal, and being revealed, one gets a lawsuit.

The fourth item I want to point out to the Members is what they are doing with respect to this provision here that deals with public disclosure, which was voted down by the Committee on Banking and Currency. When this bill left the House the wish of the House was that it not be in here, because the Members voted for a bill which did not have it in here.

When it went to conference, the conferees on the Democratic side were nine in number and not a single one had voted for this. Now they come back with what the committee refused to put in, and what the House did not put in.

I do not believe we ought to support that kind of a measure when it comes to the floor of the House. They have abandoned the position of the House, and I believe it deserves a vote against this particular conference report, to let us get this measure out of here.

Mr. PATMAN. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. REES).

Mr. REES. Mr. Speaker, I appreciate the remarks of my colleague from Georgia (Mr. STEPHENS). Let me analyze this one section which deals with public disclosure.

No. 1. The section, as I said before, only deals with major corporations, not small business. It is defined in section 130.21(b) of the regulations of the Cost of Living Council to be a corporation that has sales or revenues of over $250 million a year. That would catch around 800 corporations in the country.

As to the information that can be excluded, let me read from the Senate bill, that has the amendment in it which said that the company can exclude information "proprietary in nature, which concerns or relates to the amount or sources of its income, profits, losses, costs, or expenditures."

In the amendment that was accepted by all the conferees in the conference committee there is an expansion of this, and the language is that such regulations shall define as excludable any information or data which concerns or relates to "trade secrets, processes, operations, style of work, or apparatus" of the business enterprise.

So if we take these two sections that are now in the bill and put them together we can see that really this does not force any company, any of those 800 major corporations, to give away information that would hurt its competitive information, trade secrets, source of profits, and so forth.

The main reason for this amendment, which was sponsored by Senator HATHAWAY, was that we have to have some way to analyze administered prices. Those are prices that are not reached by competition in the marketplace but are more or less agreed to generally; prices of gasoline at the gas pump, prices of steel, prices of automobiles. These are administered prices; they are not competitive prices.

That was the purpose of this amendment.

Mr. BROWN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. REES. I yield to the gentleman from Michigan.

Mr. BROWN of Michigan. I thank the gentleman for yielding.

It is my understanding, then, that the provision in the conference report, as the gentleman in the well understands it, does not attempt to amend section 1905 of the Freedom of Information Act; is that correct?

Mr. REES. It does not, because if we

take section 1905, all of section 1905 is now included as an exemption in the bill.

Mr. BROWN of Michigan. If the gentleman will yield further, the problem is that the amendment takes the first part of the language in section 1905, that language I refer to being "trade secrets, processes, operations, style of work, or apparatus," but does not specifically continue the protection to include—and I quote from section 1905—"or to the identity, confidential statistical data, amount or source of income, profits, losses, or expenditures of any person, firm, partnership, corporation or association."

As I understand it, it is the understanding of the gentleman in the well and of the House that in effect the language of section 1905 is by implication included in the conference report.

Mr. REES. Yes.

The SPEAKER. The time of the gentleman from California has expired.

Mr. PATMAN. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. REES. That is in section 2 of the Senate language.

Mr. BROWN of Michigan. I know that. Here we speak of "proprietary information." I ask the gentleman if he agrees that the amendment does not amend the Freedom of Information Act and all the language of section 1905 is by implication included in the exclusion; is that correct?

Mr. REES. It is specifically included in the conference report. Section 1905 of the Freedom of Information Act is one section.

But two amendments to the Hathaway amendments have included all of section 1905.

Mr. BROWN of Michigan. So section 1905 is included by these two sections?

Mr. REES. Yes; section 1905 is included in the final report of the conferees.

Mr. BROWN of Michigan. In its entirety?

Mr. REES. In its entirety.

Mr. BARRETT. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Pennsylvania (Mr. BARRETT).

Mr. BARRETT. Mr. Speaker, the conference report on S. 398, amendments to the Economic Stabilization Act of 1970, does not represent any attempt by the Congress to address itself to the inflationary situation which this country finds itself in today.

Our constituents are demanding action to keep the costs of the basic necessities of life, their food and shelter, from going beyond the reach of their ability to pay. I believe that the House of Representatives is providing a disservice for the American people in rejecting rollbacks on prices and rents acting as a totally subservient tool to the utter failure of President Nixon's economic policy. I cannot understand how the Members can go back to their constituents and justify the do-nothing economic policy of the administration which the Congress today is being asked to reaffirm. Whether this conference report is adopted or not, the costs of the basic necessities of life, our food and shelter, are going to continue to rise. And as we have seen over the past 6 months, the administration will do nothing to keep them from going higher.

As I have stated already, the conference report, if adopted, will do nothing more than endorse a do-nothing economic stabilization policy of the Nixon administration.

Mr. Speaker, there was precious little to be discussed by the conferees. The rent control provision that was contained in the Senate-passed bill, in my opinion, would do very little to keep rents from continually increasing, but it was something more than what the House of Representatives passed. My constituents continually come to me with their horror stories of rent gouging, so I could not in good conscience sign this conference report which contains no authority upon which the administration could address itself to the problem of skyrocketing rent increases.

I am saddened by the action of the conferees in which the good of the American people was sold down the river to special-interest groups and an administration who cares nothing for those who depend on their nonincreasing wages to meet the everincreasing cost of living.

Mr. Speaker, this conference report does nothing to help the American citizen in this time of galloping inflation. I feel that the Congress is just wasting its time in considering such a price of useless legislation.

Mr. WIDNALL. Mr. Speaker, I now yield 5 minutes to the gentleman from Georgia (Mr. BLACKBURN).

Mr. BLACKBURN. Mr. Speaker, I appreciate the gentleman's yielding to me at this time so I can make a few observations to the House before we vote on this bill.

The only reason I rise today is to speak in defense of the House of Representatives as an independent agency in Government. I have been in this body for 6 years now, going on 7, and I have seen it happen time after time after time that bills that are necessary, bills that are desired by the executive branch of Government, are delayed in presentation before the House until the 11th hour, and it seems to be a pattern of operation out of the Committee on Banking and Currency.

Perhaps in the first few years I was here I did not understand why that was the pattern of operation, but now the message is becoming quite clear.

Gentlemen, I do ask that the Members consider that on Monday a week ago, by overwhelming votes—in one instance a vote of 3 to 1—we rejected anything having to do with rent control. Not one of the House conferees, except one—there was one—voted with the Members on the rent control provision.

Mr. Speaker, there was not even a vote on public disclosure. We never even discussed it in the House of Representatives. We did discuss it in the Committee on Banking and Currency, and it was rejected in the Committee on Banking and Currency.

Then we got to gasoline and petroleum. The amount of it was never even discussed in the Committee on Banking and Currency, never even discussed on the floor of the House of Representatives.

And what did we see happen? We saw time after time the House conferees recede and concur with the Senate.

Now, let me tell the Members one thing that does really outrage me about the performance of our House conferees. When we started in the conference, the Senator from Alabama, who is the chairman of the Senate counterpart of our Committee on Banking and Currency, started the discussion to suggest that perhaps the Senate should recede and concur with the House because the bill was necessary, there were controversial provisions in the Senate bill, and it would simplify matters to accept the House version.

Now, mark me, gentlemen, it was the chairman of the Committee on Banking and Currency who was our chief spokesman who said:

> No, Senator, you are out of order. You Senators have an obligation to uphold the Senate provisions.

The Senate has an obligation, but what about you conferees? I can assure you that on motion after motion made for the House to recede and concur with the Senate the chairman of your committee, the one who was charged with the primary responsibility to defend your position voted against your position—against the House position—time after time.

Now, somebody is going to get up here in a few minutes and say, "Well, the Senate receded on six items and the House receded on six items or on five items, and therefore we balanced it out about even." Gentlemen, do not buy that argument. It is like you being told that if two men sat down to a chicken dinner and one gets the drumsticks while the other gets the head and feathers, yes, they both got chicken, but one ate a great deal better than the other.

I say, if you have any sense of dignity, the House should uphold its position. Do not allow yourselves to be used, do not allow yourselves to be manipulated. It is not a Republican or a Democrat issue.

Mr. Speaker, I saw many of my colleagues on both sides of the aisle vote differently than I on many of the items that we voted on the floor of the House but the House was working its will. The House worked its will and did so decisively in a number of instances. The will of the House was made a mockery of in conference.

I plead with you do not eat feathers. Stand up and let the Senate know that we are going to maintain the dignity of this institution.

I hear people lament the concentration of power in the White House. Yes, I agree it is a terrible thing. Yet this bill proposes to give an even greater power to the White House and create a virtual czar in the petroleum industry in the White House. Yet the same people lamenting the delegations of authority are today proposing that we pass this bill. I say that if we are going to exercise responsibility we will give the same strong indication of our independence as a body as we did a week ago last Monday and vote down this conference report and insist that the House conferees take that position.

It is time to demonstrate some of the backbone we can expect of them.

Mr. WIDNALL. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. BROWN).

Mr. LONG of Maryland. Will the gentleman yield?

Mr. BROWN of Michigan. I yield to the gentleman.

Mr. LONG of Maryland. Mr. Speaker, the conference report being debated would impose wage, price, and rent controls on the literally billions of economic transactions taking place every day. With these controls, the Federal Government hopes to slow down inflation. Yet—let us face it—the Federal Government is the chief cause of the current inflation.

Quite aside from the fact that the Federal Government indirectly causes inflation by its spending policies; quite aside from the fact that the last two devaluations—which greatly raised import prices—were a result of scores of billions of dollars of foreign aid giveaways and tax breaks for U.S. capital invested overseas, the Federal Government directly causes high prices all the while it claims to want to halt inflation.

Present jumps in food prices have their roots in agricultural policies of years past. In fiscal 1971, during the phase I and II periods, the Federal Government paid farmers $3.14 billion not to grow food. An additional $54 million went to potential growers of a single crop—sugarbeets—to block production of sugar. The Government withheld 37.2 million farm acres from production. By fiscal 1972, the figure had jumped to 61.2 million acres. Yet in that same fiscal year, the United States sold $1.2 billion worth of grain to the Soviet Union—that same fiscal year in which wheat acreage "retired" was at an all-time high. Little wonder that the high cost of food is with us today, considering that the cattle we are now eating had to spend several years feeding off price-supported grain in artificially limited supply.

Direct price supports have a more obvious impact on consumers' costs. The Federal Government now artificially boosts prices for cotton, wheat, corn, milk, tobacco, rice, grain sorghum, soybeans, peanuts, oats, barley, dry beans, rye, honey, corn and wheat products, and rolled oats. This program is not new. It has been contributing to inflationary pressure for years.

The United States participates in international agreements jacking up the world prices of cotton, coffee, sugar, and wheat. This boost, too, is passed on to the consumer.

American import quotas unnaturally reduce the supply of foodstuffs coming into this country. We still have quotas on cattle, fish, butter, milk, cheese, potatoes, cotton, peanuts, wheat, ice cream, animal feeds, wheat products, and sugar. Simple economics show that this sort of restriction can only act to increase prices.

The Federal program of stockpiling items from aluminum to zinc—including billions of dollars worth of foodstuffs—has added fuel to the fires of inflation. Each time the Federal Government makes a purchase for its stockpile, it reduces supply, thereby raising prices. It has always been claimed that stockpiles of critical materials are necessary to national defense, but all of a sudden the President has revealed that these stockpiles have not been needed by announcing that he will sell 90 percent of them. So far, however, he has sold off only a little more than a quarter of 1 percent of the stockpile; 99¾ percent still remains in warehouses and, therefore, unavailable to help bring prices down.

Mr. Speaker, we cannot expect spending cuts, spending ceilings, tight money, high interest rates, or any combination of freezes and phases to work unless the Federal Government stops boosting prices in the face of deep-seated inflation. A noted economist recently observed:

> We need to examine afresh all of the governmental legislation, rules and regulations which interfere with competition, unduly raise prices, or otherwise give the economy an inflationary bias. (Murray Weidenbaum, Review of Economics and Statistics, August 1972).

The truth is, the Federal Government is acting like an individual who keeps taking pep pills to stimulate himself at the same time he takes tranquilizers to calm himself. Commonsense would argue that if he stopped taking the pep pills, he would not need the tranquilizers.

I propose, Mr. Speaker, that if the Federal Government got out of the business of pushing prices up, it would not need an expensive, almost unworkable system of price-wage-rent controls.

Mr. BROWN of Michigan. Mr. Speaker, I shall attempt to be most brief.

I would suggest that under almost any analysis of this piece of legislation this conference report should not be adopted.

To those Members who are very concerned about food prices there is nothing in this legislation that satisfies that need; to those who have great concern about rent controls, there is nothing in this conference report that satisfies that need; to those who are concerned about the usurpation of power by a President, one cannot make that argument any more if we pass the petroleum provision in this conference report, because it is not usurpation but it is a willing and voluntary delegation to the President of the very authority Members have criticized in the past. To those who feel that the President should have somewhat unfettered authority to return to phase I, return to phase II, or do what he cares to, I suggest that there are so many complicating provisions in this conference report that we cannot accept it.

Let me assure those who have great concern that we are passing this conference report at the 9th hour or at the 11th hour, so called, that defeat of this conference report is not going to create chaos in our economy.

If we did not pass an extension of the Economic Stabilization Act for 2 weeks no great harm would result, because once we pass this extension the authority of the President to stabilize prices as of May 1970, will be still there. He can still roll back. He in effect can nullify.

So, Mr. Speaker, it is not essential that this conference report be adopted tonight since it does not do the things that many of the Members think it should do. I would suggest to the Members that for their constituents they will be doing a great favor if we defeat this conference report.

Mr. REES. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Michigan. I yield to the gentleman from California.

Mr. REES. Mr. Speaker, the gentleman mentioned rent controls, the gentleman mentioned food prices, and the gentleman mentioned petroleum controls. Is it not true that the gentleman opposed rent controls and the gentleman opposed any limitation on food prices?

Mr. BROWN of Michigan. Absolutely.

Mr. REES. Did not the gentleman do it in the committee and did not the gentleman do it on the floor?

Mr. BROWN of Michigan. The gentleman is absolutely correct. I am not saying that I support those controls on food prices and I am not saying that I support rent controls, but what I am saying is that this conference report satisfies no one; it is a bad report and it should be defeated.

Mr. REES. If the gentleman will yield further, did not the Committee on Banking and Currency give standby authority on allocating petroleum supplies and did not the Committee on Banking and Currency vote on substandard wages? Those were voted on by the Committee on Banking and Currency, is that not correct?

Mr. BROWN of Michigan. Does not the gentleman from California also know——

Mr. REES. And the reason they did not come up on the floor was, because we were sandbagged with a vote on the previous question.

Mr. BROWN of Michigan. As a practical matter those amendments did not come up on the floor, because there was not enough support for them to bring them up on the floor and the gentleman from California knows that.

Mr. Speaker, I yield back the balance of my time.

Mr. WIDNALL. Mr. Speaker, I now yield 3 minutes to the gentleman from Ohio (Mr. WYLIE).

Mr. WYLIE. Mr. Speaker, on April 18 I suggested that we sustain the position of the House and vote against the adoption of this conference report. But, since that time, I have thought it over and I have switched. I have switched because I do not believe there is sufficient time to do otherwise. I think we need to have an extension of the Economic Stabilization Act before it expires at midnight tonight.

Mr. Speaker, my real objection went to the way in which the minority Members were effectively shut out in the consideration and deliberations before the conference committee.

We observed Members from the other body, first of all Senator TOWER, who asked that the Senate Members recede and concur in the House amendments because of the urgency for the adoption of an extension of the Economic Stabilization Act. The chairman of the conference committee, the gentleman from Texas (Mr. PATMAN) objected to that procedure.

We proceeded on and a little later Senator SPARKMAN, the ranking Member from the other body, suggested that the Senate recede and concur in the House amendments and be on about our business. Again the same procedure was followed, this was objected to by the gentleman from Texas. Maybe the reason I objected to this procedure was because I was a stampedee and not a stampedor. But I must say, Mr. Speaker, that this was unusual procedure where the Members of the House were attempting to recede and concur with the position of the Senate and the Members of the Senate were attempting to recede and concur in the position of the House.

Mr. Speaker, there are three objectionable provisions in this conference report. One would provide for petroleum controls which, as the gentleman from Georgia (Mr. BLACKBURN) mentioned would make the President a virtual czar. This was adopted on a motion not to reject the Senate amendment by a vote of 7 to 7, and one of the 7 no votes was a proxy vote which is against the rules of the House.

Another provision would require public disclosure of business operations of a company before a price increase. Another amendment that I object to is the exemption from wage controls of anyone making less than $3.50 per hour. These are all side issues and not germane if they originate in the House, in my judgment.

But the alternative of voting against these amendments is to vote for no extension of the Economic Stabilization Act. The President has tried to back away from controls. He instituted phase 3 and that has not worked very well so far so he has instituted controls on oil and on meat.

In my judgment if the lid goes off today, prices are bound to go up, and unless we put a ceiling on Government spending and until we do that, I think the President needs the flexibility of the extension of this act, and I will reluctantly vote to sustain the conference report.

Mr. WIDNALL. Mr. Speaker, at this time I yield 2 minutes to the gentleman from Ohio (Mr. J. WILLIAM STANTON).

Mr. J. WILLIAM STANTON. Mr. Speaker, I come to this well very seldom for the simple reason that I think that in honoring my colleagues and recognizing their ability to arrive at decisions themselves, there are very few times in which somebody stands in the well and actually influences someone. However, I do think it is important at this particular time, within a minute, to realize the full implications if this Stabilization Act is not continued for 1 year, and the implications of what would lie down the road tomorrow and in the near future. I simply wish to say that as one Member who did not sign the conference report, I have come to the full realization at this ninth hour that we really basically and fundamentally, for the good of our country, do not have any choice and I hope that the Members will join me in supporting the conference report, no matter how reluctantly, this particular Member will do so.

I also want to compliment the gentleman from Georgia (Mr. BLACKBURN) for pointing out that the leadership provided by the Chairman of our committee was, and I hope all of the Members realize, a tragedy, not only to our Committee on Banking and Currency, but to the entire House, and in that I join Mr. BLACKBURN.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. J. WILLIAM STANTON. I yield to the gentleman from Pennsylvania.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I would like to explain the action of the conference on section 5 of the bill.

The Stabilization Act currently provides that employer contributions to certain fringe benefit programs may be controlled if the contributions are determined to be unreasonably inconsistent with the general wage and salary standards.

The bill as passed by the House would have changed current law to provide that contributions made by employers necessary to maintain reasonable benefit provisions could not be controlled. It thus would have shifted the criterion of control from the level of contributions to the level of resulting benefits. However, as he stated on the House floor, the sponsor, Mr. REES intended to make sure that building trades employees who are under the jurisdiction of the Construction Industry Stabilization Committee are treated equitably with respect to fringe benefit programs.

In order to clarify that no change was to be made as to the authority currently being exercised by agencies of the Economic Stabilization Program to regulate employer contributions to various fringe benefit plans, the conference deleted this amendment and substituted an amendment which provides that the rules with respect to fringe benefits shall be administered equitably with respect to employees in all the industries subject to Economic Stabilization Program controls. Obviously, we do not mean everyone has to get the same benefits. But all must be treated fairly and be given equal protection.

Mr. WIDNALL. Mr. Speaker, I have one more request for time, and I yield to the gentleman from Minnesota (Mr. FRENZEL) 2 minutes.

Mr. FRENZEL. Mr. Speaker, every Member can find many things wrong with this conference report. Personally, I find the business disclosure section most repugnant, and in most situations, that section alone would cause me to vote "No." I share my colleague from Georgia's objection to actions of House conferees caving in to the Senate positions.

However, because of senseless procrastination in the Banking Committee, and because of sloppy committee work that produced the frivolous bill this House previously rejected, we have now run out of time and alternatives.

The control authority expires tonight. Our economy requires that uncertainties be dispelled today. The Administration wants and needs this bill. The country needs this bill. Our producers need to know what to expect of control programs this year. If we do not extend this authority today we will have chaos in the market place tomorrow. How many price increases are ready for promulgation tomorrow? I hope we will never know. I do not want the Congress to have the responsibility for those increases.

Unfortunately, there is only one bill now. It is not perfect, but it can do the job. Even the disclosure section has been softened by the "trade secrets" exemption. Perhaps a skilled regulation writer can save our American firms from unfair foreign competition.

In any case we have run out of time and alternatives. I hope the House will understand the urgent need for this legislation and adopt this report.

Mr. MINISH. Mr. Speaker, I rise in opposition to the conference report on the Economic Stabilization Act. The conference report represents an abdication of authority by the Congress to the executive branch.

Despite inflation currently running rampant in all sectors of our national economy, the report does not deal with rents, it does not deal with prices in general, and it does not deal with food prices.

The conference report amounts to an endorsement of phase 3 of the administration's wage-price policy. We are asked to allow the administration to continue its misguided policy of "voluntarism," even though it is clear by now, particularly to consumers and tenants, that the "voluntarism" of phase 3 has failed completely to dampen the fires of inflation which beset the economy.

In recent months, prices, particularly for food, have risen at the highest rates in nearly three decades. For example, wholesale prices were up 2.2 percent in March. Food prices alone soared by an unparalleled 4.6 percent.

Moreover, tenants in areas with housing shortages have been subjected to exorbitant rent increases of up to 60 percent in some instances, with boosts of 10 to 15 percent not uncommon.

Mr. Speaker, I cannot agree that we should simply wait out these price increases. The American people want decisive action now to roll back and to hold the line on price rises. The Congress should take the initiative to restore stability to our damaged economy.

Mr. HARRINGTON. Mr. Speaker, I rise in support of S. 398, the conference committee report to amend and extend the Economic Stabilization Act of 1970. Extension of the President's authority is central to any hope we have of curbing inflation.

The basic fact we must recognize and with which we must deal today is that inflation is still a very real problem in this country—and it is getting worse. The wholesale price index rose 2.2 percent in March, or 24.6 percent on an annual basis. Wholesale prices rose 9.6 percent in the first 3 months of this year. Industrial prices—usually more sluggish than other prices—rose 10.4 percent in the first quarter. And food prices gouged the pocketbooks of all Americans by climbing 4.6 percent in March alone. It should be clear to any reasonable person that inflation remains a grave problem, that the inflationary psychology has not been broken, and that we need realistic wage and price controls to deal with the situation.

On April 19, the House passed a straight extension of the Economic Stabilization Act. I supported final passage of the measure because, at the very least, we must extend the President's authority to control wages and prices.

Inflation is being fueled by monetary pressures and an inflationary psychology that must be stemmed. Otherwise, inflation will remain a fact of life for years to come. Workers have seen their real wages unfairly eroded by inflation for 3 years. They will demand that the major contracts—to be negotiated in the coming months—reflect future price increases if Government has not lived up to its responsibility to control prices and wages. This is only fair, but it means that the time to act is now.

For this reason, I supported the bill reported out of the Banking and Currency Committee and have supported measures to mandate controls on the prices of any sector of our economy that rises at an annual rate of 3 percent or more in any consecutive 3-month period. I hope that the House will still consider such proposals seriously, and I hope that the President will implement them through instruction to the Cost of Living Council.

I am disappointed that these measures have not been adopted by the Congress, but that is no reason to rise up like spoiled children and oppose the only measure we can pass promptly. If we fail to pass this conference committee report, it will mean that no one will have the necessary power to do anything about controlling inflation. That would be a wholesale retreat from responsibility. The President has thus far demonstrated an unwillingness to impose effective wage and price controls. There is no reason for the Congress to show the same disregard for the needs of workers, consumers, and small businessmen.

An amendment will be offered by Congressman STEVENS to recommit the legislation with instructions to the conference committee to add provisions for Federal rent control. I intend to oppose any such motion because I believe that it will effectively preclude effective legislation from being reported out of the committee. Once the conferees meet as a result of such a recommittal motion, it is not only possible, but probable, that the committee will act to delete necessary sections of the conference or to add other sections which might very well lead to a Presidential veto.

It is imperative at this time that the President have his authority to control wages and prices extended. Without such authority from the Congress, no branch of our Government will be able to act to stop inflation. The existing authority expires at midnight tonight, and I believe that it is incumbent upon all of us as responsible legislators not to jeopardize the continuation of that authority. Therefore, I must vote against recommittal and for passage of the legislation before us now.

Mr. FRASER. Mr. Speaker, I rise in support of section 2(a) of the Economic Stabilization Act Amendments of 1973. This section of the act would give the President authority to provide "for the establishment of priorities of use and for systematic allocation of supplies of petroleum products including crude oil in order to meet the essential needs of various sections of the Nation and to prevent anticompetitive effects resulting from shortages of such products."

Mr. Speaker, the Nation is faced with an increasingly tight situation as far as oil and gasoline supplies are concerned. Unemployment is beginning to be felt in the trucking industry in Minnesota. Five oil companies—Gulf, Sun, Clark, Bell, and Triangle Refineries—have either discontinued operations or marketing in Minnesota, or are about to do so. What is happening in Minnesota is occurring throughout the country. The Civil Aviation Board has indicated that flights nationwide may have to be curtailed because of fuel shortages.

The President, in his long overdue energy message of April 18, failed to deal with the problem of distribution of scarce oil and gasoline supplies. In fact, Mr. Di Bona, special consultant to the President on energy matters, has declared that there is "really nothing at all we can do over the next 2 or 3 years" to ease the shortage in fuel and heating oil.

I disagree. We cannot eliminate the shortage in that time, but we can keep inconveniences and irritations to a minimum by spreading fairly and rationally what supplies we have. Section 2(a) of this act would do that by authorizing the President to "set priorities of use and systematic allocation of petroleum products."

We cannot rely on private initiative and voluntary restraints to alleviate the serious scarcity of petroleum and petroleum products facing us all in the immediate future. All sources of energy in this country are stringently controlled by the same 20-odd companies. The public interest requires that Government play a key role in determining how oil is distributed and to whom. Government regulation is really the only way we can lessen the hardships that current shortages will otherwise mean.

I have called upon the President to establish a national oil allocation system immediately after enactment of the Economic Stabilization Act Amendments of 1973. The purpose of this allocation system would be to minimize adverse impacts of fuel dislocations on the American economy and on the American people. Such a system would insure the continued, competitive existence of the independent distributor, refiner, marketer and producer. It would also insure that all regions of the country would receive an equitable share of scarce supplies. These supplies would be allotted on a priority basis, according to need.

I include at this point in the RECORD the text of my letter to President Nixon:

HOUSE OF REPRESENTATIVES,
Washingon, D.C., April 24, 1973.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I urge you to establish a national oil allocation system immediately after enactment of the Economic Stabilization Act Amendments of 1973 by the Congress on Monday, April 30th. This legislation will authorize you to set priorities of use and systematic allocation of petroleum products. We need this kind of system to assure equitable and rational distribution of petroleum products.

While I welcome the phasing out of oil import quotas and encouragement of domestic production of oil and natural gas outlined in your enegry message of April 18, I take issue with Mr. Di Bona's statement that there is "really nothing at all we can do over the next two or three years" to ease the crunch in fuel and heating oil. National allocation of these scarce resources can minimize inconveniences and hardships to the consumer.

Reliance on the free market will not solve the oil distribution problem. Only through government regulation can we break the tight grip that the big oil companies have on this essential natural resource. The public interest requires that government play a key role in determining how oil is distributed and to whom. Government regulation is really the only way we can minimize inconveniences and hardships to the consumer.

It is intolerable for powerful industrial combines to profit from the energy crisis. But this is exactly what will happen if government controls are not imposed. Exxon, the world's largest oil company, has just announced a 43.1% increase in profits for the first quarter of 1973.

The situation in Minnesota is already acute. One hundred four gasoline stations have closed because of lack of supplies. The State Civil Defense Division reports that almost another 200 will probably have to shut down as well.

Unemployment is beginning to be felt in the trucking industry in Minnesota. Five oil companies—Gulf, Sun, Clark, Bell, and Triangle Refineries—have either discontinued operations or marketing in Minnesota, or are about to do so. The Civil Aviation Board has indicated that flights throughout the country may have to be curtailed because of fuel shortage.

The shortages we are experiencing are the direct result of our failure to plan adequately in the past. The three-quarters of a billion dollars budgeted in 1974 for energy research and development is totally inadequate. We need an all-out effort like the one that put us on the moon if we are to develop new kinds of energy for the future.

We also need to curb consumption. We cannot leave this to voluntary efforts. Two of the steps we will have to take to encourage efficient use of gasoline and electric power are to put a tax on automobile weight or horsepower and to insist on standards of efficiency for electrical appliances.

We cannot rely on individual or local initiative to solve our momentous energy problems. Nor can we rely on the philosophy that what is good for the big oil companies is good for the country. I hope you will join with Congress in establishing an effective national energy policy that will meet the Nation's energy needs, not only in the long-term future, but over the next few years as well.

As a first essential step, I urge that immediately after enactment of the Economic Stabilization Act on Monday, April 30th, you begin to implement a petroleum products allocation system.

With best wishes.
Sincerely,
DONALD M. FRASER.

Mr. ANNUNZIO. Mr. Speaker, the conference-reported bill on economic stabilization will do more good than harm in controlling inflation, and for that reason I support this legislation. Although this bill is pitifully short of requiring affirmative relief to the public in halting rampant prices, it does contain certain provisions which are necessary if we are to have a stabilization program.

The first of these provisions relates to exclusion of low-income workers from pay controls. The Congress, when it passed the 1971 amendments to the basic stabilization authority, for reasons of equity and fairness, insisted that low-income workers should not bear the burden of poverty or near poverty and that of having their wages controlled. Accordingly, the Congress prohibited the control of wages of those workers who were among the working poor. The Congress by this, meant very simply that people who made less than $7,000 a year should not come under wage controls. In spite of this, the President ignored the legislative directive and proceeded to place millions of low-income workers under controls. This amendment is designed to make absolutely clear that the President may not control workers' wages unless those workers make more than $3.50 an hour.

A second provision relates to pension payments and other fringe benefits and is designed to correct the President's illegal handling of certain wage contracts. In the 1971 amendments, the Congress agreed that contributions to pension, profit-sharing annuity and savings plans, group insurance plans and disability and health benefit plans should be excluded from wages and salaries in determining the validity of wage and salary increases. During phase II the Pay Board generally understood and adhered to the spirit and letter of the law. But the Construction Industry Stabilization Committee for no good reason ignored this provision. This amendment simply insures that this wanton and cavalier attitude on the part of the Construction Committee will not be tolerated.

A third provision insures that the millions of workers who are now under wage controls and others who might come under controls in the future will have their contracts treated fairly by the Cost of Living Council. During phase II, the old Pay Board time and time again refused to give workers, whose wages had been reduced by it, the opportunity of a hearing on that wage reduction. Furthermore, wages were often reduced by the Board without stating the reasons for its actions. As a result, workers' pay increases were arbitrarily decreased in secrecy and without good reason. This was especially true of workers who were unorganized and who could not afford to pay high-priced Washington attorneys to represent them before the Board.

This amendment will assure that all workers, regardless of status and financial well being, will be served honestly and fairly. In a sense, it is a shame that a provision like this is even necessary for Congress to enact into law because this is something that any agency with an ounce of sense would do anyway. But unfortunately, the Cost of Living Council does not fall into that category and for that reason the Congress must step in and assure fairness to workers in their relationship with the Cost of Living Council.

And a fourth provision has to do with public disclosure of price increases. Throughout phases II and III, prices have been going up at an alarming rate. The people responsible for controlling those prices have continuously told the Congress and the public that prices that have gone up are fully justified. They have refused to show, through cost increases and otherwise, that rising prices were, in fact, justifiable on real economic grounds. This amendment will compel companies to now prove that their price increases are needed by requiring that companies which do increase their prices make public the full economic justification for doing so without disclosing trade secrets.

It will also give the Congress and the public a standard with which to measure the performance of the President's phase III machinery. For too long the administration has simply assured us that all these price increases are necessary. The administration insists that the public and the Congress simply should take my word for it, but, unfortunately, we have come to learn the worth of this administration's word, not only in stabilization matters but others as well. Therefore, it is necessary that we have this provision in the Stabilization Act to enable us to look beyond false promises and examine the substance of economic controls. This provision will allow us to do that.

Mr. PATMAN. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

Mr. GROSS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 267, nays 115, not voting 51, as follows:

[Roll No. 114]

YEAS—267

Abzug
Adams
Addabbo
Alexander
Anderson, Ill.
Andrews, N.C.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Aspin
Bell
Bennett
Bergland
Biaggi
Biester
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Breaux
Breckinridge
Brooks
Broomfield
Brotzman
Brown, Ohio
Broyhill, N.C.
Buchanan
Burgener
Burke, Calif.
Burke, Fla.
Burke, Mass.
Burlison, Mo.
Butler
Carey, N.Y.
Carney, Ohio
Carter
Casey, Tex.
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clay
Cleveland
Cohen
Collier
Conable
Conte
Corman
Cotter
Coughlin
Cronin
Daniel, Robert W., Jr.
Daniels, Dominick V.
Danielson
Davis, Ga.
Dellenback
Dent
Diggs
Dingell
Donohue
Downing
Drinan
Dulski
Duncan
du Pont
Edwards, Ala.
Eilberg
Esch
Eshleman
Evans, Colo.
Fascell
Findley
Flood
Flowers
Foley
Ford, Gerald R.
Forsythe
Fountain
Fraser
Frelinghuysen
Frenzel
Frey
Fuqua
Gaydos
Gettys
Giaimo
Gibbons
Gilman
Grasso
Green, Pa.
Griffiths
Gubser
Gude
Gunter
Guyer
Haley
Hanley
Hansen, Idaho
Harrington
Harsha
Harvey
Hastings
Hawkins
Hechler, W. Va.
Heckler, Mass.
Henderson
Hillis
Hinshaw
Holifield
Holt
Holtzman
Horton
Hosmer
Hunt
Ichord
Johnson, Pa.
Jones, N.C.
Karth
Keating
Kluczynski
Koch
Kyros
Latta
Leggett
Lehman
Lent
Litton
Long, La.
McCollister
McCormack
McDade
McEwen
McFall
McKinney
Macdonald
Madden
Madigan
Mahon
Mailliard
Mallary
Martin, Nebr.
Mathias, Calif.
Matsunaga
Mazzoli
Meeds
Melcher
Metcalfe
Mills, Ark.
Mills, Md.
Minshall, Ohio
Mitchell, Md.
Mitchell, N.Y.
Mizell
Moakley
Mollohan
Moorhead, Calif.
Moorhead, Pa.
Morgan
Mosher
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
Nix
O'Brien
O'Neill
Owens
Parris
Patman
Patten
Pepper
Perkins
Peyser
Pike
Podell
Preyer
Price, Ill.
Quie
Quillen
Randall
Rangel
Rees
Regula
Reid
Reuss
Rinaldo
Robison, N.Y.
Rodino
Roe
Rogers
Roncallo, N.Y.
Rooney, Pa.
Rose
Rosenthal
Roush
Roy
Ruth
St Germain
Sandman
Sarasin
Sarbanes
Saylor
Scherle
Schneebeli
Schroeder
Seiberling
Shipley
Shriver
Shuster
Sisk
Skubitz
Smith, N.Y.
Snyder
Staggers
Stanton, J. William
Stanton, James V.
Stark
Steed
Steele
Stokes
Stratton
Stubblefield
Stuckey
Studds
Sullivan
Symington
Taylor, N.C.
Teague, Calif.
Thompson, N.J.
Thomson, Wis.
Thornton
Tiernan
Towell, Nev.
Udall
Ullman
Vander Jagt
Vanik
Vigorito
Walsh
Wampler
Ware
White
Whitehurst
Widnall
Wiggins
Wilson, Bob
Wilson, Charles H., Calif.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young, Fla.
Young, Ga.
Young, Tex.
Zablocki
Zion
Zwach

NAYS—115

Anderson, Calif.
Archer
Armstrong
Ashbrook
Bafalis
Baker
Barrett
Beard
Bevill
Blackburn
Bray
Brinkley
Brown, Calif.
Brown, Mich.
Burleson, Tex.
Burton
Byron
Camp
Chappell
Chisholm
Clawson, Del
Cochran
Collins
Conlan
Crane
Daniel, Dan
Davis, S.C.
Davis, Wis.
de la Garza
Dellums
Dennis
Derwinski
Devine
Dickinson
Dorn
Eckhardt
Fisher
Flynt
Ford, William D.
Froehlich
Fulton
Ginn
Goldwater
Gonzalez
Goodling
Gross
Hammerschmidt
Hanrahan
Hays
Helstoski
Hicks
Hogan
Howard
Hudnut
Hungate
Hutchinson
Jones, Okla.
Jordan
Kastenmeier
Kazen
Kemp
Ketchum
Landgrebe
Landrum
Long, Md.
Lott
McClory
McCloskey
Mann
Mathis, Ga.
Mayne
Mezvinsky
Michel
Miller
Minish
Mink
Montgomery
Moss
Nichols
Obey
Pettis
Pickle
Poage
Powell, Ohio
Price, Tex.
Rarick
Riegle
Roberts
Robinson, Va.
Roncalio, Wyo.
Rousselot
Roybal
Runnels
Ruppe
Satterfield
Sebelius
Shoup
Slack
Smith, Iowa
Spence
Steelman
Steiger, Ariz.
Steiger, Wis.
Stephens
Symms
Taylor, Mo.
Thone
Treen
Van Deerlin
Waggonner
Waldie
Williams
Wilson, Charles, Tex.
Young, Alaska
Young, S.C.

NOT VOTING—51

Abdnor
Badillo
Bowen
Broyhill, Va.
Clark
Conyers

Culver
Delaney
Denholm
Edwards, Calif.
Erlenborn
Evins, Tenn.
Fish
Gray
Green, Oreg.
Grover
Hamilton
Hanna
Hansen, Wash.
Hébert
Heinz
Huber
Jarman
Johnson, Calif.
Johnson, Colo.
Jones, Ala.
Jones, Tenn.
King
Kuykendall
Lujan
McKay
McSpadden
Maraziti
Martin, N.C.
Milford
Myers
O'Hara
Passman
Pritchard
Railsback
Rhodes
Rooney, N.Y.
Rostenkowski
Ryan
Sikes
Talcott
Teague, Tex.
Veysey
Whalen
Whitten
Young, Ill.

So the conference report was agreed to.

The clerk announced the following pairs:

On this vote:

Mr. Rhodes for, with Mr. Johnson of California against.

Mr. Maraziti for, with Mr. Badillo against.

Mr. Rooney of New York for, with Mr. Johnson of Colorado against.

Mr. Edwards of California for, with Mr. Heinz against.

Mr. Hanna for, with Mr. Teague of Texas against.

Until further notice:

Mr. Hébert with Mr. King.

Mr. Passman with Mr. Abdnor.

Mr. Clark with Mr. Martin of North Carolina.

Mr. Rostenkowski with Mr. Erlenborn.

Mr. Delaney with Mr. Fish.

Mr. Sikes with Mr. Lujan.

Mr. O'Hara with Mr. Huber.

Mr. Whitten with Mr. Jones of Alabama.

Mr. Culver with Mr. Ryan.

Mr. Conyers with Mr. Hamilton.

Mr. Bowen with Mr. Jones of Tennessee.

Mr. Evins of Tennessee with Mr. Kuykendall.

Mr. Gray with Mr. Grover.

Mrs. Green of Oregon with Mr. Broyhill of Virginia.

Mr. Myers with Mr. Milford.

Mr. Denholm with Mr. Pritchard.

Mr. Jarman with Mr. Railsback.

Mr. McKay with Mr. Talcott.

Mrs. Hansen of Washington with Mr. Whalen.

Mr. McSpadden with Mr. Young of Illinois.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks and include extraneous matter on the conference report just agreed to.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

THE PRESIDENT AND WATERGATE

(Ms. ABZUG asked and was given permission to address the House for 1 minute, and to revise and extend her remarks and include extraneous matter.)

Ms. ABZUG. Mr. Speaker, in the ever-widening Watergate case, one would hope out of respect for the office that the President would be above suspicion. In fact, he is not.

As the New York Times pointed out yesterday—April 29:

> The instances of infamous behavior accumulate day by day, each more appalling than the one before. Their still incomplete sum is a picture of men in the highest offices of the Government engaged in lawless and ruthless actions and utterly contemptuous of the restraints which apply to ordinary citizens.

And the Times continues:

> The scandals breaking almost daily extend to the very door of the President's office and involve his most trusted and powerful associates.

It is time to open that door and to determine what part the President himself played in this pattern of illegal actions which goes far beyond the actual break-in at Watergate and involve the subversion of the democratic process itself.

At the very least, it is now evident that the President's closest advisers were involved in wrong-doing, and he must accept responsibility for the actions of his surrogates. At most, common sense would lead to the belief that the President knew what was going on, at least in broad terms, and condoned efforts to suppress the facts. As the polls indicate, millions of Americans already believe the latter to be the case.

With congressional compliance and voluntary erosion of this body's responsibilities under the Constitution, we have seen over the years an alarming flow of power to the White House. We are now witnessing the corruption that such unchecked power brings and, most threatening of all to our institutions, the use of power to maintain power by unlawful means.

There are two aspects of the Watergate situation to which Congress and the American people must address themselves. First, the investigation into the acts of the President's subordinates and others involved in the matter must be carried on by an authority wholly separate and apart from the Executive branch. In effect, the people at the Department of Justice have been working for those under suspicion for over 4 years, and the investigation should not be carried on there. The President's closest advisers are under suspicion, so it would not be appropriate for him to have any role in the appointment of a special prosecutor or any other aspect of the investigation. An acceptable solution would be to have an independent prosecutor selected by the American Bar Association.

The second aspect is that of the President himself. Traditionally, our Chief Executive has been regarded as beyond the reach of the law with the exception of the authority of Congress under the Constitution to impeach, to try, and to remove the President from office for "treason, bribery, or other high crimes and misdemeanors." We in the House should launch an investigation to determine whether there are grounds for impeaching the President.

If ever Congress had a responsibility to act to restore our confidence in democratic government, it is now.

We have heard this afternoon that Messrs. Haldeman, Ehrlichman, Dean and Kleindienst have resigned and that President Nixon will make a televised address at 9 this evening on the subject of Watergate. In listening to him, we should not forget that he told us solemnly last year that no one at the White House was involved in the sordid business. In light of that, it is difficult to believe anything he tells us now.

There was a fire raging in his kitchen, and the American people are not going to believe that he did not smell the smoke. Let us have no further lies, but instead a full disclosure of the President's involvement in and knowledge of the Watergate scandal. The people, and the institution of the Presidency, deserve no less.

FEDERAL DEFICIT SPENDING—INFLATION

The SPEAKER pro tempore (Mr. DANIELSON). Under a previous order of the House, the gentleman from Pennsylvania (Mr. WILLIAMS) is recognized for 15 minutes.

Mr. WILLIAMS. Mr. Speaker, in the early part of March of this year, the U.S. House considered the Vocational Rehabilitation Act and the Older Americans Act. Both of these acts provided for expenditures far over the budget, duplicated existing programs and provided for setting up separate bureaus for their administration, rather than using the present social security system to deliver aid to the aged, and the Department of Education. Due to these deficiencies, I voted against both acts.

The ultra-liberal editorial writers for our area newspapers promptly printed adverse editorials about my votes. The fact is that these writers had not bothered to read the bills and knew little or nothing about their content. The editorial writers implied that I was against the handicapped and the aged. No mention was made of the fact that these bills would set up new bureaucracies which would absorb most of the funds appropriated by the acts.

President Nixon vetoed the Vocational Rehabilitation Act and the Senate upheld his veto by a vote of 60 to 36. The Senate and House conferees struck the objectionable features from the Older Americans Act and reduced the expenditures so that it was within the budget. The House then passed the revised bill by a vote of 348 to 0.

Federal deficit spending is the major cause of inflation. To continue spending, as would have been the case under the two above-mentioned acts, would have simply accelerated inflation. Less than 2 years ago, an ounce of gold was worth $35 as compared to the present $90 per ounce. No one wants additional Federal bureaucracies and no one wants a worthless U.S. dollar. For these reasons, we must stop deficit spending.

REVENUE SHARING FUNDS

On April 6, Delaware County and its various municipalities received checks totaling $1,614,793 in general revenue sharing funds for the 1st quarter of 1973. The amounts of money received by the various municipalities are determined by the population and the median income of each municipality.

This general revenue sharing fund has been of great assistance to the various municipalities and to the county, and the payment of these funds will continue. An effort is being made to pass some special Federal revenue sharing bills which will give money directly to municipalities and counties for other purposes, such as housing and education.

VIETNAM WAR—POW'S

The cease-fire which ended the U.S. participation in the ground war of South Vietnam, Laos and Cambodia, was welcomed by every American, and it resulted in all U.S. ground troops being withdrawn from Southeast Asia. It is unfortunate that the Communists have not abided by all of the terms of the cease fire. They have continued Communist aggression in Laos and Cambodia, which has required the U.S. Air Force to resume the bombing in those countries.

In fact, in South Vietnam, the Vietcong and/or the North Vietnamese have shot down two plainly marked helicopters carrying members of the International Commission of Control and Supervision, which is supervising the cease-fire. All the Commission members in one of the helicopters were killed and several of those in the second helicopter were seriously injured.

It has been a most welcome sight to see the U.S. POW's returning home. Legislation is being considered which would be beneficial to those POW's, who have given so much to their country, and to the families of those missing in action—MIA's. We must make certain that all U.S. POW's and MIA's, who are alive, and those who may be held in Cambodia and Laos, are returned.

I will never vote for legislation which would give any assistance to North Vietnam. Such money could better be used right here at home in helping the veterans and the families of those who did not return.

ECONOMIC STABILIZATION ACT EXTENSION

The Economic Stabilization Act was designed to curb inflation and stabilize the economy of the United States. After the administration invoked this act, its provisions were amended in 1971 and phase II was placed in operation.

Phase II was operating reasonably well, when, on January 11, 1973, the President, by Executive order, invoked phase III, abolishing the Wage Board, the Price Commission and rent controls.

Under phase III, the prices of food, including meat, rents, lumber and other commodities, skyrocketed to all time highs. Inflation during the first 3 months of this year sharply exceeded 6 percent. No satisfactory explanation has been given as to why phase III was put into effect when phase II was working well and the Economic Stabilization Act expires on April 30, 1973.

The House Banking and Currency Committee, on which I serve, reported out a complicated bill, H.R. 6168, an extension of the Economic Stabilization Act. This bill contained a number of unsound provisions and my efforts to produce a reasonable bill were largely unsuccessful.

When H.R. 6168 came to the floor of the House, it was defeated, and a simple 1-year extension of the present act was approved. The present act gives the President full discretionary authority in all areas of economic stabilization. I offered two amendments which would have mandated the reestablishment of the Wage Board and Price Commission to hold the annual rate of inflation to 2½ percent and which would have placed reasonable controls on rents. Both of these amendments were defeated.

The Senate and House conferees have agreed on a poor compromise bill which does not contain any provisions for rent controls or adequate provisions for wage and price controls. It will certainly be a happy day for this country when Federal deficit spending is stopped and we can do away with controls and return to our system of free enterprise.

FEDERAL HIGHWAY AID ACT—1973

The Federal Highway Aid Act of 1973, S. 502, was passed by the House on Thursday, April 19. The Anderson amendment, which would have taken $700 million out of the Federal highway trust fund was defeated and I voted against it. The highway trust fund is maintained by the Federal taxes you pay on gasoline and tires and by the taxes on heavy trucks.

The Federal Government has borrowed billions of dollars from the Federal highway trust fund, and every other Federal trust fund, including social security, to pay for Federal deficit spending so there is now only $5.7 billion in the Federal highway trust fund. The U.S. taxpayer pays the interest on the Treasury notes that are used to borrow the money from the trust funds, and the Federal obligation for improving and maintaining our primary and secondary systems of highways, and the Interstate Highway System, is $7 billion.

Title III of S. 502 authorizes $3 billion for mass transit improvements over the next 3 years and any approved mass transit project will be financed 80 percent by Federal funds. This title of the bill was not publicized and I did not receive any visits from highway lobbyists. I did receive visits, telephone calls and letters from those favoring the Anderson amendment, who did not understand how extensively the Federal Government has borrowed from the trust funds.

MEDIA GIRL WINS NATIONAL HONOR

Renee Jeanne Conroy, a senior at Marple-Newton Senior High School, was a winner in the 32d Annual Westinghouse Science Search, held in cooperation with the National Science Foundation.

Renee was selected from 13,385 contestants in 49 States and the District of Columbia. Her grandfather, Upper Darby Police Superintendent Ed Conroy, and all of us in Delaware County are very proud of her great accomplishment. She intends to continue her education at Muhlenberg College and become a doctor.

WHAT ABOUT THE DRAFT?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. STEIGER) is recognized for 10 minutes.

Mr. STEIGER of Wisconsin. Mr. Speaker, yesterday's Washington Post carried a story by William Claiborne entitled, "New Army: Magnet for Poor." Mr. Claiborne seeks to create the impression that an all-volunteer force would somehow differ in composition from a military raised through conscription. Yet the article's only reference to the impact of the draft upon the same concerns is the incredible statement:

> In years past, when the draft was in effect, the Army reflected, to a considerable extent, the full range of diversity in American society. It took the rich and the poor, college graduates and high school dropouts—18 million men in all in this country.

Nothing could be further from the truth than this assertion that the draft has operated in a representative fashion. Mr. Claiborne apparently missed the major debate over the draft in recent years, in which one of the chief contentions against compulsory military service was its inequitable impact upon the poor and disadvantaged.

SOCIOECONOMIC CONSIDERATIONS

Some of the most vigorous support for the all-volunteer force has come from groups such as the Southern Christian Leadership Conference, the National Welfare Rights Organization, and members of the Congressional Black Caucus. As the gentleman from Maryland (Mr. MITCHELL) has noted:

> The great majority of black leaders have spoken out in support of the Volunteer Army. It is personally irritating to me that there as those who would oppose this Volunteer Army on the basis of what it does to black people without consulting the very people about whom they are speaking. We are past the stage of noblesse oblige.

Had Mr. Claiborne engaged in such consultation, he would have discovered the impact the draft had upon the poor and minority groups. The following table is particularly instructive, because it illustrates that conscription, not voluntarism, disproportionately draws upon minorities: the percentage of blacks among draftees has been consistently higher than the percentage among enlistees:

Army	Enlistees	Inductees
Fiscal year:		
1969	12.2	14.9
1970	12.3	15.1
1971	13.9	15.9
1972	15.9	18.1

Moreover, while major steps have been taken toward draft reform, it must be noted that medical, hardship, and conscientious objector deferments remain more readily available to the individual who has an educational or financial background which enables him to fully use the opportunities to avoid service provided in law. A graphic example can be found in the disparity between black and white medical exemptions. Although no one would argue that blacks receive better medical care than whites, the white medical rejection rate was twice as high as that for blacks:

Army	Medical disqualification only (percent of those examined)	
	White	Black
Calendar year:		
1972 (1st half)	44.1	19.3
1971	42.9	22.5
1970	39.3	22.7
1969	34.9	19.3

CONSCRIPTION AND EDUCATION

The discriminatory aspects of conscription, of course, have hurt the less educated and less affluent of all races. During the period from June 1969 to June 1972, a total of 1,507,377 men entered the Armed Forces: 383,152 draftees, and thousands of draft motivated volunteers. Yet in spite of this significant use of compulsory military service, those with the most education served the least. Of the males who recently passed through draft vulnerability, about 20 percent are college graduates—yet only 11 percent of those who entered the military during the past 3 years were in that category:

Education	Officer, enlisted, and inducted entrants to the Active Forces (percent)	Civilian males aged 25 to 29, as of March 1971 (percent)
Total	100.0	100.0
Nonhigh school graduates	26.2	22.0
High school graduates	62.4	58.0
College graduates	11.4	20.0

In this regard, it is important to note that decreasing draft pressure has actually seen an increase in the proportion of those with advanced education entering the officer corps. This phenomenon will appear even stronger during the absence of the draft as a result of ROTC programs authorized by the 92d Congress.

COMPOSITION OF THE VOLUNTEER FORCE

Secretary Richardson's recent report on the all-volunteer force demonstrated that despite declining draft pressure, the qualitative aspects of the Armed Forces—measured by intelligence tests and high school education—have remained stable. Where problems have appeared, they have been easily dealt with by increasing standards for enlistment. I include the relevant sections of that report in the RECORD immediately following my remarks.

It is important that the Armed Forces continue to attract and retain individuals of the quality and quantity to maintain our national security. I am hopeful that writers who seek to address this question in terms of the "volunteer" force will also consider the question: "What About the Draft?"

The excerpts follow:

SPECIAL REPORT OF SECRETARY OF DEFENSE ELLIOT L. RICHARDSON, MARCH 1973; THE ALL-VOLUNTEER FORCE AND THE END OF THE DRAFT

QUALITY OF ENLISTMENTS

There have been some dire predictions that ending the draft would produce an organization of substandard volunteers. Our experience does not support this claim. The quality objectives for military enlistments are being met as well or better than during earlier periods of high draft calls. These objectives are:

To enlist people whose learning capacities match the requirements of military jobs.

To enlist people who display self-discipline and control.

To maintain efficiency and effectiveness of the Armed Forces.

To minimize military manpower costs.

Because of the importance of maintaining the fine balance among the quality of the force, its mission requirements, and its costs, we monitor quality factors closely. Mental ability of people entering military service is one of these factors.

IS QUALITY OF PERSONNEL ADEQUATE

Mental ability of new entries—DOD

[In percent]

Above average I and II:	
1969	38
1970	36
1971	35
1972	34
1973 (1st half)	33
Average III:	
1969	38
1970	41
1971	43
1972	48
1973 (1st half)	49
Below average IV:	
1969	24
1970	23
1971	22
1972	18
1973 (1st half)	18
Lowest V: [1]	

[1] Personnel not accepted from this group.

Trends in mental ability of new entries by fiscal year show a modest decline in men coming into military service having above average mental ability. However, the number is adequate to fill jobs requiring complex technical training and the ability to complete such training successfully. There has been a steady increase in the proportion of men entering service with average mental ability, which is adequate for most military jobs. The declining trend in Mental Group IV personnel is the result of emphasis placed on recruiting people with greater mental ability. Overall, the learning capacity of new entries is adequate in meeting job requirements when the proportion of Mental Group IV personnel does not exceed about 22 percent. Conversely, when the overall proportion of Mental Group IV personnel falls below 15 percent, there is a tendency toward many people being under-challenged by their job assignments.

High school graduates have consistently performed better in their military jobs, and have had fewer disciplinary problems, than those who have not graduated. Hence, special emphasis is placed on attracting a high proportion of young men who have completed high school.

Percent of high school graduates

Army:	
1971	55
1972	70
1973 (1st half)	52
Navy:	
1971	78
1972	76
1973 (1st half)	68
Marine Corps:	
1971	51
1972	47
1973 (1st half)	49
Air Force:	
1971	87
1972	83
1973 (1st half)	88
DOD:	
1971	67
1972	71
1973 (1st half)	63

Because of a sharp decline in the percentage of high school graduates among Army enlistees during the first half of FY 1973, the overall percentage of high school graduates among enlistees for all of the Armed Services combined dropped from 71 percent in FY 1972 to 63 percent in the first half of FY 1973. Starting February 1, 1973, the Army placed a ceiling of 30 percent non-high school graduate enlistments each month. Army recruiters will direct more attention toward high school graduates and this shift in emphasis should increase the Army percentage of high school graduates to the 70 percent level which is desirable.

Because of the very significant increase in total enlistments during the first seven months of FY 1973 compared to the same period in FY 1972, the total number of high school graduates actually increased from 167,000 during July 1971-January 1972 to 172,000 during July 1972-January 1973.

The overall goal is to obtain people who have the capacity and will to perform the required jobs in a completely satisfactory manner. It may be necessary to offer bonuses to attract people in sufficient numbers for the more difficult jobs, or to use reenlistment bonuses to selectively retain them. Authority for the payment of such bonuses is contained in the Uniformed Services Special Pay Act which awaits action by Congress.

CONFIRMATION OF OMB DIRECTOR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HORTON) is recognized for 15 minutes.

Mr. HORTON. Mr. Speaker, tomorrow the House will take up H.R. 3932, a bill requiring Senate confirmation of the OMB Director. I am opposed to this legislation because I believe it to be unconstitutional in its attempt to force the removal of duly appointed incumbent executive officers. This removal is inherent in any attempt to impose qualifications for an office retroactively. The arguments on the constitutionality of the bill are spelled out in the dissenting views to the committee report—House Report 93-109.

But there is, as well, an important policy question that should be aired: Would it be wise to require Senate confirmation of the OMB Director prospectively? In our now-published hearings on the legislation, many important points were raised which argued against the wisdom of such a move. I would like to put these points in the RECORD for the information of my colleagues because I believe they clearly establish the lack of wisdom in this legislative proposal.

The House succeeded in 1921 in forcing the Senate to accept its version of a budgetary system. That budgetary system was based upon the concept of focusing responsibility for the development of budget estimates and the control over expenditures on the President. Responsibility for appropriating funds rested, of course, with the Congress, and for audits with the General Accounting Office. As a condition of this focusing of responsibility, the House insisted that the President have direct and complete control over the Budget Director and his office, and that the Senate not be involved in the selection of the "President's assistant."

The arguments that won the day for the House concept were:

That the President, under the Constitution, was directly responsible for administrative management, and in view of the constitutional principle of separation of powers should have personal staff to carry out these personal responsibilities;

That these responsibilities, if shouldered by the President and if he were given adequate staff assistance, would greatly increase the economy and efficiency of the executive branch; and

That this clear assignment of responsibilities to the President for the preparation and implementation of the budget, to the Congress for appropriations, and to the General Accounting Office for audits must not be diluted by involving any one unit in the activities and responsibilities of the others.

As Prof. Harvey Mansfield, of Columbia University, one of the leading scholars in the field of public administration, said in our hearings:

> The Budget and Accounting Act of 1921, which fixed a duty upon the President to present an annual budget and established the Bureau of the Budget to assist him in preparing and monitoring it, is one of the great constructive landmarks in the development of our governmental organization and processes. It was mainly the handiwork of the House of Representatives. The framers of that Act, and the House managers in conference on it, confronted and rejected a Senate claim to a requirement of confirmation for the Budget Director—a claim they accepted in respect of the office of Comptroller General, established in the same act. The distinction was drawn, and the House managers persisted in their stand, deliberately, because they saw something at stake for the House as well as for the President. The Senate then conceded.

The Budget Director's role has not changed in any important way since 1921, so that the arguments that were valid then are equally applicable now. Since his role or function remains the same, the House should again refuse to grant the Senate the right to confirm the Budget Director.

If the Office has grown in power, it is only because the Congress has given the President more to do, and the OMB is frequently the vehicle used for meeting his responsibilities. If one studies the lists of new functions assigned to OMB, one notes they mostly deal with further clarifications and augmentations of the President's budgetary and management responsibilities. These assignments do not change the fundamental role of the Budget Director as conceived in 1921.

Some argue that Reorganization Plan No. 2 of 1970, which set up the Office of Management and Budget, was a major change, picking up what the President claimed in his message accompanying the plan:

> * * * creation of the Office of Management and Budget represents far more than a mere change of name for the Bureau of the Budget. It represents a basic change in concept and emphasis, reflecting the broader management needs of the Office of the President.

However, it must be remembered that reorganization plans cannot confer new authority, they can only transfer or abolish existing authority.

The "newness" of OMB was really only in its changed emphasis. As the BOB Director explained in a letter to the committee answering questions on the plan:

> Strictly speaking, the functions of the OMB are not "new," but its overall perspective will place new emphasis on certain important management tools the President must have in managing the executive branch.

At a later point he explained why there was so much emphasis on "newness" when in fact no new authority was involved.

> Most of the objectives of Part I of the Plan could be achieved by strengthening the resources of the Bureau. In fact, it is possible to try to achieve almost any set of objectives through an existing organization in the Executive Branch. The question, we believe, is rather how to best encourage the development of the new focus, skills, attitudes and perceptions required to help the President to manage more effectively.
>
> In the past, there have been many efforts and recommendations made to strengthen the non-budgetary functions of the Bureau of the Budget. There has been some progress, but results have not been forthcoming fast enough to keep up with the demands made upon the Presidency. The Bureau has had to continue to concentrate heavily on the budget job for a long time and devotes at least three-fourths of its professional personnel to the budget task.
>
> Changing the emphasis and pervading atmosphere of an organization is a difficult and subtle task. . . .

Worthy of note is that at no time in the past when legislation was being considered affecting the Bureau of the Budget or the Office of Management and Budget was the issue of Senate confirmation raised.

As Dr. Mansfield pointed out in our hearings:

> The present Senate view, as expressed in its recent passage of S. 518, and reflected in the Committee Report No. 93-7 thereon, is that OMB's functions and responsibilities have grown so, over the years, that the 1921 decision as to confirmation should be reversed. It invokes the need to balance "the President's requirement for an institutional aid . . . with the Constitutional role of the Congress (*sic*) in the formulation and finalization of national policy." This assumes that what is good for the Senate is necessarily good for the Congress and for the House.

Congressman JOHN RHODES of Arizona was no doubt correct when he pointed out in his testimony before the committee, that this legislation is being pushed in a "fit of pique." The Senate never bothered to hold hearings on their bill. The House must take an objective, hard look at this legislation because it would be permanent.

What must be considered is the extent to which the process of Senate confirmation can properly and usefully be applied to the job of the OMB Director. The Constitution cannot be interpreted to require Senate confirmation of these officers on the grounds that their great power no longer allows them to be considered inferior. The courts have held that in the Constitution,

> The word "inferior" is not here used in . . . the sense of petty or unimportant; but it means subordinate or inferior to those officers in whom respectively the power of appointment may be vested." (Collins vs. U.S., 14 C. Cl. 568, 574 (1878).

Major differences exist between officials who should be subject to Senate confirmation, and the OMB Director, who I believe should not. Fixed, public responsibilities for political policy define jobs where the Senate might play a useful role in consenting to the appointment of the President's nominee. Executive officers who are subject to Senate confirmation usually have direct statutory responsibilities for programs; must consider their obligations as going, beyond the President, to the Congress and the Nation as a whole; and must work with the Congress and outside interests as part of their political responsibilities. These public officers have the responsibility for decisions made, and the Senate can properly and usefully consent to their assumption of these legal duties.

But staff assistants to men who hold these jobs should not be subject to confirmation, even if the position is staff assistant to the President. For instance, we do not require confirmation of law clerks to Supreme Court Justices even though they may be very influential. As Roger Jones said in our hearings:

> The [Office of Management and Budget] and its incumbents are parts of the Presidency. It is the people at large who pass upon the qualifications of the President. I can find no express or implied authority for requiring the Senate, in effect, to pass upon the wisdom of the President in choosing his direct staff or in making assignments to them to assist him in discharging various legal and constitutional responsibilities.

Proponents of the legislation frequently point out that there are officers in the Executive Office of the President who are subject to Senate confirmation, and that this proves that it is possible and appropriate to require the same of the OMB Director.

But the distinctions drawn above hold in these cases as well, since the Executive Office does include operating programs as well as staff to the President. The Office of Emergency Preparedness, the Central Intelligence Agency, the Office of Economic Opportunity, are all examples of operating programs, the heads of which meet the above-mentioned criteria for Senate confirmation. Some units do seem to perform only staff functions and in these cases it can only be said that the confirmation requirement does not appear particularly wise. It should be noted that two of them, the National Aeronautics and Space Council and the Office of Science and Technology, will soon disappear, abolished by Reorganization Plan No. 1 of 1973. Also relevant is the fact that if the President were to feel his relationship to the OMB Director were in any way compromised, he would simply turn elsewhere for his budget advice. If such were the case, Senate confirmation would backfire and have a negative effect.

Confirmation would not make the OMB Director more accountable to the Congress; would not limit use of executive privilege; would not allow the Senate to gain policy commitments from the Director prior to his confirmation, and would not guarantee that only good men are appointed to the position.

Finally, the immediate short-term effects of this legislation appear to be mischievous. Approval of this legislation could be interpreted as either condoning Senate behavior amounting to political extortion, or walking into a legal swamp because of the unconstitutionality of this legislation in search of some short-term political gain.

Of utmost concern is that this legislation will have a deleterious effect on the budget system. First, it will further dilute the leadership of the House in matters of fiscal policy, fragmenting congressional budgetary machinery. In 1921 the House insisted that the President should have clear executive responsibility for the budget estimates and, thus, did not permit the Senate the right to confirm the Budget Director. This position buttressed the leadership of the House in acting upon the President's budget requests. But over the years, the Senate has developed into an "appellate court" for House appropriations and various devices have been created to get around the appropriation process, such as creating obligational authority in advance of appropriations. The strong relationship between the President, the OMB Director, and the House in fiscal matters has been weakened, and this bill would further weaken those ties. As Congressman RHODES of Arizona said in testimony before our committee:

> The Office of Management and Budget and its Director have been peculiarly oriented toward the House, because of the fact that we still have this vestige of appropriations power. If now, we acquiesce in the request of the other body to subject the Director of the Office of Management and Budget to confirmation, I can see that the attention of the person who holds that office will shift from the House to the Senate. The power of the House in appropriations and fiscal matters will have been further diluted. I, for one, do not favor any legislation which might cause this to happen.

This fear of diluting House leadership in fiscal matters is not merely a parochial concern. The Congress cannot effectively wield its appropriations power unless it speaks with a unified voice. This has been recognized by the Joint Study Committee on Budget Control in its report. According to newspaper reports, it is also a tenet adhered to by majority party as they seek to reform the Congress. One cannot fragment responsibility for congressional action on the budget and still expect to play the important budgetary role expected of the House and the Congress.

Second, over time this might tend to weaken the close and beneficial relationship between the President and his budget director. This would not result in better budgets, in firmer control over agency expenditures, nor will it properly reflect the responsibility for budget estimates and expenditures which must be placed on the President's shoulders. I agree with the conclusion reached by Don Price, dean of the Kennedy School of Government at Harvard University:

> I have no doubt that the Congress, by tightening up its procedures and increasing the ability of its own leadership to coordinate their legislative and financial decisions, can exercise more responsible control over our national policies. I believe that it would be more useful to undertake that difficult task than to make a symbolic gesture which, to the extent it might have practical consequences, would lead us in the direction of less clear responsibility within our financial system.

In short, this bill will not give the Congres any better control over the budget and expenditures; indeed, it will probably weaken the congressional budget machinery. You should note that this is not one of the recommendations listed in the report of the Joint Study Committee on Budget Control.

This legislation is not reform legislation; it does not strengthen the Congress. It has not resulted from any study of the budget process or congressional weaknesses. Indeed, there were not even any hearings on this legislation in the Senate. The points that were made above should indicate there are few, if any, desirable benefits to be derived from this legislation, and there are some major disadvantages.

It is to be hoped that the Congress will not adopt this legislation, but rather will move on proposals which will truly strengthen itself, allowing it as an institution to play its proper role in the National Government. The Congress must hasten its own reform, but to approve this legislation would be a step backwards from the reforms made at the insistence of the House in 1921.

The House knew what it was doing in 1921 when it refused to grant to the Senate the right to confirm the Budget Director. The House felt that he should be "the President's staff, the President's force," realizing full well that he might become the "second largest man" in the Government. They felt this would allow the President to develop a more effective and efficient administration. They also realized that it would protect the integrity of the congressional appropriations process and the leadership role of the House in fiscal policy. These fundamental reforms should not be overturned for short-run political considerations. Approving this legislation would be most unwise.

THE MIRAGE OF WAGE-PRICE CONTROLS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KEMP), is recognized for 10 minutes.

Mr. KEMP. Mr. Speaker, I voted against the extension of the Economic Stabilization Act today, because the U.S. Government can no longer afford to deal with the deleterious effects of inflation; it must begin to deal with the causes. It is incongruous to me that certain elements of Congress and certain segments of the economic community can really believe that wage-price controls stem inflation. As Alan Greenspan said in this morning's Wall Street Journal, "Controls can't stem inflation, only fiscal and monetary policy can." What we are clearly confronted with is the choice of coping with the consequences of past policy mistakes and restoring the economy to a sound monetary and fiscal policy, or continue pursuing the course of contriving controls which suppress inflationary pressures over the short run, but leave the economy in a state of chronic imbalance.

What seems to have escaped the purview of so many who are supposed to understand the cause-and-effect relationships within the U.S. economy is that free markets are exceptionally sensitive. As Alan Greenspan put it:

> Any attempt to intervene in the normal wage-price process of necessity leads to offsetting imbalances elsewhere in the market system. These require further government intervention to correct and the correction process in turn generates a need for still greater intervention. It is a process which, if not aborted, leads to full control of the economy by government edict.

It is that possibility which deeply disturbs me. As Greenspan concluded:

> In a free society, controls cannot supersede the law of supply and demand. In a society in which they can, justice cannot prevail.

It is my contention that the free market can best bring justice to the marketplace. Certainly that is the fundamental goal of our economic system. To pretend that an artificial system of controls can bring justice to the marketplace disregards the experiences of the recent past. For the sake of the working man—those who have justifiable wage demands—as well as for the sake of a more stable free market, stripped of the contrivances of controls, I oppose the extension of the Economic Stabilization Act.

The text of Alan Greenspan's article, "The Mirage of Wage-Price Controls," follows:

THE MIRAGE OF WAGE-PRICE CONTROLS

(By Alan Greenspan)

With the economy running flat out and caught in a classic demand-pull inflation, the cry to do something has become politically overpowering. That politicians advocate a legalized freeze on prices and think that it will solve the problem, I find disturbing. That the majority of economists, in a state of despair, acquiesce, I find inconceivable.

The choice is often stated as between stemming the upsurge in prices through price controls or allowing inflationary pressures to run unimpeded. Controls can't stem inflation, only fiscal and monetary policy can. The real choice is between riding out the consequences of past policy mistakes and focusing on returning the American economy to a stable noninflationary growth path by 1975, or alternatively, employing controls to bottle up the underlying inflationary pressures and therefore a state of chronic imbalance and slow growth for the indefinite future. While I have not always agreed with the policies of this administration, I have no doubt that, if they can withstand the extraordinary political pressures urging them to ad hoc solutions, they will keep on the path of the long-term disinflationary policies which were initiated last year.

Ironically, the pressure on the administration is all the stronger because it appears to many that Phases 1 and 2 did indeed suppress the rate of inflation. But controls were imposed on an economy which was already disinflating and this made them appear effective in restraining inflationary pressures at little apparent cost to business, labor, or the general public. Until the closing days of Phase 2, price controls rested very lightly on the economy and hence were largely inoperative.

Since most companies were unable to get anywhere near their price ceilings in the marketplace, few price or marketing decisions were affected. The huge union settlements of 1970 and early 1971 reflected catch-ups for unions locked into the pre-inflation agreements of 1967. By 1969, union agreements were already quite generous. Little catch-up was required when these contracts were renewed in 1972. Consequently, only a small segment of union labor was subject to the heavy hand of Pay Board rollbacks last year.

Underlying pressure on wages and prices, however, began to mount in late 1972. The gap between product pricing and Term Limit Price ceilings, once close to 1%, was narrowing and it appeared that Phase 2 price controls would soon start to grip. Business' tranquil experience with price controls would have come to an end.

UNFORTUNATE COMPARISON

The move toward a more free-market oriented Phase 3 rested on the recognition that the Phase 2 structure could not withstand the demand-pull pressures which were rapidly emerging. The recent sharp price increases coincident with the shift to Phase 3 had little to do with the change in the control mechanism. Unfortunately, superficial comparisons of price index behavior before and after January 11 have reinforced the public's view that Phase 2 controls worked. It might have been better to have stood pat with Phase 2 and suffered the consequences of a rupture of the control mechanism. The price of education comes high these days but in this case it might have been worth it.

I used to hear that controls cause grave distortions in an economy, that they are not a solution to inflation and that they always break down eventually, leaving chaos in their wake. The new view, as I read it, is that such consequences need not occur if controls are used to defuse inflation psychology. This thesis presumes that collective psychology, while admittedly having been triggered by real economic forces, somehow takes on a life of its own and independently perpetuates price increases even after the underlying economic causes are brought under control. If controls can alter this psychology, it is argued, inflationary pressures could dissipate without the distortions previously ascribed to controls. The wage guideline is particularly singled out as being critical and is an often cited reason for the alleged success of Phases 1 and 2.

Why not then set the wage guideline at, say, 2½%, a figure more consistent with zero inflation, rather than 5.5%. Yet almost any defender of wage guidelines will immediately point out that a 2½% figure would be unworkable. This suggests, of course, that in their view there are other, more fundamental factors involved in wage determinations. The issue, obviously, is not one of guidelines nor of the psychology of business, labor or consumers, but of basic underlying economic forces.

I do not deny that consumer and business psychology exist and that they affect business activity and prices. What I deny is that psychology or confidence is an essentially irrational collective neurosis capable of being manipulated by government policy. On the contrary, such psychological reactions are almost invariably a response to fundamental economic forces. Consumers or businessmen may temporarily misread the environment to which they are attempting to adjust, but ultimately their actions are a rational response to economic realities.

I know of no evidence which sustains the thesis of an independent inflation psychology. All history tells us that massive government deficits, accommodated by the monetary authority, lead to inflation. Even though the present administration is making an impressive attack on federal spending growth, our fiscal conduct in recent years has scarcely been commendable. Although I, too, was surprised by the size of price increases of the past few months, in the context of the budget deficits of recent years, I probably shouldn't have been. In any event, I do not need to advert to an inflation psychology thesis to explain what is happening.

Inflation psychology is a very convenient term for explaining why consumers and businessmen behave in a certain way. The presumption that their behavior can be successfully manipulated by governmental action via wage-price guidelines or controls is an illusion to which policy-makers and molders like to cling. It is the only semiplausible concept which can explain how a wage and price control structure can subdue inflationary pressures without creating gross distortions in the economy. It is a concept which removes the burdens of pursuing politically unpopular truly disinflationary measures. The progression toward controls results from the very nature of political decision-making.

When a businessman perceives a potential risk to his operation, he is more than willing to expend some "insurance" money to hedge its consequences. Thus, steel users invariably build inventories prior to the termination of a United Steelworkers' agreement as a hedge against their running short of steel and seeing their production schedules severely disrupted. The inventory process is costly and in the event of a settlement, appears in retrospect, unnecessary.

NOT A GUIDING PRINCIPLE

This, however, is not a principle guiding government policy. Government regulators and policy-makers rarely expend funds on insurance or risk-diminishing activities. Whereas the businessman would consider it appropriate to build steel inventories even if the probabilities of a strike were no more than 1 in 10, a government official, especially an elected one, cannot afford to be accused of having spent the taxpayers' money to hedge against a contingency which never arose. In an equivalent situation, his odds would have to be 10 to 1, not 1 in 10, to initiate a hedge. He cannot, for example, risk fiscal and monetary overkill to stem inflation for fear of being accused of unnecessarily engendering increased unemployment.

This seemingly innocuous principle is self-evident to anyone who has worked near the political decision-making process, but it has profound implications. It is this principle that explains why President Johnson delayed so long in asking for a tax increase to finance the Vietnam war. There was a remote possibility that guns and social programs could somehow be fitted into the economy without the inflation we subsequently experienced. It is also the principle that explains why, when confronted with an eroding balance-of-payments, the possibility that long-term trends would somehow save the situation led policymakers to procrastinate until there was a massive deterioration in the value of the dollar in international exchange. If one were to infer a set of cost/benefit tradeoffs to explain these actions, the factor of hope would have to receive significant weight.

The combination of the principle that the government is now responsible for the detail of all economic activity plus this warped approach to cost/benefit tradeoffs with its emphasis on short-run benefits leads inevitably to action by crises only.

Invariably, crisis solutions engender secondary crises with a time lag. A general price freeze, for example, bottles up inflationary forces to be released at a later date. A price ceiling discourages supply expansion, which eventually leads to much higher prices. Even when the political decision-makers are aware of these later adverse consequences (and it is incredible that so many are not), they implicitly place an exceptionally high rate of time discount on the longer-term adverse effects.

RETARDING ECONOMIC GROWTH

Activist economic policy-makers soon build a large backlog of "bridge-crossings when we get to it." Soon even the alleged short-term benefits fade as the formerly longer-term costs, with the inexorable turn of the calendar, also become short-term. Costs become unsupportably large as the time frame for secondary distortions shrinks. An advanced industrial economy simply can't effectively function with a high rate of future discount. It, too soon, leads to sharply lower savings rates and capital investment, and as a result, retarded economic growth.

Free markets are exceptionally sensitive. Any attempt to intervene in the normal wage-price process of necessity leads to offsetting imbalances elsewhere in the market system. These require further government intervention to correct and the correction process in turn generates a need for still greater intervention. It is a process which, if not aborted, leads to full control of the economy by government edict.

One of the great advantages of income and product distributions based on market forces is that there is no political figure who is known to be in control of any particular portion of the distribution. The creators of free market prices and incomes are anonymous. Any public figure with the job of setting prices and wages finds himself constantly confronted with claims from conflicting groups that invariably sum to far more than the total of available resources. Not unexpectedly, each group will argue that equity dictates that its demands be met. This is a script for chronic economic instability and social dissension.

In a free society, controls cannot supersede the law of supply and demand. In a society in which they can, justice cannot prevail.

In addition, I include for the benefit of my colleagues, a July 1972, article by Leland B. Yeager of the American Enterprise Institute entitled, "Controls: For and Against":

CONTROLS: FOR AND AGAINST

Experience with temporary controls in these special circumstances may be misread, unfortunately, as evidence in favor of controls maintained permanently and in other circumstances. For several reasons they may appear to succeed. First and most obviously, price indexes will not rise as fast under controls, and especially during a freeze, as they had risen before. When a surveyor from the Bureau of Labor Statistics visists a store to gather current prices, he will hardly be told that they have risen to an illegal degree. If prices spurt after a freeze is thawed or controls lifted, the controls will look deceptively good in comparison. In future years, some econometricians' equations will no doubt include a dummy variable representing controls "on" or "off" and will suggest to naive readers that controls significantly improved economic performance. Actually, controls should be appraised by their total consequences, not just their most superficially measurable consequences or the consequences observed only during the periods of control.

Secondly, some improvement on the price front might have appeared, anyway, for reasons other than the controls. Unemployment and productive slack during 1970 and 1971 were already working against the momentum of wage and price inflation. For a time, in fact, close scrutiny of price indexes could even yield some encouragement. The renewed acceleration of money-supply growth in the first half of 1971, on the other hand, tended to support this momentum.

Thirdly, output and employment were already recovering from the recession. Besides the controls, fiscal stimulus, including the import surcharge, was part of Nixon's new package. It is a usual feature of recovery from recession, furthermore, for businessmen to make fuller use of their productive plant in combination with their labor forces and so to spread their overhead costs over increased volumes of output. Showing up as improvements in productivity, these developments (the reverse of those suffered on the way down into recession) help check cost-and-price increases.

To some extent, the controls may even have genuine, and not just apparent, good results. The announcement of August 15 bred some sheer unreasoning and temporary optimism, presumably tending to spur purchases and production of consumer and investment goods. Secondly, the freeze presumably tempered inflationary expectations. The ensuing decline in interest rates also makes it easier for the Federal Reserve—given the indicators and targets it employs and the political pressures it feels—to hold the line on the money supply.

Because the NEP imposed controls as a temporary expedient in the exceptional circumstances of inflationary recession, it is an experiment that appeals to the intellectual curiosity of economists. It furnishes material for future doctoral dissertations. On the other hand, economists have reasons to regret the NEP. It may well sap the meaning of econometrically fitted functions by changing the underlying behavioral relations. It impairs the meaning of economic statistics themselves, particularly prices and price indexes.

And there are other, more substantive, grounds for regretting the policy. (Mentioning them is not necessarily to condemn it totally, or even on balance, after all, I have been trying to figure out what a respectable rationale for the policy might be.) It hampers adjustments of relative prices, threatening shortages of items whose prices are held most too low. It causes inequities of familiar kinds; and it accustoms people to look to the government to upset, in their favor, contracts voluntarily made. Remembering it, wage and price setters will have an incentive, in future episodes of inflation, to rush increases into effect before a new freeze is imposed, as well as to avoid price cuts they might otherwise have made. (In this respect, a current improvement in the unemployment-or-inflation tradeoff comes at the expense of a worsened tradeoff in the future.)

Controls reward invention of increasingly ingenious evasions as time goes on; and in this respect, the most conscientious and public-spirited people suffer to the advantage of evaders. Particularly after relaxation into being "voluntary," controls tend to waste the scarce and precious spirit of voluntary decency. Far from giving the American people healthy exercise for their moral muscles, such controls tend to undermine morality by breeding confusion about the supposed wickedness of seeking profit or of adjusting particular wages or prices upwards. Actually, such actions are essential in a market economy.

"Voluntary" controls help blur the distinction between what is voluntary and what is compulsory, sabotaging the English language. Legal and social philosophers have cause for alarm when extra-legal sanctions are held in reserve and are sometimes employed and when the executive branch of government can obtain the effects of legislation or constitutional amendments by bypassing legislative or constitutional processes. It is ominous when supposedly patriotic appeals can blackmail potential critics of a policy into silence and when businessmen find it advisable to give an incumbent administration free political publicity, as by posting sign reading "We fight inflation. We support the U.S. economic program." The considerations relevant to appraising economic policies go far beyond narrowly economic ones.

Over the long run, especially, the case is weak for controls to improve the unemployment-or-inflation tradeoff. Steadiness in monetary growth offers a healthier contribution. To the ways suggested in the Stresa paper, I would now add that steadiness would avoid the unnecessary obsolescence of knowledge of market conditions and the resulting inefficiency caused by spurts and slumps of aggregate demand.[1]

Another thing to add is that steadiness would reduce the appearance of power that labor unions enjoy when an inflationary environment makes winning wage increases easy. Insofar as apparent power helps unions to enlist the support of workers and to intimidate employers, monetary steadiness would do something to impair even their actual power.

Recommending monetary steadiness does not imply rejecting all measures that might be recommended under the name of incomes policy. Various structural reforms, unlike wage and price controls, could join in reinforcing rather than undermining the character of our price and market system.

MAJORITY WHIP JOHN J. McFALL COMMENDS HERBERT ROBACK UPON HIS SELECTION FOR A PUBLIC SERVICE AWARD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. McFALL) is recognized for 5 minutes.

Mr. McFALL. Mr. Speaker, I take this opportunity to congratulate one of our most capable committee staff directors, Herbert Roback, who has been selected by the National Civil Service League to receive its career service award for sustained excellence.

Mr. Roback, the staff director of the Government Operations Committee, will be one of 10 recipients at the National Civil Service League's 19th career service awards banquet this Friday, May 4, at the Washington Hilton Hotel.

Our colleague, CHET HOLIFIELD, chairman of the Government Operations Committee, will be presenting the award.

Specifically, Herb Roback is being cited for his long record of Government service, his perceptive studies and knowledgeable reports, his vast legislative expertise in Government reorganization, and his invaluable contributions toward the creation of the Commission on Government Procurement.

The last is a particularly important achievement in behalf of Government economy. The Commission on Government Procurement recognizes the Government's need to maintain effective supervision of its mammoth purchasing activities.

I can personally attest to the high quality of Herb Roback's work. Like many other Members, both on and off the Government Operations Committee, I have had occasion to avail myself to Herb's expertise and advice. He has always been courteous, willing and extremely capable and professional.

He has devoted himself to a career of public service well within the meaning of the award criteria of the National Civil Service League. In the past few years the league has extended eligibility to congressional staffers, although they are not part of the classified civil service.

And I take particular pleasure in noting that Herb Roback is one of the first congressional staffers to be chosen for the award. Herb's career in Government service began more than 30 years ago when he joined the staff of a congressional committee. He served in the military, becoming a Purple Heart veteran of World War II, and then worked with committee staffs in both Houses of Congress. He first came to the Government Operations Committee in 1949, served as a staffer for the second Hoover Commission in 1953–55, became staff director for the Military Operations Subcommittee in 1955, and then staff director of the full Government Operations Committee in 1970.

I want to join with other Members and friends who have commended Herbert Roback for his dedicated service to the House and for his commitment to excellence. The award of the National Civil Service League is well deserved.

OIL COMPANIES BENEFICIARIES OF ENERGY CRISIS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. ASPIN) is recognized for 5 minutes.

Mr. ASPIN. Mr. Speaker, the only beneficiary of the so-called energy crisis thus far is the major oil companies. Major oil companies' profits are skyrocketing, while American consumers face shortages and increased prices.

Profit increases range from 10.1 percent for Mobil to 52 percent for Atlantic Richfield, according to recent oil companies' first quarter reports. The percentages compare the companies' first quarter profits in 1972 to their first quarter profits in 1973.

Clearly the giant oil monopoly is making out like a bandit, scooping up huge windfall profits as a result of recent fuel oil and gasoline shortages. Frankly, I believe that the major companies hope to drive out independent dealers and virtually eliminate competition in gasoline sales. As many of my colleagues know, hundreds of independent gasoline stations which sell cut-rate gas are open fewer hours and some have even been forced to close. Once the majors drive the independent dealers out of business, they will have a free hand to jack up prices.

Since every 1-cent increase in gasoline costs consumers a billion dollars, the loss of competition will be a disaster for American consumers.

Mr. Speaker, these huge profit increases are occurring despite mandatory controls imposed March 6 by the Cost of Living Council. The Cost of Living Council regulations limit price increases for oil companies to 1 percent.

But the oil companies are allowed to increase the price of individual products an unlimited amount as long as the total weighted average of increases does not exceed 1 percent, according to Cost of Living Council regulations. The companies must justify increases between 1 to 1.5 percent, and must prenotify the Cost of Living Council of any changes exceeding 1.5 percent.

Obviously, the so-called price controls are so full of loopholes that they are totally ineffective. While a 1 percent limit product by product might be effective in holding down gasoline prices, the Cost of Living Council's so-called weighted aggregate annual increase is nothing less than a convenient device allowing huge cost increases for consumers in certain product areas.

It is also important to remember that much of the information concerning the oil companies' costs, prices, and markets is considered secret by the Cost of Living Council. Hence, any serious investigation of abuse or misuse of the so-called 1-percent price increase is impossible.

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[1] For comment on how monetary disorders wastefully disrupt communication of market information, see Karl Brunner, "The Monetarist View of Keynesian Ideas," *Lloyds Bank Review*, October 1971, especially p. 40.

According to the Cost of Living Council, the oil companies are required to file monthly reports so that the Council can check for compliance with its rules. To date, none of the oil companies have filed a monthly report. But, they are expected to file shortly.

Mr. Speaker, I am publicly calling upon Cost of Living Council Chairman John Dunlop to be particularly vigilant in studying the oil companies' reports. With gasoline prices rising and the regulations so full of loopholes, the opportunity for excess profits are all too apparent.

The oil companies are exploiting the energy crisis to line their own pockets with huge windfall profits and eventually raise prices paid by the average American consumer.

The following are announced first quarter profit increases from the first quarter of 1972:

	Percent
Atlantic Richfield	+52.0
Ashland	+25.0
City Service	+17.4
Continental	+11.5
Crown Central	+34.4
Exxon	+43.1
Gulf Oil	+18.7
Mobil	+10.1
Penzoil	+23.9
Phillips Petroleum	+22.0
Shell Oil	+49.0
Ohio Standard	+48.3
Tenneco	+14.4
Texaco	+14.8

ROBERT BRUCE SATTERTHWAIT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Ms. Abzug) is recognized for 5 minutes.

Ms. ABZUG. Mr. Speaker, it is with deep sorrow that I announce the death of Robert Bruce Satterthwait, a member of my staff, in a skin diving accident off Grand Cayman Island, British West Indies, on April 25, 1973.

Bruce Satterthwait was only 26 years old, but he had already accomplished much and gave every indication of achieving even more. He was a young man committed to making this a society in which a fair share of our great national resources is available to every individual and no individual is subjected to arbitrary discrimination because of sex, race, religion, or age.

Bruce was a member of the National Organization for Women, and was active in organizing National Working Mothers' Day, a series of demonstrations protesting the social services regulations recently proposed by the Department of Health, Education, and Welfare. Between the time this proposal was made in mid-February and his death, he devoted much of his time to becoming an expert on its many complexities, working with people active in the child-care movement and officials of HEW, checking on all aspects of the fight, down to the most minute details, and finally putting together a set of comprehensive and well-reasoned arguments against the many pernicious aspects of the regulations. The final version of the regulations was released the day after Bruce died, and it constituted a victory on almost all of the points which he had so ably researched and argued.

His diligence in this endeavor was just one example of how he dedicated his efforts to the solution of problems of our society. He was a retired marine sergeant who became active in Vietnam Veterans Against the War. While a student in the University of California at Irvine, he was active in peace activities and union organizing, and served as vice-chairperson of the chancellor's commission on the status of women. He had completed the requirements for his bachelor's degree and was scheduled to graduate from Irvine this June. He also did some of his undergraduate work at the University of Wisconsin, where he was again active in the women's movement, particularly with regard to affirmative action programs.

Bruce Satterthwait was a bright, sensitive young man who was working to make this world a better place for all of us. I and my staff extend our deepest sympathy to his friends and family.

DOES JUSTINIAN STILL LIVE?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. Brinkley), is recognized for 15 minutes.

Mr. BRINKLEY. Mr. Speaker, it is a sad commentary on the responsibility of the Columbus, Ga., newspapers when the issue of best qualification is relegated to a backseat in a campaign, be it local, State, or national. During the recent city council race in my hometown of Columbus, Ga., the Democratic candidate, Milton Hirsch, was a distinguished lawyer who happened to be Jewish. Unfortunately, during the campaign anti-Jewish feelings were expressed to the Hirsch telephone solicitors and, at this point, I would like to quote from an editorial appearing in the Columbus Ledger on April 26, 1973, titled, "Viewing the Vote: And an Ugly Incident":

> We have no doubt that there might have been some isolated incidents in which anti-Jewish feelings were expressed.
>
> Those who publicly injected this issue with a sly innuendo did a terrible disservice to Columbus—one which this community does not deserve. For it has over many years developed a reputation for being able to work together no matter a person's religion or race.

How strange it was that the condemnation was for those of us who spoke out against unfair malignment—not one word of censure over those "isolated incidents in which anti-Jewish feelings were expressed."

This point was further magnified in a subsequent column which appeared in the Columbus Ledger-Enquirer of April 28, 1973:

> I'll be the first to admit that I took the so-called whispering campaign against Mr. Hirsch with a grain of salt and felt that the whole thing had been blown out of proportion as a purely political expedient.
>
> As the election results poured in and telephone callers asked results, my mind was changed.
>
> Some of the language used by what started out to be nice old ladies and little old gentlemen turned almost obscene. In more than one case I hung up in disgust.
>
> I wish I had the names of the anonymous callers. Some of them surely must have been wearing the hood of the KKK.
>
> Strange! On the surface Columbus appears to be a city fortunately devoid of widespread or deep rooted bigotry. Underneath the veneer of the city, however, (and I shed a tear because of it) there is a discrimination that is almost unbelievable.
>
> Woe be unto us if this insidious germ of hatred spreads any further. Better it be rooted out and banished forever.
>
> A lot of wars have been fought to this end, but there are those who insist on being maggots in the meat of humanity.

The following personal letters had been written by me on April 16, 1973, to Mr. W. R. Jordan and Mr. and Mrs. G. L. Bone:

Mr. W. Richard Jordan,
Midland, Ga.

Dear Richard: Why am I for Milton Hirsch? It is not enough that he is a Democrat, although he and I are Democrats; it is not enough that he has been unfairly maligned, although he has been unfairly maligned.

I am for Milton because Columbus is too big, too complicated and too important for me to remain silent on what I consider to be an important issue. The men and women who are in charge of the operation of our city have enormous responsibilities. Their decisions can affect our future for the rest of our lives.

The issue here is one of *ability* not only to make decisions but to make correct decisions, and that IS enough. Enough to make us stop and think what this election is all about. We are filling a job requiring all the competence, all the experience and all the capacity we can muster.

Won't you please consider Milton Hirsch—on his own merit?

Sincerely,

Jack Brinkley.

Columbus, Ga., *April 16, 1973.*

Mr. and Mrs. G. L. Bone,
Columbus, Ga.

Dear Guy and Lucy: Why am I for Milton Hirsch?

It is not enough that he is a Democrat, although he and I are Democrats; it is not enough that he has been unfairly maligned, although he has been unfairly maligned.

I am for Milton because Columbus is too big, too complicated and too important for me to remain silent on what I consider to be an important issue. The men and women who are in charge of the operation of our city have enormous responsibilities. Their decisions can affect our future for the rest of our lives.

The issue here is one of *ability* not only to make decisions but to make correct decisions, and *THAT IS* enough. Enough to make us stop and think what this election is all about. We are filling a job requiring all the competence, all the experience and all the capacity we can muster.

Won't you please consider Milton Hirsch—on his own merit?

Sincerely,

Jack Brinkley.

That same day, as a private citizen, I authorized reproduction of my letter to be mailed in behalf of Mr. Hirsch to every home in Columbus. There was favorable and unfavorable response to my letter. Here is one which provides perspective:

United Synagogue Youth,
North Miami Beach, Fla., April 23, 1973.

Dear Mr. Brinkley: I just finished watching the 11:00 news and felt compelled to write to you thanking and commending you on your broadcast re: the controversy involving the various letters in the campaign for the Columbus Metro-Post Council #5.

As a serious-minded government student, I have noticed flagrant bigotry and prejudice in this campaign. (Not only in the political parties, but in the news media as well.) It was very inspiring to me to see you, a Congressman, and non-Jew stand with your moral convictions.

Mr. Brinkley, the political scene lately in our city and nation has made me very disenchanted, but tonight you made me proud to be an American.

On behalf of Southeast Region, United Synagogue Youth, I'd like to offer you my sincere appreciation.

Please forgive the informality of this note.

Most sincerely,

MICHELLE (MITZI) KRAVTIN,
President, Southeast Region.

Miss Kravtin's letter was the subject of the news article below:

VOTING STAND IS DEFENDED BY BRINKLEY

A letter from a Columbus teen-ager that praised the moral character and political ethics of U.S. Rep. Jack Brinkley was used Thursday night to explain his stand in the recent city council race.

Speaking before members of the Columbus Jaycees, Brinkley heatedly supported his manner of endorsing Democrat Milton Hirsch for the Post 5 seat.

Asked why he brought up the question of "malignment" when the two candidates Hirsch and Republican Joan Mize, were carrying out such a clean campaign, Brinkley pulled a letter from his pocket and told the questioner, Bobby Ledford, he would be glad for him to see why he took such a stand.

"I'm not going to read this," the congressman told the group, "but I'll be glad to let you read this letter," he told Ledford, "and you can do with it what you like."

Brinkley did say the letter was from a local Columbus girl, Mitzi Kravtin, who is the president of the Southeast Region of United Synagogue Youth, an international Jewish youth organization.

Contacted in Ocala, Fla., where she is presiding over the annual convention of the regional group, Miss Kravtin told The Enquirer she wrote Brinkley after seeing him on television the night before the election, last Tuesday.

"I told him he had reaffirmed my belief in our political system . . . and that I was moved by the stand he was taking," Miss Kravtin said.

She added that she was astonished that a politician, in Georgia, and a non-Jew, "would take such a stand . . . supporting a candidate she felt was being unfairly maligned and was receiving biased treatment in the mass media."

Although Brinkley did not reveal the contents of the letter before the Jaycee group, they applauded him wildly when he placed the letter on the dais for Ledford.

Mr. Speaker, around the hallowed walls of this House Chamber there are relief portraits of the great law givers of history. Perhaps the greatest of these is the one of Moses, directly in front of you on the far wall.

On the left wall, at the back of the Chamber, is Justinian and to your right is Blackstone, Napoleon, and Jefferson; to your immediate left is Mason.

Moses gave us the Ten Commandments; Blackstone, the common law; Jefferson, the Declaration of Independence; Mason, the Bill of Rights.

Justinian is remembered in history as codifier of Roman law and Napoleon is remembered as the author of civil law.

The bigotry of a Justinian and the crimes of a Bonaparte are forgotten, because at their bidding, the rough places of the ways of justice were made plain. Almost forgotten.

Bigotry in any form and in any degree is wrong. Whether it is cloaked in the voice of sophistication or in reverse discrimination, it is deserving of eradication by any who find it.

May we heed the urging of a former President who said:

> With a good conscience our only sure reward, with history the final judge of our deeds let us go forth to lead the land we love, asking His blessing and His help, but knowing that here on earth God's work must truly be our own.

TAX REFORM THROUGH "INCOME AVERAGING"

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. JAMES V. STANTON) is recognized for 15 minutes.

Mr. JAMES V. STANTON. Mr. Speaker, on behalf of myself and the Honorable DAN ROSTENKOWSKI of Illinois, I would like to explain to our colleagues the so-called "income averaging" legislation that Mr. ROSTENKOWSKI and I are cosponsoring. As you know, we are urgently recommending two bills—H.R. 2416 and H.R. 3860.

This legislation seeks to correct a gross inequity in the tax laws. It does this by extending the benefits of "income averaging" to those who most need this special tax break—families whose income falls off precipitously in a given year. For example, the legislation would help taxpayers who are thrown out of work when a manufacturing plant closes down, or who are laid off for other reasons relating to the economy, beyond their personal control. It would help, too, to cite another example, families where a wife must quit work to give birth to a child, thereby sharply reducing the income of the household.

In other words, H.R. 2416 would impart a reverse twist to "income averaging." This tax-saving device has long been ensconced in the Internal Revenue Code, but heretofore it has had a thrust solely in one direction. It is available exclusively to those fortunate enough suddenly to enjoy a very good year—for example, movie stars and athletes who make it big, and ordinary persons whose income soars upward in a given year, because of promotion to a much higher paying job.

What we are trying to do here, Mr. Speaker, is to achieve a measure of symmetry in the laws dealing with "income averaging." The underlying principle of a progressive tax system is that the more a person earns, the more he pays. The obvious corollary is that the less a person earns, the less he should pay. It does not make sense to Congressman ROSTENKOWSKI, or to me, that all the benefits of "averaging" should go to people who really ought to be paying a higher—not a lower—tax. They have had a good year, and they can well afford to do this. At the same time, others who have had a disastrous year financially get no consideration at all from the Internal Revenue Service.

Mr. Speaker, so far as we know, H.R. 2416 is the first legislative proposal submitted to the Congress that would authorize what we might term "downside averaging." As to "upside averaging," Congress, in the Tax Reform Act of 1969, took action to greatly increase the number of taxpayers who could take advantage of this provision in the law. It is time now to show some consideration for less fortunate persons.

The rationale for both "upside" and "downside" averaging has been succinctly stated by Prof. Roger F. Miller, a tax expert who is well known to Members of the House who have dealt with such legislation. Mr. Miller has written:

> The purpose of averaging is to provide relief for persons with unusual fluctuations in income that are taxed at progressive rates. For an upward fluctuation averaging treats an excessive rise in income as if it were spread over a number of years and taxes it at a lower marginal rate than would apply without averaging. It is relief from excessive taxation in the current year. We believe this reasoning applies equally to negative fluctuations. An excessive fall in income implies that income in prior years was taxed at an excessive rate, and that some rebate of the prior years' taxes should be allowed to offset the current year's tax. This also provides relief when it is most needed, in the current year. Given a sufficient income decline it might result in a net refund, operating as an income supplement.

Unfortunately, Mr. Speaker—obviously, I take no pleasure in saying this—"downside averaging" would come as a boon to many of my constituents if it were made part of the tax law. In 1971, the average annual unemployment rate in Cleveland, Ohio, was 11.8 percent—the highest among the 20 largest cities. Since 1963, 69 major manufacturing firms have closed down or have moved from the city. These plants had employed more than 21,000 persons, many of whom had a difficult time securing alternative employment before their savings—if they had any—ran out. Moreover, Mr. Speaker, one-third of this job loss has occurred only within the last 2 years. And, further, the Regional Planning Commission in Cleveland estimates conservatively that an additional 5,000 jobs will be lost by 1976. I think you can see, then, why I feel so strongly that "downside averaging" should occupy a high place on your agenda as you proceed to consider proposals for tax reform.

H.R. 2416, if enacted, would result in a revenue loss of $355 million a year, according to an estimate made for us by the staff of the Joint Committee on Internal Revenue Taxation. While this might seem like a large sum, we ask you to take into account the fact that "upside averaging" already is costing the Treasury in excess of $650 million a year.

Therefore, we have submitted, in addition to H.R. 2416, the alternative bill H.R. 3860, which simply repeals the "upside averaging" provisions of the tax code. Members of Congress whose primary concern is revenue loss, and who decide against H.R. 2416 for this reason alone, perhaps will want to give favorable consideration to H.R. 3860, since it provides an opportunity not only to head off new losses to the Treasury but also to retrieve revenues that already are being waived. We sincerely believe, Mr. Speaker, that if we are to continue to have "upside averaging," we should provide also for "downside averaging"—and that, if we cannot afford the latter, then there is no good reason, in all fairness, to retain the former in the tax code. Therefore, we are asking the Ways and Means Committee to report H.R. 2416 favorably or, in the alternative, to report H.R. 3860 favorably.

Mr. Speaker, what follows is a technical summary of H.R. 2416 showing how, in many respects, this proposal runs parallel to "upside averaging" provisions extant in the tax code:

H.R. 2416 would permit a taxpayer who suffers a reduction of income to, in effect, average his income for that year with his income from a four-year base period. Such a taxpayer may be said to have overpaid his taxes during the four-year base period. Under the bill, he would recover this "overpayment" through reduced taxes in the current year, and in some instances he might even be entitled to a refund. It is estimated that, if this bill had been in effect for calendar year 1971, Federal individual income tax liabilities would have been decreased by about $335 million, assuming everyone eligible for downside averaging under the bill would have elected to use this procedure.

The tax is computed by (1) determining the average income for the base period; (2) computing the tax on 80 percent of that amount; (3) subtracting the current year's income from 80 percent of the average base period income to determine the amount of the reduction in income; (4) computing the marginal tax on one-fifth of the reduction in income and multiplying that tax by 5; and (5) subtracting the final figure in step (4) from the tax computed in step (2).

To be eligible to use these averaging provisions, the taxpayer would have to suffer a reduction in income of at least $3,000, as compared to 80 percent of the four-year base period average. Also, he would have to include in income unemployment benefits not otherwise taxable.

For example, if a worker with an average base period income of $18,000 were laid off for part of the year and his taxable income plus unemployment compensation amounted to $10,000, his savings under the bill would be $60. If he had no income (and no unemployment compensation), his tax savings under the bill would rise to $668.

The following table illustrates the effect of the bill:

ASSUME TAXPAYER, FILING JOINT RETURN, WITH $18,000 AVERAGE BASE PERIOD INCOME

	Tax under the bill	Regular tax	Tax saving from the bill
Current year taxable income plus unemployment compensation:			
$10,000	$1,760	$1,820	$60
$8,000	1,260	1,380	120
$6,000	760	1,000	240
$4,000	260	620	360
$2,000	[1] 228	290	518
0	[1] 668	0	668

[1] Credit.

Persons who have a reduction in income due to retirement would not be eligible to use these provisions. Retired persons already receive a number of substantial tax breaks under the revenue laws, such as the exclusion of social security benefits and the retirement income credit. Also, retired persons generally have diminished family responsibilities and an opportunity to plan for retirement.

The primary purpose of this bill is to help persons who have no opportunity to plan—for example; those persons out of work because of a plant shutdown; workers who are laid off; and families where a wife quits work in a given year to give birth to a child.

Persons who elect to take advantage of downside averaging would have to forego certain other tax benefits, for example, the alternative gains tax and the exclusion of tax exempt interest on bonds. In most cases these provisions will not effect persons whose primary source of income is wages from employment.

On the whole, the result of this bill would be to allow individuals who suffer a reduction in income to receive credit for taxes paid in years in which income was higher, thus lowering their taxes in the current year.

CHARLES LITTLE, A MAN WITH TWO CAREERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. BARRETT) is recognized for 10 minutes.

Mr. BARRETT. Mr. Speaker, the Philadelphia Tribune recently carried a story entitled "Mayor Honors Retired Police Clerk."

It is a story of a man, Charles Little, who retired at the age of 86 after serving 11 years in the Philadelphia Police Department as a clerk, a position he took upon retirement from the Philadelphia Navy Yard at the age of 75.

Charles Little is truly a remarkable man, who can look back with pride over a lifetime of two careers.

I include the newspaper article at this point in the RECORD:

MAYOR HONORS RETIRED POLICE CLERK

Charles Little, 1239 S. 19th Street, was a little bit concerned when a Police Squad Car rolled up to his home and the officer rang the bell and informed him Mayor Frank Rizzo wanted to speak to him in his office.

Little, who retired after working 11 years in the Police Department as a clerk, had no idea why Mayor Rizzo wanted to see him—and in his swanky office, too.

"I wanted to congratulate you upon reaching your 86th birthday" Mayor Rizzo greeted him when finally he reached the office. "We don't have many retired people from the Police Department who celebrate their 86th birthday. I want to have your picture taken with me and I'll send you one" the Mayor informed the surprised Charles Little. He also gave Little a $10 birthday present.

STARTED IN 1948

Mr. Little told the Tribune that he had been a clerk at 323 Race Street beginning in 1948. He had been sent to Philadelphia General Hospital on his first clerical assignment after having retired from the Philadelphia Navy Yard.

The Policemen of the 17th District, especially Patrolman John R. Badea No. 2379, made Mr. Little's visit to Mayor Rizzo's office possible. He is one of the favorite visitors at that Station House.

Mr. Little said he has been married to Carrie, his wife, for 55 years and they have been happy ones even if they were not blest with children.

He was born in Tarboro, N.C. near Rocky Mount, N.C. and has been a member of Union Baptist Church for 50 years. He is a 50-year member of Widow's Son Prince Hall Masonic Lodge No. 4 and proudly wears a gold emblem awarded him.

HEARINGS ANNOUNCED BY FOREIGN OPERATIONS AND GOVERNMENT INFORMATION SUBCOMMITTEE ON LEGISLATION TO STRENGTHEN THE FREEDOM OF INFORMATION ACT

(Mr. MOORHEAD of Pennsylvania asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, I call to the attention of our colleagues the scheduling of hearings by the Foreign Operations and Government Information Subcommittee on bills to strengthen the Freedom of Information Act of (5 U.S.C. 552). These measures—H.R. 5425 and H.R. 4960—are sponsored by myself and the gentleman from New York (Mr. HORTON) and are cosponsored by several score of our colleagues in the House. They are designed to improve the administration of the act and to plug numerous loopholes discovered during the subcommittee's investigative hearings last year and discussed in detail in the unanimous Government Operations Committee report based on these hearings (H. Rept. 92–1419).

The legislative hearings will begin on Wednesday, May 2, at 10 a.m. in room 2154, Rayburn House Office Building, and will continue through Thursday, May 16. The first day of hearings will consist of a panel of distinguished members of the news media, all of whom testified many years ago at hearings of the subcommittee on freedom of information matters when the gentleman from California (Mr. Moss) was its chairman. They include:

Mr. J. R. Wiggins, former editor of the Washington Post and former president of the American Society of Newspaper Editors. He is presently publisher of the Ellsworth American, Ellsworth, Maine;

Mr. Clark Mollenhoff, Washington Bureau Chief of the Des Moines Register-Tribune and former special assistant to President Nixon until 1970;

Mr. Herbert Brucker, former editor of the Hartford Courant and a former president of the American Society of Newspaper Editors;

Mr. Creed Black, now editor of the Philadelphia Inquirer, who most recently served as HEW's Assistant Secretary for Legislation; and

Mr. Richard Smyser, editor of the Oak Ridger, Oak Ridge, Tenn. and a vice president of the Associated Press Managing Editors.

Members of Congress will be heard on Monday, May 7, beginning at 10 a.m. in room 2203, Rayburn House Office Building. Those wishing to testify should contact the subcommittee office—Extension 5–3741 by Thursday, May 3. The hearing record will be open for statements until Friday, May 25.

Witnesses from the Justice and Defense Departments and from the administrative conference of the United States will be heard on Tuesday, May 8, beginning at 10 a.m. in room 2154, Rayburn House Office Building.

Outside organizations and individual witnesses will be heard on Thursday, May 10, beginning at 10 a.m. in room 2154, Wednesday, May 16, beginning at 10 a.m. Rayburn House Office Building, and on in room 2247, Rayburn House Office Building.

Mr. Speaker, the subcommittee began its inquiries into the "people's right to know" back in 1955. Eleven years later, Congress enacted the Nation's first Freedom of Information Act (5 USC 552), which was intended to provide the widest possible citizen access to information and records of the Federal Government—subject only to nine limited areas of exemption that could be claimed by Government officials in denying requested information.

Since the law took effect on July 4, 1967, there have been nearly 200 freedom of information court cases and many thousands of other cases when the law has been successfully used to obtain information or records from Federal agencies without going to court. But vast numbers of examples of unnecessary Government secrecy still remain entrenched within the Federal bureaucracy. Thus, we are nowhere near the goal of a fully-informed public in a democratic society which was the hope of those who launched the freedom of information fight almost two decades ago.

Moreover, the law did not become the weapon the free press needed to fight against Government secrecy. We may have fallen short of our goal of open Government largely because the statutory weapon was inadequate to do the job. One of the major conclusions reached after some 41 days of the subcommittee's investigative hearings during the last Congress, at which more than 140 witnesses testified, was that bureaucratic foot dragging—5 years of it in both Democratic and Republican administrations—made the law a dull weapon in the hands of reporters and editors.

The press has made little use of the law that they had a large part in helping to enact. Too few reporters and editors know how to use the freedom of information law and the agency regulations implementing it.

A large share of the blame lies with the administrators of the law. Not one executive branch witness testified in favor of the bill during the subcommittee's hearings prior to its passage in 1966. When it was enacted over their opposition, they reluctantly administered the letter, but ignored the spirit of the law.

Congress must also share part of the blame. The law was the product of legislative compromise and, therefore, is not a perfect instrument that is fully usable by representatives of the free and responsible press and the public. Legislation to be considered at our May hearings is designed to clarify, strengthen, and to thus make the Freedom of Information Act a much more effective tool in prying loose the tightly held secrets of the Federal bureaucracy—very often kept from the public to hide waste, inefficiency, scandal, or to protect the political careers of individual Government officials.

Mr. Speaker, I am confident that the broad bipartisan support for strengthening amendments to the Freedom of Information Act that exists within our committee will result in favorable House action on the bill which emerges from these hearings. I solicit the support and assistance of all Members in this effort.

THE RIDDLE OF THE WHITE HOUSE

(Mr. BRADEMAS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BRADEMAS. Mr. Speaker, I include the following statement from an English paper, the Observer Review of April 22, 1973:

THE RIDDLE OF THE WHITE HOUSE

(By Michael Davie)

WASHINGTON, *April 21.*

When President Nixon stepped up to the microphones in the White House this week to make his electrifying "major developments" statement about the Watergate scandal he wore a small American flag in his buttonhole, his tie was in a Windsor knot, and his sideburns came down to the midpoint of his ear—the very length, as it happens, permitted by the police department of Oakland, California.

Norman Mailer once described Nixon as looking like an undertaker; but as he took to the rostrum to make his historic announcement, it seemed to me that he resembled less an undertaker than the manager of a medium-price motel who had emerged from his office to quieten complaints from the guests. The President almost entirely lacks presence; he is the most powerful man in the world, but the power does not show. By comparison with his predecessor, President Johnson, whose slow, watchful entrance into a room instantly heightened the tension of everyone in it, Nixon seemed quite ingratiating and nervous.

He was not assisted, it seemed to me, by the nature of the environment that his aides have arranged for him. In the old days, Presidents called reporters round their desk when they had something to say. When Nixon came to office, the White House Press room was simply the lobby of the west wing, which is where the acton is. Now, however, consistent with this administration's concern for orderliness, a special Press room containing decorous high-backed chairs and prints of riverboats has been built over the old White House swimming pool, where President Johnson used to invite visitors to swim with him naked. President Nixon this week spoke for eight minutes, reading every word from a text, and then left. Some newspapers referred to the event as a Press conference.

The facilities in this refined motel lobby are a great improvement on the facilities in the old lobby with the battered green armchairs. There is even a candy dispensing machine, which modern White House correspondents have been known to use. But the place is antiseptic, and separate.

OVAL OFFICE EMPTY

Perhaps the formal centre of power, the Oval Office, has more of the reek of politics? The answer is: not under President Nixon. It is hard to imagine that anyone ever works in the Oval Office now; the desk top, when the President is elsewhere, is entirely empty, its surface polished like glass. There is no sign of books or papers. The Oval Office used to be a beautiful room; Mr. Nixon's preferred decor features a royal blue carpet, with large gold stars round the edge, and sofas, and chairs of a violent canary yellow. The room dazzles, but shows no trace of the only man who uses it.

The President sometimes works in another office in an adjacent building and does his thinking still further away, out of Washington altogether, at Camp David. His strength as an administrator is the speed with which he absorbs information; "It may sound a bit uncomplimentary," says an old associate, "but he is a blotter. I've never seen anyone who can absorb information as fast as he can." He likes the information to be written down, and to be full of facts. He has built his method of government on this strength. He runs the country very privately, seeing few people, except on ceremonial occasions, and relying on a tight circle of advisers.

ORDERLINESS AND PRIVACY

The system, one is told, makes for orderliness: early morning meetings, agendas, regular channels, memos, action. No disruptive private lines out from the President to private sources of information, as under Roosevelt. No idleness and golf shoe studmarks on the White House floors, as under Eisenhower. No telephone calls direct from the Oval Office to humble members of the bureaucracy, as under Kennedy. No interminable sessions with barbecue cronies, while the President drank root beer and scratched his crotch, as under Johnson. It is an odd fact that Nixon, alone among recent Presidents, has no political cronies; though not himself abnormally interested in money, he admires rich men, and his only associate who might be called a crony is the rich and discreet bachelor Bebe Rebozo, who is not political.

After the much talked-about orderliness and privacy, the characteristic of this administration that even the politest visitor cannot help noticing is the strong smell of corruption, which goes far beyond the Watergate scandal and seems to be an important part of its hinterland. If it is true that Mr. John Mitchell, the former Attorney-General, is indeed deeply implicated in the Watergate conspiracy, the performance of the Justice Department as a whole while he was the nation's chief law enforcement officer will be in question.

ARTHUR KROCK COMMENT

I sought the opinion of a man universally respected both for his judgment and for his breadth of experience, Arthur Krock, formerly of the *New York Times*, who has been watching politics at close quarters in Washington since 1910, and who continues to do so. He opined that this was the third most corrupt administration in American history. "Nixon looks about number three to Grant and Harding, but trailing a fair way back," he said.

Mr. Krock mentioned the Vesco case, which features a friend of Mitchell's, Robert L. Vesco. The Securities and Exchange Commission says that Vesco is the principal figure in an enormous securities fraud ($224 million, to be precise). He also secretly contributed $200,000 to the Nixon Campaign Fund a year ago. Packed in a suitcase, the cash was delivered direct to Maurice Stans, the President's campaign finance chairman and his former Secretary of Commerce, three days after a federal law came into force requiring the identification of contributors to federal campaign funds. This particular contribution was not reported.

Mr. Vesco, who is 37, and who has employed the President's nephew, Donald Nixon, Jr., as an aide, is now in Costa Rica, where he has been investing in firms run by the President of Costa Rica, another successful financier. Vesco told the television viewers down there the other day that he fell in love with Costa Rica the moment he saw it, and at once decided to start a new life there. This is not Vesco's first foreign adventure. When, in December 1971, he was in jail in Geneva, Mr. Mitchell was in the Justice Department, and he personally made the telephone calls that got him released. None of this would have been known had not a former associate of Vesco's revealed it.

Mr. Krock also had in mind the Wheat Deal Scandal and the Milk Scandal, which reach into the White House, and the ITT Scandal, which again involved the Justice Department. He may have been thinking, too, of another heavy contributor to the Nixon camapign chest (not Vesco) who very soon afterwards received, unusually, permission from the Federal Government to start a private bank.

I was uncertain whether Mr. Krock had noticed, besides, that Mr. Nixon's osteopath, who accompanied the President to Russia last year, had just been indicted for failing to declare many thousands of dollars of income to the federal tax authorities. Being a man who concentrates on esesentials, Mr. Krock may have missed, as well, a comic episode in Maryland, when a Baltimore Senator led the support for a Bill to stop liquor stores being undercut by discount stores. It then emerged that he owned a liquor store.

Surely, he was asked in the Senate, he should have declared a conflict of interest? "Conflict of interest?", the Senator exclaimed. "How does this conflict with my interest?"

SECRET FUNDS

Money from Vesco, the milk producers and the enterprising banker helped to swell the huge Republican campaign fund of $50 million and a subsidiary, secret fund that financed the criminal conspiracy to bug the Watergate headquarters of the Democratic Party, for which five men are now in jail under heavy sentences. Despite the leaks and rumours, and despite the Watergate trial, very little has been incontrovertibly established about the extent and ramifications of conspiracy. Everyone is guessing.

An attempt was certainly made to disrupt the political process of electing a President. How extensive was it? How many operatives were involved? What precisely were they hired to do? Why were Nixon campaign funds laundered through foreign countries? What exactly were the Watergate conspirators looking for? Who master-minded the operation, and how close was he to the President? Who lied to whom in the White House? Was someone lying to the Press Secretary before he made his repeated denials about White House involvement, an involvement that has now been virtually admitted by the President? Why else does a Presidential Press Secretary sandbag himself?

Thus the orderliness of the White House begins to look less orderly. The same is true of some of those known to have been deeply involved. Dwight Chapin was personally recruited to the White House staff by Bob Haldeman, the President's right-hand man. I happened to meet Chapin in the White House in 1969, an alert, pleasant, cool young Southern Californian who was the President's Appointments Secretary, a post he held until he abruptly left to join United Airlines. He looked as clean and efficient as the White House interior, which always appears freshly painted.

Chapin was the White House contact of a young attorney, also from Southern California, named Donald Segretti, who was allegedly one of more than 50 undercover operators recruited to assist Nixon's re-election by infiltrating rival campaigns or feeding misleading information to voters. Segretti at first denied that he knew anything about such operations; 'ridiculous,' he called them. Last week, however, after he had testified behind closed doors to a Federal Grand Jury in Washington, he did not deny anything. In fact, he declined to speak at all.

From these two, the thread of Watergate involvement evidently leads, whatever Mitchell's role, higher up the White House staff, to Chapin's equally orderly colleagues. Several of these are Southern Californians, too, notably Bob Haldeman, an esthetic crew-cut Christian Scientist, who has been the President's hatchetman since he took power.

CALIFORNIA SYNDROME

The character of the White House staff has been determined by the peculiarities of life on the West Coast, and it is in Southern California that the roots of this Administration may be found. Perhaps one may look there for a generalised explanation of the Watergate conspiracy.

Californians are often thought of as open-minded, relaxed, experimental people, but these White House Californians belong to a different strain. They exemplify instead the spirit of Orange County, Los Angeles, which is one of the most conservative regions of the US: suburban, prosperous, new, fast-growing, white, intensely orthodox, patriotic, church-going, often puritanical, often rootless, often heavily mortgaged, and often fearful that something unpredictable may happen—factory closures, space agency cutback, tax increases—to put the citizens on a slide that will put them back into the ranks of the poor from which many of their parents escaped.

The White House staff do not all come from Orange County in fact, but they do so in spirit. A new generic term is needed to describe them, as "Ivy League" is applied to well-off, privately educated, Europeanised products of the East Coast. These Orange County Boys are proud of being Californian, yet they also often feel inferior to and suspicious of eastern Americans, especially Ivy Leaguers. Nixon, in his youth, used to stand on the railway line at home in Whittier, outside Los Angeles, and gaze longingly down the tracks, towards the east; Californians often feel that they need to go east to prove themselves.

SWING TO THE RIGHT

The White House staff had their first political experiences as part of the swing to the hard right in California—provoked by black riots, students rebelliousness, and high taxes—that made Reagan Governor. "It is time to get big government off your back and out of your pocket," said Nixon in his budget address last January. Here is a theme of the Administration that might have come straight out of Reagan's 1966 Campaign Handbook. Caspar Weinberger, a principal architect of Nixon's new budget, which cuts social welfare provision, used to be budget director for Reagan. Nixon has always liked fresh blood. His present aides joined him some 10 years ago and have come up with him very fast, recruiting friends on the way.

"Their view is professional, managerial. California is the first suburban State and I don't think Haldeman and Co. are aware of what real social problems are," a southern California Congressman told me. "They still have a kind of Puritan ethic—my father made it, I made it, so if I can do it why can't others? They have a very tough ideological approach. They have preconceptions. And they are defensive. They don't trust the people in government, the Civil Service, and they're filling more and more slots with people in their own mould."

They move around very little in Washington. 'You never see them at private functions,' a girl who moves around a great deal told me. 'If there's not a head table, there won't be any Administration people. They don't like it. Nixon doesn't like it. They socialise only in the way of business. They have very few social graces, and they are not good at small talk.' A sociable politician remarked: 'It's the damndest thing. They're all cut from the same cookie-cutter, there's not a laugh in a car-load.'

The one important Administration figure with a light social side is Dr. Kissinger, but the contrast between him and most of his White House colleagues is more than purely social. Gossiping the other evening to Mrs. Alice Roosevelt Longworth, a fine old lady who is President Theodore Roosevelt's daughter, now 89, the pair of them seemed to belong to another world, as, indeed, they do.

KISSINGER APART

Kissinger is the only White House person whose socialising is tolerated; and the only one who has dared to make jokes about Haldeman. 'When I handed in my work-sheet to Bob Haldeman before coming out . . .' In a speech last week he seemed to be making public signs that he is uneasy about the Administration's aims. After some jokes, he became serious. He called for a national debate on national priorities, following the end of the Vietnam War. 'Without knowing where you are going,' he said in his deep lecturer's voice, 'you can administer a country but you cannot govern it,' a remark that some of those present took to be a comment on the President's domestic posture.

The Californians make enemies, which Kissinger tries to avoid. At the time of the election, he dined happily with Frank Mankiewicz, who was McGovern's campaign manager, in company with several fierce critics of the Vietnam War. Haldeman, by contrast, described critics of the war as 'consciously aiding and abetting the enemy of the United States,' which was very close to accusing them of treason. He repeated his view after it was pointed out to him that the critics included many US Senators.

Abroad, Nixon still uses members of the old East Coast foreign policy establishment; their symbol, David Bruce, former US Ambassador in London, now en route to China, attended the Kissinger speech the other evening and laughed so much that he had to mop his eyes with a handkerchief. But on the home front, which does not greatly interest the President, and which has been more open to the influence of Haldeman and John Ehrlichman, the President's closest domestic policy adviser, the liberal Republicans of Nixon's first Administration have now almost to a man, either removed themselves or have been removed.

Congressmen complain that the White House has no idea of the effect of its policies, or that if it does it does not care. An Englishman who has just traveled 9,000 miles around the country told me that he was astonished by the way the Federal Government could simply stop welfare programmes overnight. 'In England the Government might make people pay more for prescriptions, but this Government is simply closing welfare schemes down.' In Lowndes County, Missouri, he had come across a black woman, Mrs. Clara Brown, with eight children, who used to get free treatment for her high blood-pressure at a new local, medical centre, the only building in Lowndes County with a lift. Now the centre is bolted and barred. My friend asekd Mrs. Brown what she would do if they were ill. "Just remain ill," she said.

For 40 years, the Federal Government has been gradually becoming an instrument of public welfare, especially the welfare of minorities. Now this Administration has had a glimpse of the obvious. The majority—unblack, unpoor, over-taxed—has more votes than the minority. The Administration's evident lack of concern with the Mrs. Browns may be why the adjective "ruthless" applied to them may not be inappropriate. They tend to see the world in Orange County terms; people are either regular, striving Americans, or bums, or enemies.

WHITE HOUSE INTEMPERANCE

Their intemperance, illustrated by Haldeman's description of the Vietnam critics, may be further illustrated by their attitude to the *Washington Post*, which, alone, kept digging into Watergate and which now has been fully vindicated: one of the finest hours of American journalism. It will soon be announced that the Watergate coverage has won the paper Pulitzer prizes. In October last year, the White House Press Secretary called the *Post* reporting "a blatant effort at character assassination that has not been witnessed for some time." Another White House aide publicly described the Executive Editor as "infecting the healthy mainstream of American journalism."

MURRAY CHOTINER COMMENTS

Among older politicians around town, one can discern a certain disdain, perhaps contempt would not be too strong a word, for the new White House breed. Murray Chotiner is Nixon's oldest political associate in Washington; he managed Nixon's campaign for the Congress in 1946, and has worked with him off and on ever since. In his time, Chotiner has been accused of practically every form of political chicanery, and I went to see him to hear his view of the Watergate.

He is a California lawyer in origin, now in his early sixties, but he looks like a Pittsburgh cab-driver, with a battered face and a nice big gold wristwatch. He has had four wives. In 1966 a Malibu land developer was jailed for threatening to kill him. In 1957, an estranged husband, on bail on a charge of raping his 15-year-old stepdaughter, shot both his wife and his stepdaughter in Chotiner's West Coast office. As long ago as the mid-fifties, President Eisenhower was being asked questions publicly about Chotiner's political activities.

'First, the Watergate is stupid,' he said. 'Second, it's horrible. And third, they weren't going to find out anything anyway before the Democratic convention. Besides, it's ridiculous. It's the easiest thing in the world to find out what your opponents are doing in a political campaign. No disrespect to your profession, Mr. Davie, but you simply get hold of a friendly newspaper reporter to find out. Or you just put someone on their payroll. It's that simple.'

Then he gave me his view of the men who have recently been giving political advice to Mr. Nixon. 'They reached the top too fast,' he said, 'without seasoning or training. When Mr. Nixon became President in 1968, and the Press were calling for him, Ziegler came to me and said, "Murray, what shall I tell them?" He didn't have the experience.

'Ehrlichman was a tour director. Mitchell was only on the 1968 campaign. Haldeman was an advance man, chief of staff for the campaign workers, dealing with details, not judgments. When he became a campaign manager in 1962, he lost. There aren't the people in there who've had the political experience.' Still, I said, they did win by a landslide in 1972.

Chotiner grinned. 'When I was in the White House I used to send notes round saying that the President would win in '72 in spite of the campaign. I predicted that he would win by an historical sweep. Haldeman hated me for those notes.'

Mr. Chotiner looked out of the window in the direction of the White House. 'Nothing is more arrogant than youth,' he said.

Arrogance, too much money pouring in from suspect sources, a lack of any tradition to fall back on, amateurism, and an Orange County-style belief that any methods were justified in order to defeat enemies and Democrats: these may turn out to be the links between the orderliness of the Administration and the disorderliness of the conspiracy.

One may hope that the President feels the shame of it, though he has not yet shown much sign of it. Perhaps the President, and his aides, should spend a few nights sitting up late with Mrs. Alice Roosevelt Longworth, Arthur Krock and Ambassador Bruce, their feet on those pristine yellow sofas, talking about Benjamin Franklin and Mark Twain and Henry Adams.

OUR NEW COMPTROLLER FOR DEFENSE—HON. TERENCE McCLARY

(Mr. WYMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WYMAN. Mr. Speaker, it was with great pleasure that I learned of the nomination of Mr. Terence E. McClary to the position of Assistant Secretary of Defense—Comptroller.

I want to share with my colleagues, some personal knowledge of Terence McClary.

One of the vexing problems facing this Congress is to balance the critical need for an adequate national defense with other national priorities in the context of limited revenues. The objective is to receive the highest return for the tax dollar.

As we review the operations of executive departments, we have all become aware that effective budgeting and control of expenditures are essential to assure a high return.

In the case of defense spending, which involves large sums of money and a wide diversity of programs, the Assistant Secretary—Comptroller—plays a key role in carrying out administration programs and congressional insistence on cost-effectiveness.

Throughout his career Terence McClary has been involved at responsible decisionmaking levels in large-scale financial management, in contracting with the Federal Government, and in managing of comprehensive data management systems.

He is vice president—controller and contracts, and a director of Sanders Associates, Inc., a New Hampshire company that is a major manufacturer of advanced defense electronics systems, and commercial data management terminal systems.

His broad background in financial management began in 1949, following his graduation from the University of Nebraska, when he joined General Electric's financial management program. He rose steadily through increasingly responsible positions to become a group manager of finance before assuming his present position at Sanders in 1969.

Mr. Speaker, Terence McClary has the type of experience and dedication we in the Congress, and the American people, hope persons in high office will have. I want to commend the administration and our President for nominating him to be Assistant Secretary. I am confident that the Senate of the United States will consider his nomination favorably.

STAND FAST ON JACKSON-VANIK

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, there are now efforts underway to undermine the Jackson-Vanik bill which would prohibit most-favored-nation treatment to any country which denies its citizens the right to emigrate or which imposes more than nominal exit fees on emigrating citizens. These efforts should be repulsed. Those of us who have announced support for Jackson-Vanik should stand fast.

While many believe that Jackson-Vanik is a bill solely to aid Jewish emigration from the U.S.S.R., the truth is that it would help many other groups similarly affected and afflicted by Soviet discrimination. In today's Washington Post there is a report that the U.S.S.R. has imprisoned four Evangelical Baptists "in the latest of a series of moves against small religious groups in the Soviet Union." That same news item goes on to report the persecution of Jehovah's Witnesses in Lithuania, Latvia, and northwestern Russia as well as Buddhists sects in Leningrad and Vilnius. Similarly, yesterday's New York Times described the continued harassment to which Jewish activists who wish to emigrate are subjected.

The Jackson-Vanik bill is ecumenical in scope, however, and does not simply relate to the ransom tax for Jews but specifically calls for open emigration policies by a country desiring most-favored-nation status from our country. There have been attempts by the leaders of the U.S.S.R. to deceive those of us who support Jackson-Vanik by reporting that the ransom tax, while on the books, has, in fact, been rescinded. Even if no tax is applied, the situation effectively remains the same because the Soviet Union continues to bar emigration through other means. Many have been refused exit visas without any reason at all. In some instances, Soviet officials raised the issue of national security; but clearly many have been rejected who have never participated in any kind of activity that the U.S.S.R. could by any definition describe as secret.

It is not easy to be religious in the Soviet Union no matter what one's religion, but the state has made some accommodation for some major religious groups. Attention has been paid by world opinion to the persecution directed against the Jews because they are the 12th largest minority in the Soviet Union, approximately 3 million in number, and the actions taken against that group have been widespread and especially brutal.

While we cannot compel the Soviet Union to do justice to its own citizens, and to comply with the United Nations agreement to which it is a party, which guarantees the right to emigrate, we can refuse to accept these policies by acceding to its request for trade agreements. We must stand firm in our support of the Jackson-Vanik bill. May I add at this time that our distinguished colleague in the Senate (Mr. JACKSON) in particular, should be commended for his unstinting efforts and steadfastness in this issue.

The articles which detail the persecution of religious sects in the Soviet Union are appended:

[From the Washington Post, Apr. 30, 1973]

SOVIETS JAIL SECT LEADERS

Moscow, April 29.—A Byelorussian court has imprisoned four Evangelical Baptists in the latest of a series of moves against small religious groups in the Soviet Union.

Other persons sentenced in recent months have been a Buddhist scholar who had followers from the Mongolian border to the Baltic and an underground group of Jehovah's Witnesses in Lithuania, Latvia and northwestern Russia.

The sentencing of the Baptists to varying terms of imprisonment was reported in the Friday issue of Sovietskaya Byelorussia, the newspaper of the Byelorussian Communist Party. It reached Moscow today from the Byelorussian capital of Minsk.

The newspaper said two men and two women were tried and sentenced recently in the town of Soligorsk. It gave no dates.

The four were members of a Baptist splinter group called the *Initsiativniki*, "Initiativists," which split in 1961 from the official church leadership, the All-Union Council of Evangelical Christians and Baptists.

STATE CONTROL

The splinter group said church leaders had betrayed the faith by allowing state authorities to exercise full control over the church and its activities.

The four Byelorussian "Initiativists" were accused at their trial of not registering their congregations with the authorities, giving religious instruction to minors and forcing them to attend services, and urging disobedience of Soviet laws.

Sovietskaya Byelorussia said the four preached "the sinful character and depravity of Soviet reality and hurled mud at everything created by the Soviet people."

The charges were almost identical to those against nine Jehovah's Witnesses sent to labor camps earlier this month after a trial in the Lithuanian port city of Klaipeda.

They were also similar to the accusations made by the state against the Buddhist scholar, Bidya Dandaron, He was sentenced to five years in a labor camp after a December trial in the south Siberian city of Ulan Ude.

Dandaron, 58, was accused of forming Buddhist sects in Ulan Ude, Leningrad, and the Lithuanian capital of Vilnius. The prosecution said the sects performed ritual sacrifices, engaged in "sexual mysticism," and beat up people who left the groups.

The state also alleged that Dandaron corrupted young people and preached "a cult of violence" and his own idolization as a demigod.

Friends of Dandaron called the charges absurd and said he had primarily an academic interest in Buddhism and the Sanskrit language, which he taught at an Ulan Ude institute under the Siberian branch of the Academy of Sciences.

Four associates of Dandaron were declared insane and incarcerated. Seven others, mostly teachers, lost their jobs. Another was expelled from graduate study at Leningrad State University.

On Friday, the Central Trade Union newspaper, Trud, said Dandaron had been depicted in the West as a martyr for his convictions but that he was really a criminal and chronic alcoholic.

Sensational criminal charges are often used to discredit religious leaders. The head of the Jehovah's Witnesses, for example, was accused in a long press attack of black marketing and collaboration with Nazi occupiers.

Recent articles have also charged that religious groups send agents to the Soviet Union as tourists to make contact with religious dissenters.

Soviet customs agents were on a special alert this weekend for Bible-carrying tourists. A report from Copenhagen Thursday said 200 Christian youths from the United States and Western Europe would visit the Soviet Union during the May Day holiday and distribute Bibles in Red Square.

[From the New York Times, Apr. 29, 1973]

SOVIET EMIGRATION CURBS SAID TO CONTINUE

(By Theodore Shabad)

Moscow, April 28.—Item: Denis A. Pekarev, a Moscow geometry instructor, is being denied permission to emigrate to Israel on the ground that his parents will not give written permission. Mr. Pekarev is 35 years old and married.

Item: Garry D. Tabachnik, a 40-year-old disk jockey on the Moscow radio, obtains permission to emigrate and presents his luggage at customs. Inspectors find the manuscript of a short novel he has written about a Soviet Jew who wants to leave for Israel. The manuscript is judged anti-Soviet, Mr. Tabachnik is arrested and he is not heard from afterward.

Item: Yevgeny V. Levich, 24-year-old astrophysicist who has been forbidden to leave the Soviet Union, is ordered to report for a tour of military service. He refuses on the ground that he is under treatment for possible cancer.

These are only some of the dozens of cases that Jewish activists are likely to recite when asked about the state of the emigration controversy. As far as they are concerned, now that the widely opposed education fee has been lifted, education fee has been lifted, Soviet practices are back to where they were before last August, when it was imposed.

EMPLOYMENT IS LOST

Emigration from the Soviet Union has always been viewed here as a step virtually approaching treason.

Under the pressure of Jews wanting to emigrate to Israel, permission to leave has been granted in recent years to a selected number of persons in a highly bureaucratic process that also involves loss of employment and social ostracism for those who declare their intention to leave and outright refusals to most persons of prominence.

The head tax, designed to recover the costs of a free higher education, was evidently intended to discourage the departure of Jews who not only accounted for most of the emigration but also represented the most highly trained segment of Soviet society. Although the high fees received publicity abroad, they did not really represent an insuperable obstacle to emigration, in the view of militant Moscow Jews.

They contend that the head tax, running into the thousands of dollars, with credit for length of employment, affects only a relatively few educated and skilled persons who were getting permission to emigrate.

MOST ARE REFUSED

Most persons with advanced training, the informants contend, are being refused exit visas on the ground of state interests—a concept that can be stretched widely in a country where the Government controls virtually all economic activities as well as science and the arts.

According to this analysis, educated Jews who were allowed to leave the country often managed to collect the tax money, either by selling their belongings or through help from abroad. Some refused to pay the tax as a matter of principle, but relatively few stayed solely because of inability to produce the required fee.

The lifting of the tax, which became apparent in early April, was evidently intended to overcome Congressional opposition in the United States to trade concessions to a country that inhibits the right of its citizens to emigrate or levies more than nominal exit fees.

The Soviet authorities, in their attempt to placate Congress, chose to focus on the head-tax aspect of emigration. They were evidently encouraged in this approach by the Nixon Administration, which opposes linking East-West trade and Soviet emigration practices.

It appears that no education fees have been levied in recent weeks, although the head-tax law remains on the books. It has been reported that the authorities have revoked a charge of 500 rubles, or $660, for renunciation of Soviet citizenship, required of all emigrants to Israel. This leaves only a fee of 400 rubles, or $530, for a visa good for travel outside the Soviet bloc.

There have been unconfirmed reports that an internal directive of the Soviet Government in late March ordered that anyone who had completed his education by the end of 1972 would be exempt from the education tax. This raised the question whether the suspension of head-tax payments would also apply to those receiving a free higher education in the future.

Tax or no tax, the Jewish activists in Moscow insist that nothing has basically changed in emigration procedures. According to these informants, the application process remains a * * * affidavits, ranging from a * * * who has by that time usually dismissed the applicant—to a statement that one's parents do not object, regardless of the applicant's age.

Soviet officials seek to justify barring the departure of trained scientists and others on the ground that no country can permit its best brains to leave indefinitely without some limitations. But applicants for emigration are deprived of their basic employment in most cases anyway so that the state derives little if any benefit from their talents.

LAW AND ORDER: WHOSE LAW? WHOSE ORDER?

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, the recent alleged wrongful break-in by Federal law enforcement officers into the homes of citizens in Collinsville, Ill., must cause all of us great concern. These actions by law enforcement officers appear on their face to be gross violations of the constitutional rights of the citizens involved. What must give great pause to even the most extreme exponent of law enforcement advocating almost any police action is the fact that the citizens whose homes were broken into were the victims not only of illegal actions by law enforcement officers but were not even the intended victims of those enforcement officers. What those innocent families went through before those so-called law enforcement officers determined that they had made an error in identification is near unbelievable.

The fright involved, particularly because of the lethal threats made by the law enforcement officers at the time of the alleged illegal break-in, will undoubtedly leave its mark on those people for the rest of their lives.

Mr. Speaker, there is a breakdown of law and order in this country but it is not limited to the street criminal; it has its roots in the apparent criminal activities now charged to men holding the highest positions in the White House as advisers to the President. Is it any wonder that some law enforcement officers looking to the White House for leadership followed a lawless course of action. If we are not careful, Mr. Speaker, and if we fail to hold those in high places responsible for their lawless acts we run the risks of becoming a "banana republic." In Haiti Mr. Speaker, they had the "Tonton Macoute" to enforce law and order. Their counterparts apparently exist in our country and that is intolerable. The article in today's Washington Post describing the break-in follows:

THE NIGHT OF TERROR: "WE MADE A MISTAKE"

(By Dennis Montgomery)

COLLINSVILLE, ILLINOIS, April 29.—Herbert Giglotto, 29, and his wife, Louise, 28, had gone to bed at about 8 p.m.

"At about 9:30 we hear this crash. We hear this screaming. I take about three steps out of my bed and I see these hippies with guns," Giglotto recalled today. I told my wife, "My God, we're dead."

Across town at another home Donald Askew, 40, had just sat down to dinner with his wife, Virginia, 37, and their 16-year-old son, Michael. He looked out the window, he remembered, and saw several armed men in the yard.

Seconds later, he said, the men were at the door, trying to kick it in. Askew called to his wife to phone the police. She fainted. Askew told his son to run for his life.

The armed men who forced their way into the Askew and Giglotto homes last Monday were conducting narcotics raids. They came on the raids with no warning and apparently no warrant. They left when the raids turned out to be a mistake.

Myles J. Ambrose, director of the federal Drug Abuse Enforcement Program and a special assistant attorney general, said today it is his "understanding" that the men were agents from the program's St. Louis office.

Paul Cigliana, Collinsville police chief, confirmed that the raids were conducted by a "strike force" of federal narcotics agents from the St. Louis office.

Cigliana said he believed that policemen from some municipal police forces in the area also participated, but he added. "I don't think there were too many of them."

Cigliana said no policemen from his department were involved. A spokesman from the Madison County sheriff's office said, "As far as I know there was no cooperation from this department."

Federal narcotics officials from the St. Louis office could not be reached Sunday, but had declined comment earlier. Askew said the men gave him the telephone number of the office to verify their identities.

Two days after the raids, Ambrose issued a statement: "I have directed an inspection team to thoroughly investigate this matter. If any federal agents have acted improperly, appropriate action will be taken. Under no circumstances will I permit my agents to violate anyone's constitutional rights."

Contacted at his Chevy Chase, Md., home, Ambrose said today, "The investigation is being conducted. When I have all the facts I will take appropriate action."

Ambrose, asked whether the investigation is top priority, said, "You bet your sweet life it is."

Before the raiders left without apologies, Giglotto said he and his wife had been threatened, bound, insulted and their apartment left in shambles.

"I've never had anything to do with narcotics," Giglotto, a boilermaker, said, "I hate it. I've never had anything to do with drugs and my wife never has."

The men did not identify themselves, he said, and showed no warrant. "They knocked me down across the bed and handcuffed me and my wife. They had our hands behind our backs. I was in my underwear and she was in her negligee."

"Just shut your mouth or I'll kill you," Giglotto quoted one agent as saying after he was asked to identify himself. The man reportedly told Mrs. Giglotto he would kill her husband if she did not tell him where the drugs they sought were hidden.

With 15 raiders in the room and more downstairs, Giglotto said his wife was pleading for his life. Giglotto asked, "Please look at my identification before you kill me."

None did, he said. He added the only identification the Giglottos were shown was a gold badge flashed by one of the intruders. Only Mrs. Giglotto caught a glimpse of it.

As they lay trussed across the bed, Giglotto said, another raider walked up the stairs and announced, "Oh, I think we made a mistake."

They had torn the house apart and found nothing. The front room was a shambles, littered with books, overturned furniture and a smashed television set. Released from his handcuffs, Giglotto tried to put on his pants, he said, but a raider ripped them out of his hands.

"They were as rude leaving as they were coming," Giglotto said. He said he followed them downstairs, demanding an explanation, shouting: "My God, you just kicked in my door, threatened to kill me and my wife, can you tell me what's happening?"

Giglotto said one of the armed men turned and replied, "Shut your mouth, boy."

Askew said the raid on his home began as they were beginning a late dinner after he had stayed overtime at the service station he runs in East St. Louis.

Askew thought his son had been in a fight with some other teen-agers and the men he saw in the yard were coming to kill him.

As he held the front door, Askew said Sunday, two men knocked down the back door and leveled two riot guns at him. A man at the front door flashed a gold badge and Askew let them in.

Five men, all dressed as hippies, searched the house, looking for a suspect, Askew said.

Mrs. Askew, lying on the couch, revived. She saw the men with the guns and fainted again. When she revived again one of the raiders told her, "Take it easy, lady. We're really federal officers."

Askew said the men were polite. "Outside of kicking the door and scaring the ---- out of us, they were all right."

Satisfied the man they sought was not in the Askew home, one of the intruders said, "We just got a wrong tip." The men refused, however, to let Mrs. Askew call the police, and showed no other identification.

The Askews have filed a $100,000 damage suit in U.S. District Court at Springfield. The Giglottos are to meet with their lawyer Monday morning to determine what course to take.

NATURAL DISASTERS REQUIRE DISASTER INSURANCE

(Mr. DANIELSON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DANIELSON. Mr. Speaker, during the past few weeks we have all watched, with awe and with sympathy, as tens of thousands of our fellow Americans have seen their homes and the product of their lifetimes of effort washed away by the great floods along the Mississippi and its tributaries. Earlier this year we witnessed great destruction from other floods in other parts of our country, from tornadoes, and severe snow and ice storms. And just last week the State of Hawaii suffered an earthquake.

Our hearts go out to all of those who suffer, but what are we going to do to help them meet their new burdens?

Under existing laws, and if our past performance is a guide, we will use general tax revenues to provide some help, but the relief will be inadequate, inefficiently and ineffectively administered, and the general taxpayer will bear the entire burden.

When disaster strikes, the chances are that the property owner who suffers damages will not have insurance. This is due in part to public apathy, but it is also due to the many obstacles an individual encounters in attempting to secure insurance. In order to protect himself the property owner will probably have to purchase a different policy for each type of disaster. In some areas, insurance against certain types of disasters is not available. If the property owner is insured, the policy may have substantial deductibles.

To compensate property owners for their disaster losses, we have been relying up to now upon a patchwork of private plans and Federal programs such as grants, loans and tax deductions. In dramatic cases we use tax-subsidized low-interest loans from the Small Business Administration. These usually include a forgiveness feature, which is actually a grant of tax revenues from the general fund. And then we also have a few outright grants—also from our tax revenues. And of course, there is always the casualty loss deduction on our income tax returns. But none of these, I submit, nor all of them taken together, is an effective, efficient, businesslike program for protecting the American people from losses due to natural disasters.

In the past it has been, and in the present it is, our practice to provide disaster assistance in instances of widespread and severe disasters such as we experienced last year when tropical storm Agnes hit the eastern United States. The amount, the terms, and the promptness of this charitable relief has usually been in direct proportion to the emotions generated, and the numbers of articulate people directly affected, by the disaster. Relief has been granted when the disaster has been dramatic and has affected a large area; there has been no relief when an identical loss is suffered by an individual or only a few. Yet, the loss to the individual citizen is just as great, and just as devastating, whether he suffers alone or is one of a multitude. It makes no difference to the individual homeowner that his home was the only one swept away in a flood, rather than being one of 10,000 homes that were destroyed. We must protect the multitude, and we must protect the individual as well.

The net effect of our existing disaster relief programs is to turn the general tax fund into an insurance pool, and the premiums are paid every year in the form of taxes. Unfortunately, the payment of these "premiums" is no guarantee that the individual will be covered if and when disaster strikes; he is rarely, if ever, covered if the loss which he experiences is not part of a very large, and dramatic, disaster.

We recognize that property owners have an obligation to protect themselves against losses due to disasters, but we must also recognize that self-protection is very difficult since adequate disaster insurance is not generally available on acceptable terms with a minimum of complication. This is a grave and unmet need.

In order to meet this need I recently introduced H.R. 4920, a bill to create a Federal Disaster Insurance Corporation which would broaden the risk base and make available to all the people of the United States the opportunity to purchase low-cost insurance against every type of natural disaster. More than 40 of my colleagues have now joined me as coauthors of this bill. Participation in the insurance plan would be voluntary, but I hope that the rate structures and the fact that one policy would cover every type of disaster, would make the program attractive enough to bring about widespread participation. Additionally, if Congress were to establish this program, we might consider requiring disaster insurance as a prerequisite for loans from savings and loan associations which are insured by the Federal Government, or for loans and mortgages which are guaranteed by the Federal Government.

The premiums would be based upon a portion of the fair market value of the property insured, the value to be determined by local assessment rolls wherever possible. The premiums should be actuarially sound.

Finally, the legislation requires the Corporation to undertake steps to publicize the availability of disaster insurance.

My legislation also contains a provision allowing the Corporation to impose higher rates, or deny insurance altogether, to property located in States or localities which refuse to adopt a plan for hazard reduction such as through good zoning or land use planning techniques.

The program I am proposing is to be self-sufficient. The Federal Government would be the sole subscriber to the Corporation's stock, but beyond this initial outlay, insurance payments would be financed by premiums. There is a provision in my bill to allow the Corporation to repurchase its stock from the Federal Government.

Many of us think of disasters as random events which may never effect us personally, yet disaster can strike anywhere, anytime. In 1972 alone, there were 48 presidentially declared disasters affecting 29 States, to say nothing of a host of smaller disasters. The legislation I propose would give all individuals an opportunity to protect themselves without looking to an appropriation by Congress and the general revenue fund to bail them out of a catastrophe.

Mr. Speaker, in order to make the need for disaster insurance more apparent, more understandable, I have compiled a listing of disasters which have struck the United States since 1959. In doing so I have consulted the handbook, "Insurance Facts, 1971;" a list of presidentially declared disasters since 1964 which was supplied by the Office of Emergency Preparedness; and a Library of Congress Legislative Reference Service survey entitled, "Major Natural Disasters in the United States: 1959–1969."

I made every effort to be accurate but I apologize if I have visited a disaster upon a State which did not have it, or if I have neglected to include a disaster that a State, in fact, did experience. I also want to point out that this list is limited to major disasters. The many natural calamities which caused damage on a localized basis are not included.

The list of major natural disasters in the United States since 1959 is as follows:

SUMMARY OF MAJOR NATURAL DISASTERS: 1959–MARCH 9, 1973

[(*) denotes disaster which crossed State lines; figure reflects total deaths or damages for all affected States. (**) denotes that State was declared a disaster area by the President]

Date	Type of disaster	Deaths	Estimated damage
	ALABAMA		
May 30, 1959	Hurricane Arlene: Texas, Louisiana and Alabama.	0	$600,000
Mar. 1, 1960	Ice Storm: eight Southern States, including Alabama.	*5	15,000,000
Dec. 31, 1963	Two-sixteen inches of snow: four Southern States.	*Several	*7,000,000+
Sept. 9, 1964	Hurricane Dora: five Southern States and New England.	*4	*230,000,000
September 1965	Hurricane Betsy: six Southern States	*75	*1,420,000,000
September 1965	Hurricane Debbie: Alabama and Mississippi	NA	*2,500,000
May 15, 1967	Hail, tornadoes and winds: Ala., Ark., Miss., Ill., Iowa, Ind., Mo., Kan., and Neb.	NA	*36,000,000+
Aug. 17, 1969	Hurricane Camille: Mississippi to Virginia**	*258	*1,420,000,000
April 1970	Flooding in Alabama; tornadoes, hail and winds hit Alabama and six other Southern and Border States.**	*22	*14,500,000
June 19, 1970	Wind and hail: South Central and Eastern States.	NA	*2,805,000+
	ALASKA		
March 1964	Earthquake**	NA	$500,000,000
September 1967	Severe storms and flooding**	7	98,600,000
December 1969	Heavy rains and a landslide**	NA	NA
	ARIZONA		
Dec. 12, 1964	Up to 83 inches of snow: Arizona, New Mexico, Colorado and Utah.	*11	*"Great"
April 1966	Flooding**	NA	NA
December 1966	Flooding in Arizona, Utah and California	*4	*$11,712,000
September 1970	Colorado Basin flooding: Central Arizona, Four-Corners area.	*23	*5,000,000
June 21, 1972	Severe storms and flooding**	NA	NA
Oct. 18, 1972	Heavy rains and flooding**	0	21,850,000
	ARKANSAS		
Mar. 1, 1960	Ice Storm: Texas, La., Ark., Tenn., Ala., Ga., N.C., and S.C.	*5	*$15,000,000
March 1964	Severe storms and flooding**	NA	NA
June 1965	Floods: Arkansas River Basin	*16	*58,340,000
Sept. 8, 1965	Hurricane Betsy: Fla., Ala., Miss., La., Tex., and Ark.	*75	*1,420,000,000
April 1966	Flood: Ouachita River and tributaries	NA	2,500,000
Apr. 27, 1968	Hail and winds: Pine Bluff, Southern Arkansas and Dallas, Texas.	NA	*21,700,000+
May 15, 1968	Tornadoes, severe storms and flooding**	35	5,000,000
June 23, 1968	Hurricane Candy Hits from Texas to Illinois	0	*2,800,000
February 1969	Severe storms and flooding**	NA	NA
Apr. 17, 1970	Tornadoes: Tex., Ark., Miss., Tenn., Ky., Ill., Okla., and Alabama.	*22	*14,500,000
June 11, 1970	Tornado, wind and hail: Ark., Kan., and Okla	NA	*3,200,000+
June 19, 1970	Wind and hail: South, Central and Eastern	NA	*2,805,000+
Dec. 9, 1971	Severe storms and flooding	NA	NA
	CALIFORNIA		
May 22, 1960	Tsunami Damage: Hawaii and West Coast of United States.	NA	NA
Aug. 21, 1960	Forest Fire (35,000 acres)	NA	----------------
1961	Earthquake: Terminal Island off-shore oil wells.	NA	$4,500,000
Oct. 11, 1962	Windstorm: Northern California Oregon and Washington.	*50	*250,000,000
February 1963	Flooding: Pacific Coast States	NA	*14,000,000
April 1964	Seismic Sea Waves	NA	NA
December 1964	Severe storms, heavy rains and flooding: California, Oregon and Washington**.	*42	*415,000,000
December 1965	Heavy rains and flooding**	NA	NA
January 1966	Severe storms and flooding**	NA	6,850,000
December 1966	Flooding: Arizona, Utah, Nevada and California**.	*4	*11,712,000
January 1969	Severe storms, flooding and mudslides**	45	125,000,000
August 1969	Flooding**	NA	NA
1969	Earthquake (Santa Rosa)	NA	6,300,000
January 1970	Severe storms and flooding**	18	38,000,000
February 1971	Earthquake (San Fernando)**	64	553,000,000
December 1971	Heavy winds, rains, flooding, and runoff of mud and silt**.	NA	NA
Jan. 20, 1972	Severe storms and flooding**	NA	NA
June 21, 1972	Levee break (Sacramento)**	NA	NA
Jan. 12, 1973	Severe storms, high tides** and flooding	NA	NA
	COLORADO		
Dec. 12, 1964	Up to 83 inches of snow: Ariz., N. Mex., Colo., and Utah.	*11	*"Large"
June 1965	Tornadoes, severe storms and flooding: Arkansas River Basin, S. Platte and Rio Grande.**	*16	*$415,000,000
Jan. 7, 1969	Windstorm: Boulder area	NA	1,000,000+
May 1969	Severe storms and flooding**	NA	NA
June 10, 1969	Hail and wind: Texas Panhandle: Okla., Colo., Kans., and Nebr.	NA	*$5,820,000+
Sept. 1970	Flooding: Colorado River Basin, Four-Corners area.	*23	*5,000,000
	CONNECTICUT		
Dec. 30, 1962	Windstorm: Conn., Mass., N.J. and N.Y	NA	*$17,500,000+
May 24, 1962	Tornado: Waterbury	1	3,500,000
Apr. 1, 1970	Tornadoes and wind: 22 States and District of Columbia.	NA	*7,921,000+
June 1972	Tropical Storm Agnes	*118	*3,000,000,000
	DELAWARE		
Sept. 21, 1961	Hurricane Esther: N.C. to New England	0	*$7,000,000
Feb. 3, 1961	Snowstorm: N.C. to New England	*73	*Millions
Mar. 5, 1962	Severe Atlantic Coastal Storm	*33	*2,000,000
August 1965	Water shortage**	NA	NA
Nov. 12, 1968	Atlantic Coastal Storm: S.C. to Maine	NA	*20,000,000
Apr. 1, 1970	Tornadoes and wind: 22 States and District of Columbia	NA	*7,921,000
June 18, 1970	Tornado, wind and hail: Pa., Md., Del., N.J., N.Y., and Mass	NA	*2,140,000+
June 1972	Tropical Storm Agnes	*118	*3,000,000,000
	FLORIDA		
June 17, 1959	Tornado: Miami	NA	$2,000,000
July 28, 1960	Hurricane Brenda hits Fla., S.C., Va., N.J. and New England.	0	*5,000,000
Sept. 9, 1960	Hurricane Donna hits Fla., Ga., S.C., N.C., Va., and New England.	*44	*91,000,000
May 26, 1961	Tornado: Ft. Lauderdale	NA	2,000,000
January 1962	Freezing weather: La., Miss., Fla. and Texas	0	*21,000,000
March 1962	Severe Atlantic Coastal Storm	*33	*200,000,000
Mar. 31, 1962	Tornado: Milton	17	1,500,000
Aug. 26, 1964	Hurricane Cleo: Fla., Ga., S.C., N.C. and Va.**	3	*128,500,000
Sept. 9, 1964	Hurricane Dora: Fla., Ga., Ala., S.C., N.C. and New England.**	*4	*230,000,000
Oct. 14, 1964	Hurricane Isabell: Fla. and N.C	*3	*10,000,000
Sept. 8, 1965	Hurricane Betsy: Fla., La., Ala., Miss., Tex. and Ark.**	*75	*1,420,000,000
Apr. 4, 1966	Tornado: Tampa	11	NA
June 1966	Hurricane Alma: Fla., Ga., S.C., N.C., and Va	*6	*10,050,000
October 1966	Hurricane Inez: Fla., Tex	*48	*5,000,000
Feb. 19, 1967	Tornado: Miami Beach	0	2,000,000
October 1968	Hurricane Gladys: Fla., N.C. and S.C.**	*5	*6,700,000
July 1970	Heavy rains and flooding (indirect effect of Hurricane Celia).**	NA	NA
March 1971	Severe freeze**	NA	NA
June 1972	Hurricane Agnes	NA	NA
	GEORGIA		
Sept. 29, 1959	Hurricane Gracie: S.C., N.C., Va., Ga., W. Va., Pa., N.W., N.Y., and Vt.	*22	*$14,000,000
Sept. 9, 1960	Hurricane Donna: Fla., Ga., S.C., N.C., Va. and New England.	*44	*60,000,000
March 1960	Ice Storm: Tex., La., Ark., Tenn., Ala., Ga., N.C. and S.C.	*5	*15,000,000
October 1962	Atlantic Costal Storm	*33	*200,000,000
August 1964	Hurricane Cleo: Fla., Ga., S.C., N.C. and Va	*3	*128,500,000
Sept. 9, 1964	Hurricane Dora: Fla., Ga., Ala., S.C., N.C. and New England.**	*4	*230,000,000
November 1964	Flooding**	NA	NA
March 1966	Flooding**	NA	NA
June 1966	Hurricane Alma: Fla., Ga., S.C., N.C. and Va	*6	*10,050,000
Apr. 1, 1970	Tornadoes and Wind: 22 States and the District of Columbia.	NA	*+7,921,000
June 1972	Agnes	NA	NA

SUMMARY OF MAJOR NATURAL DISASTERS: 1959–MARCH 9, 1973—Continued

[(*) denotes disaster which crossed State lines; figure reflects total deaths or damages for all affected States. (**) denotes that State was declared a disaster area by the President]

Date	Type of disaster	Deaths	Estimated damage
	HAWAII		
Aug. 6, 1959	Hurricane Dot	0	$6,100,000
May 13, 1960	Severe storm	NA	NA
May 22, 1960	Tsunami	61	25,500,000
April 1963	Flooding	0	2,300,000
Dec. 18, 1967	Tornado: Kauai	NA	1,000,000
Jan. 5, 1968	Floods	NA	2,500,000
September 1968	Heavy rains and flooding**	NA	NA
Jan. 13, 1970	Windstorm	NA	1,200,000
	IDAHO		
February 1962	Floods	0	$7,500,000
December 1964	Severe storms, heavy rains and flooding**	NA	NA
August 1967	Forest Fires**	NA	NA
Jan. 18, 1972	Severe storms and flooding**	NA	NA
	ILLINOIS		
March 1960	Floods: Upper Mississippi, Lower Missouri River Basins.	NA	*$35,000,000
March 1961	Floods: Upper Mississippi River Basin	NA	*7,500,000
Apr. 4, 1961	Tornado: Chicago area	1	7,000,000
Apr. 23, 1961	Hailstorm: Joliet and Peotone	NA	11,000,000+
Apr. 30, 1962	Wind and hailstorm: Ill., Ind., and St. Louis Mo.	NA	*23,300,000+
Apr. 2, 1964	Wind and hailstorm: St. Louis Mo., and Southern Illinois.	NA	*30,000,000+
Apr. 1965	47 tornadoes, severe storms, and flooding: Upper Miss., Valley, Missouri River Basin and Red River of the North**.	*273	*300,000,000+
Aug. 26, 1965	Wind and hailstorm: Indiana and Illinois	NA	*14,000,000
Feb. 15, 1967	Windstorm: Ill., Mich., Ind., Ohio, Pa., N.Y., and N.J.	NA	*12,000,000+
Apr. 21, 1967	Tornadoes, hail and wind: Iowa, Ill., parts of Ind., and Mich.**	NA	*40,000,000
May 1967	Flooding: Lower Ohio River Basin	NA	*5,000,000
May 15, 1968	Tornadoes, hail and wind: Ala., Ark., Miss., Ill., Iowa, Ind., Mo., Kans. and Nebr.	NA	*36,000,000+
June 1968	Tornadoes, severe storms and flooding: Wabash River Basin.**	NA	*12,000,000
April 1969	Flooding: Red River of the North, Upper Mississippi and Missouri River Basins**	*8	*175,000,000
June 21, 1969	Wind, hail and tornado: Kans., Mo., and Ill.	NA	*7,000,000+
July 9, 1969	Tornado, wind adn hail: Mo., Kans., and Ill	NA	*4,100,000+
Aug. 1969	Heavy rains and flooding**	NA	NA
Apr. 17, 1970	Tornadoes, wind and hail: Tex., Ark., Miss. Tenn., Ky., Ill., Okla. and Ala.	*22	*14,500,000
Apr. 29, 1970	Hail, wind and tornado: Tex., Okla., Mo., Ind., Iowa and Illinois.	NA	*7,730,000+
Sept. 9, 1970	Windstorm and tornado: Iowa, Ill., and Wis	NA	*3,100,000+
Aug. 25, 1972	Severe storms and flooding**	NA	NA
	INDIANA		
Jan. 1, 1959	Flooding: Ohio River Basin	*8	*$81,921,000
Apr. 30, 1962	Hailstorm and wind: Ill., Ind., and St. Louis, Mo.	NA	*23,300,000+
March 1963	Flooding: Ohio River Basin	*26	*97,600,000
Mar. 5, 1964	Windstorm: Indiana and Ohio	NA	*15,000,000+
March 1964	Severe Storms and Flooding: Ohio River Basin.**	*18	*94,000,000
Apr. 11, 1965	47 tornadoes, and severe storms: Ind., Ill., Ohio, Mich. and Wis.**	*257	*200,000,000
Aug. 26, 1965	Wind and hailstorm: Ill. and Ind	NA	*14,000,000+
Feb. 15, 1967	Windstorm: Ill., Mich., Ind., Ohio, Pa., N.J. and N.Y.	NA	*12,000,000+
Apr. 21, 1967	Tornadoes, hail and wind: Iowa, Ill., and parts of Indiana and Michigan.	NA	*40,000,000+
May 15, 1967	Hail, tornadoes and wind: Ala., Ark., Miss., Ill., Iowa, Ind., Mo., and Kans.	NA	*36,000,000+
August 1967	Flooding: Ohio River Basin	NA	*3,000,000
June 1968	Heavy rains and flooding **	NA	NA
Apr. 1, 1970	Tornadoes and wind: 22 States and the District of Columbia.	NA	*7,921,000+
Apr. 29, 1970	Hail, wind and tornado: Tex., Okla., Mo., Ind., Iowa and Illinois.	NA	*7,730,000+
	IOWA		
Mar. 1960	Floods: Upper Mississippi and Lower Missouri River Basins.	NA	*$35,000,000
Mar. 1961	Flooding: Upper Mississippi River Basin	*22	*7,500,000
June 22, 1962	Tornado: Dubuque	NA	2,500,000
Apr. 1964	Flooding: Upper Mississippi Valley, Missouri and Red River of the North.**	*16	*181,325,000
Mar. 2, 1966	Blizzard: Great Plains to Minnesota (100,000 head of livestock).	*15	
Oct. 10, 1966	Tornado: Belmond	6	7,500,000 to 11,000,000
Apr. 1967	Eight tornadoes, hail and wind: Southern Minnesota, Northern Iowa, Ill., Ind. ,and Mich.	NA	*40,000,000
May 15, 1968	Tornadoes: Charles City, Elma, Oelwein and Maynard**	18	$52,500,000
Apr. 1969	Floodings: Red River of the North, Mississippi and Missouri River Basins**	*8	*175,000,000
Aug. 1969	Flooding, heavy rains and severe storms**	NA	NA
Apr. 29, 1970	Hail, wind and tornados: Tex., Okla., Mo., Ind., Iowa, and Ill.	NA	*7,730,000+
Aug. 2, 1970	Windstorm: Southeast Kansas, and Western Iowa.	NA	*1,200,000+
Sept. 9, 1970	Windstorm and tornado: Iowa, Ill., and Wis	NA	*3,100,000+
July 11, 1972	Severe storms and flooding**	NA	NA
Sept. 9, 1972	Severe storms and flooding**	NA	NA
	KANSAS		
September 1961	Floods: Kansas and Missouri	NA	*$23,557,000
May 25, 1963	Wind and hailstorm	NA	11,000,000+
June 1965	Flooding: Arkansas River Basin**	*16	*58,340,000
June 8, 1966	Tornadoes and wind: Topeka area	16	100,000,000
Mar. 2, 1966	Blizzard: Great Plains to Minnesota (100,000 head of livestock).*	*15	
June 1967	Flooding: Lower Missouri River Basin**	*2	*80,000,000
Do	Tornado: Garden City	2	5,000,000
May 15, 1968	Hail, tornadoes and wind: Ala., Ark., Miss., Ill., Iowa, Ind., Mo., Kans., and Nebr.	NA	*36,000,000+
March–Ma 1969	Flooding: Red River of the North, Upper Mississippi and Missouri River Basins.	*8	*175,000,000
Apr. 16, 1969	Hail and wind: Kans., Mo., and Okla	NA	*7,000,000+
May 21, 1969	Hail and wind: Texas Panhandle and Kansas	NA	*6,000,000+
June 10, 1969	Hail and wind: Texas Panhandle, Okla., Colo., Kans., and Nebr.	NA	*5,820,000+
June 21, 1969	Wind, hail and tornado: Kans., Mo., and Ill	NA	*7,000,000+
June 26, 1969	Windstorm; Kansas and Missouri	NA	*2,500,000+
July 1969	Tornadoes, severe storms and flooding**	NA	NA
Aug. 1, 1969	Hail and wind: Scott City	NA	*1,000,000+
Apr. 25, 1970	Wind, tornado and hail: Tex., Kans., and Okla.	NA	*2,500,000+
May 9, 1970	Winds and hail: Northeast Kansas and adjacent areas of Missouri.	NA	*6,250,000+
June 11, 1970	Wind, hail and tornado: Ark., Kans., and Okla.	NA	*3,200,000+
June 19, 1970	Wind and hail: South Central and Eastern States.	NA	*2,805,000+
Sept. 30, 1970	Wind and hail: Nebr., Kans., Okla., and Mo	NA	*1,750,000+
	KENTUCKY		
January 1959	Flooding: Ohio River Basin	*8	*$81,921,000
February 1962	Floods	2	16,067,000
March 1963	Flooding: Ohio River Basin	*26	*97,600,000
March 1964	Severe storms and flooding: Ohio River Basin.**	*18	*94,000,000
March 1967	Ohio River Basin Flooding**	*3	*40,000,000
August 1967	Ohio River Basin Flooding	NA	*3,500,000
May 1968	Tornadoes, severe storms and flooding: Ohio River Basin.**	NA	*48,000,000
Apr. 18, 1969	Hail and wind: Bowling Green	NA	+2,170,000
July 1969	Severe storms and flooding**	NA	NA
Feb. 2, 1970	Heavy snow, rains and flooding**	NA	NA
Apr. 1, 1970	Tornadoes and wind: 22 States and the District of Columbia.	NA	*7,921,000+
Apr. 17, 1970	Tornadoes, hail and wind: Tex., Ark., Miss., Tenn., Ky., Ill., Okla, and Ala.	*22	*14,500,000
June 5, 1970	Severe storms and flooding**	NA	NA
May 1971	Tornadoes**	8	NA
Apr. 12, 1972	Severe storms and flooding**		
	LOUISIANA		
May 30, 1959	Hurricane Arlene: Tex., La., and Ala	0	*$600,000
Sept. 14, 1960	Hurricane Ethel: Miss. & La	0	*1,050,000
Mar. 1, 1960	Ice Storm: Tex., La., Ark., Tenn., Ala., Ga., N.C. and S.C.	*5	*15,000,000
Mar. 27, 1961	Hailstorm	NA	13,000,000+
Sept. 11, 1961	Hurricane Carla: Tex., La., Mississippi Valley	*46	*408,000,000
January 1962	Freezing weather: La., Miss., Fla., and Tex	0	*21,000,000
Sept. 16, 1963	Hurricane Cindy: Tex., & La	*3	*12,560,000
Dec. 31, 1963	Two-sixteen inches of snow: La., Ala., Miss. and Tenn.	*Several	*7,000,000+
Oct. 3, 1964	Tornado: Larose	22	NA
Oct. 3, 1964	Hurricane Hilda and accompanying Tornadoes: La. and Miss.**	*37	*100,000,000+
Sept. 8, 1965	Hurricane Betsy: La., Tex., Miss., Ark., Fla. and Ala.**	*75	*1,420,000,000
Aug. 17, 1969	Hurricane Camille: Miss., Ala. La. to Va.**	*258	*1,420,000,000
Feb. 21, 1971	Tornadoes: La. and Miss	*121	*20,000,000
October 1971	Hurricane Edith**	NA	NA
	MAINE		
June 28, 1960	Hurricane Brenda: Fla., S.C., Va., N.J. and New England.	*0	*$5,000,000
Sept. 21, 1961	Hurricane Esther: N.C. to New England	*0	*7,000,000

Date	Type of disaster	Deaths	Estimated damage
Feb. 3, 1961	Snowstorm: N.C. to New England	*73	*Millions
Mar. 5, 1962	Severe Atlantic Coastal Storm: Maine to Florida.	NA	$750,000
Oct. 5, 1962	Severe Northeastern, New England Coastal storm.	*11	*Millions
Aug. 26, 1962	Hurricane Alma: N.C., S.C. and New England	*0	*1,000,000
Oct. 16, 1963	Hurricane Ginny: New England	*4	*400,000
Sept. 9, 1964	Hurricane Dora: Fla., Ga., S.C., N.C. and New England.	*4	*230,000,000
Nov. 12, 1968	Severe S.C. to Maine Coastal Storm	NA	*20,000,000
Mar. 17, 1968	New England flooding	*2	*50,000,000
Feb. 1970	Severe storms, ice jams and flooding**	NA	NA
Apr. 1, 1970	Tornadoes and wind: 22 States and the District of Columbia.	NA	*7,921,000
Feb. 18, 1972	Severe storms and flooding**	NA	NA
Sept. 14, 1972	Toxic Algae (Red Tide)**	NA	NA

MARYLAND

Date	Type of disaster	Deaths	Estimated damage
Jan. 19, 1961	Snowstorm: Virginia to N.Y.	*37	NA
Feb. 3, 1961	Snowstorm: North Carolina to New England	*73	*Millions
Sept. 21, 1961	Hurricane Esther: North Carolina to New England.	*0	*$7,000,000
Mar. 5, 1962	Severe Atlantic Coastal Storm: Maine to Florida.	*33	*200,000,000
Jan. 23, 1966	Snowstorm: Virginia to Eastern Canada	*50	NA
Dec. 12, 1968	Severe Atlantic Coastal Storm: S.C. to Maine	NA	*20,000,000
Apr. 1, 1970	Tornadoes and wind: 22 States and the District of Columbia.	NA	*7,921,000+
June 18, 1970	Torando, wind and hail: Pa., Md., Del., N.J., N.Y. and Mass.	NA	*2,140,000+
August 1971	Severe storms and flooding**	NA	NA
June 22, 1972	Severe storms and flooding: Tropical Storm Agnes.**	*118	*3,000,000,000

MASSACHUSETTS

Date	Type of disaster	Deaths	Estimated damage
July 28, 1960	Hurricane Brenda: Fla., S.C., Va., N.J. and New England.	*0	*$5,000,000
Sept. 9, 1960	Hurricane Donna: Fla., Ga., S.C., N.C., Va. and New England.	*44	*91,000,000
Sept. 21, 1961	Hurricane Esther: North Carolina to New England.	*0	*7,000,000
Feb. 3, 1961	Snowstorm: North Carolina to New England	*73	* Millions
Mar. 5, 1962	Severe Atlantic Coastal Storm: Maine to Florida.	NA	*750,000
Oct. 5, 1962	Severe Northeastern, New England Coastal Storm.	*11	* Millions
Aug. 26, 1962	Hurricane Alma: N.C., S.C. and New England	*0	*1,000,000
Sept. 29, 1962	Hurricane Daisy: New England	*2	*1,000,000
Dec. 29, 1962	Windstorm: Conn., Mass., N.J. and N.Y.	NA	*17,500,000+
Oct. 16, 1963	Hurricane Ginny: New England	*4	*400,000
Sept. 9, 1964	Hurricane Cleo: Fla., Ga., N.C., S.C., Ala. and New England.	*4	*230,000,000
Dec. 12, 1968	Severe Coastal Storm	NA	*20,000,000
Mar. 17, 1968	Floods: New England	*2	*50,000,000
Apr. 1, 1970	Wind and tornadoes: 22 States and the District of Columbia.	NA	*7,921,000+
June 18, 1970	Tornado, wind and hail: Mass., Pa., Md., Del., N.J. and N.Y.	NA	*2,140,000+
Feb. 18, 1972	Severe storms and flooding **	NA	22,400,000
Sept. 14, 1972	Toxic Algae (Red Tide) **	NA	NA

MICHIGAN

Date	Type of disaster	Deaths	Estimated damage
May 8, 1964	Several tornadoes	11	$3,000,000
Apr. 11, 1965	Tornadoes and severe storms: Ind., Ohio, Mich., Wisc. and Ill.**	257	*200,000,000
Feb. 15, 1967	Windstorm: Ill., Mich., Ind., Ohio, Pa., N.J. and N.Y.	NA	*+12,000,000
Apr. 21, 1967	Hail, tornadoes and wind: Iowa, Ill. and parts of Mich. and Ind.	NA	*+40,000,000
July 4, 1969	Wind, hail and tornado: Southeast Michigan, and Northern Ohio.	NA	*+6,280,000
Mar. 13, 1972	Severe storm and freezing**	NA	NA
Nov 14, 1972	Severe storms and flooding**	NA	NA

MINNESOTA

Date	Type of disaster	Deaths	Estimated damage
March 1961	Floods: Upper Mississippi River Basin	NA	*$7,500,000
April 1965	Floods Upper Mississippi River Basin **	*16	*181,325,000
May 6, 1965	Tornadoes and hail: East Central Minnesota	NA	30,000,000+
April 1966	Floods: Red River of the North **	NA	*12,500,000
March 1966	Blizzard: Great Plains to Minnesota (100,000 head of livestock)	*15	
April 1967	Eight tornadoes: Southern Minnestoa and Northern Iowa.	NA	*9,000,000
September 1968	Floods: Minnesota River Basin **	NA	*16,500,000
April 1969	Floods: Red River of the North, Upper Mississippi and Missouri River Basins**	*8	*175,000,000
August 1969	Heavy rains and flooding **	NA	NA
June 1970	Heavy rains and flooding **	NA	NA
July 21, 1972	Severe storms and flooding **	NA	NA
Aug. 16, 1972	Severe storms and flooding**	NA	NA
Sept. 20, 1972	Severe storms and flooding**	NA	NA

MISSISSIPPI

Date	Type of disaster	Deaths	Estimated damage
Feb. 23, 1960	Hurricane: Texas, Middle Mississippi Valley	*15	*$3,600,000
Sept. 14, 1960	Hurricane Ethel: Mississippi and Louisiana	*0	*1,050,000
Sept. 11, 1961	Hurricane Carla: Texas, Louisiana and Mississippi Valley.	*46	*408,000,000
Jan. 9, 1962	Freezing weather: La., Miss., Fla., and Tex.	*0	*21,000,000
Dec. 31, 1963	2-16 inches of snow: La., Ala., Miss., and Tenn.	*Several	*7,000,000+
Oct. 3, 1964	Hurricane Hilda: La. and Miss.	*37	*100,000,000+
Sept. 8, 1965	Hurricane Betsy: Fla., Ala., Miss., La., Tex., and Ark.**	*75	*1,420,000,000
Mar. 3, 1966	Tornado: Jackson area	58	18,500,000
May 15, 1968	Tornadoes, Hail and wind: Ala., Ark., Miss., Ill., Ind., Mo., Kans., and Nebr.	NA	*36,000,000+
Mar. 17, 1969	Hurricane Camille: Miss., La., Ala., to Va.**	*258	*1,420,000,000
Apr. 1, 1970	Wind and tornadoes: 22 States and the District of Columbia.	NA	*7,921,000+
Apr. 19, 1970	Tornado	4	1,800,000
June 19, 1970	Wind and Hail: South, Central and Eastern States.	NA	*2,805,000+
Feb. 21, 1971	Storms and tornadoes: Miss. and La.**	*121	*20,000,000
Dec. 3, 1971	Heavy rains and flooding**	NA	NA

MISSOURI

Date	Type of disaster	Deaths	Estimated damage
Feb. 10, 1959	Tornado: St. Louis	21	$13,100,000
March 1960	Floods: Upper Mississippi and Lower Missouri River Basins.	NA	*35,000,000
September 1961	Floods: Kansas and Missouri	NA	*23,557,000
Apr. 30, 1962	Wind and hailstorm: Ill., Ind., and St. Louis	NA	*23,300,000+
Apr. 2, 1964	Hailstorm: St. Louis and So. Ill.	NA	*30,000,000
July 1964	Severe storms and flooding **	NA	NA
June 1965	Flooding **	NA	NA
July 1965	Flooding **	NA	NA
Jan. 24, 1967	Tornado and Hailstorm: Western and Eastern Missouri.	3	15,000,000
June 1967	Floods: Lower Missouri River Basin	*2	*80,000,000
May 15, 1968	Hail, tornadoes and wind: Ala., Ark., Miss., Ill., Iowa, Ind., Mo., Kans. and Nebr.	NA	*36,000,000+
June 23, 1968	Hurricane Candy: Texas to Illinois	*0	*2,800,000
Apr. 16, 1969	Hail and wind: Kans., Mo., and Okla.	NA	*7,000,000+
April 1969	Floods: Red River of the North, Upper Mississippi and Lower Missouri River Basins.	*8	*175,000,000
June 21, 1969	Wind, hail and tornado: Ill., Kans., and Mo.	NA	*7,000,000+
June 26, 1969	Windstorm: Kans. and Mo.	NA	*2,500,000+
July 9, 1969	Hail, wind and tornado: Mo., Kans and Ill.	NA	*4,100,000+
Apr. 29, 1970	Hail, wind and tornado: Tex., Okla., Mo., Ind., Iowa, and Ill.	NA	*7,730,000+
May 9, 1970	Winds and hail: N.E. Kans., and adjacent areas of Mo.	NA	*6,250,000+
Sept. 3, 1970	Wind and hail: Nebr., Kans., Okla. and Mo.	NA	*1,750,000+

MONTANA

Date	Type of disaster	Deaths	Estimated damage
August 1959	Earthquake: Hebgen Lake (damage to timber and roads).	38	$11,000,000
June 1964	Excessive rainfall and flooding: Upper Missouri River Basin.**	*30	*600,000,000
December 1964	Severe winter storm**	NA	NA

NEBRASKA

Date	Type of disaster	Deaths	Estimated damage
June 1959	Hailstorm	NA	Millions
May 5, 1964	Tornado: Hastings area	4	$15,000,000
July 1964	Severe storms and flooding**	NA	NA
June 1965	Floods: South Platte, Rio Grande River Basins	*16	*415,000,000
August 1966	Heavy rains and flooding: East Central Nebraska.**	0	2,200,000
Mar. 2, 1966	Blizzard: Great Plains to Minnesota (100,000 head of livestock).*	*15	----------------
June 1967	Severe storms and flooding: Lower Missouri River Basin.**	*2	*80,000,000
May 15, 1968	Tornadoes, hail and wind: Ala., Ark., Miss., Ill., Iowa, Ind., Mo., Kan. and Neb.	NA	*36,000,000+
April 1969	Floods: Red River of the North, Upper Mississippi and Lower Missouri River Basins.	*8	*175,000,000
June 10, 1969	Hail and wind: Texas panhandle, Okla., Colo., Kan. and Neb.	NA	*5,820,000+
Oct. 3, 1970	Wind and hail: S.E. Neb., and Western Iowa	NA	*1,750,000+
February 1971	Severe storms and flooding**	NA	NA
July 1971	Severe storms and flooding**	NA	NA

NEVADA

Date	Type of disaster	Deaths	Estimated damage
December 1964	Severe storms, heavy rains, and flooding: Oreg., Wash., Calif., Idaho and Nevada.**	*45	*$500,000,000
December 1966	Floods: Arizona, Utah, Nevada and California	*4	*11,712,000
April 1969	Flooding**	NA	NA

NEW HAMPSHIRE

Date	Type of disaster	Deaths	Estimated damage
Sept. 29, 1959	Hurricane Gracie: S.C., N.C., Ga., Va., W. Va., Pa., N.Y., N.H. and Vt.	*22	*$14,000,000
June 28, 1960	Hurricane Brenda: Fla., S.C., Va., N.J. and New England.	*0	*5,000,000
Sept. 9, 1960	Hurricane Donna: Fla., Ga., S.C., N.C., Va., and New England.	*44	*60,000,000
Sept. 21, 1961	Hurricane Esther: N.C. to New England	*44	*60,000,000
Feb. 3, 1961	Snowstorm: N.C. to New England	*73	*Millions
Aug. 26, 1962	Hurricane Alma: S.C., N.C. and New England	*0	*1,000,000
Sept. 29, 1962	Hurricane Daisy: New England	*2	*1,000,000

SUMMARY OF MAJOR NATURAL DISASTERS: 1959–MARCH 9, 1973—Continued

[(*) denotes disaster which crossed State lines; figure reflects total deaths or damages for all affected States. (**) denotes that State was declared a disaster area by the President]

NEW HAMPSHIRE—Continued

Date	Type of disaster	Deaths	Estimated damage
Oct. 16, 1963	Hurricane Ginny: New England	*4	*$400,000
Sept. 9, 1964	Hurricane Dora: Fla., Ga., Ala., S.C., N.C., and New England.	*4	*230,000,000
Mar. 17, 1968	Floods: New England	*2	*50,000,000
Apr. 1, 1970	Tornadoes and Wind: 22 states and the District of Columbia.	NA	*7,921,000+
Feb. 18, 1972	Severe storms and flooding**	NA	NA

NEW JERSEY

Date	Type of disaster	Deaths	Estimated damage
Feb. 28, 1960	Hurricane Brenda: Fla., S.C., Va., N.J. and New England.	*0	*$5,000,000
Sept. 9, 1960	Hurricane Dora: East Coast	*44	*91,000,000
Feb. 3, 1961	Snowstorm: N.C. to New England	*73	*Millions
Jan. 19, 1961	Snowstorm: Virginia to N.Y.	*37	NA
Sept. 21, 1961	Hurricane Esther: N.C. to New England	*0	*7,000,000
Mar. 5, 1962	Severe Atlantic Coastal Storm: Maine to Florida.	*33	*200,000,000
Dec. 29, 1962	Windstorm: Conn., Mass., N.J. and N.Y	NA	*17,500,000+
August 1965	Water shortage**	NA	NA
Feb. 15, 1967	Windstorm: Ill., Mich., Ind., Ohio, Pa., N.J. and N.Y.	NA	*17,500,000+
Sept. 29, 1968	Heavy rains, high winds, and flooding**	NA	133,000,000
Nov. 12, 1968	Severe Atlantic Coastal Storm: Maine to S.C.	NA	*20,000,000
Apr. 1, 1970	Tornadoes and wind: 22 States and the District of Columbia.	NA	*7,921,000+
June 18, 1970	Tornado, wind and hail: Pa., Md., Del., N.J., N.Y. and Mass.	NA	*2,140,000+
August 1971	Tropical Storm Dora: heavy rains and flooding.**	3	138,500,000
September 1971	Floods, unusually heavy rains: N.J. and S.E. Pa.	*14	*90,000,000
June 1972	Hurricane Agnes: Eastern United States	*118	*3,000,000,000

NEW MEXICO

Date	Type of disaster	Deaths	Estimated damage
Dec. 12, 1964	Up to 83″ of snow: Ariz., N.M., Colo, and Utah	11*	* Large
June 19, 1965	Severe storms and flooding: S. Platte and Rio Grande River Basins **	16*	*$415,000,000
1966	Earthquake	0	200,000
June 15, 1969	Wind and hail: Las Cruces and Albuquerque	NA	4,000,000+
September 1970	Flooding: Colorado River Basin; 4-corners area.	23*	*5,000,000
July 17, 1972	Severe storms and flooding **	NA	NA
Aug. 31, 1972	Heavy rains and flooding **	NA	NA
Oct. 19, 1972	Heavy rains and flooding **	NA	NA

NEW YORK

Date	Type of disaster	Deaths	Estimated damage
January 1959	Floods: Lake Erie Drainage Basin	NA	*$11,265,000
Sept. 29, 1959	Hurricane Gracie: S.C., N.C., Ga., Va., W. Va., Pa., N.Y., N.H. and Vt.	*22	*14,000,000
June 24, 1960	Tornado: Schenectady area	0	5,000,000
Sept. 11, 1960	Hurricane Donna: East Coast	*44	*91,000,000
Sept. 21, 1961	Hurricane Esther: N.C. to New England	*0	*7,000,000
Jan. 19, 1961	Snowstorm: Va. to New York	*37	NA
Feb. 3, 1961	Snowstorm: N.C. to New England	*73	*Millions
Mar. 5, 1962	Windstorm: Conn., Mass., N.J., and N.Y	NA	*17,500,000+
Jan. 23, 1963	Blizzard: Buffalo area	11	NA
August 1965	Water Shortage**	NA	NA
Feb. 15, 1967	Windstorm: Ill, Mich, to NY	NA	*12,000,000+
October 1967	Severe storms and flooding**	NA	NA
Nov. 12, 1968	Severe Atlantic Coastal Storm: S.C. to Maine	NA	*20,000,000
August 1969	Heavy rains and flooding**	NA	NA
Apr. 1, 1970	Tornadoes and wind: 22 States and the District of Columbia	NA	*7,921,000+
June 18, 1970	Tornado, wind and hail: Pa., Md., Del., N.J., N.Y., and Mass.	NA	*2,140,000+
July 1970	Heavy rains and flooding**	NA	NA
September 1971	Severe storms and flooding**	NA	NA
June 18, 1972	Hurricane Agnes: severe storms and flooding**	*118	*3,000,000,000

NORTH CAROLINA

Date	Type of disaster	Deaths	Estimated damage
Sept. 29, 1959	Hurricane Gracie: S.C., N.C., Ga., Va., W. Va., Pa., N.Y., N.H. and Vt.	*22	$14,000,000
Sept. 9, 1960	Hurricane Donna: Fla., Ga., S.C., N.C., Va. and New England.	*44	*91,000,000
Mar. 1, 1960	Icestorm: Tex., La., Ark., Tenn., Ala., Ga., N.C. and S.C.	*5	*15,000,000
Sept. 21, 1961	Hurricane Esther: North Carolina to New England.	*0	*7,000,000
Feb. 3, 1961	Snowstorm: North Carolina to New England	*73	*Millions
Mar. 5, 1962	Severe Atlantic Coastal Storm: Maine to Florida.	*33	*200,000,000
Aug. 26, 1962	Hurricane Alma: S.C., N.C. and New England	*0	*1,000,000
Oct. 14, 1964	Hurricane Isabell: Fla. and N.C.**	*3	*10,000,000
Aug. 26, 1964	Hurricane Cleo: Fla., Ga., S.C., N.C., and Va	*3	*2,000,000
Sept. 9, 1964	Hurricane Dora: Fla., Ga., Ala., S.C., N.C. and New England.	*4	*230,000,000
June 8, 1966	Hurricane Alma: Fla., Ga., S.C., N.C. and Va	*6	*10,050,000
February 1968	Ice Storm**	NA	NA
Oct. 16, 1968	Hurricane Gladys: Fla., N.C. and S.C.	*5	*6,700,000
Nov. 12, 1968	Severe Atlantic Coastal Storm: S.C. to Maine	NA	*20,000,000

Date	Type of disaster	Deaths	Estimated damage
Apr. 1, 1970	Wind and Tornadoes: 22 States and the District of Columbia.	NA	*+$7,921,000
June 19, 1970	Wind and hail: South, Central and Eastern States.	NA	*+2,805,000

NORTH DAKOTA

Date	Type of disaster	Deaths	Estimated damage
June 1964	Floods: Upper Missouri River Basin	*24	*$600,000,000
April 1965	Floods: Upper Mississippi Valley, Missouri and Red River of the North Basins.**	*16	*181,325,000
Dec. 11, 1965	Ice storm: N.D., S.D. and Minn	NA	*2,000,000+
April 1966	Floods: Red River of the North**	NA	*12,500,000
July 1966	Severe storms and flooding**	NA	NA
April 1969	Floods: Red River of the North, Upper Mississippi Missouri River Basins.**	*8	*175,000,000
June 1970	Severe storms and flooding**	NA	NA
May 10, 1972	Severe storms and flooding**	NA	NA

OHIO

Date	Type of disaster	Deaths	Estimated damage
January 1959	Floods: Ohio River Basin, Lake Erie Drainage Basin.	*8	*$90,000,000+
March 1963	Flooding: Ohio River Basin	*26	*97,600,000
Mar. 5, 1964	Severe Storms, wind and flooding: Ohio River Basin.**	*18	*94,000,000
Apr. 11, 1965	47 Tornadoes and severe Storms: Ind., Ohio, Mich., Wis., and Ill.**	*257	*200,000,000
Feb. 15, 1967	Windstorms: Ill., Ind., Mich., Ohio, Pa., N.J. and N.Y.	NA	*12,000,000+
March 1967	Floods: Upper Ohio River Basin	*3	*40,000,000
May 1968	Flooding: Ohio River Basin: Tornadoes and Severe storms.**	NA	*48,000,000
July 1968	Flooding: Wabash River Basin; heavy rains**	NA	*12,000.000
May 8, 1969	Hail, wind and tornado	NA	2,500,000+
July 1969	Tornadoes, severe storms and flooding**	NA	NA
Aug. 9, 1969	Tornado and wind: Cincinnati area	NA	8,000,000+
Apr. 1, 1970	Wind and tornadoes: 22 States and D.C	NA	*7,921,000+
June 23, 1972	Severe storms and flooding**	NA	NA
Nov. 14, 1972	Heavy rains and flooding**	1	21,800,000

OKLAHOMA

Date	Type of disaster	Deaths	Estimated damage
Mar. 5, 1961	Tornado: Le Flore County	16	$50,000+
June 1965	Flooding: Arkansas River Basin**	*16	*58,340,000
May 23, 1968	Heavy rains, hail and flooding: Oklahoma City**	NA	20,000,000
Apr. 16, 1969	Hail and Wind: Kan, Mo., and Okla	NA	*7,000,000+
June 10, 1969	Wind and Hail: Texas Panhandle, Okla, Colo., Kan. and Neb.	NA	*5,820,000+
June 17, 1969	Wind and hail: Texas Panhandle and Western Okla.	NA	*20,000,000+
Apr. 17, 1970	Tornadoes, wind and Hail: Tex., Ark., Miss., Tenn., Ky., Ill., Okla. and Ala.	NA	*6,000,000+
Apr. 25, 1970	Wind, tornado and hail: Tex., Okla. and Kan	NA	*2,500,000+
Apr. 29, 1970	Hail, wind and tornado; Tex., Okla., Mo., Ind., Iowa and Ill.	NA	*7,730,000+
June 19, 1970	Wind and hail; South, Central and Eastern States.	NA	*2,805,000+
June 24, 1970	Wind and hail: El Reno area	NA	*2,000,000+
Sept. 3, 1970	Wind and Hail: Neb., Kan., Okla., and Mo	NA	*1,750,000
Oct. 5, 1970	Tornado: Shawnee	4	3,000,000
eptember 1971	Heavy rains and flooding**	NA	16,000,000
Dec. 9, 1971	Severe storms and flooding**	NA	NA

OREGON

Date	Type of disaster	Deaths	Estimated damage
Oct. 11, 1962	Severe North Pacific Coastal Storm	*50	*$250,000,000
February 1963	Floods: Pacific Coast States	NA	*14,000,000
December 1964	Severe storms, heavy rains, and flooding: Pacific Coast States.**	*42	*415,832,000
January 1965	Floods: West Coast States	*45	*500,000,000
February 1971	Storms and flooding**	NA	NA
Jan. 11, 1972	Severe storms and flooding**	NA	NA

PENNSYLVANIA

Date	Type of disaster	Deaths	Estimated damage
January 1959	Floods: Lake Erie Drainage Basin	NA	*$11,265,000
Sept. 29, 1959	Hurricane Gracie: S.C., N.C., Ga., Va., W. Va., Pa., N.Y., N.H., and Vt.	*22	*14,000,000
August 1965	Water Shortage**	NA	NA
March 1967	Floods: Upper Ohio River Basin	NA	*3,500,000
Feb. 15, 1967	Windstorm: Ill., Ind., Mich., Ohio., Pa., N.J., N.Y.	NA	*12,000,000+
August 1969	Severe storms and flooding**	NA	NA
Apr. 1, 1970	Tornadoes and wind: 22 States and D.C	NA	*7,921,000+
June 18, 1970	Tornado, wind and hail: Pa., Md., Del., N.J., N.Y., and Mass.	NA	*2,140,000+
September 1971	Unusually heavy rains and flooding: N.J. and S.E. Pennsylvania.**	*14	*90,000,000
June 17, 1972	Severe storms and flooding** (Tropical Storm Agnes).	*118	*3,000,000,000
Sept. 11, 1972	Heavy rains and flooding**	NA	NA

Date	Type of disaster	Deaths	Estimated damage
	RHODE ISLAND		
July 28, 1960	Hurricane Brenda: Fla., S.C. Va., N.J. and New England.	*0	*$5,000,000
Sept. 9, 1960	Hurricane Donna: Fla., Ga., S.C., N.C., Va. and New England.	*44	*91,000,000
Sept. 21, 1961	Hurricane Esther: N.C. to New England	*0	*7,000,000
Feb. 3, 1961	Snowstorm: North Carolina to New England	*73	*Millions
Mar. 5, 1962	Severe Atlantic Coastal Storm: Maine to Florida.	*33	*200,000,000
Oct. 5, 1962	Severe New England Coastal Storm	*11	*Millions
Aug. 26, 1962	Hurricane Alma: N.C., S.C., and New England	*0	*1,000,000
Sept. 29, 1962	Hurricane Daisy: New England	*2	*1,000,000
Oct. 16, 1963	Hurricane Ginny: New England	*4	*400,000
Sept. 9, 1964	Hurricane Dora; Fla., Ga., Ala., S.C., N.C., and New England.	*4	*230,000,000
Mar. 17, 1968	Floods: New England	*2	*50,000,000
Nov. 12, 1968	Severe Atlantic Coastal Storm: S.C. to Maine	NA	*20,000,000
Apr. 1, 1970	Tornadoes and Wind: 22 States and District of Columbia.	NA	*7,921,000
	SOUTH CAROLINA		
Sept. 29, 1959	Hurricane Gracie: S.C., N.C., Ga., Va., W. Va., Pa., N.Y., N.H., and Vt.	*22	*$14,000,000
July 28, 1960	Hurricane Brenda: Fla., S.C. Va., N.J. and New England.	*0	*5,000,000
Sept. 9, 1960	Hurricane Donna: Fla., Ga., S.C., N.C., Va. and New England.	*44	*60,000,000
Mar. 1, 1960	Ice Storm: Tex., La., Ark., Tenn., Ala., Ga., N.C. & S.C.	*5	*15,000,000
Oct. 14, 1962	Hurricane Ella: S.C., and Atlantic Coast (shipping).	*2	NA
Aug. 26, 1964	Hurricane Alma: S.C., N.C. and New England	*0	*1,000,000
June 8, 1966	Hurricane: Fla., Ga., S.C., N.C., and Va	*6	10,050,000
Jan. 16, 1968	Hurricane Gladys: Fla., S.C. and N.C	*5	*6,700,000
Nov. 12, 1968	Severe Atlantic Coastal Storm: South Carolina to Maine.	NA	*20,000,000
Feb. 15, 1969	Ice Storm	NA	65,000,000
Apr. 1, 1970	Tornadoes and wind: 22 States and D.C	NA	*7,921,000+
	SOUTH DAKOTA		
June 1964	Floods: Upper Missouri River Basin	*24	*$600,000,000
April 1965	Flooding: Upper Mississippi Valley, Missouri and Red River of the North**	*16	*181,000,000
Dec. 11, 1965	Ice Storm: N.D., S.D., and Minn	NA	*2,000,000+
April 1966	Flooding: Red River of the North	NA	*12,500,000
Mar. 2, 1966	Blizzard: Great Plains to Minnesota (100,000 head of livestock).	*15	
June 21, 1968	Tornadoes, thunderstorms and hail	NA	15,000,000
April 1969	Flooding: Red River of the North, Upper Mississippi River and Missouri River Basins**	*8	*175,000,000
June 9, 1972	Severe storms and flooding: Rapid City**	230	150,000,000
	TENNESSEE		
Mar. 1, 1960	Ice Storm: Tex., La., Ark., Tenn., Ala., Ga., N.C. & S.C.	*5	*$15,000,000
Dec. 31, 1963	Snow Storm: La., Ala., Miss. and Tenn	*Several	*7,000,000+
July 1969	Severe storms and flooding**	NA	NA
Apr. 1, 1970	Wind and tornadoes: 22 States and District of Columbia.	NA	*7,921,000+
Apr. 27, 1970	Tornado	2	1,500,000
June 19, 1970	Wind and Hail: South, Central and Eastern States.	NA	*2,805,000+
May 7, 1971	Tornadoes**	3	5,700,000
Apr. 12, 1972	Flooding**	NA	NA
	TEXAS		
July 25, 1959	Hurricane Debra	0	$7,000,000
June 1960	Flood: S.E. Texas	15	NA
June 23, 1960	Hurricane: Texas, Middle Mississippi Valley	*15	*5,000,000
Apr. 26, 1960	Hailstorm: San Angelo	0	4,000,000
Mar. 1, 1960	Ice Storm: Tex., La., Ark., Tenn., Ala., Ga., N.C., and S.C.	*5	*15,000,000
July 15, 1960	Severe storm: Tex. and Okla	NA	NA
Sept. 11, 1961	Hurricane Carla: Tex., La., and Miss. Valley	*46	*408,000,000
Jan. 9, 1962	Freezing weather: La., Miss., Fla., and Tex	0	*21,000,000
Sept. 5, 1962	Severe Storm: El Paso	NA	750,000
June 1, 1962	Tornado: Panhandle	NA	6,000,000
Sept. 16, 1963	Hurricane Cindy: Tex. and La	*3	*12,560,000
June 1963	Tornadoes, hail and wind (500,000 acres of cotton).	NA	
Apr. 3, 1964	Hurricane Abby	0	750,000
May 1965	Flood: Brazos River	0	30,802,000
June 11, 1965	Flash flood: Sanderson; tornadoes**	26	2,715,000
Sept. 8, 1965	Hurricane Betsy: Fla., Ala., Miss., La., Tex., and Ark.	*75	*1,420,000,000
April 1966	Flash flood: Dallas area	27	15,000,000
May 1966	Flooding: Sabine and Trinity River Basins**	14	20,100,000
September 1966	Heavy rains and flooding**	NA	NA
Oct. 4, 1966	Hurricane Inez: Fla. and Tex	*48	*5,000,000
September 1967	Flooding	NA	$98,200,000
Sept. 21, 1967	Hurricane Beulah**	15	208,000,000
January 1968	Flooding	4	3,000,000
Apr. 27, 1968	Hail and winds: Pine Bluff, Ark., So. Ark., and Dallas.	NA	*21,700,000+
June 23, 1968	Severe storms, high winds, and flooding: Hurricane Candy.**	0	*2,800,000
June 10, 1968	Heavy rains and flooding**	NA	NA
May 12, 1969	Wind and hail: Lower Rio Grande Valley	NA	3,000,000+
May 21, 1969	Hail and wind: Texas Panhandle and Kansas	NA	*6,000,000+
June 10, 1969	Wind and Hail: Texas panhandle, Okla., Colo., Kan. and Nebr.	NA	*5,820,000+
June 17, 1969	Hailstorm: Amarillo area and Okla	NA	*20,000,000+
Apr. 17, 1970	Several tornadoes	22	14,500,000
Apr. 27, 1970	Wind, hail and tornado: Tex., Okla. and Kan	NA	*2,500,000+
May 11, 1970	Tornado: Lubbock	26	135,000,000
July 1970	Hurricane Celia**	11	453,800,000
September 1971	Heavy rains, high winds and flooding**	NA	NA
Dec. 3, 1971	Heavy rains and flooding**	NA	NA
May 7, 1972	Severe storms and flooding **	NA	NA
Mar. 9, 1973	Tornadoes	NA	NA
	UTAH		
Dec. 12, 1964	Up to 83″ of snow: Ariz., N. Mex., Colo. and Utah.	*11	*Large
December 1966	Flood: Ariz., Nevada., Utah and Calif	*4	*$11,712,000
September 1970	Colorado River Basin Flooding: Four-Corners area.	*23	*5,000,000
	VERMONT		
Sept. 29, 1959	Hurricane Gracie: S.C., N.C., Ga., Va., W.Va., Pa., N.Y., N.H. and Vt.	*22	*$14,000,000
Feb. 3, 1961	Snowstorm: N.C. to New England	*73	*Millions
November 1963	Drought	NA	NA
March 1964	Flooding**	NA	NA
March 1968	Flooding: New England	*2	*50,000,000
August 1969	Severe storms and flooding**	NA	NA
Apr. 1, 1970	Tornadoes and wind: 22 states and D.C	NA	*7,921,000+
	VIRGINIA		
Sept. 29, 1959	Hurricane Gracie: S.C., N.C., Ga., Va., W. Va., Pa., N.Y., N.H. and Vt.	*22	*$14,000,000
July 28, 1960	Hurricane Brenda: Fla., S.C., Va., N.J. and New England.	*0	*5,000,000
Sept. 9, 1960	Hurricane Donna: Fla., Ga., S.C., N.C., Va. and New England.	*44	*91,000,000
Sept. 21, 1961	Hurricane Esther: North Carolina to New England.	*0	*7,000,000
Jan. 19, 1961	Snowstorm: Va. to N.Y	*37	NA
Feb. 3, 1961	Snowstorm: N.C. to New England	*73	*Millions
Mar. 5, 1962	Severe Atlantic coastal storm: Maine to Fla	*33	*200,000,000
March 1963	Ohio River Basin Flooding: Va., W. Va. and Ky.	*26	*97,600,000
Aug. 26, 1964	Hurricane Cleo: Fla., Ga., S.C., N.C. and Va	*3	*128,500,000
January 1966	Snowstorm: Va. to New England	*50	NA
Aug. 19, 1969	Flooding: Upper James River Basin	153	140,000,000
Aug. 17, 1969	Hurricane Camille: Miss., Ala., La. to Virginia	*258	*1,420,000,000
Apr. 1, 1970	Tornadoes and wind: 22 States and D.C	NA	*7,921,000+
June 19, 1970	Wind and hail: S. Central and Eastern States	NA	*2,805,000+
June 21, 1972	Hurricane Agnes**	*118	*3,000,000,000
Sept. 20, 1972	Severe storms and flooding**	NA	NA
Oct. 15, 1972	Severe storms and flooding**	8	23,700,000
	WASHINGTON (STATE)		
Oct. 11, 1962	No. Pacific Coastal Storm	*50	*$250,000,000
February 1963	Floods: Pacific Coast States	NA	*14,000,000
December 1964	Floods: Calif., Oregon, and Washington**	*42	*415,000,000
May 11, 1965	Earthquake: Seattle, Puget Sound area**	7	12,500,000
February 1971	Heavy rains, melting snow and flooding**	NA	NA
Jan. 19, 1972	Severe storms and flooding**	NA	NA
Feb. 13, 1972	Severe storms and flooding**	NA	NA
May 28, 1972	Flooding**	NA	NA
	WEST VIRGINIA		
January 1959	Floods: Ohio River Basin	*8	*$81,921,000
Sept. 29, 1959	Hurricane Gracie: Ga., Va., W. Va., Pa., N.Y., N.H. and Vt.	*22	*14,000,000
July 1961	Flash Flood: Charleston	22	3,238,000
March 1963	Floods: Ohio River Basin	*26	*97,600,000
March 1964	Floods: Ohio River Basin**	*18	*94,000,000
March 1967	Floods: Ohio River Basin**	3	*40,000,000
August 1967	Floods: Ohio River Basin	NA	3,500,000
May 1968	Floods: Ohio River Basin	NA	*48,000,000
August 1969	Severe storms and flooding**	NA	NA
September 1969	Severe storms and flooding**	NA	NA
Apr. 1, 1970	Tornadoes and wind: 22 States and D.C	NA	*7,921,000+
June 21, 1972	Hurricane Agnes: Eastern U.S.**	*118	*3,000,000,000
Aug. 18, 1972	Heavy rains and flooding**	NA	NA

SUMMARY OF MAJOR NATURAL DISASTERS: 1959 MARCH 9, 1973—Continued

[(*) denotes disaster which crossed State lines; figure reflects total deaths or damages for all affected States. (**) denotes that State was declared a disaster area by the President]

Date	Type of disaster	Deaths	Estimated damage
	WISCONSIN		
March 1961	Flooding: Upper Mississippi River Basin	NA	*$7,500,000
Aug. 22, 1964	Tornado: Port Washington	3	2,000,000
March 1965	Floods: Upper Mississippi River Valley, Missouri and Red River of the North.	*16	*181,325,000
Apr. 11, 1965	47 tornadoes: Ind., Ohio, Mich., Wis. and Ill.**	*257	*200,000,000
April 1969	Flooding: Red River of the North, Upper Mississippi and Missouri River Basins.**	*8	*175,000,000
July 1969	Severe storms and flooding**	NA	NA
Sept. 9, 1970	Windstorm and tornado: Iowa, Ill. and Wis	NA	*3,100,000+
Aug. 15, 1972	Heavy rains and flooding**	NA	NA
	WYOMING		
	None		

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Teague of Texas (at the request of Mr. Burleson of Texas), for an indefinite period, on account of sickness.

Mr. Johnson of California (at the request of Mr. McFall) for this week, on account of illness.

Mr. McSpadden (at the request of Mr. McFall), for today, on account of death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. McKinney) to revise and extend their remarks and include extraneous material:)

Mr. Williams, for 15 minutes, today.

Mr. Steiger of Wisconsin, for 10 minutes, today.

Mr. Horton, for 15 minutes, today.

Mr. Kemp, for 10 minutes, today.

Mr. Young of Alaska, for 5 minutes, today.

(The following Members (at the request of Mr. Jones of Oklahoma) and to include extraneous matter and to revise and extend their remarks:)

Mr. McFall, for 5 minutes, today.

Mr. Aspin, for 5 minutes, today.

Mr. Gonzalez, for 5 minutes, today.

Ms. Abzug, for 5 minutes, today.

Mr. Brinkley, for 15 minutes, today.

Mr. James V. Stanton, for 15 minutes, today.

Mr. Barrett, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Danielson notwithstanding an estimated cost of $1,020, to revise and extend his remarks at this point and include extraneous matter.

(The following Members (at the request of Mr. McKinney) and to include extraneous matter:)

Mr. Price of Texas.

Mr. Steelman in three instances.

Mr. Quie in two instances.

Mr. Derwinski in four instances.

Mr. Biester.

Mr. Zwach.

Mr. Cederberg in two instances.

Mr. Johnson of Pennsylvania.

Mr. Hosmer in three instances.

Mr. Mathias of California.

Mr. Crane in five instances.

Mr. Sandman.

Mr. Young of Alaska.

Mr. Cochran.

Mr. Fish.

Mr. Frey.

Mr. Findley.

Mr. Horton.

Mr. McClory.

Mr. Armstrong.

Mr. Nelsen.

Mr. Mills of Maryland.

Mr. Gerald R. Ford.

Mr. Gude in five instances.

Mr. Frenzel in two instances.

Mr. Whitehurst.

Mr. Ashbrook in three instances.

Mr. Anderson of Illinois in three instances.

Mr. Baker.

Mrs. Heckler of Massachusetts.

(The following Members (at the request of Mr. Jones of Oklahoma) and to include extraneous material:)

Mr. Drinan.

Mr. Brademas in five instances.

Mr. Rosenthal in five instances.

Mr. Gonzalez in three instances.

Mr. Rarick in three instances.

Mr. William D. Ford in four instances.

Mr. Sarbanes in five instances.

Ms. Abzug in five instances.

Mr. Cotter in seven instances.

Mr. Hamilton.

Mr. Aspin in 10 instances.

Mr. Stark in 10 instances.

Mr. Breckinridge.

Mr. Waldie in six instances.

Mr. Litton.

Mr. James V. Stanton.

Mr. Thompson of New Jersey in 10 instances.

Mr. Koch in three instances.

Mr. Carney of Ohio in four instances.

Mr. Harrington in two instances.

Mr. Rangel in 10 instances.

Mr. Rose in two instances.

Mr. Danielson in two instances.

Mr. Nix.

Mr. Anderson of California in four instances.

Mr. Leggett.

Mr. Moss in three instances.

Mr. Carey of New York.

Mr. St Germain in two instances.

Mr. Fulton.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

An act to extend and amend the Economic Stabilization Act of 1970.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on April 19, 1973, present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H.R. 1975. An act to amend the emergency loan program under the Consolidated Farm and Rural Development Act, and for other purposes;

H.R. 6883. An act to amend the Agricultural Adjustment Act of 1938 with respect to rice; and

H.J. Res. 496. Joint resolution making supplemental appropriations for the fiscal year ending June 30, 1973, for the Civil Aeronautics board and the Veterans' Administration, and for other purposes.

ADJOURNMENT

Mr. JONES of Oklahoma. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 32 minutes p.m.), the House adjourned until tomorrow, Tuesday, May 1, 1973, at 12 o'clock noon.

REPORT OF EXPENDITURES OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS INCURRED IN TRAVEL OUTSIDE THE UNITED STATES DURING 1972 AS REQUIRED BY THE MUTUAL SECURITY ACT OF 1954, AS AMENDED BY PUBLIC LAW 86-472 AND BY PUBLIC LAW 86-628

Mr. HAYS. Mr. Speaker, section 502(b) of the Mutual Security Act of 1954, as amended by section 401(a) of Public Law 86-472, approved May 14, 1960, and section 105 of Public Law 86-628, approved July 12, 1960, require the reporting of expenses incurred in connection with travel, including both foreign currencies expended and dollar expenditures made from appropriated funds.

The required reports for travel during 1972 are submitted herewith:

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR TRAVEL AUTHORIZED BY H. RES. 22, 1ST SESS., 92D CONG., COMMITTEE ON AGRICULTURE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN 1, AND DEC. 31, 1972

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency
Hon. W. R. Poage:												
Algeria	Dinar	11/18	11/19	1	250.50	$50.00	54.50	$6.10	54.60	$6.13	109.10	$12.23
Sudan	Pounds	11/19	11/20	1	19.900	50.00	14.212	35.71			14.212	35.71
Ethiopia	Dollar	11/20	11/21	1	114.14	50.00	72.96	31.96			72.96	31.96
Bahrain	B dinar	11/21	11/22	1	21.700	50.00	14.947	43.75			14.947	43.75
Muscat-Oman	Rials-saidi	11/22	11/23	2	19.000	50.00	21.603	56.85	1.750	4.60	23.353	61.45
India	Rupees	11/23 11/25	11/24 11/26	2	396.00	50.00	412.00	51.95	44.00	5.55	456.00	57.50
Bangladesh	Taka	11/24	11/25	1	395.07	50.00						
Pakistan	Rupees	11/26	11/27	1	550.00	50.00	290.02	20.00			290.02	20.00
Kuwait	Dinar	11/27	11/28	1	16.325	50.00	7.512	24.52			7.512	24.52
Italy	Lire	11/28	11/29	1	29,250	50.00	29,250	50.00			29,250	50.00
Spain	Pesetas	11/29	11/30	1	3,175	50.00	1,762	27.71	1,041	16.40	2,803	44.11
Hon. Thomas G. Abernethy:												
Algeria	Dinar	11/18	11/19	1	250.50	50.00	54.50	6.10	54.60	6.13	109.10	12.23
Sudan	Pounds	11/19	11/20	1	19.900	50.00	14.212	35.71			14.212	35.71
Ethiopia	Dollar	11/20	11/21	1	114.14	50.00	72.96	31.96			72.96	31.96
Bahrain	Dinar	11/21	11/22	1	21.700	50.00	14.947	43.75			14.947	43.75
Muscat-Oman	Rials-saidi	11/22	11/23	2	19.000	50.00	21.603	56.85	1.750	4.60	23.353	61.45
India	Rupees	11/23 11/25	11/24 11/26	2	396.00	50.00	412.00	51.95	44.00	5.55	456.00	57.50
Bangladesh	Taka	11/24	11/25	1	395.07	50.00						
Pakistan	Rupees	11/26	11/27	1	550.00	50.00	290.02	20.00			290.02	20.00
Kuwait	Dinar	11/27	11/28	1	16.325	50.00	7.512	24.52			7.512	24.52
Italy	Lire	11/28	11/30	2	29,250	50.00	58,500	100.00	11,298	19.31	67,798	119.31
Hon. Bill Alexander:												
Algeria	Dinar	11/18	11/19	1	250.50	50.00	54.50	6.10	54.60	6.13	109.10	12.23
Sudan	Pounds	11/19	11/20	1	19.900	50.00	14.212	35.71			14.212	35.71
Ethiopia	Dollar	11/20	11/21	1	114.14	50.00	72.96	31.96			72.96	31.96
Bahrain	Dinar	11/21	11/22	1	21.700	50.00	14.947	43.75			14.947	43.75
Muscat-Oman	Rials-saidi	11/22	11/23	2	19.000	50.00	21.603	56.85	1.750	4.60	23.353	61.45
India	Rupees	11/23 11/25	11/24 11/26	2	396.00	50.00	412.00	51.95	44.00	5.55	456.00	57.50
Bangladesh	Taka	11/24	11/25	1	395.07	50.00	125.15	15.84			125.15	15.84
Pakistan	Rupees	11/26	11/27	1	550.00	50.00	290.02	20.00			290.02	20.00
Kuwait	Dinar	11/27	11/28	1	16.325	50.00	7.512	24.52			7.512	24.52
Hon. E de la Garza:												
Algeria	Dinar	11/18	11/19	1	250.50	50.00	54.50	6.10	54.60	6.13	109.10	12.23
Sudan	Pounds	11/19	11/20	1	19.900	50.00	14.212	35.71			14.212	35.71
Ethiopia	Dollar	11/20	11/21	1	114.14	50.00	72.96	31.96			72.96	31.96
Bahrain	Dinar	11/21	11/22	1	21.700	50.00	14.947	43.75			14.947	43.75
Muscat-Oman	Rials-saidi	11/22	11/23	2	19.000	50.00	21.603	56.85	1.750	4.60	23.353	61.45
India	Rupees	11/23	11/24	1	396.00	50.00	186.35	23.50			186.35	23.50
Bangladesh	Taka	11/24	11/25	1	395.07	50.00						
India	Rupees	11/25	11/28	4	396.00	50.00	250.50	31.59			250.50	31.59
Greece	Drachmas	11/29	12/2	4	1,500	50.00	5,000	166.67	330	11.00	5,330	177.67
Hon. Frank Denholm:												
Algeria	Dinar	11/18	11/19	1	250.50	50.00	54.50	6.10	54.60	6.13	109.10	12.23
Sudan	Pounds	11/19	11/20	1	19,900	50.00	14.212	35.71			14.212	35.71
Ethiopia	Dollar	11/20	11/21	1	114.14	50.00	72.96	31.96			72.96	31.96
Bahrain	Dinar	11/21	11/22	1	21.700	50.00	14.947	43.75			14.947	43.75
Muscat-Oman	Rials-saidi	11/22	11/23	2	19.000	50.00	21.603	56.85	1.750	4.60	23.353	61.45
India	Rupees	11/23 11/25	11/24 11/26	2	396.00	50.00	412.00	51.95	44.00	5.55	456.00	57.50
Bangladesh	Taka	11/24	11/25	1	395.07	50.00						
Pakistan	Rupees	11/26	11/27	1	550.00	50.00	290.02	30.00			290.02	20.00
Kuwait	Dinar	11/27	11/28	1	16.325	50.00	7.512	24.52			7.512	24.52
Italy	Lire	11/28	11/29	1	29,250	50.00	29,250	50.00			29,250	50.00
Spain	Pesetas	11/29	11/30	1	3,175	50.00	1,762	27.71	1,041	16.40	2,803	44.11
Hon. Tom Foley:												
Algeria	Dinar	11/18	11/19	1	250.50	50.00	54.50	6.10	54.60	6.13	109.10	12.23
Sudan	Pounds	11/19	11/20	1	19.900	50.00	14.212	35.71			14.212	35.71
Ethiopia	Dollar	11/20	11/21	1	114.14	50.00	72.96	31.96			72.96	31.96
Bahrain	Dinar	11/21	11/22	1	21.700	50.00	14.947	43.75			14.947	43.75
Muscat-Oman	Rials-saidi	11/22	11/23	2	19.000	50.00	21.603	56.85	1.750	4.60	23.353	61.45
India	Rupees	11/23	11/24	1	396.00	50.00	186.35	23.50			186.35	23.50
Bangladesh	Taka	11/24	11/25	1	395.07	50.00						
India	Rupees	11/25	11/28	4	396.00	50.00	389.50	49.12			389.50	49.12
United Kingdom	Pounds	11/29	12/2	5	21.20	50.00	84.80	200.00			84.80	200.00
Hon. George A. Goodling:												
Algeria	Dinar	11/18	11/19	1	250.50	50.00	54.50	$6.10	54.60	6.13	109.10	12.23
Sudan	Pounds	11/19	11/20	1	19.900	50.00	14.212	35.71			14.212	35.71
Ethiopia	Dollar	11/20	11/21	1	114.14	50.00	72.96	31.96			72.96	31.96
Bahrain	Dinar	11/21	11/22	1	21.700	50.00	19.947	43.75			19.947	43.75
Muscat-Oman	Rials-saidi	11/22	11/23	2	19.000	50.00	21.603	56.85	1.750	4.60	23.353	61.45
India	Rupees	11/23	11/24	1	396.00	50.00	186.35	23.50			186.35	23.50
Bangladesh	Taka	11/24	11/25	1	395.07	50.00						
India	Rupees	11/25	11/28	4	396.00	50.00	321.25	50.51			321.25	50.51
Greece	Drachmas	11/29	12/2	4	1,500	50.00	4,500	150.00			4,500	150.00

Footnotes at end of table.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR TRAVEL AUTHORIZED BY H. RES. 22, 1ST SESS., 92D CONG., COMMITTEE ON AGRICULTURE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972—Continued

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency
Hon. Wiley Mayne:												
Algeria	Dinar	11/18	11/19	1	250.50	$50.00	54.50	$6.10	54.60	$6.13	109.10	$12.23
Sudan	Pounds	11/19	11/20	1	19.900	50.00	14.212	35.71			14.212	35.71
Ethiopia	Dollar	11/20	11/21	1	114.14	50.00	72.96	31.96			72.96	31.96
Bahrain	Dinar	11/21	11/22	1	21.700	50.00	14.947	43.75			14.947	43.75
Muscat-Oman	Rials-saidi	11/22	11/23	2	19.000	50.00	21.603	56.85	1.750	4.60	23.353	61.45
India	Rupees	11/23	11/24	2	396.00	50.00	412.00	51.95	44.00	5.55	456.00	57.50
		11/25	11/26									
Bangladesh	Taka	11/24	11/25	1	395.07	50.00						
Pakistan	Rupees	11/26	11/27	1	550.00	50.00	290.02	20.00			290.02	20.00
Kuwait	Dinar	11/27	11/28	1	16.325	50.00	7.512	24.52			7,512	24.52
Italy	Lire	11/28	11/29	1	29,250	50.00	29,250	50.00			29,250	50.00
Spain	Pesetas	11/29	11/30	1	3,175	50.00	1,762	27.71	1,041	16.40	2,803	44.11
Hon. Keith Sebelius:												
Algeria	Dinar	11/18	11/19	1	250.50	50.00	54.50	6.10	54.60	6.13	109.10	12.23
Sudan	Pounds	11/19	11/20	1	19.900	50.00	14.212	35.71			15.313	35.71
Ethiopia	Dollar	11/20	11/21	1	114.14	50.00	72.96	31.96			72.96	31.96
Bahrain	B dinar	11/21	11/22	1	21.700	50.00	14.947	43.75			14.947	43.75
Muscat-Oman	Rials-saidi	11/22	11/23	2	19.000	50.00	21.603	56.85	1,750	4.60	23.353	61.45
India	Rupees	11/23	11/24	2	396.00	50.00	412.00	51.95	44.00	5.55	456.00	57.50
		11/25	11/26									
Bangladesh	Taka	11/24	11/25	1	395.07	50.00						
Pakistan	Rupees	11/26	11/27	1	550.00	50.00	290.02	20.00			290.02	20.00
Kuwait	Dinar	11/27	11/28	1	16.325	50.00	7,592	24.52			7,512	24.52
Italy	Lire	11/28	11/29	1	29.250	50.00	29,250	50.00			29,250	50.00
Spain	Pesetas	11/29	11/30	1	3,175	50.00	1,762	27.71	1,041	16.40	2,803	44.11
Hon. Charles M. Teague:												
Algeria	Dinar	11/18	11/19	1	250.50	50.00	54.50	6.10	54.60	6.13	109.10	12.23
Sudan	Pounds	11/19	11/20	1	19.900	50.00	14.212	35.71			14.212	35.71
Ethiopia	Dollar	11/20	11/21	1	114.14	50.00	72.96	31.96			72.96	31.96
Bahrain	B dinar	11/21	11/22	1	21.700	50.00	14.947	43.75			14.947	43.75
Muscat-Oman	Rials-saidi	11/22	11/23	2	19.000	50.00	21.603	56.85	1,750	4.60	23.353	61.45
India	Rupees	11/23	11/24	2	396.00	50.00	412.00	51.95	44.00	5.55	456.00	57.50
		11/25	11/25									
Bangladesh	Taka	11/24	11/25	1	395.07	50.00						
Pakistan	Rupees	11/26	11/27	1	550.00	50.00	290.02	20.00			290.02	20.00
Kuwait	Dinar	11/27	11/28	1	16.325	50.00	7,512	24.52			7,512	24.52
Italy	Lire	11/28	11/29	1	29,250	50.00	29,250	50.00			29,250	50.00
Spain	Pesetas	11/29	11/30	1	3,175	50.00	1,762	27.71	1,041	16.40	2,803	44.11
Hon. William C. Wampler:												
Algeria	Dinar	11/18	11/19	1	250.50	50.00	54.50	6.10	54.60	6.13	109.10	12.23
Sudan	Pounds	11/19	11/20	1	19.900	50.00	14.212	35.71			14.212	35.71
Ethiopia	Dollar	11/20	11/21	1	114.14	50.00	72.96	31.96			72.96	31.96
Bahrain	B dinar	11/21	11/22	1	21.700	50.00	14.947	43.75			14.947	43.75
Muscat-Oman	Rials-saidi	11/22	11/23	2	19.000	50.00	21.603	56.85	1,750	4.60	23.353	61.45
India	Rupees	11/23	11/24	2	396.00	50.00	412.00	51.95	44.00	5.55	466.00	57.50
		11/25	11/26									
Bangladesh	Taka	11/24	11/25	1	395.07	50.00						
Pakistan	Rupees	11/26	11/27	1	550.00	50.00	290.02	20.00			290.02	20.00
Kuwait	Dinar	11/27	11/28	1	16.325	50.00	7.512	24.52			7.512	24.52
Italy	Lire	11/28	11/29	1	29,250	50.00	29,250	50.00			29,250	50.00
Spain	Pesetas	11/29	11/30	1	3,175	50.00	1,762	27.71	1,041	16.40	2,803	44.11
Louis T. Easley:												
Algeria	Dinar	11/18	11/19	1	250.50	50.00	54.50	6.10	54.60	6.13	109.10	12.23
Sudan	Pounds	11/19	11/20	1	19.900	50.00	14.212	35.71			14.212	35.71
Ethiopia	Dollar	11/20	11/21	1	114.14	50.00	72.96	31.96			72.96	31.96
Bahrain	B dinar	11/21	11/22	1	21.700	50.00	14.947	43.75			14.947	43.75
Muscat-Oman	Rials-saidi	11/22	11/23	2	19.000	50.00	21.603	56.85	1,750	4.60	23.353	61.45
India	Rupees	11/23	11/24	2	396.00	50.00	412.00	51.95	44.00	5.55	456.00	57.50
		11/25	11/26									
Bangladesh	Taka	11/24	11/25	1	395.07	50.00						
Pakistan	Rupees	11/26	11/27	1	550.00	50.00	290.02	20.00			290.02	20.00
Kuwait	Dinar	11/27	11/28	1	16.325	50.00	7,512	24.52			7,512	24.52
Italy	Lire	11/28	11/29	1	29,250	50.00	29,250	50.00			29,250	50.00
Spain	Pesetas	11/29	11/30	1	3,175	50.00	1,762	27.71	1,041	16.40	2,803	44.11
Christine S. Gallagher: Greece	Drachmas	11/28	12/3	5	1,500	50.00	5,500	183.33			5,500	183.33
* Hon. Thomas G. Abernethy, Rome-United States.	D. mark								2,034.50	626.00	2,034.50	626.00
Hon. E de la Garza, India-Greece-United States.	D. mark								3,591.25	1,105.00	3,591.25	1,105.00
Hon. Thomas Foley, India-United Kingdom-United States.	D. mark								3,591.25	1,105.00	3,591.25	1,105.00
Hon. George A. Goodling, India-Greece-United States.	D. mark								3,591.25	1,105.00	3,591.25	1,105.00
Christine Gallagher, United States-Greece and return.	Netherlands guilders								4,215.00	1,297.00	4,215.00	1,297.00
Total								4,532.20		5,561.82		10,084.38

[1] If foreign currency is used, enter U.S. $ equivalent; if U.S. currency is used, enter amount expended.

* Note: All of the above travel was by military aircraft.

W. R. POAGE,
Chairman, Committee on Agriculture.

Mar. 2, 1973.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR TRAVEL, COMMITTEE ON APPROPRIATIONS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

RECAPITULATION

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Full committee	Dollar							$1,324.75		$3,033.25		4,358.00
Agriculture—Environmental and Consumer Protection Subcommittee.	Dollar							1,124.00		1,868.00		2,992.00
Defense Subcommittee	Dollar							2,890.72		4,041.00		6,931.72
Foreign Operations Subcommittee	Dollar							5,645.50		14,322.17		19,967.67
HUD-Space-Science-Veterans Subcommittee.	Dollar							945.00		1,064.00		2,009.00
Military Construction Subcommittee	Dollar							1,336.82		4,265.39		5,602.21
State, Justice, Commerce, and Judiciary Subcommittee.	Dollar							4,351.00		12,257.18		16,608.18
Treasury-Postal Service-General Government Subcommittee.	Dollar							1,257.00		109.50		1,366.50
Surveys and Investigations Staff	Dollar							16,552.50		36,043.54		52,596.04
Appropriations Committee, total								35,427.29		77,004.03		112,431.32

[1] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

GEORGE MAHON,
Chairman, Committee on Appropriations.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR TRAVEL, COMMITTEE ON APPROPRIATIONS (FULL COMMITTEE), U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

Name and country	Name of currency	Date			Per diem rate		Total, amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. Wendell Wyatt:												
United States	Dollar		1/4	½		$35.00		$17.50				$17.50
Japan	Dollar	1/5	1/6	2		43.00		86.00		$4.00		90.00
Hong Kong	Dollar	1/6	1/9	3		2 at 48.00 1 at 50.00		146.00		8.50		154.50
Vietnam	Dollar	1/9	1/12	3		36.00		108.00		7.00		115.00
Thailand	Dollar	1/12	1/15	3		31.00		93.00		3.50		96.50
Singapore/Indonesia	Dollar	1/15	1/17	2		34.00		68.00		35.00		103.00
China	Dollar	1/17	1/18	1		32.00		32.00				32.00
Japan	Dollar	1/18	1/20	2		45.00		90.00		4.00		94.00
United States	Dollar	1/20	1/23	2½		35.00		87.50				87.50
Air transportation	Dollar									2,235.00		2,235.00
Subtotal								728.00		2,297.00		3,025.00
Hon. Sidney R. Yates:												
United States	Dollar		3/21	¼		35.00		8.75		6.25		15.00
Germany	Dollar	3/22	3/25	4		39.00		156.00		4.00		160.00
Israel	Dollar	3/25	4/4	10				300.00				300.00
France	Dollar	4/4	4/7	2¾		48.00		132.00				132.00
Air transportation	Dollar									726.00		726.00
Subtotal								596.75		736.25		1,333.00
Full Committee, total								1,324.75		3,033.25		4,358.00

[1] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR TRAVEL, COMMITTEE ON APPROPRIATIONS, SUBCOMMITTEE ON AGRICULTURE-ENVIRONMENTAL AND CONSUMER PROTECTION, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. Robert H. Michel:												
United States	Dollar		4/3	1/2		$35.00		$17.50		$64.00		$81.50
Brazil	Dollar	4/4	4/6	3		2 at 34.00 1 at 42.00		110.00				110.00
Argentina	Dollar	4/6	4/9	3		32.00		96.00				96.00
United States	Dollar	4/10		1/2		35.00		17.50				17.50
Air transportation	Dollar									810.00		810.00
Subtotal								241.00		874.00		1,115.00
Mr. Charles W. Snodgrass:												
Mexico	Dollar	11/18	11/21	4		36.00		144.00				144.00
Venezuela	Dollar	11/22	11/26	5		at 39.00		195.00				195.00
Brazil	Dollar	11/27	12/1	5		3 at 42.00 2 at 34.00		194.00				194.00
Argentina	Dollar	12/2	12/6	5		32.00		160.00				160.00
Peru	Dollar	12/7	12/11	5		38.00		190.00				190.00
Air transportation	Dollar									994.00		994.00
Subtotal								883.00		994.00		1,877.00
Agriculture-Environmental and Consumer Protection Subcommittee, total								1,124.00		1,868.00		2,992.00

[1] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR TRAVEL, COMMITTEE ON APPROPRIATIONS, SUBCOMMITTEE ON DEFENSE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. Joseph P. Addabbo:												
Spain	Dollar	1/5	1/7	3		$36.00		$108.00				$108.00
Italy	Dollar	1/8	1/10	3		33.00		99.00				99.00
Israel	Dollar	1/11	1/14	4		50.00		200.00				200.00
Greece	Dollar	1/15	1/17	3		35.00		105.00				105.00
Air transportation	Dollar									[2] 996.00		996.00
Subtotal								512.00		996.00		1,508.00
Mr. Austin G. Smith:												
United States	Dollar		1/4	½		35.00		17.50		61.00		78.50
Spain	Dollar	1/5	1/7	3		36.00		108.00				108.00
Italy	Dollar	1/8	1/10	3		33.00		99.00				99.00
Israel	Dollar	1/11	1/14	4		50.00		200.00				200.00
Greece	Dollar	1/15	1/17	3		35.00		105.00				105.00
Air transportation	Dollar									[2] 996.00		996.00
Subtotal								529.50		1,057.00		1,586.50
Hon. William E. Minshall:												
Bahamas	Dollar	2/13	2/15	3				27.74		(3)		27.74
Mr. Samuel R. Preston:												
Bahamas	Dollar	2/13	2/15	3				27.74		(3)		27.74
Mr. Peter J. Murphy, Jr.:												
Bahamas	Dollar	2/13	2/15	3				27.74		(3)		27.74
Hon. Robert L. F. Sikes:												
Far East	Dollar	4/6	4/16	9½				(4)		(5)		
Hon. Jamie L. Whitten:												
Mexico	Dollar	11/18	11/21	4		36.00		144.00				144.00
Venezuela	Dollar	11/22	11/26	5		39.00		195.00				195.00
Brazil	Dollar	11/27	12/1	5		3 at 42.00 2 at 34.00		194.00				194.00
Argentina	Dollar	12/2	12/6	5		32.00		160.00				160.00
Peru	Dollar	12/7	12/11	5		38.00		190.00				190.00
Air transportation	Dollar									994.00		994.00
Subtotal								883.00		994.00		1,877.00
Mr. Samuel R. Preston:												
Mexico	Dollar	11/18	11/21	5		36.00		144.00				144.00
Venezuela	Dollar	11/22	11/26	5		39.00		195.00				195.00
Brazil	Dollar	11/27	12/1	4		3 at 42.00 2 at 34.00		194.00				194.00
Argentina	Dollar	12/2	12/6	5		32.00		160.00				160.00
Peru	Dollar	12/7	12/11	5		38.00		190.00				190.00
Air transportation	Dollar									994.00		994.00
Subtotal								883.00		994.00		1,877.00
Defense Subcommittee, total								2,890.72		4,041.00		6,931.72

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[1] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

[2] Transportation partially furnished by Government-owned aircraft.

[3] Transportation furnished by Government-owned aircraft.

[4] No per diem claimed.

[5] Transportation partially furnished by Government-owned aircraft; remainder of travel cost at own expense.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR TRAVEL, COMMITTEE ON APPROPRIATIONS, SUBCOMMITTEE ON FOREIGN OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. Otto E. Passman:												
United States	Dollar	12/28	12/31/71	4		$35.00		$140.00				$140.00
Switzerland	Dollar	1/5	1/9	4		40.00		160.00				160.00
Italy	Dollar	1/9	1/11	3		40.00		120.00				120.00
Thailand	Dollar	1/12	1/14	2		31.00		62.00				62.00
Hong Kong	Dollar	1/14	1/19	5		50.00		250.00				250.00
Taiwan	Dollar	1/19	1/20	1		32.00		32.00				32.00
Korea	Dollar	1/20	1/22	2		31.00		62.00				62.00
United States	Dollar	1/22		1		35.00		35.00				35.00
Air transportation	Dollar									$2,567.67		2,567.67
Subtotal								861.00		2,567.67		3,428.67
Mr. Donald E. Richbourg:												
Switzerland	Dollar	1/5	1/9	4		40.00		160.00				160.00
Italy	Dollar	1/9	1/11	3		40.00		120.00				120.00
Thailand	Dollar	1/12	1/14	2		31.00		62.00				62.00
Hong Kong	Dollar	1/14	1/19	5		50.00		250.00				250.00
Taiwan	Dollar	1/19	1/20	1		32.00		32.00				32.00
Korea	Dollar	1/20	1/22	2		31.00		62.00				62.00
United States	Dollar	1/22		1		35.00		35.00				35.00
Air transportation	Dollar									2,169.00		2,169.00
Subtotal								721.00		2,169.00		2,890.00

Footnote at end of table.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR TRAVEL, COMMITTEE ON APPROPRIATIONS, SUBCOMMITTEE ON FOREIGN OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972—Continued

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency
Mr. Eugene B. Wilhelm:												
Switzerland	Dollar	1/5	1/9	4		$40.00		$160.00				$160.00
Italy	Dollar	1/9	1/12	4		40.00		160.00				160.00
Air transportation	Dollar									1,031.00		1,031.00
Subtotal								320.00		1,031.00		1,351.00
Hon. Edward R. Roybal:												
United States	Dollar		1/5	½		35.00		17.50				17.50
Denmark	Dollar	1/6	1/8	2		41.00		82.00				82.00
Austria	Dollar	1/8	1/11	3		1 at 39.00 2 at 41.00		121.00				121.00
Turkey	Dollar	1/11	1/14	3		32.00		96.00				96.00
Spain	Dollar	1/14	1/17	3		37.00		111.00				111.00
Luxembourg	Dollar	1/17	1/19	2		36.00		72.00				72.00
Belgium	Dollar	1/19	1/21	3		43.00		129.00				129.00
Transportation	Dollar									[2] 31.50		31.50
Subtotal								628.50		31.50		660.00
Hon. Garner E. Shriver:												
United States	Dollar		3/29	1		35.00		35.00				35.00
Denmark	Dollar	3/30	4/2	3		43.00		129.00				129.00
Greece	Dollar	4/2	4/4	2		35.00		70.00				70.00
Turkey	Dollar	4/4	4/7	3		32.00		96.00				96.00
Switzerland	Dollar	4/7	4/10	4		41.00		164.00				164.00
Air transportation	Dollar									825.00		825.00
Subtotal								494.00		825.00		1,319.00
Hon. Otto E. Passman:												
United States	Dollar		11/26	1		35.00		35.00				35.00
France	Dollar	11/27	11/29	2		50.00		100.00				100.00
Switzerland	Dollar	11/29	12/1	2		44.00		88.00				88.00
Thailand	Dollar	12/2	12/4	3		31.00		93.00				93.00
Indonesia	Dollar	12/4	12/6	2		48.00		96.00				96.00
Hong Kong	Dollar	12/6	12/13	7		50.00		350.00				350.00
Korea	Dollar	12/13	12/16	4		35.00		140.00				140.00
United States	Dollar	12/16	12/19	3		35.00		105.00				105.00
Air transportation	Dollar									2,804.00		2,804.00
Subtotal								1,007.00		2,804.00		3,811.00
Mr. Donald E. Richbourg:												
United States	Dollar		11/26	1		35.00		35.00				35.00
France	Dollar	11/27	11/29	2		50.00		100.00				100.00
Switzerland	Dollar	11/29	12/1	2		44.00		88.00				88.00
Thailand	Dollar	12/2	12/4	3		31.00		93.00				93.00
Indonesia	Dollar	12/4	12/6	2		48.00		96.00				96.00
Hong Kong	Dollar	12/6	12/13	7		50.00		350.00				350.00
Korea	Dollar	12/13	12/16	4		35.00		140.00				140.00
Air transportation	Dollar									2,442.00		2,442.00
Subtotal								902.00		2,442.00		3,344.00
Mr. Eugene B. Wilhelm:												
United States	Dollar		11/26	1		35.00		35.00				35.00
France	Dollar	11/27	11/29	2		50.00		100.00				100.00
Switzerland	Dollar	11/29	12/1	2		44.00		88.00				88.00
Thailand	Dollar	12/2	12/4	3		31.00		93.00				93.00
Indonesia	Dollar	12/4	12/6	2		48.00		96.00				96.00
Hong Kong	Dollar	12/6	12/11	6		50.00		300.00				300.00
Air transportation	Dollar									2,452.00		2,452.00
Subtotal								712.00		2,452.00		3,164.00
Foreign Operations Subcommittee, total.								5,645.50		14,322.17		19,967.67

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[1] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

[2] Air transportation furnished by Government-owned aircraft.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR TRAVEL, COMMITTEE ON APPROPRIATIONS, SUBCOMMITTEE ON HUD-SPACE-SCIENCE-VETERANS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency
Hon. Joseph M. McDade:												
United Kingdom	Dollar	11/11	11/16	6		$50.00		$300.00		$19.00		$319.00
France	Dollar	11/16	11/19	3		50.00		150.00				150.00
Switzerland	Dollar	11/19	11/22	3		44.00		132.00				132.00
Germany	Dollar	11/22	11/25	3		42.00		126.00				126.00
Denmark	Dollar	11/25	11/26	1		43.00		43.00				43.00
Sweden	Dollar	11/26	11/28	2		47.00		94.00				94.00
United Kingdom	Dollar	11/28	11/30	2		50.00		100.00				100.00
Air Transportation	Dollar									1,045.00		1,045.00
HUD-Space-Science-Veterans Subcommittee, total								945.00		1,064.00		2,009.00

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[1] If foreign currency is used, enter U.S. dollar equivalent; If U.S. currency is used, enter amount expended.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR TRAVEL, COMMITTEE ON APPROPRIATIONS, SUBCOMMITTEE ON MILITARY CONSTRUCTION, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Mr. Robert C. Nicholas III:												
United States	Dollar		11/1	½		$35.00		$17.50				$17.50
Italy	Dollar	11/2	11/4	3		33.00		99.00		$8.00		107.00
Greece	Dollar	11/4	11/8	4		35.00		140.00				140.00
United Kingdom	Dollar	11/8	11/10	[2] 1		50.00		50.00				50.00
Air transportation	Dollar									621.70		621.70
Subtotal								306.50		629.70		936.20
Hon. Burt L. Talcott:												
United States	Dollar	12/1	12/5	5				90.25				90.25
Guam	Dollar	12/6	12/8	3				1.50				1.50
Japan	Dollar	12/8	12/14	6				150.70				150.70
Hong Kong	Dollar	12/14	12/18	4		50.00		200.00				200.00
Okinawa	Dollar	12/18	12/20	2		22.00		44.00				44.00
Taiwan	Dollar	12/20	12/26	[2] 3		32.00		96.00				96.00
Thailand	Dollar	12/26	12/29	3		31.00		93.00				93.00
Greece	Dollar	12/29	1/2	4		35.00		140.00				140.00
Air transportation	Dollar									2,146.49		2,146.49
Subtotal								815.45		2,146.49		2,961.94
Mr. Robert C. Nicholas III:												
United States	Dollar	12/1	12/5	5				99.33				99.33
Guam	Dollar	12/6	12/8	3				7.39				7.39
Japan	Dollar	12/8	12/14	6				76.90				76.90
Korea	Dollar	12/14	12/16	2				9.38				9.38
Philippines	Dollar	12/16	12/18	2				10.00				10.00
United States	Dollar	12/18	12/19	1				11.87		10.00		21.87
Air transportation	Dollar									1,479.20		1,479.20
Subtotal								214.87		1,489.20		1,704.07
Military Construction Subcommittee, Total								1,336.82		4,265.39		5,602.21

[1] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[2] Per diem not claimed for entire period.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR TRAVEL, COMMITTEE ON APPROPRIATIONS, SUBCOMMITTEE ON STATE, JUSTICE, COMMERCE AND JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. Frank T. Bow:												
Brazil	Dollar	12/28/71	1/3	7		$42.00		$294.00				$294.00
South Africa	Dollar	1/4	1/12	9		33.00		297.00				297.00
United Kingdom	Dollar	1/13	1/15	3		46.00		138.00				138.00
Transportation	Dollar									$2,124.03		2,124.03
Subtotal								729.00		2,124.03		2,853.03
Hon. John J. Flynt, Jr.:												
England	Dollar	12/30/71	1/4	6		$46.00		$276.00				$276.00
Netherlands	Dollar	1/4	1/6	2		32.00		64.00				64.00
Belgium	Dollar	1/6	1/9	3		41.00		123.00				123.00
France	Dollar	1/9	1/16	7		4 at 48.00 3 at 35.00		297.00				297.00
England	Dollar	1/16	1/18	2		46.00		92.00				92.00
Transportation	Dollar									694.60		694.60
Subtotal								852.00		694.60		1,546.60
United Kingdom	Dollar	10/18	10/31	14		9 at 50.00 5 at 43.00		665.00				665.00
Transportation	Dollar									895.00		895.00
Subtotal								665.00		895.00		1,560.00
England	Dollar	11/14	11/15	2		50.00		100.00				100.00
South Africa	Dollar	11/16	11/29	14		33.00		462.00				462.00
England	Dollar	11/30	12/1	2		50.00		100.00				100.00
Transportation	Dollar									2,090.00		2,090.00
Subtotal								662.00		2,090.00		2,752.00
Hon. Elford A. Cederberg												
Taiwan	Dollar	11/19	11/21	3		32.00		96.00				96.00
Hong Kong	Dollar	11/21	11/25	4		50.00		200.00				200.00
Thailand	Dollar	11/25	11/28	3		31.00		93.00				93.00
Singapore	Dollar	11/28	12/1	3		36.00		108.00				108.00
indonesia	Dollar	12/1	12/3	2		48.00		96.00				96.00
Hong Kong	Dollar	12/3	12/4	1		50.00		50.00				50.00
Transportation	Dollar									2,315.15		2,315.15
Subtotal								643.00		2,315.15		2,958.15

Footnote at end of table.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR TRAVEL, COMMITTEE ON APPROPRIATIONS, SUBCOMMITTEE ON STATE, JUSTICE, COMMERCE AND JUDICIARY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. John J. Rooney:												
Hong Kong	Dollar	11/30	12/11	12		$50.00		$600.00				$600.00
Transportation	Dollar									$2,069.20		2,069.20
Subtotal								600.00		2,069.20		2,669.20
Mr. Jay B. Howe:												
Hong Kong	Dollar	11/30	12/3	4		50.00		200.00				200.00
Transportation	Dollar									2,069.20		2,069.20
Subtotal								200.00		2,069.20		2,269.20
State, Justice, Commerce, and Judiciary Subcommittee, total								4,351.00		12,257.18		16,608.18

[1] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR TRAVEL, COMMITTEE ON APPROPRIATIONS, SUBCOMMITTEE ON TREASURY-POSTAL SERVICE-GENERAL GOVERNMENT, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN 1, AND DEC. 31, 1972

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. Jack Edwards:												
United States	Dollar		1/5	½		$35.00		$17.50				$17.50
Denmark	Dollar	1/6	1/8	2		41.00		82.00				82.00
Austria	Dollar	1/8	1/11	3		1 at 39.00 2 at 41.00		121.00				121.00
Turkey	Dollar	1/11	1/14	3		32.00		96.00				96.00
Spain	Dollar	1/14	1/17	3		37.00		111.00				111.00
Luxembourg	Dollar	1/17	1/19	2		36.00		72.00				72.00
Belgium	Dollar	1/19	1/21	3		43.00		129.00				129.00
Transportation	Dollar									[2] $78.00		78.00
Subtotal								628.50		78.00		706.50
Mr. A. A. Gunnels												
United States	Dollar		1/5	½		35.00		17.50				17.50
Denmark	Dollar	1/6	1/8	2		41.00		82.00				82.00
Austria	Dollar	1/8	1/11	3		1 at 39.00 2 at 41.00		121.00				121.00
Turkey	Dollar	1/11	1/14	3		32.00		96.00				96.00
Spain	Dollar	1/14	1/17	3		37.00		111.00				111.00
Luxembourg	Dollar	1/17	1/19	2		36.00		72.00				72.00
Belgium	Dollar	1/19	1/21	3		43.00		129.00				129.00
Transportation	Dollar									[2] 31.50		31.50
Subtotal								628.50		31.50		660.00
Treasury-Postal Service-General Government Subcommittee, total.								1,257.00		109.50		1,366.50

[1] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

[2] Air transportation furnished by Government-owned aircraft.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR TRAVEL, COMMITTEE ON APPROPRIATIONS, SURVEYS AND INVESTIGATIONS STAFF, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Cornelius R. Anderson:												
Germany	Dollar	4/27	5/11	14		8¼ at $39.00 5¾ at 32.00		$505.75				$505.75
Belgium	Dollar	5/11	5/16	5¼		48.00		252.00				252.00
England	Dollar	5/16	5/19	2¾		50.00		137.50				137.50
Round-trip transportation	Dollar									$991.00		991.00
Japan	Dollar	9/29	10/7	8		45.00		360.00				360.00
Taiwan	Dollar	10/7	10/13	6¼		32.00		200.00				200.00
Hong Kong	Dollar	10/13	10/18	4¾		50.00		237.50				237.50
Round-trip transportation	Dollar									2,076.98		2,076.98
Subtotal								1,692.75		3,067.98		4,760.73
John R. Baber:												
Hong Kong	Dollar	5/5	5/8	4		50.00		200.00				200.00
Thailand	Dollar	5/9	5/12	4		31.00		124.00				124.00
Japan	Dollar	6/13	5/18	6		45.00		270.00				270.00
Korea	Dollar	5/19	5/23	5		31.00		155.00				155.00
Japan	Dollar	5/24	5/24	¾		45.00		33.75				33.75
Round-trip transportation	Dollar									2,414.32		2,414.32
Subtotal								782.75		2,414.32		3,197.07

Footnote at end of table.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR TRAVEL, COMMITTEE ON APPROPRIATIONS, SURVEYS AND INVESTIGATIONS STAFF, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972—Continued

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency
Carl L. Bennett:												
Italy	Dollar	4/24	4/27	3		$33.00		$99.00				$99.00
Germany	Dollar	4/27	5/11	13¾		6 at 39.00 7¾ at 32.00		482.00				482.00
Belgium	Dollar	5/11	5/16	5¼		48.00		252.00				252.00
England	Dollar	5/16	5/19	3		50.00		150.00				150.00
Round-trip transportation	Dollar									$1,089.00		1,089.00
Subtotal								983.00		1,089.00		2,072.00
Donald A. Brummitt:												
Hong Kong	Dollar	5/5	5/8	4		50.00		200.00				200.00
Thailand	Dollar	5/9	5/12	4		31.00		124.00				124.00
Japan	Dollar	5/13	5/18	6		45.00		270.00				270.00
Korea	Dollar	5/19	5/23	5		31.00		155.00				155.00
Japan	Dollar	5/24	5/24	¾		45.00		33.75				33.75
Round-trip transportation	Dollar									2,644.32		2,644.32
Subtotal								782.75		2,644.32		3,427.07
Gerard C. Carroll:												
England	Dollar	2/12	2/15	3		46.00		138.00				138.00
Sicily	Dollar	2/15	2/18	3		33.00		99.00				99.00
Greece	Dollar	2/18	2/20	2		35.00		70.00				70.00
Italy	Dollar	2/20	2/25	5		3 at 40.00 2 at 33.00		186.00				186.00
Round-trip transportation	Dollar									1,125.58		1,125.58
Subtotal								493.00		1,125.58		1,618.58
W. Dana Carson:												
Hong Kong	Dollar	5/5	5/8	4		50.00		200.00				200.00
Thailand	Dollar	5/9	5/12	4		31.00		124.00				124.00
Japan	Dollar	5/13	5/18	6		45.00		270.00				270.00
Korea	Dollar	5/19	5/23	5		31.00		155.00				155.00
Japan	Dollar	5/24	5/24	¾		45.00		33.75				33.75
Round-trip transportation	Dollar									2,414.32		2,414.32
Subtotal								782.75		2,414.32		3,197.07
William P. Haynes, Jr.:												
Japan	Dollar	9/29	10/7	8		45.00		360.00				360.00
Taiwan	Dollar	10/7	10/13	6		32.00		192.00				192.00
Hong Kong	Dollar	10/13	10/17	4		50.00		200.00				200.00
Philippines	Dollar	10/17	10/21	4		30.00		120.00				120.00
Round-trip transportation	Dollar									2,076.98		2,076.98
Subtotal								872.00		2,076.98		2,948.98
Leroy R. Kirkpatrick:												
England	Dollar	2/12	2/15	3		46.00		138.00				138.00
Sicily	Dollar	2/15	2/18	3		33.00		99.00				99.00
Greece	Dollar	2/18	2/20	2		35.00		70.00				70.00
Italy	Dollar	2/20	2/24	3¾		2¾ at 40.00 1 at 33.00		143.00				143.00
Round-trip transportation	Dollar									1,125.58		1,125.58
Hong Kong	Dollar	5/4	5/8	4		50.00		200.00				200.00
Thailand	Dollar	5/8	5/12	4		31.00		124.00				124.00
Japan	Dollar	5/12	5/17	4¾		45.00		213.75				213.75
Round-trip transportation	Dollar									2,198.42		2,198.42
Subtotal								987.75		3,324.00		4,311.75
Willie C. Law:												
England	Dollar	2/12	2/18	6		46.00		276.00				276.00
Germany	Dollar	2/18	2/23	4¾		32.00		152.00				152.00
Round-trip transportation	Dollar									917.00		917.00
Japan	Dollar	9/29	10/9	10		45.00		450.00				450.00
Okinawa	Dollar	10/9	10/13	4		32.00		128.00				128.00
Hong Kong	Dollar	10/13	10/17	4		50.00		200.00				200.00
Philippines	Dollar	10/17	10/21	4		30.00		120.00				120.00
Round-trip transportation	Dollar									2,076.98		2,076.98
Subtotal								1,326.00		2,993.98		4,319.98
Martin F. Maher:												
England	Dollar	2/12	2/15	3		$46.00		$138.00				$138.00
Sicily	Dollar	2/15	2/18	3		33.00		99.00				99.00
Greece	Dollar	2/18	2/20	2		35.00		70.00				70.00
Italy	Dollar	2/20	2/25	5		3 at 40.00 2 at 33.00		186.00				186.00
Round-trip transportation	Dollar										1,120.92	1,120.92
Subtotal								493.00			1,120.92	1,613.92

Footnote at end of table.

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or. U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Joseph Malyniak, Jr.:												
Japan	Dollar	9/29	10/7	8		45.00		360.00				360.00
Taiwan	Dollar	10/7	10/13	6		32.00		192.00				192.00
Hong Kong	Dollar	10/13	10/17	4		50.00		200.00				200.00
Philippines	Dollar	10/17	10/21	4		30.00		120.00				120.00
Round-trip transportation	Dollar									$2,076.98		2,076.98
Subtotal								872.00		2,076.98		2,948.98
James P. Mansfield:												
Japan	Dollar	9/29	10/9	10		$45.00		$450.00				$450.00
Okinawa	Dollar	10/9	10/13	4		32.00		128.00				128.00
Hong Kong	Dollar	10/13	10/17	4		50.00		200.00				200.00
Korea	Dollar	10/17	10/21	4		31.00		124.00				124.00
Round-trip transportation	Dollar									$2,072.92		2,072.92
Subtotal								902.00		2,072.92		2,974.92
Edward J. Matthews:												
England	Dollar	2/12	2/18	6		46.00		276.00				276.00
Germany	Dollar	2/18	2/23	4¾		32.00		152.00				152.00
Round-trip transportation	Dollar									917.00		917.00
Subtotal								428.00		917.00		1,345.00
Hugh B. McGahey:												
Hong Kong	Dollar	5/5	5/8	4		50.00		200.00				200.00
Thailand	Dollar	5/9	5/12	4		31.00		124.00				124.00
Japan	Dollar	5/13	5/18	6		45.00		270.00				270.00
Korea	Dollar	5/19	5/23	5		31.00		155.00				155.00
Japan	Dollar	5/24	5/24	¾		45.00		33.75				33.75
Round-trip transportation	Dollar									2,644.32		2,644.32
Subtotal								782.75		2,644.32		3,427.07
Joseph E. Michalski:												
Spain	Dollar	4/24	4/27	4		37.00		148.00				148.00
Germany	Dollar	4/28	5/11	14		8 at 39.00 6 at 32.00		504.00				504.00
Belgium	Dollar	5/12	5/16	5		48.00		240.00				240.00
England	Dollar	5/17	5/19	2¾		50.00		137.50				137.50
Round-trip transportation	Dollar									991.00		991.00
Subtotal								1,029.50		991.00		2,020.50
Earle J. Morris:												
Spain	Dollar	4/24	4/27	4		37.00		148.00				148.00
Germany	Dollar	4/28	5/11	14		8 at 39.00 6 at 32.00		504.00				504.00
Belgium	Dollar	5/12	5/16	5		48.00		240.00				240.00
England	Dollar	5/17	5/19	2¾		50.00		137.50				137.50
Round-trip transportation	Dollar									991.00		991.00
Subtotal								1,029.50		991.00		2,020.50
Edward V. Schaum:												
England	Dollar	2/12	2/18	6		46.00		276.00				276.00
Germany	Dollar	2/18	2/23	4¾		32.00		152.00				152.00
Round-trip transportation	Dollar									917.00		917.00
Subtotal								428.00		917.00		1,345.00
Andrew J. Shannon:												
Italy	Dollar	4/24	4/27	3		33.00		99.00				99.00
Germany	Dollar	4/27	5/11	13¾		6 at 39.00 7¾ at 32.00		482.00				482.00
Belgium	Dollar	5/11	5/16	5¼		48.00		252.00				252.00
England	Dollar	5/16	5/19	3		50.00		150.00				150.00
Round-trip transportation	Dollar									1,089.00		1,089.00
Subtotal								983.00		1,089.00		2,072.00
Charles E. Szoka:												
Japan	Dollar	9/29	10/9	10		45.00		450.00				450.00
Okinawa	Dollar	10/9	10/13	4		32.00		128.00				128.00
Hong Kong	Dollar	10/13	10/17	4		50.00		200.00				200.00
Korea	Dollar	10/17	10/21	4		31.00		124.00				124.00
Round-trip transportation	Dollar									2,072.92		2,072.92
Subtotal								902.00		2,072.92		2,974,92
Grand total								16,552.50		36,043.54		52,596.04

[1] If foreign currency is used, enter U.S. dollar equivalent; if U.S currency is used enter amount expended.

Feb. 24, 1973.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 202, 2D SESS., 92D CONG., COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
MASTER COMPILATION												
Subcommittee on NATO Commitments								$2,523.62		$4,527.76		$7,051.38
Subcommittee on Nonappropriated Fund Activities Within the Department of Defense.								2,750.00		10,050.03		10,050.03
Subcommittee on Defense Communications								1,198.78		4,126.00		5,324.78
Subcommittee to Western Europe								6,206.56		15,518.28		21,724.84
Full committee (travel by individual members).								3,021.53		5,822.04		8,843.57
Grand total								15,700.49		40,044.11		55,744.60

If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$37,797.58
Appropriated funds:	
Government Department:	
Air Force	13,821.02
Navy	4,126.00
Total	55,744.60

F. EDW. HÉBERT,
Chairman, Committee on Armed Services.

Feb. 28, 1972

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 202, 2D SESS., 92D CONG., COMMITTEE ON ARMED SERVICES, SUBCOMMITTEE ON NATO COMMITMENTS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. William J. Randall:												
England	B. pound	1/4	1/6	2	19.50	$50.00	39.00	$100.00	1.93	$4.93	1.93	$104.93
Germany	D. marks	1/6	1/9	3	163.50	50.00	314.00	95.71	576.92	[2] 176.97	890.92	272.68
Italy	Lire	1/9	1/11	2	29,700	50.00	37,460	63.06			37,460	63.06
Greece	Drachma	1/11	1/12	1	1,500	50.00	1,500	50.00			1,500	50.00
Turkey	Lira	1/12	1/14	2	700	50.00	1,400	100.00			1,400	100.00
Spain	Pesetas	1/14	1/16	2	3,290	50.00	5,041	76.61			5,041	76.61
Transportation (commercial aircraft).	Guilders								3,600.35	958.86	3,600.35	958.86
Hon. Samuel S. Stratton:												
Italy	Lire	1/9	1/11	2	29,700	50.00	28,240	47.54			28,240	47.54
Greece	Drachma	1/11	1/12	1	1,500	50.00	1,349	44.97			1,349	44.97
Turkey	Liras	1/12	1/14	2	700	50.00	856.15	61.15			856.15	61.15
Spain	Pesetas	1/14	1/16	2	3,290	50.00	6,070	92.25			5,070	92.25
Portugal	Escudos	1/16	1/17	2	1,365.75	50.00	1,285.70	47.08			1,285.70	47.08
Transportation (commercial aircraft).	Guilders								2,689.58	822.00	2,689.58	822.00
Hon. Richard C. White:												
England	B. pound	1/4	1/6	2	19.50	50.00	39.00	100.00			39.00	100.00
Germany	D. marks	1/6	1/9	3	163.50	50.00	496.00	150.00			496.00	150.00
Italy	Lire	1/9	1/11	2	29,700	50.00	59,400	100.00			59,400	100.00
Greece	Drachma	1/11	1/12	1	1,500	50.00	1,500	50.00			1,500	50.00
Turkey	Lira	1/12	1/14	2	700	50.00	1,400	100.00			1,400	100.00
Spain	Pesetas	1/14	1/16	2	3,290	50.00	6,580	100.00			6,580	100.00
Portugal	Escudos	1/16	1/17	2	1,365.75	50.00	1,173.50	42.97			1,173.50	42.97
Transportation (commercial aircraft)	Guilders								3,214.67	855.00	3,214.67	855.00
Hon. Alexander Pirnie:												
England	B. pounds	1/3	1/6	3	19.50	50.00	58.50	150.00			58.50	150.00
Germany	D. marks	1/6	1/9	3	163.50	50.00	344.00	104.91			344.00	104.91
Italy	Lira	1/9	1/11	2	29,700	50.00	14,700	24.75			14,700	24.75
Greece	Drachma	1/11	1/12	1	1,500	50.00	1,096	36.53			1,096	36.53
Turkey	Lire	1/12	1/14	2	700	50.00	1,056.50	75.46			1,056.50	75.46
Spain	Pesetas	1/14	1/16	2	3,290	50.00	3,420	52.74			3,420	52.74
Portugal	Escudos	1/16	1/17	2	1,365.75	50.00	763.90	27.98			736.90	27.98
Transportation (commercial aircraft).	Guilders								3,214.67	855.00	3,214.67	855.00
Mr. John J. Ford:												
England	B. pounds	1/4	1/6	2	19.50	50.00	39.00	100.00			39.00	100.00
Germany	D. marks	1/6	1/9	3	163.50	50.00	490.50	150.00			490.50	150.00
Italy	Lire	1/9	1/11	2	29,700	50.00	45,700	76.94			45,700	76.94
Greece	Drachma	1/11	1/12	1	1,500	50.00	1,450	48.33			1,450	48.33
Turkey	Lira	1/12	1/14	2	700	50.00	1,400	100.00			1,400	100.00
Spain	Pesetas	1/14	1/16	2	3,290	50.00	5,570	84.65			5,570	84.65
Portugal	Escudos	1/16	1/17	2	1,365.75	50.00	1,911.50	69.99			1,911.50	69.99
Transportation (commercial aircraft)	Guilders								3,214.67	855.00	3,214.67	855.00
Total								2,523.62		4,527.76		7,051.38

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[1] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

[2] Transportation for entire group.

RECAPITULATION

Foreign currency (U.S. dollar equivalent)	$7,051.38

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR TRAVEL AUTHORIZED BYH. RES. 202, 2D SESS., 92D CONG., COMMITTEE ON ARMED SERVICES, SUBCOMMITTEE ON NONAPPROPRIATED FUND ACTIVITIES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. Bill Nichols:												
Philippines	Pesos	1/9	1/12	4	319.00	$50.00	1,276	$200.00			1,276	$200.00
Vietnam	Piastres	1/13	1/14	1	20,500	50.00	20,500	50.00			20,500	50.00
Thailand	Baht	1/14	1/16	3	1,041.25	50.00	3,123.75	150.00			3,123.75	150.00
Hong Kong	H.K. dollar	1/17	1/18	2	282.50	50.00	565.00	100.00	38.40	$6.75	593.40	106.75
Transportation (commercial aircraft).	Baht								21,240	1,021.00	21,240	1,021.00
Transportation (commercial aircraft).	D. marks								3,141.38	898.37	3,141.38	898.37
Transportation (military aircraft)	U.S. dollar									298.08		298.08
Hon. Robert L. Leggett:												
Philippines	Pesos	1/9	1/12	4	319.00	50.00	1,276	200.00			1,276	200.00
Vietnam	Piastres	1/13	1/14	1	20,500	50.00	20,500	50.00			20,500	50.00
Thailand	Baht	1/14	1/16	3	1,041.25	50.00	3,123.75	150.00			3,123.75	150.00
Hong Kong	H.K. dollar	1/17	1/18	2	282.50	50.00	565.00	100.00			565.00	100.00
Taiwan	N. T. dollar	1/19	1/21	3	2,000	50.00	6,000	150.00			6,000	150.00
Transportation (commercial aircraft).	Baht								21,240	1,021.00	21,240	1,021.00
Transportation (commercial aircraft).	Guilders								3,404	786.75	3,404	786.75
Transportation (military aircraft)	U.S. dollar									298.08		298.08
Hon. William G. Bray:												
Philippines	Pesos	1/9	1/12	4	319.00	50.00	1,276	200.00			1,276	200.00
Vietnam	Piastres	1/13	1/14	1	20,500	50.00	20,500	50.00			20,500	50.00
Thailand	Baht	1/14	1/16	3	1,041.25	50.00	3,123.75	150.00			3,123.75	150.00
Hong Kong	H.K. dollar	1/17	1/19	3	282.50	50.00	847.50	150.00			847.50	150.00
Transportation (commercial aircraft).	Baht								21,240	1,021.00	21,240	1,021.00
Transportation (commercial aircraft).	D. marks								3,141.38	898.37	3,141.38	898.37
Transportation (military aircraft).	U.S. dollar									298.08		298.08
Hon. Charles S. Gubser:												
New Zealand[2]	N.Z. dollar	1/6	1/13	5	41.44	50.00	207.21	250.00			207.21	250.00
Australia	A. dollar	1/14	1/15	1	42.83	50.00	42.83	50.00	42.50	50.72	85.33	100.72
Thailand	Baht	1/15	1/16	1	1,041.25	50.00	1,041.25	50.00			1,041.25	50.00
Hong Kong	H.K. dollar	1/17	1/20	4	282.50	50.00	1,130.00	200.00			1,130.00	200.00
Transportation (commercial aircraft).	D. Marks								3,141.38	898.37	3,141.38	898.37
Transportation (commercial aircraft).	Guilders								1,857	336.01	1,857	336.01
Mr. Ralph Marshall:												
Philippines	Pesos	1/9	1/12	4	319.00	50.00	1,276	200.00			1,276	200.00
Vietnam	Piastres	1/13	1/14	1	20,500	50.00	20,500	50.00			20,500	50.00
Thailand	Baht	1/14	1/16	3	1,041.25	50.00	3,123.75	150.00			3,123.75	150.00
Hong Kong	H.K. dollar	1/17	1/18	2	282.50	50.00	565.00	100.00			565.00	100.00
Transportation (commercial aircraft).	Baht								21,240	1,021.00	21,240	1,021.00
Transportation (commercial aircraft).	D. marks								3,141.38	898.37	3,141.38	898.37
Transportation (military aircraft)	U.S. dollar									298.08		298.08
Total								2,750.00		10,050.03		12,800.03

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[1] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

[2] Traveled as guest of Secretary of Navy to New Zealand.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$11,607.71
Appropriated funds:	
Government Department: Air Force	1,192.32
Total	12,800.03

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR TRAVEL AUTHORIZED BY H. RES. 202, 2D SESS., 92D CONG., COMMITTEE ON ARMED SERVICES (DEFENSE COMMUNICATIONS SUBCOMMITTEE), U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S currency
Hon. Robert H. Mollohan:												
Japan	Yen	3/30	3/31	2	15,175	$50.00	30,350	$100.00			30,350	$100.00
Vietnam	Piastre	4/1	4/3	2	20,500	50.00	41,000	100.00			41,000	100.00
Thailand	Bhat	4/3	4/5	2	1,041.25	50.00	2,082.50	100.00			2,082.50	100.00
Hong Kong	Dollar	4/5	4/10	6	275	50.00	1,650	300.00			1,650	300.00
Transportation (commercial transportation for entire trip).	U.S. dollar									$2,063.00		2,063.00
Mr. John F. Lally:												
Japan	Yen	3/30	3/31	2	15,175	50.00	30,350	100.00			30,350	100.00
Vietnam	Piastre	4/1	4/3	2	20,500	50.00	40,500	98.78			40,500	98.78
Thailand	Bhat	4/3	4/5	2	1,041.25	50.00	2,082.50	100.00			2,087.50	100.00
Hong Kong	Dollar	4/5	4/10	6	275	50.00	1,650	300.00			1,650	300.00
Transportation (commercial transportation for entire trip).	U.S. dollar									2,063.00		2,063.00
Total								1,198.78		4,126.00		5,324.78

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[1] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$1,198.78
Appropriated funds:	
Department of the Navy	4,126.00
Total	5,324.78

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR TRAVEL AUTHORIZED BY H. RES. 202, 2D SESS., 92D CONG., SUBCOMMITTEE TO WESTERN EUROPE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. Melvin Price:												
Germany	D. marks	8/25	9/2	9	159.50	$50.00	1,435.50	$450.00			1,435.50	$450.00
England	B. pounds	9/2	9/6	4	20.00	50.00	80.00	200.00	1,340.00	$335.21	1,420.00	535.21
Transportation (military aircraft)	U.S. dollars									1,007.13		1,007.13
Hon. Robert L. Leggett:												
Ireland	I. pounds	9/2	9/4	3	20.50	50.00	61.50	150.00			61.50	150.00
England	B. pounds	9/4	9/6	2	20.00	50.00	40.00	100.00	670.00	167.60	710.00	267.60
Transportation (military aircraft)	U.S. dollars									932.96		932.96
Hon. Robert H. Mollohan:												
Germany	D. marks	8/25	9/2	9	159.50	50.00	1,435.50	450.00			1,435.50	450.00
England	B. pounds	9/2	9/6	4	20.00	50.00	80.00	200.00	1,340.00	335.21	1,420.00	535.21
Transportation (military aircraft)	U.S. dollars									1,007.13		1,007.13
Hon. Richard C. White:												
Germany	D. marks	8/25	9/2	9	159.50	50.00	1,435.50	450.00			1,435.50	450.00
England	B. pounds	9/2	9/6	4	20.00	50.00	80.00	200.00	1,340.00	335.21	1,420.00	535.21
Transportation (military aircraft)	U.S. dollars									1,007.13		1,007.13
Hon. Bill Nichols:												
Germany	D. marks	8/25	9/1	7	159.50	50.00	1,116.50	349.53			1,116.50	349.53
Transportation:												
Commercial aircraft	D. marks								1,605.50	494.00	1,605.50	494.00
Military aircraft	U.S. dollars									754.12		754.12
Hon. W. C. (Dan) Daniel:												
Germany	D. marks	8/25	9/1	7	159.50	50.00	1,116.50	349.53			1,116.50	349.53
Transportation:												
Commercial aircraft	D. marks								1,605.50	494.00	1,605.50	494.00
Military aircraft	U.S. dollars									754.12		754.12
Hon. Alexander Pirnie:												
Germany	D. marks	8/25	9/2	9	159.50	50.00	895.00	275.00			895.00	275.00
England	B. pounds	9/2	9/6	4	20.00	50.00	73.00	182.50	1,340.00	335.21	1,413.00	517.71
Transportation (military aircraft)	U.S. dollars									1,007.13		1,007.13
Hon. William L. Dickinson:												
Germany	D. marks	8/25	9/2	9	159.50	50.00	1,435.50	450.00			1,435.00	450.00
England	B. pounds	9/2	9/6	4	20.00	50.00	80.00	200.00	1,340.00	335.21	1,420.00	535.21
Transportation:												
(Commercial aircraft)	Pesetas								5,220.00	82.20	5,220.00	82.20
(Military aircraft)	U.S. dollars									1,007.13		1,007.13
Hon. Floyd D. Spence:												
Ireland	I. pounds	9/2	9/4	3	20.50	50.00	61.50	150.00			61.50	150.00
England	B. pounds	9/4	9/6	2	20.00	50.00	40.00	100.00	670.00	167.60	710.00	267.60
Transportation (military aircraft)	U.S. dollars									932.96		932.96
Hon. William S. Conover II:												
Germany	D. marks	8/25	9/2	9	159.50	50.00	1,435.50	450.00			1,435.00	450.00
England	B. pounds	9/2	9/6	4	20.00	50.00	80.00	200.00	1,340.00	335.21	1,420.00	535.21
Transportation (military aircraft)	U.S. dollars									1,007.13		1,007.13
Mr. Ralph Marshall:												
Germany	D. marks	8/25	9/2	9	159.50	50.00	1,435.50	450.00			1,435.00	450.00
England	B. pounds	9/2	9/6	4	20.00	50.00	80.00	200.00	1,340.00	335.21	1,420.00	535.21
Transportation (military aircraft)	U.S. dollars									1,007.13		1,007.13
Mr. James F. Shumate:												
Germany	D. marks	8/25	9/2	9	159.50	50.00	1,435.50	450.00			1,435.50	450.00
England	B. pounds	9/2	9/6	4	20.00	50.00	80.00	200.00	1,340.00	335.21	1,420.00	535.21
Transportation (military aircraft)	U.S. dollars									1,007.13		1,007.13
Total								6,206.56		15,518.28		21,724.84

[1] If foreign currency is used, enter U.S. dollar equivalent: If U.S. currency is used, enter amount expended.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$10,293.64
Appropriated funds:	
Government Department: Air Force	11,431.20
Total	21,724.84

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR TRAVEL AUTHORIZED BY H. RES. 202, 2D SESS, 92D CONG., COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. O. C. Fisher:												
New Zealand	N. Z. dollar	11/11	11/17	7	41.51	$50.00	290.60	$350.00			290.60	$350.00
Australia	A. dollar	11/18	11/30	13	40.91	50.00	544.83	650.00			544.83	650.00
Indonesia	Rupiahs	12/1	12/5	5	20,850	50.00	104,250	250.00			104,250	250.00
Malaysia	M. dollar	12/6	12/7	2	137.50	50.00	275.00	100.00	180.00	$65.45	455.00	165.45
Thailand	Baht	12/8	12/10	3	1,041.25	50.00	3,065	147.18			3,065	147.18
Vietnam	Piastres	12/11	12/12	2	22,500	50.00	31,150	70.00			31,150	70.00
Philippines	Pesos	12/12	12/13	1	335.70	50.00	335.70	50.00			335.70	50.00
Hong Kong	H. K. dollar	12/14	12/18	5	280.00	50.00	1,120	200.00			1,120	200.00
Taiwan	N. T. dollar	12/18	12/19	1	2,000.00	50.00	1,100	27.50			1,100.00	27.50
Japan	Yen	12/20	12/21	2	15,055	50.00	12,855	42.70			12,855.00	42.70
Transportation (commercial aircraft).	Guilders								7,962.45	2,429.80		2,429.80
Hon. Michael J. Harrington:												
Vietnam	Piastres	3/28	3/31	4	20,500	$50.00	55,000	$134.15			55,000	$134.15
Thailand	Baht	4/1	4/3	3	1,041.25	50.00	3,123.75	150.00			3,123.75	150.00
Transportation (commercial aircraft).	D. marks								6,920.19	2,129.29	6,920.19	2,129.29

Footnote at end of table.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR TRAVEL AUTHORIZED BY H. RES. 202, 2D SESS., 92D CONG., COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1, AND DEC. 31, 1972—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency
Mr. Frank M. Slatinshek:												
Spain	Pesetas	8/19	8/21	3	3,175.00	$50.00	9,525	$150.00			9,525	$150.00
Germany	D. marks	8/21	8/24	3	159.50	50.00	319.00	100.00			319.00	100.00
Greece	Drachmas	8/24	8/28	4	1,500.00	50.00	6,000	200.00			6,000	200.00
Germany	D. marks	8/28	8/30	3	159.50	50.00	478.50	150.00			478.50	150.00
England	B. pound	8/30	9/5	6	20.33	50.00	101.65	250.00			101.65	250.00
Transportation (military aircraft)	U.S. dollar									$1,197.50		1,197.50
Total								3,021.53		5,822.04		8,843.57

[1] If foreign currency is used, enter U.S. $ equivalent; if U.S. currency is used, enter amount expended.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$7,646.07
Appropriated funds:	
Government department: Air Force	1,197.50
Total	8,843.57

F. EDW. HÉBERT,
Chairman, Committee on Armed Services.

February 26, 1973.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 114, 2D SESS., 92D CONG., COMMITTEE ON BANKING AND CURRENCY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency
Hon. Thomas L. Ashley:												
Germany	D. mark	4/18	4/18	1	3.17	$1.00	158.50	$50.00	1,740.80	$535.64	1,899.30	$585.64
Austria	Schilling	4/19	4/23	5	23.05	1.00	5,762	250.00			5,762	250.00
Portugal	Escudo	4/24	4/25	2	27	1.00	2,700	100.00	232	85.93	5,020	185.93
France	Franc	8/23	8/25	3	5	1.00	268.75	53.75			268.75	53.75
Finland	Markka	8/26	8/28	3	4.12	1.00	589.16	143.00	157.84	38.31	747	181.31
Sweden	Kronur	8/29	8/31	3	4.72	1.00	312.85	66.25			312.85	66.25
Poland	Zloty	9/1	9/3	3	65	1.00	10,795	166.08	6,505.6	2,945.00	75,820	3,111.08
Hungary	Forint	9/4	9/4	1	27.6	1.00	1,352.4	49.00			1,352.4	49.00
United Kingdom	Pound			0	.38	1.00			.98	2.56	.98	2.56
Netherlands	Guilder			0	3.28	1.00			3,561.11	1,095.71	8,561.1	1,095.71
Finland	Markka			0	4.12	1.00	1,321.8	[2] 322.40	3,184.1	[2] 776.60	4,506	[2] 1,099.00
Hon. William A. Barrett:												
Japan	Yen	1/4	1/8	5	314.8	1.00	78,700	250.00	222,950 46,488	[3] 650.00 147.63	125,188	397.63
Korea	Won	1/9	1/11	3	371.85	1.00	55,778	150.00			35,778	150.00
Taiwan	NT dollar	1/12	1/13	2	40	1.00	4,000	100.00			4,000	100.00
Hong Kong	HK dollar	1/14	1/18	5	5.65	1.00	1,412.5	250.00	214.9	37.70	1,627.4	287.70
Malaysia	M dollar	1/19	1/21	3	2.84	1.00	426	150.00	202.8	69.17	628.8	219.17
Thailand	Baht	1/22	1/22	1	20.825	1.00	1,041.25	50.00			1,041.25	50.00
United Kingdom	Pound	11/9	11/12	4	.42	1.00	84.65	200.00	154.23	364.39	238.88	564.39
Germany	D. mark	11/13	11/17	5	3.45	1.00	640	200.00	95	29.69	735	229.69
Italy	Lire	11/18	11/19	2	585	1.00	58,500	100.00	27,430	46.74	85,840	146.74
Spain	Peseta	11/20	11/21	2	63.5	1.00	6,350	100.00			6,350	100.00
France	Franc	11/22	11/25	4	5	1.00	1,000	200.00	1,323.54	264.71	2,323.54	464.71
Germany	D. mark			0	3.45	1.00			6,979.8	2,023.13	6,979.8	2,023.13
Hon. Ben B. Blackburn:												
Germany	D. mark	4/18	4/18	1	3.17	1.00	158.50	50.00			158.50	50.00
Austria	Schilling	4/19	4/20	2	23.05	1.00	2,305	100.00			2,305	100.00
Yugoslavia	Sinar	4/21	4/23	3	16.6	1.00	833.33 1,666.67	[3] 50.00 100.00	1,656.6	97.45	3,323.27	197.45
Portugal	Escudo	4/24	4/25	2	27	1.00	2,700	100.00	2,320	85.93	5,020	185.93
U.S.S.R.	Ruble	12/9	12/12	4	.826	1.00	72.00 .69	[3] 87.17 .83			.59	.83
Finland	Markka	12/13	12/14	2	4.15	1.00	415.60	100.00			415.60	100.00
Sweden	Kronur	12/15	12/16	2	4.72	1.00	237.00 474.00	[3] 50.00 100.00			474.00	100.00
Denmark	Kronur	12/17	12/17	1	6.87	1.00	343.50 343.50	[3] 50.00 50.00			343.50	50.00
United Kingdom	Pound			0	.38	1.00	26.97	[2] 63.60	37.40	[2] 88.21	64.37	[2] 151.81
Terrence Boyle:												
France	Franc	8/23	8/25	3	5	1.00	268.75	53.75			268.75	53.75
Finland	Markka	8/26	8/28	3	4.12	1.00	589.16	143.00			589.16	143.00
Sweden	Kronur	8/29	8/31	3	4.72	1.00	312.85	66.25			312.85	66.25
Poland	Zloty	9/1	9/3	3	65	1.00	6,971.25	107.25			6,971.25	107.25
Finland	Markka			0	4.12	1.00	1,321.84	[2] 322.40	3,184.16	[2] 776.60	4,506	[2] 1,099.00
Germany	D. mark			0	3.25	1.00			1,758.25	541.00	1,758.25	541.00
Hon. Garry Brown:												
Germany	D. mark	4/18	4/18	1	3.17	1.00	158.50	50.00			158.50	50.00
Austria	Schilling	4/19	4/23	5	23.05	1.00	5,762.5	250.00			5,762.5	250.00
Portugal	Escudo	4/24	4/25	2	27	1.00	2,700	100.00	2,320	85.93	5,020	185.93
Hon. William P. Curlin:												
Germany	D. mark	4/18	4/18	1	3.17	1.00	158.50	50.00			158.50	50.00
Austria	Schilling	4/19	4/23	5	23.05	1.00	5,762.50	250.00			5,762.50	250.00
Portugal	Escudo	4/24	4/25	2	27	1.00	2,700	100.00	2,320	85.93	5,020	185.93
United Kingdom	Pound	10/17	10/22	6	.412	1.00	123.80	300.00	227.19	550.54	350.99	850.54
France	Franc	10/23	10/26	4	5	1.00	1,000	200.00	1,710.72	342.12	2,710.72	542.12
Germany	D. mark	10/27	10/27	1	23.05	1.00						
Switzerland	Franc	10/28	11/1	5	3.79	1.00	948.40	250.00	1,588.10	418.18	2,536.50	668.18
Italy	Lire	11/2	11/4	3	583	1.00	87,450	150.00	5,300	9.09	92,750	159.09

Footnotes at end of table.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 114, 2D SESS., 92D CONG., COMMITTEE ON BANKING AND CURRENCY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972—Continued

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or. U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Orman S. Fink:												
Germany	D. mark	4/18	4/18	1	3.17	$1.00	158.50	$50.00			158.50	$50.00
Austria	Schilling	4/19	4/23	5	23.05	1.00	5,762.5	250.00			5,762.5	250.00
Portugal	Escudo	4/24	4/25	2	27	1.00	2,700	100.00	2,320	$85.93	5,020	185.93
Japan	Yen	8/19	9/3	16	301.1	1.00	200,000	[3]655.95	13,056	43.36	53,936	187.41
							40,880	144.05				
U.S.S.R	Ruble	12/9	12/12	4	.826	1.00	72.69	88.00			72.69	88.00
Finland	Markka	12/13	12/14	2	4.15	1.00	415.60	100.00			415.60	100.00
Sweden	Kronur	12/15	12/16	2	4.72	1.00	237	[3]50.00			474	100.00
							474	100.00				
Denmark	Kronur	12/17	12/17	1	6.87	1.00	343.5	[3]50.00			343.50	50.00
							343.5	50.00				
United Kingdom	Pound			0	.38	1.00	26.97	[2]63.60	37.40	[2]88.21	64.37	[2]151.81
Hon. Tom S. Gettys:												
Germany	D. mark	4/18	4/18	1	3.17	1.00	158.50	50.00			158.50	50.00
Austria	Schilling	4/19	4/23	5	23.05	1.00	5,762.5	250.00			5,762.5	250.00
Portugal	Escudo	4/24	4/25	2	27	1.00	2,700	100.00	2,320	85.93	5,020	185.93
Hon. Chas. H. Griffin:												
Germany	D. Mark	4/18	4/18	1	3.17	1.00	158.50	50.00			158.50	50.00
Austria	Schilling	4/19	4/23	5	23.05	1.00	5,762.50	250.00			5,762.50	250.00
Portugal	Escudo	4/24	4/25	2	27	1.00	2,700	100.00	2,320	$85.93	5,020	185.93
George Gross:												
France	Franc	8/23	8/25	3	5	1.00	268.75	53.75			268.75	53.75
Finland	Markka	8/26	8/28	3	4.12	1.00	589.16	143.00			589.16	143.00
Sweden	Kronur	8/29	8/31	3	4.72	1.00	312.85	66.25			312.85	66.25
Poland	Zloty	9/1	9/3	3	65	1.00	6,971.25	107.25			6,971.25	107.25
Finland	Markka			0	4.12	1.00	1,321.84	[2]322.40	3,184.16	[2]776.60	4,506	[2]1,099.00
Germany	D. mark			0	3.25	1.00			1,758.25	541.00	1,758.25	541.00
Hon. Richard T. Hanna:												
Germany	D. mark	4/18	4/18	1	3.17	1.00	158.50	50.00	1,706.25	525.00	1,864.75	575.00
Austria	Schilling	4/19	4/21	3	23.05	1.00	3,457.50	150.00			3,457.50	150.00
Switzerland	Franc	4/22	4/24	3	3.86	1.00	579.75	150.00	721	186.06	1,300.75	336.06
United Kingdom	Pound	4/25	4/27	3	.38	1.00	57.31	150.00	250.81	654.69	308.13	804.69
Brazil	Cruzeiro	8/18	8/21	4	5.93	1.00	1,186	200.00			1,186	200.00
Japan	Yen	8/22	8/25	4	301	1.00	60,220	200.00			60,220	200.00
Korea	Won	8/26	8/28	3	397.4	1.00	59,610	150.00			59,610	150.00
Japan	Yen	8/29	9/4	7	301	1.00	90,330	300.00	49,467	164.29	139,797	464.29
Japan	Yen	11/25	11/26	2	301.10	1.00	30,110	100.00	5,255	17.45	35,365	117.45
Korea	Won	11/27	11/30	4	397.4	1.00	19,851	[3]50.00			79,404	200.00
							79,404	200.00				
Hong Kong	HK dollar	12/1	12/1	1	5.60	1.00	280	[3]50.00			280	50.00
							280	50.00				
Singapore	M dollar	12/2	12/2	1	2.75	1.00	237.50	[3]50.00			237.50	50.00
							237.50	50.00				
Lebanon	£L	12/3	12/8	6	3.02	1.00	900.60	300.00			900.60	300.00
Egypt	£E	12/9	12/15	7	.55	1.00	194.435	350.00			194.435	350.00
Lebanon	£L	12/16	12/16	1	3.02	1.00	150	50.00			150	50.00
Jordan	Dinar	12/17	12/17	1	.36	1.00	18	50.00			18	50.00
Italy	Lire	12/18	12/19	2	584	1.00	58,400	100.00	59,820	102.43	118,220	202.43
Spain	Peseta	12/20	12/21	2	63.5	1.00	6,350	100.00			6,350	100.00
Germany	D. mark			0	3.17	1.00			8,999.15	2,769.00	8,999.25	2,769.00
Hon. Margaret M. Heckler:												
U.S.S.R	Ruble	12/9	12/12	4	.826	1.00	72.69	88.00			72.69	88.00
Finland	Markka	12/13	12/14	2	4.15	1.00	415.60	100.00			415.60	100.00
Sweden	Kronur	12/15	12/15	1	4.72	1.00	237	50.00			237	50.00
Germany	D. mark	12/16	12/16	1	3.17	1.00	158.50	50.00			158.50	50.00
United Kingdom	Pound			0	.38	1.00	26.97	[2]63.60	37.40	[2]88.21	64.37	[2]151.81
Joseph J. Jasinski:												
Austria	Schilling	4/18	4/20	3	23.05	1.00	3,457.5	150.00			3,457.5	150.00
United Kingdom	Pound	4/21	4/25	5	.38	1.00	95.44	250.00	6.18	16.13	101.62	266.13
France	Franc	4/26	4/27	2	5.03	1.00	503.5	100.00	837.27	167.25	340.77	267.25
Spain	Peseta	6/28	6/30	3	64.4	1.00	6,440	[3]100.00	9,700	150.62	19,360	300.62
							9,660	150.00				
Greece	Drachma	5/1	5/4	4	30	1.00	6,000	200,00			6,000	200.00
Germany	D. mark	5/5	5/5	1	3.19	1.00	159.50	50.00	4,741.10	1,458.80	4,900.60	1,508.80
France	Franc	5/6	5/7	2	5.03	1.00	503.50	100.00	628.25	125.50	1,131.75	225.50
Japan	Yen	8/19	9/3	16	301.10	1.00	60,220	[3]197.51			180.660	602.49
							180,660	602.49				
U.S.S.R	Ruble	12/8	12/11	3	.826	1.00	18.18	[3]22.00			54.51	66.00
							54.51	66.00				
Sweden	Kronur	12/12	12/16	5	4.72	1.00	1,185.00	250.00			1,185	250.00
Denmark	Kronur	12/17	12/19	3	6.87	1.00	1,030.5	150.00			1,030.5	150.00
United Kingdom	Pound			0	.38	1.00	20.23	[2]47.70	33.88	[2]79.91	54.11	[2]127.61
Gerald R. McMurray:												
Japan	Yen	1/4	1/8	5	314.8	1.00	78,700	250.00	222,950	650.00	301.650	900.00
Korea	Won	1/9	1/11	3	371.85	1.00	55,778	150.00			55,778	150.00
Taiwan	NT dollar	1/12	1/13	2	40	1.00	4,000	100.00			4,000	100.00
Hong Kong	HK dollar	1/14	1/18	5	5.65	1.00	1,412.5	250.00			1,412.5	250.00
Malaysia	M dollar	1/19	1/21	3	2.84	1.00	426	150.00			426	150.00
Thailand	Baht	1/22	1/22	1	20.825	1.00	1,041.25	50.00			1,041.25	50.00
United Kingdom	Pound	11/9	11/12	4	.42	1.00	84.65	200.00			84.65	200.00
Germany	D. mark	11/13	11/17	5	3.45	1.00	640	200.00	497.89	146.47	1,137.89	346.47
Italy	Lire	11/18	11/19	2	585	1.00	58,500	100.00			58,500	100.00
Spain	Peseta	11/20	11/21	2	63.5	1.00	6,350	100.00			6,350	100.00
France	Franc	11/22	11/25	4	5	1.00	1,000	200.00			1,000	200.00
Germany	D. mark			0					6,802.64	1,971.78	6,802.64	1,971.78
Paul Nelson:												
Germany	D. mark	4/18	4/18	1	3.17	1.00	158.50	50.00			158.50	50.00
Austria	Schilling	4/19	4/23	5	23.05	1.00	5,762.5	250.00	80,338	3,471.82	86,100	3,721.82
Portugal	Escudo	4/24	4/25	2	27	1.00	2,700	100.00	2,320	85.93	5,020	185.93
Hon. J. William Stanton:												
Germany	D. mark	4/18	4/18	1	3.17	1.00	158.50	50.00			158.50	50.00
Austria	Schilling	4/19	4/23	5	23.05	1.00	5,762.50	250.00			5,762.50	250.00
Portugal	Escudo	4/24	4/25	2	27	1.00	2,700	100.00	2,320	85.93	5,020	185.93
Hon. Robert G. Stephens, Jr.:												
Germany	D. mark	4/18	4/18	1	3.17	1.00	158.50	50.00			158.50	50.00
Austria	Schilling	4/19	4/23	5	23.05	1.00	5,762.5	250.00	3,122.9	976.17	8,885.4	1,226.17
Portugal	Escudo	4/24	4/25	2	27	1.00	2,700	100.00	2,320	85.93	5,020	185.93
United Kingdom	Pound	10/17	10/22	6	.412	1.00	123.80	300.00	227.20	550.55	351	850.55
France	Franc	10/23	10/26	4	5	1.00	1,000	200.00	1,677.2	335.45	2,677.2	535.45
Germany	D. mark	10/27	10/27	1	23.05	1.00						
Switzerland	Franc	10/28	11/5	9	3.79	1.00	1,707.2	450.00	2,858.4	752.73	4,565.6	1,202.73

Footnotes at end of table.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 114, 2D SESS., 92D CONG., COMMITTEE ON BANKING AND CURRENCY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972—Continued

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or. U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. Chalmers P. Wylie:												
Russia	Ruble	12/9	12/12	4	.826	$1.00	72.69	$88.00			72.69	$88.00
Finland	Markka	12/1	12/14	2	4.15	1.00	415.60	100.00			415.60	100.00
Sweden	Kronur	12/15	12/16	2	4.72	1.00	237.00 474.00	[3] 50.00 100.00			474.00	100.00
Denmark	Kronur	12/17	12/17	1	6.87	1.00	343.50 343.50	[3] 50.00 50.00			343.50	50.00
United Kingdom	Pound			0	.38	1.00	26.97	[3] 63.60	37.40	[2] $88.21	64.37	[2] 151.81
Total								17,915.25		28,957.16		46,872.41

[1] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[2] Prorata advance to Travel Service.
[3] Refund.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$46,872.41

WRIGHT PATMAN,
Chairman, Banking and Currency.

Mar. 2, 1973.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 434 OF 1ST SESS., 965 AND 1162 OF 2D SESS., 92D CONG., COMMITTEE ON EDUCATION AND LABOR, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$21,426.63
Appropriated funds:	
Government Department: Department of Army	18,496.00
Total	39,922.63

CARL D. PERKINS,
Chairman, Committee on Education and Labor.

Mar. 1, 1973.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 965 AND 1162, 2D SESS., 92D CONG., COMMITTEE ON EDUCATION AND LABOR (FULL COMMITTEE), U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S currency
Hon. Frank Thompson:												
Switzerland	Swiss franc	6/15	6/19	5	190.63	$50.00	953.15	$250.00	1,334.00	$346.31	2,287.15	$596.31
Germany	Deutsche mark								2,203.50	692.92	2,203.50	692.92
France	Franc	11/11	11/18	8	250.00	50.00	2,000.00	400.00	3,927.73	785.55	5,927.73	1,185.55
Germany	D. mark								1,589.25	489.00	1,589.25	489.00
Hon. John N. Erlenborn:												
Switzerland	Swiss franc	6/26	7/1	6		50.00	1,140.00	300.00	1,311.40	340.45	2,451.40	640.45
Germany	D. mark								2,187.25	687.81	2,187.25	687.81
Hon. Marvin L. Esch:												
Switzerland	Swiss franc	6/19	6/28	9		50.00	1,708.50	450.00	2,144.00	556.59	3,852.50	1,006.59
Germany	D. mark								2,093.00	658.18	2,093.00	658.18
Cliffard D. Carlson:												
France	Franc	10/31	11/10	11		50.00	2,750.00	550.00			2,750.00	550.00
France	Franc	11/11	11/18	9		50.00	2,250.00	450.00			2,250.00	450.00
Germany (local transport)	D. mark								8,339.86	1,667.97	8,339.86	1,667.97
Germany	D. mark								3,220.75	991.10	3,220.75	991.10
Less U.S. dollar refund												(−600.00)
Total								2,400.00		7,215.88		9,015.88

[1] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$9,015.88

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 434, 1ST SESS., 92D CONG., SPECIAL SUBCOMMITTEE ON LABOR OF THE COMMITTEE ON EDUCATION AND LABOR, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S currency
Hon. Frank Thompson: Italy	Lire	6/10	6/14	5	29,100	$50.00	145,500	$250.00	490	$12.78	152,990	$262.78
Total								250.00		12.78		262.78

[1] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$262.78

CARL D. PERKINS,
Chairman, Committee on Education and Labor.

Mar. 1, 1973.

REPORT OF EXPENDITURES OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 434, 1st SESS., 92D CONG., GENERAL SUBCOMMITTEE ON LABOR OF THE COMMITTEE ON EDUCATION AND LABOR, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency
Hon. John H. Dent:												
Italy	Lire	12/1	12/5	5	29,250	$50.00	146,250	$250.00			146,250	$250.00
Greece	Drachmas	12/6	12/10	5	1,500	50.00	7,500	250.00			7,500	250.00
Yugoslavia	Dinars	12/11	12/13	3	837.50	50.00	2,512.50	150.00	30,239.50	[2] $1,805.34	32,752	1,955.34
Germany	Marks	12/14	12/19	6	159.50	50.00	957	300.00	13,137.02	[3] 4,118.18	14,094.02	4,418.18
Hon. William L. Clay:												
Italy	Lire	12/1	12/5	5	29,250	50.00	146,250	250.00			146,250	250.00
Greece	Drachmas	12/6	12/10	5	1,500	50.00	7,500	250.00			7,500	250.00
Yugoslavia	Dinars	12/11	12/13	3	837.50	50.00	2,512.50	150.00			2,512.50	150.00
Germany	Marks	12/14	12/19	6	159.50	50.00	957	300.00			957	300.00
Hon. William D. Ford:												
Italy	Lire	12/1	12/5	5	29,250	50.00	146,250	250.00			146,250	250.00
Greece	Drachmas	12/6	12/10	5	1,500	50.00	7,500	250.00			7,500	250.00
Yugoslavia	Dinars	12/11	12/13	3	837.50	50.00	2,512.50	150.00			2,512.50	150.00
Germany	Marks	12/14	12/19	6	159.50	50.00	957	300.00			957	300.00
Hon. Roman C. Pucinski:												
Italy	Lire	12/4	12/5	2	29,250	50.00	58,500	100 00			58,500	100.00
Greece	Drachmas	12/6	12/10	5	1,500	50.00	7,500	250.00			7,500	250.00
Yugoslavia	Dinars	12/11	12/13	3	837.50	50.00	2,512.50	150.00			2,512.50	150.00
Germany	Marks	12/14	12/16	2	159.50	50.00	957	300.00	875	[4] 274.29	1,832	574.29
Germany (per diem refund)	Marks						(797)	(249.84)			(797)	(249.84)
Hon. Lloyd Meeds:												
Italy	Lire	12/1	12/5	5	29,250	50.00	146,250	250.00			146,250	250.00
Greece	Drachmas	12/6	12/10	5	1,500	50.00	7,500	250.00			7,500	250.00
Yugoslavia	Dinars	12/11	12/13	3	837.50	50.00	2,512.50	150.00			2,512.50	150.00
Germany	Marks	12/14	12/19	6	159.50	50.00	957	300.00			957	300.00
Robert E. Vagley:												
Italy	Lire	12/1	12/5	5	29,250	50.00	146,250	250.00			146,150	250.00
Greece	Drachmas	12/6	12/10	5	1,500	50.00	7,500	250.00			7,500	250.00
Yugoslavia	Dinars	12/11	12/13	3	837.50	50.00	2,512.50	150.00			2,512.50	150.00
Adrienne Fields:												
Italy	Lire	12/1	12/5	5	29,250	50.00	146,250	250.00			146,250	250.00
Greece	Drachmas	12/6	12/10	5	1,500	50.00	7,500	250.00			7,500	250.00
Yugoslavia	Dinars	12/11	12/13	3	837.50	50.00	2,512.50	150.00			2,512.50	150.00
Germany	Marks	12/14	12/19	6	159.50	50.00	957	300.00			957	300.00
Total								5,950.16		6,197.81		12,147.97

[1] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

[2] Local transportation used by entire delegation, but charged to chairman for bookkeeping purposes.

[3] Local transportation and miscellaneous expenses incurred by entire delegation, but charged to chairman for bookkeeping purposes.

[4] 1-way air fare Germany to United States.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$12,147.97
Appropriated funds:	
Government Department: Department of Army	18,496.00
Total	30,642.97

Feb. 26, 1973.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 109, 1st SESS., 92d CONG., COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency
Melvin O. Benson:												
United Kingdom	Pound	1/8	1/11	3	19.50	$50.00	58.50	$150.00	3.11	$7.94	61.91	$157.94
Sudan	Pound	1/11	1/15	4	17.300	50.00	69.200	200.00			69.200	200.00
Kenya	Schilling	1/15	1/16	1	355.50	50.00	355.50	50.00	11.50	1.61	367	51.61
Zambia	Kwacha	1/16	1/22	7	35.95	50.00	251.62	350.00			251.62	350.00
Belgium	B. franc	1/23	1/26	3	2,200	50.00	6,600	150.00			6,600	150.00
Transportation	N. guilder								6,300.55	1,713.00	6,300.55	1,713.00
Ivory Coast	CFA franc	1/15	11/18	3	12,550	50.00	37,650	150.00			37,650	150.00
Nigeria	Pound	11/18	11/22	4	16,265	50.00	65.06.4	200.00	16.33.0	50.01	81.39.4	250.01
Kenya	Schilling	11/22	11/23	1	355.5	50.00	355.5	50.00			355.5	50.00
Seychelles	Schilling	11/23	11/25	2	355.5	50.00	711	100.00			711	100.00
Kenya	Schilling	11/25	11/26	1	355.5	50.00	355.5	50.00			355.5	50.00
Tanzania	Schilling	11/26	11/28	2	355	50.00	710	100.00			710	100.00
Ethiopia	E. dollars	11/28	11/30	2	114.14	50.00	228.28	100.00			228.28	100.00
Egypt	Pound	11/30	12/2	2	27.7775	50.00	55.555	100.00	11.066	19.92	66.621	119.92
Lebanon	Pound	12/2	12/6	4	150	50.00	600.0	200.00			600.0	200.00
U.S.S.R	Ruble	12/6	12/9	3	41.295	50.00	45.86	55.51			45.86	55.51
U.S.S.R	Br. pound	12/6	12/9	3	21.23	50.00	13.06	30.76	39.86	94.02	52.92	124.78
Yugoslavia	Dinar	12/9	12/11	2	837.50	50.00	1,675	100.00	560.40	33.45	2,235.40	133.45
Switzerland	Franc	12/11	12/12	1	188.73	50.00	188.73	50.00			188.73	50.00
Canada	C. dollar	12/12	12/17	6	49.50	50.00	297.00	300.00	11.53	11.64	308.53	311.64
Transportation	Y. dinar								38,060.35	2,272.26	38,060.35	2,272.26
Hon. Jonathan B. Bingham:												
Ireland	Pound	3/29	3/30	2	19.155	50.00	38.31	100.00	36.10	94.25	74.41	194.25
United Kingdom	Pound	3/31	4/3	3	19.125	50.00	57.375	150.00	11.75	30.67	69.125	180.67
Austria	Schilling	4/3	4/5	3	1,148	50.00	3,444	150.00	4,619.67	199.67	8,063.67	349.67
Israel	I. pound	4/5	4/8	3	210	50.00	630	150.00	196.21	46.71	826.21	196.71
Italy	Lira	4/8	4/9	1	29,100	50.00	29,100	50.00	5,050	8.62	34,150	58.62
Portugal	Escudo	4/9	4/10						433.10	16.05	433.10	16.05
United Kingdom	Pound	4/10	4/11	2	19.125	50.00	38.25	100.00			38.25	100.00
Transportation	I. pound								5,451.22	1,297.91	5,451.22	1,297.91
Transportation	D. mark								73.86	23.30	73.86	23.30

Footnotes at end of table.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 109, 1st SESS., 92d CONG., COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972—Continued

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or. U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Robert B. Boettcher:												
Denmark	Krone	1/5	1/8	3	354	$50.00	1,062.00	$150.00	381.55	$54.66	1,443.55	$204.66
Austria	Schilling	1/8	1/11	4	1,180	50.00	4,720	200.00	3,143	133.08	7,863	333.08
Turkey	Lira	1/11	1/14	3	700	50.00	2,100	150.00	780.57	55.77	2,880.57	205.77
Spain	Peseta	1/14	1/17	3	3,290	50.00	9,870	150.00	8,249.16	125.41	18,119.16	275.41
Luxembourg	Franc	1/17	1/19	2	2,217.5	50.00	4,435	100.00	3,270	71.86	7,705	171.86
Belgium	Franc	1/19	1/21	2	2,200	50.00	4,400	100.00	7,278.12	159.92	11,678.12	259.92
United Kingdom	Pound	3/2	3/6	5	19.125	50.00	95.625	250.00	15.38	39.27	111.005	289.27
Transportation	D. mark								727.32	228.00	727.32	228.00
Transportation	Br. pound								107.95	275.66	107.95	275.66
Switzerland	S. franc	8/4	8/13	10	188.628	50.00	1,697.65	450.00	173.15	44.95	1,870.80	494.95
Transportation	D. mark								3,194.75	983.00	3,194.75	983.00
United Kingdom	Pound	12/4	12/5	1	21.23	50.00	21.23	50.00			21.23	50.00
U.S.S.R	Br. pound	12/5	12/16	12	21.23	50.00	139.438	328.40	143.09	337.50	282.528	665.90
U.S.S.R	Ruble	12/5	12/16	12	41.295	50.00	218.06	264.00			218.06	264.00
United Kingdom	Pound	12/16	12/18	1	21.23	50.00	21.23	50.00			21.23	50.00
Transportation	Florin								2,345.01	1,313.00	2,345.01	1,313.00
Robert K. Boyer:												
Japan	Yen	8/16	8/18	3	15,053	50.00	45,165	150.00	7,534	25.02	52,699	175.02
Vietnam	Piastre	8/18	8/20	1	24,000	50.00	24,000	50.00			24,000	50.00
Thailand	Baht	8/20	8/21	2	1,041.25	50.00	1,947.5	93.52			1,947.5	93.52
Laos	Kip	8/21	8/23	1	30,250	50.00	30,250	50.00	330,196.5	545.78	360,446.5	595.78
Thailand	Baht	8/23	9/1	9	1,041.25	50.00	9,371.25	450.00	835	40.75	10,206.25	490.75
Hong Kong	HK dollar	9/1	9/2	2	280.00	50.00	560.00	100.00			560.00	100.00
Transportation	Kyats								78.05	14.66	78.05	14.66
Transportation	D. mark								7,606.95	2,340.60	7,606.95	2,340.60
John J. Brady, Jr.:												
Japan	Yen	8/16	8/18	3	15,053	50.00	45,165	150.00	7,534	25.02	52,699	175.02
Vietnam	Piastre	8/18	8/20	1	24,000	50.00	24,000	50.00			24,000	50.00
Thailand	Baht	8/20	8/21	2	1,041.25	50.00	1,947.5	93.52			1,947.5	93.52
Laos	Kip	8/21	8/23	1	30,250	50.00	30,250	50.00	330,196.5	545.77	360,446.5	595.77
Thailand	Baht	8/23	9/1	9	1,041.25	50.00	9,371.25	450.00	835	40.75	10,206.25	490.75
Hong Kong	HK dollar	9/1	9/2	2	280.00	50.00	560.00	100.00			560.00	100.00
Transportation	Kyats								60.50	11.37	60.50	11.37
Transportation	D. mark								7,606.95	2,340.60	7,606.95	2,340.60
Hon. John H. Buchanan, Jr.:												
Switzerland	Franc	8/21	8/22	2	189	50.00	298.00	79.20			298.00	79.20
Transportation	Guilder								3,222.80	983.00	3,222.80	983.00
United Kingdom	Pound	12/4	12/5	1	21.23	50.00	21.23	50.00			21.23	50.00
U.S.S.R	Br. pound	12/5	12/11	7	21.23	50.00	83.54	197.04	66.23	156.20	149.77	353.24
U.S.S.R	Ruble	12/5	12/11		41.295	50.00	109.03	132.00			109.03	132.00
Finland	Markka	12/11	12/12	1	207.80	50.00	207.80	50.00			207.80	50.00
United Kindgom	Pound	12/12	12/13	1	21.23	50.00	21.23	50.00			21.23	50.00
Transportation	Florin								2,363.21	1,256.00	2,363.21	1,256.00
Hon. J. Herbert Burke:												
Denmark	Krone	1/5	1/8	3	354	50.00	1,062	150.00	381.55	54.66	1,443.55	204.66
Austria	Schilling	1/8	1/11	4	1,180	50.00	4,720	200.00	3,143	133.06	7,863	333.06
Turkey	Lira	1/11	1/14	3	700	50.00	2,100	150.00	780.57	55.75	2,880.57	205.75
Spain	Peseta	1/14	1/17	3	3,290	50.00	9,870	150.00	8,249.12	125.36	18,119.12	275.36
Luxembourg	Franc	1/17	1/19	2	2,217.5	50.00	4,435	100.00	3,270	71.85	7,705	171.85
Belgium	Franc	1/19	1/21	2	2,200	50.00	4,400	100.00	7,278.12	159.92	11,678.12	259.92
Goler T. Butcher:												
United Kingdom	Pound	1/8	1/11	3	19.50	50.00	58.50	150.00	3.11	7.94	61.91	157.94
Sudan	Pound	1/11	1/15	4	17.300	50.00	69.200	200.00			69.200	200.00
Kenya	Schilling	1/15	1/16	1	355.50	50.00	355.50	50.00	11.50	1.61	367.00	51.61
Zambia	Kwacha	1/16	1/22	7	35.95	50.00	251.62	350.00	416.22	582.71	667.84	932.71
Belgium	B. franc	1/23	1/26	3	2,200	50.00	6,600	150.00			6,600	150.00
Transportation	Guilder								6,300.55	1,713.00	6,300.55	1,713.00
United Kingdom	Pound	5/2	5/8	7	19.085	50.00	133.595	350.00			133.595	350.00
Transportation	D. mark								1,675	909.67	1,675	909.67
Ivory Coast	CFA Franc	11/15	11/18	3	12,550	50.00	37,650	150.00			37,650	150.00
Nigeria	Pound	11/18	11/22	4	16.265	50.00	65.06.4	200.00	16.33.0	50.01	81.39.4	250.01
Kenya	Schilling	11/22	11/23	1	355.5	50.00	355.5	50.00			355.5	50.00
Seychelles	Schilling	11/23	11/25	2	355.5	50.00	711	100.00			711	100.00
Kenya	Schilling	11/25	11/26	1	355.5	50.00	355.5	50.00			355.5	50.00
Tanzania	Schilling	11/26	11/28	2	355	50.00	710	100.00			710	100.00
Ethiopia	E. dollars	11/28	11/30	2	114.14	50.00	228.28	100.00			228.28	100.00
Egypt	Pound	11/30	12/2	2	27.7775	50.00	55,555	100.00	11.066	19.92	66.621	119.92
Lebanon	Pound	12/2	12/6	4	150	50.00	600.0	200.00			600.0	200.00
U.S.S.R	Ruble	12/6	12/9	3	41.295	50.00	45.86	55.51			45.86	55.51
U.S.S.R	Br. pound	12/6	12/9	3	21.23	50.00	13.06	30.76	39.86	94.02	52.92	124.78
Yugoslavia	Dinar	12/9	12/11	2	837.50	50.00	1,675	100.00	560.40	33.45	2,235.40	133.45
Switzerland	Franc	12/11	12/12	1	188.73	50.00	188.73	50.00			188.73	50.00
Canada	C. dollar	12/12	12/17	6	49.50	50.00	297.00	300.00	11.53	11.63	308.53	311.63
Transportation	Y. dinar								38,060.35	2,272.26	38,060.35	2,272.26
John Chapman Chester:												
Japan	Yen	11/11	11/13	3	15,055	50.00	45,165	150.00	13,324.5	44.25	58,489.50	194.25
Korea	Won	11/13	11/17	4	19,846	50.00	79,384	200.00	4,433	11.17	83,817	211.17
Philippines	Peso	11/17	11/22	4	335.50	50.00	1,342	200.00	265.58	39.46	1,607.58	239.46
Malaysia	M. dollar	11/22	11/25	4	137.5	50.00	550	200.00			550	200.00
Thailand	Baht	11/26	12/1	6	1,041.25	50.00	6,247.50	300.00			6,247.50	300.00
Transportation	Guilder								7,994.40	2,439.55	7,994.40	2,439.55
Harry C. Cromer:												
Argentina	Peso	3/13	3/16	3	486	50.00	1,458	150.00			1,458	150.00
Brazil	Cruzeiros	3/16	3/20	5	290.5	50.00	1,452.5	250.00			1,452.5	250.00
Transportation	D. mark								3,214.25	989.00	3,214.25	989.00
Italy	Lira	8/24	8/29	6	29,050	50.00	174,300	300.00	12,950	22.25	187,250	322.25
Switzerland	Franc	8/30	8/31	2	188.825	50.00	377.65	100.00	357.5	94.64	735.15	194.64
Austria	Schilling	8/31	9/6	5	1,146.5	50.00	5,732.50	250.00	4,450	194.07	10,182.5	444.07
France	Franc	9/6	9/8	3	250	50.00	750	150.00	626.01	125.20	1,376.01	275.20
Transportation	Guilder								1,797.5	548.57	1,797.5	548.57
Hon. John C. Culver:												
France	Franc	8/17	8/19	2	251	50.00	502	100.00	76.50	15.24	578.50	115.24
Belgium	Franc	8/19	8/23	5	2,200	50.00	11,000	250.00			11,000	250.00
Transportation	D. mark								3,071.25	945.00	3,071.25	945.00

Footnotes at end of table.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 109, 1st SESS., 92d CONG., COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or. U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Marian A. Czarnecki:												
Argentina	Peso	3/13	3/16	3	486	$50.00	1,458	$150.00			1,458	$150.00
Brazil	Cruzeiro	3/16	3/20	5	290.5	50.00	1,452.5	250.00			1,452.5	250.00
Transportation	D. mark								3,214.25	$989.00	3,214.25	989.00
Italy	Lira	8/24	8/29	6	29,050	50.00	174,300	300.00	12,950	22.25	187,250	322.25
Switzerland	Franc	8/30	8/31	2	188.825	50.00	377.65	100.00	357.5	94.64	735.15	194.64
Austria	Schilling	8/31	9/6	5	1,146.5	50.00	5,732.50	250.00	4,450	194.07	10,182.5	444.07
France	Franc	9/6	9/8	3	250	50.00	750	150.00	626.01	125.20	1,376.01	275.20
Transportation	Guilder								1,797.5	548.57	1,797.5	548.57
Hon. Charles C. Diggs, Jr.:												
United Kingdom	Pound	1/8	1/11	3	19.50	50.00	58.80	150.00	3.11	7.94	61.91	157.94
Sudan	Pound	1/11	1/15	4	17,300	50.00	69.200	200.00			69.200	200.00
Kenya	Schilling	1/15	1/16	1	355.50	50.00	355.50	50.00	11.50	1.61	367.00	51.61
Zambia	Kwacha	1/16	1/22	7	35.95	50.00	251.62	350.00	416.22	582.71	667.84	932.71
Belgium	Franc	1/23	1/26	3	2,200	50.00	6,600	150.00			6,600	150.00
Transportation	Guilder								6,293.11	1,713.00	6,293.11	1,713.00
Japan	Yen	6/7	6/11	5	15,230	50.00	76,150	250.00	30,398	99.70	106,548	349.70
Ivory Coast	CFA Franc	11/15	11/18	3	12,550	50.00	37,650	150.00			37,650	150.00
Nigeria	Pound	11/18	11/22	4	16.265	50.00	65.06.4	200.00	16.34.0	50.02	81.40.4	250.02
Kenya	Schilling	11/22	11/23	1	355.5	50.00	355.5	50.00			355.5	50.00
Seychelles	Schilling	11/23	11/25	2	355.5	50.00	711	100.00			711	100.00
Kenya	Schilling	11/25	11/26	1	355.5	50.00	355.5	50.00			355.5	50.00
Tanzania	Schilling	11/26	11/28	2	355	50.00	710	100.00			710	100.00
Ethiopia	E. dollar	11/28	11/30	2	114.14	50.00	228.28	100.00			228.28	100.00
Egypt	Pound	11/30	12/2	2	27.7775	50.00	55.555	100.00	11.066	19.93	66.621	119.93
Lebanon	Pound	12/2	12/6	4	150	50.00	600	200.00			600	200.00
U.S.S.R	Ruble	12/6	12/9	3	41.295	50.00	45.86	55.51			45.86	55.51
U.S.S.R	Br. pound	12/6	12/9	3	21.23	50.00	13.06	30.76	39.86	94.02	52.92	124.78
Yugoslavia	Dinar	12/9	12/11	2	837.50	50.00	1,675	100.00	560.40	33.45	2,235.40	133.45
Switzerland	Franc	12/11	12/12	1	188.73	50.00	188.73	50.00			188.73	50.00
Canada	C. dollar	12/12	12/17	6	49.50	50.00	297	300.00	11.53	11.63	308.53	311.63
Transportation	Y. dinar								37,533.07	2,240.78	37,533.07	2,240.78
Hon. Dante B. Fascell:												
Colombia	Peso	8/4	8/6	3	1,100.50	50.00	3,301.50	150.00			3,301.50	150.00
Transportation	D. mark								1,637.64	503.89	1,637.64	503.89
Costa Rica	Colon	11/18	11/22	5	428.50	50.00	633.31	73.90	200.35	23.38	833.66	97.28
Transportation	D. mark								649.60	203.00	649.60	203.00
Guatemala	Quetzals	12/5	12/10	6	50.00	50.00						
Transportation	D. mark								828.80	259.00	828.80	259.00
Hon. Paul Findley:												
Denmark	Krone	1/5	1/7	2	354	50.00	354	50.00			354	50.00
U.S.S.R	Ruble	1/7	1/9	2	41.450	50.00	53.749	65.44			53.749	65.44
Austria	Schilling	1/9	1/12	4	1,180	50.00	4,720	200.00			4,720	200.00
Transportation	D. mark								1,013.27	293.70	1,013.27	293.70
United Kingdom	Pound	3/3	3/6	4	19.125	50.00	56.50	148.93			56.50	148.93
Transportation	D. mark								2,707.25	833.00	2,707.25	833.00
Italy	Lira	6/30	7/2	3	28,950	50.00	86,850	150.00	167,220	287.32	254,070	437.32
Egypt	Pound	7/2	7/7	5	27.7775	50.00	138.885	250.00	110	197.98	248.885	447.98
Israel	Pound	7/7	7/9	2	210	50.00	420	100.00	812,74	193.51	1,232.74	293.51
Romania	Lei	7/9	7/14	4	792	50.00	3,168	200.00			3,168	200.00
Greece	Drachma	7/14	7/17	4	1,500	50.00	6,000	200.00			6,000	200.00
Transportation	I. pound								3,166.80	754.00	3,166.80	754.00
Robert Michael Finley:												
Costa Rica	Colon	11/18	11/22	5	428.50	50.00	447.8	52.27	200.35	23.38	648.33	75.65
Transportation	D. mark								649.60	203.00	649.60	203.00
Transportation	U.S. dollar									132.12		132.12
Guatemala	Quetzal	12/5	12/10	6	50.00	50.00	145.58	145.58			145.58	145.58
Transportation	D. mark								1,396.20	435.36	1,396.20	435.36
Hon. Donald M. Fraser:												
Denmark	Krone	1/5	1/8	3	354	50.00	1,062	150.00	381.55	54.66	1,443.55	204.66
Austria	Schilling	1/8	1/11	4	1,180	50.00	4,720	200.00	3,153	133.06	7,863	333.06
Turkey	Lira	1/11	1/14	3	700	50.00	2,100	150.00	780.57	55.75	2,880.57	·205.75
Spain	Peseta	1/14	1/17	3	3,290	50.00	9,870	150.00	8,249.12	125.36	18,119.12	275.36
Luxembourg	Franc	1/17	1/19	2	2,217.5	50.00	4,435	100.00	3,270	71.85	7,705	171.85
Belgium	Franc	1/19	1/21	2	2,200	50.00	2,065	48.69	7,278.12	159.92	9,343.12	208.61
Transportation	B. franc								24,900	547.13	24,900	547.13
United Kingdom	Pound	3/3	3/6	4	19.125	50.00	61.34	161.29	3.12	7.97	64.46	169.26
Transportation	D. mark								2,707.25	833.00	2,707.25	833.00
United Kingdom	Pound	12/4	12/5	1	21.23	50.00	21.23	50.00			21.23	50.00
U.S.S.R	B. pound	12/5	12/16	12	21.23	50.00	139.438	328.40	143.09	337.50	282.528	665.90
U.S.S.R	Ruble	12/5	12/16		41.295	50.00	218.06	264.00			218.06	264.00
United Kingdom	Pound	12/16	12/17	1	21.23	50.00	21.23	50.00			21.23	50.00
Transportation	Florin								2,345.01	1,313.00	2,345.01	1,313.00
Hon. Cornelius E. Gallagher:												
Japan	Yen	1/5	1/6	2	15,740	50.00	31,480	100.00			31,480	100.00
Korea	Won	1/6	1/9	3	18,587.66	50.00	55,763	150.00			55,763	150.00
Taiwan	NT dollar	1/9	1/13	4	2,000	50.00	8,000	200.00			8,000	200.00
Hong Kong	HK Dollar	1/13	1/17	4	282.5	50.00	1,130	200.00	147.60	25.89	1,277.60	225.89
Transportation	Guilder								7,821.95	2,143.00	7,821.95	2,143.00
Clifford P. Hackett:												
Denmark	Krone	1/5	1/8	3	354	50.00	1,062	150.00	381.55	54.69	1,443.55	204.69
Austria	Schilling	1/8	1/11	4	1,180	50.00	4,720	200.00	3,143	133.08	7,863	333.08
Turkey	Lira	1/11	1/14	3	700	50.00	2,100	150.00	780.57	55.78	2,880.57	205.78
Spain	Peseta	1/14	1/17	3	3,290	50.00	9,870	150.00	8,249.12	25.36	18,119.12	275.36
Luxembourg	Franc	1/17	1/19	2	2,217.5	50.00	4,435	100.00	3,270	71.86	7,705	171.86
Belgium	Franc	1/19	1/21	2	2,200	50.00	4,400	100.00	7,279.0	159.95	11,679	259.95
United Kingdom	Pound	6/2	6/4	3	19.085	50.00	38.17	100.00			38.17	100.00
Transportation	D. mark								1,865.50	586.64	1,865.50	586.64
United Kingdom	Pound	11/23	11/26	3	21.23	50.00	60.84	143.29			60.84	143.29
Belgium	Franc	11/26	11/28	2	2,200	50.00	4,350.28	98.87	510	11.59	4,860.28	110.46
Luxembourg	Franc	11/28	12/1	3	2,197	50.00	6,591	150.00			6,591	150.00
Germany	D. mark	12/1	12/2	2	160	50.00	320	100.00			320	100.00
U.S.S.R	Br. pound	12/2	12/16	14	21.23	50.00	166.45	392.00	153.65	362.40	320.10	754.40
U.S.S.R	Ruble	12/2	12/16	14	41.295	50.00	254.41	308.00			254.41	308.00
Transportation	Y. dinar								21,511.80	1,292.00	21,511.80	1,292.00

Footnotes at end of table.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 109, 1st SESS., 92d CONG., COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972—Continued

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or. U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. Seymour Halpern:												
Austria	Schilling	4/3	4/5	3	1,148.00	$50.00	3,444.00	$150.00	4,619.67	$199.67	8,063.67	$349.67
Israel	I. pound	4/5	4/8	3	210.00	50.00	630.00	150.00	196.21	46.71	826.21	196.71
Greece	Drachma	4/8	4/12	4	1,500.00	50.00	6,000	200.00			6,000	200.00
Transportation	I. pound								6,430.20	1,531.00	6,430.20	1,531.00
Sweden	Krona	6/4	6/17	13	236.624	50.00	3,076.12	650.00	7,543.00	1,573.75	10,619.12	2,223.75
Transportation	D. mark								3,409.25	1,072.09	3,409.25	1,072.09
Hon. Sherman P. Lloyd:												
United Kingdom	Pound	12/4	12/5	1	21.23	50.00	21.23	50.00			21.23	50.00
U.S.S.R	Br. pound	12/5	12/11	7	21.23	50.00	83.54	197.04	66.23	156.20	149.77	353.24
U.S.S.R	Ruble	12/5	12/11	7	41.295	50.00	109.03	132.00			109.03	132.00
Finland	Markka	12/11	12/12	1	207.80	50.00	207.80	50.00			207.80	50.00
United Kingdom	Pound	12/12	12/14	2	21.23	50.00	21.23	50.00			21.23	50.00
Hon. William S. Mailliard:												
Israel	Pound	4/9	4/15	7	210	50.00	1,470	350.00			1,470	350.00
Transportation	I. pound								6,413.04	1,527.00	6,413.40	1,527.00
Hon. Robert B. (Bob) Mathias:												
Greece	Drachma	12/3	12/7	5	1,500	50.00	7,500	250.00			7,500	250.00
Transportation	Br. pound								229.75	542.20	229.75	542.20
Hon. Morgan F. Murphy:												
Denmark	Krone	1/5	1/8	3	354	50.00	1,062	150.00	381.55	54.66	1,443.55	204.66
Austria	Schilling	1/8	1/11	4	1,180	50.00	4,720	200.00	3,143	133.06	7,863	333.06
Turkey	Lira	1/11	1/14	3	700	50.00	2,100	150.00	780.57	55.75	2,880.57	205.75
Spain	Peseta	1/14	1/17	3	3,290	50.00	9,870	150.00	8,249.12	125.36	18,119.12	275.36
Luxembourg	Franc	1/17	1/19	2	2,217.5	50.00	4,435	100.00	3,270	71.85	7,705	171.85
Belgium	Franc	1/19	1/21	2	2,200	50.00	4,400	100.00	7,278.12	159.92	11,678.12	259.92
France	Franc	8/26	8/30	5	250	50.00	1,250	250.00	1,537	307.07	2,787	557.07
United Kingdom	Pound	8/30	9/6	7	19.295	50.00	111.35	287.84			111.35	287.84
Transportation	D. mark								3,367	1,036.00	3,367	1,036.00
Hon. Benjamin S. Rosenthal:												
Denmark	Krone	1/5	1/8	3	354	50.00	1,062	150.00	381.55	54.66	1,443.55	204.66
Austria	Schilling	1/8	1/11	4	1,180	50.00	4,720	200.00	3,143	133.06	7,863	333.06
Turkey	Lira	1/11	1/14	3	700	50.00	2,100	150.00	780.57	55.75	2,880.57	205.75
Spain	Peseta	1/14	1/17	3	3,290	50.00	9,870	150.00	8,249.12	125.36	18,119.12	275.36
Luxembourg	Franc	1/17	1/19	2	2,217.5	50.00	4,435	100.00	3,270	71.85	7,705	171.85
Belgium	Franc	1/19	1/21	2	2,200	50.00	4,400	100.00	7,278.12	159.92	11,678.12	259.92
United Kingdom	Pound	12/4	12/5	1	21.23	50.00	21.23	50.00			21.23	50.00
U.S.S.R	Pound	12/5	12/11	7	21.23	50.00	83.54	197.04	66.23	156.20	149.77	353.24
U.S.S.R	Ruble	12/5	12/11		41.295	50.00	109.03	132.00			109.03	132.00
Finland	Markka	12/11	12/12	1	207.80	50.00	207.80	50.00			207.80	50.00
United Kingdom	Pound	12/12	12/14	2	21.23	50.00	21.23	50.00			21.23	50.00
Transportation	Florin								2,363.21	1,256.00	2,363.21	1,256.00
John H. Sullivan:												
Japan	Yen	11/11	11/13	3	15,055	50.00	45,165	150.00	13,324.5	44.26	58,489.5	194.26
Korea	Won	11/13	11/17	4	19,846	50.00	79,384	200.00	4,433	11.16	83,817	211.16
Philippines	Peso	11/17	11/22	4	335.50	50.00	1,342	200.00	265.58	39.46	1,607.58	239.46
Indonesia	Rupiah	11/22	11/26	4	20,850	50.00	83,400	200.00			83,400	200.00
Thailand	Baht	11/26	12/1	6	1,041.25	50.00	6,247.50	300.00			6,247.5	300.00
Transportation	Guilder								8,295.89	2,531.55	8,295.89	2,531.55
Michael H. Van Dusen:												
Austria	Schilling	4/2	4/5	4	1,148	50.00	4,592	200.00	4,849.26	209.67	9,441.26	409.67
Israel	Pound	4/5	4/8	3	210	50.00	608.50	144.88	196.26	46.73	804.76	191.61
Transportation	I. pound								6,413.50	1,527.00	6,413.50	1,527.00
Hon. Guy Vander Jagt:												
Denmark	Krone	1/5	1/8	3	354	50.00	1,062	150.00	381.55	54.66	1,443.55	204.66
Austria	Schilling	1/8	1/11	4	1,180	50.00	4,720	200.00	3,143	133.06	7,863	333.06
Turkey	Lira	1/11	1/14	3	700	50.00	2,100	150.00	780.57	55.75	2,880.57	205.75
Spain	Peseta	1/14	1/17	3	3,290	50.00	9,870	150.00	8,249.12	125.36	18,119.12	275.36
Luxembourg	Franc	1/17	1/19	2	2,217.5	50.00	4,435	100.00	3,270	71.85	7,705	171.85
Belgium	Franc	1/19	1/21	2	2,200	50.00	4,400	100.00	7,278.12	159.92	11,678.12	259.92
Hon. J. Irving Whalley:												
Ireland	Pound	9/2	9/4	3	20.50	50.00	61.50	150.00			61.50	150.00
United Kingdom	Pound	9/4	9/8	4	20.00	50.00	80.00	200.00			80.00	200.00
Spain	Peseta	9/8	9/9	1	3,175	50.00	3,175	50.00	9,895	155.83	13,070	205.83
Morocco	Dirham	9/9	9/12	3	230.5	50.00	691	150.00	761.61	167.38	1,452.61	317.38
Spain	Peseta	9/12	9/13	1	3,175	50.00	3,175	50.00			3,175	50.00
Transportation[2]	U.S. dollar									814.60		814.60
Hon. Lester L. Wolff:												
Denmark	Krone	1/5	1/8	3	354	50.00	1,062	150.00	381.55	54.66	1,443.55	204.66
Austria	Schilling	1/8	1/11	4	1,180	50.00	4,720	200.00	3,143	133.06	7,863	333.06
Turkey	Lira	1/11	1/14	3	700	50.00	2,100	150.00	780.57	55.75	2,880.57	205.75
Spain	Peseta	1/14	1/17	3	3,290	50.00	9,870	150.00	8,249.12	125.36	18,119.12	275.36
Luxembourg	Franc	1/17	1/19	2	2,217.5	50.00	4,435	100.00	3,270	71.85	7,705	171.85
Belgium	B. franc	1/19	1/21	3	2,200	50.00	6,600	150.00	7,278.12	159.92	13,878.12	309.92
Germany		1/21	1/22									
Japan	Yen	1/23	1/24	2	15,590	50.00	31,180	100.00	22,531	71.55	53,711	171.55
Korea	Won	1/24	1/27	3	18,687	50.00	55,248	147.82			55,248	147.82
Taiwan	NT dollar	1/27	1/30	3	2,000	50.00	6,000	150.00			6,000	150.00
Hong Kong/Philippines	Peso	1/30	2/2	3	319	50.00	638	100.00			638	100.00
Transportation	D. mark								7,172.60	2,216.60	7,172.60	2,216.60
Total								33,415.77		69,308.53		102,724.30

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[1] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

[2] Transportation furnished by Department of Air Force.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$101,777.58
Appropriated funds:	
H. Res. 823, 92d Cong	132.12
Government department:	
Department of Defense	814.60
Total	102,724.30

THOMAS E. MORGAN,
Chairman, Committee on Foreign Affairs.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 304, 2D SESS., 92D CONG., COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
RECAPITULATION—COMMITTEE ON GOVERNMENT OPERATIONS												
Total, Standing Committee and all subcommittees.								$8,300.00		$15,115.01		$23,415.01
Standing Committee								700.00		15.83		715.83
Conservation and Natural Resources Subcommittee.								1,400.00		3,638.39		5,038.39
Foreign Operations and Government Information Subcommittee.								6,200.00		11,460.79		17,660.79
STANDING COMMITTEE												
Hon. Clarence J. Brown:												
Italy	Lira	5/17	5/18	1	29,200.00	$50.00	29,200.00	50.00	9,276.00	15.83	3,8476.00	65.83
Zaire	Zaires	5/19	5/24	5	24.500	50.00	122.500	250.00	0	0	122.500	250.00
Kenya	Shillings	5/24	5/27	3	355.583	50.00	1,066.75	150.00	0	0	1,066.75	150.00
Ethiopia	E dollar	5/27	5/29	2	114.14	50.00	228.28	100.00	0	0	228.28	100.00
Greece	Drachma	5/29	5/31	3	1,500.00	50.00	4,500.00	150.00	0	0	4,500.00	150.00
Total, Standing Committee								700.00		15.83		715.83
CONSERVATION AND NATURAL RESOURCES SUBCOMMITTEE												
Hon. Gilbert Gude:												
Germany	D. mark								2,253.58	693.50	2,253.58	693.50
Sweden	Krona	6/5	6/10	6	235.625	50.00	1,419.75	300.00	2,355.60	500.65	3,775.35	800.65
Subtotal								300.00		1,194.15		1,494.15
John Philip Carlson:												
Germany	D. mark								3,396.25	1,045.00	3,396.25	1,045.00
Sweden	Krona	6/5	6/17	13	236.625	50.00	3,076.13	650.00	834.70	177.12	3,910.83	827.12
Subtotal								650.00		1,222.12		1,872.12
David B. Finnegan:												
Germany	D. mark								3,396.25	1,045.00	3,396.25	1,045.00
Sweden	Krona	6/5	6/13	9	236.625	50.00	2,129.75	450.00	834.70	177.12	2,964.45	627.12
Subtotal								450.00		1,222.12		1,672.12
Total, Conservation and Natural Resources Subcommittee								1,400.00		3,638.39		5,038.39
FOREIGN OPERATIONS AND GOVERNMENT INFORMATION SUBCOMMITTEE												
Hon. William S. Moorhead:												
Spain	Peseta	11/29	12/1	2	3,175	50.00	6,350	100.00	5,070.33	79.85	11,420.33	179.85
Italy	Lira	12/1	12/4	4	29,250	50.00	117,000	200.00			117,000	200.00
France	Franc	12/8	12/8	1	250	50.00	250	50.00			250	50.00
Morocco	Dirhams								4,941.30	1,086.00	4,941.30	1,086.00
Subtotal								350.00		1,165.85		1,515.85
Hon. Bill Alexander:												
Spain	Peseta	11/29	12/1	2	3,175	50.00	6,350	100.00	5,070.33	79.84	11,420.33	179.84
Italy	Lira	12/1	12/4	4	29,250	50.00	117,000	200.00			117,000	200.00
Greece	Drachma	12/4	12/6	2	1,500	50.00	3,000	100.00			3,000	100.00
Turkey	Lira	12/6	12/8	2	700	50.00	1,400	100.00			1,400	100.00
Iran	Rial	12/8	12/12	4	3,813	50.00	15,252	200.00			15,252	200.00
Germany	D. mark	12/12	12/14	3	159.50	50.00	478.50	150.00			478.50	150.00
France	Franc	12/14	12/17	3	250	50.00	750	150.00			750	150.00
Morocco	Dirham								6,958.315	1,529.30	6,958.315	1,529.30
Subtotal								1,000.00		1,609.14		2,609.14
Hon. Guy Vander Jagt:												
Greece	Drachma	12/4	12/6	2	1,500	50.00	3,000	100.00			3,000	100.00
Turkey	Lira	12/6	12/8	2	700	50.00	1,400	100.00			1,400	100.00
Iran	Rial	12/8	12/12	4	3,813	50.00	15,252	200.00			15,252	200.00
Germany	D. mark	12/12	12/13	1	159.50	50.00	159.50	50.00			159.50	50.00
Morocco	Dirham								7,725.90	1,698.00	7,725.90	1,698.00
Subtotal								450.00		1,698.00		2,148.00
Norman G. Cornish:												
Morocco	Dirham	11/27	11/29	2	227.50	50.00	455	100.00	7,585.305	1,667.10	8,040.305	1,767.10
Spain	Peseta	11/29	12/1	2	3,175	50.00	6,350	100.00	5,070.33	79.85	11,420.33	179.85
Italy	Lira	12/1	12/4	4	29,250	50.00	117,000	200.00			117,000	200.00
Greece	Drachma	12/4	12/6	2	1,500	50.00	3,000	100.00			3,000	100.00
Turkey	Lira	12/6	12/8	2	700	50.00	1,400	100.00			1,400	100.00
Iran	Rial	12/8	12/12	4	3,813	50.00	15,252	200.00			15,252	200.00
Germany	D. mark	12/12	12/14	3	159.50	50.00	478.50	150.00			478.50	150.00
France	Franc	12/14	12/17	3	250	50.00	750	150.00			750	150.00
Subtotal								1,100.00		1,746.95		2,846.95

Footnote at end of table.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 304, 2D SESS., 92D CONG., COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
FOREIGN OPERATIONS AND GOVERNMENT INFORMATION SUBCOMMITTEE—Continued												
Ioseph C. Luman:												
Morocco	Dirham	11/27	11/29	2	227.50	50.00	455	100.00	7,585.305	1,667.10	8,040.305	1,767.10
Spain	Peseta	11/29	12/1	2	3,175	50.00	6,350	100.00	5,070.335	79.85	11,420.33	179.85
Italy	Lira	12/1	12/4	4	29,250	50.00	117,000	200.00			117,000	200.00
Greece	Drachma	12/4	12/6	2	1,500	50.00	3,000	100.00			3,000	100.00
Turkey	Lira	12/6	12/8	2	700	50.00	1,400	100.00			1,400	100.00
Iran	Rial	12/8	12/12	4	3,813	50.00	15,252	200.00			15,252	200.00
Germany	D. mark	12/12	12/14	3	159.50	50.00	478.50	150.00			478.50	150.00
France	Franc	12/14	12/17	3	250	50.00	750	150.00			750	150.00
Subtotal								1,100.00		1,746.95		2,846.95
Alvin E. Mills (reporter):												
Morocco	Dirham	11/27	11/29	2	227.50	$50.00	455	$100.00	7,585.305	$1,667.10	8,040.305	$1,767.10
Spain	Peseta	11/29	12/1	2	3,175	50.00	6,350	100.00	5,070.33	79.85	11,420.33	179.85
Italy	Lira	12/1	12/4	4	29,250	50.00	117,000	200.00			117,000	200.00
Greece	Drachma	12/4	12/6	2	1,500	50.00	3,000	100.00			3,000	100.00
Turkey	Lira	12/6	12/8	2	700	50.00	1,400	100.00			1,400	100.00
Iran	Rial	12/8	12/12	4	3,813	50.00	15,252	200.00			15,252	200.00
Germany	D. mark	12/12	12/14	3	159.50	50.00	478.50	150.00			478.50	150.00
France	Franc	12/14	12/17	3	250	50.00	750	150.00			750	150.00
Subtotal								1,100.00		1,746.95		2,846.95
Harold F. Whittington:												
Morocco	Dirham	11/27	11/29	2	227.50	50.00	455	100.00	7,585.305	1,667.10	8,040.305	1,767.10
Spain	Peseta	11/29	12/1	2	3,175	50.00	6,350	100.00	5,070.33	79.85	11,310.22	179.85
Italy	Lira	12/1	12/4	4	29,250	50.00	117,000	200.00			117,000	200.00
Greece	Drachma	12/4	12/6	2	1,500	50.00	3,000	100.00			3,000	100.00
Turkey	Lira	12/6	12/8	2	700	50.00	1,400	100.00			1,400	100.00
Iran	Rial	12/8	12/12	4	3,813	50.00	15,252	200.00			15,252	200.00
Germany	D. mark	12/12	12/14	3	159.50	50.00	478.50	150.00			478.50	150.00
France	Franc	12/14	12/17	3	250	50.00	750	150.00			750	150.00
Subtotal								1,100.00		1,746.95		2,846.95
Total, Foreign Operations and Government Information Subcommittee								6,200.00		11,460.79		17,660.79
Total, standing committee and all subcommittees								8,300.00		15,115.01		23,415.01

[1] If foreign currency is used, enter U.S. dollar equivalent; If U.S. currency is used, enter amount expended.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$23,415.01

CHET HOLIFIELD,
Chairman, Committee on Government Operations.

Mar. 6, 1972.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, FOR TRAVEL, COMMITTEE ON HOUSE ADMINISTRATION, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Haley, John F.:												
Germany	D. mark	6/1	6/7	7	159	$50.00	1,113	$350.00			1,113	$350.00
Italy	Lira	6/7	6/12	5	29,100	50.00	145,500	250.00	87,950	$151.05	233,450	401.05
Spain	Peso	6/12	6/14	2	3,225	50.00	9,675	[2] 150.00			9,675	[2] 150.00
Great Britain	Pound	6/14	6/17	3	19–10	50.00	76–40	[2] 200.00	51–08	133.33	127–48	[2] 333.33
Air travel	D. mark								3,672.50	1,130.00	3,672.50	1,130.00
Jennings, W. Pat:												
Italy	Lira	9/20	9/28	9	29,050	50.00	261,450	450.00	332,500	570.33	593,950	1,020.33
Spain	Peseta	9/29	10/1	3	3,175	50.00	9,525	150.00			9,525	150.00
Total								[3] 1,550.00		1,984.71		[3] 3,534.71

[1] If foreign currency is used, enter U.S. dollar equivalent; If U.S. currency is used, enter amount expended.
[2] Returned $50.
[3] Returned $100.

WAYNE L. HAYS,
Chairman, Committee on House Administration.

Feb. 21, 1973.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 170, 2D SESS., 92D CONG., COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. Torbert H. Macdonald:												
Haiti	Gourdes	1/3	1/12	10	250.00	$50.00	2,500.00	$500.00			2,500.00	$500.00
Dominican Republic	Pesos	1/13	1/16	4	50.00	50.00	200.00	200.00			200.00	200.00
Germany (round trip transportation).	D. Mark								1,102.21	$324.70	1,102.21	324.70
Subtotal								700.00		324.70		1,024.70
Trinidad and Tobago	T.T.	11/28	12/2	5	100.00	50.00	500.00	250.00			500.00	250.00
Venezuela	Bolivars	12/3	12/6	4	220.00	50.00	880.00	200.00			880.00	200.00
Curacao and Aruba	WI-F	12/7	12/14	8	94.00	50.00	752.00	400.00			752.00	400.00
Haiti	Gourdes	12/15	12/24	10	250.00	50.00	2,500.00	500.00			2,500.00	500.00
Round trip transportation										485.18		485.18
Subtotal								1,350.00		485.18		1,835.18
Hon. William L. Springer:												
Germany (round trip transportation).	D. Mark								3,913.00	1,204.00	3,913.00	1,204.00
England	Pounds	5/26	5/27	2	20.23	50.00	40.46	100.00	4.68	12.22	45.14	112.22
U.S.S.R	Ruble	5/27	6/6	10	450.28	50.00	280.50	340.83	38.78	47.29	319.28	388.12
France	Franc	8/16	8/17	1	250.00	50.00	500.00	100.00			500.00	100.00
Austria	Schilling	8/17	8/21	4	12,622.50	50.00	4,578.00	200.09	6,900.00	300.92	11,478.00	501.01
Subtotal								740.92		1,564.43		2,305.35
Hon. John Jarman:												
Morocco	Dirhams	3/30	4/1	2	250.00	50.00	500.00	100.00			500.00	100.00
Zaire	Zaires	4/1	4/3	3	25.00.00	50.00	75.00.00	150.00			75.00.00	150.00
Camaroon	Francs	4/3	4/9	6	12,575.00	50.00	75,450.00	300.00			75,450.00	300.00
Spain	Pesetas	4/9	4/10	1	3,220.00	50.00	3,220.00	50.00			3,220.00	50.00
Subtotal								600.00				600.00
Hon. Ancher Nelsen:												
Switzerland	Francs	3/13	3/17	4	190.00	50.00	760.00	200.00			760.00	200.00
United Kingdom	Pounds	3/17	3/18	2	18.95	50.00	37.90	100.00	5.85	15.27	43.75	115.27
Germany (round trip transportation).	D. mark								2,980.25	917.00	2,980.25	917.00
Subtotal								300.00		932.27		1,232.27
Hon. Hastings Keith:												
United Kingdom	Pounds	5/5	5/6	2	19.08	50.00	38.17	100.00	15.64	40.82	53.81	140.82
France	Francs	5/7	5/8	2	251.50	50.00	503.00	100.00			503.00	100.00
Austria	Schillings	5/9	5/11	3	1,153.00	50.00	3,459.00	150.00	2,880.00	125.60	6,339.00	275.60
Algeria	Dinars	5/12	5/13	2	224.00	50.00	448.00	100.00			448.00	100.00
Subtotal								450.00		166.42		616.42
Hon. Bertram L. Podell:												
Venezuela	Bolivares	3/30	4/1	3	219.00	50.00	657.00	150.00	400.00	91.32	1,057.00	241.32
Brazil	Cruzeiros	4/2	4/5	4	290.50	50.00	1,162.00	200.00			1,162.00	200.00
Argentina	Pesos	4/6	4/6	1	484.50	50.00	484.50	50.00	263.00	27.31	747.50	77.31
Peru	Soles	4/7	4/12	5	2,169.00	50.00	10,845.00	250.00	2,520.00	58.09	13,365.00	308.09
Germany (round trip transportation)	D. mark								3,473.03	1,069.24	3,473.03	1,069.24
Subtotal								650.00		1,245.96		1,895.96
France	Francs	10/16	10/21	6	249.33	50.00	1,496.00	300.00	519.00	503.80	4,015.00	803.87
United Kingdom	Pounds	10/22	10/24	3	20.23	50.00	62.70	150.00	134.98	324.47	191.68	474.40
Netherlands (round trip transportation).	Guilders								4,686.50	1,442.00	4,686.50	1,442.00
Subtotal								450.00		2,270.27		2,720.27
Hon. Charles J. Carney:												
Japan	Yen	9/2	9/12	11	15,055	50.00	165,605	550.00	1,369.12	454.71	302,157	1,004.71
Germany (round trip transportation).	D. mark								5,491.65	1,689.71	5,491.65	1,689.71
Subtotal								550.00		2,144.42		2,694.42
Hon. Richardson Preyer:												
Switzerland	Francs	5/9	5/13	5	192.87	50.00	954.35	250.00			954.35	$250.00
Switzerland	Francs	5/23	5/29	7	192.87	50.00	954.35	250.00			954.35	250.00
Netherlands (round trip transportation).	Guilders								3,227	985.00	3,227.00	985.00
Subtotal								500.00		$985.00		1,485.00
Hon. James F. Hastings:												
Brazil	Cruzeiros	1/7	1/9	3	280.00	50.00	840.00	150.00			840.00	150.00
Argentina	Pesos	1/10	1/11	2	447.00	50.00	894.00	100.00			894.00	100.00
Chile	Escudos	1/12	1/15	4	1,400.00	50.00	5,600.00	200.00	1,134.00	40.50	6,734.00	240.50
Germany (round trip transportation).	D. mark								3,481.43	1,088.07	3,481.43	1,088.07
Subtotal								450.00		1,128.57		1,578.57
Hon. Louis Frey, Jr.:												
Brazil	Cruzeiros	1/7	1/9	3	280.00	50.00	840.00	150.00			840.00	150.00
Argentina	Pesos	1/10	1/11	2	447.00	50.00	894.00	100.00			671.00	75.39
Chile	Escudos	1/12	1/15	4	1,400.00	50.00	5,600.00	200.00			5,600.00	200.00
								[2] −24.61				
Subtotal								425.39				425.39

Footnotes at end of table.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 170, 2D SESS., 92D CONG., COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or. U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. William R. Roy:												
U.S.S.R	Rubles	12/2	12/9	7	27.16	$34.10	197.17	$238.70			197.17	$238.70
Germany	D. M.	12/9	12/14	6	160.00	50.00	960.00	300.00	358.35	$111.98	1,318.35	411.98
Switzerland	Francs	12/14	12/16	2	188.50	50.00	377.70	100.00			377.70	100.00
United Kingdom	Pounds	12/16	12/23	7	6.74	15.90	47.19	111.30	121.73	287.11	168.92	398.41
(Round trip transportation)										792.00		792.00
Subtotal								750.00		1,191.09		1,941.00
Hon. Joe Skubitz:												
United Kingdom	Pounds	11/16	11/19	4	20.23	50.00	80.92	200.00	72.87	192.64	153.79	392.64
France	Francs	11/21	11/25	5	250.00	50.00	1,250.00	250.00	1,874.75	374.95	3,124.75	624.95
Germany	D. M.	12/26	11/29	4	160.50	50.00	640.00	200.00	783.91	244.21	1,423.91	444.21
Italy	Lira	12/5	12/8	4	29,205.50	50.00	116,822.00	200.00			116,822.00	200.00
Subtotal								850.00		811.80		1,661.80
Kurt Borchardt:												
Switzerland	Francs	2/2	2/6	4	195.75	50.00	783.00	200.00			783.00	200.00
United Kingdom	Pounds	2/6	2/9	4	24.00	50.00	95.80	200.00	4.28	10.93	100.08	210.93
Germany (round trip transp.)	D. Mark								2,980.25	917.00	2,980.25	917.00
Subtotal								400.00		927.93		1,327.93
James Menger:												
Egypt	Pounds	1/1	1/7	6	27.77	50.00	166.665	300.00	40.320	72.57	206.985	372.57
Israel	Pounds	1/7	1/13	6	210.00	50.00	1,260.00	300.00	370.00	88.10	1,630.00	388.10
Israel (round trip transp.)	Pounds								6,027.00	1,435.00	6,027.00	1,435.00
Subtotal								600.00		1,595.67		2,195.67
Mexico	Peseta	2/10	2/17	8	624.50	50.00	4,996.00	400.00			4,996.00	400.00
Germany (round trip transp.)	D.M.								1,101.75	339.00	1,101.75	339.00
Subtotal								400.00		339.00		739.00
W. E. Williamson:												
Mexico	Peseta	2/10	2/17	8	624.50	50.00	4,996.00	400.00			4,996.00	400.00
Germany (round trip transp.)	D.M.								1,101.75	339.00	1,101.75	339.00
Subtotal								400.00		339.00		739.00
Benjamin L. Brown:												
United Kingdom	Pound	11/15	11/20	6	20.00	50.00	126.70	300.00	16.80	41.00	143.50	341.00
France	Franc	11/20	11/25	5	250.00	50.00	1,250.00	250.00	637.15	127.43	1,887.15	377.43
Belgium	Franc	11/26	11/26	1	2,200.00	50.00	2,200.00	50.00			2,200.00	50.00
Germany	D.M.	11/26	11/29	3	160.00	50.00	480.00	150.00	320.00	100.00	800.00	250.00
(U.S. Government round trip transportation)										966.00		966.00
Subtotal								750.00		1,234.43		1,984.43
Richard Krolik:												
Trinidad and Tobago	TT	11/28	12/2	5	100.00	50.00	500.00	250.00			500.00	250.00
Venezuela	Bolivares	12/3	12/6	4	220.00	50.00	880.00	200.00			880.00	200.00
Curacao and Aruba	WI-F	12/7	12/14	8	94.00	50.00	752.00	400.00			752.00	400.00
Haiti	Gourdes	12/15	12/24	10	250.00	50.00	2,500.00	500.00			2,500.00	500.00
Netherlands (round trip transportation)	Guilders								1,589.93	485.18	1,589.93	485.18
Subtotal								1,350.00		485.18		1,835.18

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[1] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used enter amount expended.

[2] Refund.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$30,837.63

HARLEY O. STAGGERS,
Chairman, Committee on Interstate and Foreign Commerce.

Mar. 2, 1973.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY PUBLIC LAW 91–510, 2D SESS., 92D CONG., JOINT COMMITTEE ON CONGRESSIONAL OPERATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1, AND DEC. 31, 1972

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. James O'Hara:												
France	Franc	12/11	12/14	3	250.00	$50.00	750.00	$150.00	48.00	$9.60	798.00	$159.60
Belgium	Franc	12/14	12/16	2	2,200.00	50.00	4,400.00	100.00			4,400.00	100.00
England	Pound	12/16	12/21	6	21.14	50.00	127.69	300.00			127.69	300.00
Transportation furnished by State Department.										489.00		489.00
Eugene F. Peters:												
France	Franc	12/11	12/14	3	250.00	$50.00	750.00	$150.00	48.00	$9.60	798.00	$159.60
Belgium	Franc	12/14	12/16	2	2,200.00	50.00	4,400.00	100.00			4,400.00	100.00
England	Pound	12/16	12/21	6	21.14	50.00	127.69	300.00			127.69	300.00
Transportation furnished by State Department.										489.00		489.00
Total						(50.00)		1,100.00		979.20		2,097.20

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[1] If foreign currency is used, enter U.S. dollar equivalent; If U.S. currency is used, enter amount expended.

JACK BROOKS,
Chairman, Joint Committee on Congressional Operations.

Jan. 2, 1973.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 161, 1ST SESS., 92D CONG., COMMITTEE ON THE JUDICIARY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. David W. Dennis:												
Switzerland	Francs	12/4	12/7	4	188	$50.00	564.00	$150.00			564	$150.00
Italy	Lire								269,685	$461.00	269,685	461.00
Netherlands	Guilders								1,710.59	522.00	1,710.59	522.00
Total								150.00		983.00		1,133.00
Hon. Don Edwards:												
Sweden	Kronur	12/10	12/13	3	237.12	50.00	711.35	150.00			711.35	150.00
Switzerland	Franc	12/15	12/24	3	188.82	50.00	566.45	150.00	88.00	23.33	654.45	173.33
France	Franc	12/13	12/15	2	250	50.00	500	100.00	981.25	196.25	1,481.25	296.25
Netherlands	Guilder								3,647.79	1,113.15	3,647.79	1,113.15
Total								400.00		1,332.73		1,732.73
Hon. Hamilton Fish, Jr.:												
Ireland	Pound	5/11	5/13	3	19.10	50.00	57.31	150.00	39.30	102.61	96.61	252.61
Switzerland	Francs	5/16	5/22	6	193	50.00	1,158.00	300.00	1,442	374.35	2,600.00	674.35
United Kingdom	Pound	5/13	5/16	3	19.07	50.00	51.48	145.00			51.48	145.00
Germany	Marks								3,298.75	1,037.34	3,298.75	1,037.34
Total								595.00		1,514.30		2,109.30
Hon. Edward Hutchinson:												
Switzerland	Francs	12/4	12/7	4	188	50.00	564.00	150.00			564.00	150.00
Italy	Lire								269,685	461.00	269,685	461.00
Netherlands	Guilders								1,710.59	522.00	1,710.59	522.00
Total								150.00		983.00		1,133.00
Hon. James R. Mann:												
Brazil	Cruzeiros	1/5	1/7	3	280.00	50.00	840.00	150.00			840.00	150.00
Chile (and Panama)	Escudos	1/10	1/15	6	1,400.00	50.00	8,400	300.00			8,400.00	300.00
Argentina	Pesos	1/8	1/9	2	447	50.00	894.00	100.00			894.00	100.00
Germany	Marks								3,362.37	1,050.74	3,362.37	1,050.74
Total								550.00		1,050.74		1,600.74
Hon. Tom Railsback:												
France	Franc	12/6	12/8	3	250.00	50.00	750.00	150.00	1,572.65	307.34	2,322.65	457.34
Switzerland	Franc	12/4	12/6	2	188.00	50.00	376.00	100.00			376.00	100.00
United Kingdom	Pound	12/8	12/12	4	21.25	50.00	85.00	200.00	128.97	303.46	213.97	503.46
Netherlands	Guilder								3,539.16	1,080.00	3,539.16	1,080.00
Total								450.00		1,690.80		2,140.80
Miss Frances Christy:												
Italy	Lire	11/21	11/30	10	29,250	50.00	292,500	500.00	498,686	853,31	791,186	1,353.31
Austria	Shillings	12/1	12/4	4	1,158	50.00	4,616	200.00	2,573	111.54	7,189	311.54
Switzerland	Francs	12/4	12/19	8	188	50.00	1,505.35	400.00	436	115.88	1,941.35	515.88
Netherlands	Guilders								1,641.54	502.00	1,641.54	502.00
United Kingdom	Pounds	12/19	12/20	2	21.25	50.00	42.50	100.00	20.55	48.36	63.05	148.36
Total								1,200.00		1,631.09		2,831.09
Mr. Garner J. Cline:												
Switzerland	Francs	5/16	5/21	6		50.00	1,157.50	300.00	222.00	57.29	1,379.50	357.29
Netherlands	Guilders								3,215.00	983.00	3,215.00	983.00
Total								300.00		1,040.29		1,340.29
Mr. Garner J. Cline:												
Italy	Lire	11/21	12/1	11	29,250	50.00	321,750	550.00	498,686	853.31	820,436	1,403.31
Switzerland	Francs	12/1	12/19	12	188.30	50.00	2,259.70	600.00	436	115.88	2,695.70	715.88
United Kingdom	Pounds	12/19	12/20	2	21.25	50.00	42.50	100.00	20.55	48.36	63.05	148.36
France	Francs								311.58	60.89	311.58	60.89
Netherlands	Guilders								1,779.41	543.00	1,779.41	543.00
Total								1,250.00		1,621.44		2,871.44
Mr. Jerome Zeifman:												
Norway	Krone	12/9	12/10	1	328.00	50.00	328.00	50.00			328.00	50.00
Sweden	Krona	12/10	12/13		237.12	50.00	711.35	150.00			711.35	150.00
Switzerland	Francs	12/15	12/20	5	188.82	50.00	944.10	250.00			944.10	250.00
France	Francs	12/13	12/15	2	250.00	50.00	500.00	100.00			500.00	100.00
United Kingdom	Pounds	12/20	12/24	5	21.28	50.00	106.41	250.00	135.35	318.47	241.76	568.47
Netherlands	Guilders								3,562.43	1,087.10	3,562.43	1.087.10
Total								800.00		1,405.57		2,205.57
Mr. Benjamin L. Zelenko:												
United Kingdom	Pounds	3/27	4/2	7	19.10	50.00	133.70	350.00			133.70	350.00
Germany	Marks								1,582.75	487.00	1,582.75	487.00
Total								350.00		487.00		837.00

[1] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$19,934.96

PETER W. RODINO, JR.,
Chairman, Committee on the Judiciary.

Mar. 2, 1973.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 21, 1ST SESS., 92D CONG., COMMITTEE ON MERCHANT MARINE AND FISHERIES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency
Hon. Mario Biaggi: United Kingdom	Pound	2/6	2/10	5	19.14	$50.00	95.70	$250.00			95.70	$250.00
	D. mark								2,551.25	$785.00	2,551.25	785.00
Hon. Frank M. Clark:												
Hong Kong	HK dollar	3/29	4/1	4	275	50.00	1,100	200.00	149.07	26.72	1,249.07	226.72
Malaysia	M dollar	4/2	4/4	3	139.50	50.00	418.50	150.00	58.13	20.68	476.63	170.68
Thailand	Baht	4/5	4/8	4	1,041.25	50.00	4,165	200.00			4,165.00	200.00
	D. mark								6,827.54	2,132.66	6,827.54	2,132.66
Ernest Corrado: Nicaragua	Cordoba	2/24	2/27	4	350	50.00	1,400	200.00			1,400	200.00
	D. mark								1,200	371.80	1,200	371.80
Hon. John D. Dingell: Sweden	Kronor	6/9	6/15	7	236.87	50.00	1,658.13	350.00	3,382	705.61	5,040.13	1,055.61
	D. mark								3,444.85	1,072.09	344.85	1,072.09
Ned P. Everett: Sweden	Kronor	6/3	6/15	13	236.87	50.00	3,076.13	650.00			3,076.13	650.00
	D. mark								3,305.25	1,017.00	3,305.25	1,017.00
Hon. Edwin B. Forsythe: United Kingdom	Pound	2/5	2/11	7	19.15	50.00	134.05	350.00	87.72	228.97	221.77	578.97
	D. mark								2,707.25	833.00	2,707.25	833.00
Francis D. Heyward:												
Switzerland	Franc	8/7	8/14	8	188.62	50.00	1,509	400.00	2,325	603.58	3,834	1,003.58
United Kingdom	Pound	8/15	8/17	3	20.30	50.00	60.90	150.00			60.90	150.00
United Kingdom	Pound	10/29	11/12	15	21.25	50.00	318.88	750.00			318.88	750.00
	Guilder								2,053.02	631.70	2,053.02	631.70
	Franc								4,493.02	877.75	4,493.02	877.75
Julian E. Johansen:												
Hong Kong	HK dollar	3/29	4/1	4	275	50.00	1,100	200.00	149.06	26.72	1,249.06	226.72
Malaysia	M dollar	4/2	4/4	3	139.50	50.00	418.50	150.00	58.12	20.68	476.62	170.68
Thailand	Baht	4/5	4/8	4	1,041	50.00	4,165	200.00			4,165	200.00
	D. mark								6,630.98	2,072.18	6,630.98	2,072.18
Hon. Hastings Keith: Switzerland	Franc	8/8	8/14	7	188.50	50.00	1,319.50	350.00	51.50	13.37	1,371	363.37
	D. mark								3,095.13	951.72	3,095.13	951.72
James L. Larocca: Nicaragua	Cordoba	2/24	2/27	4	350	50.00	1,400	200.00			1,400	200.00
	D. marks								1,200.76	371.80	1,200.76	371.80
Hon. Alton Lennon:												
Switzerland	Franc	8/7	8/14	8	188.62	50.00	1,509	400.00			1,509	400.00
United Kingdom	Pound	8/15	8/17	3	20.30	50.00	60.90	150.00	13	33.93	73.90	183.93
	Guilder								2,053	631.70	2,053	631.70
	Franc								4,493	861.75	4,493	861.75
Hon. Jack McDonald: United Kingdom	Pound	10/29	11/12	15	21.25	50.00	318.88	750.00	258.54	610.15	573.42	1,360.15
Hon. Ralph H. Metcalfe: Nicaragua	Cordoba	2/24	2/27	4	350	50.00	1,400	200.00			1,400	200.00
	D. mark								1,102.39	342.92	1,102.39	342.92
Hon. John M. Murphy: Nicaragua	Cordoba	2/24	2/27	4	350	50.00	1,400	200.00			1,400	200.00
	D. mark								1,365.65	420.20	1,365.65	420.20
Hon. Thomas M. Pelly: Switzerland	Franc	8/8	8/9	2	188.62	50.00	377.25	100.00			377.25	100.00
Frank M. Potter: United Kingdom	Pound	2/3	2/11	9	19.14	50.00	172.33	450.00			172.33	450.00
	D. mark								2,707.25	833.00	2,707.25	833.00
William C. Rountree: United Kingdom	Pound	10/29	11/12	15	21.25	50.00	318.88	750.00			318.88	750.00
A. Ronald Santo:												
Hong Kong	HK dollar	3/29	4/1	4	275	50.00	1,100	200.00	149.07	26.72	1,249.07	226.72
Malaysia	M. dollar	4/2	4/4	3	139.50	50.00	418.50	150.00	58.12	20.68	476.62	170.68
Thailand	Baht	4/5	4/8	4	1,041	50.00	4,165	200.00			4,165	200.00
	D. mark								6,827.54	2,132.66	6,827.54	2,132.66
Richard N. Sharood:												
Switzerland	Franc	1/3	1/17	15	195.23	50.00	2,928.50	750.00	3,367.40	872.38	6,297.90	1,622.38
Switzerland	Franc	7/30	8/18	20	188.37	50.00	3,767.50	1,000.00	680.80	176.64	4,448.30	1,176.74
	D. mark								3,163.25	917.00	3,163.25	917.00
	Guilder								1,704.03	517.77	1,704.03	517.77
H. C. Shepheard: United Kingdom	Pound	3/19	3/25	7	18.98	50.00	132.90	350.00	122.89	320.78	255.79	670.78
	D. mark								2,707.25	833.00	2,707.25	833.00
Ronald Watt: United Kingdom	Pound	10/29	11/12	15	21.25	50.00	318.88	750.00			318.88	750.00
Total								11,150.00		22,314.31		33,464.31

[1] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$33,464.31

EDWARD A. GARMATZ,
Chairman, Committee on Merchant Marine and Fisheries.

Mar. 1, 1973.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 415 AND 1039, 2D SESS., 92D CONG., COMMITTEE ON POST OFFICE AND CIVIL SERVICE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1, AND DEC. 31, 1972

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency
Hon. Thaddeus J. Dulski: Germany	DOD funds, U.S.	9/20	9/25	6		None		None	None	$980.00	None	$980.00
Lawrence A. Marzetti:												
Transportation to and from Europe	D. mark								4,781.22	1,496.00	4,781.22	1,496.00
Italy	Lira	11/25	11/30	6	2,925.00	$50.00	175,500	$300.00			175,500	300.00
Italy	DOD funds	Same	Same						None	12.04		12.04
Turkey	Lira	11/30	12/4	4	700.00	50.00	2,800	200.00			2,800	200.00
Israel	Pound	12/4	12/8	4	210.00	50.00	840	200.00			840	200.00
Greece	DOD funds	12/8	12/11	2			None	107.07	None	25.14		132.21
Spain	Peseta	12/11	12/14	4	3,175	50.00	12,700	200.00			12,700	200.00
Spain	DOD funds	Same	Same						None	5.00	None	5.00

Footnotes at end of table.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 415 AND 1039, 2D SESS., 92D CONG., COMMITTEE ON POST OFFICE AND CIVIL SERVICE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
George B. Gould:												
Transportation to and from Europe	D. mark								4,781.22	$1,496.00	4,781.22	$1,496.00
Italy	Lira	11/25	11/30	6	2,925.00	$50.00	175,500	$300.00	270,270	[2]462.00	445,770	762.00
Italy	DOD funds	Same	Same						None	30.16	None	30.16
Turkey	Lira	11/30	12/4	4	700.00	50.00	2,800	200.00	85.00	6.07	2,885	206.07
Israel	Pound	12/4	12/8	4	210.00	50.00	840	200.00	3,716.35	[2]884.85	4,556.35	1,084.85
Greece	DOD funds	12/8	12/11	2			None	115.47	None	7.50		122.97
Spain	Peseta	12/11	12/14	4	3,175	50.00	12,700	200.00	39,561	[2]623.01	52,261	823.01
Spain	DOD funds	Same	Same						None	5.00	None	5.00
Hon. Richard C. White:												
Transportation to and from Europe.	D. mark								4,781.22	1,496.00	4,781.22	1,496.00
Italy	Lira	11/25	11/30	6	2,925.00	50.00	175,500	300.00	10,000	17.19	185,000	317.19
Italy	DOD funds	Same	Same						None	12.04		12.04
Turkey	Lira	11/30	12/4	4	700.00	50.00	2,800	200.00			2,800	200.00
Israel	Pound	12/4	12/8	4	210.00	50.00	840	200.00			840	200.00
Israel	DOD funds	Same	Same						None	1.30		1.30
Greece	DOD funds	12/8	12/11	2			None	107.17	None	25.62		132.79
Spain	Peseta	12/11	12/14	4	3,175	50.00	12,700	200.00			12,700	200.00
Spain	DOD funds	Same	Same						None	5.00		5.00
Elizabeth Andrews:												
Transportation to and from Europe.	D. mark								4,781.22	1,496.00	4,781.22	1,496.00
Italy	Lira	11/25	11/30	6	2,925.00	50.00	175,500	300.00			175,500	300.00
Italy	DOD funds	Same	Same						None	12.04	None	12.04
Turkey	Lira	11/30	12/4	4	700.00	50.00	2,800	200.00			2,800	200.00
Israel	Pounds	12/4	12/8	4	210.00	50.00	840	200.00			840	200.00
Israel	DOD funds	Same	Same						None	1.30	None	1.30
Greece	DOD funds	12/8	12/11	2			None	103.07	None	25.14	None	128.21
Spain	Peseta	12/11	12/14	4	3,175	50.00	12,700	200.00			12,700	200.00
Spain	DOD funds	Same	Same						None	5.00		5.00
Hon. William O. Mills:												
Transportation to Europe and return.	D. mark								3,403.74	1,065.00	3,403.74	1,065.00
Germany	D. mark	11/28	12/1	3	160	50.00	480	150.00			480	150.00
Germany	DOD funds	Same	Same						None	14.60	None	14.60
Italy	Lira	12/1	12/7	6	29,250	50.00	175,500	300.00			175,500	300.00
Italy	DOD funds	Same	Same						None	14.80	None	14.80
Spain	Peseta	12/7	12/10	3	3,175	50.00	9,525	150.00			9,525	150.00
Spain	DOD funds	Same	Same						None	14.90	None	14.90
United Kingdom	Pound	12/10	12/14	5	21.25	50.00	106.25	250.00			106.25	250.00
United Kingdom	DOD funds	Same	Same						None	15.20	None	15.20
Hon. James M. Hanley:												
Transportation to Europe and return.	D. mark								3,403.74	1,065.00	3,403.74	1,065.00
Germany	D. mark	11/28	12/1	3	160	50.00	480	150.00			480	150.00
Germany	DOD funds	Smae	Same						None	14.60	None	14.60
Italy	Lira	12/1	12/7	6	29,250	50.00	175,500	300.00	97,994	[2]167.51	273,494	467.51
Italy	DOD funds	Same	Same						None	14.80	None	14.80
Spain	Peseta	12/7	12/10	3	3,175	50.00	9,525	150.00	40,998	[2]645.64	50,523	795.64
Spain	DOD funds	Same	Same						None	14.90	None	14.90
United Kingdom	Pound	12/10	12/14	5	21.25	50.00	106.25	250.00			106.25	250.00
United Kingdom	DOD funds	Same	Same						None	15.20	None	15.20
Ray Coultrap:												
Transportation to Europe and return.	D. mark								3,403.74	1,065.00	3,403.74	1,065.00
Germany	D. mark	11/28	12/1	3	160	50.00	480	150.00			480	150.00
Germany	DOD funds U.S	Same	Same						None	14.60	None	14.60
Italy	Lira	12/1	12/7	6	29.250	50.00	175,500	300.00			175,500	300.00
Italy	DOD funds	Same	Same						None	14.80	None	14.80
Spain	Peseta	12/7	12/10	3	3,175	50.00	9,525	150.00			9,525	150.00
Spain	DOD funds	Same	Same						None	14.90	None	14.90
United Kingdom	Pound	12/10	12/14	5	21.25	50.00	106.25	250.00			106.25	250.00
United Kingdom	DOD funds	Same	Same						None	15.20	None	15.20
Richard Barton:												
Transportation to Europe and return.	D. mark								3,403.74	1,065.00	3,403.74	1,065.00
Germany	D. mark	11/28	12/1	3	160	50.00	480	150.00			480	150.00
Germany	DOD funds	Same	Same						None	14.60	None	14.60
Italy	Lira	12/1	12/7	6	29,250	50.00	175,500	300.00	324,465	[2]554.64	499,965	854.64
Italy	DOD funds	Same	Same						None	14.80	None	14.80
Spain	Peseta	12/7	12/10	3	3,175	50.00	9,525	150.00			9,525	150.00
Spain	DOD funds	Same	Same						None	14.90	None	14.90
United Kingdom	Pounds	12/10	12/14	5	21.25	50.00	106.25	250.00	596.67	[2]1,402.17	1,702.92	1,652.17
United Kingdom	DOD funds	Same	Same						None	15.20	None	15.20
Victor Smiroldo:												
Transportation to and from Far East.	D. mark								4,813.62	2,379.45	4,813.62	2,379.45
Lebanon	DOD funds	11/25	11/27	2			None	100.00		38.62	None	138.62
Thailand	DOD funds	11/27	12/2	6			None	300.00			None	300.00
Vietnam	Piastre	12/2	12/2	1	22,250	50.00	22,250	50.00			22,250	50.00
Hong Kong	DOD funds	12/3	12/5	2			None	100.00			None	100.00
Philippines	DOD funds	12/5	12/8	3			None	150.00		23.99	None	173.99
Taiwan	N.T. dollar	12/8	12/10	3	2,000	50.00	6,000	150.00	1,480.00	37.00	7,480	187.00
Korea	DOD funds	12/10	12/12	1			None	50.00			None	50.00
Japan	Yen	12/12	12/19	8	15,055	50.00	120,440	400.00	77,924	257.69	208,364	657.69
Robert E. Lockhart:												
Transportation to and from Far East.	D. mark								4,813.62	2,379.45	4,813.62	2,379.45
Lebanon	DOD funds	11/25	11/27	2			None	100.00		38.62	None	138.62
Thailand	DOD funds	11/27	12/2	6			None	300.00			None	300.00
Vietnam	Piastre	12/2	12/2	1	22,250	50.00	22,250	50.00			22,250	50.00
Hong Kong	DOD funds	12/3	12/5	2			None	100.00			None	100.00
Philippines	DOD funds	12/5	12/8	3			None	150.00		23.99	None	173.99
Taiwan	N.T. dollar	12/8	12/10	3	2,000	50.00	6,000	150.00	1,480.00	37.00	7,480	187.00
Korea	DOD funds	12/10	12/12	1			None	50.00			None	50.00
Japan	Yen	12/12	12/19	8	15,055	50.00	120,440	400.00	77,924	257.69	208,364	657.69

Footnotes at end of table.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 415 AND 1039, 2D SESS., 92D CONG., COMMITTEE ON POST OFFICE AND CIVIL SERVICE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972—Continued

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. David N. Henderson:												
Transportation to and from Far East.	Guilders								5,536	$1,516.80	5,536	$1,516.80
Japan	Yen	1/5	1/10	6	15,740	$50.00	94,440	$300.00	69,865	[2] 221.86	164,305	521.80
Japan (other local transportation provided by DOD).	DOD funds	Same	Same						None	[2] 142.00	None	142.00
Korea	DOD funds	1/10	1/12	2			None	116.72			None	116.72
Taiwan	N.T. dollar	1/14	1/15	1	2,000	50.00	2,000	50.00			2,000	50.00
Taiwan (local transportation provided by DOD).	DOD funds	Same	Same						None	7.50	None	7.50
Hong Kong	DOD funds	1/15	1/16	2			None	114.00	None	[2] 136.94	None	250.94
Philippines	DOD funds	1/16	1/18	2			None	102.00	None	[2] 110.00	None	212.00
Transportation to and from Europe.	DOD funds								None	449.00	None	449.00
England	DOD funds	8/27 9/1	8/29 9/6	7			None	238.69	None	104.53	None	343.22
Spain	DOD funds	8/29	9/1	4			None	131.62			None	131.62
Total								11,085.81		24,559.32		35,645.13

[1] If foreign currency is used, enter U.S. dollar equivalent; If U.S. currency is used, enter amount expended.

[2] Local transportation for delegation.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$30,643.85
Appropriated funds:	
Government Department:	
Department of Defense	5,001.28
Total	35,645.13

T. J. DULSKI,
Chairman, Committee on Post Office and Civil Service.

Mar. 2, 1973.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 985, 2D SESS., 92D CONG., COMMITTEE ON PUBLIC WORKS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. Frank M. Clark:												
Sweden	Krona	6/4	6/17	14	236.50	$50.00	3,312.75	$700.00	7,230.00	$1,508.45	10,542.75	$2,208.45
Germany	D. mark								3,396.25	1,068.00	3,396.25	1,068.00
Paul S. Francis:												
Sweden	Krona	6/4	6/15	12	236.50	50.00	3,312.75	700.00			3,312.75	700.00
Refund							(473.00)	(98.69)			(473.00)	(98.69)
Germany	D. mark								3,396.25	1,068.00	3,396.25	1,068.00
Total								1,301.31		3,644.45		4,945.76

[1] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$4,945.76

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 1147, 2D SESS., 92D CONG., COMMITTEE ON PUBLIC WORKS U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. Robert E. Jones:												
United Kingdom	Pound	12/2	12/6	5	21.19	$50.00	105.95	$250.00	143.28	$341.03	249.23	$591.03
U.S.S.R	Ruble	12/6	12/10	3	41.32	50.00	123.96	150.00	12.50	15.30	136.46	165.30
Germany	D. mark	12/10	12/13	3	160.00	50.00	480.00	150.00			480.00	150.00
Greece	Drachma	12/13	12/16	4	1500.00	50.00	6,000.00	200.00	3,701.00	123.36	9,701.00	323.36
Italy	Lira	12/16	12/19	3	29,200.00	50.00	87,600.00	150.00			87,600.00	150.00
Hon. Jim Wright:												
United Kingdom	Pound	12/2	12/6	5	21.19	50.00	105.95	250.00	143.28	341.03	249.23	591.03
U.S.S.R	Ruble	12/6	12/10	3	42.32	50.00	123.96	150.00	12.50	15.30	136.46	165.30
Germany	D. mark	12/10	12/13	3	160.00	50.00	480.00	150.00			480.00	150.00
Greece	Drachma	12/13	12/16	4	1,500.00	50.00	6,000.00	200.00	3,701.00	123.36	9,701.00	323.36
Italy	Lira	12/16	12/19	3	29,200.00	50.00	87,600.00	150.00			87,600.00	150.00
France	Franc	12/19	12/21	2	250.00	50.00	500.00	100.00	677.61	135.53	1,177.61	235.53
Hon. Kenneth Gray:												
United Kingdom	Pound	12/5	12/6	2	21.19	50.00	42.38	100.00	143.28	341.03	185.66	441.03
U.S.S.R	Ruble	12/6	12/10	3	41.32	50.00	123.92	150.00	12.50	15.30	136.42	165.30
Germany	D. mark	12/10	12/13	3	160.00	50.00	480.00	150.00			480.00	150.00
Greece	Drachma	12/13	12/16	4	1,500.00	50.00	6,000.00	200.00	3,701.00	123.37	9,701.00	323.37
Hon. James Howard:												
United Kingdom	Pound	12/5	12/6	2	21.19	50.00	42.38	100.00	143.28	341.03	185.66	441.03
U.S.S.R	Ruble	12/6	12/10	4	41.32	50.00	165.28	200.00			165.28	200.00
Thailand	Baht	12/11	12/13	3	1,041.25	50.00	3,123.75	150.00			3,123.75	150.00
Japan	Yen	12/13	12/17	4	15,055.00	50.00	60,220.00	200.00			60,220.00	200.00
Hon. Wm. H. Harsha: United Kingdom	Pound	12/2	12/6	5	21.19	50.00	105.95	250.00	143.28	341.03	249.23	591.03

Footnote at end of table.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 1147, 2D SESS., 92D CONG., COMMITTEE ON PUBLIC WORKS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972—Continued

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. James R. Grover, Jr.:												
United Kingdom	Pound	12/2	12/6	5	21.19	$50.00	105.95	$250.00	143.28	$341.03	249.23	$591.03
Sweden	Krona	12/6	12/9	3	237.12	50.00	711.35	150.00			711.35	150.00
France	Franc	12/9	12/13	4	250.00	50.00	1,000.00	200.00	914.53	178.72	1,914.53	378.72
Hon. John Paul Hammerschmidt:												
United Kingdom	Pound	12/2	12/6	5	21.19	50.00	105.95	250.00	143.28	341.03	249.23	591.03
U.S.S.R.	Ruble	12/6	12/10	4	41.32	50.00	165.28	200.00			165.38	200.00
India	Rupee	12/11	12/12	1	398.00	50.00	398.00	50.00	333.75	41.93	731.75	91.93
Thailand	Baht	12/12	12/14	3	1,041.25	50.00	3,123.75	150.00			3,123.75	150.00
Japan	Yen	12/14	12/19	5	15,055.00	50.00	90,330.00	300.00			90,330.00	300.00
Refund Japan	Yen						(17,800.00)	(59.12)			(17,800.00)	(59.12)
Hon. Clarence E. Miller:												
United Kingdom	Pound	12/2	12/6	5	21.19	50.00	105.95	250.00	143.28	341.03	249.23	591.03
Germany	D. mark	12/6	12/8	2	160.00	50.00	320.00	100.00			320.00	100.00
Greece	Drachma	12/8	12/12	4	1,500.00	50.00	6,000.00	200.00	5,674.00	189.34	11,674.00	389.34
Italy	Lira	12/12	12/14	2	29,200.00	50.00	58,400.00	100.00			58,400.00	100.00
France	Franc	12/14	12/15	1	250.00	50.00	250.00	50.00	526.24	105.25	776.24	155.25
Richard J. Sullivan:												
United Kingdom	Pound	12/1	12/6	6	21.19	50.00	127.14	300.00	143.28	341.03	270.42	641.03
U.S.S.R.	Ruble	12/C	12/10	3	41.32	50.00	123.96	150.00	12.50	15.30	136.45	165.30
Germany	D. mark	12/10	12/13	3	160.00	50.00	480.00	150.00			480.00	150.00
Greece	Drachma	12/13	12/16	3	1,500.00	50.00	4,500.00	150.00	3,701.00	123.62	8,201.00	273.62
Italy	Lira	12/16	12/19	4	29,200.00	50.00	116,800	200.00			116,800	200.00
France	Franc	12/19	12/21	2	250.00	50.00	500.00	100.00	677.61	135.53	1,177.61	235.53
Dorothy A. Beam:												
United Kingdom	Pound	12/2	12/6	5	21.19	50.00	105.95	250.00	143.28	341.03	249.23	591.03
U.S.S.R.	Ruble	12/6	12/10	3	41.32	50.00	123.96	150.00	10.00	12.18	133.96	162.18
Germany	D. mark	12/10	12/13	3	160.00	50.00	480.00	150.00			480.00	150.00
Greece	Drachma	12/13	12/16	3	1,500.00	50.00	4,500.00	150,00	3,701.00	123.62	8,201.00	273.62
Italy	Lira	12/16	12/19	4	29,200.00	50.00	116,800	200.00			116,800	200.00
France	Franc	12/19	12/21	2	250.00	50.00	500.00	100.00	677.61	135.53	1,177.61	235.53
Lester Edelman:												
United Kingdom	Pound	12/2	12/6	5	21.19	50.00	105.95	250.00	143.28	341.03	249.23	591.03
U.S.S.R.	Ruble	12/6	12/10	4	41.32	50.00	151.95	183.97			151.95	183.97
Thailand	Baht	12/11	12/13	3	1,041.25	50.00	3,123.75	150.00			3,123.75	150,00
Japan	Yen	12/13	12/21	8	15,055.00	50.00	120,440	400.00			120,440	400,00
Robt. F. Spence:												
United Kingdom	Pound	12/2	12/6	5	21.19	50.00	105.95	250.00	143.28	341.03	249.23	591.03
U.S.S.R.	Ruble	12/6	12/10	4	41.32	50.00	165.28	200.00			165.28	200.00
Thailand	Baht	12/11	12/13	3	1,041.25	50.00	3,123.75	150.00			3,123.75	150.00
Japan	Yen	12/13	12/21	8	15,055.00	50.00	120,440	400.00			120,440	400,00
Clifton W. Enfield:												
United Kingdom	Pound	12/2	12/6	5	21.19	50.00	105.95	250.00	143.28	341.03	249.23	591.03
Germany	D mark	12/6	12/8	2	160.00	50.00	320.00	100.00			320.00	100.00
Greece	Drachma	12/8	12/12	4	1,500.00	50.00	6,000.00	200.00	5,574.00	189.33	11,574	389.33
Italy	Lira	12/12	12/14	2	29,200	50.00	58,400	100.00			58,400	100.00
France	Franc	12/14	12/15	1	250.00	50.00	250.00	50.00	460.14	92.03	710.14	142.03
Richard C. Peet:												
United Kingdom	Pound	12/2	12/6	5	21.19	50.00	105.95	250.00	143.28	341.03	249.23	591.03
Sweden	Krona	12/6	12/8	2	237.12	50.00	474.25	100.00			474.25	100.00
Greece	Drachma	12/8	12/13	5	1,500.00	50.00	7,500.00	250.00	14,085	219.49	21,585	469.49
Italy	Lira	12/13	12/19	6	29,200	50.00	175,200	300.00			172,200	300.00
France	Franc	12/19	12/21	2	250.00	50.00	500.00	100.00	1,771.20	354.24	2,271.20	454.24
Sheldon S. Gilbert:												
United Kingdom	Pound	12/2	12/6	5	21.19	50.00	105.95	250.00	143.28	341.03	249.23	591.03
U.S.S.R.	Ruble	12/6	12/10	4	41.38	50.00	151.96	183.97			151.96	183.97
India	Rupee	12/11	12/12	1	398.00	50.00	398.00	50.00	353.75	41.93	731.75	91.93
Thailand	Baht	12/12	12/14	3	1,041.25	50.00	3,123.75	150.00			3,123.75	150.00
Japan	Yen	12/14	12/21	7	15,055	50.00	105,385	350.00			105,385	350.00
Total								12,308.82		7,624.99		19,933.81

[1] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$19,933.81

JOHN A. BLATNIK,
Chairman, Committee on Public Works.

Feb. 23, 1973.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 243, 2D SESS. 92D CONG., COMMITTEE ON SCIENCE AND ASTRONAUTICS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. O. E. Teague:												
Netherlands	Guilders	8/19	8/20	2	160	$50.00	320	$100.00	119	$37.00	439	$137.00
Finland	Markka	8/20	8/21	2	205.8	50.00	411.6	100.00	156.3	38.00	568	138.00
U.S.S.R.	Rubles	8/22	8/27	6	41.00	50.00	223	272.35	97.3	118.70	320.3	310.05
Hungary	Forints	8/28	8/29	2	1,380	50.00	2,760	100.00	1,304	47.24	4,064	147.24
France	Francs	8/30	8/31	2	250	50.00	500	100.00	208.80	41.70	708.8	147.70
									[2] 4,704.4	1,435.60	4,704.4	1,435.60
Total												2,315.59

Footnotes at end of table.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 243, 2D SESS., 92D CONG., COMMITTEE ON SCIENCE AND ASTRONAUTICS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency
Hon. Larry Winn, Jr.:												
Netherlands	Guilders	8/19	8/20	2	160	$50.00	320	$100.00	119	$37.00	439	$137.00
Finland	Markka	8/20	8/21	2	205.8	50.00	411.6	100.00	156.3	38.00	568	138.00
U.S.S.R.	Rubles	8/22	8/27	7	41	50.00	223	272.35	97.3	118.70	320.3	310.05
Hungary	Forints	8/28	8/29	2	1,380	50.00	2,760	100.00	1,304	47.24	4,064	147.24
France	Francs	8/30	9/2	4	250	50.00	1,000	200.00	2,085	416.69	3,085	616.69
Ireland	Pounds	9/3	9/5	3	20.50	50.00	61.50	150.00	24.00	60.00	85.50	210.00
United Kingdom	Pounds	9/6	9/7	2	20	50.00	40	100.00	66.05	160.00	106.50	260.00
Netherlands	Guilders								[2] 3,252	992.60	3,252	992.60
Total												2,811.58
J. E. Wilson:												
Netherlands	Guilders	8/18	8/20	2	160	50.00	320	100.00	119	37.00	439	137.00
Finland	Markka	8/20	8/21	2	205.8	50.00	411.6	100.00	156.3	38.00	568	138.00
U.S.S.R.	Rubles	8/22	8/27	6	41	50.00	223	272.35	97.3	118.70	320.3	310.05
Hungary	Forints	8/28	8/29	2	1,380	50.00	2,760	100.00	1,304	47.24	4,064	147.24
France	Francs	8/30	8/31	2	250	50.00	500	100.00	208.80	41.70	708.8	147.70
Netherlands	Guilders								[2] 4,363	1,331.60	4,363	1,331.60
Total												2,211.59
Hon. Chas. Rangel:												
Denmark	Kroner	1/5	1/6	1	354	50.00	354	50.00			354	50.00
France	Francs	1/6	1/10	5	260	50.00	1,305	250.00	748	145.38	2,053	395.38
Spain	Pesetas	1/10	1/13	3	3,290	50.00	9,870	150.00			9,870	150.00
Italy	Lire	1/13	1/16	3	29,730	50.00	89,190	150.00	17,563	29.59	106,750	179.59
Netherlands	Guilders								[2] 1,298.9	329.78	1,298.9	329.78
Switzerland	Francs	3/17	3/22	5	191	50.00	956	250.00			956	250.00
Germany	Deutsche marks								[2] 2,824	869.00	2,824	869.00
Total												2,233.75
Hon. C. A. Mosher:												
United Kingdom	Pounds	6/23	6/26	4	20	50.00	81.88	189.68	23.00	60.04	144.88	249.72
Austria	Schillings	6/27	7/4	8	1,151	50.00	4,606	200.00	6,123	265.23	10,729	465.23
Germany	Marks	7/15	7/17	2	158.5	50.00	158.5	50.00			158.5	50.00
Germany	Marks								[2] 1,754	551.78	1,754	551.78
Switzerland	Francs								[2] 104.60	27.15	104.60	27.15
France	Francs	7/17	7/23	7	250	50.00	1,250	250.00	670.85	134.00	1,920.85	384.00
Netherlands	Guilders								[2] 4,709.05	1,464.26	4,709.05	1,464.26
Total												3,192.14
Hon. G. P. Miller:												
Ireland	Pounds	9/2	9/4	3	20.50	50.00	61.50	150.00	24.00	60.00	85.50	210.00
United Kingdom	Pounds	9/5	9/8	4	20.00	50.00	80.00	200.00	66.05	160.00	146.05	360.00
Spain	Pesetas	9/9	9/13	5	3,291	50.00	15,875	250.00	11,162	175.78	27,037	425.78
										[3] 814.60		814.60
Total												1,810.38
Hon. J. N. Happy Camp:												
Ireland	Pounds	9/2	9/4	3	20.50	50.00	61.50	150.00	24.00	60.00	85.50	210.00
United Kingdom	Pounds	9/5	9/8	4	20.00	50.00	80.00	200.00	66.05	160.00	146.05	360.00
Spain	Pesetas	9/9	9/13	5	3,291	50.00	15,875	250.00	11,162	175.78	27,037	425.78
										[3] 814.60		814.60
Total												1,810.38
Hon. John W. Davis:												
Ireland	Pounds	9/2	9/4	3	20.50	50.00	61.50	150.00	35.00	82.21	55.50	232.21
Ireland	Pounds	9/6	9/10	5	20.50	50.00	102.50	250.00			102.50	250.00
United Kingdom	Pounds	9/5	9/6	1	20.00	50.00	20.00	50.00	35.80	85.48	55.80	135.48
										[3] 385.25		385.25
Total												1,002.94
Philip Dickinson:												
Ireland	Pounds	9/2	9/4	3	20.50	50.00	61.50	150.00	24.00	60.00	85.50	210.00
United Kingdom	Pounds	9/5	9/8	4	20.00	50.00	80.00	200.00	66.05	160.00	146.05	360.00
Spain	Pesetas	9/9	9/13	5	3,291	50.00	15,875	250.00	11,162	175.78	27,037	425.78
										[3] 814.60		814.60
Total												1,810.38
W. G. Wells, Jr.:												
Ireland	Pounds	9/2	9/4	3	20.50	50.00	61.50	150.00	24.00	60.00	85.50	210.00
United Kingdom	Pounds	9/5	9/8	4	20.00	50.00	80.00	200.00	66.05	160.00	146.05	360.00
Spain	Pesetas	9/9	9/13	5	3,291	50.00	15,875	250.00	11,161	175.78	27,037	425.78
										[3] 814.60		814.60
Total												1,810.38
Jos. Del Riego:												
Ireland	Pounds	9/2	9/4	3	20.50	50.00	61.50	150.00	24.00	60.00	85.50	210.00
United Kingdom	Pounds	9/5	9/8	4	20.00	50.00	80.00	200.00	66.05	160.00	146.05	360.00
Spain	Pesetas	9/9	9/13	5	3,291	50.00	15,875	250.00	11,162	175.78	27,037	425.78
										[3] 814.60		814.60
Total												1,810.38

Footnotes at end of table.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 243, 2D SESS., 92D CONG., COMMITTEE ON SCIENCE AND ASTRONAUTICS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. J. W. Symington:												
Switzerland	Francs	4/10	4/13	4	191	$50.00	767	$200.00	1,570	$405.16	2,337	$605.16
France	Francs	4/14	4/16	2	250	50.00	502	100.00	904.18	180.62	1,406.18	280.62
Germany	Deutsche marks								[2]3,194.75	983.00	3,194.75	983.00
Total												1,868.78
Hon. Barry M. Goldwater, Jr.:												
New Zealand	N.Z. dollars	1/4	1/9	5	41.44	50.00	207.21	250.00			207.21	250.00
Philippines	Pesos	1/11	1/12	1	319	50.00	319	50.00			319	50.00
Netherlands	Guilders								[2]7,302.04	2,000.56	7,302.04	2,000.56
Total												2,300.56
J. T. Ratchford: Japan	Yen	8/19	9/3	16	15,270	50.00	50,880	176.84			50,880	176.84
Fernando de Mendonca:[4] Brazil	Cruzeiros								5,508	958.00	5,508	958.00
Norman Fisher:[4] Australia	Dollars								1,659	1,937.00	1,659	1,937.00
Armin Spaeth:[4] Germany	Deutsche marks								3,164	917.00	3,164	917.00
Rene Montjoie:[5] France	Francs								4,791	936.00	4,791	936.00
Keiichi Oshima:[5] Japan	Yen								527,480	1,712.00	527,480	1,712.00

[1] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

[2] Cost of overseas transportation.

[3] Cost of transportation furnished by the Department of Defense.

[4] Special consultant to committee per authority House Administration Committee, Dec. 13, 1971

[5] Special consultant to committee per authority House Administration Committee, Mar. 1, 1972

RECAPITULATION

RECAPITULATION	Amount
Foreign currency (U.S. dollar equivalent)	$29,167.42
Appropriated funds:	
Government Department:	
Department of Defense	4,458.25
Total	33,625.67

OLIN E. TEAGUE,
Chairman, Committee on Science and Astronautics.

Mar. 1, 1973

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR TRAVEL AUTHORIZED BY H. RES. 20 AND 538, 2D SESS., 92D CONG., COMMITTEE ON VETERANS' AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. Olin E. Teague:												
United Kingdom	Pound	11/8	11/11	4	21.16	$50.00	84.65	$200.00	156.00	$240.65	240.65	$568.16
France	Franc	11/11	11/19	8	250.00	50.00	2,000	400.00	3,520.22	704.04	5,520.22	1,104.04
Germany (transportation only)	D. mark								3,058.25	941.00	3,058.25	941.00
Total								600.00		2,013.20		2,613.20
Hon. G. V. Montgomery:												
Japan	Yen	12/17	12/18	2	15,055	50.00	24,331	80.81			24,331	80.81
Hong Kong	HK dollar	12/18 12/28	12/30 12/29	4	280.00	50.00	925.85	165.33	38.95	6.96	964.80	172.29
South Vietnam	Piastre	12/20 12/26	12/21 12/27	3	22,750	50.00	60,110	134.31			60,110	134.31
Thailand	Baht	12/21	12/24	3	1,041	50.00	2,930	140.70			2,930	140.70
Laos	Kip	12/25	12/25	1	30,250	50.00	27,500	45.45			27,500	45.45
Netherlands (transportation only)	Guilder								8,000	2,400.00	8,000	2,400.00
Total								566.60		2,406.96		2,973.56
Hon. John P. Saylor:												
United Kingdom	Pound	11/19	11/22	3	21.21	50.00	42.42	100.00			42.42	100.00
Belgium	Franc	11/22	11/24	3	2,200	50.00	6,600	150.00			6,600	150.00
Luxembourg	Franc	11/25	11/25	1	2,149	50.00	4,398	100.00			4,398	100.00
France	Franc	11/26	12/1	6	250.00	50.00	1,500	300.00			1,500	300.00
Italy	Lire	12/1	12/5	4	29,250	50.00	117,000	200.00			117,000	200.00
Germany (transportation only)	D. mark								1,997.50	625.00	1,997.50	625.00
Total								850.00		625.00		1,475.00
Total								2,016.60		5,045.16		7,061.76

[1] If foreign currency is used, enter U.S. $ equivalent; if U.S. currency is used, enter amount expended.

RECAPITULATION	Amount
Foreign currency (U.S. dollar equivalent)	$7,061.76

OLIN E. TEAGUE,
Chairman, Committee on Veterans' Affairs.

Feb. 28, 1973

REPORT OF EXPENDITURES OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 597, 1ST SESS., 92D CONG., COMMITTEE ON WAYS AND MEANS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. Jackson Betts:												
France	Franc	1/5	1/8	4	261.0	$50.00	1,044	$200.00	75.00	$14.38	1,119	$214.38
Belgium	Franc	1/9	1/13	5	2,240.4	50.00	11,202	250.00			11,202	250.00
Hon. Donald G. Brotzman:												
France	Franc	1/5	1/8	4	261.0	50.00	1,044	200.00	75.00	14.38	1,119	214.38
Beglium	Franc	1/9	1/13	5	2,240.4	50.00	11,202	250.00			11,202	250.00
Italy	Lire	1/14	1/17	4	29,950	50.00	119,800	200.00	12,950	21.80	132,750	221.80
	D. mark								1,340.67	388.60	1,340.67	388.60
Hon. John W. Byrnes:												
France	Franc	1/5	1/8	4	261.0	50.00	1,044	200.00	75.00	14.38	1,119	214.38
Belgium	Franc	1/9	1/13	5	2,240.4	50.00	11,202	250.00			11,202	250.00
Hon. Hugh L. Carey:												
France	Franc	1/5	1/8	4	261.0	50.00	1,044	200.00	75.00	14.38	1,119	214.38
Belgium	Franc	1/9	1/14	6	2,240.4	50.00	13,443	300.00			13,443	300.00
Israel	Pound	1/15	1/18	4	210.0	50.00	1,050	250.00	462.5	110.12	1,512.5	360.12
Refund							(350)	(83.33)			(350)	(83.33)
Israel	Pound								39.06	9.30	39.06	9.30
Israel	Pound								3,011.4	717.00	3,011.4	717.00
Italy	Lire	1/19	1/20	2	29,700	50.00	59,400	100.00	10,972.5	18.47	70,372.5	118.47
Spain	Peseta	1/21	1/23	3	3,290	50.00	9,870	150.00	9,551	145.15	19,421	295.15
Hon. Barber Conable:												
Belgium	Franc	1/9	1/13	5	2,240.4	50.00	13,443	300.00			13,443	300.00
Refund							(5,700)	(125.25)			(5,700)	(125.25)
United Kingdom	Pound	1/14	1/15	2					53.56	136.77	53.56	136.77
Austria	Schilling	1/16							1,208	51.14	1,208	51.14
	D. mark								921.15	267.00	921.15	267.00
	D. mark								1,380.35	400.10	1,380.35	400.10
Refund										(667.10)		(667.10)
Hon. James C. Corman:												
France	Franc	1/5	1/8	4	261.0	50.00	1,044	200.00	75.00	14.38	1,119	214.38
Belgium	Franc	1/9	1/14	6	2,240.4	50.00	13,443	300.00			13,443	300.00
Germany	D. mark	1/15	1/15	1	163	50.00	163	50.00	311.63	95.59	474.63	145.59
Refund							(20)	(6.13)			(20)	(6.13)
	D. mark								6,824.79	1,978.20	6,824.79	1,978.20
India	Rupee	1/16	2/3	14	380	50.00	5,320	700.00			5,320	700.00
Refund							(83)	(10.92)			(83)	(10.92)
Malaysia	M dollar	2/4	2/6	3	140.5	50.00	421.5	150.00	184	65.71	605.5	215.71
Indonesia	Rupiah	2/7	2/9	3	20,850	50.00	62,550	150.00	12,772	30.63	75,322	180.63
Australia	A dollar	2/10	2/12	3	42.83	50.00	128.49	150.00	4.00	4.77	132.49	154.77
New Zealand	NZ dollar	2/13	2/14	2	41.65	50.00	83.3	100.00	60.66	72.25	149.96	172.25
Fiji Islands	Fiji dollar	2/15	2/15	1	40.80	50.00	40.80	50.00			40.80	50.00
Hon. Richard Fulton:												
France	Franc	1/5	1/8	4	261.0	50.00	1,044	200.00	75.00	14.38	1,119	214.38
Belgium	Franc	1/9	1/14	6	2,240.4	50.00	13,443	300.00			13,443	300.00
Israel	Pound	1/15	1/18	4	210.0	50.00	1,050	250.00	462.5	110.12	1,512.5	360.12
Refund							(350)	(83.33)			(350)	(83.33)
Israel	Pound								3,011.4	717.00	3,011.4	717.00
Israel	Pound								39.06	9.30	39.06	9.30
Italy	Lire	1/19	1/20	2	29,700	50.00	59,400	100.00	10,972.5	18.47	70,372.5	118.47
Spain	Peseta	1/21	1/23	3	3,290	50.00	9,870	150.00	9,551	145.15	19,421	295.15
Hon. Sam Gibbons:												
France	Franc	1/5	1/8	4	261.0	50.00	1,044	200.00	75.00	14.38	1,119	214.38
Belgium	Franc	1/9	1/13	5	2,240.4	50.00	11,202	250.00			11,202	250.00
Hon. Joseph Karth:												
France	Franc	1/5	1/8	4	261.0	50.00	1,044	200.00	75.00	14.38	1,119	214.38
Belgium	Franc	1/9	1/13	5	2,240.4	50.00	11,202	250.00			11,202	250.00
Hon. Phil Landrum:												
France	Franc	1/5	1/8	4	261.0	50.00	1,044	200.00	75.00	14.38	1,119	214.38
Belgium	Franc	1/9	1/13	5	2,240.4	50.00	11,202	250.00			11,202	250.00
Hon. Jerry Pettis:												
France	Franc	1/5	1/8	4	261.0	50.00	1,044	200.00	75.00	14.38	1,119	214.38
Belgium	Franc	1/9	1/13	5	2,240.4	50.00	11,202	250.00			11,202	250.00
Chile	Escudo	4/11	4/14	5	1,400	50.00	4,200	150.00			4,200	150.00
Hon. Herman T. Schneebeli:												
France	Franc	1/5	1/8	4	261.0	50.00	1,044	200.00	75.00	14.38	1,119	214.38
Belgium	Franc	1/9	1/13	5	2,240.4	50.00	11,202	250.00			11,202	250.00
Austria	Schilling	1/14	1/17	4	1,175.0	50.00	4,700	200.00	40.00	1.69	4,740	201.69
Austria	Schilling								9,506	402.46	9,506	402.46
Austria	Schilling								206	8.81	206	8.81
Hungary	Forint	1/18	1/19	2	1,500	50.00	3,000	100.00			3,000	100.00
Refund							(1,100)	(36.67)			(1,100)	(36.67)
Czechoslovakia	Koruna	1/20	1/21	2	654.5	50.00	1,309	100.00			1,309	100.00
Refund							(251)	(19.16)			(251)	(19.16)
France	Franc	1/22	1/22	1	261.0	50.00	261.0	50.00			261	50.00
	D. mark								1,328.25	385.00	1,328.25	385.00
Hon. Al Ullman:												
France	Franc	1/5	1/8	4	261.0	50.00	1,044	200.00	75.00	14.38	1,119	214.38
Belgium	Franc	1/9	1/13	5	2,240.4	50.00	11,202	250.00			11,202	250.00
Hon. Charles A. Vanik:												
France	Franc	1/5	1/8	4	261.0	50.00	1,044	200.00	75.00	14.38	1,119	214.38
Belgium	Franc	1/9	1/13	5	2,240.0	50.00	11,202	250.00			11,202	250.00
Hon. Joe D. Waggonner:												
France	Franc	1/5	1/8	4	261.0	50.00	1,044	200.00	75.00	14.38	1,119	214.38
Belgium	Franc	1/9	1/13	5	2,240.4	50.00	11,202	250.00			11,202	250.00
John P. Baker:												
France	Franc	1/5	1/8	4	261.0	50.00	1,044	200.00	75.00	14.38	1,119	214.38
Belgium	Franc	1/9	1/13	5	2,240.4	50.00	11,202	250.00			11,202	250.00
Harold T. Lamar:												
France	Franc	1/5	1/8	4	261.0	50.00	1,044	200.00	75.00	14.38	1,119	214.38
Belgium	Franc	1/9	1/13	5	2,240.4	50.00	11,202	250.00			11,202	250.00
Richard C. Wilbur:												
France	Franc	1/5	1/8	4	261.0	50.00	1,044	200.00	75.00	14.38	1,119	214.38
Belgium	Franc	1/9	1/13	5	2,240.4	50.00	11,202	250.00			11,202	250.00

Footnotes at end of table.

REPORT OF EXPENDITURES OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 597, 1ST SESS., 92D CONG., COMMITTEE ON WAYS AND MEANS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
John M. Martin, Jr.:												
France	Franc	1/5	1/8	4	261.0	$50.00	1,044	$200.00	75.00	$14.38	1,119	$214.38
Transportation for entire group									2,764.8	527.53	2,764.8	527.53
Local transportation for group									10,128.38	1,940.30	10,128.38	1,940.30
Belgium	Franc	1/9	1/13	5	2,240.4	50.00	11,202	250.00			11,202	250.00
Local transportation for group									200,000	4,394.64	200,000	4,394.64
Total								11,335.21		12,764.81		24,100.02

[1] If foreign currency is used, enter U.S. $ equivalent; if U.S. currency is used, enter amount expended.

NOTE: The transportation charges listed for the entire group include cost of train fare from Paris to Brussels in addition to local transportation.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$24,100.02

W. D. MILLS,
Chairman, Committee on Ways and Means.

Mar. 1, 1972.

REPORT OF EXPENDITURES OF FOREIGN CURRENCIES AND APPROVED FUNDS, COMMITTEE ON CANADA-UNITED STATES INTERPARLIAMENTARY GROUP, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. C. E. Gallagher: Canada	Dollar		$267.90		$34.65				$18.58		$321.13
Hon. James Harvey: Canada	Dollar		127.80		7.90				11.25		146.95
Hon. Frank Horton: Canada	Dollar		94.50		8.00				.25		102.75
Hon. Harold T. Johnson: Canada	Dollar		127.80		8.85				11.50		148.15
Hon. Peter N. Kyros: Canada	Dollar		127.80		29.70				13.50		171.00
Hon. Robert C. McEwen: Canada	Dollar		98.53		4.60				11.25		114.38
Hon. Lloyd Meeds: Canada	Dollar		96.30		5.55				15.70		117.55
Hon. F. Bradford Morse: Canada	Dollar		75.60		34.11				8.62		118.33
Hon. Claude Pepper: Canada	Dollar		75.60		12.31				11.00		98.91
Hon. J. J. Pickle: Canada	Dollar		129.90		9.56				12.00		151.46
Hon. William J. Randall: Canada	Dollar		123.60		5.95				11.25		140.80
Hon. Henry P. Smith III: Canada	Dollar		129.90		8.99				11.38		150,27
Subtotal			1,475.23		170.17				136.28		1,781.68
Hon. Samuel S. Stratton	Dollar		50.40		1.05				3.00		54.45
Louise O'Brien	Dollar		94.18		2.50				9.54		106.22
Albert C. F. Westphal	Dollar		127.80		7.60				11.25		146.65
Delegation expenses	Dollar								1,211.76		1,211.76
Total			1,747.61		181.32				1,371.83		3,300.76

[1] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent):	
Appropriated funds: Other (Public Law 86–42)	$3,300.76

C. E. GALLAGHER,
Chairman, House Delegation, Canada-United States Interparliamentary Group.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, MEXICO-UNITED STATES INTERPARLIAMENTARY GROUP, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1, AND DEC. 31, 1972

Individual	Country	Name of currency	Lodging and meals		Transportation		Total	
			Foreign currency	U.S. dollar equivalent	Foreign currency	U.S. dollar equivalent	Foreign currency	U.S. dollar equivalent
Hon. Jim Wright, Acting Chairman	United States	U.S. dollar		$457.93				$457.93
Hon. Eligio de la Garza	United States	U.S. dollar		249.49				249.49
Hon. Abraham Kazen, Jr	United States	U.S. dollar		269.53				269.53
Hon. Hale Boggs	United States	U.S. dollar		22.80		$198.00		220.80
Hon. Peter H. B. Frelinghuysen	United States	U.S. dollar		258.80				258.80
Hon. Charles E. Wiggins	United States	U.S. dollar		270.46				270.46
Hon. Manuel Lujan, Jr	United States	U.S. dollar		251.31				251.31
Hon. Charles Thone	United States	U.S. dollar		283.82				283.82
Hon. J. Herbert Burke	United States	U.S. dollar		190.57				190.57
Albert C. F. Westphal	United States	U.S. dollar		230.75				230.75
Paula Peak	United States	U.S. dollar		176.00				176.00
Delegation expenses								11,966.45

RECAPITULATION

	Amount
Appropriated funds: Public Law 86–420	$14,825.91

ROBERT N. C. NIX,
Chairman, U.S. House of Representatives Delegation, Mexico-United States Interparliamentary Group.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, DELEGATIONS, U.S. GROUP, INTERPARLIAMENTARY UNION, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

		Lodging		Meals		Transportation		Miscellaneous		Total	
Name and country	Name of currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency	Foreign currency	U.S. dollar [1] equivalent or U.S. currency
Hon. Edward J. Derwinski:											
Switzerland	Franc	69.00	$18.00							69.00	$18.00
Switzerland	U.S. dollar						$664.00				664.00
Germany	D. marks	120.10	38.40							120.10	38.40
Morocco	Dirham	235.36	51.06	557.50	$112.47					792.86	163.53
Zaire	Zs	31.64	63.28	97.51	195.02			1.00	$2.00	130.15	260.30
Cameroon	CFA franc	73,790	294.16	65,890	261.48			825	3.27	140,505	[2] 558.91
Spain	Peseta	5,120	80.47	14,685	230.15					19,805	310.62
Italy	Lira	261,800	450.60	307,500	529.26			45,025	77.49	614,325	[3] 1,057.35
Hon. Jackson E. Betts:											
Italy	Lira	281,500	484.52	45.430	78.19	380,160	652.08	265,930	457.73	973,020	1,672.52
Spain	Peseta	2,800	44.45	585	9.29			4,725	74.41	8,110	128.15
Hon. John W. Byrnes:											
Italy	Lira	281,500	484.52	46,005	79.17	380,730	653.05	264,750	455.68	972,985	1,672.42
Spain	Peseta	2,800	44.45	340	5.40			9,525	150.00	12,665	199.85
Hon. Lee Hamilton:											
Morocco	Dirham	235.36	51.06	290.00	58.78					525.36	109.84
Zaire	Zs	31.64	63.28	38.25	74.76					69.87	138.04
Cameroon	CFA franc	55,650	222.15	408.50	162.44			1,950	7.68	98,450	392.27
Spain	Peseta	1,295	20.10	3,395	52.73					4,690	72.83
Hon. John Jarman:											
Morocco	Dirham	235.36	51.06	107.00	23.20					342.36	74.26
Zaire	Zs	31.64	63.28	8.14	16.28			.15	.30	39.93	79.86
Cameroon	CFA franc	55,650	222.15	3,310	13.12			1,765	7.02	60,725	[4] 242.29
Spain	Peseta	1,295	20.10	530	8.23					1,825	28.33
Hon. Robert McClory:											
Morocco	Dirham	235.36	51.06	563.30	113.73					798.66	164.79
Zaire	Zs	31.64	63.28	90.03	180.06					121.67	243.34
Cameroon	CFA franc	30,100	119.60	80.920	321.83			2,520	10.24	113,540	451.67
Spain	Peseta	3,430	54.04	13,453	211.17			10	.16	16,893	265.37
Italy	Lira	238,000	409.65	304,845	524.69			15,215	26.33	558,060	[5] 960.67
Germany	D. mark					3,396.25	1,045.00			3,396.25	1,953.52
Sweden	Krona	1,592	335.66	1,010.50	214.80	6,640	1,403.06			9,242.50	1,045.00
Hon. John S. Monagan:											
Italy	Lira	60,600	104.30	155,300	267.30					215,900	371.60
Germany	D. mark					3,539.25	1,089.00			3,539.25	1,089.00
Hon. Edward J. Patten:											
Morocco	Dirham	235.36	51.06	78.50	17.32					313.86	68.38
Zaire	Zs	31.64	63.28	4.90	9.80			.15	.30	36.69	73.38
Cameroon	CFA franc	30,100	119.60	3,370	13.42			4,350	17.29	37,820	150.31
Spain	Peseta	4,095	64.55	1,672	26.01					5,767	90.56
Italy	Lira	281,500	484.52	62,045	106.79			9,830	16.96	353,375	608.27
Hon. Alexander Pirnie:											
Morocco	Dirham	274.10	59.45	45.50	9.87					319.60	69.32
Zaire	Zs	25.10	50.20	9.53	19.06					34.63	69.26
Cameroon	CFA franc	55,650	222.15	5,150	20.56					60,800	242.71
Spain	Peseta	3,275	51.60	1,010	16.01					4,285	67.61
Italy	Lira	207,000	356.29	40,050	68.93			1,350	2.32	248,400	427.54
Hon. Paul G. Rogers:											
Morocco	Dirham	235.36	51.06	23.00	4.99					258.36	56.05
Zaire	Zs	31.64	63.28	13.32	26.64			.15	.30	45.11	90.22
Cameroon	CFA franc	30,100	119.60	16,995	67.66					47,095	187.26
Spain	Peseta	1,295	20.10	90	1.39					1,490	21.49
Ann Bolton:											
Italy	Lira	151,500	260.76	6,350	10.93			1,400	2.41	159,250	274.10
Spain	Peseta	2,240	35.56	170	2.78					2,410	38.34
W. Pat Jennings:											
Morocco	Dirham	235.36	51.06	159.00	34.66			8.00	1.73	402.36	87.45
Zaire	Zs	31.64	63.28	11.00	22.00					42.64	85.28
Cameroon	CFA franc	30,100	119.62	6,920	27.59					37,020	147.21
Spain	Peseta	4,095	64.55	1,990	31.24					6,085	95.79
Italy	Lira	238,000	409.48	70,510	121.36			7,465	12.85	315,975	543.69
Morris Rothenberg:											
Morocco	Dirham	182.34	39.52	50.00	10.85					233.34	50.37
Zaire	Zs	25.10	50.20	3.75	7.50					28.85	57.70
Cameroon	CFA franc	26,600	105.80	1,450	5.80			5,455	21.81	33,505	133.41
Spain	Peseta	3,190	50.27	316	4.92					3,506	55.19
Italy	Lira	151,500	260.76	38,310	65.94					189,810	326.70
Mary Sweet:											
Morocco	Dirham	182.34	39.52	7.50	1.73					189.84	41.25
Zaire	Zs	25.10	50.20	.55	1.10					25.65	51.30
Cameroon	CFA franc	26,600	105.80					3,640	14.52	30,240	120.32
Spain	Peseta	995	15.54							995	15.54
Delegation expenses:											
Morocco:											
Hotel office	Dirham	725.78	157.44							725.78	157.44
Delegation meals	Dirham			411.00	91.11					411.00	91.11
Embassy reception	U.S. dollar				300.00						300.00
Transportation	Dirham					6,486.28	1,392.91			6,486.28	1,392.91
Communications	U.S. dollar								10.48		10.48
Zaire:											
Delegation meals, Embassy reception.	U.S. dollar				640.22						640.22
Delegation meals	Dirham			112.45	224.90					112.45	224.90
Transportation	Dirham					883.47	1,759.74			883.47	1,759.74
Miscellaneous	Dirham							2.00	4.00	2.00	4.00
Cameroon:											
Hotel office	U.S. dollar		17.00								17.00
Hotel office	CFA franc	112,950	450.00							112,950	450.00
Embassy reception, delegation meals.	CFA franc			127,300	506.00					127,300	506.00
Embassy reception, delegation meals	U.S. dollar				3,104.78						[6] 3,104.78
Transportation	U.S. dollar						42.12				42.12
Transportation	Dirham					4,366,267	17,306.71			4,366.267	17,306.71
Spain:											
Delegation meals	U.S. dollar				205.71						205.71
Transportation	U.S. dollar						44.00				44.00
Transportation	Peseta					35,068	532.14			35,068	532.14
Miscellaneous	Peseta							480	8.32	480	8.32

Footnotes at end of table.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, DELEGATIONS, U.S. GROUP, INTERPARLIAMENTARY UNION, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972—Continued

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Delegation expenses—Continued											
Italy:											
Hotel office	U.S. dollar		$97.94								$97.94
Hotel office	Lira	1,922,550	3,309.04							1,922,550	3,309.04
Embassy reception, delegation meals	U.S. dollar				$2,450.00						2,450.00
Printing, fees, communications, embassy overtime	U.S. dollar								$632.00		632.00
Transportation	Lira					2,436,830	$4,179.81			2,436,830	4,179.81
Air fares	Lira					187,485	322.69			187,485	322.69
Total			11,434.76		12,023.12		31,086.31		2,017.60		56,561.79

[1] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

[2] $434.88 of this amount reimbursed by personal check.

[3] $191.40 of this amount reimbursed by personal check.

[4] $127.50 of this amount reimbursed in cash.

[5] $218.08 of this amount reimbursed in cash.

[6] $515.52 of this amount reimbursed in cash and personal check.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$44,125.85
Appropriated funds: Other (22 U.S.C. 276)	12,435.94
Total	56,561.79

EDWARD J. DERWINSKI,
Chairman, U.S. Group, Interparliamentary Union.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, BRITISH-AMERICAN PARLIAMENTARY CONFERENCE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. Carl Albert: Bermuda	Bermuda dollar	2/10	2/14	5	45.80+	$50.00	229.04	$250.00			229.04	$250.00
Hon. Hale Boggs: Bermuda	Bermuda dollar	2/10	2/14	5	45.80+	50.00	229.04	250.00			229.04	250.00
Hon. Peter H. B. Frelinghuysen: Bermuda.	Bermuda dollar	2/10	2/14	5	45.80+	50.00	229.04	250.00			229.04	250.00
Hon. Wayne L. Hays: Bermuda	Bermuda dollar	2/10	2/14	5	45.80+	50.00	229.04	250.00			229.04	250.00
Hon. F. Bradford Morse: Bermuda	Bermuda dollar	2/10	2/14	5	45.80+	50.00	229.04	250.00			229.04	250.00
Hon. John J. Rhodes: Bermuda	Bermuda dollar	2/10	2/14	5	45.80+	50.00	229.04	250.00			229.04	250.00
Paula Peak: Bermuda	Bermuda dollar	2/10	2/14	5	45.80+	50.00	229.04	250.00			229.04	250.00
Total								1,750.00				1,750.00

[1] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent) total	$1,750.00

WAYNE L. HAYS,
Chairman, U.S. House of Representatives Delegation to the British-American Parliamentary Conference.

Mar. 1, 1973.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 551, 1ST SESS., 88TH CONG., HOUSE DELEGATION TO THE NORTH ATLANTIC ASSEMBLY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or. U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. Frank Annunzio:												
Germany	D. mark	11/17	11/24	7	160	$50.00	1,120	$350.00			1,120	$350.00
Italy	Lira	11/24	11/29	6	29,250	50.00	175,500	300.00			175,500	300.00
United Kingdom	Pound	11/29	12/4	5	21.18+	50.00	105.90+	250.00			105.90+	250.00
Hon. Jack Brooks:												
Belgium	B. franc	5/9	5/12	4	2,200	50.00	8,800	200.00			8,800	200.00
United Kingdom	Pound	5/12	5/14	2	19.06+	50.00	38.12+	100.00			38.12+	100.00
Germany	D. mark	11/17	11/25	9	160	50.00	1,420	450.00			1,420	450.00
France		11/25	11/26									
Hon. Phillip Burton:												
Germany	D. mark	11/17	11/24	7	160	50.00	1,120	350.00			1,120	350.00
Italy	Lira	11/24	11/29	6	29,250	50.00	175,500	300.00			175,500	300.00
United Kingdom	Pound	11/29	12/4	5	21.18+	50.00	105.90+	250.00			105.90+	250.00
Hon. Frank Clark:												
Belgium	B. franc	5/11	5/13	3	2,200	50.00	6,600	150.00			6,600	150.00
United Kingdom	Pound	5/13	5/14	1	19.07+	50.00	19.07+	50.00			19.07+	50.00
Germany	D. mark	11/17	11/24	7	160	50.00	1,120	350.00			1,120	350.00
Rome	Lira	11/24	11/29	6	29,250	50.00	175,500	300.00			175,500	300.00
United Kingdom	Pound	11/29	12/4	5	21.18+	50.00	105.90+	250.00			105.90+	250.00

Footnote at end of table.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 551, 1ST SESS., 88TH CONG., HOUSE DELEGATION TO THE NORTH ATLANTIC ASSEMBLY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1972—Continued

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency	Foreign currency	U.S. dollar[1] equivalent or U.S. currency
Hon. Samuel L. Devine:												
Germany	D. mark	11/17	11/24	7	160	$50.00	1,120	$350.00			1,120	$350.00
United Kingdom	Pound	12/3	12/4	2	21.21+	50.00	42.42+	100.00			42.42+	100.00
Hon. Paul Findley:												
Germany	D. mark	11/17	11/24	7	160	50.00	1,440	450.00			1,440	450.00
France		11/24	11/26	2								
Hon. Wayne L. Hays:												
United Kingdom	Pound	5/10	5/12	2	19.07	50.00	38.14	100.00			38.14	100.00
Belgium	B. franc	5/12	5/13	2	2,200	50.00	4,400	100.00			4,400	100.00
United Kingdom	Pound	5/13	5/14	1	19.07	50.00	19.07	50.00			19.07	50.00
United Kingdom	Pound	6/30	7/4	5	20.03+	50.00	100.15+	250.00			100.15+	250.00
Germany	D. mark	11/17	11/24	7	160	50.00	1,120	350.00			1,120	350.00
Italy	Lira	11/24	11/28	5	29,250	50.00	146,250	250.00			146,250	250.00
United Kingdom	Pound	11/28	12/4	6	21.19+	50.00	127.15+	300.00			127.15+	300.00
Hon. Dave Martin:												
Germany	D. mark	11/17	11/24	7	160	50.00	1,120	350.00			1,120	350.00
Italy	Lira	11/24	11/29	6	29,250	50.00	175,500	300.00			175,500	300.00
United Kingdom	Pound	11/29	12/4	5	21.18+	50.00	105.90+	250.00			105.90+	250.00
Hon. Robert B. Mathias:												
Germany	D. mark	11/17	11/24	7	160	50.00	1,120	350.00			1,120	350.00
Italy	Lira	11/24	11/29	6	29,250	50.00	175,500	300.00			175,500	300.00
United Kingdom	Pound	11/29	12/3	3	21.18+	50.00	63.54+	150.00			63.54+	150.00
Hon. Bertram Podell:												
Germany	D. mark	11/17	11/24	7	160	50.00	1,120	350.00			1,120	350.00
Italy	Lira	11/24	11/29	6	29,250	50.00	175,500	300.00			175,500	300.00
United Kingdom	Pound	11/29	12/4	5	21.18+	50.00	105.90+	250.00			105.90+	250.00
Hon. Peter W. Rodino:												
Germany	D. mark	11/17	11/24	7	160	50.00	1,120	350.00			1,120	350.00
Italy	Lira	11/24	11/29	6	29,250	50.00	175,500	300.00			175,500	300.00
United Kingdom	Pound	11/29	12/4	5	21.18+	50.00	105.90+	250.00			105.90+	250.00
Hon. Vernon Thomson:												
Germany	D. mark	11/17	11/24	7	160	50.00	1,200	350.00			1,200	350.00
Italy	Lira	11/24	11/29	6	29,250	50.00	175,500	300.00			175,500	300.00
United Kingdom	Pound	11/29	12/4	5	21.18+	50.00	105.90+	250.00			105.90+	250.00
Hon. J. Irving Whalley:												
Germany	D. mark	11/17	11/24	7	160	50.00	1,120	350.00			1,120	350.00
Italy	Lira	11/24	11/29	6	29,250	50.00	175,500	300.00			175,500	300.00
United Kingdom	Pound	11/29	12/4	5	21.18+	50.00	105.90+	250.00			105.90+	250.00
Peter A. Abbruzzese:												
Belgium	B. franc	5/8	5/13	6	2,200	50.00	13,200	300.00			13,200	300.00
United Kingdom	Pound	5/13	5/14	1	19.10	50.00	19.10	50.00			19.10	50.00
Germany	D. mark	11/17	11/24	7	160	50.00	1,120	350.00			1,120	350.00
Italy	Lira	11/24	11/29	6	29,250	50.00	175,500	300.00			175,500	300.00
United Kingdom	Pound	11/29	12/4	5	21.18+	50.00	105.90+	250.00			105.90+	250.00
Paula Peak:												
Germany	D. mark	11/17	11/24	7	160	50.00	1,120	350.00			1,120	350.00
Italy	Lira	11/24	11/29	6	29,250	50.00	175,500	300.00			175,500	300.00
United Kingdom	Pound	11/29	12/4	5	21.18+	50.00	105.90+	250.00			105.90+	250.00
Delegation expenses including office rental, telephone, transportation, and official representation												12,722.03
Total								13,400.00				26,122.03

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[1] If foreign currency is used, enter U.S. dollar equivalent; If U.S. currency is used, enter amount expended.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$26,122.03

WAYNE L. HAYS,
Chairman, U.S. House of Representatives Delegation to the North Atlantic Assembly.

Mar. 1, 1973.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

803. A communication from the President of the United States, transmitting a proposed supplemental appropriation to pay claims and judgments rendered against the United States (H.R. Doc. No. 93-89); to the Committee on Appropriations and ordered to be printed.

804. A communication from the President of the United States, transmitting requests for amendments in the legislative and judicial branch appropriations for fiscal year 1974 (H. Doc. No. 93-90); to the Committee on Appropriations and ordered to be printed.

805. A communication from the President of the United States, transmitting proposed supplemental appropriations for fiscal year 1973 for the legislative branch (H. Doc. No. 93-91); to the Committee on Appropriations and ordered to be printed.

806. A letter from the Assistant Administrator, Agency for International Development, Department of State, transmitting a report covering the 6 months ended June 30, 1972, on architectural and engineering fees in excess of $25,000, pursuant to section 102 of the Foreign Assistance and Related Programs Appropriation Act; to the Committee on Appropriations.

807. A letter from the Deputy Assistant Secretary of Defense (Installations and Housing), transmitting notice of the location, nature, and estimated cost of various construction projects proposed to be undertaken for the Army National Guard, pursuant to 10 U.S.C. 2233a(1); to the Committee on Armed Services.

808. A letter from the Deputy Assistant Secretary of Defense (Installations and Housing), transmitting notice of the location, nature, and estimated cost of various construction projects proposed to be undertaken for the Air National Guard, pursuant to 10 U.S.C. 2233a(1); to the Committee on Armed Services.

809. A letter from the Secretary of the Army, transmitting a report on the number of officers on duty with Headquarters, Department of the Army, and detailed to the Army General Staff on March 31, 1973, pursuant to 10 U.S.C. 3031(c); to the Committee on Armed Services.

810. A letter from the Chief of Legislative Affairs, Department of the Navy, transmitting notice of the proposed donation of certain surplus property to the city of Coronado, Calif., pursuant to 10 U.S.C. 7545; to the Committee on Armed Services.

811. A letter from the Acting Director, Office of Emergency Preparedness, Executive Office of the President, transmitting a report covering the 6 months ended December 31, 1972, on the strategic and critical materials stockpiling program, pursuant to 50 U.S.C. 98c; to the Committee on Armed Services.

812. A letter from the Under Secretary of Agriculture, transmitting a draft of proposed legislation to amend section 507 of the Housing Act of 1949 to make the veterans' preference applicable to veterans of the post-Korean era, and for other purposes; to the Committee on Banking and Currency.

813. A letter from the Commissioner of the District of Columbia, transmitting a report on a study of the feasibility, cost, and morale impact of basing police and fire retirement annuities on average pay, requested in the conference report on H.R. 15580 (92d

Congress), a bill to amend the D.C. Police and Firemen's Salary Act of 1958 to increase salaries, and for other purposes; to the Committee on the District of Columbia.

814. A letter from the Director, District Unemployment Compensation Board, Government of the District of Columbia, transmitting the annual report of the Board for 1972, pursuant to 46 D.C. Code 313(c); to the Committee on the District of Columbia.

815. A letter from the Acting Secretary of the Interior, transmitting the annual report of the Interim Compliance Panel for calendar year 1972, pursuant to section 5 of the Federal Coal Mine Health and Safety Act of 1969 (Public Law 91–173); to the Committee on Education and Labor.

816. A letter from the Secretary of Health, Education, and Welfare, transmitting a report on actions taken by the administration in response to the recommendations of the 1971 White House Conference on Aging, pursuant to Public Law 90–526; to the Committee on Education and Labor.

817. A letter from the Acting Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to extend the authorization of appropriations for the Bilingual Education Act, for the Dropout Prevention Program, and for section 309 of the Adult Education Act; to the Committee on Education and Labor.

818. A letter from the Chairman, National Advisory Council on the Education of Disadvantaged Children, transmitting the 1973 annual report of the Council, entitled "America's Educationally Neglected: A Progress Report on Compensatory Education"; to the Committee on Education and Labor.

819. A letter from the Acting Assistant Secretary of State for Congressional Relations, transmitting the texts of International Labor Organization Recommendation No. 137, concerning vocational training of seafarers, and International Labor Organization Recommendation No. 139, concerning employment problems arising from technical development on board ship (H. Doc. 93–92); to the Committee on Foreign Affairs and ordered to be printed.

820. A letter from the Acting Assistant Secretary of State for Congressional Relations, transmitting a draft of proposed legislation to amend title VIII of the Foreign Service Act of 1946, as amended, relating to the Foreign Service Retirement and Disability System, and for other purposes; to the Committee on Foreign Affairs.

821. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting a report on budgetary reserves as of April 14, 1973, pursuant to the Federal Impoundment and Information Act, as amended; to the Committee on Government Operations.

822. A letter from the Acting Secretary of the Interior, transmitting a report covering calendar year 1972 on the activities of, expenditures by, and donations to the Charles R. Robertson Lignite Research Laboratory of the Bureau of Mines at Grand Forks, N. Dak., pursuant to 62 Stat. 85; to the Committee on Interior and Insular Affairs.

823. A letter from the Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed contract with General Electric Co., Pleasanton, Calif., for a research project entitled "Track Etch Dosimeters", pursuant to 42 U.S.C. 1900(d); to the Committee on Interior and Insular Affairs.

824. A letter from the Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed contract with Arthur D. Little, Inc., Cambridge, Mass., for a research project entitled "Advanced Techniques for Radon Gas Removal", pursuant to 42 U.S.C. 1900(d); to the Committee on Interior and Insular Affairs.

825. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations, and for other purposes; to the Committee on Interstate and Foreign Commerce.

826. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the act of June 21, 1940, as amended, to remove the 90 day requirement for the submission of general plans and specifications for altering a bridge in accordance with an order of the Secretary of Transportation; to the Committee on Interstate and Foreign Commerce.

827. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the Rail Passenger Service Act of 1970, as amended, to provide financial assistance to the National Railroad Passenger Corporation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

828. A letter from the Secretary of Transportation, transmitting the second annual report on the financial condition of the Penn Central Transportation Co., pursuant to section 10 of the Emergency Rail Services Act of 1970 (Public Law 91–663); to the Committee on Interstate and Foreign Commerce.

829. A letter from the Administrator, Environmental Protection Agency, transmitting the second annual report on the development of systems necessary to implement the motor vehicle emission standards promulgated under section 202(b)(4) of the Clean Air Act, as amended; to the Committee on Interstate and Foreign Commerce.

830. A letter from the Vice President for Public and Government Affairs, National Railroad Passenger Corporation, transmitting a report covering the month of March 1973, on the average number of passengers per day on board each train operated, and the on-time performance at the final destination of each train operated, by route and by railroad, pursuant to section 308(a)(2) of the Rail Passenger Service Act of 1970, as amended; to the Committee on Interstate and Foreign Commerce.

831. A letter from the Chief Justice of the United States, transmitting the Bankruptcy Rules and Official Forms covering General Bankruptcy cases (Chapters I–VII of the Bankruptcy Act) and the Chapter XIII Rules and Official Forms prescribed pursuant to 28 U.S.C. 2075, together with an excerpt from the Report of the Judicial Conference of the United States containing the Advisory Committee Notes which were submitted to the Court (H. Doc. 93–87); to the Committee on the Judiciary and ordered to be printed.

832. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the Trademark Act of 1946 and title 35 of the United States Code to change the name of the Patent Office to the "Patent and Trademark Office"; to the Committee on the Judiciary.

833. A letter from the Director, Administrative Office of the United States Courts, transmitting the annual report for calendar year 1972 on applications for court orders made to Federal and State courts to permit the interception of wire or oral communications, pursuant to 18 U.S.C. 2519; to the Committee on the Judiciary.

834. A letter from the Director, Administrative Office of the United States Courts, transmitting a draft of proposed legislation to amend section 5031 of title 18, United States Code, with respect to the applicability of juvenile delinquency proceedings in petty offense cases; to the Committee on the Judiciary.

835. A letter from the Director, Administrative Office of the United States Courts, transmitting a draft of proposed legislation to authorize the position of crier-clerk within the Judicial Branch of the Government of the United States and for other purposes; to the Committee on the Judiciary.

836. A letter from the Director, Administrative Office of United States Courts, transmitting a draft of proposed legislation to provide for a within-grade salary increase plan for secretaries to circuit and district judges of the courts of the United States, and for other purposes; to the Committee on the Judiciary.

837. A letter from the Director, National Development and Finance Services, Boys' Clubs of America, transmitting the annual report and audited financial statement of the organization for 1972, pursuant to section 17 of Public Law 84–988; to the Committee on the Judiciary.

838. A letter from the Secretary of Commerce, transmitting a report on the effects of pollution abatement on international trade, pursuant to section 6 of Public Law 92–500; to the Committee on Public Works.

839. A letter from the Acting Administrator of General Services, transmitting a prospectus proposing the construction of a Courthouse and Federal Office Building and parking facility at Topeka, Kans., pursuant to Public Law 92–313 (86 Stat. 216); to the Committee on Public Works.

840. A letter from the Administrator, Environmental Protection Agency, transmitting a draft of proposed legislation to amend the Federal Water Pollution Control Act to provide for the control of sediment from construction activities; to the Committee on Public Works.

841. A letter from the Adjutant General, United Spanish War Veterans, transmitting the proceedings of the stated convention of the 74th National Encampment, United Spanish War Veterans, pursuant to Public Law 77–249 (H. Doc. 93–88); to the Committee on Veterans' Affairs and ordered to be printed with illustrations.

842. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954 with respect to the deduction for moving expenses; to the Committee on Ways and Means.

RECEIVED FROM THE COMPTROLLER GENERAL

843. A letter from the Comptroller General of the United States, transmitting a report on the need for more effective efforts by the Department of Transportation to insure compliance with Federal motor vehicle safety standards; to the Committee on Government Operations.

844. A letter from the Comptroller General of the United States, transmitting a report on Environmental Protection Agency efforts to remove hazardous pesticides from the channels of trade; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PERKINS: Committee of conference. A conference report to accompany House Joint Resolution 393 (Rept. No. 93–158). Ordered to be printed.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 5777. A bill to protect hobbyists against the reproduction or manufacture of certain imitation hobby items and to provide additional protections for American hobbyists; with amendment (Rept. No. 93–159). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 7283. A bill to provide for grants to local educational agencies to plan, develop, and conduct courses dealing with the constitutional rights of individuals, judicial procedure, and police and other law enforcement procedures and problems; to the Committee on Education and Labor.

By Mr. ALEXANDER:

H.R. 7284. A bill to amend the Agricultural Adjustment Act of 1938 with respect to peanuts; to the Committee on Agriculture.

By Mr. ANDERSON of Illinois:

H.R. 7285. A bill to amend section 4940 of the Internal Revenue Code of 1954 to change the name of the amount imposed thereby on certain investment income from "excise tax" to "service charge", and to reduce such amount from 4 percent to 1½ percent; to the Committee on Ways and Means.

H.R. 7286. A bill to amend the Internal Revenue Code of 1954 to allow individuals an income tax credit for gifts or contributions made to any institution of higher education; to the Committee on Ways and Means.

H.R. 7287. A bill relating to the income tax treatment of charitable contributions of inventory and certain other ordinary income property; to the Committee on Ways and Means.

By Mr. ASPIN:

H.R. 7288. A bill to amend the Hazardous Materials Transportation Control Act of 1970 to require the Secretary of Transportation to issue regulations providing for the placarding of certain vehicles transporting hazardous materials in interstate and foreign commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 7289. A bill to amend the Flammable Fabrics Act to extend the provisions of that act to construction materials used in the interiors of homes, offices, and other places of assembly or accommodation, and to authorize the establishment of toxicity standards; to the Committee on Interstate and Foreign Commerce.

H.R. 7290. A bill to amend the Coastal Zone Management Act of 1972 for the purpose of determining the causes and means of preventing shoreline erosion; to the Committee on Merchant Marine and Fisheries.

H.R. 7291. A bill to amend the Disaster Relief Act of 1970 for the purpose of making clear that disaster assistance is available to those communities affected by extraordinary shoreline erosion damage; to the Committee on Public Works.

H.R. 7292. A bill to amend section 426 of title 33, United States Code, for the purpose of providing the right of reimbursement to local interests for undertaking repair of shore damages attributable to Federal navigation works pursuant to section 426i; to the Committee on Public Works.

H.R. 7293. A bill to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army, to increase the diversion of water from Lake Michigan into the Illinois Waterway in order to control and eliminate water erosion on the shoreline of Lake Michigan and to improve the quality of the water in the Illinois Waterway; to the Committee on Public Works.

H.R. 7294. A bill to amend section 426 of title 33, United States Code, for the purposes of authorizing the Army Corps of Engineers to undertake emergency erosion control projects; to the Committee on Public Works.

H.R. 7295. A bill to provide the Secretary of Commerce with the authority to make grants to accredited institutions of higher education to pay for up to one-half of the cost of fire science programs; to the Committee on Science and Astronautics.

H.R. 7296. A bill to provide the Secretary of Commerce with the authority to make grants to States, counties, and local communities to pay for up to one-half the costs of training programs for firemen; to the Committee on Science and Astronautics.

H.R. 7297. A bill to provide financial aid to local fire departments in the purchase of of training programs for firemen; to the Committee on Science and Astronautics.

H.R. 7298. A bill to provide financial aid for local fire departments in the purchase of firefighting suits and self-contained breathing apparatus; to the Committee on Science and Astronautics.

H.R. 7299. A bill to extend for 3 years the authority of the Secretary of Commerce to carry out fire research and safety programs; to the Committee on Science and Astronautics.

H.R. 7300. A bill to establish a National Fire Data and Information Clearinghouse, and for other purposes; to the Committee on Science and Astronautics.

H.R. 7301. A bill to provide for the creation of the National Fire Academy, and for other purposes; to the Committee on Science and Astronautics.

By Mr. ASPIN (for himself and Mr. Coughlin):

H.R. 7302. A bill to authorize the Secretary of the Interior to issue rights-of-way and special land use permits for the construction of pipelines in the State of Alaska under certain circumstances, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BADILLO:

H.R. 7303. A bill making appropriations for the Office of Economic Opportunity for the fiscal year ending June 30, 1974; to the Committee on Appropriations.

By Mr. BARRETT:

H.R. 7304. A bill to require that a percentage of U.S. oil imports be carried on U.S.-flag vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. BLATNIK:

H.R. 7305. A bill to require the President to notify the Congress whenever he impounds funds, or authorizes the impounding of funds, and to provide a procedure under which the House of Representatives and the Senate may disapprove the President's action and require him to cease such impounding; to the Committee on Rules.

By Mr. BURGENER:

H.R. 7306. A bill appropriating funds for the San Luis Rey River project, California; to the Committee on Appropriations.

By Mr. CLARK:

H.R. 7307. A bill to amend the Judiciary and Judicial Procedure Act of 1948; to the Committee on the Judiciary.

H.R. 7308. A bill to amend the Great Lakes Pilotage Act of 1960 (46 U.S.C. section 216) to limit the liability of Great Lakes pilots, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 7309. A bill to amend title II of the Social Security Act to provide that full old-age, survivors, and disability insurance benefits (when based upon the attainment of retirement age), and medicare benefits, will be payable at age 60 (with such insurance benefits being payable in reduced amounts at age 57), to provide a minimum primary benefit of $100 a month, and to liberalize the earnings test; and to amend title XVIII of such act to provide coverage for prescription drugs under the medicare program; to the Committee on Ways and Means.

By Mr. GONZALEZ:

H.R. 7310. A bill to establish the National Commission for the Preservation of Foreign Language Resources; to the Committee on Education and Labor.

H.R. 7311. A bill to amend chapter 15 of title 38, United States Code, to provide for the payment of pensions to World War I veterans and their widows, subject to $3,000 and $4,200 annual income limitations; to provide for such veterans a certain priority in entitlement to hospitalization and medical care; and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. GRASSO:

H.R. 7312. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

H.R. 7313. A bill to amend the International Travel Act of 1961 to provide for Federal regulation of the travel agency industry; to the Committee on Interstate and Foreign Commerce.

By Mr. HANLEY:

H.R. 7314. A bill to expand the membership of the Advisory Commission on Intergovernmental Relations to include elected school board officials and elected town and township officials; to the Committee on Government Operations.

H.R. 7315. A bill to extend through fiscal year 1974 the expiring appropriations authorizations in the Public Health Service Act, the Community Mental Health Centers Act, and the Developmental Disabilities Services and Facilities Construction Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HAYS:

H.R. 7316. A bill to authorize appropriations for the Department of State, and for other purposes; to the Committee on Foreign Affairs.

H.R. 7317. A bill to authorize the United States Postal Service to continue to receive the fee of $2 for execution of an application for a passport; to the Committee on Foreign Affairs.

By Mr. KUYKENDALL (for himself, Mr. Rosenthal, Mr. Bevill, Mr. Diggs, Mr. Won Pat, Mr. Benitez, Mr. Roe, Mr. Archer, Mr. Roybal, Mr. Blackburn, Mr. McCormack, Mr. Eilberg, Mr. Martin of North Carolina, Mr. McDade, Mr. Murphy of New York, Mr. Young of Alaska, Ms. Chisholm, Mr. Hinshaw, Mr. Towell of Nevada, and Mr. Buchanan):

H.R. 7318. A bill to amend the Federal Aviation Act of 1958 to authorize reduced rate transportation for young people on a space-available basis; to the Committee on Interstate and Foreign Commerce.

By Mr. LEHMAN:

H.R. 7319. A bill to amend the Federal Cigarette Labeling and Advertising Act to require cigarette packages to disclose the quantity of tar and nicotine contained in the cigarettes in the packages; to the Committee on Interstate and Foreign Commerce.

By Mr. MOLLOHAN:

H.R. 7320. A bill to amend the Merchant Marine Act of 1936, as amended; to the Committee on Merchant Marine and Fisheries.

By Mr. OBEY:

H.R. 7321. A bill to authorize the Secretary of the Interior to issue rights-of-way and special land use permits for the construction of pipelines in the State of Alaska under certain circumstances, and for other purposes;

to the Committee on Interior and Insular Affairs.

By. Mr. PATMAN:

H.R. 7322. A bill to amend the Bank Holding Company Act Amendments of 1970 to authorize grants to Eisenhower College, Seneca Falls, N.Y.; to the Committee on Banking and Currency.

By Mr. QUIE:

H.R. 7323. A bill to amend section 3 of the Child Nutrition Act of 1966 to permit the participation of nonprofit institutions for handicapped persons in the special milk program; to the Committee on Education and Labor.

H.R. 7324. A bill to amend the Federal Unemployment Tax Act with respect to the definition of "employer"; to the Committee on Ways and Means.

By Mr. REID:

H.R. 7325. A bill to amend the Internal Revenue Code of 1954 to permit an exemption of the first $5,000 of retirement income received by a taxpayer under a public retirement system or any other system if the taxpayer is at least 65 years of age; to the Committee on Ways and Means.

By Mr. SMITH of New York:

H.R. 7326. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for tuition paid for the elementary or secondary education of dependents; to the Committee on Ways and Means.

By Mr. WALDIE:

H.R. 7327. A bill to provide for the establishment and carrying out of a child advocacy program; to the Committee on Education and Labor.

By Mr. WALDIE (for himself, Ms. Abzug, Ms. Chisholm, Mr. Edwards of California, Mr. Eilberg, Mr. Nix, and Mr. Rodino):

H.R. 7328. A bill to discourage experimentation on animals by elementary and secondary schoolchildren; to the Committee on Education and Labor.

By Mr. WALDIE:

H.R. 7329. A bill to assist in combating crime by reducing the incidence of recidivism, providing improved Federal, State, and local correctional facilities and services, strengthening administration of Federal corrections, strengthening control over probationers, parolees, and persons found not guilty by reason of insanity, and for other purposes; to the Committee on the Judiciary.

By Mr. WALDIE (for himself, Mr. Koch, Mr. Ryan, Mr. McCloskey, Mr. Brown of California, Mr. Hawkins, Mr. Stark, Mr. Leggett, Mr. Edwards of California, Mr. Roybal, Mr. Rees, Mr. Corman, Mr. Price of Illinois, Mr. Podell, Mrs. Burke of California, Mr. Conyers, Mrs. Chisholm, and Mr. Mitchell of Maryland):

H.R. 7330. A bill to insure the free flow of information and news to the public; to the Committee on the Judiciary.

By Mr. WALDIE:

H.R. 7331. A bill amending title 47 of the United States Code, Telegraphs, Telephones and Radio Telegraphs; to the Committee on Interstate and Foreign Commerce.

By Mr. WYATT:

H.R. 7332. A bill to amend the Food Stamp Act of 1964, to allow elderly persons who are members of eligible households to use food stamps to purchase meals in restaurants; to the Committee on Agriculture.

By Ms. ABZUG:

H.R. 7333. A bill to provide for equitable rents under the economic stabilization program; to the Committee on Banking and Currency.

By Mr. BIESTER:

H.R. 7334. A bill to amend the Internal Revenue Code of 1954 to disregard children's benefits received by an individual under the Social Security Act in determining whether that individual is a dependent of a taxpayer; to the Committee on Ways and Means.

By Mr. BROTZMAN:

H.R. 7335. A bill to provide for more certainty and expedience in the Federal budgetary process, to limit Presidential impoundment authority, and for other purposes; to the Committee on Rules.

By Mr. BROTZMAN (for himself, Mr. Bevill, Mr. Eilberg, Mr. Hansen of Idaho, Mr. Howard, Mr. Johnson of Pennsylvania, Mr. Moakley, Mr. Rees, Mr. Roe, Mr. Rosenthal, Mr. Schneebeli, Mr. Taylor of North Carolina, Mr. Thone, Mr. Waldie, Mr. Bob Wilson, Mr. Winn, Mr. Won Pat, Mr. Derwinski, Mr. Fish, Mr. Goldwater, Mr. Harrington, and Mr. Mitchell of Maryland):

H.R. 7336. A bill to establish an Environment Quality Corps; to the Committee on Education and Labor.

By Mr. BURLISON of Missouri:

H.R. 7337. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus supplies and equipment to certain sheltered workshop programs; to the Committee on Government Operations.

By Mr. CAREY of New York:

H.R. 7338. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. HARRINGTON (for himself, Ms. Abzug, Ms. Chisholm, Mr. Conyers, Mr. Diggs, Mr. Leggett, Mr. Moakley, Mr. Podell, Mr. Rosenthal, and Mr. Stark):

H.R. 7339. A bill to enforce the provisions of the 14th amendment to assure the proper conduct of elections; to the Committee on the Judiciary.

By Mrs. HECKLER of Massachusetts (for herself, Mr. Madigan, Mrs. Chisholm, Mr. McKay, Mr. Pritchard, Mr. Sisk, Mr. Whitehurst, Mr. Moakley, Mr. O'Brien, Mr. Huber, Mr. Frenzel, Mr. McCollister, Mrs. Grasso, Mr. Studds, Mr. Boland, and Mr. Burke of Massachusetts):

H.R. 7340. A bill to provide that respect for an individual's right not to participate in abortions contrary to that individual's conscience be a requirement for hospital eligibility for Federal financial assistance and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HENDERSON:

H.R. 7341. A bill to amend the act of September 27, 1944 (58 Stat. 746), an act "To authorize the Secretary of the Interior to accept property for the Moores Creek National Military Park, and for other purposes"; to the Committee on Interior and Insular Affairs.

By Mrs. HOLT:

H.R. 7342. A bill to promote the foreign policy of the United States by prohibiting travel in a restricted area; to the Committee on the Judiciary.

H.R. 7343. A bill to amend chapter 44 of title 18 of the United States Code (respecting firearms) to penalize the use of firearms in the commission of any felony and to increase the penalties in certain related existing provisions; to the Committee on the Judiciary.

By Mr. LITTON:

H.R. 7344. A bill to amend the Legislative Reorganization Act of 1970 to provide seminars to freshmen Members of the Congress, and for other purposes; to the Committee on House Administration.

By Mr. QUILLEN:

H.R. 7345. A bill to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938; to the Committee on Agriculture.

By Mr. RINALDO:

H.R. 7346. A bill to improve education by increasing the freedom of the Nation's teachers to change employment across State lines without substantial loss of retirement benefits through establishment of a Federal-State program; to the Committee on Education and Labor.

H.R. 7347. A bill to provide for the study of certain lands to determine their suitability for designation as wilderness in accordance with the Wilderness Act of 1964, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 7348. A bill to designate certain lands as wilderness for inclusion in the National Wilderness Preservation System, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 7349. A bill to amend the Federal Aviation Act of 1958 to authorize reduced rate transportation for certain additional persons on a space-available basis; to the Committee on Interstate and Foreign Commerce.

H.R. 7350. A bill to allow a credit against Federal income tax or payment from the U.S. Treasury for State and local real property taxes on an equivalent portion of rent paid on their residences by individuals who have attained age 65; to the Committee on Ways and Means.

By Mr. RINALDO (for himself and Mr. Harrington):

H.R. 7351. A bill to amend the Internal Revenue Code of 1954 to provide for the licensing of and for certain other regulations with respect to, persons in the business of preparing tax returns; to the Committee on Ways and Means.

By Mr. RODINO (for himself and Mr. Hutchinson):

H.R. 7352. A bill to amend section 4082(c) of title 18, United States Code, to extend the limits of confinement of Federal prisoners; to the Committee on the Judiciary.

By Mr. ROE:

H.R. 7353. A bill to amend title II and XVIII of the Social Security Act to include qualified drugs, requiring a physician's prescription or certification and approved by a Formulary Committee, among the items and services covered under the hospital insurance program, medicare; to the Committee on Ways and Means.

By Mr. ST GERMAIN:

H.R. 7354. A bill relating to the authority of the Administrator of Veterans' Affairs to readjust the schedule of ratings for the disabilities of veterans; to the construction, alteration, and acquisition of hospitals and domiciliary facilities; to the closing of hospital and domiciliary facilities and regional offices; and to the transfer of real property under the jurisdiction or control of the Administrator of Veterans' Affairs; to the Committee on Veterans' Affairs.

H.R. 7355. A bill to amend section 5034 of title 38, United States Code, to increase the number of nursing home beds in each State for war veterans in need of nursing home care; to the Committee on Veterans' Affairs.

By Mr. SANDMAN:

H.R. 7356. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for tuition paid for the elementary or secondary education of dependents; to the Committee on Ways and Means.

By Mr. STAGGERS (for himself and Mr. Devine):

H.R. 7357. A bill to amend section 5(l)(1) of the Railroad Retirement Act of 1937 to simplify administration of the Act; and to amend section 226(e) of the Social Security Act to extend kidney disease medicare coverage to railroad employees, their spouses, and their dependent children; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STARK (for himself and Mr. BURTON):

H.R. 7358. A bill to provide for the striking of medals commemorating the 100th anniversary of the invention of the cable car; to the Committee on Banking and Currency.

By Mr. TIERNAN:

H.R. 7359. A bill to amend the Internal Revenue Code of 1954 to provide a basic $5,000 exemption from income tax, in the case of an individual or a married couple, for amounts received as annuities, pensions, or other retirement benefits; to the Committee on Ways and Means.

By Mr. WHITEHURST (for himself and Mr. PREYER):

H.R. 7360. A bill to amend section 9 of the Military Selective Service Act relating to reemployment rights of members and former members of the Armed Forces of the United States; to the Committee on Armed Services.

By Mr. WILLIAMS (for himself, Mr. BROYHILL of Virginia, Mr. DERWINSKI, Mr. DORN, Mr. HALEY, Mr. LUJAN, Mr. MOAKLEY, Mr. MOSS, Mr. ROBINSON of Virginia, Mr. ROBISON of New York, Mr. ROONEY of Pennsylvania, Mr. WON PAT, and Mr. MELCHER):

H.R. 7361. A bill to establish the American Revolution Bicentennial Administration and for other purposes; to the Committee on the Judiciary.

By Mr. BADILLO:

H.J. Res. 528, A resolution making continuing appropriations for the Office of Economic Opportunity; to the Committee on Appropriations.

By Mr. DEVINE:

H.J. Res. 529. Joint resolution to provide for the settlement of the labor disputes between the trustees of the Penn Central Transportation Co., Debtor, in reorganization under section 77 of the Bankruptcy Act, and certain of its employees; to the Committee on Interstate and Foreign Commerce.

By Mr. DINGELL:

H.J. Res. 530. Joint resolution providing for the designation of the fourth week of April of each year as Police Officers Wives Association Week; to the Committee on the Judiciary.

By Mr. ROGERS (for himself and Mr. NELSEN):

H.J. Res. 531. Joint resolution providing for designation of the week inclusive of May 12, 1973, as "National Hospital Week"; to the Committee on the Judiciary.

By Mr. BROOMFIELD:

H. Con. Res. 206. Concurrent resolution expressing the support of Congress on behalf of the principle of free emigration for all people; to the Committee on Foreign Affairs.

By Mr. GUBSER:

H. Con. Res. 207. Concurrent resolution expressing the sense of the Congress that the San Jose Invitational Track and Field Meet is recognized as a contribution to the nationwide program of physical fitness; to the Committee on the Judiciary.

By Mr. OWENS:

H. Con. Res. 208. A resolution expressing the sense of Congress that a special prosecutor should be appointed with a purpose of conducting prosecutions arising out of the grand jury investigation of matters relating to the Watergate case; to the Committee on the Judiciary.

By Mr. DICKINSON:

H. Res. 366. A resolution to express the sense of the House of Representatives that the United States maintain its sovereignty and jurisdiction over the Panama Canal Zone; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

164. By the SPEAKER: A memorial of the Senate of the State of Hawaii, relative to abolishing the selective service system; to the Committee on Armed Services.

165. Also, memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to relocation of the Naval Frigate Constitution; to the Committee on Armed Services.

166. Also, memorial of the Legislature of the State of Washington, relative to the designation of the 9th Infantry Division as "The Northwest's Own"; to the Committee on Armed Services.

167. Also, memorial of the Legislature of the Commonwealth of Massachusetts, relative to the construction of housing along interstate highways; to the Committee on Banking and Currency.

168. Also, memorial of the Senate of the State of Hawaii, relative to protection for Hawaii from maritime strikes, to the Committee on Education and Labor.

169. Also, memorial of the House of Representatives of the State of Missouri, relative to Federal aid to public schools; to the Committee on Education and Labor.

170. Also, memorial of the Legislature of the State of Oklahoma, relative to designation of the Maple Ridge area of Tulsa, Okla., as a national historic site; to the Committee on Interior and Insular Affairs.

171. Also, memorial of the Legislature of the State of Indiana, relative to the community comprehensive mental health center program; to the Committee on Interstate and Foreign Commerce.

172. Also, memorial of the Senate of the State of Hawaii, relative to amnesty; to the Committee on the Judiciary.

173. Also, memorial of the Legislature of the Commonwealth of Pennsylvania, relative to observance of the birthday of Martin Luther King, Jr., as a national holiday; to the Committee on the Judiciary.

174. Also, memorial of the Legislature of the State of Montana, relative to Federal highway construction funds; to the Committee on Public Works.

175. Also, memorial of the Legislature of the State of Colorado, relative to a national energy policy; to the Committee on Ways and Means.

176. Also, memorial of the Legislature of the State of Colorado, relative to the income tax treatment of married and unmarried persons; to the Committee on Ways and Means.

177. Also, memorial of the Legislature of the State of Hawaii, relative to more equitable treatment for Hawaiian pineapple in the world market; to the Committee on Ways and Means.

178. Also, memorial of the Legislature of the State of Hawaii, relative to the establishment of adequate duties and quotas of foreign pineapple imports to protect Hawaiian pineapple production; to the Committee on Ways and Means.

179. Also, memorial of the Legislature of the State of Hawaii, relative to banning foreign importation of fresh or processed pineapple and other fruit under certain conditions; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. LEHMAN:

H.R. 7362. A bill for the relief of Theresa E. Boney; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 7363. A bill for the relief of Rito E. Judillo; to the Committee on the Judiciary.

H.R. 7364. A bill for the relief of Virna J. Pasicaran; to the Committee on the Judiciary.

H.R. 7365. A bill for the relief of Matsu Tengan and his wife, Kama Tengan; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 7366. A bill for the relief of Giovanni D'Aloisio; to the Committee on the Judiciary.

By Mr. SANDMAN:

H.R. 7367. A bill for the relief of Maria Sofkov; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

185. By the SPEAKER: Petition of the county council, County of Maui, Hawaii, relative to retirement benefits for members of reserve components of the Armed Forces who served in Vietnam; to the Committee on Armed Services.

186. Also, petition of Vera Kelly, Dubuque, Iowa, relative to an accounting of men missing in action in Indochina; to the Committee on Foreign Affairs.

187. Also, petition of William H. Weber and others, Jacksonville, Ala., relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

188. Also, petition of D. M. Stafford, Savannah, Ga., and others, relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

189. Also, petition of Alfred J. Pena, Chicago, Ill., and others, relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

190. Also, petition of Gary Asperger, Vassar, Mich., and others, relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

191. Also, petition of Herman J. Capelli, Princeton Junction, N.J., and others, relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

192. Also, petition of Robert D. Gaines, Delaware, Ohio, and others, relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

193. Also, petition of Leonard J. Villoni, Bridgeville, Pa., and others, relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

194. Also, petition of Melvin E. Makimon and others, Sioux Falls, S. Dak., relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

195. Also, petition for Ronald E. Hansen, Racine, Wis., and others, relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

196. Also, petition of the city council, Torrance, Calif., relative to the Highway Trust Fund; to the Committee on Public Works.

EXTENSIONS OF REMARKS

PROPOSED AMENDMENT TO CONSTITUTION—ANTI-SCHOOL BUSING

HON. HERMAN E. TALMADGE

OF GEORGIA

IN THE SENATE OF THE UNITED STATES

Monday, April 30, 1973

Mr. TALMADGE. Mr. President, I was privileged recently to have been called as a witness in one of the most significant series of hearings in Senate history. As you know, the Judiciary Committee has at last been looking into the matter of anti-schoolbusing legislation in the form of proposed constitutional amendments. I, myself, have authored one such amendment, and was grateful to have the opportunity to testify on the matter. I ask unanimous consent that my testimony be printed in the Extensions of Remarks.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

STATEMENT OF U.S. SENATOR HERMAN E. TALMADGE BEFORE THE SENATE COMMITTEE ON THE JUDICIARY, TESTIFYING IN BEHALF OF AN ANTI-FORCED SCHOOL BUSING AMENDMENT TO THE U.S. CONSTITUTION, TUESDAY, APRIL 10, 1973

Mr. Chairman, these hearings mark a significant point in our history, and I am indeed happy to be here today to testify.

For the first time, Congress is holding hearings on Constitutional amendments to prohibit the forced busing of children for the purpose of achieving a racial balance in our schools. The voice of the people is finally being heard, Mr. Chairman, and this is a sign that our democratic process is still healthy.

For years, this voice has been suppressed and muffled beneath the weight of platitudes voiced by liberal theorists, scholars, newsmen, commentators and politicians.

With their own children tucked safely away in private schools, they have presided over the dismantling of the public school system in the South. Even today, Mr. Chairman, when southern schools make up the most unitary and desegregated school system in the nation, they proclaim in pious tones that the effort must still be concentrated in the South, because of a few laws which were taken off the books years ago.

Whenever these men begin to detect the sounds of public protest against forced school busing, they plunge their heads into the sand like so many ostriches, to blot out the sounds which are offensive to them.

The latest example of this is a report put out by the Civil Rights Commission in which they announced the results of a poll they recently conducted on busing. They admitted in this report that 70 percent of the people they interviewed were opposed to busing. This figure was also reflected in a Gallup Poll taken in 1971, which measured opposition to busing at 77 percent on a national level.

Instead of interpreting these results in the obvious manner, the Commission was apparently blinded by the light of day. When confronted with the obvious fact that their pet project was unpopular, it never occurred to them that this might be because busing was ill-conceived or ill-advised.

On the contrary, they decided that it must be because the public was poorly informed. This is a perfect example of the ostrich-like attitude to which I referred earlier, Mr. Chairman.

If what the Civil Rights Commission says is true, it would logically follow that forced busing would be most popular in the areas in which it has been most practiced—yet precisely the opposite is true.

Why is forced school busing so unpopular, Mr. Chairman? In Bibb County, Georgia, some 4,000 children have fled from the public school system during the last 10 years, rather than subject themselves to the arbitrary student shuffling dictated by the federal judges and bureaucrats. During that period, private school enrollment in Bibb County has increased by approximately the same amount. This means that the Bibb County School System lost 13 percent of their students over that period. The office of the superintendent of schools down there told me that they are afraid they are going to have to move into a staggered system of opening and closing the schools so that they will have enough buses to go around.

In Richmond County, Georgia, Mr. Chairman, some 7,000 extra children are now being transported as a result of court-ordered busing to achieve a racial balance. This total represents 21 percent of the students in the Richmond County School System. Some children are being bused more than 6 miles through congested traffic—a journey which takes more than an hour to complete. This additional busing will add some $325,000 to the cost of operating the Richmond County school system this year. It is tragic, indeed, Mr. Chairman, to consider how many new teachers could be employed, and how much school facilities could be improved if this money could have been spent for constructive purposes.

Furthermore, Mr. Chairman, school officials in Richmond County tell me that many of their students no longer feel any real ties to the schools they are attending. Certainly, this is not hard to understand when you consider that they are being shuttled around like so many cattle. By the same token, how can a mother like the one in LaGrange, Georgia, who has 5 children scattered throughout 4 schools have any real attachment to any of these schools?

Anyone who is remotely familiar with the public school system realizes what a vital role the support of parents has played in its development. This support has been seriously and perhaps permanently eroded by the judicial and bureaucratic meddling which we in the South have been forced to endure over the past ten years. Tangible evidence of the damage which is being done to the public school system in Richmond County, Mr. Chairman, is the fact that they have lost some 5,000 students during the past two years—about 15 percent of the total enrollment.

In Chatham County, Georgia, some 7,000 students are being bused in order to comply with a court order. This figure represents 20 percent of their total enrollment. The average distance involved in this transportation is eight miles. This busing will require the expenditure of $197,540 in school funds. The total would be much higher except for the fact that some of the buses make as many as five trips per day.

Finally, Mr. Chairman, I would like to acquaint the Committee with the current situation regarding the public schools in Atlanta, Georgia.

A desegregation controversy of long standing was recently settled there. The settlement does involve some busing, Mr. Chairman, so I have mixed feelings about it. But I do think there were some significant dvelopments in this controversy.

The Atlanta school system is currently composed of approximately 104,000 students. Several months ago, an attorney named Howard Moore appeared on the scene and unveiled a plan drawn up by a gentleman named Stolee from Jacksonville, Florida. This plan would have bused about 30,000 students. The cost of putting such an operation into effect would have been about $5 million for the first year, with a yearly operating cost of about $2 million. Mr. Moore hailed this plan as the answer to Atlanta's desegregation problems. Of course, Mr. Moore had no children in the Atlanta school system—he lives in New York. But that fact notwithstanding, he was still convinced that he knew what was best for the children of Atlanta.

But then strange things began to happen, Mr. Chairman. The Chairman of the West Fulton High PTA made an appeal to the NAACP from which I quote: "Please, for the sake of our children, drop this suit which is forcing such a change that nobody seems to want. Integration has its place, but we have open schools now—each child is free to attend the school of his choice."

Then the minister of the Mount Pleasant Baptist Church, who is also the President of the South Atlanta Coordinating Council made the following statement in a newspaper interview: "In talking with many blacks, they seem to feel that they could accept any plan that would save community schools and yet give quality education. Many of them lean strongly toward freedom of choice. They feel that a person ought to be free to attend whatever school he wants to attend within a certain district. They have been forced practically all of their lives, and they don't feel that they should be forced to attend a school anymore than they should be forced to attend a certain church. If you're in a school because you're forced there, rather than wanting to be there, then it sort of takes some of the enthusiasm out of learning."

I am sure that most of my liberal friends would nod wisely upon hearing such statements and say, "Well what would you expect from Georgia?" But the interesting thing, Mr. Chairman, is that the people who made these statements, Mrs. Annette Teasley and the Reverend O. L. Blackshear are both concerned black citizens of Atlanta.

Yes, Mr. Chairman, substantial opposition to this massive busing plan developed in Atlanta. Both black and white parents made it very clear that they wanted no part of this plan submitted by the New York attorney. They adopted, instead, a compromise plan which called for busing only about 2,700 additional students, and sent Mr. Moore packing back to New York.

It is clear, Mr. Chairman, that something must be done about busing. There are those who urge that we follow the legislative route. President Nixon himself has said that a Constitutional amendment would take too much time.

I submit, Mr. Chairman, that we have no other choice. Time and again the Congress has passed anti-busing legislation. On June 23, 1972, the President signed into law P.L. 92–318, the most comprehensive anti-busing legislation yet enacted. It provided, among other things, that federal education funds could not be used for busing to overcome a racial imbalance, or to desegregate schools except at the express, written voluntary request of public school officials.

With this law clearly on the books, Mr. Justice Lewis F. Powell ruled that the provisions did not apply to the busing employed in Augusta, Georgia because that busing had been ordered to end segregation, not to overcome a racial imbalance.

It is precisely this type of tortured and distorted reasoning which literally cries out for a Constitutional amendment. I have such an amendment pending before the Committee, Mr. Chairman, but I am not insisting, or even urging that it should be the particular one reported to the Senate.

But on behalf of all the Americans who oppose busing—on behalf of the tens of thousands of parents who have written me—I implore this Committee to report out an anti-busing amendment, and let us have done with this nonsense.

The judges and bureaucrats have had their fling at it. For ten long years they have been inflicting this nonsense on our school children. Can anyone say that our school system is better off now than it was ten years ago? I doubt it.

If a Constitutional amendment is reported and passed, we can wrench this problem from the bosom of arm-chair liberals—where it has languished for so long—and return it to the people. At long last, Mr. Chairman, let us seek the will of the people and their judgment on this matter, and abide by their wishes. After all, in the last analysis, we are supposed to be public servants and not all-powerful social planners.

CONGRESSIONAL QUESTIONNAIRE

HON. ALBERT W. JOHNSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. JOHNSON of Pennsylvania. Mr. Speaker, according to my usual custom, I have prepared a questionnaire on the key issues of the day to send to the people of the 23d District of Pennsylvania. For the information of the Members, and in order to make the questionnaire a part of the official RECORD of this session, I am presenting my questionnaire in detail. The questionnaire on its face will have a picture of myself at my office desk. On the back of the questionnaire is a picture of the Capitol building. The inside of the questionnaire has a picture of myself at the door to my office, wherein I state that my office is open to the people and their suggestions. The remainder of the questionnaire is as follows:

CONGRESSMAN ALBERT W. JOHNSON AND HIS OFFICE ARE OPEN TO YOU AND YOUR SUGGESTIONS . . .

APRIL 1973.

DEAR FRIENDS: The 93rd Congress already shows signs of being a productive one with many domestic, international and economic questions to be resolved.

Will you please take a minute or two to answer the attached questionnaire? I welcome knowing your views and would appreciate your mailing them to me.

In the last few weeks the following subjects have developed into key issues. Your advice on these key issues will help me to represent you more effectively. The numerical results will be tabulated and sent to you, and I plan to make your ideas known to the Congress and the President.

Sincerely yours,

ALBERT W. JOHNSON,
23d Congressional District.

CONGRESSIONAL QUESTIONNAIRE

(Answer Yes or No)

1. The President has impounded some $10 billion in appropriations, stating that to spend this money will require new federal taxes or a raise in the debt ceiling. Would you vote to compel the President to spend this money?

2. Do you want me to vote to sustain a Presidential veto on bills which would substantially exceed the federal budget?

3. With respect to wage and price controls, do you favor: check (a) or (b).

a. Congress freezing all prices for one year.

b. Continuing to allow the President the power to impose controls?

4. Would you vote to include wages and salaries in a price freeze?

5. Should the United States relinquish its jurisdictional powers over the Panama Canal Zone?

6. Do you favor the phasing out of the Office of Economic Opportunity (anti-poverty program)?

7. Should Postal Workers be allowed to strike?

8. Should Congress repeal the law which turned the Post Office Department over to an independent corporation?

9. Do you feel that the United Nations contributes to world peace?

10. Would you vote for the proposed Trade Bill which grants power to the President to eliminate, reduce or raise tariffs?

11. Do you favor U.S. financial aid to North Vietnam to aid rebuilding destroyed areas?

12. Congress must vote to expand the allowable right of way before the Alaskan pipeline can be built. Would you vote for this expansion?

13. Should allowable tree cutting in the National Forests be increased as one way to lower prices?

14. Now that the U.S. has signed an anti-hijacking accord with Cuba, do you favor beginning negotiations to normalize relations with Cuba?

Comments:

CAN NUCLEAR POWER COMPETE WITH THE WIND?

HON. MIKE GRAVEL

OF ALASKA

IN THE SENATE OF THE UNITED STATES

Monday, April 30, 1973

Mr. GRAVEL. Mr. President, on April 3 and again on April 4, power failures blacked out southern Florida's "gold coast" and its 2.5 million residents and visitors. Problems originating at the Turkey Point nuclear powerplant somehow took five nonnuclear plants off the line, too.

When it comes to reliability, as well as safety, there is a lot to recommend power from the wind. If a system's power comes from hundreds of small windmills instead of a few giant plants, the failure of one small unit is unlikely to black out 2.5 million people, or anyone at all.

In September 1972, William E. Heronemus, civil engineering professor at the University of Massachusetts, Amherst, presented a remarkable 35-page paper entitled "Pollution-Free Energy From Off-Shore Winds." In that paper, published by the Marine Technology Society in Washington, D.C., he proposed an offshore windpower system (OWPS):

> capable of taking over the entire electricity generation task for the six New England states, capable of meeting the entire predicted year 2000 demand, and capable of competing economically with [nuclear] reactor plants.

NOT ONLY FOR NEW ENGLAND

The windpower is used to electrolyze seawater into hydrogen gas, which is piped to shore and inland to make electricity in fuel cells, which require no cooling water, cooling towers, or high-voltage wires.

The natural variation in the winds creates no power problem because the hydrogen can be safely stored in underwater concrete hulls. The deep water storage system:

> Takes from the collection trunk at 300 psi the excess of hydrogen over immediate load requirement, compresses it to 3000 psi, and delivers it to pressure-balanced deep water storage tanks. When excess hydrogen is available, it is sent to store; when there is insufficient wind unit production to supply the immediate hydrogen demand, hydrogen is drawn out of store.

Professor Heronemus conceived the offshore wind power system for New England, but he says:

> It is clearly apparent that similar systems afloat in the Great Lakes, or ashore in our extensive regions of moderate to strong winds, are worthy of consideration.

Alaska may be one of those areas.

A DETAILED RESEARCH PROPOSAL

In December 1972, Professor Heronemus submitted a windpower research proposal to the National Science Foundation entitled "A Proposal To Investigate Windpower as a Natural, Clean, Solar-Driven Energy Resource With Potential for Significant Impact on the U.S. Energy Market."

This proposal would involve a 2-year effort conducted jointly by the University of Massachusetts, Oklahoma State University, Rennselaer Polytechnic Institute, University of Sherbrooke, Technological University Delft, Tuskegee Institute, University of Wisconsin, Grumman Aerospace Corp., General Electric, and ITT-Cable Hydrospace Division.

This group is asking for only half a million dollars per year for a system which could make commercial power before 1980; the AEC is asking for $320 million this year for work on the breeder reactor which could make almost no commercial impact before 1985.

FACING THE TRUE COSTS OF NUCLEAR ELECTRICITY

On January 5, 1973, at AEC licensing hearings for the Shoreham nuclear powerplant, Professor Heronemus proposed an operating windpower system for Long Island by 1977. In his testimony, he discussed the actual costs of nuclear electricity, and the competitive nature of windpower. In addition, he submitted a 43-page proposal for a "Two-Increment Wind Power System for the Production of Electricity for Long Island." Such a system could start producing revenue after as little as $43 million had been invested.

A table which compares the probable cost of nuclear electricity from the Vermont Yankee system—including pumped storage—with the probable cost of doing the same job with windpower, appears as appendix I in another paper which Professor Heronemus presented February 1, 1973, to a meeting of the American Society of Civil Engineers.

He estimates that the total average revenue required per kilowatt-hour for Yankee's nuclear electricity plus pumped storage will be 33.45 mills, compared with

27.65 mills per kilowatt-hour if a windpower system were built.

Mr. President, I ask unanimous consent that major excerpts from the testimony of Professor Heronemus before the AEC Licensing Board, plus the table from his ASCE paper, be printed in the RECORD.

There being no objection, the exhibits were ordered to be printed in the RECORD, as follows:

EXHIBIT I

TESTIMONY PREPARED FOR THE ATOMIC SAFETY AND LICENSING BOARD HEARINGS IN THE MATTER OF LONG ISLAND LIGHTING COMPANY PROPOSED SHOREHAM NUCLEAR POWER STATION. AEC DOCKET NO. 50-322

(By William E. Heronemus)

My name is William E. Heronemus. I am currently a professor of civil engineering in the University of Massachusetts, Amherst, devoting the preponderance of my time to graduate instruction in ocean engineering subjects, and to research in pollution-free energy resources. Prior to being named professor of civil engineering I was a manager in United Aircraft Corp. for two years, and had served in the United States Navy from 1938 to 1965.

During the last 17 years of Naval service, I was associated primarily with the design, construction and repair of submarines, including nuclear submarines. I was not directly involved in the design and fabrication of nuclear power plants, but was very much involved in the industrial and technical aspects of those power plants and their impact within shipyards.

While I have not studied the proposed Shoreham power plant in detail, I am generally familiar with nuclear plants of its type, and have also reviewed portions of the Draft Environmental Impact Statement describing the plant.

REASONS FOR TESTIFYING

My interest in the case derives from several factors:

(1) I have become convinced that proliferation of nuclear power plants on our coastline or in our heartland will present a thermal pollution problem whose real magnitude is just becoming apparent, and

(2) Because I am convinced that there are excellent alternatives which do not present a thermal pollution problem at all, and

(3) Because I am convinced that the emerging true cost of nuclear generated electricity is a luxury this country cannot afford. If the current plan for construction of several hundreds of very large nuclear power plants can be reversed at Shoreham, I would feel that the opposition would have done the country and the World a great service. I therefore am appearing here today on behalf of the Lloyd Harbor Study Group.

THE MYTH OF CHEAP NUCLEAR POWER

Three years ago I began a study of nonpolluting energy resources which culminated at the end of the first year with an R & D Proposal in which 32 colleagues and I asked for the opportunity to investigate a National Network of Non-Polluting Energy Resources. Very little of our proposal work was new or basic. We proposed that some rather old, low-technology processes be looked at in the light of 1970 scientific knowledge and technology.

We included the study of offshore moored nuclear power plants, because we were convinced that we could at least ameliorate the heat-sink problem and maintain our coastal zone amenities if the thermal polluters were moved to deep, cold water, many miles off our coasts.

We also included the offshore nuclear plant because every piece of literature we could find insisted that the total installed cost per KWe for LWR power plants would lie in the $125 to $200 range, and that the production cost of electricity would never exceed 4 mills per KWH. Only one of our other concepts showed real promise of meeting that competition; the others were various solar energy, tidal power or ocean current processes whose least cost for generated electricity lay in the range of 15 to 18 mills per KWH.

Our initial research proposal met with little success; we sought almost 2.8 million dollars and we were awarded 145 thousand. I do not know the details of the reviews to which that proposal was subjected, but I have gathered the following inferences:

(a) a major factor cited against funding our work was the obvious inability of electricity produced by most of our processes to compete with the projected 4 mil per KWH electricity for nuclear plants.

(b) one of the two portions of our proposal recommended for funding is the investigation of the offshore moored nuclear plant. Someone in the Federal Power Commission, convinced that the vast majority of our power plants 40 years hence should be nuclear power plants, producing electricity at 4 mills or less per KWH, was in favor of funding that project.

ACTUAL FIGURES FROM VERMONT YANKEE AND INDIAN POINT

In the ensuing two years I have watched the cost of these nuclear power plants already rise to $389 per KWe in one instance, and have seen Vermont Yankee delivered to its mortgagees with *no chance of producing electricity at the busbar for less that 13.5 mills per KWH* for so long as it may operate. And to achieve that cost the plant must:

(a) operate at such a power density that it exceeds the upper limits agreed for cooling water discharge pool temperature (the Connecticut River) even in winter time,

(b) operate its mechanical draft cooling towers during icing months as well as during summer months, and at a level that the fog and mist plume violate the agreed boundary,

(c) and achieve a reactor plant availability of 80 percent. The recent publication of CON EDISON experience with 60.9 percent average is significant here. And I know of nothing in the Vernon plant that is better than or more reliable than the corresponding items in CON EDISON's large collection of nuclear hardware. At 60.9 percent reactor availability, Vermont Yankee electricity will cost almost *18 mills per WKH at the busbar!*

We have also experienced claims and counterclaims as to the quality of the workmanship in the power plant itself. I have visited all portions of the plant: I am not impressed. For example, I would never accept for the U.S. Navy the piping and wiring in the rod drive-mechanism enclosure. The complexity of the instrumentation and its cabling between reactor and control room is such that I have not been at all surprised at the recent set of spurious alarm incidents which they have experienced.

NUCLEAR CAPITAL COSTS

As a result of our desire to develop our concept for a credible and useful offshore moored nuclear plant, I have taken a greater interest during the past two years in the shoreside nuclear power plant program. As a result of my rather extensive reading, I have been greatly perplexed by the published data from the nuclear industry which continues to quote nuclear capital costs of $200 per KWe or less.

Even three years ago, projections of Vernon plant costs indicated at least $300 per KWe. And I understand that at plants like Nine Mile Point, some people have known for years that delivered costs would reach $400 per KWe. I also understand that LILCO now agrees that a Shoreham plant, if built, will cost more than $400 per KWe.

Yet, in the face of all that, the highest management within AEC published and defended, as late as February, 1972, an official updated "Cost-Benefited Analysis of the LMFBR" which starts its entire debate from a plot which shows LWR plants costing $125 per KWe and *steadily decreasing over the next decade!*

I thus find myself confronted by some kind of credibility gap. The growth of electrical generating plant projected for the U.S. for the next 40 years represents a huge capital investment, possibly the largest single capital investment program facing our nation. And those on whose advice we are leaning the most heavily have already demonstrated their incompetence in the ratio of 400 to 125. How can we have much respect for such demonstrated managerial incompetence? How many genuinely capitalistic free-enterprise corporations could sustain themselves while making such managerial misjudgments?

NUCLEAR SUBMARINES VS. COMMERCIAL POWER-PLANTS

The above is based on fact. Now I venture into opinion, and in a field in which I do not claim competence. But it may be the crucial point in this discussion. I have never known how or why the shoreside nuclear plants could be estimated by the STRAUSS group to cost of the order of $125 per KWe shortly after HAFSTAD published an estimate of $1400 per KWe (1950).

Nor do I understand why Rickover reactor plants consistently cost much more than $2400 per KWe, each new plant costing more than its predecessor. There is not that much difference between efficiencies of the BWR versus the PWR.

The idea of great economy of scale that featured earlier discussions has been shown to be the trap which any clever man should have suspected: i.e. there is essentially *no* economy of scale for the hardware portions of highly stressed pressure-vessel devices unless more competent materials and processes can be used at the larger scale. It would appear that just the opposite is true; the larger the pieces of these plants, the more expensive per pound many of the parts become. There is certainly no savings in welding costs as a function of pipe size.

So, how could the STRAUSS plants cost one tenth that of the Rickover plants? I don't know, but I suspect that the answer lies partially in the thermal energy-density accepted by the STRAUSS group and always rejected by RICKOVER.

And I think I know why Rickover refuses to build even $400 per KWe reactor plants; he equates the increase in thermal energy-density to achieve the reduced cost with a corresponding reduction in safety. I am told that a RICKOVER plant would never suffer a malfunction of the Emergency Cooling System, for example, because his Emergency Cooling System is adequate to match his thermal energy-density.

INVESTORS GETTING INCOMPETENT ADVICE

We thus have an interesting situation. A bureau bearing one of the heaviest managerial burdens in the U.S. has demonstrated its economic-forecast incompetence by missing a fundamental number by a factor of 3 to 4.

The same bureau, bearing perhaps an even heavier responsibility insofar as public safety is concerned, has chosen to divide another successful manager's factor of safety by, perhaps, a factor of 10.

I am concerned. If I could find today any literature like we used to find back in the mid-fifties when men could still debate, as honestly as they could, whether or not there was a place for nuclear power as a competitor with gas, oil or coal fired central stations, I would feel less concerned. The last of those papers faded away in the late 50's. Babcock and Wilcox "went nuclear." Combustion Engineering "went nuclear," etc., etc.

The debate *stopped* when the notion that nuclear power plants would cost only $125 per KWe, and electricity would cost 3 to 4 mills per KWH prevailed.

Should not that debate be reopened? Are there any men left to carry on the debate?

NO NUCLEAR LEARNING CURVE

Returning to facts, I have also become aware of many allegations (and some facts) surrounding the "quality" of these plants. Mr. Louis Roddis of Consolidated Edison, N.Y., has suggested quite bluntly that they are not the quality that they should be. I know this from my own experience:

There is no "learning curve" for the construction of nuclear power plants in shipyards; I doubt that there could be one for the shoreside program where very few men actually work on a succession of power plants. The shipyard experience showed that the last plant completed always cost more than the preceeding plant. Why?

(1) Practically nothing in a nuclear power plant is susceptible to automated or production-line fabrication.

(2) The skills required of the mechanics who build them are primarily motor skills (welders are crucial to the construction of a nuclear plant). No welder improves with experience or age; he simply becomes more tired, and his eyesight deteriorates steadily from his first day on the job.

(3) *Nothing can ever be done as well as it might be!* There is never any sense of finality in building a nuclear plant. It is unsatisfied technology. The more one applies Quality Assurance practices, the more he knows he should apply even more. There is that semi-conscious awareness within management at all levels that they are dealing with what can be a death trap.

Consequently, the Q.A. requirements grow and grow, and *cost* grows exponentially with Quality Assurance requirements. A Rickover can justify those escalating costs within a DOD frame of reference; the civilian economy cannot unless it is a matter of necessity.

ECONOMICALLY COMPETITIVE SOLAR POWER SYSTEMS

To sum up, I started work on alternatives to energy conversion plants which pollute the air and water, and found it almost impossible to compete with the nuclear cost myth. In 1972–1973, I find it very easy to complete, except for the offshore moored nuclear plant which looks like a loser solely because of the cost of the nuclear plant itself.

The alternatives which I find competitive are all solar energy processes, requiring application of rather low technology but at the same time readily susceptible to improvement through application of the *best* modern technology. The two most promising processes for near term applications are:

(a) Windpower and,

(b) The Ocean Thermal Differences Process

Submitted herewith is a copy of "Power From the Offshore Winds," a paper presented to the Marine Technology Society in September 1972. In that paper I summarize a system capable of taking over the entire electricity generation task for the six New England states, capable of meeting the entire predicted year 2000 demand, and capable of competing economically with LWR reactor plants.

And since no one has claimed that LMFBR will ever cost less than 110 percent of the comparable LWR plant, I believe that the Offshore Wind Power System could preclude there ever being a need for a breeder reactor in New England.

The Offshore Windpower System is set out in detail in the above paper. Any one of our large corporations, if properly motivated, could start to deliver OWPS hardware within 24 months of a program start. Delivery would best be planned to extend over a 20 or 30 year period, using career employees in a number of constantly improved highly automated factories. There is genuine opportunity there for "learning curve" cost-reduction with high volume long-duration production.

RELIABILITY THROUGH REDUNDANCY

The OWPS concept places a large number of wind generating stations offshore of New England where the Westerlies are fresh and strong most of the year. The OWPS concept is readily adaptable to Long Island's needs. Wind generators feed electricity into electrolyzer stations. The hydrogen gas produced by electrolysis is piped ashore, thus capitalizing on a very inexpensive method to transport energy, and at the same time creating a "storable", part of which can be stored against the times when the winds don't blow.

That same storage feature becomes the means of coping, efficiently, with the daily, weekly, seasonal demand curve of the customer. That same storable and its in-pipeline transmissionability becomes the means of coping with the lack of new land for expanded overhead electricity transmission lines.

The entire system has the tremendous advantage of reliability through redundancy. When Vermont Yankee reacts to a spurious signal, 537 MW in a total of about 11,000 MW of NEPEX generating capacity drops off the line; with OWPS, one wind station disabled would mean one thirteen-thousandth of the system capacity would be lost.

WIND-POWER ENVIRONMENTAL IMPACT STATEMENT

The Environmental Impact Statement for OWPS would include the following entries:

(a) Thermal Pollution: zero.

(b) SC_2 effluent: zero.

(c) NC_x effluent: zero.

(d) CO effluent: zero.

(e) CO_2 effluent: zero.

(f) Hydrocarbon effluent: zero.

(g) Maximum radioactivity discharge: zero.

(h) Number of casks of high level wastes per year: zero.

(i) Probability of a Loss of Coolant Incident: zero.

(j) Probability of an Emergency Core Cooling failure: zero.

NINETEEN BILLION KWH FOR NEW YORK BY 1978

The winds over New York Shoals are ideally suited to an Offshore Wind Power System. Capacity in excess of the projected LILCO and CON EDISON requirements can be found there. In this connection, I have been devoting some time to a preliminary design for a two-increment windpower system for LILCO, which is submitted herewith. *Construction could begin in 1975. At least 19 billion KWH per year could be flowing out the system by late 1977,* if its creation were given enthusiastic endorsement and enlightened leadership.

Long Island lies adjacent to one of the best of the U.S. wind channels. Those winds can do for Long Island what the nuclear plants can not do: provide sure, safe, reliable, reasonably-priced electricity, in abundance.

EXHIBIT II

APPENDIX TO THE PAPER "ALTERNATIVES TO THE HEATING AND EVAPORATION OF GROUNDWATER WHILE STILL SATISFYING THE ENGERY APPETITE"

(By William E. Heronemus)

Since the 19th of November 1972, we have seen some factual light shed on the question of demonstrated reactor plant availability. For the Con Edison system, at least, Mr. Louis Roddis reports that actual availability has been 60.9 percent.

This comes as a bit of a shock to those who have based their policy decisions on data in WASH–1203–71, "Operating History of U.S. Nuclear Power Reactors, 1971" by the U.S.A.E.C. It isn't too much of a shock, though, for those who have realized that down-periods of fewer than 5 consecutive days were ignored by the U.E.A.E.C. in compiling that very useful document.

The following comparison takes plant availability into account.

COMPARISON VERMONT YANKEE AND WINDPOWER COSTS

Vermont Yankee & Northfield Pumped Storage	*Proposed Offshore Windpower System*
(a) Enough nuclear plant to deliver 8760 base load kWhrs per year, assuming that Vermont Yankee reactor performance will be as good as that of Con Ed reactor plant: 1 kWe/0.609=1.65 Kwe plus 39.1 percent of another base load plant capable of taking over base load duty when the plant reactor is not available: (0.391) (1 kWe)/(0.609) =*0.64 kWe* Total required: =*2.29 kWe*	(a) Enough wind units, distillers, electrolyzers, compressor-reducer station, offshore pipeline and storage system, ashore hydrogen distribution system and fuel-cells to deliver 8769 kWhrs @ a rate as high as 1.3 kW: =2.50 kWe, wind units, 1.30 kWe fuel cells
(b) Cost of base load plant @ $389/kWe= (2.29) (389) =$891	(b) Cost of all the above: $1000
(c) Enough pumped storage plant to provide 0.3 kW peak on top of 1.0 kW base: @ $140/kWe=$52	(c) included in (a) and (b)
(d) Enough typical New England transmission plant to transmit 1.3 kW=$43	(d) included in (a) and (b)
(e) Total capital investment required: $996	(e) $1000
(f) Fixed costs, per kWh @ 15.5% =17.65 mills per kWh	(f) =17.70 mills per kWh
(g) Fuel costs, per kWh, including cost of long-term fuel investment:=3.0 mills per kWh	(g) =0.0
(h) O & M, Production, reflecting the very expensive repairs required in actual nuclear plant compared against those in typical coal and oil fired plants: (an average of 1969 experience at Yankee Atomic, Connecticut Yankee, Indian Point, Peach Bottom, Dresden, San Onofre, Humboldt Bay) 2.7 mills per kWh	(h) 0.3 mills per kWh
(i) O & M, Transmission 0.1 mills per kWh	(i) 0.0
(j) Charge for evaporating water from the Connecticut River: per kWh	(j) 0.0
(k) Charge for obscuring the sun (additional "fog days") from the adjacent Connecticut Valley Farm land: per kWh	(k) 0.0

COMPARISON VERMONT YANKEE AND WINDPOWER COSTS—continued

Vermont Yankee & Northfield Pumped Storage	*Proposed Offshore Windpower System*
(l) A proper share of the annual cost of running the non-defense portion of the AEC: per kWh	(l) 0.0
(m) A proper share for the amortization of the taxpayer investment in the uranium enrichment plants: per kWh	(m) 0.0
(n) A proper share of the cost of the high level nuclear waste management, now borne at the federal level by all taxpayers: per kWh	(n) 0.0
(o) A proper share of the revenue lost to federal taxpayers by the funneling of dump power, TVA, Bonneville and Bu Rec Systems, into uranium enrichment instead of selling it to power-hungry markets: per kWh	(o) 0.0
(p) Total Production and Transmission Costs: 23.45 per kWh	(p) 18.65 mills per kWe
(q) All other costs: distribution, customer service, profit, G&A: 10.0 mills per kWh	(q) 9.0 mills per kWe
(r) Total average revenue required per kWh: 33.45 mills per kWh	(r) 27.65 mills per kWh

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WILLIAM B. BENTON

HON. WILLIAM R. COTTER

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. COTTER. Mr. Speaker on the death of William Benton, Connecticut and the Nation lost a truly unique man. Bill Benton was both a successful and a courageous person, yet he went beyond conventional courage and success. He was always willing to take a risk, and it almost always paid off. At an early age, he turned down the comfortable security of a Rhodes scholarship in order to enter the very competitive advertising field. He became one of the major innovators in this ever changing field and eventually founded his own firm with Chester Bowles. In turn, Bill Benton also achieved great successes with the Muzak Corp. and the Encyclopaedia Britannica.

The finest example of his courage during his term as Senator from Connecticut. William Benton rose on the Senate floor and called for the resignation or censure of Senator Joe McCarthy. He was the first Senator to take the political risk of public and open denunciation of the demagog from Wisconsin. Many have said that Bill Benton was defeated for reelection because of this, but I am sure that he knew that it was one of those risks that had to be taken.

Bill Benton was also a man of sincere dedication. He contributed to education as vice president of the University of Chicago and as trustee for the University of Connecticut, which now houses his valuable art collection in the Benton Museum of Art. He helped the people of the world as an Assistant Secretary of State, where he helped establish the United Nations Educational, Scientific, and Cultural Organization—UNESCO. During the early 1960's Bill served as Ambassador to UNESCO.

In his lifetime he was a businessman, a publisher, a Senator, an educator, and a public official. We have no adequate word to describe such a man, and in the future anyone like him will be known as "another Bill Benton." I cannot think of any greater words of praise.

WORLD WAR I PENSION ACT

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. GONZALEZ. Mr. Speaker, I am introducing a bill today which would amend the law to provide for the payment of pensions to World War I veterans and their widows, subject to $3,000 and $4,200 annual income limitations; to provide for such veterans a certain priority in entitlement to hospitalization and medical care; and for other purposes.

As my colleagues know, in January 1972 we enacted a comprehensive piece of legislation liberalizing the nonservice-connected pension rates and income limitations. But shortly thereafter the then-chairman of the Veterans' Affairs Committee, the Honorable OLIN TEAGUE, and a number of others introduced special legislation covering the World War I veterans receiving pensions. Those of us who sponsored the bill were particularly concerned about those veterans from that distant war who are now well into their seventies and eighties who must be poverty-stricken before their pensions are allowed. Since these men and women and their families are in such advanced ages, in more cases than not the alternatives are not very good—either they receive their pensions, if their combined income from all sources is under $2,600—or $3,800 for pensioners with dependents—or other sources of income brings them above the income limitation, and they wind up with absolutely no pension, and probably an income not very far above the $2,600. This group of veterans and their spouses find themselves in a uniquely pitiful situation, often, since their capacities and their resources are quite limited because of their age. And even if they are able to work, the labor market is practically closed to them, but for a few low-paying jobs; and other pension systems are usually inadequate. So, in my estimation, particular attention should be given in this session of Congress to change the laws to provide some relief.

We are farsighted enough in the 92d Congress to at long last remove the income limitations for the social security recipient who is above 72 years of age, because we recognized the frailties and difficulties of these older Americans and because of various other reasons, including the fact that we do not want to shut these persons behind closed doors. If they can work at something constructive, so much the better. Or, if they have more than one pension, great. Well, that was a beginning, but I was quite pleased.

I have likewise sponsored legislation which would completely remove any income limitations for World War I veterans and widows. Unfortunately, no action was ever given my proposal—so I looked for a compromise which might be a good alternative. I believe the bill I am again sponsoring today is such a compromise which goes a long way toward recognizing the special needs of these older veterans.

The bill would increase the income limitations to $3,000 for single veterans and widows, and $4,200 for a veteran and widows with dependents—from the present levels of $2,600 and $3,800. And, in addition, it provides that the increases in social security benefits, Railroad Retirement annuities or pensions, or Federal Government employee annuities be exempt from the determination of annual income.

The bill also details other provisions establishing a slight increase in the monthly pension, and establishes a priority for hospital care to the veterans receiving a pension under the act.

The numbers of World War I veterans and widows are not many; they are advancing in age; and the increase in the cost of living has a significant impact upon their small revenues. I trust that you will feel, as I do, that this bill should be enacted into law, so that we can assist them in "making ends meet." They deserve your support.

THE WARSAW GHETTO UPRISING: A SYMBOL FOR ALL TIME

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. RANGEL. Mr. Speaker, it is now 30 years since a small band of Jews in the ghetto of Warsaw, Poland, rebelled and fought against their deportation to Nazi concentration camps. The Jews' numbers were small and their resistance was but a minor annoyance to the Nazi war machine.

But today, we remember the Warsaw Jews. And it is imperative that we remember them tomorrow and the next day and for as long as man inflicts violence upon other men. For although their cause was futile, they fought back. Although the rest of humanity sat back and watched, the Warsaw Jews resisted.

Let us always remember and revere the downtrodden, the tortured, and the oppressed. Those who resisted, until death, for freedom and for justice. Theirs is a cause and an act for all seasons.

THE CRITICAL NEED FOR INCREASED NONFOOD ASSISTANCE

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. FRENZEL. Mr. Speaker, Mr. Bob Benedict, a constituent of mine is the National Director of the U.S. Jaycees Center for Improved Child Nutrition. The program which he advocates in the following testimony has been carefully researched and developed by the Jaycees in cooperation with both our Federal agencies and many other interested parties. However, much yet remains to be done. The nutrition program is the keystone upon which good health and good education must be based. The most logical and convenient vehicle to administer this program is our educational system.

Bob is also the founder of a rather remarkable project known as the Teen Corps of America which began in my district several years ago.

His testimony follows:

THE CRITICAL NEED FOR INCREASED NONFOOD ASSISTANCE

(By Robert M. Benedict)

The United States Jaycees is not an organization that automatically supports every social cause. Quite the opposite. We research, debate, and go through an elaborate vote procedure before lending our name to anything. The Jaycees believe strongly in the term "fiscal responsibility," and look with great favor on the concept of "cost-accountability." But, gentlemen, we are greatly concerned about saving a little in the short run, only to lose heavily in the long run. And that's why I'm here today—to talk about a program that is both highly humane and one of the finest investment possibilities the Jaycees have researched in a long while—the National School Food Program.

After exhaustive research, the U.S. Jaycees have found that where the School Food Program has been introduced, it has had an incredible impact on:

1. Decreasing the drop out rate, absenteeism and tardiness
2. Increasing academic achievement
3. Substantially reducing health care problems and health care costs

In essence, it is producing a far healthier, far more educated citizenry that is better able to break the poverty cycle. (And our records will so verify)

U.S. JAYCEES CENTER FOR IMPROVED CHILD NUTRITION

As a result, the Jaycees have established a National Center for Improved Child Nutrition in Minneapolis, Minnesota, to organize "investment seminars" throughout the nation, which will demonstrate the impact of the School Food Program to over 18,000 "no program" schools with a population of over 5 million children. We have already had impact in Phoenix, Chicago, Minneapolis and Philadelphia, and presently have a statewide seminar planned for Michigan on May 5.

Our seminar philosophy is to bring together the local Jaycees chapter with the local chairman of the school board or superintendant and outline:

1. The value of the program to the child and community in investment terms
2. The numerous methods available for establishing a food program

BOTTLENECK

Beginning in September, the Jaycees will be holding one statewide seminar per month. We feel we can be successful—except for those schools that need the program most.

In those schools where the investment will pay off most handsomely in the long run, because the school lunch or breakfast is the only square meal a child may get (and in many cases his only reason for staying in school), the allotment of non-food assistance money is woefully inadequate, and looms as the prime obstacle and bottleneck to feeding American children.

In a recent survey of state school food service directors, sponsored by the American School Food Service Association and conducted by the Food Research and Action Center, it was found that an additional $28,232,196 was required to cover the immediate non-food assistance needs of 43 states responding.

The Jaycees Center spent hundreds of hours cross checking this survey and not only found it to be correct, but by surveying each state school food service director, found a tragic and vicious circle at work.

THE VICIOUS CIRCLE

Presently, the requests for non-food assistance funds are based partially on the number of application requests that a state has on hand. The catch is that schools are discouraged from applying until the state has the money on hand. So, since the state has fewer requests, it gets less money, thus discouraging more schools from applying—and so it goes in a downward spiral.

This is borne out in the response to a Jaycees survey of state school lunch directors conducted in March of this year.

IDAHO

"We purposely have not requested applications from all eligible school districts because the need is great and we know that we don't have the money on hand to meet the demand."

GEORGIA

"Superintendents are not encouraged to actually submit applications until funds are available. The applications are complex, require bids, and therefore we do not ask for applications beyond funding capability. . . . Schools desperately need equipment if we are to reach all young people."

OHIO

"Since our funds this year were so limited and schools knew this, most of them did not make any request after knowing that our funds were exhausted January 1, 1973."

SOUTH CAROLINA

"In the program schools, we could use at least $300,000 additional funding to take care of current applications which we have not been able to process due to limited funding."

MICHIGAN

"We are certain, as we have been very selective about soliciting applications to this point, that many more applications could have been received."

KENTUCKY

"Funds for fiscal year 1973 were not sufficient to do the job we were called on to do and most of the claims had to be funded partially. No doubt, if the amount of funds had been tripled, the requests could have been met in full."

MAINE

"We had originally requested an additional $500,000 for this fiscal year. However, as our funds were so limited, many interested communities did not follow through on their plans to seek matching funds required at the time of their annual town meetings in March. . . . Several communities must provide buildings to house the food service facility. Assurance that funding will be forthcoming is necessary to provide the incentive to build these structures."

ALABAMA

"Requirements for participation have been restrictive. Therefore, there is no possible way to determine the actual need for schools that could conceivably qualify for non-food assistance."

IOWA

"This year because of the fact that our allocation was less, that more schools applied, and that applications must be completely processed by June 30 and paid by December 31st, we: 1) Established a cutoff date for applications of December 15; 2) Had to reduce the percentage of federal assistance to an extremely low figure to accommodate a maximum number of applications. As a result, 25 schoools either withdrew their applications or did not fill out an application form but decided to wait until next fiscal year. In addition to these 25 schools, many other schools indicated a need but did not consider filling out an application because they considered the percentage of federal assistance to be too low and could not come up with enough money from their budgets to provide the school's share of the cost . . . My plea under our circumstances, is to urge the Congress to make the appropriation adequate for fiscal year 1974, since the authorization is now $40,000,000."

In summary, the Jaycees feel that proper nutrition is the imperative prerequisite for improved education and health, and that the School Food Program is perhaps the only nutrition program where we can be assured that food is getting directly to the child.

Secondly, we feel that the expansion of this program is being curtailed in the very areas where it is needed most by grossly inadequate non-food assistance, and that the number of applications a state has on hand is a terribly misleading criteria with which to gauge funding needs.

Finally, the Jaycees feel that it is far less costly and far more humane to deal with a child nutritionally during his formative years, than to have to pay for him medically and on welfare in later years. America can make no greater investment than to feed her children.

Therefore, the United States Jaycees wholeheartedly support the raising of the non-food assistance appropriation to its full $40 million dollar authorization.

GOD BLESS AMERICA

HON. ELFORD A. CEDERBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. CEDERBERG. Mr. Speaker, as we have all watched several hundred Americans, prisoners of war in Southeast Asia, have returned to their homeland. The overriding characteristic of these men has been the faith which they have expressed upon their return to their God, their fellow man, and their country. Too often we become insensitive, by the quality of our lives, to the principles and faith which make that quality possible. It is especially fitting as we return from our Easter holiday to take note of a heritage made rich by our Christian background and the holidays of salvation which both religions have just celebrated.

I would like to bring to my colleagues' attention the remarks of Mr. Richard Capen, a vice president of Copley Newspapers and a man versed in the ways of Government, a few weeks ago, on the occasion of a prayer service for our brave men. I think that Mr. Capen points out well the foundations of our faith and the depth of meaning it gives to the special occasion of our prisoners' return:

A SERVICE OF THANKSGIVING AND PRAYER FOR OUR PRISONERS OF WAR AND THOSE MISSING IN ACTION

(By Richard G. Capen, Jr.)

Today, all America is bursting with pride, gratitude and thankfulness for the almost indescribable dedication and courage of our prisoners of war in Southeast Asia.

We respect them—not just for their service to country—but for their inspiring ability to survive, relying only on the most basic principles of our American way of life: Faith in God, Dedication to country, Devotion to family and Dependence upon each other.

How many times we have heard those phrases repeated by our returnees in recent weeks. And, how forcefully, their example has reminded each of us that the precepts upon which our nation was founded are as valid today as they were 200 years ago.

For too long a handful of destructive critics have gone unchallenged in their false contentions that such principles were no longer relevant to America.

These irresponsible purveyors of doom take on a pathetic tone when matched against the example of any ONE of our American prisoners of war.

This morning we offer special prayers and thanksgiving to these brave men and their families. We do so with a certain humility, knowing something of their long suffering. We also do so with caution and concern, fully mindful that some 300 American captives have yet to be returned and more than 1300 have yet to be accounted for.

Our thoughts are also tempered by the sobering realization that these men have yet to describe the conditions of their captivity and will not do so until all prisoners have been released.

Only then can we truly appreciate the depth of the abiding faith which sustained them through prolonged periods of torture, isolation, lack of medical care and inadequate diets.

As we offer prayers for these men, let us reflect for a few moments on why it is that so much has been focused on this particular group of Americans. Why our prisoners of war? Why our missing men? After all, they represent less than one-tenth of one percent of all those who have served in Southeast Asia.

Certainly, our prayers and thanksgiving go to those Americans who have served and particularly to those who gave their lives or were wounded in Southeast Asia.

But there is an overpowering justification for special attention to our prisoners of war. After all, our dedication to human life and freedom is both clear and consistent with every value of American society.

During the long war in Vietnam, American prisoners of war were set apart, not by the United States, but by our adversaries. It was they, not us, who disregarded every minimum standard of humanity.

Deeply concerned by those intolerable prison camp conditions, Americans spoke out with one voice, demanding the humane treatment of our men who were completely at the mercy of their captors.

Our men deserved nothing less from us.

Yes, we prayed, we spoke out, we negotiated, we launched rescue missions. In short, we assisted wherever possible so that we could face our men when they returned with a personal conviction that all had been done to obtain their humane treatment and eventual release.

Through this determination our prisoners of war became a national issue. Whatever success we achieved in their behalf is small indeed compared to their service in our behalf. Whether in combat or captivity, these men have served with courage and determination.

Faith in God. Dedication to country. Devotion to family. Dependence on each other.

What vigor our men have given to those beliefs today. What pride we can have for these men and our country. And, what better time for all Americans to pull together, raising the flag instead of burning it as one returnee has suggested.

The cynics and agitators may have difficulty understanding this dynamic patriotic phenomenon of recent weeks, but I can assure you that most Americans have no trouble understanding it at all.

"God Bless America" will never again be sung in our country with casualness or complacency for our returnees have brought new meaning to those powerful words.

Today, their accomplishments take on a new meaning at a time when America is seeking to heal the wounds of a long and devisive decade of the sixties.

I deeply respect our prisoners today, not just for surviving captivity, but more so for the example they have set for others to follow. Faith in God. Dedication to country. Devotion to family. Dependence on each other.

For some time Americans have needed a reaffirmation of those fundamental values. Our returning men, through their example, have provided that reaffirmation.

Captivity forced them to look inward for strength to survive. Their record should force us likewise to look inward for our own strengths as we seek meaningful priorities in our own lives.

Irving Berlin wrote "God Bless America" in 1918, but the song was a flop. In 1938 he dusted the tune off for a Kate Smith show, and it became an instant hit,

Once again "God Bless America" has been dusted off, this time by our returning prisoners of war.

Yes, America has been blessed by God and blessed to have among us such men as these.

May all Americans go forward this day with a faith renewed sufficiently to sustain us as it sustained these brave men for so many, many months.

We can truly build our future in the image of God's will if we can restore our Faith in God, Dedication to country, Devotion to family and Dependence on each other.

In closing, may I share with you a contemporary prayer which sums up our confidence in today and hope for tomorrow. Its message is particularly appropriate as we honor those who were sustained by the memories of yesterday and the hopes of tomorrow. For those who have returned, tomorrow has at long last become today:

It's time!
time to believe and hope again!
make it spring in my wintered body,
bring me out of hibernation,
see the sun, Lord, see that new sun,
breaking its own record for smiling,
feel its warmth and you smile, too,
and I'll smile with you.

Hey, look at that new world stirring,
cracking loose from the ice,
surfacing in yellow, violet, and pure gold.
listen to all those crazy birds,
fantastic orchestra without a conductor!
I'm eager for the return of the robin,
stretching to be surprised
by a dream or even a duty.
You're calling me out
of my cold prison
into your warming world,
and I'm hearing
and I'm coming out,
for it's time,
time to believe and hope again!

May God bless these men and their families.

May God always bless our country.

And may God bless all of us who have benefited so much from the example of those whom we remember in our prayers today.

FAIR TRIAL VERSUS FREE PRESS

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. WALDIE. Mr. Speaker, the raison d'être of a free press is to provide information to the public. We have heard much in the last few months of the withholding of informatior through closed meetings or overuse of the secrecy classification by both the legislative and executive branches. However, it appears that courts, too, seek to silence reporting through the use of a "gag" rule. I hope all Members will realize the seriousness of this problem as demonstrated by R. D. "Ron" Funk, editor of the Santa Monica Evening Outlook, in a hearing before Judge Oliver Feifer, on February 18, 1973:

GAG ORDER IS INDEFENSIBLE

(By R. D. Funk)

(On Feb. 17, a Santa Monica Municipal Court judge issued a temporary gag order in a case of four men accused of slaying Los Angeles corporate executive Alan Scott MacFarlane. The order by Judge Rex Minter prohibited police, attorneys and witnesses from disclosing information about the case pending trial. Following a hearing on Feb. 18, Judge Oliver Feifer refused to impose a permanent order to control the proceedings. In denying the defense attorney's motion for a gag order, Judge Feifer said he would rely on the good discretion of court and police officers in releasing information on the case. The judge also asked for fairness to be exercised on the part of the news media. Opposing the gag order during the hearing before Judge Feifer was Santa Monica Evening Outlook Editor R. D. (Ron) Funk. For your edification, we offer portions of his statement to the court.)

The court has asked me, as a professional newspaper editor to present a generalized statement on the motion before the court to impose on all parties to the instant case an order we in the news business describe as a "gag" order.

I am not an expert in the field of Constitutional law, which is what we are dealing with here. I am, however, versed in some of the arguments developed by press organizations opposing "gag" orders in general.

Before continuing, I would state that I am unalterably opposed to "gag" orders.

I state also, however, that I consider myself to be as much interested in the rights of defendants to a fair trial as is this court and the respective parties in this case.

The issue before us is what has become known as the "Fair Trial vs. Free Press" issue. But I disagree with that title . . . It implies an inherent conflict between the First Amendment, guaranteeing freedom of speech and press, and the Sixth Amendment, guaranteeing that "the accused shall enjoy the right to a speedy and public trial, by an impartial jury . . ."

I do not believe there is a conflict between these rights. On the contrary, I firmly believe—as do my colleagues in both the newspaper and broadcast industries—that these rights embodied in the First and Sixth Amendments, are mutually supportive.

I add that a great many judges and lawyers find no conflict, either.

What must be borne in mind is that we are all agreed in trying to maintain both the fundamental rights of free speech and press, and the rights of the individual to a fair trial.

I will acknowledge that there have been instances when newspapers, taking spoon-fed information from police officials and prosecutors, have helped create situations where the defendant rights to a fair trial have been compromised.

But these instances have been very few, and they certainly do not call for strictures that actually impede the public's right to know, or endanger the defendant's right to a fair trial.

Here we must consider the stake we all have in the continued vigor of our concept of freedom of the press.

Freedom of the press is part of the broader right of free speech. The core of the freedom of the press idea is that there should be no "prior restraint" on speech or on what a newspaper publishes.

The First Amendment specifically prohibits any licensing requirement to publish or speak.

In the United States, the right of freedom of the press is guaranteed so that the public may know whether its governmental agencies are functioning properly—the press serves as a check upon abuses by those in power, upon those who have vested that power.

This has always been recognized as one of the "preferred" rights under our Constitution and one which is entitled to special protection from government impingement or interference.

Recently we have seen the U.S. Supreme Court broaden and extend the right.

The reason for our high court's concern in strengthening the freedom of the press is that in our increasingly complex society, with an ever-enlarging range of government control in our daily lives, freedom of the press becomes that much more important as a means of deterring tyranny and corruption.

It seems to me that "gag" orders—which are relatively new court procedure, and which I believe are an unreasonable extension of the Reardon committee findings of the ABA—are a dangerous example of the increasing tendency of our government—on all levels—to control the flow of information to the public.

It seems to me ironic that while the Supreme Court has been extending freedom of the press, lower courts are showing tendencies to try to curb that freedom.

Now let me discuss briefly the particular case we have here, and why I think a "gag" order would be indefensible.

We have a case that has created no widespread public interest on the level of Sirhan and Manson. Nor will it.

The case, on the facts as presented so far, involves four individuals charged with murdering a man in a Sunset Boulevard motel. The man himself was not particularly prominent—his only prominence was in the business world, and in this narrow world, he was not widely known.

There is no hint so far that this case involves material, facts or personalities in which the public would take particular interest.

It appears that the story, as it unfolds in this court, will be a sordid one.

It is not the kind of story my newspaper, the Evening Outlook, or any other newspaper, will pay much attention to. It was a brief page one news story on the day the body of the deceased was found.

It has not been a page one story since—not when the suspects were first identified, not when arrests were made.

In conclusion, your honor, I strongly urge that the motion be denied. There is no need—real or imagined—for a "gag" order in this case.

PHANTOM PLAINTIFFS SUIT AGAINST CONGRESSIONAL RESERVES

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. HOSMER. Mr. Speaker, the military analyst for the Detroit News recently developed information of interest relating to the lawsuit now carried to the Supreme Court concerning Members of Congress who hold reserve commissions. Colonel Heinl's article in the News follows:

[From the Detroit News, Mar. 16, 1973]

ANTIWAR RESERVIST SUIT RAISES CONSTITUTIONAL ISSUES

(By Col. R. H. Heinl, Jr., Retired, USMC)

WASHINGTON.—The war is stopped but the case goes on.

The case is a lawsuit started three years ago by a California anti-war group (Reservists Committee to Stop the War) aimed at excluding members of Congress from membership in armed forces reserve components.

How this suit—which lawyers say presents important constitutional questions—reached the threshold of the Supreme Court, where it now is, presents a striking picture of radical exploitation of the judicial process and discloses intriguing glimpses of the tactics and shifting operations of the anti-war movement. It also shows that movement adjusting its operations and goals and aiming at new post-Vietnam objectives.

Originally filed as a class action in May, 1970, by the reservists committee—then a Berkeley, Calif., group mainly composed of unenthusiastic Army reservists—as well as by a slate of five individual plaintiffs put together so as to represent officer and enlisted ranks in all reserve components, the suit:

Will be argued before the Supreme Court by a radical lawyer associated with the American Civil Liberties Union, William A. Dobrovir of Washington, D.C., who says he is unaware of the whereabouts or present military status (if any) of his plaintiffs save one (who is and has throughout the case been a civilian). Dobrovir also refuses to disclose who is paying for the costly legal action.

Was and is being pursued by Dobrovir on behalf of clients he has never met. When questioned on this point, the lawyer replied (speaking of the one civilian plaintiff who appears to have been the moving force in the case), "I dealt only with Adam Hochschild, and not the others."

Goes to the Supreme Court with the whereabouts and status of plaintiffs unknown to the reservist committee which originally recruited them. A spokesman for the organization, Cris Myers of Boston, said, "I don't honestly know where the original plaintiffs are or can be reached." Later he added that he thought Hochschild was "in Washington."

Appears to have involved the use of "straw" plaintiffs solicited by telephone in the San Francisco Bay area. According to Hochschild, a former reporter for Ramparts magazine, Bill (Dobrovir) wanted a representative cross section, "so we hustled around and got these guys. They weren't particularly close with our group." Four of the five plaintiffs located confirmed this version, said they had never attended meetings, and didn't know if the committee still existed.

"As far as the lawsuit is concerned, I really don't know much about it," said one plaintiff, Ernest Nolar of Berkeley, 'I got into it by a phone call from Adam."

Confronts the court with a class action in which the allegedly representative reservist plaintiffs (excluding Hochschild, who is and was at the time of filing, a civilian) appear to have little if any present connection with the case, only proforma association with it at the outset, and only tenuous links to the Reserve.

On its face, the suit (which all sources agree was the brainchild of Hochschild, at one time an Army Reserve Specialist 4 in San Francisco) challenges the military reserve status of 108 U.S. senators and representatives, composing one-fifth of the total membership of the 93d Congress and, in the words of Dobrovir's original pleading, "a dominant minority" on key defense and foreign policy committees, as well as those providing related appropriations.

The nub of the case lies in two constitutional conflicts, one asserted by the reservist committee, the other by the government.

The committee contends that membership by congressmen in any military reserve component or status (even if retired or inactive) violates Article I, Section 6, of the Constitution, which prohibits persons "holding any office under the United States" from being "a member of either house" of Congress.

Solicitor General Erwin N. Griswold, on the other hand, argues that the suit raises what constitutional lawyers call a "political question" (in this case the right of Congress—Article I, Section 5—to be sole judge of members' qualifications) and is therefore not triable in the courts.

Behind these two visible and clear-cut constitutional conflicts, lawyers point out an issue that transcends the military questions involved. That is whether the reservists originally enjoyed legal standing to bring suit at all—a standing which the 1970 trial judge, Gerhard A. Gesell, U.S. district Court, Washington, D.C. upheld with reserve.

If the reservists' right to sue as finally affirmed by the Supreme Court, lawyers say it will open federal courts to innumerable political cases and afford "almost limitless" opportunity for litigatory harassment of the government and other large organizations.

(Judge Gesell—while denying any other standing to the suit ruled that the plaintiff's were entitled to sue solely by virtue of status as citizens, without showing damage or injury. On the other hand, existing decisions expressly bar actions—apparently like this one—seeking "to employ a federal court as a forum in which to air generalized grievances about the conduct of government.")

Against the foregoing constitutional and legal background, the suit—apparently conceived by Hochschild and masterminded by Dobrovir—won Gesell's affirmation insofar as the constitutional question was concerned.

Gesell, declined, however to grant the reservists injunctive action he asked, and also blocked a "fishing expedition" they sought into Pentagon files.

Last September, without opinion, the U.S. Circuit Court of Appeals for the District of Columbia upheld Gesell, Dobrovir and the committee, who freely admitted that the suit was a wartime attempt to harass a predominantly hawkish segment of Congress on the Vietnam War and related national security issues.

Hochschild said, however, that the suit was actually "aimed at the whole Reserve bureaucracy," explaining that, since "future Vietnams" are more likely to be fought with reservists than draftees, the Reserve was now the most important target.

Ron Ainspan of Boston described as "coordinator" of present operations, said frankly, "Our long-term goal in this is really to eliminate the Guard and the Reserve."

What has happened since 1970 to the Reservists Committee to Stop the War and how it operated, has been reconstructed as follows:

Originally founded in Berkeley by Hochschild and apparently composed mainly of disgruntled fellow anti-war reserve soldiers, the committee—in the words of plaintiff Notar—"never had meetings, just put out a newsletter occasionally."

In signing up plaintiffs (besides Notar mentioned above) procedures were casual, to say the least.

David L. Kranz. another Berkeley reservist plaintiff, described his recruitment as follows: "Someone called me up and said, 'We want to start a lawsuit,' and they put my name on it."

When asked who the caller was, Kranz replied, "I have no idea."

In mid-1972, an Eastern antiwar group of similar membership and objectives—Reservists Against the War—based in Cambridge, Mass., made contact with Hochschild and offered to take over the Berkeley operation, which apparently had become moribund.

After conferences between Hochschild and Ernie Thurston, head of the New England reservists, the Cambridge organization took over active conduct of the anti-congressional litigation, although Hochschild continued to advise and appears to have been the sole contact with lawyer Dobrovir at his various Washington addresses.

("Adam is still handling our relationship with Bill Dobrovir," Thurston explained, adding—on a question as where the money for the suit was coming from—"I don't know any more than you do.")

The committee now operates out of quarters at 355 Boylston Street, Boston, also headquarters of the Legal In-Service Project which offers "counseling and other help . . . for both active-duty military people and reservists."

Cris Myers, of Legal In-Service Project, explained that the reservists committee operated from "the same office, with overlapping personnel." He said that the project put out the committee's newsletter and kept their files, describing Legal In-Service as "a kind of receiver" for the Berkeley reservist committee.

Myers said he had no idea who was retaining or paying Dobrovir.

Hochschild was reticent on this point. He simply replied, "A couple of guys in the group chipped in," but would not identify them.

Dobrovir's fees to date, Hochschild estimated, had been about $2,000 ("at very generous rates," he added). Washington lawyers, however, said a fair estimate of legal and other costs on a case of this kind should more nearly approximate $5,000.

THE THIRD AVENUE TERMINAL

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. KOCH. Mr. Speaker, a controversy is currently underway in New York City over whether a new terminal for the Long Island Rail Road should be constructed in mid-Manhattan just three blocks away from an existing terminal, Grand Central Station. The Metropolitan Transportation Authority proposes to construct the new terminal with the assistance of $227 million from the Federal Government.

This project for the city's heartland has grown with few realizing that it was in the making and consequently with little input from sources outside the MTA on possible alternatives for its location. The genesis of the Third Avenue terminal proposal occurred sometime in the late 1960's, and presently the MTA has an application for Federal funding pending at UMTA.

The question is whether Grand Central Station, which is presently underutilized, might provide a better alternative to the construction of the proposed Third Avenue terminal to be situated at the fringes of a high density commercial area of the city and in the midst of the Turtle Bay community.

Grand Central Station is an existing facility. It has the potential of providing the means for the efficient coordination of the various forms of rapid transit coming into mid-Manhattan: The commuter railroads, the city subways, and the proposed Long Island Rail Road and Kennedy Airport line. As it is today, a substantial portion of Grand Central Station, because it is underutilized, has effectively become one of the fanciest train yards in the country for the storage of railroad cars.

Grand Central Station would have to be modified to accommodate the Long Island Railroad tracks and passengers. And undoubtedly there would be some problems in using Grand Central Station; there are problems within every location. Furthermore, the possibilities of Grand Central are sufficient to warrant a thorough and objective study before any Federal funds are provided for the proposed Third Avenue Terminal. In my judgment, the environmental impact statement on this project is deficient in not fully exploring the Grand Central alternative.

On March 133, 1973, I wrote to Frank C. Herringer, the Administrator of the Urban Mass Transportation Administration, criticizing the impact statement in this respect and urging the Federal Government's insistence that the potential of Grand Central be thoroughly studied. On April 16, Mr. Herringer replied that he had reviewed the issue and that—

> Before any UMTA funds would be provided for this project we (UMTA) will require that a complete analysis be prepared of alternative sites for the mid-town terminal.

He went on to give me his assurances that before proceeding with UMTA funding, the option of a location at Grand Central Terminal "will be fully explored."

I am now in communication with UMTA in an effort to get the Administration to commission the study directly so that we can be assured that it is thorough and unbiased.

The mass transit demands of New York City are great and the amount of Federal funding available to the city is limited. New York City must use its resources—both local and Federal—as effectively as possible. It is for this reason that we must be assured that all potential alternatives, especially those that would be less injurious to the surrounding area, are explored. Before one spends some $342 million of the taxpayers' money, public officials must make certain that it is being spent wisely.

RARICK REPORTS TO HIS PEOPLE: THE MYTH OF RISING FOOD PRICES

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. RARICK. Mr. Speaker, many of the farmers I have talked to recently from the sixth district and other areas of the country have expressed to me concern that their side of the food price increase story is not fully understood by the general public. Most city housewives, who have seen food costs take a larger share of their household budgets in recent weeks, know very little about farming or food production. But the American farmer has been accused by some groups of making huge profits at the expense of the city consumer. Such is simply not the case. Food prices have risen, partly in response to higher prices at the farm level, and partly due to increased marketing costs. But also because the "printing press dollar" just is not worth what it used to be before devaluation and deficit financing.

I am not a farmer. I do not own any cattle or other livestock. But I do understand the problems the farmers of our State face in this time of inflation. To see the full picture of why food prices are on the upswing, the city consumer must understand the position of the farmer in our modern food chain. A number of myths have sprung up lately about the role played by the farmer in higher food prices.

Compared to other industrialized countries of the world, we Americans have long enjoyed readily available, inexpensive food for many years. This has been so true that most people have almost assumed that cheap, plentiful food is an American right. But availability of good food is a result of our efficient agriculture production system, and just plain hard work by our farmers.

Perhaps our great food production system is almost too good. It has lulled many Americans into believing that food and meat production is almost automatic—taken for granted like air and water. Incomes should rise, that is progress, but the price of farm products should not has been the attitude of many American consumers. Until the last few months, this has been the case. Grocery bills have accounted for an ever-decreasing share of the family take-home pay. Since the end of World War II, when one-fourth of the paycheck went to pay for food, this percentage has continually decreased. By 1972 food expenses took just over 16 percent of the average American's paycheck. This is amazing progress. Especially so, when you consider that in many areas of the world people spend up to half or more of their money just on food.

Efficient farming methods, the use of pesticides, food additives for livestock diets, and mechanization of equipment have all combined to keep food costs at relatively low levels. But our inflation prone economy has driven up the costs of production to the farmer, while his income has not followed. Higher food prices are not the cause of inflation—they are the logical result.

Price ceilings on farm products, or as many groups have suggested—price rollbacks, would do little to reduce costs to the housewife. Farmers now get just about a third of each food dollar. The other two-thirds represents the cost of getting food from the farm into the hands of the consumer. Labor costs account for half of that total. So while farm prices move up and down in response to supply and demand, labor and transportation costs move only upward. If farm product prices never again advanced by a single dollar at the farm level, food prices would continue to rise.

Toward the middle of last year prices in the supermarket began to rise more sharply than they had in quite a while. This is particularly true of prices at the meat counter. While beef prices have finally climbed back to levels of 20 years ago, the farmer's profit margin is smaller than it was 20 years ago. Farmers are now paying two to three times more for help, machinery is nearly twice as high, and production costs have doubled over the same period.

Last year saw the first major increase in prices at the farm level in many years. But anyway you look at the Government statistics, our farmers are not getting rich at the expense of the city folks. In Louisiana last year, farm net income reached just over $7,500 on the average. When you consider that the farmer's investment in land, machinery, et cetera, averages between $90,000 and $100,000, this is a poor return for the money from a business standpoint. But when you realize that only one-half of the farmer's income pays for his labor, the $3,700 the average Louisiana farmer made, is shockingly low. This figure is well below the national poverty level. But still the farmers of this country are singled out when prices rise.

Many consumers are confusing affluent living standards with inflation. While people are complaining in general of prices, what is actually putting the most strain on the family budget are the luxuries that we have become accustomed to—the things that many never thought of buying until recently. The typical family income in the United States last year was about $11,200. Compare this to the farmer's income. Half of all families earned more than this amount. Even after historically high State, Federal, and local taxes, most people have more spendable income now than ever before. Even though people are grumbling about prices, inflationary spending and installment buying continue at a record pace.

Purchases of new cars this year are expected to reach a record high of nearly 11½ million. Color television set sales are at an alltime high. Leisure spending, including hobbies, and vacation travel—much of it in foreign countries—is expected to push above its record high of $105 billion last year. Almost a quarter of a million pleasure boats are scheduled to come off the production lines during 1973. There is no doubt that the American standard of living is moving onward and upward. Yet, since food is such a visible and daily expense, any increase is viewed with alarm. We live in an inflation-ridden society that will likely continue to grow more so for some time to come.

Looking at the longer and longer cash register tapes from the supermarket as an indication of increased food prices is misleading. One reason, often overlooked, for an increase in the grocery bill is a change in retail merchandising techniques in recent years. Today's supermarket offers the housewife a wide range of products for her consideration. Toothpaste, baby powder, nylons, light bulbs, and scores of other products have greatly increased the tab at the checkout counter. Almost 30 percent of the "grocery bill" is not groceries at all, but products that in past years the consumer would have normally purchased at the drug, hardware, or variety store.

The American housewife values her time today, and spends more of her household budget for "convenience foods" which add greatly to the food bill. USDA home economists estimate that the built-in "maid service" of precooked, freeze-dried, readymade preparations, and packaged dinners have run up the cost of feeding a family by 25 percent. And we must not forget that the farmer does not share in the profit of this extra preparation.

On numerous occasions I have pointed to the effect of the massive sale of grain and livestock food to the Soviet Union, which has resulted in rising food costs to the consumer in this country. Last year the Russians imported more than one-quarter of the entire American wheat crop. Much of the wheat crop had already been marketed by the farmers before the sale of 400 million bushels to the Soviets sent prices soaring. So the large international grain traders reaped the profits, subsidized by the U.S. taxpayer, while the farmers only caught the expense of higher prices for livestock feed. In some areas of the country, the price of soybean meal, used in beef and hog feed, rose from a price last year of $75 a ton, to a whopping $170 a ton. Soybeans were included in the Russian grain deal.

Even the economists and politicians who last fall hailed the trade with the Russians as an historic breakthrough, are beginning to backtrack now that food prices at home are rising. Last week one of the national news magazines listed a "bright note" in the price crunch. It said:

> Pressure on U.S. Food stock—and prices—could ease if Russia's grain needs decline . . . from 1972's massive levels. The impact of that deal helped to drive up grain prices in the United States.

It does not take a degree in economics to realize that when you sell a quarter of your production of any product, it will drive up the cost of the remainder. That is the law of supply and demand in action. The Soviets have already given indications that they expect their grain crop this year to be poor, and plan to look again to the United States and Canada to bolster their lagging production.

If we do not learn from this past trade mistake and take action to cut off the pending sale to the Russians, the American consumer can expect another hike in food costs next year too. For this reason I have called on the Agriculture Committee to hold a hearing to look into this depletion of our grain stock before another 500 million bushels of wheat are loaded up and sent to Russia. This is not a complete solution to food increases. But it is a start toward curbing prices in one area. We must consider the pocketbook of Americans before we allow the big combines to make a quick buck by shipping our needed food supplies overseas.

No one likes to pay high prices for the products they buy—especially food to feed our families. Inflation hurts every segment of the population, but the people who suffer most are those on fixed income, such as retired people.

Blaming the farmer for higher food prices cannot solve the problem. Neither can wage and price controls. Political solutions cannot solve economic problems—in most instances the problems are only worsened by governmental control. There can be no real relief from the problems of high prices, high taxes, and inflation, until we attack the root causes—too much waste, deficit spending and excessive foreign giveaways. The wage and price control powers Congress recently extended another year for the President did not freeze your taxes or limit Federal spending.

Economic freedom, like individual freedom, cannot perform and solve American economic problems when handcuffed. The free enterprise system, if allowed to function without more Government imposed and controlled socialism will solve the inflation problem in this country.

SENATOR HUMPHREY SAYS ADMINISTRATION'S SPENDING POLICIES ARE DECEPTIVE

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. GERALD R. FORD. Mr. Speaker, on Friday the 13th of April the distinguished junior Senator from Minnesota, made public a staff study of the Joint Economic Committee which he said shows that the administration's spending policies are "a combination of deception and incompetence." It seems to me that if deception has taken place, it is Senator HUMPHREY and the public who may have been deceived by this highly misleading and inaccurate staff report—a report which appears to have been quickly thrown together more as partisan propaganda than as meaningful economic analysis.

For example, the study states that the President's original proposal of a $246 billion budget for fiscal 1973 "was increased to $250 billion by the administration itself." In fact, the $250 billion figure first appeared in the administration's mid-year review of the 1973 budget last year, and that review showed that the Democratic 92d Congress added virtually all of the $4 billion increase.

Likewise, the joint committee staff study suggested that the administration requested that fiscal 1972 revenue sharing be shifted to fiscal 1973, whereas, in fact, the administration sought to have revenue sharing begun in 1972, and it was the Democratic 92d Congress delay which caused payments to be made in 1973.

I enclose for the RECORD other comments on the Humphrey staff study:

COMMENTS ON JEC PAPER ON THE ADMINISTRATION'S SPENDING REFORM PROPOSALS

WHO SPENT THE MONEY?

Staff study

". . . the President originally proposed $246 billion for the fiscal 1973 budget. That was increased to $250 billion by the Administration itself. . . ."

Comment

The $250 billion estimate appeared first in the Mid-Session Review of the 1973 Budget sent to Congress by the Director of OMB on June 5, 1972. The report showed that the increase over $246 billion resulted from Congressional additions as follows (billions):

Congressional enactment of coal miner benefits	+1.0
Congressional delay in enacting general revenue sharing	+2.2
Interest on the debt	+.4
Other	+.1
Total increase	+3.7

Staff study

"(The Administration) apparently felt that additional outlays of $1.2 billion for Vietnam . . . were necessary."

Comment

After the June 1972 estimate of $250 billion was made the Administration did request an increase for Defense which added $1.2 billion to spending. Subsequently, the Congress made cuts which reduced Defense spending by $1.6 billion. However, the current estimate of Defense spending is $1.2 billion *below* the initial 1973 estimate, thus negating much of the $1.2 billion increase.

Staff study

. . . an administration request to shift fiscal 1972 revenue sharing into fiscal 1973.

Comment

The Administration wanted revenue sharing started in 1972; it was Congressional delay that caused the payments to be made in 1973.

Staff study

"Most of the remaining 'unconstrained' spending growth is a projection of what the social services grant program would have cost if Congress had not put a $2.5 billion ceiling on it during the last session."

Comment

Since 1970 this Administration has proposed a limit on the social services program because it was clear that that program would grow out of control. It was only when an astronomical rise in payments had already occurred (from $354 million in 1969 to $1.6 billion in 1972) that Congress acted.

Staff study

"Thus the potential $15 billion increase in fiscal 1973 spending over the President's original budget proposals consisted of roughly $6½ billion in Presidential spending initiatives, 1½ billion in uncontrollable spending increases, 5 billion in Congressional spending initiatives. . . ."

Comment

The figures of Congress' own scorekeeping reports differ. The end-of-session report of the Joint Committee on Reduction of Federal Expenditures shows (on p. 2 of Staff Report No. 9–Revised):

Outlay estimate in millions	
Congressional action to date	+$6,305
Amendments to the 1973 budget estimates transmitted to date	+2,896

WHAT ARE REAL BUDGET SAVINGS?

Staff study

"With these standards in mind (as set forth above) a substantial part of the Administration's claimed savings for fiscal 1973 are not real budget savings. It is not a real saving to shift $1.5 billion of general revenue sharing payments a few days . . . to sell off $1.5 billion in Federal credit and stockpile assets . . . to have a ($242 million) windfall increase from the terminated European Fund. . . ."

Comment

The budget document is forthright concerning these actions. Under the heading, "Avenues to outlay reductions" the following statement is made: "To minimize as much as possible the need for sharp cuts in ongoing Federal programs, the first effort was directed at seeking possible reductions in net outlays that could be obtained through such means as the disposal of additional materials from the Government stockpile and the development of non-Federal financing for various credit programs (through the sale of loan and mortgage paper) . . . Deferrals of certain Federal payments beyond the dates that had originally been planned . . . also were considered. . . . The largest of these was a relatively short delay . . . for . . . General Revenue Sharing."

Many of the actions the JEC characterizes as a "windfall" or "automatic" required deliberate action (e.g. considerable negotiation was required to obtain a return of funds from the European Fund). Surely the Congress would agree that actions such as these to reduce budget totals are more desirable than direct program reductions.

The budget clearly distinguishes program reductions and terminations from other savings. All of the program reductions and terminations included in the list of "Cosmetic Budget Cuts" on page 9 required positive action, including resistance to those proposing the spending.

Staff study

"Budgetary savings are of course desirable only if they eliminate ineffective programs."

Comment

Clearly not valid. It is essential that budget savings be made, if necessary, even in relatively effective programs if the budget total is such that wholly undesirable inflation or other economic effects would result. The JEC statement misses the fundamental point.

(We can agree with the later statement—p. 10—that ". . . the necessary reduction in government spending should consist of the set of government programs that are lowest priority and most ineffective.")

Staff study

"It should be emphasized that the reduction of inflation is not a valid economic criteria for eliminating an *individual* government program."

Comment

While there is logic in this statement, given the statement quoted above, there are some programs that can create their own inflated costs, e.g. Water Quality Control and highway programs at maximum levels.

WHERE ARE THE ADMINISTRATION'S EVALUATIONS?

Staff study

"In response to these requests (for detailed explanation, justification of cost-benefit impact, cost-benefit relationship . . .), on March 19, 1973 the Office of Management and Budget sent the Committee . . . their formal justifications for cutting 108 programs . . ."

Comment

The material sent to the Committee on March 19 was not the "formal justifications." Justifications for budget actions are (and have been for the applicable programs) provided to the Congress in many ways. Requests for lower appropriations or legislative actions were set forth in detail in the budget. Justifications are furnished in much greater detail to the Committees which will act on the proposals. The JEC is not an action Committee.

The material sent to the Committee was not intended to provide analytical assessments or cost-benefit analyses. Such analytical material should be obtained from agencies responsible for justifying budget requests. Materials used in connection with Presidential determinations is privileged. The budget proposals represent the President's judgments, based on thorough assessments, beginning at the agency level.

DEFENSE

Staff study

"The most incredible case of cosmetic budget cuts is national defense, which in fact increases by $4.7 billion."

Comment

The Administration took deliberate steps to reduce military and civilian end strengths not only from proposed levels but also from previous levels. The civilian and military strength level planned for June 30, 1974 is over 140,000 less than for June 30, 1972 and 80,000 less than planned in the budget for June 30, 1973.

Staff study

". . . . a budget savings (for 106,000 reduction in military and civilian end strengths) is claimed because the Secretary of Defense cut the in-house wish list from the military departments."

Comment

Defense spending rises primarily because of increases necessary to maintain military and civilian pay levels comparable to those in the private sector, to achieve an All Volunteer Force, to meet normal price increases and to pay for military retirement.

CONCLUSION

Staff study

". . . this preliminary analysis would seem to indicate that the information provided to Congress as formal justification for the budget cuts is of such low quality that Congress cannot rely upon it in formulating spending reform and setting national priorities."

Comment

Again, this material was not provided as a formal justification. Congress can make its decisions through appropriation and legislative Committees on the basis of detailed hearings and justifications by agencies.

JOHN CATES VIEWS U.S.-LATIN RELATIONS

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. FASCELL. Mr. Speaker, in recent months a great amount of attention has been given to the deteriorating state of relations between the United States and Latin America. In Journal of Commerce of April 13, 1973, one of our Nation's foremost observers of the inter-American scene, Mr. John M. Cates, Jr., voiced his own concern over the present trend in hemisphere relations and issued a clear call for all those interested in improving relationships between the Americas to speak out.

Mr. Cates, whose personal credentials as an inter-American statesman are widely known, is president of New York's prestigious Center for Inter-American Relations, which through a variety of programs seeks to strengthen understanding between the peoples of the United States and the other nations of the hemisphere. I am sure that Mr. Cates, experienced views will be of great interest to my colleagues.

UNITED STATES CALLED TURNED OFF TO NEEDS

(By John M. Cates, Jr.)

Pan American Week in 1973 is an appropriate time to take a general look at United States relationships with Latin America. In contrast to the halcyon days of the Good Neighbor policy and of the Alliance for Progress, we find today that people in the United States insofar as Latin America is concerned are generally turned off.

Whether this grows out of a deliberate government policy of low profile or whether the low profile follows naturally from a general disinterest in the area is not particularly relevant. The fact is that it is difficult to arouse interest in the United States in anything affecting the hemisphere.

U.S. WITHDRAWAL SEEN

Reports of the nationalizing of American businesses, the solid Latin American front in favor of Panama's position on the canal at the recent Security Council meeting, the impression of isolation of the U.S. delegation at the recent Economic Commission for Latin America meeting in Quito, all are symptoms of a general withdrawal of the United States from the concerns of the Western Hemisphere.

On the other hand there are so many things drawing us together—the long-lasting ties between the U.S. and various individual countries in the hemisphere; the security considerations implicit in our geographic location; and our common political and cultural heritage deriving from western European and African immigration and Indianism.

Strange it is, therefore, that organizations interested in the inter-American concept must make such a self-conscious effort to point out their mutual interests.

Unique among the institutions established to advance inter-American understanding and personal interchange is the Center for Inter-American Relations. Taking a multiple approach to the area, the center seeks to point up to North Americans not only the problems but the achievements as well of our southern neighbors. Not only their needs but also their many contributions.

To accomplish its purposes, the center engages in a wide variety of projects. These range from such diverse subjects as an explanation by the Foreign Minister of Mexico of its position on the 200-mile sea limit to aid in protecting Mayan monuments in the Guatemala jungle from vandalism.

Roundtables and seminars have put before concerned Americans the Panamanian position on the Canal negotiations; the constitutional basis for Chile's program of nationalizing industries; and the interest of Japan in expanding its investments and contacts in Latin America.

Equally important to an understanding and appreciation of our Latin American neighbors is a knowledge of their important contributions in the fields of literature, art and music.

Through this varied approach the center seeks to combat what can only seem as an aggressive disinterest on the part of the United States toward the area, a situation which not only can result in a matching apathy toward the United States on the part of our neighbors but has already had serious repercussions.

At a time of U.S. disengagement from Asia, at a time of aggressive economic competition from Europe, Latin America should be assuming greater, not lesser, importance in terms of markets, development and source of energy. Certainly, the business community here should not lose sight of the stake it has in Latin America. The U.S. exchanged $12.25 billion worth of goods with 20 Latin American republics last year; U.S. investment in Latin America and the Caribbean had accumulated $15.8 billion as of the end of 1971.

Pan American Week should be a time when we dispassionately appraise our South-of-the-border relationships. It is worth taking a minute to consider a not unlikely possibility that the entire continent might turn elsewhere for friendship.

Our slightly patronizing assumption that the Latin American countries have no choice except to remain wedded to us must be seriously questioned. The United States can disregard only at its peril our natural ties and mutual interdependence. There is still time to adopt a different posture which can demonstrate to our vital neighbors our good will and our interest. It is interesting that concern for our relations with Latin America is also currently expressed in the prestigious Foreign Affairs Quarterly—not generally noted for its interest in our neighbors. An article on "Latin America: Benign Neglect is Not Enough," states that, although no policy is better than a wrong one, "There is not much time left to develop new ideas and make a new approach before events will overtake and 'surprise' the State Department."

A recent comment in the English Newsletter "Latin America" refers to the "stark public revelation of the incompatibility of interests between the United States and Latin America," as revealed in recent meetings by the Security Council and Economic Commission for Latin America and current Organization of American States meetings in Washington.

Our neglect is showing. Those of us concerned with improving the relationships between the Americas must, more than ever, speak out at this time. The Center for Inter-American Relations is intensifying its efforts. But we cannot do it alone.

RESTORING VETERANS' DAY TO NOVEMBER 11

HON. FERNAND J. ST GERMAIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. ST GERMAIN. Mr. Speaker, one of the bills which I have introduced this year that has vigorous support from the veterans in my district is House Joint Resolution 495. The bill would restore Veterans' Day to November 11—the date which has both history and tradition to recommend it.

Many veterans have written to me or spoken with me personally to urge that the Congress change the date back to November 11.

I would like to share with my colleagues a poem I received recently by J. Bernard Hurl entitled "Give it Back," that calls for a return of this commemoration to its former date:

GIVE IT BACK

(By J. Bernard Hurl)

In the past not long ago
Then we read of friend and foe
How our boys fought and bled that we might live;
Then on high the Prince of Peace
Bade the sound of battle cease
And we welcomed home the heroes of the free.
But now lest we forget
There are those remaining yet
Who call Iwo Jima and Corrigidor a past
But I know that in their minds
They still think of those behind
And for endless time those memories will last.

The eleventh of November
To every veteran member
Of all wars is a ne'er forgotten day;
But one day someone changed it
Entirely disarranged it
"Give it back" is what we hear the veteran say.

Remember—veterans earned it
Memories have forever burned it
Into their minds and to their hearts as well;
So remember to remember
The eleventh of November
A day of peace which followed days of Hell.

THE VALLEY REGISTER: AN EDITORIAL

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. BYRON. Mr. Speaker, over the past several months we have heard much of the "energy crisis" and the effect it will have on our Nation. It was refreshing, therefore, to note a recent editorial in the Valley Register urging an end to the talking and a positive call for action.

I think this frank and forthright editorial best expresses the view of many people throughout our land and I share it with you now:

WHY PERMIT THIS "ENERGY CRISIS"?

Papers are being filled these days and radios and television sets are blaring forth the dire warnings concerning the fast-approaching crisis in the supply of energy-producing fuels available to see us through the next decade or so. But the truth is that there is no need to sit on our hands and permit such a far-reaching paralyzing of our economy to creep up on us. There is no doubt whatever that we are fast depleting our available supply of fossil fuels (coal and oil, as well as gas reserves in the earth). Already this nation is becoming partially dependent upon foreign sources for our oil and this threatens us with a "sword of Damocles" hanging over our heads and puts us at the mercy of not altogether friendly nations which are in a position to corner the world supply. This is not only unwise but it is unnecessary. The United States should not be dependent upon any other spot on the face of the earth for our energy-producing supplies. There is evidence that there is a great amount of "skulduggery" at work designed not only to hold down the available supply of oil that we need even now but to create artificial scarcities which result in skyrocketing prices. Oil companies do not have the refineries necessary to produce the gasoline the country needs and they are not building others to remedy the deficiency. The attempt of the President to alleviate the squeeze by permitting freer importation of foreign crude oil and extending the limits for off-shore driling will not in itself produce more refinery capacity. So long as the oil barons hold this capacity for monopolizing the supply, there is little hope for improvement.

But other sources of energy are available—sources which are practically inexhaustible. Three of these are thermal energy from deep down in the earth, solar energy from the sun's rays and the more promising source of nuclear energy. If the nation put one fourth the expense and effort into the development of one or all of these energy sources, our worries about the future insofar as our future energy needs would be over. Of course such exploration and experimentation would be fought by mining interests and oil cartels, but such pressures have been overcome before when real danger threatened, and they can be overcome again. Some day our present sources of energy will be obsolete. It could be soon if we wake up.

NATIONAL HOSPITAL WEEK

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. NELSEN. Mr. Speaker, I am today joining with my distinguished colleague and chairman of the Public Health and Environment Subcommittee, Mr. Rogers, in introducing a joint resolution requesting the President to designate the week of May 6 through May 12, 1973 as "National Hospital Week."

In a time when we are so vitally concerned about our health care delivery system it is easy to overlook the dedicated care given in our Nation's 7,000 hospitals. Each day better than 3 million people go to work in these institutions. Their responsibilities evidence a wide range of skills and services—everything from housekeeping and maintenance work to nursing and surgery.

Though care and comfort for the sick and injured have been the traditional responsibility of our hospitals, many of these facilities are now deeply involved in conducting research for the diagnosis, prevention, and cure of crippling and killing diseases. Some are even experimenting with new and, hopefully, improved methods of delivering health care within the institutional setting.

It is also interesting to note the increased importance that hospitals have attached to outpatient services. Increased expenses and improved technology have escalated the cost of providing hospital beds. For this reason, outpatient care must be provided as quickly and as thoroughly as possible—this in an effort to reduce the need for hospital stays. Today, six times as many people are treated on an outpatient basis as are required to remain in the hospital. In calendar year 1971, 200 million people received outpatient services. Such an emphasis on outpatient care is an important element in our fight to contain medical costs.

It is often easy for us to be critical of the people and the institutions charged with the responsibility for providing health care—indeed there are times when we should be critical. Yet, we must not lose sight of the marvelous, and at times miraculous, work being done in our hospitals. They deserve our appreciation and I am proud to cosponsor a resolution toward this end.

Thank you.

A TRIBUTE TO ART PETERS

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. NIX. Mr. Speaker, few of my colleagues will have heard of Chester Arthur Peters, but I rise to pay tribute to him today for his was a major writing talent. Had he lived, I am certain he would have gone on to being published in news media throughout the land. His growing career and influence, I am deeply saddened to report, were foreshortened April 11 by a strange viral disease diagnosed as meningitis.

Though only 44, Art Peters, in the words of Gene Roberts, executive editor of the Philadelphia Inquirer, for which Art wrote an eloquent and compassionate column, was a man who, "despite the short-lived nature of his career, accomplished more than most of us will accomplish in our lifetimes."

Mr. Speaker, I often find columnists and reporters who prosper through use of the contentious or excessively flamboyant statement. But Art Peters rather used a gifted talent for painting social problems in colorful words of compelling humanity. His was not a world of blackness or witnesses, but he was, as he said, everybody's columnist.

Mr. Peters often pondered his choice of professions. As a qualified lawyer, he felt he could represent the oppressed, the downtrodden, the poor working people, who, he said, are "frequently ground to bits."

But, as a journalist, he sought the opportunity to influence thousands of people and "to sway the thinking of the 'silent majority,' the vast number of readers who are indifferent to the plight of the underdog."

I believe it fortunate he made the choice in recent years and forsook the bar to devote full time to journalistic endeavors.

A fellow writer, Jack Sanders, editor of the Philadelphia Tribune, professionally assessed Mr. Peters by recalling that he "had an uncanny way of expressing himself to the point where he would make you believe what he was writing. He could convince you."

Mr. Sanders believes that Art Peters made a greater contribution to the white community through columns that were chiefly devoted to black people. Sanders said:

> It was a greater contribution, because he enlightened the White people about the Black community.

Mr. Speaker, I feel it most appropriate that the life and work of Art Peters be recognized in the official pages of our proceedings of the U.S. House of Representatives. His was not the radical, headline-seeking approach, but rather one whose shaping of ideas assures him a place of remembrance in the hearts of those who knew him and a special niche in the journalistic annals of our great city of Philadelphia.

REEMPLOYMENT RIGHTS OF MEMBERS AND FORMER MEMBERS OF THE ARMED FORCES

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. WHITEHURST. Mr. Speaker, today, I am joining Congressman Preyer in introducing a bill to amend section 9 of the Military Selective Service Act relating to reemployment rights of members and former members of the Armed Forces of the United States. Senator Randolph has introduced a companion bill, S. 1635, in the Senate.

Under existing law, veterans who were employed by the Federal Government or private industry prior to their service have mandatory reemployment rights to reinstatement in the jobs they left or in a job of similar status, if they are job qualified and request reinstatement within 90 days after release from service. In the case of a private employer who fails or refuses to comply with the law, the veteran is assisted by the Veterans Reemployment Rights Office in the Department of Labor in pursuing his case. In addition, he is provided free legal counsel, and can be represented by a U.S. attorney in Federal district court. The district court is empowered to order reinstatement. Veterans who were employed by the Federal Government are assisted by Veterans Federal Employment Representatives, are provided free legal counsel, and the Civil Service Commission has authority to reinstate the veteran within a Federal agency.

Veterans who were employed by State and local governments enjoy no such benefits. The existing law contains only a sense of the Congress statement which merely encourages States and localities to reemploy veterans, but does not make the veterans' reemployment mandatory. Most States now have laws concerning reemployment rights, but the coverage, the rights provided, and the availability of enforcement machines vary considerably. No States have mandatory reemployment rights for veterans and only one State provides free legal counsel to the veterans. Furthermore, because reemployment rights are not mandatory upon State and local governments, the veterans often lose all benefits which would have accrued to them had they not entered military service.

There is substantial evidence to indicate that many States and localities are unwilling to rehire veterans. In fiscal year 1972, the Department of Labor's Office of Veterans' Reemployment Rights received well over 700 complaints from veterans formerly employed in State and local governments. Both Congressman PREYER and I have received complaints of this nature from constituents, and it is my understanding that many of our colleagues have received similar complaints. Passage of this legislation will rectify this very unfair situation.

The bill will also insure that the Civil Service Commission maintains and meets its responsibility for the reemployment rights of veterans who were employed by the U.S. Postal Service, just as the Commission has this responsibility for employees of Federal agencies.

The President has asked every American employer to make the recruiting and hiring of Vietnam veterans a top priority. I am sure that we all agree that these veterans deserve our support. Those who have left their jobs to serve in the Armed Forces should have the opportunity to return to these jobs. Employees of private industry and the Federal Government are now guaranteed such an opportunity, and the school teachers, policemen, firemen, and other State and local employees deserve no less. I urge the Congress to approve this measure as expeditiously as possible.

THE 30TH ANNIVERSARY OF THE WARSAW GHETTO UPRISING

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. KOCH. Mr. Speaker, we recently marked the celebration of Passover, one of mankind's oldest independence days, as well as the 30th anniversary of the Warsaw ghetto uprising and the 25th anniversary of the independence of the State of Israel. The central theme of these holidays is a universal one: The will of a people and nation to survive and flourish in the face of bitter oppression and their determination to live and worship as free men.

Just as the message of Passover, in light of current events, cannot be viewed as a musty and ancient tale, so too, the significance of the Warsaw ghetto uprising, especially as it related to the subsequent creation of the State of Israel, must always be remembered and commemorated. Never again can we allow a nation, a group of people, even a single individual to be subjected to the kind of atrocities which marked the holocaust period. Nor should we permit the enormity of the catastrophe to diminish in any way the personal obligation that all of us must bear when it comes to dealing with other dehumanizing situations.

I would like to quote a short statement from the Talmud which, I believe, makes this point quite eloquently:

> Man was created as a single individual to teach you that he who destroys one human life, it is accounted to him by Scripture as though he had destroyed a whole universe; and he who saves one human life, it is accounted to him by Scripture as though he had preserved a whole universe.

Mr. Speaker, while it is true that the horror and silence which characterized the Warsaw atrocities and those in the rest of Europe have since subsided, they may not and must not be forgotten. The resisters of Warsaw recalled the heroism and strength of their forebears. They demonstrated the courage which has enabled a nation to survive against overwhelming odds and prosper throughout the millennia.

After 30 years one would hope that the kind of bravery and sacrifice so astoundingly personified by the fighters of the Warsaw ghetto should no longer be required to insure man's quest for freedom. But let us remember that even today, millions of men and women everywhere are still fighting for their freedoms. Nowhere is this more evident than in the case of those Soviet and Iraqi Jews who are struggling to maintain their identity and dignity against a regime which will not even allow them the basic human right to emigrate to the country of their choice.

The commemoration of the 30th anniversary of the Warsaw ghetto uprising provides us with that measure of courage and dignity that is required of all men who continue to fight for the freedom of oppressed people everywhere. It is with this feeling that I am proud to be a sponsor of House Joint Resolution 303, proclaming April 29, 1973, as a day of observance of the 30th anniversary of the Warsaw ghetto uprising.

OCCUPATIONAL INFORMATION FOR HIGH SCHOOL SENIORS

HON. JOHN BRECKINRIDGE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. BRECKINRIDGE. Mr. Speaker, at this time when our young people are graduating from high school and must decide about their future, I believe it is essential that they consider not only those jobs that are available today, but what the prospects are in various fields of employment in the years to come. The U.S. Department of Labor maintains a careful scrutiny of the job situation and labor trends, and from time to time publishes a forecast of employment opportunities.

I would like to enter in the RECORD a brief outline of some job categories from the latest Labor Department Occupational Outlook Handbook. I call attention to the number of job opportunities in fields which do not require a college degree, but do call for specialized training.

According to the Labor Department, young people with vocational education beyond high school will be in the best position to compete for openings, while some traditionally attractive fields, such as teaching, will become more competitive. I list the jobs by category:

OCCUPATIONAL OPPORTUNITIES

CLERICAL OCCUPATIONS

Bank Tellers—1970 Employment, 153,000; Annual Openings, 14,700. Very rapid employment increase, especially for part-time workers to serve during peak banking hours. Employment growth also due to expansion of banking services

Bookkeeping Workers—1970 Employment, 1,340,000; Annual Openings, 74,000. Because of the increasing use of laborsaving business machines, employment will increase only slowly.

Cashiers—1970 Employment, 847,000; Annual Openings, 64,000. Rapid employment increase. Demand greatest for those having special skills such as typing. Excellent opportunities for part-time work.

Electronic Computer Operating Personnel—1970 Employment, 200,000; Annual Openings, 34,200. Employment is expected to increase very rapidly as computers are adapted to new uses.

Receptionists—1970 Employment, 298,000; Annual Openings, 23,500. Moderate increase in employment. Young applicants probably will face competition from more experienced workers.

Secretaries and Stenographers—1970 Employment, 2,833,000; Annual Openings, 247,000. Very rapid employment growth due to increasing amounts of paperwork that will accompany continued expansion in size and complexity of businesses.

Typists—1970 Employment, 671,000; Annual Openings, 61,000. Very good employment opportunities. Demand strongest for those who have other office skills.

SALES OCCUPATIONS

Manufacturers' Salesmen—1970 Employment, 510,000; Annual Openings, 25,000. Rapid employment growth. Best prospects for those trained to sell technical products.

Retail Trade Salesworkers—1970 Employment, 2,540,000; Annual Openings, 131,000. Slow increase in employment Many opportunities for part-time workers, as well as temporary workers to sell during peak periods.

Wholesale Trades Sales Workers—1970 Employment, 539,000; Annual Openings, 27,700. Employment will be stimulated by an increase in business activity and the growth of specialized services offered by wholesale houses.

SERVICE OCCUPATIONS

Cosmetologists—1970 Employment, 484,000; Annual Openings, 43,000. Very good employment opportunities. Employment will rise rapidly as population and incomes increase, and as more women take jobs outside the home.

Police Officers (Municipal)—1970 Employment, 332,000; Annual Openings, 17,000. Very good employment opportunities for qualified applicants. Trained specialists in electronic data processing, engineering, and social work are becoming essential.

Waiters and Waitresses—1970 Employment, 1,040,000; Annual Openings, 67,000. Moderate increase in employment as new restaurants and hotels open.

CRAFTSMEN

Carpenter—1970 Employment, 830,000; Annual Openings, 46,000. Rapid increase in employment resulting from rise in construction activity.

Plumber and Pipefitter—1970 Employment, 350,000; Annual Openings, 20,000. Rapid increase in employment resulting from rise in construction activity.

Automobile Mechanics—1970 Employment, 610,000; Annual Openings, 23,300. Moderate increase in employment because of the increasing numbers of automobiles and added features requiring repairwork such as air-conditioning.

Television and Radio Service Technicians—1970 Employment, 132,000; Annual Openings, 4,500. Rapid increase in employment related to growing number of television, radios, phonographs, and other consumer electronic products.

Business Machine Servicemen—1970 Employment, 80,000; Annual Openings, 6,000. Very rapid increase in employment. Outlook particularly favorable for those trained to service computers and associated equipment.

Foremen—1970 Employment, 1,488,000; Annual Openings, 56,500. Moderate increase in employment due to industrial expansion and the need for increased supervision as industrial production processes become more technical.

OPERATIVES

Local Truckdrivers—1970 Employment, 1,200,000; Annual Openings, 35,000. Moderate increase in employment as a result of rising activity and growth of suburban areas.

Over-the-road Truckdrivers—1970 Employment, 655,000; Annual Openings, 21,000. Moderate increase in employment. Economic growth of the Nation and continued decentralization of industry will increase demand for these workers.

Assemblers—1970 Employment, 865,000; Annual Openings, 44,000. Moderate long-run increase in employment despite continuing automation of assembly processes. Employment sensitive to changes in business conditions and defense needs.

Gasoline Service Station Attendants—1970 Employment, 410,000; Annual Openings, 13,300. Moderate increase in employment resulting from growing consumption of gasoline and other service station products.

Welders and Oxygen Arc Cutters—1970 Employment, 535,000; Annual Openings, 22,000. Rauid increase in welder employment related to growth in metalworking industries and wider use of welding. Growth in cutter employment, on the other hand, will be restricted by greater use of mechanized cutting equipment.

PROFESSIONAL AND MANAGERIAL OCCUPATIONS

Scientific and Technical Occupations

Engineers—1970 Employment, 1.1 million; Annual Openings, 58,000. Generally favorable employment opportunities through the 1970's in this, the largest field of professional employment for men. However, rapidly changing technology and shifts in national priorities may affect adversely those who are overly specialized or not well grounded in fundamentals.

Chemists—1970 Employment, 137,000; Annual Openings, 9,400. Favorable employment prospects, especially for those with the Ph.D. to teach and do research and development work. Growth in demand stemming from an increase in research and development work and rising demand for industrial products such as plastics, manmade fibers, drugs, fertilizers, and high energy nuclear fuels.

Physicists—1970 Employment, 48,000; Annual Openings, 3,500. Favorable opportunities, especially for those having advanced degrees to conduct research and teach.

Life Scientists—1970 Employment, 180,000; Annual Openings, 9,900. Rapid increase in employment, especially in research related to health and environmental problems, through the 1970's. However, the number of life science graduates is expected to increase rapidly, resulting in keen competition for the more desirable positions.

Mathematicians — 1970 Employment, 75,000; Annual Openings, 4,600. Best opportunities for those with the Ph.D. to teach and do research. Because of the large number of degrees projected to be awarded in mathematics, competition for entry positions will be keen, especially at the bachelor's level.

Environmental Scientists—1970 Employment, 40,800 (geologists, 23,000; geophysicists, 8,000; meteorologists, 4,400; oceanographers, 5,400); Annual Openings, 1,500. Favorable opportunities, especially for Ph.D. degree holders for research work. Opportunities will be most favorable for geophysicists.

Engineering and Science Technicians—1970 Employment, 650,000; Annual Openings, 33,000. Favorable opportunities. Demand strongest for graduates of post-secondary technician training schools to fill more responsible jobs. Industrial expansion and complexity of products and manufacturing processes will increase demand.

Health services occupations

Physicians—1970 Employment, 305,000; Annual Openings, 22,000. Excellent employment opportunities. Employment expected to grow only moderately as limited capacity of medical schools continues to restrict supply.

Dentists—1970 Employment, 103,000; Annual Openings, 5,400. Very good employment opportunities. Limited capacity of dental schools will continue to restrict employment growth.

Dental Assistants—1970 Employment, 91,000; Annual Openings, 9,200. Excellent employment opportunities especially for graduates of academic programs for dental assistants.

Medical Laboratory Workers—1970 Employment, 110,000; Annual Openings, 13,500. New graduates having a bachelor's degree in medical technology will be sought for entry technologist positions in hospitals. Also very favorable employment opportunities for medical laboratory technicians and assistants.

Registered Nurses—1970 Employment, 700,000; Annual Openings, 69,000. Very good employment opportunities. Those with graduate education should expect excellent outlook for obtaining positions in administration, teaching, public health, and research.

Radiologic Technologists—1970 Employment, 80,000; Annual Openings, 7,700. Very good full-time and part-time employment opportunities as use of X-ray equipment in the diagnosis and treatment of disease expands.

Other professional occupations

Accountants—1970 Employment, 491,000; Annual Openings, 31,200. Excellent employment opportunities, especially for those having a bachelor's degree with a major in accounting or a related field. Employment will expand very rapidly as accounting information is used more by business management, as the number of required reports to stockholders increases and as accounting services are used more by small businesses.

Bank Officers—1970 Employment, 174,000; Annual Openings, 11,000. Employment is expected to grow rapidly as increased use of computers enables banks to expand their services.

Counselors—1970 Employment, 75,000; Annual Openings, 7,900 (school, rehabilitation, and employment counselors). Good-to-excellent employment opportunities depending upon educational backgrounds and experience. A very rapid increase in requirements is expected, reflecting the continued strengthening of counseling services.

College and University Teachers—1970 Employment, 335,000; Annual Openings, 10,800. Good employment prospects at 4-year colleges for those who have Ph.D. degrees and at 2- year colleges for those who have master's degrees. Persons may face some competition in obtaining positions of their choice since a smaller proportion of each year's doctor's degree recipients will be needed to meet the demand for college teachers.

Elementary and Secondary School Teachers—1970 Employment, 1,275,000; Annual Openings, 90,000. If patterns of entry and reentry to the teaching profession continue in line with past trends, the number of persons qualified to teach in elementary and secondary schools will significantly exceed the number of openings. As a result, young persons seeking their first teaching assignment may find keen competition for jobs, with schools placing great emphasis on their academic work and the quality of their training; many will likely have to find employment outside of teaching.

Lawyers—1970 Employment, 280,000; Annual Openings, 14,000. Good employment prospects for those seeking salaried positions with well-known law firms and for graduates of outstanding law schools or those who rank high in their class. Growth in demand will stem from business expansion, growing complexity of government legal activities, and the increased use of legal services by low and middle income groups.

Librarians—1970 Employment, 125,000; Annual Openings, 11,500. Good employment opportunities, especially in school libraries for those who have advanced degrees.

Programers—1970 Employment, 200,000; Annual Openings, 34,700. Very rapid increase in employment to meet demand for data processing services and as computers are put to new uses.

Purchasing Agents—1970 Employment, 167,000; Annual Openings, 5,400. Good employment prospects. Demand strong for business administration graduates who have taken courses in purchasing. Demand also strong for graduates with backgrounds in engineering or science to work in firms manufacturing technical products.

Social Workers—1970 Employment, 170,000; Annual Openings, 18,000. Very good employment opportunities. Despite the anticipated increase in the number of graduates of master's degree programs in social work, the demand is expected to continue to exceed the supply.

"OLD IRONSIDES"

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mrs. HECHLER of Massachusetts. Mr. Speaker, I would like to take this opportunity to bring to the attention of my colleagues an editorial from the Boston Herald American of Wednesday, April 5, and a recent communication to me from John F. X. Davoren, secretary of the Commonwealth of Massachusetts. This article and resolution by the Massachusetts House of Representatives explain well the feelings of the people of Massachusetts relative to the historic U.S.S. *Constitution*, and it is my belief that it is fitting and proper that she remain moored in her present location. With this purpose in mind, I submit this editorial and resolution for publication in the Record:

"Old Ironsides"

The possibility that the USS Constitution could still be transferred to a permanent mooring at Philadelphia or even at South Carolina's new historical museum, should neither be ignored nor underestimated.

Unreal as the prospect may seem, political influences with great power are covetous of the nation's first great warship and now the oldest commissioned vessel in the world. But Old Ironsides, the scourge of the Barbary pirates, in such an integral part of Boston's past, her departure to another port would leave a gaping hole in our historical heritage.

The 176-year-old frigate has been as often threatened in peacetime as in war, and there is no lack of precedent for the outcry now being raised to rally public support to her aid.

More than a century ago it was Oliver Wendell Holmes' inspired poem which frustrated the Navy's intent to have her broken up. At the end of the last century, the Massachusetts Society of the Daughters of 1812 saved her from the scrap heap a second time.

As every student of early American history knows, it was the children's turn in the late 1920's, and their contribution of pennies inspired a nationwide campaign that led to her restoration and a triumphant cruise up and down the Atlantic and Pacific Coasts.

The Navy has given assurances that Old Ironsides, now undergoing major repairs will remain at the Boston Naval Shipyard at least through 1975–76 when it is expected 2,000,000 visitors will once more attest to her unique allure as one of the nation's most popular Bicentennial attractions.

But that is not enough. The ship has always been identified with New England and here she should remain forever. She was launched just across the harbor from where she is presently drydocked, at Hartt's Shipyard in October, 1771; her masts were of white pine felled in Unity, Me.; and her spikes, castings and copper bolts were supplied by Paul Revere.

That is why the founding of a permanent Constitution Museum here by a group of patriotic citizens deserves universal public support. The stout wooden ship, with sides like iron, is part of our proud heritage. She deserves to ride out the rest of her days in a snug harbor under the shadow of Bunker Hill, where an even earlier chapter of our history was written. The Freedom Trail would not be the same without the sight of her "banner in the sky."

RESOLUTION

Resolutions memorializing the Congress of the United States to take such action as may be necessary to prevent the relocating of the mooring of the naval frigate *Constitution* from Massachusetts

Whereas, The citizens of Massachusetts are rightly disturbed over the alleged plans of the Department of Defense to relocate the famous Naval Frigate the Constitution from its mooring in Boston to a mooring in another state; and

Whereas, Built at a Boston Shipyard in 1797 and one of the most famous vessels in the United States Navy, the Constitution has been moored at the Boston Naval Shipyard as a naval relic since May 7, 1934; and

Whereas, In 1976, the year of the bicentennial of our country, millions of people will be visiting the Commonwealth especially Boston, the Cradle of Liberty, and it is only right and fitting that the Constitution should be moored in Boston or someplace nearby along the Massachusetts coast, the state where she was built; therefore, be it

Resolved, That the Massachusetts House of Representatives respectfully urges the Congress of the United States to take such action as may be necessary to prevent the relocation of the mooring of the Constitution from Massachusetts and insure that the mooring of this vessel will remain in Massachusetts; and be it further

Resolved, That copies of these resolutions be sent forthwith by the Secretary of the Commonwealth to the President of the United States, to the Secretary of Defense, to the presiding officer of each branch of Congress and to the members thereof from the Commonwealth.

House of Representatives, adopted, April 23, 1973.

JAL AND THE ARAB BOYCOTT

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. ROSENTHAL. Mr. Speaker, for more than 5 years Israel's major airline, El Al, and the Israeli Government have been trying to secure mutual landing rights with Japan Air Lines. Every attempt to negotiate with JAL and the Japanese Government has been rebuffed by the Japanese. Israel's last attempt to set up a meeting between the countries to discuss mutual landing rights, in early 1972, has remained unanswered for over a year.

To placate those who would complain about the apparent submission of the Japanese airline to the Arab boycott, JAL has repeatedly directed a public relations program toward Israel to mask their unfriendly intentions until public interest has died out.

I feel that the continuing boycott of Israel by the flag carrier of the Japanese Government, Japan Air Lines, is unacceptable, and should be brought to public attention.

If it is true that JAL is submitting to the Arab boycott, which as it stands now appears to be a reality, then not only is this an unforgivable breech of international relations, but in direct violation of the General Agreements on Tariffs and Trade—GATT—of which not only Japan but Israel and the United States are members.

NONBOYCOTTERS VOICE THEIR OPINIONS ON MEAT

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. ZWACH. Mr. Speaker, I have been speaking from time to time about high food prices. I have tried to point out that it was not the American producer who was profiteering and so he should not be penalized by having to compete against increased imports.

In an effort to hold down food prices, we have increased import quotas of meats and cheeses but that hasn't lowered the prices in the food markets.

One of my aides reported to me today that he purchased a 2-pound can of coffee in a well-known Washington market this weekend and the price was 15 percent higher than when he purchased a similar can 2 weeks earlier. Certainly the American producer had nothing to do with this price increase.

James M. Dagar, new managing editor of the Marshall Messenger, in our Minnesota Sixth Congressional District, recently wrote an editorial on food prices that contained so much good commonsense that I would like to share it with my colleagues and the many other readers by inserting it in the CONGRESSIONAL RECORD:

NONBOYCOTTERS VOICE THEIR OPINIONS ON MEAT

(By James M. Dagar)

While the headlines continue to be dominated by those who are participating in the meat boycott, the comments of special note are being made by those who have not joined the effort. Protesting the payouts—whether the doctor's bill, the newspaper's price, the rental fee or the builder's cost, the tariff for a pound of hamburger or a head of lettuce—is an old American custom, just as is the lament about how low wages are in relation to prices. It ranks with booing the referee as a treasured tradition—and there is sometimes about as much logic.

American consumers still have the ability to set prices by their demands. The competitive system does work. And they have an ability to influence their wage rates through the level of their own work as much as through any collective bargaining arrangements. So their power remains great. That of the government to fix ceilings, to influence supply and demand to the point of setting prices is highly over-advertised.

In the recent controversy the true newsmaker in my estimation was presented by a Dallas, Tex., construction worker who said he believed the meat boycott was unfair to other working men. He had in mind the farmers. "We get good wages, why shouldn't the farmer get good wages?" he asked. Then there was the man interviewed in a Minneapolis store who said, "No I don't think I'm paying too much for meat. Everything else has gone up and the farmer isn't making enough from his investment."

Throughout the country, a few—but very similar quotes were picked up by the news media. If Diogenes thought he had a difficult time in his lantern-lit search for an honest man in Athens, it was nothing compared to that of today for the citizen who will admit that he is fairly treated in the market place in comparison to his wage rates. Yet the fact that Americans have to spend less of their waking hours working to pay for the basic necessities of life than any people at any time in recorded history gets little attention.

The United States is not a Utopian state yet, but it is as near as anyone has devised. And it has been built by producers, not boycotters and chronic complainers.

ORIENTATION OF FRESHMAN MEMBERS-ELECT

HON. JERRY LITTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. LITTON. Mr. Speaker, today I have introduced legislation which, hopefully, will become a bipartisan legacy from Members of the 93d Congress to all future freshmen Members. My bill seeks to accelerate the scheduling of seminars, and to render the orientation of freshmen Members-elect an easier, more expeditious process.

As a freshman Member of the House of Representatives, I have spent a considerable amount of time discussing the role of new Members with my freshmen peers. Retrospectively, the "first one hundred days" of some—if not all of us—have been replete with trials, tribulations, and frustrations which might have been avoided. Thus, many of my freshmen colleagues share my sentiments that one of life's richest blessings may well be that we are cast in the role of unitiated freshman only once.

Mr. Speaker, when you and our other senior colleagues reflect upon your own freshmen years in the Congress, doubtlessly, many of you will concur that noteworthy early achievement, by the typical freshman Member, has been the exception rather than the rule. If you concede the truth of this assertion, I earnestly hope that time, acquired expertise, and experience in the legislative process have not dimmed the memory of your orientation and adjustment to the awesome trust of fulfilling your responsibilities as Representatives. Hopefully, your compassion for freshmen, born of your own experience—for once all senior Members were indeed freshmen—will elicit the support needed to enact my bill.

I am convinced, as are other freshmen Members who are evolving toward the goal of senior status, that had the seminars and briefings provided since our swearing-in taken place prior to January 3, our roadmaps on the journey toward becoming effective legislators would have been more clearly defined. How many valuable hours did we lose just ferreting out bits of information which now seem elementary? How many misjudgments might we averted had there not existed an ignorance of unique administrative and legislative processes? We will never really know. We have kept no tally of lost hours, nor have we catalogued our misjudgments. We would like to forget them. Nevertheless, in all honesty, I believe that every freshman Congressman on this floor today would concur in the thought that at times the going was rougher than it need have been.

The legislation which I have introduced will not redound to the benefit of any of us here—provided, of course, no Member in this session is defeated and subsequently reelected. Its sole purpose, then, is to smooth the path for those who come after us to take their place in this august body to which many are called, but only 435 are chosen.

Mr. Speaker, the legislation which I am seeking to have enacted would provide funding for two seminars to be conducted under the auspices of the Library of Congress in November, following general election, and again in December, for newly elected Members of Congress and two aides designated by each Member-elect. The aides would be given a choice of attending either seminar. Members-elect would have the option to attend either, or both.

The bill also seeks to provide transportation costs to and from the seminars, in addition to meals and hotel expenses for the Members-elect and their two designated aides. It is my thought that Members might seize the opportunity, during the second trip, to interview applicants for staff-assembly purposes. The second seminar might also be timed to coincide with the date designated to draw for office space. Under ideal circumstances, provided a sufficient number of Congressmen are at hand, perhaps, too, during the interval of the second seminar, it might also be feasible to consider holding party caucuses. Such caucuses would serve to shorten the time usually spent in organizing the House.

Further, the bill would provide for partial staffing. As we are well aware, the day after election, a retiree—or one who has been defeated, acquires the unenviable position of what is commonly known as a "lame duck." The day after election, a Member-elect has approximately a half-million people who considers him, or her, to be their Representative. This places the Member-elect in a most untenable position. Presumptively, such newly elected Member has spent months telling everyone in his district how expeditiously he plans to respond to their needs. Yet, during the 60 days between the election, and January 3, he has no authority to do so. Further, unless he is exceedingly fortunate, he has no staff and, ofttimes, no money. He starts out on January 3 with much to learn, a new office without equipment, and two months' accumulation of mail.

This bill would provide the freshman Member-elect with funding for an interim period to staff at a level not to exceed one-half the clerk hire allowance to which the Member-elect would be entitled by law if already sworn in. This funding would be apportioned on a per-day basis—between the date designated as winner in the campaign, until the date duly sworn. With access to such funding, the Member-elect would be able to cope with the heavy flow of mail that inevitably arrives during that difficult period. Thus, Members-elect would not be forced to start 60 days behind his senior colleagues whose offices are already established to function in an efficient manner the very first day of a new session.

Additionally, the bill provides that the Member-elect would not have to wait until after January 3 to assemble the many items needed to equip a newly established office. There would be access to the stationery account, in an amount not to exceed one-tenth of the total, prior to January 3. This would not mean that freshmen Members-elect would have a larger stationery allowance than senior Members. It means access would commence upon the date of designation as victor in the campaign for office, rather than date of swearing-in.

My bill was not designed to be all-encompassing to meet every need during the interim period. It does not provide for temporary office space, telephones, or other conveniences which would be helpful. It seeks primary, rather than secondary, needs of a Member-elect in the battle against time, needless frustration, and deterrents. While it does not provide ideal optimum benefits, it is felt that this legislation is a foundation upon which to build. It could be the first step in the right direction toward objectives which, I hope, all my colleagues—both freshmen and senior, deem worthy of support. It is a legacy within our purview and power to bequeath, and one for which conceivably we might be remembered, with gratitude, by those freshman who will follow in our footsteps.

STATEMENT BY DR. ELVIS J. STAHR, PRESIDENT, NATIONAL AUDUBON SOCIETY

HON. ROBERT B. (BOB) MATHIAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. MATHIAS of California. Mr. Speaker, I am pleased to present the statement of Dr. Elvis J. Stahr, president of the National Audubon Society, concerning the participation of the United States in the United Nations Environment Program:

STATEMENT BY DR. ELVIS J. STAHR, PRESIDENT, NATIONAL AUDUBON SOCIETY

I am Elvis J. Stahr, President of the National Audubon Society. National Audubon was one of the non-governmental organizations formally represented in Stockholm at the historic United Nations Conference on the Human Environment last year, and I personally was privileged to serve as a member of the official United States Delegation to that Conference.

We appreciate this occasion to offer our views on H.R. 5696, a bill to provide for participation by the United States in the United Nations Environment Program.

The National Audubon Society has warmly welcomed the initiative of President Nixon in proposing a $100 million Environment Fund over five years to support the United Nations Environment Program recommended by the Stockholm Conference and subsequently approved by the General Assembly. And from my personal experience as a member of our country's delegation, I can attest the importance which delegates of other countries, and in particular of the developing nations, attached to his dramatic pledge to seek $40 million for that Fund from the U.S. Congress as tangible evidence of the commitment of our country to a sustained worldwide follow-through on the immensely important purposes of the Stockholm Conference.

The National Audubon Society, which is in the process of establishing an Office of International Environmental Activities, is fully committed to the view that solutions to our global environmental problems are almost certainly not to be achieved without the ongoing, constant catalysis provided by a global agency such as the Environment Secretariat. We believe further that the developed nations, which bear an especially heavy responsibility for global environmental problems, have a special responsibility for contributing generously to the support of the Secretariat and its programs. I might note that the report of the Secretary of State's Advisory Committee on Stockholm, chaired by your colleague, Senator Baker, commented that the sum now proposed for five years could be profitably spent in just one year, so great are the needs. We believe in fact that the $100 million Fund proposed is a rock bottom minimum, and with that *caveat* we support the flexible approach of H.R. 5696 to provide "such amounts as may be necessary".

As members of this distinguished Subcommittee know, the Environment Fund will not provide for the core expenses of the new Environment Secretariat; these are provided for by the regular United Nations budget. Nor should the American contribution be regarded as a foreign aid commitment. The monies for which we seek authorization are to benefit all of us, through the specific projects included in the United Nations Environment Program: global monitoring and assessment; information exchange and assessment; improvement of environmental quality management; assistance for national, regional and global environmental institutions and studies for the development of industrial and other technologies best suited to a policy of economic growth compatible with adequate environmental safeguards.

It is my view and that of National Audubon that the programs to be supported by the Environment Fund are at the heart of the United Nations initiative to deal effectively with our global environment. They are the key to furthering and bringing to fruition the work so well begun at Stockholm, work in which many people in many nations, including millions of Americans, place great hope.

I respectfully urge favorable action on the bill before you.

LESHER NEWSPAPERS ON CONFIDENTIALITY OF NEWS SOURCES

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. WALDIE. Mr. Speaker, in the current hearings on bills to reestablish an unhampered right to the confidentiality of news sources, many people have expressed doubt about how absolute the privilege should be. I urge everyone with such doubts to pay close attention to the testimony of Dean S. Lesher, publisher of the Lesher Newspapers, a chain of six dailies and eight weeklies in northern California, given before the Senate Committee on Constitutional Rights, chaired by Senator ERVIN, on February 1, 1973. I hope Mr. Lesher's logic will convince all that an absolute guarantee is needed.

The article follows:

FIRST AMENDMENT: "ABSOLUTE GRANT OF RIGHTS TO THE PRESS"

Mr. Chairman, on behalf of this growing, vibrant, challenging segment of the American press, I come before you to respectfully challenge you and your Sub-Committee to move forward on two closely related legislative fronts to shore up the tottering pillars of our representative form of democracy. In order for representative democracy to survive and serve well the needs of the people, the public must know fully how the government functions and the public must be free to express its individual and collective opinions with respect to such functioning. Both of these activities are closely related and involve freedom of speech and freedom of the press.

Suburban Newspapers of America sincerely support Senate Bill 1311 introduced March 23, 1971 by U.S. Senator Pearson from the State of Kansas. We agree with the purpose and intent of the bill, with the language used in the bill and with the statement made by Senator Pearson upon the introduction of the bill on March 23, 1971 in Volume 117, at Page 41, of the Congressional Record.

Nineteen States now have similar bills granting to newsmen the privilege of sanctity of confidential information received or obtained in their capacities as newsmen engaged actively in the gathering or presentation of news for any newspaper, periodical, press association, newspaper syndicate, wire service or radio or television station.

Protection of this confidential relationship is vital to the gathering and dissemination of news. It is high time that the United States of America recognizes this by an act of Congress protecting said privilege.

In the recent Pentagon Papers Decision by the U.S. Supreme Court, both the public's right to know and the freedom of the press were major issues. A study of the various opinions by the Supreme Court Justices in this case shows the need for legislative expression upon the two related subjects of the public's right to know and freedom of speech tied in with freedom of the press.

My extended remarks, a copy of which you have before you for your record, emphasize the need for an enactment by the Congress proclaiming that Freedom of the Press under the First Amendment is an absolute right, subject only to such restrictions as are deemed absolutely necessary where the security of the nation is clearly and immediately threatened. In such event, the burden of proof would be upon the government to establish by a clear preponderance of the evidence (a burden much greater than the mere preponderance of the evidence) that such security is so clearly and imminently threatened that such restriction, even of a limited nature, should be placed upon freedom to publish in writing or orally.

It is the First Amendment that deals with the relationship between the individual and the government on a broad group basis. The First Amendment thus is of primary importance to the continued success of our representative form of democracy, yes, even to the continued existence of our nation in its present form.

The language used has no reservation of any kind, either expressed or implied, and therefore, must have been intended to be an absolute grant of rights and privileges to the press of America. That grant is for the benefit of the public and the welfare of the nation.

We base this position upon the language used in the First Amendment, upon the cardinal rule for construction of documents, and upon the historical background surrounding the enactment of this amendment.

That the First Amendment was intended to grant an absolute right evolves from the general principle of how to construe documents. Whenever an amendment or an addition is made to a document after it has originally been executed, the amendment or addition controls in the event it is in conflict with, or in derogation of, any part of the original document.

This follows from the very nature of the word amend or amendment. To amend means "to change or modify for the better; to improve". Thus, the very purpose to be served by an amendment is to change or alter the document or to explain the document in clear and understandable language.

The same principle applies to the First Amendment. The framers of the Constitution obviously intended it to be interpreted as written—as a full and complete guarantee of freedom of speech and freedom of press except only in the unusual situation where the national security is immediately and clearly threatened.

While this seems clear to students of law and students of the history of the formation of our nation, it would be well for Congress to spell this out in clear and unmistakable language. This Sub-Committee has now an opportunity to do so and thus perform a worthwhile service to this nation and its people. This could be a great contribution to Constitutional dialogue and to the preservation of the freedoms we enjoy under the U.S. Constitution.

We come then to the second segment of these two closely related subjects. That second segment is the public's right to know what is taking place in the government. It is on this phase that we strongly urge you to strengthen the Freedom of Information statute of 1966 proclaiming the public's right to know about the operation of their government. That right should be circumscribed ordinarily only by clear and immediate threat to the security of the nation and also with respect to matters of diplomacy where a certain degree of secrecy would necessarily be involved. Aside from these limitations, the public would have a right to check, to observe, to hear, to record and to report upon the operation of their government at its various levels and in its many phases.

Many States of the nation have statutes known under the general heading of "The Public's Right to Know." California is probably the leader. I am proud that I was the Legislative Chairman of the California Newspaper Publishers Association when it sponsored the first enactment upon this subject.

That Act was introduced by Assembly Speaker Ralph M. Brown of Modesto in 1953, was passed by both Houses of the legislature and signed by the Governor. The scope of that Act has been expanded to cover the activities of the various commissions and legislative bodies of the State at various political sub-division levels.

Mr. Chairman and distinguished members of this Sub-Committee, I would like to read to you the first section of this Act (California Laws 1953, Chapter 1588, Page 3279, Paragraph One):—

"In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly."

"The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know.

"The people insist on remaining informed so that they may retain control over the instruments they have created."

This clear and unequivocal statement and the enactments since made thereunder have had a salutary effect in California upon deliberations of commissions and legislative bodies at all levels of government and upon the opening of public records to inspection by the public and the press. They are now accepted as a beacon shining upon government activities to keep the public better informed of what their government is doing.

Every member of this committee is aware that our forefathers considered the people to be the government. This philosophy is expressed in every major document they drew. We cannot urge upon you too strongly the enactment of Federal statutes proclaiming this philosophy of government and asserting further the right of the public to know and of the press to keep the public informed.

What are the areas where information is not disclosed to the public or even available to the public? They are many and time permits only of a broad reference to two general categories.

The first is executive privilege, the right proclaimed by the executive department to keep secret too many documents at its own unsupervised discretion. It compounds this by refusing to permit key officials and employees to be questioned on issues either by the public or by the public's representatives, the Congress. This area needs extensive research, study and action. Congressional action to test and limit this privilege is imperative.

This is a sensitive area in view of the historical and constitutional separation of powers between the executive and legislative branches of the government. The issue is critical, however, in view of the growing credibility gap between the government and the public. This gap could produce an atmosphere that would seriously threaten the continuation of our form of government and the nation itself.

Another area applies to the deliberations of Congress itself. Too many matters are heard in executive sessions, too few committee decisions and votes are recorded in detail and too many actions are not available to the press and public. This area involves the always difficult task of self-analysis and self-criticism. It is, however, an area where the public welfare calls for action.

Everyone who has enjoyed this land of opportunity yearns for a chance to make one small contribution toward the continuance of this great form of government. I hope that our small contribution will be to motivate this great Sub-Committee to take a step in each of these directions by expanding the right of the public to know about the operations of its government and by stating that freedom of the press and freedom of speech are absolute except where the security of the nation is clearly and immediately endangered. If you do so, your hearings will have contributed mightily toward shoring up the foundation upon which his government rests.

Our form of representative democracy is under attack at all levels from within and without. Many attacks are fanatical and emotional without any basis whatsoever. The best defense against them and the best way to preserve what we have and enjoy is to insure that the people know the facts, that the people are well informed.

Knoweldge is a necessary keystone in the functioning of a representative democracy. Without such knowledge and without full freedom of expression that the First Amendment guarantees, this form of government may begin to totter and shake at its very foundation. You have a great opportunity to shore up this democracy we so dearly love by taking steps in these two proposed legislative fields that will assure to our generation and to future generations a knowledge of what is taking place and an opportunity to express themselves in the light of this knowledge.

It is hoped by the suburban press that you will place this nation upon the pathway to a better understanding by its citizens of how government functions. It is hoped that you will take the steps suggested to eliminate the credibility gap that has grown up with respect to that functioning. Only by the elimination of this credibility gap can our representative democracy have a full and fair opportunity to succeed and to continue.

A SPECIAL PROSECUTOR NEEDED FOR WATERGATE PROBE

HON. RICHARD H. FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. FULTON. Mr. Speaker, before leaving my office for committee this morning I had prepared remarks today to the effect that the need is greater at this hour for a special prosecutor for the Watergate affair than it was a week ago when I first urged the President to take this action.

Just moments ago I learned that Presidential aides Haldeman, Ehrlichman, and Dean as well as Attorney General Kleindienst have resigned. It was announced also that Defense Secretary Richardson will serve as acting Attorney General. Whether or not he will serve in a dual capacity at this time is not known to me. However, it makes little difference.

Despite the very high professional regard and warm personal liking I have for Mr. Richardson, he is a "member of the team" being investigated in the Watergate. While there has never been even a wisp of an idea raised that he in any way had any knowledge or nothing to do with this affair he is, nonetheless, from a number of points of view, simply not the man to head the investigation because he is a member of the team against whom all suspicion, to date, has been directed.

To serve justice in this matter public confidence must be maintained and, Mr. Speaker, I submit today that because of these developments and those over the recent weeks, the people simply have no confidence at all in the Government to probe this case fully.

It is obvious that the Department of Justice has not come to grips effectively with the matter. First the Attorney General excused himself because he feared conflict of interest; now he has resigned. First the acting director of the Federal Bureau of Investigation admitted that a White House aide may have lied to him about Watergate and then last Friday the acting director resigned after admitting he had destroyed important documents relating to the case.

Now we have the resignation of a suspected conspirator in the Watergate case from the White House plus two men in Government closer to the President of the United States than any two men on Earth.

Mr. Speaker, how can this administration expect the American people to have confidence in any investigation of any team by a member of that same team when it is publicly known and admitted that at least some members of this team are guilty? Not even a man of the high integrity and character such as Secretary Richardson can instill this kind of confidence in the American people. Confidence has been destroyed and, once destroyed, like Humpty Dumpty, "all the King's horses and all the King's men" cannot put it together again.

The choice, of course, is up to the President and his choice apparently has been made. However, in view of the need to protect the interest of truth and justice, to protect the integrity of the Constitution and to instill confidence in the American people I believe the decision should be reviewed and that the investigation and subsequent prosecution of the persons charged in this case should be removed, as far as humanly possible, from the hands of this administration or those officials, particularly appointed officials, responsible for it.

NEWINGTON MASONS—SEQUIN LODGE—CELEBRATE 25TH ANNIVERSARY

HON. WILLIAM R. COTTER

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. COTTER. Mr. Speaker, on January 28, 1948, a group of dedicated Masons joined together to form a lodge in this small town of Newington, population of 9,000. During 1948, the Newington Chapter of Eastern Star and the Sequin Lodge were to function both as a social club and a civic organization.

By literally working and building together, the Sequin Lodge constructed their new headquarters, replacing the old Newington Town Hall which had up to that time served as their meeting place. By 1956 the cornerstone had been set in place and by 1958 the building was formally dedicated.

Events celebrating the 25th year of both Sequin Lodge and Newington Chapter O.E.S. No. 115 will be highlighted by an anniversary dinner-dance to be held at the Knights of Columbus Hall on May 5. Sequin Lodge will also host a Degree Team from Toronto, Canada, on Saturday, October 20, who will portray a Masonic Degree.

One of the most rewarding accomplishments for Sequin Lodge in the Newington community has been the opportunity to work in close fellowship with Father Edward Shaughnessy Council No. 3884, Knights of Columbus, in exchanging visits and sharing community involvement with them. Plans are being formulated for a mass on St. John's Day to be held at the Church of the Holy Spirit and attended jointly by members of the Masons and the Knights on December 30.

The first master of Sequin Lodge was Martin Johnson, who remains active today.

Sequin Lodge is one of 135 Masonic Lodges in Connecticut. Its membership totals 350 men, a small part of the 40,000-plus Masons in Connecticut. Masonry in its present form can be traced back to 1717, and was chartered in Connecticut in 1789.

HAM RADIO OPERATORS ASSIST IN FLOOD, FIRE EMERGENCIES

HON. LAMAR BAKER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. BAKER. Mr. Speaker, I am constantly reminded of the invaluable service which volunteer groups render in countless communities across our country. One such group, the Chattanooga Tri-State FM Association, was active during two recent periods of disaster in Chattanooga. The Chattanooga Tri-State FM Association is a ham radio network. According to Jim Carmical, CTS secretary whose call letters are WA4YHG, the club provided 58 continuous hours of communications service during floods which hit Chattanooga during the latter part of March of this year. The club also performed valuable service in assisting with communications during an emergency which arose when a gasoline tank caught fire. Mr. Carmical has given the following account of activities of Tri-State FM Club during this period. Other officers of the club are president, Horace Forstner, Wooten Road, Ringgold, Ga., vice president, Phil Lytle, Notre Dame Avenue, Chattanooga, and treasurer, James Cox, Valley Lane, Hixson, Tenn. It is this kind of community spirit and desire to serve which makes Tennessee and the Third District such a fine place to live. I ask that Mr. Carmical's account be included in the RECORD at this point:

CHATTANOOGA TRI STATE FM ASSOCIATION PARTICIPATES IN FLOOD EMERGENCY

On top of nearly a week of heavy rainfall in the Tennessee Valley, seven and a half inches of rain fell on the Chattanooga area the weekend of March sixteen to eighteen. Over an inch fell in one hour between seven and eight a.m. of the sixteenth at which time W4WHG, President, called the Chattanooga Tri-State FM Association Emergency net. After fifty eight consecutive hours of operation the net was secured at five o'clock Sunday afternoon the eighteenth.

The net control station WB4UDX, is located in the American Red Cross Building in downtown Chattanooga. Repeater WB4-KLO performed flawlessly from its location on Signal Mountain. At various times W4WHG, K4TND, K4KTC, K4YET, K4EPM, K4RJW, K4JAF and WA4MVR acted as net control.

The Tri-State FM Association provided communications from the Radio Control Center permanently located in the ARC Building. Over thirty stations were used during the flood emergency including mobiles, fixed and portables.

During the height of the flood the club provided communications from disaster relief centers set up by Red Cross, to Headquarters, as all the ARC personnel were tied up manning the centers, phones were out part of the time and overloaded the rest. Seven centers were manned in Chattanooga plus two in nearby Jasper and South Pittsburg, Tennessee, where K4KTC, K4YET and WA4MVR set up communications for disaster relief. K4BPE was active in helping with disaster communications from Catoosa County Georgia, also through WB4KLO repeater. Simultaneously, mobiles were reporting water levels as the water rose in the Tennessee River to its crest of 36.9 feet. Flood level is thirty feet. Additional flooding in other parts of the city was caused by Chickamauga Creek which normally flows into the Tennessee River, but was backed up by the highest river level since before the TVA systems of dams was formed.

Damage from the flood to businesses and homes has now been conservatively assessed at sixty million dollars. Club reports of water levels were used to assist local police, Red Cross, and other agencies in the evacuation of sections threatened or already flooded. On Sunday the club made a street by street survey of flooded sections for the Red Cross to provide street names and house numbers affected. This report was later used to verify damage when claims were filed with the ARC totalling over $300,000 and were paid to over 1,600 people who received immediate disaster relief in food, food stamps, clothing and household goods. The mobiles stationed at the ARC shelters not only provided communications for ARC but handled many health and welfare messages while the phones were out or overloaded with traffic.

As always after an emergency, we look back and see how we could have improved the overall operation, but in general it was a huge success. The local ARC director told the club later that they simply could not have accomplished what they did without the club assistance. He stated our club excelled all other disaster units in communications, both in reliability and speed. We had ironed out some of the kinks in disaster work at a local gasoline tank farm fire last July, so we feel we're now ready for anything.

POLE SPACE RENTAL TO CABLE TV

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. WALDIE. Mr. Speaker, I am introducing today a bill which will place the renting of space on utility-owned poles by cable television operators under the control of the Federal Communications Commission. Under the provisions of the bill the FCC will have the power to regulate the rates charged for such use.

The monopolies granted to power and telephone companies to place their poles over public streets, highways and rights-of-way, have given companies who recognize cable television systems as possible competitors the power to charge the cable companies as much as they wish for rental of pole space.

Cable television is assuming an important role in the communications system of this country. It presently provides the public with locally originating programing in addition to television and FM radio signals received off-the-air. Cable television reaches approximately 7 million subscriber homes across the Nation, with roughly 1 million of these subscribers located in California.

Because State Public Utilities Commissions have abdicated responsibility, pole rental rates have soared. The FCC is presently holding hearings to determine if it should assume jurisdiction over the pole attachment practices. However, because the time element is becoming crucial, due to the disastrous effects that unregulated and unwarranted increases in pole rental rates could have on the cable television industry, I am introducing the following bill in the Congress:

AMENDMENT TO TITLE 47 OF THE UNITED STATES CODE, TELEGRAPHS, TELEPHONES, AND RADIO TELEGRAPHS

SECTION 1. Section 47 U.S.C.A. 201. (a) shall be added to title 47 of the United States Code, Telegraphs, Telephones, and Radio Telegraphs as follows:

The provision of space to a cable television system on or in any pole, conduit, or other support structure by any corporation or person is a public utility activity in interstate commerce and is an integral portion of interstate communications by wire and radio. All charges made for and in connection with said use shall be fixed by the Commission after hearing, and shall not exceed the additional costs incurred by said provider of space by and in connection with such use, plus a reasonable profit thereon.

JAYCEES CENTER FOR CHILD NUTRITION

HON. ELFORD A. CEDERBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. CEDERBERG. Mr. Speaker, it is with great pleasure that I take this opportunity to bring to the attention of my colleagues a national project of the U.S. Jaycees which I believe will make a substantial contribution to their goal of service to humanity and which will, in turn, help to solve one of the pressing social problems we face.

We are all aware of the need for providing the most adequate possible atmosphere for the education of our children. This means, of course, good teachers in adequate physical surroundings utilizing the best available educational techniques. But, to reach back to an old adage, it means further that we must work to create "a sound mind in a sound body." All of the educational expertise which we have available in this great country will have little effect on children who come to school too ill or hungry to learn.

On March 21, 1973, U.S. Jaycee President Sam Winer formally opened the offices of the U.S. Jaycees Center for Improved Child Nutrition in Bloomington, Minn. Under the direction of Robert Benedict and his associate, David Jones, President Winer pointed out:

> The feeding of American children has become a number one concern of the U.S. Jaycees.

In cooperation with other groups interested in the problem of nutrition for our school population, the Jaycees are moving forward with an effort to make certain that all of our children have available to them a sound nutritional program with which to meet the day.

I am particularly pleased to make note here of the fact that planning is rapidly being completed on a seminar which will be held on May 5 in my own State of Michigan. The Jaycees will attempt to outline a wide range of involvement methods to officials of the various school districts, and to local Jaycees, to assist in bringing the one thousand plus "no program" schools in Michigan into some kind of food service assistance.

In bringing this effort to the attention of the House I wish to associate myself with my good friend and colleague, the minority leader, who stated that he was "most pleased to learn that the Jaycees are currently directing their energies toward the area of child nutrition. I heartily concur with the Jaycees statement that, 'It just makes common sense to feed children.' " I wish the Michigan Jaycees, the national organization, and its new Office of Child Nutrition every success in their efforts.

THE LENNON CASE

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. KOCH. Mr. Speaker, I am sure our colleagues are aware of the immigration case involving John Lennon and his wife, Yoko Ono. Mr. Lennon is being ordered to leave the United States because the law automatically bars from permanent residence anyone who has ever been convicted of a drug violation. His record shows a conviction for "possession of marihuana" in a British court in 1968.

Clearly, there are reasons why the immigration statute would be strict with aliens involved in drugs. But to treat an alien convicted for possession of marihuana the same way a dealer in heroin is treated is certainly unjust.

To deal with such cases in a compassionate manner, I have introduced a bill with 12 cosponsors to amend the Immigration and Nationality Act to allow the Attorney General, at his discretion, to waive the now automatic bar to immigration of aliens who have been convicted, at any time in their lives, of marihuana possession. This bill has been introduced in the Senate by Senator ALAN CRANSTON.

The inclusion in section 212(a)23 and 214(a)(11) of marihuana as an "excludable offense" for the purposes of admission to the United States and as a "deportable offense" occurred in 1960 when marihuana was a felony under both Federal and State law.

Since that time a number of changes have been made in both Federal and State laws with the National Commission of Marihuana recommending that penalties for the simple possession of marihuana be removed entirely. Only two States classify possession of marihuana as a felony. This offense, now recognized as a misdemeanor under Federal law, continues to prevent desirable aliens from being admitted to the United States.

I urge our colleagues to support this legislation.

TAXATION WITHOUT REPRESENTATION

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. DERWINSKI. Mr. Speaker, a development, which I believe has escaped the attention of the Members is the imposition of what amounts to a tax upon a tax, is very clearly described by Radio Station WGN, Chicago, Ill., in an editorial of April 8. I insert this editorial into the RECORD and direct it to the special attention of the members of the House Ways and Means Committee trusting that they will recognize the legitimacy of the point contained in the editorial.

The editorial follows:

TAXATION WITHOUT REPRESENTATION

Two hundred years ago, Americans were complaining about taxation without representation. Now, we feel, there's new reason for complaint.

The federal government has ordered the airlines to enforce tight security measures at airport boarding areas . . . to discourage would-be hijackers. Metal detecting devices, people to operate them, other people to search hand luggage . . . all of these things cost the airlines money. So, the government has allowed the airlines to pass along the cost.

The domestic airlines of the nation and the government settled on the figure of $57 million as the estimated cost of these security measures. Further estimating, on the number of passengers to be carried this year, brought the cost down to 34 cents per passenger. The airlines were told they could add this charge for each portion of an airline trip.

While no one likes having the price of anything go up, the 34 cents on a $100- or $200-ticket is not unreasonable. But, said the government, add the 34 cents into the ticket price *before* you compute the tax.

There is an eight percent federal tax on airline tickets. So, the 34-cent charge becomes 37 cents . . . those other three pennies going to Uncle Sam. It's not a lot of money . . in relation to tax revenue and government spending we guesstimate it will bring four and a half to five million dollars into the federal treasury in the next year. But, the Constitution says *Congress* should levy taxes, not some administrative agency which, in effect, orders an increase in costs, permits the cost to be passed along to the general public, and then taxes the increase.

The surcharge, to defray security costs, is reasonable. But, the tax isn't. The airlines should be permitted to add the extra 34 cents after computing the tax.

THE ENERGY CRISIS

HON. WILLIAM L. ARMSTRONG

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. ARMSTRONG. Mr. Speaker, the United States is on the verge of an energy disaster.

Our country has been so rich in natural resources and productivity for so long that we have been isolated from any real resource sacrifices. Famine and shortages of other kinds almost seem un-American as if our country were immune to the problems plaguing other nations.

But the energy crisis is real and its effect will be felt in every household across the country. Americans will have to face skyrocketing fuel prices, rationing, restrictions on travel as well as on the ownership of automobiles and home appliances. We will probably have an energy czar with regional administrators and a typical costly governmental bureaucracy as well as an increasing dependence on foreign suppliers which will inevitably subject the United States to international blackmail by oil-rich potentates of the Middle East—unless we act quickly and decisively to close the energy gap.

It may not be too late to avert the worst consequences if Congress formulates energy policies based upon the realization that—

The United States has only 6 percent of the world's population but consumes 35 percent of the world's energy, more than the combined usage of the U.S.S.R., Germany, Japan, and Great Britain.

Domestic energy production has not kept pace; in fact, production of domestic crude oil and natural gas liquids peaked in November 1970 and has decreased by about 5 percent since that time. Even more ominous is the oil drilling rate—the drilling footage—which stands now only about half the rate of 1955. Significantly, the finding rate—volume of oil and gas found per unit of drilling effort—is also declining, a factor heavily influencing the supply and cost of production.

With gasoline consumption rising dramatically it is no wonder shortages are developing all over the country and gas rationing is just around the corner.

As a result of these trends in petroleum supply and usage we have become heavily dependent on imported oil; about one-quarter of America's oil comes from abroad today. It is estimated that within 12 years 50 to 65 percent of U.S. oil consumption will depend on overseas sources.

Obviously this has tremendous foreign policy implications as well as staggering financial consequences. The net cost of imported fuels already results in a sizable dollar drain, approximately $2.1 billion in 1970. This deficit is expected to range between $9 and $13 billion in 1975 and may reach $32 billion in 1985, if present trends are not reversed.

The magnitude of this problem is highlighted by the fact we already have the worst balance of trade in 70 years and by noting our total annual export of all goods and services is only about $65 billion at present.

An even more imminent crisis is developing in natural gas, as probably anybody whose children were sent home from school this winter already knows. School and factory closings due to fuel shortages have been rare in the past but will occur with monotonous regularity in the future unless the present trend is reversed. In the last 6 years natural gas consumption has increased 37 percent while our proven reserves of gas have decreased 21 percent.

It is no exaggeration to describe the present situation as an "energy crisis." I therefore recommend the adoption of energy policies based on these considerations:

First. Energy policy and environment policy must be coordinated. In the last few years there has been an enormous outpouring of public interest in the environment. After decades of neglect we have awakened to the realization that we cannot go on squandering our great natural heritage of clean air, clean water, wilderness and natural areas and the other environmental resources with which our country is so richly endowed.

But somehow a lot of people have gotten the idea that environmental concerns can be measured in money; or, in short, if we are willing to spend enough money we can solve any environmental problem. This is not true.

For example, we all want to clean up air pollution. And certainly there is no problem that is more visible or of greater concern to Colorado than air pollution. So we all want to support the most rigid feasible air pollution control standards for automobiles. But here is the rub.

Implementing the 1975–76 Environmental Protection Agency—EPA—standards, which require a 96-percent reduction in emission levels from those allowed in 1970, has a huge environmental cost. I am not talking about the economic cost of higher priced automobiles and lowered engine efficiency. I am talking about fuel consumption. The difference in fuel efficiency from a 90-percent reduction to a 96-percent reduction will cost 3 million barrels of oil per day, 50 percent more than the expected flow from the Alaska pipeline which may never be built due to other environmental concerns. Here are two valid environmental concerns that clash head on.

Unfortunately, most Americans have no idea this kind of environmental tradeoff is involved in decisions now being studied.

Second. Let us recognize that ill-conceived Federal policies have actually fostered the energy gap. The Government ought to be doing everything it can to solve the problem instead of continuing price controls which are certain to make the situation worse.

The present shortage of natural gas is a logical result of the Government-decreed wellhead price of natural gas. At 25 cents per million Btu's it is far below the energy equivalent of crude oil at 60 cents, and heating oil at 80 cents. Even coal has risen to 35 cents. These artificially low natural gas prices discourage exploration and development to provide new supplies while encouraging consumption of the cheap natural gas by many industrial users and utilities which might otherwise be using other fuels.

The same situation applies to the Government ceiling price on gasoline; this is the opposite of sound policy. Instead of encouraging further production and letting prices rise to reflect true cost, thereby discouraging unnecessary and wasteful use of gasoline products, this policy does just the opposite. At a time when a shortage already exists, the price ceiling discourages production and encourages consumption—a sort of Alice-in-Wonderland approach to the problem.

Third. Congress should support the President's recommended appropriation for Government energy research and encourage private research, particularly the development of oil shale and coal gasification which appear to be the only two promising sources for large-scale energy development.

Research in oil shale is particularly meaningful to Colorado. And it is essential that this research proceed at a measured pace now so shale can be turned into oil on a basis that is consistent with sound environmental standards. If this research is not given high priority now, at some later time oil shale development may be pushed through on a panic basis and environmental concerns could be left in the lurch.

Fourth. Congress should seriously consider an antitrust exemption for energy companies which wish to enter joint ventures for research and development of these projects. The economics of coal gasification and oil shale are so huge that it is unlikely any private enterprise, even the gigantic companies, will undertake these projects on thier own. Since joint efforts could run afoul of the antitrust laws, the only alternative to Government research and development seems to be some kind of narrowly defined antitrust exemption, or, as a further alternative, a Government-industry joint venture.

Fifth. Congress should enact tax incentives, including investment credits advocated by the President, to encourage exploration, research and development of energy resources.

Energy policy should be coordinated by a single department of the executive branch and a similar coordinating effort should be undertaken by Congress. At present, energy policymaking in Congress is fragmented among many committees and administration is scattered throughout the executive branch. The delays, confusion and counter-productive efforts which result can be tolerated no longer.

I hope that my colleagues in Congress share the sense of urgency I feel about meeting the energy needs of America. It is an irony this energy-rich Nation of ours should be so close to disaster. Even the most decisive action will not head off some consequences of our past policies. Anything less than our strongest and best efforts is certain to end in disaster.

PENNSYLVANIA LEGAL PROFESSION SUPPORTS LEGAL SERVICES

HON. EDWARD G. BIESTER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. BIESTER. Mr. Speaker, the merit of legal services activities and performance in past years is an active topic of discussion in Congress at the present time. Much evidence and testimony is being submitted for and against continuance of the legal services program—and, if it is to be continued, the exact manner in which it should be structured.

In my estimation, legal services has done a commendable job in helping the poor realize that lack of money need not be a barrier to the exercise of their basic rights. Critics of the program have tried to picture legal services as a politicized operation fighting causes at the expense of the simple and fundamental legal needs of the indigent. The General Accounting Office study and report of legal services performance issued March 21, refuted these charges and demonstrated how legal services attorneys have effectively and admirably represented the poor on behalf of those commonplace legal problems so many other persons—who know their rights and can afford the necessary legal fees—take for granted.

I am pleased to note that the Pennsylvania Bar Association, in its recent board of governors meeting, has passed a resolution strongly in favor of continuing the legal services program as an independent corporation.

Mr. Speaker, I would like to submit for the RECORD the Pennsylvania Bar Association resolution regarding the legal services program:

PENNSYLVANIA BAR ASSOCIATION RESOLUTION

Whereas, the ideal of equal justice is dependent upon a viable system of legal services available to the poor; and

Whereas, since 1965 the federal government has committed many millions of dollars through the Office of Economic Opportunity and the Department of Health, Education and Welfare to funding local programs to provide such legal services; and

Whereas, proposed regulations promulgated by HEW would eliminate legal services as an optional social service permitted to be provided by states to poor; and

Whereas, it is proposed that OEO be discontinued before July of this year and there is no present provision for transfer and continuation of the OEO-funded local legal services programs; and

Whereas, in Pennsylvania the substantial utilization of available federal resources, resulting in the sponsorship of HEW and OEO-funded programs in 26 counties—with 13 more soon to be started—is now threatened by the federal proposals; and

Whereas, the President of the United States has repeatedly committed his Administration to the creation of an independent national legal services corporation designed to continue providing the poor with access to the courts for redress of grievances;

Now, therefore, it is resolved that the Pennsylvania Bar Association urges:

(1) The Secretary of the Department of Health, Education and Welfare to adopt regulations which include legal services as an optional service to be provided by states under social and rehabilitation services.

(2) The President of the United States to direct that existing OEO legal services programs be fully supported, and contract obligations be honored, until an independent corporation has been formed and is capable of assuming administrative responsibility for the legal services programs.

(3) The President and the Congress of the United States to move with dispatch to enact and adequately fund an independent legal services corporation capable of providing a full range of legal services to the poor.

(4) All federal programs providing legal services for the poor be designed to insure that the professional judgment of legal services lawyers be preserved free of restrictions inconsistent with the Code of Professional Responsibility.

SMITHVILLE, N.J.

HON. CHARLES W. SANDMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. SANDMAN. Mr. Speaker, on May 1 the historic town of Smithville, N.J., will celebrate its 21st anniversary. It has become one of New Jersey's leading attractions, providing employment to 549 persons on an annual basis, and over 600 during the summer months. The town is visited by millions of people annually, and it is an inspiration to all who believe opportunity has not vanished in our country.

Fred and Ethel Noyes, whose love for south Jersey has been their prime motivation, acquired a neglected, forsaken, forlorn building that had been a stagecoach stop in 1787, and with an initial investment of only $3,600 have developed the town to the point where it now occupies some 2,300 acres, three great inns, scores of restored buildings and village shops, a working farm, FAA and VA approved airfield, and a modest motel.

The current project is the restoration of a typical south Jersey crossroads village of the early 1800's. This restoration will occupy 1 square mile with more than 36 main buildings and other structures. Craftsmen will be working in many of the buildings just as they did over a century ago.

To Fred and Ethel Noyes, the historic town of Smithville is a lifelong dream come true for they are absorbed in preserving the historical significance of the area, and to remind people of their great heritage.

Mrs. Noyes is chairman of the Atlantic County Cultural and Heritage Commission, served on the Governor's Commission to Study the Status of Women in New Jersey, and is a member of the Lafayette Chapter of the Daughters of the American Revolution. She is also a member of the New Jersey Trust established by the State. She was named one of the top 10 businesswomen in New Jersey by the New Jersey Manufacturers Association, and Woman of the Year by the New Jersey Travel and Resort Association. She is a member of the board of directors of South Jersey Industries, and Atlantic City Hospital. Last month Mrs. Noyes was named the Nation's Best Dressed Woman Executive by a New York Fashion group.

Mr. Noyes, an artist of national repute, is also active in many business and cultural organizations.

It is interesting to note that the Noyeses have maintained a fair employment policy since the inception of Smithville, long before the Government felt it necessary to legislate such a policy.

Now a publicly owned corporation, with Mr. and Mrs. Fred W. Noyes, Jr., as major shareholders—Mr. Noyes is president director, and Mrs. Noyes is executive vice president director—the progress and expansion of the town continues. In the "Old Village" restoration scheduled for completion in 1974, visitors will see a community that was but never will be again. Educators agree that this ambitious restoration merits study by young and old alike. The story of what Fred and Ethel Noyes have accomplished in just two decades should serve as an inspiration to us all.

THE NIGHT TERROR CAME KNOCKING

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. MOSS. Mr. Speaker, it used to be in America that a man's home was his castle and protected from unwarranted government intrusion under the fourth amendment to the Constitution.

It appears now that certain people in the executive branch of our Government need a history lesson plus severe penalties to remind them of that fact.

I am referring to the recent invasion by Federal narcotics agents or goons—I am not sure what they are—of two private homes in Collinsville, Ill. The raids were made on the wrong houses and it turned out to be a night of terror for the innocent, law abiding families involved. They were beaten, cursed, and otherwise abused.

The conduct of the Federal agents was absolutely barbaric and could only remind one of the Gestapo tactics of Hitler's Nazi Germany.

I am today requesting a full and immediate investigation of this deplorable incident by the Special Studies Subcommittee of the House Committee on Government Operations.

Outrages of this sort must be stopped now. They are occurring much too often. I demand, as a Member of Congress, that all those involved in this injustice be brought to account for their actions.

Following is the text of an article which appeared in the Washington Evening Star and Daily News on April 29 describing this travesty:

The Night Terror Came Knocking

(By Andrew H. Malcolm)

Collinsville, Ill.—Herbert Giglotto was asleep with his wife in their townhouse apartment here the other night. He heard a crash by the front door. He stumbled from bed.

"One more step, you (obscenity) and you're dead," said a voice in the darkness. And Giglotto felt a gun barrel against his forehead.

One half hour later across town Don Askew, his wife Virginia and their son Michael were sitting down to a late fish supper.

Their dog Charlie barked. Mrs. Askew went to the living room, then gasped. "My God, Don, there's a man at the window."

There was, in fact, a man at every window. Each pointed a pistol inside. And three men stood by the door with shotguns.

Thus began a night of terror for two families here last Monday. Their doors were kicked in; their homes damaged, their arms shackled. And the screaming bearded men told some they were to die.

The long-haired, unshaven, poorly dressed armed men who burst into the homes shouting obscenities were federal narcotics agents hunting, with no known warrants, for something or someone.

They went, however, to the wrong houses. And when they realized their error, the men disappeared with no apologies.

"I think people should know," said Mrs. Giglotto, "that this sort of thing can happen in America now. God only knows how many families this has happened to."

The agents' actions here prompted charges of "Gestapo tactics," a $100,000 lawsuit, some angry editorials, a federal investigation and a good deal of fear in this quiet southern Illinois community of 19,600, 15 miles east of St. Louis.

Except to confirm that the men involved were, in fact, narcotics agents, no one in the federal government would explain the incidents.

Herbert Giglotto is a 29-year-old boilermaker who lives with his wife, Evelyn, in a tri-level apartment. They have no children.

The had retired at 9:30 p.m. Monday because Giglotto arises for work at 5 a.m.

At 9:30 p.m. there was a crash. That was the storm door being ripped out. A second crash followed. That was the inside door buckling off its hinges.

Giglotto reached the top of the stairs when a man put a gun to his head.

The boilermaker turned to his wife. "Honey, we're dead."

"That's right, you (obscenity)," said the man.

He threw Giglotto face down on the bed and handcuffed his arms behind his back and said: "You move and you're dead. Who's that bitch?"

The room had filled with 15 men. They were tearing down shelves and ripping clothes out of closets and drawers.

"That's my wife," said Giglotto, "and this is our bedroom."

"Don't get smart," said the man. He cocked his pistol. "I'm gonna kill you."

Mrs. Giglotto pleaded hysterically for her husband's life.

"Shut up," the man said.

He ordered Mrs. Giglotto, who was clad only in a short green negligee, to lie on the floor. Another man threw a sheet across part of her exposed body.

The man had ripped open a screen and kicked in a back door that Askew had nailed shut eight years ago.

The men searched the home. "Do you know John Coleman?" they asked.

"No," replied Askew.

"I can't breathe," Mrs. Askew said.

"Take it easy, lady," one man responded, "We're federal agents and we've gotten a bum tip." They began to leave.

"Wait until the police get here," Askew said.

"We can't," the man said. "We've got four more places to go tonight. Here's a phone number. Call and they'll pay any damages."

The number was for the Bureau of Narcotics and Dangerous Drugs in St. Louis.

In his stocking feet Askew followed the 25 men to the Collinsville police station, where the agents identified themselves to Chief Paul Cigliana and reportedly admitted they had no warrants.

On Wednesday the Askews sued the federal government for $100,000 for violation of their civil rights. The Giglottos also retained an attorney. "I can't compete with a government like this," said Giglotto.

In Washington, Myles J. Ambrose, special assistant attorney general in charge of drug abuse law enforcement, ordered a "thorough investigation" and said "appropriate action" would be taken against any federal agents who acted "improperly."

"Every day I get madder," Giglotto said. "They acted like those German Gestapos. If they were representatives of the federal government, we're all in trouble."

There were crashes elsewhere. A television set, among other things, was thrown across a room. An antique plaster dragon was shattered. Cameras were bashed on the floor. Papers were strewn about.

Then one man flashed a small gold badge for an instant, but not long enough to read. And he rattled off a list of names that Giglotto did not recognize.

"You're going to die if you don't tell us where the drugs are," said the man.

"Please, please, before you shoot, check my wallet," screamed Giglotto, who says aspirin is the strongest drug he takes. Just then there was a voice on the stairs.

"We've made a mistake," it said.

Giglotto was released and the room emptied.

"Why, why did you do this?" Giglotto asked as he struggled to put on some pants.

"Boy, you shut your mouth," said one man. And he knocked Giglotto over, ripping his trousers.

Outside, a man was modeling one of Giglotto's construction hardhats. The Giglotto's pets—three dogs and a cat—had been thrown outdoors.

"(Obscenity) your animals," one man said, "I don't care about your goddamned pets."

And the men walked off down the street.

About that time 40-year-old Don Askew was returning from his East St. Louis gas station to his modest, six-room home in Collinsville's north side.

The dead-end street, a one-lane curving affair, is little-traveled.

So Arnold Blass, a 66-year-old next-door neighbor, was puzzled by the car that cruised back and forth. He had just cleaned a .22-caliber pistol and put it in the house.

Now Blass was in his backyard chatting with Jack Freiburg, a friend, and cleaning some freshly-caught carp.

Suddenly, they saw about 25 "raggedy-looking hippies" running across the vacant lot toward them. One pushed Freiburg, who knocked him down instead against an old ice-box. Another seized Blass' knife.

Then, a man produced a badge for a second. "Is that all the identification you've got?" asked Freiburg, "I can buy one of those in any dime store."

By then Mrs. Askew was screaming for the police. As Blass turned toward his house, three men barred his way, shaking their heads slowly.

"It's a good thing I didn't have my gun," Blass said later.

Askew thought the strangers were a motorcycle gang after his 16-year-old son. Then he saw the armed trio at the door.

"You kids go on home now before I call the police," he said, holding the door shut. Then, slowly, without a word, one of the men leaned back and kicked the foot just below the glass. The muddy footprint is still there.

Mrs. Askew ran screaming toward a bedroom. She fainted and hit her head on a table. Her son went for the phone. "Hold it, boy," said the voice in the window.

Then one man at the door waved a badge briefly. Askew opened the door promptly and stepped back. Only then did he see a pistol pointed at his back through the kitchen window and a man standing quietly by the bathroom with a shotgun in his hands.

TAX WITHHOLDING LAWS UNFAIR TO SCHOOLS

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. FINDLEY. Mr. Speaker, this is the year when, hopefully, Congress will give consideration to reforming our Nation's tax structure. The inequities are legion, and the need for action is urgent. Section 403(b) of the Internal Revenue Code is one bothersome provision in the tax laws which imposes a significant burden upon the Nation's public schools. Last year I introduced H.R. 1380 to amend the Code to deal with the problem. Just before the Easter recess, I reintroduced the bill and requested the chairman of the House Ways and Means Committee to seek the administration's views upon it.

Section 403(b) of the Internal Revenue Code exempts from income tax of employees of section 501(c) organizations or public schools payments made by the employer to acquire certain annuities for its employees, within specified limitations. In Revenue Ruling 70–453, IRB 1970–35, 18, issued in September 1970, the Internal Revenue Service ruled that withholding of income taxes was required on the costs of life insurance protection under such section 403(b) annuities.

In order to administer a withholding tax system, the schools will have to: first, revise their payroll systems, whether they be by computer or by hand, so as to provide for the additional deduction of withholding taxes from the salary payments; second, incorporate the amount withheld in the receipt to each employee; and third, explain each change in the amount of taxes withheld.

According to one of my Illinois constituents, who has surveyed a representative sample taken from section 403(b) annuities, the annual premium for 173 annuities varied from $50 to $2,772. The average annual cost of life insurance was $40.65. About one-half of the 173 annuities involved annualized premiums ranging from $50 to less than $400 with annual cost of life insurance ranging from $3.05 to $32.12. Based upon withholding at a 14 percent rate from monthly payments of a salary over a 12-month school period, this would amount to withholding of taxes on the cost of life insurance protection of 3½ cents to 37 cents per month. Based upon an average annual payment $40.65, the withholding tax per month would be about 47 cents.

If the withholding is done once on an annual basis, the amount of tax withheld at a 14-percent rate would vary from $.43 to $6.59 on annual costs of life insurance protection varying from $3.05 to $40.65.

All of this will impose a substantial burden during the year if the withholding must be on a periodic basis, or at the end of the year if the withholding is on a one-short basis at the end of the year. A similar burden would be encountered if a less exact method were allowed of withholding on the basis of the cost for the previous year.

I am told that although the cost of life insurance protection in these cases is almost nominal in amount, it is not static. Since the life insurance element changes each year with a change in risk at the anniversary date of the policy, at least one change would be required each year. Moreover, the anniversary dates of the policies vary—depending on the date the policy was issued—so that changes are required throughout the year. Also, it is estimated that about 25 percent of the policyholders made other changes in life insurance component of the annuities during the year. The changes occur for a variety of reasons, including sabbatical leave, pregnancy, sick leave, financial inability, or greater financial ability. The annuitant can also discontinue the plan at any time, temporarily or permanently, requiring additional changes. Furthermore, since the employee's contract year may run from September 1 to August 31, there may be two contract years during each calendar year.

Each change in the cost of life insurannce would require the school to change its payroll reporting to reflect the revised deduction of the amount of income taxes withheld and to report the change in the W–2 forms to the employees. There is also a complication in that there is a lag, which may amount to as long as 2 months, between the application for a change in the coverage and the time when it is approved. If the risk applied for differs from that determined, the amount of coverage for the cost of the life insurance would have to be revised. Any such change would require further adjustments to be made by the school in the amount of taxes already withheld and to be withheld.

It does not seem reasonable to me that the Treasury should require withholding under these circumstances. The costs and administrative burdens in reflecting these changes through withholding can hardly be justified. This is particularly true since it is very unlikely that there is any tax escape. The amount of compensation by way of life insurance costs is reported on the W–2 forms given to each school employee.

Moreover, the additional expense to State and local government agencies, as the employers, runs counter to the policy of the Federal Government to improve their fiscal situations.

In similar instances, tax withholding has not been required. For example, income tax withholding is not required with respect to payments made on behalf of an employee or his beneficiary to a qualified section 401(a) employee trust, and under a qualified employee annuity plan. Payments made under a qualified bond purchase plan described in section 405(a) of the Internal Revenue Code are also exempt from withholding under section 3402(a)(12)(c) of the code by a provision adopted in section 7 of the Self-Employed Individuals Tax Retirement Act of 1962.

When the present statutory provision for section 403(b) annuities was adopted in 1958, the Congress provided "that the other major benefits accorded in the case of industrial plans should also be made available to the educational, charitable, and religious organizations whose pension payments qualify under the 20 percent rule—or to the extent they qualify under the 20 percent rule." Therefore, it extended three provisions to these annuities: the $5,000 income tax exclusion for amounts paid with respect to an employee's death; an exclusion from the estate tax base of a decedent employee with respect to an employer's contributions; and an exclusion from the gift tax base with respect to an employer's contribution provided in the case of exercise by an employee of an election as to survivor benefits.

The overall congressional intention substantially to equalize the tax benefits of an annuitant of a section 403(b) annuity with those of annuitants under qualified plans should be applied equally to exempt from withholding payments under section 403(b) annuity plans to employees of schools and school districts.

The amount of tax involved in section 403(b) annuities is much smaller than that for qualified annuities, the administrative burdens of withholding under section 403(b) plans are inordinately great, and they fall for the most part on State and local government agencies.

The withholding tax system has its practical limitations. Withholding of income taxes is clearly an important device by which the Government insures that taxes are collected. However, where such assurance is otherwise available, withholding should not be required if the administrative burdens of withholding do not yield better tax collection results commensurate with the added burden of withholding. For example, the law does not require withholding on dividends and interest because it was felt that the reporting of such income was adequate and, therefore, that the administrative burden of withholding would not be justified.

Similarly, "unnecessary" withholding burdens have been taken into account by excepting from withholding group term life insurance premiums paid on behalf of employees which would otherwise be subject to withholding because they are in excess of the applicable limitations. Instead, the employer is required to file information returns as to the income element with the Government, and provide a copy to the employee. Again, the insurance component of 403(b) annuities is reflected as other compensation on the W–2 forms to be filed with the Government, with a copy to the employee.

Exemption from withholding on the life insurance component of section 403(b) annuities would be consistent with past practice and would recognize that administrative burdens far outweigh the miniscule protection of the revenue, if any, involved.

For that reason, Mr. Speaker, I have introduced H.R. 7257 to amend section 3401 of the Internal Revenue Code to exempt section 403(b) annuities from withholding. I hope that the House Ways and Means Committee will act quickly to bring this measure to the floor, and that the Congress will enact it into law.

TRIBUTE TO BILL BENTON

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. CAREY of New York. Mr. Speaker, Bill Benton, the late publisher and owner of the Encyclopaedia Britannica, was not only a great man in his business capacity, but also in other respects. He was a humanitarian; he served on the board of an adoption agency, the Cradle, in Illinois. In fact, the Bentons adopted children from the agency by the handful. It was my pleasure to have met and talked with Mr. Benton a number of times. More often, I read and pondered his opinions and views. The combination of personal contact and study of his work lead to a lasting impression that here was a good man, a gifted man, a fine American—a very human being who gave a way to a better life through his own. The following story illustrates the humanness of this man, who passed away recently:

> William Benton was memorable in a variety of ways, and one that I like to recall reflects an aspect of the man that is not widely known. Bill and Helen Benton had their first child, Charles, in 1931. (In fact, Benton's biographer Sidney Hyman tells us that Charles was not actually named for several days after his birth. He wrote to his mother that his wife "Helen seems to favor the name Charles William, partly because it was his [the baby's] father's name. I have absolutely put my foot down on having any juniors in the family. In fact, I have decided that there about 15 good names, all of which are perfectly all right and none of which makes much difference. George, Ralph, Robert, Thomas, Henry—what difference do the names make anyway")
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> Subsequently, the Bentons learned that they would be unable to have more children of their own, although they wanted more youngsters. They concluded that they would adopt an infant girl. At this stage of their lives, the Bentons were living in Chicago, where Bill was the "part-time vice president" of the University of Chicago, having retired at age 36 from the advertising business, a self-made millionaire, Robert M. Hutchins, then president of the University, and Benton's Yale classmate, told Bill about a pioneering adoption agency in nearby Evanston, and Bill and Helen Benton contacted the agency, The Cradle.
>
> A distinguished physician, Dr. Frederick Schultz [sic], head of pediatrics at the University of Chicago Medical School looked into the prospects of adoption for the Bentons. Dr. Schlutz had himself adopted three children from The Cradle. He reported to Benton that there were two baby girls at the Cradle that he had examined. One was ten weeks old, the other six, and both were healthy; the Bentons could adopt either with confidence. Bill Benton gave way to the impulsiveness and generosity that so often characterized him. He suggested adopting both. Dr. Schultz concurred: it was a good idea. When Helen Benton saw the two infants, so did she, and that is how Louise Hemingway Benton and Helen Orr Benton joined the family of the great man we mourn.
>
> Five years later in 1942, Bill and Helen Benton returned to The Cradle for a second son, John Benton. And repeatedly, throughout the years, the Bentons referred friends and business associates desiring to adopt babies to The Cradle. Both Bill and Helen served on its board, contributed to it, and often urged friends to do so. Indeed upon Bill Benton's death a number of his friends and associates marked his death by making contributions to the adoption agency that had meant so much to him in his lifetime.

Mr. Speaker, to me this story tells much about Bill Benton. He was a great man in the world of great affairs, and tough in political and business matters, but open-hearted before the little babies to whom he gave heart and home.

TAX INCENTIVES FOR CHARITABLE GIVING

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. ANDERSON of Illinois. Mr. Speaker, today I am introducing three bills to further encourage charitable giving in our country. The first bill is "the Higher Education Gift Incentive Act of 1973." This bill would permit taxpayers a 50-percent tax credit on contributions up to $200 to institutions of higher learning. It is specifically designed to encourage more people to make small contributions to the college or university of their choice. Many people who would otherwise make such contributions do not now do so because they do not itemize and therefore cannot take advantage of the existing charitable deduction. My bill would thus give such people this new incentive for giving. Those who do itemize could still take the tax credit on their first $200 and then claim the deduction on the remainder of their contributions.

The second bill I am introducing would reduce the existing 4-percent excise tax on foundation investment income to 1½ percent. When the 4-percent tax was included in the 1969 Tax Reform Act, it was with the thought in mind of producing revenues for auditing all charitable contributions. As it turns out this tax is bringing in far in excess of what is needed for such auditing, and foundations are proportionately limited in what they can pay out for charitable purposes. This bill would thus insure that adequate revenues from the excise tax are generating for the necessary auditing and at the same time make is possible for foundations to plow more of their money into worthwhile social projects.

The third bill I am introducing would also alter a provision contained in the 1969 Tax Act. Prior to that act, corporations making donations of inventory for charitable purposes were permitted a deduction based on the retail value of the goods. The 1969 act changed this deduction so that it is now based simply on the cost of producing the goods. This has had a significant impact on drying up such contributions. The bill I am introducing today is offered as a compromise between the existing deduction and that permitted prior to the 1969 act. It would permit corporations which donate medical, surgical, and hospital supplies and equipment to recognized charitable organizations—other than foundations—for the care of the ill, needy, and infants, a deduction based on cost plus half the appreciated value of the goods, provided this amount does not exceed twice the cost of the goods. This latter provision or ceiling is aimed at preventing excessive deductions in the case of goods which have a high markup value.

It is my hope that when the House Ways and Means Committee resumes its consideration of tax reform legislation, it will not only preserve existing tax incentives for charitable giving, but that it will give serious consideration to the three bills I am introducing today.

THOSE WHO KNEW

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. GUDE. Mr. Speaker, too often we tend to overlook the mentally retarded, or far worse, purposely ignore their situation because it may cause us some uneasiness or discomfort. In so doing, we fail to realize that the retarded have every right to live as normally as possible, and should be responded to naturally and openly.

Last month, I had the pleasure of attending the luncheon-fashion show of the Montgomery County Association for Retarded Citizens. I was particularly moved by the eloquent remarks of Mrs. Lou Chapman, MCARC president, on the need for each of us to be, in effect, an advocate for the mentally retarded.

Regardless of what public or private sector programs we may devise, none will succeed without an element of compassion and advocacy.

I would like to share her remarks with my colleagues at this time, and urge that we all take a brief moment to reflect upon society's past attitudes toward the retarded and the need to insure that ongoing efforts to end the isolation of these individuals have this human element to which Mrs. Chapman speaks:

MCARC LUNCHEON-FASHION SHOW SPEECH BY LOU CHAPMAN, MARCH 24, 1973

> On behalf of the Montgomery County Association for Retarded Citizens, I would like to add my very warm welcome to each of you. We are delighted that you are sharing this special day with us.
>
> Many of you may know that MCARC is a parent association—formed twenty-one years ago by a group of parents who were concerned about the lack of services for their mentally retarded sons and daughters. What you may not realize is the basic function of MCARC is that of advocacy—advocacy on be-

half of every mentally retarded individual in the county and state, regardless of age or functioning level. Advocacy takes many forms, at many levels. Whether it involves a class action suit to secure the right to education for those individuals who have been denied this opportunity or whether it involves a word of encouragement and support to an individual who is experiencing difficulties in a job-training program, advocacy is action.

MCARC is committed to insuring for each of our mentally retarded citizens a life of dignity, an opportunity to develop to his fullest potential, an opportunity to experience joie de vivre, joy in living. We are committed to creating a climate of understanding within the county so that mentally retarded individuals can remain in the community, as opposed to the traditional approach of isolation in large, dehumanizing institutions.

Because the mentally retarded *have been* isolated in the past, many people feel uncomfortable around them, do not understand them—they do not understand that mentally retarded individuals are more like us than they are different, that they experience the same feelings and emotions as we all do. That they respond, as each of us does, to kindness, respect, and love.

"Hate-filled," those who knew said. And he climbed sleepily into my lap . . . He buried his tousled head in my cool green sweatshirt and wrapped his grubby arms around my neck . . .

"Uncontrollable," Those who knew said. And he lay quietly beside me listening to my fairy tales and lullabyes . . .

"Refuses to participate," Those who knew said. And he took my hands and let himself be led into the midst of dancing and singing . . .

"Will not cooperate," Those who knew said. And he stood beside me drying the dishes I had washed . . .

"Will not speak," Those who knew said. And we walked through the forest, talking of birds and squirrels and flowers . . .

"Incabable of love," Those who knew said. And he planted a slobbery little boy kiss on my cheek . . .

"Hopeless," Those who knew said . . . and he sang with me of stars and happiness . . . He smiled with me at silly jokes . . .

*Those who knew forgot about love**

*"Those Who Knew . . ." by Julie Parsons, TORCH (Idaho YARC) State President 1970–1971.

Each of us can be an advocate for the mentally retarded. It's really very simple. We can be an advocate by responding naturally when meeting a mentally retarded person, by extending the hand of friendship to him if we see a mother in the grocery store having a very difficult time with her mentally retarded son or daughter (and by the way, this always seems to be the place that the frustrations of living in a world that does not understand builds to the point of release for mentally retarded individuals), a warm smile of understanding to that mother, rather than a disapproving frown will furnish great support to her; we can be an advocate by accepting a group home in our neighborhood, by saying "Yes, the mentally retarded have a right to live as normally as possible."

It is really very exciting at this time to be involved with the mental retardation movement. Barriers that have stood for hundreds of years are coming down; slowly, but significant progress is finally being made. It is a time of great social reform.

I would like to extend an invitation to each of you to join us in becoming advocates for the mentally retarded. In becoming advocates, each of us truly will be experiencing joy in living.

Thank you very much.

HUNGARIANS STILL FIGHTING FOR FREEDOM

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. PRICE of Texas. Mr. Speaker, on April 14 and 15 the Hungarian Freedom Fighter's World Federation held its 10th World Congress in Connecticut and reminded us of our obligation to honor those Hungarians, and people everywhere, who continue to resist in whatever way they can, the tyranny of communism. Today, when there is talk of détente, warming relations, and an end to the cold war, we too easily think in the larger terms of state relations, and ignore what a Communist dictatorship means to the individuals that must suffer under it. Moreover, some of us seem willing to forget that communism is not only the enemy of the Hungarians, who must bear with and brave its despotism, but is the enemy of all mankind that desires to enjoy freedom and live without fear of persecution and psychological depredation for believing in justice and human dignity.

In Hungary, a cold war is fought daily by people who long to be free. We need only recall the 1956 revolution that was mercilessly crushed by Soviet Russian troops to understand that Hungarians long for freedom so much that they have been willing to die for it.

On October 23, 1956, a Hungarian student demonstration in sympathy with those oppressed in Poland was the catalyst for a countrywide uprising against the Communist regime of Erno Gero.

For 13 days, Hungarians enjoyed the exhilaration of new-found freedom and the pace of life quickened as everyone marveled at the direction Hungary was taking. Then the heavy hand of the Soviet Union reentered the picture, and crushed the revived Hungarian freedom in favor of tyranny and oppression once again. The 13 days of freedom retreated into memory, replaced by months of embittered struggle that witnessed the worst of horrors. It was in this period that the real fight for freedom took place as the Hungarians used whatever was at hand to combat the Russian tanks that infested their cities like a plaque. As the Russians reasserted control over their shaken empire, the Hungarians again experienced the humiliation of Russian intervention, bringing to mind that in 1848, it was the Russians who crushed the first Hungarian revolution and helped return the country to Hapsburg rule, and that after World War II, it was the Russians who imposed a Communist regime on Hungary.

When a nation finds itself unequal in physical strength to its adversary in a life or death battle, there is no glory, only tales of heroism and appalling stories about the cost in human life and misery. Once the revolution in Hungary was crushed, the Moscow-installed government began a reactionary purge of those who had resisted continued slavery. Thousands were jailed, many were executed, including some of the highest leaders of the revolutionary government, and over 200,000 Hungarians fled their homeland to seek refuge from the nightmare they saw reconstituting itself.

The fate of the Hungarians has been less than pleasant; although their own personal resistance may be courageous and constant, they still live under a system that holds above them a meaningless ideology that is irrelevant and counterproductive, and still leaves them without any means to participate in the governing of their country. One senses that here is one of the greatest tragedies that can be perpetrated against any people, existence without purpose, and subsequent creation of a national psychosis of futility and dismay that makes an entire country apathetic.

This then is what has been wrought by communism, communism that some in this country are ready to overlook and discount as they seek accommodation for political and economic reasons. As the Freedom Fighter's Congress must be a ray of encouragement to the millions of Hungarians, prisoners in their own land; let its continued existence be a warning of what lies in store to all those who fall under the oppression of Communist regimes. The Communists have never abandoned their expressed goal of world conquest. We may scoff at that idea, but they do not.

GOLDEN ANNIVERSARY OF ST. CHARLES PARISH

HON. JAMES V. STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. JAMES V. STANTON. Mr. Speaker, yesterday, St. Charles Parish in Cleveland, Ohio, celebrated its golden anniversary. For 50 years, this fine parish has been serving the spiritual and social needs of our community, and on this occasion I extend Monsignor Corrigan and the members of the parish my warmest congratulations. May God continue to bless this group, and may it continue to prosper.

In honor of the St. Charles Parish, I would now like to insert into the RECORD a history of the parish which describes its activities from its founding in 1923:

HISTORY OF ST. CHARLES PARISH

The parish of St. Charles Borromeo was established in April 23 of 1923 with Father Nicholas F. Monaghan as its founding pastor. Father Monaghan, later Monsignor Monaghan remained pastor until his death in 1967. The second and present pastor, Monsignor Thomas C. Corrigan, was appointed in 1968.

In 1923, the infant congregation of thirteen families purchased land at Ridge Road and Wilber Avenue. A frame church was begun in 1923 and served the congregation until post war growth demanded a larger house of worship. The present beautiful basilica type structure was begun during the Marian Year of 1954. St. Charles Church has a seating capacity of 1100 and is the mother-Church of the Parma area. With Monsignor Corrigan as pastor, the parish is also serviced by three associate pastors, Father Lawrence J. Bayer, Father Francis R. Sterk, and Father Ned Weist.

Children are important to St. Charles Parish. The parish school opened its doors in December of 1923 with three Ursuline Nuns as its faculty and sixty-seven students as its total enrollment. Classes began in two rooms in back of the old church with a potbellied stove for heat. The school has expanded significantly from those early days. Additions were added in 1927 and again in 1958. The latter addition included twenty-six classrooms; washroom facilities on each of three floors; a clinic; a lay teachers' lounge; a nuns' lounge; and a modern and adequately equipped kitchen. By 1966, the enrollment of St. Charles School had soared to 2,305 pupils. Its present enrollment totals 1,270 students, including seventy-eight kindergarten children. Twenty Ursuline Nuns, nineteen lay teachers, and ten teachers in special education compose the present faculty. Aside from regular classrooms, the school has a fully equipped library, Instructional Materials Center, art room, physical education program for both boys and girls and and extensively developed music program, both vocal and instrumental. The extracurricular sports programs are outstanding in their variety and overall involvement of students.

The St. Charles Religious Education Program for students attending public schools has an enrollment of 1002 pupils from grades one through twelve. The programs are staffed by a total of fifty-two teachers. Nine secretaries; seventeen home visitors; and six administrators operate the program.

In 1960, the present Parish Hall, the site of liturgical experiences, organizational, and social activities, was constructed to meet growing parish needs. In 1964, the present Convent was built. The sanctuary of St. Charles Church was renovated in 1971 to conform to the liturgical spirit of Vatican II.

St. Charles provides a host of activities to suit a variety of personal interests. The parish sponsors an adult choir, adult servers organization; adult lectors and commentators; adult ushers organization; a Holy Name Society; a Men's Sodality; a Senior Citizens organization; the St. Charles Ladies' Guild; the St. Charles Mens' Club; the Borromean Club for married couples; the Carolus Club for young adults; the Monaghan Club for teenagers; and a variety of sports programs open to children and adults alike. St. Charles Parish also has its own Federal Credit Union with full banking services. Boy and girl scout programs are also part of the parish activities.

The Religious Education Program of St. Charles Parish is the purpose of this parish's existence. The life of the parish revolves around the Liturgy, the Holy Sacrifice of the Mass. Masses are offered daily in the Church with ten Masses offered each weekend to accommodate the worshiping community. Along with provisions for reception of the other Sacraments of the Church, the parish involves itself in providing various means of communicating the message of Jesus Christ. Adult Education Series are offered twice yearly; Inquiry classes for those interested in learning about the Faith are offered in group or individual instructions; classes in Theology are offered during the morning hours for women of the parish; sacramental preparation programs are held for parents and other interested parishioners concerned with the Holy Eucharist, the Sacrament of Penance, and the Sacrament of Confirmation; Baptism classes are held monthly for prospective parents; a Spiritual Renewal Program is currently being established. The parish has a developing Liturgical Commission. Each of the parish organizations has a spiritual orientation, the purpose of which is to bring each of its members through community sharing, to a deeper knowledge and love of the Lord Jesus.

Thomas C. Corrigan, Rt. Rev. Monsignor, Native of Cleveland. Father, Chief Peter J. Corrigan, Cleveland Fire Department. Mother, Coletta (nee Gibbons) Brothers, Judge John V. Corrigan, Court of Appeals 8th District. Dr. Peter J. Corrigan, Doctor of Medicine.

St. Ignatius Elementary School, St. Ignatius High School, Honor Student, Athletics, Class and Organization Officer. John Carroll University 1939 A.B., Member Alpha Sigma Nu, National Honor Society. St. Mary Seminary, ordained priest 1945.

Social worker Men's Bureau, Department of Public Health and Welfare. Assigned as assistant pastor Our Lady of Mt. Carmel Church (East) 1945–50; Diocesan Director of Catholic Youth 1950–68. Pastor, St. Charles Borromeo, Parma 1968 to present.

Alpha Sigma Nu, Newman Honor Key Society, Silver Beaver, Boy Scouts of America, Papal Chamberlain 1955, Domestic Prelate 1960.

Representative Assembly, Welfare Federation of Cleveland, Board Member Greater Cleveland Council Boy Scouts of America, Board of Trustees of Catholic Charities, Board Cleveland Safety Council, Alumni Board, John Carroll University; Regional Director, Youth Department, National Catholic Welfare Conference, Chaplain State Council, Knights of Columbus, Chaplain Parma Fire Department. Board Ridgewood YMCA, Friends of Library Parma Regional. Parma Board of Education, Citizens Committee.

TRIBUTE TO JOHN E. FOGARTY

HON. FERNAND J. ST GERMAIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. ST GERMAIN. Mr. Speaker, I would like to share a tribute to the late Congressman John E. Fogarty, which I received recently from a mutual friend.

It is more than 6 years now since the death of Congressman Fogarty. There are many Members on both sides of the aisle here today who served in this body with John, and who knew and admired him. To me he was a close friend and my mentor in my early days in Congress.

What J. Bernard Hurl says in his poem is true—that those who knew John Fogarty will never forget him.

The poem follows:

MARCH MEMORIES OF JOHN E. FOGARTY

(By J. Bernard Hurl)

March will soon be gone but memories linger on—
Memories of those we are not likely to forget;
Those whom we loved and admired in days now gone
And the month of births are in our memories yet.

Oh, yes, we still recall and continue to remember
Him who left us just six short years ago.
We missed the little green bow tie on last St. Patrick's Day
And the Irish smile we all had grown to know.

Your birthday on this 23rd would have marked your 60th year,
You left without a last goodbye.
But one thing you can be sure of, let there never be a doubt,
Memories and thoughts of you will never die.
I have no desire to continue to recall and recollect,
The sadness felt by so many when you left.
But neither do I hesitate to keep those memories green
And likewise your loving family left bereft.

Another past President has joined you there,
Which means two under whom you served;
Two great men whom we shall not forget
And our thoughts shall never swerve.

Yes, another March is going and the recollections are not kind
But the great God's ways are strange we often find:
But "His will be done" as it is in Heaven, and John, Remember in your prayers
Those not likely to forget you and whom you have left behind.
Requiescat in pace.

"ABETTING" IS A CRIME, TOO

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. DERWINSKI. Mr. Speaker, Life Newspapers, an outstanding chain of publications, has as one of its special features a column in which various staff members contribute their own individual viewpoints. In their April 15 issue, Mr. Sean O'Gara, a member of the Life staff, commented in what I believe to be an especially effective fashion on the basic question raised by the seizure of Wounded Knee by the radical Indian movement.

The article follows:

"ABETTING" IS A CRIME, TOO

(By Sean O'Gara)

Out of the welter of truths, half-truths, rumors and speculation emanating from Wounded Knee, S.D., have come substantiated reports that the self-styled "leaders" of that Indian Insurrection circa 1973 are being abetted (if not controlled) by radical would-be heirs apparent to Tom Hayden, Jerry Rubin and Abbie What's-His-Name.

This revelation comes as no surprise; it was suspected all along because the modus operandi was apparent. (Radicals don't use particularly new techniques, only new terrain.)

What is surprising is that the Federal government has pussyfooted so long, bending over backwards when bending is neither justified nor feasible.

The radicals imposing their will on the embattled Indians calling for redress of past wrongs (whether or not the wrongs are real or redress justified) should never have been allowed to infiltrate the Pine Ridge reservation; they should have been arrested on the spot.

To acknowledge their whimpers that they are acting within their Constitutional rights as Americans is sheer poppycock; the Wounded Knee fiasco began with the kidnaping of innocent hostages (a crime once punishable by death), escalated to the wounding of a peace officer, and is continuing as an armed defiance of the law.

Aiding and abetting these crimes is and should be as punishable as the crimes, themselves; in truth, the radicals slopping up beer and cheap wine at Wounded Knee are guilty not only of the aforesaid crimes, but of compounding them further.

With the all-out assistance of the drama-conscious television cameras and fuzzy-minded, scoop-conscious national news pundits, they have been engaged in a field day in South Dakota, chiefly because the lawful agencies at the scene no longer have the charisma to maintain public support nor the courage to fulfill their obligations.

The radicals have boasted that they have taught the Indians to plant the barricades with dynamite to blow up attacking Federal armor; if this is so, and any deaths (Federal or Indian) result, the radicals, red, white or black, should be charged with Murder One.

But that eventuality is as remote as the Great Manitou sharing a pipe with George Armstrong Custer.

There is a whale of a difference between honest dissent or protest and the armed insurrection at Wounded Knee, but radicals apparently are immune to justice under the law.

It is the time that our governmental agencies were again instilled with the intestinal fortitude of the men who wrote the U.S. Constitution behind which the radicals are hiding—and Wounded Knee, S.D., is as good a place as any to start.

HON. GERALD R. FORD'S 1973 QUESTIONNAIRE

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. GERALD R. FORD. Mr. Speaker, each year I send a questionnaire to my constituents in the Fifth Congressional District of Michigan in order to better inform myself regarding their views and opinions.

This year my questionnaire deals with a variety of subjects including a proposed congressional spending ceiling, Federal tax credits to defray part of the cost of tuition paid by parents to send their children to nonprofit, nonpublic elementary and secondary schools, restoration of the death penalty, abortion, and amnesty.

For the information of my colleagues, my questionnaire is as follows:

JERRY FORD 1973 QUESTIONNAIRE

1. Do you favor having Congress adopt an annual spending ceiling even if it means cutting existing programs?

2. Should Congress give the President the power to raise or lower tariffs as a weapon in trade negotiations with other countries?

3. Congress now appropriates nearly $1 billion annually for mass transit. Should Congress, in addition, allow the use of Highway Trust Fund monies for mass transit?

4. Should Congress pass a law protecting the claimed right of newsmen not to reveal the identity of news sources?

5. Do you favor Federal tax credits to defray part of the cost of tuition paid by parents to send their children to nonprofit nonpublic elementary and secondary schools?

6. Should the death penalty be restored nationally for such crimes as premeditated murder, wartime treason, and skyjacking and kidnapping which result in death?

7. According to the recently signed peace agreement, the United States agreed to contribute to the post-war reconstruction of North Vietnam. Do you agree with this provision?

8. On abortion, which do you favor?

A. A constitutional amendment to prohibit abortion in all but extreme circumstances.

B. A constitutional amendment restoring to the states the power to regulate abortions.

C. Allowing the Supreme Court decision on abortion to stand.

9. How do you feel about amnesty for deserters and draft-dodgers?

A. I am opposed to amnesty.

B. I favor amnesty.

C. I favor amnesty for those willing to serve two or three years in some sort of government service.

(Note.—Spaces were provided for "his," "her," and "18–20 year old choices.)

BAIL: EQUAL JUSTICE FOR ALL?

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. RANGEL. Mr. Speaker, the bail system in New York State could be considered typical of State bail procedures all over the country. The accused is granted pretrial release after he posts a certain amount of money with the court. The purpose of this procedure is to insure the defendant's appearance at all court proceedings.

The appellate division of the New York State Supreme Court recently upheld the contitutionality of the State's bail system. The Legal Aid Society, which filed the brief, contended that when a defendant was unable to raise bail money and was detained, his chance of being convicted and of receiving a longer sentence after conviction was substantially higher than for the defendant who was able to post bail.

The court replied:

> It is not because bail is required that the defendant is later convicted. It is because he is likely to be convicted that bail may be required . . . The factors for allowing bail, when properly applied, generally lead to a conclusion that those denied bail are more likely to be convicted [and this] shows the system is working.

In other words, if the defendants who cannot raise bail and are detained before trial are convicted more often and do receive longer sentences, it is not because of the effect of detention, but rather that the judge had correctly predetermined their guilt when he was setting bail.

This type of reasoning is extremely fallacious and ignores all of the disadvantages that are imposed by the present system of monetary bail on an indigent defendant when he is detained.

But I feel a basic question concerning the use of money bail still has not been raised. If two men are accused of the same crime, why should the rich man be released on bail while the poor man remains in jail only because of lack of money? As Justice William Douglas once said:

> We have held that an indigent defendant is denied equal protection of the laws if he is denied an appeal on equal terms with other defendants, solely because of his indigence. Can an indigent be denied his freedom, where a wealthy man would not, because he does not have enough property to pledge his freedom?

Apparently in New York, and most of the other States, this is exactly what happens.

Indigents are detained, because of their indigence. The States spend exorbitant amounts of money to house and feed these detainees. They are then forced to remain in jail for months awaiting a trial and are convicted more often and receive longer sentences than their freed counterparts.

It is difficult to say what should be done about these inadequacies, but as the following New York Voice editorial points out, the Appellate Court took a step in the wrong direction:

> THE BAIL SYSTEM
>
> The Appellate Division, in upholding the State's bail system, disappointed many of us who had hoped for a more serious questioning of why poor people must languish in jail while others can purchase their freedom. Although being poor imposes hardships in every aspect of life, the penalty of imprisonment due to poverty is an especially hard cross to bear.
>
> The suit, which was brought by the Legal Aid Society, tried to show that people that have trials following pre-trial imprisonment are more likely to receive harsh sentences. Legal Aid Society interprets this to mean that the defendant is at a great disadvantage going from the cell to the courtroom. The court interpreted the same statistics to mean that "those denied bail are more likely to be convicted," hence that is why the judges set a high bail or denied bail in the first place. This shows "the system is working," the court said.
>
> According to this reasoning, the judges would predict whether a defendant is going to be convicted in considering how to set bail. But we think there is something wrong with a system where the judiciary pre-judges the evidence, predicts the outcome and sets bail accordingly. Even if judges were shrewd in guessing correctly, how could anyone defend such a system? Besides, regardless of the judges' actions and reasoning, there are still some prisoners that can afford to meet any bail that is set, and some that can meet no bail. The superior wisdom of judges cannot explain why the former fare relatively well in court, while the latter do not. In our view, it is a simple case of the poor suffering from a triple disadvantage: incarceration, poor legal counsel, and less ability to muster a proper defense following pre-trial imprisonment.
>
> The court cannot deny the connection between indigence and long jail terms. Nor should it so lightly dismiss the Legal Aid Society's data showing the role that the bail system plays in this chain of events. It would have been more understandable if the court had argued (apologetically) that there is nothing as yet to replace bail, rather than to pretend that "the system is working" the way it should.

Surely no bail procedures should endanger the safety of the community, but if adequate bail reform could be enacted with speedy trial provisions, the problems that now exist could be eliminated. Most of the indigents that the Legal Aid Society is referring to could have been released on some form of supervised personal recognizance. If these defendants could then be tried within 60 days, there would be virtually no chance of recidivism, since it has been demonstrated that the great majority of recidivist crime takes place between 90 and 240 days after arrest.

New York State, like most of the other States, is responsible for its present situation, and only swift action can remedy the situation. Hopefully, if this case is appealed, the New York State Court of Appeals will lead the way.

WASHINGTON NEWS NOTES

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. HOSMER. Mr. Speaker, each month I release to various individuals and organizations within my district an informal newsletter called "Washington News Notes." The May issue follows:

WASHINGTON NEWS NOTES, MAY 1973

Child abuse prevention bill.—Have you ever seen the sad pictures of children who have been beaten, burned or poisoned by parents who lost their self-control and took it out on the child? "More children die each year at the lands of neglectful or abusive parents or guardians than from any known childhood disease." Congressman Hosmer expressed these thoughts in introducing the National Child Abuse Prevention Act of 1973 to authorize a $60 million Federal grant toward new programs for treatment and prevention of child abuse. "Nationwide" thousands are beaten, burned, and poisoned and an estimated 700–800 die each year. "It's a national disgrace," he added.

Long Beach girl wins national VFW Democracy Speech Contest.—Miss Cindy Pridy daughter of Mr. and Mrs. Kenneth Pridy of Long Beach recently won the 26th Annual National Speech Contest of the Veterans of Foreign Wars for her talk, "My Responsibility to Freedom." It has been reprinted in the Congressional Record, the official document of Congressional activity. Congratulations Cindy!

Summer intern.—Each year every member of Congress is authorized a college student from his district for summer employment as a "Congressional Intern." Miss Judy Johnson of Long Beach, an American History student at Stanford, is Congressman Hosmer's nominee this year.

Budget cuts prevent 15% increase in taxes.—President Nixon is on the side of the average taxpayer. Since taking office, he has brought the individual taxes down by $19 billion; corporate taxes on the other hand have increased by $4.9 billion. His actions to cut Federal spending will produce savings to the American's taxpayers of $55 billion over the three year period 1973–1975. Without these savings maintaining a balanced budget at full employment would require a 15% increase in personal income taxes.

Flood insurance.—Since December, the danger of floods from the Santa Ana River has been greatly publicized. The Federal Insurance Administrator lists two types of flood insurance which are available. The program is a cooperative effort between the Federal Government and the insurance industry. For more information write: Federal Insurance Administrator, U.S. Department of Housing and Urban Development (541 7th Street, S.W., Washington, D.C. 20410), or simply contact Congressman Hosmer.

Governmentese.—Just to keep you up-to-date on governmentese or government gobbledegook if your prefer, the *Wall Street Journal* has corralled some recent coinage. An appointee will "office" across the street from the White House. Briefing reports have become a "verbal information opportunity." Statisticians now "annualize" figures instead of putting them on a yearly basis. President Nixon must wonder whatever became of his request for clear, simple governmental communication.

Cutting the budget.—According to *Water Desalination Report,* Congressman Craig Hosmer's "knife edge with words has earned him the reputation as one of the best orators in the House." Here's a sample from his extremporaneous arguments against two amendments proposed to boost a spending item:

"The basic issue is whether these functions should be carried on in light of the fiscal situation of the United States government. . . . I want to compliment the authors of this amendment. They have raised the bureaucratic art to its finest hour. This is the quintessence of the legislative double shuffle. The two amendments in combination illustrate a delicate maneuver by the staff of bureaucrats. In that interplay they rival the artistic delicacy of the minuet. They deserve our highest commendation. Condemnation, that is, not commendation . . ."

Heroin legislation.—President Nixon has proposed tough legislation to assure the jailing of heroin pushers. Under the legislation those arrested with less than four ounces would be sentenced to 5–15 years in jail. If the pusher is arrested with over four ounces he would face 10 years to life. Four ounces of heroin is enough to supply 180 addicts for a 24 hour period. The street value of four ounces is from twelve to fifteen thousand dollars.

A second conviction of felony involving heroin would require a sentence of life without parole.

BLACK LUNG CLINIC

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. BYRON. Mr. Speaker, last Wednesday, in Lonaconing, Md., a "black lung clinic" was held at the VFW Hall. It was my pleasure to sponsor this clinic, which had as its purpose, aid, advice, and assistance to miners and their dependents who had already filed claims under Public Law 92–303 or who wished to file for the first time. Mr. James Robertson and Mr. Thomas Armbruster from the social security office in Cumberland assisted at the clinic as well as Mrs. Helen L. Harvey, Mr. Larry Ageloff, and Mr. Harold G. Wancer from the Social Security Administration in Baltimore. This clinic would not have been possible without their assistance and that of Mr. Hugh Johnson and Mr. Vince Rini in the Social Security Administration.

I would like to share with my colleagues an account from the Cumberland News describing the clinic and its participants. The article follows:

[From the Cumberland (Md.) News, Apr. 26, 1973]

FOUR HUNDRED FORMER MINERS, WIDOWS ATTEND FIRST BLACK LUNG "CLINIC"

(By Jan P. Alderton)

Some 400 strong, miners and widows of miners shook off the steady rain of yesterday and streamed into the Lonaconing VFW home to lay claim to black lung benefits.

A handful had toiled in Western Maryland deep mines for as long as 50 years. Others said they labored in the mines only two or three years, but they wanted to come "just to see" if they are eligible for a monthly government check.

The occasion was Sixth District Congressman Goodloe E. Byron's black lung clinic and its results were unexpected. Billed as the first of its kind ("It's the first one we've heard of that a Congressman has arranged," a Byron aide said), the clinic was scheduled to last from 9 a.m. to noon. Instead if stretched into the afternoon hours and when it ended more than 400 persons had been interviewed.

Most of the claimants went away confident that their applications will be accepted: "If my lungs are all right, then they've gotta be made out of iron," Chester Green, a 35-year veteran of mining said.

"How long did your husband work in the mines? . . . Have you been examined by a doctor yet? . . . When did you first file for black lung benefits?" The questions were repeated time and again by the team of Baltimore-Cumberland social security workers conducting the interviews.

The clinic location was appropriate. The fortress-like VFW Home was for years used as a horse stable for the Jackson Coal Mining Company.

The people milling around in the upper-floor barroom had for the most part not traveled far, for most were residents of the Georges Creek and the Tri-Towns area. But there were others; most notably a resident of Leesburg, Va., and another from Towson and one from New Kensington, Pa.

To be eligible for black lung benefits, they were told, the miner must have contracted the disease as a result of his mining. There is no age limit for eligibility, nor is there a minimum on the number of years worked in the mines to be able to draw benefits.

To get the benefits, the miner must also be disabled. If he worked in the mines for 10 years or more and has the disease, then the Social Security Administration automatically assumes that mining was the culprit. However, miners working less than 10 years and having black lung can still get benefits.

Black lung isn't pretty, the old miners were telling a reporter. Your breath is short, they said, and you cough a lot if you've got a bad case. You also have to heave up the coal-black sputum.

The federal benefits, which Congress extended and expanded in 1972, have eased some of the pain. The checks can go from $169.80 to $339.60 a month, depending on several factors, including family size.

Allegany and Garrett counties are the only Maryland areas to have the black lung problem. In neighboring Washington only two black lung claimants.

Deep mining in this area stopped about five years ago when the Consolidation Fuel Company closed up the last underground tunnel. Stripping still abounds, producing a yearly average of over one million tons of coal.

FIFTY TWO NEW SIGNERS

Of the 400 claimants yesterday, 52 signed up for the first time. James E. Robertson, manager of the local Social Security office, believes many if not all of those people would never have tried for benefits if Rep. Byron's clinic had not been held.

The others who were not "first timers" were much like Chester Green, who relates that he signed up three years ago and is still waiting. Now 67 years old, Mr. Green said his first X-ray turned out all right and the black lung benefits were rejected. But he insists that he is ill and he says he made his mistake by not blowing hard enough when he took the breath test that is also required for the benefits.

Mr. Green said he spent all of his 35 years in deep mines. "I worked in some of the toughest there ever was in their time," with most of his mining career spent in Westernport mines, he recalled.

Perhaps because of his three years' efforts to get benefits, Mr. Green has come to believe that all is not perfect with Congress' Coal Mine Health and Safety Act which makes black lung benefits possible.

His theory is: "I believe they're cutting welfare out for some of them and putting them in black lung. Some of them didn't fire enough coal to be eligible for anything."

"That may be," Democratic Rep. Byron said, but he added that he is inclined to think otherwise and overall the black lung program has been of immense help to his Allegany and Garrett constituents.

Mr. Byron said he feels the miners in bygone days were ignored even though they "provided the basis for the industrial society we have today." In that light he believes the country owes the miners assistance.

COULDN'T KEEP UP

James W. Blubaugh believes something is owed to him. Mr. Blubaugh says he's been plagued with black lung ever since he was in the Army when "I couldn't keep up with the rest of the men in calisthenics." The Midland resident said he first began his coal career working as a boy at the tipples, later moving into deep mines for 3½ years.

Walter Smith, 76, of Midland, also wants benefits. From the time he was 18 years old he worked, on and off, in mines. The doctor has now told him he has a pulmonary lung condition but his benefit claim is pending in the Baltimore Social Security office.

James W. Alexander, another Midlander, has been turned down for the benefits, but he is trying again. Seventy years old, Mr. Alexander spent 44 years in deep mines, much of the time at Ocean Number 1, and he said "dust as thick as smoke" was the rule rather than the exception. He's due to report to Sacred Heart Hospital May 10 for another breathing test.

Rep. Byron said yesterday it may be necessary to conduct another clinic. "We'll have to assess the results of this one," he said.

The people said the clinic is a good idea and they spent much of the day pumping Mr. Byron's hand in appreciation.

SCHOOLBUS SAFETY GAINS SUPPORT IN PENNSYLVANIA

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. ASPIN. Mr. Speaker, the problem of building safe schoolbuses is gaining wider and wider attention throughout the Nation.

Recently the schoolbus division of the Bureau of Traffic Safety in Pennsylvania announced its intention to adopt parts of the VESC–6 standard.

VESC, the Vehicle Equipment Safety Commission is a compact of States which develops various safety standards. VESC–6 is the proposed schoolbus safety rule.

Various forms of VESC–6 have already been adopted in the State of Maryland and Illinois. Presently, the State of Wisconsin is considering adoption of regulations very similar and possibly identical to VESC–6.

While I commend the efforts of various States to develop safe schoolbuses, clearly Federal legislation is needed. I have introduced the School Bus Safety Act of 1973 which would provide for the introduction of comprehensive schoolbus safety standards within 6 months after passage of the bill.

A recent newspaper article detailing Pennsylvania's action follows:

PENN DOT GETS TOUGH ON SAFETY

Pennsylvania Department of Transportation has taken the initiative in the field of traffic safety.

Julius A. Trombetta, director of Penn DOT's Bureau of Traffic Safety, announces the School Bus Section has notified all school bus manufacturers that the state plans to adopt three additional safety regulations to go into effect Jan. 1, 1974.

Most important of the three would set minimum metal thickness and body strength of structural joints for steel components of school bus bodies.

Pennsylvania is the first state in the nation to adopt rigid guidelines as set forth by the Vehicle Equipment Safety Commission last year The VESC, a group made up of safety representatives from all states, is charged with establishing vehicle safety standards.

The new regulation is intended to insure that all metal sheets used to manufacture school bus bodies for use in Pennsylvania are of uniform thickness and are attached to the underlying framework by fasteners to better protect passengers.

The regulation would require greater strength at the joints of the inner and outer sheet metal panels of the bus to reduce the possibility of separation in an accident.

THE REVISED SOCIAL SERVICE REGULATIONS

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. FRASER. Mr. Speaker, on April 26, HEW Secretary Caspar Weinberger released a revised version of the new regulations for the social services program.

Several private organizations have already prepared summaries of the new regulations that House Members might find helpful.

At this point in the RECORD, I would like to insert memos prepared by the National Governors Conference and the Washington Research Project Action Council:

MEMO FROM NATIONAL GOVERNORS' CONFERENCE

New social services regulations were announced today by HEW. Primary changes from February proposed regulations include:

1. Regulations to be effective July 1, 1973, with the following exceptions:

(a) requirement that 25% non-federal matching for new purchase of service agreements be funds over and above fiscal year 1972 non-federal funds expended for social services is to be effective February 15, 1973. However, such new money requirement changes for July 1, 1973-June 30, 1974 period to require that three fourths of the 25% matching be funds in addition to fiscal year 1973 expenditures.

(b) All mentally retarded who under the old regulations have been eligible for services will be grandfathered-in to continue to be eligible until January 1, 1974 when new program standards for cash aid to disabled become effective.

(c) All migrant children who under the old regulations have been eligible for day care services will be grandfathered-in to continue to be eligible until January 1, 1974

2. States will be allowed to set an income eligibility standard for free social services for families, aged, blind, and disabled at a level which does not exceed 150 percent of a States welfare payment standard. In addition child day care also can be provided on a sliding fee basis for families whose income is between 150 an 233 percent of a States welfare payment standard.

3. Day care services for children which may be provided now also include day care for mentally retarded children or because of the death or continued absence of a parent, in addition to child care related to the employment or training of the parent.

4. Required redetermination for eligibility for current recipients is changed from every three months to every six months.

5. Private donated funds may be used for non-federal matching but with strengthened safeguards against reversion to donor.

6. Relaxes requirement for development of service plan for individuals by not requiring specific procedures for prior authorization before provision of social services

7. Those eligible for foster care to also include, at the option of the State, those placed in foster care at the request of the legal guardian, in addition to those placed by judicial determination.

8. Legal services to be eligible for federal reimbursement primarily related to the extent necessary to obtain or retain employment.

WASHINGTON RESEARCH
PROJECT ACTION COUNCIL,
Washington, D.C., April 27, 1973.

To: Persons interested in social services.
From: Judy Assmus.
Subject: Final regulations on social services to be issued May 1, 1973.

The final regulations on social services will be published in the Federal Register on May 1, to be *effective July 1, 1973*. The major changes from the February 16 draft are:

An increase in income eligibility to 150% of the state's payment *standard;*

Allowance of private donated funds, with strict controls;

Expansion of optional services to include day care for the mentally retarded and some very narrowly defined legal services.

The following is a summary of provisions of the new regulations of particular concern.

1. *Eligibility for Services*—The income criteria for eligibility for services as a potential recipient has been changed to *150%* of the state's payment *standard*. The February 16 draft limited eligibility to *133⅓%* of the state's payment *level*. (The payment standard, in some states, is significantly higher than the payment level. See HEW chart attached.) In addition to the income criteria, however, a potential recipient's resources may not exceed permissible levels for financial assistance under the state's welfare plan.

In the case of day care, services may be provided until a recipient's income reaches 233⅓% of the payment standard, if the state establishes a sliding fee schedule for participation of those with income between 150% and 233⅓%.

Former recipients continue to be eligible for services they were receiving while on assistance for three months after they leave the rolls, regardless of their income. After that three month period, they could be recertified as eligible as potential recipients if their income does not exceed the 150% figure (or 233⅓% in states that opt for expanded day care services).

2. *Recertification*—The final regulations require recertification of eligibility for services once every six months, for both current and potential recipients.

3. *Types of Services*—The final regulations still require only three mandatory services for families and children—family planning, foster care, and child protective services. For adults, states are required to provide only one of a list of services.

The list of optional services is still exclusive (*i.e.*, states no longer have the authority to provide additional services not listed in the regulations), but it has been expanded slightly, to include day care for mentally retarded children and some very narrowly defined legal services. (Legal services are defined as services of a lawyer in solving legal problems "to the extent necessary to obtain or retain employment." All other legal services, including class actions, community organization, lobbying, political action, criminal cases, and fee generating cases, are specifically excluded.)

4. *Child Care*—All child care is an optional rather than a mandatory service; and is still limited almost totally to care "for the purpose of enabling the caretaker relatives to participate in employment or training." The definition has been expanded slightly to include cases of death, continued absence from the home, or incapacity of the child's mother and the inability of any member of the child's family to provide adequate care (as provided in the revenue sharing act which established the spending ceiling for social services). Day care may also be provided for eligible children who are mentally retarded.

Federal matching funds will be available for day care for families whose income does not exceed 233⅓ of the state's payment standard. Such services would be provided, however, at the option of the state, with the state establishing a sliding fee schedule for participation of families with incomes between 150% and 233⅓% of the standard. (The language of the regulations leaves open to question whether a state may establish fees below 150%, but SRS officials stated that program guides will clarify this.) Outgoing SRS Acting Administrator Phil Rutledge said in a briefing on April 26 that SRS will issue "guidelines around the fee schedule," but would not "dictate" what the fee would be. He said that each state would establish its own fee schedule, subject to SRS approval. The fees could not be used to make up the state's 25% matching share.

The final regulations require that day care facilities and services must comply with "such standards as may be prescribed by the Secretary." SRS officials said that the 1968 Federal Interagency Requirements will continue to apply, until new federal standards are issued—which they predict will be three or four months away.

There is still no requirement for parent participation on the state's day care advisory committee, nor any provisions for parent participation in the choice of day care services for the child or determination of the adequacy of such services.

The language of the draft regulations prohibiting use of social services funds for subsistence has been changed in such a manner that SRS officials assure that funds will be available to pay food costs of day care programs. In addition, the new regulations allow federal match for the costs of medical examinations reqiured for a child to enter a day care program, if such costs are not covered by Medicaid.

Federal financial participation is still not allowed for licensing or enforcement of licensing standards.

5. *Private donated funds*—Private donated funds, but not in-kind contributions, can be used as the state's share. The new regulations retain the language of the current regulations on the use of private funds, with one additional restriction. Under current regulations, a donating organization may not be the sponsor or operator of *the activity* being funded. Under the new regulations, a donating organization may not be the sponsor or operator of *the type of activity* being funded. Rutledge emphasized that, while the regulations governing the use of private funds are essentially the same as the existing ones, SRS intends to begin enforcing them "tightly," and that there will be additional issuances in program guides controlling the use of such funds.

6. *Recipients Rights*—The final regulations do not restore the old fair hearings requirements, but merely call for a "grievance system." There is no language in the regulations indicating any recipient participation in the choice of services, although families and individuals are "free to accept or reject services," and acceptance of a service may not be a prerequisite for receipt of any other service or aid, except with regard to WIN.

DR. ROBERT FENTON CRAIG, AN OUTSTANDING COMMUNITY LEADER

HON. GEORGE E. DANIELSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. DANIELSON. Mr. Speaker, I would like to take this opportunity to call the attention of our colleagues to the illustrious career of Dr. Robert Fenton Craig, who will be honored this week by a testimonial banquet at the Century Plaza Hotel in Los Angeles.

For several decades, Dr. Craig has been exteremely active on behalf of many outstanding causes in our country. Lawyer, journalist, chautauqua circuiteer, businessman, pioneer broadcaster, investment counsellor, national guardsman, political worker, and eminent educator, but first of all a great American; the list of his activities and accomplishments over the years is truly impressive.

Born and raised in Wymore, Nebr., Dr. Craig was graduated from the University of Nebraska and the University of Nebraska College of Law. He is married and devoted to Elaine Adams Craig; they have three children.

It was during the depression that Dr. Craig decided to move to California, where he was admitted to the Bar of the State of California and began the practice of law in 1932 in Hollywood. When he joined the faculty of the University of Southern California in the 1940's, he continued his law practice as well as the operation of two commercial enterprises.

During the 1950's, Dr. Craig served as legal counsel, officer, director, and business adviser to no less than 20 corporations. He was also the executive director and general counsel of the California Landscape and Irrigation Foundation. From 1961 to 1963 he was chairman of the University of Southern California Faculty Senate and, at the same time, he became general counsel and director of the Quality Water Committee of the Pacific Water Conditioning Association, Inc., and director of the Water Quality Education Program.

So many professional activities—and the above list is only partial—would absorb the energy and exhaust the capabilities of most people. But Dr. Craig's involvement in civic and philanthropic endeavors is equally as impressive as his professional achievements.

In 1938 he handled Chinese-American Community relocation in Los Angeles. He was chosen adviser to the Trojan Knights of the University of Southern California, in which capacity he served for 15 years. He has been a director of the Legal Aid Foundation of Los Angeles, and was a member of the Los Angeles Committee of the Committee for Better Schools. He was appointed to the Board of Building and Safety of the city of Los Angeles in 1963 and to the Board of Harbor Commissioners of the Port of Los Angeles in 1968. He served as President of both boards. After serving as a trustee of the Hear Foundation, Dr. Craig was elected to a 2-year term as president in 1971. Recently, he celebrated his 50th year as a DeMolay and as a "Past Master Councilor" of the Lincoln Chapter of the Order of DeMolay. In 1971 he was elected "Fellow" of the Society for Advancement of Management. He has also been a member of the Panel of Civil Arbitrators of the American Arbitration Association, and a member of the Advisory Board of the Harbor Occupational Center operated by the Los Angeles Unified School District. He served as president of the University of Southern California Faculty Club and was on the President's Council of Pitzer College. He was also the founder and first president of the Trojan Shrine Club.

In addition, Dr. Craig is a member of the American Management Society, the American Bar Association, the American Judicature Society, the American Economic Association, the American Society of Political and Social Science, the American Society of Political Science, the Los Angeles Philanthropic Society, the Academy of Management, the American Association of University Professors, and the Los Angeles World Affairs Council.

His biography is included in Who's Who in the West, Who's Who in Commerce and Industry, and Who's Who in Education.

Many honors have been bestowed on Dr. Craig over the years. He was chosen to be master of ceremonies and host at the University of Southern California Songfest of 1958, the only faculty member so honored by the students of U.S.C. He received the Honorary Tommy Trojan Award and, in 1968, the Dean's Award of the School of Business and Graduate School of Business Administration of the University of Southern California.

Chosen a "Master" by the University of Nebraska in 1970, he was honored at the Nebraska campus. He was also the recipient of the Alph Kappa Psi Faculty Award from the Alpha Zeta Chapter "in recognition of and in appreciation for Dr. Craig's 27 years of faithful service to U.S.C. and for his untiring efforts during that time to enrich the lives of his students, to develop their character and to inspire them to high endeavor."

In 1971, the Blue Key Honor Fraternity honored him through the creation of annual awards designated as the "Dr. Robert Fenton Craig Achievement Awards," which are bestowed by students on a number of people "who have made the greatest contribution to student life and the University of Southern California" each year.

Dr. Robert Fenton Craig has made invaluable contributions to our Nation as well as to his own community. Many of his friends will be present at the banquet in his honor this week to say "thank you." I would like to join them in thanking this truly outstanding American.

WORLD WITHOUT BORDERS

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. DRINAN. Mr. Speaker, recently I read in Commonweal a review by Peter J. Henriot of a book, "World Without Borders," written by Lester R. Brown and published by Random House. This review so heightened my interest that I secured a copy of the book. I consider this book "must" reading for all important decision makers in our society, certainly all of my colleagues in the Congress. I insert Father Henriot's stimulating review of this book at this point in the RECORD:

[From the Commonweal, Jan. 19, 1973]

WORLD WITHOUT BORDERS

(Reviewed by Peter J. Henriot)

One of the most significant books of the decade—in terms of debate stirred and policy affected—was published last spring. *The Limits to Growth*, by Donella H. Meadows *et al*. This "Club of Rome" study raised profound questions of technical, political and ethical nature about the future of our globe. Given the inescapable fact that we live in a finite world, how do we adjust to an equilibrium society which is also an equitable society?

Unfortunately the implications of the "Club of Rome" study were not readily available to a large general audience because the book tended to be long on complex equations and short on concrete examples. For this reason, *World Without Borders* will be especially welcome. Lester Brown, a Senior Fellow at the Overseas Development Council in Washington, fills his study with one example after another of the unified global society in which we live today. Brown's framework is similar to that put forth in *The Limits to Growth:* either we recognize our interdependence and accommodate ourselves to a finite earth, or we perish.

With lucid style Brown sketches an overview of the late 20th century—marked by per capita increase in income, per capita decrease in natural amenities, and the increase of indirect effects (mostly negative) of economic growth. At every point he emphasizes the inter-relationship of problems. This is especially true in his discussion of the environmental crisis and its integral link to the widening rich-poor gap in the world: ". . . global cooperation on the scale needed to preserve the eco-system on which the quality of life in the rich countries depends must await a much more serious effort by the rich to reduce the widening rich-poor economic gap."

The U.S. citizen might tend to see life in a "world without borders" as influenced most strongly in the years ahead by population growth. At the present world growth rate of two per cent, there will be twice as many people on earth at the start of the 21st century as there are now. Serious—in terms not just of quantity of people but of quality of life—as the growth rate is, it is not seen as the *most* serious problem by the nations of the Third World. Rather, these nations feel most keenly their economic dependence on the rich countries, a dependence maintained and fostered by the structures of a global economy which clearly favors the haves over the have-nots.

The author presents a startling picture of the impact of U.S. business throughout the world when he compares the gross national products of nation-states with the gross annual sales of multinational corporations. General Motors is eighteenth on a list of 100, beating out East Germany, Belgium, Switzerland, Argentina, and Czechoslovakia in the top twenty-five. Standard Oil of New Jersey, Ford, General Electric, Chrysler and IBM are all in the top fifty. Terms of trade, industrial development plans, employment policies, and other key economic decisions—these are made in board rooms in the U.S. and have a powerful influence around the world, especially in the poor countries. If we look honestly at the business scene, it is clearly unrealistic to think of the U.S. in any "isolationist" sense.

One key issue which does emerge dramatically in Brown's study is the issue of distribution of wealth. The challenges of the remainder of this century—environmental deterioration population growth, the increasing rich/poor gap, rising unemployment, widespread hunger, intense urbanization—are all challenges which are not going to be met without a reordering of priorities that will of necessity mean a more sparing lifestyle for the rich nations. This basic issue of social justice will be a special challenge for Americans. Six percent of the world's population, we Americans have no right—nor do we have promise of continued tolerance—to consume forty percent of the world's resources.

One element in Brown's study I would like to have seen more fully developed is the political emphasis. In his discussion of "a new social ethic" for a global society, he does say that a political person is required, a woman or man who takes political steps to see that the public interest is assured in the pursuit of quality of life. But Brown's political analysis is limited and his practical suggestions sparse. We are all talking these days about "changing structures," but not enough of us are putting that goal into concrete action-terms, especially at a global level.

It would be difficult to recommend this book too highly. It is precisely the right book at the right time. When we Americans are currently feeling some inclination to turn in on ourselves and our domestic woes, we need this kind of shock-treatment to oblige us to realize our need for a global vision. We are not going to solve the problems in the U.S. by looking at them solely in U.S. terms. In a "world without borders," interdependence is a keen fact of life—or death.

EDITORIAL SUPPORT FOR PERIPHERAL CANAL

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. HOSMER. Mr. Speaker, on April 25 and April 27 KHJ-TV serving the Los Angeles-Long Beach metropolitan area of southern California aired an excellent editorial supporting the legislation cosponsored by several Californians in the Congress to construct the Peripheral Canal. The editorial follows:

PERIPHERAL CANAL

The State of California has made commitments to supply water to southern California, with its millions of people. It has been voted by the people, and more than five billion dollars approved for the vital State water project. However, a handful of opponents, some quite vocal, some misguided, and others plainly interested only in flushing their own industrial wastes into San Francisco Bay, are threatening to block the project. They wish to eliminate the important Peripheral Canal, which will not only transport water to the millions south of the Tehachapi, but will improve the environment of the great Delta area, preserving the land, bringing better water, and saving the great bass and salmon fisheries of that bay Delta area. Water agencies at all levels, fish and wildlife groups, cities, counties, and Federal wildlife and reclamation authorities all favor the canal. It will actually enhance the environment of great areas of the State of California. But the diehards are still fighting to sink this vital project. Both Governor Reagan and former Governor Brown agree on this one, along with most authorities on water problems. Let your Congressman and State legislators know we want the canal built, before inflation gets to the canal fund.

WOMEN'S RIGHTS AND WOMEN'S LIB

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. McCLORY. Mr. Speaker, for those of us who have been vigorous proponents of the so-called equal rights amendment, it would seem well to pause and reflect on the wisdom of this measure—and to reject the extremists' positions which have been advanced by so-called women's lib militants on the one hand, and those who advocate a subordinate role for women, as members of the "weaker sex" on the other.

In a recent editorial appearing in the April 16 issue of the Christian Science Monitor, the current status of the equal rights amendment, as it struggles for final ratification as the 27th amendment to the U.S. Constitution, deserves our thoughtful attention.

Mr. Speaker, I am pleased to attach this editorial for the edification of my colleagues in the Congress, as well as our counterparts in the various State legislatures:

WOMEN'S RIGHTS AND WOMEN'S LIB

When discussing the feminist movement of the '70's, we must be clear what we are talking about.

The terms "women's rights" and "women's liberation" are not identical but have gotten confused in the public mind. And the confusion, we believe, is to a large extent responsible for the current opposition to ratification of the equal rights amendment, adopted by Congress a year ago. (To become law the ERA must be ratified by 38 states. So far 28 states have ratified it; nine have turned it down.)

The recent series in this newspaper on "Today's feminism" pointed out the need to straighten ourselves out on this matter of terminology. Our reporter quoted from a speech by Catherine East, executive secretary of the presidential Citizens' Advisory Council on the Status of Women.

In her analysis, which we recommend to all those who have doubts about the ERA, Mrs. East said: "The term, women's liberation, can be appropriately applied only to a small segment of the women's rights movement . . . the branch of the movement that had its origin in the student activities of the early '60's. These women, primarily radical feminists, have thus far been mainly concerned with analyzing the origins, nature, and extent of women's subservient role in society, with an emphasis on the psychology of oppression. . . ."

She went on: "The women's rights movement is largely composed of the kind of women that are in the National Association of Women Lawyers, the General Federation of Women's Clubs, the National Federation of Business and Professional Women's Clubs, the Women's Equity Action League, the YWCA, and the League of Women Voters, and they are, by and large, pretty conservative as a group. It's these organizations that have secured passage of the Equal Rights Amendment by Congress and are lobbying for state ratification. It is these groups that are working for reforms in education and in other areas of society. They are not trying to overthrow the government, abolish the family or force all women into employment. They are seeking . . . to make the family a real partnership and to make freedom of choice for women a reality."

NOW, the National Organization for Women, one of the most active of the new feminist groups, operates as a kind of bridge between the more radical women's liberation groups and the older organizations. It is playing a useful role in calling attention to the inferior status of women and the rationale for reform.

The fundamental demand of the women's rights movement, then, is for equality under the Constitution and under the law, and for freedom of choice for a woman to decide what she does with her life.

It is important to realize that this does not mean an attack on the institution of marriage and family or on the essential qualities of womanhood. Instead as Catherine East says, the emphasis is on making the family a "real partnership," in other words on strengthening the institution of family by broadening and equalizing its basis.

Some of the women's liberationists carry their pursuit of egalitarianism and their drive to wipe out the feminine stereotype to extremes, and it is this radical approach which would endanger the family and threaten the nobility and dignity of woman. But the extremists, as our reporter pointed out, represents only a small minority.

Back of the new feminist movement is a yearning of women for fulfillment and for the full expression of their potential in society. It is part of a ferment taking place in human thinking—an impulsion for progress which fundamentally is a force for good. The pity is that the term "women's lib" is being so loosely and inaccurately used.

In our view the equal rights amendment deserves early ratification. For this it is essential that the issues be clearly understood.

WHAT IT MEANS TO BE AN AMERICAN

HON. LOUIS FREY, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. FREY. Mr. Speaker, I was privileged last Friday night to be a guest on the Alan Courtney radio show, a program which has been broadcast nightly from Miami for 24 years.

Mr. Courtney, as moderator of "America's Original Open Phone Forum," has just completed two essay contests: "What It Means To Be An American," and "Our Flag."

Responses to both these essay contests ran into the hundreds as listeners from Jacksonville to Key West told what the American flag meant to them and about how proud they are to be Americans.

I would like to share with you one of the winning poems read by Mr. Courtney. It is by 10-year-old Gregory Stephen Deptuch, a fifth-grade student at St. Thomas Apostle School in Miami:

What It Means To Be An American

(By Gregory Stephen Deptuch)

I'm just a boy
But I know I'm free.
That's what America means to me.

I'm proud of our men
Who have had to fight
For what our country knows is right.

So I could go
To church and pray.
That I might go to school each day.

And one day soon,
A man I'll be.
I'll make my country proud of me.

SKIP BAFALIS' QUESTIONNAIRE

HON. L. A. (SKIP) BAFALIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. BAFALIS. Mr. Speaker, from time to time I plan to send out a comprehensive questionnaire to the residents of my congressional district to ask their opinions on various issues which Congress must resolve. I am certain that their answers to these controversial questions will be a great help to me in the important decisionmaking process. I am planning to send out the following questionnaire in the near future:

WHERE DO YOU STAND?

My Fellow Floridian:

As your Congressman, I have the responsibility to represent you and your views. But, in order to follow that mandate, I need to know how you and your neighbors and friends stand on the important issues facing the 93rd Congress.

As a favor to me, would you take the few minutes necessary to fill out the attached questionnaire and return it to me?

As the Congressman for the 10th District of Florida, I will be called upon daily to make critical decisions affecting you and your future. I want to make those decisions with your opinions, your interests and your needs in mind.

I regret that the press of time precludes individual acknowledgement of each questionnaire received. However, rest assured that once the responses are tabulated, I will report to you with the results. I also will submit the results to the Congress and the President.

Also, if you wish to receive my free newsletter, "Washington Report", on a regular basis, be sure to check the box on the return portion and include your name and address.

Sincerely,

SKIP BAFALIS,
Your Congressman.

1. Of the issues listed below, which three do you consider most important and deserving of top Congressional priority? (circle three)

a. Education; b. Crime; c. Welfare reform; d. Drug abuse; e. Tax reform; f. Consumer protection; g. Military defense; h. Rural development; i. Mass transit; j. Environmental protection; and k. Space exploration.

2. Would you be willing to pay more for products if their use and manufacture could be made pollution-free? (circle answer) Yes, No, undecided.

3. Do you favor removal of the earnings limitation for Social Security recipients? (circle answer) Yes, no, undecided.

4. Do you oppose amnesty for those persons who left the United States to avoid military service during the Vietnam war? (circle answer) Yes, no, undecided.

5. Do you believe the President should refuse to spend all of the money appropriated by the Congress when such expenditures would increase the national debt? (circle answer) Yes, no, undecided.

6. Would you be in favor of a constitutional ceiling on federal spending to limit appropriations to expected revenues? (circle answer) Yes, no, undecided.

7. Now that the U.S. and Cuba have reached an anti-skyjacking accord, do you favor steps toward reestablishing diplomatic ties with the Castro regime? (circle answer) Yes, no, undecided.

8. Would you favor federal programs to curb air, water and noise pollution if it meant higher taxes? (circle answer) Yes, no, undecided.

9. Federal farm controls and supports should be: (circle one) a. Phased out within five years; b. Continued substantially as is; c. Made permanent with increased supports; d. Made permanent with reduced supports; and e. Continued, but with a limit on supports to any one farm.

10. In its efforts to rebuild war-ravaged Indochina, should the United States provide funds for reconstruction of North Vietnam? (circle one) Yes, no, undecided.

THE 200TH ANNIVERSARY OF HARFORD COUNTY'S BIRTHDAY

HON. WILLIAM O. MILLS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. MILLS of Maryland. Mr. Speaker, I wish to respectfully submit for the RECORD a resolution introduced by Councilman John W. Hardwicke of Harford County, Md., honoring the 200th birthday of that county. It is indeed a great honor for me to bring to the attention of this Nation this grand occasion. I include at this point resolution No. 5 in recognition of all Harford Countians:

COUNTY COUNCIL OF HARFORD COUNTY, MD.—RESOLUTION NO. 5

Be it resolved, that the celebration of the 200th anniversary of Harford County's birthday is an historic occasion and is worthy of National recognition; and

Be it further resolved, that Harford County is deserving of special recognition as the nation's Bicentennial approaches, since the first declaration of independence in America was signed at Bush; and

Be it further resolved, that on numerous occasions in times past the United States has issued commemorative coins to celebrate important anniversaries for cities, counties and states;

Be it further resolved, that the County Council of Harford County hereby respectfully requests the Congress of the United States to order that a commemorative half dollar symbolizing Harford County's Bicentennial be struck; and

Be it further resolved, that the government and people of Harford County will be grateful to Congress for such recognition of Harford County's Bicentennial;

Be it further resolved, that a copy of this resolution be sent to First District Congressman William Mills and that he be requested

to introduce into the House of Representatives appropriate legislation to effectuate the purposes of this resolution.

FEDERAL LANDS IN ALASKA

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. YOUNG of Alaska. Mr. Speaker, during my recent visit to Alaska, I had the opportunity to testify before the Federal-State Land Use Planning Commission which is just beginning a series of 45 public hearings in Alaska and the "Lower 48" concerning the status and future use of Federal lands in Alaska.

These hearings, concerning Interior Secretary Morton's withdrawals of more than 127 million acres of land in the public interest and for possible inclusion of as many as 80 million acres in the national conservation system of forests, parks, wildlife refuges and wild and scenic rivers, mark a unique and commendable departure from established patterns.

The Commission, an advisory agency established by the passage of the Alaska Native Claims Settlement Act of 1971, is taking the question of land use to the people and asking them their views before, and I stress the word "before," the Federal Government makes its decisions. The Commission is involving people in its difficult and important planning job. The hearings will be held in Washington on May 29 and 30, affording my colleagues and other interested citizens the opportunity to offer their views on land use and the national interest in Alaska.

It is with this in mind that I here offer my recent testimony:

Testimony of the Honorable Don Young, Congressman for All Alaska Before the Federal-State Land Use Planning Commission in Anchorage, Alaska, April 23, 1973

Mr. Josephson, members of the commission, Mr. Bingham, ladies and gentlemen: It is both an honor and a privilege for me to be here today, to address the Commission on this, the first in its series of 45 public hearings on the future of Alaska. I thank you for affording me that opportunity.

Ostensibly, you have convened to hear testimony on lands withdrawn by Secretary of the Interior Rogers C. B. Morton under section 17(d)2 of the Alaska Native Claims Settlement Act of 1971.

But in reality, these Commission hearings, like the Commission's recommendations, will have enormous effect on the future of Alaska. The decisions that will be made by this body, the decision-making that will begin here, today, by and large will shape the course of history for Alaska's development in the next 100 years.

That is the subject this body is addressing now. It is the subject Secretary Morton will keep in mind this summer when he weighs the Commission's recommendations. And, it is the subject I will bring before the Congress when the Secretary makes his formal proposals regarding the D–2 lands this December.

And so, with Alaska's future in mind, and the Commission's ability to help shape that future in the interests of all Alaskans at hand, I would like to offer my views.

Just having returned from the nation's capital, I feel as though I have made a journey back in time. There, I found crowds and congestion, and evidence of that uniquely American ability to replace fields with freeways in the name of immediate convenience. Planning is not apparent, only reaction to change, to growth. A planning commission such as yours no doubt could have alleviated some of the urban problems that now plague our major cities.

But here in Alaska, the opportunity still exists to plan wisely for the future rather than just blunder into it. So let us think, if we will, about Alaska's future—what the Great Land means to Alaska and the nation now, and also what it will mean, what we want it to mean, 100 years from now.

Some general projections are clear.

Already, Alaska is a provider.

Her fisheries have produced as much as one-fifth of the entire North American salmon catch.

The vast forests of Southeast Alaska have only recently begun to yield sustainable harvests of timber, and to provide employment for Alaskans.

Of gold and cooper and oil, you are already familiar. So I need not remind you that Alaska is perhaps America's richest storehouse.

The tundra deserts that cap our biggest oil fields provide nesting grounds for millions of birds, many of which fly to Alaska each spring from as far away as South America.

The same forests that make possible a $100 million a year timber industry also give Alaska some of its most spectacular scenery. They also provide habitat for the state's abundance of wildlife.

This is Alaskas' past and its present.

Together with our knowledge of the things around us, the ways in which other nations, cities and states have planned their futures or mis-managed them, we can see that Alaska's role as a producer can only increase. In the Congress, for example, where the battle for the Trans-Alaska pipeline is beginning to take shape, the Representatives of the other states are coming to realize that the nation desparately needs Alaska's oil.

And, as we all know, there are other ways of producing besides pumping oil.

Alaska's burgeoning tourist industry has shown that producing can also mean sharing our spectacular mountains and fiords and forests with visitors who take with them only memories and snapshots.

So, we can begin to think of Alaska's future as a provider of natural resources, and then subdivide those resources, like Mt. McKinley, into those like timber and fish and oil, and also those whose value stems simply from their existance.

No one can sell the mountain, but everyone can profit from the view.

Our renewed awareness of ecology has shown us how all things are mutually dependant on each other. But as you sit to consider, say, the need to protect caribou calving grounds, or the seasonal effects of wind and rain and fire and ice upon the land, I ask you to remember one element of the ecological cycle that too often is forgotten: man.

As much, no, even more than we need to consider wildlife or mineral production, we need to give thought to man and his needs.

And while I commend the Commission for its innovative step in planning of going to the people to hear their views before—rather than after—making decisions and recommendations, I want to make it clear that our planning is for men, not for muskrats or mountains or money, but for men.

Considering the 79 million acres now classified as D–2 lands, and the additional 48 million acres classed D–1 in the national interest, I ask that you use restraint in your recommendations.

Since the Commission was formed, nearly a year ago, you have heard request after request for land: land for wilderness, land for forests, land for Native selections, land for parks, land for mines, land for wildlife.

I ask you to consider land for people.

Alaska is not a pie to be sliced and apportioned according to the appetites of different federal agencies.

First and foremost, Alaska belongs to Alaskans.

Second, it belongs to the nation.

Of the 79 million acres now classified as D–2 lands, the U.S. Forest Service has already identified 39 million acres its specialists consider suitable for new national forests. Presently, 22 million acres are already set aside as federal forest in the Panhandle and along Prince William Sound.

The Interior Department agencies, the Bureau of Sport Fisheries and Wildlife, the National Park Service and the Bureau of Outdoor Recreation, have yet to unveil their plans for new refuges, new parks and wild and scenic rivers.

Park Service planners have already proposed doubling the size of Mt. McKinley National Park to protect the animals, but after half a century of Park Service management, McKinley's single road still does not meet even the Park Service's minimum requirements.

No one, it seems, is looking out for the interests of the people the agencies are constitutionally sworn to protect.

In the area of the Yukon Flats, the drainage that surrounds my home at Fort Yukon, planners have identified 11 million acres as being suitable for protection as a wildlife refuge for birds.

If this Commission recommends that 11 million acres be set aside as a nesting ground, other users of the land and of the Yukon River which historically has been Interior Alaska's major artery of commerce and transportation, will be neglected. If, at some future date, Alaska and the nation need that land for some other purpose, it will be nearly impossible to do if the Congress has already locked the lands away for a single purpose.

Look at the other states. Texas, California and Louisiana have all found it possible to protect nesting grounds with refuges. But those refuges were selected on the basis of specific need in specific locations. And they measure at most a few thousand acres. Here it has been proposed to lock away an area of 11 million acres for but a single use.

The birds can be protected. They must. But it is foolhardy to lock up an area half the size of the State of Kentucky for a single purpose to the exclusion of all others.

In the other states I mentioned, the birds and other forms of wildlife are protected. They co-exist and prosper under careful management in close proximity with such development as cities and even oil fields.

Has the Swanson River petroleum complex on the Kenai Peninsula endangered the moose population? Of course not.

With careful study and wise planning, the myriad demands for land in Alaska can be satisfied. That is the reason the Commission exists, not to see how much land it can put away.

The land is there. It always has been and always will be.

The Alaska Native Claims Settlement Act that established the Commission only gave the Secretary of the Interior the perogative to select lands in the national interest. It clearly did not order him to parcel it out to federal agencies whose management policies and overall goals are sometimes in conflict with each other and the needs of the nation.

I say set aside only the bare minimum of what's needed, if, and that's a big if, it must even be done now at all. There are many valid needs for Alaska's land. This we agree on.

There will be many more in the future. While you consider the needs of caribou and the needs of Alaska's own people. I ask that you consider also the needs of the nation for Alaska's resources.

Since I went to Washington a little over a month ago, I've heard a lot about wilderness.

And, after a decade of living above the Arctic Circle, I think that I am entitled to a few thoughts of my own on the subject.

By definition, wilderness means wild place. It's wilderness only so long as there are no people. From the minute the first man sets foot in a wild place, it ceases to be wilderness. But if land is classified as a true wilderness, and set aside for that single purpose, there can be no room for man.

The Commission can perform a great service for the people of Alaska and the nation, I believe, if it leaves room for them and their human needs. And to do that, Alaska's lands must be managed to derive maximum benefit for every land user, no matter whether in the final analysis it is determined that the users are fish, trees, people or caribou.

With the multiplicity of valid demands for specific land uses, I recommend that the Commission embrace the multiple-use concept of land management to ensure Alaska and the nation equity in the wiseast possible use of Alaska's vast land resources. Thank you.

PRIVATE PENSION PLANS SHOULD BE GOVERNMENT REGULATED

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. BROOMFIELD. Mr. Speaker, for too long private pension plans have been vulnerable to fraud, mismanagement, and unscrupulous eligibility requirements buried within pages of fine print. Too many Americans retire only to learn that they have not qualified for the hard-earned pension benefits that they reasonably felt they deserved.

Private pension plans throughout the United States now have assets in excess of $160 billion and they have enrolled more than 35 million people. Make no mistake about it, private pension plans are big business. Yet, incredibly there is no Federal regulation of the management and operation of these programs upon which so many people rely so heavily for economic security.

Studies have shown that despite these immense assets and the many well-intentioned and professionally operated funds, all too often retirement plans fail to deliver their promised benefits. Worse, there is very little that the cheated retiree can do to recoup his losses.

It is hard to believe, Mr. Speaker, that in this day and age a burgeoning multibillion-dollar business can operate so freely outside the arm of Government inspection and review. This is especially true of an industry where so many documented examples of hardship and broken promises have been prevalent. Hardly a week goes by without some new story about the abuse of pension funds or the denial of pension benefits. We know of people who have been laid off or fired only months before they would have been eligible for their pensions. Firms go bankrupt, move, or merge leaving career employees with at best reduced pension payments.

In an effort to weed out the basic inequities recurrent throughout our private pension system I have introduced legislation which provides a wide range of necessary and prudent reforms.

My bill will plug the loopholes which make pension plans such easy victims of fraud and embezzlement. It would create uniform rules for pension eligibility and call for pension "portability" so that anyone can switch from one job to another without losing years of service to his pension.

By creating minimum vesting standards, my legislation would ensure that workers are not cheated out of their retirement pay by unnecessarily rigid eligibility requirement. I propose that after 8 years a person should be assured 30 percent of his pension. He would thereafter accrue an additional 10 percent for each extra year of work so that after 15 years he would be entitled to his full pension.

In order to allow pension participants to switch from one job to another without loss, a central clearinghouse would be created. Various pension programs would be able to register with this clearinghouse. Thus, as long as an individual takes a new job with a firm that has a registered pension plan he will not lose any of his previous time.

Surveys have demonstrated that 92 percent of the people enrolled in plans requiring 11 or more years of participation for benefits and 73 percent of those in plans requiring 10 years or less are not qualified to receive any benefits when they leave their jobs.

This portability provision is even more valuable for middle-aged and older workers who can become virtual prisoners on a particular job because they fear the loss of pension benefits.

By the same token, a major prejudice against the hiring of older workers would be eliminated. Employers are reluctant to hire people near retirement age because they do not wish to absorb the full cost of their retirement. Under this scheme, all former employers, not merely the last one, would share in the payments of pension benefits.

Lastly, Mr. Speaker, this legislation would require that all pension plans participate in a federally sponsored insurance program to insure their assets against fraud and mismanagement.

This program would work in much the same way that the Federal Deposit Insurance Corporation insures individual bank accounts. Since such a program would obviously require much more stringent auditing and reporting practices, the opportunity for embezzlement would be drastically reduced. Insurance costs would be relatively minimal and would act as a buffer against those few pension plans which might suffer from poor investment administration.

Mr. Speaker, it is fair to say that the lifetime savings of millions of Americans depend to a great extent upon the basic reforms outlined in my legislation. Congress has an opportunity to provide substantial security to the American worker in an area where he is most obviously vulnerable. Too many have already suffered the consequences of our haphazard and unregulated pension system. Before more meet the same fate, I hope Congress will give this measure careful and proper consideration.

THE REAL CULPRIT

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. LONG of Maryland. Mr. Speaker, many have searched for simple causes and cures for the present inflation. Most Americans fear the complexities of economics—it is often termed the "dismal science." Yet, unless we are willing to face some harsh economic facts of life, a number of which I have pointed up in my own remarks on the floor, we will continue to be plagued with inflation. I bring to the attention of my colleagues a well-reasoned and direct letter by a thoughtful woman. The following letter by Mrs. Ellen R. Sauerbrey of Baldwin, Md., appeared in the April 19, 1973, Baltimore County weekly Jeffersonian:

THE REAL CULPRIT

Editor, the Jeffersonian:

Perhaps the most serious implication of the current uproar over food prices, is the total public confusion about who is to blame. The housewife pickets the supermarket, Congressmen cast about for unscrupulous "speculators, the business man blames union wage rates, while the union member looks suspiciously at the farmer or the entrepreneur.

The confusion reflects the general lack of understanding of basic economic principles and the total failure of our education system and our communications media to present the facts. This is a very dangerous shortcoming because the true causes will worsen until they are recognized.

The three obvious and direct contributors to the cost of food are the farmer, the "middleman" and the market place. Because they are readily identifiable they come in for the lion's share of criticism, yet in each case a study of the facts demonstrates the fallacy of blame.

Over the past 20 years, the price the farmer receives for food has climbed a total of six per cent while prices at the checkout counter have increased about 50 per cent. During these same twenty years, average wage rates throughout America have increased a total of 130 per cent. Through his costs have gone up sharply, the American farmer has increased productivity so greatly that he has been able to absorb the higher costs and farm prices have shown little increase. For example, in 1950 the farmer received about 32 cents a pound for prime beef. By 1971 his price was only a little over 33 cents a pound. By mid March of this year, the farmer was receiving about 48 cents a pound, an increase that reflects in part the higher feed grain prices caused by the Soviet wheat and corn deals. If the price of beef had risen at the same rate as wage increases, the farmer would today be getting about 74 cents per pound. Clearly the farmer is not the culprit. He is due credit for meeting increased costs with increased efficiency.

The supermarkets, which are targets of today's boycotts, may be driven out of business tomorrow if their profits are forced much lower. Chain store profits have declined steadily over the past decade. They now average one-half a cent profit on every dollar sold. Five of the 10 large chains lost money in 1972. The housewife expects plenty of free parking, air conditioned modern stores, shopping at all hours of the day and night, no line at the check out counter and an inventory of all her favorite brands. The chains must buy the food, warehouse it, distribute it to the local stores, price it, put it on the shelves and check it out at the cash register. And for all of its investment in modern stores and equipment, the chain store settles for less than a one cent profit. What housewife is willing to accept a one per cent profit on the money she puts in the bank?

The "middlemen" are the eight million workers in processing, warehousing, transporting and marketing agencies. The middleman accounts for about 76 per cent of the increase in food costs today as compared to 20 years ago. The big item which stands out in middleman costs is labor. Overall labor costs in the food trade have gone up 300 per cent in the past 20 years (over twice the national average). The largest single item in pricing food is labor, representing 44 per cent of the total food cost. Does that mean, then, that the middleman is the culprit? That is too superficial a conclusion. The root of the problem lies much deeper. High labor costs in the food industry are just a part of the overall wage price spiral of inflation.

Inflation has affected the price of all goods and services. Food costs, statistics show, have been less affected than most other areas of daily life. However, since food is a day-to-day necessity, not a luxury, those on a fixed income or those whose salaries have not kept pace with the average are caught in the squeeze. Rising food prices have thus become an emotional target for the victims of inflation.

Although it must be acknowledged that other factors such as weather, exports of feed grain, foreign demand of U.S. meat, and greatly increased per capita consumption of beef and poultry in this country have an effect, the main culprit in the long term rise in food prices is inflation.

As with the symptom—the rising price of food, few people know who to blame for the disease itself—inflation. Business blames unions, unions blame employers, the consumer blames both, and the culprit goes undetected.

The true culprit is chronic deficit spending by the federal government. Theoretically, the government finances its spending programs by taxation. But taxes are unpopular and do not win elections. The trick is how to spend more without taxing more. The government, it must be remembered, has nothing to spend that it has not first taken away from the people.

The government finances its deficits by "selling" bonds to the banking system. For every $1.00 worth of government debt financed through the Federal Reserve System, the system permits over $5.00 worth of credit expansion, which means over $5.00 worth of new money has been created out of thin air. The government has increased the paper money supply but has backed it with nothing of value. The result is that there are more paper dollars in circulation competing for the same amount of available goods and services (or beef and potatoes). The effect is the same as if another bidder arrives at an auction sale with an endless supply of dollars and drives up the prices of all that is put up for bids.

Whether through taxation or credit expansion (i.e. inflation) the taxpayer has surrendered his purchasing power to the government. As he surrenders more and more of his purchasing power, he is left with less freedom of choice as to how to spend his money. When purchasing power is lost through taxation, the housewife can see why she has less money to buy meat and potatoes. Inflation, however, is insidious. It also results in the housewife having less money to buy meat and potatoes, but the shopper who is unaware of basic economic principles is unable to identify what has robbed her of purchasing power.

Given the choice, how many American housewives would willingly trade their ability to buy meats, fresh produce and convenience foods regularly and steaks occasionally for the nebulous promises of a high priced government spending program that benefits some pressure group? Yet this is exactly the choice she must make. If she opts for a welfare state, she must be willing to pay for it. Instead of picketing the supermarket, the housewife should let her voice be heard by those who spend her money—the administration and Congress of the U.S.A.

Food is still a good buy for most of our citizens. Americans today spend a much smaller percentage of their after tax income for food than they did 20 years ago, and because of the productivity of our agricultural system, spend less than any other nation in the world. But as inflation pushes all prices upward, the clamor for controls grows ever louder. Ironically much of the noise comes from Washington from those who create the federal deficits, the resulting inflation, and price increases. Controls have never worked anywhere. They discourage productivity, destroy incentive, reduce supplies, encourage black markets and ultimately force prices even higher if goods are to remain available.

The lack of economic training in our educational institutions and by our news media is producing a citizenry that is so unaware of how our system works, that it may in ignorance demand the slaughter of the goose that lays the golden egg.

ELLEN R. SAUERBREY.

COLTON HIGH SCHOOL BAND ACHIEVING INTERNATIONAL REPUTATION

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. BROWN of California. Mr. Speaker, I would like to take just a moment to pay tribute to one of the finest high school bands in the Nation—the Yellow Jacket Band of Colton High School. Since Colton is my hometown, I am particularly proud of the honors which this group has accumulated.

The Yellow Jacket Band began the 1972–73 marching season with the Ontario 500 parade and performance at the racetrack before an audience of 160,000 people.

The band received the Mayor's Trophy Award at the Colton Mexican Fiesta parade and the drum major received the first-place trophy for his performance.

At the San Bernardino Hire the Handicapped parade the Yellow Jacket Band took the sweepstakes trophy and the drum major received another first place trophy.

At the Azusa Golden Day's parade the band placed second, the drum major placed first, and the percussion section received a third place trophy.

The Yellow Jacket Band received a superior music award and a second place trophy at the Escondido half-time competition.

At the Santa Monica El Primo parade the band won the music sweepstakes award along with second place band, second place percussion, and fifth place drum major awards.

At the Hawthorne band review the Yellow Jacket Band won a second place trophy and a first place drum major award.

Riverside was the scene of the bands next win: a sweepstakes trophy plus a first place drum major award.

For the second consecutive year the band has been invited to the La Mesa Western States Band Tournament, where the top 10 bands from the Western United States are judged in concert, sight reading, parade marching and field show areas of entertainment.

INVITATIONS FROM ABROAD

As the Yellow Jacket Band's fame began to spread, more invitations came in. Dr. William Revelli asked the band to attend the International Music Tournament in Vienna, Austria. Colton's stars were asked to attend the Star Festival in Brussels, Belgium, and compete with 10 other top U.S. high school bands. The group received a telegram inviting them to the International Band Festival in Vienna. And the city of Geneva, Switzerland invited the band to participate in the 1973 Geneva Youth Festival this coming August.

The band considered all these, as well as other invitations they had received. All were tempting, but the time and money involved would not permit them to accept more than one of the major European invitations.

After much deliberations they chose the Geneva Youth Festival for the educational and cultural opportunities it offered the members of the band. The festival will be under the leadership of Dr. Clarence Sawhill, director of UCLA bands, and Mr. Jack Coleman, music education director for the Walt Disney Co.

The young participants in this festival, both Swiss and American, should find this a very broadening experience that will contribute to their intellectual, psychological, and spiritual development. Their social and artistic interaction will result in a better understanding of people from other nations, and lay a foundation for international friendship and cooperation in other areas in the future. These students will be prepared to lead the way in building a stronger and more peaceful future for generations yet to come.

I congratulate the Colton High School Band for the honors it has received and wish the members well on their European tour this summer.

THE CLEAN WORLD CLASS

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. ROSENTHAL. Mr. Speaker, I would like to take this opportunity to commend the noteworthy efforts of the "Clean World Class," 5–309 of P.S. 24 in Flushing, Queens.

This group of fifth graders, led by Ms. Ruth Lerman, their teacher, is currently engaged in projects designed to educate themselves and others about the deteriorating quality of our environment.

Toward that goal, they have designed a song book, complete with illustrations depicting various themes in our fight against pollution. The students have written lyrics, set to popular melodies, which call the Nation's attention to growing air, water, land, and noise pollution, as well as to its sources. In addition, the class is in the process of making an ecology film to be shown during the latter part of May.

One can only be gratified by this display of social concern by those so young. A special tribute should be paid to those educators and parents for instilling in these young people a sense of awareness of the world around them.

As legislators we have clear responsibilities to insure that the Earth will indeed be inhabitable in the years to come, for these children and for the rest of society. Moreover, we must strive to guarantee a safe and healthful environment in which our progeny can flourish and enjoy those benefits from which we, ourselves, have profited. A perpetually rich and fruitful America is still salvageable if only we heed these voices.

I would like to insert the work of the "Clean World Class" in the RECORD, so that it may inspire others to a similar awakening:

SONGS OF REVOLUTION AGAINST POLLUTION

(By the Clean World Class)

TEACH THE WORLD

(Contributed by: Ronnie Porselli To the tune of: "I'd Like to Teach the World to Sing".)

I'd like to teach the world to stop
Polluting all the earth,
And see the meadows bright and clear
And give it a new birth.
It's the thing to do
Keep the water clean
That's the way it should be
For you and me.
I'd like to teach the world to be
Very very clear
And clean the air
So we can bear
With all these crazy things.

GARBAGE WALTZ

(By Helen Starrou, Tune "Clementine")

Oh Pollution, oh pollution
Why don't people really care?
We pollute the land we live on
And the water and the air.

With all this garbage, all this waste stuff
All these papers all around,
No one even makes an effort
To lift it off the ground.

DIRTY LAND LULLABY—TUNE: "TWINKLE"

(By Joanne Campisi)

Dirty, dirty polluted land
Can't you find a helping hand
Up above the world so high
Smoke 'll surround us by and by.

Dirty, dirty polluted land
Won't someone lend
A helping hand?

POLLUTION TANGO

(Contributed by Marra Schneider, From West Side Story's "America")

There is pollution in America!
Lots of pollution in America!
Loads of pollution in America!
Find a solution for America!
We started pollution in America!
Let's stop pollution in America!
If we don't find a way for America,
Soon there'll be nothing of America.
There are polluters on American land
A polluted America is not so grand!

YANKEE DODO?

(Lyrics: Earl Estwick. Tune: Yankee Doodle)

Stop polluting our good air
With fumes from all the autos
And keep the wastes and chemicals
Out of our good waters.
Let's all stop polluting now
We can do it somehow
Get to work, don't wait and see
Let's have a cleaner country.

ALL CHOKED UP

(Tune: Jimmy Crack Corn. Lyrics: Mark Kafalas)

When I was young I breathed
Fresh air from the trees
Then I got older
And started to cry
The birds, trees, fish
All would die.

Chorus

Pollution, pollution
Oh yes I care
Pollution, pollution
Oh yes I care
Oh please just go away.

The birds and bees all
Fly away
We hope they will return
one day
Smoke, smoke
Cough away
And hope you don't
Have to pray.

OH POLLUTION

(By Debra Crisci)

Oh pollution, oh pollution
Is there ever a solution?
It's a pity, it's a pity,
Dirt is ruining our city.

Oh pollution, oh pollution
Oh pollution, go away,
You just make our world all ugly
In all different sorts of ways.

PEOPLE, PEOPLE

(By Elizabeth Lieberman)

People, people, I've been thinking
About the soda we've been drinking
Throwing garbage in a can
Will help to make
A cleaner land.
All of us can find a solution
To rid us now of this pollution.
Get together, hand in hand
We can clean up all our land.
Someday we may all go under
From some polluter's stupid blunder
We can fight, fight everyday
For a cleaner world
In every way.

YANKEE DOODLE

(By Linda Jackson)

Yankee Doodle went to a city
That was very dirty
The smog and dirt were fighting to
Make him leave that city.
Yankee Doodle, fight right back
Fight to clean that city
Don't let smog and dirt and filth and muck
Take away our city.

POLLUTION NURSERY SONG

(Lyrics: David Wu. Tune: Mary's Lamb)

Oh yes we have a dirty land,
dirty land, dirty land
Yes we have a dirty land
With pollution all around.
And everywhere we walk, walk, walk
Yes everywhere we walk, walk, walk
Pollution's to be found.

BORN FREE

(Lyrics: Richard Baron)

Garbage—as far as your eye can see
The smoke from the chimneys
Pollutes our air.
Fresh air—no longer existing
Let's keep on insisting
Pollution must stop.
Pollution—we must find a solution
Or else life will end
One Day!

POLLUTION ROCK

(By Gary Clarke to the tune of Jeremiah)

Pollution is a horror
It's messin' up this world
Everywhere you go
You can see it being thrown
It's messin' up my world.

WHITE CHRISTMAS?

(Lyrics contributed by Steven Thompson)

I'm dreaming of a breath of clean air
With every dirty breath I breathe
May pollution get out of of our hair
May the rest of our days be fair.

MARY HAD A LITTER BAG

(By Linda West)

Mary had a litter bag, litter bag, litter bag
Mary had a litter bag
Wherever she would go!

ARE YOU SLEEPING?

(Lyrics: Jay Rabin)

Are you breathing? Are you breathing?
Listen now! Listen now!
Pollution's gonna get us.
Pollution's gonna get us.
Get it first! Get it first!

CLEAN WORLD CAROL

(Tune: Jingle Bells. Words: Joey Sevita)

Dirty streets, smelly air
Everywhere we go.
What will happen
To our country
Is what we want to know!

Waters muddy, fishes dying
In the world today
The time has come
To clean it up.
We'd better not delay!

POLLUTION, POLLUTION

(Tune: Reuben Reuben. Words: Cheryl Sussman)

Pollution, pollution, we don't need it.
Look around our dirty town.
There's garbage here
And litter there
A polluted city, everywhere!

MEMBERS OF THE CLEAN WORLD CLASS

David Wu, Marra Schneider, Sandra Leal, Joanne Campisi, Steven Thompson, Debra Gisa, Earl Esturck, Linda Jackson, Helen Stavrow, Linda West, Donna Hart, Lori Dembowitz, Dawn Dait, and Joseph Seveta.

Cheryl Sussman, Elizabeth Lieberman, Joseph A. Sena, Michael Cabezon, Mitali Bose, Susan Zaager, Richard Baron, Oronzo Porcelli, Marak Kafalas, Jamie Tannenbaum, Vincent McCoy, David Lee, Jay Rulin, and Gary Clarke.

NAVY STUDY SUPPORTS CULEBRA CEASE-FIRE

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. LEGGETT. Mr. Speaker, in the debate over the shelling of the tiny island of Culebra, the Defense Department has continued to argue that the Puerto Rican Island is a vital element of the Navy's Atlantic Fleet Weapons Range.

Well, I visited the island and found that quite the contrary, the island contains no strategic qualities that could not be duplicated elsewhere—except perhaps the fact that Culebra is probably the only weapons range in the world where 1,000 inhabitants double as potential targets. A recent article by Richard D. Copaken in the Christian Science Monitor has echoed my assessment.

Mr. Copaken points out that a recently released Navy study concluded that a number of uninhabited island alternatives were "suitable for conduct of all of the required types of naval gunfire and aircraft-weapons exercises," and that at least one uninhabited site was admittedly superior to Culebra for Navy training. This finding clearly contradicts former Secretary Laird's evaluation that "the present Culebra complex is clearly superior in every regard to the alternatives considered," and mandates a cessation of the nearly 2,000 yearly hours of naval shelling of the island.

This shelling has gone on for 37 years. Miraculously, there have been very few casualties, but there have been some. One civilian has been killed, and one Culebran child has been disfigured while playing with a dud. Moreover, nine Navy personnel were killed when their observation post on Culebra was mistaken for the target, and numerous shells have landed throughout the town.

I say that it is high time that we put a stop to this carelessness. Puerto Rico's Resident Commissioner Jaime Benitez and Senator HOWARD BAKER have introduced bills which would force the Navy to stop all training activities on the island by July 1975. More importantly, Secretary of Defense, Elliot L. Richardson, agreed during his confirmation hearings to review the Laird decision. I would hope that in his review he takes cognizance of the Navy report, and ends 37 years of American insensitivity to the wishes of the Puerto Rican people.

At this point in the RECORD I insert for the benefit of my colleagues the April 11, 1973, Christian Science Monitor article entitled, "Culebrans Ask U.S. Navy for Cease-Fire":

CULEBRANS ASK U.S. NAVY FOR A CEASE-FIRE

(NOTE.—Mr. Copaken, a former White House Fellow, has served for the past several years as Culebra's Washington counsel. As such, he has been concerned with both the people and environment on this Puerto Rican island, which provides target areas for U.S. Navy training. The Navy maintains: "The Culebra complex offers such advantages over all other alternatives studied that none of these other alternatives can be considered reasonable.")

(By Richard D. Copaken)

CULEBRA, PUERTO RICO.—Some 726 Spanish-speaking, United States citizens reside on this tiny Puerto Rican island. For the most part, they fish or farm. Culebrans are poor, but they love their island home. Unfortunately, so does the U.S. Navy, which uses one-fourth of it as a convenient Caribbean training target.

Culebra has been bombed, shelled, and strafed continuously since 1936. Annually, the Navy invites navies from 20 nations to join in shelling the island.

Despite Defense Department promises that the Navy would find another training target, bombs and shells are still dropping on Culebra—and being opposed by Culebrans and Puerto Rican Government officials. The controversy may reach a climax in this Congress as the result of a bipartisan bill sponsored by 33 senators, including Majority Leader Mike Mansfield (D) of Montana and Minority Leader Hugh Scott (R) of Pennsylvania to terminate all Navy operations at Culebra by July 1, 1975.

Culebra is a magnificent volcanic outcropping in the Atlantic, halfway between the main island of Puerto Rico and the Virgin Islands. Less than three by seven miles, this municipality of Puerto Rico is blessed with perfect weather, abundant wildlife, and pink and white sand. Over the last thousand years, currents and geography conspired to produce some of the finest coral formations in the entire world just off Culebra's coast.

Culebra's northwest peninsula serves as the target for offshore naval shelling; keys off Culebra's west coast are bombarded in air-to-ground operations. Two towns, Dewey and Clark, are within two to three miles of the targets. Some families live even closer.

The Navy asserts it protects Culebra's environment because its maneuvers keep man's despoilment to a minimum. Culebrans don't accept the premise that continuous bombing and shelling is a necessary price of preservation, and they challenge the Navy's record as protector.

Approaching Culebra by plane, one is struck by its beauty. Blue-green waters spread from shore. Dark swathes cut through a remarkably transparent sea, signaling enormous beds of coral below. Lagoons and lush green mountains, dotted with thousands of soaring birds, complete the picture of an idyllic natural wonderland. But as the plane circles closer, the Navy's contribution comes into view. Amid nesting sooty terns and some rare and endangered species of birds, including the nearly extinct Bahamian pintail, lie target tanks and gaping craters—the pockmarked scars of naval shelling.

Culebrans experience constant anxiety. The Navy boasts of its safety record: Only one civilian killed, another child disfigured while playing with a dud, and nine Navy personnel killed when their observation post on Culebra was mistaken for the target. But, sporadically, shells have landed throughout the community. One hit a cistern less than 50 yards from the Town Hall in Dewey. A Defense Department report concluded that the gross error rate at Culebra is "unduly high . . . where there are nonparticipants within the weapons' delivery range." The Navy officer in charge of World War II training at Culebra observed: "It is a miracle that more Culebrans have not been killed."

Besides posing a continuing threat to an entire community, Navy shelling and bombing destroyed irreplaceable coral and fish, as well as birds in great numbers. Even though President Theodore Roosevelt set aside Culebra's keys as a National Fish and Wildlife Refuge in 1909, he authorized the use of these islands for "naval . . . purposes."

Surrounding Culebra are some of the oldest living corals in the world, still in a state of climatic growth. They are breathtaking, as is the rich marine life they nurture. Naval training has taken its toll on both.

Culebra suffered an ecological disaster in 1970. The Navy, carrying out orders to rid Culebran waters of more than 30 years of accumulated duds, stacked all shells it could find on one of the most magnificent coral reefs in the entire Caribbean and then began detonating this ordnance.

After several smaller explosions destroyed considerable coral and massacred thousands of fish, angy Culebrans complained to Rafael Hernandez Colon, then Senate President and now Governor of Puerto Rico. He secured local counsel who went to federal court in San Juan on behalf of the Culebrans, seeking a temporary restraining order pending completion of an environmental-impact statement by the Navy as required by the National Environmental Policy Act.

When the matter came before Federal Judge Hiram Cancio on Dec. 7, 1970, the U.S. attorney representing the Navy persuaded the judge that his client would not conduct further explosions pending full review by the court and, consequently, that there was no immediate threat of irreparable harm.

At the very moment the Navy's counsel was giving these assurances—and unknown to him—a Navy demolition team pulled the pin for another ordnance-removal operation on Culebra's coral. When the Judge learned of the explosions, he immediately issued a temporary restraining order. For Culebra it was unfortunately late. A Navy study conceded that this explosion "left a crater 15 feet deep and 100 feet in diameter."

ALTERNATIVES STUDIED

In October, 1970, President Nixon signed a law directing the Secretary of Defense to study all possible training alternatives to Culebra. Three months later, Navy Secretary John Chafee signed a "peace treaty" agreeing to reduce activities on Culebra and to seek an alternative site.

When the congressionally directed study was published in April, 1971, showing that Culebra could be replaced, Secretary of Defense Melvin R. Laird promised the Puerto Ricans that he would transfer all Navy operations away from Culebra by no later than June, 1975. Pending release of a second congressionally mandated study that sought more detailed information on alternatives to Culebra, Secretary Laird reaffirmed his commitment in a Nov. 4, 1972, telegram to then Governor Luis Ferre. This was made public in Puerto Rico.

But on Dec. 27, 1971, Mr. Laird abruptly reversed himself and announced that Navy shelling at Culebra would continue indefinitely and at least until 1985. He claimed his reversal was based on a secret Navy study.

SUITABLE SITES FOUND

At the time it was assumed that this study found no suitable alternative to Culebra and that this information came to the Secretary after his November telegram to the Governor. When this study was declassified last month, however, Culebrans learned it concluded that a number of uninhabited island alternatives were "suitable for conduct of all of the required types of naval gunfire and aircraft-weapons exercises," and that at least one uninhabited site was admittedly superior to Culebra for Navy training. The study was dated Oct. 16, 1972—several weeks before Mr. Laird reaffirmed his commitment to terminate Navy shelling at Culebra.

The Culebrans and Puerto Rico returned to Congress in their pursuit of the promised peace. Sen. Howard H. Baker Jr. (R) of Tennessee and Hubert H. Humphrey (D) of Minnesota introduced S. 156, a bill to terminate all Navy operations at Culebra by no later than July 1, 1975, by ending Navy funds for such operations beyond this date. Thirty-three Senators now cosponsor S. 156. And during his confirmation hearings, the new Secretary of Defense, Elliot L. Richardson, agreed to review Mr. Laird's reversal.

DETERMINATION VOICED

All four men elected Governor of Puerto Rico throughout its history, representing three political parties, and the Mayor of Culebra, strongly endorsed S. 156. Shortly before taking office, Puerto Rico's newly elected Governor, Rafael Hernandez Colon, reacted to Secretary Laird's reversal with unbowed determination:

"So now it is up to the United States Congress to make a decision. My intention and that of the people of Puerto Rico is to stop the Navy from its arbitrary use of Culebra as a target-practice range. We'll persist in that position."

Culebra and all Puerto Rico continue to hope that Congress or Secretary Richardson or President Nixon will make good on the promise of the United States Government to end the shelling, but the legislative and political process is slow. In the meantime, shells and bombs continue to fall on Culebra.

DEDICATION TO MAYOR BRADLEY D. NASH

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. GUDE. Mr. Speaker, on April 14, 1973, the people of Harpers Ferry, W. Va., gathered to honor their mayor, Bradley D. Nash. A newly constructed flagpole with the American flag waving at its mast was dedicated to the mayor in recognition of the devoted service he has given the people of Harpers Ferry.

I was honored to have the opportunity to share in this ceremony at Harpers Ferry, where history, mountains and rivers flow together in majestic beauty. And I would like to call the attention of my colleagues to the generous gift Mayor Nash made to the National Park Service and to the people of America. Mayor Nash donated funds for the Park Service to sponsor an annual conference on the environment to be held at Harpers Ferry. Truly, Mayor Nash's gift is a reflection of his public awareness and service.

Mr. Speaker, I would like at this time to insert into the RECORD the comments made by the distinguished senior Senator from West Virginia, Jennings Randolph, at the dedication ceremony:

REMARKS BY SENATOR JENNINGS RANDOLPH (D.-W. VA.), CHAIRMAN OF THE COMMITTEE ON PUBLIC WORKS, U.S. SENATE, AT THE DEDICATION OF A FLAG STAFF IN HONOR OF MAYOR BRADLEY D. NASH AT HARPERS FERRY, W. VA., AT 11:00 A.M., ON SATURDAY, APRIL 14, 1973

The invitation for me to participate in the ceremony today was a welcome one for several reasons. It is a joy to return to our State, as spring skips across our mountain tops. As Helen Marshall said in a verse entitled, "April", "There is a feeling of promise in the Air."

In this instance, I am doubly pleased to be present because of my love for Harpers Ferry and the work that goes forward here.

A positive force in the development of this unique community is the man we honor today. I have known Bradley Nash for a long time. He is not only the chief elected official in Harpers Ferry, but he is a leader to whom people look with confidence.

Bradley combines the traits of intelligence, enthusiasm, energy and vision. Harpers Ferry has many historical and scenic assets to recommend it, but one of its greatest assets must surely be his Honor the Mayor, and the other good people who work together to strengthen this favored land.

My personal association with Harpers Ferry goes back many years. I am gratified to have been able to help in securing the recognition of the Federal government of its prominence as a historical site.

The history of Harpers Ferry goes deep into our Nation's past. Thomas Jefferson, the chief author of our Declaration of Independence, came here. George Washington, first President of our country, came here. General Robert E. Lee came here. Abraham Lincoln came here. I pause, as I feel we can almost hear their footsteps.

Harpers Ferry shared a vital role in the development of the United States, first as a frontier outpost and later as an important point on the trail west. Harpers Ferry is also remembered for the events that occurred here just over a century ago when social and political questions of that crucial time were focused in this community by John Brown.

Many of the dilemmas faced not only then but now can be more fully understood, if not solved, by a study of the history of this area.

There is, therefore, a historical heritage here, a heritage that we recognized must be preserved as an important part of the American past. Harpers Ferry not only has much to tell about the maturation of the American nation, but from it we may partly learn how to cope with contemporary problems.

We owe much to the people within the National Park Service for the skillful, sensitive and enthusiastic manner in which they have approached the preservation of Harpers Ferry.

But Harpers Ferry is not an isolated memorial to the events that took place here in the past, regardless of the impact they had on the course of history. Harpers Ferry today is a living park. It is a historical community but it is one in which people live and labor in the 20th Century. It is also a training center for the National Park Service personnel who go from here to many parts of the country. Harpers Ferry also is centrally located in an area of great historic significance and scenic beauty. To the south and to the West, in our State, are two of our great national forests. There are also numerous other areas which have played roles in the development of our country.

Abraham Lincoln said, "we cannot escape history." Fortunately, Harpers Ferry does not desire to escape its past. That past is the basis for the future of this community; a future dedicated not only to teaching our American heritage, but to providing a place for Americans to escape from the routines of every-day life.

Hundreds of thousands of work-weary people will exchange at Harpers Ferry this year, their tedious tasks for an exhilarating visit here to refresh their physical bodies and renew lagging spirits. Following their sojourn here, they will return to their homes, a host of happy travelers with minds and also souls restored.

With the support of the National Park Service and with the leadership of citizens like Bradley Nash, we are assured that Harpers Ferry has a future filled, with not only promise, but the realization of a better life.

ELIMINATING POVERTY BY REDEFINITION

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. RANGEL. Mr. Speaker, the Nixon administration is presently involved in an effort to eliminate poverty, not by attacking its root causes, but by merely changing its definition.

Apparently, the present definition of what constitutes poverty will be modified by including in a family's total annual income all the noncash benefits they receive, such as food stamps, medicaid, and so forth.

By doing this, millions of people will suddenly be pushed above the income level now used to define poverty—$4,137 a year for a family of four.

The advantages that would be gained from this procedure are fairly obvious. The Nixon administration would like to be able to produce figures that demonstrate that the number of poor people in this country has dropped to a record low during the last 4 years.

The fallacy involved in defining poverty in this manner is pointed out in the following editorial that appeared in the Washington Evening Star. If noncash income is going to be counted as income for lower income Americans, then it should also be counted for middle- and upper-class Americans as well. If this was done, the administration would find the results to be quite embarrassing.

Poverty cannot be eliminated by redefinition—it can only be hidden by statistics to serve the interests of the Nixon administration.

The editorial follows:

JUGGLING POVERTY FIGURES

The federal definition of poverty, and the dollar statistics accompanying that definition, have never really been satisfactory. For one thing, they depend on rather arbitrary lines of demarcation. Today's official poverty definition applies to a family of four, not living on a farm, with an annual cash income of less than $4,137. It invites the question: Is the family with a $4,138 income not poor?

More is involved than that. As the Sixties progressed with sustained prosperity, the number of people classed as in poverty declined substantially, from nearly 40 million to 25 million. The decline might have been more dramatic, because the Sixties also saw the creation of a maze of federal subsidies for the poor, from food stamps and medicaid to manpower training and housing assistance. But these are non-cash subsidies, the Census Bureau only counts cash income in adding up the poor.

Now the word is out that the Nixon administration, through an interagency team, is quietly examining ways to recompute the income figures used to define poverty. No doubt the recomputations will include non-cash income, with the result that several million more people will magically disappear from the poverty category.

Besides making everybody feel good at the White House, this analytical departure makes a certain amount of sense. As shown by a recent Congressional study of welfare disparities, there are plenty of families getting about $3,000 in cash each year and the equivalent of several thousand dollars more in multiple non-cash benefits. It seems strange to count these families as poor while exempting a $4,500 a year family that doesn't qualify for other programs.

But there is another side to all this. As pointed out by Mollie Orshansky, HEW's redoubtable expert on the statistics of poverty, we have a huge middle and upper-middle class in this country, many of whom benefit enormously from non-cash income. Start with the expense account. Move on to company-paid health insurance, pension premiums, vacations and continuing-education plans. And then to commodity discounts many employees enjoy, and all the on-base privileges and subsidies handed to the military.

To be consistent, the Census Bureau would have to count non-cash income for all Americans. If it were ever done, it might well show an even wider gap than now appears to exist between America's high, middle and low-income groups. And that wouldn't make the White House happy at all.

FREEDOM OF INFORMATION

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. MOSS. Mr. Speaker, on April 12, our colleague the gentleman from Pennsylvania (Mr. MOORHEAD) testified before a joint hearing by three Senate subcommittees on needed amendments to the Freedom of Information Act.

I commend the remarks to all Members of the House of Representatives and urge that they give unanimous support to this effort to improve one of the most important laws of the United States.

The text of the testimony follows:

FREEDOM OF INFORMATION

(Statement of the Hon. William S. Moorhead, Chairman, Foreign Operations and Government Information Subcommittee of the House of Representatives Before the Subcommittee of Administrative Practice and Procedure of the Senate Committee on the Judiciary Jointly with the Subcommittee on Separation of Powers of the Senate Committee on the Judiciary and the Subcommittee on Intergovernmental Relations of the Senate Committee on Government Operations in support of S. 1142 and H.R. 5425 to Amend the Freedom of Information Act)

Mr. Chairman, I greatly appreciate the opportunity to testify at this joint meeting of these important subcommittees today on a subject which is central to the basic concept of democracy. At no time in recent years has the problem of government secrecy so pervaded our political process. The tug-and-pull between the Executive and Legislative branches which is built into our system serves a useful function if normal checks and balances are operational and unimpaired.

No matter what political party is in control, the free flow of information necessary in a democratic society is not an issue of political partisanship. Administrations have historically abused their power to control public and Congressional access to the facts of government. Administrations of both parties have claimed some form of an "executive privilege" to hide information. The conflict is not on partisan political grounds but on Constitutional grounds between the legislative and executive branches of government. An indication of this is the fact that eight Republican members of our committee have cosponsored legislation to limit or restrict the use of "executive privilege."

But this administration has reversed the trend away from the most blatant abuses of "executive privilege". This administration has turned our system of government backward, back down the path which leads to an all powerful political leader—call him president, dictator or king—who arrogates unto himself the right to know and against the elected representatives of the people whether in a Parliament or a Congress.

A recent Congressional Research Service study made for the House Foreign Operations and Government Information Subcommittee points out that the growth of the claim of "executive privilege" to hide the facts of government really began in 1954 during the Eisenhower Administration. I would like to submit a copy of this study for your record.

Congressman John E. Moss, the former chairman of my subcommittee, was responsible for convincing three presidents to limit the use of "executive privilege" to a personal claim of power, and the claim was used sparingly against the Congress by Presidents Kennedy and Johnson.

The CRS study reveals that President Nixon has, thus far, set an all-time record in utilizing the dubious doctrine of "executive privilege". It also shows that, despite his written assurance to our subcommittee in April, 1969 that he would adopt the same Kennedy-Johnson groundrules limiting its use, such rules have been violated by Administration subordinates at least 15 times.

I have always felt that, while the Executive has no inherent right to withhold anything from the Congress, a spirit of comity and recognition of the need for certain confidences and privacy between the branches has led the Congress to recognize privileged communications between the President and his closest advisors. This is the way it should be—but only if this spirit of cooperation is not abused by either branch.

Unfortunately, the present Administration has built a stone wall between itself and the Congress. This wall, much like the one in Berlin, has grown stone by stone until on March 12, 1973, Mr. Nixon capped it off with an amazing "blanket privilege" proclamation, extending to the entire Executive branch. As I understand the new theory, it applies to all past, present, and future White House aides who might be summoned to testify before Congressional committees. Thus, if a President wanted to keep secret the number of roses in the White House garden in the interests of national security, under the Nixon claim, he could invoke the privilege on behalf of his close "personal advisor", the White House gardener, and, according to a Justice Department witness before my subcommittee, this decision would not be subject to review by Congress or court. Such White House policies and claims are as ridiculous as their claims that "Executive privilege" is an historical doctrine that dates back 200 years.

Mr. Chairman, before turning to a discussion of freedom of information matters, I must comment on the amazingly arrogant performance by the Attorney General before this panel on Tuesday and on his exposition of the Administration's doctrine of the "divine right" of the Presidency. I submit that this is a doctrine of monarchial origin at best, or at worst, a totalitarian dogma espoused by "banana-Republic" dictatorships.

Our system of government places the ultimate power in the hands of the people. Congress is the people's representative in the exercise of that power for the public good. All of us have been elected by our constituencies and have taken an oath to carry out that solemn obligation. Unless they have changed the law school curriculum since my day, ours is still a government of laws, not men. I never thought the day would come when any Attorney General of the United States could have the audacity to proclaim that, in effect, Congress had no power to order any employee of the Executive branch to appear and testify before Congress if the President—in his almighty wisdom—barred such testimony.

Only two persons—the President and Vice President—of the millions who make up the vast bureaucracy of the Executive branch of our government are elected by the people of the United States. At that, they are elected indirectly through the Electoral College system and only once every four years. All other Executive branch officials are appointive—the result of Congressional action in the establishment and funding of Federal programs which they administer. This includes the countless number of faceless, politically-appointed bureaucrats as well as the faceless civil servants who exercise life-and-death power in administering Federal programs under authority delegated to the Executive by the Congress. They have always been and must always be responsible to Congress because they are the creatures of Congress—not the Executive. They are the servants of the people and the people's Representative—not their masters.

The Attorney General was the Administration spokesman chosen to assert the "divine right" of the Presidency. As we all recall, it was not too many months ago that many in this body raised serious questions during the hearings on his nomination concerning his qualifications for the office. It is ironic, in view of the sweeping claims he has enunciated here, that it was only after the President "permitted" his assistant, Mr. Peter Flanigan, to appear before the Judiciary Committee to discuss the Administration's handling of the ITT anti-trust case that the log-jam was broken and the Attorney General's nomination was finally cleared for floor action. If the "divine right" doctrine had been in effect last year, it might be that someone else might be warming the seat of the Attorney General's chair today.

As the chairman of an investigating subcommittee of the House Government Operations Committee, I submit that it is absolutely essential for the Congress to have full access to all information and all Executive branch employees if we are to be able to perform our vital role as a "watch-dog" (with teeth) to make certain that the Representatives of the people are able to carry out our oversight duties as well as to perform our legislative functions required under the Constitution.

While the thrust of these hearings is the right of Congress to receive information from the Executive, I am most pleased that this panel is also considering the public's "right to know" what its government is doing. In this regard, I wish to now turn to a discussion of S. 1142 and H.R. 5425, amendments to the Freedom of Information Act, which I have sponsored in the House with some 42 other Members of both parties and which the chairmen of these three Senate subcommittees and other distinguished Senators are sponsoring over here.

Just seven years ago, the Congress passed the Freedom of Information Act. In many ways this is an historic piece of legislation, because for the first time it was legally recognized that Government information is public information available to everybody without the need to show a special interest or need to know. This was a unique legislative proposition which, as far as I know, is not yet recognized anywhere else in the Western world. It is my understanding that Canada, Australia, and some Western European countries are now closely studying our Freedom of Information Act.

While the Freedom of Information Act presumed the public availability of *all* government information, it also recognized that some information must necessarily be withheld from the general public because its release could truly damage the national defense or foreign policy, or because release of the information could compromise individual privacy, abridge a property right, inhibit a law enforcement investigation, or seriously impede the orderly functioning of a government agency. In order to provide the fullest possible access to public records, however, the Congress clearly put the burden on the government to prove the necessity for withholding a document and clearly indicated that an exemption from public release of a document was permissive and not mandatory.

Some five years after the effective date of this act, the House Foreign Operations and Government Information Subcommittee held comprehensive investigatory hearings on the administration of the Freedom of Information Act. Our fourteen days of hearings and other investigative work showed conclusively that the administration of the Freedom of Information Act by the Executive branch fell seriously below the standard expected by the public and the Congress. The major problem areas fell into the following categories:

(1) the Executives's refusal to supply information by use of the exemptions in the Act was the rule rather than the exception;

(2) long delays in responding to requests often made the information useless once provided;

(3) delaying tactics during litigation extended both the time and the costs to the individual citizen beyond reason; and

(4) lack of technical compliance with the requirements of the Act, as interpreted by the agency, often led to a refusal to supply requested information.

In sum, Mr. Chairman, the Congress mandated that the Government supply all requested information to the public except within certain limited areas of permissive exemption. The Executive branch has generally rejected this basic mandate and, instead, has relied in large part on bureaucratic subterfuge to defeat the purposes of the Act.

I should state, however, that the picture is not all black. The Government Operations report of last September (H. Rept. 92-1419), based on our hearings, recommended a number of remedial administrative reforms. I am pleased to note that many agencies have already adopted some of them. However, administrative reforms within the agencies are not enough. Experience with the Freedom of Information Act shows the need for substantive amendments to the Act itself to strengthen and clarify its provisions. They are contained in the legislation now before the subcommittee.

SECTION-BY-SECTION ANALYSIS OF S. 1142 AND H.R. 5425

Mr. Chairman, let me now turn to a discussion of the major provisions of this measure—S. 1142 and H.R. 5425.

Section 1 (a) provides that agencies must take the affirmative action of publishing and distributing their opinions made in the adjudication of cases, their policy statements and interpretations adopted, and the administrative staff manuals and instructions which are available to the public. The present requirement that this information be made available for inspection and copying has not been adequate inducement to most agencies to actually make this information available in useful form.

Section 1(b) provides that agencies will be required to respond to requests for records which "reasonably describes such records." This substitutes for the present term "identifiable records" which some agencies have interpreted as requiring specific identification by title or file number—generally unavailable to the person making the request. I feel that any request describing the material in a manner that a government official familiar with the area could understand is sufficient criteria for identification purposes.

Section 1(c) provides for a specific time period for agency action on freedom of information requests, The present act contains no such time limits for the government to respond. The hearings showed that many requests went unanswered for periods of thirty days to six months. This new section will require the agency to respond to original requests within 10 working days and appeals of denials within 20 working days. These time periods are based on portions of Recommendation No. 24, issued by the Administrative Conference of the United States after a study of the Act in 1971. Under our proposed new section the agency is not required to actually forward the information within the ten-day period, for we recognize that in many cases the requested information may legitimately take more time to obtain from regional offices. However, the agency will be required to respond within ten days—either by making the information available or indicating whether or not the information will be made available as of a certain date; if the determination is that it cannot be provided, the agency response must state the specific reasons. Administrative appeals must be acted upon within the twenty-day limit. Two agencies, the Departments of Health, Education, and Welfare and Justice, have already amended their regulations to require responses within the ten-day period, as recommended. I feel that other agencies will not be burdened by such a statutory requirement.

Section 1 (d) clarifies the present requirement that the District courts examine contested information *de novo*, by requiring that in *all* cases the *de novo* examination include an examination of the content of the records *in camera* to determine if the records must be withheld under the exemption or exemptions claimed by the agency. A second requirement specifically directed to the present section 552 (b)(1) of the Act directs the courts to look into the contents of documents considered exempt for reasons of national defense or foreign policy in order to determine if the contested documents should, in fact, be withheld under this exemption. This new section is made necessary by the Supreme Court decision in *EPA* v. *Mink* (410 U.S. ——) decided on January 22, 1973. In this case the Court held that judges may not examine *in camera* classified documents and thus exempt under section 552 (b)(1) and need not, at their discretion, examine the contents of documents claimed exempt under section 552 (b)(5).

The import of this decision is to allow the government to claim, merely by affidavit, that certain material is exempt from the public. This would effectively destroy the judicial oversight so necessary to the adequate functioning of the Freedom of Information Act. Original sponsors of the freedom of information legislation have always felt that the *de novo* requirement in the Act required a true examination of the records by the courts. This amendment will clearly spell out that original Congressional intent and requirement.

It has been argued that this requirement might put an excessive burden on the courts if they are forced to examine each contested document. I do not think this is the case. During five years of litigation under the Act, the District courts have evidenced no problems in examining the contested documents claimed exempt by Federal agencies under sections 552(b) (2) through (9). While there has been a reluctance to examine in camera those documents classified for alleged "national security" reasons, I do not feel that the requirement of judicial examination will place any unnecessary burden on the courts. As many of us in the Congress realize, the security classification system is a nightmare of inconsistency, over-classification and over-protection of many documents which, if made available to the public, would only expose official incompetence rather than official secrets. If the Freedom of Information Act is to achieve its desperately needed level of effectiveness, the judgments of the Federal agencies must be subject to meaningful oversight both by Congress and the courts.

Section 1(e) deals with foot-dragging by Federal agencies in freedom of information litigation. The problems encountered by administrative delays in response to requests has been compounded by delaying tactics during litigation. Under the Federal Rules of Civil Procedure the government is allowed 60 days to respond to complaints. However, a study made for our hearings of cases filed in the U.S. District Court for the District of Columbia showed that, in 20 out of 31 cases, the first responsive motion by the government was not filed even within the 60-day limitation, one case taking 137 days for the government to respond. Theoretically, the government should be able to respond to a complaint in very short time, for it should be assumed that if the administrative appeal denial was properly made, the defendant agency had already fully researched the law and developed a sound case for the denial.

Under a 1969 memorandum of the Attorney General, all administrative denials which could result in litigation, in the opinion of the agency, must be discussed with the Office of Legal Counsel of the Department of Justice—prior to issuing the final denial. Thus, both the agency and the Department of Justice should be ready to defend an action by the time the administrative process is completed. For this reason, this legislation would require the government to respond to complaints within 20 days—the same time allotted private parties under the Federal Rules of Civil Procedure. The amendment would also allow the courts to award costs and attorneys' fees to successful private litigants. One of the bars to litigation under the Act is the high cost of carrying through a Federal court suit. There is ample precedent in civil rights cases for the award of costs and fees to prevailing parties, and I feel that this authority in the hands of the court would clearly be in the public interest.

As I have previously stated, Mr. Chairman, the tactics often employed to defeat the purposes of the Freedom of Information Act include delay, unreasonable fees, and unreasonable identification requirements under subsection (a) of the present act as well as overly restrictive and often incorrect interpretations of the exemption provisions in subsection (b) of the Act.

We are hopeful that the amendments to subsection (a) of the Act will correct most of the procedural abuses. The amendments to subsection (b) which I will now discuss are designed to clarify the original intent of the Act by limiting, as much as possible, the types of information which can properly be withheld by Federal agencies.

ANALYSIS OF SECTION 2

Section 2(a) of S. 1142 & H.R. 5425 amends present subsection (b)(2) by clarifying the original intent of Congress that only internal personnel rules and internal personnel practices are exempt from mandatory disclosure. Some agencies have interpreted the current language as exempting internal personnel rules and all agency practices. A new provision has also been added which further restricts the scope of the exemption by exempting only those internal personnel rules and internal personnel practices, the disclosure of which would "unduly impede the functioning of such agency." This additional language will further restrict the types of information that can be claimed by an agency as being exempt from disclosure.

Section 2(b) of the bill amends present subsection (b)(4) by clarifying the present vague language in the Act. Under the proposed new language, the exemption would apply only to trade secrets which are "privileged and confidential" and financial information which is "privileged and confidential." The present section in the Act has been interpreted by the Department of Justice to exempt information which may be considered trade secrets, confidential financial information, other types of nonconfidential financial information, and other information neither confidential nor financial but which was obtained from a person and considered "privileged."

Section 2(c) of the bill amends present section (b)(6) by limiting its application to medical and personnel "records" instead of "files" as in the present Act. This will close another loophole we have noted in our studies whereby releaseable information is often co-mingled with confidential information in a single "file" and therefore all information contained in that "file" has been withheld.

Section 2 (d) of the measure amends present section (b)(7) of the Act by substituting "records" for "files" as in the prior amendment. The new section would also narrow the exemption to require that such records be compiled for a "specific law enforcement purpose, the disclosure of which is not in the public interest." It also enumerates certain categories of information that cannot be withheld under this exemption such as scientific reports, test, or data; inspection reports relating to health, safety or environmental protection, or records serving as a basis for a public policy statement of an agency, officer or employee of the United States, or which serve as a basis for rulemaking by an agency.

The present investigatory file exemption is often used as a "catch-all" exemption by some Federal agencies to exempt information which may otherwise be available for public inspection, but which is held within a "file" considered to be investigatory. The new language will protect that information necessary to be kept confidential for legitimate investigatory purposes, while requiring the release of that information which, in itself, has no investigatory status other than its inclusion within a so-called investigatory file.

Subsection (c) of the present Act would also be strengthened by language in S. 1142 and H.R. 5425. The present section merely states that ". . . This section is not authority to withhold information from Congress." Additional language has been added in these amendments to clarify the position that Congress, upon written request to an agency, be furnished all information or records by the Executive that is necessary for Congress to carry out its functions.

Finally, a new subsection (d) would be added to the present Act. Section 4 of the bill establishes a mechanism for Congressional oversight of the Freedom of Information Act by requiring annual reports from each agency on their record of administration of the Act, requiring the submission of certain types of statistical data, changes in regulations, and other information by Federal agencies that will indicate the quality of administration of their information programs.

Mr. Chairman, I am convinced that these amendments can help reverse the dangerous trend toward "closed government" that threatens our free press, our free society, and the efficient operation of hundreds of important programs enacted and funded by Congress. It will help restore the confidence of the American people in their government and its elected leadership by removing the veil of unnecessary secrecy that shrouds vast amounts of government policy and action.

We must eliminate, to the maximum extent possible, government preoccupation with secrecy because it cripples the degree of participation of our citizens in governmental affairs that is so essential under our political system. Government secrecy is the enemy of democracy. Secrecy subverts, and will eventually destroy any representative system.

The enactment of this legislation in this Congress will make it far more difficult for the Federal bureaucrat to withhold vital information from the Congress and the public.

NEWSMEN, NOT GOVERNMENT, LIFTED THE WATERGATE

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. THOMPSON of New Jersey. Mr. Speaker, we have all been astonished and dismayed at that series of events which have collectively become to be known as the Watergate scandal. I have refrained from making any public commentary on these events in the knowledge that the facts are being brought to light by some of the most distinguished investigative reporting we have witnessed in modern times.

The importance of the press in this case cannot be over estimated. Therefore, I think it appropriate to place before the House commentaries that appeared in the Burlington County Times and the Camden Courier Post. These commentaries need no other introduction from me:

Newsmen, Not Government, Lifted the Watergate

(By Thomas P. Flynn, Jr.)

There is mounting pressure in every statehouse and in the nation's capital these days for some type of shield law for newsmen. And, hand-in-hand with that, there is a growing concern that the principles embodied in the First Amendment of the U.S. Constitution are being undermined.

This week the national news magazines, the television and the daily newspapers are focusing on an event of such magnitude that the case for a shield law for newsmen must be brought home forcefully to the nation's citizens.

Watergate is a dirty word in the Republican lexicon these days. And rightfully so.

It demonstrates clearly that the bugging of Democratic headquarters in Washington last year was known in the White House and permitted to continue.

More important, when it first came to light it was denied vigorously by White House spokesmen.

Just take some of the statements coming out of the White House. Nixon, himself, back in August denied that anyone "Presently employed was involved in this very bizarre incident."

His press secretary, Ron Ziegler, accused the press of "shabby journalism" two months later. And again in March of this year denied anyone in the White House had any "involvement or prior knowledge" of Watergate.

As everyone knows by now, these statements are simply not true. Ziegler now calls these statements "non-operative," which has to be a fancy way of saying the White House lied.

What is important in this sordid mess is that it has only come to light through the efforts of the Washington Post which refused to believe Ziegler and other White House spokesmen.

The Post reporters persisted in digging into the circumstances surrounding the Watergate bugging and kept the story alive.

Eventually a tough federal judge put some pressure on the seven defendants and it now begins to look like the entire story will become public knowledge.

The significance of the Washington Post's contribution should not be overlooked.

Sen. Lowell Weicker, R-Conn., speaking on another issue, claims that every major scandal of the past 30 years has come to public attention through the efforts of the press, rather than through the efforts of governmental law enforcement agencies.

The First Amendment was drafted by men who had lived during the days of tyranny and they knew the value of freedom of information.

Thomas Jefferson, for example, said given a choice of "government without newspapers or newspapers without government, I'd prefer the latter."

Some people in the present administration in Washington would disagree violently with Jefferson.

There are many well known cases of federal prosecutors moving against reporters who are attempting to perform their duties.

Their duties may not be as dramatic nor as well publicized as the Watergate case, but they are fulfilling the same function of providing a free nation with vital information.

Watergate is a classic case in favor of freedom of the press.

Without the news media, the actions of some of the highest officials in the nation would have gone unnoticed and the atmosphere of fraud and deceit, which already is so pervasive in this country, would have spread still further.

Any lawmaker, state or federal, who takes the trouble to study the Watergate case and still doesn't believe in a strong shield law is deluding himself.

And any prosecutor or judge, federal or state, who is mindful of the Watergate case and still attempts to stifle the press, is doing his office a disservice and is dealing Democracy a serious setback.

U.S. ASSISTANCE TO ISRAEL

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. HAMILTON. Mr. Speaker, I would like to bring to my colleagues attention some information regarding U.S. assistance to Israel and Israel's debt to this country resulting from purchase of military materiel. This information was supplied by the Agency for International Development and the Department of Defense was made available to the Subcommittee on the Near East and South Asia. It should be noted that the debt repayment schedule listed covers only the repayment of principal on military items sold. This table would be classified if interest repayment was added:

U.S. Assistance to Israel in Fiscal Year 1973

1. *Supporting Assistance:*

Congress authorized and appropriated $50 million from Supporting Assistance funds in the FY 1973 foreign assistance legislation. These funds are programed for general economic development support to meet Israel's budget resources gap so that economic growth and increasing requirements for social services can continue despite heavy defense expenditures. Counterpart Israeli pounds generated by the FY 1973 grant will be used to help finance programs through the ministries of Education, Health, and Labor.

2. *Housing Guarantee Program:*

In FY 1973 A.I.D. has made available $25 million in private loans for middle and low-income housing construction in Israel. Much of the additional housing will be used to house arriving immigrants, a critical requirement.

3. *PL 480:*

PL 480 Title I sales programs on concessional terms (loans) during FY 1973 totaled $56.7 million, and food commodities for Voluntary Relief Agency Title II (grants) programs will total about $400,000.

4. *Resettlement of Refugees Program:*

In FY 1973 Congress provided $50 million to assist Israel with the costs of settling European Jews who wish to emigrate. The Department of State is responsible for this activity.

5. *Section 214 of the Foreign Assistance Act—American-Sponsored Schools:*

Assistance to American-sponsored schools and hospitals in Israel in FY 1973 was $5.5 million. The assistance for FY 1973 is as yet undetermined. Estimated at $5 million.

6. Military Assistance:

In addition to economic and immigration assistance, the U.S. also provides substantial credits for military items to Israel in support of its defense program. ($300 million total of which $150 million DOD Direct and $150 million DOD Guaranty).

7. Export-Import Bank Credits:

U.S. assistance to Israel also includes long-term loans and financial guarantees from the Export-Import Bank. As of December 31, 1972, $18.5 million was authorized. Estimated total to be $25 million.

Summary Total Assistance for FY 1973:

(In thousand dollars)

Supporting Assistance	$50
Housing Guarantee	25
PL 480	57. 1
Refugees Resettlement	50
American Sponsored Schools (Estimate)	5.
Military Assistance	300.
Export-Import Bank	25.
Total Assistance	$512. 1

ISRAELI DEBT TO THE UNITED STATES GOVERNMENT FROM MILITARY EQUIPMENT PURCHASES

As of 15 February 1973 the total debt to U.S. financing sources (USG and commercial) for arms purchases, FY 1953–1973 was $1,145.8 million. This is the principal amount only, interest on outstanding amount of indebtedness is additive thereto.

CREDIT EXTENDED BY 1959—FISCAL YEAR 1973

[In millions of dollars]

	Total	U.S. DOD direct	Private/U.S. guaranty
Total credit program	$1, 322. 3	$1, 032. 3	$290. 0
Less: Downpayments	13. 7	13. 7	
Net credit extended	1, 308. 6	1, 018. 6	290. 0
Less: Payments by Israel	162. 8	152. 2	10. 6
Net amount due (principal program value only interest additive)	1, 145. 8	866. 4	279. 4

ESTIMATED PAYMENTS OF PRINCIPAL TO BE MADE BY ISRAEL

	Net Amount due	Fiscal year—								Fiscal year 1981 and beyond
		1973	1974	1975	1976	1977	1978	1979	1980	
Total	1, 145. 8	42. 4	78. 3	87. 5	94. 0	101. 6	102. 5	101. 3	102. 5	435. 7
USG	866. 4	39. 2	36. 9	36. 1	42. 6	54. 6	55. 5	64. 3	101. 5	435. 7
Commercial (USG guaranty)	279. 4	3. 2	41. 4	51. 4	51. 4	47. 0	47. 0	37. 0	1. 0	

Note.—Israeli military supply debt repayments.

WOMEN ARE VITAL IN DEFENSE CENTER MANAGEMENT

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. EILBERG. Mr. Speaker, there have been a great many complaints lately about discrimination against women in employment both in private industry and the Government.

Unfortunately, in most cases these criticisms have been justified, but I would like to call attention to an installation in my northeast Philadelphia district where this problem does not exist.

In a recent article in the Philadelphia Inquirer it was noted that more than half of the professional buyers of heavy-duty industrial equipment at the Defense Industrial Supply Center are women and that they were chosen solely for their ability.

At this time I enter this article in the RECORD:

WOMEN ARE VITAL IN DEFENSE CENTER MANAGEMENT

(By Trudy Prokop)

If women make up almost 40 percent of the labor force, as the Bureau of Labor Statistics says they do, then, one wonders, where *are* they?

They are typing (12 percent), cooking, cleaning and working in private homes (6 percent), clerking in stores (5 percent) and teaching school (4 percent). In jobs where visibility is greatest—such as corporate management—women are seldom seen.

Yet, more than half of the professional buyers at the Defense Industrial Supply Center are women—a field usually dominated by men. Of 133 procurement buyers at DISC, 85 are women who buy bearings, steel, chains, rope and other hardware used by the United States Armed Forces.

DISC buys $150 million worth of industrial type items a year from industry and has an inventory of 600,000 items or an inventory valued at $267 million. Sales total more than $193 million a year, according to Brigadier General E. P. Braucher, commander at the Northeast Philadelphia-based center.

"These ladies are professionals who apply the same basic techniques to thrift and value-hunting to their jobs that they intuitively use while shopping for food and clothing," said Gen. Braucher.

When Mary Sopko buys a sophisticated bearing, for instance, she must insure that it will withstand rugged and constant use on land, in engine and generator components exposed to dust, mud, shock and vibrations as a vital part in helicopter rotors.

Several desks away sits Mrs. Ida Dinerstein, who buys metal screening. It is a heavy gauge and must be strong enough to deflect a mortar shell. Other screens are made with very close mesh to keep out the smallest insect at military installations. Current purchases of screening by Mr. Dinerstein and others in DISC, if unrolled and laid end to end, would reach from New York to Detroit or 750 miles.

Dorothy Cornelious, Mrs. Belle Slotnick and Mrs. Mary D'Agostino and others buy screws, nuts and bolts. Most of these items, although seemingly of the ordinary type, are manufactured under rigid military specifications for use in delicate systems of sophisticated weapons.

Mrs. Miriam Kall and Mrs. Julia Kornfeld purchase electric and telephone cable which must be able to withstand the elements. Underground and underwater applications for the procured wire requires pressure testing and sealing to insure the reliability of the wire in vital communications applications.

Substantial savings have resulted from the thrifty buying techniques. Mrs. Edith Birch, another buyer, recently bought a large quantity of lead-plated washers for the Air Force. She had saved the taxpayers a total of $32,970 by applying her feminine sense of frugality.

When the government runs its own company store, it takes on the posture of what every businessman strives for—an efficient, well-run profitable operation.

"From the capital account, merchandise is bought and then 'sold' to the Army, Navy, Air Force and Marine Corps. They pay us in dollars. Those dollars are used to buy new merchandise to continue sales. If the merchandise purchased doesn't sell, we have markdowns and dollars are lost from the capital fund."

"In that respect, as any merchant dealing in profit and loss, DISC must assure that only items purchased sell and we do this with a minimum of investment," said Gen. Braucher.

How does a person get a job as a procurement buyer?

All promotions are competitive. Personnel must appear before a promotion panel and are selected on their knowledge of buying, experience, training and education.

DISC also have a trainee program for college graduates.

FURTHER INFORMATION ON THE ACCURACY OF THE 1970 CENSUS AND HOW IT RELATES TO EDUCATION PROGRAMS

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. QUIE. Mr. Speaker, on April 17 I inserted into the RECORD some remarks reflecting my concern over the accuracy of census data, particularly as it relates

to the distribution of funds under title I of the Elementary and Secondary Education Act of 1965. In that insertion I noted the fact that in 1960 the census missed 2.7 percent of the population. At that time information on the accuracy of the 1970 census had not yet become available. Since then the Census Bureau has released that information, and I am inserting into the RECORD the New York Times story of April 26 reporting on that new study.

Although the problem is in general rather serious, I am particularly concerned that the error rate for black children under age 10 has increased so substantially since 1960. The rate now stands at 8.6 percent of that age group, compared with 5.3 percent in 1960. Since a large number of minority children benefit from title I, I am particularly concerned that the continued use of census data may serve to prevent needed funds from reaching areas where those children are enrolled. This latest story only serves to support my conviction that the only accurate way to reach children with educational needs is to find out who they and where they are and then to assist the school district in meeting those special needs. My bill to amend title I, H.R. 5163, accomplishes those purposes.

The article follows:

CENSUS SAYS IT OVERLOOKED 5,300,000

(By Bill Kovach)

WASHINGTON, April 25. The Census Bureau estimated today after a new analysis that it had overlooked 5,300,000 Americans in the Census of 1970.

Bureau statisticians pointed out that the estimated error—approximately 2.5 per cent of the previously reported total of 203,235,000 people counted—was significantly smaller than errors in the two previous national head counts. But it acknowledged the increased importance of accurate figures now that they are the basis for distribution of millions of Federal dollars through revenue-sharing programs.

Despite the acknowledgement of an undercount today, Census officials say the new figures will not be used to change the population figures upon which revenue shares are allocated or the apportionment of population in designing districts for elected offices.

The reanalysis was done primarily as a check on the techniques used in an effort to refine them for a more accurate count in 1980.

Because the bureau is allowed by law only to report people counted, the final 1970 total population figure will not be revised on the basis of today's estimate of undercounting.

Even though census data are the basic tools used in hundreds of governmental decisions—ranging from allocations of revenue sharing funds to apportionment of election districts—the bureau says it is not possible on the basis of the reanalysis to readjust the population figures.

Reliable figures in internal migration and other factors that have changed since the 1970 Census are such, they say, that an adjustment of specific city, county or state figures is not possible without having an entirely new Census.

Although an analysis of the undercount by the bureau disclosed that two-thirds of the number missed were whites, those blacks missed in the counting amounted to a much higher rate (7.7 per cent of the total) because of the smaller size of the total black population.

The unusual announcement of the analysis, unrequested, of its own work by a Government agency was made today by the acting director, Robert L. Hagan.

"The 1970 Census was probably the best ever taken," Mr. Hagan said, "but, like its predecessors it was imperfect."

Because of better counting techniques, such as integrating postal data, introduced since the 1960 Census, he added, it is estimated—based on the 1960 experience—that about 2.3 million people who would have been missed were included in the original 1970 Census and helped reduce the final margin of error.

The 5.3 million estimate of the number of persons missed in the count is not a fixed figure but what the bureau calls "the best estimate" within a range of error that extends from 4.8 to 5.8 million people.

The undercounting rates for the 1960 and 1950 censuses—the only others subjected to detailed analysis—were 3.3 percent and 2.7 per cent respectively.

Key elements in the re-analysis of the 1970 Census included the following:

The undercount for whites was 3.45 million (1.9 per cent)) and 1.88 million for blacks (7.7 per cent).

The only large segment of the black population in which the undercounting in 1970 was worse than in 1960 was in the coverage of black children under 10 years of age. The omission rate there was 8.6 per cent, compared with 5.3 per cent in 1960.

The bureau was unable, because of no reliable data, to make any estimate on the number of Spanish-speaking Americans missed in the 1970 Census.

Because of the composition of the undercounted population—largely black and presumably urban—statisticians conceded that some areas were "more undercounted than others." But, they add, their information indicates that the most undercounted area could not be more than 3 or 4 per cent of the total reported figure.

The estimate of undercounting was arrived at by Census statisticians by calculating the "expected" total population as of April 1, 1970, from other sources.

Such sources included checking birth records, Medicare and Social Security applications, immigration and death statistics. By a series of such analysis, the bureau was able to come up with total population figures that could be checked against those produced by the actual census.

PROBLEM FACTORS

The actual count figures are always questionable, these officials point out, because of certain factors that have always hidden people from Census takers.

Among the factors that made the 1970 Census vulnerable to an undercount, they say, are the following:

Increased resistance to Census takers because of changing life styles and more alienation and distrust of authority.

The existence of a number of organized attempts to protest the Census as an invasion of privacy.

The reluctance of some Census takers to work, especially at night, in some urban areas.

Although Census officials declined to discuss details of such things as "resistance to Census takers," it was clear they were talking about families who wished to avoid the inclusion in the count of draft-age sons and of welfare recipients reporting male residents.

They were at a complete loss to understand the wide margin of error in reporting the number of black children under 10 years of age.

"As far as we can determine," one official said, "there is no reason whatsoever not to report such children and the only theory we have now is that something in the way the questionnaires were made out prevented an accurate count."

The reanalysis of the census did not give an estimate of the undercount of Spanish-speaking Americans because of unreliable basic data. Birth records kept by the states usually indicate a white or black birth, but in many cases do not identify parents as Spanish-speaking. Birth records are a basic tool in the reanalysis of census data.

CASE STUDY OF PENTAGON OBFUSCATION

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. REES. Mr. Speaker, at a time when the administration is bemoaning so-called excesses in the domestic budget, and is acting on those excesses by cutting the life out of programs which are essential to millions of lower income Americans, I think it is fitting that we also examine waste in our defense budget.

The administration's facilities realinement announced April 16 by the Department of Defense confirms the conclusions reached in an article appearing in the April 1 issue of the Americans for Democratic Action Legislative Newsletter. The study points out that the Defense Department has employed nearly 10 times as many civilians as the Department of Health, Education, and Welfare.

While I applaud the reduction in nonessential personnel, I fear that the President's deep cutbacks in domestic programs will prevent the easy transference of manpower from a wartime to a socially oriented peacetime economy. The article which I am inserting in the CONGRESSIONAL RECORD supports the intentions of those who attempt to tell the American people that a lowering of the defense budget is not synonymous with an endangering of national security.

The newsletter follows:

A CASE STUDY OF PENTAGON OBFUSCATION—DOD MANPOWER COSTS

One of the main reasons the Pentagon gives for an increasing defense budget is high manpower costs. Manpower assures 56 percent of the FY 1974 defense budget, or $43.9 billion of the total $79 billion in outlays.[1]

Yet the Pentagon is never quite clear about what constitutes that high figure. In reality, while a large proportion of the $43.9 billion goes for men and women in the armed forces, another large part is spent on civilian bureaucrats.

It is estimated that by June 30, 1973, there will be 1,012,000 DOD full-time permanent civilians. The Pentagon sees no further decrease in FY 1974; in fact, it projects a slight *net increase*.[2] While 1,012,000 civilians represent a substantial decline from the Vietnam highpoint, there is much room for further reductions of DOD bureaucrats.

EVEN NIXON AGREES

Even President Nixon agrees that the number of DOD civilians can be reduced. In his Nov. 9, 1972, interview with the Washington Star-News, Nixon was very clear on the subject:

Footnotes at end of article.

When I speak of Defense, in terms of the hardware of Defense, in terms of the military personnel in Defense, the cuts that can be made certainly are minimal, except when we get mutual agreement with other countries. But in terms of the masses of civilian employees who are getting in the way of each other over in the Pentagon and around the country, they are going to have to take a thinning down.

But the Pentagon has no such thinning-down plans for FY 1974. The overall level of DOD civilians will remain the same despite a reduction of more than 30,000 civilians, because their places will be taken by 31,000 soldiers becoming civilian.[3]

CONFUSION OVER MANPOWER COSTS

When the Pentagon discusses the high manpower costs consuming 56 percent of its budget, it leaves thet inaccurate impression that this money goes to pay the poor grunt a decent wage, and not to pay bureaucrats. This implies that manpower costs can't be cut without cutting the number of men in uniform.

The resulting confusion of politicians is understandable. Note the statement of Senate Majority Whip Robert Byrd (D-W. Va.) on the Senate floor Feb. 22, 1973, while defending the high military budget: "What I am saying is that 56 percent of this budget is to pay people, and yet we are going to have a lower overall manpower level—2.2 million—than we have had at any time since the Korean war."[4]

However, that 56 percent figure, as previously noted, includes those 2.2 million military personnel *plus* another million civilians—and other categories.

Or follow a subsequent dialogue that same day between Byrd and Senate Appropriations Committee Chairman John McClellan (D-Ark.) on manpower costs:

Mr. ROBERT C. BYRD. Yes. And the military pay increases and increases in military retirement result from laws which we ourselves have passed.

Mr. MCCLELLAN. Yes. There was a substantial increase in legislation Congress passed last year, and it was a deserved increase in my judgment. Now we have to make additional appropriations for it. This necessarily increases the cost of Government

Mr. ROBERT C. BYRD. Yes. And the only way to cut that is to cut down the manpower level which has already been cut to 2.2 million in the 1974 budget.

Mr. MCCLELLAN. Whether that can be further reduced is a matter of opinion. I am not prepared to say, but as long as we have the present level of forces, it takes this amount, 56 percent, of the total budget to meet this cost.

Mr. ROBERT. C. BYRD. To pay people.

Mr. MCCLELLAN. To pay the people; to pay servicemen.[5]

WHAT THE 56 PERCENT FIGURE INCLUDES

Actually, Byrd and McClellan are mistaken. The tremendous manpower costs can be cut without touching the 2.2 million men in uniform (although that amount would appear to be ripe for cutbacks as well). It can be cut by slicing away the fat among the civilians.

In reality, of the $43.9 billion slated for FY 1974 manpower outlays, $13.5 billion will be paid for DOD civilians. In other words, more than $1,000,000,000 a month will be paid to these civilians. And when the Pentagon uses its 56 percent manpower cost figure, it is including 17 percent of the entire defense budget for civilians.

The following is a chart which breaks manpower costs into various components:

Estimated DOD Manpower Outlays for FY 1974[6]

$13,512,344,000, 17%, Civilian personnel payroll.
$24,384,300,000, 31%, Military personnel payroll.
$5,271,900,000, 7%, Retired pay.
$763,216,000, 1%, Family housing.
$43,931,760,000, 56%, Total estimated manpower outlays.

DOD IN COMPARISON WITH OTHER AGENCIES

The Department of Defense employs many more civilians than any other federal agency. As of January 1973, DOD employed 1,080,782 full-time and part-time civilians. The next largest is the quasi-federal postal service, which employed 677,746 civilians in January. Next came the Veteran's Administration with 193,072, HEW with 118,950, Treasury with 111,615 and Agriculture with 109,200. No other federal department or agency employed more than 100,000 civilians.[7]

As these figures show, the Pentagon dominates the civilian bureaucracy in the U.S. government. Even HEW, with its supposed swollen bureaucracy, has about one-tenth as many civilians in its employ as does DOD.

Of its million plus civilians in January 1973, the DOD employed 978,838 inside the U.S. and 101,944 abroad. Thus the Pentagon employs almost two-thirds of the 158,429 U.S. federal personnel working in other countries.[8] And this figure does not include more than 100,000 foreign nationals working for DOD under contract or under agreement with a foreign power in support of U.S. military forces.

As for Congressional oversight of the Pentagon's activities, the legislative branch employed 32,787 people in January 1973 to monitor the activities of the million DOD civilians and the 2.2 million military, in addition to Congress' other legislative, investigative and oversight functions.[9] A total of 55 staff members work for the Senate and House Armed Services committees. It is little wonder that Congress performs so little oversight of the DOD.

A PROPOSAL TO REDUCE THE CIVILIAN PERSONNEL LEVEL

While DOD civilian personnel have been cut from their Vietnam war high, this group has avoided its fair share of cuts in the Pentagon pruning process. At a minimum, the civilians should be reduced in the same proportion as the military.

To use a mathematical formula, the military level will have declined from an end strength high of 3,547,000 during the Vietnam war to 2,233,000 by the end of FY 1974.[10] This is a decrease of 37 percent in military personnel.

The civilian personnel, which reached a wartime end-strength high of 1,287,000[11] should be similarly reduced by 37 percent. Thus a 37 percent reduction of the previously high level of 1,287,000 would bring the civilian personnel level to 811,000—and into line with the military cutbacks. The new level will mean a further reduction of the FY 1974 civilian level by 202,000, or a potential savings of $2.7 billion in outlays. And a cutback of 202,000 just about matches the normal DOD attrition rate, which totaled 201,183 for the last complete fiscal year, 1972.

If President Nixon follows through with his words of November 9, $2.7 billion can be saved with little hardship.

FOOTNOTES

[1] The Budget of the United States Government—Fiscal Year 1974.

[2] Pentagon statistics supplies at Congressional Staff Briefing on FY 1974 Department of Defense Budget.

[3] Former Asst. Secretary of Defense Robert Moot's budget briefing of January 27, 1973.

[4] Congressional Record, February 22, 1973, p. 5099.

[5] Congressional Record, February 22, 1973, p. 5100.

[6] Entire chart from statistics supplied by DOD Comptroller's office on March 14, 1973, by phone.

[7] Additional Report of the Joint Committee on Reduction of Federal Expenditures, Joint Committee Print No. 348, January 1973, p. 17.

[8] *Ibid.*, p. 7.

[9] *Ibid.*, p. 1.

[10] Pentagon statistics supplied at Congressional Staff Briefing on FY 1974 Department of Defense Budget.

[11] *Ibid.*

FIRE PREVENTION AND SAFETY REGULATION

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. ASPIN. Mr. Speaker, I am introducing today a comprehensive package of fire prevention and safety legislation. The same legislation has been cosponsored by 65 Members of the House led by our distinguished colleague from Connecticut (Mr. STEELE).

Every day over 6,600 fires occur taking the lives of more than 12,000 men, women, and children and causing an estimated $3 billion of property damage annually.

Last year alone 210 firefighters died in the line of duty. During the 10-year period of 1960 to 1970, 795 firefighters died—83 more than policemen killed in the line of duty. In 1970 38,000 firefighters in New York City alone were injured or burned.

The time is now to enact legislation that will improve our ability to fight fires and help save lives, particularly the lives of firemen—who do one of the toughest and most dangerous jobs in the world.

We are asking our Nation's 2,175,000 firefighters in more than 40,000 departments to combat the immense and increasing firefighting problem with technology and equipment that is decades old. We are not providing our firefighters with sufficient funds for training and education. Since we ask our firefighters to engage in the Nation's most dangerous profession, we must give them the adequate equipment and training.

As a result I have introduced nine separate pieces of legislation that will help us improve our ability to combat fires.

One bill, provides for the creation of a national fire academy. We need in our Nation an institution which can centralize training and education in the prevention and fighting of fires.

A second bill provides the Secretary of Commerce with the authority to make grants to States, counties, and local communities to pay up to one-half of the cost of training programs for firemen. Just as the LEAA has paid for further education and training of our policemen, this legislation will allow the Federal Government to pay half of any tuition or fees connected with a fireman's training.

A third bill allows the Secretary of Commerce to make grants to accredited institutions of higher education to pay up to one-half the cost of fire science programs. At present there are only two colleges in the entire Nation offering a 4-year course in fire protection engineering and last year a total of only 12 men were graduated with degrees in this science. Clearly, there is a need to expand research and education at the college level that will improve our ability to stop fires.

The fourth bill provides financial aid to local fire departments for the purchase of advanced fire fighting equipment. A fifth bill provides funds for purchasing conventional firefighting equipment and for the purchase of self-contained breathing apparatus that could save the lives of many firefighters.

The sixth bill would extend for 3 years the authority of the Secretary of Commerce to carry out fire research and safety programs. We are simply doing too little research in finding ways to prevent fires. Prevention should be our No. 1 priority.

While I have cited some statistics concerning fires, unfortunately comprehensive detailed information on the problem of fires and fire prevention is not available. Another bill I have introduced would establish a national fire data and information clearinghouse. In addition to gathering data on the problem of fires, it would make information available to local fire departments, individual firemen, students, and associations concerning fire prevention.

Finally, two bills which I am introducing take dramatic steps forward in fire prevention itself. One would extend the provisions of current law concerning flammable fabrics to cover construction materials used in the interiors of homes, offices, and other places. Simply put, extremely flammable material could no longer be used to build buildings or furniture. It is highly flammable material that can turn a minor fire into a deathly holocaust. The legislation would also authorize the Secretary of Transportation to set forth special regulations for the transportation of flammable, hazardous materials. We must take the greatest care in transporting flammable materials in order to prevent accidents that often lead to tragedies.

In sum, Mr. Speaker, these nine bills will allow this Nation to significantly slow down the rapid increase in the numbers of fires and their toll in human life.

BANKERS TO REAP TAX-FREE PROFIT ON ARMS LOANS TO ISRAEL

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. RARICK. Mr. Speaker, while the banks of the Federal Reserve System are on orders from Washington to tighten money and credit to American businessmen, they are being invited to bid on providing the lowest possible interest rate on a $50 million military loan to Israel.

The purpose of the Federal Reserve's new role as financial broker for Israel is "to provide private financing for the purchase by the Government of Israel of defense articles and services from U.S. sources." There should be little difficulty finding bankers willing to extend the loan since income realized from the transaction will be free of income taxes and other U.S. taxes.

To make it easier, the loan "will not be subject to the lending limits of national banks" and will be backed by the full faith and credit of the United States.

All the stops have been pulled to see that the Israeli military gets the jets, tanks, guns, and other armaments it seeks.

The President's attempted justification for impounding funds for domestic programs was that if this were not done, an increase in income taxes already levied on U.S. citizens would be necessary.

It is strange that while threatening the American taxpayer with a bigger tax bite from his paycheck, the administration allows the big bankers and trust companies to reap a tax-free profit from military loans overseas.

I insert the following excerpted material from the Federal Register:

[From the Federal Register, Vol. 38, No. 81, Apr. 27, 1973]

LOAN TO GOVERNMENT OF ISRAEL GUARANTEED BY UNITED STATES UNDER FOREIGN MILITARY SALES ACT, AS AMENDED

(Public Notice of Invitation To Bid by Financial Institutions)

I. INVITATION TO BID—CLASSES OF BIDDERS

The Secretary of the Treasury, acting for the Secretary of Defense by this notice and under the terms and conditions hereof invites bids on the interest rate on a $50 million loan to the Government of Israel. The loan is described in section II hereof. Bidding hereunder shall be subject to the "Regulations Governing the Sales of Treasury Bonds Through Competitive Bidding" (31 CFR 340) insofar as applicable.

The purpose of the loan is to provide private financing for the purchase by the Government of Israel of defense articles and services from U.S. sources under the Foreign Military Sales Act, as amended, Public Law 90–626, October 22, 1968, 82 Stat. 1326; 22 U.S.C. 2571–2793 and Executive Order 11501, December 22, 1969, 34 FR 20169.

Bids will be received only from incorporated banks, trust companies, recognized dealers in investment securities, and other financial institutions doing business in the United States. Bids must be submitted to the Federal Reserve Bank of New York in accordance with the provisions of the last section hereof.

II. DESCRIPTION OF LOAN AGREEMENT—COMMITMENT FEE

(3) The principal is to be repayable in 10 equal consecutive semiannual installments commencing on April 30, 1974, as indicated in exhibit C attached to the loan agreement. Interest is payable on a fixed semiannual basis beginning on October 31, 1973, and thereafter on April 30 and October 31 of each year until the entire principal has been repaid. Interest is payable with the principal beginning on April 30, 1974.

III. UNITED STATES GOVERNMENT GUARANTY OF LOAN—GUARANTY FEE

The loan agreement provides that the obligation of the lender is to be conditioned upon the issuance by the United States of a guaranty of timely payment of principal and interest by the borrower. The guaranty will further provide that the United States agrees that any claim which it may now or hereafter have against any beneficiary for any reason whatsoever shall not affect in any way the right of any other beneficiary to receive full and prompt payment of any amount otherwise due under this guaranty.

The guaranty, which is authorized by the Foreign Military Sales Act, will be made by the Government of the United States acting through the Department of Defense. The act provides that "any guaranties issued hereunder shall be backed by the full faith and credit of the United States."

IV. TAX EXEMPTIONS

(a) There will be no—

(1) Federal income tax resulting from section 7.1 of the loan agreement which will provide that the borrower shall pay to the lender the guaranty fee charged to the latter by the Department of Defense; (The lender will be acting merely as a conduit).

(2) Federal stamp tax;

(3) Interest equalization tax; or

(4) Tax imposed by the Government of Israel.

(b) The interest paid on the loan by the Government of Israel will constitute income from sources without the United States in the hands of the lender or any holder of the promissory notes or participations in the loan. Since the interest is foreign source income, there will be no U.S. withholding under any circumstances.

V. THE LOAN, PROMISSORY NOTES, PARTICIPATION—ELIGIBILITY FOR PURCHASE BY NATIONAL BANK AS COLLATERAL FOR TREASURY TAX AND LOAN ACCOUNTS, ETC.

(a) Because of the guaranty, the loan, the promissory notes and the participations are deemed to be fully and unconditionally guaranteed obligations of the United States backed by its full faith and credit. Accordingly, they will not be subject to the lending limits of national banks or to the limitations and restrictions concerning dealing in, underwriting and purchase of investment securities.

THE LINDENWOLD LINE—DOESN'T RELIEVE TRAFFIC CONGESTION

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. FRENZEL. Mr. Speaker, a recent article in Minnesota Motorist, the AAA magazine in my State, asked whether or not mass transit as we know it today really helps to relieve traffic congestion. The AAA is not known as a transit advocate, but it should interest all transit people. The article examines the performance of the famed Lindenwold Line connecting downtown Philadelphia with Lindenwold, N.J. They conclude that it has failed to solve the congestion problem it was designed to relieve. Apparently peak hour traffic on the Walt Whitman and Ben Franklin Bridges is now slightly heavier than when the line opened despite the fact that the train costs only 50 cents while bridge tolls have doubled.

Those of us who feel we need to encourage development of a more balanced transportation network may have cause to wonder whether we presently possess the kind of mass transit technology which will attract people away from their cars. Not just Philadelphia, but cities throughout the world are experiencing an increasing crush of automobile traffic despite the presence of traditional fixed rail systems. It begins to appear we are spending enormous sums of money on systems that may be able to solve the congestion problem. Before we proceed to pour billions more into these systems, we need some hard-headed thinking about what our transit objectives should be in terms of ridership and how we are going to meet them realistically.

The article follows:

THE LINDENWOLD LINE

Recently, the American Automobile Association (AAA) decided to examine the proposition that a good rapid transit system would reduce congestion and bring benefits to highway users, thus meriting a share of highway user taxes.

A study was conducted of the operations, financing and results of the Lindenwold rapid transit line in metropolitan Philadelphia.

The Lindenwold line is a relatively new rail rapid transit line connecting Lindenwold, N.J., with downtown Philadelphia. It is clean, fast, highly automated and passes through a densely populated travel corridor. It incorporates many of the newer features which are included in the new San Francisco BART and Washington, D.C. METRO lines.

Its first two years of operating experience in 1969 and 1970 provided a unique opportunity to measure actual performance, against the benefits which its promoters stated would accrue if the system were built.

High on the list of expected benefits was a reduction of traffic on Ben Franklin and Walt Whitman Bridges. Public claims were made that the new system would be economically self-sufficient . . . would reduce the need for highway facilities . . . and would provide better transit service.

Another reason offered for developing the line was that it was "essential for the orderly growth of the Southern New Jersey area," and that it would contribute to "the maintenance of a strong Philadelphia central business district."

The line was built with $25 million in accumulated reserves of bridge toll revenues, and bond funds backed by bridge tolls. The original plan was to have toll bridges support only the initial $25 million "seed" money, with fare revenues raising the operating expenses and other debt service.

What AAA found was this:

Peak-hour traffic on the two bridges is about the same, even a bit heavier than before the Lindenwold line opened. It has done little to reduce traffic congestion.

Revenues from the line have not met operating expenses and no income is available to meet debt service. All debt service and some of the operating expenses are being paid for by bridge revenues.

The Delaware River Port Authority does not have sufficient funds to continue work on two additional bridges which it has begun, and is increasing tolls again.

Bus transit service along the corridor has deteriorated because of competition of the Lindenwold Line.

Rather than reducing dependence on cars for the commuter trip, a Lindenwold station survey indicates just the opposite effect. Because 43 percent of the commuters using the Lindenwold Line also used cars for part or all of their commuter trip as well as the Lindenwold Line.

What has apparently happened is that the former transit user who used to walk to a bus stop now drives or is driven to the transit station. Although there are more than 8,000 cars parked daily in and around station parking lots, over one half of these are now driven daily by people who formerly used bus service.

The average Lindenwold Line rider pays 50 cents for his ride. The cost of that ride in 1970 was $1.30. So, each rider on the Lindenwold Line receives a subsidy of 82 cents per ride from those who are continuing to pay tolls on Walt Whitman and Ben Franklin bridges.

The motorist was treated rather badly. Congestion on the bridge has not been significantly relieved, but his tolls have doubled!

The study reveals that the Lindenwold rider receives a substantial benefit from the line. He gets a fast, inexpensive ride into downtown, paying much less than the actual cost of the transportation.

Regular users of previous public transit along the route who are able to avail themselves of the line receive better service.

Land owners and developers in downtown Philadelphia and along the New Jersey rail transit corridor are enjoying an increase in their market area in terms of time accessibility, and downtown employers have a larger potential labor market.

Roughly 4,000 commuters who formerly drove to Philadelphia and now take the line receive better transportation at one-third its actual cost.

But what are the real lessons we learn from the Lindenwold study?

The alleged benefits from diversion of motorists' tolls or highway user taxes are not unique to the Delaware River Port Authority. We hear the same glowing accounts of expected benefits wherever rail transit is suggested as a substitute for highways. Here are some:

1. Cost—Project costs were underestimated. The Lindenwold line was expected to cost only $44.6 million. Changes in the system, additional construction and land acquisition, plus inflation raised the eventual cost to $94.5 million.

2. Time available for service—The line was expected to be in operation two years after construction was authorized. Although construction was authorized in 1963, the line didn't open to its first customer until six years later.

3. Ridership—Patronage was highly overestimated. The revenue bond prospectus of 1969 estimated annual ridership of 16,000,000 by 1970. Actual ridership was 8,600,000, or about half the estimated figure.

4. Revenues—Income from the line was also greatly overestimated. Rather than being adequate to amortize capital expenses as projected, revenues have not even been sufficient to cover operating and maintenance expenses.

5. Requirements for subsidy—The deficit in revenues created a correspondingly large increase in the need for subsidy of the line.

6. Beneficiaries—Those who paid the most for the line, the motorists, and were expected to benefit the most, have actually received little or no benefit, while others have received substantial benefits at little or no cost to themselves.

If you have any reaction to the Lindenwold Line experiment, and this story, we'd like to hear from you.

LANGUAGE BANK

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. GONZALEZ. Mr. Speaker, I am introducing a bill to establish a "Language Bank," under the auspices of a Presidential Commission which would have the function of preserving the non-English language resources of this Nation.

For some time now I have sponsored this proposal because I feel it is essential for us to focus attention on what should be one of the most important functions of a world which strives to live in peaceful coexistence—meaningful communication. Oftentimes it is difficult enough for us even to communicate with each other in a common language—and so the problem compounds when we cannot create a direct link with the other person's "code." Naturally, then, in my estimation, there is no question but that our country should have a goal of studying and preserving foreign languages. My bill would help establish a national policy to identify, preserve, and improve our country's foreign language resources.

Unfortunately, the focus of our country as a whole has been in trying to "Americanize" any person who reaches our shores as soon as possible, at any cost, and as a result of the pressures exerted, we find that the persons who have a rich linguistic and cultural background from another country soon lose it or suppress it. And, on the other hand, our school systems provide for the education of our schoolchildren in foreign languages. And even then, there is a question as to whether the foreign language studies are adequate enough.

What a waste, then, it seems to discourage the development of a second or third language of immigrants and of young children who have been fortunate enough to learn a language other than English. How much better it would be if we had an active and enthusiastic policy pervasive in our society to encourage foreign language development; and to effectively use the foreign language resources which we are squelching or letting wither away by not tapping its source.

Despite the fact that this country is rich with diverse peoples and cultures, to date there is no agency or branch of Government in charge of a full-scale incentive program to encourage social, educational, and political associations, educational institutions, and educational systems at the State and local level to develop programs to preserve foreign language resources.

Fortunately, we have taken some steps in the direction of moving our attention toward bilingual education, and stressing more and more the need for studying another language other than English. Under the Office of Education's Division of Foreign Studies, in particular, there have been two clearinghouses established dealing with "linguistics and uncommonly taught languages," and on the "teaching of foreign languages." This provides for accessibility of hard-to-get instructional materials and research for educators and researchers. But though the Office of Education and the Congress have provided some leadership, I believe we have to go a step forward.

Today, most secondary and college curricula offer French, German, and Spanish—and the other Western languages, and the Eastern languages such as Arabic and Chinese are left out altogether.

I hope you will agree with me that we should establish a language bank so that we can provide a good foundation for meaningful communication amongst the peoples of mixed cultures in our country, and with those across borders and oceans. Let us not allow our present policy to continue—allowing our foreign language resources to wither, with occasional crash courses offered to bridge the gap with our neighbors.

PRESIDENT IS HURT BY "PALACE GUARD"

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. DERWINSKI. Mr. Speaker, as we return from our Easter recess, new developments in the Watergate are breaking and we all look forward to the President's address this evening. During the recess, news stories continued to break and editorial commentary properly grew. I insert into the RECORD at this point what I believe is an especially appropriate column by Frank van der Linden which appeared in the Star/Tribune publications of Sunday, April 22. 1973

The article follows:

PRESIDENT IS HURT BY "PALACE GUARD"

(By Frank van der Linden)

WASHINGTON.—Republicans worrying over the political damage of the Watergate mess, see only one potential benefit arising from it—a possible shake-up in the rigid White House staff system that isolates President Nixon from his friends in Congress and the outside world.

Few voices are raised on Capitol Hill in defense of the presidential aides whose names have been dragged into the unsavory political spy case, through second-hand, third-hand and hearsay reports after closed sessions of Sen. Sam Ervin's select investigating committee.

Although Ervin—to the surprise of everyone who expected him to run a judicious inquiry—has permitted "Joe McCarthyism" of the worst sort, its victims are not being pitied by members of Congress. The reason is that practically every senator and representative, at one time or another, has been infuriated by the arrogance or rudeness of some official in the executive establishment.

The President does not know of these frustrating incidents, any more than he knew about the Junior G-Men who, in his name, dreamed up and carried out the juvenile cops-and-robbers burglary of the Democratic party's headquarters. He is kept in the dark by the very staff system which he set up for the laudable purpose of freeing himself from time-wasting trivia so that he could concentrate upon major problems, especially in foreign affairs.

One flat in this system is that its managers constantly screen the President from hearing government officials or members of Congress whose advice would be contrary to their own. Like the palace guard surrounding a king, they stay close to the throne and jealously shove any rivals away.

This is true in every administration, of course. Sherman Adams guarded the palace gate for President Eisenhower, and Presidents Kennedy and Johnson had their favorites around the throne. President Truman did not find out, until too late, about the income tax "fixes" which were so scandalous that both his own appointments secretary, Matt Connelly, and assistant attorney general, T. Lamar Caudle, went to prison after being convicted of implication therein.

"President Nixon," one Republican commented, "is being hurt because the same staff mentality that led to the Watergate incident in the first place still exists there in the closed-in, 'cover-up' attitude which goes from Bob Haldeman at the top all the way down to his underlings at the bottom.

"These are men from advertising, public relations and promotion backgrounds who have never been elected to office and don't know how to deal with Congress. They treat Congress as if it were merely one more agency, like the Agriculture department or the Labor department, to carry out their orders in the name of the President."

The few White House aides with Capitol Hill experience try to show the palace guardsmen how to woo the proud and often touchy moguls residing there. Sen. Ervin himself is one who should have been called in by the President several times and thanked for delivering Democratic votes crucially needed to beat down "end-the-war" amendments. But Ervin says he has never been invited to the White House, and it's too late for such courtesies now.

Republicans in Congress frequently complain they get no better treatment; and sometimes they seek revenge in little ways. The House Republicans recently elected Bob Michel of Illinois as chairman of their campaign committee by about a 2-to-1 margin over Clarence (Bud) Brown of Ohio. Brown was hurt by the repeated charge that "Bud is the candidate of the White House staff." By rejecting him, the congressmen struck one blow against Bob Haldeman and Company.

LOCAL IMPACT OF THE NIXON BUDGET

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. HARRINGTON. Mr. Speaker, on Friday, April 6, I held hearings in Lowell, Mass., on the local impact of the Nixon budget on the Fifth Congressional District. I wanted the opportunity to explain to the voters there the effects the budget will have on their lives, and I wanted to be better informed myself about this effect. From both points of view, the hearings were a marked success.

I previously held hearings in Lynn, Mass., on the effect on the Sixth Congressional District. These hearings have been sufficiently successful that I will hold subsequent hearings across the State of Massachusetts, using the same techniques for gathering information that have proved so valuable to date. I urge other Members to hold similar hearings in their own congressional districts, and my office will offer any assistance we can provide to help make your hearings a success.

Witnesses from throughout the Fifth District, representing towns and cities, councils on aging, the labor movement, schools, hospitals, community action programs, housing programs, the police, and private interest groups testified before me on the serious consequences of the proposed curtailment of Federal programs. The Fifth District stands to lose $23 million.

Massive amounts of Federal aid come to every locality in the form of categorical grants. We seldom realize how much we are enabled to provide services to our citizens only because of this governmental help. Municipalities would either have to lose vital services or increase their tax rates by tremendous amounts.

In just one program, title I of the Elementary and Secondary Education Act, which provides funds to school districts for aid to disadvantaged children, almost $2 million has entered the Fifth Congressional District. If we were to lose that aid, the quality of education in our schools would suffer immeasurably. And this is only one program of dozens that the President intends to end or severely curtail.

This budget has been depicted as a reasonable document, but it is not. It is a thoughtless work that does not separate successful programs from those that need improvement, nor examine all the needs of the people of the United States. This budget merely ends Federal aid for many vital programs and throws the burdens and responsibilities back on the shoulders of States and municipalities, who have not the resources of the Federal Government. The costs for maintaining these programs will go to the already overburdened local taxpayers, or else we will settle for an inferior quality of education, health care, housing and a polluted environment. I do not think this is a real choice.

The effects of the budget cuts will be severely felt by local cities and towns, particularly in the area of education. The following programs, which exist in many cities and towns, are funded by the Federal Government. These will be terminated under the proposed Nixon budget for fiscal year 1974.

Title I—aid to the disadvantaged has provided moneys to improve educational programs to meet the needs of educationally disadvantaged children in low-income area.

Title II–library resources: Nearly all public school systems in the area and the State have received funds for library media resources every year since 1966.

Title III—aid to innovative education: This program is designed to create innovative models supplementing the regular school curricula, and has had a great deal of success throughout the State.

Title VIB—education for the handicapped includes two programs which are designed to provide handicapped children with special tools of learning so they can successfully participate in school programs.

Nutrition and health, drug abuse education, occupational, vocational, and adult education, aid to State departments of education, environmental education, and NDEA audio-visual equipment all receive "Zero" dollars in the Nixon budget, while bilingual education and dropout prevention, though not terminated, are severely cut.

Titles, I, II, and III of the Library Services and Construction Act provide extension of library services to areas without developed libraries, strengthen regional resource centers, provide for construction of new libraries or renovation or remodeling, and help provide interlibrary cooperation. Despite remarkable gains and benefits in all these areas, these programs are terminated in the Nixon budget.

Massachusetts received $3,582,471 under the special milk program in fiscal year 1973 to help pay the cost of milk for schoolchildren. The Nixon budget terminates this program in all schools except those not having hot lunch programs.

School assistance in federally impacted areas has been terminated for category "B" students whose parents do not live on Federal property, depriving local school districts of a substantial amount of money.

The following persons, representing many aspects of programs and funding affected by the proposed cutbacks and terminations participated in the hearing:

Mayor Ellen Sampson of Lowell.

Mayor John J. Buckley of Lawrence.

Ashton Smith, president, Lawrence General Hospital.

City Council Gail Dunfey, board of directors, Community Teamwork, Inc.

Frank O'Connor, chairman, board of directors, Greater Lawrence Community Action Council, Inc.

John Mullen, community services representative, Lowell Central Labor Council.

Archie Kenefick, chairman, Lowell Council on Aging.

Paul Tsongas, Middlesex County Commissioner and former chairman, Elderly Affairs Committee of Lowell City Council.

Frank Keefe, assistant director, Northern Middlesex Area Commission.

Sgt. George Costos, Office in Charge of Planning and Research, Lowell Police Department.

Joseph Roark, director of Federal and State programs; Dracut School System.

Kathleen Ahearn and Marianne Lariviere, students at Lowell State College.

Richard Williams, president, Greater Lowell CP-PAX.

The specific statistics released at the hearings are as follows:

STATISTICS RELEASED

ACTON

ESEA, Title I—Amount Available Under Federal Grant: $13,815. 45 children served under program. Four full-time, four part-time employees.

ESEA, Title II—$1,375.

Vocational Education Part H Work-Study—$5,798, loss of jobs for students.

School Assistance in Federally Impacted Areas.

Acton—Boxborough High School, $55,332.

Elementary Schools, $31,023.

Education for Handicapped—1972, $21,500.

Open Space Grant—Application filed and approved, $134,355. Grant has not been received by town.

ANDOVER

Total School Enrollment: 6,358.

ESEA, Title I—Amount Available Under Federal Grant: $30,986. 175 students served, 40 full-time employees.

ESEA, Title II—Amount Available Under Federal Grant: $4,343.

School Assistance in Federally Impacted Areas—$56,548.

Special Milk Program—$7,767, 1,600 Students served.

Education for Handicapped—Title B, $30,789, 400 students served. Five full-time employees.

Vocational Education, Title II—$37,914 for fiscal 1974.

ASHBY

ESEA, Title I—Amount Available under Federal Grant Fiscal Year 1973: $4,893.

ESEA, Title II—Amount Available under Federal Grant Fiscal Year 1973: $899.

School Assistance in Federally Impacted Areas—$6,900.

BEDFORD

School Enrollment: 3,988.

ESEA, Title I—Amount Available Under Federal Grant Fiscal Year 1973: $10,937. 50 students served, 8 full-time employees, 4 part-time.

ESEA, Title II—Amount Available Under Federal Grant Fiscal Year 1973: $2,477.

School Assistance in Federally Impacted Areas—$394,678.

Special Milk Program—$2,000.

BILLERICA

Total School Enrollment: 9566.

ESEA, Title I—Amount Available under Federal grant: $93,973. 135 students served. 40 full-time employees.

ESEA, Title II—Amount available under Federal grant: $5,465.

Vocational Education Part II Work-Study—$14,000. 35 students served.

School Assistance in Federally Impacted Areas—$130,416.

Basic Water and Sewer Grant—Applied for grant totaling $1,665,000 in fiscal 1973. Received $375,000. The rest of the grant is in doubt.

BOXBOROUGH

Population, 1500. Elementary School Enrollment: 270.

ESEA, Title II—Amount Available under Federal Grant: $177.

School Assistance in Federally Impacted Areas—$2488 in fiscal year 1972.

Grants for Public Libraries, Title I—$1,000 received fiscal year 1973. Same amount was anticipated for fiscal 1974.

CARLISLE

School Enrollment: 600.

ESEA, Title II—Amount Available under Federal grant in fiscal 1973: $443.

School Assistance in Federally Impacted Areas—$16,835 in fiscal year 1973.

Education for the Handicapped—10 students. $21,624 in fiscal year 1973.

Open Space Grants—Application filed and approved for $200,000. Money not received.

Construction of Public Libraries, Title II—Application filed for $52,000, waiting approval.

CHELMSFORD

School enrollment: 8,990.

ESEA, Title I—Amount available under federal grant $43,173 in fiscal 1973. 300 students served, 39 full-time employees, 35 part-time.

ESEA, Title II—Amount available under federal grant, $5,473.

ESEA, Title III Aid to Innovative Education—Amount available under Federal grant, $103,058 in fiscal year 1973.

NDEA, Title III Audio-Visual Equipment—$6844 in fiscal 1973.

School Assistance in Federally Impacted Areas—$196,810.

Special Milk Program—$9558.

CONCORD

ESEA, Title I—Amount Available under federal grant, $9,642 in fiscal 1973.

ESEA, Title II—Amount available under federal grant, $2,399 in fiscal year 1973.

School Assistance in Federally Impacted Areas—$72,000.

Special Milk Program—$2,300.

NDEA Title III Audio-Visual Equipment—$5,000 in fiscal year 1973.

DRACUT

School Enrollment: 4,452.

ESEA, Title I—Amount Available under federal grant, $47,634 in fiscal 1973, 225 Students served. 49 Full-time employees, 1 part-time.

ESEA, Title II—Amount available under Federal grant, $3,118 in fiscal 1973.

Drug Abuse Education—$1,250 in fiscal year 1973.

Vocational Education Special Needs—$4,000. 80 to 90 people served. 1 full-time employee, 3 part-time employees.

School Assistance in Federally Impacted Areas—$50,000. Fiscal 1973.

Special Milk Program—$6,624. Fiscal 1973.

GROTON

School Enrollment: 1,325.

ESEA, Title I—Amount Available under federal grant, $6,764 in fiscal 1973, 85 students served, 11 full-time employees, 1 part-time.

ESEA, Title II—Amount Available under federal grant, $1,061 in fiscal 1973.

Title III, Aid to Innovative Education—$7,000, 420 students served, 35 teachers served by program in fiscal 1973.

Environmental Education—$1,500 in fiscal year 1973.

Drug Abuse Education—$2,510 in fiscal year 1973.

School Assistance in Federally Impacted Areas—$26,000 fiscal 1973.

Special Milk Program—$2,400 in fiscal year 1973.

LAWRENCE

School enrollment: 9,931.

ESEA, Title I—Amount available under federal grant, $465,362 in fiscal 1973. 2,000 students served. 125 Full-time employees.

ESEA, Title II—Amount available under federal grant, $7,623 in fiscal 1973.

ESEA, Title VII Bilingual Education—$100,000 in fiscal 1973. 180 students served, 22 full-time employees, 1 part-time.

Nutrition and Health Education—$65,000. 5,000 students served, 20 full-time employees, 25 part-time in fiscal 1973.

School Assistance in Federally Impacted Areas—$45,561 in fiscal 1973.

Title III, Adult Education—Grant to states, $15,000 in fiscal 1973. 10 full-time employees.

Rent Supplements—$200,000 in fiscal 1973, 250 people served.

Low Rent Public Housing—$300,000 in fiscal 1973, 4,500 people served.

Basic Water and Sewer—Applied for $155,000 turned down by HUD.

Title II, Construction of Public Libraries—$254,619 in fiscal 1973.

LEXINGTON

School enrollment: 9,081.

ESEA, Title I—Amount available under federal grant, $33,819 in fiscal 1973, 210 students served, 43 full-time employees.

ESEA, Title II—Amount available under federal grant, $16,000 in fiscal 1973.

Title III, Aid to innovative education—$95,000 in fiscal 1973.

Occupational, Vocational and Adult Education—Consumer and Homemaking—$14,000 in fiscal 1973, 30 students served, 3 full-time employees.

School Assistance in Federally Impacted Areas—$156,000 in fiscal 1973.

Education for the Handicapped—State and federal grant, $278,000 fiscal 1973.

Open Space Grants—$38,526 in 1973, applied for $67,250 in fiscal 1974. Funds have been impounded.

LITTLETON

School enrollment: 1,810.

ESEA, Title I—Amount available under federal grant, $13,240 in fiscal 1973, 60 students served, 13 full-time employees.

ESEA, Title II—Amount available under federal grant, $1,120 in fiscal 1973.

ESEA, Title III Aid to innovative education—$1,484 in fiscal 1973.

School Assistance in federally Impacted Areas—$13,500 in fiscal 1973.

Special Milk Program—$1,625 in fiscal 1973.

LOWELL

School enrollment; 16,900.

ESEA, Title I—Amount available under federal grant, $665,294 in fiscal 1973, 1,500 students served, 200 full-time employees, 15 part-time.

ESEA, Title II—Amount available under federal grant, $12,217 in fiscal 1973.

ESEA, Title III Aid to innovative Education—$94,000, 1,500 students served, 8 full-time employees in fiscal 1973.

Occupational, Vocational and Adult Education Special Needs—$20,000 in fiscal 1973. Application for fiscal 1974 filed for $30,000. 40 students served, 6 part-time employees.

School Assistance in Federally Impacted Areas—$109,300 in fiscal 1973.

Title III Adult Education—$15,000 in fiscal 1973, 150 students, 10 part-time employees.

NDEA Title III Audio-Visual Equipment—$10,000 in 1973.

Rent Supplements—$249,757 in fiscal 1973. 1,000 people served. Planning to have additional 150 leased units in 1974. $74,410 will be needed above the 1973 funding level to meet the needs of the community.

Low rent Public Housing—$1,200,000 for modernization. $1,400,000 will be needed in fiscal 1974.

Community Development Programs-Urban Renewal—$3,000,000 in fiscal 1973. An additional $3,000,000 will be needed in fiscal 1974.

Open Space—$445,933 in fiscal 1973. $150,000 will be needed in fiscal 1974.

METHUEN

School Enrollment: 6,112.

ESEA, Title I—Amount Available under federal grant, $65,271 in fiscal 1973. 180 Students served, 4 full-time employees.

ESEA, Title II—Amount Available under federal grant, $3,682 in 1973.

ESEA, Title III—Aid to innovative education—$6,383 in 1973. Requested $16,369 for fiscal 1974.

Occupational, Vocational and Adult Education Special Needs—Would like to apply for $37,483 in fiscal 1974.

Vocational Education Work-Study—Would like $25,558 in fiscal 1974.

Vocational Education Distributive—Would apply for $30,053 in fiscal 1974. Received $11,515 in fiscal year 1973.

School Assistance in Federally Impacted Areas—$68,520 in fiscal 1973.

Special Milk Program—$9,704 in fiscal 1973.

Education for the Handicapped—Would apply for $24,691 in fiscal 1974.

NDEA, Title III Audio-Visual—$6,296 in fiscal 1973. Planned $7,500 fiscal 1974.

NORTH READING

ESEA, Title I—Amount available under federal grant, $30,220 fiscal 1973. 56 students served, 7 full-time employees, 5 part-time.

ESEA, Title II—Amount available under federal grant, $2060 in fiscal 1973.

School Assistance in Federally Impacted Areas—$37,500 in fiscal 1973.

PEPPERELL

ESEA, Title I—Amount Available under Federal Grant Fiscal Year 1973: $23,026. 35 students served. 2 Full time employees.

ESEA, Title II—Amount Available under Federal Grant Fiscal Year 1973: $1,717.

School Assistance in Federally Impacted Areas—$34,000, Fiscal Year 1973.

Education for the Handicapped-Title VI-B—$15,000, Fiscal Year 1973 for mobile speech lab.

Basic Water and Sewer—Preliminary stages were being developed for $1.8 million grant, although formal application to HUD was not made. Fiscal year 1973.

TEWKSBURY

School Enrollment: 6,846.

ESEA, Title I—Amount Available Under Federal Grant Fiscal Year 1973: $49,649. 120 students served. 6 full time employees. 1 part time employee.

ESEA, Title II—Amount Available Under Federal Grant Fiscal Year 1973, $3,896.

NDEA, Title III Audio Visual Equipment—$13,692, Fiscal Year 1973.

School Assistance in Federally Impacted Areas—$8,870, Fiscal Year 1973.

Special Milk Program—$9,182, Fiscal Year 1973.

Basic Water and Sewer—Application for $1,180,000 grant for a sewer system was in the initial planning stages.

TOWNSEND

ESEA, Title I—Amount Available Under Federal Grant Fiscal Year 1973: $11,801. 40 students served. 8 full time employees. 4 part time employees.

ESEA, Title II—Amount Available Under Federal Grant Fiscal Year 1973: $1,154.

School Assistance in Federally Impacted Areas—$3,705 in Fiscal Year 1972.

TYNGSBOROUGH

ESEA, Title I—Amount Available Under Federal Grant Fiscal Year 1973: $16,262.

ESEA, Title II—Amount Available Under Federal Grant Fiscal Year 1973: $769.

School Assistance in Federally Impacted Areas—$14,000, Fiscal Year 1973.

Special Milk Program—$3,200, Fiscal Year 1973.

School enrollment: 1,160.

WESTFORD

School Enrollment: 2,000.

ESEA, Title I—Amount Available Under Federal Grant Fiscal Year 1973: $21,586. 100 students served, 2 full time employees. 12 part time employees.

ESEA, Title II—Amount Available Under Federal Grant Fiscal Year 1973: $2,223.

School Assistance in Federally Impacted Areas—$53,000, Fiscal Year 1973.

WILMINGTON

School Enrollment: 5,208.

ESEA, Title I—Amount Available Under Federal Grant Fiscal Year 1973: $39,286. 80 students served. 3 full time employees. 1 part time employee.

ESEA, Title II—Amount Available Under Federal Grant Fiscal Year 1973: $4,360.

ESEA, Title III Aid to Innovative Education—$25,000 in Fiscal Year 1973.

Nutrition and Health—$13,000 in Fiscal Year 1973. 25 students served. 11 full time employees. 1 part time employee.

School Assistance in Federally Impacted Areas—$45,000 in Fiscal Year 1973.

MANPOWER AND EMERGENCY EMPLOYMENT PROGRAMS

Federal programs including Manpower Development Training Assistance, the Neighborhood Youth Corps, and the Emergency Employment program have provided important and worthwhile work to many of the citizens of the 5th Congressional District. These programs are being terminated or severely cut back.

Not only will this mean an increase in the already too high unemployment rate of the area, but services that are necessary to cities and towns will be lost or municipalities will have to increase their budgets in order to continue these programs.

Under the Emergency Employment Program vital services were provided to towns and cities. In some areas this meant increased police protection, rehabilitation of public buildings, improvement of park areas. These are jobs that cities and towns had not been able to afford on their own.

During the month of July, 1972, the peak period under the Emergency Employment Program, 412 people were employed in 18 cities and towns in the 5th Congressional District. In some of the small towns this meant only one employee; in Lawrence, 135; in Lowell 120.

People employed under EEA were often those members of our society who have the most difficult time finding work; Vietnam veterans, people over 45, and those under 22.

Peak period employment under EEA, July 1972, by city and town

Andover	22
Lawrence	135
Metheun	29
Dunstable	2
Bedford	2
Billerica	18
Chelmsford	19
Dracut	19
Westford	3
Groton	1
Lexington	4
Littleton	2
Lowell	120
North Reading	7
Pepperell	1
Tewksbury	9
Tynsborough	1
Wilmington	18

The Emergency Employment Program has meant that in one month $304,100 was brisght into the 5th District in the form of salaries.

ELDERLY

Programs that have been terminated that affect the elderly include many of the housing programs such as rent subsidies, non-profit sponsor housing which allowed non-profit organizations to build housing for low income groups including the elderly, and rent supplements. More important may be the loss of various social services provided by community action agencies and Model cities agencies; these include the Meals on Wheels programs, the Elderly Outreach program and the Satellite Feeding program.

One of the most severe changes that will increase the costs to the elderly is the proposed Nixon change in the deductible under Medicare. The amount the elderly will have to pay to supplement Medicare hospital and physician payments will rise appreciably.

Hospital care

At present:

For the first 60 days, $72 deductible.

61st to 90th hospital day, $18 per day deductible.

Nixon plan:

Full cost of 1st hospital day (average $90).

10% of *full* cost of each hospital day after the 1st (Average $15 per day).

A two-week hospitalization would cost an elderly person a minimum of $300.

Physicians cost

At present:

Physicians average, $600.

Medicare patient pays, $168.

Nixon plan:

Physicians average, $600.

Medicare patient pays, $124.

For those people on Medicaid, all dental care has been eliminated.

In the 5th Congressional District there are more than 40,000 people receiving Medicare.

HEALTH AND MENTAL HEALTH

Advance funds for Medicare

When Medicare was started, the federal government advanced operating funds to the hospitals on the basis of projected Medicare patients. This practice has continued so that the hospitals could operate.

The Nixon Administration is discontinuing this practice and demanding return of the funds advanced this year.

This will mean that district hospitals will have to return $435,000 to the Federal Government by July 1, 1973. Most of the hospitals will have to borrow these funds at a commercial interest rate to survive.

Current financing to be returned

Nationally	$300,000,000
Massachusetts	7,000,000
District:	435,000
St. Joseph's Hospital	85,000
Lowell General Hospital	60,000
Lawrence General Hospital	150,000
Emerson Hospital	50,000
Bon Secours Hospital	90,000

Hill-Burton construction

The Hill Burton Hospital Construction Act is terminated as of June 30, 1973, and there is no money for it in the President's 1974 budget. This means that there will be no construction funds for much needed additions, improvement, or modernization of hospitals or long term care facilities.

This program has been very helpful to the hospitals in the district:

St. John's Hospital received $400,000 for outpatient and emergency room expansion in 1973.

Lawrence General Hospital received $66,000 for a major addition in 1973 and was planning on $400,000 for additional construction in 1974.

St. Joseph's Hospital received $300,000 for a new building in 1965.

Emerson Hospital had applied for a substantial amount under Hill-Burton and now has no chance of funding.

Nursing capitation grants

All capitation grants for nurse's training are cancelled in the proposed budget. This will raise tuitions at nursing schools throughout the state for thousands of students. Lowell State College received $42,000 for nursing capitation grants in 1973.

Community mental health

There will be no *new* program money for community mental health. This program has stimulated the establishment of some 30 federally funded centers throughout New England, helping to move care away from costly and ineffective long-term and custodial care in state mental institutions.

In Massachusetts, grants totaling some $4 million per annum have been made through the program. Merely to maintain existing and planned services will cost Massachusetts $7,986,000.

In the 5th District:

The Harry C. Solomon Mental Health Center in Lowell has a staffing grant for $500,000. This center will lose all federal support in 1974.

The Concord Area Comprehensive Mental Health Center has a $225,000 grant and will lose all federal support in 1976. It also had a $150,000 Children's Service's grant approved, but now it will not be funded because of impoundment.

Lawrence Hospital had applied for a $50,600 grant for mental health services and will now not be funded. A half-way home for mentally retarded adults is also in serious jeopardy.

There is no evidence that patient fees, third party payments, nor state and local governments can support existing centers at current levels of services, not to mention future needs, thus leaving community mental health emasculated.

OEO PROGRAMS

Two community action agencies—Community Teamwork, Inc. (Lowell) and the Greater Lawrence Community Action Council (Lawrence)—serve a twelve community area in the 5th Congressional District. They have successfully dealt with the problems of low-income families.

Community Teamwork, Inc. received $2,474,993 in fiscal 1973 and was responsible for bringing a total of $3,934,000 in revenues into the community, serving 87,447 people in the process. Under the proposed fiscal '74 budget, CTI is in jeopardy of losing $651,566 various programs including the Merrimac Valley Housing Development Corporation and Emergency Food and Medical Services.

CTI also provided assistance in finding suitable housing, and counseling tenants, consumers, and others. The efforts of the Community Organizational Programs have resulted in the formation of some 25 community groups which are now functioning independently. These include special councils for the elderly, for the Spanish-speaking. In addition CTI was responsible for over 400 people in jobs. Jobs were also found for 900 youths during the summer months.

The Greater Lawrence Community Action Council received $1,390,922 in fiscal 1973 and served a total of 29,858 people in four cities and towns. The Neighborhood Youth Corps contracted employment for 710 teenagers with supportive counseling.

The Senior Citizens program included a reduced fare transportation system, development of hot lunch programs, and aid to councils on aging.

With the President's planned termination of all OEO programs, all the directly-funded anti-poverty programs will be lost, but also lost will be the administrative arm of many other manpower and counselling programs.

LOWELL MODEL CITIES

One of the most important programs begun under the Johnson Administration is the Model Cities Program. The goal of this project was to improve inner cities, to make them once again livable. Under the Nixon budget, the Model Cities Program will be terminated.

Model Cities was originally intended as a five year program that will be phased out after only four years of existence. The first three years were budgeted at $1.75 million each year.

In the fourth year the budget was reduced to $573,000, a cut of 66%. Most of the programs will either be eliminated out right or reduced. Approximately 40 to 45 people will lose their jobs.

The Model Cities Project was able to serve 12,000 people directly or indirectly in the city of Lowell. Now Model Cities will only be able to serve 7,000 people directly or indirectly.

EDUCATION PROGRAMS

Budgeted formerly at: $288,000.

Now: $148,000.

This program included a masters degree internship with Lowell State College. This will be eliminated. Twenty intern slots are eliminated along with the services the interns gave to the surrounding schools and teachers.

UPWARD BOUND

Model Cities working with Groton Prep School eliminated.

Six other programs of education are reduced.

SOCIAL PROGRAMS

Day Care:

This program serviced 45 children and adults. This will be terminated.

Programs for the Elderly:

Funded in the past at: $76,000.

Now: $58,000.

Programs Reduced will include:

Meals on Wheels.

Satellite Feeding.

Programs Eliminated Entirely:

Elderly Outreach.

Loss of 4 or 5 jobs.

HOUSING

Funded formerly at: $180,000.

Programs terminated:

Neighborhood Development.

Paint-Up Campaign.

Subsidized Development, 235-236.

Lead Paint Poisoning Program.

CONCENTRATED CODE ENFORCEMENT PROGRAM

Has planned on $600,000 in loans to improve housing, will receive nothing.

TRAFFIC IMPROVEMENTS

Will be cut for the fourth year.

ENVIRONMENTAL PROTECTION AND DEVELOPMENT

Funded formerly at: $380,000.

Now: $25,200.

Programs eliminated:

Old Canal Walk.

Open Space Program.

International Mall.

Faculty for Human Development.

EMPLOYMENT AND JOB TRAINING

Funded formerly at: $70,000.

Now: $18,200.

Programs eliminated:

Transportation to employment (jobs, work).

Youth Summer Employment Program.

RECREATION AND CULTURE

Funded formerly at: $103,000.

Now: $50,800.

Programs eliminated:

Summer Camp Project.

Cultural activities in music, drama, and ceramics.

CRIME PROGRAMS

Funded formerly at: $34,300.

Now: $5,600.

Programs eliminated:

Police Community Relations.

Academic Assistance.

In Service Training.

LOWELL MODEL CITIES

HEALTH

Formerly funded at: $175,000.

Now: $120,000.

Programs eliminated:

Alcoholism Outreach.

Preventive Dentistry.

Preventive Sanitation.

Family Planning.

However Model Cities will maintain the detoxification center for alcoholism.

CITIZENS PARTICIPATING PROGRAM

Funded Formerly at: $127,000.

Now: $65,000.

Field Services Project terminated—Six jobs lost.

HIGHER EDUCATION

Approximately 400 local students receive some form of federal financial aid while attending Lowell State College or Lowell Technological Institute. It is estimated that as many as half of these students would not be able to attend college without financial aid.

The three basic programs of financial aid are the Educational Opportunity Grants, the National Direct Student Loan (formerly National Defense Loans) and the Work-Study program. The Nixon budget terminates the first two programs and weakens the third.

242 students at the two colleges received $141,231 in Educational Opportunity Grants in 1973. This program would be ended and replaced by the Basic Opportunity Grant for which most students whose families earned between $7,000 and $12,000 a year would not be eligible. Lowell State had planned on receiving $70,000 in fiscal 1974 under the EOG program, Lowell Tech, $109,800.

The Direct Student Loan program is terminated in the Nixon budget. Through this program direct loans are made to students through their schools. The President proposes replacing this with the guaranteed loan program. However, past experience has shown that students with proven need have the most difficult time obtaining such loans from commercial banks. 108 students at Lowell State and 225 students at Lowell Tech now receive direct student loans.

More than 330 students at the two colleges participated in the work-study program. Approximately $120,000 were earned by the students during the year. Both colleges had hoped to expand their work-study programs. However, changes under the programs will mean that more students will be able to work fewer hours under the work-study program.

WATERGATE—IN NIXON TRADITION?

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. MOSS. Mr. Speaker, I include the following article which represents careful and responsible research by a true and professional newsperson. I would like to call my colleagues' attention to this analysis by Richard Rodda, published in the Sacramento Bee on April 29, 1973:

WATERGATE—IN NIXON TRADITION?

(By Richard Rodda)

Was President Richard Nixon personally involved in the Watergate episode?

As the scandal builds to a crescendo, many Nixon followers cling to the belief the President is the victim of a massive betrayal by the White House staff and the Committee to Re-elect the President. Some are stunned, shocked and disillusioned.

But an army of Nixon detractors—grown from a minority on election day, to be sure—may be astounded at the magnitude of the scandal but they are not surprised. Watergate, to them, typifies the Nixon modus operandi.

Authors of "An American Melodrama," a story of the 1968 presidential campaign, sum up the anti-Nixonite attitude: "His opponents have usually found in him a special dishonesty, a deviousness, summed up in the indestructible nickname Tricky Dick. The same perception, no doubt, gave wing to that outrageously successful slogan: 'Would you buy a used car from this man?' "

Beginning with his first campaign for Congress in 1946, Nixon has been the man in charge of his political affairs, down to the minute details. He emphasizes this in his own book "Six Crises," published after his 1960 loss of the presidential race to John F. Kennedy.

Nixon recalls a meeting in the Waldorf-Astoria Hotel in New York in which his campaign staff asked him to deliver a speech on the religious issue, Kennedy, being the first Roman Catholic ever elected to the White House.

"Everyone in the room that night thought I should make such a speech," wrote Nixon, "In the end, I voted 'no'—and since I was the candidate, this was of course a 'majority' vote."

Just two years ago Nixon emphasized he was his own boss in his campaigns. Noting that the Republicans did not do so well in the 1970 congressional elections, Nixon said in a television interview that, had he run the campaigns, some of the crude attacks on dissenters would not have happened.

"Incidentally, when I am the candidate, I run the campaign," he remarked.

It was in his losing 1962 campaign for governor of California, however, that Nixon's involvement in shady aspects of the campaigning was exposed.

The Democratic State Central Committee obtained a court order prohibiting continued distribution of campaign postcard questionnaires by an organization calling itself "Committee for the Preservation of the Democratic Party." The questionnaire implied the Democratic party would "be destroyed" by the re-election of Gov. Edmund G. Brown. The results of the poll were publicized as reporting the "voice of the rank and file Democrat."

Nearly two years later the litigation was settled by a judgment of the Superior Court in San Francisco. This contained a stipulation that the questionnaire was paid for by the Nixon for governor committee and that the poll was distributed by the committee and its contents "revised, amended and finally approved by Mr. Nixon personally."

Cancelled checks by the Nixon committee totalling $70,000 were part of the record.

Among those with active roles in the Nixon campaign then were H. R. Haldeman, campaign chairman; Maurice Stans, Southern California finance chairman; Los Angeles attorney Herbert Kalmbach; Caspar W. Weinberger, Northern California finance chairman; Ronald Ziegler, public relations representative; and Herbert Klein, San Diego newspaperman. All have been associated with Nixon in his White House days.

Haldeman, Stans and Kalmbach are involved in the widespread charges of espionage, payoffs, and perjury surrounding the Watergate bugging and burglary of the Democratic national headquarters in Washington.

Nixon entered politics in 1946 when he challenged and defeated Rep. Jerry Voorhis, D-Los Angeles county. He used a strategy that was destined to carry him to victory in a number of political wars—pinning the "pro-Communist" label on his opponents.

He charged that Voorhis, a five-term respected member of the House of Representatives, had a voting record that was "more Socialistic and Communistic than Democratic."

"He might even have beaten me fairly, given all the circumstances of 1946," wrote Voorhis many years later.

RED BAITING STRATEGY

In 1950, when Nixon defeated Helen Gahagan Douglas for the U.S. Senate, his "red baiting" strategy was intensified.

As a congresswoman from Los Angeles County, Mrs. Douglas had an anti-Communist voting record as genuine as that of any House member. She supported the Marshall Plan, the Point IV program, Reciprocal Trade Agreements and aid to Korea.

But when Nixon got through with her she was being called the "pink lady." He used a distorted version of her voting record, which linked her as a fellow traveler with Rep. Vito Marcantonio of New York, well known for his Communist leanings. What was omitted from the record was that on many occasions Mrs. Douglas and Nixon himself voted together.

The Nixon campaign played hard on the "guilt by association" theme, referring frequently to "Mrs. Douglas and her Communist friends."

When Nixon jumped into national politics as the Republican nominee for vice president in 1952, he turned his wrath against President Harry S Truman, Secretary of State Dean Acheson and Adlai Stevenson, Democratic nominee for president.

According to Nixon, Acheson suffered "color blindness"—a form of pinkeye toward the Communist threat. He said Truman, Acheson and Stevenson were "traitors to the high principle in which many of the nation's Democrats believed."

WARREN CROSSED?

The maneuvering which led to the selection of Nixon as Dwight D. Eisenhower's running mate in 1952 is a lesson in deceit, according to Nixon critics. To this day supporters of Earl Warren, candidate for the GOP nomination, charge that Nixon "double-crossed" California's distinguished governor. As a member of the delegation pledged to Warren, Nixon was working behind the scenes on behalf of Eisenhower.

Nixon's love for political intrigue comes out forcefully in "Six Crises" when he discusses the Alger Hiss case. It is a cloak-and-dagger mystery, as Nixon tells it. It resembles some of the mysterious aspects of Watergate—secret slush funds, Mexican bank accounts, unexplained thousands of dollars in $10, $50 and $100 bills, and hidden records.

The Hiss investigation, which brought Nixon into the national limelight before he was nominated for vice president, featured concealed documents, a midnight rendezvous, the celebrated pumpkin papers, and clandestine meetings.

The outcome was that Hiss, a former State Department official, was convicted of perjury after he has been accused of once being a Communist by the late Whittaker Chambers, a confessed onetime Communist.

Another Nixon attribute in his earlier campaigning was the use of the Communist ploy also on the defensive.

FUND CRISIS

This is made abundantly clear as Nixon relates his second crisis—The Fund. The New York Post, in 1952, had published a story that a number of Nixon's wealthy friends had set up a special $18,000 fund for him while he was in the Senate.

The story broke when Nixon was campaigning on a whistle-stop train in the San Joaquin and Sacramento Valleys. At first he declined to comment. But when the train was about to pull out of Marysville a voice from the crowd shouted: "Tell us about the $18,000."

"That did it," wrote Nixon. "Despite all our plans to ignore the attack, I could not see myself running away from a bunch of hecklers. I wheeled around and shouted, 'Hold the train!' "

Nixon then explained to the crowd:

"You folks know the work that I did investigating Communists in the United States. Ever since I have done that work the Communists and the left wingers have been fighting me with every possible smear. When I received the nomination for the vice presidency I was warned that if I continued to attack the Communists in this government they would continue to smear me. And believe me, you can expect that they will continue to do so. They started it yesterday. They have tried to say that I had taken $18,000 for my personal use.

"What they didn't point out is that rather than charging the American taxpayer with the expenses of my office, which are in excess of the amounts which are allowed under the law, what I did was to have these expenses paid by the people back home who were interested in seeing that information concerning what was going on in Washington was spread among the people of this state . . ."

CHECKERS SPEECH

A few days later Nixon made his famous "Checkers" speech over a national radio-television network, giving his life story with its early hardships. The story appealed to the public and to Eisenhower, who rejected requests that Nixon be dropped from the ticket.

In 1962 Nixon closed his campaign for governor with a statewide television address charging he was the victim of a "malicious smear campaign."

But the Fair Campaign Practice Committee of California took a look at complaints filed during the campaign. It condemned the Republican campaign tactics on three counts: Distribution of a booklet entitled "Communist Dynasty in California", issuance of a leaflet by a "Citizen's Fact Finding Committee" on Gov. Brown and the mailing of the postcard questionnaire by the so-called "Committee for the Preservation of the Democratic Party."

The committee was composed of four Republicans and four Democrats. The late N. C. Templeton of Sacramento, a Republican, was cochairman.

SENATE—*Tuesday, May 1, 1973*

The Senate met at 12 o'clock noon and was called to order by Hon. DICK CLARK, a Senator from the State of Iowa.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, who has made and preserved us a nation, we thank Thee for men of high vision and steadfast fidelity to Thy law who in every age have lifted high the banner of truth and righteousness which exalts a nation. We thank Thee for citizens who love and serve Thee, who abhor the wrong and disdain to do evil. We thank Thee too for every painful period of scrutiny which leads to cleansing and renewal. Purge us of all that blemishes, corrupts, or defiles our common life, and fill us with Thy grace that we may walk in paths of righteousness for Thy name's sake. Keep us under Thy transcendent rulership, that in the final judgment it may be said we have ever been a "nation under God."

In Thy holy name we pray. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

> U.S. SENATE,
> PRESIDENT PRO TEMPORE,
> *Washington, D.C., May 1, 1973.*
>
> *To the Senate:*
>
> Being temporarily absent from the Senate on official duties, I appoint Hon. DICK CLARK, a Senator from the State of Iowa, to perform the duties of the Chair during my absence.
>
> JAMES O. EASTLAND,
> *President pro tempore.*

Mr. CLARK thereupon took the chair as Acting President pro tempore.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States, submitting a nomination, was communicated to the Senate by Mr. Marks, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session, the Acting President pro tempore (Mr. CLARK) laid before the Senate a message from the President of the United States submitting the nomination of Elliot L. Richardson, of Massachusetts, to be Attorney General, which was referred to the Committee on the Judiciary.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 4682) to provide for the immediate disposal of certain abaca and sisal cordage fiber now held in the national stockpile, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker has affixed his signature to the enrolled bill (S. 1494) to amend section 236 of the Central Intelligence Agency Retirement Act of 1964 for certain employees to limit the number of employees that may be retired under such act during specified periods.

The enrolled bill was subsequently signed by the Acting President pro tempore (Mr. CLARK).

HOUSE BILL REFERRED

The bill (H.R. 4682) to provide for the immediate disposal of certain abaca and sisal cordage fiber now held in the national stockpile, was read twice by its title and referred to the Committee on Armed Services.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, April 30, 1973, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

REDUCTION OF U.S. FORCES IN EUROPE

Mr. MANSFIELD. Mr. President, in the Christian Science Monitor, under date of Monday, April 30, 1973, there is published an article entitled "United States Wants Help Funding NATO," with a subtitle "Pay Fair Share,' Allies Told."

For the benefit of the Senate, I should like to read certain excerpts from the article written by Charlotte Saikowski:

> Americans last year devoted about 7.5 percent of their gross national product to defense. West Germans contributed about 4 percent, Belgians 3.3 percent, Norwegians 3.8 percent, Italians 3.1 percent, and the British 5.8 percent.

Further on, again quoting:

> There are two aspects of the problem. One is that the United States spends a larger proportion of its annual budget and GNP on defense than do its Atlantic partners. The other derives from the fact that the U.S. maintains some 300,000 troops in Europe, which creates a balance-of-payments drain larger than that of any West European country.
>
> Last year the total American trade deficit amounted to $10.5 billion. Of that, $2.1 billion represented the balance-of-payments cost for NATO defense in Europe—the stark statistic that has given rise to congressional pressure for a withdrawal of American troops.
>
> What troubles administration officials is a growing disinterest in defense on the part of some European nations. The Danes, for instance, have decided to reduce their armed forces by several thousand men. They also have a plan for reducing the period of conscription from 12 to nine months.
>
> The Belgians, to cite another example, decided to withdraw a number of troops stationed in West Germany and bring them back to Belgium.

Further on, again quoting:

> West Germany, where the bulk of American troops are stationed, alone helps share the U.S. defense cost. Since the 1960's the two countries have concluded "offset agreements" to neutralize the adverse impact on the U.S. balance of payments. Bonn helps stem the flow of U.S. dollars abroad by obtaining military equipment in the United States, renovating facilities used by American troops in Germany, and purchasing U.S. Government securities.
>
> Under the current two-year accord, which expires June 30, the West Germans have purchased more than $1.2 billion worth of airplanes, helicopters, and other sophisticated hardware in the United States. They also have spent $186 million rehabilitating run-down barracks for American troops.
>
> Total benefits to Washington come to more than $2 billion—about 80 percent of the cost of stationing the troops there.
>
> The purchase of securities is only a temporary advantage, however. In the long run the loans must be paid back—

With interest, I might add—

> so nothing is really gained. For this reason, say U.S. officials, there is a good chance this aspect of the offset agreement will not be renewed.

Mr. President, I ask unanimous consent that the complete article by Miss Saikowski be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNITED STATES WANTS HELP FUNDING NATO

(By Charlotte Saikowski)

Americans last year devoted about 7.5 percent of their gross national product to defense. West Germans contributed about 4 percent, Belgians 3.3 percent, Norwegians 3.8 percent, Italians 3.1 percent, and the British 5.8 percent.

The average GNP defense outlay for NATO countries as a whole was 4.2 percent.

It is figures such as these that gave impetus to Henry A. Kissinger's blunt warning to West Europeans this week: The United States will not pull out its troops from Europe unilaterally, but it expects each Atlantic ally to bear "a fair share" of the defense burden.

While Mr. Kissinger boldly set the stage for the development of a new compact with Europe, various departments of government—State, Treasury, Defense, and others—were in the throes of working out a new defense burden-sharing plan as one component of that compact. The search goes on. A highly complex problem that relates also to trade and monetary questions, it is certain to be raised when President Nixon meets with West German Chancellor Willy Brandt next week.

There are two aspects of the problem. One is that the United States spends a larger proportion of its annual budget and GNP on defense than do its Atlantic partners. The other derives from the fact that the U.S. maintains some 300,000 troops in Europe, which creates a balance-of-payments drain larger than that of any West European country.

Last year the total American trade deficit amounted to $10.5 billion. Of that, $2.1 billion represented the balance-of-payments cost for NATO defense in Europe—the stark statistic that has given rise to congressional pressure for a withdrawal of American troops.

What troubles administration officials is a growing disinterest in defense on the part of some European nations. The Danes, for instance, have decided to reduce their armed forces by several thousand men. They also have a plan for reducing the period of conscription from 12 to nine months.

The Belgians, to cite another example, decided to withdraw a number of troops stationed in West Germany and bring them back to Belgium.

Militarily this is not viewed as significant. But U.S. officials voice concern that if countries like Denmark or Belgium take actions which suggest less determination to maintain their defense strength, this could have a contagious effect.

West Germany, where the bulk of American troops are stationed, alone helps share the U.S. defense cost. Since the 1960's the two countries have concluded "offset agreements" to neutralize the adverse impact on the U.S. balance of payments. Bonn helps stem the flow of U.S. dollars abroad by obtaining military equipment in the United States, renovating facilities used by American troops in Germany, and purchasing U.S. Government securities.

Under the current two-year accord, which expires June 30, the West Germans have purchased more than $1.2 billion worth of airplanes, helicopters, and other sophisticated hardware in the United States. They also have spent $186 million rehabilitating run-down barracks for American troops. And, lastly, they have purchased $612 million worth of U.S. Treasury securities.

Total benefits to Washington come to more than $2 billion—about 80 percent of the cost of stationing the troops there.

The purchase of securities is only a temporary advantage, however. In the long run the loans must be paid back, so nothing is really gained. For this reason, say U.S. officials, there is a good chance this aspect of the offset agreement will not be renewed.

What Mr. Kissinger has in mind by a "fair share" is yet far from clear, for proposals under discussion in the administration are only in the formative stage. The goal, say U.S. officials, is to achieve some arrangement where the cost of stationing troops in Europe would be no more than maintaining them at home. Besides the agreement with Germany, there could be similar agreements with other NATO countries, which provide no budgetary support to the U.S. at present, or possibly some form of multilateral burden-sharing.

In broad terms, too, the administration seeks greater equity not merely between the United States and Europe but between the European nations themselves. And, at a time when Washington is thinking about decreasing its forces vis-a-vis those of the Soviet Union, it is expected President Nixon will ask the Atlantic allies to devote more resources to their own defense.

At this stage the entire complex of defense, trade, and monetary matters is under review. High administration officials have denied that Mr. Nixon will link trade and defense—threatening to pull back on the U.S. military commitment if Europe does not come up with suitable arrangements in the GATT (General Agreement on Tariffs and Trade) talks.

A TIME FOR RENEWAL

The ACTING PRESIDENT pro tempore. Does the minority leader desire recognition?

Mr. SCOTT of Pennsylvania. Yes, Mr. President.

It is written in the Great Book that where there is no vision, the people cast off restraint. We need, from time to time, to assess where we are, how we are doing, and where we are going.

The year 1972 was a good year for peace; 1973 is a year in which we can build upon the achievements of the peace so as to make the enjoyment of peace more widespread and more secure.

The people of this country, as they feel the need for a vision of the future, can look around and see that 25 years ago we were not speaking to 25 percent of the people of the world. Today we are. They can look back to a period of far less affluence than they enjoy today. They can look back to a period of class struggle, of class hatred, and of great and terrible labor conflicts and the oppression of the workingmen of the country.

They can look forward, it seems to me, to better relationships with the great powers of the world—to an emerging strong Europe, to a Soviet Union with whom we are in constant discussion and growing accord, to the People's Republic of China, where thoughts that could not even be thought a few years ago are turning, hopefully, into realities.

If the people had no vision, they would, of course, cast off restraint. But their vision needs to be a whole vision, a vision of all the Union and of all the elements on which we base our pride.

The Romans had a custom, every 5 years, of lustration, or cleansing. In our system of government, we have our lustrations every 6 years in this body, and in the other body every 2 years. But a time of cleansing comes, and we are going through one in this fifth year. This cleansing is salutary. This lustration is one which can only put behind us memories of when we have not always been as perfect in our system of governing ourselves as we would like. But we can look ahead of us to the fact that the system works, the democratic processes work, the government works, and the people have seen for themselves that a lustration has occurred and that it is working, too.

So I plead for a whole vision, a vision not only of those things which ought not to have happened but also a vision of things which have happened—and a greater vision, still, of all those things which can happen to this great Nation as it nears its 200th birthday.

I think we have much to be proud of. Above everything, we have the right to be proud of ourselves, that we are accommodating to a world in which change races apace and ahead of our footsteps.

So as I end, I praise the President of the United States for a quality which I admire in public men particularly, the quality of grace which can be defined as courage under pressure. The President exhibited that courage last night, and we have every reason to be proud of him for it.

Difficult situations require difficult remedies. I can only hope now that in a spirit of mutual tolerance, one to another, we will go ahead and build the future the better for the lessons of the past.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Colorado is recognized for not to exceed 15 minutes.

NUCLEAR TESTS IN COLORADO

Mr. HASKELL. Mr. President, I rise today to alert my colleagues of yet another encroachment on the prerogatives of this institution. To some, the issue may seem small, but I believe it is yet another example of the administration's arrogance in dealing with this body.

For some time now the Atomic Energy Commission and a private organization called Geonuclear Corp. have been making plans to detonate three 30-kiloton nuclear explosive devices in Colorado. The attempt will be to stimulate a flow of natural gas. The experiment, called project Rio Blanco, is part of the AEC's Plowshare program, designed to find peaceful uses for atomic weapons.

The test was first planned for March. It was then delayed, for unexplained reasons, until mid-May. I have been investigating the project since I was sworn in as a Member of the Senate. I announced my opposition to the project in March and have been continuing further investigation since that time.

I have written letters to Dr. Dixy Lee Ray, Chairman of the Atomic Energy Commission and to Rogers C. B. Morton, Secretary of the Department of the Interior. My most recent letter to Secretary Morton was sent on March 29. A copy of that letter was sent to Chairman Ray. I have not even had the courtesy of a reply to the detailed information I set forth in that letter.

I also wrote to the Department of the Interior, objecting to a transfer of 360 acres of public land from the Bureau of Land Management to the AEC. The land transfer was necessary before the blast could proceed. I did not receive a reply to that protest, either. The land transfer was carried out last Friday. I learned that from my Denver office, and I finally received a tardy notification from the Liaison Office of the Department of the Interior.

Mr. President, I asked Chairman Ray for detailed information concerning the radioactive elements resulting from the blast. Instead of a complete and straightforward answer, I was given a partial answer and was offered a classified briefing by the Atomic Energy Commission. This test affects the health and the welfare of the people of Colorado and our Nation, and the information about this test and its side effects must be made available to all of us.

Just a moment ago, at a hearing of the Interior Committee, I asked Dr. Ray why this information was not forthcoming as a public matter. I was told that, for some reasons not known to the chairman, it was prohibited by the Department of Defense.

In an attempt to get some answers to my many questions, a hearing on the project has been scheduled on May 11 before the Subcommittee on Public Lands of the Senate Interior Committee. I have the honor of chairing that subcommittee.

Just yesterday, another affront was added to the growing list of complaints. The AEC announced that the blast would take place on May 17. I was first told of this by a competent newspaper reporter from Colorado. The chronology of events, with the hearing on May 11 and the blast on May 17, might seem to indicate that nothing is wrong. But appearances, as usual, are deceiving. Due to the time it takes for final preparations, the nuclear devices will be lowered into the hole on May 9, 2 days before the hearing. The hole will be sealed and filled for the blast; and even if the hearing results, as I am sure it will, in new evidence coming to light, there will be no way to stop the device from being buried. Neither the Atomic Energy Commission nor the company conducting the test has made any plans for removing the device from the ground should there be a reason not to continue.

In short, we are ignored by an arrogant administration and bureaucracy. The AEC refuses to listen to outside comments, to answer outside questions, and the bureaucracy grinds on and on.

Mr. President, I ask unanimous consent that my letters addressed to Secretary Morton and Chairman Ray, a synopsis of the project prepared by my office, Dr. Ray's answer to my first letter, and the numerous protests lodged by citizens of Colorado be printed in the RECORD at the conclusion of my remarks.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 1.)

Mr. **HASKELL**. Mr. President, I would be delighted to insert in the RECORD the answers to some of my letters directed to the Department of the Interior, but unfortunately I do not have any.

This project will not solve our critical national gas shortage. Literally hundreds of nuclear detonations would be required to develop the full field. The specter of hundreds of atomic bombs being detonated in Colorado is appalling and is unacceptable to me and to my fellow citizens in Colorado.

We must work toward developing alternate methods, such as hydrofracting, for developing this vital natural resource. The wellhead price of natural gas must rise to between 50 and 60 cents before the nuclear method will be economically feasible. Reliable estimates indicate that there would be sufficient inducement at this price level to find alternate measures of extracting this gas. In fact, expert testimony indicates that hydrofracting would be economically feasible at the same price; that is, between 50 and 60 cents. Such hydrofracting would not have the obvious problems associated with radioactive blasts, to say nothing of using radioactive gas in homes.

At the very least, the many unanswered questions can no longer be ignored. I have requested that the test be delayed until Congress has an opportunity to investigate the matter.

Mr. President, Project Rio Blanco does not make sense. The people of Colorado will not accept full field development using nuclear devices. An alternative must be found and used to make that vast resource of natural gas available but in an acceptable manner.

Mr. President, I yield back the remainder of my time.

EXHIBIT 1

SYNOPSIS OF PROJECT RIO BLANCO

Project Rio Blanco is an experiment sponsored by the Atomic Energy Commission designed to stimulate production of natural gas from tight gas reservoirs by detonating nuclear explosives. Unless the project is halted or delayed, three 30 kiloton nuclear explosives will be detonated simultaneously in a single well bore in Rio Blanco County in mid-May.

Project Rio Blanco is Phase I in a three part demonstration program designed to study the feasibility of producing natural gas for consumer use from underground reservoirs by means of nuclear stimulation. Phase II contemplates nuclear stimulation of four to six wells with three to five nuclear explosives per well for a total of 12 to 30 detonations. Its purpose is to provide the experimental, reservoir, and operational data necessary to justify the large investment required in Phase III. Phase III would be the last or pilot plant step in demonstrating that natural gas can be commercially produced by nuclear stimulation. Phase III contemplates stimulation of 20 to 60 wells and detonation of probably 60 to 300 nuclear explosives, the number necessary to justify construction of a major gas pipeline into the area. Full field development would follow Phase III and would require 140 to 280 wells and detonation of probably 420 to 1400 nuclear explosives. Gas produced by nuclear stimulation is radioactive and, if used commercially, would be brought into the homes and factories of persons living in Colorado.

Doctors, scientists, environmentalists, legislators, and interested citizens are concerned about the impact of Project Rio Blanco. Their concerns focus primarily on threats to public health and the environment which the Project poses. Another primary concern is the waste of money, resources and men which would occur if the Project were undertaken. Not only is it extremely unlikely that the federal government will permit, much less encourage, detonation of about a thousand nuclear devices to produce but a few percent of projected national energy needs, but it is extremely likely that tight gas reservoirs can be stimulated more economically, and without the attendant public health and environmental risks, by hydraulic fracturing. Finally, these people raise important questions about the overall concept of recovering natural gas by nuclear stimulation. A summary of the major objections and questions raised by the proposed Rio Blanco project follows.

Three documents will frequently be cited in this summary. They are the original Environmental Statement published by the United States Atomic Energy Commission in April, 1972, the Addendum to the Environmental Statement published by the AEC on March 12, 1973, and Project Rio Blanco, a fact booklet jointly published on March 1, 1973, by the AEC and CER Geonuclear Corporation, the industrial cosponsor of the project.

CONCERNS RAISED OVER THE INITIAL RIO BLANCO NUCLEAR GAS STIMULATION EXPERIMENT

1. Property Damage: Non-industrial property damage resulting from the ground movement caused by the detonation is estimated by the AEC to range from $38,000 to $64,000. Considering the sparsity of the population in the area, this damage cannot be considered negligible.

2. Rock Falls and Slides: The Environmental Statement and the Project Rio Blanco fact book both state, "Road and railroad cuts in the Western Slope region, frequently bordered by steep and sometimes perpendicular bluffs, are susceptible to rock falls and slides, especially during the spring thaw period." (ES 3-11, PRB 16) The Rio Blanco detonation is scheduled for spring.

3. Disposal of Tritiated Water: Rio Blanco gas must be dried before flaring. The AEC has proposed four methods of disposing of the tritiated water accumulated from the drying process. Injecting the water into the gas to be flared, evaporation from ponds, or release to nearby streams all allow the tritium to enter the biosphere. A highly preferable method of disposal involves injecting the tritiated water down the Fawn Creek Government No. 1 Well into low permeability gas sand at the same depth as the Rio Blanco chimney. According to the AEC, once the water is pumped into place, it is immobilized and isolated from any aquifier. While this method indeed sounds preferable to the others suggested, the AEC offers no guarantee that it will work. The Addendum to the Environmental Statement states that the feasibility of this approach will be investigated before the detonation, but, even now, only a few weeks before the detonation is scheduled, there appear to be no definite plans as to how or when these tests will occur. Prudence would suggest that feasibility experiments be carried out with tracer amounts of radioactivity in advance of Rio Blanco rather than using the much more radioactive tritiated water from the full scale project. Approval for Rio Blanco should certainly be delayed until the results of the preliminary experiments have been evaluated and feasibility determined.

4. Radioactive Materials Released into the Biosphere by the Flaring: The estimated radiation dosage from the planned flaring is small, but, as the AEC's Environmental Statement notes, "While the radiation exposure to man from dry deposition is estimated to be a very small fraction ($\ll 1\%$) of the natural annual background, there is the opinion held by some scientists that any exposure above annual background (approximately 140 mrem per year at this location) should be avoided." (ES 3-14) While the calculated radiation exposures which may result from the Rio Blanco experiment appear below normal standards, they must be viewed in the light of the recent report of the National Academy of Sciences—National Research Council Advisory Committee on the Biological Effects of Ionizing Radiation (BEIR Report). This report was released in the fall of 1972 after the original Rio Blanco Environmental Statement, and there is no evidence it was considered in preparing the Addendum. This report makes among others the following recommendation: "No exposure to ionizing radiation should be permitted without the expectation of a commensurate benefit." Thus, the exposures of the Rio Blanco Project must be evaluated in light of the direct benefits of the experiment, not of the full-field development. And the estimated benefits of full-field development must be evaluated in light of potential exposures which result from using gas produced by the 420 to 1400 nuclear explosives.

5. Release of Carbon 14: The most dangerous of the radioactive isotopes to be released by flaring is Carbon 14. Because carbon is a basic building block of life, there is a tendency for Carbon 14 to become part of the life chain. The mitigating factors are (1) a relatively small amount of Carbon 14 will be released, and (2) it will be in the form of CO_2 (carbon dioxide) with a high dilution factor.

6. Alternative Methods to Flaring: The AEC considered two alternative methods for disposing of the gas withdrawn during production testing: (1) storage of the produced gas, and (2) controlled combustion of the gas and storage of the combustion products.

Either of these procedures would more than double the cost of the Rio Blanco experiment. The process of flaring is the one point in the experiment, however, where it is certain that radioactive materials will be released into the biosphere. Since the Rio Blanco project is an experiment and full-field development may not occur, it seems reasonable that the extra expense might be justifiable to limit or prevent radioactive material from entering the biosphere.

7. Failure to Contain the Explosion: This is considered highly unlikely, but it is possible.

8. Accidental Venting: Accidental venting has occurred in more than 20 U.S. nuclear tests at the Nevada test site including those in the lower yield ranges. Despite precautions and a thorough knowledge of the Nevada test site, radioactive materials have been released into neighboring communities which are much more distant than those surrounding Rio Blanco. Even though the depth of the Rio Blanco explosions will be greater than normaly used in Nevada, the risk that venting will occur here cannot be disregarded, particularly since three simultaneous explosions in a single shaft have never been carried out before.

9. Non-detonation: This is very unlikely, but if it should occur, there is no plan to remedy the situation. The Environmental Statement states: "Should a Rio Blanco explosion fail to detonate upon command, it will not be in a condition where it can be inadvertently detonated at a subsequent time. It is not planned to attempt to retrieve any such explosive; the re-entry plan will be altered as necessary to compensate for the presence of the explosive." (E–66) This situation would result in large quantities of either Uranium 234 or Plutonium being left in the ground. The Handbook of Chemistry and Physics describes Uranium as "'highly toxic, both from a chemical and radiological standpoint" and Plutonium as "one of the most dangerous poisons known."

10. Escape of Radioactive Debris from Wellcasings or Chimneys: In addition to the planned release of radioactivity due to flaring, there will be considerable amounts of radioactivity remaining in the well bore and chimney region. The exact isotopic composition of this radioactivity is not reported in the Environmental Statement, presumably because of security reasons. There is the risk that the radioactive debris will seep out of the wall casings of the chimneys created by the explosion into the water layers and eventually into some use points. The dangers of this occurring are hard to evaluate since the geologic situation in the Nevada desert is radically different from Colorado; subsurface ground water is known to be present, and the distance the materials must travel from the explosion site to uncontrolled human habitation is very much less. Very large quantities of the most dangerous long life fision products Sr 90 and Cs 137 will be left in chimneys in a form, according to the Environmental Statement, capable of being dissolved in any liquid water present. This hazard is disregarded without detailed analysis because no mechanism can be hypothesized whereby it can get into ground water. If Sr 90 accidentally leaches into the water-table, some mechanism will be hypothesized after the fact, but then it will be too late to prevent pollution of Colorado water supplies. It is worth noting that the Colorado River, which serves 27 million people, is about 10 miles from the Rio Blanco site.

11. Social, Economic and Environmental Costs: It is difficult to evaluate the cost-benefit from Rio Blanco without considering it a part of future development. Yet, *Project Rio Blanco* states that "Neither the AEC or CER is committed to planning or conducting any nuclear gas stimulation tests beyond this scheduled Rio Blanco test." (PRB 13) The experiment has definite social, economic and environmental costs. The principal benefit of the project against which these costs must be weighed is the acquisition of technical information concerning the feasibility of stimulating the gas reservoir in question by nuclear devices. The Environmental Statement mistakenly compares to a great extent the benefits to be gained from full-field development with the costs of this experiment instead of those of full-field development. In the Plowshare excavation program, premature experiments were carried out, spreading large amounts of radioactive material over large areas of the U.S. It was not until later that careful economic, technical, safety and public attitude analyses showed that the use of nuclear explosives to build a sea level Panama Canal was obviously impractical. Project Rio Blanco's only value lies in information it provides about the feasibility of the subsequent phases which may never be carried out in view of the large number of nuclear explosions required. Furthermore, the funds for the development of sequentially fired nuclear explosives which are considered to be superior to the type to be used in Rio Blanco have been removed from the AEC program with the indefinite postponement of Project Wagon Wheel. If the gas stimulation is important, then this development should precede the exposure of Colorado to environmental damage.

12. Dangers of Seismic Disturbances: The AEC states that the Rio Blanco test will result in a series of innocuous small aftershocks, none having an equivalent Richter magnitude greater than 3 (compared with equivalent Richter magnitude 5½—body wave—for the explosion itself). They also note that ". . . it is not impossible in principle that some future explosion, if fired in a region where high natural stress had built up, might trigger an earthquake with greater seismic energy and greater hazard potential than the explosion itself." (ES 3–13)

13. The Environmental Statement Addendum and Public Comment: The AEC Notice of Availability, published in the *Federal Register* of March 12, 1973, does not invite comments from interested members of the public on Project Rio Blanco and does not indicate that any comments which might be submitted would be considered prior to a decision to undertake the project. In addition, the Department of the Interior, which must formally transfer the land involved to the AEC for use during the test, has not furnished specific information as to the procedures to be followed if protests to this land withdrawal are filed. These two examples, from among many, raise questions as to whether the public has had adequate time and opportunity to make its views felt on the Rio Blanco project.

CONCERNS RAISED ABOUT PHASE II, PHASE III, AND FULL FIELD DEVELOPMENT

1. Lack of an Environmental Statement on Phase II, Phase III, and Full Field Development: The Environmental Statement and subsequent Addendum pertain almost exclusively to the initial Rio Blanco experiment. The Environmental Statement, when referring to the various effects of such testing on the environment, notes that more complete treatments of these questions would, of necessity, be contained in subsequent environmental statements. It has been suggested that failure to consider the environmental impact of subsequent testing and development violates the National Environmental Policy Act (P.L. 91–190) which requires a detailed statement by the responsible official which should include, among other things, (1) "the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity," and (2) "any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented." It should be noted that the three hundred explosions required for Phase II and Phase III are more than the AEC has conducted in the entire ten years since the Limited Test Ban Treaty came into effect in 1963. The entire program must be examined.

2. Property Damage: In order not to inconvenience the local residents, the AEC suggests that in the future phases, when more wells and detonations are involved, multiple well stimulations will occur within a single day: "A typical day might involve a number of well simulations, each consisting of two or more detonations. Thus, the number of such disruptive days would be minimized in the development of the entire unit." (ES 9–3) If non-industrial property damage from the single Rio Blanco test may run as high as $64,000, how much property damage and resulting inconvenience can be expected from multiple well simulations conducted on one day?

3. Rock Falls and Slides: If rock falls and slides are expected to result from the single test, what will be the result of multiple well stimulation.

4. Seismic Disturbances: Again, the AEC provides no adequate assessment of the effect of multiple well stimulations in this area. According to Thomas Ten Eyck, Colorado's Director of Natural Resources, quoted in *Time*, April 9, 1973, "I just don't know what would happen seismically after you've wracked the earth 140 times."

5. Escape of Radioactive Debris from Well-casings or Chimneys: According to *Time*, April 9, 1973, "Denver Geologist David Evans believes that the blasts would create subterranean radioactivity that would sooner or later seep into the Colorado River system—and contaminate the drinking water of 27 million people in seven states." Such a claim should be thoroughly investigated.

6. Environmental Hazards Resulting from Carelessness: Dangers to the environment posed by multiple well stimulations proposed for Phase II and Phase III will be greater than the simple multiple of the explosions conducted. Such a large number of explosions in a short time can never be carried out with the equivalent care of a single one.

7. Resident Response to Multiple On-Going Detonations: No research has been done to determine whether the population of the Rio Blanco area would be amenable to the idea of the construction of the rather substantial number of wells envisioned in the plans for Phases II and III and for full field development. In addition to resident feeling about disruption of their daily routines by continuing detonations and the constant threat of property damage, their reactions to having large amounts of radioactive materials stored in the chimneys of the wells in the area should be assessed. Although the population in the area is relatively sparse, the views of the community on the problems posed by the project cannot be overlooked.

8. Continuation of Flaring: Although the AEC expresses the hope that flaring of radioactive gas into the atmosphere for production testing will not normally be anticipated as time goes on, they admit that some flaring may still be necessary. The problem of disposing of the tritiated water, discussed above, reoccurs here as does the possibility of releasing other radioactive materials into the environment. Because of the number of wells involved in the latter phases of the experiment, the possibility of continued flaring poses increased problems. If the one flaring anticipated with the original Rio Blanco experiment adds about 1% to the yearly radiation background, what would multiple flaring do to the level of radioactivity in the biosphere?

9. Effect on Oil Shale Recovery: The natural gas deposit to be recovered in the Rio Blanco area lie under a vast reserve of oil shale. Though it is unlikely, there is a possibility that radioactive materials could penetrate the layer of oil shale. In addition,

if the blasts continue, scientists predict that immense amounts of radioactive fission products left in the earth will pose a lingering danger to workers who may eventually mine the shale.

10. Possibility of Full Field Development: Many experts have expressed grave doubts about the likelihood of full field development. Colorado's Governor John Love has indicated that his approval of the initial Rio Blanco experiment does not in any way imply that he is in favor of full field development. From that perspective, the risks involved in the planned initial test are unacceptable, regardless of how minimal they may be assessed to be. Why accept any risk of radioactive contamination of air or water, or create a radioactive cavern demanding perpetual monitoring if the program will produce nothing of value.

11. Consumer Acceptance of Gas Procured by Nuclear Means: One would expect that before large amounts of money are spent developing the technology for retrieving natural gas by nuclear stimulation, the safety criteria for selling that gas would at least have been developed and approved. This has not been done. In addition, no studies have been undertaken to discover whether consumers would be willing to buy gas obtained in this way for use in their homes. The possibility exists that consumers would rather pay more for some other kind of fuel than risk the dangers, no matter how minimal, of using radioactive gas.

12. Experience with Project Rulison: The AEC contends that Project Rulison was successful. According to a recent study funded by the National Science Foundation, which examined the experiment from the financial, social, and environmental angles, the project was a failure on all counts. To quote from *Time*, April 9, 1973, "The researchers found that Rulison cost a total of $11 million but yielded gas that would be worth only $1.5 million—if it were uncontaminated and of high quality. Unfortunately the gas released by Rulison is chemically inferior to gas from conventional wells in the same field and contains excessive amounts of radioactive byproducts like tritium."

CONCERNS RAISED REGARDING THE VALUE OF THE CONCEPT OF RECOVERING NATURAL GAS BY NUCLEAR STIMULATION

1. Inadequate Exploration of Alternative Methods of Procuring Natural Gas Trapped in Underground Reservoirs: The Addendum to the Environmental Statement refers to the use of hydraulic fracturing as an alternative to nuclear stimulation. This technique has shown increasing potential in recent years and is considered economically competitive with nuclear stimulation. This Addendum notes, "Preliminary estimates by experts in both fields indicate that the range of potential production costs per MSCF of gas is similar." (A-ES 6-2) On the other hand, hydraulic fracturing has none of the possible hazards involved in carrying out hundreds of nuclear explosions. The Addendum refers to its potentialities as "presently achievable but not yet demonstrated" (A-ES 6-2) which, after all, is not less advanced than nuclear gas stimulation. In fact, the purpose of the first 20 to 60 Rio Blanco nuclear explosions would be to determine whether economic nuclear gas stimulation can be achieved in Rio Blanco type reservoirs and to demonstrate its feasibility. In view of these similarities and the reduced risks from hydraulic fracturing, this technique should certainly be investigated thoroughly before entering a program involving hundreds of nuclear explosions. In this connection, the new FPC regulation, which was not considered in any of the Environmental Statements, allows higher prices for natural gas, and this should have a profound effect on the economics of conventional gas exploitation and the size of the supply.

2. The Nature of the Energy Crisis: Considerable questions have been raised as to how critical the short-term energy crisis really is. The Environmental Statement asserts, "A shortage of natural gas exists in the United States." (ES 2-1) According to the Lawrence Livermore Laboratory report, "An Analysis of Gas Stimulation Using Nuclear Explosives" (p. 15), there were about 13 years supply of proven U.S. natural gas reserves as of December 31, 1970. The report estimates that there is a potential supply for about 49 years at current usage without using nuclear stimulation. According to the Colorado Interstate Gas Company, "There is a general agreement that the current deficit in natural gas supply from conventional sources is the result of regulatory and economic conditions and is not due to a shortage of potential gas reserves. The Potential Gas Committee reports undiscovered natural gas reserves in the U.S. as of December 31, 1973, estimated to be 1,178 trillion feet. This figure compares with 679 trillion feet discovered to date (1973). These undiscovered potential reserves are defined by the Potential Gas Committee as "reserves that will be found by test wells which can be expected to be drilled in the future under assumed conditions of adequate but reasonable prices and normal improvements in technology." Assuming some of the gas goes undiscovered, and the rate of usage continues to climb, 25 years supply of natural gas within the boundaries of the U.S. is a very reasonable, conservative estimate. The estimates of recoverable gas from nuclear stimulation in the Rio Blanco Field range from 3.4 to 6 trillion feet or from about two to three months supply at current usage rates. The total Piceance Basin might provide an estimated 20 trillion feet and would require more than 600 nuclear events.

3. Inadequate Exploration of Other Energy Sources: In its Environmental Statement, the AEC discusses the progress of research being done on developing numerous other energy sources and modifying existing sources so as to make them conform to environmental standards. Many legislators and scientists feel strongly that money currently devoted to projects such as Rio Blanco should be diverted to more intensive investigation of other promising energy sources.

U.S. SENATE,
Washington, D.C., February 14, 1973.
Hon. DIXIE LEE RAY,
Chairman, U.S. Atomic Energy Commission, Washington, D.C.

DEAR DR. RAY: I would appreciate it if you would have a member of your staff let me know as soon as possible two items concerning the proposed Rio Blanco shot in Colorado—

(1) The quantity of each radioactive element resulting from the shot; and

(2) The Commission's recommendations as to disposal or containment.

I realize the answer to my second question might take a little time but assume that the answer to my first question is immediately available and therefore would appreciate an answer to this as promptly as possible.

Thank you in advance for your courtesy.

Sincerely,

FLOYD K. HASKELL,
U.S. Senator.

ATOMIC ENERGY COMMISSION,
Washington, D.C., March 2, 1973.
Hon. FLOYD K. HASKELL,
U.S. Senate.

DEAR SENATOR HASKELL: The following information is provided in reference to your letter to Chairman Ray of February 14, 1973. Enclosure 1 provides a description of what happens when a nuclear explosive is detonated underground and is included as background information.

The radioactive material resulting from a nuclear explosion is produced by three different processes. There is a certain amount of unfissioned fissionable material. In the case of the DIAMOND device which is planned to be used on the Rio Blanco project (three 30-kiloton devices), the amount and composition of this material is classified to protect nuclear explosive design information.

The second type of radioactive material is the fission products which are the new elements of lower atomic weight produced when a heavy fissionable nuclide is split or fissioned. The amounts of these materials per kiloton of fission yield are constant and the amounts for Rio Blanco are given in Table I, Enclosure 2.

The third source of radioactivity is neutron activation. During the fission process, some neutrons interact with the explosive parts and with the surrounding rock to produce radioisotopes. The amounts and types of neutron activation products will vary depending on the elemental makeup of the rock at the detonation point. The primary neutron activation products for Rio Blanco are listed below:

PRIMARY NEUTRON ACTIVATION PRODUCTS FOR RIO BLANCO

42_{K}	56_{Mn}	46_{Sc}
24_{Na}	55_{Fe}	45_{Ca}
54_{Mn}	59_{Fe}	203_{Hg}

The amounts are classified, again to protect nuclear explosive design information.

With the exception of the gaseous radioactive materials which I will describe in more detail, it is not expected that any of the radioactivity produced by the Project Rio Blanco detonations will be transported outside of the immediate cavity area. Most of this remaining radioactivity is nonvolatile and will be permanently incorporated either in three zones of resolidified molten rock (puddle glass) or on rock surfaces in the chimney region. It is estimated that the total amount of nonvolatile radioactivity one hour following the detention is 4 × 10^{10} curies. One year after the detonation the total in the immediate chimney region will be about 10^{6} curies. The amount of radioactivity continues to decrease with time.

The only radionuclides which reach the surface are those gaseous products which are removed from the chimney with the natural gas. The total amounts produced and the quantities estimated to be released during flaring are given in Table 3-3 of the Rio Blanco Environmental Statement. The total amounts produced are given below in curies and grams. All these numbers except Kr-85 are maximum values since the actual values are classified to protect nuclear explosive design information.

INITIAL RADIOCHEMICAL COMPOSITION OF RIO BLANCO CHIMNEY GAS

[90 days after detonation]

Nuclides	Half life	Total production (Ci)	Total production (g)
Tritium (H-3)	12.3 years	3,000.0	0.3
C-14	5,730 years	22.5	5.05
Ar-37	35.1 days	15,000.0	.15
Ar-39	270 years	20.0	.59
Kr-85	10.76 years	2,000.0	5.1

In addition, there may be trace amounts of Hg-203 (46.6 day half life). The concentration in the gas would be extremely low (estimated at less than 0.001 pci/cc) and there would be no health effects from this source.

With respect to your second question, the Commission's position as to disposal and containment are outlined in Sections 3, 4 and 5 of the Rio Blanco Environmental Statement (copy enclosed).

I hope this information will be of use to you. I regret that we cannot be more quantitative in an unclasified letter; however, we would be happy to provide you with a classified briefing on this subject if you desire.

Sincerely,

E. H. Fleming,
(For Gerald W. Johnson, Director, Division of Applied Technology).

TABLE I.—FISSION PRODUCT ACTIVITY IN CURIES AT VARIOUS TIMES AFTER DETONATION OF 330 KT NUCLEAR EXPLOSIVES

Nuclide	Activity D+30 days	D+90 days	D+180 days
^{85}Kr	2.05×10^3	2.03×10^3	2.00×10^3
^{89}Sr	1.6×10^6	6.8×10^5	2.0×10^5
^{90}Sr	1.4×10^4	1.4×10^4	1.4×10^4
^{90}Y*	1.4×10^4	1.4×10^4	1.4×10^4
^{91}Y	1.8×10^6	9.2×10^5	3.2×10^5
^{95}Zr	2.0×10^6	1.1×10^6	4.0×10^5
^{95}Nb*	1.1×10^6	1.3×10^6	7.2×10^5
^{99}Mo	3.6×10^4		
^{99}Tc*	3.6×10^4		
^{103}Ru	1.2×10^6	4.3×10^5	9.2×10^4
^{103m}Rh*	1.2×10^6	4.3×10^5	9.2×10^4
^{106}Ru	4.5×10^4	4.0×10^4	3.4×10^4
^{106}Rh*	4.5×10^4	4.0×10^4	3.4×10^4
^{111}Ag	1.7×10^4	6.7×10^1	
^{115m}Cd	1.2×10^3	4.5×10^2	1.1×10^2
^{115}Cd	5.8×10^1		
^{115m}In*	6.1×10^1		
^{123m}Sn	1.3×10^3	9.2×10^2	5.6×10^2
^{124}Sb	2.7×10^2	1.3×10^2	4.7×10^1
^{125}Sn	4.9×10^4	5.8×10^2	
^{125}Sb	5.4×10^3	5.6×10^3	5.4×10^3
^{125m}Te*	2.9×10^2	7.4×10^2	9.9×10^2
^{126}Sb	2.0×10^4	7.2×10^2	
^{127}Sb	1.6×10^4		
^{127m}Te	1.6×10^4	1.1×10^4	6.3×10^3
^{127}Te*	3.4×10^4	1.1×10^4	6.3×10^3
^{129m}Te	3.2×10^4	9.4×10^3	1.5×10^3
^{129}Te*	2.0×10^5	5.9×10^3	9.5×10^2
^{131}I	9.7×10^5	5.6×10^3	2.3
^{131m}Xe	1.6×10^4	1.1×10^3	
^{133m}Xe	2.0×10^2		
^{133}Xe	5.8×10^5	2.2×10^2	
^{136}Cs	1.7×10^5	6.8×10^3	5.6×10^1
^{137}Cs	1.7×10^4	1.7×10^4	1.6×10^4
^{137m}Ba*	1.6×10^4	1.6×10^4	1.5×10^4
^{140}Ba	2.5×10^6	1.0×10^5	7.7×10^2
^{140}La*	3.1×10^6	1.2×10^5	8.8×10^2
^{141}Ce	2.7×10^6	7.6×10^5	1.2×10^5
^{143}Pr	2.5×10^6	1.2×10^5	1.3×10^3
^{144}Ce	4.7×10^5	4.1×10^5	3.2×10^5
^{144}Pr*	4.7×10^5	4.1×10^5	3.2×10^5
^{147}Nd	9.2×10^5	2.2×10^4	7.9×10^1
^{147}Pm	5.6×10^4	6.5×10^4	6.1×10^4
^{149}Pm	1.6×10^3		
^{151}Sm	4.7×10^2	4.7×10^2	4.7×10^2
^{153}Sm	7.6×10^1		
^{155}Eu	3.2×10^3	2.9×10^3	2.7×10^3
^{156}Eu	1.2×10^4	7.4×10^2	
Total	2.3×10^7	7.0×10^6	2.9×10^6

*Nuclides in transient or secular equilibrium with the isotope listed immediately above.

TABLE II.—PRIMARY NEUTRON ACTIVATION PRODUCTS FOR RIO BLANCO

^{42}K	^{56}Mn	^{46}Sc
^{24}Na	^{55}Fe	^{45}Ca
^{54}Mn	^{59}Fe	^{203}Hg

U.S. Senate,
Washington, D.C., March 2, 1973.

Re Project Rio Blanco.
Hon. Rogers C. B. Morton,
Secretary of the Interior, Department of the Interior, Washington, D.C.

Dear Mr. Morton: Since writing the attached letter to the Chairman of the Atomic Energy Commission—to which I have not received a reply—I have made a further investigation of the above project.

My conclusion, based upon available data and conferences with informed individuals, is that full field development of the project is out of the question. The number of atomic blasts involved would result in unacceptably high levels of radioactivity, and, of course, there are other obvious dangers endemic to nuclear explosions. Since full field development is out of the question, the above project, involving three nuclear blasts in one hole, seems unjustifiable.

The Atomic Energy Commission itself admits that very high levels of radioactive material—particularly remaining in the hole—will result from the three blasts. Its opinion, however, is that this radioactive matter can be safely contained or disbursed. Perhaps the Atomic Energy Commission is correct in this regard, but since full field development will not be undertaken, no reason exists to take the risk involved in creating this amount of radioactive matter.

Furthermore, Rio Blanco is but a single part of a program with significant environmental effects, and I am advised that Section 102(2)(c) of the National Environmental Policy Act requires your department to examine the project as a whole as one "significantly affecting the quality of the human environment." Therefore, as an additional reason, I request that unless and until this is done you suspend the permit for the three-blast experiment.

In light of the foregoing, I hope that you will reconsider your decision in the above matter.

Very truly yours,

Floyd K. Haskell,
U.S. Senator.

March 29, 1973.

Hon. Rogers C. B. Morton,
Secretary, Department of the Interior, Washington, D.C.

Dear Mr. Secretary: This is in further reference to my letter of March 2 urging reconsideration of your decision to proceed with the Rio Blanco test.

Since my March 2 letter, I have continued researching the Rio Blanco question. From that research I wish to comment further and to ask some additional questions. My comments and questions relate to three general categories: Full field development; procedural problems; events since publication of the AEC impact statement.

I. FULL FIELD DEVELOPMENT

Full field development at Rio Blanco is a dubious proposition. This view is shared by virtually every competent scientific, economic and governmental authority with whom I have discussed the proposal. From that perspective I find the risks involved in the planned test and unacceptable, regardless of how minimal the risks are assessed to be. Why accept any risk of radioactive contamination of air or water, or create a radioactive cavern demanding perpetual monitoring, if the program will produce nothing of value?

It would appear to me only reasonable that prior to exposing people to such a risk the government develop more information on these points:

A. *The development of technology on conventional fracturing to achieve similar results.* Most certainly, conventional fracturing should be attempted prior to nuclear fracturing. The AEC's March, 1973, addendum reflects the opinion that not enough information exists on conventional fracturing methods to sufficiently assess costs and capabilities.

B. *The economic value of the gas produced.* How does that value compare with alternative forms of energy? Considering the changing economic pattern related to energy, changes that have occurred since Rio Blanco was first conceived, does the program make economic sense? Related questions are those involving agreement between the government and commercial entrepreneurs. How much will the government charge for the nuclear service? How much will the government charge for perpetual monitoring? How much would be charged for future tests and further development? These questions have everything to do with the economic justification of the enterprise. Yet, to my knowledge, they remain unanswered. How can decisions be made among alternative sources of energy and potential government subsidies for these developments without a clear definition of costs and proposed cost sharing? Is it proper for the AEC to determine on its own initiative the extent of a subsidy for one form of energy? Should not that decision be made in concert with national energy considerations?

C. *Consumer acceptance.* If full field development were to be successful in technological terms, what assurance is there of consumer acceptance? What research or experience is there leading to a judgment that consumers would readily purchase natural gas developed by means of nuclear explosion and which would contain some measure of radioactive contamination?

These are some of the questions regarding full field development that remain after reviewing available data. It appears that the purpose for the first test would be that as a forerunner of full field development. Considering the widespread objections to full field development, it apears to me that the larger question needs a more complete hearing prior to the first test explosion.

2. PROCEDURAL PROBLEMS

Mr. Edward Strohbehn's March 14 letter to Assistant Secretary Larson raises some compelling procedural problems to which I am certain your department is addressing itself.

I am concerned, further, with the manner in which the department will meet its obligations to permit public review and comment on transactions that must be taken if the project is to proceed, i.e., the granting of special land use permits, granting of transmission line rights-of-way, and amendment of the existing contracts with the private companies involved.

3. EVENTS SINCE PUBLICATION OF THE AEC'S ENVIRONMENTAL IMPACT STATEMENT

Some events have occurred in recent months which would appear to me critical to decision-making with respect to Rio Blanco. Yet, I find no evidence that they have been considered by your department or the AEC.

On August 3, 1972, the Federal Power Commission issued a policy statement regarding the future price of natural gas, designed to significantly increase the value of the product.

This development would seem to be of direct consequence to the Rio Blanco project. It could mean that conventional fracturing methods would produce a supply of natural gas at a competitive price. As stated earlier, I believe that conventional fracturing methods should certainly have priority, since they carry with them none of the long-term environmental disadvantages that would result from a nuclear explosion.

Another major development since publication of the AEC's environmental impact statement was the National Academy of Sciences' publication last November of "The Effects on Population of Exposure to Low Levels of Ionized Radiation." The report warns that "No exposure to ionized radiation should be permitted without the expectation of a commensurate benefit." It declares that prior assumptions of a safe "threshold" level of radiation exposure were incorrect.

That finding is an important new element in any calculation as to potential risks from radioactive seepage or venting from the Rio Blanco test, and the acceptability of the product should the field be fully developed. I cannot find evidence that this new factor has been considered with respect to Rio Blanco, nor that public or expert comments have been solicited.

I believe that full and careful evaluation of questions raised regarding the Rio Blanco test must lead to the conclusion that the test should be delayed until more information is available, and until the public has sufficient notice and opportunity to review and comment upon all aspects of the test and its relationship to public lands and public policy.

Sincerely,

FLOYD K. HASKELL,
U.S. Senator,

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., April 30, 1973.
Hon. FLOYD K. HASKELL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HASKELL: As requested by Miss Betsy Moler of your staff, we are enclosing copies of 86 protests received with regard to AEC's Rio Blanco Phase I experiment in the detonation of nuclear explosives to stimulate natural gas production in Colorado.

Responses to the protests are presently under consideration, and will be sent to the protestants when finalized.

Sincerely yours,

ED HASTEY, *Acting Director.*

U.S. SENATE,
Washington, D.C., April 9, 1973.
Mr. BURTON W. SILCOCK,
Director, Bureau of Land Management,
U.S. Department of the Interior,
Washington, D.C.

DEAR DIRECTOR SILCOCK: With regard to your notice in the Federal Register of March 12, 1973 announcing the proposed withdrawal of certain lands currently administered by the Bureau of Land Management. The use of these lands is for a site for the first phase of the Rio Blanco project. I urge your deferral of this decision until a more appropriate time.

You are aware, undoubtedly, of the heated controversy which surrounds the economic viability of the nuclear stimulation program. Currently, the Federal Power Commission is in the final stage of preparing a report which analyzes the comparative benefits of the nuclear and the conventional gas recovery technologies. Furthermore, the Atomic Energy Commission itself is requesting money for Fiscal Year 1974 to more carefully study the comparable advantages of these technologies.

Therefore, in the interest of wise judgment and the spirit of unbiased inquiry, I urge your recommendation to the Secretary of the Interior that these lands not be withdrawn until such time as the pursuit of this technology can be recommended with more convincing data.

Sincerely,

GALE MCGEE,
U.S. Senator.

CONGRESS OF THE UNITED STATES,
Washington, D.C., April 9, 1973.
Hon. ROGERS C. B. MORTON,
Secretary, Department of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: In response to the proposed withdrawal of approximately 200 acres of public lands in Rio Blanco County for the use of the AEC Project Rio Blanco Phase I experiment, as published in the March 12 Federal Register, I object strongly.

Project Rio Blanco is the third nuclear explosive experiment in developing the technology for recovering natural gas. Its stated purpose is "to study the economic and technical feasibility of using multiple underground nuclear explosions to stimulate production of natural gas from deeply buried low productivity gas-bearing formations of the Piceance Basin in Northwestern Colorado" (Project Rio Blanco Joint Office of Information, March 1, 1973). However, I understand that full field development is quite improbable because of the risks involved in the perhaps thousands of nuclear events that would be required. Why, then, should we turn over public land for this test and run the risk, however small of contamination?

Even though an environmental impact statement was made on the Rio Blanco test, I understand than an environmental impact study has not been made on the entire project. This, in effect, leaves many important questions unanswered. What will be the consumer reaction to radioactive gas? What alternative methods are there that might extract the gas for about the same cost and not contaminate so much of it? Why not explore and develop technology for conventional fracturing?

This test involves public land and public policy. I feel deeply that it is essential that legislative bodies be responsive to the needs of the people, but there has been no full and rigorous public review of this project. The AEC has a built in conflict of interest, in that it is responsible for both promoting and regulating atomic energy projects. Promotion and regulation, however, are not always compatible functions.

Sincerely,

PATRICIA SCHROEDER,
Congresswoman.

FEDERATION OF AMERICAN SCIENTISTS,
Washington, D.C., April 4, 1973.
Hon. FLOYD K. HASKELL,
Washington, D.C.

DEAR SENATOR HASKELL: We understand that the Rio Blanco Gas Stimulation Project is presently planned to occur in mid-May with the simultaneous detonation of three 30 KT nuclear explosives in a single well bore in western Colorado. According to the Environmental Statement (Wash. 1519) of April 1972 and its Addendum of March 1973, this Phase I experiment will, if successful, be followed by Phase II with 4 to 6 well stimulations using 3 to 5 explosives each, and this in turn will be followed by 20 to 60 well stimulations before it can be determined that this method is commercially feasible and the construction of a major pipeline justified. Thus, 300 nuclear explosives with yields of 30 KT are proposed to be detonated just to determine the feasibility of this technique. Full-field development may require firing about a thousand underground nuclear explosives.

A nuclear test program of this magnitude is a cause of great concern and should not even be started until all its potential ramifications have been carefully explored and balanced against its potential value. Unless a decision has been made that the benefits of a full program override its potential drawbacks and that one is prepared to proceed all the way, it would be foolhardy to undertake even the Phase I Rio Blanco test with its smaller risks. The value of the first experiment is zero if one does not exploit the full field. Yet, the Environmental Statement mistakenly fails to consider the consequences of the full program while justifying Phase I on its benefits. We should not repeat the mistakes made in the Plowshare excavation program in which premature experiments were carried out, spreading large amounts of radioactive material over extensive areas of the U.S. It wasn't until later that careful economic, technical, safety and public attitude analyses showed that the use of nuclear explosives to build a sea level Panama Canal was obviously impractical. Excavation with nuclear explosives has now been dropped from the U.S. Plowshare program.

First looking at Project Rio Blanco (Phase I): its only value lies in information it provides about the feasibility of the subsequent phases which may never be carried out in view of the large number of nuclear explosions required. Furthermore, the funds for the development of sequentially fired nuclear explosives which many consider to be superior to the type to be used in Rio Blanco have been removed from the AEC program with the indefinite postponement of gas stimulation experiment in Wyoming. The AEC budget for Plowshare has been cut from $6.8 to $3.8 million in FY 74. If the gas stimulation is really important, then the most effective methods should be available and this development should precede the exposure of Colorado to environmental damage. The proposed approach seems to be one of first, endanger the environment and, later, develop the operational techniques.

The risks to the environment are not negligible. The Environmental Statement describes some of the physical damage that is expected to occur from the explosions. In addition to this, there are significant hazards from the radioactive debris released in the explosion. These can occur shortly after the explosion, due to accidental venting, from the flaring of the gas during production testing two months later, or by the slower migration into subsurface water streams.

Accidental venting has occurred in more than 20 U.S. nuclear tests at the Nevada test site including those in the lower yield ranges. Despite extreme precautions and a thorough knowledge of that test site, radioactive materials have been released into neighboring communities which are much more distant than those surrounding Rio Blanco. Even though the depth of the Rio Blanco explosions will be greater than normally used in Nevada, the risk that venting will occur here cannot be disregarded, particularly since three simultaneous explosions in a single shaft have never been carried out before.

Flaring of the gas will automatically place large quantities of radioactive nuclides, particularly Tritium Carbon 14, Argon and Krypton, into the atmosphere. The Tritium hazard might be reduced by pumping the tritiated water into a neighborhood well and thence into a sand lens several thousand feet underground. But now, only a few weeks before the Rio Blanco test (and after the originally planned date), the AEC has not even carried out the tests to determine whether this is feasible. Safety is again being given second priority. Prudence would suggest that feasibility experiments be carried out with tracer amounts of radioactivity in advance of Rio Blanco rather than using the more radioactive water from the full scale project. Approval for Rio Blanco should certainly be delayed until the results of the preliminary experiments have been evaluated and feasibility determined.

Finally, there is the risk that the radioactive debris will seep out of the wall casings or of the chimneys created by the explosion into the water layers and eventually into some use points. The dangers of this occurring are hard to evaluate since the geologic situation in the Nevada desert is radically different from Colorado, subsurface ground water is known to be present, and the distance the materials must travel from the explosion site to uncontrolled human habitation is very much less. Very large quantities of the most dangerous long life fission products Sr 90 and Cs 137 will be left in chimneys in a form, according to the Environmental Statement, capable of being dissolved in any liquid water present. This hazard is disregarded without detailed analysis because the AEC has not been able to hypothesize any mechanism whereby it can get into ground water. If in the experiment Sr 90 accidentally leaches into the watertable, some mechanism will be hypothesized after the fact, but then it will be too late to prevent pollution of Colorado water supplies.

While the calculated radiation exposures which may result from the Rio Blanco experiment appear below normal standards, they must be viewed in the light of the recent report of the National Academy of Sciences-National Research Council (NAS-NRC) Advisory Committee on the Biological Effects of Ionizing Radiation (BEIR Report). This report was released in November 1972 after the original Rio Blanco environmental statement, and there is no evidence it was considered in preparing the Addendum. This report makes among others, the following recommendation: "*No* exposure to ionizing radiation should be permitted without the expectation of a commensurate benefit." Thus, the exposures resulting from the Rio Blanco Project must be evaluated in light of the direct benefits of that experiment, not of the full-field development which in turn should be evaluated in light of the potential exposures from a thousand explosions. The exposures to people, when the radioactive gas is used by the public, should also be reconsidered in light of the BEIR Report.

The Phase II and Phase III parts of the Rio Blanco Demonstration program, which must be carried out before commercial feasibility is determined, must be similarly evaluated before action is taken on Phase I. No Environmental Impact Statement has been issued, but the dangers will obviously be much enlarged in scale. The three hundred explosives proposed to be fired for these phases is more than the AEC has detonated for its whole weapons development program in the entire ten years since the Limited Test Ban Treaty came into effect in 1963. The public repercussions to such testing in a relatively uncontrolled area merely to determine the feasibility of gas stimulation are liable to be tremendous. Furthermore, no evaluation has been made of the amounts of radioactivity, if any, the public will tolerate in the gas in their homes. Rio Blanco should not be started until some estimate of these impacts has been made. Furthermore, the environmental hazards will be greater than the simple multiple of the explosions conducted. Such a large number of explosions in a short time can never be carried out with the equivalent care of a single one. The probability of running into some anomalous geologic or atmospheric situation will be much higher. Opening up fissures by one explosion can allow seepage of material from another into the water. Any single explosion out of the total can have very serious consequences if an accident occurs.

Finally, the risks of the full-field development will be even greater and public opposition to firing a thousand nuclear explosives in a small section of Colorado even louder. Yet, until this is done, Rio Blanco provides no benefits to the public. Even when fully developed, the Rio Blanco Stimulation will only produce approximately ⅓ trillion cubic feet per year, about 1% of the U.S. estimated 1985 gas requirements, which in turn are only a small fraction of our overall energy needs. We can see no evidence that this benefit outweighs the consequences of firing 1000 nuclear explosives in Colorado.

The Addendum to the Environmental Statement (pp. 6–1 to 6–3) refers to the use of hydraulic fracturing as an alternative to nuclear explosion stimulation. This technique has shown increasing potential in recent years and may be tried first in place of the indefinitely postponed nuclear stimulation Project Wagon Wheel in Wyoming. It is now considered economically competitive with nuclear stimulation and, on the other hand, has none of the possible hazards involved in carrying out hundreds or thousands of nuclear explosions. The Environmental Statement refers to its potentialities as "presenting achievable but not yet demonstrated"; certainly this description does not place hydraulic fracturing behind nuclear gas stimulation. In fact, the purpose of the entire Rio Blanco Project is to determine whether nuclear gas stimulation can be economically achieved in Rio Blanco type reservoirs and to demonstrate its feasibility. In view of this, similarities and the negligible hazards from hydraulic fracturing, this technique should certainly be investigated thoroughly before entering a program involving hundreds of nuclear explosions. The inadequate consideration of the hydraulic fracturing alternative is underscored by the total failure of the AEC to consider in its Environmental Statement the new FPC regulation of August 3, 1972 which will allow higher prices for natural gas. The FPC stated that it seeks to produce incentives to domestic production and accelerated development of that portion of potential supply which is economically recoverable. The new FPC policy therefore should have a profound effect on the economics of conventional gas exploitation and the size of the supply, possibly making it unnecessary to pursue nuclear gas stimulation techniques.

In view of these facts, we support your efforts to seek cancellation—or at least postponement—of the Rio Blanco Project. Certainly it should be delayed until the AEC and the Department of the Interior have evaluated the impact of full-field development of Rio Blanco and until the public acceptance of a nuclear explosion program of this scale and of the use of radioactive gas in their homes has been investigated. Without full-field development, the Rio Blanco experiment has no value and even small risks cannot be justified. Before any decisions are made, the nuclear stimulation program should be looked at again in light of the recent NAS-NRC report on radiation hazards and in light of the potentialities of such alternate new methods of exploiting gas reservoirs as hydrofracturing.

Sincerely,

GORDON J. F. MACDONALD,

Director, Environmental Studies Program, Dartmouth College, and former Member of President Nixon's Council on Environmental Quality.

HERBERT SCOVILLE, JR.,

Deputy Director for Science and Technology, Central Intelligence Agency (CIA) under Presidents Eisenhower and Kennedy; Secretary, Federation of American Scientists.

EDWARD L. TATUM,

Professor of Biochemistry, The Rockefeller University; Nobel Prize for Medicine and Physiology, 1958.

UNIVERSITY OF CALIFORNIA, BERKELEY,
Berkeley, Calif., April 6, 1973.

Dr. DIXIE LEE RAY,
Chairman, U.S. Atomic Energy Commission, Washington, D.C.

Hon. C. ROGERS MORTON,
Secretary, Department of Interior, Washington, D.C.

XC To Mr. Joseph Rothstein, Office of Senator Floyd Haskell, Old Senate Office Building, Washington, D.C.

In re (a) Department of Interior Regulation 43CFR 4.50.2. (b) In Response to Notice 38 in Federal Register 6697 (1973)—On the Land Transfer for the Purpose of Conduct of the Rio Blanco Test.

DEAR DR. RAY AND MR. MORTON: I should like to register my strong objection and urgent protest to the action of the Interior Department in transferring to the Atomic Energy Commission land for the purposes of conducting the Rio Blanco test.

It should be quite obvious, and will certainly be proven in the courts that such a transfer is illegal and in obvious violation of United States Laws as passed by the Congress of the United States.

Specifically, two laws are being flagrantly violated by both the transfer of land and the planning and conduct of this test.

The first law being violated is the Atomic Energy Act of 1954.

The second law being violated is the National Environmental Protection Act.

The violations are obvious to any rational person making rational considerations.

1. VIOLATION OF THE ATOMIC ENERGY ACT

This ACT requires that the AEC promote peaceful uses of atomic energy consistent with the health and welfare of the public of the United States.

The entire Plowshare gas stimulation program, and specifically the Rio Blanco test, is in violation of this Congressional mandate.

There *is no way to conduct* underground nuclear explosions without releasing some radioactivity to the biosphere. Furthermore, the use of gas stimulated by nuclear explosions *inevitably* means increasing the radiation dose to the public. It is a travesty upon rational thinking for anyone to hide behind the claim that the *amount* of radiation exposure will be "small". Particularly fraudulent is the effort to compare such ostensibly "small" exposures with natural background radiation. All this is fraudulent because all responsible authoritative bodies, including the BEIR Committee of the National Academy of Sciences *are on public record* as stating that there is no evidence for *any* safe threshold of ionizing radiation exposure. Therefore, the so-called "small" radiation exposures from Rio Blanco test and from the entire Plowshare gas stimulation program will undoubtedly cause increased leukemia and cancer deaths plus serious deaths and deformities by gene mutation. No authority will contest this statement.

I know of no Congressional authorization to either the Interior Department or the AEC to wilfully take action to cause the murder of *any* citizens of the United States or to any descendants of present citizens of the United States. Over and above the violation of the "consistent with public health and safety" features of the Atomic Energy Act, there is the very serious question concerning criminal charges that should be appropriately placed against any officials of the AEC and the Interior Department for wilfully participating in an act of human murder. Whether such charges should be filed in U.S. Courts or in International Courts can be decided later, but certainly criminal charges for aiding and abetting human murder are clearly in order.

2. VIOLATION OF NEPA

It is obvious nonsense for AEC, or any other agency, to claim that a meaningful compliance with NEPA has been made with respect to the Rio Blanco test or the entire gas stimulation program. No meaningful benefit-risk evaluation has been made, and only arrogance can suggest that sufficient information exists at this time to make one.

Any claim that gas and oil requirements, or an energy crisis, dictate the need for gas stimulation represent manifest nonsense—indefensible on any grounds whatever.

There exists a perfectly rational, guaranteed-to-work, method of making all the oil and gas needed for the U.S. future requirements by solar energy conversion to plants and then conversion to gas or oil. This is well-documented, and will not carry the certainty of murder that inheres in the Rio Blanco test and the program it supports.

The *entire* history of the Atomic Energy Commission *on public record*, proves beyond any doubt that its assurances on radiological danger have invariably been wrong. The experience with radioiodine in Utah, the entire strontium-90 fiasco, and the Marshall Islands are cases in point.

Moreover, numerous officials of the AEC are on public record in support of the existence of a fraudulent "safe threshold" of radiation exposure.

There has rarely been a case of more overtly illegal action than the transfer of land, planning, and conduct of the Rio Blanco test.

I urge that any idea of transferring land for this purpose be reconsidered, that the action be stopped or reversed because of its illegal violation of at least two laws of the United States.

Sincerely yours,

JOHN W. GOFMAN, M.D., Ph.D.,

Professor, Medical Physics.

COMMITTEE FOR ENVIRONMENTAL
INFORMATION,
St. Louis, Mo., April 9, 1973.

Subject: Project Rio Blanco.

Hon. ROGERS C. B. MORTON,
Secretary of the Interior,
Department of the Interior,
Washington, D.C.

DEAR SECRETARY MORTON: This letter is in response to the notice in the Federal Register, calling for comments to be submitted by 11 April 1973, in connection with Project Rio Blanco. As I understand it, the decisions that remain to be made are:

(i) by the Department of the Interior, in regard to the application by the Atomic Energy Commission for withdrawal of public lands for this project;

(ii) by the Department of the Interior, in regard to applications for special land use permits, a right of way for transmission, and a modification of the original lease of CER Geonuclear, and

(iii) by the Atomic Energy Commission, in regard to the final decision as to whether to proceed with this test explosion.

The burden of my letter to you is to request that, via the Department of the Interior and in regard to points (i) and (ii) above, no decision be made at this time, in order to permit further discussion of major points that have been avoided or inadequately discussed in the various Statements, Hearings, Comments and responses to date. I shall document some of this in this letter. It is my contention that Project Rio Blanco should not be continued, pending these discussions.

At the same time, a copy of this memorandum is being submitted to Chairwoman Ray at the Atomic Energy Commission, with the request that the AEC's decision (under (iii) above) be similarly delayed.

In subsequent paragraphs, I shall argue that the Environmental Statement (WASH–1519) for Rio Blanco is seriously deficient in that it does not contain adequate treatment of the anticipated consequences of full-field stimulation of the gas field in the adjacent states of Colorado, Utah, Wyoming, New Mexico and Arizona. In the Statement, it has been argued that no decision has yet been made for proceeding with any program beyond Rio Blanco and possibly Wagon Wheel; that these are exploratory shots and need to be evaluated on their own prospective merits and hazards; and that data from these tests are a necessary prerequisite for any full-field program. Consequently, it appears to have been decided that the environmental effects for only these two tests need to be considered.

In opposition to this position, I shall argue that enough is already known, both from earlier tests as well as from the general aspects of Plowshare Program tests and the general technology of the nature of underground nuclear explosions, so that certain major consequences of a full-field program can now be quite accurately predicted, and that these alone very strongly suggest that it will, in fact, be impossible to proceed with a full-field program, no matter what the results of Rio Blanco and Wagon Wheel turn out to be.

The basis of this argument will now be set out:

1. MAGNITUDE OF FULL-FIELD STIMULATION PROGRAM

Differing figures have been given for the total number of nuclear explosions that will be needed for full-field stimulation. The estimate of the Lawrence Livermore Laboratory is 5665 for the total number of wells, with the average number of shots per well being about 3, for an equivalent total of around 90 KT per well. (Rio Blanco Environmental Statement, WASH–1519, Addendum, March 1973, p. E–72). Independently, Dr. David M. Evans, of the Potential Gas Agency of the Colorado School of Mines has given a figure of about 13,000 shots. (See attached copy of a statement by Evans.)

For the present argument, I shall use a figure of 10,000 shots for a total of 10000x 30 Kt=3×10^5 KT, although it would seem that this figure might be raised by perhaps 50%.

This number of shots is the projected total through the year 2016 AD. The average number of shots to be fired then turns out to be one to two, every day for about 30 years. The requirements in skilled manpower would seem to be exorbitant and almost certainly impossible to meet. For the earlier test, Gasbuggy, re-entry drilling proceeded at about 300 ft/day. At this speed, it would seem to require about 1½–2 months to drill each well that will be needed (if they are as deep as Rio Blanco), and further time is needed for the emplacement of each nuclear device. At the very least, it should be shown that the manpower needs for the drilling and the highly specialized skill of nuclear device emplacement, could be met for a full-field program.

2. SEISMIC EFFECTS OF FULL-FIELD STIMULATION PROGRAM

The Environmental Statement WASH–1519 (p. 9–3) records some awareness of the problem:

"It would be annoying to the local residents to have their activities disrupted every few days because of detonations, so particular care would be taken with the scheduling. From this consideration has come a field development based on multiple well stimulations in a single day. The detonations could be fired a few minutes or more apart, and continue until all explosions are completed. A typical day might involve a number of well stimulations each consisting of two or more detonations. Thus, the number of such disruptive days would be minimized in the development of the entire unit."

I would submit that this is a major understatement of the probable annoyance of a full-field program. Quite apart from the total damage costs, the full-field program would impose on this area, *for a continuous period of about 30 years,* a burden that would "be annoying to the local residents." To be asked to put up with some inconvenience and to be compensated for damage due to a single test is one thing; to make an area possibly uninhabitable, is another.

3. RESIDUAL RADIOACTIVITY FROM FULL-FIELD PROGRAM

Full-field stimulation will require at least 10^4 shots, totalling around 3×10^5 kilotons. Each shot would produce radioactive debris underground, to a total of 10^6 Curies per shot one year later. (The radioactivity is, of course, much more intense at times sooner after the shot.) (See WASH–1519, April 1972, p. 3–23.)

The total quantity of radioactivity (measured as of 1 year after each shot) is thus 10^{10} Curies.

For comparison, we can examine figures produced by the A.E.C. and the Oak Ridge National Laboratory for the radioactive wastes anticipated to be produced by a national program of electric power generation with a growing proportion of nuclear power stations. (I.A.E.A. Conference: Peaceful Uses of Atomic Energy; 1971 Conference: Vol. 11, p. 427.)

The total of 10^{10} Ci. anticipated from full-field stimulation can now be compared with 2×10^8 Ci high-level wastes accumulated to 1970; with projected accumulations to 1980 of 2×10^{10} Ci; to 1990 of 1.1×10^{11} Ci; and to 2000 of 2.7×10^{10} Ci.

In other words, full-field stimulation would produce half as much radioative wastes as that of the projected total national atomic power program through 1980, and still amount to around 5–10% of the accumulated totals of 1990–2000. This is an enormous quantity, and it must be pointed out that, as of this date, the A.E.C. does not yet have a final accepted program for the long-term storage of the anticipated wastes from a power program.

This immediately raises the question of the long-term containment of the radioactivity from a full-field program. WASH-1519 and its addendum do not adequately meet the objections that have been raised by Dr. Evans and by the Colorado Committee for Environmental Information. (See attached statement by Evans, and WASH-1519 Addendum p. E. 101–105.) The responses are simply inadequate.

In WASH-1519, p. 3–12 it is stated that:

"Underground nuclear explosions sometimes generate small aftershocks in the immediate vicinity. The specific mechanism for the generation of these small earthquakes is not known, but they are clearly related to residual stress changes produced by the explosion, *and it has been proposed that disturbance of the local groundwater regime may also play a role.*" (Italic added.)

In the light of this comment, I do not see how there can be *any* concrete reassurance that groundwaters will not directly, later, penetrate to the shot cavity. Once there, the solubility of the radioactive wastes (discussed by Dr. Martell of the C.C.E.I.) becomes a major concern, and the figures for rate of gas seepage to aquifers then become moot. Aftershocks have been observed in many tests in the N.T.S. and in general these are at similar depths to the shot. If (according to the extract quoted above) local groundwaters may be disturbed, this must imply the presence of groundwaters at shot depth, i.e. at far greater depths than so far considered. (e.g. WASH-1519 p. 5–6.)

To sum up: the total radioactivity left behind after the shots, together with the question of access of water to the shot cavities, poses serious questions that have not been sufficiently addressed, if at all.

4. ALTERNATIVE TO NUCLEAR STIMULATION

At numerous places in the statements, etc., there has been a rapid traversal of this question: whether hydraulic or chemical explosive methods of stimulation could be considered competitive with the nuclear method. Here again, the responses are inadequate and evade the real question which is: if even a fraction of the investment in Plowshare projects were to be invested in these other technologies, would they become commercially viable? Neither of these has the long-term and adverse possibilities of nuclear methods, and Evans (attached statement) has comments that require a detailed reply.

5. ECONOMIC ASPECTS

It is by no means clear that these gas stimulation tests or a later full-field program are economically viable, nor that all of the real costs have been included in the estimates on which the anticipated gas prices have been based.

Mason Willrich ("Global Politics of Nuclear Energy", Praeger 1971; p. 145) states:

"The cost of developing such an advanced explosives technology is not economically justifiable on the basis of the conceivable benefits from Plowshare applications alone. A Plowshare program is possible, therefore, only as "spin-off" from a pre-existing, sophisticated weapons program."

It must therefore be asked just how the well-head price of 30–60c/MCF has been arrived at, and which developmental costs have been absorbed by the A.E.C. Further, is a continued weapons program for the next 30 years needed, in order to subsidize a Plowshare program for full-field development?

Brooks and Krutilla ("Peaceful Uses of Nuclear Explosives", Resources for the Future, 1969) have extensive discussion of the economic aspects, and point to the need for much more detailed analyses. Stern and Verdieck ("Natural Gas Production by Nuclear Stimulation"; paper presented at the Energy

Conference at M.I.T., February 1973), point out that conventional drilling is economically competitive with the anticipated nuclear-method costs. Evans, too (attached statement) makes a similar point.

Overall, then, it would seem that the economic attractiveness of full-field nuclear stimulation needs to be much more carefully re-examined.

6. ACCEPTABLE LEVELS OF RADIOACTIVITY IN CONSUMER GAS

It is quite unacceptable (WASH–1519 p. E. 69) to "reserve for a later Environmental Statement which specifically deals with the potential impact of the use of nuclear stimulated gas" the discussion of possible exposure levels, and to thus "delete from the final Statement" this important topic.

Dr. Martell, for C.C.E.I. (WASH–1515 Addendum p. E. 101–105) has raised serious questions that require a better-documented answer than the brevity of the A.E.C.'s reply (WASH–1519 Addendum, p. E–106) which merely asserts that "we believe the questions raised by Dr. Martell are treated in the Statement". In fact, their treatment is inadequate.

To sum up, therefore: substantial arguments have been produced to show that a full-field program poses sufficient problems that it may well be impossible. Until these questions are answered, the viability of a full-field program is open to serious doubt. If these objections are sustained, then there is no reason to proceed with Project Rio Blanco, nor any other similar tests. None of the questions and objections set out above relies for its answer on results anticipated from Rio Blanco.

Accordingly, I request that the applications now pending before your Department be denied, to permit a more extended discussion of the problems that have been raised.

Yours sincerely,

MICHAEL W. FRIEDLANDER,
Co-Chairman, Scientific Division, Committee for Environmental Information.

DAVID M. EVANS,
Evergreen, Colo., April 9, 1973.

Notice of Withdrawal: 38 Fed. Reg. 6697 (1973) Dept. Reg. 42 CFR 4.450.2.

Dr. BURTON W. SILCOCK,
Director, Bureau of Land Management,
Washington, D.C.

DEAR DR. SILCOCK: This letter constitutes my formal protest to the proposed actions granting withdrawal of lands pursuant to Department of the Interior regulations from the Bureau of Land Management to the Atomic Energy Commission for the firing of a nuclear blast in Rio Blanco County, Colorado, and known as PROJECT RIO BLANCO.

A detailed statement of my objections to Rio Blanco is enclosed. However, briefly, I have concluded that:

1. Seismic damage resulting from nuclear blasts would be unacceptable.
2. There is a very dangerous probability that radionuclides will migrate from nuclear blast cavities and into underground potable waters and the Colorado River.
3. Nuclear completion methods would be wasteful of the nation's energy resources.
4. Nuclear completion methods would be noncommercial at anything less than from three to six times the present wellhead price of natural gas.
5. Nuclear completion methods would be hazardous to the development of oil shale and future exploration for oil and gas in the areas subjected to bomb blasts.

Very truly yours,

DAVID M. EVANS.

LIST OF ADDRESSES

Copies to:

Dr. Rogers C. B. Morton, Secretary, U.S. Department of the Interior, Washington, D.C. 20240.

Dr. Dixie Lee Ray, Chairman, Atomic Energy Commission, Washington, D.C. 20545.

The Honorable Floyd K. Haskell, U.S. Senate, 204 Old Senate Office Building, Washington, D.C. 20510.

The Honorable Peter H. Dominick, U.S. Senate, 24 Old Senate Building, Washington, D.C. 20510.

The Honorable Donald G. Brotzman, Congress of the United States, House of Representatives, 403 Cannon House, Washington, D.C. 20510.

The Honorable James P. Johnson, Congress of the United States, House of Representatives, 514 Cannon House, Washington, D.C. 20515.

The Honorable Teno Roncalio, Congress of the United States, House of Representatives, 1314 Longworth Building, Washington, D.C. 20515.

Mrs. V. Crane Wright, President, Colorado Open Space Council, Inc., 1742 Pearl Street, Denver, Colorado 80203.

Miss Kay Collins, President, Denver Audubon Society, 1742 Pearl Street, Denver, Colorado 80203.

[Cause No. 264—Application by CER Geonuclear Corp., Rio Blanco Unit Area, Rio Blanco County, Colorado.]

STATEMENT OF OPPOSITION

(By David M. Evans*)

CER Geonuclear Corporation has filed with the Oil and Gas Conservation Commission of the State of Colorado an application for an order approving a Unit Agreement and Unit Operating Agreement for the development and operation of the Rio Blancho Unit Area and requesting approval of the use of nuclear completion methods in the Rio Blanco Unit Well No. RB–E–01, located in the NW¼ of Section 14, Township 3 South, Range 98 West, 6th P.M., by the use of three (3) nuclear explosives of thirty (30) kilotons each.

I respectfully request that the Commission deny the applicant's request for the use of nuclear completion methods for the Rio Blanco Unit Well No. RB–E–01 and for the development of the Rio Blanco Unit Area. My reasons for requesting that CER Geonuclear's application be denied are:

1. Nuclear completion methods would be hazardous to the exploration for oil and gas in horizons below the formations being stimulated.
2. Nuclear completion methods would be wasteful of natural gas, and would involve a wasteful use of energy.
3. Nuclear completion methods would be noncommercial at anything less than three (3) times the present interstate price of natural gas, whereas other completion methods would be commercial at or very

* * * * *

NUCLEAR COMPLETION METHODS WOULD BE HAZARDOUS

Enormous seismic damage would result from nuclear full-field development

In the Environmental Statement, Rio Blanco Gas Stimulation Project, Rio Blanco County, Colorado, which I will refer to as the Environmental Statement or Statement,[1] the Atomic Energy Commission says (p. 1–2) that Project Rio Blanco is the third experiment to develop nuclear gas stimulation technology and that the ultimate aim of this technology is the recovery of an estimated 300 trillion cubic feet (tcf) of natural gas. I have studied the report[2] which is the basis of this estimate and, using the figures cited as the basis for the 300 tcf estimate, I have determined that about 13,000 wells would have to be stimulated with from one to five nuclear bombs each in order to liberate the gas. The bombs would be from 30 to 100 kt in size.

Enclosed is a figure from the above report showing the area from which this gas would be recovered (Fig. 1).[3] This area is also known as the Upper Colorado River Basin (Fig. 2).

While the Director of the Commission has given me to understand that the Commission is not concerned with the problem of seismic damage resulting from nuclear completion methods, I would like to point out that Project Rulison, the second nuclear gas stimulation experiment, involved the use of one 40-kiloton nuclear bomb and seismic damage claims paid thus far have amounted to more than $135,000.

The AEC estimates that the seismic-damage resulting from each nuclear completion on the Rio Blanco Unit will amount to about $30,000. On page 1–2 of the Environmental Statement, the AEC says ". . . damage to some buildings within a radius of 36 miles may occur, with such damage estimated at approximately $50,000." And on page 1–5 of the Environmental Statement, the AEC says "The underground explosion effects for each detonation will be similar to that from Rio Blanco."

However, the reason for the AEC's estimating less damage from the Rio Blanco blasts is that fewer people live within the zone of expected seismic damage because the Rio Blanco blasts are expected to be equal to a seismic source more than three times the size of the single 40-kt bomb used at Rulison. The AEC says, on page 3–3, of the Environmental Statement, "The proposed Rio Blanco experiment involves the simultaneous detonation of three 30 kt. nuclear explosives in a single wellbore . . . The equivalent seismic source, as proposed by the Environmental Research Corporation, an AEC contractor, for Rio Blanco is postulated to be a single detonation with a yield of 123 kt."

The object of the Rio Blanco experiment is to develop a technology that will lead to full-field development. On page 2–13 of the Statement, the AEC says "Current speculation is that the total field may be developed with about 140–280 wells."

Using the AEC's estimates, it can be seen that if 280 wells are completed using nuclear bombs, the expected damge would be $14 million (280 × $50,000).

Since the seismic effects of three 30-kiloton bombs are much greater than a single 40-kiloton bomb, it can be seen that when nuclear development of the 300 tcf of gas in the Upper Colorado River Basin takes place that very extensive seismic damage will occur.

In addition to the seismic effects described above, the planned underground effects of the proposed nuclear blasts would be the creation of large underground chimneys partially filled with rubble. Many fractures would lead away from these chimneys. It is planned that natural gas will enter the chimney along these fractures. If mobile waters are present, they, too, will be free to migrate into and out of the blast chimneys along these fractures.

Water soluble Strontium-90 and Cesium-137 will not be trapped in the puddle glass

In its Draft Environmental Statement, the AEC went to great lengths to create the impression that "most of the radioactivity is nonvolatile and will be permanently incorporated in three zones of resolidified molten rock (puddle glass) and the chimney region

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*I am director of the potential Gas Agency of the Colorado School of Mines. I am a graduate geological engineer (Colorado School of Mines, 1936), and a Certified Professional Geologist. I am a member of the American Association of Petroleum Geologists, the American Institute of Professional Geologists, and a past president of the Rocky Mountain Association of Geologists. I am a member of the Audubon Society, and a director of the Denver Audubon Society. I am an associate member of the Colorado Open Space Council (COSC). (See attachment for COSC organizational memberships.)

Footnotes at end of article.

(p. 35)."[4] After the falsity of these statements was pointed out at the 27 March 1972 Denver hearings, the AEC revised (without explanation) the Environmental Statement to properly read "Included in the fission products remaining one year and more after the detonation are the nuclides 90_{sr} (Strontium-90) and 137_{cs} (Cesium-137). A significant fraction of these isotopes are deposited on rock surfaces in the chimney region, and would be capable of being dissolved should these be exposed to any liquid water."

Specifically, the predicted fission activity, 180 days after detonation, is 13,500 curies of strontium-90 and 16,500 curies of cesium-137.[5] With half-lives of 28 years, these radionuclides are dangerous for hundreds of years. Considered two of the most biologically dangerous radionuclides, deadly doses are measured in millionths of a curie.

The proposed 300 tcf nuclear stimulation program involving 13,000 wells would result in hundreds-of-millions of curies of long-lived radioactivity deposited on rock surfaces in the blast chimneys. This 90_{sr} and 137_{cs} would be in water soluble form underground in the Upper Colorado River Basin.

Strontium–90 and Cesium–137 Will Move in Underground Water. It is clear from the Environmental Statement that water will be produced with the natural gas from all nuclear chimneys.

The AEC says (p. 3–15):

". . . The chimney gas will be partially dried and the resulting water collected. . . ."

However, the AEC says (p. 3–23) that:

"It should be emphasized that no liquid water is expected to either enter or leave the chimney region· while some water is present in the pores of the tight formation within which the chimney will be created, this water is not mobile and will not migrate through the chimney as liquid. Thus, no mechanism can be hypothesized whereby the surface-deposited radioactivity can be incorporated into mobile groundwaters."

A translation of the above AEC statement is that after the nuclear blasts, the temperature in the cavities will be so hot that all water will be in the form of steam which will not dissolve the radionuclides. The water in the chimney is "pore-space water" and is not moving.

However, there is evidence that moving, or mobile, water has entered both of the first two nuclear gas stimulation cavities.

Water is entering the Gasbuggy chimney. It is my understanding from the technical staff of El Paso Natural Gas Company that it is believed this water is entering the chimney through a defective cement job which has not succeeded in obtaining a watertight bond between the casing and the formation. The mobile water is believed to be entering the blast cavity from a water-bearing formation above the cavity and migrating down the hole behind the casing.

Mobile water appears to be entering the Rulison blast cavity from the gas-bearing formation. Originally, it was calculated that the non-mobile "pore-water" in the Rulison blast cavity would total about 35,000 barrels (1.5 million gallons). When the well was shut in after the third, and last, test, it was estimated that 25,000 barrels of water had been produced. However, instead of tapering off, which would be expected as the pore-water exhausted, the water production was increasing.[6]

During the first test of the Rulison well (26 October–3 November 1970), flow rate was 11.3 to 12 million cubic feet per day. Of this, water production (steam) amounted to 200 to 225 barrels per day. This amounted to 19 barrels of water per million cubic feet of gas.

During the second test (1 December–20 December 1970), the Rulison well flowed 5.3 million cubic feet of gas per day and water production was estimated at 300 to 360 barrels per day. This amounted to 34 barrels of water per million cubic feet of gas.

During the third, and last test of the Rulison well, final gas production amounted to slightly less than one million cubic feet per day. Water production was 233 barrels per day, or 250 barrels of water per million cubic feet of gas.

Water production was increasing at the end of the test

All of the water produced from the Rulison cavity thus far has been in the form of steam. What will be done with this water when the blast cavity cools and liquid water dissolves the strontium–90 and cesium–137?

Contrary to what we are told by the AEC, there is evidence that water will enter nuclear blast cavities. And when these cavities cool, this water will dissolve the extremely dangerous radionuclides, 90_{sr} and 137_{cs}.

Contaminated water will leave the blast cavity

Once contaminated water is in the blast cavities of nuclear stimulated wells, there are several ways it can leave—and find its way into man's biological environment:

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1. As we have seen, the water can leave the blast cavities with the produced gas. After the cavities cool sufficiently, contaminated liquid water will leave the cavities with the produced gas.

2. The water will leave blast cavities via channels through corroded casing.

The National Academy of Sciences—National Research Council has recommended[7] that "wastes containing the long-lived isotopes strontium-90 and cesium-137, which have half lives of 28 and 30 years, be isolated at least 600, and possibly as long as 1,000 years, to render them biologically harmless."

After the natural gas has been produced from the tens-of-thousands of nuclear-stimulated wells and the wells have been abandoned sometime during the next 50 years, the radionuclides in the blast cavities will still have a dangerous life of from 550 to 950 years. The life of steel casing is estimated at about 25 years maximum. After the steel casing has corroded, these wells will be poor insurance for keeping hundreds-of-millions of curies of dangerous radioactivity trapped for another 975 years.

3. The contaminated water will leave the blast cavities through natural and induced fractures. As we have already seen, the purpose of nuclear stimulation is to produce underground cavities and fracture systems. In addition to showing extensive faulting and fracturing in the Rio Blanco Unit Area, the Environmental Statement of the AEC says (p. D–3)

"Interpretation of subsurface faulting in the basin is based heavily on geophysical studies. The relatively wide well spacing, the small fault displacement, the local variations in stratigraphic thickness, and the lenticular and discontinuous nature of the sandstone elements make it difficult to pick fault cuts from the well logs."

Notice that the location of faulting in the natural gas zones is based upon "interpretation" and geophyshical studies. And notice, too, that the AEC says it is difficult to pick "fault cuts" from well logs. I agree. The effect of hundreds of blasts in the Rio Blanco Unit area and tens-of-thousands of blasts in the Upper Colorado River Basin would be to activate and extend known and unknown natural faults and fractures. These, in turn, would be connected with blast fractures extending from nuclear cavities. Along these known and unknown fracture systems, contaminated waters will be free to move between blast cavities and surface waters—and, ultimately, sometime in the next 600 to 1,000 years, the Colorado River.

Exploration and development of deep horizons below nuclear stimulated zones would be hazardous

Oil and gas, valued at hundreds of millions of dollars, have been produced from geologic formations underlying the Mesaverde formation in the Upper Colorado River Basin. Geologists agree that as much or more remains to be found.

The proposed nuclear stimulation program would hinder future exploration and development of these deep formations. Every hole drilled through the Mesaverde formation, in—or near—a nuclear stimulated area, will run the risk of lost circulation in nuclear fracture zones. And they will run the risk of poisonous blowouts.

Every well drilled through the Mesaverde formation near a nuclear stimulation area will increase the risk of releasing radionuclides from the fractured zones into surface waters.

Future oil and gas injection projects in nuclear stimulation areas will run the risk of breaking into nuclear zones and forcing contaminated water into surface water zones and the Colorado River.

NUCLEAR COMPLETION METHODS WOULD BE WASTEFUL OF THE NATION'S ENERGY

On March 27, 1972, Dr. E. A. Martell, President of the Colorado Committee for Environmental Information, presented testimony at the AEC's hearing on the Rio Blanco Draft Environmental Statement. Concerning Energy Waste, Dr. Martell said:

"A comprehensive evaluation of alternative methods of gas stimulation and the benefits and costs involved should include evaluation of the energy consumed in the process for each method. The AEC statement omits discussion of (1) the electrical energy consumed in the manufacture of the nuclear explosive devices to be used in nuclear gas stimulation applications, (2) the energy represented by the fissionable material of these devices, were it to be used in fission reactor for electric power production, (3) the natural gas consumed and wasted as the result of its disassociation and oxidation in the cavity under the influence of the intense heat and radiation from the explosion.

"The presence of a large excess of carbon dioxide, carbon monoxide and molecular hydrogen in nuclear explosion stimulated gas may be explained in large part by disassociation of methane (natural gas) by ionizing radiation and chemical reactions of the disassociation products.

"If nuclear gas stimulation consumes significant amounts of our dwindling energy and fuel resources this fact should weigh heavily in the cost assessment of alternative methods of gas stimulation. A quantitative estimate of such energy consumption and fuel waste is essential to the proper evaluation of nuclear gas stimulation versus alternatives.

"To have omitted these vital estimates in the discussion of costs and alternatives reduces this aspect of the AEC environmental statement to mere promotional literature." (Italic is mine.)

NUCLEAR COMPLETION METHODS WOULD BE NON-COMMERCIAL

A study of the Rulison nuclear stimulation experiment reveals that in order for this natural gas to be commercial it must sell for about $1.00 per thousand cubic feet. Estimates of the necessary price for gas from the proposed Rio Blanco Unit and the proposed Wagon Wheel gas stimulation project vary from 60¢ per thousand cubic feet to $1.20. The present interstate price for natural gas in the Upper Colorado River Basin ranges from less than 20¢ per mcf to slightly over 20¢. In other words, this gas will not be commercial until the price is three times the present price.

Footnotes at end of article.

In the meantime, contrary to the claim of the AEC that "there is no known economic alternative to nuclear gas stimulation for recovering the 300 trillion standard cubic feet of gas from tight formations" (Environmental Statement p. 1–4), it is a fact that the job is being done by hydraulic fracturing and at today's prices. Here are some examples:

In a paper entitled "Successful Stimulation of a Thick, Low Pressure, Water-Sensitive Gas Reservoir by Pseudolimited Entry," author J. Paul Mathias, Continental Oil Company,[8] describes the successful hydraulic fracturing of tight gas-bearing formations in an area originally proposed for nuclear stimulation—the Dragon Trail Unit, Rio Blanco County, northwestern Colorado.

On page 187, the author says "The average gas flow rate of these wells has been increased from 422 Mcf/D to 3,970 Mcf/D."

In a paper entitled "Successful Deep Well Stimulation Utilizing High Proppant Concentration," authors S. A. Holditch, Shell Oil Company, and John Ely', Halliburton Services,[9] state that "The second type of stimulation, which undergoing limited study today, is the use of both conventional and nuclear explosives. At this time, two nuclear explosive projects have been conducted. These tests were apparently successful in safely setting off a nuclear device and achieving some stimulation. *However, the economic feasibility of nuclear stimulation is still questioned by a large segment of the industry.*" (Italic mine.)

Let me cite two more technical papers: "A Staged Fracturing Treatment For Multi-Sand Intervals," by B. B. Williams, Esso Production Research Company; G. Nieto, Creole Petroleum Corporation; H. L. Graham, Exxon Company; and R. E. Leibach, General Consulting, S.R.L.; [10] and "Use of Liquified Gases as Fracture Fluids for Dry Gas Reservoirs," by R. E. Hurst, Dowell Division of the Dow Chemical Company.[11]

These papers are of interest because they show that tight, thick sandstone formations containing natural gas are successfully being stimulated by present hydraulic fracturing techniques at today's prices.

CONCLUSION

I would like to conclude this statement by paraphrasing my conclusion at the 27 March 1972 Rio Blanco hearing:

Tens-of-thousands of nuclear bombs would release hundreds-of-millions of curies of radioactivity in the underground circulating waters of the Upper Colorado River Basin. Who will inspect the tens-of-thousands of nuclear gas wells twenty * * *?

When corroded casings begin to leak radioactive water, and poisonous springs erupt some time during the next 1,000 years, who will clean up the mess? The answer is no one. Nothing man can do will keep the radioactivity out of the Colorado River. The damage will have been done, and it will be too late to do anything about it.

(Note.—Figures 1 and 2 are not shown here.)

FOOTNOTES

[1] United States Atomic Energy Commission, "Environmental Statement, Rio Blanco Gas Stimulation Project, Rio Blanco County, Colorado," WASH–1519, April 1972.

[2] Atkinson, Charles H., "The Concept and Testing of Formation Fracturing and Nuclear Explosives, and Thoughts on Future Application," SPE Paper 2061 presented at Symposium on Petroleum Economics and Evaluation, Dallas, Texas, March 4–5, 1968.

[3] "The Concept and Testing of Formation Fracturing and Nuclear Explosives, and Thoughts on Future Application," SPE Paper 2061 presented at Symposium on Petroleum Economics and Evaluation, Dallas, Texas, March 4–5.

[4] United States Atomic Energy Commission, "Draft Environmental Statement, Rio Blanco Gas Stimulation Project, Rio Blanco County, Colorado," WASH 1519, January 1972.

[5] A Compilation of Technical Studies Performed Prior to Design of the Wagon Wheel Experiment, "Project Wagon Wheel, Technical Studies Report," PNE–WW–1, December 31, 1971, Edited and Printed by El Paso Natural Gas Company.

[6] Telephone conversation with Mr. Reg Gotchy, U.S. Atomic Energy Commission, Las Vegas, Nevada, information quoted from Report TNE–4–52, Project Rulison—Post-Shot Well Test Data, Austral Oil Company.

[7] National Academy of Sciences—National Research Council, "Resources and Man, A Study and Recommendations," by the Committee on Resources: W. H. Freeman and Company, San Francisco, 1969.

[8] Mathias, J. Paul, "Successful Stimulation of a Thick, Low-Pressure, Water-Sensitive Gas Reservoir by Pseudolimited Entry," Journal of Petroleum Technology, February 1971.

[9] Holditch, S. A., and John Ely, "Successful Deep Well Stimulation Utilizing High Proppant Concentration," SPE Paper 4118, presented at Society of Petroleum Engineers 47th Annual Fall Meeting, San Antonio, Texas, October 8–11, 1972.

[10] Williams, B. B., G. Nieto, H. L. Graham and R. E. Leibach, "A Staged Fracturing Treatment for Multi-Sand Intervals," SPE Paper 4093, presented at Society of Petroleum Engineers 47th Annual Fall Meeting, San Antonio, Texas, October 8–11, 1972.

[11] Hurst, R. E., "Use of Liquified Gases as Fracture Fluids for Dry Gas Reservoirs," SPE Paper 4116, presented at Society of Petroleum Engineers 47th Annual Fall Meeting, San Antonio, Texas, October 8–11, 1972.

COSC—COLORADO OPEN SPACE COUNCIL, INC.

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Thorne Ecological Institute.
Ex Officio (representatives from):
Bureau of Land Management.
Bureau of Outdoor Recreation.
Colorado Game, Fish and Parks.
Colorado Geological Survey.
Colorado State Forest Service.
National Park Service.
U.S. Forest Service.
Environmental Protection Agency.

ASPEN SCHOOL DISTRICT NO. 1,
Aspen, Colo., April 14, 1973.

Bureau of Land Management,
Washington, D.C.
Attn: Dr. Burton W. Silsock.

DEAR DR. SILSOCK: This is a letter of formal protest for the transfer or land withdrawal requests No. 17528 to the Atomic Energy Commission for the Rio Blanco project.

More and more facts and scientific data have been compiled by knowledgeable scientists exposing the risks and probable water contamination and increased amounts of radioactivity in the atmosphere which will result from this blast.

There have been no public hearings on the safety and security from lethal radiation or seismic damage the Rio Blanco Blast could cause; nor, has the Atomic Energy Commission taken any emergency measures in the event of a possible failure with this blast.

Failures have already been evidenced in the Rulison and Gasbuggy projects—failures to the degree of being questionable whether the cost and risk were worth the effort. It is apparent that far more economical and safer methods can be employed to tap the natural gas (such as the use of hydraulic pressure); yet, the Atomic Energy Commission deafly responds to these methods or alternatives.

When the risks mount up and the environment and lives by the thousands are endangered, it is time for the Bureau of Land Management to halt these hazardous tests by refusing sale of this land for the Rio Blanco project; to stop the sale before it is too late to prevent continued experiments and blasts augmenting eventual disasters; to stop the sale so that other alternatives may be considered, eliminating the threat to environment and security to life we are entitled to.

I am only one of hundreds who share in this protest.

Sincerely,

JUSTINE RODRIQUEZ,
Aspen Middleschool teacher.

CITIZENS FOR COLORADO'S FUTURE,
April 10, 1973.

Mr. GEORGE L. TURCOTT,
Acting Director, Bureau of Land Management, Washington, D.C.

DEAR MR. TURCOTT: Citizens for Colorado's Future is the group which spearheaded the successful opposition to the Winter Olympics in Colorado. Although we have avoided taking stands on any issue since then, we feel that Rio Blanco is a serious enough extension of an inappropriate technology so as to require comment.

Specifically and initially we ask that this letter be considered a formal objection to the Notice of Proposed Withdrawal, 38 Federal Register 6697 (1973).

Citizens for Colorado's Future opposes the withdrawal primarily because no hearings have been held. The project is obviously controversial, and thus public hearings are appropriate.

We also feel that the land, given for an indefinite period for essentially private use without charge, is a subsidy of significant size to warrant public discussion.

Sincerely,

Dwight Filley,
Coordinator.

Boulder, Colo.,
April 7, 1973.

Mr. Burton W. Silcock,
Director of the Bureau of Land Management, Department of Interior, Washington, D.C.

Dear Sir: I would like to state a formal protest, under Department Regulations Title 43, Code of Federal Regulations paragraph 4.450.2, to the proposed withdrawal of lands from the Bureau of Land Management to special use status by the Atomic Energy Commission and CER Geonuclear Corporation at the Rio Blanco test site near Meeker, Colorado as cited in Notice of Proposed Withdrawal, Vol. 38 Federal Register 6697 (1973).

Over the past 20 years evidence that irradiation, viruses and chemical mutagens cause cancer has accumulated. Because of the statistical link between increase in radioactive isotopes in the environment following atmospheric atomic bomb tests and the increase in leukemia in children (as one of several effects), biologists in the past have attacked atmospheric atomic bomb testing and have added to the world pressures that eventually forced cessation of above ground atomic bomb explosions.

Although the Rio Blanco project is to occur 6,000 feet underground, the three atomic bomb explosions of 30 kiloton capacity planned in the experiment will eventually release tritium into the environment. Tritium, a radioactive isotope of hydrogen, will be flared off the wellhead. There is also a possibility that underground waters may become contaminated. Since the half life of tritium is 12.26 years (in 12.26 years one half of the radioactivity will have disintegrated), this release represents a long term contamination of the Piceance Creek Basin. 20 to 60 times the original level of radioactivity will occur when the full Basin pilot program is complete and 300 times the original level of radioactivity will occur if the Rio Blanco gas field is developed for commercial purposes.

In view of the contamination of the Rio Blanco area as well as the environment into which radioactive isotopes may drift, of the probable infeasibility of using tritiated gas in homes and schools and of the difficulty of extracting oil from overlying shales if the region is completely developed by atomic blasting for gas, I would suggest that this project is both detrimental and inefficient.

I am enclosing an article from the British journal *Nature* on the Colorado Rio Blanco project which, with some impartiality, discusses our problem from an outsider's point of view.

Very truly yours,

Elizabeth Caplan, M.A. (Biology).

Energy Consultant to Ralph Nader,
Washington, D.C., April 11, 1973.

Director,
Bureau of Land Management,
Department of the Interior,
Washington, D.C.

Dear Sir: This is in comment on the "Notice of Proposed Withdrawal and Reservation of Lands", published in the Federal Register, Monday, March 12, 1973. We strongly object to the proposed transfer being actualized at this time. We find that there are many pressing problems which the BLM should investigate before cooperating in the execution of the proposed Rio Blanco Phase I gas stimulation project.

The problems which must at first be answered include:

1. Alternatives for storage of the tritiated water produced by the explosion. The large quantities of Tritulum, Carbon 14, Argon and Krypton that are planned to be released into the atmosphere through flaring of the radioactive gas represent an inacceptably large environmental and public health risk.

2. With the striking trend towards increasing of natural gas prices, it appears that conventional stimulation methods would be economically competitive, and given the lesser risks involved in the latter approach, this would be vastly preferable. Further BLM analysis on this point would seem warranted.

3. The National Academy of Science National Research Council Advisory Committee on the Biological Effects of Ionizing Radiation concluded in their report released November, 1972 (subsequent to the AEC NEPA statement), that "(n)o exposure to ionizing radiation should be permitted without the expectation of a commensurate benefit". The natural gas industry maintains that the present supply shortages are derived from problems related to the regulation of the price structure, and not with the scarcity of gas supplies. We therefore have extra time to consider alternatives to a large scale nuclear gas stimulation project.

At the very minimum, the BLM should delay transfer of the land until a full public review is held on a number of transactions which will occur with the Rio Blanco test, these include: granting of special land use permits; granting of transmission line rights-of-way; and amendment of the existing contracts with the private companies involved.

We believe that the test presents an unacceptably large risk to the environment, and to the health and safety of the public. Therefore, we urge the BLM not to accept the application of the U.S.A.E.C., Serial No. Colorado 17528.

Sincerely,

Richard H. Sandler,
Sam Love,
Environmental Action.

Natural Resources Defense Council, Inc.,
Washington, D.C., April 10, 1973.

Hon. Rogers C. B. Morton,
Secretary, Department of the Interior,
Washington, D.C.

Dear Secretary Morton: The Natural Resources Defense Council (NRDC), National Wildlife Federation, Friends of the Earth, Sierra Club, and Environmental Policy Center protest[1] the Department's proposed actions to grant a land withdrawal application filed by the Atomic Energy Commission[2] and special land use permit and transmission line right-of-way applications filed by CER Geonuclear Corp.[3] in order to allow a proposed nuclear gas stimulation project—Project Rio Blanco—to be conducted on public lands.

These environmental organizations believe that the Department should deny the pending applications because granting them would not be in the public interest. Specifically, the Secretary is required by law "to find" prior to granting a right-of-way application that the grant "is not incompatible with the public interest." 43 U.S.C. 959, 961. *See also* 16 U.S.C. §§ 4, 5, 420, 523; 43 C.F.R. § 2920.3(b). First, on the basis of available information it appears that stimulation of the natural gas in question could be accomplished either by hydraulic or by nuclear fracturing. Nuclear fracturing, however, poses substantial threats of harm to the environment and to public health and welfare which hydraulic fracturing does not. (These facts are discussed in the comments attached to this letter as well as in the AEC's Environmental Statement on Project Rio Blanco (WASH-1519)). Therefore, since a reasonable alternative to nuclear stimulation is available which poses less severe threats to the environment and to public health and welfare, it would be "incompatible with the public interest" to permit use of the public lands for the Rio Blanco nuclear stimulation project.

Second, as discussed in greater detail below and in the attached comments, the Department has not complied with the requirements of the National Environmental Policy Act (NEPA), 42 U.S.C. §§ 4321 *et seq.* This Act declares that environmental protection is in the public interest and that every federal agency is obligated to protect the environment "to the fullest extent possible," 42 U.S.C. § 4332. *See also* 42 U.S.C. §§ 4321, 4331. Therefore, it would be "incompatible with the public interest" to permit use of the public lands for Project Rio Blanco until the Department has complied with NEPA.

The Secretary must also find that detonating the Project Rio Blanco nuclear devices in mid-May, 1973, with flaring to follow in approximately three months, as is now planned, is "not incompatible with the public interest." This is not the case. First, as documented in the AEC Environmental Statement, this is a time, as compared with other times of the year, at which the risk of concentrating radioactive contamination from radioactive emissions such as venting or flaring is increased, particularly by "looping," an event which is most likely to occur during warm, sunny days which predominate during summer months. (Environmental Statement 3-20). Therefore, the Department should deny the pending land withdrawal and land use applications related to Project Rio Blanco at least until a safer time of year is proposed.

Second, no careful and current analysis has been made of the costs and benefits of hydraulic fracturing as compared with nuclear fracturing. The Addendum to the Environmental Statement reports that "[p]reliminary estimates by experts in both fields indicate that the range of potential production costs per MSCF of gas is similar" for the two stimulation techniques. (Addendum 6-2). And the Department itself recently stated: "Presumably recovery would be lower than after nuclear stimulation, but hydraulic fracturing might offer environmental and economic advantages." (Final Environmental Statement on OCS Lease Sale Offshore Louisiana, dtd. Oct. 13, 1972, at 405n.1). Therefore, the Department should deny the pending land withdrawal and land use applications related to Project Rio Blanco at least until a careful study and assessment of the total costs and benefits of these two stimulation techniques is completed.

Regarding the National Environmental Policy Act (NEPA), *supra,* the Department is required to comply with the requirements of the Act and implementing regulations such as CEQ Guidelines, 36 Fed. Reg. 7724 (1971), and Department of the Interior Manual, § 516.2, prior to acting on the pending applications for a land withdrawal, a transmission line right-of-way, and special land use permits related to Project Rio Blanco. As detailed in the attached comments, the AEC's Project Rio Blanco Environmental Statement, which the Department considers as meeting its NEPA obligations with respect to these proposed actions, is seriously deficient in several respects and inadequate under NEPA. The major deficiencies discussed in the comments are: (1) inadequate discussion of reasonable alternatives, and their environmental impacts, to the proposed actions; (2) omission of material information; and (3) noncompliance with NEPA procedures.

Attached, in addition, are the April 14, 1972, comments of NRDC on the AEC's April 1972 Project Rio Blanco Environmental Statement. Since many of the deficiencies identified in those comments were not remedied by the Addendum, these deficiencies are pertinent to the Environmental Statement

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Footnotes at end of article.

which the Department now considers as being in fulfillment of its NEPA obligations. The Department should not act to permit Project Rio Blanco to proceed at least until it has complied with its NEPA obligations by preparing and circulating for comment an adequate environmental statement.

Sincerely yours,
EDWARD L. STROHBEHN, Jr.

FOOTNOTES

[1] *See* 43 C.F.R. §§ 450.2, 2351.4(a); 38 Fed. Reg. 6697 (Mar. 12, 1973); ltr. fr. J. W. Larson, Asst. Scty. of Interior, to E. L. Strohbehn, dtd. Mar. 2, 1973.

The attached comments on the Project Rio Blancho Environmental Statement are submitted as part of this protest.

[2] "Notice of Proposed Land Withdrawal and Reservation of Lands," 38 Fed. Reg. 6697 (Mar. 12, 1973); C–17528, AEC Land Withdrawal Application, filed Jan. 10, 1973.

[3] C–12677, Weather & Microwave Station, filed Mar. 31, 1971; C–14154, Office Complex & Microwave Control Station, filed Sept. 23, 1971; C–14638, Radio & Telephone Control Station, filed Dec. 15, 1971; C–15095, Trailers, Offices, & Laboratory, filed Jan. 4, 1972; C–15116, Transmission Line Rights-of-Way, filed Jan. 12, 1972; C–15515, Installation of Radio Equipment on Existing Tower, filed Feb. 2, 1972.

NATURAL RESOURCES DEFENSE
COUNCIL, INC.,
Washington, D.C., April 11, 1973.
Hon. ROGERS C. B. MORTON,
Secretary, Department of the Interior,
Washington, D.C.

DEAR SECRETARY MORTON: I respectfully request that the time for submission of comments on the Department's proposal to grant an Atomic Energy Commission land withdrawal application (C–17528, filed January 10, 1973; published in the *Federal Register* on March 12, 1973, 38 Fed. Reg. 6697) be extended ten days from April 11, 1973 to April 21, 1973. The land withdrawal is requested by the AEC in order to allow a nuclear gas stimulation project—Project Rio Blanco—to proceed on public lands.

On March 14, 1973, four weeks ago, I wrote Mr. John Larson, Assistant Secretary of the Interior, to request information about Department actions relating to, among other things, the proposed land withdrawal application. Despite repeated requests during the last four weeks for a reply, I received an answer only last night about 5 p.m. (April 10, 1973). I noted in the comments which were prepared prior to receipt of this answer and which were submitted as part of the protest which I filed this morning on behalf of five environmental organizations against, *inter alia*, the proposed land withdrawal application that "Upon receipt of a reply to NRDC's March 14th letter to the Secretary of the Interior regarding, *inter alia*, compliance with NEPA procedures, NRDC will have further comments." (at p. 21)

The comments will be relevant to the proposed Department decision to grant the AEC land withdrawal request. In order to prepare these comments, I request that the time for submission of comments on the proposed land withdrawal be extended ten days.

In addition, with respect to the protest against the proposed land withdrawal application which I have filed on behalf of Natural Resources Defense Council, National Wildlife Federation, Friends of the Earth, Sierra Club, and Environmental Policy Center, pursuant to 43 C.F.R. § 2351.4(a)–(b) and the *Federal Register* notice, 38 Fed. Reg. 6697 (March 12, 1973). I request that public hearings be held on the proposed land withdrawal. I also request a conference with the Secretary prior to his deciding whether to grant the proposed Department land withdrawal and land use applications related to Project Rio Blanco.

I would appreciate hearing from you as soon as possible concerning these requests.

Sincerely yours,
EDWARD L. STROHBEHN, Jr.

COLORADO COMMITTEE FOR
ENVIRONMENTAL INFORMATION,
Denver, Colo., April 10, 1973.
ROGERS C. B. MORTON,
Secretary of the Interior, Department of the Interior, Washington, D.C.

Regarding: Notice of Proposed Withdrawal 38 Federal Register 6697 (1973). Special Land Use Permit Application CER Geonuclear Lease Modification Application.

We respectfully request that this letter be considered a formal protest to these actions (reference Department of the Interior Regulation 43 C.F.R. Paragraph 4.450.2.) and that the proposed withdrawal and special land use permit be denied.

This request is based upon the fact that in our judgment the AEC Environmental Impact Statement for the Rio Blanco Gas Stimulation Project (Wash-1519) and its Addendum, both of which will be referred to herein as reference 1, are seriously deficient in the following areas:

1) Consideration of the environmental hazards involved in the full field development of the Upper Colorado River Basin.

2) Consideration of the radiation exposure hazards involved in the public distribution of gas resulting from this full field development and of the appropriate radiation exposure guidelines upon which such distribution must rest.

3) Technological and economic definition of what constitutes success of the Rio Blanco experiment.

Two previous underground nuclear gas stimulation experiments, Gasbuggy and Rulison, have demonstrated the technical feasibility of releasing natural gas from tight underground formations by means of nuclear explosions. The third of this series, Rio Blanco, can only be viewed as an experiment to demonstrate the *economic* feasibility of commercial gas production from vertically distributed lenticular gas bearing sands in the Upper Colorado River Basin. Indeed on page 1–1 of reference 1 the AEC indicates that the ultimate aim of the Rio Blanco series is the economic recovery of an estimated 300 trillion cubic feet of natural gas. With this aim in mind, it becomes absolutely imperative that project Rio Blanco be viewed in the light of the anticipated full field development. It must survive on its merit in this context or not at all.

To discuss project Rio Blanco in the smaller context of only the ecological, social, and radiation hazards involved with the experimental 90 kiloton, three bomb explosion is at best, self deception and at worst, intentional deception of the public at large. Viewed in the larger context of full field development, reference 1 falls seriously short in the three areas mentioned above which will be dealt with separately.

1. Environmental Hazards of Full Field Development.

The initial step of project Rio Blanco is to be the detonation of three 30 kiloton nuclear devices in a single emplacement well in Rio Blanco County Colorado. On page 2–13 of reference 1 the AEC says of the Piceance Basin development "current speculation is that the total field may be developed with about 140–280 wells". David Evans of the Colorado School of Mines, in his statement before the public hearing on Project Rio Blanco held in Denver March 9, 1972 estimated that about 13,000 wells would have to be stimulated to recover the estimated 300 trillion cubic feet of gas from the entire western basin four corners area. This breaks down to considerably more than the upper AEC limit of 280 well stimulations for the Rio Blanco Piceance Basin area. It seems apparent that a serious discussion of Project Rio Blanco must consider the effects, both desirable and undesirable, of the detonation of at least *1000* 30-kiloton devices.

1A. Strontium 90 and Cesium 137

In its Draft Environmental Statement, the AEC maintained that most of the radioactivity created by the blast would be nonvolatile and would be trapped in resolidified molten rock in the bottom the blast cavity. The incorrectness of this assumption was pointed out at the March 27, 1972 Denver hearings and the final Environmental Statement was revised to read "Included in the fission products remaining one year or more after the detonation are the nuclides 90_{sr} (Strontium —90) and 137_{cs} (Cesium —137). A significant fraction of these isotopes are deposited on rock surfaces in the chimney region, and would be capable of being dissolved should these be exposed to any liquid water". These are two of the most biologically dangerous radio nuclides known for which deadly doses are measured in millionths of a curie. At the anticipated production rate of some 10 to 20 thousand curies of both 90_{sr} and 137_{cs} per well stimulation, full field development would deposit literally millions of curies of these two radio isotopes in water soluble from in the Piceance Basin.

The AEC goes to great lengths to show that these water soluble radio isotopes present no hazard with regard to the first Rio Blanco shot. Page 3–23 states that "It should be emphasized that no liquid water is expected to either enter or leave the chimney region. . . . Thus no mechanism can be hypothesized whereby the surface-deposited radioactivity can be incorporated into mobile ground waters." Water *is* currently entering the Gasbuggy chimney presumably from a failure of the water tight bond between the installed casing and the penetrated rock formation. Based on the *increasing* percentage of water in the gas coming from the Rulison well, water appears to be entering the Rulison blast cavity, also. When this cavity cools and entering water will be in the form of liquid rather than steam and will thus be able to carry away soluble radio nuclides present. Once dissolved such radio nuclides will possibly find their way out of the blast cavity into underground waters, and thus into man's environment, by the cracks and fissures intentionally created by the initial blast to stimulate gas flow. How much more likely are unanticipated casing failures and deep inter-connecting fractures under the repeated seismic disturbance of many successive nuclear blasts? This question is entirely unaddresed.

1B. Economic Damage

In the process of full field development, a significant portion of the state of Colorado will be subject to recurring seismic shock. No consideration in the Environmental Impact Statement is given to the possible economic depression which is likely to result.

2. Radiation Hazards from Radioactive Natural Gas.

Since the ultimate aim of Project Rio Blanco is the economic recovery of natural gas for distribution for public consumption, it is appropriate that consideration be given to the current state of knowledge of the level of radioactivity to be anticipated from nuclear stimulation and to an assessment of the public hazard involved in its distribution and use. Both of these topics are notably absent from the Environmental Impact Statement.

Projects Gasbuggy and Rulison have both undoubtedly resulted in the amassing of considerable data concerning the level of radioactivity as a function of time after detonation to be expected of gas produced by nuclear stimulation. A critical discussion of these radioactivity levels and their relationship to accepted criteria for public exposure must be presented in a satisfactory evaluation of Project Rio Blanco.

The question of what constitutes an acceptable level of exposure to the public in the distribution of radioactive gas to consumers has not been adequately resolved and is hardly a matter to be left to the discretion of the agency which is promoting the technology in question. It appears that such questions should be addressed by the National Council on Radiation Protection, the Department of Health, Education and Welfare and by the Environmental Protection Agency and resolved *prior* to the initiation of a production feasibility experiment. Certainly decisions regarding the public use of radioactive gas will significantly effect decisions related to Project Rio Blanco and *must* be included in a discussion of the environmental impact of this project. Such decisions must be based upon accurate and worst possible case assessments of the exposure risks involved and in doing so the question of exposures to citizens who are not beneficiaries or consumers should be separated from those who are.

3. Definition of Experiment Success.

Since Project Rio Blanco is essentially an economic feasibility study, it becomes germane to include, in its discussion, the criteria by which success or failure of the experiment is to be judged, and on what basis the further development of the gas field is to proceed. Minimum acceptable flow rates after detonation and maximum acceptable radiation levels as related to public exposure (discussed in 2 above) should be stated so that public judgments may be made as to whether continued development should proceed.

Summary and Conclusion.

In the welter of technical data which has been presented in the Environmental Impact Statement and its Addendum, the basic fact that Project Rio Blanco is an economic feasibility study for the commercial production of natural gas is often lost. When viewed in this light, it becomes immediately obvious that, not only must the hazards and environmental impact of the first 90 kiloton detonation be considered, but that a rational evaluation of Project Rio Blanco as a viable experiment requires the consideration of the full field development as well. The Environmental Impact Statement for Project Rio Blanco is almost entirely devoid of assessments of the ultimate effects of full field development and is therefore seriously inadequate.

We therefore feel that in the best interest of the public at large and the population of Colorado in particular, who must bear the brunt of the anticipated development, the special land use permit and land withdrawal request be denied; at least until such time as these serious questions have been satisfactorily resolved.

PAUL D. GOLDAN, Ph. D.,
(For the Colorado Committee for Environmental Information.)

UNIVERSITY OF COLORADO,
Boulder, Colo., March 22, 1973.

The DIRECTOR,
Bureau of Land Management,
Washington, D.C.

DEAR SIR: I object to BLM's withdrawal of land for the Rio Blanco shot of the AEC, on the grounds that environmental effects have not been sufficiently studied. Evidence which is currently available on water pollution effects, both salinity and radioactivity, has been ignored.

I think it would be highly irresponsible for any Federal Agency to set aside public lands for the use of another Agency when it is widely acknowledged that environmental problems have not been adequately addressed.

Sincerely,

CHARLES W. HOWE,
Chairman and Professor of Economics.

DENVER AUDUBON SOCIETY,
Denver, Colo.

Hon. ROGERS C. B. MORTON,
Secretary of the Interior,
Interior Building,
Washington, D.C.

DEAR MR. MORTON: We were dismayed to learn of the proposed land withdrawal of 360 acres on the Rio Blanco proposed site for management by the Atomic Energy Commission. This withdrawal is important to the citizens of Colorado and not to be done without consultation with them. As you know, Project Rio Blanco is very controversial and any procedure connected with it should allow for citizen in-put. Project Rio Blanco is for private purposes, not public ones and no compensation has been provided for. Other federal and state agencies should be involved and it is my understanding that this withdrawal would in many ways exclude them from this project. This pertains to the Bureau of Land Management in particular. Do you wish to give up any of your controls over this project?

It is with these points in mind that we are asking that public hearings on this withdrawal be held, not only in the Rio Blanco area but within other sections of the state as well. Denver should be one of these alternative sites.

We will be awaiting your action on this matter.

Sincerely,

MS. KAY COLLINS,
Chairman, Conservation Committee.

BOARD OF COMMISSIONERS,
COUNTY OF PITKIN,
Aspen, Colo., April 11, 1973.

Secretary ROGERS C. B. MORTON,
Department of the Interior,
Washington, D.C.

DEAR SIR: This letter is formal protest under Department of the Interior Regulation 43CFR No. 4.450.2 to the Notice of Proposed Withdrawal 38–FR 6697 (4973). We understand that by the terms of this Withdrawal certain Bureau of Land Management (BLM) lands will be transferred to the Atomic Energy Commission (A.E.C.) to assist in implementing the purposes of the nuclear blast experiment in Rio Blanco, Colorado. We officially oppose such a transfer because no attempt has been made to satisfy us as local officials upon the following concerns:

1. Pitkin County is located approximatly 50 miles downwind of the sites proposed for extensive nuclear blasting. Virtually no effort has been made by the A.E.C. to assure our residents that their County is protected from all possibility of radiation contamination. Information is not available to the effect that anyone *has confident knowledge* about safe levels of radiation exposure especially the long term effects thereof. We do not know why it is assumed that natural gas sold commercially as a result of this project will not be harmful

2. The City of Aspen, in Pitkin County, Colorado is underlain with elaborate mine tunneling constructed approximately 100 years ago. Geological faulting is extreme on the Aspen, Shadow and Smuggler Mountains surrounding the town of Aspen. The Reudi Dam on the Frying Pan River is built on a serious geological fault and land behind the dam is unstable. Further danger exists to our residents from snowslides or avalanche which could be triggered by physical disturbances to our area. Again, no examination of these possibilities has been disclosed to our local residents or to their elected officials.

3. We are concerned about possible radiological contamination of the underground water systems engendered by hundreds of nuclear underground explosions. Where does this underground water flow? Will wells be contaminated: We have hot springs in our County which comes from deep in the earth much below the level of the nuclear testing.

4. Substantial investments have been made in our area to attract and maintain a tourist economy. In addition a high percentage of our government operating revenues are derived from a tourist based sales tax. We wish to be assured that these considerations have been evaluated and are not jeopardized by the A.E.C. project.

We strongly protest the transfer of B.L.M. land at this time and will continue to do so until our citizens and their elected officials have received adequate information concerning the risks and benefits, and have had an opportunity to make valid judgments thereon.

Sincerely,

DWIGHT SHELLMAN,
Chairman, Pitkin County Commissioners.

ASPEN, COLO.

DALE ANDRUS,
Director, Bureau of Land Management,
Washington, D.C.

DEAR MR. ANDRUS: In response to your request for public comment on the proposed release of 360 acres of your land to the AEC for Project Rio Blanco, I am sending you the enclosed petitions.

The signatures total 333 and request that Governor Love use his veto power to stop the atomic explosion for the reasons listed. I think that this also indicates that a large number of people in Western Colorado (we petitioned for two days in the Aspen area) would hope that you do not release the proposed tract to the A.E.C.

Thank you for your attention to our concern.

Sincerely,

JOAN NICE.

CITIZENS CONCERNED ABOUT
RADIATION POLLUTION,
Denver, Colo., April 7, 1973.

ROGERS C. B. MORTON,
Department of the Interior,
Washington, D.C.

DEAR MR. MORTON: Under the terms of 38 Federal Regulation 6697–1973, I am filing an official protest of the proposed nuclear detonation known as *Project Rio Blanco.* Despite the major radiation hazard represented by this operation the Atomic Energy Commission and its sub-contractor have begun their operations in the target area before giving the required "formal notice of proposed withdrawal" to the residents.

It is hoped that your office will intervene at this time to protect the public interest and see that the law is upheld. Perhaps the "shot" might be permanently cancelled in light of the growing evidence that it is both dangerous and a technical fiasco.

A prompt consideration and reply to this request would be greatly appreciated.

Sincerely,

REV. WILLIAM SULZMAN.

MARCH 23, 1973.

DEAR SIR: The allowal of atomic blasting in the earth ecosphere is something that must be stopped. It is madness to revert to such means to perpetuate the energy needs of this country. You people ought to be pushing for funds for clean energy research and development. Please consider our ecosphere. It is the only one we have, and it re-cycles w/air currents every one hundred any thirty eight days, and that is for everyone.

Sincerely,

WILLIAM W. SPAIN.

Boulder, Colo., *April 10, 1973.*

Burton W. Silcock,
Director of the Bureau of Land Management, Department of the Interior, Washington, D.C.

Dear Mr. Silcock: I would like to make a formal protest in accordance with Department regulations 43 C.F.R. Paragraph 4.450.2 to the AEC's land withdrawal application, 38 Federal Regulation 6697 (1973).

I strongly oppose project Rio Blanco and the other proposed underground nuclear tests in Colorado. I also object to any act of Congress enabling the marketing of radioactive gases produced by nuclear stimulation.

Please consider the following points:

I. As a citizen I believe that I should be consulted and agree before radioactive gases are to be flared into my environment.

II. The argument that 'safe' levels of radiation only will be released is not valid.

A. There is no such amount of radiation which can be considered safe. There is only a benefit versus risk evaluation.

B. The point is often made that we don't know precisely what the biological results are of long term 'low level' radiation. I don't think that flaring radioactive gases on Coloradans is a suitable method for finding out.

C. We are getting so-called 'safe doses' of radiation from many other sources; medical X-rays, nuclear reactor pollution, fallout, Rulison flaring etc. These doses add up to quite a bit of cumulative exposure.

III. The AEC stands to lose a great deal if 'peaceful uses' for atomic energy are curtailed. It therefore would be difficult to expect an unbiased opinion about safety to the public when these projects are acted upon.

Thank you very much for registering my protest.

Sincerely,

Barbara Kennedy.

Aspen, Colo.

Bureau of Land Management,
Department of Interior,
Washington, D.C.

Gentlemen: I urge you not to acceed to the demand of the A.E.C.—(whose forecasts of damage of many sorts have been since the beginning of that body's existence—been over optimistic and not reliable—to make the necessary land adjustment, for the explosion "Rio Blanco"—this is a national—not merely a Colorado problem.

Yours truly,

Elizabeth Ickes.

H. L. Ickes did not sell helium to Germany!

April 8, 1973.

March 19, 1973.

Bureau of Land Management,
Washington, D.C.

Gentlemen: Please do not allow the AEC to withdraw the 360 acres of land surrounding Project Rio Blanco in Colorado.

Due to the threat of underground pollution plus air pollution plus who knows what and the plans of so many more underground shots, the AEC should not be allowed to proceed with any part of Rio Blanco.

Thank you.

Yours very truly,

Mrs. R. E. Blaine.

March 22, 1973.

Bureau of Land Management,
Washington, D.C.

Gentlemen: I am writing to object to BLM's withdrawal of 360 acres of land from public use for the A.E.C. to blast in its Rio Blanco nuclear oil shale search.

I urge a public hearing on the entire matter. I would like to hear testimony from public health experts on the radiation danger from Rio Blanco and the many subsequent nuclear blasts in our State which will be required to make the project economically feasible. I'd like also to hear from geologists and seismologists about earthquake reactions.

My husband and our two sons and I are permanent, taxpaying residents of Colorado. What good will the oil do us if our State (and our lives) are destroyed in the process of reclaiming it?

Sincerely,

Ellen H. VanNess.

Boulder, Colo.,
March 16, 1973.

Dear Sir: I have just read in the newspaper that the AEC is asking withdrawal from the public domain of 360 acres of land surrounding the Project Rio Blanco site near Meeker.

I feel this is typical of the AEC's total lack of responsibility. They are saying, "If you don't want us to radioactively contaminate public land, turn the land over to us, and then the land we contaminate will not be public land". A frightful suggestion.

Please use all your influence to prevent radioactive contamination rather than to call it by another name. I ask you to prohibit the whole Rio Blanco project, and specifically at this time to prevent AEC management of land properly in your care.

Sincerely,

Edith de Chadenedes.

To the Director,
Bureau of Land Management,
Washington, D.C.

The local TV newscaster reported last night that the BLM had formally requested the removal of 360 square miles from the Public Domain in the Pieceance Basin of western Colorado to support and provide a site for the oil shale "development" known as Project Rio Blanco. He further indicated that the public had until 11 April to write to the Director, BLM Wash. D.C. to comment on this action.

My purpose in writing you is to protest in the strongest terms this high handed action on your part. How dare you to arbitrarily withdraw the public's land from the public domain to further your own, other governmental agencies and oil company interests at the expense of public interests and do it at public expense through expenditure of tax monies? Your proposal is an affront to your supposed mission to administer the public lands in the public interest.

This action and the whole Rio Blanco Project does not appear to be in the public interest, but rather seems to be another "make work" project to maintain and expand your operations at public expense regardless of benefit to the public. The only people who seem to be in favor of Rio Blanco are certain oil interests, your agency and the Atomic Energy Agency plus a few others all of whom stand to benefit from expanded operations and public financed oil explorations.

Project Rulison was a similar boondoggle that cost the public millions of dollars in agonizingly long planning, minimal execution operations and continuing evaluation costs, and hasn't benefitted the public in any fashion as yet.

As a matter of fact, project Rulison is a pretty typical example of your operations in recent years, little or no public benefits from extremely costly, frequently ill conceived and in some cases actually harmful projects that are carried out solely to "make work" for your agency at taxpayers expense and thereby get a bigger part of the public funds each year.

I sincerely believe the foregoing and reiterate that I am opposed to pouring more public monies into project Rio Blanco and specifically opposed to withdrawing 360 square miles, or any other amount of land from the Public Domain to provide a site for project Rio Blanco.

I doubt that this letter will be permitted by the maze of the bureaucracy to reach anyone in a position of authority, much less the director, or that it would get much, if any, consideration if it did get to the director, however I believe that I have performed my civic duty in writing my comments on this matter.

Sincerely,

Cameron D. Paterson.

Denver, Colo.
March 21, 1973.

Director, Bureau of Land Management,
Washington, D.C.

Dear Sir: If some property owners in Rifle, Colorado (approximately 17 miles from the Rulison blast site) reported damage from one (1) 46-kiloton bomb, how can the Atomic Energy Commission feel that Rio Blanco is completely safe being only 20 miles away from a blast site which will blow up three (3) 30-kiloton bombs?

I am not well informed on Atomic blasting, however, I am sure that the atmosphere of the earth could do very well without the blast. What was gained by the blast at Rulison? What was gained by the blast up in Alaska about a year ago (besides a lot of dead wildlife along the coast)?

I am aware that the purpose of the blast is to make useable natural gases below the earth's surface. Why doesn't the Atomic Energy Commission work on ways to *conserve* the energy which is available today? Instead, they keep on looking for new sources of energy which will be depleted in the same thoughtless way as before.

You might not be aware of how Denver so outrageously used its energy during the winter energy crisis. The newspapers were telling the Denver people to turn off lights when not in use and to try to cut down the use of electricity, etc. At the same time these statements were being issued, the Denver Civic Center was blazing away with millions and millions of Christmas lights. These lights burned every night until midnight—until the Stock Show (the Stock Show is for the cowboys who come to Denver for the Rodeo—with bundles of *money* in their hands) left town sometime around February 1, 1973.

Why must public lands be used for this test anyway? I'm sure it isn't the public that wants the blasting. Put the test on some government land. Let the government installations pay for cracked foundations and damages as a result of the blast. Let the government people slowly mutate from the effects of the radiation. They want the blast, let them have it!

Nancy Harrison,
1448 Humboldt Street.

March 21, 1973.

Director, Bureau of Land Management,

Subject: Rio Blanco 320 acre withdrawal protest.

This test might fracture the oil shale layers hence prevent all presently developed plans for mining the shale. The project Rulison test must be evaluated for this fracture effect by an independent geologist.

F. N. Bosco.

Lakewood, Colo., *March 17, 1973.*

Re: Oil Shale tests and Piceance Basin AEC bomb Tests, delay for study.

Hon. Floyd Haskell,
House Office Building,
Washington, D.C.

Dear Sir: You are truly on the right track, in criticizing the AEC tests in the Shale area, until the effect of the last test has been evaluated.

I personally knew the bomb was going to to be put off under Piceance Basin, and was watching, and have a picture, taken from 70 miles East, near Vail, Colorado, showing the arc of rising dust which came up, highest over the bomb, into the sky. This was a result of the shaking of the ground in a large diameter, probably 40 miles, around the explosion. This rose to the freezing level, then leveled off, and made a cloud, and then a rain storm, that evening.

The main point is, this might have fractured the oil shale layers, like a fracture of glass plate, so that planned mining methods with wide roof space betweeen pillars, may not be possible! This must be checked before another test is fired! A valid criticism. A reason for delay.

Cordially, yours for a better America!

Frank Bosco,
Professional Engineer, Geologist.

Lakewood, Colo., *March 22, 1973.*

Director,
Bureau of Land Management,
Washington, D.C.

Dear Sir: Please register my *objection* to the transfer of land to the Atomic Energy Commission for detonation tests on the Rio Blanco Project.

Sincerely,

Judith A. Kauffman.

Boulder, Colo., *March 24, 1973.*

Director,
Bureau of Land Management,
Washington, D.C.

Sir: I feel that your recent decision granting the Atomic Energy Commission use of land for the Rio Blanco project is a mistake and an incredible disservice to the public. Surely we can find a better use for this land than to make it into a radioactive rubbish heap.

Sincerely yours,

Kevin Phillips.

Denver, Colo., *March 25, 1973.*

Director,
Bureau of Land Management,
Washington, D.C.

Sir: News has come to me that the Bureau of Land Management has recently approved the request of the Atomic Energy Commission for the use of land in Colorado for the purpose of conducting the Rio Blanco test, employing a nuclear device.

I implore you to reverse this regrettable decision. I am not expert concerning the use of nuclear explosives for peaceful purposes, but I do firmly believe that it is always a form of recklessness to employ a nuclear device for *any* purpose, regardless how "peaceful," and regardless of how harmless it seems. The sad fact is, radiation is radiation no matter in what sector or at what level it is released on this increasingly poisoned planet.

My argument, rather, concerns the attitude common to the majority of the producers and consumers of fuel and resultant power in our culture. It should be quite obvious to anyone who has really thought about it that, at some point in a country's history of natural resource exploitation, the idea of progress becomes meaningless. Our so called "progress" from this point on can only destroy. We must stop blindly consuming those things we can never replace. The outlook for the future is not as rosy and favorable as when this country had more than it needed, and we cannot put off our fuel crisis much longer.

Therefore, I ask you to reconsider. Wouldn't the funds needed for Rio Blanco be better spent in finding alternatives that will *have* to be found sooner or later?

Thank you.

Sincerely,

Theodore W. McCrary.

U.S. Department of the Interior,
Bureau of Land Management,
Denver, Colo., March 29, 1973.

To: Director (322),
From: State Director, Colorado,
Subject: C–17528, Withdrawal, Atomic Energy Commission—Project Rio Blanco.

Attached please find a postcard from Josephine S. Mann to our Glenwood Springs District Office commenting adversely on Project Rio Blanco. Also attached are a brief reply from our Glenwood Springs office and an acknowledgment of the receipt of the protest which we sent to Mrs. Mann. As discussed between Robert Officer of your staff and Rod Roberts of this office on March 27, 1973, we have considered the postcard as an adverse comment on the withdrawal rather than as a protest to the issuance of special land use permits.

J. Elliott Hall,
Acting.

March 22, 1973.

Josephine S. Mann,
Aspen, Colo.

Dear Ms. Mann: This will acknowledge receipt of your card on which you state your opposition to the Rio Blanco Project.

Since the public lands involved in this project are not under the jurisdiction of this office, I am forwarding your card to our State Office in Denver, Colorado for consideration.

Sincerely yours,

Stewart A. Wheeler,
Area Manager.

Boulder, Colo., *March 31, 1973.*

Director,
Bureau of Land Management,
Washington, D.C.

Dear Sir: We would like to state our opposition to the AEC's detonation of nuclear devices in the Rio Blanco area at this time. We feel that the undoubted costs in terms of human health have not been adequately weighed, and that the unproven benefits to be accrued do not justify such a cost.

It is unclear to us whether your refusal to transfer the land you hold to the AEC would halt the project or not. Naturally, if your withholding the land meant that the AEC would go ahead with its plans while residents were still in the area, we are not asking you not to transfer the land. However, if you could halt the project by retaining the land, we would like to lend our voices to the request to do so. We realize the extreme seriousness of the energy shortages facing our country, and we realize that all means of deriving new sources of energy carry some dangers with them. But we feel convinced that no method is so potentially hazardous as one connected with radioactivity, and that any and every alternative should be sought until the public can be assured that such alternatives are less feasible, and that those in charge have enough knowledge to responsibly monitor such effects as radioactivity must have.

Thank you very much for your attention to this letter. We beg that you, and everyone with any power over our environment and the future health of our species, act responsibly in this matter.

Sincerely,

Jeffrey and Jean Robinson.

Thornton, Colo.

Dear Sir: We object very strongly to your plans to give 360 acres to be used for Project Rio Blanco. We object to using nuclear explosions to free natural gas because we feel these blasts release unnecessary radiation into the atmosphere and we feel that we, the public, should not be exposed to radioactive gas used for cooking and heating.

Please reconsider Project Rio Blanco and all other projects like it.

Sincerely,

Michael and Molly Kaye.

Denver, Colo.

Dear Sir: I am a taxpayer in the State of Colorado and am writing in regards to the matter of the proposed underground nuclear test known as the Rio Blanco Project.

From the information I've gathered reading the newspapers in Denver it seems the test is really not necessary. Not only not necessary, but carries with it a chance, however slight, of damage to the natural resources and environment (not to mention human life) of the areas surrounding the test.

The issue is one to which I wish my profound vote of dissent may be recorded at your office.

Yours truly,

David Hall.

Denver, Colo.

Director,
Bureau of Land Management,
Washington, D.C.

Dear Sir: I read in the paper this morning you plan to close 360 Acres for use in the RIO BLANCO nuclear oil shale test area. I have also read your proposed rules for off the road vehicles on BLM land and it appears the standard government and big business verses the common man applies in these cases.

Why in the rules, do you state that you cannot use off the road vehicles unless you are in pursuit of mineral and or oil. This to me means if I am EXXON oil company, I can tear up the land with graders, bulldozers, etc. but if I am John Jones I can't take my four wheel drive thru the same land.

If I am an oil company, I can close large tracts of public land for oil shale exploration and if I am John Jones I cannot hunt in what at present is the largest deer herd in the nation.

Enclosed please find a copy of the official publication from the Colorado Division and Wildlife stating the lack of consideration given to the wildlife of the proposed area.

I think I understand the problem of the diminishing oil supply in this country but again I hear CBS news state that it is an artificial crisis, and I see pictures of natural gas escaping into the sea around the off shore rigs. The oil companies at one time complain they don't have the resources but on the other hand they allow them to escape.

I am opposed to the Rio Blanco project.

Thank you.

Dale D. Moser.

Rock Springs, Wyo.

Director,
Bureau of Land Management,
Washington, D.C.

No BLM lands should be transferred to the AEC for underground nuclear testing. The AEC wants 360 acres for project Rio Blanco only to short-cut adverse public reaction to this and future tests.

Sincerely,

Larry Edwards.

Denver, Colo.

Dear Sir: I am writing in opposition to Project Rio Blanco as a whole and specifically to their request of 360 acres of land surrounding the project. As a Colorado citizen who has experienced earthquakes caused by pumping radioactive contaminated water underground, I can only plead that we stop this entire project before we've created even worse disaster. I can see no sense in even the initial test when we know the entire series in the magnitude proposed by the AEC would never be acceptable. *Please,* let's quite ruining our environment. The mere fact they are requesting this acreage because of unavoidable underground contamination should move us to act against the project. Let's learn from our past mistakes.

Sincerely,

Mr. and Mrs. JAMES CULHANE.

BOULDER, COLO.,
March 25, 1973.

DIRECTOR OF LAND MANAGEMENT,
Washington, D.C.

DEAR SIR: I am writing to you both as a concerned United States citizen and as a long time resident of Colorado concerning the upcoming, proposed atomic-type test at the Rio Blanco site in my state. The very conception of using such atomic devices, even though used underground, is certainly against the best interests of all living things in the test area, the State of Colorado, the United States of America, and the World. Please understand that I am not a member of any specific group of individuals interested in any particular local issue. What is most critical to both my wife and I is the total lack of concern of government, state, and local peoples in proceeding with such unnecessary testing—no matter what the specific goals are designated!

Therefore, we would like to make ourselves perfectly clear that this Rio Blanco Test is not only a massive waste of money for the taxpayer, but also a total scourge of the entire natural surroundings. We will attempt to do whatever is within our power to stop any such test or other such type tests in the future. Further tests of this nature are not needed to try to gauge any levels of radiation in the environment around us! We can already see quite well that numerous types of pollutants are constantly threatening our future existence and this proposed test is just another source of contaminating the land, air, and water around us. No matter what kind of logic you may employ can change the fact any type of device used will in some way distribute waste materials of various sorts everywhere! Finally, I strongly feel that all types of explosive tests, atomic or other, should not be continued until the people of this nation have an opportunity to vote on such measures.

Sincerely yours,

Mr. and Mrs. JOHN A. DEGUTIS.

DENVER, COLO.

DIRECTOR,
Bureau of Land Management,
Washington, D.C.

DEAR SIR: I'm sure its too late for my meager opinion to halt the transfer of the 360 acres of land from B.L.M. to the A.E.C. However I'm going to write this protest anyway.

If my only concern were the 360 acres I'd forget it. What really concerns me is how many square miles (not acres) of this country will suffer. Anyone familiar with this Mesa mountain type country knows how bad it erodes naturally. I can imagine what it will do with help. If the Rulison project shook Rifle, I wonder how Meeker, Rio Blanco and Rangely will suffer from twice the blast source of Rulison.

I'm also wondering how many square miles will erode indefinitely. Also what about ecology today or radiation tomorrow, then what about wildlife that depend on the underground water that feed the springs of the area (which become more scarce each year) which surely will be affected. Or worse I'm told by some of our Wildlife Officials they could become contaminated by oil or radiation. I'm sure our days of filling our canteens in the springs of Roan Creek are over.

Again I'll say the 360 acres are of little concern but if the A.E.C. can acquire this land, I'm sure there are many other agencies and private interests that would gobble up much more of *Our* land.

Lets think of Mother Earth for a change. It's the only one we'll ever have.

Sir I don't think we need the Rio Blanco nuclear blast.

Very truly,

BERT STAHL.

APRIL 6, 1963.

DIRECTOR,
Bureau of Land Management,
Washington, D.C.

DEAR SIR: I, a concerned citizen of western Colorado am writing you to show my opposition to the Rio Blanco Project. I oppose this project on grounds both moral and scientific. There hasn't been enough scientific research on this project specifically or on use of Atomic Energy (in general). The AEC and Government thinks it can experiment on western Colorado to provide more ridiculous energy that will last only a short time. Why don't they concentrate on something lasting that won't completely disrupt the countryside and the inside, of the earth (solar energy). More research on the effects of radiation should be done not just going ahead with experiment projects in populated farm country. The AEC must involve the people in their decisions, not just big business. We are concerned for the country and future generations. We realize the need for more and better energy but the Rio Blanco project is not the answer.

MICHAEL JAMES KELLY.

DENVER, COLO.

DEAR SIR: I am writing in protest to project Rio Blanco, underground nuclear blast. I feel there is great danger to underground water supplies, and the gas pockets that these projects create will be contaminated. There will be no way to undo the damage that will be caused by these blasts.

There are myriad reasons probably well known to you why this project is unwise. I hope you will listen to the voice of the people and refuse to allow these blasts to take place.

Sincerely yours,

MICHAEL STAHL.

APRIL 7, 1973.

DIRECTOR,
Bureau of Land Management,
Washington, D.C.

DEAR SIRS: I would like to voice my opposition to the Rio Blanco project which is taking place in my area.

The lack of indepth research on the effects of the radiation on our future generations worries me and my family.

It seems to me that this project is not the answer to our energy problems. More of our money could be turned toward research in the solar energy field.

I feel that the people in my area must be heard on this issue and that a public hearing is most necessary.

I can see no economic benefit to this area by going through with this project. Please hear the people.

LEONARD G. HOLES.

DEAR SIR: As a resident of Colorado, I must voice my disapproval at the withdrawal of the 360 acres from the Natural Resource Lands in Rio Blanco County for the AEC's Project Rio Blanco.

I request that you do all in your power not to let this happen.

MELINDO S. NOTON.

LAKEWOOD, COLO.,
April 7, 1973.

BUREAU OF LAND MANAGEMENT,
Washington, D.C.

DEAR SIRS: I feel strongly about not going on with the Rio Blanco project for several reasons; some reasoning, some feeling. As has been pointed out by our Senator Haskell, if there is no intention of continued massive detonating of the whole field, why start.

The evidence seems incomplete as to safe levels of tritium exposure. I'm not satisfied that tritium *may* not concentrate in an organism. Since this is not the only poison bombarding us in our food, air, and water, it needs every consideration possible. Too often, in the hurry for financial gain, side effects are left to discover by chance in the future.

If natural gas is a lost commodity at the site of oil "mining", why not collect it then? Why must we all take the chances in nuclear stimulation of gas bearing fields, such as possible run-off of radioactive poisons seeping into the Colorado River, possible destruction of oil deposits, and other possibly unthought of destruction of our thin-skinned earth.

There are Alternatives. Expenses in the form of destruction may override the expenses of using a less dramatic, less efficient, less potentially dangerous and accident-prone medium for loosing our needed gas.

Sincerely,

KARA LANG.

DENVER, COLO.

DEAR SIR: We don't need anymore atomic blasts in Colorado especially in the heart of the best and last good deer and rabbit area we have left. It will ruin the land and the underground water supply. Maybe I am only 14 years old but I'm not stupid enough to let people ruin our land without complaining about it.

MARK STAHL.

BOULDER, COLO.,
April 7, 1973.

DIRECTOR,
Bureau of Land Management, U.S. Department of Interior, Washington, D.C.

DEAR SIR: I hereby file my *formal objection* to the proposed withdrawal of Federal land in Rio Blanco County, Colorado from BLM management and transfer to Atomic Energy Commission management. Notice of the proposed transfer was given in 38 *Federal Register* 6697 (1973).

My objection to the proposed transfer is based upon my opposition to the AEC's intended use of the land, i.e. Project Rio Blanco. My reasons for opposing Project Rio Blanco are described briefly in the enclosed statement.

Sincerely yours,

RONALD E. WEST, PE.

STATEMENT OF REASONS FOR OPPOSING PROJECT RIO BLANCO

(By Ronald E. West, PE)

It is my personal conviction that, because of the inherent hazards associated with their high explosive power and with their radioactive by-products, nuclear explosives should be considered for use for peaceful purposes only when certain conditions are met. These conditions are: (1) the particular application is generally agreed to as highly desirable, (2) there is either no other alternative technique or the nuclear explosive technique demonstrates clear, distinct advantages over any other, and (3) there is a public consensus on the use of nuclear explosives for the particular application. Given these conditions, nuclear explosives still should be used only with the utmost caution.

The proposed Project Rio Blanco is the third experiment in nuclear stimulation of natural gas. Based upon the results of the two previous experiments, Projects Gasbuggy and Rulison and on projections for the results of Rio Blanco and Project Wagon Wheel (a proposed fourth experiment), I conclude that, at best, nuclear stimulation is of marginal economic utility.[1]

Statement for Project Wagon Wheel (WASH–1524, April, 1972) *predicts* that the gas could probably be recovered economically at a well-head price in the range of 30 to 60¢ MSCF. This price should be compared with the prevailing well-head price of 20 to 25¢/MSCF.

Further, there is a stimulation technique alternative to the use of nuclear explosives.[2] Finally, there is substantial public opposition to the Rio Blanco and Wagon Wheel experiments as well as strong opposition to any use of this technique beyond a few experiments.[3]

I believe that Project Rio Blanco is unnecessary, because the potential of nuclear stimulation can be judged from the earlier experiments. Also, I believe that Project Rio Blanco is undesirable, because the side effects of seismic shock and the formation of radioactive materials will occur, even though it is virtually inconceivable that this technology will ever be used.

ASPEN, COLO.,
April 3, 1973.

DALE R. ANDRUS,
Director, Bureau of Land Management, Washington, D.C.

DEAR MR. ANDRUS: I would like to express my opposition to your proposed releasing of 360 acres of National Resource Land for use by the AEC in Project Rio Blanco (withdrawal #17528).

The AEC has not proven that a single blast, much less full field development of the area, would not harm the health and property of citizens of the Western Slope of Colorado. Until they can prove that the operation is safe, I do not feel that National Resource lands should be allocated for this purpose.

I hope that you will consider this when making your decision about the proposed withdrawal. Thank you very much.

Sincerely,

JOAN NICE.

DENVER, COLO.

DEAR SIR: Concerning the proposal to withdraw 300 acres of land from public use so that the AEC can make their oil shale blast. We don't want the AEC interrupting and destroying the ecology and the delicate cycle of life which sets north-western Colorado as some of the prettiest country in Colorado. As a concerned citizen I feel that the whole matter should be brought to public opinion and put on the ballot for the good of Colorado and the Nation.

Sincerely yours,

MALCOLM STAHL.

ASPEN, COLO.,
April 3, 1973.

DIRECTOR,
Bureau of Land Management,
Washington, D.C.

DEAR SIR: I am writing to express my belief that withdrawal request #17528 (the Atomic Energy Commission's proposed Project Rio Blanco) constitutes an improper use of public lands.

The dangers of this project are manifold. Contamination of the ground water which feeds into the Colorado River, which in turn is used for irrigation in five states, is one of many possibilities. Invasion of property rights of adjacent private landowners is an important legal objection.

Feeling against this project locally is strong. There will no doubt be court suits, injunctions, and possibly a public referendum. But all of this should be unnecessary if the BLM exercises proper jurisdiction over its lands. I hope you will see that withdrawal request #17528 is denied.

Sincerely,

BRUCE N. BERGER.

NORTHGLEN, COLO.,
April 5, 1973.

MR. DIRECTOR: I am writing this letter to protest the withdrawal of 360 acres of public land so the Atomic Energy Commission can destroy it. Isn't that what it amounts to, total destruction by the A.E.C.

How can you allow this land, *our land*, to be used in a test that will contaminate, destroy, kill and ruin the wildlife, the underground water and the plantlife of the area?

According to the recent study by the National Science Foundation, the Project Rulison was examined from every angle—financial, social, environmental—their findings: the blast was a total failure.

The newspaper article, of which I have enclosed a copy, states that the B.L.M. may call a public hearing if circumstances warrant, but no such hearing has been scheduled. Why???

I certainly feel that the controversy generated over the project is warrant enough to hold a public hearing over the withdrawal of *our land. We want our hearing!*

I cannot understand how a man with your entrusted position can willingly agree to such fruitless waste of public lands. Reconsider and *give us our hearing.*

I am also enclosing a magazine article that has named the A.E.C. project as dubious. If you will read the article you will find that there are many concerned citizens who will fight these Atomic Blasts. We may lose the battle of Rio Blanco, but we will win the War of the Wagon Wheels Blast.

In closing I ask that you use the power and restraint of your office to help stop the A.E.C.'s growing plunder and pillage of *our public lands.*

A Concerned Citizen,

M. L. BOWMAN.

CEDAREDGE, COLO.,
April 6, 1973.

DIRECTOR,
Bureau of Land Management,
Washington, D.C.

DEAR SIRS: I'm writing you in regards to the Rio Blanco Project scheduled this spring in Western Colo. Being a resident near the proposed blast, I'm deeply concerned.

I don't feel there has been enough research done on the effects of radiation to the environment and people.

I don't believe nuclear explosions within the earth's crust is the answer to the energy crisis. Maybe more research on solar energy is needed.

I believe a public hearing is most necessary before we turn over the land to the A.E.C. Please help the people of Western Colo. and the whole U.S. put the money to better use.

Sincerely,

STEPHEN W. LEWIS.

ASPEN, COLO.,
April 3, 1973.

DEAR SIR: The Aspen ETF kindly requests your consideration of the dangers of the Rio Blanco nuclear program to the ecology of the Piceance Basin and to the people of the surrounding area, and urges you to refuse to grant withdrawal request #17528 of 360 acres of National Resource Lands for the AEC's project Rio Blanco.

Sincerely,

RICHARD SCALES,
Chairman, ETF.

Following public meeting, of Cosco-CER-AEC last night, we reaffirm objection to Rio Blanco withdrawal. Imperative BLM Act on hearings, plan.

COLORADO OPEN SPACES COUNCIL.

DWIGHT FILLEY, COLO.,
April 8, 1973.

BURTON W. SILCOCK,
Director of the Bureau of Land Management,
Department of the Interior,
Washington, D.C.

DEAR MR. SILCOCK: I am strongly opposed to project Rio-Blanco. It seems to me wrong to accept the possible risks of nuclear stimulation when conventional fracturing is probably more economic. It seems strange that this blast is scheduled before the full data from Rulison is available.

So, I'm opposed to your granting the AEC land withdrawal application. Please consider the notice of proposed withdrawal, 38 Fed. Reg. 6697 (1973). Further, consider this letter a formal protest to these proposed actions pursuant to Dept. regulations 42 C.F.R. paragraph 4.450.2.

Thank you for your expected and urgently needed help.

Sincerely,

DWIGHT FILLEY.

DENVER, COLO.,
April 10, 1973.

BURTON W. SILCOCK: I wish to register a formal protest against Project Rio Blanco and all nuclear gas stimulation blasts. It comes to my attention that there are many more desirable alternatives that have not yet been fully explored or financed in our search for energy. The risk of radio activity from all such testing could affect the entire population now and for future generations.

Specifically, now, I am objecting to the Notice of Proposed Withdrawal, 38 Federal Regulation 6697 (1973). I request this letter to be considered a formal protest to proposed actions pursuant to Department regulations 42 C.F.R. Paragraph 4.450.2.

DOROTHY FIEDELMAN.

APRIL 9, 1973.

DEAR SIR: I am a concerned citizen writing to ask the Bureau of Land management please not to transfer Federal lands to the AEC. Projects Rio Blanco, Rulison, and the 200 proposed underground blasts in our fair state demonstrate the AEC's continuing failure to put the lives and safety of our unborn generations ahead of their own selfish interests. Transferring BLM lands to the AEC would be insanity. Please don't let it happen.

Sincerely yours,

DEBORAH S. STUCKLEN.

CEDAREDGE, COLO.,
April 9, 1973.

BURTON W. SILCOCK,
Bureau of Land Management,
Washington, D.C.

Re Notice of proposed withdrawal 38, Federal Regulation 6697.

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[1] The Environmental Statement for Project Rio Blanco (WASH–1519, April, 1972) states that neither Gasbuggy nor Rulison were sufficient to ". . . determine the economic potential of this technology." I interpret that statement, along with the non-development of the Gasbuggy and Rulison fields, to mean that the results proved that nuclear stimulation was not economically feasible.

[2] In the March, 1973 Addendum to the Rio Blanco Environmental Statement, it is conceded that hydraulic fracturing stimulation, while not proven under all field conditions, is competitive with nuclear stimulation.

[3] Numerous examples of citizen opposition to Project Rio Blanco have been reported (cf., *Denver Post*, Feb. 15, 22, 25, March 2, 4, 18, 1973). Further, Gov. John Love and Sen. Floyd Haskell of Colorado have been reported as agreeing that full field development by nuclear stimulation is, ". . . out of the question", in Colorado (*Denver Post*, March 4, 1973).

DEAR SIR: In behalf of the Delta County Citizens Concerned about Pollution I would like to enter herewith a formal objection to the transfer of this land to the Atomic Energy Commission for the purpose of conducting an atomic experiment known as the Rio Blanco Project.

Yours truly,

CHARLES WORLEY,
Chairman, Delta County Citizens Concerned About Pollution.

YOUNG DEMOCRATIC CLUB OF DENVER,
Denver, Colo.

BURTON W. SILCOCK,
Director, Bureau of Land Management, Department of the Interior, Washington, D.C.

DEAR MR. SILCOCK: As citizens of Colorado, the members of the Denver Young Democrats wish to lodge a formal protest (pursuant to Department Regulation 42 C.F.R., paragraph 4.450.2) against the transfer of 360 acres of Colorado land from the jurisdiction of the Bureau of Land Management to the Atomic Energy Commission. Your policy of allowing public comment on the transfer is commendable; we hope you will seriously consider such comment.

We are opposed to this transfer, Notice of Proposed Withdrawal, 38 Federal Regulation 6697 (1973), because we are opposed to Project Rio Blanco. According to CER Geonuclear and the Atomic Energy Commission, the Rio Blanco blast is only one of a series of blasts to be used to release natural gas trapped underground. Using their estimates, full-field development would require as many as 15,000 blasts, a number which is unacceptable to Colorado citizens and to Colorado leaders. Even our Governor, who was persuaded to allow Rio Blanco, has said that full-field development is untenable.

Then why, we ask, should even one blast be allowed? Any nuclear explosion, no matter what its purpose, produces radioactivity, and all radioactivity is cumulative. The results of Project Gasbuggy in New Mexico and Project Rulison in Colorado are quite disturbing. Flaring was used to dispose of radioactive gas from these blasts, thereby releasing radioactivity into the environment. After flaring at Gasbuggy, the Public Health Service found that radioactivity in vegetation downwind from the project was increased tenfold. Background radiation in Colorado is already much higher than the national average, thanks to activities of the AEC, and we do not wish to increase our statistical lead.

A study done at the University of Colorado and funded by the National Science Foundation was strongly critical of Project Rulison. The amount of gas stimulated was less than predicted; the amount paid for compensation for damages was greater than expected. Even so, there are unhappy people living near Rulison who were not compensated because their claims did not have documentary proof.

We ask you most urgently not to transfer the land to the AEC. The Bureau of Land Management has itself been critical of CER Geonuclear's handling of Project Rio Blanco. There are too many doubts and dangers in this project.

We believe it is time for the AEC to quit taking unknown risks with the health of the people of Colorado. No one is quite sure how much radiation the human body can tolerate with constant exposure over long periods of time. We do not intend to be the ones to find out.

The possible benefits that could be derived from Rio Blanco are dwarfed by the possible dangers. We, as citizens of Colorado, ask you to act in the best interests of all the people of this state.

Sincerely,

PATTI WELLS,
Executive Committee Member, Young Democratic Club of Denver.

MONTROSE, COLO.,
April 8, 1973.

Department of Interior,
Washington, D.C.

DEAR SIR: I am a mother, taxpayer and citizen and am *opposed* to *any* BLM land to be transferred to the AEC.

I am one of many in Montrose County, Colorado who feel very strongly on this subject. Please note my protest.

Thank you,

DOROTHY SAWVEL.

MR. SILCOCK: I am writing this note to urge you to *refuse* to transfer 360 acres of public land in western Colorado to the AEC for project Rio Blanco. I do not believe that enough research has been done in areas such as possible effects on ground water and the water table, effects on geologic structures in the vicinity, the possibility of fissures opening up and releasing radioactive gas to the atmosphere, and the largely unanswered question of the overall radioactive effect of the blast. Colorado already has the highest background radiation of any State in the Union, and the AEC has done little to assure us that dangerous amounts of radioactive isotopes, all with long half-lives, will not be released by this blast. What is to be done with the first year's gas after stimulation has occurred; gas that is too radioactive to use and totals one-fifth of the total gas available from the project? The AEC has five "possible" solutions to this problem and anytime that a situation like that occurs, it means that the planning procedure has been very haphazard and slipshod indeed. Five "possible" solutions means no solution at all. Until this and other problems are solved, the AEC should not be allowed to proceed. And they cannot proceed without the 360 acres of BLM land being transferred to them. And that is your decision, Mr. Silcock. And I sincerely hope that you realize that there are thousands who feel as I do in the State of Colorado, and that you will listen to us and not transfer that 360 acres of our land to the AEC to be used as a stepping stone to full field development in western Colorado and a total ruination of the environment as well as the health of that State. I realize we are in an energy crisis, but nuclear stimulation has too many unknown as well as known problems and weaknesses to be a viable solution. Why is so little work being done on solar energy use, a clean, safe and abundant energy * * * not make. I realize this is not your concern directly. But by refusing to transfer these 360 acres to the AEC, you can prevent the AEC from gaining a foothold in Colorado from which full-field development is but a small step. And, in doing so, you could help save the Colorado environment from another onslaught of abuse, and likewise save her people from health hazards and help make Colorado a continued fit place in which to live. There are many people who feel as I do; don't ignore us.

Thank you for your time,

LANNY CONRAD.

DENVER, COLO.,
April 11, 1972.

DEAR SIR: I am definitely protesting, that land of our Colorado Rocky Mountains be released to the Atomic Energy Commission for experimentation and further testing to release natural gas.

Sincerely,

DENATE YANKE.

SNOWMASS, COLO.,
April 9, 1973.

DIRECTOR, BUREAU OF LAND MANAGEMENT,
Washington, D.C.

DEAR SIR: I am writing to you with deep concern regarding the proposed Rio Blanco nuclear test detonation. I am sure that you are aware of the very grave dangers involved—namely, radioactive pollution of our air and water due to leakage and venting, seismic damage, and production of radiated natural gas exposing the consumer to constant low-level radiation.

I urge that you do not release to the Atomic Energy Commission the 360 acres of national resource lands to use for the Rio Blanco blast.

Sincerely,

F. KAYE BURE.

CSU ENVIRONMENTAL CORPS,
Fort Collins, Colo., April 10, 1973.

DIRECTOR, BUREAU OF LAND MANAGEMENT,
Department of the Interior,
Washington, D.C.

DEAR SIR: This letter is a request to urge your department to postpone the transfer of 360 acres of land on Fawn Creek in the Piceance Basin of Colorado to the AEC for use in their Project Rio Blanco. Because of the controversial nature of this project, its potential impact on adjacent BLM lands, and the growing opposition to Rio Blanco among Colorado's citizens, we feel it would be only fitting to postpone the land transfer until after formal hearings are held on the consequences of the transfer. Many questions remain unanswered concerning the environmental impact of Rio Blanco and, until they are adequately answered, we feel it would be irresponsible to BLM to give AEC the go-ahead by granting them the right to use the Fawn Creek tract. Thank you for your thoughtful consideration.

Sincerely,

BRUCE HAMILTON.

DENVER, COLO., *April 10, 1973.*

BURTON W. SILCOCK,
Director of Bureau of Land Management, Department of Interior, Washington, D.C.

MR. BURTON W. SILCOCK: In accordance to Department regulations 42 CFR Paragraph 4.450.2, I protest the withdrawal of land for the Rio Blanco Project (Notice of proposed withdrawal, 38 Federal Regulation 6697 (1973)).

The AEC is misleading us by not dealing with radiation from decaying tritium as particles *within body tissues* (incorporated from water vapor produced by combustion of tritiated cooking gas) in its estimates of radiation exposure.

Thank you,

JOHN CLAYDON.

DENVER, COLO., *April 10, 1973.*

DIRECTOR, BUREAU OF LAND MANAGEMENT,
Washington, D.C.

DEAR SIR: My wife and I are environmentalists, and we have read of the underground nuclear explosions of the Rio Blanco Project near Meeker, Colorado.

As it is now, we have a limited amount of natural beauty left. With the growing population, and the expanding cities and industries in Colorado, we are very jealous of our Colorado mountains and their beauty. Therefore, we write this letter as a request for your aid in stopping and controlling this and future nuclear underground explosions not only in our state, but in other states as well.

I do not have to explain how beautiful Colorado is and how proud we and other residents are of our state. We are deeply hurt by the expanding population and the pollution that it is causing. We are in hopes that a solution will be found to this problem. At this point, all we can do is *stop* further pollution as will be caused by the Rio Blanco Project. I'm sure that if the general public in Colorado, Utah, and other neighboring states were more aware of this threat to our environment and our health, you would receive many more letters similar to this one, as well as an objecting petition. Again we beg you to aid us in our endeavor to keep Colorado beautiful.

We enjoy the resources that are developed from our land. However, given a choice, my wife and I, not mentioning many other people, would rather face the possibility of limited use of our automobile and heating fuels caused by underproduction of petroleum products than the disastrous results of an explosion of this kind. Perhaps the money saved can be directed toward other and safer means of claiming our underground resources.

We request a personal reply as to what you, the public, and we as individuals can do to avert this tragedy.

Sincerely,

Francis Schreffler.

Aspen, Colo., *April 10, 1973.*

Dr. Burton W. Silcock,
Director, Bureau of Land Management, Washington, D.C.

Dear Dr. Silcock:

Notice of Withdrawal
38 Fed. Reg. 6697 (1973)
Dept. Reg. 42 CFR 4.450.2

This letter constitutes my formal protest to the proposed actions granting withdrawal of lands pursuant to the Department of the Interior regulations from the Bureau of Land Management to the Atomic Energy Commission for the firing of a nuclear blast in Rio Blanco County, Colorado, known as Project Rio Blanco.

I base my objection, in brief, on the following:

1. The dangerous possibility that Strontium-90 and Cesium-137 created in the blast cavity can migrate into underground, potable waters and into the Colorado River eventually.

2. Seismic damage is impossible to predict. Our Reudi Dam is built on the Bigelow thrust fault with another fault underlying the intake towers. The formations behind the dam are such that earthquake tremors could cause their slippage into the dam waters thus causing a disaster similar to the dam disaster in Italy. This site for the dam was heatedly fought on these grounds. There is also an earthquake zone of weakness from Glenwood towards the direction of the dam. An old water diversion tunnel up behind the dam collapsed after Rulison but was outside the specified hundred mile radius of accepted seismic damage from the Rulison shot. There is a town below the dam, about 11 miles at the mouth of the narrow canyon.

3. The produced gas would cost three times what we are now paying and would be radioactive, granted that it would be an "acceptable" low level.

4. As Dr. Theodore Puck, Head of the Eleanor Cancer Research Center in Denver, testified at the Rulison trial, that if one adds up the natural radiation background count, plus our medical x-rays, that we are already getting more than the so-called "safe" annual allowable radiation dosage. It was also put on the record at the trial that England takes into consideration the background radiation count when setting up standards of allowable radiations dosages. Why?

5. The estimated 300 trillion cubic feet of gas which is projected as obtainable would take, if they planned to get this in the ten to twelve year period that they sometimes state to placate the oil shale developers, five bombs every workday for twelve and a half years.

What do they plan to do with the first years gas production from each of the 1,300 to 2,400 wells (we get new figures every week out here)? The gas for the first year is too low in BTU's to be economically marketable and too highly radioactive and they wouldn't have enough high energy gas which is clean to mix it with even if the locals would accept the constant exposure its use would mean to extra low level radiation. Our City Council has already passed a resolution against sale of radiated gas in Pitkin County.

6. A major tunnel on the main East-West Highway into Denver collapsed about six months after Rulison. At the time of the detonation major tremors were recorded in the Denver area on the University's Richter Scale. Did these tremors loosen up the rock over the tunnel? This was the first time one of these tunnels had ever collapsed. No one can answer this.

Aspen was 58 miles down wind, the first town in the quadrant for the fall-out and any venting of Rulison. This time we won't be directly down wind but we are about 70 miles away. Would you want your family to be subjected to this potential low level radiation if they flare these thousands of projected future detonations? Would you want your home located in Basalt, the town down the canyon from Reudi Dam? Would you want to heat your home (and we heat practically year around here) and cook with radiated gas, however low level? Would you want the ground water in your backyard contaminated, even though it might not affect your generation?

Will the tremors from these shots cause avalanches on our ski slopes? Will our storms pick up the radiation from the first flaring and deposit it in a fluke storm in our valley or on some rancher? Will these bombs endanger our coal miners by canning up new and old faults?

Are you willing to enslave your grandchildren and theirs to the impossible job of containing all this proposed radioactive garbage of which Rio Blanco, admittedly, is only a small part?

We have been told that the possible benefit to the nation justifies the possible risk to us few (Rulison trial). We were also told that the burden of proof that the forthcoming radiation might be harmful lay on the shoulders of the people that it was not the responsibility of the Government, to prove beyond doubt, that more radiation was harmless. This is because no one can prove this since there is no proven threshold of safe doses of radiation. In other words we can be experimented upon for the good of the fatherland. Does this remind you of another government's philosophy?

We are the nation's guinea pigs in an insane experiment for a few dollars for a few corporate enterprises which includes the AEC.

Colorado Guinea Pig,

Lee Dodge,
Ms Lee Dodge (mother, wife, fed-up voter and taxpayer).

Fort Collins, Colo.
April 11, 1973.

Secretary Rogers Morton,
Department of the Interior,
Washington, D.C.

Dear Mr. Secretary, I am enclosing a copy of a letter I have sent to the Bureau of Land Management. The letter deals with my objection to Project Rio Blanco in northwestern Colorado.

Thank you.

Sincerely yours,

Cyntha A. Ward.

Fort Collins, Colo.,
April 16, 1973.

Mr. Silcock,
Bureau of Land Management, Department of Interior, Washington, D.C.

Dear Mr. Silcock: I am writing in regards to the proposed Rio Blanco natural gas stimulation project. In my opinion this project should be cancelled, or, at the very least, postponed indefinitely. I have tried to educate myself in the area of the energy crisis and in my own mind, and in the minds of many scientists and citizens, the safeness of the Rio Blanco project is not established to a satisfactory degree. There are secondary effects and possibilities not even explored by the Atomic Energy Commission (AEC). Furthermore, there are statements made by the AEC which are contradicted by scientists and other statements which have no factual basis. The result of my findings is that my opinion of the AEC's credibility has been lessened.

Because the statements by AEC are not totally accurate and because there is still a great controversy over the issue of nuclear tests, radiation and their effects, my position is that there should be a postponement of this project and future projects for an indefinite length of time.

However, it is my contention that the Rio Blanco project should be cancelled for further reaching reasons than the immediate danger. I feel that the answer to the energy crisis is not nuclear energy but alternate energies such as solar energy or energy derived from the moon's gravity. These types of energies have the advantages of being safe and nearly pollutant free, while these advantages are the two inherent problems of nuclear power. Therefore, I would like to see a greater emphasis laid upon clean, inexhaustible sources of energy such as solar energy rather than hazardous nuclear energy.

Although some may say that the ideas I have expressed are radical or impossible, there are even more who would agree that nuclear energy research is an undue risk to humanity. This risk weighs heavily when deciding from which source the energy of tomorrow should emanate.

I do not consider my opinions as radical, just as I do not consider myself as a radical. I have been a resident of Colorado for five years, am established in my community and in my chosen profession of accounting, and am a taxpayer and voter.

Please give consideration to these ideas. Thank you.

Sincerely,

David Brereton.

Colorado Student Lobby,
Fort Collins, Colo.,
April 10, 1973.

Director,
Bureau of Land Management, Department of the Interior, Washington, D.C.

Dear Sir: In light of the incomplete knowledge of the full ramifications of the proposed project Rio Blanco, I strongly urge you to postpone transfer of the 360 acres of land in Fawn Creek in the Piceance Creek Basin to the Atomic Energy Commission. Postponement would allow time for formal hearings to be held so that the citizens of Colorado who would be directly or indirectly affected by the blast could voice their opinions.

Sincerely,

S. A. Bond.

Fort Collins, Colo.,
April 10, 1973.

U.S. Bureau of Land Management,
Washington, D.C.

Dear Sir: I want to protest the explosion of the nuclear device in the Rio Blanco project in Colorado. The effect on human health of the radio-active residues in the gas produced has not been adequately studied. Of course optimistic statements are made by the industry involved on health effects because they are only concerned with the profitability and growth of their business and they want to allay our fears so we will not resist.

The chance of radio-activity escaping into the ground water and contaminating household and irrigation water is unknown.

I do not believe expansion, growth, and profitability of industries should be allowed to jeopardize our health and safety, and that of future generations. Too often we are rushed into technological innovations to serve an economic system that does not have the well-being of humanity as a basic interest. We do not need to be stampeded into new technology for the extraction of energy sources whose side-effects are unknown by and alleged "energy crisis" that may be spurious. We can buy time by cutting down on the prodigious wastefulness of our style of living. It is insane and immoral that we, 6% of the world's population, are using 45% of a year's consumption of resources. I personally am willing to pay more for conservative use and forego comforts and conveniences that I don't need anyhow.

Sincerely yours,

PHILIP S. MILLER.

APRIL 10, 1973.

Mr. SILCOCK,
Bureau of Land Management, Department of the Interior, Washington, D.C.

SIR: We are writing this letter to ask you to withhold the 360 acres of land desired by the Atomic Energy Commission and the fossil fuel industry for the Rio Blanco project in Colorado. After looking into the situation, it is quite evident that not enough is known about the consequences to the environment of such atomic blasts to safely go ahead with them. As happened with the Rulison blast, private homes and holdings will be damaged, but more important, are the severe dangers of radioactive contamination of air and water, and thus food. As serious students, we have observed that the research carried out in these areas has been minimal and in many cases fraudulent.

At the same time, very little research has gone into alternative techniques resulting in the same ends without the radioactive and seismic dangers of subterranean nuclear detonations. At this time only 4 million dollars have been put into the research of solar energy possibilities as compared to the 6 million already spent on Rio Blanco.

Finally, the industry involved has both stated recently and demonstrated to us after the Rulison blast, that it is unwilling to bear the risks involved.

We are confident that after looking into this, you will see that the transfer of this land to the Rio Blanco project could only be irresponsible.

Sincerely,

R. MICHAEL FIELD.

ARVADA, COLO.,
April 10, 1973.

BURTON W. SILCOCK,
Department of the Interior,
Washington, D.C.

SIR: I oppose the Rio Blanco Blast. The negative aspects for full field development is much too distressing. The economic viability of the gas and the consumer acceptance of irradiated gas is very questionable.

In objecting to the proposed granting by the Interior Department of the pending A.E.C. land withdrawal application, refer to notice of proposed withdrawal 38 Federal Regulation 6697 (1973). I request that this letter be considered a formal protest to these proposed actions pursuant to Department regulations 42 CFR Paragraph 4.450.2.

Sincerely,

MARJORIE KEIM.

BOULDER COLO.,
April 10, 1973.

Re Notice of proposed withdrawal of land in western Colorado, 35 Fed. Reg. 6697 (1971).

BURTON W. SILCOCK,
Director of Land Management, Department of Interior, Washington, D.C.

DEAR MR. SILCOCK: As an attorney for the American Civil Liberties Union which represented the Plaintiffs in the lawsuit against the nuclear blast known as "Project Rulison", and as attorney for the Colorado Defense Council, Inc., I wish to protest the proposed withdrawal of land from the Bureau of Land Management to the Atomic Energy Commission for purposes of the detonation of an underground nuclear device.

Pursuant to 43 C.F.R. 4.450.2, by this letter I wish to formally protest the withdrawal of said land.

Very truly yours,

ROBERT BRUCE MILLER.

HOUSE OF REPRESENTATIVES,
THE STATE OF COLORADO,
Denver, April 2, 1973.

Re Rio Blanco.

BUREAU OF LAND MANAGEMENT,
Washington, D.C.

DEAR SIRS: It is our understanding that B.L.M. is being asked to lease 360 acres of B.L.M. land for the purposes of a nuclear denotiation (Rio Blanco) without a public hearing.

We, undersigned Colorado Legislators, urge a public hearing be held on this important and controversial matter.

Yours truly,

THOMAS L. FARLEY,
(And 9 others).

LAKEWOOD, COLO.,
April 19, 1973.

DIRECTOR,
Bureau of Land Management,
Washington, D.C.

DEAR SIR: This month in Time Magazine I read of the Rio Blanco Project near Meeker, Colorado. I am writing in objection to the nuclear underground explosions.

Every person that is privileged to live in Colorado will be affected. Our environment is now so polluted from the by-products of our heavy population growth that it is endangering our existence. We now enjoy the natural beauty of Colorado and wish for it to remain that way.

I realize that in order to provide for our heating and transportation demand that there are certain compromises that must be made. However, must we sacrifice our lives?

I know that you may not have the answers but I do look to you and other representatives of our government to help stop blasting in our state and if possible in the entire United States. Help us keep our state beautiful.

Sincerely,

MARJORIE WIGGINS.

ARVADA, COLO.,
March 24, 1973.

DIRECTOR,
Bureau of Land Management,
Washington, D.C.

DEAR SIR: We, the members of Patrol 15 of the Mile Hi Jeep Club of Colorado, formally protest the withdrawal of 360 acres of land near Meeker, Colorado from public use for the Atomic Energy Commission to use in its Rio Blanco nuclear oil shale blast.

Colorado's population is growing at such a tremendous rate that public land which can be used for outdoor recreation (such as: jeeping, hunting, camping, and fishing) must be considered to be at a premium. There will be several four-wheel drive roads put out of commission for this project. Every time we turn around, there is some type of legislation taking away land from the public that was once used for recreational purposes.

We recognize the need for tapping our natural gas resources. We feel, however, that private land or other properties not at present open for public enjoyment could be purchased and used for this purpose without being seriously detrimental to outdoor activities.

Colorado has one of the largest deer herds in the nation near Meeker, the site of this proposed test. The development of this land will have a significant effect on the growth and development of big game in that area.

We are willing to work with you in finding a site which will serve your needs and protect our valued public lands as well.

Sincerely,

RUSSELL W. TRICKER,
Chairman.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order the Senator from Nebraska is recognized for not to exceed 15 minutes.

WATERGATE

Mr. CURTIS. Mr. President, the Watergate affair has troubled all of us who believe in limited constitutional government and who have faith in the integrity of the U.S. Government.

The resignations of some top White House and administration officials appear to be the beginning of some constructive action to clear the air on this unprecedented scandal. In my opinion, the President made a fine statement last night. I am convinced that he intends to have this matter investigated thoroughly.

Unfortunately, the image of our Government has already been damaged in the eyes of the world. I just returned from a trip for the Department of Agriculture to Australia and New Zealand and I am sorry to report that I was able to keep up in Watergate matters just as if I had been here in Washington reading a local paper. This affair has damaged the credibility of the United States worldwide. What is more, the fact that White House aides were apparently involved in either the Watergate affair itself, or an attempted coverup of it later, has caused problems with the faith the American people have in their leadership. Even the most ardent Republican or administration supporter has come to the point where he is extremely uncomfortable, to say the least, with the way things have gone.

The time has come, in order to restore the integrity of our Government around the globe and to restore faith of the people in our leaders in the United States, to have an independent investigation of the Watergate mess.

The person who conducts the investigation should not come from the present ranks of government. The man's integrity should be above reproach. The man should have a proven record of courage. He should be able to withstand the inevitable scrutiny such an appointment would produce from the media. He should be willing to protect the innocent as well as expose the guilty.

Accordingly, I believe, and I have so informed the President by letter, that Mr. Nixon should consider the appointment of our former colleague Senator John Williams of Delaware as a special investigator for the purpose of once and for all getting to the bottom of Watergate.

With all due respect to my colleagues and their commendable efforts on the special Watergate Committee in the Senate, I think the very nature of the committee will prevent its disclosures from satisfying the American people that the truth has been achieved. The Senate's report could be interpreted by some as having partial political motivations. The Senate's report may produce some kind of minority views and that would again create confusion.

I further do not think that anyone from the Justice Department, even if he is completely honest and has not been in any way involved in the case, could adequately convince the world that some facts were not hidden from view.

Senator Williams, on the other hand, would never turn such a probe into a grandstand play for his own political advantage. He would protect the innocent as well as expose any wrongdoing. He would conduct an investigation solely in the interest of good government, and not for any partisan political gain.

The record of John Williams is unparalleled. He had the courage to stand up and be counted in the Sherman Adams affair when his own Republican administration was in office and he was fair to all concerned when he was investigating corruption in Democrat administrations.

He has received praise from newspapers like the Washington Post, the Naw York Times and the Milwaukee journal which, considering their early concern over the Watergate issue, will be very hard to convince. I believe Senator Williams could stand the test of the probing media and would have the courage to state the facts regardless of who is involved.

As Senators well know, John Williams conducted his own affairs while he was in the Senate in such a way that no possible questions could be raised about any "conflicts of interest."

The White House itself could be confident that Senator Williams would launch any investigation honestly, fairly and without any sort of vindictiveness.

I hope the President will consider this suggestion carefully. I welcome the support and endorsement of this idea of any of my colleagues.

Mr. President, I yield the floor.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order the Senator from Illinois is recognized for not to exceed 15 minutes.

Mr. ROBERT C. BYRD. Mr. President, how much time remains which has not been used by the distinguished Senator from Nebraska under his order?

The ACTING PRESIDENT pro tempore. Eight minutes.

Mr. ROBERT C. BYRD. Would the Senator allow me to reserve that time to myself for the purpose of quorum calls, and so forth?

Mr. CURTIS. Yes.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent to that effect.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I believe the distinguished Senator from New Mexico (Mr. DOMENICI) has an order to be recognized. Would the Senator like to proceed until such time as the Senator from Illinois reaches the Chamber?

Mr. DOMENICI. Mr. President, I request that before our time began we await the arrival of the Senator from Illinois, so that he may proceed first and I may proceed thereafter.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum, without prejudice to the distinguished Senator from Illinois; and I ask unanimous consent that the time be charged against the time allotted to me under my order.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CURTIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded and that I may yield to the distinguished majority leader on the basis that what he says will appear at the end of my remarks in reference to former Senator John Williams.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I am speaking on the Senator's time; is that correct?

The ACTING PRESIDENT pro tempore. Yes.

Mr. MANSFIELD. Mr. President, may I say that I had an idea of what the distinguished Senator was going to say, but, unfortunately, I was not in the Chamber because I was meeting in the reception room with some very good friends from Missoula, Mont.; but it is my understanding that the distinguished Senator has indicated that, if there is to be an investigator of the Watergate affair, he recommended the name of our former colleague, John J. Williams of Delaware.

May I say that if there is to be an independent investigation. I can think of no one of greater integrity, greater standing, greater capability than former Senator Williams, who made such an outstanding record as a Member of this body and who left us, incidentally, voluntarily, because he believed that there should be an age limit of 65 for Senators, and, as always, what John Williams said, he meant, and therefore he is to be commended.

However, as far as I am concerned personally, it does not make any difference whether or not there is to be a special investigator. The Senate will recall that the President last night stated, without qualification, that he had given authority to the Attorney General-designate, Mr. Elliot Richardson, to name such a special investigator if he saw fit, and if he sees fit I can think of no better person than former Senator John J. Williams of Delaware.

May I say also, speaking of special investigators, that there has been a good deal of talk in the press and discussion on TV and radio to the effect that it was special investigators, men like Owen Roberts, a Philadelphia lawyer, later a Supreme Court justice, and Atlee Pomerene, a former Senator from the State of Ohio, who were responsible for uncovering the Teapot Dome scandal.

As a matter of fact, the Teapot Dome scandal facts were uncovered and the evidence was laid bare for all to see by a Senate committee, a committee on the order of the Ervin committee, and that committee was headed by one of the greatest Senators this Republic has ever produced, Thomas J. Walsh of Montana. It was on the basis of the job he did then, and not on the basis of special investigators—although I am sure they made a great contribution, but it was on the basis of a special Senate committee headed by the late Senator Thomas J. Walsh—that the facts were uncovered and the evidence laid bare, the guilty punished and sent to prison; and on that basis, that particular issue was resolved and that was the result of that particular case.

May I add that, in my opinion, while the Republic was in danger of crumbling until recently, now I think, as a result of what the President said, what the President has done, and what the courts, the grand jury, and the Ervin committee will do, that the rock on which this fragile democracy rests will be stronger.

Again I want to commend the distinguished Senator and to express to him, as I have so many times in public and in private, my extremely high regard for former Senator John Williams. If there is to be a special investigator, I can think of no better person to be it.

Mr. CURTIS. I thank the Senator.

Mr. PERCY. Mr. President, will the Senator yield? If the Senator has completed his remarks, I can speak on time under my own order.

Mr. CURTIS. If I have time, I am happy to yield.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska has 30 seconds.

Mr. CURTIS. I yield those 30 seconds to the Senator from Illinois.

Mr. PERCY. Just to comment on his remarks, because I am grateful that he has made them. I have publicly stated that if John Williams were appointed special investigator, I would hope the name would be sent to the Senate, so we could all join in what I hope would be overwhelming, if not unanimous, approval. We could then move forward with an investigation, and the legislative and executive branches of the Government would be joined together in this investigation. I will speak in greater detail on this matter. I think we indeed have a precedent for the Senate and the House acting in this matter in the Teapot Dome scandal.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. PERCY. The majority leader was absolutely correct when he said Teapot Dome was uncovered by a Senate committee, but it was the President of the United States, responding to a resolution which passed the Senate and a resolution which passed the House that resulted in the appointment of a special prosecutor in that particular case, giving the special prosecutor all the powers necessary to bring all these matters out into the open and prosecute that particular case.

Mr. PERCY. I ask unanimous consent to have printed in the RECORD two brilliant editorials from the Christian

Science Monitor entitled "The Constitutional Crisis" and "Watergate: Clean-Up Precedent."

There being no objection, the editorials were ordered to be printed in the Record, as follows:

WATERGATE: CLEAN-UP PRECEDENT

On this page earlier this week we said that the housecleaning at the White House should be "put in the hands of someone free of all personal connections with the White House, with the defendants in the case and even with the high command of the Republican Party."

History points the way to a formula which worked once before under similar circumstances. Soon after Calvin Coolidge succeeded to the presidency in August of 1923 he discovered that he had inherited a housecleaning job. A Senate investigation uncovered the fact that Albert B. Fall, when Secretary of the Interior under Warren Harding, had received $100,000 in cash in a "satchel" from oilman Edward L. Doheny. That was the beginning (Jan. 24, 1924) of the uncovering of the scandals of the Harding administration.

On Feb. 1 and 2 Senate and House passed a joint resolution calling on the President to appoint a special counsel independent of the Department of Justice. President Coolidge solved the selection problem by naming two men. One was a young Republican lawyer from Philadelphia, Owen J. Roberts, who later was elevated to the Supreme Court. The other was a retired former Democratic senator from Ohio, Atlee W. Pomerene.

The President gave the two men full authority and his support. They worked well together. Suits were immediately instituted to annul the Teapot Dome and Elk Hills oil leases which Fall had improperly granted to his benefactors. By June all concerned in the oil leases were under indictment and the leases had been voided.

The above does not necessarily mean that there should be a special two-man prosecutor. But it points the way we think might well be followed in the Watergate affair. As in the Teapot Dome case the prosecution should be taken out of the Department of Justice and put in hands which are either bipartisan or palpably nonpartisan. Above all, the prosecution must be divorced from the White House.

One of the worst things about the Watergate matter so far has been manipulation of the FBI by the White House in the effort to cover up what had happened. The main reason L. Patrick Gray III had to withdraw his candidacy for the directorship was because he had handed over all his material to White House counsel John Welsey Dean who is himself deeply involved in the affair. Now Gray is reported to have destroyed White House files of Watergate defendant E. Howard Hunt Jr.

The process of setting up a convincing and satisfying housecleaning might well start, as in the Teapot Dome case, with a joint resolution by the Congress.

THE CONSTITUTIONAL CRISIS

Watergate has long since become a political disaster for Richard Nixon and the Republican Party. It is now a constitutional crisis calling for drastic remedial measures. The issue is the capacity of the incumbent President to govern effectively during the remainder of his term of office. That capacity must be restored. There is no other practical way out of the crisis. The question is whether Mr. Nixon himself is yet ready to take the steps which he must take to restore the institution of the presidency to effectiveness.

To rescue the institution itself justice must be done, and seen to be done. This is a case where the housecleaning must be thorough, quick, and evident to all skeptics. Leaving the management of the housecleaning in the hands of anyone connected with the White House itself will not be good enough. There is a cloud of suspicion over everyone in the administration who has anything to do with domestic politics. That cloud can be lifted only if the housecleaning is put in the hands of someone free of all personal connections with the White House, with the defendants in the case and even with the high command of the Republican Party.

As we are writing the prosecution is under Henry F. Petersen, Assistant Attorney General in charge of the Criminal Division of the Department of Justice. The burden fell on him when Attorney General Richard Kleindienst disqualified himself on grounds of "personal and professional relationships" with persons involved in the case.

We have not the slightest reason to doubt Mr. Petersen's probity. But he has served under Mr. Kleindienst and he is a long time personal friend of the lawyer now acting on behalf of John Mitchell. That is too close a relationship to a main character in the case. Mr. Mitchell was Mr. Nixon's Attorney General during most of the first term. He resigned to run the re-election campaign. He repeatedly asserted that he had never heard of the Watergate business until the arrests at the Democratic National Committee Headquarters. Yet, before a grand jury he has now confessed that the break-in and bugging operation were discussed in his presence at least three times prior to the burglary. He stands guilty on his own testimony of concealing the truth and thus of helping to try to conceal information about a criminal act.

Many eminent lawyers are doubtful as to whether Mr. Nixon has yet sufficiently divested himself of control over the investigation to allow it to rise above suspicion. When he changed course and announced "major new developments" in the case he also expressed "my view that no individual holding, in the past or at present, a position of major importance in the administration should be given immunity from prosecution." According to some lawyers this has the legal effect of discouraging defendants from talking.

Sooner or later the whole truth in this most unseemly and sordid affair is coming out. The question now is whether it will be dragged out by bits and pieces through the Senate committee hearing proceeds and in various lawsuits, with the administration holding back at every turn and doing its best to limit the disclosures. If it comes that way it will continue to do harm to Mr. Nixon's capacity to serve out his term effectively. The other way is for him to do what must be done to raise the official government prosecution above suspicion.

The reason to put it above suspicion is, in our opinion, of first importance. As many have already pointed out, the criminal actions and, even more seriously, the long devious effort to conceal them, would, in a parliamentary democracy have already forced the resignation of the Prime Minister and Cabinet. In the United States the presidency is for a four-year term. Mr. Nixon has just been reelected by an enormous majority, the second largest in the history of the country. There is no evidence that even an important minority want anything other than a chance to regain confidence in the man they elected less than six months ago. No reasonable figure is calling for his resignation. All are calling for a quick, thorough, and credible housecleaning. Hence we urge Mr. Nixon to put the prosecution of the case in the hands of a person who is so free of White House connections that the results will be believable.

But one more thing is needed to restore the prestige and authority of the man elected last November to the presidency. There has been a tone about the White House which was detectable during the first term, but has become strident since election day. It is a tone of self-righteousness bordering often on arrogance. It has raised a formidable barrier between the White House and the Congress.

It has come out over foreign policy—the assertion of presidential power to bomb at will regardless of how contrary the sentiment might be in the Congress. It has come out in assertion of executive privilege—the alleged (now abandoned) claim of the White House to have the power to blanket the entire federal establishment under executive privilege. It has come out a thousand times in the cold contempt of the White House staff men toward those who disagree, including even high Republicans from Capitol Hill. It has come out above all, in the attitude toward Watergate—a bland assumption that whatever they do is right and moral and permissible.

Watergate will be purged and Mr. Nixon will be restored to the confidence of the country if and when the purging has been thorough, quick, and above suspicion and also when the White House itself acts with humility. Mr. Nixon must in the future be seen to consult the leaders of the Congress with respect, not give them orders in a manner too reminiscent of some imperial court.

The American people want, and need, a restoration to them of the ability to believe in the integrity and decency of the man they have chosen to be their President. But they also want a president, not a king-emperor.

Mr. Nixon can give them what they want and need. We urge him to do it—just as fast as possible.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Under the previous order, the Senator from Illinois (Mr. Percy) is recognized for not to exceed 15 minutes.

SPECIAL PROSECUTOR FOR WATERGATE INVESTIGATION—SENATE RESOLUTION 105

Mr. PERCY. Mr. President, yesterday was a day we shall not soon forget. In the words of the banner headlines in many of the newspapers around the country, "The President cleaned house." The Watergate scandal has rocked the administration and last night the President did what he had to: He accepted full responsibility for the actions which were taken by members of his administration and by members of his reelection committee. The reason he acted is clear—public faith in the Government had been badly eroded and the ability of the administration to govern was in jeopardy.

I had intended yesterday to submit a Senate resolution calling upon the President to appoint a special prosecutor in the Watergate matter. However, when I learned of the dramatic events of yesterday morning, and the announcement that the President would address the Nation last night, I decided to defer submission of the resolution until after the President's speech.

Now that the President has spoken, I remain convinced that the submission of this resolution is appropriate. A simple and very basic question is at issue: Should the executive branch investigate itself? I do not think so, and neither, I am convinced, do a majority of my colleagues.

In submitting this resolution, I am not attempting in any way to question the integrity or ability of Attorney General-designate Elliot Richardson, a distinguished public servant for whom I have the highest regard. But Mr. Richardson cannot be regarded as independent of the executive branch of the Government.

Mr. President, I am pleased to announce to the Senate that Congressman JOHN ANDERSON of Illinois, is submitting this same resolution today in the House. The preliminary indications of support by the Members of the House have been very encouraging, with 23 cosponsors.

In the resolution, the President is called upon to appoint immediately a special prosecutor, grant him all the authority necessary to effectively perform his duties, and submit the name of such designee to the Senate for approval. If the President were to appoint the type of person this resolution envisions—a person of high character and unimpeachable integrity, without association with the executive branch of Government—and I can think of no name that would be better suited for this than that of Senator John Williams—then I do not think that there would be any delay on the part of the Senate in going on record in support of the President's choice.

I am very pleased indeed to be joined in this resolution by so many of my distinguished colleagues who have taken such a forthright position, regardless of party affiliation, in this matter. Democrats and Republicans have disregarded party lines, insisting that this is a national problem involving our Government. I am pleased to have as cosponsors of the resolution Senators DOLE, GOLDWATER, MATHIAS, JAVITS, CASE, SCHWEIKER, DOMENICI, BUCKLEY, CRANSTON, CLARK, SPARKMAN, YOUNG, ROTH, GRAVEL, PACKWOOD, RANDOLPH, ABOUREZK, and HUGHES.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. PERCY. At this time I am happy to yield to my distinguished colleague from Arizona, who has played such an important role in this matter.

Mr. GOLDWATER. Mr. President, I am very happy to support my colleague, Senator PERCY of Illinois. I have a very deep concern and interest in this matter. I think it goes far past what might be suffered by the Republican Party or by a man named Nixon. I think what we are talking about now—and it has been bipartisan, and I thank God for that—is to protect the Office of the Presidency, this is what we are concerned with—the most important office in the world, the one that has to be held in the highest respect if it is to be of any value to the world.

In supporting the Senator's resolution, I do not in any way disregard any of my high regard for the Senator from North Carolina (Mr. ERVIN). I cannot name a man in this world for whom I have greater respect. I know that the results of his investigation will be thorough. Likewise, I think it is natural that the President look to his Attorney General, because the Attorney General is the legal officer of the President.

I think that Mr. Richardson as Attorney General, a man for whom I have the highest regard, will find himself in the same position that former Attorney General Kleindienst found himself where, by virtue of the fact that he had clients so to speak in the executive branch, he found it impossible to act.

I think this Attorney General will want to conduct a complete investigation. However, I agree that it should not be done by the executive branch. As far as suggesting a name is concerned, I have no name to suggest, I think that former Senator Williams of Delaware, would be an excellent man. I am most happy that the Senator from Illinois has made this proposal.

I might say in conclusion that the President's speech last night confirmed exactly what I had felt all along. A number of years ago I sought this same office. During the course of my campaign, a security office was formed on my behalf. This new office of security started to do some things that I knew nothing about. Fortunately I found out about them the first weekend they were starting. So, I was able to stop them.

I believe implicitly that the President knew nothing at all about any matter in relation to the so-called Watergate affair. I believe that he is completely honest. He clearly stated that he was taking the blame. Anyone who has ever been in the corporate structure of this country or in the military knows that someone has to have the buck go no further. As Harry Truman said, "The buck stops here." And the buck stopped at the desk of the President last night, where the American people would like to see it stop, so that they can feel confident that within a relatively short period of time we can know the whole truth about this insane, stupid affair.

For the life of me, I cannot understand any person with an ounce of brains in his head ever doing anything like this. If we Republicans do not know what the Democrats are doing, or if the Democrats do not know what the Republicans are doing, we are wasting a hell of a lot of time.

Mr. MANSFIELD. Mr. President, may I say that we are wasting a lot of money, too.

Mr. GOLDWATER. The Senator is correct.

Mr. PERCY. Mr. President, I would say that the distinguished Senator from Arizona speaks with a great deal of strong feeling and intimate knowledge. I think that his counsel and advice to the President have been truly invaluable in this case.

I would hope that the appropriate Executive orders would be issued and signed by the President, as only he can do, so that full authority would be provided for the special prosecutor not only to issue subpenas but also to have access to the internal revenue material that would provide an insight, now that the tax returns have been filed by corporations and individuals for 1972, into where these contributions came from. But we ought to go back and, if the law does not provide for such reporting, we ought to see that it be done in the future so that we might trace every single contribution to determine from the individual if it came from his personal resources, or, if he is a member of a corporation or labor union, we ought to be able to find whether it somehow was tucked away in some place in that tax return.

Let us put an end to this sordid practice that has somehow grown up over the years of financing political contributions under the table instead of over the table and getting a quid pro quo or, as some term it, an investment that is made in a particular campaign or candidate.

The payoff comes out of the hide of the people. The people have a right to know what transpired in this particular case. We have a right to find out who was guilty and let the chips fall where they may. We can then cleanse this stain on this country.

Mr. President, in a moment I will be glad to yield to the Senator from New Mexico. However, before doing so I ask unanimous consent that material from the 68th Congress, 1st session, beginning with Senate Joint Resolution 54, together with other material dealing with the nomination of Atlee Pomerene and Owen J. Roberts as special counsel be printed in the RECORD at an appropriate point so that our colleagues in the Senate and House can have access to the precedent for the action we will be taking, I hope, today in this matter.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[S.J. Res. 54 (86th Congress, 1st session) with amendments; reference to congressional request for the President to employ special counsel to investigate the Teapot Dome case]

S. J. RES. 54

Proposed by Mr. Walsh of Montana to the joint resolution (S.J. Res. 54) to procure the annulment of the lease to the Mammoth Oil Company

Whereas it appears from evidence taken by the Committee on Public Lands and Surveys of the United States Senate that certain lease of naval reserve numbered 3, in the State of Wyoming, bearing date April 7, 1922, made in form by the Government of the United States, through Albert B. Fall, Secretary of the Interior, and Edwin Denby, Secretary of the Navy, as lessor, to the Mammoth Oil Company, as lessee, and that contract between the Government of the United States and the Pan American Petroleum and Transport Company, dated April 25, 1922, signed by Edward C. Finney, Acting Secretary of the Interior, and Edwin Denby, Secretary of the Navy, concerning oil in naval petroleum reserve numbered 1, State of California, and that lease and contract between the Government of the United States and the Pan American Petroleum Company, dated December 11, 1922, signed by Albert B. Fall, Secretary of the Interior, and Edwin Denby, Secretary of the Navy, concerning oil in naval petroleum reserve numbered 1, State of California, were executed under circumstances indicating fraud and corruption; and

Whereas the said leases and contract were entered into without authority on the part of the officers purporting to act in the execution of the same for the United States and in violation of the laws of Congress; and

Whereas such leases and contract were made in defiance of the settled policy of the Government adhered to through three successive administrations, to maintain in the ground a great reserve supply of oil adequate to the needs of the Navy in any emergency threatening the national security:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the said leases and contract are against the public interest and that the lands embraced therein should be recovered and held for the purpose to which they were dedicated; and

Resolved further, That the President of the United States be, and he hereby is, authorized and directed immediately to cause suit to be instituted and prosecuted for the annulment and cancellation of the said leases and contract, to enjoin the further extraction of oil from the said reserves under said leases or from the territory covered by the same, to secure any further appropriate incidental relief, and to prosecute such other actions or proceedings, civil and criminal, as may be warranted by the facts in relation to the making of the said leases and contract.

And the President is further authorized and directed to appoint, by and with the advice and consent of the Senate, special counsel who shall have charge and control of the prosecution of such litigation, anything in the statutes touching the powers of the Attorney General of the Department of Justice to the contrary notwithstanding.

[Senate approval of Senate Joint Resolution 54 (68th Congress, 1st session) as amended]

The PRESIDENT pro tempore. The Chair suggests to the Senator from Nebraska that Senate Joint Resolution No. 54 is now before the Senate, and under the agreement just entered into no further amendment can be offered to it.

Mr. ASHURST. Mr. President, I think the Senator from Arkansas acted well and wisely; but I believe in fair play. I think the Chair was under a misapprehension. I have no interest in the amendment which the Senator from Nebraska has attempted to propose, but it was obvious to all fair and discerning men that he intended and attempted to offer an amendment before the unanimous-consent agreement was agreed to. Therefore this body ought to reconsider its action long enough to permit him to offer that amendment if he desires to do so, because he was on the floor, and held the floor, and claimed recognition, and undoubtedly had that intention. As one who believes in fair play, although I earnestly hope the proposed agreement will be entered into, I ask that we let him offer his amendment.

The PRESIDENT pro tempore. The Chair asked the Senator from Nebraska whether he desired to object to the unanimous-consent agreement——

Mr. ASHURST. I have said what I wished to say. The Senator from Nebraska is able to take care of himself.

The PRESIDENT pro tempore. And the Senator from Nebraska answered that he did not desire to object.

Mr. HOWELL. Mr. President, I misunderstood the Chair's question and its application. I had offered my amendment before the Chair asked that question; and, as I understood it, the question was whether I objected if this agreement went into effect following the offering of my amendment and its discussion.

Mr. FLETCHER. May I suggest to the Senate what would probably be a way out of the difficulty? When one of the amendments already pending is offered the Senator could move to amend the amendment in the way he desires.

Mr. HOWELL. I shall not be able to pursue that course in view of the character of this amendment. I ask unanimous consent for the consideration of the amendment.

Mr. ROBINSON. Let the amendment be read, and let us see what it is.

The PRESIDENT pro tempore, The Secretary will read the proposed amendment.

The READING CLERK. In the substitute for Senate Joint Resolution 54, to strike out lines 1 to 10, inclusive, on page 2, and lines 1 to 7, inclusive, on page 3, and insert in lieu thereof the following:

"*Resolved, etc.*, That the said leases and contract are against the public interest, and the same were and are hereby declared null and void from the beginning.

"*Resolved further*, That the President of the United States be, and he hereby is, authorized and directed immediately to seize and take possession of the lands included in said leases and to cause suit or suits to be instituted and prosecuted for the annulment and cancellation of said contract, and all contracts incidental or supplemental thereto, and to recover the value of the oil thus far extracted under the provisions of said leases, and to prosecute such other actions or proceedings, civil or criminal, as may be warranted by the facts in relation to the making of the said leases and contract."

Mr. HOWELL. Mr. President——

The PRESIDENT pro tempore. The Chair can only reiterate his former statement.

Mr. ROBINSON. Mr. President, if I may be indulged for just a moment, the amendment now presented, as I understand it, is substantially identical with the original joint resolution presented by my colleague, the junior Senator from Arkansas [Mr. CARAWAY]. We have been prosecuting upon consideration of the substitute resolution proposed by the Senator from Montana, and I had not anticipated that at this juncture of the debate this question would be again raised.

On this side of the Chamber we had agreed to accept the Walsh substitute for the Caraway resolution. There were a number of Senators on this side who expressed the feeling that the original resolution was a proper expression upon the part of the Senate, but upon informal consideration of the matter an understanding was reached, as set forth by statements made in the Senate by a number of Senators on this side, including the author of the original resolution, that the Walsh substitute was acceptable.

I do not want to preclude the Senate from an expression upon this amendment if it desires to give such expression. The object of the unanimous-consent request was to terminate debate and get a vote and to make certain that the Senate should proceed promptly to the consideration of a related resolution, which I will call the Denby resolution.

If there is no objection, I shall ask unanimous consent that the amendment offered by the Senator from Nebraska be considered as in order, and that a vote be taken on that amendment without any debate.

Mr. LENROOT. Will the Senator yield?

Mr. ROBINSON. I yield to the Senator.

Mr. LENROOT. I am very sure the Senator from Nebraska misunderstood the situation.

Mr. ROBINSON. I am sure he did.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Arkansas? The Chair hears none, and the amendment to the amendment will be voted upon. The question now is upon the amendment to the amendment.

Mr. HOWELL. Mr. President——

Mr. LA FOLLETTE. May I ask the Senator from Arkansas to so modify his request as to permit the Senator from Nebraska to offer some observations regarding that amendment?

Mr. ROBINSON. My only reason for not doing that is that other Senators might feel constrained to state their views upon the subject and reopen the entire debate.

Mr. LA FOLLETTE. I feel very certain that the proposition has been so debated that it will not prolong debate. The Senator from Nebraska has had no opportunity, or at least——

Mr. ROBINSON. He has had opportunity.

Mr. LA FOLLETTE. He has not taken the opportunity to speak upon that question, and I think it would be a fair thing to permit him to do so.

Mr. ROBINSON. Then I ask that the Senator from Nebraska be allowed five minutes and the Senator from Montana five minutes, if they desire to use that time, and that the amendment to the amendment be considered as pending.

The PRESIDENT pro tempore. The Senator modifies his request for unanimous consent so that the Senator from Nebraska shall be permitted five minutes for discussion and the Senator from Montana five minutes for discussion upon the amendment offered by the Senator from Nebraska to the amendment offered by the Senator from Montana. Is there objection?

Mr. HOWELL. Mr. President——

The PRESIDENT pro tempore. The Senator from Nebraska.

Mr. HOWELL. I am perfectly willing that my time should be limited, but I would not like to have it limited to five minutes.

The PRESIDENT pro tempore. Objection is made.

Mr. HOWELL. This is an amendment of importance, and I think it is worthy of some consideration, and I would like to make a statement as to the reasons why I have offered it.

Mr. ROBINSON. Mr. President, my only object in suggesting the limitation was to carry the purpose of the unanimous-consent agreement which is already in force. So far as I am concerned, I have no objection to reopening the debate, if the Senate wants to do it. I thought the Senate had reached the time when it was ready to vote. I thought the consensus of the Senate was that a vote should be taken upon this resolution. The request was stated clearly and agreed to; but if the Senator wants additional time, I shall make no objection upon my part.

Mr. HOWELL. I suggest to the Senator that 10 minutes be allowed.

Mr. ROBINSON. Then I ask that the Senator from Nebraska and the Senator from Montana each be allowed 10 minutes.

The PRESIDENT pro tempore. Is there objection to the agreement as now proposed that 10 minutes shall be given?

Mr. FERNALD. Mr. President, let us have order during that 20 minutes so that we may hear.

The PRESIDENT pro tempore. The Chair repeats, is there objection to the 10 minutes limitation? The Chair hears none and recognizes the Senator from Nebraska.

Mr. HOWELL. Mr. President, I am in favor of the purpose of this joint resolution, but I do not think it goes far enough to protect the interests of the United States Government.

The Senate has seen fit to approve the following preamble of this resolution:

"Whereas the said leases and contracts were entered into without authority on the part of the officers purporting to act in the execution of the same for the United States and in violation of the laws of Congress."

I was impressed with the arguments made here that such was the fact, and the Senate decided that such was the fact. Therefore, having so decided, the logical course to pursue is to assume that the leases were void from the beginning and there never was a lease. If void from the beginning, those who are upon the lands at the present time are merely trespassers. Such being the case, and as it is not usual for the United States Government to go to the courts to get a "sooner" off the public land, why should we do so in this case? If we go into court, we will be in the courts for years.

True, it will be insisted that one of the purposes is to bring an injunction proceeding to prevent further depletion of the land, but we have been told that in the midst of the No. 1 oil reserve section 36 is being pumped by the Standard Oil Co. at the present time. The longer the lease litigation can be maintained in the courts the longer will those who are adjacent to these properties have the opportunity of draining the oil that belongs to the United States Government. Therefore if we want to do something that will be effective and immediately effective, if we want to put teeth into this measure, we should provide that the President shall proceed just as the United States Government would proceed in connection with "sooners" upon public lands.

Having declared these leases null and void, which the Senate has done by its action, the next thing to do is to seize the property immediately, stop further depletion of the properties by those who are now claiming under the leases, and, furthermore, take steps to go on with the pumping of the oil lands in order to prevent those adjacent thereto from securing the oil.

In a single instance, connected with public affairs, I have been in the courts for nine years and I know what it means. Here is an opportunity to do something that will be effective. What the people of the country want is not refined equity in this matter. They want raw equity, and I urge that we take the necessary steps at this time, irrespective of constitutional refinements and objections. Let us do in this case, with oil lands involved worth hundreds of millions of dollars, as the Government has done time and time again in connection with "sooners" who have gone upon the public lands and assumed to reside there.

I urge the adoption of this amendment, and I hope that it will not be defeated, because I know it would put teeth in the measure which is now before the Senate.

Mr. WALSH of Montana. Mr. President, the proposed substitute presents again a question which was considered at some length at an early stage in the debate, namely, as to whether the Congress of the United States could declare these leases to be void and canceled or whether they should ask the court to make a decree to that effect.

The amendment offered by the Senator from Nebraska goes further than that. It directs that possession of the property be taken and that those in possession be dispossessed of them. Touching the first part of the resolution, I desire to say that the procedure suggested is indeed pursued in some countries, notably some of the republics of America outside of the United States. A concession or grant is made by a government, either by the officers authorized by statute or the direct act or the legislature of the country. Some one comes along and gets a concession from the legislature. Then the legislature that comes into power the next time, or the executive, or whoever exercises the authority, cancels those concessions and gives them to some one else.

Now, the wise founders of our Government considered that that was contrary to the essentials of liberty, and away back in Magna Carta the principle was laid down that every man was entitled to a day in court to determine whether or not he has a right or he has not a right. We are satisfied that these leases were executed without authority and that they were executed corruptly. But tomorrow we may be confronted with a grant, the want of authority to execute which is not so plain, the evidence of corruption in connection with which is not so plain, and we will then be called upon to vacate that grant, and so on down through all the possible gradations. Now, it is a matter of doubt as to whether we have any right in the premises or not. Those are questions for the court to determine. We may urge the court to do it. We may declare our convictions that they were executed without authority, but that is as far as we can go under the American system of justice and liberty.

The principle is expressed in our Constitution in an amendment that no person shall be deprived of any property without due process of law. Now, he claims to own this property and we can not dispossess him of that property; we can not lawfully do it without the due process of law. The case of the "sooner" and the case of the janitor coming and taking possession of this body is a different thing. Some idiot or some child may take your horse away from you. You go and use the necessary force in that case to get back your horse. But if some one claiming he bought that horse from an agent of yours who was authorized to sell it has possession of the horse the best thing for you to do is to go into court to determine the question of the validity of the grant that he claims.

The resolution then directs that possession be taken of this property. Possession how? Who shall take possession? Who shall act for the United States in taking possession? The United States marshal? The United States marshal is powerless. He is a trespasser in taking possession unless he is armed with a writ from some court. Will you use the Army and Navy of the United States to take possession of this property? Why, Mr. President, that is one of the things that we complain of in these proceedings against the late Secretary Fall. As we were told yesterday by the Senator from New York [Mr. COPELAND] he sent from the city of Washington out to the State of Wyoming a squad of marines—and that is also one of the sins of the Secretary of the Navy—to put a company off of naval reserve No. 3 that was actually engaged there in drilling a well under a claim of right. All he had to do was to go into the United States District Court for the State of Wyoming and secure promptly and without hesitation at all an injunction restraining those people from conducting any further operations until the court should have determined the matter.

The Senator from Nebraska, whom I am advised is not a lawyer and familiar with these matters, is quite too apprehensive about delay in the matter. The very first step in the proceedings which are authorized by the resolution would be to file a bill of complaint and thereupon to go to the judge and ask an injunction restraining the extraction of any oil from any of the lands until the question was determined. The procedure is thoroughly well known to those of us who are familiar with mining litigation in the West. A man is in possession of mining property. He is taking out the ore or other mineral.

I file a complaint against him, and I go into court and ask that he be enjoined from extracting the ore or extracting the oil pending the proceedings and until the court shall determine whether or not he is entitled to the property or I. That is done at the outset, and it goes almost as a matter of course in a private case that the complainant must give a bond to protect the defendant against any loss or damage he may suffer. But in the case of the United States they do not even have to give a bond. None is required whatever. So the very first step would be to shut the wells or put in control a receiver who shall hold the proceeds of them until the matter is determined.

So I say the Senator from Nebraska is unduly apprehensive about the matter and I am certain that the amendment ought not to be adopted. The Senate of the United States ought not to go upon record as establishing even a precedent for the cancellation of a grant purporting to have been executed by an officer of the United States under a pretended right or under color of authority. That would stigmatize the Government of this country in a way, so far as title to property is concerned, more threatening in its character than any of us can conceive. It would upset the stability of titles to property in the country if the Congress of the United States should undertake to do anything of the kind. I trust the amendment will not be agreed to.

Mr. DIAL. Mr. President——

The PRESIDING OFFICER (Mr. MOSES in the chair). Does the Senator from Montana yield to the Senator from South Carolina?

Mr. WALSH of Montana. I yield.

Mr. DIAL. I call the attention of the Senator to the fact that only last week the Senate passed a bill to compensate the owner of land who had been dispossessed by the Army. The Army wanted to use the land for camp purposes, and the Senate passed a bill compensating the owner of that property.

Mr. WALSH of Montana. That is true.

Mr. HOWELL. Mr. President, it will be readily understood, if one will consider that the proceeding to enjoin could be brought promptly and steps taken as suggested, but the proceedings to determine the validity of the leases may take years. They will begin in the district court and go to the court of appeals and then go to the United States Supreme Court, and then may go back again to the district court. In this case suppose the wells were shut down; then during all that period of time there would be an opportunity to drain the oil from those properties. We are assured, and it has been stated in connection with the Teapot Dome, that drainage is taking place.

Mr. WALSH of Montana. No; the Senator is in error there. If such a situation as that exists and it is necessary to continue operation of wells to prevent drainage, a receiver would be appointed to take the proceeds on both sides and await the determination of the matter by the court.

Mr. HOWELL. I have no purpose of depriving anyone of the right to go into court. My idea was simply to let them be the plaintiff and the United States be the defendant. Under the plan proposed by the Senator from Montana the United States would be the complainant.

Mr. WALSH of Montana. Will the Senator pardon a further interruption?

Mr. HOWELL. Certainly.

Mr. WALSH of Montana. That statement was made the other day, but it does not change the order at all. Suppose we pass the joint resolution with the Senator's amendment just as he wants it. Those people are in possession of the land. We would have to go into court to stop them from drilling in order to get them off the premises. It would not change the order a bit.

The PRESIDING OFFICER. The Senator from Nebraska has one minute more remaining.

Mr. HOWELL. But what this amendment will really do will be to put teeth in this measure. I have the greatest confidence in the efforts which the Senator from Montana (Mr. WALSH) is making to secure restitution for the people of this country, and I am very sorry to be in opposition to him in connection with this matter. I merely want to go a little further than the pending joint resolution goes, and I think, as I previously stated, what we need in a situation of this kind is a little raw equity.

The PRESIDING OFFICER. The time of the Senator from Nebraska has expired.

Mr. CARAWAY. Mr. President, I was not present when the unanimous-consent agreement was entered into and——

The PRESIDING OFFICER. The Chair can not now recognize the Senator from Arkansas, under the unanimous-consent agreement, unless further unanimous consent is granted.

Mr. CARAWAY. I am merely intending to make a parliamentary inquiry. I repeat I was not present when the unanimous consent was granted, and I desire to ask if all the time allotted has been consumed?

The PRESIDING OFFICER. The Sentaor from Montana (Mr. WALSH) has three minutes more, if he wishes to claim the floor.

Mr. WALSH of Montana. Mr. President, I have nothing further to submit.

The PRESIDING OFFICER. Under the supplementary unanimous-consent agreement just entered into, the question is upon agreeing to the amendment offered by the Senator from Nebraska [Mr. HOWELL] to the amendment proposed as a substitute for the joint resolution.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. Under the original unanimous-consent agreement, the question now is upon agreeing to the amendment offered by the Senator from Montana [Mr. Walsh] in the nature of a substitute for the joint resolution introduced by the Senator from Arkansas [Mr. Caraway].

Mr. Harrison and Mr. Lodge demanded the yeas and nays, and they were ordered.

The reading clerk proceeded to call the roll.

The result was announced—yeas 90, nays 0, as follows:

YEAS—90

Adams, Ashurst, Ball, Bayard, Borah, Brandegee, Brookhart, Broussard, Bruce, Bursum, Cameron, Capper, Caraway, Copeland, Couzens, Cummins, Curtis, Dale, Dial, Dill, Edge, Edwards, Elkins.

Ernst, Fernald, Ferris, Fess, Fletcher, Frazier, George, Gerry, Glass, Goodling, Greene, Hale, Harreld, Harris, Harrison, Heflin, Howell, Johnson, Calif., Johnson, Minn., Jones, N. Mex., Jones, Wash., Kendrick, Keyes.

King, Ladd, La Follette, Lenroot, Lodge, McKellar, McKinley, McLean, McNary, Mayfield, Moses, Neely, Norbeck, Norris, Oddie, Overman, Owen, Pepper, Phipps, Pittman, Ralston, Ransdell, Reed, Mo.

Robinson, Sheppard, Shields, Shipstead, Shortridge, Simmons, Smith, Smoot, Spencer, Stanfield, Stanley, Sterling, Swanson, Trammell, Underwood, Wadsworth, Walsh, Mass., Walsh, Mont., Warren, Watson, Wheeler.

NOT VOTING—6

Colt.
McCormick.
Reed, Pa.
Stephens.
Weller.
Willis.

So the amendment of Mr. Walsh of Montana in the nature of a substitute was agreed to.

The Presiding Officer. Under the unanimous-consent agreement, no further amendments being in order, the joint resolution will be reported to the Senate.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The result was announced—yeas 89, nays 0, as follows:

YEAS—89.

Adams, Ashhurst, Ball, Bayard, Borah, Brandegee, Brookhart, Broussard, Bruce, Bursum, Cameron, Capper, Caraway, Copeland, Couzens, Cummins, Curtis, Dale, Dial, Dill, Edge, Edwards, Elkins.

Ernst, Fernald, Ferris, Fess, Fletcher, Frazier, George, Gerry, Glass, Gooding, Greene, Hale, Harreld, Harris, Harrison, Heflin, Howell, Johnson, Calif., Johnson, Minn., Jones, N. Mex., Jones, Wash., Kendrick, Keyes.

King, Ladd, La Follette, Lenroot Lodge, McKellar, McKinley, McLean, McNary, Mayfield, Moses, Neely, Norbeck, Norris, Oddie, Overman, Owen, Pepper, Phipps, Pittman, Ralston, Ransdell, Reed, Mo.

Robinson, Sheppard, Shields, Shipstead, Shortridge, Simmons, Smith, Smoot, Spencer, Stanfield, Stanley, Sterling, Swanson, Trammell, Underwood Wadsworth, Walsh, Mass., Walsh, Mont., Watson, Wheeler.

NOT VOTING—7.

Colt, McCormick, Reed, Pa., Stephens, Warren, Weller, Willis.

So the joint resolution was passed.

The Presiding Officer. The question now recurs upon agreeing to the amended preamble proposed by the Senator from Montana.

The preamble as amended was agreed to.

HOUSE APPROVAL OF SENATE JOINT RESOLUTION 54 (68TH CONG., 1ST SESS.) AS AMENDED

LEASES OF NAVAL OIL LANDS

Mr. Longworth. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate Joint Resolution 54 and consider the same, and in that connection I ask unanimous consent that debate be limited to 30 minutes, one-half to be controlled by the gentleman from Tennessee [Mr. Garrett] and one-half by myself.

The Speaker. The gentleman from Ohio asks unanimous consent to take from the Speaker's table Senate Joint Resolution 54, of which the Clerk will report the title.

The Clerk read the title, as follows:

"Joint resolution directing the President to institute and prosecute suits to cancel certain leases of oil lands and incidental contracts, and for other purposes."

The Speaker. The gentleman from Ohio asks unanimous consent for the present consideration of the resolution, and that debate be limited to 30 minutes, one-half to be controlled by himself and one-half by the gentleman from Tennessee [Mr. Garrett]. Is there objection?

Mr. Howard of Nebraska. Mr. Speaker, I want to object to the limit of debate only.

Mr. Garrett of Tennessee. How much time does the gentleman from Nebraska desire on the matter?

Mr. Howard of Nebraska. I may not desire any time, but there are many here who may.

Mr. Longworth. Mr. Speaker, it seems to me that under the circumstances there is no necessity for prolonged debate on this question. The resolution was passed unanimously by the Senate and I have no question in the world but that it will pass unanimously here. What I would like to avoid would be protracted debate, and particularly I would like to avoid today any question of partisanship coming into the consideration of this resolution. Most disquieting rumors have reached us of the grave condition of an ex-President of the United States. I think under the circumstances it would be, to say the least, extremely bad taste that any partisan question should be brought into the debate. It is a simple resolution, we are all for it, and let us get this thing behind us.

Mr. Garrett of Tennessee. Will the gentleman yield?

Mr. Longworth. Certainly.

Mr. Garrett of Tennessee. Were there any amendments put on the original resolution?

Mr. Longworth. None except a technical amendment.

Mr. Garrett of Tennessee. I would like to get some printed copies for Members. I have a Senate copy myself.

Mr. Longworth. I will call the gentleman's attention to the fact that in the first line, after the word "institute," the words "and prosecute" have been inserted.

Mr. Raker. Let me call the gentleman's attention to the fact that on page 1756 of the Record the resolution is printed as amended and passed.

Mr. Garrett of Tennessee. Mr. Speaker, so far as I am personally concerned I have no objection to limiting the time as suggested by the gentleman from Ohio. I have conferred with some of the members of the Public Lands Committee who would have jurisdiction, and I suggest if it would be agreeable to the gentleman from Nebraska that we have 20 minutes on a side.

Mr. Howard of Nebraska. Mr. Speaker, in view of the great shadow that may fall upon this House within a few hours, as stated by the gentleman from Ohio, I am quite willing that there should be no debate at all, and I withdraw my objection.

Mr. Longworth. I am perfectly willing that there should be no debate. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate Joint Resolution 54 and consider the same, and I ask unanimous consent that the previous question be considered as ordered on the resolution.

The Speaker. The gentleman from Ohio asks unanimous consent that Senate Joint Resolution No. 54 be considered without debate and that the previous question be considered as ordered. Is there objection?

Mr. Johnson of Washington. Reserving the right to object, I observe that this resolution contains a number of whereases. What chance is there going to be for Members of the House to have the information that—"said leases and contracts were entered into without authority on the part of the officers purporting to act in the execution of the same for the United States and in violation of the laws of Congress."

Mr. Longworth. I will say to the gentleman that if I was considering the question ab initio I would not be quite satisfied with one or two of the whereases; but they have nothing to do with the resolution proper.

Mr. Johnson of Washington. I agree that if we undertake to debate this question we might be here for some time; but I beg to submit that the several "whereas" clauses are of the snap-judgment order.

Mr. Longworth. Let me say that a number of amendments were introduced in another body and they all failed.

The Speaker. Is there objection to the request of the gentleman from Ohio?

Mr. Lineberger. Reserving the right to object, there are several categorical statements of fact contained in the resolution the reasons for which many of us would like to have explained in order to vote intelligently. I realize that the nominal majority in the other body is in the minority the same as the nominal majority here is in the minority, but I do not think an important resolution like the one before us and upon which we are asked to vote should be put without some serious consideration. We certainly do not wish to commit ourselves to the various "whereas" statements in the resolution unless we believe them to be founded in fact. The mob psychology and partisan prejudice which seeks to condemn and punish without a fair hearing and trial is all too prevalent at this moment. I shall vote for the resolution, but in so doing I do not commit myself to any future action except as based on the facts and my conscientious convictions.

Mr. Abernethy. Mr. Speaker, if there is going to be any debate on it——

The Speaker. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the resolution, as follows:

"Joint resolution (S. J. Res. 54) directing the President to institute and prosecute suits to cancel certain leases of oil lands and incidental contracts, and for other purposes.

"Whereas it appears from evidence taken by the Committee on Public Lands and Surveys of the United States Senate that certain lease of naval reserve No. 3, in the State of Wyoming, bearing date April 7, 1922, made in form by the Government of the United States through Albert B. Fall, Secretary of the Interior, and Edwin Denby. Secretary of the Navy, as lessor, to the Mammoth Oil Co., as lessee, and that certain contract between the Government of the United States and the Pan American Petroleum & Transport Co., dated April 25, 1922, signed by Edward C. Finney, Acting Secretary of the Interior, and Edwin Denby, Secretary of the Navy, relating, among other things, to the construction of oil tanks at Pearl Harbor, Territory of Hawaii, and that certain lease of naval reserve No. 1, in the State of California, bearing date December 11, 1922, made in form by the Government of the United States through Albert B. Fall, Secretary of the Interior, and Edwin Denby, Secretary of the Navy, as lessor, to the Pan American Petroleum Co., as lessee, were executed under circumstances indicating fraud and corruption; and

"Whereas the said leases and contract were entered into without authority on the part of the officers purporting to act in the execution of the same for the United States and in violation of the laws of Congress; and

"Whereas such leases and contract were made in defiance of the settled policy of the

Government, adhered to through three successive administrations, to maintain in the ground a great reserve supply of oil adequate to the needs of the Navy in any emergency threatening the national security: Therefore be it

"*Resolved, etc.*, That the said leases and contract are against the public interest and that the lands embraced therein should be recovered and held for the purpose to which they were dedicated; and

"*Resolved further*, That the President of the United States be, and he hereby is, authorized and directed immediately to cause suit to be instituted and prosecuted for the annulment and cancellation of the said leases and contract and all contracts incidental or supplemental thereto, to enjoin the further extraction of oil from the said reserves under said leases or from the territory covered by the same, to secure any further appropriate incidental relief, and to prosecute such other actions or proceedings, civil and criminal, as may be warranted by the facts in relation to the making of the said leases and contract.

"And the President is further authorized and directed to appoint, by and with the advice and consent of the Senate, special counsel, who shall have charge and control of the prosecution of such litigation, anything in the statutes touching the powers of the Attorney General of the Department of Justice to the contrary notwithstanding."

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the resolution.

The question was taken; and on a division (demanded by Mr. GARRETT of Tennessee) there were 120 ayes and 4 noes.

So the joint resolution was passed.

On motion of Mr. LONGWORTH, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

Signing of Senate Joint Resolution 54 68th Congress, first session, as amended

ENROLLED JOINT RESOLUTION SIGNED

The Committee on Enrolled Bills reported that they had examined and found truly enrolled joint resoltuion of the following title when the Speaker signed the same:

S.J. Res. 54. Joint resolution directing the President to institute and prosecute suits to cancel certain leases of oil lands and incidental contracts, and for other purposes.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker of the House had signed the following enrolled bill and joint resolution, and they were subsequently signed by the President pro tempore:

S. 794. An act to equip the United States penitentiary, Leavenworth, Kans., for the manufacture of supplies for the use of the Government, for the compensation of prisoners for their labor, and for other purposes; and

S.J. Res. 54. Joint resolution directing the President to institute and prosecute suits to cancel certain leases of oil lands and incidental contracts, and for other purposes.

PROCEEDINGS AND DEBATES OF THE 68TH CONGRESS, 1ST SESSION, SENATE FRIDAY, FEBRUARY 8, 1924

(*Legislative day of Thursday, February 7, 1924*)

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the Speaker of the House had signed the enrolled bill (H.R. 657) granting the consent of Congress to the boards of supervisors of Rankin and Madison Counties, Miss., to construct a bridge across the Pearl River in the State of Mississippi, and it was subsequently signed by the President pro tempore.

CALL OF THE ROLL

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The principal legislative clerk called the roll, and the following Senators answered to their names.

Ashurst, Ball, Bayard, Borah, Brandegee, Brookhart, Broussard, Bruce, Bursum, Cameron, Capper, Caraway, Copeland, Couzens, Cummins, Curtis, Dale, Dial, Dill, Edge, Ernst.

Ferris, Fletcher, Frazier, George, Gerry, Glass, Gooding, Greene, Hale, Harreld, Harris, Harrison, Heflin, Howell, Johnson, Calif., Johnson, Minn., Jones, Wash., Kendrick, Keyes, King, Ladd.

La Follette, Lenroot, McCormick, McKellar, McKinley, McLean, McNary, Mayfield, Moses, Neely, Norbeck, Norris, Oddie, Overman, Pepper, Phipps, Ralston, Ransdell, Reed, Mo., Reed, Pa., Robinson.

Sheppard, Shields, Shipstead, Shortridge, Simmons, Smoot, Spencer, Stephens, Sterling, Swanson, Trammell, Underwood, Wadsworth, Walsh, Mass., Walsh, Mont., Warren, Wheeler, Willis.

Mr. DIAL. I desire to announce that my colleague, the senior Senator from South Carolina [Mr. SMITH], is detained from the Senate to-day on official business. He is paired. I ask that this notice may continue throughout the day.

The PRESIDENT pro tempore. Eighty-one Senators have answered to their names. There is a quorum present. The unfinished business, Senate Resolution No. 134, is before the Senate, and the Senator from Montana [Mr. WALSH] is entitled to the floor.

PETITIONS AND MEMORIALS

Mr. CURTIS presented a memorial of sundry employees of the Atchison, Topeka & Sante Fe Railway System, of Wichita, Kans., demonstrating against any substantial change in the transportation act of 1920, which was referred to the Committee on Interstate Commerce.

Mr. JONES of Washington presented a petition, numerously signed of sundry citizens of Tacoma, Wash., praying for the passage of legislation to reclassify and readjust compensation of employees in the Postal Service, which was referred to the Committee on Post Offices and Post Roads.

Mr. JOHNSON of Minnesota presented the memorial of Carl M. Hansen and 105 other citizens of St. Louis County, Minn., demonstrating against the passage of legislation extending the Superior National Forest, and stating that the territory in question is better suited to agriculture than for forestry purposes, which was referred to the Committee on Public Lands and Surveys.

He also presented a petition of sundry citizens of St. Paul, Minn., praying for the passage of the so-called game refuge, public shooting grounds bill, which was referred to the Committee on Public Lands and Surveys.

He also presented a memorial of sundry citizens of Winthrop, Minn., remonstrating against the passage of legislation creating a department of education, which was referred to the Committee on Education and Labor.

He also presented a resolution of the Civic and Commerce Association, of Bemidji, Minn., favoring the passage of Senate bill 1597, creating a revolving loan of $50,000,000 for the benefit of the livestock industry, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution of the Business and Professional Men's Association, of Minneapolis, Minn., favoring the making of an appropriation of $25,000,000 for the purchase of food and other relief for the suffering people of Germany, which was referred to the Committee on Foreign Relations.

He also presented resolutions adopted by Italo-Americans at Buhl, Minn., and the Camillo Cavour Lodge, No. 1185, Order of the Sons of Italy, at Syracuse, N.Y., protesting against the passage of House bill 101, to limit the immigration of aliens into the United States, which were referred to the Committee on Immigration.

SAN CARLOS IRRIGATION PROJECT, ARIZONA

Mr. CAMERON, from the Committee on Indian Affairs, to which was referred the bill (S. 968) for the continuance of construction work on the San Carlos Federal irrigation project in Arizona, and for other purposes, reported it with an amendment and submitted a report (No. 129) thereon.

COMMISSION OF GOLD AND SILVER INQUIRY PROGRESS REPORT

Mr. ODDIE. Mr. President, pursuant to the provisions of Senate Resolution 469, Sixty-seventh Congress, fourth session, I herewith submit a progress report of the Commission of Gold and Silver Inquiry, which I ask may be printed.

The PRESIDENT pro tempore. The report will be printed.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES of Washington:

A bill (S. 2426) to amend section 202 of the Federal farm loan act, as amended; to the Committee on Agriculture and Forestry.

By Mr. DIAL:

A bill (S. 2427) to authorize the use of certain Federal prisoners on road construction and other public works; to the Committee on the Judiciary.

By Mr. MCNARY:

A bill (S. 2428) for the relief of M. Seller & Co.; to the Committee on Claims.

By Mr. BALL:

A bill (S. 2429) to amend an act of Congress approved March 1, 1920, entitled "An act to regulate the height, area, and use of buildings in the District of Columbia, and creating a zoning commission, and for other purposes"; and

PRESIDENTIAL APPROVAL

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that on February 8, 1924, the President had approved and signed the joint resolution (S.J. Res. 54) directing the President to institute and prosecute suits to cancel certain leases of oil lands and incidental contracts, and for other purposes.

NOMINATIONS OF ATLEE POMERENE AND OWEN J. ROBERTS

Pursuant to the unanimous-consent agreement, the vote by which it was decided that the Senate would consider in open executive session the nominations of Atlee Pomerene, of Ohio, and Owen J. Roberts, of Pennsylvania, to be special counsel to have charge and control of the prosecution of litigation in connection with certain leases of oil lands and incidental contracts, as provided in Senate Joint Resolution 54, approved February 8, 1924, was ordered to be printed in the RECORD.

The vote resulted—yeas 69, nays 2, not voting 25, as follows:

YEAS—69

Adams, Ashurst, Bayard, Borah, Brandegee, Brookhart, Broussard, Bruce, Bursum, Cameron, Capper, Caraway, Couzens, Cummins, Curtis, Dale, Dill, Edge.

Ferris, Fletcher, Frazier, George, Glass, Gooding, Hale, Harreld, Harris, Harrison, Heflin, Howell, Johnson, Minn., Jones, N. Mex., Jones, Wash., Kendrick, Keyes, Ladd.

Lenroot, Lodge, McKellar, McKinley, McNary, Mayfield, Moses, Norris, Oddie, Overman, Pepper, Phipps, Pittman, Ransdell, Reed, Mo., Reed, Pa., Robinson, Sheppard.

Shields, Shipstead, Smith, Spencer, Stanley, Stephens, Swanson, Trammell, Wadsworth, Walsh, Mass., Walsh, Mont., Warren, Weller, Wheeler, Willis.

NAYS—2

Fess, Norbeck.

NOT VOTING—25

Ball, Colt, Copeland, Dial, Edwards, Elkins, Ernst.

Fernald, Gerry, Greene, Johnson, Calif., King, La Follette, McCormick.

McLean, Neely, Owen, Ralston, Shortridge, Simmons, Smoot.

Stanfield, Sterling, Underwood, Watson.

So the Senate decided to consider the nominations in open executive session.

The reading clerk called the roll, and the following Senators answered to their names:

Adams, Ashurst, Bayard, Borah, Brandegee, Brookhart, Broussard, Bruce, Bursum, Cameron, Caraway, Couzenus, Cummins, Curtis, Dale, Dial, Dill, Edge, Ernst.

Ferris, Fess, Fletcher, George, Glass, Gooding, Hale, Harreld, Harris, Harrison, Heflin, Howell, Johnson, Minn., Jones, N. Mex., Jones, Wash., Kendrick, Keyes, King, Ladd.

La Follette, Lenroot, Lodge, McKellar, McKinley, McNary, Moses, Norbeck, Norris, Oddie, Overman, Pepper, Phipps, Pittman, Ransdell, Reed, Mo., Reed, Pa., Robinson, Mayfield.

Sheppard, Shields, Shipstead, Shortridge, Smith, Smoot, Spencer, Stanley, Stephens, Swanson, Trammell, Wadsworth, Walsh, Mass., Walsh, Mont., Warren, Weller, Wheeler, Willis.

Mr. CURTIS. I was requested to announce that the Senator from Delaware [Mr. BALL] is absent because of a death in his family.

The PRESIDENT pro tempore. Seventy-five Senators have answered to their names. There is a quorum present. The question is, Will the Senate advise and consent to the appointment of Atlee Pomerene?

The roll call resulted—yeas 59, nays 13, as follows:

YEAS—59

Bayard, Borah, Brandegee, Broussard, Bruce, Bursum, Cameron, Capper, Caraway, Couzens, Cummins, Curtis, Dale, Dial, Edge. Ernst, Fess, Fletcher, George, Glass, Gooding, Hale, Harreld, Harrison, Heflin, Howell, Jones, N. Mex., Jones, Wash., Kendrick, Keyes.

King, Lenroot, Lodge, McKellar, McKinley, McNary, Mayfield, Moses, Norbeck, Overman, Pepper, Phipps, Pittman, Ransdell, Reed, Mo.

Reed, Pa., Robinson, Shields, Smoot, Spencer, Stephens, Swanson, Trammell, Wadsworth, Walsh, Mass., Warren, Watson, Weller, Willis.

NAYS—13

Adams, Ashurst, Brookhart, Dill, Frazier, Johnson, Minn., La Follette, Norris, Sheppard, Shipstead, Stanley, Walsh, Mont., Wheeler.

NOT VOTING—24

Ball, Colt, Copeland, Edwards, Elkins, Fernald.

Ferris, Gerry, Greene, Harris, Johnson, Calif., Ladd.

McCormick, McLean, Neely, Oddie, Owen, Ralston.

Shortridge, Simmons, Smith, Stanfield, Sterling, Underwood.

The PRESIDENT pro tempore. The yeas are 59, the nays 13. So the Senate advises and consents to the nomination of Atlee Pomerene as special counsel. The President will be notified of Mr. Pomerene's confirmation.

NOMINATION OF OWEN J. ROBERTS AS SPECIAL COUNSEL

The Senate in open executive session, pursuant to its order, proceeded to consider the nomination of Owen J. Roberts, of Pennsylvania, to be special counsel in the prosecution of litigation in connection with certain leases of oil lands and incidental contracts, as provided in Senate Joint Resolution 54, approved February 8, 1924.

The PRESIDENT pro tempore. The question is, Will the Senate advise and consent to the appointment of Owen J. Roberts of Pennsylvania, as special counsel?

The rollcall resulted—yeas 68, nays 8, as follows:

YEAS—68

Adams, Bayard, Borah Brandegee, Broussard, Bruce, Bursum, Cameron, Capper, Caraway, Couzens, Cummins, Curtis, Dale, Dial, Dill, Edge.

Edwards, Ernst, Ferris, Fletcher, George, Gerry, Glass, Gooding, Harreld, Harris, Harrison, Heflin, Howell, Jones, N. Mex., Jones, Wash., Kendrick, Keyes.

King, Ladd, Lenroot, Lodge, McKellar, McKinley, McNary, Mayfield, Moses, Neely, Norbeck, Norris, Oddie, Overman, Owen, Pepper, Phipps.

Pittman, Ransdell, Reed, Mo., Reed, Pa., Robinson, Shields, Shortridge, Simmons, Smith, Smoot, Stephens, Swanson, Trammell, Wadsworth, Watson, Weller, Willis.

NAYS—8

Ashurst, Brookhart, Frazier, Johnson, Minn., La Follette, Sheppard, Shipstead, Wheeler.

NOT VOTING—20

Ball, Colt, Copeland, Elkins, Fernald.

Fess, Greene, Hale, Johnson, Calif., McCormick.

McLean, Ralston, Spencer, Stanfield, Stanley.

Sterling, Underwood, Walsh, Mass., Walsh, Mont., Warren.

The PRESIDENT pro tempore. On this question the yeas are 68, the nays are 8. So the Senate advises and consents to the appointment of Mr. Roberts as special counsel. The President will be notified of Mr. Robert's confirmation.

Mr. PERCY. Mr. President, at this time I yield to the distinguished Senator from New Mexico (Mr. DOMENICI), who has provided leadership and guidance in this very important matter, for which I am deeply grateful.

Mr. DOMENICI. Mr. President, I thank the Senator from Illinois very much.

First, may I say that I associate myself with the remarks of the distinguished Senator from Arizona.

I might also say that I do not support this proposal merely because I want to add to the burdens of the President. Nor do I support it because I question in any way the honesty, integrity, or ability of Mr. Elliot Richardson. Nor, do I question the trial experience of Mr. Peterson.

Quite to the contrary, it seems to me that Richardson has a very difficult and onerous job and that our Assistant U.S. Attorney General Peterson is a distinguished trial attorney, and because that is so and because they know about the criminal process in America, the so-called judicial process, I urge that we favorably act on this proposal of the Senator from Illinois which would recognize that we want them to get the best job done for the United States of America.

Our President said last night that it was his desire that the judicial process take over and that the guilty be punished and that the innocent be cleared. Let me say that if that is the goal, then we must proceed quickly to remove this case from the auspices of the Attorney General of the United States.

The process in America whereby the Attorney General is appointed by the President and is thus a part of the Cabinet, works well most of the time. However, every now and then a situation arises in America in which it will not work. And this is one of those situations.

It is obvious to me that, as an attorney who had been at the other end of the table, defending people, the Federal attorneys have a very great deal to do with the details of a trial. They have a great deal to do with how investigations are conducted. And most certainly they have a great deal to do with whether someone is found guilty or not, because the process is one of adversary advocates, one of the United States of America represented by an attorney against a defendant represented by an attorney.

Certainly, if one had been engaged in that process, he would understand it. Yet the results are understood by everyone. I think we all know that today there is great confusion about the facts. Obviously in a few years some people will be tried and some people will plead guilty. And I am sure that Americans will pass judgment on whether they are all tried and on whether all the facts were presented and whether the United States and its interests were adequately represented. They will also decide that there was not one touch of partisanship and not one touch of consideration in the case because of the intimate knowledge or friendship of the attorneys involved.

It is because of these varying results and because I want to support the President and see that justice prevails that I seriously question whether this can be done with Elliot Richardson at the helm despite the great confidence I have in him.

People all over our country are concerned, and I might tell the distinguished Senator from Illinois that in New Mexico, this past Saturday, I talked with many of them, and then I discussed the matter with the press of New Mexico, and I concluded that the one thing we must do is get the investigating process out of partisanship, that we must get the Attorney General out of the case. I was delighted, upon my return, to find that the Senator from Illinois, too, was insisting that we should join together, not as Republicans but as Americans, to get this process off on the right foot, so that there will not be speculation but confidence, so that when it is finished there will not be a lack of credibility, but our people will be confident that justice, even under difficult circumstances, was served.

I also suggest there is a necessary matter of finality. The matter must end when the trials and appeals are completed; and unless this process is free from any taint of partisanship, it will never end; there will be no finality, but rather suggestions that had someone else done the job, there would have been a different set of facts developed, that had some other committee or someone other than an appointee of the President headed up the prosecution, the result would have been otherwise.

I would like to see the matter finalized, and this is one way.

One other matter that comes to mind, which I think is extremely important, is that whoever undertakes this responsibility, it will be a fulltime job, and it will be a fulltime job for a substantial period of time, not for a week or a month. If I know Elliot Richardson, it would be a fulltime job for him; and that is not fair, because the Attorney General of the United States, in these critical times, has many jobs. When you add them together, they are supposed to amount to the fulltime job of representing the United States of America in the courts, and then being a member of the Cabinet of the President of the United States.

I do not think there is anyone in this country who can stand the test of that many hats, that many fulltime occupations, and do it properly, particularly with the added responsibility of handling the very difficult job of investigating and prosecuting this case. We have many crises before us, including the crisis of unemployment, the crisis of war, and the crisis of inflation, and we are entitled to have the Attorney General as counsel, sitting around the Cabinet table with all the others, discussing those problems; and we should not have them worried about, "What are people thinking about the Attorney General prosecuting our own friends, sitting as counsel with us and with the President?"

We should not have even that taint; and I do not think Elliot Richardson would like to be involved in that very difficult role, when America has many crises besides the crisis of Watergate.

All these things add up to but one conclusion, and that is that the Senate should be joined quickly by the House of Representatives, so that there will be no excuse that it is too late and the investigations are too far down the line. We should do this immediately, with the problems that surround the country. We ought to know in a day or two what will be done. I suggest to the Senator from Illinois that we ought to get together with the Executive on the problems of inflation, agriculture, war, and all our other problems, and know that someone outside the partisan family of the President is representing all America and representing us on these issues. Only if that happens does it seem to me that we will rid ourselves of this burden.

Pity, mercy, and forgiveness are all great virtues that should be practiced by all men in all countries, but in our country it is absolutely necessary that the quality of justice, which is fragile and delicate, and will always be, be meted out absolutely fairly; and justice, the cornerstone of democracy, and honesty in protecting our citizens' rights in this case are in serious jeopardy. I am pleased to join with the Senator from Illinois in this effort, and hope that our colleagues will consider it of sufficient importance to be expeditious in handling it.

Mr. PERCY. Mr. President, will the Senator yeld?

Mr. DOMENICI. I am happy to yield to my distinguished colleague from Illinois.

Mr. PERCY. I am deeply appreciative of the thoughtful analysis just presented to the Senate, and I think we can be very proud indeed of our freshman colleague from New Mexico, who has proved himself a seasoned legislator in so many ways, and has proved his ability to get right to the heart of the matter.

Mr. President, as the distinguished Senator from New Mexico has said, let us get on with this, and get the job done immediately. Let us get on with the important task of governing, but let us remember that we cannot govern unless we have the support of the people. The best way of insuring the faith and the trust of the people is to appoint a special prosecutor whose motives, actions, and conclusions cannot possibly be questioned.

The designee for the position of Attorney General has a vast department to oversee and tremendous responsibilities in connection with that department, including the drug abuse program and the problem of organized crime. If he is charged with the responsibility of investigating this matter, he will not be getting anything done on his other responsibilities for months to come. So I, too, feel that a special prosecutor is absolutely essential. I have advised the leadership on both sides of the aisle and other interested colleagues of my intention to ask immediate consideration of this resolution. I have also sent to every Member of the Senate a copy of the resolution and a note that it would be introduced and discussed at this particular time in our proceedings.

Mr. SCHWEIKER. Mr. President, I am privileged to join the distinguished Senator from Illinois (Mr. PERCY) in cosponsoring this important "sense of the Senate" resolution urging the President to appoint a special prosecutor from outside the executive branch to conduct all criminal investigations and actions relating to the Watergate incident and other acts of political espionage during the 1972 Presidential campaign.

From the time this incident was first reported by the media last June, I have expressed distress than any illegal and improper activities of surveillance would take place in our political process. I called at the time for full revelation of all the facts and for full prosecution of all wrong-doing. Subsequently I have been deeply alarmed by reports of "cover-ups" of the facts by members of the White House staff and the Committee to Re-elect the President.

The President has taken an important first step in getting to the bottom of the entire Watergate incident by accepting personal responsibility for the conduct of members of his staff, and by pledging his full cooperation to reveal all facts and to hold accountable all persons responsible.

However, a serious crisis of confidence in the integrity of the executive branch, and in our democratic process itself, exists because of the Watergate. To restore faith in our Government by the people, we must take all possible steps.

The criminal investigation must be conducted by someone of the highest integrity who has no connection whatsoever with this administration or with any of the parties who would be involved in the investigation. The public must have complete confidence in the thoroughness and completeness of the Watergate investigation. Only a special prosecutor, who is beyond reproach and who can immediately command the respect of the American public, can provide us with those assurances.

The resolution provides that the special political espionage prosecutor should be confirmed by the Senate. It is important, because of the seriousness of the crisis of confidence in our Government today, that the Senate, through the "advice and consent" powers created by the Constitution, have a voice to guarantee the selection of the highest caliber man or woman for the special prosecutor job.

In addition to the criminal prosecutions, I also fully support an active investigation into the 1972 political campaign by the Senate Select Committee To Investigate 1972 Presidential Campaign Activities. In February of this year, I voted in favor of setting up this committee, and voted against an amendment which would have broadened the committee's scope to include the 1964 and 1968 elections. I felt strongly that the seriousness of the allegations against the Committee To Re-Elect the President warranted an investigation focused exclusively on the 1972 campaign. I am confident that the distinguished members of the Senate committee will protect the legal and constitutional rights of all persons who may be subject to criminal indictments, while at the same time proceeding with a thorough investigation of all aspects of campaign activities. This is essential, because there have been reports of espionage activities which are not necessarily actual violations of law but which nevertheless are totally unacceptable in a free, democratic society. The public must have full knowledge of all espionage activities, whether they are criminally indictable or not. The Senate committee can provide an important role in this area.

Before the President addressed the Nation last night, I had publicly called upon him to dismiss White House staff members involved in the Watergate incident. I am pleased that the President has begun this process. I had also called for the President to appoint an outside person, beyond reproach, to help him structure a new White House staff with men of experience and integrity, and I am hopeful that this constructive step can be quickly taken.

In addition, I earlier called for the immediate termination of all activities of the Committee for the Re-Election of the President. Six months after the election, this committee, which is apparently responsible for many of the sordid activities surrounding the Watergate incident, is still in existence. The National Committee for the Re-Election of the President has been a blot on the name of the Republican Party, and should be immediately disbanded.

The Watergate incident also should spur our steps to create an independent Federal Bureau of Investigation. The serious lapses of independent integrity leading to the resignation of Acting FBI Director L. Patrick Gray point to the necessity of removing the FBI from any possibility of political influence. My own bill on this subject, by setting up a single

10-year term for the FBI Director, would guarantee that no President could ever appoint more than one FBI Director, and that no FBI Director would be subject to reappointment pressures that could undermine the authority of an independent F.B.I.

Considerable credit and praise must go to our Nation's media for the important role they played in bringing out the facts of the Watergate. The events of the last few weeks are a tribute to the vitality of the media in our country. The entire Watergate incident is also an example of how a free, vigorous, and independent press is a vital foundation of our democratic process. By subjecting all decisions and acts by public officials to the possible scrutiny of the press, and therefore the public, a free press provides an important "check and balance" to our Government.

Mr. President, the Watergate crisis will be with us for many months. The task of providing the complete story to the American public is just beginning. The facts surrounding how misguided members of the Committee To Re-Elect the President and the White House staff subverted our political process will continue to shock all of us who believe in integrity and good government.

However, with an independent prosecutor and with a full Senate investigation, I am hopeful we can quickly complete the task of providing all facts surrounding the Watergate espionage, so that we can move to the difficult task of restoring the faith of the American people in the integrity of Government. I am dedicated to this task, and will continue to do whatever possible in the U.S. Senate to achieve this goal.

SENATOR RANDOLPH ADVOCATES INDEPENDENT INVESTIGATION OF WATERGATE AFFAIR

Mr. RANDOLPH. Mr. President, with millions of other Americans, I listened intently, last night, as the President of the United States reported to the Nation and the world on actions which he has taken following the sordid and unhappy events which have come to be known as the "Watergate Affair."

I commend the President for acknowledging the gravity of the situation by instituting action to reestablish integrity in the executive branch, even though belatedly. In several speeches, last October and since, I declared publicly that the President should speak out and take affirmative action. Clearly, there are personal tragedies. The real tragedy, however, is the damage to the credibility and functioning of our Government at the very top.

The Watergate affair and its aftermath have shaken the foundation of our Federal system. These reprehensible acts have called into question the believability of government at all levels. They were carried out by individuals associated with an administration which proclaimed its goal to be to restore confidence in government. The repercussions of this tragic period will be with us for many years. The arrogance which led to the perpetration of these acts and their coverup have had their manifestations in the relations between the administration and the Congress. It has prevented us from properly joining in efforts to create the better America to which this President and all of his predecessors have dedicated their lives.

It is my sincere hope that the changes taking place in the executive branch will bring about a new spirit of cooperation between the administration and the Congress which will enable us to adopt forthright and effective solutions to the very difficult problems the country faces at home and abroad.

I urge the Acting Attorney General, Mr. Richardson, to exercise the authority given to him by the President to appoint a Special Prosecutor. The President himself should have taken this action, but, under any circumstances, it is essential. It is requisite to the restoration of the faith of the people of the United States in the honesty and integrity of this Government. A Special Prosecutor, operating independently, would be able to fairly and vigorously pursue the case against those who have done wrong and to clear the names of those who have been unjustly implicated. For these reasons I have joined as a cosponsor of the pending resolution introduced by the Senator from Illinois (Mr. PERCY). It is difficult to conceive of how someone who is a part of an ongoing administration can do the job without always being subject to question as to independence and freedom. This administration seems to have failed with its in-house efforts to ascertain the extent of the case and to fully identify all of the perpetrators.

Let those who have done wrong be subject to the application of the law. And let the rest of us go on with the important business of this Nation in a time of economic and social unrest.

There is no partisan benefit which should be sought from the Watergate affair. The benefit to accrue, if the case is properly handled, will be to the American people.

Mr. PERCY. Mr. President, I submit the resolution and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The resolution will be stated.

The legislative clerk read as follows:

S. RES. 105

Resolution requesting the President of the United States to appoint a special prosecutor in connection with the Presidential election of 1972

Resolved, that it is the sense of the Senate that:

1. the President immediately designate an individual of the highest character and integrity from outside the Executive Branch to serve as special prosecutor for the government of the United States in any and all criminal investigations, indictments, and actions arising from any illegal activity by any persons, acting individually or in combination with others, in the Presidential election of 1972, or any campaign, canvass, or other activity related to it;

2. the President should grant such special prosecutor all authority necessary and proper to the effective performance of his duties; and

3. the President should submit the name of such designee to the Senate, requesting a resolution of approval thereof.

The ACTING PRESIDENT pro tempore. Is there objection to the immediate consideration of the resolution? The Chair hears none and it is so ordered.

Mr. PERCY. Mr. President, I move the adoption of the resolution.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the resolution [putting the question].

The resolution (S. Res. 105) was agreed to.

Mr. PERCY. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. SPARKMAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Michigan (Mr. GRIFFIN) is recognized for not to exceed 15 minutes.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that there be a quorum call, and the time be charged against the time under the order allotted to Mr. Griffin, and if that is not sufficient, against the time allotted to me.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I yield back the remainder of my time, and I ask unanimous consent that all remaining time that may not have been used under the various orders be vacated.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will be a period for the transaction of routine morning business, for not to exceed 30 minutes, with statements therein limited to 3 minutes each.

Is there further morning business?

SPECIAL PROSECUTOR NEEDED

Mr. ROBERT C. BYRD. Mr. President, following President Nixon's televised address to the people last night, I said I was pleased that he had given Mr. Elliot Richardson permission to appoint a special outside prosecutor for the Watergate investigation. However, I expressed disappointment that the President did not make such an appointment imperative.

I do not believe the administration can investigate itself and still hope to restore the faith of the people in the Government.

Therefore, immediately following the President's remarks, I sent Mr. Richardson a telegram, urging him to act quickly to appoint a special outside authority to investigate and prosecute the Watergate case.

I previously had urged the President to name a special prosecutor to handle the case. In that letter of April 26, I said the prosecutor should be secured from outside the Justice Department.

I ask unanimous consent that my April 26 letter to the President, and my April 30 telegram to Mr. Richardson be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD as follows:

APRIL 26, 1973.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I respectfully urge that a special prosecutor, secured outside the Justice Department, be assigned the Watergate case. I do not personally know Assistant Attorney General Henry Petersen, but I call your attention to his statement on September 16, 1972, with respect to the Watergate investigation in which he stated, in part, as follows:

"This investigation has been conducted under my supervision. In no instances has there been any limitation of any kind by anyone on its conduct.

"Indeed, the investigations by both the FBI and the Grand Jury have been among the most exhaustive and far-reaching that I have seen in my 25 years in the Department.

"All aspects of the break-in and bugging were studied in detail including questions about the source and distribution of any funds relating to the incident. * * *

"As the trial goes forward, the thoroughness of the Grand Jury investigation will become apparent."

Mr. President, it is clear that the investigation preceding the Watergate trial was not exhaustive, and it is also clear that the "thoroughness" of the investigation, rather than becoming "apparent," has been universally criticized as being less than thorough, less than exhaustive, and a source of disappointment to the trial judge.

I again urge that a special prosecutor be assigned this case, and I urge this because I think it is imperative that the people's confidence, in the Administration's determination to develop the absolute truth and the full truth, be sustained. Moreover, in view of the tangled history of this affair, I feel that the Justice Department should welcome the appointment of a special prosecutor.

I have consistently stated that I do not want to believe and that I do not believe that you were aware of what was going on in the Watergate matter or that you had any prior information regarding it or that it in any way met with your approval. I still believe this and have so stated within recent days. I do view with great concern, however, the damage that may result to you, to the office of the presidency, and to our political system if the current investigation is less than thorough or far-reaching. The people's confidence can only be restored if the investigation is pursued with the utmost vigor and forcefulness.

With highest personal esteem.

Respectfully yours,

ROBERT C. BYRD,
U.S. Senator.

APRIL 30, 1973.

Hon. ELLIOT L. RICHARDSON,
Secretary, Department of Defense,
Washington, D.C.
Hon. ELLIOT L. RICHARDSON,
Attorney General-Designate,
Department of Justice,
Washington, D.C.:

To avoid any suspicion of whitewash, it is imperative that special outside authority be appointed to supervise investigation and prosecution in Watergate case. The people must be convinced that the investigation is exhaustive and conducted with absolute impartiality and without fear or favor. The Administration must not investigate itself.

ROBERT C. BYRD,
U.S. Senator.

THE PRESIDENT SPEAKS

Mr. DOLE. Mr. President, for the past several weeks, and increasingly over the last few days, the Watergate case has been the almost sole preoccupation of this city and perhaps to a lesser degree it has been on the minds of citizens all over this country.

In part, this was due to the very nature of the case. In part, too, it was due to the fact that the President had not spoken out definitively on the matter and it was felt, understandably, that until he did, the constant speculation and certainly the public preoccupation with the case could not be expected to diminish.

BACK TO BUSINESS OF GOVERNMENT

I rise now to express the fervent hope that after the events of yesterday which culminated in the President's address of last night, we can get back to the business of Government. I am hopeful that now we can get away from the temptations to assign blame and for each to throw his bricks at those who have been involved or implicated, temptations to which many on both sides have yielded.

Mr. President, President Nixon quite properly accepted the responsibility for the overzealous actions of those under him. His was an act of high principle and courage, in my view. He has acknowledged that the actions of certain of his own White House aides and some of those at the Committee to Re-elect the President reflected poor judgment, whatever the motivation.

GOP ABSOLVED

I feel constrained to point out that while the illegal activities that occurred during the 1972 campaign may have been—in some degree—the responsibility of a certain few administration aides and CRP staff, no one has implicated the Republican Party as such, or the Republican National Committee in any wrongdoing. And I believe the President supported that distinction last night.

I say this for no other reason but that I feel it is important that this distinction be made. The Republican Party has been unfairly associated with the events of Watergate and with the illegal activities of a few who worked outside of the party's structure and who often ignored its counsel and eschewed its professional support.

The Republican Party's record in this entire matter is clear and unsullied. It cannot fairly be associated with any of the misdeeds represented by Watergate. The President himself has clearly laid the blame elsewhere.

MUST TRUST IN SYSTEM OF JUSTICE

Mr. President, the announcements of yesterday that key Presidential aides were resigning was, in my view, quite a necessary action, and I would be less than totally candid if I did not add that I welcomed the announcement. I had in fact, publicly stated my views in favor of such action earlier. But, as President Nixon said last night—and as I have been saying for months—it is crucially important that we now entrust the judicial system with our faith that the facts of the case—and an accurate assignment of guilt and innocence—can and will be determined through the workings of the governmental process.

"There will be no whitewash at the White House." With that assurance from the President, personally and forcefully and somewhat painfully asserted, there is little cause for any concern on the part of my colleagues that time and the processes of our system will not uncover the full story.

AVOID EXCESS

"It is indeed essential," as the President himself said, "that in reacting to the excesses of others, we not fall into excesses ourselves." When all is said and done, when the illegality of the Watergate affair has been fully explored and when guilt and innocence have been determined and justice has been done, no matter who is found responsible we must remember that there has been great personal tragedy involved.

HASTY DECISION AVOIDED

One other thing must be said in reference to the widespread expressions of dismay from many that the President did not speak out sooner on the Watergate case and that he did not take the actions much earlier than yesterday.

I cannot fault him for this. To have demanded the resignation of top White House aides, last summer, or last fall, or earlier this year before there was sufficient evidence would have been to risk a disservice to men whose counsel he valued. He has not prejudged their guilt or innocence. He has acted only in the interest of maintaining White House integrity. He quite properly waited until he could be sure of the facts before acting.

It is characteristic of this man to avoid hasty decisions. He was not panicked through the long and difficult course of his efforts to end our involvement in Vietnam. He was not panicked by the difficulties he faced in advance of the summit meetings of last year. And he was not forced—even by the most tragic and personally disturbing circumstances of Watergate—into precipitate action.

He waited for the facts to emerge—and only when the whole picture, insofar as it is now clear did emerge—did he take action.

Mr. President, it is always easy to condemn and to second guess from the perspective of hindsight. I would urge that such temptation be avoided.

President Nixon has spoken now. Much of the air has been cleared and what remains to be learned and decided about the whole affair can be done through the workings of the judicial system in concert with the full cooperation of the executive branch and the activities of the Senate Select Committee.

ONLY INTEREST NOW IS JUSTICE

Our interest now as lawmakers and as people committed to our political system is, and ought to be, justice—no more, no less. I have complete faith that justice—full and fair and undiluted—will be done in this matter. That is my sole demand and my confident expectation.

I do not say—nor do I mean to imply by any of this—that now that the President has spoken the matter ought to be considered closed and that all discussion of it should cease. But I do perceive that the President's announcement has changed the context of the situation.

He has spoken on the subject.

He has taken steps to remove from the White House those whose continued presence there would—fairly or not—have threatened the integrity and the credibility of the administration.

He has properly accepted the responsibility for the actions of those under him.

No one who is not himself uncontrollably overzealous could ask for any more—save that full justice be done—and only time is needed for that, I am sure.

ENROLLED BILL SIGNED

Under authority of the order of the Senate of April 30, 1973, the Acting President pro tempore (Mr. Metcalf), on April 30, 1973, signed the enrolled bill (S. 398) to extend and amend the Economic Stabilization Act of 1970, which had previously been signed by the Speaker of the House of Representatives.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that, on April 30, 1973, he presented to the President of the United States the enrolled bill (S. 398) to extend and amend the Economic Stabilization Act of 1970.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SPARKMAN, from the Committee on Banking, Housing and Urban Affairs, without amendment:

H.R. 3841. An act to provide for the striking of medals in commemoration of Roberto Walker Clemente (Rept. No. 93–133).

By Mr. TOWER, from the Committee on Banking, Housing and Urban Affairs, without amendment:

S. 1264. A bill to authorize and direct the Secretary of the Treasury to make grants to Eisenhower College, in Seneca Falls, N.Y., out of proceeds from the sale of silver dollar coins bearing the likeness of the late President of the United States, Dwight David Eisenhower (Rept. No. 93–134).

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. Clark) laid before the Senate the following letters, which were referred as indicated:

Approval of Loan to Colorado-Ute Electric Association, Inc., Montrose, Colo.

A letter from the Administrator, Rural Electrification Administration, Department of Agriculture, reporting, pursuant to law, on the approval of a loan to Colorado-Ute Electric Association, Inc., of Montrose, Colo. (with an accompanying paper). Referred to the Committee on Appropriations.

Proposed Legislation From Department of Agriculture

A letter from the Under Secretary of Agriculture, transmitting a draft of proposed legislation to amend section 507 of the Housing Act of 1949 to make the veterans' preference applicable to veterans of the post-Korean era, and for other purposes (with an accompanying paper). Referred to the Committee on Banking, Housing and Urban Affairs.

Report of American Historical Association

A letter from the Acting Executive Secretary, the American Historical Association, transmitting, pursuant to law, a report of that association, for the year 1971 (with an accompanying report). Referred to the Committee on the District of Columbia.

List of Reports of the General Accounting Office

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a list of reports of the General Accounting Office, for the month of March 1973 (with an accompanying paper). Referred to the Committee on Government Operations.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Environmental Protection Agency, Efforts To Remove Hazardous Pesticides From the Channels of Trade," dated April 26, 1973 (with an accompanying report). Referred to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Audit of the Export-Import Bank of the U.S. Fiscal Year 1972," dated April 30, 1973 (with an accompanying report). Referred to the Committee on Government Operations.

Report of Administrative Office of the U.S. Courts

A letter from the Director, Administrative Office of the U.S. Courts, transmitting, pursuant to law, his report, for the calendar year 1972 (with an accompanying report). Referred to the Committee on the Judiciary.

Proposed Legislation From Administrative Office of the U.S. Courts

A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to provide for a within-grade salary increase plan for secretaries to circuit and district judges of the courts of the United States, and for other purposes (with an accompanying paper). Referred to the Committee on Post Office and Civil Service.

Report on Progress in the Implementation of Motor Vehicle Emission Standards

A letter from the Administrator, U.S. Environmental Protection Agency, transmitting, pursuant to law, a report on progress in the implementation of motor vehicle emission standards, through June 1972 (with an accompanying report). Referred to the Committee on Public Works.

Proposed Legislation From Environmental Protection Agency

A letter from the Administrator, Environmental Protection Agency, transmitting a draft of proposed legislation to amend the Federal Water Pollution Control Act to provide for the control of sediment from construction activities (with an accompanying paper). Referred to the Committee on Public Works.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. FONG:

S. 1674. A bill for the relief of Nina Raass;

S. 1675. A bill for the relief of Vilaketi Bloomfield;

S. 1676. A bill for the relief of Zosima T. Van Zanten; and

S. 1677. A bill for the relief of Talo Huahulu. Referred to the Committee on the Judiciary.

By Mr. HRUSKA (for himself and Mr. Burdick):

S. 1678. A bill to amend Section 4082(c) of title 18, United States Code, to extend the limits of confinement of Federal prisoners. Referred to the Committee on the Judiciary.

By Mr. BELLMON (for himself and Mr. Bartlett):

S. 1679. A bill to establish the Chickasaw National Recreation Area in the State of Oklahoma, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

By Mr. LONG (for himself and Mr. Johnston):

S. 1680. A bill to modify the project for flood control on the Mississippi River and tributaries with respect to the Atchafalaya River Basin in Louisiana. Referred to the Committee on Public Works.

By Mr. HATFIELD:

S. 1681. A bill to permit American citizens to hold gold. Referred to the Committee on Banking, Housing and Urban Affairs.

By Mr. HARTKE (for himself, Mr. Cranston, Mr. Bible, and Mr. McIntyre):

S. 1682. A bill to amend the Foreign Assistance Act of 1961 to prohibit foreign assistance to those countries listed, not taking adequate measures to end illicit opium production, and for other purposes. Referred to the Committee on Foreign Relations.

By Mr. BAYH:

S. 1683. A bill relating to payment for swine destroyed to prevent the spread of hog cholera and related swine diseases. Referred to the Committee on Agriculture and Forestry.

By Mr. ROTH (for himself and Mr. Hathaway):

S.J. Res. 100. Joint resolution proposing an amendment to the Constitution of the United States to establish maximum age limits for certain officers of the Government. Referred to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HRUSKA (for himself and Mr. Burdick):

S. 1678. A bill to amend section 4082(c) of title 18, United States Code, to extend the limits of confinement of Federal prisoners. Referred to the Committee on the Judiciary.

Mr. HRUSKA. Mr. President, I introduce on behalf of myself and the distinguished chairman of the Penitentiaries Subcommittee, Mr. Burdick, a bill designed to give Federal prison officials greater latitude in temporarily releasing inmates from confinement in order that the inmates may better pave the way for their return to the community.

The bill would amend subsection (c) of the Prisoner Rehabilitation Act of 1965 (18 U.S.C. 4082) which now provides for temporary release of up to 30 days for certain limited purposes, such as family or medical emergencies, contacting prospective employers, or for any other "compelling reasons consistent with the public interest."

The Department of Justice believes that even this limited authority has been very useful in assisting prisoners in making the awkward transition from the institution to the community. The bill I am introducing would have the effect of making the transition less difficult in certain carefully chosen cases.

The proposal would expand the provisions of subsection (c) by permitting prison officials to release inmates temporarily for the additional purpose of reestablishing family and community ties. Furthermore, inmates could be released for any other significant correctional reason consistent with the public interest, rather than only for compelling reasons as in the present statute. It should be understood, of course, that release would be permitted only in selected cases where inmates have demonstrated their trustworthiness.

I think my colleagues will agree that it is very important in the rehabilitation process for the offender to be prepared to resume a meaningful life within his community after he has served his sentence. It is also important that members of the community be prepared for his return.

Since present authority does not permit temporary release to rebuild these ties, there is an obvious need for this legislation. I urge my colleagues to give the bill their full support.

I ask unanimous consent that the text of the bill and the Attorney General's letter of referral be printed in full at this point in the RECORD.

There being no objection, the bill and letter were ordered to be printed in the RECORD, as follows:

S. 1678

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (1) of section 4082(c), Title 18, United States Code, is amended to read as follows:

"(1) visit a specifically designated place or places for a period not to exceed thirty days and return to the same or another institution or facility. An extension of limits may be granted to permit a visit to a dying relative, attendance at the funeral of a relative, the obtaining of medical services not otherwise available, the contacting of prospective employers, the reestablishment of family and community ties or for any other significant correctional reason consistent with the public interest; or".

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C.

The VICE PRESIDENT,
U.S. Senate,
Washington, D.C.

DEAR MR. VICE PRESIDENT: Enclosed for your consideration and appropriate reference is a legislative proposal to extend the limits of confinement of prisoners committed to the custody of the Attorney General.

The Prisoner Rehabilitation Act of 1965, as amended, 18 U.S.C. 4082, provides for the release of Federal prison inmates for not more than thirty days for limited purposes. Generally, only emergency situations, work or training qualify a prisoner for release under this Act. Even so, we believe that this has been one of the best means of assisting a person in the adjustment from the institution to the community.

This proposal would expand the provisions of section 4082 by permitting release for the re-establishment of family and community ties or for any other significant correctional reason. As in the present law, release would be allowed only in carefully selected cases and for individuals who may be trusted. We assure you that release pursuant to this amendment will be utilized only for non-dangerous inmates.

From a correctional standpoint, emergencies are not the only times when a home visit can be justified. A broader-based furlough program would be extremely meaningful to some offenders and we strongly urge the early consideration and enactment of this proposal.

The Office of Management and Budget has advised that there is no objection to the submission of this proposal and that its enactment would be in accord with the Program of the President.

By Mr. BAYH:

S. 1683. A bill relating to payment for swine destroyed to prevent the spread of hog cholera and related swine diseases. Referred to the Committee on Agriculture and Forestry.

Mr. BAYH. Mr. President, in 1972 there was a rather severe outbreak of hog cholera in Indiana. As of December 6, 19,567 hogs had been killed to prevent the spread of the disease. The Federal Government paid a total of $631,192 in indemnities to affected Indiana hog producers, and a national emergency was declared for the area.

As a result of the epidemic and the personal difficulties of these farmers, I became very involved in the details of the cholera outbreak, meeting with farmers to discuss improved techniques of monitoring the interstate shipment of possible diseased animals, and corresponding with the Department of Agriculture to secure adequate financial assistance for those farmers whose herds had been wiped out due to an outbreak in the area.

As you may know, in 1969, the use of vaccinations for hog cholera was ceased because, according to the Department of Agriculture's studies, it was not possible to eradicate the disease while vaccines were being used, and because the vaccine was, in itself, a frequent cause of the disease. Therefore, swine producers rely entirely on the effectiveness of the regulation of interstate shipment, and upon Federal and State assistance in order to get back on their feet after eradication of their herds. The situation of these farmers is very insecure since they can take no precautions themselves to prevent catastrophes.

During the emergency last year, I was consistently impressed by the cooperative attitude of Indiana swine producers. These farmers, who rely completely on the actions of Federal and State governments have not made many requests or demands during a year of personal and professional trauma. However, some of the farmers did bring to my attention reports that poultry farmers in California whose flocks had been infected with exotic Newcastle disease had been paid indemnities which were much higher than those paid to hog producers. Investigation proved the reports to be true, despite official denials from the Department of Agriculture.

Basically, at the time of depopulation, poultry farmers are reimbursed for the replacement value of the depopulated flocks. Since the new flocks are raised to near maturity off the farm, this figure is close to the value of a mature laying hen. Then, when the farmer is ready to start with a new flock of mature hens, he is reimbursed again for the profit lost during the intervening 26 weeks as a result of the depopulation of his egg-producing machines. Hog farmers are only reimbursed for the replacement value of their depopulated hogs; in the interest of equity they, like poultry farmers, should be compensated for lost profits which result from depopulation of their meat producing machines.

Since the Department of Agriculture has argued that the situations between swine producers and egg producers is not parallel, an analysis of the indemnification system used in the case of Newcastle disease and a comparison between production methods for swine producers and egg producers is in order.

In the words of the Department of Agriculture:

> On October 5, 1972, Secretary Butz announced a change in the indemnity schedule for exotic Newcastle disease for egg-laying flocks to properly reflect the actual value of those flocks. The schedule is in two phases. The first is to appraise the birds prior to depopulation, based on their market value at the time. The second phase involves a reevaluation of the value of the birds as egg-laying machines, based on the 26 weeks following depopulation.
>
> Flock owners must be paid for the replacement value of their birds immediately following depopulation in order that they will have the financial resources to negotiate for replacements. When the flock is declared infected, it will be appraised at its actual replacement value. When the owner orders replacements from the hatchery, it usually takes about a week to complete the contract for the production of birds, 3 weeks to hatch the eggs, and 26 weeks to raise the birds to full production age. The supplemental indemnity computations are based on a 26 week period following the date of appraisal by deducting the average cost of production from the actual average weekly price of the type of eggs which would have been produced by the birds had they lived. The variation in the cost of feed above or below the basic $80 per ton is built into the compensation formula. Variations in feed prices of $5 per ton will change the cost or production of eggs by one cent per dozen.
>
> The formula evaluates the potential production of the flock, the price that the owner would have received had the birds remained alive, adjusted by the variation in feed prices, deducting the fixed production costs. Any increased value above production costs will be reevaluated and paid to the owner at the end of the 26-week period following depopulation.

Thus, during the quarantine and the period of inactivity of the poultry farm when the farmer has to continue paying overhead costs such as taxes on, and maintenance of, his buildings, and wages for the employees whose assistance he will need once the farm is again in full production, the poultry farmer can count on Federal financial assistance to replace the profits which he would have made if his farm were fully operating. At present a hog producer, who may have to operate a partially operating farm for even longer than the poultry producer, receives no financial assistance while getting back on his feet.

The Department explains the discrepancy between the two programs by arguing that there are no established markets or replacement values for laying hens, while both markets and values exist for hogs of all weights. Actually, there are market values for laying hens; the problem is that there are not sufficient market supplies to allow poultry farmers to immediately restock their farms. Compensation has been provided in recognition of the restocking delay. In my view, the swine producers face the exact same problem in that most of them are not able to immediately restock their farms without committing economic suicide.

The Department apparently believes most swine producers can restock their farms immediately since they have written me the following statement:

> The existence of markets for swine of virtually any age not only assists the appraisers and the owners in arriving at fair market values, but also provides a source of swine for restocking premises following cleaning and disinfection. Assuming hog cholera outbreaks are confined to a comparatively small number of herds, it is possible, under existing Federal regulations, for the producer to repopulate the premises with swine of approximately the same weight class as those that were destroyed immediately after having completed the required supervised cleaning and disinfection of the infected or exposed premises.

In fact, the producer cannot "repopulate the premises with swine of approximately the same weight class as those that were destroyed, immediately after having completed the required supervised cleaning and disinfection." The Carroll County Pork Producers Board in Indiana recently met and sent me a number of advisory comments and recommendations. Among them was the statement that a person who has bred gilts or bred sows for sale will not sell their best ones to potential buyers. It is very unusual to buy good proven sows. General agreement was reached that those who had to buy replacement female animals did so by buying 6-month-old gilts from general fattening pens at the market price plus $10. Since it is recommended that a gilt not be bred until she is 9-months-old, she usually must be cared for and fed for 90 days before she is of breeding size, and for another 114 days before she had pigs. Thus, there is a delay of at least 6 months after the quarantine has been lifted before a farrow-to-finish farmer—one who raises baby gilts to mature sows, then breeds the sows and raises those baby feeders to maturity for slaughter—or a feeder producer farmer can even think about raising feeder pigs for market.

An apparently obvious solution to this 6-month delay is for the producer to buy feeder pigs on the market as well as sows to replace those which have been depopulated. The pork producers pointed out that such a purchase would be possible only if the producer can buy both the gilt and the feeder pigs from the same farm; it is very unwise to mix breeds of stock from different farms, because each group may be carrying diseases to which the other has not built up an immunity. In Indiana following the recent cholera outbreak, the earliest that any farrow-to-finish operator will have market animals for sale is 1 year from the date that the quarantine was lifted; despite farmers' obvious self-interest in getting back in business as quickly as possible, some producers face a delay of as much as 18 months.

For those farmers producing feeder pigs for sale, the delay would be similar to that for farrow-to-finish operators since sows would first have to be raised and bred. However, for farmers raising feeder pigs to a marketable age, the delay would consist only of the length of the quarantine, which in Indiana last year was as long as 3 months for some farms, plus the time needed to buy replacement pigs.

Under the proposed bill, the Department of Agriculture would draw up payment schedules based on the various requirements of the three types of swine operations. Following the formula used in the Newcastle indemnification program, the average cost of production would be deducted from the average price of the hogs or meat which would have been produced if depopulation had not occurred.

The following tentative table has been drawn up by my staff in cooperation with extension economists at Purdue University for computing of the probable profits and costs which would have occurred during the interim period while the farmer is restocking his farm. I want to emphasize that this is a tentative table; its purpose is to demonstrate that a reasonable formula can be established to compensate hog producers for their lost profits. I ask unanimous consent that the table be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

PROPOSED PROFIT-COST FORMULAS

I. PRODUCER OF PURCHASED PIGS

Period for second payment might be the time interval from depopulation to the end of the embargo plus 30 days as a period to locate replacement pigs. Volume could be established on the basis of the number of pigs on hand at the time of depopulation. If we define a unit of production as a pig, a normal production rate is 1.75 pounds of product (starting with a 40# pig) per unit per day.

The approximate requirements to produce a 220# market hog (currently worth $79.24 at Indianapolis) are:

1. A 40# pig[1]	$32.00
2. 11.5 bu. corn[1]	17.25
3. 100# Supplement[1]	14.60
4. Other variable costs	5.00
5. Fixed costs (Overhead)	2.00
6. Labor	2.50
Total	73.75

II. PRODUCER OF FEEDER PIGS

Period for second payment might be the time interval from depopulation to end of embargo plus seven months. (Seven months made up of one month to locate breeding stock, two months to get new breeding stock to reproduction age plus four months gestation.) Volume might be established on the basis of the number of mature females on hand at the time of depopulation. If we define a unit of production as a mature female, a normal production rate is 1⅓ pigs (40# each) per unit per month.

The approximate requirements to produce a 40# pig (currently worth $32 at St. Joseph) Missouri, are:

1. 60# Supplement[1]	$8.76
2. 3 bu. corn[1]	4.50
3. Other variable costs	3.00
4. Fixed costs (Overhead)	3.25
5. Labor	3.75
Total	23.26

III. FARROW TO FINISH

Period for second payment might be the time interval from depopulation to end of embargo plus nine months. (Nine months made up of one month to locate breeding stock, two months to get new breeding stock to reproductive age plus four months gestation, plus two months to produce feeder pigs). Volume might be established on the basis of the number of mature females on hand at the time of depopulation. If we define a unit of production as a mature female, a normal production rate is 300# of slaughter animals per unit per month.

The approximate requirements to produce 100# of slaughter animal (currently worth $32.02 at Indianapolis) are:

1. 75# Supplement[1]	$10.95
2. 6 bu corn[1]	9.00
3. Other variable costs	2.00
4. Fixed costs (Overhead)	2.50
5. Labor	3.25
Total	27.70

Mr. BAYH. To take the example of the producer of feeder pigs in more detail, let us assume that the producer owned 20 sows which were all depopulated and that the second evaluation was made eight months after the depopulation—1 month of quarantine, 1 month to locate breeding stock, 2 months—plus—to raise the stocks to reproduction age, and 4 months for gestation. If we assume that a mature sow will usually produce 1⅓ pigs—at 40 pounds each—per month, the potential production from 20 sows over the 8-months period would have been 213 pigs—40 pounds each.

The market price of a 40-pound pig is now $32 at St. Joseph, Mo., so that the gross potential profit would have been $6,816. Approximate costs of producing one 40-pound pig have been estimated in the printed table as $23.26. The costs for producing 213 40-pound pigs would therefore have been $4,954, and the difference between the gross profit and cost, or the net potential profits over the 8-month period would have been about $1,863.

Of course, in a more normal year when hog prices are much lower, the profits would be lower; in 1971 the net return to management in a feeder pig production unit was $1 to $1.25 per feeder pig produced. Thus, in normal market years, the cost to the Government of this legislation would not be excessive—in the case examined, it would be about $213 to $263 rather than the current $1,863—but it would help farmers who had been counting on some profits with which to pay their bills.

I am planning to send my estimates to various extension stations in the hog belt to solicit local reactions to the fixed figures used in these computations, and

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Footnote on following page

[1] Values vary (along with slaughter hog and feeder pig price) depending upon time and geographic location.

I would welcome the comments of my colleagues.

I ask unanimous consent that a copy of the bill be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1683

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 11 of the Act of May 29, 1884 (58 Stat. 734; 21 U.S.C. 114a) is amended by inserting "(a)" immediately after "Sec. 11." and by adding at the end of such section a new subsection as follows:

"(b)(1) Whenever swine are destroyed under authority of this Act, the amount of compensation to be paid to the owner of such swine shall be determined in two stages as follows:

"(A) The swine shall be appraised, at the time of their destruction, on the basis of their fair market value for meat, feeding, or breeding purposes, as appropriate.

"(B) At the end of an appropriate period following the date on which the swine were destroyed, a determination shall be made of the potential value of the swine as meat producers had such swine not been destroyed. In determining the potential value of any swine under this clause, the value shall be reduced by the amount that would have been expended for feed (adjusted for variation in price) and other production costs. The period between the destruction of swine and the appraisal of the potential value of the swine shall be determined on the basis of the average time required by (i) farrow to finish operators, (ii) feeder pig producers, and (iii) finishers of purchased pigs to raise new herds to full production capacity.

"(2) The owner of swine destroyed under authority of this Act shall be paid the amount determined under clause (A) of paragraph (1) as soon as practicable after the destruction of his swine. The owner of such swine shall be paid the amount of any increase in value determined under clause (B) of paragraph (1) as soon as practicable after the amount has been computed."

By Mr. ROTH (for himself and Mr. HATHAWAY):

Senate Joint Resolution 100. Joint resolution proposing an amendment to the Constitution of the United States to establish maximum age limits for certain officers of the Government. Referred to the Committee on the Judiciary.

Mr. ROTH. Mr. President, I am again introducing for the Senate's consideration a joint resolution proposing an amendment to our Constitution for the purpose of establishing a mandatory retirement age for Federal judges and Members of Congress. I am grateful that the distinguished Senator from Maine (Mr. HATHAWAY) has joined me in sponsoring this proposal.

This proposal is similar in intent to a measure I first offered during the closing hours of the 91st Congress when I served as a Member of the House of Representatives. I reintroduced this measure last session and, with certain modifications, I am again asking the Senate to give consideration to legislation which, I believe, should contribute to making our system of government more responsive to the public's needs.

If adopted, this constitutional amendment would do the following: First, it will not allow the appointment to the Federal bench of anyone 70 years of age, and will require those already on the Federal bench to retire 30 days after reaching such age; second, it will not allow anyone 70 years of age to run for either the Senate or the House of Representatives.

I wish to emphasize, however, that this legislation grants immunity from its impact to certain persons already serving in the Federal judiciary and to those Members of Congress who are 60 years of age or older when this legislation is submitted to the States for ratification.

It is my belief that we must make special consideration for both of these groups in view of the past sacrifices they have made to enter public life, and without benefit of the knowledge that this be adopted. Accordingly, Federal judges who have not served the minimum number of years required by law to become eligible for their pension benefits, which is their salary for life, will be allowed to remain on the bench until that minimum time has been served.

Members of Congress, as well, have sacrificed much to enter public life. I believe that it would be unfair to require those now close to the ages at which retirement from the Congress would be required to be bound by its provisions. Thus, I have included in the language of this amendment a provision that will allow those 60 years of age when this legislation is submitted to the States for ratification to be exempt from the impact of this amendment. These individuals will be allowed to continue to hold office and to seek reelection to that office with no restrictions as to age. Of course, those Members so affected would remain free to choose not to utilize this special provision.

Mr. President, a mandatory retirement age is not unknown in America. In 1966, the Congress determined that civil service employees must retire at age 70. American business has long considered 65 as an appropriate age for the retirement of its executive employees. There is a trend today toward even a younger retirement age.

In the past, several Members of Congress have determined for themselves the age at which they deemed retirement appropriate. One gentleman who made this decision was my predecessor, the former Senator from Delaware, John Williams. It was, in fact, Senator Williams who first introduced legislation to set a mandatory retirement age for Members of Congress and I am proud to follow his lead by offering this proposal today.

My colleague, (Mr. HATHAWAY) joins me in the hope that this Congress will actively consider the enactment of this legislation. I believe, that the idea merits the thoughtful attention of all citizens who are interested in improving our Federal system of government.

Mr. President, I ask unanimous consent that the text of the proposed constitutional amendment be printed in the RECORD at this point.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S. J. RES. 100

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution if ratified by the legislatures of three-fourths of the several States within seven years after its submission to the States for ratification:

"ARTICLE —

"SECTION 1. No person who has attained the age of seventy years shall be appointed to be a judge of the United States. Within thirty days after attaining seventy years of age, any judge of the United States shall retire from regular active service. Any such judge who holds a judgeship on the date this article is ratified may continue in regular active service after attaining seventy years of age for as long as may be necessary for him to qualify to receive the salary of his office upon resignation or retirement from regular active service.

"SEC. 2. No person who has attained the age of seventy years shall be a Senator, except that any Senator who attains such age while in such office may serve for the remainder of the term for which he was elected or appointed. This section shall not apply to any person who is a Senator on the date that this article is submitted to the States for ratification and who is sixty years of age or older as of such date.

"SEC. 3. No person who has attained the age of seventy years shall be a Representative, except that any Representative who attains such age while in such office may serve for the remainder of the term for which he was elected. This section shall not apply to any person who is a Representative on the date that this article is submitted to the States for ratification and who is sixty years of age or older as of such date."

Mr. HATHAWAY. Mr. President, I am honored to join the distinguished Senator from Delaware in the introduction of this resolution limiting the tenure in office of Representatives, Senators, and Federal judges. This is a matter with which I have been concerned since my entrance into the Congress more than 8 years ago. It is a matter of concern to the people of our Nation as I have learned, not only from my travels in Maine, but also from calls and letters my office has received on the subject from all sections of the country.

In introducing this legislation, I should make it clear that no disrespect is intended toward the contributions and abilities of our senior citizens. No one is more aware of the talents that this group offers our society than myself. I have consistently supported legislation aimed at helping our senior citizens to realize their maximum potential contribution to our national life. And yet, I feel strongly that a mandatory retirement age for these high Federal officials is very much in the National interest.

First, I should point out that this bill is not a radical step. The limitation it creates is that no Senator or Representative can run for reelection beyond the age of 70. A Federal judge could not serve beyond that same age. This action would not affect a large number of individuals—indeed, by its terms it would not apply to anyone now in the Congress who is over 60—but would provide an indication of congressional awareness of the scope of this problem.

Most would agree that Government, or any other institution, benefits from a continuing cycle of change in leadership and control. This fact was recognized long ago in private industry and, in fact, was recognized by Congress itself in the mandatory retirement ages which have been applied to the Federal Civil Service and the military. There is a natural tendency toward stagnation in any institution when the same people stay on for an indefinite period. The performance of these individuals may not be affected by the ravages of age so much as simply being in the same job too long. All of us, Senators, Representatives, and judges included, inevitably develop over the years a kind of vested interest in our own ideas and ways of doing things. To allow this tendency to come to full flower, especially in a body where power is directly related to years in office, is an invitation to institutional lethargy. All of us know this from our own commonsense and personal experience; congressional acknowledgement of this fact would go a long way toward vestoring some of the confidence the public has lost in us over the years.

Second, the nature of these offices requires a high degree of physical, emotional, and mental stamina. The range and depth of the concerns now before the Congress is truly staggering. Added to this are the demands placed upon a Member by an expanding and increasingly articulate constituency. The inevitable slowing down which accompanies age must take its toll either in diminished performance or increased reliance on staff. When these events occur, the public is not receiving the level of service to which it is entitled.

I feel further, that an age limitation on public service is at least suggested in the constitutional provision which defines a minimum age for Senators and Representatives. A public recognition that advanced age, in most cases, limits the capacity of an individual is basically very similar to a recognition of the limitations of youth. Just as there are some below 30 who undoubtedly have the maturity and judgment to serve effectively in the Senate, there are those over 70 with the required celerity and stamina. But, I think the public is justified in making the overall judgment that in most cases it would be better served by a realistic limitation placed upon both ends of the age spectrum.

Some will argue that this proposal limits the right of the people of a State or congressional district to elect whoever they want as their Representative. There is no question that this is, in fact, the case. But we have long since recognized that some limitations of this nature are in the public interest. The minimum age requirement in the Constitution is one example. The two-term limitation on the Presidency is another, which is very similar, in principle, to the proposal we are submitting today.

Finally, it should be noted that the offices with which this proposal is concerned are national offices, and the holders of these offices have a profound effect beyond a single State or region. When viewed in this light, some limitation on behalf of the public as a whole on the rights of the residents of a single State or district, is justifiable.

I hope that the Senate will give serious consideration to this bill; the issues it raises are important and the public concerns it addresses are real. It is one opportunity for us to begin the task of creating a more vital and responsive governmental system.

By Mr. HATFIELD:

S. 1631. A bill to permit American citizens to hold gold. Referred to the Committee on Banking, Housing and Urban Affairs.

Mr. HATFIELD. Mr. President, today I have the unusual opportunity of both introducing legislation and testifying on it before the committee of jurisdiction. The Subcommittee on Production and Stabilization of the Senate Banking Committee is holding hearings on the several bills that have been introduced to allow Americans to buy, sell, and hold gold in any form. Among these bills is one (S. 413) which I introduced 2 years ago, and which I reintroduced at the beginning of this Congress. However, I believe that recent events in the monetary world dictate today a slightly different approach from that of S. 413; and for this reason I am introducing a new bill that will legalize gold buying, selling, and holding by U.S. citizens, order the Treasury to auction at least 10 million ounces of gold per year from the existing gold stockpile, and become effective as soon as the President orders—but not later than January 1, 1975. At this point in the RECORD I would ask unanimous consent that my prepared testimony for today's hearing of the Banking Subcommittee be printed, together with the text of the bill.

There being no objection, the testimony and bill were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MARK O. HATFIELD

SUMMARY

Explanation and advocacy of the Hatfield legislation, which would:

1. Legalize gold buying, selling, holding by Americans.
2. Order the Treasury to auction at least 10 million ounces of gold per year from existing gold stockpile.
3. Become effective January 1, 1975 (or any prior date on the option of the President).

Mr. Chairman, today I am introducing a bill that would give American citizens the right, enjoyed by citizens of more than seventy other countries, to buy, sell, and hold gold. This bill also orders the Treasury to begin an orderly disposal of its gold stockpile by auction sales. These provisions are to be effective as soon as the President orders, but no later than January 1, 1975.

Today I appear before you to ask your support for this bill.

Action is now both needed and timely. I was delighted by the recent overwhelming sentiment expressed by the Senate favoring legalization of gold holding by Americans, a move I had proposed in the previous Congress. However, with this overwhelming support of the Senate, it is the prerogative of this committee to bring forth a more carefully elaborated bill that considers both the demand and supply side of the gold market and which gives the President greater flexibility as to the timing of its implementation.

OBJECTIVES OF THE BILL

Let me first state the primary objectives of this bill.

First of all, it is the function of government to protect the liberty of the citizens from whom it derived its just power to govern. Its function is not to take away individual liberty except for over-riding social needs. Formerly, when gold was used as money, or as backing for money, or used by the government for international payments, one might argue for a social need to limit the liberty of the people. However, these arguments have been erased by the movement of recent events. Gold is no longer used in the U.S. as money, nor as backing for other money, nor, as of August 15, 1971, as international money by the U.S. The legal restriction against holding gold has now become a vestigial remain of a bygone era—a "blue law" that limits liberty without any social justification. The dollar is no longer on the gold standard and gold is no longer tied to a doller standard. It is high time for the Senate to take the leadership in signing the final divorce decree between gold and the dollar. It is also high time for the "land of the free" to catch up with the more than seventy countries that allow its citizens to hold gold.

Second, it is necessary to evaluate the economic benefits and costs of legalizing gold. To *only* legalize gold—to increase its demand without at the same time increasing the supply of gold—would result in needless costs to the consumer in higher prices, to the manufacturer and retailer in less volume and lower employment, and to the government in a billion dollars in balance-of-payments losses. It would result in an unwitting "foreign aid" program for the Soviet Union, South Africa, and international gold speculators. The Russians would end up giving us fewer ounces of gold for more tons of wheat. It has been estimated that the price of gold might soar to between $100 and $150 per ounce. This would threaten the "official price" of gold of $42.22 causing unsettling speculation as to the value of paper currencies and the current international monetary arrangements. Even gold producers would be threatened, in that long-term production plans would be subjected to the danger that the world's central bankers—who hold fifty times the annual production of gold—might suddenly begin to unload their monetary gold stocks and bust the market.

Thus, to provide an orderly market and eliminate speculative excesses, it is necessary to increase the supply as well as the demand for gold. At the "official price" of gold, the U.S gold stock is about $12 billion; at current market prices ($90 per ounce), it is worth more than $25 billion. As I stated in my speeches in the Senate (January 16 and March 28, 1973), I am proposing that the Treasury begin an orderly disposal of this surplus gold by a free market auction of no less than 10 million ounces per year. This is only about 3 per cent of the existing stock and will leave the Treasury enough gold for "emergencies" past the year 2000. This move on the supply side will keep a more stable price of gold at between $50 and $100 per ounce for the next decade—and insure both a healthy incentive for gold producers in the U.S. as well as a more stable price for gold users.

As I pointed out in my March 28th speech:

(1) This legislation will fight inflation for gold users and their customers, affecting such things as wedding bands and class rings, other jewelry uses, dental and electronic needs. The high school and college graduate will not have to pay nearly double the price for his class ring.

(2) It will provide jobs to the gold industry whose 1700 firms and 65,000 employees are affected by inflated gold values and the restricted volume of production.

(3) It will improve the U.S. balance of payments by anywhere from $500 million to one billion dollars. U.S. industry now im-

ports about 6 to 8 million ounces of gold annually at a cost to the balance of payments of more than $500 million.

(4) It will increase government revenues and reduce the need for a tax increase. The government has already begun disposing of its stockpile of more than $10 billion in other "surplus commodities". But the biggest "stockpile" of them all—the $25 billion in gold—represents a lot of "tax savings" that should not be forgotten. I am sure the American citizen would rather use his money for gold instead of taxes. (I might add reference here to my bill for the issuance of a gold "American Revolution Commemorative Coin" that would honor the revolution, soak up inflationary purchasing power, and certainly be more popular than a tax increase.)

ANSWERING ANY OBJECTIONS TO THIS BILL

The arguments for this legislation appear to be so obvious and over-powering that one has to look hard to find any objections to it—the arguments for the bill embrace national goals ranging from freedom and employment to fighting inflation, improving the balance of payments and increasing Treasury revenues to head off tax increases.

One objection by the Treasury has been that an "understanding" with certain European governments prevents the Treasury from selling gold outside the "official tier" of the "two-tier" system set up in 1968. The basis of this understanding is a simple "communique of finance ministers" five years ago. This understanding has *no* legal status in international law: (1) As virtually every other paragraph in this communique has been altered by the signatories, the paragraph limiting gold sales may also be changed, having depended on the continuance of the other paragraphs; (2) under the doctrine of *clausula rebus sic stantibus*, the understanding is dead in international law—that is, the events of August 1971 and early 1973 have so changed the world of international finance, especially in the inconvertibility of the dollar, that any earlier agreement based on a different world of facts is no longer binding.

In a choice between risking the personal feelings of one or more European finance ministers and in reducing the freedom and finances of the American public, the choice should be perfectly clear.

The other objection, that of timing of the legislation, I think is answered by the implementation date being set at January 1, 1975—or earlier upon the option of the President. Instead of being a hindrance to the government in its negotiations this summer leading up to the September meetings of the World Bank and International Monetary Fund in Nairobi, this legislation should give the President the tool that he needs. In this way it is analogous to the Administration's trade legislation, in that it enhances the Administration's bargaining power. Thus the Administration can assert the Congress has given it only to December 31, 1974—the end of the 93d Congress—to resolve the international monetary issues. Thus, this generous date should help, not hinder, the bargaining process. Above all, it gives the Administration and world the clear "sense of the Senate" as to its wishes.

ALTERNATIVE PROPOSALS BEFORE THE COMMITTEE

Other proposals before this Committee are not necessarily inconsistent with the purposes of my bill but are from a different perspective and fall within a different time frame. The distinguished Senator from Rhode Island has advocated the viewpoint that the Treasury should immediately begin to sell 8 million ounces of gold annually to the industrial users of gold by the auction method that prevailed before March 1968. I have no objection to this as a first step within the context of the passage of my bill to insure the right of all Americans to hold gold and to participate in Treasury auctions of gold. As the distinguished Senator from Rhode Island has already cast his vote for eventual legalization of gold holding by Americans, I believe he would join in this view.

There need be no dispute between the gold producers, the gold users, or for that matter, the Treasury and the American public. We all believe that gold is too beautiful to be left in the ground or in vaults where it no longer functions as money. Squirrels may prefer to dig up nuggets in one place and bury them in other places; but people should be smarter than squirrels. Now it is our time to prove it.

S. 1681

IN THE SENATE OF THE UNITED STATES

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Section 1. (a) Sections 3 and 4 of the Gold Reserve Act of 1934 (31 U.S.C. 442 and 443) are repealed.

(b) No provision of any law in effect on the date of enactment of this Act, and no rule, regulation, or order under authority of any such law, may be construed to prohibit any person from purchasing, holding, selling, or otherwise dealing with gold.

(c) The Secretary of the Treasury is authorized and directed to sell each year, from reserves held by the United States, not less than ten million ounces of gold by auction to bidders who are citizens of the United States.

Sec. 2. This Act shall become effective on January 1, 1975, or on the effective date prior to January 1, 1975, established therefore by the President and published in the FEDERAL REGISTER.

By Mr. HARTKE (for himself, Mr. CRANSTON, Mr. BIBLE, and Mr. MCINTYRE):

S. 1682. A bill to amend the Foreign Assistance Act of 1961 to prohibit foreign assistance to those countries listed, not taking adequate measures to end illicit opium production, and for other purposes. Referred to the Committee on Foreign Relations.

Mr. HARTKE. Mr. President, I am today introducing legislation to prohibit foreign assistance to those countries which refuse to take adequate measures to end illicit opium production.

Mr. President, section 481 of the Foreign Assistance Act authorizes the President to suspend military and economic assistance to those nations which he determines have not taken adequate steps to suppress dangerous drugs. The President fully embraced this responsibility on September 18, 1972, when he proclaimed, "Any government whose leaders participate in or protect the activities of those who contribute to our drug problem should know that the President of the United States is required by statute to suspend all American economic and military assistance to such a regime. I shall not hesitate to comply fully and promptly with that statute."

Apparently the President feels that there are no nations which continue to be lax in their control of heroin and other related hard drugs. And he most certainly must not suspect that some governments are completely ignoring drug traffic. The Congress, however, knows better. The existing situation demands application of those sanctions outlined in the Foreign Assistance Act if we are to be conscientious in our effort to end the drug problem in America.

Congressional study and journalistic research have brought forth incontravertible evidence that a number of governments are simply not complying with the requests of the U.S. government to vigorously suppress drug traffic. Yet no action has been taken by the President. In fact, the White House denies that their program of piecemeal efforts is insufficient, claiming that there have been "important breakthroughs—and huge seizures." These huge seizures amount to confiscating 29 tons of opium in Laos, South Vietnam, and Thailand. In the face of the total production of illicit opium in this area, the seizures amount to only 3 or 4 percent.

Congress gave the power to terminate economic and military assistance to the President only because we know that Customs agents and border patrols cannot single-handedly reduce smuggling of heroin. A General Accounting Office report stated, in reference to Customs operations, that—

> Although these efforts may deter amateurs and small-scale smugglers, they have not had and probably cannot have any real impact on the organized groups engaged in large-scale heroin smuggling.

Customs does act as a strong deterrent, but it simply cannot stop the main bulk of heroin reaching the streets of America, addicting our citizens, filling the coffers of organized crime, and accounting for nearly half of the crimes committed in our cities. Profits in the drug trade are enormous. A $100,000 investment by stateside financiers can yield $2 million within 6 months. Ten or 15 tons of heroin, originally costing $5 million will make a turnover for American dealers of $9.8 billion. With profits as high as this, as long as there is a source and a reasonably safe route of transit, there will most assuredly be successful smuggling of heroin into the United States to feed the veins of American addicts.

The logic behind section 481 of the Foreign Assistance Act was to stop heroin at its source. Perhaps the flaw in our legislation has been that the President alone is left to decide whether or not a government's cooperation has been adequate. As we know many of the countries in violation, this amendment lists them as offenders and automatically removes American economic and military assistance from them. It leaves the President to bear the burden of proof—proof that these countries are not in violation of our foreign assistance guidelines before he can resume assistance to them.

Gen. Lewis W. Walt, USMC (retired), as head of Special Task Force on the World Drug Situation, stated that Southeast Asia is providing 10 or 15 percent of the total drug traffic coming into this country. Because of its tremendous potential, however, Southeast Asia could eventually replace Turkey as the largest producer of opium in Asia with approximately 400 tons. Laos, however, accounted for nearly 100 tons, and Thailand for almost 200 tons annually. According to the State Department, heroin imports from Southeast Asia's "golden triangle" to the United States doubled from 1969 to 1971. These countries not only produce opium, but are the homes for many of the laboratories which convert opium into that more valuable and much deadlier commodity—heroin.

General Walt went on to say that—

> We know as a certainty that a lot of opium entering the illicit market is grown in the 'golden triangle,' or in Turkey, Iran, Afghanistan, Pakistan, and Mexico.

Iran stopped opium production in 1955, but resumed in 1969. Iran has a large addict population and this action was taken to stop traffic from Afghanistan and Pakistan as well as other economic reasons. The Iranian representative to the United Nations Narcotics Commission said, "Our economic situation has been so alarming we have been forced to take a unilateral decision" to resume production. The Shah has stated that Iran will end production when its neighbors do.

Afghanistan, however, continues to supply Iran with large amounts of smuggled opium. Pakistan, too, is a major smuggler of illicit opium, feeding markets in India, and Iran. While these countries are involved in localized traffic, rather than international traffic to the United States; the Cabinet Committee on International Narcotics Control of July, 1972, voiced a warning that the trade is well organized, and—

> If illicit supplies of opium from other sources in the world are cut back, these channels have the potential for moving South Asian opium into the international market.

The Turkish Government has taken decisive action in banning all opium production after 1972. This should effectively dry up Turkish sources. Mexico is the source of approximately 10 percent of the heroin smuggled into the United States and is the route of transit for 15 percent. The Mexican Government has established penalties under the Agrarian Reform Law for those who plant or permit the planting of opium. Penalties include confiscation of land and livestock. In addition, they have mobilized 10,000 troops for anti-drug operations, destroying more than 2,500 hectares of poppy fields.

Michel Lamberti, coauthor of "Les Grandes Manoeuves de l'Opium," after 2 years of studying all opium producing countries has said:

> Any underdeveloped country with a large unemployed labor force may start production. This could be the case, say, for various South American countries.

If we are to deter these underdeveloped countries from realizing their potential as opium producers and distributors, we must act boldly and decisively. Some have suggested paying subsidies to those foreign farmers who agree not to grow opium as we have done in Turkey. But from the Washington Post of February 18, 1973:

> American financial contributions to Turkey as part of the considerable political pressure to stop the cultivation of the opium poppy after 1972, offers no encouragement to other opium producing countries. Turkish authorities had estimated that stopping opium production would cost the country $432 million; U.S. contributions have amounted to $35 million.

Obviously, the cost of such subsidies to fully pay for opium produced in all countries would become extreme. Threats to begin production by those countries not now engaged might also become commonplace. We would be paying a tribute to tyranny—the tyranny of drug traffickers. The only practical and honorable deterrent to illicit opium production and sales is the imposition of penalties on those nations which refuse to cooperate. And the only penalty we can impose on a sovereign nation is the removal of American assistance. This line of reasoning was accepted by Congress when it gave the power of suspending foreign aid to countries not taking adequate steps to end illicit drug traffic to the President last year. By enacting this amendment to the Foreign Assistance Act of 1961, we will be vastly improving the procedural processes of the act, and serving notice to organized crime and governments which have not taken vigorous action against drug traffic that we will no longer tolerate the financial, human, or social costs that illicit drugs have brought to our people.

Mr. President, I ask unanimous consent that the text of the bill be printed in the Record following my remarks.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1682

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Chapter 8 of Part I of the Foreign Assistance Act of 1961 is amended at the end thereof by adding the following section:

"Sec. 482. Restrictions on Illicit Opium Producers.—No foreign assistance shall be furnished (other than chapter 8 of part I, relating to international narcotics control), to Iran, Afghanistan, Pakistan, Burma, Thailand, and Laos.

If the President finds that any of the foreign countries referred to above has taken adequate steps to prevent the production and sale of illicit opium, he may ask Congress to waive the foreign assistance restrictions, and if Congress concurs, the restrictions shall not apply to that country.

"Foreign assistance" means any tangible or intangible item provided by the United States Government (by means of gift, loan, credit sale, guaranty, or any other means) to a foreign country.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 31

At the request of Mr. Hollings, the Senator from Maryland (Mr. Mathias) was added as a cosponsor of S. 31, authorizing the Secretary of Defense to utilize Department of Defense resources for the purpose of providing medical emergency transportation services to civilians.

S. 136

At the request of Mr. Schweiker, the Senator from Maine (Mr. Hathaway) was added as a cosponsor of S. 136, to authorize financial assistance for opportunities industrialization centers.

S. 400

At the request of Mr. Hansen, the Senator from Tennessee (Mr. Baker) was added as a cosponsor of S. 400, to amend the Federal Property and Administrative Services Act of 1949 so as to permit donations of surplus property to public museums.

S. 440

At the request of Mr. Javits, the Senator from Louisiana (Mr. Johnston) was added as a cosponsor of S. 440, the War Powers Act.

S. 795

At the request of Mr. Pell, the Senator from Alaska (Mr. Gravel) was added as a cosponsor of S. 795, to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes.

S. 909

At the request of Mr. Hollings, the Senator from Arizona (Mr. Goldwater), the Senator from Minnesota (Mr. Humphrey), and the Senator from Tennessee (Mr. Brock) were added as cosponsors of S. 909, amending the Federal Property and Administrative Services Act of 1949 to permit donations of surplus Federal property to State and local public recreation agencies.

S. 1076

At the request of Mr. Hartke, the Senator from South Dakota (Mr. McGovern), was added as a cosponsor of S. 1076, a bill relating to the authortity of the Administrator of Veterans' Affairs to readjust the schedule of rating for the disabilities of veterans; to the construction, alteration, and acquisition of hospitals and domiciliary facilities; to the closing of hospitals and domiciliary facilities and regional offices; and to the transfer of real property under the jurisdiction or control of the Administration of Veterans' Affairs.

S. 1105

At the request of Mr. Dole, the Senator from Nevada (Mr. Bible), was added as a cosponsor of S. 1105, to provide income tax incentives for the modification of certain buildings so as to remove architectural and transportational barriers to the handicapped and elderly.

S. 1271

At the request of Mr. Humphrey, the Senator from Missouri (Mr. Eagleton) was added as a cosponsor of S. 1271, to amend the Higher Education Act of 1965 to establish a student internship program to offer students practical political involvement with elected officials on the local and State levels of government.

S. 1408

At the request of Mr. Hartke the Senator from Michigan (Mr. Hart) was added as a cosponsor of S. 1408, a bill to provide social security coverage for Federal employees.

S. 1424

At the request of Mr. Schweiker, the Senator from Colorado (Mr. Dominick), and the Senator from Illinois (Mr. Percy) were added as cosponsors of S. 1424, to provide certain benefits for members of the Armed Forces and civilian employees of the United States who were in a missing status for any period of time during the Vietnam conflict.

S. 1455

At the request of Mr. Pastore, the Senator from Rhode Island (Mr. Pell) was added as a cosponsor of S. 1455, to increase the duty on rubber filament.

S. 1517

At the request of Mr. Randolph, the Senator from Texas (Mr. Tower) was added as a cosponsor of S. 1517, to establish a national adoption information exchange system.

S. 1535

At the request of Mr. Bellmon, the Senator from Oklahoma (Mr. Bartlett) was added as a cosponsor of S. 1535, to amend the Internal Revenue Code of 1954 to provide for the recovery of reasonable attorneys fees as a part of court costs in civil cases involving the Internal Revenue laws.

S. 1548

At the request of the Senator from Rhode Island (Mr. Pell), the Senator from New York (Mr. Javits) was added as a cosponsor of S. 1548, to establish a Commission to review the proposed closing of any military installation.

S. 1579

At the request of Mr. Dole, the Senator from South Dakota (Mr. McGovern), and the Senator from Minnesota (Mr. Humphrey) were added as cosponsors of S. 1579, to provide for the demonstration of models of living arrangements for severely handicapped adults as alternatives to institutionalization and to coordinate existing supportive services necessitated by such arrangements, to improve the coordination of housing programs with respect to handicapped persons.

S. 1655

At the request of Mr. Javits, the Senator from New York (Mr. Buckley) was added as a cosponsor of S. 1655, to provide an additional judgeship for the western district of New York.

SENATE RESOLUTION 105—SUBMISSION OF A RESOLUTION RELATING TO APPOINTMENT OF A SPECIAL PROSECUTOR IN CONNECTION WITH THE PRESIDENTIAL ELECTION OF 1972

Mr. PERCY (for himself, Mr. Dole, Mr. Goldwater, Mr. Mathias, Mr. Javits, Mr. Case, Mr. Schweiker, Mr. Domenici, Mr. Buckley, Mr. Cranston, Mr. Young, Mr. Roth, Mr. Gravel, Mr. Sparkman, Mr. Clark, Mr. Randolph, and Mr. Packwood) submitted a resolution (S. Res. 105) requesting the President of the United States to appoint a special prosecutor in connection with the Presidential election of 1972, which by unanimous consent was considered and agreed to.

ADDITIONAL COSPONSOR OF A RESOLUTION

SENATE RESOLUTION 99

At the request of Mr. Hartke, the Senator from Alaska (Mr. Gravel) was added as a cosponsor of Senate Resolution 99, pertaining to Senate confirmation of public ministers.

EXTENSION OF AUTHORIZATIONS OF THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965—AMENDMENT

AMENDMENT NO. 94

(Ordered to be printed and to lie on the table.)

Mr. DOMENICI submitted an amendment, intended to be proposed by him, to the bill (H.R. 2246) to amend the Public Works and Economic Development Act of 1965 to extend the authorizations for a 1-year period.

ENERGY POLICY ACT OF 1973—AMENDMENT

AMENDMENT NO. 95

(Ordered to be printed, and to lie on the table.)

Mr. HOLLINGS. Mr. President, on Tuesday, March 27, the Commerce Committee reported S. 70, a bill to promote commerce and establish a Council on Energy Policy and for other purposes (Report No. 93–114). The function of the Council is to improve capabilities for the collection and analysis of energy information, to coordinate the energy activities of the Federal Government and to prepare a long-range, comprehensive plan for energy production, utilization and conservation. This proposal would provide a single place for Congress and the President to seek energy information and policy recommendations. It assures that a single body has responsibility for examining the overall energy picture. The proposed Council would be accountable to Congress and independent of operating agencies.

Pursuant to an earlier agreement among the chairmen of the committees which have jurisdiction in the energy policy area, the measure was held on the calendar for 30 days to provide an opportunity for review and comment by the other concerned committees. I am pleased to report that the members of the National Fuels and Energy Policy Study established by Senate Resolution 45 (92d Congress) have examined S. 70 as reported and they have recommended a minimum of changes. The intent of the proposed language changes is:

First. To clarify the intention of the bill that the Council on Energy Policy would be a policy advisory group to the President, using his authority to coordinate Federal agency functions.

Second. To clarify the intent of the bill that the Council would promulgate guidelines for the collection of energy information and would be a focal point for policy analysis of energy data, and

Third. To amend the intent of the bill to reinforce the advisory relationship between the Council and the President.

To avoid confusion during floor consideration of this measure, I am today submitting an amendment to S. 70 which incorporates these language changes. I request that this amendment be printed and ordered to lie on the table.

It is also my understanding that the distinguished Senator from Montana (Mr. Metcalf) intends to propose later an amendment that increases the General Accounting Office's responsibilities for the collection and analysis of energy data.

AMENDMENT OF NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES ACT OF 1965—AMENDMENTS

AMENDMENT NO. 96

(Ordered to be printed.)

Mr. PROXMIRE proposed amendments to the bill (S. 795) to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes.

ANNOUNCEMENT OF HEARINGS BY THE SUBCOMMITTEE ON PRIVATE PENSION PLANS

Mr. NELSON. Mr. President, as chairman of the Subcommittee on Private Pension Plans of the Senate Finance Committee, I announce the plans of the subcommittee to hold public hearings and panel discussions on the subject of taxation of qualified pension and profit sharing plans and other deferred compensation beginning at 1 o'clock, Monday afternoon, May 21, 1973. The hearings will continue at 10 o'clock Tuesday and Wednesday mornings, May 22 and 23.

These hearings will consider, but will not be limited to, the issues of vesting, eligibility requirements—age and services—and portability, funding and termination insurance, fiduciary responsibilities of plan administrators and trustees, deductions in the case of self-employed, closely held corporations, subchapter S corporations, and professional corporations, tax treatment of lump sum pension and profit sharing payments and deferred compensation plans of exempt organizations. Comments also may be directed to specific proposals included in Senator Curtis' bill (S. 1631), Senator Bentsen's bill (S. 1179), and also on the principles and policies embodied in S. 4 which has been reported to the Senate by the Senate Labor and Public Welfare Committee. Comments will be received on the subject of which agency or agencies of the Government are best suited to administer the various provisions regulating private pension plans.

The schedule of witnesses will be set forth in a subsequent announcement.

Requests to Testify.—Witnesses desiring to testify during this hearing must make their request to testify to Tom Vail, Chief Counsel, committee on Finance, 2227 New Senate Office Building, Washington, D.C., not later than Thursday, May 10, 1973. If for some reason the witness is unable to appear on the date scheduled, he may file a written statement for the record of the hearing in lieu of a personal appearance.

Consolidated Testimony.—I urge all witnesses who have a common position or with the same general interest to consolidate their testimony and designate a single spokesman to present their common viewpoint orally to the subcommittee. This procedure will enable the subcommittee to receive a wider expression of views on the subject of this hearing than it might otherwise obtain. I strongly urge that all witnesses exert a maximum effort, taking into account the limited advance notice, to consolidate and coordinate their statements.

In light of the Legislative Reorganization Act and in view of the large number of witnesses who desire to appear before the subcommittee in the limited time available for the hearing, all witnesses who are scheduled to testify must comply with the following rules:

First. All statements must be filed with the subcommittee at least 1 day in advance of the day on which the witness is to appear. If a witness is scheduled to testify on a Monday or Tuesday, he must file his written statement with the subcommittee by the Friday preceding his appearance.

Second. All witnesses must include with their written statement a summary of the principal points included in the statement.

Third. The written statements must be typed on letter-size paper—not legal size—and at least 50 copies must be submitted to the subcommittee.

Fourth. Witnesses are not to read their written statements to the subcommittee, but are to confine their 10-minute oral presentations to a summary of the points included in the statement.

Fifth. Not more than 10 minutes will be allowed for the oral summary.

Written statements.—Witnesses who are not scheduled for oral presentation, and others who desire to present a statement to the subcommittee, are urged to prepare a written position of their views for submission and inclusion in the printed record of the hearings. These written statements should be submitted to Tom Vail, chief counsel, Committee on Finance, room 2227, New Senate Office Building, not later than Friday, June 22, 1973.

ADDITIONAL STATEMENTS

THE BOMBING IN CAMBODIA

Mr. FULBRIGHT. Mr. President, in recent days I have received a number of letters from airmen stationed in Thailand or on Guam protesting the President's current policy on bombing Cambodia. These letters constitute an eloquent indictment of U.S. military activities in Indochina, and I ask unanimous consent that they be printed in the RECORD. I have, of course, deleted the names and unit identification in order to protect the writers from retaliation from the Air Force.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

APRIL 17, 1973.

Senator J. W. FULBRIGHT,
Washington, D.C.

DEAR SIR: I am a B–52 gunner on temporary duty with my crew at Anderson AFB, Guam. After listening to all of the reports of the war being over and the troops coming home, I. as a resident of Arkansas, decided to write this letter to you, because for the aircrews and the support troops of the B–52 force it is not over and we are not coming home!

In April of 1972, my unit, consisting of two B–52G bomb squadrons, was deployed to Guam. And we have been here continuously since then.

Our announced mission when we come over was to stop the invasion. As you know, this was accomplished. Then we were told we would not be going home until there was a cease-fire in Vietnam. After the raids of 18 to 29 December, the cease-fire was signed and our troops and P.O.W.'s started returning home. We were told it would be at least ninety days after the effective date before we could leave.

We bombed right up to the effective date and then shifted to bombing Laos without a pause. We were then informed we would not be leaving until there was a cease-fire in Laos. After the cease-fire in Laos, there was a short pause and then we started bombing Cambodia! Now, as of yesterday, we have started bombing Laos again!

It is hard to impart to you sir, the frustratration of being on continuous temporary duty with no end in sight. We come to Guam for 147 to 179 days. Then we are home for 28 days and back for another 147 to 179 days on Guam. This totally disrupts any semblance of family life. Most crews from my unit, including my own, are on their third straight trip. And as things are now, we have nothing to look forward to but returning to Guam again and again for extended tours of temporary duty.

I am concerned about our increasing involvement in Cambodia and Laos. I fear that we will get into another situation like the one that lead to the ten years of Vietnam. I am also concerned for myself and my fellow crewmembers should we fall into enemy hands. There is no doubt in our minds what would happen to us. I for one, sir, do not wish to die as a mercenary for a foreign dictator!

Another point is the enormous expense of flying out of Guam. This money could do a lot more good if applied to some of our problems at home.

I wish to commend you, sir, for your current efforts to have a legal end to this war declared. My fellow crewmembers and I stand behind you 100%. I urge you to investigate this situation further; to introduce and press for legislation that will limit the President's power to commit American forces without just cause. In order to prevent us from becoming involved in another Vietnam, such action is necessary.

In closing, I feel that after the massive raids to stop the invasion, the bombing of North Vietnam during 18 to 29 December, and the return of our P.O.W.'s that we have done our duty, and should be allowed to return to our homes and families. Why should we, our wives and loved ones be forced to undergo further needless separation, financial hardships, and mental anguish? Simply to prop up the regimes in Cambodia and Laos? There is no justification for us to continue bombing there. Why are we prolonging our involvement now that we have a chance after ten years to finally get out?

Please hold my name in confidence, as there may be retaliation from those in charge here, if they discover I have written you this letter. Thank you for your valuable time and consideration.

Respectfully Yours,

—— ——,
SSgt., USAF.

APRIL 18, 1973.

SENATOR FULBRIGHT: I am a B–52 navigator currently on temporary duty at Anderson AFB, Guam. I am writting to you to urge you to do your utmost to end our involvement in the continuing war in Southeast Asia.

I am on my 4th tour of duty here now and have over 400 days fighting this war. I have over 120 combat missions, an air medal with 5 oak leaf clusters, and have been recommended for a Distinguished Flying Cross for heroism for action over North Vietnam. I am not unlike most of our servicemen still serving in Southeast Asia.

My question is when has a man done all that anyone has a right to expect from him. I have put my life on the line numerous times over the past two years. The constant strain on my wife of both constant danger to me and our prolonged separations have her close to a nervous breakdown. Yet, although the Strategic Air Command's own doctors acknowledge the risk to my wife of yet another prolonged separation, I was recently forced to return again to Southeast Asia, and now face the prospect of possible serious mental problems for my wife. My situation is similar to that of many other personnel who are serving tour after tour after tour here. Many wives have already divorced their husbands, unable to take pressure. And the situations at home worsen daily.

Is this the thanks we get from our country and Mr. Nixon for serving our country so unselfishly for so long. I myself have over 6 years on active duty. We are no more now than a mercenary army fighting on the whims and discretion of only one man. The people are being denied their voice thru Congress as provided for in our constitution. Under what justification do we bomb a population merely upon the request of another government. We have no money at home for needed social programs, but we spend millions daily to bomb thousands of innocent civilians who have never done anything to us. Many, if not most, of the B–52 crew members are tired of killing for no reason, but they do not have the means to make their voices heard. We think we deserve the chance to patch up the many personal problems we all have that were created by these many years of war. If Mr. Nixon will not stop this insanity, then the Congress and the people must. How many bodies must there be, ours and theirs, before we get out!

You have my permission to use all or any part of this letter as you see fit. Please, however, withhold my name to protect me from possible repercussions from the Air Force. Thank You!

Sincerely,

—— ——,
Capt., USAF.

MARCH 30, 1973.

DEAR SENATOR FULBRIGHT: Until I heard your justified criticism of the Administration's viewpoint on the bombing in Southeast Asia, namely Cambodia, my decision as to whether or not I would write was merely a confused debate. However now that I know where you stand I've decided to pour it all out.

Senator Fulbright, we are wrong for the continued slaughter but are afraid to admit it. Because of the amount of people who have their hands in the "profit pot" we have found ourselves unable to get out of our web.

The main concern for my writing is for the men who still remain on Guam flying and bombing daily as if the war were still in full swing. With the idea that we came here to help free our POWs we feel even more misused and abused now that they are home and we're still here. What purpose are we serving? Most of the men including myself have been here for ten months or more, away from our families for six months, home for thirty days and back again, only to see our efforts go wasted.

What now? Ground crews no longer care whether or not their planes are safe and operational. Flights of crews do not wish to fly wasted missions and consequently abort when given the opportunity. If this operation is allowed to continue someone is going to lose his life needlessly.

To give you an idea of how ineffective our bombing is let me tell you about a mission I was on last week. I hope you will retain this in strict confidence. . . . This, Senator Fulbright, is the kind of job we are doing over here.

I hope and pray you can do something to help relieve our situation.

Thank you for your time.

Sgt. —— ——.

Note.—POGs never have a nice day. Prisoners of Guam . . . Don't let them be forgotten!

DEAR SENATOR FULBRIGHT: I am writing to you because you seem to be one of the few men who realize that the Indochina war continues. I am not from Arkansas, but I feel you can best serve my interests as well as the interests of thousands still actively involved in this supposedly terminated conflict.

I am a B–52 crew member and have been overseas since Feb. '72. I have and will continue to fight when there is a purpose, but the current bombing of Cambodia is unwarranted and assinine. I have several specific complaints that I hope you will be sensitive to:

(1) We, here at Andersen AFB, were flying bombing missions to Cambodia when the entire job could easily have been done from Utapao, Thailand. The Utapao bombers were flying with partial loads of bombs when they have the capability to hit all assigned targets by flying *less* than our normal number of sorties. It is nearly 3 times as expensive to fly out of here. I didn't realize government funds were so expendable.

(2) What is the justification for bombing in Cambodia? Is there a written agreement to your knowledge? This could go on indefinitely!

(3) Why are there still 200+ bombers overseas now when this number was ample for Laos, Vietnam, and Cambodia at the height of the war? The expense of temporary duty on this large a scale must be phenomenal. Money spent through necessity is justified, but this approaches ridiculous.

(4) SAC has many crew members who have been home for the past 6–12 months for the purpose of upgrading to the next higher crew position. The fallacy with this is that there was and still isn't openings in school for many of these people. Those of us who have been gone (temporarily) for over a year have done the entire job while those at home have received little or no training to date. This group is a useless resource. This seems like a poor way to manage a team of professionals. This is not an assumption I know several examples personally.

The Air Force is losing a great many good people because of these and other injustices and inequities. Increased pay does not compensate for this type of treatment. This does not seem at all in line with the all volunteer force concept. I, like so many of my contemporaries have abandoned any thought to a service career as we had hoped for.

I found it very difficult to remove anger and contempt from this letter, so I didn't. I know you don't have solutions to all the problems mentioned, but I hope you have a picture of the present situation from a serviceman's point of view. I know you are a busy man, but I would truly appreciate a reply if time permits. I admire and respect your stand on events and situations that should be questioned. This is one of the reasons the United States is a world leader and why I'm so proud to be an American. I know total justice is not obtainable, but some things in this war must be justified. Thank you.

Sincerely,

—— ——,
Capt., USAF.

APRIL, 1973.

SIR: This is the first time that I have felt it necessary to write a congressman, but I am soliciting your support to get we B–52 crew members back home.

I am a crew member who has been on temporary duty (TDY) on Guam for over a year now. During that time, I have seen my family for 57 days (30 days in July 72 and 27 days in Jan./Feb. 73), and there are many people who have been here longer than me. What is most discouraging is that we thought we were going home when the peace agreement was signed. If not, then surely when all the POW's were freed. Instead, we are bombing in Cambodia, just as we did in Viet Nam.

I would think that we learned our lesson for getting involved in Viet Nam. But here we go again in Cambodia, and I hear on the news that President Nixon is considering going back into Viet Nam, and maybe even North Viet Nam. Bombing Hanoi in December was one thing, but going back there, after our POW's have been freed, is something else.

I feel that we B–52 crew members have done the job this past year that we came to do and deserve to return home. A few months ago we began calling ourselves the P.O.G.'s (prisoners of Guam). It started as a joke, but with each passing day, it takes on more meaning.

Your help in getting the B–52's and crew back home and out of this useless involvement in Indochina would be greatly appreciated by me, my wife and girls, and my fellow "prisoners of Guam."

Sincerely,

—— ——,
Major, USAF.

APRIL 10, 1973.

Hon. J. W. FULBRIGHT,
Chairman, Foreign Relations Committee,
Washington, D.C.

DEAR SIR: My name is —— —— and I am a co-pilot presently flying combat missions against Cambodia in the B–52D aircraft out of U-Tapao, Thailand. Daily, we are dropping between 42,000 and 55,000 pounds of bombs per bomber on something all over Cambodia; we are programmed against twenty targets a day, each target being hit by three B–52s. All of this heavy bombing (you will note that the above facts pertain to B–52s only—TAC air strikes are numbering 150+ a day) is going on at the specific request of the Lon Nol government of Cambodia.

I was very interested in reading in The Stars and Stripes where you were heading an investigation as to the legality of our bombing operations in Cambodia. For the past few days, however, I have been able to find nothing to report on your progress or your success. Sir, if there is one point that must be emphasized in this letter, it is expediency in curtailing this bombing blitz of Cambodians for Cambodians. For every day that your investigation does not push forward at the maximum rate, people are being killed and the possibility of new POWs is enhanced.

Saturday marks a bad day for all of us (7 April). The first U.S. Air Force pilot was killed in Cambodia; two ICCS helicopters lost over South Vietnam with 16 men missing or dead. If you can, sir, write to us who are still over here, wearing this senseless war around our necks daily, and provide us with the rationalization to continue to perform these circus acts on the whims of Washington.

One of the happiest and most meaningful days of my life was when the first load of POWs returned from Hanoi; the gladness returned every day another group stepped on to American soil. The morale of everyone was peaked during those days because with the return of the POWs and the removal of all U.S. forces from Vietnam, the war was OVER. What else was there to remain over here and fight for? The peace accords were signed, sealed and delivered. But here we are, still bombing, still carrying on these ridiculous TDY tours of five months on Guam or at U-Tapao, one at home in the states, and back again. Some crewmembers are on their FOURTH rotation! Why??

Believe it or not, sir, most crewmembers and supporting personnel have families. Families need fathers and husbands. Do you have any idea what this kind of separation is doing to those of us who do have wives, and children? An average of two months a year with your loved ones seems a little too much to ask, extra pay or no extra pay. Most commands operating over here have a limit to their SEA tour length—most have a duration of one year. When they are finished with their tour, they go home and stay home. SAC, of course, has their own way and sets up Indefinite TDY, interprets the regulations to fit their needs, and then wonders why the morale is not high. SAC is forcing many to bring their families over; I had to take out a $2000 loan to finance my (family) to come over, and now it looks like they will have to go home early or else we go to the poorhouse. This kind of predicament embitters deeply those subjected to it, and I'm afraid the exodus of talented AIR FORCE officers and young enlisted people out of the service might prove crippling. If not, and if this is some macabre ploy to drive officers from the service, I guarantee its success; the backlash will be evident, though, when many of the young officers the Air Force has counted on keeping quit also.

The avenues of escape from this travesty are extremely limited for us. The only sure way is to make final a date of separation, and then have been in the service long enough to leave within the coming weeks. To quit would mean suffering intolerable consequences. The opportunity of staying home while others come in your stay is still falling short of what is desperately needed: the complete withdrawal of all forces from Indochina and the abandonment of our present policies of "Dial-A-B-52-Strike-Whenever-And-Wherever-You-Want." You must know that this plea is not a one man show. The majority of the crew force presently engaged in these operations are tired and fed up with the entire affair; perhaps it is a numbness or maybe despair which keeps the situation less volatile. More likely it is the hopelessness of fighting city hall. We extend to you, a servant of the people, a petition of hope that you will work hard within your power to enlighten both the people of America and the leaders who represent them that further activity in Indochina is foolhardy and suicidal, and a damn waste of human life and dignity.

Sir, I leave you with the knowledge that you may call upon me and most of my fellow crewmembers to help you in any way to stop this bombing. It has come to the point where our consciences are weighing heavy. I await word that you at least received this letter. Thank you for your time.

Sincerely,

—— ——,
Lt. USAF.

THE PRESIDENT'S MESSAGE

Mr. GOLDWATER. Mr. President, I am sure the Members of this body are fully aware of my belief that much of the trouble we are having today with high prices and inflation stems from actions taken by the Senate and the House while under the control of Democrat liberals who gave us 40 years of extravagance and higher taxes. This matter was touched on some weeks ago by President Nixon when he told the American people they would have to decide whether they wanted more Federal services with more taxes or more inflation.

One of the most cogent editorials I have yet seen on this subject was published March 30, 1973, in the Seymour, Ind., Daily Tribune. I ask unanimous consent that this editorial entitled "The President's Message" be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE PRESIDENT'S MESSAGE

Thursday night the President of the United States delivered a most unique message to the people. It dealt with the Vietnam situation, food prices and the importance of the United States in the world today. Following the talk the TV people were interested in only the Vietnam position and how this message would affect the U.S. in the world today.

In our opinion the TV critics missed the most important political first in our nation's history. Mr. Nixon's reference to increased prices directly placed the responsibility upon the federal government. He stated that the United States citizens had to make a decision of whether they wanted more services with more taxes or more inflation.

The President made it clear there was no choice. In our memory this has been the first time any political leader has stated this. Normally political figures find other scapegoats upon which to lay the blame—either business or labor—depending upon their political dependency.

Mr. Nixon, for the first time of any major political office holder, laid it on the line. What does the public want—increased taxes or increased inflation. He offered the correct alternative—sensible government spending. He has advocated this and incurred the ire of the Congress by vetoing major spending bills which will add to inflation. He has challenged Congress on this point and made it perfectly clear that the irresponsible spending of the Congress will not be tolerated.

Congress, mostly, has not seemed to have received the message. They still seem to think that we can spend, spend, spend, inflate, inflate, inflate ourselves out of any problem. They seem to refuse to accept Pres. Nixon's idea that programs which have at least 75 cents out of every tax dollar going to administrative costs and salaries, should be eliminated.

We are proud that the United States has achieved peace with honor and did not abandon our POW's and the free people of South Vietnam as the liberal doves of Congress urged. But we are more proud that Pres. Nixon has called a spade a spade and has said that inflation is permanently caused by the government spending more than the government takes in. In our recollection this is the first time a President of the United States has ever correctly blamed the federal government for inflation.

With a stable dollar, high prices by manufacturers and high rates by labor will soon be eliminated by competition. We urge you to write your Congressman and Senators very demanding letters asking that a sensible federal spending program be adopted—a program which will not add to taxes or inflation. There is no other solution.

It is your choice—you, the voters of the United States. Don't scream about the price of meat, the price of homes, the price of cars to each other—scream to the men who cause it. And the men who cause and can control it are those men you elect to the House and Senate of the United States. They are the ones who overspend and are the real villains of inflation—not the carpenter, not the auto worker, not the steelworker, not the farmer, not the manufacturer, but those in Washington who still think they can buy votes for re-election by spending more than they earn. Can you do it? Ask the collection bureaus.

THE 58TH RECIPIENT OF THE SPINGARN MEDAL

Mr. CRANSTON. Mr. President, as Senator from California I am deeply pleased to note that our State Superintendent of Public Instruction, the Honorable Wilson Riles, has been selected as the 58th recipient of the Spingarn Medal, awarded annually by the National Association for the Advancement of Colored People.

He will receive the medal at the association's Indianapolis convention July 3.

I believe the NAACP, through this important award, has recognized a distinguished public servant with an outstanding record of service. He began his public career as a teacher. By 1970, he had become California's education chief, moving ahead rapidly to meet the problems facing education in our State and working hard for better education for all our young people.

His accomplishments are many. He has been successful in passing a sweeping new school finance law. He has spearheaded an early childhood education program, now law, which will revolutionize elementary education in the State. He has reordered the priorities of our State education department and has restored the nonpartisan atmosphere of the department.

The Senate will soon have before it the nomination of Dr. Riles to serve as a member of the National Council on Educational Research, the advisory body to the new National Institute of Education. In that connection, and for the general information of Senators, I ask unanimous consent that there be printed, at the conclusion of my remarks, the announcement from the National Association for the Advancement of Colored People concerning the award to Dr. Riles.

There being no objection, the announcement was ordered to be printed in the RECORD, as follows:

RILES, CALIFORNIA EDUCATOR, TO RECEIVE SPINGARN MEDAL

NEW YORK.—Wilson C. Riles, state superintendent of public instruction in California, has been selected as the 58th recipient of the Spingarn Medal by the National Association for the Advancement of Colored People, Dr. Riles will be presented the medal on the second night of the NAACP annual convention in Indianapolis on July 3.

The announcement of Dr. Riles' selection was made by Bishop Stephan G. Spottswood, chairman of the NAACP Board of Directors. The medal was started in 1914 by the late Joel E. Spingarn, then chairman of the NAACP Board, and is given annually to an American of African descent who has achieved highly.

The selection of a winner is made by a committee which considers several nominations. The NAACP Annual Convention will be held July 2 through 5 in the Indiana Convention-Exposition Center.

Since his election as school superintendent in 1970, Dr. Riles has established a distinguished record. He boldly reordered priorities to make education of the state's children the most important function of his department.

He restored the non-partisan, non-political nature of his office and pulled together the diverse factions within the educational field with exceptional administrative skill.

Consequently, it is widely recognized that public education in California has been significantly improved. The most recent tribute to this achievement was the award of the Berkeley Citation to Dr. Riles by the University of California on March 29. The citation is the highest award that the university can bestow.

Dr. Riles was born on June 27, 1917, in a backwoods Louisiana saw mill camp where turpentine was distilled from resin. He was an only child and was orphaned at the age of 12. Thus, as a poor country boy, he had to start working early for a living in the camps.

He was raised in the African Methodist Episcopal Church. He survived a difficult childhood to attain distinction in life by learning early to discipline himself. An old bachelor with whom he lived, he recalled, counseled him that, "The test of a man is doing only what you should do."

Despite being raised in a segregated society, he further learned to "judge each individual, regardless of race, on his own." All his life, he said he found many whites who not only played fair, but also fought fair.

He was guided by this belief when he ran his first race for elective office in 1970 and proved again that whites would vote for a black candidate on merit only. His opponent then was arch-conservative Max Rafferty.

He began his professional career as a teacher and rose to administrator in the Arizona public school system. At the end of World War II he began a three-year career in the Army Air Corps. Upon his release, he began working on his master's degree in 1947.

In 1958 Dr. Riles joined the California Department of Education as a consultant. Seven years later, he was appointed to head the federal $100 million a year Compensatory Education Program, which was to aid poor children. At the same time, he was invited to serve national governmental committees and task forces.

Soon after accepting Mr. Rafferty's offer to become his deputy, Dr. Riles found that he was in the right place but on the wrong team. But he bided his time until the opportunity arose for him to make a bid for his boss' job.

He surprised himself by getting 25 per cent of the vote in a three-way primary compared to Rafferty's 48.6 per cent. He then went on to trounce Mr. Rafferty in the final elections by gaining 3,250,000 votes.

For the past 32 years, Dr. Riles' pillar of strength has been his wife, Louise. They have four adult children, three boys and a girl.

She has encouraged him to move on from positions, she explains, when she found that "It's time for you to move along." But when the time came for him to make his bid for the superintendency, the decision was his alone.

As head of the state's four-and-one-half million student system, Dr. Riles sees himself as an educator and not a politician. "Education is all I really know. This is a higher office than I could ever have thought of holding in my wildest dreams. It is more than enough for me."

But the greatest lesson he has for his race is that, "A black man really is a leader only when he leads all people."

THE L. MENDEL RIVERS AWARD PRESENTATION TO REPRESENTATIVE F. EDWARD HÉBERT, OF LOUISIANA

Mr. THURMOND. Mr. President, it gives me great pleasure to announce to the Congress that F. EDWARD HÉBERT, chairman of the House Armed Services Committee, has been presented the L. Mendel Rivers Award by the Noncommissioned Officers Association of the United States of America.

Congressman HÉBERT was formally presented with the award last April 20 at the annual international meeting of the NCOA in San Antonio, Tex.

Mr. President, few men in the Congress have so distinguished themselves as has the great Representative fro mthe First District of Louisiana. He has served in the Congress longer than any individual from that State and is in his 33d consecutive year having been elected successively to the 77th through the 93d Congress.

Through this period of service he has stood firm for all the high ideals that our forefathers held sacred. He has provided sound advice to his colleagues and outstanding leadership to his constituents, his State and Nation.

While he has distinguished himself in many ways his great career has been highlighted in recent years through his service as chairman of the powerful House Armed Services Committee.

As a successor to my late friend, L. Mendel Rivers, it is fitting that Congressman HÉBERT be presented with the award established by the NCOA to memorialize the late chairman of the House committee. Certainly Mendel Rivers trusted EDDIE HÉBERT with the tough tasks that fell to that committee during his chairmanship. Today, Congressman HÉBERT is providing for the Nation the same strong leadership in the area of national defense. All of our citizens will benefit in the years to come because of the solid stand taken by Congressman HÉBERT in insisting that this country maintain a national defense second to no nation. I personally salute him as a patriot and leader of the first order and extend to him my heartfelt congratulations upon his selection for the NCOA award.

The NCOA has grown rapidly in membership since its early years. In just the past year the membership has more than doubled from 60,000 to 134,000. In that year, the NCOA has also steadily increased its active participation in legislative matters and I had the privilege, on April 24, of officially opening its National Capital office located in Arlington, Va. So it is with added experience and on-the-spot evaluation that the NCOA presented its second annual L. Mendel Rivers Award to my friend and colleague, the Honorable F. EDWARD HÉBERT.

Offering the introduction to the presentation of the award was Sgt. Maj. Mack McKinney, U.S. Marine Corps, retired, the association's director of legislative affairs. Sergeant Major McKinney's remarks were as follows:

A GREAT AMERICAN

Mr. President, members of the International Board of Directors, distinguished guests, fellow non-commissioned and petty officers of this great Association, members of the auxiliary, ladies and gentlemen.

This evening I am honored and privileged to offer the introduction to the presentation of the Non-Commissioned Officers Association's most prestigious and coveted award, the L. Mendel Rivers Award for Legislative Action.

Two years ago the International Board of Directors voted to establish this annual award. It was to be an expression of gratitude to a member of Congress, who by his or her dedication, loyalty and patriotism, most closely followed the concept of our Association's purpose ". . . To uphold the high morals, the patriotic responsibilities and love of country, so vital to the success and growth of our great nation."

On May 25, 1971, The Honorable F. Edward Hébert, Chairman of the House Armed Services Committee introduced the award to Congress. The text of his remarks were as follows:

"Mr. Speaker, we are aware of the continuing interest shown by the Non-Commissioned Officers Association of the United States of America in matters legislative by their periodic correspondence with regards to various actions which affect the military services and indeed the general welfare of this great nation.

"They endeavor to keep their world-wide membership informed in these matters through the medium of their monthly publication, NCOA Journal, and they encourage their members to accept the challenge of an American citizen to cite his individual views to his Congressman.

"The attentiveness to legislative action by the NCOA is encouraging to me, as I am certain it is also to many of my colleagues. They have allowed us the opportunity of their collective thinking concerning such subjects as consumer protection and truth in lending statutes, dependents medical care, recomputation of military retired pay, the Hubble Pay Plan, retirement credit for enlisted Reservists, integrity of the American flag, social security versus veterans pensions, the Cold War GI Bill, servisemen's widows equity, various military pay bills, and many others.

"As an honorary member of the Noncommissioned Officers Association, it is my privilege to announce that this fine organization being acutely aware of our actions through their legislative committee, has initiated an annual award to be presented to the legislator who, in their opinion, is most worthy of recognition for his efforts in furthering the ideals of democracy, freedom, and patriotism on behalf of our beloved nation.

"The award will be known as the L. Mendel Rivers Award for Legislative Action, and I can think of no title more appropriate or meaningful, both as a coveted honor and memorial to a great legislator.

"In conclusion, I ask that each of you join in commending and extending thanks to the NCOA for their continued interest in the workings of the democratic process, and especially for their thoughtful, valuable, and honorable gesture in memory of our late colleague, L. Mendel Rivers."

Our recipient of the 1972 award was probably unaware that he was referring to his own qualifications in the contents of this introduction to Congress—for he is a legislator most worthy of recognition for his efforts in furthering the ideals of democracy, freedom and patriotism on behalf of our beloved nation.

Those of us who are acquainted with him are well aware that he encompasses the qualities of a great American. He is at times as expressive as John Hancock—who wrote his name in broad strokes upon the Declaration of Independence so that one and all could easily attest to his faith in our new Government. He is at other times as humble as President Abraham Lincoln. Still he can be as turbulent as President Harry S. Truman. In fact, he is a composite of many of our great statesmen: President Washington, Thomas Jefferson, Patrick Henry, Theodore Roosevelt, Benjamin Franklin, as well as those I have mentioned earlier.

He has stepped from a humble beginning in New Orleans to become a newspaperman, city editor, then on to the Congress of these United States. Elected to the 77th Congress he has continued to serve his Nation for many years, and upon the death of his colleague, the Honorable L. Mendel Rivers, moved into the chairmanship of the House Armed Services Committee.

Alike to his friend Mendel Rivers, the new chairman continued to bring greater glory to the committee. He was, however, his own man, and was forced to overcome the admiration and affection for his predecessor that constantly overshadowed him on Capitol Hill. Without discredit or dishonor to his friend, our distinguished Congressman proved to one and all that he was a separate entity, dedicated to the principles that were founded by his former colleague, but recognizable as a man who possessed equal qualifications; determination, dedication and a free spirit.

In doing this, he has been praised and cursed, idolized and deplored, congratulated, and censured. But through it all he has accomplished much for all of us—for every citizen of these United States.

He has at times thrown politics to the wind and programed many items of legislation benefitting the military, the service member, and most of all our great Nation.

Perhaps the philosophy of tonight's honored guest may be summed up in the words of General George Washington in an address to his troops before the Battle of Long Island in July, 1776. General Washington stated: The time is near at hand which must probably determine whether Americans are to be freemen or slaves; whether they are to have any property they can call their own; whether their houses and farms are to be pillaged and destroyed, and themselves consigned to a state of wretchedness from which no human effort will deliver them. The fate of unborn millions will now depend, under God, on the courage and conduct of this army. Our cruel and unrelenting enemy leaves us only the choice of brave resistance, or the most object submission. We have, therefore, to resolve to conquer or die."

How befiting these words are today in a world besieged by communism and the threat of a growing, ever-powerful Soviet strategic and conventional war machine. Our only hope is to provide an adequate and more powerful deterrent by maintaining an armed force second to none.

Tonight's recipient of the Non-Commissioned Officers Association's L. Mendel Rivers Award for Legislative Action, is constantly striving to fulfill that need. He continues to do all in his power to ward off those who cry we need not an adequate Army, Marine Corps, Navy, Air Force, or Coast Guard to defend our shores. He uses his ability to do what is good for this country—and God-willing, will carry on that battle for many years yet to come.

Our Nation needs men like him—we need the spirit and the courage he possesses—the determination to keep America strong and independent. Yes, my friends, we cannot do without men such as he who places the needs of the country above all material things.

Tonight the Non-Commissioned Officers Association salutes this great American. We are even more proud as he is one of the first of our distinguished honorary members. He has stood by our Association through its growing stages; he has been truly a dedicated and loyal supporter of the Non-Commissioned and Petty Officers Corps; he has further been an advocate of keeping our Armed Services strong and lean; but most of all, he has devoted himself to the preservation of our beloved nation.

Ladies and Gentlemen, I now have the further honor and privilege of calling upon our President, Mr. Jimmie L. Pfeffer, who will present the coveted L. Mendel Rivers Award to the most Distinguished Chairman of the House Armed Services Committee, the Honorable F. Edward Hébert of Louisiana, an honorary member of the Non-Commissioned Officers Association of the United States of America."

Mr. President, in closing I would like to add that many Americans join with the NCOA in recognizing the achievements of Congressmen Hébert. His life has been devoted to public service and he richly deserves this honor from the men who have defended our nation so well, the Non-Commissioned Officers of America.

MORE SUPPORT FOR THE JACKSON AMENDMENT

Mr. CRANSTON. Mr. President, I would like to bring the attention of the Senate to a resolution adopted by the California Legislature.

The resolution calls on the President and the Congress to deny most-favored-nation status to countries "which prevent their citizens from emigrating freely by requiring the payment of ransom taxes".

Clearly, expressions of concern from Americans all across the country have contributed to the recent suspension of the odious emigration tax in the Soviet Union. Now is the time for the Soviet Government to demonstrate its good faith by going one step further—abandoning the practice of harassment and intimidation of those who seek to emigrate, whether or not they can afford to pay a tax.

Mr. President, I ask unanimous consent that California Assembly Joint Resolution No. 15, relative to East-West trade relations, be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

ASSEMBLY JOINT RESOLUTION No. 15

Relative to East-West trade relations

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President to support, and the Congress of the United States to enact, legislation to amend the East-West Trade Relations Act of 1971 so as to deny most-favored-nation status to countries which prevent their citizens from emigrating freely by requiring the payment of ransom taxes; and be it further.

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to Senator Henry M. Jackson and Congressmen Charles Vanik and Wilbur Mills, and to each Senator and Representative from California in the Congress of the United States.

RESPONSIBILITIES OF THE NEWS MEDIA IN A FREE SOCIETY

Mr. GOLDWATER. Mr. President, contrary to the impression created by some segments of the news media, some of the responsibilities of the news media of the soundest thinking on the subject in a free society has been done by Vice President SPIRO AGNEW.

And in these days of instantaneous communication, I believe more and more attention needs to be given to this subject.

I wish to make it clear, Mr. President, that I am fully aware of the need to protect the freedom of the press. But, I also believe this freedom carries with it some very definite responsibility. And my experience has taught me that not all members of the news media live up to the responsibility bestowed on them by the U.S. Constitution.

Vice President AGNEW has ventured to voice criticism of the news media several times in the past. And each effort, regardless of how well-reasoned, has been greeted with cries of "repression" and "intimidation" on the part of some members of the media. Nevertheless, the Vice President has stuck to his guns and refused to be cowed into silence. Just recently—on April 12, 1973—for example, Mr. AGNEW addressed the April Freedom Forum at Harding College in Searcy, Ark., and repeated his contention that "advocacy journalism more than any other factor has caused the current ill-feeling between Government officials and the opinionmaking media." As the Vice President explained it:

> What advocacy journalism ultimately causes is a dispute between a government position and a reporter's position. Traditional journalism positioned the reporter in the stance of an arbitrator—a referee whose only interest was in dredging the truth from two or more contesting political viewpoints. Advocacy journalism makes him a salesman for his point of view.

The Vice President believes that an awareness of their power has caused some newsmen to reinterpret their role in our society. He pointed out that where once journalists believed their job was to report what happened; today, the view increasingly means to be that the media should control the public reaction to what happens.

Because of its extreme importance, Mr. President, I ask unanimous consent that the Vice President's speech at Harding College be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS BY THE VICE PRESIDENT OF THE UNITED STATES

I am very pleased to have the opportunity to address this 36th Freedom Forum. In selecting "Responsibilities of the News Media in a Free Society" as this year's theme, the N.E.P. Board of Directors and the Forum Advisory Committee have locked horns with a volatile and controversial subject—one that frequently is treated with much heat and little light. And now that this enraged bull of a subject has been led into the arena, I will engage him with the caution of an experienced matador. I could not ask a better audience than you at Harding College, who have achieved national recognition for your serious and perceptive consideration of important issues. Now, I do not hope to be awarded the ears or the tail for this performance. I would be satisfied if, somehow, the bull became a little more tractable as the result of this venture.

Let me begin by emphasizing my conviction that free and unintimidated news media are essential to a free society. That is not only my conviction and my position, but the position of the Nixon Administration. I state that position with full knowledge that some well-known personalities in the opinion-making media believe and state flatly that the Nixon Administration is committed to their demise through a grand conspiracy to destroy their credibility. We are exerting, they are fond of saying, a "chilling effect on first amendment freedoms."

Now I am not challenging the sincerity of these individuals; I merely say that they are wrong in that conclusion. The idea of interference with the free flow of information to the American people, by Government or anyone else, is repugnant to me. In my speech in Des Moines about the networks. I suggested that greater diversity of opinion, not censorship, was needed in television news. We need to see more sides to a controversy, not black-out the matter entirely. We need to hear more commentators, not less commentary. And, above all, we need some method of assuring that the important events of the day make the network news. Such a small number of network news editors, having common interests and frequently common politics, cannot be aware of the broad interests of the American people. I do not accuse them of any conspiracy, but I do suggest that they are affected by the same peer group prejudices, business interests and loyalties that we are.

You may remember that I spoke a while back about "opinion-making media." I want to be sure you understand what I mean by that term. I do not refer to the typical newspaper or radio or television station. By "opinion-making media," I mean the media of more than local impact—the large newspapers and magazines which cover the Nation and the world with their own personnel—the networks—the wire services. Through their resources, multiple ownerships and wealth, they exert a clout far in excess of any combination of small media—even a combination with hundreds of times their circulation.

It is significant that most of the cries of "repression" and "conspiracy" which are being mounted today against the Nixon Administration come from the opinion-making media. Very few editors and station owners around the country share their fears. But, again, I do not doubt the genuine concern of these critics in the opinion-making media. They do not trust the Government to be fair to them, but we do not think they have yet diversified their undertaking sufficiently to fairly report the activities of Government to the American people.

At the base of their concern is the power of Government—the power to regulate or legislate them to impotence and ultimately to destruction. But is this a logical concern? Governmental power is already diversified; Government is already a conflict of interests in itself. Republican President vs. Democratic Congress. Executive Branch vs. Legislative or Judicial Branch. Liberal vs. Conservative. These diffusions are all safeguards against a monopoly of interest or power cartel in Government. Moreover, the incumbency of an elected leader in Government is limited by law. Power is limited to a term of office. So I would have to say that such fears of unabridged power are mainly fantasies. The media are protected by the Constitution and the American system. Their freedom to rage at us with accusations of censorship, repression and McCarthyism is adequate proof that the alleged "chilling effect" or threat to their freedom is fictional.

At the base of our concern lie several interrelated changes in media patterns and attitudes. These changes have occurred mainly during the past fifteen years and have led to the emergence of the opinion-making media as a formidable social force in our society.

Consider this statement by one of the Nation's most famous TV anchor men. He says—"In a highly organized, crowded and complex society, freedom must be taught. Liberty must be learned." The natural questions are "taught" by whom? And "learned" by whom? The commentator makes it clear that it is the media's function to do the teaching, and the American people's role to do the learning. Yet it is about the same American people whom this commentator says: "What I worry about is that many Americans would accept Fascism and believe there is justice in it."

I submit that he can stop worrying now. The American people just aren't that naive. But what is troubling here, beyond this misreading of the American character, is the mind set which gives rise to it. And this mind set is the essence of advocacy journalism. Its practitioners, seeing a given result as right, act more in the style of lawyers developing a brief than as reporters. They ferret out and publicize principally those facts which support their own points of view—points of view which are considered by them to be revealed truth and the only ones that should be presented to the American people.

In recent years, many of these views have tended to be anti-Government. Recall for a moment the quality of the news we became accustomed to receiving from Vietnam and imagine that you are listening to a commentary on the war by CBS correspondent John Hart, who had this to say in an address given last summer: ". . . we, as a matter of course, refer to the North Vietnamese and the Communist guerrillas in South Vietnam as 'the enemy' when they are, in fact, the enemy of the Saigon government and the American executive branch."

Now just consider that statement and decide for yourself whether the man who made it could possibly remain objective in his reporting of the war news. And given a group of men with similar views in control of the news selection process, what chance is there of getting an accurate message across to the people?

And this brings us to the crux of the problem, a problem that is one of the most serious we face today. Note carefully the separation made by Mr. Hart between the Executive Branch and the American people. Then analyze the close relationship he suggests between the media and the American people, a relationship almost casually referred to in a recent article by two other distinguished journalists, in which they allude to "a representative of the public—in the person of the news media."

That quotation, I believe, reveals precisely what is wrong with the way the opinion-making news media view themselves. Their personnel have come routinely to think of themselves as representatives of the people, and just as routinely to view the Federal Government as the enemies of the people.

Now, something seems very out of joint about this. Does a man who works for CBS represent the people? Or does he primarily represent CBS? And isn't an elected official, depicted as an enemy of the people, really the person directly accountable to the people who put him in office?

What advocacy journalism ultimately causes is a dispute between a Government position and a reporter's position. Traditional journalism positioned the reporter in the stance of an arbiter—a referee whose only interest was in dredging the truth from two or more contesting political viewpoints. Advocacy journalism makes him a salesman for his point of view.

I submit that it is advocacy journalism more than any other factor that has caused the current ill feeling between Government officials and the opinion-making media. When Government officials defend themselves from what they consider unfair slanting of news stories, the partisan newsmen, outraged at unaccustomed criticism, too often hurls the counter-accusation of "repression" and "censorship." The news media really must learn to get over being so thin-skinned—particularly when they are so intolerant of thin-skinned officials.

Jerome Barron, Dean of the Syracuse University College of Law, has written knowledgeably and persuasively about freedom of the press. Referring to the subject, he had this to say:

"Our constitutional guarantee of freedom of press is equipped to deal with direct and crude governmental assaults on freedom of expression, but is incapable of responding to the more subtle challenge of securing admission for ideas to the dominant media. In general, it seems that ideas are denied media space and time unless they come in the carnival attire of the violent or the bizarre."

(And if you doubt the validity of that observation, you haven't contrasted the coverage of Wounded Knee with the non-coverage by two networks of the big parade for Vietnam Veterans in New York.)

Further commenting on this, Professor Barron states:

"The media owners and managers have astutely identified the constitutional guarantee of freedom of the press with themselves. They read freedom of the press as an immunity from accountability and any kind of legal responsibility."

Referring to the small number of network news selectors, Professor Barron had this to say:

"Even if that dozen were the equivalent in wisdom of Plato's guardians, it does not need a very profound political philosopher to wonder whether so few should have so much power."

And commenting on media receptivity to reform, Professor Barron said:

"What must be done is to build diversity into both the private and the public sector. The press has long maintained that everyone should be subject to criticism and oversight. At the 1969 national convention of the Radio Television News Directors Association, I suggested that the press also should be subject to oversight. Later the same day. Dr. Frank Stanton, Chairman of the Board of CBS, quoted what I had said and added: 'What a chilling thought.' But the reality which Agnew describes and the radical reaction to his remarks is also chilling."

There are, of course, other areas of current disagreement between the opinion-making media and the Government. I regret that there is not time to handle them in detail—that must await another speech—but I would like to bring them to your attention briefly.

First, there is the substantial disagreement about the right of the media to publish classified governmental documents which have been illegally obtained. The media defense is that the documents should never have been classified, that they are not essential to national security, and that the people have the right to be informed of what Government does behind closed doors.

The Government position is that media personnel are not equipped to judge whether or not a particular disclosure affects the national security. We take the position that intelligence gathering is a matter of accumulating bits and pieces and that a seemingly innocuous fact may provide just what an adversary power needs to discern our intentions—intentions which security dictates be kept from it.

While I agree that far too many documents are classified, we are moving with all possible speed to reduce the number. Meanwhile, in a genuine controversy about whether or not classification is necessary, it would be better to rely on the professional judgment of experts in the Government rather than the conclusions of a pioneering reporter that the revelation will not injure the United States.

Second, there is the difficult question of general or special privilege for reporters so that they will not have to reveal their sources during Grand Jury or court proceedings. I am sympathetic to the media position that investigative reporting would be inhibited should a reporter in the course of accumulating his data be required to identify the sources. Yet, it seems to me that, once the investigation is complete and the reporter has decided to make public his allegations of impropriety against an individual, that individual must retain his constitutional right to confront his accusers. A person accused of misdoing must not be prevented an adequate defense because he cannot locate his tormentors.

On this same subject, criminally actionable improprieties aside, many in public life are damaged irreparably by snide remarks and scandals published against them and attributed to "reliable sources." The danger here is that, given our trend toward advocacy journalism, the source may be nonexistent—a simple reenforcing tactic of the reporter himself. The press, not being a self-policing profession, gives us no assurances that the normal high standards of established organs may always be maintained.

Now, I don't know how to fairly handle this problem of unidentified sources, but a big help would be a requirement that an unidentified source be referred to simply as "an unidentified source" and not embellished with the indicia of credibility such as "a long-time State Department professional," or "a high level White House staff member," or "people with no ax to grind who are in a position to know."

As I conclude these remarks, I am not at all sure that I have engaged this enraged bull of a subject with proper caution. In some ways, the subject is too mercurial to permit careful handling. But I would like to conclude on an ameliorative note.

There is unquestionably wrong and right on both sides of this controversy. Only reasoned debate and communication between the parties can lead to a solution or even to an improvement. Because it is a matter of immense importance to the American public that information flow credibly and freely to them, the Government and the media must put aside their visceral reactions and engage in a productive, intelligent discussion of their differences. The Administration is prepared to participate in such a discussion.

THE LATE SENATOR WILLIAM BENTON, OF CONNECTICUT

Mr. PELL. Mr. President, the death of William Benton last March 18, 2 weeks short of his 73d birthday, deprived our society of a fascinating man, who, while he had life, was in many ways, larger than life. I came to know him well when we were once both members of the Platform Committee for a Democratic Convention; in those trying hours, and in subsequent calmer situations, I came to respect him as a person and value him as a friend.

Bill Benton was, of course, a proper legend, but his contributions were so varied that it is possible some of them may, in this time of sadness and recollection, be overlooked.

I shall talk for a moment of one facet of his life not as well known as some of his others—and that is as a patron of the arts, a phrase he never used to describe himself; he would have considered it somewhat too grand; yet patron of the arts is what he was.

As a student at Yale he became the friend of Reginald Marsh, a year ahead of him and not yet inclined toward the world of painting, at which both of Marsh's parents had won distinction. A few years later, while the Benton and Bowles advertising agency was forging its stunning success during the Great Depression, and Marsh was just beginning to paint in earnest, Bill Benton became a benefactor and contributed significantly to his maintenance. At his friend's death, two decades later, Benton bought from Marsh's widow half of the paintings remaining in his estate; at the time of his own death last month, Bill Benton still owned hundreds of Marshes. And these constituted only a portion of the host of American canvasses in his collection.

Bill Benton was an unusual collector. His holdings were entirely of American painters in the first half of the 20th century. Yet this fact reflects neither chauvinism nor concentration upon any particular school. He once said:

> I would like to own works by the French impressionists, but they have been so expensive that their purchase has become a kind of business, full of detective work to make sure they are actually the works of the artists whose names they bear. I have no time to spare for that kind of business. American art, by contrast, has been easy to buy. It has been undervalued; the prices are low for 20th century art and there are no forgeries.

This mixture of appreciation, sensitivity, impatience, and pragmatism was peculiarly and authentically William Benton.

Although he denied it, he was unpredictable. Not once, but on several occasions he discovered an artist previously unknown to himself in a gallery, and showed his admiration tangibly, indeed extravagantly. Thus, in a gallery where he "discovered" Jack Levine, he bought every unsold Levine in the place. In succeeding years he continued to buy the painter's work.

Reginald Marsh was Benton's friend before the one painted or the other bought. Levine also became his friend.

Ivan Albright was another artist who discovered the extraordinary qualities of William Benton. Benton became so taken with Albright's work that he made the artist a standing offer, to buy, sight unseen, every work he turned out. Late in his life Benton gave to the University of Chicago Medical School a unique collection of surgical illustrations by Albright as an Army medical illustrator in World War I.

Of George Bellows and others, Benton once wrote—

> I'm crazy about Bellows, and I own a half dozen of his paintings. I own between 5 and 10 Tom Bentons, between 5 and 10 Childe Hassams, 3 Isabel Bishops—

And so on.

Bill Benton was consistently generous with his holdings. He owned five paintings by Robert Henri, and gave one of them to the White House. Another, I am happy to say, he gave to my alma mater, Princeton University; it was Henri's portrait of Woodrow Wilson, our former President, who also served as president of Princeton. This painting now hangs in the president's office at Princeton. Bill Benton gave many paintings—naturally and appropriately, by American artists—to the Department of State, to be hung in American Embassies around the world. He also loaned his own works freely; indeed, for Japan's Expo '70, he sent 70 of his paintings, selected to make the show as representative as possible, to hang in the American pavilion there.

Shortly after the beginning of his career as a collector, Bill Benton became involved with a quite different collection of American art. This collection was winning highly favorable attention in foreign capitals. Benton had just become Assistant Secretary of State, and it fell to his lot to explain to a House investigating committee certain nonrepresentational American paintings in the show, which was traveling in Europe just after World War II, and which had been assembled by the State Department—wholly unknown to Benton. It had been unknown, too, to Secretary of State George C. Marshall, whose comment was, "It must be very good art, because I cannot understand it," and to President Truman, who described it as "ham and egg art."

In that hysterical period many of the artists responsible for this collection appeared on the Attorney General's list of persons suspected of Communist affiliations. Benton, under grilling by the committee chairman, was repeatedly pressed to explain or interpret various abstractions. He repeatedly demurred, saying—

> I would hate to pass judgment on any of these pictures, Mr. Chairman.

Of one particularly obscure canvas, the chairman demanded—

> Aren't you horrified yourself?

Assistant Secretary Benton responded—

> I would not use the word "horrified" . . . I would say "art."

Benton eventually and regretfully was forced to dismantle the show. He sent an assistant to the sale to bid on a number of the paintings, including a Pollack and a Kuniyoshi which he particularly craved. But the bids he authorized did not go high enough, and he was able to acquire neither. He was never able to satisfy his desire for a Pollack, but he later did own several Kuniyoshis.

Wholly coincidentally, a few years earlier, Benton had sponsored the assembly of a Britannica collection, of some 130 canvases built around several paintings which had been created to illustrate the Encyclopaedia Britannica articles, and this collection successfully toured the United States for a number of years.

All of these exhibitions were of contemporary American painters. Few of the paintings were abstract. Although he owned a number of abstractions, and craved a Pollack to the day he died, he preferred, in general, representational art. A few years ago he wrote to a friend—

> When I look at my watercolor by Hopper, I then look with contempt at most of the paintings in the current galleries. This does not mean that I am wholly against . . . abstract art. I own a couple of Helikers and a couple of Rattners. . . .

Bill Benton's apartment at New York's Waldorf Towers, where he died, was a veritable gallery of American art, as were his homes in Southport, Conn., and Phoenix, Ariz. Indeed, the garden of the Southport home is a proper sculpture garden.

He was a great admirer of the ceramic works of Henry Varnum Poor, and often quoted with approval a passage from the New Yorker about Poor which began—

> There is no one like him in America; perhaps there will not be his equal for several generations.

Bill Benton had a unique kind of openness to experience, a genuineness, and an all encompassing humanity about him. He was a man not afraid to enjoy what he did not understand, or to disdain what he neither understood nor enjoyed; yet, he was never afraid to completely endorse what he did understand and enjoy. Mr. President, I shall conclude my personal tribute to this outsize man, this giant in career after career, this public servant and patron of the arts, William Benton, by saying that I know of few men whose lives have been so filled with the sheer joy, exuberance, and adventure inherent in fully partaking of the essential life experience. But if few men's lives equaled Bill Benton's in this respect, even fewer equaled his willingness to share this experience and excellence in a spirit of complete generosity with all who were privileged to know him.

Mr. President, I ask unanimous consent to have printed in the RECORD a few of the many tributes and messages of sympathy which Mrs. Benton has received from friends around the world.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STONEWALL, TEX., *April 7, 1973.*

DEAR MRS. BENTON: You have been much in my thoughts these past days. Knowing your husband was one of life's happier experiences, and I will never forget all the good ways he touched our lives.

I will always remember him, his many-sided and colorful career, with so much warmth and affection. He was 'one of a kind' and I believe it not only reflected great credit on him, but on the country which produced him. He gave so much through his service and his contributions to education, and certainly all who knew him felt marvelous sense of vitality and purpose.

Lyndon and I treasured his friendship. His visit with us last Fall was pure delight. I am so glad they had that last time together . . . and so many other wonderful times through the years.

Although I had expressed my sorrow to you, I wanted to tell you, too, how glad I am that we shared a part of his life.

My very best to you and your family.

Sincerely,

LADY BIRD JOHNSON.

LUCI JOHNSON NUGENT,
Austin, Tex., March 21, 1973.

DEAREST MRS. BENTON: My heart goes out to you and your family for I know the pain of losing a great man and your most cherished loved one. I also recognized the yearning to say too soon why now there was so much we had left to do. But there is comfort in having shared life with someone like your beloved husband who lived life so fully that he encompassed several lifetimes in one. There is joy in knowing that in sharing him—maybe more often than you would have chosen—you radiated his magnificent benevolent spirit to the thousands of those lucky enough to pass his way. And there is hope in the belief that though he may be gone he lives on in the lives and memories of those who loved him—as we did—and in the realization that he is now truly free from the pain and sorrow of this world—that he helped to eradicate while living.

My father often said his greatest heritage were his father's friends. I know mine is and Senator Benton was a treasured part of that heritage. Life will never be the same without them—but how much richer are our lives because we were privileged to have loved them.

My children are thriving off the magnificent children's encyclopedias your husband sent them and as they relish the joy of learning from them, I will remind them that their Poppa's close friend was responsible for opening to them this new and phenomenal opportunity for learning with pleasure.

Your husband has a friend in heaven and you shall have our friendship always.

Sincerely,

LUCI JOHNSON NUGENT.

HOUSE OF COMMONS,
London, SW.

From: The Rt. Hon. Harold Wilson, OBE, FRS, MP.

I should like to pay a tribute to Bill Benton as one of the great and most forward-looking men of our generation. A successful business-man in his 20s, university administrator, saviour of Encyclopaedia Britannica and creator of its new twentieth century standing, educationist, McCarthy-baiter, and world statesman.

Bill was a friend of mine for many years, a frequent visitor to Downing Street and Chequers in my tenure of office, and an equally loyal friend in the years that followed.

He had a vision and it centered round the widening of the educational opportunities he had won for himself by his own talents; in the United States; in the Atlantic Community when as Assistant Secretary of State he did the devilling for the Fulbright scheme; above all, in the Third World and in what he achieved for the spread of the English language in far-off countries.

I owed a great deal to a study I made in Chicago in 1963 of the visual teaching methods used by Encyclopaedia Britannica, when I was preparing the plans for what later became Britain's Open University. Bill took a lively interest in this when it was established; the last time I met him he exclaimed in characteristic language his regret that, Britain's Open University being the greatest development in education in any country in this century—a striking tribute from a great educator—his one regret was that it has been developed in Britain and not in the United States.

Tireless, voluble, but a dedicated enthusiast for all the right causes. Even in his last years of serious illness, and indeed right to the very end, Bill Benton's contribution to education, the English-speaking world and the vaster Third World will be his monuments.

DEAR MRS. BENTON: Bill's life and mine were curiously intertwined, and for that very reason I valued his affection in a very particular way. He himself explained it in a letter of November 2 last fall about a conversation with Jimmy Byrnes. And he too gave it words more than once. I loved him for his works—he was always on the side of the angels. But more than that I cherish his memory for the generosity of his heart. He was more *alive* than anyone else I have known in public life. Ada and I send you our heartfelt sympathy.

ARCHIBALD MACLEISH.

NEW YORK, N.Y.
March 20, 1973.

DEAR MRS. BENTON:

May I express my deepest sympathy for your loss. William Benton was an extraordinary man. He will be missed by a multitude of people, myself among them.

Ruth joins me in these feelings and in wishing you all the best.

Very truly,

JACK LEVINE.

A EULOGY TO SENATOR BENTON

(By S. Dillon Ripley)

I remember Bill Benton as a Renaissance man dedicated to improving the quality of life in modern times. He was a man of many interests, both academic and professional, a man who felt at home on the campus as well as in the board rooms, a man who was known among museologists, publishers, government leaders and the literati for his dynamism, innovations and enthusiastic endorsements of unpopular, as well as popular, enterprises.

I remember my first contacts with Senator Benton. They took place in the 1950's when I was at Yale. A relative of his worked for me as a bird taxidermist at the Peabody Museum. The Senator was intensely interested in this young man's work and we had a number of conversations about our efforts and the young man's future. Bill Benton was an accomplished and active alumnus of Yale and he took a deep and sincere interest in his alma mater's many activities. It was not unusual for any of us on the Yale faculty—from President Griswold on down—to receive lengthy memoranda from Bill Benton filled with suggestions on how we might improve or re-articulate our programs. They were welcomed communications and usually were positive, entertaining—challenging.

And then we moved to Washington. With pleasant nostalgia, I recall by discussions about obscure historical matters with the Senator at meetings of the White House Preservation Committee. Later, we both became involved in the months of intensive planning that went into development of the festive observance for the Encyclopedia Britannica's Bicentennial held at the Smithsonian's Museum of History and Technology on the Mall in Washington. It was a gala—intellectually as well as socially—which manifested the Senator's generosity, broad interests and an impressive invitation list of friends. And, in recent years, I have come to know his thoughtful and dedicated son, Charles.

Through the years, Mrs. Ripley and I always enjoyed the stimulating and provocative meetings and dinners we shared with the Bentons at their home in Southport, their apartment in New York City and at their winter home in Arizona. They were exciting events punctuated by ideas and observations that flowed from the Senator at the rate of almost one or two per minute. Bill Benton had varied lives that covered several worlds; he moved easily and assuredly from the worlds of economics and politics to the social and educational universe with a deep background of knowledge about many subjects and disciplines. He was an omnivorous reader with catholic tastes. And, he was a good listener, too!

In a period when there was great discussion about the need for the business community to become interested in art, Senator Benton was a pioneer as an advertising executive and publisher who assembled American paintings of the first half of our century. I recall Senator Benton saying: "My paintings represent my own taste, strict and unadulterated, without any advice from anybody. I have never sought any guidance on buying a picture nor have I concerned myself whether the price would go up or down, or whether I would be cheated. I buy recklessly and when I like an artist (like Tom Benton or Albright) I keep on buying his work."

Bill Benton helped to develop the frontier that now is American corporate involvement in the art world. He sponsored exhibitions of paintings in cities across the land as well as overseas. He sought out the advice of distinguished curators in planning these exhibits and his corporation, Encyclopedia Britannica, was one of the first to employ such a curator to take part in planning corporate development activties. It is said that Bill Benton was the first private collector ever to buy paintings by Reginald Marsh, the prominent American artist. That was in the 1930's. Which reminds me of another story about Benton and his art collections. It was in the Depression of the 1930's that Marsh, the artist, came to the Benton country home in Southport, Connecticut, to paint portraits of the Benton children. He remarked to Benton: "Do you know that the WPA is giving $100 a month to artists and that they can paint anything they want? Sometimes, I wish I could get a deal like that." To which Benton replied: "Go ahead, I'll be your WPA. Paint anything you want for me and bring it in, once a month and I'll give you $100 for it." On this basis, some twenty Marsh paintings were delivered to Benton in a three-year period.

Finally, I remember Bill Benton as an optimist . . . a leader who always seemed to be honest and direct, concerned with progress and hope. He was an inter-disciplinary man with Renaissance tastes and concerns.

THE FEASIBILITY OF STEAM POWER

Mr. GOLDWATER. Mr. President, in these days of fuel shortages and air pollution, much effort is being expended to find substitutes for the internal combustion engine. One of the most ambitious efforts has been directed at the possible use of steam power to propel motor vehicles. This study was directed by the California Legislature and partially financed by the Federal Government. And the final report on this effort concluded that steam propulsion has enormous potential for reducing urban air pollution but that huge technical problems are still to be overcome.

The 30-page report gave considerable praise to a steam propulsion design developed by William P. Lear, prominent in electronics and aviation, who has spent 5 years developing a feasible steam-powered car.

Mr. President, because of the importance of exploring all possible solutions to the problem of air pollution, I ask unanimous consent that a story on the California study published in the New York Times of April 8, 1973, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STEAM BUS CUTS SMOG

(By Robert Lindsey)

The final report of the nation's most ambitious effort in more than 40 years to use steam power to propel motor vehicles has concluded that steam propulsion has enormous potential for reducing urban air pollution. But the report adds that enormous technical problems must be solved if the potential is ever to be exploited.

The report reviewed the design and experimental service last year of three different "steam bus" concepts in three California cities—Los Angeles, San Francisco and Oakland. The $7.9-million project was directed by the California Legislature and partially financed by the Federal Government.

The steam engines were built by Steam Power Systems of San Diego, the Lear Motors Corporation of Reno, and William M. Brobeck Associates of Berkeley, Calif.

None performed completely satisfactorily, the report said, and none remained on regular passenger runs longer than 18 days before mechanical problems forced them out of service. Fuel consumption was inordinately high, and there were other problems.

Nevertheless, the California officials said the results were encouraging. Among other things, they said that, compared with a conventional diesel bus, the steam buses produced up to 30.5 per cent less carbon monoxide and up to 86 per cent less hydrocarbons and oxides of nitrogen. These three elements are the principal components of photochemical smog.

"Some years—perhaps less than a decade if funding is adequate—of progressive engineering work will be required before the E.C.E. (external combustion engine) is ready for general application and acceptance," the report said.

A steam engine is called an "external combustion" engine because fuel is burned outside of the engine itself. The fuel (such as kerosene or diesel oil) fires a burner, which heats water or other fluids and turns it into steam. The steam then drives a piston or turbine, and this energy is used to turn the wheels of the vehicle. The steam is later condensed, heated again, and the cycle is repeated. This is called a "Rankine" cycle engine.

In a conventional automobile engine, gasoline is burned "internally." A series of small, rapid-fire explosions of gasoline is harnessed to move pistons in cylinders rapidly back and forth. The reciprocating movement drives the wheels through a system of gears and a crank shaft.

Steam power proponents say external combustion of the fuel is much more efficient. This is because the fuel is more completely burned; thus, less drifts into the atmosphere. The result: much less emission of smog-creating pollutants.

Steam-powered cars and buses rivaled vehicles powered by internal combustion engines from about 1900 until the mid-nineteen-twenties. But "steamers" eventually lost out to the internal combustion engine because of lower cost and higher reliability.

The emergence of air pollution in many American cities—especially in California—led to a revival of interest in steam power in recent years.

In an effort to "prime the pump" of technology, the California Legislature's research staff urged companies to submit designs for a steam bus. The three companies responded. Conventional 40-passenger intracity buses were used; the conventional diesel engine was replaced with the steam engine.

In a 30-page report on the project, California officials said that, in addition to the data on low pollution, the design, construction and testing of the three buses had produced the following key findings:

Acceleration, speed and hill climbing are at least as good with steam power as they are with a conventional engine.

Exterior noise of the steam buses was less than a regular diesel bus, but interior sound levels were similar or higher.

Fuel consumption ran about three times that of a conventional bus.

Although the report gives comparative technical data for each of the three designs, it does not single out one as having the best performance. It does, however, give considerable praise to the design developed by William P. Lear, who made a fortune in electronics and aviation and has been trying to develop a feasible steam-powered car for more than five years.

The Lear engine was the only one of the three designs to use steam to power a turbine rather than a reciprocating piston. "It appears to be the first in history to be successfully propelled by a steam turbine," the report said of the Lear bus.

While the Lear bus had a few mechanical problems, the report said that it had relatively little trouble during 11 days of "revenue service" on a San Francisco bus route, one with steep hills. "During its brief exposure, the bus provided early indications of the potential for high system reliability," the report said.

Despite such encouraging results, the California Legislature research office stressed:

"We caution that many years of progressive and persistent engineering will be needed to make [steam powerplants such as those used in the trials] technically feasible."

Among other areas, it said that research and development were needed to improve the reliability of steam engines, and to improve fuel economy.

"Exploration of both turbine and reciprocating expanders" should proceed, the report said, "because it is not yet clear which form is superior for heavy duty stop-and-go vehicles." At a minimum, the report said $20-million should be invested on further steam engine research over the next four years.

While the steam engines came off much "cleaner" than a conventional diesel engine regarding air pollution, the report said they could be refined to be even less polluting.

BILL BENTON

Mr. SPARKMAN. Mr. President, I was grieved recently when Bill Benton died. I first knew him when he entered the Senate. I enjoyed my service with him. I found him highly energetic, able, and always willing to carry his full part of the load. I enjoyed my association with him throughout his Senate career.

I recall that when I was made chairman of the newly established Senate Small Business Committee, I went to Bill Benton and asked if he would be willing to get one of his principal aides in his office to assist me in setting up the Small Business Committee and in getting it started. He not only willingly agreed but he gave me some good advice as to what in his opinion should be done.

Bill Benton's life history has always been an inspiring one from many standpoints. I recall the story that, when just a young man, he and a close friend, Chester Bowles, announced that when they finished college, they were going to form a partnership and go into the advertising world, stating at the same time that it was their determination each one to be a millionaire at 30 years of age. Many people must have thought of this as being empty talk, but Bill Benton and Chet Bowles really meant it and, if I recall correctly, each one was a millionaire before reaching the age of 30. They were highly successful in the advertising field.

Later, each of them went into other fields of activity. Chester Bowles became Governor of Massachusetts. Bill Benton became a U.S. Senator.

Bill Benton bought the Encyclopaedia Britannica and made an arrangement whereby the University of Chicago was to be the chief beneficiary. Through the years, Bill Benton has sent me at the beginning of each year the Britannica Book of the Year. Several days after his death, I received a letter that he had written but that he never lived to sign, telling me that he was sending me a copy again this year, as he had done over the years. He sent many of these copies to his friends.

Bill Benton was a great man, a man always with fresh ideas and with the energy to put them into effect.

ACCOMPLISHMENTS OF THE APOLLO MOON PROGRAM

Mr. GOLDWATER. Mr. President, in continuing debate over the importance of the Nation's space program at this point in history, it is vital for all of us to consider the accomplishments of the Apollo moon program. It behooves us, I believe, to consider what Apollo actually did, whether it was worth the cost and what its' legacy is to man on Earth.

I have read many papers on this and related subjects, but none as concise and provocative as that written by James J. Haggerty, one of the Nation's most authoritative and respected writers in the field of aeronautics and space, for the March 1973 issue of Aerospace Perspectives, a publication of the Aerospace Industries Association. In his article, "Apollo: End of a Beginning," Mr. Haggerty says the Apollo program definitely was worth the time and money spent on it and that the most important benefits might be 20 years or 50 years in the translation. He pointed out that through the Apollo program the United States has scored monumental advances in technological capability and scientific knowledge.

Mr. President, because of the vast importance of this question to the future of the space program and our standing among the nations of the world, I ask unanimous consent that Mr. Haggerty's article be published in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

APOLLO: END OF A BEGINNING

(By James J. Haggerty)

(NOTE.—Why Apollo? What did it do, was it worth the cost, what is its legacy, and will man on Earth take advantage of his new treasure of knowledge? These questions are examined in this "Perspective" by James J. Haggerty, highly regarded journalist in the aeronautics and space fields who has authored three books on the Apollo program, has served as president of the Aviation/Space Writers Association and has been a longtime aerospace writer and consultant for numerous publications.—Editor).

On July 20, 1969, Apollo astronauts Neil Armstrong and Edwin E. Aldrin planted an American flag on the surface of the moon.

In no way was the flag-planting intended to be a territorial claim—it was a symbol of the fact that the United States was still, and would continue to be, the technological leader of the world, a status that had been very much in question a few years earlier. It was one of the proudest moments in

American history, witnessed live or in delayed telecast by some two-thirds of Earth's people.

Forty-one months later, Apollo 17 splashed into the Pacific after man's sixth visit to the moon and the greatest exploration/engineering effort ever undertaken by man came to an end.

For the most part, Apollo was duly lauded as the magnificent accomplishment it was. Opinion was by no means unanimous, however; a substantial element of the populace questioned the value of Apollo. Was it really worth the time, effort and money that went into it?

The answer is an unequivocal yes, even though it is somewhat early for an assessment; the most important benefits from Apollo might be 20 years, 50 years or even more in the translation.

The identifiable gains include, first of all, the restoration of a once-tarnished national reputation, the primary reason behind the initiation of the Apollo program. In addition, the U.S. scored monumental advances in technological capability and scientific knowledge. By any yardstick, Apollo must be considered entirely successful and well worth the effort.

FAILURE TO IMPRESS

Unfortunately, Apollo's gains are not readily understood. Because they are largely benefits of a nebulous nature, not capable of measurement in concrete terms, they fail to impress a segment of the public.

One of the most influential newspapers in the country made this comment:

"There's little question that Apollo rubbed many people the wrong way, partly because the voyages to the moon were oversold to the public. One long-lived slogan said that 'space benefits all mankind' and while the program produced practical fall-outs, it certainly didn't benefit all mankind or even a large fraction of mankind."

This statement is of special interest because, in remarkably succinct fashion, it sums up most of the public misconception about Apollo.

First, there is the prematurity of the verdict. The item in question was written within hours of the Apollo 17 splashdown, and that, as far as the writer was concerned, wrote finis to Apollo's benefits.

In fact, however, the transfer of Apollo technology has barely begun because while the program was alive the participating companies were too busy with their primary responsibilities to probe for the spin-offs that they know exist.

Second, the comment is shallow in that it obviously judges benefits only in terms of material gain. All mankind has in fact already benefited. Scientific knowledge is perhaps the best legacy one generation can pass to another, and in the course of Apollo man learned more about the universe he inhabits than in all the previous centuries of history.

But the most disturbing thing about the newspaper comment is the fact that it no doubt exemplifies a general attitude on the part of "many people," an attitude that the success or worth of Apollo should be measured entirely in terms of hard, concrete, visible benefits. It is an attitude that suggests Apollo must justify itself in terms of a dollar's worth of benefit for a dollar's worth of expenditure. Advocates of this view often ask whether Apollo's money could not have been better spent on some pressing national problem.

The fact of the matter is that it was spent on a pressing national problem, Apollo was an attempt to controvert America's loss of stature in the view of the world. Of course the technological and scientific potentials of such a project were foreseen, but they were bonus advantages rather than *raisons d'etre*. Recovery of national prestige was the primary goal. To a younger generation which has inherited an entirely new range of national dilemmas, the prestige problem may not seem particularly important today. It was, however, extremely important at the time the United States made the decision to go to the moon. A thumbnail recollection of the events preceding that decision and the atmosphere of the time serve to put Apollo in proper perspective.

WHY APOLLO?

Apollo's roots reach back beyond 1961, when the decision to initiate the program was announced. They stretch to more than three years earlier, when the Space Age began.

At that time, the United States and the Soviet Union were locked in the bitter ideological struggle known as the Cold War. The forces of Communism led by the U.S.S.R., controlled one-third of the world's population and sought to control most of the remainder by influence or aggression. The United States, through a series of mutual defense pacts with non-Communist nations, became the acknowledged leader of the "free world."

The principal bulwark of democracy was the world's confidence that the United States could contain the threat by virtue of its vastly superior knowledge. The U.S. already had a formidable armada of military aircraft, to which would be added in the near future long-range intercontinental ballistic missiles. "Deterrence," the U.S. called its policy with regard to resisting aggression, a policy defined by one military leader as "being so obviously superior in our ability to carry the war to an enemy that he will not take the risk of starting one."

"STRUGGLE FOR THE MINDS OF MEN"

In that light, American technological capability was doubly important. It was the key to the policy of deterrence and it was a persuasive factor in the "struggle for the minds of men," to use a well-worn phrase of the day. It was, in other words, a major influence in the decisions of other nations as to whether to align themselves with the United States in opposition to the spread of Communism.

America's technological superiority, which had long been taken for granted, was dealt a crushing blow on October 4, 1957: the Soviet Union succeeded in sending into orbit a 184-pound man-made satellite called *Sputnik 1*. The U.S.—and the rest of the world—was stunned. More than two years earlier the United States had announced plans to launch "small, unmanned, earth-circling satellites as part of the U.S. participation in the International Geophysical Year." But nothing had happened; it had remained for another nation to become first in space.

IMPACT OF SPUTNIK

More than 15 years removed from the fact—and the world conditions that made it important—it is difficult to recall the full impact of *Sputnik*. But it was devastating. America's long-held reputation as No. 1 technological power was badly tarnished and free world confidence in the U.S. was shaken. There was more involved than lost prestige. To many, the Soviet accomplishment argued a clearly superior military posture as well, and the non-Communist world was frightened.

The U.S. recaptured a modicum of prestige by getting its own satellite into orbit less than four months after *Sputnik* 1, but from there on things went downhill. In 1959, the U.S.S.R. became first to impact the moon and, later, first to photograph the far side of the moon. In 1960, the Soviets began sending aloft five-ton payloads, several times the U.S. capability, and they scored another major "first" by successfully recovering a pair of dogs from orbit. Finally, on April 12, 1961, the U.S.S.R. capped a long string of space victories over the U.S. by sending Yuri Gagarin, the first man in space, on an 89-minute orbital flight 200 miles above the earth. That was the nadir of American technological prestige.

President John F. Kennedy had been inaugurated less than three months before the Gagarin flight and at the time of his assumption of the presidency the international scene was tense. The United States had just severed relations with Soviet-backed Cuba and there was trouble of one sort or another in Berlin, Laos, Vietnam, Algeria, Iraq, Kuwait and the Congo. In his inaugural address, Kennedy called upon the people of the U.S. to defend freedom "in its hour of maximum danger."

After Yuri Gagarin's history-making flight, it was clear that some step had to be taken to restore America's fading prestige. The Soviets had almost a year's lead in manned orbital flight and they had rocket launch vehicles of far superior thrust, broadening the range of their options for further space spectaculars. From all indications the "space gap" and the concomitant prestige gap would become wider.

RESTORING THE LUSTER

The United States was faced with a choice of settling for second place in the international technological sweepstakes or coming up with a technology demonstration so sweeping and so impressive that it would restore once and for all the lustre of America's image.

The effort did not have to be a space project. In fact, President Kennedy leaned toward an earth-type undertaking if one of requisite scope could be found. None appeared. Therefore, Kennedy asked Vice President Lyndon B. Johnson, statutory chairman of the National Aeronautics and Space Council, to study the space options and recommend a program.

Johnson held a series of meetings with space experts, government people and non-government advisors and reported the group's recommendations only two weeks after the flight of Gagarin's *Vostok 1*. The group had considered the possibility of a small, manned orbiting space station or a manned circumlunar mission without a landing on the moon. Either would be technically less demanding and considerably less expensive than a lunar landing program. However, because they were less difficult and because the Soviet Union was already farther along the road, there existed the chance that the U.S.S.R. might accomplish either of these objectives before the U.S. Its strongest challenge countered, the United States would then be in even worse prestigial shape.

There was, in the opinion of the Johnson group, only one answer, only one display of technological prowess of sufficient scope—sending a man to the moon. And, to forestall the possibility of a Soviet moon victory, it would be necessary to compress the developmental time period to the maximum extent feasible, so that the first lunar landing could be made "within the decade.'

"MORE IMPRESSIVE TO MANKIND"

President Kennedy accepted the recommendations and Apollo was born when he spoke these words to a joint session of Congress on May 25, 1961:

"I believe that the nation should commit itself to achieving the goal, before the decade is out, of landing a man on the moon and returning him safely to earth. No single space project in this period will be more impressive to mankind, or more important to the long-range exploration of space; and none so difficult or expensive to accomplish."

"More impressive to mankind"—those were the key words. Apollo completely erased any doubts as to America's technological competence and wiped out the Soviet Union's briefly-enjoyed seeming superiority.

The first major step in that direction came more than a year and a half before the first lunar landing. It was the flight of Apollo 4 on November 9, 1967, a mission now all but forgotten but an important one at the time.

Until that point, the Soviets had maintained their edge in launch vehicle thrust. The U.S. had at one time narrowed the gap by introducing boosters of 1.5 million pounds thrust, but the Soviets had leaped ahead once more, more than doubling that value by 1965. In the public view, booster thrust assumed great importance because there was a tendency to equate high rocket thrust with guided missile capability. At a time when the Cold War had not yet thawed, the continuing Soviet lead in launch vehicle thrust was a cause for uneasiness.

Apollo 4 changed that. This was an unmanned flight, the first all-systems test of the mammoth Saturn V moon-booster, whose 7.6 million pounds of thrust dwarfed the best estimate of Soviet rocket power. Apollo 4 was completely successful and it marked a high point in the turnaround of world opinion.

APOLLO 8 MISSION

A little more than a year later, Apollo 8 took three astronauts on man's first visit to the lunar environment, a mission in which the spacecraft made 10 orbits of the moon but attempted no landing. Coming at Christmastime, 1968, this was by far the most dramatic space flight up to that time and it convinced the many skeptics that the plan to put men on the moon—American men—was more than a pleasant fantasy.

The subsequent lunar landings are recent history and need no recounting. Apollo accomplished the principal goal set for it—reestablishment of the United States as technological leader of the world. This, perhaps, may not seem as critical a need as it was in the days of decision. In the current atmosphere of growing accord with the Soviet Union and Red China, the urgency of maintaining free world confidence in American capability has lessened. Nonetheless, a nation's posture in the eyes of the world is always important, in trade and at the diplomatic bargaining table as well as in defense.

APOLLO AND INTERNATIONAL HARMONY

One can only speculate as to what extent Apollo contributed to the Communist nations' new willingness to reach for harmony. No single factor, of course, brought about the easing of international tensions; it was no doubt a combination of military stalemate, economic considerations and other elements. But if a guided missile is a deterrent to a hostile nation's ambitions, is not a demonstrable technological superiority even more of a deterrent? Could not Apollo, exemplar of American technical excellence, have therefore been a contributing factor to the Communist nations' increasing agreeableness? Certainly Apollo can be credited with prompting one facet of improving international relations, the U.S./U.S.S.R. cooperative effort in space science and technology. It demonstrated to the Soviets that they have something to gain by such cooperation. Had it been the other way around—the U.S.S.R. on the moon instead of the U.S.—it is unlikely that the Soviet Union would have been so receptive to the cooperation idea.

The international impact of Apollo is only one of three major areas of benefit accruing from the successful prosecution of the program. The others, even more abstruse, are the gains in science and technology.

To the average layman, the technology benefits mean only the already-identified "spin-off." The publicized score to date fails to impress many. The reason, perhaps, is that people learn of byproducts in tiny increments, they never learn of some of them at all. Piecemeal word of a new Apollo-inspired auto ignition harness or a long-wearing paint is hardly exciting. In a great many cases, new products appear on the market without any inkling that they stemmed from Apollo research. But whether or not it is fully recognized, spin-off in the *aggregate* represents a very real, concrete dividend in terms of employment and gross national product. Its value would probably be astounding if it were possible to compute it in dollars and cents. Although a break-out figure for Apollo alone is not available, the total space program has produced more than 30,000 new inventions—products, processes, techniques and services for the betterment of human life. In today's world an ever-forward thrust in technology is essential to everything from farming and medicine to transportation and leisure.

The visible spinoff, however, is just the fraction of the iceberg that juts above the waterline. The real benefit is less tangible, it is simply the vastly increased capability of American technology. To meet Apollo's demands for incredible performance and near-absolute reliability, an army of technical personnel attacked a tremendous array of developmental problems. They found new materials, invented tools and techniques to shape them and developed thousands of items of intricate equipment. In so doing, they improved man's skills and expanded his knowledge in practically every field of technology.

COMPRESSING TECHNOLOGICAL ADVANCE

Technology builds like an inverted pyramid, each level broader than the one below, each climb to a new plateau dictated by the demands of the period. The "within the decade" schedule to which Apollo was committed forced the climb of technology at a more rapid rate; the normal technological advance of two decades or more was compressed into less than a single decade. Thus, in this brief span American technology progressed through several levels of the pyramid.

The new plateau of capability is a vast library of technological knowledge and know-how. Some of it—the visible spin-off—has already found application; these were the more readily identifiable technology transfers. Most of it has not been exploited because its potential is less conspicuous. It must be sought out, and industry, preoccupied for year with the urgent matter of developing Apollo and its equipment, has only recently begun extensive probing of the mine.

In time a torrent of new byproducts will emerge. Some of them may be broad, lifestyle-changing developments we cannot even picture today. The new level of capability is a permanent thing, a national bank of knowledge which man can draw upon to improve his way of life. Often one hears the attitude expressed: "Instead of going to the moon, why can't we solve some of our problems here on earth?" It is entirely probable, that, in going to the moon, we provided the technological base to solve many of those earth-problems, although the manner of the solution has not yet emerged.

SCIENTIFIC BENEFITS

Most abstruse of all the Apollo benefits is the area of scientific gain. The scientific benefits from Apollo come in two forms. On the one hand, there are the advances stemming from the developmental effort. Science and technology worked hand in hand probing new frontiers and the effort involved just about every scientific discipline. This was applied science. Much of the result was applied to the development of Apollo equipment, hence it became part of the technological bank. Some investigations took scientists into avenues of research not applicable to Apollo nor immediately applicable to anything else. It is there, however, a part of the national resources bank, perhaps to be utilized some day, perhaps never, but an asset nonetheless, despite its lack of tangibility.

The other form of Apollo scientific advance is the study of the moon, the pure quest of knowledge for the sake of knowledge, the desire to add to man's storehouse of learning in the hope that distant future generations may unlock the mysteries of the universe. In this respect, it often has been said by reputable scientists that Apollo produced more information than all the prior accumulation.

Apollo astronauts spent 30 full days in lunar orbit, observing and photographing. They passed 12½ days on the lunar surface, on some occasions moonwalking for seven and a half hours at a time. They took motion pictures and literally thousands of still photographs. They obtained core samples from several feet beneath the moon's surface. They left on the moon two dozen scientific experiments which will be relaying data to earth for another three years or more. And they brought home, for examination by hundreds of scientists all over the world, 841 pounds of the moon itself.

This adds up to an enormous wealth of information, but it is not yet possible to define the extent to which Apollo contributed to man's understanding of the universe. The information must be processed, analyzed, sifted, refined and restudied. Each bit of information must be fitted with others, like tiles in a grand mosaic, until there emerges a new volume of knowledge about the moon, its relationship to the other planets in the solar system and, most importantly, its relationship to Earth.

A PRICELESS BENEFIT

To those who understand man's insatiable urge to explore, to roll back frontiers in the search for human origins, to elevate man's knowledge in general so that each succeeding generation can continue the quest from a more advanced departure point—to them the scientific benefit of Apollo is priceless. To those who recognize only such benefits as can be assigned a dollar value, Apollo's scientific gain is meaningless. It is no less valuable, however, for their inability to understand it.

There is one other potential benefit, which, for lack of survey data, is really nothing more than a vagrant thought, but such a far-reaching idea that it bears mention: Did Apollo, which provided man with the first photographs of the blue planet earth taken from hundreds of thousands of miles distant, launch a "one-world" trend? A Dutch magazine recently tossed out the idea:

"Looking out from the moon desert, our planet is no larger than an oasis which floats in the universe, where there is no room for war, hunger, poverty, jealousy and endless political bickering."

If those photos of lonely earth wandering through the black of endless space planted a seed, that earth is a tiny space ship whose supplies are not replenishable and whose crew must work together for survival, that could be the greatest benefit.

The seed will need time to germinate and it will remain for another generation or another century to determine Apollo's influence in that direction. But for now, there seems little question that Apollo was well worth the effort. The project accomplished in magnificent fashion the political/diplomatic objectives set for it, it produced a flow of concrete byproduct benefits which will continue and increase in volume and value for many years to come, and it left those priceless banks of knowledge, a legacy to tomorrow's peoples.

PROPOSED DECLARATION OF CERTAIN AREAS AT FORT MEADE AS EXCESS

Mr. MATHIAS. Mr. President, I have long felt that the military budget and all defense-related programs should be examined regularly and carefully. The need for economy in all sectors of our national life has been widely recognized in recent years. Yet, in urging fiscal restraint, we have an obligation to determine not only the positive effects of cutbacks in Federal aid or land grants, but also to assess the effects of such policy in both human and economic terms.

The General Services Administration has concluded that certain training areas and gunnery ranges on Army Fort George C. Meade in Maryland to be in excess. The proposal to close these facilities is presently pending before the Real Estate Subcommittee of the House Armed Services Committee. Before acting on the GSA recommendations, I strongly urge my colleagues to review the following resolutions approved by the Maryland House of Delegates and the Maryland Senate Finance Committee. House Resolution 191, submitted by Delegate Wallace E. Hutton, and House Joint, Resolution 121, introduced by Delegates Hutton, Nichols, and Thomason, point out the adverse effects the GSA proposal would have on National Guard and Army Reserve units from Maryland, Delaware, the District of Columbia, and Pennsylvania who would be compelled to undergo long and costly travel to other training areas if those at Fort Meade were closed.

Mr. President, I ask unanimous consent that these two resolutions be included in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

HOUSE JOINT RESOLUTION No. 121

House Joint Resolution requesting that the Real Estate Sub-Committee of the House Armed Services Committee of Congress be requested to oppose the recommendations of the General Services Administration to declare the Fort George G. Meade training areas and ranges as excess, and to permit the U.S. Army to maintain the Fort Meade Reservation as it is presently constituted

Whereas, A recent study by the General Services Administration has declared 6,854 acres of Fort George G. Meade as excess; and

Whereas. This excess land includes the training and range portions of Fort Meade; and

Whereas, The Fort Meade Gunnery Ranges and training areas are in constant use by National Guard and Army Reserve units from Maryland, Delaware, the District of Columbia and Pennsylvania; and

Whereas, Closing of these facilities will require long and costly travel to other training areas as well as a loss and waste of many training hours and undue congestion of highways; and

Whereas, This decision will have an adverse impact on the military preparedness of this country; and

Whereas, The closing of these facilities will have an adverse effect on the Maryland economy; and

Whereas, The requirement to travel great distances for training adds unnecessarily to the risk of safety for thousands of Maryland residents; and

Whereas, The decision to close the Fort Meade ranges and training areas was not and is not concurred in by the military; now, therefore, be it

Resolved by the General Assembly of Maryland, That the Real Estate Sub-Committee of the House Armed Services Committee of Congress be requested to oppose the recommendation of the General Services Administration to declare the Fort George G. Meade training areas and ranges as excess, and to permit the U.S. Army to maintain the Fort Meade Reservation as it is presently constituted.

HOUSE RESOLUTION No. 191

House Resolution requesting that the Real Estate Sub-Committee of the House Armed Services Committee of Congress be requested to oppose the recommendations of the General Services Administration to declare the Fort George G. Meade training areas and ranges as excess, and to permit the U.S. Army to maintain the Fort Meade Reservation as it is presently constituted.

Whereas, A recent study by the General Services Administration has declared 6,354 acres of Fort George G. Meade as excess; and

Whereas, This excess land includes the training and range portions of Fort Meade; and

Whereas, The Fort Meade Gunnery Ranges and training areas are in constant use by National Guard and Army Reserve units from Maryland, Delaware, the District of Columbia and Pennsylvania; and

Whereas, Closing of these facilities will require long and costly travel to other training areas as well as a loss and waste of many training hours and undue congestion of highways; and

Whereas, This decision will have an adverse impact on the military preparedness of this country; and

Whereas, The closing of these facilities will have an adverse effect on the Maryland economy; and

Whereas, The requirement to travel great distances for training adds unnecessarily to the risk of safety for thousands of Maryland residents; and

Whereas, The decision to close the Fort Meade ranges and training areas was not and is not concurred in by the military: now, therefore, be it

Resolved by the House of Delegates of Maryland, That the Real Estate Sub-Committee of the House Armed Services Committee of Congress he requested to oppose the recommendation of the General Services Administration to declare the Fort George G. Meade training areas and ranges as excess, and to permit the U.S. Army to maintain the Fort Meade Reservation as it is presently constituted.

HUMPHREY BLAMES THE ENERGY CRISIS ON GOVERNMENT FAILURE TO PLAN

Mr. HUMPHREY. Mr. President, on April 18 I introduced Senate Joint Resolution 98, which could create an Emergency Fuels Allocation Board, to assure all sections of the Nation fair treatment in the allocation of increasingly scarce supplies of petroleum products.

The administration and the Congress can delay no longer in coping with the emergency fuel situation or in establishing a comprehensive national energy policy to protect us in the future.

The President's recent energy message, while describing some aspects of the energy crisis, does not go far enough in describing the nature of the crisis, or its solutions. It devotes inadequate attention to energy conservation and focuses instead almost wholly on measures to increase supplies. It fails to deal with the present emergencies in gasoline and fuel oil. It gives too little support for research to facilitate the use of presently available fuels and to develop new energy sources. While supplies must be increased, we also desperately need a new energy ethic.

In a speech to the annual meeting of National Petroleum Refiners, on April 2, 2 weeks before the President's long-awaited message, I outlined what I saw as the critical dimensions of the energy crisis. I believe this speech contains a useful framework for looking at solutions to this most critical of problems.

There being no objection, I ask unanimous consent that the text of my speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS BY SENATOR HUBERT H. HUMPHREY

I was surprised to hear your President refer to the Fair Trade Hearings back in the fifties. I thought everyone had forgotten about them.

You probably know that as a former druggist, I have always had a particular interest in the independent businessman.

Those price wars of the fifties, in gasoline marketing were ruining many of the dealers. I always felt that ending those price wars benefitted the dealers and the refiners—and the consumer as well.

Price wars that destroy the independent dealer do not promote real competition for a long period—and when competition is eliminated, the consumer is the one who pays.

Well, conditions have changed. At that time, the dealers and the refiners were faced with trouble because of surpluses. Everyone was trying to dispose of his surplus by "dumping" it somewhere else. Today, you should only have such problems.

Independent marketers are in trouble because there is a shortage of product.

Though the problem is different, the principle is the same—we must keep independent marketers and refiners in business.

One of the great strengths of the oil industry is that it is truly diversified with real marketing, and it is just as important to maintain the independent sector in times of shortage as it was in the times of surplus.

How did we all get into this fix—this shortage which is going to get worse before it gets better—this energy crisis?

Last winter, we got our first real taste of it:

Schools, factories closed in the Midwest due to lack of heating oil;

Grain shipments stranded on barges on the Ohio River;

Jet fuel so scarce that planes couldn't make nonstop flights to the West coast.

Now this summer we're about to face a gasoline shortage.

Why is this? You know the basic reason. As David Freeman of the Ford Foundation says, "The joy ride is over."

The happy era of low costs, low risks, and high benefits is over.

In terms of proven recoverable reserves;

We have 10 years of oil left and 11 years of natural gas.

On the other hand;

We have anywhere from 35 to 120 years of shale oil reserves,

And 500 years of coal.

The problem, of course, is that this nation has not bothered to develop the technology and know-how to use those resources with the greatest potential.

We are in the position of a man who is about to face starvation—who has a million dollars—but is in some foreign country that is unwilling to exchange his money for local currency. By the time he gets to another country that will cooperate, it may be too late.

How did he get in that situation?

He got there because he was off on a joy ride, not paying attention to where he was going.

There are two reasons why there has been inadequate planning in this area:

The first is that energy policy is a more complicated business than almost any other area of our economy or government.

It is an incredible mix of technology, economics, trade, political policy, foreign relations and consumer economics.

The second reason is that we in government and the people have not seemed to believe in long-range planning in the domestic area. The ideology of the free market-place is so pervasive that the idea of trying to plan for a balance of supply v. demand in energy resources cannot really get off the ground.

We direly need a national energy policy. But I am frankly skeptical that this Administration will give us one.

What should be the elements of such a policy? First, let's take a hard look at the factors which have conspired to change our nation's energy picture.

We are using up a finite resource at a geometric rate.

Between 1940 and 1965, the consumption of energy in the U.S. doubled.

If the present trends continue, consumption could double again by 1980. The rate of energy consumption increased twice as fast in 1972 as it did in 1971.

The result of all this is:

In 1962, we had 3 million oil barrels a day extra or spare producing capacity. In 1972 we had none.

In 1972 we imported some 30 percent of our oil. By 1980 it will be in the neighborhood of 60 percent.

We have been using twice as much natural gas as we can find. At that rate, we could be short ten trillion cubic feet of gas in 1980.

In the face of such galloping consumption, we are failing to develop new resources.

For the first time in many years, there is not one single new refinery under construction in the United States. Yet, they are sprouting like mushrooms in Canada and the Caribbean.

The number of natural gas wells drilled per year has declined from almost 5500 to less than 3300.

Less than two percent of the near-shore part of the Outer Continental Shelf has been leased for development.

All this adds up to a growing gap between supply and demand—a gap that is being met by imports.

No matter how many new energy resources we develop in the next few years, and no matter how much we conserve energy, we are going to have to import increasing amounts of oil and gas.

If there were ever a set of statistics that was calculated to scare us into action, this is it. I am firmly convinced that we must do some of the hardest thinking we have done since the Manhattan project about our energy situation. Such thinking should be predicated on the following conclusions of a Senate study on energy policy.

First, a heavy and growing dependency on imported fuels is inevitable until at least 1985 or 1990.

The growth of these imports presents real security issues. It is no longer to be regarded as a scare tactic invented by the oil industry and the State Department.

Where was the Nixon Administration in looking ahead to this danger? I'll quote you from the Cabinet Task Force in 1969: "The risks to security from interruptions of oil supply do not, in the main concern any danger to the functioning of the nation's armed forces."

Yet, today, the U.S. has no reserve supply of producing capacity as it did during earlier Mid-East crises of the 1950's—nor significant oil storage capacity. Isn't that relevant to the functioning of our armed forces?

The recent effectiveness of the cartel of petroleum exporting countries, and explicit threats by many of them, have raised the distinct possibility of a general or selective embargo by the Organization of Petroleum Exporting Countries (OPEC)—and a sharp rise in crude oil prices.

A second conclusion of this study is that the balance of payments burden of energy imports will be staggering. Respected economists project the net foreign exchange burden to the U.S. of energy imports as high as $10 billion per year in 1980.

The impact would be even greater if we were forced to import more costly energy than crude oil—such as refined products and liquified natural gas (LNG).

The tendency to import refined products—as opposed to crude oil—from foreign refineries—is therefore to be deplored, not only for the higher cost, but also because of the greater national vulnerability it creates.

The billions in dollar cash assets that would accrue to the sheiks of Arabia and other nations are most likely to be used for international political leverage than for meeting their nation's urgent domestic needs.

The fact is that the relatively low cost and vast supply of oil imports makes them increasingly appealing. Though the price of foreign crude has risen sharply, it is still cheaper than producing new domestic crude—excepting the Alaska pipeline, which would be cheaper. If our only concerns were consumer price and environmental impact, the complete decontrol of oil imports might be dictated.

However, the price of crude is not our only concern.

We are also concerned about the price of our national security.

Now the threat of an embargo is a relatively remote one. The economies of mideast countries are tremendously dependent on the western countries and Japan. More than half the GNP of Saudi Arabia and other countries depend on selling oil to us.

Nevertheless, we must integrate our energy needs into our foreign policy considerations Some would advocate joining with other consuming nations, to present a consumer bloc that can stand up to OPEC. Let's face it, when it comes to oil, it's a sellers market. We pay or we go without.

Clearly, there are real complications in developing any such strategy to counter the power of the exporting nations' cartel. Oil companies are limited in what they can do. The benefits to an individual company from resisting OPEC demands are limited and uncertain, whereas the risks are large.

Therefore, we must examine alternatives and forge new strategies—a national strategy.

One thing is sure—the absence of clear legislative authority for the oil import program, the general practice of deciding import matters on an ad hoc basis, and the drift in administration of the existing program, all add up to uncertainties that deter investment in the energy economy, particularly in refineries.

A consistent and equitable import policy for all sectors of the energy industry and the consumer is badly needed.

The increasing difficulty with the import system is not only due to confused administration.

It is due to a lack of comprehensive planning for development of new energy resources.

It is this lack of alternative energy sources which is making the import-quota system crack under the pressure of demand.

If we had looked ahead 10 years ago, we would have seen this coming.

We still haven't learned our lesson.

I see no evidence from the President's proposed 1974 budget of an adequate expenditure for research and development of new energy sources.

The emphasis on pinning most of our hopes on a fast breeder nuclear reactor is dangerous. I hope it will turn out successfully. But penny-pinching on the other alternatives is disastrous.

We need more exploration and discovery of natural gas.

There is a real shortage of natural gas on the market despite rapidly increasing gas prices. Why? In part, because of the regulation of the price of gas at the wellhead.

But also because of the uncertainty of our policies. Will the FPC deregulate or won't it?

The Administration has been making us breathless with anticipation, waiting for an energy message which would lay out some consistent, equitable policies. Its continual delay has only added to the problem.

What about oil shale? Federal lands contain about 600 million barrels of recoverable oil in this form.

Yet we have spent almost nothing to develop the technology needed to make this oil economically available and environmentally acceptable. As a matter of fact, last year the Administration spent only $2.5 million on oil shale research.

We are fortunate in having enormous coal resources.

But we spend a tiny fraction of the federal budget developing coal gasification techniques.

And, only $2.5 million was spent last year for geothermal development. Compare this figure to the $25 billion the federal government has spent to develop nuclear reactors since World War II, which has produced less than 2 dozen working powerplants.

Solar energy is another great potential energy source that has been ignored in the federal R&D budget. Even the National Petroleum Council stated, "Had it not been for an abundance of fossil fuels—coal, oil, and natural gas—we might today have a 'Solar Energy Economy' just as effective and efficient as our 'Fossil Fuel Economy.'" Yet, only $4 million was devoted to solar energy in last year's budget.

This government has done little to develop a wide range of new energy sources.

It has done even less to promote energy conservation.

This nation must start thinking about a comprehensive energy-conservation program. About:

Mass transit—buses as well as rail. An average of four out of five seats on buses are empty.

Creating incentives to industry and individuals to conserve and share energy—such as higher tolls for single-passenger cars, special lanes for buses and car pools, computerized car-pool information exchanges. If we could put two people instead of one in each car, we could cut gasoline consumption, travel time and pollution in half.

Taxing giant gas-guzzling cars, or better yet, cutting back on horsepower.

Marginal cost pricing by utilities, so that larger users pay to reflect real cost; and so that peak-hour demand is priced higher.

Labeling of appliances to show their energy efficiency and consumption.

The urgency of formulating a national energy policy, and the many dimensions of such a policy—cutting across economic, international and social spheres—calls for the creation of a new entity to formulate policy in this area—and to assure action.

Energy policy is presently in a no-man's-land as far as the present bureaucracy of the federal government goes. We must immediately establish a National Energy Resources Agency, empowered to plan, to authorize research, to direct all energy development and conservation policies.

I will, in the near future, be proposing a Balanced National Growth and Development Act, which would create an Office of Balanced National Growth and Development in the Office of the President.

It would create a similar mechanism in the Congress. Such an Office would restructure the domestic policy activities of the executive and legislative branches around the key issues of national growth.

At present, there is no more pressing issue than that of balancing our growth in energy consumption with a quest for new energy resources.

Yet, the various proposals I hear, for modifications of present regulations and laws are, frankly, inadequate to the monumental challenges we face.

A balanced growth policy for the nation would do more than balance off energy consumption against demand, although it would have that as a major goal.

Such a policy would also develop economic and social balance in other aspects of our lives. It would help us define goals, set priorities, direct our resources to:

Develop rural areas. Today, 70 percent of the people are crammed onto 2 percent of the land. This cannot and must not continue.

Rebuild our cities. Make them comfortable, safe, livable. Urban sprawl is ugly, wasteful, and costly. Urban decay is at the very center of our social problems of crime, slums, disease, welfare and congestion.

We spend increasing parts of our lives lurching back and forth—from downtown office to suburban home during the day.

If we had a balanced growth policy, which, aimed at creating livable communities where working and shopping and living and recreation were all reasonably nearby—we would conserve a lot of energy, and we might all lead less frazzled, fragmented lives.

Planning is no longer a dirty work, or an academic subject. It is survival. It is essential for an urbanized, industrialized, mechanized society. We can no longer ignore the facts of our national economy. We do face an immediate and long-term crisis in energy, in transportation, in resource conservation and development. We can't wish it away. It will get worse unless we act now.

And no one industry, company, bank, or conglomerate can save us. It will demand the best of government and the private sectors—working in partnership.

DISASTROUS EFFECTS OF INFLEXIBLE "SPEEDY TRIAL" PROCEDURES

Mr. HRUSKA. Mr. President, the Subcommittee on Constitutional Rights held additional hearings shortly before the Easter recess on S. 754, the speedy-trial bill of 1973. All members of this subcommittee fully support the concept of speedy justice, but the witnesses heard raised serious questions concerning the mandatory-dismissal provisions and fixed time limits of the subject bill.

Testimony indicated that it would be impossible to predict the full extent of the tremendous burden which would be placed upon our system of law by these inflexible provisions of S. 754. It was urged by witnesses that action be deferred until sufficient time had passed to properly assess the impact of the more moderate new Federal court rule, rule 50(b) of the Federal Rules of Criminal Procedure, upon the judicial system. Rule 50(b), which directly addresses the problem of speedy trials, required each district court to formulate individual plans setting time limits for the pretrial, trial, and sentencing stages of a criminal proceeding. These plans have been in effect in the various districts since the beginning of this year.

Already some of the effects of 50(b) are becoming apparent.

It is ironic that today, as we celebrate the values and vitality of our system of law, that the interests of speedy trial have had an adverse effect upon the litigation of civil actions in one of the most populated Federal judicial districts in our country. It is a vivid reminder that. in our legislative deliberations of the speedy-trial issue, we must be mindful of our obligations to the interests of society as well as to that of the criminally accused.

Chief Judge Robson of the U. S. district court for the northern district of Illinois has declared that today all judges of his court will suspend the trial of civil cases until the disposition of criminal cases pending more than 90 days. This drastic action is necessary, he says, to meet the emergency created by the deadlines of the district's plan under rule 50(b). This action, taken in the interest of justice to the criminal defendant, means the sacrifice or at best the delay of justice to civil petitioners in Chicago, its suburbs, and the nearby counties.

The delay of civil justice in the Federal courts costs not only the corporate giants, but bears far more upon the individual petitioner—the victim of an automobile accident, the injured seaman, one deprived of civil rights, and others bringing actions under Federal statutes.

If the rule 50(b) plans—flexible, tailored to the needs of each district—can yield such calamitous results in Chicago, which ironically has led the Nation in the disposition of civil cases, what can we expect of an S. 754, which would reach into every district? This, the Speedy Trial Act, would impose uniform, inflexible time limitations, as if the criminal justice system were an abstraction. When reality intrudes, however, will we see the courtrooms closed to civil litigants throughout the Nation in response to this well-meaning measure? I daresay we would see it happen everywhere. Will we then suspend the trial of criminal cases to catch up with the civil backlog? I should think so. And what would we do next in the face of the paralysis and collapse of the system? Perhaps, then, Mr. President, we would face up to the need for fundamental reform of our system of justice: basic reform, not oversimplified, indeed procrustean devices aimed to reach easily a goal that is extremely difficult if not impossible to reach in the fullness of the ideal.

Mr. President, I ask unanimous consent that the text of Chief Judge Robson's statement be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD as follows:

STATEMENT OF CHIEF JUDGE EDWIN A. ROBSON

Effective May 1, 1973, each judge of this District Court will suspend the trial of all civil cases on his calendar until all triable criminal cases pending for more than 90 days have been disposed of. This is an emergency measure and needed to meet the increase of indictments that have been returned since the opening of court in September of 1972.

In July of 1972, Rule 50(B) of the Federal Rules of Criminal Procedure went into effect. This rule required "each District Court to prepare a plan to minimize undue delay and further the prompt disposition of criminal cases." Each district was directed to provide time schedules governing the disposition of criminal cases. Each of the chief judges of the respective districts in this circuit met and formalized a plan to meet the requirements of the rule. The plans were submitted to the Judicial Council of the United States Court of Appeals for the Seventh Circuit and with revisions approved by them. They became effective on January 30, 1973, and in essence provide that where a defendant pleads not guilty he shall be brought to trial within 90 days when he is held in custody, or within 180 days when he is not in custody. The defendant shall ordinarily be sentenced within 45 days of his conviction or plea of guilty or nolo contendre. The judges of the United States District Court for the Northern District of Illinois have been working diligently to meet this schedule but because of the large number of indictments returned, we now find that this emergency measure is necessary to meet the requirements of the schedule.

We are all aware of the vital interest of the Chief Justice of the United States Supreme Court, Warren E. Burger, in the trial and disposition of criminal cases. He has often stated that unless there are extraordinary problems, the average criminal case should be tried within 90 days after the arraignment and plea. A further indicator of the concern for criminal justice is the bill introduced in the United States Senate in February of this year by Senator Sam J. Ervin. Among other things, it would require district courts to establish plans for trying criminal cases within 60 days of arrest or receipt of summons.

This court has led the nation for a number of years in the disposition of civil cases. For the fiscal year ending June 30, 1972, 10% of the civil cases were disposed of in one month or less after filing, 50% in six months or less, 75% in 18 months or less, and 90% in 22 months or less.

While we have not led the nation in the trial and disposition of criminal cases, we are above the average. It must be kept in mind that a very high percentage of the criminal indictments returned involve complex charges and numerous defendants. This is in sharp contrast to most of the other districts in the country where most indictments are simple. It should be obvious to all who follow the news media that a substantial proportion of the indictments that have been returned in the past year have dealt with corruption in government. We have had sitting at all times approximately eight regular grand juries and two or more special grand juries. At the present time, hearing evidence are four regular grand juries and four special grand juries. James R. Thompson, U. S. Attorney, has announced that he expects to have many more indictments returned in the near future which will involve governmental officials. Such indictments lead to long and extensive trials which use the time of judge and counsel at a higher rate than average. Even when they do not go to trial the time required to go through the initial motions is generally far longer than normal. This inevitably delays other criminal and civil cases on the docket.

There are now pending before the judges of this court 166 cases that are older than 120 days. The U. S. Attorney's office has agreed to cooperate with the judges in bringing these cases to immediate trial. As soon as any judge disposes of his backlog, he will be free to try civil cases. It will be our objective to minimize as much as possible the impact of this emergency measure on the disposition of civil cases—pretrials will continue, motions will be heard and disposed of. Approximately 90% of the civil calendar is settled before trial, 10% not disposed of will be affected by this measure.

Our judges have always been willing to meet any challenge to justice. The criminal docket is such a challenge. The rules require that criminal cases be given precedence, therefore, we must suspend the trial of civil cases until the emergency has been overcome.

ADMINISTRATION'S FARM MAY COST MINNESOTA $800 MILLION IN ECONOMIC ACTIVITY

Mr. HUMPHREY. Mr. President, I have today released a Senate Agriculture and Forestry Committee staff study indicating that Minnesota could lose $800 million in economic activity if the administration's new farm program is enacted.

The study was prepared at my request to appraise the effect of the administration's farm program on my State. Agriculture Committee members, of which I am one, began mark-up hearings on the farm bill today.

The study indicates that wheat and feed grain producers would be most severely affected.

Of the more than 117,000 farms in the State during 1971, over 95,000 participated in the feed grains program and about 42,000 in the wheat program.

In 1972 total Federal payments to Minnesota wheat and feed grains producers amounted to $165.6 million and represented 33 percent of their total income from such crops—which was $496.7 million.

The administration's program calls for the total elimination of supplemental income payments under these programs.

The study also states that if the dairy price support laws were lowered below the minimum 75 percent of parity now in the law, as recommended by the Secretary of Agriculture, that "severe dislocations could occur" in the dairy industry.

The report states:

> The phasing out of payments for feed grains and wheat and undesirable changes in the dairy program would have a very severe adverse effect on producers of these commodities and ultimately on the producers of other commodities.
>
> Minnesota farms can be characterized as family-type farms with the operators depending largely upon farm income for most, if not all, of their income.
>
> The economic dislocation and resource adjustments that necessarily would have to take place on these family farms would be of major magnitude.
>
> Farm programs do provide some price and income protection to farmers. In addition, they also generate substantial economic activity in local communities.
>
> Therefore, the loss of payments and other assurances now provided farmers would also have a very severe adverse impact on the many local communities which depend heavily on agriculture for their economic activity.
>
> Further, the phasing out of bases and land allotments would have an adverse impact on land values.

Mr. President, I believe this report deserves careful study. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON AGRICULTURE
AND FORESTRY,
Washington, D.C.

To: Senator Humphrey.
From: Henry Casso.
Date: April 27, 1973.
Subject. Appraisal of the Administration's Farm Proposal As It Affects Minnesota.

This is in response to your request for an economic appraisal of the Administration's farm proposal as it may affect Minnesota.

In his appearance before the Senate Committee on Agriculture and Forestry on March 29, 1973, the Secretary of Agriculture made the following recommendations:

RECOMMENDATIONS

"First, income supplement payments, payments that exceed the amount necessary to achieve set-aside or production adjustment objectives, should be phased out over a 3-year period. The 3-year period would provide an orderly transition and give farmers a specific time in which to make their long-range plans as they shifted their income dependence to growing market demand.

"Set-aside payments for production adjustment would continue as needed to prevent surplus accumulations. However, the mandatory requirement for making payments regardless of the amount of land set-aside, should be modified.

"Second, as the income supplement payments are being phased out at the end of three years, we recommend a shift in the fourth year from the present outdated allotments and bases to a new cropland base. This would broaden the set-aside concept by basing production adjustment, as needed, on total crop acreage rather than limiting the adjustment to historical acreages of certain crops.

"The set-aside requirement in a given year would be a percentage of the cropland base established for each farm. The payment rate per acre would be set at a level needed to get the total set-aside acreage required to meet the production adjustment goal.

"Third, the basic payment limitation of $55,000 should apply to income supplement payments only during the 3-year phase-out. The payment limit . . . as it applies to income supplements . . . should be reduced over the 3-year period in proportion to the reduction in income supplement payments.

"To function, set-aside payments for production adjustment should be excluded from the $55,000 limitation. In the effort to rent land to adjust production, a payment limit would be counter productive in that acreage where payments are above the $55,000 level would be arbitrarily forced into production and excluded from the set-aside. We intend that this would be included in the legislation for set-aside production adjustment payment even during the 3-year phase out of income supplements.

"Fourth, with respect to the dairy program, we recommend that the 75 percent of parity minimum price support level be removed to give greater ability to respond to changing conditions. We also recommend that the 1970 Act provisions, which temporarily suspend the requirement for direct support on butterfat, be made permanent. However, we do not believe that a comparable case can be made for a permanent Class I Base Plan.

"Fifth, the Secretary should have discretionary authority to set payments for wool and mohair at levels he determines necessary to meet income and other program objectives.

"There are other provisions of the Act that can be improved from the standpoint of the future of agriculture and in the best interests of the program's operations.

"Though not included in the 1970 Act, the peanut, rice, extra long staple cotton and possibly the tobacco programs, are in need of careful review. These programs should be more in line with the other major commodity programs by allowing adjustments to meet changing conditions and by permitting farmers to capitalize on expanding markets. We are exploring alternatives to the present programs and hope to work with farmers and with this Committee in working out acceptable program changes."

The Secretary also indicated that rigid payments and price guarantees prevent the programs from being as effective as they should be to meet changing conditions and that these guarantees lessen the ability of farmers to make decisions based on changing markets.

Whether these price guarantees refer to loan levels is not made clear in the statement.

However, under existing law in the case of wheat, the loan level cannot be less than $1.25 per bushel; in the case of corn, not less than $1.00 per bushel and other feed grains in relation to corn; the support price for shorn wool shall be 72 cents per pound, grease basis; the support price for mohair shall be 80.2 cents per pound, grease basis; and price supports for the dairy program shall not be less than 75 percent of parity. Price supports for soybeans shall not be in excess of 90 percent of parity.

It is apparent, therefore, if the Administration's proposal were accepted that loan levels for commodities covered by the Agricultural Act of 1970 would be at existing levels or lower and that allotment and bases, as well as income supplement payments for feed grains, wheat and cotton would be phased out completely after three years. It appears further that price support levels for dairy products would be lowered below the minimum 75 percent of parity now in the law.

MINNESOTA AGRICULTURE

According to the United States Department of Agriculture, Minnesota in 1973 had a total of 117,000 farms with an average size of about 261 acres per farm (Table 1).

A breakdown of census data shows that about 64.5 percent of the farms in Minnesota were less than 260 acres in size and about 35.4 percent of the farms were in excess of 260 acres in size. Census data also show that 65.8 percent of the total land in farms in Minnesota were on those farms of more than 260 acres in size, while only 34.1 percent of the total land in farms were on those farms of less than 260 acres (Table 2).

Census data also show that 51.3 percent of the farms in Minnesota had gross sales of less than $10,000 per farm. About 42 percent of the farms had gross sales of from $10 to $40 thousand and only 6.6 percent of the farms had gross sales in excess of $40,000 per farm (Table 3).

From the census we also find that the 42 percent of the farms with sales of between $10 and $40 thousand accounted for 52.8 percent of the total value of agricultural products sold in Minnesota. The 51.3 percent of the farms with sales of less than $10,000 per farm accounted for 13.2 percent of the total value of agricultural products sold. On the other hand, the 6.6 percent of the farms with sales in excess of $40,000 per farm accounted for 34 percent of the total value of agricultural products sold in Minnesota (Table 4).

Measured on the basis of cash receipts from sales of principal farm products, agriculture in Minnesota is highly diversified although the importance of livestock and products far outweighs that of crops. Of total farm cash receipts of about $2.4 billion from sales of farm products in 1972 all livestock and products accounted for about 68 percent, while crops accounted for about 32 percent. Cattle and calves are the principal commodities with sales in 1972 of about $673 million, dairy products is next with sales of about $481 million, followed by hogs with $324 million, and poultry and eggs with $133 million.

Total cash receipts from sales of crops in 1972 amounted to about $775 million. Soybeans was the number one crop with cash receipts of about $253 million, followed closely by corn with $224 million. Cash receipts from sales of wheat accounted for about $82 million. Cash receipts from sales of crops included in the Agricultural Act of 1970 amounted to about $332 million or 43 percent total sales of all crops (Table 5).

In 1972 about 5.7 million acres of corn and barley were harvested in Minnesota. Also another 1.5 million acres of wheat were harvested. These crops are covered by the Act of 1970. Soybean acreage harvested in 1972 amounted to about 3.3 million acres, while oats accounted for about 2.4 million acres (Table 6).

According to the Statistical Reporting Service of the United States Department of Agriculture, there are now 117,000 farms in Minnesota. Utilizing data available from the Agricultural Stabilization and Conservation Service of the Department, we find that in 1971 over 95,000 farms participated in the feed grain program and about 42,000 farms participated in the wheat program. The 1971 programs did not include barley but the 1972 and 1973 programs did. In 1972 about 19.7 thousand farms with barley bases, totaling about 1 million acres did participate in the program. These are the crops covered by the Agricultural Act of 1970.

Of those farms participating in the program in 1971, about 65.5 percent had feed grain bases of from 30 to 200 acres and 30.3 percent had bases of less than 30 acres. In the case of wheat only 4.9 percent of the farms had bases in excess of 30 acres, while 95.1 percent of the farms had bases of less than 30 acres (Table 7).

IMPACT OF ADMINISTRATION'S PROPOSAL ON MINNESOTA'S FARMERS

In 1972 total payments to Minnesota's producers under the feed grains and wheat programs amounted to $165.6 million. Of this feed grains accounted for about $147.8 million and wheat for about $17.8 million (Table 8).

It is evident, therefore, that the payment requirements of the 1970 Act are extremely important to Minnesota farmers and the loss of this income would have a very severe adverse impact.

FEED GRAINS

The impact of the phase out of the program payments and bases for feed grains would have a very severe impact on the 95,350 producers who participated in the program. Last year Minnesota produced about 489 million bushels of corn and barley which are included in the 1970 Act. Although only part of this was marked as grain, cash receipts from the sale of feed grains amounted to $250 million. And government payments amounted to $147.8 million, and as a result, government payments to producers accounted for about 37 percent of the total cash income from sales of these feed grain crops.

It is evident that the present feed grain program is of substantial benefit to the farmers of Minnesota and the loss of this payment income would have a substantial adverse effect on these feed grain producers.

WHEAT

Wheat is also a major crop in Minnesota. Last year almost 1.5 million acres were harvested and production amounted to nearly 50 million bushels. Cash receipts from the sale of wheat amounted to $81.1 million and payments to wheat producers who participated in the program accounted for $17.8 million, or about 18 percent of the total cash income from sales of wheat. Loss of this payment income to the producers of wheat in Minnesota would also be especially difficult to overcome.

SIZE OF PAYMENTS PER FARM

Almost 96 percent of the farms in Minnesota participating in the 1972 feed grain program received payments of less than $5,000 per farm and about 54 percent received payments of less than $1,000 per farm.

In wheat, 99 percent of the farms received payments of less than $5,000 per farm and about 92 percent received payments of less than $1,000 per farm (Table 9).

It is evident that Minnesota bases and allotments upon which payments are made to producers are predominantly small, but it should also be noted that loss of the payment income to producers in Minnesota on even the largest of farms would be extremely difficult to overcome under existing cost-price relationships. For example, the average price received by farmers for corn in Minnesota in 1972 average $1.15 per bushel, and for barley 94 cents per bushel and for wheat $1.73 per bushel. But it should also be pointed out that with the exception of corn prices in the year of the 1970 blight the 1972 prices are higher for any of the commodities mentioned than in any recent year. (Table 9).

DAIRYING

The dairy industry is second to only cattle and calves as a source of cash receipts from sales of agricultural commodities in Minnesota and in 1972 accounted for $480.7 million. Existing price support programs for milk provide for a minimum of 75 percent of parity for manufacturing milk. This year 75 percent of parity amounts to $5.29 per hundredweight. If the dairy price support laws were changed to lower the level as recommended by the Secretary of Agriculture, it could have an adverse impact on the dairy industry in Minnesota. While at the present time market prices are higher than in recent years, the fact remains that production costs in dairying have increased materially. Last year Minnesota produced about 9.2 billion pounds of milk, about 90 percent of which goes into manufacturing purposes. Without some reasonable assurance of nationwide price guarantees, severe dislocations could occur in the dairy industry in Minnesota.

GENERAL

The phasing out of payments for feed grains and wheat and undesirable changes in the dairy program would have a very severe adverse effect on the producers of these commodities and ultimately on the producers of other commodities. Minnesota farms can be characterized as family-type farms with the operators depending largely upon farm income for most, if not all, of their income. The economic dislocations and resource adjustments that necessarily would have to take place on these family farms would be of a major magnitude. Farm programs do provide some price and income protection to farmers. In addition, they also generate substantial economic activity in local communities. Therefore, the loss of payments and other assurances now provided farmers would also have a very severe adverse impact on the many local communities which depend very heavily on agriculture for their economic activity.

Furthermore, the phasing out of bases and allotments would have an adverse impact on land values. Farmers have been able to use the increasing value of land as collateral for additional credit which is so sorely needed in today's farm operations. For example, on a nationwide basis in just the last decade the use of credit by farmers has increased by over 250 percent.

There are many estimates of the multiplier effect of dollars earned in farming. If a multiplier effect of 5 is used, the loss of payments in Minnesota alone could amount to losses of about $800 million in economic activity.

TABLE 1.—*Minnesota, 1973*

Number of farms	117,000
Land in farms	30,500,000
Average size of farms	261

SOURCE.—SRS, USDA, April 1973.

TABLE 2.—MINNESOTA, 1973 (117,000 FARMS) PERCENTAGE OF FARMS AND PERCENTAGE OF TOTAL LAND IN FARMS IN EACH SIZE CLASS OF FARMS[1]

Size of farms (acres)	Percentage of farms	Percentage of total land in farms
1 to 9	2.7	(2)
10 to 49	5.8	0.7
50 to 69	2.3	.5
70 to 99	8.7	2.7
100 to 139	9.5	4.3
140 to 179	16.5	10.0
180 to 219	9.1	6.9
220 to 259	9.9	9.0
260 to 499	25.7	34.8
500 to 999	8.1	20.3
1,000 to 1,999	1.5	7.3
2,000 and over	.1	3.4
Total	[3]99.9	[3]99.9

[1] Census percentage applied to 1973 numbers.

[2] Less than .01 (actually 0.03).

[3] Does not add to 100 percent because of rounding.

TABLE 3.—*Minnesota,[1] percentage of farms by value of products sold*

Value of sales:	
Under $2,500	20.4
$2,500 to $4,999	12.0
$5,000 to $9,999	18.9
$10,000 to $19,999	24.5
$20,000 to $39,999	17.6
$40,000 to $99,999	5.5
$100,000 and over	1.1
Total	100.0

[1] From Census of Agriculture, 1969 April 1973.

TABLE 4.—*Minnesota,[1] percentage of total value of agricultural production sold by farms by category*

Category—Value of agricultural products sold by farms having sale of:	
Under $2,500	1.6
$2,500 to $4,999	2.8
$5,000 to $9,999	8.8
$10,000 to $19,999	22.4
$20,000 to $39,999	30.4
$40,000 to $99,999	20.0
$100,000 and over	14.0
Total	100.0

[1] From Census of Agriculture, 1969 April 1973.

TABLE 5.—*Minnesota farm cash receipts from sales of principal farm products, 1972*

Crops:	
Included in the 1970 Act:	
Corn	$224,100,000
Barley	25,900,000
Wheat	81,900,000
Other Principal Crops:	
Soybeans	253,200,000
Oats	35,600,000
Sugar Beets	27,600,000
Vegetables	58,200,000
Hay	23,500,000
Livestock and Products:	
Cattle and Calves	672,900,000
Hogs	323,900,000
Dairy Products	480,700,000
Poultry and Eggs	133,200,000
All Crops	774,776,000
All Livestock and Products	1,634,977,000
Total	2,409,753,000

TABLE 6.—MINNESOTA, ACREAGE HARVESTED AND PRODUCTION OF PRINCIPAL CROPS, 1972

Crops	Acreage harvested	Production
Corn (for grain) (bushel)	4,899,000	455,607,000
Barley (bushel)	790,000	33,970,000
Wheat (bushel)	1,498,000	49,292,000
Soybeans (bushel)	3,325,000	93,100,000
Oats (bushel)	2,440,000	124,440,000
Sugar beets (tons)	111,700	1,559,000
Hay (tons)	3,020,000	8,163,000

TABLE 7.—MINNESOTA, PERCENTAGE OF FARMS PARTICIPATING IN THE 1971 FEED GRAIN AND WHEAT PROGRAMS BY SIZE OF BASES OR ALLOTMENTS[1]

Size (acres)	Percentage of farms[2]	
	Feed grains	Wheat
0.1 to 10	7.82	84.26
10 to 15	5.62	5.55
15 to 30	16.87	5.28
30 to 50	18.44	2.92
50 to 200	47.06	1.88
200 to 500	3.91	.10
500 to 1,000	.25	(3)
1,000 and over	.02	(4)
Total	99.99	99.99
Number of farms participating	95,350	41,646

[1] The 1971 program did not include barley while the 1972 and 1973 programs do. In 1972 about 19.7 thousand farms with barley bases totaling about 1,000,000 acres participated. No frequency distribution as to base sizes available.

[2] Does not add to 100 percent because of rounding.

[3] Less than 0.01.

[4] None.

Table 8.—Minnesota government payments on program crops, 1972

Feed Grains[1]	$147,822,897
Wheat	17,757,632
Total	165,580,529

[1] Includes corn, sorghum grain and barley.

TABLE 9.—MINNESOTA PROGRAM PAYMENTS, 1972, PERCENTAGE OF FARMS RECEIVING PAYMENTS BY SIZE OF PAYMENTS

Size of payment (class)	Percentage of farms in each class[1]	
	Feed grains	Wheat
0 to $100	5.10	36.14
$100 to $500	26.69	47.49
$500 to $1,000	22.05	7.96
$1,000 to $2,000	22.97	4.45
$2,000 to $5,000	18.64	3.03
$5,000 to $7,500	2.94	.54
$7,500 to $10,000	.91	.20
$10,000 to $15,000	.49	.11
$15,000 to $20,000	.13	.04
$20,000 to $30,000	.06	.02
$30,000 to $35,000	.01	(2)
$35,000 to $40,000	(3)	(2)
$40,000 to $45,000	(3)	(3)
$45,000 to $50,000	(3)	(2)
$50,000 to $55,000	(2)	(2)
Total	99.99	99.98

[1] Does not add to 100 percent because of rounding.

[2] None.

[3] Less than 0.005.

TABLE 10.—MINNESOTA, AVERAGE PRICES RECEIVED BY FARMERS FOR SELECTED CROPS

[Dollars per bushel]

Crop	1968	1969	1970	1971	1972
Corn (grain) (bushel)	1.03	1.05	1.18	1.01	1.15
Barley (bushel)	.82	.80	.93	.84	.94
Wheat (all) (bushel)	1.34	1.46	1.59	1.37	1.73
Oats (bushel)	.55	.61	.59	.56	.64
Soybeans (bushel)	2.45	2.37	2.79	3.08	3.45
Flaxseed (bushel)	2.85	2.45	2.49	2.44	2.80

Source: SRS, USDA.

WILLIAM BENTON

Mr. METCALF. Mr. President, I join with my colleagues in commemorating William Benton. His accomplishments are well known: former Senator from Connecticut, publisher, vice president and benefactor of a university, statesman. The list is a catalog of life lived to the fullest, of versatility, of diligence, and above all, of excellence.

His passion for education led him to the University of Chicago and the Encyclopaedia Britannica. His sense of duty took him to the State Department and the U.S. Senate. His love of country and its ideals gave us the Voice of America. His concern for humanity brought the establishment of UNESCO.

When I was a Member of the House of Representatives and assigned to the Committee on Education and Labor it was my good fortune to work closely with Mr. Benton on proposals for Federal aid to education. His knowledge of educational problems and his enthusiasm for Federal support of education contributed substantially to the early legislation. As a pioneer supporter of education from the Federal level he was responsible for much of the legislation in this area that eventually evolved.

I am proud to recall that Montana had some small part in the development of this remarkable man. Although he was born in the Midwest and lived in the East for most of his life, Bill Benton homesteaded in the rolling prairies of eastern Montana.

I am sure that his independent spirit was forged in that stern and precarious life and that he took the breadth of his vision from the vast horizons of the Big Sky Country.

FOREIGN TRADE AND INVESTMENT ACT OF 1973

Mr. HARTKE. Mr. President, as sponsor of the Hartke-Burke Foreign Trade and Investment Act of 1973, I have consistently tried to keep the debate open on trade matters. The administration has finally sent us its recommendations for trade legislation, and I welcome this move because we may now discuss these questions in committee and hopefully pass a meaningful trade bill as soon as possible.

Mr. President, I am very pleased that the distinguished chairman of the Ways and Means Committee of the House, Mr. MILLS, will begin hearings on trade matters May 7. Because under our Federal system the House is charged with tax matters, it is correct for the Ways and Means Committee to first take up trade questions. We all know that a great deal of our trade problems are caused by an inequitable tax system which grossly favors our large multinational corporations.

Mr. President, I would remind my colleagues that trade legislation is a top priority in this current session of Congress, and with that in mind I think it is incumbent upon all of us to study the issues thoroughly in order that we may act wisely.

James L. Rowe, Jr., has written a timely and informative article in the Washington Post about the differences between the administration bill and my own. I ask unanimous consent that the article by Mr. Rowe be printed in the RECORD so that my colleagues may further understand the issues we face.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EFFECT OF NIXON'S FOREIGN INCOME TAX PROPOSALS DEBATED

(By James L. Rowe Jr.)

The President's proposed changes in the tax treatment of income earned by foreign subsidiaries of U.S. corporations represents, in the words of one Treasury expert, a "minimum position."

The President's proposals, contained as part of his broad trade legislation went to Congress last week, stopped far short of the sweeping revisions called for by organized labor and contained in the Burke-Hartke bill, reintroduced in January in both the House and the Senate.

Organized labor has contended that U.S. tax treatment of foreign-earned income encourages American companies to produce abroad rather than at home with the consequent "export" of jobs.

The President, in the message accompanying his proposed legislation, said, "Our income taxes are not the cause of our trade problems and tax changes will not solve them." However, he said, "In certain specialized cases, American investment abroad can be subject to abuse." To correct those abuses, the President proposed that:

American companies taking advantage of foreign offers of tax holidays should have their income taxed when the income is earned, rather than when the profits are returned to the U.S., as they are now.

Companies which build plants abroad expressly for the purpose of reexporting products back to the United States also should be subject to U.S. taxes when they earn the income rather than when they repatriate the profits.

The President also said there are "situations in which American companies so design their foreign operations that the United States Treasury bears the burden when they lose money. Yet, when that same company make money, a foreign treasury receives the benefit of taxes on its profits."

Treasury Secretary George P. Shultz told newsmen that such situations occur in oil exploration. When a company drills for wells, it runs up expenses without any incoming revenue and uses these expenses as an offset against its U.S. taxes. But when the wells begin producing and the company begins making profits, foreign governments get the taxes.

Shultz and the proposed changes would force that company to deduct some of the earlier losses from the foreign tax credit it gets during the profitable period.

The President's proposed tax changes do not deal with the two major tax provisions in the Burke-Hartke bill, however. That bill, which was introduced during the last session of Congress and reintroduced during the current one by Rep. James A. Burke (D-Mass.) and Sen. Vance Hartke (D-Ind.), among other things, would:

Repeal the tax credit which American companies may claim for taxes paid to foreign countries.

Eliminate the deferral of taxes on profits which have not yet been sent back to the parent company, instead taking that income when it is earned.

The Burke-Hartke bill would force an American company to treat foreign income taxes much the same way it treats state taxes—as a cost of doing business and, therefore, a tax deduction rather than a tax credit. A tax credit permits a company to reduce its U.S. income taxes within certain limits by the amount of taxes it paid to the foreign government. The credit cannot be a bigger portion of its U.S. tax than the foreign portion of its total income.

So, to use an example developed by Gerard M. Brannon of Tax Analysts and Advocates, a public interest tax law firm, suppose a U.S. firm has a plant in the U.S. and a plant in France, earning $1 million at each plant.

It would have to report $1 million in income to France, and $2 million to the U.S.

With the U.S. tax rate at about 48 per cent, the taxes owed here would be $960,000. Suppose the French rate were the same: the company would owe $480,000 to France. Its foreign tax credit, therefore would be $480,000 and it would owe the U.S. government $480,000 ($960,000 minus the $480,000 tax credit).

If the French tax were $600,000, the most the company could take as a credit would be $480,000 (since half the income was from France, the company cannot use the credit to reduce its U.S. taxes by more than half). If the French tax were $400,000, then the company would owe $480,000 on the U.S. business and an additional $80,000 on the French business.

Under Burke-Hartke, the U.S. corporation would be forced to treat the French tax as an expense, and would subtract it from its profit on the French plant rather than from its U.S. taxes.

As a result, the profit the company would report would be $1 million from its U.S. plant and $520,000 from its French plant, paying taxes of about $250,000 on the French plant profits. Its total French and U.S. taxes on the plant would be $730,000.

In practice, most companies set up subsidiary corporations organized under the laws of the country in which they are doing business. The current law does not require a company to pay U.S. taxes on the profits of those subsidiaries until the company returns those profits to the parent corporation as dividends. The dividends still receive the foreign tax credit.

If a company reinvests the earnings of a foreign subsidiary, it pays no U.S. taxes on that subsidiary's earnings.

The proposals of President Nixon would revoke that privilege for two very specific situations—when the company sets up abroad to take advantage of foreign tax holidays or when it sets up abroad to re-export its products to the U.S.

The President said these holidays distort "the flow of capital" and produce "unnecessary hardship." According to one tax expert, most companies are not flexible enough to take advantage of tax holidays for the sake of the tax holiday itself. A byproduct of the proposal might be to hurt lesser-developed countries, who offer such holidays on a longstanding basis to attract capital.

The President's proposed legislation sets up a safeguard which would permit him to negotiate bilateral income tax treaties with the lesser-developed countries "which would make these rules inapplicable to specific incentives."

The kicker here, according to one tax expert, is that the Senate must approve these bilateral income tax treaties. The Senate, he said, has not approved a bilateral income tax treaty in decades.

To prevent the so-called runaway plant situation, where the company sets up a plant specifically for the purpose of re-exporting goods to the U.S., the President would tax income earned by these subsidiaries immediately.

The provision would apply, however, only where the subsidiary's receipts from exports "exceed 25 per cent" of its total receipts. The provision would apply to new investments, not to investments already in place.

The provision is weak, according to a number of tax experts, because it applies to total subsidiary receipts. "One plant may be a runaway plant," an expert said, while the rest of the subsidiary may not be. Unless that plant's receipts from re-export to the U.S. exceed one quarter of the total subsidiary's receipts, that plant would not be contained by the proposed provision.

RECONFIRMATION OF FEDERAL JUDGES

Mr. HARRY F. BYRD, JR. Mr. President, the General Assembly of Virginia has approved a resolution calling for the reconfirmation of Federal judges by the U.S. Senate every 8 years.

This resolution is similar to the one which I proposed as an amendment to the U.S. Constitution. It is my feeling that as more and more power is concentrated in the Federal Government, it is increasingly important that Federal judges who now serve for life, be made more accountable. Today, these judges are accountable to no one.

Why should any public official in a democracy have life tenure?

The resolution approved by the Virginia General Assembly originated in the State Senate, where it was sponsored by State Senator Robert S. Burruss, of Lynchburg.

I know Senator Burruss well. I know his deep concern about this problem. It was therefore heartwarming to me to know that the legislature of Virginia, as a body, holds the same view.

I commend Senator Burruss for the resolution which he presented to the Virginia Senate and I commend the Virginia General Assembly for approving it.

Lifetime tenure for Federal judges is a practice that should be ended. Federal judges should have fixed terms as now provided for in 49 States. There is only one State out of 50 which provides for life tenure.

We should have fixed terms for the Supreme Court and the rest of the Federal judiciary.

I ask unanimous consent that the text of this resolution be included at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

SENATE JOINT RESOLUTION 130

Memorializing the Congress of the United States to propose an amendment to the Constitution of the United States, relating to tenure of federal justices and judges

Whereas, the justices of the Supreme Court and judges of the inferior courts of the United States are appointed for life, and are removable only by impeachment; and

Whereas, in forty-seven of the fifty states, including this Commonwealth, the judiciary has fixed tenure; and

Whereas, the experience in this Commonwealth reveals that although the judges may be removed from office at the end of their terms, the judiciary has remained independent; and

Whereas, the Congress of the United States should be granted the power parallel to that which this General Assembly now has, that is, to review the records of its federal justices and judges of inferior courts; now, therefore, be it.

Resolved by the Senate of Virginia, the House of Delegates concurring, That the Congress of the United States is hereby memorialized to adopt and offer to the States for ratification or rejection the following amendment to the Constitution of the United States:

"ARTICLE —

"Section 1. Notwithstanding the provisions of the second sentence of Section 1 of Article II of the Constitution, each justice of the Supreme Court and each judge of an inferior court established by Congress under Section 1 of Article III shall hold his office during good behavior for terms of eight years. During the eighth year of each term of office of any such justice or judge, his nomination for an additional term of office for the judgeship which he holds shall be placed before the Senate in the manner provided by the law, for the advice and consent of the Senate to such additional term, unless that justice or judge requests that his nomination not be so placed. Any justice or judge whose nomination for an additional term of office is so placed before the Senate may remain in office until the Senate gives its advice and consent to, or rejects, such nomination. If the Senate gives its advice and consent to an additional term of office, that term shall commence from the date of such advice and consent, or the day immediately following the last day of his prior term of office, whichever is later.

"Section 2. The terms of office established by Section 1 of this article shall apply to any individual whose nomination for a judgeship is submitted after the ratification of this article to the Senate for its advice and consent."

Resolved further, That the Clerk of the House of Delegates is hereby instructed to send copies of this Joint Resolution to the members of the Viriginia delegation in the Congress of the United States, and to the President and Vice President of the United States, and the Clerks of the Senate and the House of Representatives.

SENATOR DOLE SPEAKS ON INTERNATIONAL TRADE

Mr. HANSEN. Mr. President, the subject of foreign trade and the U.S. position as a major partner in international commerce have assumed the greatest importance in recent years. With the vast changes of the past quarter century and especially the last 4 years, the policies which our country adopts to deal with the economic challenges confronting us abroad take on even larger significance than ever before.

This year, with the consideration of major trade legislation as one of the top priorities in Congress, these issues will command even greater attention and require the most careful consideration and thoughtful analysis from all who bear responsibility for shaping our Nation's policies.

Recently, at the Conference on International Trade and Diplomacy held at the University of North Carolina, the Senator from Kansas (Mr. DOLE) addressed the major issues facing the United States as we develop a policy toward our European and Japanese trade partners. These remarks provide a clear perspective on the issues and national interests involved as we approach the enactment of legislative authority for the trade negotiations which are expected to begin later this year.

My colleague from Kansas is a new member this year of the Finance Committee. This committee will have jurisdiction over trade legislation when it is received from the House, so the points made by the Senator are all the more valuable and instructive for those of us who are concerned with these important questions.

Therefore, I ask unanimous consent

that the text of Senator DOLE's address be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR BOB DOLE

I am pleased to be here as you take up the start of the University of North Carolina's first conference on international trade and diplomacy.

This is a most timely subject and a most important one—and as you are no doubt aware—it is a subject that will, in all likelihood be occupying an increasingly large share of the Congress' attention in this session and in sessions to come.

Allow me to say, at the outset, that though I am a member of the Senate Finance Committee, which is chiefly responsible for international trade legislation in the Senate, I am one of its newest members. So I am not going to pretend to any special expertise in this complex field involving international relations, macroeconomics, trade and monetary policy along with law and diplomacy.

I claim the right only to speak as an observer who has noted, with marked interest and fascination, the tremendous changes that have taken place on the world scene in the last 25 years and with increasing rapidity in the last ten.

The mere mention of a few cities—Tokyo, Bonn, Peking, Moscow—these alone are enough to evoke images of a world drastically changed from what we may remember from the immediate post-war era.

CHANGED ECONOMIC RELATIONSHIPS

The world has changed radically, and with it, the United States' international economic position.

In 1960, our trade balance on a "C.I.F." basis—that is, including freight and insurance costs for our imports, but excluding foreign aid giveaways—was still in the black by $1.8 billion.

By 1972—one year after our first dollar devaluation since the depression—it was in the red by over $10 billion.

We have been running trade deficits, on a "C.I.F." basis, since 1966.

We have been running over-all international balance of payments deficits since 1950.

During the late 1950's and all through the 1960's. The United States acted to "correct" the balance of payments. A variety of methods such as tied aid, military offset sales, the interest equalization tax, controls over bank lending and direct investment abroad, tightened "Buy American" requirements on defense purchases were utilized other "cosmetic" actions, such as debt prepayments were taken to make the numbers look better. But during this period—while the United States plugged along with business as usual—the forces of change were at work.

There are many technical terms, which could be applied to the international economic history of the past 15 or 20 years. But for shorthand purposes, we can just use two words; Europe and Japan. The reconstruction and succeeding growth of these two powers changed the whole world's economic and trade landscape—most of all, the United States' position as the giant of international commercial intercourse, in the process of their restoration and rebirth, we were outsold, out bargained, out-hustled and outmaneuvered, while the deficits grew and our trade balance declined. And, finally, all the chickens came home to roost, in the massive speculation against the dollar in 1971.

LIVING IN THE PAST

After a period of trumoil, new currency rates were set at the heralded "Smithsonian Agreement" in December, 1971. This realignment was viewed in optimistic terms, and everyone predicted a major swing in the United States' balance of trade and payments.

But 1972 did not witness any improvement. Rather, a further deterioration in the U.S. trade and payments position was experienced. The published "F.O.B." trade deficits shot up to $6.9 billion, while the "C.I.F" trade deficit exceeded $10 billion. And the second massive run against the dollar in fourteen months resulted in another dollar devaluation this past February.

As the President stated in his latest "international economic report:"

"Our major difficulties stem from relying too long upon outdated economic arrangements and institutions despite the rapid changes which have taken place in the world. Many countries were helped to rebuild after world War II are now our strongest competitors. Americans can no longer act as if these historic developments had not taken place."

That statement is a good, hard, realistic assessment of the perspective in which we must view trade policies. We have been living in the past. And we have been kidding ourselves with the "good news" announcements—which, until recently, so regularly issued from the Department of Commerce, telling us that we had a rosy trade surplus—when actually the trade balance of the United States has been in the red since 1966. And if imports are valued to include the cost of insurance and freight as 90 percent of other countries around the world do, and if we exclude from our export figures the foreign aid giveaways for which we earn no hard currencies—then it is startlingly clear that we have been running a trade deficit since 1966.

A CLEAR CHOICE

Economic theory would suggest that the recent unilateral devaluation of the dollar by 10 percent, and a float of certain other currencies, such as the Japanese yen, the British pound, and the Italian lira, should result, over time, in a significant improvement in the U.S. competitive position. Imports of foreign products should become more expensive, with U.S. exports being more attractive in foreign markets, yet, as the last devaluation showed, the short-term effects may well be negative. The problem lies, not in the tactics and strategy employed by the United States and other countries in meeting these situations. But in the basic rules which govern the entire game of international trade and finance. And without revision of these rules the international monetary system is likely to limp along from crisis to crisis, and the U.S. balance of payments deficit could persist and worsen for years to come.

The nations of the world face two simple alternatives. They can recognize the common dangers of the present system and sit down together to revamp the old Bretton Woods system in a cooperative way. Or they can let the law of the jungle take over in international trade and monetary matters.

But there is really only one course, for we cannot afford the second choice. Stability and order in the international system are essential to the strength and security of every national economy, regardless how large or how small. And economic conditions are basic elements in the overall prospect for lasting world peace.

NO SIMPLE ANSWERS

But what are we to do? How are we going to set about the task of facing up to reality and securing those basic revisions in the ground rules of international economics? I wish I had the simple answers to these questions. But there are no simple answers, and there will be no easy solutions. And to understand this point, we only have to turn a few pages of fairly recent history.

Since 1934, the Congress has delegated the authority for negotiating reciprocal trade agreements with foreign countries to the executive branch of Government. And in the intervening years, a variety of bilateral and multilateral reciprocal agreements have been concluded. The first, of course, was Breton Woods in 1944. Between 1944 and 1962, we had a series of trade negotiations which substantially reduced tariff barriers around the world. In 1962, the Congress authorized the so-called Kennedy Round which led to the largest tariff reductions in the post-war period.

But based on hard evidence in a number of important export sectors of our economy, it is clear that these trade agreements have neither been reciprocal nor fair. Indeed, most of them have been deliberately designed to transfer our resources to other countries. Now the motives for these agreements may have been of the highest and most praiseworthy nature, as we sought to rebuild and strengthen a worn-torn and depressed world economic order. But times have changed. As we have noted, the U.S. has large trade and balance of payments deficits, and the new round of trade negotiations set to begin this fall, will have to result in a different outcome than in the past.

A FAIR SHAKE FOR AMERICA

The present bargaining authority is expiring, and in preparation for the new negotiating sessions the President has proposed legislation which would give the executive branch authority to raise or lower all tariffs in the United States, and to deal with the difficult, but important non-tariff trade barriers which United States exporters face, particularly in the Japanese and European markets. He seeks maximum negotiating authority and flexibility to achieve, as he said "A fair shake" for America in our international trade relationships.

I believe the United States has more than a reasonable expectation of receiving that fair shake. We have a right to it. But having a right to it and getting it are two entirely separate matters.

NO ILLUSIONS

I certainly hope our trading partners will enter into these negotiations with the realization that the United States cannot trade horses for hares anymore. We are going to have to bargain hard, and our overall bargaining position is going to include the threat that the U.S. market will be free only to those who give our exporters reciprocal advantages in their markets.

The fun and games days of International Trade Agreements are over, and no one should harbor any illusions. For their part, our trading partners should neither expect unearned concessions, nor be upset when we refuse to offer them. The United States can no longer afford unjustifiable and unilateral trade giveaways and generosity, and when we sit down to the bargaining table from now on, everyone should be on notice that we are playing for keeps.

On our part, we cannot expect to furnish any undeserving shelter to American industries which cannot compete on an even basis—and I stress, on an even basis—with their counterparts in other countries. But we cannot afford another tariff-cutting exercise like the "Kennedy Round" which left United States markets over-exposed to foreign imports without providing corresponding benefits for U.S. exporters.

Since the end of the Kennedy Round, our trade and balance of payments deficits have grown by leaps and bounds, while industry after industry has complained of foreign non-tariff barriers which were neglected in those negotiations. More than 70 American industries requested import protection in 1970, and I doubt that their numbers have dwindled since then.

Organized labor has called for a sweeping change in foreign economic policies, including the imposition of across-the-board import quotas and the abolition of favorable tax treatment for U.S. investment abroad. While I do not agree with this view of our attitude toward foreign trade, there is no question but that we need a new approach to International Trade negotiations.

CARTOON CAPSULE

I don't know how many of you might have seen it, but Pat Oliphant, the editorial cartoonist of the Denver Post, put the basic question of International Trade Negotiations into crisp focus with one of his pictorial commentaries last January.

In it he shows the Members of the Common Market—dressed in World War I battle gear with muskets, cannon and a vat of boiling oil at the ready—awaiting President Nixon, atop the battlements. The Frenchman is leaning over to the German and muttering out the side of his mouth, "If he thinks Vietnam was a hardship, wait 'til he tries to sign a peace treaty with us."

Well, if Oliphant had added a Japanese to the picture and just labelled the fortress as "The Rest of the World," he would have had the whole picture. For that is just what we face when we negotiate in the International Economic field: the United States versus the rest of the world.

And the score over the past seven years, going on eight, is: rest of the world—40, United States—0. That is $40 billion dollars—the total amount of our trade deficit since 1956.

LOPSIDED ARITHMETIC OF GATT TALKS

So we are approaching the battlements of another Gatt round of negotiations. Participating in them will be more than 100 countries, half of them associated in one way or another with the European Bloc. And as a fundamental point of survival, as we view these talks, we must recognize that these countries are not interested in helping us solve our problems, by lowering their barriers. Their principal goal is to sell more to our markets.

In light of this attitude, the arithmetic of these talks makes for a sobering picture. With the one-country, one-vote rule in the GATT, we start out with nine full members of the European community against one—the United States. Then we add all their special commercial partners, and it shifts to thirty-four against one, throw in the less developed countries who want their own tariff preferences, and it's over eighty to one.

So it makes little difference how "tough" our negotiations are under the present system. If we have the deck stacked against us before the negotiations begin, we simply will not have the votes to get a good deal—or even a fair deal.

TWO PRIMARY AREAS

But perhaps we are over-simplifying to picture the situation as the United States against everybody. Of course, our trade links to Communist nations and to the developing countries of Africa, Asia and Latin America are of growing importance. And I do not seek to minimize them. But more specifically, in discussing the really difficult questions of foreign trade, we are talking about conditions which exist between the United States and the two other economic giants of the free world, Japan and the European economic community. In our dealings with them lie the basic problems, and in negotiations with them, also rest our hopes for rewriting those basic ground rules which will enable the U.S. to achieve a realistic position in the GATT negotiations and establish the vitally-needed basis for stability in the international trade and monetary realm—which is so important to the structure of a lasting peace.

So let us turn for a moment to the two principal economic powers and see how the negotiations stack up.

UNITED STATES-JAPAN

Let us start with Japan, the source of our biggest trade deficit—$4.5 billion on an F.O.B. basis, and over $6 billion on a C.I.F. basis in 1972.

Of course, it is a fact that two devaluations have changed the relationship between the United States' dollar and the Japanese yen by over 35 percent in the past two years. If the laws of economics were able to operate freely, this would mean a rapid shift in our trade imbalance with Japan. U.S. exports from Japan would tend to slow down.

But the laws of economics are not operating freely. The Japanese government has cozy cartel arrangements with its great trading houses and industries. The net result has been that the dollar devaluation in regard to the yen has not and will not, in itself, bring about a corresponding degree of change in the trade imbalance between the two countries. In fact, the Japanese appear confident that they will continue to increase their surplus with us in the near future.

CLEAR MESSAGE

But sooner or later, we are going to have to tell our good friends in Japan that they cannot enjoy this advantageous situation for as long as they can sustain it, for, as much as we may be opposed in principal to doing so, we will be forced to impose restrictions on their exports to our market.

It is well known that Japan is a monolithic economic structure in which the government, banks, and business community set specific export targets on a sector-by-sector basis and adopt policies to insure that those targets are met. I am not critical of their system. It obviously works a lot better than ours, in some significant ways. But I am suggesting that either we are going to have to tell the Japanese that they can export to our market only to the extent that they import from us, or the Japanese are going to have to use their ingenious trading system to set targets on imports from us, which would be in balance with their targets on exports to the United States.

ARTIFICIAL OBSTACLES

This is not a matter of the Japanese being forced to pay a penalty in support of inefficient or uncompetitive American Industries. The ideal solution, of course, would be for United States firms to increase their exports to Japan to make up the difference. But frequently, American businessmen seeking to do business in Japan have encountered a system of official and non-official burdens which make doing business there a near impossibility.

There is no reason in the world why we could not be selling a lot more to Japan, both in industrial and agricultural commodities. Yet, in areas in which we are competitive in agriculture and industry, the Japanese have reserved many of those markets for their own producers. To be fair, I must say that the Japanese have liberalized their economy and their import structure to some extent. And they appear willing to change their priorities and give their consumers some of the benefits of living in a modern industrial economy. But, the progress has been painfully slow, and trade deficits of the United States with Japan will continue to grow as long as this progress remains at a leisurely pace.

LIMITATIONS OF MULTILATERAL AGREEMENTS

But how do we open up the Japanese economy to American products through a trade negotiation on a multilateral basis? And what are we in turn likely to have to give up in our own tariff and non-tariff barriers to achieve such a result? The Japanese have been liberalizing their import structure for years without any improvement in the United States' overall competitive position. Obviously, in such negotiations, the Japanese are going to ask for a reduction in U.S. tariffs and non-tariffs against them. I imagine textiles and steel will be on that list.

If the Japanese trading system were like ours, I would not fear reciprocal reductions in tariffs and non-tariff barriers. But it is not, and even if the Japanese eliminated all other tariffs, I don't think it would have a significant impact on the volume of U.S. exports going to Japan. And here another unique Japanese factor must be taken into account.

The Japanese distribution system is such that an American Pinto which lands in Japan costing about $3,000, ends up at the dealer with a $5,000 sticker on it. The problem is not the tariff at all, the problem is the mysterious distribution system in Japan, which marks up imported products by over 100 percent.

This example stresses the problem of dealing with factors other than tariffs—the so-called non-tariff barriers. It shows that these negotiations will have to break new ground if progress is to be achieved. We will simply have to get into such previously unexplored territory as foreign business practices and limitations on foreign investments and operations.

I certainly have no magic solution to these questions and doubt anyone else does either. But we must recognize the issues to be taken into account as we look ahead and attempt to establish our negotiating position with Japan.

UNITED STATES-EUROPEAN COMMUNITY

Now, let's look at the European Common Market. In 1972, the United States ran a trade deficit with the European community of $600 million on an "F.O.B." basis, and at least twice that on a "C.I.F." basis. Our military expenditures in the community were running at a net deficit of $1 billion—$1.8 billion gross, less $800 million in military sales. Our current account deficit (which includes trade, services, and income on investments) with the community was $3.4 billion last year, and our overall balance of payments deficit was $1.1 billion.

Now obviously, the Europeans can't say they are not a major cause of our large deficits. And it is not only their bilateral balance with us that contributes to our problem—their third-country transactions must be counted in, too. In a real sense the Europeans and Japanese are both reaping the commercial fruits of our generosity in foreign aid and security payments, while complaining to us about our deficits.

COMMON MARKET TRADING PRACTICES

But let's examine the trading practices of the European community, and how sincere they are in trade negotiations—on anything but their terms.

The community has proliferated its discriminatory preference system to many countries. One might suggest the way to eliminate their discrimination is to end all tariffs—if you don't have any tariff you can't have a discriminatory one. But, there is no evidence from the European community that they are at all interested in ending their common external tariff. Indeed, reports have indicated that in the wake of the latest dollar devaluation, they may actually increase tariffs—to offset the effects of the devaluation on their imports.

AGRICULTURE—A KEY QUESTION

Agriculture is, of course, vitally important to the United States, both in terms of the food and fiber it supplies for our domestic economy and as a major contribution to our exports. It is, after all, one of the few areas in which we enjoy a real competitive advantage, and we must harness it to the greatest possible extent.

In approaching negotiations with Europe our negotiators have put at the top of their list the community's common agricultural policy.

And a very real and important test case for the success of future negotiations on all issues could be the Europeans' decision on paying us compensation for the agricultural trade we will surely lose as Britain adopts the common agricultural policy. Such compensation is called for under the GATT, and we are losing a big grain market in England because of British entry. But so far, the Europeans appear to be unwilling to pay us anything for that loss. They have, in effect, told us "we owe you nothing." And remember, they have the votes in the GATT, and we don't.

I certainly hope this attitude changes, but we must recognize their domestic problems. They have their farm constituents just as we do. But the facts of life dictate that we cannot afford to give their industries better access to our markets without receiving better access for our agricultural exports to their market.

I believe the President defined the issue as clearly as words can put it when he said in his international economic report:

"Indeed, if there is no commitment to meaningful and realistic negotiations in the agricultural sector, it would be difficult for the United States to proceed with multilateral trade negotiations in other sectors."

So, once again, we come down to a basic question, an uncertainty which we cannot answer at this time, but which is fundamental to the progress and shape of negotiations.

DIFFICULT NEGOTIATIONS

At this time, I believe the only legitimate conclusion we can draw is that very difficult negotiations with our European and Japanese friends lie in store.

We simply must receive equal treatment in their markets. Indeed, given the military burdens which the United States carries and which costs us billions of dollars a year to protect our European and Japanese friends and ourselves, I believe we should receive more than reciprocal treatment in their markets.

Our balance of trade and balance of payments deficits must end. Otherwise, the world will continue to suffer one monetary crisis after another, and the prosperity which we have all experienced since the end of World War II will be in jeopardy. But even more important, such economic dislocation and uncertainty would undermine political stability among the nations of the world and hazard the great dream of a lasting, just peace.

But I believe good will and a serious recognition of each nation's problems, expectations and the tremendous importance of these undertakings can bring about success. This success is not only desirable, it is essential.

A BALANCE OF CONCEPTS

Mr. HANSEN. Mr. President, the distinguished Senator from Utah (Mr. Bennett) spoke to the American Association of Museums recently.

In his speech, presented on April 26, 1973, Mr. Bennett provided a clear look at tax legislation which will be coming before the Senate Finance Committee after the House Ways and Means Committee and the House of Representatives finishes action on the measure.

Senator Bennett is the ranking minority member of the Senate Finance Committee and his remarks to the American Association of Museums about the Tax Reform Act of 1968 and the tax burden on foundations, including museums and galleries.

Because of the excellent points he makes in the speech which will be of interest to a number of our colleagues and others, I ask unanimous consent that Senator Bennett's remarks be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Speech of Senator Wallace F. Bennett to the American Association of Museums, April 26, 1973

I appreciate this opportunity to be with you today to look at the tax problems of museums and galleries through the eyes of a legislator charged with the responsibility of fitting laws affecting your group into the whole tax system in the most practical and equitable way.

Before I address myself to the specific tax questions in which I think you are most interested, let me tell you about the timetable for any tax legislation this year as I see it. As you know, all tax legislation must originate in the Ways and Means Committee in the House and that Committee has been holding general hearings on tax problems since early January. These hearings will be ended next Monday with the appearance of the Secretary of the Treasury and at that point, all tax legislation will be laid aside in order that the Committee may turn to consider trade legislation and the President's recent recommendations for changes in that area. It expects to be thus occupied until the time the Congress takes its summer recess in August and it is assumed that when we return in September, the Finance Committee will take its turn again to consider suggested changes in the tax law. This means that if there is any tax legislation this year, it will be at the very end. My own guess is that there will be none until next Spring.

Having said this, let me return to the more specific tax problems in which you are interested. To open this subject, and by way of background, I think it is necessary that we turn our attention to the 1969 act and the very substantial changes that legislation made in the tax burden on foundations which, by definition, includes museums and galleries. Looking back, I am afraid I have to agree that some tax reforms in this area were necessary at that point in time. The public and the Congress had begun to lose faith in the conduct of charitable activities in general because of the abuses by a relatively few charitable organizations and their donors, and something had to be done to restore confidence in the basic concept of private philanthropy supported by tax incentives. At the same time, I recognize that in the first version of any broad-scale reform of this nature, there are bound to be some instances where the new rules are either inadequate or are more restrictive than necessary to achieve the designed objectives. Obviously most of the amendments being sought at this time by charitable organizations are based on the latter assumption.

Before commenting on the current proposals for change, let's look briefly at the basic philosophy behind the concept of tax advantages for private philanthropy. During the hearings on the 1969 Act, the Finance Committee heard many witnesses testify that the private charity dollar pays for social efforts which would otherwise be a burden to the Federal, State or local governments and for considerable less cost. However, this was opinion testimony; there were no hard facts to back it up. Mr. Peter Peterson, later to become a Presidential Assistant and Secretary of Commerce, testifying for the Commission on Foundations and Private Philanthropy, indicated that this Commission hoped to include such information in its final report, but unfortunately, this did not happen.

I know that value in dollars is not the only means of judging the worth of private philanthropy, since for many of us the existence of a pluralistic society, strongly supported by private philanthropy, is more highly valued than the dollar cost of present tax incentives. But it should be evident that the availability of hard facts would go far in protecting private philanthropy from attack by those who believe that Government could save tax dollars if it should undertake activities now carried on by private charity. And, of course, if an authoritative study of this question could be made it would be very relevant in any legislative deliberations aimed at encouraging private charity, by expanding the tax incentives or liberalizing the present regulations.

As a beginning, I would like to suggest that perhaps the Treasury or a private group should undertake a study of the effects of the charitable rules under the Tax Reform Act of 1969 on the support and operation of public and private charitable organizations. Since the Treasury Department is now receiving much more information from returns of charitable organizations, particularly the private foundations, it may be the appropriate agency to carry on this study.

As you are well aware, the 1969 Act established a whole new set of rules applicable to charitable contributions and to the operation of charitable organizations, the most significant feature of which is the new differentiation between public and private charitable organizations, as defined in the Act. Private foundations, as defined therein, are singled out for more stringent requirements in such matters as the percentage limitation on deductible contributions to such organizations, their investment policy, the type of self-dealing permitted, the required distribution of current income for charitable purposes with a minimum payout, and the special 4 percent audit tax on their net investment income. It was the intent of the Congress that these changes would insure that the tax exemption and tax reductions from charitable contributions would result in reasonably concurrent and commensurate public benefits.

While recognizing that the 1969 charitable reforms were the source of much concern to those involved in the administration of charitable organizations (which is always the case with a new law of such significance) I am pleased that both current and former officials of both the Treasury and Internal Revenue Service have recently stated that they have confidence that the Revenue Service can administer the 1969 charitable reforms in a manner which will carry out Congressional intent without seriously inhibiting the general expansion of philanthropic efforts. We all hope they are right!

Regardless of how well or poorly the sections of the 1969 Act affecting foundations may be administered, there is every reason for the Congress to take another look at them when it returns to tax legislation. There are several areas in which a reconsideration appears justified and I would like to go over some of them with you.

1. CLASSIFICATION OF MUSEUMS AS PRIVATE FOUNDATIONS

I understand that some museums are distributed because under the new Treasury Regulations they are classified as private operating foundations rather than as public charities. The difficulty apparently arises because these museums fail to meet the Treasury's construction of the statutory test requiring a public charity to receive a "substantial part of its support" from the general public, which Treasury construes as requiring the museum to receive at least 10 percent of its support from the public.

While most museums meet this 10 percent test, there is a significant number who don't, including some of our most outstanding art museums. These museums were created years ago, usually by a single donor, and were provided with sufficient endowment income to meet most if not all the anticipated operating costs of the museum with the objective of freeing it from the necessity of annual fund-raising drives.

This objective was consistent with tax policy in effect at that time. Since these institutions have public trustees, serve the public directly, and conduct all the programs and activities associated with successful museum operations, your association questions whether they should be treated as private foundations and subjected to the disadvantages of this classification, including the difficulty private operating foundations status presents in soliciting support from large donors and from private foundations of the grant-making type, and of being subjected to the 4 percent audit tax.

I believe this is a matter the tax-writing committees will want to review. Rather than to complicate the existing classifications with wonder if it wouldn't be wisest to try to create a completely new classification for museums and galleries, writing specifications that would apply to them only and preserve their opportunity to attract large contributions, at the same time possibly eliminating the 4 percent audit tax and other features that obviously should not apply to these institutions.

In my opinion, you will have the rest of this year, at least, in which to explore such a possibility with your own officials, the Treasury and staff of the tax-writing Committee.

2. POSSIBILE REDUCTION IN 4 PERCENT AUDIT TAX

If it is not possible to take museums out from under this tax by creating such a new classification you will still be interested in the possible reduction of the 4 percent audit tax for all charitable institutions. As you may remember, in 1969 the Administration recommended an annual supervision tax of 2 percent on the net investment income of private foundations which was estimated to raise annual revenue by about $25 million. This was considered to be enough to cover the cost of the Internal Revenue Service of administering the tax provisions relating to private foundations and other tax-exempt organizations. The Congress rejected the 2 percent rate as probably being inadequate and imposed a 4 percent tax.

Recent Treasury estimates show that the 4 percent tax raised about $56 million in fiscal 1972 while Internal Revenue Service auditing of the entire tax-exempt field cost only $19.3 million, of which auditing of the private foundations cost $12.9 million, and the cost is estimated to be less for fiscal 1973. This would appear to justify a reduction of the 4 percent tax to 2 percent as originally recommended although I must say it might be difficult for Congress to justify tax reduction for private foundations if individual taxes are not also trimmed. At the same time we cannot ignore the efforts of Congressman Wright Patman to enact legislation which would turn over one-half or more of the revenue raised by the 4 percent tax to Attorney General of the States to finance their efforts to beef up state regulation of charitable organizations in their respective States.

3. CHARITABLE GIFTS OF MANUSCRIPTS AND ART WORKS BY CREATOR

The 1969 Act contained an amendment actively supported by Senator Williams of Delaware, which took away the tax deductibility of the value of the contributions made by a person in government, of papers and manuscripts prepared and published while that individual was actively involved in government and which were created in the performance of his official duties. The amendment which limits the charitable deduction for gifts of ordinary income property to the donor's cost, was written in general terms and thus, affected not only persons in government, but also any deduction for charitable gifts by any creator of any work of art or original creation. As you know all too well, this amendment has had the unexpected effect of reducing the number of contributions or original manuscripts, musical scores, paintings and similar material produced by people outside of government where the creator was the donor.

Realizing that it would be a tragedy if, as a result of the operation of the tax law, important papers of Americans in public life and the significant production of artists, authors and musicians should become unavailable for study and enjoyment by future generations, I think we must seek to liberalize these provisions either by changes in the tax law such as have been proposed by Senator Church of Idaho last year and Senators Javits and Metcalf this year, or by finding some other non-tax-related incentives to accomplish this same purpose. I wonder if, out of your broad experience, you can give us some specific suggestions as to other ways in which we can encourage the producers of this valuable material to leave it in the public domain.

4. LOBBYING BY PUBLIC CHARITABLE ORGANIZATIONS

Another proposed change with some impetus behind it is the proposal to permit charitable organizations (other than private foundations) to carry on activities intended to influence legislation. In the last Congress, Senator Muskie introduced two bills (S. 1408 and S. 3063) to accomplish this result. Several similar bills were introduced in the House, including H.R. 13720, which was the subject of hearings held by Ways and Means Committee in May of last year.

Two basic arguments have been advanced in support of this general proposition. One is that since business is permitted to deduct lobbying expenses related to its trade or business, which is lobbying for a private interest, then charitable organizations should be allowed to carry on similar lobbying activities in order that the public interest in the same matters may be presented to legislative bodies. The second argument is merely that legislative bodies need the information available to charitable organizations concerning the impact of present laws or proposed legislation in areas of concern to such organizations in order to make better laws.

I think we can all agree that adoption of an amendment which would permit charitable organiaztions to engage in lobbying at the Federal, State and local levels, and to lobby their own members enlisting them to lobby, in turn, would constitute a basic change in public policy.

I have not reached any conclusion on this matter and will not do so until the Finance Committee, of which I am ranking minority member, has held hearings on the subject and there has been the fullest discussion.

However, as a long-time supporter of tax incentives for charity and private philanthropy, I have some reservations as to whether the proposed change is in the best interest of charity, unless it is severely limited to prevent abuse. We must remember that it was the evidence of abuse by some foundations that generated the changes made in the 1969 Act, and it might take only a few examples of abuse of any new lobbying privilege by a few overeager charitable organizations to turn large segments of the public against any tax support of private charity.

There are already many people today who are concerned with the tax support of many so-called action groups and public interest law firms. If an important charity should, by its lobbying, become actively in a controversial legislative area in which the public is sharply divided, it is not inconceivable that the reaction would be unfavorable to tax supported charity in general. We may be approaching such a case in church-based intervention in the contest between Mr. Chavez and the Teamster's Union.

I am also concerned with the problem of achieving a balance in the representation of our citizens' viewpoints to legislative bodies. Legislators today have a problem in ascertaining whether a letter-writing campaign on a particular issue represents a widespread viewpoint, or merely the concentrated efforts of a public pressure group. If suddenly we add two or three hundred thousand tax-supported charitable organizations, all using their total membership, as public pressure groups, the legislator's problem will obviously be made more difficult.

5. REQUIRED DISTRIBUTION OF INCOME OR MINIMUM PAYOUT PROVISION

Prior to the 1969 Act many charitable organizations invested in assets which produced little or no current income, while the donor received immediate tax benefits from his contribution. To correct this situation, the 1969 Act provides that a private foundation must distribute annually all of its income, but not less than 6 percent of net value of its investment assets. As you may remember, the Ways and Means and Finance Committees agreed with Treasury on a payout of 5 percent of net investment value; however, the Senate adopted the Percy amendment to raise this figure to 6 percent and that figure prevailed in Conference.

I believe there is general agreement by private foundations today that the principle of a required minimum current payout by private foundations is sound and should be retained. The problem appears to be with the statutory provision implementing this principle. There was no intention to require a level of payout which was inconsistent with the income produced by sound investment practices. Unfortunately, the approach of requiring an annual payout equal to 6 percent of the net investment value of a foundation's assets does not achieve this objective.

The choice of this figure was based on the assumption of the Peterson Commission—which underlay the Percy amendment—that balanced investment funds might be expected to earn annually 9 percent or 10 percent (including capital appreciation as well as interest and dividends). As we all know, the experience of balanced funds since 1968 does not support that assumption. And the present required payout provision looks at the income of each single year, rather than income over a period of years. Experience has demonstrated that some consideration should be given to modifying the required payout test to permit some form of averaging.

For example, the requirement could be for a payout over a five-year period of an amount equal to 30 percent (using the current 6 percent rate) of the net value of the investment assets as of the beginning of the period, with perhaps a minimum payout of 1 percent or 2 percent in each year. Since the Treasury has always maintained that the 6 percent rate is too high, it seems certain that the tax-writing committees will want to review the minimum payout provision.

6. OTHER PROPOSALS ADVERSELY AFFECTING CHARITABLE CONTRIBUTIONS

In this era of political consciousness of the growing impact of higher taxation at the various levels of government, it has become popular to blame this on the inequities of the Federal tax structure and to call for broad reform in the Federal tax laws. Without digressing into a discussion as to the validity of such suggestions, the fact is that several "reform" proposals have been advanced which would adversely affect the present tax incentives to support charitable organizations.

(a) Ceiling on Charitable Bequests and Tax of Appreciated Property at Death.

It has been suggested that the limitation of 20 percent on charitable deductions for contributions to private foundations and of 50 percent for contributions to other charitable organizations should be applied to estate and gift bequests. There is another proposal which has considerable support—this would impose a tax on unrealized appreciation of property passing at death. The threat of such legislation should spur those organizations who depend largely on charitable bequests or large endowments to develop information to substantiate the importance of the estate tax incentives to the continued life of charitable organizations. Since most of the donors of charitable bequests receive no personal income tax benefits while they live a strong argument can be made that limits on charitable bequests in effect impose a tax on the charity rather than the donor.

There are several other proposals which would indirectly weaken the incentive of potential donors. They are still in a rather nebulous state so it is impossible to measure their effect, but they should be mentioned. They include a proposal to tie the deductions for charitable bequests to the marital deduction with the intention of reducing both, also a suggestion to put a floor under charitable contributions and allow deductions only for the amount exceeding the floor. There are other proposals for reshaping the present treatment for capital gains including an idea that the treatment for gift and estate taxes should also be changed and some variations of the present capital gains program worked into such changes.

I realize that this must necessarily be a rather sketchy and inadequate discussion of the problems that concern you very much. I wish it were possible to be more definite but since, as I said at the beginning, there is little likelihood of any substantial tax legislation being enacted this year, it follows that at this point in time any new tax ideas are found to be vague and nebulous. Underlying all of this, however, is the basic issue of the relationship of tax policies to private philanthropy. On the one hand, experience shows us that some of the proposals in the 1969 Act are either too burdensome or too rigid and should be changed, while on the other hand, there is the continuing feeling that direct government programs may be more effective than the use of the tax mechanism to support private philanthropy. In the end, with this question, as with so many others, our problem is to find the point of balance between these two concepts if we are to preserve the greatest good for the greatest number.

THE FALLACIES OF BOYCOTTS AND ROLLBACKS

Mr. **HANSEN**. Mr. President, a constituent of mine from Wheatland, Wyo., Mr. Alan Utter, said in a recent newspaper column that—

> This is unquestionably the poorest time and place in history to boycott or roll back meat prices or even talk about it.

I could not agree more with Mr. Utter, and I was pleased to note in a letter to the editor of the Wall Street Journal of April 23, 1973, that the noted and often-quoted economist, Dr. John Kenneth Galbraith, appears to share Mr. Utter's views on meat price controls. Said Dr. Galbraith:

> Controls should not be used where price increases are caused by an excess in aggregate demand or a shortage in the specific supply. If so used, some momentary effects apart, the result will be either random shortages in the retail stores, violations or, most likely, both. The present behavior of meat prices, as of numerous other prices, shows every indication of being caused not by wage and cost increases, but by the pull of demand.

Dr. Galbraith and I part ways on the question of what, in the absence of controls, is needed to deal with the situation. Dr. Galbraith says what is needed to deal with our economic problems is a tax increase. I say what is needed are sharp reductions in Federal spending, so a tax increase can be averted.

In the meantime, so long as inflation persists and prices continue to rise, consumers will continue to complain, and some Members of Congress will continue to push for price freezes or rollbacks on specific areas of the economy, even though such steps would only aggravate the problem and do nothing to address the cause.

In a column entitled, "Everybody's Business" which appeared in the April 13 Platte County Record Times, Mr. Utter pointed out, using facts and figures the fallacies of boycotts and rollbacks. He makes a very forceful and eloquently stated case against controls, and I agree with his conclusions.

In my opinion, housewives and consumers in general would serve themselves and the economy as well by opposing any action, such as a price rollback, that would discourage or reduce production at a time when exactly the opposite is needed. Further, if consumers would direct their anger over prices bloated by inflation at the source of that inflation—a free-spending and fiscally irresponsible Congress—a great deal might be accomplished toward balancing the Federal budget and thus stabilizing the economy.

Mr. President, I ask unanimous consent that Mr. Utter's column and Dr. Galbraith's letter to the editor be printed in the RECORD.

There being no objection, the article and letter were ordered to be printed in the RECORD, as follows:

[From the Platte County (Wyo.) Record Times, Apr. 13, 1973]

EVERYBODY'S BUSINESS

(By Alan Utter)

When Mrs. June Donavan, head of the National Meat Boycott, advocated strict export restrictions of meat, feed or food grains, Eshe exposed the consumer's complete ignorance of economics and displayed their personal selfishness.

We cannot export cadillacs or color televisions to Japan. We cannot sell sewing machines to Italy. We cannot sell cameras or cars to the Germans. We cannot dump watches on the Swiss. We cannot sell airplanes to the French or British.

We cannot export crude oil, natural gas or timber because we have depleted and wasted our own resources and threatened our own supply to the point that we are dependent on even Russia for these very vital supplies.

We have developed a balance of trade deficit that has rendered the American dollar unwanted and nearly unaccepted many places in the world. We have priced ourselves out of nearly all foreign markets and can scarcely afford to buy our own products.

The agricultural export of 9 billion dollars in 1972 and the projected 15 billion dollar export in the next few years are vitally necessary to maintain even a semblance of trade balance and to nourish the lavish standard of living, the American has become accustomed to.

U.S. News and World Report, April 9, 1973, lists average farm incomes at $3,179 annually. This is $19 above what is considered poverty level. But 47% of this poverty level income came from non-farm sources such as wages, dividends, interest, pension and other non-agricultural sources and included no government subsidies or assistance.

With soy bean meal—indispensible to hog production—selling at $340 dollars a ton, if you can find it; with corn at $3.00 per hundred; with labor scarce, reluctant and high priced; with feeder trucks priced at $18,000; with mixer grinders priced at $3,000; with construction costs, transportation, taxes, school bond issues, nuts, bolts, repairs, pickups and everything thinkable that is needed and necessary for the production of pork at unprecedented and prohibitable prices, how in the name of economics can we continue to produce this essential red meat protein at roll back prices or possibly even at present prices?

This is unquestionably the poorest time and place in history to boycott or roll back meat prices or even talk about it. With the agriculture industry faced with a devastating winter which in itself threatens a stable supply of meat, blasted with the full impact of inflation that is more inescapable than in any other segment of the economy. Faced with operating and production costs that have risen 30 to 250 per cent; saddled with an increasing share of the tax load; segregated politically, socially and economically, for some mysterious reason by the rest of the economy—how can agriculture continue to meet the increasing demand for red meat protein?

Mr. George Meany in his bitter denunciation of agriculture and his dire threat to further complicate the national and international monetary structure best should look to the cause of the past and present problems and also ponder what excessive demands by organized labor could and would do to our precarious and tottering economy.

Labor prices and policies, labor attitude and endeavor have created this situation, where textiles and clothing flow into this country from Taiwan; where products of every description flood in from Japan, Germany, Italy and every other industrial country in the world with new sources adding to the torrent every year. Where will this lead us and what has this already cost us in international prestige, and monetary stability, and where and how will it stop? Certainly not by the hamstring and harassment of agriculture which is emerging with the only desirable export commodity we have to offer and also the commodity we can best afford ourselves. In 1950 a full 24% of George Meany's men's income went for food. Last year, it was down to 15.7%. In no other industrial country is the percentage so low.

Germans pay 22.5%, Italians 31.9%, the Japanese 33.2%. Now, just who is out of tune?

[From the Wall Street Journal, Apr. 23, 1973]

PROFESSOR GALBRAITH'S VIEW

EDITOR, THE WALL STREET JOURNAL:

Anyone who has urged the necessity of wage and price controls for effective economic management has, no doubt, a special obligation to draw attention to their frivolous or irresponsible use. Such is true of the controls imposed recently on meat.

The purpose of control is to arrest the interaction of wages on prices and prices on wages in that part of the economy characterized by strong unions. As such it is an essential supplement to fiscal and, in its more limited role, monetary policy. It is nowise a substitute for such action. Controls should not be used where price increases are caused by an excess in aggregate demand or a shortage in the specific supply. If so used, some momentary effects apart, the result will be either random shortages in the retail stores, violations or, most likely, both.

The present behavior of meat prices, as of numerous other prices, shows every indication of being caused not by wage and cost increases but by the pull of demand. For this the right remedy is to stop playing games with the Congress over who will be responsible for the next tax increase. The need, whatever the prospective level of spending, is now for a prompt increase in taxes.

JOHN KENNETH GALBRAITH.

Cambridge, Mass.

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

VOTER REGISTRATION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume the consideration of the unfinished business, which is S. 352. The clerk will state the bill by title.

The legislative clerk read as follows:

S. 352, to amend title 13, United States Code, to establish within the Bureau of the Census a Voter Registration Administration for the purpose of administering a voter registration program through the Postal Service.

The Senate resumed the consideration of the bill.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McGEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McGEE. Mr. President, may I ask what the parliamentary situation is?

The PRESIDING OFFICER. The unfinished business, S. 352, is before the Senate.

Mr. McGEE. Mr. President, may I inquire of my colleague whether he has any speaker who will be ready, or any remarks? I have a couple of speakers who are coming over. They are at lunch, and it will be another 10 or 15 minutes.

Mr. ALLEN. Well, before the bill goes to its third reading or before it comes up for a vote, the Senator from Alabama would like to discuss it further, but he understands there is to be a cloture motion filed, possibly by the majority leader later in the day, which would be voted on Thursday, which seems to indicate that it is anticipated that there will be some 2 days of debate. So the Senator from Alabama would feel it is his duty to use a portion of that time.

Mr. McGEE. Unless it was especially burdensome for us, I would be happy to proceed to third reading today, and we could avoid all that.

Mr. ALLEN. I would not want to deprive the majority leader of his privilege of filing the cloture motion.

Mr. McGEE. He feels very strongly about that, and I would agree that he ought to have that opportunity.

Mr. ALLEN. We ought to keep the discussion going until he has that opportunity.

Mr. McGEE. I suspect we will have no great difficulty in keeping this discussion going, and we will shed some more information on this very interesting matter.

I would like at this time to see what kind of time we probably ought to be aiming at, because I am sure later on there will be other business to come before the Senate, and we can perhaps work out an agreement on time.

Mr. ALLEN. I certainly would not object to taking up some other matter, because I would dislike to see this bill hold up the business of the Senate.

Mr. McGEE. I repeat, I would be willing to risk the disfavor of the majority leader, if we could just proceed to a third reading and then to a vote. I think he would, in the long view of history, approve my course.

Mr. ALLEN. The Senator from Wyoming has long years of seniority in the Senate, and the Senator from Alabama has only a very short period of service here, and he would not want to incur the ire of the majority leader by not giving him the opportunity to file his motion. So if the Senator from Wyoming would yield the floor to the Senator from Alabama, he will discuss the matter and possibly make a motion that might be of interest to the Senator from Wyoming.

Mr. McGEE. Would the Senator, in the preamble of his remarks, suggest what the motion might be?

Mr. ALLEN. It is a perfectly proper motion, I would assure the Senator from Wyoming, but if the Senator wishes to continue to discuss the bill, the Senator from Alabama has no objection.

Mr. McGEE. In view of the Senator's comments, in terms of his preparing to file a motion, he at once intrigues the Senator from Wyoming in terms of whether the Senator from Wyoming ought to discuss the bill a bit, himself.

Mr. ALLEN. That is the Senator's privilege.

Mr. McGEE. If we would have an agreement that we would have only speeches, without motions, this afternoon, in order to expedite matters in regard to the leadership and the like, and to keep open the majority leader's great opportunity to file a cloture motion, that might be well.

Mr. ALLEN. With the business before the Senate, the Senator is not likely to deprive any Senator of any opportunity to file any motion.

Mr. McGEE. I understand. I was trying to get a gentlemen's agreement on how we could proceed this afternoon. The Senator from Wyoming had enough steam last night to go until midnight. He did not have to exercise it, so he could draw upon some of that steam, but he would be perfectly willing, with the understanding that there would be no motions this afternoon, to exchange times, and that sort of thing, so we might ventilate all sides of this particular issue.

Mr. ALLEN. The Senator from Alabama insists that he has a right to file any motion—a motion to table, a motion to refer to the Judiciary Committee where the bill ought to have been sent to in the first place in the view of the Senator from Alabama, a motion to postpone to the next legislative day, a motion to refer back to the committee with instructions to report forthwith. Any number of motions are available to the Senator from Alabama, just as they are available to the distinguished Senator from Wyoming. The Senator from Alabama would like to discuss the bill briefly and possibly file a motion.

Mr. McGEE. In the interest of the Senator from Alabama, the Senator from Wyoming would like to honor his deep desire to protect the prerogatives of the majority leader to file a cloture motion. And, in the spirit of cooperating with the Senator from Alabama, I would then think it important that I hold the floor until that cloture motion is filled, unless we arrive at an agreement on discussion rather than motions inasmuch as apparently the majority leader does intend to file such a motion.

Mr. ALLEN. The Senator from Alabama would be unwilling to commit himself not to file any motion he is entitled to file under the rule. If the distinguished Senator from Wyoming wants to do that on his own bill, naturally the Senator from Alabama would be delighted to listen to the distinguished Senator from Wyoming in order that he might get an additional view on the bill.

At this time, the Senator does not feel that it is in the public interest to pass the bill. However, if I listen to the distinguished Senator from Wyoming for a few more hours, it might be that I would change my mind.

Mr. McGEE. That is a very interesting prospect, because the Senator from Alabama has devoted much time to this measure and has weighed the diversities very carefully.

Mr. ALLEN. Yes, indeed.

Mr. McGEE. With the understanding that the Senator from Alabama might join the Senator from Wyoming in voting for the bill, I think it would be wise for the Senator from Wyoming to proceed.

Mr. ALLEN. There is that possibility, though it is remote.

Mr. McGEE. That remoteness is worth a chance.

Mr. ALLEN. The Senator from Alabama calls the attention of the Senator from Wyoming to the fact that the Senator from Alabama was one of those who filed the cloture motion to try to get this bill to a head and decide whether the bill can be passed over the objection of a large number of Senators who are willing to discuss the measure. However, if the Senator from Wyoming is willing to discuss the matter further, it would relieve the Senator from Alabama from that task and duty.

Mr. McGEE. It was only with the prospect that the Senator from Alabama was here and had expressed a willingness to listen to the substance of the measure at hand that the Senator would be moved to air some of the obligations and the operations of this measure at this time.

I would be moved to inquire of the Senator from Alabama, since my memory fails me at this point, how he voted on the cloture motion on yesterday, which he initiated. And it is a very wise move and reflects his wisdom.

Mr. ALLEN. Mr. President, I stood on the principle that the Senate should be given an opportunity to decide whether it wants to invoke cloture on the question itself. The Senator from Alabama did not want to see cloture invoked. However, he did want to say that since the Senate has been spending time on this matter since April 6, it ought to have an opportunity to vote up or down on the question of cloture. That was the purpose of filing the cloture motion, to give the Senate a vehicle by which to determine whether it wanted to debate on the issue of cloture.

Mr. McGEE. Would it not be in the public interest, if, indeed, any case is to be made for majority vote, to give the people of the United States a chance to know where the Members of the Senate stand on the question and where they stand on the issue of voter registration? Would not the Senator agree that the forthright thing to do would be to have a straight up or down vote on the bill?

Mr. ALLEN. The Senator from Alabama believes that the vote on a cloture motion is a pretty good indication of the views of Senators with respect to the litigation.

Mr. McGEE. I think so, too. As I recall, on his cloture motion, the vote was 56 in favor of closing debate and 31 Senators in favor of continung the debate.

In my judgment, that is a rather substantial majority. And as I remember it, on each of the major test votes on amendments and modifications on the bill that have been held, with one or two exceptions, the result was the same. Therefore, the will of the Senate in terms of majority judgment has been very clearly indicated. That is the reason that I wonder what purpose we serve by delaying the Senate in having an up-or-down vote on the bill itself by hiding behind a two-thirds majority requirement on a cloture vote.

I would think that tends to obscure the issue or to lend some obfuscation in the central question being tested, and that is the matter of getting more people registered so that they might be able to vote.

Mr. ALLEN. The Senator realizes that wrapped up in the vote on the cloture motion was a pretty clear indication of how the Senate stood. So, there is no need of an up or down vote.

The Senator recalls that in the last Congress when we were seeking to cut off debate on the bill which would forbid the forced busing of schoolchildren, even though there were 49 Senators in favor of cloture and only 38 Senators against invoking cloture, yet the Senate in its wisdom saw fit not to cut off debate, even though a substantial majority were in favor of passing the bill.

Right at the moment, the Senator from Alabama does not recall how the Senator from Wyoming voted on that bill. Perhaps the Senator could enlighten the Senator from Alabama.

Mr. McGEE. Mr. President, inasmuch as I do not anticipate the busing of voters, I would be reluctant to plunge into that very serious question. I was very much concerned with the issue, but I do not want to digress from the subject matter.

Mr. ALLEN. Mr. President, was the Senator willing at that time to give the majority of the Senate an opportunity to express their views when he saw from the vote that a large majority of the Senators wanted an up or down vote and wanted an up or down vote on that measure?

Mr. McGEE. Mr. President, the point that the Senator is mentioning is something that the Senator from Wyoming has sought to protect, as has the Senator from Alabama, the limitation on procedure required in the two-thirds vote that can prolong debate. With the new national concern and public sense of responsibility, the Senate itself has become more and more determined that the time for prolonged debate has reached its ultimate point and it ought to be terminated, and the increasing tendency is to invoke cloture.

I think it is interesting to note that a great many in this body who used to automatically not approve of cloture have had a new look at the whole problem. That includes many of the Senators from the section of the country represented by the Senator from Alabama and those from the West. Some have voted for cloture, I think, as many as 10 times. The RECORD shows that one has voted 13 times and some only 2 or 3 times. However, it is a new change of perspective, I think, in the Senate, and the days when we could prolong debate indefinitely have pretty much had to give ground to the expediency of the times in which we live; namely, the importance of finally reaching a decision so that the people can determine precisely where their Senators stand.

I do not think that we achieve that after the kind of debate we have had since the 6th of April, as the Senator mentioned, and by continuing to prolong the debate.

That is the reason why I believe we ought to vote up or down on the voter registration. I think that all of the issues have been ventilated, and much as we listen to protests against it in this body, as we did yesterday, nothing has been added with respect to it by these protests.

Therefore, I believe that we are pretty much at the bottom of the well on all of the issues. Thus it is possible for mature men now, I would think, to sort those out and to render a judgment on the question of voter registration. So that would be the disposition of the Senator from Wyoming.

Mr. ALLEN. Mr. President, I call the attention of the distinguished Senator from Wyoming to the fact that he has the floor, and he is the one who is prolonging the discussion. He is engaging the Senator from Alabama in some measure of colloquy that the Senator from Alabama did not seek; and it would seem to the Senator from Alabama that it is the distinguished Senator from Wyoming who is prolonging the discussion.

Mr. McGEE. Only prolonging it because the Senator from Wyoming would not agree to go to third reading unless we vote. We can vote on this measure within the hour.

Mr. ALLEN. The Senator from Alabama wishes to file a motion, as he has told the Senator from Wyoming, but the Senator from Wyoming will not let the Senator from Alabama get the floor so that he can file a motion. It is as simple as that.

Mr. McGEE. On the track record of where we have been the last 2 or 3 weeks on this question, it is obvious that there is no intention of permitting the matter to come to a vote in its own right. With that approach very much present in this colloquy and this debate, the Senator from Wyoming feels that he has to preserve the prerogative esteemed equally by his colleague from Alabama in his desire to file a new cloture motion. It is with that thought in mind that this Senator has sought to retain the floor for the time being.

Mr. President, I would like at this time to yield to the distinguished Senator from Illinois for a question that he has posed to me privately, so that we might air it for the record here on the Senate floor; and, with the understanding that I do not lose my right to the floor, I turn to my colleague so that we might have that question aired in public.

Mr. ALLEN. Mr. President, I put the Senate on notice that if the colloquy extends beyond the asking of a question and the answer, the Senator from Alabama will have to call for the regular order.

The PRESIDING OFFICER. That would be the Senator's prerogative. The Senator from Illinois is recognized.

Mr. STEVENSON. I thank the Senator from Wyoming for yielding.

Mr. President, the United States was

founded on the democratic principle of citizen participation. That was our purpose, as declared by our founders. It was the first time that any nation had declared such a purpose.

The purpose was to set people free. Up until that time, the purpose of every nation in the world had been to enslave its neighbors, and if possible the world. Our purpose was to set people free.

To fulfill that purpose in our laws and our Constitution, and afterward in our traditions, we gave people the right to govern their own affairs.

Those traditions have sustained Lincoln's suggestion that democracy is the "government of the people, by the people, and for the people." As one of this Nation's founders, James Madison, stated at the Constitutional Convention in 1787:

> It violates the principle of free government that those who are bound by the laws ought not to have a voice in making them.

Madison further defined his democratic intentions in his response to the question, "Who are the electors?". He said:

> Not the rich more than the poor, not the learned more than the ignorant, not the haughty heirs of distinguished names more than the humble sons of obscure and unpropitious fortune. The electors are to be the great body of the people of the United States.

Addressing himself to this question, Alfred Smith in 1933 said:

> All the ills of democracy can be cured by more democracy.

Mr. ALLEN. Mr. President, I call for the regular order. There has been no question asked.

The PRESIDING OFFICER (Mr. HUDDLESTON). The Chair feels that the Senators from Illinois is about to pose his question, and is merely setting the context on which that question might be based. While it might be somewhat lengthy, we will wait and see whether or not the question is forthcoming.

Mr. STEVENSON. Mr. President, I was just leading up to the first, if the Senator will continue to yield, of several questions.

The first question is a philosophical question that I would like to propound to the Senator from Wyoming: Is it not true that this Government has been, from the beginning, based on a sense of participation of the governed? We have seen the process of citizen participation evolve over a long period of time. It is a process continuing toward the ever greater enfranchisement of an ever greater number of the American people. Is not this proposal very much in that tradition, which has evolved over a long period of years? Is it true that the bill is no break with tradition, and that rather it is another step in the continuing effort to expand citizen participation in and support for the Government?

One of the most recent steps taken by the Government is the enfranchisement of 18-year-old voters. But we still find that whatever the age, whatever the color, whatever the economic background, many people are prevented from exercising the franchise because of archaic registration laws and other obstacles to citizen participation in the most fundamental way, in registering to vote.

Is not this measure a continuation of a long and difficult process, a step in that tradition?

Mr. McGEE. The Senator is precisely correct. He reflects a deep sense of history, as he refers to this as a part of a continuing process. His citation of the philosophy of Madison, one of the Founding Fathers and architects of the Constitution itself, is the epitome of the concept of government by the consent of the governed. While at our beginning the franchise was very limited—it was a government of gentlemen, landed gentlemen for the most part, with severe restrictions on the right of sufferage—systematically this right has been expanded, through the era of Jackson and the new democracy—"Jacksonian democracy," as we called it—through the aftermath of the Civil War, when there were some efforts to narrow the voting base, though the ultimate result turned out to be the opposite, after there was some bitterness at restraint of participation, with the enfranchisement of women right after World War I, and now with the enfranchisement of 18-year-olds.

The whole direction of the trend was to make sure that we did not select out some voters and eliminate others because we were afraid of how they would vote. We never dare let that come to pass. So the Senator is correct in his conclusion that voter registration, as exemplified in this bill, continues on the process of change and expansion of the basis of citizen participation in the Government. I think the Senator's statement is a great testimony to the necessity for this bill, or one like it.

Mr. STEVENSON. I thank the Senator, and I commend him, too, for presenting this proposal, very much, as he points out, on the basis of American political traditions. He has fought for it with industry, skill, and courage. He brings not only his qualities as an outstanding legislator, but also his background as a teacher and a scholar. He speaks with great authority on American political history.

Mr. President, addressing himself to this question, President Eisenhower in 1952 told a gathering in Wheeling, W. Va.:

> We must work for the abolition of restrictions remaining anywhere on the basic American right to vote.

One can conclude that this Government, which derives its just powers from the consent of the governed, must be able to hear the voice of the people.

Thus, if we really believe in democracy in this country, we must assure every citizen freedom to vote. If we really believe in citizen participation in this country, we must knock down the barriers which unreasonably and unnecessarily restrict the right of the individual to participate in the democratic process.

One of the brightest chapters in the history of America is the progress we have made toward achieving our goal of universal suffrage and full participation for every citizen in the political life of our Nation. The route we have traveled in the past 100 years since the Civil War is marked with national milestones of the efforts we have made to broaden our democracy. Indeed, 6 of the last 12 amendments to the Constitution have been concerned with extending the right to vote.

The 15th amendment adopted in 1870, guaranteed the vote to citizens regardless of their race or color.

The 17th amendment, adopted in 1913, provided for the direct popular election of Senators.

The 19th amendment, adopted in 1920, extended the franchise to women.

The 23d amendment, adopted in 1961, extended the franchise to citizens of the District of Columbia in Presidential elections.

The 24th amendment, adopted in 1964, abolished the poll tax as a condition of voting in Federal elections.

Most recently, the 26th amendment extended the franchise to 18-year-olds in all elections.

Hand in hand with these great constitutional amendments have come a series of landmark decisions by the Supreme Court and much congressional legislation, all concerned with insuring the broadest possible exercise of the right to vote. Within our recent memory, legislation like the Civil Rights Acts of the fifties and sixties, and the Voting Rights Acts of 1965 and 1970, and the one-man, one-vote decisions of the Supreme Court, stand as eloquent tributes to the Nation's continuing commitment to extend and secure the fundamental right to vote.

THE PROBLEM

Our country's current practice certainly does not coincide with the goal of full citizen participation. In 1972, only 55 percent of eligible Americans voted—62 million Americans who were qualified to vote did not vote. This figure of 62 million becomes more distressing when one realizes that only 31 million Americans voted for the man who was elected President. Our nonvoting adult population is greater than the entire population of England—children included.

This country's record of utilization of their democratic right to vote compares very poorly with the other democracies of the world. In Canada, 75 percent of the eligible people vote; in Great Britain, 80 percent vote; in Germany, 85 percent vote; and, in Australia, there has been up to 95 percent of the people turning out on election day. It is ironic that the country most widely recognized as the world's greatest democracy, in fact, does not practice its philosophy.

Mr. President, this proposal would make an imperfect institution less imperfect. It would not make democracy perfect, but then no form of government will ever be perfect.

I recall what George Bernard Shaw once said of democracy, that—It is only a device for giving the people what they deserve.

There are many who deserve far more of their Government than what they are receiving. There is truth in what George Bernard Shaw said.

We can even adopt perfect political institutions. We can reform our political procedures but, in the end, the quality of the men and women in public office and, in the end, the quality of their public policies, depend on the judgments and the decisions that they make.

Mr. President, I should like to conclude with a final question to the distinguished Senator from Wyoming (Mr. McGee). Objections have been raised to the bill, a few of which, in my opinion, are meritorious. One provokes more concern in my mind than any other and has also been of some concern in the minds of many representatives from my State of Illinois.

The question raised is whether the bill would create the possibility of more irregularities in voting and whether, in fact, it could lead to corruption in our politics and a greater incidence of voting fraud.

I wonder whether the distinguished Senator from Wyoming would care to respond to that most serious concern that I have heard expressed about the bill.

Mr. McGEE. Mr. President, well, the question of fraud is an understandable one, and it should be raised. I am delighted to address myself to the question in specific terms.

We are all mindful of the threat of fraud in our kind of political society today. This is not the first time it has reared its ugly head in our history. What we have surely discovered by now is that we cannot write a Constitution or a code of legal statutes that will actually prevent fraud. If there are men who seek to be fraudulent in the public's business, they will find ways to get by with it.

It is to the credit of our system that it exposes those efforts and punishes them.

So what it comes down to in the instance of this particular bill is, namely, does it make the prospects for fraud any moe flagrant than already exist? I say, categorically, absolutely not. In fact, it may make it less than flagrant. The reason it may make it less than flagrant, as the distinguished Senator on the other side of the aisle, Mr. Brock from Tennessee, has made perfectly clear in his experience in his State, the prospects of one party that is clearly dominant in its area refusing the right to registration to people of other political faiths, whatever they may be, who come in to register to vote, is so great in many parts of the country that post card registration tends to defuse that possibility, because it goes around those who would otherwise organize an effort to prevent registration.

With that in mind, I would say further to my distinguished colleague from Illinois that his interest in this subject has been deep and abiding, helpful and constructive to the committee, and I would hope he will have more to say later on the matter.

Mr. STEVENSON. I thank the Senator for his comments, and especially for his reassurance on that very important point. It is a convincing reassurance.

Mr. McGEE. I thank the Senator from Illinois for his comments.

I would add, in general, that on the whole question of fraud, the prospect of fraud, we have the repeated testimony of those who have been involved in the registration process, who have said again and again to the members of the committee as we held our hearing, and to others who have probed them in public ways, that the frauds occur at the ballot box, the frauds occur in the efforts of election officials at the time of voting, and there is no sustained evidence of fraud in the registration process.

All this bill does, Mr. President, is to make it possible for somebody to apply for registration by postcard. The same procedures of validation, the same processes of verification, still obtain in each of the States. The local State registrars have to perform their duties with respect to eligible registrants. The postcard is only a request. There is no new introduction of an element that might lend itself to the commission of fraud. In fact, a specific inducement is made that is otherwise; namely, the penalties attached: 5 years in jail and a $10,000 fine for anyone convicted of abusing this procedure.

With that thought in mind and with the reminder that obstacles to registration, in themselves, are fraud these days, that almost 62 million people did not vote the last time, something is wrong, and this is but a modest attempt to correct a little of that wrong.

Mr. President, I yield the floor.

CLOTURE MOTION

Mr. MANSFIELD. Mr. President, I send to the desk a cloture motion.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair, without objection, directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the pending bill (S. 352, a bill to amend title 13, United States Code, to establish within the Bureau of the Census a Voter Registration Administration for the purpose of administering a voter registration program through the Postal Service.

Mike Mansfield, Robert Byrd, Gale W. McGee, William Proxmire, Edmund S. Muskie, Thomas F. Eagleton, Dick Clark, William D. Hathaway, Daniel K. Inouye, Philip A. Hart, John O. Pastore, Stuart Symington, Walter D. Huddleston, Claiborne Pell, Vance Hartke, Adlai E. Stevenson III, Alan Cranston.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, has an order been granted to the Senate for a time to convene tomorrow?

The PRESIDING OFFICER. No, the Senate does not have an order.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM TOMORROW TO THURSDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business on Wednesday, it stand in adjournment until the hour of 12 o'clock noon on Thursday.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. On that basis, is it correct to assume that the vote on the cloture motion will occur at approximately 1 p.m. on Thursday?

The PRESIDING OFFICER. After a quorum call; yes.

Mr. MANSFIELD. After a live quorum.

The PRESIDING OFFICER. After a live quorum.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Marks, one of his secretaries, and he announced that the President had approved and signed the following acts:

On April 20, 1973:

S. 1315. An act to extend diplomatic privileges and immunities to the Liaison Office of the People's Republic of China and to members thereof, and for other purposes.

On April 27, 1973:

S. 1493. An act to amend title 37, United States Code, relating to promotion of members of the uniformed services who are in a missing status.

On April 30, 1973:

S. 398. An act to extend and amend the Economic Stabilization Act of 1970.

PROPOSED FOREIGN ASSISTANCE ACT OF 1973—MESSAGE FROM THE PRESIDENT

The PRESIDING OFFICER (Mr. Mathias) laid before the Senate a message from the President of the United States, which, with an accompanying paper, was referred to the Committee on Foreign Relations. The message is as follows:

To the Congress of the United States:

One of the most important building blocks in erecting a durable structure of peace is the foreign assistance program of the United States. Today, in submitting my proposed Foreign Assistance Act of 1973, I urge the Congress to act on it with a special sense of urgency so that we may continue the important progress we have made toward achieving peace during the past year.

Perhaps the most persuasive reason for a strong foreign assistance program was set forth by President Roosevelt in the days shortly before World War II, when Britain needed help. "Suppose my neighbor's home catches fire," he said, "and I have a length of garden hose four or five hundred feet away. If he can take my garden hose and connect it up with his hydrant, I may help him to put out his fire."

Implicit in Roosevelt's analogy was the mutual benefit of giving assistance, for if the fire in question spread, both neighbors would be in danger. Those clear and simple assumptions underlaid our wartime assistance to our European allies and our post-war policy toward the nations of the Western Hemisphere.

Today, we see the wisdom of this policy on every hand. Western Europe is now a bulwark of freedom in the Atlantic Alliance. In the Pacific, Japan has emerged as a major economic power. The remarkable vigor and talents of her people and the dynamic efficiency of her industry are making significant and increasing contributions to other countries, so that Japan itself now plays an extremely important role in working toward a lasting peace in the Pacific.

In recent years, as we have sought a new definition of American leadership in the world, assistance to other nations has remained a key part of our foreign policy. Under the Nixon Doctrine of shared responsibilities, we have tried to stimulate greater efforts by others. We want them to take on an increasing commitment to provide for their own defenses, their security and their economic development. Most importantly, we hope they will assume greater responsibility for making the decisions which shape their future.

We must not, however, try to shift the full weight of these responsibilities too quickly. A balance must be struck between doing too much ourselves and thus discouraging self-reliance, and doing too little to help others make the most of their limited resources. The latter course would spell defeat for the promising progress of many developing nations, destroy their growing self-confidence, and increase the likelihood of international instability. Thus it is critical that we provide a level of foreign assistance that will help to assure our friends safe passage through this period of transition and development.

The sums I am requesting in the Foreign Assistance Act of 1973 represent the absolute minimum prudent investment which the United States can afford to make if we wish to help create a peaceful and prosperous world. Altogether, authorizations under this bill amount to $2.9 billion for economic and military assistance in the coming fiscal year. During the current fiscal year, some $2.6 billion has been appropriated for such purposes under the strictures of a continuing resolution passed by the Congress.

This new Foreign Assistance Act has several fundamental objectives:

—To help the developing countries achieve a greater measure of self-reliance in their struggle against hunger, disease and poverty;

—To respond swiftly to the ravages of natural disasters;

—To assist friendly governments in building and maintaining the military capability to protect their independence and security;

—And to help South Vietnam, Cambodia, and Laos begin the task of rehabilitating and reconstructing their war-torn countries.

Let us look more closely at each of these objectives.

DEVELOPMENT ASSISTANCE

Hunger, poverty and disease are still widespread among developing countries, despite their significant progress of recent years. Their economic growth—averaging some 5.5 percent a year over the last decade—as well as rapid improvements in agricultural methods and in health care have not yet overcome many deep-seated problems in their societies. Their current needs represent a moral challenge to all mankind.

In providing assistance, however, we should not mislead ourselves into thinking that we act out of pure altruism. Successful development by friendly nations is important to us both economically and politically. Economically, many of the developing countries have energy resources and raw materials which the world will need to share in coming years. They also could represent larger markets for our exports. Politically, we cannot achieve some of our goals without their support. Moreover, if essential needs of any people go entirely unsatisfied, their frustrations only breed violence and international instability. Thus we should recognize that we assist them out of self-interest as well as humanitarian motives.

While development progress as a result of our aid has been less visible than some would like, I believe it is essential for us to persevere in this effort. I am therefore asking the Congress to authorize some $1 billion for development assistance programs during fiscal year 1974 and approximately the same amount for fiscal year 1975.

EMERGENCY AID

America's fund of goodwill in the world is substantial, precisely because we have traditionally given substance to our concern and compassion for others. In times of major disaster, American assistance has frequently provided the margin of difference between life and death for thousands. Our aid to victims of disasters—such as the earthquake in Peru and floods in the Philippines—has earned us a reputation for caring about our fellowman.

No nation is more generous in such circumstances. And the American people respond with open hearts to those who suffer such hardship. I am therefore asking the Congress to authorize such amounts as may be needed to meet emergency requirements for relief assistance in the case of major disasters.

SECURITY ASSISTANCE

Security assistance has been a cornerstone of U.S. foreign policy throughout the last quarter century. Countries whose security we consider important to our own national interest frequently face military challenges, often prompted by third countries. In order to maintain a stable international order, it is important that these threatened countries not only be economically developed but also be able to defend themselves, primarily through their own resources.

The United States can rightly claim a number of successes in this regard during recent years. Our programs to help South Vietnam and South Korea build capable forces of their own, for instance, have permitted us to withdraw all of our forces—over 500,000 men—from South Vietnam and 20,000 men from South Korea.

It is unrealistic to think we can provide all of the money or manpower that might be needed for the security of friendly nations. Nor do our allies want such aid; they prefer to rely on their own resources.

We can and should, however, share our experience, counsel and technical resources to help them develop adequate strength of their own. It is for this reason that I ask the Congress to authorize $652 million in grant military assistance, $525 million in foreign military sales credits, and $100 million in supporting assistance funds for fiscal year 1974.

This year's foreign aid bill includes for the first time separate authority for a foreign military education and training program. We want to strengthen this program so that we can help friendly governments better understand our policies, while they develop a greater sense of self-reliance and professional capability in their own military services.

AID FOR INDOCHINA

The signing of cease-fire agreements in Vietnam and Laos marks the beginning of a trend toward a peaceful environment in Indochina. This change will permit us to turn our attention to the considerable post-war needs of Southeast Asia. To ignore these needs would be to risk the enormous investment we have made in the freedom and independence of the countries of Southeast Asia.

The legislation I am presenting today would authorize the continuation of our economic assistance to South Vietnam, Laos and Cambodia and would provide for a sound beginning in the process of rehabilitation and reconstruction there. I anticipate other nations will join in this effort, as they have elsewhere, to solidify the foundations for a new era of reconciliation and progress in Southeast Asia.

Relief assistance for refugees of the war in Southeast Asia is vital to this effort. These refugees number in the hundreds of thousands. In addition to their resettlement, this Administration proposes a major effort to help restore essential community services in areas which have suffered because of the war.

In this bill, I ask the Congress to authorize $632 million for the reconstruction effort in Indochina in fiscal year 1974.

My present request does not include any assistance for North Vietnam. It is my hope that all parties will soon adhere fully to the Paris agreements. If and when that occurs, I believe that American assistance for reconstruction and development of both South and North Vietnam would represent a sound investment in confirming the peace.

Representatives of the United States have recently been holding discussions with representatives of the Government of North Vietnam to assess economic conditions there and to consider possible forms of United States economic assistance. This assessment has now been suspended, pending clarification of North Vietnam's intentions regarding implementation of the cease-fire. Once Hanoi abandons its military efforts and the assessment is complete, the question of aid for North Vietnam will receive my personal review and will be a subject for Congressional approval.

For a quarter century, America has borne a great burden in the service of freedom in the world. As a result of our efforts, in which we have been joined by increasing numbers of free world nations, the foundation has been laid for a structure of world peace. Our military forces have left Vietnam with honor, our prisoners have returned to their families, and there is a cease-fire in Vietnam and Laos, although still imperfectly observed.

Our foreign assistance program responds to the needs of others as well as our own national needs—neither of which we can afford to ignore.

For our own sake—and for the sake of world peace—I ask the Congress to give these recommendations prompt and favorable consideration.

RICHARD NIXON.

THE WHITE HOUSE, *May 1, 1973*.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer (Mr. MATHIAS) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received today are printed at the end of Senate proceedings.)

VOTER REGISTRATION ACT

The Senate continued with the consideration of the bill (S. 352) to amend title 13, United States Code, to establish within the Bureau of the Census a Voter Registration Administration for the purpose of administering a voter registration program through the Postal Service.

Mr. MANSFIELD. Would the distinguished Senator consider the possibility of laying aside the pending business temporarily, so that we can turn to the humanities bill, with the proviso that when that is completed, the pending business would again become the pending business and the Senator would have his right to the floor? I ask the Senator from Alabama if he would concur in that request.

Mr. ALLEN. Mr. President, reserving the right to object to the request, the Senator from Alabama, in the absence of the majority leader, has been seeking to get the floor with respect to the voter-registration-by-post-card bill; and he stated to the distinguished Senator from Wyoming that he desired to file a motion in connection with the bill. The Senator from Wyoming has seen fit to maintain and keep the floor during that time, even though the Senator from Alabama is anxious to get a vote on some phase of the bill.

So I will have to object until the motion that the Senator from Alabama has in mind has been made.

Mr. McGEE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. McGEE. I should like to suggest that, in the absence of the majority leader, the Senator from Alabama made a very eloquent plea, because of seniority and other matters, for the opportunity of the majority leader to file what he understood was the majority leader's cloture motion. Out of respect for the high esteem in which the Senator from Alabama holds the majority leader, I felt obligated to hold the floor until the cloture motion might be filed.

The motion has now been filed, and I have now protected the desires of the Senator from Alabama, who wanted to protect the majority leader; and in our mutual protection society we are now prepared to move in any direction the majority leader thinks is desirable. I do not seek the floor, so long as I have the right to the floor, by unanimous consent, at the conclusion of the vote on the cloture motion on Thursday.

Mr. MANSFIELD. The request will have to be renewed.

Mr. ALLEN. Has an order been made to that effect?

Mr. MANSFIELD. No; I would have to renew that request.

Mr. ALLEN. The Senator from Wyoming had the floor after the last cloture vote. I did not know an order had been entered, because the Senator from Montana just sent to the desk the cloture motion.

Mr. MANSFIELD. The request was made.

The PRESIDING OFFICER. And objection was heard.

Mr. ALLEN. Objection was heard, the Chair states.

Mr. MANSFIELD. That takes care of that until an appropriate time.

I yield the floor.

Mr. ALLEN. Mr. President, may I be recognized in my own right?

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. ALLEN. Mr. President, I might state that at the time I conclude my remarks, I will make a motion that the Senate proceed to the consideration of S. 373, Order No. 115 on the calendar, a bill by Mr. ERVIN and others to insure the separation of Federal powers and to protect the legislative function by requiring the President to notify the Congress whenever the impounds funds, or authorizes the impounding of funds, and to provide a procedure under which the Senate and House of Representatives may approve the President's action or require the President to cease such action.

The bill before the Senate, S. 352, the voter registration by post card bill, has been before the Senate since April 6. At the present time, a number of bills are on the calendar that, it would seem to the Senator from Alabama, are much more important than this voter registration bill, there being no need whatever for the voter registration bill.

Mr. President, the Senator from Wyoming, in advocating this bill, is seeking to set up a large additional Federal bureau, another entire echelon of the Federal bureaucracy. It is absolutely unnecessary. It would create many more problems than it would solve.

What does the bill provide? It provides that at least once every 2 years there shall be broadcast throughout the country, by a new bureau in the Bureau of the Census, millions of post cards—double post cards, the folded-over type of post cards, not addressed to any particular individual, but addressed merely to "postal patron," "boxholder," "RFD mail addressee." Every resident, every postal address in the country, is to receive what the bill says are "sufficient quantities" of post cards. Sufficient unto what? The bill does not say. They would be broadcast indiscriminately, without regard to whether the recipients are already qualified to vote, without regard to any system of elimination; and, in addition, they would be spread en masse among government offices throughout the country.

Why send all these cards through the post office in the first place? The cost is estimated to be anywhere from $50 million to $100 million a year. Why give the Committee on Post Office and Civil Service, headed by the distinguished Senator from Wyoming (Mr. McGEE), jurisdiction of the bill?

Why not the Judiciary Committee, when passed on a tremendous change in the registration laws? Instead, the bill was referred to the Committee on Post Office and Civil Service.

At least one State, the State of Texas, for 30 years has had registration by post card, registration by coupon published in the newspapers, and registration in almost any way. Yet, in 1970, according to the figures of the Bureau of the Census, only 63 percent of the Texans of voting age were registered; and in the last Presidential election, fewer than 50 percent of the citizens of voting age voted in the general election. So post card registration has not helped in Texas.

Mr. FONG. Mr. President, will the distinguished Senator from Alabama yield?

Mr. ALLEN. I am glad to yield.

Mr. FONG. Does the Senator think that registration in the State of Texas will be increased by the adoption of a voter-registration post card system?

Mr. ALLEN. No, I do not. It would not. Texas already has a post card system for registration to vote in State elections. All that the post card system would do would be to register persons to vote in a Federal election. I point out that those who register under this bill would really be second-class citizens, because they would have just half a vote. The bill would not qualify them to vote in a State election. On the other hand, if they go into a registration office, present themselves to register, and say, "I am 18 years of age. I am already a citizen of this county," they are allowed to register. No educational qualifications are required.

Mr. FONG. In the State of Texas, he does not present himself personally.

Mr. ALLEN. No; he merely sends in the newspaper clipping.

Mr. FONG. It would be easier for him to register in Texas.

Mr. ALLEN. Possibly easier, with the coupon in the newspapers.

Mr. FONG. Therefore, in the State of Texas, even if we pass the voter mail registration bill, it is not going to increase the number of registrants.

Mr. ALLEN. There is no assurance whatsoever that those who register under the proposed law would get more privileges than they would get under the Texas law.

Mr. FONG. They would have to be placed in a separate category.

Mr. ALLEN. If a voter came in to vote under the Federal post card system, he would not be qualified to vote for the candidates for the State legislature, Governor, county commissioners, sheriff, or probate judge. There would have to be some system whereby the voting officials at the voting box could say, "You are qualified to vote only in Federal elections. Do not vote, or try to vote, for anybody except a Senator. You cannot drop down and vote for this."

How in the world could they manage a system like that, I will ask the Senator from Hawaii?

Mr. FONG. So if he signed and sent in a coupon appearing in the newspaper, he could vote in any election?

Mr. ALLEN. That is correct.

Mr. FONG. If we adopt the voter registration bill now before the Senate, a person who registered by that means would be eligible to vote only for the election of Federal officials?

Mr. ALLEN. That is correct.

Mr. FONG. If he wanted to vote for State officials, he would still have to sign a coupon?

Mr. ALLEN. Yes.

Mr. FONG. In the State of Utah, as I understand, about 98 percent of the eligible voters are registered.

Mr. ALLEN. 98.4 percent.

Mr. FONG. That leaves 1.6 percent who did not register.

Mr. ALLEN. That is right.

Mr. FONG. Would this post-card system increase the registration rolls of Utah?

Mr. ALLEN. I would say 98.4 percent is just about as many as we are going to get under any system. That comes from individual initiative and resourcefulness and public-spiritedness on the part of the citizens. What the distinguished Senator from Wyoming is overlooking is the need for the desire on the part of the people to discharge the rights and privileges of their citizenship, not just to bring everything to them on a silver platter, toss it into their lap, and say, "Mail it in."

Another thing I want to point out to the Senator from Wyoming is that it makes it just as easy as possible for these people to get the card and send it back. While I see nothing to indicate, stamped on the card, that the postage will be paid, the inference is there that it will be without cost to the recipient. So we will have millions of these cards throughout the country falling into the hands of people who have no need for them, with a postal stamp on them guaranteeing their postage. So we are going to have a lot of use of this by people unauthorized to do so.

Mr. FONG. As the distinguished Senator from Alabama reads the bill as it is now on the floor of the Senate, does he conceive that every voter or every addressee in the State of Utah will receive postal voter registration cards?

Mr. ALLEN. Yes, because they are to receive a sufficient number. Nobody knows for sure what a "sufficient number" is. Sufficient number to pay for every room in the house? Sufficient number to make a deck of cards out of? Sufficient number for what? It is assumed they feel it will be a sufficient number to allow every person 18 years of age to fill it in and send it to the registrar. That makes a subregistrar out of every postman in the country, because he has to ascertain who in the house might be old enough to vote. He has to go around making inquiries. From the best I can tell, the post office does not need that business.

I believe the Senator from Hawaii on more than one occasion said they would probably send out 240 million cards at a time.

Mr. FONG. There are 88 million addresses in the United States. If they were to send 4 cards to each address, to be sure all of the people residing at that address are registered—they would need to send 3 or 4 cards to each address—they would send 320 million cards out nationwide—98.4 percent of the people of Utah are registered. If these cards were to be sent throughout Utah, they would have to be sent to the 98.4 percent of the people who are already registered. Is that not a duplication of effort and a waste of money?

Mr. ALLEN. I have computed, roughly, what would be the size of a stack of mail of 100 million cards put in the postal system. Computing 25 of these double cards to an inch, that would be 300 cards to a foot. That would make around 166,500 cards in a stack as high as the Washington Monument. So it would make about 600 stacks of post cards, if they are stacked one on top of the other, each as high as the Washington Monument, that would be dumped into the Postal Service each time 100 million cards were sent out. I do not believe the post office needs this business. I believe they are having a hard enough time delivering the mail on time as it is, without going through this farce.

Mr. FONG. Under the bill, these cards must go out at least once every 2 years.

Mr. ALLEN. Every 2 years, but they are not limited to once in every 2 years. According to the bill, they could send them out every other day, if they wanted to, because the only limit is on the floor, not on the frequency, but on the fewness of the number.

Mr. FONG. In other words, the national postal registration agency would have the authority to send out post cards more than once every 2 years?

Mr. ALLEN. That is correct.

Mr. FONG. If they sent them out twice in every 2 years, that would double the cost?

Mr. ALLEN. Yes.

Mr. FONG. It is estimated that it would cost $100 million if they sent cards out once every 2 years. If they were sent out twice, in the same period of time, it would cost $200 million?

Mr. ALLEN. Yes.

Mr. FONG. Does the Senator think that cost justifies that end?

Mr. ALLEN. I certainly do not feel that it would justify the end. I really feel that this would increase the registration very little. It would get people relying on it, rather than having citizens' groups going out and urging people to register and putting some degree of responsibility on the people themselves.

Mr. FONG. What has the distinguished Senator from Alabama to say to the question that the proponents of the bill claim that many millions of Americans did not vote in the 1972 election because of the fact that it was so difficult for them to register? What is the distinguished Senator's answer to that?

Mr. ALLEN. I feel that the real trouble was that the people who were registered just did not bother to go out and vote. That is the real reason. There are no barriers to registration. Not once here on the floor has the suggestion been made that a person cannot go into the registration offices in Alabama and the South, present himself for registration, and become registered. I have heard that suggested in past years, but not once has anyone on either side of the aisle, on either side of this controversy, made the claim that it is impossible to get fair treatment at the registration offices in the South. That is an admitted and conceded fact, and I am proud that that is the case.

I might call the attention of the distinguished Senator from Hawaii to the fact that in my own State of Alabama, according to my census bureau's figures—in my State the Census Bureau is opposed to the bill; they do not want it—80 percent of those of voting age in Alabama are registered to vote, whereas in the great State of Wyoming, so ably represented by the distinguished Senators from Wyoming, Mr. McGee, and Mr. Hansen on the other side of the aisle, only 69 percent of the citizens of voting age are registered.

Mr. FONG. Does that mean that the barriers in Wyoming are more onerous than they are in Alabama?

Mr. ALLEN. I am not sure why. Maybe our people in Alabama regard with greater love their right to go in and vote. I do not know why, but I would say that if there are barriers existing, they are not existing at the Federal level.

Possibly a State has some hour requirement, and the office does not stay open every day in the year or something of that sort. However, that is something to be handled at the local level. We do not need to set up a whole new bureau or some new Federal bureaucracy to handle local problems. We should let the local people handle it.

Mr. FONG. Mr. President, I want to inform the Senator from Alabama that in the State of Hawaii we have no barriers to registration. For 3 or 4 months before an election, additional registrars are deputized within the Republican Party and the Democratic Party, to go out and register people. Deputy registrars go out door to door and are paid by the number of names they bring back.

These deputy registrars stay at the street corners at tables. They go into shopping centers and go from house to house looking for voters. Everyone is encouraged to register. The television and radio stations exhort the people to register. However, even with that kind of registration system, where it is very easy for a person to register and where a person need not go to the registration office but only has to stay at home and the registrar will come to him, it has not been easy to register voters. If a citizens' group says that they want the registrar to come and register their members, the registrar will come to register them.

Even in my State only 63 percent are registered. Thirty-seven percent of my people are not registered. And just a little over 50 percent of the eligible voters vote.

It is not a question of any registration barriers that have been put up against registering.

It is just that the people do not feel that they want to register or vote. Many people do not want to register because they feel that they will be called for jury duty. Therefore, they keep away from registering and do not vote. They think that they will then not be called for jury duty.

I believe that the Senator from Alabama knows about the poll that was taken in 1968 by the Bureau of the Census of 50,000 households, and not just 500 or 1,500 people like the Gallup poll, but 50,000 households. If we figure that there are about 3 people to a household, this is a poll of 150,000 people. That poll shows that over 50 percent of those households were not registered to vote. They were asked why they did not register. Of the 50 percent who said they did not register, 53.2 percent said that they were not interested in politics.

If we took, say, about 10 percent of the people who did not register because they were not citizens the number of eligibles who did not register and who said they were not interested in politics would amount to 60 percent.

That is the primary reason why people did not register. They were not interested in politics. The sending of cards, as envisioned in the pending bill, would not get these people to register.

Mr. ALLEN. Mr. President, I agree with the distinguished Senator.

Mr. FONG. Mr. President, why should we spend millions of dollars on such a proposal? We estimate that it will cost a hundred million dollars to send one mailing of cards. Why should we spend that money for nothing?

Mr. ALLEN. Mr. President, I do not think that we should. And I do not think that the Senate in its wisdom will say that we should. That is why I have been standing here shoulder to shoulder with the distinguished Senator from Hawaii and fighting the bill.

I think it is against the public interest. It will encourage fraud. I do not think that the bill will accomplish its purpose.

Mr. FONG. Now that the question of fraud has been brought up, may I ask the Senator whether the mere sending of a certificate by the registrar to the registrant saying that he is registered will entitle him to register and vote?

Mr. ALLEN. Mr. President, the Senator is correct. He would receive a certificate saying that he is entitled to vote under the provisions of the voter registration bill.

Mr. FONG. Mr. President, the man sends a card to the registrar. The registrar does not even see the man. He does not know his name. He does not know whether he is or is not John Doe. He does not know whether he lives at that address or not. He does not know whether it is a name from a tombstone.

He does not know whether it is someone who has not been born yet.

The man gets this certificate back in return. He then comes down to the voting booth and says, "This is my certificate." The pending bill would say that is prima facie evidence that he is registered and is qualified to vote.

Mr. ALLEN. The bill makes that provision.

Mr. FONG. In other words, if one wants to disprove that and prove that he is not the man listed in the certificate, he has to present evidence to rebut that prima facie evidence.

Mr. ALLEN. The Senator is correct.

Mr. FONG. And if John Doe came in and had signed the name of Mary Smith to the card, and received back a certificate showing that Mary Smith is a prima facie registrant, John Doe could take that card down and vote.

Mr. ALLEN. If John Doe were to bring the certificate of Mary Smith, it might raise some eyebrows.

Mr. McGEE. Mr. President, in this day and age, it is sometimes difficult to tell a John Doe from a Mary Smith.

Mr. ALLEN. Mr. President, that is another reason for not passing the pending bill.

Mr. FONG. Mr. President, if John Doe were to register as John Smith, Henry Adams, Philip Smith, or Daniel Boone, he would get in return a certificate saying that John Smith, Henry Adams, Philip Smith, or Daniel Boone was registered and qualified to vote.

Mr. ALLEN. The Senator is correct.

Mr. FONG. He could then take that certificate down and vote under the name of John Smith, Henry Adams, Philip Smith, or Daniel Boone and the registrar could not do anything about it.

Mr. ALLEN. It would be difficult.

Mr. FONG. Mr. President, does not the Senator think that this could really present situations involving a great deal of fraud through this type of registration?

Mr. ALLEN. There is no doubt about that.

Mr. FONG. Under the present State registration systems, a man presents himself personally.

Mr. ALLEN. The Senator is correct.

Mr. FONG. He swears that he is the man, and they can touch him and talk to him. However, in this kind of a registration procedure, they do not know who the man is.

Mr. ALLEN. The Senator is correct.

Mr. FONG. Mr. President, I thank the Senator.

Mr. ALLEN. Mr. President, I thank the distinguished Senator for his able comments and the colloquy in which we have engaged.

Mr. President, it is not my purpose to delay the consideration of the Arts and Humanities bill that is to be called up shortly according to the plans of the majority leader. However, before that is done, I would like to offer a motion to substitute for the pending business S. 373, the so-called Anti-Presidential Impoundment bill.

Mr. President, the Senate since April 6 has been engaged in the consideration of trivia, the trivia being S. 352, the voter registration by post card bill.

The Senate and many individual Members of the Senate have had a whole lot to say about the necessity of preventing the President of the United States from deciding the spending priorities of the country and the implementing of his decision on impoundment of funds appropriated by the Congress.

The distinguished Senator from North Carolina (Mr. ERVIN) is the author of S. 373, which is a bill to insure the separation of Federal powers and to protect the legislative function by requiring the President to notify the Congress whenever he impounds funds. It gives the Congress the right to veto that impoundment, not by affirmative action, but by the failure to act, because in order for the impoundment to be approved, Congress would have to take affirmative action.

So, Mr. President, it would be up to the Senate, then, in considering a motion which I shall file in a moment, at the time I get ready to yield the floor, to weigh these matters, to weigh the need for one piece of legislation over the other, to weigh the need for this voter registration by post card bill as against the bill providing for a way for Congress to assert its independence, and to discharge its duties and responsibilities as a coequal branch of the Government.

Which is the more important piece of legislation, that bill or this voter registration measure, which in the opinion of the Senator from Alabama will either be killed in the House of Representatives or be vetoed by the President, if it should be able to pass here in the Senate?

By agreeing to this motion, the Senate could lay aside this ridiculous post card registration bill and take up a bill that goes to the very roots and foundations of the principles upon which this Republic was founded. It would be up to the Senate to decide.

Mr. McGEE. Mr. President, a number of times in recent weeks I have said on this floor—and I have probably said it today—that the failure of so many millions of Americans to participate in our American democratic process is a national disgrace. A national disgrace is just the term used by columnist Milton Viorst concerning the very actions of this body in its protracted and muddled consideration of this bill, S. 352, to provide a relatively simple system to help inspire that many of the 6.2 million eligible voters who failed to vote last November will at least have the opportunity to do so in the next Federal election.

Mr. Viorst, writing in the April 19 Washington Evening Star-News, also makes the point that the obstacles thrown in the faces of would-be voters by restrictive registration requirements do not just exist in the South. The Senator from Alabama (Mr. ALLEN) has already made the point on this floor today that proponents of this legislation have not gone out of their way to cite Southern States or to accuse Southern States of unnecessarily blocking the path to the voting booth. Indeed we have not because the problem is a national one, existing in other regions, my own included, and in the Middle West, as the Senator from Minnesota (Mr. HUMPHREY) told us earlier in today's discussion.

Mr. Viorst goes on to say that the real reason for opposition to S. 352 lies in the belief some have that only blacks, poor people, and Democrats will be enfranchised by it. That belief might be held in the minds of some of those who oppose the bill, but the hearing record of the Committee on Post Office and Civil Service gives us ample testimony that white-collar and college-educated Americans are unregistered in about the same proportion to blue-collar workers and whites in about the same proportion as other races.

Mr. President, the Evening Star-News columnist has made some other excellent points in the article I refer to, including the point that in the State of Missouri alone prospective voters encounter six different registration systems. Mr. Viorst's points are well worth bringing to the attention of all Senators, and I ask unanimous consent that the column entitled "Quiet Filibuster a Disgrace" be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

QUIET FILIBUSTER A DISGRACE

(By Milton Viorst)

What's been happening on the floor of the Senate for the past 10 days—beneath the eyes of thousands of visitors in town for the cherry blossom season—is, I think, something of a national disgrace.

The visitors have seen Sen. James Allen, D-Ala., along with two colleagues, conducting a quiet filibuster against a bill designed to extend the franchise to millions more Americans by simplifying the cumbersome process of voter registration.

One of Allen's partners is Sen Hiram Fong, R-Hawaii, and the only Chinese-American ever to sit in the Senate. I don't understand how Fong can be so insensitive to a bill whose practical impact would be to encourage more members of minority groups to participate in the democratic process.

The other is Sen. Sam Ervin, D-N.C., the brilliant constitutionalist. At one time, Ervin confined his brilliance to rationalizations for the unconstitutionality of civil rights legislation. Lately, he has extended his concern to constitutional questions of greater national interest, like executive privilege and impoundment. It's a pity to see him reverting back to his regional myopia of an earlier day.

The filibuster the three are conducting seems rather like a sad anachronism. Many of us believed the principle was established in the 1960s that this device would not be used to keep Americans from exercising a right as fundamental as the vote.

Indeed, the Voting Rights Act of 1965—which removed many of the obstacles to voting by blacks in the South—was enacted without a filibuster. It was a landmark legislation, which most Southerners came to accept as both justified and inevitable.

To be sure, this bill was enacted at the insistence of President Johnson, after a major buildup of public pressure during Martin Luther King's confrontation with voting officials on the streets of Selma, Ala.

But does that mean the franchise will be extended only when American society reaches the brink of violence? I would like to think that Congress can enact a law—and the President will sign it—when the facts show it is needed.

And the facts show exactly that. In 1972, barely one out of two Americans of voting age went to the polls—compared to 80 percent in 1876, before the states' various registration laws were adopted.

No one can say for sure, of course, how many were prevented from voting by registration procedures. The figures, however, show that nine out of 10 *registered* Americans voted, but that a majority of Americans aren't registered at all.

The obstacles don't exist just in the South. In New York, for example, registration for a primary election is closed 11 months a year. In Cleveland, a citizen can register only at city hall. Missouri has six different registration systems. In most states, registration offices are open only during business hours, when most people work.

As Sen. Gale McGee, D. Mont., author of the new registration bill, has written: "At best, current registration laws in the various states are outmoded and simply inappropriate for a highly mobile population. At worst, registration laws can be construed as a deliberate effort to disenfranchise voters who desperately need entry into the decision-making processes of our country."

What McGee proposes, quite simply, is to allow every citizen to register by means of a postcard sent to him in the mail. The states still would register the voters and continue setting registration standards, as the Constitution provides.

Allen and Ervin, speaking for the South, and Fong, spokesman for the White House, have been raising questions about constitutionality and possible fraud. But the bill's real opposition, everyone agrees, lies in the belief that only blacks, poor people and Democrats will be enfranchised by it.

The facts, however, indicate otherwise. They show that white-collar and college-educated Americans are unregistered in about the same proportion as blue-collar Americans, and whites are unregistered in almost the same ratio as blacks.

That's what swung such normally conservative Republicans as William E. Brock of Tennessee and Henry L. Bellmon of Oklahoma to support the bill. It now has a solid bipartisan majority in the Senate.

But it's bitterly opposed by the White House and the South—and if they manage to filibuster it to death, I think that will be a disgrace to America.

IMPOUNDMENT OF FUNDS

Mr. ALLEN. Mr. President, at this time I move that the Senate proceed to the consideration of Calendar Order No. 115, the bill (S. 373), introduced by Mr. ERVIN and others, to insure the separation of Federal powers and to protect the legislative function by requiring the President to notify the Congress whenever he impounds funds, or authorizes the impoundment of funds, and to provide a procedure under which the Senate and House of Representatives may approve the President's action or require the President to cease such action.

The PRESIDING OFFICER (Mr. HELMS). The question is on agreeing to the motion of the Senator from Alabama.

Mr. ROBERT C. BYRD. Mr. President, of course, if this motion were to prevail, it would have the effect of automatically displacing the unfinished business and placing that bill back on the calendar. I would be constrained, therefore, to move to lay the motion on the table, but I wonder if the distinguished Senator would allow me to ask unanimous consent and to obtain unanimous consent, insofar as he is able to assure me of that, that the Senate now proceed to the consideration of Calendar Order No. 94, a bill (S. 795) to amend the National Foundation on the Arts and the Humanities Act of 1965.

May I say to the able Senator that the majority leader and I have contacted those Senators who are particularly interested in S. 795, including the author of the bill, the Senator from Rhode Island (Mr. PELL) and others, and we had indicated to them yesterday afternoon that that bill would be brought up today; and I think Senators on both sides of the aisle are anticipating that. It is hoped that the Senate could proceed to the consideration of that bill now, and hopefully complete it today, laying aside the unfinished business at any rate until the end of the day, or until the bill (S. 795) is disposed of, whichever is the earlier.

Mr. ALLEN. I will say to the distinguished Senator from West Virginia that in his absence a few moments ago, the Senator from Alabama did confer with the majority leader, and it was agreed that there would be no objection made to the request that the arts and humanities bill be brought up and voted upon, at which time we would return to the consideration of S. 352, with the motion of the Senator from Alabama then pending. I believe the majority leader will confirm the fact that that was the agreement.

Mr. MANSFIELD. Yes.

Mr. ROBERT C. BYRD. Very well, Mr. President, as long as that motion would not be pressed today, because, as I say, if it were to prevail it would have the effect of automatically placing the unfinished business back in limbo for the time being, or at least it would no longer be the unfinished business.

Mr. ALLEN. Mr. President, will the Senator yield long enough for me to request the yeas and nays on my motion?

Mr. ROBERT C. BYRD. Yes.

Mr. ALLEN. I ask for the yeas and nays on the motion I have just made.

The PRESIDING OFFICER. There is not a sufficient second.

Mr. ALLEN. I suggest the absence of a quorum, then, if the Senator from West Virginia has no objection, since he had the floor.

Mr. ROBERT C. BYRD. I have no objection.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLEN. Mr. President, I ask for the yeas and nays on my motion.

The yeas and nays were ordered.

VOTER REGISTRATION ACT—DIVISION OF TIME ON CLOTURE MOTION

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the hour of debate on the motion to invoke cloture begins running on Thursday next, the time be equally divided between the distinguished Senator from Wyoming (Mr. McGEE) and the distinguished Senator from Hawaii (Mr. FONG).

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. I ask unanimous consent that the time under rule XXII on the motion to invoke cloture begin running on Thursday next at 12 o'clock noon.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, under the rule, this would mean that at the hour of 1 p.m. on Thursday next, the Chair would ask the clerk to call the roll to establish a quorum, and when such a quorum is established, the rollcall vote would occur. This would mean that at 1 p.m. on Thursday next, there would be an automatic quorum call, and at about 1:15 p.m.—as soon as a quorum is established—the vote to invoke cloture would occur.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES AMENDMENTS OF 1973

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate proceed now to the consideration of S. 795, and that the unfinished business be laid aside temporarily, until the end of the day or until S. 795 is disposed of, whichever is the earlier.

The PRESIDING OFFICER. The bill will be stated by title.

The legislative clerk read as follows:

A bill (S. 795) to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare with an amendment to strike out all after the enacting clause and insert:

That this Act may be cited as the "National Foundation on the Arts and the Humanities Amendments of 1973".

AMENDMENTS TO THE NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES ACT OF 1965

SEC. 2. (a) The National Foundation on the Arts and the Humanities Act of 1965 is amended in the following respects:

(1) Clause (7) of section 2 of such Act is amended by striking out all that appears after "a National Foundation on the Arts and the Humanities" and inserting in lieu thereof a period.

(2) Subsection (d) of section 3 of such Act is amended by striking out "renovation, or construction" and by adding at the end thereof the following new sentence: "Such term also includes—

"(1) the renovation of facilities if (A) the amount of the expenditure of Federal funds for such purpose in the case of any project does not exceed $250,000, or (B) two-thirds of the members of the National Council on the Arts (who are present and voting) approve of the grant or contract involving an expenditure for such purpose; and

"(2) the construction of facilities if (A) such construction is for demonstration purposes or under unusual circumstances where there is no other manner in which to accomplish an artistic purpose, and (B) two-thirds of the members of the National Council on the Arts (who are present and voting) approve of the grant or contract involving an expenditure for such purpose.".

(3) (A) That part of subsection (c) of section 5 of such Act which precedes clause (1) is amended by striking out "the Federal Council on the Arts and the Humanities and".

(B) In clauses (1) and (2) of such subsection (c) such Act is amended by striking out "production" each time it appears and inserting in lieu thereof "projects and productions"; and, in clause (3) of such subsection, such Act is amended by striking out "projects" and inserting in lieu thereof "projects and productions".

(C) Clause (5) of such subsection (c) is amended by striking out "and planning in the arts" and inserting in lieu thereof ", planning, and publications relating to the purposes of this subsection".

(D) Such subsection (c) is amended by adding at the end thereof the following new sentence: "In the case of publications under clause (5) of this subsection such publications may be supported without regard for the provisions of section 501 of title 44, United States Code, only if the Chairman consults with the Joint Committee on Printing of the Congress and the Chairman submits to the Committee on Labor and Public Welfare of the Senate and the Committee on Education and Labor of the House of Representatives a report justifying any exemption from such section 501.".

(4) (A) Paragraph (1) of subsection (g) of section 5 of such Act is amended by striking out "the Federal Council on the Arts and the Humanities and".

(B) That part of paragraph (2) which precedes clause (A) of such subsection (g) is amended (i) by striking out "such assistance" and inserting in lieu thereof "assistance under this subsection" and (ii) by striking out "prior to the first day of such fiscal year" and inserting in lieu thereof "at such time as shall be specified by the Chairman".

(C) Such subsection (g) is amended by striking out paragraphs (3) and (4) and inserting in lieu thereof the following:

"(3) The sums appropriated to carry out the purposes of this subsection shall be allotted among the States in equal amounts.

"(4) (A) The amount of each allotment to a State for any fiscal year under this subsection shall be available to each State which has a plan approved by the Chairman to pay not more than 50 per centum of the total cost of any project or production described in paragraph (1), except that the amount of any such allotment for any fiscal year which exceeds $125,000 shall be available, at the discretion of the State agency, to pay up to 100 per centum or such cost of projects and productions if such projects and productions would otherwise be unavailable to the residents of that State: *Provided*, That the total amount of any such allotment for any fiscal year which is excepted from such 50 per centum limitation shall not exceed 20 per centum of the total of such allotment for such fiscal year.

"(B) Funds made available under this subsection shall not be used to supplant non-Federal funds.".

(D) Subsection (j) of section 5 of such Act is amended to read as follows:

"(j) It shall be a condition of the receipt of any grant under this section that the group or individual of exceptional talent or the State or State agency receiving such grant furnish adequate assurances to the Secretary of Labor that all laborers and mechanics employed by contractors or subcontractors on construction projects assisted under this section shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended. The Secretary of Labor shall have with respect to the labor standards specified in this subsection the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (5 U.S.C. 913) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).".

(5) Subsection (f) of section 6 of such Act is amended, in the third sentence thereof—

(A) by striking out "$10,000" and inserting in lieu thereof "$15,000"; and

(B) by striking out the period at the end thereof and inserting in lieu thereof the following: ": *Provided*, That the terms of any such delegation of authority shall not permit obligations for expenditure of funds under such delegation for any fiscal year which exceed an amount equal to 10 percentum of the sum appropriated for that fiscal year pursuant to subparagraph (A) of paragraph (1) of section 11(a).".

(6) (A) That part of subsection (c) of section 7 of such Act which precedes clause (1) is amended by striking out "the Federal Council on the Arts and the Humanities and".

(B) Clause (2) of such subsection is amended by adding at the end thereof the following: "any loans made by the Endowment shall be made in accordance with terms and conditions approved by the Secretary of the Treasury;".

(C) Clause (6) of such subsection (c) is amended by striking out all that follows in lieu thereof a period.

(D) Such subsection (c) is amended by adding at the end thereof the following new sentence: "In the case of publications under clause (6) of this subsection such publications may be supported without regard for the provisions of section 501 of title 44, United States Code, only if the Chairman consults with the Joint Committee on Printing of the Congress and the Chairman submits to the Committee on Labor and Public Welfare of the Senate and the Committee on Labor and Public Welfare of the House of Representatives a report justifying any exemption from such section 501.".

(7) Subsection (f) of section 8 of such Act is amended, in the third sentence thereof—

(A) by striking out "$10,000" and inserting in lieu thereof "$15,000,"; and

(B) by striking out the period at the end thereof and inserting in lieu thereof the following: ": *Provided*, That the terms of any such delegation of authority shall not permit obligations for expenditure of funds under such delegation for any fiscal year which exceed an amount equal to 10 per centum of the sums appropriated for that fiscal year pursuant to subparagraph (B) of paragraph (1) of section 11(a).".

(8) Section 9(b) of such Act is amended to read as follows:

"(b) The Council shall be composed of the Chairman of the National Endowment for the Arts, the Chairman of the National Endowment for the Humanities, the United States Commissioner of Education, the Secretary of the Smithsonian Institution, the Director of the National Science Foundation, the Librarian of Congress, the Director of the National Gallery of Art, the Chairman of the Commission of Fine Arts, the Archivist of the United States, the Commissioner, Public Buildings Service, General Services Administration, a member designated by the Secretary of State, and a member designated by the Secretary of the Interior. The President shall designate the Chairman of the Council from among the members. The President is authorized to change the membership of the Council from time to time as he deems necessary to meet changes in Federal programs or executive branch organization.".

(9) Clause (2) of subsection (a) of section 10 of such Act is amended by inserting after "purposes of the gift" the following: ", except that a Chairman may receive a gift without a recommendation from the Council to provide support for any applica-

tion or project which can be approved without Council recommendation under the provisions of sections 6(f) and 8(f), and may receive a gift of $15,000, or less without Council recommendation in the event the Council fails to provide such recommendation within a reasonable period of time".

(10) Section 11 of such Act is amended by striking out subsections (a) and (b) and inserting in lieu thereof the following:

"Sec. 11. (a) (1) (A) For the purpose of carrying out section 5(c), there are authorized to be appropriated to the National Endowment for the Arts, $59,000,000 for the fiscal year ending June 30, 1974, $105,750,000 for the fiscal year ending Jnne 30, 1975, and $152,500,000 for the fiscal year ending June 30, 1976.

"(B) For the purposes of carrying out section 7(c), there are authorized to be appropriated to the National Endowment for the Humanities $70,000,000 for the fiscal year ending June 30, 1974, $125,000,000 for the fiscal year ending June 30, 1975, and $180,000,000 for the fiscal year ending June 30, 1976.

"(C) For the purpose of carrying out section 5(g), there are authorized to be appropriated to the National Endowment for the Arts $11,000,000 for the fiscal year ending June 30, 1974, $19,250,000 for the fiscal year ending June 30, 1975, and $27,500,000 for the fiscal year ending June 30, 1976.

"(2) There are authorized to be appropriated for each fiscal year ending prior to July 1, 1976, to the National Endowment for the Arts and to the National Endowment for the Humanities, an amount equal to the total amounts received by each Endowment under section 10(a)(2), except that the amount so appropriated for any fiscal year shall not exceed the following limitations:

"(A) For the fiscal year ending June 30, 1974, $20,000,000.

"(B) For the fiscal year ending June 30, 1975, $30,000,000.

"(C) For the fiscal year ending June 30, 1976, $40,000,000.

"(b)(1) Sums appropriated pursuant to subsection (a) for any fiscal year shall, notwithstanding any other provision of law, unless such provision is enacted in express limitation of this subsection, remain available for obligation and expenditure until expended.

"(2)(A) Unless the Congress, during the period beginning July 1, 1974, and ending July 1, 1976, passes or formally rejects legislation extending the authorizations of appropriations in subsection (a), each of such authorizations of appropriations is hereby automatically extended for the fiscal year beginning on such latter date at the level provided for each of such authorizations for the preceding fiscal year.

"(B) For the purposes of subparagraph (A), legislation shall not be considered as having been passed by Congress until it has become law.

"(3) In order to afford adequate notice to interested persons of available assistance under this Act, appropriations authorized under subsection (a) are authorized to be included in the measure making appropriations for the fiscal year preceding the fiscal year for which such appropriations become available for obligation.".

(11) Sections 13 and 14 of such Act are repealed.

(b) The amendments made by subsection (a) shall be effective on and after July 1, 1973.

AMENDMENT TO THE LIBRARY SERVICES CONSTRUCTION ACT, INCLUDING RESEARCH LIBRARIES IN THE DEFINITION OF "PUBLIC LIBRARY"

Sec. 3. (a) Section 3(5) of the Library Services and Construction Act is amended by adding at the end thereof the following new sentence: "Such term also includes a research library, which, for the purposes of this sentence, means a library which—

"(A) makes its services available to the public free of charge;

"(B) has extensive collections of books, manuscripts, and other materials suitable for scholarly research which are not available to the public through public libraries;

"(C) engages in the dissemination of humanistic knowledge through services to readers, fellowships, educational and cultural programs, publication of significant research, and other activities; and

"(D) is not an integral part of an institution of higher education.".

(b) The amendment made by subsection (a) shall be effective on June 30, 1973, and only with respect to appropriations for fiscal years beginning after such date.

ADDITIONAL COSPONSOR

Mr. PELL. Mr. President, I ask unanimous consent that at the next printing of this bill, the name of the Senator from Alaska (Mr. Gravel) be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PELL. Mr. President, the legislation before the Senate is the unanimous recommendation of the Senate Committee on Labor and Public Welfare. S. 795 extends the National Foundation on the Arts and the Humanities Act of 1965 for 3 years at an increased authorization amount.

The National Foundation on the Arts and the Humanities was established in 1965 by Public Law 89–209. The original act was thereafter amended in 1967 by Public Law 90–348 and in 1970 by Public Law 91–346. The 1965 legislation created the National Foundation on the Arts and Humanities and its two cooperating entities, the National Endowment for the Arts and the National Endowment for the Humanities. Each Endowment has a Presidentially appointed chairman and council who are responsible for program operation. The National Endowment for the Humanities. Each Endowment has dowment for the Arts have a joint administrative staff which reports to both chairmen.

Since enactment of the National Foundation on the Arts and the Humanities Act of 1965, the Federal involvement in, and support of cultural activities in both the arts and humanities areas, has broadened in scope and effectiveness.

The committee considered two bills, S. 795 and S. 916. S. 795 represents proposals introduced by Senator Pell and cosponsored by Senators Eagleton, Javits, Mondale, and Taft.

S. 916 contained proposals made by the administration and introduced by Senator Javits, with Senators Eagleton, Mondale, Pell, and Taft as cosponsors.

S. 795, as amended, contains the major features of the administration proposals and thus is an amalgam of the best features contained in the bills considered.

Extensive and comprehensive testimony was received from the chairmen of the two endowments and from leaders in the States involved in the development of State programs in the arts and humanities areas, as well as comprehensive testimony from leading representatives of independent research libraries. The testimony emphasized the progress made to date by both endowments and forms the basis for the increased levels of funding contained in the bill as approved by the committee.

The Committee on Labor and Public Welfare found that under the excellent leadership of Miss Nancy Hanks, Chairman of the National Endowment for the Arts, and Dr. Ronald Berman, Chairman, National Endowment for the Humanities, both Federal programs have grown in scope and quality. Indeed, the underlying theme during the hearings was the quality of the programs. It was also noted that in answer to congressional requests over the years, a wider geographical distribution of funds is being made. The mandatory State arts agencies, and the voluntary programs of State and local humanities organizations, presently in 40 States, are bringing the arts and humanities to individuals on a local level throughout the Nation.

Since the concept of the National Foundation on the Arts and the Humanities was first introduced, the matter of a Federal czar, or czars, for the cultural areas has been discussed. There was real and justified discussion in 1965 that in the establishment of this agency there could be created an individual who could dominate the future of Federal involvement, or bring to the programs of the arts and humanities a particular bias. I am pleased to report to the Senate that we have not heard of one allegation that the chairman of either endowment has made a conscious effort to exclude any school of thought or theory in art. What is interesting to note is that over the years when I have heard of possible criticism about the actions of the chairmen they seem to balance each other—one critic saying the endowments are too conservative and the other critic saying they are too liberal. What we are really talking about here is the courage of the endowments to fund the best possible qualified individuals, groups and institutions, and to have the forbearance not to censor the material which is provided. Perhaps one of the major factors to this independence and lack of interference is the procedure by which grantees are chosen—panels of experts in various disciplines, with a wide variety of viewpoints, review each grant before it is presented to the national councils themselves. This procedure ensures that all points of view are heard.

In addition, there are specific provisions in statute which allow for full participation by the private sectors of our cultural life in the operation of the arts and humanities programs and provide for the exclusion of Federal domination. These include the provision for the two private citizens councils of 26 members each which guide the endowments in their activities and the provision against nonintervention in the affairs of the groups and organizations which receive support from either endowment.

Mr. President, the bill before us recommends a marked increase in the total authorization for the endowments. It should be noted that the levels of funding for fiscal 1974 are consistent with proposals made by the administration, whose proposal did not specify total funding levels for subsequent years. Some will ask why should we enact such a marked increase in authorizations for the National Foundation on the Arts and the Humanities when the administration is cutting back on all other social serving programs. This is a question which should be asked. First, I would say that we who bring this bill before the Senate also support continued funding of social serving programs. As chairman of the Education Subcommittee, I feel very strongly concerning funding of elementary and secondary education programs, impacted aid, higher education, education of the handicapped, and similar programs, and believe our Federal budget is large enough to include both those programs and the proposed increase for the arts and humanities. I believe all these programs should be financed and that this should be where our priorities are. The people who would cut these other important programs are in the White House and not in the Committee on Labor and Public Welfare. I personally believe that this increase is not a contradiction, but a continuation of our commitment to human beings, and the well-being of our Nation.

It should also be noted that this Federal money is, in truth, seed money. It is estimated that for every Federal dollar appropriated for the arts and humanities programs there has been generated from the private sector approximately $2 to $3. Actually, as the report on this legislation states, the funding for each endowment on a per capita basis amounts to approximately 40 cents per person a year in fiscal year 1974, 70 cents in fiscal year 1975, and $1 per year in fiscal year 1976.

I believe that we can well afford such relatively modest sums. They represent a sound investment in the future of our country. Throughout history leading civilizations have been judged by the values which they have placed on cultural achievements. Mr. President, we have the capability today of building toward a better future for all our people. The arts and humanities represent the abiding values of our civilization. They no longer apply to a limited audience. They have a central importance and meaning to our daily lives.

How will history eventually judge us as a Nation? Will some group of historians in the future say that somehow the United States faltered—that it became paramount in industry, preeminent in science, expert in the design of weaponry, a genius in mass communication—but that it neglected, or paid too little attention to, the diverse art forms which signal like beacons from generation to generation the lasting values of the human mind and spirit?

And I would also ask:

Do we remember ancient Egypt by its list of Pharoahs—or for its Pyramids?

Do we remember Greece for its phalanx of soldiers—or for its Parthenon—for Plato, for Aristotle, for Socrates?

Do we remember Rome for its catapult in battle—or for the orations of Cicero, the poetry of Ovid and Virgil which are continually refreshed for us by imaginative scholarship in the humanities?

Do we remember medieval times culminating in the Renaissance for the wars between the Guelphs and Ghibellines—or for those manuscripts which preserved man's knowledge for all future generations—and for Michelangelo—and, incidentally, the Medici without whose patronage there would have been far less Renaissance art?

Do we remember 17th century England for a civil war between England and Scotland and the battle of Marston Moor—or for John Milton?

And will we ourselves be remembered for our technological progress, our affluent society, and our nuclear weaponry—or for the abiding values of the arts and the humanities?

I believe we know how we would respond—and that we would like those future historians to say that we helped revive the Renaissance, or that we helped create a new Augustan Age, or that we produced a new Athens in America for cultural advancement.

And when I say Athens, I mean Athens, and not Sparta.

Athens with all its glories, including its sculptors and, yes, its vases, its philosophers, and its Parthenon, and not Sparta with its rather brutal society and its string of military victories. From a viewpoint in the amphitheatre of history, Athens has outstripped Sparta. And so I hope its values and standards and goals will be surpassed in America—and not those of Sparta.

For all of the reasons I have discussed, Mr. President, I strongly urge passage of this legislation.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. PELL. I yield.

Mr. MANSFIELD. Mr. President, because of a pressing engagement at this time I would like to offer an amendment. On page 11, line 8, after the word "interior" to insert "a member designated by the Senate Chairman of the Committee on Arts and Antiquities and the Speaker of the House."

The PRESIDING OFFICER. The amendment is in order.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DOMENICI). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment offered by the Senator from Montana will be stated.

The legislative clerk read the amendment, as follows:

On page 11, line 8, after the word "Interior," insert:

A member designated by the Chairman of the Senate Committee on Art and Antiquities and the Speaker of the House.

Mr. MANSFIELD. Mr. President, I ask that that amendment be corrected so that it will read:

A member designated by the Chairman of the Senate Committee on Art and Antiquities, and a member designated by the Speaker of the House.

So that there will be two Members of Congress.

The PRESIDING OFFICER. Without objection, the amendment will be so modified.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. The council to which these two Members would be named now seeks to be a composite of the highest authorities of government in respect of the arts and humanities.

I ask unanimous consent that section 9(b) of the statute with which we are dealing today may be made a part of my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

ESTABLISHMENT OF THE FEDERAL COUNCIL ON THE ARTS AND THE HUMANITIES

SEC. 9. (20 U.S.C. 958) (a) There is established within the Foundation a Federal Council on the Arts and the Humanities.

(b) The Council shall be composed of the Chairman of the National Endowment for the Arts, the Chairman of the National Endowment for the Humanities, the United States Commissioner of Education, the Secretary of the Smithsonian Institution, the Director of the National Science Foundation, the Librarian of Congress, the Director of the National Gallery of Art, the Chairman of the Commission of Fine Arts, the Archivist of the United States, and a member designated by the Secretary of State. The President shall designate the Chairman of the Council from among the members. The President is authorized to change the membership of the Council from time to time as he deems necessary to meet changes in Federal programs or executive branch organization.

Mr. JAVITS. Mr. President, these include the Chairman of the National Endowment for the Arts, the Chairman of the National Endowment for the Humanities, the U.S. Commissioner of Education, the Secretary of the Smithsonian Institution, the Director of the National Science Foundation, the Librarian of Congress, the Director of the National Gallery of Art, the Chairman of the Commission of Fine Arts, the Archivist of the United States, and a member designated by the Secretary of State.

It seems eminently fitting that the Congress should be directly represented in this group, and I thoroughly approve of the amendment offered by the majority leader.

Mr. MANSFIELD. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Montana.

The amendment was agreed to.

Mr. PELL. I want to pay a word of tribute to the senior Senator from New York (Mr. JAVITS), because he was treading down this road long before I came to the Senate, pressing for Federal Government support for the arts, and was truly the pioneer and the original father of all these concepts and legislation, and without his help this bill could never have seen the light of day.

Mr. JAVITS. Mr. President, I am very grateful to the Senator from Rhode Island.

Just by way of observation to the newer Members of the Senate, it took 16 years, from 1949 to 1965—I first introduced the bill in 1949, in the other body—to get the bill adopted as the law of the land. The United States is away behind in the parade, among all the countries of the world. That goes not only for industrial, allegedly affluent countries, but many, many countries that are very poor and are in what we call the third world.

The Senator from Rhode Island (Mr. Pell) has already made a distinguished argument for the bill. The Senator from Wisconsin (Mr. Proxmire), who is challenging the authorizations, I treat with the greatest respect. He will be challenging those authorizations, and that will give us what we consider a proper opportunity to go into the details of what the authorizations are to be spent for and why the rate of increase. I agree with the Senator from Wisconsin that they look steep and need to be justified. We should be put to our proof. Then whatever the Senate does will be acceptable. But the Senator from Wisconsin is correct to say, after examining the budget, that the authorizations look very steep. How do we justify them? I think we should do so after the Senator from Wisconsin has made his argument, with his usual skill and thorough preparation.

As to the general lineaments of the bill, it essentially underlines what we have done before, as well as takes account of the recommendations of the administration. There is a fine amalgam of the bill which the committee desired to report to the Senate and the recommendations of the administration. I ask unanimous consent that President Nixon's state of the Union message of March 1, on human resources, relating to the arts and humanities, be printed at this point in the Record.

There being no objection, the message was ordered to be printed in the Record, as follows:

Arts and Humanities

I know that many in the Congress share the concern I have often expressed that some Americans, particularly younger people, lost faith in their country during the 1960's. I believe this faith is now being reborn out of the knowledge that our country is moving toward an era of lasting peace in the world, toward a healthier environment, and toward a new era of progress and equality of opportunity for all our people.

But renewed faith in ourselves also arises from a deeper understanding of who we are, where we have come from, and where we are going—an understanding to which the arts and the humanities can make a great contribution.

Government has a limited but important function in encouraging the arts and the humanities—that of reinforcing local initiatives and helping key institutions to help themselves. With the approach of our Bicentennial, we have a special opportunity to draw on the enrichment and renewal which cultural activity can provide in our national life. With this in mind, my 1974 budget requests further expansion of the funds for the National Foundation on the Arts and the Humanities, to a new high of $168 million. I ask continued full support from the Congress for this funding.

Mr. JAVITS. Mr. President, I wish to note the interest and encouragement of the President, which has resulted in the orderly growth of this program and has contributed so much to its success. This was symbolized when Nancy Hanks, who has made such an outstanding success as Chairman of the Arts Endowment, and was similarly signalized when Dr. Ronald Berman, who came to us from quite a different discipline, with a reputation as a conservative, took over the National Endowment of the Humanities.

I wish to call special attention to what this program has done in respect of the States, where it has literally effected a revolution. We talk about States' rights and State opportunities; and we have had a big debate here about how much we should transfer to the States. When something outstanding happens, which shows promise of a stimulation of the States, it is worthwhile sitting up and taking notice, in order that we might learn from this experience how best to work in the Federal system. It has been virtually remarkable.

In 1960, before the passage of this Federal law, 14 States and State arts councils and State arts programs. They were pretty skimpily financed. But in 1973, every one of our States—all 50—has State arts councils and State arts programs. In the humanities, however, actually about 26 States have working programs. They are now in place and 24 States have programs in the planning stage for a total of 40 of the States. Only a few years ago, there were none whatever in the humanities. These State programs do not subsist on Federal grants. That is the big thing, and I wish that Senators would pay close attention to it.

There is rather an infinitesimal participation by the national arts and national humanities endowment in these ventures. Within the States the matching grants now run up to $150,000. But individual States, even small States, have now thought very highly of these programs and have put a great deal of money into them. My own State of New York, which quite properly should be the leader in this regard, now stands for $15 million of the program itself, as only one State. A number of other States, and some small States. Mr. President, have done absolutely remarkably well in regard to the contributions which they make. It is really an extraordinary and very exciting record. Every State, of course, realizes what there is in this matching.

Mr. President, I said a minute ago that one of the great virtues of this program is the fact that it stimulates rather than dominates the field. It is interesting that in the years this program has been in effect, since 1965, I have heard of no substantiated complaint—and I think that I am as exposed to the constituency which would be affected as anyone else—of the political domination of any arts and humanity program. I think that is a remarkable record. I doubt if there is any record comparable with it in any Federal aided program, especially when we consider that when they first started, the argument was made that Senators and Congressmen would be choosing their favorite opera singers. That has proven to be a lot of nonsense.

Mr. PELL. Mr. President, if the Senator will yield at that point, I can vouch for that statement, because I tried to get some of my own views implemented with regard to representational versed abstract art. And very properly they ignored my views. And I think they were absolutely correct.

Mr. JAVITS. Mr. President, that is an interesting observation. I congratulate the Senator from Rhode Island for making it. There is a certain cynicism which prevails in the country today with regard to politics and politicians. People should know that we ourselves often have made recommendations which may have been rejected. We may be disappointed at the time, but I think that demonstrates the validity of the process. It is important, as the Senator noted with regard to the action on the National Endowment for the Arts.

Another point which I wish to emphasize on this question is what proportion of the totality of aid to the arts and the humanities come from the Federal Government.

Our figures indicate that for a symphony orchestra it comes to 3.5 percent, notwithstanding the towering deficits of these symphony orchestras.

I have figures for New York which are quite detailed and were prepared by a group who have really worked very hard on this matter. This group is called the Associated Councils of the Arts. This particular group is headed by Amyas Ames and is called the Partnership for the Arts.

Mr. President, I ask unanimous consent that the tabulation may be printed in the Record.

There being no objection, the tabulation was ordered to be printed in the Record, as follows:

THE MOUNTING CRISIS FOR THE PERFORMING ARTS AT LINCOLN CENTER

[In millions of dollars]

	Costs	Loss (after operating income)	Government aid (State and Federal)	Private aid
1970 to 1971	$47.7	$13.1	$2.3	$10.8
1971 to 1972	51.8	16.8	1.6	15.2
1972 to 1973	55.0	18.0	2.5	15.5

Note: The outrage of inflation, loss up $4.9; the inadequacy of government aid, up only $0.2; the unbearable increase in demand on the private sector, up $4.7.

Mr. JAVITS. Mr. President, the tabulation indicates that notwithstanding the fact that Lincoln Center, which is probably the principal performing arts center in the country, has a towering loss running up to $18 million in the current year—since it costs about $55 million, and the losses come to $18 million—Government aid amounts to two-tenths of 1 percent. That is the aggregate aid given to the activities going on in Lincoln Center. We can compare that with $15.5 million in private aid which is poured into Lincoln Center. Indeed, the figures show that on the average for every dollar put in by the National Endowment for the Arts there is a matching, not of dollar for dollar, but $3 to $1. That is the way it runs.

So, an extraordinary amount of artistic activity is developed in this program.

Just to indicate that the support for the work of the Arts Endowment is not a situation confined to New York, I would like to read a brief excerpt from a letter I have received from Terry Melton, executive director of the Oregon Arts Commission:

> Within the structure of the National Endowment for the Arts and, subsequently, the State Arts Councils, I know of virtually no self-serving bureaucrats. Miss Nancy Hanks and the Endowment have delivered programs to people and continue to be responsive to the real, not imagined, needs of the American arts constituency and the public.
>
> At the local level and because of financial and spiritual cooperation with the National Endowment, programs are being generated which contribute to the human condition of people here in Oregon—and elsewhere. Funding for the arts has proven to be efficient and straightforward with maximum funds being delivered to arts organizations and the creators of American art. The successes of the program could well act as a prototype for the majority of governmental agencies.

What Mr. Melton says is borne out by what I believe to be a very significant figure, and that is the overhead cost of these particular agencies of the Government which, according to the best estimate I have, is something like 6 percent.

Anyone who is acquainted with the operations of Government agencies certainly must respect that figure. And the present estimates for fiscal year 1974, based on administrative requests, would represent 4.6 percent. I think that is a most enviable record.

Finally, Mr. President, I am very interested, because I think this is a real challenge to the program which should be met, and again I am not a bit irritated or made unhappy by the challenge of the Senator from Wisconsin to this program. I think it is proper and almost his duty. I am glad that he has made it, although I hope very much that we will defeat it. However, that is neither here nor there.

I am interested in one thing which is essential to the education of the Senate, and that is the letter of the Senator from Wisconsin (Mr. PROXMIRE) under date of April 16, 1973, which was sent to all Senators. The letter deals with his feelings that these increases are too steep.

In the letter, the Senator from Wisconsin says:

> Which go primarily for the enjoyment and the benefit of the upper middle class and the wealthy.

I wish to read that again, because I think it is so important. It reads:

> Which go primarily for the enjoyment and the benefit of the upper middle class and the wealthy.

Mr. President, I think that ought to be tested out. Would one say that with over 171 million recorded museum visits to 5,000 museums that this goes to the upper middle class and the wealthy who are at the most 5 percent of the population?

Mr. President, would one say that with the 26 symphony orchestras reporting 11 million attendees in 1 year, that represents a crosscut of the upper middle class and the wealthy? Would one say, President, that in respect of the theater activities? For example, in my own State of New York we have a gifted fellow by the name of Joseph Papp, who has gotten some help in having a traveling Shakespeare company, an excellent company, go to high schools and to small centers never reached before by commercial endeavors. Indeed, this way my whole hope in the many years I spent on the National Endowment, that these developments of culture would be had where they had not been seen before.

With thousands upon thousands of high school students of every conceivable class and grade attending these performances, could one say that this was for the benefit and the privilege of the wealthy and upper middle class?

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. GOLDWATER. I am glad the Senator brought that point up, because I had noticed that statement in the Senator's letter. I could add certain information to what the Senator has been saying that might be of interest to more or less set aside the idea that this money goes only to the middle class and the wealthy. Just last week it was once again my pleasure to visit the Hopi Indian Reservation, and also the Navajo Indian Reservation.

By no stretch of the imagination can those people be called middle class. It is rather hard even to get them up into the lower class, as we think about incomes in this country. But ever since the coming of the Spaniards and the Mexicans, there has slowly been developing on those reservations a great interest in silver art. In fact, I can say to any colleague from New York that in his big city of New York, stores are selling Navajo Indian jewelry at prices far above anything we dreamed of a few years ago.

My point is that on the Hopi Reservation, there is a Hopi cultural center in part financed by these funds, at which young Hopi men or boys and girls are taught the art of silversmithing. Those people are enabled more and more, because of this help, to become more and more self-sufficient.

I can say the same thing about the young people of the Navaho Tribe, who, until this help came along and we were able by it to finance these centers, were drifting away from their culture.

To us in the Southwest, the Indian and Spanish cultures are the two big sources of our cultural life and inspiration. To go further with this argument against the middle-class people and the wealthy enjoying it, and they only, in Tucson, which can be considered the oldest settlement in the United States without too much argument, we have had, since the beginning of this program, a bilingual theater, El Teatro del Pueblo, which has been operating in Tucson as a Spanish-language theater for local residents who do not attend the English-speaking theater. The State Arts Commission has been instrumental in assisting the creation of this special cultural outlet, and the National Endowment has provided financial grants to this group for 3 consecutive years, including a $10,000 grant in fiscal 1972.

Mr. President, I do not want to prolong this argument, but I was quite disturbed by the statement that only the middle class and the wealthy enjoy these privileges. I have been, for a number of years, a director on several museums in my own State of Arizona, and by far the majority—I would say as high as 80 percent—of the people visiting those museums are young, and they are distinctly middle class or lower middle class. But these museums and orchestras have provided for the people of Arizona from all classes—and we do not like to think of ourselves in classes or groups out there; we promote everything that is good for everyone, and it has been, because of these funds that we have been able to do it.

I just wanted to let my friend from New York know that the friends in Arizona that this bill has created would very much resent the idea that it is sort of a rich man's hobby.

Mr. PROXMIRE. Mr. President, will the Senator from New York yield, so that I may ask the Senator from Arizona a question?

Mr. JAVITS. In a moment, after I respond briefly to the Senator from Arizona.

Mr. President, by way of reciprocity of information to my friend and colleague from Arizona, may I say that in the enormous crowds which literally flocked to the Metropolitan Museum in New York to see the great Rembrandt's Aristotle Contemplating the Bust of Homer, when it was acquired by the Metropolitan Museum, not only were the overwhelming majority of the people not rich or upper middle class but actually poor. This is the greatest New York City attraction on a Sunday. It is free, and people go there; it is a very lovely thing to do.

Of course, the Metropolitan is not supported by the endowment on the arts; its money just did not go that far. But the important thing is, we are directing our attention to the word "primarily." That is what I wish to emphasize to my colleague and the Senate. Senator PROXMIRE's representation, and, we must assume, the basis for his amendment, is that these funds go primarily for the enjoyment and benefit of the upper middle class and the wealthy. The truth is precisely the contrary; that is my point, and I am sure the point of the Senator from Arizona, that they go primarily for the benefit of the lower middle classes in economic terms. That is what this is all about. If I did not feel that were the case, Mr. President, I would not be here. I would be for the repeal of this act, instead of having devoted most of my legislative life to working for its implementation.

I yield now to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, I ask the Senator from Arizona if he has any idea what proportion of these funds will go for any project purveying some cultural advantage to the disadvantaged like the Hopi Indians. And can he tell me how much went to the Hopi Indian Cultural Center?

Mr. GOLDWATER. The Senator is asking for a figure that I cannot give without getting into——

Mr. PELL. Mr. President, if the Senator will yield——

Mr. GOLDWATER. I am glad to. Perhaps the Senator from Rhode Island has the information.

Mr. PELL. The kind of program we would like to expand on and do not have the funds is, for example, Artists in Schools. Three percent of the children in schools are presently enjoying or benefiting from a certain exposure to the arts. I would like to see that 3 percent moved up to 100 percent. We cannot possibly do that, because the cost of that would go to some $75 million. But at least more children can be exposed to high quality in the arts, as they apply here specifically to education and the inspirational value they have for our young people.

There is another program for helping the handicapped in hospitals, some of whom may be rich or upper middle-class, or they may be poor. Certainly a hospital population is pretty much across the board. But we have here a program for the hospitalized, as well as programs for the disadvantaged, and these, too, are programs that would be benefited by expansion and most worthy of it. But in order to move ahead, we need more funds.

Mr. PROXMIRE. Let me say at this point to the Senator from Arizona that I made, as I thought——

Mr. GOLDWATER. If I might add, for the benefit of the Senator from Wisconsin——

Mr. PROXMIRE. Very well.

Mr. GOLDWATER. We had $182,000 of Federal funds available for the conduct of these events last year, and in addition we had $803,000 of local funds contributed. So the stimulation is important. I am not saying we would not have received some of the $803,000, but when we can start projects on Indian reservations, and we can get the young Mexican-Americans interested, once again, in preserving the cultural efforts of their ancestors, to the point that we obtain about seven times as much local money as we get from the Federal Government, that is the kind of money that this conservative is interested in.

Mr. PROXMIRE. Mr. President, I still stand by my statement that the primary enjoyment of a great deal yes the primary advantage of the museum culture, opera, music, and so forth, goes to the people of the upper- and middle-income classes.

I say that on the basis of having attended many of these functions, as all Senators have, and talking to other people who attend them, and having an opportunity to observe the customers.

I do not say the poor do not go. Many of the very poor go, as the Senator from New York has said, especially if there is some kind of free exhibition, and I am sure this authorization makes more of that possible. I think that is wonderful. But I do say, No. 1, that the primary beneficiaries are people who, fortunately, have better educations than most and who, by and large, have larger incomes than most. In the second place, this is the principal reason for my amendment. It does not cut the program. It permits the program to expand enormously, but it does not permit it to explode. The basis for the amendment is to hold increases in this field down to a reasonable amount.

I reserve the remainder of my remarks.

Mr. GOLDWATER. Let me comment on one point in the remarks just made by the Senator from Wisconsin. Western art is something that is relatively new, although we have had Western art, of course, going back for some time. If it had not been for the stimulation of this program in the Southwest and the Far West, we would not have the great outpouring today of Western art, much of it equaling Charlie Russell and the Remington type of thing, the kind of opportunity afforded countless thousands of young artists.

Who provided this? Not endowments, but the fact that the endowments made it possible for young artists to get started and then made it possible for the wealthier people to buy the works of these young artists and, thereby, stimulating our interest in art.

There must be some spark somewhere to get things going. Without such a spark—the money we are talking about—I am convinced that many of the smaller financing States, such as my own State of Arizona, would not have enjoyed the great increase in culture they have enjoyed since its inception.

Mr. PROXMIRE. May I say to my good friend from Arizona that my amendment would permit, next year, an increase in arts grants from $28 million to $44 million; an increase in the humanities from $35 million to $52 million; an increase in art States programs from $6.9 million to $8.25 million; an increase in arts and humanities matching, from $9 million to $15 million.

So I am not killing the programs. They are fine programs. The Senator from Arizona has made a superlative case for continuing with this kind of program. It is an excellent and much-needed service. Buy my amendment does not gut it. It would permit it to go ahead in a reasonable and orderly way.

Mr. JAVITS. Mr. President, if I may resume—and I shall shortly conclude my remarks—we will get on to the amendment of the Senator from Wisconsin.

Now, Mr. President, I mentioned when I made my remarks in chief that this country, for years and years and years, has lagged behind all the other major countries of the world. The fact is that even after we enact this particular bill and make the authorizations which we have provided for in this particular measure, we will still be dealing with 70 cents per person in fiscal 1975, and $1 per person in fiscal 1976 in terms of national stimulation of the arts.

Canada, a nation much like our own but with less material per capita annual income than ours, spends $1.40 annually per person. West Germany spends $2 per person. Sweden spends $2 per person. Austria spends $2 per person, and so forth.

Many countries in the third world, the so-called developing countries, do better than we do. The maximum under these authorizations, which are characterized as being so profligate, will come to $1 per person per endowment in 1976.

Mr. PROXMIRE. Mr. President, will the Senator from New York yield at that point?

Mr. JAVITS. I yield.

Mr. PROXMIRE. I think what we overlook is Federal spending through tax expenditure or incentives. Most of the money provided for the arts and humanities is not provided through appropriations but through tax expenditures. I have checked with the Internal Revenue Service to get the best estimates of what we provide now for arts and humanities through the tax expenditure route, through providing deductions for individuals who make contributions in this area.

The amount spent for support of arts and humanities by individuals is about $2½ billion, or $12 per person in this country, which is far more than in the other countries of the world. Those countries may have tax incentives, too, for contributing to the arts, but I would challenge the Senator to show me that in any of the free enterprise countries in the world comparisons are nearly as generous as in this country.

Mr. JAVITS. That is really stretching it. In the first place, the Senator does not know what the other countries give by way of deductions with respect to the arts. In the second place, if it were all that attractive, as the Senator from Wisconsin states, why would private aid be practically now frozen at the figure of what it has been in the past few years, and why are these various enterprises, which we are trying to stimulate, in grave danger of shutting down? I gave the example of the symphony orchestra situation. Museums all over the country are also in great danger of shutting down. Some museums now charge admission which never charged admission before. Is that going to help the poor or the lower middle classes? On the contrary, it will confine cultural activities to the very people the Senator is inveighing against—to wit, the upper middle classes and the wealthy.

Mr. President, by any standards, I still maintain that among the civilized countries, this country has been far behind the parade. We are trying to do something about it. We do not have to catch up, but to match our situation with respect to this field, which so many people feel is infinitely more important, even, than housing and shelter.

It is banal to say it, but it is true in this particular case, that the poor—certainly the poor—do not live by bread alone. If we are talking about ennobling and dignifying their lives, I would hazard the belief that they will tell us whether they have one more crust of bread or a little better bathroom, as much as they need it and as much as we want to supply it for them, it is not that, but really the satisfaction they get out of some cultural activity which warms their hearts and gives them the feeling that they are human beings living in dignity.

That is why I have found—and I think even the Senator from Wisconsin has found—that the most exciting part of the antipoverty program has turned out to be, what? The big things we were doing in day care, help for the elderly, and so forth? Not at all. The most exciting thing turned out to be the legal services program, the fact that the poor have a sense of dignity and well-being knowing that they, to, had a lawyer.

It is the same with us. This program should be infinitely more pervasive than it is, if we are really to fulfill the function which it should have, is improving the quality of life for all the people of the United States of America circa 1973.

That is what this argument is all about—improving the quality of life in this country, circa 1973, whether it is on a Hopi reservation, in the slums of Harlem, the slums of the Lower East Side, where I was born, the slums of Chicago, the slums of San Francisco, Philadelphia, St. Louis, or Boston—or any other city in the country.

That is what is at stake here.

Mr. President, a nation that can devote $80 billion a year to defense can, in its bicentennial year of 1976, spend $400 million to enhance and really enhance the quality of life in America.

Mr. President, I yield the floor.

Mr. TOWER. Mr. President, I should like to associate myself with the remarks of the distinguished Senator from New York (Mr. JAVITS).

I have always been of the belief that without the arts, we would be little better than educated savages.

The arts are not only edifying to the mind but also lift the spirit.

I am amazed that there would be an assault upon such a modest expenditure for the arts in the most powerful, the richest, and the most highly industrial nation in the world.

What Senator JAVITS has said is so true, that the United States lags behind. Those of us who have had the opportunity to travel abroad and see the great works of art, the production of fine music, the dance, the theater, I think have cause to be a little ashamed that we are behind.

There is no danger, certainly, from the modest amount contemplated here, of Government or the State taking over the arts in this country. Rather, to me it represents a stimulus of something that should have been going on all along in the United States, and that is the decentralization of the arts.

The people of New York City are fortunate. But would it not be splendid if we could have resident theaters and resident symphonies in the modest-sized communities of this country? It happens in Europe. It happens in the United Kingdom.

My own community of Wichita Falls is a town of only a hundred thousand. Yet, we have a flourishing little theater, we have a sympathy orchestra, and we have a ballet theater.

But it is really a hand-to-mouth existence to keep these things going. They perform an important service not only for the community but also for several thousand airmen stationed at the Air Force base in our town. They attract people from the small villages and the hamlets and the agricultural area that surrounds it who would not have the opportunity to see the performance of artistic works if it were not for what we were able to maintain in Wichita Falls, Tex.

So I certainly hope that the amendment offered by the Senator from Wisconsin will be defeated. I think Senator JAVITS wrapped it up very nicely when he said that what we are talking about is the quality of life in the United States. What an enormous contribution the arts have made to our civilization. I submit that they are the most civilizing influence in our society.

I think this program has great merit, and I hope the attempts to dilute this program will be defeated. I think a majority of the American people, including those who are low on the socioeconomic scale, would agree with me.

Mr. PROXMIRE. Mr. President, will the Senator yield?

AMENDMENT NO. 80

Mr. BENTSEN. Mr. President, I call up my amendment and ask that it be stated.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. PROXMIRE. Mr. President, will the Senator yield for a question?

Mr. PELL. I would yield, but the Senator from Texas has been recognized.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. BENTSEN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and, without objection, the amendment will be printed in the RECORD.

HUMANITIES GRANTS

SEC. 4. Section 7(d) of the National Foundation on the Arts and Humanities Act of 1965 is amended by adding after the phrase "Federal programs" a comma and then the words "designated State humanities agencies".

Mr. BENTSEN. I yield myself 10 minutes.

Mr. President, I have discussed this matter with the distinguished chairman of the Special Subcommittee on the Arts and Humanities, Mr. PELL.

Let me say first that I am an enthusiastic supporter of the legislation that created the arts and humanities endowment. Two years ago, in a floor speech I specifically commended the President for his support of the arts and humanities and I recorded my own approval of the appropriations measure substantially increasing Federal support of these programs.

I have supported this legislation ever since I came to the Senate.

The amendment I offer today is intended to strengthen that part of the legislation which has been used as the impetus to create State-based programs in the humanities.

Some years ago, the distinguished Senator from New York (Mr. JAVITS) was the father of legislation that created the State Arts Council programs. Those programs are now flourishing in all of the States, and they have proved to be very successful. In many instances, State legislatures have appropriated three or four times the amount of money required to match the Federal share to create State-based programs in the arts.

There is no comparable provision in the bill creating State agencies to supervise some of the State-based grants in the humanities, however, the humanities endowment, under direction from the Congress to expand its public humanities programs, has established State-based programs in some 40 States under the general authority of section 7(c)(5) of the act, which authorizes the endowment to foster public understanding and appreciation of the humanities.

Although there has been some discussion, particularly from the distinguished Senator from Rhode Island, (Mr. PELL) about creating State agencies in the humanities similar to the State arts councils, this has never been done. Indeed, this year's committee report notes that the committee found it unwise to mandate the creation of State humanities councils in view of the fact that some 40 State-based programs are now in operation and the programs are still in an experimental stage.

Mr. President, I have no quarrel with the conclusion reached in the committee report, and I have no wish now to mandate the creation of any State agency, for I can recognize that the program is relatively new and that the endowment wishes to experiment with a number of models before it recommends the establishment of State humanities councils similar to those in the arts.

What does concern me, however, is that in a number of States, including my own, State humanities councils have been in existence for some years. The Texas Committee on the Arts and the Humanities is such an agency, fully qualified to administer State-based programs in the humanities. However, the humanities endowment has not channeled any funds for its State-based programs through that agency.

Mr. President, I am fully aware of the arguments that have been raised on this point. Some have claimed that the State agencies will not be as free as private groups to administer the State program. Yet, as the Senator from New York (Mr. JAVITS) knows, similar arguments were raised when the State arts councils were established. However, I think he will agree that the early fears about State meddling in the affairs of artists and artistic organizations have proved to be largely unfounded. Today, even those who opposed the Javits concept at the beginning are hailing the State arts council programs as a success.

I would repeat that my amendment does not mandate the creation of any State humanities agency. It merely says that where such an agency exists, the national endowment must correlate its activities, insofar as practicable, with the State agency. In other words, it establishes a cooperative relationship between the national and the State officials. Hopefully, some of the Federal funds can be channeled through these existing agencies.

I believe this is a very modest step, Mr. President.

At some point in the future, perhaps, the Congress will decide to set up State agencies in the humanities.

I am not ready to go that far at this time. But I do believe that this amendment can point us in a direction and can give us some guidance about whether we want to move that way later on.

I am hopeful that the manager of the bill can accept this amendment.

Mr. PELL. Mr. President, the Senator from Texas is absolutely correct. This matter has been discussed with the ranking minority member, the Senator from New York, and with me, and it is a most acceptable amendment. It is acceptable to the administration.

I ask unanimous consent to have printed in the RECORD—unless the Senator wishes to do so—the letter from Dr. Berman about indicating acceptance.

Mr. BENTSEN. I will be pleased to do that.

I ask unanimous consent to have the letter printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL ENDOWMENT
FOR THE HUMANITIES,
Washington, D.C., April 10, 1973.

Hon. LLOYD BENTSEN,
U.S. Senate
Washington, D.C.

DEAR SENATOR BENTSEN: Stephen Wexler of the Special Subcommittee on the Arts and Humanities has informed me of the proposed amendment to NEH legislation. I would like to say that I find this amendment not only entirely acceptable but indeed perceptive and helpful. You may rest assured that we will do our best to implement the letter and spirit of the proposed change, and I am personally most grateful to you for the attentive thought you have given to the Endowment's purposes and procedures.

Naturally we have discussed the pending legislation with many of the 26 members of our board, the National Council on the Humanities. Being simply private citizens, they are, as I'm sure you understand, deeply concerned about potential changes in programs which they have originated and to which they have deep personal commitments within their states. In the attempt to clarify the situation, some of them may, I think, have tried excessively to make themselves heard: this is certainly to be regretted and I assure you that we will try as hard as possible to keep their reactions from interfering with normal Congressional procedures.

May I take this occasion of making it a matter of record that we intend to review proposals emanating from state councils and indeed to stimulate them at all appropriate times. This confers upon us the obligation not only to cooperate with these designated groups but to take the best occasion of funding their justified proposals.

We would like to thank you for your patience in this matter, and for your continued interest in the Humanities.

Sincerely,

RONALD BERMAN,
Chairman.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. PELL. I yield.

Mr. PROXMIRE. I have a subsequent amendment which I would like to offer after the Senator from Texas finishes the disposition of his amendment, and I want to be sure that my amendment is not ruled out of order, because it may affect the same figure which the Senator from Texas may or may not be changing.

Does the Senator from Texas change the amounts in any way?

Mr. BENTSEN. The Senator from Texas does not change the amount in any way. All the amendment does is to say that, insofar as practicable, the National Foundation will cooperate with the State agencies on humanities.

Mr. PROXMIRE. I thank the Senator. Then, my amendment would be in order.

Mr. PELL. Mr. President, I move that the amendment of the Senator from Texas be agreed to.

The PRESIDING OFFICER. Would the Senator from Texas indicate at what part of the bill his amendment can be found? Is it at the end of the bill?

Mr. BENTSEN. That section 4 be amended by adding after the phrase "Federal programs,"——

Mr. PELL. Page 29 of the report.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

Mr. PROXMIRE. Mr. President, before I call up my amendment, I should like to ask the senior Senator from Texas a question. He praised the statement by the Senator from New York (Mr. JAVITS). I must say that I found it very appealing and attractive too. But I ask the Senator if he would agree with the observation by the Senator from New York that the best part of the poverty program is legal services for the poor. That program gives them the dignity of having a lawyer, the dignity of belonging effectively to the legal system of the United States of America, so that they can feel that they can have protection in the courts, too.

I do not want to put the Senator on the spot, because I do not know where he stands on legal services and OEO, but I have a suspicion. I wonder how the Senator can argue, on the one hand, that the people in Wichita Falls ought to be allowed to have a ballet or little theater, or whatever this program assists, but the poor in Wichita Falls and in Madison and Milwaukee and Providence, R.I., should not be allowed to have the kind of lawyers which, as Senator JAVITS pointed out, are essential if they are going to have any part of this American system.

Mr. TOWER. I thank my good friend, the Senator from Wisconsin, for not wanting to embarrass me or put me on the spot. I know he has never wanted to do that.

However, my views on legal services are quite separable from my views on the arts. I do not see any point in getting into a debate on legal services at this moment. That is not the issue before the Senate. It is on the arts.

In my community, I think that the arts and the facilities we have there are very beneficial to the poor. As a matter of fact, when I was connected with the little theater there, we used to take our productions into the ghetto and put them on there, and do it for no charge, in an effort to bring some sense of appreciation and some accessibility of the arts to those who could not otherwise afford them.

I think it is a little phony to get into a debate on legal services at this time. I have certain philosophic reasons for perhaps failing to support some legal services concepts that have been advanced, but I am not going to debate those here now. I think it would be demeaning to the present debate to get sidetracked into a debate on legal services.

Mr. PROXMIRE. Let me say here that I think it is not demeaning. It is right on the button, right on the mark. The fact is that we have a ceiling on spending. The President has proposed and the Senate has passed a ceiling which may or may not become law, but we passed it sincerely. We passed a ceiling of $268 billion. If we spend money on this program in increased amounts, we are going to have to take dollars out of other programs. As we go along, we are going to have to make painful and difficult priority judgments.

This is a program that has a lot of appeal. The amendment I am going to offer is not a cutting amendment. It says in effect, "Go ahead, gung ho, with this." But do not go ahead with a program which will be so extravagant as to be self-defeating.

Mr. PELL. President, will the Senator yield for an observation?

Mr. PROXMIRE. I yield to the Senator from Rhode Island.

Mr. PELL. Actually, the amounts for the coming year, fiscal year 1974, have the support of the administration, and since it has the support of the administration presumably it would be within the administration budget.

Also, Mr. President, I ask unanimous consent to have printed in the RECORD at this point a letter from AFL–CIO indicating their support for S. 795. While they may have become upper middle class in some ways, I think they speak for labor and for all of our people, including poor people. I also ask that two other letters, from the council of AFL–CIO unions for scientific, professional, and cultural employees with a listing of their member organizations, and from the American Association of Retired Persons and the National Retired Teachers Association be similarly printed in the RECORD at this time.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

AMERICAN FEDERATION OF LABOR
AND CONGRESS OF INDUSTRIAL ORGANIZATIONS,
Washington, D.C., May 1, 1973.

Hon. CLAIBORNE PELL,
Chairman, Arts and Humanities Subcommittee, Senate Labor and Public Welfare Committee, Washington, D.C.

DEAR SENATOR PELL: The AFL–CIO, following principles established by the American labor movement in its earliest days, is committed to improving the quality of life for its members and all Americans by improving conditions on the job and increasing opportunities for every man and woman to enrich their leisure hours off the job. The arts and the humanities are essential to the fabric of our culture, the enjoyment of which adds meaning to a worker's toil.

For this reason, we are convinced that the opportunity to learn from the humanities and experience the arts must belong to all our citizens. It cannot, and must not, be the province of the wealthy alone.

The AFL–CIO consistently has called for greater public support of the arts and humanities. We endorse S. 795 which extends the authorization for the National Foundation on the Arts and the Humanities and provides it with funding that we believe is reasonable and necessary.

The AFL–CIO earnestly hopes that the Senate will give this measure the vote of approval it so richly deserves.

Sincerely,

Andrew J. Biemiller,
Director, Department of Legislation.

Council of AFL–CIO Unions for
Scientific, Professional and
Cultural Employees,
Washington, D.C., April 11, 1973.

Hon. Claiborne Pell,
U.S. Senate,
Washington, D.C.

Dear Senator Pell: The Council of AFL-CIO Unions for Scientific, Professional and Cultural Employees warmly endorses S. 795, legislation that would extend the authorization period of the National Foundation on the Arts and the Humanities. This agency represents a small commitment by the national government to the quality of life in our nation today. Nevertheless, it is an important commitment and must be strengthened.

We respectfully request that you support this measure in the Senate with your voice and your vote and resist all amendments that may cut the amount of funds called for in this bill which already has been approved by your committee.

The affiliates of this Council represent nearly five million men and women, one million of whom are employed in the various professional fields. As leisure time increases and as the educational attainments of these working people grow, their search for meaningful enriching experiences intensify. The arts satisfy this quest.

This Council rejects the notion that the arts are, or ought to be the province of the wealthy. We believe that every American should have the opportunity to experience the arts in all their many forms. S. 795 helps to do this. We believe the nation would be pennywise and pound foolish if it were to curtail the development of this small program.

Sincerely,

Jack Golodner,
Executive Secretary.

National and International Unions Affiliated With the Council of AFL–CIO Unions for Scientific, Professional, and Cultural Employees

Actors Equity Association.

American Federation of Musicians.

American Federation of Teachers.

American Federation of Technical Engineers.

American Guild of Musical Artists.

Brotherhood of Railway, Airline and Steamship Clerks.

Communications Workers of America.

Insurance Workers International Union.

International Alliance of Theatrical Stage Employees and Moving Picture Machine Operators.

International Brotherhood of Electrical Workers.

International Union of Electrical, Radio and Machine Workers.

National Association of Broadcast Employees and Technicians.

Office and Professional Employees International Union.

Retail Clerks International Association.

Seafarers International Union of North America.

Service Employees International Union.

American Association of Retired
Persons, National Retired
Teachers Association,
Washington, D.C. April 30, 1973.

Hon. Claiborne Pell,
Russell Senate Office Building,
Washington, D.C.

Dear Senator Pell: The American Association of Retired Persons and the National Retired Teachers Association, with a combined membership of more than five million older Americans, wish to express their strong support of S. 795, extending aid to arts and humanities through fiscal year 1976. We are most hopeful that the Senate will expedite passage of this legislation as reported by the Senate Labor and Public Welfare Committee.

As you may know, Senator Pell, our Associations' innovative continuing education program—the Institute of Lifetime Learning—has opened new doors to creativity and knowledge and has demonstrated the capacity of older Americans to enrich their lives through music, the arts, literature and the sciences. Based on our experiences, it is our Associations' firm belief that the involvement of older Americans as viewers and as participants in cultural activities has great potential. We see the expansion of the federal assistance to the arts and humanities as an important breakthrough in broadening the recreational and cultural opportunities for older Americans. Our endorsement of these programs has been strengthened by the recently published study entitled *Arts and the Elderly*, prepared by the National Council on the Aging. This interesting and informative study not only underscores the importance of cultural activities for older Americans, but it also offers numerous suggestions to state agencies on aging and to State Councils on the Arts for joint activities to enrich the lives of older Americans.

We are appreciative of your efforts to expand the arts and humanities programs, and we hope that the legislation which was reported by the Senate Labor and Public Welfare Committee will not be weakened during debate in the full Senate.

Your continued interest and action on behalf of all older Americans is most gratifying.

With warm regards,

Sincerely,

Cyril F. Brickfield,
Legislative Counsel.

Mr. PROXMIRE. Let us make the situation as clear as we can. In the committee report on this bill on page 9, at the bottom, the administration made it clear that they are not in favor of the Pell bill. In the event my amendment is rejected I intend to offer the administration amendment, which would reduce the amount.

They say, at the bottom of page 9:

> In a report to your committee on the subject bills, the National Foundation on the Arts and the Humanities recommends against enactment of S. 795, favoring instead S. 916, the administration's proposal. We concur with these views and also recommend against enactment of S. 795.

What the administration proposes is an authorization for 1 year. Thereafter they propose an open authorization and under that authorization there would not be the same pressure on the Committee on Appropriations to provide the very large appropriation.

On page 128 of the budget, the administration states that the outlay for cultural activities will be $348 million in 1974 and of this $120 million will be provided for the National Foundation on the Arts and the Humanities.

The Proxmire provision for 1974 is in the amount of $120 million, which is exactly what the budget provides. This is an increase of $60 million for activities of the American Bicentennial Commission.

Mr. PELL. Mr. President, will the Senator yield at that point?

Mr. PROXMIRE. I yield.

Mr. PELL. I wish to read into the Record a letter from Miss Nancy Hanks, Chairman, National Endowment for the Arts, and Mr. Ronald Berman, Chairman, National Endowment for the Humanities. The letter is addressed to the distinguished Senator from Pennsylvania (Mr. Scott) and it states, in part:

> You will remember, the President stated in the 1973 State of the Union Report on Human Resources (March 1, 1973): ". . . renewed faith in ourselves also arises from a deeper understanding of who we are, where we have come from, and where we are going—an understanding to which the arts and the humanities can make a great contribution. My 1974 budget requests further expansion of the funds for the National Foundation on the Arts and the Humanities, to a new high of $168 million. I ask continued full support from the Congress for this funding."
>
> On behalf of the Administration, we wish to reaffirm the commitment to the level of funding proposed by the President for Fiscal 1974 and opposition to any action in regard to S. 795 pending before the Senate that would reduce appropriations from this level.

Mr. PROXMIRE. Mr. President, I think we now have a somewhat clearer picture. The administration changed its mind. In the budget they asked for a 50 percent increase in the arts, to $120 million in 1974, a very big increase. They changed their minds and decided to ask for a 100 percent increase but they limited their request to 1974 and they did not ask for the same increase that the Pell bill provides for 1975 and 1976.

Mr. PELL. That is what I was going to say. They are addressing themselves only to the coming fiscal year. They did not support that amount or any other amount. They would like to say, "such sums as may be necessary." I know the Senator and I both have objection to the phrase "such sums as may be necessary."

Mr. PROXMIRE. Is the Senator from Rhode Island prepared to accept an amendment to strike out the authorization for 1975 and 1976?

Mr. PELL. Absolutely not.

Mr. PROXMIRE. So the Senator is taking a position contrary to the administration on that point.

Mr. PELL. I would be compelled to oppose such an amendment.

Mr. PROXMIRE. But the Senator would admit that that is the administration position. Is that correct?

Mr. PELL. No. Its position, as it sometimes indicates, is no position.

Mr. PROXMIRE. Is the Senator really saying it is no position at all? The administration recommends against enactment of S. 795, favoring instead S. 916, the administration bill. If I submit the administration bill as an amendment it is clear I am submitting a position that the administration would support. It is stated in the report that they would support that.

Mr. PELL. If the Senator offers an amendment stating "such sums as may be necessary," which is the administration position, for 1975 and 1976, I would be compelled to oppose that.

Mr. PROXMIRE. I am certain the Senator would not oppose it on those grounds. I have served on the Committee on Appropriations for 10 years and we all know that in that committee we get pressure to meet the authorization level. We have great pressure to do so.

Mr. PELL. As the chairman of the Subcommittee on Education I wish they would even come up to only one-half of the authorization.

Mr. PROXMIRE. If we did, we would have to print an awful lot of money.

Mr. PELL. And spend less money somewhere else. This is again a question of priorities. S. 795 deals with the quality of our Nation's future life. I consider that of high priority.

Mr. PROXMIRE. Mr. President, the authorization bill for funds for the National Foundation on the Arts and the Humanities (S. 795) contains outrageous increases in funds for fiscal years 1974, 1975, 1976.

From very modest beginnings of about $20 million a year in its first 2 years of existence, funds for the Foundation have grown at a rate of roughly $20 million a year, reaching $80 million this year, or fiscal year 1973.

FUNDS EXPLODE

But under this bill, the funds are to explode.

In fiscal year 1974, the authorization is for $160 million. That is double fiscal year 1973. It is four times the fiscal year 1971 rate. It is eight times the amount authorized in the first 2 years. This is a 100-percent increase in 1 year.

I think many of us have been in the Senate long enough to realize that any program, whether it be a military program, a social program, an educational program, or a welfare program, that goes that fast, makes a whale of a lot of mistakes along the way and wastes extravagantly.

But in the words of the old song, "Baby, You Ain't Seen Nothin' Yet," in fiscal year 1975 it goes up again by $120 million over fiscal year 1974 and by $200 million over fiscal year 1973.

Finally in fiscal year 1976, the amount authorized is $400 million. And there is a provision in the bill that if no further action is taken, $400 million will be available again in fiscal year 1977.

SIGNIFICANCE OF INCREASES

These are not merely marginal yearly increases to take care of pay raises and inflationary factors. These increases are geometrical in their proportions. There is a 100-percent increase for fiscal year 1974. By the fiscal year 1975 funds increase by 3½ times. The funds increase by fivefold in fiscal year 1976 over 1973, or from $80 million to $400 million. The $400 million provided in fiscal year 1976 is five times the amount we now spend each year on the Peace Corps. It is 2⅓ times the $172.5 million we spend for REAP—the Rural Environmental Assistance Program—which the President cut from his budget this year. It is almost twice the $216 million in REA funds the President cut from the budget this year.

And the $400 million provided for the National Foundation on the Arts and Humanities in the third year of this authorization is almost as much as the $425 million the President cut outlays in the OEO budget from fiscal year 1973 to 1974.

Mr. President, in a year of budget cutting, belt tightening, freezes, and meat-ax approaches by the administration for funds for public housing, farm disaster loans, water and sewer grants, and rehabilitation of the handicapped, it is unconscionable to double the funds for the arts in this coming fiscal year and to authorize a fivefold increase 2 years from now.

I ask unanimous consent that a table showing the authorizations for funds for the National Foundation since its inception be printed at this point in the RECORD.

The PRESIDING OFFICER (Mr. HELMS). Without objection, it is so ordered.

The tabulation ordered to be printed in the RECORD is as follows:

TABLE 1.—*Authorizations for the National Foundation on the Arts and Humanities, fiscal year 1969–73*

[In millions]

Fiscal year:	
1969	$22.75
1970	24.75
1971	40.00
1972	60.00
1973	80.00

Mr. PROXMIRE. I may say parenthetically that the authorizations and appropriations have been essentially the same.

I would like to read some of these.

In fiscal 1969 the amount was $22,750,000. In 1970 it was $24,750,000. In 1971 it was $40,000,000. In 1972 it was $60,000,000. In 1973 it was $80,000,000.

That is a very sharp increase—I think too sharp—but I think that is a case which can be defended.

In this proposal we would abandon that kind of regular increase of about $20,000,000 and really jump.

The proposal in this bill would increase that authorization in 1974 from $80,000,000 to $160,000,000; in 1975 to $280,000,000; and in 1976 to $400,000,000.

And, as I have said, $400,000,000 more is authorized for fiscal year 1977 if the Congress fails to act to extend the authorization authority.

Mr. PELL. Mr. President, if the Senator will yield, I am not a mathematician, but the percentage increase remains approximately the same. It does not go up in geometric progression; it is going up in arithmetic progression.

Mr. PROXMIRE. I think the Senator must have had a different kind of arithmetic teacher than I had. I think the percentage increase does go up much more than he says. In 1971 it was $40 million; in 1972 it was $60 million or 50 percent higher; in 1973 it was $80 million or 33½ percent higher. But in 1974 it would go up to $160 million, which is a 100-percent increase.

Mr. PELL. That is right, but that is what the administration supports.

Mr. PROXMIRE. The percentage increase from 1973 to 1974 is 3 times the percentage increase of what it was from 1972 to 1973 and twice what it was from 1971 to 1972.

Mr. PELL. But this is the administration-sponsored increase, which I agree with the Senator is more, but then we get back to the cycle, and we find the increase from 1974 to 1975 is from $160 million to $280 million, which is about 70 percent. Then it drops down to about 40 percent.

Mr. PROXMIRE. The increase is confused by the fact that the administration has supported the increase because they have a notion that it is for the bicentennial. That is why we have the contradictions between what the administration recommended in the budget, when they say outlays for this Agency should be $120 million for the National Foundation on the Arts and the Humanities, or an increase of $60 million in 1974.

Then why did they go on with that very sharp increase that is beyond $120 million that they have in the budget for this proposal? The reason is that we are moving on now to the bicentennial year, and it requires time to move ahead properly. However, the report of the Senator from Rhode Island, the position taken by his committee, and the position I understand which has been taken by other individuals, is that these sums would not be used by the Bicentennial Commission until the Bicentennial Commission wanted to ride along; that they would be used for the basic, regular purposes of the National Foundation for the Arts and the Humanities.

Mr. PELL. The language in the report says that they can be used for the Bicentennial. There is no discouragement of that, but the artistic levels of excellence have to be maintained. In others words, they could not be used to dress up parking lot attendants for the bicentennial celebration or for something of that sort. They could be used to help a ballet that was moving along, with its theme being the bicentennial.

Mr. PROXMIRE. It is quite obvious that the Pell committee adopted a sensible approach from their standpoint by saying that if the administration wants to use these funds for the bicentennial, fine. That is in accordance with tradition and it is a fine purpose. We are all proud of the bicentennial. But the fact is that there is still a 100-percent increase in this agency's money in the coming year at a time when we are trying to operate under a ceiling, when we are aware of the worst inflationary pressures in the last 20 years, when we are doing all we can to hold down spending. Yet in this area we are expected to throw caution to the winds and move ahead from $80 million to $160 million in 1 year.

Mr. TUNNEY. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. TUNNEY. Under the committee proposal, I calculate that the country would presently be spending 40 cents per capita for the arts and humanities increasing to approximately $1 or perhaps a little less nationwide by 1976.

I would point out to my distinguished

friend, who has such a desire to trim this fund——

Mr. PROXMIRE. I have a desire to increase the fund, but not this way.

Mr. TUNNEY. Very well then, to trim the proposal of the committee. At the present time a country like Austria spends about $17 per capita for the arts and humanities, and there is no great country in the world today that spends less of a percentage of its gross national product on the arts and humanities than does the United States.

Mr. PROXMIRE. May I say to the Senator from California that if he had been here a little earlier he would have heard the discussion between the Senator from New York (Mr. JAVITS) and myself on that question. We are talking about only a small part of what this country spends, what the taxpayer spends, on the arts and humanities. In the first place, the Internal Revenue Service records indicate that about $2.5 billion goes into the arts and humanities, of which the taxpayer contributes about half, 40 percent to 50 percent, because of the tax expenditure route. In other words, individuals can make contributions to museums and to various art purposes and deduct them from their income taxes. When we compare that to other countries, it seems to me we have taken into account a part of the funding.

If the Senator is going to talk about Austria, which is a small country, and arts and humanities constitute a large part of the attraction of that country for tourists. That and the "Sound of Music" is a large part of the reason why people go to that country.

Mr. TUNNEY. Perhaps Austria has a better quality of life as far as the average citizen is concerned than we do in this country.

I have heard the Senator from Wisconsin stand on the floor and talk about technology gone wild, particularly as it related to the SST, and I have heard him talk about how there is too much concern for the gross national product, and not enough concern for the enchancement of the quality of life.

Mr. PROXMIRE. The Senator has me confused with somebody else.

Mr. TUNNEY. He may not have used those exact terms, but I have heard him refer, particularly with reference to the SST, to technology gone wild. I cannot think of an expenditure of money that could more be for the satisfaction of the human soul than an expenditure on the arts.

If I have understood the Senator from Wisconsin well, and I think I have, he is a humanist who believes in bettering things in this world here and now, and I think the Senator would be the kind of person who recognizes that there is no expenditure that would do more for the human spirit and for the quality of life than an expenditure in the arts.

Quite frankly, when we compare the committee proposal with the kind of money we are spending on defense to destroy people or to defend countries in Southeast Asia that do not want to be defended, and to destroy the kind of life we have destroyed in Vietnam, Cambodia, and Laos, we have before us in comparison a very small amount of money which, hopefully, if it is well spent, will create a climate in this country in which in the future we will not be so desirous of making war in underdeveloped countries and engaging in the kind of destruction of life in which we have engaged for the past 10 years.

It would just seem to me that a person who has been given the opportunity to expand his cultural interests, who has been given the opportunity to understand what the great traditions of culture are in the Western World, would be far less likely to be as interested in the development of technology for technology's sake.

I think this expenditure is completely consistent with everything I have heard the Senator from Wisconsin speak out on when he talks about the needs of the poor in this country and when he has talked about eliminating programs such as the SST. I think the Senator is out of step in this particular case with his overall philosophy, and I cannot understand why he is picking on the arts.

Mr. PROXMIRE. May I say to the Senator from California I am really astonished at how he thinks I can be out of step because I want to increase this item only by 50 percent. There are very few, if any, other programs that we are increasing by 50 percent.

It is easy to speak of these matters in generalities, however, I am not sure that I want the money to go to George Plimpton. I think that George Plimpton was very funny on a television show. However, I am not sure that he needs the money.

Robert Penn Warren was one of a number of people who received $1,000 from this program. He is a very wealthy author. There are all sorts of horror stories, which I intend to read later, on which this money was wasted.

If we go through the wasteful parts of the program and eliminate them, we can still leave ample funds for a better life in America. We can applaud that and still have a better program than if we made the sky the limit and shoveled the money out as long as we thought we were helping something that people call the arts.

Mr. TUNNEY. Mr. President, it is not the point at all, that they are shoveling it out and wasting the money. I do not know why Robert Penn Warren ought to be discriminated against because he has some money in the bank.

Mr. PROXMIRE. He ought not to be subsidized by the Federal Government. That is all I am saying.

Mr. TUNNEY. If we have a program in which certain people receive stipends based on the quality of their material, I do not see any reason why Robert Penn Warren should not get it. He is a very highly qualified author.

Mr. PROXMIRE. I hope we do not have to pay for it. And as far as giving him $1,000 that comes out of the pockets of the American people and out of the pockets of the average taxpayer in Wisconsin who makes $9,000 or $10,000 a year and works his heart out to make a living, I think that we should not give it to some author who makes perhaps $300,000 or $400,000 a year. It makes no sense.

Mr. TUNNEY. Mr. President, is the test going to be whether a man has a certain amount of money in the bank and therefore cannot get that stipend?

Mr. PROXMIRE. I certainly would not be willing to give thousands of dollars away to the people who have money. They would usually prefer to get a medal or some other reward anyway.

Mr. TUNNEY. We do not have discrimination in the tax structure. Many people have tax deductions irrespective of whether they have large bank accounts or not. If we have a program applying equally to all, why should we have a means test to determine whether a person should get a stipend for writing a poem or a play?

Mr. PROXMIRE. I think that we could reward people and recognize that they are tremendously competent in their field by giving them a medal or some other commendation. It is not necessary to give them money. It is something that does not even interest them a great deal. It is a waste of money. I think that if we give them a plaque or even a letter, it would be more worthwhile. If I might proceed, I have a whole series of examples that I would like to cite. However, I would be very happy to yield momentarily to the Senator from California.

Mr. TUNNEY. Mr. President, I have one further question. What was the $1,000 paid to Robert Penn Warren for?

Mr. PROXMIRE. For an essay, an article.

Mr. TUNNEY. That was money that was paid to Robert Penn Warren under contract so that he would write an essay, is that correct?

Mr. PROXMIRE. It is listed under essays and critics. I assume that might be it.

Mr. TUNNEY. If the money had not been paid, the essay would not have been written. Is that correct?

Mr. PROXMIRE. I am not sure. He may have come into a workshop or something. People like Robert Penn or John Tunney would be creative whether they were rewarded or not. I am sure that when the Senator makes one of his speeches—which we all like to hear—it is not necessary to pay him $1,000 or $500, or whatever the amount is. The Senator makes his speech out of his heart. He is speaking this afternoon. His imperishable words are going to be preserved and read by future generations. It is not necessary to pay him. I think if we were to get paid for everything we said, we would never finish a Senate session.

Mr. TUNNEY. Has the Senator ever written an article for a magazine for money?

Mr. PROXMIRE. I have. I do not know whether it was worth it.

Mr. TUNNEY. Almost every Senator who speaks has done some writing. In all probability, the Senator would not have written an article if he were not going to get paid.

Here we have an example of $1,000 to pay Robert Penn Warren. I think that is pretty cheap. I understand that Playboy published an article by him.

Mr. PROXMIRE. But not by this Senator.

Mr. TUNNEY. The point is that a thousand dollars is pretty cheap to get an essay from Robert Penn Warren.

Mr. PROXMIRE. The Senator from California could probably get more than that if he wrote an article.

Mr. TUNNEY. I am afraid I could not.

Mr. PROXMIRE. In fact, if it were not for the incredible increase, proposed increase, in the bill, I would be absolutely astonished at my own profligacy in proposing a 50 percent increase in the total funds for the Foundation next year and an annual increase which is double the annual increases of the past.

Mr. President, I ask unanimous consent that a table showing both the past authorizations and the proposed authorizations under the bill and under the Proxmire amendment be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 2.—*Actual and proposed authorizations for the National Foundation on the Arts and Humanities for fiscal years 1969–76*

[In millions]

Fiscal year:	*Amount*
1969	$22.75
1970	24.75
1971	40.00
1972	60.00
1973	80.00
Proposed amounts:	
Under S. 795:	
1974	160.00
1975	280.00
1976	400.00
Under Proxmire amendment:	
1974	120.00
1975	160.00
1976	200.00

Mr. PROXMIRE. Mr. President, one of the reasons—perhaps the only reason—why I think the sums provided in S. 795 are not even in the best interest of the artistic community is that I do not believe one can expand a program at the proposed rates under S. 795—a doubling this year, and a fivefold increase over 3 years—and still run a program efficiently.

Such an increase, in my view, will promote sterile and second-rate art. Funds will be provided for every crazy idea that comes forward. The Foundation will have to go recruiting for artists.

Great art and great artists are not universal commodities. They are unique and special people and works. There is no way a fivefold increase in the funds can be used efficiently and selectively and promote excellence in the arts. There is just no way in which that can be done.

DANGER OF CENSORSHIP—FILM INSTITUTE EXAMPLE

Second, there is a tremendous danger, if we expand the Foundation as proposed here, that we will promote middle class, mundane, establishment art.

We are treading on dangerous grounds. By its nature, art provides unique works and sensitive people. The artists' creative ability is often misunderstood by the generations in which they live. Examples are abundant. Think merely of the struggles of the French impressionists against the establishment, the ostracism of a Michelangelo at various times in his life, and the criticism and jeers that were aimed at Picasso when he revolutionized the art world at the turn of the century.

Yet we are told in the bill that the way to make art and the humanities flourish is to provide them with really fantastic sums from the public purse.

But that, I am confident in predicting, will bring censorship of the arts, sterility to the arts, and a second-rate artistic endeavor.

Apart from the fact that such gigantic amounts cannot be used productively, we have seen the dead hand of government and the dead hand of censorship operate in this field only this week.

The American Film Institute was scheduled to show the film "State of Siege" at the American Film Institute Theatre last week. The Film Institute, but not the theatre, is subsidized by the Federal Government through the Foundation on the Arts and the Humanities.

In fiscal year 1973 the American Film Institute received $1 million from the Foundation for the operation of the Institute. In addition, they received another $650,000 for such items as its own film preservation work, the administration of film makers grants, and for the preservation of the film at the Library of Congress and the Museum of Modern Art.

But "State of Siege" is a controversial film, and obviously, with one eye on their funding and the White House, the showing of the film was canceled. In the wake of that obvious censorship, numerous other filmmakers withdrew their films from the AFI's opening festival.

How can art flourish when the art is subsidized? Is it not better to have less money but more freedom?

A CZAR FOR THE ARTS

Let me discuss another obvious danger in the bill which provides such substantial subsidies for the arts. That danger is that the Foundation may well end up by creating Czars for the Arts.

Under sections 5(c) and 7(c) the Foundation makes grants to support the arts and the humanities. The law provides that the Chairmen of the Endowment for the Arts and the Endowment for the Humanities may make grants up to $10,000 without the prior approval of the respective councils of these organizations who ordinarily exercise this function. They did retain the right of review.

Under the bill as recommended by the Foundation, grants of up to $25,000 without prior approval were to be allowed to the Chairman of each endowment. Further, no limit was set on the proportion of funds which could be used in this way.

Sensing the very real danger that Chairman's grants of this size and without any limitation on the proportion of funds used in this way could make for the art council and their successor czars of the arts and czars of the humanities, the committee wisely limited their authority to grants of $15,000 or less and to a total of 10 percent of the funds. I welcome that limitation.

But there is no doubt whatsoever that the power over the arts which could be exercised by the Chairmen of these groups is potentially very dangerous. And it is more dangerous as a subsidy increases.

This is what happens when art is subsidized by governments and administered by individuals—any individual who has such great power over the artistic and intellectual activities of the Nation.

UPPER MIDDLE CLASS SUBSIDY

Let me make one other point. It is absolutely clear to anyone who knows anything about the arts, that the substantial bulk of the patrons of the arts are upper middle class and wealthy citizens. They are the ones who attend the concerts, buy tickets to the theater, and purchase paintings. That is a fact.

It is true that many people of modest incomes and some people of very low incomes have a great love of the arts; but the great majority who will benefit are the people who are better educated, and therefore more affluent.

What this bill does, therefore, is to subsidize those who need subsidies the least. While some of the funds go to the artistically talented from the poor or from minority groups, the overwhelming effect is to subsidize those in the top income classes in the country who would otherwise have to pay from their private incomes for the results of the arts. These are the people who can most effectively take care of themselves.

The language of the report brags as to how in fiscal year 1976 the per capita annual cost of this bill will be only $1 a year for the arts and $1 a year for the humanities and asks us to support it on the grounds of its relatively small amount. The Senator from California (Mr. TUNNEY) has just made that point. But if that is true, why not let the well-to-do and the affluent in our society support the arts on their own?

We already give a vast indirect subsidy to the arts and the humanities through the income tax laws. While only the most rudimentary estimates are available, probably about $15 billion a year is given to charitable groups of which charitable contributions to literature, museums, educational foundations, libraries, galleries, orchestras, and so forth, probably amount to $2 to $2.5 billion.

Since those funds are given mainly by those in the upper tax brackets, I judge that through the tax expenditure route as much as $1 billion a year in tax receipts which would otherwise come to the Government now go as a tax subsidy to the arts and humanities. The figure may be higher.

I think we have to take into account the fact that the taxes are higher for average families with incomes of $8,000 to $10,000 because we provide this subsidy for those with higher incomes in the income tax laws.

Why then should we add another $400 million a year in direct subsidies to the existing indirect but very real tax subsidy for the arts and humanities?

And the tax subsidy at least has the merit of keeping decisions and judgments in private rather than in Government hands. The advantage we have, without expanding this bill at a breakneck speed, is that with the tax subsidy the money comes from private sources, without a big brother government deciding whether a particular film, for example, should or should not be shown.

CONCLUSIONS

For all of these reasons I believe the authorization given by the committee should be cut back to some reasonable level. I propose an annual increase of $40 million, which is double the $20 million annual increase given heretofore.

But I think it is unconscionable to increase the total funds available by $80 million in the coming year and to provide $400 million or five times as much as is now authorized 2 years from now.

Mr. President, I send my amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the further reading of the amendment be dispensed with. I think I have explained the amendment in some detail, and will be glad to expand on it further.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE's amendment is as follows:

On page 12, line 3, strike out "$59,000,000" and insert in lieu thereof "$44,250,000".

On page 12, line 4, strike out "$105,750,000" and insert in lieu thereof "$60,300,000".

On page 12, line 5, strike out "$152,500,000" and insert in lieu thereof "$76,250,000".

On page 12, line 9, strike out "$70,000,000" and insert in lieu thereof "$52,500,000".

On page 12, line 10, strike out "$125,000,000" and insert in lieu thereof "$72,000,000".

On page 12, line 11, strike out "$180,000,000" and insert in lieu thereof "$90,000,000".

On page 12, line 15, strike out "$11,000,000" and insert in lieu thereof "$8,250,000".

On page 12, line 16, strike out "$19,250,000" and insert in lieu thereof "$11,000,000".

On page 12, line 17, strike out "$27,500,000" and insert in lieu thereof "$13,750,000".

On page 13, line 2, strike out "$20,000,000" and insert in lieu thereof "$15,000,000".

On page 13, line 4, strike out "$30,000,000" and insert in lieu thereof "$17,000,000".

On page 13, line 6, strike out "$40,000,000" and insert in lieu thereof "$20,000,000".

The PRESIDING OFFICER. Does the Senator from Wisconsin wish that his amendments be considered en bloc?

Mr. PROXMIRE. Yes. I ask unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PELL. Mr. President, I yield to the Senator from California.

Mr. TUNNEY. Mr. President, as I have already made clear in some preliminary remarks, I strongly oppose the amendment of my good friend the Senator from Wisconsin.

I recognize that we have to live within our means in this overall budget, and that we must, each one of us, decide where our individual priorities are, but I compliment the committee for coming up with a recommendation for spending for the arts and humanities which I think is really a minimum of what is needed in this country.

As I have stated, there is no great country in the Western World that spends less as a percentage of its gross national product on the arts and humanities than does the United States. The Senator from Wisconsin says that we cannot have a fivefold increase and maintain excellence in the arts—this fivefold increase being over a period of several years. I could not disagree with any statement more strongly. It all depends upon the base from which you start; and the base, in the case of the arts, was very low.

There are many creative people in this country who are unable to support themselves and at the same time pursue the development of their talents. I for one do not find it an egregious example of wasteful spending to pay a person like Robert Penn Warren $1,000 to write an essay. As a matter of fact, I have not read the essay, but it was probably worth more than $1,000 insofar as the quality of thought that went into the piece and the impact that it would have upon the students who read it are concerned.

Today the arts, for the most part, depend upon the commercial value of the product. Unfortunately, commercial value does not always correlate with artistic value. The opera is in trouble in many parts of the country. We find that our orchestras in many cities are incapable of being sustained by the local communities. We find that the repertory theatre cannot pay decent living salaries to the actors and actresses who participate therein. Many painters in disadvantaged areas of the cities and rural areas have no outlet for their artistic production, and therefore they cannot sell it, because there is no way they can get their paintings to the potential buyers.

I feel that it is quite clear that the quality of any particular artistic effort, whether it is in the field of literature, music, or painting, may or may not have a relationship to its commercial value; but oftentimes those particular products which are of the greatest artistic value have no commercial value whatsoever.

How many Americans, for instance, have gone to see Nureyev dance in a ballet? How many have had the opportunity to see grand opera?

How many Americans, for instance, have read John Locke? There is probably no other man who had a greater influence on American philosophy or on forming the American life style than John Locke, simply because the Founders of this Republic, men like Thomas Jefferson, James Madison, and Alexander Hamilton, did read him and they wrote into the Constitution certain precepts that were borrowed, lock, stock and barrel, from John Locke. Yet I venture to say that the majority of the people of this country have never read a word that he wrote.

So it seems to me that when we consider the impact of his literary and philosophic efforts as against what it has meant to the cultural and philosophical thinking of this country, any fair-minded person would have to agree that a man like John Locke made a huge contribution to the culture of the United States.

Mr. PROXMIRE. Mr. President, if the Senator will yield, I am delighted that he has brought up the work of John Locke. He was a great British philosopher who, if we read him, we will find that Thomas Jefferson took what he had said, wrote the Declaration of Independence, almost word for word, from Locke except where John Locke had written, "Life, liberty, and property," Thomas Jefferson wrote, "Life, liberty, and the pursuit of happiness." That declaration had a profound effect on America, as the Senator from California has so well stated.

However, it seems to me that John Locke could not possibly have been in a position to write if he had been writing based on a subsidy such as we are discussing today from the British Government—the monarchy. The fact is, John Locke was a revolutionary. He was a philosopher of freedom. He was a man who supported the ideals on which this country was formulated in breaking away from the British crown. If he had had to rely on the British Government to provide his funds in order to write, he would still be waiting to ghostwrite for Tom Jefferson. He would have had the same experience as the great film maker who made the movie "State of Siege," a film which was censored and cut and eliminated from the Kennedy Center recently because it was so controversial. He would have been placed in that same position.

If we are going to make that argument, this program will stifle the voice of freedom and the opportunity for the development of philosophical thought in this country.

The Senator has made a very good point on my side.

Mr. TUNNEY. In reading John Locke, we realize that the aristocracy loved him because he was talking about the importance of property. As a matter of fact, I believe that he put "property" ahead of "life" in the order of importance. There is nothing that was more important to the privileged few of those days than to have their own basic instincts as to the importance of property held up and sanctified by someone as eminent a philosopher as John Locke. As a matter of fact, the Lockeians in this country today are perhaps considered by far our most conservative element.

Mr. PROXMIRE. That may well be, but in terms of life first, liberty next, and property third.

Furthermore, it is true that John Locke enjoyed the esteem of the aristocracy because they were the ones best educated and able to understand him and to appreciate him. The fact is, however, we have that kind of situation now. The Lockes in this country are confined to some kind of support from the so-called aristocracy of this country today, but the pending bill provides support from the dead hand of government. When government steps in, we have a different kind of switch, a necessarily deadening effect on free philosophic expression, radical expression, the kind of radical expression contained in the film "State of Siege." We should proceed with that kind of program and recognize that it has its limitations. We should also recognize that we must continue to rely, in a free society, on funding our philosophers and our artists on the basis of private contributions as well as public contributions.

Mr. TUNNEY. Marcuse certainly has not had a tough time with his publications.

Mr. PROXMIRE. Who?

Mr. TUNNEY. Marcuse. He is the social philosopher—some would say the Marxist-Socialist philosopher who wrote for the University of California some time ago. Some say he was responsible for the new left "revolution" in this country a few years ago.

But I have had the opportunity—and I am sure that the Senator has probably had the opportunity also—to visit disadvantaged areas in the large cities where there is great artistic talent. I am personally familiar with one case of painting talent in south central Los Angeles, where there are talented young people with no opportunity to find a way to make a living so that they could express themselves through their art. The reason for that is they had no outlets from which to sell their art.

I had the opportunity last year to go to the Watts festival in Los Angeles to see the offerings of 10 to 15 young people in their late teens and early twenties who had great talent, yet they could not sell their works because there were no outlets.

Yet these people should have their artistic expressions enjoyed by a far greater number of people than was possible as a result of the constraints that were placed on them, coming from a disadvantaged area and not having the kind of money to enable them to support themselves by painting.

I had a chance to talk to several of them and they told me that they would have to give up the expressions of their talent, that they would have to stop painting, because they could not afford to feed their families and paint at the same time.

Mr. PROXMIRE. A number of people from my State have protested this amendment but when it was explained to them, they backed down and said, "That is fine. We did not realize that your amendment would permit expansion. We agree that we can go too far with anything."

The committee bill does go too far in this area. I am sure that the Senator would agree that these programs are going too fast.

Mr. TUNNEY. I think the programs are good, but how can they be going too fast with only 40 cents per capita in 1974? That is not going too fast, so far as I am concerned. It is not going too fast to ask for $1 per capita in 1976. That is not going too fast. It is less than any other country in the Western World, certainly any European country. I do not know what the European tax laws are but I dare say they have charitable deductions the same as we do. So we cannot mix apples and oranges. I think the Senator from Wisconsin is trying to suggest that because of the tax deductions allowed in this country for a charitable deduction to the arts, we were presuming this was not done overseas and that the only money that went to the arts in foreign countries, in European countries in particular, came from the federal treasury of the state. I do not know whether that is true or not, but I daresay they have charitable deductions in Europe as well.

I recall reading in the newspaper that in France, Picasso left many of his personal paintings in the collection that he had to a French museum and that no taxes would be paid on the estate, at least that portion of the estate that represented his personal collection fo paintings, worth about $50 million.

I may say it is a question of where to put the priorities, and I have to say that my very good friend from Wisconsin, a man whom I highly respect and whom I consider to be a true humanist but who certainly is demonstrating that he has got a flintlike soul this afternoon, is not acting the part of the humanist today, and that I strongly disagree with his amendment.

The PRESIDING OFFICER (Mr. JOHNSTON). The question is on agreeing to the amendment of the Senator from Wisconsin.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCLELLAN. Mr. President, I wish to express my concern about the extraordinary increase that is proposed in this bill, S. 795, for the future funding of the National Foundation on the Arts and Humanities.

S. 795 provides that funds for this program are to increase from $80 million in fiscal 1973 to $160 million in fiscal 1974, to $280 million in fiscal 1975, and to $400 million in fiscal 1976. This would be, within the next 3 years, an overall boost of five times what we are now spending in fiscal 1973. Such an exorbitant increase in funding at this time, when our fiscal affairs are already in disarray, is indeed excessive.

Undoubtedly, the work of the National Foundation on the Arts and Humanities is a valuable asset to our Nation's cultural life. It is a program that should be supported. But an increase in funds of the magnitude contemplated in the proposed legislation is clearly out of line. Certainly, it is out of line if we intend to make progress in our effort to limit spending.

This tremendous increase of five times what we are spending now within the next 3 years cannot be justified. It certainly cannot be justified at a time when we are being forced to cut back on programs vital to human wants and needs, programs in health, education, and housing, in aid for the handicapped and other programs. Certainly it cannot be justified at a time when we are incurring annual deficits of more than $20 billion.

Mr. President, in recent weeks I have pointed out on the floor of the Senate that we are authorizing expenditures far in excess of our abilities to fund. In every session of Congress we have proposed and continue to establish new programs and to expand old programs or existing programs, costly programs which are fueling the fires of inflation. I think everyone knows that we cannot support an authorization at the level proposed in S. 795 without fanning the flames of inflation.

I do not doubt that this is a good program, one that I think we should continue, and one that I want to continue. The proposed amendment would grant reasonable increases in the amount previously authorized. We are reducing the level of authorization. In fact we are increasing it to allow the opportunity not only for continuation but also for reasonable expansion.

There are other programs just as meritorious. There are other services of Government just as valuable that we are not increasing, that we feel we cannot increase, where an increase would simply exceed the limits of our current resources.

Mr. President, for these reasons I support the amendment introduced by the Senator from Wisconsin (Mr. PROXMIRE). It would provide an increase of $40 million in the next fiscal year, and for the following fiscal years. In other words, the bill before us would increase this program from $80 million during fiscal 1973 to $400 million in fiscal 1976. The amendment would increase the program by only $120 million over the next 3 years—or to $200 million in fiscal 1976.

I believe, Mr. President, under the circumstances, that this is adequate. In my opinion, the amendment is reasonable and generous. It will allow the National Foundation on the Arts and the Humanities to continue a reasonable expansion.

Mr. President, we are being forced to reduce a number of good programs. Let us be fair to them. This amendment is fair. It grants a substantial increase. But if we should take all comparable programs that the Government is funding today, and increase the authorizations in proportion to this, we would not have a $20 billion deficit next year; we would have a $40 billion deficit. This country cannot continue this kind of reckless spending. It is painful. Here is a program everybody wants. Everyone is for it. I know of no one who is against it. I know of no reason anyone should be against it. But what will we profit if we continue to authorize programs that will compel us, if we honor the authorization, to make appropriations that are excessive and destructive to the value of the dollar and which increase inflation. Inflation spurs measures in the cost of living and constitutes a burden on the poor people of this Nation, on those with fixed incomes, or those on retirement, or those living on social security. Who can barely make ends meet now.

There is no denying the merits of this program. There is no denying the desirability. While this amendment takes into account the realities of our fiscal situation, it provides a generous increase in the authorization. I think that generous increase should be accepted and I think we should support this amendment. Of course, in the future if our revenues will permit us to come nearer to a balanced budget, or bring us to a better balance between income and outgo we might again increase the authorization and make appropriations in accord or for a higher amount. But as I have said on the floor of the Senate, that if we pass these authorizations today, they become bills tomorrow. They are bills presented to the Committee on Appropriations for payment. We are not able to pay. We are not able to pay the bills that are being presented now except by borrowing money and running this country further in debt. We will never return a better balance in our fiscal affairs if we continue to authorize new programs and expand old programs excessively and say, "Oh, well, let us borrow the money and pay it." We have borrowed too much money now. The national debt is costing us some $25 billion a year in interest. It is increasing each year. It soon will be $30 billion. I would like to support the measure. There is no doubt it would be a wonderful thing to provide all the money which could be properly spent. But there are many other programs which are just as valuable and just as important to the welfare of our Nation as this program.

I would hope those who support this program would take these factors into account and be satisfied with the amounts proposed in this amendment. Hopefully, when the amounts proposed in the amendment are presented in the Appropriations Committee each year, we can appropriate the full amount of the authorization.

This is not the end of the problem. We can authorize funds, but there has to be an appropriation. I think we do wrong when we authorize large sums, building up the hopes of people who are interested in these programs, only to dash them to the ground when we make the appropriations. When we make these authorizations, those people who are interested in the programs anticipate and expect that appropriations will be made for them. I think now is the time to weigh the issue and settle it here.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. COTTON. I would like to say to the Senator that last week I was in a rural section of my State. As the Senator knows, for some years I have served on the Appropriations Subcommittee having to do with housing, education, and welfare, and I can remember during all those years that every year we have taken up the problem of the fact that doctors, or somebody, had to determine who should live and who should die because of the fact that we could not produce and furnish—at least deliver—dialysis or the aid of an artificial kidney throughout the country. Year by year we squeezed out all of the money we felt we could squeeze, but there was testimony that it would take such a sum of money to take care of everybody that it would take years to do it.

Only last week I was in a sparsely populated section of my State where people are still dying because of the fact that they cannot be taken to Boston, or even to the one largest center in the little State of New Hampshire, and because they do not have enough money in the community so they can bring the service to them. So they are still dying simply because we cannot deliver that health care to them.

When we also have before our committee those who want grants and loans so that every boy can get a college education in this country, to me my sense of the esthetic and my appreciation of the arts is not profound enough or deep enough so that there is any reduction that can be offered on the floor to this bill that I will not vote for.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. McCLELLAN. Mr. President, I yield.

Mr. PROXMIRE. Mr. President, I congratulate the chairman of the Appropriations Committee for his very strong and overwhelmingly logical reasons for voting for a reduction in this enormous increase, and what the Senator from New Hampshire has said put the icing on the cake, in my view.

There were years in which I served in this body in which individudals said, "Well, we should go ahead with all of these programs. We should increase spending for the education program. We should go ahead with the space program. We should go ahead with military spending, all of them." We now realize we cannot do that. We have passed a ceiling of $268 billion. President Nixon has a similar ceiling. One way or the other, we are going to adopt a ceiling. If we move ahead with this immense expansion of the program, it means we are going to have to take the funds out of somewhere else. It is going to mean that in the area the Senator from New Hampshire talked about, a matter of life and death, perhaps that will have to be reduced. We cannot have everything.

I do think we have a different situation than we had before. As the Senator from Arkansas has said so well, this is not an amendment which would gut the program. Without the committee proposal, I would consider it much too profligate. It is a modest reduction in the immense increase the Senate committee would provide. If a 50-percent increase is permitted, that should be large enough, especially in a program which is as vague and intangible as this.

Mr. PELL. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield to the Senator.

Mr. PELL. I was interested in the exchange between the Senator from Arkansas and the Senator from New Hampshire and I share the sense of sadness in knowing that people are dying in his State, as they are in other States, because there are not enough kidney dialysis machines around and because there are not enough health resources available for the people, but the Senator put his finger right on the nub of the problem. We are spending too much money now wastefully in killing in other parts of the world.

I realize it is dangerous to compare apples and oranges, but we in the Government and those on the Appropriations Committee and in Congress are spending billions and billions of dollars in the killing of people with no relation to our national security, and we do it without any thought or any pangs of conscience sometimes. This is where we should cut expenditures. We should cut funds so the Air Force cannot engage in the bombing raids. We are spending as much money there as we would for providing enough kidney dialysis machines for everybody who needed them for a substantial time. This is where we should cut and cut now. Cut it out of the hardware systems. Cut it out of offensive weapons appropriations and offensive actions. Maybe we should take some out of the space program. Maybe we should take some out of the hardware sector.

Senators will never hear me deny an increase in the field of human welfare, education, health, or in raising the quality of life. Just because my education programs were cut does not mean that I, as chairman of that subcommittee, will want to reduce this program or that program. I want the programs in the human sector of life all expanded. If I do not fare very well in the educational forum, I am not going to vote against additional expenditures in the field of the arts and the humanities. What I will do is oppose programs that are wasteful and that result in killing and building up plutocracies. Our approach should be to provide people with needed kidney dialysis machines, the arts and the humanities, college educations, and not engage in expensive adventures around the world.

That is where the cuts should be made, and those of you on the Appropriations Committee have it in your hands—I will refer to you as the presidium—to make the decision of where the priorities will be. Let us cut, but let us cut where it does not hurt Americans or the quality of their lives. Let us cut where it reduces the killing of people and military dictatorships around the world.

Mr. President, in my opening remarks, I emphasized the reasons for my conviction that the funding levels contained in S. 795 are reasonable and that they provide a sound investment in the future well-being of our country. I do not consider them exorbitant. I believe they are fully in keeping with the progress the two endowments have made to date. We are discussing not only the quality of achievements to date, but the quality of life in our Nation. In 7 years, we have witnessed the thorough testing of this program from its most modest beginnings. It is now on the threshold of having a major impact on the quality of our life. We should not falter here. We should remember that the funding levels proposed in this bill represent the planning and the convictions of our most knowledgeable cultural leaders, those who know best the needs in the arts and humanities areas, which, until this legislation came into being, were virtually neglected at a Federal level. And, we should remember that for each Federal dollar spent on this program, three private dollars are engendered for cultural advancement.

I have always believed that Federal funding for the arts and humanities should serve to encourage private giving and support in these areas. Federal assistance should provide an incentive. It should help the private community to raise its sights toward better goals. Recently I spoke to the Business Committee for the Arts, representing the Nation's top leadership in major corporate support. I noted that this committee of more than 100 business leaders had helped to increase business support for the arts from $22 million 5 years ago to more than $140 million today on an annual basis. And, I challenged these leaders to more than match the sums contained in this bill; they responded to this challenge with great enthusiasm. I believe this is the proper thrust, the proper concept for incentive. Let us not set a limited example for these business leaders by curtailing this authorization. Let us keep our own sights on the goals the Committee on Labor and Public Welfare recommended to the Senate without a dissenting voice. And, let us remember that business assistance is but one important aspect of the need for increasing private support.

For example, when the Federal program for the arts and humanities was just beginning, the Ford Foundation provided almost $80 million to help our Nation's important orchestras on a matching formula basis. This was but one field where assistance was desperately needed. In many cases, it was a question of survival. The Ford grants provided temporary support, but the needs have not diminished. They remain, and they increase, and it is in partnership with such important foundations that the mission of Federal support can be fulfilled.

The Senator from Wisconsin has quoted figures regarding cuts and curtailments in other social serving programs. With him, I would deplore limitations on funding for programs which have proven their worth and value. But, I would remind the Senator that we did not make such cuts and curtailments in this Chamber. Two negatives do not add up to a positive. Two wrongs do not make a right. I am strongly in favor of a positive aproach—not a negative one.

And, let us also be concerned with consistency here. From its beginnings in 1966, the arts and humanities program has increased in authorized sums from $20 million to $80 million. That is a fourfold increase. In appropriated funding, the program has grown virtually tenfold to its present level. The bill we have before us maintains this kind of consistency.

The Senator from Wisconsin has mentioned in his statement in the RECORD of April 11, "the dead hand of Government" on the arts and humanities. Nothing could be further from the truth in my judgment. The leadership, as I have said many times, has been imaginative, and it has possessed the consistent hallmark of quality. In the comprehensive hearings we held, in 1146 pages of testimony and supporting material, these factors are abundantly evident. This leadership, as I have often repeated, stems not from a "cultural Czar" or from a combination of two, since there are two endowments. The two chairmen of the two endowments, arts and humanities, depend on the guidance of private citizens—on two councils consisting of a total of 52 private citizens selected for their broad knowledge and their accomplishments in their respective field of competence. These two private citizen councils, presidentially appointed, have produced an exceptional record of achievement. They are leading examples of the partnership between Government and the private community. My staff and I have attended as observers their meetings, along with other observers from the Congress and their staffs, and we have been impressed by the full flow of ideas, and by the absence of political pressures, as well as by the deserved respect accorded to the council members by their respective chairman.

In addition, each endowment is guided by panels of private citizen experts who most carefully review projects and applications for possible support before they reach the point of final council recommendation and review. I think it eminently fair to say that no other foundation in this country, private or public, receives greater cooperation from private citizen guidance, includes better procedures for the use of its funds, or has as far-reaching potentials, as this one. It works on a national level, and it works in every State.

Finally, in this regard, there is an explicit provision in the act against government interference in the private-citizen, nonprofit arts or educational areas with which the endowments are involved. And, this precludes the concept of governmental censorship or control. Each group receiving support is carefully reviewed as to its quality and ability, and, once the grant is approved, it proceeds with its own program. Grantees submit comprehensive reports to the endowments on the use of the sums received. If a grantee reapplies for support, if a grantee is eligible for a grant of more than 1 year, its record is again reviewed. If there is any problem, this is taken into careful consideration.

Under all of these circumstances, I see no threat of governmental domination or censorship. Neither apply to this act, and they never have.

Let me outline, first, some of the arts programs which I believe deserve expansion in keeping with the funding levels we have proposed. One is the artists in the schools program which permits leading artists in many fields to give our children enriched experiences, to develop their talents, to widen their horizons. This program has been immensely well received. It applies to just about 3 percent of the total number of schools which could be involved. If we were to reach all our 90,000 schools with this program the cost, which averages over $800 per school, would amount to close to $75 million a year.

Or let us look at the potentials of touring quality theater groups to areas which have never had the opportunity of seeing such live performances. In my own State, an educational theater project was established some years ago. Its initial cost was over $500,000, but it reached out to more than 500,000 schoolchildren, who saw free of charge, the very highest quality performances of the world's great dramatists, and who were instructed in the concept and content of these performances as part of their school curriculum. Let us think what this could mean to young people all over the country—in all cities. We have 40 resident professional theater groups in the United States. They have no funds yet to tour extensively, but the arts endowment is starting a new program to make that possible. Such a program benefits our country in many ways. It benefits the artists; and—let me note here that 75 percent of our professional actors and actresses are not employed on a year-round basis, and that only 36 percent of our college graduates who wish to act professionally can find jobs. Let me also add that 87 percent of our professional actors and actresses make less than $5,000 per year. And, in addition, it benefits our communities—it brings the arts out to the people who wish to enjoy them, and it can bring a new cultural dimension to communities hitherto deprived of the arts—as enrichment for life, as an attraction for industry, as an invitation to tourism. Recently, the famous Guthrie Theater based in Minnesota toured a number of nearby States, including Wisconsin and Nebraska. You can read samples of the tributes of that tour received on pages 93–101 of the record of our joint congressional hearings of this reauthorizing legislation.

Let us look at museums and their needs. One of the greatest immediate museum needs lies in the field of conservation and preservation of their collections. Proper climate control is an absolute must if those collections are to last. The arts endowment, knowing this is a most expensive program, is proceeding carefully in this area. But museum budgets are already stretched to their utmost. They are in critical financial difficulties. The traditional sources of private giving are simply not adequate any longer. If we say that out of 5,000 museums throughout the country, only 1,000 are in need of help to preserve what they have—which amounts to the treasures of our cultural heritage—we can see the magnitude of this task alone—and its importance.

Let us take orchestras and opera companies. Over the past 10 years orchestra attendance has risen by 76 percent, but labor and administrative costs have more than doubled. That is where "the income gap" is in the arts. Volumes of statistical information have been written about it, but talk to any orchestra trustee and he will tell you the same story of financial need, and the need to expand services instead of curtailing them—and the fact that ticket prices have reached the limit of reasonable increase. Remember there are 1,060 resident symphony orchestras in our cities—and the breadth of the task ahead is apparent.

Opera is the costliest of all the arts for it combines orchestral work, and numbers of performers, and scenery. We have only a few leading opera companies in the United States, yet opera is one of the most traditional of all art forms. Its roots go back centuries into our European heritage. Our own Metropolitan Opera Co. in New York, or our San Francisco Opera Co. on the west coast are of the very highest quality—but suppose we could tour them into areas where citizens had only learned about opera in books or through recordings which contain only a portion of the excitement and enrichment of seeing a live performance. The arts endowment is embarking on a program to increase these experiences.

Let us consider the endowment's program of placing excellence in sculpture in public places—a relatively small program which could well be greatly expanded—or another new program to bring the arts to bear on beautifying larger ranges of our environment and meeting our need for better industrial design. Let us consider the endowment's expansion arts program to bring the values of the arts, the values of creative expression to the disadvantaged, the underprivileged, the handicapped, the ghettos, where the arts remarkably well communicate and where they provide special enrichment—and, indeed, a special sense of inspiration. Again, this is a relatively new program which has been tested and found worthy of great expansion.

Let us consider that it is estimated that it would cost $80 million alone to preserve our film collections, where we have made such major contributions to the world, from decay. Or the just-started program to bring the variety of the arts out to communities by Art Train, six railroad cars long, which in an exceptionally well-received pilot endeavor, has recently toured the States of Michigan, New Mexico, Arizona, Colorado, Utah, Idaho, Montana, Wyoming, and Nevada. The facility cost $850,000. In Michigan alone it has been visited by more than 300,000 people. Mobile traveling exhibits are but one way of bringing the values of the arts to widened audiences.

Finally, with respect to the arts, let us consider the great strides forward being made by the State arts councils or agencies. Testimony at our joint congressional hearings clearly demonstrated how they have grown, that they are now fully matching the amounts received this year, or $125,000 each, that they are ready to have the challenge of matching the sums we have approved. To me, and I am sure to many of you, the States arts program is a most important feature of this act, for its gets down to the "grass roots." It encourages the development of quality at the local level, and it provides for ever widening appreciation and participation.

The arts endowment reports that applications have increased from 1,383 in fiscal 1970 to 6,462 now—a fivefold increase—and that they are estimated to go to approximately 18,000 in fiscal 1974. That is an almost 14-fold increase from 1970. It shows the level of interest—and, most important of all, it shows that the funding we have proposed to you, far from being exorbitant, is realistic and reasonable.

The humanities are copartners with the arts. Long ago we decided that this alliance, this partnership, was appropriate, and that the two branches—arts and humanities—related each to each and served to bolster each other.

Thomas Jefferson, himself a humanist, put his faith in an enlightened people as the foundation of democracy. Enlightenment, in its best sense, requires wisdom. If I were to summarize the humanities in one brief sentence, I would say that they serve to translate knowledge into wisdom.

Let us look, then, at some of the accomplishments of the humanities endowment, especially in terms of future funding at the levels proposed.

Through the help of this endowment, the famous "Civilization" series of Lord Clark—a best seller in book form—as well as his new series on modern painting has reached out to hundreds of communities and to literally millions of viewers via television. It is obvious that similar programs would have a similar impact. For such programs the endowment plans to spend $8 million in fiscal 1974—and I would say this is a modest sum, if we think of the vast audiences to be reached and enlightened.

By the end of the present fiscal year the endowment will see in operation or in planning State humanities programs in every State. In this respect, this endowment has followed procedures pioneered by the arts program. Planning grants of $10,000 each begin the State humanities program. When planning is satisfactorily completed, the State group receives its funding—now at a level of $6.1 million in total. The endowment plans to spend, in fiscal 1974, $11 million for its State-based programs—equivalent to $200,000 per State, a figure identical to the $11 million proposed for State arts agencies. This figure would increase to approximately $1 million per State to meet future needs and in accord with funding levels proposed in this bill. Again, let me say—as in the case of the arts—that I applaud this State concept. State committees for the humanities are organized so that approximately one-third of the members are professional educators and humanists, one-third are gifted in administration and administrative practices, and one-third are laymen—without Ph. D.'s or the like. They are the leavening force, the catalysts who provide a common touch, if you will, who serve as bridges between scholarship and lay opinions. And in these committees and groups, both sides are finding themselves enlightened.

Let me quote a statement made to our joint congressional hearings by William H. Masterson, chancellor of the University of Tennessee at Chattanooga:

> The great value of the NEH state-based program consists of two features. The first is a free and frank interchange among the laymen of geographical areas in the presence of and with contributions from professional humanists. Secondly, this interchange of the concerns and values of laymen has a feedback effect on the campus where historically the humanists have been too isolated from the daily problems and priorities of the lay citizenry.

This same theme of mutually beneficial interchange was repeated at the hearings, and I applaud it, and the imaginative leadership which created it; for it serves to invigorate and provide the quality of public dialog we desire—and hence to enhance wisdom.

And that is what these State humanities programs are all about. Each State selects its own particular theme. Each theme may have a number of related subheadings and variations. Some samples are: Indiana—"Government and the Family;" Minnesota—"Regionalism, Regional Government, and the Individual;" North Carolina—"Traditions in Transition: The Impact of Urbanization;" Washington—"Education: Changing Prospectives."

The humanities endowment is also deeply concerned with programs to assist our libraries and museums, as our great resources for research and education. As examples in the library field, the Folger Library here in Washington, D.C., and the Newberry Library in Chicago have been strongly assisted—by matching grants—as well as the New York Public Library. These grants have proved of enormous value. They have triggered the kind of private philanthropy which is essential to the maintenance of these institutions and their service to the public, as well as to scholars. They have prevented curtailment of service, which threatens the library field, especially in view of the stoppage of other Federal programs for library assistance. It is anticipated that the humanities endowment will be inundated with requests for library assistance. Obviously the humanities endowment cannot fulfill all library needs. The endowment's program is now concentrated on the so-called independent research libraries, relatively few in number but housing collections of inestimable value, in most cases original manuscripts or single editions which cannot be duplicated. For example, the Library Co. of Philadelphia, founded by Benjamin Franklin in 1731, contains the collected volumes of James Logan. This collection represents what is still considered the finest library in Colonial America. It is beyond price, and as was pointed out by Edwin Wolf, the librarian of the Library Co., "The imperative need is for the restoration and preservation of its books." Without such work, these books may well be lost to the writers and researchers and scholars of a next generation. Meanwhile the acids in the old bindings eat with slow but now inexorable progress into the pages.

In terms of its overall program, the endowment's projected allocations for sustaining research resource centers, whose collections and facilities constitute unique national resources, remains—in my judgment—modest. These allocations would grow to $2.4 milion under the authorizations proposed, and would encompass grants averaging $200,000 each to 12 such centers.

With respect to museums, the humanities endowment has begun a limited program of support to bolster and complement in the humanities areas the work the arts endowment is doing in the arts areas. The program encompasses in fiscal 1974 approximately $2 million toward exhibitions, $1 million for community education grants, and $1 million for museum staff training programs and special workshops. These amounts would increase to $10 million under the proposed authorizations and would include 10 major traveling exhibits at $250,000 each to be viewed by an estimated 3 million people, 50 education grants at $50,000 each, and smaller grants averaging $5,000 each to assist up to 1,000 museums—out of a national total of 5,000—in museum training and the improvement of services.

The endowment's educational program brings together the museum and the institution of formal education—from school to college or university—so that the resources can be shared, and the museum's educational function emphasized.

Let me also mention a relatively new program undertaken by the humanities endowment which I believe has exceptional merit. It applies to special grants to young people without postgraduate training in the humanities and in some cases now at the high school level. These youth grants enable young students to explore fields of special interest and concern. They serve to enhance that young person's wisdom so that he or she may proceed to greater accomplishment. The youth grant program would support, under our proposed authorization amounts, one project at $6,000 in 10 percent of the nation's colleges and 50 special bicentennial-related historical research projects at $10,000 each for high school students. This program would be funded with $750,000 in fiscal 1974 as it develops, and it would expand to $2.5 million by fiscal 1976. I mention it, in particular, for I believe it shows that a modest program in amounts of dollars spent nationally can have a most significant impact—and, also, because I believe it shows the careful planning of the humanities endowment with respect to a most rational and reasonable rate of growth.

I would also emphasize a new program for the humanities endowment which includes 125 of our Nation's newspapers and 250 colleges and universities. This is a cooperative endeavor. The newspapers will publish lectures by our country's leading humanists.

The colleges and universities will offer credit in connection with the newspaper courses in each locale. Here is a unique extension of formal education, created by the humanities endowment. All of us, whether or not interested in formal educational advancement, will benefit.

Let me also stress a program which will provide each of our states with a fully documented, fully researched, carefully composed state history. This program is just beginning. It would be funded by $1 million in fiscal 1974, and by a total of $10 million for completion. It represents, I believe, a unique service to all our States—at a modest per State cost.

The thrust of the humanities program is to concentrate on activities which have a broad outreach to the 150 million Americans who do not have access to the humanities through institutions of formal education. It is obvious that this is an enormous task. Certainly, it cannot be accomplished by government alone—but only in terms of a partnership between government and the private community.

The programs I have outlined—and I have only mentioned a few—do not encompass anywhere near a point where all eligible institutions or individuals would find Federal assistance. There are more than 2,500 institutions of higher education, more than 5,000 museums, more than 1,000 major library systems, and 200 public television stations—and all these plus tens of thousands of individuals are possible and potential beneficiaries of aid from the humanities endowment. Dr. Ronald Berman, the endowment's chairman, gave us these figures during our hearings. He also estimated that by the end of this present fiscal year the endowment will have received over 5,000 applications seeking a total of $160 million. To date the endowment has been able to provide assistance for approximately one out of nine applications. Even with full funding for this endowment's work at the levels approved by the committee, we would be reaching—for example—only 10 percent of 4-year college teachers and 10 percent of 2-year college teachers in the endowment's fellowship program.

I use these examples to emphasize that these levels are not Nirvana. They are not Shangri-la. But they do provide the impetus; they do provide the impact we seek. In case after case, we have seen that the impetus for this program, both arts and humanities, which is unique in our history, engenders in the private sector two and three and four times the amounts invested by the Government.

Let me now give two examples of unique programs which apply to my own State. One deals with the arts and applies to providing low cost tickets for arts events for people of limited financial means. As Barnet Fain, the chairman of the Rhode Island State Council on the Arts, stated at the hearings: "This program is probably the single most innovative and successful undertaken by the Council." In 2 years this program has vastly increased opportunities for those it serves. For instance, the number of disadvantaged community groups aided to enjoy and appreciate the arts has grown from 658 to 2,250. Senior citizens aided have increased from 107 to 921—a ninefold increase. I would like to see such a program applied nationally, but then we would have to consider funding in excess of the amounts proposed.

The other program applies to the humanities endowment and is described in a letter to me, dated February 27, 1973, from Stansfield Turner, vice admiral, U.S. Navy, president of the Naval War College in Newport.

It says in part:

> May I express my enthusiastic support for the legislation you entered on February 7th (S. 795) in support of the National Foundation on the Arts and Humanities.
>
> I am writing because I would like to mention to you the considerable support that I have received here at the Naval War College from the National Endowment for the Humanities section of the Foundation. It has been my view that an understanding of the humanities is just as vital to national defense as is comprehension of the many technical fields in which we are involved. This is particularly the case in a military institution of higher education such as a Naval War College.
>
> Military officers as a group are accustomed to a world in which there are right and wrong solutions to most problems. They are conditioned to this by their early education and by the exercise of responsibility in a highly technical atmosphere. You are as well aware of this as I from your experience in the Coast Guard. When officers begin to reach the more senior grades, it is important that we introduce them to the problem of understanding the uncertainties, the inexactness, and the approximations that must be faced in dealing with many of the broader issues they will confront as senior military officers. We have set the Naval War College on a course toward achieving just this.
>
> Accordingly, I drew very specific assistance from the National Endowment for the Humanities in restructuring the curriculum here. . . . The National Endowment provided the inspiration for this and a great deal of the spade work in preparing this curriculum material.
>
> Accordingly, I am most impressed that S. 795 would be a forward step beneficial to all segments of our society including the military. It is far too easy to lose sight of the broad objectives such as this under the press of everyday pressures. I do hope you will receive all the support necessary to carry this bill through to enactment.

I think this letter speaks eloquently for itself.

And it goes to the very roots of this legislation we are considering which declares, with reference to the humanities: "that democracy demands wisdom and vision in its citizens and that it must therefore foster and support a form of education designed to make men masters of their technology and not its unthinking servants."

In the administration's budget for fiscal 1974, we see that $17.4 billion is requested for science and technology.

One of the original purposes of this act was to help correct the imbalance between Federal support for scientific and technological areas and Federal support for cultural advancement. Even with full funding for this bill for fiscal 1976—or a total of $400 million—we can see what a comparatively miniscule proportion, less than 2.5 percent, would be going to cultural areas.

The imbalance will continue, but we have the opportunity today of making an appropriate, a realistic, a reasonable commitment to cultural progress.

Mr. President, at this point I ask unanimous consent that the following table relative to the administration's budget request for the arts and humanities program be inserted in the Record.

There being no objection, the table was ordered to be printed in the Record, as follows:

PROGRAM AND FINANCING (IN THOUSANDS OF DOLLARS)

	1972 actual	1973 estimate	1974 estimate
Program by activities:			
1. Promotion of the arts	33,083	43,691	80,000
2. Promotion of the humanities	31,939	45,905	80,000
3. Administration	3,363	5,314	8,000
Total obligations	68,385	94,910	168,000

Mr. McCLELLAN. Mr. President, we are going to hear speeches of this type all during this session of Congress. There is and will be, in my judgment, an all-out assault on the defense budget.

It would be well, it would be wonderful, it would be utopia, if there were no war, no prospect of war, and no necessity to spend money for national defense. All war is wasteful. The money we spend for our defense is aimed at preserving our independence. We may make mistakes in judgment. I think we made a mistake when we got into the Vietnam war. I have never contended we belonged there. I have simply said that if we belonged there, the rest of the free world belonged there with us—and they were not there. I also said that if we are going to fight a war, we ought to fight it as a war, and we did not do that.

There have been a lot of mistakes, and we cannot lay all the responsibility on any one party.

This country faces a crisis with respect to its fiscal affairs. And I can say to my friend that I do not believe we can take enough money out of the defense budget to pay for all of the programs that we would like to have. I honestly do not think there is enough money in the defense budget unless we intend to disarm America.

Here is a program that is not being cut. It increases it by 50 percent during fiscal 1974.

There are other programs that are just as meritorious. The distinguished Senator from New Hampshire (Mr. COTTON) mentioned one. There are many others that could be mentioned, I am sure. However, when we increase a program like this by 50 percent in 1 year and under the conditions that now prevail, I think we are being rather generous. I can say that we could disarm America if we wanted to. However, I do not agree that we should do so. I do not think that we want to do so.

I favor cutting the budget. We will find ways to do it. I reported to the Senate that I would make an effort as chairman of the Defense Subcommittee to cut the defense budget by $3 billion. Last year we cut it by $5 billion. I hope that we can do the same this year. However, I am not willing, and I will not make any commitment here, to cut the defense budget to where I think it impairs America's defense, or runs a risk that would leave us exposed to the danger of another war.

Mr. PELL. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. PELL. Mr. President, I would completely agree with the Senator with respect to defense. However, when we talk of the defense budget, I think we are using a misnomer. I think that a better word would be the word that used to be used, the War Department. We are engaged in really offense and warmaking and potential warmaking. We have some 2,000 bases around the world. And we have engaged in a civil war which even Henry Kissinger now calls a civil war in Southeast Asia. It is degrading for a Nation like ours with 200 million people and a huge gross national product to engage in such practices.

Yet, we have participated there on behalf of people who are engaged in their own civil war.

Mr. McCLELLAN. Mr. President, I simply hope that the Senator had the same anxiety about the people of South Vietnam who were murdered in cold blood by the invaders from the north. I hope that the Senator has the same compassion for them.

Mr. PELL. I do. However, it was a civil war. We usually let a civil war be fought out in the local areas. The money we are using now is being used to my mind to spread around the world in a warmaking way.

Mr. McCLELLAN. Does the Senator want to completely disarm this country?

Mr. PELL. I do not wish to disarm the country. I want to enable the United States to keep the enemy away.

Mr. McCLELLAN. In which category does the Senator place nuclear weapons and aircraft carriers. Should they be associated with defense or with warmaking?

Mr. PELL. Those would be defense. We have new bases around the world. I noticed in the press to my horror the other day that we are closing our bases at home.

Mr. McCLELLAN. Mr. President, I am not opposed to reducing the defense budget. I proposed that it be reduced. I asked the Defense Department to submit a list of all bases we have, together with the personnel and the cost of maintaining those bases and their priorities. I expect to get that information soon.

Mr. PELL. Mr. President, would that list be classified?

Mr. McCLELLAN. So far as I am concerned, it will not be classified. I have asked for the complete information. I want a list that will be of use to the Senate in its deliberations.

I agree with the Senator with respect to some of these commitments that we have. I want to reduce them. I want to make these cuts so that we can have more money for other purposes. I am for defense. I do not want to start a war. However, I am convinced that we have to be prepared. Otherwise we will be exposing ourselves to what might be the whims of an enemy who thinks he can take advantage of our lack of adequate defense. This is what happened to other countries that were defenseless, as the Senator well knows.

Mr. PROXMIRE. Mr. President, the Senator from Arkansas has agreed with the Senator from Rhode Island, he indicated that he favors cutting the defense budget. The Appropriations Committee did that last year and the year before. However, we cannot have a vast increase in expenditures in this program and other programs by just cutting defense.

I have been in the forefront of those who say that we have to hold down military expenditures. However, that is not enough. We cannot go on a spending spree elsewhere and take it all out of defense.

The Senator from Arkansas is dead right. That would mean that we would be irresponsible and would damage the defense of our country.

We cannot meet the ceiling and have an adequate defense and permit these programs to increase at this enormous rate.

Mr. McCLELLAN. Mr. President, if there were only a few programs of the type under consideration, we could forget about them. However, there will be increases proposed in one program after another as the session continues. S. 795, alone, provides for a 50-percent increase in authorization during the 1974 fiscal year and a 500-percent boost by fiscal 1976.

I go along with the amendment proposed by the senior Senator from Wisconsin. However, I hate to think that I must go along with every other 50-percent increase proposed, for the 1974 fiscal year. We have to strike a balance in these matters.

I will go along with this increase. However, I do say now that we cannot make equivalent funds available for other programs of equal or more merit. We cannot do it without fueling fires of inflation which may consume us.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. COTTON. Mr. President, first I would like to array myself squarely behind the distinguished chairman of the committee on which I serve in everything he has said. I would like to say regarding the remarks of my friend, the Senator from Rhode Island, that he has used two phrases—one is "warmaking" and the other is "defense."

With regard to his remarks about warmaking, the Senator from New Hampshire will stand squarely with him. For long years I have said publicly to my people that I repented in sackcloth and ashes for the vote I cast on the Gulf of Tonkin joint resolution. It is one of the votes I shall always remember. It is one of the votes that I wish I could take back. However, after we were engaged in conflict in Vietnam and all through the Johnson years and all through the Nixon years, as long as we had our troops there and as long as we had our boys there and as long as we had our prisoners of war there, I voted against the resolutions presented to the Senate concerning cutting off the financial support of our troops and always considered them as aiding and abetting the enemy.

I felt it was a vote either for America or to encourage Hanoi, and I went down the line. But I want to say that that is over as far as I am concerned. Our boys are home. Our prisoners, we hope, are home—all of them.

Mr. McCLELLAN. Mr. President, I find I must leave the Chamber. Therefore, I yield the floor to the Senator from New Hampshire.

Mr. COTTON. Now, why we are staying over there and bombing is beyond my comprehension; and even though I am, of course, in general support of the administration, if there is any way to avoid it, by any resolution, now that we are out of this war, let us not go back in. I will go with the distinguished Senator from Rhode Island all the way, or whoever offers a resolution in the Senate, to bring back all our people, assuming that our prisoners are back.

Let us not wait until they take some more, shoot down some planes and get some more. Then we will be involved again.

To that extent, I say the Senator from Rhode Island is dead right. But when it comes to national defense, that is a different story. When it comes to national defense, I do not believe that we should permit ourselves to fall behind our certainly one and probably two great possible rivals in the world, because I think we must depend on ourselves for American security, and I simply wanted to draw a distinction between those two things:

Let us not confuse the question of warmaking with the question of national defense. I still feel that we could get along another year, in this particular program, for what we had last year, and increase it later. But I find myself voting with the distinguished Senator from Wisconsin, because we cannot have all these things and have any expectation of getting this budget under control this year.

Mr. PELL. Mr. President, if the Senator will yield on that one point——

Mr. COTTON. I yield the floor.

Mr. PELL. I would make one observation with regard to the budget for this year, not for 1974.

Mr. COTTON. I am talking about 1974.

Mr. PELL. Right. The figure that is in my basic bill is essentially the administration's figure for 1974, and the amendment would cut the proposed budget or administration figure for 1974. In 1975 and 1976, the administration suggests the phrase "such sums as may be necessary," and my figures are specific, and very much larger. But for this year the budget figure is in the basic bill, and not in the amendment.

Mr. COTTON. I understand that. I appreciate the Senator's calling it to my attention. He is perfectly correct. But I do not agree with the administration, and I do not have to go along with the administration in everything it recommends. Its recommendation for fiscal 1974 for this program, in my opinion, is too much, and the money is needed much more in more vital programs.

As for the future years, I would not agree with my friend from Rhode Island, because I like to meet each year as it comes along. This obligating ourselves ahead and forward funding is one of the things that have led us down the primrose path until less than 44 percent of public spending ever comes before the great Appropriations Committee that my friend from Rhode Island said were the arbiters.

Mr. PELL. The presidium.

Mr. COTTON. Or the presidium. I do not know if I accept that term, but it is a good term.

But we are the presidium over only less than half of our spending, because of the obligations we have incurred in advance, and to which we have tied ourselves and probably the generations to come.

So I would oppose the setting of any amount for fiscal 1975 or fiscal 1976; and for fiscal 1974, I cannot go along with the administration's figure; I prefer to go with the Senator from Wisconsin (Mr. PROXMIRE). I could even stand it if it were slightly less than the figure of the Senator from Wisconsin.

I yield the floor.

Mr. HRUSKA. Mr. President, I wish to address a few words on the subject of the National Endowment for the Arts and Humanities. It seems to me that any society which neglects the arts and humanities will, in the long run, feel the consequences of that neglect. Conversely, a society which recognizes the importance of the arts and humanities profits from improvement in the quality of its cultural life.

An example of the importance of the arts comes to mind. Recently, the Omaha-Council Bluffs Riverfront Development program received a grant from the Arts Endowment for $15,000. This grant is being used to establish guidelines for architectural style, park planning and zoning in the Riverfront Development area. It is part of the "City Edges" program of the National Endowment for the Arts. The concept of City Edges is new and interesting. It is an attempt to define areas within cities with regard to their own special characteristics. The riverfront area of a city, for example, has different geographic characteristics than the business or residential areas. What the City Edges program attempts to do is frame these areas so that they complement rather than detract from one another. I am confident that better buildings, better surroundings and better lives result from such grants.

As chairman of the Subcommittee on Federal Charters, Holidays, and Celebrations, I noted with interest the recent transfer of funds in the amount of $200,000 for the American Revolution Bicentennial Commission to the National Endowment for the Humanities. I understand that the National Endowment for the Arts and the National Science Foundation have received similar amounts for their respective bicentennial activities. Many of the projects currently funded by the endowments are in some way connected with Bicentennial activities. It is important to note that any bicentennial activity supported by the endowments will be an extension of the endowment's customary activity and will be conducted through the usual grantmaking processes and in accordance with the endowment's recognized high standards. I also understand that it is anticipated that the number of bicentennial projects will increase as the Nation approaches 1976. The funds transferred from the American Revolution Bicentennial Commission to the Endowments for the Arts and Humanities will be used to support these projects.

Projects that are supported by these funds will have regional or national significance and should be operational by 1976. Projects which will be eligible for support include museum exhibits, seminars, and endeavors which will extend the public's knowledge of the role of arts and humanities in the growth of the Nation.

There are many positive aspects of the endowment's work. I want to mention one more: grants to State art councils. Endowment grants to State art councils have allowed those councils to better serve their respective communities. In Nebraska, endowment grants to the State Art Council have allowed the council to fund theatre and orchestra performances that otherwise might not have been seen and heard. They have helped communities begin work on centers for the arts that otherwise might not have been constructed. And they have helped scholars research subjects that otherwise might not have been investigated.

We are fortunate, Mr. President, that we as a Nation have recognized in the National Foundation Act of 1965 the importance of the arts and humanities to the quality of our national life. It is for this reason that I favor extending authorizations for the Arts and Humanities Endowments. I prefer an extension as proposed by the administration in S. 916, which calls for indefinite authorizations for fiscal years 1975 and 1976 rather than the fixed amounts proposed in S. 795. This, however, is a question of spending procedures and not a disagreement with the substantive goals of the 1965 act and the proposed amendments.

Mr. DOLE. Mr. President, clearly there is a national commitment for the arts and humanities, for they are central to our Nation's well being, to civilization and mankind. Today, there is a growing appreciation of the fact that our cultural resources are a national treasure, to be nurtured, much the same as our natural resources.

Since enactment of the National Foundation on the Arts and the Humanities Act of 1965, the Federal involvement in, and support of cultural activities in both the arts and humanities areas, has broadened in scope and effectiveness. In this the Federal Government has a vital role. The need for this kind of general public education is great, and should be sustained by the Government, although it entails a more than equal input from individuals and private organizations. As a public foundation spending public moneys, it is with the usefulness of the arts and humanities to the Nation's organic conditions of continuity and change of society, that we are concerned. The endowment seeks to follow Jefferson's plan that the wisdom of the Nation should increase with its power.

The Foundation has been at work only a short time, its funding, given the weight of great public issues, remains manistic knowledge, which should be general public outside the campuses and institutions are now coming into play on a significant scale. Continued funding will nurture activity in the arts and humanistic knowledge, which should be available to all citizens at every educational level. What has been done in creating the National Foundation on the Arts and Humanities is to set in motion a process that reaches deeply toward the roots of our culture, to insure its continued growth in a world acceptable to our children.

The time for work in the arts and humanities is not fixed at today or tomorrow, it is cumulative in its task of enhancing the Nation's health, its moral strength, and intellectual integrity. It may be one of the greatest achievements of the modern era in realization that all people gain security by sharing rather than by secreting knowledge. It seems evident that knowledge cannot be contained and that an inexorable elevating of intellectual capability is needed if we are to achieve social equilibrium in the form of peace.

There is in this bill a symbolic bringing together of the Federal Government and the States, in the arts and the humanities. Government has a limited but important function in encouraging the arts and humanities, and of reinforcing local initiatives and helping these institutions to help themselves.

In 1960, only 14 States had State arts councils and State art programs; today, all 50 States have such councils and programs. And there are 40 State-based programs in the humanities. The level of funding for fiscal 1974 is consistent with proposals made by the administration. It should be noted that, on a per capita basis these amounts for each endowment now represent approximately 40 cents per person per year in fiscal 1974, 70 cents per person per year in fiscal 1975, and $1 per person in fiscal 1976.

The nurturing of Federal encouragement of the arts and the humanities and the nurturing of such encouragement in all the States signals a Federal-State-local partnership in developing our cultural resources which must continue to be encouraged so that it might achieve its full and true growth. The legislation before us seeks to provide that nourishment and encouragement.

Mr. CRANSTON. Mr. President, the Senate is now debating a measure of great importance to the future of the arts and humanities in the United States.

If we approve S. 795, to extend the life of the National Endowments for the Arts and Humanities, Senators will once again make clear their belief that all Americans should share the rich resources of the arts and humanities, as audience and as participants.

My support of this legislation has been complete and unqualified. The measure is simply essential to the future of the arts and humanities and the role they can play in our lives.

On behalf of Californians, I thank the distinguished Senator from Rhode Island (Mr. PELL) whose leadership as chairman of the Senate Subcommittee on the Arts and Humanities has brought forth a measure that offers new horizons for the arts and the humanities in America.

I know that Senator PELL had the creative support of the ranking minority member of the subcommittee, the Senator from New York (Mr. JAVITS). Senator JAVIT's commitment to the arts and humanities is unquestioned. There is much in this measure that reflects his high ideals and considerable knowledge of the arts and humanities.

Mr. President, my reasons for supporting this measure are not complicated. I believe that creativity, the quality of ideas, and the open expression so essential to a free society need our careful nurturing now more than ever before. I also believe that the Federal Government has a responsibility to provide the leadership and the means to keep the arts and humanities from the growing list of societal "endangered species."

We are emerging from a destructive decade. We reached new levels of violence at home and we exported violence to Southeast Asia. We began paving over the countryside. We tore apart our great cities and we failed to put them back together. We built more machines and made more noise and deafened more Americans. We poisoned our water and polluted our air.

Mr. President, we must come to grips with what seems to be a new national pastime: The steady destruction of all that is beautiful, of all that is true, of all that is real and satisfying.

We need a national blueprint for esthetic education.

I believe the National Endowment for the Arts and Humanities is the way to get that blueprint and the way to achieve its realization.

Briefly, Mr. President, that is one of the reasons I so enthusiastically support this legislation.

But apart from rationale, there are some substantial and exciting things happening in the State of California—delightful, effervescent things that are engaging the minds, alerting the eyes, and quickening the senses of the people of my State.

To cite just a few of the activities the National Endowment for the Arts, alone, is making possible:

In Los Angeles, the endowment has funded the gallery operations of the Mechicano Arts Center, in the eastern sector of the city, which serves—in the words of the endowment—"students, school dropouts, and street people." The project is winning the hearts of a long-oppressed community.

In San Francisco, the endowment has gotten the private and public sectors together to fund a "neighborhood arts program" under aegis of the San Francisco Arts Commission with the cooperation of the Zellerbach Foundation.

Again, in Los Angeles, the endowment has helped mount a performing arts training program for talented persons of Mexican-American heritage who want to make the performing arts, particularly the film arts, their careers.

And, all over California, the endowment has aided my State's symphonies and orchestras, its museums and its galleries, and its struggling dance companies and its individual artists that have been so long without the encouragement and aid they so well deserve.

Mr. President, I am reminded of a statement made not too long ago by one of America's greatest philanthropists, John D. Rockefeller 3d. In a speech in St. Louis, Mr. Rockefeller stated the case for the arts—and, by implication, the humanities—as succinctly and as well as I have ever heard. He said:

> If we really care about the dignity of the individual, about his potential for self-fulfillment, then we must have a deep and rich sense of the place of the arts in our individual lives. We need the arts if we are to be whole human beings—fully alive and vital and in control of ourselves and our environment. We need the arts as the key to the higher order of things—our cultural heritage, our gift of expression, our creative faculty, our sense of beauty. We need the arts if we are to have discriminating taste, the ability to judge levels of quality in all the works of man. And we need the arts if we are to have the truth—if we are to understand ourselves.

Mr. President, William Saroyan certainly knew this when he wrote that—

> The purpose of art is to give the traveling human race an improved map that shows the way to itself.

At this stage in the American life, we need that roadmap; we need to find the way to ourselves.

Mr. President, we need the arts.

TO PROMOTE THE FREEDOM TO CREATE AND TO REFLECT

Mr. HUMPHREY. Mr. President, I rise in strong support of S. 795, a bill to amend the National Foundation on the Arts and Humanities Act of 1965 and to extend authorizations for highly important programs under the act for 3 years.

The "declaration of purpose" under this historic legislation includes formal recognition by Congress that a Nation's position in world leadership should include leadership in the realm of ideas and of the spirit. A vital new direction in national policy was established in the original enactment of this legislation, with the finding and declaration by Congress:

> That a high civilization must not limit its efforts to science and technology alone but must give full value and support to the other great branches of man's scholarly and cultural activity in order to achieve a better understanding of the past, a better analysis of the present, and a better view of the future.

The National Endowment for the Arts and the National Endowment for the Humanities, served by a point administrative staff, have compiled an impressive record of accomplishment in carrying out this policy with very limited funds. Chaired respectively by Miss Nancy Hanks and Dr. Ronald S. Berman, and provided with excellent guidance by their 26-member private citizens councils, the endowments have made great progress in making the benefits of the arts and humanities available to all our citizens, in maintaining the criteria of quality and excellence, and in providing essential assistance for independent research and creativity. It is clear that Federal funds have been a major stimulus for State matching funds and for private support for these programs. But it is also clear that the higher authorizations provided for in this bill are fully merited, particularly in light of the great number of applications of high quality which the endowments are unable to support.

The Minnesota State Arts Council has effectively utilized grants received under the Endowment's Federal-State partnership program over the past 2 fiscal years to provide support for a tour by the Minnesota Orchestra in States of the Upper Midwest, for the Dance Coordinated Residency Touring program, and for various community arts programs. Promising writers have received fellowships; more audiences have been enabled to enjoy the annual Bach Festival; support has been given for an exhibition entitled "American Indian Art"; the Minneapolis Society of Fine Arts has been helped to take art collections to the people; the St. Paul Civic Philharmonic Society has launched a college residency program and carried through its concert opera project; notable opera productions in Minneapolis and St. Paul have been made possible; and the Children's Theater Co. in Minneapolis has received support for performances throughout the metropolitan area.

These are only some of the highlights of exceptional accomplishments in Minnesota as a result of Endowment grants. In addition, the Guthrie Theater Co., whose productions have achieved nationwide recognition, has received major support under this program. Recently, the company's traveling production of John Steinbeck's "Of Mice and Men" returned from a 10-week tour of the Upper Midwest that took it to 15 cities in six States. Its performances reached 66,000 people. And these performances were supplemented by educational programs, seminars between company members and students at local schools, and creative drama sessions.

The Minnesota Humanities Commission, chaired by Mr. Russell W. Fridley, director of the Minnesota Historical Society, has made more than 40 grants, on a matching basis, to colleges, libraries, educational television stations, museums, historical societies, and community organizations to share with the public at large the insights of humanists. These can include relating the humanities to public issues, encouraging open discussion about basic questions of social values, government and law, and so forth, where the philosopher, the historian—the humanist exercising his discipline—can make a vital contribution toward promoting voluntary joint decisions and collective action on current problems. It is my conviction that such programs must continue to be carried out in an atmosphere of independence and innovation if they are to be a catalyst for effective cooperation.

The National Endowment for the Humanities has taken imaginative steps to broaden public exposure to the vital importance of these disciplines. Beginning April 12, the Humanities Film Forum, made possible by a grant from the endowment, has been presenting 10 outstanding films to television viewers across the United States—some of which are cinematic translations of great literary works, and others providing new insights into major historical events and developments. This fall, newspaper readers in over 125 communities will be able to take a college-level course in American studies over a 20-week period under an extension program, called "Courses by Newspaper," launched by the University of California, San Diego.

The report from the Senate Committee on Labor and Public Welfare, accompanying S. 795, raises important questions with respect to the involvement of the respective endowments in the Nation's Bicentennial Celebration, and the principles enunciated by the committee should be regarded as constituting basic legislative history for guidance on this important matter. I also support the committee's recommendations respecting individual grants, the renovation and construction of facilities, council membership, matching fund requirements for State arts agencies, and compliance with basic labor provisions. And I am in accord with the recommendation that State humanities programs should continue to develop in a cooperative manner, rather than by mandating the designation of State agencies, and with the further recommendation for legislative steps to assure that adequate support is continued to independent research libraries throughout the Nation.

Mr. President, I urge the Senate to act favorably on this legislation to demonstrate our national commitment to promote the freedom to create and to reflect—to strengthen the esthetic and ethical values and the resources of basic knowledge that are vital to a better civilization.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, May 1, 1973, he presented to the President of the United States the enrolled bill (S. 1494) to amend section 236 of the Central Intelligence Agency Retirement Act of 1964 for certain employees to limit the number of employees that may be retired under such act during specified periods.

SPECIAL PROSECUTOR FOR WATERGATE INVESTIGATION—SENATE RESOLUTION 105

Mr. CURTIS. Mr. President, I ask unanimous consent that the vote by which Senate Resolution 105 was agreed to be reconsidered.

Mr. ROBERT C. BYRD. Mr. President, reserving the right to object, will the Chair indulge us for a moment?

The PRESIDING OFFICER. Certainly.

Mr. CURTIS. Mr. President, I renew my request.

Mr. PELL. Will the Senator explain his request?

Mr. JAVITS. Mr. President, reserving the right to object—and if necessary, I shall object—I only wish to enable the author of the resolution, the Senator from Illinois (Mr. PERCY), to come to the floor of the Senate. Then he can take care of the matter himself. If the Senator from Nebraska insists upon pressing his request, we should have the Senator from Illinois here. Otherwise, if it is in order, I shall suggest the absence of a quorum.

Mr. CURTIS. I decline to yield.

Mr. President, I hold in my hand a letter from the Senator from Illinois, stating that he planned to submit a resolution calling upon the President to appoint a special prosecutor for the purposes of investigating and prosecuting any crime relating to illegal acts associated with the Presidential campaign of 1972.

This is a procedure that does not reflect credit on the U.S. Senate. The resolution was never printed. It was called up during the noon hour, when only five Senators were present.

Mr. AIKEN. Not over five.

Mr. CURTIS. The resolution purports to convey the sense of the Senate. The letter implies that the resolution would not be called up today. The letter reads in part:

> If you would like to join me as a cosponsor of this resolution, a copy of which is enclosed please call me or have some member of your staff contact John Childers (Ext. 57916) today, if possible.

The next sentence says that "between 12:30 and 1 p.m." there would be a discussion of the matter.

Mr. President, when one is invited to become a cosponsor and to get his answer back today, if possible, the implication is that the resolution would be submitted today. In the ordinary course of business, that implies that the resolution would be printed. But it was agreed to during the noon hour, without notice to Senators generally—I dare say without notice to the cosponsors.

My objection to the resolution is this: It expresses the sense of the Senate that the President appoint a special prosecutor with reference to the Watergate case. Judging by the use of the word "prosecutor" instead of "investigator," the resolution bars the appointment of former Senator John Williams. I submit that John Williams is better capable of investigating the Watergate incident than any other person in the country. Why? Because he is free from the accusation that he would use the investigation to advance himself politically. He has retired from politics. He is one of the most skillful and distinguished investigators ever in the Senate. His character is unimpeachable. The press has absolute confidence in John Williams.

This morning, when I made by statement suggesting this, several members of the majority party, not all those on the record because they could not get here, said it would meet with their approval, that they thought it would go unanimously—and I think it would, too, because he is a man who is well respected.

Now, it is true that we could go outside public life and pick many thousands of honest and dependable people to do the job, but they would be unknown to the public. If John Williams made this investigation and he said these men were guilty but this man was innocent, there would be no feeling that it was a coverup, no feeling that partisan politics had been played, and no feeling that someone was conducting an investigation to advance himself.

All I wanted was the chance to amend the resolution so that John Williams would not be barred. But here, without notice, an unprinted resolution is called up during the noon hour.

Mr. President, I renew my request, and ask unanimous consent that——

Mr. AIKEN. Mr. President, will the Senator from Nebraska yield?

Mr. CURTIS. As soon as the Chair rules.

Mr. President, I ask unanimous consent that the vote by which Senate Resolution 105 was agreed to be reconsidered.

Mr. JAVITS. Mr. President, I object.

The PRESIDING OFFICER (Mr. Johnston). Objection is heard.

Mr. CURTIS. Mr. President——

Mr. AIKEN. Mr. President, I ask to be recognized.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. AIKEN. Mr. President, I have been informed that the principal sponsor of this resolution is on the way over here now and that it would be only an act of courtesy to withhold any statements or action on the motion of the Senator from Nebraska until he gets here.

Let me say for the record that at least 95 of us were not extended the courtesy of knowing when this resolution was to be submitted and when it was to be acted on by the Senate.

It is well known that both parties were having a luncheon conference at the time, and I do not know how many were left on the floor, between two and five people, and yet what they did was represented as the unanimous action of the Senate.

It is one of the most reprehensible operations that I have seen during my long period of service in the Senate.

I think that the Senate, the country, and the President deserve an apology from those responsible for doing this. I do not know what the motive was, but the effect is to harass and condemn the President of the United States—the same President who got our troops back from Vietnam, the same President who has done more to restore peace in the world than anyone has done for many years; yet, this unexpected action by two or three or not over five Members of this body has the effect of condemning him.

Mr. COTTON. Mr. President, will the Senator from Vermont yield?

Mr. AIKEN. I did not know about this resolution until after the luncheon. I go to my office and there it is, inviting me to become a sponsor. It passed this body while most of the Members were at a preannounced luncheon. The motion was made to reconsider and that motion was laid on the table with nearly every Member of the Senate knowing nothing about it. That is pretty low politics in my book.

Mr. COTTON. Mr. President, will the Senator from Vermont yield?

Mr. JAVITS. Mr. President, will the Senator from Vermont yield to me?

Mr. AIKEN. I yield to the Senator from New Hampshire.

Mr. COTTON. Mr. President, I should like to say to the Senator from Vermont that I must concur in what he has said—not quite with all of his expressions, but nearly all of them; but certainly in the sentiments that he has expressed in his characterization of the result of what happened.

Mr. AIKEN. It was known that virtually every Member of this body would be absent from the floor at the time this resolution was submitted and immediately acted on.

Mr. JAVITS. Mr. President, will the Senator from Vermont yield to me?

Mr. AIKEN. I yield to the Senator from New York, without losing my right to the floor.

Mr. JAVITS. Yes. The Senator from Vermont retains his right to the floor, of course.

Mr. President, it should be made clear, so far as I am concerned, that I was not on the floor either when this resolution was agreed to, although I am a cosponsor, as are others. But I protect the right of a Member to come here and defend himself.

Mr. AIKEN. I agree with that.

Mr. JAVITS. That goes, of course, for the two distinguished Senators from Vermont (Mr. Aiken) and Nebraska (Mr. Curtis).

Mr. President, now that the distinguished Senator from Illinois (Mr. Percy) is in the Chamber, Senator Curtis is at liberty to renew any motion that he wishes and I shall certainly not interfere.

Mr. AIKEN. Mr. President, it is well to give the principal sponsor of this resolution the courtesy which was not extended to 95 Members of the Senate earlier today.

The PRESIDING OFFICER. What is the will of the Senate?

Mr. PERCY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. PERCY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. COTTON. Mr. President, reserving the right to object to the Senator's request, if the purpose——

The PRESIDING OFFICER (Mr. Johnston). The Chair would inform the Senator from New Hampshire that debate is not in order during a quorum call. The Senator would have to object to the withdrawing of the quorum.

Mr. COTTON. The Senator from Illinois asked that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois?

Mr. AIKEN and Mr. COTTON objected.

The PRESIDING OFFICER. Objection is heard. The clerk will continue to call the roll.

The second assistant legislative clerk continued the calling of the roll.

Mr. PERCY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PERCY. Mr. President, I should like to explain, for the benefit of my colleagues, exactly what I had in mind, to assure them that if there is any concern in their minds about this, I would be very anxious to take into account their feelings. I have a very high regard for their judgment; but in using the procedure we used today, I used a procedure for which there was precedent.

The question of Vietnam and the President was mentioned by the distinguished ranking member of the Committee on Foreign Relations. At the time the President addressed the Nation on October 7, 1970, and requested and offered negotiating terms that for the first time appeared as though a major breakthrough could be made in establishing a negotiating base for settling Vietnam, I talked to the President the night of the speech. He asked for help as quickly as he could have it in connection with the presentation he had made to the Nation.

That night, I prepared a resolution commending the President for the initiative he had taken. I discussed it with the majority and minority leaders and asked what was the fastest method we could use to see that the sense of the Senate resolution was put on the record by the Senate as early as possible. It was submitted that day, and that day it was unanimously adopted, by a unanimous consent agreement. I followed the procedure of contacting both sides of the aisle.

In this case, after hearing Secretary Rogers yesterday and his comments on a special prosecutor, and his express concern that delay might be the endangering factor in this kind of case, I assured him that the Senate could move with dispatch when it seemed appropriate and necessary.

For that reason, I prepared the letter. I delivered a speech on the floor of the Senate yesterday and indicated my intention to submit the resolution. I had discussed it with a number of my colleagues, but I indicated at that time that I would not submit the resolution until we had an opportunity—all of us—to hear the President last night.

I indicated that Representative John Anderson, of Illinois, would submit a resolution in the House; but the House had also decided to withhold by 1 day the submission of the resolution.

After hearing the President describe last night that he had authorized Secretary Richardson, Attorney General-designate of the United States, to appoint a special prosecutor—I am not certain of the exact words he used, but he suggested that if he felt that it was necessary, he could go ahead and do so—it seemed that there was a community of thought now moving in generally the same direction.

This is not a new idea. The President of the American Bar Association has called for it; leading newspapers all over the country have called for it. It is not in any way implicating or showing a lack of confidence in the President of the United States. It simply follows a procedure which in 1924 President Coolidge followed, after both the House and the Senate passed a resolution at that time calling for an independent special prosecution in connection with the Teapot Dome affair.

There has been a correlation between these two matters, from the standpoint of the seriousness to the country, and the question is whether or not the executive branch properly should investigate itself in this matter, when every one in the Nation is concerned. It is to add credibility to the prosecution. It is to share responsibility. It is to fulfill our constitutional function of confirming the nominations of all officers of the United States who are appointed by the President, except those "inferior officers," as chapter 2, article II of the Constitution provides that Congress determines need not be confirmed by the Senate.

This is not an inferior office. This is a major office. If we confirm the nomination of a second lieutenant when he is promoted to first lieutenant, certainly tens of thousands of confirmations indicate that the Founding Fathers felt that officers of the United States should be subject to the check and balance of the legislative as well as the executive.

Taking into account that all of us want to move with dispatch in this matter, I prepared a letter last night, after hearing the President, had it delivered by hand to 100 Senate offices this morning, and invited my colleagues to join me. At the very time that the distinguished Senator from Nebraska was speaking this morning, I joined him in indicating that a man of the caliber of John Williams would add a great deal to this particular investigation or prosecution. It was my feeling at the time that John Williams was a lawyer. I had always thought that he was a lawyer. I now have determined that he is not a lawyer. For that reason, he would not be eligible, I do not presume, to assume a position of a prosecutor, but he certainly could be an investigator.

My own feeling is that the Senate has provided for an investigation. We have a bipartisan committee that has been established for that purpose, fully empowered by the Senate.

The President has conducted his own investigation. We probably do not need more investigations. But I have no objection to accepting the amendment of my distinguished colleague if he feels that the amendment would add something to this matter and if it would have his support rather than his opposition.

The Senator from Illinois did what he felt in his judgment was the right thing to do from the standpoint of finding out what the procedure would be to carry this matter forward at the earliest possible time. After checking with the Parliamentarian, I advised the majority and the minority leadership that at the time designated for my remarks, between 12:30 and 1 p.m., I would ask unanimous consent for immediate consideration. If that unanimous consent had not been offered, as I understand the parliamentary procedure, it would have been laid over until the next day but would have been taken up as business tomorrow. I have no objection to taking this matter up tomorrow or the next day. As the minority leader has said, this matter could be debated at any time, but it was his general feeling that it would be passed by the Senate.

I would accept the amendment if this would answer the questions in the mind of the distinguished Senator from Nebraska.

I have checked with one of the principal cosponsors, Senator JAVITS, who sees no objection. I would like, of course, to have been able to check with all 15 Senators who are now cosponsors of the resolution before accepting the amendment, but I will take upon myself the responsibility, because of the strong feelings that have been expressed by my distinguished colleagues, for accepting the amendment, because I feel that it does not in any way impair what we are attempting to accomplish.

We are simply saying that we have a responsibility to share in this matter, to give every appearance to the whole country that we are working with the President in assuming responsibility and standing behind the investigation or prosecution, whatever it may be, that would be carried on in what the President termed last night a sordid affair.

I would be happy to yield to my distinguished colleague.

Mr. CURTIS. Mr. President, my objection here is to the procedure of the Senate. I have no objection to the resolution in general. I am serving notice now that there is no one in the leadership that has authority to waive for me the clearance of the consideration of a resolution that is not printed, during a noon hour when both parties are having a caucus, and in connection with which I have a letter in my hand which reached my office at 11:30 this morning which clearly implies the matter would not be called up today. I read this paragraph from the letter:

> If you would like to join me as a cosponsor of this Resolution, a copy of which is enclosed, please call me or have a member of your staff contact John Childers (Ext. 57916) today, if possible.

If I know anything about the English language it means you have several days to do it. Then, the letter goes on to state:

> Senator Domenici and I have reserved 30 minutes on the floor this afternoon between 12:30 and 1:00 p.m. to discuss this matter. Should you wish to discuss this matter yourself, I will be happy to yield you time at any point.

Now, here is a letter that goes out that infers Senators have all day to become sponsors. That letter arrived at our offices after most of us had gone to committee meetings. I had gone to the Committee on Agriculture and Forestry where we are marking up an agriculture bill. I did not see this letter until late today, but that is probably my fault for not going back to my office. The letter arrived at 11:30 a.m.

Now, we are setting a precedent that will do this Senate no good: Pretend to the world that this is the sense of the Senate and the Senate does not even know it has been passed. What sort of procedure is that?

My objection to the resolution is this. What is it we want? We want to have the Watergate cleared up for all time. If a message is to be sent to the President to ask someone to do that, I do not want the name of John Williams barred from consideration, and the passage of this resolution does that. It calls for a special prosecutor, and to prosecute one would have to go into court and practice law and one cannot practice law without a license.

I believe that whoever is to go to the bottom of this and get all the facts should be outside of Government. John Williams meets that test. He should be someone who would not engage in partisan politics. Those who know John Williams know he would not do that. He has taken his place in this Chamber and investigated matters that were against his party, as well as against the interest of any other party. It should be a man who is a skilled investigator. I submit there is not a more skilled investigator in the country than John Williams. It calls for someone in whom the press has confidence. There never has been an investigator in connection with the Senate that has received higher acclaim from the press than John Williams.

Furthermore, when all is said and done, we want a job done by someone in whom all of the American people have confidence. John Williams meets that test. You do not want an investigator or prosecutor, even though his motives are pure and his conduct is pure, who is trying to build himself politically. John Williams has served his time on the track and he has retired and he has refused to run.

I have no right and this Congress has no right to force the President to do anything or to pick out a man for him. I have sent a letter to the President asking him to consider John Williams.

But I do object to the manner in which a resolution was passed in this Senate that would bar former Senator John Williams from taking a leading role in reference to this very important matter.

Mr. President, should I renew my request that this bill be reconsidered, I would not want it reconsidered tonight. I do not feel that this matter, having gone this far, should be considered unless the membership knows the time and place when it is going to be brought up. If it is reconsidered I expect to offer an amendment relating to section 1, in the first sentence, after the term "prosecutor" I would put "or investigator" and in section 2, after "prosecutor" I would put "or investigator."

This would leave it open so the President could consider the one man in the country who could do a better job than anyone else. But I will not make my request to reconsider if we are forced to do it tonight because here it is 6:30 in the evening and we would be indulging in the same procedure to which I object, and I believe most of the Senate would object to the procedure that has brought us to this point.

Mr. President, I ask unanimous consent that the vote by which Senate Resolution 105 was agreed to be reconsidered, and I ask further unanimous consent that after consent is granted and it is reconsidered, that the matter be made the pending business on a day later than this, upon due notice to all Members.

The PRESIDING OFFICER (Mr. PROXMIRE). Is there objection?

Mr. PERCY. Mr. President, reserving the right to object, would the distinguished Senator amend his unanimous-consent request so that we could have a vote at a time certain tomorrow?

Let me explain what literally happened here. In checking on the parliamentary procedure, one objection would have been sufficient today to set it aside. I fully expected there would be an objection and that this would be considered on the calendar the following day. That is what I wanted to protect and insure. I found no objection. In fact, I found support for it from the leadership. I did not check with every Senator. That is true. I would be perfectly willing to either accept the distinguished Senator's amendment now and ask for unanimous consent for that purpose, or I would not object if the amendment, if the unanimous-consent request were amended so that we could have a vote at a time certain tomorrow which would then give us adequate time to debate it, discuss it, and then vote.

Mr. CURTIS. Mr. President, is my understanding that if I correct my request merely to ask that it be considered, and if that were agreed to, then the matter could be called up at a later date as might be determined later? My parliamentary inquiry is: Is that correct?

The PRESIDING OFFICER. I am advised by the Parliamentarian that if the Senator asks unanimous consent he have permission to enter a motion to reconsider, that that would be in order, if that is granted, the motion would be entered on the Calendar. It could be called up at a future time.

Mr. CURTIS. Mr. President, in a moment I shall ask to restate my unanimous-consent request, and in so doing I will inform the Senate that if it is granted, I shall not call this matter up today.

Mr. President, I ask unanimous consent that the vote by which Senate Resolution 105 was agreed to be reconsidered.

Mr. COTTON. Mr. President, reserving the right to object——

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. COTTON. Mr. President, two wrongs do not make a right. We have here a question of very delicate and far-reaching implications. Last night the President of the United States spoke to the American people and stated that he had named Elliot Richardson as Attorney General, having accepted the resignation of his predecessor, as a person of unquestioned integrity, to take the steps necessary to clear up the so-called Watergate matter, and that he had delegated to the Attorney General the privilege of naming a special prosecutor if he deemed it necessary.

This matter is a paramount matter in the press and in the public mind.

This morning—and I do not impute to the distinguished Senator, my friend from Illinois, who is a person of transcendent integrity, any intent to play grandstand politics, but the fact remains—within far less than 24 hours after the President of the United States had made a statement to the American people, action was taken on the floor of the Senate, with, I understand, only five Senators present, with the Republican Senators in their policy meeting, and I believe the Democrat Senators in their policy meeting, which could well be interpreted, and will, in my opinion, be interpreted in many quarters and in many segments of the press, as a vote of no confidence in the President of the United States, and it appears as a unanimous action of the Senate.

Now here we have, by my count, eight members on the floor, and it is suggested that we reverse that action and reopen it with only eight Senators.

This matter having been reopened, no matter how it comes out—I admire John Williams—I would like to have the opportunity to say a word for Elliot Richardson, whom I have known for many years and in whom I have great confidence. This should not be done without full debate.

I would like to see two things. I would like to see this unanimous-consent request made with a quorum of the Senate present, and I would like to see if there is a single United States Senator on either side of this aisle who will stand up and object to this matter being reopened—this action which was taken with only five Senators present. I do not think there is a Member of this body who would object, but I think it would be good to demonstrate the desire to have this matter aired thoroughly, and then, after the matter is reopened, that we have a full opportunity to debate it, because the action of the Senate, if it was not significant this morning, has become significant tonight. I hope that we will not take another step with only eight Members present. I would be disposed, unless it goes over to tomorrow, to insist on a live quorum before this unanimous-consent request is acted upon.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. COTTON. I do not have the floor.

Mr. PERCY. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore (Mr. METCALF). The Senator will state his parliamentary inquiry.

Mr. PERCY. Who has the floor?

The ACTING PRESIDENT pro tempore. A unanimous-consent request is pending. In the regular order, it is not debatable. The Senator from Nebraska has the floor. The Chair is inclined to be lenient and have Senators address the Chair, but the Senator from Nebraska has the floor. If he asks for regular order, the unanimous-consent request will be propounded.

Mr. CURTIS. Mr. President, I am going to ask to restate the unanimous-consent request. In so doing, I want to inform the Senate that if this particular unanimous-consent request is granted, nothing would be done today and nothing could be done without a vote of the Senate, because this unanimous-consent request, instead of asking that it be reconsidered, would be—which I will propound in a moment—that it be in order to enter a motion to reconsider the vote by which the resolution was agreed to. Then, instead of a handful taking action tonight, we would merely preserve the right to do it by motion tomorrow, and then there can be a rollcall or any procedure they wanted to take.

So my request, instead of being as I first stated it, that the vote be reconsidered, is that it be in order—and I am informing the Senate that I do not mean today, but I mean at a later time—to offer a motion to reconsider the vote by which the resolution (S. Res. 105) was agreed to.

So with that explanation, I now make this request: I ask unanimous consent that it be in order to enter a motion to reconsider the vote by which the resolution (S. Res. 105) was agreed to.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. PERCY. Mr. President, reserving the right to object, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. PERCY. What would be the effect of this motion from the standpoint of this resolution being able to be taken up by the Senate, and would it be placed on the Calendar and would it be in order to take it up as the pending business tomorrow?

The ACTING PRESIDENT pro tempore. The Chair has been advised by the Parliamentarian that if the unanimous-consent request is agreed to, then the motion goes on the calendar under "Motions for reconsideration," and can be taken up at any time. The Senator from Nebraska has not named a time certain in his unanimous-consent request, and so it would just go on the calendar and be a part of the motions to reconsider.

Mr. AIKEN. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. AIKEN. If a motion to reconsider is made, then is debate on the resolution itself permissible without any time limit?

The ACTING PRESIDENT pro tempore. The Senator is correct. If a motion to reconsider is made, that is a debatable motion.

Mr. AIKEN. Then debate can be had on the resolution itself, as to its merits if any and the demerits also.

The ACTING PRESIDENT pro tempore. The Senator from Vermont is correct.

Mr. AIKEN. That is what I meant.

The ACTING PRESIDENT pro tempore. It is debatable on its merits or demerits.

Mr. AIKEN. Mr. President, I wanted to be sure that a live quorum was available at the time.

Mr. ROBERT C. BYRD. Mr. President, if the unanimous-consent request which has been read by the distinguished Senator from Nebraska is agreed to, the entry of the motion to reconsider would go on a special calendar and at such time as the Senator or some Senator wished to proceed thereon, would the following not be the situation? There would first be a motion to proceed to consider the motion to reconsider.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia is correct. There would have to be the motion that the Senator suggests.

Mr. ROBERT C. BYRD. Mr. President, there would really be two steps. First there would be a motion to proceed to consider the motion to reconsider. That motion to proceed to consider the motion to reconsider is debatable.

The ACTING PRESIDENT pro tempore. The motion is debatable.

Mr. ROBERT C. BYRD. And once the motion to proceed is agreed to, then the motion to reconsider is debatable.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia is correct on both counts.

Mr. ROBERT C. BYRD. Mr. President, I thank the Chair.

Mr. PERCY. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. PERCY. Mr. President, if the Senator from Illinois objects to the pending motion, as I understand it, on the resolution that was agreed to by the Senate this morning by a voice vote, if a motion were made to reconsider and that motion was tabled, with the objection of one Senator, the motion that is now offered would fail and the resolution agreed to by the Senate would in effect prevail.

The ACTING PRESIDENT pro tempore. The Senator from Illinois is correct. A single objection would prevent a motion for reconsideration.

Mr. PERCY. Mr. President, I have a great desire to accommodate the Senator. However, having participated in endless debates that had no objective other than to delay and frustrate the Senate from coming to a vote—bills such as the consumer protection agency bill, which died because of a filibuster such as we are now experiencing with the voter registration bill—I do not feel, in light of the fact that we had a wide spectrum of support for the resolution today, 15 Senators including Senators CASE, JAVITS, MATHIAS, METCALF, GOLDWATER, BUCKLEY, and many other distinguished Senators, and in view of the fact that they, as cosponsors, had the feeling that this matter had been agreed to and they probably are not available to consult with at this time, I would not feel that I could undertake the responsibility to them to have this resolution put in such a position that it might never be acted upon.

Mr. President, I am quite willing to subject this resolution to full and thorough debate. However, the principle is an established principle that has precedent in the action of the Senate, and I had printed in the RECORD today all of the proceedings from 1924 in which the Senate acted in a similar manner.

The matter has been discussed at great length over many months.

Mr. CURTIS. Mr. President, I call for the regular order.

The ACTING PRESIDENT pro tempore. Regular order has been called for. Is there objection?

Mr. PERCY. I object.

Mr. HARRY F. BYRD, JR. Mr. President, will the Senator from Illinois yield for a question?

Mr. PERCY. I am happy to yield for a question.

The ACTING PRESIDENT pro tempore. The floor is open. The Senator from Virginia has the floor if he will address the Chair.

Mr. PERCY. Mr. President, if the distinguished Senator from Virginia would permit a short comment, I would then be happy to yield the floor.

The Senator from Illinois would be quite willing—although I do have an engagement in Baltimore, Md., with one of our colleagues tonight—to stay on the floor until the matter is equitably, amicably, and fairly resolved. There is no attempt to try to railroad something through the Senate.

I am trying to protect the sponsors of the measure. It is my own deep conviction that what we did was right, proper, and fair.

Many times the Senator from Illinois indicated that there is no impugning of the Secretary Elliot Richardson as Attorney General or any lack of confidence in him. However, we wish to share the responsibiltiy for the prosecution that will be underway, and we would want to assume that responsibility through the normal confirmation proceedings, with the consent of the Senate.

I would be happy to stay here and work this out. I do not mean to shut this off, although I realize that one Senator can do so, as we have learned. However, I would be happy to yield at this point, making that point clear, that the Senator from Illinois will stay here until we can have the matter resolved.

Mr. HARRY F. BYRD, JR. Mr. President, I would like to get an understanding from the Senator from Illinois as to exactly what the resolution would do.

Mr. PERCY. Mr. President, the resolution is in three parts. It is a sense-of-the-Senate. resolution. Part one indicates that the President should immediately designate an individual of the highest character and integrity from outside of the executive branch to serve as a special prosecutor.

Mr. HARRY F. BYRD, JR. Mr. President, would that special prosecutor serve as an official at the Department of Justice? Would he be a subordinate of the Attorney General? Would he be independent of the Attorney General?

Mr. PERCY. This would be something that would have to be determined by the confirmation process. There is a great deal of leeway in the resolution. The resolution provides that someone outside of the executive branch of the Government should be appointed by the President.

Mr. HARRY F. BYRD, JR. Mr. President, I am inclined to favor the resolution. However, I want to understand it. It seems to me that before we adopt the resolution—although I understand that it has already been adopted—we ought to determine whether such a man would be subordinate to the Attorney General, would be independent of the Attorney General, or exactly how he is going to operate and to whom he will report.

Mr. PERCY. Mr. President, I think the answer to the questions posed by the Senator from Virginia will be found in paragraph 3 which provides that the President shall submit the name of such designee to the Senate and request approval thereof. That is the time for the Senate to determine what procedures will be followed by the special prosecutor.

Mr. HARRY F. BYRD, JR. Mr. President, if I vote in favor of the resolution, if I have an opportunity to vote for it, am I voting for an individual who will be independent of the Justice Department and can act on his own or am I voting for someone who will be a subordinate of the Attorney General? Both of those questions are questions that should be answered.

Mr. PERCY. In the judgment of the Senator from Illinois the former presumption is correct, that the Senator from Virginia would not be voting for a resolution that would provide for an individual to be appointed who would be a subordinate of the Attorney General, as is the case now with the Assistant Attorney General who is prosecuting the case. He is subordinate to the Attorney General.

Mr. HARRY F. BYRD, JR. Mr. President, as of last night, the President said that Mr. Richardson will have the responsibility for the investigation.

Mr. PERCY. I think this is the shading of difference that I would have, respectfully, with the President. I do not feel, so long as the special prosecutor is subordinated to a politically appointed Attorney General, that the investigation could have the appearance, no matter how impeccable the credentials of the individual, of being free from the influence of the Justice Department and the Attorney General.

Mr. HARRY F. BYRD, JR. I do not disagree with that at all. As a matter of fact, I am inclined to the same view as expressed by the Senator from Illinois; but I am just trying to understand. If the Senate does adopt this resolution, then does the prosecutor call on the personnel of the Justice Department, and operate through that independent of the Attorney General? If so, is that a feasible way to operate?

Mr. PERCY. Paragraph 2 provides broad authority. It simply states that the President shall grant such special prosecutor all authority necessary and proper to the effective performance of his duties.

What I would envision is that the President would provide that the special prosecutor could call upon all agencies of Government for personnel, for assistance, for help, for physical facilities, for clerical assistance, for lawyers—whatever that special prosecutor might need. There should be no bounds; if we have confidence in the man who is appointed and confirmed, we should have no bounds to keep that man from being free in any way to move ahead with what the American public would consider to be untainted, unpolitically influenced investigation that would, once and for all, convince everyone in their minds, as they are not convinced today, that this investigation is thorough, complete, and final, and will end up in whatever indictments the facts may prove and bring forth.

Mr. HARRY F. BYRD, JR. It is very important, I think, that the American people do reach that conclusion.

Mr. PERCY. I think it is essential.

Mr. HARRY F. BYRD, JR. We must restore confidence in Government. And in order to do that, as I see it, the American people must be convinced that whatever investigation is undertaken, it is thorough, impartial, and objective, and that it goes to the bottom of all the problems connected with the main problem, and that all the facts are disclosed. It is vitally important that the American people have confidence that that is being done when such an investigation takes place——

The ACTING PRESIDENT pro tempore. Will Senators use their microphones? The Chair cannot hear.

Mr. HARRY F. BYRD, JR. (continuing). When such an investigation is undertaken. I have been in Virgina today, and I have been asked many time, "Was it wise for the President to appoint Mr. Elliot Richardson full authority to handle this matter?"

My reply was, "Frankly, I don't know. I do not know whether it was wise or not."

Mr. Richardson is a very able individual, in my judgment, though I do not know him too well. He is very smart. He is an able lawyer. He is a man of the highest integrity.

On the other hand, he has handled three top positions prior to this for this administration in the last 4 years. In the public mind, is he going to be an objective prosecutor? That is the point that concerns me about the appointment of Mr. Richardson as Attorney General, and giving him the authority and the direction to get to the bottom of the case.

Mr. PERCY. If the distinguished Senator will yield, this is exactly what the Senator from Illinois and all of the cosponsors of the resolution have in mind.

Mr. HARRY F. BYRD, JR. That is what I thought the Senator had in mind.

Mr. PERCY. We are attempting to protect the President.

Mr. HARRY F. BYRD, JR. I want to understand now, though, how it will work and what the mechanics are to make it work, because I am inclined to the same view the Senator has.

Mr. PERCY. The mechanics, of course, will have to be worked out. The President suggested in his address to the Nation last night that Mr. Elliott Richardson as the Attorney General designee would have his authority to appoint—I am not sure of the term he used, but let us say a special prosecutor.

Mr. HARRY F. BYRD, JR. Yes. That raises this point: If he does that, here is what we will have: We will have the President saying, in effect, "This is out of my hands, I am turning it over to Mr. Richardson," and Mr. Richardson saying, "This is out of my hands, I am turning it over to Mr. So and So." Mr. So and So may turn it over to a committee, and then what do we have?

Mr. PERCY. All the resolution asks of the President—it does not have the force of law, for the simple reason that I did not want it to have the force of law. I simply wanted the Senate to express its feelings, as eloquently expressed by the Senator from Virginia, and expressed to me from all over the country as the feelings of the American people, that this matter should be investigated.

The President has not disagreed at all in principle. All we have here is a procedure to say that the President, last evening, made it very clear indeed that he assumes the responsibility for this matter, and thus assumes the responsibility for selecting and designating a public prosecutor.

I say that it is impossible, within the Justice Department, to find anyone to be assigned and connected with this matter who did not in some manner have some relationship with some of the personalities who may have been involved, so that the President should designate someone outside the executive branch of the Government and submit that name to the Senate. The Senate could accept that name or reject it, but once we accept it, we have assumed the responsibility and put our stamp of approval behind the investigation.

I think that is paramount. It is recognized so widely now by the fourth estate that the President is to be commended, last night, for bringing this matter to a head, that I feel it is in the best interests of the country, and I know it is in the best interests of the electoral process, that the confidence of the people be restored.

The procedure is very simple, and the details of it can be brought out at the time the name is sent to the Senate, because under the procedures the Senate would follow, we could then question the special prosecutor as to how he would carry out his responsibilities.

Would he feel that he had to report to anyone? Would he feel that he had to destroy, on orders from anyone, any evidence that might be brought to his attention? Does he feel that he may be intimidated, or politically motivated? All of those questions would be questions that should be brought out in proceedings such as we have followed in this country for 200 years now, and wisely so.

Mr. HARRY F. BYRD, JR. Yes, but the matter the Senator from Virginia wanted to establish is that it is the view and the intent of the several sponsors of the resolution that this prosecutor should be separate and aside from the Justice Department and not subordinated or responsible to the Attorney General.

Mr. PERCY. That is correct.

Mr. HARRY F. BYRD, JR. And that he be completely separate from the Attorney General and from the Justice Department.

Mr. PERCY. Would the Senator yield for just a brief explanation as to why I feel this is so crucial?

Mr. HARRY F. BYRD, JR. I yield.

Mr. PERCY. We have a grave problem in this country now involving law and order. We had a tremendous problem in Collinsville, Ill., a few days ago, when narcotics agents broke into family homes by mistake and terrorized Illinois families. A grand jury will be called and convened by the United States attorney in Springfield on that particular incident, which strikes at the heart of what America is all about. These are Gestapo tactics that are being used. Certainly that case should have the attention of the Attorney General of the United States.

We have problems of drug abuse that are tearing this country apart from the standpoint of the crime it motivates. We have the problem of organized crime, of morale in the FBI and morale in the whole Justice Department, and the distinguished Attorney General-designee should spend his full time on those matters.

Mr. HARRY F. BYRD, JR. But this will not help the morale of the Justice Department or the morale of the FBI to say, in effect, that the Justice Department cannot handle the matter but we have to get an outside investigator.

Mr. PERCY. The precedent for that is clear. It is not impugning any of the integrity or the capability of any individual there. What is simply says is that everyone that has touched this problem has become consumed by it. We are consumed by it. It is impossible for any of us to engage in any activity—even Willy Brandt this afternoon—without being asked a question on Watergate.

The President said last night that we must get about the business of the Nation. Let us set this investigation up separate and give the prosecutor all the power he needs and designate that power from the President himself. But let us not bog down the Attorney General, who has just been designated and who will be going through his confirmation proceedings, with this particular problem.

Mr. HARRY F. BYRD, JR. He has got to go through the confirmation proceedings so it will not save any time. My concern about Mr. Richardson, and I give him high marks for being a clever and an able individual, but my concern about him is that it just appears to me it is not going to suggest to the public, rightly or wrongly—and I do not say it is correct—but rightly or wrongly, it might not suggest to the public that the investigation will be as objective as it should be.

The other thing that concerns me about the Richardson appointment is that he has only been Secretary of Defense for 4 months and the Armed Services Committee had to delay its proceedings for 3 months until he could familiarize himself with what was being in his Department so that he could come before the committee and discuss it. Now he is being taken away from that job and put into another job under circumstances that perhaps leave something to be desired.

Mr. PERCY. Will the Senator from Virginia yield for a question?

Mr. HARRY F. BYRD, JR. I yield.

Mr. PERCY. Because I would be guided by the distinguished Senator's judgment, who has been in the Senate a great deal longer than I have. My judgment is that if this matter is left as it now is pending, the Secretary-designate Richardson would have the authority to appoint the special prosecutor if he so chose, and that question would consume a tremendous amount of time in his confirmation proceedings.

If the question were removed and the issue were removed from the Justice Department and an independent prosecutor set up, it is my judgment that he would be confirmed with due deliberation by this distinguished body, but with considerable speed, in contrast to the proceedings that would be undertaken if he is left with the responsibility for investigating Watergate. Is that the judgment of the distinguished Senator from Virginia?

Mr. HARRY F. BYRD, JR. The Senator from Illinois is probably correct in that view. As a matter of fact, I do not see how it is practical for him to set up a special investigator because then we do not have any responsibility. The President says that Richardson is responsible and Richardson says that so-and-so is responsible, so where does the responsibility lie? That is what concerns me about that aspect of it. That is why I am inclined to support the proposal of the Senator from Illinois.

Mr. COTTON. Mr. President, I have listened to the colloquy here with some amazement and, I must confess, with some apprehension. If there was anything needed to confirm the fact that hastily, without more than 5 Members of the Senate being on the floor in this Chamber, an act has been performed and formal action taken by the Senate which is, indeed, a vote of no confidence, not only in the President of the United States but also in Elliot Richardson who has been designated by the President as Attorney General, without any opportunity for careful debate and careful consideration, all we needed was to listen to the colloquy of the last few moments to know that that is true.

In the first place, the able questioning by the distinguished Senator from Virginia (Mr. Harry F. Byrd, Jr.) brought out that this resolution that was so hastily adopted with 5 Senators present, is very loosely drawn.

It is not for the Senator from Illinois, able and sincere as he is, to interpret his resolutions. His resolution is now passed. It is now a fact. There is nothing he can do about it because it has been agreed to, the motion to reconsider has been laid on the table, and the Senator has objected to a unanimous-consent request that would vitiate it. So it is a fait accompli.

But that does not end the debate or the discussion of the matter, I can assure the Senator from Illinois, because I do not know that it is not a good idea to vote first and debate afterward. Then we cannot be accused of filibustering. But much will be said on the floor of the Senate in the next few days concerning this action by the Senate.

When we talk about restoring the confidence of the people of the United States in their Government, it is not going to restore their confidence by an expression of no confidence by the Senate.

I was interested in the comments made by my friend from Illinois, for whom I have the highest regard, concerning what he unconsciously revealed. He seemed to indicate that the resolution which has been adopted by the Senate, and irrevocably adopted, unless a unanimous-consent request changes it, was loosely drawn, but he also indicated that it would be interpreted—by what? By the questions that would be asked of the designated special prosecutor by a committee of the Senate.

Then the Senator named some other questions. One of the questions was this: that the special prosecutor would be asked whether it was his intention to destroy any evidence. If that remark was not about the worst slap in the face of the President of the United States and of the Honorable Elliot Richardson that could possibly be made, I cannot conceive of anything more ridiculous.

Mr. PERCY. Mr. President, will the Senator yield?

Mr. COTTON. I will yield in just a moment. I am sure the distinguished Senator did not mean to say that. It might be called a Freudian slip. I will yield in just a moment. The time is late. Reconsideration has been objected to, and the action is over.

I have known Elliot Richardson since he was the administrative assistant to former Senator Leverett Saltonstall. That was when I first came to the Senate. I have known him as U.S. district attorney in Massachusetts. I have known of his enforcement, his prosecutions, and his investigations in that capacity.

But I know of his thoroughness and of his rugged, unflinching honesty. I have known him more recently as Secretary of Health, Education, and Welfare, dealing with the Subcommittee on Appropriations for that department. I know of his fearlessness and of his forthrightness in his service in that capacity.

I want to say here and now that all this suggestion that Mr. Richardson is contaminated because he was appointed to two Cabinet positions by a man who has been twice elected President of the United States is so far-fetched that I cannot sit silent under such insinuation.

I do not know who this paragon of virtue would be. It might be John Williams. He is honest, I am told, because he is not a member of the bar; so undoubtedly he is more honest than lawyers. But I do not know who this great paragon of virtue would be who would be selected and would prove satisfactory to the Senate.

I am not sure that anybody the President should name would be satisfactory to the Senate in its present mood, or that any filibuster that ever took place in this body would last as long as the interrogation of whoever this independent agent would be.

But I do know one thing: The President was elected by the American people. I regret some of the developments. I think that he was guilty of misplaced confidence and perhaps delay. I do not claim that he is not human and subject to error. But he was elected by the people of the United States.

Mr. Richardson was named by the President as Attorney General of the United States. As Attorney General, under the Constitution, he is the chief prosecutor and the chief investigator of the Federal Government. I can testify, as one Member of the Senate, that there may be many other men in this country as honest and as forthright and as conscientious as Elliot Richardson, but there are none who exceed his honesty, his integrity, and his forthrightness.

This act has been done. We have adopted a loosely drawn resolution, with five Senators on the floor; and when we tried to reopen the matter, the Senator from Illinois objected to it, and that stands in the Record. The deed is done, but the repercussions are not over. Nobody in the Senate, except perhaps five Senators on the floor at the time, ever had an opportunity to debate this matter. Nobody in the Senate had an opportunity to answer the questions that the distinguished Senator from Virginia has been asking. Nobody had a chance to analyze just what was being done. The fact that 15 Senators, some of whom may be described as on the extreme left and others on the extreme right, cosponsored the resolution does not indicate that it should not be subjected to the scrutiny of the Senate and that the rest of us should not have opportunity to examine it.

Here we are. It is time to adjourn. The resolution was brought up; and it was adopted, as the record will show, by voice vote, which means unanimously, with five Members of the Senate here and 95 elsewhere upon their duties. We tried to reopen it. We tried for an opportunity to debate it. We tried for an opportunity to examine it. We tried to see that the Senate should not act hastily in this matter or that what was done without the careful consideration of the entire Senate could go out as a vote of no confidence in the President or in the Attorney General-designate.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. AIKEN. I might add that it appears to me to be a vote of no confidence in our Federal court system, which has already convicted seven persons for breaking into the Watergate and has under investigation and in the courts nobody knows how many others. I think we should have a little more confidence in our Federal court system and the Department of Justice than this resolution would indicate.

Mr. COTTON. If we have as little confidence in our courts and in our Department of Justice and in our elected Chief Executive as this resolution would indicate, then God save the United States of America.

I now yield to the distinguished Senator from Illinois.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. COTTON. I did not yield the floor.

Mr. PERCY. I appreciate the distinguished Senator yielding for two purposes.

The first purpose is to explain fully what the Senator from Illinois had in mind in response to a question by the Senator from Virginia, when he asked about certain details as to how this job would be set up and what would happen in the confirmation proceedings.

The Senator from Illinois is not a member of the Committee on the Judiciary. The Senator from Illinois, therefore, is not proposing or propounding any question that it was his intention to ask.

What the Senator from Illinois had in mind was proposing the kind of questions the Senator from Illinois presumed would be asked by members of the Judiciary Committee when the designee for the position of Attorney General was before them for confirmation or the designee or the special prosecutor was before them, if the President acted in accordance with the spirit of this resolution.

I mentioned this particular point simply because there has been tremendous public discussion about the fact that certain evidence was destroyed on the suggestion of or with the approval of—some have indicated by the order of, but I have no evidence that orders were given for that—but evidence was destroyed. It is only logical to assume that questions of that type, then, which have adequate precedent in the sordid matters that have occurred in the recent days and weeks, would occur.

So that this is an attempt to explain what the Senator from Illinois had in mind, though it would not be his intention to offer such questions, because the Senator from Illinois would not even be engaging in the confirmation proceedings.

I ask the Senator to consider this possibility: The Senator from Illinois is very anxious to let this matter stand on its own merits; but the Senator from Illinois is unwilling to undo and request by unanimous consent that the prior action of the Senate be undone—it was supported by 15 distinguished colleagues on both sides of the aisle—when by so doing it might frustrate the ability of this matter to be brought to a vote by the Senate at any foreseeable time in the future.

For the record, it is perfectly clear that when the vote was taken at approximately 1:05 p.m. today, the Senator from Illinois did not ask, considering that there was no objection heard from any quarter at any time to the resolution, for a reconsideration of the vote. It was a cosponsor of the amendment, the acting majority leader at the time, the distinguished Senator from Alabama (Mr. SPARKMAN), who suggested to the Senator from Illinois that it would be in the best interests of the resolution to have a request for reconsideration made. That request was made, and the acting majority leader asked that the motion be tabled, which was the action of finality. It was the thinking of the Senator from Illinois that this settled the question.

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield?

Mr. PERCY. I am happy to yield.

Mr. COTTON. I have the floor.

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield for a correction only?

Mr. COTTON. Certainly.

Mr. ROBERT C. BYRD. I believe it was the Senator from Alabama (Mr. SPARKMAN) who moved to lay on the table the motion to reconsider.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. COTTON. Mr. President, may I say to my friend from Illinois that the Senator from New Hampshire did not in any way even suggest that his motives were not of the highest or that he consciously tried to what we ordinarily refer to as "put something over." But the effect was exactly that and the fact remains, and I am sure the Senator from Illinois realizes this, that whoever was designated under this resolution as the special prosecutor would not be the supreme arbiter in determining his authority. The courts might have something to say about that and members of the Committee on the Judiciary could ask him questions until Judgment Day about what he conceives to be his duties, how he plans to carry them out, what authority he thought he had, whether he should report to somebody or whether he should not report to somebody, whether he was below or above the President or the Attorney General, and it would not change the facts one iota.

The facts would be in the resolution and it would be for the courts to interpret it if there was any question.

I am sure the Senator from Illinois realizes that, and that is the reason I say it is, as indicated by the questions of the Senator from Virginia, a loosely drawn resolution which simply says, "No, let's not do it. Let's take this away from the President and away from the Department of Justice, and away from the courts, if necessary, and put it in the hands of some independent holy soul who will be the arbiter of this whole matter."

Mr. President, I yield the floor.

Mr. PERCY. Mr. President, I appreciate very much the comments made by my distinguished colleague, the Senator from New Hampshire.

The Senator from Illinois once again would like to state that it would be his intention to see that this resolution was judged on the basis of its own merit. It was his feeling based on inquiry and following customary procedure, when this was not a bill creating a law, establishing a statutory position; it was simply a resolution, a sense of the Senate resolution asking the President to do something—that following those procedures, there being no objection, that the matter could be resolved without further delay today.

However, because the Senator from Illinois has high regard for his colleagues who are engaged in this colloquy in the Senate this evening I would like to say that I would consider making a unanimous-consent request now to reconsider this resolution at 1 p.m. tomorrow. I ask my colleagues if there would be objection to that unanimous-consent request.

Mr. AIKEN. Yes. Six of us are on the floor now. We have done enough legislating with five Senators on the floor. I do not think that six Senators would qualify us. I think we should have a quorum before taking action.

Mr. PERCY. The Senator from Illinois is anxious to see that there be full opportunity for debate of every aspect of this sense of the Senate resolution.

Mr. COTTON. Mr. President, will the Senator yield for a quick question?

Mr. PERCY. I yield.

Mr. COTTON. This could well determine the action of the Senator from New Hampshire, whose mind is not closed on this matter. Does the Senator from Illinois or does he not have confidence in the integrity of the President?

Mr. PERCY. The Senator from Illinois has expressed himself publicly time after time with respect to this matter—that I have full confidence in the integrity of the President of the United States.

Mr. COTTON. Today?

Mr. PERCY. Today and every day.

Mr. COTTON. I thank the Senator.

Mr. PERCY. And I deeply appreciate the actions taken by the President. But when the Founders of the Republic provided in the Constitution that all officers appointed by the President should be confirmed by the Senate, they were not expressing a lack of confidence in the President of the United States but simply saying that this is a government of checks and balances. As the distinguished Senator from New Hampshire well knows, the process that has worked so well through the years has insured people of high quality, greater integrity, greater character and ability than any other procedure that could be adopted or by providing that they should be appointed solely by the executive branch of Government.

It is for this reason, following that procedure and the procedure established in the same kind of unusual circumstances the country found itself in in 1924, that this body on February 1, 1924, passed a resolution and as I recall the date, on February 2, 1924, the House passed a comparable resolution, and President Coolidge followed the advice of the Senate and the House in this respect and appointed two distinguished special prosecutors in that matter.

The Senator from Illinois has no doubt that the purpose of making the resolution general is to provide the greatest leeway for the President to establish the necessary procedures for following this action. But if 1 day's consideration would be enough, Mr. President, I would like to simply indicate that the Senator from Illinois would consider making a unanimous consent request to reconsider the resolution at 1 p.m., or at any other designated time on Thursday of this week, if that would be satisfactory to my colleagues remaining on the floor of the Senate. Would there be objection to this request or any counter suggestion so that the Senator from Illinois could simply protect the action taken by the Senate in accordance with the procedures of the Senate and embody the express wishes of 15 distinguished colleagues of the Senator?

Mr. AIKEN. I say that inasmuch as the Senator from Nebraska is absent and he is the one who first recommended undoing the work of the five Senators earlier in the day, I think the only courtesy to him is not to take any further action until he is on the floor. Further than that, we should have more Senators present. We have eight Senators present now. We are gaining. It would take a greater number of Senators present.

Mr. PERCY. As the Senator knows, that is far more Senators than we have on the floor to do business many times and it is unusual for this particularly late hour.

The Senator from Illinois has the floor and I am happy to yield to the Senator from Alabama.

Mr. ALLEN. I thank the Senator. I wonder if it would not be a better course, and a course I feel the Senator from Nebraska would agree, to agree at this time that the resolution, the passage of the resolution be reconsidered, but in order that the distinguished Senator from Illinois would be assured of a vote, an expression of the Senate on this resolution, to set it for a vote at a time certain on the next legislative day, or the following legislative day. Then that would not leave the passage of the resolution under the circumstances that have been alluded to outstanding over the evening.

Mr. PERCY. The suggestion of the Senator from Alabama is perfectly acceptable to the Senator from Illinois.

Mr. AIKEN. Does the Senator from Alabama feel it might be sacrificing the voter registration bill?

Mr. ALLEN. That would not worry the Senator from Alabama.

Mr. AIKEN. There may be other Senators who are not here who might be worried about it. I think this should go over until tomorrow so we may take rational action.

Mr. COTTON. Mr. President, I am amazed that the Senator from Alabama has now joined the Senator from Illinois in this horrible fear of what used to be known as the filibuster. That is what the Senator from Illinois is afraid of—that if it is reopened, it will be talked to death. I do not have that fear. I do not think any Senator has. But before we take that step, before we listen to the appeals and to the eulogies in behalf of our beloved former colleague, John Williams, and before we listen to a defense—and there would have to be a defense—of Elliot Richardson, and before we listen to the attacks and defense of the President of the United States—and there would be attacks and a defense of the President of the United States—I think that if we tried to crowd that into an hour, we would not be getting anywhere.

As far as the Senator from New Hampshire is concerned, this thing was done. It was done this noon when almost every Senator in this body was closeted in his party caucus. It was done with five Members on the floor. The motion to reconsider was laid on the table. It is a fact. It has gone out to the country. It was an ill-considered action. Nobody in this country with any sense, when he knows the facts, will attach any great moral significance to it.

The effort was made to reopen it. It was objected to by the Senator from Illinois. I am sure he would like to cooperate if he could be sure we could crowd it into a limited period of time. I think, let the chips fall and let it lay where it has—a shining example of what the Senate ought not to do.

Mr. PERCY. Mr. President, I hope that is not an implication that Senators should never have lunch. The distinguished Senator from Nebraska was well aware of the fact, and every other Senator was well aware of the fact, that this matter was going to be discussed. The leadership on both sides were well aware of the fact, as was the chairman of the Policy Committee. As I recall my conversation with him, I had cleared it with both the majority and minority leadership. There was no objection, and because there was no objection, I said I intended to ask for immediate consideration, in accordance with the rules of the Senate. Now, the Senator——

Mr. COTTON. Not one word was said——

The ACTING PRESIDENT pro tempore. The Senator from Illinois has the floor.

Mr. COTTON. I am sorry.

Mr. PERCY. I will be happy to yield to the Senator when I finish this one comment. The Senator from New Hampshire has said this action has been taken. It is gone. It is finished. The Senator from New Hampshire very well knows that by unanimous consent the Senate now can vitiate this action.

To be certain that the Senator from Illinois still protects the rights of the cosponsors of the resolution who are not here tonight and were not notified that this matter would be brought up for reconsideration, but to be certain that every last mile has been gone to try to find a way to equitably and fairly resolve this matter, having accepted the proposition of the Senator from Alabama, the Senator from Illinois has one further thought: The Senator from Illinois would consider asking unanimous consent to vitiate the action of the Senate that has been taken today and would ask unanimous consent that this matter be brought to the Senate at a time certain that would provide reasonable time for debate and discussion, but a time certain to insure that a vote would be taken, so that this matter would not, like so many other matters the Senate has been engaged in in this Senator's experience in the Senate, be filibustered to death. The Senator from Illinois would feel he had protected the interests of those who had solemnly resolved that, in their judgment, this resolution represented the best thing for the United States of America, for the President, the loyalty of the distinguished Senator from Arizona (Mr. GOLDWATER), the chairman of the Republican National Committee, Senator DOLE, the distinguished Senators from New York (Mr. BUCKLEY and Mr. JAVITS), men of that caliber and quality, whose intentions could not be impugned at all. Nor would they feel that the Senator from Illinois had not protected their interest so long as they would be assured that a time certain could be taken to have this matter reconsidered. The Senator from Illinois would consider requesting unanimous consent to vitiate the action of the Senate today if that would in any way resolve this matter and enable the Senate to get about with its business, and have the feeling that every effort had been made to find a proper resolution of this matter.

Mr. SCOTT of Virginia. Mr. President, will the Senator yield?

Mr. PERCY. I am glad to yield for a question.

Mr. SCOTT of Virginia. I appreciate the Senator yielding to me. I would hope he would request unanimous consent to rescind the action of the Senate. Speaking only as one Senator, I had no idea this resolution was going to be voted on today. I did receive the distinguished Senator's letter to all of his colleagues indicating he was going to bring this matter up. I was aware, from the television program yesterday, that he was interested in bringing the matter up, but I just assumed it was something that would be referred to the appropriate committee and that hearings would be had.

I am not in agreement with the resolution and have no hesitancy in saying so, but that is immaterial. I believe that every Member of the Senate should have been aware of the action that was going to be taken and have had an opportunity to vote on it and express his opinion, because I do not believe the will of the Senate has been expressed today, and I believe the distinguished Senator would want the will of the Senate to be expressed on that resolution.

I appreciate the Senator yielding.

Mr. PERCY. I very much appreciate the comments of our colleague, who has expressed them very forthrightly.

Mr. AIKEN. Mr. President, there should not be the slightest objection to the Senator from Illinois' making that request at the beginning of the session tomorrow, but I do think, so long as all of us agreed to extend the courtesy to the Senator from Illinois not to take any action at all until he came on the floor, that we should give the same courtesy to the Senator from Nebraska (Mr. CURTIS).

Mr. PERCY. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PERCY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. COTTON. I object.

The ACTING PRESIDENT pro tempore. Objection is heard. The clerk will continue to call the roll.

The legislative clerk resumed the call of the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATORS BELLMON, GRIFFIN, AND ROBERT C. BYRD TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on tomorrow, immediately after the two leaders have been recognized under the standing order, the following Senators be recognized, each for not to exceed 15 minutes and in the order stated: Senators BELLMON, GRIFFIN, and ROBERT C. BYRD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at the conclusion of the special orders for the recognition of Senators on tomorrow, there be a period for the transaction of routine morning business with statements therein limited to 3 minutes, the period not to extend beyond the hour of 1 p.m.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR LIMITATION OF TIME ON PENDING AMENDMENT TO NATIONAL FOUNDATION ON ARTS BILL

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at the hour of 1 p.m. tomorrow, the Senate resume its consideration of the amendment which is now pending to the bill with reference to the National Foundation on the Arts and Humanities, that there be a limitation of 1 hour for debate on that amendment, the time to be equally divided between the mover of the amendment and the manager of the bill, and that a vote occur on that amendment no later than 2 p.m. tomorrow.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

ORDER TO TEMPORARILY LAY ASIDE THE UNFINISHED BUSINESS UNTIL DISPOSITION OF PENDING AMENDMENT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the unfinished business on tomorrow be laid aside temporarily and remain in a temporarily laid aside status until the vote on the disposition of the amendment to the now pending measure.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SPECIAL PROSECUTOR FOR WATERGATE INVESTIGATION

Mr. PERCY. Mr. President, taking into account the schedule on the calendar on tomorrow, it would be the intention of the Senator from Illinois to be on the floor of the Senate at the beginning of the morning hour. If my calculations are correct, that would be approximately between 12:30 and 12:45.

Mr. ROBERT C. BYRD. Mr. President, the Senator is talking about morning business.

Mr. PERCY. I am talking about morning business; the Senator is correct.

It would be the intention of the Senator from Illinois at that time to ask for unanimous consent that the vote of the Senate taken on Senate Resolution 105 today be vitiated and that the resolution be made the pending business of the Senate at some designated time that would fit into the calendar of the Senate, taking into account that such unanimous consent would provide for adequate time for discussion, but a time certain for a vote.

The Senator from Illinois would be willing to have a voice vote or a rollcall vote. I so serve notice.

The Senator from Illinois is extremely sorry that this matter could not be resolved this evening. The Senator from Illinois is willing to stay on the floor of the Senate until a solution can be found that would be equitable and fair to all of the various interests represented. This procedure I have enunciated seems to be the only procedure now remaining to the Senator from Illinois, taking into account the rights of the cosponsors of the resolution and also the desires of distinguished colleagues to have an adequate opportunity to express their opinions on the sense of the Senate resolution.

Mr. COTTON. Mr. President, I am surprised at the remarks of the Senator from Illinois because the Senator from New Hampshire insisted on a live quorum. At the request of the distinguished acting majority leader, the Senator from New Hampshire agreed to withdraw his insistence on a live quorum at this time on the agreement, as the Senator from New Hampshire understood it, that there would be no more discussion of the matter we have been discussing—namely the resolution of the Senator from Illinois—tonight. It was understood that it would not be kicked around any further.

I do not blame the Senator from Illinois for not wanting to go to bed tonight without getting himself out from under the situation of not having this thing settled, and objecting to reconsideration. However, he did not do this. He is perfectly right in doing it in the future. However, it was with the distinct understanding, and it was my understanding, that the Senator from Illinois agreed that I would withdraw my insistence on a live quorum if this matter was not going to be discussed or kicked around any more.

It so happens that the Senator from New Hampshire may not be able to be present. However, if he can be present when this request is made on tomorrow, there will be an objection because there are engagements this week that make it necessary if this thing is going to be thrashed out that it should be done next week, rather than this week.

Furthermore, in view of the fact that the Senator from Illinois has seen fit after our understanding to take the floor and give notice of his intention, I will give notice of my intention. My intention is that this thing stay where it is, passed, and a motion to reconsider laid on the table and an effort to resurrect it objected to by the Senator from Illinois. It will stay where it is or we are going to have full freedom to discuss this matter.

And there will be no agreement—the Senator from New Hampshire can be present or have someone represent him—for limited time. So if the Senator from Illinois thinks he is going to resurrect this matter and get out from under the situation as it now lies, and give us an hour to discuss a reflection on the integrity of the President of the United States and the Attorney General designee, I will not disillusion him, there will be an objection. We are either going to bring this thing to life fully, just as it was formed, with no abortion, or we are going to let it lie where it is in its grave, and let the world read the tombstone.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program for tomorrow is as follows:

The Senate will convene at 12 o'clock noon.

After the two leaders or their designees have been recognized under the standing order, the following Senators will be recognized, each for not to exceed 15 minutes under the order stated: Senators BELLMON, GRIFFIN, and ROBERT C. BYRD.

There will then be a period for the transaction of routine morning business with statements limited therein to 3 minutes, the period not to extend beyond the hour of 1 p.m.

At 1 p.m. the Senate will resume its consideration of the Proxmire amendment presently pending to the bill on the National Arts and Humanities.

There will be a 1-hour limitation of debate thereon and at no later than the hour of 2 p.m. a vote will occur on that amendment.

Immediately upon the disposition of the pending amendment, the Senate will resume consideration of the unfinished business.

Yea-and-nay votes may occur in the course of the afternoon.

ADJOURNMENT

Mr. ROBERT C. BYRD. Mr. President, I move that the Senate stand in adjournment, in accordance with the previous order, until 12 o'clock noon tomorrow.

The motion was agreed to; and at 7:51 p.m. the Senate adjourned until tomorrow, Wednesday, May 2, 1973, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate May 1, 1973:

DEPARTMENT OF JUSTICE

Elliot L. Richardson, of Massachusetts, to be Attorney General, vice Richard G. Kleindienst.

SPECIAL ACTION OFFICE FOR DRUG ABUSE PREVENTION

Robert L. DuPont, of Maryland, to be Deputy Director of the Special Action Office for Drug Abuse Prevention, vice Paul Louis Perito, resigned.

IN THE NAVY

The following-named Naval Reserve officers for temporary promotion to the grade of captain in the line subject to qualification therefor as provided by law:

Acosta, William
Acton, James Barnes
Adams, Henry R.
Adams, William Harry
Albertson, Richard C.
Allmon, William B.
Anderson, Emmitt Edwin, Jr.
Andes, Paul Gowdy
Anzilotti, Vincent J., Jr.
Arado, Joseph E.
Arment, Duane R.
Asmus, Rodger W.
Baker, Sidney J.
Ball, Robert O.
Balo, Harold A.
Bell, Lawrence D.
Benson, Harold Wesley
Berg, Richard Conrad
Berwick, Robert L.
Beskind, Robert Letaw
Billerbeck, Frederick W., Jr.
Blethen, Lawrence P.
Bonnett, John S.
Boone, Wilkerson
Bouldin, James A.
Boyland, Jack I.
Brenner, Joseph C.
Bridges, Glee E.
Brooks, William Earl
Brown, Gordon V.
Brown, Wilbur A.
Bulger, William W.
Burgess, Robert Edward
Burton, James D.
Butcher, Richard E.
Callo, Joseph F., Jr.
Campbell, Joseph Evan, Jr.
Campbell, John F.
Carney, John F.
Chakmakian, Carl
Clark, Frank Taylor
Clark, John P.
Clingenpeel, William Arnold
Cobern, James C.
Cohen, Marvin H.
Cone, Charles N., Jr.

Conger, Clayton Ned
Connor, Thomas C.
Conover, James A., Jr.
Cooper, Jack
Coussons, John Stanford
Couture, Raymond R.
Cox, Herbert W.
Curran, John F., Jr.
Danaher, James William
Davan, Clarence F., Jr.
Davidson, Harry H.
Davies, Edward T.
Davis, Ozro L., Jr.
Deacon, Benjamin Harold, Jr.
Decordova, Noel, Jr.
Delling, Leonard Verne
DeSoto, Leroy Edwin
Dixon, Thomas Monroe
Dosland, William B.
Drehoff, John J., Jr.
Duff, Joseph W.
Dugal, Gordon E., Jr.
Dunne, James Robert
Earl, George S.
Ebbert, Donald G.
Eilers, Robert D.
Ellexson, Stanley Edgar, Jr.
Elliott, Buddy
Espeseth, Robert D.
Fairbanks, John W.
Finlay, John D., Jr.
Fischer, G. Jack
Fiscus, William S.
Flynn, Gordon L.
Frainier, Richard J.
Frankel, Donald D.
Frith, Robert L.
Frudden, Carl R.
Gall, Edward E.
Gallagher, Daniel D.
Gallagher, John E., Jr.
Galvin, Timothy F., Jr.
Garcia, Andrew Lawrence
Garner, Welford E., Jr.
Garrison, Richard L.
Gasche, Arnold C.
Gaudette, Roland E.
Gibbons, Floyd E.
Golden, Roger F.
Goldy, Donald C.
Goloway, Edward D.
Gorham, Alden B., Jr.
Gorman, Irving X.
Gray, Donald R.
Greenwald, Marvin
Grogan, Robert F.
Grubb, John R.
Gunwall, Gordon L.
Haest, Martin Jerome
Hagan, Harold T., Jr.
Hagelin, Ronald M.
Hahn, William B.
Hall, James R.
Hazel, Isadore
Hamre, Roger A.
Hanley, Terence
Hansen, Robert C.
Hansen, Whitney
Hanson, Marlo W.
Harris, Edwin F.
Harris, Richard N.
Harvill, Robert W., Jr.
Hatley, Pearl O., Jr.
Hazel, Gerald V.
Henry, Lee Leverne
Hess, Jacob F., Jr.
Hilke, James L.
Hill, Edmond H.
Hinnant, Wallace P.
Hobbs, James Norman
Hodge, David M.
Hugghins, Gordon L.
Hurt, Alfred B., Jr.
Ingraham, John H.
Inman, Wayne Dewald
Iverson, Shelmer O.
Jackson, Oris F.
Jahnke, Fred R.
Jamison, Robert E.
Jenkins, William C.
Jensen Arthur M. I.
Johnson, Don N.
Jolley, John M.
Jones, Arthur Daniel, Jr.
Jones, Rolland R.
Karnes, Robert D.
Kenney, John Joseph
Keyes, Samuel W.
Kiernan, Peter L.
Kline, James Willard
Knight, Peter L.
Koch, Edgar J.
Kost, Don O.
Kraft, Edwin E.
Kuhn, Richard A.
Kullman, Thomas B.
Kulp, Darlington R., Jr.
Laffoon, Louis M.
Lavan, Robert E.
Leber, William S.
Leonhardt, John J.
Levy, Ted
Lewis, Robert E.
Lindquist, John R.
Littleton, Vance Crockett J.
Locke, Kenneth L.
Lotz, Jack C
Lowry, Robert C.
Lutts, Raymond J.
Malone, James E., Jr.
Marsden, Norman H., Jr.
Marsh, Frank E., II
Marshall, Roderick
Maynard, James H., Jr.
McBee, James L., Jr.
McCoy, Thomas W.
McGervey, John T.
McGinn, Frank L.
McGuckin, Benjamin Floyd, Jr.
McQuinn, Jack H.
McSally, Bernard J.
Meeker, Harmon S., Jr.
Melton, Chancellor G., Jr.
Merritt, Croft S.
Michie, Harold W.
Mighell, Kenneth J.
Miller, William J. D.
Moeller, John W.
Moran, Joseph M.
Morgan, Arthur F.
Morris, John F.
Morrisey, John D.
Mueller, Robert Leon, Jr.
Murphy, Garrison Edmund
Murphy, Richard T., Jr.
Myers, Edwin L., Jr.
Nelson, Donald
Nelson, Roy E.
Nicholas, John Robert
Noble, James Kendrick, Jr.
Nordmeyer, Philip James
Norris, John C.
Oberholtzer, Nelson C., Jr.
O'Brian, Henry J.
O'Connor, Dennis Edward W.
Olson, Maurice A.
Pappas, Sophocles G.
Parker, James W., Jr.
Patterson, George Jr.
Patterson, Don L.
Paule, Philip A.
Paylor, John W., Jr.
Payne, George Patrick
Peterson, Harry J.
Petzinger, Thomas V.
Pflugheber, Edward G.
Phillips, Wendal Lee, Jr.
Phinizy, Robert B.
Piscitelli, Peter A.
Plessas, Gus P.
Poelstra, Ray E.
Pruessner, Robert D.
Punzelt, David Lum
Purcell, Robert C.
Pyron, John E., Jr.
Rabun, James Rudolph
Radford, Robert J.
Ramsey, Selwyn P.
Rankin, Charles A.
Ream, James W.
Reap, James B.
Regan, James F.
Reynolds, David A.
Rindin, James A.
Roberts, John E.
Robinson, William H.
Rodgers, Vernon P.
Rolka, Harry
Rose, Guy P., Jr.
Rosnes, Bruce H.
Rouse, Robert G., Jr.
Ruppel, Robert W.
Ryals, Willard G.
Sandberg, John Einar
Sands, Richard E.
Sayer, George C.
Schaaf, Alfred Norman
Schwendeman, Joseph Raymond
Scott, Sumner T., Jr.
Semcken, John Henry, Jr.
Shafer, Mark L.
Shaver, Henry M., Jr.
Shaw, Ray M.
Shields, John D.
Shupp, Raymond W., Jr.
Siebert, John Carey
Simmons, Glenn B., Jr.
Sims, Lloyd Hampton, Jr.
Sims, Thomas S.
Smith, Francis N.
Smith, Howard Woodruff
Smith, Paul W.
Smith, Selden K.
Smith, William E.
Snyder, William C.
Spillis, James P.
Stacey, James W.
Standiford, David Millard
Stehr, William F.
Steinmann, Bruce B.
Stern, Philip H.
Stoffer, Maurice H.
Straub, James S.
Sullivan, Robert G.
Sutherland, Carl F.
Sweeney, John J.
Taylor, Robert Hayward
Taylor, William N.
Teaford, Richard L.
Thalman, Robert N.
Thomas, Carl H., Jr.
Thomson, Peter W.
Thorla, Arlin E.
Tiernan, Robert P.
Tigert, Marion A.
Tillman, Temple H.
Tremant, Robert A.
Tyler, Warner W.
Utt, James W.
Vadnais, Henry A., Jr.
Vandenheuvel, Robert E.
VanHouten, James F.
Vincent, Dwight Harold
Vogler, William H.
Wahler, Joseph Leo
Walker, James Lafayette
Wallace, Thomas C.
Walmsley, George W.
Wanamaker, Warren A.
Warhola, Joseph G.
Wasserman, David B.
Watson, Warren R.
West, Frederick Power, Jr.
Whisler, William C.
White, Charles E.
White, Joseph Murray
Wilcox, Leonard A.
Williams, Earle A., Jr.
Williams, Gerald P.
Williams, Tyler E., Jr.
Wilson, David A., Jr.
Wood, Fred M.
Wyllys, Donald E.
Yarborough, Gordon T.
Yohe, John M.
York, Avin Huey
Youngstrom, George A.
Zerda, Kenneth V.
Zeithaml, Donald Paul
Zimmerman, James Arthur

The following-named Naval Reserve officers for temporary promotion to the grade of commander in the line subject to qualification therefor as provided by law:

Anderson, Harold Eugene
Anderson, Robert Michael
Augenstein, John E.
Avery, Francis Albert
Barrett, Curtis Leo, Jr.
Baynes, Gerald Taylor
Beavins, Robert Cornell
Best, John Wesley, Jr.
Bingham, Tad Howard
Blanton, Eugene W.
Bowles, Howard Anderson, Jr.
Boyle, Thomas Joseph
Brakke, Bernhard Alf
Brewer, James J.
Brooke, James Franklin, III
Browne, Henry William, Jr.
Bruce, Marian Levi
Bunn, Gerald Andrew
Burch, Jesse Cleo
Burger, Francis Joseph, III
Burroughs, Robert Peters
Carlo, James N.
Carter, Jere Singleton
Cecere, Anthony Michael
Christie, Duane Lester
Clark, James F.
Coyle, Francis Xavier
Cushing, Robert Peter
Dabbs, Sidney Charles
Damm, Bruce A.
Daniels, Richard Owen
Diehl, Russell Claire, Jr.
Dittrick, Alfred Sadler
Doolittle, John Beecher
Doughty, Arthur R., Jr.
Draney, Jerald Lee
Duxbury, Richard B.
Eade, Robert McElroy
Ellis, Howard Boynton, III
Emmons, Francis A.
Evatt, Harmon P.
Finerty, Gary Thomas
Foley, Carl Owen
Ford, John William
Fox, John Francis
Gallo, John J., Jr.
Gauld, Edwin S.
Gillespie, Richard I.
Goodwin, Don Fielding
Gordon, James Allen, Jr.
Greer, Charles Roller
Grevstad, Bennard Ingvald
Gustaveson, Robert E.
Hager, Robert Marshall
Hargadon, Edward Wade
Hathorne, John Edward, Jr.
Haynes, Terry Kay
Heisel, Lawrence Leonard
Henkel, Elmer T.
Hensley, George L., Jr.
Howell, Lembhard Goldstone
Hutchinson, Samuel F.
Janes, Gregory Henry
Joslin, Ivan Lumsden
Kadingo, Edward Patrick
Kalil, Charles Jeffrey
Kelly, William C.
Kerrebrock, Robert A.
Keske, Carl David
King, Michael James
Knox, Ronald Warren
Lagueux, Paul Bernard
Larson, Glenn Allyn
Leslie, William Hunt
Lockett, Tyler Charles
London, J. Phillip
Longton, Joseph Nelson
Lyons, Richard Broderick
Malcolm, Lawrence D.
Martella, Alex Anthony, Jr.
McGlasson, Bruce
Mentzer, Ray Galen
Mihaly, Donald George
Mills, Michael T.
Miner, Theodore R., Jr.
Mitchell, Owen N.
Moberger, William Harold
Myers, George Dalton, II
Nicholas, Jack Robinson, Jr.
O'Neil, Jay Richard
Osborne, Jerry Clay
Palermo, Norman Anthony
Pettit, John Thorpe, Jr.
Polutnik, Francis Leonard
Purring, George Albert, Jr.
Rasmussen, John Peter
Rasor, Eugene Latimer
Reeves, Donald Joseph
Regan, James Dennis
Reutter, Walter Edward
Ricker, Charles T., Jr.
Rieger, Jon H.
Rimbach, David G.
Ritmire, Kenneth Dwain
Roberts, Michael Merritt
Rogness, Ronald Melvin
Rufe, Robert William
Rynerson, John W.
Sage, Clarence Eugene
Sanchez, William A.
Schlang, Lawrence Harold
Sciacqua, Robert Vincent
Shanahan, Vincent Joseph
Shannon, James Otto
Sharp, Stanley Edward
Simonson, Gerald Leroy
Smith, Canie B.
Smith, Carl T.
Sommer, Robert W.
Spence, Stuart Breary
Spilios, George Bill
Stroud, Lisle Arthur, Jr.
Taylor, Donald S.
Thompson, Bobby Camp
Tye, Clifford Franklin
Vogel, James M.
Vunkannon, James Carl, Jr.
Webster, Richard Gill
Welch, Kenneth John
Wilner, Arthur Ira
Woods, David Lyndon
Zanin, Norman Roy
Zickrick, Jerome Leon

The following-named Medical Corps officers of the U.S. Navy for temporary promotion to the grade of commander in the Medical Corps subject to qualification therefor as provided by law:

Addison, Robert Graham
Aucoin, Edsel Joseph
Balch, Steven Aggeler
Billings, Kenneth Josep
Buedingen, Richard Paul
Carlson, Richard Edward
Casey, John Michael
Cloutier, Charles Theod
Criswell, Francis Mario
Cupples, Howard Palmer
Donnell, Robert Leslie
English, Roger Wesley
Evans, Earl Foster, Jr.
Fassett, Richard Lee
Folkerth, Theodore Leon
Gay, Charles Curtis
Graham, Gary Clifford
Heffner, Dennis Knight
Henrichs, Walter Dean
Jones, Merwood Morris
Jurczak, Dennis Michael
Kaminsky, Howard Hugh
Kandler, Paul Alfred
Korbelak, Robert Mitchel
Lench, Joel Barry
Majewski, Paul Louis
Mannarino, Francis Gene
McAllister, Clyde Hamilton
McDonald, Bruce Michael
McGinn, James Sylvester
Miller, Douglas Allen
Murphy, William Martin
Nelson, Norman Dorr
Nelson, Ralph Arthur
Newman, Cyril
Peterson, Douglas Wayne
Rubel, Lawrence Richard
Sanford, Harold Woodlif
Scutero, James Vincent
Slocum, Carl W.
Stetson, Robert Ellsworth
Stout, Rex Allen
Tredway, Donald Ray
Tuten, Carroll Stewart
Utterback, Thomas Duncan
Vogt, Philip John Walter
Warden, James Richard
Welham, Richard Thomas
White, Marshall William
Zorn, Dale Tisdale

The following-named officers of the U.S. Navy for permanent promotion to the grade of lieutenant (junior grade) in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Aasen, Roy Vernon
Able, Guy H., III
Achenbach, Dale A.
Acton, Richard L., Jr.
Acuff Lucian Mark
Adams, Charles Robert
Adams, Janice H.
Adams, John H.
Adams, Michael E.
Adams, Robert Ellison
Adams, Roger Clinton
Adams, Ronald Eugene
Addison, Christopher L.
Adkins, Harvey John
Adkins, Joseph Harold
Adkins, William Kenneth, Jr.
Agnew, William Mar
Ahern, Lawrence Raphael
Ahern, Thomas Joseph, Jr.
Ahern, Timothy Michael
Aichele, Stephen Sadler
Aiken, Joel W.
Airgood, Robert P.
Akerson, Daniel Francis
Albright, George Ernest, III
Albright, James Clifford
Albus, Johnny Patrick
Alden, Robert Keith
Alesso, Harry Peter
Alexander, James Charles, Jr.
Alexander, David J.
Alexander, Douglas Baker
Alexander, Steven R.
Alfieri, Paul A.
Algiers, Michael Anthony
Algoso, Donna Jean
Allen, Barbara H.
Allen, Charles Edward
Allen, Corson Lee
Allen, James Stanford, Jr.
Allen, Michael Anthony
Allen, Phillip Kenneth, Jr.
Aller, Charles C.
Allphin, James A.
Allsopp, Ralph Stanley, Jr.
Almony, Joseph Robert
Altman, David Harvey
Altmann, Raphael Jerome, III
Amidon, Robert B.
Ammerman, Larry R.
Ammons, Andrew Everett
Amundson, Robert J.
Andersen, Harold
Andersen, Richard F.
Anderson, Craig Griffith
Anderson, Dennis J.
Anderson, Ferdinand A. S., Jr.
Anderson, James Douglas
Anderson, Jay Wendell
Anderson, Jonathan Lee
Anderson, Leroy
Anderson, Lyle Allen, III
Anderson, Marc Eric
Anderson, Richard Earl
Anderson, Terence L.
Anderson, Thomas Edward
Anderson, Thomas F.
Anderson, William J., Jr.
Anderson, William R., Jr.
Anderton, James Dorsey
Angstead, Donald E.
Anton, William Max
Anzelon, Judy M.
Arbiter, Jerome L.
Archambo, Hubert E., Jr.

Archer, Dennis Lee
Arcuri, Louis Edward
Arfman, John Frederick, Jr.
Armstrong, David John
Armstrong, Keith Stuart
Armstrong, Andrew Adams, III
Arndt, Stephen Alan
Arneson, Dennis Calvin
Arnette, Clyde E., Jr.
Arnold, Andrew J.
Arnold, James Clyde
Arnold, Raymon Dykes
Arthur, Marvin L., Jr.
Arthur, William Charles
Artis, Herbert
Artus, Stephen Charles
Arwood, Patrick E.
Ashby, Donald A.
Ashton, Richard Arthur
Atkinson, Byron Craig
Atwell, Robert William
Auckland, John Stacy
Augustine, Sullivan
Auriemma, John C.
Averett, Gregg H.
Averill, Jeffrey Briggs
Avery, Robert Bruce
Ayers, Richard Francis
Axtell, Robert D.
Ayres, Steven E.
Baarson, Robert Fulton
Babb, James A.
Babetz, Jeffrey Dale
Babington, William R., Jr.
Babyak, Edward Eugene, Jr.
Bachtell, Charles Ray
Backes, Douglas Allan
Backlund, Bruce E.
Bacon, William Redding
Baeder, Robert Arthur
Bafus, Guy Raymond
Bagley, David Worth, II
Bahnmiller, Michael Patrick
Bahr, Walter Elliot
Bailey, Hubert Vaden
Bailey, Robert John
Baker, Kenneth James
Baker, Larry Alan
Baker, Norman E.
Baker, Robert Donald
Baldridge, Craig J.
Balisle, Phillip Monroe
Ball, Jeffrey St. John
Ballard, David Lee
Ballard, Robert C.
Ballew, Robert W.
Ballew, William T.
Ballock, Roman Roger
Bane, Purvis W., Jr.
Bangert, Michael Jon
Banks, Jerome R.
Bannat, Edward G.
Bannat, Steven John
Barber, Charles Harry, III
Barker, John Philip
Barrett, Frank O., III
Barrett, James Martin
Barrett, Margaret Doris
Barrows, Richard Douglas
Barry, Phillip A.
Barry, William Patrick
Bartscher, John Keenan
Basilio, Anthony C., Jr.
Baskerville, James E.
Bass, George L.
Bastedo, Wayne Webster
Batchellor, Mary Pamela
Bateman, Douglas Allen
Bates, Marshall Edward
Battell, James J., Jr.
Batten, Hugh N., Jr.
Battles, Duane P.
Baucom, Larry Clifford
Bauer, Louis William
Bauman, James Lawrence
Baumgartner, William Edward
Baxla, Robert E.
Beall, Bradley S.
Beall, William L.
Beam, Kathleeen Sullivan
Beamgard, Richard Stuart
Beard, Michael Roane
Beason, Richard Edwards
Beatrice, Albert Joseph, Jr.
Beattie, Aaron Joseph, III
Beatty, Larry Vernon
Beck, Richard Alan
Becker, Dennly R.
Becker, Stephen Edward
Beckett, Thomas Horton
Beckman, Charles Barry
Beckwith, Donald C.
Beduhn, Jerry R.
Bell, Edison Lee
Bell, James M.
Belli, Lawrence Alan
Bellinoff, Alan E.
Bellotti, Joseph Peter, Jr.
Belrose, Benjamin George
Bemis, Larry Ray
Bender, Gene Paul
Bender, John Frederick
Bender, Thomas Joseph, Jr.
Benfell, Sharolyn
Bengtson, Loren David
Benjes, Christopher
Bensing, Donald Ray
Berck, Henry F., Jr.
Berg, Jeffrey Michael
Berger, Janellyn Lu
Berger, Robert Floyd
Bergstrom, Alan Lee
Berke, Barry Lewis
Berkheimer, Linden Lee
Berman, Michael R. P.
Bermudes, Eulogio Conceptio
Bernard, Paul L.
Bernia, Douglas James
Bernsen, Thomas Jerome, Jr.
Berry, Colin Michael
Bertelson, James A.
Besser, Robert Sloane
Best, David R.
Bethke, Gary Walter
Bettcher, Thomas E.
Beuerlein, Alan F.
Beuerlein, Susan Cooly
Bevers, Richard E.
Beyatte, William Edward
Bianco, Barron Bruce
Bianco, Ralph Dominic
Biber, Reginald Eugene
Bickel, Robert Michael
Bieda, George E.
Bier, Gary L.
Biggers, Edward M.
Biola, John Alfred
Birch, Howard L., Jr.
Birnbaum, Peter Allen
Bishop, Douglas S.
Bishop, Edward L., III
Bishop, Grover C.
Bissell, Robert Edward
Bisset, Andrew Everly
Bjorlo, Philip Andrew
Blackstock, James F.
Blackwell, Theodore I., Jr.
Blackwood, Elizabeth Anne
Blake, Clifford Dale
Blank, David Alan
Blankenship, Robert Merle
Blankenstein, Glen Alan
Blaue, John W.
Bleecker, James M.
Blewett, Jay Alan
Blish, Nelson Adrian
Bliss, Donald Herbert
Bloom, Wade Douglas
Blount, Wilburn Mac
Bloxom, Richard R.
Bloyer, Stanley F.
Blythe, Kent Lee
Bodie William Timothy
Bodnar, John William
Bodner, Stephen William
Boerner, Michael Curtis
Boger, Robert Michael
Boger, Samuel Paull
Bogosian, David E.
Bohannon, Edward L.
Boley, Morris Victor, Jr.
Bolser, William Charles
Bomkamp, Gary William
Bond, Douglas Marsh
Bone, John F.
Bonnett, David E.
Bonwit, Christopher Call
Booth, David H.
Borer, Paul Joseph.
Borns, Michael Oscar
Borries, William Glenn
Boston, Bruce Dennis
Bouchoux, Donald R.
Boutz, Allen Ray
Bowen, Daniel John
Bowers, John F., Jr.
Bowland, Craig Charles
Bowler, Daniel Richards
Bowlin, James Franklin, Jr.
Bowman, Marvin Edward
Bowman, Neil Okane
Boyd, Garland Atkinson, Jr.
Bozin, William George
Brabenec, John J., III
Brace, Timothy Barron
Bradfield, Robert W., II
Bradford, Gregory Copeland
Bradley, Theron Michael, Jr.
Bradley, William Frederick
Brady, Robert Merritt
Bramlett, William T., II
Bramley, William A., III
Branan, Phillip Howard
Brandon, William Richard
Brannan, Lee Roy, Jr.
Branum, Jerome S.
Braschel, Grant O.
Brashear, John Edward
Brasher, Stephen J.
Brattain Herbert K.
Brawn, Michael Duane
Breckinridge, William L., VI
Breede, Matthew John
Breen, Dennis Francis
Brehm, Dale Eugene
Brelsford, Edward M.
Brenman, Robert A.
Brennan, Samuel Harley, Jr.
Brenneman, Cynthia Angel
Brenner. Lawrence Joseph
Brenner, Robert Charles
Brewer, Douglas Bacon, Jr.
Bricken, Thomas Llewellyn
Bridwell, Sharon F.
Bried, William Paul
Bries, Eric D.
Brigance, Sharon E.
Briggs, Thomas P.
Britt, James Frederick
Broberg, Carl Ralph
Brodsky, Larry Stephen
Bronson, Robert William, II
Brooks, Randolph M.
Brooks, William E., III
Broome, John C.
Broome, Michael Clarke
Brophy, James M., III
Brotherton, Gene Michael
Broun, Charles Wood, III
Brown, Charles Albert
Brown, Donald Collins
Brown, Gerald A.
Brown, Henry Pell, Jr.
Brown, John A.
Brown, Lynn E.
Brown, Melvin Hugh
Brown, Michael Corbett, Jr.
Brown, Orville Kenneth, Jr.
Brown, Paul M.
Brown, Randall Ray
Brown, Richard F., Jr.
Brown, Richard M., III
Brown, Stanley M., III
Brown, Tommy Raymond
Brown, Wendell Earl
Brown, William H., Jr.
Browning, Dural Wesley
Bruerton, Charles Jan
Brunet, Gerard J.
Bruninga, Robert Ervin
Bryan, Carroll Littleton, II
Bryant, Richard E.
Bryant, Stanley W.

Brydon, Wayne Robert
Brzezinski, Walter Adam, Jr.
Bucchi, Toney Michael
Buce Jack McKinley, III
Buck, Louis Eugene, Jr.
Buckingham, John S.
Budzik, Dennis Michael
Buergey, William Calvin
Buescher, Joseph Henry, Jr.
Buff, Richard Cole
Bulfinch, Scott Robert
Bunce, James Standish
Bundschu, Lawrence Michael
Burdick Thomas J.
Burger, James C.
Burger, Jerome Paul
Burger, Robert Jay
Burgess, David Ross
Burke, Clifford Michael
Burke, Robert D.
Burkhard, Thomas Kinsman
Burnett, Lewis E.
Burnham, Johnny W., Jr.
Burns, Gerald Thomas
Burns, William Edward
Burr, Frederic Worthington
Burroughs, Niles Philip P.
Burrows, David Reid
Burtchell, Steven Gerard
Burton, Robert Norman, Jr.
Busching, William
Bush, William Frederick
Bushby, John Melbourne
Bushore, Robin Paul
Butcher, Kenneth W.
Butler, Craig Lindley
Butler, Gregory Clinton
Butler, Lonnie David
Butler, Thomas Alva
Butler, William Robert
Butorac, George Edward
Butterworth, Bruce V.
Butterworth, Wiliam J., Jr.
Butyn, Rene Francois
Buxton, John Armstrong
Buzas, Michael Charles
Byers, Bernarr Melton, Jr.
Byles, Robert W.
Byrne, Neil Francis
Byrne, Thomas M.
Byron, Bruce Bernhardt
Cable, Robert L.
Cadden, Charles James
Cahill, Philip Thomas
Cain, William Anderson
Caldwell, Barry Thomas
Caldwell, William E.
Callaham, Thomas E.
Callahan, Daniel James
Callaway, Dwight Moody
Callaway, Michael Alan
Callison, Claude O.
Cameron, John Stanley, III
Campbell, Bruce Alan
Campbell, Darrell W.
Campbell, Fred P.
Campbell, Gerald E.
Campbell, Phillip Wayne
Campbell, Thomas John
Campbell, William R.
Canaday, Craig Holycross
Canty, Benjamin Keith
Capri, Randolph Steven
Carden, Carl E.
Cardoza, Rodney Wayne
Carey, Charles Daniel, III
Carley, Norman John
Carlson, David Robert
Carlson, James R.
Carlson, William Garrett
Carlton, Kenneth M.
Carmichael, Hubert M.
Carney, James Mann
Carr, Roger Wesley, Jr.
Carrig, Michael F.
Carroll, Joseph David
Carroll, Patrick William
Carson, Robert Lee, Jr.
Carson Steven Alma
Carter, Frank Saulsbury, III
Carter, James Butler, Jr.

Carter, John Byrd, Jr.
Carter, John C.
Carter, William Joseph
Casey, Rodney Len
Cash, Paul David
Casko, John David
Cassidy, Edward T., Jr.
Cassidy, Richard Michael, Jr.
Cast, Frederick A., Jr.
Casteel, Robert Blake, II
Caster Gary Don
Castle, Kristopher Lee
Cathcart, George Robert
Caudill, Gary Patrick
Cauthen, George Barry
Cavanaugh, Thomas J.
Cavender, John Benjamin, III
Cavender, William K.
Cebulski, Raymond J.
Ceglio, Natale M.
Cerra, Joseph Michael
Chacon, Gerald Michael
Chaffee, Edmund John
Challain, Eric J.
Challberg, Edward Carl
Chambers, Kenneth William J.
Chamowitz, Michael J.
Champney, Robert K.
Chandler, John Stephen
Chaplin Robert Charles
Chapman, Steven Elliot
Charbonnet, Pierre Numa, III
Charley, Michael Bryan
Chatham, Ralph Ernest
Cheney, Martin J.
Cheney, Ricky Dennis
Chepenik, Stanley B.
Chernesky, John J., Jr.
Cherota, Frederick W., Jr.
Cheshire, Lehman Franklin, I
Chidoni, Rocco Anthony
Childers, Gary Neil
Christenson, Larry Ray
Christian, Richard L.
Christianson, Robert Neal
Christman, John Howard
Christopher, Angelus D.
Church, Charlotte Marie
Church, Larry Nathan
Chwastyk, Thomas Frank
Cioffi, Gerald Alfred
Clabaugh, Duane Lance
Clancy, Kevin S.
Clark, Gerald Wayne
Clark, James
Clark, James Edward
Clark, John F.
Clark, Reed Owen
Clark, Richard Earl
Clark, Robert A.
Clark, Robert Allen
Clausen, Charles P.
Clayton, Frederick W., III
Clayton, Richard E.
Clayton, William Todd
Cleghorn, Larry Everett
Clements, Frederick Roger
Clemons, David Malcolm
Click, Alan Richard
Clifton, Guy D.
Cloud, Caryl Lee
Cochran, Larry Lamont
Cochran, Mark Dennis
Cochran, Paul Reginald, III
Cochran, Samuel Davis
Cocowitch, John H.
Cocozza, Timothy Robert
Coffer, Joe Ralph
Coffin, Robert Peter
Cohen, Joseph Jeffrey
Coker, Barbara K.
Colcock, Marshall Gleason
Cole, Anthony L.
Cole, James D.
Coleman, Stephen Tredway
Coleridge, David Theodore J.
Collins, David Oliver
Collins, John George
Collins, Robert Samuel
Collins, Wendell R.
Colombino, Ralph Frank, Jr.

Colquhoun, Richard Bruce
Colt, Stockton B., Jr.
Colucci, Robert Joseph
Comerford, Susan J.
Connell, John Clay, Jr.
Connell, Royal William, Jr.
Conner, Barbara Ann
Connolly, Hubert Charles
Conrad, Emerson S.
Conrad, James Harold
Conway, Patrick Michael
Cook, Dennis Albert
Cook, Norman Ervin
Cooke, George A., Jr.
Cooley, John Eugene
Cooley, Pemberton, III
Coons, William Eric
Cooper, Kenneth Charles
Cooper, Marshall G.
Coppins, Michael Frank
Cordier, Richard Joseph
Corn, Richard, III
Corneliussen, Steven Thomas
Corner, Malcolm D., Jr.
Cornwell, Joseph Henry
Coronado, Tomas
Corrado, John David
Corsey, John William, Jr.
Cortner, Cara Ann
Cosgrove, Michael Alfred
Cote, Joseph John, Jr.
Councilor, Terrance Allen
Counihan, Thomas
Cowan, Daniel Giger
Cowell, David Eden
Cox, Harold L., Jr.
Cox, Lyle Ashton, Jr.
Cox, Ouida Lavonne
Cox, Raymond Webster
Crace, Jesse Allen
Crane, Allan Douglas
Cranney, Steven Joseph
Crawford, Judith Shirline
Creamer, Chadwick, Graham
Creighton, Richard Alexande
Creighton, Robert Thomas, Jr.
Crim, George N., Jr.
Crisp, John Patrick
Crisson, Phillip Mark Steve
Crites, Don Michael
Cronin, Timothy Gerard
Crosby, Robert Carl
Crosby, William Oscar, III
Crossland, Roger Lee
Crounse, Carole Heath, J.
Crump, Mark Woodward
Cruser, Thomas P.
Cruzan, Gary Lee Edward
Crysler, Ronald P.
Crystal, Pete Atsushi
Cuccias, Robert F., Jr.
Culp, Lowell Ronald
Culverson, Kenneth J.
Culwell, Clarence William J.
Cumming, John Charles
Cummings, Kevin Peter
Cunningham, Curtiss Brent
Curran, Donald Joseph, Jr.
Currer, William Robert
Currier, James Whittet
Curtis, Keith Paul
Custer, Lawrence D. L.
Cutcher, John McCormick
Cyboron, Robert Edward
Czech, Gregory Jacob
Dailey, Eugene Terrence
Daily, James Leon, II
Dale, John L.
Dallara, Charles Harry
Dam, Allan Scott
Dampier, Craig Richard
Dandalides, William J.
Daniel, Dale Franklin
Daniel, James Mikell
Daniel, John H., III
Daniels, James N., Jr.
Darden, Welborn O., Jr.
Darnell, Donald L.
Darrow, Edward Eells, Jr.
Davey, Douglas Harry
Davies, Carl Robert

Davies, William E.
Davis, Charles Carver
Davis, David Lee
Davis, Earl Ronald, Jr.
Davis, Ernest Graham
Davis, John Charles
Davis, Larry Thomas
Davis, Mark Eugene
Davis, Norman Frederick
Davison, Glenn Charles
Davolio, Joseph Francis
Dawson, Howard Wesley, Jr.
Dawson, James Cutler, Jr.
Day, Jeffrey John
Day, Marvin Gorman
Day, Thomas R.
Dean, Thomas E.
Dean, Thomas R.
Dearth, Lawrence C.
Deaver, William Nelson, Jr.
Debien, Margaret Suzanne
Decker, Geoffrey Foster
Deese, David Allen
Deets, Clifford L.
Defliese, Philip Leroy, Jr.
Deininger, David G.
Deitch, Harry Edward, Jr.
Dejohn, Charles A.
Dejong, John Calvin
Delano, Kenneth Hatsil
Delappa, John Edward
Delorey, Michael Walter
Deltete, Clement Paul
Demai, Nicholas Lee
Demlein, John Joseph, Jr.
Denny, Donald Jefferson
Densley, Richard Lavern, Jr.
Denson, Dwight Ellis
Dent, Michael Wayne
Denton, Kenneth William
Denton, Larry Gene
Denton, Walter Raymond
Denzien, James Robert, Sr.
Depoy, Lloyd Evan
Dete, Leo Joseph, III
Detweiler, Jack Alan
Detwiler, Richard M.
Devane, John Murphy, III
Devaney, James Francis
Devine, Isabel Margaret
Devlin, Charlotte T.
Dewey, Roger Scott
Dibello, Michael Frank
Didier, Henry N.
Diehl, George Francis, Jr.
Diel, Harry A.
Dieter, Kenneth Albert
Dietz, Douglas Warren
Digiacomo, Raymond Vincent
Dill, William Edward, Jr.
Dilloff, Neil Joel
Dillon, Hall Stanton, II
Dinger, John Parr
Dinwiddie, David O.
Dipadova, Arthur Anthony
Dixon, Kathleen Janet
Dixon, Lewis Randolph
Dobbins, Dennis G.
Dobson, Wilbur Joel
Dockstader, Bruce L.
Dodd, Gerald Allan
Dodd, Jack David
Dodd, Richard Patrick
Dodson, David Crockett
Dolan, James E., Jr.
Donahue, Edward Joseph
Donnelly, Robert J.
Donohue, Edwin A.
Donohue, Philip Vincent, Jr.
Dooley, Lawrence Joseph, Jr.
Doolin, Robert Michael
Doryland, Adrian T.
Doty, Michael Giles
Doud, William Edward, Jr.
Douglas, Terry J.
Douglas, Terry Scott
Douglass, Gene A.
Dove, Roy Edward
Doyle, Barry Wilson
Doyle, John J.
Doyle, Martin Edward, Jr.
Dozier, Thomas Cader, Jr.
Drew, David O.
Duff, Vaughn Wayne
Duffy, Eugene O'Donnell
Duffy, Raymond Andrew
Duke, Daniel Fitzgerald, III
Duke, Jonathan B.
Dumbauld, Jerry Ray
Dunbar, Terry Frank
Dunlap, Thomas Rough
Dunn, Franklin Thomas
Dunn, Paul Owen
Dunnington, Robert Alan
Durazo, Manuel Ygnacio, Jr.
Durham, James Leighton
Duval, David Alan
Dwyer, Dennis E.
Dykstra, David Albert
Dzikowski, Marc Anthony
Eadie, Lloyd Davis, Jr.
Eason, William Ralph, Jr.
Eberhardt, Thomas Frank
Eckert, John Morris
Eckert, Warren Raye
Eckhardt, Bruce K.
Edson, James Marshall
Edwards, Jesse Daniel
Egan, John Robert
Egart, George Michael, Jr.
Eggleston, Lyman A.
Ehret, Philip Harold
Eick, Ira J.
Eisert, John Michael
Eklof, Sven Peter
Ekstrom, George Walfred
Ekstrom, Robert H.
Ellis, Thomas C.
Eliel, Frederick John
Ellingwood, Gerald Vincent
Elliott, Charles Dewey, III
Elliott, Thomas John, Jr.
Ellis, Franklin William
Ellis, James Manning
Ellison, Curtis Joseph
Ellison, David Roy
Ellison, Daniel A.
Ellsworth, Gary George
Elsen, Morris Eugene
Elsner, Diane Dion
Emery, William David
Engelhardt, Robert Granger
Engelhardt, Sandra L.
England, Don R.
Engstrom, George H.
Enslow, Larry Dean
Erbe, Herbert Carl, Jr.
Erickson, Geoffrey Dell
Erickson, Phillip Alan
Ermentrout, Gerald George
Ertel, Gregory William
Erwin, Robert Ashley
Eslinger, Philip David
Estabrooks, Joseph Orlando
Esterl, Charles Thomas
Evans, John O., Jr.
Evans, Michael Frank
Evans, Michael Allen
Evans, Robert Bruce, Jr.
Evansin, David Paul
Ewan, Lawrence K.
Ewers, Michael Edward
Fages, Malcolm I.
Fahrenkrog, Steven Lock
Fahy, Edward Joseph, Jr.
Fahy, Thomas E.
Falkner, James Raymond
Falstreau, Ronald Harold
Falten, Paul J., Jr.
Fare, Freddie E.
Fargo, Thomas Boulton
Farkas,Francis Stephen, Jr.
Farley, Richard Lee
Farrell, Charles Stephen, Jr.
Farrell, Gerard Michael
Farrell, Michael Dennis
Farris, Marc
Farver, Jean J.
Farver, Richard K.
Fedor, John Stephen
Fedoryszyn, Robert J.
Feeney, James L.
Feichtinger, Mark Rudolph
Felgate, George
Felten, John A.
Fenneman, Leigh Raymond
Ferguson, Jeffrey Edward
Ferranti, John Peter, Jr.
Ferrill, Chris Allan
Ferry, John James, Jr.
Fessenden, Steven Howard
Fessenden, Richard Randall
Fetzer, William Woodrow, Jr.
Fidler, Walter Charles
Fillmon, Louis Jason
Fink, Jeffrey Jon
Finn, Neil Charles
Finnegan, Edward James
Finnegan, Gerard Richard, Jr.
Finney, Robert Terry
Fiordaliso, Dennis Michael
Fischer, William George
Fish, David Allen Terryl
Fisher, Charles Steven
Fisher, Douglas Frank
Fisher, Jack Alan
Fisher, Kelly Martin
Fisk, Stephen W.
Fiske, Richard Paul
Fitch, Kevin Ferguson
Fitchet, Charles Baxter
Fitzgerald, William Robert
Fitzgerald, Douglas
Fitzgerald, Robert Lee
Fitzgibbons, Paul Edwin
Fitzhugh, John E., II.
Fitzpatrick, Richard Stephen
Flaherty, James Jr.
Flaherty, Mark Ostrom
Flaherty, Thomas John
Fletcher, Gregory G.
Fleischer, David Nathan
Flocken, Erick Michael
Flondarina, Melchor N.
Flores, Roberto Jr.
Floyd, Stephen Donald
Fogerty, Thomas Joseph
Folga, Richard Michael
Foote, Herbert Whittier
Foote, Randall Edward
Forbes, Ray Thomas
Ford, Alexander Lawton, III
Ford, Anthony Ellsworth
Ford, Johnnie Edward
Ford, Robert Enright
Forness, John Francis
Forrester, John Walter
Forsht, Deborah Ann
Fortik, Donald Floyd
Fortino, Anthony M.
Foster, Michael Edward
Foster, Michael Stephen
Foster, William Kim
Fought, Earl Jay
Foust, Gary Lee
Fouts, James Ward
Fowler, Paul Lightle Jr.
Fowler, Thomas James
Fox, John Richard
Fox, John Williams Jr.
Fox, Mark
Fox, William Leo Jr.
Fraley, Randall Martin
Francis, John William
Francis, William P.
Frank, David Elvin
Franklin, Gary Wayne
Franklin, Marvin A., III
Franklin, Ronald James
Franzia, Mary I.
Frasher, Steven John
Frederick, George R.
Fredland, Kurt Roger
Freeburger, Thomas Oliver
Freed, Donald E.
Freed, John W.
Freedman, Robert Norman
Freeman, Bruce D.
Freiheit, Richard Otto
French, Ronny Wade
Freybe, Harald
Frick, Michael Glenn
Frick, Willis Gilbert, Jr.

Frieden, David Ralph
Frisch, Dennis Robert
Frith, Benjamin Newton, III
Froelich, Clifford Anthony
Frydenlund, Douglas Timothy
Fulbright, Joseph J., Jr.
Fuller, Daniel Richard
Fuller, Daniel W.
Funke, David J.
Fuson, William A.
Fye, Robert Floyd
Gaal, Gabriel
Gable, Morrison Leslie
Gabriel, Daniel Webster, Jr.
Gaddie, Paul Ray
Gaden, Michael Dean
Gagliardi, Dennis L.
Galbraith, Donald E., II
Galdorisi, George Victor
Gallagher, Gerald L.
Galloway, Harold L.
Galus, Albert J. R.
Gange, Dale Edward
Gant, Virgil Fitzhugh
Ganthner, Raymond William
Garcia, Larkin E.
Garden, Bruce William
Gardner, Dale Allan
Garey, Alan William
Garland, Gary William
Garman, James Marshall
Garman, Robert Bruce
Garnett, Robert R., Jr.
Garrett, William S., Jr.
Garrett, Margaret Patrick
Garrison, Charles Figgis
Garrison, Richard C.
Garvin, David Elgin
Gasink, Robert Ray
Gaudi, Robert D.
Gauss, John A.
Gautreaux, Terrence Michael
Gavin, Joseph William
Gavin, William John
Gaw, Richard Allan
Gayler, Ralph
Geb, John Leonard
Gebhardt, Robert Edward, Jr.
Gebhart, John William
Gede, Thomas Frederick
Geisler, Fred A.
Gelzer, Gary
Gendreau, John Robb
Gengler, Patrick Lee
George, Caroline Wharton
George, Danny L.
George, Frederick I.
Gettig, Roger Lynn
Geyton, James Michael Jr.
Giambastiani, Edmund P., Jr.
Giancola, Charles A.
Gibbons, Peter Wickes
Gibson, Robert L.
Giesemann, Frank T.
Giffen, Robert Carlisle III
Gifford, Mary Suzanne
Gilbert, George B.
Gilchrist, Stanley Frederic
Giles, Blaine Richard
Gillcrist, John Anthony, Jr.
Gilmer, Franklin B.
Gimbel, Charles Robert
Glass, Dennis W.
Glasser, Donald Julius
Glisson, Daniel B., Jr.
Goen, Lewis Willis
Goforth, Michael Gerard
Gollè, Stephen Joseph
Gongaware, William R.
Gonzales, Gilbert Manuel
Gonzalezdilan, Daniel
Good, Layne Walter
Goodman, Joe Anderson
Goodrow, Everett Eugene, Jr.
Goodwin, Donna Marie
Goodwin, Robert Archer III
Gordon, Vernon C.
Gourley, James E., II
Gorman, Daniel Edward, Jr.
Goswick, George Ralph
Gotha, William Francis
Gould, Dexter Vernon
Gouslin, William A.
Gouveia, Ronald Stanley
Grace, Paul Lyons
Gradisnik, Gary Anthony
Graef, Stephen Robert
Graham, Bryce Lowell
Graham, David Lee
Graham, Richard Keagy
Gramprie, Gail Lynn
Grant, George Michael
Grasham, Michael Wayne
Graul, Joseph Francis
Graves, Edward Preston
Gravitt, Patrick D.
Greaves, Thomas William, Jr.
Green, Albert Allen
Green, Leon C., Jr.
Green, Thomas James, Jr.
Green, Everett Lewiks
Greene, Joseph M., Jr.
Greenlee, William E.
Gregor, Bruce John
Gresham, William Bacon, III
Gretzinger, Larry Crutis
Griffin, David C.
Griffin, William Robert
Griffith, Russell Lee
Griffiths, Lee Edward
Grimm, William R.
Grimmer, George Kimboro
Gronemann, Bruce W.
Gronewold, David Allen
Gross, Ronald Thomas
Grossenbacher, John Joseph
Groves, Linda Katherine
Grubb, Francis Bunyan, Jr.
Gruner, William K.
Grunge, Lance C.
Grussendorf, Mark James
Guardiano, Jerry John
Guarneri, James Michael
Guertin, Stanley Douglas
Guest, Kenneth Wayne
Guilfoil, Thomas P.
Gumkowski, Edward Michael
Gunkel, William A.
Gunkelman, Ralph Frank, III
Gunn, Robert Johnstone
Gunter, Wallace Eugene, Jr.
Guppy, Gerald Franklin
Gurnon, Richard Gerard
Gutelius, Paul P.
Guter, Donald Joseph
Gutierrez, Pauline Dolores
Gutridge, Wallace G.
Haas, Frank Armen
Habermeyer, Kent Leigh
Hackenburg, John Ray
Hacker, John Michael
Hackman, Rhodric Cina
Hagan, Charles Tilden, III
Hageman, Nancy C.
Hagen, Paul Wendell
Hagerman, Jon Graham
Haggerty, Jerry Michael
Hagood, James Timmons
Hahn, Richard A.
Haigis, John
Hails, Alan Robert
Haines, Frank David
Halgren, Robert Gustaf, Jr.
Hall, Evelyn
Hall, Fred Martin
Hall, Howard Robert
Hall, Mark Glover
Hall, William Burke, Jr.
Halvorson, George Henry
Hamlin, Kent Williams
Hamm, Marvin Joseph, Jr.
Hammar, Jonathan Albert
Hammond, Russel Edwin
Handlers, Robert G.
Haney, James Michael
Hansell, William Richard, Jr.
Hansen, Donnel E.
Hansen, Frederick D.
Hansen, Kirk Christian
Hanson, Robert Thomas
Hansson, John Noel
Harding, Steven Leslie
Hardy, Charles T.
Haring, Peter Alan, Jr.
Harkness, George C.
Harleston, William, Jr.
Harmon, Gerald Robert
Harmon, Robert Louis
Harper, John Franklin, III
Harrell, John Peter, Jr.
Harris, Clinton Page, II
Harris, Dale Cooper
Harris, Edwin Jon
Harris, James Daniel
Harris, John Kenneth
Harris, Ronald Robinson
Harrison, Bruce Rodney
Harrison, John G., Jr.
Harrison, Mark Morgan
Harry, Dennis Jackson
Harsch, Steven Merrill
Hart, John Bernard
Hart, Terry Curtis
Hart, William G,
Hartje, Lynn Allen
Hartle, Christopher Richard
Hartman, Jeffrey Everard
Harvey, Frederick W., III
Harvey, Raymond Frank
Hasbach, Robert Raymond
Haser, Gerald D.
Hash, Steven Peder
Hastings, Richard G., III
Hatch, William Lee
Hauck, Russell Eric
Havey, Patrick Joseph
Havlik, Charles Earle
Hawkes, Nancy Jean
Hawkins, Bruce Wayne
Hawkins, Jeffrey Bert
Hawkins, Stephen George
Hayes, Jeffrey Thomas
Hayes, Thomas Mather
Hazelrigg, Steven Adolph
Head, Thomas Edgar
Healy, Robert Jay
Hearn, Judith
Hearn, Lawrence Paul
Heaton, John Frederick
Heckmueller, John Howard
Heilman, Stephen Craig
Heinen, Jerry Joseph
Heinz, Stephen George
Heitz, William Edward
Held, John Michael
Helfen, William
Helin, William Gary
Helkey, John George
Heller, Stephen Louis
Helm, Robert Mark
Helmkamp, James Crum
Henderson, Harold Allen
Henderson, Breck Wenger
Henry, Dean
Henry, Douglas Davies
Henry, Gary R.
Henry, Joseph Gerard
Henry, Ted Allan
Henry, William David
Herb, Robert Donald
Herbert, Garry Lynn
Herbert, Thomas George
Herda, Raymond John, Jr.
Herdrich, Harry Anthony, Jr.
Hereford, Robert Butler
Herman, Paul Irving
Herrick, Glenn Wiley
Herrick, John B.
Herrman, Larry Virgil
Hersh, Joel Randolph
Hess, Nathan Martin
Heustis, Robert L.
Heyworth, Lawrence, III
Hickman, Charles Ryan
Higgins, James Raymond
Higgins, Robert Arthur
Hill, Charles Stuart
Hill, James Herbert
Hill, Roger Dale
Hill, Ronald Maxwell
Hillerman, Larry Alan

Hilton, Jarvis G.
Hinchliffe, Gregory Ward
Hinckley, Robert
Hingson, Curtis Otho
Hingson, Robert Henry, Jr.
Hinkle, James Robert, II
Hinman, David Arthur
Hinson, David Eugene
Hinton, James Reid
Hintz, Beth M.
Hinz, Donald Eugene
Hitchings, William Lee
Hitchcock, James R.
Hoag, Trudy Lynne
Hobbs, Harold T.
Hobbs, Terry David
Hoblitzell, Timothy Allen
Hodges, James Edward
Hoefer, Albert, III
Hoffman, Richard Bernard
Hogan, Daniel Timothy
Hogan, John Edward
Hogan, Patrick Michael
Hokanson, Charles P.
Hoke, Mark Allan
Houcombe, Edwin Frank, Jr.
Holden, Hollis W.
Holdt, Bruce E.
Holewa, John Gregory
Hollenbach, Paul Douglas
Hollenbach, James Warren
Hollett, Kenneth J.
Hollinger, Wayne Melvin
Hollowell, Christopher W., I
Holm, Dwight Patrick
Holmes, Ronald E.
Holsten, William Peter
Holt, Benjamin Lewis, Jr.
Hook, James David
Hooper, Charles Cortland
Hooper, James A., IV
Hooper, James Ernest
Hoople, Douglas D.
Hopper, Geoffrey Victor
Horn, Paul B., Jr.
Horner, Richard Lee
Horsley, Russell Dewey
Horton, Daniel Winston
Horvath, Anthony Arthur
Houck, Andrew William
Houck, Oran Lee
Houde, Paul Leo
Houk, William Alvah
Houle, Normand Arthur
House, Frederick A.
House, Michael E.
House, Prentice L.
Hoverson, John D., Jr.
Howard, John Finley
Howard, Thomas Leslie, Jr.
Howd, Robert F.
Howdyshell, Walter Steven
Howe, David P.
Howick, James F.
Hubbard, Van Richard
Huddleston, Ronald Duane
Hudgins, Thomas Eugene
Hudspeth, Barry Edward
Huff, Terry Richard
Hughes, David Gerard
Hughes, John George
Hughes, Michael David
Humberd, Calvin C., Jr.
Hume, Richard L.
Humphreys, Mary Margaret
Hunka, John Frank
Hunt, John Allen
Hunter, David Tait
Hunnter, Edward Echerd
Hunter, John Mack
Hunter, Peter G.
Hurd, Paul Merrill
Hurl, Linda Lou
Hurley, Douglas Edward
Hussey, Anthony John, Jr.
Hutcherson, George Irvin
Hutchins, Albert McConnell
Hutchison, Guy Stuart
Huth, Douglas P.
Hyjek, Michael Lester
Ice, Daniel Rawley
Ide, Warren Harper, Jr.
Ihrig, Clyde James
Ilgen, John Larson
Ilgenfritz, Kenneth W.
Infinger, Jasper Milford
Inverso, Francis Carlo
Iselin, Robert A.
Jackson, Charles Patrick
Jackson, Douglas L.
Jackson, Gordon Campbell
Jackson, Richard Kenneth
Jackson, Robert Warren
Jacobs, John Carl
Jacobs, Roger Patrick
Jacobson, John Frank
Jacobson, Stephen E.
Jacovelli, Paul Bernard
Jacques, Harry Augustine, Jr.
James, Jimmy Dwayne
James, Robert A.
James, Roger Dean
Jamison Earl Joseph
Jans, Jay Bennett
Janssens, Carol Jean
Jaques, James A., III
Jarman, Roger C.
Jarrell, James R., IV
Jarrell, John A.
Jeffcoat, John Phillip
Jeffries, Charlie L.
Jemison, Thomas Charles
Jenkins, Jean Ann
Jenkins, Walter William
Jenkins, William Frost
Jenners, Joseph Anthony
Jennings, Edward Payson, II
Jennings, Olin Henry, III
Jensen, Jon Robert
Jewell, Glenn Albert
Jinks, John Bradley
Johannessen, Per Sven
Johanson, Donald William
Johnson, Christopher Harry
Johnson, David Patrick
Johnson, Dale Raleigh
Johnson, Donald Howard
Johnson, Gary Fredric
Johnson, Gary Lee
Johnson, Gary Quentin
Johnson, Geoffrey Nicoll
Johnson, Gilbert Leon
Johnson, Gregory G.
Johnson, Ingrid Ann
Johnson, Jack Arthur
Johnson, Jon Robert
Johnson, Linda Kay
Johnson, Philip Lee
Johnson, Richard Gray
Johnson, Robert Alan
Johnson, Stephen Mansell
Johnson, Steven Willard
Johnson, Thomas Everett, Jr.
Johnson, Thomas Perry
Johnson, William Roy
Johnston, Michael McLeod
Johnston, Paul S.
Jones, Bobby D.
Jones, Darrell Wayne
Jones, Gordon Lee
Jones, James D.
Jones, Steven Edward, Jr.
Jordan, James Abel, Jr.
Judnich, Francis Andrew
Justiss, Ronnie Lynn
Kaahanui, Melvin
Kacer, Joanne Alice Camille
Kaider, Donald Keith
Kain, George Hay, III
Kain, Michael Richard
Kaiser, Charles Ellis
Kaiser, Michael John
Kaiser, Wayne Gordon
Kampen, Roy William
Kane, Jerry Allen
Kane, John Edward, II
Kane, Mary Anthony
Kanupka, George Joseph, III
Kapololu, John Akahele
Karch, George William
Katz, Alan William
Kauffman, Jack Emerson
Kavale, Joseph J.
Kaylor, Jefferson Daniel, Jr.
Kearley, John J.
Kearney, James Philip
Keating, Margaret F.
Keefer, Marc Martell
Keefer, Thomas Brian
Keen, James David
Keesling, William Dale
Kellas, John Calvin
Keller, Joseph F.
Keller, Terrence Kenneth
Keller, William Joseph, Jr.
Kelley, Archie Parmelee, Jr.
Kelley, John David
Kellner, David Herman
Kemp, Bruce Raymond
Kemp, William McIver
Kendall, Charles Wilson
Kengla, Donald C.
Kennedy, John J., Jr.
Kenney, Daniel Francis, III
Kenney, James Bradley
Kenney, James Francis
Kent, Robert Harold
Kenyon, Michael H.
Kenyon, Ralph Edward, Jr.
Keperling, Robert Edwin
Kern, Charles Michael
Kerr, Ann Elizabeth
Kerr, George Victor
Kestly, Daniel Ralph
Ketring Michael E.
Keymer, Kenneth Lee
Keyser, Stephen Allen
Kidd, John Desta
Kidd, Raymond C.
Kidder, John L.
Kidder, Marvin W.
Kidder, Paul Alfred
Kidney, Jay Kimball
Kilmer, Milo J., II
Kimble, Gerald A., Jr.
Kincheloe, Everet Vernon
Kindstrom, Earl E.
King, Franklin Gary
King, Peter Charles
King, Robert Crippen
King, William Anderson
Kingsbury, Robert Lee
Kingseed, Jeb Bernard
Kinnie, Robert Thomas, Jr.
Kinslow, James L.
Kipp, Terence Lynn
Kirby, James Edward
Kirk, Douglas C.
Kirk, Robert Wayne
Kirner, Thomas Charles
Kissinger, Robert John
Kissmann Ronald Martin
Kistler, Jay Ross, Jr.
Kitzman, Jerry Matson
Kjellander, Jon P.
Kleehammer, Thomas
Klein, William Carl
Klementik, David Charles
Kline, Bruce Gregory
Klingelberger, Carl Ervin
Klink, Stephen Colby
Klotz, Stephen Paul
Klotz, Steven Irving
Kluxen, David Stewart, Jr.
Knechtel, Glenn Karl
Knieriem, Guy Robert
Kniering, John Hovell, Jr.
Knock, Gary Lloyd
Knoll, John Christian
Knudsen, Michael Barry
Knull, William Harlough, III
Knuth, Dean Leslie
Koch, John E.
Koehler, David Livingston
Koffend, Paul Francis, Jr.
Kok, Timothy Alan
Kokstein, Robert Glenn
Koller, Paul Stuart
Komelasky, Michael Charles
Kondrick, Harry Paul
Koneman, Norman Albert, III
Koning, Jack A.
Kopicko, Henry Donald

Kopinitz, Seigmond G.
Koster, Thomas Wayne
Kovar, Michael
Kraemer, Thomas Edward
Krafft, Frederick W., Jr.
Kraft, James Edwin
Kraft, Robert Allen
Kramer, Kevin James
Kraska, Kenneth Wayne
Krattli, Gene M.
Krattli, Robert Walter
Krause, Charles Frederick
Krstich, Jeffrey John
Kruger, Paul M.
Krumbholz, Karl O.
Krupp, Thomas Michael
Kuhlman, Henry Fredrick, Jr.
Kuhlmann, John Arthur
Kuhn, Richard C.
Kuhne, Michael David
Kunigonis, Michael Paul
Kuttner, Daniel Gideon
Kyle, William Carl
Labreche, John William
Lachance, Norvel Wayne
Lackey, Herman E., Jr.
Lafleur, Timothy William
Lagerman, Peter Michael
Lagrone, James Marvin
Laird, Mary Alice
Lamartin, Douglass Hugh
Lamb, Mark Edwin
Lambert, William Robert
Lamhert, John P.
Lampert, Bruce Andrew
Lampert, Brian John
Lampert, Jerry Jack
Lancaster, Emmett John II
Land, William Bost
Landon Philip C.
Langdon, Bruce Arnold
Langell, James Floyd
Langford, William K.
Langland, Rodger A.
Lantz, James Scott
Largent, Dianabeth
Largent, William Dayton, II
Laricks, James Richard
Larsen, Larry Morris
Larson, David Allyn
Larue, James L.
Lashbrook, Daniel Floyd
Laska, Andrew John
Latham, Rodney Guy, III
Lathrop, Barbara Ann
Launey, Scott Riordan
Lautenschlager, Jack Allen
Lawless, Patrick Hubert
Lawrence, Wilfred Paul
Lawson, Jeffrey Eugene
Lawton, Robert C.
Leach, Frederick John
Leary, John James, Jr.
Leath, Dudley Wade
Leatherman, Kathleen Maria
Ledwith, Ronald William, Jr.
Lee, Robert Edward
Lehman, Jeffrey Allen
Lehtonen, Harold, II
Leighty, William Eric
Leinster, William L.
Lelonis, Donald Andrew
Lemrow, Craig M.
Leopardi, William Donald
Lessel, John Charles
Letts, John Francis, Jr.
Levy, James Malcolm
Lewis, Barry Brooks
Lewis, Charles Samuel
Lewis, Gary L.
Lewis, Laird William, Jr.
Lewis, Lowell Grant
Lewis, Robert Earl
Libbey, Herbert Eugene
Liberatore, Mary Ann
Lieurance, John Robert
Ligon, Edward Campfield, IV
Lilliendahl, Alfred S.
Lilly, Dale R.
Lindstedt, Russel J., II
Lingan, James Nickey
Lingo, Michael A.
Linkous, Harry Abraham, III
Lindquist, James Earl
Lins, Roderick William
Linsley, Pauline J.
Linville, James Calder, Jr.
Lipeles, David Michael
Lipscomb, Jeffrey Ray
Little, Robert Ernest
Llewellyn, Jonathan Frame
Llewellyn, Timothy W.
Lobalbo, Benedetto R.
Locke, Gerald Francis
Locke, Stephen Allan
Lofgren, Norman A.
Logan, Kathleen V.
Logan, Solon Eugene, Jr.
Logan, William John
Lohrmann, Walter Richard
Lomax, Tarrant H.
Long, Sandra Kay
Longa, William Christopher
Loomis, Karl French
Lopez, Delio, Jr.
Lord, Francis Buffum
Losh, Dennis Michael
Lounge, John M.
Love, Jack Wilson, Jr.
Love, Robert Creekmore, Jr.
Lowe, Allan Ford
Loynes, James Lewis
Luczak, Daniel William
Ludwig, Bruce B.
Ludwig, Donald Ralph
Luebbecke, Donald S.
Luhr, Monte K.
Lummen, Michael Wyman
Lumsden, David M.
Lundy, Robert Franklin
Lunghofer, Dennis Michael
Lunsford, Hollis Eugene
Lupton, Stephen Charles
Lydiard, Jeffrey Robert
Lynch, Robert F.
Lynch, Robert Porter
Lynch, Valentine Dillon, Jr.
Lyon, George Henry, Jr.
Macbain, Richard Dennis
Macevoy, John Anthony
Machtley, Ronald Keith
Mack, Lawrence John, Jr.
Mackensen, Warren John
Mackenzie, Thomas Lyle
Mackey, Robert Jemison
Mackin, Patrick Charles
Mackpherson, Glenn Eldon
Madden, Donna M.
Mader, Thomas Walter
Madey, Stephen Laurance, Jr.
Madren, Samuel T.
Madruga, Robert Joseph
Mady, Clemens James, Jr.
Magaletti, Philip Joseph, Jr.
Maggi, John Carlin
Magnan, William James
Magoun, Peter Robertson
Magruder, Joseph Hull, Jr.
Maguire, David Paul
Magyar, David J.
Mahon, John Francis
Mahoney, Dennis Michael
Mahoney, John Stanley
Makl, Albert Stephen, Jr.
Mallek, Robert Anthony, Jr.
Malone, Laurence James
Malone, Michael Dennis
Maloney, Patrick James
Mancini, Anthony Joseph
Mandsager, Dennis Lee
Manes, Ezra Earl, Jr.
Mangapit, Conrado, Jr.
Mangan, John Livingston
Manis, John Jay
Mann, Craig Raymond
Manning, Robert James
Manson, Terrance Lynn
Marcell, Frederick C., Jr.
Marino, John Theodore, Jr.
Marlitt, Marlene
Marsh, Michael Thomas
Marshall, Harold E.
Marshall, Thomas George
Martel, Reginald Timothy
Martell, Jeffrey Robert
Martella, Michael Baker
Martin, Daniel Joseph
Martin, David Alfred
Martin, Jay Harry
Martin, John Thomas Oliver
Martin, Margaret Heim
Martin, Peter W.
Martin, Robert Stanley
Martin, Roy L., Jr.
Martino, Michael Fred
Marvin, Gary Dillon
Maslin, George William, Jr.
Mason, James Thomas
Mason, John Clyde
Mason, Melinda Ann
Mason, Richard Edwin
Mason, Robert D.
Mast, Raymond Lee
Mastrangelo, Robert Joseph
Masucci, Ann Theresa
Matarese, Marcia Dorothy
Mathers, David R.
Mathison, Neil G.
Matthews, Robert Brodnax, Jr.
Mattison, Dennis Lee
Mattox, John Allen
Mauldin, Hugh Dubose, Jr.
Maxey, James Robert, II
Maxwell, Clarke Alvin
Maxwell, Stephen H.
May, Clarke D., Jr.
May, Michael Dale
Mayer, Scott, H.
Mayes, Joseph Ray
Mayfield, Michael John
Mayfield, Paul K.
Mazour, Thomas Joseph
McAfee, John David
McAuley, Janet M.
McCampbell, David Perry
McCarthy, Joseph Bruce
McCauley, Alan Roger
McClain, Tim Scott
McClanahan, Joseph Edward
McClane, James Lenus
McClave, Wilkes, III
McClelland, Susan Irene
McCleskey, Dale Leif
McClure, Cecil Alan
McClure, David Gwin
McCombie, Ryan Joseph
McConaughy, Steven Craig
McCord, William Kirkland
McCormick, Keith Joseph
McCoy, Rex Calvin
McCracken, James Russell
McCreary, Steven Alfred
McCue, Sharon Elizabeth
McCulley, Michael James
McCullough, Francis H., III
McCurry, Robert A.
McDougal, Willard Boyd
McElroy, Oliver Robert, Jr.
McEntee, William John
McEwen, Gary B.
McEwen, Randall James
McFalls, Tommy Ray
McFarland, Stuart Edwin
McGaha, John Robert, Jr.
McGahan, Michael Patrick
McGann, Barbara Elizabeth
McGinnis, William Perry
McGoey, Richard John
McGonigle, Paul W.
McGovern, James F.
McGovern, William J., III
McGrane, Myles Thomas
McGrath, Francis Dennis
McGugin, Leonard Fite, Jr.
McGuire, John F., Jr.
McGurk, Michael Edward
McHale, James William
McHale, Robert V.
McHugh, Donald, Jr.
McIntosh, Richard Cameron
McIntyre, Lewis Frank
McKean, Thomas A.
McKenny, Edward Russell, Jr.
McKenzie, Donald Richard, Jr.

McKessy, Daniel Thomas
McKim, John Harvey, Jr.
McLaughlin, David Earl
McManus, Beverly A.
McManus, Vivian Marie
McMenamin, William Francis
McMunn, Brock Allen
McMurray, Michael Thomas
McNall, Lynn T.
McNamara, Brian John
McNamee, John Robert, Jr.
McNeeley, Steven Wayne
McNeil, Oscar N., Jr.
McPhail, Robert Bruce
McPheeters, James Henry, Jr.
McPherron, Charles Arthur
McReynolds, Michaels Joseph
McSorley, William Joseph, II
Meacham, George Edward, II
Meacham, John Monroe
Meadowcroft, Robert Allen
Meadows, Gregory Dea
Medford, William R.
Melchiodris, Charles J., Jr.
Mello, Gerald Charles
Mellott, Paul Lloyd, Jr.
Melson, Frank Baker, Jr.
Melson, Leslie
Merrick, Walter Forrest, II
Merring, Robert Louis
Merrit, Thomas Brooke
Messersmith, Ronald Edward
Messier, Dorothy Leda
Metter, Josel Jay
Mettin, Verner Edward, Jr.
Meyer, Gary Charles
Meyer, Glenn Warren
Meyer, Rober Alan
Meyer, Sephen Dennis
Meyers, James Vaughan
Meyerholen, Joseph A., Jr.
Michael, Timothy Arthur
Michaels, James Richard
Michelsen, Gary Anthony
Middle, James Leonard
Midkiff, George Neil
Mihalcik, Joseph Andrew
Mikusi, Frank Charles
Milano, Patrick Daniel
Miles, Donald James
Miles, Wilson Ashley, Jr.
Milewski, Robert Francis
Miller, Barbara Jean
Miller, David Damien
Miller, Donald Dean
Miller, Hubert John
Miller, James Phelan
Miller, John Barrett
Miller, Joseph Gordon
Miller, Paul Lee
Miller, Robert Peter, Jr.
Miller, Robert Wesley, Jr.
Miller, Steven W.
Miller, Stuart James
Miller, William Harvey
Miller, William Garett, Jr.
Miller, William Alan
Milner, Daniel Dewitt
Milner, Nora Payne
Missimer, Jack Rutherford
Mitchell, Billie Eugene
Mitchell, Josephine Glenda
Mitchell, Larry Joseph
Mitchell, Tom Eugene
Mitchum, Kenneth Ray
Modzelewski, Daniel Michael
Moe, George Lars
Moffett, Edward Page
Molineaux, Ian Joseph
Moll, Kathleen Margaret
Monaghan, Charles E.
Montgomery, John Bernard
Montoya, Anthony James
Moody, Jack Owen
Moomy, David H.
Moon, Raymond Lawrence
Moore, Edmund Eugene
Moore, George Elwick
Moore, Hollis Andrew, III
Moore, Larry Ichabod, III
Moore, Richard Alan
Moore, Richard Stewart, Jr.
Moore, Shirley Lee
Moore, Thomas James, III
Moore, Thomas R.
Moran, Joseph John
Moran, Matthew Francis, Jr.
Mordaunt, Kathleen Anne
Morgan, Newton Henry, Jr.
Morgan, William Randall
Morgenfeld, Robert John
Morris, Charles Robert
Morris, Fredricke McNeil
Morris, Stephen G.
Morrison, David Joseph
Morrison, David Ian
Morrow, Roy E.
Morse, John Prescott
Morton, Janice Clare
Mosby, David Cottrell
Mosher, John Carpenter
Motten, Alexander Fewell
Moulder, Edward Daniel
Moussette, David K.
Moye, William Michael
Mozingo, Thomas Phillip
Mrowczynski, Ronald M.
Muetzel, Michael Paul
Mugg, William Allan
Muhlhauser, Steven
Mulkeen, John Joseph, Jr.
Mullen, Kathleen Ann
Mullen, Michael Charles
Mullin, Dale Edward
Mulvey, David Richard
Mulvey, Gerald Kevin
Murchie, Gates Skiffington
Murchison, Grover R.
Murphy, Charles Vincent
Murphy, Daniel Joseph, Jr.
Murphy, Dennis George
Murphy, Kenneth M.
Murphy, Michael James
Murray, Craig Harland
Murray, Michael Thomas
Murray, Ronald Jay
Murray, Steven Allen
Mussett, Gerald T.
Myers, Albert Clinton
Myers, Terry Ray
Nadeau, Walter Henry, Jr.
Naile, Thomas C.
Nann, Peter A.
Napior, Dennis Arthur
Nathan, Rooney Scott
Nathman, John Bernard
Nation, Arthur Raymond, Jr.
Nation, Charles W., Jr.
Neale, James Henry
Needham, Lester Dow
Neel, Frederick Heard
Neff, Jeffrey Cannon
Neilsen, Michael Peter
Nelson, Christian Charles
Nelson, Kenneth Lawrence
Nelson, Neal James
Nelson, Richard N.
Nelson, Robert Terry
Nelson, Terry Lee
Nemeth, Bradley William
Ness, Frank G., Jr.
Ness, Robert William
Neuffer, Judith Ann
Nevins, Linda Gail
Nevins, Michael Francis
Neberry, John Granville
Newberry, Scott Fletcher
Newman, Vernon L.
Newton, Christopher Edward
Newton, Joseph Stanaland
Nickens, Donnell Jerome
Nicol, Henry Otto, III
Niedenthal, William Jeffrey
Nintzel, Christopher Alan
Nisbet, Peter Allen
Nixon, Henry, Jr.
Nolan, James Emmett, Jr.
Nolin, Bruce Edmund
Noll, John Byard
Noonan, Robert Minton
Noonan, Thomas Francis
Norman, Richard Michael
Norris, Rick Joseph
Northrop, Thomas Wright, Jr.
Nottingham, James H., Jr.
Novak, Michael John
Nunlist, Mark Moora
Nurthen, William Augustine
Nusom, Frank Allen, Jr.
Nute, John Packard
Nutter, Robert W.
Nye, Geoffrey Robert
Nye, Richmond Roderick
Oakes, John Reid
O'Bannon, Kenneth Leroy
Oberholtzer, David Beardsle
O'Brien, William Patrick
Ochsner, Steven Lewis
O'Connell, Michael Alexander
O'Connor, Theodore, John
O'Dell, James Michael
O'Dell, Paul, Jr.
Offerdahl, David Carlyle
Ogle, Russell W.
O'Hara, Charles Gabriel
O'Keefe, Michael J.
Olavessen, Leonard Robert
Oldfield, Baird Dewes
O'Leary, Thomas Joseph
Olin, Alan Charles
Oliver, Michael Patrick
Olmstead, David Edward
O'Loughlin Joseph William
Olsen, Charles Clifford, Jr.
Olson, Dennis Dean
Olson, John Stephen
Olson, Larry Stephen
Olson, Michael D.
Olson, Russell Clark
O'Neil, Harry F., Jr.
O'Neil, Patrick Warren
O'Neill, John Patrick, Jr.
Onorato, James R.
Oosterman, Carl H.
Othic, Francis E.
Otterbein, Thomas Gordon
Otto, Richard A. F.
Otto, Sheldton Carter
Overbeck, Gary Joseph
Overbeck, Gregg R.
Overson, William Patrick
Owen, Richard Lee
Owen, Thomas Barron, Jr.
Owens, Ricky Lynn
Pacenta, Robert Joseph
Pacheck, Edward Richard, Jr.
Packard, Michael J.
Paddock, Charles Guy
Paddock, James Robert
Paine, Maurice Terrell, III
Paine, Stephen Robert
Pairan, Craig Erik
Palacheck, Daniel Lee
Palla, Richard Warren
Pallesen, David Conrad
Palmer, James Duane
Panico, John Russell
Panowicz, Robert John
Para, Alan Edward
Pardee, James Dennis
Pardee, William McKnight, Jr.
Parish, Richard Joseph
Parr, Patrick Joseph
Parker, S. Dupree
Parkin, Ernest Richard
Parkin, Michael Caveney
Parks, Steven Greg
Parks, William Hutchinson J.
Parra, Milton H., Jr.
Parsons, Dennis I.
Partin, Thomas Lawrence
Paskewitz, Donald Peter
Patch, Gregory Richard
Pate, Michael Bence
Patrick, John Walter, Jr.
Patrick, Peter Devalangin
Patterson, Carol Anne
Patterson, Donald Jay, Jr.
Patterson, Philip Duane
Patterson, Shonnie Jean
Patterson, Thomas Gibson, Jr.
Patterson, Thomas L.
Paulk, Ralph Caldwell

Paulsen, Kent Allen
Paulson, Lael James
Payne, Gary E.
Peacock, Frank Charles, Jr.
Pearson, Robert Thomas
Pedrotty, John Richard, Jr.
Pelter, Virginia E.
Pence, Daniel M.
Penhollow, Robert Henry
Penman, Richard Lee
Perch, Robert Leon
Perez, Ernest Joseph
Perin, Steven
Perkins, Kevin Patrick
Perkins, Thomas Arcade, III
Perrault, Thomas James
Perrin, Robert Warren
Perry, James Elmer
Perry, James Smith
Perry, Oliver Hazard, III
Perry, Roger Arpad
Peters, John Kenneth
Peterson, Charles Cooper
Peterson, Elden Eugene
Peterson, William Murray
Pfahler, David Lee
Pfahler, Timothy G.
Philcox, John Ellis
Phillips, Charles D.
Phillips, David Shelby, III
Phillips, Kenneth K.
Pickelsimer, Billy Murel
Picquet, Roger T.
Piech, Richard Frank
Pieragostini, Karl K.
Pierson, David Alexander
Pietschker, Donald Alan
Pike, Daniel Lee
Pike, Edward Desloge, III
Pilnick, Steven Earle
Pinz, Bradley A.
Pisz, Robert J.
Pitkin, Richard Cochran
Pittman, Alan R.
Pittman, Charles Wesley, III
Plank, George E.
Plante, Kenneth Joseph
Plunkett, John Cornelius
Plyer, Bruce Arnold
Poehlman, Philip James
Pohl, John Sherman
Pohl, William Charles
Poirier, William Peter
Pola, Gary Lee
Pollock, Richard Herbert
Pompey, Charles Stanley
Pool, James A.
Pope, Nicholas Albert
Poro, Edward Kenneth
Porter, David George
Porzio, Raymond
Potter, Charles Darrell
Pounds, John William, Jr.
Powell, David L.
Powell, George Alva
Powers, John M.
Powrie, Stuart Robinson
Prairie, John E.
Pratt, James Wally
Preis, Perry Stanley
Prell, Richard Edwin
Prescott, Leonard F., III
Preston, Noel Gary
Preston, Ralph William
Prevette, Henry Slater, Jr.
Prevost, John J.
Price, Richard Marion
Priester, John Allison
Prince, Robert Erskine
Pritchard, Kenneth Wayne
Prucha, Robert Stephen
Puffer, David Brackett
Puhlman, Robert L.
Purcell, Richard Lynn
Purdue, Alexander William J.
Purkrabek, David James
Purnell, Erl G.
Quigley, Michael D.
Quinn, John Hartley, Jr.
Quinn, Kathleen A.
Rackiewicz, David William
Radack, James Paul
Radd, John David
Radeackar, Randy James
Raftery, Mary Theresa
Raines, Thomas Steven
Ralph, Russell Loomis
Ralston, Gary G.
Ramirez, Jorge Rafael
Rammelkamp, Trudi Ratz
Rankin, Randy Dale
Rankin, Thomas Prater
Ranney, Bruce William
Rantschler, John Franklin
Rasmussen, Sam Eric
Rathburn, Curtis Stanley
Rawlings, David G.
Rawlinson, Linda Carranza
Raymond, Terry Alan
Read, Thomas Sears
Reading, Leslie James
Reager, William Reardon
Reed, James E.
Reed, William C.
Reed, William Keeler
Reed, William Scott, Jr.
Reese, Michael James
Reeve, Thomas Burnell, Jr.
Regan, Francis Patrick
Regan, William Anthony
Regener, Donald Francis
Register, Stephen Thomas
Regnier, Peter Allan
Reich, Robert William
Reichert, Timothy Martin
Reid, Joseph Bagley
Reifsnyder, Frank William J.
Reigner, Charles Buchanan H.
Reilly, Michael Francis
Reinhardt, Charles Barnes J.
Reish, Margaret Ann
Reitz, Richard Patton
Renfroe, John M. Jr.
Rentschler, Donald R.
Renuart, Robert F.
Revenaugh, John T.
Reynerson, Donald M.
Reynolds, Felix M.
Reynolds, Richard B.
Reynolds, Danny Wayne
Rhedin, David Victor
Rhodes, Harley Leroy
Rhodes, Robert S.
Ribalta, Lorraine Dubois
Richardson, Frederick K.
Richardson, Jack
Richardson, Rebecca Marie
Richmond John Walker, III
Richter, Paul Norman
Rickabaugh, Frederick Lee
Ricker, Margaret Ann
Riddile, Andrew Spencer
Riebe, Donald Elmer
Riedy, John Alvin
Riegel, Michael Glenn
Ries, Robert Randall
Rigg, Gary Lynn
Rigler, Ross A.
Riley, Behjamin Price, III
Ringer, Charles Edward, Jr.
Riolo, Robert Alan
Rios, Trinidad, Jr.
Rish, Robert David
Rist, Donald F.
Riva, Robert Edmund
Rivenes, Iver John III
Rivera, Jaime
Robbins, Brian Arthur
Robbins, John R.,
Robertson, William Henry, III
Roberts, Francis A.
Roberts, Crichton Carver
Roberts, Karyl Kaye
Roberts, Michael Charles
Roberts, Peter Garety
Robertson, Donald Joseph
Robertson, Andrew Coxe
Robillard, Ronald Walter
Robinson, Charles L.
Robinson, John Daniel, Jr.
Robinson, John Gregory
Robinson, Lawrence Kerr
Robinson, Sherry Lee
Roderick, Richard Michael
Roddy, Charles P.
Roeder, Paul Raymond
Rogers, Herman A.
Rogers, John Daniel
Rogers, Mark Allen
Rogers, Norman Lionel
Rogers, Stephen England
Rogers, Susan Elaine
Rolek, Leo Stanley, Jr.
Romano, Henry Schuberth, Jr.
Romberg, Wayne D.
Roope, George Winfield, III
Root, Stephen Lloyd
Rose, Marilyn Ruth
Rose, Stephen Anthony
Rosemergy, James George
Ross, David Charles
Ross, Jessie Clarence, Jr.
Ross, Michael Charles
Rosselle, Michael Francis
Rothrock, Ronald Lloyd
Rothstein, Michael Philip
Rotzler, Frederic
Roundtree, Ronald Terrance
Roux, Anne Pauline
Roy, Allan Harold
Ruedisueli, Robert Louis
Rufner, Richard K.
Rugen, Sanford Longstreet
Rugg, Daniel Maltby, III
Ruhe, Barnaby Seiger
Rundall, David Glen
Runnerstrom, Eric
Runstrom, Karl J.
Rusch, Preston Godfred
Rusczyk, Richard Stanley
Russell, Thomas Gordon
Rutherford, Louise Margot
Rutter, Richard Way
Ryan, Dennis Leo, III
Ryan, Dennis Michael
Ryan, Franklin T.
Ryan, Stephen Edward
Saavalainen, Mark I.
Sachon, Peter Anthony
Salewske, Michael R.
Saltenberger, William Mark
Samuel, Gary Bright
Samuels, Arthur Michael
Sandberg, Larry A.
Sander, Doyne Mack
Sanders, James T.
Sanders, John Russell
Sanders, Penelope L.
Sanders, Thomas William
Sandknop, John Benjamin
Sansom, Byron Paul
Santille, David Michael
Sara, George S.
Sassen, Grant William
Satoris, Frank K.
Sauer, George Emery, III
Savage, Carter Dow
Savidge, Patrick John
Savory, John R.
Sawyer, David Robert
Scamihorn, Marvin Ross
Schack, Robert Paul
Schaefer, Charles A.
Schear, Larry Robert
Scheiwe, David Arthur
Schellhorn, Charles William
Schempf, Peter William
Schepman, Dennis Wayne
Schilhabel, Larry A.
Schilling, John Harding, Jr.
Schimmers, John N.
Schlosser, Helen Ann
Schmermund, William Henry
Schmidt, Donald Roger
Schmidt, Dorothy Jean
Schmidt, Edwin Alexander
Schmidt, George Michael
Schmidt, Hubert Francis
Schmidt, Joseph Dunn, Jr.
Schmidt, Robert Henry
Schmidt, William Richard
Schnaars, Carolyn James
Schneider, James Eugene

Schobert, Frederick G., Jr.
Scholz, Harvey L.
Schott, Jeffrey Michael
Schrader, Frederick Denis
Schranz, Peter A.
Schreck, Harley Carl, Jr.
Schreiber, Willard C., Jr.
Schrobo, Stephen Michael
Schrock, Joseph A.
Schroeder, Milton David
Schroeder, Philip Michael
Schrot, John Robert
Schukis, Francis J.
Schultz, James Calvin
Schwab, John Borden
Schwab, Stephen Taylor
Schwaller, Gregory Anthony
Schwartz, Harold Wayne
Schwartz, Robert Wendell
Schwechten, Robert J., II
Scott, Gary H.
Scott, Jeff Charles
Scott, Lawrence W.
Scott, William Andrew
Scott, William B., Jr.
Scott, William R.
Seaman, Richard Curzon, Jr.
Sedgwick, Gordon Lee
Seekins, Steven Selden
Seeley, John Richard, Jr.
Segur, Gregory Vincent
Seitz, Thomas Alan
Sellers, Ronald Edward
Sellman, Robert Lee
Seltzer, David Stephen
Semko, Paul Scott
Serhan, Marvin Thomas
Serotta, Michael David
Serwich, Thomas Gregory, II
Seski, John Edward
Sessler, Gregg Frederick
Setzekorn, Robert Ray
Sewall, Terry J.
Seward, John Wesley, Jr.
Sexton, James Stanley
Sexton, Ralph John
Shaddy, Martin Andrew, Jr.
Shaffer, John Nevin, Jr.
Shannon, John Timothy
Shapiro, Alan J.
Sharer, Kevin Woods
Shaughnessy, Daniel
Shaughnessy, Ruth C.
Shaw, David Reginald
Shaw, Robert Edward
Shaw, William Royal
Sheehan, Timothy O'Grady
Sheldon, Mark Nye
Sheller, Lawrence Edward, Jr.
Shelton, Diana Claire
Shelton, John R.
Shelton, Randolph W.
Shepard, David Bruce
Shepard, Scott Holman
Shepherd, Richard Dewitt
Shepherd, Wilbur French
Sheppard, Dennis Dean
Sher, Thomas Stewart
Sherer, Charles Thaddeus, II
Sherfesee, Louis, III
Sherm, Gerald Frederick
Shickle, David Lester
Shields, John Thomas, III
Shinn, Steven Craig
Shirely, Edwin R.
Shonk, Merwyn Roop
Shorts, Chester Arnold
Shoudy, Peter N.
Shower, William A., Jr.
Shown, Ronald Jay
Shrock, Steven D.
Shuff, Allen Ray
Shultz, John A., III
Shumaker, Karl C.
Shumlas, Stephen Stanly
Shutt, Michael David
Siegel, Dan Allen
Siemon, Douglas Henry
Sigler, William F.
Siler, Virgil R.
Silverthorne, Craig William

Simmons, Edward J.
Simmons, John Wallace, II
Simmons, Michael Leroy
Simpson, Gary Michael
Siple, Roy Crane
Sitz, William Wynn
Skahan, Michael William
Skaling, Kathleen Dell
Skerbec, Joseph Frank, Jr.
Skiles, Rolland W.
Skille, Alan James
Skinner, Howard Arthur
Skolds, Charles Richard
Skrief, John N.
Slaght, Kenneth Duncan
Slaton, Steven Gregory
Slattery, Patrick John
Sledge, Loyd D.
Slonecker, Michael L.
Slowik, Robert Louis
Smedberg, James Eric
Smethers, James R.
Smith, Audrey Lorraine
Smith, Barry Lee
Smith, Carl Chester, Jr.
Smith, Carl Macon, Jr.
Smith, Dallas T.
Smith, Donald S.
Smith, Douglas Vaughn
Smith, Earl Ramon
Smith, Gordon K.
Smith, John V., Jr.
Smith, John Walter
Smith, Kenneth Larry
Smith, Kenneth Warren
Smith, Paul Donald
Smith, Phillips Guy
Smith, Randal E.
Smith, Richard Charles
Smith Richard T.
Smith, Robert Emmett, Jr.
Smith, Ronald Clark
Smith, Roy C.
Smith Sandra Ruth
Smith, Stanley Harold
Smith, Thomas Holton, Jr.
Smith, Thomas Earl
Smith, William G.
Smitherman, Robert Emerson
Smoot, Arthur Eugene, Jr.
Snapp, Paul Thornton
Snell, Dean Allan
Snell, Dennis Arthur
Sneller, Milton L.
Snelson, Jack Alvin
Snowden, Ernest Maynard, II
Snyder, Ronald John
Snyder, Thomas Frederick
Songer, Steven Michael
Soo, Robert L.
Spangler, Gary Gilbert
Sparks, Carroll Bennett
Sparks, Mary Christine
Spaulding, Robert Parish, Jr.
Specht, Robert David
Spencer Jerome F.
Spenser, Kenneth Vaughn
Spong, Mark Edward
Sprague, Perry Edward
Springer, Richard Samuel
Sprinkles, Leonard Daniel
Sproule, Robert Harvey
Staeheli, Bruce W.
Staehli, Christopher Paul
Stahl, Dale Edward
Stahl, Lawrence O.
Stampelos, John George
Standish, Leslie Clement
Stanfield, Kenneth R.
Stanga, Robert D.
Stankowski, Barbara J.
Stanley, Jeffrey Dean
Starnes, Kathleen Maria
Stasi, Frank Anthony, Jr.
Staslowski, James Michael
Statuto, Mark Arthur
Staudt, Gilbert Mark
Stolair, Kenneth Halcom, Jr.
Stearns, Richard Charles
Stearns, Richard A., III

Steelman, Barry Lee
Stefkovich, Daniel Stephen
Steiner, Gerard Royal
Stender, Robert G.
Stentz, Robert Gail
Stephens, Ben Franklin, Jr.
Stephens, Grant Schneider
Stephens, William B., Jr.
Steussy, William Howard
Stevens, James Douglas
Stevens, Robert Frederick
Stevenson, Robert W.
Stevinson, Floyd Samuel, Jr.
Stewart, John Merlin
Stewart, Michael McAlister
Stiles, Gregory Allen
Stites, Robert Thomas
Stockhaus, Daniel Quen
Stockho, William Louis
Stoddard, David Victor
Stone, John L.
Storer, David Gene
Stott, John Joseph
Stout, Charles Minor
Strait, Chester Edwin
Stratton, Larry Rodger
Streeter, Bruce Allen
Stribling, Ronald Anthony
Strickland, Leroy Hickman
Strohaker, John G.
Strong, David George
Stroud, Charles Glayton
Strzemienski, Stephan Josep
Stubbs, Gary W.
Subalusky, William Thomas J.
Suhr, James William
Sullivan, John James, Jr.
Sullivan, Martin Dennis
Sullivan, Paul Francis
Sullivan, Timothy Finbar
Sullivan, Walter Francis
Sullivan, William Daniel
Sulzner, Bruce Elliott
Summerlin, Michael Don
Summers, Jack McConnell, Jr.
Sutter, Ellis Dee, III
Sutton, Harry W.
Sutton, William Glenn
Svoboda, John Michael
Swah, Samuel Ryan
Swartzell, Robert Dale
Swenson, Carl F.
Swigart, John Jacob
Swofford, Mark Dudley
Swoope, James Paige
Symington, Donald L.
Synowiez, Peter Mortimer
Tabb, Henry Edmund, III
Tabing, Mark Dana
Talipsky, Richard William
Tallardy, Thomas John
Tamburini, Robert
Tauber, Richard J.
Taylor, Allen Griffith, Jr.
Taylor, Arch Edward
Taylor, Eugene Warren
Taylor, James Langdon
Taylor, John McClellan
Taylor, Jonathan F.
Taylor, Richard H.
Tazewell, John Parks, Jr.
Teel, Jesse E., Jr.
Teetz, William R.
Teller, Thomas Lee
Tempero, Thomas Lucas
Tennant, Douglas Melville
Tente, Dennis Joseph
Terrible, Joseph Anthony
Tettelbach, Gary John
Thacker, Richard L.
Thaeler, Leigh MacQueen, Jr.
Thayer, Paul Luke
Thomas, Danny Ray
Thomas, David William
Thomas, Mark Alan
Thomas, Michael Charles
Thomas, Nauman Scott
Thomas, Richard Howard
Thomas, Steven Edward
Thompson, Benny Edward
Thompson, Charles Edward

Thompson, Clayton Herbert J.
Thompson, Douglas Scott
Thompson, George Albert
Thompson, James Jay
Thompson, Robert Bennett, Jr.
Thompson, Richard Allen
Thompson, Sharon Kay
Thomson, James Stuart
Thornhill, Arthur Nelson
Thornhill, Daniel Bruce
Thornton, Sydney D.
Tierney, Glenn Patrick
Timberlake, William Archer
Timmester, Terry Wayne
Todorich, Charles Martin
Townsend, Ronald David
Tracey, Patricia Ann
Tracey, William Patrick
Treichler, John Robert
Trenka, Harold Norman
Trenker, Gary Carl
Tripp, Mark Steven
Trytten, Dean Orville
Tsaggaris, Alexis
Tuck, James Allen
Tucker, Benjamin William, Jr.
Tucker, Eugene Frank
Tucker, Malcom Richard
Turbeville, Anthony Michael
Turner, Prescott K., Jr.
Turville, William Charles J.
Twyman, William Earl
Tyer, Joseph E.
Tyler, Bobby Dale
Tyler, Gary L.
Tyler, Robert Jeffrey
Tyson, Robert Karl
Uffenorde, George D.
Ulmer, Lynne Ellen
Unruh, Howard Kirk, Jr.
Unser, Theresa Anne
Urbanek, Thomas Ray
Ustick, Theodore M., III
Uthe, David Harley
Uttich, Richard Michael
Uzenoff, Ronald James
Valdivia, Richard Stephen
Valeche, Hal Robert
Vanamringe, Jon Eric
Vance, Thomas Coates
Vanderbosch, Steven William
Vandusen, Peter
Vanhoften, James D. A.
Vantassel, Paul Franklin
Vantine, Kirk Kelso
Vantrease, Cameron Kent
Vaughn, David Joseph
Vechinski, Gregory Joseph
Venes. John William, Jr.
Vercher, John Buford
Vessey, Robert Douglas
Vetsch, William Joseph
Vine, Gary Lee
Vines, Geran C.
Vines, Larry Paul, Sr.
Viney, Robert Michael
Vining, Raymond D.
Vinson, James W., Jr.,
Vinson, Rebecca Gurley
Visco, Dominick Wayne
Vitek, Michael F.
Vizzini, Frank Alfonso, Jr.
Vogel, Paul H.
Voight, Thomas C.
Volkart, Bruce Ray
Vonlintig, Richard David
Waddell, James Barry
Waddle, James Michael
Wade, James Michael
Wahl, Frank Bernard, Jr.
Waicker, George Joseph, III
Waite, Lynn Lewis
Walker, David Russell
Walker, Jon B.
Walker, Mary Anne
Walkky, Kenneth James
Wallace, David Kitts
Wallace, Harold Boyette
Walling, Kenneth E.
Walmsley, Stephen Earl
Walt, Douglas Orville
Walters, Ronald Wayne
Walton, Jerry Eugene
Ward, Robert Earl Eugene
Waterman, Marc Norris
Watkins, John Bruce
Watkins, Kenneth Stratte, Jr.
Watkins, Val E.
Watkins, William Allen
Watson, Anthony John
Wavle, Gordon Radford
Weaver, Lloyd Rollin
Webb, Stephen Eugene
Webb, Wayne Patrick
Webb, William Jennings, Jr.
Webb, William Francis
Weber, Betty J.
Weber, Douglas E.
Weber, William Lloyd, III
Weborg, Gene M.
Webster, Edward Mullender J.
Webster, Kirwin S.
Webster, Michael Thomas
Weeks, John Linton, III
Weeks, Stanley Byron
Weeks, Stephen B.
Weigel, Jay Ellis
Weil, Thomas Eliot, Jr.
Weinewith, Mary A.
Weir, Marshall R.
Weiscopf, Carl Eugene
Welch, Benjamin Harrison, II
Wellborn, Richard Bowen
Welling, Ronald L.
Wells, Carl Stanley
Wells, John Timothy
Wenchel, George F.
West, Edward M.
West, James Clyde, Jr.
West, John G.
West, Linda Lou
Westcott, Gerald Michael
Westcott, Richard Elliott
Westfield, Donovan Earle
Westfall, John C.
Wharton, Roger L.
Wheaton, Martha Jane
Wheeler, Harold Nelson
Whilden, Francis Covington
Whitaker, Charles Henry, Jr.
Whitaker, Clayton Edmund
White, Bradley Thomas
White, John Thomas
White, Oakley Francis
White, Richard Dehaven
White, Robert D.
White, Stephen McConnell
Whitman, David Robert
Whitmire, Dewey Laland
Whitney, Darrell Emerson
White, Ervin Bishop, Jr.
Whitten, George Brine, III
Whitworth, John Burton, III
Wick, Carl Eric
Widener, Lynn Harbour
Wiedeman, David Blair
Wiens, Leonard Arnold
Wierzbicki, Gregory Thomas
Wiggins, Bryan Douglas, Jr.
Wilder, Hubert Boone, III
Wilkins, Thomas William
Williams, Arrena Sue
Williams, Bruce Warren
Williams, Charles Baxter
Williams, Charles Leroy
Williams, David M.
Williams, Douglas Henry
Williams, Elmer Eugene
Williams, Galbraith Denny J.
Williams, James S.
Williams, Lillian Ann
Williams, Pharis E.
Williamson, Edward Hughes
Willis, Thurman Lamar
Wilson, Bryan Paul
Wilson, Charles Howard
Wilson, Dennis Alan
Wilson, Paul Abernathy
Wilson, Phillip Robinson
Wilson, William Burton
Wing, Edward Grant, Jr.
Winge, Donald E.
Winger, Philip Gray
Winowicz, Stanley Joseph, Jr.
Winslow, Robert Michael
Winston, Bruce Howard
Winterstein, Willard J., Jr.
Wirkkala, Richard Earl
Wise, John Roy
Withaker, Dwight V., III
Witte, Thomas Michael
Wittkamp, Thomas Michael
Wittmann, William Warren
Wlodarczyk, Edward
Wojtkowiak, Daniel L.
Wolf, Peter Thomas
Wolf, Terry Lee
Wolfe, Daniel Thomas
Wolfe, Theodore Sheffer
Wolfe, Wayne Leonard
Wolpert, William Lee
Woo, Robert Anthony
Wood, Don Alan
Wood, Nancy Elizabeth
Wood, Stephen Murray
Wood, Susan Crosby
Woodall, Jonathan Hill
Woodard, John Houghton
Wozniak, John F.
Wright, Brian Earle
Wright, David Neil
Wright, Gerrit Lee
Wright, Herbert Rawson, III
Wright, John Thomas
Wright, Jon Robert
Wright, Larry Clinton
Wuest, Mary E.
Wurst, Frank Leonard
Wurzel, David Lawrence
Yash, Charles Joseph
Yerick, Martin Rudolph
York, William Joe
Young, Charles Bruce
Young, Gregory Carl
Young, Kerry Alan
Young, Thomas R.
Young, Wendell Richard
Young, William Fielding
Yunker, John M.
Zaborowski, James Joseph
Zackary, Fort Arthur, Jr.
Zahner, Carl John
Zambernardi, Paul Anthony
Zasadni, Veronica
Zavadil, Stephen Wayne
Zboyan, Roy Warren
Zell, William Beigler, Jr.
Zeola, John Patrick
Zetes, John Arthur
Zgolinski, Albert George
Ziebel, Donald Robert
Zielinski, Leon John
Zielinski, Margaret Mary
Zimmerman, Paul Lawrence
Zimmerman, William Lee
Zins, Michael James
Zitzelman, Philip Wayne
Zmich, Arlene Sharon
Zogby, Reagan J.
Zweerink, James E.
Zysk, Thomas Stephen

SUPPLY CORPS

Anastasi, Richard
Andrew, Michael R.
Asselin, Andre S.
Beckett, John C.
Bishopp, Weller Stephen
Bleier, Frederick Leo
Blood, Roger John
Bohannon, Donald Clyde
Bollman, Terry Lee
Bolt, Steven Douglas
Bradley, Richard Edward
Brian, James Sanford
Brooks, Ted Edward
Brunderle, Peter Patrick
Burdett, James Randall
Burgess, Roy H.
Burke, Dennis P.
Bush, Stephen Alan
Byard, Robert D.

Camp, Robert Thomas
Campbell, Thomas A.
Cardinali, Henry Albert, Jr.
Carlson, Cary Paul
Carlson, James Henry
Carter, David Maxon
Cascone, Carl Vincent
Casey, Michael Wayne
Chitty, Frederick C.
Conklin, Michael Douglas
Cook, David Michael
Cornelison, Gary Alan
Cote, James Raymond
Cotton, Robert Lee
Davis, Peter McCoy
Davis, Thomas, III
Denning, Steven Aaron
Dickey, Thomas Edward
Dickson, Robert Monroe
DiFranco, Steven Joseph
Elder, Jeffrey J.
English, David Floyd
Evanoff, Richard A.
Faubell, Paul David
Faucher, David Paul
Felle, Robert Eugene
Ferris, William Michael
Finnell, John Kinsella
Fitzsimmons, Joseph James
Flanagan, John Edward, Jr.
Flick, Arthur B.
Foerster, John Michael
Frary, Charles Marmon
Fulton, Daniel Stuart
Gaither, Roderick
Gallagher, Stephen B.
Garner, Darrell William
Gilbart, Gordon J.
Gilbert, Dale Alton
Gillette, Robert Corcoran
Gillum, Virgil David
Greene, Alan Robert
Griffin, James Howard, III
Gronifein, Jerome Bruce
Grove. Jerome Paul
Hanson, Ryan Lewis
Harder, Larry D.
Harris, Richard A., Jr.
Hartman, John M.
Hassenplug, John Keith
Hauxhurst, Jack M.
Hawkins, Paul Russell
Heimlich, Ralph Edward
Hemmy, Victor H. J.
Hinson, Kenneth Earl
Hirsch, Arthur F.
Hodges, James V.
Hodgkins, Henry A., Jr.
Holbach, James Henry
Huber, David Lee
Hudock, Steven A.
Huefner, James Howard
Jackson, William Andrew
Jenkins, Michael Lynn
Johnson, Earl Winslow, Jr.
Johnson, Jay Carter
Johnson, Mark Scott
Johnson, Terrence Bateman
Jones, Samuel Lynn
Jordan, Larry J.
Joyce, Robert Joseph
Kamel, Mohsen
Kawakami, Clarke Kiyoshi
Kelley, Kevin P.
Kimmel, Charles Bryan, Jr.
Klase, Kenneth Allen
Krey, Russell Warren
Kwiatkowski, William, Jr.
Lafauci, Roger John
Lamb, James H.
Law, Robert F.
Lawton, James Patrick
Lee, Burton J.
Leenstra, Richard B.
Lombardi, John Ray
Lydolph, Paul Newcomb
Lynch, John Francis
Lyness, James Douglas
Machado, Bruce Mervin
Madaio, Paul Frank
March, Earle Bovell, Jr.
Marchetti, Ronald Andrew
Marini, Michael Adair
Marquex, Ernest B., II
Martin, Walter Francis, Jr.
Masters, Merlyn M.
McCarthy, Justin D.
McCray, James Elburn, II
McCulloch, John William
McDermott, Thomas Ward
McGowan, James Hewitt
McNaughton, Paul Thomas
McQueen, Thomas W.
Meredith, Clarke Henry
Merrell, Thomas Orin
Merritt, Karl William
Miner, Kenneth Harold, Jr.
Mitchell, Colonus, Jr.
Moeller, William Griswold
Morgan, David
Morgan, Steven Robert
Morrell, Dennis Lee
Morton, George Henry E., III
Mumma, Donald Charles
Murphy, Robert Emmet
Murray, William M.
Noble, Mark Raftrey
Nolan, Richard T.
Nyland, Stephen Carel
Paul, Robert
Pearce, John Frederick, III
Peck, Robert Winsby
Pendarvis, Daniel, III
Perry, Keith M.
Peterson, Carl Raymond, Jr.
Pew, Curtis Ernst
Phelps, Richard P.
Pilcher, James Robert
Pollock, William J.
Pope, Michael Stanley
Post, Stephen Edward
Price, Samuel Russell Dow
Pulliam, Stephen C.
Purdy, Kenneth Coburn
Ramsey, Phillip Grayson
Randall, Thomas Edward
Reese, James M.
Reisinger, Steven Andres
Reutemann, Edward Charles J.
Rich, Lyle Vernon
Rinaldo, John Charles
Robinson, Scott
Rodenbarger, Syd W.
Ryan, Robert Joseph
Schimpf, Barry J.
Schneider, Larry James
Schreiber, Thomas Joseph
Scott, Douglas Thompson, Jr.
Sellers, Benjamin R.
Shaw, Mark C.
Shelton, Billy R.
Shock, Richard William
Simmers, Walter William
Smith, Charles S.
Smith, Emmett Wilson
Smith, Kerry Jon
Smith, Robert Coleman
Snyder, Michael John
Spratlen, Nicholas Lynn
Stanger, Thomas Joseph
Stankeivicz, David F.
Stephens, Jan Braven
Stokes, David Vose
Strolle, John Richard
Tarver, James Edward
Sugermeyer, Robert Storck
Tempesta, Edward Carlo
Thomas, Michael
Thorpe, Grant William
Tinker, William M.
Tissier, Robert Joseph
Trainor, Michael B.
Treado, Leroy Michael
Turpie, James Alasair G.
Vogelsang, James Edwin
Walker, Allen Warren
Walsh, Robert Arthur, II
Walsh, Thomas Michael
Warner, Paul G.
Watkinson, Lyle Patrick
Webb, James Arrington, III
Wells, Robert Stanley
Wieczorek, Richard Joseph
Wilhite, Bernard Lee
Willis, Roger Allen
Wilson, Richmond D.
Winslow, Dennis Maurice
Wood, Stephen Joseph
Young, Jeffrey A.
Young, Robert Wright

CIVIL ENGINEER CORPS

Bleakley, Robert Lockwood J.
Borowski, Casimir Jan, Jr.
Braddock, Robert L.
Burke, William F., III
Bussey, Dennis R.
Butler, Jerry B.
Cahill, Patrick Joseph
Cambron, George Keith
Carpenter, Ronald Gary
Ching, Clayton Y. K.
Christensen, Thomas Holm
Collins, John P.
Congdon, Douglas E.
Corsano, Arthur
Crouch, Charles Edgar
Dalton, Howard Griffin
Deluca, John, Jr.
Delunas, Leonard James
Erickson, Stephen F.
Ferch, Robert Edmund
Ferguson, John Owens
Filson, James V.
Fincher, Thomas O.
Gnerlich, Robert Russell
Green, Gerald L.
Gregory, Ronnie Rae
Hanley, John Timothy
Johnson, Michael Ray
Key, Thomas Scott
MacCaferri, Don A.
Marsh, Donald Robert
Mondoux, William Joseph, III
Nettesheim, Richard David
Newton, Willis Gerald
Pilie, Joseph Maurice, Jr.
Rabold, Bernard Louis, Jr.
Rockwood, Thomson Whitin
Rowett, Henry Matthew
Samuelson, Gene Roy
Schramer, Mathias C., III
Shern, John William
Smith, Earl Lee, Jr.
Smith, Louis M.
Spore, James Sutherland, III
St. Peter, Harold Bruce
Teater, Richard Michael
Thomas, Kenneth Wilson, Jr.
Thompson, Stephen Ray
Tomiak, Walter W.
Vogt, John Fredric
Wade, Richard Louis
Walley, James Marvin, Jr.
Walsh, David Frank
Wenck, Stanley Erlin
Williams, James Randolph
Wright, James Christopher
Yankoupe, George W.

JUDGE ADVOCATE GENERAL'S CORPS

Martin, Thomas L.
Wells, Lisalee Anne

MEDICAL SERVICE CORPS

Arnold, Anthony Ray
Bowman, Jeffry Stephen
Crafton, Lonnie Dale
Dotto, Kenneth Michael
Fendler, Kermit James
Girod, Walter Allen
Grimes, Thomas Abner
Hanrahan, James Edward
Lamar, Steven R.
Lobaugh, Larry Gene
McClintock, Thomas W., Jr.
Mitchell, Michael L.
Mitchell, Troy Gene
Seible, Lawrence George
Smith, Richard Lee
Spillane, Dennis
Swales, George Aloysius
VanRollins, Michael
Yacovissi, Robert

NURSE CORPS

Ames, Ervin Lyle
Breeding, Patricia Ann
Brown, Donald William
Carey, Susan Ann
Chick, Carole L.
Cox, Robert Leroy, Jr.
Derney, Ann M.
Devries, Christine Ruth
Fitzsimmons, James W., III
Garrison, Richard Allen
Guy, Bruce David
Head, Walter Weller, Jr.
Hohon, Henry Pete
Jung, James Wyland
Lefort, David Michael
Mainous, Paul David
Marostica, Marilyn K.
McBurney, Richard Ellwood
McPherson, Robert Carter
Monahan, Jeanne S.
Peske, Lorelei Sue
Phillips, Martha Marshall
Pickens, Connie Lynn

The following named Naval Reserve officers for permanent promotion to the grade of captain in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Allen, Alfred H.
Arndt, Edward K.
Aydelotte, Charles W., Jr.
Belleville, Robert C., IV
Blake, Robert H.
Boydston, Edward A.
Bub, Laurence M., Jr.
Cohen, Harvey R.
Cook, John F.
Cucullu, Irwin L.
Dangler, Edward
Dotson, Bennie F.
Dunbar, Bruce R.
Ehrlich, Clarence L.
Eidemiller, Donald I.
Fellows, Dean R.
Fernandez, Joseph
Francis, George H.
Friel, James T.
Gerdes, Ronald M.
Giusini, Arnold V.
Gray, James W., Jr.
Gregg, William Alford, IV
Hamlin, Charles R.
Hepp, Donald Frederick
Hoppe, Harold W.
Howery, Norman K.
Hubacker, Earle F.
Jackson, Franklin P.
Jones, Talmadge C.
Kelly, Joseph T.
Laidlaw, William Robert
Lamere, James R.
Long, James D.
Ludi, Leroy H.
Maloy, William L.
Marsh, Albert B.
McNamara, Richard W.
Meyer, Robert H.
Miller, Everett L.
Miller, Robert D.
Milleson, William W.
Montgomery, John D.
Muller, Richard F., Jr.
Niesse, John E.
Oprea, George W., Jr.
Palmatier, Philip F.
Peacock, Charles A.
Pechulis, John J.
Powell, Samuel Franklin, III
Reticker, Edward D.
Roop, Howard
Russell, Edgar F., Jr.
Stout, Harry R.
Swenson, Eric H., Jr.
Udovin, Bertram A. C.
Walsh, Thomas Raymond
Wiedmaier, Harry O.

MEDICAL CORPS

Bailey, William T., Jr.
Barsoum, Adib Hanna
Brooks, Benjy F.
Curreri, Gino Anthony
Duncan, Richard G.
Farrell, George R.
Fountain, Freeman Percival
Griggs, Walter C.
Kirk, Thomas A., Jr.
Lawton, Alton Clinton, Jr.
Mitchell, Shelby W.
Murphy, Stephen Paul
Perry, Harold O.
Ryskamp, James Jay, Jr.
Rosborough, James Fears, Jr.
Savarese, Charles Joseph, Jr.
Spratt, John S., Jr.
Weeth, John B.
York, Elihu

SUPPLY CORPS

Bleck, Robert G.
Edson, Bruce W.
Harper, Robert A.
Hogan, John E.
Kemper, John G.
Kopotic, Robert P.
Negri, Robert J.
Waffle, Gareth R.

CHAPLAIN CORPS

Cansler, James O.
Collin, Thomas L. H.
Kuhn, Gerald E.

CIVIL ENGINEER CORPS

Brockway, George R.
Costello, Robert B.
Jones, Paul H.
Weinberg, Norbert W.

JUDGE ADVOCATE GENERAL'S CORPS

Foster, Robert Watson
Mur, Raphael
Schlegel, E. Bernard

DENTAL CORPS

Anderson, Frank H.
Bailey, Robert M.
Friedenberg, Frederick Floyd
Geiges, Charles K.
Kovacs, William Beriti
Lamermayer, Richard Nickolas
Lawrence, Vernie Clyde, Jr.
Lewandowski, Anthony
Trowbridge, Henry O.

MEDICAL SERVICE CORPS

Gibbs, Clarence J., Jr.
Lang, Gideon L., Jr.

The following-named Naval Reserve officers for permanent promotion to the grade of commander in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Allen, Alfred H.
Arndt, Edward K.
Aydelotte, Charles W., Jr.,
Belleville, Robert C., IV
Blake, Robert H.
Boydston, Edward A.
Bub, Laurence M., Jr.
Cohen, Harvey R.
Cucullu, Irwin L.
Dangler, Edward
Dotson, Bennie F.
Dunbar, Bruce R.
Ehrlich, Clarence L.
Eidemiller, Donald I.
Fellows, Dean R.
Fernandez, Joseph
Francis, George H.
Gerdes, Ronald M.
Gregg, William Alford, IV
Gray, James W., Jr.
Hepp, Donald Fredrick
Howery, Norman K.
Hubacker, Earle F.
Jackson, Franklin P.
Jones, Talmadge C.
Kelly, Joseph T.
Lamere, James R.
Long, James D.
Ludi, Leroy H.
Maloy, William L.
Marsh, Albert B.
Miller, Everett L.
Miller, Robert D.
Milleson, William W.
Montgomery, John D.
Niesse, John E.
Opera, George W., Jr.
Palmatier, Philip F.
Peacock, Charles A.
Pechulis, John J.
Powel, Samuel Franklin, III
Reticker, Edward D.
Roop, Howard
Stout, Harry R.
Swenson, Eric H., Jr.
Udovin, Bertram A. C.
Walsh, Thomas Raymond
Wiedmaier, Harry O.

MEDICAL CORPS

Duncan, Richard G.
Fountain, Freeman Percival
Griggs, Walter C.
Mitchell, Shelby W.
Spratt, John S., Jr.
Weeth, John B.

SUPPLY CORPS

Edson, Bruce W.
Hogan, John E.
Negri, Robert J.
Waffle, Gareth R.

CHAPLAIN CORPS

Cansler, James O.
Collin, Thomas L. H.

CIVIL ENGINEER CORPS

Brockway, George R.
Weinberg, Norbert W.

JUDGE ADVOCATE GENERAL'S CORPS

Schlegel, E. Bernard

DENTAL CORPS

Anderson, Frank H.
Geiges, Charles K.
Lamermayer, Richard Nickolas
Lewandowski, Anthony
Trowbridge, Henry O.

MEDICAL SERVICE CORPS

Gibbs, Clarence J., Jr.
Lang, Gideon L., Jr.

The following named officers of the U.S. Navy for temporary promotion to the grade of lieutenant (junior grade) in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Ahlers, Norbert Anthony
Akins, Olen Charles
Anderson, J. Quinton
Arion, Ellsworth Eugene
Ashworth, Robert Arthur
Aversano, Anthony Joseph
Bailey, Defort
Baldwin, Robert Lee
Barclay, Ray Franklin, Jr.
Barker, Harvey Ward
Bartholomew, David Lynn
Bartke, Harrold Lincoln
Benning, Vale Jean
Billick, Dan Richard
Binion, John Isaac, Jr.
Black, James Douglas
Blanchard, Gary Franklin
Bobo, Harold
Bobo, Billy Joe
Bobo, Jerry Lyn
Boon, John Edward
Borgmann, Frederick William
Boyle, David John
Braswell, Wallace Edwin
Brattain, Herbert Keith
Brooks, Edgar Tearl

Brown, Richard Arnold
Brown, Robert Edward
Butler, Robert Edmund
Campbell, Donald Leo
Carey, John Dale
Caton, Robert Nelson
Chandler, Frank Lee
Chitwood, Orvis Hugh, Jr.
Clabaugh, Ronald Stephen
Cloutier, Lawrence Paul, Jr.
Cooper, William Jackson
Crain, Robert Levan, Jr.
Crowder, James Dunn
Cudia, David Timothy
Daniel, Jess Michael
Davis, Robert Lee
Deinhardt, John Joseph
Dekart, Donald Frank
Delancey, James Douglas
Delaney, Donald James
Deutsch, Joseph King
Doehring, Robert Franklin
Donnellan, David Francis
Dougherty, Thomas James
Drier, Melvin Franklin
Driscoll, Richard Francis
Driver, John Edward
Edwards, Bernard Darriel
Edwards, Raymond Lewis
Emswiler, Robert Byers
Enevoldsen, Jack
Eney, Neilson, Eugene, Jr.
Etten, Gary Albert
Fetter, Norman Leonard
Fisher, Glen Andrew
Foss, Harry Carson, Jr.
Fridell, Robert Allen
Fuller, Emil Andrew
Gates, Richard Wesley
Gepford, Richard Donald
Germany, Charles Joseph
Goerg, Frederick Clarence
Gordon, Harold Leroy
Goss, Marlin Earl
Graff, Clinton George, Jr.
Gregory, Thomas
Grimes, David Allen
Haffner, Guy Allen
Hagensick, John Richard
Hale, Douglas Alma
Hall, Richard Wendell
Haller, Bernard Joseph
Hambley, James Gilbert
Harris, Thomas Eugene
Harry, Robert Meade
Haupt, Lloyd
Havenstein, Gene Leon
Held, Rene
Heuchert, Richard Herman
Hill, Robert Wallace
Hine, Jerry Gordon
Hobbs, Hurshell Benton, Jr.
Hollon, Maurice Calvin
Horsfall, William Edward
Howard, Donald Reed
Howard, James Elijah, Jr.
Hoyt, William Henry
Huffman, Karl Howard
Husted, George Gerald
Irby, Eldon Elmore
Jackson, Robert Burns
James, Bobby Campbell
Jensen, Gordon Mark
John Paul Maret
Johnson, Thomas Scott, Jr.
Johnston, Darrell Edwin
Johnston, James Edward
Johnston, Wilford Paul
Jones, Carlos
Jordan, Boykin Bristow
Kellum, William Clayton Jr.
Kenyon, Larry Lee
Lawrence, James Ross
Lechtenberg, Richard Clem
Lentz, Joe Blane
Lighthart, Lloyd William
Locke, Gary Winfred, Jr.
Long, Homer Richard
Lopez, Clyde Cecil
Loranger, Richard George
Lormor, Eugene Harold
Lovejoy, Jay Edward
Lowe, Walter Robert
Lucero, Seferino
Lyon, Scott Roler
Majchrowicz, Edward John
Malone, Robert Grant
Markle, Donald Franklin
Marsh, Robert Dean
Marshall, Leo Roy
Massetti, Ennio
Mathews, Carl Leon
McCleer, James Lawrence
McElroy, Fred Carl
McGuire, David Nelson
Michielson, Dennis Clark
Miller, Paul Howard
Miller, Roy Allan
Milligan, Donald Ray
Mitchell, Elmer Ray
Nassar, Albert Nicholas
Nechvatal, Charles James
Neste, Carl Alfred
New, Melvin Roger
Nichols, Paul Malcolm
Oehler, James Christ
Olsen, Frederick Lee
Olson, John Theodore, Jr.
Page, Alfred Leonard
Palmer, Charles Frank
Parker, James Arren
Parsons, James Franklin
Partesius, John Scott
Pelletier, Ronald Wilbrod
Peters, John Wesley
Phillips, William Joseph, Jr.
Puhl, Matthew John
Popikas, Charles Frederick
Rakfeldt, Harry Ottomar
Rand, Verl Allen
Rawls, Robert Sherwood
Reed, Frank Guy
Reindehl, Phillip Wells
Richardson, Billy Earl
Robertson, Bernard Lee, III
Robinson, Frank Jeffrey
Rodgers, Carl Todd
Rogge, John Arthur
Ross, Albert James, Jr.
Rudden, Francis Arthur
Ruth, Herbert Merton
Salter, Jesse Earl
Schaffer, Lawrence Carl, Jr.
Scheierman, Robert Leroy
Scheine, Murray
Scherzer, James David
Schmidt, Curtis John
Shaul, Michael C.
Skipper, John William
Smith, Herbert Merrill
Smith, Kenneth Fiesco
Smith, Kenton Leroy
Smith, Robert Emmet
Snyder, Ralph Oscar
Sparks, Howard Frank
Spear, Earl Jay
Spears, Tommie Edward
Speh, Warren Glenn
Spronce, Frank Thomas
Stanek, David Monroe
Stewart, Lowell Thomas
Stiffler, James William
Strong, Franklin Eugene
Stuck, James Roland
Swanson, Raymond Peter
Talbot, Ronald Eugene
Tanner, William Earl
Tarter, Arlan Gilmore
Terry, Robert Joseph
Thomason, William Rex
Thompson, Robert Miller
Tibbs, John William
Treadway, Alton Glen
Tudor, Tommy Neal
Tuttle, Donald Eugene
Uptegrove, Edwin Wayne
Vanhee, Richard Charles
Vanhoose, Ronald
Vettese, Anthony
Vick, Don Allen
Villemaire, Albert Joseph
Vsetecka, Leonard John
Walker, Arthur Thomas
Watson, Donald Reed, Jr.
Weaver, Sterrie Leon, Jr.
Weeks, Bill Frank
Welch, Leslie Corley, Jr.
Wenter, Gary Earl
Wertz, Bruce Neal
Whalen, Regis Emmett
Whiteley, William Burton
Will, George Frederick
Williams, Thomas Yeaman
Wilson, James Orville
Wood, Ronal Dewey
Woods, Gerald Bishop
Wyatt, Thomas Verden
Zoglmann, Paul Samuel

SUPPLY CORPS

Black, James Leroy
Bothe, James John
Burbridge, Robert Lee
Coats, Daniel Michael
Cormier, Edward Norris, Jr.
Cubbedge, Carlon Eugene
Dowell, Billy Ray
Farlow, Roger Kent
Flahiff, Daniel Edward
Loney, James Eldredge
Lowdermilk, Richard Francis
Pearrell, Larry William
Ritzel, Charles James
Siemers, Uwe
Walter, Frederick Sebastian
White, John Philip

CIVIL ENGINEER CORPS

Becker, Raymond Herbert
Headrick, Jay Clark
Hisey, Howard Alan
Martin, Norman Richard
Schraud, Henry Frank

MEDICAL SERVICE CORPS

Berkley, Roy Lee
Criscitiello, Joseph John
Donohue, Edwin Allen
Dumais, Gary Wayne
Dunaway, Floyd James
Enright, Charles Allen
Ferda, Robert
Hardy, Frederick Charles
Hora, Charles Donald
Kraft, John Edward
Marolf, Walter Keithley
Mitchell, Michael Lenard
Mumford, William Maxwell
Surratt, Colonel Ogburn
Terry, Lynn Marion
Williams, Ralph Thomas

The following-named women Naval Reserve officers for permanent promotion to the grade of captain in the line subject to qualification therefor as provided by law:

Grant, Margaret E.
Holmes, Melanie A.
Holmes, Peggy R.
Jewett, Ann E.
McCabe, Ellen C.

The following-named Naval Reserve officers for temporary promotion to the grade of captain in the staff corps, as indicated, subject to qualification therefor as provided by law:

MEDICAL CORPS

Dollinger, Armand L.
Haslup, Allen L.
Heggie, Alfred Dineley, Jr.
Jofko, John
Kleh, Thomas Robert
Lesock, William John
Mauroner, Norman Lee
Moore, Charles Leslie
Oleinick, Samuel R.
Parkinson, Leonard Spencer C.
Scott, Daniel Joyner, Jr.
Smith, Gardner W.
Tierney, Ralph Charles
Vanorden, Lucas S.
Wintrich, Herman Peter

SUPPLY CORPS

Broz, John J.
Butler, William B.
Carney, Thomas R.
Cunningham, Joseph C.
Dawkins, Samuel D., Jr.
Fogle, Grover D.
Haidet, Walter R.

Jones, Maximilian B.
Nardi, Francesco P.
Paden, David L.
Potts, William E.
Ranieri, Walter R.
Snipes, Wilson C.
Sullivan, Gerald C.
Whiteman, Ralph E.
Winslow, John A.

CHAPLAIN CORPS

Angus, Robert C.
Bergsma, Derke P.
Cooper, William David
Floyd, Emmett Owen
Kloner, William

CIVIL ENGINEER CORPS

Barber, Ralph Edward, Jr.
Bentley, Donald R.
Hickey, Leo Alfred, Jr.
Johnson, Wendell P.
Maddock, Thomas S.
Martin, Arthur H.
Nutter, John M.

JUDGE ADVOCATE GENERAL'S CORPS

Banks, Myron C.
Benjamin, Julian R.
Chazen, Bernard
Cristol, A. Jay
Jones, Robert E.
Kennedy, William H.
Kenney, William J.
Kitchings, Atley Asher, Jr.
Lamere, Robert K.
Law, John M.
Redd, Gordon L.
Sams, Marion A.
Stich, Frank J., Jr.

DENTAL CORPS

Armen, George Krikor, Jr.
Jackson, Clyde Raymond
Kornblue, Edwin B.
Miller, Barry G.
Perlitsh, Max Joseph
Vanort, David Paul
Williams, Claude R.
Yamanouchi, Haruto W.

MEDICAL SERVICE CORPS

Brownson, Robert Henry
Capps, Daniel William

NURSE CORPS

Shanks, Mary D.

The following named Naval Reserve officers for temporary promotion to the grade of commander in the staff corps, as indicated, subject to qualification therefor as provided by law:

MEDICAL CORPS

Boyd, Gerald E.
Downing, John Edward
Duren, Craddock Paul
Ewing, Charles William
Felsoory, Attila
France, Thomas Douglas
Gansa, Alexander Nicholas
Gondring, William Henry, III
Greene, Charles Abraham
Holder, James Bartley, III
Kayye, Paul Thomas
Kendall, Harry Ovid
Klenk, Eugene Leslie
Mitchell, James C., III
Robinson, Ralph Gaylord
Rowe, Stephen W.
Stewart, Edgar B.
Swan, David Stephen
Thomas, Jerry Lynn
Tucker, Samuel Hopper

SUPPLY CORPS

Birnbaum, Leonard G.
Doddridge, Benjamin F.
Farmer, David R.
Russell, Sanford H.
Soine, Jon C.
Uhlhorn, Carl W.

CHAPLAIN CORPS

Dwyer, Martin James
Pickrell, John W.

CIVIL ENGINEER CORPS

Gaal, Philip L.
Harris, John R.
Hensgen, Oscar Eugene
Meisner, Walter Theodore, Jr.
Papineau, Daniel Armand
Paradies, Gilbert Ernst

JUDGE ADVOCATE GENERAL'S CORPS

Began, William D.
Carnes, Conrad Dew
Erit, Bartholomew
Falbo, Gerald Anthony
Hoge, William R., Jr.

DENTAL CORPS

Bass, Ernest Brevard, Jr.
Belinski, Edward J.
Brown, Will M.
Cunningham, Peter Richard II.
Donoho, Donald Hugh
Eng, Wellington Raymond L.
Foley, James Patrick
George, Chester Leroy
Girolami, John James, Jr.
Hall, Daniel Lee
Hera, James David
Hohlt, William Frederick
Marsalek, Daniel E.
Morrison, George Clement
Nickelsen, Dale Charles
Niebuhr, Robert M.
O'Malley, George Charles
Ronning, George Arnold
Stende, Gregory W.
Thomas, John Philip
Triftyshauser, Roger Wayne
Uveges, Alfred Charles
Williams, Terry Charles

MEDICAL SERVICE CORPS

Ginn, Robert William
Knisely, Ralph F.

NURSE CORPS

Stevens, Peggy J.
Wolford, Helen Gurley

Comdr. Wilma H. Bangert, Supply Corps, U.S. Naval Reserve, for permanent promotion to the grade of captain in the Supply Corps subject to qualification therefor as provided by law.

Comdr. John A. Looby, Jr., Judge Advocate General's Corps, U.S. Naval Reserve for permanent promotion to the grade of commander in the Judge Advocate General's Corps subject to qualification therefor as provided by law.

Comdr. Stephen L. Maxwell, U.S. Naval Reserve for transfer to and appointment in the Judge Advocate General's Corps in the permanent grade of commander.

Comdr. David F. Fitzgerald, U.S. Naval Reserve for transfer to and appointment in the Judge Advocate General's Corps in the temporary grade of commander.

Lt. Comdr. George A. Lussier, Medical Corps, U.S. Naval Reserve for temporary promotion to the grade of commander in the Medical Corps subject to qualification therefor as provided by law.

Lt. Comdr. Nancy H. Baker, U.S. Naval Reserve for permanent promotion to the grade of commander subject to qualification therefor as provided by law.

Lts. Robert L. Chenery and Hazen C. Russell, U.S. Navy for temporary promotion to the grade of lieutenant subject to qualification therefor as provided by law.

Lt. Comdr. James F. Harris, Chaplain Corps, U.S. Navy for transfer to and appointment in the line of the Navy in the permanent grade of lieutenant commander.

The following named officers of the U.S. Navy for transfer to and appointment in the Judge Advocate General's Corps in the permanent grade of lieutenant (junior grade) and the temporary grade of lieutenant:

Riedel, Charles T.
Shea, John P., III

Ensign Henry J. Turowski, U.S. Navy for transfer to and appointment in the Civil Engineer Corps in the permanent grade of ensign.

The following named officers of the U.S. Navy for transfer to and appointment in the Supply Corps in the permanent grade of ensign:

Bent, Randal T.
Johnson, Jack A.

The following named officers of the U.S. Navy for transfer to and appointment in the Supply Corps in the permanent grade of lieutenant (junior grade) and the temporary grade of lieutenant:

Hargrove, James E.
Miller, David L.

The following named officers of the Judge Advocate General's Corps of the Navy for transfer to and appointment in the line in the permanent grade of ensign:

Martin, Thomas L.
Mattson, Michael V.
Wells, Lisalee A.

Joseph R. Headricks, Supply Corps, U.S. Navy for transfer to and appointment in the line of the Navy in the permanent grade of ensign.

The following named officers of the U.S. Navy for permanent promotion to the grade of lieutenant (junior grade) in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Francis, Robert M.
Gardner, Daniel E.
Hallenbeck, Amos E., Jr.
Jackson, Timothy H.
Marvin, Richard B.
Merki, Richard L.
Muller, David G., Jr.
Oehler, Michael W.
Wood, Nancy E.

SUPPLY CORPS

Robertson, James M., III

CIVIL ENGINEER CORPS

Micheau, Terry W.

Benedetto R. Lobalbo, U.S. Navy, for temporary promotion to the grade of lieutenant subject to qualification therefor as provided by law.

HOUSE OF REPRESENTATIVES—*Tuesday, May 1, 1973*

The House met at 12 o'clock noon.

The Reverend David A. Winslow, Trinity United Methodist Church, Jersey City, N.J., offered the following prayer:

Isaiah wrote these treasured words: *"Listen to Me, My people, and give ear to Me, My nation; for a law will go forth from Me, and My justice for a light to the peoples."*—Isaiah 51: 4.

Almighty God, You have taught us through example to love one another as You have already loved us. You have entrusted to us not only the ethics of perfection, but also the ethic of responsibility. Inform our minds, through Your love, so that we can engage in enlightened debate which yields statutes relevant to our needs.

Heavenly Father, bless these Members of the House of Representatives who labor for the welfare of the Nation. Draw them in faith to Your eternal design.

Grant that they may protect and uphold our national heritage of "One Nation under God."

Merciful Father, grant a compassionate spirit to the leadership of our Nation. Give our legislators the wisdom to act above the clamor of self-interest. Let justice and opportunity prevail for all our citizens. We pray in the name of the Father, the Son, and the Holy Spirit. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1165. An act to amend the Federal Cigarette Labeling and Advertising Act of 1965 as amended by the Public Health Cigarette Smoking Act of 1969 to define the term "little cigar," and for other purposes; and

S. 1379. An act to authorize further appropriations for the Office of Environmental Quality, and for other purposes.

The message also announced that the Vice President, pursuant to Public Law 86–420, appointed Mr. MANSFIELD, Mr. MONTOYA, Mr. HUMPHREY, Mr. BENTSEN, Mr. NUNN, Mr. HASKELL, Mr. BIDEN, Mr. COTTON, Mr. GRIFFIN, Mr. PERCY, and Mr. COOK, on the part of the Senate, to the Mexico-United States Interparliamentary meetings to be held in Mexico, May 24 to May 29, 1973.

REV. DAVID A. WINSLOW

(Mr. DOMINICK V. DANIELS asked and was given permission to address the House for 1 minute, to revise and extend his remarks.)

Mr. DOMINICK V. DANIELS. Mr. Speaker, we have just heard an excellent opening prayer by our visiting Chaplain, Rev. David A. Winslow of the Trinity United Methodist Church of Jersey City, N.J. Reverend Winslow, at age 28, only 2 years in our community has made a reputation for himself as one of the most dynamic religious leaders in Hudson County. I am proud to welcome him here today to the floor of the House of Representatives.

Reverend Winslow is a native of Michigan who received his bachelor's degree at Bethany College in Oklahoma City and his master of divinity degree at Drew University in New Jersey. He is presently completing his master of sacred theology degree at the same university.

Reverend Winslow is accompanied here today in Washington by his lovely wife, Frances, who is herself a scholar of some considerable importance. Mrs. Winslow has earned two master's degrees and is completing her doctorate at New York University. She is a singularly able young woman.

Mr. Speaker, I am proud and happy to welcome the Winslows to the House of Representatives. These two bright, dedicated young people prove my contention that America's future can be entrusted to the younger Americans who are just beginning to assume leadership in government, in industry, with the labor unions, and in doing God's work.

Certainly the people of the 14th District of New Jersey are honored to have the Reverend and Mrs. Winslow working among them. Hudson County is a better place for it.

PERMISSION FOR COMMITTEE ON AGRICULTURE TO FILE A REPORT ON H.R. 6646

Mr. POAGE. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture have until midnight tonight to file a report on the bill, H.R. 6646.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

WASHINGTON POST ARTICLE ON FARM PRICES DROP

(Mr. POAGE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. POAGE. Mr. Speaker, I want to call the attention of my colleagues to an article on page A7 of today's Washington Post.

The one-column headline says, and I quote: "Farm Prices Drop 1.5 Percent in Month." That is at an annual rate of 18 percent.

Now I cannot help but wonder whether, if that had been an increase in farm prices, it would not have been on the front page—notwithstanding the flood of important Watergate stories to be found there this morning.

I think it is only fair to point out that this newsstory also says Agriculture Department officials suggest the decline may be temporary—not because of any avariciousness on the part of farmers but because of extremely adverse weather conditions over much of the country which may drastically cut crop production this year. It should be borne in mind that the flooding of millions of acres of fertile farmlands these past few days means not only short crops and probable higher prices to consumers, it means higher production costs and to a great many individual farmers financial disaster.

THE PRESIDENT'S FORTHRIGHT ACTION

(Mr. FISH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FISH. Mr. Speaker, I congratulate the President for taking a forthright and forceful position on Watergate.

The President deserves praise for cleansing the White House, a job that had to be done.

The Nation has been reassured that no man is above the law; that the guilty will be vigorously prosecuted. There will be, in the President's words, "no whitewash" of this scandal.

We also as a people have seen that our system does work. We have witnessed the force of a free press and of an impartial system of justice.

There are many matters of vital importance facing our Nation. While pressing relentlessly for the whole truth, we must get about other business.

A great nation cannot be governed in the midst of a crisis of confidence. This is no time for a weakened Presidency, but rather a time for trust and support. The President has taken a long step toward restoring trust and confidence in Government.

PROVIDING FOR CONSIDERATION OF H.R. 3932, REQUIRING CONFIRMATION OF THE DIRECTOR AND DEPUTY DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 351 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 351

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9332) to provide that appointments to the Offices of Director and Deputy Director of the Office of Management and Budget shall be subject to confirmation by the Senate, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Government Operations now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, and all points of order against said substitute for failure to comply with the provisions of clause 7, rule XVI are hereby waived. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. After the passage of H.R. 3932, the Committee on Government Operations shall be discharged from the further consideration of the bill S. 518, and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 3932 as passed by the House.

The SPEAKER. The gentleman from Missouri is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio (Mr. LATTA) pending which I yield myself such time as I may consume.

Those who listened to the reading of the resolution know it provides for 1 hour of general debate for the consideration of the amendment in the nature of a substitute recommended by the Committee on Government Operations to be considered as an original bill. The resolution waives points of order against that substitute for failure to comply with the provisions of clause 7, rule XVI, the provision on germaneness. The substitute is not considered to be germane because it goes so much further than the original bill. It goes further in that it abolishes and reestablishes the Office of Management and Budget, I presume in order to preserve the constitutionality of the matter that would then be before the House.

As far as I have heard there is not any great controversy over this resolution but I would have to admit that I have become a little gun shy on resolutions, so I am not prepared to say that there is no controversy, but to the best of my knowledge there is no great controversy over this particular resolution. There is great controversy over the legislation which it makes in order so I will reserve the balance of my time to see how things develop.

Mr. LATTA. Mr. Speaker, House Resolution 351 is an open rule, providing 1 hour of general debate for the consideration of H.R. 3932, a bill to require Senate confirmation of the OMB Director and Deputy Director. The rule makes the committee substitute in order as an original bill for purposes of amendment, and waives points of order against the substitute for failure to comply with clause 7, rule XVI, which is the germaneness provision. The rule also provides for insertion of the House-passed language in the Senate bill.

Mr. Speaker, the purpose of H.R. 3932, the bill made in order under this rule, is to require Senate confirmation of the Director and Deputy Director of the Office of Management and Budget.

The bill was amended in subcommittee in an attempt to avoid the constitutional issue that is raised when the Congress attempts to remove a duly appointed executive officer. The amended bill would abolish and then immediately reestablish the offices of Director and Deputy Director of OMB, and then require Senate confirmation of the men filling the new offices.

The bill also transfers to the Director the old Bureau of the Budget functions which were transferred to the President by section 101 of Reorganization Plan No. 2 of 1970.

The Committee on Government Operations estimates that there will be no additional costs as a result of the enactment of this legislation.

The Office of Management and Budget is opposed to this legislation on the grounds that it is constitutionally defective as it proposes to accomplish by indirection that which cannot constitutionally be achieved directly—namely, the legislative removal of executive branch officials. OMB is also opposed to this bill on the ground that the OMB Director serves as a personal agent of the President in the performance of Presidential duties. Traditionally officers who serve primarily as advisers and assistants to the President have been appointed by the President without Senate confirmation.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I am not quite sure I understand why the waiver is in this bill on the basis on which it has been explained.

Mr. LATTA. The gentleman from Missouri, I thought, adequately explained that, but I will mention to the gentleman again the points that the gentleman from Missouri mentioned.

There are in this bill as reported by the committee certain features which were not in the original bill. For example, on page 3, section 3, there is a completely new section which reads as follows:

> SEC. 3. (a) The functions transferred to the President by section 101 of Reorganization Plan Numbered 2 of 1970, and all functions vested by law in the Office of Management and Budget or the Director of the Office of Management and Budget are transferred to the office of Director, Office of Management and Budget. The President may, from time to time, assign to such office such additional functions as he may deem necessary.

It is my understanding that this was not in the original bill and it does expand the provisions of the original bill. For that reason we need the waiver of the points of order.

Mr. GROSS. If my friend, the gentleman from Ohio, would yield further, would it not be much more in order and in conformity with orderly procedure to have a bill before the House on which it would not be necessary to waive a point of order or points of order as to germaneness?

Mr. LATTA. I could not agree more with the gentleman from Iowa but we do not have such a bill and we did not have such a bill before the Rules Committee. If we could rewrite some of the bills which come before the Rules Committee, I believe we would have better legislation, but we cannot do that.

Mr. GROSS. Mr. Speaker, I thank the gentleman.

Mr. LATTA. Mr. Speaker, I yield back the balance of my time.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. SEBELIUS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 318, nays 56, present 5, not voting 54, as follows:

[Roll No. 115]

YEAS—318

Abzug
Adams
Addabbo
Alexander
Anderson, Ill.
Andrews,
  N. Dak.
Annunzio
Archer
Armstrong
Ashley
Aspin
Beard
Bennett
Bergland
Bevill
Biester
Bingham
Blackburn
Boggs
Boland
Bolling
Brademas
Bray
Breaux
Breckinridge
Brinkley
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burgener
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton
Butler
Byron
Carey, N.Y.
Carney, Ohio
Carter
Casey, Tex.
Cederberg
Chamberlain
Chappell
Chisholm
Clancy
Clausen,
  Don H.
Clay
Cochran
Cohen
Collier
Conte
Conyers
Corman
Cotter
Cronin
Daniel, Dan
Daniels,
  Dominick V.
Danielson
Davis, Ga.
Davis, S.C.
de la Garza
Delaney
Dellenback
Dellums
Dennis
Dent
Derwinski
Dickinson
Dingell
Donohue
Dorn
Downing
Drinan
Dulski
du Pont
Eckhardt
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fascell
Findley
Fish
Flood
Flowers
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Frenzel
Fulton
Fuqua
Gaydos
Gettys
Gibbons
Gilman
Ginn
Goldwater
Gonzalez
Grasso
Green, Pa.
Griffiths
Grover
Gubser
Gude
Haley
Hamilton
Hammer-
  schmidt
Hanley
Harrington
Harsha
Harvey
Hastings
Hawkins
Hays
Hébert
Hechler, W Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Hillis
Hinshaw
Holifield
Holtzman
Horton
Howard
Hudnut
Hungate
Hutchinson
Ichord
Jarman
Jones, N.C.
Jones, Okla.
Jordan
Karth
Kastenmeier
Kazen
Keating
Kemp
Ketchum
Kluczynski
Koch
Kyros
Landrum
Leggett
Lehman
Lent
Long, La.
Long, Md.
Lott
Lujan
McCollister
McCormack
McDade
McEwen
McFall
McKay
McKinney
McSpadden
Macdonald
Madden
Mahon
Mailliard
Mann
Martin, N.C.
Mathias, Calif.
Mathis, Ga.
Matsunaga
Mayne
Mazzoli
Meeds
Metcalfe
Mezvinsky
Milford
Miller
Mills, Ark.
Mills, Md.
Minish
Mink
Minshall, Ohio
Mitchell, Md.
Mitchell, N.Y.
Moakley
Mollohan
Moorhead, Pa.
Morgan
Mosher
Moss
Murphy, Ill.
Natcher
Nedzi
Nichols
Nix
Obey
O'Hara
O'Neill
Owens
Parris
Patman
Patten
Pepper
Perkins
Peyser
Pickle
Pike
Poage
Podell
Powell, Ohio
Preyer
Price, Ill.
Price, Tex.
Pritchard
Quie
Rangel
Rarick
Rees
Regula
Reid
Reuss
Riegle
Rinaldo
Roberts
Robinson, Va.
Robison, N.Y.
Rodino
Roe
Rogers
Roncalio, Wyo.
Roncallo, N.Y.
Rooney, Pa.
Rose
Rosenthal
Roush
Rousselot
Roybal
Runnels
Ruppe
Ruth
St Germain
Sarasin
Sarbanes
Satterfield
Saylor
Schroeder
Sebelius
Seiberling
Shipley
Shriver
Shuster
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Staggers
Stanton,
  J. William
Stanton,
  James V.
Stark
Steele
Steelman
Steiger, Ariz.
Stephens
Stokes
Stubblefield
Stuckey
Studds
Sullivan
Symington
Taylor, N.C.
Teague, Calif.
Thompson, N.J.
Thone
Thornton
Tiernan
Towell, Nev.
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Veysey
Waggonner
Waldie
Walsh
Wampler
Ware
White
Whitehurst
Widnall
Wiggins
Williams
Wilson,
  Charles H.,
  Calif.
Wilson,
  Charles, Tex.
Winn
Wolff
Wright
Wyatt
Wydler
Wyman
Yates
Yatron
Young, Alaska
Young, Fla.
Young, Ga.
Young, S.C.
Young, Tex.
Zablocki
Zion

NAYS—56

Arends
Ashbrook
Bafalis
Baker
Bell
Camp
Clawson, Del
Collins
Conable
Conlan
Crane
Daniel, Robert W., Jr.
Davis, Wis.
Devine
Duncan
Fisher
Forsythe
Froehlich
Goodling
Gross
Guyer
Hansen, Idaho
Hogan
Holt
Hosmer
Huber
Hunt
Johnson, Pa.
Landgrebe
Latta
McClory
McCloskey
Madigan
Maraziti
Martin, Nebr.
Michel
Nelsen
Passman
Pettis
Quillen
Rhodes
Scherle
Schneebeli
Shoup
Snyder
Spence
Steed
Steiger, Wis.
Symms
Talcott
Taylor, Mo.
Thomson, Wis.
Treen
Wilson, Bob
Wylie
Zwach

PRESENT—5

Cleveland
Frey
Hanrahan
Litton
Mallary

NOT VOTING—54

Abdnor
Anderson, Calif.
Andrews, N.C.
Badillo
Barrett
Biaggi
Blatnik
Bowen
Brasco
Brown, Calif.
Burke, Calif.
Burke, Fla.
Clark
Coughlin
Culver
Denholm
Diggs
Foley
Ford, William D.
Fraser
Giaimo
Gray
Green, Oreg.
Gunter
Hanna
Hansen, Wash.
Heinz
Johnson, Calif.
Johnson, Colo.
Jones, Ala.
Jones, Tenn.
King
Kuykendall
Melcher
Mizell
Montgomery
Moorhead, Calif.
Murphy, N.Y.
Myers
O'Brien
Railsback
Randall
Rooney, N.Y.
Rostenkowski
Roy
Ryan
Sandman
Smith, N.Y.
Stratton
Teague, Tex.
Vigorito
Whalen
Whitten
Young, Ill.

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Rooney of New York with Mr. Smith of New York.

Mr. Rostenkowski with Mr. Young of Illinois.

Mr. Blatnik with Mr. Abdnor.

Mr. Brasco with Mr. King.

Mrs. Green of Oregon with Mr. Myers.

Mr. Giaimo with Mr. Coughlin.

Mr. Johnson of California with Mr. Railsback.

Mr. Clark with Mr. Bowen.

Mr. Culver with Mr. Johnson of Colorado.

Mr. Foley with Mr. Brown of California.

Mr. Montgomery with Mr. Gunter.

Mr. Whitten with Mr. Burke of Florida.

Mr. Teague of Texas with Mr. Kuykendall.

Mr. Vigorito with Mrs. Burke of California.

Mr. Stratton with Mr. Melcher.

Mr. Hanna with Mr. Moorhead of California.

Mrs. Hansen of Washington with Mr. Jones of Tennessee.

Mr. Gray with Mr. O'Brien.

Mr. William D. Ford with Mr. Fraser.

Mr. Barrett with Mr. Heinz.

Mr. Biaggi with Mr. Randall.

Mr. Badillo with Mr. Diggs.

Mr. Denholm with Mr. Roy.

Mr. Jones of Alabama with Mr. Mizell.

Mr. Murphy of New York with Mr. Sandman.

Mr. Ryan with Mr. Whalen.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

REQUIRING CONFIRMATION OF DIRECTOR AND DEPUTY DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET

Mr. HOLIFIELD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3932) to provide that appointments to the offices of Director and Deputy Director of the Office of Management and Budget shall be subject to confirmation by the Senate, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 3932, with Mr. BOLAND in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from California (Mr. HOLIFIELD) will be recognized for 30 minutes, and the gentleman from New York (Mr. HORTON) will be recognized for 30 minutes.

The Chair now recognizes the gentleman from California (Mr. HOLIFIED).

Mr. HOLIFIELD. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H.R. 3932, as amended, the bill under consideration today, has two primary and related purposes: First, to require that appointments to the offices of Director and Deputy Director of the Office of Management and Budget—OMB—be made by and with the advice and consent of the Senate; and second, to restore to the OMB and its Director those statutory powers which were taken away by Reorganization Plan No. 2 of 1970 and placed in the President's own hands.

The requirement for Senate confirmation of appointments to the offices of Director and Deputy Director of OMB is fully justified by the realities of governmental life and is long overdue. The Director has vast power and importance in the Federal Government; he is not one of the "faceless" confidential advisers to the President. The Director stands in his own right as a policymaker and administrator. He directs an organization of 660 employees. His circulars and bulletins regulate, control, and limit Government performance in a variety of ways. They have an impact on State and local governments and on the private sector. Congress has enacted more than 60 statutory provisions relating to the duties of the Director or his office.

More than a half century ago, when the Bureau of the Budget was established by law, the Director was represented as the President's man, a kind of clerical assistant to assemble and collate budget estimates. Even then, the Senate proposed that the Director be appointed with its advice and consent. The House bill did not carry such a requirement, and the Senate provision was struck out in conference. There is not much legislative history on this subject; only passing references were made to it in the extensive floor debates on the budget and accounting legislation.

Whatever the legislative situation was at the beginning, it is clear as crystal that the OMB Director in the 1970's is not the BOB Director of the 1920's. Government has grown a hundredfold. The President's powers have increased enormously. The OMB Director supervises the vast Federal Establishment, which makes him second to none but the President in power and authority.

Why should the OMB Director, with such vast power and authority, be exempted from Senate confirmation? Other officials in the Executive Office of the President, with far less power and authority, are confirmed by the Senate. In fact, as the committee report points out—House Report No. 93-109, page 13—29 officers in 10 Executive Office components now are subject to Senate confirmation. So are the heads of departments and agencies, and hundreds of their deputies and assistants.

The OMB Director serves the Congress as well as the President. The Budget and Accounting Act specifically directs the OMB to furnish to any committee of the House or Senate dealing with revenue or appropriations "such aid and information as it may require." And even more significant, as we point out in the committee report, page 8, Congress conceived of the whole executive budget process as a means of assisting and improving its own decisions on appropriations.

There is a big argument now whether the Congress has abdicated certain of its responsibilities in controlling the national purse when the President sets his own spending ceilings and impounds funds as he sees fit. Those who believe that the Congress should take firm steps to regain its authority and properly discharge its own constitutional responsibilities should welcome this legislation. It is not the answer to our fiscal and impounding problems, but it is a step in the right direction.

This bill also makes an organizational adjustment. Through the years the Congress has enacted numerous laws vesting in the BOB/OMB or their directors various functions of Government which are technical and administrative as well as policymaking in nature. Reorganization Plan No. 2 of 1970 took those statutory powers away from the OMB and the Director and placed them in the hands of the President, where they now remain—with a few exceptions reflecting subsequent enactments. Our committee opposed Reorganization Plan No. 2 of 1970, but unfortunately it was accepted by the Congress.

One of our main objections to the 1970 plan was that the transfer would place in the President's hands a wide array of powers, which he could then delegate at will throughout the Government, without referring the matter back to the Congress. In other words, it was a blank check for reorganization, going beyond the purposes of the Reorganization Act, which requires that reorganization plans lay before the Congress 60 days before taking effect.

In this measure, we are restoring to the OMB Director the statutory responsibilities Congress gave to him, thereby nullifying section 101 of Reorganization Plan No. 2 of 1970. In part, this is a protective measure. If the functions are not returned to the OMB Director, then the President could make an empty shell of the OMB and defeat the objective of Senate confirmation by delegating these functions elsewhere in the Government. The possibility is not an idle one. The incumbent OMB Director, Roy L. Ash, in a letter to the committee commenting adversely on pending bills to require Senate confirmation of the OMB Director and Deputy Director, pointed out that—

> If any President so desired, he could transfer any or all of these [budget] functions to other officials of the Government (see page 32 of House Report No. 93–109).

We are not contending that every OMB function must remain forever in OMB. In his process of "thinning out" the Executive Office, the President may indeed transfer some OMB functions to other agencies. The point we make is that such transfers should be subject to congressional review, as they would be under this legislation, which restores the statutory functions to the OMB Director. In other words, to transfer statutory functions from OMB, the President would have to submit a reorganization plan to the Congress. At present, holding these powers in his own hands, he makes these transfers at will, without any opportunity for the Congress to review and, if necessary, to reject.

Several differences should be noted between H.R. 3932 as amended and S. 518, the bill which passed the Senate on February 5, 1973. The Senate bill would permit the incumbent OMB Director and Deputy Director to hold their positions for 30 days following enactment of the bill, after which time, to continue in office, they would have to be confirmed by the Senate. Also, the Senate bill fixes definite terms for the Director and Deputy Director, coinciding with the Presidential terms, in effect requiring reconfirmation if a President were reelected and wanted to retain the same two officers.

H.R. 3932, as introduced by the gentleman from Texas (Mr. BROOKS) and approximately 100 cosponsors, including myself, was substantially the same as S. 518 which passed the Senate. However, Mr. BROOKS offered an amendment, in the nature of a substitute, which our committee decided would best meet the essential purposes of the legislation. The amendment would abolish the offices of OMB Director and Deputy Director, and then establish new offices requiring confirmation by the Senate. The law would take effect 30 days after enactment, giving the President that time to submit his nominations to the Senate. The amendment omits the provision fixing terms for these officers in the belief that it would add complicating factors to the legislation.

The committee decision to abolish and reestablish the offices of OMB Director and Deputy Director accords with a procedure suggested during the Senate debate on S. 518. Senator GRIFFIN, who favored the general purpose of the legislation, stated—CONGRESSIONAL RECORD, daily edition, February 2, 1973, page S1977, quoted in House Report No. 93–109, page 6:

> I believe it would be more appropriate to abolish the Office of OMB for a short period of time and then re-establish it. That, it seems to me, would be a constitutional way to require appointment and reconfirmation of the incumbent OMB Director, if that is the purpose here.

Our committee report makes it clear that we do not question the constitutional validity of the bill as passed by the Senate. In our judgment, however, the alternative procedure of abolishing the present offices and establishing new ones with the requirement for Senate confirmation is the better approach. As discussed in detail in the committee report, abolishing and creating offices within the confines of a single bill has ample statutory precedents, including legislation recommended by the present administration, and judicial endorsement.

We point out also that our amended bill is broader in scope and purpose than the one passed by the Senate, particularly because it provides for retransfer of statutory authorities from the President to the OMB Director.

Opponents will argue that we are trying to oust the incumbent OMB Director. Speaking for myself, and I am sure for the majority of the committee, I completely disavow any such intention. This legislation is directed at the office and not at the man. This committee has legislative jurisdiction over the Office and is discharging its responsibility in reporting the legislation.

This legislation, as I said at the outset, is fully justified and long overdue. The Office of Management and Budget is powerful and pervasive. It is not only a key Government center for policymaking, but it is, in many ways, an administrative and regulatory Agency with respect to all other agencies of the Government. Its decisions and directives also impinge on State and local governments and the private sector.

The committee bill, by providing for Senate confirmation, recognizes the reality of the power reposing in that Office. Also it provides for placing statutory responsibilities in the Director, which was the case prior to Reorganization Plan No. 2 of 1970. In this way, authority and responsibility are closely joined.

I urge the Members to support this legislation.

Mr. McCLOSKEY. Will the gentleman yield for a question?

Mr. HOLIFIELD. I yield to the gentleman from California.

Mr. McCLOSKEY. Will the gentleman tell me what differences there are in the Director—comma—Office of Management and Budget and his functions, from the office that is being abolished, Director of the Office of Management and Budget? Are there any substantive changes in the responsibilities of that office other than the change in merely the title?

Mr. HOLIFIELD. No. If the gentleman listened to my statement, I said that we are transferring back to the Office of the Bureau of the Budget, those statutory powers which were transferred from him to the President, putting them into the President's hands. We are bringing the authority back to the Director as it has been for many, many years, up until May 13, 1970, when Reorganization Plan No. 2 was adopted in this House by a margin of 19 votes.

Mr. McCLOSKEY. I thank the gentleman.

Mr. HORTON. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I rise in opposition to the bill (H.R. 3932) and to the committee amendment in the nature of the substitute. I do so because I am concerned about congressional reform. The Congress must reform itself if it is to play its constitutional role in the Federal Government. At the same time, we must not be carried away by proposals which masquerade as reform. In fact, these proposals to require Senate confirmation of the OMB Director are an invitation to a legal battle. They are a reaction to the difficult relations which exist between the Congress and the Presidency; but they do not resolve any outstanding issues between these two branches. I think it would be a mistake for the House to approve this legislation.

Seventeen members of the Committee on Government Operations voted against reporting this bill and signed dissenting views to the committee report which outline why this legislation would be unconstitutional. Yesterday I put in the CONGRESSIONAL RECORD, at page 13588, a statement on the question of whether or not the OMB Director ought to be subject to Senate confirmation.

Time does not permit a complete review of all the arguments surrounding this issue, so I will limit myself to a discussion of three points which, to my mind, summarize the principal reasons why we should not accept either the original bill or the committee amendment.

The first point is that both the bill and the committee amendment are unconstitutional.

The second point is that this legislation would not result in any meaningful reform of the House or the Congress; it does not do anything for us.

The third point is that this legislation would give the other body powers the House had earlier refused to grant for reasons which are still valid today.

The constitutional issue, my first point, is that this legislation amounts to an unconstitutional encroachment by the Congress on the power of the Chief Executive to remove executive officers. It is inherent in any effort by the Congress to add a qualification for this office and then apply it to incumbent officers. Such an action of necessity forces the termination of appointments of officers who, under our Constitution, serve at the pleasure of the President.

There have been previous attempts by the Congress to force the removal of officers in the executive branch, but they have never been successful. On several occasions the Supreme Court has specifically recognized the exclusive right of the President to remove executive officers. The Congress recently has avoided overstepping its constitutional bounds. In 1965, the House refused to pass a bill which would have removed Sargent Shriver from one of the two appointments he then held. In 1968, legislation to make the FBI Director subject to Senate confirmation was consciously worded so as to take effect only after the termination of the service of the incumbent.

An important principle is at stake here—whether the Congress may at any time and by means other than are to be found in the Constitution, act so as to remove an executive officer. In 1965, Attorney General Katzenbach wrote an opinion for President Johnson which clearly makes this point:

> Congress may impose reasonable qualifications, applicable prospectively, upon those who would hold executive posts it has created. But if Congress could impose qualifications retroactively, thereby ousting the incumbent, it could remove any officer whose performance, however satisfactory to the President, was unsatisfactory to it. The Constitution is certainly not susceptible to any such interpretation.

I think members from both parties should carefully consider the advisability of establishing a precedent whereby Congress is able to remove executive officers by means other than impeachment and conviction.

The committee amendment, of course, is an attempt to get around this constitutional problem. But the attempt fails. The Supreme Court has held that where there is an "essential inevitable effect" which is unconstitutional, the law must be considered unconstitutional. This legislation is designed to have the effect of removing incumbent officers which is unconstitutional. And we cannot color our action by claiming the exercise of a normally constitutional power. The Supreme Court has also held the Congress may not use—

> (a) Constitutional power . . . by way of condition to attain an unconstitutional result.

It is worth noting here that legislation which abolishes and then immediately reestablishes offices has an inglorious history at the State level, where it is known by the name of "ripper legislation."

Proponents have cited cases of supposed ripper legislation at the Federal level to support their contention that such action is permissible. An analysis done for me by the Justice Department of the cases cited shows they do not support this contention. In three of the cases, the legislation was worded so that the President could choose the time of removal for the appointees. In two of the cases, the abolishment was part of a major reorganization, which is certainly not the case here. In only one case does the proposition appear to hold. But it should be noted that two subsequent statutes of the same nature were modified to avoid the constitutional problems. In all of the cases cited, the proposals either emanated from or were supported by the President and thus did not constitute a congressional attempt to remove an executive officer against the will of the Chief Executive.

I should also add that to the extent this legislation is aimed at the incumbent OMB Director, Roy Ash, it becomes a bill of attainder. There were several statements made on the floor of the other body which might well be interpreted as placing the bill in this constitutionally prohibited category.

In short, I believe, along with 16 other members of the Government Operations Committee, that this legislation has the effect and is designed to have the effect of removing duly appointed executive officers by legislative means, and therefore, is unconstitutional.

The second major point is that this legislation would not produce any reform of value for the House or for the Congress. This bill does not permit the Congress to establish spending ceilings, control impoundments, or develop a budget office to help us analyze the President's proposals. It does not limit executive privilege. All it does, in the words of our colleague, JACK BROOKS, is "give the Congress an opportunity to evaluate and have some slight input, just by examination, interrogation, and a public examination of his—the Budget Director's—background and character, his attitudes, and so forth." Of course, he does not mean the Congress here, he means the Senate. And, of course, he does not imply that there would be any attempt to obtain advance commitments from the nominee as to how he would handle the job and what policy positions he would take. No nominee for a Presidential staff position could do that.

Since there is no reform value in this legislation, I find it unwarranted.

My third point is that I find the legislation unwise because it would have an adverse effect on the budgetary system which the House so carefully contructed in the Budget and Accounting Act of 1921. As a careful reading of the legislative history of that landmark legislation makes clear, the House did not agree to the Senate's request to advise and consent to the appointment of the Budget Director because it felt that would not be in keeping with the establishment of an effective budget system. At the time, they felt that the President, under the Constitution, was directly responsible for administrative management, and in view of the constitutional principle of separation of powers, should have personal staff to carry out these constitutional responsibilities. They felt that if these responsibilities were shouldered by the President, and if he was given adequate staff assistance, it would be possible to achieve far greater economy and efficiency in the executive branch. And finally, they believed the President's ability to meet their responsibility should not be diluted by involving the Senate in the confirmation of the Budget Director.

All of these points are equally valid today. The quantitative increase in the power of the Budget Director must not be confused with the stable relationship of the budget director to the President, the House, and the Congress. As was pointed out in our hearings on this legislation, if we act so as to weaken the bonds between the President and the Budget Director, and fragment the relationships between the Congress and the President and his Budget Director, we will have lost much of the clear focus, of responsibility—created under the Budget and Accounting Act of 1921—which provides the basic strength in our budgetary system.

Undoing the reforms in the Budget and Accounting Act for which the House fought so hard is not what is required now.

To summarize my position, then, I believe the original bill and the committee amendment to be unconstitutional. Furthermore, I believe requiring Senate confirmation of the OMB Director to be unwarranted and unwise because of its effects on the budget system. I urge the House not to pass this legislation.

Mr. HOLIFIELD. Mr. Chairman, I yield 10 minutes to the gentleman from Texas (Mr. BROOKS).

Mr. BROOKS. Mr. Chairman, the Office of Management and Budget is undoubtedly one of the most powerful agencies in the Federal Government at this time.

OMB virtually controls every move the Federal Government makes. It determines what programs will be funded, what programs will be cut, and what programs will be abolished. It dictates the position of every agency in the Government on legislative proposals pending before the Congress.

In a reorganization announced just this past week, OMB has assumed a direct role in managing and operating programs which they consider to be of "Presidential level importance." In short, OMB is taking over the Federal Government, and, in doing so, no mention has been made of statutory responsibilities or of congressional priorities and directives.

I introduced the legislation before us today because I think it is important that Congress have some role in determining the qualifications of the people that are to head such an important and powerful Government agency. Some 134 of my colleagues in the House have joined in sponsoring similar legislation. All of us are concerned about the preservation of our constitutional system of Government.

This legislation would accomplish two primary objectives. First, it would vest directly in the Director, Office of Management and Budget, those functions which Congress had previously vested in that office but which were removed from him and vested in the President as the result of a reorganization plan in 1970. From time to time since 1921, when Congress first created the old Bureau of the Budget as a part of the Treasury Department, we have passed statutes giving certain responsibilities to the Director of, first, the BOB, and now the OMB. These statutory responsibilities were removed from OMB in Reorganization Plan No. 2 of 1970 and were vested directly in the President, who then delegated them back to OMB.

However, at this time, the President can redelegate those functions to any other Federal government agency without even going through the minimum requirements of a reorganization plan. This is not what Congress intended when it passed those bills. The legislation before us today would restore those functions to the office in which Congress originally placed them and where they should be today.

The second provision of this legislation requires Senate confirmation of nominees to be Director and Deputy Director, Office of Management and Budget. One classic means provided in the Constitution for balancing power between the executive, legislative, and judiciary branches requires the participation of Congress in the appointment of officers of the United States. The only exception to this occurs when Congress voluntarily by law relinquishes its role to participate in the confirmation of "inferior" officers.

There is no question that Congress can, under the Constitution, require confirmation of these two appointments in OMB. The fact that we have not done so in the past is of no consequence. The nature of the positions is now such that we are neglecting our duty if we do not require Senate confirmation.

The Senate confirms hundreds of presidential appointments each year. These confirmations include such important positions as Cabinet-rank secretaries, most members of regulatory boards and commissions, and such lesser positions as officials in the Overseas Private Investment Corporation, the National Commission on Materials Policy, National Credit Union Administration, Director of Geological Survey, Director of the Bureau of the Census, U.S. Parole Board members, and dozens of other such position. Surely, the Director and Deputy Director of OMB deserve equal consideration.

While it is true that the Office of Management and Budget is a part of the Executive Office of the President, it is also true that 29 other appointees to positions within the Executive Office of the President are required to obtain Senate confirmation. The Director and Deputy Director of the Office of Management and Budget can no longer be considered the kind of officers that Congress should permit to be appointed solely by the President. Congress must reclaim its rightful role in evaluating the qualifications of the people who occupy these important positions.

Mr. Chairman, this legislation is similar to legislation that passed the Senate on February 5 by a vote of 63 to 17, providing for confirmation of appointees to occupy the top two positions in this agency.

I urge my colleagues in the House to act favorably upon this bill today as a move toward restoring some degree of balance between the executive and legislative branches of the Government and to remind the executive, once again, that the Congress—as the representatives of the people of this Nation—has the responsibility for determining the priorities of our Government, and that it is incumbent upon the President and the OMB to respect and carry out those priorities.

Mr. WYLIE. Mr. Chairman, will the gentleman yield for a question?

Mr. BROOKS. I am delighted to yield to my friend from Ohio.

Mr. WYLIE. I thank the gentleman for yielding.

As I understand it, the bill on this subject which passed the Senate would require confirmation of the present incumbent in the office of the Director of the Office of Management and Budget; is that correct?

Mr. BROOKS. That is correct.

Mr. WYLIE. Mr. Chairman, will the gentleman yield for an additional question?

Mr. BROOKS. Surely.

Mr. WYLIE. The House bill also provides for confirmation of the incumbent; is that correct?

Mr. BROOKS. The gentleman is correct.

Mr. WYLIE. Now, on page 46 of the report some of the minority members of the committee cite a case which holds that if a law is passed requiring confirmation of an incumbent to an office—and I think there is no mistake that in this case it is to prevent or to nullify the appointment of Roy Ash or at least to require him to appear before the Senate for confirmation—it is unconstitutional. Then is not this bill unconstitutional?

Mr. BROOKS. Mr. Chairman, in reply to my friend, the gentleman from Ohio (Mr. WYLIE), I would say that on page 4 of the report we point out very clearly that such action is clearly within the power and the prerogative of the Congress; that is, the power to create one office and abolish another.

On page 14 of the report, a section begins:

> Statutory Precedents Simultaneously Abolishing and Creating Offices—

Which is what this legislation does. It has been done before, and there are ample precedents for it.

On page 16 the report continues:

> Judicial Ruling supporting simultaneous abolition and creation of new offices:

This discussion runs on through page 19, page 20, and including page 21.

Mr. Chairman, it is quite obvious that the Congress has the full authority to abolish any office that we have created. That is perfectly clear to everybody.

It is equally clear that Congress has the full authority to create another body or another agency. In this instance this bill is not directed to any individual. It might well be that the President in his good judgment may appoint someone else; he may reappoint these people whom he had in the offices that are abolished; he may keep them and reappoint them.

Mr. Chairman, I would say that were I interested in such a job, I would certainly not hesitate to have Senate confirmation. The Senate is a very generous body, and they have been very kind to Presidential appointees. I do not think either one of them would have any problem in being confirmed if the President selected them as the heads of these two new jobs.

Mr. WYLIE. Mr. Chairman, I appreciate the gentleman's answer.

Would the gentleman yield for another question?

Mr. BROOKS. Certainly, I will yield to the gentleman from Ohio (Mr. WYLIE).

Mr. WYLIE. Mr. Chairman, the language to which the gentleman referred on page 4, of course, is a matter of opinion. There is no case citation to support it, but in this particular case we are not abolishing the Office of Budget and Management as such, are we?

We are simply saying, in effect, that Mr. Ash, who is the incumbent in the office, shall be confirmed?

Mr. BROOKS. No, Mr. Chairman, let me make that clear. No, we are not. I am sorry that I did not make that clear to the gentleman.

This bill will abolish the existing office. It will create another office with virtually the same name, but we will assign to that office statutory functions which its predecessor had prior to 1970. In that new office with new statutory functions there will be a Director and an Assistant Director appointed at the pleasure of the President, but with the advice and consent of the U.S. Senate.

Mr. WYLIE. May I ask the gentleman further, will the duties not be the same?

Mr. BROOKS. Their duties will be considerably different statutorily. The statutory duties of the existing OMB are very, very meager; they are very, very small. OMB has been delegated considerable authority by the President of the United States. This legislation would create a new office with statutory functions.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOLIFIELD. Mr. Chairman, I yield 1 additional minute to the gentleman from Texas (Mr. BROOKS).

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I would be delighted to yield to the gentleman from Michigan (Mr. CEDERBERG).

Mr. CEDERBERG. Mr. Chairman, I am completely and unalterably opposed to this legislation at this point. Let me direct a question to the gentleman.

Why should the Senate confirm this man? This is the Office of Management and Budget and the action on all appropriation bills is taken in the House.

Why should the House abdicate its authority to the Senate?

Mr. BROOKS. Well, that is the way the U.S. Constitution suggested that it be done.

Mr. CEDERBERG. But it does not have to be done that way?

Mr. BROOKS. No; we could pass a constitutional amendment that would require the OMB Director, the new one, and the Assistant Director to be confirmed by the House, but it would take a constitutional amendment. That might be very controversial, I can assure the gentleman.

Mr. CEDERBERG. Why would you need a constitutional amendment in that case?

Mr. BROOKS. Yes, because the Constitution provides that the President shall appoint by and with the advice and consent of the Senate certain of these officials.

Mr. CEDERBERG. Certain of them. Certain of them. But this law was created long after those provisions described in the Constitution.

Mr. BROOKS. That is right.

Mr. CEDERBERG. But I am opposed to the House abdicating its authority. We appropriate and not the Senate.

Mr. HORTON. Mr. Chairman, I yield

5 minutes to the gentleman from California (Mr. McCloskey).

Mr. McCLOSKEY. Mr. Chairman, I would like to direct two questions to the esteemed chairman of the committee that presents this bill.

The first question I would like to ask my colleague from California, who was interrupted when his time expired earlier, is this:

This bill in title I changes the title of the Director of the Office of Management and Budget to the title Director, Office of Management and Budget. The only other change that I can ascertain in the powers of this office are under section 3 where the chairman pointed out that the functions transferred to the President by section 101 of the Reorganization Plan No. 2 of 1970 and all functions vested by law in the OMB are transferred to the Office of Director of the Office of Management and Budget.

Can the gentleman tell me any single such function that is not presently being exercised by the Director of the Office of Management and Budget by delegation from the President?

Mr. HOLIFIELD. They are delegated to the Director by the President, but we transferred those functions, including the statutory functions, about 60 of them, into the hands of the President, and by Reorganization Plan No. 2 of 1970 we gave the President the right to delegate them anywhere in the executive branch of the Government. Now we are placing the statutory authority back where it has been for many years, in the Office of the Director and making that office responsible to us.

The return of statutory authority to the Director means that if there is any change in the delegation of all these different functions by the President, then it would have to come up before the Congress for review under a reorganization plan, which brings the power back to the Congress.

Mr. HORTON. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. McCloskey).

Mr. McCLOSKEY. I appreciate the technicalities of what the bill accomplishes, but as a practical matter all some 60 of the functions transferred to the President under the Reorganization Act are now presently delegated to the Director, are they not?

Mr. HOLIFIELD. There may have been a few designated elsewhere, but in a general way the gentleman is correct.

Mr. McCLOSKEY. That is my understanding. Not only in a general way am I correct, but in every respect the functions delegated in 1970 to the President have now been delegated to the OMB, have they not?

I notice the gentleman from Texas shaking his head. Is there a single function the gentleman knows of that is not presently delegated to the Director of OMB?

Mr. BROOKS. If the gentleman will yield, there are several plans of which I am aware that will transfer some of them.

Mr. McCLOSKEY. But those plans would be subject to the approval of the Congress under the Reorganization Act, would they not?

Mr. BROOKS. No.

Mr. McCLOSKEY. It seems to me, if those functions are presently being exercised by the Director of the OMB, it is a sham to suggest that we must establish by law that those powers be in his Office. I have heard of no threat that he is going to transfer these powers without congressional approval elsewhere.

Mr. BROOKS. If the gentleman will yield, there are some proposals now with which I am familiar to transfer certain management functions and delegate the authority of the OMB to another Government agency by Presidential approval and directive alone. They are now in the process of transferring some of these management functions to another Government agency. It is not necessarily a bad transfer, in my judgment. It may be desirable. But I know that all of the functions of the OMB which were originally statutorily assigned to them will not necessarily remain in OMB. Exactly how many will be transferred, I do not know, but in a couple of instances I have definite proof of intentions to delegate them elsewhere.

I say to my colleague, I just want him to know that, if an office has a statutory function, we know where it is. If you leave them as a delegated function, there is no telling to what agency they might be assigned and what their fate may become.

Mr. McCLOSKEY. But the gentleman will concede that, if they might be assigned to any other agency, it would require the approval of the Congress.

Mr. BROOKS. Not at all, not at all, that is absolutely not the case. Power in the hands of the President of the United States can be delegated to the OMB, it can be delegated to the GSA, it can be delegated to the FBI, and it can be delegated to the Civil Service Commission—they can and they have been so delegated and will be in the future. That is a power of the President that we are not attempting to stop. But, under these circumstances, he does not need a reorganization plan or a plan approved by the Congress to redelegate from one agency to another. That authority that now exists in the President—in any President.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. HORTON. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. Brown).

Mr. BROWN of Ohio. Mr. Chairman, I rise in opposition to H.R. 3932 as amended, a bill to make the Director and Deputy Director of the Office of Management and Budget subject to Senate confirmation.

My conclusion about this proposal is based on three observations generated from extensive participation in the hearings held before the Subcommittee on Legislation and Military Operations.

During the testimony offered by a distinguished group of witnesses, it became abundantly clear that the motivation for approval of this legislation was punitive and political rather than productive.

Second, the proposal is unconstitutional, as the minority views in the report so clearly indicate.

Finally, there is the impoundment question which has been the central issue. The right of the President, no matter who occupies the White House, to restrict expenditures has been utilized in the past to control the flood of Federal dollars into the economy, and should be utilized in the future.

If there has been an excessive restriction of funds under the current administration then the Congress should respond to that problem through appropriate legislation regulating expenditures, rather than by this legislation.

Rather than improving the budgetary procedures of the administration, this bill will weaken them. It seeks to disrupt the administration of the Office of Management and Budget by removing the current Director and Deputy Director through abolishing the agency and then immediately reconstituting it. Can anyone with even a modicum of common sense categorize this proposal as constructive?

I have long supported efforts to streamline the bureaucracy and strengthen the hand of the Congress in its relationship with the executive branch. The proposal before us today will accomplish neither. Instead, it will politicize the staffing of the President's budgetary-supervising organization to an extent which would make it impossible for the President to do his duty as the Nation's Chief Executive, that is developing his own independent, cohesive and balanced national spending policy.

It is not the job of the Director of OMB to independently develop a budget and supervise its management. That is the President's job; and the Director of OMB does it as the President's man, not as a Cabinet Secretary carries out various laws passed by Congress and signed by the President. That was the purpose of Reorganization Plan No. 2 of 1970. If the Congress feels it should have its own Office of Management and Budget because it has lost faith in the Appropriations Committee or for whatever reason, then it can create such a budgetary oversight function for the legislature. But if it takes over the Budget Office of the executive branch, then the President will surely find his own staff man to do what is still the President's job under the separation of powers principle.

The CHAIRMAN. The time for the gentleman from Ohio has expired.

Mr. BROWN of Ohio. Mr. Chairman, I would ask the gentleman from New York (Mr. Horton) if I might have 1 additional minute.

Mr. HORTON. I yield 1 additional minute to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Chairman, I thank the gentleman for this additional time.

The other choice, of course is for the President to have no budget preparation function independent of the Congress. Is that what the sponsors of this legislation would accomplish? God forbid! Then we would have no single-minded effort to help the country live within its income. The Congress in recent years clearly has not fulfilled that function.

This is a bill of attainder—however thinly disguised—a ripper bill, to get at the current incumbent of the office, and then to take the functions of the President which are being currently fulfilled for him by his OMB Director and have those functions reside not in the President, but in the Director, Office of Management and Budget.

Mr. HOLIFIELD. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. WRIGHT).

Mr. WRIGHT. Mr. Chairman, I rise in support of this bill. During the 19 years of my service to Congress I have seen the gradual accretion of more and more power into the hands of the Director of the Office of Management and Budget. Today that office has reached a pinnacle of power which in real practice exceeds the authority of Cabinet officers who are subject to Senate confirmation. In the preparation of the budget, Cabinet officers are foreclosed from even making a public statement as to how much money they have individually requested for the operations of their respective departments until, first, the Director of the Office of Management and Budget has reviewed their requests. It makes little sense to require confirmation for Cabinet officers but none for this appointee before whom they in turn must plead and to whom they must answer.

The functions of this office more and more have outgrown those strictly budgetary functions which initially were assigned to it. Increasingly the Office has assumed very basic policymaking functions which override the functions performed by Cabinet-level officers. The Office of Management and Budget reviews the comments and remarks of Cabinet members on proposed legislation, and insists upon approving those comments before they may be transmitted to Congress.

If anyone is going to assume the wisdom to sit in judgment over the Cabinet officers themselves, then that must be somebody who not only knows the price of everything but somebody who knows the value of at least some things. I get the distinct impression that Management and Budget personnel know the price of everything but the value of nothing. Most of them have had no legislative experience.

Most of them are not answerable to the legislative branch. They sit in an ivory tower, unknown to the public and unapproachable by the public, aloof and inaccessible to the real needs of real people. They have no way of understanding the impelling needs of the country which have been made known to the Congress by the people and, as a result of which, the Congress has enacted legislation. All the budget personnel know is how much it costs. The Director of OMB is clearly one of the most powerful men in our Government. So I should think that anyone sitting in a position of such authority as this should at the very least be subject to Senate confirmation.

Mr. HORTON. Mr. Chairman, I yield 4 minutes to the gentleman from Texas (Mr. STEELMAN).

Mr. STEELMAN. Mr. Chairman, I voted for the amendment in committee, and it is my intention, should the amendment which I intend to offer during the 5-minute rule fail, to once again support this and, if necessary, vote to override the Presidential veto, should that become a fact.

However, it seems to me that the bill as proposed, the so-called Brooks amendment, has several defects which my amendment is intended to cure. I think it is an attractive alternative, or should be, to Members on both sides of the aisle. My amendment, very simply, will subject all future nominees to the posts of Director and Deputy Director of the Office of Management and Budget to confirmation, but it would exempt the incumbents, those currently holding those posts.

It seems to me that the principle here is an overriding principle, and that is why I voted in committee the way I did and why I will vote, should my amendment fail, to support the so-called Brooks amendment.

However, a number of my colleagues have mentioned that it causes them problems, it causes a partisan problem, and there is a potential constitutional problem. The partisan problem is that some Members on the other side have a personal vendetta against the incumbents and are seeking to vent that by this bill. I want to disassociate myself from any motivation of that sort. I think the amendment I will offer by exempting the incumbents deals with that problem.

The second problem being the constitutional question which has been raised, my amendment deals with the issue raised by the distinguished ranking minority member, the gentleman from New York (Mr. HORTON), saying that it is unconstitutional to remove a member of the executive branch except by impeachment. This would by exempting the incumbent deal with that constitutional problem which has caused problems for many of my colleagues on both sides.

The principle involved as I see it here is an overriding one. I had the privilege and, indeed, the fortunate experience of having worked on the executive side for 2½ years prior to being elected to this body, and I had a day-to-day working relationship with the Office of Management and Budget during budget preparation time. It is clear to me that it is no longer the case that the Director or the Deputy Director is simply another staff member preparing policy options and recommendations in the same manner as other officials develop policy options for the President's consideration, such as those prepared by the foreign affairs adviser, but rather because of the increasing concentration of power there a qualitative change has taken place in this post and the day-to-day decisions affecting bills passed by Congress and the impoundment of funds are being made. Decisions are being made without the knowledge of the President and in some cases without the consent of the President. This is good management on the part of the President, delegating authority on a day-to-day basis, because obviously he cannot deal with all the questions on a day-to-day basis that the Office of Management and Budget has to deal with, but the fact is that the Director and the Deputy Director are no longer just developing policy options for his consideration but a qualitative change has taken place there and they are managing a large portion of the executive branch.

I would submit we should subject the Director and Deputy Director to the same standards as other Cabinet members. The Cabinet officers are becoming, if I may use the word, the weak sisters in the executive branch, and the Director and Deputy Director of the Office of Management and Budget are becoming, next to the President of the United States, the most important and strongest actors in the executive branch, so I would maintain we should apply the same standards to them as we do to the other members of the executive branch.

I think, having applied that principle, it is important to take a practical view of the politics of this question. If the bill is passed in its present form, it will undoubtedly be vetoed, and there are not enough votes to override that Presidential veto.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HORTON. I yield the gentleman from Texas (Mr. STEELMAN) 2 additional minutes.

Mr. WYLIE. Mr. Chairman, will the gentleman yield?

Mr. STEELMAN. I yield to the gentleman from Ohio.

Mr. WYLIE. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I think the gentleman is making a real contribution to the consideration of this bill. The gentleman is a member of this committee. I ask him: Is there any question in the gentleman's mind that this is a continuation of the present office?

Mr. STEELMAN. No, there is no doubt in my mind. I discussed that with the members of the committee, and my amendment is designed to deal with that.

Mr. WYLIE. And there is no question in the gentleman's mind that this is an effort to get the present incumbent before the Senate for confirmation hearings?

Mr. STEELMAN. I beg the gentleman's pardon. The charge has been made with some credence that the existing bill, the so-called Brooks bill is an attempt by certain Members of Congress to get at the incumbent. My amendment would cure that.

I wish to disassociate myself from any effort of that sort, and my amendment will give Members on my side an opportunity which they need to go ahead and vote for the principle involved.

Mr. WYLIE. I thank the gentleman, and I associate myself with his remarks.

Mr. STEELMAN. As I said, if the bill is passed in its present form there is no doubt that it will be vetoed and there are not sufficient votes to override a Presidential veto. I think my amendment which I will offer deals with the overriding questions which Members have with respect to the constitutionality of this question and with the partisan attempt by some to get at the incumbents, so I would like to take this occasion to inform the body I will offer my amendment under the 5-minute rule.

Mr. HOLIFIELD. Mr. Chairman, I yield myself 2 minutes.

I would like to have the attention of the gentleman from Texas (Mr. STEELMAN). On the back page of the committee report are additional views of the gentleman and they are very persuasive. He did vote, as he said, for this bill in the committee.

I would like to say this: If the Members will turn to pages 14 and 15 of the report, they will see four instances where public laws have abolished the positions. For instance, the position of Assistant Secretary of the Treasury for Administration, appointed without Senate confirmation, was abolished, and the same law created an additional Secretary of the Treasury to be appointed with Senate confirmation.

There are four instances such as that, so that there is no constitutional question involved here.

Mr. Chairman, I point also to page 15, where Reorganization Plan No. 2 of 1962 abolished the Office of Director of the National Science Foundation and established "a new office with the title of Director of the National Science Foundation." That title remained unchanged. The salary was not changed.

Mr. STEELMAN. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Texas.

Mr. STEELMAN. Mr. Chairman, I have not had a constitutional question in my own mind. I am simply addressing a question raised by many of my colleagues.

Mr. HOLIFIELD. Mr. Chairman, the constitutional question has been brought up by the gentleman from New York (Mr. HORTON). I thought that I would answer that.

On page 22, in the Katzenbach memorandum quoted in the center of the page, it says:

> The only constitutional way in which Congress can bring about the removal of an executive officer, without abolishing his office, is by way of impeachment—a process which involves a trial by the Senate and conviction by two-thirds of the Senators present.

Attorney General Katzenbach recognized two ways that Congress could act to remove officers; by abolishing the office, and by impeachment.

There has never been any question of impeachment of the present incumbent. Mr. Ash appeared before our committee on a number of occasions and conducted himself with absolute decorum. There is no doubt in my mind of his ability, although I have not always agreed with him, but he is a man of ability, and he has conducted himself before our committee in a very salutary way.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. HOLIFIELD. Mr. Chairman, I yield myself 1 additional minute.

Mr. Chairman, if this bill is passed and becomes law, of course the President can reappoint Mr. Ash, and then he would go to the Senate for confirmation just as any other appointment would be handled.

Mr. Chairman, I would like to address myself to a statement made by the gentleman from Michigan (Mr. CEDERBERG). He said that this would in effect injure the budgetary process. This does not change in any way the budgetary functions of the Director of the Office of Management and Budget, nor does it in any way take away from the House any of its prerogatives. The prerogatives of confirmation is under the Constitution, a Senate prerogative.

At the present time, with regard to any appointment of the President which does not require Senate confirmation, the House has nothing to say about it. But, the legislative branch does have something to say about which officers are subject to Senate confirmation. As has been brought out in the report, statutes passed by the Congress require that in many instances, even in the Executive Office of the President, officers are to be confirmed by the Senate. The House participates in this process.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. HOLIFIELD. Mr. Chairman, I yield myself 1 additional minute.

Mr. Chairman, there is no thought on our part of taking something away from the House. There was thought on our part of giving an additional legislative branch survey of the qualifications for appointees to the offices in question. I might say that some appointees of the President, as recent events have shown, would have been better off if subject to some senatorial questions.

Mr. WYLIE. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Ohio (Mr. WYLIE).

Mr. WYLIE. Mr. Chairman, by this legislation, is Congress not imposing qualifications retroactively?

Mr. HOLIFIELD. No. As pointed out in the report, we have done this time and time again. On pages 14 and 15, if the gentleman will read those, he will find four statutory positions, prospective in nature, endorsed by the administration.

Mr. WYLIE. I read that language on page 14. This bill provides a change of a couple of words in the title, and only a change in the title, to add the two words "of the."

A rose by any other name would smell as sweet. It is still the same office, and this bill would simply impose qualifications retroactively.

Mr. HOLIFIELD. We are proceeding in a constitutional way, in the way the Congress has proceeded many times when it felt a certain officer should be confirmed. This is nothing new and nothing radical in any way.

Mr. BRECKINRIDGE. Mr. Chairman, today the measure before us, H.R. 3932, would require that the Director and the Deputy Director of OMB be subjected to Senate confirmation hearings. I support the measure. The U.S. Constitution is clear about the right of Congress to impose this condition upon Presidential appointees. Article II, section 2 provides, in part:

> The President * * * shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law: but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

The question is raised, by the minority position in report No. 93–109 which accompanied H.R. 3932, whether or not this bill would constitute a bill of attainder, as prohibited by the Constitution, aimed specifically at the present incumbent of the Directorship, Mr. Roy Ash.

In my opinion, the answer to this question, both legally and factually, is a flat "No"; H.R. 3932 names no one, prejudges no one and disqualifies no one; in short, is aimed at no one. It is, therefore, not analogous to that act of Congress which the Supreme Court struck down (*United States* v. *Lovett,* 328 U.S. 303, 194), which did in fact name certain individuals as being henceforth disqualified for Federal civil service because of their alleged subversiveness.

The only question before us today is whether or not senatorial confirmation of the Director and Deputy Director is a sound and beneficent policy. My own study of this matter has led me to conclude that the answer must be in the affirmative, and that a number of advantages can only result from a vote in favor thereof:

First. Passage of H.R. 3932 will in part redress the imbalance between the Congress and the executive branches in the budgetary process. Let us remember that the budgetmaking power is a Presidential responsibility only as prescribed by law, and that it is not an inherent or exclusive power of that Office; the Congress receives the President's legislative proposals, including his budget, as recommendations—not fiat. Through the legislative process such proposals are submitted to critical analysis and evaluation—and, as a matter of historical ukase, to modification. It is quite obvious, therefore, that the Congress has both a legitimate and proper interest as well as a duty to authorize senatorial advice and consent in connection with the qualification of Presidential appointees to the OMB.

Second. Passage of H.R. 3932 would do no more than codify what is a recognized fact: viz, that the Director of the OMB holds an office of superior rank, for which the requirement of Senate confirmation is long overdue. The Congress should no longer allow the Director to remain in that category of Federal officers whose appointment is left solely to Executive discretion, as he is neither an inferior officer nor a purely confidential adviser to the President. That the Director of OMB is a policymaker and an administrator whose influence transcends the narrow focus of mere advisory matters cannot be argued by the 93d Congress, whose constitutionally assigned duties and responsibilities he has usurped. We have all seen statements from various executive agencies citing as reasons for the dismantlement and curtailment of legally adopted and enacted programs, as well as for nonsupport of proposed congressional measures, the fact that they are "opposed" by OMB.

Are we to require Senate confirmation of bureaucrats who would carry out such programs while not requiring it of those decisionmakers who, during this Congress, have arrogated unto themselves the very decisionmaking process of the legislative branch? Such a decision by this body would be neither good policy nor in the public interest.

Positive action on H.R. 3932 today will correct the anomaly of a Director and Deputy Director of OMB—appointed without benefit of the advice and consent of the Senate—to direct and determine the content of the programs administered by the upper echelon of officers in other and lesser components of the Executive Office of the President who must now be confirmed by the Senate. Twenty-nine such officers are now subject to Senate confirmation, working in relatively limited areas or on specific subjects. They look today to the OMB for the very existence of the programs which they by law are to execute. Why should these lesser officers be subject to confirmation, leaving the most important officers exempt from scrutiny?

For these reasons, and more particularly for the purpose of laying the predicate for restoration of congressional control over the conduct of its business and the budget process, I support the passage of H.R. 3932.

Mr. HARRINGTON. Mr. Chairman. I rise in support of H.R. 2237, a bill to amend the Budget and Accounting Act of 1921 to require Senate confirmation of the appointment of the Director of the Office of Management and Budget. This is not a simple issue, but it is clear that Senate confirmation is mandatory in this case.

The Office of Management and Budget is no longer a mere advisory board on the budget as it was first conceived, but a superagency with the power to formulate the Federal budget, set program priorities and standards, make administrative guidelines, and determine the levels of funding for all Federal programs. Such an agency plays a major role in formulating the policies of the Federal Government, and its Director should be subject to Senate confirmation as are other major policymakers.

The President has enlarged the power and responsibility of the directorship to the point where it has the full prestige and power of a Cabinet position. The Director of OMB should be subject to the same confirmation procedures as other Cabinet members.

While there may be some questions regarding the personal qualifications of Roy Ash himself stemming from his dismal management of Litton Industries, this is not an issue of a single man or a single appointment. The question is how we are going to run our Government, how much power the Congress will exercise, and how much say the representatives of the people will have over the policies of the Government. Ultimately, Congress' constitutional responsibility of overseeing the executive branch is at stake.

BACKGROUND

The initial and basic statutory authority of the Bureau of the Budget—BOB—predecessor of the present Office of Management and Budget—OMB—was the Budget and Accounting Act of 1921 (42 Stat. 20). The original version of the proposed act, S. 1084, called for Senate confirmation of the Director of the Bureau, which was to be an agency of the Treasury Department. This provision was amended in the House by striking the confirmation requirement.

The conference report on S. 1084 failed to include the confirmation requirement. No discussion or debate took place on this subject because, since BOB was to be only an advisory agency, Congress felt there was no real need for strong controls over it.

In order to strengthen the Bureau's role vis-a-vis the other agencies and to bring it closer to the Office of the President, BOB became one of the five original divisions created by President Roosevelt's reorganization plan in 1939. Obviously, the executive branch knew of the power the agency was receiving because the President's Committee on Administrative Management, which recommended much of the 1934 reorganzation, said:

> The Director is, for all practical purposes, a member of the President's Cabinet. If he is a person of ability and strong personality, he may even overshadow the Secretary of the Treasury.

Since the inception of this agency, there was never any doubt as to congressional involvement in, and responsibility for, our national budget. The Director of BOB and OMB have traditionally appeared before congressional committees. As Director Harold D. Smith commented in 1945:

> It is my conception that . . . the Budget is the joint effort of the Executive and Congress, and I have never seen any reason why there should not be closer working relations.

In 1970, President Nixon proposed, via Reorganization Plan No. 2 of that year, renaming and restructuring the Bureau of the Budget. After abolishing the BOB, the proposal, according to a House Government Operations Committee report, "would transfer all the existing statutory functions of the Bureau of the Budget to the President."

The report continues:

> The Plan does not specifically authorize the President to delegate these functions. In these circumstances, the McCormack Act (3 U.S.C. 301) would generally apply. This Act authorizes the President to delegate his statutory functions only to agency heads and to officers appointed by the President with the consent of the Senate.

The U.S. Government Organization Manuals for 1970–71, 1971–72, and 1972–73, all credit Reorganization Plan No. 2 of 1970 as being the operating authority for OMB. Until 1970, the authority of the Bureau was recognized to be statutory—congressionally specified—in nature. The reorganization, however, appears to make OMB an exclusive instrument of the executive branch. No questions have been raised since the establishment of OMB regarding the McCormack Act authority for a President to delegate statutory functions only to agency heads or officers appointed with Senate confirmation.

CONCLUSION

OMB has evolved into a superagency. It sets line-by-line budget limits for every Federal agency; develops impoundment actions; limits the expenditures of funds for programs approved by law to those falling within the President's priorities rather than those established by Congress; imposes uniform accounting systems; coordinates grants-in-aid, special technical services, and various Federal programs for the States. It even controls the nature of questionnaires sent out by Government agencies.

The problem of setting national expenditures transcends a discussion of OMB alone. Clearly, Congress has let go of most of its budget authority, with OMB taking up the slack. Discussion of the role of Congress in setting budget priorities is not really appropriate in the context of the legislation before us today. But it is perhaps the key question facing us as a body this year and one which I hope we all will address in the very near future.

In the narrower context, Congress obviously must have some control over an agency which has the power of life and death over so many aspects of our Federal Government. The place to begin is with Senate confirmation of the Director of OMB.

Senator ERVIN summed up the whole issue when he said:

> It is simply ironic to require Senate confirmation of the appointment of a second lieutenant in the Army and deny the Senate the power and the duty to pass on the fitness of individuals to serve as Directors or Deputy Directors of the Office of Management and Budget, individuals whose powers are second only to those of the President of the United States.

Mr. PICKLE. Mr. Chairman, I rise in support of H.R. 3932.

I am one of the sponsors of a similar bill, H.R. 3290.

The Members of this body may know of the effort on my part to make the Office of Management and Budget more responsive to the people.

I have called the OMB the "Invisible Government." I have pointed out that our constituents cannot rely on us when the OMB strikes. I do not recommend that the OMB handle the problems of the American people.

My support for H.R. 3932 stems from my firm belief that if the Director and Deputy Director of OMB have to be confirmed by the Senate, the agency will become more accountable to the American people through their elected representatives.

Mr. Chairman, this bill should not be regarded as a partisan matter, nor as a struggle between the executive and congressional branches of our Government.

From a partisan standpoint, the Director of the OMB and the Deputy can just as easily be a Democrat in a Democratic administration as a Republican.

H.R. 3932 protects all views, all parties. Because it does, this is a bill that in the final analysis protects the people.

The framers of the Constitution knew of no Office of Management and Budget. But they did know that there would be people designated by the President to carry out Executive duties. The Constitution, in article II, section 2, calls for Senate confirmation of public ministers and consuls. I feel that the Director of the OMB and the Deputy are "public consuls."

I do not think that these positions are the "inferior officers," that the Constitution states Congress can exempt from Senate confirmation.

With the constitutional background in mind, I do not view H.R. 3932 as a move by Congress to lessen the Executive's powers.

To label H.R. 3932 as such a bill is to say that confirming members of the Cabinet, judges, and others, is an unneeded interference by Congress in the President's selection of members of the executive branch.

Such a position would be ridiculous.

Mr. Chairman, I say that H.R. 3932 is good government. I urge its passage.

Mr. RARICK. Mr. Chairman, I would like to report to our colleagues my recent experience involving the Office of Management and Budget as an example of the expanded role OMB is playing and the decisions it is making in the running of our Government.

Last month, following the vote on the President's veto of the sewage and water grant bill, I wrote a letter to the President explaining that I supported his announced policy of fiscal responsibility, but could not understand his curtailing domestic programs while remaining committed to aid to North Vietnam. I was joined in the letter by seven colleagues.

Our letter was acknowledged by one of the President's assistants and thereafter was answered by a congressional relations employee of the OMB.

Not only is the OMB now answering letters from Members of Congress directed to the President, but, in the letter, which first denies any commitments made in aid to North Vietnam, is this statement:

> Second, such assistance would be within the budgetary levels we have proposed for national security purposes. The money will not be taken from domestic programs in the budget.

It is certainly clear to me that the people at OMB who are now answering Members' letters to the President are making top-level policy decisions on the fiscal operations of our country.

As such, the Director is more than a mere political appointee of the President. He should and must be confirmed by the Senate under our constitutional system.

Mr. HORTON. Mr. Chairman, I have no further requests for time.

Mr. HOLIFIELD. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the committee amendment in the nature of a substitute printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the offices of Director of the Office of Management and Budget, and Deputy Director of the Office of Management and Budget, established in section 207 of the Budget and Accounting Act, 1921 (31 U.S.C. 16), and as designated in section 102(b) of Reorganization Plan Numbered 2 of 1970, are abolished.

SEC. 2. The offices of Director, Office of Management and Budget, and Deputy Director, Office of Management and Budget, are established in the Office of Management and Budget and shall be filled by appointment by the President, by and with the advice and consent of the Senate.

SEC. 3. (a) The functions transferred to the President by section 101 of Reorganization Plan Numbered 2 of 1970, and all functions vested by law in the Office of Management and Budget or the Director of the Office of Management and Budget are transferred to the office of Director, Office of Management and Budget. The President may, from time to time, assign to such office such additional functions as he may deem necessary.

(b) The Director may, from time to time, assign to the office of Deputy Director, such functions as he may deem necessary.

SEC. 4. Nothing in this Act shall impair the power of the President to remove the occupants of the offices of Director, Office of Management and Budget, and Deputy Director, Office of Management and Budget.

SEC. 5. (a) Subchapter II (relating to Executive Schedule pay rates) of chapter 53 of title 5, United States Code, is amended as follows:

(1) Paragraph (11) of section 5313 is amended by striking out "of the Bureau of the Budget," and inserting in lieu thereof ", Office of Management and Budget.".

(2) Paragraph (34) of section 5314 is amended by striking out "of the Bureau of the Budget." and inserting in lieu thereof ", Office of Management and Budget.".

SEC. 6. This Act shall take effect upon the expiration of the thirty-day period which begins on the date of its enactment.

Mr. HOLIFIELD (during the reading). Mr. Chairman, I ask unanimous consent that the committee amendment in the nature of a substitute be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. STEELMAN

Mr. STEELMAN. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. STEELMAN; In lieu of the matter proposed to be inserted by the committee amendment, insert the following:

That the second sentence of section 207 of the Budget and Accounting Act, 1921 (31 U.S.C. 16), is amended by inserting before the period at the end thereof the following: ", by and with the advice and consent of the Senate".

SEC. 2. The amendment made by the first section of this Act shall apply to appointments of the Director and the Deputy Director of the Office of Management and Budget made after the date of enactment of this Act.

Mr. STEELMAN. Mr. Chairman, the amendment which I am offering will cure, I believe, the objections many Members of this body on both sides of the aisle have had to this legislation.

First, it deals with the partisan problem, which many Members on my side of the aisle are concerned about, in that as amended the bill would not subject the incumbents, the current holders of the offices, to confirmation, but would subject all future nominees for these positions to confirmation. I believe that deals with one overriding consideration many Members on our side of the aisle have.

The second point, which has been raised by the distinguished ranking minority Member of the committee, the gentleman from New York (Mr. HORTON) is the constitutional issue. I believe this cures that possible defect. I do not find that argument overriding, but many Members have expressed concern.

This amendment, by exempting incumbents, would deal with that constitutional question.

I believe it is important for us, since we have to give some new thought to this whole question, to give thought to the qualitative change which has taken place in the Office of Management and Budget, a portion of it due to the Reorganization Plan of 1970.

The events of the past 18 months have especially given rise to concern on the part of many Members that Cabinet members, who traditionally have had the day-to-day decisionmaking power in the executive branch, are now becoming secondary to the Office of Management and Budget, where these day-to-day management and budget decisions are made.

The objections cited in many cases to confirming the Director and Deputy Director have been that they, just like the foreign affairs advisers, the head of the National Security Council, and the head of the Domestic Council, are developing policy options for the President; they are Presidential staff members, and he is entitled to private counsel on these sorts of things, and they should not have to come to the Hill and subject themselves to questioning and subject themselves to the same kinds of questions Cabinet officers do, because there is a qualitative difference.

Mr. Chairman, it is clear to me, having worked for 2½ years on the executive side and having dealt with the Office of Management and Budget, that a change has taken place and that the traditional argument against confirmation no longer applies, because the institution is not the same institution it was. The institutional question here is: Will we subject the Director of the Office of Management and Budget to the same standards that we apply to the other members of the executive branch?

It is a very important part of the whole system of checks and balances between the executive branch and the legislative branch of Government, and I would maintain that, given recent events, it makes less sense to confirm the Cabinet officers and more sense to confirm the Director of OMB if we are trying to establish or maintain the traditional system of checks and balances.

But I, for one, will say that I am not about to undertake to introduce any legislation that would exempt the Cabinet officials; so, I would say let us apply the same standards to all, including the Director and Deputy Director of the Office of Management and Budget.

Mr. Chairman, what would this do for us? What do we get when we subject someone to Senate confirmation?

Well, Mr. Chairman, we get the same thing as we do when we subject nominees to the Cabinet to Senate confirmation: We get an idea of their fitness and qualification for the job.

I think it is very important that any man giving himself to public office should have to stand before the public screen, if you will. It is inherent in the cross-examination by Members of Congress. It is one of the best features of the traditions of the checks-and-balances system.

So we establish first his fitness for the job: What has this man done that qualifies himself to aspire to this great office?

Mr. Chairman, the second thing is: What are our general philosophies toward these kinds of decisions? As far as the Members on my side of the aisle are concerned, it so happens that the administration of the Office of Management and Budget during this administration generally has accorded with our general philosophical views toward the operations of the budget. The spending priorities established by the Office of Management and Budget have been generally consistent with the views of Members on my side of the aisle. That has not been the case of those Members on the other side of the aisle, and it may be true that, when the administration changes, the spending priorities of the Office of Management and Budget will be contrary to what the Members on my side of the aisle would think wise.

So what I am saying is that we need to have some mechanism whereby we can get at the philosophy of the Director of the Office of Management and Budget, because he is no longer only carrying out the views of the President, but he is carrying out his own viewpoints. We need to have this kind of mechanism, and I think it is a compelling argument for Members on both sides of the aisle that we must be sure that the question of fitness for the job is dealt with by the Congress, as well as the philosophical feelings of the nominees for these posts of Director and Deputy Director.

Mr. BROOKS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am opposed to the amendment offered by the gentleman from Texas.

The amendment would single out two specific individuals to be given special consideration under the provisions of this act. This legislation is not directed at individuals now holding Federal office nor to specific individuals who might be appointed. It is simply a straight-forward exercise of the acknowledged right of Congress to abolish and create Federal Government offices, specifying such terms, conditions, and qualifications as we deem appropriate.

Mr. Chairman, to deny for an indefinite period of time the right of Congress to change the qualifications for holding an office of the Federal Government is an unacceptable limitation on our congressional responsibilities.

No individual has a vested or possessory right to a Federal Government appointment.

Furthermore, we should not include in this legislation any language infringing upon the President's right to appoint any individual he wishes, free from outside influence, however subtle. Special consideration given to certain individuals by this legislation would not leave the President absolutely free to choose appointees for the new office under equal conditions.

The amendment, as offered, would also do away with the revesting of statutory functions in the Director, OMB. This is an equally important part of the legislation.

The gentleman from Texas who offered this amendment supported this legislation when it was before the Committee on Government Operations. I want to commend him for that and for his courageous and honest stand on it and particularly for the statement in his additional views that appeals to me so much, when he said there is nothing to be lost and much to be gained by confirmation.

I say that immediate confirmation of the new officers is essential if we are going to maintain equality within the branches of this Government.

I believe the amendment would weaken this bill and represents an unnecessary concession on the part of the Congress. I urge my colleagues to vote against this amendment and to support this bill. I believe we can pass it. I would not prejudge what the President would do by way of signing or vetoing it. I still have some confidence in the President, and I think he might well approve this legislation.

Mr. STEELMAN. Will the gentleman yield?

Mr. BROOKS. I yield to my distinguished friend from Texas.

Mr. STEELMAN. I would like to say to my colleague and to my other colleagues that it is clear to me what the political future of this bill is. I believe it important we take note that if our concern, as the gentleman so eloquently stated, is to get confirmation, preferably immediately, but, if not immediately, if a veto is cast, then we should be concerned about passing a plan which is more palatable to the Executive or, in the absence of that, which will have a good chance of getting an override of a Presidential veto.

Mr. BROOKS. I would say to my good friend from Texas that I appreciate his feelings on this matter, but I believe Congress should do immediately that which they know and concede is right and proper and then have enough faith in the President to believe that he will concur in that judgment. We should not prejudge him as vetoing a bill which we by a large majority feel is desirable and helpful for this Nation.

Mr. McCLOSKEY. Mr. Chairman, I rise in favor of the amendment.

It seems to me the comment of the gentleman from Texas (Mr. BROOKS) lays out carefully and clearly what is the purpose of this legislation; namely, it is to subject the present incumbents of the office, Messrs. Malek and Ash, to Senate confirmation. If that is, indeed, the true purpose of it, then this is an improper and unconstitutional act of the Congress of the United States, because only by impeachment can a President's appointments properly made be removed.

It is true, as stated in the earlier debate, that there are several substantive changes in the powers of the Director of the Office of Management and Budget, but he is presently carrying out those same powers by delegation from the President. The only action of the bill, then, is to place in him by statute the powers which he now exercises anyway. In effect, a subterfuge has been used in order to give the bill some substantive meaning, to subject Mr. Ash and Mr. Malek to congressional confirmation.

There are those of us who will agree that the Director of the Office of Management and Budget should be subject to confirmation, if only to enable us in the House of Representatives to insure that they be asked the question at their confirmation hearings if they will be responsive clearly and forthrightly to inquiries from Members of Congress as to the policies which the Office of Management and Budget now conducts. We should not vote, however, to make this retroactive in an unconstitutional manner to do something that Congress cannot do.

Therefore, I suggest to my Democratic colleagues, if the Steelman amendment is adopted and if we make future Directors of the Office of Management and Budget subject to the confirmation of the Senate, the support of sufficient numbers on our side of the aisle, not only to enact it into law but even to override a veto will probably be available. If not, and if you insist on resisting the amendment, as was done in the committee, on a partisan basis, then, of course, you make it impossible for us to support the action of enacting a wise law. You make us do today an idle act in passing a bill in the House of Representatives which cannot survive a Presidential veto.

I suggest that the merits of this go beyond partisanship. Democrats and Republicans alike ought to pass a bill about which there is no question of constitutionality and a bill which will make the future Director of the Office of Management and Budget subject to congressional confirmation.

Otherwise we lose the point entirely if this amendment is defeated. I hope that we will agree to the amendment.

Mr. BROOKS. Mr. Chairman, would the gentleman yield?

Mr. McCLOSKEY. Certainly.

Mr. BROOKS. To my friend, the gentleman from California, I would like to say that I specifically mentioned that we did not want to pass a bill that would name two individuals because to do so would prejudice those individuals in the Senate and the right of the President to appoint whoever he pleases as a new Director and a new Assistant Director. If we exempt the existing Director and the existing Assistant Director, create a new agency, give it statutory functions and then give the President the option of appointing somebody then he has the option of appointing somebody, he has this option only if he appoints the two that he has in the present office, those two would be exempt from Senate confirmation. If the President wants to appoint someone else, they would have to be confirmed. I think this is a subtle pressure on the President which we should not incur. I think we should leave the President a free hand to appoint anybody he pleases to the new Office of Management and Budget. The President may well want to appoint the incumbents, and he has this option, but again the President may not. The President has made some very significant changes in the last couple of days.

Mr. McCLOSKEY. Mr. Chairman, I respect the rhetoric that comes to us from the State of Texas, but I would point out that the true meaning of this bill is quite clear when we note that the change in this great office is accomplished by changing the name from Director of the Office of Management and Budget to the new office of Director [c-o-m-m-a] Office of Management and Budget. And to try to accomplish this great substantive change by adding a comma in place of two words. It seems to me that we demean the dignity of the House by such an action.

Mr. HORTON. Mr. Chairman, I move to strike the requisite number of words and I rise in opposition to the amendment.

Mr. Chairman, I feel very strongly that this amendment should be defeated. At the outset I would like to point out that we can prospectively require confirmation of these two positions, the Director and the Deputy Director of the OMB, constitutionally.

Because they are "inferior officers" under the Constitution, the Congress does have the power to require that they be subject to Senate confirmation. In other words, this amendment would remove the constitutional question that is involved with the proposal that is now before us.

But this legislation really is an attempt to grab some supposed short-range political advantage, and is not part of an effort to come to grips with the deeper, more complex issues involved. I made a statement yesterday for the RECORD, to be found at page 13588, on the policy issues.

Now I would like to mention just three reasons why we should not require confirmation.

First of all, this issue was debated very heatedly in 1921 when the Bureau of the Budget was created. At that time the Senate enacted a bill to create the Bureau of the Budget and required that the Director and Deputy Director be confirmed by the Senate. The House felt very strongly about that and, in conference prevailed. The House conferees insisted that the budget director not be subject to Senate confirmation. I think that the arguments that were propounded in 1921 are just as important now.

Second, I think it is important that we recognize that the budget director—the Director of OMB is the President's man and should be treated that way and should not be required to be confirmed by the Senate.

And the third point I would like to make is that by requiring confirmation by the Senate we would be giving up some of the prerogatives of the House.

In 1921 when this issue was proposed before the House, it was argued that the President under the Constitution was the Chief Executive and he should have the responsibility and staff to carry out the administrative aspects of the budget. At that time they realized that the budget director would be a strong man and a powerful man. I would like to quote Congressman Garner, who was a conference manager of the bill and later Vice President:

> It has been said by the gentleman from Illinois [Mr. Denison] that the executive budgetary man probably is an inferior officer; but let me say to you, gentlemen; he is the President's man.
>
> The President does not even have to consult the Senate about him. He pays him $10,000 a year, and he is immediately under the direction of the President of the United States. It may be an inferior office, but if he will appoint a man with courage, a man who will do his duty, he will be the second largest man in the executive department of the Government.

They also debated whether he should be solely the President's man, and decided he should. The importance of this is spelled out in the following exchange:

> Mr. MADDEN. And everytime he speaks it will be the President who will be speaking.
>
> Mr. GARNER. He will be able to look at the Secretary of the Treasury and say, "You will cut out this expenditure. This is what I am going to abolish." Who is this that is speaking to me?" "It is the representative of the President of the United States himself." And when the Secretary of the Treasury sits down at the Cabinet table and says, "This budgetary man is destroying my department," who defends him? The President himself, and if there is a controversy to be fought out, he sends for his budgetary man and they fight it out around that Cabinet table."

The House also recognized that if they involved the Senate in the selection of the President's budget advisors, they would be weakening their own position of leadership in fiscal matters.

Proponents of this amendment and the bill argue that times have changed and that the budget director now is such a powerful man that he should be subject to Senate confirmation. But why is it that at no time over the past 52 years has this proposal been made? It was never made when new responsibilities were assigned to the Bureau of the Budget or when the Bureau of the Budget was transformed into the Office of Management and Budget. This proposal was not made previously because we recognized that the needs of the President for budgetary and management staff were increasing and that the Bureau of the Budget or Office of Management and Budget was the necessary vehicle for exercising these expanding Presidential responsibilities. We recognized that while the quantity of power of the budget director was increasing, the role of the budget director vis-a-vis the President and vis-a-vis the Congress was not changing in any fundamental manner. Thus, it would be inappropriate now to require Senate confirmation of the budget director just as it was inappropriate in 1921.

The President needs his own confidential Budget Director. Without such a person, he will simply turn elsewhere for budget advice; to someone who does not have the organization to support his decisionmaking. If the Budget Director were in any way considered independent of the President, it would seriously damage his ability to issue orders for the President. This House may be forgetting how important it was in 1921, and how important it remains today, to provide the President with the capability for strong management and budget authority. Giving the President this capability does not adversely affect the power of the Congress. Without this capability, the whole Government would be weakened. If we want to strengthen the systems of checks and balances, let us do so in a meaningful way by improving congressional procedures. It is the wrong approach to weaken the President in order to strengthen the Congress.

I also want to point out to the House that this bill would weaken the leadership position of the House in matters of fiscal policy. Our budgetary procedures are already too fragmented, as pointed out by the Joint Study Committee on Budgetary Control. Without doubt, over time the Senate would become the more important body to the Budget Director. Is this what we want? And let me add that this would not be a parochial concern for the House. Everyone realizes that the Congress must speak with a more unified voice if it is to exercise its policy responsibilities. The Senate has policy areas where it takes the lead, as does the House. Do we want to dilute our leadership in matters of fiscal policy by passing this bill? This amendment does not really solve the policy issue involved in this legislation. Therefore, I urge my colleagues to vote against this amendment.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman from New York yield?

Mr. HORTON. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Chairman, I wish to compliment the gentleman from New York on the thoroughness of his research in justifying his position in opposition to the amendment. I wish to compliment the gentleman also on the fine job he has done in the total consideration of this bill. I support the gentleman in his opposition to the amendment, and I support his position vis-a-vis the bill itself.

Mr. HORTON. I thank the gentleman from Michigan.

Mr. RHODES. Mr. Chairman, will the gentleman yield?

Mr. HORTON. I yield to the gentleman from Arizona.

Mr. RHODES. I thank my good friend,

the gentleman from New York, for yielding.

I wish to compliment him on the very fine statement which he has made and on the work and research which he has done which led up to the statement. I wonder if the gentleman would agree with me that the ancestry of this bill is a little suspect. For 50 years nobody seemed to care whether the Director of the Office of Management and Budget was confirmed by anyone or not, but now, all of a sudden this becomes some sort of a burning issue that we must handle today.

To me it must boil down to the pique of certain Democrat Members of the House and Senate over impoundments of funds.

May I suggest if this is the situation that the way Congress should cure the impoundments is to immediately enact the recommendations which have been published by the Joint Committee on the Budget, which was created for the purpose of trying to make some fiscal sense out of what we in the Congress do. The whole reason for impoundments is that Congress never makes decisions as to whether we are going to live within our budget or not, and have an inflationary budget or not. If we do not make those decisions any President at some point is going to have to make impoundments in order to save the economy.

I was impressed with the statement of the gentleman from New York concerning the relationship of the Office of Management and Budget and the President. Every President is going to have a budget expert. We should have our own budget man and should not impinge on the President's budget expert. If this bill passes and by some misadventure becomes law, the President of the United States, whoever he may be, will not again use the Director of the Office of Management and Budget as his budget man. He will find somebody else who is his man. I think it is much better to have a Director of the Office of Management and Budget, who is a highly visible individual, to be the President's adviser on budgetary matters than to have an obscure staff, in some backroom of the White House, advise the President.

I thank the gentleman for yielding and I congratulate him again on his statement.

Mr. HORTON. Mr. Chairman, I thank the gentleman from Arizona for his contribution.

Mr. ANDERSON of Illinois. Mr. Chairman, I rise in support of the amendment offered by my colleague from Texas (Mr. STEELMAN) to exempt the present Director and Deputy Director of the Office of Management and Budget from the Senate confirmation requirement. I am in full agreement with the Government Operations Committee that these positions are of such great importance as to subject them to a Senate confirmation requirement. As the committee report points out on page 13, some 29 officers of the Executive Office are already subject to confirmation. These include the Director and Deputy Director of the Office of Telecommunications Policy, the Director and Deputy Director of the Special Action Office on Drug Abuse, the Chairman and two members of the Council of Economic Advisers, and the Chairman and two members of the Council on Environmental Quality. Anyone with any familiarity with the powers and responsibilities of the Office of Management and Budget knows that this office is far more important and powerful than any of the others in the Executive Office which are already subject to confirmation proceedings, and in fact, I think it is safe to say that OMB is second only to the President in the powers it has been delegated and exerts with respect to all facets and activities of the Federal Government.

At the same time, I am greatly troubled by several aspects of the committee bill. As it is now designed, it would abolish the offices of Director and Deputy Director of OMB 30 days after enactment and then recreate them and make them subject to confirmation. To me, this is a political slap at the President and a vote of no-confidence in the present Director and Deputy Director of OMB. As it is now drawn, this bill could be termed the ax Ash bill.

Opponents of this bill claim it is unconstitutional—that it is "ripper legislation." I think the Senate version which does not abolish and recreate the offices might be more open to such a charge, but this bill at least attempts to address itself to such a constitutional question by first abolishing the offices before recreating the offices and making them subject to confirmation. Nevertheless, this constitutional safeguard is transparent at best in attempting to cloak its retroactive impact in the guise of legality.

On pages 14 through 16 of the committee report, some six examples are cited in which the Congress has already abolished an office in the executive branch and recreated it with a confirmation requirement. And yet, in questioning the gentleman from Texas (Mr. BROOKS) in the Rules Committee, I learned that in each of these instances, this was at the request of the President. In fact, the only case where the Congress unilaterally took the initiative to make a nonconfirmation office subject to future confirmation was with the FBI Director, and in that case, the existing Director, Mr. Hoover, was grandfathered.

So what we are being asked to do today in the committee bill is certainly unprecedented, if not unconstitutional. I am greatly disturbed that the committee has taken what is an important and worthwhile idea and deliberately built-in a confrontation trigger which makes this bill little more than veto bait. No matter how well-intentioned the committee may have been in bringing this bill before us, the bill in its present form can only be viewed as being politically motivated; in its present form it is malicious, pernicious and capricious. We are being asked to kill a horse in midstream—a highly political act. In being asked to abolish and immediately recreate these offices, we are being asked to commit chicanery and a charade. I will have no part of it.

I think my views on the need for the Congress to reassert itself and strike a more proper balance between the coequal branches of our Government are well known. But there is a right way and a wrong way to go about this, and in my considered judgment, the committee bill is the wrong way. If we are to reassert ourselves in a responsible manner, as I think we must if we are to be taken seriously and if we are to be successful, we must make every effort to avoid opening ourselves to charges that our actions are politically motivated or that we are simply attempting to provoke a confrontation with the Executive. I think the Steelman amendment which would grandfather the existing director and deputy director of OMB is the responsible way to achieve the end of recognizing the status and the importance of the Office of Management and Budget. I certainly cannot guarantee that even with the Steelman amendment this bill would not be vetoed; but I think I can say with some confidence that we would be on much sounder and more responsible grounds on this matter when it comes to overriding a veto if we adopt the Steelman approach rather than the committee approach. I therefore urge adoption of the Steelman substitute.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. Mr. Chairman, I yield to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Chairman, I thank the gentleman for yielding.

I have not always agreed with the gentleman from Illinois on some of the issues which have come before the House, but I want to endorse and associate myself with the excellent remarks which he has just made in behalf of this amendment.

Mr. Chairman, I will support the amendment. If the amendment is defeated, I will vote against the bill.

Mr. ANDERSON of Illinois. Mr. Chairman, I am always gratified when the distinguished gentleman from Iowa takes my point of view.

Mr. SCHERLE. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, we, in this body, will make a vital decision today: whether the people of this Nation, through their elected officials, should have the opportunity to scrutinize and approve or reject the man appointed by the President to one of the most important posts in the administration, Director of the Office of Management and Budget.

This position has grown in power until it now equals or exceeds that of any Cabinet officer. At a social function recently, the Deputy Director of OMB, Frederick Målek, was asked if his position is less important since he left the White House staff. Answered Malek:

> I'm more important than those Cabinet finks.

Indeed, Cabinet officials, who must win the consent of the Senate, must have their budgets approved by the Office of Management and Budget—OMB. OMB's power now even infringes upon the Congress. Almost daily we witness new intrusions by executive branch budgeteers into legislative prerogatives. The unbridled and unprecedented use of the power of impoundment has already maimed the administration of many congressionally mandated programs and threatens to kill others outright.

OMB's meat ax chopped more than a billion dollars from the farm program. One-half billion dollars was lopped off the housing and urban development program. Hundreds of millions have been pared from conservation programs, including the rural environmental assistance program. Billions of highway trust funds have been impounded. Over $6 billion approved by Congress for water and sewage treatment facilities will never see the light of day. Untold millions of dollars approved for education programs will never be made available.

Not even the amputee veterans of Vietnam escaped. Had it not been for the public uproar which followed its announcement, OMB would have docked their benefits as well.

The hatchetmen at OMB, in short, have usurped and contravened our duties and responsibilities under the Constitution. Mr. Chairman, Congress must act now to reverse this trend which subverts the democratic process.

To begin with, we must have the fundamental right to advise and consent to the appointment of OMB's director, particularly in view of the present officeholder. Roy Ash's past record is cause enough to question his ability. It is well known that Mr. Ash, as president of Litton Industries, was involved in huge and questionable cost overruns on Navy contracts for shipbuilding. The Navy charges that Litton collected excess overhead at the shipyard. Yet then president Ash attempted to get an additional $400 million from the Navy to bail the conglomerate out of financial difficulty. According to a Navy admiral present at the time, he threatened to take his problem to the White House. Now this man can withhold approval of the Navy's budget.

Nor is Mr. Ash a newcomer to controversy in his dealings with the Federal Govenment. When he was an executive with Hughes Aircraft Co., he was again at the storm center of a disagreement over a large Government contract. Mr. Ash was accused of juggling Hughes' books so that the company could collect an extra $43 million from the Air Force. Hughes had to repay over the objections of Mr. Ash who saw nothing wrong with over-crediting certain inventory accounts, a practice which resulted in the overcharge.

Since assuming his present position, Mr. Ash and his former business associate and cofounder of Litton Industries have been charged with fraud in a civil suit. The Securities and Exchange Commission is also investigating Mr. Ash for violating its regulations on stock trading by "insiders." In addition, his "land swap" deal involving the Department of Interior has left some unanswered questions.

Congress would be very ill-advised to ignore this man's background and qualifications. Yet, that is exactly what we are asked to do. The President has let it be known that, should the House approve this legislation which has already passed the Senate by a vote of 64 to 17, he will veto it.

Mr. Chairman, Congress is continually blamed for the country's ills. I submit that if we are to be blamed, then we should have real responsibility. We should see to it that OMB gives full consideration to congressional intent; we should see to it that 1 man cannot contravene the judgment of 535 Members of Congress; we should see to it that impoundment no longer substitutes for legislation. And we should see to it that the Director of OMB, and his successors submit to the same confirmation process required of Cabinet Secretaries.

I urge all the Members of this body to accept this amendment and, by so doing, prove to the American people that Congress can be and will be responsible.

Mr. WYLIE. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Texas (Mr. STEELMAN).

I believe the Director of the Office of Management and Budget should be confirmed, because I agree that the Office now holds vast importance and power, but I believe this bill before us is unconstitutional because it is an obvious attempt to nullify the appointment of incumbents in office. I believe this has been developed during the course of the debate.

This bill before us does not change the duties or responsibilities now being carried out by Mr. Ash or Mr. Malek. I do feel future appointments should be confirmed and I will, therefore, support the amendment offered by the gentleman from Texas (Mr. STEELMAN), which in my judgment is a valid approach.

Mr. BROWN of Ohio. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the purposes of this amendment are laudable, to the extent that the sponsors might wish better congressional budgetary procedures and oversight. I would like that myself, and believe that we ought to take some action to accomplish that, if we can, during this Congress.

But does this amendment accomplish that end? The OMB Director is given the budget preparation and oversight responsibility, instead of the President, under this amendment, but it is still the President who nominates him and the Senate which confirms his nomination. That is the other body, not the body in the Congress from which spending legislation springs under the Constitution. That does not accomplish better House control of the Budget Director or the budgetary procedure or management, in my opinion.

And what of the President's responsibility to prepare his own budget, as our Chief Executive? This amendment provides for Senate confirmation of a Budget Director, who would be, under the basic bill we are considering, preparing a budget not for the President to finally approve and to present, but for himself as Budget Director, because he would now not be precisely the President's man. as is the case currently.

What if the President finds differences, and presents a different budget, or disapproves of some oversight decision by the Director of the Office of Management and Budget?

The President will surely have, no matter what happens to this legislation, then, his own man, under whatever legislation we have, or he will have a separate trusted staffer second guessing the OMB Director. What, then, is the sense of this amendment and the basic legislation?

Is the OMB Director to be the President's man? If he is, it is not he who is doing the job, but the President who is making the decisions, no matter who does the detailed staff work. And if he is the President's man, Congress can alter his recommendations and actions if it has the votes to do so.

If, on the other hand, the OMB Director is to be a function of congressional research and detail work, then there are a lot of better ways to have him selected and to have his functions defined than in this legislation.

But if the amendment passes and the bill passes, for whom does the Director of the Office of Management and Budget make his budgetary decisions or manage the spending of Federal funds? For the President? No; the President will have his own man. For the Congress? Well, who is he second guessing? Is the independent, confirmed Budget Director second guessing the Appropriations Committee or the Congress itself?

The answer is, under this amendment and this legislation, the Director of the Office of Management and Budget would be speaking for himself and precious few others in the process of setting up a budget and managing it.

The amendment should be defeated, and so should the bill.

Mr. BUCHANAN. Mr. Chairman, I rise in support of the amendment.

Mr. BELL. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from California.

Mr. BELL. Mr. Chairman, I rise in support of the Steelman amendment, because, first, the bill as it is today is of questionable constitutionality.

No. 2, I believe that the bill as it is, is an attempt on the part of some Members to place in question the selection of one of the very outstanding public servants of this Nation, Mr. Roy Ash—who happens also to be one of my constituents. I believe that Roy Ash has already proven himself as having outstanding ability and should continue to be Director of the Office of Management and Budget.

In view of his vast contributions and indepth expertise resulting from the Commission he headed to develop a streamlined reorganization of the Federal Government, I can think of no one better qualified to hold the position he presently occupies.

Mr. ROUSSELOT. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from California.

Mr. ROUSSELOT. I thank the gentleman for yielding.

I know the gentleman in the well is a supporter of this amendment. I believe he is correct in his position, along with the gentleman from Texas (Mr. STEELMAN), and the gentleman from Illinois (Mr. ANDERSON).

It has been a basic tradition in our country that, after the fact, we do not pass laws to attack somebody because we happen to disagree as to how he handles that particular position in the executive branch, unless we believe an executive action is bad enough to require impeachment.

If this amendment is not passed, this particular legislation will be a blow to the basic ideas and ideals of our ex post facto concepts. I support the amendment of the gentleman from Texas (Mr. STEELMAN), and will be constrained to oppose the legislation unless this change prevails.

Mr. Chairman, I thank the gentleman from Alabama (Mr. BUCHANAN), the gentleman from Texas (Mr. STEELMAN) and the gentleman from Illinois (Mr. ANDERSON) and others; they are to be complimented on their efforts to try to correct this obvious defect in the law.

Mr. BUCHANAN. Mr. Chairman, I thank the gentleman from California (Mr. ROUSSELOT) for his remarks and for his contribution, and I concur in what he has said.

Without this amendment, this bill, without impugning the motives of its sponsors, becomes a piece of legislative gimmickry to get at the incumbent Director and Deputy Director, and I think there is reason to question its wisdom as a precedent and its constitutionality. But with the amendment, we are providing a means whereby a man who holds a very powerful and responsible office shall receive confirmation, as do a number of others in his basic classification.

Mr. Chairman, I cannot see that he is any more independent than the cabinet officers or the others for whom this is already required, or that he will be made so by this legislation, but I would say, particularly in this positon, having to do, as it does, with budgetary matters, this Congress, which is supposed to control the purse strings of the Nation, should at least have the power of advice and consent of confirmation.

Now, I would say that if we want to play a more responsible role in fiscal affairs in this country, I think the most important thing we have to do is to be responsible. If we are going to appropriate beyond the budget in every area but one, year after year, I see no alternative but that somebody must hold down the Federal spending. I see no reason why we cannot devise a means whereby we can look at the entire budget in Congress in the light of the revenue as expected and deal with the budget as an entity.

Mr. Chairman, I can see a place for an OMB in the Congress, as a matter of fact, and I would say the first thing we must do, if we want to exercise our constitutional power in this field of controlling the purse strings, is to be responsible and to conduct our business in a more orderly way.

But I think we ought to have the right to require that the Senate confirm this man, a man who holds such great power in fiscal policy. Certainly it is as logical as it is that the cabinet officers be confirmed.

Hence I would support this legislation if this amendment carries. Without this amendment, I feel it to be mischievous and of doubtful constitutionality; with it, it appears to me to be a logical and meritorious action for this House to take. Therefore, I urge the adoption of the Steelman amendment.

Mr. ERLENBORN. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Texas (Mr. STEELMAN).

As has been pointed out very eloquently by my colleague the gentleman from Illinois (Mr. ANDERSON), the passage of this bill in its present form is nothing more than gimmickry, which attempts to do something which is probably unconstitutional. In my opinion, if the amendment is adopted, the bill would make sense; if the amendment is not adopted, the bill makes no sense whatsoever except from a political standpoint.

Yes, maybe our Democratic colleagues will try in this way to embarrass the administration and try to get to Mr. Roy Ash. But that is all that can be accomplished. It does not really make any sense from a governmental standpoint.

Mr. Chairman, we are told that the purpose of this bill is to give Congress some control over this very important agency. Now, if this were true, I think my friends, the gentlemen on the subcommittee, would have voted for the amendment which I offered in subcommittee. The bill in its present form does away with the Office of Management and Budget and then recreates it in the same place, with the same functions that it had before. In subcommittee I offered an amendment that would have changed the character of the Office of Management and Budget.

Once it was recreated it would be as an independent agency, much as the General Accounting Office, one that would be subject to congressional control.

So really, if this is what our friends who support this bill want to do, that is, to give Congress some real control over the Office of Management and Budget, then I think they would have supported the amendment I offered in the subcommittee. Since they did not do so, it is not control of the agency they want but only an attempt to embarrass the administration. It makes no sense and is a waste of our time to spend our time in the House of Representatives in foolish endeavors such as this.

Mr. Chairman, I hope the amendment is adopted so the bill makes sense. If it is not, I hope the bill is defeated.

Mr. FRENZEL. Mr. Chairman, will the gentleman yield?

Mr. ERLENBORN. I yield to the gentleman from Minnesota.

Mr. FRENZEL. Mr. Chairman, I rise in support of the Steelman amendment. Without it, this bill, H.R. 3932, is a transparent political ploy to attack a single Administrator, Mr. Roy Ash, in a manner that has been charitably discussed as unconstitutional.

The Steelman amendment gives sense to a bill that is otherwise pure political vindictiveness. No bill that abolishes an agency of Government, and then recreates it 30 days later, just to get rid of its Director, should be passed by this Congress.

The Steelman amendment provides for confirmation of the Director of OMB, but it does so on a constitutional basis, rather than on a "Bill of Attainder" basis. Whether the Director's position should be confirmed or not, is a debatable question. I think he should be confirmed because I see little difference between the Director and other Cabinet officers who are able to be confirmed and still be "the President's men."

I urge support of this amendment.

Mr. HOLIFIELD. Mr. Chairman, I ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Texas (Mr. STEELMAN).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. STEELMAN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device; and there were—ayes 130, noes 263, not voting 40, as follows:

[Roll No. 116]

AYES—130

Anderson, Ill.
Archer
Armstrong
Ashbrook
Baker
Beard
Bell
Biester
Blackburn
Broomfield
Brotzman
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burgener
Butler
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Cohen
Collier
Collins
Conte
Coughlin
Crane
Cronin
Daniel, Dan
Dellenback
Dennis
Devine
Dickinson
du Pont
Erlenborn
Eshleman
Findley
Fish
Fisher
Forsythe
Frelinghuysen
Frenzel
Frey
Froehlich
Gilman
Goldwater
Goodling
Gross
Grover
Gubser
Gude
Hansen, Idaho
Harsha
Harvey
Hastings
Heckler, Mass.
Hillis
Hinshaw
Huber
Hudnut
Hutchinson
Johnson, Pa.
Keating
Kemp
Ketchum
Latta
Lott
McClory
McCloskey
McCollister
McDade
McEwen
McKinney
Madigan
Mailliard
Mallary
Mann
Martin, Nebr.
Martin, N.C.
Mathias, Calif.
Mayne
Miller
Mills, Ark.
Mitchell, N.Y.
Mizell
Moorhead, Calif.
Mosher
Parris
Pettis
Peyser
Powell, Ohio
Price, Tex.
Pritchard
Quie
Quillen
Railsback
Rinaldo
Robinson, Va.
Rousselot
Ruppe
Ruth
Sarasin
Satterfield
Scherle
Schneebeli
Sebelius
Shriver
Shuster
Skubitz
Spence
Stanton, J. William
Steed
Steelman
Steiger, Wis.
Symms
Taylor, Mo.
Teague, Calif
Thomson, Wis.
Vander Jagt
Veysey
Wampler
Widnall
Wilson, Bob
Winn
Wyatt
Wylie
Young, Ill.
Zion
Zwach

NOES—263

Abzug
Adams
Addabbo
Alexander
Andrews, N.C.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Aspin
Bafalis
Bennett
Bergland
Bevill
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Bray
Breaux
Breckinridge
Brinkley
Brooks
Brown, Calif.
Brown, Ohio
Burke, Calif.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton
Byron
Camp
Carney, Ohio
Carter
Casey, Tex.
Cederberg
Chappell
Chisholm
Clay
Conable
Conlan
Conyers
Corman
Cotter
Culver
Daniel, Robert W., Jr.
Daniels, Dominick V.
Danielson
Davis, Ga.
Davis, S.C.
Davis, Wis.
de la Garza
Delaney
Dellums
Dent
Derwinski
Diggs
Dingell
Donohue
Dorn
Downing
Drinan
Dulski
Duncan
Eckhardt
Edwards, Ala.
Edwards, Calif.
Eilberg
Esch
Evans, Colo.
Evins, Tenn.
Fascell
Flood
Flowers
Flynt
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Fulton
Fuqua
Gaydos
Gettys
Giaimo
Gibbons
Ginn
Gonzalez
Grasso
Green, Pa.
Griffiths
Guyer
Haley
Hamilton
Hammerschmidt
Hanley
Hanrahan
Harrington
Hawkins
Hays
Hébert
Hechler, W. Va.
Heinz
Helstoski
Henderson
Hicks
Hogan
Holifield
Holt
Holtzman
Horton
Hosmer
Howard
Hungate
Hunt
Ichord
Jarman
Jones, N.C.
Jones, Okla.
Jordan
Karth
Kastenmeier
Kazen
Kluczynski
Koch
Kyros
Landgrebe
Landrum
Leggett
Lehman
Lent
Litton
Long, La.
Long, Md.
Lujan
McCormack
McFall
McKay
McSpadden
Macdonald
Mahon
Maraziti
Mathis, Ga.
Matsunaga
Mazzoli
Meeds
Melcher
Metcalfe
Mezvinsky
Michel
Milford
Mills, Md.
Minish
Minshall, Ohio
Mitchell, Md.
Moakley
Mollohan
Moorhead, Pa.
Morgan
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
Nichols
Nix
Obey
O'Hara
O'Neill
Owens
Passman
Patman
Patten
Pepper
Perkins
Pickle
Pike
Poage
Podell
Preyer
Price, Ill.
Rangel
Rarick
Rees
Regula
Reid
Reuss
Rhodes
Riegle
Roberts
Robison, N.Y.
Rodino
Roe
Rogers
Roncalio, Wyo.
Roncallo, N.Y.
Rooney, Pa.
Rose
Rosenthal
Roush
Roy
Roybal
Runnels
St Germain
Sandman
Sarbanes
Schroeder
Seiberling
Shipley
Shoup
Sikes
Sisk
Slack
Smith, Iowa
Snyder
Staggers
Stanton, James V.
Stark
Steele
Steiger, Ariz.
Stephens
Stokes
Stubblefield
Stuckey
Studds
Sullivan
Symington
Talcott
Taylor, N.C.
Thompson, N.J.
Thone
Thornton
Tiernan
Towell, Nev.
Treen
Udall
Ullman
Van Deerlin
Vanik
Waggonner
Waldie
Walsh
Ware
White
Whitehurst
Wiggins
Williams
Wilson, Charles H., Calif.
Wilson, Charles, Tex.
Wolff
Wright
Wydler
Wyman
Yates
Yatron
Young, Alaska
Young, Fla.
Young, Ga.
Young, S.C.
Young, Tex.
Zablocki

NOT VOTING—40

Abdnor
Anderson, Calif.
Badillo
Barrett
Biaggi
Bowen
Brasco
Burke, Fla.
Carey, N.Y.
Clark
Cochran
Denholm
Foley
Gray
Green, Oreg.
Gunter
Hanna
Hansen, Wash.
Johnson, Calif.
Johnson, Colo.
Jones, Ala.
Jones, Tenn.
King
Kuykendall
Madden
Mink
Montgomery
Myers
O'Brien
Randall
Rooney, N.Y.
Rostenkowski
Ryan
Saylor
Smith, N.Y.
Stratton
Teague, Tex.
Vigorito
Whalen
Whitten

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. O'NEILL. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this I believe to be a rational and deserving piece of legislation. Here we strike at the core of the problem of imbalance between the Congress and the White House. Here is the focal point of impoundments and the subtle vetoes that we do not have an opportunity to override. Here we have an opportunity to get back some of our eroding power.

Members ask where does the power in the Government lie? It lies in the decisions that are made to support a program or to kill it, to fund an agency, or to starve it to death. As long as the Congress has no say as to who heads the Office of Management and Budget and what his qualifications may be, that is how long we will be handicapped in exercising our proper role as a coequal branch of the Government.

Mr. Chairman, we authorize, we appropriate, the Senate does the same, and then the President signs. Yet by a whim of the Director of the Office of Management and Budget a program may be struck from existence.

I am not impressed at all with the argument that the Director of the Office of Management and Budget is so different in the work he performs that the Congress should ignore his appointment and have no part of it. The Members and I know that he fashions the nearly $300 billion budget with life and death power over programs enacted by this Congress.

Is there anything more important than the function that Cabinet officers do? All of the Cabinet officers are confirmed.

The Members know that his carrying out of some 70 or more statutes and Executive orders is similar to what most Cabinet officers and agency heads, all confirmed by the Senate, are required to do. These are operating functions.

Neither am I impressed with the argument that there is some special confidentiality between the Office of Management and Budget Director and the President in shaping the budget and impounding funds that Congress should not disturb. Surely, there is no distinction in the President's relationship with the Secretary of the Treasury, George Shultz, who is confirmed by the Senate, but also is a counselor to the President, or with the Secretary of Health, Education, and Welfare, Mr. Caspar Weinberger, who is confirmed, but similarly is a counselor to the President. How about the Secretary of Agriculture, Earl Butz? He is confirmed, and he also is a consultant and counselor to the President. They all hold backroom, closed-door consultations with the President.

The impact on the Congress and the public of the decisions of the Office of Management and Budget Director is no less than any of these other counselors to the President. They have all laid their qualifications on the line.

Mr. Chairman, I do not want to bring up the issue of Roy Ash, but if we really believe that Roy Ash could not be confirmed, then he should not be there. If we think he can be confirmed, then his name should go before the Senate. We should give to him, in my opinion, the same prestige that we gave to the Cabinet members. We gave it to them and we should give it to the Office of Management and Budget.

Mr. Chairman, agencies of the executive branch were established by a congressional act, and all of them must be confirmed by the Senate. I think this position must be subject to confirmation.

Now, we have a chance to strike a blow for the equality of the legislative branch of Government. I hope all the Members on both sides of the aisle will give this serious consideration. The power of the Congress has been eroding. This is an opportunity to get back some of our power.

Mr. HOLIFIELD. Mr. Chairman, it appears to me that this matter has been adequately debated.

Many of the Members have come to me and asked for a vote on this bill. I trust now that we can have a vote on H.R. 3932.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BOLAND, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee having had under consideration the bill (H.R. 3932) to provide that appointments to the Offices of Director and Deputy Director of the Office of Management and Budget shall be subject to confirmation by the Senate, and for other purposes, pursuant to House Resolution 351, he reported the bill back to the House with an amendment in the nature of a substitute adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. HORTON

Mr. HORTON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. HORTON. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. HORTON moves to recommit the bill, H.R. 3932, to the Committee on Government Operations.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. BROOKS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device; and there were—yeas 229, nays 171, not voting 33, as follows:

[Roll No. 117]

YEAS—229

Abzug
Adams
Addabbo
Alexander
Andrews, N.C.
Annunzio
Archer
Ashley
Aspin
Bennett
Bergland
Bevill
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Breaux
Breckinridge
Brinkley
Brooks
Brown, Calif.
Burke, Calif.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton
Byron
Carey, N.Y.
Carney, Ohio
Casey, Tex.
Chappell
Chisholm
Clay
Cleveland
Conte
Conyers
Corman
Cotter
Cronin
Culver
Daniel, Dan
Daniels, Dominick V.
Danielson
Davis, Ga.
Davis, S.C.
de la Garza
Delaney
Dellums
Dent
Derwinski
Diggs
Dingell
Donohue
Dorn
Downing
Drinan
Eckhardt
Edwards, Calif.
Eilberg
Evans, Colo.
Evins, Tenn.
Fascell
Findley
Flood
Flowers
Flynt
Ford, William D.
Fountain
Fraser
Fulton
Fuqua
Gaydos
Gettys
Giaimo
Gibbons
Ginn
Gonzalez
Grasso
Green, Pa.
Griffiths
Haley
Hamilton
Hanley
Harrington
Hawkins
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Henderson
Hicks
Hillis
Holifield
Holtzman
Howard
Hungate
Ichord
Jones, N.C.
Jones, Okla.
Jordan
Karth
Kastenmeier
Kazen
Keating
Kluczynski
Koch
Kyros
Landrum
Leggett
Lehman
Litton
Long, La.
Long, Md.
Lujan
McCollister
McCormack
McFall
McKay
Macdonald
Madden
Mahon
Mann
Mathis, Ga.
Matsunaga
Mazzoli
Meeds
Melcher
Metcalfe
Mezvinsky
Milford
Mills, Ark.
Minish
Mink
Mitchell, Md.
Moakley
Mollohan
Moorhead, Pa.
Morgan
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nichols
Nix
Obey
O'Hara
O'Neill
Owens
Patman
Patten
Pepper
Perkins
Peyser
Pickle
Pike
Poage
Podell
Powell, Ohio
Preyer
Price, Ill.
Rangel
Rarick
Rees
Reid
Reuss
Riegle
Roberts
Rodino
Roe
Rogers
Roncalio, Wyo.
Rooney, Pa.
Rose
Rosenthal
Roush
Roy
Roybal
Runnels
St Germain
Sarbanes
Satterfield
Schroeder
Seiberling
Shipley
Shoup
Sikes
Sisk
Slack
Smith, Iowa
Staggers
Stanton, James V.
Stark
Steele
Steelman
Stephens
Stokes
Stubblefield
Stuckey
Studds
Sullivan
Symington
Taylor, N.C.
Thompson, N.J.
Thornton
Tiernan
Udall
Ullman
Van Deerlin
Vanik
Waldie
White
Whitehurst
Whitten
Williams
Wilson, Charles H., Calif.
Wilson, Charles, Tex.
Wolff
Wright
Yates
Yatron
Young, Fla.
Young, Ga.
Young, Tex.
Zablocki

NAYS—171

Anderson, Ill.
Andrews, N. Dak.
Arends
Armstrong
Ashbrook
Bafalis
Baker
Beard
Bell
Biester
Blackburn
Bray
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burgener
Butler
Camp
Carter
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cochran
Cohen
Collier
Collins
Conable
Conlan
Coughlin
Crane
Daniel, Robert W., Jr.
Davis, Wis.
Dellenback
Dennis
Devine
Dickinson
Dulski
Duncan
du Pont
Edwards, Ala.
Erlenborn
Esch
Eshleman
Fish
Fisher
Ford, Gerald R.
Forsythe
Frelinghuysen
Frenzel
Frey
Froehlich
Gilman
Goldwater
Goodling
Gross
Grover
Gubser
Gude
Guyer
Hammerschmidt
Hanrahan
Hansen, Idaho
Harsha
Harvey
Hastings
Hinshaw
Hogan
Holt
Horton
Hosmer
Huber
Hudnut
Hunt
Hutchinson
Jarman
Johnson, Pa.
Kemp
Ketchum
Landgrebe
Latta
Lent
Lott
McClory
McCloskey
McDade
McEwen
McKinney
McSpadden
Madigan
Mailliard
Mallary
Maraziti
Martin, Nebr.
Martin, N.C.
Mathias, Calif.
Mayne
Michel
Miller
Mills, Md.
Minshall, Ohio
Mitchell, N.Y.
Mizell
Moorhead, Calif.
Mosher
Nelsen
O'Brien
Parris
Passman
Pettis
Price, Tex.
Pritchard
Quie
Quillen
Railsback
Regula
Rhodes
Rinaldo
Robinson, Va.
Robison, N.Y.
Roncallo, N.Y.
Rousselot
Ruppe
Ruth
Sandman
Sarasin
Scherle
Schneebeli
Sebelius
Shriver
Shuster
Skubitz
Smith, N.Y.
Snyder
Spence
Stanton, J. William
Steed
Steiger, Ariz.
Steiger, Wis.
Symms
Talcott
Taylor, Mo.
Teague, Calif.
Thomson, Wis.
Thone
Towell, Nev.
Treen
Vander Jagt
Veysey
Waggonner
Walsh
Wampler
Ware
Widnall
Wiggins
Wilson, Bob
Winn
Wyatt
Wydler
Wylie
Wyman
Young, Alaska
Young, Ill.
Young, S.C.
Zion
Zwach

NOT VOTING—33

Abdnor
Anderson, Calif.
Badillo
Barrett
Biaggi
Bowen
Brasco
Burke, Fla.
Clark
Denholm
Foley
Gray
Green, Oreg.
Gunter
Hanna
Hansen, Wash.
Johnson, Calif.
Johnson, Colo.
Jones, Ala.
Jones, Tenn.
King
Kuykendall
Montgomery
Myers
Randall
Rooney, N.Y.
Rostenkowski
Ryan
Saylor
Stratton
Teague, Tex.
Vigorito
Whalen

So the bill was passed.

The Clerk announced the following pairs:

Mr. Rooney of New York with Mr. Whalen.

Mr. Teague of Texas with Mr. Johnson of Colorado.

Mr. Barrett with Mr. Saylor.

Mr. Brasco with Mr. King.

Mr. Gray with Mr. Myers.

Mr. Johnson of California with Mr. Abdnor.

Mr. Jones of Alabama with Mr. Kuykendall.

Mr. Montgomery with Mr. Burke of Florida.

Mr. Rostenkowski with Mr. Ryan.

Mr. Vigorito with Mrs. Green of Oregon.

Mr. Stratton with Mr. Clark.

Mr. Biaggi with Mr. Foley.

Mr. Jones of Tennessee with Mr. Randall.

Mr. Badillo with Mr. Bowen.

Mr. Anderson of California with Mr. Hanna.

Mr. Gunter with Mrs. Hansen of Washington.

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to abolish the offices of Director and Deputy Director of the Office of Management and Budget, to establish the Office of Director, Office of Management and Budget, and transfer certain functions thereto, and to establish the Office of Deputy Director, Office of Management and Budget."

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of House Resolution 351, the Committee on Government Operations is discharged from the further consideration of the Senate bill (S. 518) to provide that appointments to the offices of Director and Deputy Director of the Office of Management and Budget shall be subject to confirmation by the Senate.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. HOLIFIELD

Mr. HOLIFIELD. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. HOLIFIELD moves to strike out all after the enacting clause of the bill S. 518 and to insert in lieu thereof the provisions of H.R. 3932, as passed, as follows:

That the offices of Director of the Office of Management and Budget, and Deputy Director of the Office of Management and Budget, established in section 207 of the Budget and Accounting Act, 1921 (31 U.S.C. 16), and as designated in section 102(b) of Reorganization Plan Numbered 2 of 1970, are abolished.

SEC. 2. The offices of Director, Office of Management and Budget, and Deputy Director, Office of Management and Budget, are established in the Office of Management and Budget and shall be filled by appointment by the President, by and with the advice and consent of the Senate.

SEC. 3. (a) The functions transferred to the President by section 101 of Reorganization Plan Numbered 2 of 1970, and all functions vested by law in the Office of Management and Budget or the Director of the Office of Management and Budget are transferred to the office of Director, Office of Management and Budget. The President may, from time to time, assign to such office such additional functions as he may deem necessary.

(b) The Director may, from time to time, assign to the office of Deputy Director, such functions as he may deem necessary.

SEC. 4. Nothing in this Act shall impair the power of the President to remove the occupants of the offices of Director, Office of Management and Budget, and Deputy Director, Office of Management and Budget.

SEC. 5. (a) Subchapter II (relating to Executive Schedule pay rates) of chapter 53 of title 5, United States Code, is amended as follows:

(1) Paragraph (11) of section 5313 is amended by striking out "of the Bureau of the Budget." and inserting in lieu thereof ", Office of Management and Budget.".

(2) Paragraph (34) of section 5314 is amended by striking out "of the Bureau of the Budget." and inserting in lieu thereof ", Office of Management and Budget.".

SEC. 6. This Act shall take effect upon the expiration of the thirty-day period which begins on the date of its enactment.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to abolish the offices of Director and Deputy Director of the Office of Management and Budget, to establish the Office of Director, Office of Management and Budget, and transfer certain functions thereto, and to establish the Office of Deputy Director, Office of Management and Budget."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 3932) was laid on the table.

GENERAL LEAVE

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed, and to include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

REQUEST TO CONSIDER SENATE JOINT RESOLUTION 93, TEMPORARY EXTENSION OF AUTHORIZATION FOR PRESIDENT'S NATIONAL COMMISSION ON PRODUCTIVITY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate joint resolution (S.J. Res. 93) to provide a temporary extension of the authorization for the President's National Commission on Productivity.

The Clerk read the title of the Senate joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. ROUSSELOT. Mr. Speaker, reserving the right to object, I would like to ask my distinguished chairman the gentleman from Texas (Mr. PATMAN) why we have had to wait until this hour when actually this matter expired last night, why is it that we are asked to do this in this manner? And, further, I would ask if all of the minority members have been properly advised of this proposed action?

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. ROUSSELOT. I will be glad to yield to the gentleman from Texas.

Mr. PATMAN. Mr. Speaker, in reply to the inquiry of the gentleman from California, let me say that this is to extend the Commission for 60 days so that it will expire on June 30th. It does not require any funding, no expenses, and the Commission goes out of existence on June 30, 1973.

Mr. ROUSSELOT. I still do not understand why we have waited until this hour. Why was this not brought up before so that there would be opportunity to consider it fully. Why are we doing it in this manner?

Mr. PATMAN. If the gentleman will yield further, it was of major importance as I understand the way it was supported by those who have considered it. If the gentleman wishes to delay this, of course it can be done. However, I might add that I believe the leaders on the gentleman's side of the aisle are in agreement on this, so I was told that they were, and that there is no objection to it, otherwise I would not have brought the matter up.

Mr. McKINNEY. Mr. Speaker, would the gentleman yield?

Mr. ROUSSELOT. I will be glad to yield to the gentleman from Connecticut.

Mr. McKINNEY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I believe that there is no objection on this side, but I personally deeply resent the fact that this Commission went out of existence, in law, at 12 o'clock midnight last night and here we are today on unanimous-consent request extending this legislation after the fact, and in view of the clear fact that this Commission has not known until now whether it was going to continue with its work. I believe this is inexcusable, and yet I am sure the fact of the matter is that the Chairman knew when the date of the expiration came forward. I believe the House really should be given more of a chance to debate the issue and more of a chance to work its will than after the fact, without having this last minute rush in order to protect the work of the Commission.

Mr. PATMAN. Mr. Speaker, will the gentleman yield further?

Mr. ROUSSELOT. I will be glad to yield to the gentleman from Texas.

Mr. PATMAN. Mr. Speaker, the resolution was only introduced on April 17, 1973, by Senator JOHNSTON from the Senate Banking, Housing and Urban Affairs Committee who reported the following joint resolution which, of course, extends the Commission—and I will read the language of the Senate joint resolution:

> *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 4(f) of Public Law 92–210, approved December 22, 1971, is amended by striking out "April 30, 1973" and inserting in lieu thereof "June 30 1973."

No funding, no expense, no nothing. It is an extension for 60 days.

Mr. ROUSSELOT. If my chairman will yield further, I think the point we are trying to make is that we do not understand why this was not more appropriately brought before the full committee, discussed, and brought out with better notification given.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ROUSSELOT. I yield to the gentleman from Iowa.

Mr. GROSS. What is the mission of this Commission?

Mr. PATMAN. I do not know too much about it. It is Senator JAVITS' organization that is handling it in the Senate.

Mr. GROSS. Why should its life be extended for 30 days?

Mr. PATMAN. The administration has requested that the Commission's authority be extended to June 30, 1973.

Mr. GROSS. For what reason?

Mr. PATMAN. I will read it:

> It is most unlikely that the Administration's request for an extension of the Commission's authority will be acted upon as separate legislation in either body before the expiration date. Therefore, it is essential that this joint resolution be enacted if the Commission's fine work is to continue.
>
> Higher productivity growth is an important national objective. We all gain when productivity goes up. Productivity is a measure of how well we use our material and human resources. It is a measure of how much real value is produced by human services and by the contribution of capital goods and other factors of production. Productivity growth is the way new wealth, new jobs and an increasing standard of living comes about.
>
> Achieving price stability and a healthy level of economic growth depends over a period of years on productivity growth. That is why the President in 1970 established the National Commission on Productivity.
>
> The Commission's role is to address itself to the long-term economic problems that made the economic stabilization program necessary in the first instance. Whereas the Cost-of-Living Council is dealing with the present effects of those problems, the Commission has the job of recommending more durable contributions and solutions. It is also the Commission's task to improve the quality of working experience as those solutions are achieved.
>
> The Commission approached its task on an industry-by-industry, sector-by-sector basis. It recently completed an important survey of productivity improvement opportunities in the food industry that could well provide some ultimate answers to the food price spiral about which all of us are concerned. It has also initiated projects in the health services industry, construction and municipal government—all of which have constituted inflationary sectors of the economy.

Mr. GROSS. Is there any question about what has caused the increased costs of living?

Mr. PATMAN. Among some people there is a difference of opinion.

Mr. GROSS. There might be a difference of opinion.

Mr. PATMAN. I mean an honest difference of opinion.

Mr. GROSS. I would doubt whether this Commission could resolve the differences of opinion. Tell me, has this Commission rendered any reports of any kind?

Mr. PATMAN. I am not questioning this at all, sir, but I think that they are sincere in wanting this done.

Mr. GROSS. That may be, but has the Commission come forth with any reports of any kind?

Mr. PATMAN. Of course, they have not filed their report, I do not suppose, because the expiration—

Mr. GROSS. Will this action extend it for 60 days? Is June 30 the expiration date?

Mr. PATMAN. That is right, June 30.

Mr. GROSS. The gentleman says this is without cost to the Federal Government. On what will this Commission subsist until June 30?

Mr. PATMAN. I do not know.

Mr. GROSS. Mr. Speaker, in view of the fact that the gentleman has so little information to impart to the House on this subject, I suggest that perhaps tomorrow or some other day would be a better time to pursue this matter. Therefore, I object.

The SPEAKER. Objection is heard. Unless the gentleman from Iowa withdraws his objection the Chair is powerless to recognize any other Members on this matter.

CHANGE IN LEGISLATIVE PROGRAM

Mr. O'NEILL. Mr. Speaker, I take this time to announce the change in the legislative program for this week. On Wednesday we will take up H.R. 6388, the Airport Development Acceleration Act of 1973, which has an open rule with 1 hour of debate, instead of H.R. 6452, the Urban Mass Transportation Assistance Act of 1973, which is being postponed indefinitely.

BILL OFFERED TO TEST YEAR-ROUND DAYLIGHT SAVING TIME

(Mr. VAN DEERLIN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. VAN DEERLIN. Mr. Speaker, I am today introducing legislation providing a 2-year test of year-round daylight saving time. My bill is similar to proposals offered earlier in this session by our colleagues, Congressman LENT and HOSMER, but with one important difference: The temporary nature of my plan which would cause it to expire after the trial period unless Congress took specific action to continue it, on either a temporary or permanent basis.

I believe we should give ourselves the opportunity to examine carefully the double daylight system before locking it in as the law of the land. We need to know whether double daylight can live up to its promise. For example, will all-year daylight saving accomplish the things we all want, such as materially reducing consumption of electricity? Only time will tell the full extent of the benefits to flow from adoption of the plan.

On the surface, year-round daylight saving would seem a distinct convenience for most people. During the season of standard time, just ended, those of us following a normal schedule started each day with an hour of largely wasted daylight. And at the end of the day we were forced to turn on our lights 60 minutes earlier than otherwise might be necessary.

It would seem that at the very least, daylight saving time during the winter months would relieve some of the pressure on generating capacity, particularly in our urban areas. I am advised that yearly peaks of demand for electric power are reached with the falling of darkness in early December. Generators hum to produce the power then needed to light and heat homes and offices. Perhaps if we could "postpone" the setting of the sun for 60 minutes, by keeping daylight saving in effect all year round most people could get home before dark on even the shortest days of the year, and the pressure on our generating capacity would be alleviated in a substantial way.

Double daylight has been tried before, of course, and proven successful. The wonder is that we ever reverted to our present on-again, off-again procedures.

From February 1942, to October 1945, year-round daylight saving was observed, as a wartime fuel conservation measure. More recently, for a 3-year period ending in 1971, Great Britain conducted a similar test. Studies indicated a dramatic leveling off of peak period demands for electricity, but following the trial Parliament did in fact reject any further extension of the year-round daylight saving concept. Part of the problem was that the states to the north and west of England proper—Scotland, Wales, and Northern Ireland—were genuinely inconvenienced; because of their geographic location, the sun simply did not appear until too late in the day for them.

Here in Congress, we need not be confronted by regional difficulties. The statute which my bill would amend—the Uniform Time Act of 1966—already provides exemptions for States which decide that compliance with the act would be impractical for them. My legislation would do nothing to alter the existing provisions for freedom of choice by the individual States, so no State could be forced to observe double daylight if its legislature said no to the plan.

So that we would have the fullest possible guidance, the bill would require the Department of Transportation to submit a complete report to Congress on the effects of double daylight no later than 6 months before the proposed law was due to expire. That way the House and Senate would be assured ample time to decide whether to establish double daylight saving as our permanent national standard. I have designated DOT to make the study, paying particular attention to the energy aspects, because it is the agency responsible for administering the Uniform Time Act. There would be a grace period of at least 180 days between enactment of the bill and the start of the 2-year experiment in daylight saving around the calendar.

SOME FIGURES ON MILES PER GALLON OF GASOLINE

(Mr. WYMAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. WYMAN. Mr. Speaker, yesterday I urged the American automotive industry to take the lead in working together to develop an American engine that will get up to 50 miles per gallon of gasoline. Less gross weight, shorter car lengths and more efficient and economical automotive engines are a must for the U.S.A. in the current energy crunch.

Similarly it is ridiculous for U.S. law to require emissions standards beyond those necessary to protect public health. Present Clean Air Act requirements for 1975 are way too high. They are pegged at 96 percent pollution-free. Ninety percent is high enough to protect public health anywhere in the country and more than enough in most of the United States.

If they stay at 96 percent, the gadgetry that must be bought and maintained will see cars getting as low as 5 miles per gallon—upping daily U.S. consumption of gasoline by millions more barrels.

An indication of the present wasteful loss from emissions controls appears in a current box from U.S. News and World Report. Read it and weep:

THE MILES-PER-GALLON RACE

A government study confirmed last week what many automobile owners have suspected for years: small foreign cars get slightly better mileage per gallon of gasoline than their American competitors. And big cars, regardless of where they are made, eat up more than twice as much gasoline as small ones.

Of the 364 models tested by the Environmental Protection Agency, the Japanese-built Datsun 1200 scored highest with 28.7 miles a gallon. The Italian-made Ferrari was lowest with 6.3 miles a gallon. The 1973 models were tested on a dynamometer that simulated urban driving conditions, and EPA warned that consumers might get different mileage, depending on driving conditions. Nevertheless, the tests do offer a basis for comparing mileage among different models. Here are more EPA results:

	Miles per gallon
Honda Sedan	25.8
Buick Opel	23.8
Dodge Colt	22.7
Volkswagen Sedan	21.7
Ford Pinto Wagon	21.2
Fiat Sedan	20.4
Mazda Sedan	19.6
Chevrolet Vega 2300	18.9
American Motors Gremlin	18.0
Plymouth Valiant Duster	17.9
Volvo 183	17.0
Ford Maverick	15.1
American Motors Javelin	14.3
Mercedes-Benz 220	13.2
Chevrolet Nova	12.7
Chevrolet Chevelle	11.8
Dodge Dart	10.6
Plymouth Fury	9.7
Rolls-Royce Silver Shadow	9.2
Chrysler Imperial	9.2
Cadillac Eldorado	8.1
Ford Station Wagon	7.6

THE UNITED STATES IN SPACE—A SURVEY

(Mr. FREY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FREY. Mr. Speaker, within a very few weeks, my colleagues will be asked to consider the NASA Authorization bill for fiscal year 1974. The Science and Astronautics Committee, in drawing up this bill, has based its final recommendation upon testimony delivered by many expert witnesses in addition to field trips by Members and staff.

Past hearings of the committee have revealed that this country enjoyed a superiority in space which dates back almost to the very initiation of our space program. The many firsts the United States has recorded have so far outpaced the accomplishments of the other members of the international space community that this Nation has virtually taken for granted our preeminence in the field. I sometimes fear that we have progressed so far so fast that we will lose interest in the challenge and dedication to the cause. An injection of reality might be the precise solution—an injection similar to that which the foremost experts in space provided the committee this year.

For the past month, the committee heard a story of far different substance than the stunning successes of our lunar exploits. The testimony we were presented told of a public disenchanted with space, a space agency with a minimal and declining budget, and a Nation headed for the day in which it will no longer be first. The emphasis was no longer a story of achievement; the message was more an indication of an intended retreat.

I, for one, cannot minimize the tragic shortsightedness in reducing the pace of our space activity. We now appear to be turning our back on a field of endeavor which has contributed as much to the economic growth, progress and welfare of our Nation as any other single element of activity. The space program is a positive program and can and should exist side by side with other positive programs aimed at curing the country's ills. I respect the opinion of those who want to further cut or totally abandon the space program. However, I feel that their opinion is based on a lack of information and understanding.

My hope, therefore, is to provide the other Members of this Congress the unique insight afforded me by my participation on the Science and Astronautics Committee. I do this as a means not only to express my concern to my colleagues, but as one measure by which to reverse this downturn in our space effort. What I intend to do is to include a series of articles in the Record over the next few weeks which will examine and explore our U.S. space program in order to provide a backdrop for the fiscal year 1974 NASA Authorization bill. As an integral part of the discussion, the various aspects of international cooperation in space as well as the technological benefits which we have enjoyed from our expenditures on space programs will be emphasized. Finally, I will offer my thoughts as to the status of our space program today and tomorrow and the nature of the support which must be provided in order to insure this country's continued leadership.

By way of brief introduction, my primary concern over this Nation's budget reduction for space stems from two causes. The first is the $52 billion this country has invested in space over the 15 years. The experiments we have performed, the technology and techniques we have perfected can now be transformed into operational cost-saving, labor-saving, in fact, life-saving systems. In essence, we have the opportunity to turn from the experimental and exploratory use of space to the everyday, operational use of space. Within the framework of our space program, this Nation's taxpayers have funded the development of over 2,000 new patented inventions—a number which is growing exponentially with each passing day. Yet, this is only the most meager indication of the ultimate benefits of our work in this field. While the benefits of today are measured in terms of microminiaturized television sets and sharper dental X-rays, the dimensions of the next generation of benefits are telephone communications at one-tenth today's cost, the elimination of the mid-air aircraft crash, the accurate prediction of weather days in advance, the location of valuable earth resources and the detection of pollution sources. My concern is thus one of the American people failing to capitalize on technology more than a decade in the development—technology leading to a better tomorrow.

Finally, I am troubled by the many exploits and the sharply increased activity in space by our many international neighbors. The Soviet Union is the most obvious example.

Whether the race in space is contrived or real, meaningful comparisons can be made. The United States has enjoyed approximately 64 space "firsts;" the Soviet Union 31. Such numbers are important because they provide a measure of the relative state of technology in each country. But there are other comparisons. While we contemplate a domestic United States communication satellite system, the Russians have been offering such service for eight years. While our Viking project is expected to land an unmanned capsule on the surface of Mars in 1976, the Russians accomplished this feat in 1971. While we intend to orbit our Skylab manned laboratory this year, the Russians orbited a similar station, Soyuz 11, 2 years ago.

Although the achievements of the Soviets tend to be less publicized and less dramatic to the public, our experts on space spare no compliments at the duration of Russian manned flights and the sophistication of their space hardware. But my distress is not the result of present status—rather the developing trend.

Our space program reached a peak in 1966 in terms of both dollars spent and manpower engaged. Since then the United States budget has been halved. The manpower has been cut from 420,000 to less than 135,000. In contrast, the Russians program has yet to peak. Russia now spends more than 2 percent of its GNP on space compared to a U.S. rate of one-third of 1 percent. In 1972, the Soviets launched 89 spacecraft, manned and unmanned. The United States launched 36. This country launched twice the Russian rate in the mid-1960's. The Nation's decreasing emphasis; the Soviet's increasing emphasis will lead inevitably to a decline in U.S. influence in space. If permitted to continue, the world can anticipate no less than a major shift in the balance of global power.

The same Congress which dedicated itself to placing a man on the moon in the 1960's now faces the challenge of redefining the role of the space program for the 1970's. It is our decision—a decision calling for our most thorough and knowledgeable judgment. To proceed too fast is to waste dollars we urgently need elsewhere. To proceed too slow is to waste our fiscal, human, and technological resources and to throw away the opportunity to improve the quality of life on earth.

I look forward to your joining with me during the next few weeks in gaining a fuller understanding and appreciation of the United States in space.

CRIME COMPENSATION

The SPEAKER pro tempore (Mr. McKay). Under a previous order of the House, the gentleman from Utah (Mr. Owens) is recognized for 30 minutes.

Mr. OWENS. Mr. Speaker, recognizing that today is national "law day," I am introducing for myself and Mr. Bingham, Mr. Brown of California, Mr. Harrington, Mr. Jones of North Carolina, Mr. Mazzoli, Mr. Moakley, Mr. Pepper, Mr. Roncallo of New York, Mr. Rosenthal, Mr. Stark and Mr. Ware, a bill to establish a National Crime Compensation program for innocent victims of violent crimes.

As a preface to the details contained in the proposed legislation, I would like to reflect a few aspects of our process of criminal justice.

Throughout the Nation there is unprecedented alarm and concern over growing violent crime rates. All of us are aware of someone close in our circle of friends or relatives who has been victimized.

Daily newspaper headlines about crime become increasingly distressing not alone because of the act of the criminal and the cruelty perpetrated upon the victim, but disturbing because the effect of increasing crime on citizens generally is to make us insensitive to the resultant pain and suffering. And, as Rousseau observed "one loses one's humanity when one fails to respond to human suffering."

The alarming trend, particularly in the cities, is towards an unwillingness to become involuntarily involved. The American "good samaritan" is disappearing from the streets. The cry for help now frequently falls on deaf ears. Probably the most infamous example of this alarming fact is the tragedy of Kitty Genovese, who in 1964 was brutally stabbed to death in front of her apartment in New York City while at least 38 of her neighbors passively looked on. None even called the police.

But this problem is not new. It has happened before. When societies have become cosmopolitan, they have lost the mutual concern which motivates one man to risk injury or discomfort to help another.

The first codified body of laws of which I am aware was assembled in ancient Babylonian times by Hammurabi. These writings reflected a need for a sense of social responsibility, and suggest a solution, a compromise with misery. "If the brigand has not been caught," Hammurabi wrote:

> The man who has been despoiled shall recount before God what he has lost, and the cities and Governor in whose land and district the brigandage took place shall render back to him whatever of his was lost.

The idea that a criminal act gives rise to a triangular relationship serves as the philosophical proposition for the code. The criminal, the victim and the Government were considered together. Then, through the course of history, the role of the State has grown, representing, as it has "all the people." Initially, this trend was justified to stop revenge seeking by the victim's kin against the criminal or his relatives. As law enforcement technology has grown, attention focused on apprehending the suspect and meting out "justice" has grown, and concern for the innocent victim has been eclipsed. The State's interest has been to deter further acts of violence and less and less concern has been shown for the victim.

Injustice, both in the action of the crime itself, and the inaction, which follows, in ignoring the innocent victims after, only breeds more injustice. Apathy develops, then, outright tolerance for criminal action. Concern for the victim has been completely lost as a legitimate role of the State.

How can we reintroduce concern for the victim into the process of criminal justice? First, we can provide the mechanism to compensate the innocent victims of crime to the extent that money can offset the traumatic and painful experience. The words of Mr. Justice Brandeis, writing on compensation in general and the then recently enacted workmen's compensation act, apply with equal force to compensation for victims of crime.

> The conviction became widespread that our individualistic conception of rights and liability no longer furnished an adequate

basis for dealing with accidents in industries.

It was urged that:

> Attention should be directed not to the employer's fault, but to the employee's misfortune. Compensation should be general, not sporadic; certain not conjectural; speedy, not delayed: definite as to the amount and time of payment and so distributed over long periods as to insure the actual protection against loss or lessened earning capacities.

Just as rapid industrialization increased the hazards for the industrial workers, modern urban society has increased the pain of being the victim of a violent crime. Extending the workmen's analogy, just as the worker was frequently frustrated in his attempt to recover for his injuries because of his employer's financial limitation, so too is the innocent victim often barred from making himself financially whole again because the criminal tort-feasor goes undetected or is without funds.

It is appropriate, on law day, to introduce legislation to establish a National Crime Compensation Board to provide for innocent victims.

The main features of the bill that we introduce today are:

First, the bill would create a three person Violent Crime Compensation Commission. The Commission would compensate innocent victims for injuries or death resulting from any one of 18 offenses. The 18 offenses could be grouped generally under the heading of homicide, assault, sexual offenses, all occurring within the Federal criminal jurisdiction. There would be a maximum limit of $25,000 for each award. It would be the Commission's duty to examine the evidence presented, both to determine what level of compensation should be granted and whether, in fact, the person making the claim is an innocent victim.

With some limitation, the Commission could order the payment of compensation, on behalf of the injured victim, to the person responsible for his maintenance, to his dependents, or closely related survivors. The authority of the Commission to award compensation would not be dependent on prosecution or conviction of the accused for the offense, but would be based on the fact of the injury itself.

As far as what type of losses are covered, the proposal would provide compensation for expenses incurred as a result of the victim's injury or death, for the loss of his earning power, for pain and suffering and for any other pecuniary losses which the Commission deems reasonable, under guidelines provided.

Compensation would be denied where the victim was, at the time of the injury or death, living with the offender or in any case where the Commission finds that compensation would result to the offender. Decisions and orders of the Commission would be reviewed by the appropriate court of appeals.

A most important provision would allow the Commission, where possible, to recover from a convicted assailant the amount of any award granted as a result of his crime.

There is also provided a grant program which would encourage States to establish crime compensation systems within their individual criminal jurisdiction.

Because of its nature, legislation of this kind can only become reality as the aftermath of a public revulsion against violent crime. Whether we are yet concerned enough about the innocent victim is not clear, but we should be. His protection is an indispensable component of any system of justice. This legislation proposes to address the problem directly. I urge the House's favorable consideration of our legislative proposal.

WATERGATE AND OUR RESPONSIBILITY FOR CAMPAIGN REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 15 minutes.

Mr. KEMP. Mr. Speaker, last night the President pledged to do everything in his power to insure that those involved in illegal events connected with Watergate are brought to justice and that such abuses are "purged from our political processes in the years to come." The President said he, the man at the top, must bear the responsibility for actions of subordinates.

While the President and all Americans exercise introspection into moral values applied to the conduct of political campaigns, I believe we in Congress also must bear the responsibility to help avoid future Watergates.

Even as we ask ourselves how high a price America and the world must pay for Watergate and related misdeeds, and while we contemplate the Nation's domestic and international goals, we must take corrective action.

While we struggle to carry out the mandate the people have given the President and Congress, we must be determined to set a course for our still sturdy Ship of State which will avoid troublesome storms.

Like our President, we have the responsibility to set a true course—worthy of public trust, worthy of continuing world leadership and worthy of the traditional, high esteem for public office.

I recommend that the Congress consider amending legislation to the Federal Election Campaign Act of 1971 to provide for a permanent, nonpartisan Federal Election Campaign Commission and commission staff.

I propose that this Commission not only conduct continuing oversight on the provisions of the existing act but on additional provisions which would forbid certain illegal acts in connection with intelligence gathering by a campaign organization, subversion of other candidates' campaign activities and other acts which Congress would deem unethical within the Commission's jurisdiction.

I believe remedial legislation should strictly regulate the use and accounting of all Federal candidates' campaign moneys beyond current law relating to receipts, expenditures and spending for communications and media. I believe there should be a limit on the total amount any one person can contribute in the aggregate to a candidate's campaign.

I propose that all campaign organization funds deposits, transfer of deposits and withdrawals be reported, with regard to locations and purposes, at regular intervals and in a manner prescribed by the Comptroller General. In no case, I believe, should campaign funds or contributions be deposited to the care of an individual or in any banking institution outside the limits of the United States.

Further, I propose that the Commission provide the Congress with a report on its responsibilities within 90 days after any Federal election, along with recommendations for perfecting legislation and administrative procedures.

Finally, it is my belief that the Commission be provided with enforcement powers, complimentary to those existing under law and exercised by various government bodies.

It would, it seems to me, be appropriate for the distinguished chairmen and ranking minority members of the Senate and House Judiciary Committees to appoint a Joint Committee to study such amending legislation and to report to the Congress at the earliest practical date.

To implement reform such as I have suggested, I am introducing a concurrent resolution for the formation of the Joint Study Committee.

Mr. Speaker, the current storm called "Watergate" still troubles us. The traumas of convictions, expectations of more indictments, adjudications, congressional hearings and the cascade of reports dealing with alleged illegal misconduct or unethical acts threaten to blur our national vision.

But as we seek the truth with dedication and the best skills available in our legal and legislative systems, we must keep a clear perspective on our Nation's goals and historical destiny.

We must ask the fundamental questions regarding the achievement of lasting world peace, in Indochina, the Mideast, through more arms pacts and building bridges with the Soviets, Chinese, and other nations of the world.

Republicans and Democrats, who share the President's conviction that we must place a ceiling on annual spending of taxpayers' dollars, cannot abandon our battle against more taxes and more inflation.

We must cope with the energy crisis, restore the environment, provide housing, transportation, education, health care and help meet the other needs of our people.

America cannot stand still.

By our deeds we can help all Americans to see and feel the real, and enduring strength of the American political system.

We seek truth and objective justice for the accused, regardless of consequences to individuals, party, or particular office.

Moreover, we have the responsibility to help restore the confidence of those Americans who labored long and hard for their chosen candidates in the 1972 election.

At the national, State, and local levels, they worked magnificently, with honest devotion to their candidates, to their Party, and to their country.

It is important to remember, as did

the distinguished Senator from Kansas, Bob Dole, that "the Republican Party was not involved and ought not to be implicated in the Watergate incident."

Much is being speculated about the motivations and the rationale for the maleficence of those involved in Watergate.

I believe, and I sense my belief is shared by others, that those involved in Watergate believed that the American people could be manipulated. We must reaffirm the fundamental tenet that the American people need only be informed in order to vote. They do not need to be manipulated.

The honest, dedicated people in the White House, in the party, and across the land are appalled at wrongdoing. The issues on which the President campaigned mandated overwhelming support for his reelection. Watergate has performed a grave disservice to that mandate.

Today, as at the time of election, the fundamental issues before Congress and the Nation remain the same.

They have not been diminished because of Watergate.

Mr. Speaker, we cannot afford to hesitate to exercise our responsibilities dealing with the great issues before us.

Clearly, our congressional responsibilities are enlarged because of Watergate.

At this point, Mr. Speaker, I include my concurrent resolution in the Record:

Concurrent Resolution

Whereas the Congress and the Nation are deeply concerned about the implications which the Watergate affair holds for the future of the American political process;

Whereas the law is inadequate to regulate Federal campaign practices;

Whereas the law is inadequate to regulate the use and accounting of all Federal candidates' campaign moneys; and

Whereas it is necessary to restore confidence in our political system: Now, therefore, be it

Resolved by the House of Representatives (*the Senate concurring*), That (a) there is established a select joint committee to be composed of ten members as follows:

(1) Five Members of the House of Representatives appointed jointly by the chairman of the Committee on the Judiciary of the House of Representatives and the ranking minority member of such Committee; and

(2) Five Members of the Senate appointed jointly by the chairman of the Committee on the Judiciary of the Senate and the ranking minority member of such Committee.

A vacancy in the Select joint committee shall be filled in the same manner in which the original appointment was made.

(b) The members of the select joint committee shall elect one of the members as chairman.

Sec. 2. (a) The select joint committee shall review existing Federal campaign spending law and shall study the possibility of establishing a independent Federal campaign practices commission.

(b) The select joint committee shall transmit a report to Congress containing a detailed statement of the findings and conclusions of the committee, together with its recommendations for such legislation as it deems appropriate in order to adequately regulate Federal campaign practices, including the use and accounting of all Federal candidates compaign moneys.

Sec. 3 The select joint committee shall cease to exits ten days after submitting its report to Congress pursuant to section 2(b).

Mr. Speaker, I also include an editorial from the April 30, 1973, issue of the Buffalo Evening News and my joint resolution on a special prosecutor:

Explore 1964 Bugging, Too

Sen. Goldwater's charge that "the other side" bugged his Republican presidential campaign in 1964 doesn't seem to bother him very much, but it does worry us and it should concern the public and the special Senate committee probing the Watergate scandal.

Such invasions of personal and political privacy, whether they're labeled Watergate 1972 or Goldwater 1964, intolerably debase the free election processes designed to fill this nation's highest public office. The best way to cleanse the system of such espionage techniques as electronic TV monitors, hidden bugs, tapped telephones, faked documents and the like is to treat them consistently as indefensible breaches of political fair play.

So we would like to see the Senate committee probing Watergate broaden its scope and invite its Arizona colleague to explain his case in more detail. Some Democratic Party leaders of that '64 campaign might also welcome equal time to rebut him. But for a Democratic Senate to focus on last year's Republican bugging without paying attention to allegations of similar Democratic activities raised by a former GOP presidential contender could invite charges of partisanship.

One chief legislative purpose of the Senate probe is to determine the need, or lack of it, for new laws to protect the country against another Watergate. Sen. Goldwater's first-hand experience with earlier monitoring in 1964 has obvious relevance in making that determination.

H.J. Res. 541

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

Whereas allegation of misconduct, illegal activities and attempts to delay or obstruct justice in connection with the presidential election of 1972 have gravely undermined the confidence of the American people in the Government and the electoral process of the United States;

And whereas the President has appointed Elliot Richardson Attorney General designate and has granted him authority to appoint a special prosecutor on the Watergate matter;

Therefore, be it resolved that it is the sense of the House of Representatives that the Attorney General designate immediately appoint an individual of the highest character and integrity from outside the executive branch to serve as special prosecutor for the Government of the United States in any and all criminal investigations, indictments and acts arising from any illegal activities by any person acting individually or in combination with others in the presidential election of 1972 or any campaign canvass or other activities related to it; and that the Attorney General designate grant such special prosecutor all authority necessary and proper to the effective performance of his duties.

WATER POLLUTION CONTROL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. Mizell) is recognized for 5 minutes.

Mr. MIZELL. Mr. Speaker, the water pollution control measure we passed last year was a major landmark in our continuing effort to reclaim the environment in which we live.

We set ambitious goals for cleaning up our waters within a relatively few years, and we authorized a sizable amount of money to help the States and the Nation achieve these goals.

But the formula we adopted for distribution of these funds has left us, and more importantly, left the States facing the prospect of having less money to spend for these purposes than they had prior to enactment of this massive authorization bill.

In my own State of North Carolina, for example, we stand to lose more than $52 million in water pollution control funds over the next 2 years, using as a base the amount of such funds we received in fiscal 1972.

In that fiscal year, North Carolina received $49,155,750 for water pollution control. The proposed figure for fiscal 1973 is $18,458,000, and for fiscal 1974, the figure is $27,687,000.

This disparity in funding distribution stems from a change in formula which substituted a "needs" criterion for the old "population" formula.

But the spending paradox is inescapable and unacceptable. To give States less money than they had previously been receiving for water pollution was clearly not the intent of the legislation we passed last year, and that course of action would defeat, rather than advance the purposes for which this legislation was approved.

I am proposing today, therefore, a bill to require that no State shall receive less money for water pollution control in fiscal years 1973 and 1974 than it received in fiscal 1972.

My bill is simply designed to guarantee that the intent of last year's legislation is fulfilled, and that its purposes and its ambitious goals are achieved.

I urge my colleagues careful consideration of this proposal, and I hope to see swift action taken on my legislation.

A BILL TO AMEND PORTIONS OF THE MERCHANT MARINE ACT OF 1970

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alaska (Mr. Young) is recognized for 10 minutes.

Mr. YOUNG of Alaska. Mr. Speaker, today I introduce on behalf of myself and the Congressman from Washington (Mr. Pritchard) a bill amending portions of the Merchant Marine Act of 1970.

The purpose of the bill is to clarify an ambiguity which could have the unfortunate effect of denying the citizens of Alaska the full benefit of certain provisions of the Merchant Marine Act of 1970. As Congressmen will recall, in the 91st Congress we enacted a historic new maritime program to revitalize our merchant marine. The Merchant Marine Act of 1970, amended the Merchant Marine Act of 1936, to, among other things, extend the coverage of certain tax deferral privileges previously available only to one small segment of our fleet.

The act also recognized the unique

dependence of the citizens of Alaska, Hawaii, Puerto Rico and the noncontiguous territories and possessions on marine transport, and provided tax incentives decreasing the cost of building vessels for these trades, and thus the cost of marine transportation.

This provision was intended to provide long overdue relief to the people of our noncontiguous States and territories. Unfortunately, the definition of "noncontiguous trade" in section 607(k)(8) is ambiguous with respect to whether incidental intrastate carriage between ports in Alaska would qualify for this benefit, even though it clearly provides that similar carriage between the Islands of Hawaii does. Also, the privileges apply to similar carriage on the Great Lakes. Given the clear public policy of these provisions of the act, it seems to me that incidental intrastate carriage between ports in Alaska could be permitted by administrative interpretation. However, there has been an understandable reluctance to so interpret the literal words of section 607(k)(8), even though such an interpretation would be clearly consistent with the objectives of the act. Consequently, I am introducing this legislation to remedy the situation.

The bill would amend the Merchant Marine Act of 1936, to clarify the meaning of the term "noncontiguous trade," in section 607(k)(8), so that trade between points wholly within an offshore State or possession can qualify as a permissible trade in which to operate vessels which are built with capital construction funds. Enactment of this bill will enable offshore operators of vessels built with such funds to deploy these vessels in the most efficient manner without contravening the act.

Section 607(a) of the Merchant Marine Act of 1936, as amended by the Merchant Marine Act of 1970, allows a shipping company to establish a capital construction fund consisting primarily of tax deferred earnings for the purpose of constructing or reconstructing "qualified vessels." In order to be considered "qualified," a vessel must be operated in the U.S. foreign, Great Lakes, or noncontiguous domestic trade or in the fisheries of the United States—section 607(k)(2). If a vessel built or purchased with capital construtcion funds is operated outside one of the enumerated trades, substantial penalties would ensue.

"Noncontiguous trade" is presently defined in section 607(k)(8) to mean:

First, trade between the contiguous 48 States on the one hand and Alaska, Hawaii, Puerto Rico, and the insular territories and possessions of the United States on the other hand, and second, trade between Alaska, Hawaii, and Puerto Rico and such territories and possessions and third, trade between the islands of Hawaii.

As now structured, this definition of "noncontiguous trade" is susceptible to uncertainty regarding the status of ocean shipping wholly within Alaska, Puerto Rico, or the insular territories and possessions of the United States.

Although trade between the islands of Hawaii is clearly noncontiguous—clause (iii) of section 607(k)(8), it is not altogether clear that trade between points in Alaska, for instance, can similarly be regarded as "noncontiguous trade" as that term is presently defined. Alaska's reliance on water transportation and its need to obtain such transportation as economically as possible dictates that section 607(k)(8) be amended to explicitly include intra-Alaska trade within the meaning of "noncontiguous trade."

For example, a few carriers—mostly tug and barge operators—serve the offshore domestic trade between the contiguous 48 States and Alaska. In the course of a voyage between Seattle and Alaska, cargo may be carried to a number of Alaskan ports. In serving these ports, incidental cargoes may also be carried from one Alaskan port to another Alaskan port. From the carrier's point of view, the carriage of these incidental intrastate cargoes represents the most efficient use of its equipment. Although these cargoes are minor in volume compared to the major intrastate trade, they are also very important to Alaska shippers since there is no regular privately owned service operating only between ports in Alaska. The interstate movement is clearly within the scope of section 607 (k)(8), but the incidental intrastate movement is arguably outside the definition of "noncontiguous trade."

If this intrastate movement is not considered "noncontiguous trade," a carrier could not in good faith contract with the Secretary of Commerce for the construction of vessels which would be regularly used in such a trade, albeit incidentally. If Alaskan operators, for example, were forced to abandon incidental intrastate carriage in order to benefit from the capital construction fund program, the intrastate shippers dependent on water transportation would obviously be injured; and since there would be an irreplaceable loss of freight from this movement, the interstate shipper might have to pay increased rates in order to offset the loss of intrastate revenue. The proposed amendment would relieve the carrier from having to choose between the benefits of the act and the efficient use of its equipment.

Another compelling reason for specifically including intra-Alaska, also intra-Puerto Rico, intra-Guam, and so forth—trade within the scope of the act arises from Congress inclusion of interisland Hawaiian trade—wholly intrastate—in the definition of "noncontiguous trade." It was aparently recognized that Hawaii's dependence on ocean shipping, even for intrastate movement, dictated that Hawaiian carriers, shpipers, and consumers should benefit from the construction of water transport equipment with capital construction funds.

The conditions which impelled Congress to extend the benefits of the act to the interisland Hawaiian trade are equally present in the case of Alaska and the insular territories. For instance, there are 6,640 miles of general coastline in Alaska and 33,904 miles of coastline if all if its islands are included. There are more islands in Alaska than in any other State. Alaska and the insular territories are just as heavily dependent on water transportation as is Hawaii.

The legislative history of the Merchant Marine Act of 1970 sheds no light on the omission of the intra-Alaska trade as opposed to the inclusion of the interisland Hawaiian trade. The failure to include Alaska and the other offshore territories and possessions may well have been a legislative oversight which should be corrected by the adoption of the proposed amendment. This amendment would assure Alaskan citizens the same treatment that the act confers upon Hawaiian citizens. The benefits of the act, in terms of better, more efficient, and more modern water transportation service in intrastate trade should accrue not only to Hawaii but to Alaska as well. At the same time, Puerto Rico and the other insular territories and possessions of the United States should be accorded the same treatment.

A third and equally important reason is to encourage the growth of the boat building industry in Alaska. With its wealth of natural materials, particularly timber, so close to so many potential customers, Alaska is a State particularly advantageously situated for the development of a boat building industry. The largest accessible stands of good lumber are in southeastern Alaska, close to many potential customers. This bill will incidentally encourage the growth of the shipbuilding industry in Alaska. Of course, it will also encourage the domestic Alaska shipping industry which is, as I have indicated, still, like Alaska shipyards, relatively small and in need of assistance.

The proposed legislation accomplishes the objectives set forth above. In addition, the wording of the bill also encompasses the meaning of original clause (ii) to section 607(k)(8): "trade between Alaska, Hawaii, and Puerto Rico and such territories and possessions."

I include the bill at this point:

S. 902

To amend section 607(k)(8) of the Merchant Marine Act, 1936, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 607(k)(8) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1177(k)(8)), is amended by striking that entire portion of section 607(k)(8) which follows the lower case roman numeral "(ii)", and inserting in lieu thereof "trade from any point in Alaska, Hawaii, Puerto Rico, and such territories and possessions to any other point in Alaska Hawaii, Puerto Rico, and such territories and possessions."

PROVIDING A RULE FOR THE USE OF THE POCKET VETO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. RODINO) is recognized for 5 minutes.

Mr. RODINO. Mr. Speaker, I am introducing today a bill to implement section 7 of article I of the Constitution, by providing a rule for the use of the pocket veto. This measure would prevent attempts by the President to pocket veto bills during a session of Congress. As a result, this would protect the legislative powers of the House and Senate from encroachment by the Executive.

The Committee on the Judiciary held hearings during the 92d Congress on a pocket veto bill, H.R. 6225, introduced at that time by my distinguished predecessor as chairman of the Committee on the Judiciary, the Honorable Emanuel Celler. The purpose of this bill is the same as that proposal, but has been modified in view of the problems and objections that those hearings brought to light.

The need for legislation of this type was emphasized dramatically when President Nixon allegedly pocket vetoed the Family Practice of Medicine Act during the 4-day Christmas recess of the Congress in 1970. This act was passed overwhelmingly by both Houses of Congress and a veto by the President probably would not have been sustained.

The alleged pocket veto of the Family Practice of Medicine Act currently is being challenged by Senator KENNEDY in a Federal district court. While we all can hope for an outcome favorable to the Congress, it is unlikely that a decision in this suit will settle the pocket veto controversy even if it gets to the Supreme Court. The Supreme Court has already had two opportunities to rule on the so-called pocket veto clause, but both times declined to lay down clear guidelines. This legislation is consistent with both decisions.

The application of the separation of powers principle by the Constitution with respect to the Congress is very clear. The very first section of the Constitution vests—

> (a)11 legislative power . . . in a Congress of the United States, which shall consist of a Senate and House of Representatives.

The only veto power thereafter granted to the President by the Constitution is contingent on a subsequent vote of the Congress to override the veto.

Erosion of the separation of powers principle by the improper assertion of "pocket veto" power cannot be tolerated, because it impedes the democratic lawmaking process established by the Constitution. There is great peril to the country if the ultimate disposition of legislation, even in a single case, is left to one individual—the President—rather than placed where that duty constitutionally belongs—in the collective wisdom of 535 elected representatives of the people.

Clearly, the orderly passage of legislation is crucial to the business of the Congress. Nothing is more disruptive to legislation by doubtful assertions of pocket veto power just at the end of its journey to become law. The presentation of a bill to the President is the culmination of months of work in committee and debate on the floors of both Houses. Improper attempts to pocket veto perhaps can be thwarted by legal action, such as that taken by Senator KENNEDY or by introducing and passing a bill again, as both Houses are doing this session. However, both these steps entail a great deal of time, and when repassing a bill is involved, there is duplication of work. It goes without saying that this effort could be devoted much better to the carrying out of our legislative tasks.

This bill seeks to solve the pocket veto problem by spelling out the meaning of the language in the Constitution critical to the exercise of this power. It is apparent to me that such clarification and definition of terms to remove ambiguities in the Constitution is a necessary and proper legislative function of the Congress.

An adjournment which prevents the return of a bill, which is the language in the Constitution that permits a pocket veto, is defined to be an adjournment sine die by the Congress or by either the House or the Senate. It is apparent that when either House has adjourned sine die, an act which terminates its legislative life for a session, there is no opportunity to reconsider a bill that has been vetoed by the President. The same is true of an adjournment sine die by the whole Congress. The legislation that I am introducing today makes it clear that it is only under these circumstances that a bill can be considered to be "pocket vetoed."

A PROPOSAL FOR IMPROVING THE MANAGEMENT OF THE GREAT LAKES OF THE UNITED STATES AND CANADA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. VANIK) is recognized for 10 minutes.

Mr. VANIK. Mr. Speaker, today, the Subcommittee on Inter-American Affairs of the House Committee on Foreign Affairs held hearings on a series of proposals to improve the management of the Great Lakes of the United States and Canada. This hearing, part of a continuing effort by our distinguished colleague, the Honorable DANTE FASCELL, is a welcome development to all of us in the Great Lakes States.

For almost three-quarters of a year now, residents of the lake shorelines have been suffering almost constant damage and injury from the high water levels now existing on the lakes. While there is little that can be done immediately to lower the water levels on the lakes, the present disaster situation has focused attention on the problems of the lakes. Hopefully today's crisis will enable us to prepare for the future so that the problems we are experiencing this year can be avoided in the years to come.

Previous hearings before Chairman FASCELL's subcommittee have highlighted some of the many organizational, planning, and managerial weaknesses of the various Government agencies which currently have partial authority over aspects of the economy and environment of the lakes. Even the 1909 treaty, which set up the Canadian-American International Joint Commission, is so fragmented and out-dated, that it excludes Lake Michigan from coverage under the treaty. The original reason for this exclusion was that the IJC was formed just to resolve boundary water problems.

Lake Michigan, of course, lies wholly within the United States. But hydrologically it is one with Lake Huron and a major and integral part of the entire Great Lakes system. Pollution in Lake Michigan becomes pollution throughout the Great Lakes. Diversion of water from Lake Michigan, rather than being subject to the flexible negotiating and arbitrating process provided by the IJC, becomes a matter of inflexible court decisions. As a result, the Chicago Sanitary and Ship Canal, which could be used flexibly to permit varying amounts of water out of the Great Lakes, depending on the water level situation on the Great Lakes and on the Mississippi is controlled by an inflexible court order.

Studying the governmental jurisdictions on the lakes, the Inter-American Affairs Subcommittee today received testimony from Dr. Leonard B. Dworsky of the Water Resources and Marine Sciences Center of Cornell University and from Dr. George R. Francis, Department of Man-Environment Studies, of the University of Waterloo in Ontario, Canada.

The two professors served as cochairmen in developing a report by the Canada-United States University Seminar entitled, "A Proposal for Improving the Management of the Great Lakes of the United States and Canada." It is my understanding that the full text of this thorough and excellent report will be printed in the subcommittee's hearing record, thus providing an invaluable reference work for all us who are working on the problems of the Great Lakes.

CANADIAN-UNITED STATES COOPERATION IN DEVELOPING THE REPORT

Using some of the language of the report, I would like to describe some of the background and highlights of the seminar:

> During the period December 1971 to June 1972, faculty members from some twenty universities and colleges in Canada and in the United States joined in a dialogue to explore ways in which the institutional structures for the management of the water and land resources in the Great Lakes Basin might be strengthened to the mutual advantage of both countries. Some thirty persons were invited to participate, with roughly one-half from each country. An equal number of government representatives were also invited to attend the Seminar meetings. The Seminar participants carried out their tasks in three plenary meetings and in working sessions of a planning group between the regular sessions. The first plenary meeting was held in December 1971, at York University, Toronto, Ontario; the second in March 1972, at Cornell University, Ithaca, New York; and the third at York University in June 1972.
>
> The undertaking of this Canada-United States University Seminar in a sense reaffirmed the growing cooperation between Canada and the United States on Great Lakes problems. Participants recognized the progress and positive contributions being made in biophysical research on the Lakes, as exemplified by the International Field Year on the Great Lakes which became operational in the Spring of 1972.
>
> The Seminar participants were also cognizant of the negotiations then taking place

between the two countries to strengthen the hand of the International Joint Commission in controlling transboundary water pollution. Those negotiations resulted in the 1972 Agreement on Great Lakes Water Quality which established for the first time common and specific water quality objectives for the Great Lakes and provided for joint programs to achieve the objectives.

While acknowledging these accomplishments, the Seminar at the same time felt it was necessary to ask what else had to be done. The rates of population growth, urbanization and industrialization in the Great Lakes Basin, especially in the lower lakes, are leading to even more intensive use of the water and associated land resources, and the generation of even more problems and conflicts of interest among resource uses and users. Above all, they reveal the desirability of exploring how some of these problems might be anticipated and acted upon before they reach crisis proportions. The scope of attention would then have to go beyond cooperation on controlling transboundary water pollution and joint efforts on water research. But how far, and in what way? These were the central questions posed to the Seminar.

The Seminar approached the question through a series of steps which involved: (1) identification of the resource management problems of the Great Lakes Basin; (2) examination of existing organizational forms; (3) review of previous research efforts on institutional arrangements; (4) identification of criteria applied to resource management organizations; (5) analysis of the International Joint Commission; (6) review of the current limits of joint authority with respect to the management of the international Great Lakes; (7) development of the general features of a new joint institutional arrangement and finally; (8) development, as a general framework, of some alternative directions for improving the management of the water and related land resources of the Great Lakes Basin.

After such an examination of some of the issues on the Great Lakes confronting the population of the Great Lakes basin, the seminar found in many cases that lack of coordination and proper governmental jurisdictions, both on the United States and Canadian sides of the boundary waters, constituted one of the the major problems. For example, in the area of water quality, the seminar reported:

The heart of the problem appears to lie in institutional inadequacies on both sides of the international border. While in recent years policymakers in Canada and in the United States have made visible progress in improving the management of water, land and environmental quality in the Great Lakes Basin, unfortunately, the effect of this effort is something less than it could have been simply because of the dampening effects of the existing fragmented institutional structure.

In conclusion, the seminar made four recommendations:

RECOMMENDATIONS

A. The Governments of the United States and Canada should initiate, on a joint basis, a comprehensive examination of the problems associated with multiple purpose management of the Great Lakes in order to conserve, develop and use that unique resource for the mutual benefit of the people of both countries.

B. The alternative proposals formulated by the Canada-United States University Seminar should be used by the two Governments as a basis for initiating discussion and debate on the modernization of the management of the Great Lakes.

C. In the United States, a study bill should be introduced early in the 93rd Congress for the purpose of opening the doors to serious public debate on the question of the joint management of the Geat Lakes Basin by local, state, regional and federal officials and private persons and nongovernmental organizations concerned with the public interest.

D. In Canada, the findings of the Seminar should be discussed with officials in the federal government, the Ontario provincial government, and selected regional and local governments in Ontario. The purpose would be to encourage informal federal-provincial-regional-local consultations on the new steps and responsibilities needed for the Great Lakes Basin, with a view to developing more detailed proposals for consideration at the Cabinet level of the two senior governments and providing material for bilateral consultations.

Yet this is hardly the conclusion. This binational university seminar effort can be part of the beginning of a new effort in the Great Lakes basin to meet the problems of the future and to provide a better quality of life for the people of this region.

It would be my hope that the ideas and issues raised by the seminar will be just the beginning of a renewed and intense discussion throughout the area on how we can better conserve and utilize the lakes.

Again, I would like to commend the committee and Chairman FASCELL for his efforts in this area.

DEFERRED DEPORTATION OF CERTAIN WESTERN HEMISPHERE ALIENS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. EILBERG) is recognized for 5 minutes.

Mr. EILBERG. Mr. Speaker, I wish to bring to the attention of the House a significant development regarding aliens in the United States.

Since the Subcommittee on Immigration and Nationality has commenced extensive hearings on legislation affecting immigration from the Western Hemisphere, the chairman of the Committee on the Judiciary, the Honorable PETER W. RODINO, JR., has requested the Immigration and Naturalization Service to defer deportation of natives of the Western Hemisphere who are the parents, spouses, and children of citizens of the United States, the unmarried sons and daughters of U.S. citizens, and the spouses and unmarried sons and daughters of aliens lawfully admitted to the United States for permanent residence. This action which was brought about by an exchange of letters between Chairman RODINO and the Acting Commissioner of the Immigration and Naturalization Service will eliminate the separation of families and alleviate much hardship.

Many of these people will be eligible to have their status adjusted to that of lawfully resident aliens when H.R. 982, which is scheduled for floor action this week, becomes law. The remainder of them will likewise be able to adjust their status when legislation is enacted providing the same treatment for aliens from the Western Hemisphere as is presently available to those from the Eastern Hemisphere. I am hopeful that that legislation will also be enacted in the current session of the Congress.

The exchange of correspondence and the operating instructions are printed below and you will note that these persons will be authorized by the Immigration and Naturalization Service to accept employment.

APRIL 27, 1973.

Regional Commissioner: Burlington, Vermont; Richmond, Virginia; St. Paul, Minnesota; San Pedro, California.

James F. Greene, Associate Commissioner, Operations.

Granting of Voluntary Departure to Certain Western Hemisphere Natives; CO 242.-1-P; April 10, 1973.

Attention: Associate Deputy Regional Commissioner, Operations.

Attached for your information are copies of self-explanatory correspondence with Honorable Peter W. Rodino, Jr., Chairman, Committee on the Judiciary, House of Representatives, relating to the above-cited teletype which was addressed to all regional offices and file control offices in the United States.

Aliens who fall within the criteria set forth therein and who are granted extended voluntary departure, should also, upon their request, be granted authorization for employment pursuant to 01 243.5.

(S) JAMES F. GREENE.

MARCH 28, 1973.

Hon. RAYMOND F. FARRELL,
Commissioner, Immigration and Naturalization Service, Washington, D.C.

DEAR MR. COMMISSIONER: I am sure you are aware that the Members of Subcommittee No. 1 of this Committee are commencing extensive hearings on legislation designated to establish a preference system for the Western Hemisphere.

My bill, H.R. 981, to amend the Immigration and Nationality Act in that respect is under active consideration by the Subcommittee. Knowing of their diligence and their awareness of the need for such legislation, it is my firm belief that legislation equalizing the two hemispheres will be favorably acted upon by the Committee during the current session of the Congress.

With that in mind, coupled with the fact that legislation permitting the adjustment of status of certain natives of the Western Hemisphere has already been ordered favorably reported to the House of Representatives, I believe that you should consider issuing instructions to your Field Offices to delay enforcing departure of natives of the Western Hemisphere who are immediate relatives as defined in section 201(b) of the Immigration and Nationality Act; the unmarried sons or daughters of United States citizens; and the spouse of unmarried son or daughter of an alien who has been lawfully admitted to the United States for permanent residence.

I feel certain that you will agree that this course of action will alleviate much hardship and that the interest of humanity will be better served. The uniting of families has been paramount in all consideration of legislation in the field of immigration.

Kindest regards.

Sincerely,

PETER W. RODINO, JR.,
Chairman.

IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., April 2, 1973.

Hon. PETER W. RODINO, Jr.,
Chairman, Committee on the Judiciary, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Reference is made to your letter of March 28, 1973, regarding the granting of voluntary departure to certain Western Hemisphere natives.

You will be pleased to learn that it has been decided that certain changes will be made in the Service policy relating to this matter, based upon the representatives contained in your letter.

Effective immediately, under the changed policy, a Western Hemisphere native will, as a matter of discretion, be granted extended voluntary departure if he is admissible to the United States as an immigrant and he is an immediate relative of a United States citizen as defined in section 201(b) of the Immigration and Nationality Act, as amended, or is the unmarried son or unmarried daughter of a United States citizen, or is the spouse or unmarried son or unmarried daughter of an alien who has been lawfully admitted to the United States for permanent residence.

Sincerely,

JAMES F. GREENE,
Associate Commissioner.

THE ONEITA STRIKE AND BOYCOTT

(Mr. DENT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DENT. Mr. Speaker, it is time national attention was focused upon a struggle against discrimination and poverty which involves nearly 1,000 South Carolina textile workers.

That struggle is now in its fourth month at the plants of the Oneita Knitting Co. in Andrews and Lane, S.C. It was provoked by the company last January 15 after 14 months of stalling and other unfair labor practices during negotiations for an initial agreement with the Textile Workers Union of America, AFL–CIO. This organization was chosen by these workers to represent them in collective bargaining in an election held by the National Labor Relations Board November 19, 1971.

Approximately 85 percent of these workers are women and 75 percent of them are black. They live and toil in one of the Nation's most poverty-stricken areas. The average wage at Oneita Knitting is only slightly more than $2 an hour, with many workers earning between $1.60, the Federal minimum, and $1.80 an hour.

Typical of them is Mary Lee Middleton, whose ancestors toiled as slaves in the rice fields that dotted the area during the 19th century. After 4 years as an Oneita employee, her 1972 earnings totaled $3,379.16. Even though her oldest daughter is also an Oneita worker, she can hardly make ends meet for the 11 members of her family. So she and many of her coworkers have to rely on Federal food stamps even though they are working full time.

The 11 Middletons live in a three-room shack heated by a pot-bellied stove, with plastic sheeting serving as window panes. Because the unemployment rate in Williamsburg County is high, Mary Lee has no alternate job opportunities.

The company was founded by the Devereaux family in 1874. Privately owned, it is a relative newcomer to the South, having run away from a New York State location in search of cheap labor and similar inducements.

In dealing with the Textile Workers Union of America, the company has scrupulously followed a union-busting formula long used by the southern textile industry. It is tailored to the antiunion provisions of the Taft-Hartley Act.

Briefly, it calls for all-out resistance to the right of workers to form a union and the use of intimidation and coercion to produce an antiunion vote in an NLRB representation election. If the vote goes against the company, as it did at Oneita, the company then exploits loopholes in the law to avoid signing a contract. It goes through the motions of bargaining, as Oneita did for 14 long months, insisting upon contract terms which, if accepted, would deny workers the right to strike or even arbitrate their grievances. If workers, frustrated by these limitations, resorted to a wildcat strike, this would leave their union wide open for heavy damage suits and possibly bankruptcy.

Oneita pursued this union-busting formula so vigorously that, only last February 21, a Federal administrative judge found the company guilty of unfair labor practices and refusal to bargain in good faith. He ordered the company to "cease and desist." However, in the absence of stringent penalties, the company persists in avoiding genuine collective bargaining with the obvious aim of starving the Oneita workers into submission.

To guard against such a development, and in line with TWUA practice in all of its strikes, the union's defense fund is providing the Oneita workers with the essentials of livelihood. In addition, the union has launched a nationwide boycott of Oneita products which has the endorsement and active support of the AFL–CIO and all of its affiliated unions.

Oneita's major products are men's and boys' knitted underwear. Its top customers are K-Mart (Kresge), J. C. Penney, Sears, and Montgomery Ward, with hundreds of stores all over the country. They sell Oneita products under their own store labels.

As I said at the start of this statement, Mr. Speaker, this is not merely another strike. It is a struggle for decency in labor-management relations and against poverty and discrimination.

People like Mary Lee Middleton originally voted for a union because they wanted to break the cycle of poverty and misery that has trapped them ever since their forebears were brought to America as slaves. They went out on strike rather than be perpetually denied the American dream of a decent living. They deserve the support of every American who believes in industrial democracy and justice for all who work for a living.

REMARKS ON INTRODUCTION OF BILL RELATING TO THE 1973 FEED GRAIN PROGRAM

(Mr. CULVER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CULVER. Mr. Speaker, on Thursday, May 3, the House Agriculture Subcommittee on Livestock and Grains will conduct public hearings on bills designed to eliminate inequities between feed grain farmers in connection with the operation of the 1973 set-aside program.

I am today introducing a bill for consideration during these hearings which will correct the inequities which resulted from the recently announced decision of the Secretary of Agriculture to change the acreage set-aside requirement of the 1973 feed grain program.

Under the feed grain program, farmers are encouraged to set-aside acreage from crop production under one of two options: Option A, setting aside 25 percent of their feed grain base and receiving a payment of 32 cents per bushel; or option B, setting aside no acres and receiving 15 cents per bushel. In 1973, farmers were required to sign up for one of the options before March 16.

On March 26 the administration announced that the A option acreage set-aside requirement was reduced from 25 percent to 10 percent, while the payment would remain the same. As this announcement was made some 10 days after the completion of the sign-up period, this change was grossly unfair to those farmers who had signed up under option B and now had no opportunity to change their option. In effect, the administration had changed the rules after the game had been played. This clearly was not fair.

On April 6, 1973, I wrote to Agriculture Secretary Earl Butz protesting this unfair action and urging a new signup period be authorized by the Department of Agriculture. On April 23, a reply by the ASCS Acting Administrator indicated that the Department did not intend to allow a new signup period.

The bill I introduce today does not require reopening the 1973 feed grain program signup period. It does, however, require the Secretary of Agriculture to extend the same price support guarantees to option B cooperators as option A cooperators now have.

Mr. Speaker, this bill eliminates the inequitable and discriminatory treatment of a large number of the Nation's farmers who rightly believe that the administration of Federal programs ought to be fair and impartial to all participants. I urge the members of the Agriculture Subcommittee on Livestock and Grains to restore these citizens' faith in their Government by giving favorable consideration to this bill.

NEED FOR A TOTAL PROHIBITION AGAINST RESEARCH INVOLVING LIVE HUMAN FETUSES

(Mr. MAZZOLI asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MAZZOLI. Mr. Speaker, apparently in response to the glare of publicity, the National Institutes of Health has recently promulgated a policy statement indicating that it knows of no circumstances which would justify NIH support for research involving a live human fetus.

I would like to contend that this statement is wholly inadequate since it clearly leaves the door wide open for the future discovery of circumstances, which in NIH's opinion might justify such morally repugnant research.

It is my personal opinion—and also my reading of public sentiment—that there can be no circumstances which would justify the use of public moneys in support of practices so disrespectful of human life. Nor do I feel that such research should even receive verbal support from a public agency.

Accordingly, Mr. Speaker, I want to call upon my colleagues in the Congress to join me in requesting that the National Institutes of Health adopt a policy of absolute prohibition against any form of support for research involving live human fetuses.

Additionally, I insert in the RECORD the following two articles by Mr. Victor Cohn, which appeared in the Washington Post on April 10, 1973 and April 13, 1973, respectively:

NIH CONSIDERING ETHICS—LIVE-FETUS RESEARCH DEBATED

(By Victor Cohn)

The possibility of using newly-delivered human fetuses—products of abortions—for medical research before they die is being strenuously debated by federal health officials.

So is the question of whether or not federal funds ought to be used to support such research in a country where abortion is considered immoral by millions.

A proposal to permit such studies was recommended to the National Institutes of Health 13 months ago, it was disclosed yesterday by a doctors' newspaper. Ob.-Gyn. (Obstetrician-Gynecologist) News.

Officials at NIH, prime source of funds for American research laboratories, differed yesterday on whether the recommendation had at least temporarily become "NIH policy."

But they agreed that NIH is considering the ethics of the matter afresh in the light of last year's revelation of an Alabama syphilis study in which the human subjects were neither informed about their disease nor treated for it.

They also agreed that most scientists feel that it is both moral and important to health progress to use some intact, living fetuses—fetuses too young and too small to live for any amount of time—for medical study.

Most such scientists would apparently agree with the recommendations of still another NIH advisory body—made in September, 1971, but again not disclosed until yesterday—that a fetus used in research must meet at least two out of three criteria: (1) it be no older than 20 weeks: (2) no more than 500 grams (1.1 pounds) in weight; and (3) no longer than 25 centimeters (9.8 inches) from crown to heel.

Such tiny infants if delivered intact may often live for an hour or so with beating heart after abortion.

They cannot live longer without aid, primarily because their lungs are still unexpanded. But artificial aid—fresh blood and fresh oxygen—might keep them alive for three or four hours.

Scientists in Great Britain and several other countries are regularly doing studies in this way, medical sources said yesterday.

British scientists generally work under a set of strict though unofficial guidelines set last year by a government commission named to end what virtually everyone agreed was an abuse—obtaining months-old fetuses for research and keeping them alive for up to three or four days.

Before permitting research on fetuses said the British commission, a hospital ethics committee must satisfy itself "that the required information cannot be obtained in any other way."

This is often the case, one well-known genetics researcher, Dr. Kurt Hirschhorn of New York's Mount Sinai Hospital and Medical School, said in an interview yesterday. Indeed, he added, some U.S. scientists are going to Sweden or Japan or other countries to do such research and doing so with the help of their NIH funds.

Using the fetus, Hirschhorn said, it may be possible "to learn how differentiation occurs"—the way cells develop into different parts of the body. "We could learn more about inborn anomalies," or birth defects.

"I don't think it's unethical," he said. "It's is not possible to make this fetus into a child, therefore we can consider it as nothing more than a piece of tissue. It is the same principle as taking a beating heart from someone and making use of it in another-person."

Dr. Andrew Hellegers, professor of obstetrics at Georgetown University and director of the Kennedy Institute for the Study of Human Reproduction and Bioethics, argued with this view at one NIH advisory meeting. "It appears," he said, "that we want to make the chance for survival the reason for the experiment."

"Isn't that the British approach?" another member asked him.

"It was the German approach. 'If it is going to die, you might as well use it,' " Hellegers replied, referring to Nazi experiments on doomed concentration camp inmates during World War II.

Despite some views like his, an NIH Human Embryology and Development Study Section decided in September, 1971, that: "Planned scientific studies of the human fetus must be encouraged if the outlook for maternal and fetal patients is to be improved. Acceptable formats for the conduct of . . . carefully safeguarded, well controlled investigations must be found."

For example, this group warned, "under no circumstances" should attempts be made to keep a fetus alive indefinitely for research.

The study section's recommendations were greatly modified by the National Advisory Child Health and Human Development Council—the advisory group to NIH's National Institute of Child Health and Human Development—in March, 1972.

"It was my understanding that the advisory councils recommendations were accepted last year," Dr. Philip Corfman, acting director of the Child Health Institute, said yesterday. "But everyone knew they would require more work on specific guidelines."

However, Dr. Charles U. Lowe, the institute's scientific director—who was asked last year to head a group to help develop such guidelines—said: "The council statement was sent to the director of NIH, but it is not at the present time policy. It has no standing except as a council expression."

The Child Health Institute is supporting no research using live, intact fetuses, he said. Other sources said they know of no such projects supported by any NIH institute, though one added, "we'd have to survey some 12,000 projects to be sure."

Lowe said he personally agrees with the British commission's feeling that such research is proper and ethical if properly controlled.

"But I haven't decided in my own mind yet," he added, "whether we can go along with Great Britain, using federal dollars. First, we have an articulate Catholic minority which disagrees. Second, we have a substantial and articulate black minority" sensitive on issues of human life.

Hirschhorn for his part argued: "How do we know what drugs do to the fetus unless we find out?" A position is needed, he maintained, between those "who say we're not doing any harm to a fetus that's going to die anyway" and those who would require "highly complex forms" before a medical scientist can do anything.

STATEMENT ON RESEARCH

NOTE.—This statement backing the regulated use of human fetuses in medical research was approved in March, 1972, by the National Advisory Child Health and Human Development Council but not made public. The council is an advisory body to the National Institute of Child Health and Human Development, part of the National Institutes of Health.

Scientific studies of the human fetus are an integral and necessary part of research concerned with the health of women and children. Because of the unique problems involved and a growing competence and interest in this field, ethically and scientifically acceptable guidelines for the conduct of such investigation must be developed.

In all cases, applicable state and/or national laws shall be binding.

Guidelines for human investigation used to protect the rights of minors and other helpless subjects are applicable.

The study protocol must be reviewed and approved by the appropriate institutional review committee to insure that the rights of the mother and fetus will be fully considered.

It is the duty of these committees to insure that the investigator shall not be involved in the decision to terminate a pregnancy, the product of which is intended for study within his own research grant or authority.

Continuing review by the institutional committee must be undertaken in approved projects.

Informed consent must be obtained from the appropriate party(ies).

NIH VOWS NOT TO FUND FETUS WORK

(By Victor Cohn)

The National Instiutes of Health will not fund research on live aborted human fetuses anyplace in the world it promised yesterday in a policy statement that is likely to become government-wide practice soon and probably a guide for most American scientists.

NIH, from its headquarters in Bethesda,

finances nearly half of all U.S. medical research, and the federal government finances nearly two-thirds of the country's $3.5 billion a year total.

NIH "does not now support" any such research, said Dr. Robert Berliner, deputy director for science, and "we know of no circumstances at present or in the foreseeable future which would justify NIH support."

Some scientists have said that at least a few research programs involving study of live aborted fetuses in the short time before they die have been supported with NIH funds, some of them performed by U.S. scientists abroad.

Dr. Charles U. Lowe, scientific director of NIH's National Institute for Child Health and Human Development, qualified Berliner's statement silghtly by commenting, "You know we're dealing with 14,000 grants," and "we are not insofar as we know" financing any such work.

Berliner's statement was read to nearly 200 Roman Catholic high school students gathered in an NIH auditorium for questions and protest. The students were organized by a group from the Stone Ridge Country Day School of the Sacred Heart led by Renee Meier, Theo Tuomey and Maria Shriver, 17, daughter of Sargeant Shriver.

The students got together after a Washington Post story Tuesday reported that federal health officials were debating the advisability of such studies and were considering issuing federal guidelines for anyone doing them.

"Why are they drawing up guidelines if they don't intend to use live fetuses?" one skeptical questioner asked Dr. Lowe, referring to federal advisory groups who have in fact supported the idea of some such research.

"Any organization develops policy through review," Lowe replied. The advisory groups were made up of non-federal, university scientists, and "they can say anything they want," Lowe said, but "policy is made by NIH."

Research involving the fetus has been going on in many countries with liberal abortion policies. Many medical scientists are eager to study fetal development as a guide to prevention and treatment of many diseases and abnormalities.

Such research has focused on two main kinds of procedures: some studies during the minutes or hours while some fetuses still live or can be kept alive, and operations on fetuses to get cells or organs that can be kept alive in the laboratory.

It is only the first kind that NIH said yesterday that it would not support. Merely taking tissues for study "is about the same thing as taking kidneys or a heart for a heart transplant," said Dr. Berliner in an interview.

Lowe told the students that "I see no need at this point" for studies of the live fetus, though he admitted that many scientists in the Scandinavian nations, Britain and the United States feel differently.

As to reports that some U.S. scientists have done such research in trips abroad, some of them with NIH funds, Lowe said, "I can't agree" that this has happened. Also, he said, "I object strongly to professional scientists doing in other countries what ethics here would not permit."

In a series of statements preceding this week's meeting, officials of the United States Catholic Conference called for a constitutional amendment "protecting the life of the unborn," for a national commission of theologians, scientists, lawyers and citizens to monitor scientific advances and recommend ethical guidelines, and for congressional study and regulation of experiments on human beings.

John Cardinal Krol of Philadelphia, speaking for the conference's executive committee, expressed "shock" at the possibility of federal support of studies on live, aborted babies. "If there is a more unspeakable crime than abortion itself," he said, "it is using victims of abortion as living human guinea pigs."

In other statements:

The Catholic Bishops' Ad Hoc Committee on Population and Pro-Life Affairs termed the matter "cause for moral outrage."

The Washington area's St. Luke's Guild of Catholic Physicians stated unequivocal opposition to experimental use of living fetuses "at any time and under any circumstances."

Maryland Right to Life, an anti-abortion group, pointed out that the Maryland General Assembly this year passed a joint resolution calling on Congress to propose a constitutional amendment to protect unborn human beings—intended to upset the recent Supreme Court decision on abortion.

A WAY OUT OF THE POVERTY MESS: A FULL DAY'S WAGE FOR A FULL DAY'S LABOR

(Mrs. CHISHOLM asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. CHISHOLM. Mr. Speaker, the other day when Secretary Brennan came up to testify before the House Education and Labor Committee on the minimum wage bill there was a series of articles in the newspapers around the country concerning the hardening of positions between Labor and the President, Brennan's position with the President, Brennan's position with the labor movement and the like.

Unfortunately amid all the fireworks and inside-dopester analysis the discussion of the real issues was buried.

What happened was that once again the administration which has spoken so much and so eloquently about the work ethic indicated that they are opposed to any extension of minimum wage coverage. In effect they told the 6 million people who would benefit from the proposed extension of coverage, "we don't think your full day's work is worth a full day's wage."

This opposition to the extensions of coverage is interesting in light of the support for the provision raising the minimum for those workers already covered. The administration recognized that there had not been any raise in the minimum wage for 7 years and that equity, justice, and fairness made it necessary to raise the basic minimum wage for those 45.5 million workers who are already covered, but of the 16 million not currently covered by the Fair Labor Standard Act no provision is to be made.

These are hard-working Americans, too. The 34-percent increase in prices since 1966 has had an even more cruel effect on their budgets than that of the rest of the population because they do not enjoy minimum-wage protection.

Listed below is a table of those persons covered by the act and those which are not.

TABLE 3.—ESTIMATED NUMBER OF NONSUPERVISORY EMPLOYEES COVERED UNDER THE FAIR LABOR STANDARDS ACT, BY INDUSTRY

[In thousands]

Industry	Total number of employees in industry	Number of employees covered	Number of employees not covered or exempt
Agriculture	1,190	535	655
Mining	559	554	5
Contract construction	3,219	3,202	17
Manufacturing	17,549	16,987	562
Transportation, communications, utilities	4,092	4,018	74
Wholesale trade	3,307	2,513	794
Retail trade	10,054	5,886	4,168
Finance, insurance, real estate	3,170	2,400	770
Services (excluding domestic service)	8,542	6,068	2,474
Domestic service	2,125	----------	2,125
Federal Government	2,365	693	1,672
State and local government	5,732	2,655	3,077
Total	61,904	45,511	16,393

Under the proposed Education and Labor Committee bill we did not provide for the extension of minimum wage protection to all 16 million of these workers. I personally would like to have seen this, but H.R. 4757 provides for the extension of benefits to only 6 million new workers. These include certain Federal, State and local government employees, day care employees, and domestic workers. The bill would also provide overtime coverage to these groups as well as agricultural processing employees, transit system workers, nursing home employees and the maids and custodial workers of hotels and motels.

These are the working poor. They are not on welfare or asking for handouts. They are working hard, skimping and scrapping, to keep their families together. I think it is high time we rewarded them for their efforts and provided at least the basic minimum wage.

I would like to illustrate the problem of the working poor and their need for minimum wage protection by speaking about one of the groups which would benefit from this bill, the domestic workers.

According to the 1970 census there are still some 25.5 million families in the Nation with incomes under the poverty line. Only 21.5 percent of these families are on welfare. The other 80 percent of the poor are working full time for subminimum wages, doing seasonal work, part-time work, piecework and whatever else they can to feed their families.

A very large portion, 40 percent of these poverty families are headed by women. Among poor black families the figure is even higher. Over 50 percent are headed by women.

Most of these women have few marketable job skills, so many go into domestic work. Unfortunately it is very hard to make it in the job world as a domestic. The work is long and hard. There are no vacations with pay, health benefits, or retirement benefits which most American workers take for granted. If the family for which she works moves, or takes a vacation or just decides they do not need her services for that week she has no severance pay, she must simply make do any way she can.

The median income for a domestic worker is $1,800. And as you can see from the State by State analysis of census data which I am introducing into the RECORD today, even those women working 50 to 52 weeks a year can earn well under the poverty line. In my own State of New York a woman working 50 to 52 weeks a year has a median income of $2,689. The comparable figures for other States range from a low of $803 in Alaska to $2,602 in Connecticut, which is the highest median income for a woman working full time as a household worker.

It has been argued that if the minimum wage is raised for domestic workers it will result in a diminution of jobs because families who might once have employed a domestic will simply not be able to afford to hire the household worker. To that I would offer the counter argument that the drop in the number of household workers, which the Labor Department puts at 70,000 from 1960 to 1970 has resulted chiefly from the fact that it is an undesirable job precisely because the pay is so low.

In fact, due to the tremendous increase in the number of working women the need for domestic help has increased rather than decreased. If the job is made more attractive and more rewarding financially a larger number of women would be interested in household work.

Traditionally "Miss Ann" and her maid have been viewed as coming from different worlds with different interests and concerns. But women have taken a leaf from the labor movement. They have learned the importance of solidarity. The extension of the minimum wage to domestic workers has the support of a broad coalition of women's groups, consumer groups, church, civil rights and labor groups. A partial list of those supporting the amendment follows below:

Amalgamated Clothing Workers.
Amalgamated Meat Cutters Union.
American Association of University Women.
American Ethical Union.
AFl–CIO.
American Federation of State, County and Municipal Employees.
American Humanist Association.
American Nurses Association.
American Veterans Committee.
Americans for Democratic Action.
Church Women United.
Day Care and Child Development Council.
Environmental Action.
Friends Committee on National Legislation.
Household Technicians of America.
International Ladies Garment and Workers Union.
Interstate Association of Commissions on the Status of Women.
Leadership Conference on Civil Rights.
Migrant Legal Action Program.
National Association for the Advancement of Colored People.
National Association of Colored Women's Clubs.
National Conference of Catholic Laity.
National Consumers League.
National Council of Churches.
National Council of Jewish Women.
National Council of Negro Women.
National Council of Senior Citizens.
National Education Association.
National Farmers Union.
National Federation of Business and Professional Women's Clubs.
National Organization for Women.
National Student Lobby.
National Welfare Rights Organization.
National Women's Political Caucus.
National Urban League.
Unitarian Universalist Association.
Unitarian Universalist Women's Federation.
United Auto Workers.
United Church of Christ, Council for Christian Social Action.
U.S. Catholic Conference.
Women's Equity Action League.
Women's Lobby.
Women's Service Club of Boston.
YWCA National Board.

Other groups within Congress have also expressed their interest and concern. In the appendix following my remarks are copies of letters from both the Members of the Black Caucus and the women of this House expressing their interest in having the minimum wage extended to domestic workers.

Everyone here in Congress is acutely aware of the fact that the American taxpayer does not feel that at this time he is getting full value for his or her dollars. Some people are opposed to the huge expenditures for the military, others would like to cut foreign aid, others feel that those on public assistance are getting a free ride and others are opposed to our agricultural support programs. But none of these citizens however hard-nosed they are about government spending, are opposed to people receiving a fair wage for their work.

Indeed everything I have seen or heard, or read indicates that our citizens want to encourage and help people to work.

If this is to be done, we are going to have to expend moneys on job training, job development, and child care and we are going to have to work to extend the minimum wage to all workers.

In view of the desire of both the administration and the Congress to hold down spending the extension of minimum wage coverage offers one of the most equitable and painless ways to assist the working poor because enactment of minimum wage legislation would not require any funds to be appropriated by Congress.

There are those who say that the increase in wages would be passed along to the consumer in the form of higher costs for goods and services. This cry has been heard ever since the passage of the original minimum wage legislation in 1938 and for the most part has been proven unfounded. While there will be some increase in costs to the consumer, it is not excessive and is far more acceptable to the taxpayer than are programs which utilize tax moneys for direct income payments.

Another criticism of minimum wage legislation is that it would help to fuel inflation. It is interesting to note that even the U.S. Chamber of Commerce disagrees with this charge.

In testimony before the Senate Subcommittee on Labor, Dr. Richard S. Landry, administrative director of the Economic Analysis and Study Group of the Chamber of Commerce stated:

> We do not contend, unlike some witness that appeared before you, that the minimum wage is inflationary, quite the opposite. Inflation is not caused by minimum wages.

In fact, inflation affects the lowest income worker, including minimum wage earners—more harshly than many others. What is not understood by most Americans and most Members of Congress is that a large proportion of our citizens are working for subminimum wages.

The Senate Subcommittee on Employment, Manpower and Poverty, in its analysis of the Census Employment Survey conducted as part of the 1970 Census of Population and Housing, pointed out that subemployment is a serious national problem, especially in innercity areas.

In this study it was found that approximately 20 percent of the population are working for subemployment wages—that is $80 a week or less. In some cities the subemployment index was even worse. The rates for Atlanta, Ga., San Diego, Calif., New Orleans, La., and San Antonio, Tex., were 38.2 percent, 39.9 percent, 41.1 percent, and 45.9 percent, respectively. Table and analysis included in appendix following remarks.

A recent article in the Washington Post on April 9, 1973, by Lawrence Feinberg pointed out that the same pattern exhibited itself here in Washington, D.C., an area with a stable work force and the lowest rate of unemployment of any major American city. According to an analysis of the 1970 census data by the Washington Center for Metropolitan Studies, about a third of Washington's 347,000 workers are among the working poor earning under $4,000 a year. The article stated:

> According to the report, 110,000 D.C. residents who held jobs in 1969 earned less than $4,000. About 80,000 were black, about 67,500 were women. Among the women in low paying jobs, 17,673 worked in clerical jobs such as office machine operations, typists and file clerks. 16,220 worked in services jobs in hotels, hospitals and restaurants or as cleaners in offices and 10,750 worked as domestic servants.

These are the very people who would benefit from the extension of minimum wage. They need and deserve this protection. They need our help and support.

I include—

State-by-State analysis of number, sex, and income of domestic workers.

Letter to Chairman JOHN DENT from Black Caucus Members.

Letter to Chairman JOHN DENT from Congresswomen.

Copy of Senate Subcommittee on Employment, Manpower, and Poverty Memo on Subemployment Index.

Article from Washington Post, April 9, 1973, by Lawrence Feinberg, "110,000 Here Work Below Poverty Level."

BUREAU OF THE CENSUS—STATISTICS ON PRIVATE HOUSEHOLD WORKERS

ALABAMA

	Men	Women
Total number of household workers (16 and over):		
White	208	7.783
Black	999	35,609
Spanish speaking	0	48
Total	1,207	43,440
Total number of live-in workers	34	511

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	1,366	1,696
Women	832	1,124
Live-in	1,175	1,277
Live-out	828	1,121

	Age
Median ages of private household workers:	
Men	48.8
Women	48.0
Live-in	54.8
Live-out	47.9

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	236	305	553	50.8
Women	8,690	11,445	19,224	49.0
Live-in	54	138	305	
Live-out	8,636	11,307	18,919	

ALASKA

	Men	Women
Total number of household workers (16 and over):		
White	15	721 [1]286
Black	0	61
Spanish speaking	0	42
Total	15	1,110
Total number of live-in workers	0	49

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men		
Women	578	803
Live-in		
Live-out	556	800

[1] Eskimo or Indian.

	Age
Median ages of private household workers:	
Men	
Women	
Live-in	
Live-out	

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	5	5		
Women	478	238	175	19.9
Live-in	9	16	15	
Live-out	469	222	160	

ARKANSAS

	Men	Women
Total number of household workers (16 and over):		
White	148	5,908
Black	332	10,589
Spanish speaking	0	22
Total	480	16,519
Total number of live-in workers	10	332

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	1,342	1,436
Women	759	1,124
Live-in	1,078	1,321
Live-out	753	1,117

	Age
Median ages of private household workers:	
Men	47.7
Women	51.4
Live-in	60.6
Live-out	51.2

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	106	106	224	51.4
Women	4,065	4,354	6,450	43.6
Live-in	35	76	191	
Live-out	4,030	4,278	6,259	

ARIZONA

	Men	Women
Total number of household workers (16 and over):		
White	199	4,989
Black	37	1,596
Spanish speaking	79	1,781
Total	315	8,366
Total number of live-in workers	45	684

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	2,253	2,818
Women	979	1,655
Live-in	1,703	1,866
Live-out	914	1,625

	Age
Median ages of private household workers:	
Men	46.1
Women	47.4
Live-in	53.4
Live-out	46.9

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	65	100	131	44.3
Women	2,146	2,187	2,560	35.6
Live-in	103	204	343	
Live-out	2,313	1,983	2,217	

CALIFORNIA

	Men	Women
Total number of household workers (16 and over):		
White	2,535	51,819
Black	809	21,782
Spanish speaking	519	12,491
Total	3,863	86,092
Total number of live-in workers	672	10,422

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	2,383	4,339
Women	1,141	1,931
Liv-in		
Live-out		

	Age
Median ages of private household workers:	
Men	44.1
Women	47.5
Live-in	
Live-out	

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men				
Women				
Live-in				
Live-out				

COLORADO

	Men	Women
Total number of household workers (16 and over):		
White	221	6,572
Black	47	1,035
Spanish speaking	16	1,160
Total	284	8,767
Total number of live-in workers	0	491

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earning of household workers (16 and over):		
Men	1,608	4,889
Women	755	1,597
Live-in	1,555	1,855
Live-out	713	1,548

	Age
Median ages of private household workers:	
Men	32.5
Women	45.5
Live-in	59.6
Live-out	44.9

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	86	62	102	41.5
Women	3,055	2,181	2,578	33.0
Live-in	83	84	297	
Live-out	2,972	2,097	2,281	

CONNECTICUT

	Men	Women
Total number of household workers (16 and over):		
White	320	7, 167
Black	118	4, 138
Spanish speaking	26	374
Total	464	11, 679
Total number of live-in workers	1, 355	1, 955

	Median income for all workers	Median income for worker s working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	3, 478	4, 419
Women	1, 807	2, 602
Live-in	2, 913	3, 237
Live-out	1, 594	2, 301

	Age
Median ages of private household workers:	
Men	56. 9
Women	53. 1
Live-in	52. 7
Live-out	53. 1

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	78	121	252	56. 5
Women	2, 316	3, 707	4, 969	45. 3
Live-in	152	484	1, 247	---------
Live-out	2, 164	3, 223	3, 722	---------

DELAWARE

	Men	Women
Total number of household workers (16 and over):		
White	104	1, 290
Black	94	2, 451
Spanish speaking	0	6
Total	198	3, 747
Total number of live-in workers	23	180

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	3, 512	5, 111
Women	1, 484	2, 225
Live-in	3, 167	3, 367
Live-out	1, 434	2, 149

	Age
Median ages of private household workers:	
Men	53. 7
Women	49. 6
Live-in	57. 1
Live-out	49. 2

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	31	36	99	64. 2
Women	834	966	1, 743	49. 4
Live-in	9	15	138	---------
Live-out	825	951	1, 605	---------

FLORIDA

	Men	Women
Total number of household workers (16 and over):		
White	769	12, 454
Black	1, 340	46, 796
Spanish speaking	73	1, 494
Total	2, 148	59, 543
Total number of live-in workers	252	--------

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	2, 258	3, 341
Women	1, 296	1, 741
Live-in	1, 855	2, 208
Live-out	1, 270	1, 716

	Age
Median ages of private household workers:	
Men	47. 1
Women	47. 6
Live-in	56. 9
Live-out	47. 1

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	400	566	1, 053	52. 4
Women	12, 767	21, 301	21, 257	38. 5
Live-in	271	644	1, 488	---------
Live-out	12, 496	20, 657	19, 769	---------

GEORGIA

	Men	Women
Total number of household workers (16 and over):		
White	299	8, 369
Black	1, 267	49, 719
Spanish speaking	0	36
Total	1, 566	58, 124
Total number of live-in workers	35	49, 719

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	1, 480	1, 855
Women	905	1, 211
Live-in	1, 364	1, 493
Live-out	901	1, 206

	Age
Median ages of private household workers:	
Men	46. 7
Women	48. 1
Live-in	55. 6
Live-out	48. 0

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	279	332	820	57. 3
Women	10, 744	15, 210	27, 019	51. 2
Live-in	54	138	524	---------
Live-out	10, 690	15, 072	26, 495	---------

HAWAII

	Men	Women
Total number of household workers (16 and over):		
White	33	540
Black	0	11
Spanish speaking	5	55
Total	73	2, 081
Total number of live-in workers	16	152

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men		
Women	1, 428	1, 897
Live-in	2, 420	2, 525
Live-out	1, 365	1, 820

	Age
Median ages of private household workers:	
Men	
Women	51. 4
Live-in	51. 4
Live-out	51. 4

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	10	15	42	62. 8
Women	428	341	1, 106	59. 0
Live-in	18	18	106	---------
Live-out	410	323	1, 000	---------

IDAHO

	Men	Women
Total number of household workers (16 and over):		
White	82	2, 747
Black	0	16
Spanish speaking	0	69
Total	82	2, 832
Total number of live-in workers	4	125

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men		
Women	492	1, 087
Live-in	1, 544	----------
Live-out	477	986

	Age
Median ages of private household workers:	
Men	
Women	
Live-in	
Live-out	

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	34	10	29	40. 3
Women	1, 108	561	766	31. 7
Live-in	26	5	84	---------
Live-out	1, 082	556	682	---------

ILLINOIS

	Men	Women
Total number of household workers (16 and over):		
White	665	23,558
Black	716	12,448
Spanish speaking	32	467
Total	1,413	36,473
Total number of live-in workers	93	3,183

Annual earnings of household workers (16 and over):	Median income for all workers	Median income for workers working 50–52 weeks
Men	3,132	5,224
Women	1,164	1,804
Live-in	2,259	2,648
Live-out	1,066	1,712

	Age
Median ages of private household workers:	
Men	49.4
Women	53.2
Live-in	57.6
Live-out	52.7

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	351	350	637	47.6
Women	3,845	6,106	7,355	40.7
Live-in	200	556	1,471	
Live-out	3,645	5,550	5,884	

INDIANA

	Men	Women
Total number of household workers (16 and over):		
White	410	16,054
Black	111	4,104
Spanish speaking	6	980
Total	532	21,138
Total number of live-in workers	43	1,076

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	1,594	3,229
Women	873	1,482
Live-in	1,365	1,560
Live-out	850	1,473

	Age
Median ages of private household workers:	
Men	47.8
Women	50.9
Live-in	60.5
Live-out	50.3

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	114	166	219	43.9
Women	6,441	6,516	7,261	36.0
Live-in	112	256	659	
Live-out	6,329	6,260	6,602	

IOWA

	Men	Women
Total number of household workers (16 and over):		
White	333	15,991
Black	4	457
Spanish speaking	0	81
Total	337	16,529
Total number of live-in workers	8	938

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	1,397	2,684
Women	613	1,016
Live-in	1,284	1,398
Live-out	575	967

	Age
Median ages of private household workers:	
Men	42.1
Women	50.4
Live-in	61.4
Live-out	49.4

	1–26	27–49	50–52	Percent worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	129	88	101	32.3
Women	5,174	4,022	5,632	38.1
Live-in	80	121	706	
Live-out	5,094	3,901	4,926	

KANSAS

	Men	Women
Total number of household workers (16 and over):		
White	259	9,441
Black	60	1,725
Spanish speaking	7	270
Total	329	11,358
Total number of live-in workers	9	495

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	1,667	4,333
Women	761	1,326
Live-in	1,500	1,540
Live-out	729	1,299

	Age
Median ages of private household workers:	
Men	44.5
Women	50.8
Live-in	62.0
Live-out	50.0

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	85	77	138	46.0
Women	3,441	3,059	3,784	36.9
Live-in	42	126	134	
Live-out	3,399	2,933	3,470	

KENTUCKY

	Men	Women
Total number of household workers (16 and over):		
White	293	9,711
Black	375	9,144
Spanish speaking	0	32
Total	668	18,887
Total number of live-in workers	39	904

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	1,495	2,402
Women	829	1,202
Live-in	960	1,100
Live-out	820	1,211

	Age
Median ages of private household workers:	
Men	53.4
Women	50.7
Live-in	55.6
Live-out	50.3

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	158	178	283	45.7
Women	4,460	4,649	7,645	45.6
Live-in	116	160	593	
Live-out	4,344	4,489	7,052	

LOUISIANA

	Men	Women
Total number of household workers (16 and over):		
White	220	8,027
Black	948	37,825
Spanish speaking	23	254
Total	1,191	46,106
Total number of live-in workers	18	497

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	1,466	1,768
Women	840	1,165
Live-in	1,165	1,308
Live-out	837	1,163

	Age
Median ages of private household workers:	
Men	43.3
Women	46.1
Live-in	50.6
Live-out	46.1

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	214	267	617	56.2
Women	9,221	10,992	20,147	50.1
Live-in	65	96	322	
Live-out	9,156	10,896	19,825	

MAINE

	Men	Women
Total number of household workers (16 and over):		
White	101	5,671
Black	0	50
Spanish speaking	0	15
Total	101	5,736
Total number of live-in workers	4	623

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	1,707	
Women	801	1,349
Live-in	1,295	1,489
Live-out	746	1,308

	Age
Median ages of private household workers:	
Men	29.4
Women	50.4
Live-in	62.1
Live-out	48.4

	1–26	27–49	50–52	Percen who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men				
Women	1,860	1,364	1,830	36.3
Live-in	62	123	394	
Live-out	1,789	1,241	1,436	

MARYLAND

	Men	Women
Total number of household workers (16 and over):		
White	287	6,055
Black	350	15,082
Spanish speaking	23	742
Total	660	21,879
Total number of live-in workers	66	1,826

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	1,836	2,912
Women	1,330	1,723
Live-in	1,648	1,966
Live-out	1,300	1,698

	Age
Median ages of private household workers:	
Men	49.5
Women	50.1
Live-in	47.2
Live-out	50.3

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	120	155	120	53.8
Women	4,129	6,319	10,095	49.3
Live-in	209	503	1,058	
Live-out	3,920	5,816	9,037	

MASSACHUSETTS

	Men	Women
Total number of household workers (16 and over):		
White	782	12,580
Black	99	1,963
Spanish speaking	5	281
Total	886	14,824
Total number of live-in workers	89	2,502

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	2,428	4,261
Women	1,432	2,027
Live-in	2,415	2,679
Live-out	1,236	1,840

	Age
Median ages of private household workers:	
Men	46.1
Women	54.9
Live-in	57.6
Live-out	54.0

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	209	231	405	47.6
Women	3,566	4,606	5,833	41.8
Live-in	170	715	1,524	
Live-out	3,396	3,891	4,309	

MICHIGAN

	Men	Women
Total number of household workers (16 and over):		
White	621	20,826
Black	260	11,495
Spanish speaking	6	225
Total	887	32,572
Total number of live-in workers	67	2,527

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	1,710	3,800
Women	903	1,583
Live-in	1,586	1,828
Live-out	855	1,531

	Age
Median ages of private household workers:	
Men	41.1
Women	50.0
Live-in	58.4
Live-out	49.2

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	284	186	344	42.5
Women	10,083	9,677	9,686	33.1
Live-in	326	578	1,535	
Live-out	9,757	9,099	8,151	

MINNESOTA

	Men	Women
Total number of household workers (16 and over):		
White	279	15,187
Black	7	187
Spanish speaking	0	72
Total	272	15,446
Total number of live-in workers	29	187

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	1,448	2,371
Women	634	1,125
Live-in	1,381	1,547
Live-out	576	1,004

	Age
Median ages of private household workers:	
Men	46.1
Women	48.7
Live-in	61.7
Live-out	46.8

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	112	57	101	38.1
Women	5,225	3,984	4,737	34.0
Live-in	145	227	887	
Live-out	5,080	3,757	3,861	

MISSISSIPPI

	Men	Women
Total number of household workers (16 and over):		
White	152	4,550
Black	678	26,662
Spanish speaking	0	51
Total	830	31,263
Total number of live-in workers	6	214

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	1,261	1,343
Women	760	988
Live-in	701	696
Live-out	760	991

	Age
Median ages of private household workers:	
Men	45.6
Women	48.5
Live-in	56.8
Live-out	48.4

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	152	225	382	49.9
Women	30			48.8
Live-in				
Live-out				

MISSOURI

	Men	Women
Total number of household workers (16 and over):		
White	317	13,252
Black	266	10,448
Spanish speaking	8	90
Total	591	23,790
Total number of live-in workers	45	1,156

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	2,052	3,200
Women	1,005	1,534
Live-in	1,482	1,517
Live-out	980	1,536

	Age
Median ages of private household workers:	
Men	50.3
Women	52.0
Live-in	59.9
Live-out	51.4

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	147	145	252	46.3
Women	5,813	6,829	8,896	41.4
Live-in	110	242	771	----------
Live-out	5,703	6,587	8,125	----------

MONTANA

	Men	Women
Total number of household workers (16 and over):		
White	55	2,946
Black	0	11
Spanish speaking	0	35
Total	55	3,197
Total number of live-in workers	0	132

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men		
Women	486	979
Live-in	1,034	----------
Live-out	473	967

	Age
Median ages of private household workers:	
Men	
Women	42.6
Live-in	61.3
Live-out	41.8

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	51	14	16	63.6
Women	1,352	670	765	27.7
Live-in	7	35	75	----------
Live-out	1,345	635	690	----------

NEBRASKA

	Men	Women
Total number of household workers (16 and over):		
White	129	7,034
Black	9	616
Spanish Speaking	9	119
Total	147	7,769
Total number of live-in workers	81	333

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	1,634	----------
Women	656	995
Live-in	1,344	1,417
Live-out	624	953

	Age
Median ages of private household workers:	
Men	46.0
Women	48.7
Live-in	62.6
Live-out	47.7

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	47	33	54	40.3
Women	2,456	1,868	2,648	37.9
Live-in	19	56	253	----------
Live-out	2,437	1,812	2,395	----------

NEVADA

	Men	Women
Total number of household workers (16 and over):		
White	69	1,143
Black	5	387
Spanish speaking	11	82
Total	85	1,612
Total number of live-in workers	11	139

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men		
Women	1,227	1,910
Live-in	2,079	----------
Live-out	1,182	1,187

	Age
Median ages of private household workers:	
Men	
Women	45.8
Live-in	49.5
Live-out	45.3

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	10	20	45	60.0
Women	423	333	624	45.2
Live-in	12	21	93	----------
Live-out	411	312	531	----------

NEW HAMPSHIRE

	Men	Women
Total number of household workers (16 and over):		
White	124	2,983
Black	0	9
Spanish speaking	0	14
Total	124	3,006
Total number of live-in workers	9	312

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	3,852	----------
Women	981	1,384
Live-in	1,354	1,559
Live-out	940	1,337

	Age
Median ages of private household workers:	
Men	47.2
Women	52.7
Live-in	59.7
Live-out	51.0

	1–16	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	13	30	81	65.3
Women	879	682	1,218	53.9
Live-in	39	39	222	----------
Live-out	840	643	998	----------

NEW JERSEY

	Men	Women
Total number of household workers (16 and over):		
White	533	10,902
Black	395	15,057
Spanish speaking	0	122
Total	928	26,081
Total number of live-in workers	84	3,169

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	2,979	4,724
Women	1,613	2,304
Live-in	2,542	2,848
Live-out	1,486	2,149

	Age
Median ages of private household workers:	
Men	50.9
Women	52.2
Live-in	50.0
Live-out	52.4

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	178	228	461	53.6
Women	5,514	8,239	10,662	43.8
Live-in	350	780	1,914	----------
Live-out	5,164	7,459	8,748	----------

NEW MEXICO

	Men	Women
Total number of household workers (16 and over):		
White	104	2,317
Black	9	644
Spanish speaking	103	2,627
Total	216	5,588
Total number of live-in workers	8	167

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	1,513	----------
Women	868	1,360
Live-in	1,342	1,444
Live-out	844	1,351

	Age
Median ages of private household workers:	
Men	39.5
Women	44.9
Live-in	48.5
Live-out	44.9

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	46	35	90	52.6
Women	1,485	1,216	2,119	44.3
Live-in	9	31	123	----------
Live-out	1,476	1,185	1,996	----------

NEW YORK

	Men	Women
Total number of household workers (16 and over):		
White	1,985	39,346
Black	1,543	40,017
Spanish speaking	219	667
Total	3,747	80,030
Total number of live-in workers	494	12,578

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	3,533	4,479
Women	1,944	2,689
Live-in	2,827	3,163
Live-out	1,771	2,528

	Age
Median ages of private household workers:	
Men	50.9
Women	51.1
Live-in	49.2
Live-out	51.4

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men				
Women	15,278	25,445	33,713	44.6
Live-in	1,166	3,496	7,505	----------
Live-out	14,112	21,949	26,208	----------

NORTH CAROLINA

	Men	Women
Total number of household workers (16 and over):		
White	345	9,899
Black	1,045	37,540
Spanish speaking	0	63
Total	1,390	47,502
Total number of live-in workers	48	1,011

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	1,526	1,786
Women	929	1,313
Live-in	1,136	1,132
Live-out	925	1,312

	Age
Median ages of private household workers:	
Men	49.8
Women	50.3
Live-in	57.6
Live-out	50.1

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	268	432	610	47.0
Women	10,509	13,953	19,498	44.5
Live-in	82	241	647	----------
Live-out	10,427	13,712	18,851	----------

NORTH DAKOTA

	Men	Women
Total number of household workers (16 and over):		
White	55	3,209
Black	0	0
Spanish speaking	0	0
Total	66	3,267
Total number of live-in workers	0	210

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men		
Women	501	918
Live-in	1,080	1,077
Live-out	472	881

	Age
Median ages of private household workers:	
Men	
Women	43.3
Live-in	60.0
Live-out	42.2

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	31	11	9	----------
Women	1,101	759	904	32.8
Live-in	14	28	162	----------
Live-out	1,087	731	742	----------

OHIO

	Men	Women
Total number of househo'd workers (16 and over):		
White	689	26,539
Black	719	18,027
Spanish speaking	8	229
Total	1,416	44,794
Total number of live-in workers	72	2,916

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	1,921	3,697
Women	973	1,603
Live-in	1,501	1,718
Live-out	941	1,588

	Age
Median ages of private household workers:	
Men	46.7
Women	51.2
Live-in	57.4
Live-out	50.7

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	375	351	595	44.7
Women	11,731	12,548	16,102	40.0
Live-in	348	644	1,802	----------
Live-out	11,383	11,904	14,300	----------

OKLAHOMA

	Men	Women
Total number of household workers (16 and over):		
White	262	8,942
Black	148	5,349
Spanish speaking	5	42
Total	415	----------
Total number of live-in workers	35	498

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	1,591	2,794
Women	868	1,384
Live-in	1,451	1,524
Live-out	843	1,372

	Age
Median ages of private household workers:	
Men	48.4
Women	51.5
Live-in	59.6
Live-out	51.1

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	123	121	149	37.9
Women	3,699	3,627	5,293	42.0
Live-in	40	120	319	----------
Live-out	3,659	3,507	4,974	----------

OREGON

	Men	Women
Total number of household workers (16 and over):		
White	263	8,443
Black	4	330
Spanish speaking	0	0
Total	267	8,763
Total number of live-in workers	23	678

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	1,953	
Women	638	1,397
Live-in	1,316	1,568
Live-out	591	1,357

	Age
Median ages of private household workers:	
Men	52.5
Women	47.0
Live-in	56.9
Live-out	45.9

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	112	49	89	35.6
Women	3,528	2,379	2,043	25.7
Live-in	114	221	294	
Live-out	3,414	2,158	1,749	

PENNSYLVANIA

	Men	Women
Total number of household workers (16 and over):		
White	784	27,884
Black	680	20,101
Spanish speaking	8	31
Total	1,472	48,016
Total number of live-in workers	171	3,581

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	2,537	3,670
Women	1,235	1,712
Live-in	1,815	1,934
Live-out	1,185	1,684

	Age
Median ages of private household workers:	
Men	53.4
Women	53.7
Live-in	57.8
Live-out	53.4

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	326	339	768	53.6
Women	20,251	13,914	10,243	23.0
Live-in	2,434	760	261	
Live-out	17,917	13,154	9,982	

RHODE ISLAND

	Men	Women
Total number of household workers (16 and over):		
White	124	2,006
Black	11	378
Spanish speaking	0	5
Total	135	2,389
Total number of live-in workers	9	229

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	1,875	
Women	1,446	2,049
Live-in	2,180	2,056
Live-out	1,381	2,048

	Age
Median ages of private household workers:	
Men	43.2
Women	54.2
Live-in	58.2
Live-out	53.4

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	37	21	77	57.0
Women	509	828	953	42.1
Live-in	16	39	166	
Live-out	493	789	787	

SOUTH CAROLINA

	Men	Women
Total number of household workers (16 and over):		
White	157	4,748
Black	718	29,978
Spanish speaking	0	14
Total	875	34,740
Total number of live-in workers	5	301

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	1,565	2,061
Women	881	1,187
Live-in	902	968
Live-out	880	1,190

	Age
Median ages of private household workers:	
Men	45.8
Women	47.9
Live-in	57.3
Live-out	47.8

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	117	285	385	48.9
Women	6,574	8,579	16,660	52.4
Live-in	21	27	228	
Live-out	6,553	8,552	16,432	

SOUTH DAKOTA

	Men	Women
Total number of household workers (16 and over):		
White	45	4,064
Black	0	17
Spanish speaking	5	12
Total	49	4,347
Total number of live-in workers	5	232

	Median income for all workers	Median income for workers working 50–52 weeks
Men		
Women	524	930
Live-in	1,132	1,161
Live-out	496	911

	Age
Median ages of private household workers:	
Men	
Women	46.0
Live-in	61.2
Live-out	45.1

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	23	4	18	
Women	1,439	1,001	1,436	37.0
Live-in	24	53	146	
Live-out	1,415	948	1,290	

TENNESSEE

	Men	Women
Total number of household workers (16 and over):		
White	343	10,482
Black	810	23,017
Spanish speaking	4	56
Total	1,157	33,555
Total number of live-in workers	58	821

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	1,622	1,964
Women	898	1,237
Live-in	1,166	1,313
Live-out	892	1,234

	Age
Median ages of private household workers:	
Men	50.2
Women	50.8
Live-in	56.8
Live-out	50.8

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	212	313	552	51.5
Women	6,763	9,692	13,803	45.8
Live-in	94	166	524	
Live-out	6,669	9,526	13,279	

TEXAS

	Men	Women
Total number of household workers (16 and over):		
White	667	22, 129
Black	1, 498	55, 856
Spanish speaking	494	14, 221
Total	2, 659	92, 206
Total number of live-in workers	44	10, 631

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	1, 715	2, 476
Women	974	1, 390
Live-in	1, 325	1, 505
Live-out	963	1, 383

	Age
Median ages of private household workers:	
Men	47. 3
Women	38. 3
Live-in	51. 0
Live-out	48. 2

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	570	604	1, 322	53. 5
Women	19, 118	24, 976	39, 297	47. 3
Live-in	418	782	2, 113	
Live-out	18, 700	24, 194	37, 184	

UTAH

	Men	Women
Total number of household workers (16 and over):		
White	78	2, 442
Black	5	25
Spanish speaking	6	173
Total	89	2, 640
Total number of live-in workers	0	64

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men		
Women	528	1, 146
Live-in		
Live-out	506	1, 179

	Age
Median ages of private household workers:	
Men	
Women	35. 6
Live-in	
Live-out	35. 1

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	56	9	24	26. 9
Women	1, 020	756	532	23. 0
Live-in	21	8	31	
Live-out	999	748	501	

VERMONT

	Men	Women
Total number of household workers (16 and over):		
White	53	3, 196
Black	4	10
Spanish speaking	0	12
Total	57	3, 218
Total number of live-in workers	0	299

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men		
Women	$816	$1, 278
Live-in	1, 190	1, 303
Live-out	774	1, 269

	Age
Median ages of private household workers:	
Men	
Women	47. 3
Live-in	57. 1
Live-out	46. 0

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	14	14	22	44. 0
Women	928	693	1, 160	41. 9
Live-in				
Live-out				

VIRGINIA

	Men	Women
Total number of household workers (16 and over):		
White	399	11, 549
Black	898	26, 423
Spanish-speaking	0	194
Total	1, 297	38, 166
Total number of live-in workers	66	1, 855

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	1, 691	2, 379
Women	942	1, 345
Live-in	1, 317	1, 404
Live-out	926	1, 340

	Age
Median ages of private household workers:	
Men	47. 9
Women	49. 2
Live-in	53. 6
Live-out	49. 0

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	236	287	700	57. 2
Women	8, 852	10, 234	16, 193	46. 1
Live-in	1, 175	450	1, 146	
Live-out	8, 677	9, 784	15, 047	

WASHINGTON

	Men	Women
Total number of household workers (16 and over):		
White	368	13, 968
Black	19	717
Spanish speaking	8	174
Total	395	14, 859
Total number of live-in workers	21	963

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	1, 745	
Women	607	1, 317
Live-in	1, 455	1, 651
Live-out	552	1, 307

	Age
Median ages of private household workers:	
Men	30. 9
Women	40. 4
Live-in	58. 1
Live-out	38. 6

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	174	97	85	26. 5
Women	5, 857	3, 807	3, 466	22. 3
Live-in	174	230	483	
Live-out	5, 683	3, 577	2, 983	

WASHINGTON, D.C.

	Men	Women
Total number of household workers (16 and over):		
White	124	941
Black	393	11, 405
Spanish speaking	46	479
Total	563	12, 825
Total number of live-in workers	79	934

	Median income for all workers	Median income for workers working 50–52 weeks
Annual earnings of household workers (16 and over):		
Men	3, 278	3, 542
Women	1, 986	2, 387
Live-in	2, 454	2, 638
Live-out	1, 932	2, 362

	Age
Median ages of private household workers:	
Men	47. 9
Women	50. 6
Live-in	44. 5
Live-out	50. 9

	1–26	27–49	50–52	Percent who worked 50–52 weeks
Weeks worked a year (16 and over):				
Men	48	151	331	60. 2
Women	1, 640	3, 723	6, 656	55. 4
Live-in	33	267	615	
Live-out	1, 607	3, 456	6, 041	

WEST VIRGINIA

	Men	Women
Total number of household workers (16 and over):		
White	208	7, 456
Black	48	1, 803
Spanish speaking	0	11
Total	256	9, 270
Total number of live-in workers	9	661

	Median income for all workers	Median income for workers working 50-52 weeks
Annual earnings of household workers (16 and over):		
Men	1, 183	
Women	817	1, 263
Live-in	1, 237	1, 318
Live-out	779	1, 252

	Age
Median ages of private household workers:	
Men	52. 6
Women	51. 6
Live-in	58. 0
Live-out	51. 1

	1-26	27-49	50-52	Percent who worked 50-52 weeks
Weeks worked a year (16 and over):				
Men	70	70	102	39. 9
Women	2, 550	2, 157	3, 312	41. 4
Live-in	65	117	424	
Live-out	2, 493	2, 040	2, 888	

WISCONSIN

	Men	Women
Total number of household workers (16 and over):		
White	342	15, 258
Black	31	1, 029
Spanish speaking	11	72
Total	384	16, 359
Total number of live-in workers	16	1, 283

	Median income for all workers	Median income for workers working 50-52 weeks
Annual earnings of household workers (16 and over):		
Men	1, 607	3, 519
Women	712	1, 116
Live-in	1, 293	1, 402
Live-out	671	1, 050

	Age
Median ages of private household workers:	
Men	28. 1
Women	51. 7
Live-in	60. 2
Live-out	50. 5

	1-26	27-49	50-52	Percent who worked 50-52 weeks
Weeks worked a year (16 and over):				
Men	127	78	150	41.8
Women	5, 075	4, 423	5, 404	36. 3
Live-in	148	225	872	
Live-out	4, 927	4, 198	4, 532	

WYOMING

	Men	Women
Total number of household workers (16 and over):		
White	20	1, 779
Black	0	49
Spanish speaking	0	133
Total	20	1, 859
Total number of live-in workers	0	56

	Median income for all workers	Median income for workers working 50-52 weeks
Annual earnings of household workers (16 and over):		
Men		
Women	595	1, 248
Live-in		
Live-out	595	1, 214

	Age
Median ages of private household workers:	
Men	
Women	45. 1
Live-in	
Live-out	44. 0

	1-26	27-49	50-52	Percent who worked 50-52 weeks
Weeks worked a year (16 and over):				
Men	2	0	18	
Women	652	501	456	28. 5
Live-in	5	7	40	
Live-out	647	494	416	

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., March 27, 1973.

Honorable JOHN DENT,
Chairman, General Subcommittee on Labor, Washington, D.C.

DEAR MR. CHAIRMAN: As Members of the Black Caucus, we are deeply concerned about the need to mount a successful campaign to secure passage of the Minimum Wage bill this year.

During this time of skyrocketing inflation, the raising of the Minimum Wage and especially the extension of coverage, are important to all Americans, particularly minority citizens because they are more likely to be employed in jobs which are not currently covered.

Groups such as the Household Workers, desperately need the protection which this bill would provide. For this reason we are deeply disturbed about the rumors that some groups are suggesting that the extension of Minimum Wage to domestics should be dropped from the House Version of the bill in an effort to secure the necessary votes for passage here in the House.

In our view, this would do very little in the way of securing additional votes. Indeed, the most controversial sections of the bill last year were not those concerning domestics but those centering around agricultural workers and the proposed youth subminimum.

We know of and appreciate your own staunch personal support for the provisions for Domestics and are only sending this letter to you to affirm our particular interest in this provision.

Sincerely,
Shirley Chisholm, Yvonne Burke, John Conyers, Ronald Dellums, Charles Diggs, Walter Fauntroy, Augustus Hawkins, Barbara Jordan, Ralph Metcalfe, Parren Mitchell, Charles Rangel, Louis Stokes, Andrew Young, Members of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., April 17, 1973.

The Honorable JOHN H. DENT
Chairman, General Subcommittee on Labor, Rayburn House Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: We have heard rumors that your Subcommittee is under pressure to drop the extension of minimum wage coverage to domestic workers. As women legislators, this is of great concern to us. Although we represent a variety of political attitudes and approaches and do not normally votes as a bloc, we are all very disturbed about this measure.

As you know, women are at the bottom of the economic ladder. According to the H.E.W. Report "Work in America," December, 1972, (p. 42), the income profile for American workers is as follows:

Median Income 1969

All Males	$6, 429
Minority Males	3, 891
All Females	2, 132
Minority Females	1, 084

Contrary to popular opinion, women work not for "pin money" but because they have to. They are either the head of the household or contribute substantially to their family's income.

For example:

According to the 1970 Census, 11% of all American households are headed by women.

Among Black families, 28% are headed by women.

Further, female headed households are growing. In 1960, 25% of all marriages ended in divorce or annulment. By 1970, the figure was up to 35%.

Among married women in 1970, 8 million earned between $4,000 and $7,000.

In addition, the proportion of women and female headed families with incomes under the poverty line, is a clear reflection of their economic plight.

According to the 1970 Census, there were still some $25.5 million poor in the nation (e.g. incomes under $3,969).

Only 21.5% of these families are on welfare.

Of these female heads of household who work, over half worked as maids in 1970 and had incomes under the federal poverty line.

The median income for domestics is $1,800.

These women are struggling to make ends meet and keep their families together. They are proud hard workers who are doing their darndest to stay off the welfare rolls and are getting precious little help for their efforts. Let's provide some help for those who are trying to help themselves.

The average American voter is indeed fed up with anyone they perceive to be "loafing" or "getting something for nothing", but they do support an honest day's wage for an honest day's labor.

We ask that you do everything in your power to see to it that the extension of minimum wage to domestic workers is not eliminated. It is time that these hard working women got some help and protection.

Very truly yours,

Shirley Chisholm, Marjorie S. Holt, Leonor K. Sullivan, Yvonne Brathwaite Burke, Patsy T. Mink, Julia Butler Hansen, Edith Green, Martha W. Griffiths, Ella T. Grasso, Bella S. Abzug, Elizabeth Holtzman, Barbara Jordan, Patricia Schroeder, Members of Congress.

SOME 110,000 HERE WORK BELOW POVERTY LEVEL

(By Lawrence Feinberg)

About a third of Washington's 347,000 workers are among the "working poor," employed in low-paying jobs and out of work part of the year, according to a new analysis of census data by the Washington Center for Metropolitan Studies.

Almost a majority of these low-paid workers are black women employed as clerks and cleaning help in offices, stores and homes.

About a quarter of the city's male wage earners also earned less than $4,000 during 1969, the year for which the figures were gathered.

"These are not people who have opted out of the labor force permanently," commented George Grier, vice president of the center, a nonprofit research group.

"They are people who are working a good deal of the time, and are not just sitting at home collecting welfare. They really are the working poor, and the city's general prosperity has passed them by."

In other reports the center has charted the increases in average income in D.C., and the rising income of black families, which averaged $9,600 here in the 1970 census—the highest for blacks in any big American city.

"Most people here are doing fairly well," Grier said in an interview, "including most blacks, and their situation is getting better. But there still are a substantial number who have a problem getting by. They're struggling, and they are getting hit particularly hard by the current inflation."

The figures in the Washington Centers new report are derived from a computer analysis of 1970 census data released several months ago. Most of the work was financed by a $100,000 contract with the D.C. manpower administration, the city's job training agency.

According to the report, 110,000 D.C. residents who held jobs in 1969 earned less than $4,000. About 80,000 were black; about 67,500 were women.

Among the women in low-paying jobs, 17,673 worked in clerical jobs such as office machine operators, typists and file clerks; 16,220 worked in service jobs in hotels, hospitals and restaurants, or as cleaners in offices; and 10,750 worked as domestic servants.

Among the 42,500 men who earned less than $4,000 during 1969, the largest groups—about 10,000—worked in service jobs, such as waiters, security guards, hospital orderlies, office cleaners and dishwashers. Another 4,100 were laborers.

The center report said this large number of low-paid workers indicates that even though the unemployment rate in D.C. is the lowest for any major American city, the District has a huge problem of subemployment.

Another measure of the problem, the report said, is that 158,000 D.C. workers were employed less than 50 weeks during 1969, including 131,000 who worked less than 47 weeks.

About 55 per cent of these workers with substantial spells of unemployment were women, 64 per cent were black and 26 per cent were under 22 years old. The largest groups were in clerical, service, sales and laboring jobs.

In addition, the center reported there were 49,000 D.C. residents who were not counted as looking for work in 1970, even though they were between ages 16 and 64, were not disabled and were not in school or prison. The category does not include women with children under age 6.

Grier said these dropouts from the labor force include about 13,000 men, and most of whom, he said, "have been knocked out of jobs-seeking by discouragement." Of the 36,000 women included, Grier said, many would like to work but do not do so because they have no one except themselves to care for their families.

Overall, about 40 per cent of D.C. women working in 1969 earned less than $4,000 a year.

About 29 per cent of all D.C. families headed by a woman were below the federal poverty line ($4,000 for a family of four), compared to 7 percent of all families headed by a man. Among blacks, 32 per cent of the families headed by women were below the poverty line, compared to 8 percent of the families headed by men.

SUBEMPLOYMENT INDEX

NOVEMBER 1972.

The figures below are derived from the Census Employment Survey (CES) conducted as part of the 1970 Census of Population and Housing. Detailed survey information was taken in 60 poverty areas of 51 cities. The results of the surveys have been published by the Census Bureau in the Series PHC (3), Vols. 1–68.

The CES follows directly on the work of Labor Secretary Willard Wirtz. In seeking adequate understanding and funding for manpower programs, Wirtz needed an easily understood scale to express the relationship between the job market and poverty in the ghettos. The conventional unemployment rate was inadequate. It ignored discouraged workers entirely and lumped all jobs—including those paying below poverty wages—together. Beginning with a survey of ten slum areas in eight cities in November of 1966, Wirtz developed a "subemployment" index that showed subemployment varying from 24.2 percent in Boston to 47.4 percent in San Antonio poverty areas. For the ten areas it averaged 33.9 percent. In 1967 the Bureau of Labor Statistics set up an Urban Employment Survey task force that carried on more detailed studies in six cities. Before he left office Wirtz managed to program the Urban Employment Survey questionnaire into the 1970 census. In June 1970 the Urban Employment Survey task force was broken up. And when the CES data became available it was decided to publish the volumes, but not to publish any analysis.

The following indices are based on the Wirtz criteria, but are more conservative in several respects. No estimate is made of "missing males" and people are counted as "discouraged workers" only if they have "looked but could not find" jobs.

Further, it should be noted that the areas included in the CES are much larger than the usual poverty areas—in some cases including more than half the population of the central city.

The subemployment indices include persons who are:

Unemployed;

Working part time, but seeking full-time work;

Discouraged workers (who have dropped out because they looked but could not find work);

Full-time workers paid less than $80 a week (enough, if work is available full-time, year around, to earn $4,000 a year, the official poverty level for a family of four) and those paid less than $3.50 an hour (enough, again assuming steady work, to earn $7,000 a year, the B.L.S. lower family budget).

In the spring of 1970, the Bureau of Labor Statistics reported that it costs $6,960 to maintain a family of four at a lower level budget in an urban area.

Vol. No.	City	Percent of city in CES survey area	Survey area unemployment (percent)	Labor market (SMSA) rate for 1970	Subemployment index ($80 at week) (percent)	Subemployment index (percent) ($3.50 at hour)	BLS lower family budget spring 1970
1	Nation as a whole, all cities surveyed	33.5	9.6	4.9–[1]5.0	16.9–30.5	35.1–61.2	
2	New York, N.Y., all survey areas	31.2	8.1	4.4	22.1	59.4	17,83
4	Manhattan Borough		8.4		23.3	56.3	
5	Area I		8.1		24.5	63.5	
6	Area II		8.6		22.7	39.9	
7	Brooklyn Borough, NYC		7.6		19.3	59.5	
11	Bronx Borough, NYC		8.5		25.9	66.0	
12	Queens Borough, NYC		9.6		20.0	53.2	
13	Los Angeles, Calif	26.3	12.5	7.2	33.1	61.6	7,507
14	Area I		10.9		29.4	58.6	
15	Area II		13.1		34.6	62.9	
16	Chicago, Ill	27.2	10.6	3.6	27.7	62.4	7,273
17	Area I		11.0		28.2	67.0	
18	Area II				27.0	56.5	
19	Philadelphia, Pa	40.4	8.7	4.3	27.0	55.2	6,958
20	Area I		8.2		25.5	52.5	
21	Area II		9.2		28.5	58.2	
22	Detroit, Mich	35.3	14.0	7.0	34.7	57.5	6,931
23	San Francisco, Calif	35.4	12.5	6.7	27.0	54.8	7,686
24	Washington, D.C	51.9	4.8	3.2	21.6	59.8	7,242
25	Boston, Mass	56.7	8.5	3.9	22.0	52.2	7,351
26	Pittsburgh, Pa	41.6	9.8	5.2	29.4	59.6	6,701
27	St. Louis, Mo	50.2	10.5	4.6	34.2	62.0	6,987
28	Baltimore, Md	58.7	8.5	4.0	30.9	62.0	7,018
29	Cleveland, Ohio	43.0	8.9	4.7	28.8	58.8	7,080
30	Houston, Tex	39.8	5.9	4.0	31.8	61.7	6,481
31	Newark, N.J	58.6	10.7	4.3	30.0	63.5	

Footnotes at end of table.

Vol. No.	City	Percent of city in CES survey area	Survey area unemployment (percent)	Labor market (SMSA) rate for 1970	Subemployment index ($80 at week) (percent)	Subemployment index (percent) ($3.50 at hour)	BLS lower family budget spring 1970
32	Dallas, Tex	25.7	9.0	3.8	37.3	69.3	6,683
33	Minneapolis, Minn	36.4	7.1	5.2	25.6	56.9	7,140
34	St. Paul, Minn	36.8	8.1	5.2	22.4	49.5	7,140
35	Milwaukee, Wis	25.6	11.8	4.6	22.5	57.7	7,079
36	Atlanta, Ga	40.5	8.2	3.7	38.2	68.6	6,424
37	Cincinnati, Ohio	36.0	8.4	4.3	32.2	61.6	6,611
38	Buffalo, N.Y	29.0	9.7	8.8	30.0	56.7	7,022
39	San Diego, Calif	9.0	15.9	6.4	39.9	65.0	7,166
40	Miami, Fla	57.2	10.3	5.1	38.2	68.1	
41	Kansas City, Mo	27.0	10.0	5.7	35.2	66.1	6,981
42	Denver, Colo	25.5	8.5	3.5	32.5	64.0	6,697
43	Indianapolis, Ind	22.5	9.0	4.8	32.3	64.8	7,101
44	New Orleans, La	59.4	12.5	6.2	41.1	65.2	
45	Oakland, Calif	37.8	17.6	5.4	35.0	59.0	7,686
46	Tampa, Fla	39.6	7.7	3.2	40.6	69.4	
47	Portland, Oreg	18.1	11.9	5.8	32.8	59.8	
48	Phoenix, Ariz	24.7	9.6	4.7	33.1	61.8	
49	Columbus, Ohio	18.7	8.3	3.3	28.5	63.9	
50	San Antonio, Tex	43.7	9.6	5.4	45.9	72.6	
51	Dayton, Ohio	25.1	12.9	4.6	36.0	59.6	6,712
52	Rochester	26.2	11.3	5.3	30.3	62.5	
53	Louisville, Ky	37.3	11.6	4.3	39.2	66.0	
54	Memphis, Tenn	38.3	11.3	3.9	44.1	70.9	
55	Fort Worth, Tex	27.3	10.6	4.5	39.0	67.2	
56	Birmingham, Ala	51.2	10.1	4.8	41.0	65.9	
57	Toledo, Ohio	22.9	9.2	5.4	30.0	57.7	
58	Akron, Ohio	33.7	10.0	4.4	29.4	55.5	
59	Norfolk, Va	27.2	8.7	3.9	42.7	67.0	
60	Oklahoma City, Okla	16.2	8.1	3.8	34.8	61.2	
61	Jersey City, N.J	46.6	7.2	6.2	22.6	61.5	
62	Providence, R.I	53.4	7.0	6.0	21.9	57.7	
63	Omaha, Nebr	20.5	7.9	3.6	29.9	58.8	
64	Youngstown, Ohio	30.7	11.7	6.5	34.6	57.1	
65	Tulsa, Okla	15.1	10.0	4.9	37.5	64.2	
66	Charlotte, N.C	30.4	8.3	3.2	39.2	70.5	
67	Wichita, Kans	21.5	13.9	10.1	37.0	65.0	6,722
68	Bridgeport, Conn	39.3	13.7	8.2	29.9	66.7	

[1] Average.

Work Sheet for Calculating Subemployment Index From Census Employment Survey (C.E.S.) Volumes

City U.S. Summary—Urban: Unemployment rate 9.6%.

Vol. No. PHC(3)—1: Subemployment rate 30.5% (under $80 wk. $4,000 yr.).

Population of area 13,247,000: Subemployment rate 61.2% (under $3.50 hr. $7,000 yr.).

From page X: Black, 49.5%; white, 47.9%; Spanish, 11.8%; other, 2.6%.

Percent of city population in sample, 33.5%.

From Table 1, page 13: labor force, 4,975; unemployed, 478; unemployment rate, 9.6%.

From Table 3, page 19: part-time employed for economic reasons, 197.

From Table 15, page 64: discouraged workers (because of inability to find work) main reason, 32; secondary reason, 158; total, 190.

From table E, page 4: earnings to $79 wk.: 711; to $3.49 hr.: 2,296.

From page X in introduction: 13,247,000/39,460,115=33.5%; pop. of sample area/pop. of city X 100=% of city pop. in sample.

CALCULATIONS

1. Labor force, 4,975; discouraged, 190, total labor force, 5,165.

2. Unemployed, 478; part time, 197; discouraged, 190; earn to $79, 711; total 2, 1,576.

3. Unemployed, 478; part time 197; discouraged, 190; to $3.49, 2,296; total 3, 3,161.

Total 2÷TLF=subemployment rate at $2.00 hr. 1,576÷5,165=30.51%.

Total 3÷TLF=subemployment rate at $3.50 hr. 3,161÷5,165=61.2%.

PRESIDENT NIXON'S MOST SIGNIFICANT WORDS DIRECTED TOWARD THE FUTURE

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, in his courageous and candid speech to the American people last night about the Watergate affair, President Nixon's most significant words were directed not at the past but toward the future. He assumed responsibility for past mistakes and promised that the whole truth will be revealed, both as to guilt and innocence, through the judicial process. I believe that Secretary Richardson, whom he has nominated to be Attorney General, will pursue this investigation without fear or favor. But the President also reminded us that there is vital work to be done toward our goal of a lasting structure of peace in the world and to set in motion new and better ways of ensuring progress toward a better life for all Americans.

These responsibilities and concerns of the President are also ours. The Congress shares them with him and he cannot accept them alone, nor can he accomplish much of this vital work without our help. It is therefore my earnest hope that we will now turn our attention to these matters of urgent concern to our countrymen and work together with our President for a better future. Whether the next 3½ years will be years of progress and prosperity or years of political recrimination and partisan power struggles now depends primarily upon us, not the President. He has demonstrated he is a big enough man to shoulder his responsibilities and press forward and we should do the same.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FRENZEL (at the request of Mr. GERALD R. FORD), for May 2, on account of official business.

Mr. BURKE of Florida (at the request of Mr. ARENDS), for today and the balance of the week, on account of death in family.

Mr. FOLEY (at the request of Mr. MCFALL), for today, on account of official business.

Mrs. HANSEN of Washington (at the request of Mr. MCFALL), for today, on account of illness.

Mr. JOHNSON of Colorado (at the request of Mr. GERALD R. FORD), for May 1 and the balance of the week, on account of official business.

Mr. RANDALL (at the request of Mr. SISK), for today and the balance of the week, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. COCHRAN) and to revise and extend their remarks and include extraneous matter:)

Mr. KEMP, for 15 minutes, today.
Mr. MIZELL, for 5 minutes, today.
Mr. YOUNG of Alaska, for 10 minutes, today.

(The following Members (at the request of Mr. OWENS) and to revise and extend their remarks and include extraneous matter:)

Mr. RODINO, for 5 minutes, today.
Mr. VANIK, for 10 minutes, today.
Mr. GONZALEZ, for 5 minutes, today.
Mr. WOLFF, for 15 minutes, today.
Ms. ABZUG, for 5 minutes, today.
Mr. EILBERG, for 5 minutes, today.
Mr. DULSKI, for 15 minutes, on May 2.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mrs. Chisholm and to include extraneous matter, notwithstanding the fact that it exceeds two pages of the Record and is estimated by the Public Printer to cost $1,402.50.

(The following Members (at the request of Mr. Cochran) and to include extraneous matter:)

Mr. Zion.
Mr. Keating.
Mr. Blackburn.
Mr. Young of Florida in five instances.
Mr. Derwinski in three instances.
Mr. Wyman in two instances.
Mr. Hudnut.
Mr. Fish.
Mr. Veysey in two instances.
Mr. Sarasin in two instances.
Mr. Cochran.
Mr. Zwach.
Mr. Bray in two instances.
Mr. McCloskey.

(The following Members (at the request of Mr. Owens) and to include extraneous matter:)

Mr. Annunzio in 10 instances.
Mr. Moakley.
Mr. Badillo in two instances.
Mr. Gaydos in 10 instances.
Mr. Rarick in three instances.
Mr. Burton.
Mr. Reuss in five instances.
Mr. Gonzalez in three instances.
Mr. Waldie in eight instances.
Mr. Drinan.
Mr. Gibbons.
Mr. Yatron.
Mrs. Grasso in 10 instances.
Mr. Harrington in 10 instances.
Mr. Nichols.
Mr. Helstoski in 10 instances.
Mr. Corman.
Mr. Roncalio of Wyoming in 10 instances.
Mr. Litton.
Mr. Dominick V. Daniels.
Mr. Moss.
Mr. Breckinridge.
Mr. Fascell in three instances.
Mr. Matsunaga in six instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1165. An act to amend the Federal Cigarette Labeling and Advertising Act of 1965 as amended by the Public Health Cigarette Smoking Act of 1969 to define the term "little cigar", and for other purposes; to the Committee on Interstate and Foreign Commerce.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1494. An act to amend section 236m of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees to limit the number of employees that may be retired under such Act during specified periods.

ADJOURNMENT

Mr. OWENS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 11 minutes p.m), the House adjourned until tomorrow, Wednesday, May 2, 1973, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

845. A letter from the Director, Defense Civil Preparedness Agency, transmitting a report on Federal civil defense contributions to States for equipment and facilities during the quarter ended March 31, 1973, pursuant to section 201(i) of the Federal Civil Defense Act of 1950, as amended [50 U.S.C. App. 2281(i)]; to the Committee on Armed Services.

846. A letter from the Secretary of Labor, transmitting a draft of proposed legislation to amend the Age Discrimination in Employment Act of 1967 to extend the Act to State and local governments; to the Committee on Education and Labor.

847. A letter from the Director, National Science Foundation, transmitting a report on Federal support or universities, colleges, and selected nonprofit institutions during fiscal year 1971, pursuant to the National Science Foundation Act, as amended; to the Committee on Science and Astronautics.

RECEIVED FROM THE COMPTROLLER GENERAL

848. A letter from the Comptroller General of the United States, transmitting a list of reports issued or released by the General Accounting Office during March, 1973, pursuant to U.S.C. 1174; to the Committee on Government Operations.

849. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Export-Import Bank of the United States for fiscal year 1972 (H. Doc. 93–94); to the Committee on Government Operations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McSPADDEN: Committee on Rules. House Resolution 370. Resolution for the consideration of H.R. 6388. A bill to amend the Airport and Airway Development Act of 1970 to increase the U.S. share of allowable project costs under such act; to amend the Federal Aviation Act of 1958 to prohibit certain State taxation of persons in air commerce; and for other purposes; (Rept. No. 93–160). Referred to the House Calendar.

Mr. YOUNG of Texas: Committee on Rules. House Resolution 371. Resolution to provide for the consideration of H.R. 6370. A bill to extend certain laws relating to the payment of interest on time and savings deposits, to prohibit depository institutions from permitting negotiable orders of withdrawal to be made with respect to any deposit or account on which any interest or dividend is paid, to authorize Federal savings and loan associations and national banks to own stock in and invest in loans to certain State housing corporations, and for other purposes; (Rept. No. 93–161). Referred to the House Calendar.

Mr. MURPHY of Illinois: Committee on Rules. House Resolution 372. Resolution providing for the consideration of H.R. 6452. A bill to amend the Urban Mass Transportation Act of 1964 to provide a substantial increase in the total amount authorized for assistance thereunder, to increase the portion of project cost which may be covered by a Federal grant, to authorize assistance for operating expenses, and for other purposes; (Rept. No. 93–162). Referred to the House Calendar.

Mr. POAGE: Committee on Agriculture. H.R. 6646. A bill to provide that certain changes in the loan and purchase program for the 1973 peanut crop which the Department of Agriculture is contemplating shall not be made; (Rept. No. 93–163). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of North Dakota:

H.R. 7368. A bill to provide for the disposition of funds appropriated to pay a judgment entered by the Indian Claims Commission in favor of the Three Affiliated Tribes of Fort Berthold Reservation in dockets numbered 350–A, E, and H, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BADILLO:

H.R. 7369. A bill to repeal subsection (c) of section 245 of the Immigration and Nationality Act, to permit adjustment of status of persons from the Western Hemisphere on the same basis as other aliens; to the Committee on the Judiciary.

H.R. 7370, A bill authorizing the entry or parole into the United States of Cuban refugees; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts (for himself, Mr. Kluczynski, Mr. Metcalfe, and Mr. Price of Illinois):

H.R. 7371. A bill to amend the tariff and trade laws of the United States to promote full employment and restore a diversified production base; to amend the Internal Revenue Code of 1954 to stem the outflow of the U.S. capital, jobs, technology, and production, and for other purposes; to the Committee on Ways and Means.

By Mr. CULVER:

H.R. 7372. A bill relating to payments to producers for participation in the 1973 feed grain program; to the Committee on Agriculture.

By Mr. PODELL:

H.R. 7373. A bill to preserve and insure the continued operation of transportation properties owned or operated by carriers by railroad in reorganization and confronted with liquidation; to protect the security interests of the United States in such properties; to provide for the payment of just and reasonable compensation for said properties; and, to provide for the national defense; to the Committee on Interstate and Foreign Commerce.

By Mr. FLOOD:

H.R. 7374. A bill to amend the Public Health Service Act to expand the authority of the National Institute of Arthritis, Metabolism, and Digestive Diseases in order to advance the national attack on diabetes; to the Committee on Interstate and Foreign Commerce.

By Mr. FUQUA:

H.R. 7375. A bill to amend section 210 of receiving benefits thereunder; to the Committee on Public Works.

By Mr. GOLDWATER:

H.R. 7376. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. GONZALEZ:

H.R. 7377. A bill to amend title 10, United States Code, to permit the recomputation of retired pay of certain members and former members of the armed forces; to the Committee on Armed Services.

By Mr. HOSMER (for himself, Mr. Anderson of California, Mr. Bell, Mr. Brown of California, Mrs. Burke of California, Mr. Del Clawson, Mr. Corman, Mr. Danielson, Mr. Goldwater, Mr. Hanna, Mr. Hawkins, Mr. Hinshaw, Mr. Holifield, Mr. Ketchum, Mr. Moorhead of California, Mr. Pettis, Mr. Rees, Mr. Rousselot, Mr. Roybal, Mr. Teague of California, Mr. Wiggins, and Mr. Charles H. Wilson of California):

H.R. 7378. A bill to amend title 10 of the United States Code in order to combine the 11th and 12th Naval Districts; to the Committee on Armed Services.

By Mr. KING:

H.R. 7379. A bill to amend the National Labor Relations Act to further secure and protect the constitutional guarantee of free speech belonging to employers and employees; to the Committee on Education and Labor.

H.R. 7380. A bill to amend the National Labor Relations Act to require a vote by employees who are on strike, and for other purposes; to the Committee on Education and Labor.

By Mr. MILLS of Arkansas (for himself, Mr. Vanik, Mr. Biester, Mr. Mann, and Mr. Marazitti):

H.R. 7381. A bill to prohibit most-favored-nation treatment and commercial and guarantee agreements with respect to any nonmarket economy country which denies to its citizens the right to emigrate or which imposes more than nominal fees upon its citizens as a condition to emigration; to the Committee on Ways and Means.

By Mr. MOAKLEY:

H.R. 7382. A bill to authorize a program of research and development of alternative propulsion systems for automotive vehicles in commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. NICHOLS:

H.R. 7383. A bill to encourage earlier retirement by permitting Federal employees to purchase into the civil service retirement system benefits unduplicated in any other retirement system based on employment in Federal programs operated by State and local governments under Federal funding and supervision; to the Committee on Post Office and Civil Service.

By Mr. OWENS (for himself, Mr. Bingham, Mr. Brown of California, Mr. Harrington, Mr. Jones of North Carolina, Mr. Mazzoli, Mr. Moakley, Mr. Pepper, Mr. Roncallo of New York, Mr. Rosenthal, Mr. Stark, and Mr. Ware):

H.R. 7384. A bill to provide for the compensation of persons injured by certain criminal acts, to make grants to States for the payment of such compensation, and for other purposes; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 7385. A bill to provide for repayment of certain sums advanced to providers of services under title XVIII of the Social Security Act; to the Committee on Ways and Means.

By Mr. RODINO:

H.R. 7386. A bill to provide a rule in cases of the "pocket veto" for the implementation of section 7 of article I of the Constitution of the United States; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.R. 7387. A bill to extend through fiscal year 1974 the expiring appropriations authorizations in the Public Health Service Act, the Community Mental Health Centers Act, and the Developmental Disabilities Services and Facilities Construction Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. Rooney of Pennsylvania (for himself and Mr. Harrington):

H.R. 7388. A bill exempting State lotteries from certain Federal prohibitions; to the Committee on the Judiciary.

H.R. 7389. A bill to amend title 39, United States Code, with respect to the financing of the cost of mailing certain matter free of postage or at reduced rates of postage, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RUPPE:

H.R. 7390. A bill to amend the National Flood Insurance Act of 1968 to extend coverage under the flood insurance program to include losses from the erosion and undermining of shorelines by waves or currents of water; to the Committee on Banking and Currency.

By Mr. STEIGER of Arizona:

H.R. 7391. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Navajo Tribe of Indians in court of claims case No. 49692, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TEAGUE of California:

H.R. 7392. A bill to authorize a study of the feasibility and desirability of establishing a Channel Island National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. VAN DEERLIN:

H.R. 7393. A bill to extend daylight saving time to the entire calendar year for an experimental 2-year period, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WALDIE:

H.R. 7394. A bill to restore to certain Government employees the right to participate, as private citizens, in the political life of the Nation, and for other purposes; to the Committee on House Administration.

By Mr. YOUNG of Alaska (for himself and Mr. Pritchard):

H.R. 7395. A bill to amend section 607(k) (8) of the Merchant Marine Act, 1936, as amended; to the Committee on Merchant Marine and Fisheries.

By Mr. ZWACH.

H.J. Res. 532. Joint resolution designating the composition known as The Stars and Stripes Forever as the national march of the United States; to the Committee on the Judiciary.

By Mr. DIGGS:

H. Con. Res. 209. Concurrent resolution expressing the sense of Congress that additional copies of hearings be printed; to the Committee on House Administration.

By Mr. ANDERSON of Illinois (for himself, Mr. Michel, Mr. Teague of California, Mr. Smith of New York, Mr. Gubser, Mr. Widnall, Mr. Wyatt, Mr. McClory, Mr. Buchanan, Mr. Conte, Mr. Heinz, Mr. McCloskey, Mr. Hansen of Idaho, Mr. Esch, Mr. Biester, Mr. Bell, Mr. Coughlin, Mr. Gude, Mr. Hanrahan, and Mr. Horton):

H. Res. 367. Resolution to appoint a Special Prosecutor; to the Committee on the Judiciary.

By Mr. LITTON:

H. Res. 368. Resolution requesting that six living former Supreme Court Justices serve as a panel to select a special prosecutor to investigate the Watergate affair; to the Committee on the Judiciary.

By Mr. REUSS (for himself and Mr. Hechler of West Virginia):

H. Res. 369. Resolution requesting the President of the United States to appoint a special prosecutor in connection with the Presidential election of 1972; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: 180. A memorial of the Legislature of the Commonwealth of Massachusetts, relative to the United States allowing greater immigration to the people of Ireland; to the Committee on the Judiciary.

181. Also, memorial of the Legislature of the State of Montana, relative to Federal block grant assistance to upgrade law enforcement and criminal justice; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of North Dakota:

H.R. 7396. A bill for the relief of Arthur Rike; to the Committee on the Judiciary.

By Mr. FORSYTHE:

H.R. 7397. A bill for the relief of Viola Burroughs; to the Committee on the Judiciary.

By Mr. GOLDWATER:

H.R. 7398. A bill for the relief of Mrs. Alice T. Beacon; to the Committee on the Judiciary.

By Mr. SISK:

H.R. 7399. A bill for the relief of Ramon Z. Echeveste; to the Committee on the Judiciary.

By Mr. STEED:

H.R. 7400. A bill for the relief of Harold L. Rutherford; to the Committee on the Judiciary.

H.R. 7401. A bill for the relief of Harold L. Rutherford; to the Committee on the Judiciary.

By Mr. UDALL:

H.R. 7402. A bill for the relief of Dale Z. Brown; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

197. By the SPEAKER: Petition of the Inter-Tribal Council of Arizona, Scottsdale, Ariz., relative to the status of Indian tribal governments; to the Committee on Interior and Insular Affairs.

198. Also, Petition of D. O. Watson, Pelham, Ala., and other, relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

CABRILLO EXPLORER

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. WALDIE. Mr. Speaker, at this time I would like to place in the RECORD a joint resolution passed by the California State Legislature, and an article from the Los Angeles Times dated December 21, 1972, by Philip Hager. The resolution and the article honor a great explorer and the discoverer of California Juan Rodriquez Cabrillo.

The resolution and article follows:

ASSEMBLY JOINT RESOLUTION NO. 23—RELATIVE TO THE ISSUING OF A COMMEMORATIVE POSTAGE STAMP REGARDING JUAN RODRIGUEZ CABRILLO, "THE DISCOVERER OF CALIFORNIA"

Whereas, On September 28, 1542, Juan Rodriguez Cabrillo, a Portuguese explorer in the service of Spain, discovered California by entering San Diego Bay and proceeding with further explorations along the coast of California; and

Whereas, It was the discovery of California by Cabrillo which led to the early Mexican and Spanish settlement of California and the establishment of the Franciscan missions along the coastal area of California; and

Whereas, The influence of the Mexican and Spanish settlement has been a pervasive factor down through the history of California and has contributed to a large extent in making California one of the most historically and presently fascinating and colorful states of our Union; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California recommend that the Post Office Department of the United States of America print a commemorative stamp honoring the discovery of California by Juan Rodriguez Cabrillo; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Postmaster General of the United States.

LEGISLATIVE COUNSEL'S DIGEST

AJR 23, as introduced, Gonsalves (Rls.). Juan Rodriguez Cabrillo.

Recommends that the United States Post Office issue a commemorative stamp honoring the discovery of California by Juan Rodriguez Cabrillo.

Fiscal Committee—No.

Compliments of

JOE A. GONSALVES,
Assemblyman 60th District.

CALIFORNIA'S DISCOVERER—GRAVESTONE BELIEVED TO BE CABRILLO'S DISPLAYED AT UC

(By Philip Hager)

BERKELEY.—The discovery of what may be the gravestone of Juan Rodriguez Cabrillo, the European discoverer of California, was reported Wednesday by a UC Berkeley anthropologist.

If the crudely inscribed, 13½-inch by 4½-inch slab of sandstone is authentic—which he said is "highly probable"—the marker would be California's oldest known historical relic of European civilization.

Robert F. Heizer, professor of anthropology, disclosed his findings in a booklet to be published today by the Lowie Museum of Anthropology on the Berkeley campus, where the stone is on display.

Cabrillo, sailing under the Spanish flag but believed to have been Portuguese, was exploring the California coast when he died on Jan. 3, 1543. He was buried on one of the Channel Islands off Santa Barbara.

His entry into San Diego Bay on Sept. 28, 1542, establishing a claim of Spanish sovereignty, came 50 years after the voyage of Columbus, 37 years before the English explorer Sir Francis Drake sailed along the California coast and more than two centuries before the Spanish settled California.

In 1579, Drake left a brass plate marking his landing on the shore north of San Francisco, which has been believed to be the earliest European relic in California. It was found in 1936. But Heizer said its authenticity has not been proved to complete satisfaction.

"It's very much the same with what appears to be Cabrillo's gravestone," Heizer said in an interview. "In the end, you can only receive what evidence there is and make up your mind. It's largely a matter of faith."

The marker carries what seems to be the letters "J R"—the back of the "R" joined to the "J" in a manner often seen on cattle brands. At the bottom of the "R" is an inscription that could be a "C" or an "S." Above the initials is a roughly carved cross and beneath them a crudely drawn stick figure of a man.

The initials, Heizer suggested, could stand for Juan Rodriguez, as the explorer was known and as he signed his name. The other letter, he said, could be a "C" for Cabrillo or the "S" in Rodrigues, as the name might have appeared in Portuguese.

The stone was found by archeologist Philip Mills Jones on Santa Rosa Island in 1901, but was given no particular attention.

Last June, as Heizer was examining an archeological report for illustrations of flint implements, a photograph of the stone caught his eyes and it occurred to him the initials might be Cabrillo's.

Dr. Albert B. Elsasser of the Lowie Museum noted Wednesday as he put the stone on display that the marker probably had been overlooked because it was generally assumed Cabrillo had been buried on San Miguel Island, not Santa Rosa.

Heizer pointed out, however, that existing records of Cabrillo's voyage are not clear on the site of the explorer's burial and that, further, there is no reason the stone could not have been carried at some time from San Miguel to Santa Rosa.

Attempts to find the burial site have been unsuccessful, he said.

Could the marker be a hoax?

Heizer doubted it. He consulted Spanish historians who said the initials were consistent with lettering used in 16th Century Spain. Prof. Claudio Esteva-Fabregat of the University of Barcelona wrote Heizer that the absence of a date on the marker was not unusual for that time, when there was little concern for chronology. "The important thing," wrote the Spanish professor, "was to bury him with symbols to indicate the name, surname and religion of the deceased."

Finally, Heizer said, the fact that Jones drew no attention to the stone made a hoax unlikely. Jones' record refers to the stone as a "sandstone slab that has been used for mealing or grinding stone, bearing on one side incised design." The stone, Jones wrote, was found on the surface of an eroded camp site.

Accounts vary as to how Cabrillo died. One says he died of illness after he broke his leg falling between some rocks while going ashore.

In the spring after his death, the expedition continued as far north as Point Arena in Mendocino County before returning to Mexico.

FUNDS FOR PODIATRY EDUCATION

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Tuesday, May 1, 1973

Mr. HARTKE. Mr. President, in the budget for fiscal year 1974, the administration proposes to eliminate completely capitation funding for podiatric health profession schools while increasing capitation funds for medicine, osteopathy and dentistry. This loss of financial support would reverse the significant advances made in podiatric education in recent years and would have a devastating effect on the quality of service the podiatry profession provides to the public.

Mr. President, it is a fact that podiatric education is similar in terms of costs and curriculum to that of medicine, osteopathy and dentistry. Podiatrists, like M.D.'s, D.D.S.'s, and D.O.'s are licensed as physicians and surgeons and are also qualified and trained to treat humain ailments both medically and surgically. In addition, podiatry graduates serve in residency programs in M.D. and D.O. hospitals.

In other words, Mr. President, podiatric medical education identifies closely with medicine, osteopathy and dentistry, yet these latter three professions have in the past received capitation grants for their students in the amount of $2,500 while podiatry has received grants of only $800. The result is an inadequate number of podiatrists to meet the health care needs of the Nation. Rather than correct this deficiency, the administration proposes to cut the capitation grants from podiatry in half for fiscal year 1974 and then eliminate them entirely the following year.

Mr. President, I urge my colleagues to consider the need for podiatric education in their own States, and ask unanimous consent that two articles on podiatry reprinted from the Journal of Podiatric Education, March 1973, be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

PODIATRIC MEDICINE: FUNCTION AND EDUCATION

I. THE PROFESSION

A. Definition

The podiatrist is a health professional who, in the scope of his practice and independence of judgment, is very similar to the medical doctor.[1]

Podiatric medicine is that health service specifically concerned with the examination, diagnosis, treatment, prevention and care of conditions and functions of the human foot by medical and surgical means.

Podiatrists are the only health professionals who share with doctors of medicine, osteopathy and dentistry the legal authority to make independent professional judgments,

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Footnotes at end of article.

and in their own discretion to administer medical and surgical treatment.

B. Licensure

The first Board to control the licensing of podiatrists was established in 1895 in the State of New York. Today in all states, the Commonwealth of Puerto Rico, and the District of Columbia, the practice of podiatric medicine is regulated by state law. Practitioners are licensed by the State Board of Podiatry Examiners or State Boards of Medical Examiners which usually include one or more podiatrists; in one state the agency is a board of health. These groups are organized as the Federation of Podiatry Boards.

There is also a National Board of Podiatry Examiners which administers examinations to licensure applicants. Successful examinees are accepted in whole or in part by more than 40 states and three Provinces of Canada. The examinations given by this board are recognized by the U.S. Army, Navy and Air Force as prerequisite for commissioning in lieu of state licensure.

C. Podiatry as an integral part of the practice of medicine

A reasonable analogy of the functions and responsibilities of the podiatrist is found within such medical specialties as otolaryngology and ophthalmology. Although the method used for becoming a qualified provider of health services by the ophthalmologist and otolaryngologist may be through the traditional route of first receiving the degree of doctor of medicine, the way these specialists function and are actually qualified is almost identical to that of podiatric medicine.

The concept of qualifying the medical degree as well as limiting the area of licensure is beginning to receive attention by the medical community. Changes in medical education in the program leading to the M.D. degree, in some medical schools, now permit the medical student to pursue a specialty-oriented curriculum track without taking all the traditional clinical clerkships. Stanford University School of Medicine, for example, has initiated an M.D. program permitting a student to specialize in psychiatry without taking clinical clerkships in areas considered irrelevant, such as obstetrics, gynecology and surgery.[2]

The curriculum at the colleges of podiatric medicine is today really that of a single track medical school leading to the practice of the medical specialty of podiatry. Indeed the basic science component of the curriculum in podiatric medical colleges is equivalent in quality and quantity to the average basic science component provided in schools of medicine as shown in the outline of Part 1 of the National Board of Medical Examiners.[3] Colleges of podiatric medicine will accept students from medical schools and give them equivalent credit for the basic sciences.

Thus the doctor of podiatric medicine differs from the M.D. specialist only in that the D.P.M. is really a physician with a limited license. While the M.D., regardless of specialty, is a physician with unlimited license, in effect this is not functionally true. Although legally qualified, the M.D. psychiatrists, for example, would be quite irresponsible and vulnerable to malpractice judgments if he performed eye surgery.

This does not make the practitioner who is trained as a physician with a limited license and/or degree (e.g., podiatrist or psychiatrist) less valuable in the care of patients. As a matter of fact, trends in medical education now encourage this even more because of the vast body of medical knowledge which can no longer be mastered by any single practitioner.[4, 5, 6, 7]

Podiatric medicine is now demonstrating that it is possible to educate and train a physician specializing in one important area of health care. Present day medical education does not prepare one to be qualified in all areas of health care even if long standing laws place no limits upon the extent of practice for the doctor of medicine. Public protection, however, is implicit in the laws governing the practice of the podiatrist in restricting his activities to his specialty and area of expertise.

D. Scope of practice

The podiatrist is licensed to "diagnose, treat, operate, and prescribe for any disease, injury, deformity or other conditions of the foot, including surgery on the bones, muscles, or tendons of the feet for the correction of deficiencies and deformities of a mechanical and functional nature." [8] The doctor of podiatric medicine provides high-quality diagnostic service and because of education and training he is a source of referral to other specialists. Examination by a podiatrist is the point where many patients enter a medical care system. By the nature of the specialty, many patients tend to seek out the podiatrists on their own initiative. Therefore, the podiatrist, to protect the patient, must make a medical appraisal of the patient's physical condition and need for treatment.

The podiatrist performs many types of medical and surgical treatment comparable to the physician. For example: podiatrists induce trauma to the body through surgery; they perform surgery under general and local anesthetics; they administer drugs, including narcotics, to the patient.

Podiatrists reconstruct deformed and painful joints of the feet, replace destroyed arthritic joints with prosthetic joint implants, excise painful nerve tumors, perform plastic surgery on painful scars and graft burn cases involving the feet and legs. In essence, the podiatrist provides, in a specialized fashion, those medical and surgical services appropriate to the maintenance of or the reconstruction for a normal functional human foot.

Podiatry patients range from the very young to the aged. A significantly high percentage of older persons seek professional care for foot disorders. There is now general recognition that older people, especially those suffering from physical or mental disabilities, are most responsive to health care when they are kept ambulatory. A high frequency of foot ailments among persons over 65 years of age limit ambulation and promote accidents.[9] Fred H. Steininger, former Director of the Bureau of Family Services of the Department of Health, Education and Welfare, reports that it is unfortunate that scant attention to the podiatric needs of the elderly has been given. *"Proper foot care,"* he stated, *"is regarded as an essential service to foster mobility and independence among older persons and to protect their general health and well-being."*

The podiatric services needed by the aged fall into several categories:

(1) *Preventive.* The podiatrist is in a peculiarly enviable position to recognize deformities of the foot which will result in the development of arthritic changes due to strain and to prevent such development by the use of biomechanical accommodation. Orthotic devices can frequently arrest or completely prevent the development of the types of arthritis of the food which are due to abnormal strain resulting from a foot with improper bony architecture.

(2) *Reconstructive Services.* Podiatrists realign deformed toes that are responsible for painful disabilities, particularly prevalent in the older population.

(3) *Medical Treatment.* This is a daily function of the podiatrist in the care of the aging population. It includes the treatment ðf arthritis by injectable medication; the treatment of the various skin diseases; the shielding of diabetic and vascular ulcers from further trauma following appropriate surgical debridement and appropriate medical treatment to effect the healing of such problems.

(4) *Prophylactic Treatment.* The podiatrist is a professional who is trained to provide prophylactic and palliative services of the type required by the older population. This serves to reduce suffering and save millions of dollars of damages annually which might otherwise result from personal injury, primarily from falls. The older person who limps because of a painful callus or corn is quite susceptible to falls. There is no other similarly trained physician capable of rendering this type of service.

Podiatric care in the young is equally important. That food problems in young persons is a serious problem is corroborated by studies conducted by the District of Columbia Health Department. Out of a total of 456 new patients in 1966, 13 percent were under age 18, while 47 percent where under age 60. One fifth were under age 40. In a group of 8,995 children who were screened, 997 or more than 11 percent required treatment which 838 were referred for further study. Most of the children (57 percent) were under 6 years of age.[22, 23]

Many of the foot problems of the adult begin as foot problems in the young.* The genetic predisposition to certain foot type and structure is well documented. It has also been established that feet which are poorly aligned structurally suffer from abnormal pressures at the joint surfaces, which if left in this abnormal state would cause permanent deformities.

E. Role in quality health care

In a system of comprehensive health care, the podiatrist can relieve other health manpower by performing those services for which he is adequately trained and uniquely qualified. Furthermore, he is concerned about foot problems which other health practitioners many times ignore. He brings certain knowledge and skills which are not found in any other health profession and which improve the quality of patient care. The podiatrist also employs methods and skills found in other medical and surgical fields. Insofar as the foot is concerned the podiatrist is in a better position to apply these same skills more effectively and efficiently. Because many manifestations of diseases such as diabetes mellitus, arthritis, and peripheral vascular disease occur in the foot, their early diagnosis is essential to proper treatment and establishment of programs to reduce complications. For example, the diabetic ulcer is managed with a combination of shielding, surgical debridement and medical treatment to expedite the healing process. Shielding, accommodation and surgical reconstruction are also employed on the deformed and dislocated painful toes of the patient with rheumatoid or osteoarthritis.

Like those in other surgical specialties, the podiatrist performs an important public health function in identifying previously undetected systemic diseases and disorders with or without manifestations in the lower extremity. His background and training allow him to refer such patients to appropriate medical specialists for concurrent care. This education includes instruction at the first professional degree and postgraduate level in physical diagnosis and medicine. It becomes particularly invaluable to those patients who may have serious systemic diseases and who enter the health care system through a visit to the podiatrist. The ability of currently trained podiatrists to provide such services is partially in response to the Report of the National Commission on Health Manpower completed in 1967 which stipulated that the podiatrist should be trained to have a high index of suspicion for systemic disease by receiving training at the patient's bedside.[10]

The importance of the podiatrist is more apparent with the significant increase in the numbers of aging and aged persons in the nation. This group suffers a high incidence

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of those diseases identified as the major causes of death and disability in our nation; namely, heart disease, cancer and stroke. Each of these categories of disease present direct or indirect manifestations in the foot (Table 1).

Obviously, unless major breakthroughs in research occur, the number of people with vascular diseases and degenerative joint disorders as well as diabetes mellitus, will increase in proportion to the increase in the population of older Americans. Individuals with such conditions almost always develop lower extremity disorders,[11] [12] [13] which may present such problems as mild to severe pain, difficult or inability to ambulate, severe foot infection or gangrene with eventual amputation of all or part of the lower extremity. Each of these sequellae, to a varying degree, as well as economic dependency on families often results in not only disability but social as well as economic dependency on families and the community.[14] In addition, the inability to ambulate, especially in the older individual, often results in rapid deterioration and premature death. What is most important, however, is that these sequellae often may be prevented or treated. This may be as basic as providing patient education about the importance of foot care to peripheral vascular and diabetic citizens as well as periodic screening examinations of such groups. Prompt medical, surgical and rehabilitative treatment provided by the podiatrist can prevent further damage to the foot and improve basic foot function.

Table 1—Relationship of Heart Disease, Cancer and Stroke to Podiatric Medical Disorders

Heart Disease

1. Ankle edema.
2. Occlusive vascular disease of small and large vessels of the lower extremity resulting in pain, infection, ulceration, gangrene and amputation.
3. Hypertensive ulcers of the foot and ankle.
4. Clubbing of the toes.
5. Dry skin.
6. Decubitus ulcers—due to long periods of bed rest.

Cancer

1. Malignant Melanoma.
2. Kaposis Sarcoma.
3. Lymphomas.
4. Junctional nevi (pre-malignant)
5. X-ray burns (pre-malignant)
6. Bone tumors.

Stroke

1. Deformity of the foot.
2. Decubitus ulcers.
3. Ulcers due to the pressure of braces, shoes.
4. Atrophy of foot and leg muscles due to disuse.

F. Need for Podiatric Medical Manpower

The need for podiatrists is growing because of the increased demand for better health care, expanded government payment plans, and increases in those populations needing podiatric care. At the same time, the ratio of podiatrists to population has been decreasing, from 4.2 per 100,000 to 3.5 per 100,000 in 1970. Federal government studies show that there were 7,045 active podiatrists in 1970, and there will be a projected need for nearly 8,000 additional podiatrists beyond those in practice in 1980, or a total of 15,000. A more detailed analysis of manpower requirements is contained in the Appendix.

II. EDUCATION

Podiatrists receive their professional education in five independent, non-profit colleges of podiatric medicine. The first of these colleges was founded in 1911. The colleges have recently increased their student capacities, and additional increases are under way or planned. In 1972–73 there were 1,419 students enrolled in the colleges with fourth-year classes totalling 258. Because of recent increases of first-year clases, the number of graduates will increase rapidly. Of the 477 first-year students in 1972–73, it is estimated that 429 will be graduated in 1976.

Until recently, these colleges were supported by podiatrists with little assistance from non-podiatry sources. Presently, the colleges receive limited federal grants for carrying on various aspects of their programs in education. Several also receive financial aid from their respective states.

The colleges of podiatric medicine serve the same functions for the profession of podiatric medicine as other professional colleges do for their respective professions. They provide the basic education for the graduates and continuing education for the practitioners. Through research and other forms of study they increase the knowledge of the profession and contribute to its growth. Through employment of members of other professions on their respective staffs, the colleges promote cooperative relationships of podiatric medicine with these professions.

The colleges are a major influence in promoting increasingly higher professional standards. Indeed, they are probably the greatest single factor in the continuing evaluation of the profession in role, function, and standards.

The colleges are dedicated to train medical specialists in foot health care. The colleges are striving to become affiliated with even more major hospitals than is now the case to provide a broad range of podiatric as well as general medical experiences, didactically and clinically, for their students. Each college is also seeking an affiliation with developing Health Science Centers.

A. Requirements for entrance

The minimum requirement for entrance to a college of podiatric medicine is at least two years of premedical study at an accredited university or college. At present, more than 75% of the entering students have baccalaureate degrees or higher. In cooperation with Educational Testing Service, a Colleges of Podiatry Admission Test (CPAT) has been developed. All applicants for admission to podiatry colleges are required to take the test and attain scores indicating a satisfactory level of achievement.

B. College locations

The five colleges of podiatric medicine are located in San Francisco, California; Chicago, Illinois; Cleveland, Ohio; New York, New York and Philadelphia, Pennsylvania. The curriculum offered by these individual colleges includes over 4,000 hours of instruction distributed over a period of four academic years. Some of the courses offered are: Anatomy, Physiology, Biochemistry, Pharmacology, Microbiology, Pathology, General and Podiatric Surgery and General and Podiatric Medicine. In addition, there are many courses which relate to clinical practice which are offered by all colleges and are an important part of the curriculum. All of the colleges award the degree of Doctor of Podiatric Medicine (D.P.M.).

C. College faculties

The faculty membership among the five colleges of podiatric medicine in the United States totals approximately 400. Each college shares a similar profile in terms of the following faculty statistics: approximately 1/3 of the faculty are fulltime; approximately 50% of the faculty are doctors of podiatric medicine; 20% Ph.D.'s; 20% M.D.'s; and the remaining 10%, D.D.S.'s; D.V.M.'s; R.N.'s; and other graduate academic degrees. The basic medical sciences are taught primarily by fulltime Ph.D.'s The clinical medical sciences are taught primarily by M.D.'s with Board certification in the appropriate medical specialty being taught.

The clinical and didactic podiatric medical courses are taught almost exclusively by doctors of podiatric medicine who have experience in the appropriate podiatric specialty and who have completed postgraduate training programs in specialty areas. All colleges of podiatric medicine share faculties with local colleges of medicine and dentistry.

D. Postgraduate education

Approximately 50% of all graduates from the five colleges of podiatric medicine continue their education by entering one- and two-year postgraduate residency training programs. As of early 1973 there were approximately 110 first-year residency training programs available. These programs in most instances are identical in scope and content to internship programs provided to graduates from schools of medicine.

Residency programs are carried out in teaching hospitals approved by the Joint Commission on Accreditation of Hospitals, the Committee on Hospital Accreditation of the American Osteopathic Association, and the Council on Podiatry Education of the American Podiatry Association. The resident receives advanced training in podiatric medicine and surgery and serves rotations in emergency room service, anesthesiology, general medicine, pathology, and general surgery. Other rotations may be available to the resident as an elective, such as pediatrics, dermatology, neurology, and orthopedics.

There are 26 second-year residency training programs available to those individuals who complete approved first-year programs. The second-year program in most cases is by design a highly specialized program in podiatric surgery and medicine. Some of these programs are combined with graduate training programs leading to the Master of Science degree in podiatric surgery. Those graduates who do not wish to pursue a formal residency program may elect a preceptorship program now offered by many colleges or local podiatry associations.

Continuing education for the practicing podiatrist, as in medicine, dentistry, and other health professions, is essential in maintaining and increasing the professional knowledge and skills of the practitioner. Colleges of podiatric medicine, recognizing this need, jointly sponsor programs of continuing education with local, state, and national podiatry associations. This effort in continuing education represents an awareness of the vital need for both the educational and practicing branches of the profession to coordinate educational activities. The delivery of podiatric and medical care, changing concepts of public health, and the ever-increasing role of the podiatrist in the total health care planning of the nation mandate this approach.

The major contributors to this paper were: *Council of Deans*—Charles Gibley, Ph.D., Chairman; Richard Baerg, D.P.M.; Leonard Levy, D.P.M. and Dave Rubenstein, D.P.M. *College Presidents*—Higgins D. Bailey, Ed.D.; James E. Bates, D.P.M.; Philip Brachman, D.P.M. and Abe Rubin, D.P.M. *American Podiatry Association*—E. Dalton McGlamry, D.P.M., President. *American Association of Colleges of Podiatric Medicine*—Robert A. Heil, Executive Director.

APPENDIX

The National Center for Health Statistics has indicated that there were 8,000 podiatrists in active practice in the United States as of December 1967.[15] A survey by the same agency in 1970 showed a total of 7,045 actively practicing podiatrists. In relation to the expanding population, the ratio has dropped from an initially low 4.2 active doctors of

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podiatric medicine per 100,000 population to an even more critical low of 3.5.[16]

Maryland Pennell of the United States Public Health Service, Bureal of Health Professions Education and Manpower Training, has predicted that this ratio of podiatrists to population will only increase to 4.2 per 100,000 by 1980, the ratio that existed 30 years before in 1950. This is in spite of an anticipated 275 percent increase in graduates from the existing colleges of podiatric medicine from 1960 to 1980.[17]

It is important to note that although in 1972–73 there were 259 fourth-year students in the colleges of podiatric medicine, slightly below the 284 graduates for that year projected by Pennell,[17] the college enrollments total 1,419, slightly above Pennell's estimate of 1.357. This is explained by the marked increase experienced in recent first-year enrollments as a result of Federal aid under the Comprehensive Health Manpower Training Act of 1971. First-year students numbered 477 in 1972–73. Assuming a liberal 10% attrition rate, approximately 429 graduate podiatrists will be produced by the colleges in 1976, slightly above the Pennell projection of 358.

According to these data, colleges are approximately on the target projected by Pennell. Continued enrollment increases and, indeed, maintenance of current enrollment levels, however, appear to be heavily dependent upon federal financial assistance. Failing that, the ratio of podiatrists to population may fall even below that of 1950. In the face of these podiatry manpower trends, furthermore, is the greater demand for health services, especially as generated through new and expanded government health programs.

If Pennell's projections for podiatry manpower prove accurate, by 1980 there would be 9,900 active podiatrists in the country. A study to be released in early 1973, however, projects a podiatry manpower need by 1980 of 15,000. Pennell's projected number of graduates for the six-year period 1974–75 through 1979–80 would have to be quadrupled to meet the anticipated demand projected for podiatry manpower for 1980. That degree of college expansion clearly is not attainable nor desirable, for the college capacity thus generated could not be justified for podiatry manpower needs beyond 1980. It is apparent, however, that substantial increases in the colleges' capacities to produce podiatrists beyond those already achieved are both needed and desirable.

Nationally, in 1970, there were 20,049,592 people 65 years of age or older comprising 9.9% of the total population, according to the Bureau of the Census.[18] Not only is the population over 65 growing, so also is the percentage of the over 65 group to the total population. In 1900 only 4.1% of the population was over 65; by 1960 it was 9.3%; in 1970, 9.9%. This situation will have a pronounced effect on the practices of the health professions, especially podiatric medicine.

A National Health Survey conducted by the United States Public Health Service in 1963–64 reported that 4.5 percent of the population over age 65 visited a podiatrist while 1.4 percent under age 65 made such a visit. Patients over 65 who see podiatrists had an average of 3.7 visits per year while those under 65 made 3.5 visits during the same period. In addition, it was found that 3.2 percent of the population in the age group of 45 to 64 also used podiatric services. The study also revealed that 0.4 percent of children under 6 years of age received podiatric care. The survey concluded that the greatest percentage of the population consulting podiatrists were the working population 17 years of age or older, females keeping house, and retired persons.[19]

This survey is even more significant when it is realized that it was compiled prior to the enactment of legislation initiating Titles XVIII and XIX of the Social Security Act (P.L. 89–97, Medicare and Medicaid). It is quite obvious that many patients are now receiving podiatric and other medical services who previously were barred from such essential care because of financial barriers.

The Queensbridge Health Maintenance Service for Elderly is a program sponsored by the City of New York and conducted in a low income housing project. In addition to 5 internists, a proctologist, psychiatrist, nutritionist and optometrist, a podiatrist has been shown to be an important member of this health service. The podiatrist was called upon to give 6 percent of all services rendered in the study group selected from this population. In addition, 36.1 percent of all patients in this group utilized the services of the podiatrist the first year and 40.3 percent in the second year of the program.[20, 21]

FOOTNOTES

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[23] Shapiro, J. and Rhee, Chu/S., Podiatry Screening Project for Children in the District of Columbia, *Public Health Reports*, 85: 803–808, September 1970.

* In a recent survey involving the Harlem community, several thousand children, selected on a statistically valid random sample basis, were examined in the clinics of the New York College of Podiatric Medicine. Two cases of sickle-cell anemia were detected. Sickle-cell anemia has a propensity to produce ankle ulcers, which are often first detected during podiatric examinations. (The podiatrist, therefore, is often the first practitioner to recognize undetected sickle-cell anemia, by the presence of these ulcers.) Thirteen children were found to have secondary syphilis. (Similarly, secondary syphilis is often first recognized by the podiatrist by the presence of small cornlike lesions on the soles or the palms.) These patients were immediately referred to the Department of Health for proper treatment. This early recognition of syphilis by the podiatric physician often prevents serious sequelae of blindness, neurological damage, or death.

Over 250 children were found to have congential abnormalities of their feet which could lead to serious permanent joint dysfunction. Over 150 children were found to have diseases of the secondary growth centers of the bones of the feet. A thousand children were in-toe walkers. One thousand six hundred twenty-four were found to have overlapping toes. Each of these children was treated properly and at little cost in the college clinics. Left to live as cripples, they would have suffered great emotional stress and physical pain and discomfort because of foot and leg deformities, as well as the poor posture that would result. Additionally, society would have lost the economic productivity of these persons, and their illnesses would have cost taxpayers millions of dollars.

CRISIS FOR THE PODIATRIC EDUCATION: THE FEDERAL BUDGET

(By Robert A. Heil, Executive Director, American Association of Colleges of Podiatric Medicine)

On January 29, 1973 President Nixon sent his proposed 1974 budget up to Capitol Hill for Congressional consideration. Although this fiscal year is more than half over, no appropriation bill for the Department of Health, Education and Welfare has been enacted. Last year, Congress passed appropriations bills twice, but both bills suffered presidential vetoes. The President, as part of this request, revised portions of his budget for 1973 relating to HEW from his initial request made last year.

The revisions were downward. Not only were the two appropriations bills vetoed on the basis that they far exceeded the budget request, but now the budget has been lowered. Drastic reductions were proposed for the HEW Budget. Of particular concern to the Podiatric Medical profession is a proposal for 1973 to reduce capitation for Podiatry to about 50% of the 1972 level, and further, in 1974, to completely eliminate capitation grants for colleges of podiatric medicine.

Congress has appropriated funds to finish 1973 at the previous levels but as of this writing, it appears the Administration will spend only what is in the budget.

Capitation grants, financial distress grants and special project grants have contributed to the Podiatric Medical colleges' incomes for general operations.

From the viewpoint of Podiatric Medicine and its role in the National Health authorizations of $2,500, and even Veterinary Medicine is authorized to a maximum basic capitation of $1,750 per student per year, whereas Podiatry is authorized at $800. It should be noted that basic capitation for Podiatry (*although authorized at $800*), this year amounted to less than $600.

The proposed budget reduction could result in about $400 per student for total capitation grants next year for podiatric colleges. Furthermore, the administration proposes to terminate funding in this category completely for school year 1974–75. The Administration feels that capitation funding for the podiatry profession is no longer important.

A portion of the budget message reads: *"There is evidence of continuing national need for increased numbers of professionals in medicine, dentistry and osteopathy. The same urgency is not evident in other health professional fields."*

This statement appears to be in conflict with the government's own figures which indicate the following percentage increases in health manpower between 1960 and 1970: *

	Percent
Registered nurses	37
Veterinarians	29
Physicians (M.D. & D.O.)	28
Dentists	14
Optometrists	13
Pharmacists	10
Podiatrists	2

A current study indicates a need to double the 1970 podiatric manpower by 1980, a need much greater in proportion to that of other health professions.

STUDENT ASSISTANCE

The President's budget proposed to phase-out scholarship funding, with a 35% reduction in those funds for the 1973–74 school year. Sufficient funds are proposed so as to continue scholarships for those students to whom commitments already have been made, but not to fund any new scholarships.

SPECIAL EDUCATIONAL PROGRAMS

Educational initiative awards are to be increased for 1974 under the proposed budget. Although this category customarily has been used to encourage training for physicians assistants and other paramedical personnel, an opportunity might develop for some funding for podiatric colleges from this source, although prospects for substantial funding of podiatric education are slim. If made available, these funds would not provide the broad institutional support for podiatric colleges which they so desperately need, since these funds must be for specific projects not necessarily involved in basic podiatric education.

EFFECT OF BUDGET PROPOSALS ON PODIATRY

Colleges of podiatric medicine now are heavily committed to programs of improvement encouraged by, and, as a condition for, participation in the Comprehensive Health Manpower Training Act of 1971. How much can the colleges retrench? Podiatric colleges are free-standing institutions which have no parent universities to supply emergency funding. They have virtually no endowments or reserves. Federal financial support for several years has constituted a substantial portion of their total incomes which have permitted expansion and improvement.

Tuitions already are high, averaging well over $2,000 per year. The proposed Federal budget cut of $2,000,000 annually creates an extremely serious situation for podiatric education, so serious indeed that the very survival of the colleges and the profession of Podiatry is uncertain.

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* *The Supply of Health Manpower: 1970 Profiles and Projections to 1990*, Division of Manpower Education, NIH, HEW, October 1972, p. 23.

WATERGATE AFFAIR AND BRITISH VIEWPOINT

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. BRADEMAS. Mr. Speaker, the repercussions of the Watergate affair and the other misdeeds of persons associated with President Nixon are being felt beyond the boundaries of our country. On a visit to England last week, I found great attention being given by the most respected British journals to the present crisis of confidence in the President and much speculation that the crisis will adversely affect his ability to conduct the foreign affairs of the United States.

In its April 28, 1973 edition, the highly respected magazine, The Economist, summarizes the dilemma of other countries in their present relations with the United States:

> What does seem obvious is that the pursuit of . . . international policies implies, indeed requires, a faith in the continuity of the other fellow's system which will not be easy to generate so long as the questions raised by the malpractices of last year's American political campaign are not cleared up.

Yesterday, by removing four of his principal assistants, the President acted to clear up some of those questions. But many other crucial questions remain unanswered. President Nixon has the solemn responsibility to assist Congress, the courts and law enforcement agencies to determine the truth about this matter.

At this point, Mr. Speaker, I include in the RECORD the remarks of The Economist, concerning the Watergate affair:

[From the Economist, Apr. 28, 1973]

A QUESTION OF AUTHORITY

Things have come to a strange pass in Washington when a Vice President, standing even lower than is usual in the Administration's hierarchy, publicly affirms his faith in the President's integrity, as Mr. Agnew did on Wednesday. The Vice President even felt it necessary to deny that he had ever told his associates that he was "appalled" by the handling of the Watergate affair. Mr. Agnew's declaration of faith capped a week in which two former officials, both once highly placed in the administration—the Secretary of Commerce, Mr. Stans, and the unhappy Attorney General, Mr. John Mitchell—had been summoned to appear before a grand jury in New York to explain the acceptance (and subsequent return) of a large contribution to the President's campaign funds from a financier in trouble with the law. Mr. Mitchell had already been questioned at length about the Watergate break-in before a grand jury in Washington. Even more serious for the Administration's morale, White House aides close to the President and campaign officials have been disputing in public the extent of their responsibility for a scandal which has few, if any, parallels in White House history.

When Mr. Henry Kissinger went to New York on Monday to deliver an important foreign policy speech to an audience of American newspaper publishers and editors, he was naturally asked about the Watergate scandal. His answer, couched in language of some nobility, was a plea not to let a passing domestic crisis get in the way of foreign policy: put the durable before the ephemeral, he said in effect.

This is a proper point for the President's chief foreign policy architect to make, but obviously enough it does not dispose of the matter. The people who are demanding a full exposure of all the methods by which Mr. Nixon's re-election was obtained last year are asking whether their present government is legitimate. They believe the result of the inquisitiveness may also decide whether the next Administration, to be elected in 1976, is or is not to be a legitimate government chosen under the laws and carried on in conformity with the institutions of the United States.

To the American public such a question is of primary concern, even if it is only secondary to foreign governments. What diplomatists want to know is whether the other fellow's master is in control of his country. If he is, you can do business with him, within prudent limits. Mr. Kissinger uttered a warning that foreign countries would be assessing "the degree of authority in this country," that is, President Nixon's authority in the light of the Watergate upheaval. No doubt they will, and what they see will be less than shipshape, with his lawyers hiring lawyers to protect themselves against one another and some of his great potentates elbowing one another aside in a rush for the lifeboats. But nothing has happened yet to impair his ability to make the ordinary run of foreign policy decisions or to see that they are carried out.

His difficulties in Vietnam are inherent in the circumstances of the ceasefire and will continue, but if a quick solution were in sight there would be nothing in his domestic situation to prevent him grasping it. The bombing policy in Cambodia would probably run into an eventual congressional roadblock of some kind if it were to go on long enough, and it is true that the repercussions of the Watergate scandal might put him at a disadvantage in a major struggle with Congress. But such a struggle, if it comes at all, is rather far down the road. To suppose that a domestic political scandal, however malodorous, would get in the way of his Russian and Chinese policies is far-fetched. It could, however, force him to start his trade negotiations with Europe and Japan without adequate powers, just as it could rob him of moral authority to ask wage restraint from the trade unions.

WHAT'S THAT ABOUT A GRAND DESIGN?

Mr. Kissinger's New York speech raises subject-matter of a different kind to which different considerations may apply. Mr. Kissinger spoke explicitly for President Nixon. He proposed a "new Atlantic Charter" to be worked out by the time Mr. Nixon visits Europe in the autumn. He took up the triangular concept of a relationship in which North America, western Europe and Japan would be equally joined. He pleaded for a reconciliation of attitudes in trade, money and defense by a "fresh act of creation" comparable to that achieved in the years of the Marshall plan, and above all for the formulation of common objectives, common purposes and a unifying philosophy of international life in the framework of which the expanded Atlantic relationship would develop.

Fragments of this grand design will provide the agenda for many a meeting between the United States and its European and Japanese allies during the spring and summer, but a long pause may be needed before the allies, and indeed the Americans themselves, can figure out what the design itself amounts to. The governments of western Europe have naturally welcomed the opportunity that Mr. Nixon is giving them to get their relationship with the United States on a new, and sounder, footing, although there has been a little skepticism—and disarray in Brussels. What does seem obvious is that the pursuit of unifying philosophical concepts in international politics implies, indeed requires a faith in the continuity of the other fellow's system which will not be easy to generate so long as the questions raised by the malpractices of last year's American political campaign are not cleared up.

Probably they will be cleared up. Probably it is within President Nixon's power to clear them up, and what has held him back so long, beyond a certain moral obtuseness often noticeable in habitual moralists, is a reluctance to suffer the administrative inconvenience that would come from sacrificing his most trusted group of associates.

A SENSE OF BETRAYAL

What happened last year was that certain of President Nixon's associates used the authority and power of the federal government to extort huge sums of money from economic interests and private persons who either hoped for favours or feared penalties; they hid some of it and used the hidden part to disrupt the opposing party and ensure the re-election of the President. The power of the government was then used to prevent the exposure of what had happened and the President, whether or not he knew about the original operation, complacently lent his authority to the concealment. The list of serious offences against the criminal law committed in the course of all these operations is very long. Some of the President's associates, beginning with his first Attorney General and campaign director, dropped off the vine at an early stage, but the central group is still in being and in power.

By and large the group that engineered last year's political operation also had a large say in the reshuffle of the Administration that followed, so that many respectable men departed to be replaced by new officials mostly lacking a base of power or of independence of their own. Some able, strong and untainted men (like Mr. Kissinger, Mr. Shultz, Mr. Elliot Richardson and Mr. Weinberger) remain, but what is most notably lacking in a supposedly Republican Administration is any solid representation of the Republican party in the country.

The men who have rendered good party service by holding seats and filling positions in Congress and in the state governments feel, perhaps, the most betrayed and the most excluded. They are pressing for a housecleaning even more vehemently than are the Democrats. The first demand for the resignation of the President's chief assistant, Mr. H. R. Haldeman, came from a Republican, Senator Weicker of Connecticut. It was another Republican Senator, Mr. Schweiker of Pennsylvania, who this week urged that the Committee for the Re-election of the President, still in being and busy sweeping stuff under the carpet, should disband itself.

Among the congressional and state Republicans there are enough men of public spirit that their rebellion against the present White House need not be explained merely by fears of disaster in future elections. Still, they have to prepare for the congressional elections next year and it is none too early to be thinking about the next presidential election in 1976. Mr. Nixon, who cannot be re-elected again, will be above the battle then, but the powerful staff men who supervised the running of his campaign last year, who managed the Administration's reconstruction that followed and who have since been running the government with an iron hand have a quite separate interest in selecting the next President if they can. What does all this mean now for Mr. Agnew, whom Mr. Nixon thought good enough to be renominated last year? Since then he has been virtually deprived of anything to do, and alternative presidential candidates (most prominently Mr. John Connally, not even as yet an open convert to the Republican party) have been trotted round the paddock in his place. Was this Mr. Nixon's own idea?

Virtually nobody believes that the outcome of the 1972 presidential campaign would have been different if the whole campaign had been fairly and honestly conducted. It is the next campaign that matters. President Nixon's public conversion to full disclosure on April 17th was followed by, along with the general sigh of relief, a plain impulse in the political community to close ranks around the theory that the President was misled and kept in the dark by ambitious or bigoted assistants. This is understandable, but the investigations are still in the hands of government lawyers and other officials who have been toiling to keep things dark since the five underlings were caught red-handed in the Watergate building last June. It was their parody of the duties of a prosecutor, benignly supervised by the Attorney General Mr. Kleindienst, and his assistant, Mr. Peterson, that fatally infuriated the trial judge. Their view of their duty was not changed.

THE TEST IN 1976

Perhaps as a consequence, perhaps because Mr. Nixon can still not bring himself to face life in a White House run by people chosen not for their past service to himself but for their competence and their political or administrative credentials, a conclusive outcome to the Watergate business is yet to be discerned. The decent man's distaste for vindictiveness to which Mr. Kissinger gave expression is neither here nor there. What matters is whether the presidential election of 1976 is to be permitted to be rigged and bought as the election of 1972 was: for by that the legitimacy, and therefore the continuity, of future American government may be decided.

PINCH MUST HURT TO HELP

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. DERWINSKI. Mr. Speaker, I have been somewhat amused that many of the critics of the Pentagon base-trimming decision are Representatives who for years harangued against the military industrial complex and suddenly joined in protesting against reduction of or base closings when it affected their home communities or States. The senior Senator from Massachusetts comes to mind in this regard.

The Chicago Daily News, in a very objective and succinct editorial of Wednesday, April 18, properly supports the Pentagon's economy moves. I insert the editorial into the RECORD, and, in so doing, indicate my complete agreement with the points made in this excellent editorial:

PINCH MUST HURT TO HELP

As inevitably as night follows day, the Pentagon's announcement of the closing or trimming back of 274 military bases met with howls of pain.

The pain is genuine. As Mayor Alioto said, the closing of the big Hunter's Point shipyard, for example, will have "a devastating economic impact on the San Francisco bay area." Alioto might have an additional beef in the fact that while San Francisco, which is not strong Nixon territory, is being slashed, the naval center in staunchly Nixonian San Diego gets a windfall of jobs transferred from other California stations. By a similar token, Boston's Mayor Kevin White may have had a valid squawk in relating the closing of Boston's historic Navy Yard to the fact that Massachusetts alone resisted the landslide of states for Mr. Nixon last November.

But none of this alters the central fact that the most direct way to reduce military spending in peacetime is to close out activities where the money is being spent. Illinois will make its modest sacrifice, losing 1,000 civilian and military jobs at the Great Lakes Naval Base for an estimated saving of $2.2 million. All told, the nationwide program calls for eliminating 21,172 civilian and 16,640 military jobs in the coming year, to save $1 billion. And $1 billion saved is $1 billion earned—unless it is merely diverted to some other military spending program in the next budget.

THE INTERNATIONAL INSTITUTE OF ADVANCED CRIMINAL SCIENCES IN SIRACUSE, ITALY

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. ANNUNZIO. Mr. Speaker, I would like to call to the attention of my colleagues that Dr. M. Cherif Bassiouni, professor of law at De Paul University in Chicago has been appointed a member of the board of directors of the International Institute of Advanced Criminal Sciences which was established by the Italian Government in Siracuse, Sicily. This is the first postgraduate legal institute in Italy.

Professor Bassiouni, the holder of a distinguished record of leadership in the field of international law, cochaired an international conference in Siracuse last month on the role of the judge in a modern society and will shortly chair another conference concerned with terrorism and political crimes.

The International Institute for Advanced Criminal Sciences was created pursuant to a "convention" between the International Penal Law Association and the city of Siracuse and other Sicilian governmental authorities and agreed upon by the IPLA Conseil de Direction at its meeting of February 4 and 5, 1972 in Paris and signed in Siracuse on October 20, 1972. The city of Siracuse provided the building and financing for the Institute and the IPLA is to provide the expertise, manpower, general administration of the Institute, and its international recognition.

The Institute is to provide post-graduate advanced education in the criminal sciences on a multidisciplinary and international basis. The faculty and students are to be drawn from all over the world, irrespective of their discipline. Study plans are to be formulated each year focusing on the choice of a topic or subject matter of contemporary relevance. The courses will be conducted as graduate seminars.

In addition to the two seminars mentioned above, the Institute also conducted a seminar in February on the psychopathology of vehicular homicides, chaired by Justice Erra of Italy. Each seminar consists of 30 to 40 participants and a number of invited auditors.

The first academic program for graduate students will commence in January 1974, and will consist of two trimesters. The first will be on organized crime and the second on dangerous drugs. The schedule will be from January to July 1974. Diplomas will be issued to the graduates of the Institute. Several scholarships have been promised by the city of Siracuse and other Italian authorities.

The Institute is now operating on a budget of 25 million liras provided by the city and the regional administration. It is anticipated that an appropriation law will be passed by the Sicilian Parliament granting the Institute 75 million liras per year to finance its operation.

The financial support of the Institute will depend on the passage of the special legislation now before the Sicilian Parliament, and in its absence, on the continued support of the city and region which would be on an annual basis.

I congratulate Professor Bassiouni and wish him and the members of the Institute success in their continued efforts to promote world understanding through international law.

EAST BATON ROUGE PARISH COUNCIL OPPOSES AID TO NORTH VIETNAM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. RARICK. Mr. Speaker, the Parish Council of East Baton Rouge, governing body of Baton Rouge, the capital city of my State and the largest city in my district, recently went on record in the form of a resolution as "unalterably opposed to the use of American dollars to rebuild or otherwise financially aid the country of North Vietnam."

The council called on the President and Congress to "abandon the proposed legislation to provide such financial support."

I am in complete agreement with the position taken by the East Baton Rouge Parish Council in this matter.

This position is representative of the feelings of a vast majority of the people I represent. I stand with them in their opposition to any legislation proposing aid to North Vietnam, and shall cast our people's vote in Congress against any such proposal to come before this body.

I insert in the RECORD the full text of the resolution adopted by the parish council of the parish of east Baton Rouge on April 11, 1973:

RESOLUTION OPPOSING THE PROPOSED LEGISLATION TO PROVIDE FINANCIAL SUPPORT BY THE UNITED STATES FOR THE REBUILDING OF NORTH VIETNAM

Whereas, the President of the United States has proposed that untold millions of dollars of this country's taxpayers' funds be utilized to rebuild the country of North Vietnam; and

Whereas, the United States presently faces the greatest financial crisis in the history of this country due in large measure to the constant siphoning of billions of dollars from this country for foreign aid, which practice continues to weaken the financial stability of this country; and

Whereas, the expenditure of large sums of money to rebuild a Communist country is contrary to our national welfare and the best interest of the people of this country; and

Whereas, unless we discontinue the practice of deficit financing, this practice will continue to destroy the financial fibre of this country and may ultimately result in the destruction of the greatest nation in the history of the world; and

Whereas, in spite of the temporary showing of good will and friendship on the part of the Communists, the goal and avowed purpose of Communism is the ultimate control and domination of all the nations of the world; and

Whereas, the rebuilding of North Vietnam with U.S. dollars would directly aid in strengthening the mortal enemy of this country, international Communism:

Now, therefore, be it resolved by the Parish Council of the Parish of East Baton Rouge:

Section 1. That this Council is unalterably opposed to the use of American dollars to rebuild or otherwise financially aid the country of North Vietnam, and hereby calls upon the President and the Congress of the United States to abandon the proposed legislation to provide such financial support.

Section 2. That copies of this resolution be sent to President Nixon, Vice-President Agnew, and our United States Congressional Delegates, urging that they not support any such legislation.

WALL STREET JOURNAL REPORTS ON OSHA

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. DOMINICK V. DANIELS. Mr. Speaker, as we all know, when the Occupational Safety and Health Act of 1970 was enacted the panic button was pushed in businesses—both large and small—across our land. Fear spread like wildfire—fear of Federal Government encroachment on the free enterprise system; fear of Gestapo tactics by enforcement officers; fear that businesses would be closed down by the Government; fear that "Mom and Pop" stores would be forced out of business due to unreasonable compliance costs; fear that the law was designed to be punitive to business, instead of to protect the safety and health of the millions of workers under its coverage.

These cries of fear seem to have diminished somewhat as a result of 2 years' experience under the act, which I think is well illustrated in an article in the April 24 edition of the Wall Street Journal.

I would like to insert this article at this point in the RECORD and commend it to the attention of my colleagues:

JOB-SAFETY INSPECTIONS PROVE MILDER THAN FIRMS EXPECTED, A SURVEY CONCLUDES

Companies inspected by the Occupational Safety and Health Administration concede the experience "differed vastly" from their "fears and expectations," asserts the Research Institute of America. A survey of inspected firms finds 10% complaining of unfair treatment; only 6% felt their inspector was unqualified. Still, more than half of the inspections resulted in fines, another 35% in warnings.

"Business has taken OSHA is stride," the private research firm asserts. "The law has been less troublesome to small businesses than was feared." Four out of ten firms say cost is their biggest compliance problem; another 30% call "lack of information" on federal requirements the biggest hurdle. "OSHA agrees the information process is a mess," the report says.

ALASKAN FISHERMEN OPPOSE PIPELINE

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. ASPIN. Mr. Speaker, the United Fishermen of Alaska recently adopted a resolution urging that "serious attention be given to alternative pipeline routes as well as to improve tanker facilities and regulations" in Alaska.

During the current debate concerning the Alaskan versus Canadian pipeline the fate of Alaska's fishing industry is often ignored. If, as the Interior Department has predicted, 140,000 barrels of crude oil are dumped into the northeastern Pacific Ocean every year, the effects on the fishing industry in Alaska and throughout the region could be catastrophic.

For my colleagues' information, I include at this point in the RECORD an article entitled "Will Fish and Oil Mix?" which recently appeared in the Alaskan Fishermen:

WILL FISH AND OIL MIX?

It seems clear that the general public, including many fishermen, are not aware of the information made available in the Trans-Alaska Pipeline impact statement.

The impact statement indicates that, due to the volume of oil that would be moved through the pipeline, even incidental spills under adverse conditions could amount to 140,000 barrels per year. This is five times the amount of oil involved in the Santa Barbara spill.

It is further estimated that 13 barrels of oil per day would be pumped into Valdez Arm via the proposed ballast treatment facilities at Port Valdez.

According to the impact statement, the oily ballast discharged on the high seas could reach the fishing grounds of Kodiak Island and the Alaska Peninsula.

In consequence the fisheries would be adversely affected through the destruction of base organisms in the marine food chain, through destruction of harvestable products such as crab, salmon, and clams, and finally, contamination could adversely affect the market for fisheries products.

"Fisheries products harvested in Alaska and similar pollution-free waters enjoy a record of sustained high quality that could be compromised by even minor pollution incidents. Even though tainting of a fishery product might occur infrequently and affect only a localized area, a single bad experience could adversely affect marketing of similar fishing products from adjacent areas over an extended period of time.

"This indirect effect, resulting in loss of market advantage, may be more damaging to the fishermen and processors than extensive direct mortality of a resource."

In consequence of these and other facts taken from the impact statement, the United Fishermen of Alaska adopted the following resolution January 29, 1973:

"The United Fishermen of Alaska give our full moral support to the problems of the Cordova fishermen concerning the proposed pipeline terminal and tanker route. We feel the Cordova fishermen haven't been given a chance to be heard, and that potential oil problems could seriously affect all fishermen and fisheries. We urge that more serious attention be given to alternative pipeline routes as well as to improved tanker facilities and regulations in the proposed Prince William Sound terminal area and the Gulf of Alaska."

ECONOMIC FACT VERSUS PROPAGANDA

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. EILBERG. Mr. Speaker, last Friday the president of the AFL-CIO issued a statement on the present condition of the Nation's economy which should be of great interest to all who are concerned about rising prices, soaring inflation, and continued unacceptable levels of unemployment. Mr. Meany's points are made clearly and concisely. He counters instance after instance of the kind of propaganda which has become all too common from certain quarters in recent days with "fact" as it confronts the average working people of this country.

His words are few, his points well made, thus I insert the text of his statement in the RECORD and commend it to the attention of my colleagues:

STATEMENT BY GEORGE MEANY

The Nixon Administration has embarked on a new propaganda campaign designed to hide the facts of soaring inflation, continued high unemployment, mounting budget deficits and a shocking drop in public confidence. It is trying to convince the American public that "You're all right, Jack."

This is a 1973 version of the big lie technique.

The latest example is an April 25 article in the New York Times (page 39), signed by Roy Ash, director of the President's Office of Management and Budget. Following is a compilation of lies by Ash and the facts:

Lie No. 1—"By most of the usual statistics, the second Nixon Administration is off to an excellent start . . . Unemployment is down from 6 percent to 5.1 percent."

Fact No. 1—It was the policies of the Nixon Administration that pushed unemployment up to 6 percent.

In February 1969, right after Mr. Nixon took office, there were 2.7 million Americans reported as unemployed—3.3 percent of the labor force. In February 1973, after four years of Nixon economic game plans, 4.4 million Americans were unemployed—5.1 percent of the work force.

More Americans were forced to work part-time in February 1973, than in 1969 because full-time jobs were not available. The Labor Department reports 2.3 million workers were working part-time in February 1973 compared with 1.7 million in February 1969.

Unemployment among married men—the breadwinners—was 1.4 percent in February 1969. In February 1973, unemployment among married men was 2.4 percent.

Lie No. 2—"The Nixon policies have succeeded in reducing the rate of inflation from 6.7 percent when the President took office to 2.9 percent today."

Fact No. 2—According to Labor Department statistics for February 1969, the Consumer Price Index showed living costs during that three-month period had risen at an annual rate of 4.5 percent. For the same three-month period in 1972–73, the CPI went up at a 6.3 percent yearly rate.

On April 20, the Labor Department reported that living costs jumped eight-tenths of 1 percent in March—the second consecutive month in which consumer prices went up faster than at any time in the past 22 years. The Bureau of Labor Statistics stated: "In the calendar quarter ended in March, the Consumer Price Index rose at a seasonally adjusted annual rate of 8.8 percent."

The truth is that inflation is nearly twice as bad now as it was when Mr. Nixon took office.

Lie No. 3—"Confidence for the future is high. America's morale is also high."

Fact No. 3—On April 24, the day before Ash's article in the Times, the Survey of Consumer Attitudes, conducted by the Survey Research Center of the University of Michigan's Institute for Social Research, reported:

"Rapidly rising food prices shattered consumer confidence and induced many people, with both high and low incomes, to become pessimistic. Because of the increase in living costs, the proportion of families saying that they were worse off than before and expecting to be worse off increased substantially. . . . Fully two-thirds of respondents in the latest survey said that prices had gone up 'substantially' during the last 12 months. Even so, 44 percent of all respondents expected the rate of inflation to accelerate during the next 12 months."

Stock market prices, despite record-breaking profits, have plummeted in recent days with experts citing a lack of investor confidence in Administration policies for the decline.

Lie No. 4—"When the President pledged to hold the Federal spending line at $250 billion in fiscal 1973 and $268 billion in fiscal 1974, he was greeted by howling cries of sour grapes by some members of Congress and in segments of the media."

Fact No. 4—The whole budget story must include deficits.

From fiscal 1970—the first full years of a Nixon budget—through the fiscal year ending this June 30, the Administration has accumulated budget deficits of $73.8 billion. This era of the greatest budget deficits since World War II is expected to continue through fiscal 1974 with an Administration forecasted deficit of $12.7 billion.

These budget deficits are essentially the result of huge tax giveaways to big business and wealthy families designed by the Administration and to the impact of the recession of 1969–70 engineered by the Administration.

Lie No. 5—"The route that the big spenders in the Congress threaten to take would mean a 15 percent surcharge on every American's income tax. . . ."

Fact No. 5—The federal government could raise an additional $29 billion in tax revenues simply by closing some major tax loopholes that permit the wealthy and big corporations to avoid paying their fair share of federal income tax. Closing these loopholes would eliminate any need for an across-the-board tax surcharge.

Expenditure of vast federal funds never bothered Ash when they were spent on major cost overruns for government contracts with Litton Industries when he headed that corporation.

Lie No. 6—Finally, Ash argues that the Nixon Administration is doing more for the poor, the sick, aging, and the hungry than President Johnson.

Fact No. 6—It is the Nixon Administration that is cruelly dismantling social programs, terminating federal health programs, forcing the elderly to pay more out of their own pockets for health care thus flouting the promise of Medicare, and halting starts of public housing for low- and middle-income families.

The Nixon Administration opposed a 20 percent Social Security increase, sought to slash the school lunch program for needy children and seeks to cut federal help to schools and libraries.

By inference and innuendo, Ash claims the 1972 election was a referendum on social programs and that these programs were repudiated. The choice in the 1972 election was between two political personalities and not a carte blanche rejection of important social programs. The President won the votes of millions of Americans who were dissatisfied with his economic and domestic policies but who were even more dissatisfied with his opponent.

Obviously, American consumers and workers can have no faith in an Administration that practices public deception. How could they?

PRESIDENT NIXON'S ADDRESS TO THE NATION

HON. WILLIAM H. HUDNUT III

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. HUDNUT. Mr. Speaker, Scripture speaks of hope as being "the anchor of the soul." A nation without hope, which is faith's derivative, faith directed toward the future, is an anchorless nation. Today, some people are saying America has lost her anchor.

As a result of the Watergate issue, they say, America is suffering great anguish of soul. Watergate has called into question the credibility of the White House and damaged the bridge of trust and confidence between the public and public officials which is so essential to the successful functioning of our democracy. As such, it has created—albeit unintentionally—a spiritual crisis in our Nation.

Many of us sympathize with the President in the anguish he has had to endure this past month and more. Many of us share his heaviness of heart. All of us hope the guilty will be punished, and the innocent vindicated. And all of us want to shore up faith in our Government and our way of life.

Now is the time, I think, to keep faith, not lose it. Bruce Catton, the great historian of the Civil War, once said of the Confederate soldiers:

> Though night was coming down around them, they lived as though they stood at the edge of dawn.

Part of the greatness of the American soul lies in its resilience, its courage, its determination to reach the stars through difficulty as frontiers are pushed back, mountains climbed, emergencies met, problems solved, and crises overcome. Now is a time to keep faith with the dawn. When some doubt, it is time to believe; when some give in to cynicism, it is time to hope; when some give up, it is time to gird up; when some curse the darkness, it is time to light a candle.

As our President said in his remarks about Watergate on national TV, we should view this matter of such grave concern to us all as an occasion for reaffirming our faith in the system, not repudiating it. It was the system that brought the truth to light, and the system that will handle the problem. Now is no time to give up on the system—a free press that serves as a gadfly for the public conscience, a court system where innocence and guilt can be fairly established, a Congress that responds to and is open to the will of the people, an Executive that searches diligently for the facts. Now is the time to concentrate on building up, not tearing down; on moving ahead, not looking backward; and on solving problems, not ignoring them.

It is a time when Americans should renew their faith in the ideals and institutions which supply our country with its lifeblood. Lincoln long ago called America "the last best hope of earth." It is still that way. Now is no time to forget it, or deny it.

GOVERNMENT EMPLOYEES POLITICAL ACTIVITY ACT OF 1973

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. WALDIE. Mr. Speaker, I am today introducing a bill which would free State, local, and Federal Government employees from overly restrictive provisions of the Hatch Act governing their political activity.

While it is mandatory that public employees continue to be prohibited from using their official authority or influence to affect elections, as American citizens, government employees have an inherent right to take an active part in political management and political campaigns so long as this activity takes place strictly in their roles as private citizens.

The Hatch Act has already been found to be impermissibly vague, and in violation of the first amendment's guarantees of freedom of speech and association. Now is the time for Congress to clarify this important matter by drafting specific legislation to define the parameters of permissible political activity, and thereby remove public employees from their status as "second class citizens."

Among other provisions, my bill would allow States, local, and Federal, employees covered by the Hatch Act to serve as delegates to political conventions, to address political meetings, to distribute campaign literature, and to be a member of a political club—all of course during nonduty hours.

Mr. Speaker, it is time that we enacted this legislation. The full text of the bill follows:

H.R. 7394

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Government Employees' Political Activities Act of 1973".

SEC. 2. (a) Chapter 15 (relating to political activities of certain State and local employees) of title 5, United States Code, is amended as follows:

(1) Paragraph (5) of section 1501 is amended to read as follows:

"(5) the phrase 'an active part in political management or in political campaigns' includes—

"(A) candidacy for, or service as a delegate, alternate, or proxy in any political convention, or service as an officer or employee thereof;

"(B) participation in the deliberations of any primary meeting, mass convention, or caucus, or addressing such meeting, making motions, preparing or assisting in preparing resolutions before such meeting, or taking a prominent part therein;

"(C) preparing for, organizing or conducting political meeting or rally, or addressing such a meeting on any partisan political matter, or taking any part therein;

"(D) membership in a political club or organizing such a club, so long as such membership does not involve holding any office in, or receiving any compensation from such club;

"(E) distributing campaign literature, or distributing or wearing campaign badges and buttons;

"(F) publishing, editing, or managing a newspaper, including a newspaper which is generally known to be politically partisan, and writing for publication, or publishing any editorial, letter, or article, signed or unsigned, for the purpose of soliciting votes either in favor of or against any political party, candidate, or faction, so long as the official employment or authority of the author is not referred to in any such editorial, article, or letter;

"(G) organizing or participating in any political parade;

"(H) initiating or signing a nominating petition on behalf of a partisan candidate, and canvassing for signatures of other persons for such petition; and

"(I) candidacy for nomination or election to any National, State, county, or municipal office.".

(2) Section 1502 is amended to read as follows:

"§ 1502. Use of official authority or influence to affect elections prohibited; political activities permitted.

"(a) A State or local officer or employee may not use his official authority or influence for the purpose of interfering with or affecting the result of an election.

"(b) Each person to whom the provisions of subsection (a) of this section apply retains the right—

"(1) to vote as he chooses,

"(2) to express his opinion on political subjects and candidates, and

"(3) to take an active part in political mangement or in political campaigns—

"(A) in his role as a private citizen,

"(B) without involving his official authority or influence, and

"(C) while out of uniform or during nonduty hours.".

(3) Section 1503 is repealed.

(4) The table of sections at the beginning of such chapter is amended—

(A) by striking out the heading relating to section 1502 and inserting in lieu thereof the following:

"1502. Use of official authority or influence to affect elections prohibited; political activities permitted."; and

(B) by striking out the heading relating to section 1503.

(b) Subchapter III (relating to political activities of certain Federal employees) of chapter 73 of title 5, United States Code, is amended as follows:

(1) Sections 7323, 7326, and 7327 are repealed.

(2) Section 7324 is amended to read as follows:

"§7324. Use of official authority or influence to affect elections prohibited; political activities permitted.

"(a) An employee in an executive agency or an individual employed by the government of the District of Columbia may not use his official authority or influence for the purpose of interfering with or affecting the result of an election.

"(b) Each person to whom the provisions of subsection (a) of this section apply retains the right—

"(1) to vote as he chooses,

"(2) to express his opinion on political subjects and candidates, and

"(3) to take an active part in political management or in political campaigns—

"(A) in his role as a private citizen,

"(B) without involving his official * * *

"(C) while out of uniform or during nonduty hours.

"(c) For the purposes of this section, the phrase 'an active part in political management or in political campaigns' includes—

"(1) candidacy for, or service as a delegate, alternate, or proxy in any political convention, or service as an officer or employee thereof;

"(2) participation in the deliberations of any primary meeting, mass convention, or caucus, or addressing such meeting, making motions, preparing or assisting in preparing resolutions before such meeting, or taking a prominent part therein;

"(3) preparing for, organizing or conducting a political meeting or rally, or addressing such a meeting on any partisan political matter, or taking any part therein;

"(4) membership in a political club of organizing such a club, so long as such membership does not involve holding any office in, or receiving any compensation from such club;

"(5) distributing campaign literature, or distributing or wearing campaign badges and buttons;

"(6) publishing, editing, or managing a newspaper, including a newspaper which is generally known to be politically partisan, and writing for publication, or publishing any editorial, letter, or article, signed or unsigned, for the purposes of soliciting votes either in favor of or against any political party, candidate, or faction, so long as the official employment or authority of the author is not referred to in any such editorial, article, or letters;

"(7) organizing or participating in any political parade;

"(8) initiating or signing a nominating petition on behalf of a partisan candidate, and canvassing for signatures of other persons for such petition; and

"(9) candidacy for nomination or election to any National, State, county, or municipal office.".

(3) The table of sections for such subchapter at the beginning of chapter 73 is amended—

(A) by striking out the headings relating to sections 7323, 7326, and 7327; and

(B) by striking out the heading relating to section 7324 and inserting in lieu thereof the following:

"7324. Use of official authority or influence to affect elections prohibited; political activities permitted."

SEC. 3. The provisions of this Act shall become effective upon the date of enactment of this Act.

HAL BORLAND RECIPIENT OF AWARD

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mrs. GRASSO. Mr. Speaker, the Association of Interpretive Naturalists recently made an excellent decision when it selected columnist and writer Hal Borland a sthe recipient of their annual award.

Mr. Borland's columns in the Torrington Register and elsewhere provide residents of the Sixth District with a most perceptive and entertaining view of the world of nature. His writings reflect a profound knowledge, understanding and appreciation of the natural wonders which abound, as well as the need to conserve and protect these treasures.

Although the people of the Sixth District are far from being the only beneficiaries of his insight, we take special pride in paying tribute to this resident of Salisbury who has enriched all our lives.

OUR NATION SALUTES THE NEW JERSEY CHAPTERS OF SCORE, THE SERVICE CORPS OF RETIRED EXECUTIVES

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. ROE. Mr. Speaker, the wealth, destiny, and foundation of our representative democracy depend upon people and the very fiber of our society are the people—the people who work at it and continue to make it work are the core of our well being and progress. People—purpose—progress.

But what of the scores of people who have labored in the vineyards of America's greatness and have reached what we call our retirement years? It would be so easy then to sit back and say my job is finished.

Today I ask you and my colleagues here in the Congress to join with me in applauding the volunteer retired executives who have organized with their peers under the sponsorship of the Small Business Administration and the Government agency, known as "ACTION," to provide their knowledge, good counsel, judgment and lifetime of experience to help the small businessman to avoid the pitfalls and achieve success in the business world.

As you know, SCORE—Service Corps of Retired Executives—has had the wholehearted endorsement of Congress as a nationwide organization sponsored by the Small Business Administration and affiliated with ACTION, the U.S. Government agency which embraces all volunteer groups such as SCORE, VISTA, the Peace Corps and the foster grandparents program.

On May 9, 1973, the New Jersey Chapters of SCORE will hold its sixth statewide conference at King's Grant Inn, Point Pleasant, N.J., to explore and discuss the needs of the small business community and how their membership can do a better job and help more people. During the past year, more than 1,000 cases were handled by the New Jersey SCORE chapters. May I respectfully request you and my colleagues here in the Congress to join with me today in extending a message of deep appreciation to them in national recognition of their unselfish efforts and continued good works.

This year's all day conference has been organized by the following committees:

COMMITTEE MEMBERS

General Chairman: William C. O'Brien, Piscataway, formerly Vice-President, Ruberoid Company, New York.

Vice Chairman: John D. Long, Chatham, formerly Assistant Manager, Esso Standard Eastern.

Secretary-Treasurer: Joseph A. Dowling, Nutley, formerly Controller, Johns-Manville Corp., New York City.

Program: Theodore J. Ignall, Teaneck, formerly Co-owner, Master Etching Co., Lodi.

Arrangements: Thomas Jones, Sr., Lakewood, formerly Vice-President, Paul Klemptner & Co., Inc., New York City.

Registration: Mary S. Huber, Lakewood, formerly buyer for Mercantile Store Co., Inc., New York City and William Kerchof, Lakewood, former owner Selden Parts Corp., Long Island City, New York.

Attendance: Benjamin M. Van Cleve, Short Hills, formerly Vice-President and Director Sherwin-Williams Paint Co.

Publicity: William L. Rech, Maplewood, formerly Vice-President, D'Arcy Advertising Company, New York City.

Advisory: Henry L. Hurwitz, Fair Haven, formerly Sales Executive with L. Grief & Bro., Baltimore; Joseph M. Price, Marlton, Attorney; Lawrence E. Ruf, Lakewood, formerly supervisor of general accounting, Humble Oil and Refining Co.; and Radcliff Kilbourne, Ocean City, formerly with E. I. Dupont De Nemours.

A special feature of the session will be the presentation of an award to the New Jersey small businessman of the year by Andrew P. Lynch, District Director of the Small Business Administration, who is highly respected throughout our State of New Jersey and the Nation for his most outstanding career and distinguished service to our business community. The recipient of the award will be H. Stewart Warner, president of Warner Woven Label Co., Paterson, N.J., and a highly esteemed member of my Eighth Congressional District of New Jersey. Mr. Lynch will also present service certificates to the following SCORE members:

AWARDS

SIX-YEAR SERVICE AWARDS

William R. Kelty, Bound Brook.
Roy Bellis, Dunellen.
W. S. Lienhardt, Springfield.
Charles Ross, Westfield.
Benjamin Van Cleve, Short Hills.
John Dizer, Upper Montclair.
Harry C. Hahn, Montclair.
James F. Kearns, Montclair.
Nelson Lyon, Whippany.
Frederic E. Sutter, West Caldwell.
Duncan D. Williams, Montclair.
William Friedman, Trenton.
Palmer B. Williams, Lakewood.
Sterling E. Apgar, Bound Brook.
Charles A. Berghoff, Bound Brook.
John H. Nolan, Summit.
Jules F. Valois, Jersey City.
Hugo A. Galligan, Short Hills.
Joseph G. Dorfman, Paterson.
John G. Jewett, South Orange.
Victor Kurbywait, Upper Montclair.
J. W. Stoner, Paterson.
Joseph Wenick, Caldwell.
Victor Leiker, Atlantic Highlands.
Donald K. Mirrielees, Lakewood.

THREE TO SIX YEARS SERVICE AWARDS

Alex Katchen, East Brunswick.
Kenneth Grant, Maplewood.
John D. Long, Chatham.
F. Morse Smith, Upper Montclair.
Wm. C. Heidelberger, Edgewater.
Howard W. Levy, Maple Shade.
Louis Frigarsky, East Orange.
Mayer S. Lederer, South Orange.
W. L. Rech, Maplewood.
Frank B. Heiser, Red Bank.
Thomas H. Jones, Sr., Lakewood.

Mr. Speaker, thank you for the opportunity to call this noble endeavor to your attention today and for the unanimous support of you and my colleagues in joining in this national recognition of these dedicated, industrious members of SCORE, all successful retired executives themselves, who continue to participate in the mainstream of our Nation's commerce, industry, finance and banking ing services through volunteer counseling services to the small businessman and people who contemplate a small business enterprise. We do indeed salute the New Jersey chapters of SCORE.

PROBE ORDERED AT LEXINGTON DRUG CENTER

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. CARTER. Mr. Speaker, when a heroin addict is asked, "If you had all the heroin you would ever need, would you ever break the habit?" the universal answer is "No." My authority for this is Dr. Moe Sievers, Department of Pharmacology, University of Michigan.

For this reason, employment of ex-addicts in any treatment program for drug addiction is fraught with danger. Unless it is positively known that an addict has been completely cured, it is unwise for this ex-addict to be in any program where addicting drugs are available.

I enclose a news article from the Louisville Courier-Journal, by Maria Braden, concerning an investigation of the Government's clinical research center in Lexington, Ky., and the so-called Matrix House at the research center. I trust better direction, supervision, and administration will be conducted by NIMH in the future. If adequate direction, supervision, and administration had been executed by the National Institute of Mental Health, the sordid affair at Matrix House would not have been possible.

The article follows:

JUDGE ORDERS PROBE OF U.S. DRUG CENTER IN LEXINGTON

(By Maria Braden)

LEXINGTON, KY.—A U.S. District Court judge yesterday ordered a complete investigation of the government's Clinical Research Center here for drug addiction and said any judge who has sent people there should be ashamed.

Judge H. David Hermansdorfer issued his order in connection with the sentencing of the former director of one of the units at the center, who was to be given a psychiatric exam before he enters prison.

After a trial lasting almost two weeks, Jon Staten Wildes, 27, former director of Matrix House at the research center was convicted Wednesday of 10 federal law violations.

The judge sentenced him to 36½ years in prison, but noted that he gave the maximum sentence only to provide for psychiatric examination. He said he would reduce the sentence later.

"Earlier in this trial. I signed an order committing a man to the center and I am ashamed that I did it," the judge said in a statement from the bench.

He ordered U.S. Atty. Eugene Siler to conduct an investigation of the center to cover the period that began Jan. 1, 1969, and continuing to the present. He promised court orders for use of any federal agency that is needed.

"Mr. Siler, if you have ever conducted a complete investigation in your life, this had better be one," the judge said.

Hermansdorfer also said he is going to arrange for any patient now at the center to be able to contact him or any other federal judge by telephone if they had something to say.

The research center is the National Institute of Mental Health's sole drug research center for the nation. It formerly was operated by the U.S. Public Health Service and was commonly known as "NARCO."

It became famous years ago when entertainment personalities reportedly were treated there for drug addiction.

Witnesses at the trial told of sex, brutality and bizarre rites that went on in Matrix House, an unguarded halfway house for ex-addicts who were not yet ready to live in society.

Many of those at the research center's Matrix House were sent there by the courts, mostly from east of the Mississippi River.

"Upon accepting these persons, the administrator (Dr. Harold S. Conrad) assumed the responsibility for their care and treatment," the judge said.

"The record suggests that Dr. Conrad permitted ex-addict staff to subject patients at Matrix to traumatic so-called therapeutic abuses approaching a clear disregard for the dignity of the individual patients and their civil rights."

Hermansdorfer vowed that his court would never send anyone to the center as a patient as long as Dr. Conrad was its administrator.

Matrix House was patterned after an experimental program begun in California. It involved various kinds of therapy, freedom of the patients to come and go and a rigid schedule of work for the patients.

However, one patient told of physical and sexual abuse there and the government tried to show that firearms and explosives were on the property.

Wildes was convicted of, among other things, owning guns while a convicted felon, but the government was unable to prove that explosives existed on Matrix House premises.

USE OF "CROSS" CRITICIZED

"Even so, I have no doubt that explosives existed there," the judge said. And he criticized Dr. Conrad for saying he visited the home daily and did not know of the use of the "cross" to abuse patients or nude dancing or the practice of patients dressing in the clothes of the opposite sex.

The nudity and odd clothing were referred to in testimony during the trial. The "cross" was a sort of torture device. Patients were allegedly forced to stand against it while being scoffed at—or worse.

Wildes is to undergo 75 days of psychiatric examination at a federal facility at Springfield, Mo., then reappear before the court here for resentencing.

In a statement issued at trial's end, he said he didn't receive a fair hearing because "Judge Hermansdorfer was obviously biased during the entire trial.

"In my opinion, the jury had specific instructions outside of the courtroom from both judge and prosecutor," he added.

STUDENT AID APPROPRIATIONS

HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. KEATING. Mr. Speaker, on April 26 the President signed into law House Joint Resolution 496, a supplemental appropriation measure which includes $872 million for postsecondary student aid for the 1973–74 academic year. The House-passed version of student aid appropriations was accepted by the House-Senate conference committee.

The supplemental appropriation was desperately needed by postsecondary institutions and students now receiving financial aid. I was pleased to see the support of my colleagues and the President in allowing for the funding of existing programs, supplemental opportunity grants, college-work study, and the national direct student loans, in addition to the new basic opportunity grants.

This law will provide $122.1 million for BOG, $210.3 million for SEOG, $270.2 million for Work-Study, and $269.4 million for the NDSL program. Carryover funds, available for NDSL in the next academic year, bring that total up to $293 million.

The amount earmarked for the new basic opportunity grants may be added to the $210.3 million available for the supplementary educational opportunity grants if it is too late to put the BOG program into operation by this fall.

This swift action by Congress will mitigate the confusion that has been experienced by postsecondary institutions, students, and parents as to the direction of student loans in the coming academic year. It also provides for the introduction of the basic opportunity grants to reach a greater breadth of students.

PHASE III—A DISAPPOINTING FAILURE

HON. ALAN STEELMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. STEELMAN. Mr. Speaker, the President's phase III economic policy is a disappointing failure as evidenced by the performance of prices across a broad range of goods and services. Food is the most obvious area of failure because it is a goods bought daily by consumers. However, the failure extends to most products bought and sold in the marketplace.

The current policy is a halfway policy, one that flirts with both a free market economy and no controls on the one hand; and, on the other hand, seeks to selectively impose controls without going all the way. This is a disastrous policy. The current situation demands either no controls at all, the course which I prefer, or very strong controls for a short period of time prior to returning to a free market economy as a long-range policy.

The action of the Congress approving a 1-year extension of the President's wage-price controls authority is a mistake and I voted against renewing the authority because I feel that the imposition of wage and price controls is justified in only very special circumstances. And, when imposed, they should be strong and for a limited period of time.

The effect of keeping a "lid" on for a sustained period of time is that the pressure builds to a boiling point and boils over in the form of exorbitant wage and price demands once the lid is taken off. Business and labor take the attitude that "it is now time to make up for lost time and catch up." The main cause of inflation is deficit spending on the part of Government and this is where our efforts should rest in trying to establish a congressionally authorized budget ceiling and learning to establish our spending priorities in line with our receipts of revenue.

PENN STATE'S AGRICULTURAL AND EXTENSION PROGRAMS AID FLOOD VICTIMS

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. EILBERG. Mr. Speaker, the Pennsylvania congressional delegation met on April 3, 1973, with representatives of the Pennsylvania State University. Dr. Russell Larson, provost of the university, presented a paper on behalf of Penn State's College of Agriculture. Dr. Larson expressed concern about the impact on the Commonwealth of Pennsylvania of proposals in the executive budget to reduce Federal appropriations for agricultural research and extension. I was deeply impressed with Dr. Larson's presentation and at this time I enter it in the RECORD:

A REPORT TO THE PENNSYLVANIA DELEGATION, APRIL 3, 1973

I am pleased to have the privilege of talking with you again about the programs of the Pennsylvania Agricultural Experiment Station and the Pennsylvania Cooperative Extension Service, both of which are responsibilities of the College of Agriculture of The Pennsylvania State University.

Much has happened since I reported to you more than two years ago regarding our programs under the Hatch and Smith-Lever Acts.

The current budgetary problems are, of course, a serious concern to all of us in this room. The impact of proposed reductions in both state and federal support has been felt by the entire University and the College of Agriculture in particular.

It is not my intention today to give you an "instant replay" of the budgetary hearings and the pressures I know you have all been under.

I will, instead, take a "positive approach" and briefly describe some examples of the real breakthroughs and encouraging results we have had from a number of our research and educational programs.

If I slip in a few commercials for continued public support of these programs, please forgive me. I think I have much justification for so doing.

Our Extension programs in the areas of nutrition, youth work, and rural leadership have made real progress. And we have charted an ambitious course in program designed to protect and enhance the quality of the environment for all our Commonwealth citizens.

I do not intend to imply that we have succeeded in solving all of the problems—economic and societal—that beset our Commonwealth. Only that we may have alleviated some of them and are working on others on the extent that our resources and abilities will allow.

Extension's response to the disastrous June 1972 floods which struck Pennsylvania was a prime example of this organization's ability and true desire to help people in time of need.

The flood waters drastically changed the lives and living conditions of thousands of people—in cities, in rural areas, and in suburbia.

Entire communities were seriously crippled; homes destroyed; businesses ruined; roads and bridges heavily damaged; crops lost; jobs and savings wiped out.

Extension's response was both immediate and long-lasting. The effort is still going on today and will continue as long as rehabilitation work is needed.

We mobilized our state-wide network to get practical information to the people who needed it. Some of the work continued around-the-clock during the flood.

Extension's mass information activities during the crisis included direct telephone flood information reports to radio stations on water purification and flood protection; how to cope with electrical disruptions and avoid hazards when power was restored; and possible salvage of damaged household belongings and appliances.

Three Penn Statte emergency flood information vans, manned by Extension personnel, toured the hardest hit areas of the Wyoming Valley dispensing valuable information on water and flood protection; mildew problems on clothing, bedding and furniture; and care of homes once the flood waters subsided.

The rehabilitation work continues as thousands of flood victims learn to adjust to a new life in temporary housing and trailer parks; or seek to restore damaged farm land, buildings, and small businesses.

The "toll" taken by poverty and the lack of adequate diets is a continuing national concern.

I would like to report on the progress in a program with which you are quite familiar—*Extension's Expanded Nutrition Education Program.*

Nutrition Aides, trained and supervised by Penn State's Cooperative Extension Service, are reaching families from center city to mountain shacks.

The Aides help families to manage better in shopping for, preparing, and storing foods. Families are also encouraged to use the Food Stamp program or commodity foods.

Today in Pennsylvania there are 320 Nutrition Aides working with more than 15,000 families in 53 of the Commonwealth's 67 counties. They are working on a "one to one" basis and in group meetings.

They are succeeding because they "know" the people, and, more importantly, they can identify with the problems and communicate with the people who they serve.

Forty professional Nutrition Assistants have been added, through continued Federal support, to work with disadvantaged youth in low-income rural and urban communities.

The total number of young people reached by this program since the youth phase began is more than 30,000. Nearly 1,000 volunteers were recruited from the neighborhood where they live and work to help with this successful effort.

Through our current TV series called "Mulligan Stew," started in January 1973, the message of good nutrition has reached more than 125,000 children from all income levels in the 9–12 age group.

This "Sesame Street" approach through the television media is a USDA sponsored series utilizing professional actors and coordinated learning materials mailed to the viewers.

Pennsylvania, through cooperative efforts of the 4-H program and the elementary schools, is one of the first states in the nation to use this educational series.

After four years of work and growth with the Extension Nutrition Education program, we can report substantial service as measured by the improved dietary habits of low income people.

There has also been marked success in family money management; improvements in living conditions; and a notable stimulation of personal pride and achievement among these disadvantaged people.

Rural Development—Pennsylvania has the highest rural population in the nation—more than three million people according to the 1970 census.

This represents a large number of people with many critical needs.

Despite these large numbers, rural Pennsylvania is losing its population in a steady stream. Between 1960 and 1970, more than 400,000 people out-migrated from Pennsylvania. (The highest rate in the nation.) All but 50,000 of these people came from rural areas of the Commonwealth.

Many of the young, talented and potential leaders have joined in this migration—out of the rural areas and out of the Commonwealth. And in an urbanized nation whose rural and urban problems are so directly related, the revitalization of our rural areas is becoming increasingly critical.

Extension is assisting communities and entire regions to evaluate their situations and to take stock of both their human and natural resources.

This rural development effort includes working with local government officials, planning and zoning commissions, authorities, and groups of concerned citizens seeking solutions to land-use problems, municipal waste disposal, needed community services, and the dangers of environmental pollution.

The "grassroots" public affairs educational program designed to train rural Pennsylvanians in effective community leadership was launched in 1970. The W. K. Kellogg Foundation provided a grant of approximately $500,000 to expand this activity during a five-year period.

Nearly 300 rural adults, approximately 25 to 40 years of age, have participated in this unique program. The training is open to anyone, regardless of completed formal education. Participants must have the potential for leadership and a desire to take an active part in tackling rural problems.

From three groups of first-year program participants, a smaller number is selected for a second and third year of training. Each group receives 20 days of intensive training per year.

Second year groups travel to Washington for first-hand exposure to governmental operations at the Federal level.

A number of you visited with these young rural leaders two weeks ago. They came back quite impressed and "said" they had discussed a number of issues with Senator Dick Schweiker, Congressmen Dan Flood, Joe McDade, Joe Vigorito and E. G. "Bud" Shuster.

Participants in our Public Affairs Leadership program have returned to their communities armed with additional knowledge in areas of economic development, governmental structure, communications, the provisions of human services, and rural-urban interdependencies.

They are putting this knowledge to good use in helping to solve the complex problems faced in rural Pennsylvania.

Training under the Kellogg Grant terminates in 1975. A leadership packet, being developed from the training and experiences of this five-year program, will be made available to our County Extension offices, for the continuation of the basic aspects of this program.

More than 1.3 million Pennsylvanians had direct contact with the Extension Service in the fiscal period ending June 30, 1972. Individual assistance was offered to 960,000 persons—an increase of 28% over the previous year.

The 4–H youth program alone attracted 600,000 young people to meetings and provided individual assistance to 170,000 youngsters. Twenty-five percent of our total Extension staff time is devoted to youth work.

Extension has changed as the needs of the people have changed. But we believe Extension's "sense of purpose" remains the same as it was more than 50 years ago.

AGRICULTURAL EXPERIMENT STATION

The Pennsylvania Agricultural Experiment Station is actively engaged in a large number of problem-oriented research projects.

Many of these projects would be seriously reduced or eliminated if the proposed Executive Budget decreases materialize. (I will comment on this situation at the conclusion of this presentation.)

I would like to report now on some recent and substantial accomplishmenst from our research efforts.

Corn Leaf Blight—Some of our research resources were diverted from other problem areas in response to the corn blight emergency in 1970. Penn State scientists strongly advocated in 1971 that the Deep South be planted only to resistant hybrids to avoid another epidemic. The South was virtually devoid of sterile susceptible materials in 1971 . . . and as you know . . . the blight epidemic did not materialize in 1971 or 1972.

If corn blight taught us anything, it should be that curtailment of the research effort could have disastrous consequences when we are called upon to cope with future problems of an exceedingly critical nature.

Stone Fruit Disease—Since 1967, Pennsylvania fruit growers have lost an estimated 90,000 peach trees as a result of prunus stem pitting. This represents a dollar loss in excess of $600,000.

At the same time, losses of other stone fruits, including cherries, plums, nectarines and apricots, have been in excess of $220,000; and fruit tree nurseries report a five-year loss of nearly $225,000. This disease has cost the Commonwealth well over one million dollars . . . and this loss would have continued to multiply had it not been for Penn State fruit research efforts.

Intensive research on this problem has been underway at our new Fruit Research Laboratory in (Biglerville) Adams County. The results of these studies, some so current they are as yet unpublished, indicate a real breakthrough.

The casual agent of stem pitting has been definitely identified as tomato ringspot virus. The vector carriers of tomato ringspot virus which are present in Pennsylvania orchards and fruit tree nurseries have been identified as nematodes.

Armed with this new knowledge, our staff, in cooperation with the Pennsylvania Department of Agriculture, has developed a workable control program aimed at reducing losses due to stem pitting.

Peach nursery stock grown under the guidance of this control program lost only two-tenths of a percent of the trees to stem pitting as compared to the average yearly loss since 1967 of 31 percent.

Since the few trees which had stem pitting were discarded, the control program essentially eliminates stem pitting in Pennsylvania peach nurseries. With continued research and control efforts, this disease should become a thing of the past.

Our total investment in stem pitting research amounts to $154,000 over a five-year period. We believe the return on this investment will amount to several millions of dollars in savings to fruit growers, nursery stock producers, and ultimately to the consumers of Pennsylvania fruit products.

Dairying is still, by far, the leading agricultural industry in Pennsylvania. Cash farm income from milk produced by Commonwealth dairymen in 1971 totaled nearly 466 million dollars . . . or approximately 43.6 percent of total raw product farm income in the state.

Bovine Ketosis is a "disease of progress" which afflicts only the better cows. Basic Penn State research probed the disturbed metabolism of dairy cows afflicted with this disease. It was shown that there was a defect in fat metabolism in ketotic cows.

Our scientists found that those animals with the genetic potential for high milk production responded to dietary supplementation with *methionine* by producing more fat and total pounds of milk. Milk increases of 800 to 1,000 pounds per cow during a lactation were recorded in a number of herds using this supplement.

The use of methionine offers a $5 to $6 return for every $1 spent. This represents a potential benefit to Pennsylvania dairymen of 20 million dollars per year.

Several large chemical companies have field trials underway to further test the milk production increase. The results of these field trials are also excellent.

The research leading to the discovery of methionine as an effective response to bovine ketosis spanned a four-year period and represents a $54,000 investment. To my mind, when 20 million dollars for Pennsylvania alone can be realized from $54,000 investment, the returns are good.

Mushrooms Research—Can our research and educational programs save an industry? We think so.

Pennsylvania produced 61 percent of the total United States mushrooms crop during 1971–72. The cash-value of this production was 64.4 million dollars. Those who represent the southeastern Pennsylvania mushroom production areas are fully aware of the importance of this industry.

Mushroom growing and processing have been and continue to be a labor-intensive industry which today employs close to 10,000 people.

Although there are only about 500 mushroom growers in Pennsylvania, the industry represents an important segment of our agricultural economy.

During the past decade, countries with an inexpensive labor supply—in particular Taiwan and Korean—began to grow and process mushrooms for export. As of the end of 1972, imports accounted for 58.8 percent of the total supply of processed mushrooms.

It was obvious that Pennsylvania growers had to meet this competition with more efficient production methods or go out of business.

This is what Penn State has done to assist the mushroom industry in Pennsylvania:

1. In 1965–66, an engineer and two biologists on our Penn State staff developed a forced-air ventilation system for mushroom growing.

2. An original Penn State proto-type machine to spawn beds of mushroom compost was introduced in 1966–67.

Commercial models of both the ventilation system and the spawn machine are now available and are being used by the mushroom industry.

3. An agricultural engineer is currently working on a proto-type mechanical mushroom harvester. Time will tell if it will become commercially feasible and available. It looks promising.

4. Processing research at Penn State has demonstrated that on a commercial basis, loss due to mushroom shrinkage during processing can be reduced at least 10 percent.

5. It has been found that fruiting stimulators (vegetable oils) to compost will increase production a *minimum* of 15 percent, a fact verified by commercial use.

6. Our plant pathologists announced early this year the discovery that a new fungicide named benomyl is capable of increasing mushroom yields by as much as 48 percent. By controlling a disease known as verticillium spot, or "dry bubble," benomyl could add more than 100 million pounds to Pennsylvania's annual harvest of mushrooms.

Such increased production would mean four million additional man hours of work and an increase of at least 15 million dollars to the economy of the Commonwealth.

7. To meet the critical international competition of which I spoke, a Penn State scientific team composed of an engineer, a biologist, an economist, and an entomologist worked for two years to design, construct, and plan the maintenance and operation of a mushroom test demonstration facility.

This small-sized pilot plant combines all of the advances in technology which have been developed over the past ten years, it has already offered answers to questions asked for years by growers and processors.

Using this pilot plant as a model, one large commercial plant has been built and is in production in Pennsylvania. Two other plants are in the final design stages, incorporating many of the features demonstrated in the Penn State facility.

We believe this total effort has contributed significantly to the saving of an important Pennsylvania industry.

CONCLUSION

Many significant research programs are now in jeopardy. The severity of the proposed executive budget reductions for agricultural research and development will make it necessary to reduce some projects, abandon many, and to postpone initiation of others. As you may know, the President projects a 1974 budget for research and development which reduces the amount to state stations from $75 million to less than $60 million—a cut of 21 percent. For Pennsylvania, it would mean a reduction of $631,885 of what has been continuing support since first initiated by the Hatch, Smith-Lever, and related Acts.

I have requested that our Experiment Station and Extension Administrators provide a brief summary of specific reseach programs where they will need to program budget decreases which will result in the termination, or serious curtailment, of significant research projects.

A copy of this summary will be provided for you, along with a copy of my comments today.

We strongly believe the Agricultural Experiment Station and Cooperative Extension Service at Penn State contribute to many segments of Pennsylvania's economy and the Commonwealth's citizens as a whole. Every dollar invested returns hundreds in dividends—both in economic and social benefits.

I listened to the President's message last week, urging that his executive budget be approved, and expressing concern about increased government spending. He justified military budget increases based on the need to negotiate world peace from a position of strength. I agree with this philosophy, but wish to point out that one of the greatest weapons in the U.S. arsenal is its ability to produce an abundance of food. The trouble is—it is taken for granted, which we simply cannot do.

1. It isn't only a matter of fortuitous circumstances that the U.S. farmer can produce—

over 100 bushels of corn per acre;

16,000 pounds of milk per cow in ten months;

275 eggs per hen; and

8 to 12 tons of concord grapes per acre.

Or that the average family, even today, needs only spend 17 percent of income for food.

2. But, it took 35 years from the inception of the idea for hybrid corn to farm adoption.

It took 25 years for Dr. Borlaug to develop his miracle wheats—and that with excellent support.

It has taken 50 years to develop cattle and management practices to obtain the high production and efficiency we now expect.

3. These developments require know-how, hard work, patience, and continuing effort.

4. If they had not been done, we would be like other nations of the world where man spends 40 percent or more of income for food.

5. In my opinion, no expenditure of federal dollars has returned as much on the investment made, unless it was the Alaska purchase.

6. We are no longer in a food surplus situation in the U.S.

7. If we do not sustain at least the level of present effort, we could indeed be performing a hysterectomy on the goose that lays the golden egg.

We hope we can count on you, as our representatives at the federal level and as fellow Pennsylvanians, to make every effort to restore these essential funds and keep future funds from impoundments that will disrupt our ongoing programs.

Thank you for listening.

KAISER STEEL COMMENDED FOR WATER CONSERVATION SYSTEM

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. BROWN of California. Mr. Speaker, a mild tempest recently erupted when Mr. William Ruckelshaus, Administrator of the Environmental Protection Agency, implied that the Chrysler Corp. had not made good faith efforts to meet exhaust emission control standards in the design of its automobiles. Frankly, I do not believe that any of the big three—GM, Ford, or Chrysler—are making truly exhaustive efforts in this area, but that is another matter.

Industry spokesmen complain bitterly that their efforts to clean up the environment generally go unrecognized, that we only talk about their efforts—deliberate or otherwise—to pollute our planet.

Therefore, I take pleasure in reporting that I have been informed of an effort by industry to conserve natural resources, and I would like to share the knowledge with our colleagues. The San Bernardino Sun-Telegram, in an editorial which ran on April 3, pointed out that the Sports Foundation, an organization of water sportsmen, complemented Kaiser Steel for Kaiser's water conservation efforts. The text of the editorial is as follows:

GOOD FOR KAISER

It is pleasing to give Kaiser Steel Corporation in Fontana, whose operations are often the target of criticism by environmentalists, a pat on the back for its efforts toward resource conservation.

Here it is.

The Sports Foundation, an organization of water sportsmen, annually presents an award to honor companies who have made significant contributions in water pollution control and related water conservation and development.

For 1972, Kaiser Steel was among the finalists. Of the firm the foundation said:

"Kaiser Steel has developed a system which gets more use out of a gallon of water than has ever before been achieved in the history of the steel industry.

"One gallon of water is used up to 42 times.

Only 1,100 gallons of make-up water are used per ton of steel—as compared with an industry average of 40,000 to 50,000 gallons per ton of steel produced.

"Ecologists point out that effective water conservation is as important as pollution abatement in contributing to a better environment, and companies which have made strides in this direction deserve special commendation."

This, for Kaiser Steel, is well earned.

HEALTH CARE

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. WALDIE. Mr. Speaker, I was most impressed with a letter sent to me by Dr. Herbert Dörken, chairman-elect, Committee on Health Insurance, American Psychological Association.

In his letter, Dr. Dörken gives a clear comprehensive yet concisely written description of the emerging problems facing the health system in our country:

AMERICAN PSYCHOLOGICAL ASSOCIATION,
Washington, D.C., March 26, 1973.

Hon. JEROME R. WALDIE,
The House of Representatives, Cannon House Office Building, Washington, D.C.

MY DEAR REPRESENTATIVE WALDIE: Since our discussion regarding federal employee direct access to psychologists for health service, I have given considerable thought to the emerging problems facing health manpower training, health research and the delivery and distribution of comprehensive health (including mental health and rehabilitative) services on a national basis.

There are a variety of interlocking problems together with the fact that needs and resources vary considerably among states and locally, that increased support and availability of health services is publically wanted and that there is a mounting sentiment for local determinism. To channel all health funding to states will not, in my view, solve the situation. Dealing with fifty small bureaucracies is very unlikely to be better than dealing with the federal bureaucracy. There will be a problem of establishing effective minimal standards; there is pragmatically the consequence that the more hands money must pass through to its program objective, the less will filter through; there continues to be a need for new knowledge in the health field which knows no local boundaries; finally, there is the reality that the major health professions are characterized by high mobility.

How best to accommodate to all these exigencies? A national health insurance plan would seem to be the only realistic basis, but only if program implementation, that is, the delivery of health services, meets certain criteria:

(1) Given minimal standards, there must be a choice for beneficiaries, *a pluralism of service delivery models*. I have in mind a healthy competition, avoidance of monopoly, and respect for individual preference.

(2) Local resources and health needs vary widely across the country and will only be addressed if there is opportunity for local determinism with *consumer representation*. While I favor a private non-corporate model for service delivery under the administration (not simply the advice) or a broadly representative public board, I am convinced that special incentives, contracts and local determination of need will be required to effect some redistribution of manpower and perhaps more important, to secure new services and staffing for underserved areas.

(3) Knowledge knows no geographic boundaries, on the one hand, and our knowledge of the etiology and effective treatment of all health disabilities, on the other hand, is quite incomplete. *Research* support whether basic or applied should be accorded on a basis of merit. Clearly the quality will be better in a national than an intra-state competition. Thus it makes no sense to dismantle a federal review panel basis for according priority support to health research proposals of merit. Rather than retaining the present categorical funding for research, I believe funding should be allocated in blocks to designated major health problems (including mental disorder) according to their frequency, with only limited funding for studies of rare or esoteric problems.

(4) The training and continuing education of all health professions must be provided for and can be done far more effectively under an embrella provision than the many separate provisions now extant (Health Manpower Training Act of 1971, Uniformed Services Health Professions Revitalization Act of 1972, the Veterans Administration Medical School Assistance and Health Manpower Training Act of 1972, the Education Amendments of 1972 (higher education) and segments in a variety of other legislation, e.g., as proposed in the Rehabilitation Act of 1972. While state input is essential, realistic indices of national manpower need must be developed, the level of existing manpower resources determined and provisions established to influence future redistribution and coordination.

(5) The biological aspects of health and disability have too often been the exclusive focus or have preempted attention from the frequently concurrent or primary *psycho-social factors*. Published studies whether of pediatric practice, surveys of working adults, studies of the elderly or studies of the economically or medically indigent usually show that in over 50% of the cases the critical presenting health problem is of psycho-social origin. Neglect of the emotional, mental, nervous, behavioral or social competence of the individual results in a neglect of serious health problems, on the one hand, and their being misconstrued in terms that limited health benefit policies will honor, on the other (the program follows the dollar, so to say).

Thus any national health plan which does not provide sound coverage for mental disorder is grossly short sighted and bound to be a cost-benefit failure from the start. Another purpose in emphasizing the psychosocial factors is to stress ambulatory rather than hospital or institutional care, facilitate early intervention rather than waiting for disabilities to reach the point of being grossly disabling and provide incentive and funding for health education prevention and control rather than over-reliance on chronic public care.

(6) Ongoing *utilization review and program evaluation* should be accepted as an integral component (and cost) of any health service. Cost benefit and quality control determination, peer review of practice and utilization, provider assumption of risk and prepaid support of a designated comprehensive health benefits package are all means for achieving greater efficiency and effectiveness.

Bringing it all together then would be a national health insurance plan which would support a plurality of health delivery system models (provided they are competitive and maintain quality) such as the closed panel salaried group practice model, a federation of fee for service practitioners (both with interlocking access to ambulatory care and residential facilities), or a comprehensive HMO with its own resources and staff whether publically administered or as a private partnership or on contract. Portability of benefits must also be a feature.

But the premium or funds generated to support national health insurance must not simply support the health services per se, but the manpower training, research and public health approach that is an essential base for any health care. In effect, each enrollee's premium would include the cost of health services and inherent training, research planning and education This would intend that health services, broadly conceived, become both integrated and fully supported by their activity. This is in contrast to the current categorical approach and such practices as in Medicare of auditing out costs of training and research from patient care. For those employed, the premium could be paid in whole or part by the employer; for those retired, through Social Security, and for the indigent, through social welfare. Nationally, 34% of personal health care was paid by public funds, 41% by fees and private funds, 24% by insurance benefits.

The type of broad support base I am suggesting would enable sound national planning, yet preserve individual choice and be responsive to local consideration. No less important it ought to enable a more effective cost-benefit yield In 1972, the country spent 83.4 billion on health care or 7.6% of the GNP (*Newsweek*). This is enough to pretty nearly buy two premiums to Kaiser or like comprehensive health service for each citizen! Such a situation suggests there is room—and long overdue—to reconceptualize, revitalize and reorganize the entire health care delivery system.

Inclosing, and for some of the points raised above, I believe it is important that the profession of psychology (together with the other major and nationally established health professions) ought to be an integral component of any broad health program and in all its ramifications. I would appreciate your reaction to this proposal.

Sincerely yours,

HERBERT DÖRKEN, Ph. D.,
Chairman-Elect, Committee on Health Insurance, American Psychological Association.

A COMMENDATION FOR A JOB WELL DONE

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. ANNUNZIO. Mr. Speaker, for their service in drug abuse prevention in our community, the 11th Congressional District of Illinois, which I am proud to represent, I wish to commend Mr. Steven Busch, area drug abuse program coordinator; Mr. Joseph Manak, director of the North River Mental Health Center; Mrs. Eleanor Nemcek, president of the United Independent Community Associations—UNICA; and its health chairman, Mrs. Eleanor Rosenberg, who is also the drug abuse program chairman to the Community Mental Health Advisory Board of Chicago.

These four dedicated people have devoted their abundant energy to drug abuse education and prevention in our schools and in the community. The strength of this program has been the sensitivity of the workers to the needs of the community and their close contact with our school-age young people.

This program has been a success and

both students and teachers would like to see an expansion of this effort. It is most deplorable that the National Institute of Mental Health has denied funds to the Chicago Board of Health for a continuation of this program.

PHILIPPINE GOVERNMENT'S PROPOSED TRADE BARRIER

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. BURTON. Mr. Speaker, I have long and consistently been a free trader. However, a recent development will intensify the problems of those of us who favor free and fair trade in the legislation under consideration in the Congress.

It has been called to my attention that the Philippine Government is proposing to drastically increase the preference given to processors of copra in the Philippines through a significant increase in the export tax on copra. Presently Philippine Islands processors enjoy a tax preference of approximately $3.25 per ton. The proposed tax would increase their advantage over U.S. processors by a $16 per ton tax preference. That would raise the preference from 2 to 8 percent in favor of the Philippine Island processors over U.S. processors.

The purpose of this proposed Philippine legislation is to insulate Philippine processors from outside competition. I am advised that the processing plant in my district in San Francisco will close if the new tax is enacted. The San Francisco facility employs directly 70 people, 30 of whom are minorities. In addition, there are approximately 50 indirect jobs affected such as longshoremen, teamsters, clerks, et cetera.

The income to the Port of San Francisco from wharfage and dockage on 150,000 tons of copra imports is $115,000 annually. This loss of revenue in addition to the loss of wages and salaries will drastically affect an important segment of the economy of San Francisco.

Mr. Speaker, you are aware of the recent decision by the Department of Defense to close the Hunter's Point Naval Shipyard eliminating over 5,000 jobs in the Hunter's Point area. The San Francisco copra processing plant is located in the Hunter's Point area.

The present export tax on copra and byproducts has brought about an increase in the processing of copra in the Philippines from 594,864 tons in 1969 to 1,013,548 tons in 1972, an increase of 70 percent in 2 years.

By forcing all importers to import only coconut oil and coconut meal from the Philippines, a monopoly by the Philippine processors would be developed and when monopolies exist prices increase and efficiencies are reduced.

It is in the best interest of the United States to have competing processing plants in the United States in order to insure efficiencies and economies in production with resulting competition in price for users of copra byproducts. I understand that the European Economic Community is similarly concerned about the discriminatory and unfair tax and like our State Department, has actively resisted the increase that is proposed.

Mr. Speaker, it seems to me that the Philippine Government is being very shortsighted in this matter particularly in view of the forthcoming treaty negotiations which involve many concerns of much larger magnitude than this single product.

Mr. Speaker, for these reasons I am calling this matter to the attention of the Congress with the sincere hope that the Philippine Government can be made adequately aware of our concern so that reason can prevail and this discriminatory and highly damaging tax proposal will be abandoned.

POSTAL SERVICE

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. CORMAN. Mr. Speaker, during current hearings by the Postal Service Subcommittee of the House Post Office and Civil Service Committee I testified concerning Postal Service in my congressional district. With your permission I would like these remarks submitted for inclusion in today's RECORD:

TESTIMONY BEFORE HOUSE POSTAL SERVICE SUBCOMMITTEE BY THE HONORABLE JAMES C. CORMAN, OF CALIFORNIA

Mr. Chairman: I appreciate this opportunity to speak about the dissatisfaction with mail delivery in my Congressional district. My district covers a large part of the San Fernando Valley in Los Angeles, California. I know that I have much the same thing to say as so many of my colleagues. Yet I must voice the frustration and anger of my constituents to emphasize a need to scrutinize and improve present Postal Service operations.

The most common theme of my many letters on this subject is, of course, tardy mail delivery. One constituent wrote that a bank deposit destined for a four and one half mile trip between Reseda and Tarzana took seven days.

A businessman wrote that after nine days an important business letter from Van Nuys to Burbank, a distance of ten miles as the crow flies, had not yet arrived. Meanwhile, he had to duplicate the letter's contents and deliver it by hand.

Perhaps those most hurt by poor delivery of the mail are the elderly. Many of our senior citizens are somewhat housebound due to fixed incomes and inadequate public transportation. They may also not have family or friends nearby to visit. Thus, much of their communication with the world is by mail—mail to and from loved ones and mail telling them about the course of events played out beyond their doors.

One lady in my district who is seventy-one years old and paralyzed by a stroke wrote that she sits very day, all day waiting for her mail. Letters from her family in Pennsylvania take over eight days on the average to reach her. She wonders whether such service is worth eight cents. I tend to wonder myself.

Besides tardy mail delivery I have received increasing numbers of complaints about lost packages. I can understand a package being lost once in a while with even the most ideal postal system. But surely it should be rare.

The Postal Service Postmaster General, E. T. Klassen, said recently that he has worked hard during the last two years to cut his organization's expenditures. In accomplishing this goal he reduced the Postal Service by 100,000 or fourteen percent of its employees. Now the American people pay the price of inadequate service.

It costs a bank patron to pay late charges on a loan deposit that should have arrived on time. And it certainly costs a businessman to duplicate his mail. The price of poor mail service for the elderly is incalculable.

Mr. Chairman, I hope my comments today will encourage you and other committee members to press for solutions to the critical problems of mail service at the earliest possible time.

POINTING THE WAY

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. GAYDOS. Mr. Speaker, an event which could prove to be of monumental importance to the American people now and in the future took place in Pittsburgh the other day when the United Steel Workers Union and the so-called Big 10 steel companies agreed on a plan to end nationwide steel strikes.

I feel this agreement has failed to gain the national attention it merits and would like, therefore, to bring it in some detail to the eyes of the Members of Congress. It could open the way to a new era of industrial peace and progress.

Under the agreement, worked out principally by I. W. Abel, president of USW, and R. Heath Larry, chief negotiator for the steel firms, all issues, if any, remaining in dispute in next year's contract negotiations will be submitted after a set date to binding arbitration. The arbitration board would be made up of one member from the union, one from the companies and three selected by both sides.

In other words, there will be no nationwide steel strike. And the corollary of this is that, in advance of the 1974 negotiations, there will be no steel stockpiling in fear of a strike or a further turn of buyers to foreign producers to assure a continuing supply. Neither will there be a steel business turndown that usually follows periods of heavy "hedge" buying—that is, the "boom-bust" cycle which has cursed the industry in the past.

This is the crux of what Mr. Abel and Mr. Larry have entitled the "experimental negotiating agreement" and, if it works, the plan could become the pattern for other unions and companies and thus remove from the industrial scene those costly strikes which hurt everybody.

The new Pittsburgh agreement could turn out to be the new method of reaching contracts. We can hope so. The men who worked it out to mutual satisfaction acted in the highest sense of labor and industrial statesmanship and they deserve public commendation. It is gratifying that their pact was approved with marked enthusiasm by 600 union delegates, representing the 400,000 basic steel employees, at the meeting in Pittsburgh.

What are the main provisions? A specific timetable is set for the 1974 negotiations. The talks must start by next February 1. Any issues unsettled by April 15 must go to arbitration. All issues must be disposed of and arbitration decisions handed down before July 31 when the agreement expires. Future agreements will be determined by next year's experience. If the plan succeeds, then hopefully it will be continued in the contract years ahead.

There are other provisions, including at the outset an agreement on a 3-percent wage increase each year of the 3-year contract and a $150 bonus for each worker to be paid at the beginning of the 1974 contract. The pay boost is to be considered merely as a floor and not as any indication of what the union may ask next year. The bonus is explained as a way of sharing with employees the economic advantages which the companies will gain by eliminating the hedge buying by strike-fearing customers.

The historic nature of the overall agreement is best told perhaps in statements given the news media by Mr. Abel and Mr. Larry following ratification by the union representatives. The companies had previously given their assent.

Said Mr. Abel:

> We have today embarked on an unprecedented experiment that we think will prove there is a better way for labor and management to negotiate contracts.

Added Mr. Larry:

> This experimental agreement should work for the union, the corporations, the customers and the nation.

It could also, I might add, lead to industrial stability generally, the kind we need to meet in part the foreign competition which has claimed far too large a share of our markets and, in the case of steel, taken one-fifth of the business and cost scores of thousands of plant jobs.

My hope is that other industries will follow steel's lead so that American industry as a whole may begin a new chapter of labor-management affairs with national strikes as things of the past. The steel pact, it needs to be noted, does provide for individual plant strikes but only after secret ballot and with Mr. Abel's approval. A damaging nationwide strike is banned.

What will the other major unions do? This of course is today's big question. Mr. Abel said in Pittsburgh that he is sure others have been watching the steel agreement and also that George Meany, AFL-CIO president, has expressed keen interest. These could be signs of a better future for all of us.

LAW DAY: A NATIONAL IRONY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. RANGEL. Mr. Speaker, it is ironic that today, amid the scandal of Watergate, we celebrate National Law Day.

Let us dedicate this day to the residents of the White House and the members of the executive staff who thought they were above the law. Let us remind the departed advisers of the President, the former head of the FBI, and the former Attorney General that they, like all citizens in this country, must be subject to the judgment of the law.

The Nixon administration has destroyed the hope and confidence that so many Americans had heretofore placed in the political process. It is the uncompromising judicial procedures followed by Judge John Sinca and the grand jury investigating Watergate that are beginning to restore that faith.

Let us, today, renew a pledge to stand firm on the side of equal justice under law and hope that someday soon we can become a law-abiding and peace-loving people, from the President on down.

FIRE CHIEF "MANNY" RODRIGUEZ

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. STARK. Mr. Speaker, I want to recognize an outstanding public servant from my district in California on the occasion of his retirement.

Few persons in fire protection work deserve higher praise and admiration for their professional efforts than the fire chief of San Leandro, Manual "Manny" Rodriguez.

For more than 30 years—the last 19 as chief—Manny Rodriguez was instrumental in guiding the San Leandro department from a small, one-station service with six paid firemen and 30 volunteers to a modern, efficient five-station department with 85 paid firemen.

Chief Rodriguez was faced with the responsibility of providing fire protection to a city that more than doubled its size practically overnight through annexations.

When he started as a fireman in 1942, the department had three wooden-spoked fire engines to protect 6 square miles. Today, it protects 15 square miles with nine pieces of the most modern equipment available.

Chief Rodriguez entered the department as a fireman in 1942. He was promoted to lieutenant in 1948, assistant chief in April 1954, and chief in June 1954.

He has been an active member of numerous fire service organizations both internationally and locally for many years. Some of the positions he has held are: president, fire chief section, League of California Cities; president, California Fire Chiefs Association, northern division; president, California Fire Chiefs Association; president, Alameda County Association of Firemen; member, board of directors of the San Leandro Boy's Club; member, Fire Science Advisory Committee, Chabot College.

He presently holds the position of secretary-treasurer, Western Fire Chiefs Association which is a division of the International Association of Fire Chiefs. He intends to retain this position after retirement just to keep "involved."

Chief Rodriguez was a leader in overcoming the problems faced with phenomenal growth, including relocation of stations, centralized communications, construction of a training center, adding personnel, equipment, and apparatus. Not only were these problems solved but through his successful administration the city's insurance classification was reduced from a four to a three in 1971, which means better fire protection at lower insurance rates.

In addition to his leadership qualities, Chief Rodriguez has a warm, friendly manner which has made him one of the most popular servants in San Leandro history.

COMMUNITY EFFORT PAYS OFF

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. WILLIAM D. FORD. Mr. Speaker, as we prepare to mark the observance of National Hospital Week—May 6–12—I would like to take this opportunity to pay public tribute to the Peoples Community Hospital Authority, which serves most of the communities in my congressional district, and several others in both Wayne and Washtenaw Counties.

The authority—known as the PCHA—was formed by 22 communities in 1945, to provide hospital facilities in an area which then suffered a dangerous shortage of hospital beds.

In the intervening 28 years, the PCHA has constructed four modern hospitals, is planning a fifth, and has set an outstanding example of how small communities, working together, can build health care facilities that none could individually afford.

Served by the authority's hospitals today are some nearly 1,000,000 persons in the communities of Allen Park, Dearborn Heights, Ecorse, Flat Rock, Garden City, Inkster, Lincoln Park, Melvindale, River Rouge, Rockwood, Romulus, Southgate, Taylor, Trenton, Wayne, Westland, Woodhaven, Ypsilanti and the townships of Huron, Sumpter, Superior, Van Buren and Ypsilanti.

The hospitals are Annapolis Hospital, in Wayne, with 294 beds; Beyer Memorial Hospital, Ypsilanti, 170 beds; Outer Drive Hospital, Lincoln Park, 297 beds, and Seaway Hospital, Trenton, with 233 beds. A new hospital with 232 beds is to be built in Taylor.

During fiscal year 1971, these hospitals provided more than 300,000 days of patient care, and delivered nearly 6,000 babies. More than 100,000 persons received care in emergency wards, which are open 24 hours a day, 7 days a week.

Although rising health care costs are becoming a national problem, room service charges and costs for other services in PCHA hospitals are among the lowest in the entire Detroit metropolitan area.

The PCHA was formed under the Michigan Hospital Authority Act of 1945, which specifically permits communities to band together for the construction, operation and improving of community hospitals. Under the provisions of the act, the PCHA collects an assessment equal to 40 cents for each $1,000 of assessed valuation in each member community. This assessment has enabled the authority to issue bonds for construction of the hospitals.

The PCHA operations are conducted by a board of directors consisting of 39 delegates named by the member communities on the basis of their population, and seven at-large delegates named by the other board members. Today, Mr. Speaker, the PCHA is one of the largest multi-unit health-care delivery systems in the United States. It is also one of my area's largest industries, with 2,700 employees whose annual salaries exceed $21 million. There are about 500 physicians and surgeons on the four hospital staffs.

I am very proud of this record of accomplishment, and on behalf of my constituents who are served by the PCHA, I am proud to bring the PCHA story to the attention of my colleagues.

THE NEED FOR PRISON REFORM

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. WALDIE. Mr. Speaker, in the past several years we have seen a new recognition of the need to reform our basic institutions. Our schools, legislatures, our churches, have felt the effects of this reform movement.

One institution that is sadly lagging behind in this reform effort is the prison system of this Nation.

Mr. Speaker, the tragedy of Attica horrified and angered the Nation—and rightly so. However, with the passing of time, the lesson we should have learned from Attica is becoming dim in the public's consciousness.

Hearings held by the Select Committee on Crime revealed some of the sources of the situation, not only at Attica but at many, many of the prisons and penal facilities in every State of the country.

Mr. Speaker, I reintroduced yesterday legislation designed to improve Federal, State, and local correctional facilities by setting minimum standards and by providing increased Federal assistance in the form of correction centers to be built, operated, and eventually turned over to the States.

The correctional center to be constructed under the provisions of this bill will bring about a dramatic and vitally necessary shift in correctional attitudes. The huge prisons with overworked and underpaid staff personnel and insufficient training and rehabilitation facilities are dangerously outmoded and unsatisfactory to the needs of our society.

Mr. Speaker, we must do something to bring about prison reform. I am hopeful that Congress will give this legislation its full consideration.

RECONSTRUCTION AID TO NORTH VIETNAM

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. YATRON. Mr. Speaker, Richard Nixon, in his second inaugural address, January 1973, said:

> Let us encourage individuals at home and nations abroad to do more for themselves. . . . In the challenges we face together, let each of us ask, not just how can government help, but how can I help?

We are now starting along the arduous and difficult road leading toward reconciliation in Vietnam. The many years of war have created bitterness and wounds which will take a long time to heal. But we hope that the killing and destruction will cease; that the children of Vietnam will be able to grow without fear; that the nights will no longer mean terror and anguish, but rest and quiet; that the days will no longer be filled with the clamor of war and the fleeing of refugees, but with work in the rice fields and the rebuilding of devastated towns and villages.

The war has been going on for many years and its aftermath is terrible. Eight million tons of bombs have been dropped since 1965—three times more than the Allied forces dropped on all fronts throughout the Second World War. We do not know with certainty the exact number of individuals who have been killed or wounded. However, according to American sources, the number of dead and wounded combatants is 2.8 million. The number of civilians killed in South Vietnam alone is estimated at 400,000; the number of wounded at 900,000; and the number of refugees at 8 million which is nearly half of South Vietnam's population.

It is not often realized that most of this incredible bombardment, destruction, and loss of life fell not on North Vietnam but on the South; on the territory of our ally, and the greatest destructive impact of the war has been on the land and people we sought to defend.

We are now engaged in debate on the propriety of helping rebuild North Vietnam and not, as the above discussion indicates, aid to the South Vietnamese who have so severely suffered. Arguments for aid to the North are being made on both moral and pragmatic grounds: Should we feel morally obligated to rebuild the North just as we did the Axis countries after World War II; or should we do it in order to cement the agreement in hopes that it may lead to a more durable peace?

Seldom, if ever in the Nation's history, have the American people been as adamantly against a major foreign policy proposal as they are to reconstruction assistance to North Vietnam. This opposition is with good reason, for this Nation has toiled for 10 long years in search of an elusive goal which cost us thousands of lives and billions of dollars.

Nevertheless, the wounds of Vietnam remain and it is no wonder that many find the thought of aiding our former enemy totally incomprehensible. After years of protracted fighting, we perhaps hoped to end our involvement in Vietnam once and for all with the stroke of a pen. But as we have so often found in the past, nothing in Indochina is quite that simple.

The settlement in Paris assures, if not a totally secure peace, at least a foundation upon which a lasting peace can be built. However, the question remains: Can this fragile agreement be transformed into a permanent settlement or will the Paris accords meet the same fate as those negotiated in Geneva just 20 years ago?

Certainly, massive aid to the North will not assure the longevity of the Paris accords and I completely reject the idea that the United States is morally bound to assist in rebuilding North Vietnam. As we weigh the merits of aid to the North, therefore, we must not have our decision distorted by irrelevant facts. Some are saying that aid to North Vietnam would be consistent with our policy in the past which resulted in massive infusions of American dollars into Germany and Japan after World War II.

Comparing aid to Hanoi with aid to Germany and Japan calls attention not to the soothing similarities, but to disturbing differences. Germany and Japan surrendered unconditionally after we had destroyed the highly developed industrial bases of their economies. In addition, by surrendering, the Germans and the Japanese dissolved their aggressive governments. Thus, it seemed sensible to restore their industrial economies which alone could generate conditions of contentment and stable government.

The theory was that contented Germans and Japanese, insulated from ideologically lean and hungry leaders, would not go lusting for lebensraum or coprosperity spheres. Additionally, because we were occupying their countries, we could be reasonably sure that our aid would be used for the purposes we favored.

The case of North Vietnam is different in every relevant particular. We cannot restore the North's industrial base and, thus, assure contentment, because it does not have one. Since the 1950's, North Vietnam has been waging war upon its neighbors, so the idea of prewar North Vietnam is totally incomprehensible. Most significant, however, is the Hanoi Government itself; as the government which has been the cause of all this trouble, it is still alive, well and holding out its bloody hands for our aid.

Also, the argument that aid will help cement the Paris agreement is very difficult to accept. For example, when President Johnson proposed aid to North Vietnam for rehabilitation in April 1965, his offer was publicly rejected by the North who labeled Americans "stupid pirates." Perhaps the North Vietnamese rejected President Johnson's offer of aid because they surmised that if, through the use of terror, the war could be escalated and prolonged, and the American offer of aid might be multiplied by billions later. With dishonest accounts of military damage, the North could extract from us a tremendous sum in "reparations."

Certainly, we will all agree that President Nixon is correct in seeking a dialog with other nations, friend and foe alike, so that the chances of misunderstandings are reduced. But to ask working men and women in the United States to send $2.5 billion to those who have caused so much anguish cannot be justified and must not be permitted. A peace that can be secured by an input of American dollars is tenuous at best and is likely to last only as long as the input of dollars continues.

There are international agencies equipped to provide aid to North Vietnam such as: the World Bank; the Asian Development Bank; the United Nations; and many voluntary relief organizations. It is completely incomprehensible, therefore, that the 93d Congress would approve American aid, be it economic, monetary, military, or otherwise, for North Vietnam—an outlaw nation guilty of aggression, terrorism, and the utter disregard for international law and the value of human life.

The idea of aiding the North Vietnamese is an insult to conscience and common sense especially at the time when U.S. domestic programs are being reduced and when this Nation is faced with an internationally critical financial structure and burgeoning balance-of-payments deficit.

If we must spend, let us use our resources for the benefit of the American people. Why should our people always receive the last consideration when aid programs are designed? Let us use this money for new classrooms. Let use use this money for research and development to find a cure for cancer. Let us help the American Indian. Let us spend this money to aid the elderly to make their retirement years more comfortable.

For a decade, we have been deeply concerned with the effect of the war on our domestic efforts and our international image. now, with the end at hand, we must not let this war again drain us; we must not let this war again divide us; we must not let Indochina again taunt us. My commitment to the American people far outweighs the questionable return which may be realized through aid to North Vietnam.

CAPITAL PUNISHMENT FOR UNBORN BABIES

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. ZWACH. Mr. Speaker, following the Supreme Court decision on abortion, I introduced a "Right to Life" proposed constitutional amendment which is getting widespread support in our Minnesota Sixth Congressional District.

Many editorials also have been written supporting my position on this matter.

I would like, at this time, to insert one such editorial in the CONGRESSIONAL RECORD where it can be read by my colleagues and the many other readers.

This excellent editorial by Carroll W. Fey of the Edgerton Enterprise, expresses well the sentiment of many of our people.

CAPITAL PUNISHMENT FOR UNBORN BABIES

The ruling by the U.S. Supreme Court allowing abortions during the first six months of pregnancy is another tragic step marking the moral decay of modern society.

A year ago these same men ruled that capital punishment—the killing of a person convicted of a heinous crime against society—was inhumane punishment.

Recently, seven of those nine men in black robes, gave their stamp of approval to the killing of innocent infants not yet ready to face the world outside their mother's womb. And what crime have these infants committed that the U.S. Supreme Court should have condemned them to death at the whim of their mother?

If the courts go along with this terrible permissive cancer eating at the lifestream of our country, we will soon find parents able to kill infants between six and nine months of pregnancy, kill a new-born deformed baby (after all the early Greeks left baby girls out to die and the Carthagenians offered first-born sons to one of their gods)—and last but not least, we will have unrestricted mercy killing. And won't that be a beautiful society—without faith, without hope, without love—without God.

ARMENIAN MARTYRS WEEK

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. EILBERG. Mr. Speaker, Mayor Frank L. Rizzo, of Philadelphia, has recognized the contribution of the Armenian community to the city by proclaiming the week of April 24 to April 30 as Armenian Martyrs Week.

The official proclamation was accepted by John Tokmajian, chairman of the prelacy of the Armenian Apostolic Church of America.

The presentation preceded a mass blood donation drive by the Philadelphia Armenian-American community to commemorate the massacre and expulsion of Armenians from Turkey in the years 1915 through 1918.

At this time, I enter the proclamation in the RECORD:

CITY OF PHILADELPHIA—PROCLAMATION

Whereas, April 24th commemorates the forceful deportation of two and a half million Armenians and the massacre of one and a half million others by the Turkish government in 1915—the first episode of planned genocide in the twentieth century; and

Whereas, Americans of Armenian descent join other Americans scattered throughout the world in commemorating this 58th anniversary of those massacres, and in paying tribute to the memory of those who gave their lives in the cause of religious and political freedom; and

Whereas, the members of the Armenian community in Philadelphia will observe this occasion by donating blood to the American Red Cross in memory of this tragic event:

Now, Therefore, I, Frank L. Rizzo, Mayor of the City of Philadelphia, do hereby proclaim the week of April 24–30, 1973 as Armenian Martyrs Week in Philadelphia and do urge all citizens, who as Americans cherish the right of human beings to be free and to have the blessings of liberty, to join in prayer giving moral support to the just cause of the Armenian people.

PEOPLE-TO-PEOPLE DIPLOMACY—KEY TO WORLD UNDERSTANDING

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. FISH. Mr. Speaker, on June 15, 1972, Deputy Assistant Secretary of State for Educational and Cultural Affairs, Alan A. Reich, addressed a meeting of the Rotary Club of New York. The meeting included Rotarians from six continents. Mr. Reich discussed the Department's interest in furthering people to people interchange and the importance of service clubs in increasing international understanding.

I am inserting in the RECORD an article from the Department of State Bulletin dated September 4, 1972, by Mr. Reich entitled "People-to-People Diplomacy—Key to World Understanding." This article is based on the Secretary's important address before the Rotary Club of New York.

The material follows:

PEOPLE-TO-PEOPLE DIPLOMACY—KEY TO WORLD UNDERSTANDING

(Remarks of Deputy Assistant Secretary of State for Educational and Cultural Affairs Alan A. Reich)

Technological advances have made nuclear war a threat to mankind's existence Fortunately, new initiatives and agreements in the disarmament field offer hope that the deadly cycle of weapons build-up may be broken. Prospects for increased government-to-government cooperation look better now that at any time since World War II. The great powers are focusing on areas of common concern and not only on their differences. The results appear promising.

But while technology has made nuclear annihilation possible, it also has sparked a revolution in communication and transportation which brings increasing numbers of people in all walks of life into direct, open, and immediate contact. International diplomacy, traditionally the task of men behind closed doors, has become a public matter. Many foreign offices no longer confine themselves to speaking with other foreign offices for peoples; they help and encourage peoples to speak for themselves across national boundaries. People-to-people communication has become a dominant force in international relations throughout the world.

Many Americans ask why we should concern ourselves with international problems when we have so many serious domestic concerns demanding attention. There are several good reasons for our getting "involved with mankind": First of all there is common charity. Then there is a sense of common humanity. In addition, there is common sense. Modern transportation and communications, not to speak of modern weapons, have brought our neighbors' problems to our doorstep. We have no choice but to become involved, because if the problems next door are ignored, they soon become our problems.

Poverty, illiteracy, hunger and disease recognize no nation's borders and travel under no country's passport. It is not a matter of the world's poor getting poorer while the rich get richer. The poor are getting richer, too. But their lot is improving so slowly that the difference—the gap—between rich and poor is widening, not closing. Unless some way can be found to reverse this trend, those who are better off must one day suffer the horrible consequences. Neither we nor our children will have the luxury of working on our domestic problems if we do not succeed in bringing about a climate of peaceful cooperation throughout the world during the next few years. Whether we cooperate with our international neighbors because it is good, or right, or necessary, we must get on with it *while* we are improving the quality of life at home. We can also take some solace in knowing that the job is not ours to do alone. Many other nations share with us the desire and the capacity to help close this gap between the have and the have-not peoples of the world. The facts of international life today are that common sense and common survival dictate common action to solve common problems.

As societies and their problems have become more complex, more and more people are educated in international affairs and have become concerned citizens. Mass media reach and stimulate increasing numbers of people. The number of individuals and institutions that influence major decisions in every country is growing. This is true in international as well as in domestic matters.

The geometric increase in citizen involvement in world affairs has special significance for the diplomat. It is a fundamental, irreversible, and irresistible influence for peace. Nations are less likely to deal with their differences in absolute terms when their citizens communicate and cooperate with each other freely and frequently.

When people-to-people bonds and communications networks are more fully developed, there will be a greater readiness to communicate, to seek accommodation, and to negotiate. The likelihood of international confrontation will diminish, and prospects for peaceful solutions will be enhanced. This rationale governs the interest of the State Department in the furtherance of meaningful people-to-people exchange.

In the past few years, social scientists have increasingly studied the relevance of informal nongovernmental communications activities to matters of war and peace. Research scholars scuh as Dr. Herbert Kelman at Harvard University are attempting to develop a more scientific base for these transnational cross-cultural communications activities. Their research suggests that the existence of informal communications tends to reduce the level of tension when conflicts of interest occur; they contribute to a climate of opinion in which conflicts may be negotiated more effectively. Second, their research indicates that informal relationships create a greater openness in individual attitudes toward other nations, peoples, and cultures; these predispositions also lead to greater readiness to communicate and to resolve differences peaceably. Third, social scientists tell us that international cooperation and exchange contribute to world-mindedness and to an internationalist or global perspective on what otherwise might be viewed either as purely national or essentially alien problems. Finally, international people-to-people relationships help develop enduring networks of communication which cut across boundaries and reduce the likelihood of polarization along political or nationalist lines.

DEPARTMENT-SPONSORED EXCHANGES

When you think of the State Department's conduct of our international affairs, the exchange-of-persons program does not come immediately to mind. It is, nonetheless, a significant and important activity of the Department. The Bureau of Educational and Cultural Affairs works constantly and quietly to improve the climate for diplomacy and international cooperation. The exciting, challenging job of the Bureau is to utilize its modest funds and manpower to reinforce the work of American individuals and organizations who want to help construct, a little at a time, the foundation of better relationships with the rest of the world. It also coordinates, as necessary, the activities of other government agencies with international exchange programs in substantive fields such as health, education, social welfare, transportation, agriculture, military training, and urban planning.

Having come not too long ago from the business world, I have a great appreciation for what is being done for an investment of $40 million annually. There are several major elements of the Department's exchange program:

The Fulbright-Hays exchange program over 25 years has engaged more than 100,000 people in academic exchanges. Annually, some 5,000 professors, lecturers, and scholars are exchanged to and from the United States.

The international visitor program brings to the United States about 1,500 foreign leaders and potential leaders annually for one- or two-month orientation programs. This includes nonacademic leaders and professionals, from Cabinet officers to journalists. One out of every 10 heads of state in the world today has been a State Department exchange visitor, as have some 250 Cabinet ministers of other nations.

The Department of State sends abroad annually several leading performing arts groups and athletic stars; for example, in the past year Duke Ellington toured the Soviet Union; several jazz groups performed in Eastern Europe; the New York City Ballet is currently on tour in the Soviet Union; and Kareem Jabbar (Lew Alcindor) and Oscar Robertson of the Milwaukee Bucks visited Africa. (Of course, the U.S. table-tennis team visit to China was totally a private effort)

Some 150 prominent U.S. lecturers went abroad for six-week lecture tours in 1971.

Nearly 500 United Nations specialists selected by their home countries and funded by the U.N., are programed annually by the State Department through 30 other government agencies for six- to nine-month training programs in the United States.

The State Department's small but catalytic exchange-of-persons program with 126 countries stimulates constructive communication among leaders and future leaders in many fields here and abroad. It creates durable reservoirs of information, understanding, and empathy. It develops rewarding and lasting contacts of key people of other countries with their counterparts here.

PRIVATE SECTOR PARTICIPATION

These programs depend heavily on the willing cooperation of countless private individuals and organizations throughout the United States. Their response has been outstanding. The Department contracts with a number of organizations to assist in carrying out these activities. For instance, COSERV—the National Council for Community Services to International Visitors—is a network of 80 voluntary organizations throughout the United States which enlists some 100,000 Americans to provide hospitality and orientation for international visitors. They serve voluntarily because they believe in the importance of their work to strengthen international understanding. This makes an indelible impression on the foreign visitors they serve.

Another organization, the National Association for Foreign Student Affairs, counsels many of the 150,000 foreign students now studying in American colleges and universities. The Institute of International Education and several private programing agencies help carry out the Fulbright and international visitor programs.

We in the Department of State are aware that our programs represent only a portion of the total private-public participation in exchanges aimed at furthering international mutual understanding. In addition to service organizations, professional associations of doctors, lawyers, journalists, municipal administrators, and others link their members with counterparts throughout the world. More than 30 American sports organizations carry on international programs involving their athletes in competition, demonstrations, and coaching clinics here and abroad; several youth organizations conduct international exchanges involving nearly 5,000 Americans and foreign teenagers annually. Numerous foundations, businesses, and institutions throughout America facilitate the private studies of many of the nearly 150,000 foreign students who come to study in the United States annually and approximately half that number of Americans who study abroad each year. Private American performing arts groups tour other countries; reciprocal opportunities are offered to counterpart groups from abroad. The People-to-People Federation and its various committees actively promote and carry out meaningful exchanges; the sister city program of the Town Affiliation Association links 420 American cities with communities in 60 countries of the world.

Before we undertook to encourage new exchange activities in the private sector last year, we asked the cultural affairs officers in our Embassies around the world whether they wanted an increase in exchanges by private groups. They were also asked whether these activities further our long-term purpose of increasing mutual understanding with their respective countries. Almost without exception the posts replied that they want increased exchanges. They want them to occur both to and from the United States. They confirmed that these activities contribute to removing barriers to understanding and to forming durable cooperative relationships.

Last year the Bureau of Educational and Cultural Affairs set up a special office to respond to the needs of private organizations seeking to participate in international person-to-person program. This Office of Private Cooperation, on request, helps private organizations to become active internationally.

THE CONTRIBUTIONS OF SERVICE ORGANIZATIONS

In government and in the private sector, there is much to be done. Service organizations, such as Rotary International through its people-to-people programs, are doing an outstanding job. Rotary's international youth exchange, involving 700 youths throughout the world annually, is a model program with considerable impact.

The Rotary Club matching program, which links Rotary Clubs in 150 countries with counterpart clubs for direct Rotarian-to-Rotarian relationships and shared service projects, is equally impressive. Rotary's world community service program has helped people throughout the world. Through Rotary International's small business clinic program, many individuals in less developed countries have been helped to self-sufficiency and community contribution.

Two other elements of the overall Rotary International outreach are especially meaningful. First, the mere existence of some 15,000 Rotary Clubs joining 750,000 Rotarians in 150 countries is a potent force for mutual understanding. Rotary is made up of leaders from all segments of society; this fraternal relationship—professional to professional, businessman to businessman, and so on—generates good will among millions throughout the world.

Another service which Rotary Clubs perform is the furtherance of international person-to-person relationships by others in their communities. In visits throughout the United States, I have been impressed with the extent to which Rotary and other service clubs have initiated and developed sister city affiliations, people-to-people exchanges, international hospitality programs, and international activities of local performing arts and sports groups. These activities contribute to strengthened bonds between participating local groups and their counterparts in other nations.

I have been asked by leaders of private organizations what they might do to increase international understanding. Frankly, I cannot imagine a more significant organizational outreach, either in concept or in program, than that of Rotary International.

I would urge Rotary and other organizations to do more of the same—demonstrating so well the capacity for commitment of the American people in solving that most important of all human problems, the achievement of a sustained world peace, by sponsoring exchanges, providing community leadership in international programing, helping peoples of other nations to become less dependent, and strengthening international ties among key individuals and groups. Specifically, I urge you to undertake in whole or in part the following 12-point program:

1. Expand home hospitality and community programs for international visitors (including professional, business, diplomatic, military and government leaders).

2. Develop programs for the international alumni of area universities and colleges.

3. Strengthen the city's sister city program and affiliate with a new sister city.

4. Internationalize your community involvement by affiliating with an appropriate international organization in cooperation with the U.S. National Commission for UNESCO.

5. Expand youth exchanges and community programs for international students.

6. Participate directly in the international programs of the People-to-People Sports, Music, Handicapped and other exchange committees.

7. Internationalize your state and local American Revolution Bicentennial Commemoration programs as they are planned and implemented.

8. Invite foreign professional counterparts and students to conferences and seminars and generally strengthen the international organizational affiliations.

9. Form international institutional linkages affiliating universities, hospitals, schools, and museums for exchange relationships.

10. Strengthen the cultural exchange program throughout the Americas.

11. Maximize the goodwill generated by ensuring public visibility for these activities both here and abroad.

In addition, I hope you will continue your community-wide cooperative efforts, now underway, to further the city's contribution to world understanding. Many other organizations represented here today will find their place in such a program. You could, as you have in so many other areas of human concern, provide a model for the nation in expanding meaningful people-to-people relationships. As you move ahead, please do keep us informed; come down and share your ideas with us. We might be able to help.

On behalf of the Secretary of State and the official foreign affairs community of the United States, I extend my thanks to the New York Rotary Club, the other clubs of this Rotary International District and all of you here today, not only for improving the climate for diplomacy, but for your individual and collective leadership in helping to "build the human foundations of the structure of peace."

OUR NATION DEEPLY MOURNS THE PASSING OF HON. RICHARD DRUKKER

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. ROE. Mr. Speaker, on April 20, 1973, one of our most esteemed leading citizens of my Eighth Congressional District, the State of New Jersey, and the United States of America—the Honorable Richard Drukker—chairman-publisher and chief executive officer of the prestigious Herald News, entered into eternal rest after a lifetime of dedicated eminent service to his fellow man. I ask my colleagues here in the Congress to join with me in extending our most sincere condolences to his widow, the former Caroline Cleveland Crane; two sons, Austin C. of Little Falls, N.J., and Richard, Jr. of Waldoboro, Maine; four grandsons, Richard, III, Austin, Jr., David, and Andrew; a brother, Dow H. Drukker, Jr., of Palm Beach, Fla.; four sisters, Miss Winifred Drukker of Clifton, N.J.; Mrs. Eugene F. (Nella) Steketee of Grand Rapids, Mich.; Mrs. Amos N. (Marion) Prescott of Smoke Rise, N.J.; and Mrs. Ralph D. (Louise) Prescott of Montclair, N.J.; and his stepmother, Mrs. Dow H. Drukker of Lake Wales, Fla.

Dick Drukker was a good personal friend, deeply respected and admired by all of us who had the good fortune to know him. His compassion and benevolence for people and their needs placed him in the vanguard of America's crusaders who have made our country the greatest among all nations.

Born in Passaic, N.J., March 30, 1906, he was the fifth child and second son of our late former colleague, Congressman Dow H. Drukker and the former Helena Deunhauer. He was educated in Passaic schools, Lawrenceville School, and at Amherst College, graduating in 1929 with a bachelor of arts degree. Later he earned a law degree at the University of Newark Law School, where he was president of the student council and in 1943 president of the evening division. He belonged to Psi Upsilon, an undergraduate fraternity and to Delta Theta Phi, a law fraternity.

Dick's first postcollege job was outside the newspaper field. In 1929, on leaving Amherst, he became associated with the New York brokerage firm of Dominick & Dominick. He became a director of the Herald News in 1934. His father had acquired one of Passaic's historic dailies, the Passaic Daily Herald, in 1917, and he purchased the other, the Daily News, in 1928. The two papers were merged in 1932. Mr. Drukker filled executive positions in a number of other family enterprises, including Union Building & Investment Co., Union Building & Construction Co., Passaic Transit Concrete, and North Jersey Broadcasting Co. He became president of the Herald News in 1956 and succeeded his father as publisher after the latter's death at 90 in 1963. On April 13, 1972, he assumed the new title of chairman-publisher, and his son, Austin C. Drukker, became president.

As president and chairman of the Defense Orientation Conference Association—DOCA—an organization of businessmen who tour military installations and visit defense officials to keep abreast of the current U.S. defense posture. Dick made a number of visits to military installations all over the world. He met scores of ranking defense officials, and was in the international spotlight from time to time presenting diplomas to graduates of Navy and Marine Corps preflight schools and consulting with distinguished Americans including General Lyman Lemnitzer, then U.S. Supreme Commander in Europe, and U.S. Ambassador Charles E. "Chip" Bohlen. Mr. Drukker wrote a number of articles which appeared in the Herald News describing his experiences on trips to the Far East, including Saigon.

He was Treasurer of a citizens' committee which organized the Boys' Club of Clifton and later was the club's second president. The boys' club opened a Richard Drukker Library, named in his honor, in 1967. He was director, later an honorary director, of the Passaic Boys' Club. He served as president of the Clifton Kiwanis Club in 1946 and as president of the Pennington Club, Passaic, in 1950. As president of the New Jersey Press Association in 1968–1969, he spearheaded the formation of a training institute for new reporters at Rutgers the State University.

Dick was a long time director of the Passaic area Chamber of Commerce; executive vice-chairman for Passaic County of the Better Business Bureau of Bergen, Passaic and Rockland Counties; former cochairman of the Clifton Round Table of the National Conference of Christians and Jews; trustee of the New Jersey College of Medicine and Dentistry; director of the Bank of Passaic and Clifton; member, board of directors, National Union Bank of Dover—now a branch of the National Community Bank; and member, Palisades Interstate Park Commission. He received a community service award from the Passaic B'nai B'rith in 1967, and in 1971, he received the Prime Minister's Medal for "service in the cause of Israel's development" from the State of Israel. He served as chairman of a committee of Christian Friends of Israel. Also, among his many coveted awards was the Americanism award from Garfield's Benda-Roehrich Post, Veterans of Foreign Wars.

Mr. Speaker, the sudden and untimely departure of Richard Drukker is mourned by all of us. He was indeed a man of great destiny and a leader among mankind. The warmth of his friendship, the richness of his wisdom and the quality of his leadership are all lovingly and eloquently intertwined in the editorial of the staff of the Herald News of Passaic, N.J., which Mr. Drukker had helped to build into one of New Jersey's most eminent newspapers. I would like to insert this epitaph here in our CONGRESSIONAL RECORD to be forever lastingly etched in our historical journal of Congress in tribute to this great American.

RICHARD DRUKKER, 1906–1973

[From the Herald-News Apr. 23, 1973]

Richard Drukker was the public's newspaper publisher.

He had integrity. He was unashamedly patriotic and dedicated to the public interest. He was independent. He possessed the business acumen and the courage essential in a risky business which is littered with the wrecks of once-proud newspapers. And, although he presented a gruff exterior, he had compassion.

Mr. Drukker had his first taste of newspaper work in the late 1920's as a summer vacation reporter on the old Passaic Daily Herald, which is father, the late Congressman Dow H. Drukker, merged in 1932 with the Passaic Daily News. The combined circulation of the two dailies came to no more than 25,000. The merger enabled The Herald-News to weather the great depression and to begin a long period of growth.

Mr. Drukker took the helm of The Herald-News in 1956 when he became president. He embarked on a policy of expansion on two fronts—into the rapidly growing suburban areas and, with the cooperation of the newspaper's mechanical unions, into automation. In a sense, he brought about a rebirth of The Herald-News as a new newspaper serving a wider area in Bergen, Essex, Morris and Passaic Counties.

Mr. Drukker's political faith tended toward conservative Republicanism, but he placed the public's interest ahead of party. He supported Democrats and Republicans for office. He believed that decency and honesty were far more important than party labels. Govs. Meyner and Hughes, Democrats, were friends, as was Gov. Cahill, Republican. Four years ago Mr. Drukker supported Gov. Meyner's bid to become governor again. He admired Mr. Meyner personally and approved of his record in office. This year, Mr. Drukker was supporting Gov. Cahill because, as he said, Gov. Cahill is a fine human being and has the best interests of New Jersey at heart.

However, Mr. Drukker did not permit friendship or admiration to influence his views on issues. When Gov. Cahill presented his tax reform program which included a state income tax, Mr. Drukker told the governor that The Herald-News would fight it. Gov. Cahill understood.

The Stars and Stripes which flies in color on page one is a tradition of The Herald-News which told the world how Mr. Drukker felt. His concern for the well-being of the United States led him to become a member of the Defense Orientation Conference Association, comprised of business and professional men who, at their own expense, visit American defense installations around the world to gain understanding and to find out how they can help to keep the United States strong. He loved his country and offered no apologies for his patriotism.

It is an article of faith among some persons that newspaper publishers kowtow to advertisers. It did not work that way with Mr. Drukker. An important advertiser protested against articles in The Herald-News and threatened to withdraw his advertising unless they ceased. Mr. Drukker refused. He said the public had a right to the information.

For newspapermen who have an affection for the paper they help to create and from which they earn their living, he was a good boss. He had pride in the newspaper too.

His death revealed him as a gallant individual who continued to work and plan for the newspaper as usual even though he had death at his elbow.

Richard Drukker sought to serve the public and his state and country through The Herald-News. He has left an inspiration for those who follow him.

Mr. Speaker, I am deeply saddened by the loss of a personal friend. His passing leaves a void which can never be filled. Of his life on earth and exemplary service to our people, it can truly be said:

Well done thou good and faithful servant—enter now into thy eternal rest.

May I ask you and my colleagues to join with me in silent prayer to his memory. His achievements in today's world were outstanding and we do indeed salute him and all of his good works. We extend our heartfelt sympathy to his widow, Mrs. Drukker, and all of his family, and trust that they will soon find abiding comfort in the faith that God has given them and in the knowledge that the Honorable Richard Drukker is now under His eternal care. May he rest in peace.

A LAW DAY TRIBUTE TO FRANK FELICETTA AND THE 100 CLUB OF BUFFALO

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. KEMP. Mr. Speaker, today we once again pause to commemorate Law Day. I believe at this time it is particularly appropriate that we recall the words that Abraham Lincoln spoke over 135 years ago:

> Let every American, every lover of liberty, every well-wisher to his posterity swear by the blood of the Revolution never to violate in the least particular the laws of the country, and never to tolerate their violation by others. As the patriots of seventy-six did to the support of the Declaration of Independence, so to the support of the Constitution and laws let every American pledge his life, his property and his sacred honor—let every man remember that to violate the law is to trample on the blood of his father and to tear the charter of his own and his children's liberty. Let reverence for the laws be breathed by every American mother to the lisping babe that prattles on her lap; let it be taught in schools, in seminaries, and in colleges; let it be written in primers, spelling-books, and in almanacs; let it be preached from the pulpit, proclaimed in legislative halls and enforced in courts of justice. And in short, let it become the political religion of the nation; and let the old and the young, the rich and the poor, the grave and the gay of all sexes and tongues and colors and conditions, sacrifice unceasingly upon its alters.

Although the theme of this 16th annual observance of Law Day, U.S.A. is "Help Your Courts—Assure Justice," I would also like to pay tribute on this special occasion to the law enforcement officers of our Nation and in particular to Frank Felicetta who recently retired as Police Commissioner of Buffalo, N.Y., after more than 40 years of dedicated public service.

A little more than a year ago I had the honor of presenting the Cystic Fibrosis Research Foundation's "Man of the Year" award to Frank Felicetta—a great American and an outstanding law officer. Frank's deep concern and devotion to duty and to the community had led him up through the ranks to become the first American of Italian extraction to achieve the post of Police Commissioner of Buffalo, N.Y.

On April 15, Frank Felicetta retired. But the things he stands for—the principles of law and justice he has fought to defend, will go on. Innovative and highly successful programs he initiated are living monuments to his imaginative leadership.

Numerous honors and awards from organizations all over the United States have been presented to Frank Felicetta for his many achievements in the community and for his law enforcement programs. He won a departmental medal for the capture of two gunmen and is credited with having made the first Buffalo arrest for drug abuse. Frank was also a member of the Lieutenant Connors' Flying Squad which became known nationwide for outstanding police work.

In 1954, at his insistence, receipts from a testimonial dinner—given in Frank's honor and attended by more than 600 well-wishers—went into a fund to provide scholarships for children of policemen and firemen. This was the beginning of the Felicetta Scholarships which are presently administered by the 100 Club of Buffalo, Inc.

Frank founded the 100 Club of Buffalo in 1957 with a group of 30 friends who called themselves "Felicetta's Fellows." It was Frank's idea that each person would pay $100 a year for membership and the funds collected would be used to give immediate aid to the children and families of policemen killed in the line of duty and to augment the moneys supplied for emergency immediacy by the Police Benevolent Association.

The 100 Club of Buffalo has increased to 180 members and is still growing. It has also expanded its policy of awarding scholarships to area law enforcement officers who are motivated to pursue courses in criminal science and technology at local colleges and at the National FBI Academy. In order to promote citizen understanding of law enforcement and of the police officer, the 100 Club has turned to television and several local stations have approved material for telecasts which have begun and will continue.

I was honored to participate on March 23 in the 100 Club dinner which paid tribute to its founder, Frank Felicetta, who has shown in his work the immense impact that one man can make in his community and in the Nation.

On this Law Day, I salute Frank Felicetta, the law enforcement officers of Erie County, N.Y., and the Nation and the officers and directors of the 100 Club of Buffalo, who have all sacrificed so much that we might live in better and safer communities.

Mr. Speaker, I include at this time Judge Raymond R. Niemer's excellent remarks for his presentation to Frank Felicetta at the 100 Club of Buffalo dinner on March 23. Judge Niemer is chief of the 100 Club of Buffalo and judge of the Family Court of Erie County, N.Y.; he will be succeeded as chief by my friend, James Hayes.

The remarks follow:

REMARKS FOR PRESENTATION TO FRANK N. FELICETTA AT THE 100 CLUB OF BUFFALO DINNER ON MARCH 23, 1973, BY JUDGE RAY NIEMER

The man of whom I speak took his oath as a patrolman in the Buffalo Police Department on December 3, 1929. He was selected for tough assignments—his superiors knew he could handle them. In 1936, he and a handful of selected men were formed into the "Flying Squad" commanded by then Lt. Vincent Connors—a unit which drew national attention for its outstanding police work. This enhanced the reputation of this man as a tough police officer.

He served for many years as Captain of the 4th Precinct. In 1958, Mayor Frank Sedita appointed him as Commissioner of Police of the City of Buffalo. He retired on December 31, 1961 when the Mayor's 1st term ended but returned when Mayor Sedita returned on January 1, 1966.

The last several years of his leadership of the Police Department have required him to make some of the most difficult decisions of his career. In spite of massive changes in the very structure and philosophy of our society in recent years, accompanied by unrest and uncertainty, he has helped the City of Buffalo to "keep its cool". He has insisted on the firm enforcement of the laws and has often raised his voice for the passage of workable legislation for the protection of the rights not only of those accused, but also of the victim who is mugged, raped or shot.

His concern for his fellow law-enforcement officer has been shown in countless ways during his career. Uppermost in our minds is his founding of the 100 Club of Buffalo, formerly "Felicetta Fellows". For these reasons and for all he has done for so many, and because he is the fine American and friend that we know him to be, we honor him tonight.

He retires on April 15 as Commissioner of the Buffalo Police Department and thereby closes his public career in law enforcement. Not, however, to simply fade away. Nor can he ever retire from the respect, affection and gratitude that we and all of the residents of Western New York will continue to have for him.

No plaque or other token presented by the 100 Club of Buffalo can ever adequately express how we feel about you, Frank, and the esteem and friendship that goes with this presentation. I suppose all that we can say at this time is "Thanks" and wish to you and those dear to you, health and happiness for many years to come.

Gentlemen, a big man—Frank N. Felicetta.

PHILADELPHIA CANCER EDUCATION PROGRAM

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. EILBERG. Mr. Speaker, a Philadelphia cancer education program has been recommended as a model for adoption by other communities, according to an article appearing in the latest edition of the International Journal of Health Education.

The article, entitled "Getting the Cancer Message to the Community" was written by William A. Allen, 13028 Richwood Road, Philadelphia, and Dr. Louis P. Mattucci, 11621 Bustleton Avenue, Philadelphia, of the city health department, and Donald E. MacFalls of the American Cancer Society. The Journal is the official organ of the International Union for Health Education and is published quarterly in Geneva, Switzerland.

The article describes a cancer education program for female employees in Philadelphia City government and outlines how it was expanded to the rest of the community. The authors point out that the program can be used as a model for almost any community and can be a significant factor in reducing the cancer toll which in the United States alone results in 650,000 new cases and 350,000 deaths annually.

Sponsored by the managing director's office, the city health department and the Cancer Society, the program involved 15 physician volunteers of the Cancer Society who spoke at some 60 1-hour sessions during the campaign.

Also listed by the authors in the article is a cross section of questions raised by women attending the sessions, the responses of the doctors, and a summary of the evaluation of the program. Allen and Dr. Mattucci are residents of northeast Philadelphia. MacFalls lives in Chester County.

SELECTING A SPECIAL PROSECUTOR FOR THE WATERGATE AFFAIR

HON. JERRY LITTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. LITTON. Mr. Speaker, in view of the new developments surrounding the Watergate incident, this afternoon I have introduced a resolution in the House of Representaives calling for the six living former Supreme Court Justices of the United States to serve as a panel for the purpose of selecting a special prosecutor to supervise the Government's investigation of the Watergate affair.

I have the utmost confidence in Elliot Richardson, appointed by the President as Attorney General of the United States. Last night the President conferred upon the new Attorney General the power to appoint a special prosecutor if he saw fit. However, since it is past and present members, and associates of such members of the executive branch who are implicated in the Watergate incident, I feel it is imperative that the special prosecutor not be appointed by, or be responsible to, the President or anyone else connected with the executive branch.

Mr. Speaker, the credibility of more than just the administration is at stake. The credibility of the entire American political system—both at home and abroad—hangs in the balance.

In my judgment the American people, and people of other nations throughout the world, would be more likely to accept the findings of an investigation spearheaded by someone who is not responsible to the executive branch since it is the credibility of the executive branch which in a sense is in question. Thus, and inevitably, there will be people in this country and abroad who will reject the selection of anyone appointed by Attorney General Richardson, or any other member of the executive branch no matter how unimpeachable are their credentials.

Due to the strained relations which already exist between the President and the Congress of the United States, any findings resulting from investigations spearheaded by a Congress-appointed special prosecutor—or one responsible to the Congress—would be viewed by many as a "political" appointment.

Mr. Speaker, as you are aware, there are six living former U.S. Supreme Court Justices—Charles Whittaker, Stanley Reed, Tom Clark, Earl Warren, Abe Fortas, and Arthur Goldberg. Reed was appointed to the bench by Franklin Roosevelt. Harry Truman appointed Clark. Whittaker and Warren were both appointed by Dwight D. Eisenhower. Fortas was a Johnson appointee, and Goldberg was appointed by John F. Kennedy. These gentlemen were appointed by five different Presidents of the United States, and all were confirmed by the Senate. In most cases these gentlemen are not thought to have political ambitions.

Mr. Speaker, I can think of no other living group who have previously been accorded Senate confirmation—who have been passed upon by both the executive and legislative branches—who have that judicial background to reach decisions of such serious import, who would be more acceptable to the American people. This panel would be a logical choice. They would have the support and confidence of an overwhelming majority of the people in our country.

I do not believe the President had knowledge of the Watergate plans before the incidents, or that he would have permitted such despicable and illegal actions had be known. However, I do feel the President has known for some time that his close advisors within his administration—those wielding immense power within the executive branch—were implicated. I believe he knew that those working closely with him also had knowledge of the Watergate incident which they, too, were withholding. His reluctance to permit his staff to testify before Senate Committees—his unwillingness to admit that the Watergate affair was anything more than a third-rate burglary and his tardy efforts to bring this matter to a conclusion, so that those guilty, or implicated after the fact, could be removed from high-ranking, decisionmaking positions—all of these factors have coalesced into a situation of almost unbelievable proportion. The President's credibility is questioned on an unprecedented scale. The Watergate affair has also detracted from some of his many accomplishments—particularly in the area of foreign affairs.

The unvarnished truth can sometimes be painful—even to those who weather the storms of political arenas over decades and finally attain the lofty position of President of the United States. Therefore, I do commend the President for finally admitting the matter was of major importance. His action was the very minimum action the President could take, action forced upon him by a courageous press—by the persistant probings of Senator SAM ERVIN and his committee, and by Judge Sirica, who presided over the grand jury investigations.

It has bothered me a great deal that the President appeared to resent having to take time away from his day-to-day activities to take action. Apparently, he has also resented the inconvenience of losing his top aides, whom—he has indicated—he does not think had anything to do with the affair.

Mr. Speaker, if there is anything at all which we might consider as constructively emerging from a situation which brings shame to America in the eyes of the world—it is the undaunted courage of a free and responsible press. It has always been my conviction that a free and responsible press serves as the fourth check in our checks and balances system in this country. The work of the press in the Watergate affair is just another example of how vitally important a free press is to our democratic system.

Let us put this matter in the hands of someone who has the complete confidence of the American people so that both the executive and legislative branches of Government can once again direct their attention to other vital affairs such as the energy crisis, inflation, balance of trade, balance of payments, a balanced budget, correcting social ills and other such matters.

President Nixon's overzealous supporters and advisors who apparently have shielded him from not only the press, the people, and the Congress, should realize that achieving victory is important, but achieving a victory with honor and preserving the integrity and confidence of the American Government is more important.

CHILD ADVOCACY ACT

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. WALDIE. Mr. Speaker, I have today introduced the Child Advocacy Act which would establish as a pilot program, neighborhood offices of child advocacy to constantly analyze the needs of children and to bring to the attention or responsible officials any gaps which might exist in our present child programs.

The child advocate would play an important role in bringing together the child with the existing program to meet his need. Too often, children do not receive care because their parents do not know there are programs designed to help them. The advocate will not only perform vital referral services, but will also see that those who provide these services are accountable.

The neighborhood office of child advocacy would be established as a demonstration project under the Department of Health, Education, and Welfare, it would be composed of child care professionals and there would be a small charge for their service based on a sliding scale according to family income.

I think it is important to note that the advocacy system is not intended to replace any existing delivery system, but to be a catalyst for making the present system responsive to the needs of our children.

There is an obvious necessity for this type of program and I am hopeful the Congress will act on it.

HISTORY OF EGMONT KEY, FLA.

HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. GIBBONS. Mr Speaker, recently, nearly all of my colleagues from the Florida delegation joined me in introducing legislation charging the Secretary of the Interior to preserve the historical, natural and recreational values of Egmont Key, located off the coast of Florida near Tampa Bay. Since then, many of my constituents have expressed enthusiastic support of the legislation, especially in light of the significant role the Key has played in Florida and U.S. history. Today I am entering into the RECORD a very informative letter which I received from Mr. Theodore Lesley, Hillsborough County historian and resident of Tampa, Fla.:

HILLSBOROUGH COUNTY
HISTORICAL COMMISSION,
Tampa, Fla., April 15, 1973.

Hon. SAM M. GIBBONS,
U.S. Congressman, Florida,
Washington, D.C.

DEAR SAM: Thanks for your letter of the 5th, and copy of bill you have introduced in Congress which calls for setting aside our historic Egmont Key as a National Park. I cannot express myself strong enough in terms of approval of this action of yours, joined with other representatives of the Florida delegation.

There are two examples of early Americana which fascinate me, both of which are fast disappearing from our skyline. They are the quaint "covered bridges", that formerly spanned the rivers of old, and the coastal lighthouses. As with many others, I go a good many miles out of my way to visit either of these whenever they are known to be along my route of travel. Florida, to my knowledge, has none of its covered bridges left, but we do have several lighthouses whose long frontier history are closely woven with the state's past maritime and commercial development.

No doubt you are aware from your sailing experiences in our coastal waters that Egmont Key is the first body of land one passes upon entering Tampa Bay. This little island of some 300 acres was the first strip of land sighted by the early Spanish explorers of the sixteenth and seventeenth centuries. The pro-Dominican Martyrs of America anchored off its shoreline, in 1549, and suffered death in an abortive attempt to establish an Indian mission on the Tampa Bay coast. This is but the first recorded touch that ties Egmont Key with the destiny of the Florida Indians, first with the Aborigines, the Timucuans and Caloosas, and later after their extension, with the Seminoles whose descendants we know today.

During the early years when the Floridas were owned by Spain, the rivers, keys and islands all bore Spanish names. However, when England came into possession of the two provinces, East and West Florida (1768–1783), she sent her own map-makers into these lands and the majority of the old Spanish names gave way to those of English derivation. Espiritu Santo became Tampa Bay, the river emptying into it and on whose banks Tampa was later to be established, became known as the Hillsborough, and the more important islands received like transformation. Among the latter, situated at the very entrance to the bay, was the one designated Egmont Key. It was evidently named in honor of the second Earl of Egmont, an Irish Peer, who served King George III as Lord High Admiral and Postmaster General.

Here on the shores of Tampa Bay, January 1824, the first permanent white settlement was made with the arrival of troops from Pensacola under command of Col. George Mercer Brooks. The encampment subsequently became known as Fort Brooke, and the small town of Tampa grew up next to its protecting walls.

A refuge from hostile Indians, it led a quiet existence until the outbreak of the Second Seminole Indian War. This conflict lasted from 1835–1842 and was the most costly of all the wars fought with the American Indians. Fort Brooke became the headquarters for the Army of the South, thus the residence of the commanders in the field, among them Gen. Zachary Taylor, later President of the United States.

With hundreds of transports, and supply vessels entering the harbor, the lighthouse was then erected on Egmont Key. At various times during this long struggle Egmont Key was used as a gathering spot, or depot, where the captured Indians were camped until vessels arrived to carry them West. The lighthouse remained in use for commercial ships after this war was over. Several years later, in 1848, it was partially destroyed by a severe hurricane and inundated by sea water. Immediately rebuilt, it has remained in continuous use until this day.

A distinguished American, Col. Robert E. Lee, later Confederate Commander in Chief, visited the coast and islands of Tampa Bay, in February 1849, on a survey mission for the U.S. Government. This group in their report to the Secretary of War recommended that Egmont Key, among others, be reserved by the Government as a key to the defense of the area.

The Third Seminole Indian War, 1855–1858, again found Egmont Key a depot for captured Indians and those who came in peacefully for transportation to Western lands. The Chieftan in this uprising, Billy Bowlegs, with his war leaders and familes, bid a final farewell to their native land from here when the steamer, Grey Cloud, bore them away. This group of Indians which sailed from Egmont Key, May 7, 1858, was the last to be deported from the State.

More peaceful years existed there until 1861 when Florida withdrew from the Union and joined her sisters in the Confederate States. The local militia, knowing full well they could not defend Egmont Key from the forces of the Federal blockade, dismantled the light from its tower and secreted it at Fort Brooke whose guns defended Tampa from a bay invasion. Thrice the town was bombed but not occupied. When Tampa was finally occupied by Federal troops in May 1864, the Egmont Key lights were found safe and carried, with other booty, to Key West. They were returned in peace time and again mounted within the tower and continued in operation until replaced with more modern equipment years later.

During the war years of 1861–1865, a Federal detachment held Egmont Key. Small raids were made from there on the mainland, and it also served as a center for escaped slaves and Union sympathizers until a time they were able to be transported by ship to Key West. Lookouts were posted in its tall tower, with glasses, searching the bay for Confederate blockade runners operating out of the Hillsborough River.

A peaceful existance again came to Egmont Key from 1865–1898. The latter year brought us war with Spain following the sinking of the American warship Maine in the Havana harbor. No less than three of the Tampa Bay keys were fortified against possible attack. Today on Egmont Key are to be seen the historic ruins of its fortifications, cannon, sandbagged dugout, munition magazine, post hospital and long strips of paved roads, all dwarfed by the tall lighthouse on its isolated end of the key.

Peace finally reigns there as king. May it ever be so, free from commercialism, a wildlife refuge and a retreat for all the weary from the work-a-day world.

Sincerely,

THEODORE LESLEY,
County Historian.

NEEDED: AN ATTORNEY GENERAL OF THE CONGRESS

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. ANNUNZIO. Mr. Speaker, a novel suggestion has come to my attention with regard to the current debate among the three branches of government over the proper division of power. Mr. Ernest Cuneo, president of the North American Newspaper Alliance, writes of the need for an attorney general of the Congress.

Mr. Cuneo is a distinguished lawyer and publisher. A graduate of Columbia University, he was admitted to the New York bar in 1932. He was a law assistant to Fiorello H. La Guardia in 1931 and 1932, and associate counsel for the Democratic National Committee from 1936 to 1940.

During World War II, Mr. Cuneo was an officer with the OSS, chief liaison with British Intelligence and the FBI for General Donovan, and was decorated by both the British and the Italian governments for his services. He has written two books, Life with Fiorello and Science and History. His remarks follow:

[From the National Whirligig, Mar. 19, 1973]

NEEDED: AN ATTORNEY GENERAL OF THE CONGRESS

(By Ernest Cuneo)

WASHINGTON, March 7 (NANA).—The tiresome confrontation between the Executive and the Congress over the refusal of the President to spend appropriated funds illuminates a flaw in Constitutional procedure far more than it defines a Constitutional crisis between the Executive and Legislative Branches. A real Constitutional crisis between the Congress and the Executive would be about as unequal as a contest between the Atlantic Fleet and a ferry boat. The mechanics of the action would be deadly simple. The same Congress which could marshal the two thirds vote in House and Senate to override any Presidential veto could, in a real showdown, marshal the same two thirds vote in both Houses to impeach him. It being perfectly obvious that the Houses are not united enough to effect this, it becomes tiresome to hear the Hill constantly advertising its divisive paralysis. The next best remedy is to cut the White House budget to the bone, or eliminate it, a device used in Great Britain. In fact, it is practiced within the Executive Department itself. A man who refuses to resign and can't be fired is assigned to a room empty except for a chair and a desk and assigned no work. Few stand up for very long under the pressure of no pressure at all.

But a much more serious breach in the ramparts of the legislative superiority designed by the Founders has grown up by custom. The usurpation of power by the Supreme Court in assuming it had the right to declare Acts of Congress unconstitutional went unchallenged, though it is without exception, the Mount Everest of gall as the history of the English-speaking nations goes.

But even more puzzling in a century when the Hill produced the great Constitutional lawyers of the country—Webster and Calhoun, for example—is the fact that the Hill never demanded its own Attorney General.

It is the President who appoints his Attorney General, who after confirmation, magically becomes Attorney General of the United States. Actually, he is nothing of the kind. He is primarily House Counsel to the President, the Executive Department. This dual function is now recognized. In the past 25 years, supplanting the Postmaster General, the office of the Attorney General has become the most sensitive political office in the land, as for example, the appointments and activities of Robert F. Kennedy and John Mitchell in that office indicate. But the primary duty of the Attorney General is to the President.

It follows, thereore, that in any Constitutional test between Hill and Executive, the Attorney General of the U.S. will represent the President, as indeed, he should. But since the Attorney General has the initiative of how, when and upon what issue a case may be submitted to the Courts, or, indeed, of avoiding any issue at all, the advantage to the Executive is tremendous.

It is even more accentuated when it is considered that neither House, nor Senate, nor Congress as a whole has its own Attorney General. Thus, it traditionally is a bystander when the Constitutionality of its own acts are in contention in the Courts.

This does not suggest that an Attorney General of the Congress go before the Courts to argue the merits of an Act of Congress. On the contrary, the function of such Attorney General would be to notify the Courts of the intent of Congress, and such notification would be binding upon them.

This would not be new law. As a matter of fact, the Courts already extend this privilege to the State Department. In any case involving status of foreign matters, the Court either refers to the State Department's ruling or asks the State Department for an opinion, which opinion by custom is regarded as the Law of the Case.

By contrast, the Supreme Court horses around for months deciding what the Congress intended, when the Congress is a short iron-shot across the park and could be asked its intent through its Attorney General, if it had one. The least that the Supreme Court could do is ask the opinion of the Chairmen of the relevant Committees, as the Congress itself does, but the Court doesn't. Obviously it was bold enough for the Supreme Court to assume the powers of declaring an Act of Congress unconstitutional; but to assume to interpret the intent of Congress when 535 duly elected and presumbaly sane men are sitting hard by is more fitting as part of a Gilbert & Sullivan operetta than the daily functions of the U.S. Government.

The Congress of the U.S. faces no Constitutional crisis with the Courts or with the Chief Executive. On the contrary, these Departments should face legislative and financial crises if they persist in defying that branch of the Government, the Congress, which clearly and unmistakably was designated by the founders as the final power, the ultimate voice of the people.

The Congress will continue to find itself choked with rage and frustration, until it establishes its own voice. That voice, about 186 years overdue, is an Attorney General of the Congress to match the Attorney General of the Chief Executive, with statutory power to enter any court in the land without submitting to its jurisdicion. No other free assembly in the world would consider for a moment letting another group decide what it intended, and it is time the Congress appointed its own Attorney General to so notify the Supreme Court and the Chief Executive.

FACTS ABOUT BEEF PRICES

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. NICHOLS. Mr. Speaker, a great deal has been said in recent weeks about the sharp increase in meat prices. I share the concern of the millions of Americans who participated in the meat boycott several weeks ago. As is always the case, however, there is another side to the story—the cattleman's.

Their viewpoint was expressed very clearly in a recent publication distributed by the Alabama Cattleman's Association, an organization with over 15,000 members. Mr. Speaker, I believe the views espoused by this fine organization are valid and I wish to place them in the RECORD for the study of my colleagues:

FACTS ABOUT BEEF PRICES

The 15,158 members of the Alabama Cattlemen's Association have become increasingly alarmed and concerned over the attention that is being focused on beef prices. Alabama cattle leaders emphasize that they are just as alarmed and concerned over inflation, the increased cost of living and high prices as any other group of people in the state.

Cattlemen point out that the cost of everything has risen and that beef prices are in line with all other goods and services. They are concerned that their product—BEEF—has been singled out as the main cause of inflation by politicians and housewives. They deplore the threat of boycotts and meatless days throughout the nation by people who have no earthly idea what the increased costs, time, and problems are in producing livestock for the market.

Alabama cattlemen pointed out that the threat of boycotts and meatless days will actually short change the consumer by ultimately resulting in reduced meat supplies and higher prices. Any move such as boycotts and meatless days would be an economic signal to the cattlemen that consumer demand is diminishing and therefore cattlemen would be reluctant to increase their beef herds.

The issue today with reference to the housewives boycott of meat is the fact that beef has been too cheap too long. Now that beef has reached the point that cattlemen and farmers can realize a reasonable return on their labor and investment, the housewife is concerned.

After 20 years of struggling to make the beef cattle industry profitable the cattleman is now catching up with the rest of the economy whose wages and prices have been skyrocketing for the past several years.

Cattlemen agree that beef prices have risen sharply during the past several months and they insist that present beef prices are not out of line.

Present meat prices are not out of line by any measurements with the level of wage rates, salaries, personal incomes, cost of living, or prices of most consumer goods; and even the rather recent increases in meat prices fall short of matching the steady and consistent increases of all other items.

Alabama cattlemen state that while beef prices are up, an hour's wage still buys more than twice as much beef as in 1950. The Alabama housewife is spending about 15 percent of her disposable income for food, which is the lowest in the history of our country. In

1960 she spent approximately 20 percent of her disposable income for food.

Exploding demand and high incomes are part of the reason for rising beef prices. More people with more money to spend are eating more beef today than ever before.

Even though cattlemen have doubled production in the past 20 years, cattle producers can hardly produce enough to keep up with their remarkable increase in demand.

Alabama cattlemen point out that they do not set the prices. Practically all cattle are sold at auction with buyers bidding what the traffic will bear, and cattlemen having to take what the packer is willing to pay. The final price for meat is set at the retail level.

They also point out that there is no quick way to produce a T-bone steak. Actually it takes approximately two years to produce the steak or roasts that housewives will have for dinner this week.

Alabama cattle leaders state that the cattle numbers are on the increase and that cattlemen are beginning to cull their herds and will be selling more cattle this Spring and Summer.

Alabama officials predict live cattle prices will level off and this should result in reduced prices at the retail level.

Cattle leaders also oppose any effort to place price controls on raw agricultural products. They believe that controls on beef prices would be self defeating because controls on meat do not decrease demand or increase supply.

ALABAMA CATTLEMEN'S ASSOCIATION.

NIXON YOUTH CUTS

HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. MOAKLEY. Mr. Speaker, with each passing day it becomes more—if you will—perfectly clear that Mr. Nixon is totally isolated from the real needs of the American people.

This isolation is particularly tragic in light of Mr. Nixon's landslide victory in November last which he mistakenly interpreted to mean that he, as the President, is authorized to give the American people what he wants instead and in spite of what they need.

Today, Mr. Speaker, I am drawing specific reference to the administration's cutbacks which have resulted in the elimination of a most worthwhile program, the Neighborhood Youth Corps.

Mr. Speaker, as you well know, this program has proven to be an invaluable factor in both stimulating our young to share in the work ethic in addition to serving as a pragmatic device of keeping our young off the streets.

However, via the elimination of this program we may very well find ourselves and our cities engulfed by a flood of jobless youth who have no other alternative but to roam the streets.

And certainly everyone is aware that the streets have nothing to offer but crime, drugs, alcohol and so forth, as Mrs. Ann Stokes indicates in the following letter and accompanying petition.

Mr. Speaker, it is for this reason—if for no other—that we in the Congress must unite in order to prevent the Nixon youth cuts and thus save the Neighborhood Youth Corps.

The following letter of Mrs. Stokes is further testimony of the undue hardship precipitated by the President:

MODEL NEIGHBORHOOD BOARD,
Dorchester, Mass., March 26, 1973.

Representative JOSEPH MOAKLEY,
Roxbury, Mass.

DEAR CONG. MOAKLEY: As you probably are aware that hundreds of youth, between the ages of 13 through 22, will be looking for summer employment. Government cut backs, however, have changed the job situation and of course our own budget has been cut severely and we are unable to sponsor a program such as we have in the past. We have met with over 200 teen-agers during the past three weeks and explained the situation, they in turn organized themselves in groups of spokesmen, strategy committees, etc.

One part of their plans, has been to write letters to Mayor White, Senator Brooke and President Nixon, this also includes a petition from the original group which first met.

Staff in Area V office, can not understand how the President can talk about law and order and then take jobs away from the teen-agers, leaving them with nothing to do all summer. Certainly everyone is aware that the streets have nothing to offer but crime, drugs, alcohol, etc. These jobs are necessary and some way the leaders of this country should be planning with the teen-agers an action that will bring their plight to the attention of the President. No one yet has gone to the news media with a message for just the teen-agers, whose frustration is already being felt in the community. Must we wait until the summer, when school is out to take action in their behalf.

Please, do all you can to bring some summer jobs to the teen-agers in Mass. who badly need them.

Sincerely yours,

MRS. ANN E. STOKES,
Supervisor.

TEEN-AGERS OF AREA V PETITION FOR SUMMER JOBS

MARCH 14, 1973.

We the undersigned are requesting that Mrs. Marsha Barros, our elected area V representative, gain support from the Model Neighborhood Board to do everything possible to get us summer jobs:

Charles Dymond, Ulysses Williams, Alfred Lewis, Walter Furtado, Mandy Allen, Mary L. Stordivant, Norris Edgecombe, Jr., Maria Medina, Arthur Berry, Sammie Jean Holloway, Ledarnella Ragland, Maye Howard, Elizabeth Ross.

Celeste Allen, Mary Hall, Ulysses Williams, Adrison Herrisor, Maye Howard, Walter Robinson, Elizabeth Ross, Ledarnella Ragland, Arthur Yarborough, Maria Medina.

Sammie Jean Holloway, Telesa Daye, Angela Sloane, Almaria Reyes, Dede Reyes, David Solomon, Joseph Cox, Mary Stordloant, Lawrence Mosley, Michael Williams, Jacqueline Wright, Randy Jonts, Mrs. Lellium Rankin, Tanya Johnson.

Susan King, Michette Bell, Christine Cummings, Dorothy Brown, Patricia Young, Walter Furtaslo, Alfred Lewis, Joseph Furtado, Otis McCall, James Perryman.

Lisa Hinton, Jannette Mathis, Jane Williams, Tyianne Edwards, Cynthia Haliday, Sharon Reid, Brenda Lawson, Eric Jones, Barabar Owens, Keith Col, Gary Lee, Dede Reyes, Amos Wright, Celeste Allen, Amacia Reyes.

Alicia Monteiro, Janice Cherry, Doris Cherry, Theresa Shelton, David Montico, Lewis Johnson, Robert Cetchell, Richard Johnson, Terry Williams, Al Cooper.

Manly Allen, Helen Beverly, Sheryl Wolfe, John Campbell, Paulene Mathis Antomette Noffes, Arthur Berry, Nonnis Edgecombe Jr., Lyette St. John, Debbie Stokes, Andrea Monteipo, Arthur Davis.

THE PLIGHT OF THE JEWISH COMMUNITIES IN THE ARAB STATES

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. DRINAN. Mr. Speaker, on Sunday, April 29, 1973, I attended and spoke to a very moving gathering of young people in Newton, Mass. Some 200 teenagers with many of their parents came together under the auspices of the organization called Young Judea to call upon the leaders of the world to use every means of persuasion and pressure at their disposal for securing the release of the Jewish citizens in the Arab countries of the Middle East.

This very inspiring gathering of young people took place on the lawn of the city hall of Newton and was addressed by the mayor of that city the Honorable Theodore Mann.

The gathering also heard words of encouragement from Rabbi Samuel Kenner of the Jewish Community Council of Boston, an expert in all aspects of the problems of Jews living in the USSR and in Arab lands.

I related to the gathering the facts behind the introduction of a bill cosponsored by myself and many of my colleagues, H.R. 7229, which would provide up to 30,000 visas for the immigration of Jews from all Arab lands.

Mr. Speaker, the very moving meeting in Newton, Mass., considered the plight of the Jewish communities in the Arab States. In this connection I bring to the attention of my colleagues in the House the statement by the Minister for Foreign Affairs of Israel, Mr. Abba Eban, in the Knesset of April 29, 1973.

I attach also at the conclusion of the statement by Mr. Abba Eban the text of a resolution adopted by the Knesset on April 29, 1973:

THE PLIGHT OF THE JEWISH COMMUNITIES IN THE ARAB STATES

(Statement by the Minister for Foreign Affairs, Mr. Abba Eban, in the "Knesset", Israel's Parliament, on April 29, 1973)

Verification has most recently been received of the terrible report that a Jewish family in Baghdad—Reuven Kashkush, his wife, their two sons, Fuad and Samir, and their daughter, Joyce—had been murdered in broad daylight. This barbarous murder is the climax in a continuous chain of brutal persecution of Baghdad's Jewish community—revived in September 1972, when one Jew was discovered murdered in his home and word was received of the abduction and disappearance of eight others. Since then, eight further Jews have been abducted on various dates, bringing the total to sixteen:

Azouri Shemesh, Shaul Rajwan, Ya'acov Abdul Aziz, Ezra Abu Daoud, Dr. Ezra Khzam, Salim Sidka, Nagi Tzitiat, Shaul Shemesh.

Ezra Shemtove, Nagi Kashkush, Suad Kashkush (Wife and Nagi), Naim Patal, Ezra Kahtan, Salim Gahtan, Shua Uzeir.

Repeated appeals concerning their fate and whereabouts, addressed to the Iraqi authorities by members of the families and by representatives of friendly governments and international bodies, have met with contradictory and evasive replies. Confiscation of the property of the abducted persons, as well as further measures similar to those taken on the eve of the public hangings in 1969, give rise to the terrible thought that some—if not all—of them are no longer alive.

We mourn the murder of an innocent Jewish family, and grieve with the relatives of those abducted and with all the Jews still remaining in Iraq. We are with them in spirit in their various and courageous stand against the cruel oppressor, and in their struggle for their right to emerge into freedom, and address to them from here words of encouragement and hope.

The Iraqi authorities take upon themselves a grave responsibility in disregarding the constant and angry protest of world opinion, and in persisting with the brutal deeds of persecution and murder which endanger the very existence of the defenceless and helpless Jewish community remaining in Baghdad.

ISRAEL DEMANDS FREEDOM FOR THE JEWS TO LEAVE THE ARAB COUNTRIES

Sequent upon the multifarious and vigorous international action mounted to rescue the Jews in Arab Lands, particularly after the tragic events of January 1969—when the innocent Baghdad martyrs were executed, thousands of Egyptian and Iraqi Jews were enabled to depart, and even in Syria—which still bars her gates to the departure of Jews—dozens of Jews were released from prison. While this international pressure continues, we are well aware—as are also all those governments, international bodies and personages ceaselessly active in the effort to rescue Iraqi and Syrian Jewry—that in the unstable conditions prevailing in these countries, wherein their rulers seek scapegoats for the crises attending them every now and then, the defenseless Jewish communities may often expect to be the targets of trouble and oppression.

There is only one solution for the plight of Iraqi and Syrian Jewry—the exodus of all of them for their goal. This truth has been accepted by everyone engaged throughout the world in the cause of rescuing the Jews in Arab lands, and they are ceaselessly active towards its implementation. Here, too, international action has achieved results: Out of Iraq's Jewish community of 5,000 in recent years, only a few hundred remain. The figure I last quoted to the Knesset was 400, and since then the number has dropped considerably. There was reason to hope that this process would continue until the departure of the last Jew from this most ancient of the dispersions. Much to our regret, however, the oppressions and persecutions were revived in September 1972. Further grave misfortunes have descended upon the much tormented Baghdad community.

WORLD REACTION TO IRAQI ATROCITIES

Immediately upon receipt of the first reports of murder and abductions, governments, international organizations, personages and intellectuals—Jews and non-Jews alike—in dozens of countries throughout most continent were impelled to action, demanding an explicit and unequivocal reply from the Iraqi authorities concerning the fate of those abducted and whether they were still alive, and insisting that an authoritative international body be permitted to see them. As a result of the public and international pressure, the Iraqi authorities and their representatives in various capitals were forced into publishing—after a silence of a few months' duration—denials in vague and hazy terms, to the effect that Jews had not been detained on religious or political grounds, that the Jews were equal before the law, and so forth. In not one of the denials was it clearly designed to obliterate cruel deeds, responsibility for the perpetration of which is borne by the Iraqi authorities. We entertain no shadow of a doubt as to what might have been the fate of the entire Baghdad community but for the international awakening. The terrible deeds of which we hear represent further proof that not a single Jewish life is any longer secure in Iraq.

THE PERSECUTED JEWS OF SYRIA

On this occasion, let us not forget our brethren in another dolorous dispersion. The Jews of Syria, numbering some 4,000–5,000 souls, live in conditions of oppression and suppression. They are denied the basic rights of the freedom of man, and degrading restrictions are imposed on the community and its economic activity. They are forbidden to move more than four kilometres from their places of residence, not to mention leaving the borders of the state, and live in constant fear of the authorities and their neighbors. Three Jews are still in prison: Nissim Katri, Yosef Sued and Albert Elia. The latter the Secretary of the Beirut Jewish community, who was abducted in September 1971 and imprisoned in Damascus. We shall not desist, not even for a single moment, from the campaign to permit the immediate and total exodus of Syrian Jewry and for the release of the detainees in Syrian prisons.

ISRAELI POLICY

The Government of Israel intensifies its efforts and activities on the political plane at every possible level—including moves and contacts which I shall not enumerate here, expresses its gratitude to everyone throughout the world engaged in the cause of rescuing the Jews in Arab lands, and reiterates its appeal to all those to whom the human issue is of concern to intensify their efforts, to persist in the pressure and the struggle, and to raise their voice in vigorous protest and in demanding the immediate cessation of the murderous and cruel deeds perpetrated against Iraqi Jewry and the release of the detainees in Iraq and Syria, and insisting upon permission being granted for the immediate and total exodus of the small remnant of Iraqi Jewry and of Syrian Jewry.

"BY THE RIVERS OF BABYLON"

I commenced by speaking of Iraqi Jewry, and I shall conclude with them. Redemption of the last remnants of Iraqi Jewry will spell the end of a chapter of Jewish presence which has lasted continuously from the dawn of human history until the present. In Mesopotamia was born the father of the nation, in Babylon did the exiled prophet behold the vision of the dry bones into which the breath of life was infused, in the land between the rivers Gaonim (Jewish scholars) and poets emerged to light the path of the Jewish people in the Middle Ages—and it was among Iraqi Jewry that establishment of the State of Israel caused a ripple of yearning, until they arose and flowed to us in their multitudes in the early years of the state's existence, out of a sincere and deep spiritual awakening to the disregard of accounts of time and property. Even in the past two years the Iraqi authorities were unable to withstand the pressure of domestic and external demand, which resulted in the redemption of most of the Jewish remnant.

IRAQI JEWS—THE FIRST ZIONISTS

Do the Baghdad authorities really believe that the dastardly murder recently committed and all other overt and covert criminal deeds will deter Iraqi Jewry from joining their people? Was it then not there that Jews first wept in recalling Zion? Was it not there that exiled Jews for the first time held Jerusalem above their chiefest joy? And it was there that the wonderful and unprecedented revelation emerged of a people which even in its dispersions, never ceased yearning for its homeland.

The very concept of "the return to Zion" was born by the rivers of Babylon, and it is indeed the silenced harps hung on the willows that speak to us to this very day in a voice which cannot be stilled and knows no rest.

Therefore, we have but to intensify the sound of our demand and to maintain the full wrath of our protest and that of the entire enlightened world, until the last of the Babylonian exile shall have closed the circle of history—and emerge to freedom.

Text of a Resolution Adopted by the Knesset, April 29, 1973

1. The Knesset has heard with anguish and anger of the murder in Baghdad of all five members of the Kashkush family. This murder of an entire Jewish family and the disappearance of 16 other Jews prove that the Iraqi Jewish remnant numbering a few hundred souls is subject not only to abductions, arbitrary detention and torture, but to the very threat of annihilation.
2. The total exodus of the Jews still in Iraq has become the most urgent necessity and human requirement. This necessity applies also to our brethren in Syria, who are mercilessly oppressed by the authorities.
3. The Knesset appeals to governments, parliaments and international organizations to intercede immediately with the Iraqi authorities, and to demand that they permit the departure of all Jews from that country, that they may reach a safe haven.

RETIREMENT OF MRS. ANNA-MAE SWITASKI

HON. RONALD A. SARASIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. SARASIN. Mr. Speaker, at a time of ever increasing importance being placed on the role of women in politics, I wish to rise and note, for my colleagues' attention, with sadness the retirement of Mrs. Anna-Mae Switaski as the vice chairman of the Connecticut Republican State Central Committee.

Anna-Mae, as we from Connecticut refer to her, has been the vice chairman of our party for 23 years and has served in this post under five State chairmen. In those 23 years she has served her party well giving tirelessly of her time and knowledge.

Interested in politics since childhood, Anna-Mae has worked in every election since she was 14, although she has never sought public office herself.

In her career she has achieved a number of noteworthy firsts. Among them are: The first woman from her hometown, New Britain, to attend a national convention. The first president of Connecticut Council of Republican Women's Clubs, charter member, officer and founder of Hartford County YGOP, only person chosen seven times as a delegate from Connecticut to Republican National Conventions.

She leaves her position as State vice chairman to achieve another first. The first woman ever to serve on the liquor control board since its creation 40 years ago.

As a spokesman for her sex and her party, Anna-Mae is tireless in discussing the need of women to take part in politics, Republican politics in particular.

In moving to her new position, I can only say that we, the Republicans from Connecticut, are losing a truly devoted worker and leader. I wish her luck in her new endeavor, and know that I as well as all of us from Connecticut will miss this true and dear friend.

I would also like to include at this time the joint resolution passed unanimously by the Connecticut General Assembly in her honor:

House Joint Resolution

Resolution congratulating Anna-Mae Switaski

Resolved by this Assembly:

Whereas, Anna-Mae Switaski has been appointed a liquor commissioner by the Honorable Thomas J. Meskill, Governor of the state of Connecticut; and

Whereas, Anna-Mae Switaski has served as vice-chairman of the Republican State Central Committee for twenty-three years and previously as President of the Connecticut Council of Republican Women's Clubs for eighteen years; and

Whereas, Anna-Mae Switaski has been a Connecticut Delegate to seven Republican National Conventions where she has served with distinction on such important committees as Rules and Platform; and

Whereas, she is regarded and has served admirably as the spokesman for Republican women throughout the State, and is a walking encyclopedia of facts and names of Republican interests; and

Whereas, Anna-Mae Switaski has served five Republican State Chairmen during which time she has become one of the Republican party's most popular and best-known leaders;

Now, therefore, be it resolved, that we of the general assembly unite in extending to Anna-Mae Switaski our most sincere congratulations on her appointment to the Liquor Commission, and our best wishes for her success in this new field of endeavor.

Be it further resolved, that the clerks of the house and senate cause a copy of this resolution to be sent to Mrs. Anna-Mae Switaski at her most favorite address, 410 Asylum Street, Hartford, Connecticut.

BUDGET PRIORITIES ASSESSED BY SACRAMENTO URBAN LEAGUE

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. WALDIE. Mr. Speaker, many of us have viewed with concern the absence of funds for important and valuable social programs in President Nixon's budget. A Federal court has mercifully stopped the dismantling of the OEO, for the time, but it is incumbent on Congress to take positive action.

The Sacramento Urban League addressed itself to the matter of proper budget priorities on February 20, 1973, and I offer the text of a resolution they enacted for the consideration of my colleagues. The resolution follows:

Resolution of the Sacramento Urban League Members

The National Urban League, founded in 1910, to assist Blacks migrating from the South to adjust to urban life in Northern cities, represents a history of leadership in providing services and creating opportunities in jobs, education, housing, and social welfare. These services have contributed to poor people and minorities opportunities to help solve many of their own problems.

The recent announcement of the Administration's intent to terminate such programs disturbs us, since such policies appear to be rooted into negative feelings about the domestic programs at a time when billions of dollars are being provided abroad. In view of the 7½ billion dollars being proposed for reconstruction in Vietnam, it is the profound concern of the Sacramento Urban League that the programs under the Office of Equal Opportunity not become victims of budget cutting to help finance the war in Vietnam, and that increased amounts of money be budgeted for a reconstruction of the United States.

Many of the programs developed by OEO to reach the roots and causes of social problems have been successful and should be retained.

As an affiliate of the National Urban League, whose tradition of concern has been to provide help to the downtrodden, the poor, and the minorities, the members of the Sacramento Urban League feel that the National Urban League's concerns, as so aptly stated by Vernon Jordan, "the end of the OEO will mean more than the loss of some programs and the redistribution of others. It will mean that the only institutionalized voice of poor people will have been abolished. And it will stand as a symbol of the Federal Government's indifference to minorities and to poor people," are clearly consistent with the purposes outlined. Therefore, the Membership of the Sacramento Urban League would like to go on record in support of the National Urban League's efforts to retain those domestic programs established to further Equal Opportunity for all Americans.

The scriptures refer to a fitting concept in this instance, that "charity begins at home, then spreads abroad." At a time when American cities are decaying, when American children are suffering from malnutrition, when education is being denied American children of all races, and when people are despairing due to unemployment and health programs it appears the ultimate in disregard for Americans, that its Government is apparently unwilling to provide a like amount of 7½ billion dollars for the reconstruction of American ghettos, barrios, appalachians, and assistance to returning Vietnam veterans.

The Sacramento Urban League urges you to continue your support of American domestic programs as the number one priority, to help us renew our nation.

OEO END—A RATIONAL MOVE

HON. ROGER H. ZION

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. ZION. Mr. Speaker, a recent editorial in the Boston Herald American points out that the house cleaning going on at OEO is not an incompassionate purge but rather a rational plan to give the poor more funds and services than they have received in the past. I ask unanimous consent that the following editorial be printed in the Record.

[From the Boston Herald American, Mar. 30, 1973]

A Way of Saying "Ouch!"

(By John Chamberlain)

When the administration put Howard Phillips, a conservative, in as acting director of the Office of Economic Opportunity with a mandate to clean house and to abolish some 900 wasteful, ineffective and sometimes crooked agencies, there were anguished cries about a "Nixon compassion gap." But the wailing about a heartless "Buckleyite black mass" being celebrated at OEO obscures a number of things.

Actually, as M. Stanton Evans, the chairman of the American Conservative Union, points out, the Nixon budget is awash with welfarist hikes. Two billion dollars are provided for federal absorption of welfare function; community development and housing get an additional billion; Medicaid and Medicare are being expanded to the tune of an extra $3.7 billion, and so it goes. A "compassion gap" indeed! What the whole business amounts to is a simple displacement of bureaucracies. We are being asked to shed tears for bumbling officeholders who have actually let the poor down.

It is not even true that there is any particular brutality about the ending or revamp of OEO's own functions. There has been a lot of criticism of the Office of Legal Services, for example. But the poor are not about to be deprived of legal help. In Indianapolis the big-hearted "poverty lawyers," with government money to spend, thought it perfectly terrible that a group of counterculture high school editors of an underground publication, The Corn Cob Curtain, should be in trouble with the law. Some of the outraged Indianapolis parents insisted that the kid editors had been dealing more in porn than in corn. The poverty lawyers took the kids' side of the battle, offering them legal services for free.

Nobody quarreled with the right of any editor to have his day in court. But it seemed a little too much when it was discovered that the poverty lawyers had taken on some youthful clients whose families were in the $20,000-25,000-a-year income range. The specious defense of the poverty lawyers was that the kids didn't necessarily have access to the family bankrolls. Did this make them poor?

It seemed plain to a big part of the Indianapolis community that the OEO Legal Service representatives were more concerned about supporting their philosophic prejudices than they were about finding poor people who were really up against it. Laurie McCarty, the Boston lawyer who had come into OEO to clean up the legal services was jolted into second thoughts about the Indianapolis office when he discovered that it had apparently never bothered to consult with the local bar association. This, if it could be established beyond doubt, was a violation of the Economic Opportunity Act, which expressly requires Legal Service consultation with the local bar.

After talking with judges and attorneys in Indianapolis and in the overlapping area of Marion County, Robert Parker, another Bostonian who is one of the conservative OEO "receivers" in Washington, was convinced that there had been a communications gap between the bar association and the government's poverty lawyers. So there was a great deal of argument in Washington about renewing OEO funds for the Indianapolis operation. The time seemed ripe to put Indianapolis Bar Ass'n representatives on the free Legal Services directorate. A slate was actually drawn up.

It so happened, however, that the liberal Mayor Richard Lugar of Indianapolis, Republican, had enough influence at the White House to prevent any drastic change in local poverty lawyer agency personnel. The Indianapolis Bar Ass'n, after some hemming and hawing, went along with the mayor. Presumably Douglass Shortridge, the president-elect of the association, will be consulted from now on. Which is at least a slap-on-the-wrist victory for these who are trying to make local poverty lawyers live up to OEO rules.

WARREN COUNTY RED CROSS

HON. THAD COCHRAN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. COCHRAN. Mr. Speaker, since its inception in this country over 100 years ago, the American Red Cross has provided its compassionate and humanitarian services to literally millions of people. In both natural and man-made disasters, and in peace and war, Red Cross workers and volunteers have been among the first on the scene, providing help and encouragement to the victims.

We are now enduring probably the worst flooding of the Lower Mississippi River Valley in recorded history. In the State of Mississippi alone, 3 million acres have been flooded causing catastrophic damage to homes and farm lands. Miraculously, there have been very few lives lost for which we are all thankful.

In the Fourth Congressional District which I represent, the city of Vicksburg and Warren County have sustained the greatest damage. Red Cross volunteers and staff personnel by their responsiveness and quick action have contributed immeasurably to the relief effort by providing a great variety of services to the people of the area. I am proud to acknowledge the excellent work of the Red Cross. Without the enormous effort of the local chapter in Vicksburg, under the splendid leadership of Mrs. C. R. Porter, our losses would be far greater.

As a part of my remarks, I include an editorial which appeared in the Vicksburg Evening Post of April 4, 1973. This tribute to the American Red Cross is very well deserved, and I commend it to the attention of my colleagues:

THE AMERICAN RED CROSS

When nature deals a serious blow, or a disaster strikes, the natural feeling on the part of all people, those affected and those not involved, is to look to the American Red Cross for quick relief. And it is always there. The Red Cross is geared to meet emergencies. The Disaster Relief Committee is kept abreast of new and meaningful actions in the face of disasters and moves in almost simultaneously with the advent of the trouble

Such has been the case in our area following the flooding of low areas, from torrential rains and from rising waters. The Red Cross has gone about the job of bringing relief of a temporary nature to the people who lived in the stricken areas. Meals have been served, temporary housing has been provided and people whose homes were inundated, some to the rooftops, found the comforting arm of the Red Cross open for them.

It is a most satisfying feeling to know that there are people who care, when one meets with disaster. A home, with all of its furnishings, plus the sentiment attached, is more than a house. It is a real home and when that home is covered with water and the resulting silt which will remain when the water recedes, there is something taken out of the hearts of those who live there. Here is where the Red Cross performs its most wonderful service. Here is where solace and a certain amount of financial grant is available when that home can once again be entered.

What would people do if there were no Red Cross? The record of the Red Cross should be impressed in the hearts of all Americans, for this great organization, through the unselfish volunteers who carry on its programs, has written indelible chapters in the history of our nation. New chapters are always being written, such as the one now being written in Vicksburg and Warren County.

IT IS TIME FOR THE PRESIDENT TO SPEAK OUT

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. McCLOSKEY. Mr. Speaker, I think it is time that the President speak out personally, directly and candidly on the subject of his own knowledge and involvement, if any, in the Segretti and other political sabotage operations of the 1972 campaign, and also that he now direct full disclosure of all campaign contributions for that campaign from all sources.

Three facts are now established from specific statements of the White House, Government Accounting Office, or Justice Department personnel:

First. The President's personal appointments' secretary, Dwight Chapin, hired a friend and college classmate, Donald Segretti, to conduct political sabotage efforts against opposing Presidential candidates. During the period of Mr. Segretti's employment, Mr. Chapin was accustomed to meet with the President on a daily basis.

Second. The President's personal lawyer, Herbert Kalmbach, paid Mr. Segretti at least $30,000 from a secret campaign fund.

Third. The names of the contributors to such fund and the names of the great bulk of the contributors to the President's campaign funds have not yet been disclosed.

It is reported in the press that Mr. Segretti has declined to answer grand jury questions about his activities, on the ground that he might incriminate himself.

If Mr. Segretti indeed committed any crimes, it is a matter of ordinary criminal law that persons who knowingly aided, abetted, encouraged or helped to conceal those crimes may have also been guilty of criminal conduct.

The President has as yet made no comment on these matters, save his public announcement in March that "We have nothing to hide." He did not choose to speak directly to these problems in his address to the Nation last evening. It seems incumbent upon the President, therefore, to make a full and complete statement in response to the logical questions raised by the facts thus far known:

First. Did the President know of the hiring of Segretti?

Second. If so, what was his understanding of the scope of the political sabotage activities Mr. Segretti was being hired to conduct?

Third. What does the President know now, as a result of his investigations, of the activities actually carried out by Mr. Segretti and in the name of the Committee to Reelect the President?

Fourth. When did the President learn of these facts?

Fifth. Whose money financed the political sabotage and espionage operations involved, and were any of such operations in violation of law?

These questions are not merely matters of campaign shenanigans or political capers, nor do they have any relationship to proper functions of government. They do, however, go to the very heart of the integrity of the Office of the President and American political system which the President recognized as so important in last night's speech. The strength of that system rests on the faith of our people in the integrity, truthfulness and candor of our highest elected leaders and upon the principle that those leaders are required to obey the same laws as are ordinary citizens.

The most recently retired Attorney General has told the Congress that if we object to the continuing refusal of the President and his assistants to lay these matters before the public and the Congress, our proper remedy is to institute impeachment proceedings.

Such an action seems an inappropriate step to even consider when the President has it within his power to resolve public doubts by a full, candid and explicit statement of his own personal involvement and knowledge or the lack of such involvement or knowledge.

I would, therefore, respectfully urge that the President should now make a full disclosure of everything he knows about political sabotage and its financing in the 1972 campaign; and that he do so forthwith before public faith is further shaken by the continuing piecemeal revelations of his subordinates. The Presidency is too important an institution to allow it to be tarnished by continuing silence on the part of the one individual who alone can clear up the increasingly ugly doubts shared throughout the Nation, and which were not resolved by the President's television address of yesterday evening.

THE CONTINUED PERSECUTION OF MIDDLE EASTERN JEWS

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. BADILLO. Mr. Speaker, on numerous occasions in the past I have called to our colleagues' attention the reign of terror which is being perpetrated against the dwindling yet extremely vibrant Jewish communities in Iraq, Syria, and various other Arab nations. I have reported that Jews in Middle Eastern countries are the victims of political, economic, social, and cultural oppression and are subjected to the cruelest forms of discrimination, restriction, and arbitrary arrest. Prevented from observing their religion or going about their daily lives in peace, these victims of bigotry and hatred are being denied basic human rights and liberties guaranteed by the Universal Declaration of Human Rights and other international agreements which most civilized nations observe.

Yesterday morning I was shocked to learn that the campaign of terror being mounted by Syrian, Iraqi, and other Arab authorities claimed some new victims. In Baghdad a Jewish family of five, the Kashkush family, was brutally murdered. Further, 1 week ago Ezra and Salim Kattan were arrested by Iraqi authorities and no word has been received from or about them. Immediately upon learning of these tragic events I appealed to the distinguished Secretary General of the United Nations to intervene on behalf of the Jewish communities in various Arab countries and, particularly, to use his good offices to prevent any untoward action being taken against the Kattans.

On Sunday the eminent Foreign Minister of Israel, Hon. Abban Eban, addressed the Knesset on the continued plight of Jews in Arab countries. As Mr. Eban has so aptly and forcefully observed, the criminal acts being committed against Jews in Iraq and elsewhere will not deter them from joining their people.

> The very concept of "the return to Zion" was born by the rivers of Babylon.

The foreign minister stated.

Mr. Speaker, I very strongly believe that this grave situation warrants our deepest, continuing interest and I take this opportunity to present herewith, for inclusion in the RECORD, the full text of Foreign Minister Eban's speech and my letter to Secretary General Waldheim:

APRIL 30, 1973.

Hon. KURT WALDHEIM,
Secretary General,
United Nations,
New York, N.Y.

DEAR MR. SECRETARY GENERAL: I write to express my deep, continuing concern over the many difficulties being experienced by the small but vital Jewish communities in Iraq, Syria and various other Arab lands.

These people are being subjected to the cruelest forms of harrassment, discrimination, restriction and arbitrary arrest and imprisonment. They are denied those basic human rights and civil liberties protected by international conventions and observed by the majority of civilized nations.

I have just been informed, for example, that, on April 25, a Jewish family of five—the Kashkush Family—was murdered by Iraqui police in Baghdad. I have also been advised that about one week ago Ezra and Salim Kattan, Iraqui Jews, were taken into custody in Baghdad and no word has been received from them since that time.

I urge that you use the powers and great prestige of your office and intervene on behalf of the Jewish communities in the various Middle Eastern nations. Further, I urge that you use your good offices on behalf of the Kattans with a view toward preventing any untoward action being taken against them as well as doing whatever can be done to bring an end to this reign of terror. Certainly such action would be consistent with the U.S.'s commitment to support the basic rights and freedoms of oppressed persons.

I will appreciate your assistance and hope to have some word on this situation.

Sincerely,

HERMAN BADILLO,
Member of Congress.

THE PLIGHT OF THE JEWISH COMMUNITIES IN THE ARAB STATES

(Statement by the Minister for Foreign Affairs, Mr. Abba Eban, in the Knesset (Parliament) Jerusalem, April 29, 1973)

EMBASSY OF ISRAEL,
Washington, D.C.

Verification has most recently been received of the terrible report that a Jewish family in Baghdad—Reuven Kashkush, his wife, their two sons, Fuad and Samir, and their daughter, Joyce—had been murdered in broad daylight. This barbarous murder is the climax in a continuous chain of brutal persecution of Baghdad's Jewish community—revived in September 1972, when one Jew was discovered murdered in his home and word was received of the abduction and disappearance of eight others. Since then, eight further, Jews have been abducted on various dates, bringing the total to sixteen:

Azouri Shemesh, Shaul Rajwan, Ya'acov Abdul Aziz, Ezra Abu Daoud, Dr. Ezra Khzam, Salim Sidka, Nagi Tzitiat, Shaul Shemesh, Ezra Shemtove, Nagi Kashkush, Saud Kashkush (wife of Nagi), Naim Patal, Ezra Kahtan, Salim Gahtan, and Shua Uzeir.

Repeated appeals concerning their fate and whereabouts, addressed to the Iraqi authorities by members of the families and by representatives of friendly governments and international bodies, have met with contradictory and evasive replies. Confiscation of the property of the abducted persons, as well as further measures similar to those taken on the eve of the public hangings in 1969, give rise to the terrible thought that some—if not all—of them are no longer alive.

We mourn the murder of an innocent Jewish family, and grieve with the relatives of those abducted and with all the Jews still remaining in Iraq. We are with them in spirit in their valorous and courageous stand against the cruel oppressor, and in their struggle for their right to emerge into freedom, and address to them from here words of encouragement and hope.

The Iraqi authorities take upon themselves a grave responsibility in disregarding the constant and angry protest of world opinion, and in persisting with the brutal deeds of persecution and murder which endanger the very existence of the defenceless and helpless Jewish community remaining in Baghdad.

ISRAEL DEMANDS FREEDOM FOR THE JEWS TO LEAVE THE ARAB COUNTRIES

Sequent upon the multifarious and vigorous international action mounted to rescue the Jews in Arab Lands, particularly after the tragic events of January 1969—when the innocent Baghdad martyrs were executed, thousands of Egyptian and Iraqi Jews were enabled to depart, and even in Syria—which still bars her gates to the departure of Jews—dozens of Jews were released from prison. While this international pressure continues, we are well aware—as are also all those governments, international bodies and personages ceaselessly active in the effort to rescue Iraqi and Syrian Jewry—that in the unstable conditions prevailing in these countries, wherein their rulers seek scapegoats for the crises attending them every now and then, the defenseless Jewish communities may often expect to be the targets of trouble and oppression.

There is only one solution for the plight of Iraqi and Syrian Jewry—the exodus of all of them for their goal. This truth has been accepted by everyone engaged throughout the world in the cause of rescuing the Jews in Arab lands, and they are ceaselessly active towards its implementation. Here, too, **international action has achieved results: Out of Iraq's Jewish community of 5,000 in re**cent years, only a few hundred remain. The figure I last quoted to the Knesset was 400, and since then the number has dropped considerably. There was reason to hope that this process would continue until the departure of the last Jew from this most ancient of the dispersions. Much to our regret, however, the oppressions and persecutions were revived in September 1972. Further grave misfortunes have descended upon the much tormented Baghdad community.

WORLD REACTION TO IRAQI ATROCITIES

Immediately upon receipt of the first reports of murder and abductions, governments, international organizations, personages and intellectuals—Jews and non-Jews alike—in dozens of countries throughout most continents were impelled to action, demanding an explicit and unequivocal reply from the Iraqi authorities concerning the fate of those abducted and whether they were still alive, and insisting that an authoritative international body be permitted to see them. As a result of the public and international pressure, the Iraqi authorities and their representatives in various capitals were forced into publishing—after a silence of a few months' duration—denials in vague and hazy terms, to the effect that Jews had not been detained on religious or political grounds, that the Jews were equal before the law, and so forth. In not one of the denials was it clearly designed to obliterate cruel deeds, responsibility for the perpetration of which is borne by the Iraqi authorities. We entertain no shadow of a doubt as to what might have been the fate of the entire Baghdad community but for the international awakening. The terrible deeds of which we hear represent further proof that not a single Jewish life is any longer secure in Iraq.

THE PERSECUTED JEWS OF SYRIA

On this occasion, let us not forget our brethren in another dolorous dispersion. The Jews of Syria, numbering some 4,000-5,000 souls, live in conditions of oppression and suppression. They are denied the basic rights of the freedom of man, and degrading restrictions are imposed on the community and its economic activity. They are forbidden to move more than four kilometres from their places of residence, not to mention leaving the borders of the state, and live in constant fear of the authorities and their neighbors. Three Jews are still in prison: Nissim Katri, Yosef Sued and Albert Elia. The latter the Secretary of the Beirut Jewish community, who was abducted in September 1971 and imprisoned in Damascus. We shall not desist, not even for a single moment, from the campaign to permit the immediate and total exodus of Syrian Jewry and for the release of the detainees in Syrian prisons.

ISRAELI POLICY

The Government of Israel intensifies its efforts and activities on the political plane at every possible level—including moves and contacts which I shall not enumerate here, expresses its gratitude to everyone throughout the world engaged in the cause of rescuing the Jews in Arab lands, and reiterates its appeal to all those to whom the human issue is of concern to intensify their efforts, to persist in the pressure and the struggle, and to raise their voice in vigorous protest and in demanding the immediate cessation of the murderous and cruel deeds perpetrated against Iraqi Jewry and the release of the detainees in Iraq and Syria, and insisting upon permission being granted for the immediate and total exodus of the small remnant of Iraqi Jewry and of Syrian Jewry.

"BY THE RIVERS OF BABYLON"

I commenced by speaking of Iraqi Jewry, and I shall conclude with them. Redemption of the last remnants of Iraqi Jewry will spell the end of a chapter of Jewish presence which has lasted continuously from the dawn of human history until the present. In Mesopotamia was born the father of the nation, in Babylon did the exiled prophet behold the vision of the dry bones into which the breath of life was infused, in the land between the rivers Gaonim (Jewish scholars) and poets emerged to light the path of the Jewish people in the Middle Ages—and it was among Iraqi Jewry that establishment of the State of Israel caused a ripple of yearning, until they arose and flowed to us in their multitudes in the early years of the state's existence, out of a sincere and deep spiritual awakening to the disregard of accounts of time and property. Even in the past two years the Iraqi authorities were unable to withstand the pressure of domestic and external demand, which resulted in the redemption of most of the Jewish remnant.

IRAQI JEWS—THE FIRST ZIONISTS

Do the Baghdad authorities really believe that the dastardly murder recently committed and all other overt and covert criminal deeds will deter Iraqi Jewry from joining their people? Was it then not there that Jews first wept in recalling Zion? Was it not there that exiled Jews for the first time held Jerusalem above their chiefest joy? And it was there that the wonderful and unprecedented revelation emerged of a people which, even in its dispersions, never ceased yearning for its homeland.

The very concept of "the return to Zion" was born by the rivers of Babylon, and it is indeed the silenced harps hung on the willows that speak to us to this very day in a voice which cannot be stilled and knows no rest.

Therefore, we have but to intensify the sound of our demand and to maintain the full wrath of our protest and that of the entire enlightened world, until the last of the Babylonian exile shall have closed the circle of history—and emerge to freedom.

TEXT OF A RESOLUTION ADOPTED BY THE KNESSET, APRIL 29, 1973

1. The Knesset has heard with anguish and anger of the murder in Baghdad of all five members of the Kashkush family. This murder of an entire Jewish family and the disappearance of 16 other Jews prove that the Iraqi Jewish remnant numbering a few hundred souls is subject not only to abductions, arbitrary detentions and torture, but to the very threat of annihilation.

2. The total exodus of the Jews still in Iraq has become the most urgent necessity and human requirement. This necessity applies also to our brethren in Syria, who are mercilessly oppressed by the authorities.

3. The Knesset appeals to governments, parliaments and international organizations to intercede immediately with the Iraqi authorities, and to demand that they permit the departure of all Jews from that country, that they may reach a safe haven.

INDIANA UNIVERSITY GRADUATE'S BATTLE WITH AIR FORCE OVER

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. ASPIN. Mr. Speaker, the Federal Government's bureaucracy has dealt unfairly with many men—A. E. Fitzgerald, James Hemway, and others. One man whose plight was known to many Members of this House and many of their aides was Kenneth Cook, a retired Air Force weapons analyst. He was forced out of his job and simply could not accept the injustice done to him.

Recently Mr. Cook died. He never won his reinstatement despite the best efforts of many Members of Congress.

Clark Mollenhoff, the Pulitzer Prize winning columnist, recently wrote an excellent piece on Cook. It should be read by Members of this House and we should all remember that no man should be destroyed by the bureaucracy as Mr. Cook was.

The article follows.

INDIANA UNIVERSITY GRADUATE'S BATTLE WITH AIR FORCE OVER

(By Clark Mollenhoff)

WASHINGTON, D.C.—A ragged and embittered little man dropped dead in the aisle of a local department store last month. The coroner's report records that Kenneth Cook, a retired Air Force weapons analyst, died of a heart attack.

But, those most familiar with the impoverished old man know he died of a broken heart in a dreary, futile struggle to get his government to give him a public hearing on the merits of his disputes with Air Force superiors.

The Civil Service Commission barred him from the full public hearing that the Federal courts recently have decreed must be allowed as an essential part of the "due process of law" guaranteed by the United States Constitution. For Cook, there was only the star chamber of closed hearings and unavailable public records.

Although he was only 59 when he died, Cook appeared 10 years older as he walked the miles from his small, bare apartment at Alexandria, Va., to Washington, D.C., to save bus fare. Even such forced economies of trudging from the Civil Service Commission offices to the Capitol and of eating one meal a day did not stretch the meager pension to cover the bare necessities.

In the more than a half dozen years he vainly had fought his case, his clothes became increasingly tattered and his health broke because he could not afford to see a doctor or a dentist. Obsessed by seeking to correct the injustice, he haunted the halls of Congress and the National Press Building.

In the end, few would listen to his story and most of those who did found it difficult to believe or too much trouble to investigate. The apologetic pleading of his manner came from those countless interviews with the disinterested and the skeptics.

Kenneth Cook was a senior air force weapons analyst who made the mistake of believing that his first responsibility was to write accurate and truthful reports on studies dealing with components of the anti-ballistic missile (ABM) programs without regard for the latest political currents or the personal opinions of his superiors.

Cook's ordeal started in 1966 when he complained that the commanding officer at Holloman Air Force Base in New Mexico was distorting scientific reports on the defense against ICBM missiles. Cook was neither pro ABM or anti-AMB, but believed that whatever decision was made should be made on honest scientific reports.

Cook, a physicist and a mathematician with a masters degree from Indiana University, was a $16,152-a-year government scientist with an outstanding record. He had been listed in American Men of Science since 1954. He was forced out of government and barely existed on a pension of less than $300 a month because of a questionable Air Force finding that he was mentally incapable of carrying out his government duties.

This ruling stood despite a subsequent finding by the top Air Force psychiatrist, Lt. Col. Paul Grisson. The Air Force and Civil Service Commission refused to restore Cook to duty despite Dr. Grisson's report stating:

"A review of all available reports of psychiatric evaluation and the medical board report rendered at Holloman Air Force Base disclose no evidence of a psychotic or severe chronic neurotic condition in Mr. Cook. (These reports) do not support the conclusion, on any sound medical basis, that Mr. Cook was incapacitated for performance of his duties."

Grisson did say that Cook, a perfectionist in his work and punctual in his work habits, was "relatively inflexible."

Cook's clash with an adamant commanding officer was similar in many aspects to those more publicized cases of Air Force cost analyst A. Ernest Fitzgerald and veteran Navy cost cutter Gordon Rule, who ran into high-level military opposition after they disclosed huge cost overruns in construction of weapons systems.

But, weapons expert Cook tried to solve his problem within the system as constantly is recommended by those with a naive confidence that provable scientific truths will prevail even in the bureaucracy.

Cook argued unsuccessfully that if the Air Force knowingly could falsify reports on any part of a weapons system, then Congress and the public could not depend upon the integrity of any "expert" reports or testimony based upon these reports. He felt so strongly about it and so confident of the rightness of his position that he went over the head of his commanding officer to the Air Force headquarters in the Pentagon.

As is too often the case, the weapons expert's letter of protest was sent back to the very men he was challenging, and a belligerent commanding officer ordered Cook to report for a physical examination to the base doctor, a close personal friend of the commanding officer.

As could have been predicted, the base doctor's report was used to force Cook's retirement on grounds of mental instability. Too late, Cook obtained medical reports from outside experts that challenged the accuracy of the reports by the base doctor and even challenged his qualifications to make such judgments on Cook.

Cook stubbornly defied the Air Force by appealing to the Civil Service Commission, with the misguided expectancy that the commission protects government employees who are right. An unconcerned Civil Service Commission backed the Air Force hierarchy against Cook, in much the same manner as it has in the Fitzgerald case.

Cost Analyst Fitzgerald, who has known Cook for years and had seen him as a talented weapons systems analyst, didn't learn of the death until last week. Commenting upon Cook's deterioration and death, Fitzgerald said: "The Air Force bureaucrats killed Kenneth, and there isn't any two ways about it.

"I knew Kenneth when he was an excellent weapons man, meticulous in his work, and insistent upon accuracy," Fitzgerald said. "He may have been a bit too stubborn, but it is a necessary quality to avoid turning scientific studies into valueless papers to justify preconceived political positions.

"The Air Force destroyed him," Fitzgerald said. "In his last months Kenneth was probably a little unbalanced in his judgments, and a little too obsessed with trying to correct the injustices. He was even irritable with his few friends who understood his problems and sympathized with him."

It was not necessary to judge the merits of Cook's engineering studies or even the value of any specific report to conclude that the manner in which the Air Force tried to stifle his reports was indefensible. Such actions undermine the integrity of the whole system of analyzing major weapons.

If the Kenneth Cooks, the Ernie Fitzgeralds and the Gordon Rules are inaccurate in their reports and judgments, certainly the Pentagon should be able to hire other experts to challenge them and prove them wrong before proceeding with contracts on billion-dollar projects.

When they are right, there should be some possibility that the message will get through regardless of the Pentagon power alliances with Lockheed, Litton Industries and Grumman Corporation. Otherwise, all standards in military buying will be approved. That is really what is at stake in these controversies.

Although the Pentagon now may be able to record a final solution in the Kenneth Cook case because he died, the Fitzgerald and Rule cases against the military and the governmental bureaucracy are very much alive.

OPPOSITION TO FUTURE SOVIET GRAIN SALES GROWS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. RARICK. Mr. Speaker, opposition to future grain sales to Russia because of the resultant rise in meat prices to the American consumer is continuing to grow. The direct cause and effect relationship between the two counts is becoming more obvious as food prices in the supermarket rise daily.

Recently, the Parish Council of East Baton Rouge, La. adopted a resolution that voices the opinions of the people in my district. The council pointed to the massive sale of 400 million bushels of feed grains to the Soviet Union last year as "a major factor in the high price of meat in this country," and urged the President and Congress "to take appropriate action to discontinue the sale of wheat to Russia."

I share their concern that future grain sales to the Soviets will result in a continued upward food-price spiral. For this reason, last month I requested hearings before the Agriculture Subcommittee on Livestock and Grains.

I have been informed that hearings to look into this depletion of our Nation's grain supplies will be held before the subcommittee May 3 at 10 a.m.

If we do not learn from our past trade mistakes and take action to cut off pending sales of U.S. grain stock to Russia, the American consumer can expect further hikes in meat and other food prices in the year ahead.

I insert the full text of the resolution opposing wheat sales to Russia adopted by the East Baton Rouge Parish Council on April 11, 1973:

RESOLUTION 10343

(By Mr. George Dabbs)

Opposing the sale of wheat by the United States to Russia because of the resultant rise in prices of meat in the United States

Whereas, the prices of meat and meat products have skyrocketed within the past few weeks; and

Whereas, despite the President's recent action placing a ceiling on meat prices at their current level, no appreciable drop in meat prices has materialized; and

Whereas, a major factor in the high price of meat in this country is the sale by the United States of a large proportion of this nation's production of wheat to Russia; and

Whereas, this Council feels that it would be to the best interest of our nation and its citizens that such agricultural products of this country be retained for its own use and consumption;

Now, therefore, be it resolved by the Parish Council of the Parish of East Baton Rouge:

Section 1. That this Council is unalterably opposed to the sale of wheat by the United States to Russia because of the resultant rise in prices of meat in the United States.

Section 2. That copies of this resolution be sent to President Nixon, Vice President Agnew, and our United States Congressional Delegates so that they may be urged to take appropriate action to discontinue the sale of wheat to Russia.

RECOMPUTATION OF MILITARY PAY

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. GONZALEZ. Mr. Speaker, I am again introducing my bill which would provide for the recomputation of military pay for retired officers.

It is unfortunate that the special subcommittee on retired pay revisions of the House Committee on Armed Forces has issued an unfavorable report on the recomputation proposals.

I insert, for the Members attention, a copy of the statement which I submitted to the subcommittee when it held its hearings last session. I went before the subcommittee to state the reasons why I supported a return to the recomputation of retired military pay, as follows:

STATEMENT OF HENRY B. GONZALEZ, OCTOBER 4, 1972

Mr. Chairman, I have for many years supported the principle of recomputation of retired pay, and am grateful that you are considering my bill, H.R. 4725, and others which would restore the recomputation principle for retirees who entered the military services prior to May 31, 1958.

I know that objections have been raised to this legislation, principally on the grounds of cost. But we must examine the principles involved here as well as the numbers; we must consider equity and justice as well as the cost. And if the principle involved in this legislation is right and just, and if it restores equity to substantial numbers of people who have been denied it, then we ought to act favorably.

The people affected by this legislation served their country honorably, at great cost and sacrifice to themselves and their families, and more often than not at great risk to their very lives. Not a few of them bear the scars and hurts and illnesses brought about by their service. They did not ask what the cost of their service might be—they only responded to the needs of their country. I think that we have an equal responsibility to respond to their needs.

For a hundred years prior to 1958, military retirees received a retirement pay based on current active duty pay—50 per cent if they served twenty years, and 75 per cent if they served for thirty years. This was a principal attraction of military service, and indeed was an institution of service—so much a part of it that no one dreamed the retirement system would ever change drastically.

It is hard to imagine what kind of shock was felt by those who had served fifteen or twenty years, when in 1958 Congress changed the retirement system—a system that they had counted on, planned on, been promised would be theirs always. They had fulfilled their part of the deal, but Congress reneged.

I was in the Texas State Senate at that time, and we were shocked by the change. Our legislature joined fifteen others in requesting that Congress reconsider. I thought the decision to abandon recomputation was wrong then, and still believe so. Today, as then, I believed that Congress should allow recomputation.

It is impossible to explain the justice of a system which after only ten years of operation provides one man only half as much retirement pay as another—even though those men served the same length of time and retired in the same rank. Yet that is what this system has created. It is as if we paid only half as much social security to some retired workers as we did to others. The principle is the same, and it is wrong.

Aside from the question of simple justice, we have before us a question of real hardship. Every one of us knows what has happened to the cost of goods and services since 1958. In the last five years alone, the price of food has gone up by 25 per cent. Rent, interest and everything else has gone up immensely since 1958. That is why we have had to raise military pay so drastically, simply to prevent undue hardship to active duty members. And that is why retirement benefits have been improved—simply to prevent hardships to retired members. And what of those who retired prior to that magic date of May 31, 1958? Doesn't their food cost the same? Aren't their needs equal to those of everyone else? You and I know that they are. These people are not seeking any bonanza, but only what they expected to receive when they entered the service in the first place, and what they truthfully need now to provide the minimal comforts of life.

We are dealing here with a question of the full faith of this government. These people expected that their retirement system would operate as promised and as assured. Studies, commissions and recommendations have been made that recomputation should be provided. There is no reason that we can cite whereby Congress could justly deny recomputation. I believe that in simple justice, in simple fulfillment of our obligation, this legislation ought to be approved.

The hearings were held, and a very strong report weighing against full recomputation, partial recomputation—or for that matter a "one-time" recomputation in an effort to make it up to all those retired military personnel who didn't ask what it would cost them to serve their country.

It is no argument to say that the retirees would not be content with a "one-time" recomputation and, therefore, let's not give it to them. In my estimation, the costs would be well worthwhile.

It is no wonder that the cost estimates seem to scare off many would-be supporters of the recomputation principle. If you add together the estimates for the next 30 to 60 years—for any program—it would seem prohibitively high.

I say, let us look at what we have done. We have broken faith with the retirees who relied on a comfortable retirement after their many years of service—and the fact that one peson in the hearings did not actually know how the retirement is presently computed is no argument against the fact that he is getting less dollars.

I can well understand the frustrations of the retired military persons, and I shall keep hoping that one day the Congress will awaken to its responsibility to restore recomputation. At this point, it seems like a dim hope—but not one which is lost in my estimation, as long as we look at the equitable considerations. For, as one can see, even at a time when this administration keeps bellowing about budget cuts, it has at the very least provided for budget requests for a one-time recomputation. And, though, admittedly, it is not a far enough step toward an equitable remedy, I believe it signifies that a basic sense of obligation is paramount in this entire situation.

I continue to urge for support for my bill, which would provide for the recomputation of military retirees' pay for all those men who joined up before 1958.

STATE-RUN LOTTERIES

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. HARRINGTON. Mr. Speaker, the operation of State-run lotteries in Massachusetts and in other States across the country is being hampered by anachronistic Federal laws which restrict the flow of lottery information.

Those laws ban radio and television stations from broadcasting lottery information and advertisements and prevent newspapers from sending lottery information through the mails.

Because of these laws, State lottery commissions have to resort to unnecessary and complicated measures to make lottery information public. The State of Michigan, for example, cannot advertise the lottery on local stations, and must instead publicize it on Canadian radio stations which are accessible to State residents.

The law also particularly hinders weekly newspapers, which depend largely on the mail to reach their subscribers. These newspapers cannot publish the winning lottery numbers nor advertise other lottery information.

The State Lottery Exemption Act, which I introduced today together with Congressman ROONEY of Pennsylvania, would remove those needless restrictions and permit the State lotteries to operate more effectively.

The bill would allow radio and television stations to broadcast lottery information and would permit newspapers to send lottery information through the mails without violating postal laws.

The bill would also:

Exempt State lotteries from the Federal 10-percent excise tax on all wagers;

Allow lottery advertisements in newspapers and on radio and television;

Allow the transportation of State lottery information and devices in interstate commerce; and

Exempt State lotteries using vending machines for the sale of lottery tickets from the special Federal tax on coin operated machines.

The Federal restrictions simply should not apply to a State-run lottery. They were originally intended to protect the public from gambling schemes such as the Louisiana Lottery, a private enterprise which amassed immense profits by selling lottery tickets all over the country in the late 19th century.

In 1890, President Benjamin Harrison was so angered by the pervasiveness of the lottery that he sent a special message to Congress. He said:

> The people of all the states are debauched and defrauded. The national capital has become a subheadquarters of the Louisiana Lottery Company. Severe and effectual legislation should be enacted to enable the Post Office Department to purge the mail of all letters, newspapers and circulars related to that business.

Clearly, however, the public does not need to be protected from a lottery which is run by a State agency for the benefit of the people in the State. The lottery has been established as a legitimate and acceptable way to raise revenues for the State. In its first year of operation, the Massachusetts lottery raised $82 million, $30 million of which will be distributed to the 351 cities and towns in the Commonwealth.

The operation of the State lotteries should not be hindered by Federal laws which are no longer applicable, and I urge the passage of the State Lottery Exemption Act.

COMMODITIES PROBE VEILED WITH SECRECY

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 1, 1973

Mr. ASPIN. Mr. Speaker, the Des Moines, Iowa, Register has been investigating the possible abuses within the commodities market.

According to the results of their investigation, Boards of Trade which operate commodity markets are allowed to investigate themselves. The most recent example is an investigation prompted by the American Bakers Association that prices were manipulated at the time of last year's grain sales to Russia.

Rather than investigate the charges itself, the U.S. Commodity Exchange Authority has allowed the Kansas City Board of Trade to conduct the investigation. Frankly, Mr. Speaker, since prominent members of a Board of Trade are among the accused, it is nonsense for them to conduct the investigation. Either CEA should conduct the investigation or it should be turned over to the Inspector General's office for the Department of Agriculture.

We simply should not tolerate the value of secrecy that has been thrown around this investigation or the continuation of self-policing which is clearly ineffective.

I would like to include at this point in the RECORD an article by George Anthan and James Risser of the Des Moines Register's Washington Bureau which summarizes the present situation:

COMMODITIES PROBE VEILED WITH SECRECY—DOUBT SELF-POLICING IS EFFECTIVE

(By George Anthan and James Risser)

KANSAS CITY, MO.—Federal officials and professional grain traders have clamped a lid of secrecy on an investigation into complaints of price manipulations in the wheat futures market here at the time of last summer's grain sales to Russia.

Shortly after receiving a complaint from the American Bakers Association that the market was being rigged to boost federal subsidy payments to U.S. grain export firms, the federal government turned the matter over to the Kansas City Board of Trade for investigation.

THE PROBERS

The board assigned the task to a committee composed of professional commodities traders, some of them representing large grain exporters who sold wheat to the Soviets.

After what board officials call "a thorough investigation," the committee decided there was "no basis for complaint."

But officials of the Board of Trade, which was the scene of hectic wheat futures trading during the big Russian grain deal, refuse to make public their report on the alleged price rigging.

They will not discuss the procedures followed by the board in investigating the complaint, which was directed at its own members. Also, board officials refuse to make public the trading records upon which they based their decision that there was no price rigging.

At the same time, officials of the U.S. Commodity Exchange Authority (CEA), which turned the case over to the board, refuse to discuss the case or to reveal what the agency itself is doing to determine independently if there is merit to the bakers' association complaint.

POLICE THEMSELVES

The Kansas City case points up the CEA's long-standing practice of permitting the commodity exchanges to police themselves, a policy that has drawn severe criticism from the inspector general of the U.S. Department of Agriculture (USDA), parent agency of the CEA.

Inspector Gen. Nathaniel Kossack, in a 1971 internal report only recently made public, declared that the CEA no longer should rely primarily on professional traders at the exchanges to investigate alleged commodity market abuses.

He said there was no assurance that the exchanges were complying with the law and carrying out their responsibilities under the system.

Kossack also questioned whether the traders who make up the exchange regulatory committees "could render an objective decision."

This is disputed by Kansas City Board of Trade President Hearne Christopher, who said the wheat price-rigging charge resulted "in a very thorough investigation," but insisted the report is "highly confidential."

Christopher, who heads a brokerage firm that deals both in commodities and stocks, said the exchange's report was turned over to the CEA and that it would be up to that agency to make it public.

NO OUTSIDERS

On the question, generally, of whether the commodity exchanges should be allowed to investigate complaints against their members, Christopher said: "We are better qualified to judge that than outsiders."

Christopher, like many other top commodity market officials, emphasizes that professional traders have a major stake in insuring the markets operate legally and in the public interest.

"It means a lot more to us in the business because we want this futures market properly handled," he said. Stressing that the exchanges are vital to orderly marketing of commodities, he said: "We don't want anything to mar or disturb that in any way. Why wouldn't we want to regulate ourselves and punish those who are violators?"

But the man who made the original complaint to the CEA, Joseph Creed, general counsel of the American Bakers Association, expressed surprise later in Washington when he was told the matter had been referred to exchange officials for investigation.

"I had just assumed," said Creed, "that when you filed a complaint with the CEA, that they have the personnel to investigate it."

CEA PROBE?

Creed said the CEA informed him July 28, 1972—two days after he filed the complaint—that it was being turned over to Sam Gordon, director of the agency's regional office in Kansas City, for investigation.

Asked how he had handled the bakers' complaint, Gordon refused to answer, saying only: "You'll have to ask our administrator, Mr. Caldwell, in Washington."

Gordon was asked to provide some details on the handling of the case by the Kansas City Board of Trade, but gave the same response.

Alex C. Caldwell, the CEA's administrator, said in Washington that it has been "long-standing policy" not to reveal any details concerning complaints to the CEA. He would give no details on the current status of the case.

Creed of the bakers' association, said of this procedure: "I'm always finding out something new about my government.

"I suppose, in a sense, turning this over to the exchange is like if you allow a criminal, if such it is, to determine if he really violated the law. I was completely unaware they turned this over to the exchanges."

WORKED UPWARD

The bakers contend there are indications that during the period July 11 through July 23, 1972, wheat futures prices in Kansas City were manipulated upward to artificially raise the government export subsidy, which is paid to firms handling overseas grain shipments.

In his letter to CEA Administrator Caldwell July 26, Creed stated:

"Our office has received expressions of concern from some of our members concerning recent price movements in the Kansas City wheat market. Their concern is that, despite the large surplus of wheat, the domestic price level in the past few weeks has moved upward very strongly. They are aware, of course, of the agreement with the Russians to purchase substantial quantities of wheat and the impact that this obviously has had pricewise on commodity markets."

Creed continued: "However, they point out that on at least two days, specifically July 11th and 19th, final purchases of September futures were made at prices higher than levels which prevailed during the day.

"Since the export subsidy on wheat is based on the preceding day's market prices, these last-minute purchases on the 11th and 19th had the effect of raising the subsidy payment on exports for the following day, thereby benefiting wheat exporters. This, in turn, resulted in domestic futures moving to levels higher than warranted by supplies."

Some officials at the Board of Trade and one long-time observer of trading there contend the bakers complained because they had waited too long to buy wheat they needed for flour, and that they were upset at price advances that were only natural outgrowths of increased demand.

But Creed said that explanation is "too simplistic." He said: "This complaint was made by professional traders and buyers. We just said that if there was something going on, we wanted it stopped."

Walter Vernon III, secretary of the Board of Trade, insisted that the exchange's report on the bakers' complaint, though it found no price-rigging, "was not a whitewash." He said it involved "weeks and weeks" of investigation.

Vernon and board president Christopher did disclose that the investigation was conducted mainly by the board's Business Conduct Committee.

At that time, the committee was headed by an official of Christopher's company, and its members included a vice-president of Continental Grain Co. and an official of Garnac Grain Co., two major firms that were heavily involved in buying wheat for export to Russia.

This year, the committee includes officials of Far-Mar-Co. and of the Pillsbury Co., both major agribusiness companies. The current committee chairman is the Continental vice-president.

The board's Complaint and Investigations Committee is headed by an official of Garnac Grain Co. One of its members is with Cargill, Inc., and the other is with Louis Dreyfus Corp., both major grain exporting firms that handled substantial portions of the Russian grain deal.

Initially, Des Moines Register reporters were assured the Board of Trade would cooperate in revealing details of its investigatory procedures by explaining how its officials handled the American Bakers Association complaint.

Horace W. Johnston, vice-president of Simonds-Shields-Theis Grain Co. and Board of Trade president in 1972, indicated information on the investigation was available from Vernon, the secretary.

Johnston had offered to assist in examining the files if Vernon, who is new in the job, was unable to explain them fully.

Johnston's own view was that the Business Conduct Committee had made a thorough study and that there was no "rhyme or reason" for the price-rigging complaint. He said, however, that board officials act upon all complaints quickly to dispel any charges of favoritism.

Later, however, current board president Christopher refused to permit inspection of any records or reports dealing with the board's disciplinary actions and investigations, even if the names of individuals and companies were deleted from the documents.

Critics of the CEA's regulation of the commodity markets contend the reliance of the agency on the exchanges to police themselves gives little assurance to the public that charges of price-rigging and other abusive practices are adequately investigated.

USDA Inspector General Kossack expressed concern in his report that the CEA has no effective system of surveillance that would bring to its attention serious deficiencies in the self-regulatory functioning of an exchange.

And Kossack's report states the CEA "only rarely" questions actions taken by the exchanges in regard to a penalty imposed on a violator.

In the Kansas City case, Christopher said of the Board of Trade investigation: "We made our report to the CEA. If they come back to us, which I don't think they will, we'll give them any substantiation or back it up if they want."

HOUSE OF REPRESENTATIVES—*Wednesday, May 2, 1973*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Commit thy way unto the Lord; trust also in Him; and He will bring it to pass.—Psalms 37: 5.

O God and Father of us all, we come to Thee with humble hearts praying that in Thy wisdom Thou wilt guide and direct us in the work of this day. Make Thy presence real to us, for we need Thee, every hour we need Thee; temptations lose their power when Thou art nigh.

We are disturbed by the mood of our day, discouraged by our lack of unity and purpose, concerned about our failure to do what really needs to be done, and tempted to give up the struggle. Yet—

"Thou hast promised to receive us,
  Poor and sinful, though we be;
Thou hast mercy to relieve us,
  Grace to cleanse and power to free."

Grant us Thy grace and Thy power that we may have the courage to do what is best for our country and the confidence to leave the results with Thee.

In the spirit of the Master we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MAJORITY LEADER THOMAS P. O'NEILL, JR., SAYS PRESIDENT'S TAX PROPOSALS GO EASY ON BUSINESS AND WEALTHY INDIVIDUALS

(Mr. O'NEILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. O'NEILL. Mr. Speaker, the proposal that President Nixon calls tax reform is hardly more than once over lightly.

His bill has a cosmetic touch—tax relief for the elderly which has already been recognized as long overdue. And I note that the administration has stopped trying to hide the $1 checkoff for Presidential campaign financing.

But Mr. Nixon's bill really would not take on those most sacred of Republican sacred cows—big business and wealthy individuals.

There is no mention of a more realistic tax on capital gains from sale of stock and other investment property. Nor does Mr. Nixon call for review of the business tax cut of 1971.

The function of genuine tax reform is to shift the tax burden more equitably from the common citizen to the corporate giant and the wealthy few. Until he faces this challenge, the President cannot say that he wants to undertake tax reform.

EULOGIES TO THE LATE HONORABLE FRANK T. BOW, OF OHIO, AND GEORGE W. COLLINS, OF ILLINOIS

Mr. HAYS. Mr. Speaker, this announcement is to advise the membership that the closing date for printing the eulogies and encomiums to the late Congressmen Frank T. Bow, of Ohio, and George W. Collins, of Illinois, has been set for Tuesday, May 15, 1973. All copy for insertion must be submitted before this cutoff date so as to be included in the compendium of eulogies.

STATEMENT BY HON. FLOYD V. HICKS ON INTRODUCTION OF AMENDMENTS TO PUBLIC LAW 92-28

(Mr. HICKS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HICKS. Mr. Speaker, I have today introduced a bill to amend Public Law 92-28, of June 23, 1971, which amended the Wagner-O'Day Act of 1938. The purpose of my amendment is to enlarge the annual appropriation limit for the Committee for Purchase of Products and Services of the Blind and Other Severely Handicapped from $200,000 to $240,000 for fiscal year 1974. The committee, under the law, has the authority and responsibility to determine the products and services which are put on the list for Government procurement at specified prices from workshops certified as eligible to supply such items.

The need for this increase arises from the fact that the original limit in the 1971 act was based on little actual operating experience. It did not take into account space rental costs, travel requirements to inspect workshops for compliance, and salary increases. Since there will need to be a new authorization for fiscal year 1975 and thereafter, the funding procedure can then be put on a continuing and more realistic basis.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C., *May 1, 1973.*

Hon. CARL ALBERT,
The Speaker, House of Representatives.

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 4:00 p.m. on Tuesday, May 1, 1973, and said to contain a message from the President concerning proposed Foreign Assistance Act of 1973.

With kind regards, I am,
Sincerely,
W. PAT JENNINGS,
Clerk, House of Representatives.

FOREIGN ASSISTANCE ACT OF 1973—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 93-95)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

One of the most important building blocks in erecting a durable structure of peace is the foreign assistance program of the United States. Today, in submitting my proposed Foreign Assistance Act of 1973, I urge the Congress to act on it with a special sense of urgency so that we may continue the important progress we have made toward achieving peace during the past year.

Perhaps the most persuasive reason for a strong foreign assistance program was set forth by President Roosevelt in the days shortly before World War II, when Britain needed help. "Suppose my neighbor's home catches fire," he said, "and I have a length of garden hose four or five hundred feet away. If he can take my garden hose and connect it up with his hydrant, I may help him to put out his fire."

Implicit in Roosevelt's analogy was the mutual benefit of giving assistance, for if the fire in question spread, both neighbors would be in danger. Those clear and simple assumptions underlaid our wartime assistance to our European allies and our post-war policy toward the nations of the Western Hemisphere.

Today, we see the wisdom of this policy on every hand. Western Europe is now a bulwark of freedom in the Atlantic Alliance. In the Pacific, Japan has emerged as a major economic power. The remarkable vigor and talents of her people and the dynamic efficiency of her industry are making significant and increasing contributions to other countries, so that Japan itself now plays an extremely important role in working toward a lasting peace in the Pacific.

In recent years, as we have sought a new definition of American leadership in the world, assistance to other nations has remained a key part of our foreign policy. Under the Nixon Doctrine of shared responsibilities, we have tried to stimulate greater efforts by others. We want them to take on an increasing commitment to provide for their own defenses, their security and their economic development. Most importantly, we hope they will assume greater responsibility for making the decisions which shape their future.

We must not, however, try to shift the full weight of these responsibilities too quickly. A balance must be struck between doing too much ourselves and thus discouraging self-reliance, and doing too little to help others make the most of their limited resources. The latter course would spell defeat for the promising progress of many developing nations, destroy their growing self-confidence, and increase the likelihood of international instability. Thus it is critical that we provide a level of foreign assistance that will help to assure our friends safe passage through this period of transition and development.

The sums I am requesting in the Foreign Assistance Act of 1973 represent the absolute minimum prudent investment which the United States can afford to make if we wish to help create a peaceful and prosperous world. Altogether, authorizations under this bill amount to $2.9 billion for economic and military assistance in the coming fiscal year. During the current fiscal year, some $2.6 billion has been appropriated for such purposes under the strictures of a continuing resolution passed by the Congress.

This new Foreign Assistance Act has several fundamental objectives:

—To help the developing countries achieve a greater measure of self-reliance in their struggle against hunger, disease and poverty:

—To respond swiftly to the ravages of natural disasters;

—To assist friendly governments in building and maintaining the military capability to protect their independence and security;

—And to help South Vietnam, Cambodia, and Laos begin the task of rehabilitating and reconstructing their war-torn countries.

Let us look more closely at each of these objectives.

DEVELOPMENT ASSISTANCE

Hunger, poverty, and disease are still widespread among developing countries, despite their significant progress of recent years. Their economic growth—averaging some 5.5 percent a year over the last decade—as well as rapid improvements in agricultural methods and in health care have not yet overcome many deep-seated problems in their societies. Their current needs represent a moral challenge to all mankind.

In providing assistance, however, we should not mislead ourselves into thinking that we act out of pure altruism. Successful development by friendly nations is important to us both economically and politically. Economically, many of the developing countries have energy resources and raw materials which the world will need to share in coming years. They also could represent larger markets for our exports. Politically, we cannot achieve some of our goals without their support. Moreover, if essential needs of any people go entirely unsatisfied, their frustrations only breed violence and international instability. Thus we should recognize that we assist them out of self-interest as well as humanitarian motives.

While development progress as a result of our aid has been less visible than some would like, I believe it is essential for us to persevere in this effort. I am therefore asking the Congress to authorize some $1 billion for development assistance programs during fiscal year 1974 and approximately the same amount for fiscal year 1975.

EMERGENCY AID

America's fund of goodwill in the world is substantial, precisely because we have traditionally given substance to our concern and compassion for others. In times of major disaster, American assistance has frequently provided the margin of difference between life and death for thousands. Our aid to victims of disasters—such as the earthquake in Peru and floods in the Philippines—has earned us a reputation for caring about our fellowman.

No nation is more generous in such circumstances. And the American people respond with open hearts to those who suffer such hardship. I am therefore asking the Congress to authorize such amounts as may be needed to meet emergency requirements for relief assistance in the case of major disasters.

SECURITY ASSISTANCE

Security assistance has been a cornerstone of U.S. foreign policy throughout the last quarter century. Countries whose security we consider important to our own national interest frequently face military challenges, often prompted by third countries. In order to maintain a stable international order, it is important that these threatened countries not only be economically developed but also be able to defend themselves, primarily through their own resources.

The United States can rightly claim a number of successes in this regard during recent years. Our programs to help South Vietnam and South Korea build capable forces of their own, for instance, have permitted us to withdraw all of our forces—over 500,000 men—from South Vietnam and 20,000 men from South Korea.

It is unrealistic to think we can provide all of the money or manpower that might be needed for the security of friendly nations. Nor do our allies want such aid; they prefer to rely on their own resources.

We can and should, however, share our experience, counsel, and technical resources to help them develop adequate strength of their own. It is for this reason that I ask the Congress to authorize $652 million in grant military assistance, $525 million in foreign military sales credits, and $100 million in supporting assistance funds for fiscal year 1974.

This year's foreign aid bill includes for the first time separate authority for a foreign military education and training program. We want to strengthen this program so that we can help friendly governments better understand our policies, while they develop a greater sense of self-reliance and professional capability in their own military services.

AID FOR INDOCHINA

The signing of cease-fire agreements in Vietnam and Laos marks the beginning of a trend toward a peaceful environment in Indochina. This change will permit us to turn our attention to the considerable post-war needs of Southeast Asia. To ignore these needs would be to risk the enormous investment we have made in the freedom and independence of the countries of Southeast Asia.

The legislation I am presenting today would authorize the continuation of our economic assistance to South Vietnam, Laos and Cambodia and would provide for a sound beginning in the process of rehabilitation and reconstruction there. I anticipate other nations will join in this effort, as they have elsewhere, to solidify the foundations for a new era of reconciliation and progress in Southeast Asia.

Relief assistance for refugees of the war in Southeast Asia is vital to this effort. These refugees number in the hundreds of thousands. In addition to their resettlement, this Administration proposes a major effort to help restore essential community services in areas which have suffered because of the war.

In this bill, I ask the Congress to authorize $632 million for the reconstruction effort in Indochina in fiscal year 1974.

My present request does not include any assistance for North Vietnam. It is my hope that all parties will soon adhere fully to the Paris agreements. If and when that occurs, I believe that American assistance for reconstruction and development of both South and North Vietnam would represent a sound investment in confirming the peace.

Representatives of the United States have recently been holding discussions with representatives of the Government of North Vietnam to assess economic conditions there and to consider possible forms of United States economic assistance. This assessment has now been suspended, pending clarification of North Vietnam's intentions regarding implementation of the cease-fire. Once Hanoi abandons its military efforts and the assessment is complete, the question of aid for North Vietnam will receive my personal review and will be a subject for Congressional approval.

For a quarter century, America has borne a great burden in the service of freedom in the world. As a result of our efforts, in which we have been joined by increasing numbers of free world nations, the foundation has been laid for a structure of world peace. Our military forces have left Vietnam with honor, our prisoners have returned to their families, and there is a cease-fire in Vietnam and Laos, although still imperfectly observed.

Our foreign assistance program responds to the needs of others as well as our own national needs—neither of which we can afford to ignore.

For our own sake—and for the sake of world peace—I ask the Congress to give these recommendations prompt and favorable consideration.

RICHARD NIXON.

THE WHITE HOUSE, *May 1, 1973.*

FORMER SECRETARY OF THE TREASURY JOHN B. CONNALLY JOINS THE REPUBLICAN PARTY

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GERALD R. FORD. Mr. Speaker, I have noticed on the news ticker that a former very distinguished Secretary of the Navy to the former President Kennedy, a former very able and distinguished Governor of the State of Texas, and a former Secretary of the Treasury under this administration, has announced that he is joining the Republican Party. I would like to quote from the statement he made at a news conference this morning:

> I believe that in our time, the Republican Party best represents the broad views of most Americans, whatever their formal political affiliation. I believe it can best provide the strength and stability and unite our people to deal effectively with our problems.

As one Republican I warmly welcome John B. Connally to our ranks.

Mr. O'NEILL. Mr. Speaker, if the gentleman will yield, may I say that this is the first time I ever heard of a former Secretary of the Navy jumping onto a sinking ship.

NATIONAL HISTORIC PRESERVATION WEEK

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate joint resolution (S.J. Res. 51) to authorize and request the President to issue a proclamation designating the calendar week beginning May 6, 1973, as "National Historic Preservation Week."

The Clerk read the title of the Senate joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the Senate joint resolution as follows:

S.J. RES. 51

Whereas the two hundredth anniversary of the founding of this Republic approaches; and

Whereas an indispensable element of the strength, the freedom, and the constructive world leadership of this Nation is the knowledge and appreciation of our origins and history, of who we are, where we are, and how we arrived there; and

Whereas the houses where we have lived, the buildings where we have worked, the streets we have walked for more than three hundred years are as much a part of our heritage as the wisdom of the Founding Fathers and the works of art which succeeding generations of Americans have bequeathed to us; and

Whereas these buildings and places, great and humble, not only are our roots, but are also sources of pride in our past achievements and enrich our lives today; and

Whereas historic preservation today involves much more than period rooms in house museums, but means, rather, that old homes, public buildings, hotels, taverns, theaters, industrial buildings, churches, and commercial structures can be saved and put to contemporary use as living history to be treated with respect and incorporated within our planning as our towns and cities grow to provide the citizens of this Nation with an environment of quality and enduring interest: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation—

(1) designating the calendar week beginning May 6, 1973, as "National Historic Preservation Week"; and

(2) urging Federal, State, and local government agencies, as well as citizens and private organizations, especially the preservation organizations, historical societies, and related groups, to observe that week with educational efforts, ceremonies, and other appropriate activities which—

(a) are designed to call public attention to the urgent need to have our historic landmarks for the enjoyment and edification of the citizens of this Nation, present and future; and

(b) will demonstrate lasting respect for this unique heritage.

AMENDMENT OFFERED BY MR. EDWARDS OF CALIFORNIA

Mr. EDWARDS of California. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. EDWARDS of California: On page 1 and 2, strike out the entire preamble.

The amendment was agreed to.

Mr. TAYLOR of North Carolina. Mr. Speaker, it is a pleasure for me to join my colleagues in support of the enactment of the resolution now before the House which requests the President to proclaim the week of May 6 as "National Historic Preservation Week."

Historic preservation plays an ever increasing role in the recognition of our cultural heritage. While this Nation is relatively young compared to others in the international community, we can take great pride in the accomplishments of those who came before us.

Not only does the preservation of historic structures, places and objects enable us to better understand the life and times of our forefathers, but it helps us to better appreciate the many benefits which we have inherited from their struggles and their ingenuity.

Greater attention than ever before is being given to historic preservation today. Organizations such as the National Park Service, the National Trust for Historic Preservation, and historic preservation agencies in virtually all of the States are making an aggressive effort to save those remnants of the past which can be meaningful to present and future generations.

Mr. Speaker, as we approach the 200th anniversary of the founding of this Republic, it is highly appropriate that the Congress and the President set aside a week for recognition of this nationwide program. Americans can be proud of their past. We can all learn from the past. All of us, and our children and our children's children can benefit and appreciate our heritage because we will better understand the sacrifices and struggles of those who have gone before us.

As a cosponsor of House Joint Resolution 410, I am pleased to rise in support of the enactment of this resolution, and I urge its favorable consideration by the Members of the House.

Mr. COUGHLIN. Mr. Speaker, I wish to express my support for Senate Joint Resolution 51, authorizing and requesting the President to issue a proclamation designating the week beginning May 6, 1973, as "National Historic Preservation Week." As sponsor of an identical resolution in the House, I am naturally gratified by the action of the Senate in passing this measure and I urge the House to add its approval today.

Preservation of our historic past is a deepening concern of Americans as evidenced by increased involvement of citizens in community preservation activities, preservation legislation enacted at the Federal and State levels, and both public and private support for restoration and preservation projects. President Nixon has expressed his personal interest in this area by directing Federal agencies to give special attention to historic properties within their respective jurisdictions.

These efforts reflect a growing recognition of the importance of timely action to save our precious national heritage for ourselves and for future generations. This spirit is heightened by anticipation of the American Revolution bicentennial less than 3 years away.

Representing a district which is richly endowed with historical treasure, I believe that designation of a special week would serve as an impetus for local preservation initiatives in addition to focusing national attention on the need for a continuing commitment to historic preservation.

Next week, the week of May 6, 1973, is especially appropriate for this designation because it corresponds to the annual awards presentation of the National Trust for Historic Preservation whose 1,300 member organizations have spearheaded the preservation movement across the country. These organizations and their members can be justly proud of their many accomplishments.

But "National Historic Preservation Week" can be meaningful to every American by underscoring an important point that must not be lost sight of: true progress toward a quality physical environment is not to be found in unrestrained development but in a harmonious blend of today's glass and steel with yesterday's brick and stone.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the Senate joint resolution just passed by the House.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PRESIDENT'S GIVEAWAY PROGRAM

(Mr. GROSS asked and was given permission to address the House for 1 minute and revise and extend his remarks.)

Mr. GROSS. Mr. Speaker, I have just listened to the reading of the President's message on what is called foreign aid—I call it the foreign giveaway program.

Despite cutoffs and cutbacks in many domestic programs, the President is requesting $2,900,000,000 for this program during the next fiscal year.

I was intrigued by one statement made by the President. He said:

> Suppose my neighbor's home catches fire, and I have a length of garden hose four or five hundred feet away. If he can take my garden hose and connect it up with his hydrant, I may help him to put out his fire.

Mr. Speaker, that is going to be the most expensive 400 or 500 feet of garden hose in the history of mankind in view of the $3 billion he is asking for.

I would remind the President that we have a pretty good fire burning in this country and that this would be an awfully good time to connect up some real firehose by way of drastically reducing this kind of spending in order to help put out the fire of inflation right here at home.

AIRPORT DEVELOPMENT ACCELERATION OF 1973

Mr. LONG of Louisiana. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 370 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 370

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6388) to amend the Airport and Airway Development Act of 1970 to increase the United States share of allowable project costs under such Act; to amend the Federal Aviation Act of 1958 to prohibit certain State taxation of persons in air commerce; and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and support the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 6388, the Committee on Interstate and Foreign Commerce shall be discharged from the further consideration of the bill S. 38, and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 6388 as passed by the House.

Mr. LONG of Louisiana. Mr. Speaker, on page 2, line 3, of House Resolution 370 as read there is a typographical error in that the word "support" was inserted rather than the word "report." I think it is obvious that it was a typographical error. I observed the resolution as it was passed by the Committee on Rules, and the word "report" appears there. I ask unanimous consent that the engrossed copy be amended to read "report" rather than "support" in that instance.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. LONG of Louisiana. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from California (Mr. DEL CLAWSON), and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 370 provides for an open rule with 1 hour of general debate on H.R. 6388, making it in order to strike out all after the enacting clause of S. 38 and insert in lieu thereof the provisions contained in H.R. 6388 as passed by the House of Representatives.

H.R. 6388 increases Federal financial assistance for airport development projects throughout the United States. The increased share of Federal funds will come from the airport and airway trust fund. The primary money resources for the fund is derived from an 8-percent excise tax on domestic airline tickets; thus no new expenditures of general Federal funds will be required. H.R. 6388 authorizes expenditures for fiscal years 1974 and 1975 at $280 million for each year, making a total authorization of $560 million.

H.R. 6388 also prohibits the levying and collecting, by State and local governments, of passenger use taxes—commonly known as "head taxes"—on persons traveling in air commerce.

Mr. Speaker, this legislation is needed because of the serious financial difficulties now being experienced by many local governmental agencies who bear the responsibility to build, operate, and maintain our system of publicly owned airports. I urge the adoption of House Resolution 370 in order that we may discuss and debate H.R. 6388.

Mr. DEL CLAWSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 370, the rule under which we will consider H.R. 6388, Airport Development Acceleration Act of 1973, is an open rule providing for 1 hour of general debate. This rule also makes it in order to insert the House-passed language in the Senate bill.

The primary purposes of H.R. 6388 are to increase Federal financial assistance for airport development and to prohibit State and local governments from collecting airport head taxes on passengers.

In the 92d Congress the House passed a bill providing an 18-month moratorium on head taxes and a study of airport needs. The Senate passed a different version. The conference report was agreed to near the end of the session, and on October 27, 1972, the President vetoed the bill S. 3755 for budgetary reasons.

The present bill, H.R. 6388, extends the authority of the Secretary of Transportation to enter into grant agreements for airport development grants for the fiscal years 1974 and 1975 at $280,000,000 for each year. By way of comparison, the authority to enter into airport grant agreements has been $280,000,000 per year for fiscal years 1971, 1972, and 1973. The Committee on Interstate and Foreign Commerce anticipates that no general tax revenue will be required to pay for the 1974 and 1975 additional spending authority, because the funds will come entirely from the airport and airway trust fund. This fund is derived primarily from an 8-percent excise tax on domestic tickets.

This bill increases the Federal share of allowable project costs from 50 to 75 percent for medium and small size airports. The Federal share of project costs will remain at 50 percent for large hub airports.

The Federal share for safety certification and security equipment is increased from 50 to 82 percent for all airports.

H.R. 6388 also provides a permanent prohibition against the levy and collection of local and State airport head taxes. However, many State and local taxing authorities which have been collecting airport head taxes will be exempt from this prohibition until December 31, 1973.

Mr. Speaker, I urge the adoption of this rule.

Mr. Speaker, I have no further request for time and I yield back the balance of my time.

Mr. LONG of Louisiana. Mr. Speaker, I have no further request for time.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. CEDERBERG. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 385, nays 2, answered "present" 1, not voting 45, as follows:

[Roll No. 118]

YEAS—385

Abzug
Adams
Addabbo
Alexander
Andrews, N. Dak.
Annunzio
Archer
Arends
Armstrong
Ashbrook
Aspin
Bafalis
Baker
Barrett
Beard
Bennett
Bergland
Bevill
Biester
Bingham
Blackburn
Boggs
Boland
Bolling
Bowen
Brademas
Brasco
Bray
Breaux
Breckinridge
Brinkley
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burgener
Burke, Calif.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton
Butler
Byron
Carey, N.Y.
Carney, Ohio
Carter
Casey, Tex.
Cederberg
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Cochran
Cohen
Collier
Collins
Conable
Conlan
Conte
Conyers
Corman
Cotter
Coughlin
Crane
Cronin
Culver
Daniel, Dan
Daniel, Robert W., Jr.
Daniels, Dominick V.
Danielson
Davis, S.C.
Davis, Wis.
de la Garza
Delaney
Dellenback
Dellums
Denholm
Dennis
Derwinski
Devine
Dickinson
Dingell
Donohue
Dorn
Downing
Drinan
Dulski
Duncan
du Pont
Eckhardt
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evins, Tenn.
Fascell
Findley
Fish
Fisher
Flood
Flowers
Flynt
Foley
Ford, Gerald R.
Forsythe
Fountain
Fraser
Frelinghuysen
Frey
Froehlich
Fulton
Fuqua
Gaydos
Giaimo
Gibbons
Gilman
Ginn
Goldwater
Gonzalez
Goodling
Grasso
Green, Oreg.
Green, Pa.
Griffiths
Gross
Grover
Gubser
Gude
Gunter
Guyer
Haley
Hamilton
Hammerschmidt
Hanley
Hanrahan
Hansen, Idaho
Hansen, Wash.
Harrington
Harsha
Harvey
Hastings
Hawkins
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Henderson
Hicks
Hillis
Hinshaw
Hogan
Holifield
Holt
Holtzman
Horton
Hosmer
Howard
Huber
Hudnut
Hungate
Hunt
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jones, N.C.
Jones, Okla.
Jordan
Kastenmeier
Kazen
Keating
Kemp
Ketchum
Kluczynski
Koch
Kuykendall
Kyros
Landgrebe
Landrum
Latta
Leggett
Lehman
Lent
Litton
Long, La.
Long, Md.
Lott
Lujan
McClory
McCloskey
McCollister
McCormack
McDade
McEwen
McKay
McKinney
McSpadden
Macdonald
Madden
Madigan
Mahon
Mailliard
Mallary
Mann
Maraziti
Martin, Nebr.
Martin, N.C.
Mathias, Calif.
Mathis, Ga.
Matsunaga
Mayne
Mazzoli
Meeds
Melcher
Metcalfe
Mezvinsky
Michel
Milford
Miller
Mills, Ark.
Mills, Md.
Minish
Mink
Minshall, Ohio
Mitchell, Md.
Mitchell, N.Y.
Mizell
Montgomery
Moorhead, Calif.
Moorhead, Pa.
Morgan
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
Nichols
Nix
Obey
O'Brien
O'Hara
O'Neill
Owens
Parris
Passman
Patman
Patten
Pepper
Perkins
Pettis
Peyser
Pickle
Pike
Poage
Podell
Powell, Ohio
Preyer
Price, Ill.
Price, Tex.
Pritchard
Quie
Quillen
Railsback
Rangel
Rarick
Rees
Regula
Reuss
Rhodes
Riegle
Rinaldo
Roberts
Robinson, Va.
Robison, N.Y.
Rodino
Roe
Rogers
Roncallo, N.Y.
Rooney, Pa.
Rose
Rosenthal
Roush
Rousselot
Roybal
Runnels
Ruppe
Ruth
St Germain
Sandman
Sarasin
Sarbanes
Satterfield
Saylor
Scherle
Schneebeli
Schroeder
Sebelius
Seiberling
Shipley
Shoup
Shriver
Shuster
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Snyder
Spence
Staggers
Stanton, J. William
Stanton, James V.
Stark
Steed
Steele
Steelman
Steiger, Ariz.
Steiger, Wis.
Stratton
Stubblefield
Stuckey
Studds
Sullivan
Symington
Symms
Talcott
Taylor, Mo.
Taylor, N.C.
Teague, Calif.
Thomson, Wis.
Thone
Thornton
Tiernan
Towell, Nev.
Treen
Van Deerlin
Vander Jagt
Vanik
Veysey
Vigorito
Waggonner
Walsh
Wampler
Ware
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Wilson, Charles H., Calif.
Wilson, Charles, Tex.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Yates
Yatron
Young, Alaska
Young, Fla.
Young, Ga.
Young, Ill.
Young, S.C.
Young, Tex.
Zablocki
Zion
Zwach

NAYS—2

Andrews, N.C.
Wyman

ANSWERED "PRESENT"—1

Evans, Colo.

NOT VOTING—45

Abdnor
Anderson, Calif.
Anderson, Ill.
Ashley
Badillo
Bell
Biaggi
Blatnik
Burke, Fla.
Camp
Chappell
Chisholm
Davis, Ga.
Dent
Diggs
Ford, William D.
Frenzel
Gettys
Gray
Hanna
Johnson, Calif.
Johnson, Colo.
Jones, Ala.
Jones, Tenn.
Karth
King
McFall
Moakley
Mollohan
Myers
Randall
Reid
Roncalio, Wyo.
Rooney, N.Y.
Rostenkowski
Roy
Ryan
Stephens
Stokes
Teague, Tex.
Thompson, N.J.
Udall
Ullman
Waldie
Whalen

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Rooney of New York with Mr. King.

Mr. Rostenkowski with Mr. Anderson of Illinois.

Mr. Blatnik with Mr. Abdnor.

Mr. Dent with Mr. Frenzel.

Mr. Gray with Mr. Ashley.

Mr. Johnson of Colorado with Mr. Bell.

Mr. Jones of Alabama with Mr. William D. Ford.

Mr. McFall with Mr. Burke of Florida.

Mr. Thompson of New Jersey with Mr. Roncalio of Wyoming.

Mr. Waldie with Mr. Whalen.

Mr. Biaggi with Mr. Myers.

Mr. Anderson of California with Mr. Mollohan.

Mr. Gettys with Mr. Camp.

Mr. Hanna with Mr. Roy.

Mr. Jones of Tennessee with Mr. Udall.

Mrs. Chisholm with Mr. Ryan.

Mr. Diggs with Mr. Badillo.

Mr. Chappell with Mr. Karth.

Mr. Davis of Georgia with Mr. Randall.
Mr. Teague of Texas with Mr. Stephens.
Mr. Stokes with Mr. Moakley.
Mr. Reid with Mr. Ullman.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6388) to amend the Airport and Airway Development Act of 1970 to increase the U.S. share of allowable project costs under such act; to amend the Federal Aviation Act of 1958 to prohibit certain State taxation of persons in air commerce; and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6388) with Mr. BURLESON of Texas in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from West Virginia (Mr. STAGGERS) will be recognized for 30 minutes, and the gentleman from Tennessee (Mr. KUYKENDALL) will be recognized for 30 minutes.

The Chair now recognizes the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, I yield myself whatever time I may require. I hope it will not take too long. I would just like to give a brief explanation of the bill.

The bill passed the House last year on a voice vote. We went to the Senate in conference and came back and passed by a unanimous vote the conference report. The bill was sent to the President, and he pocket vetoed the bill on the grounds that we had raised the amount of money that could be expended out of the fund from $280 million to $350 million.

When the bill was reintroduced this year it carried that amount of money. It was reduced to the original amount of money it has been carrying for the past 2 years, $280 million a year, and that is what it carries today. I feel sure the objections from the administration have been taken away.

We bring it back to the floor in almost the identical form it was in when it passed the House previously. I do not think we ought to have too much controversy about the bill in any way.

I may say to those who were not here last year that it does up the amount of funds that can be given to all of the airports in the country except the 22 large hubs. According to the testimony, the 22 large hubs have sufficient money, but a lot of the smaller airports and proposed airports and communities just do not have the money to build their airports or to expand them, so we upped the amount from 50 percent to 75 percent to all of the airports throughout the Nation and also upped the amount for security and certification from 50 percent matching funds to 82 percent. That will help to get the crash, fire, and rescue equipment and other means of safety for all of the airports throughout the United States.

Another important feature of the bill, as you remember, is it suspends the "head tax" which is being collected at different airports.

In anticipation of some of the questions that may be asked, I will say that we do have an antihijacking bill that has had expensive hearings before our committee. I am hopeful we will have it up in the subcommittee and before the full committee by the week after next. If it is, I hope we can then pass it when we have an executive session and bring it to the floor as soon as possible, knowing that it is a good bill.

In that bill we are attempting to take care of or help in the security matters that will arise in all of the airports and which have already arisen across the Nation.

Now, I think this gives an explanation of the bill. I also might say that the funds we are going to use were authorized in 1970. At the present time there is a surplus in that fund of $248 million. So we believe we can go ahead and help these other airports that need expansion and communities that need to improve their airports through a greater amount of money in matching funds.

Mr. DOWNING. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Virginia.

Mr. DOWNING. As I understood the chairman, the gentlemen stated that if this bill passes it would delete the head tax.

Mr. STAGGERS. The gentleman is correct.

Mr. DOWNING. Mr. Chairman, if the gentleman will yield further, I have an airport in my district known as the Patrick Henry Airport whch now is charging a $1 head tax to cover the cost of the security which the FAA has required of them.

Do I understand that this bill would pay up to 80 percent of that cost?

Mr. STAGGERS. No, this bill really does not take care of that kind of security. The portion that I am talking about, the 82 percent is for the safety and security of the flying public in landing and taking off, and so forth. What the gentleman from Virginia is referring to insofar as security measures are concerned will come up in the antihijacking bill which, as I stated earlier, we hope to have before the full committee the week after next and then bring it to the floor immediately following that. We will have moneys in that bill which will help to take care of the airport expenses and airline expenses insofar as security is concerned.

Mr. DOWNING. The gentleman says that the antihijacking bill will be coming up early?

Mr. STAGGERS. The gentleman is correct, it will be coming up right away because we believe it is one of the important bills—one of the really important bills of this session of the Congress.

It was one of the first bills that we started holding hearings on and we have held hearings on it for a considerable length of time. There have been some questions that have not as yet been resolved but I am hopeful that they will be resolved by next week so that we can take them up in the full committee and pass it out of the full committee.

Mr. ROONEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I will be glad to yield to the gentleman from Pennsylvania.

Mr. ROONEY of Pennsylvania. Mr. Chairman, I would like to ask the distinguished chairman of the full committee, the gentleman from West Virginia (Mr. STAGGERS) whether or not any of the airports who are presently collecting head taxes—and there are something like 46, I believe, throughout the country, whether or not the gentleman can tell me whether this bill includes any of those airports that are collecting head taxes.

Mr. STAGGERS. Any of them who are presently collecting head taxes, their time for terminating that will be as of December 31 of this year.

Mr. ROONEY of Pennsylvania. Mr. Chairman, if the gentleman will yield further, how many airports are involved.

Mr. STAGGERS. There are two exemptions—I want to correct myself—the two that had been enacted before 1970, I believe.

Mr. ROONEY of Pennsylvania. Mr. Chairman, if the gentleman will yield further, I think there is a gross inequity here and I therefore plan to introduce an amendment at the proper time. There are some 44 other airports throughout the country who are collecting the same type of head tax as they are in New Hampshire and Sarasota. I also understand there is another amendment over on the Senate side to exclude Evansville, Ind. I think if they exclude these three cities in the bill then I think the Allentown-Bethlehem Airport and the other 43 airports throughout this country should be allowed to collect this tax for the next 7 or 8 months.

The CHAIRMAN. The gentleman from West Virginia has consumed 8 minutes.

Mr. KUYKENDALL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chariman, when the Airport and Airways Development Act was under discussion here in 1970 it was considered right and proper that users of airport facilities should bear the burden of building and maintaining them. Up to that time airport projects were helped along with Federal funds taken from general appropriations. There was always a shortage of money compared to the need and desire of communities to upgrade their air facilities for both safety and convenience. By enacting the 1970 law we made a commitment to the traveling public that for those rather stiff fees included in the bill it could expect far more Federal support to be available for airport construction and also for improvement of airways management. Revenues from the user fees have been even more than predicted. About $600 million per year, of the total $750 million taken in, comes directly from ticket taxes.

Now the money is there for airport projects. But now many communities are having difficulty coming up with the local share. Airport projects are often very expensive. Also the Federal scheme of assistance has for many years excluded terminal facilities. The theory behind this exclusion has been that terminal facilities are not essential and also are capable of turning a profit if well managed. The airlines do not share this view and would like to see terminals included in projects for Federal grant support. Perhaps for this reason, or perhaps for many different reasons, communities have been looking for ways to extract more revenue from airport operations than landing fees and concessions. The enplaning tax, or head tax, is appealing. It has been the bane of European travelers for years but it does promise substantial sums.

Wherever enplaning taxes have been suggested or tried the airlines have fought them vigorously. Until recently they had been successful in routing them in State courts. Recently, however, Evansville, Ind., and all of New Hampshire's airports gave it a whirl. This time it got to the Supreme Court of the United States which decided, in effect, that unless Congress specifically said no to head taxes, communities could levy them. With that go-ahead, 15 other cities moved quickly to enact such taxes last year.

The question as to whether or not it is proper or fair to add further user taxes to those imposed by the 1970 act is certainly open to debate. Many feel that it is grossly unfair. Airlines think that being forced to collect a whole array of different taxes at the many places they service is entirely unreasonable. The administrative burden is undoubtedly very onerous. It may cost more than the revenue to be derived. On the other hand, communities very likely do need more revenue for airport purposes. And perhaps there are ways in which these taxes or some variation of them could be made to work with a minimum of inconvenience. But we do not know whether this is so or not. All of which pretty well explains why the committee bill of last year provided for a moratorium rather than a ban on head taxes.

The other body, however, took a quite different tack. It made a basic decision that head taxes were an impediment to interstate air travel and banned them. Recognizing at the same time the need for increased funds at the local level, the Senate bill made some fairly substantial changes in the Federal share to be offered for airport construction projects in the future. The conference committee reported back a bill which was essentially that passed by the Senate, prohibiting head taxes and adjusting the Federal share of airport grants. The bill as finally approved raised the minimum yearly figure to be spent from the trust fund for airport projects on the theory that the larger Federal share would require the outlay of larger sums if the number of projects to be funded were to remain constant. The Senate bill has projected a yearly minimum of $420 million and the conference version arrived at a figure of $350 million.

When the agreed upon bill reached the White House it was held without signature and a memorandum returned to Congress indicating that the increase in obligational authority was the basic reason for not accepting it. The memorandum also mentioned program difficulties but without specificity.

In the 93d Congress it was the feeling within our Subcommittee on Transportation that a bill tracking the previous bill but with an acceptable obligation figure should have the best chance of making the grade. Apparently the feeling had also grown that head taxes should be prohibited without further study.

The committee brings to you a bill which will prohibit the imposition of head taxes or gross receipts taxes by airport operators or States. There are some slight adjustments for communities which have made commitments or which started collecting taxes prior to the original congressional action. These are tailored to the specific situations and are of very short duration, ending at the end of 1973.

Recognizing the almost universal need for greater revenue if airports are to be built, and as some compensation for the loss of the potential revenue from head taxes, the bill provides an increase in the Federal share of airport projects from 50 percent to a possible 75 percent in the case of medium hub and smaller cities. Very large airports will remain at the present 50 percent maximum. As to equipment required for safety and to meet the requirements for airport certification, such as fire equipment, the Federal share has been increased to 82 percent.

By holding the obligational authority to the present statutory minimum of $250 million for carrier airports and $30 million for general aviation airports we feel that we have a bill which can and will be approved by the executive. Testimony by the representative of the administration did not enthusiastically endorse outright prohibition of head taxes and had some misgiving about matching for certification equipment. Despite this, as near as we can tell, the bill we have here would be signed. Much, if any, upward change in the obligational authority could change that and therein will be a problem when meeting in conference with the other body. We feel that we should pass a bill that can become law and will try our best to keep intact its major provisions.

One figure included in the bill may be misleading. It is the frightening amount of $1.4 billion. Actually this does not add anything to the budget now or later. Under the law as it stands the obligational authority is set at minimum of $280 million per year. As I have already pointed out, this has not been changed. To keep the authority alive for a total of 3 years it is necesary to extend the final figure to include 2 additional years at $280 million each. No less is anticipated by anyone.

Some things this bill does not do. It does not include terminal buildings as eligible items in airport projects. That is the present situation and has been thus for over 10 years. There is considerable debate on this point, and it is possible that some change may be in order soon, but it should be handled as a separate item and settled on its own merits. The bill does not include an anti-impoundment provision for the same sensible reason that it can only jeopardize an otherwise desirable piece of legislation.

Contact was made with the committee when the matter was before the full committee for markup to exempt the territories from the prohibition. The Virgin Islands made the pitch on the basis that it not only needed the funds but that other islands nearby all had enplanement taxes. It was pointed out by members of the subcommittee that some of the affected airports were obtained as surplus to begin with. In addition, the present law provides a special fund for territorial airports in addition to which they may apply for assistance from the discretionary fund controlled by the Secretary of Transportation. The status of nearby airports which do not have access to the trust fund and are operated under the laws of other countries is hardly germane.

All in all, the committee has tried to do a thorough and responsible job in bringing you a bill which will accomplish a worthwhile purpose while being fair to all parties concerned with it. I recommend approval of H.R. 6388 by the House.

Mr. Chairman, I reserve the balance of my time.

Mr. STAGGERS. Mr. Chairman, I yield myself such time as I may consume, and I yield to the gentlewoman from New York.

Ms. HOLTZMAN. Mr. Chairman, last year we enacted a bill into law, Public Law 92-592 creating the Gateway National Park which provides in part as follows:

> (e) The authority of the Secretary of Transportation to maintain and operate existing airway facilities and to install necessary new facilities within the recreation area shall be exercised in accordance with plans which are mutually acceptable to the Secretary of the Interior and the Secretary of Transportation and which are consistent with both the purpose of this Act and the purpose of existing statutes dealing with the establishment, maintenance, and operation of airway facilities: *Provided*, That nothing in this section shall authorize the expansion of airport runways into Jamaica Bay or air facilities at Floyd Bennett Field.

It is my understanding that H.R. 6388 would permit for the first time local governments in cosponsorship with the Federal Government to develop airport facilities.

I would like to know whether H.R. 6388 would in any way contravene the purposes of Public Law 92-592 or section (e) thereof or in any way authorize expansion or redevelopment of Floyd Bennett Field for civil aviation purposes.

Mr. STAGGERS. Mr. Chairman, I would like to assure the gentlewoman from New York that our bill does not contravene in any way the language which she just read to the House. We certainly do not have anything before us today which will take away or add anything to the language which she has just read.

Ms. HOLTZMAN. Mr. Chairman, I thank the gentleman from West Virginia. I am very pleased by his assurances. The creation of the Gateway National Park was a matter of great importance to the residents of my district and the city of New York. The creation of civilian aviation facilities at Floyd Bennett Field would not only undermine the benefits of that park, but would also create noise, air pollution, and safety hazards to those who reside near Floyd Bennett Field.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Oklahoma (Mr. JARMAN), the chairman of the subcommittee.

Mr. Chairman, I might add that I believe the subcommittee has done a very able job.

Mr. JARMAN. Mr. Chairman, this legislation would increase the U.S. share of allowable project costs for airport development and improvements for all but the Nation's largest hub airports. It would also prohibit the so-called head tax imposed by more than 40 jurisdictions in the Nation on persons in air commerce.

As the Members will recall, the House passed the conference committee bill similar to H.R. 6388 last October 11, and the Senate gave its approval to the legislation on October 13. The President pocket vetoed the measure on October 27, and in a memorandum stated that the legislation was not in accordance with his administration's fiscal plans.

The most important difference between this legislation and the one vetoed last fall is that H.R. 6388 does not change the $280 million minimum annual authorization contained in existing law. The vetoed bill had increased the minimum annual authorization to $350 million.

Perhaps one of the most controversial aspects of the legislation last year was the feature dealing with passenger user taxes imposed by different jurisdictions across the country. When we considered this legislation last fall, only 17 jursdictions utilized the so-called head tax. Today, there are 44 such taxes, and many other jurisdictions have planned to impose such a fee. This matter has been litigated in the courts. In April of last year, the Supreme Court of the United States upheld the constitutionality of the New Hampshire and Evansville, Ind., head taxes, stating that until Congress adopted a position on the matter, such taxes could be imposed by local jurisdictions.

The Interstate and Foreign Commerce Committee feels that the head tax is discriminatory and constitutes a burden on our national transportation system. The taxes vary from jurisdiction to jurisdiction, with no regard to the length of the journey of the passenger. The passenger is already paying an 8 percent Federal tax on his ticket in order to finance the airport and airway trust fund.

Our committee made three substantive changes in the legislation reported to us by the Subcommittee on Transportation and Aeronautics.

The first change increased from $480 million to $1.4 billion the authority of the Secretary of Transportation to incur obligations to make airport development grants until June 30, 1975. The total amount of such obligations liquidated before June 30, 1974, cannot exceed $1.12 billion and the total amount liquidated before June 30, 1975, cannot exceed $1.4 billion.

The second change modified the language of the bill relating to the Federal share allowable on account of any approved project to make clear that the amount of the Federal share will be determined by the number of passengers enplaned at the airport with respect to which the grant is made.

The third change extends until December 31, 1973, the time for several State and local taxing authorities—already levying and collecting the head tax—to be exempt from the prohibition against such taxes provided by the reported bill.

Mr. Chairman, I urge the passage of H.R. 6388.

Mr. KUYKENDALL. Mr. Chairman, I yield 5 minutes to the gentleman from Montana (Mr. SHOUP).

Mr. SHOUP. Mr. Chairman, I do not intend to dwell on the merits of this bill. I believe it has been well covered by the chairman of the committee, the chairman of the subcommittee and my colleague from Tennessee.

However, I do wish to inform my colleagues at this time that I intend to offer an amendment at the proper time.

In the past I have criticized various Members of various committees for appearing on the floor of the House and offering amendments to bills which have not been discussed within the committee. However, in this particular case I feel we have extenuating circumstances. The action by the Federal Aviation Administrator since this bill was marked up, since the House went into its Easter recess, necessitates an amendment.

This would not be a change in the wording of the bill; it would be an addition of a new section, a clarifying amendment to the existing law.

In 1970 a section of the 1970 act amended the 1958 Federal Aviation Act. It included for the first time the authority for safety certification of airports.

Since 1970 the Federal Aviation Administrator has, I feel, followed the dictates of this House and of the conference committee as to the intent of the safety certification. Unfortunately, on April 20, 1973, the Administrator of the Federal Aviation Administration came out with a new interpretation that I feel is in direct conflict with the intent of the original act. May I quote from Federal Aviation Administrator Butterfield:

> The Federal Aviation Administration of the Department of Transportation will broaden safety standards by expanding its airport certification regulation to include airports serving supplemental air carriers and other CAB certificated carriers operating charter flights, small aircraft and helicopters. Also included are airports serving as refueling stops for these operators.

The Administrator is saying that a chartered CAB certificated air carrier, if it were to touch down only one time at a small airport, one time a year, if that airport were to allow it to land, if the chartered air flight were not to risk losing its charter, this small airport would have to provide 24-hour fire protection service 365 days of the year.

At the present time under the FAA airport safety regulations 99 percent of the total personnel carried by air service are covered. One percent of the total personnel carried by air carriers are not. These passengers go into the small airports that cannot afford 24-hour manned fire engines 365 days of the year.

I should like to read from the conference report on the 1970 act that was presented to the House and adopted. I read from the report of the managers:

> Section 51(b) of the conference agreement follows the House version with a clarifying change to make it clear that the term "air carrier airports" means airports serving air carriers "certificated by the Civil Aeronautics Board." This clarification will make it unnecessary to require certification of a small airport that may be served by an air taxi but not by a scheduled air carrier certificated by the Civil Aeronautics Board.

May I repeat that: "Scheduled air carrier certification by the Civil Aeronautics Board."

The CHAIRMAN. The time of the gentleman has expired.

Mr. KUYKENDALL. Mr. Chairman, I yield the gentleman from Montana (Mr. SHOUP) 2 additional minutes.

Mr. SHOUP. Mr. Chairman, the opinion of the Civil Aeronautics Board indicates that their understanding of the intent of Congress refers only to those airports which are served by scheduled air carrier service.

It will be my intent at the proper time to offer an amendment to clarify the intent of Congress and to direct the Federal Aviation Administrator to so comply.

Mr. KUYKENDALL. Mr. Chariman, I yield 5 minutes to the gentleman from California (Mr. GOLDWATER).

Mr. GOLDWATER. Mr. Chairman, I wish to thank the chairman of the committee for allowing me these few minutes. I commend the comittee for its action on this bill.

Certainly I think it is timely to make more effective the Airport Airway Development Act passed in 1970. It is especially commendable with regard to increasing the Federal share in relationship to smaller airports and their development.

Mr. Chairman, if I may indulge the committee's time, I would like to discuss a point which is not particular to this bill, but a matter concerning aviation safety, which should be of consideration not only by this committee but the House as a whole.

It is a subject which, as the congestion problem increases and the use of aircraft increases, becomes more and more of a threat to the lives of the traveling passengers. I am speaking of mid-air collisions.

The recent mid-air collision between the NASA research plane and the Navy P–3 at Moffett Field in California, with the loss of 16 lives, demonstrated once again that Congress must enact legislation to require the installation of collision avoidance systems on most civilian and military aircraft. There is no doubt that the danger of mid-air collision is increasing, and on the basis of personal studies which I have undertaken, unless we do something immediately, hundreds and perhaps thousands of persons will die in such collisions in the next 10 years.

In fact, the National Transportation

and Safety Board has projected 972 fatalities from 335 collisions between 1970 and 1979.

Mr. Chairman, it is a fact that air traffic will increase more than 400 percent in the next decade. Projected growth of air traffic in the next 10 years is set at 40 percent for airlines and more than 73 percent for general aviation.

In 1950 there were approximately 8 billion revenue passenger miles; in 1982 the projection is that there will be more than 307 billion revenue passenger miles—a further indication of the urgency of the implementation of collision avoidance systems.

Now, certainly aviation is one of the safest modes of travel we have. However, when there are collisions in the air, it becomes traumatic and it becomes tragic, because of the large number of lives which are lost in any one collision. Certainly I do not have to remind my colleagues of the 1956 mid-air collision over the Grand Canyon where 128 lives were lost.

The separation of aircraft has been left primarily up to the air traffic control system. Our controllers who man these radar scopes do yeoman service under very hard and difficult conditions. I can only express praise for their efforts. They have been able to maintain a good record. However, the men who man these radar scopes are only human. They are subject, just as every one of us is, to error. I think the point is made quite clear by the recent accident at Moffett Field, where two aircraft on approach to landing collided while under the control of the air traffic controller.

Together with my colleague in the other body, Senator Moss, I have introduced legislation recently that would set a target date of March 1974, for the completion of the testing of mid-air collison avoidance systems. The bill, H.R. 7125, requires all airliners and military aircraft must have these mid-air collision avoidance systems by June 1976. Additionally, by June 1977 all business and other commercial aircraft will be required to have the system operative, and by June 1978 all aircraft will have to comply.

That would exclude certain types of aircraft that operate away from congested areas, such as specialized sport and antique and agricultural planes and gliders.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KUYKENDALL. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. GOLDWATER. Mr. Chairman and colleagues, we have a serious obligation to do everything possible to reduce the chances of mid-air collisions. I am very hopeful that we can get some hearings on this in the very near future.

Mr. KUYKENDALL. Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. DON H. CLAUSEN).

Mr. DON H. CLAUSEN. Mr. Chairman, I take this time very briefly to develop a colloquy, if I may, with the chairman of the committee (Mr. STAGGERS).

First of all, I want to compliment you, the subcommittee chairman and the committee members for having recognized what I think is a very serious situation in the country in that there is definite need to accelerate the construction timetable and improve the financing formula for some of the smaller communities which simply do not have a financial base with which to construct an adequate airport facility.

You know of my great interest in the development of an integrated airport system for the major metropolitan areas and in providing general aviation reliever airports to minimize congestion in those areas.

Do you believe in your own judgment that this change in the formula based on the testimony presented to the committee from 50 to 50 to 75 to 25 will permit those political subdivisions to accelerate the construction timetable on the reliever airports in order to minimize congestion, improve safety and provide more general aviation airport access to the metropolitan areas, as well as access to more of our smaller communities?

Mr. STAGGERS. I do, and that is the reason why I cite as a classic example the airports that are being built now.

Mr. DON H. CLAUSEN. Will the gentleman, the ranking minority member, comment on that?

Mr. KUYKENDALL. I would like to comment on the depth in which we got into this and in which we have shown concern, even in these cases where you have an integrated system where one authority has either the owenrship or the supervision of an airport that is a hub and an airport that is not a hub. We have language in the legislation to allow the higher percentage to apply to the nonhub even though it is a part of a totally integrated system.

Mr. DON H. CLAUSEN. I feel very reassured by that, because it is one of the principal reasons we moved on this legislation initially. That being to provide the opportunity for relief in the heavily congested areas. I was not sure we were making the kind of progress that we should have been making.

One other question I would like to ask of the chairman is this: Recently there has been a fair amount of mail coming to me and I am sure to others which relates to the cost allocation study and its impact on general aviation type aircraft that supposedly eminated from the Office of Management and Budget or the FAA.

As I understand it, there is nothing in this legislation that would put into effect or implement the proposed recommendations of this cost allocation study as it relates to general aviation; is that correct?

Mr. STAGGERS. The gentleman is correct.

Mr. KUYKENDALL. That is absolutely correct.

Mr. DON H. CLAUSEN. Mr. Chairman, I thank the two gentlemen very much for answering these questions and I want to compliment the gentlemen on their work. I am particularly appreciative for the time and consideration the members of this committee have extended to me in advancing suggestions and recommendations for inclusion in this legislation.

I also want to commend the committee for its recognition of the financial plight of smaller communities with their limited tax base in meeting the matching fund requiremens under the 50/50 cost-sharing formula. The 75 to 25 ratio will make it possible for more communities to provide airport access to their respective areas and to enhance their overall economic potential. Increasing to 82 percent the Federal share for safety and security equipment at airports is particularly noteworthy and will, in my judgment, contribute greatly to airport security.

Mr. KUYKENDALL. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana (Mr. HILLIS).

Mr. HILLIS. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in support of H.R. 6388, a most important act to amend the Airport and Airway Development Act of 1970. All available statistics show a dramatic increase in the use of our Nation's airways particularly in the field of general aviation. Congress has responded to this problem previously when they created the Federal aviation trust fund in the enactment of the original Airport and Airways Revenue Act of 1970. Many of the smaller communities have been extremely hard pressed to participate and modernize and update their airport facilities because they are unable to match or meet their 50 percent of the cost. This act would be increasing the Federal share to 75 percent and will enable these much needed improvements to be made. All of the communities of our Nation will benefit from this legislation because aviation is becoming more and more to be used, not only for the general public but also by commerce and industry. Usually a safe and modern airport is one of the things an industry surveys about a community before it will decide to locate a plant or facility there. Again, I congratulate the committee on its farsighted action in developing this important piece of legislation.

Mr. STAGGERS. Mr. Chairman, I yield myself such time as I may consume in order to answer some questions to be posed by the distinguished delegate from the Virgin Islands (Mr. DE LUGO).

Mr. DE LUGO. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I had hoped to offer an amendment to section 17(c) of the Airport and Airway Development Act of 1970 to increase the U.S. share payable on account of any approved project for airport development in the Virgin Islands, Guam, and American Samoa to 90 percent. After discussing this matter with my colleagues, I feel this issue is so important to these areas that I am requesting that hearings be held on this amendment at the earliest possible date.

Mr. Chairman, I wish to direct a question to the distinguished chairman of the Interstate and Foreign Commerce Committee.

As you know, the Virgin Islands, because of their isolated position, are uniquely dependent upon air traffic for their economic survival. The lack of fuel resources and raw material makes the islands particularly dependent upon the money generated by the tourist trade, much of which arrives by air. The small economic base in comparison with that of the individual States makes it necessary for the Virgin Islands to look to Federal aid in the maintenance of its airport facilities. H.R. 6388 would prohibit the Islands from collecting a head tax from passengers using its airports thus further diminishing the ability to maintain this vital segment of their economy. Therefore, Mr. Chairman, I would ask the distinguished gentleman from West Virginia (Mr. STAGGERS) as to whether he would look with favor upon the possibility of holding hearings on my amendment?

Mr. STAGGERS. Mr. Chairman, I certainly can respond in the affirmative to the inquiry of the distinguished delegate from the Virgin Islands, and I can assure the gentleman that he can certainly expect sympathy towards the situation in the Virgin Islands.

Let me add further, Mr. Chairman, that the gentleman who represents these islands has been very faithful in his attempts to look out for their interests before our committee, and I again assure the gentleman that at the first opportunity we will certainly try to have hearings upon this subject.

Mr. DE LUGO. Mr. Chairman, I thank the gentleman for his very kind remarks.

Mr. BURTON. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from California.

Mr. BURTON. Mr. Chairman, I would like to commend our distinguished colleague, the gentleman from the Virgin Islands, and I wish to associate myself with the remarks made by the gentleman, and also the remarks of our distinguished chairman, the gentleman from West Virginia (Mr. STAGGERS) and to express my own hope that in the event the Senate sees fit in its wisdom to add an amendment to this legislation that achieves the objective stated by the delegate from the Virgin Islands, that I would hope that the House conferees will take a kindly look at such a proposal.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Chairman, I too want to express myself as being in full support of the position just taken. I might add that I have had conversations with the FAA, as well as Governor Evans himself. I make this point simply because I am the ranking minority member on the Subcommittee on Territorial and Insular Affairs, and I know that the Trust Territories do have a unique problem and I realize that it will be very difficult for the committee to come up with anything in the way of essential assistance in that matter according to the present testimony. But I believe that they have a unique situation down there in the Virgin Islands in particular because, as an example, the islands that are under British rule do have a specific head tax that does apply, and that may make it somewhat difficult for the Virgin Islands.

I also understand the complexity of attempting to rule someone out of this under the purposes of this bill, so I would hope that we could provide something in the way of a change in the formula, or possibly other legislation.

Mr. DE LUGO. Mr. Chairman, the United States Virgin Islands Port Authority was created by Legislative Act 2375 in 1969. As such, the Harry S. Truman and Alexander Hamilton Airports came under the Port Authority's jurisdiction and control. Included in this enabling legislation is the power to establish rates and charges for the use of the airport facilities. The Authority, however, was not granted any powers of taxation on personal or real property nor authorized to participate in the sharing of taxes levied and collected by the Virgin Islands Government.

Through the end of June 1972 the Port Authority was operating on a deficit of roughly four and one-third thousand dollars per day. In July of 1972, after public hearings had been held, the Governing Board of the Port Authority passed and adopted new rates effective July 1, 1972, and also established a passenger use fee of $1 for each for hire passenger departing the United States Virgin Islands, this income being for the use of the airport facilities. The implementation of the passenger use fee is anticipated to generate over $800,000 for this fiscal year, which amount represents 40 percent of our aviation revenue. We are now able to participate with ADAP assistance in the upgrading and improvement of the airports.

The Virgin Islands have been receiving ADAP aid on the 75–25 percentage formula as compared to stateside airports receiving assistance on a 50–50 percentage formula. During 1969, two projects in St. Croix requiring aid were authorized and subsequently cancelled due to unavailability of Port Authority funds. During the last 3 calendar years in St. Thomas, only one project requiring less than $11,000 of Port Authority funds was undertaken. Hundreds of thousands of dollars under the airport aid program have been available for improving the airports but the Port Authority was unable to provide its 25 percent share. At present, our aviation income is making it possible for us to provide our share of approximately $2 million worth of improvements between both airports; improvements that will greatly increase safety, particularly at Truman Airport. The passage of H.R. 6388 would prohibit the levying or collecting of a tax, fee, head charge or other charge directly or indirectly to passengers traveling in air commerce. This change will reduce our aviation income by 40 percent and return us to the previous financial position where the Authority was unable to properly expand and improve the Virgin Islands airports for the public's convenience and in their interest.

The financial dilemma that the Government of the Virgin Islands is experiencing due to the rapid change and increase in population, precludes its ability to adequately assist the Authority financially in meeting this responsibility.

Of course it is not the intent of this legislation to be detrimental to airport development. In fact, it proposes to change the mainland airports' matching formula from the 50–50 percentage to the 75–25 percentage so what the mainland airports may lose on the one hand by not charging the airport users' fee would be made up on the other hand by the 75–25 percentage formula which roughly triples the ADAP aid. In our case, we would receive no more than we are presently receiving in exchange for the loss of 40 percent of our aviation income. Again, we would be back to the situation in which Federal aid would be offered but we would find ourselves unable to fund our required 25 percent.

It should also be noted that the Virgin Islands face increasing competition with the other tourist islands of the Caribbean which have been able to improve and modernize their airport facilities, and thus attract more commercial and private aircraft activity.

It cannot be too strongly emphasized that with passage today of H.R. 6388 the Virgin Islands will no longer be able to impose a head tax on departing air passengers, and therefore will be unable to generate the revenue to meet their required share of funding under the present Federal/State formula. For this reason I am proposing my amendment to change the existing formula by increasing the Federal share of total financing to 90 percent. This would be in keeping with the Virgin Islands ability to match the overall costs of new projects. The present law recognizes the distinct needs of the Virgin Islands by giving them a greater share of Federal aid, and now that income from the head tax is no longer available there is all the more reason to continue this precedent, and increase the proportion of Federal participation.

Mr. STAGGERS. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. MILFORD).

Mr. MILFORD. Mr. Chairman, I thank the gentleman from West Virginia (Mr. STAGGERS) for giving me this opportunity to speak on a subject that is near and dear to my heart.

I rise in support of this bill. I have throughout my adult life been associated with aviation; for the past 23 years in a professional capacity. Prior to coming to this Congress, I worked as a nationally recognized aviation consultant. This work brought me into contact with most of the major airlines, all segments of general aviation and the leading aviation manufacturers throughout the Nation. I have been an active pilot since 1950 and, to date, I have logged over 6,000 hours flying time. My past profession has enabled me to make in-depth studies into the needs of all phases of the aviation industry.

In the fall of this year the world's largest airport will open to traffic in my district—the $700 million Dallas/Fort Worth Airport. Sprawling across the north Texas plains, this facility will be the most sophisticated and largest in the world. Excluding passengers, this jetport will be capable of handling more cargo by air then the entire port of New York moves by ship.

Mr. Chairman, I cite these statistics to emphasize the impact this Texas giant and other large hub airports are going to have on the entire Nation. One massive impact often overlooked as we develop these large hub airports, is the effect on general aviation and small airport operations. Over 100 smaller airports are located in our north Texas area, within 100 miles of the Dallas-Fort Worth metropolitan area. These smaller facilities are just as vital as the big hubs. The small feeder airlines collect passengers from the small out-lying communities and bring them to the truck carriers. The small fields are home for the general aviation aircraft that support our industries. In the busy hub terminals, air space has become saturated, with too many airplanes trying to use the same field. In some cases, this saturation is approaching a dangerous condition. Small towns are unable to attract industries for lack of usable airports.

These massive air-hubs to which I have referred saturate the available air space and make it difficult for the smaller business craft to utilize all but the most modern with proper efficiency. In our own metropolitan complex the smaller airfields are vital to maintain safety in the air and to expedite the flow of private aircraft throughout the entire north Texas area. This is true of these major air-hub areas throughout the Nation. In my district alone we have several already over-crowded smaller air-hubs and airports that desperately need the assistance that this legislation will provide. They need it for safety equipment, improvement of repair facilities, extension of runways and many other vital projects. Arlington Municipal Airport, Grand Prairie Municipal Airport, Denton Municipal Airport, fields in Oak Cliff, Irving, and other surrounding communities need this assistance and they need it now before their problems are compounded by the massive new airneighbor in their area.

I have carefully read the committee report provided for H.R. 6452 and, as an individual deeply involved in aviation, wholeheartedly agree with their findings and their recommendations. The committee's call for an increase in Federal funding for this type of activity, especially those provisions which will directly affect our much strained smaller air-facilities is long overdue. Finally, as one constantly concerned with our fiscal problems since taking office in January, I especially endorse this type of funding through user-tax which, as the committee notes,

> No general tax revenues will be required to pay for the 1974 and 1975 additional spending authority, since the cost of the authority should be funded entirely from the airport and air-way trust fund.

This to me, is sound fiscal consideration aimed at resolution of a much aggravated problem. Again, I commend the committee for their foresight and judgment and wholeheartedly urge passage of this measure.

Mr. PICKLE. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Texas.

Mr. PICKLE. Mr. Chairman, I rise in support of this measure. I should also like to ask the chairman if he feels that the bill that the committee has recommended to us today would meet the objections which might have been the cause for the veto last year. The bill has exceeded the funds that the administration requested. If we pass this bill with the funds in it, $280 million, does the gentleman think that that will meet the objection that was raised previously, and thus allow the bill to become law?

Mr. STAGGERS. This, in my opinion, meets completely the objections of the President and the administration when the bill was vetoed.

Mr. PICKLE. I thank the gentleman.

Mr. CLEVELAND. Mr. Chairman, I rise in support of the Airport Development Acceleration Act of 1973, though with strong reservations about one provision. In general, I welcome the recognition by the Committee on Interstate and Foreign Commerce of the need to increase the Federal share of matching funds from the current 50 percent to 75 percent. This is consistent with the approach followed by the Committee on Public Works, on which I am privileged to serve, in increasing Federal matching for projects financed by the Environmental Protection Agency and for the Federal-aid highway system.

Moreover, I also strongly approve the increase in authority to obligate funds from the trust fund through June 30, 1975, from $840 million to $1.4 billion.

I regret, however, the provision eliminating the system of head taxes on which so many publicly owned facilities have been forced to rely for operating revenues. Therefore, I intend to support the amendment to be offered by my colleague from New Hampshire (Mr. WYMAN) to delete this prohibition on the use of head taxes. While those authorities making use of such a tax have until next December to develop alternate sources of revenue, I do feel that this represents a severe burden.

I urge Members to join in support of the Wyman amendment and the bill on final vote for passage.

Mr. BINGHAM. Mr. Chairman, I intend to vote against this legislation, the Airport Development Acceleration Act of 1973, for a number of reasons. I have long argued that the level of Federal expenditures for transportation, like Federal expenditures in every other area, should be based on a continuing and up-to-date assessment and comparison by the Congress of all our national needs. I have particularly made this case with respect to the highway trust fund. I have stated repeatedly that Federal expenditures for highways ought to be made from general revenues, or at least that the trust fund now reserved for highways should be broadened to include all forms of ground transportation, so that expenditures for highways would be made to compete for scarce Federal funds and could be determined and justified in relation to other transportation needs.

The airport trust fund, like the highway trust fund and trust funds generally, prohibits a rational determination of expenditure levels based on the priority of airport development in relation to other needs.

In my judgment, Mr. Chairman, the greatest problem we face in the transportation field in this country is the problem of enabling every American to travel quickly, conveniently, cheaply, and comfortably on a daily basis from his home to his job, and from home to nearby shops and recreational facilities. The major transportation problem we face, in short, is one of efficient short-distance travel, rather than long-distance travel. Levels of Federal spending in the transportation field should reflect that overriding need and give highest priority to expenditures to solve that problem.

There is certainly need and justification for Federal expenditures and aid for airport development. But the levels of expenditure for that purpose contained in this bill have not been determined on the basis of need for airport development in relation to other needs. Since funds accruing to the airport trust fund can be used only for airport development, the tendency is to go ahead and spend those funds for that purpose simply because they are available and can not be used for any other purpose. I cannot support funding decisions made on that basis. I have opposed them with respect to highways, and I must oppose them with respect to airports.

This legislation also contains provisions that would prevent State and local governments from obtaining their matching funds for airport development through the use of "head taxes" on airline passengers. The Federal airport trust fund itself, of course, consists of proceeds from user taxes. So, in effect, this legislation endorses and perpetuates user taxes in the aviation field by the Federal Government, but prohibits them as a revenue device for State and local governments. This is an inconsistency which seems to me unfair to State and local governments. If anything, the formula should be reversed. It is the State and local governments that are hardest pressed for sources of revenue and should thus be given maximum flexibility for raising specific revenues for specific purposes. It is the Federal Government, on the other hand, that has the greater revenue-sharing capability and the responsibility for setting broad funding priorities, arguing for use of general revenues rather than earmarked user taxes for Federal aid to airports.

Finally, Mr. Chairman, this legislation is discriminatory toward larger, primarily urban airports. The legislation proposes to increase the ratio of Federal to local funds to 75–25 for smaller airports, but would retain only 50–50 funding for the larger urban "hub" airports. The stated reason for this discrimination is that the larger airports have greater access to local funding. Yet the bill would remove one of the major means of raising local matching revenues employed by many larger airports—the airline passenger head tax. I see no justification for imposing this kind of inequity upon the larger airports. As I understand this legislation, Mr. Chairman, the following airports would be restricted to 50–50 matching funds rather than 75–25: Denver, Colo., Los Angeles, San Francisco, and San Diego, Calif., District of Columbia—Washington National—Miami, Fla., Atlanta, Ga., Honolulu, Hawaii, Chicago, Ill.—O'Hare— New Orleans, La., Detroit, Mich., Minneapolis, St. Paul, Minn., Kansas City, St. Louis, Mo., Las Vegas, Nev., Newark, N.J., New York City—John F. Kennedy and LaGuardia airports—Cleveland, Ohio, Philadelphia and Pittsburgh, Pa., Dallas and Houston, Tex., Seattle-Tacoma, Wash.—International.

Many of us in this Congress, and the public, who frequently fly in and out of these airports, know that many of them can use all the help they can get consistent with other national needs for improvements in safety and other aspects of their operations. In fact, more than 80 percent of each day's airline passengers pass through one or more of these airports. Yet this legislation would relegate such critical terminals to secondary status with respect to Federal aid.

For these reasons, I cannot support this legislation and I urge Members who may find these arguments persuasive to join me in voting against it.

Mr. CULVER. Mr. Chairman, I want to express my support for H.R. 6388, the Airport Development Acceleration Act of 1973. By increasing to 75 percent the Federal share of allowable project costs for airport development, this legislation would allow medium and small airports to expand as necessary to continue serving their communities and the Nation. By increasing to 82 percent the allowable Federal share for purchase of safety and security equipment required by Federal law, this legislation will allow airports serving smaller communities with corresponding smaller revenues to meet the rigorous safety and security standards that have been imposed.

A clear example of the benefits of this bill can be seen in the city of Cedar Rapids. A medium-sized city without a huge tax base, Cedar Rapids has and needs an airport adequate to handle both commercial and private flights. The costs of maintaining such an airport are tremendous, however, and just this morning the city council approved a referendum for a bond issue which is required to meet the local share of a federally assisted airport development project. Two additional applications for Cedar Rapids are pending—one for their rescue program and to meet certification requirements and one for a necessary overlay of concrete on the runway surfaces. Both are necessary and both will benefit the entire region as well as travelers and shippers all over the Nation who have occasion to use the airport.

Dubuque will also benefit from this legislation. The Dubuque Municipal Airport is experiencing difficulties in funding the crash and fire services which are required by Federal regulations. The allowance of up to 82 percent of the costs from Federal funds will greatly assist the airport there to serve the people in conformance with Federal safety standards.

The city of Clinton also needs additional development of its airport. Longer, wider, and thicker runways are necessary within the next few years to handle the DC–9's which Ozark Air Lines plans to use exclusively. Without the help of a bill such as this, cities like Clinton may soon find themselves without commercial air service. Other general aviation airports in Iowa's Second District have similar problems and will benefit from this legislation.

The final point I would like to make is that the money authorized by this bill will not come from general revenues. The money will derive from the user-supported airport and airway trust fund. Therefore, it will not result in increased taxes or an increase in the Federal deficit, and in many instances it may prevent increases in property taxes or other State and local levies.

Mr. STAGGERS. Mr. Chairman, I have no further requests for time.

Mr. KUYDENDALL. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Airport Development Acceleration Act of 1973".

Sec. 2. Section 11(2) of the Airport and Airway Development Act of 1970 (49 U.S.C. 1711) is amended by inserting immediately after "Federal Aviation Act of 1958," the following: "and security equipment required of the sponsor by the Secretary by rule or regulation for the safety and security of persons and property on the airport,".

Sec. 3. Section 16(c)(1) of the Airport and Airway Development Act of 1970 (49 U.S.C. 1716(c)) is amended by inserting in the last sentence thereof "or the United States or an agency thereof" after "public agency".

Sec. 4. Section 17 of the Airport and Airway Development Act of 1970 (49 U.S.C. 1717) relating to United States share of project costs, is amended—

(1) by striking out subsection (a) of such section and inserting in lieu thereof the following:

"(a) General Provision.—Except as otherwise provided in this section, the United States share of allowable project costs payable on account of any approved airport development project submitted under section 16 of this part may not exceed—

"(1) 50 per centum for sponsors whose airports enplane not less than 1.00 per centum of the total annual passengers enplaned by air carriers certificated by the Civil Aeronautics Board; and

"(2) 75 per centum for sponsors whose airports enplane less than 1.00 per centum of the total annual number of passengers enplaned by air carriers certificated by the Civil Aeronautics Board."; and

(2) by adding at the end thereof the following new subsection:

"(e) Safety Certification and Security Equipment.—

"(1) To the extent that the project cost of an approved project for airport development represents the cost of safety equipment required by rule or regulation for certification of an airport under section 612 of the Federal Aviation Act of 1958 the United States share may not exceed 82 per centum of the allowable cost thereof with respect to airport development project grant agreements entered into after May 10, 1971.

"(2) To the extent that the project cost of an approved project for airport development represents the cost of security equipment required by the Secretary by rule or regulation, the United States share may not exceed 82 per centum of the allowable cost thereof with respect to airport development project grant agreements entered into after September 28, 1971.".

Sec. 5. The first sentence of section 12(a) of the Airport and Airway Development Act of 1970 (49 U.S.C. 1712(a)) is amended by striking out "two years" and inserting in lieu thereof "three years".

Sec. 6. (a) Title XI of the Federal Aviation Act of 1958 is amended by adding at the end thereof the following new section:

"State Taxation of Air Commerce

"Sec. 1113. (a) No State (or political subdivision thereof, including the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the District of Columbia, the territories or possessions of the United States or political agencies of two or more States) shall levy or collect a tax, fee, head charge, or other charge, directly or indirectly, on persons traveling in air commerce or on the carriage of persons traveling in air commerce or on the sale of air transportation or on the gross receipts derived therefrom; except that any State (or political subdivision thereof, including the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the District of Columbia, the territories or possessions of the United States or political agencies of two or more States) which levied and collected a tax, fee, head charge, or other charge, directly or indirectly, on persons traveling in air commerce or on the carriage of persons traveling in air commerce or on the sale of air transportation or on the gross receipts derived therefrom prior to May 21, 1970, shall be exempt from the provisions of this subsection until July 1, 1973.

"(b) Nothing in this section shall prohibit a State (or political subdivision thereof, including the Commonwealth of Puerto Rico the Virgin Islands, Guam, the District of Columbia, the territories or possessions of the United States or political agencies of two or more States) from the levy or collection of taxes other than those enumerated in subsection (a) of this section, including property taxes, net income taxes, franchise taxes, and sales or use taxes on the sale of goods or services; and nothing in this section shall prohibit a State (or political subdivision thereof, including the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the District of Columbia, the territories or possessions of the United States or political agencies of two or more States) owning or operating an airport from levying or collecting reasonable rental charges, landing fees, and other service charges from aircraft operators for the use of airport facilities.

"(c) In the case of any airport operating authority which—

"(1) has an outstanding obligation to repay a loan or loans of amounts borrowed and expended for airport improvements;

"(2) is collecting without air carrier assistance, a head tax on passengers in air transportation for the use of its facilities; and

"(3) has no authority to collect any other type of tax to repay such loan or loans.

the provisions of subsection (a) shall not apply to such authority until July 1, 1973."

(b) That portion of the table of contents contained in the first section of such Act which appears under the center heading

"Title XI—Miscellaneous"

is amended by adding at the end thereof the following:

"Sec. 1113. State taxation of air commerce.".

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the first committee amendment.

Mr. STAGGERS. Mr. Chairman, in view of the fact that we have eight committee amendments, I ask unanimous consent that they be considered en bloc and be voted upon en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read as follows:

Committee amendments: Page 2, immediately after line 5, insert the following:

"SEC. 3. Section 14(b) of the Airport and Airway Development Act of 1970 (49 U.S.C. 1714(b)) is amended—

"(1) by striking out "$840,000,000" in the first sentence thereof and inserting in lieu thereof "$1,400,000,000"; and

"(2) by striking out 'hand' in the last sentence thereof and inserting immediately before the period ', an aggregate amount exceeding $1,120,000,000 prior to June 30, 1974, and an aggregate amount exceeding $1,400,000,000 prior to June 30, 1975'."

Page 2, line 17, strike out "SEC. 3." and insert in lieu thereof "SEC. 4.".

Page 2, line 21, strike out "SEC. 4." and insert in lieu thereof "SEC. 5.".

Page 3, strike out lines 6 through 13 and insert in lieu thereof the following:

"(1) 50 per centum for the sponsor of any airport which enplanes not less than 1 per centum of the total annual passengers enplaned by air carriers certified by the Civil Aeronautics Board; and

"(2) 75 per centum for the sponsor of any airport which enplanes less than 1 per centum of the total annual passengers enplaned by air carriers certified by the Civil Aeronautics Board"; and

Page 4, line 16, strike out "SEC. 5." and insert in lieu thereof "SEC. 6.".

Page 4, line 20, strike out "SEC. 6." and insert in lieu thereof "SEC. 7.".

Page 5, lines 17 and 18, strike out "July 1, 1973." and insert in lieu thereof "December 31, 1973.".

Page 6, line 22, strike out "July 1, 1973" and insert in lieu thereof "December 31. 1973".

The CHAIRMAN. The question is on the committee amendments.

The committee amendments were agreed to.

AMENDMENT OFFERED BY MR. ROONEY OF PENNSYLVANIA

Mr. ROONEY of Pennsylvania. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROONEY of Pennsylvania: On page 5, strike lines 7 through 18 and insert in lieu thereof the following: "or on the gross receipts derived therefrom after December 31, 1973."

On page 6, strike lines 11 through 22.

Mr. ROONEY of Pennsylvania. Mr. Chairman, first of all I want to commend the chairman of the subcommittee and the chairman of the full committee for the great work they did in reporting this bill before the House today.

I intend to support this bill with or without my amendment, but my amendment, I think is a fair one. It would give the 42 other airports that are presently collecting taxes that would not otherwise be exempted from this bill the opportunity to be treated fairly with the exemption of the New Hampshire and Sarasota, Fla., airports. These two airports will be exempt from the prohibition against collecting head tax, and all the other 42 cities in this country that are relying on this money and that have projected of this money for this calendar year will be eliminated from this bill. I do not think it is fair. My bill will merely make sure the other 42 airports throughout this country will be fairly treated. The airports in the districts of many Members are involved in this, and this amendment will permit the continuing collection of the head tax until December 31.

Mr. WYDLER. Mr. Chairman, will the gentleman yield?

Mr. ROONEY of Pennsylvania. I yield to the gentleman from New York.

Mr. WYDLER. Mr. Chairman, do I understand if this amendment is passed all the airports currently collecting head taxes will be able to do so indefinitely?

Mr. ROONEY of Pennsylvania. No, only until December 31. In this bill two airports, one in New Hampshire and one in Sarasota, will be permitted to continue collection of head taxes until December 31. This will give the other 42 airports the same prerogative that this bill is providing for 2 airports.

Mr. WYDLER. In any case, if the gentleman will yield further, no airport will be allowed to collect head tax after December 31?

Mr. ROONEY of Pennsylvania. None after December 31, 1973.

Mr. WYDLER. Mr. Chairman, I thank the gentleman for yielding, and I support the gentleman's amendment.

Mr. ROONEY of Pennsylvania. I thank the gentleman from New York.

Mr. GREEN of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. ROONEY of Pennsylvania. I yield to the gentleman from Pennsylvania (Mr. GREEN).

Mr. GREEN of Pennsylvania. Mr. Chairman, I rise in support of the amendment offered by the gentleman.

Mr. Chairman, I would like to make a plea for my own city. I think there is something onerous about taxes to begin with and something even more onerous about taxes on travel of any kind in this country, but there are areas all over the country, and the city of Philadelphia is one of them, which have been collecting head taxes at the airport. The city does certainly need the revenue because of its serious financial condition, and this amendment will allow that revenue to continue to be collected until the cities such as my own city will have some time to figure out how to raise revenues from an alternate source.

Mr. Chairman, I ask my colleagues to consider the amendment very seriously, and I support the amendment offered by my friend, the gentleman from Pennsylvania (Mr. ROONEY).

Mr. DICKINSON. Mr. Chairman, will the gentleman yield?

Mr. ROONEY of Pennsylvania. I yield to the gentleman from Alabama.

Mr. DICKINSON. Mr. Chairman, my city also collects a head tax at the airport, but if they are to do away with that, then they must have some time within which to work out some alternate means of raising revenue, so I do support the amendment offered by the gentleman from Pennsylvania.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. ROONEY of Pennsylvania. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Mr. Chairman, I support the gentleman's amendment.

Obviously the overwhelming majority on both sides of the aisle, do not like the idea of a head tax, but I understood there would be some kind of attempt to work out a way to give some of the cities some operating costs from the Federal tax on tickets, but that has not been done. It seems to me the very least we can do is to give the balance of this year to these cities to work out their problems. They have included a dependence upon these funds in other budgets and the bill does not provide an alternate source of operating funds. The many millions of dollars in the bill is largely for development costs.

Mr. ROONEY of Pennsylvania. Mr. Chairman, I thank the gentleman for his statement.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. ROONEY of Pennsylvania. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Pennsylvania.

Mr. Chairman, as a former mayor I am in sympathy with the plight of these 42 cities who have already budgeted this money. They are entitled to this aid.

Mr. ROONEY of Pennsylvania. Mr. Chairman, I am glad the gentleman brought up that point. I would like to add that this bill has been endorsed by the National League of Cities and the U.S. Conference of Mayors.

Mr. ADAMS. Mr. Chairman, I certainly regret having to oppose the amendment of my very good friends from cities which have this head tax. I must oppose it, however. This bill was carefully tailored to exempt from the head tax until the end of the year only those two cities which had gone to the Supreme Court and had received authorization for the tax and had started collecting it before the Congress had actually moved to work on and prohibit the head tax.

The rest of the cities came in, in the face of the fact that the Senate and the House were working on it. As the Members will remember, the anti-head-tax bill was passed by this body the last time, and was also passed by the Senate, but was later pocket-vetoed by the President for reasons which had nothing to do with the head tax, but had to do with the granting of money out of the trust fund to these cities to make up for the moneys which they were receiving from the head tax.

The head tax is a very onerous thing. On page 4 of the report, the Members will see that there are now 44 cities with this tax. This is what we warned Members of the House about the last time, both at the time of the conference and at the time of the passage of the bill, that if we did not pass the bill promptly a number of cities would lay on this tax.

That is precisely what has happened. Those that have the tax on now put it on knowing full well that it was a tax in jeopardy.

One of the problems we had with the situation in Pennsylvania was that the tax has gone up very substantially there between two airports where, on a $14 ticket we may be involved with as much as $2 to $4 head tax, which means a person is paying about 30 to 40 percent to travel intrastate on one of the connecting airlines.

These funds were not allocated to airport use, but could be used for general revenues. We have tried in the bill to eliminate that, and be certain that we would also help these airports around the country by allocating more funds out of the trust fund. That is how we got into trouble with the administration the last time, when we allocated too much money.

We want to stop this. I am sympathetic with the problems of those who are involved in this, but I feel that I must reveal to the House the reasons for the committee being against this, and why it was that the committee did not extend the moratorium.

Mr. PEYSER. Mr. Chairman, will the gentleman yield?

Mr. ADAMS. I yield to the gentleman from New York (Mr. PEYSER).

Mr. PEYSER. Mr. Chairman, the question I would like to ask is, that many of the airports and cities involved in this head tax have calculated this in their budgets; in other words, they are budgeting for that head tax in the coming year, this fiscal year, using the calendar year.

It seems on the surface that we would be doing a grave injustice to them if we cut them off by the end of this calendar year. There is no thought, I am sure, of compensating them for the loss of this revenue, or is there?

Mr. ADAMS. Mr. Chairman, that was why the other provision was in the bill which changed the formula, and also changed the amount of money that can be granted to the various individuals and groups and cities that are operating airports. It was to compensate them for this out of the trust fund.

This could have been avoided the last time if we had not put too much money into that. The President considered it was too much being spent out of the trust fund. So, I think these cities were on notice that any head tax was in jeopardy.

I am greatly sympathetic to the Members whose local communities levy this tax and I certainly understand their reasons for submitting the amendment.

I am trying to indicate why the committee does not approve of it, and why it is that we feel that we should not extend the moratorium.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ADAMS. I yield to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Chairman, is there anything, either in the bill itself or in the proposed amendment, that would estop an increase in the head taxes of the airports that would levy them for the remainder of this year?

Mr. ADAMS. No; the bill in general contains only a prohibition that they shall stop. I do not know whether the amendment, which is what is being considered, would extend these taxes or allow them to go on until December 1974.

Whether that amendment contains such a prohibition or not, I would have to yield to the gentleman from Pennsylvania, because he has not sent me a copy of the amendment.

Mr. ROONEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. ADAMS. I yield to the gentleman from Pennsylvania (Mr. ROONEY). I have not seen the amendment.

Mr. ROONEY of Pennsylvania. I missed the question.

Mr. ADAMS. The question was whether or not if the gentleman's amendment is adopted, which grants, in effect, an extension until December 31, 1974, it would prohibit increased taxes, and whether those authorized to do it could simply increase the taxes.

Mr. ROONEY of Pennsylvania. December 31, 1973.

Mr. ADAMS. The question was, could there be an increase between now and then in those taxes under the gentleman's amendment? I simply do not know the answer.

Mr. ROONEY of Pennsylvania. No; my amendment has nothing to do with that, concerning the local fee, whether it is 50 cents or $2. They can raise it.

Mr. ADAMS. That is what his question is.

Mr. KUYKENDALL. Mr. Chairman, I rise in opposition to the amendment.

I should like to concur in the remarks of the gentleman from Washington (Mr. ADAMS) and to point out that both the Senate and the House have acted and passed legislation. The Senate acted first last year, I believe. In the case of the Senate, they absolutely banned the head tax. In the case of the House, it was an 18 months suspension.

The operators, the Airport Operators Council here in Washington, knew full well that legislation had passed both Houses though the veto came rather late in the year. The Airport Operators Council asked me, and my own local airport people asked me, "Do you expect the bill to be reintroduced?" I said, "Certainly. Yes."

They had a warning that the bill banning head taxes would be reintroduced.

Surely they had the right to do whatever they did, but they can hardly plead ignorance in this case.

I am opposed to the amendment.

Mr. DOWNING. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, this is a good bill and a much needed bill, but without this amendment it could be a most unfair bill.

My own local airport, Patrick Henry, is a typical example, I believe. To meet the cost of providing the security required by the FAA that airport had to impose a head tax of $1. There were no other funds available to meet this cost, so they imposed it effective January 1, 1973. Their budget for the entire year is predicated on receipt of these head taxes.

If we deprive them of this now I do not know where the money will come from.

This amendment does not change the direction of the bill. It just extends it until December 31, 1973, before these airports will be forced to give up this source of income.

Mr. KUYKENDALL. Mr. Chairman, will the gentleman yield?

Mr. DOWNING. I yield to the gentleman from Tennessee.

Mr. KUYKENDALL. Let me ask the chairman of the committee also to listen to the colloquy. I should like to mention something he touched on briefly moments ago.

This applies specifically to the question asked by the gentleman from Virginia, regarding hijacking. We are expecting—and I am sure the chairman of the subcommittee will concur—to get the hijacking bill out of the committee shortly. I can assure the gentleman it is the present plan, which is written into the draft of the bill, as it was the last time, to give complete coverage for those costs, not only to cover them but also to cover them retroactively, that the airport has generally been engaged in, in the sense of buying equipment and hiring guards.

That is in the hijacking bill, and I give the gentleman my word on it. It will be in it unless an amendment takes it out in the committee or on the floor. It is in the bill.

Mr. DOWNING. I thank the gentleman. Of course, the chairman has assured me of that.

We do not know for sure whether we will get a hijacking bill, or when we will get it. To be on the safe side I believe this amendment is called for. It does not alter the bill at all, but just gives these local airports an opportunity to phase out gradually in providing for funds, thereafter to take advantage of the hijacking bill, when that becomes law.

I hope my colleagues will go along with this amendment. It will help the small airports.

Mr. DINGELL. Mr. Chairman, I rise reluctantly to oppose this amendment, because of the high regard I have for the distinguished and able author of the amendment, a gentleman who is one of the most valuable members of the Committee on Interstate and Foreign Commerce. He is a highly respected Member of this body.

Mr. Chairman, I think the House should consider this amendment in the light of the legislation that we have before us. As my colleagues know, the problem of head taxes at airports has been one which has grown with increasing rapidity over the years.

One major city—and I will not mention it unless my colleagues demand that I name it—actually utilizes the head tax for the purpose of making a profit on its airports and for the purpose of raising revenue for general municipal purposes from air travelers who come from the area and indeed from the entire United States. These head taxes are levied on persons who change planes. In my own State it is proposed that they will levy head taxes at the municipal airport in the Detroit area to build airports in other parts of the State.

So, Mr. Chairman, if one travels to the Detroit Metropolitin Airport, as almost every traveler by air in the State of Michigan does, he would be compelled to pay a head tax at that time which would be levied to construct airports and to pay the general operating expenses of the State Aviation Authority in the State of Michigan.

Mr. Chairman, this has only recently and only very narrowly been headed off.

But in addition to this, it must be recognized that head taxes are not limited as to amount, and they have grown from a very nominal figure, something like 50 cents per head, to something on the order of $2 or $4, and I think that the magnitude of growth under this set of circumstances is something which should well be borne in mind by the membership of this body.

As my colleague, the gentleman from Tennessee, has indicated, the problem of hijacking costs is being met through proceedings before the CAB and will be met specifically by providing Federal funding assistance and authority in the hijacking bill. So we ought not confuse the hijacking problem and the cost of sustaining antihijacking endeavors with the legislation that is now before us. That legislation is well advanced and should be on the floor by the first day of July of this year.

Mr. Chairman, there is something else I think the membership ought to know, and that is the rapid increase in the number of communities which levy head taxes at their airports. It started out with two; at the time the bill was passed last year the number had grown to 17; today the number is 44. Under the amendment which is before us, any community in the country could levy a head tax in any amount for any purposes. The amendment does not limit either the amount, nor does it limit the purposes for which a head tax might be imposed by the community, and my colleagues should bear that thought well in mind in considering the legislation before us.

Mr. Chairman, the committee is keenly aware of the problems of the local communities in meeting their financial needs to accomplish this end or, rather, to accomplish the end of meeting the concerns of the smaller communities, for the smaller communities we shall increase from 50 to 75 percent the amount of the Federal matching share authorized under the airport and airways development fund program.

Mr. MILFORD. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Texas (Mr. MILFORD).

Mr. MILFORD. Mr. Chairman, I thank the gentleman for yielding.

I would like to join with the gentleman in his opposition to this amendment.

I have heard the problem mentioned before about the smaller airports, and I think we will find when this head tax is levied at the larger airports, these airports normally can make their own way without the use of this tax and it is not needed.

Second, it is a tremendous imposition on our airlines, and it creates tremendous problems in attracting foreign carriers. It is a real problem, and, therefore, I would urge defeat of the amendment.

Mr. KAZEN. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Texas (Mr. KAZEN).

Mr. KAZEN. Mr. Chairman, did I understand the gentleman to say that in a situation where one is flying from point A to point B, but he has to stop at point C in order to transfer to another airport, the airport where he first gets on can levy a tax on him, and then the airport where he transfers can levy a tax on him on that very same plane?

Mr. DINGELL. Under the amendment that is before us, and under the existing practice, if I were going from point A to point B by way of point C, which would be the transferring point, I could be charged a head tax at point A, a head tax when I got off the plane at point C, a head tax when I got back on at point C, and a head tax when I got off the plane finally at point B.

Mr. KAZEN. And this is what this amendment would allow?

Mr. DINGELL. Well, the amendment would allow a continuation of that practice in all instances until December 31 of this year. The thrust of the bill is to eliminate that kind of burdensome taxation on our citizens.

Mr. KAZEN. I commend my colleague for the position he has taken.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, at the request of Mr. Moss, Mr. DINGELL was allowed to proceed for 1 additional minute.)

Mr. MOSS. Will the gentleman yield?

Mr. DINGELL. I am happy to yield to my good friend from California.

Mr. MOSS. I commend my friend and distinguished colleague, the gentleman from Tennessee, for voicing their opposition to this amendment. I can certainly understand why it has been proposed, but there is no justification for continuing this burden upon the Congress and this Nation. It establishes very dangerous precedents. I hope we will defeat this amendment. I fully endorse the comments of the gentleman from Michigan.

Mr. DINGELL. I thank my good friend from California.

SUBSTITUTE AMENDMENT OFFERED BY MR. SMITH OF IOWA FOR THE AMENDMENT OFFERED BY MR. ROONEY OF PENNSYLVANIA

Mr. SMITH of Iowa. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Iowa as a substitute for the amendment offered by Mr. ROONEY of Pennsylvania: "on page 5 in line 16, strike "May 21, 1970" and insert in lieu thereof "May 2, 1973".

Mr. SMITH of Iowa. Mr. Chairman, I think there is a lot to be said for eliminating the practice of local airports levying head taxes, but on the other hand this bill would apply a rule ex post facto and not even give them the balance of the year to work themselves out of the problem that has been created.

The committee could have done this, and it was discussed all last year. They could have provided that part of the revenue that one pays upon purchase of a ticket be distributed to the local airports to help them to pay the operating costs. They did not do that, so they did not leave the 42 airports which have levied such a tax since 1970 an opportunity to alleviate their problem.

This amendment of mine as a substitute would freeze as of today the tax and the number of cities involved and for the balance of the year only. When December 31 arrives, the exemption would no longer apply. By that time they could have made some alternate moves to resolve their problem.

Under this amendment or substitute they would not be permitted to increase the levies and the number of cities could not be increased either.

Mr. PEYSER. Will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. PEYSER. I want to commend the gentleman on this. He has offered an amendment that would do exactly the same thing that I would like to do. In other words, not to allow any other cities to come into the head tax situation nor to allow any cities to increase their present rate of tax. My understanding is that what you are offering in the substitute does that.

Mr. SMITH of Iowa. That is right.

Mr. PEYSER. I want to compliment the gentleman and support that position completely. I think this is a very serious situation.

Mr. DELLENBACK. Will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. DELLENBACK. May I join also in commending the gentleman in the well on the amendment he has offered.

The cities involved, the names of which have been set forth in the report, show that two of them fall in my district. I know both of them are in a very serious position and we would cut it short by this.

I recognize what has been said about advance warning, but there is nothing being done on that. The present situation in both of these communities in my district would be very serious if some such amendment as that proposed by the gentleman in the well is not adopted.

Mr. SMITH of Iowa. If this amendment is not agreed to, I will support the amendment offered by the gentleman from Pennsylvania. I realize those opposed to his amendment do not want objections removed and will vote against both but I hope it may be a better amendment and I hope the gentleman from Pennsylvania will accept it.

Mr. GROSS. Will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. GROSS. Did the gentleman not use the date May 1974?

Mr. SMITH of Iowa. May 2 of 1973.

Mr. GROSS. Of 1973?

Mr. SMITH of Iowa. Yes.

As of today the list of the cities and the fees are frozen.

Mr. GROSS. But that would be more discriminatory than is presently the case, would it not? That would prohibit any others that might want to come in under that type of an arrangement?

Mr. SMITH of Iowa. There would not be any new ones who could come in under it but at least those that have it in their city budget and who are depending upon that money would not find in the middle of the fiscal year or the calendar year that they do not have the money that they budgeted for.

Mr. GROSS. It would be a prohibition against others levying a head tax and that would be highly discriminatory, I should think.

Mr. SMITH of Iowa. I would say it is less discriminatory than in the bill.

Mr. DOWNING. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Virginia.

Mr. DOWNING. Mr. Chairman, I would like to commend the gentleman from Iowa on his amendment because I believe that his amendment perfects the amendment that was offered by the gentleman from Pennsylvania (Mr. ROONEY) and I therefore would hope that my colleagues would vote in favor of the substitute amendment.

Mr. JARMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the only thing I would add to the argument that has been presented so far is that I believe the House should bear in mind that this body and the other body acted in August of last year on this subject declaring its clear intent against the continuation of head taxes. Other cities then came in and levied head taxes when the intent of the Congress was very clear against this practice. I think there was every reason for the cities to know that the Congress would take action to prohibit these taxes.

Mr. Chairman, I urge a vote against the substitute amendment offered by the gentleman from Iowa (Mr. SMITH) and a vote against the amendment offered by the gentleman from Pennsylvania (Mr. ROONEY).

Mr. KUYKENDALL. Mr. Chairman, I move to strike the requisite number of words and I rise in opposition to the substitute amendment. I would like to thank the gentleman from Iowa (Mr. GROSS) for pointing out that sometimes when one attempts to correct an injustice that others are created. I notice that some of the cities on the list initiated head taxes in the spring of this year. If a city council or a county government or whatever it may be, decides to put in a head tax, at the same time we are removing that right, I do not believe they should be allowed to collect it for 7 or 8 months. If we are going to allow it for some, then why should we penalize the other cities that asked what was the wise thing to do. We asked them not to pass a head tax. They said we want to do the wise thing. Now they cannot collect it for the 8 months.

What we are doing is putting a premium on people who went ahead with the head tax even though they knew that Congress was in the process of holding hearings and would presently pass legislation against such a practice. We would be penalizing the cities who asked us for recommendations and used discretion in delaying such action.

Mr. GREEN of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. KUYKENDALL. I yield to the gentleman from Pennsylvania.

Mr. GREEN of Pennsylvania. Mr. Chairman, the gentleman from Tennessee is talking about the wise thing to do, and I think it would probably be a wise thing for most of the large cities in this country to do this because each time they attempt to raise taxes again, each and every time the cities do so they are forcing the taxpayers to move out of the city. Our cities are in a desperate condition. Let us give the cities notice in a proper manner; let us give the cities room in which to move. They have been depending on that money through these taxes; let us give them time to regroup, a chance to get together again, and a chance to have time to determine where they are going to go for additional money. It is not a question of wisdom in this situation, it is a question of financial survival, it is a question of whether or not our cities can continue to exist, and let us look at the situation in the light of the plight of the cities, and let us consider this whole situation in that manner.

Mr. KUYKENDALL. Mr. Chairman, may I point out that the Supreme Court decision said that such taxes may be passed if they are used only for airport purposes.

And a city that is going to be unnamed is clearly using these funds for general revenues. That is unconscionable.

Mr. GREEN of Pennsylvania. Mr. Chairman, if the gentleman will yield further, I believe the city that has been referred to is my own city of Philadelphia, but be that as it may, the argument against this tax on the part of some people is that it is not being used for airport purposes, but that it is being used in general revenues, and again I say that the cities are in such desperate shape that they need revenue from the general revenues and from whatever other revenues they can secure. Most of the cities are depending upon that money for the balance of this year and I do not believe they should be deprived of that opportunity by the passage of this bill.

Mr. STAGGERS. Mr. Chairman, I move to strike the requisite number of words and I rise in opposition to the substitute and the amendment.

Mr. Chairman, I hope we can vote on the amendments very quickly. I just wish to voice my objection to these amendments and I do so with reluctance because the author of the amendment, Mr. ROONEY of Pennsylvania, is one of my very best friends and a very capable member of the Committee on Interstate and Foreign Commerce.

I know that he offered the amendment. I should just like to say this, that if it does pass, as the gentleman from Iowa (Mr. GROSS) said, it would be discriminatory against those cities who wanted to be in this. We advised them not to, because on October 11 of last year this House passed a conference report and the Senate this year passed a corresponding bill on February 11. In that interim so many cities have put in their tax. They were warned. They knew it on October 11 when we passed the bill, and the Senate passed the bill on October 13, and the President vetoed it on October 27. Most of these new taxes have been put in during the year 1973, so for that reason I say we cannot discriminate against the cities in this land, and I would ask that the amendment in the nature of a substitute and the amendment be voted down.

Mr. WYMAN. Mr. Chairman, I move to strike the requisite number of words.

I will not take the 5 minutes, but I do want to simply say, in reference to the statement of the gentleman from Oklahoma, that we voted on this last year. At the appropriate time I will have an amendment to strike this section entirely from the bill. I do not think that it is wise, with all due respect to the author of the pending substitute to freeze the actions that have been taken to date in the manner which has been suggested. Rather, I think we should strike the prohibition of the per capita levy from the bill and thus approach the problem of local self-help on an entirely new basis that will be fair to the position taken by the gentleman from Pennsylvania and fair to the position that is taken by the sponsor of the substitute and to all concerned.

Mr. ROONEY of Pennsylvania. Mr. Chairman, I accept the substitute.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Iowa (Mr. SMITH) for the amendment offered by the gentleman from Pennsylvania (Mr. ROONEY).

The question was taken; and on a division (demanded by Mr. SMITH of Iowa) there were—ayes 18, noes 77.

So the substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. ROONEY).

The question was taken; and the chairman announced that the noes appeared to have it.

Mr. DOWNING. Mr. Chairman, I demand a recorded vote.

A recorded vote was refused.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. WYMAN

Mr. WYMAN. Mr. Chairman, I offer an amendment.

The Clerk reads as follows:

Amendment offered by Mr. WYMAN: Page 4, strike out line 20 and all that follows down through Page 7, line 3 and the matter that follows line 3.

Mr. WYMAN. Mr. Chairman, my amendment would strike out language in H.R. 6388 which would prohibit collection of State and local airport head taxes. This is a matter of urgency for the Nation's 2,400 small air terminals not served by certified air carriers.

Such airports find it extremely difficult, if not impossible, to compete for available funds to take advantage of Federal matching grants without the airline landing fees and space rental revenues available to the larger hub airports. As a result, vitally needed improvements—including long overdue modernization of safety facilities—have had to be deferred.

To merely increase the Federal matching portion to 75 percent is to continue to ignore the plight of the smaller airports. Without an accompanying substantial increase in obligational authority—which the Federal Government can ill afford at this time—fewer projects will receive approval. A head tax would generate at the local level and would allow participation in Federal matching grants on a 50-percent basis, at the same time encouraging local solutions to an essentially local problem.

It is also the fairest funding solution. Only airport users, in direct proportion to their use, would pay for the needed improvements. State and local revenues which come primarily from nonairport users would not have to be tapped. The Supreme Court on April 19, 1972, declared such a tax to be constitutional.

To those who claim it would be an unfair burden to require the airlines to collect a head tax I would only point out that State and local sales taxes have been collected by businesses for years with few, if any, hitches.

Mr. Chairman, I urge the adoption of this amendment. It is generally agreed that the Federal Government cannot singlehandedly meet the need for airport development and modernization. Let us give State and local governments the tools they need to fill the gap.

Mr. JARMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think most of the arguments have been made on this subject. If the House will refer to page 4 of the committee report, there is an indication of what the trend is: 44 cities levying this type tax.

I hope the House will bear in mind in voting on this amendment that the Congress itself established a uniform national program for the funding of aviation needs. Bear in mind that we now have an 8-percent charge on domestic passengers and a $3 per person charge on international travelers.

There is no question that the head taxes levied by the cities have made for confusion and resentment on the part of travelers. It is essential that we maintain a uniform national system.

Mr. Chairman, I urge defeat of the amendment.

Mr. KUYKENDALL. Mr. Chairman, I concur with the gentleman from Oklahoma, the chairman of the subcommittee. I understand the position of the distinguished gentleman from New Hampshire (Mr. Wyman), but I must oppose the amendment.

I believe the arguments have been made for the elimination of the head tax.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Hampshire (Mr. Wyman).

The amendment was rejected.

AMENDMENT OFFERED BY MR. SHOUP

Mr. SHOUP. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Shoup: Page 4, immediately after line 19, insert the following:

Sec. 7. Section 612 of the Federal Aviation Act of 1958, relating to airport operating certificates, is amended—

(1) by striking out "airports serving air carriers certificated by the Civil Aeronautics Board" in subsection (a) and inserting in lieu thereof "airports served on a regularly scheduled basis operated by air carriers certificated by the Civil Aeronautics Board"; and

(2) by striking out "an airport serving air carriers certificated by the Civil Aeronautics Board" in the first sentence of subsection (b) and inserting in lieu thereof "an airport served on a regularly scheduled basis operated by air carriers certificated by the Civil Aeronautics Board".

And renumber the following section accordingly.

Mr. DINGELL. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Michigan reserves a point of order.

Mr. SHOUP. Mr. Chairman, I am offering this amendment as I indicated during the general debate. I have explained that it is not a change of the legislation which is before the House, but rather is a clarification of the Airport and Airways Development Act of 1970; a clarification of the language which has been misinterpreted as of April 20 of this year by the Federal Aviation Administrator.

Despite what the conferees felt was a clear understanding, the General Counsel of the Department of Transportation has ruled that the language of the bill requires DOT to certify every airport having any remote connection with a certificated carrier. FAA has promulgated a rule to carry out this interpretation.

There are about 500 airports where scheduled airlines operating on a regularly scheduled basis handle 99 percent of all operations by scheduled carriers. To pick up the other 1 percent requires the certification of 400 small, some remote, airports.

Most of these 400 small airports cannot meet the requirements for certification even if given time. The FAA regulation as it finally came down requires only a plan at this time. This is a copout because FAA knows that most of these airports can never realistically comply. In addition, FAA readily admits that it does not have and will not have the personnel to inspect for compliance as the law or their regulations requires it to do. My amendment merely makes more clear and explicit what the conference and the conferees intended to do in 1970.

Mr. STAGGERS. Mr. Chairman, I rise in opposition to the amendment.

I would say to the gentleman from Montana that I respect his motive, and I understand what he is trying to get at here—that is, to assure that we do not impose upon the small airports burdens which are appropriate only at some large airports.

I would say that the intent of the law as it was passed in 1970 is that each airport operating has certificates which prescribe terms, conditions and limitations which are reasonable.

I want the gentleman to note the word "reasonably." The law says "reasonably necessary to assure safety."

I am sure the gentleman will agree with me that we do need safety at every airport. We would not want it to be the type of safety we use at the big hubs or at the 531 airports used by the certificated airlines today.

I believe that every airport into which we put money, ought to be certificated, and also ought to provide safety.

I can assure the gentleman from Montana that was not the intent of the committee and would not be the intent of this legislation or of any other legislation, to say that a small airport would have to have a fire department on duty 24 hours a day. This would be unreasonable and would present a terrific burden.

I would say it is the intent of the committee to have the FAA carry out the intent of what the law says, which is to be reasonable. I believe we can rely on those words "reasonably necessary."

I will do everything in my power to see that they do carry this out without putting an undue burden on the other 400 some airports across the country.

I am sure the gentleman believes, along with me, that when the Federal Government puts in 75 percent—which it will do from now on—it should say to the airport, "You must live up to certain standards."

There is also to be considered the 82 percent on safety we are going to put in.

I would hope that the gentleman would withdraw his amendment with the assurance that with oversight we will see the FAA is reasonable. If they are not, we can then come back in with legislation. I am sure they will be, after consultation.

Mr. SHOUP. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I am happy to yield to the gentleman from Montana.

Mr. SHOUP. Will my chairman agree with me that the interpretation as now enforced by the FAA is unreasonable?

Mr. STAGGERS. I would not say it has not been enforced, but their intention, as I interpret it may be unreasonable. I cannot say that they intend to overburden all the small airports. If they do, that would be unreasonable. That would not be consistent with the law as passed by the Congress and would not be the intent of the Congress. If they required these 400 some small airports to live up to what we expect of the 531, I would say they would have to use reason.

Mr. MOSS. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I am happy to yield to the gentleman from California.

Mr. MOSS. I want to endorse the comments the chairman has made. I fully endorse the intent of the committee at the time of the original enactment.

Mr. STAGGERS Fine, indeed. The committee will keep an eye on the FAA to see that the intent is carried out.

Mr. SHOUP. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I am happy to yield to the gentleman from Montana.

Mr. SHOUP. Mr. Chairman, with the understanding that the debate and the discussion we have had here clearly indicates that the original intent of the Congress was the reasonable application of safety rules and that such intent is made very clear to the Federal Aviation Administrator, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Montana?

There was no objection.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Burleson of Texas, Chairman of the Committee of the Whole House on the State of the Union, reported that that

Committee having had under consideration the bill (H.R. 6388) to amend the Airport and Airway Development Act of 1970 to increase the U.S. share of allowable project costs under such act; to amend the Federal Aviation Act of 1958 to prohibit certain State taxation of persons in air commerce; and for other purposes, pursuant to House Resolution 370, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. KUYKENDALL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device; and there were—yeas 386, nays 16, not voting 31, as follows:

[Roll No. 119]

YEAS—386

Abzug
Adams
Alexander
Andrews, N. Dak.
Annunzio
Archer
Arends
Armstrong
Ashley
Aspin
Bafalis
Baker
Barrett
Beard
Bergland
Bevill
Biester
Blackburn
Boggs
Boland
Bolling
Bowen
Brademas
Brasco
Bray
Breaux
Breckinridge
Brinkley
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burgener
Burke, Calif.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton
Butler
Byron
Carey, N.Y.
Carney, Ohio
Carter
Casey, Tex.
Cederberg
Chamberlain
Chappell
Chisholm
Clancy
Clark
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Cochran
Cohen
Collier
Collins
Conlan
Conte
Conyers
Corman
Cotter
Coughlin
Crane
Cronin
Culver
Daniel, Dan
Daniel, Robert W., Jr.
Daniels, Dominick V.
Danielson
Davis, Ga.
Davis, S.C.
Davis, Wis.
de la Garza
Delaney
Dellenback
Dellums
Denholm
Dennis
Dent
Derwinski
Devine
Dickinson
Diggs
Dingell
Donohue
Dorn
Downing
Drinan
Duncan
du Pont
Eckhardt
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fascell
Findley
Fish
Fisher
Flood
Flowers
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Forsythe
Fountain
Fraser
Frelinghuysen
Frey
Froehlich
Fulton
Fuqua
Gaydos
Gettys
Giaimo
Gibbons
Gilman
Ginn
Goldwater
Gonzalez
Goodling
Grasso
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gross
Grover
Gubser
Gude
Gunter
Guyer
Haley
Hamilton
Hammerschmidt
Hanley
Hanrahan
Hansen, Idaho
Hansen, Wash.
Harrington
Harsha
Harvey
Hastings
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Henderson
Hinshaw
Hogan
Holifield
Holt
Holtzman
Hosmer
Howard
Huber
Hudnut
Hungate
Hunt
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jones, N.C.
Jones, Okla.
Jordan
Karth
Kastenmeier
Kazen
Keating
Kemp
Kluczynski
Koch
Kuykendall
Kyros
Landrum
Latta
Leggett
Lehman
Lent
Litton
Long, La.
Lott
Lujan
McClory
McCloskey
McCollister
McCormack
McDade
McEwen
McFall
McKay
McKinney
McSpadden
Macdonald
Madden
Madigan
Mahon
Mailliard
Mallary
Mann
Maraziti
Martin, Nebr.
Martin, N.C.
Mathias, Calif.
Mathis, Ga.
Matsunaga
Mayne
Mazzoli
Meeds
Melcher
Metcalfe
Mezvinsky
Michel
Milford
Miller
Mills, Md.
Minish
Mink
Minshall, Ohio
Mitchell, Md.
Mitchell, N.Y.
Mizell
Moakley
Mollohan
Montgomery
Moorhead, Calif.
Moorhead, Pa.
Morgan
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
Nichols
Nix
Obey
O'Brien
O'Hara
O'Neill
Owens
Parris
Passman
Patman
Patten
Pepper
Perkins
Pettis
Peyser
Pickle
Pike
Poage
Podell
Powell, Ohio
Preyer
Price, Ill.
Price, Tex.
Pritchard
Quie
Quillen
Railsback
Rangel
Rarick
Rees
Regula
Reuss
Rhodes
Riegle
Rinaldo
Roberts
Robinson, Va.
Robison, N.Y.
Rodino
Roe
Rogers
Roncalio, Wyo.
Roncallo, N.Y.
Rooney, Pa.
Rose
Roush
Rousselot
Roybal
Runnels
Ruppe
Ruth
St Germain
Sandman
Sarasin
Sarbanes
Satterfield
Saylor
Scherle
Schneebeli
Schroeder
Sebelius
Seiberling
Shipley
Shoup
Shriver
Shuster
Sikes
Sisk
Skubitz
Slack
Smith, N.Y.
Snyder
Spence
Staggers
Stanton, J. William
Stanton, James V.
Stark
Steed
Steele
Steelman
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Studds
Sullivan
Symington
Symms
Talcott
Taylor, Mo.
Taylor, N.C.
Teague, Calif.
Thompson, N.J.
Thomson, Wis.
Thone
Thornton
Tiernan
Towell, Nev.
Treen
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Veysey
Vigorito
Waggonner
Walsh
Wampler
Ware
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Wilson, Charles H., Calif.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yatron
Young, Alaska
Young, Fla.
Young, Ga.
Young, Ill.
Young, S.C.
Young, Tex.
Zablocki
Zion
Zwach

NAYS—16

Addabbo
Andrews, N.C.
Ashbrook
Bennett
Bingham
Brown, Mich.
Conable
Hicks
Horton
Ketchum
Long, Md.
Mills, Ark.
Rosenthal
Smith, Iowa
Wilson, Charles, Tex.
Yates

NOT VOTING—31

Abdnor
Anderson, Calif.
Anderson, Ill.
Badillo
Bell
Biaggi
Blatnik
Burke, Fla.
Camp
Dulski
Frenzel
Hanna
Hawkins
Hillis
Johnson, Calif.
Johnson, Colo.
Jones, Ala.
Jones, Tenn.
King
Landgrebe
Myers
Randall
Reid
Rooney, N.Y.
Rostenkowski
Roy
Ryan
Stokes
Teague, Tex.
Waldie
Whalen

So the bill was passed.

The Clerk announced the following pairs:

Mr. Rooney of New York with Mr. Abdnor.
Mr. Teague of Texas with Mr. Frenzel.
Mr. Rostenkowski with Mr. Bell.
Mr. Johnson of California with Mr. King.
Mr. Blatnik with Mr. Anderson of Illinois.
Mr. Dulski with Mr. Myers.
Mr. Hawkins with Mr. Camp.
Mr. Jones of Alabama with Mr. Landgrebe.
Mr. Reid with Mr. Hillis.
Mr. Jones of Tennessee with Mr. Whalen.
Mr. Waldie with Mr. Burke of Florida.
Mr. Stokes with Mr. Ryan.
Mr. Roy with Mr. Hanna.
Mr. Anderson of California with Mr. Biaggi.
Mr. Randall with Mr. Badillo.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of House Resolution 370, the Committee on Interstate and Foreign Commerce is discharged from the further consideration of the bill, S. 38, to amend the Airport and Airway Development Act of 1970, as amended, to increase the U.S. share of allowable project costs under such act, to amend the Federal Aviation Act of 1958, as amended, to prohibit certain State taxation of persons in air commerce, and for other purposes.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. STAGGERS moves to strike out all after the enacting clause of the bill S. 38 and insert in lieu thereof the provisions of H.R. 6388, as passed, as follows:

That this Act may be cited as the "Airport Development Acceleration Act of 1973".

SEC. 2. Section 11(2) of the Airport and Airway Development Act of 1970 (49 U.S.C. 1711) is amended by inserting immediately after "Federal Aviation Act of 1958," the following: "and security equipment required of the sponsor by the Secretary by rule or regulation for the safety and security of persons and property on the airport.".

SEC. 3. Section 14(b) of the Airport and Airway Development Act of 1970 (49 U.S.C. 1714(b)) is amended—

(1) by striking out "$840,000,000" in the first sentence thereof and inserting in lieu thereof "$1,400,000,000"; and

(2) by striking out "and" in the last sentence thereof and inserting immediately before the period ", an aggregate amount exceeding $1,120,000,000 prior to June 30, 1974, and an aggregate amount exceeding $1,400,000,000 prior to June 30, 1975".

SEC. 4. Section 16(c)(1) of the Airport and Airway Development Act of 1970 (49 U.S.C. 1716(c)) is amended by inserting in the last sentence thereof "or the United States or an agency thereof" after "public agency".

SEC. 5. Section 17 of the Airport and Airway Development Act of 1970 (49 U.S.C. 1717) relating to United States share of project costs, is amended—

(1) by striking out subsection (a) of such section and inserting in lieu thereof the following:

"(a) GENERAL PROVISION.—Except as otherwise provided in this section, the United States share of allowable project costs payable on account of any approved airport development project submitted under section 16 of this part may not exceed—

"(1) 50 per centum for the sponsor of any airport which enplanes not less than 1 per centum of the total annual passengers enplaned by air carriers certificated by the Civil Aeronautics Board; and

"(2) 75 per centum for the sponsor of any airport which enplanes less than 1 per centum of the total annual passengers enplaned by air carriers certificated by the Civil Aeronautics Board."; and

(2) by adding at the end thereof the following new subsection:

"(e) SAFETY CERTIFICATION AND SECURITY EQUIPMENT.—

"(1) To the extent that the project cost of an approved project for airport development represents the cost of safety equipment required by rule or regulation for certification of an airport under section 612 of the Federal Aviation Act of 1958 the United States share may not exceed 82 per centum of the allowable cost thereof with respect to airport development project grant agreements entered into after May 10, 1971.

"(2) To the extent that the project cost of an approved project for airport development represents the cost of security equipment required by the Secretary by rule or regulation, the United States share may not exceed 82 per centum of the allowable cost thereof with respect to airport development project grant agreements entered into after September 28, 1971.".

SEC. 6. The first sentence of section 12(a) of the Airport and Airway Development Act of 1970 (49 U.S.C. 1712(a)) is amended by striking out "two years" and inserting in lieu thereof "three years".

SEC. 7. (a) Title XI of the Federal Aviation Act of 1958 is amended by adding at the end thereof the following new section:

"STATE TAXATION OF AIR COMMERCE

"SEC. 1113. (a) No State (or political subdivision thereof, including the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the District of Columbia, the territories or possessions of the United States or political agencies of two or more States) shall levy or collect a tax, fee, head charge, or other charge, directly or indirectly, on persons traveling in air commerce or on the carriage of persons traveling in air commerce or on the sale of air transportation or on the gross receipts derived therefrom; except that any State (or political subdivision thereof, including the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the District of Columbia, the territories or possessions of the United States or political agencies of two or more States) which levied and collected a tax, fee, head charge, or other charge, directly or indirectly, on persons traveling in air commerce or on the carriage of persons traveling in air commerce or on the sale of air transportation or on the gross receipts derived therefrom prior to May 21, 1970, shall be exempt from the provisions of this subsection until December 31, 1973.

"(b) Nothing in this section shall prohibit a State (or political subdivision thereof, including the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the District of Columbia, the territories or possessions of the United States or political agencies of two or more States) from the levy or collection of taxes other than those enumerated in subsection (a) of this section, including property taxes, net income taxes, franchise taxes, and sales or use taxes on the sale of goods or services; and nothing in this section shall prohibit a State (or political subdivision thereof, including the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the District of Columbia, the territories or possions of the United States or political agencies of two or more States) owning or operating an airport from levying or collecting reasonable rental charges, landing fees, and other service charges from aircraft operators for the use of airport facilities.

"(c) In the case of any airport operating authority which—

"(1) has an outstanding obligation to repay a loan or loans of amounts borrowed and expended for airport improvements;

"(2) is collecting without air carrier assistance, a head tax on passengers in air transportation for the use of its facilities; and

"(3) has no authority to collect any other type of tax to repay such loan or loans.

the provisions of subsection (a) shall not apply to such authority until December 31, 1973.".

(b) That portion of the table of contents contained in the first section of such Act which appears under the center heading

"TITLE XI—MISCELLANEOUS"

is amended by adding at the end thereof the following:

"SEC. 1113. State taxation of air commerce."

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 6388) was laid on the table.

GENERAL LEAVE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

TEMPORARY EXTENSION OF THE AUTHORIZATION FOR THE PRESIDENT'S NATIONAL COMMISSION ON PRODUCTIVITY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate joint resolution (S.J. Res. 93) to provide a temporary extension of the authorization for the President's National Commission on Productivity.

The Clerk read the title of the Senate joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. ROUSSELOT. Mr. Speaker, reserving the right to object, I should like to ask the distinguished chairman of the Committee on Banking and Currency if he has had an opportunity to find out where the funding for this Commission will originate.

Mr. PATMAN. I was told that there is no funding at all. There is only a 60-day extension, and there are no funds involved.

Mr. ROUSSELOT. Where will the funding for the staff originate during this interim period?

Mr. PATMAN. I am not familiar with that, because I was only making a unanimous-consent request, and I was doing it for the Members of the gentleman's party in the Senate who felt that it should be extended at least 60 days to wind up their work; that is all. It would go out automatically June 30.

Mr. ROUSSELOT. I know the gentleman, on the basis of our conversations yesterday, has made an effort to determine a little more about this particular temporary legislation. My understanding is that some funding for staff will be required, even for the 60-day period.

Mr. Speaker, can the gentleman tell us from whence the money will come?

Mr. PATMAN. No, I do not understand that. I understand there is no funding required. It is not necessary.

Mr. BARRETT. Mr. Speaker, will the gentleman yield?

Mr. ROUSSELOT. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. Mr. Speaker, it is my understanding that it will be financed by the executive branch for 60 days out of their present funds.

Mr. ROUSSELOT. Can the gentleman tell me what the present level of expenditure is for this operation?

Mr. BARRETT. Approximately, I am informed, about $10 million a year.

Mr. ROUSSELOT. It is $10 million a year. Can the gentleman from Pennsylvania or the gentleman from Texas tell me if this Commission has produced any reports?

Mr. PATMAN. It has produced one report on the food industry.

Mr. ROUSSELOT. And on the basis of the gentleman's review of this report is he satisfied that they will produce work that can be helpful to the Banking and Currency people and to the other interested parties in this particular area of productivity?

Mr. PATMAN. It has a reputation of producing work that is worthwhile.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ROUSSELOT. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, unless the gentleman from Texas, the chairman of the Committee on Banking and Currency, can come up with a better evaluation of what this Commission has accomplished and what it proposes to accomplish, I hope the gentleman will not come before the House of Representatives with legislation to give it a longer period of life than the next 60 days. The explanations the gentleman has given the House thus far, yesterday and today, are an entirely inadequate justification for continuing this Commission more than a 60-day period to wind up its affairs and go out of business. I say again that I would hope the gentleman, if he is going to bring in legislation, will have a better basis for it than he has demonstrated either yesterday evening or this afternoon.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. ROUSSELOT. I yield to the gentleman from Texas.

Mr. PATMAN. Mr. Speaker, I accept that the gentleman's explanation is not satisfactory to me, but an effort was made to put it in the extension we had up and we did not have a meeting and we could not do it. It was left out. Many of the Senators who were on the committee were very unhappy about it and they requested me to make this unanimous-consent request. I felt it was very reasonable since it was just for 60 days, and the Commission had a reputation for doing a good job, so why should we not let them have until June 30, when it will not cost anything?

Mr. ROUSSELOT. I want to be sure I understand the gentleman from Texas. He says this Commission has done a good job?

Mr. PATMAN. They have the reputation of doing a good job and they have produced that report on food.

Mr. BROWN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. ROUSSELOT. I yield to the gentleman from Michigan.

Mr. BROWN of Michigan. Mr. Speaker, I would like to ask the gentleman from Texas, the chairman of the Committee on Banking and Currency, if he is acting on the request of the administration on this point?

Mr. PATMAN. Yes.

Mr. BROWN of Michigan. Mr. Speaker, if that is true then I take some issue with my counterparts from this side of the aisle. It seems to me if this administration wants this proposal, then someone on this side of the aisle should be making the explanation that the chairman is being asked to make.

Mr. GROSS. Mr. Speaker, if the gentleman from California will yield, I never heard a phonier argument than that. If the gentleman from Michigan is directing his remarks in my direction, I think it is incumbent on somebody to say whether this Commission has done a good job. Is the gentleman prepared to say that? How many reports have they issued? What use is made of them?

Mr. BROWN of Michigan. Mr. Speaker, I am not taking issue with the contention being made by the gentleman from Iowa. I think he is quite correct. But it seems to me someone on this side of the aisle should be familiar with this proposal and should be able to explain the value of it if the chairman is unable to do it. If this is an administration request and if the administration wishes to have this Commission extended, as has been represented on this floor, then someone on this side of the aisle should be able to provide the explanation.

Mr. GROSS. Mr. Speaker, let me say to the gentleman from Michigan that it is incumbent upon the administration, if it wants to continue this Commission, to come up with the justification for it. It is up to them, not up to Members of the House.

Mr. BROWN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. ROUSSELOT. I yield to the gentleman from Michigan (Mr. BROWN).

Mr. BROWN of Michigan. Mr. Speaker, I see nothing in what the gentleman from Iowa has said which is contradictory to that which I have said. The administration should have discussed the matter with someone on this side of the aisle, so that such Member was prepared to provide the explanation the administration had furnished.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. ROUSSELOT. I yield to the gentleman from Texas (Mr. PATMAN).

Mr. PATMAN. Mr. Speaker, may I say that if it were a year, or any length of time longer than 60 days, I would not be making the request. However, it is only for 60 days, and will not cost any money.

If there is an attempt made to extend it, all this information will be vital which has been suggested here, and would then be furnished. However, so far as I know they are not going to make an effort to extend it. I do not know. I am speaking now without knowledge of that subject.

Mr. ROUSSELOT. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

S.J. RES. 93

Joint resolution to provide a temporary extension of the authorization for the President's National Commission on Productivity

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4(f) of Public Law 92-210, approved December 22, 1971, is amended by striking out "April 30, 1973" and inserting in lieu thereof "June 30, 1973".

Mr. PATMAN. Mr. Speaker, yesterday I asked unanimous consent to bring before the House a joint resolution (S.J. Res. 93) to extend the present National Commission on Productivity until June 30, 1973. At that time there was an objection raised against the motion. It is my understanding that those objections are now resolved. In view of this and the fact that the administration regards the committee's work as a critical element of its program to bring inflation under control, I ask once again unanimous consent for the immediate consideration of this legislation.

While the purpose of the resolution was discussed yesterday, I shall reiterate those remarks today to refresh your memories.

Higher productivity growth is an important national objective. We all gain when productivity goes up. Productivity is a measure of how well we use our material and human resources. It is a measure of how much real value is produced by human services and by the contribution of capital goods and other factors of production. Productivity growth is the way new wealth, new jobs, and an increasing standard of living comes about.

Achieving price stability and a healthy level of economic growth depends over a period of years on productivity growth. That is why the President in 1970 established the National Commission on Productivity.

The Commission's role is to address itself to the long-term economic problems that made the economic stabilization program necessary in the first instance. Whereas the Cost of Living Council is dealing with the present effects of those problems, the Commission has the job of recommending more durable contributions and solutions. It is also the Commission's task to improve the quality of working experience as those solutions are achieved.

The Commission approached its task on an industry by industry, sector by sector basis. It recently completed an important survey of productivity improvement opportunities in the food industry that could well provide some ultimate answers to the food price spiral about which all of us are concerned. It has also initiated projects in the health services industry, construction and municipal government—all of which have constituted inflationary sectors of the economy.

The administration is firmly committed to pursuing productivity improvement not only as a long-term answer to price stabilization, but also as one answer to our balance-of-trade problems. I, therefore, urge the adoption of this amendment.

Mr. Speaker, I include the following:

FACT SHEET ON SENATE JOINT RESOLUTION 93

(A Resolution extending the authority of the National Commission on Productivity to June 30, 1973)

Question 1: How long is the extension?

Answer: 60 days from May 1, 1973 through June 30, 1973. This extension is to enable Congress to consider S. 891, a bill to extend the authority of the Commission through June 30, 1974. That bill has been reported out of the Senate Committee on Banking, Housing and Urban Affairs. It has not yet been considered by the House Banking Committee.

Question 2: What will staff do during the extension?

Answer: The staff will continue the existing programs while awaiting an indication from the Congress on their intent in regard to S. 891, the Commission's extension of authority through June 30, 1974 and our appropriations request to cover that period. Concurrently, the staff will make plans for the termination of the Commission on June 30, 1973 in the event Congress has not acted to extend the Commission's life.

Question 3: What will happen during the 60-day extension?

Answer: It is anticipated that the Senate will act favorably on S. 891, which has been reported out of the Senate Banking, Housing and Urban Affairs Committee. It is also anticipated that the House Banking and Currency Committee will consider S. 891 or some version thereof. We further anticipate that consideration will be completed on our supplemental appropriations request by the Appropriations Committees in both the House and Senate during this 60-day period.

Question 4: Where will the funding come from during the extension?

Answer: Emergency funding will be provided from the Executive Branch until the Congress acts on our appropriations request. In the event Congress does not act favorably, the Executive Branch will bear the cost of the Commission's phase-out.

Question 5: What happens after June 30?

Answer: In the event Congress acts favorably on both our authorization extension through fiscal 1974 and appropriations request, the Commission will continue its program as planned. In the absence of such action the Commission will be prepared to terminate on June 30.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MENOMINEE RESTORATION ACT

(Mr. OBEY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. OBEY. Mr. Speaker, I am today introducing with Congressman HAROLD FROEHLICH and other colleagues a bill which would restore the Menominee Tribe of Wisconsin as a federally recognized tribe, make all Menominees eligible for the Federal services and benefits to which all Indians are entitled, and put into trust status all Menominee owned lands.

This is the second Congress in which "restoration" legislation has been introduced. Just over a year ago I introduced similar legislation. At that time I represented Menominee County in the Congress. With congressional reapportionment, that county is now a part of Wisconsin's Eighth Congressional District, now represented by Congressman FROEHLICH.

Nonetheless, Mr. Speaker, I am happy to introduce this legislation today, because while the Menominees are no longer my constituents, my responsibility and commitment to them lingers. I told the Menominees long before reapportionment that I would continue to support their quest for restoration even if I no longer represented them, and I have attempted to keep that commitment.

The legislation that Congressman FROEHLICH and I and others are introducing today, and which Senators PROXMIRE and NELSON are introducing in the Senate, was put into final form after months of discussion, debate, and research—by the Indians, by Congressman FROEHLICH, by myself and by others. During these discussions, every effort was made to protect the rights and interests of all persons involved.

This is a bill which does several things, but two of the most important would be to: first, give this Congress the opportunity to review how Menominee County has fared since termination, and second, give Congress the opportunity to review the whole question of termination in dealing with American Indians throughout the country.

In 1953, when Congress passed a bill to terminate the Menominees as a tribe, many thought termination of tribal status for Indians was the final solution to the Indian problem in this country. Terminate the tribes it was thought, and Indian lands, culture, and identity would slowly fade away, and with it a national responsibility to a people who occupied our land before most of our ancestors ever arrived here.

Now I think the country knows better. We know that Indians want and deserve a measure of self-determination, a voice in their own affairs, and an opportunity to manage the natural and human resources of their people. But self-determination is a far cry from termination. Hopefully the fact that we now recognize the failure of termination as a policy will help all those tribes which did not terminate over the past 20 years. They will be able to avoid a great mistake.

But unfortunately this is not true of the Menominees. By an act of Congress, their tribal status was terminated and Federal protection of their lands ended. Today they need a different kind of help from the Federal Government, and I believe that help is contained in the legislation which I am introducing in the House today.

In my judgment termination for the Menominees was a grave mistake. I felt so when I served in the Wisconsin Legislature, and my judgment has not changed on that matter since I came to Congress 4 years ago.

My feelings, shared by many others, were confirmed several weeks ago with the release of a study by the Bureau of Indian Affairs of the economic conditions of the Menominee people. Menominee Enterprises, Inc., a corporation established after termination to handle the Menominee's economic affairs, and Menominee County, a county created by the State of Wisconsin in 1961 which was comprised of the lands which formerly made up the Reservation.

That 75-page report is sprinkled liberally with words such as "serious," "ominous," "critical" and "precarious."

It shows an unemployment rate in Menominee County of 26 percent, compared with Wisconsin's 5 percent, a Menominee school dropout rate of 75 percent, a county and its people with hardly any medical facilities and per capita income less than a third of the State's average.

It points out in a number of instances the importance of the land to the Menominees. They were one of the few tribes who did not allot their land, and, in fact, went to great lengths to keep it. Yet, since termination thousands of acres of land have been sold, in an effort to expand the county tax base.

It is instructive, I think, to quote a few paragraphs of that report:

> . . . It is now estimated that without massive support, MEI will be out of operation within 2 years. The restoration of the trust status and extension of BIA services would eliminate the tax burden and make MEI a viable economic unit. The profits from the mill could be devoted to providing services and bringing about economic development of the Tribe rather than be consumed by taxes. In addition, outlays of public monies would decrease by some $0.6 million in the first year alone and as the situation improves the reduction will be even greater.
>
> The economic instability of MEI combined with the elimination of public funds to the county (since 1971) make the situation perilous. Unless relief is made immediately available in the form of either a massive infusion of public funds or restoration, MEI will no longer be economically viable and Menominee County will go under.

THE MENOMINEE INDIANS

Mr. Speaker, at one time the Menominees occupied 9½ million acres in northeastern Wisconsin and the Upper Peninsula in Michigan. In 1854 the tribe agreed to move to a reservation on the Wolf River. In exchange for their land, the Federal Government promised to protect their land to provide services available to Indians through the Bureau of Indian Affairs.

By 1953, the Menominees as a tribe were relatively prosperous—certainly not rich—but better off than most other tribes. Their forest lands were valued at $36 million. They had a hospital of their own on the reservation, run with the help of a Roman Catholic mission. They paid for most of the services which they received from the BIA. And, in 1951 they won a judgment for $7.6 million as a result of a U.S. Court of Claims case against the BIA for mismanagement of their forest resources.

The tribe requested that approximately $5 million of that judgment be divided among all members of the tribe, $1,500 going to each member. An act of Congress was needed to release that money. A bill was introduced in the House to give the Menominees their money. That legislation passed the House, but unfortunately the Menominees soon learned that they had to pay a price to get their money from the Government. That price was termination as a tribe, for when the House bill reached the Senate, it was amended to require the Menominees to terminate in order to get their per capita payments.

To be sure, consent is needed before a tribe can be terminated, and it is true that the Menominees "consented' to such action. But serious questions remain as to whether the Menominees really knew what they were being asked to ratify.

When a vote of the people was taken, they favored the "principle of termination" by a vote of 169 to 5. That vote reflected the views of less than 10 percent of the Menominee people, and many Menominees thought they were voting only in favor of getting their $1,500 cash payment. There was no ratification of a specific termination plan, and in fact, the policy of termination itself was later rejected by the Indians by a unanimous 197 to 0 vote.

When termination became final, it was clear that the termination act was not a measure for distributing aid to the Menominee people, but a vehicle for potential destruction of the tribe as a whole.

The Menominee Reservation became Menominee County, and its people, with a limited amount of experience, were expected, with little help, to govern it. A corporation, Menominee Enterprises, Inc.—MEI—was established to manage the tribal assets. But those assets had dwindled badly. Because the Menominees had to pay many of the costs of termination themselves, the tribal treasury was virtually empty.

Menominee childen born after 1954 were no longer regarded as Indians. Health, education and medical services from the BIA ceased. Menominee Enterprises, Inc., was left with a deteriorating and obsolete sawmill which was in violation of many of Wisconsin's pollution abatement regulations. The hospital on the reservation was closed and there was not a doctor in the county. The Menominee land became subject to taxation and the only way the Menominees could meet that new tax burden was to begin to sell their land.

To the extent that the Menominees have kept their heads above water, as the BIA report indicates, they have done so only with the help of Federal and State governments which have provided them with $20 million in aid since their experiment with termination began, and all this was needed, I might add, by a tribe which was relatively self-sufficient before termination.

The Congress has tried to help the Menominees with stop-gap measures in the past. So-called Nelson-Laird funds had been available to them for health, education, and economic development purposes. But these funds are exhausted, and what the Menominees need are not more short-term measures, but long-term solutions to their problems.

That solution, I believe, is a reversal of the mistake which was made in 1954 when the Menominees were terminated as a tribe.

MENOMINEE RESTORATION LEGISLATION

Mr. Speaker, the legislation we are introducing today would repeal the termination act of 1954 and once again make the Menominees a federally recognized tribe. It would restore the Federal Government's status as trustee of Menominee lands and restore to the Menominee people the Federal services which were taken from them by termination.

With the passage of the legislation, the Shawano school district would be eligible to receive increased Federal funds because it would have substantial numbers of now federally recognized Indian children. The tribe would be eligible to apply for housing loans and economic development assistance, and individual tribal members would be eligible for Indian health benefits.

After 2 years, the assets of Menominee Enterprises, Inc., subject to all valid existing rights, including, but not limited to liens, outstanding taxes, mortgages, outstanding corporate indebtedness of all types, would be transferred to the Secretary of Interior to be held in trust for the tribe, and the land transferred would become a federally recognized Indian reservation.

The bill establishes a Menominee Restoration Committee to represent the tribe in bringing about restoration. It establishes a governing body for the tribe, as well as a constitution and by-laws.

The ownership of lands formerly part of the reservation but since purchased by non-Menominees would not be affected by this legislation. Property rights are conveyed neither to the Indians nor to non-Indian owners. If persons who now own such land decided to give or sell their land to the tribe, to be held in trust by the Secretary of Interior, they could do so.

Frankly, Mr. Speaker, although this legislation does not permit the transfer of the assets for 2 years, I believe that transfer can occur sooner, and I hope the Interior Committee will give particular attention to this matter.

Congressman FROEHLICH sponsored hearings on restoration legislation in Shawano County in February 1973. State and local officials who testified there about the effects of such legislation gave no indication that any irreconcilable hardships would develop if the legislation were passed and the land put into trust status well before 2 years passed.

The legislation itself states that the "Secretary of Interior and the Menominee Restoration Committee shall consult with appropriate State and local government officials to assure that the provision of necessary governmental services are not impaired as the result of the transfer of assets."

Mr. Speaker, this truly is important legislation, not only for the Menominee people who want, and in my judgment need it, but for all Indians in this country. Its passage would show a recognition of the fact that termination has been a mistake as a policy and a disaster in practice.

I know this legislation is controversial. It raises many questions, many hopes, and in some cases, many fears. But I do not think anyone can say it is not important legislation, and I am hopeful that this Congress will give it the careful attention it deserves. And I am hopeful that congressional attention will increase the attention given to many associated questions and problems by the State and local groups involved.

The text of the bill follows:

H.R.—

A bill to repeal the Act terminating Federal supervision over the property and members of the Menominee Indian Tribe of Wisconsin as a federally recognized, sovereign Indian Tribe; and to restore to the Menominee Tribe of Wisconsin those Federal services furnished to American Indians because of their status as American Indians; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Menominee Restoration Act."

SEC. 2. For the purpose of this Act—

(1) The term "tribe" means the Menominee Tribe of Wisconsin.

(2) The term "Secretary" means the Secretary of the Interior.

(3) The term "Menominee Restoration Committee" means that committee of nine Menominee Indians who shall be elected at a general council meeting called by the Secretary pursuant to section 4(a) of this Act.

SEC. 3. (a) Effective on the date of enactment of this Act Federal recognition is hereby extended to the Menominee Indian Tribe of Wisconsin.

(b) The Act of June 17, 1954 (25 U.S.C. 891–902) is hereby repealed. There are hereby reinstated all rights and privileges of the tribe or its members under Federal treaty or otherwise which may have been diminished or lost pursuant to the Act of June 17, 1954 (25 U.S.C. 891–902).

(c) Nothing contained in this Act shall diminish any rights or privileges enjoyed by the tribe or its members now or prior to June 17, 1954, under Federal treaty or otherwise. Except as specifically provided in this Act, nothing contained in this Act shall alter any property rights or obligations, any contractual rights or obligations, or any obligations for taxes already levied.

SEC. 4. (a) Within fifteen days after the date of enactment of this Act the Secretary shall announce the date of a general council meeting of the tribe to elect the Menominee Restoration Committee. Such general council meeting shall be held within 60 days after the date of enactment of this Act. All living persons on the final roll of the tribe published under section 3 of the Act of June 17, 1954 (25 U.S.C. 893) and all descendants, who are at least 18 years of age, of persons on such roll shall be entitled to attend, participate, and vote at such general council meeting. The Secretary shall approve the Menominee Restoration Committee if he is satisfied the requirements of this section relating to the general council meeting have been met. The Menominee Restoration Committee shall represent the Menominee people in the implementation of this Act and shall have no powers other than those given to it in accordance with this Act.

(b) The membership roll of the Menominee Tribe of Wisconsin which was closed as of June 17, 1954, is hereby declared open. The Menominee Restoration Committee, under contract with the Secretary, shall proceed to make current that roll in accordance with the terms of this Act. The names of all enrollees who are deceased as of the date of enactment of this Act shall be stricken. The names of any descendant of a person who is or was enrolled shall be added to the roll provided such descendant possesses at least one-quarter degree Menominee Indian blood. Upon the installation of elected constitutional officers of the Menominee Indian Tribe of Wisconsin, the Secretary and the Menominee Restoration Committee shall deliver their records, files, and any other material relating to enrollment matters to the tribal governing body. All further work in bringing and maintaining current the tribal roll shall be performed in such manner as may be prescribed in accordance with the tribal governing documents. Until responsibility for the tribal roll is assumed by the tribal governing body, appeals from the omission or inclusion of any name upon the tribal roll shall lie with the Secretary and his determination thereon shall be final. The Secretary shall make the final determination of each such appeal within 60 days after an appeal is initiated.

SEC. 5. (a) The Menominee Restoration Committee, under contract with the Secretary, shall conduct an election by secret ballot for the purpose of determining the tribe's constitution and by-laws. The Secretary shall enter into such contract with the Menominee Restoration Committee within 90 days after the enactment of this Act. The election shall be held within 180 days after the enactment of this Act.

(b) The Menominee Restoration Committee shall distribute to all enrolled persons who are entitled to vote in the election, at least thirty days before the election, a copy of the constitution and by-laws as drafted by the Menominee Restoration Committee which will be presented at the election, along with a brief impartial description of the constitution and by-laws. The Menominee Restoration Committee shall freely consult with persons entitled to vote in the election concerning the text and description of the constitution and by-laws. Such consultations shall not be carried on within fifty feet of the polling places on the date of the election.

(c) The Menominee Restoration Committee, under contract with the Secretary, shall conduct an election by secret ballot for the purpose of determining the individuals who will serve as members of the tribe's governing body. The Secretary shall enter into such contract with the Menominee Restoration Committee within 60 days after the tribe adopts a constitution and by-laws pursuant to subsection (a) of this section. The election shall be held within 120 days after the tribe adopts a constitution and by-laws.

(d) In any elections held pursuant to subsections (a) and (c) of this section, the vote of a majority of those actually voting shall be necessary and sufficient to effectuate the adoption of a tribal constitution and by-laws and the election of the tribe's governing body, so long as, in each such election the total vote cast is at least 30 per centum of those entitled to vote.

(e) The Act of June 18, 1934 (25 U.S.C. 461 et seq.) shall not apply to any election under this Act.

SEC. 6. (a) Subsections (c) and (d) of this section shall not become effective until two years following the enactment of this Act.

(b) The Secretary shall negotiate with the elected members of the Menominee Common Stock and Voting Trust and the board of directors of Menominee Enterprises, Incorporated, or their authorized representatives, to develop a plan for the assumption of the assets of the corporation.

(c) The Secretary shall, subject to the terms and conditions of the plan negotiated pursuant to subsection (b) of this section, accept the assets (excluding any real property not located in or adjacent to Menominee County, Wisconsin) of Menominee Enterprises, Incorporated, but only if transferred to him by the board of directors of Menominee Enterprises, Incorporated, subject to the approval of the shareholders as required by the laws of Wisconsin. Such assets shall be subject to all valid existing rights including, but not limited to liens, outstanding taxes (local, State, and Federal), mortgages, outstanding corporate indebtedness of all types, and any other obligation. The land and other assets transferred to the Secretary pursuant to this section shall be subject to foreclosure or sale pursuant to the terms of any obligation in accordance with the laws of the State of Wisconsin. Subject to the conditions imposed by this section, the land transferred shall be taken in the name of the United States in Trust for the Menominee Tribe of Wisconsin and shall be their reservation. The transfer of assets authorized by this section shall be exempt from all local, State, and Federal taxation. All assets transferred under this section shall, as of the date of transfer, be exempt from all local, State, and Federal taxation.

(d) The Secretary shall accept the real property (excluding any real property not located in or adjacent to Menominee County, Wisconsin) of members of the Menominee Tribe, but only if transferred to him by the Menominee owner or owners. Such property shall be subject to all valid existing rights including, but not limited to liens, outstanding taxes (local, State, and Federal), mortgages and any other obligation. The land transferred to the Secretary pursuant to this section shall be subject to foreclosure or sale pursuant to the terms of any valid existing obligation in accordance with the laws of the State of Wisconsin. Subject to the conditions imposed by this section, the land transferred shall be taken in the name of the United States in trust for the Menominee Tribe of Wisconsin and shall be part of their reservation. The transfer of assets authorized by this section shall be exempt from all local, State, and Federal taxation. All assets transferred under this section shall, as of the date of transfer, be exempt from all local, State, and Federal taxation.

(e) The Secretary and the Menominee Restoration Committee shall consult with appropriate State and local government officials to assure that the provision of necessary governmental services are not impaired as the result of the transfer of assets provided for in this section.

SEC. 7. The tribe's constitution shall provide that the governing body of the tribe, after full consultation with the Secretary, (1) shall make rules and regulations for the operation and management of the tribal forestry units on the principle of sustained-yield management, (2) may make such other rules and regulations as may be necessary to protect the assets of the tribe from deterioration, and (3) may regulate hunting, fishing, and trapping on the reservation. Fishing by non-Menominees on Legend Lakes, LaMotte Lake, Moshawquit Lake, and Round Lake shall be regulated by the State of Wisconsin, and the State shall stock these lakes in the same manner as other lakes regulated by the State of Wisconsin.

SEC. 8. In recognition of the special educational needs of Menominee students and of the responsibility of the United States for the impact that members of the Menominee tribe have on local educational agencies, Congress declares it to be the policy of the United States to provide full financial assistance for Menominee students to those local educational agencies which enroll two or more members of the tribe who reside on the reservation or within the boundaries of Menominee County.

SEC. 9. The Secretary is hereby authorized to make such rules and regulations as are necessary to carry out the provisions of this Act.

SEC. 10. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

AMERICAN VERSUS JAPANESE GOLF CARTS

(Mr. GAYDOS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. GAYDOS. Mr. Speaker, it does not take an Arnold Palmer to note that the motorized golf cart has become an ubiquitous and profitable item in our rapidly growing recreation economy.

The carts are everywhere these days—humming along the edges of fairways from coast to coast while adding significantly to the incomes of the private clubs and commercial golf course proprietors who make them available.

What is more, the handy carts have brought a new dimension of well-being to scores of American companies engaged in producing them. Some are old-line firms such as AMF's Harley-Davidson, once exclusively a motorcycle maker, Cushman, Westinghouse, and Otis Elevator. New ones have scooted into the field, too.

The parts suppliers, also, have found golf carts a brisk and developing market—Akron's tire companies, the engine assemblers, the fabricators of the batteries and chargers for the electric-powered models.

But wait!

The Japanese are coming and, according to golf writers, are showing signs of being as intent of penetrating as deeply this now strictly U.S. business as they have our TV and radio sets market and as effectively as they are competing with Detroit with increasing sales here of Toyotas, Datsuns, and Mazdas.

In the April 1973 edition of Golfdom, "the business magazine of golf," columnist Herb Graffis tells of the presence of "studious" Japanese at the Professional Golfers' Association and Golf Course Superintendents' Association equipment and supply show in Boston.

Writes Mr. Graffis:

> At Boston the Japanese visitors were busy photographing machinery from all angles. At Palm Beach Gardens, where PGA officials banned picture taking, golf carts received close attention (from the Japanese on hand there). Naturally American golf cart makers wonder if the Japanese delegation wasn't interested in making golf carts to compete in the American market.

Why else, I might add to Mr. Graffis' report, would they be so interested in the carts? Mr. Graffis says the things are little used in Japan itself where the courses generally are too hilly for them and where girl and women caddies are "cheap, swift, vigilant, sturdy, and satisfactory." The money these caddies earn, Mr. Graffis explains, compensates in Japanese thinking for the taking of golf course land out of much-needed agricultural and livestock productivity.

So it is as sure as a 6-inch putt that the Japanese mean to come into our market with a low labor cost and perhaps government-subsidized golf machine to undersell our own. Obviously, they have sensed a new competitive opportunity to tap further our growing recreation business while, at the same time, getting around the quotas which they accepted on raw steel shipped here with another nonquota steel-made product. They are clever people indeed.

And what are we going to do about it? My hope is the Nixon administration will act to protect the U.S. cart makers before it is too late. We are not on a two-way street with Japan on competing products. The golf cart matter brings up the fact that, although our long-experienced companies turn out much better clubs than do Japanese come-latelies to the craft, U.S. woods and irons are charged such high import duties in Japan that they sell there for twice the price of homemade sets.

Some of us remember when, as youngsters, we played baseball with Spalding and other American-made gloves, mitts and bats, many bearing names which have passed away entirely. Check the sporting goods departments in our stores today and see what has happened. The label "Made in Japan" is everywhere because the Japanese, unchecked by us, have taken over the mass baseball equipment market here. Are we going to yield to them our golf business also and allow more American jobs to fade away with U.S.-made golf carts? I insist that we must get as tough on competitive Japanese imports as Japan is tough on ours.

HIGHER BEEF PRICES IN EASTERN CITIES

(Mr. MELCHER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MELCHER. Mr. Speaker, for several months I have kept a running account of the difference in retail price of round steak, rump roast, and hamburger at five northeastern metropolitan areas compared to Chicago. They are New York, Washington, Baltimore, Philadelphia, and Boston. With all of the concern expressed by consumers throughout the country on the price of meat, the difference as reflected in these retail prices should be weighed carefully if consumers are anxious for better beef buys. Differences up to 53 cents per pound are not justified by legitimate costs.

Transportation charges from Chicago to any of these five cities represents about 3 cents of the retail price for a pound of meat. Labor costs in the Chicago and the northeastern cities are comparable. So the additional retail prices for these cuts of beef cannot be explained away easily.

Some of the difference involved has been uncovered by a grand jury investigation in Manhattan which is seeking indictments of a number of people believed guilty of rakeoffs. While the amounts involved in the payoffs in two indictments so far reported by the Manhattan grand jury do not represent a large part of the retail price differences it is encouraging to know that District Attorney Hogan's office with its racket busting record, and with this investigation, under the specific direction of Alfred Scotti, assisted by Federal Strike Force, is continuing the grand jury inquiry into the operations of racketeers who gouge up the price of meat in the New York metropolitan area.

Until we know the extent of racketeering in meats in New York City we shall not be able to account for the vast difference in retail prices of beef cuts there as compared to Chicago.

We cannot determine the reasons for the extra high retail prices of beef cuts in the other eastern metropolitan areas that I have listed until we know whether racketeering rakeoffs are being reflected there and being paid for by consumers.

The substantial differences in prices have existed for several years in these metropolitan areas as compared to Chicago. The consumers in these metropolitan areas are entitled to a full explanation for the continually high prices they are having to pay at retail levels.

The table of differences in meat prices in the five cities, compared to Chicago, now calculated on the basis of the average price in the first quarter of the year, January through March, follows:

1ST QUARTER 1973 AVERAGE RETAIL BEEF PRICES

[Per pound]

	Chicago	Baltimore	Washington	New York	Philadelphia	Boston	National average
Round steak:							
January	$1.32	$1.69	$1.72	$1.82	$1.74	$1.83	$1.56
February	1.45	1.81	1.81	1.94	1.87	1.94	1.68
March	1.51	1.88	1.86	2.03	1.93	2.04	1.75
Rump roast:							
January	1.36	1.60	1.68	1.65	1.66	1.51	1.54
February	1.45	1.72	1.81	1.74	1.78	1.62	1.64
March	1.51	1.77	1.84	1.77	1.86	1.65	1.70
Hamburger:							
January	.79	.79	.78	.99	.80	.92	.78
February	.85	.86	.86	1.06	.88	.95	.84
March	.87	.91	.94	1.11	.92	1.01	.91

Source: Compiled by the Bureau of Labor Statistics.

ROSWELL PARK CANCER CENTER IN BUFFALO MARKS 75 YEARS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. DULSKI) is recognized for 15 minutes.

Mr. DULSKI. Mr. Speaker, today marks the 75th anniversary of the oldest and one of the largest cancer research centers in the world, Roswell Park Memorial Institute in Buffalo, N.Y.

Internationally known cancer specialists—incidentally, all but one an alumnus of Roswell Park—are participating in a scientific symposium on "Perspectives in Cancer Research" at the institute today.

This evening, there will be a formal banquet celebration by the community with our colleague from Florida, the distinguished chairman of the Subcommittee on Public Health and Environment, the Honorable PAUL G. ROGERS, as the main speaker.

Mr. Speaker, we in Buffalo and western New York are very proud of the outstanding contributions to cancer research which have been made over the years—And are being made every day—at the institute in downtown Buffalo.

MODEST BEGINNING

Roswell Park's beginning was modest, especially in terms of comparable ventures today. Dr. Roswell Park asked the New York State Legislature in 1897 for $7,500 to start an institute for the exclusive study of cancer. The legislature agreed, but the bill was vetoed by Gov. Frank S. Black.

Undaunted by the temporary rebuff and in close cooperation with Edward H. Butler, Sr., then publisher of the Buffalo Evening News, Dr. Park tried again the following year—75 years ago—and came up with a $10,000 grant from the State which the Governor was persuaded to sign.

This initial evidence of persistence has been repeated over and over by Dr. Park and his successors in the long effort to find an answer to the scourge of cancer.

The highly dedicated team of physicians, surgeons, scientists, and technical assistants has made great strides and major scientific discoveries. Innovative treatment has been developed and utilized so that literally hundreds of thousands of individuals have benefited from Roswell Park Memorial Institute research.

Medical research and treatment are combined at Roswell Park Memorial Institute. When medical discoveries become acceptable for use, they are tested on patients under carefully controlled and supervised conditions.

CURE IS ULTIMATE AIM

Roswell Park Memorial Institute researchers work closely with their counterparts in other centers elsewhere in the United States and abroad. Indeed, exchange visits of key staff personnel are encouraged.

The end result of a cancer cure is the ultimate aim, and no avenue of potential is left unexplored.

Mr. Speaker, I have had the opportunity to come to know well and work closely with the present outstanding director, Dr. Gerald P. Murphy, and his two immediate predecessors, Dr. George E. Moore and the late Dr. James T. Grace, Jr.

These men, each in his personal and separate way, personify dedication to the *n*th degree and their leadership is contagious throughout the institute.

Roswell Park has been the proving grounds for many distinguished specialists. As I mentioned earlier, today's international symposium at the institute features nine outstanding scientists, eight of them RPMI alumni.

Dr. Morton L. Levin and Dr. Abraham M. Lilienfeld, of the Johns Hopkins University at Baltimore, Md., are discussing cancer epidemiology, with Dr. Levin giving the current status and Dr. Lilienfeld the future prospects.

WELL-KNOWN RESEARCHERS

Dr. Joseph A. DiPaolo, of the National Cancer Institute at Bethesda, Md., is discussing "Chemical Carcinogenesis, 1761–1973."

Dr. Ross H. Hall, of McMaster University, Hamilton, Ontario, is discussing "Molecular Biology in the Electric Age."

Dr. Donald P. Pinkel, medical director of St. Jude Children's Research Hospital, Memphis, Tenn., is discussing "Treatment of Acute Lymphocytic Leukemia in Children."

Dr. D. Bernard Amos, of Duke University, Durham, N.C., is discussing "Immunological Reactions to Ascites Tumors."

Dr. Donald Metcalf, of the Walter and Eliza Hall Institute of Medical Research, Melbourne, Australia, is discussing "Tissue Culture Monitoring Systems in the Management of Granulocytic Leukemia."

The final discussion is being led by Dr. David S. Yohn, of Ohio State University, Columbus, Ohio, on the subject "Oncogenic Viruses: Fact, Fantasy and Future."

The only nonalumnus of RPMI participating in the program is Dr. R. Lee Clark, of M. D. Anderson Hospital and Tumor Institute, Houston, Tex., whose discussion concerns "Surgical Oncology—A Perspective for Improved Care of Medical Patients."

THREE GIVEN CITATIONS

In connection with today's anniversary observations, three key individuals in the institute's history are being cited for their work, one of them posthumously. Citations will be presented tonight by Dr. Murphy. They are:

To Dr. William H. Wehr, acting institute director from 1943 to 1945. The citation reads:

> To William H. Wehr, M.D., in celebration of the 75th Anniversary of the founding of Roswell Park Memorial Institute, the institute staff would like to express their appreciation for your many years' dedication to the goals of the Institute and its employees, winning the confidence and admiration of your associates in Roswell Park and elsewhere in the State of New York.

To the late Dr. James T. Grace, Jr., immediate former institute director. The citation reads:

> The 75th Anniversary Committee and the Institute Director wish to extend, posthumously, to James T. Grace, Jr., M.D., 6th Institute Director of Roswell Park Memorial Institute from 1967 to 1970, their appreciation for his devoted service to the Institute in behalf of cancer treatment and research.

To Dr. George E. Moore, institute director form 1952 to 1967. There are two citations: one from the institute and the other from the board. The texts follow:

> To George E. Moore, M.D., Ph. D., in celebration of the 75th Anniversary of the founding of Roswell Park Memorial Insti-

tute, the institute staff would like to express their appreciation for your prodigious contributions toward the growth of the institute through your continual efforts to expand its physical facilities and its scientific and clinical programs.

The Board of Visitors hereby acknowledge the manifold contributions of George E. Moore, M.D., Ph. D., to the development of Roswell Park Memorial Institute in his capacity as Institute Director from 1952 to 1967. Without his dedication in attracting prominent physicians and scientists to the staff, initiating innovative cancer programs and expanding the physical plant, the Institute would not have attained the significant position it holds in the national and international scene.

Mr. Speaker, the quest for a cancer cure continues, and nowhere is the effort more dedicated, sincere, and effective than at Roswell Park Memorial Institute.

The institute is one of our city's—and our Nation's—great assets. Its work is vital.

PLAUDITS TO DR. MURPHY

I extend personal congratulations to Dr. Murphy for his leadership, both as an administrator and as a physician and cancer research specialist. His outstanding work has been recognized, and appropriately, at all levels of government and his profession, here and abroad.

Roswell Park Memorial Institute is a team operation which only personal contact can truly appreciate. I have had this opportunity on many occasions since its facilities are located in my congressional district.

It is a great pleasure for me to be able to pay tribute to both the institute and to each and every member of the staff on this 75th anniversary.

May the work of Roswell Park Memorial Institute continue without interruption toward the common goal sought by all.

Mr. KEMP. Mr. Speaker, I am happy and honored to join my distinguished colleague, Mr. DULSKI, today in this tribute to Roswell Park.

Mr. Speaker, 75 years ago in three small rooms in the University of Buffalo Medical School, Dr. Roswell Park began his research laboratory. Today, the institute which bears Dr. Park's name, Roswell Park Memorial Institute, has become a multimillion-dollar institute that includes a modern 316-bed hospital, as well as some of the best-equipped cancer research laboratories in the world.

Among all of the cancer research institutes in the world, the Roswell Park Memorial Institute is not only the oldest, but also one of the largest. From Dr. Park and his original colleague in 1898, the total staff of the institute has grown to more than 2,500.

Although Roswell Park is not in my district, the institute and its director, Dr. Gerald P. Murphy, my very good friend, have served many of my constituents through the institute's services to cancer patients and through programs in cancer research and education. I am very proud of Roswell Park, its outstanding programs and its fine staff.

Mr. Speaker, an example of this outstanding staff is a leading cancer immunologist, Dr. Ed Klein, who I am also very proud to call a close personal friend. As a matter of fact, the March 19 issue of Time magazine cites Dr. Klein's work, and at this point I include that paragraph from the Time article entitled: "Toward Cancer Control."

Dr. Edmund Klein of Roswell Park Memorial Institute in Buffalo has used BCG to stimulate an immune reaction against malignant melanoma, mycosis fungoides and other cancers that originate on the skin, as well as against such deep-seated tumors as breast cancer. He has also experimented with vaccines made from tumors similar to those of the patient, injecting the substance into cancer victims in the hope of triggering not a general immune reaction but one that is specifically directed against the cancer. Of those patients who responded immunologically, most showed marked improvement.

Roswell Park Memorial Institute is composed of several campuses including the extensive main facility in Buffalo. Six major research laboratories are located in or near the main installation. Three are in the suburban communities of West Seneca, Orchard Park, and Springville.

Research at Roswell Park is being pursued in new aspects of immunology, viral oncology, molecular and cellular biology, membrane structure growth control, molecular structure, and molecular interaction. Among its educational activities, the institute offers lectures, seminars, and other activities of interest not only to those in medical and related fields, but also to the general public as well. Also included are residency programs for medical school graduates, specialized programs in cancer nursing, and a research participation program in science for high school and college teachers.

Construction of the long-awaited research studies center was completed in November 1972, to give Roswell its first comprehensive, fully coordinated education building.

The center houses Roswell Park's departments of graduate education, nursing education, biostatistics, epidemiology, medical illustration, and photography. Also located in the center are the research participation program, the computer center as well as an expanded library and an auditorium for an audience of 600. The center has 6 stores plus basement, containing about 100,000 square feet of floor space.

The research studies center reflects on the educational role of the institute, which has been granting masters' and doctors' degrees for many years. There has been a rapid increase in the number of graduate programs, as well as in postgraduate training, nursing programs, and summer programs for talented high school and college students.

The Roswell Park Cancer Drug Center, which will serve as a coordinating site for the development of new cancer drugs, will be completed in September 1973.

Chemotherapy, treatment with drugs, can go beyond the limitations of surgery and radiotherapy. The immense potential in this field of therapy should bear fruit much sooner than otherwise, nurtured as it now will be with well-equipped laboratories, proximity to clinical facilities and the critical mass of intellect. Roswell Park's Cancer Drug Center will greatly increase the opportunity to develop drugs which can act selectively to destroy cancer cells without harming healthy tissue.

A Federal construction grant of $5.5 million was approved for a cancer cell center at Roswell Park and completion of the center is expected in 1975.

The facility, which would house two research projects, biochemistry and experimental pathology, is needed for "an expanded cooperative and coordinated program involving study of the cancer cell and its interaction with the host." The new center will provide cooperating investigators with adequate and contiguous laboratory facilities so that effective communications and collaboration will be nurtured to yield the maximum useful information.

Dr. Gerald P. Murphy, the present director of Roswell Park Memorial Institute, has a distinguished record of achievements. Before coming to Roswell Park, he was research associate and chief in the Department of Surgical Physiology at the Walter Reed Army Institute of Research in Washington, D.C., and assistant professor of urology at the Johns Hopkins Medical School. Since 1968 Dr. Murphy has established important programs of research, particularly involving kidney physiology and transplantation, at the institute. After becoming Director in 1971, he has been largely responsible for the major expansion of the institute's clinical and research facilities. On March 7, 1972, President Nixon announced the appointment of Dr. Murphy to the newly created 18-member National Cancer Advisory Board.

Mr. Speaker, I have just cited many impressive facts about Roswell Park Memorial Institute and its outstanding director, Dr. Gerald P. Murphy. But the most important facts about Roswell—the countless lives which have been saved by the work of its dedicated staff, the suffering which has been eased, the untiring work and devoted efforts of the institute's many professionals—these cannot be sufficiently expressed.

It is both an honor and a pleasure to pay tribute today to Roswell Park Memorial Institute, and to Dr. Gerald P. Murphy and his staff on the occasion of the 75th anniversary of Roswell Park.

I know that when the war against cancer is won, much of the credit will be due to the untiring spirit and dedicated efforts of the outstanding professionals at Roswell Park Memorial Institute at Buffalo, N.Y.

Mr. Speaker, as an example of the innovative work being accomplished at Roswell Park, I include at this time an article from the Buffalo Evening News which describes new techniques being used by Roswell Park scientists. A publisher of the Buffalo Evening News, Mr. Edward H. Butler, Sr., greatly aided Dr. Roswell Park in his efforts to begin the institute:

[From the Buffalo Evening News, Apr. 25, 1973]

ROSWELL PARK SCIENTISTS USE SOUND WAVES TO DIAGNOSE TUMORS WITHOUT SURGERY

(By Arthur Page)

Using a method similar to that believed used by bats and dolphins for navigation, work is being done at Roswell Park Memorial Institute to monitor the progress of kidney transplants and to diagnose tumors within the body.

The technique, known as ultrasonography, involves the sending of a sound wave and the reception of the echoes when that sound reflects off organs and tissues in a person's body.

It's believed that bats and dolphins use a similar method for navigation—transmitting sounds and locating obstacles in their paths through the echoes they receive.

Dr. Alan R. Winterberger, associate chief of diagnostic radiology at Roswell Park, explained that ultrasonography allows him to "view" the contents of a person's body within a matter of seconds and without incisions.

"And it can be repeated time and time again without any hazard to the patient or physician," he added.

There also is no danger from radiation which may be present in using X-rays, he said, and no distortion of the reading which often occurs when X-rays are used.

The equipment includes a microphone-like transducer which acts as noise-transmitter and echo-receiver. It's attached to a movable arm so it can be passed across a patient's body.

The transducer feeds the echoes into an oscilloscope which converts them to lines or shadows on a television-like screen.

Both the sound transmitted and echo received are beyond human audible range.

Compound scanning ultrasonography, a more complex method often used by Dr. Winterberger, results in shadows and bright areas on the screen which the doctor can interpret because "most organs have characteristic shapes when seen by ultrasound," he said.

Dr. Winterberger explained that each substance within a person's body—including fluids, tissues and organs—has a specific property called acoustic density.

The transducer receives an echo from all substances encountered by the transmitted sound wave.

While some of the sound wave penetrates each substance, some is reflected. How much is reflected as an echo depends on each substances' acoustic density.

And each time the sound encounters an acoustic interface—the boundary between two substances of different acoustic densities—it sends back a report in the form of a new echo.

"Wherever you have different acoustic densities you're going to get an echo, a reflection," Dr. Winterberger said. "And each time an echo comes back, it's recorded on the oscilloscope screen as a light beam."

The device also is sensitive to the minute spans of time between echo changes and translates them into measures of distance on the oscilloscope screen.

In other words, the larger the time span between echo changes, the larger the shaded space between bright spots on the screen.

The picture created as the transducer is moved across a patient's body thus shows bright and shadowed areas.

Depending on the region of the body over which the transducer is passed, the larger shadowed areas usually represent specific organs.

By comparing over a period of time the size and shape of the shadowed area representing a kidney, Dr. Winterberger can monitor the success of a kidney transplant. If the transplant is being rejected, the kidney will enlarge. Conversely, if rejection is being fought successfully, the size will decrease.

Ultrasound also has been used to check for multiple pregnancies and shifts in the location of the midline of the brain which usually denote a tumor or blood clot in the brain area.

By transmitting sound along the blood flowing through a vessel and then receiving it a short distance later doctors also have checked blood velocity. Abnormal velocity may denote obstructions and constrictions in arteries and veins.

Dr. Winterberger also said ultrasonography is the "preferred method" for checking for fluid around the heart.

He said he has used the technique in the initial detection of tumors and in following the growth or regression of tumors during therapy.

In the initial diagnosis, ultrasound might show a mysterious mass in the body or a change in the shape of an organ which might denote the presence of a tumor.

By merely turning up the power, much as a scientist increases the magnification power of a microscope, Dr. Winterberger can receive additional echoes from the interior of the suspicious mass.

By studying the "picture" produced by those echoes on the oscilloscope screen, he can get a good idea of whether the mass is a tumor or cyst.

Although ultrasound has been around since the 1940s when it was used in physical therapy as a heat source, the use of ultrasonography as a diagnostic and monitoring tool "has gained popularity only in the last four or five years," Dr. Winterberger said.

He said it is "no panacea." adding that "anything suspected by ultrasound usually is verified using more standard tests."

AMNESTY—AND VINDICTIVENESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ROBISON) is recognized for 15 minutes.

Mr. ROBISON of New York. Mr. Speaker, on three prior occasions I have suggested to my colleagues that our discussion of amnesty needs less emotion and more objectivity; and I have particularly emphasized that we in Congress should set the tone for that discussion, so that, whatever its resolution, all citizens understand the full implications of a post-Vietnam amnesty through the perspective of past amnesties in this country's history.

Yet, amnesty is so provocative a subject that on several occasions it has been suggested that even a low-key discussion of the topic is undesirable, regardless of the substance of that discussion. Recently, I received a thoughtful presentation of this point of view from Prof. George Anastaplo of the University of Chicago. His remarks, which appeared in the Chicago Tribune, carefully explain why he feels amnesty is not a fit topic for national discussion at this time, and I insert them at this point in the RECORD.

AN AMNESTY ON DISCUSSIONS OF AMNESTY?

(By George Anastaplo)

Several legislative proposals have been made on behalf of Americans who illegally avoided military service during the Vietnam War.

The proposals range from complete amnesty for all offenders to amnesty with alternative service for all good-faith offenders.

On the other hand, there are many (the President, for the moment, among them) who have declared themselves opposed to any wholesale "forgiveness" of men who evaded military service during the war. These evaders, it is insisted, should "take their medicine" in the courts and prisons of their country if they should choose to return home. For, it is added, the service which they evaded had to be performed by someone else in their place.

But, it will be answered, it was service which no one should have been called upon to perform, because it was immoral and even criminal.

And so the debate goes.

II

There may be something rather artificial about this entire debate at this time. For do we not have, in effect, a substantial amnesty already at work among us? That is, is it not highly unlikely that anything serious will happen in the years ahead to most of the people who do return from their flights abroad or who "surface" after having "gone underground" to avoid service in Indochina? Is this not the kind of issue which the community will tend to answer one way (rather harshly) if it is asked to pass judgment on all cases together and quite another way (rather generously) if left to make judgments on a case by case basis? Indeed, our most pressing question may not be whether we should have amnesty, but whether we should have extensive, and hence divisive, discussions of amnesty.

The war does seem to be mostly over for us. Interest in the war will taper off. Young men will drift home from their illegal refuges. Who will press to make the effort necessary to imprison them, especially if there are as many of them as the advocates of amnesty claim there are? Federal prosecutors will be inclined not to notice them, especially since there are more than enough other kinds of criminal cases to occupy the time of all available legal personnel, cases which now have a more compelling interest for the public.

Thus, it will become—it may already be—obviously impolitic, with the war over, to prosecute draft evasion cases in a young man's own community. He is strongest there, while this kind of case is weakest in Washington, where sensationalism and posturing are more likely to be resorted to, especially if a television camera should be watching. Indeed, national publicity about such cases could make it harder for local prosecutors to look the other way when fugitives do return home.

Even so, most prosecutors will find themselves reluctant to allocate scarce resources to the effort to punish the "misguided" children of local taxpayers and voters. When they do prosecute, deals will usually be made: a liberal use will probably be made of probation. Otherwise, alleged draft offenders would clog the courts and their indignant relatives would have to be reckoned with. Furthermore, any government which puts thousands of unusually articulate young men into our already overcrowded prisons will have to reckon with the agitation and disruption which its imprudence will have made inevitable.

Of course, fugitives from military service may want, before they dare return home, more reassurance than the tacit amnesty I anticipate. Are they entitled to more than this? Is it good that they get it? What is the likely cost to the national community of a bitter debate over the amnesty issue at this time? Would such a debate serve any useful purpose if, as seems likely at the moment, no significant legislation resulted? Does, for instance, the war need further discussion at this time?

Our recent Indochinese role has already been repudiated by most sensible men. Even most of those Americans who once supported the war now believe that it went on far too long or that it was too costly at home or that it was conducted the wrong way. No matter what is said now about peace with honor, the war appears to have been a dubious venture for the United States: it has raised serious questions abroad about our political morality and undermined respect at home for legitimate authority.

What might be gained, as we disengage ourselves from this misconceived war, by showing up the war even more than it has been already? Now that our role in the killing and destruction has been curtailed, is it not appropriate to make allowances for a certain kind of patriotism? That is, amnesty legislation at this time is apt to be understood by many as an official repudiation of the war. I have suggested that people who would accept such repudiation implicitly cannot, or will not, for a variety of reasons, accept it explicitly. Indeed, they can be expected to "fight back."

The "hardliners", it should be added, do not seem to realize that their fierce opposition to "alternate service" amnesty legislation makes it even more likely that busy prosecutors and judge will be obliged to rely upon the tacit amnesty I have described here.

The President's recent remarks about amnesty, however intemperate they might have been, reflect the passions of a significant portion, perhaps even a majority, of the country. What are these people concerned about? May not some of their concerns be legitimate? They can be understood as not wanting to permit selfishness to take precedence over sacrifice. Is there not something salutary in this concern The men who fled the country or went underground may have done so primarily to serve their own interests. (By acting as they did, it can be further argued, they relieved pressure on the vulnerable Selective Service system and the courts and hence did not question the morality of the war as effectively as they and their families could have done by standing up against the draft in this country.)

That is, it is hard for most people to consider life in so civilized a country as Canada to be much of a witness against American misconduct in Indochina. It is much easier for them to interpret flight as serving mere self-interest. Indeed, most people today (including many who are against amnesty) may even be willing to grant that the real American heroes of the Indochina war may turn out to have been neither the soldiers who went to Vietnam nor the men who took refuge abroad but rather the men and women who attempted to instruct public opinion by challenging their government in the courts and in the political arena.

I am reminded, for instance, of the "Four of Us" group which has been found guilty here in Chicago of conspiracy to destroy draft records. These two young men and two young women, by all accounts decent people who felt obliged to testify in this manner against what they considered a grossly immoral war, have been sentenced to a year in prison. This hardly seems a sensible use of federal penitentiaries.

V

Thus, the dampening down of the amnesty issue advocated here does not mean that we should ignore how the government behaves in the cases that do reach the courts. We should insist upon the common sense point that no public interest would really be served by jailing most of our draft evaders. Such show of "firmness" probably would not even help us to raise an army next time we go to war. (It is folly to believe that there may not be a "next time," again with plausible demands upon our national power, however misdirected our power may come to be recognized to have been on this occasion.) The real problem "next time" will be to make *that* war credible: putting people in jail *now* is not likely to help us mobilize ourselves *then*, and may even make matters worse, in that it will have made the government seem even less worthy of support than all too many youngsters now regard it to be.

Both intense amnesty debates and extensive jailings are apt to impede the quiet reconciliation which the country needs. Those who have been against the war should go easy on amnesty legislation; those who have been for the war should go easy on criminal prosecutions.

The better instincts of the country—what Lincoln called "the better angels of our nature"—will be inclined to let bygones be bygones. I'd be happy with that.

VI

What opponents of the war should be particularly wary of at this time is divisive passion.

Our domestic civil liberties are now, despite various protests to the contrary, in far better shape than during any post-war period in this century. (This, too, may reflect our fundamental uneasiness about what we did in Vietnam: we were never sure enough of ourselves to suppress dissent effectively.) These liberties have meant that significant dissent could be mounted against the war—dissent which affected for the better our conduct and perhaps the length of the war.

But we should take care. When one *has* "won," as those against the war can well recognize themselves to have done in large measure, it is prudent to allow one's "defeated" opponent to escape with at least the appearance of a compromise. One should take care, for instance, not to press too far and, in effect, threaten the millions of families who supported the war and who did sacrifice for what they conceived to be the cause of freedom and of national security.

Whatever may have been true in recent years, agitation of the amnesty issue is no longer needed to force the American people to clarify its thinking about the Indochina war. We should all know by now what we think of that war and of those responsible for our role in it.

There are for us today far more important things than provocative debates about matters which are already in the course of being quietly settled in a more or less reasonable manner.

VII

We should not allow ourselves to be diverted from the genuine tasks before us.

What, for example, are we as a people prepared to do to help repair the devastation we have brought in Indochina to "allie" and "enemy" alike? And, even more important for the future of this republic and for the rule of law, what should we do now to restore to our Congress its vital constitutional authority to declare war, to determine how our money should be spent, and to ratify treaties?

That is, the concern to which our deepest passions and our most serious thought as a political community should be directed is that of the perpetuation of American constitutionalism.

It may well be that amnesty, and the reconciliation it can foster, are best left as the singular work of the local community, as Professor Anastaplo suggests, and that this work can best be handled by that community, rather than turning amnesty into a national issue which may further inflame already divided citizen opinions. Although difficult to substantiate from available information, it is—I suppose—possible that such de facto amnesty did indeed take place immediately after World War I and after the Korean war—two periods during this century which are to be noted for their absence of Presidentially or congressionally declared amnesty.

In fact, de facto amnesty may be underway now. The following Washington Post article of March 11, 1973, indicates that during the year ending June 30, 1972, draft violators were frequently given probation or their cases were dismissed upon acceptance of induction:

Few Jailed for Draft Violations

(By Harrison Humphries)

Only a third of the accused draft evaders prosecuted in federal court are being convicted, and nearly three-fourths of the convicted are being put on probation.

Many of those under indictment who appear for arraignment are having their cases dismissed by accepting induction into the armed forces for two years.

The statistics from Selective Service headquarters tend to support a suggestion yesterday by Sen. Charles H. Percy (R-Ill) that self-exiled draft dodgers and those in hiding might consider surrendering rather than waiting years for an uncertain possibility of amnesty.

Percy said in a recorded radio interview that he had done some checking on his own and was told by one U.S. attorney—not in Illinois—that "in case after case when they are voluntarily turning themselves in, they go before the judge, the judge gives them a year, puts them on probation, and gives them a choice of taking a year of service in a local hospital or some local type of public service work."

Walter H. Morse, general counsel of the Selective Service System, supplied some figures in an interview, confirming many instances of probation. But he said:

"It is anybody's guess what penalty will be imposed by an individual judge in an individual case."

In the 12 months ended June 30, 1972, there were 4,906 accused draft violators prosecuted; 3,264 were not convicted and 327 of these were acquitted, and nearly all the rest of the nonconvicted accepted induction into the armed forces, 1,642 were convicted.

Of the 1,642 convicted, 1,178 were placed on probation, some on good behavior, others on the condition of performing alternative public service for one, two, or three years.

Of those sentenced to prison, 53 were for one year, 120 one to three years, 123 for three to five years, and 16 for five years. The remainder, 152, got less than a year. Sentences averaged 22 months.

In January, there were 337 cases disposed of in federal courts; 225 were dismissed upon military induction; 25 were acquitted; 87 were convicted.

Currently there are 292 convicted Selective Service violators in prisons; 5,656 under indictment including 4,600 listed as fugitives; 6,069 cases under FBI investigation, and 2,513 under Selective Service review before reference to a U.S. attorney.

Of the fugitives (those indicted who failed to appear for arraignment) Morse said it is estimated that 2,800 are in Canada, 550 in other countries, and 1,250 in hiding.

Percy said he is "almost ready to recommend" that the parents, neighbors, or attorneys of those who have fled the country talk to the U.S. attorney in their own district about what the judges are doing about penalties.

"If a young man wants to get back in American society, he'd better go before the court," Percy said. "The law is right there. He has broken the law.

"He should go in and say: 'I did break the law. Judge, these are the reasons I broke the law. I'm willing to take the penalty.'

"Many times he'd find that probably the penalty he'd be required to take is substantially less than if he'd wait around for a couple of years and maybe, maybe there would be a presidential amnesty and maybe the Congress might get around to legislating on it."

Percy said he could not support even a conditional amnesty bill right now, with American prisoners of war not yet all returned and the missing in action not yet accounted for.

Congressional sentiment against amnesty would be very strong right now, Percy said, adding: "I don't see it in the near future."

President Nixon has declared his opposition to amnesty several times recently.

Such reports strengthen the possibility that draft evaders who now return to their communities might anticipate a sympathetic reaction or, at least, that "most prosecutors will find themselves reluctant to allocate scarce resources to the effort to punish the 'misguided' children of local taxpayers and voters," as Professor Anastaplo states. But, I am not sure that will be the case.

To a considerable degree, my recent statements on amnesty were presented because of my concern that widely heard public statements may have already prejudiced the judgments of local prosecutors. Had we been distracted from public discussion of amnesty by more pressing events, de facto amnesty could, indeed, have offered the most practical—and most comfortable—solution. But strong statements have been made on one side of the issue and, for no other reason, Congress is duty-bound to take up the question of amnesty in a responsible and objective manner, so that those who may be asked to determine the penalties for Vietnam-era draft evaders are aware of the fact of amnesty in this country's history. I will continue these statements and encourage my colleagues to participate to the end that, when judgment comes for those who left the United States or "went underground," such judgment will consider all of the implications of amnesty and not just the emotional climate of the moment.

Mr. Speaker, among the many historical precedents that exist, the Presidential and congressional amnesties following the Civil War provide probably the best illustration of a troubled country coming to grips with amnesty. Within a few days of the Union's victory over the Confederacy, and at a time when the burdens of the office could not have been greater, Andrew Johnson took the oath of Presidential office. In the midst of the North's celebration of victory over General Lee's surrender, the people of the Republic learned of the death of their leader and the new President quickly addressed the country to assure that the Federal Government had Presidential leadership:

> Your words of countenance and encouragement sink deep into my heart, and were I even a coward, I would not but gather from them strength to carry out my convictions of right. Thus feeling, I shall enter upon the discharge of my great duty firmly, steadfastly, if not with the singular ability exhibited by my predecessor, which is still fresh in our sorrowing minds.

His task was unquestionably great. The largest part of his "great duty," the reconstruction of the South and the reconciliation of the Nation, lay ahead. If the Civil War had been largely fought over the constitutional principle of the unity of the States, that question was now resolved. Still, there remained the physical devastation of the South. Most of its land and crops had been destroyed; the capital and credit of southern businessmen were gone; its industrial system lay in waste; southern commerce and trade had ground to a halt; and, besides the loss of so many southern men, those who remained fought the painful emotional and psychological scars of the war. It was apparent that, somehow, this physical and human damage had to be repaired; yet, feelings were deeply divided over the role which the Government should take in sealing the victory.

Some believed that a retaliatory, or revengeful, policy of ostracizing and disenfranchising the rebels and confiscating their property could only hinder reconstruction and make reconciliation a long-distant hope. Lincoln had said that the shortest route should be taken to bring the people of the South into concord with the rest of the Nation. Vindictiveness could only seriously injure and repress popular energies, as well as stifle industry and enterprise. Many Americans rightly questioned President Johnson's "convictions of right" on these issues and asked if he would continue Lincoln's course or establish his own direction on these matters. Andrew Johnson held in his power the destiny of those men who had violently resisted the authority of the Government in the past. As Lincoln had often been publicly reminded, Johnson had sufficient grounds to exercise personal and public revenge against the leaders and soldiers of the Confederacy. The so-called radicals of the time were also ready to convince Johnson that the slaves should be freed as a prelude to thoroughgoing punishment of the leaders of the Confederacy, including confiscation of their property. And, early on, it looked as if President Johnson might follow these lights when, speaking to a nation still in shock over the assassination of Lincoln, he stated:

> One thing I must say: every era teaches its lesson. The American people must be taught, if they do not already feel, that treason is a crime, and must be punished; and that the Government will not always bear with its enemies; that it is strong, not only to protect, but to punish.

But in a short space of time, on May 29, 1865, Johnson began to build his own policy in an official act which extended amnesty to a limited group of southern rebels. The President's mood at the time may have been that of his Attorney General, James Speed, who commented that restoration of order in the South was important and could be accomplished through proclamations of amnesty, but then added:

> Some of the great leaders and offenders only must be made to feel the extreme rigors of the law . . . not in revenge but to put the seal of infamy upon their conduct . . .

In contrast to Lincoln's clemency, Johnson's proclamation contained 14 excepted classes, in what appeared to be a much reduced definition of amnesty. President Johnson did not, however, rule out individual applications for pardon from those in the excepted classes. He later appeared to be generous in granting individual clemency and devoted a great deal of his time to the study of such requests. Whether these personal applications of principle affected Johnson, or whether he had simply not had the previous opportunity to demonstrate the depths of his own thinking, can only be speculated upon by historians. Little more than a year after his first, restrained proclamation of amnesty on July 3, 1866, Johnson pardoned all deserters who returned to duty within 60 days and forfeited their pay.

In later months, the President proceeded to expand his own definition of amnesty. Subsequent proclamations of September 7, 1867, and July 4, 1868, broadened the scope of his clemency actions to include most of the rebels, previously excepted. In his final amnesty proclamation on December 25, 1868, President Johnson declared a universal and unconditional amnesty to all remaining rebels of the Confederate States. Johnson had said to the country several months prior to that action:

> Deep wounds have been inflicted; our country has been scarred all over. Then why can not we approach each other upon the principles which are right in themselves, and which will be productive to the good of all? The day is not distant when we shall feel like some family that has a deep and desperate feud, the various members of which have come together and compared the evils and the sufferings they have inflicted upon each other. They have seen their error and its results and, governed by a generous spirit of reconciliation, they have become mutually forbearing and forgiving, and have returned to their old habits of fraternal kindness, and become better friends than ever.

During a tour of the country to measure support for his policies, which were hotly challenged by conservative Members of Congress, Johnson expressed his feelings about the defeated rebels and deserters, and his reasons for his upcoming, unrestricted pardon:

> They are not fit to be a part of this great American family if they are degraded and treated with ignominy and contempt. I want them when they come back to become part of this great country, an honored portion of the American people. I want them to come back with all their manhood; then they are fit, and not without that, to be part of these United States. . . . I fought those in the South who commenced the Rebellion, and now I oppose those in the North who are trying to break up the Union. . . . I am for the Union, and for the whole Union, and nothing but the Union.

Horace Greely of the New York Tribune wrote shortly after the December 25 amnesty:

> We rejoice that the very man who was most vehement in proclaiming that "treason is a crime, and traitors must be punished," when Mr. Lincoln's murder had set the country's will for vengeance, now fathers the most sweeping amnesty ever pronounced by man.

President Andrew Johnson had moved from a somewhat vindictive stance to "the most sweeping amnesty ever pronounced by man," in the eyes of at least one influential newspaper editor. In the end, he gave his own phrases to the sentiments previously stressed by Lincoln by counseling that the only way to move forward was to build from these "disorganized and discordant elements" by welcoming them back into the Union.

And, Johnson's statements in explanation of his final Christmas amnesty were singular invocations of the need for a speedy reconstruction, which brought his public acts into accord with Lincoln's wish that reconstruction be—

> . . . least humiliating to the people who had rebelled against their government . . . being the mildest, it is also the wisest policy. The people who had been in rebellion . . .

surely would not make good citizens if they felt that they had a yoke around their necks.

All this, of course, Mr. Speaker, occurred a hundred and more years ago—and, as some will say, in a very different context. The lessons of the past may not, indeed, fit the problems of today. Such latter problems are different, and produce widely different reactions. One such reaction—that, in some ways, I hesitate to use since, though always provocative, she is not, to my mind, always equally objective—is the following Mary McGrory column from a recent Washington Star edition. Ms. McGrory's work is not universally admired by my colleagues, as I know, but I have determined in this series to present all points of view as far as possible and, certainly, some of the points she makes about certain aspects of today's problems with amnesty are most worthy of our consideration.

Vindictiveness in Fashion

(By Mary McGrory)

Three years ago at Easter, the late Richard Cardinal Cushing, Boston's great-hearted prelate, posed a question:

"Would it be too much to suggest that we empty our jails of all the protesters . . . without judging them; that we call back from over the border and around the world the young men who are called deserters?"

The answer most recently given to that noble question by the President is: No amnesty.

". . . Let us," Richard Nixon said, the night he proclaimed the end of the war, "not dishonor those who served their country by granting amnesty to those who deserted America."

The President, as he so often does, has cast the matter in an iron equation. The country is asked to choose between the tortured prisoners of war and the draft-dodgers and deserters who refused to participate. It is no contest. He sets the tone of Middle American thinking. Vindictiveness is this year's Easter fashion.

By every indicator, the country has turned thumbs down on the exiles. Dispossessed as many of them are, the young resisters pose a threat. Better to keep them in jail or in foreign lands than to examine the reasons why they are there. Open the heart to them and you open the mind to the moral horrors of the last 10 years.

Richard Nixon has declared a spiritual victory in Vietnam. The returning prisoners are proof of the American character and, by extension, the justice of the war.

If the exiles come home, they bring the awful dilemma with them. Were they right, or was he? The war is still going on, the bombs are still falling. The question is still there.

The country is fleeing it. Public opinion polls, mail to Congress and letters to the editor echo the President: Never.

A World War II veteran from Vancouver, Wash., writes that the deserters and resisters are "gutless, sniveling babies, who whimpered and crawled on their bellies and now whine to come home."

From the opposite pole comes a letter from a Washington, D.C., mother. Her son failed to persuade his draft board that he was a conscientious objector, was inducted and, on the eve of being shipped to Vietnam, fled to Canada.

"The war is over for many, many people. It's not over for our son or the thousands like him. We go to Canada to see him, but he can't come home, and that's hard," she writes.

Only a handful of the homecoming POWs have entertained any notion of amnesty. One of those who spoke out unequivocally in favour was Capt. Guy D. Gruters of the Air Force, who told a Maxwell Field press conference:

"I believe that our Christian heritage says that peacemakers are very good people. Amnesty will unite the U.S., if nothing else."

The POWS, despite their celebrity are not the only veterans of Vietnam. There are 2 million others who also are entitled to speak. Unlike the captured pilots, who were mostly career officers, they do not all share the POWs' enthusiasm for the war or "peace with honor."

From one of them, an Indianian, comes an entirely new note in the stalled discussion. Terence DeShone, 27, is a veteran, a Navy E-4 who served for 19 months on three aircraft carriers. He has taken it upon himself to write letters to half a dozen newspapers in behalf of unconditonal amnesty.

"For every draft-dodger or deserter in Canada or Sweden," he writes, "there are thousands of young men between the ages of 22 and 35 . . . who evaded military service by means of parental, student, occupational or physical deferments. They're not being punished or ostracized and they should not be.

"It would be impractical to punish these millions who dodged the draft through so-called 'legal' means, but yet it is not fair to punish only those who emigrated, if they ever return to America."

Reached by telephone in Elkhart, where he is now a student at Indiana University, DeShone said, "I don't hold anything against anybody who got out of it, because it was disgusting."

If the premise of the discussion could be changed from the rightness and the wrongness of the war to its undisputed unpopularity, which even Richard Nixon concedes, the veterans might come forward in defense of their brothers and turn the country around.

A National Conference on Amnesty will be held in Washington the weekend of May 4. The sponsors are the American Civil Liberties Union, the National Council of Churches and the National Conference of Black Lawyers.

One of the sponsors said, "The Vietnam veterans are going to have to get amnesty for us."

Incidentally, Mr. Speaker, Ms. McGrory notes the fact of a pro-amnesty rally of some sort being held here in Washington this week and advises us of some of its sponsors. For what it may be worth, my colleagues should know that I intend to take no part therein—in fact, have not been invited to do so; nor do I wish to become associated with any such formal or informal movement for the simple reason that what I am doing I am doing on my own—for reasons I believe to be valid and responsible—and that any such association on my part could tend to diminish my own ability to keep this discussion as thoroughly objective as humanly possible.

DOES JUSTINIAN STILL LIVE?

PART II

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. Brinkley) is recognized for 15 minutes.

Mr. BRINKLEY. Mr. Speaker, the following excerpt appeared in a column from The Columbus Enquirer on April 28, 1973:

Democrats Ran Scared in Post 5 Election

(By Paul Timm)

I'll be the first to admit that I took the whispering campaign against Mr. Hirsch with a grain of salt and felt that the whole thing had been blown out of proportion as a purely political expedient.

As the election results poured in and telephone callers asked results, my mind was changed.

Some of the language used by what started out to be nice old ladies and little old gentlemen turned almost obscene. In more than one case I hung up in disgust.

I wish I had the names of the anonymous callers. Some of them surely must have been wearing the hood of the KKK.

Strange! On the surface Columbus appears to be a city fortunately devoid of widespread or deep rooted bigotry. Underneath the veneer of the city, however (and I shed a tear because of it) there is a discrimination that is almost unbelievable.

Woe be unto us if this insidious germ of hatred spreads any further. Better it be rooted out and banished forever.

A lot of wars have been fought to this end, but there are those who insist on being maggots in the meat of humanity.

Mr. Speaker, the following news article appeared in that same newspaper, The Columbus Enquirer, on April 27, 1973:

Voting Stand Is Defended by Brinkley

(By Ron Feinberg)

A letter from a Columbus teen-ager that praised the moral character and political ethics of U.S. Rep. Jack Brinkley was used Thursday night to explain his stand in the recent city council race.

Speaking before members of the Columbus Jaycees, Brinkley heatedly supported his manner of endorsing Democrat Milton Hirsch for the Post 5 seat.

Asked why he brought up the question of "malignment" when the two candidates, Hirsch and Republican Joan Mize, were carrying out such a clean campaign, Brinkley pulled a letter from his pocket and told the questioner, Bobby Ledford, he would be glad for him to see why he took such a stand.

"I'm not going to read this," the congressman told the group, "but I'll be glad to let you read this letter," he told Ledford, "and you can do with it what you like."

Brinkley did say the letter was from a local Columbus girl, Mitzi Kravtin, who is the president of the Southeast Region of United Synagogue Youth, an international Jewish youth organization.

Contacted in Ocala, Fla., where she is presiding over the annual convention of the regional group, Miss Kravtin told The Enquirer she wrote Brinkley after seeing him on television the night before the election, last Tuesday.

"I told him he had reaffirmed my belief in our political system . . . and that I was moved by the stand he was taking," Miss Kravtin said.

She added that she was astonished that a politician, in Georgia, and a non-Jew, "would take such a stand . . . supporting a candidate she felt was being unfairly maligned and was receiving biased treatment in the mass media."

Although Brinkley did not reveal the contents of the letter before the Jaycee group, they applauded him wildly when he placed the letter on the dais for Ledford.

Mr. Speaker, I have now received permission from Miss Kravtin to make her letter dated April 23, 1973, public and it reads as follows:

Hanegev Region,
North Miami Beach, Fla., April 23, 1973.
United Synagogue Youth

Dear Mr. Brinkley: I just finished watching the 11:00 news and felt compelled to write to you thanking and commending you on your broadcast re: the controversy involving the various letters in the campaign for the Columbus Metro-Post Council #5.

> As a serious-minded government student, I have noticed flagrant bigotry and prejudice in this campaign. (Not only in the political parties, but in the news media as well.) It was very inspiring to me to see you, a Congressman, and non-Jew stand with your moral convictions.
>
> Mr. Brinkley, the political scene lately in our city and nation has made me very disenchanted, but tonight you made me proud to be an American.
>
> On behalf of Southeast Region, United Synagogue Youth, I'd like to offer you my sincere appreciation.
>
> Please forgive the informality of this note.
>
> Most sincerely,
> MICHELLE "MITZIE" KRAVTIN,
> *President, Southeast Region.*

This same newspaper in an unsigned editorial today says:

> It was the opening statement of a letter mailed to some 40,000 Columbus voters which set off a furor. Mr. Brinkley stated that Milton Hirsch, who happens to be of the Jewish faith had been "unfairly maligned" . . . Whether he intended it or not Mr. Brinkley's charge had the effect of being a scattergun blast of ugly innuendo.

Please compare what my letter actually says:

> THE JACK BRINKLEYS,
> *Columbus, Ga., April 16, 1973.*
>
> DEAR FRIEND AND FELLOW COLUMBUS CITIZEN:
>
> Why am I for Milton Hirsch?
>
> It is not enough that he is a Democrat, although he and I are Democrats; it is not enough that he has been unfairly maligned, although he has been unfairly maligned.
>
> I am for Milton because Columbus is too big, too complicated and too important for me to remain silent on what I consider to be an important issue. The men and women who are in charge of the operation of our city have enormous responsibilities. Their decisions can affect our future for the rest of our lives.
>
> The issue here is one of *ability* not only to make decisions but to make correct decisions, and that IS enough. Enough to make us stop and think what this election is all about. We are filling a job requiring all the competence, all the experience and all the capacity we can muster.
>
> Won't you please consider Milton Hirsch—on his own merit?
>
> Sincerely,
> JACK BRINKLEY.
>
> P.S. I would personally appreciate it very much if you would make it a point to vote Tuesday.

Please notice the difference. The newspaper leaves the impression that my letter used the words: "who happens to be of the Jewish faith" although it did not.

Almost everyone in Columbus knows the role of the publisher, Mr. Maynard Ashworth, in the publication of the Ledger and the Enquirer. As was told King David, "Thou are the man." So, please Mr. Ashworth do not give me credit for something you did. You, sir, developed the so-called inferences, and you know it; you, sir, channeled them to your candidate. You, sir, have done the terrible injustice with your massive distortions. To me personally, to my family and to my fellow citizens.

I call upon you now to publicly disclose whether or not you read the Paul Timm article quoted above and, if so, to explain it. I will be glad to join you in a public discussion and will share the cost of live television coverage.

As I have said many times during my public service, the most persuasive advocates in my decisions are the people and it is to them that I am accountable.

Because I do not own a newspaper, I will attempt to purchase space in Sunday's paper in order that I may try to correct the wrong created by the ugly innuendo of your editorials.

Mr. Speaker, around the hallowed walls of this House Chamber there are relief portraits of the great law givers of history. Perhaps the greatest of these is the one of Moses, directly in front of you on the far wall.

On the left wall, at the back of the Chamber, is Justinian and to your right is Blackstone, Napoleon, and Jefferson; to your immediate left is Mason.

Moses gave us the Ten Commandments; Blackstone, the common law; Jefferson, the Declaration of Independence; Mason, the Bill of Rights.

Justinian is remembered in history as codifier of Roman law and Napoleon is remembered as the author of civil law.

The bigotry of a Justinian and the crimes of a Bonaparte are forgotten, because at their bidding, the rough places of the ways of justice were made plain.

Almost forgotten.

Bigotry in any form and in any degree is wrong. Whether it is cloaked in the voice of sophistication or in reverse discrimination, it is deserving of eradication by any who find it.

May we heed the urging of a former President who said:

> With a good conscience our only sure reward, with history the final judge of our deeds let us go forth to lead the land we love, asking His blessing and His help, but knowing that here on earth God's work must truly be our own.

WHO SHALL GOVERN? PRESIDENT VERSUS CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 5 minutes.

Mr. GONZALEZ. Mr. Speaker, on Friday, April 27, I was the speaker at a political forum program on the Texas A. & M. University campus at College Station, Tex.

I would like to share with you and other Members of this body the text of my remarks on this occasion:

WHO SHALL GOVERN? PRESIDENT VERSUS CONGRESS

I doubt that we have had any period in history, save the time when Congress impeached Andrew Johnson, when there was such tension and discord between the President and Congress. The President has made it clear that he believes Congress ought to be his servant and not his equal. The Congress has said that it has a right to be heard, to make laws, and to see its will carried out. The President, by refusing to spend appropriated funds, by vetoes, and even by a huge public relations campaign, seeks to subvert and destroy the capacity of Congress to enforce its will or even to form an independent judgment on national policy. Congress is angry and in disarray; its powers are in danger of being swept away; and if it loses these powers, the nature of our government will have changed in a fundamental and dangerous way. If the President wins, the government of this country in the future will be one-man rule.

This contest for power is more than just a political struggle between ambitious men. It is a struggle for survival—survival of our national institutions, and survival of constitutional government itself.

To understand this struggle, you must understand the nature of our government, and understand how that government was intended to operate.

I

The Constitution of the United States did not spring full grown out of the Revolution. The revolutionary government was the Continental Congress, and it was the Congress that governed the United States for its first ten years of existence.

Under the Continental Congress, there was no President, no Executive in the sense that we know it today. There was no Federal judiciary, and not even a unified currency. In fact, the central government was so weak that it could not effectively govern commerce, and had no clear powers of its own in any other field, save what it could persuade the states to give it—and that was very little.

Even under the primitive conditions of the time, it soon became clear that the United States could never grow and prosper—might not even be able to maintain its independence—without some kind of effective central government. There had to be some means of settling quarrels between the states, of regulating commerce, and of establishing a national currency. Without any effective money, the states could not trade among themselves, let along with anybody else; using English money was not a satisfactory answer, and besides the states had a nasty habit of trying to discriminate against each other's products by setting up their own tariffs. There was no central government that could provide the money to run the economy, or stop the internal bickering, or build roads to the west or anywhere else. Congress was a floating opera, and the government had neither head nor tail.

The revolutionaries had to resolve a difficult problem—to find an effective government, but not one that restored the evils of all-powerful central government.

The question that the framers of the Constitution had was this: how do you give enough power to the central government to enable the federation to work, but not so much power that the government is uncontrollable? It is easy to grant power to government, but not easy to keep a leash on it. The problem was to do exactly that and retain the aims of the revolution, but how?

The Continental Congress did not work because there had been no clearly defined powers of central government. What was worse, there had been no executive authority to carry out the will of Congress. The answer to that was simple enough—define the powers of government and create an executive, who would see that the laws were enforced. And that is what was done.

The problem of how to keep the government on a leash was solved neatly enough: first, by listing just what powers the central government had; second by splitting the power between President and Congress—and further, by splitting the Congress itself into two bodies. The idea was that Congress would represent the people—in the House—and the states, in the Senate. Laws would be passed if the states and the people could get together. (Senators, you should remember, were originally elected by the states, not the people.)

The Founders had in mind a Congressional government. That is why the powers of Congress are so clearly spelled out, and why the organization of Congress is also so detailed by the Constitution. By contrast, the President's office is not so clearly organized in the Constitution. He was a sort of magistrate, the fellow who would be caretaker of matters while Congress was not in session.

He'd see that the money was printed, set up some kind of taxing authority, principally the Coast Guard, because tariffs were the principal source of government revenue, and be Commander-in-Chief, when and if Congress gave him an army.

The role of the Federal courts was even less clear—and it was only later that the courts emerged as a powerful element of the federal government.

By delineating what the federal government could and could not do—and restricting it even further by throwing in the bill of rights—and splitting the powers between President and Congress, and dividing the Congress itself, the Founders created a central government that could govern enough to make the federation work, but not so much that it would destroy the aims of the Revolution. It was a Congressional government in concept.

II

But this system of government did not work automatically. It depended on the minds and wills of men to run it. How it actually developed was the result of the early actions of a few men, and later on the result of the gravitation of power from the states to the central government.

Those who pushed through the Constitution did not necessarily agree on how it would work. You had Jefferson, the gentleman farmer and Renaissance man, who believed that the best government was the least government. He feared giving the government power. That's why he helped push through the bill of rights—to be certain that everybody knew that the Revolution was not for nothing. On the other hand, you had Alexander Hamilton, George Washington's right-hand man, who believed that the central government had to be strong and vigorous. Hamilton wanted big government—at least by the standards of the day. As the first Treasury Secretary, it was Hamilton who set up the decimal money system and financed operations of the government; he conceived and carried out the key policies of the first Washington administration.

Congress did not trust Hamilton and his Federalist friends, so a considerable amount of tension developed between the President and the Congress. There was a contest for power—Hamilton, who aimed to print money, and did, and Congress, which thought he was excessive in his claims of power. Hamilton, who thought the President was entitled to special courtesies and consideration from Congress, and the Congress, which argued bitterly about whether to even let Washington come down to the Capitol, let alone be given some special title, or be addressed as something other than an ordinary fellow.

The tension between the Federalists and the anti-federalists—between the forces favoring a strong executive and those wanting Congressional government—led to the creation of political parties. It also set off the political feud that created a strong Judiciary—the case of *Marbury vs. Madison* involved a straight political issue, but allowed Justice Marshall to establish the doctrine of judicial review, and made the Supreme Court an equal branch of government. After that, the referee between Congress and President was the court.

The first Federal government was essentially a Congressional government. Presidents might once in a while do something spectacular—Jefferson buying up the West, Jackson tearing down Hamilton's Bank of the United States—but the Federal government was small and Congress maintained firm control. Not many early Presidents are well remembered: you probably remember more readily the Congressional names like Clay, Calhoun and Webster than names like Buchanan, Van Buren or Harrison.

The Civil War brought a strong President forth, but that was an extraordinary situation to say the least. Congress reclaimed its power by impeaching Johnson, and Grant fumbled his chances away in scandals not unlike the Watergate and ITT controversies in their impact. Congress remained ascendant until the turn of the century. After that, we had the beginnings of Presidential government.

III

What happened?

Congress could dominate the government as long as the needs of the country required no really strong central government. The business of opening the West, expanding our borders, and otherwise developing a relatively empty land, took only a policy of benign neglect to carry out. Congress provided the key—the Northwest Ordinance—and a few other necessary ingredients, but on the whole, the country could develop without big government. It was an agrarian society, not industrial, rural rather than urban, and did not face any powerful external enemies. There was no need of a big military force—let alone a military draft—, no need of big taxing powers to take care of urban needs, and no requirement for regulating big industry.

Our development might have been smoother if the federal government had been somewhat more potent. Some of the financial panics might have been avoided with a central banking system like Hamilton had set up, but Congress never restored it, nor did anybody except Lincoln try to do much about it. The government might have been wiser to offer money instead of land to the railroads, but that would have required higher taxes. It did not take big government to enforce the tariffs or hand out public lands. Congress could set a few basic policies and the country would run well enough.

But as the country matured, the need for a strong central government grew. With the industrial age, something had to be done to keep the financial wheels turning; with our emergence as a world power, something had to be done about foreign affairs; and with growing cities, somebody had to do something about urban problems. All of this required a continual exercise of greater powers—not just a grant of powers to the central government, but a continual exercise of those powers. Since Congress itself cannot be the executive, that meant the Presidency had to grow stronger.

Thus, with the need for stronger central government, and the need for constant executive action by that government, the era of Congressional government came to an end. The Garfields, the Arthurs, and other obscure presidents were no more. Republicans, fond of the old days, tried to dismantle Federal government, but after Warren Harding, never got very far.

IV

Theodore Roosevelt was one of the earliest to recognize the potential powers of the Presidency. He also came into conflict with Congress over this—but he established presidential government.

Roosevelt built the Great White Fleet and engaged in an aggressive foreign policy, taking over the Panama Canal project from the French and pushing it through, for instance—but not without struggles with Congress.

Legend has it that when Roosevelt wanted to send his Great White Fleet around the world, Congress would not give him the money for the project. It cost too much, they said, and who needed a display of naval power anyhow? Roosevelt did have enough money to send the fleet out as far as Tokyo, where the money ran out. Congress had the choice of giving him the money to buy enough coal to get the fleet back, or leave it in Japan. So the fleet went around the world.

Legend or not, this story illustrates the dilemma of Congress in confronting a strong executive. The President has a great number of powers, and by judicious use of his powers, can leave the Congress with little or no choice but to follow his lead. This is especially true in foreign policy. How can Congress stop the bombing of Cambodia, for instance? Only by grounding the whole air fleet—we have the same kind of choice here that the stranding of the White Fleet gave our predecessors decades ago.

The presidency by its nature carries strong powers in foreign policy, which explains why the first powerful forces of presidential government developed in that area—Roosevelt's big stick, Wilson's gunboat diplomacy all over Latin America, Wilson's policies leading to World War I, Roosevelt's policies before and during World War II, Truman's undeclared war in Korea, Kennedy's Cuban adventure, Eisenhower's intervention in Lebanon, Johnson in Vietnam and the Dominican Republic, Nixon in Laos and Cambodia, established almost unlimited executive authority in foreign policy.

So Congress is left with domestic policy, and now the President seeks to take that away, too.

V

Presidential government in the domestic field had its modern beginnings in urban and industrial problems. The Sherman Anti-Trust Act of 1890 started things off; then there were the pure food and drug laws; and then there were the Wilsonian programs that really gave birth to big government—including, at last, a central bank in the form of the Federal Reserve. Congress could grant these powers, but only the President could carry them out.

The Republicans attempted to do away with Presidential government by torpedoing the League of Nations, passing the neutrality acts and getting us back to normalcy with Harding and Coolidge, but Hoover and the Depression finished that—and almost finished off the Republicans, too. Franklin Roosevelt established big government—and completed the domestic ascendancy of the Presidency as well.

Under Roosevelt, the neutrality acts did not prevent his following his chosen foreign policy; and the exigencies of world depression gave him unlimited powers over the domestic life of this country. That completed the building of the modern Presidency, and set into full motion the decline of Congress as the dominant branch of government. After Roosevelt, the only real role Congress had in foreign policy was to approve treaties and fork over the money required to do the President's bidding. In domestic affairs, Congress might say no to Presidential proposals, but never developed the capacity to do more than to frustrate the President—Truman for a while, Kennedy, and Nixon, sometimes. But whenever the President has had a majority of Congress in his party, as Johnson did, the President dominates domestic policy just as thoroughly as foreign policy. Nixon's frustration stems from his inability to win a Republican majority in Congress, so he is seeking to dismantle even the power that Congress has to frustrate him. He wants to see the final demise of Congress as a part of this government, and create Presidential government in its fullest glory, which is to say that he wants one-man rule.

Up until now, Presidents have given Congress domestic legislation and we have passed it, modified it, or not acted at all. Mr. Nixon began in this way, but very little of his domestic program got enacted, save for revenue sharing. One of his problems was that he never tried very hard—welfare reform was abandoned, and finally torpedoed by the White House, itself, when it could have been enacted by engineering a simple compromise. The Administration never had much of a domestic program beyond welfare reform, and what it did have, the President's men were not enthusiastic about, so not much of it was passed.

Mr. Nixon wants to dismantle a great deal of the Federal machinery that has been erected to deal with social problems. He realizes that Congress will not repeal these programs, and so has hatched revenue sharing. He would simply give the states huge amounts of money to do with as they please. This would achieve the objective of eliminating social programs, without Congress having to repeal them, or Nixon taking the responsibility for the action. The dissolution of the programs would come about because the money would be sent to a great many places that don't need it—his new communities program gives more money to the two richest counties in the country than they can conceivably get now, for instance—and put money in the hands of governments that don't necessarily know how to deal with complex urban problems, or care very much, either. And revenue sharing, in general, makes less Federal money available anyway. So the object of revenue sharing is this: start with less money, slice it up a little thinner, and give it to the people who don't really have the same ideas in mind that Congress does on what ails the country and what to do about it.

Needless to say, Congress has not taken to this idea very enthusiastically. In the first place, we do have a commitment to social programs—they are needed, most of them work well enough, and we know that the money is going where it will do the most good. In the second place, Congress is very reluctant to take its only important power—domestic legislation—and turn it over to the states and the mayors. If we do that, we might as well go out of business altogether. And finally, the President does not do a very good job of salesmanship. Few in Congress have real trust in him; even Republicans wonder why he didn't use that Watergate slush fund to help elect a few more Republicans.

The President, unlike his predecessors, is not content to let Congress work its will. He has told us that if we don't do things his way, they will not be done at all. In education, he says that we can enact his education revenue sharing, or he will kill all existing programs. He's giving us that kind of choice—do it his way, or destroy the whole system.

But if we do it his way, we will be destroying our last important realm of power in government, and effectively destroy ourselves and the government as we know it. And so the fight is on.

The test is this: who will set the basic policy of our government. I concede that the President, rightly or wrongly, sets the course of events in foreign affairs. But Congress has the right, the responsibility, and the authority, to set our basic domestic policy, and to influence foreign policy as far as we can. Unless the Congress remains as a part of the policy-making machinery, we will have a wholly different kind of government—one in which the President alone decides what, and how will be done, and when. That is not what the Founders of this country intended, and it is not consistent with the Constitution. The President may wish for a parliamentary system—but if he does, he is going to have to share the power with his parliament. He may wish for one-man rule—but if he does, it will be the end of George Washington's revolution and the coronation of Richard the First.

VI

The Congress is at a great disadvantage in this struggle. It is divided into two houses and subdivided into conflicting parties, loyalties and interests. It has no way to enforce its will—what do you do if you pass a law and the cops don't enforce it? The law is on the books, but nothing has changed.

The President has an enormous advantage. While Congress may have diverse ideas on a given issue, he has only one, and can enforce that idea throughout the Executive. He has access to vast public relations resources—the legions of government speakers and speechwriters, and complete domination over the mass media (because nobody else can command TV time like the President). The Congress tends to diffuse issues, but the President can focus on them.

And because the President has such powerful access to the press and the media, he can usually state the case in his own terms. That is, he can fight all his political battles on his chosen ground; he can control the issues that are debated in the public eye, and can by manipulating the facts and figures, sharpen or distort the case in any way he sees fit. And Presidents do not hesitate to do this.

But the inequality of the contest does not mean that it is over, or never will take place. God forbid.

The framers of the Constitution never intended that the powers of President and Congress would ever be fully defined. The Constitution is full of gray areas, natural lines of tension. This was done because the framers wanted the powers to be diffused enough that the government could be held on a leash, and never exceed the powers granted it. To the extent that one branch gets unlimited power, the ability of government to overreach its authority increases—because there's nobody to stop it. When the President obtained complete domination of foreign policy, and Congress lost its role in that field, the Presidents could—and have—involved us in undeclared wars—Korea and Viet Nam. Even some of our actions in the prewar period amounted to undeclared war. That was never intended by the framers of the Constitution.

If the President has unlimited foreign powers, and has thus been able to destroy the protections against unwanted wars envisioned by the writers of the Constitution, can we safely sit back and let him take over all domestic authority? If that happens, what remains to keep a police state from developing? What remains to keep the government from assuming all power, in the name of one man? The answer is sadly, that keeping power in check requires that power be shared. The President may not like this, but if we want this government to survive, that is the way it has to be.

If the President wins his court fights, his legislative fights, and his political fights all the gray areas, the contested zones of power, will be defined. When that happens, the flexibility and suppleness of the Constitution will be gone; and since power would no longer be divided, the revolution would be over, and the king restored to his throne. The only difference would be that the king's throne would have moved across the Atlantic, and his name would be Richard, rather than George.

MR. NIXON WAVES THE FLAG

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Ms. ABZUG) is recognized for 30 minutes.

Ms. ABZUG. Mr. Speaker, on Monday night we were treated to the 1973 version of Mr. Nixon's pathetic "Checkers" speech. Age has not improved his rhetoric or weaned him from reliance on the cliché and Old Glory. He started his address posing between an American flag and a bust of "Honest Abe" Lincoln and wound up by invoking Tiny Tim's prayer to God to bless us "each and every one." Neither Lincoln, Dickens, nor the refuge of superpatriotism can substitute for the truth, and it is difficult to believe that we were hearing anything approaching the whole truth in President Nixon's TV speech.

I have too much respect for the Office of the President to be deceived by the man who now holds that position or to accept his pious disclaimers of any knowledge of the political espionage, wiretapping, conspiracy, lawbreaking, and subversion of the democratic process that we now refer to as Watergate.

The Nixon speech represents the beginning of a concerted effort to portray the President as above this whole sorry mess. It will not wash. The Watergate scandal is all about him, and it has been so since last June 17. It involves his closest advisers, whom he still praises, his Cabinet officers, his personal attorney, the White House attorney, the head of the FBI, and the man he chose as Attorney General and later as head of the Committee To Reelect the President.

Mr. Nixon would have us believe that he was so wrapped up in affairs of state that he paid no attention to his campaign for reelection. I doubt that any President in the history of our country was indifferent to his own reelection, and certainly not this President.

Americans do not accept Mr. Nixon's denial of knowledge of Watergate, for the history of the case as it has unfolded in the press belies it. It is well known that Mr. Nixon does not read newspapers, only summaries prepared by his staff, but even in his insulated White House cocoon he must have heard enough of what was being disclosed in the press at least to arouse his suspicions of wrongdoing by men he saw every day. Yet Mr. Nixon apparently expects us to accept his statement that between June 17, 1972, and March of this year, he remained convinced that charges of involvement by members of the White House staff were false.

As others have pointed out, if the President did know about the illegal activities of his reelection committee—and he had any number of illegal actions to get wind of—then he is now lying to us. If he did not know what his closest advisers and appointees were up to, then he was more naive than any President can reasonably be expected to be, particularly when one considers that he was the beneficiary of these unlawful deeds.

In a speech that abounded in hypocritical statements, several passages stand out as presumptuous almost beyond belief.

Skirting the obvious fact that a conspiracy existed, Mr. Nixon tells us that—

> Watergate represented a series of illegal acts and bad judgments by a number of individuals—

And then praises the system that brought the facts to light—

> a system that included a determined grand jury, honest prosecutors, a courageous judge and a vigorous free press.

Does not Mr. Nixon know that Judge John Sirica repeatedly had to reprimand the Federal prosecutors from Mr. Nixon's Justice Department for failing to ask the obvious follow-up questions of the Watergate defendants that would have led to the involvement of high administration officials?

Does he think that with one phrase he can wipe out his vendetta against such great independent newspapers as the Washington Post and the New York Times or undo the malicious and false attacks on the media by his own press secretary and members of his administration?

If Mr. Nixon is now an overnight convert to freedom of the press, let him prove it by withdrawing his infamous Official Secrets Act (S. 1400), which would imprison Government officials, journalists, editors, publishers, and TV executives for disclosing almost any kind of defense and foreign policy information, whether or not its disclosure would endanger national security.

Let him call off the "Pentagon papers" trial of Daniel Ellsberg and Anthony Russo, in which the dirty hand of the Watergate lawbreakers was at work—at Mr. Nixon's personal behest, which represented a preview of the "official secrets" approach, and which has been irrevocably tainted by the attempt on the part of the White House to offer the judge a high Federal position.

Let him withdraw his so-called antiobscenity legislation, which would impose unprecedented censorship on newspapers, magazines, books, TV, and films.

Let him halt his administration's campaign of intimidation against public television broadcasting which is intended to suppress controversial programs or material critical of his administration.

Equally presumptuous was Mr. Nixon's attempt to insinuate that Democratic Party campaign "excesses" were comparable to those "shady tactics" used by his reelection committee. Having implied that Watergate was "a response" to some vaguely described actions by the "other side" Mr. Nixon says piously, "Two wrongs do not make a right."

Does Mr. Nixon know of any campaign action by the Democratic Party that can be classed with the criminal deeds of "Creep" and the abuse of Government power to extract millions of dollars—lots of it in cash—from corporations for the sole purpose of getting Mr. Nixon back into the White House? If he does, then he has a responsibility to make these facts public.

Let us not forget that the campaign to reelect President Nixon has been revealed to encompass not a "caper" but a host of criminal acts: wiretapping, conspiracy, perjury, obstruction of justice, criminal campaign financing, mail fraud, interference with the electoral process, criminal tax violations, and misuse of Government resources.

Let us not forget either that Mr. Nixon's pet corporation, ITT, won favorable disposition of an antitrust suit from Attorney General John Mitchell in exchange for money to underwrite the GOP convention and that milk price supports were suddenly raised by the Agriculture Department after dairy farmers came through with sizable campaign contributions. What "wrongs" committed by the Democrats does Mr. Nixon equate with these shocking and unlawful activities by his representatives or with the evidence that false letters and other phony data planted by Creep may actually have manipulated the selection of the Democratic Party's Presidential candidate?

One can only marvel at the audacity of Mr. Nixon in reciting his goals for America: "to make this country a land—of equal opportunity for every American; to provide jobs for all who can work and generous help for those who cannot; to establish a climate of decency and civility," et cetera. This from the President who made "busing" a code word for concealed racism in his reelection campaign, opposed public service employment, eliminated thousands of summer jobs, mercilessly cut social services, denied vocational rehabilitation to the handicapped, tried to illegally shut down the Office of Economic Opportunity, proposed a budget that cripples a broad range of socially necessary programs and unconstitutionally impounded funds specifically appropriated for these programs by Congress and signed into law by him.

And finally, Mr. Nixon tells us of his "terrible personal ordeal" on Christmas Eve during the renewed bombing of North Vietnam which he ordered to bring us "peace with honor." Does he expect us to sympathize with him as he sat in the safety of his vacation home while Vietnamese men, women, and children were killed and wounded by the savage bombing he unleashed?

Can he still talk about "peace with honor" when his insistence on ending the war without a viable political settlement protracted the fighting for the 4 years of his first term, when the fighting continues in Vietnam and his peace settlement is falling apart, and while he continues massive bombing of Cambodia without the slightest constitutional justification?

Just 2 years ago, on the orders of Mr. Nixon's Attorney General, 14,500 persons were arrested here in Washington during the antiwar May Day demonstrations. The scale of those mass dragnet arrests was unprecedented in the history of our Nation. John Mitchell boasted about them at the time as thousands of American citizens, many of them not even demonstrators, were dragged off to detention pens and held under miserable conditions without formal charges or any semblance of legality. The vast majority of these cases were dropped in subsequent court actions and just a week or so ago the District of Columbia Circuit Court of Appeals ruled that the arrests were indiscriminate and unjustified, and suggested that the Government pay back the bonds of those illegally jailed.

I recall the May Day arrests because they are typical of the Nixon administration's contempt for the law and its long record of illegal and unconstitutional actions culminating in the Watergate break-in. Watergate was not an isolated incident. It was the ugly soul of this administration.

There are understandable efforts now to have us accept Mr. Nixon's plea of innocence at face value. We in Congress must not go along with this charade or make ourselves accomplices to further deception.

We have a responsibility to join the Senate in demanding that a special prosecutor, totally independent of the President or his appointees, be named to pursue this investigation.

And insofar as the personal involvement of the President is concerned, we have a responsibility in the House to launch an investigation to determine whether Richard Nixon's conduct requires the exercise of the power granted to us under the Constitution.

I am pleased to note that my colleague from California (Mr. Moss) who is a distinguished constitutional scholar and legislator, is planning to introduce a resolution to provide for such an inquiry, and I shall join with him in introducing it and seeking its adoption by the House.

At this point, I wish to insert in the RECORD a relevant article on this subject:

[From the New York Post, May 1, 1973]

WATERGATE SCANDAL—THE TWO VERSIONS

(By Andrew Porte)

Throughout the history of the Watergate affair the public has been given two versions—the Nixon Administration's and the one pieced together by reporters and investigators.

Here are the two versions. The Administration's—along with events known to the public—is in standard type. A composite of the reporters' version is in italics.

1971

President Nixon drops behind Sen. Muskie, the Democratic front-runner in the polls. In April, Nixon trails by eight percentage points 47-39.

Nixon, according to columnist Jack Anderson, orders an espionage-sabotage effort aimed at undercutting Muskie and pushing Alabama Gov. George Wallace and Sen. George McGovern, whom Nixon thinks would be his easiest rivals. The instructions for setting up the mission are issued through chief of staff H. R. Haldeman.

In July, after the release of the Pentagon Papers, ex-FBI agent G. Gordon Liddy and ex-CIA agent E. Howard Hunt go to work for the White House, ostensibly as part of a task force formed to plug news leaks.

The work goes beyond that. Liddy suggests bugging the New York Times to see who leaked the papers. Hunt travels to Cape Cod, trying to find information that might be damaging to Sen. Edward Kennedy, still believed to be a Democratic Presidential contender. He tries to hire a government worker to spy on Kennedy. He tells his former boss that he wants to break into a Las Vegas publisher's safe because he might find information that might be "very damaging" to Muskie. On Sept. 3 Hunt and Liddy are involved in a break-in in the Los Angeles office of Daniel Ellsberg's psychiatrist.

At some point Hunt either obtains or forges phony cables showing Kennedy Administration complicity in the assassination of South Vietnamese President Diem.

In September White House appointments secretary Dwight Chapin, with Haldeman's approval, hires Donald Segretti to spy on and sabotage Democratic candidates. He directs President Nixon's personal lawyer, Herbert Kalmbach, to pay Segretti out of a secret fund that eventually reaches $500,000. The money comes from contributions to the reelection effort.

Segretti travels cross-country and approaches at least 18 persons to try to recruit them for his spy campaign. He remains in constant touch with Chapin and Hunt.

Late in the year the Committee to Reelect the President (CRP) is formed, with Jeb Stuart Magruder as temporary director. On December 10 Magruder hires Liddy as the committee's general counsel.

JANUARY, 1972

On Jan. 24, Attorney General Mitchell meets in his office with Magruder, Liddy and White House counsel John Dean. Preliminary plans for bugging Democratic National Headquarters in the Watergate are discussed.

FEBRUARY

On Feb. 4 a second meeting is held in Mitchell's office, with the same people attending. Liddy brings with him elaborate charts detailing his plans for bugging the Watergate.

Feb. 15—Mitchell resigns as Attorney General effective March 1, to become chairman of CRP.

Feb. 24—A letter, alleging that Muskie had used the word "Canuck," a slur on French-Canadians, is printed in the Manchester (N. H.) Union-Leader, while Muskie is campaigning in New Hampshire. Later Muskie breaks down and cries, and his campaign is downhill from then on.

A White House staff member admits to a Washington Post reporter months later that he wrote the letter.

MARCH

On March 4–5 a third planning meeting is held, this time at the Florida White House at Key Biscayne, Mitchell, Magruder and Liddy are present, and so is Fred LaRue, a Mitchell aide. (Magruder says Mitchell approved the wiretap plans at tnis meeting; Mitchell claims he gave a final veto and says he wants to know who went over his head to have them approved.)

(One report has White House counselor Charles Colson calling Magruder after the meeting to ask why the wiretap plans have been delayed. He allegedly expresses dissatisfaction with the delay in getting the plan rolling. Colson denies this.)

Later in the month, wearing a red wig, Hunt visits the ill ITT lobbyist Dita Beard. The purpose of his mission has never been made clear.

APRIL

On April 7 the new campaign financing law goes into effect. *A day earlier campaign treasurer Hugh Sloan gives $350,000 in unreported cash to White House aide Gordon Strachan, who places it in Haldeman's safe, where much of it remains throughout the campaign. Liddy also gets about $300,000 in cash, most of it in $100 bills.*

MAY

On May 2 Ellsberg is disrupted while speaking at an antiwar rally. *Some of those who participated in the incident are the same ones arrested in the Watergate. They say they were told the Ellsberg incident was a CIA mission.*

On May 8 Miami realtor Bernard Barker withdraws most of the $114,000 in Republican campaign funds that had been deposited in his bank account. Barker is later arrested inside the Watergate.

White House press secretary Ronald Ziegler says the President's mail is running 5-to-1 in favor of his decision to mine Haiphong harbor. *Almost a year later it is learned that CRP paid for and mailed many of the letters.*

An ad in the New York Times May 17 supports the mining decision. *The ad has been secretly paid for by CRP.*

On the Memorial Day weekend, a team of raiders breaks into the Watergate, photographs some Democratic files and places a tap on the phone of Spencer Oliver, the party's liasion with state chairmen. From a listening post in a motel across the street, monitoring of the conversations begins.

JUNE

Logs of the wiretapped conversations are delivered regularly to CRP. Liddy's secretary, Sally Harmony, types summaries and sends them to Magruder. Liddy assures his fellow conspirators that everything has been approved by Mitchell.

At 2 a.m. on June 17 five-men are arrested inside the Watergate. One of them is James W. McCord Jr., security director for CRP. *Hunt and Liddy escape. Hunt's name, phone number, and the notation "W. House" are found in a notebook carried by one of the men.*

Later that day, District of Columbia police call White House domestic adviser John Ehrlichman to tell him about the notebook reference to Hunt, Ehrlichman calls Colson, a friend of Hunt, to ask if Hunt still worked at the White House.

Liddy confronts Attorney General Kleindienst on the golf course, but Kleindicnst refuses to intervene.

On the next day there is a "housecleaning" at CRP, with Liddy and other officials putting incriminating documents through a shredder. Liddy tells Sloan: "My boys got caught last night. I made a mistake by using somebody from here, which I told them I would never do."

Eight cardboard boxes filled with documents are removed from the Executive Office Building. Some of the documents come from Hunt's desk. Included are plans for bugging the Watergate. The boxes are stored at the home of a CRP employe, still unidentified.

Mitchell says: "McCord was not operating either in our behalf or with our consent . . . I am surprised and dismayed at these reports."

On June 19, Dean, directed by Nixon to investigate, orders two aides to open Hunt's safe. The contents are taken to Dean's office. Press secretary Ziegler refuses to comment on what he calls a "third-rate burglary attempt."

On June 20 Dean goes through the contents of Hunt's safe, removes classified material and an attache case. Six more days go by before any of the material is turned over to the FBI.

On June 22, Nixon says: "This kind of action has no place whatever in our governmental process . . . The White House had no involvement whatever in this particular incident." *That same day, FBI agents interviewing Colson ask if Hunt still had an office in the White House. Dean, sitting in on the interview, says he'd have to check." (Months later, testifying before the Senate, acting FBI director L. Patrick Gray said Dean "probably lied.")*

That night, Martha Mitchell calls a reporter to say "I've given John an ultimatum. I'm going to leave him unless he gets out of the campaign . . . Politics is a dirty business."

At about this time Hunt, who has dropped from sight, calls a friend, asking him to contact Dean for help.

Three days later, Martha Mitchell calls again, saying: "I'm leaving him until he decides to leave the campaign. It's horrible to me . . . I'm not going to stand for the dirty things that go on."

She has been kept a virtual prisoner by security agents for the three days.

On June 28 Gray is summoned to Ehrlichman's office. There Dean give him two files of papers, saying they were "political dynamite." He suggests they "should never see the light of day." Gray takes the files, places them in a closet at home and has them burned a week later when he returns from vacation. He never knew the contents, but apparently they contained the forged documents linking the Kennedy Administration to the Diem overthrow, as well as other spurious documents. On the same day Liddy is fired by CRP for refusing to answer FBI questions.

JULY

Mitchell quits July 1, citing his wife's demands.

He authorizes payment of the "legal expenses" of those arrested but when this authorization was granted is not clear. On July Gray gives the FBI files on the Watergate case to Dean, without clearing it first with Kleindienst.

AUGUST

On Aug. 19, Dade County, Fla., State's Attorney Richard Gerstein, who has been conducting his own investigation into the questionable financial transactions, says several "prominent people" may be involved. On Aug. 26, the General Accounting Office reports that $114,000 in Nixon campaign funds had been deposited in Barker's account. Nixon finance chairman Maurice Stans replies, "it should be noted that the GAO report asserts no connection whatever between the finance committee and the so-called Watergate affair."

On Aug. 28 Kleindienst pledges that the Justice Dept. investigation of the Watergate affair would be "the most extensive, thorough and comprehensive investigation since the assassination of President Kennedy . . . No credible fair-minded person is going to be able to say we whitewashed or dragged our feet on it." The next day, Nixon says his own investigation, conducted by Dean, Lets him say "categorically . . . that no one in the White House staff, no one in this Administration, presently employed, was involved in this very bizarre incident . . . We're doing all we can to investigate the incident, not cover it up."

SEPTEMBER

On Sept. 1 Mitchell, in a deposition, denies prior knowledge of the bugging plans. He denies he was present at any meeting where bugging was discussed. "I'll swear to that," he says.

McCord receives $18,000 in $100 bills from Hunt to cover his "salary" for six months. The others involved—and their lawyers—are paid, too. Hunt advises McCord to plead guilty and remain silent and he will receive executive clemency.

On Sept. 15 indictments are handed up. Accused are Hunt, Liddy, and the five arrested inside the Watergate. Eight days later Asst. Attorney General Henry E. Petersen predicts, in a speech, that the seven will be convicted and go to jail without talking.

On Sept. 26 Kleindienst says he can state "categorically that no one of responsibility in the White House or campaign committee had any knowledge of the bugging. You can't get career FBI agents to dust something like this under the rug."

OCTOBER

On Oct. 10 the Washington Post reveals details of Segretti's espionage operation. A CRP spokesman calls the story "not only fiction, but a collection of absurd lies." The paper also calls Watergate part of a "massive campaign of political spying and sabotage."

On Oct. 18 Ziegler says no one then employed in the White House had "directed activities of sabotage, spying or espionage . . . If anyone had been involved they would no longer be at the White House because this is activity that we do not condone." The Los Angeles Times revealed details of former FBI agents Alfred Baldwin's statement of involvement in the plot. "I believed we were working for the former Attorney General." Magruder says: "When this is all over, you'll know that there were only seven people who knew about Watergate, and they are the seven indicted by the grand jury."

On Oct. 27, campaign manager Clark MacGregor admits Liddy had access to a secret fund. Other campaign officials had repeatedly denied the existence of any secret fund.

NOVEMBER

On Nov. 1, Barker is convicted in Florida of falsely notarizing a signature on a campaign check. A week later, Nixon is reelected in a landslide.

On Nov. 25, Colson tells friends he will soon leave the White House to join a Washington law firm.

DECEMBER

On Dec. 8 Hunt's wife is killed in a plane crash in Chicago. In her purse is $10,000 in $100 bills. She is repeatedly named as a conduit for the payoffs to the defendants.)

JANUARY, 1973

On Jan. 8 the CRP pleads no contest to eight violations of the campaign financing law in regard to payments to Liddy and is fined $8000. On the same day, the Watergate trial begins. Within a week, five of the defendants have pleaded guilty to all charges against them. The other two—Liddy and McCord—are convicted on Jan. 30. Judge John J. Sirica accuses the prosecution lawyers of not asking probing questions, of not attempting to find out who else had prior knowledge of the bugging scheme.

On Jan. 29 Chapin quits the White House to become an airline executive.

During the month, several aides go to Nixon several times to recommend that he "get rid of" some people who have covered up White House involvement in the bugging. Nixon asks them for evidence.

FEBRUARY

On Feb. 7 the Senate votes an investigation. On Feb. 8 Asst. U.S. Attorney Earl Silbert announces that the grand jury has resumed its investigation. The Justice Dept. begins an investigation into Segretti's espionage activities.

MARCH

On March 7 Gray tells the Senate Judiciary Committee, holding hearings on his nomination to be permanent FBI director, that Dean had been questioned about whether everything in Hunt's safe had been turned over to the FBI. Gray added that he was "unalterable convinced" there was no effort to conceal anything.

On March 20 McCord, in jail, writes to Sirica that pressure had been applied to him to remain silent, that perjury was committed at the trial. On the same day Dean goes to Nixon and tells him that he, Haldeman and Ehrlichman must tell all they know "to save the Presidency." Nixon begins his new investigation.

On March 22 Gray tells the Judiciary Committee that Dean "probably lied" in June when he said he would have to check to see if Hunt had an office in the White House. The next day Sirica reads McCord's letter in open court. Liddy gets a 20-year jail term.

On March 28 Ziegler "flatly" denies "any prior knowledge on the part of Mr. Dean regarding Watergate."

On March 28, Haldeman tells the Wednesday Group of GOP Congressmen that he had personally ordered "surveillance" of the Democrats, but "it got out of hand."

APRIL

On April 3 Liddy is sentenced to an additional eight months in jail for refusing to answer questions. On April 5, Nixon withdraws Gray's nomination. McCord begins telling his story to the grand jury.

On April 6 Dean tells his story to the federal prosecutors. On April 11 Magruder's assistant, Robert Reisnor, tells the grand jury that Magruder was receiving transcripts of the bugged conversations. Two days later Magruder meets with the prosecutors and tells them that Mitchell and Dean had approved the bugging plans, Mitchell is summoned to the White House.

Martha Mitchell says: "They want to hang something on him . . . I can tell you a story that will flabbergast you . . . I'll embarrass everyone around."

On April 15 Ehrlichman learns "new facts" about the documents from Hunt's office he had given to Gray. Gray tells him the files were destroyed.

Kleindienst and Petersen meet with Nixon apprise him of the situation.

The next evening Nixon sails on the Potomac with his trusted friend Secretary of State Rogers. On Tuesday, April 17, Nixon makes his dramatic TV statement that he has begun a new inquiry. Ziegler say his previous statements on Watergate are "inoperative."

SURVIVOR'S BENEFITS FOR CHILDREN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Utah (Mr. McKAY) is recognized for 5 minutes.

Mr. McKAY. Mr. Speaker, today I am introducing legislation to correct an inequity in that section of the Social Security Act dealing with survivor's benefits for children. It is my observation that some students, due to special circumstances beyond their control, are denied access to the full measure of student benefits to which they are entitled, because they are unable to complete their education in the prescribed 4 years between the ages of 18 and 22. My bill would extend to age 24 the time limit during which students in these special circumstances may enjoy entitlement to social security benefits.

The purpose of dependents benefits under the Social Security Act is to provide insurance protection against the loss of support which occurs when the breadwinner in a family dies, becomes disabled, or retires. When the Social Security Act was amended in 1965 to extend the period during which children could continue to receive benefits, it was in recognition of the fact that children under age 22 and attending school are usually dependent upon their parents for financial support.

There are some circumstances under which the intent of the act is not carried out because of the age 22 limitation. If a child becomes ill and loses his student status during some time between his 18th and 22d birthdays, he will forfeit the benefits for the education he was unable to complete during that time. The same holds true for the young man who fulfills military service during those years.

Of special concern to me is the effect which the rigid age limit of this portion of the Social Security Act has on young men who leave school to do missionary work. As you know, I represent a State with a large Mormon population. You may also know that most male members of the Mormon Church are called upon at some time in their lives to serve for 2 years as missionaries. Normally this mission service is given sometime between the ages of 18 and 22. It is usual for a young man to go to college for 1 or 2 years, leave to serve a 2-year mission, and then return to college to complete his education. The support of the young missionary during his term of service is almost always borne by his family or church group. The returned Mormon missionary is no less dependent on his family for support while he is in school, than other students. But he loses his benefits because his religious heritage requires 2 years of service at that particular time in his life.

My legislation will restore benefits forfeited by students who, because of health, religious service, or military service, lose their full-time student status for one or more months before age 22. The bill provides that no student may receive more than 48 months of benefits after he turns 18.

My bill will affect a relatively small number of people. But these people have a just claim to the benefits it will provide. I urge my colleagues to lend their support.

SETTING THE RECORD STRAIGHT ON WOUNDED KNEE

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, with violence, gunfire, bloodshed, and death prevailing at Wounded Knee, S. Dak., on the Oglala Sioux Indian Reservation, it is extremely important that the public be well informed as to the facts and background of this deplorable situation.

The House Interior and Insular Affairs Committee's Subcommittee on Indian Affairs conducted indepth hearings early this month on the takeover of Wounded Knee and on last year's destruction of the Bureau of Indian Affairs headquarters in Washington, D.C., both of which are the work of the organization known as the American Indian Movement—AIM.

The facts disclosed by these hearings are in many instances in sharp conflict with the general impression left by the media in the news coverage of both Wounded Knee and the BIA takeover. It is time to set the record straight.

Testimony during our 3 days of hearings brought out the following facts regarding the Wounded Knee occupation:

First. Immediately following his participation in the occupation and destruction of the BIA building in Washington during November 1972, Russell Means, an Oglala Sioux Indian and leader of AIM, was ordered by the Oglala Sioux Tribal Council to refrain from holding meetings on the reservation in South Dakota. The tribal resolution pointed out that Means had been responsible for threats against the life of the elected tribal president, Richard Wilson.

Second. Five days later, Means was charged by the tribal court with violating this order and posted a $75 cash bail bond. Means left the reservation.

Third. Two months later, in February 1973, Means returned to the reservation with about 200 armed AIM followers, seized the Pine Ridge Trading Post at gunpoint and held 11 non-Indians hostage. He demanded that a number of Members of Congress and the President of the United States go to Pine Ridge to meet with him.

Fourth. U.S. marshals arrived at the scene and ordered the AIM group to lay down their arms, release the hostages, and surrender. Means refused, and from February 27 to date, there have been numerous exchanges of gunfire between the AIM group and the U.S. marshals.

Fifth. The legal and elected tribal government of the Oglala Sioux repeatedly demanded that the marshals remove the AIM group from the reservation or stand aside while the tribe itself removed them. The tribal secretary, Lloyd Eaglebull, spoke for the council in labeling the AIM group as outsiders, invaders, and armed hippies.

Sixth. Over the strong protests of the tribal government, the Justice Department entered into a long series of negotiations with the AIM group, culminated by an April 6 agreement signed by the Justice Department and the AIM leaders.

Seventh. The Justice Department lived up to its end of the agreement, but Russell Means refused to honor the commitments he had made for AIM. The agreement proved worthless and the Wounded Knee occupation continues to this day.

From these facts, I am convinced that the AIM group occupying the Pine Ridge Trading Post is nothing but an armed band of brigands who do not represent the Oglala Sioux nor any other Indian tribe. They are using this violent tactic only as a means of gaining publicity and to raise funds from a sympathetic but misinformed public. Means told our committee he hopes to receive $2 million in contributions by continuing his illegal activities at Wounded Knee.

It is clear that the Justice Department should cease its negotiations with this group of outlaws and cooperate with the elected leadership of the Oglala Sioux Tribe in immediately removing the AIM gang of thugs from the reservation by whatever means are necessary.

In the meantime, the House Subcommittee on Indian Affairs has scheduled a series of hearings extending well into the summer for a complete review of Federal Indian policies and programs. We intend to study each problem area of concern to our Indian citizens and to develop whatever remedial legislation is necessary to clarify and improve this Nation's relations with Indian tribes.

But in so doing, we will call only on the legal and responsible representatives of the tribes to assist us. There is no place in the operation of this Republic for self-appointed hoodlums like the AIM group who represent no tribes and who, by their violent and disruptive revolutionary tactics, do more harm than good for the Indians they falsely claim to represent.

AMERICANIZATION DAY

(Mr. DOMINICK V. DANIELS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DOMINICK V. DANIELS. Mr. Speaker, one of the sure harbingers of spring in Hudson County, N.J., is the annual Americanization Day Celebration sponsored by the Captain Clinton E. Fisk Post, No. 132 of the Veterans of Foreign Wars in cooperation with the city of Jersey City. The event took place on April 29, 1973.

This year for the 42d time, tribute was paid at Pershing Field, Jersey City, to the principles which have made this Nation great. Under the leadership of Sam Bardach, general chairman, an outstanding program was arranged.

Mr. Speaker, I would like to include at this point in the RECORD three very outstanding speeches by Vice Adm. Benjamin F. Engel, USCG, John J. Stang, junior vice commander in chief of the Veterans of Foreign Wars, and Comdr. Albert Dewson, USN, representing the 33d Naval District. I am proud to associate myself with these distinguished Americans.

The speeches follow:

SPEECH OF JOHN J. STANG, JUNIOR VICE COMMANDER IN CHIEF, VETERANS OF FOREIGN WARS OF THE UNITED STATES

The Veterans of Foreign Wars of the United States is made up of men who demonstrated their loyalty to the United States of America on foreign battlefields in many wars. Thereafter, they banded together to perpetuate their loyalty and their service here at home.

For nearly seventy-five years, we have stood steadfast in our loyalty to the one nation we all love.

In 1931, the Veterans of Jersey City, in cooperation with many other organizations saw fit to establish "Americanization Day". We owe much to these fine citizens.

Some years later, the V.F.W. and other Veterans organizations conceived, and caused to be established a National Loyalty Day, on May the first. It was originally conceived as an antidote to the saber-rattling May Day of the Russian Communists. It has survived to become the companion of National Law Day. Both are celebrated on the first of May, and each is compatible with the other. This is true, because ours is indeed a "Government of Laws", and he who will not respect and obey our laws cannot lay claim to loyalty toward the nation those laws protect and preserve.

During the Vietnam War, we have seen disloyalty in many forms. Young men have abandoned their own country rather than oppose the evils of Communism on the battlefields of Southeast Asia.

Members of the active military forces have deserted. Men, women, and public officials, both passive and active, have openly practiced disloyalty through treachery at home and abroad. Some of them engaged in outright treason.

But the loyal citizens of this great, enduring nation have far more than these few incidents to talk about. It is not upon disloyalty that history is made. We have a greater number of American men and women who have loved this country, and served it through the changing years.

We, in the Veterans of Foreign Wars, are proud of these men and women. They have shared with us that one great common goal—total devotion to the land we love. And right now, the most inspiring examples of this devotion are the returning veterans from Vietnam.

These young patriots have demonstrated their own loyalty under the most trying circumstances. Thousands of them gave their lives. Thousands more were maimed and wounded. Hundreds suffered the degradation and torture of incarceration in prisons.

Perhaps the greatest exhibition of loyalty to this country and it's President we shall ever see, was the attitude and comments of our returning P.O.W.'s, after their release.

It is now our turn and our sacred duty to demonstrate our loyalty to them. It is our fervent hope that all of them who survived their service in Southeast Asia are now home from the wars.

So let us all join on this great day—this "Americanization Day"—and pay honor to those Vietnam veterans, the Veterans of all wars, and to all who have kept the faith, and loved and served the greatest country the world has ever known—The United States of America.

SPEECH OF VICE ADM. BENJAMIN F. ENGEL, U.S. COAST GUARD COMMANDER, ATLANTIC AREA

Mr. Chairman, Congressman Daniels, Mayor Jordan, Congressional Medal of Honor recipients, Gold Star Mothers, Veterans of Foreign Wars, Commander Stuhr, ladies and gentlemen.

For the past forty-two years, the good people of Jersey City have demonstrated their faith in the ideals of our Nation and what it means to be an American citizen on Americanization Day. Many fine, distinguished Americans have preceded me here as guest speaker, and I am indeed proud to join their ranks by being here with you today.

In another three years, America will be officially celebrating its 200th anniversary. I could not help but think of that on my way over here today—not just from the standpoint of what our Founding Fathers fought for—but how well they shaped and molded our young Nation and thus enabled it to endure these many years. Few countries in the world today can claim such government longevity . . . and especially in basically the same form it was founded, the guarantees and personal freedoms fought for and secured by those valiant patriots in the War of Independence remain with all of us today.

I think it quite remarkable, for instance, that we can regularly change the composition of our Government, without causing chaos. Or . . . create or amend a law to fit new circumstances without major unrest. Or . . . legally stop any actions which the majority of citizens are against. Citizenship is indeed a very precious commodity. Unfortunately, however, it is sometimes taken too much for granted.

As free men living in a free society, we Americans have the opportunity to pursue our individual destinities and live our lives in human dignity. Yet . . . an integral aspect of this freedom is the American citizen and his strong, unwavering support of American ideals. This is really what Americanization Day is all about . . . as you folks here today know well and continue to demonstrate year after year . . . for your Americanization Day observances are the oldest ones in the Nation.

But then I am not really surprised to see such support in New Jersey . . . a State which started to form itself more than three hundred years ago, when it was known as the province of Nova Cesaria. Your State history, I have learned, is far too complex to review here. Suffice to say that your forefathers certainly lost none of their craving for individual freedom, as evidenced by the fact that New Jersey was the third State to ratify the Union's Constitution in December of 1787.

I am particularly proud of the Coast Guard's long association with the State of New Jersey, which began at Sandy Hook almost a century and a quarter ago. The Hook was the site of the first lifesaving station built and supported by Federal funds.

And what a station it was!

The station building measured 23 feet long and 16 feet wide . . . a somewhat spartan structure by today's standards. The facility itself was manned by five or six dedicated men, who set out on coastal rescue missions in a 27-foot surfboat. Two other buildings were constructed later at Sandy Hook, with additional facilities going up at Long Branch, Shark River, and Ship Bottom. Then, of course, no mention of our growth in New Jersey could be complete without calling attention to the Sandy Hook Lighthouse. Placed into operation in June of 1764, the structure is the oldest original light tower still standing and in use in the United States.

Today, our commitment in New Jersey is appreciably larger. More than twelve hundred coast guardsmen are assigned from Sandy Hook to Cape May and north to Gloucester City serving aboard 24 vessels and shore units, including an air station and a large recruit training center at Cape May. For example, Coast Guard units throughout the State responded to more than three thousand search and rescue cases off the coast and in State waterways, and assisted over seven thousand people.

And, I am pleased to state that the Coast Guard is continuing to increase its efforts in New Jersey to meet the challenge of new and expanding missions.

At Barnegat Light, we're building a new search and rescue complex, which will cost some 1.3 million dollars before it is completed late this year or early in 1974.

At Sandy Hook, we will be building virtually a new station, and that will cost around three million dollars to complete.

Then, at our other units around the State, we will continue to improve our operational techniques, communications systems, waterfront facilities, and the living accommodations for our men.

All of these facilities are committed to the very thing we are here today to honor:

America . . . freedom . . . and individual support and responsibility.

Each of us must put aside differences . . . avoid indifference . . . show concern for the future, and recognize the need to accept and understand our fellow man.

These qualities, tempered with mercy and compassion, have made America the great Nation that it is today.

Celebrations such as this Jersey City Americanization Day parade will help keep patriotism in the minds of all the citizens. Congratulations to all of you members of the VFW and citizens of Jersey City who have worked so hard to put it together.

SPEECH OF COMDR. ALBERT DEWSON, 33D NAVAL DISTRICT, U.S. NAVY

In an age when protest is in vogue, antimilitary sentiments are popular and many accepted beliefs and traditions are shaken, I believe one thing stands out—ringing as clear today as the Liberty Bell resounded one hundred and ninety-five years ago. That one outstanding point is: that America is still having growing pains, which means progress and progress is good.

The protests of the few, can never shatter the memory that you and I have of the many thousands of young men and women who have; who continue and who *will* continue to take their places in our history.

From Bunker Hill to Flanders Fields; from the battle of the bulge to the jungles of Vietnam, Americans have opposed the yoke of oppression. In every case, the young—Airmen, sailor, and marine citizen soldier have brought credit to America.

On this, the 42nd Annual Americanization Day—we, all of us, must reflect the ideals and principles of our founders and those who came after them. We must keep and preserve these ideals for those who will come after we are gone. We must renew our "Pledge of Allegiance". We must make every day, "Americanization Day".

SPECIAL WATERGATE PROSECUTOR

(Mr. DOMINICK V. DANIELS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DOMINICK V. DANIELS. Mr. Speaker, the incredible outgrowth of the Watergate burglary, an act many of us originally thought merely a stupid criminal blunder perpetrated by foolish incompetents, has developed into a major scandal threatening as the President admitted, the very integrity of the Federal Government.

In spite of the President's remarks of the resignation of Patrick Gray, the Acting Director of the FBI; of H. R. Haldeman, the President's Chief of Staff; of John Ehrlichman, the President's Chief Domestic Policy Adviser; of Attorney General Richard Kleindienst who had the lawful responsibility to investigate and bring to trial those connected with the case; and John Dean, the President's White House Counsel, rumors abound of others' involvement. But most important, the entire process of criminal justice has been put in doubt by a double standard based upon one's relationship with the Government and how much one is willing to pay for that relationship.

We are no longer dealing with a petty criminal act with political overtones. We are dealing with a plethora of criminal acts reaching deep into the heart of the Office of the President of the United States, touching it in ways we do not know, forcing us to think what we had hitherto believed unthinkable; of the possibility that the President himself may somehow have been involved. White House integrity can only be restored by an independent judicial process unsullied by partisanship or special dealing.

While the President is to be commended for taking upon himself the ultimate moral responsibility for the acts of his closest advisers, it is only right and proper that he should do so. However, "ultimate moral responsibility" is not at issue. Nor is the integrity of the White House exclusively at issue as the President had stated. This case strikes at the heart of our system of government.

Mr. Nixon has recognized the need for a special prosecutor but regrettably has not taken the necessary action. Rather he has left it to the mere discretion of his nominee for Attorney General, Mr. Elliot Richardson. I am familiar with Mr. Richardson's record and he enjoys a fine unblemished reputation. But this is an extraordinary case calling for extraordinary precautions in order that the faith of the American people in their Government might be restored.

Mr. Richardson and the Director-Designate of the Federal Bureau of Investigation, Mr. Ruckelshaus, have been long connected with this administration. They have, in return for their loyalty, been the recipient of the President's favor and regard. I have no criticism of their work. They have performed their duties and are untouched by scandal. Yet they have been appointed by the President and, like those recently resigned, are dependent upon him for their careers.

Certainly the President could, and indeed, ought to follow the example of past Presidents. President Coolidge, for example, named Harlan Fiske Stone, then dean of the Columbia Law School and a future Supreme Court Justice, as Attorney General and named two independent special counsels to serve with him to bring to justice those involved in the infamous "Teapot Dome" scandal.

We are faced today with an ugly situation in which men responsible for the execution of the laws of the United States have possibly bribed witnesses, violated Federal statutes prohibiting wiretapping, conspired to violate Federal laws, destroyed evidence, obstructed criminal justice statutes, civil rights statutes prohibiting interference with a Federal election, criminal tax laws, and misused Federal Government resources.

The case now extends beyond what the Republican hierarchy originally downplayed as a "caper."

The investigation has turned up instances wherein persons paid from political contributions have provoked and initiated fights at opposition political rallies, have impersonated members of the Gay Liberation Front in order to make it appear that opposition candidates were courting homosexual support, and planted spies to report on and disrupt American citizens engaged in lawful political activities. All this and maybe more was done in the name of the effort to reelect the President.

Mr. Speaker, no one to date has been given responsibility for investigating the Watergate affair and the ensuing coverup who does not in some way either owe the President a personal loyalty or who is not connected with one or more of the participants, however innocent that connection may seem to be. In order to clear the air of suspicion and doubt and in order to restore the integrity the President rightfully desires, it is absolutely essential that the person given responsibility for the investigation and ultimate prosecution be totally independent from even the suggestion of control from the White House or the administration.

The Department of Justice attorneys responsible for the investigation and prosecution of the case already indicated in the first Watergate prosecution that they are incapable or unwilling to aggressively pursue their duties. Indeed, Chief Federal District Judge John Sirica, himself a long time Republican, severely admonished the U.S. attorneys in open court for failing to pursue the prosecution.

Assistant Attorney General Henry Peterson, in the face of former Attorney General Kleindienst's unwillingness to take part in an investigation involving his friends and persons with whom he was otherwise personally acquainted, was directed by the President to take over responsibility for the investigation. Yet even he owes his career to John Mitchell, one of the President's closest advisers and who is also under suspicion for engaging in criminal activity and upon whom the President relied. Indeed, if the President was aware of the activities of his staff before March, then possibly he was made aware of it by Mr. Mitchell. In light of these circumstances, a cloud hangs over Mr. Petersen's ability to pursue independently the investigation not only of his former employer and benefactor in the Department of Justice, but possibly of his more immediate former employer, Mr. Kleindienst, who resigned yesterday.

Moreover, the executive branch of Government seems paralyzed by Watergate. It is incapable of dealing with any other matter and will continue to be disabled until every person involved has been either cleared or convicted by an independent judicial process.

I do not contend as some do although they may well be right that the very foundation of our democracy rest upon the outcome of this case. We have experienced such tawdry and sordid affairs in our past before and the good judgment and the honesty of the American people have prevailed to oust those responsible. But I do contend that if we are to get on with the business of governing and the general welfare of the Nation, of assuring jobs, education, shelter, and food for those we represent; if we are to get on with and not lose sight of world affairs, then we must see to it that our credibility with the American people as well as the world are intact.

There are also many persons, some past supporters of the President, who by their own statements apparently are considering a move for impeachment of the President. I believe such extraordinary action should be avoided lest the country be torn apart and important matters left to founder for many years. The only way to forestall such a move is by a credible investigation by an independent prosecutor.

I believe that we should accept the advice of former Special Assistant for Domestic Affairs under President Johnson, Attorney Joseph A. Califano, Jr., who proposed that the President, with the concurrence of the Speaker of the House of Representatives and the majority leader of the Senate, appoint an independent special prosecutor to investigate and bring to justice those who have violated the law. If he fails to do so, there will hang over the White House and the Government the suspicion of a whitewash and the paralysis of Government will continue.

I have today introduced a House resolution calling upon the President to appoint, with the concurrence of the Speaker of the House and the majority leader of the Senate, as well as the consent of the Senate, a special independent prosecutor to investigate and bring to trial persons who engaged in criminal activity as part of the Presidential election of 1972 or any activity related to the election or the campaign.

This resolution is advisory and I am hopeful that the President will see its wisdom even before the House can take it up.

The House resolution follows:

H. RES. 373

Resolution requesting the President of the United States to appoint a special prosecutor in connection with the Presidential election of 1972

Resolved, That it is the sense of the House that:

1. the President shall immediately designate an individual of the highest character and integrity from outside the Executive Branch to serve as special prosecutor for the government of the United States in any and all criminal investigations, indictments, and actions arising from any illegal activity by any persons, acting individually or in combination with others, in the Presidential election of 1972, or any campaign, canvass or other activity related thereto.

2. the President shall grant such special prosecutor all authority necessary and proper to the effective performance of his duties; and

3. the President shall, after consultation with the Speaker of the House and the Majority Leader of the Senate, submit the name of such designee to the Senate, requesting a resolution of approval thereof.

WILL THE FBI INVESTIGATE THE PRESIDENT?

(Mr. McCLOSKEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. McCLOSKEY. Mr. Speaker, in this morning's Washington Post there appears what is apparently the complete text of an FBI report on the interview of ex-Presidential Counselor John Ehrlichman by an FBI agent on April 27, 1973. It was read into the court record by Judge W. Matt Byrne who is presiding over the Ellsberg trial.

The FBI report discloses the disquieting fact that the FBI agent apparently did not ask Mr. Ehrlichman the crucial question:

When Mr. Ehrlichman learned of the burglary of Daniel Ellsberg's psychiatrist's office by White House personnel, did he advise the President of this fact, and if so, when?

If we are to restore public confidence in the integrity and freedom of our law enforcement agencies from political influence, then the FBI and Justice Department must be willing to ask the hard questions as to the personal knowledge and involvement of the highest officials of Government, including the President, in matters of criminal conduct.

The question that is being asked around the country is whether or not the FBI and Justice Department can, and will, impartially inquire into the conduct of the President himself. If the FBI does not ask the hard questions, then the doubts will continue to grow that we are not really a nation of laws rather than of men when the Presidency is involved. It also poses the question: If the FBI and Justice Department will not fully investigate the conduct of the President's high office, is not the House of Representatives required to do so as part of its specific constitutional responsibility with respect to the executive branch?

The Washington Post article follows:

FBI'S REPORT ON EHRLICHMAN INTERVIEW

Following is the text of an FBI report on an interview on April 27 with presidential adviser John D. Ehrlichman in connection with the alleged burglary of the offices of Daniel Ellsberg's psychiatrist:

John D. Ehrlichman, adviser to the President, was contacted in his office at the executive office of the President.

It was explained to Mr. Ehrlichman that this interview was being conducted at the specific request of the Justice Department. He was told that information had been received alleging that on an unspecified date the offices of an unnamed psychiatrist retained by Daniel Ellsberg had been burglarized, apparently to secure information relating to Ellsberg. Mr. Ehrlichman was advised that the purpose of this interview was to learn what knowledge he might have concerning this alleged burglary.

Mr. Ehrlichman recalled that sometime in 1971 the President had expressed interest in the problem of unauthorized disclosure of classified government information and asked him to make inquiries independent of concurrent FBI investigation which had been made relating to the leak of the Pentagon papers. Mr. Ehrlichman assumed this responsibility and was assisted in this endeaver by Egil Krogh, a White House assistant, and David Young of the National Security Agency. A decision was made by them to conduct some investigation in the Pentagon Papers leak matter "directly out of the White House." G. Gordon Liddy and E. Howard Hunt were "designated to conduct this investigation."

Mr. Ehrlichman knew that Liddy and Hunt conducted investigation in the Washington, D.C., area and during the inquiries were going to the West Coast to follow up on leads. There was information available that Ellsberg had emotional and moral problems and Liddy and Hunt sought to determine full facts relating to these conduct traits. Hunt endeavored to prepare a "psychiatric profile" relating to Ellsberg. The efforts of Liddy and Hunt were directed toward an "in-depth investigation of Ellsberg to determine his habits, mental attitudes, motives, etc."

Although Mr. Ehrlichman knew that Liddy and Hunt had gone to California in connection with the above inquiries being made by them, he was not told that these two individuals had broken into the premises of the psychiatrist for Ellsberg until after this incident had taken place. Such activity was not authorized by him, he did not know about this burglary until after it had happened. He did "not agree with this method of investigation" and when he learned about the burglary he instructed them "not to do this again."

Mr. Ehrlichman does not recall who specifically reported to him about the above mentioned burglary but it was verbally mentioned to him. He does not know the name of the psychiatrist involved nor the location of this individual. He does not know whose idea it was to commit this burglary. Mr. Ehrlichman has no knowledge whether anything was obtained as a result of this activity.

GENERAL LEAVE

Mr. LITTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks and include extraneous matter on the subject of the special order delivered today by the gentleman from New York (Mr. DULSKI).

The SPEAKER pro tempore (Mr. MAZZOLI). Is there objection to the request of the gentleman from Missouri?

There was no objection.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BUCHANAN) to revise and extend their remarks and include extraneous material:)

Mr. ROBISON of New York, for 15 minutes, today.

Mr. KEMP, for 15 minutes, today.

(The following Members (at the request of Mr. LITTON) and to revise and extend their remarks and include extraneous matter:)

Mr. BRINKLEY, for 15 minutes, today.

Mr. CULVER, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Ms. ABZUG, for 30 minutes, today.

Mr. MCKAY, for 5 minutes, today.

Mr. WOLFF, for 15 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. PATMAN in six instances.

(The following Members (at the request of Mr. BUCHANAN) and to include extraneous material:)

Mr. QUIE.

Mr. BLACKBURN.

Mr. CRANE in five instances.

Mr. YOUNG of Alaska in two instances.

Mr. ZWACH.

Mr. KEMP in two instances.

Mr. RAILSBACK.

Mr. MCCLORY.

Mr. PRITCHARD.

Mr. MARAZITI in three instances.

Mr. HANRAHAN in two instances.

Mr. ARMSTRONG.

Mr. LANDGREBE in 10 instances.

Mr. SARASIN.

Mr. FROEHLICH.

Mr. HOSMER in three instances.

Mr. COCHRAN.

Mr. BROYHILL of Virginia.

Mr. MCCLOSKEY.

Mr. BOB WILSON.

Mr. VEYSEY.

Mr. SCHNEEBELI.

Mr. HUBER.

Mr. WHITEHURST.

Mr. BUCHANAN in two instances.

Mr. FRELINGHUYSEN.

(The following Members (at the request of Mr. LITTON) and to include extraneous matter:)

Mr. LONG of Maryland in 10 instances.

Mr. WILLIAM D. FORD.

Mr. REUSS.

Mr. HAMILTON in 10 instances.

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mr. CHARLES H. WILSON of California.

Mr. MOSS.

Mr. WALDIE in three instances.

Mr. DE LA GARZA in 10 instances.

Mr. LEHMAN in 10 instances.

Mr. FULTON in two instances.

Mr. ROONEY of New York in two instances.

Mr. MCCORMACK.

Mr. THOMPSON of New Jersey.

Mr. YATES in two instances.

Mr. SARBANES in five instances.

ADJOURNMENT

Mr. LITTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 56 minutes p.m.) the House adjourned until tomorrow, Thursday, May 3, 1973, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

850. A letter from the Acting Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to section 204(d) of the Immigration and Nationality Act, as amended [8 U.S.C. 1154(d)]; to the Committee on the Judiciary.

RECEIVED FROM THE COMPTROLLER GENERAL

851. A letter from the Comptroller General of the United States, transmitting a report on the need to control discharges from sewers carrying both sewage and storm runoff; to the Committee on Government Operations.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BERGLAND:

H.R. 7403. A bill to amend the education of the Handicapped Act to provide for comprehensive education programs for severely and profoundly mentally retarded children; to the Committee on Education and Labor.

H.R. 7404. A bill to amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 7405. A bill to amend title 32, United States Code, to provide that Army and Air Force National Guard technicians shall not be required to wear the military uniform while performing the duties in a civilian status; to the Committee on Armed Services.

By Mr. BIAGGI (for himself and Mr. RINALDO):

H.R. 7406. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide a system for the redress of law enforcement officers' grievances and to establish a law enforcement officers' bill of rights in each of the several States, and for other purposes; to the Committee on the Judiciary.

By Mr. BIESTER:

H.R. 7407. A bill to amend title 38 of the United States Code in order to remove all limitations on the aggregate period for which a person may receive assistance under two or more of the veterans' educational assistance laws; to the Committee on Veterans' Affairs.

By Mr. BROOMFIELD:

H.R. 7408. A bill to amend the Internal Revenue Code of 1954 to provide reasonable and necessary income tax incentives to encourage the utilization of recycled solid waste materials and to offset existing income tax advantages which promote depletion of virgin natural resources; to the Committee on Ways and Means.

By Mr. BROWN of California:

H.R. 7409. A bill to amend the Communications Act of 1934 to prohibit making unsolicited commercial telephone calls to persons who have indicated they do not wish to receive such calls; to the Committee on Interstate and Foreign Commerce.

By Mr. BURTON:

H.R. 7410. A bill to amend the Postal Reorganization Act of 1970, title 39, United States Code, to provide for uniformity in labor relations; to the Committee on Post Office and Civil Service.

H.R. 7411. A bill to amend title 39 and 5, United States Code, to eliminate certain restrictions on the rights of officers and employees of the Postal Service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DIGGS:

H.R. 7412. A bill to create a Law Review Commission for the District of Columbia; to the Committee on the District of Columbia.

H.R. 7413. A bill to authorize certain programs and activities of the government of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 7414. A bill to establish a District of Columbia Development Bank to mobilize the capital and the expertise of the private community to provide for an organized approach to the problems of economic development in the District of Columbia; to the Committee on the District of Columbia.

By Mr. DONOHUE:

H.R. 7415. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for grants to cities for improved street lighting; to the Committee on the Judiciary.

By Mr. DULSKI (for himself, Mr. DOMINICK V. DANIELS, Mr. WILLIAM D. FORD, Mr. ROUSSELOT, and Mr. HILLIS):

H.R. 7416. A bill to amend title 5, United States Code, to establish the entitlement to pay and travel expenses for certain individuals designated for service on boards of review of certain decisions of the Secretary of Transportation concerning air traffic controllers; to the Committee on Post Office and Civil Service.

H.R. 7417. A bill to amend title 5, United States Code, to establish the special basic pay entitlement of air traffic controllers designated to perform on a temporary or intermittent basis the duties of supervisory positions; to the Committee on Post Office and Civil Service.

By Mr. ESCH:

H.R. 7418. A bill to amend the Public Health Service Act to establish a national program of health research fellowships and traineeships to assure the continued excellence of biomedical research in the United States, and for other purposse; to the Committee on Interstate and Foreign Commerce.

H.R. 7419. A bill to amend the Internal Revenue Code of 1954 to designate the home of a State legislator for income tax purposes; to the Committee on Ways and Means.

By Mr. FRASER:

H.R. 7420. A bill delegating the power of local self-government to the people of Washington, D.C., and establishing a Home Rule Charter Commission; to the Committee on District of Columbia.

By Mr. FROEHLICH (for himself, Mr. OBEY, Ms. ABZUG, Mr. ANDERSON of Illinois, Mr. ASPIN, Mr. BINGHAM, Mr. BLATNIK, Mrs. BURKE of California, Mrs. CHISHOLM, Mr. CLEVELAND, Mr. DERWINSKI, Mr. FRASER, Mrs. HANSEN of Washington, Mr. HARRINGTON, Mr. KASTENMEIER, Mr. MEEDS, Mr. REUSS, Mr. ROYBAL, Mr. RUPPE, Mr. SARBANES, Mr. THOMSON of Wisconsin, Mr. WALDIE, Mr. YOUNG of Georgia, Mr. YOUNG of Alaska, and Mr. ZABLOCKI):

H.R. 7421. A bill to repeal the act terminating Federal supervision over the property and members of the Menominee Indian Tribe of Wisconsin as a federally recognized, sovereign Indian tribe; and to restore to the Menominee Tribe of Wisconsin those Federal services furnished to American Indians because of their status as American Indians; and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HARRINGTON (for himself, Mr. Badillo, Mrs. Chisholm, Mr. Hechler of West Virginia, and Mr. Nix):

H.R. 7422. A bill to provide adequate mental health care and psychiatric care to all Americans; to the Committee on Interstate and Foreign Commerce.

By Mr. HICKS:

H.R. 7423. A bill to increase the authorization for fiscal year 1974 for the Committee for Purchase of Products and Services of the Blind and Other Severely Handicapped; to the Committee on Government Operations.

By Mr. HORTON:

H.R. 7424. A bill to strengthen and improve the protections and interests of participants and beneficiaries of employee pension and welfare benefit plans; to the Committee on Education and Labor.

By Mr. LONG of Louisiana:

H.R. 7425. A bill to modify the project for flood control on the Mississippi River and tributaries with respect to the Atchafalaya River Basin in Louisiana; to the Committee on Public Works.

By Mr. LUJAN:

H.R. 7426. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. McKAY (for himself, Mr. Mills of Arkansas, Mr. Hanna, Mr. Ullman, Mr. Udall, Mr. Foley, and Mr. Owens):

H.R. 7427. A bill to amend title II of the Social Security Act to extend beyond age 22 the period during which an individual may be entitled to child's insurance benefits on the basis of full time student status where such individual was prevented by reason of health, religious service, or service in the Armed Forces (after attaining age 18) from attending school during one or more months prior to attaining age 22; to the Committee on Ways and Means.

By Mr. MARAZITI:

H.R. 7428. A bill to amend the Internal Revenue Code to provide tax deductions for expenses of higher and vocational education; to the Committee on Ways and Means.

By Mr. MELCHER:

H.R. 7429. A bill to repeal certain provisions, which become effective January 1, 1974, of the Food Stamp Act of 1964 and section 416 of the Agricultural Act of 1949 relating to eligibility to participate in the food stamp program and the direct commodity distribution program; to the Committee on Agriculture.

H.R. 7430. A bill to amend section 318 of the Communications Act of 1934; to the Committee on Interstate and Foreign Commerce.

By Mr. MIZELL:

H.R. 7431. A bill concerning the allocation of water pollution funds among the States in fiscal 1973 and fiscal 1974; to the Committee on Public Works.

By Mr. PEPPER:

H.R. 7432. A bill to amend section 103 of the Flood Control Act of August 13, 1968 (Public Law 90–483) to provide for beach erosion control and hurricane protection, Bal Harbour Village, Dade County, Fla.; to the Committee on Public Works.

By Mr. REES:

H.R. 7433. A bill to establish a national program of Federal insurance against catastrophic disasters; to the Committee on Banking and Currency.

By Mr. ROYBAL:

H.R. 7434. A bill to amend the Internal Revenue Code of 1954 to eliminate the excise tax on local telephone service, toll telephone service, and teletypewriter exchange service, effective September 1, 1973; to the Committee on Ways and Means.

By Mr. SAYLOR (for himself, Mrs. Hansen of Washington, Mr. Blatnik, Mr. Gray, Mr. Grover, Mr. McDade, Mr. Veysey, and Mr. Wyatt):

H.R. 7435. A bill to amend the National Visitor Center Facilities Act of 1968 to authorize certain interpretive transportation services, and for other purposes; to the Committee on Public Works.

By Mr. SMITH of Iowa:

H.R. 7436. A bill to provide an equal opportunity to all feed grain producers who desire to participate in the 1973 feed grains program; to the Committee on Agriculture.

By Mr. SYMMS:

H.R. 7437. A bill to repeal the Occupational Safety and Health Act of 1970; to the Committee on Education and Labor.

By Mr. THONE:

H.R. 7438. A bill to amend title 39, United States Code, with respect to the financing of the cost of mailing certain matter free of postage or at reduced rates of postage, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. VANDER JAGT:

H.R. 7439. A bill to direct the National Academy of Sciences to conduct a study to determine if the requirements of the Federal Food, Drug, and Cosmetic Act respecting residues in meat and other foods may safely be revised because of technological advances in the measurement of such residues in meat or other food; to the Committee on Interstate and Foreign Commerce.

By Mr. VANDER JAGT (for himself, Mr. Gerald R. Ford, Mr. Biester, Mr. Dent, Mr. Charles H. Wilson of California, Mr. Coughlin, Mr. Stokes, Mr. Hinshaw, Mr. Johnson of Pennsylvania, Mr. Rodino, Mr. William D. Ford, Mr. Cotter, Mr. Nix, Mr. Young of Florida, Mr. Kemp, Mr. Burgener, Mr. Rhodes, Mr. Edwards of California, Mr. J. William Stanton, Mr. Madigan, Ms. Abzug, Mr. Minish, Mr. Delaney, Mr. Beard, and Mr. Brown of California):

H.R. 7440. A bill to amend the Public Health Service Act to expand the authority of the National Institute of Arthritis, Metabolism, and Digestive Diseases in order to advance the national attack on diabetes; to the Committee on Interstate and Foreign Commerce.

By Mr. VANDER JAGT (for himself, Mr. Hawkins, Mr. McCollister, Mr. Thompson of New Jersey, Mr. Stark, Mr. Towell of Nevada Mr. Roncallo of New York, Mr. Fraser, Mr. Addabbo, Mr. Cohen, and Mrs. Griffiths):

H.R. 7441. A bill to amend the Public Health Service Act to expand the authority of the National Institute of Arthritis, Metabolism, and Digestive Diseases in order to advance the national attack on diabetes; to the Committee on Interstate and Foreign Commerce.

By Mr. WALDIE:

H.R. 7442. A bill to establish the Channel Islands National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CHARLES H. WILSON of California:

H.R. 7443. A bill to repeal the bread tax on 1973 wheat crop; to the Committee on Agriculture.

By Mr. YOUNG of Georgia:

H.R. 7444. A bill to authorize the coinage of silver dollar coins to commemorate the life of Dr. Martin Luther King, Jr. and to assist in the continuation of his nonviolent message by the designation of the Martin Luther King Center for Social Change to distribute said silver dollar coins; to the Committee on Banking and Currency.

By Mr. CULVER (for himself, Mr. Thomson of Wisconsin, Mrs. Sullivan, Mr. Rostenkowski, Mr. Annunzio, Mr. Bowen, Mr. Blatnik, Mr. Michel, Mr. Derwinski, Mr. Steiger of Wisconsin, Mr. Quie, Mr. Zwach, Mr. Fraser, Mr. Frenzel, Mr. Anderson of Illinois, Mr. Alexander, Mr. O'Brien, Mr. Gray, Mr. Obey, Mr. Froehlich, Mr. Crane, Mr. Mezvinsky, Mr. Whitten, Mr. Symington, and Mr. Bergland):

H.J. Res. 533. Joint resolution authorizing the President to proclaim June 17, 1973, as a day of commemoration of the opening of the upper Mississippi River by Jacques Marquette and Louis Jolliet in 1673; to the Committee on the Judiciary.

By Mr. CULVER (for himself, Mr. Montgomery, and Mrs. Boggs):

H.J. Res. 534. Joint resolution authorizing the President to proclaim June 17, 1973, as a day of commemoration of the opening of the upper Mississippi River by Jacques Marquette and Louis Jolliet in 1673; to the Committee on the Judiciary.

By Mr. MILLS of Arkansas (for himself and Mr. Burke of Massachusetts):

H.J. Res. 535. Joint resolution authorizing the President to proclaim June 3, 1973, as "National MIA–POW Day"; to the Committee on the Judiciary.

By Mr. NIX:

H.J. Res. 536. Joint resolution to end the bombing in Cambodia and Laos; to the Committee on Foreign Affairs.

By Mr. O'BRIEN (for himself, Mr. Burgener, Mr. Hanrahan, Mr. Huber, and Mr. Mazzoli):

H.J. Res. 537. Joint resolution proposing an amendment to the Constitution of the United States guaranteeing to the States the power to enact laws respecting the life of an unborn child from the time of conception; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.J. Res. 538. Joint resolution requesting the President of the United States to appoint a special commission to investigate and to prosecute all crimes in connection with the presidential election of 1972, and appointments shall be subject to confirmation by the Senate; to the Committee on the Judiciary.

By Mr. COHEN (by request):

H. Con. Res. 210. Concurrent resolution expressing the sense of the Congress that the United States should become an Oceanus Congressional Nation; to the Committee on Foreign Affairs.

By Mr. DOMINICK V. DANIELS:

H. Res. 373. Resolution requesting the President to appoint a special prosecutor; to the Committee on the Judiciary.

By Mr. RIEGLE:

H. Res. 374. Resolution to appoint a special prosecutor; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

199. The SPEAKER presented a petition of Larry Gabor, Huntington, N.Y., and others, relative to the price of meat, which was referred to the Committee on Banking and Currency.

SENATE—*Wednesday, May 2, 1973*

The Senate met at 12 o'clock noon and was called to order by the President pro tempore (Mr. EASTLAND).

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, our Creator, Redeemer, and Judge, we thank Thee for a Nation in whose people abides an enduring sense of what is right and what is wrong, wherein the exposure of the wrong is also a revelation of the right. We thank Thee for a people down deep in whose heart is a dedication to the elemental virtues of honesty, industry, and sobriety—whose composite conscience is aggrieved when the right is violated and Thy laws transgressed. Direct the Nation in ways of righteousness and truth. Grant to all the people an eager disposition to follow the apostolic injunction:

"Whatsoever things are true, whatsoever things are honest, whatsoever things are just, whatsoever things are pure, whatsoever things are of good report, if there be any virtue, and if there be any praise, think on these things."—Phillipians 4: 8.

Guide us through the duties and difficulties of these days until the brighter day of Thy kingdom comes.

In the Redeemer's name. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Marks, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received today are printed at the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Berry, one of its reading clerks, announced that the House had passed the bill (S. 518) to provide that appointments to the office of Director and Deputy Director of the Office of Management and Budget shall be subject to confirmation by the Senate, with amendments, in which it requests the concurrence of the Senate.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, May 1, 1973, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 124 and 125.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MEDALS IN COMMEMORATION OF ROBERTO WALKER CLEMENTE

The bill (H.R. 3841) to provide for the striking of medals in commemoration of Roberto Walker Clemente, was considered, ordered to a third reading, read the third time, and passed.

Mr. SCOTT of Pennsylvania. Mr. President, before we move to the consideration of the next bill on the calendar, I should like to say how glad I am, and how proud I am personally that the famous, honored, compassionate, and fine American who formerly was a great star of the Pittsburgh Pirates, Roberto Walker Clemente, has been honored by this act to provide for the striking of medals in commemoration of his service as an American.

Mr. MANSFIELD. I join the distinguished minority leader in the expressions just enunciated and say that this man, who was a great athlete, was a greater man because of the efforts he made to try to bring relief to the victims of the earthquake in Managua, Nicaragua.

As the Senate knows, it was because of that effort that he was lost at sea in a plane off the shores of Puerto Rico.

Mr. SCHWEIKER. Mr. President, as a sponsor of S. 478, the bill to provide for the striking of medals in commemoration of Roberto Clemente, the late Pittsburgh Pirate baseball star, I am gratified that the Senate has acted today to approve this measure. Proceeds from the public sale of these medals will go to the Roberto Clemente Memorial Fund in Pittsburgh, and in turn toward construction of a sports complex for Puerto Rican youths. Funds will also be used for relief efforts in Managua, Nicaragua. As my colleagues will recall, Roberto Clemente died New Year's Eve in a plane crash on a mercy mission carrying relief supplies to victims of the Central American earthquake.

Roberto Clemente was a symbol of pride and accomplishment to the Puerto Rican people and people everywhere. It is my hope that the Roberto Clemente medals will serve as everlasting memorials to the man and his deeds.

Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 93–133), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

GENERAL STATEMENT

The bill authorizes the Secretary of the Treasury to strike and furnish to the Chamber of Commerce of Greater Pittsburgh, Pittsburgh, Pa., (1) one gold medal to be awarded at the discretion of that organization, and with suitable emblems and devices and inscriptions to be determined by such organization with the approval of the Secretary of the Treasury, and (2) not more than 200,000 duplicate medals of such sizes and metals to be determined by such organization with the approval of the Secretary of the Treasury, to commemorate the outstanding athletic, civic, charitable and humanitarian contributions of Roberto Walker Clemente. The medals will be furnished at no cost to the United States. No medals may be minted after December 31, 1974. Any profit from the sale of the duplicate medals are to be contributed by the Chamber of Commerce of Greater Pittsburgh to the Roberto Clemente Memorial Fund, Pittsburgh, Pa.

The bill was voted out of the committee unanimously.

GRANTS TO EISENHOWER COLLEGE

The Senate proceeded to consider the bill (S. 1264) to authorize and direct the Secretary of the Treasury to make grants to Eisenhower College in Seneca Falls, N.Y., out of proceeds from the sale of silver dollar coins bearing the likeness of the late President of the United States Dwight David Eisenhower.

Mr. JAVITS. Mr. President, this bill is similar to S. 2987 which passed the Senate last year on June 8 following hearings by the Committee on Banking, Housing and Urban Affairs. Among individuals who submitted testimony at that time in support of the bill were Dr. Milton Eisenhower, Mrs. Mamie Eisenhower, and John Eisenhower of the family, and such close personal friends as Gen. Alfred M. Gruenther, and Gen. Lauris Norstad. Organization support came from such distinguished sources as the Veterans of Foreign Wars and the AFL–CIO. This testimony gave emphasis to the fact that Eisenhower College is the Nation's memorial to the late Dwight D. Eisenhower and is not to be confused in any way with legislation to aid an individual institution of higher education which, like so many others, is in financial need.

Some $46 million in Federal funds has been expended on construction, bonds, and land acquisition for the Kennedy Center, for example.

In 1963, the late President Eisenhower agreed to the establishment of Eisenhower College as a living, permanent memorial to his years of service to the Nation in war and in peace. In subsequent years, the Eisenhower family and close friends have actively supported the establishment of the school, its development, and the funds necessary for its success. They have been joined by some

12,000 donors who have contributed more than $7 million to the college.

In 1968, Congress enacted Public Law 90–563 providing $5 million for the Eisenhower College on a matching basis. This amount has been matched by foundation, corporate, and individual gifts and pledges.

This measure, S. 1264, which would authorize the Secretary of the Treasury to make a grant to the Eisenhower College in Seneca Falls, N.Y., of $1 from the proceeds received from the sale of each "proof" Eisenhower silver dollar being sold for $10 to collectors. The $20 million anticipated from this bill for the sale of "proof" Eisenhower silver dollar coins would supplement the $5 million appropriated in 1968.

The Bank Holding Company Act Amendments of 1970, Public Law 91–607, authorizes the minting of Eisenhower silver dollars. Twenty million "proof" coins are being sold to the public—coin collectors and collectors of Eisenhower memorabilia—at $10 each. One dollar of this $10 would go as the Secretary of the Treasury may direct, to the Eisenhower College up to a maximum amount of $20 million.

In addition to the "proof" Eisenhower silver dollar coins being sold for $10 each, the Treasury is also selling 130 million "uncirculated" Eisenhower silver dollar coins, each in a plastic case, for $3 apiece. The $390 million proceeds from this sale would not be affected by my bill, the entire amount going to the Treasury.

Eisenhower College is a living memorial to the great American who led the people of his Nation in war and in peace. A former college president himself, President Eisenhower saw Eisenhower College, an institution of higher learning, as a proper memorial. At the groundbreaking ceremony in September of 1965, he said:

> This is an honor that will be prized by me every day of my life, for I can think of no greater monument to any man than a college bearing his name; an institution which will be a vital, vigorous champion of freedom through proper education.

This bill would help translate the will into the deed, the dream into reality. I urge its approval.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 93–134), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

HISTORY OF LEGISLATION

S. 1264 was introduced by Senators Javits, Tower, Bentsen, and Pastore on March 15, 1973. Hearings were held on a similar bill, S. 2987, 92d Congress, 2d session, on May 19, 1972. At those hearings the committee received testimony from Senator Javits; Congressman Samuel S. Stratton; Gen. Lauris Norstad, chairman, board of trustees of Eisenhower College; Gen. Alfred M. Gruenther; and Dr. John Rosencrans, president of Eisenhower College.

The committee received letters of support for S. 2987 from members of former President Eisenhower's family and from others. S. 2987 was reported (S. Rept. 92–837) to the Senate on June 6, 1972 and passed the Senate on June 8, 1972. S. 1264 was unanimously reported by the committee on April 17, 1973.

GENERAL STATEMENT

Public Law 91–607 authorized the minting of 150 million dollar coins bearing the likeness of former President Dwight D. Eisenhower and containing 40 percent silver. The Treasury is selling an estimated 20 million of these as proof coins to the public for $10 each. The treasury will receive $200 million from the sale of these coins. This bill provides that $1 of the proceeds of the sale of each of these proof coins be granted to Eisenhower College. This amount will be made available to the college in yearly amounts to be determined by the sale of the coins by the Treasury. These funds will be made available through the appropriation process of the Congress.

Eisenhower College is the only institutional memorial planned for the late President Eisenhower. The committee would like to make abundantly clear that this bill is not intended to provide special aid to a particular college but is a means of making a contribution to this memorial to a past President of the United States. This contribution on the part of the United States will be in addition to gifts to the college from many private individuals. The funds will be used to provide additional endowment and to provide for additional facilities and equipment for the college.

The committee notes that the Federal contributions contemplated under this measure, in addition to a previous $5 million grant to the college would make the Federal support for this Eisenhower Memorial comparable to the level of support provided to the Kennedy Center for the Performing Arts in Washington, D.C., the institutional memorial to the late President John F. Kennedy.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized to make grants to Eisenhower College, Seneca Falls, New York, in an aggregate amount equal to $1 multiplied by the total number of $1 proof coins which have been and are hereafter minted and issued under section 101(d) of the Coinage Act of 1965 (31 U.S.C. 391(d)) and section 203 of the Bank Holding Company Act Amendments of 1970 (31 U.S.C. 324b) which bear the likeness of the late President of the United States Dwght David Eisenhower.

CONCERN ABOUT SITUATION IN CAMBODIA

The PRESIDING OFFICER (Mr. NUNN). The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, I have received a letter from the grandson of an old friend of mine who now lives in Richboro, Pa. He expresses his concern about the situation in Cambodia and has sent me several newspaper articles pertaining to what is happening there.

I assure him that I share his dismay and disappointment at the events which are now occurring in Cambodia and that I deplore the bombing by B–52's and the fighter bombers and other types of aircraft which have now been conducting, with 1 day's exception, something on the order of 55 days of consecutive bombing, at great cost to us but, more important, at great cost to the people of that small and unhappy land.

I ask unanimous consent that the letter and the newspaper articles be printed in the RECORD.

There being no objection, the letter and articles were ordered to be printed in the RECORD, as follows:

RICHBORO, PA.,
April 28, 1973.

Senator MIKE MANSFIELD,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MANSFIELD: Attached is a copy of an article from last Sunday's Philadelphia Inquirer on the Cambodian adventure. If true the government that Congress and the Administration seems so intent of saving would seem to represent not the Cambodian people but only themselves.

I would ask that you as a Congressional leader either use your influence to stop all aid including our "bombing" to this government or refute the information in the article. If our self interest is being served by the support of this government in spite of its "problems." I would hope this couldn't be true, then this ought to be explained to the American people.

I have written to you because my grandfather, Joseph Crumby, who was a Democratic Committeeman in Butte, Montana for many years always said that you were sincere and honest and that you would support what you felt was right even if it was unpopular. He was always in my eyes a very good judge of character and as a result I have watched your rise in Congress with great pleasure. Based on recent events he may not have realized that these qualities might be rarer than he thought in American politics.

Whatever position you take on my letter I will understand that it is the one you feel is best for the country and that you have considered all sides of the question.

Very truly yours,

ERNEST ONE.

U.S. AID ENRICHES MILITARY, BLACK-MARKETEERS: WAR'S GOING BADLY FOR CAMBODIA, BUT GRAFT IS GOOD

(By Larry Green)

PHNOM PENH, CAMBODIA.—The Cambodian war, which is going badly for Cambodia, is going very well, thank you, for corrupt military officials—including the brother of President Lon Nol—and government rice distributors. They all are getting rich off American economic assistance.

Item: In the last two years, Cambodian colonels and generals have collected more than $50 million in American aid earmarked for soldier salaries by padding their payrolls with tens of thousands of phantom soldiers.

They are continuing to enrich themselves to the tune of more than $2 million a month, American sources confirmed.

Item: Most of the more than 130,000 tons of American and Thai rice imported with U.S. aid money is being sold on the black market after being sent out to Cambodian government-run distribution centers.

The rice import program, which was accelerated last fall, will cost U.S. taxpayers almost $27 million in the fiscal year ending June 30.

Item: Uncounted quantities of American-supplied ammunition and weapons are being taken from government warehouses and depots and sold to the Cambodian Communist insurgents, foreign diplomatic sources reported.

(American sources could not be questioned about the extent of the reported leakage of military equipment since they have refused to see reporters or answer inquiries.)

The longest-running scandal, and the one that the United States has had little visible success in curbing, involves salaries for Phantom soldiers.

It was discovered about two years ago that as many as 100,000 of Cambodia's 275,000 soldiers were nothing more than names on pieces of paper. Whole battalions (577 men) didn't exist, although their commanders were regularly collecting pay for the troops.

Pressure by the United States has forced the Cambodian Army to establish a central payroll system, which is now being formed. But there still is little optimism in American circles here that it will do much to curb the corruption.

Even as the system is being created, new forms of military payroll fraud are being uncovered. Large numbers of troops are reporting they go unpaid for months and then collect only a small portion of what is due them.

Wounded soldiers who spend several weeks in hospitals recovering are being declared AWOL and denied their back pay when they return to duty.

At least two instances of military corruption have been traced to Brig. Gen. Lon Non, younger brother of President Lon Nol.

In one case, about 200 of his soldiers assigned to provide security within Phnom Penh went on a rampage in the central market area, looting rice and food vendors. The soldiers, all members of one battalion, said they hadn't been paid in several months.

Investigation showed that Lon Non was collecting pay for a full battalion during the period the soldiers said they received no money. The soldiers also said the battalion had only slightly more than 200 men, not the 577 the President's brother was being paid for.

A second incident involved training of another Lon Nol battalion. He sent a full contingent of men over to a U.S. training camp for Cambodians in South Vietnam last year. After they had been paid, furnished weapons and returned to Cambodia, he sent the same men back for the same training.

The net effect of this, until he was caught, was that he was collecting pay for two battalions where only one existed and he wound up with almost 600 extra guns.

Sources who made this information available said they didn't know what action the United States or Cambodia took, if any, when the fraud was discovered.

The corruption in the military is not without its positive impact on the economy. There is a construction boom, and expensive foreign cars, like Mercedes and Jaguars, are in demand.

Literally hundreds of new villas have been built by colonels and generals throughout Phnom Penh in the last 24 months.

In one area alone, there are 30 under construction now.

American sources estimate the cost of the plush houses at between $20,000 and $40,000 each in a country where a colonel makes a maximum of $70 a month, and the average family lives on $600 a year.

The fancy cars cost between two and three times what they would in the United States.

The rice scandal, which is comparatively new, has a direct impact on the largely peasant population.

Last autumn the United States began massive shipments of rice to Cambodia to overcome a food shortage. The government created distribution centers, at the same time, throughout the country and set an official price for rice.

Despite the continuing flow of U.S. financed rice into the country, most government outlets have no rice for sale. Instead, consumers are forced to buy their basic food on the black market at several dollars more than the official price, which is about $18 per 220-pound bag.

The black market price of between $22 and $24 has a demoralizing impact on Cambodians, whose average income is about $50 a month.

"The black market price goes up every week but my income stays the same," said a woman shopper in the central market.

"The Americans know about all the graft and corruption," one foreign diplomat said, "but they are afraid to take any action to curb it other than warning Lon Nol. If they stopped aid for a few weeks, maybe the government would believe the United States means business."

Little information is available on the degree to which U.S.-supplied war materiels reach the insurgents. While some U.S. sources confirm such a problem exists, they are unwilling to discuss its extent or who is behind it.

WAR HAS SHADOWED CAMBODIANS, LAOTIANS

(By Charles Yost)

Two more engaging and inoffensive peoples than the Cambodians and Laotians it would be hard to find anywhere in the world. During two years as ambassador to Laos, I came to know them well, and ever since have deeply deplored their unwilling involvement in the Vietnam War.

Neither has the slightest interest in the quarrels of their traditional enemies, the Vietnamese. Neither cares whether their social system is labeled "Communist" or "anti-Communist," as long as their Buddhist religion and their simple way of life are not too grossly interfered with. All they ask of the rest of the world is to be let alone.

Yet that is precisely what the world has persistently denied them. Ever since the early 1950s they have been dragged into the affairs of Vietnam, first in the war of liberation from the French, then in the Vietnamese civil war, in which the Ho Chi-Minh trail in Laos and the Cambodian staging areas near the Mekong Delta became essential to the conduct of Hanoi's war in the South.

The Paris agreements provided for withdrawal of "foreign" troops from both countries but in neither case has this occurred. In Laos there is a cease-fire but no political agreement among the contending Lao parties and no North Vietnamese withdrawal.

In unhappy Cambodia there is not even a cease-fire, but rather a closely besieged capital city, a shaky and incompetent government, an occupation of most of the country by warring factions with ill-defined ties to Hanoi and Peking, and an almost continuous bombardment by U.S. B'52's despite U.S. military withdrawal from Vietnam.

My belief is that it is high time that the U.S. left the Cambodians and the Laotians to their own devices.

The most we can do in Cambodia is to delay whatever the ultimate outcome may be, prolong the fighting, suffering and devastation, and enhance an "ugly American" image among the mass of the population, subjected to what must seem to most of them a meaningless terror from the skies.

There is every reason to believe that the best and quickest way to "stop Communism," that is, Vietnamese intervention, in Cambodia and Laos is to let the indigenous factions come to some accommodation as quickly as they can by either political or military means.

Once some accommodation, no matter how messy and unsatisfactory, takes place, two things are likely to happen:

First, since neither Laotian nor Cambodian society is easily adaptable to Communism in any real sense, a reassertion of traditional social and political patterns will occur, whatever the designation and composition of the governments.

Second, while Hanoi's influence in Vientiane and Phnom Penh will for a time be considerable, it will, since Laotians and Cambodians detest Vietnamese, tend to wither away as soon as more normal and peaceful conditions return. Prince Sihanouk's recent clandestine visit home and his subsequent honorific reception in Hanoi and Peking suggest that he will be the latter's chosen instrument in Cambodia. Yet his record for nationalism, wiliness and flexibility also suggest that he will extricate himself rather promptly from any coils that may initially envelop him.

Under these circumstances continued U.S. military intervention in Cambodia, even leaving aside the disputed question of its legitimacy under our Constitution, makes no sense at all. It is injurious to the Cambodian people and destructive of the American image there. It will not determine the eventual political outcome, which in any case will be a Cambodian and not a Vietnamese one. It could, if prolonged, serve as one more compulsion to draw the U.S. back into the Vietnam quagmire.

Its only justification would seem to be a misperceived need for the United States to assume responsibility for enforcing singlehanded the Paris agreements, a visceral reaction to an imagined "humiliation" if events in Indochina call in question whether "peace with honor" has been achieved, and finally a reluctance to "lose" even a small pawn in the global chess game with the Soviet Union and China, which seems to continue despite detente.

These reasons have more to do with the psychology of leaders than with real national interests of either the United States or Cambodia. Indeed in the broader picture of the sought for "generation of peace," they almost certainly work contrary to those interests.

HON. ELLIOT L. RICHARDSON

Mr. SCOTT of Pennsylvania. Mr. President, I have never known a finer man in or out of public life than Elliot Richardson. I know of no one who, in his service to his native State of Massachusetts, in many public and private capacities, and then to the United States of America as Secretary of Health, Education, and Welfare, as Secretary of Defense, and now as Attorney General-designate of the United States, who has given more selflessly of his great qualities—his qualities of the highest intelligence, the noblest type of humanity, the deepest compassion, who is level headed, considerate, articulate, and just.

When his name is acted upon by the Senate for confirmation, I would believe—with good reason to believe—that it would be acted upon favorably and expeditiously, as it has been acted on on three occasions in the past.

The Nation trusts Elliot Richardson, and the Members of Congress trust Elliot Richardson. I am certain that he will do an excellent job as Attorney General. I do not stand here to offer him advice as to what he should do in any particular case; but in no event should he be expected to begin to perform the full and entire responsibilities of the office, involving the determination of future policy, until after the Senate has had its opportunity, through hearings and action on the confirmation of his nomination, and then, in due time, in the performance of each and all of the many duties, to do the right and proper thing.

I am glad to be counted as a friend of Elliot Richardson and his admirer. I state again that I have complete trust and confidence in him.

ORDER OF BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senator from Oklahoma (Mr. BELLMON) is recognized for not to exceed 15 minutes.

JOHN CONNALLY JOINS THE REPUBLICAN PARTY

Mr. BELLMON. Mr. President, before I begin the remarks I have prepared for this time, I invite the attention of the Senate to the fact that at this moment in Houston, Tex., an event that I feel will have considerable national significance on the political scene is taking place. I refer to the fact that John Connally is now holding a news conference in Houston and is announcing that he is joining the Republican Party.

In my opinion, John Connally is one of the ablest individuals that our system of government has ever produced. I served with then Governor Connally in the Governors' Conference, where I came to have great respect for him. I particularly admire his integrity in now making a formal change in his political philosophy, which I have watched occur over the years as the parties have gradually changed their alinements to some extent.

I feel that the action that Governor Connally is taking today in joining the Republican Party will make a great impact on the political balance of the country. I would like to welcome him formally, as best I can, to the Republican Party and to say that I feel this action is one that will be very beneficial to the Nation's political climate.

(The remarks Senator BELLMON made at this point on the introduction of Senate Joint Resolution 101, to reform the electoral system, are printed in the RECORD under Statements on Introduced Bills and Joint Resolutions.)

ORDER OF BUSINESS

Mr. BELLMON. Mr. President, I yield back the remainder of my time to the Senator from Connecticut.

Mr. WEICKER. Does the Senator from Ohio wish to be recognized?

Mr. TAFT. Mr. President, I would appreciate it if the Senator would request that I be recognized for 3 minutes.

Mr. WEICKER. Mr. President, I yield 3 minutes from the time of the Senator from Michigan (Mr. GRIFFIN) to the distinguished Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 3 minutes, the time to be deducted from the time allocated to the Senator from Michigan.

Mr. TAFT. I thank the Senator for yielding to me.

The PRESIDING OFFICER. The Senator may proceed.

(The remarks Senator TAFT made at this point on the submission of amendment No. 97 to the Small Business Act are printed in the RECORD under Amendment of Small Business Act)

ORDER OF BUSINESS

Mr. TAFT. Mr. President, I yield back the remainder of my time to the reserved time.

The PRESIDING OFFICER. Under the previous order, the Senator from West Virginia (Mr. ROBERT C. BYRD) is recognized for not to exceed 15 minutes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. On whose time?

Mr. MANSFIELD. On the time of the Senator from Michigan (Mr. GRIFFIN).

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, how much time remains under the order allotted to Mr. GRIFFIN?

The PRESIDING OFFICER. One minute.

Mr. ROBERT C. BYRD. I ask unanimous consent that that time be reserved to the distinguished Senator from Connecticut (Mr. WEICKER).

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I ask now that I be recognized under my own order.

The PRESIDING OFFICER. Under the previous order, the Senator from West Virginia (Mr. ROBERT C. BYRD) is recognized for not to exceed 15 minutes.

THE FBI NEEDS A DIRECTOR

Mr. ROBERT C. BYRD. Mr. President, the resignation of L. Patrick Gray III, as Acting Director of the FBI, came belatedly and at a time when, according to news accounts, the morale of the Bureau is at an alltime low. And well it might be, for as of today, May 2, the FBI has been without a Director for 1 entire year.

I have spoken out several times calling for the President to name a Director, subject to Senate confirmation, so that the FBI can at last begin to reestablish its own self-confidence—as well as its former esteem in the eyes of the public.

The sordid circumstances surrounding the resignation of Mr. Gray constitute another sad chapter in the deterioration of this essential law enforcement agency, the professionalism and morale of which Mr. J. Edgar Hoover had spent a lifetime in building. The need for keeping the Bureau divorced from politics could never be more clear than it is now. That the Bureau should lack a firm hand at the helm at this particular time is all the more sad, because it comes at an hour when the past strengths and talents of this great agency are needed most—in the midst of the growing Watergate scandal.

The President was wise to have acted quickly upon the heels of Mr. Gray's resignation, to name a man who has had no connection with the squalid Watergate affair. I regret, however, that the President named another Acting Director—not a Director. The President did not solve the FBI's problem with the appointment of Mr. William D. Ruckelshaus to serve as Acting Director. Judging from his record as head of the Environmental Protection Agency for 2½ years, I think it is apparent that Mr. Ruckelshaus is a man of great personal integrity. He has built a reputation as a tough administrator, who has shown admirable qualities of judgment, courage, and independence. In enforcing Federal policies dealing with pollution, he has displayed impartiality and resoluteness.

As important as all of these qualities are, however, the appointment of Mr. Ruckelshaus does not meet the pressing need for immediate reconstruction and repair of the serious damage that has befallen the FBI. Mr. Ruckelshaus has indicated that he envisions only a brief stay, which, in itself, could indicate further drift and demoralization at a time when the Bureau ought to be operating at its maximum effectiveness. Moreover, Mr. Ruckelshaus comes, albeit indirectly, from the very Justice Department that has earned such disappointingly low marks heretofore in its conduct of the Watergate investigation. Additionally, his past political activities would not appear to be such as would quickly rebuild public confidence in the FBI's detachment from politics. This is not to say, however, that given the recent high performance by Mr. Ruckelshaus as EPA Administrator, he cannot sever his political loyalties from his higher constitutional and legal responsibilities. It is quite possible that he possesses the discipline to do just that.

There is another problem with this appointment that disturbs me. The Comptroller General of the United States, on February 22, 1973, stated the opinion that L. Patrick Gray's service as Acting Director of the FBI was subject to the provisions of 5 United States Code 3346–3348, and that his continued service was prohibited since he had performed the duties thereof in excess of 30 days. The Justice Department maintained, on the other hand, that Mr. Gray was not subject to those provisions of the code. The Department's arguments, nonetheless, were rejected, after consideration, by the Comptroller General. The temporary appointment of Mr. Ruckelshaus may well fall under the same provisions of the law and, if so, the President may very well lack the power even to make such an appontment, because, according to a previous Attorney General's opinion, when the vacancy is temporarily filled once for the prescribed period, the power conferred by the statute is exhausted and it is not competent for the President to appoint either the same or another officer to thereafter perform the duties of the vacant office for an additional period. I have asked the Comptroller General for an opinion in the matter.

It would seem that the wisest course for the President would be to promptly transmit to the Senate the name of a nominee to be Director of the FBI. For that agency to continue to drift helplessly, without a chief, could permanently impair its effectiveness and destroy public confidence in it.

I can understand the problems that the President may have with respect to selecting a nominee for the position of FBI Director and that the prompt naming of Mr. Ruckelshaus may have appeared to be the only action that the President could take at the time. But there has been ample time for this administration to select someone with the outstanding ability, impeccable integrity, courage, and independence needed to lead this organization of 20,000 people trained in law enforcement and domestic intelligence-gathering activities. Considering Mr. Ruckelshaus' own statements that his is a short tenure and that the position should go to someone with law enforcement experience; considering the questionable legality of the appointment; and considering, most importantly, the desperate need of the FBI to have a permanent Director, I earnestly hope that the President will act very quickly to name a nonpartisan, highly qualified. Director before the serious damage that has already been done to the Bureau in the last year becomes irreparable, irremediable, and irreversible.

AMERICA REDISCOVERED

Mr. ROBERT C. BYRD. Mr. President, though much of what is presented on commercial television as entertainment is abysmal, there come along occasionally programs that honor the medium and uplift the viewer. These kinds of programs are much more frequently seen on the public broadcasting media, and I have watched with much enjoyment such programs as "The Six Wives of Henry VII," "Elizabeth R," "Jude the Obscure," "The Golden Bowl," "The Gambler," "The Last of the Mohicans," and "Point Counterpoint."

In all of these I have noted that the mellifluous voice and educated mind of Alistair Cooke have lent themselves to the program's excellence. Next week, Mr. Cooke will offer the last of a series of hour-long programs. Entitled "America: A Personal View," these have appeared on every second Tuesday for the past 24 weeks, and on each of these evenings this highly articulate journalist, author, and commentator, who left his native England 37 years ago to make his home in America, has offered to Americans 1 hour of this Nation's history. These programs, which have covered the existence of our country from Jamestown to 1973, have been presented with refreshing objectivity, an impressive scholarliness, and underlying all, an obvious deep affection for America and the American people.

In his series, Mr. Cooke gives unstinted praise to the glorious chapters of our history, but is not reluctant to chide us for our failings. Not the least of Mr. Cooke's qualities as an observer is that he is wholly believable. He never is guilty of confusing facts and opinions, and when he is offering one or the other, his clarity and conciseness are matched only by his gift for gentle, yet penetrating humor.

This series was made by the British Broadcasting Co., and was originally intended for viewing only in the British Isles. Had this restriction been maintained, America would have been deprived of one of the truly great programs that the television medium has ever presented. The National Broadcasting Co., over whose network facilities "America" is broadcast, and the Xerox Corporation, which is sponsoring the series, deserve the gratitude and the congratulations of every American fortunate enough to enjoy it.

I have but one regret regarding Mr. Cooke's exceptional show, and that is the time slot in which it was shown. I am sure that it was unavoidable that it be placed from 10 p.m. to 11 p.m., but, at that hour, the majority of Americans who would have benefited most from seeing it—the young and middle teenagers—are probably in bed, or should be. It may be possible, and I sincerely hope it will be, that every junior high school and high school in the United States will be enabled to obtain a print of the entire 13-week series for showing in their history and sociological courses. I believe that such showings would be a tremendous contribution to our youngsters' understanding of the genesis and growth of this great Nation—and, as a corollary, a fillip to their appreciation of the breadth and beauty of the English language, as it is used by Alistair Cooke.

In a Sunday supplement to the Pittsburgh Press of March 25, 1973, Mr. William T. Noble wrote a most interesting profile of Mr. Cooke, and a brief description of "America." I believe that my colleagues would enjoy sharing this profile with me, and that they might find intriguing, as I did, Mr. Cooke's list of the six most impressive people he has met in his 64 varied years of life.

I ask unanimous consent that Mr. Noble's profile be printed in the RECORD.

There being no objection, the profile was ordered to be printed in the RECORD, as follows:

THE MAN WHO REDISCOVERED AMERICA

(By William T. Noble)

A waning winter sun filtered through the windows that overlook New York's Park Avenue and the north end of Central Park, illuminating the vintage oak, dark leather chairs, statues, paintings and floor-to-ceiling books in Alistair Cooke's study.

Cooke's desk faces the east so he can write with the afternoon sun over his shoulder. By turning he can peer down on the monumental traffic or muse over the comparative but often deceptive serenity of Central Park.

The study is worn and well-used. There is an eclectic collection of British and American memorabilia befitting the ex-Englishman who has been giving the United States a fresh look at itself.

Cooke is fairly tall and spare with the elegant look of a fragile piece of Wedgwood, or a country squire who spent a lifetime breathing the damp winds sweeping off a moor. His hair is as white as birch bark and his dark inquisitive eyes beside a large aquiline nose look younger than his 64 years.

His voice and choice of words make an ordinary conversation sound like the reading of a poem by Lord Byron. In his deep blue suit and vest with brass buttons he looks as British as Anthony Eden.

Cooke traveled to America to write about it, and his assignment became a love affair. For 37 years he has made a Fifth Avenue living interpreting America for the British.

RADIO BROADCASTS

He has worked for such newspapers as the London Times and Guardian of England—papers that eschewed scoops and scandals but rejoiced in long, perceptive pieces. He also sent weekly radio broadcasts about America through the BBC.

His current TV series ("America: A Personal View," which runs biweekly through May 8) is in many ways a visual account of the things Cooke has been telling the English about America. It is his interpretation of American history without hysterics, doomsday predictions or sycophancy.

With Cooke as their guide, the British crew that previously directed and photographed Sir Kenneth Clark's "Civilisation" was in no danger of falling into an embarrassing quagmire as it hopped, skipped and jumped from one end of the country to the other. Example:

Producer Michael Gill told Cooke: "We can't photograph Valley Forge without snow. It won't be right. But there's no snow or ice. And there wasn't any last winter either."

Cooke: "There's a place in Massachusetts that looks just like parts of Valley Forge. And there's snow there. But don't comb the landscape. And watch out for Massachusetts oaks in backgrounds. They can't be found in Valley Forge and someone will spot the deception."

How many native-born Americans would have known that?

Despite his culture, Cooke is as unstuffy as George Meany and moves as charmingly among a poor Deep South congregation as he does among the dons of Cambridge.

No pedant, he does not talk down to his audience but tells it as he sees it in clear, concise, English:

"When we first played around with the idea of themes for the 'America' series (the series was originally intended for exclusive British viewing), such things as 'America and Business,' 'American Idealism' and 'Women in America' were discussed. Since I am temperamentally not a 'Whither America?' man, I lapsed into a coma of boredom within the first half hour and we abandoned that.

"Two days later I came up with a simple, staggering proposal to try and tell the history of the United States on TV in 13 hours."

For the next two years Cooke plunged even deeper into American history, mining little-known facts, chiding his former countrymen. ("I regret to say the British army of occupation showed the crassness of all armies of occupation") and telling about the agony of Civil War soldiers who had to bite the bullet when doctors severed mangled limbs without anesthetics. (President Lincoln embargoed shipments of chloroform to the South.)

For relaxation he "mooched around" his beloved New York, or retreated to his piano to skillfully beat out New Orleans jazz.

AVOIDS DRIVING

Cooke, however, has not been Americanized to the extent that he understands football, or drives cars.

"American football is still as much of a mystery to me as the gymnastics of Zen Buddhism," he said, "and only doctors, cab drivers and maniacs drive cars in New York. I have not owned a car for 15 years and have never bought a new car in my life."

As a full-fledged American citizen, Cooke feels free to criticize his adopted land. And he does so, sometimes quite firmly.

In describing slavery in America, he says: "It was like a sore thumb sticking up through the Declaration of Independence." He also thought the country "got fat with pride" during the Wilson era.

"I always thought Americans were too obsessed with bathtubs," said Cooke changing subjects. "But during wars they crawled through mud without complaint.

"We are idealistic people and feel there are no limits to what can be done. It was common to hear years ago the expression that we lost China. Really we never had China to lose.

"Now there is a great deal of disenchantment with American capabilities. There has been a massive mistrust of American institutions since Vietnam.

"There also is a great apathy toward governmental scandals that years ago would have caused an uproar of protest. Today I believe people are so concerned with their own safety and problems with crime in the streets they don't have time to think or do anything about such things."

Meanwhile, he is savoring American life to the fullest.

His second wife, Jane, a painter, a war widow he married in 1946, shares his interests. They play chess, enjoy Mozart, Handel, Gilbert and Sullivan and New Orleans jazz.

Cooke has one son by his first wife, John, 32, of San Francisco. "He writes film scripts and manages a rock band," said Cooke. Mr. and Mrs. Cooke have a daughter, Susie, 23, and Mrs. Cooke has two children, Stephen and Holly.

"I am an Aristotelian," said Cooke, explaining his philosophy. "I do not truckle to Plato."

(Simply, an Aristotelian believes among many other things, that God is pure actuality, being the unmoved mover and unchanging cause of all changes. Platoism is a belief that the ideal state is aristocratic and made up of only three classes, the artisans, soldiers and philosopher-leaders.)

"America," believes Cooke, fulfills his Aristotelian beliefs about God and democracy. Unlike many foreigners who come here to work but never become citizens, he settled in as an American, accepting all of the responsibilities and rewards, of which he believes there are many.

One of the rewards was binding friendship with H. L. Mencken—an American as diverse from him in tastes and philosophy as Winston Churchill was from George Wallace.

"I was taking an American language course at Harvard," Cooke said "and of course, Mencken was the great living expert. I started corresponding with him and he invited me down to eat crabs. That's how our friendship started.

"It was astonishing that he liked me. I was the embodiment of every thing he disliked. He distrusted Englishmen. He didn't like Methodists, and I was brought up a Methodist. He hated radio broadcasters, and that was to become my profession. As for golf, which is a passion with me, he said that everyone guilty of golf should be barred forever from holding any office in the United States."

Yet, for years and until his death, Mencken, the atheist, and Cooke, the Methodist, were the closest of friends.

"But one of my most exciting experiences was meeting Oliver Wendell Holmes (the Supreme Court justice who died in 1935 at 94). Here was a man who served in the Civil War and was wounded three times in some of the most classic battles of that event."

COLORFUL WRITING

When Cooke met his first American Indian he wrote: "I was as tense as high C." His writing often is a colorful as his voice is honey smooth. His TV commentary is without a script or teleprompter.

As a journalist Cooke "mooched around" to such places as cranberry bogs, dockyards, farms, plantations. He studies the flora and fauna indigenous to each place as diligently as a scholar.

He also came to love the delightful eccentricities of Vermonters (a favorite state) and enlightened the English who Cooke once said "were abysmally ignorant of the United States."

He also moved easily into the drawing rooms of the rich and famous. He has interviewed presidents (a book of his interview with President Eisenhower and his relationship with Winston Churchill was published some time ago), and fell in love with California when he was there interviewing movie stars.

"California is a favorite state," he said, "but it is like a mistress who turned into a crone."

Years ago he spent almost an entire evening lighting Greta Garbo's cigarettes.

"Who are your favorite people?" I asked. "Of all the people you have met, who sticks out in your mind as the most impressive?"

"That is easy," said Cooke, listing the following order:

1—Charlie Chaplin.
2—H. L. Mencken.
3—Adlai Stevenson.
4—Bertrand Russell.
5—Humphrey Bogart.
6—Frank Lloyd Wright.

Although they did not make his list, Cooke admires William Buckley, "a marvelous writer and a quality of logic," and Norman Mailer, "whose bloodshot writing has Shakespearean intensity."

The catholicity of his intellectual tastes and his almost complete Americanism is reflected in his list. The only true Englishman on it is Russell. Chaplin was an English citizen but lived most of his life in America.

Cooke told a story about the late Adlai Stevenson.

"When Stevenson was a guest at the White House and invited to sleep in the Lincoln room," said Cooke, "he paced the floor until the wee hours of the morning. He had such reverence for the memory of Lincoln he thought it would be a sacrilege to mess up the hallowed bed or disturb anything in it. Finally, he was overtaken by sleep and lay down on a small couch that would not show.

"But the joke was on Adlai. The couch was the only piece of furniture actually in the room when Lincoln was there. The bed had been brought in from elsewhere."

ORDER OF BUSINESS

Mr. ROBERT C. BYRD. Mr. President, how much time remains to me under the order?

The PRESIDING OFFICER. The Senator has 5 minutes remaining.

Mr. ROBERT C. BYRD. Mr. President, I thank the Presiding Officer.

CABINET OFFICIALS SHOULD BE RECONFIRMED

Mr. ROBERT C. BYRD. Mr. President, I introduced S. 755 on February 5 with the purpose of reasserting Congress role as a check on the powers of the executive branch. Under article II, section 2 of the Constitution, the heads of executive departments were made subject to confirmation by the Senate, a part of the body responsible for their creation. Since the department heads then serve at the pleasure of the President, once appointed they may disregard their responsibilities to the people's elected representatives and the people so long as they satisfy the President, since they will never have to face confirmation hearings or debate again. The irony of this present arrangement is that the head of the executive branch must face the voters every 4 years but his subordinates need face no one for a judgment as to how they are doing their jobs but the President. My bill would end the terms of all heads of executive departments at the same time as the President's. It would not prevent a President from reappointing his Cabinet at the beginning of his new term or prevent his successor from continuing his predecessors' Cabinet officers. It would not prevent a President from removing department heads prior to the end of his term but would provide a date certain at which the department heads would face an evaluation of their performance by Congress in the form of reconfirmation proceedings.

Over the years, we have seen how quickly this absence of responsibility toward Congress can turn to outright contempt.

If we fail to make the department heads subject to reconfirmation, we could create a royal family unresponsive to the will of Congress and the people they serve.

The Washington Post warned last Sunday of the possibly irreparable decline that faces the legislative branch when their editorial column declared:

> Mr. Kleindienst's performance lays bare the hypocrisy of the administration's oft-professed desire to cooperate with Congress. Indeed, the Attorney General seemed to be spoiling for a fight. He declared several times that Congress could contest his view of executive privilege by cutting off funds for the executive branch or trying to impeach the President. For impeachment, he asserted—in the most astonishing statement of an astonishing day—Congress would not need "facts" or "evidence," but just the votes. Such gross pragmatism, in tune with other recent administration views, suggests a cold calculation that, no matter how extreme the provocation, Congress is too disorganized or too deferential to mount an effective institutional defense. It is ominous when the chief legal officer of the government displays such contempt for the basic principle of government by law. (Washington Post, April 15, 1973, p. C6)

The problem goes much deeper than partisan politics. Today it is the Democratic Party that has particularly felt the slidings of a Republican administration. But the problem will continue even with a Democratic President in the White House, no matter which party controls Congress. Through successive administrations, the legislative branch has shown a remarkable tendency to let the Executive do it—to forfeit powers to the President. Time magazine recognized how we reached our low current standing when it stated early this year:

> The U.S. is facing a constitutional crisis. That branch of Government that most closely represents the people is not yet broken, but it is bent and in danger of snapping. A Congress intended by the framers of the Constitution to be the nation's supreme policy setter, lawmaker and reflector of the collective will has been forfeiting its powers for years. Now a President in the aftermath of a landslide seems intent upon the White House ever more firmly in the center of federal power. (Time Magazine, January 15, 1973, p. 12)

I am not here to deliver a eulogy to an ineffective Congress. I am here to work to restore Congress as a separate and equal branch. S. 755 is a step back to the balance of power between executive and legislative branches But it is a symbolically important step. By saying to Cabinet officers, "You have been appointed by the President and may be removed by him, but you are also responsible to the Legislature which must initially consider your qualifications before confirming or refusing to confirm you and which, at the end of the President's term, must consider you again if the President chooses to renominate you," we are going a long way to restoring responsible and responsive government to the people.

Our history has shown that the American people will usually return a President to office for a second term since they prefer a known entity rather than an untried possiblity. We have generally felt a desire to let a President finish the job. Only Grover Cleveland, Benjamin Harrison, and Herbert Hoover have been refused a second concurrent term when they sought it. It is ironic that the President must face the people after 4 years and respond to criticism over his policies and performance while the men who perform most of the work of the executive branch of Government do not. Even the President has too little contact with the officials who head the 11 departments which in 1972 employed 1,572,370 persons. Whether the administration is headed by a Republican or a Democrat, responsible Government demands that these officers be required to answer for their performance at more than appropriation hearings.

S. 755 is a step toward renewal of executive responsibility to Congress. S. 936 and S. 1500 are among other bills I have introduced which I hope the Senate will soon favorably consider to move toward a restoration of the delicate balance between the excutive and legislative branches of Government.

The framers of our Constitution wisely established a Government based on a delicate balance of power between three equal branches. Built into the system is the necessity of a certain degree of distrust between each of the branches as each attempts to check excessive power exercised by the other branches while maintaining its own powers. The functions of each overlap with the others. For example, enactments of policy by Congress in the form of laws may be subject to veto by the executive and review by the judiciary. The policy of Congress depends upon faithful administration by the executive. Programs undertaken by the executive are limited by approval of the budgets by Congress and, in the event of conflict, review by the judiciary. The overlapping of functions necessarily leads to frequent conflict. But by the tensions between the the State and Federal Governments, the freedom of the people from unbridled governmental power is protected. If the power of one branch exceeds another to the extent that the superior branch can treat the other with impunity, then the equality of the other branches and, ultimately, the power of the people are threatened.

The 93d Congress will earn a place in history if it acts to keep the executive branch—regardless of the party in power—responsive to the will of the people and their elected representatives. Approval of S. 755 is necessary if Congress is to be guaranteed equal status in the constitutional system of checks and balances.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 30 seconds remaining.

Mr. ROBERT C. BYRD. And the Senator from Connecticut has 1 minute?

The PRESIDING OFFICER. One minute.

Mr. ROBERT C. BYRD. May I impose upon the Senator to ask for his 1 minute?

Mr. WEICKER. I yield 1 minute to the Senator from West Virginia.

Mr. ROBERT C. BYRD. I thank the able Senator.

UNANIMOUS-CONSENT REQUEST ON S. 755

Mr. ROBERT C. BYRD. Mr. President, S. 755 is now on the calendar and has been cleared on both sides for unanimous consent action. The distinguished Senator from Illinois (Mr. PERCY) is, I believe, the ranking Republican member of the committee that reported S. 755, and inasmuch as that bill has been cleared for unanimous consent action, I wonder if the Senator would agree that we could have a rollcall vote on the measure today, without further debate—inasmuch as we could pass the bill by unanimous consent anyway—and schedule that vote, say, immediately after the vote on the pending amendment by the Senator from Wisconsin (Mr. PROXMIRE).

Mr. PERCY. Which would make them end to end, back to back?

Mr. ROBERT C. BYRD. That is correct.

Mr. PERCY. That would be perfectly acceptable to me. I assume it is acceptable also to the chairman of the committee.

Mr. ROBERT C. BYRD. Yes; the bill has already been cleared on both sides of the aisle for unanimous and consent passage.

Mr. PERCY. I had advised the minority leadership yesterday that from my standpoint it would be agreeable to bring the matter up, and the leadership, I believe, was going to check with other members of the committee as well.

Mr. ROBERT C. BYRD. It has been cleared.

Mr. WEICKER. It has been cleared on this side.

Mr. ROBERT C. BYRD. So, if we could have a vote immediately after the vote on the Proxmire amendment, before the unfinished business is brought back before the Senate, and we could get unanimous consent at this time to limit that rollcall vote to 10 minutes, so that we would not delay the unfinished business beyond what we said yesterday by more than 10 minutes.

Mr. PERCY. That I would appreciate very much. The Senator from Illinois has an engagement in Illinois this afternoon, and the tighter we can make it the better.

Mr. ROBERT C. BYRD. Very well. Mr. President, I ask unanimous consent that the vote on S. 755 occur immediately after the vote on the Proxmire amendment today, that the time for such vote be limited to 10 minutes rather than the usual 15 minutes, and that rule XII be waived.

The PRESIDING OFFICER. Is there objection?

Mr. CURTIS. Mr. President, reserving the right to object, will the Senator state what this is about?

Mr. ROBERT C. BYRD. This has reference to S. 755, which is on the calendar and has been cleared on both sides of the aisle for passage by unanimous consent.

The PRESIDING OFFICER. Is there objection?

Mr. ALLEN. Mr. President, reserving the right to object, would there be no opportunity to debate the measure?

Mr. ROBERT C. BYRD. There would be no opportunity to debate the measure. The bill has been on the calendar for 2 weeks, and could have been passed by unanimous consent on any morning.

Mr. ALLEN. That is, if no one wanted to discuss it.

Mr. ROBERT C. BYRD. Well, if anyone had wanted to discuss it, they surely would have notified the leadership that they had such intention in mind.

Mr. ALLEN. I have no objection to the passage of the bill. The only point that the Senator from Alabama would like to suggest is that we have right now a controversy surrounding the passage by unanimous consent of a sense of the Senate resolution yesterday, and some rank and file Members of the Senate would have desired to discuss that matter at length, but because of the unanimous-consent request and the fact that there were few Senators on the floor, unanimous consent was given.

So I am wondering if we should not think about some of the rank and file Members of the Senate, rather than just the leader's position.

Mr. ROBERT C. BYRD. Mr. President, the leadership is, of course, at the mercy of the rank and file of the Senate at all times. The lowest people in the Senate are the Members of the leadership on h-e-l-l. We have to clear everything H-E-L-L. We have to clear everything with everybody, and if the distinguished Senator is going to press this, then what he is really saying—with all due respect to the able Senator—is that we ought to stop passing any bills or any resolution, simple, concurrent, or joint, in the Senate by unanimous consent.

This bill has been on the calendar for 2 weeks. We could have passed it on any morning in 5 seconds by unanimous consent. It came out of the committee unanimously. The ranking Republican member of the committee is here, and I would hope the able Senator from Alabama would not interpose an objection to this request.

Mr. ALLEN. Would the Senator refrain from making the request at this time, and make his request a few minutes later? I would like to check with some Senators that I know have an interest in the matter.

Mr. ROBERT C. BYRD. Mr. President, I am glad to withdraw my request.

Mr. ALLEN. I thank the Senator.

TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER (Mr. NUNN). Under the previous order, there will now be a period for the transaction of routine morning business not to extend beyond 1 p.m., with statements therein limited to 3 minutes.

SPECIAL PROSECUTOR FOR WATERGATE INVESTIGATION

Mr. PERCY. Mr. President, I would like to make a statement in response to comments made on the floor yesterday evening regarding the passage of Senate Resolution 105, which I introduced.

I deeply regret any misunderstanding which may have occurred with respect to this resolution. Prior to introducing my resolution, I informed and counseled with the leadership on both sides of the aisle, as well as several other Senators, of my intention later in the day to ask for its immediate consideration. No objection was raised to my announcement of that procedure.

On Monday of this week, I had announced on the floor of the Senate my intention to introduce such a resolution, but decided to hold off its introduction until after the President's speech. The next morning, I sent a copy of the resolution to every Member of the Senate with a covering letter stating the time at which I would introduce it and inviting all interested Senators to join me on the floor to discuss it at that time.

Had I known that there would have been objection, I certainly would not have followed the procedure that I did. After the adoption of the resolution, I reported to my colleagues in the Senate Republican policy committee, and at that time there would have been ample time to have brought the matter forward for reconsideration.

The procedure that I used was very comparable to the procedure I used on October 8, 1970, after the President's peace proposal was made in a television address. The next morning, I drafted the resolution (S. Res. 474) which expressed the sense of the Senate that the President's peace initiative was fair and equitable, and would lead toward a just settlement of the Indochina war.

After the resolution was read, the Presiding Officer asked, "Is there objection to the immediate consideration of the resolution?" There was no objection. The resolution was agreed to, and no one ever objected to that procedure. As I understand it, it was the same procedure used by the distinguished majority leader on September 9 when the resolution regarding the killing at the Olympics was introduced in the Senate. So the same Senate procedure was used. However, as I reiterated many times last night in 3 hours of discussion, I wish to work this out amicably and fairly, and I tried at that time on several occasions to move for reconsideration myself.

The PRESIDING OFFICER (Mr. Nunn). All time for morning business has now expired.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, in view of the fact that the time of the Senate is now under control, I will take the liberty of taking some of the time of the distinguished chairman of the Committee on Post Office and Civil Service and yield 3 more minutes to the Senator from Illinois.

Mr. PERCY. I thank the distinguished majority leader.

Mr. MANSFIELD. Mr. President, may I say, instead of the chairman of the Committee on Post Office and Civil Service, that the time should come from the chairman of the Subcommittee on Labor and Public Welfare, the Senator from Rhode Island (Mr. Pell).

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES AMENDMENTS OF 1973

The PRESIDING OFFICER (Mr. Nunn). The hour of 1 p.m. having arrived, under the previous unanimous-consent request, the Senate will now proceed to the consideration of S. 795, which the clerk will state.

The legislative clerk read as follows:

S. 795, to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes.

The Senate resumed the consideration of the bill.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 96—previously numbered 78—of the Senator from Wisconsin (Mr. Proxmire).

Under the unanimous-consent agreement of yesterday, there will be 1 hour of debate in total, to be equally divided and controlled by the mover of the amendment, the Senator from Wisconsin (Mr. Proxmire), and the manager of the bill, the Senator from Rhode Island (Mr. Pell), with the vote on the amendment to come no later than 2 p.m.

Mr. MANSFIELD. Mr. President, now I yield 3 minutes to the Senator from Illinois (Mr. Percy).

The PRESIDING OFFICER. The Senator from Illinois is recognized for 3 minutes.

SPECIAL PROSECUTOR FOR WATERGATE INVESTIGATION

Mr. PERCY. Mr. President, I should like to make it very clear, indeed, that at no time was it intended by me or by any of the 18 cosponsors of the resolution to indicate any lack of confidence in the President, or Attorney General-designate Richardson, who is one of the most capable and competent men, of the highest integrity, that I have ever known in my personal and political life.

What I am certain of, though—and the other supporters of the resolution strongly believe—is that an independent special prosecutor is imperative to restore public confidence in our institutions of government.

I am sympathetic to the feelings expressed last evening by my colleagues, that there should be adequate time to debate this resolution and to give it careful consideration.

For that reason, Mr. President, as I indicated last night, I now ask unanimous consent that the Senate's action on agreeing to S. 105 on May 1, be reconsidered and that a vote on the adoption of the resolution occur on Tuesday, May 8, at 3 p.m.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois?

Mr. COTTON. Mr. President, reserving the right to object, as I stated last night, I can understand the desire of the distinguished Senator from Illinois, having gotten his measure through, that it be brought up again and that he does not want to run into a lengthy discussion. But I also served notice last night that while I would not object to his unanimous consent request to bring it back into the Senate, and while I certainly would not be a party to anything approaching a filibuster to hold it up, I think that the Senate, and most of us who had no notice of this whatsoever, should have the opportunity to discuss this resolution fully, because it has great significance, and without the pressure of a time limitation in advance. So, I would rather leave it where it is than have it brought up and then not be able to explore it thoroughly.

I am not necessarily opposed to it, but as long as the unanimous consent request is coupled with a time certain, I am compelled to object.

The PRESIDING OFFICER. Objection is heard.

Mr. PERCY. Mr. President, I would be ready and willing——

The PRESIDING OFFICER. Who yields time?

Mr. PERCY. To go into any reasonable arrangement——

Mr. PELL. Mr. President, I yield to the Senator from Illinois 3 more minutes.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 3 additional minutes.

Mr. PERCY. I thank my distinguished colleague from Rhode Island.

Mr. President, I would be ready, willing and able to make any reasonable arrangement to insure that there would not be a filibuster on this issue. The distinguished Senator from New Hampshire can speak for himself but he cannot speak for the other 99 Senators.

The Senator from Illinois, after counseling with a number of cosponsors of the resolution, some of whom would prefer to see the matter stand just as it is, has taken the position that even though there is adequate precedent for what was done on yesterday—and I know of no criticism of this same procedure when it was used on the two specific occasions I referred to—that because of the strong feelings of the distinguished Senator, I would be agreeable to any reasonable time as long as the Senator from Illinois can assure his cosponsors that we will have a vote at a time certain. If next Tuesday at 3 p.m. is not a reasonable length of time, then I would suggest that the distinguished Senator from New Hampshire suggest another time. The Senator from Illinois would agree to any limitation of debate for any reasonable period, but I would not agree to any proposal that would throw this wide open and leave it open for unlimited debate and discussion. We have exposed the Senate to that kind of procedure on too many occasions and the Senator from Illinois has seen the effect on certain legislation that he feels deeply about. Very simply, I feel that I cannot do that at this time.

Mr. COTTON. Mr. President, will the Senator from Montana yield me 1 minute to reply?

Mr. MANSFIELD. I yield 2 minutes to the Senator from New Hampshire on behalf of the Senator from Wisconsin (Mr. Proxmire).

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 2 minutes.

Mr. COTTON. I thank the distinguished majority leader.

Mr. President, I have a counter-proposal to make. I am not authorized to make it in behalf of anyone but myself, but in order to prevent a filibuster and to give the Senate full opportunity to debate, amend, and otherwise consider the resolution, if cloture were voted on the measure, under the rules of cloture, as I understand, each Member of the Senate is then entitled to 1 hour and it cannot be transferred. He can use it only for himself. He cannot yield it to anyone else. Is that correct?

I would agree, speaking for myself, that this thing be brought up without a time certain to vote, but with a unanimous consent agreement that it would be treated—when it is brought up and when it reaches the floor—as though cloture had been voted and that any Senator who desired to use 1 hour of time may use it but cannot transfer it to anyone else. I would not object to that.

Mr. PERCY. If the Senator would like to suggest a time at which it would be appropriate to bring it up, the Senator from Illinois would agree to a limitation of 100 hours and let anyone assign it. Then there is no problem about assigning the time. One Senator could speak for 90 hours on it if he wanted to.

Mr. President, as I understand it now, my unanimous request is still pending; is that correct? Has an objection been raised to it?

Mr. ALLEN. Mr. President, reserving the right to object——

The PRESIDING OFFICER. The Chair would advise the Senator from Illinois that there has been objection to the unanimous consent request of the Senator from Illinois.

Mr. ALLEN. Mr. President, I should like to call to the attention of the Senator from New Hampshire that, under the unanimous-consent request he is suggesting, that the matter be considered as though cloture had been invoked, that would prevent the filing of any amendments because only the amendments pending at the desk would be subject to it.

Mr. COTTON. I only meant my proposal to refer to the matter of a time limitation. I did not mean it to apply to the rules on cloture which refused any amendments.

Mr. President, I understand that this is not satisfactory to the minority leader or to the distinguished Senator from Connecticut, who would have to object to it; so there is no use making my unanimous-consent request, and I would have to renew my objection to the unanimous-consent request of the distinguished Senator from Illinois.

This thing was brought in here. It was killed—it was passed—it was then nailed down with only five Senators here. I would rather leave it in its grave and let the monument stand——

The PRESIDING OFFICER. Who yields time?

Mr. PERCY. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. For the last time, I yield 1 minute from the time of the Senator from Wisconsin (Mr. Proxmire).

The PRESIDING OFFICER. The Senator from Illinois is recognized for 1 minute.

Mr. PERCY. Mr. President, the Senator from Illinois called the majority leader, he called the deputy majority leader and he called the minority leader, Mr. Scott, who said he had no objection—and then he called the distinguished Senator from Texas (Mr. Tower), chairman of the Policy Committee, who said he would accept whatever decision the minority leader made. What more should the Senator from Illinois do—pick up the telephone and call all 99 Senators? There was no objection. How many bills have we passed by a voice vote in the Senate?

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. PERCY. Mr. President, I ask unanimous consent to have printed at this point in the Record a report on the number of bills that have been voted on by voice vote. We know there are not always 100 Senators on a voice vote.

There being no objection, the report was ordered to be printed in the Record, as follows:

Report

In 1972, the Senate passed a total of 767 measures, of which 532 were disposed of by record votes. This leaves a remainder of 235 measures disposed of by voice vote, including bills, resolutions, amendments, motions to adjourn, etc. At least 74 of these (according to the vote analyses prepared by the Republican Policy Committee) were substantive measures, including authorizations and appropriations for billions of dollars—

Second supplemental appropriations, providing a total of $5 billion in new obligational authority.

NASA authorizations, approx. $3 billion for FY 73.

$1.6 billion appropriations for disaster relief.

Rivers and Harbors bill.

Veterans medical facilities and rehabilitation bills.

Establishment of Office of Technology Assessment.

THE SENATE ACTED FAVORABLY BY VOICE VOTE ON THE FOLLOWING IMPORTANT MATTERS

(Does not include voice votes on amendments, motions, etc.)

Agriculture Pest Control (S. 1794).—To authorize pilot field research programs for the control of agricultural pests; January 31, 1972; page 1746.

Water Pollution Control (S. 3122).—To authorize funds for the extension of activities under the Federal Water Pollution Control Act through June 30, 1972; February 3, 1972; page 2516.

Foreign Air Transportation Rates (S. 2423).—To regulate rates and practices of U.S. and foreign air carriers in foreign air transportation; February 24, 1972; page 5370.

Drug Addicts (S. 2713).—To authorize the Attorney General to provide care for narcotic addicts placed on probation; March 3, 1972; page 6775.

Indian Claims Commission (H.R. 10390).—To extend for 5 years, until April 10, 1977, life of Indian Claims Commission; March 8, 1972; page 7460.

Coffee Agreement Extension (H.R. 8293).—To extend until September 30, 1973, the International Coffee Agreement Act of 1968; March 13, 1972; page 7961.

Gulf Islands National Seashore (S. 3153).—To establish in Florida and Mississippi; March 23, 1972; page 9811.

Guam and Virgin Islands (H.R. 8787).—To provide for a non-voting delegate in the House of Representatives for each; March 28, 1972; page 10392.

Exports (S.J. Res. 218).—To extend from May 1, 1972, to August 1, 1972, authority to regulate exports; March 29, 1972; page 11020.

Waterways Safety (H.R. 8140).—To authorize establishment of Standards and regulations to promote safety of ports, harbors, and navigable waters of the United States; March 30, 1972; page 11059.

Saline Water (H.R. 12749).—To authorize $26.8 million for the saline water conversion program for fiscal year 1973; April 4, 1972; page 11424.

Missouri River Basin (S. 3284).—To increase by $14 million funds for completing work in the Missouri River Basin; April 4, 1972; page 11424.

Tobacco (H.R. 13361).—To amend the Agricultural Adjustment Act relating to lease of acreage allotments or market quotas on flue-cured tobacco; April 10, 1972; page 11886.

District of Columbia Law Enforcement (S. 2209).—Proposed D.C. Law Enforcement and Criminal Justice Act; April 12, 1972; page 12335.

Uniform Relocation Assistance (S. 1819).—To provide minimum Federal payments for relocation assistance made available under federally assisted programs; April 12, 1972; page 12345.

Secret Service Protection (S.J. Res. 222).—To furnish Secret Service protection to major presidential and vice-presidential candidates; April 19, 1972; page 13305.

Veterans' Housing (S. 3343).—To increase to $20,000 maximum amount of grant payable for specially adapted housing for disabled veterans; April 25, 1972; page 14093.

Veterans' Health Facilities (H.J. Res. 748).—To provide for utilization of Veterans' Administration hospitals to improve and expand education and training of health manpower; April 27, 1972; page 14633.

Second Supplemental Appropriations, fiscal year 1972 (H.R. 14582); May 1, 1972; page 15163; vote 577–A.

Bureau of Land Management (S. 2743).—To establish a working capital fund for the Bureau of Land Management, Department of the Interior; May 2, 1972; page 15228.

Passenger Vessels (H.R. 11589).—To authorize the foreign sale of certain U.S.-flag passenger vessels; May 2, 1972; page 15286; vote 579–A.

Veterans' Medical Facilities (S.R. 10880).—Proposed Veterans' Health Care Reform Act of 1972; May 4, 1972; page 15878.

Upper Colorado River Basin (H.R. 13435).—To authorize additional funds for work in the Upper Colorado River Basin; May 9, 1972; page 16358.

NASA Authorizations, fiscal year 1973 (H.R. 14070); May 11, 1972; page 17054; vote 584–A.

Fishermen's Protection (H.R. 7117).—To provide for reimbursement for expenses incurred as a result of unlawful seizure or attempted seizures of U.S.-flag vessels; May 25, 1972; page 18993.

Coast Guard Authorizations (H.R. 13188).—To authorize appropriations for the procurement of vessels and aircraft and construction of shore and offshore establishments, and to authorize the average annual active duty personnel strength for the Coast Guard; June 1, 1972; page 19409.

Tinicum Environmental Center (H.R. 7088).—To establish in Pennsylvania: June 5, 1972; page 19683.

U.N. Voluntary Fund for the Environment (S. Con. Res. 82).—Calling for the establishment of a United Nations Voluntary Fund for the Environment; June 12, 1973; page 20431.

Disabled Veterans (S. 3338).—To increase the rates of compensation for disabled veterans: June 14, 1972; page 20753.

Juvenile Delinquency Control (S. 3443).—To extend for 2 years the Juvenile Delinquency Prevention and Control Act of 1968; June 19, 1972; page 21304.

Defense Production (S. 3715).—To extend the Defense Production Act for 2 additional years through fiscal year 1974; June 20, 1972; page 21555.

International Economic Policy (S. 3726).—To extend for 2 years, through June 30, 1974, continuation of authority to regulate imports; June 21, 1972; page 21913.

Federal Financing Bank (S. 3001).—To establish a Federal Financing Bank to facilitate Federal and federally assisted borrowing from the public; June 22, 1972; page 22018.

Federal Executive Service (S. 1682).—To establish a Federal Executive Service to administer manpower programs for supergrade personnel; June 23, 1972; page 22187.

National Science Foundation (H.R. 14108).—To authorize funds for activities of the National Science Foundation for fiscal year 1973; June 26, 1972; page 22341.

Drug Listing (H.R. 9936).—To amend the Federal Food, Drug, and Cosmetic Act to provide for a current listing of each drug manufactured, prepared, propagated, compounded, or processed by a registrant under that act; June 30, 1972; page 23532.

Appropriations—Continuing, fiscal year 1973 (H.J. Res. 1234); June 30, 1972; page 23581.

San Luis Valley Project (S. 520).—To authorize construction of the closed basin division, San Luis Valley Project, Colorado; July 19, 1972; page 24315.

Cape Canaveral (S.J. Res. 193).—To redesignate the area in Florida presently known as Cape Kennedy to its original name of Cape Canaveral; July 21, 1972; page 24804.

Corporation for Public Broadcasting (S. 3824).—To authorize funds for the Corporation for Public Broadcasting for fiscal year 1973; July 21, 1972; page 24805.

Cumberland Island National Seashore (S. 2411).—To establish in Georgia; July 24, 1972; page 24923.

Maritime Programs (H.R. 13324).—To authorize funds for maritime programs under the Department of Commerce; July 26, 1972; page 25470.

District of Columbia Police and Firemen's Salary (H.R. 15580).—Proposed D.C. Firemen's and Policemen's Salary Act Amendments; July 31, 1972; page 26015.

Commission on Civil Rights (H.R. 12652).—To extend the life of the Commission on Civil Rights; August 4, 1972; page 26798.

Securities (S. 3876).—To provide for the regulation of securities clearance agencies and transfer agents, and to create a National Commission on Uniform Securities; August 4, 1972; page 26895.

Cooley's Anemia (H.R. 15474).—To provide assistance for programs for the diagnosis, prevention, treatment of, and research in, Cooley's Anemia; August 9, 1972; page 27431.

Secret Government Documents (S. Res. 299).—To establish a select committee to study questions related to secret and confidential Government documents; August 15, 1972; page 28250.

Health Personnel Training (S. 3441).—To extend traineeship program for professional public health personnel, and project grants for professional training in public health; August 16, 1972; page 28454.

Medical Libraries (S. 3752).—To extend medical library assistance programs; August 16, 1972; page 28455.

Appropriations—Supplemental, for Disaster Relief (H.R. 16254).—To make supplemental appropriations of approximately $1.6 billion for disaster relief for fiscal year 1973; August 16, 1972; page 28603.

Appropriations—Continuing (H.J. Res 1278).—To make continuing appropriations for fiscal year 1973; August 17, 1972; page 28738.

Agricultural Migrant Workers (S. 3762).—To extend program for health services for domestic agricultural migrant workers; August 17, 1972; page 28822.

Health Manpower Shortages (S. 3858).—To improve medical assistance programs in areas with health manpower shortages; August 18, 1972; page 29019.

Metric System (S. 2483).—To formulate plans and programs to convert the United States to the metric system of weights and measures; August 18, 1972; page 29022.

Aircraft Loan Guarantees (S. 2741).—To increase from $10 to $30 million limitation on federally guaranteed loans to air carriers; August 18, 1972; page 28088.

Veterans' Rehabilitation (H.R. 9265).—To provide treatment and rehabilitation for servicemen and veterans addicted to drugs or alcohol; September 7, 1972; page 29693.

Survivor Benefits (H.R. 10670).—To establish a survivor benefit plan for the Armed Services; September 8, 1972; page 29811.

Small business Investment Companies (S. 3337).—To encourage the formation and growth of minority enterprise small business investment companies; September 13, 1972; page 30458.

Office of Technology Assessment (H.R. 10243).—To establish an Office of Technology Assessment for Congress; September 14, 1972; page 30668.

Railroad Retirement (H.R. 15927).—To provide a temporary 20-percent increase in annuities, and to simplify administration of the act; September 19, 1972; page 31230.

Aging (H.R. 14424).—To establish a National Institute of Gerontology to study the aging process and health problems of the aged; September 21, 1972; page 31725.

Crimes Aboard Aircraft (S. 2567).—To facilitate prosecutions for certain crimes and offenses committed aboard aircraft; September 21, 1972; page 31769.

Appropriations—Continuing (H.J. Res. 1306).—To make continuing appropriations for fiscal year 1973 through October 14, 1972; September 27, 1972; page 32500.

Rivers and Harbors—Flood Control (S. 4018).—To authorize the construction of certain public works on rivers and harbors for navigation and flood control; September 27, 1972; page 32522.

Safe Drinking Water (S. 3994).—To assure that the public would be provided with an adequate quantity of safe drinking water; September 28, 1972; page 32738.

Railroad Facilities Repair (S. 3843).—To authorize loans to certain railroads for restoration or replacement of essential facilities and equipment damaged or destroyed as a result of recent floods; October 6, 1972; page 34206.

Motor Vehicle Safety (H.R. 15375).—To authorize funds to carry out the National Traffic and Motor Vehicle Safety Act; October 6, 1972; page 34208.

Housing Loans (H.J. Res. 1301).—To extend authority of the Secretary of Housing and Urban Development relative to insurance of loans and mortgages under the National Housing Act; October 6, 1972; page 34271.

Veterans (S. 4006).—To increase income limitations relating to payment of disability and death pension and dependency and indemnity compensation; October 11, 1972; page 34759.

Maritime Authorization (H.R. 16987).—To authorize funds for certain maritime programs of the Department of Commerce for fiscal year 1973; October 13, 1972; page 35863.

Alcohol Abuse (H.R. 16675).—To extend for 1 year the program of grants for State and local prevention, treatment, and rehabilitation for alcohol abuse and alcoholism; October 13, 1972; page 35992.

Appropriations—Continuing (H.J. Res. 1331).—To make further continuing appropriations for foreign assistance activities for fiscal year 1973; October 16, 1972; page 36646.

Taxation (H.R. 7577).—To amend the Internal Revenue Code with regard to payment of Federal excise tax under the Federal Unemployment Tax Act; October 16, 1972; page 36656.

Health Programs (H.R. 16676).—To amend the Community Mental Health Centers Act to extend for 1 year the programs of assistance for community mental health centers, alcoholism facilities, drug abuse facilities, and facilities for mental health of children; October 17, 1972; page 36740.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. PERCY. I yield.

Mr. CURTIS. I am sure the Senator is talking about printed bills that have been sent to a committee, and I am sure that many of those bills were private in nature.

The PRESIDING OFFICER. The time of the Senator has expired. Who yields time?

Mr. PELL. I yield 2 minutes—and I hope this may be the last 2 minutes—to the Senator from Illinois.

Mr. CURTIS. I am sure that the bills that are passed by unanimous consent are substantially all printed. They have been to a committee. They have been scrutinized by the committee. They have not been called up at a time when a communication from the author clearly indicated they would not be considered "yesterday."

Mr. PERCY. The distinguished Senator was not on the floor when I explained before that this is not a bill; this is a sense of the Senate resolution. The precedent was found on October 8, 1970, when the Senator from Illinois used exactly the same procedure. Then it took only 11 minutes from the time he submitted the resolution until it was adopted by the Senate. Yesterday afternoon there was far more time. The Senator, himself, was on the floor. We debated this matter for 35 minutes.

Furthermore, the distinguished majority leader used exactly the same procedure on September 9, 1972, when he had a sense of the Senate resolution regarding the killings at the Olympics.

This is not unprecedented. The whole idea for this resolution, as embodied in the Record as of this morning, was followed by the Senate in 1924, in a somewhat similar case.

I am extremely sorry to have this disagreement with my colleagues.

Mr. CURTIS. I do not think the situations are comparable at all. This is a controversial issue.

The PRESIDING OFFICER. The time of the Senator has expired. Who yields time?

Mr. PERCY. Mr. President, will the Senator yield me 1 minute?

Mr. PROXMIRE. I yield 1 minute to the Senator.

Mr. PERCY. Mr. President, I implore Senators to do exactly what they said they wanted to do—to have adequate time to debate this issue. The Senator from Illinois and all his cosponsors are perfectly willing and agreeable to this.

I renew my request, and I urge that it not be objected to.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. PERCY. I yield.

Mr. COTTON. For some unknown reason, the minority leader objects to that procedure.

Mr. PERCY. Not to the unanimous-consent request. As I understand it, the minority leader does not object to the unanimous-consent request the Senator from Illinois is putting forward, which would totally and completely answer every question that has been raised.

Mr. COTTON. He had no objection yesterday, but I understand that he suggested that the Senator from Illinois——

Mr. PERCY. Mr. President, I renew my unanimous-consent request——

Mr. COTTON. I renew my objection.

Mr. PERCY. I renew my unanimous-consent request that the Senate action agreed to on Senate Resolution 105 on May 1 be reconsidered and that a vote on the readoption of the resolution occur on Tuesday, May 8, at 3 p.m.

Mr. TOWER. Regular order, Mr. President.

Mr. COTTON. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CURTIS. Will someone yield me 3 minutes?

[Laughter in the galleries.]

Mr. ROBERT C. BYRD. Mr. President, may we have order in the galleries?

The PRESIDING OFFICER. The galleries will be in order.

Mr. MANSFIELD. Mr. President, how much time remains and how is it allocated?

The PRESIDING OFFICER. The Senator from Wisconsin has 25 minutes. The Senator from Rhode Island has 21 minutes.

Mr. PROXMIRE. I yield 3 minutes to the Senator from Nebraska, but I wonder how long we are going to keep yielding our time.

Mr. MANSFIELD. This will be it.

Mr. PROXMIRE. I yield 3 minutes to the Senator from Nebraska.

Mr. CURTIS. Mr. President, inasmuch as I was the one who asked that this matter be reconsidered, I think it is in order that I make a brief statement.

My purpose in asking that the resolution be reconsidered was based upon the the fact that it had never been printed, it had never been to a committee, and, in my opinion, it precluded the consideration of former Senator John Williams to be called in and to find out all the facts in reference to Watergate. Therefore, I thought it should be reconsidered.

The fact is that the debate has shown that every Senator understands that the resolution is not the sense of the Senate. I am sure that every Senator realizes that. I am sure that the press gallery realizes it. I am sure that the President realizes that the resolution is the sense of five Senators. As such, I am willing to let it stand.

Mr. PERCY. Mr. President, 18 Senators cosponsored the resolution.

Mr. CURTIS. I have seen bills defeated that had more than 51 cosponsors.

Mr. PERCY. So far as the Senator from Illinois knows, every Senator whose name appears on the resolution today stands behind the resolution and believes in it.

The Senator from Arizona (Mr. GOLDWATER) reaffirmed to me this morning his belief that this is the right way to proceed. We are trying in every way possible to fulfill our responsibilities to the American public and to make certain that everything the President said on Monday night would be fulfilled. This is the way to provide that assurance. When the President of the American Bar Asosciation says we should have a special prosecutor——

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER. The Senator from Nebraska has the floor.

Mr. CURTIS. I do not know what the excitement is about. The resolution has been agreed to. I am not asking that it be reconsidered. Let it stand as the sense of five Senators.

The PRESIDING OFFICER. The time of the Senator has expired. Who yields time?

Mr. PERCY. Mr. President, I should like to make a 30-second comment.

Mr. PROXMIRE. I yield 30 seconds to the Senator from Illinois.

Mr. PERCY. The Senate could not accept the amendment offered by the Senator from Nebraska. There is no way in which we can incorporate that amendment into the resolution unless we reconsider it. The Senator from Illinois said he was ready to accept the amendment last night, but there was no parliamentary procedure by which we could accept the amendment as long as there were objections to reconsideration of the resolution.

Mr. CURTIS. Was not the Senator the one who objected?

Mr. PERCY. If the distinguished Senator from Nebraska would agree to the unanimous-consent request and convince his colleague to do so, we could accept it forthwith.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PROXMIRE. Mr. President, I call for the regular order.

The PRESIDING OFFICER. The regular order has been called for.

Mr. PELL. Mr. President, I suggest that we bring the arena of combat from the Republican side to the Democratic side and get on with the amendment before us concerning the arts and humanities endowments.

Mr. TOWER subsequently said: Mr. President, the Senator from Illinois (Mr. PERCY) mentioned today in the course of his discussion of the resolution agreed to by the Senate on yesterday that he had discussed the matter with me. The Senator is absolutely correct. He did discuss the matter with me.

I did say that I would certainly be willing to follow the leadership of the Senator from Pennsylvania (Mr. SCOTT) when the amendment was brought up.

Mr. President, it was my understanding that the matter would not be brought up until after the Republican policy committee meeting had discussed it.

I know that the Senator from Illinois would want the record to be clear. I had offered to discuss the matter during the Republican policy committee meeting and had assumed that it would not be taken up until after that meeting.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES AMENDMENTS OF 1973

The Senate continued with the consideration of the bill (S. 795) to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes.

Mr. PELL. Mr. President, yesterday in this Chamber I urged the passage of S. 795 to provide increased funding levels for the National Endowment for the Arts and the National Endowment for the Humanities—levels which were reported favorably and without a dissenting voice by the Committee on Labor and Public Welfare.

I stressed in my remarks the fact that these endowments have reached a point of maturity, that they are now on the threshold of having the kind of major impact on the cultural well-being of our country which we who initiated this legislation 8 years ago hoped some day would come true.

I stressed the imaginative programs both endowments have undertaken in the past and are now prepared to expand in the future. Far from being the dead hand of government in these most important and significant cultural areas, these programs provide great incentives for quality—and I emphasize that word again; and they provide the incentives for private giving and private support at a ratio of 2, and 3, and 4 times the amount of the Federal investment. I stressed that through the two private citizen councils—52 in total membership—which guide the endowments in their work, through the panels of private citizen leaders, numbering in the hundreds, which also guide the work of the endowments by helping to screen applications and requests for support before these reach a point of final deliberation, a broad partnership between government and the private community is established.

In this regard, let me refer to the testimony of Dr. Ronald Berman, chairman of the National Endowment for the Humanities, before our joint congressional hearings. He pointed out that more than 3,000 individuals across the country, acting as volunteers and in addition to the formal panels, provide the humanities endowment with advice and help in the screening of applications each year.

I also emphasized that there is specific provision in this legislation we are debating which precludes Federal intervention or control or dominance over these who are supported by either endowment.

Mr. President, as an outstanding example of the imaginative leadership I have mentioned, let me call attention to the Jefferson Lecture Series, which is supported by the humanities endowment. Last night I had the opportunity of sharing in this series. This year's lecturer is Dr. Erik Erikson, one of the leading humanists of this century.

I ask unanimous consent that the outline for this year's series, prepared by Dr. Erikson, be printed at this point in the Record.

There being no objection, the outline was ordered to be printed in the Record, as follows:

Dimensions of the New Identity—Jefferson Lectures, 1973

(By Professor Erik Erikson)

This summary outlines the scope of the lectures, and explains some of the concepts used. A summary, of course, is a mere skeleton; the lectures must provide the body of illustrative materials.

FIRST LECTURE

*The Founders: Jeffersonian Action and **Faith***

Although these lectures are meant to be in the spirit of Thomas Jefferson and not necessarily about him, the lecturer found it impossible to "get around" this great figure, only to find that it is even more difficult to "get at" him,—as, indeed, all his biographers have complained. The lecturer decided to use selected well-known themes from Jefferson's life to illustrate some principles of "psycho-history," a new and somewhat fictitious "field" often associated with the lecturer's name.

The title of the lectures contains one of the lecturer's main concepts. "Identity" means, 1. a person's sense of being-at-one with himself, as he grows and develops (sameness, continuity, uniqueness, wholeness and 2. his sense of affinity with a group's (tribe's, nation's, creed's, profession's) sense of being-at-one with its culture and history. A New Identity is the result of radical historical change and here is, of course, meant to characterize the emerging American Identity as first expressed by and embodied in such men as Jefferson.

I. Introduction: Case History, Life History, History

Because of the origin of the so-called "Psycho-History" in psycho-analysis, the lecturer must first clarify some simple points which are being blurred in the literature. A Case-history gives an account of where and why a person fell apart, a Life-history, of how and why a person hangs together. The hero of a life-history may be having a neurosis but his neurosis, as it were, does not have him. The life-history of a historical figure furthermore must take account of a leader's superior competence in making his personal conflicts as well as his gifts representative of the conflicts and the promises of his time. The life history of a leader, therefore, must be seen in relation to the developing world view for which he becoms representative.

In sketching this development in Jefferson's life and time, the lecturer will, in the short time allotted to him, rely more on Jefferson's writings than on his career as a statesman. In fact, the lecturer sees himself as a kind of consultant, representing the field of human development, to an "academy" of scholars studying Jefferson the statesman, the humanist, and the enigmatic personality.

II. The View From Monticello

Jefferson's famous home, "elevated" as it was geographically, socially, and philosophically, is pictured as a center of the developing world view of the New America. Jefferson, in his "Notes on the State of Virginia," written at the unlucky conclusion of his governorship of that state, gives a rare survey of "his country's" extension and statistical structure as well as of his own ideological and emotional place in it; and Surveyor, indeed, is one of the major elements in Jefferson's identity, as inherited from his father and characterizing his vision as a Statesman. His descriptions of nature, in turn, illustrate the wide-ranging Amateur, in the best sense of the word. Under the heading of "Manners" Jefferson reveals the Ideologue in an account of his passionate opposition to slavery. In a situation where nearly half of the population were slaves, he foresaw inevitable (if not undeserved) disaster; but interestingly enough, he was especially concerned with the impact of slavery on American children. Unhappily, but frankly, he expresses his conviction as a Naturalist, of the inferiority of the black race, and pictures White as more beautiful. Indeed, he suggests "colonization," which then meant a separate but free and equal state for all blacks.

The lecturer will return in the conclusion of the first lecture to Jefferson's personality.

III. Identity and "Pseudo Species"

The lecturer considers such conflicts between theological faith ("born equal"), political conviction and "naturalist" observation no cause for name-calling or for psychiatric diagnosis—and least of all for both. He discusses his concept of Pseudo-Speciation as a universal human trend deserving persistent analysis in all periods of history. The term suggests that groups of men sharing a tribal, national, religious, or economic world view, are apt to think of themselves as the exemplary human species, while considering others and especially some others as excluded from it "by nature" or the nature of things. For this conviction knowledge and logic are periodically dropped, and nation or class, race, creed, or indeed, occupation are glorified: therefore the "pseudo". In Jefferson's time, in fact, the emerging new American Identity had to live down an assumption by European naturalists that on the American continent neither animals nor men had a chance to reach the height (meaning both size and loftiness) of the North-European species. Illustrations are given for "scientific" views held by Europeans concerning the American Indians and "Colonials" and, in turn, views held by Americans such as Jefferson's friend Dr. Rush on faraway Turks—and close—by Tories. It is suggested that, seen from a psychoanalytic point of view, such prejudices are fed by a universal (and yet, of course, mostly unconscious) need to "project" onto others what is felt to be bad, sick, or made in oneself—that is, one's negative identity.

IV. New World, New Identity

Against this background, the New American Identity can be seen in its developing dimensions. The lecturer proposes that a new identity rests on the mastery of factuality, that is, new facts that prove verifiable by the best methods of investigation available, and by new work techniques; a new sense of reality embracing but transcending these facts and promising independence from outlived world images; and a new actuality, that is, new forms of social interaction setting free new productive and political energies. All these together provide an era's conviction about *Truth,* such as Jefferson was so extraordinarily able to put into words in the Declaration of Independence. Thus American thinkers and orators could develop and propagate a world-image which first of all freed America from being on the national, economic, and cultural fringe of Europe. The new continent offered an opportunity "to realize the possibilities of Creation" itself. Expansion and Experimentation, and, above all, Action and Work were the ways of the Lord, who Himself was remade in the Amcrican image as the world's "Maker" and "Fabricator." (The new uses of the word "make" in the emerging American language will be given some attention) .

The dimensions which every new world view must develop in order to meet the needs of the collective and of the individual identity are listed thus: in the past, a doom or a curse must be pictured as overcome, a special election as confirmed. In the future, a great chance must be clearly envisaged, a new type of man appear realizable. From above, Deity, Fate or History must be certain to sanction the Enterprise. But, alas, a new positive identity also demands a new negative one, personified by those who are below: inferior, dependent, or deviant.

V. The Perspective of the Mount

During his presidency and thus during the vigorous expansion of the country he led, Jefferson was privately pre-occupied with the Gospels, which he (literally) took apart, in order to extract his own gospel. His original "bible" was lost. The lecturer will use a compendium produced in Jefferson's old age to show the relation in his mind between the new American Identity and that religious part of any identity which deals with the awareness of death. There are two roads to a sense of immortal identity: one via one's earthly identity within a special species of man led by "immortal" leaders; and the other via the transcendence of that identity as exemplified (in our civilization) in the life and death of Jesus. It is interesting to see what to Jefferson, as the bearer of the New American Identity, appears to be the genuine presence of Jesus in the Gospels. His selections are reminiscent of Gandhi's remark that God appears to you only in action, and, incidentally, seem to be in general accord with modern Bible research.

VI. Conclusion: Protean President

Jefferson has been called a Protean man, because in different segments and periods of his life, he seemed to personify different appearances which most mortals would find it impossible to unify and make fruitful. He was down to earth and "elevated"; "wearing the character of a farmer," and yet aristocratic; activist and philosopher; bookman and politician. The lecturer concludes that this very freedom of choice and self-made unity of traits was just what the New American Identity called for. Like Goethe, he personified the classical facade of the Greco-Roman world (expressed also in his architecture) as well as the practical precept of Christianity and the political philosophy of English tradition. The lecturer will illustrate some of the aspects of Jefferson's personality which stand out on first study and to which certain broad psychoanalytic judgments could be applied. Concerning these, he himself showed an extraordinary awareness. Personal idiosyncrasy and conflict, however, also served Jefferson to become that public personality, on the unique Facade (in the classicist sense) of which he worked all his life—even when he wrote those thousands of letters which he wished to have preserved for their "warmth and presence of fact and feeling." The lecturer will suggest that the self-made Image in Jefferson's personality alternately arouses admiration and total acceptance, and incredulity, if not suspicion, and this especially in regard to such most intimate aspects of his life as he successfully sought to keep from the view of posterity.

The "academy" envisaged above, consisting of both women and men, would have to discuss such feelings before being able to weigh the data in the light of changing perspectives.

SECOND LECTURE

The Inheritors: Modern Insight and Foresight

I. Introduction: The Living Generation

Having to leave Jefferson behind, we will choose a few of his utterances as links between the first lecture and the second. The second lecture being roughly devoted to the development of a Living Generation, the lecturer suggests that "born equal," seen in the light of modern insight, must mean "born with an equal right to develop." Excerpts from a correspondence between Jefferson (then in his mid-forties and Minister to France) and his oldest daughter (then in her teens) will illustrate his ideas of maldevelopment.

II. Dimensions of the Political Vision

It will be necessary to repeat some of the formulations of the New Identity in Jefferson's time, as they deal with the immediate and the mythical past and future, the Deity above and inferior men below. Newness is shown again as invigorating in its beginnings and in American history always reemphasized in "New Deals." But, of course, newness as a condition for a sense of identity can also become obsessive oratory—and sensationalism. The question before us—to put it in the form of a slogan—is what inner deals a person may make with his conscience, his knowledge, and his memory when he is confronted with political deals. Here again, our (partial) answer must come from the psychology of development.

But if, as was said in the first lecture, a New Identity takes into account a period's factuality, supports a sense of reality, and mobilizes actuality, one brief look back on Monticello will convince us of the impossibility in our time of fathoming the macroscopic or microscopic facts of nature (now reaching to the "end of space" and the "beginning of life") or of technocracy; of accepting into our sense of reality such events as the Holocausts, the nuclear threat, the moonshots, or even the Vietnam war; or of maintaining the actuality of communal living in the network of mobility and mass communication. No wonder that, as never before, our young demand the right to an identity as "human beings." And, indeed, Developmental Psychology verifies that while the world image changes radically, every new infant must still be "grown" with built-in potentials and limitations. Also while man's techniques, self-images, and ideals may change radically, other (more unconscious) parts of him change extremely slowly, such as his primitive conscience and the deals he must make with it for the sake of self-assurance and righteousness. For this reason, psychoanalytic insight must always continue to explore such patterns of fundamental strength and of lasting weakness as remain at the basis of human motivation throughout life, and may re-emerge in crises of person or history.

III. The Basic Language of Bodily Existence

The lecturer will suggest certain roots in personal (ontogenetic) development of the need for a world image of the kind outlined in the first lecture. Here he comes to conclusions so simple as to appear banal, and yet fundamental to much that has already been or will yet be studied on the frontier of psychoanalysis and political science. He discusses the fateful evolutionary fact that man, in the long process of growing up, stands up, and develops space-time perspectives endowed with deep, conflicting and lasting meanings: upward and downward, forward and backward. Here the audience is asked to envisage something like a weathervane, the main arms of which would point not only upward and downward, but also in such space-time directions as ahead and in front, behind and in back. Smaller arms, in addition, would point starlike to such combinations as above and ahead, behind and below, etc. Every language is full of metaphors which seem to serve our sensory and social orientation in this business of growing up and looking ahead. But social life makes all directions ambiguous. For example, that somebody is "behind me" can mean that he is "backing me up," or is "lagging behind me," or is "after me."

Using the weathervane, one could go in many directions. Far from being "facons de parler," however, these metaphors express emotional connotations such as elation or depression, hope or fear, shame or guilt—the latter two, for example, signifying the danger of "standing out" as ridiculous, or being burdened with an irreversibly "bad" act in the past.

Psychoanalytic insight would add that each person, as he grows up, comes to develop within himself a corresponding space-time "map" signifying his relation to different aspects of himself—such as a higher and a lower self, a self visualized in the future and another left behind. How this inner world is projected on world events and vice-versa is a subject that can only be jointly studied by psychoanalysis and political science.

Many complex aspects of political psychology are under such study; but it is suggested that these simplest dilemmas of space-time existence must help explain the need not only for a firm sense of individual self-sameness and continuity (another formula for identity) but also for a political arrangement by which persons "back each other up" in the struggle for existence and power. In fact, only the study of such universal primitive needs persisting in the midst of the dangers of technological civilization can explain how people can be led and misled by certain simplistic visions and slogans.

IV. Liberation and Insight

In further pursuit of civilized man's primitive moralism, the lecturer returns to the negative identity suggested in Jefferson's lecture to his daughter (he warned her of sin, un-Americanism, hypochondria, and hysteria all on one page). The lecturer will briefly refer to the humanitarian progress in psychiatry made in Jefferson's time by Benjamin Rush who, in line with the new times, advocated an active life for those deemed mad or sick; and he will point to Sigmund Freud's liberation by insight of the repressed forces in man. But the lecturer will also reiterate the slow abandonment (and frequent reinstatement) of the age-old idea that the bad, the sick and the mad (whether they are children, or patients, or inmates) must be scared or punished, "purged" or "bled," chained or incarcerated in one form or another.

He will suggest that this is one area in which, through the ages, man's conscience, as acquired in childhood, permits and demands most primitive measures in the name of righteousness. In fact, the mere putting away of deviants (and especially of young ones) can be compared to inner repression: in both, spontaneous development is inactivated and (possibly) important recuperative powers lost both to the individual and his society. Permissiveness and punitiveness will always alternate, but the lecturer will suggest that developmental considerations concerning the reinduction into the Living Generation of those punished and isolated should outweigh psychiatric diagnoses as well as legal classifications.

The liberation movements of our time are seemingly in opposition to moralistic suppression. And yet, they often exhaust themselves in a moralistic blaming of the oppressor. Even if justified emotionally, such turning around in itself can defeat the liberating spirit. This tendency could be overcome only by the simultaneous attempt to gain insight into the inner deals which the complainants (youth, women, Blacks) have historically made with the special roles assigned to them. In the case of women, such insight would, in fact, help men, too, to see what potential self-development they sacrificed for the sake of a self-made masculinity marked by some obviously atavistic prejudices.

If time permits, the lecturer will also return once more to Jefferson's remarkable warning concerning the impact on children of their parents' cruel behavior toward slaves. He will suggest that the display of punitive and vindictive behavior, personally or nationally, may have deleterious effects on the expression of aggression in childhood and youth.

V. Crisis of the New Identity

The integration of the enormously expanded vision of human potentials with the insightful guidance of each developing person are the main tasks for an adult identity. Here the very "unlimited newness" which was shown to be so essential a feature in Revolution and Independence, may be leading to a "Protean" assumption that anything goes: any and all roles, any and all forms of association, any and all variations of sexuality—all hailed as signs of a new consciousness. However, where liberation ignores what a person can integrate and a society live by, it abandons both psychological and political actuality. Above all, it neglects the developmental rights of the living and to-be-living generations.

VI. Conclusion: A Century of the Adult?

The so-called Century of the Child has told us much about childhood and about the child in the adult, much about youth and its needs for identity, but little about the adult of today and of the future. The lecturer will recount some difficulties in facing adults with the question of adulthood. He proposes studies on the changing stature of adulthood in various civilizations; and in the meantime suggests that an adult is a person who takes care of whatever he cares to be and cares for—and of whatever he cares to cause to be.

Mr. PELL. Mr. President, it is eloquent testimony to the kinds of imaginative programs which the endowment supports. Like programs in the arts—the artists in the schools program or the programs to aid the individual States—it relates to the dissemination of the arts and humanities to the broadest possible audience. The Jefferson Lectures are published and thus given wide circulation nationally and internationally. They become part of our cultural heritage. And in this case they serve to translate knowledge into wisdom, which as I said yesterday, is my brief definition of the service the humanities provide.

I also ask unanimous consent to have printed in the RECORD following these remarks two telegrams I have received endorsing S. 795 as it had been reported—one from the American Federation of Teachers, and one from the Authors League of America.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C.,
May 1, 1973.

Hon. CLAIBORNE PELL,
U.S. Senate,
Washington, D.C.:

The American Federation of Teachers warmly endorses S. 795 to continue the programs of the National Foundation on the Arts and Humanities for the next three years. In terms of the need to support our cultural institutions we believe the funding levels called for are appropriate and necessary. Expanded opportunities to experience the arts and humanities are necessary if we are to have a well educated citizenry.

DAVID SELDEN,
President.

NEW YORK, N.Y.,
May 1, 1973.

Hon. CLAIBORNE PELL,
U.S. Senate,
Washington, D.C.:

The Authors League of America urges that the Senate authorize the amount now provided in S. 795 for the National Foundation on the Arts and Humanities. Their programs have made invaluable contribution to performing arts and scholarship and the Nation has benefited greatly from this indispensable investment in our national culture. We realize that there is a shortage of funds for essential programs. However the amount allocated for the "arts and humanities" is not a "frivolous" expenditure. We trust that the foundation will devote a large portion of these funds to projects which serve the interests of low income groups and areas which otherwise would be deprived of these benefits.

JEROME WEIDMAN,
President.

Mr. PELL. Mr. President, I yield the floor.

Mr. PROXMIRE. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. PROXMIRE. Mr. President, first I wish to summarize my position in connection wih my amendment. Somehow the Senator from Rhode Island and others who oppose my amendment have given the impression that my amendment would be harsh on the arts and humanities. As a matter of fact, my amendment would be extraordinarily generous. It provides for a very rapid increase in the program. It does indeed cut down on the terrific, enormous increase which the committee provided.

Under the bill, funds for the foundation explode. They rise by geometrical proportions.

The annual increase in funds for the foundation since its inception 5 years ago has been $20 million a year. In fiscal year 1973 they received $80 million.

But under S. 795 their funds would double from fiscal year 1973 to 1974, or from $80 to $160 million. This is a 100-percent rise.

In both fiscal years 1975 and 1976, the annual increase would be $120 million and the total funds would rise to $400 million by fiscal year 1976.

This is both unprecedented and unconscionable.

PROXMIRE AMENDMENT

My amendment No. 94 would limit the increase to $40 million a year in each of the next 3 fiscal years. That figure, far from being niggardly, is double the annual increase of $20 million which the foundation has received in the past.

I ask unanimous consent that a table showing the funds authorized in the past and those proposed under S. 795 and under the Proxmire amendment be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 1.— *Actual and proposed authorizations for the National Foundation on the Arts and the Humanities for fiscal years 1969–76*

[In millions]

Fiscal year:	*Amounts*
1969	$22.75
1970	24.75
1971	40
1972	60
1973	80
Proposed amounts under S. 795:	
1974	160
1975	280
1976	400
Proposed amounts under Proxmire amendment:	
1974	120
1975	160
1976	200

WHY THE PROXMIRE AMENDMENT SHOULD PASS

Mr. PROXMIRE. Mr. President, there are any number of reasons why the provisions of S. 795 should be defeated and the Proxmire amendment should pass.

PROPOSED FUNDS ARE EXCESSIVE

First, the funds sought by the Foundation are excessive. It is almost as much money as the $425 million the President cut from the OEO funds for fiscal year 1974.

It is five times the amount we spend for the Peace Corps.

It is twice the amount the President cut from REA funds for next year.

It is a fivefold increase, not just an annual increase to overcome inflation and pay raises. This program explodes.

It is also excessive because funds just cannot be spent efficiently that fast. It is bound to bring waste if the grants to the arts and humanities rise fivefold in this short period of time.

As I am going to indicate in a moment, much of the money spent now is wasted. Mr. President, you can imagine what you will have with this unprecedented increase in spending.

WILL PROMOTE STALE, STERILE, AND SECOND RATE ART

Second, it will promote stale, sterile, and second rate art. Great art and artists are not universal commodities. They are unique people and unique works. There is no way to promote excellence in the arts by shoveling out the money. It cannot be done.

DANGER OF GOVERNMENT TAKEOVER OF THE ARTS

Third, there is a great danger if this expansion continues, that we will get a Government takeover of the arts in this country. That means the dead hand of Government and the dead hand of censorship over art.

Yesterday, in a very interesting statement, the Senator from California (Mr. TUNNEY) argued against my amendment on the grounds that John Locke, the great English philosopher and essayist, would not be able to write if he had not gotten support. The Senator could not have chosen a better example from my standpoint. John Locke was a philosophical radical and he deeply opposed the monarchy in England at the time he wrote. John Locke never could have gotten any kind of money from Government funds. The writing of John Locke, as the Senator from California agreed, was the basis for Thomas Jefferson's Declaration of Independence. It was the philosophical basis for our revolution, our fight against the Crown, for losing this valuable investment which the British Government had at that time.

We have just seen the censorship of the film "State of Siege" because the authorities had one eye on the Government and the funds they receive from the Government. This will happen time and time again if art in this country will come to depend mainly on Government support. Some Assistant Director of OMB or the chairman of a congressional appropriation committee will one day become our czar of the arts.

One of the arguments made was that we spend too little money in this country for the soul, the spirit, for the arts, and for artists. It was argued that the amount we spend on a per capita basis is less than the amount spent in many countries. What is overlooked is the fact that we have a private system to support the arts and that private system is only partly private, and it permits wealthy individuals to make enormous donations to museums, artists, and the humanities in all kinds of ways, and to deduct those donations from their taxes.

We have checked carefully with the Internal Revenue Service and our best estimates are that the amount donated by individuals is $2.5 billion, which is about 10 times as much as would be provided by this bill. Of the amount of $2.5 billion the sum of $1.250 billion of that roughly is the contribution of taxpayers presently in tax expenditures. Contributions are deductible from large incomes, and, of course, those with large incomes, in the 50 percent bracket, make those contributions. So we already make substantial contributions and it is my contention we should do our best to see that these contributions remain private, that they come primarily from the great foundations and from individuals, rather than primarily from government.

It is good to have a Government program and my amendment permits it, and it permits rapid expansion, but to have the program explode in this fashion means there will be less emphasis on private support, which provides for a freer, more innovative, more individualized art and I think art of higher excellence.

I would like to just give a few examples of waste we already have in the program. For example, $75,000 was given for college entrance examination board, New York City and Princeton, N.J., for the second phase of development of three innovative and high quality advanced placement courses; two in the individual arts and one in music. Why should that be done by these funds? If it is a sensible thing to do and if it is logical why should it not be done by experts in the education field from HEW or by private funds or by national science funds?

Everyone knows advanced placement courses are courses filled by upper middle class young students.

As another example, I refer to the $10,000 given for the foundation for interior design for the accreditation of interior design education curricular. That is marginal, at best. HUD or HEW might assist them if they found it was worthwhile. They are the experts to determine the matter, but not this foundation.

Thirty thousand dollars for Industrial Designers Society, New York City.

How can we justify arts and humanities money in this direction? These expenditures already being given. Can you imagine what kind of programs will be aided if we provide such a terrific explosion in expenditures as is being advocated in the committee bill?

Thirty-three thousand, two hundred sixty-three dollars was given to the New York State Council on Architecture for a program to develop public awareness of architecture and the quality of the manmade environment.

That may or may not be a useful project, but those who can best determine that question would be the officials in the Department of Housing and Urban Affairs.

Forty-five thousand, eight hundred fifty-six dollars was given to the Poets, Playwrights, Essayists, Editors, and Novelists, New York City, to continue and expand its program of various services to authors throughout the country.

Mr. President, this is a matter of administration, not a matter of subsidizing some impoverished writer or some essayist who has a good mind and something to say but needs the funding in order to be able to say it, but in order to keep this bureaucracy in operation.

Twenty thousand dollars was provided for the Volunteer Lawyers for the Arts, to expand the legal services program.

The administration killed the legal services program for the poor. Now it has been urged that we provide legal services to the arts for $20,000.

Mr. President, these are some items of a whole series which it would take me far more time than I have to list. It is an example of the kind of thing that would multiply very greatly if we expand this program too fast.

Mr. President, I reserve the remainder of my time.

UNANIMOUS-CONSENT AGREEMENT ON S. 755, TO PROVIDE 4-YEAR TERMS FOR THE HEADS OF THE EXECUTIVE DEPARTMENTS

Mr. MANSFIELD. Mr. President, will the Senator yield me 1 minute?

Mr. PELL. I yield 1 minute to the majority leader.

Mr. MANSFIELD. Mr. President, if I may have the attention of the Senators, a unanimous-consent request was made by the assistant majority leader around 5 minutes to 1, and it was objected to by the distinguished Senator from Alabama (Mr. Allen). Since that time, I have been informed that his objection has been removed, and I would like to repeat the unanimous-consent request of the distinguished assistant majority leader at this time:

Mr. President, I ask unanimous consent that the vote on S. 755 occur today immediately after the vote on the Proxmire amendment; that time for the rollcall vote on S. 755 be limited to 10 minutes; and that the unfinished business remain in a temporarily laid aside status until the vote is taken on S. 755.

Mr. JAVITS. Mr. President, what is S. 755?

Mr. MANSFIELD. It is a bill on the calendar which provides for 4-year terms for the heads of the executive departments, reported on April 17.

Mr. President, I also ask that rule XII be waived.

The PRESIDING OFFICER. Is there objection?

Mr. PROXMIRE. Mr. President, I shall not object, but, reserving the right to object, in the event my amendment should not succeed, I have an amendment I would like to offer as soon as that amendment is acted on, and I would be happy to agree to a limitation of time on it.

Mr. MANSFIELD. Mr. President, the leadership is in a box because the manager of the unfinished business (Mr. McGee) is to be recognized at that time, so we would have to work out another agreement.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the majority leader? The Chair hears none, and it is so ordered.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES AMENDMENTS OF 1973

The Senate continued with the consideration of the bill (S. 795) to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes.

The PRESIDING OFFICER. Who yields time?

Mr. PELL. Mr. President, I yield myself such time as I may require.

I was struck by the remarks of the Senator from Wisconsin. He marshaled his arguments well. I shall not go into them point by point. However, I would just like to make reference to one matter at this time, and that is that I think the basic reason why "State of Siege" was removed as the opening motion picture—and I was there at the time—was that there was a question of taste involved, because there was present in the audience those who personally had been afflicted with assassinations. It was not a question of censorship, but one of taste.

With regard to the amount of funds that are generated by Federal funds, for every dollar of Federal funds to the arts, there is a general ratio of about $3 in private funds already being given. The total ratio of Government to private funds is difficult to determine. It may be 10; it may be 20; we do not know.

Yesterday the Senator from Wisconsin mentioned the figure of $1.2 billion that is given to the arts from private sources through the tax-exemption mechanism. This may be a figure which is substantially greater than that represented by Government funds, but the Government funds serve as very necessary seed money.

Mr. President, I yield the floor at this time.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. PELL. Mr. President, I yield as much time as he desires to the Senator from New York.

Mr. JAVITS. Mr. President, we come to the vote on the amendment of the Senator from Wisconsin. As I said yesterday, the Senator from Rhode Island and I respect what he is trying to do, but thoroughly disagree with him. I would like to refer again to the factor which has been raised by the Senator from Wisconsin respecting what provisions would be helpful to the program, rather than harmful to it, if his amendment should carry.

I would like to point out first that the amounts which we proposed in this bill simply represent the flowering of the program which has been developing over these past 8 years. The allegation which concerns me the most is the allegation that the endowments cannot effectively use the amount of money which we are seeking. That I challenge. The money will not be wasted. On the contrary, we are wasting tremendous opportunities today in both the arts and humanities fields.

We pointed out, for example, that there are 90,000 schools in the country, and only 2,700 of such schools have any artists-in-school programs at all. We pointed out that this year's pilot program for professional theater touring enabled only two companies in 18 weeks to reach 27 communities in 11 States. Let each Senator from every State consider what can be done in his own State.

Our view is that what would happen would ridiculously undermine the arts requirements, and I believe the evidence will show it when we vote on the Proxmire amendment.

Further facts, Mr. President, come from the demands which have been made on these respective agencies, and perhaps are best illustrated by the extent to which States which do not have a reputation for being very profligate, especially small States, are themselves putting up money in order to get matching funds from the Arts Foundation, thereby indicating the enormously productive values which these funds have.

I mentioned that in my own State of New York we had gotten up to about $15 million of Federal matching which comes out of State resources.

Small States, Mr. President, like the State of Maryland, or the State of Missouri, which is now, for example, appropriating three times what it gets from the Federal Government, illustrate again the vast interest which the States are taking in these programs.

Finally, Mr. President, there is the item of demand. That concerns the applications coming in to both endowments which are not now being satisfied by them due to the paucity of resources which are available.

Some figures have been submitted by the National Endowment on the Humanities. These show that they have received 4,113 applications; 1,844 of those were screened out as a high priority funding. And of these only 22 percent, or 908, could be approved. In money terms, the applications amounted to $101.3 million; those rated highly for funding asked $45.5 million; but limited funds permitted grants of only $28.4 million, 28 percent of the total of applications.

Mr. President, this is quite apart from the matter of State matching and so forth which I had discussed previously. These are simply direct applications to the Humanities Endowment that are rated highly for funding. However, the limited amount available allowed only $28.4 million or 28 percent of such applications to be realized.

I mention these facts and figures only by way of indicating that we are not seeking any padded authorization in this situation. We spoke yesterday of a signal example regarding the symphony orchestras of the country, in which there is so much interest in the Chamber. It is indicated that only 3.5 percent of the funding of those orchestras come from the National Endowment on the Arts.

Even if the Senator from Wisconsin (Mr. PROXMIRE) is right and we quintuple that support, that would mean only 15 to 17 percent of the funds for that particular art form would come from the National Endowment on the Arts. And that certainly is not going to represent their main support or make them a stale or sterile establishment as the Senator from Wisconsin asserts, or give the United States official control over the arts to accomplish any of the scare situations which the Senator from Wisconsin asks us to accept on faith.

Mr. President, I would like to close on that argument because no shred of evidence has been produced, even by the Senator from Wisconsin. The Senator from Wisconsin has promised to tell us a lot of horror stories concerning political influence which has suppressed or oppressed many of these programs.

The Senator from Rhode Island (Mr. PELL) and I are anxious to hear any evidence on that score because we pledge to the Senate—and I know that I speak for him as well as for myself—that we will be eternally vigilant in respect to the oversight responsibility of the U.S. Senate on such a matter. We consider that to be our main responsibility, to give a new vote of confidence in this program such as this vote would represent.

The Senator from Rhode Island and I have talked about the possibility of working out some compromise with the Senator from Wisconsin such as reducing the figures in the bill. On sounding out the Members, we have found that that would be a regressive move and that we would not receive support.

Normally people are interested in settling these things and getting them out of the way, and not having any controversy about them. On the contrary, however, in this situation we have been encouraged by Members of the Senate to stand fast.

This is a program for which the administration has given an item in the budget of $145 million in actual program authorizations and $8 million for administration. We are seeking $160 million in this bill as an authorization.

As we know, the growth of these programs has been such that Members generally feel that they should be—rather than should not be—accommodated by the action we take. Mr. President, we can always correct whatever action we take at the time of appropriations.

For the first year, which is the year we look forward to, we are taking the administration at its word. One program which is a popular people's program has represented in their budget estimate an amount that we believe meets the needs. Therefore, we have sought to obtain a figure very close to this based upon the testimony which we have.

Mr. President, for all of those reasons I hope that the Senate will reject the Proxmire amendment.

Mr. PELL. Mr. President, I thank the Senator from New York. I am prepared to yield back the remainder of my time. However, before doing so, I yield 4 minutes to the distinguished senior Senator from Minnesota.

Mr. MONDALE. Mr. President, I thank the distinguished manager of the bill.

I am pleased to join in urging Senators to support the pending legislation, S. 795, which would renew the authority of the National Foundations on the Arts and the Humanities. I hope that we are able to pass this measure without amendment.

Since the foundations were created in 1965, more Americans have been exposed to stimulating creative performances and ideas than ever before in our history. According to an article which appeared in Saturday Review magazine, "more than 600 million visits are paid to American museums each year, 12 million to symphony concerts."

There is a great upsurge of public interest in and commitment to the arts and humanities, and I see this nowhere more than in my own State of Minnesota.

Mr. President, the foundations have been extraordinarily helpful in the whole range of creative arts. We are delighted by the rule that has been played by this program.

With the added assistance of the Arts Endowment, fine Minnesota institutions like the Guthrie Theater, the Minnesota Orchestra, and Walker Art Center have been able to expand their programs and bring them to audiences throughout the State and even in other States. The Arts Endowment helped to support the creation and display of the historic exhibit "American Indian Art," in Minnesota and to bring performances by the Center Opera Co. and other cultural groups to areas of the Midwest which lack resident performing groups.

Mr. President, I understand that one of the arguments against a generous increase in funds is that it would be an inappropriate approach to increase the funds in this category while the President's budget proposes cuts in the poverty area. My answer is that I do not think he should be cutting funds in the poverty area. Second, many of these programs that are supported by the Foundation are for the purpose of opening up the arts to participation by the poor.

Mr. President, I do not have the figures because it never occurred to me to vote on these programs on that basis. However, I do know that the Guthrie Theater has had a longstanding program of free performances and reduced charges so that schoolchildren and others could have this magnificent opportunity to see and hear the great performances of that theater.

The same is true with respect to the Minnesota Orchestra and the Walker Act Center.

One of the reasons that I am so excited about the foundations is that they have had this trust of trying to open up the arts for the enjoyment and education of everyone.

We have Indian artists as fellows and students, youngsters who have practically no money. We brought them along and helped them to participate in the development of this field. We are helping them, and just as important we are learning from them.

Financial aid from the Humanities Foundation has spurred a statewide discussion of regional government, a timely topic of concern to many residents of Minnesota.

For many years there was in this country a debate about whether the Government should subsidize the arts. I think that the work of these foundations has proven that Government subsidies can be effective and that our national intellectual and cultural life is significantly enriched by them.

Mr. President, I am pleased to have served on the committee under the gifted leadership of the distinguished manager of the bill, the Senator from Rhode Island (Mr. PELL).

The PRESIDING OFFICER. Who yields time?

Mr. PROXMIRE. Mr. President, I yield myself such time as I may require.

This is in response to the Senator from New York (Mr. JAVITS), who has challenged me repeatedly and said he wanted to hear one horror story, one example of censorship or political determination of the basis of this program.

Repeatedly, Mr. President, I have given the example of "State of Siege." Let me document it further.

There was a double-barreled reason given for not showing the movie "State of Siege" at the American Film Institute Festival at the Kennedy Center. One reason was that it rationalizes a political assassination. Of course, that same reason could have been given for not showing "Julius Caesar" or "Nicholas and Alexandra," a picture about the last days of the czarist regime in Russia.

The second reason was that it was an inappropriate choice for the opening of the AFI theater in the Kennedy Center.

I find this second reason even more disturbing, because, when followed to its logical conclusion, it means that because Congress built a cultural center as a memorial to the late President Kennedy with Federal tax dollars, material must be sanitized before it can be shown at that Center.

Of course, the third and unstated reason for showing extreme caution in screening certain material in the new AFI theater is that it depends upon Federal support, and the papers here in Washington were full of that. I have articles here from the Post and the Star which document it fully.

Furthermore, I have a letter here, Mr. President, from the Authors League of America, signed by Jerome Weidman, president. He said the following:

> "Censorship" is not limited to acts which openly and directly restrain the distribution of motion pictures or books. Censorship can be imposed subtly or indirectly, and yet inflict serious restraints on freedom of ex-

> pression. To censor means "to assess, estimate or judge". "Censure" means an "expression of blame or disapproval". The expulsion of State of Siege from the AFI festival, to which it had been invited, was an act of "disapproval"; and, in fact, was accompanied by a statement expressing criticsm of the film. The expulsion cannot be defended as a mere expression of "taste"—censorship of literary works involves the substitution of the censor's "taste" for that of the artist and his audience.

Still reading from the letter from the Authors League of America:

> The expulsion of State of Siege by the AFI has other nuances because the Institute derives a part of its support from the National Foundation. . . .
>
> We believe that The American Film Institute's decision to expel State of Siege was extremely unfortunate; and that the Institute should move promptly to dispel all suspicion by inviting Mr. Constantin Costa-Gavras to exhibit State of Siege at the Kennedy Center.

If that is not an example of censorship, I do not know what is. I have offered it repeatedly, but neither Senator JAVITS nor Senator PELL seems to want to join me in argument.

In this case, an invitation to show the film at the AFI festival was followed by the film's cancellation. The censorship that occurs in these programs usually does not breach the surface, and we do not know about it. In this case, if Mr. Stevens had decided that the film was unsuitable before it had been scheduled, we would not have known about it. This raises the most disturbing question of all: How many films will not be shown because of precensorship, the type we never hear about? How many cases of precensorship will never be discovered?

Mr. President, I do not argue that for this reason we ought to kill the program. I say no, let us increase it at a rapid rate, by 50 percent this year, by another $40 million next year, but let us not go hog wild, and pour so much into it that a feeling develops throughout the country that the Government is providing assistance for the arts, and they do not have to rely on individuals.

As I have documented earlier, 90 percent of the support for the arts in this country now comes from individual giving, and that is the most wholesome kind in a free society. So I say we should follow the moderate course staked out by my amendment, not only to avoid Government censorship, but also because of the positive impact private individual donors can have upon free artistic expression.

If I have any time remaining, I reserve it.

Mr. PELL. Mr. President, how much time remains to each side?

The PRESIDING OFFICER. The Senator from Rhode Island has 3 minutes. The Senator from Wisconsin has 2 minutes.

Mr. PELL. I yield 3 minutes to the Senator from Maryland.

Mr. MATHIAS. I thank the Senator from Rhode Island for allowing me to speak a few words in support of the committee and the administration position in respect to this bill.

Not long ago I had an experience which is a rather typical one for Americans these days: I submitted a project for the Bicentennial Commission on Revolutionary War History in Eastern Maryland, in the area of St. Michaels in Calvert County, which was an important area in our national history during the Revolutionary period. I was told this was a worthy project, and one very important to historians and scholars in the future, and just plain citizens today, but that as a matter of fact the Bicentennial Commission was virtually out of business during a period of reorganization.

One of the first areas at the Federal level that is expressing any interest or creativity to a meaningful commemoration of the national bicentennial is the National Endowment for the Arts. Nancy Hanks has made a very interesting exposition in the way of encouragement of programs developed by people to help the Nation commemorate the bicentennial in 1976 and during the intervening years.

It seems to me that when we are virtually striking out with the National Commission for the Bicentennial, we ought at least to be encouraging an effort to improve the Endowment for the Arts. It is for that reason that I am very reluctant to see any change in the committee bill. I think this function alone is an enormously important one, in addition to all the others that have been explained on the Senate floor during this debate.

The Endowment is providing leadership. It is providing a forum for discussion of what can be done for the commemoration of the bicentennial. I think this is the very kind of creativity that the Endowment ought to be encouraging, and for that reason I think the administration's position ought to be supported. and the amendment should be defeated.

I am disturbed at the lack of progress the Federal Government is making in other areas, and I speak as a member of the Bicentennial Commission and the author of the bill which created the Commission. It is a very unhappy admission for me to make, but it makes me all the more adamant that the Endowment, which is actually having success in promoting the projects associated with the Bicentennial, should be encouraged.

I would hope, for example, that in the bicentennial era we would have funds available to encourage installation of climate control and security systems in our Nation's museums to protect our cultural heritage; funds to help protect and restore historic sites from the wrecker's ball; to bring great performances of theater, music, dance to people around the country; to encourage the rich folk music heritage; to help encourage projects like Artrain—a train that is now touring the eight Rocky Mountain States, spending a month in each and bringing an exhibit of first-rate art and artist demonstrations to the people in remote areas.

The three goals of the Arts Endowment are—to make our cultural resources available to people throughout the country, to strengthen our cultural institutions so that they can more adequately serve the people, and to advance our cultural legacy by preserving our heritage and enhancing future creative development. These are goals worthy of our 200th birthday.

We as a nation are fortunate that we have the greatest cultural resources of the world to call upon for the bicentennial. We are indebted as a nation to the great generosity of private individuals who built the quality that we can now utilize to enrich the lives of all Americans.

Our visual artists have been in the forefront of the world in the postwar years. The world comes here to study. We have two of the world's greatest dance companies with the American Ballet Theatre and the New York City Ballet—and incidentally, the Endowment for the Arts, through its touring programs, has enabled these two great companies to bring their performances throughout our country, instead of limiting them to New York audiences. Our museums contain a great many of the great world masterpieces.

Our symphony orchestras are among the finest in the world; and it is unquestioned that some are the best in the world. I call your attention to the Time cover story this week on Georg Solti, the conductor of the Chicago Symphony. Jazz is an American idiom and one of the most vital forms of music, with imitators around the world. Our choreographers, our poets, theaters, actors—we are a Nation of diverse and rich culture.

And I am gratified to notice that it is often our young people who are the ones to discover and appreciate this fact. Even at the opera—that supposedly most arcane of arts—there are many young people, and enthusiastic ones too. Of course, I believe that the programs of outreach, often sponsored by the National Endowment for the Arts, have been responsible for this phenomenon—for example the recent "Look In" at the Metropolitan Opera with Danny Kaye.

To turn to my own State, the National Endowment for the Arts has assisted a number of fine programs in Maryland, and also ones that serve our region—and indeed the Nation. I cannot begin to name them all—just a few.

Baltimore's Center Stage was selected, along with the Guthrie Theatre in Minnesota, as part of a pilot program in theatre touring, that could serve as a model and be expanded to cover many theatres and many regions as part of a bicentennial project. Center Stage has embarked on an 8-week tour into five States—Maryland, Pennsylvania, New Jersey, Delaware, and West Virginia. Residencies will occur in 12 cities and towns—ranging from 3 days to 7 days in length. And these residencies consist of a variety of activities—such as school performances, and workshops—in addition to regular performances.

The Baltimore Museum of Art has just received a $270,000 Treasury Fund grant—one-half private funds—to assist the installation of climate control and security systems, which are desperately needed to protect such great resources as the Cone Collection, one of the finest collections of French impressionist and turn of the century art in the world. The Maryland Historical Society received a sorely needed $10,000 for conservation of approximately 30 paintings. The Art Museum has also received support for the continuation and expansion of Newseum—an extension of the Baltimore Museum of Art located in the inner city. And the Peabody Conservatory of Music, one of the great private music conservatories in this country, has received assistance from the Endowment for its scholarship program for talented young people.

We are proud of our Baltimore Symphony Orchestra—it received a rave review just this week from New York Times critic Harold Schonberg for its performance in New York. Our opera company, too, is making news and will travel to Washington this month to present its highly successful production of Nenotti's opera "The Saint of Bleecker Street" in the Kennedy Center. The Endowment has assisted both of these fine organizations—the Baltimore Symphony and the Baltimore opera.

And I want to mention, in closing, the artists-in-schools program, assisted by the Endowment for the Arts, in cooperation with the U.S. Office of Education. The Baltimore Sunday Sun on April 22 carried a front page feature in its spectator section on this project, entitled "They're Making Poetry More Fun Than Recess." If there is no objection, I ask unanimous consent that the entire article be printed in the RECORD at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MATHIAS. Maryland began a "trial year" for this endowment program in 1971–72; and this year more than 100 schools participated in the project. Maryland ranks among the top five States in terms of funding made available for the program, which is also funded by the Maryland Arts Council. Quoting from the article:

> The poets seems to have a definite impact. Regular classroom teachers are amazed as "problem" and "slow" children shout, cheer, and beg to be the first to read their poems to the class.

The program has been so successful in terms of awakening children to the excitement of learning and of creating that Maryland hopes to expand it next year.

More money will make it possible to reach more schools, more children. This is true of virtually every single one of the endowment's programs. Each has been tested, is working; and the proposed level of funding is modest when one considers the great needs and potential.

Mr. President, I thank the Senator from Rhode Island again for yielding to me.

The exhibit follows:

EXHIBIT 1

THEY'RE MAKING POETRY MORE FUN THAN RECESS

(By Daniel F. Goldman)

"A Frito is Queen Victoria's chair in purgatory." A madcap metaphor tossed off by some effete young poet in a little magazine? Something muttered by Ginsberg or Corso when stoned? Would you believe a Maryland grade-school pupil who two weeks before had said scornfully that all poetry was "for sissies"?

It's all part of a new project that began in 1966, really got going in 1970 and 1971, and this year will reach over 600,000 students, from grade school through high school, in more than 3,000 school districts in 49 out of the 50 states, Guam, the Virgin Islands and American Samoa.

A thousand professional poets are doing the teaching, or perhaps priming would be a better word. These are not the poetry classes that many adult Americans dimly recall with a twinge and a shudder: scavenger hunts for images, relentless parsing of elusive allusions and scampering scansions. The children write the poetry, and have been known to cheer spontaneously after every line.

One of the poets in the Maryland program, Elizabeth Ayres, described a typical experience:

"It is my first day in one of the schools. I am walking down the hall toward my first class. There are four or five children already gathered around me. 'Are you the poetry lady?' 'Yes,' I smile. They smile. One little boy (sixth grade, I believe) confronts me. 'Are you the poetry lady?' This is said in a challenging tone. 'Yes.' Another challenge: 'Do you write poems?' 'Yes.' And then, a command: 'Write me a poem about basketball.'

"I mumble something about poems needing a bit more inspiration than that, and laugh, but I am amazed, thrilled, excited. In the high schools where I've been, the boys cared little for poetry. That was for girls. They were more interested in sports. But this little boy saw no incongruency in his request. If I was a poet, well and good. I could write poems about basketball. And if he was interested in sports, and wrote poems, he was going to write poems about sports."

A SURPRISE SUCCESS

A few years ago, poet Kenneth Koch had singular and (to many) surprising success inducing a fifth grade class in New York city to write poetry. Sponsored by the American Academy of Poets, the Teachers' and Writers' Collaborative, and the National Endowment for the Arts, Mr. Koch evolved many devices to get the children started. Sometimes he would ask them to begin each line with "I wish . . ." and go on from there; or to use other ready-made constructs such as "I seem to be . . . But I really am . . ." or "I used to . . . But now . . ." Or he would ask them to make every other line in their poems a lie, or to describe what color a certain sound reminded them of, or what it would be like to be a river.

The results confounded the experts, and brought fame and further grants to Mr. Koch. He published an anthology of his charges' work, called "Wishes, Lies, and Dreams." Getting children to write poetry was no longer the sole province of the creative writing "enrichment" courses, and soon became the darling of innovative educators.

Maryland began a "trial year" for the program in 1971–1972. This year more than 100 schools participated in a program sponsored by the National Endowment for the Arts and the Maryland Arts Council.

Maryland ranks among the top five states in terms of funding made available for the program. Expansion is planned for next year.

The official name is "Artists in the Schools," designed to "introduce practicing artists (of various disciplines) into existing curricula." Poets are in the overwhelming majority, in Maryland as in other states, perhaps because "they're so portable," according to Leonard Randolph, program director for literature at the National Endowment for the Arts.

Portability aside, the poets seem to have made a definite impact. Regular classroom teachers are amazed as "problem" and "slow" children shout, cheer and beg to be the first to read their poems to the class. High schoolers tend to be more inhibited, but enthusiasm is high at that level as well. The Maryland Arts Council intends to publish an anthology of the youngsters' work this year.

MUST BE CERTIFIED

Participating poets in Maryland, all of whom must be certified professionally competent by the Arts Council, range from Elizabeth Ayres, a 1972 honors graduate of the University of Maryland, to Sister Maura, a School Sister of Notre Dame who is an established Maryland poet, to Lucille Clifton, whose poetry about her ghetto childhood has recently brought her to national prominence. Some of the poets concentrate on specific areas, such as Gilbert Byron on the Eastern Shore, and Daniel Epstein in Western Maryland. They are paid a stipend by the Arts Council, but often make themselves available to students for more hours than their contracts specify.

Aside from amazement and pleasure at how readily the children embrace the idea of writing poetry, the teachers' most frequent observation concerns how surprised the students are to find that poets look pretty much like everyone else. "They are shocked to see that I'm not male, over 50, dressed in tatters, rolling my eyeballs wildly, or otherwise evidencing my insanity," says Miss Ayres. "They do tend to expect a poet to be instantly recognizable as such," agrees Carol Peck, whose students begged her to extend the class beyond its scheduled expiration date.

Techniques vary widely from poet to poet, and each school structures the program as it sees fit. In Rockville, all students are volunteers. They are excused from other classes to attend the poetry sessions, but must agree to make up all missed work. Other schools schedule poetry courses during several regular English periods.

"My aim is to be as helpful as possible to them," says Carol Peck, "to take them from where they are now and start guiding them to where each of them can go; and it's different for every student. This sort of thing leads to greater verbal awareness, even in students with no initial interest in writing and no particularly pronounced ability.

"There was a boy in one class who had a lot of discipline problems, couldn't settle down and study in his other courses. I didn't even think he was listening. We were discussing the concept of extended metaphor, and I regarded it almost as a desperation measure, hoping the kids would be amused by some of the examples, since they didn't seem to care much about my being there. This boy sat there writing the whole time. I just assumed he was doing some other homework. As he left, he sort of thrust this paper at me, and it was this marvelous, balanced extended metaphor that poured out everything he felt about the school—not very flattering, of course. But it was a great relief for him. These things happen often enough so you don't get discouraged."

PASSION FOR ANONYMITY

Honesty is stressed, and writing from one's own experience. This often leads to a passion for anonymity, because the children don't want others in the class to know what they wrote.

Elizabeth Ayres wonderingly contrasts the high schoolers with the younger children. "The older ones were terrifyingly inhibited. Those who managed to conquer these fears and write gave me their writing furtively. They didn't want the others to see that they'd written anything, and they most assuredly didn't want anyone to see what they'd written. The young children beg to be first reading their poems to the class. What has happened to them since the sixth grade?"

Miss Ayres still marvels about the "little boy who never says anything, always sits by himself, acts scared of everyone and everything; I try to talk to him, loosen him up; no response. After three visits, at the end of the class, he runs up to me and thrusts a poem in my hands. I read it, and it's great. I go and tell him how much I like it. At every successive visit, he writes another poem; he even begins to smile when I look at him."

CHILDREN'S POEMS

Insane magician
Give us some hokus pokus
Change the world for good.

Being Dead

I don't have to see
my stupid brother.
I don't have to pay
taxes anymore.
I get to see the worms and talk
to the other dead people.

A doll is like a soldier;
they do as they are made.

•

I hate the kids
Who hit you for nothing.
They talk nice
And then all of a sudden
For nothing
Wam!

A Berserk Curse

May your ears be chopped up
for mincemeat pie. I will cut your
guts out with a butcher knife
and have them made into gut pudding.
May your head be used as a
bowl for my cereal and your
eyes for grapes in my lunch.

If I was an osprey I would fly high over the water.
If I could fly, I would dive and pick up fish.
I would lay eggs and if they didn't hatch,
I would try again.

The PRESIDING OFFICER. All time of the Senator from Rhode Island has expired. The Senator from Wisconsin has 2 minutes remaining.

Mr. PROXMIRE. I yield my remaining time to the Senator from Maine.

Mr. HATHAWAY. I thank the Senator from Wisconsin for yielding to me. I have a question or two that I would like to address to the Senator from Rhode Island.

I am concerned about the extent to which money appropriated under the Arts and Humanities Act goes to the actual encouragement of participation by the poor; and although I doubt that anyone can give me a percentage figure on that, I would appreciate the Senator from Rhode Island giving me some examples of programs that are designed specifically for the poor, not just being made available to them but on a basis on which the poor are encouraged to participate.

Mr. PELL. Mr. President, anticipating the Senator's question, I made inquiry of the endowment, and was assured that better than a quarter—they do not have a computer run, but better than 25 percent, or a quarter of the people benefiting by these programs now would fall into the category of being of low income.

It is very hard to define quite what that would mean. The Senator from New York yesterday pointed out that the Metropolitan Museum of Art is now open on Sundays and it is the biggest attraction in New York City, so that many of its visitors would be those in the lower income level. It would be hard to define as to what the income is of each person who would benefit by the program. Other programs which are of interest in this regard would be, for instance, the art trains that have gone through six and eight States in the Midwest part of the country and in States like New Mexico, Michigan, Arizona, Colorado, Idaho, Montana, Wyoming, and Nevada. They have all benefited.

There are also touring theaters in the high schools and a touring theater which is actually going into the slums.

Mr. PERCY. Mr. President, the recent death of Pablo Picasso has focused the attention of people in all nations on the world of fine art. As we mourn his passing, it is inevitable that we contemplate the tremendous impact Picasso's work has had on all forms of art, on all members of the international art community, and on admirers of the arts everywhere. In viewing his life and accomplishments, we are made aware of the tremendous influence one person can have on his own and succeeding generations of men and of the uncountable benefits to mankind that can result from the latent of one individual.

Becoming a great artist in any art form is never easy. It requires unique talent, dedication, and, in too many cases, the ability to live and work at a subsistence level. No one can hope to replace Picasso, but we can hope to provide the cultural climate and financial assistance that will allow individuals or groups with unusual talent in the arts and humanities to nurture that talent.

I feel very strongly that the Federal Government has a responsibility to play a leading role in sponsorship of the arts and humanities. The National Endowment of the Arts and Humanities, established in 1965, has made great progress in providing assistance to promising individuals and groups in every State and in diverse arts and humanities media. However, I feel that Federal sponsorship has been so sadly lacking in the past, that we must now do all we can to bring financial support to a level commensurate with the worth of these excellent programs.

I believe that a growing Federal investment in the arts and humanities is a wise one. If there exists in the United States today one person with even half the talent and one-quarter the prolificacy of Pablo Picasso, the money spent on assisting that person will be returned a thousand times over in cultural benefits to the American people. I therefore urge acceptance of the authorization levels proposed by the committee. My support of this authorization in no way contradicts my intention to limit Federal expenditures and to adhere to the President's proposed spending ceiling. I am committed to that goal. However, I am confident that balancing cutbacks can be made in other areas.

Consequently, I support the funding levels recommended by the committee and urge prompt passage of S. 795, the National Foundation on the Arts and Humanities Amendments of 1973.

Mr. TUNNEY. Mr. President, what do we remember most about the Greeks? Not so much their wars as their arts and their literature and their letters.

Americans have no long history. They are compulsively futuristic. And, now, if the Government does not more amply support the arts, we will have no past. There will be nothing to chronicle and to elaborate our ideas through time.

Artists create things and give focus and meaning to ideas and the deeper feelings of mankind. If you give an artist enough money to plant one tree, you will get a forest in return.

That is why I urge passage of full funding for a 3-year extension of the National Endowments for the Arts and the Humanities.

The $840 million involved is a prudent investment in the creative yearnings of our Nation.

We spent billions more to send men to the moon and to develop our sophisticated technology. Yet we have gained no peace of mind. It is time to give ideas a chance.

Art not only provides inspiration and incentive to young artists, but it also is an avenue of employment for many.

One is through regional repertory theaters. In the beginning, there were very few. Now about 35 to 45 are booming at a time when Broadway is dying.

Additionally, in our big cities, mobile galleries and theaters bring life and hope to millions of young people in drab ghettos. They confirm that young persons can realize and be recognized for their talents and their creative self-expression.

Artists overgive. Whatever they receive from the Government, they will give back twentyfold in enjoyment, fulfillment and enlightenment for all America.

Mr. BELLMON. Mr. President, S. 795, the Authorization Bill for the National Foundation on the Arts and Humanities provides funding to encourage American advancement and participation in the Arts and Humanities. The United States currently spends proportionately less money in these areas than any other country in the Western World. The work of the National Foundation of the Arts and Humanities is a valuable asset to our Nation's cultural life. The President, 3½ years ago decided the program deserved greater funding in order that Arts and Humanities would become a greater part in the lives of all Americans.

Through the use of matching funds, the Federal Government in cooperation with the States and private institutions, has been able to significantly increase American access to the arts. This program provides $3 or $4 of revenue from States and private institutions for every dollar paid by the Federal Government. This is a program which has proven its value to the American citizens.

In a year of budget reform with increasing pressure on the Members of Congress to spend more and more money on various Federal programs, it is wise that the Congress question the efficacy of any increase in any program. Yet when we look at the relative amounts of money spent to preserve and expand our cultural heritage to other Federal programs, we have in the past spent sums which are insignificant. Because of this past failure the President's budget provides for an orderly but rapid increase in the effective spending level for the Arts and Humanities over a period of several years.

I support the President's initiative and will support his request with a vote for authorization of the amount requested in the President's budget proposal.

However, as a member of the Appropriations Subcommittee which appropriates the funds for the National Endowment of the Arts and Humanities, I will closely scrutinize their budget justifications and where appropriate, will recommend and will vote for decreases.

Therefore, I will vote to authorize the full amount requested in the President's budget and against the amendment to S. 795 sponsored by the distinguished Senator from Wisconsin, Mr. Proxmire. I will, however, as I said, closely scrutinize the budget request before the forum of the Appropriations Committee in the Senate.

SENATOR RANDOLPH SUPPORTS REALISTIC ARTS AND HUMANITIES FUNDING

Mr. RANDOLPH. Mr. President, since its enactment in 1965 the National Foundation on the Arts and Humanities Act has provided much needed support for the growth of these important activities. Federal involvement in the arts has broadened the scope of our programs bringing many more people into contact with our American heritage culture. I have witnessed the development of arts programs in our home State of West Virginia. I am confident that we can continue this effort.

I supported S. 795 in the Committee on Labor and Public Welfare, but I feel that the amendment offered by Senator Proxmire offers a more realistic approach to this issue. This is a time when many Federal programs are being reduced, often drastically, and many are facing elimination. When the Senate considers legislation, we often must put aside problems that many of us feel are of great urgency as we also consider budgetary restraints. I am aware that the administration is not opposed to the authorization level for 1974 in S. 795. However, in view of the Senate passed spending ceiling of $268 billion, we must reduce where possible in areas that are not so urgent to meet this ceiling.

I point out to my colleagues that the authorization level proposed in the fiscal 1974 budget and in S. 795 for arts and humanities is more than double the $61.6 million requested for all Government financed coal technology research. In fact the Senator from Wisconsin's amendment is only a little less than double this same figure. We are not facing a crisis in culture, but we are faced with a fuels and energy crisis.

We have also reduced authorizations for the Older Americans Act, the Public Works and Economic Act, the Federal Aid Highway Act, and the Rehabilitation Act. There are others.

The Proxmire amendment does not kill the program; it merely reduces the authorizations to a more realistic level in view of our many acute domestic needs. This amendment continues to raise the authorization level for 1974 through 1976. In 1974 it represents a $16 million increase in arts grants, a $17 million increase in humanities grant programs, a $1.3 million increase in art-State programs, and a $8 million increase in the arts and humanities matching funds. These figures are less than those proposed in the 1974 budget and in S. 795, but they are sufficient to permit the arts and humanities programs to continue to function in an effective and reasonable manner.

The PRESIDING OFFICER (Mr. Cook). All time has now expired on this amendment.

The hour of 2 p.m. having arrived, the question now is on agreeing——

Mr. PROXMIRE. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 96 (previously No. 78) of the Senator from Wisconsin (Mr. Proxmire).

On this question the yeas and nays have been ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Missouri (Mr. Eagleton), the Senator from Washington (Mr. Magnuson), and the Senator from Alabama (Mr. Sparkman) are necessarily absent.

I further announce that the Senator from Nevada (Mr. Cannon) is absent on official business.

I also announce that the Senator from Mississippi (Mr. Stennis) is absent because of illness.

I further announce that, if present and voting, the Senator from Washington (Mr. Magnuson) would vote "nay."

Mr. SCOTT of Pennsylvania. I announce that the Senator from Maryland (Mr. Beall), the Senator from Michigan (Mr. Griffin), and the Senator from Kansas (Mr. Pearson) are absent on official business.

The Senator from Ohio (Mr. Saxbe) is necessarily absent.

The result was announced—yeas 30, nays 61, as follows:

[No. 110 Leg.]

YEAS—30

Bartlett
Bible
Biden
Buckley
Byrd,
  Harry F., Jr.
Byrd, Robert C.
Cotton
Curtis
Eastland
Ervin
Gurney
Hart
Haskell
Helms
Hollings
Huddleston
Hughes
Johnston
Long
McClellan
McClure
McIntyre
Nunn
Proxmire
Randclph
Roth
Scott, Va.
Symington
Talmadge
Thurmond

NAYS—61

Abourezk
Aiken
Allen
Baker
Bayh
Bellmon
Bennett
Bentsen
Brock
Brooke
Burdick
Case
Chiles
Church
Clark
Cook
Cranston
Dole
Domenici
Dominick
Fannin
Fong
Fulbright
Goldwater
Gravel
Hansen
Hartke
Hatfield
Hathaway
Hruska
Humphrey
Inouye
Jackson
Javits
Kennedy
Mansfield
Mathias
McGee
McGovern
Metcalf
Mondale
Montoya
Moss
Muskie
Nelson
Packwood
Pastore
Pell
Percy
Ribicoff
Schweiker
Scott, Pa.
Stafford
Stevens
Stevenson
Taft
Tower
Tunney
Weicker
Williams
Young

NOT VOTING—9

Beall
Cannon
Eagleton
Griffin
Magnuson
Pearson
Saxbe
Sparkman
Stennis

So Mr. Proxmire's amendment No. 96 (previously numbered 78) was rejected.

Mr. PELL. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. PASTORE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

FOUR-YEAR TERMS FOR THE HEADS OF THE EXECUTIVE DEPARTMENT

The PRESIDING OFFICER (Mr. Domenici). Under the previous order, the Chair lays before the Senate S. 755, which will be stated by title.

The assistant legislative clerk read as follows:

A bill (S. 755) to provide 4-year terms for the heads of the executive departments.

The Senate proceeded to consider the bill, which had been reported from the Committee on Government Operations with amendments on page 1, line 6, after the word "President", insert "appointing such department head"; and, on page 2, line 6, after the word "department", strike out "shall" and insert "may"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding any other provision of law, the head of any executive department shall serve for a term of four years beginning at noon on January 20 of the year in which the term of the President *appointing such department head* begins, except that (1) the term of the head of any executive department serving on the date of the enactment of this Act shall begin on such date and shall expire at noon on January 20, 1977, and (2) the head of any such department appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall serve only for the unexpired portion of such term. Upon the expiration of his term, the head of any executive department *may* continue to serve until his successor has been appointed, been confirmed, and has qualified.

(b) Nothing in this Act shall be construed to affect the power of the President to remove the head of any executive department.

(c) For the purpose of this Act, the term "executive department" means any of the executive departments set forth in section 101 of title 5 of the United States Code.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished minority leader may be recognized for a minute or so.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. SCOTT of Pennsylvania. Mr. President, I ask the distinguished majority leader what the order of business is.

Mr. MANSFIELD. Mr. President, in response to the question raised, the yeas and nays have been ordered on S. 755, the pending business. There will be a 10-minute rollcall vote.

I ask unanimous consent that the amendment to be offered by the distinguished Senator from Wisconsin (Mr. PROXMIRE) have a time limitation of 30 minutes, the time to be equally divided between the sponsor of the amendment and the manager of the bill, the Senator from Rhode Island, and that there be a time limitation of 5 minutes on a side with respect to amendments thereto, if there are any.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. It is anticipated that that may well be the last amendment—I am not certain—but it is our intention to go through with final passage of this bill this afternoon, if at all possible.

Mr. SCOTT of Pennsylvania. Mr. President, I should like to make the point that I have discussed with the distinguished Senator from North Carolina his proposal to bring up the House bill pertaining to the confirmation of the nomination of the Director of the Office of Management and Budget. He has agreed, in view of the request by the Senator from Michigan, who wishes to be heard tomorrow, that the bill will not come up before tomorrow. I make the statement for the benefit of Senators.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. Mr. President, I just wish to suggest to the majority leader that as far as the Senator from Rhode Island (Mr. PELL) and I know there is only one other amendment, other than the amendment of the Senator from Wisconsin (Mr. PROXMIRE). We hope to be able to get together with the mover of that amendment. If the Senator from Montana would ask if there are other amendments, that might give Senators an indication of what time we are likely to be finished with the bill.

Mr. MANSFIELD. Are there amendments on the part of Senators?

There do not seem to be.

Mr. JAVITS. I thank the Senator.

Mr. MANSFIELD. I assume that after the disposition of the Proxmire amendment the vote will be on final passage. I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

Mr. MANSFIELD. In view of the fact that this statement has been made, with a time limitation on the Proxmire amendment, and very likely an agreement will be reached between the two parties on the basis of the amendment to be offered by the Senator from Maine (Mr. HATHAWAY), I ask unanimous consent that upon the disposition of those two amendments the vote be taken on final passage.

The PRESIDING OFFICER. Without objection, it is so ordered; rule XXII will be waived.

FOUR-YEAR TERMS FOR THE HEADS OF THE EXECUTIVE DEPARTMENTS

The Senate continued with consideration of the bill (S. 755) to provide 4-year terms for the heads of the executive departments.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc. They are minor amendments, and they were reported unanimously by the committee.

The PRESIDING OFFICER. Without objection, the committee amendments are considered and agreed to en bloc.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and the third reading of the bill.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Missouri (Mr. EAGLETON), the Senator from Washington (Mr. MAGNUSON), and the Senator from Alabama (Mr. SPARKMAN) are necessarily absent.

I further announce that the Senator from Nevada (Mr. CANNON) is absent on official business.

I also announce that the Senator from Mississippi (Mr. STENNIS) is absent because of illness.

I further announce that, if present and voting, the Senator from Washington (Mr. MAGNUSON) would vote "yea."

Mr. SCOTT of Pennsylvania. I announce that the Senator from Maryland (Mr. BEALL), the Senator from Michigan (Mr. GRIFFIN), and the Senator from Kansas (Mr. PEARSON) are absent on official business.

The Senator from Ohio (Mr. SAXBE) is necessarily absent.

The Senator from Arizona (Mr. GOLDWATER) is detained on official business.

The result was announced—yeas 73, nays 17, as follows:

[No. 111 Leg.]

YEAS—73

Abourezk
Allen
Bayh
Bentsen
Bible
Biden
Brock
Brooke
Burdick
Byrd,
  Harry F., Jr.
Byrd, Robert C.
Case
Chiles
Church
Clark
Cook
Cranston
Dole
Dominick
Eastland
Ervin
Fong
Fulbright
Gravel

Gurney
Hart
Hartke
Haskell
Hatfield
Hathaway
Hollings
Huddleston
Hughes
Humphrey
Inouye
Jackson
Javits
Johnston
Kennedy
Long
Mansfield
Mathias
McClellan
McGee
McGovern
McIntyre
Metcalf
Mondale
Montoya

Moss
Muskie
Nelson
Nunn
Pastore
Pell
Percy
Proxmire
Randolph
Ribicoff
Roth
Schweiker
Stafford
Stevens
Stevenson
Symington
Taft
Talmadge
Thurmond
Tower
Tunney
Weicker
Williams
Young

NAYS—17

Aiken
Baker
Bartlett
Bellmon
Bennett
Buckley

Cotton
Curtis
Domenici
Fannin
Hansen
Helms

Hruska
McClure
Packwood
Scott, Pa.
Scott, Va.

NOT VOTING—10

Beall
Cannon
Eagleton
Goldwater

Griffin
Magnuson
Pearson
Saxbe

Sparkman
Stennis

So the bill (S. 755) was passed.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES AMENDMENTS OF 1973

The Senate continued with the consideration of the bill (S. 795) to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes.

The PRESIDING OFFICER. Pursuant to the previous order, the Senator from Wisconsin (Mr. PROXMIRE) is recognized for the purpose of offering an amendment.

Mr. PROXMIRE. Mr. President, I had intended to offer an amendment to the pending bill. I think that amendment is right, because it would accept the administration's budget figure for the arts and humanities program. It would provide a full authorization of a nice increase, from $80 to $153 million for 1974 and then no authorization in 1975 and in 1976, when the bill would provide an increase to $280 million in 1975 and $400 million in 1976. That is such a mammoth increase in a program increasing now that I strongly felt we should have a year to look at it and not have the Appropriations Committee under the gun and not increase the amount at breakneck speed.

However, I have talked with a number of Senators who voted with the committee on the last amendment, and I concluded there is no way I can win on that amendment. I might pick up two or three votes, but I would not win.

I congratulate the Senator from Rhode Island (Mr. PELL) and the Senator from New York (Mr. JAVITS). I hope the program is successful.

Mr. President, for the reasons I have stated, I will not call up my amendment, and I yield the floor.

Mr. PELL. Mr. President, I thank the Senator.

The PRESIDING OFFICER. Pursuant to the previous order, the Chair recognizes the Senator from Maine (Mr. HATHAWAY) for the purpose of offering an amendment.

Mr. PROXMIRE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Maine has the floor. Does he yield for that purpose?

Mr. PROXMIRE. I beg the Senator's pardon. I did not see him.

Mr. HATHAWAY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. TOWER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOWER. Mr. President, I call up my amendment, which is at the desk, and ask that it be stated.

The PRESIDING OFFICER. The amendment of the Senator will be stated.

The assistant legislative clerk read the amendment, as follows:

On page 13, strike out lines 7 through 11, and insert in lieu thereof "(b) (1) Sums appropriated pursuant to subsection (a) for any fiscal year shall remain available for obligation and expenditure until expended."

Mr. TOWER. Mr. President, what my amendment does is simply strike from section (b)(1) on page 13 lines 8 through 10, "notwithstanding any other provision of law, unless such provision is enacted in express limitation of this subsection."

All this does is to make the accumulative availability of unexpended appropriations under the authority of this act available for obligation and expenditure. However, it does not mandate that it be available for obligation and expenditure.

I have discussed the amendment with the manager of the bill, and I understand that he is prepared to accept the amendment.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. TOWER. I yield.

Mr. JAVITS. Mr. President, this is an amendment which deals with the anti-impoundment provision in the bill. The head of the Endowment of the Arts, Miss Nancy Hanks, does not feel that she wants this provision in the bill especially for her agency; hence, this amendment. I am prepared to yield to her views on that score and I am willing to accept the amendment.

Mr. PELL. Mr. President, I, too, am prepared to accept the amendment. However, I would not want this to be considered as a precedent. As a general rule I will endeavor to see that anti-impoundment provisions be included in all legislation with which I am associated. However, in this case I have agreed to accept the amendment and suggest that my colleagues agree to it.

Mr. TOWER. Mr. President, I thank the distinguished Senators.

I move the adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

Mr. HATHAWAY. Mr. President, I call up an amendment I have at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk proceeded to state the amendment.

Mr. HATHAWAY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the bill add the following: Paragraph (2) of subsection (c) of section 5 is amended by striking out "in many areas of the country" and adding "for geographic or economic reasons;" add a new subsection to subsection (c) of section 7 as follows:

"(7) insure that the benefit of its programs will also be available to our citizens where such programs would otherwise be unavailable due to geographic or economic reasons."

Mr. HATHAWAY. Mr. President, my amendment, which amends section 5 and section 7 of the act, insures that the benefits of the program will be available not only to citizens in areas that are geographically dislocated, but also for economic reasons.

The purpose of the amendment is to make sure that the lower income people in our Nation become involved in programs in both the National Foundation of the Arts and the National Foundation of Humanities.

A lot has been said on the floor both today and yesterday in regard to where the money is being spent. I am sure that the author of the bill, the Senator from Rhode Island (Mr. PELL) will agree with me that one of the purposes is to make sure that those who are economically deprived have an opportunity to participate and are encouraged to participate in the programs.

Mr. PELL. Mr. President, that is very much the case. The main thrust of the legislation is to increase the quality in both the arts and the humanities in our Nation. However, a byproduct, and a very important one, is to open up the vistas or opportunities to bring the arts and humanities to all our people.

I believe that the thrust of the amendment is a good one. I am prepared, after consultation with my colleague, to accept the amendment.

Mr. JAVITS. Mr. President, if the Senator will yield. When we originally started in this, the whole idea was to extend the program to those who were not theretofore reached and who could be reached by Government help. That, in my mind, included not only geographic restrictions but also economic.

It is my belief that that has been the purpose and thrust and aim of both endowments, the Endowment for the Arts and the Endowment for the Humanities.

I thoroughly agree with the desire of the Senator from Maine (Mr. HATHAWAY) to have a new extension of the language so as to make that crystal clear by actually writing it in so many words in the law. I therefore join with the Senator from Rhode Island in recommending that we accept the amendment.

Mr. HATHAWAY. Mr. President, the Senator from Maine appreciates very much the remarks of both the Senator from Rhode Island and the Senator from New York. I am very happy that both Senators have agreed to accept the amendment.

Mr. President, I move the adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maine.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment in the nature of a substitute as amended.

The committee amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. TOWER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JACKSON. Mr. President, as we consider S. 795 today, the reauthorization legislation for the National Foundation on the Arts and the Humanities, I believe it is quite appropriate that we should give a portion of our attention to those enduring values that shape a country, and which will in time determine how our Nation will be remembered.

I want to give my strong support to the work of this very small and young governmental agency, the National Foundation on the Arts and the Humanities; and I would encourage this body to vote in favor of the full authorization figure called for in S. 795 so that the agency can continue and increase its contribution to the quality of life for all Americans.

Earlier this year my friend, Mr. Glynn Ross, the very able general director of the Seattle Opera Association, testified before the Brademas Select Committee on Education of the House Education and Labor Committee in support of additional funds for the arts and humanities. So that you might have the benefit of reading Mr. Ross' comments regarding the need to authorize additional funds for the National Foundation on the Arts and the Humanities, I ask unanimous consent that the entire text of his testimony before the House Education and Labor Committee be inserted in the CONGRESSIONAL RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. JACKSON. Mr. President, in my own State, as has occurred all across the Nation, grants from the National Endowment for the Arts have brought poets, filmmakers, and other artists into the schools of our communities to teach and to work with the children—to help open their eyes to beauty and their lives to the joy of creativity.

The art endowment has made it possible for great dance companies like the American Ballet Theater to visit Washington State, and for the Joffrey Ballet to spend a week's residency in Seattle including open rehearsal for advanced dance students and local dance teachers. Also, the Seattle and Spokane Symphony Orchestras have been given assistance. This year, for example, the Seattle Symphony will receive $100,000 for support of their "human-art" concerts involving coordinated presentation of music, literature, architecture, sculpture, and painting at primary and secondary schools.

I could name many worthwhile projects the endowment has assisted in my State. The projects have been wide ranging, and the endowment programs have meant much to the citizens of Washington—as I am sure they have to other States.

Mr. President, we look to the future of this country and think about the kind of America we want for our children and theirs, and I think we should give our support to this agency which is doing so much to encourage what I consider to be the enduring values of our civilization.

EXHIBIT 1

TESTIMONY OF GLYNN ROSS

Culture, if it means anything, must mean the binding of the individual into the social fabric. And the social fabric of the United States is what I believe the National Endowment for the Arts and Humanities is all about.

If someone, earlier in my life, had told me that I would see the day when we have an ongoing program in the arts by the federal government, I would not have believed it. As a farmer and breadwinner in the depression years, I learned never to depend on the hopes of a crop until I'd cashed the check. Then, if and when I did find myself with something—to be grateful. Gentlemen of the government, let me extend my compliments and gratitude to you for your awareness of the arts in view of the many serious problems that compete for your time; problems which each of us face daily on the street and in the news and kick under the rug as an inevitable by-product of our fast-changing environment. In your wisdom, you have created a National Endowment for the Arts and Humanities.

This may not be the answer to the police blotters, to the alienated youth, to ecology, but it may reveal that the quality of our life is a nebulous and spiritual thing related to the arts as the prime ingredient and many of our troubles are the by-products. I thank you from the bottom of my heart.

As we are all in the situation of continually being sold something, we have had to become remote, removed, depersonalized. It is common usage to refer to ourselves in a mechanical term—"we turn off". We turn off from everything—from toothpaste to mass-murder. Nothing can reach us, let alone harm us. If our home burns down, it doesn't matter, it's insured. As we move from one community of working colleagues to another, from one city to another, from ones neighbors—nothing is missed because we're part of an unplanned conspiracy for isolation. We are not our neighbors' keeper because we hardly even *know* our neighbor—and it works vice versa.

I am here today to make the strongest statement I know how to make in praise of the National Endowment for the Arts and Humanities. To ask for your continued support on a Federal level and to recognize this seemingly minuscule portion of our national budget as a step in the right direction to bring people together.

You are dealing in an area critical to the quality of life in America and it is apt to be measured, by implication, in very small dollars and cents. I believe this is the small string that could bring us to the potential new lifeline for the United States as it moved toward its third century. No priority can be higher right now. Read the Wall Street Journal of March 6th. A documented story on an alienated people and the state of our union.

I am in the opera business—I am in public service—and when I say "public", I don't mean a super small elitist, idiosyncratic set of people I mean that almost two percent of Seattle goes to the opera. I mean that opera in Seattle is meaningful, available and known to every segment of our population. Opera in Seattle is a public service—like the library, the greater service we provide to the greater number of people—the greater are our costs.

The Arts inherently are a deficit operation because we present people, creative individuals who, as a group, are committed to their efforts and as a result present a memory-making experience, an experience, that gives greater meaning to life—an experience that is bigger than the daily sidewalk events of life—an ecumenical experience that relates beyond barriers of race, language, religion—events that give definition to living and create a human compassion.

To document this statement, let me give you immediate facts of the Seattle story. You all know that we have been through a 15% unemployment problem, the most disasterous of any area of the nation. You know of our Neighbors in Need program which actually distributed food from all over the United States (and also from a city in Japan) to waiting breadlines. Some wag put up a sign saying "Will the last person to leave Seattle turn out the light". Yet, in these winters of dire and deep discontent, people from all walks of life, rearranged their priorities, their budgets, their needs, to set the highest attendance record in Seattle Opera's history. Somebody needed us more than ever before as they lived through the experience of being part of a "depressed area". Moreover, at this time, I, the director of the opera, was honored as Seattle's "Man of the Year".

Possibly we gave them something else that I had not mentioned earlier—pride. To have national tears spilled on your behalf is not a pleasant sensation. Perhaps we were what the church bell was to the small Sicilian town in "A Bell for Adano". Perhaps this was why post-war Vienna placed the restoration of their opera house as the top priority post-war need.

As the United States has gone through our eras from Beatniks to Hippies, we've found a perceptible change in peoples' values—what people decide is important to their life.

Business, with decisions based on its quarterly reports, has been the first to adjust. Markets have changed. Needs for commodities have become smaller. And the public market for those experiences an individual cannot buy, such as clean air, a forest, a museum, a symphony, an opera house, a ballet, etc., have created a burgeoning new major trend, industry, and responsibility for those administering public funds.

Corporations, created for individual gain and the profit motive, have made major contributions to the arts, because they and their stockholders have decided this is a good business decision. The arts today create the quality of life in which they operate. As the private market shifts to the public market, the private slice of the pie is reduced and the public responsibility grows accordingly.

Seattle Opera's budget approximates one million and a quarter. Of that, about 60% comes from ticket sales, about 20% comes from private contributions, 5% is earned income other than ticket sales, and 15% is from city, county, state and federally funded programs.

Our expenses for production cost is about the same as our box office—60%, our administration cost is about equal to our contribution and earned incomes, 25%; and our special programs are direct expenses, 15%.

We represent a minority, but a substantial and very meaningful minority. Our public is incisive, decisive and adventurous; a new kind of pioneer looking for a meaningful life, for something more than the big sky. The nature of creating anything is that it takes time—we cannot mass produce and take operas "off the shelf", therefore, we plan and contract two and three years in advance. This means we must believe in what we are doing, we must believe in our audience and we must believe in you.

THE VALUE OF THE WORK OF THE NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Mr. MOSS. Mr. President, the growth of the National Foundation on the Arts and the Humanities is the handiwork of this Congress, responding to national needs that we have identified and verified year after year.

Congress has authorized that growth and funded it, with strong bipartisan support and the full backing of two Presidents.

The two endowments have been subjected to unusually careful scrutiny. Because the Foundation is not a permanent agency, its existence must be extended through reauthorizing legislation. This was done in 1968, again in 1970, and it is the purpose of S. 795.

On each of these occasions—this year, in March—subcommittees of the Senate and House take testimony from the chairman of the two endowments and from the public. They question the chairman closely as to past performance and future plans. They have available extensive data and they call on witnesses from leading institutions; and, of course, they draw on their own knowledge of the state of the arts and the humanities, derived in part from reactions of their constituents.

The committee report summarizes this factual record, and the details can be found in the published record of the hearings.

The fact is that S. 795 represents a carefully considered and bipartisan compromise between the bills originally introduced by Senators PELL and JAVITS, S. 795 proposes authorized funding levels for fiscal year 1974 that fall between the original Pell bill and the President's budget request of $72.5 million for each endowment—$145 million for the foundation. The amendment proposed by Senator PROXMIRE would reduce the authorized funding levels to $60 million for each endowment, that is, $20 million below S. 795 and $12.5 million below the President's budget request, for fiscal year 1974.

Such drastic cuts would be a setback to the development of the endowments, that is, to the people of this country whose needs are served by arts and humanities programs.

Congress saw these needs in establishing the endowments. Congress has watched and monitored the public response, and decided on a steady increase in funding to meet it. This action has been conservative, staying well within the needs as they have become better defined.

The existence of the Humanities Endowment, for example, has uncovered a growing constituency all across the Nation, on campuses and off, through the mass media and small-town meetings. Every year, the number of applications has gone up; in the last fiscal year—1972—the endowment received some 4,500, an increase of 34 percent from the previous year. The number of grants it could make—to the successful competitors—was 1,100. In value, these grants totaled approximately $24.5 million in outright funding plus $7 million in gifts and matching funds. The increase in number of grants was 68 percent over the last year's figures. But of the 3,400 applications that had to be turned down, a substantial number deserved support that lack of funds made impossible.

The Congress has thus received constant encouragement, from public response, in support of the declaration of purpose stated in the act of 1965—which says in part that—

> A high civilization must not limit its efforts to science and technology alone but must give full value and support to the other great branches of man's scholarly and cultural activity in order to achieve a better understanding of the past, a better analysis of the present, and a better view of the future.

S. 795 does not determine what moneys will be available to the foundation—that is done through appropriations—but only establishes ceilings the Senate committee considers to be in keeping with progress already made and with unfilled needs which it has examined carefully.

It is clear that the Arts and the Humanities Endowments are still in a growth phase. A perspective on funding levels would have to take account of the fact that total Federal outlays for research and development—exclusive of physical plant—are at a level of $17 billion annually; or on a less cosmic level, that the National Science Foundation's annual budget is over $60 million, and the Office of Education's comes to several billions. The funding levels proposed for the National Foundation on the Arts and the Humanities are certainly not at a disproportionately high level; in fact, as the deeper needs of our society and Nation are becoming better understood, it is more likely that they are too low, even as stated in S. 795.

In that context, the authorized funding levels for fiscal years 1975 and 1976—as well as fiscal year 1974—in S. 795 are fully justified as a projection of what ought to be done. We should hold up those goals when we try to reorder the national priorities which are so much discussed in this body.

We are talking about programs that are still very new, but which have already proved themselves. What is remarkable is the evidence that these programs reach all the States, all social classes, all ethnic groups, and all ages—they reach the American people, democratically. But even more important, they are concerned with the health of the human spirit and with the very essence of the problems we face every day in this body—that is, with values and goals, with the right priorities for the Nation. These programs promote rationality in public discourse: We certainly need to support that. They enliven the use of our best instincts; they draw upon our great knowledge resources; they promise that national decisions on great issues wlil be increasingly well informed, in the interest of social justice.

It often helps to bring the abstract work of Federal agencies down to the level of specific examples of their activities. I know Utah better than any State, so I will draw my examples from there.

What have these programs meant to the citizens of my State? For the rural people of southern Utah, 250 miles away from Salt Lake City, it has meant that the Utah Repertory Dance Theater will come to give performances and then stay for a number of days giving demonstrations, lessons, lectures, and further performances. This group, functioning out of the University of Utah, gives students in the rural area of the State a chance to live with, and learn from, the best talent available in the area.

Support from the Endowment for the Arts also means that people in surrounding States in the entire intermountain region can benefit from performances of the Utah Symphony Orchestra and Ballet West. Grants enable these fine performing groups to tour the region and to maintain a stable base in Salt Lake City. The combined grants of $125,000 for these two organizations is a very small price to pay for the cultural opportunities of residents of the entire Western United States.

The effort of the endowment under its expansion arts program has already had impact in my State. The Utah Ballet Folklorico Co. has received $10,000 to help hire a director, organize and develop dance workshops in public schools, and enhance their general activity. Art is for all sectors of society, and this program is helping to make that promise come true.

The examples I have cited are State, regional, and national in scope. The same kind of outreach program represented by the activities of Utah Repertory Dance Theater is carried on by 50 other companies in the United States, reaching 150 communities nationally in 40 different States.

Programs of the foundation mean better life for America. They have been carefully nurtured and are now providing beneficial fruits for all America. To restrict this vision and narrow its scope would be shortsighted and unwise. Let us help the foundation go forward.

Mr. KENNEDY. Mr. President, I fully support S. 795 to extend and increase funding for the National Endowment for the Arts and the National Endowment for the Humanities. Since 1965, when the National Endowment for the Arts was established, we have been privileged to have the commitment and dedication of Directors Roger Stevens and Nancy Hanks. Today, we have an opportunity with this legislation to assure that the growth and success of the endowments in which all Americans have shared will continue.

I ask unanimous consent to insert at this point in the Record lists of the programs supported by the Massachusetts Council on the Arts and Humanities under the matching grant funding by the national endowments.

There being no objection, the lists were ordered to be printed in the Record, as follows:

Council-Supported Programs in Fiscal 1971

Since July 1, 1970 the Council has provided financial assistance to the following Massachusetts arts organizations for special projects:

Artists in Action, Inc., Boston, $5,000 to develop and tour a play for elderly people in Greater Boston.

Berkshire Theatre Festival, Stockbridge, $3,000 for a series of winter workshops for playwrights.

Black Harambee Holiday, Springfield, $2,500 for arts programs and performances in its summer festival.

Boston Ballet Company, $15,000 to produce and tour in the schools Carnival of the Animals.

Boston Committee of Young Audiences, $4,000 for a special series of musical experiences in several school systems.

Boston Philharmonic Society, $6,000 to enable the Society to repeat three of its concerts in communities outside Boston.

Busch-Reisinger Museum, Cambridge, $3,318 for a concert series of contemporary music performed by the Boston Musica Viva.

Caravan Theatre, Cambridge, $1,500 for the development of a new play, Jason/Medea.

Ethnic Dance Arts, Barnstable, $4,075 to tour a program of dance performances, lecture-demonstrations, and master classes in the various forms of ethnic dance.

Fine Arts Work Center, Provincetown, $5,000 for its winter program for artists and writers.

Leverett Craftsmen and Artists, Leverett Center, $4,000 to develop a year-round program for a regional arts center.

Library Creative Drama, Boston, $5,000 for its program of drama workshops for children in the public libraries.

Massachusetts Committee of Guild Music Schools, Boston, $1,500 for four inter-school concerts around the state.

Mount Holyoke College Choral Series, South Hadley, $4,000 for a special series for the Connecticut Valley region.

Museum of Fine Arts, Boston, $1,250 to present an "Air Event" as part of the exhibition Elements of Art: Earth, Air, Fire, Water.

New England Regional Opera, Middleboro, $2,320 to mount and tour to schools a production of The Little Sweep.

Pembroke Arts Festival, $500 for an exhibition, a glassmaking demonstration and music performances.

Pittsfield Afro-American Society, $3,500 for drama workshops and the mounting of a new play.

Theatre Workshop, Boston, $2,000 for a new work for environmental theatre.

Council Announces Program Support for Fiscal 1972

The following list is the result of the Council vote on applications for support submitted by March 15, 1971. The funding for these projects is for the fiscal year 1972, starting July 1, 1971.

Alliance of Cambridge Settlement Houses, Cambridge—$1,000 for a theater workshop for children at the Cambridge Art Center.

Amherst Art Center, Amherst—$1,000 for Project Weaving: to provide instruction in contemporary developments of the art of weaving as well as the basic skills of the craft.

Associated Artists Opera Co. of New England, Boston—$2,500 to help continue and strengthen a local repertory opera company.

Berkshire Civic Ballet, Inc., Pittsfield—$500 to help stimulate audience development; the money will be used to underwrite free tickets for students.

Black Harambee Holiday, Springfield—$1,500 for Black Harambee Holiday Week, a Black culture and arts festival including an art show, dance, theater, and jazz.

Boston Center for the Arts, Boston—$3,000 for scholarships for South End children to all Center activities ($1,000); to hire a stage manager/technical administrator for the Center ($2,000).

Boston Committee of Young Audiences, Inc., Boston—$2,000 for expansion of the music-in-the-classroom program: to expand the kinds of programs as well as increase the number of communities reached outside the Boston area.

Boston Foundation, Inc., Boston—$3,000 for *Summerthing*, the neighborhood arts program in Boston.

The Boston Musica Viva, Newton Center—$2,000 for continuance of concerts of 20th century music.

Boston Negro Artists Association, Boston—$1,000 for a summer graphics workshop for young people.

Boston Public Library, Boston—$1,000 for conducting and taping interviews pertaining to the Sacco-Vanzetti case.

Cambridge Community Schools Program, Cambridge—$1,000 for music/drama workshops for children conducted by the Cambridge Opera Workshop.

The Camerata, Museum of Fine Arts, Boston—$3,500 to inaugurate a series of concerts to bring rarely-heard medieval and renaissance music to communities outside the Boston area.

Cantata Singers, Inc., Boston—$1,000 to embark on a 6-concert tour to towns outside the Boston area.

Children's Museum, Boston—$1,000 to make the materials in the Museum's Resource Center available to the public through a new classification and information dispersal system.

The Creative Center, Marshfield—$800 to continue arts classes for children and to expand the program to include introductory evening classes for adults and teenagers.

Fine Arts Work Center, Provincetown—$2,000 for support of a painters' and writers' internship program.

Freetown Elementary School, East Freetown—$500 for a series of informal programs by visiting professionals in music, drama, dance, and art.

Garrett Players, Inc., Methuen—$1,000 for support of a theatre program for children.

Institute of Contemporary Art, Boston—$1,500 for an exhibition in Boston by the faculty of the Art Department of the University of Massachusetts/Amherst.

Library Creative Drama, Boston—$2,000 to continue a program of drama workshops for children.

Museum of Afro-American History, Roxbury—$1,200 to introduce Lewis Middle School students to the resources of the Museum by training them as Junior Curators.

New England Regional Opera, Middleboro—$1,750 to continue the touring program for children.

Pembroke Arts Festival, Pembroke—$500 for a three-day outdoor arts festival.

Plymouth Chamber of Commerce, Plymouth—$500 for the Plymouth Outdoor Art Show 1971.

Plymouth Philharmonic Orchestra, Plymouth—$500 for an outdoor concert to be coordinated with Plymouth's 350th Anniversary celebration.

City of Somerville—$2,000 for "Somerfest," Somerville's neighborhood arts festival.

Springfield Dunbar Players, Springfield—$2,500 for professional theatre consultants to provide technical assistance and training for company members.

Store-Front Learning Center, Boston—$2,000 for an arts and Black/Puerto Rican studies project.

Technical Development Corporation, Bedford—$3,000 for an art instruction program at state prisons.

Theatre Company of Boston, Boston—$6,000 for a summer workshop program for young people in all phases of theatre production.

Urban Coalition, Pittsfield—$2,000 for summer workshops in theatre for young people: including Acting, Playwriting, Design, Photography and Cinemotography workshops.

WGBH Educational Foundation, Boston—$1,000 for continuation and expansion of "The Poet Speaks," the radio series in which poets read and discuss their own works.

Wheaton Trio, Norton—$3,000 for expansion of the existing program to present instrumental music to elementary school children and for day-long "Trio-in-residence" programs at high schools and colleges in Southeastern Massachusetts.

Williams College Concerts, Williamstown—$2,000 for a 3-day residence of the Detroit Symphony Orchestra in Williamstown.

Youth Concerts at Symphony Hall, Inc., Boston—$1,500 for expansion of its existing program, to provide concerts for grade six students from low-income areas of cities outside of Boston.

Mr. KENNEDY. Mr. President, several years ago during hearings on the establishment of the national foundation, I testified that I felt it was essential to encourage the development of culture, its expression of truth, and its broadening of all men. It is in the development of this wisdom that the humanities and the arts have such a vital role.

President Kennedy who cared so deeply that this Government should support the arts and humanities in our country said:

> I am certain that, after the dust of centuries has passed over our cities, we will be remembered not for our victories or defeats in battle or politics, but for our contribution to the human spirit.

And it is in the interest of the human spirit that we act on this legislation today.

One gift separates all that is human from all that is not—and that is creativity. Creative energy has molded cultures and civilizations, developed and led nations, shaped philosophy and history, and brought us to the ends of the Earth and beyond.

One human quality survives and overcomes hunger and disease and war and desperation, and that is the knowledge that we have the opportunity to create a better moment for the human spirit today or tomorrow, in a small and unheralded way or in a broad and public way.

One bond unites all persons and makes them free—whether they are behind bars or sailing the seas, whether they are hungry or wealthy, whether they are lonely or well-loved—and that is the wisdom that to be human is to create and shape your own world.

There is a force that runs the length of history and the breadth of the human race, and it is the driving force of creative energy that awakens and rejuvenates the human spirit. Artistic creation or artistic appreciation are neither dulling nor tranquilizing. Both tell us the worst about ourselves as well as the best—illuminating the lost possibilities as well as outlining our power to shape the future.

We cannot measure the contribution we make today to the expansion of the human spirit in assuring adequate funds for the endowments for the next 3 years. But we can know with certainty that by supporting the National Endowments for the Arts and Humanities we have renewed our commitment to the best in ourselves and we have made slightly more possible the peace and happiness that only artistic and humanistic achievements will ultimately give us.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Missouri (Mr. Eagleton), the Senator from Washington (Mr. Magnuson), and the Senator from Alabama (Mr. Sparkman), are necessarily absent.

I further announce that the Senator from Nevada (Mr. Cannon) is absent on official business.

I also announce that the Senator from Mississippi (Mr. Stennis) is absent because of illness.

I further announce that, if present and voting, the Senator from Washington (Mr. Magnuson) would vote "yea."

Mr. SCOTT of Pennsylvania. I announce that the Senator from Maryland (Mr. Beall), the Senator from Michigan (Mr. Griffin), and the Senator from Kansas (Mr. Pearson) are absent on official business.

The Senator from Ohio (Mr. Saxbe) is necessarily absent.

The Senator from Arizona (Mr. Goldwater) is detained on official business.

The result was announced—yeas 76, nays 14, as follows:

[No. 112 Leg.]

YEAS—76

Abourezk
Aiken
Allen
Baker
Bayh
Bellmon
Bennett
Bentsen
Bible
Biden
Brock
Brooke
Buckley
Burdick
Byrd, Robert C.
Case
Chiles
Church
Clark
Cook
Cranston
Curtis
Dole
Domenici
Dominick
Fannin
Fong
Fulbright
Gravel
Gurney
Hansen
Hart
Hartke
Haskell
Hatfield
Hathaway
Hruska
Huddleston
Hughes
Humphrey
Inouye
Jackson
Javits
Kennedy
Long
Mansfield
Mathias
McGee
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Muskie
Nelson
Nunn
Packwood
Pastore
Pell
Percy
Randolph
Ribicoff
Schweiker
Scott, Pa.
Stafford
Stevens
Stevenson
Symington
Taft
Thurmond
Tower
Tunney
Weicker
Williams
Young

NAYS—14

Bartlett
Byrd, Harry F., Jr.
Cotton
Eastland
Ervin
Helms
Hollings
Johnston
McClellan
McClure
Proxmire
Roth
Scott, Va.
Talmadge

NOT VOTING—10

Beall
Cannon
Eagleton
Goldwater
Griffin
Magnuson
Pearson
Saxbe
Sparkman
Stennis

So the bill (S. 795) was passed, as follows:

S. 795

An act to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Foundation on the Arts and the Humanities Amendments of 1973".

AMENDMENTS TO THE NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES ACT OF 1965

Sec. 2. (a) The National Foundation on the Arts and the Humanities Act of 1965 is amended in the following respects:

(1) Clause (7) of section 2 of such Act is amended by striking out all that appears after "a National Foundation on the Arts and the Humanities" and inserting in lieu thereof a period.

(2) Subsection (d) of section 3 of such Act is amended by striking out "renovation, or construction" and by adding at the end thereof the following new sentence: "Such term also includes—

"(1) the renovation of facilities if (A) the amount of the expenditure of Federal funds for such purpose in the case of any project does not exceed $250,000, or (B) two-thirds of the members of the National Council on the Arts (who are present and voting) approve of the grant or contract involving an expenditure for such purpose; and

"(2) the construction of facilities if (A) such construction is for demonstration purposes or under unusual circumstances where there is no other manner in which to accomplish an artistic purpose, and (B) two-thirds of the members of the National Council on the Arts (who are present and voting) approve of the grant or contract involving an expenditure for such purpose.".

(3) (A) That part of subsection (c) of section 5 of such Act which precedes clause (1) is amended by striking out "the Federal Council on the Arts and the Humanities and".

(B) In clauses (1) and (2) of such subsection (c) such Act is amended by striking out "production" each time it appears and inserting in lieu thereof "projects and productions"; and, in clause (3) of such subsection, such Act is amended by striking out "projects" and inserting in lieu thereof "projects and productions".

(C) Clause (5) of such subsection (c) is amended by striking out "and planning in the arts" and inserting in lieu thereof ", planning, and publications relating to the purposes of this subsection".

(D) Such subsection (c) is amended by adding at the end thereof the following new sentence: "In the case of publications under clause (5) of this subsection such publications may be supported without regard for the provisions of section 501 of title 44, United States Code, only if the Chairman consults with the Joint Committee on Printing of the Congress and the Chairman submits to the Committee on Labor and Public Welfare of the Senate and the Committee on Education and Labor of the House of Representatives a report justifying any exemption from such section 501.".

(4) (A) Paragraph (1) of subsection (g) of section 5 of such Act is amended by striking out "the Federal Council on the Arts and the Humanities and".

(B) That part of paragraph (2) which precedes clause (A) of such subsection (g) is amended (i) by striking out "such assistance" and inserting in lieu thereof "assistance under this subsection" and (ii) by striking out "prior to the first day of such fiscal year" and inserting in lieu thereof "at such time as shall be specified by the Chairman".

(C) Such subsection (g) is amended by striking out paragraphs (3) and (4) and inserting in lieu thereof the following:

"(3) The sums appropriated to carry out the purposes of this subsection shall be allotted among the States in equal amounts.

"(4) (A) The amount of each allotment to a State for any fiscal year under this subsection shall be available to each State which has a plan approved by the Chairman to pay more than 50 per centum of the total cost of any project or production described in paragraph (1), except that the amount of any such allotment for any fiscal year which exceeds $125,000 shall be available, at the discretion of the State agency, to pay up to 100 per centum of such cost of projects and productions if such projects and productions would otherwise be unavailable to the residents of that State: *Provided,* That the total amount of any such allotment for any fiscal year which is excepted from such 50 per centum limitation shall not exceed 20 per centum of the total of such allotment for such fiscal year.

"(B) Funds made available under this subsection shall not be used to supplant non-Federal funds.".

(D) Subsection (j) of section 5 of such Act is amended to read as follows:

"(j) It shall be a condition of the receipt of any grant under this section that the group or individual of exceptional talent or the State or State agency receiving such grant furnish adequate assurances to the Secretary of Labor that all laborers and mechanics employed by contractors or subcontractors on construction projects assisted under this section shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended. The Secretary of Labor shall have with respect to the labor standards specified in this subsection the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (5 U.S.C. 913) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).".

(5) Subsection (f) of section 6 of such Act is amended, in the third sentence thereof—

(A) by striking out "$10,000" and inserting in lieu thereof "$15,000"; and

(B) by striking out the period at the end thereof and inserting in lieu thereof the following: ": *Provided,* That the terms of any such delegation of authority shall not permit obligations for expenditure of funds under such delegation for any fiscal year which exceed an amount equal to 10 per centum of the sums appropriated for that fiscal year pursuant to subparagraph (A) of paragraph (1) of section 11(a).".

(6) (A) That part of subsection (c) of section 7 of such Act which precedes clause (1) is amended by striking out "the Federal Council on the Arts and the Humanities and".

(B) Clause (2) of such subsection is amended by adding at the end thereof the following: "any loans made by the Endowment shall be made in accordance with terms and conditions approved by the Secretary of the Treasury.".

(C) Clause (6) of such subsection (c) is amended by striking out all that follows "the humanities" and inserting in lieu thereof a period.

(D) Such subsection (c) is amended by adding at the end thereof the following new sentence: "In the case of publications under clause (6) of this subsection such publications may be supported without regard for the provisions of section 501 of title 44, United States Code, only if the Chairman consults with the Joint Committee on Printing of the Congress and the Chairman submits to the Committee on Labor and Public Welfare of the Senate and the Committee on Education and Labor of the House of Representatives a report justifying any exemption from such section 501.".

(7) Subsection (f) of section 8 of such Act is amended, in the third sentence thereof—

(A) by striking out "$10,000" and inserting in lieu thereof "$15,000,"; and

(B) by striking out the period at the end thereof and inserting in lieu thereof the following: ": Provided, That the terms of any such delegation of authority shall not permit obligations for expenditure of funds under such delegation for any fiscal year which exceed an amount equal to 10 per centum of the sums appropriated for that fiscal year pursuant to subparagraph (B) of paragraph (1) of section 11(a).".

(8) Section 9(b) of such Act is amended to read as follows:

"(b) The Council shall be composed of the Chairman of the National Endowment for the Arts, the Chairman of the National Endowment for the Humanities, the United States Commissioner of Education, the Secretary of the Smithsonian Institution, the Director of the National Science Foundation, the Librarian of Congress, the Director of the National Gallery of Art, the Chairman of the Commission of Fine Arts, the Archivist of the United States, the Commissioner, Public Buildings Service, General Services Administration, a member designated by the Secretary of State, and a member designated by the Secretary of the Interior, a member designated by the Chairman of the Senate Commission on Art and Antiquities, and a member designated by the Speaker of the House. The President shall designate the Chairman of the Council from among the members. The President is authorized to change the membership of the Council from time to time as he deems necessary to meet changes in Federal programs or executive branch organization.".

(9) Clause (2) of subsection (a) of section 10 of such Act is amended by inserting after "purposes of the gift" the following: ", except that a Chairman may receive a gift without a recommendation from the Council to provide support for any application or project which can be approved without Council recommendation under the provisions of sections 6(f) and 8(f), and may receive a gift of $15,000, or less, without Council recommendation in the event the Council fails to provide such recommendation within a reasonable period of time".

(10) Section 11 of such Act is amended by striking out subsections (a) and (b) and inserting in lieu thereof the following:

"SEC. 11. (a) (1) (A) For the purpose of carrying out section 5(c), there are authorized to be appropriated to the National Endowment for the Arts, $59,000,000 for the fiscal year ending June 30, 1974, $105,750,000 for the fiscal year ending June 30, 1975, and $152,500,000 for the fiscal year ending June 30, 1976.

"(B) For the purposes of carrying out section 7(c), there are authorized to be appropriated to the National Endowment for the Humanities $70,000,000 for the fiscal year ending June 30, 1974, $125,000,000 for the fiscal year ending June 30, 1975, and $180,000,000 for the fiscal year ending June 30, 1976.

"(C) For the purpose of carrying out section 5(g), there are authorized to be appropriated to the National Endowment for the Arts $11,000,000 for the fiscal year ending June 30, 1974, $19,250,000 for the fiscal year ending June 30, 1975, and $27,500,000 for the fiscal year ending June 30, 1976.

"(2) There are authorized to be appropriated for each fiscal year ending prior to July 1, 1976, to the National Endowment for the Arts and to the National Endowment for the Humanities, an amount equal to the total amounts received by each Endowment under section 10(a) (2), except that the amount so appropriated for any fiscal year shall not exceed the following limitations:

"(A) For the fiscal year ending June 30, 1974, $20,000,000.

"(B) For the fiscal year ending June 30, 1975, $30,000,000.

"(C) For the fiscal year ending June 30, 1976, $40,000,000.

"(b) (1) Sums appropriated pursuant to subsection (a) for any fiscal year shall remain available for obligation and expenditure until expended.

"(2) (A) Unless the Congress, during the period beginning July 1, 1975, and ending July 1, 1976, passes or formally rejects legislation extending the authorizations of appropriations in subsection (a), each of such authorizations of appropriations is hereby automatically extended for the fiscal year beginning on such latter date at the level provided for each of such authorizations for the preceding fiscal year.

"(B) For the purposes of subparagraph (A), legislation shall not be considered as having been passed by Congress until it has become law.

"(3) In order to afford adequate notice to interested persons of available assistance under this Act, appropriations authorized under subsection (a) are authorized to be included in the measure making appropriations for the fiscal year preceding the fiscal year for which such appropriations become available for obligation.".

(11) Sections 13 and 14 of such Act are repealed.

(b) The amendments made by subsection (a) shall be effective on and after July 1, 1973.

AMENDMENT TO THE LIBRARY SERVICES CONSTRUCTION ACT, INCLUDING RESEARCH LIBRARIES IN THE DEFINITION OF "PUBLIC LIBRARY"

SEC. 3. (a) Section 3(5) of the Library Services and Construction Act is amended by adding at the end thereof the following new sentence: "Such term also includes a research library, which, for the purposes of this sentence, means a library which—

"(A) makes its services available to the public free of charge;

"(B) has extensive collections of books, manuscripts, and other materials suitable for scholarly research which are not available to the public through public libraries;

"(C) engages in the dissemination of humanistic knowledge through services to readers, fellowships, educational and cultural programs, publication of significant research, and other activities; and

"(D) is not an integral part of an institution of higher education.".

(b) The amendment made by subsection (a) shall be effective on June 30, 1973, and only with respect to appropriations for fiscal years beginning after such date.

HUMANITIES GRANTS

SEC. 4. Section 7(d) of the National Foundation on the Arts and the Humanities Act of 1965 is amended by adding after the phrase "Federal programs" a comma and then the words "designated State humanities agencies".

AMENDMENTS WITH RESPECT TO EXPANDING ARTS AND HUMANITIES AUTHORITY

SEC. 5(a) Section 5(c)(2) of the National Foundation on the Arts and the Humanities Act of 1965 is amended by striking out "in many areas of the country" and inserting in lieu thereof "for geographic or economic reasons".

(b) Section 7(c) of such Act is amended by striking out "and" at the end of paragraph (5), by striking out the period at the end of paragraph (6) and inserting in lieu thereof "; and", and by adding the following new paragraph:

"(7) insure that the benefit of its programs will also be available to our citizens where such programs would otherwise be unavailable due to geographic or economic reasons."

Mr. PELL. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. JAVITS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PELL. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to make clerical and technical corrections in the engrossment of the text of S. 795.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTER REGISTRATION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume the consideration of the unfinished business, S. 352, which will be stated by title.

The legislative clerk read as follows:

A bill (S. 352) to amend title 13, United States Code, to establish within the Bureau of the Census a Voter Registration Administration for the purpose of administering a voter registration program through the Postal Service.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. What is the will of the Senate?

Mr. ALLEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McGEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McGEE. Mr. President, may I inquire what the parliamentary situation is?

The PRESIDING OFFICER. The unfinished business, S. 352, is before the Senate. The question is on passage.

Mr. McGEE. Mr. President, we have had a conversation among those involved with the bill. As I understand it, the Senator from Alabama has a motion to make and some remarks to make, and I am glad to yield the floor.

Mr. ALLEN. I thank the distinguished Senator from Wyoming, the chief sponsor of the bill, for allowing me to speak at this time.

Mr. President, the bill under consideration, S. 352, a bill to provide for a system of registration of voters by post card, has been before the Senate as the pending business, and subsequently the unfinished business, since April 6. Since that time, however, other matters have been taken up on the call of the calendar prior to the unfinished business being laid before the Senate; and by unanimous consent of all those involved in the entire Senate, the Senate has been allowed to proceed to matters of considerable moment pending before the Senate.

For example, the arts and humanities bill was allowed to proceed to final passage by unanimous consent, despite the pendency of S. 352 as the unfinished business. Also, the bill of the distinguished Senator from West Virginia (Mr. ROBERT C. BYRD), to set 4-year terms for Cabinet officers, was allowed to proceed to a vote. All this was done by unanimous consent. But the fact remains that since the day following the original laying before the Senate of S. 352—that is, on April 7—this bill has been the unfinished business before the Senate.

Mr. President, yesterday the Senator from Alabama made a motion to displace S. 352 from its position as the unfinished business and to displace it with S. 373, Calendar No. 115, a bill to insure the separation of Federal powers and to protect the legislative function by requiring the President to notify the Congress whenever he impounds funds, or authorizes the impounding of funds, and to provide a procedure under which the Senate and House of Representatives may approve the President's action or require the President to cease such action.

Under the Senate rules, since the bill was laid aside temporarily and the arts and humanities bill became the pending business before the Senate, the motion made yesterday by the Senator from Alabama died with the adjournment on yesterday evening. That, therefore, makes it imperative that the Senator from Alabama refile or reassert his motion, which I shall do toward the end of my remarks and before yielding the floor.

Why should the U.S. Senate occupy its time considering such trivia as S. 352, when many matters pending before the Nation and pending before the Senate should be occupying the time of the U.S. Senate? We have heard much talk in the Senate and in the media that Congress should assert or reassert itself so as not to allow further concentration of power in the executive departments, and that Congress should be the branch of Government that should set the spending priorities of the Nation.

Therefore, Mr. President, when the President of the United States impounded certain funds in certain areas of Government activity that had been appropriated by Congress, much is said about a need for a bill that would prevent such impoundment without the approval of Congress. Over in the House the matter was approached from the standpoint of requiring that in cases where the President impounded funds the President should have that right unless a majority of the House and the Senate by resolution within 60 days, I believe, should come in and say that the President should not have that power.

On the other hand, S. 373, the bill by the Senator from North Carolina (Mr. ERVIN) and other Senators, approaches this matter from just the reverse position, saying that impoundment should stop unless a majority of the House and the Senate authorizes the impoundment, which is exactly the opposite approach.

So, Mr. President, it seems to me that this bill is of much greater importance, and I refer to S. 373, than the so-called post card registration bill, and the purpose of the motion made yesterday by the Senator from Alabama was merely to say, "Let us lay aside the post card registration bill, let us send it back to the calendar, this bill that we have no need for, this bill that sets up an expensive echelon of Federal bureaucracy, let us send that back to the calendar. Do not necessarily kill it at this time, but wait until later to do that. But send it back to the calendar and take up something of real importance that the Senate is going to have to face some time."

This motion is a method by which Senators can say what they think is important to the Nation. Is it important to broadcast tens and even hundreds of millions of post cards through the Postal System throughout the country to induce people to register, when all they have to do now is to go down to the registration office, present themselves, and register? Is it more important to consider a bill of that sort than to consider a bill that goes to the very foundation of our Republic, the very foundation of the separation of powers on which our Constitution is based? Which of these bills should the

Senate consider as more important? Should we continue on with the bill that we have been on since April 6, where the Senate on Monday said it did not want to stop debate, let the debate continue, a bill that was defeated by a rollcall vote in the Senate during the last Congress—should the time of the Senate be occupied with a bill of this sort when we have bills having to do with the most important subjects and the most important issues facing the Nation?

Mr. President, if debate should continue later in the afternoon I shall discuss the details of the bill at somewhat greater length and, of course, I am prepared to do so on short notice. But at this time, Mr. President, in order that this issue may be brought before the Senate, to let the Senate decide whether it is concerned with the separation of powers as between the executive branch and the legislative branch of our Government, or whether it wants to keep on considering a bill that already has been turned down by the Senate on one occasion and on another occasion the Senate stated it did not wish to end debate on the bill, I shall make a motion.

The effect of the motion that was made yesterday by the Senator from Alabama was merely to put S. 352 back on the calendar and to then put the Senate to work considering S. 373, which is on the first page of the calendar.

Mr. President, at this time, I move that the Senate proceed to the consideration of S. 373, Calendar Order No. 115 on today's calendar, a bill to insure the separation of Federal powers and to protect the legislative function by requiring the President to notify the Congress whenever he impounds funds, or authorizes the impounding of funds, and to provide a procedure under which the Senate and the House of Representatives may approve the President's action or require the President to cease such action.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. ALLEN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is not a sufficient second.

Mr. ALLEN. Mr. President, I suggest the absence of a quorum.

Mr. McGEE. Does the Senator wish to do that now or does he wish me to discuss the matter?

Mr. ALLEN. I withdraw the suggestion of a quorum.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. McGEE. Mr. President, I appreciate the cooperativeness of my colleague, the Senator from Alabama.

To set the record straight, while S. 352 has been before the Senate as the pending business since the 6th day of April, the only reason that it has been the pending business since the 6th day of April is that my colleague from Alabama has sought not to permit an up-and-down vote. The Senate has been ready to vote in terms of testing the issue itself. The Senator from Wyoming did not keep this as the pending business since April 6. The Senator from Wyoming offered to vote on April 7, on April 8, and whatever day one cares to mention between April 6 and this day. I renew that pledge now.

As a matter of fact, as a gesture of good will on my part, the Senator from Alabama is very much interested, as I am, in S. 373 on the impoundment question. It is a very critical matter. I am very much interested in S. 352 and a great many Senators think it is also an important issue. I would like to pledge myself with reference to both of those bills this afternoon. If the Senator from Alabama will help me pass my bill I will help him pass his bill.

If the Senator will help me pass my bill, I will help him pass his bill, and in this way we will get the best of both worlds. That is the simplest way to avoid problems. We will avoid the problems tomorrow. I do not know how to be more generous than that.

We pass many bills in the course of a session of Congress. We are going to have more than S. 373 this year. All I am offering is that we get rid of these two bills this afternoon. That would make quite a day in the U.S. Senate.

I appreciate the fact that the Senator from Alabama believes the bill to be trivia, although it did not sound like that when he told us of the horrendous things that were likely to happen under S. 352. I am not sure it is trivia when the Senate addresses the question why 62 million Americans of age did not vote last November. Is that trivia?

Mr. President, I submit there is something basically wrong in the system when that kind of nonperformance arises in what we loosely call the world's greatest democracy. When we remember that approximately 70 million people voted and 62 million did not vote, we can grasp the dimensions of the problem.

So I would submit that is hardly trivia; that, if anything, it is a serious indictment of something in a system that holds itself out to the rest of the world as the way to do, as the kind of government to encourage, as the sort of citizenship responsibility to uphold. And because of the difficulties that make up the mixed bag of explanations as to why the 62 million who were of age but did not vote, we have sought to approach one of those factors. One factor was at least to reduce the obstacles in registration.

Mr. President, merely registering will not guarantee that they will vote, but believe me, the record shows that it does make a significant and constructive step toward encouraging them to vote.

It just behooves us to try. We are required in this body, it seems to me, especially in this time of history and this day, to make it possible, to make it easier, for more people to vote.

All the post card system does is permit an individual to apply, to request, the chance to register by post card. That is all it does. And, given the obstacles which are quite variable, of limited hours in some registration places, some remaining open only from 9 to 5, some requiring that one register at the courthouse, some at city hall, some areas being rather far removed—in my own State some voters would have to go 100 miles to register; I am sure that is true in the State of Alaska and others of the Western States—there ought to be a way to facilitate registration, and this is one of those ways. That is hardly trivia, Mr. President. So I renew my offer. There were 56 Senators here Monday who thought this bill was important enough to move it along. There were 31 Members of this body who thought it was not important enough to move it along.

Let me remind Senators of that vote again. It was 56 to 31. That is a fair majority, I would say. That is why it is important that we permit the Senate to express its will; and that will dare not be cloaked behind the veil of a parliamentary device designed to prevent standing up and being counted on an issue that is of deep concern to most Americans. In these times, whatever else we do, we ought to avoid the shadows of covering up where a man stands on an issue of grave public concern.

All we ask is that there be a showing of the stature of the Senate, the posture of each spokesman here as he represents his State and his Nation on the question of extending the base and the procedures of the process of registration. That is all we ask.

The sentiment of this body has been made clear again and again on each of the many times we have been engaged in this procedure since April 6, including the vote in this body as recently as Monday of this week; 56 to 31, in my judgment, is a popular mandate for action, a popular mandate that the Senate of the United States move.

So we have in mind, I would say again to the distinguished Senator from Alabama, that it would be dramatic this afternoon in this body, at this relatively late hour, if we could walk down to the well of the Senate, arm in arm, and let this body know that we are going to pass two significant measures today—his and mine. I do not know whether he has the votes for his, because a vote has not been tried; but I am willing to help, and that is as fair as one can be, as I see it. I am not asking that he not call his up. I am not asking that he withdraw it from the calendar. I am not saying we are going to filibuster it or talk about it at great length to prevent action. I think it is an important bill. I think we ought to have had it up on the 7th of April, the day after the Senator permitted mine to pass. But that was not his decision. He chose otherwise. So I make the reciprocal offer that we do both. I think it would be a memorable day in the history of this body if the Senator from Alabama (Mr. ALLEN) and the Senator from Wyoming could join in a mutual effort to deliver both measures as an act of this body in the same afternoon.

I would be willing to agree to a time limitation on both bills. I think we could allow 15 minutes on each bill and vote on one at a quarter of 4, and on the other by 4:15. This, likewise, would demonstrate who is willing to move and who is willing to go into action.

Therefore, in the light of the pending business that is before this body, it is my understanding that the leadership—wherever it may be—intends to offer a motion to table the motion by the Senator from Alabama. I would suspect that the leadership is in the Democratic caucus, down the hall, right now, while we are holding the floor right here. And I would suppose that this may be an appropriate moment for the quorum call that was originally requested by my friend, the Senator from Alabama.

If it is agreeable, I suggest the absence of a quorum so that we can recruit leadership.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FONG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FONG. Mr. President, I cannot let this occasion go by without answering some of the comments of the distinguished Senator from Wyoming who tells us that 62 million Americans did not vote in the election of 1972.

The Senator from Wyoming seems to conclude that the reason 62 million Americans did not vote in 1972 was because we have such onerous and obstructive State voter-registration laws.

Mr. President, we know very well that the primary reason why most of these 62 million Americans did not vote is because they were not interested in voting. I say that they were not interested in voting because the facts bear me out. The fact that they are registered does not mean that they will vote.

Many of them do not register because they do not care to vote. It is probably correct that a greater percentage of those who register will vote than is the case with those who do not register. If a man registers, there is greater possibility that he will vote.

However, Mr. President, a survey was made in 1968 of 50,000 households in the United States and, as I have said, 50,000 households represent probably 150,000 Americans. That poll, Mr. President, is much larger than the Harris poll or the Gallup poll which survey approximately 1,500 Americans in each poll. Here we have a survey that was made in 1968 of 50,000 households or approximately 150,000 Americans. These people were asked whether they registered to vote; 26,000 of the 50,000 households, or more than 50 percent, of the 50,000 households said that they had not registered to vote. The 50 percent that did not register to vote were then asked for the reasons why they had not registered to vote. Approximately 10 percent said they had not registered because they were not eligible to register, either because they were aliens or did not meet the requirements of residence or other standard requirements.

Mr. President, of the 26,000 households that responded that they had not registered to vote, 53.3 percent said they had not registered to vote because they were not interested in politics. When we eliminate the 10 percent who could not register because they did not meet the necessary citizen requirements, the 53.3 percent increases to 60 percent of those households that had not registered. They did say that they were not interested in politics.

Mr. President, I bring this fact up to show that it is not because of the present State voter registration laws that people do not register. It is because these people do not care to vote.

Mr. President, I go further to prove my statement. In the State of Texas, where one can register simply by clipping a coupon from an advertisement in the local newspaper and sending that coupon in to the registrar. That is the way the people of Texas have been registering to vote for 30 years. We find that 55 percent of the eligible voters in the State of Texas did not vote in the 1972 election.

Mr. President, let us go to the State of North Dakota where there is absolutely no preregistration. The citizens of North Dakota go to the voting booth on election day and vote. They have no preregistration whatsoever in that State. And what do we find there? We find that 31 percent of the people in North Dakota did not vote in the last election. That is not because they were barred by restrictive State voter registration laws. It is not because they could not get down to the registrar to register. It is not because they were impeded in registering. These people do not have any registration requirements. Yet, 31 percent of the citizenry of North Dakota who were eligible to vote did not vote.

Mr. President, I point to my State of Hawaii. In the State of Hawaii, everything is done during the election period to get out the votes, and to get the people registered. The citizen is exhorted by radio, television ads, newspaper ads, and by many of their friends to come out and register.

Registrars are deputized by the Republican Party, by the Democratic Party, and by the clerk of registration. They sit at street corners. They go into supermarkets and sit at tables. A citizen can register in the supermarket. One can register at a street corner. The registrars even go from house to house.

Mr. President, many of these registrars are paid by the number of registrants they can secure. The registration office is open until 12 o'clock at night. It is open on Saturdays. Still, what do we find in the State of Hawaii? We find that approximately one-half of the people of Hawaii who were eligible to vote did not vote. That is not because they were barred by restrictive State registration laws. It is because they did not care to vote, as shown by the 1968 survey conducted by the Bureau of the Census.

Mr. President, when we say that these people do not care to vote—and that this fact has been proven by a survey—it means that we are being called upon to expend great sums of money in this registration system which the proponents are trying to get the Senate to adopt. We will have to spend approximately $100 million every mailing. That means we are really using a cannon to shoot a fly. We are really wasting a lot of money, $100 million, and that is especially serious in these days when our Government is so deeply in debt. This money will go for a program, the value of which is very dubious.

Mr. President, I am quite sure that we will be able to get some more people to register if we pass this bill. However, we will not get them to register in substantial numbers. It has been proven that even where the laws are easy, and where there is no requirement for registration, that people have not come out as they should to register.

It is for these reasons that we are against this measure. We are saying that we would spend approximately $100 million at least every 2 years to distribute approximately 300 millions cards to 88 million addresses in the United States, and for what?

For what? When the registration laws are so lenient, when it is so easy for the citizen who wishes to register to register. There is no need for this law. If we had onerous laws, if we had laws which prohibited people from registering, if we had laws which prevent them from registering when they want to register, then I would say there is some argument for the passage of this bill. But we do not have such onerous laws; and, when we can show that in States where the laws are so easy for the voters to comply with that all they have to do is go to a registrar at the street corner, or stay at their homes when a registrar comes to ask them to register, or go down to the registrar's office and spend a few minutes, this expenditure of tremendous amounts of money to get a few of them to register when they are not interested in politics is just a waste of money.

That is the reason we are against this bill. Moreover, we are against it because it offers tremendous opportunities for fraud. A man can sign his name to a card, or a woman can sign a card, or any child can sign a card and send it in and say he is qualified to vote. The registrar returns to him a receipt showing he is registered, and that receipt, according to the terms of the bill, is prima facie evidence that he is a lawful, registered, and qualified voter.

He can send in any number of registration cards and receive any number of receipts. Whether he signs his name as John Doe, John Smith, or Henry Smith, he will receive as many receipts as he can send in cards, and can take those receipts and vote on each receipt, because the receipt will be prima facie evidence that he is a registered and lawful voter.

When we consider that this would provide tremendous opportunities for fraud, with a possibility of registering tombstones, people who are not of age, or people who are nonexistent, and of giving addresses where there are no people living, we will really give to those who want to commit fraud, under this kind of system, a great opportunity for fraud.

The proponents will tell you, "We have set up penalties for this type of fraudulent action." But I ask them, how are you going to catch the person? He only presents himself at the voting booth on election day, and on election day you do not have the time to question him.

I would say, Mr. President, that this

is a very bad bill from the standpoint of fraud; and from the standpoint of expenditure. It would expend a great deal of money to do an almost useless task.

Mr. McGEE. Mr. President, I do not intend to proceed at any great length, but just for a very few moments I would like to respond to my colleague, the ranking minority member of the Post Office and Civil Service Committee which reported out this bill, to say that I applaud the State of Hawaii, his State, for the many innovative ways it uses to reach voters, though despite all those liberal efforts, only 50 percent of the people otherwise eligible bother to vote. That happens in many parts of the United States; it is not unique in Hawaii. It is more particularly true, of course, in some of the Western States, rather than the more heavily populated areas.

But what disturbs and continues to disturb me is that low-voter turnout is not true in any other country of the Western World. Does that mean that the people of Wyoming, or Hawaii, or Alaska are not well-motivated citizens? Does it mean that something is lacking in the American fiber that the French have, the Belgians have, the Canadians have, the British have, and the Germans have?

That would be one obvious conclusion, but I just do not happen to think it is true, Mr. President. I think our people are made of as tough and responsible a fiber as the citizens of any other country in the world, but if that is true, something is missing in the way we do it now. What is missing is what we are trying to determine. When only 50 or 55 percent of our otherwise eligible voters turn out to vote in a Presidential election, in which 62 million do not bother to vote, then there is something else that is wrong, if you are not willing to blame it on the caliber of the American people, and I do not place the blame there.

My colleague from Hawaii knows well, from the testimony in the hearings and from the correspondence we have had from individuals, that we have large cities in America where it is still required that you go down to the city hall to register, and that is a long way for some people. It is not easy. Likewise, there are some offices that stay open from 9 to 5—they are not all as liberal in this regard as they are in Hawaii—and a workingman cannot get off before 5 and, therefore, it is just plain complicated to get registered during those hours.

In other cities there were instances in which there were no offices open on Saturday, on Sunday, or on evenings during the week. These are the kinds of obstacles that already exist. Not every State is like Wyoming or Hawaii, where they make a genuine effort in that regard.

We are talking now about the great mass of otherwise eligible American voters. We are addressing ourselves to the 62 million. Why, of course, a lot of those people never will vote—never. They could care less. But many millions of them, we have reason to believe, would register if we made it a little less difficult, a little less complicated to get on the register.

That is precisely what this bill strikes at.

My friend from Hawaii continues to speak from the same figures that he used a year ago, the famous census figures of 1968. If I may remind him, there has been an election since then—in fact, a couple of them. We had an election in this country last November in which barely more than 50 percent of the American voters showed up to vote. We also know why many of them did not vote. There have been honest efforts—not by the Bureau of the Census; the Census Bureau has not done anything about studying that election in complete depth yet—but we have had concerned Americans so upset by that bad performance, by that exceptionally low track record, that they sought to find out why individuals did not vote in 1972—not away back in the dark ages of 1968.

What they found out, the League of Women Voters said in 1972, after they examined several hundred different American communities in all areas, was that a large percentage did not vote because of the variable obstacles to registration. The National League of Municipalities reached the same conclusion.

All we are saying in this bill, Mr. President, is that we ought to remove that as an excuse. We ought to remove it as an alibi. We ought to remove it as a barrier, as an inconvenience, and go to work on closing the rest of the gap through genuine efforts that motivate people to go to the polls, but we have no excuse—I repeat, no excuse—for the Senate to remain inattentive to the mechanical and physical obstacles to the chances of an individual's registering to vote.

That is the reason I hope that this body will decide to proceed to vote cloture on this measure tomorrow, or better that we have the general acceptance of the distinguished Senator from Alabama to my proposal, that I will help him pass his bill, if he will help me to pass mine, under the time limitation; but it is now my understanding that the leadership will offer a motion to table, and if it is agreeable, I will now yield the floor for that purpose.

Mr. ROBERT C. BYRD. Mr. President, I am about to offer a tabling motion. I do it with apologies to the distinguished Senator from Alabama (Mr. ALLEN) who is my friend and who knows that I am his friend. I support the bill which is involved in his motion, S. 373, and I intend to support and vote for it, and speak for it if necessary.

May I say that I regret that he and I are on different sides of the question with respect to the pending unfinished business, but at some future time he and I undoubtedly will be on the same side of some question. So I know that I have his understanding.

Mr. President, I move to table the motion which has been offered by the distinguished and able Senator from Alabama (Mr. ALLEN).

The PRESIDING OFFICER. The question is on agreeing to the motion to table the motion of the Senator from Alabama (Mr. ALLEN). The motion is not debatable.

Mr. ALLEN. Mr. President, I call for the yeas and nays.

There was not a sufficient second.

Mr. ALLEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLEN. Mr. President, I call for the yeas and nays on the motion to table.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table the motion of the Senator from Alabama (Mr. ALLEN).

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Missouri (Mr. EAGLETON), the Senator from Maine (Mr. HATHAWAY), the Senator from Washington (Mr. MAGNUSON), the Senator from South Dakota (Mr. MCGOVERN), and the Senator from Alabama (Mr. SPARKMAN) are necessarily absent.

I further announce that the Senator from Nevada (Mr. CANNON) is absent on official business.

I also announce that the Senator from Mississippi (Mr. STENNIS) is absent because of illness.

I further announce that, if present and voting, the Senator from Washington (Mr. MAGNUSON) and the Senator from South Dakota (Mr. MCGOVERN) would each vote "yea."

Mr. SCOTT of Pennsylvania. I announce that the Senator from Maryland (Mr. BEALL), the Senator from Michigan (Mr. GRIFFIN), and the Senator from Kansas (Mr. PEARSON) are absent on official business.

The Senator from Oregon (Mr. HATFIELD), the Senator from Illinois (Mr. PERCY), the Senator from Ohio (Mr. SAXBE), the Senator from Alaska (Mr. STEVENS), and the Senator from South Carolina (Mr. THURMOND) are necessarily absent.

The Senator from Arizona (Mr. GOLDWATER) is detained on official business.

On this vote, the Senator from Illinois (Mr. PERCY) is paired with the Senator from South Carolina (Mr. THURMOND). If present and voting, the Senator from Illinois would vote "yea" and the Senator from South Carolina would vote "nay."

The result was announced—yeas 59, nays 25, as follows:

[No. 113 Leg.]

YEAS—59

Abourezk
Aiken
Bayh
Bellmon
Bennett
Bentsen
Bible
Biden
Brock
Brooke
Burdick
Byrd, Robert C.
Case
Chiles
Church
Clark
Cook
Cranston
Dole
Dominick
Fulbright
Gravel
Hart
Hartke
Haskell
Hollings
Huddleston
Hughes
Humphrey
Inouye
Jackson
Javits
Johnston
Kennedy
Long
Mansfield
Mathias
McGee
McIntyre
Mondale
Montoya
Moss
Muskie
Nelson
Nunn
Pastore
Pell
Proxmire
Randolph
Ribicoff
Roth
Schweiker
Scott, Pa.
Stevenson
Symington
Taft
Talmadge
Tunney
Williams

NAYS—25

Allen
Baker
Bartlett
Buckley
Byrd,
  Harry F., Jr.
Cotton
Curtis
Domenici
Eastland
Ervin
Fannin
Fong
Gurney
Hansen
Helms
Hruska
McClellan
McClure
Metcalf
Packwood
Scott, Va.
Stafford
Tower
Weicker
Young

NOT VOTING—16

Beall
Cannon
Eagleton
Goldwater
Griffin
Hatfield
Hathaway
Magnuson
McGovern
Pearson
Percy
Saxbe
Sparkman
Stennis
Stevens
Thurmond

So the motion to table Mr. Allen's motion was agreed to.

Mr. ALLEN. Mr. President, I move that the bill be committed to the Committee on Rules and Administration. I would like to be heard on the motion.

The PRESIDING OFFICER. The question is on agreeing to the motion to refer the bill to the Committee on Rules and Administration.

Mr. ALLEN. Mr. President, this bill remains before the Senate even though the motion that was just laid on the table would have provided that the Senate proceed to the consideration of S. 373 instead of the bill to register voters by post card.

It is interesting to note that there are 56 sponsors of S. 373, the bill dealing with preventing impoundment of funds by the President, or at least providing a method whereby Congress would have the right to review such impoundment. So the large majority, more than a two-thirds majority of the Senate, has voted to continue with its deliberations of the post card registration bill.

Now, Mr. President, of course, at any time prior to passage of the bill it can be committed to another committee, to the committee to which it should have been committed at the outset. One would wonder, it seems to the Senator from Alabama, why this bill dealing with registration of voters to participate in Federal elections should have gone in the first place to the Committee on Post Office and Civil Service. It seems a far-fetched committee to which to send this bill for consideration.

However, if one looks a little beneath the surface it would seem that the only reason that would justify the bill going to the Committee on Post Office and Civil Service is the fact that the chief sponsor of the bill is the distinguished Senator from Wyoming (Mr. McGee), who happens to be the chairman of that committee.

This bill provides for registration by post card. The post card does not have to go through the mails, but I assume or supposedly that is the justification for sending the bill to the Committee on Post Office and Civil Service. It would be just as easy to provide that these post cards would be in various public offices in addition to sending hundreds of millions of them through the mails. It seems to the Senator from Alabama that the Postal Service does not need this additional business.

This bill should have been sent to the Committee on the Judiciary or the Committee on Rules and Administration.

Mr. President, I ask unanimous consent to have printed in the Record section (p)(1) (A) through (F) of rule XXV.

There being no objection, the section was ordered to be printed in the Record, as follows:

Committee on Rules and Administration, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

(A) Matters relating to the payment of money out of the contingent fund of the Senate or creating a charge upon the same; except that any resolution relating to substantive matter within the jurisdiction of any other standing committee of the Senate shall be first referred to such committee.

(B) Except as provided in paragraph (o)8, matters relating to the Library of Congress and the Senate Library; statuary and pictures; acceptance or purchase of works of art for the Capitol; the Botanic Gardens; management of the Library of Congress; purchase of books and manuscripts; erection of monuments to the memory of individuals.

(C) Except as provided in paragraph (o)8, matters relating to the Smithsonian Institution and the incorporation of similar institutions.

(D) Matters relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; Federal elections generally; Presidential succession.

(E) Matters relating to parliamentary rules; floor and gallery rules; Senate Restaurant; administration of the Senate Office Buildings and of the Senate wing of the Capitol; assignment of office space: and services to the Senate.

(F) Matters relating to printing and correction of the Congressional Record.

Mr. ALLEN. Mr. President, let us read in the rules what they say about this committee, the committee that should be considering this bill. It states:

> Committee on Rules and Administration, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

Then, dropping down to subsection (D) states:

> Matters relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; Federal elections generally, presidential succession.

That is what this is all about, the registration of voters. So anything having to do with the election of the President, the Vice President, or Members of Congress, corrupt practices, contested elections, credentials, and voter registration—Federal elections generally, anything having to do with credentials or qualifications—all those matters go to the Committee on Rules and Administration.

Let us see what the Committee on Post Office and Civil Service has to do. This is on page 37 of the rules and it is also under rule XXV, section (n). I ask unanimous consent that the entire section to which I have alluded be printed in the Record.

There being no objection, the section was ordered to be printed in the Record, as follows:

(n) Committee on Post Office and Civil Service, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. The Federal civil service generally.
2. The status of officers and employees of the United States, including their compensation, classification, and retirement.
3. The postal service generally, including the railway mail service, and measures relating to ocean mail and pneumatic-tube service; but excluding post roads.
4. Postal-savings banks.
5. Census and the collection of statistics generally.
6. The National Archives.

Mr. ALLEN. Mr. President, these are the matters that go to the committee of which the distinguished Senator from Wyoming (Mr. McGee) is the very able chairman:

> The Federal civil service generally.
>
> The status of officers and employees of the United States, including their compensation, classification, and retirement.

Civil service, naturally; those matters would go to that committee.

> The postal service generally, including the railway mail service, and measures relating to ocean mail and pneumatic tube service; but excluding post roads.

So if they have anything dealing with pneumatic tube service, under the rules of the Senate that bill should go to the committee headed by the distinguished Senator from Wyoming. This bill does not say anything about pneumatic tube service. If it did, it probably should have gone to that committee.

> Postal-Savings Banks.
>
> Census and the Collection of Statistics Generally.
>
> The National Archives.

That is the end of its jurisdiction. The word "election" is not mentioned. The words "Federal election" are not mentioned. The words "qualification of registration" are not mentioned.

I am sorry the distinguished Senator is leaving, because I wanted to analyze these matters of jurisdiction——

Mr. McGEE. Mr. President, if the Senator will yield, the Senator from Wyoming will stay for that purpose. He was going to call his wife on the phone.

Mr. ALLEN. To see whether or not we could locate some reason why this bill had been sent to the distinguished Senator's committee. I have been unable to find it, though I report it sorrowfully to the distinguished Senator. However, I find the Rules Committee has jurisdiction of this express item of business, and I would certainly feel that it would be proper that, at this late date, under the rules with which all Senators are familiar, this bill could be sent at this time to the proper committee for its consideration.

What is the bill? A bill to provide for the registration of voters to vote in Federal elections. Mr. President, I submit that under three items of the Standing Rules, this bill should go to the Rules Committee, under the provisions stating that bills having to do with the following items should go to the Rules Committee:

> Matters relating to the election of the President, Vice President, or Members of Congress . . . credentials and qualifications; Federal elections generally . . .

That is exactly what the bill is purported to cover. That is the real thrust of it. Going through the post office is something that was just put in there, at a cost of $50 million to $100 million, and the only useful purpose, it would seem to the Senator from Alabama, of putting it through the post office is to give some little measure of reason for sending it to the distinguished Senator's committee. I believe that is a pretty heavy cost for the taxpayers of this country to have to pay.

This bill could go back to the Rules Committee. The very same result the Senator states he seeks to accomplish by the bill could be accomplished by carving out of the bill this tremendous broadcast of post cards throughout the country, without regard to whether the recipients are voters or not, without regard to whether anybody lives at the place, or whether it is an office or factory. The cards would be sent just like junk mail, with no name attached to them. They would just be dumped throughout the country.

Hundreds of thousands would be sent out to Utah, which already has 98.4 percent of its people over 18 registered.

So it seems to the Senator from Alabama that the bill should be sent to the Rules Committee as the committee to which it should have been assigned originally, and the Rules Committee would work on this bill. We cannot rewrite the bill here on the floor. The distinguished Senator from Wyoming, having the votes marshaled against any amendment of substance, can defeat any amendment that is offered; but the Rules Committee, acting under the power given it under the rules themselves, not just something that I say about it, but what the rules say, could take out the offending sections about sending millions, and hundreds of millions, of these cards throughout the country, further overburdening an already overburdened postal system.

The Senator from Wyoming, being chairman of the Committee on Post Office and Civil Service, possibly gets a little better service in Wyoming than the Senator from Alabama, not being on that committee, is able to get from the Post Office Department or Postal Service in the State of Alabama, so he might not be worried about the hundreds of millions of additional items of business being handled by the Post Office Department. I dislike to see the Post Office Department overburdened.

Mr. President, they say this is a bill to provide registration by post card. Why coud not a post card be left at the mayor's office, the office of the chief of police, the tax collector's office, the corner grocery, the corner drugstore, the local whisky store which, I will say to the distinguished Senator from Wyoming, might be patronized by some who might want to get a post card? Cards could be kept at those places. They could be kept at the office of the registrar for automobile tags.

Mr. McGEE. Mr. President, will the Senator yield for a very brief comment?

Mr. ALLEN. I yield.

Mr. McGEE. The Senator has referred to the fact that my mail service may be better than his by virtue of the fact that I am chairman of the Committee on Civil Service and Post Office, but I can report to him that I do not even have mail service. I get no mail delivered to me whatever. I have to go 16 miles to the little town of Dubois to get my mail. So I hand-retrieve it or, if I can, get a neighbor to get it for me.

I would think that the distinguished Senator would have good mail service inasmuch as the first boss of the Postal Service was Mr. Blount of Alabama. I would have the feeling that he would get better service than I do.

I merely wanted the record to show that I get no preference. I do not even get the mail delivered to me.

Mr. ALLEN. I thank the Senator for that explanation, but when he goes 16 miles to retrieve the mail that goes to him, if this bill passes he will find with his official mail, his personal mail, and his junk mail a number of these post cards, because it is within the jurisdiction of the postmaster to leave a "sufficient number." That is what the bill says without further elaboration. He would have to leave it at every address. So I would think the postman would think that the Senator from Wyoming should get a sufficient number of post cards, so he would find a large number of them even though I assume the distinguished Senator is already registered. I know that he is.

I object to the broadcasting of these cards throughout the country as often as the Federal bureau would desire. There is no limitation whatsoever on the number of times they can send these cards out in a mass mailing, a junk mail approach. There is no limitation on the number of times they can have a national mailing. They can have one as often as they want.

I would feel that it would be a matter of economy and a matter of efficiency to leave supplies of these cards at various places frequented by those who are not now eligible to vote.

Mr. President, I do not care to discuss the merits of the bill a great deal more at this time, other than to make the point that it is quite clear that the Committee on Rules and Administration, with its jurisdiction as set forth in rule XXV, should have an opportunity to consider this bill.

That is the reason why the Senator from Alabama has filed this motion to recommit the bill at this time to the Committee on Rules and Administration.

Mr. President, I ask for the yeas and nays.

Mr. MANSFIELD. Mr. President, I move to table the motion.

Mr. ALLEN. Mr. President, I ask for the yeas and nays on that motion.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second. The yeas and nays are ordered. The question is on agreeing to the motion to table the motion to recommit. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Missouri (Mr. EAGLETON), the Senator from Washington (Mr. MAGNUSON), the Senator from South Dakota (Mr. MCGOVERN), and the Senator from Alabama (Mr. SPARKMAN) are necessarily absent.

I further announce that the Senator from Nevada (Mr. CANNON) is absent on official business.

I also announce that the Senator from Mississippi (Mr. STENNIS) is absent because of illness.

I further announce that, if present and voting, the Senator from South Dakota (Mr. MCGOVERN) and the Senator from Washington (Mr. MAGNUSON) would each vote "yea."

Mr. SCOTT of Pennsylvania. I announce that the Senator from Maryland (Mr. BEALL), the Senator from Michigan (Mr. GRIFFIN) and the Senator from Kansas (Mr. PEARSON) are absent on official business.

The Senator from Oregon (Mr. HATFIELD), the Senator from Illinois (Mr. PERCY), the Senator from Alaska (Mr. STEVENS) and the Senator from South Carolina (Mr. THURMOND) are necessarily absent.

The Senator from Arizona (Mr. GOLDWATER) is detained on official business.

On this vote, the Senator from Illinois (Mr. PERCY) is paired with the Senator from South Carolina (Mr. THURMOND). If present and voting, the Senator from Illinois would vote "yea" and the Senator from South Carolina would vote "nay."

The result was announced—yeas 54, nays 32, as follows:

[No. 114 Leg.]

YEAS—54

Abourezk
Aiken
Bayh
Bellmon
Bennett
Bentsen
Bible
Biden
Brock
Brooke
Burdick
Byrd, Robert C.
Case
Chiles
Church
Clark
Cranston
Fulbright
Gravel
Hart
Hartke
Haskell
Hathaway
Hollings
Huddleston
Hughes
Humphrey
Inouye
Jackson
Javits
Johnston
Kennedy
Mansfield
Mathias
McGee
McIntyre
Mondale
Montoya
Moss
Muskie
Nelson
Packwood
Pastore
Pell
Proxmire
Randolph
Ribicoff
Roth
Saxbe
Schweiker
Stevenson
Symington
Tunney
Williams

NAYS—32

Allen
Baker
Bartlett
Buckley
Byrd,
  Harry F., Jr.
Cook
Cotton
Curtis
Dole
Domenici
Dominick
Eastland
Ervin
Fannin
Fong
Gurney
Hansen
Helms
Hruska
Long
McClellan
McClure
Metcalf
Nunn
Scott, Pa.
Scott, Va.
Stafford
Taft
Talmadge
Tower
Weicker
Young

NOT VOTING—14

Beall
Cannon
Eagleton
Goldwater
Griffin
Hatfield
Magnuson
McGovern
Pearson
Percy
Sparkman
Stennis
Stevens
Thurmond

So Mr. MANSFIELD's motion to lay Mr. ALLEN's motion to refer on the table was agreed to.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BIDEN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONDALE. Mr. President, when 62 million otherwise eligible Americans fail to vote in a presidential election year, as happened in 1972, we have a problem.

It seems to me the problem can be largely described by the following facts:

First, in 1968, 47 million voting age Americans did not vote. The President received only 31 million votes.

Second, in 1972, 62 million voting age Americans did not vote. Nixon received 47 million votes out of 77,460,000 total votes cast. This means 55 percent of voting age Americans voted in 1972. It also means that President Nixon was elected by one-third of the voting age population.

Third, roughly only 60 percent of voting age Americans voted in the past four presidential elections, while 75 percent of Canada's voting age citizens cast their ballots; 80 percent of England's voting age citizens cast their ballots and 85 percent of Germany's voting age citizens cast their ballots.

It is my conviction that a large part of this dismal record has been caused by our prior voter registration system. For example:

First, 9 out of 10 registered Americans vote.

Second, only 6 out of 10 voting age Americans vote.

Third, 80 percent of voting age Americans voted in 1876, before registration laws were adopted.

Fourth, 48 percent of voting age Americans voted in 1924, after registration laws were adopted. In short, one-third of America in 1924 stopped voting.

Fifth, the Gallup poll concluded in December, 1969 that:

> It was not a lack of interest, but rather the residency and other registration qualifications that proved to be the greatest barrier to wider voter participation in our Nation.

Not only has prior registration served to discourage full participation in the electoral processes, but as you all well know, most of our present registration system is expensive to the States and localities. Moreover, you also know it is cumbersome and frustrating for those of you who are in charge. I believe we can do something about those problems as well.

I am sure we can all agree that the problem is a grave one; indeed, a threatening one. It seems to me much of America's great strength and most promising capability has been our capacity to actively open up our system of participation. Of course, we have always tempered the changes we have made as a nation by balancing our hopes and expectations against our experience. For this reason, the changes we have made over the past decades have been largely workable.

If S. 352 is passed, there would be established in the Bureau of the Census a National Voter Registration Administration. The National Voter Registration Administration would be run by a bipartisan group of three administrators, each appointed for 4-year terms. The Postal Service will deliver postcard registration forms to every household in the country. If citizens wish to register through the card, they can fill out the appropriate blanks and return them to their local registration official.

S. 352 has a number of provisions to prevent fraud. The State laws concerning fraud will still be appropriate. The National Voter Registration Administration will give reasonable and expeditious assistance to local officials upon request. The National Voter Registration Administration may, upon determination, request the U.S. Attorney General to bring legal action. The penalties for fraud can amount to as much as $10,000 or imprisonment for not more than 5 years or both.

Perhaps the most important part of the voter registration bill is the assistance it offers to the States. The fact that national voter registration forms will be mailed to every household is not only a convenience for the unregistered voter, but should serve to shrink the time, energy, and money presently being spent by many States to secure new registrants. In addition, the bill provides assistance to State officials in terms of technical and manpower assistance for the registration-by-mail program and election problems generally.

The National Voter Registration Administration will pay the States a fair and reasonable cost for processing registration postcards. Roughly, that payment will be based on the cost of each card processed. Furthermore, the bill proposes to pay any State which adopts the national registration form and system for its own State elections, as contrasted with Federal elections, a grant or stipend up to and including 30 percent of the State's cost of processing the total number of national registration cards in that State.

The matter of voter fraud has been raised. Frankly, in my own mind, I do not see fraud as a serious problem. In the first place, fraud in our election system is infrequent. In the second place, when it does occur, it is most often at the election-day point—not at the prior registration point. In the third place, for a number of years, Texas has practiced printing registration forms in newspapers which can then be returned to the registrar. This system of registration has brought on no increase in fraud in the State of Texas. In the fourth place, North Dakota has no prior registration system. A study by the University of North Dakota in 1970 concluded:

> Fraud-free elections are possible without voter registration.

And in the last place, S. 352 provides for Federal antifraud assistance to State and local officials. Our current system does not provide at all for such assistance.

Perhaps some foresee another problem based on the fear that the national voter registration bill will cause additional burdens for local registration agencies. I do not think so. For one thing, the postcard system should be much less cumbersome than the sworn affidavits, roving registrars, and, in some cases, duplicate lists for Federal and local elections that are currently used. It seems to me that the technical and personnel help from the Voter Registration Administration would help to relieve some of the pressures registrars currently experience. And certainly the financial assistance from the National Voter Registration should also be helpful.

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business of not to exceed 15 minutes, with statements therein limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Reports of Officers on Duty With Headquarters, Department of the Army, and Detailed to Army General Staff

A letter from the Secretary of the Army, transmitting, pursuant to law, reports on the number of officers on duty with Headquarters, Department of the Army, and detailed to the Army General Staff, as of March 31, 1973 (with accompanying reports). Referred to the Committee on Armed Services.

Report on Strategic and Critical Materials Stockpiling Program

A letter from the Acting Director, Office of Emergency Preparedness, Executive Office of the President, transmitting, pursuant to law, a report on the strategic and critical materials stockpiling program, for the 6-month period ended December 31, 1972 (with an accompanying report). Referred to the Committee on Armed Services.

Report on Federal Contributions Program Equipment and Facilities

A letter from the Director, Defense Civil Preparedness Agency, transmitting, pursuant to law, a report on Federal contributions program equipment and facilities, for the quarter ended March 31, 1973 (with an accompanying report). Referred to the Committee on Armed Services.

Report on Penn Central Transportation Co.

A letter from the Secretary of Transportation, transmitting, pursuant to law, a report on Penn Central Transportation Co. (with an accompanying report). Referred to the Committee on Commerce.

Proposed Legislation From the Secretary of Transportation

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the Rail Passenger Service Act of 1970, as amended, to provide financial assistance to the National Railroad Passenger Corporation, and for other purposes (with an accompanying paper). Referred to the Committee on Commerce.

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the act of June 21, 1940, as amended, to remove the ninety day requirement for the submission of general plans and specifications for altering a bridge in accordance with an order of the Secretary of Transportation (with accompanying papers). Referred to the Committee on Commerce.

Proposed Legislation From the District of Columbia Government

A letter from the Mayor-Commissioner, the District of Columbia, Washington, D.C., transmitting a draft of proposed legislation to amend the District of Columbia Income and Franchise Tax Act of 1947 to provide a property tax credit to certain senior citizens, and for other purposes (with an accompanying paper). Referred to the Committee on the District of Columbia.

Regulations of Department of Health, Education, and Welfare

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, regulations on social services of the Department of Health, Education, and Welfare (with accompanying papers). Referred to the Committee on Finance.

Report of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Need For Improved Inspection and Enforcement in Regulating Transportation of Hazardous Materials", Department of Transportation, dated May 1, 1973 (with an accompanying report). Referred to the Committee on Government Operations.

Proposed Contract With General Electric Co., Pleasanton, Calif.

A letter from the Deputy Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed contract with General Electric Co., Pleasanton, Calif., for a research project entitled "Track Etch Dosimeters" (with accompanying papers). Referred to the Committee on Interior and Insular Affairs.

Proposed Legislation From Administrative Office of the United States Courts

A letter from the Director, Administrative Office of the United States Courts, transmitting a draft of proposed legislation to amend section 5031 of title 18, United States Code, with respect to the applicability of juvenile delinquency proceedings in petty offense cases (with an accompanying paper). Referred to the Committee on the Judiciary.

Third Preference and Sixth Preference Classifications for Certain Aliens

A letter from the Acting Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third preference and sixth preference classifications for certain aliens (with accompanying reports). Referred to the Committee on the Judiciary.

Report Entitled "Federal Support to Universities, Colleges, and Selected Nonprofit Institutions, Fiscal Year 1971"

A letter from the Director, National Science Foundation, transmitting, pursuant to law, a report entitled "Federal Support to Universities, Colleges, and Selected Nonprofit Institutions, fiscal year 1971" (with an accompanying report). Referred to the Committee on Labor and Public Welfare.

International Labor Organization Recommendation

A letter from the Acting Assistant Secretary for Congressional Relations, Department of State, transmitting, pursuant to law, an International Labor Organization Recommendation, No. 137, (with an acompanying document). Referred to the Committee on Labor and Public Welfare.

Proposed Legislation From Department of Labor

A letter from the Secretary of Labor, transmitting a draft of proposed legislation to amend the Age Discrimination in Employment Act of 1967 to extend the act to State and local governments (with accompanying papers). Referred to the Committee on Labor and Public Welfare.

Report on Purchase Contracts for Certain Projects

A letter from the Acting Administrator, General Services Administration, reporting, pursuant to law, on certain purchase contracts in Arizona, Texas, and Washington (with accompanying papers). Referred to the Committee on Public Works.

Prospectus Relating to Construction of Buildings at Topeka, Kans.

A letter from the Acting Administrator, General Services Administration, transmitting, pursuant to law, a prospectus relation to the proposed construction of a courthouse and Federal office building and parking facility at Topeka, Kans. (with accompanying papers). Referred to the Committee on Public Works.

Report of Veterans' Administration

A letter from the Administrator of Veteran's Affairs, transmitting, pursuant to law, a report of that administration, for the year 1972 (with an accompanying report). Referred to the Committee on Veterans' Affairs.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Montana. Referred to the Committee on Finance:

"Senate Joint Resolution 14

"A joint resolution of the Senate and the House of Representatives of the State of Montana requesting and urging that the Congress of the United States take effective action to restore to the State of Montana the full amount of the funds which have been legally apportioned to the State but which have been improperly reduced and curtailed by the executive branch of the Federal Government through the device of 'contract controls' and 'limitations of obligation'

"Whereas, the several states are charged with the responsibility for highway construction within their borders, and

"Whereas, the United States secretary of transportation by law apportions amounts to the several states from the highway trust fund for reimbursement for the federal share of the cost of the system of interstate and defense highways, and

"Whereas, the executive branch of federal government has arbitrarily directed that the various apportionments be limited by 'contract controls' and 'limitations of obligations' thereby curtailing proper use of the apportioned funds by the several states, and

"Whereas, further reductions in federal moneys may be attempted, and

"Whereas, such reduction seriously curtails the highway construction program in the state of Montana, as well as in the nation, thereby seriously affecting employment and the production and sale of supplies, materials and equipment used for highway construction purposes, and

"Whereas, reduction in federal highway construction funds has resulted in an equivalent reduction of the current highway safety program for eliminaitng unsafe and hazardous sections of highway, thereby contributing to accidents involving serious injury, loss of life and property damage, and to a new traffic fatality toll in 1972, and

"Whereas, the state of Montana has developed long-range highway construction programs based on utilization of the full apportionment of federal funds to the states.

"Now, therefore, be it resolved by the Senate and the House of Representatives of the State of Montana: That the President and the Congress of the United States is hereby respectfully requested and urged to take effective action to restore to the state of Montana for expenditure the full amount of federal funds authorized by congress and legally apportioned heretofore by the United States secretary of transportation, and

"Be it further resolved, that the secretary of state forward a duly certified copy of this resolution to the President of the United States and the Secretary of the United States Senate and the Speaker of the House of Representatives of the United States and to the Honorable Mike Mansfield and Lee Metcalf, Senators from the state of Montana, and the Honorable John Melcher and Richard Shoup, Congressmen from the State of Montana."

A joint resolution of the Legislature of the State of New York. Referred to the Committee on Commerce:

"Joint Resolution No. 12

"Joint Resolution of the Legislature of the State of New York requesting the Congress to exempt from interstate commerce provisions mass transit services operated wholly within the state by any state mandated transportation authority

"Whereas, Under existing judicial precedents as well as specific provisions of the Interstate Commerce Act, the Railway Labor Act of May 20, 1926 and other congressional enactments, it has been determined that urban and suburban transit systems whose operations are carried on exclusively within the geographical confines of New York State are nevertheless still to be construed as interstate in character and therefore subject to all the restrictive inhibitions of federal regulations, supervision and control with respect to operational procedures, labor practices and transit services generally; and

"Whereas, Presidential Emergency Boards No. 170 created May 12, 1967, No. 173 created April 21, 1969 and Special Board of Adjustment No. 756, created June 4, 1969 all found as a fact that passenger operations of the Long Island Railroad were a de facto integral part of the New York Metropolitan Transit System and the latter Board noted that such carrier was no more engaged in interstate commerce nor did its operations affect interstate commerce than the operations of the New York rapid transit system; and

"Whereas, All commuter bus and rail transit operations now or hereafter to be conducted by transportation authorities throughout the entire State of New York are of a nature totally dissimilar to and incompatible with the history, custom, tradition and usage of trunk line railroads which were originally intended to be subject to the jurisdiction of the Interstate Commerce Commission, the Railway Labor Board and other Federal regulatory agencies; and

"Whereas, Under recognized principles of the United States Constitution, the aforesaid transit operations will all continue to be subservient to already and hereafter enacted federal laws relating to interstate commerce with the result that bus and rail mass transit activities which continue to be operated by transportation authorities throughout New York State will be subject to federal statutes conflicting with state laws thus hampering efficient authority operation and being detrimental to the public welfare and incompatible with the best interests of those desiring to use such transit facilities as well as those employees and others engaged in their operation; now, therefore, be it

"Resolved, That the Congress of the United States be, and it hereby is requested to enact remedial legislation national in scope or in such other manner as to have the effect of entirely removing from the field of interstate commerce all bus and rail mass transit services operated wholly within the State of New York by any transportation authority created under the mandate of the New York State Legislature; and be it further

"Resolved, That copies of this resolution be transmitted to the Congress of the United States by forwarding one copy thereof to the Secretary of the Senate, one copy to the Clerk of the House of Representatives and one copy to each member of the Congress from the State of New York."

A resolution adopted by the Board of Com-

missioners for the County of Allegan, Michigan, expressing appreciation for passage of the general revenue sharing bill. Ordered to lie on the table.

NOTE

Senator KENNEDY submitted the following bill which will be numbered and referred tomorrow.

Mr. KENNEDY. Mr. President, I am presenting for introduction today a bill to provide emergency relief to those civilian workers who will lose their jobs as a result of the recent base closing decision by the Department of Defense affecting 274 facilities in 32 States. Senators PASTORE, PELL, HATHAWAY, CRANSTON, TUNNEY, MUSKIE and BROOKE join me in introduction.

These decisions will create serious economic and social problems for workers, particularly during a period of high unemployment.

In my own State, the potential economic loss to the State has been estimated as high as $1.7 billion. The cost to the more than 13,000 workers affected is more serious. They will lose their present jobs, jobs which in many cases they have held for their entire working lives. Although some will have the option to be transferred, 9,000 workers will be terminated.

In a State where the unemployment rate is 7.2 percent, the economic future for these men and women looks bleak indeed.

When 9,000 workers are added to the 185,000 jobless now searching the want ads and the employment office listings, the prospect for early relocation is not bright.

Across the country, whether in California, Georgia, or Texas or the other States where civilian jobs have been eliminated, the situation will be much the same. Ultimately the impact will be felt in all 32 States affected by these decisions.

In many States, this problem is compounded by the age of the workforce. Forty percent of the employees at the Boston Navy Yard are between the ages of 45 and 54. Another 28 percent are over 55. Their employment options are limited by their age and the reluctance of employers to hire older men and women.

Labor Department statistics demonstrate that it always has been the older worker who is unemployed the longest. And it is among this group that the largest portion of workforce dropouts occur.

The Defense Department states that some 41,350 civilian workers will be affected, including 28,363 civilian job eliminations. These cuts will occur in Alaska, California, District of Columbia, Florida, Georgia, Hawaii, Illinois, Kansas, Maryland, Massachusetts, Nebraska, New Hampshire, New Jersey, New Mexico, New York, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Virginia, and Puerto Rico. The Defense Department also estimates that their figures on job loss may be 5 to 8 percent shy of the actual number of jobs eliminated.

In addition to the jobs eliminated, many civilian employes given the option to transfer may be asked to accept lower grades and rates.

A study by the Arms Control and Disarmament Agency of base closings concluded:

> Displaced workers who decided to continue their careers as federal government employees experienced a marked change in their employment status . . . some had to accept lower grade positions in order to do so, and nearly all of the employees who continued to work for the federal government had to relocate outside the local labor market area.

This forced relocation carries with it obvious personal difficulties as individuals have to leave family, friends, and communities.

The workers at the 274 installations across the country are being asked to bear the burden of a decision that is believed to be in the national interest. For that reason, I believe that the nation has a responsibility to ease the burden as much as possible. In similar instances, for example, when it can be shown that tariff reductions have resulted in the closing of a domestic plant, both the plant owner and the workers are entitled to readjustment assistance.

The Trade Expansion Act of 1962 was designed to include readjustment assistance based on the view that individual workers should not have to absorb the economic and social impact of job loss as a result of a national free trade policy without some assistance from the government. I believe the provisions of that act were too narrowly interpreted in many cases to actually give effect to the underlying policy. However, the policy itself remains valid. When the Nation undertakes a policy which has a damaging impact on a small group of individuals, those individuals should receive all the help the Government can muster to ease their plight.

Therefore, I am introducing the Emergency Manpower and Defense Workers Assistance Act of 1973.

I am pleased to note that House Majority Leader THOMAS P. O'NEILL, JR., also will introduce this bill. It will do the following:

The Secretary of Labor will be authorized to establish an Defense Workers Manpower Assistance Agency in the Department of Labor;

Workers will be eligible to receive a readjustment allowance that will pay the difference between unemployment or pension benefits and 75 percent of their previous wage. This provision will essentially extend severance pay benefits up to one year for all workers;

Workers will be eligible for early retirement. Eligibility will be provided for workers 60 and older with 10 years of employment, workers 55 and older with 15 years, and workers 50 and older with 20 years. This will permit some 10 to 15 percent more workers than are now eligible to retire, raising this total to 40 percent;

The Secretary also will establish arrangements with the Civil Service Commission to insure that the health benefits these workers now have available will continue for 3 years following termination with the Federal Government providing at least 75 percent of the cost;

In addition, workers will be given relocation assistance for jobs in the private market comparable to the assistance they would receive if they were transferring to another Government post;

Workers also will be aided in obtaining jobs. First, communities will be eligible to receive public service employment funds to employ these workers in needed positions in hospitals, schools, police and fire departments, and city and State agencies. Second, the Secretary also will be responsible for expanding existing manpower programs and to establish special job bank and retraining programs aimed at the particular needs of these already skilled workers.

All of these programs of course relate to those individuals who are unable to acquire other suitable employment.

The estimated savings by the Defense Department as a result of the base closings is $3.5 billion over 10 years. On the basis of Defense Department statistics on the past experiences with base closing and average length of unemployment for workers, it is estimated that the total cost of this program would be less than $150 million—less than one-half the amount DOD estimates it will save in 1 year.

This legislative relief is being filed in the event that efforts fail to obtain a reassessment of specific base closings. Members of the Massachusetts and Rhode Island congressional delegations are awaiting an answer to a request for a meeting with President Nixon seeking his personal review of the decision. Senator PELL and I have already filed a bill asking for a special commission to examine the closings in the light of maintaining some 2,000 military bases overseas.

I believe this program is a justifiable short-term effort to ease the transition for individuals whose lives are being disrupted by a decision of the Federal Government.

I ask unanimous consent that the bill be printed in the RECORD, along with the DOD base-closing announcement.

There being no objection, the text of the bill and the statement were ordered to be printed in the RECORD, as follows:

S. ——

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Emergency Manpower and Defense Workers Assistance Act of 1973".

DECLARATION OF FINDINGS

SEC. 2. The Congress hereby finds that—

(1) reductions in defense facilities place heavy economic, social and health burdens on the individuals affected;

(2) many of the workers affected by recent defense base closings are older workers who have the greatest difficulty in acquiring new employment; and

(3) to reduce unemployment it is essential that the government provide adversely affected workers with short-term assistance.

DEFINITIONS

SEC. 3. As used in this Act—

(1) "adversely affected worker" means an individual who has been totally or partially separated from employment by any department or agency of the Federal government at a facility of the Department of Defense on or after April 17, 1973 because of the transfer of activities from that facility or be-

cause of the cessation of activities at that facility, and who has not obtained other suitable employment;

(2) "Agency" means the Defense Workers Manpower Assistance Agency;

(3) "average weekly wage" means one-thirteenth of the total wages paid to an individual in the high quarter; for purposes of this computation, the high quarter shall be that quarter in which the individual's total wages were highest among the first 4 of the last 5 completed calendar quarters immediately before the quarter in which occurs the week with respect to which the computation is made, such week shall be the week in which total separation occurred, or, in cases where partial separation is claimed, an appropriate week, as defined in regulations prescribed by the Secretary;

(4) "Director" means the Director of the Defense Workers Manpower Assistance Agency;

(5) "partial separation" means, with respect to an individual who has not been totally separated, that he has had his hours of work reduced to 85 percent or less of his average weekly hours in a defense facility subject to this Act and his wages reduced to 85 percent or less of his average weekly wage in any such facility;

(6) "total separation" means the layoff or severance of an individual from employment in a defense facility subject to this Act;

(7) "remuneration" means wages and net earnings derived from services performed as a self-employed individual;

(8) "Secretary" means the Secretary of Labor;

(9) "State" means each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico;

(10) "State law" means the unemployment insurance law of the State approved by the Secretary of Labor under section 3304 of the Internal Revenue Code of 1954;

(11) "unemployment insurance" means the unemployment insurance payable to an individual under any State law or Federal unemployment insurance law, including title XV of the Social Security Act and the Railroad Unemployment Insurance Act;

(12) "week" means a week as defined in the applicable State law; and

(13) "week of unemployment" means with respect to an individual any week for which his remuneration for services performed during such week is less than 75 percent of his average weekly wage and in which, because of lack of work—

(A) if he has been totally separated, he worked less than the full-time week (excluding overtime) in his current occupation, or

(B) if he has been partially separated, he worked 75 percent or less of his average weekly hours.

TITLE I—ESTABLISHMENT OF DEFENSE WORKERS MANPOWER ASSISTANCE AGENCY

AGENCY ESTABLISHED

SEC. 101. (a) The Secretary of Labor is authorized and directed to establish within the Department of Labor an agency, to be known as the Defense Workers Manpower Assistance Agency.

(b) (1) The Agency shall be headed by a Director who shall be appointed by the President, by and with the advice and consent of the Senate.

(2) The President shall appoint the first such Director as soon as possible but not later than 15 days after the date of enactment of this Act.

ADMINISTRATION AND COORDINATION

SEC. 102. (a) The functions of the Secretary under this Act shall be administered through the Agency.

(b) The Secretary is authorized to establish procedures of cooperation with appropriate agencies in the Department of Defense and with the Civil Service Commission to facilitate implementing the provisions of this Act.

ADMINISTRATIVE PROVISIONS

SEC. 103. In addition to any other authority vested in the Secretary by other provisions of this Act, in order to carry out his functions under this Act, the Secretary is authorized to—

(1) adopt, alter, and use a seal, which shall be judicially noticed;

(2) hold such hearings, sit and act at such times and places, and take such testimony, as he may deem advisable;

(3) request directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics needed to carry out the purposes of this Act; and each department, bureau, agency, board, commission, office, establishment or instrumentality is authorized to furnish such information, suggestions, estimates, and statistics directly to the Secretary;

(4) acquire, in any lawful manner, any property (real, personal, or mixed, tangible or intangible) whenever necessary;

(5) appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this Act;

(6) obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code, at rates for individuals not to exceed the rate prescribed for GS–18 in the General Schedule under section 5332 of title 5, United States Code;

(7) accept and utilize the services of voluntary and noncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by section 5703 of title 5, United States Code;

(8) enter into contracts, grants or other arrangements, or modifications thereof to carry out the provisions of this Act, and such contracts or modifications thereof may, if necessary, be entered into without performance or other bonds, and without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5);

(9) provide for the making of such reports (including fund accounting reports) and the filing of such applications in such form and containing such information as the Secretary may reasonably require;

(10) make advances, progress, and other payments which the Secretary deems necessary under this Act without regard to the provisions of section 3648 of the Revised Statutes, as amended (31 U.S.C. 529); and

(11) establish such rules, regulations, and procedures as the Secretary deems necessary.

COMPENSATION OF THE DIRECTOR

SEC. 104. Section 5315 of title 5, United States Code (relating to level V of the Executive Schedule) is amended by adding at the end thereof the following new item:

"(98) Director, the Defense Workers Manpower Assistance Agency."

TITLE II—ECONOMIC AND MANPOWER ASSISTANCE TO WORKERS

PART A—AUTHORITY

APPLICATIONS

SEC. 201. (a) Any adversely affected worker may file an application with the Secretary for one or more of the forms of economic adjustment assistance provided under this title.

(b) Economic adjustment assistance under this title consists of—

(1) readjustment allowances;

(2) training and counseling benefits;

(3) relocation allowances;

(4) early retirement benefits; and

(5) health benefits.

(c) The Secretary shall determine whether an applicant is entitled to receive the economic adjustment assistance for which application is made and shall furnish such assistance if the applicant is so entitled. Such determination shall be made as soon as possible after the date on which application is filed but in any event not later than 30 days after such date.

PART B—READJUSTMENT ALLOWANCES

QUALIFYING REQUIREMENTS

SEC. 211. (a) Payment of a readjustment allowance shall be made to an adversely affected worker who applies for such allowance for any week of unemployment, subject to the requirements of subsections (b) and (c).

(b) Total or partial separation shall have occurred not more than 1 year prior to the date of the application for assistance under this title.

(c) Such worker shall have had—

(1) in the 156 weeks immediately preceding such total or partial separation, at least 78 weeks of employment at wages of $15 or more a week, or

(2) in the 52 weeks immediately preceding such total or partial separation, at least 26 weeks of employment at wages of $15 or more a week, or

if data with respect to weeks of employment are not available, equivalent amounts of employment computed under regulations prescribed by the Secretary.

WEEKLY AMOUNTS

SEC. 212. (a) Subject to the other provisions of this section, the readjustment allowance payable to an adversely affected worker for a week of unemployment shall be an amount equal to 75 percent of his average weekly wage, reduced by 50 percent of the amount of his remuneration for services performed during such week.

(b) Any adversely affected worker who is entitled to readjustment allowances and who is undergoing training approved by the Secretary, including on-the-job training, shall receive for each week in which he is undergoing any such training, a readjustment allowance in an amount (computed for such week) equal to the amount computed under subsection (a) or (if greater) the amount of any weekly allowance for such training to which he would be entitled under any other Federal law for the training of workers, if he applied for such allowance. Such readjustment allowance shall be paid in lieu of any training allowance to which the worker would be entitled under such other Federal law.

(c) The amount of readjustment allowance payable to an adversely affected worker under subsection (a) or (b) for any week shall be reduced by any amount of unemployment insurance which he has received or is seeking with respect to such week; but, if the appropriate State or Federal agency finally determines that the worker was not entitled to unemployment insurance with respect to such week, the reduction shall not apply with respect to such week.

(d) The amount of readjustment allowance payable to an adversely affected worker under subsection (a) or (b) for any week shall be reduced by any amount of retirement annuity which he has received.

(e) If unemployment insurance, a retirement annuity, or a training allowance under any other Federal law, is paid to an adversely affected worker for any week of unemployment with respect to which he would be entitled (determined without regard to subsection (c)) to a readjustment allowance if he applied for such allowance, each such week shall be deducted from the total number of weeks of readjustment allowance otherwise payable to him under section 213(a) when he applies for a readjustment allowance and is determined to be entitled to such allowance. If the unemployment insurance or the training allowance paid to such worker for any week of unemployment is less than the amount of the readjustment allowance to which he would be entitled if he applied for such allowance, he shall receive, when he applies for a readjustment allowance and is determined to be entitled to such allowance, a readjustment allowance for such week equal to such difference.

(f) Whenever, with respect to any week of unemployment, the total amount payable to an adversely affected worker as remuneration for services performed during such week, as unemployment insurance, as severance pay as a training allowance referred to in subsection (d), and as a readjustment allowance would exceed his average weekly wage, his trade readjustment allowance for such week shall be reduced by the amount of such excess.

(h) The amount of any weekly payment to be made under this section which is not a whole dollar amount shall be rounded upward to the next higher whole dollar amount.

TIME LIMITATIONS ON READJUSTMENT ALLOWANCES

SEC. 213. (a) Payment of readjustment allowances shall not be made to an adversely affected worker for more than 52 weeks.

(b) A readjustment allowance shall not be paid for a week of unemployment beginning more than 1 year after the beginning of the appropriate week. The appropriate week for a totally separated worker is the week of his most recent total separation. The appropriate week for a partially separated worker is the week in respect of which he first receives a readjustment allowance following his most recent partial separation.

APPLICATION OF STATE LAWS

SEC. 214. Except where inconsistent with the provisions of this part and subject to such regulations as the Secretary may prescribe, the availability and disqualification provisions of the State law—

(1) under which an adversely affected worker is entitled to unemployment insurance (whether or not he has filed a claim for such insurance), or

(2) if he is not so entitled to unemployment insurance, of the State in which he was totally or partially separated, shall apply to any such worker who files a claim for readjustment allowances. The State law so determined with respect to a separation of a worker shall remain applicable, for purposes of the preceding sentence, with respect to such separation until such worker becomes entitled to unemployment insurance under another State law (whether or not he has filed a claim for such insurance).

PART C—JOB TRAINING AND COUNSELING

PURPOSE; APPLICATIONS

SEC. 221. (a) To assure that the readjustment of adversely affected workers shall occur as quickly and effectively as possible, with minimum reliance upon readjustment allowances under this title, every effort shall be made to prepare each such worker for full employment in accordance with his capabilities and prospective employment opportunities. To this end, and subject to this part, every adversely affected worker who applies for readjustment allowance under part B shall also apply for counseling, training, and placement assistance under this part. Any other adversely affected worker may apply for counseling, training, and placement assistance under this part. Each such applicant shall be furnished such counseling, training, and placement services as the Secretary determines to be appropriate.

(b) Insofar as possible, the Secretary shall provide assistance under subsection (a) through existing programs established by law. To the extent that assistance cannot be provided through any existing program, the Secretary is authorized to furnish such assistance through programs established by him for purposes of this part, including programs carried out through private nonprofit institutions and organizations.

(c) To the extent practicable, before adversely affected workers are furnished training, the Secretary shall consult with local governmental agencies, State agencies, unions, and private business organizations to develop a worker retraining plan which provides for training such workers to meet the areas's manpower needs. A worker retraining program shall, as far as practicable, include a list of jobs which will be available to the workers at the conclusion of the training program.

(d) To facilitate the provisions of this part, the Secretary shall require that businesses in the labor market affected by defense facility and activity realignments report job vacancies to the local employment service.

PAYMENTS RELATED TO TRAINING

SEC. 222. An adversely affected worker receiving training under section 221 shall be paid a travel allowance and a subsistence allowance, necessary to defray transportation expenses and subsistence expenses for separate maintenance, when the training is provided in facilities which are not within commuting distance of his regular place of residence. The Secretary shall by regulation prescribe the amount of such allowances for various areas of the United States.

PART D—RELOCATION ALLOWANCES

RELOCATION ALLOWANCES AFFORDED

SEC. 231. Any adversely affected worker may file an application for a relocation allowance, subject to the terms and conditions of this part.

QUALIFYING REQUIREMENTS

SEC. 232. (a) A relocation allowance may be granted only to assist an adversely affected worker in relocating within the United States and only if the Secretary determines that such worker—

(1) has obtained suitable employment affording a reasonable expectation of long-term duration in the area in which he wishes to relocate, or

(2) has obtained a bona fide offer of such employment.

(b) A relocation allowance shall not be granted to such worker unless—

(1) for the week in which the application for such allowance is filed, he is entitled (determined without regard to section 212 (c) and (e)) to a readjustment allowance or would be so entitled (determined without regard to whether he filed application therefor) but for the fact that he has obtained the employment referred to in subsection (a)(1); and

(2) such relocation occurs within a reasonable period after the filing of such application or (in the case of a worker who is being provided training under part (C)) within a reasonable period after the conclusion of such training.

RELOCATION ALLOWANCE DEFINED

SEC. 233. For purposes of this part, the term "relocation allowance" means—

(1) the reasonable and necessary expenses, as specified in regulations prescribed by the Secretary, incurred in transporting a worker and his family and their household effects; and

(2) such allowance shall be comparable to the relocation allowance provided Government employees of similar experience.

PART E—EARLY RETIREMENT

PROGRAM AUTHORIZED

SEC. 241. Notwithstanding any other provision of law, each adversely affected worker (1) who has attained 60 years of age and has 10 years of Government service; (2) who has attained 55 years of age and has 15 years of Government service; or (3) who has attained 50 years of age and has 20 years of Government service, is entitled to an annuity.

PART F—HEALTH BENEFITS

PROGRAM AUTHORIZED

SEC. 251. (a) Notwithstanding any other provision of law, the Secretary shall, in accordance with the provisions of this part, make whatever arrangements are necessary for the continuation of health benefits, or for obtaining similar health benefits, on such terms and conditions as he deems necessary for adversely affected workers after the date of separation if that separation occurred after April 1, 1973.

(b) In any such arrangement, provisions shall be made to insure that—

(1) a contribution by an adversely affected worker who has not obtained new employment shall not exceed 25 percent of the cost of such benefits; and

(2) such benefits so far as practicable, will be equivalent to the health benefits to which an adversely affected worker was entitled to receive prior to his separation.

(c) No arrangement entered into under this part shall provide for health benefits to any adversely affected worker for a period of more than three years following the date of his separation or for any period after such worker obtains new employment, whichever occurs first.

TITLE III—PUBLIC SERVICE EMPLOYMENT OPPORTUNITIES PROGRAM AUTHORIZED

SEC. 301. Notwithstanding any other provision of law, from sums appropriated pursuant to this Act, the Secretary is authorized to provide financial assistance to any State or locality for public service employment programs for adversely affected workers on terms and conditions as substantially similar to the provisions of sections 7, 8, and 12 of the Emergency Employment Act of 1971 as the Secretary determines to be consistent with the purposes of this Act.

TITLE IV—GENERAL PROVISIONS

LIABILITIES OF CERTIFYING AND DISBURSING OFFICERS

SEC. 401. (a) No person designated by the Secretary as a certifying officer, shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to the payment of any allowance certified by him under this Act.

(b) No disbursing officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this Act if it was based upon a voucher signed by a certifying officer designated as provided in subsection (a).

PENALTIES

SEC. 402. Whoever makes a false statement of a material fact knowing it to be false, or knowingly fails to disclose a material fact, for the purpose of obtaining or increasing for himself or for any other person any payment or assistance authorized to be furnished under this Act shall be fined not more than $1,000 or imprisoned for not more than one year, or both.

REVIEW

SEC. 403. Except as may be provided in regulations prescribed by the Secretary to carry out his functions under this Act, determinations under this Act as to the entitlement of individuals for assistance under this Act shall be final and conclusive for all purposes and not subject to review by any court or any other officer.

APPROPRIATIONS AUTHORIZED

SEC. 404. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

SECRETARY OF DEFENSE ELLIOT L. RICHARDSON ANNOUNCES 274 ACTIONS AFFECTING MILITARY INSTALLATIONS

Secretary of Defense Elliot L. Richardson today announced details of 274 specific actions to consolidate, reduce, realign or close military installations in the United States and Puerto Rico.

Secretary Richardson said these actions will result in a savings of approximately $3.5 billion over the next 10 years. Some 42,800 military and civilian positions will be eliminated. The actions affect 32 states, the District of Columbia and Puerto Rico.

These realignment actions are necessary in order to scale down the Department of Defense base structure commensurate with reduced force levels and training requirements resulting in large part from the end of the Vietnam conflict.

Army strength will be down from 1.6 million military personnel in 1968 to 804,000 in June 1974. Also, Army aviation training requirements will be reduced from 6,887 pilots in 1969 to 1,502 by June 1974.

The Navy's active fleet ship level will be down from 917 to 523 ships and active fleet aircraft from 5,014 to 3,956 between June 1964 and June 1974.

The number of active Air Force aircraft will be reduced from 12,535 during 1968 to 8,313 in 1974. Pilot training requirements will be down to a level of 3,425 from the peak 1972 requirement of 4,440.

In addition, these realignments are necessary to effect Defense economies in the future and to enable the use of scarce Defense resources to be devoted to high-priority areas, such as research and development, readiness and modernization of forces, and maintenance of strategic sufficiency.

Under the Department of Defense Program for Stability of Civilian Employment, every effort will be made to assist displaced civilian employees in obtaining other acceptable employment. Transportation and moving expenses will be paid for career employees who will be relocated to other Defense activities. Eligible career employees desiring placement assistance will be registered in the Department of Defense Priority Placement Program and the Civil Service Commissions' Displaced Employees Program for referral and consideration in other vacancies within the Department of Defense and by other federal departments and agencies.

Close liaison will also be maintained by the Department of Defense civilian personnel offices with the Department of Labor, state employment offices and private industry to help employees desiring placement assistance or retraining for positions in the private sector. Most career employees who do not elect to take other federal positions will be eligible for severance pay up to one year, based upon age and length of federal service, or for immediate retirement under one of the voluntary or involuntary options.

The President's Economic Adjustment Committee will bring the resources of the federal government to bear on alleviating problems of personnel and communities resulting from these realignments. Secretary Richardson chairs this inter-agency committee made up of 15 federal departments and agencies. The President has instructed all members of the committee to give "their full energies in this vital effort."

The committee works with state and local governments and the private sector to create new private-sector jobs to replace the Defense jobs that will be eliminated. Such economic adjustment efforts in the past have resulted in the creation of major new developments in such areas as industry, education, recreation, health and transportation.

Unless specifically indicated, the Department of Defense Reserve Component training activities are not significantly affected by the realignment actions.

The following is a summary of the principal actions to be taken by the three military departments in the United States and Puerto Rico:

DEPARTMENT OF THE ARMY

As part of the Army's Schools Realignment Plan, aviation pilot training activities will be realigned and consolidated at Fort Rucker, Ala., Fort Wolters, Tex., and Hunter Army Airfield, Ga., will be closed and placed in caretaker status.

Also under the Army's Schools Realignment Plan, signal training currently conducted at Fort Monmouth, N.J., will be relocated to Fort Gordon, Ga., and consolidated with the signal training activities conducted at that installation. In addition, military police training will be moved from Fort Gordon, Ga., to Fort McClellan, Ala.

Defense Language Institute activities, now conducted at various locations in the United States, will be consolidated at Fort Monmouth, N.J., except for the West Coast Branch of the Defense Language Institute at the Presidio of Monterey, Calif., which is not affected by this realignment.

Valley Forge General Hospital, Pa., will be closed.

Charleston Army Depot, S.C., will be placed in an inactive status.

Fort Story, Va., will be substantially reduced.

DEPARTMENT OF THE NAVY

Naval shipyards at Hunters Point, Calif., and Boston, Mass., will be closed.

The greater portion of the Naval complex at Long Beach, Calif., will be phased out by the reduction, realignment or disestablishment of activities. Scope of operations of the Naval Shipyard, Long Beach, will be increased.

The greater portion of the Naval complex at Boston, Mass., will be phased out by the reduction, realignment or disestablishment of activities.

Most of the Naval complex at Newport and Quonset Point, R.I., will be phased out by the reduction, realignment or disestablishment of activities. The Naval Construction Battalion Center, the Naval Schools Command and the Naval Underwater Systems Weapons Center in the complex will remain.

The Naval Station complex, Key West, Fla., will be disestablished. Scope of operations of the nearby Naval Air Station, Key West, will be substantially increased.

Significant reductions and realignments of activities will take place at the Naval complex, New York City, N.Y.

The Navy's Pacific Missile Range, Point Mugu, Calif., will be converted to a contractor operation.

Naval Air Station, Imperial Beach, Calif., will be closed.

Naval activities at the Naval Air Station, Alameda, Calif., will be reduced or realigned.

Naval Air Station, Albany, Ga., will be closed. Scope of operations of the nearby Marine Corps Supply Center will be increased.

Naval Air Station, Glynco, Ga., will be closed.

Naval Training Center, Bainbridge, Md., will be closed.

Naval Air Engineering Center at the Naval Shipyard, Philadelphia, Pa., will be disestablished and essential functions relocated to Naval activities. Marine Corps Supply Center, Philadelphia, Pa., will be closed and essential functions relocated to other Marine Corps supply facilities.

Naval Hospital, Portsmouth, N.H., will be closed.

Naval Hospital, St. Albans, N.Y., will be closed.

Naval Air Station, Lakehurst, N.J., will be substantially reduced. Scope of operations of the adjacent Naval Air Test Facility, Lakehurst, will be increased.

In addition, based upon the Fiscal Year 1974 Department of Defense budget, as currently constituted, a number of Naval ships homeported at some of the above Naval complexes will be inactivated. Announcement of these ship inactivations will be made as soon as plans are completed.

DEPARTMENT OF THE AIR FORCE

The Air Force will implement a new concept of depot repair within its Air Material Areas in order to improve management by reducing organization structure and overhead and increasing plant utilization. This new concept will apply to a broad range of aeronautical and support commodities but excludes aircraft and engine repair programs. The concept consolidates the repair of aeronautical hardware that requires like skills, facilities, tools and test equipment into specialized entities known as Technology Repair Centers.

The Air Force will realign its Air Material Areas by merging similar engineering, technical, management and repair resources and workloads. Ground Communications-Electronics-Meteorological (CEM) systems, equipment, and components currently managed primarily at Oklahoma Air Material Area, Tinker Air Force Base, Okla., and repaired primarily at Sacramento Air Material Area, McClellan Air Force Bases, Calif., will be consolidated at the Sacramento Air Material Area.

In addition, Airborne Generator and Components of the aircraft electrical systems, currently managed at San Antonio Air Material Area, Kelly Air Force Base, Tex., will be consolidated with the Ground Generator and Components systems equipment at that installation under a new generator management and repair center at the San Antonio Air Material Area, Kelly Air Force Base.

The Air Force will realign and consolidate its C–5 strategic aircraft operations at one location on each coast by relocating the 3rd Military Airlift Squadron with 13 C–5 aircraft from Charleston Air Force Base, S.C., to Dover Air Force Base, Del., and the remaining three C–5 aircraft from this squadron to Travis Air Force Base, Calif. In addition, the 20th Military Airlift Squadron at Dover Air Force Base with 18 C–141 aircraft will be relocated to Charleston Air Force Base.

Hamilton Air Force Base, Calif., will be closed, except for Air Force Reserve activities.

McCoy Air Force Base, Fla., will be closed.

Forbes Air Force Base, Kan., will be closed, except for the Strategic Air Command satellite mission and Air National Guard activities.

Westover Air Force Base, Mass., will be closed, except for a strategic communications and special production activity. Air Force Reserve activities will continue flying operations.

Laredo Air Force Base, Tex., will be closed.

Ramey Air Force Base, P.R., will be closed.

The Air Force will terminate flying operations at Hanscom Field, Mass.

INDIVIDUAL DEPARTMENT OF DEFENSE INSTALLATION AND ACTIVITY REDUCTION, REALIGNMENT AND CLOSURE ACTIONS BY STATE

ALABAMA

1. Anniston

At the Anniston Army Deport, the contingency supply package and petroleum stock missions with 13 civilian positions will be relocated from the Charleston Army Depot, Charleston, South Carolina, by July 1974.

2. Anniston

At the Army's Fort McClellan, the U.S. Army Military Police School, the Military Police Advanced Individual Training Brigade and the Military Police Combat Developments Activity with 964 military positions and 297 civilian positions will be relocated from Fort Gordon, Georgia, by June 1974, as part of the Army's Schools Realignment Plan.

3. Ozark

All Army aviation training activities will be consolidated at Fort Rucker by July 1974, as part of the Army's Schools Realignment Plan. As a result of this action, the COBRA aircraft training activity at Hunter Army Airfield, Savannah, Georgia, and the primary helicopter training activity from Fort Walters, Texas, will be relocated to Fort Rucker, and the 72nd Aviation Company will be relocated to Fort Bragg, North Carolina, with a total of 68 military positions reduced and 23 civilian positions increased at Fort Rucker.

ALASKA

4. Fairbanks

The North portion of the Army's Fort Wainwright will be closed by July 1973, and reported to the General Services Administration for disposal—159 civilian positions will be reduced.

ARKANSAS

5. Jacksonville

At Little Rock Air Force Base, the 314th Tactical Airlift Wing will be increased by two C–130 squadrons—one from Forbes Air Force Base, Kansas, and one from a location in Southeast Asia—and manpower management adjustments will be made by June 1974—1,134 military positions and 124 civilian positions will be added.

CALIFORNIA

6. Adelanto

At George Air Force Base, the 561st Tactical Fighter Squadron with 24 F–105 aircraft will be relocated from McConnell Air Force Base, Kansas, and manpower management adjustments will be made by June 1974—915 military positions and 103 civilian positions will be added.

7. Alameda Naval Complex

The scope of operations at the Naval Air Station will be reduced by 233 military positions and 429 civilian positions by June 1974.

8

The Navy's Commander, Fleet Air, Alameda, organization will be disestablished by June 1974—19 military positions and two civilian position will be reduced.

9

The Navy's Flag Administrative Unit, Commander, Fleet Air, Alameda, will be disestablished by June 1974—60 military positions will be reduced.

10

The Navy's Detachment A, Flag Administrative Unit, Commander, Naval Air Forces, Pacific Fleet, will be disestablished by June 1974—10 military positions will be reduced.

11

Naval Construction Battalion Unit 409 will be disestablished by June 1974—46 military positions will be reduced.

12

The Naval Training Equipment Center Representative Office will be disestablished by June 1974—one military position will be reduced.

13

At the Naval Air Station, Aviation Squadron VR–30 and the Detachment of VR–21 with 323 military positions will be relocated to the Naval Air Station, Moffett Field, California, and VAQ–130 and required support personnel with 691 military positions will be relocated to the Naval Air Station, Lemoore, California, by June 1974. Naval Air Reserve activities are not affected.

14

Four Naval ships will be relocated from the Naval Base, Long Beach, California, with a new homeport at Alameda by June 1974—1,932 military positions will be added.

15

The scope of operations of the Naval Air Rework Facility at the Naval Air Station will be increased by June 1974—189 civilian positions will be added.

16. Atwater

At Castle Air Force Base, the 84th Fighter Interceptor Squadron with 18 F–106 aircraft and necessary support personnel will be relocated from Hamilton Air Force Base, California, the B–52 crew training authorizations will be adjusted and other manpower management adjustments will be made by June 1974—274 military positions and 173 civilian positions will be added.

17. Concord

The scope of operations of the Naval Weapons Station will be increased by the relocation of activities from the Naval Ammunition Depot, Oahu, Hawaii, by June 1974—111 civilian positions will be added.

18. Fairfield

At Travis Air Force Base, three C–5 aircraft will be relocated to the 60th Military Airlift Wing from Charleston Air Force Base, South Carolina; the 312th Military Airlift Squadron (associate), an Air Force Reserve unit, will be converted to C–5 aircraft from C–141 aircraft; the 710th Military Airlift Squadron (associate), an Air Force Reserve unit, will be activated under the 349th Military Airlift Wing (associate Air Force Reserve) as a C–141 aircraft unit and other manpower management adjustments will be made by June 1974—140 military positions will be reduced and 128 civilian personnel will be added.

19. Imperial Beach

At the Naval Air Station, the Naval Helicopter Squadrons and associated support elements with 3,013 military positions and 48 civilian positions will be relocated to the Naval Air Station, North Island, San Diego, California, and the Station closed by January 1975. In addition, support elements with 32 military positions and 45 civilian positions will be relocated to the Naval Air Station, Miramar, California. A total of 214 military positions and 33 civilian positions will be reduced. The Naval Air Reserve Helicopter units will also be relocated to the Naval Air Station, North Island, San Diego, California. The Air Station will be retained for Naval aviation training purposes.

20. Lemoore

The Naval Aviation Squadron VAQ–130 and required support elements with 691 military positions will be relocated to the Naval Air Station from the Naval Air Station, Alameda, California, by June 1974.

21. Long Beach Naval Complex

The Naval Base, Long Beach, will be disestablished by June 1974—22 military positions and 10 civilian positions will be reduced.

22

The Navy's Pacific Fleet Representative, Commander, Cruiser-Destroyer Force will be disestablished by June 1974—45 military positions will be reduced.

23

The Naval Ordnance Systems Command Support Office with one military position will be disestablished by June 1974.

24

The Naval Fleet Training Center will be disestablished by June 1974—41 military positions will be reduced.

25

The Navy's Mine Divisions 32, 33, 34 and 35 will be disestablished by June 1974—15 military poistions will be reduced.

26

The Navy's Food Management Team will be disestablished by June 1974—five military positions will be reduced.

27

The scope of operations of the Navy's Finance Center will be reduced by June 1974—three military positions and 12 civilian positions will be reduced.

28

The scope of operations of the Naval Communications Station will be reduced by June 1974—13 military positions and eight civilian positions will be reduced.

29

The scope of operations of the Naval Security Group will be reduced by June 1974—six military positions will be reduced.

30

The Navy Supply Center will be disestablished by June 1974—17 military positions and 535 civilian positions will be reduced.

31

The Naval Station will be disestablished by June 1974—109 military positions and 215 civilian positions will be reduced.

32

The Naval Hospital Annex (USS REPOSE) will be disestablished by June 1974—178 military positions will be reached.

33

The Navy's Cruiser-Destroyer Flotilla 3; Destroyer Squadrons 3, 9, 13, 19, 29, and 35; Mobile Technical Unit 11; and Amphibious Squadron 7 with 212 military positions will be relocated to the Naval Base, San Diego, California, by June 1974.

34

A total of 47 Naval ships with 16,616 military positions will be relocated by June 1974, to other homeports as follows: 31 ships to the Naval Base, San Diego, California; seven ships to the Naval Base, Pearl Harbor, Hawaii; four ships to the Naval Air Station, Alameda, California; one ship to the Naval Shipyard, Bremerton, Washington; three ships to the Naval Base, Charleston, South Carolina; and one ship to an as-yet-undetermined location.

35

At the Naval Shipyard, certain administrative elements with 220 civilian positions will be relocated from the Hunters Point Naval Shipyard, California, and the scope of operations will be increased by June 1974—1,040 civilian positions will be added.

36. Monterey

At the Army's Presidio of Monterey, the Defense Language Institute Systems Development Agency with five military positions and 75 civilian positions will be relocated to Fort Monmouth, New Jersey, by September 1974, as part of the Army's Schools Realignment Plan.

37. Mountain View

At the Naval Air Station, Moffett Field, Naval Aviation Squadrons VR–30 and a Detachment of VR–21 with 323 military positions will be relocated from the Naval Air Station, Alameda, California, by June 1974.

38. Novato

Hamilton Air Force Base will be closed by September 1973, except for Air Force Reserve activities. The 84th Fighter Interceptor Squadron with 18 F–106 aircraft and necessary support elements will be relocated to Castle Air Force Base, California, with 776 military positions and 102 civilian positions: the 41st Aerospace Rescue and Recovery Squadron and necessary support elements with 200 military positions and six civilian positions will be relocated to McClellan Air Force Base, California; and the 2nd Aircraft Delivery Group Detachment with 20 military positions will be relocated to Mather Air Force Base, California. Base support functions will be civilianized to the maximum extent; base responsibility will be transferred from the Air Defense Command to the 452nd Tactical Airlift Wing, an Air Force Reserve unit; and all military community support activities at the base terminated by the Air Force. Real property determined to be excess to Department of Defense requirements will be reported to the General

Services Administration for disposal. A total of 990 military positions and 453 civilian positions will be reduced in addition to the above relocations.

39. Pasadena

The Naval Undersea Center, Pasadena Laboratory, will be considered with the Center at San Diego, California, and the Laboratory will be closed by June 1974. A total of six military positions and 491 civilian positions will be relocated to the Naval Undersea Center at San Diego and 99 civilian positions will be reduced. Continued use of some of the facilities at the Pasadena Laboratory is under review by the Navy. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

40. Point Mugu

The Navy's Pacific Missile Range will be converted to a contractor operation by December 1974—225 military positions and 1,448 civilian positions will be reduced. The contractor receiving this contract will be encouraged to rehire as many of the civilian Defense employees as possible.

41. Point Mugu

At the Naval Air Station, Naval Aviation Squadron VXE-6 with 367 military positions will be relocated from the Naval Air Station, Quonset Point, Rhode Island, by June 1974.

42. Port Hueneme

The Naval Civil Engineering Laboratory will be disestablished and its vital functions consolidated with other Naval activities by December 1973. A total of one military position and 157 civilian positions will be transferred to the Construction Battalion Center, Port Hueneme; five military positions and 139 civilian positions will be relocated to the Naval Undersea Center, San Diego, California, and nine military positions and 15 civilian positions will be relocated to the Naval Coastal Systems Laboratory, Panama City, Florida—two military positions and 69 civilian positions will be reduced. The Environmental Data Base Program Office in Hawaii, a component of the Naval Civil Engineering Laboratory, will remain in place; however, command responsibility will be shifted to another Naval activity.

43. Rosamond

At Edwards Air Force Base, the 6514th Test Squadron will be relocated to Hill Air Force Base, Utah, and manpower management adjustments will be made by June 1974—196 military positions and 40 civilian positions will be reduced.

44. Sacramento

At Mather Air Force Base, a Detachment of the 2nd Aircraft Delivery Group will be relocated from Hamilton Air Force Base, California; adjustments will be made in navigation training aircraft and manning of the 323rd Flying Training Wing; and other manpower management adjustments will be made by June 1974—184 military positions and seven civilian positions will be reduced.

45. Sacramento

At McClellan Air Force Base, the 41st Aerospace Rescue and Recovery Squadron is relocated from Hamilton Air Force Base; the Communications-Electronics Meteorological (CEM) Management functions will be relocated from Oklahoma City Air Material Area, Tinker Air Force Base, Oklahoma, and selected Electrical Control and Distribution Equipment Management functions will be relocated from San Antonio Air Material Area, Kelly Air Force Base, Texas; four Technology Repair Centers in fluid-driven accessories, flight control instruments, electrical components and ground CEM equipment are to be established over the next two-year period; one of the functions of the 1155th Technical Operations Squadron of the Air Force Technical Applications Center will be relocated to Patrick Air Force Base; and other manpower management adjustments will be made by June 1974—102 military positions and 249 civilian positions are added.

46. San Francisco

The scope of operations of the Twelfth Naval District will be reduced and certain functions with 13 military positions and 23 civilian positions will be relocated to the Eleventh Naval District, San Diego, California, by January 1974—10 military positions and 49 civilian positions will be reduced.

47. San Francisco

The Naval Shipyard, Hunters Point, will be closed and placed in caretaker status by June 1974, except for Drydock Number 4. Certain administrative functions and personnel will be relocated as follows: 220 civilian positions to the Naval Shipyard, Long Beach, California; 244 civilian positions to the Naval Shipyard, Mare Island, California; 62 civilian positions to the Naval Support Activity, Vallejo, California; nine civilian positions to the Naval Shipyard, Norfolk, Virginia; and 46 military positions to other locations—78 military positions and 4,649 civilian positions will be reduced.

48. San Diego Naval Complex

The scope of operations of the Eleventh Naval District will be increased by the transfer of certain functions with 13 military positions and 23 civilian positions from the Twelfth Naval District, San Francisco, by June 1974.

49

The Navy's Cruiser-Destroyer Flotilla 3; Destroyer Squadrons 3, 9, 13, 19, 29 and 35; Mobile Technical Unit 11; and Amphibious Squadron 7 with 212 military positions will be relocated from the Naval Base, Long Beach, California, by June 1974.

50

A total of 31 Naval ships with 11,077 military positions will be relocated to the Naval Base, San Diego, California, from the Naval Base, Long Beach, California, with a new homeport in San Diego by June 1974.

51

The Navy's Underwater Swimmer's School with 41 military positions and six civilian positions will be relocated from the Naval Station, Key West, Florida, by March 1974.

52

At the Naval Personnel and Training Research Laboratory, the residual functions of the Naval Personnel Research and Development Laboratory at the Navy Yard, Washington, D.C., with nine military positions and 76 civilian positions will be relocated by February 1974.

53

At the Naval Undersea Center, Point Loma, certain portions of the Naval Civil Engineering Laboratory, Port Hueneme, California, and the Naval Undersea Center Annex, Pasadena, California, with 11 military positions and 630 civilian positions will be relocated by June 1974.

54

At the Naval Air Station, North Island, the Naval Helicopter Squadrons and associated support elements with 3,013 military positions and 48 civilian positions will be relocated from the Naval Air Station, Imperial Beach, California, and the Naval Carrier Airborne Early Warning Squadrons 111, 112, 113, 114, 115, 116 and Squadron RVAW-110 with 1,003 military positions will be relocated to the Naval Air Station, Miramar, San Diego, California, by December 1974. In addition, the Navy's Management Systems Development Office Detachment with 19 civilian positions will be relocated from the Naval Air Station, Quonset Point, Rhode Island, by June 1974.

55

The scope of operations of the Naval Air Rework Facility at the Naval Air Station, North Island, will be increased by June 1974—756 civilian positions will be added.

56

At the Naval Air Station, Miramar, certain support elements with 32 military positions and 45 civilian positions will be relocated from the Naval Air Station, Imperial Beach, California, and the Naval Carrier Airborne Early Warning Squadrons 111, 112, 113, 114, 115, 116 and Squadron RVAW-110 with 1,003 military positions will be relocated from the Naval Air Station, North Island, San Diego, California, by December 1974.

57

At the Naval Electronics Laboratory Center, the vital functions from the Naval Electronics Systems Test and Evaluation Field, Webster Field, St. Inigoes, Maryland, with 16 military positions and 141 civilian positions will be relocated by December 1973.

58. Seal Beach

At the Naval Weapons Station, certain functions with 15 civilian positions will be relocated from the Naval Ammunition Depot, Oahu, Hawaii, by June 1974.

59. Vallejo

At the Naval Shipyard, Mare Island, certain administrative elements with 244 civilian positions will be relocated from the Naval Shipyard, Hunters Point, San Francisco, and the scope of operations will be increased by June 1974—1,769 civilian positions will be added.

60. Vallejo

The Navy's Mare Island Laboratories, Naval Shipyard, Mare Island, will be reduced and the rubber, paint and metallurgy and materials functions will be relocated with 80 civilian positions and consolidated with similar functions at the Naval Ship Research and Development Center, Annapolis, Maryland, by December 1973—100 civilian positions will be reduced.

61. Vallejo

At the Naval Support Activity, certain elements with 62 civilian positions will be relocated from the Naval Shipyard, Hunters Point, San Francisco, by June 1974.

DELAWARE

62. Dover

At Dover Air Force Base, the 4713th Defense Systems Evaluation Squadron with 18 EB-57 aircraft and necessary support elements will be relocated from Westover Air Force Base, Massachusetts; the 20th Military Airlift Squadron with 18 C-141 aircraft will be relocated to Charleston Air Force Base, South Carolina; the 3rd Military Airlift Squadron with 13 C-5A aircraft will be relocated from Charleston Air Force Base, South Carolina the 326th Military Airlift Squadron (Associate Air Force Reserve) will be converted from C-141 aircraft to C-5A aircraft; the 709th Military Airlift Squadron (Associate Air Force Reserve) will be activated and fly C-5A aircraft; and manpower management adjustments will be made by June 1974—643 military positions and 294 civilian positions will be added.

DISTRICT OF COLUMBIA

63

At the Naval Station, Anacostia, the Headquarters and East Coast Branch of the Defense Language Institute, for which the Army is the Executive Agent for the Department of Defense, with 53 military positions and 126 civilian positions will be relocated to the Army's Fort Monmouth, New Jersey, along with other elements of the Defense Language Institute from other locations in the United States by December 1974, as part of the Army's Schools Realignment Plan.

64

The Navy Personnel Research and Development Laboratory at the Navy Yard will be disestablished and residual functions with nine military positions and 76 civilians positions will be relocated to the Naval Personnel and Training Research Laboratory, San Diego, California, by February 1974—26 civilian positions will be reduced.

65

The Navy Experimental Diving Unit at the Navy Yard with 72 military positions and seven civilian positions will be relocated to the Naval Coastal Systems Laboratory, Panama City, Florida, by August 1974. A Detachment of the unit with 14 military positions and 40 civilian positions will remain at the Navy Yard.

66

The scope of operations of the Naval Training Publications Division at the Navy Yard will be reduced and 61 military positions and 106 civilian positions will be relocated to the new Naval Training Publications and Examining Center Naval Air Station, Pensacola, Florida, by March 1974—eight military positions and seven civilian positions will be reduced.

FLORIDA

67. Fort Lauderdale

The Navy's Atlantic Undersea Test and Evaluation Center, West Palm Beach Detachment, with two military positions and 45 civilian positions will be relocated to Fort Lauderdale from West Palm Beach, Florida, by December 1973.

68. Fort Walton Beach

At Eglin Air Force Base, a Tactical Air Command Weapons Systems Evaluation Program will be initiated; the aircraft equipment of the 33rd Tactical Fighter Wing will be increased by increasing the aircraft of the 58th and the 60th Tactical Fighter Squadrons from 18 to 24 F-4's each; the 55th Aerospace Rescue and Recovery Squadron will receive HH-53 and HH-3 helicopters. In addition, at Eglin Auxiliary Field Number 9, the manning of the United States Air Force Special Operations Force will be reduced; the 317th Special Operations Squadron will be phased out of C-123 aircraft and equipped with CH-3 aircraft; the 318th Special Operations Squadron with four C-130E aircraft will be relocated from Pope Air Force Base, North Carolina; the 603rd Special Operations Squadron with five C-47 aircraft will be activated; the 360th Tactical Electronic Warfare Squadron with six EC-47 aircraft will be activated, as will the 6994th Air Force Security Service Squadron. A total of 755 military positions and 26 civilian positions will be added to the Eglin Air Force Base complex by June 1974.

69. Homestead

At Homestead Air Force Base, the aircraft of the 307th and the 309th Tactical Fighter Squadrons will be increased from 18 to 24 F-4's each; a Detachment of the 552nd Airborne Early Warning and Control Squadron with EC-121 aircraft will be relocated from McCoy Air Force Base, Florida; and manpower management adjustments will be made by June 1974—417 military positions and 61 civilian positions will be added.

70

At the Naval Air Station, Cecil Field, Aviation Squadrons VS-22, 24, 30 and 31, along with necessary support elements, with 788 military positions and 49 civilian positions will be relocated from the Naval Air Station, Quonset Point, Rhode Island, and 29 military positions will be relocated from the Naval Air Station, Lakehurst, New Jersey, by June 1974—817 military positions and 49 civilian positions will be added.

71

At the Naval Air Station, Jacksonville, Helicopter Squadrons HS 1, 3, 7 and 11, along with necessary support elements, with 824 military positions and 48 civilian positions will be relocated from the Naval Air Station, Quonset Point, Rhode Island, and certain functions to include Helicopter Squadron HC-2 with 488 military positions and 14 civilian positions will be relocated from the Naval Air Station, Lakehurst, New Jersey, by June 1974—1,312 military positions and 62 civilian positions will be added.

72

The scope of operations of the Naval Air Rework Facility at the Naval Air Station, Jacksonville, will be increased by June 1974—33 civilian positions will be added.

73

The Naval Station will be disestablished and 101 military positions of the Naval Message Center will be relocated by March 1974, as follows: 84 military positions to the Naval Air Station, Key West, and 17 military positions to the Naval Communications Station, Puerto Rico—210 military positions and 359 civilian positions will be reduced.

74

The Naval Base will be disestablished by March 1974—11 military positions and six civilian positions will be reduced.

75

The Navy's Commander, Key West Force will be disestablished by March 1974—29 military positions will be reduced.

76

The Navy's Submarine Squadron 12 and Submarine Divisions 121 and 122 will be disestablished by March 1974—24 military positions will be reduced.

77

The Navy's Fleet Training Group will be disestablished by March 1974—one military position will be reduced.

78

The scope of operations of the Navy Commissary will be reduced by March 1974—six military positions will be reduced.

79

The scope of operations of the Navy Finance Office will be reduced by March 1974—10 civilian positions will be reduced.

80

The scope of operations of the Navy Publications and Printing Office will be reduced by March 1974—two civilian positions will be reduced.

81

The scope of operations of the Naval Hospital will be reduced by March 1974—64 military positions and 30 civilian positions will be reduced.

82

The scope of operations of the Naval Communications Station will be reduced by March 1974—46 military positions and two civilian positions will be reduced.

83

The Navy's Destroyer Squadron 18 with 15 military positions will be reloctated to the Naval Station, Mayport, Florida, by March 1974.

84

The Navy's Fleet Sonar School with 305 military positions and nine civilian positions will be relocated to the Naval Base, Norfolk, Virginia, by March 1974.

85

The Navy's Underwater Swimmer's School with 41 military positions and six civilian positions will be relocated to the Naval Base, San Diego, by March 1974.

86

One of the Navy's Submarine Rescue Detachments, along with other miscellaneous activities, Auxiliary Submarine Rescue Ship 16 and one submarine with 187 military positions will be relocated to the Naval Base, Norfolk, Virginia, by March 1974.

87

One of the Navy's Submarine Rescue Detachments, along with other miscellaneous activities, and one submarine with 103 military positions will be relocated to the Naval Base, Charleston, South Carolina, by March 1974.

88

At the Naval Air Station, aviation and support activities with 2,569 military positions and 71 civilian positions will be relocated from the Naval Air Station, Albany, Georgia; the Naval Air Test and Evaluation Squadron One with 348 military positions will be relocated to the Naval Air Station, Patuxent River, Maryland; and 84 military positions will be relocated from the Naval Station, Key West, by June 1974—2,305 military positions and 71 civilian positions will be added.

89. Mayport

The Navy's Destroyer Squadrons 10 and 12 and Service Squadron 2 and 10 Navy ships with 2,963 military positions will be relocated to the Naval Base, Mayport, from the Naval Base, Newport, Rhode Island, and Destroyer Squadron 18 with 15 military positions will be relocated from the Naval Base, Key West, Florida, by June 1974—2,978 military positions will be added.

90. Orlando

At the Naval Training Center, the Navy's Nuclear Power School with 118 military positions will be relocated from the Naval Training Center, Bainbridge, Maryland, by January 1975.

91. Orlando

McCoy Air Force Base, Taft, will be closed by June 1974. The 306th Bombardment Wing and the 36th Bombardment Squadron with a 15 B-52D aircraft will be inactivated; elements of the 306th Air Refueling Squadron with 10 KC-135 aircraft and 283 military positions and nine civilian positions will be relocated to McConnell Air Force Base, Kansas, and elements with 10 KC-135 aircraft and 289 military positions and 10 civilian positions will be relocated to Lockbourne Air Force Base, Ohio; a Detachment of the 552nd Airborne Early Warning Control Squadron with EC-121 aircraft and necessary support personnel with 187 military positions and six civilian positions will be relocated to Homestead Air Force Base, Florida; and the 42nd Air Division with 13 military positions and one civilian position will be relocated to Blytheville Air Force Base, Arkansas. The family housing and other necessary support facilities will be transferred to the Naval Training Center, Orlando. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal. A caretaker force of 161 military positions and 160 civilian positions will remain until final disposal of the property. In addition to the personnel being relocated, a total of 1,086 military positions and 395 civilian positions will be eliminated upon completion of the action.

92. Panama City

At the Naval Coastal Systems Laboratory, certain functions of the Naval Civil Engineering Laboratory, Port Hueneme, California, with nine military positions and 15 civilian positions and the Navy Experimental Diving Unit, Navy Yard, Washington, D.C., with 72 military positions and seven civilian positions will be relocated by September 1974—81 military positions and 22 civilian positions will be added.

93. Pensacola

At the Naval Complex residual elements of the Naval Publications and Examining Center, Great Lakes, Illinois; Naval Correspondence Course Center, Scotia, New York; Naval Publications and Examining Center, Memphis, Tennessee; and the Naval Training Publications Division, Washington, D.C., with 271 military positions and 317 civilan positions will be relocated and consolidated into a new Naval Publications and Examining Center to be established by March 1974. In addition, 286 military positions and six civilian positions will be relocated from the Naval Air Station, Glynco, Georgia, by December 1974. A total of 557 military positions and 323 civilian positions will be added.

The scope of operations of the Naval Air Rework Facility at the Naval Air Station will be increased by June 1974—79 civilian positions will be added.

95. Tampa

At MacDill Air Force Base, the 21st Tactical Air Support Squadron with 12 OV–12 aircraft will be activated; the aircraft of the 1st Tactical Fighter Wing will be increased from 60 to 72 F–4 aircraft, and manpower management adjustments will be made by June 1974—208 military positions and 139 civilian positions will be added.

96. West Palm Beach

The Navy's Undersea Test and Evaluation Center, West Palm Beach Detachment will be reduced and the residual functions with two military positions and 45 civilian positions will be relocated to Fort Lauderdale, Florida, by December 1973—one military position and 10 civilian positions will be reduced.

GEORGIA

97. Albany

At the Marine Corps Supply Center, the residual functions of the Marine Corps Supply Activity, Philadelphia, Pennsylvania, with 381 military positions and 948 civilian positions will be relocated by July 1976.

98. Albany

The Naval Air Station will be closed and placed in caretaker status by June 1974. The aviation activities and selected support elements with 2,569 military positions and 71 civilian positions will be relocated to the Naval Air Station, Key West, Florida. The family housing and required support facilities will be made available for use by the Marine Corps Supply Center, Albany, Georgia, A total of 648 military positions and 273 civilian positions will be eliminated.

99. Augusta

At the Army's Fort Gordon, the scope of operations of the Military Police activities will be reduced and the United States Army Military Police School, the Military Police Advanced Individual Training Brigade and the Military Police Combat Developments Activity with 964 military positions and 297 civilian positions will be relocated to Fort McClellan, Alabama, 18 military positions will be eliminated, and the essential elements of the United States Army Signal Center and School and the Communications and Electronics Combat Developments Activity with 922 military positions and 591 civilian positions will be relocated from Fort Monmouth New Jersey, and consolidated with the Army's Southeastern Signal School at Fort Gordon by June 1974, as part of the Army's Schools Realignment Plan—60 military positions will be reduced and 294 civilan personnel will be added.

100. Brunswick

The Naval Air Station, Glynco, will be closed by December 1974. Residual functions with 286 military positions will be relocated to the Naval Air Station, Pensacola, Florida; 442 military positions will be relocated to Dam Neck, Virginia; and 439 military positions and 31 civilian positions will be relocated to the Naval Air Station, Memphis, Tennessee. A total of 661 military positions and 308 civilian positions will be eliminated. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

101. Columbus

At the Army's Fort Benning, the Headquarters and Headquarters Company, 214th Aviation Battalion, with 98 military positions will be relocated from Fort Stewart, Georgia, by July 1973.

102. Savannah

Hunter Army Airfield will be closed and placed in caretaker status by July 1973. The COBRA aircraft training with 87 military positions and 12 civilian positions will be relocated to Fort Rucker, Alabama, where all future Army aviation training will be consolidated; the 102nd Quartermaster Company (Petroleum) with 200 military positions will be relocated to Fort Campbell, Kentucky; the 238th Aviation Company with 140 military positions along with 301 military positions and 70 civilian positions will be relocated to Fort Stewart, Georgia, as part of the Army's Schools Realignment Plan. A total of 476 military positions and 388 civilian positions will be eliminated.

103. Savannah

At the Army's Fort Stewart, the 238th Aviation Company with 140 military positions, along with 301 military positions and 70 civilian positions will be relocated from Hunter Army Airfield; the 530th Composite Service Company (Light Maintenance) with 135 military positions will be relocated from Fort Knox, Kentucky; and the Headquarters and Headquarters Company, 214th Aviation Company with 98 military positions will be relocated to Fort Benning, Georgia, by July 1973—478 military positions and 70 civilian positions will be added.

104. Warner-Robins

At Robins Air Force Base, the 19th Bombardment Wing will be equipped with SRAM missiles; five Technology Repair Centers in airborne electronics, life support equipment, propellers, portable buildings and gyro instruments will be established over the next two-year period; and manpower management adjustments will be made by June 1974—182 military positions will be added and 383 civilian positions will be reduced.

HAWAII

105. Lualualei

The Naval Ammunition Depot, Oahu, will be closed and 230 military positions and 248 civilian positions will be relocated to other Pacific Fleet activities in Hawaii; 111 civilian positions will be relocated to the Naval Weapons Station, Concord, California; 90 civilian positions will be relocated to the Naval Torpedo Station, Keyport, Washington; 52 civilian positions will be relocated to the Naval Ammunition Depot, Crane, Indiana; and 15 civilian positions will be relocated to the Naval Weapons Station, Seal Beach California, by June 1974—17 military positions and 240 civilian positions will be reduced. All real property will be retained to meet other Department of Defense requirements.

106. Pearl Harbor

At the Navy's Pacific Fleet Activities, 230 military positions and 248 civilian positions will be relocated from the Naval Ammunition Depot, Oahu, Hawaii, by June 1974.

107. Pearl Harbor

At the Naval Base, seven Naval ships with 2,559 military positions will be relocated from the Naval Base, Long Beach, California, with a new homeport at Pearl Harbor by June 1974.

ILLINOIS

108. Great Lakes

The Naval Publications and Examining Center will be disestablished and 158 military positions and 85 civilian positions will be relocated to the new consolidated Naval Publications and Examining Center to be established at Pensacola, Florida, by March 1974—21 military positions and five civilian positions will be reduced.

109. Great Lakes

The Navy's Electronics Supply Office will be disestablished and 27 military positions and 540 civilian positions will be relocated to the Naval Ship Parts Control Center, Mechanicsburg, Pennsylvania, by December 1974—seven military positions and 190 civilian positions will be eliminated.

INDIANA

110. Crane

At the Naval Ammunition Depot, 52 civilian positions will be relocated from the Naval Ammunition Depot, Oahu, Hawaii, by June 1974.

KANSAS

111. Pauline

Forbes Air Force Base will be closed, except for Air National Guard and Strategic Air Command satellite mission activities by September 1973. The 313th Tactical Airlift Wing will be inactivated with the two C–130 aircraft squadrons relocated—one C–130 squadron with 619 military positions and 19 civilian positions will be relocated to Dyess Air Force Base, Texas, and one C–130 squadron with 616 military positions and 19 civilian positions will be relocated to Little Rock Air Force Base, Arkansas. In addition, one C–130 squadron currently in Southeast Asia programmed to return to Forbes Air Force Base will return to Little Rock Air Force Base, Arkansas with 615 military positions and 18 civilian positions. Further, the Military Airlift Command's Aerial Cartographic and Geodetic Squadron will be relocated to Keesler Air Force Base, Mississippi, and the 3301st School Squadron United States Air Force Skill Center (Project Transition) will be relocated to Kirtland Air Force Base, New Mexico. The Strategic Air Command satellite mission with KC–135's remains in place. In addition, the Air National Guard Bombardment Squadron remains. A total of 298 civilian positions will be converted to Air National Guard technician positions in order to civilianize remaining missions to maximum extent possible and all military community support activities (PX, commissary, etc.) will then be terminated by the active Air Force. In addition to the above actions, 1,241 military positions and 83 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

112. Wichita

At McConnell Air Force Base, elements of the 306th Air Refueling Squadron with 10 KC–135 aircraft will be relocated from McCoy Air Force Base, Florida; the 819th Air Force Civil Engineer Heavy Repair Squadron (RED HORSE) will be relocated from Westover Air Force Base, Massachusetts; the 561st Tactical Fighter Squadron will be relocated to George Air Force Base, California; and manpower management adjustments will be made by June 1974—83 military positions will be reduced and 107 civilian positions will be added.

KENTUCKY

113. Hopkinsville

At the Army's Fort Campbell, the 102nd Quartermaster Company (Petroleum) with 200 military positions will be relocated from Hunter Army Airfield, Georgia, by July 1973.

114. Louisville

At the Army's Fort Knox, the 530th Composite Service Company (Light Maintenance) with 135 military positions will be relocated to Fort Stewart, Georgia, and the 13th Engineer Company (Construction) will be relocated from Fort George G. Meade, Maryland, and reorganized with 177 military positions by July 1973—42 military positions will be added.

LOUISIANA

115. Alexandria

At England Air Force Base, the 4410th Special Operations Training Group and the

548th Special Operations Training Squadron will be inactivated and manpower management adjustments will be made by June 1974—365 military positions will be reduced and 65 civilian positions will be added.

116. Bossier City

At Barksdale Air Force Base, the 3097th Aviation Depot Squadron will be relocated from Westover Air Force Base, Massachusetts, and manpower management adjustments will be made by June 1974—18 military positions will be reduced and 74 civilian positions will be added.

117. New Orleans

The scope of operations of the Eighth Naval District will be increased by the relocation of functions from the Fifth Naval District, Norfolk, Virginia, by January 1974—10 military positions and 10 civilian positions will be added.

MAINE

See Portsmouth, New Hampshire.

MARYLAND

118. Annapolis

At the Naval Ship Research and Development Center, the rubber, paint, metallurgy and materials functions of the Navy's Mare Island Laboratories, Naval Shipyard, Mare Island, California, with 80 civilian positions will be relocated and consolidated with similar functions by December 1973.

119. Bainbridge

The Naval Training Center will be disestablished by January 1975, except for the Naval Academy Preparatory School. A total of 113 military positions and seven civilian positions will be relocated to other Naval training activities in the United States; the Navy's Nuclear Power School with 118 military positions will be relocated to the Naval Training Center, Orlando, Florida; and 277 military positions and 551 civilian positions will be reduced.

120. Frederick

At the Army's Fort Detrick, the United States Army Medical Material Agency with 27 military positions and 98 civilian positions, including an associated Air Force unit, will be relocated from the Army's Valley Forge Hospital, Phoenixville, Pennsylvania, by June 1974.

121. Indian Head

The Naval Research and Development Office at the Naval Ordnance Station will be reduced and its project work assigned to the Naval Ordnance Laboratory, White Oak, Maryland, by December 1973—five civilian positions will be reduced. Residual functions of the office will remain at the Naval Ordnance Station.

122. Odenton

The Army's 13th Engineer Company (Construction) at Fort George G. Meade with 127 military positions will be relocated to Fort Knox, Kentucky, by July 1973, where it will be reorganized.

123. Patuxent River

At the Naval Air Test Center, the essential functions of the Naval Air Engineering Center, Philadelphia, Pennsylvania, with three military positions and 202 civilian positions will be relocated by December 1974.

124. Patuxent River

At the Naval Air Station, Naval Air Test and Evaluation Squadron One with 348 military positions will be relocated from the Naval Air Station, Key West, Florida, by June 1974.

125. St. Inigoes

The Naval Electronics Systems Test and Evaluation Facility, Webster Field, will be closed by December 1973. Essential functions with 16 military positions and 141 civilian positions will be relocated to the Naval Electronics Laboratory Center, San Diego, California, and 15 military positions and 14 civilians positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

MASSACHUSETTS

126. Bedford

The Air Force will terminate flying activities at Laurence G. Hanscom field and turnover complete maintenance and operations of the airfield to the Massachusetts Port Authority. The aircraft of the Air Force's Electronic Systems Division will be relocated to Kirkland Air Force Base, New Mexico; the 901st Tactical Airlift Group (Air Force Reserve) will be relocated to Westover Air Force Base, Massachusetts; the 3501st Recruiting Group will be relocated from Westover Air Force Base, Massachusetts; and other manpower management adjustments will be made by June 1974—237 military positions and 536 civilian positions will be reduced. These actions will not affect United States Army Reserve training activities at Laurence G. Hanscom Field.

127. Boston Naval Complex

The Naval Shipyard will be closed and placed in caretaker status by January 1975. Certain administrative functions and personnel will be relocated as follows: 392 civilian positions to the Naval Shipyard, Philadelphia, Pennsylvania; 191 civilian positions to the Naval Supply Center, Norfolk, Virginia; 25 civilian positions to the Naval Supply Center, Charleston, South Carolna: three civilian positions to the Naval Shipyard, Norfolk, Virginia; and 126 military to various other locations—13 military positions and 4,708 civilian positions will be reduced.

128

The Naval Support Activity will be disestablished by December 1974—80 military positions and 72 civilian positions will be reduced.

129

The Navy's Reserve Supplement Headquarters will be disestablished by January 1974. Certain functions with 222 military positions and 12 civilian positions will be relocated to the Third Naval District, New York, New York, and 10 military positions and 18 civilian positions will be reduced. The Naval Reserve training activities in the Boston area will not be significantly affected.

130

The Naval Hospital, Chelsea, will be disestablished by December 1974. Hospital activities with a total of 246 military positions and 129 civilian positions will be relocated to other Naval hospitals and 226 military positions and 195 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

131

The Naval Area Audit Office will be disestablished by January 1975—four military positions and 49 civilian positions will be reduced.

132

The Naval Finance Office will be disestablished by January 1975—six military positions and 25 civilian positions will be reduced.

133

The Naval Electronics Office will be disestablished by January 1975—one military position and 61 civilian positions will be reduced.

134

The scope of operations of the First Naval District will be reduced and certain functions will be relocated to the Third Naval District, New York, New York, by January 1975—48 military positions and 53 civilian positions will be reduced.

135

The Navy's Supervisor of Shipbuilding Office will be disestablished by January 1975—two military positions and 46 civilian positions will be reduced.

136

The Naval Courier Service Detachment will be disestablished by January 1975—13 military positions will be reduced.

137

The Navy's Exchange will be disestablished by January 1975—two military positions will be reduced.

138

The Navy Band will be disestablished by January 1975—21 military positions will be reduced.

139

The Navy's Correctional Center will be disestablished by January 1975—32 military positions will be reduced.

140

The Navy's Fleet Supply Operations Assistance team and other miscellaneous activities will be disestablished by January 1975—three military positions and 14 civilian positions will be reduced.

141

The scope of operations of the Naval Investigative Office and Armed Forces Police Detachment will be reduced by January 1975—nine military positions and 23 civilian positions will be reduced.

142

The Marine Barracks will be disestablished by January 1974—82 military positions will be reduced.

143. Chicopee Falls

Westover Air Force Base will be closed by June 1974, except for Reserve activities and some limited active Air Force requirements. The 99th Bombardment Wing, its two squadrons of B–52D aircraft and support elements will be inactivated. The following activities will be relocated: elements of the 99th Air Refueling Squadron with 10 KC–135 aircraft and associated support, with 289 military positions and 10 civilian positions to Plattsburgh Air Force Base, New York; elements of the 99th Air Refueling Squadron with five KC–135 aircraft and 207 military positions and eight civilian positions to Pease Air Force Base, New Hampshire; the 4713th Defense Systems Evaluation Squadron and its 18 EB–57 aircraft and associated support elements with 432 military positions and 41 civilian positions to Dover Air Force Base, Delaware; the 819th Civil Engineer Heavy Repair Squadron (RED HORSE) with 459 military positions and 15 civilian positions to McConnell Air Force Base, Kansas; the 3501st Recruiting Group with 35 military positions and seven civilian positions to Laurence G. Hanscom Field, Massachusetts; the 590th Air Force Band with 51 military positions to McGuire Air Force Base, New Jersey; and the 3097th Aviation Depot with 116 military positions and five civilian positions to Barksdale Air Force Base, Louisiana. In addition, the 901st Tactical Airlift Group (Air Force Reserve) with five military positions and 149 Air Force Reserve civilian technicians will be relocated from Laurence G. Hanscom Field, Massachusetts, to Westover Air Force Base. The 18th Communications Squadron and the Air Force Special Project Production Activity will remain. The support elements will be civilianized to the maximum extent possible and the responsibility for the base transferred to the Air Force Reserves by June 1974. Upon completion of the civilianization, all military community support at Westover Air Force Base will be terminated by the Air Force. A total of 1,300 military positions and 163 civilian positions will be reduced in addition to the personnel relocated. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

144. Falmouth

At Otis Air National Guard Base, the Strategic Air Comand activity will be inactivated; the support functions will be civilianized by the Air Force in order to make the Massachusetts Air National Guard unit self-sufficient; responsibility for the entire base will be transferred to the Massachusetts Air National Guard and all military community support will be terminated by the active Air Force by December 1973—377 military positions and 297 civilian positions will be reduced. United States Army Reserve Component training activities at adjacent Camp Edwards will not be affected by these actions.

145. South Weymouth

At the Naval Air Station, Naval Reserve Helicopter Squadron HS–74 with 51 military position; elements of the Naval Air Reserve Training Detachment with 18 military positions; and required support elements with four military positions and 14 civilian positions will be relocated from the Naval Air Station, Quonset Point, Rhode Island, by June 1974.

MISSISSIPPI

146. Biloxi

At Keesler Air Force Base, the First Aerial Cartographic and Geodetic Squadron with four RC–130A aircraft will be relocated from Forbes Air Force Base, Kansas; the 53rd Weather Reconnaissance Squadron with seven WC–130B aircraft will be relocated from Ramey Air Force Base, Puerto Rico; all foreign pilot training activities will be terminated; technical training activities will be reduced; and manpower management adjustments will be made by June 1974. These actions are not expected to change the current Department of Defense population at Keesler Air Force Base.

NEBRASKA

147. Omaha

The Naval Support Activity at Fort Omaha will be disestablished by January 1974—56 military positions and 49 civilian positions will be reduced. The Department of Defense Reserve Component training activities at Fort Omaha will not be significantly affected. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

NEW HAMPSHIRE

148. Newington

At Pease Air Force Base, elements of the 99th Air Refueling Squadron with five KC–135 aircraft will be relocated from Westover Air Force Base, Massachusetts, and other manpower management adjustments will be made by June 1974—127 military positions and 88 civilian positions will be added.

149. Portsmouth Naval Complex

The Naval Disciplinary Command will be disestablished by June 1974. A total of 10 military positions will be relocated to other Defense activities and 77 military positions and 41 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

150

The Naval Hospital will be disestablished by December 1974. Hospital activities with a total of 53 military positions and 31 civilian positions will be relocated to other Naval hospitals and 85 military positions and 55 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

151

The Navy Exchange will be disestablished by December 1974—four military positions will be reduced.

152

The Marine Barracks and Detachment will be disestablished by June 1974. A total of 83 military positions will be relocated to other Marine Corps activities and 236 military positions will be reduced.

NEW JERSEY

153. Bayonne

At the Naval Ammunition Depot, Earle, the Naval Ship USS NITRO (AE-23) with 310 military positions will be relocated from Newport/Quonset Point, Rhode Island by June 1974.

154. Lakehurst

The scope of operations of the Naval Air Station will be reduced by June 1974. A total of 233 military positions and 392 civilian positions will be relocated to the Naval Air Test Facility, Lakehurst, New Jersey; 735 military positions will be relocated to the Naval Air Station, Norfolk, Virginia, including Helicopter Squadrons HS–15 and HSL–30 and 32; 488 military positions and 14 civilian positions will be relocated to the Naval Air Station, Jacksonville, Florida, including Helicopter Squadron HC–2; 29 military positions will be relocated to the Naval Air Station, Cecil Field, Florida; and 94 military positions will be reduced. Flying operations will continue. The Army activities located at the Naval Air Station remain. Department of Defense Reserve Component activities will continue to use the facilities at the Naval Air Station.

155. Lakehurst

At the Naval Air Test Facility, support functions with 233 military positions and 392 civilian positions will be relocated from the Naval Air Station, Lakehurst, New Jersey, and essential elements with 16 military positions and 898 civilian positions will be relocated from the Naval Air Emergency Center, Philadelphia, Pennsylvania, by December 1974.

156. Lakehurst

The Marine Barracks at the Naval Air Station will be disestablished by January 1974—70 military positions will be reduced.

157. Red Bank

At the Army's Fort Monmouth, the United States Army Signal Center and School and the Communications and Electronics Combat Developments Activity with 922 military positions and 591 civilian positions will be relocated and consolidated with the United States Army Southeastern Signal School and 905 military positions and 470 civilian positions will be reduced by June 1974. In addition, Defense Language Institute activities, for which the Army is the Executive Agent for the Department of Defense, will be relocated to Fort Monmouth with 90 military positions and 424 civilian positions by September 1975, as follows: the Headquarters and East Coast Branch from the Naval Station, Anacostia, Washington, D.C.; the Systems Development Agency from the Presidio of Monterey, California; and the English Language Branch from Lackland Air Force Base, Texas. The West Coast Branch of the Defense Language Institute remains at the Presidio of Monterey, California. These actions are a part of the Army's Schools Realignment Plan.

158. Wrightstown

At McGuire Air Force Base, the 590th Air Force Band will be relocated from Westover Air Force Base and manpower management adjustments will be made by June 1974—294 military positions and 87 civilian positions will be reduced.

NEW MEXICO

159. Alamogordo

At Holloman Air Force Base, Bare Base Equipment sets, along with the required personnel, will be relocated from Shaw Air Force Base, South Carolina, and Seymour-Johnson Air Force Base, North Carolina, and manpower management adjustments will be made by June 1974—299 military positions and 110 civilian positions will be added.

160. Albuquerque

At Kirtland Air Force Base, the 3301st School Squadron United States Air Force Skill Center (Project Transition) will be relocated from Forbes Air Force Base, Kansas; the aircraft of the Air Force's Electronic Systems Division will be relocated from Laurence G. Hanscom Field, Massachusetts; the 188th Tactical Fighter Squadron, New Mexico Air National Guard, will be converted from 24 F–100 to 18 A–7D aircraft and manpower management adjustments will be made by June 1974—seven military positions will be added and 40 civilian positions will be reduced.

161. Albuquerque

The Naval Weapons Evaluation Facility will be reduced and become a component of the Naval Missile Center, Point Mugu, California, by August 1973—10 civilian positions will be reduced.

NEW YORK

162. Bethpage

The scope of operations of the Navy's Plant Representative, Bethpage, Long Island, will be reduced by four military positions by December 1974.

163. New York Naval Complex

The Naval Strategic Systems Navigation Facility, Brooklyn, will be disestablished by June 1974. Essential functions with 271 civilian positions will be relocated to the Naval Air Development Center, Warminster, Pennsylvania, and three military positions and 63 civilian positions will be reduced. The buildings housing this activity will be retained and used as the Naval Station Annex, Brooklyn, New York, to accommodate the consolidated Naval activities in New York City.

164

The Naval Support Activity will be reduced and relocated to the Naval Station Annex, Brooklyn, New York, with 111 military positions and 329 civilian positions and 42 military positions and 43 civilian positions will be reduced by December 1974.

165

The scope of operations of the Third Naval District will be reduced by 36 military and 15 civilian positions and certain functions with 22 military positions and 12 civilian positions will be relocated from the First Naval District and other activities in Boston, Massachusetts, by December 1974.

166

The scope of operations of the Military Sealift Command, Atlantic, will be reduced and the activity, with 57 military positions and 363 civilian positions, will be relocated to the Naval Station Annex, Brooklyn, New York, by December 1974—one military position and 42 civilian positions will be reduced.

167

The scope of operations of the Office of the Commander, Eastern Sea Frontier, will be reduced by 11 military positions by December 1974.

168

The Navy Exchange will be relocated with one military position and 109 civilian positions to the Naval Station Annex, Brooklyn, New York, by December 1974—one military position will be reduced.

169

The scope of operations of the Navy Finance Office will be reduced and the office, with one military position and 22 civilian positions, will be relocated to the Naval Station Annex, Brooklyn, New York, by December 1974—12 military positions and 20 civilian positions will be reduced.

170

The Navy Recruiting District Office with 51 military positions and nine civilian positions will be relocated to the Naval Station Annex, Brooklyn, New York, by December 1974.

171

The scope of operations of the Naval Investigative Service will be reduced by nine military positions by December 1974.

172

The Navy's Public Affairs Office, East Coast, will be disestablished by December 1974—six military positions and one civilian position will be reduced.

173

The Navy's Armed Forces Police Detachment will be disestablished by December 1974—18 military positions will be reduced.

174

The Navy's Office of the Assistant Supervisor of Salvage will be disestablished by December 1974—one military position and one civilian position will be reduced.

175

The Navy's New York Detachment of the Inactive Ships Maintenance Activity, Philadelphia, will be disestablished by December 1974—17 military positions will be reduced.

176

The Naval Audit Office will be disestablished by December 1974—five civilian positions will be reduced.

177

The Office of Naval Research, Area Representative in New York will be disestablished by December 1974—21 military positions will be reduced.

178

The Naval Oceanographic Office, New York Representative, will be disestablished by December 1974—three military positions and one civilian position will be reduced.

179

The Marine Barracks will be disestablished by January 1974—134 military positions will be reduced.

180. Plattsburgh

At Plattsburgh Air Force Base, elements of the 99th Air Refueling Squadron with 10 KC–135 aircraft and required support personnel will be relocated from Westover Air Force Base, Massachusetts; the F–111 aircraft at the Base will receive new missiles, and manpower management adjustments will be made by June 1974—264 military positions and 76 civilian positions will be added.

181. St. Albans

The Naval Hospital will be closed by March 1974. Hospital activities with 90 military positions and 59 civilian positions will be relocated to the Naval Hospital, Portsmouth, Virginia; 53 military positions and 35 civilian positions will be relocated to the Naval Hospital, Philadelphia, Pennsylvania; 25 military positions and 23 civilian positions will be relocated to the Naval Hospital, Charleston, South Carolina. In addition, 349 military positions and 269 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

182. Scotia

The Naval Correspondence Course Center will be closed by March 1974. A total of 29 military positions and 99 civilian positions will be relocated to the Naval Training Publications and Examining Center, Pensacola, Florida, and six military positions and nine civilian positions will be reduced.

NORTH CAROLINA

183. Cherry Point

The scope of operations at the Naval Air Rework Facility, Marine Corps Air Station, will be increased by the relocation of certain elements with 84 civilian positions from the Naval Air Rework Facility, Naval Air Station, Quonset Point, Rhode Island, by June 1974.

184. Fayetteville

At the Army's Fort Bragg, the 72nd Aviation Company with 212 military positions will be relocated from Fort Rucker, Alabama, by July 1973.

185. Goldsboro

At Seymour-Johnson Air Force Base, the Bare Base Equipment sets will be relocated to Holloman Air Force Base, New Mexico, and manpower management adjustments will be made by June 1974—108 military positions will be reduced and 58 civilian positions will be added.

186. Springlake

At Pope Air Force Base, the 318th Special Operations Squadron with 4 C–130E aircraft will be relocated to the Air Force's Elgin Auxiliary Field Number 9, Florida, and manpower management adjustments will be made by June 1974—336 military positions will be reduced and 81 civilian positions will be added.

OHIO

187. Lockbourne

At Lockbourne Air Force Base, elements of the 306th Air Refueling Squadron with 10 KC–135 aircraft will be relocated from McCoy Air Force Base, Florida; the Air Force Reserve Special Operations Group will be converted to a Tactical Airlift Group equipped with 16 C–123 aircraft instead of C–119 aircraft; the Ohio Air National Guard Tactical Fighter Squadron will be converted from F–100 to A–7 aircraft and manpower management adjustments will be made by June 1974—203 military positions and 93 civilian positions will be added.

OKLAHOMA

188. Oklahoma City

At Tinker Air Force Base, selected Communications Electronics Meteorological (CEM) management functions will be relocated to the Sacramento Air Material Area, McClellan Air Force Base, California; three Technology Repair Centers in constant speed drives/pneumatics, oxygen equipment and automatic pilot control and engine instruments will be established over the next two-year period; and manpower management adjustments will be made by June 1974—25 military positions will be added and 1,671 civilian positions will be reduced.

PENNSYLVANIA

189. Mechanicsburg

At the Naval Ships Parts Control Center, the essential functions of the Naval Electronics Supply Office, Great Lakes, Illinois, with 27 military positions and 540 civilian positions will be relocated by December 1974.

190. New Cumberland

At the New Cumberland Army Depot, the rail stock storage mission of the Charleston Army Depot, South Carolina, with two civilian positions will be relocated by July 1974.

191. Phoenixville

The Army's Valley Forge Hospital will be closed by July 1974. The United States Army Medical Material Agency with 27 military positions and 98 civilian positions, including an associated Air Force unit, will be relocated to Fort Detrick, Maryland, and 298 military positions and 347 civilian positions will be relocated to other Army hospitals and activities. A total of 20 civilian personnel will remain as a caretaker force until December 1974, and 221 military positions and 490 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

192. Philadelphia Naval Complex

The scope of operations of the Fourth Naval District will be reduced by 40 military positions and 66 civilian positions by January 1974.

193

The Naval Air Engineering Center at the Naval Shipyard, will be closed by December 1974. Certain functions in aircraft launch, recovery and landing aids with 16 military positions and 898 civilian positions will be relocated to the Naval Air Test Facility, Lakehurst, New Jersey, and other elements with three military positions and 202 civilian positions will be relocated to the Naval Air Test Center, Patuxent River, Maryland. A total of 15 military positions and 911 civilian positions will be reduced. Another 240 civilian personnel at the Naval Air Engineering Center will remain at the Naval Shipyard facility.

194

At the Naval Shipyard, certain elements with 392 civilian positions will be relocated from the Naval Shipyard, Boston, Massachusetts, and the scope of operations will be increased by December 1974—a total of 1,112 civilian positions will be added.

195

At the Naval Hospital, activities from the Naval Hospital, St. Albans, Long Island, New York, with 53 military positions and 35 civilian positions will be relocated by March 1974.

196. Philadelphia

The Marine Corps Supply Activity will be closed by July 1976. Certain functions, with 381 military positions and 948 civilian positions will be relocated to the Marine Corps Supply Center. Albany, Georgia. The Fourth Marine Corps District will be relocated elsewhere in Philadelphia. A total of 50 military positions and 184 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

197. Warminster

At th Naval Air Development Center, certain functions from the Naval Strategic Systems Navigation Facility, Brooklyn, New York, with 271 civilian positions will be relocated by June 1974.

RHODE ISLAND

198. Newport Naval Complex

The Naval Supply Center will be disestablished by June 1974. A total of eight military positions and 188 civilian positions will be relocated to the Naval Schools Command, Newport, Rhode Island, and nine military positions and 335 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

199

Th Naval Station will be disestablished by June 1974. A total of 386 military positions and 197 civilian positions will be relocated to the Naval Schools Command, Newport, Rhode Island, and 81 military positions and 144 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

200

The Naval Public Works Center will be disestablished by June 1974. A total of 11 military positions and 560 civilian positions will be relocated to the Naval Schools Command, Newport, Rhode Island, and two military positions and 85 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

201

The Naval Base will be disestablished by June 1974—26 military positions and 28 civilian positions will be reduced.

202

The Navy's Mobile Technical Unit 8 will be disestablished and 17 military positions will be relocated to the Naval Base, Charleston, South Carolina, by June 1974—eight military positions will be reduced.

203

The Navy's Fleet Training Group and Center will be disestablished and 30 military positions will be relocated to the Naval Base, Norfolk, Virginia, by June 1974—162 military positions and five civilian positions will be reduced.

204

The Naval Ordnance Systems Command Office, Atlantic, will be disestablished by June 1974—one military position and 20 civilian positions will be reduced.

205

Naval Construction Battalion Unit 408 will be disestablished by June 1974—36 military positions will be reduced.

206

The Navy's Atlantic Fleet Combat Camera Group Detachment will be disestablished by June 1974—23 military positions will be reduced.

207

The Navy's Food Management Team will be disestablished by June 1974—four military positions will be reduced.

208

The Navy's Laundry Team will be disestablished by June 1974—four military positions will be reduced.

209

The scope of operations of the Naval Hospital will be reduced by June 1974—175 military positions and 71 civilian positions will be reduced.

210

The scope of operations of the Naval Communications Station will be reduced and 124 military positions and 31 civilian positions will be relocated to the Naval Schools Command, Newport, Rhode Island, by June 1974—24 military positions and three civilian positions will be reduced.

211

The scope of operations of the Navy Correctional Center will be reduced by June 1974—13 military postions will be reduced.

212

The scope of operations of the Naval Finance Office will be reduced by June 1974—nine military positions will be reduced.

213

The scope of operations of the Naval Dental Clinic will be reduced by June 1974—36 military and six civilian positions will be reduced.

214

The scope of operations of the Navy Commissionary store will be reduced by June 1974—22 civilian positions will be reduced.

215

The scope of operations of the Navy Exchange will be reduced by June 1974—one military position will be reduced.

216

The scope of operations of the Naval Schools Command and the Naval Justice School will be reduced by June 1974—117 military positions and six civilian positions will be reduced. In addition, support responsibility for the remaining Naval activities in the area, along with required personnel, will be transferred to the Naval Schools Command from the Naval Station, Naval Supply Center, Public Works Center and Naval Communications Station, Newport, Rhode Island. A total of 529 military positions and 976 civilian positions will be transferred.

217

Seven Navy Fleet Unit Staffs and 39 Naval ships with 12,694 military positions will be relocated by June 1974, to other homeports as follows: Commander, Cruiser-Destroyer, Atlantic; Commander, Cruiser-Destroyer Flotilla 2; Commander, Destroyer Squadron 24; Commander, Destroyer Development Group and 18 sihps to the Naval Base, Norfolk, Virginia; Commander, Destroyer Squadrons 10 and 12; Commander Service Squadron 2 and 10 ships to the Naval Base, Mayport, Florida; 10 ships to the Naval Base, Charleston, South Carolina; and one ship to the Naval Ammunition Depot, Earle, Bayonne, New Jersey.

218. Quonset Point Naval Complex

The Naval Air Station will be closed by June 1974. Certain support elements and personnel will be relocated as follows: four military positions and 14 civilian positions to the Naval Air Station, South Weymouth, Massachusetts; 42 military positions and 48 civilian positions to the Naval Air Station, Jacksonville, Florida; 42 military positions and 49 civilian positions to the Naval Air Station, Cecil Field, Florida; and 127 civilian positions to the Naval Construction Battalion Center Davisville, Rhode Island. A total of 800 military positions and 880 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

219

The Naval Air Rework Facility at the Naval Air Station will be disestablished by June 1974. Certain functions and personnel will be relocated as follows: 263 civilian positions to the Naval Air Rework Facility, Norfolk, Virginia; 84 civilian positions to the Naval Air Rework Facility, Cherry Point, North Carolina; 33 civilian positions to the Naval Air Rework Facility, Jacksonville, Florida; 79 civilian positions to the Naval Air Rework Facility, Pensacola, Florida; 189 civilian positions to the Naval Air Rework Facility, Alameda, California; 756 civilian positions to the Naval Air Rework Facility, San Diego, California; and five civilian positions to other locations. A total of nine military positions and 726 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

220

The Naval Weather Facility will be disestablished by June 1974—25 military positions and 14 civilian positions will be reduced.

221

The Naval Hospital will be disestablished by June 1974. Hospital activities with 80 military positions and 22 civilian positions will be relocated to other Naval hospitals. A total of 37 military positions and nine civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

222

The Navy's Advance Underwater Warfare Detachment will be disestablished by June 1974—30 military positions will be reduced.

223

The Navy's Carrier Anti-Submarine Warfare Air Group, Quonset Point, will be disestablished by June 1974—13 military positions will be reduced.

224

The Navy's Commander, Fleet Air, Quonset Point, organization will be disestablished by June 1974—31 military positions will be reduced.

225

The Navy's Flag Administrative Unit, Commander, Fleet Air, Quonset Point, will be disestablished by June 1974—57 military positions will be reduced.

226

The Naval Air Maintenance Training Detachment will be disestablished by June 1974—53 military positions will be reduced.

227

The Navy's Commander, Anti-Submarine Warfare Group Four, Quonset Point, will be disestablished by June 1974—37 military positions will be reduced.

228

The Naval Air Reserve Training Detachment will be disestablished and 18 military positions will be relocated to the Naval Air Station, South Weymouth, Massachusetts, by June 1974—39 military positions will be reduced.

229

The Navy's Composite Squadron 2 Detachment will be disestablished by June 1974—53 military positions will be reduced.

230

The Navy Commissary Store will be disestablished by June 1974—24 military positions and 72 civilian positions will be reduced.

231

The Navy's Air Engineering Support Unit will be disestablished by June 1974—two military positions will be reduced.

232

The Navy Exchange will be disestablished by June 1974—three military positions will be reduced.

233

The Navy's Explosive Ordnance Detachment will be disestablished by June 1974—three military positions will be reduced.

234

The Marine Barracks will be disestablished by June 1974—89 military positions will be reduced.

235

The Navy's Management Systems Development Office Detachment with 19 civilian positions will be relocated to the Naval Air Station, North Island, San Diego, California, by June 1974.

236

At the Naval Construction Battalion Center, Davisville, support elements with 127 civilian positions will be transferred from the Naval Air Station, Quonset Point, Rhode Island, by June 1974.

237

At the Naval Air Station, Aviation Squadrons VS-22, 24, 30 and 31 with 746 military positions will be relocated to the Naval Air Station, Cecil Field, Florida, by June 1974.

238

At the Naval Air Station, Helicopter Squadrons HS-1, 3, 7 and 11, with 782 military positions will be relocated to the Naval Air Station, Jacksonville, Florida, by June 1974.

239

At the Naval Air Station, Helicopter Naval Reserve Squadron HS–74, with 51 military positions, will be relocated to the Naval Air Station, South Weymouth, Massachusetts, by June 1974.

240

At the Naval Air Station, Aviation Squadron VXE–6 with 367 military positions will be relocated to the Naval Air Station, Point Mugu, California, by June 1974.

241

At the Naval Air Station, various Air Fleet Staffs and Detachments with 66 military positions will be relocated to Norfolk, Virginia, by June 1974.

SOUTH CAROLINA

242. Charleston

The Charleston Army Depot will be reduced to inactive status by July 1974. The contingency supply package and petroleum stock missions with 13 civilian positions will be relocated to the Anniston Army Depot, Alabama, and the rail stock storage mission with two civilian positions will be relocated to the New Cumberland Army Depot, Pennsylvania. A total of 148 civilian positions will be reduced. A caretaker force of one military and 35 civilian personnel will remain until disposition is made of the real property. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal. A total of five civilian positions will be located at the new Army Reserve Center currently under construction at the Depot. The Reserve Center will not be affected by the Depot inactivation.

243. Charleston Naval Complex

At the Naval Base, the following activities will be relocated by June 1974: Mobile Technical Unit 8 with 17 military positions from Newport, Rhode Island; a Submarine Rescue Detachment and other miscellaneous activities and one submarine with 103 military positions from Key West, Florida; 10 Naval ships with 2,821 military positions from Newport, Rhode Island; and three Naval ships with 205 military positions from Long Beach, California.

244

At the Naval Supply Center, certain functions with 25 civilian positions will be relocated from the Naval Shipyard, Boston, Massachusetts, by December 1974.

245

At the Naval Hospital, hospital activities with 25 military positions and 23 civilian positions will be relocated from the Naval Hospital, St. Albans, Long Island, New York, by March 1974.

246

At the Naval Shipyard, the scope of operations will be increased by December 1974—325 civilian positions will be added.

247. Charleston

At Charleston Air Force Base, the Third Military Airlift Squadron with 13 of its 16 C–5A aircraft will be relocated to Dover Air Force Base, Delaware, and the three remaining C–5A aircraft will be relocated to Travis Air Force Base, California; the 20th Military Airlift Squadron with 18 C–141 aircraft will be relocated from Dover Air Force Base, Delaware; the Air Force Reserve Associate Squadron at Charleston Air Force Base, will fly C–141 aircraft instead of being converted to C–5A aircraft and manpower management adjustments will be made by June 1974—684 military positions and 83 civilian positions will be reduced.

243. Sumter

At Shaw Air Force Base, the Bare Base Equipment sets, along with the required personnel, will be relocated to Holloman Air Force Base, New Mexico; the aircraft of the 704th Tactical Air Support Squadron will be decreased to 24 0–2 aircraft; the 703rd Tactical Air Support Squadron will be converted from eight CH–3 helicopters to four CH–3 and two CH–53 helicopters; and manpower management adjustments will be made by June 1974—259 military positions will be reduced and 13 civilian positions will be added.

TENNESSEE

249. Memphis

At the Naval Air Station, the Naval Publications and Examining Center will be disestablished and 23 military positions and 27 civilian positions will be relocated to Pensacola, Florida—one military position and two civilian positions will be reduced. In addition, certain functions with 439 military positions and 31 civilian positions will be relocated from the Naval Air Station, Glynco, Georgia, by December 1974.

TEXAS

250. Abilene

At Dyess Air Force Base, one C–130 Squadron will be relocated from Forbes Air Force Base, Kansas; the 337th Bombardment Squadron will be decreased by five B–52D aircraft; and manpower management adjustments will be made by June 1974—372 military positions and 81 civilian positions will be added.

251. Austin

At Bergstrom Air Force Base, the assigned aircraft of the 702nd Tactical Air Support Squadron will be increased to 34 O–2A aircraft; the 701st Tactical Air Support Squadron will be equipped with four CH–53 helicopters; and manpower management adjustments will be made by June 1974—164 military positions and 35 civilian positions will be added.

252. Laredo

At Laredo Air Force Base, all student pilot training activities will be terminated and the base closed by September 1973. The disposition of the 14th Missile Warning Squadron is under study by the Air Force. A caretaker force of 140 military and 180 civilian personnel will remain until disposition is made of the base. A total of 1,274 military positions and 343 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

253. Mineral Wells

The Army's Fort Wolters will be closed and placed in a caretaker status by July 1974. The primary helicopter training activity with 57 military positions and 11 civilian positions will be relocated to Fort Rucker, Alabama, where all Army aviation training will be consolidated as part of the Army's Schools Realignment Plan. A total of 635 military positions and 558 civilian positions will be reduced in addition to the relocations. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

254. San Angelo

At Goodfellow Air Force Base, the 6948th Air Force Security Service Squadron will be relocated to Kelly Air Force Base, Texas, and manpower management adjustments will be made by June 1974—283 military positions and 41 civilian positions will be reduced.

255. San Antonio

At Kelly Air Force Base, selected Electronic-Control and Distribution Management functions will be relocated to the Sacramento Air Material area, McClellan Air Force Base, California; three Technology Repair Centers in electronics aerospace ground equipment, electro/mechanical aerospace ground equipment and nuclear components will be established over the next two-year period; the 6948th Air Force Security Squadron will be relocated from Goodfellow Air Force Base, Texas; and manpower management adjustments will be made by June 1974—253 military positions will be added and 1,175 civilian positions will be reduced.

256. San Antonio

At Lackland Air Force Base, English Language Branch of the Defense Language Institute, for which the Army is Executive Agent for the Department of Defense, will be relocated with 32 military positions and 223 civilian positions to Fort Monmouth, New Jersey, by September 1975, as part of the Army's Schools Realignment Plan.

UTAH

257. Ogden

At Hill Air Force Base, the 6514th Test Squadron will be relocated from Edwards Air Force Base, California; the aircraft assigned to the 1550th Wing will be decreased; eight Technology Repair Centers in weapons, air munitions, missile components, ram air turbines, landing gears, photographics, training devices, and navigational, electrical/mechanical and environmental instruments will be made by June 1974—35 military positions will be added and 542 civilian positions will be reduced.

VIRGINIA

258. Alexandria

At the Army's Fort Belvoir, the 77th Engineer Company (Port Construction) with 186 military positions will be relocated to Fort Eustis, Virginia, by July 1973.

259. Newport News

At the Army's Fort Eustis, certain units with 929 military positions and 106 civilian positions will be relocated from Fort Story, Virginia, and the 77th Engineer Company (Port Construction) with 186 military positions will be relocated from Fort Belvoir, Virginia, by January 1974. A total of 1,115 military positions and 106 civilian positions will be added.

260. Norfolk Naval Complex

At the Naval Base, the Navy's Fleet Sonar School; a Submarine Rescue Detachment and miscellaneous activities; Auxiliary Submarine Rescue Ship 16 and one submarine will be relocated from the Naval Base, Key West, Florida, by March 1974—492 military positions and nine civilian positions will be added.

261

At the Naval Base, Commander, Cruiser-Destroyer, Atlantic; Commander, Cruiser-Destroyer Flotilla 2; Commander, Destroyer Squadron 24; Commander, Destroyer Development Group; other Naval Fleet Unit Staffs and 18 ships, with 6,696 military positions, will be relocated from the Naval Base, Newport/Quonset Point Naval Complex, Rhode Island, by June 1974.

262

The scope of operations of the Fifth Naval District will be reduced and certain functions with 10 military positions and 10 civilian positions will be relocated to the Eighth Naval District by January 1974—24 military positions and 45 civilian positions will be reduced.

263. Norfolk Naval Complex

At the Naval Supply Center, functions with 191 civilian positions will be relocated from the Naval Shipyard, Boston, Massachusetts, by December 1974.

264

At the Naval Air Station, Norfolk, Naval Helicopter Units HS–15, and HSL–30, and 32 with 735 military positions will be relocated from the Naval Air Station, Lakehurst, New Jersey, by June 1974.

265

The scope of operations of the Naval Air Rework Facility at the Naval Air Station, Norfolk, will be increased by the relocation of functions with 251 civilian positions from the Naval Air Rework Facility, Quonset Point, Rhode Island, by June 1974.

266

At the Naval Shipyard, Norfolk, in Portsmouth, Virginia, certain functions with nine civilian positions, will be relocated from the Naval Shipyard, Hunters Point, California; certain functions with three civilian positions will be relocated from the Naval Shipyard, Boston, Massachusetts, and the scope of operations will be increased by December 1974—332 civilian positions will be added.

267

At the Naval Hospital, Norfolk, in Portsmouth, Virginia, hospital activities with 90 military positions and 59 civilian positions will be relocated from the Naval Hospital, St. Albans, Long Island, New York, by March 1974.

268. Virginia Beach

At the Fleet Combat Direction Systems Training Center, Dam Neck, certain functions with 442 military positions will be relocated from the Naval Air Station, Glynco, Georgia, by December 1974.

269. Virginia Beach

The scope of operations of the Army's Fort Story will be reduced and units and activities with 929 military positions and 106 civilian positions will be relocated to Fort Eustis, Virginia; 147 military positions and four civilian positions will be relocated to other locations; and 78 military positions and 44 civilian positions will be reduced by January 1974.

WASHINGTON

270. Bremerton

At the Naval Shipyard, Puget Sound, one ship with 586 military positions will be relocated from Long Beach, California, and the scope of operations will be increased by June 1974—845 civilian positions will be added.

271. Keyport

At the Naval Torpedo Station, certain functions with 90 civilian positions will be relocated from the Naval Ammunition Depot, Oahu, Hawaii, by June 1974.

VARIOUS LOCATIONS

272

The scope of operations for Naval training activities will be reduced at various installations and complexes—2,520 military positions will be reduced.

PUERTO RICO

273. Aguadilla

Ramey Air Force Base will be closed by July 1973. The 53d Weather Reconnaissance Squadron with WC-130 aircraft will be relocated to Keesler Air Force Base, Mississippi. A caretaker force of 171 military and 136 civilian personnel will remain until disposition is made of the base. In addition to the relocations, 1,355 military positions and 623 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

274. Ponce

At the Naval Communications Station, certain functions with 17 military positions will be relocated from the Navy's Message Center, Naval Station, Key West, Florida, by March 1974.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. SCOTT of Pennsylvania:

S. 1684. A bill to provide that a finding of permanent and total disability under title II or XVI of the Social Security Act, chapters 13 or 15 of title 38, United States Code, or the Railroad Retirement Act of 1937 will be considered as a finding of disability under any of such programs, and for other purposes. Referred to the Committee on Finance.

By Mr. JACKSON:

S. 1685. A bill for the relief of Chief Master Sergeant Donald E. Rudy, U.S. Air Force. Referred to the Committee on the Judiciary.

By Mr. DOMINICK:

S. 1686. A bill to authorize the National Science Foundation to carry out a program to facilitate the application of science and technology to civilian needs, and to assist in establishing civilian research and development priorities, and for other purposes. Referred to the Committee on Labor and Public Welfare.

By Mr. PROXMIRE (for himself and Mr. Nelson):

S. 1687. A bill to repeal the act terminating Federal supervision over the property and members of the Menominee Indian Tribe of Wisconsin as a federally recognized, sovereign Indian Tribe; and to restore to the Menominee Tribe of Wisconsin those Federal services furnished to American Indians because of their status as American Indians; and for other purposes. Referred to the Committee on Interior and Insular Affairs.

By Mr. ERVIN (for himself, Mr. Abourezk, Mr. Baker, Mr. Bayh, Mr. Beall, Mr. Bennett, Mr. Bible, Mr. Brooke, Mr. Burdick, Mr. Harry F. Byrd, Jr., Mr. Church, Mr. Fannin, Mr. Fong, Mr. Goldwater, Mr. Gravel, Mr. Gurney, Mr. Hansen, Mr. Haskell, Mr. Hatfield, Mr. Hathaway, Mr. Hruska, Mr. Humphrey, Mr. Inouye, Mr. Mansfield, Mr. McGee, Mr. McGovern, Mr. Metcalf, Mr. Mondale, Mr. Moss, Mr. Muskie, Mr. Nelson, Mr. Packwood, Mr. Pell, Mr. Percy, Mr. Randolph, Mr. Scott of Pennsylvania, Mr. Stafford, Mr. Taft, Mr. Thurmond, Mr. Tunney, and Mr. Williams):

S. 1688. A bill to protect the civilian employees of the executive branch of the United States Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy. Referred to the Committee on the Judiciary.

By Mr. BENTSEN:

S. 1689. A bill for the relief of Dr. Laurence T. Gayao, his wife, Edith Cabaus Gayao, and their daughter, Lorraine Gayao. Referred to the Committee on the Judiciary.

By Mr. GRAVEL (for himself, Mr. Thurmond, Mr. Randolph, Mr. Fannin, Mr. Humphrey, Mr. Goldwater, Mr. Gurney, and Mr. Scott of Pennsylvania):

S. 1690. A bill to establish a National Amateur Sports Development Foundation. Referred to the Committee on Commerce.

By Mr. GRAVEL:

S. 1691. A bill for the relief of Wallace O. Craig, et al. Referred to the Committee on the Judiciary.

By Mr. RANDOLPH:

S. 1692. A bill to amend title II of the Social Security Act to extend certain benefits to individuals adopted by disability or old-age insurance beneficiaries. Referred to the Committee on Finance.

By Mr. BELLMON:

S.J. Res. 101. Joint resolution proposing an amendment to the Constitution of the United States relating to the nomination of individuals for election to the offices of the President and Vice President of the United States, and to the direct popular election of such officers. Referred to the Committee on the Judiciary.

By Mr. HUGHES (for himself, Mr. Brock, Mr. Baker, Mr. Clark, Mr. Fulbright, Mr. Humphrey, Mr. Mondale, Mr. Nelson, Mr. Stevenson, and Mr. Symington):

S.J. Res. 102. Joint resolution to authorize and request the President to proclaim June 17, 1973, as a day of commemoration of the opening of the upper Mississippi River by Jacques Marquette and Louis Jolliet in 1673. Referred to the Committee on the Judiciary.

By Mr HUMPHREY:

S.J. Res. 103. Joint resolution to direct the Secretary of Transportation to make an investigation and study of the condition and adequacy of farm-to-market roads, railroad beds, and availability of operational rail lines serving rural areas in the United States. Referred to the Committee on Commerce.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SCOTT of Pennsylvania:

S. 1684. A bill to provide that a finding of permanent and total disability under title II or XVI of the Social Security Act, chapters 13 or 15 of title 38, United States Code, or the Railroad Retirement Act of 1937 will be considered as a finding of disability under any of such programs, and for other purposes. Referred to the Committee on Finance.

Mr. SCOTT of Pennsylvania. Mr. President, I am introducing legislation today to correct a needless harassment now facing many of our Nation's veterans, social security beneficiaries, and railroad retirees.

As my colleagues know, there are many disabled individuals who are eligible to apply for benefits under more than one of these programs. Existing law, however, requires that they take one, and sometimes two, separate physical examinations to establish their physical eligibility for each program. It is cruel to require these disabled applicants to go through such a series of often unpleasant and painful examinations.

This problem was recently poignantly described to me in a letter from Mr. James Caldwell of American Legion Post III in Meadville, Pa. Mr. Caldwell wrote:

> As service officer for the American Legion I am aware of a very bad problem that exists for veterans. As you know the social security, veteran's administration and railroad retirement all require separate physical examinations for any man seeking disability retirement or pensions. Because of this often times a veteran is put through much tedious and sometimes painful testing from each agency to determine disability qualifications. If a veteran happens to be a railroad employee seeking his retirement disability from the railroad and also from social security, he must face a battery of tests because neither agency will accept the other's medical records. I know of many cases where a veteran will take four to eight physicals to get one claim certified.

While there are varying classifications of disability under the railroad retirement, veteran's and social security programs, there is no reason why a determination of total and permanent disability under one should not qualify an individual physically for total and permanent disability status under the others.

The legislation I am introducing today does not change the definition of disability under any of these programs. It does, however, create a binding presumption that once a person is found physically qualified for total and permanent disability benefits under one of these Federal programs, he is automatically physically qualified for these same benefits under the others.

The agencies and disability programs affected by this legislation are:

First. Veterans' Administration—100 percent service-connected disability.

Second. Social Security Administration—social security disability—and beginning in January of 1974—aid to the permanently and totally disabled.

Third. Railroad Retirement Board—total and permanent disability.

An applicant would, of course, still have to meet other eligibility requirements for these programs, but once he has been determined physically qualified for one, he would be physically qualified for the others.

In addition, this legislation requires any Federal agency or office which has prepared or collected medical reports or records on an indivdual to make such records available to any other Federal agency, State or locality when so requested by the individual himself.

At this time, there are ten major Federal and State compensation and annuity programs for the disabled which require physical examinations. In addition to those I have already mentioned are: Civil service disability, black lung compensation, unemployment insurance for medical disability, workmen's compensation, temporary disability insurance and benefits for disabled State and municipal employees. While the varying physical disability criteria for each makes it impossible to allow eligibility for one to carry over to the others, under my bill an individual could request that medical records already prepared by one Federal agency be made available to others. I believe that this will allow a reduction in the number of duplicative medical tests and examinations now being performed.

I urge early consideration of this legislation. It will be a humanitarian act on behalf of thousands of disabled individuals, and will go a long way toward reducing inefficiency and duplication in Government.

By Mr. DOMINICK:

S. 1686. A bill to authorize the National Science Foundation to carry out a program to facilitate the application of science and technology to civilian needs, and to assist in establishing civilian research and development priorities, and for other purposes. Referred to the Committee on Labor and Public Welfare.

Mr. DOMINICK. Mr. President, the main byproduct of America's social revolution is doubt, and this doubt has been cast on Government and business alike. Technology has fed this fire and has been characterized as an amoral polluter and dehumanizer. The allegation is made that the rate of change is too rapid to permit a sorting of the good and bad.

I do not subscribe to the indictment, but I do see a great need for improvement. The conflict between limited resources and burgeoning demand will increase rather than decrease our dependence on science and technology—and I am not fearful of that dependency. Science and technology can and must become a cornucopia of solutions to our most pressing problems in such areas as health care, housing, poverty, education, transportation, nutrition, and energy resources.

The bill which I am introducing today provides for the development of new capabilities to adapt and apply science and technology to the solution of public problems. Its provisions call for the structuring of new partnerships between the layers of our Federal Government system. These partnerships will encourage the formulation of new policy and the creation of new institutions to allow for the effective utilization of science and technology in meeting our domestic needs.

Last year, the President in his message on science and technology recognized this principle:

> We must appreciate that the progress we seek requires a new partnership in science and technology—one which brings together the federal government, private enterprise, state and local governments, and our universities and research centers in a coordinated, cooperative effort to serve the national interest. Each member of that partnership must play the role it can play best; each must respect and reinforce the unique capabilities of the other members. Only if this happens, only if our new partnership thrives, can we be sure that our scientific and technological resources will be used as effectively as possible in meeting our priority national needs.

It is time now to ink our signatures on the partnership papers which will put up the money and assign the responsibility to the partners to effect the President's objective.

Today our Government structure is being challenged by new requirements which, in part, result from two recent trends. One of the trends to which I refer reflects the widespread realization that all of our domestic problems cannot be solved in Washington. Many of our most pressing problems fall within the jurisdiction of State and local governments, and it is at these levels where such problems must be handled. Increasingly, attention is being focused on means to enhance State and local capabilities to meet these needs.

The second trend stems from the shift in national priorities away from defense and aerospace developments and toward civilian concerns. With this shift has come the growing desire to bring our vast scientific and technical resources to bear on public problems. A new concept, that of "public technology"—connoting the civilian application of science and technology—has emerged. Because many of the domestic problems which concern us today are the responsibility of State and local governments, and because our scientific and technical resources offer great promise to assist in the solution of these problems, it is vital to concern ourselves with the integration of scientific and technological capabilities at the State and local government levels. The legislation which I present today proposes a means to do precisely this.

The importance of this legislation is underscored in a number of recent developments. A primary one is the cultivation of the new federalism concept which stresses the return of power to State and local governments. The passage of the revenue sharing legislation is a concrete indication of the desire to give the lower levels of government more responsibility. The concept of new federalism is accompanied by an implied mandate to strengthen State and local government organizations so that they are able to effectively assume new responsibilities. Certainly the time is right to foster the development of science and technology capabilities.

Mr. President, also significant is the attention which has recently been directed to intergovernmental science and technology policy and programs. Last year, two major reports and a national conference addressed issues pertinent to State and local science and technology policy. A general consensus emerged from these studies which purported that States and localities lack expertise and the institutions to handle decisions involving science and technology. It was generally concluded that such expertise and institutions must be developed because these governments are, and will continue to be, concerned with matters involving scientific or technical considerations. In addition, States and localities need appropriate capabilities to enable them to effectively participate in Federal programs designed to promote the application of science and technology to public problems.

In recent months, organizational developments in the Federal Government have brought a sense of urgency to the requirement for intergovernmental science and technology policy. I am referring specifically to the sweeping changes which have occurred in the White House science advisory organization. The position of the President's Science Adviser has been abolished. The White House Office of Science and Technology has been abolished and its functions transferred to the National Science Foundation, and the President's Science Advisory Council has been dissolved. The demise of the President's science advisory structure comes at a time of surging demand for the application of new technologies to meet domestic needs. In light of this, it is mandatory that State and local governments be given encouragement and assistance to build their own science advisory mechanisms. Capabilities must be cultivated at the regional, State and local levels to enable these units of government to apply public technology.

Mr. President, this bill has two primary objectives: First, to encourage the placement of a science and technology advisor in each Governor's office; and second, to give the States and localities an opportunity to participate, at the Federal level, in the setting of national R. & D. priorities.

Each State would, if it so desired, qualify on an 80–20 basis for a $100,000

2-year grant to hire and utilize a State science and technology adviser. The adviser would broker technology from the Federal to the State and local levels, and assist in defining and applying science and technology to pressing public problems.

There is a twofold payoff in placing the adviser in the Governor's office. He can advise on new opportunities which hold some promise in efficiency or economy to the State, its agencies and citizens; and he can advise against actions which would have a negative payoff. He can also assist the Governor in establishing comprehensive State plans and policies, in monitoring national trends and in identifying issues and options.

This is not too ambitious an objective if care and attention is given in selecting a competent and dedicated scientist or engineer to staff the slot. His worth would be in translating technical input into understandable output for use at the State and local levels. The bill authorizes $5 million a year to accomplish this objective.

Mr. President, to give States and localities an input in the setting of civilian R. & D. priorities, an Intergovernment Science and Technology Advisory Council is established in the National Science Foundation. The country is broken down into 10 standard regions with two members from each region serving on the Council. In addition, the Directors of the National Science Foundation and the Office of Technology Assessment would bring the total membership to 22. The Council, with its State and local input, would assist the Director in the setting of national R. & D. priorities and in finding ways to facilitate the transfer and utilization of R. & D. results from the Federal to the local level.

The bill embodies a final program as incentive for the States to hire a State science and technology adviser. If a State has an adviser, the State is eligible, either individually or as part of a region, to apply for an intergovernmental science and technology grant. The Federal Government under this program would pay 80 percent of the cost of applying science and technology to such civilian needs in the State or region as health care, poverty, public services, public safety, pollution, housing, education, transportation, or energy resources. The bill authorizes $25 million for fiscal year 1974, and $50 million for fiscal year 1975. In addition, once an appropriation is enacted, the Director is encouraged to spread the grant over 3 years to insure continuity in the State and regional programs.

Mr. President, cities must join with technology rather than becoming its victim; and this legislation gives the State and local people who get their hands dirty dealing with such local day-to-day problems as traffic jams, sewage treatment, road repair and garbage collection to impact on the setting of Federal R. & D. priorities.

I realize that other more grandiose legislative proposals in this area dwarf this bill in comparison, but I believe that this is an absolutely necessary first step. Without a State and local capability, Federal R. & D. efforts will find themselves without a market. As the President observed in his science and technology message:

> We must always be aware that the mere act of scientific discovery alone is not enough. Even the most important breakthrough will have little impact on our lives unless it is put to use and putting an idea to use is a far more complex process than has often been appreciated.

Mr. President, this legislation is the mechanism to strengthen the transfer capability and bring State and local problems and needs more sharply into focus at the Federal level.

The effective channeling and application of scientific developments is a challenge which we cannot afford to let go unmet.

By Mr. PROXMIRE (for himself and Mr. Nelson):

S. 1687. A bill to repeal the Act terminating Federal supervision over the property and members of the Menominee Indian Tribe of Wisconsin as a federally recognized, sovereign Indian Tribe; and to restore to the Menominee Tribe of Wisconsin those Federal services furnished to American Indians because of their status as American Indians; and for other purposes. Referred to the Committee on Interior and Insular Affairs.

THE MENOMINEE RESTORATION ACT

Mr. PROXMIRE. Mr. President, on behalf of myself and Senator Nelson I am today introducing a bill to repeal the act terminating Federal supervision over the Menominee Indian Tribe of Wisconsin; to reinstate the Menominee as a federally recognized, sovereign Indian Tribe; and to make the tribe eligible for the services the Federal Government furnishes to Indians.

THE MENOMINEE INDIANS

Since time immemorial the Menominee Indians have lived in what is now the State of Wisconsin. In 1854 they entered into a treaty with the United States by which the Menominee ceded to the United States their claim to all their land except for 234,000 acres along the Wolf River. This acreage became the Menominee Indian Reservation.

By the early 1950's the Menominee had become, on paper at least, one of the most prosperous Indian tribes in the United States. This prosperity was in large part due to the excellent forest located on their reservation, which was valued at $36,000,000. In addition, the tribe had $10,000,000 on deposit in the Federal Treasury. Over three quarters of this money came from a lawsuit which the tribe won in 1951 against the Bureau of Indian Affairs for mismanagement of the forest. After this lawsuit was settled the Menominee decided that they wanted approximately $5,000,000 of their money distributed to each member of the tribe—$1,500 per capita. This money was to be used for improving housing conditions and for other necessities of life on the reservation. Because the Federal Government held as trusteeship over the Menominee an act of Congress was needed to release the money.

Appropriate legislation was introduced in the Congress in 1953 and soon passed by the House. When the bill reached the Senate it was amended to provide for termination of the Federal trusteeship. The Interior and Insular Affairs Committee recommended that termination be coupled with the provisions granting the Menominee access to their money because the committee felt the tribe had sufficient assets to exist without Federal support. There is some confusion as to whether or not the tribe gave its informed consent to this policy. On June 20, 1953, the principle of termination was approved at a tribal council meeting held on the reservation by a vote of 169–5. But it was later rejected at another council meeting by a vote of 197–0. It should be noted that these two votes represented only 5 percent of the membership of the tribe. Today there is resentment among the Menominee who feel that termination was forced on them as a condition for receiving their money.

In 1954 the Menominee Termination Act was passed. The tribal roll was closed and the Indians were ordered to produce a termination plan. Because of difficulties in drawing up this plan the final date for termination was extended from 1958 to 1961. With the implementation of termination the Federal trusteeship ended, BIA services were withdrawn, and the Menominee ceased to exist as a legal entity. A corporation, Menominee Enterprises, Inc.—MEI—was established to manage the tribal assets—the forest, sawmill, public utilities, and land. Each enrolled Menominee was given 100 shares of stock in this corporation.

EFFECTS OF TERMINATION

It was the intent of Congress that the Menominee should be able to develop on their own initiative free from the control of the Federal Government. By being placed on an equal legal footing with the general population, it was felt that the Indians would be able to expand their economy and to plan their future. But this has not happened. The Menominee have been unable to develop and prosper as it was hoped they would. The observable results of termination are far different from what was expected.

First, the Menominee have lost their liquid assets. The payment of the $1,500 per capita to the tribe and the payment of termination costs exhausted the $10 million which the tribe had. The pretermination assets of the Menominee proved to be insufficient to establish them on a sound economic footing. Although these assets appeared to be substantial on paper, in reality they were not. As a result the Menominee have been hard pressed to obtain the funds needed to survive.

Second, the ending of BIA services cost the Indians their school and hospital. Now most of the children must go to neighboring Shawano County for their education. The Indians are having difficulties obtaining adequate health and dental care.

Third, the Menominee Reservation became Menominee County, one of the smallest and poorest counties in Wisconsin. As a county the Indians now had to meet State standards in all the services they provided. This required large initial expenditures which the county was unable to raise through its taxing power. Since 1961 the Federal Government has spent over $12,000,000 and the State of Wisconsin over $7,000,000 to keep Menominee County functioning. It has cost the American taxpayer over $19 million to support a tribe that before termination was able to pay for its own support.

Menominee Enterprises, Inc., pays only $347,000 a year in property taxes and the individual Indians pay a meager amount. The dollars raised by the community in taxes have not been sufficient to finance adequate services. Part of this deficiency has been made up by State and Federal funds. But where this has not been done, the services have not been provided and the Menominee have suffered.

Fourth, in an attempt to expand the tax base of the county and raise needed money, the Indians have been forced to give up their ancestral land. Before termination, the Menominee successfully resisted all efforts to reduce their land holdings. In the years since the act was passed which terminated the Indian status of the tribe, more than 5,800 acres of land have been sold, and over 95 percent of the land was sold to the non-Menominee.

The present situation in Menominee County is bleak. Average unemployment is 26 percent, as opposed to 5 percent for the State of Wisconsin as a whole. According to the 1970 census the average per capita income for the Menominee County Indians was $1,028 as compared with the $3,158 figure for the State of Wisconsin as a whole. Almost 40 percent of Menominee families had incomes below the poverty level compared with Wisconsin's 7 percent, and 25 percent of those families reported receiving income from public assistance welfare as against 3 percent for the State.

The prospects for the future of Menominee County are even bleaker. The community does not have the funds necessary to expand their industry or to increase the tax base. Economic stagnation is probable. In order to preserve their heritage and cultural identity the Menominees have put an end to the sale of their land. At this time it is thus imperative that additional public funds be funnelled into Menominee County or its tax burden be lessened if the Menominees are to meet their financial obligations. Restoration of Indian status is their only hope for cultural survival.

PREVIOUS ASSISTANCE

The Menominees are not satisfied with the present conditions in their county. They do not want their future to be as I have outlined it. But there is little they can do because of their limited wealth and resources. The Federal Government, which by adopting the policy of termination helped to bring about the condition of the Menominees, is in a position to provide assistance to them so that the present problems can be alleviated and future problems avoided.

Both the Federal Government and the State of Wisconsin have attempted to provide monetary assistance to Menominee County. In 1965 the Nelson-Laird Act, which I was proud to cosponsor, authorized the Secretaries of Commerce, Interior, and Health, Education, and Welfare to make grants and loans available to the Menominee for economic development, health, and educational services. Those funds are no longer available.

While this money has saved the county from total disaster it has not solved the problems that plague the Menominee. Additional funding of this nature is not a long range solution. It would serve only to postpone such a solution. The Menominee do not need another stop-gap measure. They need a measure that will help them overcome their problems of poverty, their lack of adequate educational, health and community services, and their poor economic conditions.

RESTORATION OF INDIAN STATUS

Mr. President, the bill which I am introducing is such a measure. It seeks to provide the Menominee with the long-range assistance which they so desperately need. This legislation has the unified support of the Wisconsin congressional delegation. Representatives of Menominee Enterprises, Inc. and the group known as Drums—Determination of Rights and Unity of Menominee Stockholders—have agreed that it is imperative for the bill to be introduced at this time in its present form in order that hearings may begin and any final difficulties ironed out. They feel that if legislation is not enacted the Menominee will be unable to survive as a people.

The general intent of this bill is to restore the Menominee to trust status and put them in the same relationship to the Federal Government that all other federally recognized tribes are in. It will help solve their problems by removing them from their present disastrous status. The bill repeals the Menominee Termination Act of 1954 which was the beginning of the tribe's problems. As I have stated at length above, the 1954 act has been of no benefit to the tribe, but rather has created insoluble problems. Removing the act from the books is the first step in helping the Menominee.

The bill then reopens the rolls of the tribe that have been closed since 1954. All Menominee children who have been born in the interim will be legally recognized as members of the tribe. Opening the rolls is necessary to determine who is eligible to receive the services being made available. Provision is made to assure that all potential enrollees are considered.

The Menominee are to be made eligible to receive all the services and funding that the Federal Government makes available to Indians because of their status as Indians. In addition to funds they will be able to receive the technical assistance that they must have to adequately provide community services and to develop their economy. This should cost the Federal Government less in the long run than continual allocations of funds through legislative measures such as the Nelson-Laird Act. Before termination the Menominee were able to reimburse the Government for the costs of running the reservation. It is a possibility that given enough time they will be able to do so again.

The next sections of the bill enable the Menominee to establish their own tribal government and business organization. The provisions are similar to those of the Indian Reorganization Act. This will give the Menominee the control over their internal affairs that Congress intended all federally recognized Indian tribes to have.

The present form of this bill states that Federal services will commence on the date of the enactment of the act. However, the assumption of tribal assets by the Secretary of the Interior and the establishment of a trust relationship with the Federal Government will not become effective until 2 years following the enactment of this bill. Although I agree that ample time must be given to prepare for the transfer of land and the establishment of Federal trust, I feel that 2 years is longer than actually necessary. I hope that the committee will give careful consideration to this section 6(a) of the bill and the possibility of shortening the time before restoration shall become fully established.

The Secretary of the Interior is authorized to receive and hold in trust for the Menominee such assets as the present tribal corporation, Menominee Enterprises, Inc., or individual Menominee; may wish to convey to him. Both MEI and the Menominee people have expressed a desire for their assets to be placed in such a trust.

Since termination MEI has sold some of the Menominee land to the non-Menominee. This bill will not adversely affect the ownership of this land in any way. The purchasers of this land bought it in good faith and it is theirs as long as they wish to retain it. If a person who now owns land in Menominee County wants to sell or give it to the tribe to be held in trust by the Secretary, he could do so. Property rights are conveyed neither to Indian nor non-Indian owners. Furthermore, after consultation with the Secretary of the Interior the tribe will make what rules and regulations it feels are necessary to protect the land which they own, including the forest land, so that it will not be destroyed or unwisely used.

The bill provides that all debts, including tax obligations of MEI, individual Menominee, and other people shall not be affected by the restoration legislation. MEI must pay all of its bills and individual Menominee will still be liable for taxes. Land transferred to the Secretary of the Interior by the Menominee owner or owners to be held in trust shall be subject to all valid existing rights including, but not limited to liens, outstanding taxes—local, State, and Federal—mortgages and any other obligation. This provision will protect people who may have loaned money to MEI or Menominee people. There will be no tax upon the transfer from MEI to the Secretary of the Interior. After the transfer the land will be completely nontaxable.

The U.S. Supreme Court in 1968 ruled that the Menominee Termination Act did not extinguish the hunting and fishing rights guaranteed by the Wolf River Treaty of 1854. The Restoration Act will maintain Indian rights and provide that the tribe's constitution may regulate hunting, fishing, and trapping on the reservation. Fishing by the non-Menominee will be regulated by the State of Wisconsin.

This legislation also declares it to be the policy of the U.S. to provide full financial assistance for Menominee students to those educational agencies which enroll two or more members of the tribe who reside on the reservation or within the boundaries of Menominee County.

The final sections of the bill authorize the appropriation of necessary funds and allow the Secretary of the Interior to make necessary rules and regulations.

Menominee County and its government were established by the Wisconsin State Legislature. This bill will not alter or abolish the county structure. The State Legislature will have to decide at a future date what action, if any, should be taken in this regard.

NEED FOR ACTION

It is my hope that this bill will soon be the subject of hearings in the Senate Interior Committee so that the Menominee will be able to tell their own story. The problems which they have had since termination are manifold. The facts when presented will speak for themselves. After the hearings I hope this bill will be able to receive speedy and sympathetic consideration by the full Senate. Each passing day increases the problems of the Menominee people. Assistance should be provided for them as soon as possible.

Mr. President, I send this bill to the desk and ask that it be appropriately referred. I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1687

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Menominee Restoration Act."

Sec. 2. For the purpose of this Act—

(1) The term "tribe" means the Menominee Tribe of Wisconsin.

(2) The term "Secretary" means the Secretary of the Interior.

(3) The term "Menominee Restoration Committee" means that committee of nine Menominee Indians who shall be elected at a general council meeting called by the Secretary pursuant to section 4(a) of this Act.

Sec. 3. (a) Effective on the date of enactment of this Act, Federal recognition is hereby extended to the Menominee Indian Tribe of Wisconsin.

(b) The Act of June 17, 1954 (25 U.S.C. 891–902) is hereby repealed. There are hereby reinstated all rights and privileges of the tribe or its members under Federal treaty or otherwise which may have been diminished or lost pursuant to the Act of June 17, 1954 (25 U.S.C. 891–902).

(c) Nothing contained in this Act shall diminish any rights or privileges enjoyed by the tribe or its members now or prior to June 17, 1954, under Federal treaty or otherwise. Except as specifically provided in this Act, nothing contained in this Act shall alter any property rights or obligations, any contractual rights or obligations, or any obligations for taxes already levied.

Sec. 4. (a) Within fifteen days after the date of enactment of this Act the Secretary shall announce the date of a general council meeting of the tribe to elect the Menominee Restoration Committee. Such general council meeting shall be held within 60 days after the date of enactment of this Act. All living persons on the final roll of the tribe published under section 3 of the Act of June 17, 1954 (25 U.S.C. 893) and all descendants, who are at least 18 years of age, of persons on such roll shall be entitled to attend, participate, and vote at such general council meeting. The Secretary shall approve the Menominee Restoration Committee if he is satisfied the requirements of this section relating to the general council meeting have been met. The Menominee Restoration Committee shall represent the Menominee people in the implementation of this Act and shall have no powers other than those given to it in accordance with this Act.

(b) The membership roll of the Menominee Tribe of Wisconsin which was closed as of June 17, 1954, is hereby declared open. The Menominee Restoration Committee, under contract with the Secretary, shall proceed to make current that roll in accordance with the terms of this Act. The names of all enrollees who are deceased as of the date of enactment of this Act shall be stricken. The names of any descendant of a person who is or was enrolled shall be added to the roll provided such descendant possesses at least one-quarter degree Menominee Indian blood. Upon the installation of elected constitutional officers of the Menominee Indian Tribe of Wisconsin, the Secretary and the Menominee Restoration Committee shall deliver their records, files, and any other material relating to enrollment matters to the tribal governing body. All further work in bringing and maintaining current the tribal roll shall be performed in such manner as may be prescribed in accordance with the tribal governing documents. Until responsibility for the tribal roll is assumed by the tribal governing body, appeals from the omission or inclusion of any name upon the tribal roll shall lie with the Secretary and his determination thereon shall be final. The Secretary shall make the final determination of each such appeal within 60 days after and appeal is initiated.

Sec. 5. (a) The Menominee Restoration Committee, under contract with the Secretary, shall conduct an election by secret ballot for the purpose of determining the tribe's constitution and by-laws. The Secretary shall enter into such contract with the Menominee Restoration Committee within 90 days after the enactment of this Act. The election shall be held within 180 days after the enactment of this Act.

(b) The Menominee Restoration Committee shall distribute to all enrolled persons who are entitled to vote in the election, at least thirty days before the election, a copy of the constitution and by-laws as drafted by the Menominee Restoration Committee which will be presented at the election, along with a brief impartial description of the constitution and by-laws. The Menominee Restoration Committee shall freely consult with persons entitled to vote in the election concerning the text and description of the constitution and by-laws. Such consultations shall not be carried on within fifty feet of the polling places on the date of the election.

(c) The Menominee Restoration Committee, under contract with the Secretary, shall conduct an election by secret ballot for the purpose of determining the individuals who will serve as members of the tribe's governing body. The Secretary shall enter into such contract with the Menominee Restoration Committee within 60 days after the tribe adopts a constitution and by-laws pursuant to subsection (a) of this section. The election shall be held within 120 days after the tribe adopts a constitution and by-laws.

(d) In any elections held pursuant to subsections (a) and (c) of this section, the vote of a majority of those actually voting shall be necessary and sufficient to effectuate the adoption of a tribal constitution and by-laws and the election of the tribe's governing body, so long as, in each such election the total vote cast is at least 30 per centum of those entitled to vote.

(e) The Act of June 18, 1934 (25 U.S.C. 461 et seq.) shall not apply to any election under this Act.

Sec. 6 (a) Subsections (c) and (d) of this section shall not become effective until two years following the enactment of this Act.

(b) The Secretary shall negotiate with the elected members of the Menominee Common Stock and Voting Trust and the board of directors of Menominee Enterprises, Incorporated, or their authorized representatives, to develop a plan for the assumption of the assets of the corporation.

(c) The Secretary shall, subject to the terms and conditions of the plan negotiated pursuant to subsection (b) of this section, accept the assets (excluding any real property not located in or adjacent to Menominee County, Wisconsin) of Menominee Enterprises, Incorporated, but only if transferred to him by the board of directors of Menominee Enterprises, Incorporated, subject to the approval of the shareholders as required by the laws of Wisconsin. Such assets shall be subject to all valid existing rights including, but not limited to liens, outstanding taxes (local, State, and Federal), mortgages, outstanding corporate indebtedness of all types, and any other obligation. The land and other assets transferred to the Secretary pursuant to this section shall be subject to foreclosure or sale pursuant to the terms of any obligation in accordance with the laws of the State of Wisconsin. Subject to the conditions imposed by this section, the land transferred shall be taken in the name of the United States in Trust for the Menominee Tribe of Wisconsin and shall be their reservation. The transfer of assets authorized by this section shall be exempt from all local, State, and Federal taxation. All assets transferred under this section shall, as of the date of transfer, be exempt from all local, State, and Federal taxation.

(d) The Secretary shall accept the real property (excluding any real property not located in or adjacent to Menominee County, Wisconsin) of members of the Menominee Tribe, but only if transferred to him by the Menominee owner or owners. Such property shall be subject to all valid existing rights including, but not limited to liens, outstanding taxes (local, State, and Federal), mortgages and any other obligation. The land transferred to the Secretary pursuant to this section shall be subject to foreclosure or sale pursuant to the terms of any valid existing obligation in accordance with the laws of the State of Wisconsin. Subject to the conditions imposed by this section, the land transferred shall be taken in the name of the United States in trust for the Menominee Tribe of Wisconsin and shall be part of their reservation. The transfer of assets authorized by this section shall be exempt from all local, State, and Federal taxation. All assets transferred under this section shall, as of the date of transfer, be exempt from all local, State, and Federal taxation.

(e) The Secretary and the Menominee Restoration Committee shall consult with appropriate State and local government officials to assure that the provision of necessary governmental services are not impaired as the result of the transfer of assets provided for in this section.

Sec. 7. The tribe's constitution shall provide that the governing body of the tribe, after full consultation with the Secretary, (1) shall make rules and regulations for the operation and management of the tribal forestry units on the principle of sustained-yield management, (2) may make such other rules and regulations as may be necessary to protect the assets of the tribe from deterioration, and (3) may regulate hunting, fishing, and trapping on the reservation. Fishing by non-Menominees on Legend Lakes, LaMotte Lake, Moshawquit Lake, and Round Lake shall be regulated by the State of Wisconsin, and the State shall stock these lakes in the same manner as other lakes regulated by the State of Wisconsin.

SEC. 8. In recognition of the special educational needs of Menominee students and of the responsibility of the United States for the impact that members of the Menominee Tribe have on local educational agencies, Congress declares it to be the policy of the United States to provide full financial assistance for Menominee students to those local educational agencies which enroll two or more members of the tribe who reside on the reservation or within the boundaries of Menominee County.

SEC. 9. The Secretary is hereby authorized to make such rules and regulations as are necessary to carry out the provisions of this Act.

SEC. 10. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Mr. NELSON. Mr. President, the bill introduced today, the Menominee Restoration Act, repeals the Menominee Termination Act of 1954 which terminated Federal jurisdiction over the Menominee Indian Tribe of Wisconsin. The bill is similar to that introduced in the 92d Congress.

As Governor of Wisconsin in 1961, it seemed to me that the policy of termination was unwise and unsound. I came to Washington at that time to oppose the policy on the grounds that it would not work. It is quite obvious now that it has not worked and will not work.

After termination it very soon became clear that Menominee County—which is what the Menominee Reservation became once termination was effected—was in desperate economic straits. Accordingly in 1966, the Nelson-Laird bill was introduced in the Senate; this bill resulted in an appropriation of over $1.8 million for Menominee County for the purposes of education, public welfare benefits, health and sanitation services, and the construction of sanitation facilities. The fact that such a measure was needed was an indication of the failure of the policy of termination.

The Menominee Termination Act was passed in 1954, even though the 197 members of the general council of the Menominee Tribe voted unanimously to oppose the bill. The measure required termination no later than December 31, 1958, but the act was amended several times and termination did not take effect until April 30, 1961. On that date, the Menominee Reservation became Menominee County.

In hearings on the Termination Act, the overwhelming majority of Indians testified in opposition to the legislation. The arguments presented touched on the following matters: First, financial concerns; second, loss of treaty rights and privileges; third, concern for the state of tribal preparedness; fourth procedural issues; and fifth, emotional ties to tribal lands.

Not only did the Menominee Tribe object to the policy of termination before the act was passed, but also after the passage of the act they tried in vain to prepare themselves for the withdrawal of Federal services. They were successful in extending the effective date until 1961, but as was evident then and has become increasingly evident since, this was not long enough to adequately prepare for termination.

In 1961, the Bureau of Indian Affairs terminated all education, health, and utility services which had been provided for years. But what the Menominee were left with is graphic testimony to the woeful inadequacy of the preparation for termination. They were saddled with a school and hospital both of which had to be closed, because they did not meet State standards. The sewerage system was also substandard and had to be renovated at Menominee expense. It was discovered that the sawmill had over 100 State violations of the safety code. In addition, the roads were substandard and required substantial repair work.

It was bad enough that the Menominee had to undergo termination at all. But not only were they forced to do so, but also as a result of a congressional decision, they had to pay for most of the costs of termination.

Mr. President, a recent report of the Bureau of Indian Affairs to the House Committee on Appropriations and the House Interior Committee reveal the vast evidence of the failure of termination to make the Menominee Indian Reservation self-sufficient.

That report, submitted on April 6, reported that "almost without exception, the economic and social indicators for the Menominees are considerably lower than those of any other population segment in the State of Wisconsin":

> EMPLOYMENT
>
> Only 46% of Menominee County Indians were reported in the labor force, compared to 59% for the State of Wisconsin. The low figure is caused by the fact that almost a fourth of those in the labor force were reported as disabled or handicapped. Of those in the labor force, 26% were unemployed, as opposed to 5% for the state.
>
> INCOME
>
> The average per capita income for Menominee County Indians was $1,028 compared to Wisconsin's $3,158 and the average family income for Menominee County Indians was one-half that of the State's. . . . Almost 40% of the Menominee County Indian families had income below the poverty level.
>
> TAXES
>
> In the 60's, the total taxes paid by the Menominees doubled. Even with this steady rise, the revenues obtained were not sufficient to meet the needs of the Menominees.
>
> EDUCATION
>
> The median grade completed by persons 25 years of age and older was 9.2 for the Menominee Indian, but 11.9 for the people of Wisconsin. More than 75% of the former have dropped out of school before graduating.
>
> HEALTH
>
> There are neither hospital facilities nor practicing physicians in Menominee County. Both services were available prior to termination.
>
> HOUSING
>
> Half of Indian occupied homes in Menominee County have complete plumbing and central heating . . . somewhat more than a third have telephones. All of these facilities are available to more than 90% of homes elsewhere in the State. The median value of Menominee County homes was a little over $5,100, which is less than a third of the State's average.

To a large extent, the 26-percent unemployment rate can be directly attributed to the Termination Act. After termination, Menominee Enterprises, Inc.—the corporation set up to run the affairs of the Menominee—was faced with the task of paying taxes and making profit enough to support all the costs and services related to running a county government. Thus, MEI was forced to maximize efficiency in the Indian-owned sawmill, which meant dismissing a large number of Menominee who worked in the mill. Since the mill is virtually the only source of employment in the area, the unemployment rate rose drastically.

Another major effect of termination was the end of tribal ownership of the land. Under the termination plan, the tribal land was transferred to MEI. The Menominee people were forced to buy, from MEI, the land which they had lived on for years and which they had always considered to be their own.

Not only were the Menominee forced to buy their land, but also as a result of termination they have been forced to sell part of their land to expand the tax base and provide money for all the badly needed services of the county. MEI, in cooperation with a recreation developer, sold more than 8,700 acres of land to non-Indians. In the words of one Menominee, this is roughly analogous to "burning down your house to keep warm in a blizzard."

To an Indian tribe, land is much more than just a material asset. It is a birthright, symbol of a proud cultural heritage, and the last refuge from an encroaching white society which has refused to leave the Indian tribes in peace.

Under termination, MEI held and managed all Menominee assets: forest, sawmill, utilities, and land. Each of the 3,270 Menominee received 100 $1 shares of stock in the corporation and an income bond guaranteed to mature at $3,000 in December, 2000, and bearing interest at the rate of 4 percent—$120—per year.

Many Menominee were forced to sell their bonds in order to buy the land which they had lived on for their whole lives. Menominee were also required to sell their bonds in order to qualify for welfare. Accordingly, the State of Wisconsin has accumulated over $1,200,000 worth of these bonds.

The Menominee voted to maintain the nonnegotiability of their stock until 1974. But it may be only a matter of time before the pressing economic demands on the tribe will force a vote for negotiability. And, of course, if this happens, the tribe will lose what little control it has over its own destiny.

The policy of termination has been rejected in deed, if not in words, by both the Bureau of Indian Affairs and the Congress. The President himself has come out quite strongly against the policy. In a 1968 address to the National Congress of American Indians, Richard Nixon stated:

> Termination of tribal recognition will not be a policy objective, and in no case will it be imposed without Indian consent.

In 1970, President Nixon stated that—

> Because termination is morally and legally unacceptable, because it produces bad practical results, and because the mere threat of termination tends to discourage greater self-sufficiency among Indian groups, I am asking that the Congress pass a new Concurrent Resolution which would renounce, repudiate and repeal the termination policy as expressed in House Concurrent Resolution 108 of the 83rd Congress (August, 1953.)

Mr. President, this legislation would do that which President Nixon has asked the Congress to do; namely, repeal the past policy of termination.

Certainly it would be indefensible to admit that Congress erred in its policy of termination, and then not to rectify that error by reversing termination. The experiment of termination was a failure. The very least we can do is come to the aid of one of the tribes upon which the experiment was tried.

One of the motives for passage of the termination was a desire for the Federal Government to save money when the Menominee became self-supporting. However, it can be shown that even on the basis of economics, it would be in the best interest of Congress and the Nation to repeal termination of the Menominee Tribe. Since 1961, when termination took effect, the Federal Government has spent more than $19 million in regular and special grants for health care, education, welfare, highways, housing, property tax relief, sewer and sanitation facilities, shared taxes and other purposes. In 1971, the Federal Government spent more than $2,444,000 in Menominee County. The Bureau of Indian Affairs has estimated that it would cost approximately $1,415,000 per year to restore BIA-authorized services to the Menominee. The Public Health Service estimates that it would cost approximately $638,000 annually to provide adequate health care for the Menominee.

Thus, the total amount of restoring the Menominee to their federally recognized status would be $2,053,000 or $391,000 less than the Federal Government spent in Menominee County in fiscal year 1971.

Not only have the Federal aids and grants been quite costly, but they have also been ineffective. This fact can be seen easily by considering the terrible economic and social plight of the Menominee people today—even after millions of Federal dollars have been spent.

Mr. President, the drive for restoration of the Menominee Indian tribe has also aided in the development of a coordinated and representative governing body of the Menominee, MEI. Over the past several years, an organization known as Determination of Rights and Unity of Menominee Stockholders, DRUMS, has worked long and hard to provide backing to the efforts for restoration. This organization, with the participation of a great many of the Menominee citizens, succeeded in totally changing MEI over to be a representative corporation. The supporters of DRUMS have a solid majority on the MEI voting trust, which represents the Menominee people, and on the MEI governing board, which is responsible for the day-to-day activities of the corporation. Through the efforts of the Menominee people, an office has been established here in Washington to aid in providing support for the Menominee Restoration Act. They have worked for many months toward this end, and are to be highly commended for their patience and diligence.

To illustrate the work of DRUMS and MEI, I ask unanimous consent that two articles concerning the Menominee Indians and one of their leaders, Ada Deer, be printed in the RECORD at this point.

There being no objection, the article were ordered to be printed in the RECORD, as follows:

[From the Wisconsin State Journal, Mar. 17, 1973]

Tribe Tries for a Comeback

(By W. L. Christofferson)

Wisconsin's Menominee Indians, facing legal extinction as a tribe, hope Congress will take them under its federal wing again.

They also want restoration of federal trusteeship of their lands, and the government services they formerly enjoyed.

All this could happen, Menominee leader Ada Deer said, through passage of the Menominee Restoration Act to be introduced soon by Wisconsin's two senators and most, if not all, of its U.S. representatives.

Passage of the act would undo many of the effects of termination, a federal policy which in 1961 created Menominee County from the tribe's 362-square mile reservation in northeast Wisconsin.

The area would remain a county and not revert to reservation status if the act wins approval. But many of the services now provided by county government would again be federally financed.

The late Sen. Arthur V. Watkins of Utah is seen by some Menominee leaders as the villain of the termination policy.

Watkins, who was chairman of the Senate's committee on Indian problems, was a supporter of termination and got Congress to adopt a basic policy of eventual termination for all native Americans.

He saw a chance to apply the principle to the Menominee in 1953, when a bill was introduced to distribute among members of the tribe $5-million of a $7.6-million judgment awarded the Menominee for mismanagement of their forest lands by the Bureau of Indian Affairs (BIA).

Watkins, using acceptance of termination as a condition of approving the money distribution, got the "principle of termination" adopted by a 169–5 vote of the Menominee. Only 5 per cent of the tribe participated, Miss Deer said, and many boycotted the vote to protest termination.

The action set in motion the machinery which finally brought about termination in 1961.

Termination has meant "complete disaster" for the tribe, said Miss Deer, who has been in the forefront of a three-year internal struggle among the Menominee which led to agreement to press for the restoration act.

Termination, she said, did much more than dissolve the Menominee reservation.

It took away most of the Menominees' century-old treaty rights, services, and protections. It stopped all services provided by the BIA, including education, health, utility, and medical services.

And it provided that no names would be added to the official Menominee tribal roll after 1954. That, Miss Deer charges, constitutes "cultural genocide" as the tribe slowly dwindles in number with no new members added.

Finally, termination set up Menominee Enterprises, Inc. (MEI), to handle the tribe's land holdings and promote economic development in the county.

MEI found itself with the sawmill it operated as the county's only real industry, with virtually no tax base to raise revenue, and with a demand for services discontinued by the federal government.

Since termination there has been no doctor or clinic in the country. The state has required the county to renovate a substandard sewage system which had been federally installed. And the tribe was ordered to pay the costs of termination.

By the time termination took effect in 1961 the tribe was operating at a $250,000 annual deficit, and that became worse.

Finally, MEI agreed to enter partnership with a private developer and sell off 5,000 acres of land to non-Indians for a recreational home development around an artificial lake. That was seen as a last-ditch attempt to broaden the tax base and improve the economic picture.

Against that backdrop, an organization called DRUMS (Determination of Rights and Unity of Menominee Stockholders) took up its fight three years ago. It challenged the sale of tribal land, claiming only a two-thirds vote of the tribe could authorize that, and went to court to halt the development.

DRUMS staged rallies and demonstrations, marched on the State Capitol—and organized to win political control of the tribe's economic interests held by MEI. The dissidents got four members including Miss Deer, elected to the 11-member Menominee Stock and Voting Trust in 1971, and Miss Deer was elected chairman.

She was reelected last year when DRUMS solidified its hold on the trust, which names the directors of MEI.

Now, Miss Deer said, Menominees are unified in their support of the restoration bill. "We've created a tide now," she said, and national Indian groups have pledged their support of the act.

Miss Deer, 37, who left the University of Wisconsin Law School to devote full-time to the Menominee cause, is now chief lobbyist in Washington for the restoration bill. She was in Madison this week to meet with legislators and officials to seek support of the bill.

The bill would again make the federal government the trustee of Menominee land.

It also provides for preparation of a new tribal roll, to include the descendants of those on the "final" roll in 1954. Miss Deer estimates more than 1,000 young Menominee born since 1954 have not been enrolled as members of the tribe.

Under the bill, any persons with one-fourth or more Menominee blood would be eligible for nearly the same benefits and services the tribe received from the BIA before termination.

Restoration would take place within 13 months of passage of the bill, under the direction of a committee to be elected by the tribe.

It would also allow—but not require—the tribe to buy back land sold for development.

Menominee County had a population of 2,600 in the 1970 census. Of that total, 300 were non-Indians.

[From the Capital Times, Apr. 18, 1973]

UW Woman Grad Activist Chief of Menominees

(By Patricia L. Raymer)

WASHINGTON.—In 1953, for one brief moment, Ada Deer was a Hollywood starlet.

Columbia Pictures had chosen the 17-year-old Menominee as one of the "most beautiful Indian girls in America." Yet makeup men spent two hours painting her face to make her look more like an Indian for the grade B western. She was the only female Indian allowed to do more than grunt, and the script went like this:

Deer: "Did you meet the soldiers?"

Actor: "I do not speak to mere woman. I speak only to the chief."

A few days later, "The Battle of Rogue River" began its long journey to the late-late show. But the world had not heard its last from Ada Deer.

Today, when people ask to speak to the chief, it's Ada Deer who answers.

Aggressive, tough, determined and optimistic, 37-year-old Ada Deer is the modern-day "chief" of northern Wisconsin's Menominee Indian tribe.

She's in Washington to lobby for federal "restoration" of her tribe. Before Congress recesses Friday, it is expected to consider a bill restoring federal aid and reservation status to the self-governing Menominees.

More than a decade ago, Congress decided the tribe was ready to move into the white man's world of sewer districts and depletion allowances, and closed out the federal books. Since becoming Wisconsin's newest (and poorest) county, the once-happy wild rice harvesters have fallen on hard times.

Although the call for Menominee restoration (included in the Indians' 20 demands during the Bureau of Indian Affairs takeover last fall) is a small part of the national Indian movement, Deer sees the bill as a possible landmark case.

"To the current Indian movement," says Deer, "the next few years are as important as the 1954 school desegregation decision was to blacks."

The tale of the Menominees says something about what has happened to many Indians. In a few years, they have gone from riches to rags. Indians and government officials alike now agree that termination was a real disaster.

Although the Menominee tribe is still intact, problems associated with self-government have been phenomenal. Land has been sold in bits and pieces to pay for services formerly provided by the government. Medical care is almost nonexistent and educational problems abound. About half the tribe is now on welfare.

"I don't know anyone who could have brought that bill so far so fast. The Menominees were a dead issue in Congress before she began working on it," says Rep. Lloyd Meeds (D-Wash.), chairman of the House Indian Affairs Subcommittee and co-sponsor of the Restoration Bill.

"Since I met Ada, life hasn't been the same," said Rep. Meeds. "Meeting her is like plugging into a switchboard with all lines full. When she's around, there's a charged atmosphere and you just get the feeling you want to do things."

She is not yet over the wonder of her sudden entry into the Washington political scene and is surprised by the number of invitations she receives to tell her story to Cabinet members, Senators and other government bigwigs. Yet, while her enthusiasm is childlike, her attitude is tough and serious.

For Deer, every social event is a business meeting and every business encounter is a social experience.

NCAI President Trimble sees Deer as "clearly one of today's Indian leaders. There are not too many Indians who don't know the name of Ada Deer."

He classifies her as a "unique tie between the radical and conservative Indians."

Deer's road to activism was a calculated one. She decided at an early age to involve herself with the Indian cause.

After being the first Menominee to graduate from the University of Wisconsin, she went on to the Columbia University School of Social Work in New York, from which, she believes, she was the first and only Indian to graduate.

Before taking on the Menominee cause full time, Deer spent 1½ years at the Wisconsin Law School, where she'll return when and if the Restoration Bill passes. Before law school she worked as a community organizer in New York's Bedford-Stuyvesant area, was program director of a Minneapolis Neighborhood House, served as a community service coordinator for the BIA, and directed a minority youth program in northern Wisconsin.

Ada Deer lived most of her first 18 years on the Menominee reservation in a one-room log cabin without electricity or running water. She is the oldest of nine children. Five lived beyond infancy.

Her father is a laborer still employed at the Menominee Lumber Mill, the tribe's only source of employment. Like a high percentage of male Indians past and present, he is an alcoholic. Her mother is white, a nurse who came to the reservation while working for the BIA.

Deer attributes her activism to her mother, who since 1954 "has been clubbing me on the head to save the Menominees from termination."

Deer lives on 500 dollar a month salary from the Menominee Common Stock and Voting Trust, of which she is elected chairman. The Menominees have no tribal council, but are organized as a corporation, the chairman is the equivalent of Indian or tribal chief.

She has no official Washington residence and camps out with local friends.

"I know I can't keep up this kind of life forever, but basically I'm doing this because I want to," she says.

"Mainly, I want to show people who say nothing can be done in this society that it just isn't so. You don't have to collapse just because there's federal law in your way. Change it!"

Mr. NELSON. It is important that the Menominee restoration bill be introduced and considered by committee as early as is possible. Thus, one section of the restoration bill is being included in the legislation introduced today even though there is not unanimous support of this provision from the delegation. This section provides that the transfer of the Menominee land held by MEI to the Department of the Interior not take place for 2 years from the date of enactment of the Restoration Act. Although I believe that it should be possible to complete the necessary arrangements between the tribe, the landowners, and the Interior Department in a much shorter period of time, the section is being included in the bill at the request of another Member of the Wisconsin delegation who, other than that section, is in complete agreement with the principle of restoration.

Mr. President, now is the time for Congress to act and move toward righting the wrongs perpetrated on the Menominee people. We must reassert and reassume our treaty obligations toward the Menominee. The proposed bill would do just that: Protect their assets, lands, resources, and rights and provide the basic and necessary community services to which the Menominee people are justly entitled.

By Mr. ERVIN (for himself, Mr. Abourezk, Mr. Baker, Mr. Bayh, Mr. Beall, Mr. Bennett, Mr. Bible, Mr. Brooke, Mr. Burdick, Mr. Harry F. Byrd, Jr., Mr. Church, Mr. Fannin, Mr. Fong, Mr. Goldwater, Mr. Gravel, Mr. Gurney, Mr. Hansen, Mr. Haskell, Mr. Hatfield, Mr. Hathaway, Mr. Hruska, Mr. Humphrey, Mr. Inouye, Mr. Mansfield, Mr. McGee, Mr. McGovern, Mr. Metcalf, Mr. Mondale, Mr. Moss, Mr. Muskie, Mr. Nelson, Mr. Packwood, Mr. Pell, Mr. Percy, Mr. Randolph, Mr. Scott of Pennsylvania, Mr. Stafford, Mr. Taft, Mr. Thurmond, Mr. Tunney, and Mr. Williams):

S. 1688. A bill to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy. Referred to the Committee on the Judiciary.

FEDERAL EMPLOYEE PRIVACY BILL

Mr. ERVIN. Mr. President, I introduce for appropriate reference a bill to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy.

I take this action on behalf of myself and the following cosponsors of this measure: Messrs. Abourezk, Baker, Bayh, Beall, Bennett, Bible, Brooke, Burdick, Harry F. Byrd, Jr., Chuch, Fannin, Fong, Goldwater, Gravel, Gurney, Hansen, Haskell, Hatfield, Hathaway, Hruska, Humphrey, Inouye, Mansfield, McGee, McGovern, Metcalf, Mondale, Moss, Muskie, Nelson, Packwood, Pell, Percy, Randolph, Scott of Pennsylvania, Stafford, Taft, Thurmond, Tunney, and Williams.

The need to protect the private lives of Federal employees from unwarranted Government intrusion is today even more critical than when I first introduced legislation to protect the individual liberties of Federal employees in 1966. Reductions-in-force, the administration's present scheme to cut down the number of positions in the Federal bureaucracy, has served to intensify the pressure on individuals to sacrifice their freedom of speech and action for the sake of Federal employment, job security, and promotion. At the same time, the apocalyptic vision of massive Government data banks monitoring the intimate details of the private lives of Federal employees has become more than just a nightmare. It is a reality.

The legislation I introduce today is identical to S. 1438 which passed the Senate by unanimous consent in the 92d Congress, only to die in the House Post Office and Civil Service Committee. Similar legislation has been approved by this body a total of four times in the past. Over the years this legislation has become known as the "Federal Employees' Bill of Rights." It is designed to assure minimal guarantees of individual privacy and freedom to present and potential employees of the Federal Government.

One aim of this legislation is to prohibit requirements that Federal employees and applicants for Government employment disclose their race, religion, or national origin; or submit to questioning about their religion, personal relationships or sexual attitudes, through interviews, psychological tests, or polygraphs. It would prohibit requirements that employees attend government-sponsored meetings and lectures or participate in outside activities unrelated to their employment; report on their outside activities or undertakings unrelated to their work; support political candidates or attend political meetings. It makes it illegal to coerce an employee to buy bonds or make charitable contributions. It prohibits requirements that he disclose his own personal assets, liabilities, or expenditures, or those of any member of his family, unless, in the case of certain specified employees, such items would tend to show a conflict of interest.

It provides a right to have a counsel or other person present, if the employee wishes, at an interview which may lead to disciplinary proceedings. It accords the rights to a civil action in a Federal court for violation or threatened violation of the act. Finally, it establishes a Board on Employees' Rights to receive and conduct hearings on complaints of violation of the act, and to determine and administer remedies and penalties.

I have carefully considered possible modifications of this legislation which twice passed the Senate in the last Congress. The most frequently suggested of these changes are, first, dropping the Board on Employees' Rights, and, second, completely exempting the Central Intelligence Agency and the National Security Agency. However, upon reflection I have decided against such changes. It seems to me that the Board on Employees' Rights is a vitally needed, less expensive and less cumbersome vehicle for vindicating the rights protected by this legislation. Moreover, recent Central Intelligence Agency disciplinary proceedings, in which requests for the presence of counsel or even of colleagues from the Agency have been summarily turned down, make clear the need for the protections of this legislation subject only to certain partial exemptions accorded to these agencies. Therefore, I have decided to reintroduce the Federal Employees Bill of Rights exactly as the Senate passed it last year, and the year before that.

The reasons for enacting such legislative constraints on bureaucratic invasions of Federal employee privacy are threefold: First is the immediate need to establish some minimal statutory basis for the protection of the rights and liberties of those who work for the Federal Government now and in the future. Second is the need to attract and to retain the best qualified employees for an efficient and effective Federal career service. Third is the special leadership role which the Federal Government plays in the field of employment practices vis-a-vis State and local governments as well as private business and industry.

The compelling need for this legislation is apparent from the hundreds upon hundreds of complaints about bureaucratic invasions of employee privacy which have come to my attention as chairman of the Subcommittee on Constitutional Rights. Both the hearings on privacy and the rights of Federal employees held by the subcommittee and the many letters the subcommittee has received catalog the reality of continuing flagrant invasions of the privacy and individual liberties of present and potential Federal employees.

To illustrate the need for legislative safeguards for the individual privacy and liberty of Government employees, it may be helpful to note some of the specific kinds of complaints which this proposal is designed to redress.

One important area of widespread invasions of privacy and personal liberties involves questioning of present and potential Federal employees about their race, religion, and national origin through questionnaires and oral inquiries from supervisors. The legislation introduced today is designed to protect present and future Federal employees from the dilemma of the grandson of an American Indian who told the subcommittee that he had exercised his option not to complete a so-called voluntary minority status questionnaire. He did not know how to fill it out. Soon he received a personal memorandum from his supervisor "requesting" him to complete a new questionnaire and "return it immediately." He wrote:

> I personally feel that if I do not comply with this request (order), my job or any promotion which comes up could be in jeopardy.

Clearly there is a need to reaffirm the intent of Congress that a person's religion, race, and national or ethnic origin, or that of his forebears, have nothing to do with his ability or qualifications to perform the duties of a Federal position, or to qualify for a promotion. Such matters are none of the Government's business.

Other complaints focus on the need for direct legislative prohibition of both affirmative and negative constraints on employee opinions, behavior and outside activities. These complaints catalog infringements and threatened infringements on first amendment freedoms of employees: freedom to think for themselves free of Government indoctrination; freedom to choose their outside civic, social, and political activities free of official guidance; as well as the freedom to refuse to participate at all without reporting to supervisors. To my mind, a Federal employee's social and civic activities outside his employment responsibilities should be none of the Government's business.

Illustrative of the pervasive interference with the outside activities of Federal employees is a recent NASA directive forbidding all communications with the Congress and the White House:

> At no time, under no circumstances, will anyone . . . communicate directly with members of Congress and the White House, on any subject, without notifying me and obtaining my approval in advance.

Reportedly similar directives have been issued in other agencies.

On December 30, 1972, the Defense Department issued the following command:

> The White House has this morning made an announcement of international consequences concerning the resumption of peace negotiations and a suspension of some military activities in Southeast Asia.
>
> There must be absolutely no, repeat no, comment of any sort whatsoever from any D.O.D. personnel, civilian and military, of whatever rank.
>
> There is to be no comment, no speculation, no elaboration and no discussion on the subjects involved.

In a slightly different vein, a division chief demanded that his supervisors report "the names—of employees—who are participating in any activities including such things as PTA in integrated school, sports activities which are intersocial, and such things as Great Books discussion groups which have integrated memberships."

With one complaint of attempted indoctrination of employees at a Federal installation, a civil servant enclosed a memorandum taken from a bulletin board stating the time, place, and date of a lecture by a sociology professor on the subject of the importance of racial integration. Attendance was to be voluntary but the notice stated that a record would be made of those attending. Concerning such a practice, one witness at subcommittee hearings commented:

> If I had been a federal employee and I cared anything about my job, I would have been at that lecture.

Other witnesses agreed that taking notice of attendance at such meetings constituted a form of coercion to attend.

Some of the most shocking invasions of personal privacy arise out of interviews, interrogations, and personality tests to which many Federal employees and applicants for Federal employment are forced to submit. Many complaints focus on mass programs in which, as a matter of routine practice, agency officials pressure applicants or employees to reveal intimate details about their habits, thoughts, and attitudes on matters unrelated to their qualifications and ability to perform a job. Federal employees and applicants for Federal employment are routinely asked to comment on such matters as:

> My sex life is satisfactory.
>
> I have never been in trouble because of my sex behavior.
>
> Everything is turning out just like the prophets of the Bible said it would.
>
> I loved my father.
>
> I am very strongly attracted by members of my own sex.
>
> I go to church almost every week.
>
> I believe in the second coming of Christ.
>
> I believe in a life hereafter.
>
> I have never indulged in any unusual sex practices.
>
> I am worried about sex matters.
>
> I am very religious (more than most people).
>
> I loved my mother.
>
> I believe there is a Devil and a Hell in afterlife.
>
> I believe there is a God.
>
> Once in a while I feel hate toward members of my family whom I usually love.
>
> I wish I were not bothered by thoughts about sex.

Clearly there is a need to prohibit investigators, as well as personnel, security and medical specialists from indiscriminately asking individuals to supply, orally or through tests, data on religion, family, sex and other personal matters.

Even more unconscionable is the use of polygraphs, or so-called "lie detectors," on Federal employees. Congressional investigation has shown that there is no scientific validation for the effectiveness or accuracy of polygraphs. Yet despite this and the invasion of privacy involved in strapping an individual to a machine in order to elicit from him information concerning his personal relationships with persons connected with him by blood or marriage, or concerning his religious beliefs, practices or concerning his attitude or conduct with respect to sexual matters, lie detectors are being used in various agencies of the Federal Government for purposes of screening applicants or for pursuing investigations. It is time the Federal Government ceased this senseless outrage to personal privacy.

The hearing record and subcommittee complaint files also amply document the need for statutory protections against various forms of coercion of employees to buy bonds and contribute to causes. It seems to me that each Federal employee, like any other citizen in the United States, is the best judge of his capacity, in the light of his financial obligations, to participate or decide whether he will participate and the extent of his participation in a bond drive. That is a basic determination which he and he alone should make. I think there is an interference with fundamental rights when coercion of a psychological or economic nature is brought on a Federal employee, even to make him do right. I think a man has to have a choice of acting unwisely as well as wisely, if he is going to have any freedom at all.

And yet the subcommittee has received from employees and their organizations numerous reports of intimidation, threats of loss of job, and security clearances and of denial of promotion for employees who do not participate to the extent supervisors wish. Many of these complaints of intimidation come out of agencies which have policy statements and administrative rules against such coercion. It is clear that such policy statements and rules are not enough.

In addition, millions of present and potential Federal employees have been required to submit to comprehensive questionnaires designed to elicit detailed information on the employee's personal finances, debts and property ownership, and those of his family. I believe that the conflict-of-interest statutes, and the many other laws governing conduct of employees, together with appropriate implementing regulations, are sufficient to protect the Government from dishonest employees. This proposal is, therefore, designed to reduce to reasonable proportions questionnaires which now require Federal employees to list "all assets, or everything you and your immediate family own, including date acquired and cost or fair market value at acquisition. Cash in banks, cash anywhere else, due from others—loans, et cetera, automobiles, securities, real estate, cash surrender of life insurance; personal effects and household furnishings and other assets."

The subcommittee hearings and complaint files further document the need for having legal counsel, a friend or other person present when a Federal employee is subjected to an official interrogation or investigation that could lead to the loss of his job or disciplinary action. I have received numerous complaints from employees charged with no crime who have been subjected to intensive interrogations by Defense Department investigators who ask intimate questions, make sweeping allegations, and threaten dire consequences unless consent is given to polygraph tests. Employees have been ordered to confess orally or to write and sign statements. Such interviews have been conducted after denial of the employee's request for presence of supervisor, counsel or friend, and in several instances the interrogations have resulted in revocation of a security clearance, or denial of access to classified information by transfer or reassignment, with the resulting loss of promotion opportunities.

Several agencies contend that right to counsel is now granted in formal adverse action proceedings and that appeals procedures make this section unnecessary for informal questioning. Testimony and complaints from employees demonstrate that this machinery does not effectively secure the opportunity of the employee to defend himself early enough in the investigation to allow a meaningful defense.

As testimony at the subcommittee hearings as well as subsequent investigation of complaints have demonstrated, employee rights are only as secure as the means set up for their enforcement. There is overwhelming evidence that employees have heretofore frequently lacked appropriate remedies either in the courts or the Civil Service Commission for pursuing rights which belong to them as citizens. Clearly a Board on Employees' Rights is needed to provide an additional means by which violations of the privacy and liberty of present and potential Federal employees can be redressed and prevented.

No one pretends that this bill is going to cure everything that is wrong with the Federal service. But it is a beginning step toward the safeguarding of personal privacy and individual liberties. In the process it will set a valuable precedent for more comprehensive privacy legislation in the future.

Mr. President, I ask unanimous consent that the text of my proposed bill to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy be printed in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1688

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Section 1. It shall be unlawful for any officer of any executive department or any executive agency of the United States Government, or for any person acting or purporting to act under his authority, to do any of the following things:

(a) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency, or any person seeking employment in the executive branch of the United States Government, to disclose his race, religion, or national origin, or the race, religion, or national origin of any of his forebears: *Provided, however,* That nothing contained in this subsection shall be construed to prohibit inquiry concerning the citizenship of any such employee or person if his citizenship is a statutory condition of his obtaining or retaining his employment: *Provided further,* That nothing contained in this subsection shall be construed to prohibit inquiry concerning the national origin or citizenship of any such employee or person or of his forebears, when such inqury is deemed necessary or advisable to determine suitability for assignment to activities or undertakings related to the national security within the United States or to activities or undertakings of any nature outside the United States.

(b) To state or intimate, or to attempt to state or intimate, to any civilian employee of the United States serving in the department or agency that any notice will be taken of his attendance or lack of attendance at any assemblage, discussion, or lecture held or called by any officer of the executive branch of the United States Government, or by any person acting or purporting to act under his authority, or by any outside parties or organizations to advise, instruct, or indoctrinate any civilian employee of the United States serving in the department or agency in respect to any matter or subject other than the performance of official duties to which he is or may be assigned in the department or agency, or the development of skills, knowledge, or abilities which qualify him for the performance of such duties: *Provided, however,* That nothing contained in this subsection shall be construed to prohibit taking notice of the participation of a civilian employee in the activities of any professional group or association.

(c) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency to participate in any way in any activities or undertakings unless such activities or undertakings are related to the performance of official duties to which he is or may be assigned in the department or agency, or to the development of skills, knowledge, or abilities which qualify him for the performance of such duties.

(d) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency to make any report concerning any of his activities or undertakings unless such activities or undertakings are related to the performance of official duties to which he is or may be assigned in the department or agency, or to the development of skills, knowledge, or abilities which qualify him for the performance of such duties, or unless there is reason to believe that the civilian employee is engaged in outside activities or employment in conflict with his official duties.

(e) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency, or any person applying for employment as a civilian employee in the executive branch of the United States Government, to submit any interrogation or examination or to take any psychological test which is designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters: *Provided, however,* That nothing contained in this subsection shall be construed to prevent a physician from eliciting such information or authorizing such tests in the diagnosis or treatment of any civilian employee or applicant where such physician deems such information necessary to enable him to determine whether or not such individual is suffering from mental illness: *Provided further, however,* That this determination shall be made in individual cases and not pursuant to general practice or regulation governing the examination of employees or applicants according to grade, agency, or duties: *Provided further, however,* That nothing contained in this subsection shall be construed to prohibit an officer of the department or agency from advising any civilian employee or applicant of a specific charge of sexual misconduct made against that person, and affording him an opportunity to refute the charge.

(f) To require or request, or attempt to require or request, any civilian employee of the United States serving in the department or agency, or any person applying for employment as a civilian employee in the executive branch of the United States Government, to take any polygraph test designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters.

(g) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency to support by personal endeavor or contribution of money or any other thing of value the nomination or the election of any person or group of persons to public office in the Government of the United States or of any State, district, Commonwealth, territory, or possession of the United States, or to attend any meeting held to promote or support the activities or undertakings of any political party of the United States or of any State, district, Commonwealth, territory, or possession of the United States.

(h) To coerce or attempt to coerce any civilian employee of the United States serving in the department or agency to invest his earnings in bonds or other obligations or securities issued by the United States or any of its departments or agencies, or to make donations to any institution or cause of any kind: *Provided, however,* That nothing contained in this subsection shall be construed to prohibit any officer of any executive department or any executive agency of the United States Government, or any person acting or purporting to act under his authority, from calling meetings and taking any action appropriate to afford any civilian employee of the United States the opportunity voluntarily to invest his earnings in bonds or other obligations or securities issued by the United States or any of its departments or agencies, or voluntarily to make donations to any institution or cause.

(i) To require or request, or attempt to require or request, any civilian employee of the United States serving in the department or agency to disclose any items of his property, income, or other assets, source of income, or liabilities, or his personal or domestic expenditures or those of any member of his family or household: *Provided, however,* That this subsection shall not apply to any civilian employee who has authority to make any final determination with respect to the tax or other liability of any person, corporation, or other legal entity to the United States, or claims which require expenditure of moneys of the United States: *Provided further, however,* That nothing contained in this subsection shall prohibit the Department of the Treasury or any other executive department or agency of the United States Government from requiring any civilian employee of the United States to make such reports as may be necessary or appropriate for the determination of his liability for taxes, tariffs, custom duties, or other obligations imposed by law.

(j) To require or request, or to attempt to require or request, any civilian employee of the United States embraced within the terms of the proviso in subsection (i) to disclose any items of his property, income, or other assets, source of income, or liabilities, or his personal or domestic expenditures or those of any member of his family or household other than specific items tending to indicate a conflict of interest in respect to the performance of any of the official duties to which he is or may be assigned.

(k) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency, who is under investigation for misconduct, to submit to interrogation which could lead to disciplinary action without the presence of counsel or other person of his choice, if he so requests: *Provided, however,* That a civilian employee of the United States serving in the Central Intelligence Agency or the National Security Agency may be accompanied only by a person of his choice who serves in the agency in which the employee serves, or by counsel who has been approved by the agency for access to the information involved.

(l) To discharge, discipline, demote, deny promotion to, relocate, reassign, or otherwise discriminate in regard to any term or condition of employment of, any civilian employee of the United States serving in the department or agency, or to threaten to commit any of such acts, by reason of the refusal or failure of such employee to submit to or comply with any requirement, request, or action made unlawful by this Act, or by reason of the exercise by such civilian employee of any right granted or secured by this Act.

SEC. 2. It shall be unlawful for any officer of the United States Civil Service Commission, or for any person acting or purporting to act under his authority, to do any of the following things:

(a) To require or request, or to attempt to require or request, any executive department or any executive agency of the United States Government, or any officer or employee serving in such department or agency, to violate any of the provisions of section 1 of this Act.

(b) To require or request, or to attempt to require or request, any person seeking to establish civil service status or eligibility for employment in the executive branch of the United States Government, or any person applying for employment in the executive branch of the United States Government, or any civilian employee of the United States serving in any department or agency of the United States Government, to submit to any interrogation or examination or to take any psychological test which is designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters: *Provided, however,* That nothing contained in this subsection shall be construed to prevent a physician from eliciting such information or authorizing such tests in the diagnosis or treatment of any civilian employee or applicant where such physician deems such information necessary to enable him to determine whether or not such individual is suffering from mental illness: *Provided further, however,* That this determination shall be made in individual cases and not pursuant to general practice or regulation governing the examination of employees or applicants according to grade, agency, or duties: *Provided, further, however,* That nothing contained in this subsection shall be construed to prohibit an officer of the Civil Service Commission from advising any civilian employee or applicant on a specific charge of sexual misconduct made against that person, and affording him an opportunity to refute the charge.

(c) To require or request, or to attempt to require or request, any person seeking to establish civil service status or eligibility for employment in the executive branch of the United States Government, or any person applying for employment in the executive branch of the United States Government, or any civilian employee of the United States serving in any department or agency of the United States Government, to take any polygraph test designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters.

SEC. 3. It shall be unlawful for any commissioned officer, as defined in section 101 of title 10, United States Code, or any member of the Armed Forces acting or purporting to act under his authority, to require or request, or to attempt to require or request, any civilian employee of the executive branch of the United States Government under his authority or subject to his supervision to perform any of the acts or submit to any of the requirements made unlawful by section 1 of this Act.

SEC. 4. Whenever any officer of any executive department or any executive agency of the United States Government, or any person acting or purporting to act under his authority, or any commissioned officer as defined in section 101 of title 10, United States Code, or any member of the Armed Forces acting or purporting to act under his authority, violates or threatens to violate any of the provisions of section 1, 2, or 3 of this Act, any civilian employee of the United States serving in any department or agency of the United States Government, or any person applying for employment in the executive branch of the United States Government, or any person seeking to establish civil service status or eligibility for employment in the executive branch of the United States Government, affected or aggrieved by the violation or threatened violation, may bring a civil action in his own behalf or in behalf of himself and others similarly situated, against the offending officer or person in the United States district court for the district in which the violation occurs or is threatened, or the district in which the offending officer or person is found, or in the United States District Court for the District of Columbia, to prevent the threatened violation or to obtain redress against the consequences of the violation. The Attorney General shall defend all officers or persons sued under this section who acted pursuant to an order, regulation, or directive, or who, in his opinion, did not willfully violate the provisions of this Act. Such United States district court shall have jurisdiction to try and determine such civil action irrespective of the actuality or amount of pecuniary injury done or threatened, and without regard to whether the aggrieved party shall have exhausted any administrative remedies that may be provided by law, and to issue such restraining order, interlocutory injunction, permanent injunction, or mandatory injunction, or enter such other judgment or decree as may be necessary or appropriate to prevent the threatened violation, or to afford the plaintiff and others similarly situated complete relief against the consequences of the violation. With the written consent of any person affected or aggrieved by a violation or threatened violation of section 1, 2, or 3 of this Act, any employee organization may bring such action on behalf of such person, or may intervene in such action. For the purposes of this section, employee organizations shall be construed to include any brotherhood, council, federation, organization, union, or professional association made up in whole or in part of civilian employees of the United States and which has as one of its purposes dealing with departments, agencies, commissions, and independent agencies of the United States concerning the condition and terms of employment of such employees.

SEC. 5. (a) There is hereby established a Board on Employees' Rights (hereinafter referred to as the "Board"). The Board shall be composed of three members, appointed by the President, by and with the advice and consent of the Senate. The President shall designate one member as chairman. No more than two members of the Board may be of the same political party. No member of the Board shall be an officer or employee of the United States Government.

(b) The term of office of each member of the Board shall be five years, except that (1) of those members first appointed, one shall serve for five years, one for three years, and one for one year, respectively, from the date of enactment of this Act, and (2) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

(c) Members of the Board shall be compensated at the rate of $75 a day for each day spent in the work of the Board, and shall be paid actual travel expenses and per diem in lieu of subsistence expenses when away from their usual places of residence, as authorized by section 5703 of title 5, United States Code.

(d) Two members shall constitute a quorum for the transaction of business.

(e) The Board may appoint and fix the compensation of such officers, attorneys, and employees, and make such expenditures, as may be necessary to carry out its functions.

(f) The Board shall make such rules and regulations as shall be necessary and proper to carry out its functions.

(g) The Board shall have the authority and duty to receive and investigate written complaints from or on behalf of any person claiming to be affected or aggrieved by any violation or threatened violation of this Act and to conduct a hearing on each such complaint. Within ten days after the receipt of any such complaint, the Board shall furnish notice of the time, place, and nature of the hearing thereon to all interested parties. The Board shall render its final decision with respect to any complaint within thirty days after the conclusion of its hearings thereon.

(h) Officers or representatives of any Federal employee organization in any degree concerned with employment of the category in which any alleged violation of this Act occurred or is threatened shall be given an opportunity to participate in each hearing conducted under this section, through submission of written data, views, or arguments, and in the discretion of the Board, with opportunity for oral presentation. Government employees called upon by any party or by any Federal employee organization to participate in any phase of any administrative or judicial proceeding under this section shall be free to do so without incurring travel cost or suffering loss in leave or pay; and all such employees shall be free from restraint, coercion, interference, intimidation, or reprisal in or because of their participation. Any periods of time spent by Government employees during such participation shall be held and considered to be Federal employment for all purposes.

(i) Insofar as consistent with the purposes of this section, the provisions of subchapter II of chapter 5 of title 5, United States Code, relating to the furnishing of notice and manner of conducting agency hearings, shall be applicable to hearings conducted by the Board under this section.

(j) If the Board shall determine after hearing that a violation of this Act has not occurred or is not threatened, the Board shall state its determination and notify all interested parties of such determination. Each such determination shall constitute a final decision of the Board for purposes of judicial review.

(k) If the Board shall determine that any violation of this Act has been committed or threatened by any civilian officer or employee of the United States, the Board shall immediately (1) issue and cause to be served on such officer or employe an order requiring such officer or employee to cease and desist from the unlawful act or practice which constitutes a violation, (2) endeavor to eliminate any such unlawful act or practice by informal methods of conference, conciliation, and persuasion, and (3) may—

(A) (i) in the case of the first offense by any civilian officer or employee of the United States, other than any officer appointed by the President, by and with the advice and consent of the Senate, issue an official reprimand against such officer or employee or order the suspension without pay of such officer or employee from the position or office held by him for a period of not to exceed fifteen days, and (ii) in the case of a second or subsequent offense by any such officer or employee, order the suspension without pay of such officer or employee from the position or office held by him for a period of not to exceed thirty days or order the removal of such officer or employee from such position or office; and

(B) in the case of any offense by any officer appointed by the President, by and with the advice and consent of the Senate, transmit a report concerning such violation to the President and the Congress.

(l) If the Board shall determine that any violation of this Act has been committed or threatened by any officer of any of the Armed Forces of the United States, or any person purporting to act under authority conferred by such officer, the Board shall (1) submit a report thereon to the President, the Congress, and the Secretary of the military department concerned, (2) endeavor to eliminate any unlawful act or practice which constitutes such a violation by informal methods of conference, conciliation, and persuasion, and (3) refer its determination and the record in the case to any person authorized to convene general courts-martial under section 822 (article 22) of title 10, United States Code. Thereupon such person shall take immediate steps to dispose of the matter under chapter 47 of title 10, United States Code (Uniform Code of Military Justice).

(m) Any party aggrieved by any final determination or order of the Board may institute, in the district court of the United States for the judicial district wherein the violation or threatened violation of this Act occurred, or in the United States District Court for the District of Columbia, a civil action for the review of such determination or order. In any such action, the court shall have jurisdiction to (1) affirm, modify, or set aside any determination or order made by the Board which is under review, or (2) require the Board to make any determination or order which it is authorized to make under subsection (k), but which it has refused to make. The reviewing court shall set aside any finding, conclusion, determination, or order of the Board as to which complaint is made which is unsupported by substantial evidence on the record considered as a whole.

(n) The Board shall submit, not later than March 31 of each year, to the Senate and House of Representatives, respectively, a report on its activities under this section during the immediately preceding calendar year, including a statement concerning the nature of all complaints filed with it, its determinations and orders resulting from hearings thereon, and the names of all officers or employees of the United States with respect to whom any penalties have been imposed under this section.

(o) There are authorized to be appropriated sums necessary, not in excess of $100,000, to carry out the provisions of this section.

SEC. 6. Nothing contained in this Act shall be construed to prohibit an officer of the Central Intelligence Agency or of the National Security Agency from requesting any civilian employee or applicant to take a polygraph test, or to take a psychological test, designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters, or to provide a personal financial statement, if the Director of the Central Intelligence Agency or his designee or the Director of the National Security Agency or his designee makes a personal finding with regard to each individual to be so tested or examined that such test or information is required to protect the national security.

SEC. 7. No civilian employee of the United States serving in the Central Intelligence Agency or the National Security Agency, and no individual or organization acting in behalf of such employee, shall be permitted to invoke the provisions of sections 4 and 5 without first submitting a written complaint to the agency concerned about the threatened or actual violation of this Act and affording such agency one hundred and twenty days from the date of such complaint to prevent the threatened violation or to redress the actual violation: *Provided, however,* That nothing in this Act shall be construed to affect any existing authority of the Director of Central Intelligence under section 403(c). of title 50, United States Code, and any authorities available to the National Security Agency under section 833 of title 50, United States Code, to terminate the employment of any employee.

SEC. 8. Nothing in this Act shall be construed to affect in any way the authority of the Directors of the Central Intelligence Agency or the National Security Agency to protect or withhold information pursuant to statute or executive order. The personal certification by the Director of the agency that disclosure of any information is inconsistent with the provision of any statute or Executive order shall be conclusive and no such information shall be admissible in evidence in any interrogation under section 1 (k) or in any civil action under section 4 or in any proceeding or civil action under section 5.

SEC. 9. This Act shall not be applicable to the Federal Bureau of Investigation.

SEC. 10. Nothing contained in sections 4 and 5 shall be construed to prevent establishment of department and agency grievance procedures to enforce this Act, but the existence of such procedures shall not preclude any applicant or employee from pursuing the remedies established by this Act or any other remedies provided by law: *Provided, however,* That if under the procedures established, the employee or applicant has obtained complete protection against threatened violations or complete redress for violations, such action may be pleaded in bar in the United States district court or in proceedings before the Board on Employee Rights: *And provided further,* That if an employee elects to seek a remedy under either section 4 or section 5, he waives his right to proceed by an independent action under the remaining section.

SEC. 11. If any provision of this Act or the application of any provision to any person or circumstance shall be held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected.

By Mr. GRAVEL (for himself, Mr. THURMOND, Mr. RANDOLPH, Mr. FANNIN, Mr. HUMPHREY, Mr. GOLDWATER, Mr. GURNEY, and Mr. SCOTT of Pennsylvania):

S. 1690. A bill to establish a National Amateur Sports Development Foundation. Referred to the Committee on Commerce.

NATIONAL AMATEUR SPORTS DEVELOPMENT FOUNDATION

Mr. GRAVEL. Mr. President, last September I introduced legislation to establish a National Amateur Sports Development Foundation. At that time I pointed out that in the United States there exists no organization responsible for or concerned with the policy, planning, conduct, and development of all kinds of sports for individuals of all ages and socioeconomic status. The need for such an organization has become even more apparent over the past 7 months, and today I am again introducing legislation to create a Sports Foundation.

The bill I am introducing today for myself, Mr. THURMOND, Mr. GURNEY, Mr. SCOTT of Pennsylvania, Mr. RANDOLPH, Mr. FANNIN, Mr. HUMPHREY, and Mr. GOLDWATER is a significantly improved version of S. 4038, which I introduced in the 92d Congress. Many worthwhile modifications in that bill have been proposed by individuals and groups interested in sports development, and we have taken these into account in redrafting our legislation. We are particularly indebted to the members of our National Amateur Sports Development Foundation Advisory Committee, for the role they played in preparing this legislation for reintroduction. Members of that committee met with Senator THURMOND and me late last fall for a 2-day working symposium on this bill. Their advice, both at that meeting and during the months that have followed, have proved invaluable.

Mr. President, I ask unanimous consent that there be printed at this point in the RECORD the names of the members of the National Amateur Sports Development Foundation Advisory Committee, and the reports of their subcommittees, issued at the conclusion of their symposium here in Washington, November 30, and December 1, 1972.

I also ask unanimous consent that the National Amateur Sports Development Foundation Act of 1973 be printed in the RECORD following the reports of the subcommittees.

There being no objeciton, the material and bill were ordered to be printed in the RECORD, as follows:

NATIONAL AMATEUR SPORTS DEVELOPMENT FOUNDATION ADVISORY COMMITTEE

Dr. Tenley Albright, 1956 Olympic Women's Figure Skating Gold Medalist.

Mr. Frank Bare, Executive Director, United States Collegiate Sports Council.

Mr. Bob Beattie, Executive Director, International Ski Racers Association.

Honorable H. A. (Red) Boucher, Lieutenant Governor, State of Alaska.

Ms. Suzanne S. Chaffee, Co-Executive Director, World Sports Foundation.

Dr. Walter Cooper, Assistant Dean, College of Education and Psychology, University of Southern Mississippi, Hattiesburg, Mississippi.

Dr. James E. Counsilman, Swimming Coach and Professor of Physical Education, Indiana University.

Dr. Albert B. Craig, Jr., President, American College of Sports Medicine.

Mr. Buck Dawson, Executive Director, International Swimming Hall of Fame, Inc.

Ms. Donna de Varona, 1964 Olympic Swimming Gold Medalist.

Mr. Frank Dolson, Columnist, *Philadelphia Inquirer*.

Mr. Lee P. Eilbracht, Secretary-Treasurer, American Association of College Baseball Coaches.

Dr. William Exum, Athletic Director, Kentucky State College.

Dr. Warren Giese, Chairman, Department of Physical Education for Men, University of South Carolina.

Mr. Richard E. Harkins, Executive Director, The International Supreme Council, Order of De Molay.

Dr. Jesse Hawthorne, Chairman, Department of Health and Physical Education, East Texas State University.

Mr. John E. Horton, Vice President, National Academy of Sport.

Mr. Edward Humberger, Director, Sports for People.

Mr. Rafer Johnson, 1960 Olympic Decathalon Gold Medalist.

Dr. Robert Kane, First Vice President, United States Olympic Committee.

Dr. Frances Koenig, Women's Physical Education Department, Central Michigan University.

Mr. C. Thomas McMillen, All-American Basketball Player, Olympic Team 1972.

Dr. Lucille Magnuson, Women's Physical Education Department, Pennsylvania State University.

Dr. Roswell D. Merrick, Assistant Executive Secretary, American Association for Health, Physical Education, and Recreation.

Mr. William Mills, Director, Office of Recreation, Physical Education, and Athletics, Bureau of Indian Affairs.

Dr. Henry W. Morton, Chairman, Department of Political Science, Queens College.

Dr. Bruce S. Old, Vice President, Arthur D. Little, Inc.

Mr. Peter L. Oliver, Consultant, Arthur D. Little, Inc.

Mr. Don E. Porter, Executive Secretary, Amateur Softball Assoc.

Mr. Glenn C. Randall, Executive Director, Special Olympics, Inc.

Mr. Marvin Sanderson, Senior Systems Analyst, System Development Corporation.

Mr. Donald Sawyer, Executive Vice President, Wilshire Newport, Inc.

Mr. Ross H. Smith, President, Eastern Collegiate Conference.

Mr. Marvin H. Sugarman, Sports Producer, President, Marvin H. Sugarman Productions, Inc.

Mr. H. B. Thompson, Athletic Director, Fisk University.

Mr. William A. Toomey, 1968 Olympic Decathalon Gold Medalist.

Dr. LeRoy Walker, Chairman, Department of Physical Education, North Carolina Central University.

Mr. William L. Wall, Executive Secretary, National Association of Basketball Coaches.

Mr. William Wallace, Sports Writer, *New York Times*.

Dr. Charlotte West, Women's Physical Education and Athletics Department, Southern Illinois University.

COMMITTEE I—INITIAL ORGANIZATION OF A NATIONAL AMATEUR SPORTS FOUNDATION

Committee Members: Bruce Old (Chairman), Suzanne Chaffee, John Horton, Robert Kane, Ross Merrick, Marvin Sugarman, and Judie Shaw (Recorder).

1. Suggested word changes in the Bill

a. The word "Development" should be added to the title of the Foundation to emphasize sports development as its essential goal.

b. Several modifications in the description of the purposes of the Foundation should be made to clarify the intent.

c. The Board of Trustees should be required to meet at least quarterly, rather than annually.

2. Composition of the Board of Trustees

a. The Board membership should attempt to include persons with skills or knowledge in such fields as management, finance, fund raising, sports medicine, sports education, research, sports facilities, public relations and communications, physical education, sports sociology and psychology, and recent participation in international sports.

b. The nomination of the members of the Board should be by peer groups. For example, the American Medical Association might nominate several physicians from whom one could be chosen as the sports medicine member.

c. The Board should not get itself boxed in to any rigid rules regarding representation by geographical location, sex, race, etc. For example, if a woman athlete from California is leaving the Board, she should not necessarily be replaced by another woman athlete from the West Coast.

d. Board terms should be limited to one four year term. The Committee was quite adamant on this point because most sports bodies seem to deteriorate because the same people stay on seemingly forever. Particularly valuable Board members can, after all, be placed in an advisory capacity to maintain their assistance

e. The Board members should receive fees for attending meetings—otherwise the less fortunate will not be able to afford membership.

3. Miscellaneous

a. The Foundation should emphasize the importance of the bottom of the athletic pyramid. Healthy bodies make healthy minds. The top athletes will emerge.

b. Any fund raising for the Foundation should be handled by a recognized professional group.

COMMITTEE II—RELATIONSHIP OF A NATIONAL AMATEUR SPORTS FOUNDATION TO EXISTING AMATEUR SPORTS ORGANIZATIONS

Committee Members: LeRoy Walker (Chairman), Warren Giese (Co-Chairman), Frank Dolson, William Exum, Frances Koenig, Peter Oliver, Ross Smith, Majorie Blanfarf (Recorder).

Excerpts from the bill

"To establish a National Amateur Sports Development Foundation"

"(3) to foster and support the interests and activities of organizations concerned with sports and to coordinate them by voluntary means with related educational and recreational programs of local, State, and Federal Government;

"(4) to strengthen and expand development of amateur sports in the United States by—

"(A) making available managerial, financial, technical, legal, informational, instructional, and promotional assistance to organizations concerned with sports; and

"(B) sponsoring and stimulating the establishment of advanced or improved coaching, physical training, and physical education programs;

"(5) to strengthen the position of United

States competitors in significant international athletic events;

"(6) to extend knowledge and facilitate the practice of sports . . ."

The Arthur D. Little, Inc. Report—1965 (Under the direction of General James M. Gavin) revealed that:

"The administration of amateur sports in the United States is the responsibility of a multiplicity of independent, private, and largely voluntary associations known as the sports-governing bodies. . . .

"When students leave the educational system, however, the transition into post-school competitive programs is not always easily accomplished . . . If some means could be found for bridging this "gap" between school and post-school athletic programs, amateur sports activity among older age groups would be materially facilitated, and the quality of our performance at international competitions improved, since in most sports top proficiency is typically attained by post-school athletes. . . ."

For the most part, the amateur sports in which we as a nation seem to do best are those which are currently stressed in the secondary schools and colleges, such as football, baseball, basketball, track and field events and swimming. . . . "At the 1964 Olympic Games in Tokyo, where no fewer than 30 of the total 36 gold medals won by the U.S. Teams were gained in only two sports categories (swimming and track and field events). . . ."

"So far as we have been able to determine, the U.S. remains for the most part surprisingly indifferent to certain technical aspects of sports, particularly those relative to minor sports and to general sports functions, such as medicine, information gathering, equipment design, training methods, sports medicine. . . ."

The need to coordinate existing programs "arises from the co-existence of amateur sports activities conducted within and by educational institutions—from school through university—with amateur sports activities outside the educational system."

Conclusions of Committee II

Committee II was requested to study the relationship of a National Amateur Sports Foundation to existing sports organizations. Five questions were posed and a position was prepared on each one, as follows:

A. The feasibility of membership in the Sports Foundation.

Position: The Committee believes there should be no organizational membership. However, it recognizes that for communications purposes there is need for an identifiable list of any organizations interested in amateur sports. The organizations can be considered affiliates of the National Amateur Sports Foundation.

B. The Sports Foundation's allocation of resources as a force for restructuring amateur sports.

Position: The Sports Foundation will allocate resources to serve as a catalyst for the development of amateur sports programs at all levels. It is envisioned that at least 75% of the funds will go to program development when the Foundation reaches full operation.

C. The desirability of a sports development committee as advisor to the Sports Foundation.

Position: The Committee has discussed the scope and objectives of a Sports Advisory Committee as an advisor to the Foundation. It feels it is a prerogative of the Foundation to appoint an Advisory Committee after it is organized.

D. The Sports Foundation as arbiter of disputes.

Position: The National Amateur Sports Foundation should serve as a catalyst to bring together groups to solve problems. This does not imply that the Foundation cannot be used as arbiter in certain circumstances.

E. The Sports Foundation staff as consultants to existing sports organizations.

Position: The Role of the Sports Foundation staff is:

1. To serve as facilitator or consultant in the development of programs.

2. To assist in the formulation of proposals for developmental programs.

3. To make available the technical resources of the foundation such as: statistical research, communications service, sports medicine, coaching and training aids, facility planning, and financial services.

COMMITTEE III—DEVELOPMENT OF AMATEUR SPORTS BY A NATIONAL AMATEUR SPORTS FOUNDATION

Committee Members: Lucille Magnuson (Chairwoman), Jesse Hawthorne, Thomas McMillen, William Mills, Glenn Randall, H. B. Thompson, Charlotte West, and Elinore Darland (Recorder).

The Committee discussed definitions of the terms "development" and "sports" at its initial session. It appeared that there was some variation in focus and specific definitions but there was also much commonality in meaning of the terms. The Arthur D. Little report of 1965 was recognized as giving an excellent base for the charge to this committee.

In order to tackle the charge of development of amateur sports by the Foundation, it seemed necessary to highlight what appeared to the committee to be the primary objectives of the Foundation. These are:

1. Foster opportunities for increased participation in amateur sports among individuals of all ages and skill.

2. Develop and support imaginative ideas and strategies for further development of amateur sports programs.

3. Broaden existing services and foster new efforts supportive of amateur sports program development.

4. Assist existing organizations and institutions in reaching their goals concerned with amateur sports.

The above objectives would be met through—

1. Public relations programs which would promote participation.

2. Development of films, booklets and instructional materials.

3. Sending teams of experts to various regions of the United States to increase knowledge, teaching skills and performance skills in amateur sports.

4. Research in sports medicine, effect of participation, the most effective means of developing sports skills.

The National Amateur Sports Development Foundation will provide consultant services in a variety of specialized areas and it will facilitate, promote and fund programs which meet its stated objectives.

The committee suggests that priorities be given to amateur sports programs that—

1. Reduce inequalities due to socio-economic, sex, or geographic factors.

2. Are people-oriented as opposed to those that are facilities-oriented.

3. Increase variety of sports opportunities and enhance opportunities for participation.

4. Promote participation in sports that are not highly developed but hold the potential recreational participation.

5. Advance technological knowledge in specific sports.

6. Foster total development of the individual through participation.

7. Enhance growth of sports on an international scale.

The committee did not tackle the problem of criteria for funding proposals. It appeared that such guidelines would need more time than was available and that these criteria should be established by the individuals who would in effect be applying them.

S. 1690

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Amateur Sports Development Foundation Act of 1973".

STATEMENT OF FINDINGS AND PURPOSE

SEC. 2. (a) The Congress hereby finds and declares that, given the proper direction and support, amateur sports have the effect of performing a useful role in developing the individual and enriching the variety of his experience, contributing to fitness and physical well-being, alleviating some of the pressing social problems facing the Nation, and encouraging moral behavior and the pursuit of personal excellence. The Congress further finds and declares that, despite a history of important athletic accomplishments; the United States does not have a comprehensive national amateur sports program; that, because of multiplicity of private and largely voluntary organizations responsible for the administration of amateur sports activities, there is an immense variety of individual sports programs; in which imbalances, lack of coordination, and neglected functions are too often apparent.

(b) The Congress declares that in order—

(1) to create opportunities for and to encourage individual participation and excellence in the field of physical endeavor among all age groups;

(2) to reduce inequalities among social, economic, sexual, and geographic groups in opportunities to participate in sports;

(3) to foster and support the interests and activities of organizations concerned with sports and to coordinate them by voluntary means with related educational and recreational programs of local, State, and Federal Government;

(4) to strengthen and expand development of amateur sports in the United States by—

(A) making available managerial, financial, technical, legal, informational, instructional, and promotional assistance to organizations concerned with sports; and

(B) sponsoring and stimulating the establishment of advanced or improved coaching, physical training, and physical education programs;

(5) to strengthen the position of United States competitors in significant international athletic events;

(6) to extend knowledge and facilitate the practice of sports by—

(A) sponsoring or soliciting useful research in such areas as sports medicine, athletic safety and health, athletic facility and equipment design, and performance analysis;

(B) identifying specific sports facility requirements and arranging for provision of facilities by appropriate public or private groups; and

(C) establishing and maintaining a data bank for the compilation, analysis, and dissemination of information pertaining to all significant aspects of sports;

(7) to promote broadened cultural exchanges with foreign nations in the field of sports; and

(8) to study national needs relating to sports; it is the policy of the United States to establish a National Amateur Sports Development Foundation to plan, coordinate, promote, and support the conduct and development of amateur sports throughout the United States.

ESTABLISHMENT OF NATIONAL AMATEUR SPORTS DEVELOPMENT FOUNDATION

SEC. 3. There is hereby established in the District of Columbia a body corporate by the name of the National Amateur Sports Development Foundation (hereinafter referred to as the "foundation"), which shall not be an agency or establishment of the United States Government. The foundation shall be directed in accordance with the provisions of this Act by a board to be known as the Trustees of the National Amateur Sports Development Foundation (hereinafter referred to as the "board"), whose duty it shall be to maintain and administer the foundation and to execute such other functions as are vested in the board by this Act.

PROCESS OF ORGANIZATION

SEC. 4. The President of the United States shall appoint, in accordance with the provisions of section 5 of this Act, incorporators, by and with the advice and consent of the Senate, who shall serve as the initial board of trustees of the foundation, of whom the President shall designate four to serve for one year, four to serve for two years, four to serve for three years, and four to serve for four years. Such incorporators shall take whatever actions as may be necessary to establish the foundation, including the filing or articles of incorporation.

BOARD OF TRUSTEES

SEC. 5. (a) The board shall be composed of sixteen voting members, and the president of the foundation ex officio. Except for trustees first appointed (as provided in section 4 of this Act), the term of office of each voting member of the board shall be four years, and replacements shall be selected by a majority vote of the board, except that one of the four vacancies occurring each year after the fourth year shall be filled by the President of the United States, by and with the advice and consent of the Senate. A successor selected to fill a vacancy occurring on the board prior to the expiration of a term shall serve only for the remainder of such term. No person shall be appointed as a member of the board for more than one term.

(b) One member of the board (other than the president) shall be elected annually by the board to serve as chairman.

(c) Members of the board shall be selected from the private sector of American society from among persons distinguished for their dedication to the highest ideals of sports, for their freedom from bias in sports, and for their knowledge and experience in sports development in its broadest sense. Members of the board shall be selected from among individuals who shall have distinguished themselves and achieved recognition by their peers in their respective fields. Selection to the board shall be made in such a way that at no time shall there be less than two present or recent athletes serving on the board nor less than one individual serving on the board drawn from each of the following broad categories: financial management; business, corporate, or athletic management; research and development; the humanities; fund raising; communication and public relations; sports medicine; architectural engineering; sports education; sports sociology and sports psychology; and physical education. In selecting members of the board, due regard shall be given to reflecting the diversity of those engaged in amateur sports, with appropriate weight given to such factors as race, age, and sex.

(d) The board shall meet at least quarterly at such place and at such time as shall be determined by the chairman, but he shall also call a meeting whenever one-third of the members so request in writing. Each member shall be given notice, by registered mail mailed to his last-known address of record not less than fifteen days prior to any meeting, of the call of such meeting. A majority of the voting members of the board shall constitute a quorum. Members of the board, while serving on the business of the foundation, shall be entitled to receive compensation at a rate fixed by the board, but not in excess of $100 per day, including travel-time and while so serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence.

(e) Minutes of each meeting of the board shall be kept and made available for public inspection at the District of Columbia office of the foundation and at such other offices as it may maintain. Such minutes also shall be available for copying by hand or by duplicating machine, as requested by any person, at the expense of such person.

POWERS OF THE BOARD

SEC. 6. (a) The board is authorized to solicit, accept, hold, and administer gifts, bequests, or devises of money, securities, or other property of whatever character for the benefit of the foundation. Unless otherwise restricted by the terms of the gift, bequest or devise, the board is authorized to sell or exchange and to invest or reinvest in such investments as it may determine from time to time the moneys, securities, or other property composing trust funds given, bequeathed, or devised to or for the benefit of the foundation. The income as and when collected shall be placed in such depositaries as the board shall determine and shall be subject to expenditure by the board.

(b) The board shall appoint a president of the foundation, who shall serve at the pleasure of the board, and who shall serve as the chief administrative officer of the foundation. The president shall, subject to the supervision of the board, manage and carry on the business of the foundation, including the appointment of such other officers and employees as he may deem necessary for the operation of the foundation. The board shall fix rates of compensation for officers and employees of the foundation.

(c) The actions of the board, including any payment made or directed to be made by it from any trust funds, shall not be subject to review by any officer or agency other than a court of law.

GENERAL AUTHORITY OF FOUNDATION

SEC. 7. The foundation shall have the authority to do all things necessary to carry out the provisions of this Act, including but without being limited thereto, the authority—

(1) to make such bylaws, rules, and regulations as may be necessary for the administration for its functions under this Act;

(2) to adopt an official seal which shall be judicially noticed;

(3) to sue and be sued, complain, and defend in any court of competent jurisdiction;

(4) to contract and be contracted with; and

(5) to acquire, control, hold, lease, and dispose of such real, personal, or mixed property as may be necessary to carry out the purposes of the foundation.

OFFICES

SEC. 8. (a) The principal office of the foundation shall be in Washington, District of Columbia, or in such other place as may later be determined by the foundation, but the activities of the foundation shall not be confined to that place, but may be conducted throughout the United States and all other locations as may be necessary to carry out the purposes of the foundation.

(b) The foundation shall maintain at all times in the District of Columbia a designated agent authorized to accept services of process for the foundation. Service upon, or notice mailed to the business address of, such agent shall be deemed notice to or service upon the foundation.

USE OF FOUNDATION ASSETS OR INCOME

SEC. 9. (a) No part of the assets or income of the foundation shall inure to any officer, employee, or trustee or be distributable to any such person during the life of the foundation or upon its dissolution or final liquidation. Nothing in this subsection shall be construed to prevent the payment of reasonable compensation to trustees, officers, or employees of the foundation or reimbursements for actual necessary expenses in amounts approved by the board.

(b) The foundation shall not make loans to its officers, trustees, or employees.

PROHIBITION AGAINST THE ISSUANCE OF STOCK OR PAYMENT OF DIVIDENDS

SEC. 10. The foundation shall have no power to issue any shares of stock nor to declare or pay any dividends.

DISSOLUTION OR LIQUIDATION

SEC. 11. Upon dissolution of final liquidation of the foundation, after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets of the foundation may be distributed in accordance with the determination of the board and in compliance with this Act, its bylaws, and all other Federal and State laws applicable thereto.

RESERVATION OF THE RIGHT TO AMEND OR REPEAL CHARTER

SEC. 12. The right to alter, amend, or repeal this Act is expressly reserved.

REPORTS

SEC. 13. The board shall submit to the President of the United States for transmittal to the Congress in January of each year a report which shall include a comprehensive description of the activities and accomplishments of the foundation during the preceding calendar year, together wih an evaluation of such activities and accomplishments in terms of the attainment of the objectives of this Act and any recommendations for additional legislative or other action which the board my consider necessary or desirable for attaining such objectives. The report shall be printed as a public document.

AUDIT OF FINANCIAL TRANSACTIONS

SEC. 14. (a) The accounts of the foundation shall be audited annually, in accordance with generally accepted auditing standards, by independent certified public accountants or independent licensed public accountants, certified or licensed by the government of the District of Columbia. The audit shall be conducted at the place or places where the accounts of the foundation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the foundation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(b) A report of such audit shall be submitted to the Congress not later than six months following the close of the fiscal year for which the audit was made. The report shall set forth the scope of the audit and shall include such statements as are necessary to present fairly the assets and liabilities of the foundation; its surplus or deficit, with an analysis of the changes therein during the year, supplemented in reasonable detail by a statement of the income and expenses of the foundation during the year; and the independent auditor's opinion of those statements. The report shall be printed as a public document.

APPROPRIATIONS

SEC. 15. (a) For the fiscal year ending June 30, 1974, there is authorized to be appropriated to the board the sum of $1,000,000 for use by it in carrying out the provisions of this Act.

(b) For each fiscal year following the fiscal year ending June 30, 1974, there is authorized to be appropriated to the board for use by it in carrying out the provisions of this Act an amount equal to the amount of donations, bequests, and devises of money, securities, and other property received by the board during the fiscal year preceding the fiscal year for which such appropriation is made, except that the total aggregate amount appropriated pursuant to this subsection shall not exceed $50,000,000.

Mr. THURMOND. I have become alarmed at the increasing apathy on the part of some of today's youth where sports are concerned. Amateur sports are an important part of individual development and the historic development of our Nation.

In noting the lack of a national amateur sports program I sponsored a bill to establish a National Amateur Sports Development Foundation. This foundation will be an overseeing organization to give the proper support and direction to amateur sports. By providing a vehicle for fundraising and coordination, this foundation will be a great step toward raising the health and well-being of our society. Several functions of the foundation are:

Work with existing organizations to develop greater cooperation;

Fund sports facilities and training programs;

Make sports available to all economic classes and in all parts of the country;

Provide a forum for resolving disputes;

Conduct research in sports related areas; and

Study national needs to develop a comprehensive policy for athletic development.

I feel that a program of this type will allow everybody, not just the elite, to participate in amateur sports; and will provide a much needed goal for some of our young people who have turned to drugs mistakenly in search of a meaning to their lives.

Mr. President, the National Amateur Sports Development Foundation will provide the necessary coordination between the various existing organizations who so often in the past have worked at cross purposes. With the development of amateur sports comes physical fitness and personal achievement which encourages moral behavior and provides a goal for our Nation's youth. This foundation will work with the present amateur athletic organizations but is in no way an attempt to supplant or assume control over these organizations. This foundation will be completely independent and is not an effort to involve the Federal Government in amateur sports.

Mr. President, I urge favorable consideration of this legislation.

By Mr. GRAVEL:

S. 1691. A bill for the relief of Wallace O. Craig, et al. Referred to the Committee on the Judiciary.

Mr. GRAVEL. Mr. President, last Congress, and again earlier this session, I introduced a private bill for the relief of Mr. Wallace O. Craig, a citizen of Alaska and a dedicated public servant of the Federal Government. Mr. Craig suffered extensive property loss in Alaska's two recent major disasters—the earthquake of 1964 and the Chena River flood in Fairbanks in 1967.

The recent bill, S. 53, covers only Mr. Craig's losses. He has advised me that he was not the only public servant to suffer and has furnished me a list of others who suffered property losses.

Mr. President, I consider this a very meritorious bill, and introduce the more comprehensive measure to cover not only Mr. Craig but also his fellow workers.

By Mr. RANDOLPH:

S. 1692. A bill to amend title II of the Social Security Act to extend certain benefits to individuals adopted by disability or old-age insurance beneficiaries. Referred to the Committee on Finance.

Mr. RANDOLPH. Mr. President, under the Social Security Act as it presently stands, a deserving group of children are denied child's insurance benefits. These are children who are adopted by disabled or old age social security beneficiaries. If a child enters the adoptive home after the wage earner has become entitled to benefits, the child can never qualify for child's benefits as part of the adopting wage earner's family. This is true even if the child is not born until after the wage earner has become eligible for benefits. And it is true even though natural children born to the wage earner after the wage earner has qualified for benefits are entitled to child's insurance benefits.

The Legal Aid Society of Charleston, W. Va., recently handled the case of Marion P. Morris, of Whitesville, W. Va., which challenged the validity of this provision. I will insert in the Record at the conclusion of my remarks a news story from the Raleigh Register, Beckley, W. Va., outlining the details concerning the Morris family's situation. The U.S. Supreme Court recently declined to review the constitutionality of the act's discrimination against adopted children, thereby leaving to Congress the burden of correcting this discriminatory provision.

The Charleston Legal Aid Society informs me that prior to, and in the course of litigating the Morris case, they have been contacted by numerous other West Virginia families who have suffered from the same provision. In addition, they have received inquiries from attorneys in other States who also represent clients discriminated against by the same gap in the law. It appears that in virtually all of these cases, the adopting parents are grandparents. Inquiries generally reveal that the grandparents adopted the child in order to provide him or her with a stable home environment after the child had been born out of wedlock, or into an extremely troubled or unstable home situation. Furthermore, in these cases the grandparents often become ineligible to receive public welfare for support of the child after adoption. Thus, in most cases, the only source of support for the child is the adopting parents' social security check.

It is my understanding that the key argument advanced in the course of congressional debate in defense of this discrimination is that providing benefits might encourage adoptions for the purpose of "abuse." However, in the court cases which have challenged the arbitrariness of this provision, very seldom, if ever, is a question raised as to the good faith and humane motivation of the families who have been denied benefits for their adopted children.

The Social Security Act Amendments of 1972 made very significant and progressive changes in the law covering the eligibility of a child adopted by an old-age or disability insurance beneficiary. The chairman and members of the Senate Finance Committee are to be commended for these important and needed modifications. However, the situation I have outlined still remains and, in my judgment, it should be corrected—particularly in the case of grandparents and relatives who adopt children within the family structure.

Today, I am introducing legislation to eliminate the provision of law which prevents a retired or disabled worker from securing benefits for an adopted child when the child is adopted after the workers' retirement or disability.

For the sake of adopted children—to insure their adequate care and upbringing—this legislation is needed.

Mr. President, I ask unanimous consent that the article from the Raleigh Register of Beckley, W. Va., to which I previously referred and the bill be printed at this point in the Record.

There being no objection, the article and bill were ordered to be printed in the Record, as follows:

COUNTY MAN LOSES LONG SOCIAL SECURITY BATTLE

(By Deborah Baker)

A Raleigh County man's efforts to get Social Security benefits for his adopted granddaughter—a battle which during the past six years has taken him from hearings at a local level all the way to the U.S. Supreme Court—have ended in disappointment.

The Supreme Court Thursday dismissed the case of Marion Prince Morris of Jarrolds Valley, outside of Whitesville. Morris attempted to have overturned Social Security provisions which blocked his adopted granddaughter's eligibility to be included in the disability benefits he receives.

One of the provisions he fought was repealed in amendments to the Social Security Act which went into effect Oct. 30 of last year, after the Supreme Court had accepted the case for review. Reportedly the repeal of that provision was the reason for the Court's dismissal of the case.

Morris's long struggle began when he and his wife Dora took their granddaughter Linda Gail into their home several months after her birth in March 1965. On Oct. 13, 1966, when Linda Gail was one and a half years old, the Morrises adopted her.

Morris has received Social Security disability benefits since 1957. He was injured in 1953 when a power pole he was working on as a lineman for the Princess Dorothy Coal Co. in Boone Co. snapped, falling across him and resulting in serious back and chest injuries.

When Morris applied after the adoption for child's benefits for Linda Gail, the application was denied.

Morris said he appealed the decision to Social Security twice, once in 1968 and again in 1969. The hearing examiner ruled in Morris's favor, but the decision was overturned by the Appeals Council of the Social Security Administration on the ground that the adoption of Linda Gail was not supervised by a child placement agency as defined by Social Security regulations.

(Under regulations at that time, Linda Gail as an adopted child would either have had to be living with the Morrises before he became disabled, or had her adoption supervised by a child placement agency, in order to be eligible.)

There is no licensed private child-placement agency in Raleigh County, nor is there any independent public child-placement agency. Linda Gail's adoption was decreed through the juvenile court, which has the statutory authority to supervise the placement of children in suitable homes. The Appeals Council, however, held that the court should not be considered a child-placement agency.

Morris then appealed the case to Federal District Court in Charleston, which ruled in his favor, saying that the regulations of Social Security as applied to the facts of Linda Gail's case were "arbitrary, restrictive, unjust and invalid."

The Secretary of Health, Education and Welfare, Elliot Richardson, (who is listed as the respondent in the Morris case) appealed that decision to the Fourth Circuit Court of Appeals, which reversed the decision of the District Court, concluding that the regulation was valid and the benefits should be denied Linda Gail.

"I just couldn't go any farther," Morris said, "and I only had 30 days to do something." Morris had been represented up to that point by former attorney P. W. Hendricks of Madison, and then by E. Lee Schlaegel Jr., also of Madison.

He was referred to the Legal Aid Society of Charleston and attorneys E. R. McClelland and Gail Falk, who appealed the decision to the U.S. Supreme Court, which agreed last year to hear the case. Their argument before the Court, which was presented last month, stated that Social Security regulations discriminated between adopted children and natural children, and discriminated against families in rural areas and other areas lacking child-placement facilities.

Social Security amendments which went into effect Oct. 30, 1972, dropped the placement agency requirement.

But under the new amendments, no adopted child can qualify for benefits as a dependent unless he or she was born and was living with the adoptive parents during the year before the wage-earner became disabled.

Since Linda Gail was not born until 1965—eight years after Morris began receiving benefits, and 12 years after he was injured—she is still not eligible.

Justice William O. Douglas was the lone dissenter from the Court's decision. He reportedly said he would have heard the argument of Morris because he could make claim to coverage under the old act.

"It's one of the most unfair things I've ever heard of," Morris said Friday. "I don't like it, I don't think I got a fair decision, but there's nobody else to rule on it."

The Morrises feel that the rules are aimed at persons who would adopt children for the additional benefits. "But we didn't take Linda Gail for the money involved," Morris added.

Morris feels that the decision "is against the Constitution—because everyone's guaranteed equal rights and that doesn't give her equal rights with other adopted children who are receiving benefits."

"I'd like to send every Senator and Congressman a letter about this" he said, "to see if they feel the law is justified. If I never got a penny out of it I'd rather like to see them change it, to help some other child."

The financing of Linda's education is the Morrises' chief concern. "I put her mother through school, 12 years, and she never missed a day," Dora Morris said. "I'm just hoping the Good Lord will let me live to put Linda Gail through high school."

Linda Gail, who will be eight in March, is a third-grader at Pettus Elementary School. A straight-A student, she is also learning to play the piano. She knew about the suit, Mrs. Morris said, but got "scared" when she was told in school Friday that a television news broadcast the night before had said she "wasn't eligible."

"I've learned to live with all the disappointments," Dora Morris concluded. "If the higher-ups can live with it, we can live without it."

S. 1692

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That (a) section 202(d) of the Social Security Act (as amended by section 111 of the Social Security Amendments of 1972) is amended by striking out all after paragraph (8)(C) and inserting in lieu thereof the following:

"(D)(i) was legally adopted by such individual in an adoption decreed by a court of competent jurisdiction within the United States, and

"(ii) had not attained the age of 18 before he began living with such individual."

(b) The amendment made by subsection (a) shall apply with respect to monthly benefits payable under title II of the Social Security Act for months after December 1967 on the basis of an application filed in or after the month in which this Act is enacted except that such amendment shall not apply with respect to benefits for any month before the month in which this Act is enacted unless such application is filed before the close of the six-month period after the month in which this Act is enacted.

By Mr. BELLMON:

S.J. Res. 101. Joint resolution proposing an amendment to the Constitution of the United States relating to the nomination of individuals for election to the offices of the President and Vice President of the United States, and to the direct popular election of such officers. Referred to the Committee on the Judiciary.

REFORM OF THE ELECTORAL SYSTEM

Mr. BELLMON. Mr. President, the shame of Watergate hangs heavily over the White House and the Republican Party. In a larger sense the weight of the Watergate affair should be felt by every American. For the roots of Watergate are firmly anchored in the chaotic, archaic, confusing, frustrating, expensive, exhausting, dangerous, and indirect processes by which we nominate and elect our President and Vice President.

The Watergate affair is a symptom of a greater sickness in this country's electoral system.

In a matter as serious and with such far-reaching impact as the selection of the leaders of this country, it is not just the symptom we have to treat, but the root cause.

The action of President Nixon in removing from his administration those individuals who have been implicated in the Watergate incident was, in my opinion, a courageous and perhaps overdue act that should help restore confidence of citizens of the country in their Government. Congress must move promptly to change the system which has produced not only Watergate but also unnumbered incidents of similar though lesser impact.

I regret that the President was slow in taking action, but I can understand his reluctance to move until he felt that he had the facts as to who had been involved. Congress has no excuse to delay action aimed at cleaning up our President election processes.

Apparently, the Watergate mess is about to be cleared up. However, we will not have fully lived up to our responsibilities as citizens unless we go farther and also eliminate the basic problem—a confused, complicated, and outdated system which encourages and rewards chicanery and manipulation.

Under the present system, unbearable pressures are placed on candidates and their campaign staffs to engage in the type of activity which the Watergate affair has dramatized.

The present Presidential election process is ridden with weaknesses in both the nomination and election procedures.

Let us look at the elements of the present system, beginning with the hodgepodge of State primaries.

In 1968, only 14 States held Presidential primaries. By 1972, the number had grown to 2 dozen. Each of these primaries is conducted by the State under its own set of laws and regulations. Conceivably, the day could come when not only half of the States but all 50 States would have primaries, and the result would be that our national politics would depend on 50 different and inconsistent State primary systems.

Not all State primaries produce bound delegates to the national nominating convention. In many States which do not have primaries, delegates are selected by a variety of procedures, all of which are highly vulnerable to manipulation.

In summary, I cite the following as weaknesses in our present system of nominating candidates for President:

First. One of the major ailments is the "hit and miss" method of selecting delegates to the national convention, where delegates are selected either by primaries, by the central committee, or at conventions, which gives no assurance that a candidate's true strength is adequately represented at the national convention.

Second. Since the name of the game is the search for delegates, a disproportionate amount of time is spent by the candidates in electing delegates instead of discussing and defining the issues.

Third. The present Presidential primary system magnifies the influence of some States to a disproportionate extent. For example, we are all aware of the undue influence of the New Hampshire primary because of its early date.

Fourth. But most important, there is a complete lack of uniformity in filing requirements, the significance of election results, and the proportionment of delegates in those States which have Presidential primaries.

Let me illustrate. In New Hampshire, Nebraska, and Pennsylvania, the delegates are only partially bound to the winner, usually for two convention ballots. In some of the larger and more important States—such as Ohio, Illinois, and New Jersey—the delegates are not bound at all. In the biggest State, California, a "winner take all" rule applies, wherein the winner gets all 271 delegates regardless of his margin of victory. Other States with the same provision are South Dakota, Oregon, Rhode Island, and Massachusetts. The most ludicrous practice of all occurs in Wisconsin, where there is an open primary. In that State the voters can, and often do, cross over to vote for the weakest candidate of the opposition party—the opponent they consider the easiest to defeat in the general election.

A victory in Illinois does not guarantee the candidate one delegate; whereas, a plurality in Indiana will assure a candidate that State's delegates for one ballot. A similar showing in Oregon will lock in delegates until victory or the bitter end.

Another element of our present system, the electoral college, needs to be relegated to the Smithsonian Institution along with other relics of our past.

The electoral college is a holdover from the early beginnings of representative government in this country when our national leaders were still not certain that government "by the people" would work. It came into being at a time when transportation and communications moved at mule speed; a time when educational levels were low; and a time when the bonds between Washington and the local community were all but nonexistent.

The electoral college has many faults. Here are my principal objections:

First. It has permitted the election of three Presidents who received less than their opponents in the national popular vote. In 1824, Andrew Jackson achieved a margin of more than 37,000 popular votes over John Quincy Adams, but not enough electoral votes to gain the Presidency. In 1876, Samuel J. Tilden won approximately 250,000 more popular votes than Rutherford B. Hayes, yet Mr. Hayes became President by a margin of one electoral vote. And in 1888, Grover Cleveland drew better than 90,000 more popular votes than Benjamin Harrison, yet Mr. Harrison became President. In addition, it has permitted the election of 14 "minority" Presidents, including Abraham Lincoln, James Garfield, Woodrow Wilson, Harry Truman, John Kennedy, and Richard Nixon, all of whom were elected with less than 50 percent of the vote.

The fact that these events occurred in the past is significant. But if we had an instance now in which the people of this country cast the majority of their votes for one candidate and another candidate was finally sworn in as President, I am of the opinion that that President could never function effectively, because the people of the country who voted for his opponent probably would not accept him. I feel that the situation is far more dangerous now than it was in the earlier days of our Nation's history, when there probably was less feeling and less concern on the part of our citizens about the way our Government is run.

Second. If an election is thrown into the House of Representatives because of the failure of a candidate to win a majority of electoral votes, an archaic and totally unrepresentative system gos into operation with each State having a single vote in total disregard of the population. In 1960, a shift of 4,480 popular votes from Kennedy to Nixon in Illinois and 4,491 in Missouri would have given neither man an electoral majority and would have thrown the decision into the House of Representatives. Who knows what chaos would have come as a result?

Third. There exists in the electoral system "independent" or "unpledged" electors who are not legally bound to cast their vote in the manner directed by the people. An incident of this kind occurred in my home State of Oklahoma in 1960. One of the Republican electors, who had been selected on the assumption he would cast his electoral vote for candidate Richard Nixon, actually cast his vote for Harry F. Byrd. At that time, I was serving as Republican State chairman and that was the point at which my interest in the electoral college system was first kindled. I have become more interested in this problem since that time, and especially after having served on the American Bar Association Commission which spent 2 years studying the electoral system and recommended the electoral college be abolished.

My interest in this matter was greatly furthered by the service I had as Richard Nixon's national campaign manager from August 1967 through the New Hampshire primary. The statements I am making today are partially based on that experience.

Fourth. The electoral college system tends to restrict campaign efforts to key pivotal States. With the population balance as it is today, a candidate need only to receive a simple majority of the vote in the 12 most populous States to win all the electoral votes in those States and thus, win the presidency. That means that one-third of the population can elect the President, even if the other two-thirds vote for another candidate.

Mr. President, in order to correct these and other weaknesses in our system of choosing our national leaders, drastic reforms are needed. Therefore, I am today introducing a constitutional amendment which would abolish the electoral college, and provide for a national primary and direct popular election of the President and Vice President.

This proposal is the same as one I introduced during the second session of the 92d Congress. It contains some of the same elements of Senate Joint Resolution 1 of the 91st Congress, which I cosponsored.

Briefly, here is what my proposal would do:

First. It recognizes the existence of political parties. In spite of their long and vital role, our present Constitution ignores these fundamental forces in our system.

Second. It provides for a uniform, direct, national primary election without the confusion of cross-over voting. For the first time, the voters will have direct control over party nominees. For the first time, the "one-man, one-vote" concept will apply to the presidential nominating procedures. For the first time, we would bring the presidential nominating system in line with the voting practices for most other elective offices.

Third. It creates a national runoff primary election between those two persons who receive the greatest number of votes in the primary. This insures that the presidential candidate of a political party truly represents the desires of the majority.

Fourth. It limits the presidential contest to candidates of the two political parties holding the most seats in Congress, thus eliminating the "spoiler" effect of splinter parties. The proposal does not outlaw third parties. Rather, it provides that they shall develop and mature through the capture of senatorial and congressional seats.

Fifth. Selection of the vice presidential candidate would be left to each political party after the presidential candidate has been nominated. Thus, the direct national primary would not do away with the need for a party's national convention. The convention would still be necessary for the purpose of selecting a vice presidential nominee and for writing a party platform.

But this would be done after the Presidential candidate had been chosen and he could have a choice in the procedure, which is now very difficult.

Sixth. It would require that each prospective candidate for the Presidential nomination of the party of his registered affiliation to file a petition with the seat of Government of the United States containing the signatures of qualified voters equal to one-tenth of 1 percent of the total vote cast for President in the most recent Presidential election in each of at least 30 States. This filing procedure would eliminate frivolous candidates while insuring that no serious candidate would be kept off the ballot.

Seventh. The election of the President and Vice President by direct popular vote, thus eliminating the electoral college, would be authorized. Voters in small States are given equal importance with voters in States with larger blocs of electoral votes. The direct popular election of the President from among the two nominees would guarantee that the President is elected by a true majority rule. It would give equal weight to every vote cast in the election and would encourage a candidate to give attention to every State.

Eighth. The proposal provides for the simultaneous conduct and simultaneous public announcement of election results, thus eliminating the psychological effect upon western voters who cast their votes after already knowing voting trends on the east coast.

Ninth. It provides flexibility to cope with changing conditions by authorizing Congress to establish necessary enabling legislation.

Mr. President, it is long past time for reform of our entire system of selecting our Nation's leaders. President Woodrow Wilson wrote in 1913:

> There ought never to be another presidential nominating convention; and there need never be another. Several of the states have successfully solved that difficulty with regard to the choice of their governors, and federal law can solve it in the same way with regard to the choice of presidents. The nominations should be made directly by the people at the polls.

President Nixon, in his address to the Nation Monday evening, remarked that—

> It can be very easy, under the intensive pressure of a campaign, for even well intentioned people to fall into shady tactics—to rationalize this on the grounds that what is at stake is of such importance to the nation that the end justifies the means.

He pointed out that both of the country's major political parties have been guilty of "campaign excesses" and he urged party leaders and all citizens "to join in working toward a new set of standards, new rules, and procedures—to insure that future elections will be as nearly free of such abuses as they possibly can be made."

Mr. President, that is the purpose of the action I propose today.

Mr. President, while the attention of the country is focused on Watergate is the time for Congress to act to eliminate the complex, confusing, disorderly, destructive, easily manipulated, and excessively expensive Presidential election process. The resolution I am introducing today provides a workable method of achieving this goal. I urge that the Members of this body will give it immediate serious consideration.

Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the Record following my remarks.

There being no objection, the joint resolution was ordered to be printed in the Record, as follows:

S.J. Res. 101

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid for all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after its submission to the State for ratification.

Section 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years and, together with the Vice President, chosen for the same term, be elected as provided by this Constitution.

Sec. 2. There is hereby recognized the existence of political parties, whose membership consists of citizens voluntarily associated together for the purpose of selecting and electing candidates for political office in the United States. The two political parties with which the greatest number of Members of the Congress are affiliated are authorized to nominate candidates for President and Vice President as herein provided.

Sec. 3. The official candidates for President of political parties shall be nominated in a national primary election by direct popular vote of the qualified voters in each State who shall be eligible to vote only in the primary of the party of their registered affiliation.

Sec. 4. Congress shall provide by law the time, place, and manner for the certification of persons as candidates for nomination for President; Provided, That no person shall be a candidate for nomination for President except in the primary of the party of his registered affiliation, and his name shall be on that party's ballot in all the States if he shall have filed a petition at the seat of the Government of the United States, which petition shall be valid only if in each of thirty States he has obtained the signatures of qualified voters equal to one-tenth of 1 per centum of the total vote cast for President and Vice President in the most recent presidential election in each of those States.

Sec. 5. The person who shall have received a majority of the total number of votes cast by the voters of the party of his registered affiliation in the national primary election shall be the official candidate of such party for President throughout the United States.

Sec. 6. The Congress shall provide by law, uniform throughout the United States, for the conduct of a primary runoff election to be held in the event no person receives a majority in the primary election of his party. Such election shall be held between the two persons who received the greatest number of popular votes cast for candidates for the presidential nomination by voters of such political party in the primary election.

Sec. 7. Each political party, for which, in accordance with this article, a presidential candidate shall have been nominated, shall nominate a candidate for Vice President who shall be the official candidate of such party for Vice President throughout the United States.

Sec. 8. The President and Vice President of the United States shall be elected at a general election by direct popular vote of the qualified voters of each State. In the general election, each voter shall cast a single vote for two persons who shall have consented to the joining of their names as candidates for the offices of President and Vice President. The names of candidates officially nominated as herein provided, and only such names, shall appear upon the official ballot in every State for the offices of President and Vice President. The persons joined as candidates for President and Vice President having the greatest number of votes shall be elected President and Vice President.

Sec. 9. The places and manner of holding the primary, runoff, and general elections shall be prescribed in each State by the legislatures thereof; but the Congress may at any time by law make or alter such regulations. The time of holding and announcing the results of the primary, runoff, and general elections shall be determined by Congress and shall be uniform throughout the United States. The Congress shall prescribe by law the time, place, and manner in which the results of the primary, runoff, and general elections shall be certified and declared. Voters in each State shall have the qualifications requisite for voters of the most numerous branch of the State legislature.

Sec. 10. In the event of the death or resignation or disqualification of the official candidate of any political party for President or Vice President, the national committee of such political party shall designate such candidate or candidates, who shall then be deemed the official candidate or candidates of such party.

Sec. 11. For the purposes of this article, the District of Columbia shall be considered as a State.

Sec. 12. The Congress shall have the power to implement and to enforce this article by appropriate legislation.

Sec. 13. This article shall take effect on the first day of January next following the date on which it is ratified.

By Mr. HUGHES (for himself, Mr. Brock, Mr. Baker, Mr. Clark, Mr. Fulbright, Mr. Humphrey, Mr. Mondale, Mr. Nelson, Mr. Stevenson, and Mr. Symington):

S.J. Res. 102. Joint resolution to authorize and request the President to proclaim June 17, 1973, as a day of commemoration of the opening of the upper Mississippi River by Jacques Marquette and Louis Jolliet in 1673. Referred to the Committee on the Judiciary.

Mr. HUGHES. Mr. President, on behalf of the Senator from Tennessee (Mr. Brock) and myself, I introduced for appropriate reference a joint resolution, which is a companion to a joint resolution being introduced in the other body by the gentleman from Iowa (Mr. Culver), authorizing and requesting the President to proclaim June 17, 1973, as a day of commemoration of the opening of the upper Mississippi River by Father Jacques Marquette and Louis Jolliet 300 years ago.

We are pleased to be joined in sponsorship of this legislation by the Senator from Tennessee (Mr. Baker), the Senator from Iowa (Mr. Clark), the Senator from Arkansas (Mr. Fulbright), the Senator from Minnesota (Mr. Humphrey), the Senator from Minnesota (Mr. Mondale), the Senator from Wisconsin (Mr. Nelson), the Senator from Illinois (Mr. Stevenson), and the Senator from Missouri (Mr. Symington).

Mr. President, the Mississippi River was discovered in 1673 by Marquette and Jolliet on an historic 3,000 mile journey by canoe. In order to suitably observe the 300th anniversary of the discovery, the exploration voyage is to be re-enacted in its entirety, with an eye toward explicit authenticity and historical accuracy.

Starting on May 17 at St. Ignace, Mich., eight participants in canoes will retrace the 4-month, 3,000-mile voyage across Wisconsin, down the Mississippi to the Arkansas River, back up the Illinois River to Lake Michigan, terminating at Green Bay on September 19. They will travel in replica canoes, sleep and eat on the riverbank, and wear canvas clothing and moccasins handcrafted by one of the crew members.

The voyage is being sponsored by the Mississippi River Tricentennial Committee of the Mississippi River Parkway Commission which was established by Congress to develop the Great River Road and stimulate travel along the Father of Waters.

The tricentennial observance is an extensive effort to reawaken appreciation for one of America's greatest natural resources and one of the most significant wellsprings of our cultural heritage.

Mr. President, those of us who come from the heartland of the Nation know and love this greatest of rivers—and fear it, too, at times like these when unprecedented flooding has produced such great destruction and despair. But as the waters recede, the assistance of the Federal Government and all of the State and private disaster relief agencies will help to rebuild and renew the ongoing development of the many historical, cultural, ecological, recreational, and commercial values of the Mississippi River.

I ask unanimous consent that the joint resolution be printed in the Record at this point.

There being no objection, the joint resolution was ordered to be printed in the Record, as follows:

S.J. Res. 102

Whereas, June 17, 1973, marks the three-hundredth anniversary of the opening of the upper Mississippi River by Jacques Marquette and Louis Jolliet; and

Whereas, the Mississippi River Tri-Centennial Committee, established by the Mississippi River Parkway Commission, is sponsoring a reenactment of the 3,000-mile voyage of Jacques Marquette and Louis Jolliet, which will take place beginning May 17, 1973, and ending September 19, 1973; and

Whereas, it is appropriate to emphasize the importance of the Mississippi River as a natural resource and as a significant source of the cultural heritage of the Nation: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation designating June 17, 1973, as a day of commemoration of the opening of the upper Mississippi River by Jacques Marquette and Louis Jolliet and calling upon the people of the United States to observe the tercentenary with appropriate ceremonies and activities.

By Mr. HUMPHREY:

S.J. Res. 103. Joint resolution to direct the Secretary of Transportation to make an investigation and study of the condition and adequacy of farm-to-market roads, railroad beds, and availability of operational rail lines serving rural areas in the United States. Referred to the Committee on Commerce.

URGENT NEED FOR IMPROVED TRANSPORTATION IN AMERICA'S RURAL AREAS

Mr. HUMPHREY. Mr. President, I am today introducing legislation to direct the Secretary of Transportation to investigate the condition and adequacy of farm-to-market roads, railroad beds, and availability of operational rail lines serving rural areas in the United States.

Such a study is urgently needed because it is becoming increasingly clear that many of the roads and railroads in rural areas of the Nation are inadequate to carry the volume of produce necessary for the farmers' livelihood and for the Nation's well-being.

Let us look first at the situation of our rural roads. In the past decade production per section of land in the Middle West has shown a steady increase, but there has been no major upgrading of rural roads in this rich agricultural area. What has happened is that the roads have become woefully and totally inadequate in terms of present day tonnages that need to be hauled. Many country roads have weight restrictions—which all too often means that even empty trucks cannot be accommodated. This transportation problem is exacerbated during the spring months when the ground thaws and many country roads become too weak to stand heavy loads traversing them.

In the State of Minnesota alone, according to a recent study by the State Highway Department, thousands of miles of roads are embargoed during the critical spring months. The affected roads lead to and from 214 municipalities in my State—municipalities in the heart of the breadbasket of the world.

Right now we have signs posted on many of our country roads warning the farmers and the truckers that "this road will take only 5 tons, or 4 tons, or 6 tons."

Now, what does this mean in human terms? It means that many of our Midwestern farmers cannot load their trucks to capacity, cannot get necessary fertilizer and equipment needed for spring planting into their farms, or the heavy volume of produce out. The roads do not even begin to accommodate the size trucks in terms of either the harvested crops or the plant foods, fuel, and equipment needed to produce the crops.

What makes this problem especially urgent is that in many instances the only way we can move our commerce, particularly agriculture and rural industry products, is over roads, because our railroads have been abandoning lines either through Interstate Commerce Commission—ICC—order or by neglect. Today we have a rail service that no longer meets the requirements. We have antiquated trackage over which trains can move only at a snail's pace, or not at all. We also are faced with continuous requests of the railroads to abandon even more miles of track. There are repeated instances of this problem all throughout the Midwest. Let me give you just one example.

In Clements, Minn., the railroad was abandoned some 4 years ago. As of this date this town still does not have an all-weather road to service either the grain elevator or the fertilizer plant in the community.

Even if the railroad were still in operation, it would be physically impossible to give the kind of service necessary due to roadbed deterioration of the railroad line.

This kind of situation is not in the best public interest in terms of the security of the Nation or the economics involved—and yet it is a situation which is becoming the rule instead of the exception in the Middle West.

Due to technology we have achieved a high degree of agricultural productivity, which represents one of America's greatest strengths. Recognizing the importance of increased food production to domestic and world food needs, it is unfortunate that we are endeavoring to move this production, as well as to increase it, using a horse and buggy type transportation system.

America's midwest is the breadbasket of the world, it represents the greatest opportunity for peace and the greatest strength America has; and yet, there is no leadership being displayed, no plan, no program in terms of achieving a sound transportation system to move this ever-increasing production both economically and efficiently.

It is imperative that the Government move rapidly in terms of investigating this entire situation as well as in developing programs to correct it. Our farmers are hurting, are hurting at a time when commodities traders are prospering and food prices are reaching all time record levels.

For these reasons, I am introducing the following resolution to direct the Secretary of Transportation to investigate and study the condition and adequacy of farm to market roads and railroads serving rural areas in America. The Secretary shall report the result of the investigation to the President and to Congress no later than December 31 of this year.

Mr. President, I ask unanimous consent that the full text of my joint resolution be printed at this point in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 103

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of Transportation shall make a full and complete investigation and study of farm to market roads, railroad beds and availability of operational rail lines serving rural areas in the United States for the purpose of determining the condition and adequacy of such roads and rail lines to carry the volume and weight of agricultural and other commodities from rural areas necessary for the Nation's economy.

(b) In carrying out such investigation and study the Secretary shall consult with appropriate State and local government officials and other appropriate experts.

SEC. 2. The Secretary shall make a report of the results of the investigation and study pursuant to this joint resolution, together with his recommendations, to the President and the Congress not later than December 31, 1973.

SEC. 3. There is authorized to be appropriated such amount as is necessary for the purpose of this joint resolution.

ADDITIONAL COSPONSORS OF BILLS

S. 978

At the request of Mr. EASTLAND, the Senator from California (Mr. CRANSTON) was added as a cosponsor of S. 978, to amend the Federal Trade Commission Act (15 U.S.C. 45) to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful.

S. 1123

At the request of Mr. MOSS, the Senator from Rhode Island (Mr. PELL) was added as a cosponsor of S. 1123, to amend title 5, United States Code, to provide for the reclassification of positions of deputy U.S. marshal, and for other purposes.

S. 1125

At the request of Mr. HUGHES, the Senator from Delaware (Mr. BIDEN), and the Sentor from Maine (Mr. MUSKIE) were added as cosponsors of S. 1125, to amend the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act and other related acts to concentrate the resources of the Nation against the problem of alcohol abuse and alcoholism.

S. 1218

At the request of Mr. GRAVEL, the Senator from West Virginia (Mr. RANDOLPH) was added as a cosponsor of S. 1218, a bill to amend title II of the Communications Act of 1934 to authorize common carriers subject to such title to provide certain free or reduced rate service for individuals who are deaf or hard of hearing.

S. 1418

At the request of Mr. HATFIELD, the Senator from Missouri (Mr. SYMINGTON), and the Senator from Delaware (Mr. ROTH) were added as cosponsors of S. 1418, commemorating the 100th anniversary of the birth of Herbert Hoover by providing grants to the Hoover Institution on War, Revolution, and Peace.

S. 1665

At the request of Mr. GRAVEL, the Senators from Minnesota (Mr. HUMPHREY and Mr. MONDALE) were added as cosponsors of S. 1665, a bill to terminate the Airlines Mutual Aid Agreement.

SENATE CONCURRENT RESOLUTION 23—SUBMISSION OF A CONCURRENT RESOLUTION TO ESTABLISH A JOINT COMMITTEE ON INFORMATION AND INTELLIGENCE

(Referred to the Committee on Armed Services.)

Mr. HATHAWAY. Mr. President, I submit for appropriate reference a resolution to establish a Joint Committee on Information and Intelligence.

In advocating the establishment of a new 14-member committee, my purpose is to provide closer congressional oversight of the activities and expenditures of the CIA and all other intelligence organizations of the United States.

Those activities cost the American taxpayer whom we represent an estimated $6 to $8 billion dollars a year. Yet we know little of those expenditures or the operations they finance. We learned about the CIA, ITT, and Chile from Jack Anderson, and about CIA activities in Indochina from the "Pentagon Papers." We know more about the U.S. intelligence activities from reading the newspapers than from performing our duties as U.S. Senators. Even though we appropriate the money, we don't even know how much in public funds is spent to finance these activities since they are often hidden in the budget.

It is essential that the elected representatives of the people have the right—and perform the duty—of overseeing the activities and expenditures of the CIA and other intelligence agencies.

The joint committee I am advocating would have the power to obtain the necessary materials and testimony to allow it to make continuing studies of the activities of U.S. intelligence agencies, their expenditures and the purposes of those expenditures, problems relating to intelligence programs, and the relationship between U.S. intelligence agencies and U.S. based corporations and the impact of these relationships on U.S. foreign policy.

As the Senator from Wisconsin (Mr. PROXMIRE) has said—

> At the present time, the Congress only gives a "quick over-the-shoulder look" at intelligence activities.

Given that we are required to make detailed decisions regarding foreign policy and national security, including the commitment of material and human resources, an "over-the-shoulder look" is not enough.

It is time we maintained an effective surveillance over the surveillants we finance. I believe the committee I am advocating could provide that surveillance.

There is ample precedent for this kind of approach to congressional oversight of sensitive activities. The Atomic Energy Commission is charged with keeping the Joint Committee on Atomic Energy "fully and currently informed" with respect to activities in that highly sensitive area.

At the present time intelligence information developed by the CIA and other agencies is available only to the Executive. I believe we are entitled to share that information. We provide funds for worldwide intelligence-gathering and other undercover operations, and we should be kept informed of what this arm of our Government is doing.

At the same time, we will be strengthening our ability to discharge our constitutional responsibilities in the foreign policy field. We will not be faced again and again with the Executive saying, as was said in the ABM fight, "if you only knew what we know." We would know, and we would not be forever tagging onto Executive trains that have already left the station.

Mr. President, I ask unanimous consent that the concurrent resolution be printed in the RECORD at this point.

There being no objection, the concurrent resolution was ordered to be printed in the RECORD, as follows:

S. CON. RES. 23

Resolved by the Senate (the House of Representatives concurring), That (a) there is hereby established a joint congressional committee to be known as the Joint Committee on Information and Intelligence (referred to in this joint resolution as the "joint committee"), to be composed of seven Members of the Senate appointed by the President of the Senate, and seven Members of the House of Representatives appointed by the Speaker of the House of Representatives. In each instance not more than four members shall be appointed from the same political party.

(b) Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original selection.

(c) The joint committee shall select a chairman and a vice chairman from among its members at the beginning of each Congress. The vice chairman shall act in the place and stead of the chairman in the absence of the chairman. The chairmanship shall alternate between the Senate and the House of Representatives with each Congress, and the chairman shall be selected by the members of the joint committee from the House entitled to the chairmanship. The vice chairman shall be selected in the same manner as the chairman, except that the vice chairman shall be selected by the members of the joint committee from the House not entitled to the chairmanship.

(d) The joint committee may appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable.

(e) The joint committee is authorized to utilize the services, information, facilities, and personnel of the executive departments and establishments of the United States.

(f) The joint committee is authorized to classify information originating within the joint committee in accordance with standards used generally by the executive branch of the Federal Government for classifying restricted data or defense information.

(g) The joint committee shall keep a complete record of all committee actions, including a record of the votes on any question in which a record vote is demanded. All committee records, data, charts, and files shall be the property of the joint committee and shall be kept in the offices of the joint committee, or such other places as the joint committee may direct, under such security safeguards as the joint committee shall determine to be in the interest of national security.

(h) The joint committee may make such rules respecting its organization and procedures as it deems advisable, but no measure or recommendation shall be reported from the joint committee unless a majority of the members thereof assent.

SEC. 2. (a) The joint committee shall make continuing studies of—

(1) the activities of each information and intelligence agency of the United States,

(2) the relationships between information and intelligence agencies of the United States and United States-based corporations and the effect of such relationships on United States foreign policy and intelligence operations abroad,

(3) the problems relating to information and intelligence programs, and

(4) the problems relating to the gathering of information and intelligence affecting the national security, and its coordination and utilization by the various departments, agencies, and instrumentalities of the United States.

(b) Each information and intelligence agency of the United States shall give to the joint committee such information regarding its activities as the committee may require. Such information shall include data with respect to the amounts, purposes, and recipients of expenditures made by each such agency.

(c) As used in this joint resolution, the term "information and intelligence agency of the United States" means the United States Information Agency, the Central Intelligence Agency, and any unit within any of the executive departments or agencies of the United States conducting information or intelligence activities (including any unit within the Departments of State, Defense, Army, Navy, and Air Force, including the operation of the Federal Bureau of Investigation).

SEC. 3. (a) All bills, resolutions, and other matters in the Senate and House of Representatives relating primarily to any information and intelligence agency of the United States or its activities shall be referred to the joint committee. The joint committee shall make an annual report to both Houses of Congress and shall make such additional reports as it deems necessary in carrying out its duties. The annual report shall include recommendations with respect to matters within the jurisdiction of their respective Houses which are—

(1) referred to the joint committee, or

(2) otherwise within the jurisdiction of the joint committee.

(b) In carrying out its duties under this joint resolution, the joint committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places, to require, by subpena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable. Subpenas may be issued over the signature of the chairman of the joint committee, or by any member designated by him, or by the joint committee, and may be served by any person designated by such chairman or member.

SEC. 4. The expenses of the joint committee shall be paid from the contingent fund of the Senate upon vouchers signed by the chairman.

ADDITIONAL COSPONSORS OF A RESOLUTION

SENATE RESOLUTION 87

At the request of Mr. Bartlett, the Senator from Nevada (Mr. Bible), and the Senator from Massachusetts (Mr. Kennedy) were added as cosponsors of Senate Resolution 87, requesting the President to begin a national program on car pooling.

AMENDMENT OF SMALL BUSINESS ACT—AMENDMENT

AMENDMENT NO. 97

(Ordered to be printed, and to lie on the table.)

Mr. TAFT. Mr. President, today I am submitting an amendment to S. 1672, a bill to amend the Small Business Act, which would restore to a limited extent the grant through loan forgiveness program for victims of floods, hurricanes, tornadoes, and other natural disasters.

The disaster relief laws were recently amended to eliminate this assistance. As a result, the best Uncle Sam will presently do for a disaster victim whose home or business has been demolished is to give him a 5-percent loan. This is absolutely unconscionable. A 5-percent loan with no forgiveness provision is hardly adequate assistance for an elderly person trying to make ends meet on a fixed income and suddenly without adequate housing, or a low- or moderate-income family still responsible for mortgage payments on its silt-covered home.

I point this out particularly in view of the fact that I just read the message from the President of the United States on the subject of foreign aid and note that we are including in it the disaster relief assistance provisions that we have financed in the past, and which I feel sincerely we should continue to finance internationally.

It can certainly be argued that the disaster relief legislation which we passed last year to provide $5,000 grants and 1 percent loans for disaster victims, placed an excessive financial burden on the Government. I argued during the debate on that bill that these provisions were unwise, mainly because the $5,000 grants would be given irrespective of need. The same extensive Government assistance would be made available to millionaires for repairing their tennis courts, and people who were really made destitute by a disaster.

At that time, the Senate passed my amendment to base the grant amount on the recipient's last year's income. However, this amendment was not accepted by the House of Representatives. The resulting forgiveness grant program was certainly unwise; nevertheless, the answer to the inadequacies of this program is not to abolish disaster relief grants altogether.

The amendment which I am introducing today would provide a grant of 100 percent of the damage amount, up to $2,500, for those victims of Small Business Administration-declared or Presidentially declared disasters with last year's incomes of $10,000 or less. The percentage grant would drop by 4 percent for each additional $1,000 of income. Everyone could receive at least 20 percent of his damage amount, up to $2,500, as a grant. Any additional loan would be made at the present rate of 5 percent.

These provisions would apply to all disasters occurring on or after April 20, the date after which disaster grants would otherwise be unavailable.

The amendment also allows the Small Business Administration to retain its discretionary authority to refinance mortgages of substantially damaged homes for a loan amount greater than the amount of the physical loss sustained—provided that monthly mortgage payments are not lowered as a result of the refinancing—and to avoid hardship situations by suspending disaster loan payments for the lifetime of individuals and spouses who rely for support on survivor, disability, or retirement benefits. This authority is scheduled to expire on July 30, 1973. The refinancing provisions are essential to take care of low- and moderate-income disaster victims who have large outstanding mortgages or large repair bills.

My amendment would provide enough grant assistance to enable many low- and moderate-income citizens whose homes and businesses have been damaged to avoid serious hardships. Yet it would cost considerably less than the forgiveness arrangement passed last summer. The income-related forgiveness feature might also cost less than the forgiveness grant provisions of the Disaster Relief Act of 1970, which allowed up to $2,500 forgiveness, regardless of income, to victims of Presidentially declared disasters. I believe that it is both responsive to the needs of disaster victims and fiscally responsible. It should, therefore, be added by the Senate as an amendment to S. 1672.

I ask unanimous consent that the amendment be printed at this point in the Record.

There being no objection, the amendment was ordered to be printed in the Record, as follows:

Amendment No. 97

At the end of the bill add the following new section:

Sec. 4(a) The second paragraph following the numbered paragraphs of section 7(b) of the Small Business Act is amended by striking out the following:

"and prior to July 1, 1973,"

(b) Clause (D) of the second paragraph following the numbered paragraphs of section 7(b) of the Small Business Act is amended—

(1) by striking the "and" at the end of subclause (i);

(2) by striking out "July 1, 1973" in subclause (ii) and inserting in lieu thereof "April 20, 1973";

(3) by striking the period at the end of subclause (ii) and inserting in lieu thereof "; and"; and

(4) by adding at the end thereof the following new subclause:

"(iii) with respect to a loan made in connection with a disaster occurring on or after April 20, 1973, notwithstanding the provisions of Public Law 93-24, the total amount so cancelled shall not exceed $2,500, and the per centum of the principal of the loan to be cancelled shall be reduced by four for each $1,000 by which the borrower's income exceeds $10,000, but in no case shall such per centum be less than 20. For the purpose of this subclause (iii), 'income' means—

(I) except in the case of a borrower who retires or becomes disabled in either the taxable year in which the loss or damage is sustained or the preceding taxable year, or in the case of a borrower which is a corporation, adjusted gross income, as defined in section 62 of the Internal Revenue Code of 1954, reduced by $300 for each deduction for personal exemptions allowable to the borrower under section 151 of such Code, for the taxable year preceding the taxable year in which the loss or damage is sustained,

(II) in the case of a borrower who retires or becomes disabled in the taxable year in which the loss or damage is sustained or in the previous taxable year, adjusted gross income as defined in section 62 of the Internal Revenue Code of 1954, reduced by $300 for each deduction for personal exemptions allowable to the borrower under section 151 of such Code, as estimated by the Administrator for the taxable year after the taxable year in which the loss or damage is sustained, and

(III) in the case of a corporation, taxable income, as defined in section 63 of the Internal Revenue Code of 1954, for the taxable year preceding the taxable year in which the loss or damage is sustained."

EXTENSION OF AUTHORIZATIONS OF THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965—AMENDMENT

AMENDMENT NO. 94

Mr. DOMENICI. Mr. President, yesterday I introduced amendment 94 to H.R. 2246, the Public Works and Economic Development Amendments of 1973. My reasons for doing so are as follows:

As reported by the Public Works Committee, H.R. 2246 extends the entire Public Works and Economic Development Act for another full year without significant modification of the basic law although the committee did reduce the authorization in the bill from $1.2 billion currently authorized to $362.5 million.

The administration proposes to terminate the Public Works and Economic Development Act and has indicated that the act's objectives can be continued under other existing or proposed programs such as the Rural Development Act and the Better Communities Act.

The amendment I intend to offer would extend all titles of the Public Works and Economic Development Act for an additional 4 months, through October 31, 1973, at the authorization level of $211 million, to give Congress time to appraise the new and proposed alternative programs—some of which are only now being received in detail by the Congress—and to do so without a gap in the authorities now vested in the EDA Act. My alternative proposal for less than a full 1-year extension would keep EDA in place during the remainder of this session of Congress but it would commit the Congress to examination without delay the new proposals for program reform, and for the return to the States and local communities of initiative and authority.

If the Senate is serious about program consolidation and eliminating duplication and waste, we ought to avoid annual extensions without change of the ongoing programs. For this reason, while I am sympathetic to the stated objectives of the committee bill and supported also the McClure substitute, I believe my proposal is superior in setting ourselves a schedule for action while preserving EDA authority during the transition.

As a member of the Public Works Economic Development Subcommittee, my position throughout consideration of this bill has been that the transition from the existing program be made in an orderly a manner as possible. This transition is crucial whether the program is eventually phased out, consolidated and relocated in other agencies or rewritten as is being proposed by the committee. The question remains, however, as to what functions of the act should be continued at this time, including those which cannot now be funded under other existing or realistically contemplated programs. Because I believe more time is needed to evaluate this transition, I think some extension of the existing law is needed beyond June 30, 1973, the cutoff date presented in the fiscal year 1974 budget.

When the committee undertook consideration of the extension bill, several of the alternative programs being proposed had not been received in detail by the Senate and implementation of the Rural Development Act of 1972—the act designated to assume the principal work of EDA—had not been completed. More information on these programs will be available to the Senate in the coming months and we can make a determination during this session as to which EDA functions need be modified, consolidated or continued. Programs which are duplicative and wasteful can be ended, those which need to coordinate more effectively with the newer programs can be modified and those which are useful and unique to the EDA Act can be continued.

In order to be consistent with the intent of this proposal as an interim measure, my amendment continues existing programs now in place without introducing new authorities as contained in the committee bill. Specifically, my amendment would retain the present 75-percent planning grants for Indians and maintain the status of eligible areas and districts as provided by current law. This is not to say that I disagree with the need for such provisions. I simply feel that changes in existing law would be difficult to implement in 4 months and in any case these measures can be made part of more permanent legislation developed in the period my amendment would provide.

The EDA authorities will end unless some extension of the act is agreed to by June 30, 1973. My amendment, while preserving EDA and the title V Regional Commissions through October 1973, would move us quickly to a study of the alternatives being proposed and enable a smooth transition to whatever future legislation is decided upon by the Congress.

I ask unanimous consent that the text of the amendment be printed in the Record.

There being no objection, the amendment was ordered to be printed in the Record, as follows:

AMENDMENT No. 94

On page 3, beginning on line 16 strike the words "and not to exceed $200,000,000 for the fiscal year ending June 30, 1973." and insert in lieu thereof "and not to exceed $133,000,000 for the period from July 1, 1973, through October 31, 1973."

On page 3 beginning on line 23 strike the words "and not to exceed $50,000,000 for the fiscal year ending June 30, 1974." and insert in lieu thereof "and not to exceed $28,000,000 for the period from July 1, 1973, through October 31, 1973."

On page 4 delete Section 3 beginning on line 1, strike all through the end of line 7 and renumber succeeding sections accordingly.

On page 4, beginning on line 12, strike the words "and $12,500,000 for the fiscal year ending June 30, 1974." and insert in lieu thereof "and $8,000,000 for the period from July 1, 1973, through October 31, 1973."

On page 4, beginning on line 16, strike the words "and not to exceed $25,000,000 for the fiscal year ending June 30, 1974," and insert in lieu thereof "and not to exceed $17,000,000 for the period from July 1, 1973, through October 31, 1973."

On page 4, beginning on line 23, strike "and for the fiscal year ending June 30, 1974, to be available until expended, $75,000,000." and insert in lieu thereof "and for the period from July 1, 1973, through October 31, 1973, to be available until expended, $25,000,000."

On page 5 delete section 6 beginning on line 1 strike all through the end of line 17.

NOTICE OF HEARINGS ON PETROLEUM PRODUCT SHORTAGES

Mr. McINTYRE. Mr. President, the Committee on Banking, Housing and Urban Affairs will commence a week of hearings on the impact of petroleum product shortages on the national economy beginning May 7 and ending May 11, 1973, at 10 a.m. each day, room 5302, Dirksen Office Building.

All persons wishing to testify should contact Mr. T. J. Oden, assistant counsel, room 5300, Dirksen Office Building: telephone 225-7391.

NOTICE OF A HEARING ON A NOMINATION

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Wednesday, May 9, 1973, at 10:30 a.m., in room 2228, Dirksen Office Building, on the following nomination:

Elliot L. Richardson, of Massachusetts, to be Attorney General.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

ANNOUNCEMENT OF INDIAN AFFAIRS SUBCOMMITTEE HEARINGS

Mr. JACKSON. Mr. President, I would like to call attention to the fact that the Subcommittee on Indian Affairs will hold hearings on S. 1012 and S. 1339, to establish the Indian Trust Counsel Authority and for other purposes, on May 7 and 8, 1973.

The two bills are administration proposals whose major purpose is to establish an independent agency to fulfill more effectively the Federal trustee's role in the field of American Indian affairs. The Authority, in essence, will serve as a legal advocate to insure independent legal counsel and representation for the preservation and protection of the natural resource rights of the Indians.

Public and private witnesses have been invited to present testimony at the 2-day hearing.

The hearing will commence both days at 9 a.m. in room 3110 Dirksen Senate Office Building.

ADDITIONAL STATEMENTS

TAX RELIEF AND REFORM

Mr. PERCY. Mr. President, this morning at the opening of hearings on property tax relief and reform by the Intergovernmental Relations Subcommittee, I testified on a proposal prepared by Senator Muskie and me, and introduced with 10 cosponsors, to provide property tax relief to all low-income homeowners and renters. The program would operate through the State governments. Under it, the Federal Government would make grants to the States to pay half of the costs of qualifying property tax relief programs. The Federal grants would be conditional, however, on eventual reform of State and local property tax systems. States would have 4 years to implement reforms specifically stated in the bill, before losing Federal grants.

This program has many advantages. It extends to all needy homeowners and renters, regardless of age. It relies on the State governments, which have always been recognized as having the main responsibility for property taxation. It would specifically recognize and support efforts now being made by 14 States to provide programs known as circuit-breaker tax relief systems for low-income homeowners and renters. Finally, and most importantly, it links property tax relief with the requirement for reform. In my view it would be irresponsible to do otherwise. Corrupt, inefficient, antique property tax systems in the cities and States have had extremely harmful effects on land use and urban development, and can even be demonstrated to contribute in a major way to urban blight and decay. To permit these systems to remain unreformed, I believe, will weaken the objective of strengthening the fiscal responsibility of the States, which must be the keystone of any program of new federalism.

Mr. President, I ask unanimous consent that my statement on S. 1255 be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR CHARLES H. PERCY

Mr. Chairman, Committee members: I am very pleased to be invited to open these hearings on S. 1255, the Property Tax Relief and Reform Act of 1973, which we introduced together on March 15, and which is now cosponsored by Senators Mathias, Bayh, Humphrey, Metcalf, Ribicoff, Tunney, Pastore, Brooke, McGovern, and Stafford.

The hearings are timely both because they address an important issue, and because we now have the benefit as well of the President's property tax relief proposal. It was presented by Secretary Shultz to the Ways and Means Committee on Monday in fulfillment of the President's promise on January 20, 1972, to recommend a program to meet the needs of homeowners and renters, and to fulfill the commitment in his speech accepting the Republican nomination "to reduce the property tax, which is such an unfair and heavy burden on the poor, the elderly, the wage earner, the farmer, and those on fixed incomes." As you know, the program announced by Secretary Shultz on Monday deals only with the needs of overburdened elderly homeowners, by providing a credit against their *Federal* taxes if property taxes exceed 5 percent of their household income. In the case of renters, real property taxes would be considered to constitute 15 percent of rent paid.

Mr. Chairman, I believe that the key issue that must be confronted squarely at the outset of our Committee's effort to create legislation providing incentives for relief and reform of local property taxes is whether or not the Federal Government does, in fact, have a role in helping change what for many, many decades has been exclusively a state and local form of taxation.

As you well know, the Advisory Commission on Intergovernmental Relations at its meetings last December voted to take the position that the Federal Government *has* no role—that the states must be entirely responsible for local tax reform. Mr. Chairman, you and I both filed dissents to that decision. I wrote that, while I believed that state and local governments must maintain primary responsibility for the administration of the property tax, the Federal Government most decidedly has a very proper role in encouraging local relief and reform.

Secretary Shultz based the Administration's program on the premise that the Federal Government had an obligation to provide relief from excessive local property taxes, at least for *some* citizens. Secretary Shultz said that "the imposition of excessive property taxes on the elderly undercuts social security and other Federal programs designed to provide retirement benefits, as well as a minimum of security for the aged."

I would go further. The imposition of excessive property taxes on *all* low-income Americans undercuts all Federal programs to provide income support for all groups in our society. But our approach to this critical problem differs from the President's in an even more important way. Our approach is based on a sharply different philosophy about the proper role of the Federal Government in the Federal/state tax structure.

Our bill makes these two key distinctions. First, we place the main burden for property tax relief for all low-income homeowners and renters on the individual *state* governments. We thus recognize that the property tax system in each state is unique and distinct from the system in any other state. We give proper recognition—and direct encouragement—to the programs of "circuit-breaker" relief *already* enacted by 14 states and those under consideration by other states. Thus, the Federal grants we provide to the states do *not* pre-empt state relief programs. Instead, I believe S. 1255 strengthens state responsibility by relying on the state governments to originate and administrate their own property tax relief and reform programs.

Second, we link the offer of relief with the *requirement* for property tax reform. I do not believe there is a more important or urgent need in local government finance today than property tax reform. The recent report of Arthur D. Little and Company commissioned by the Department of Housing and Urban Development demonstrated how shoddy property tax administration in 10 major American cities had contributed to urban blight and decay, provided disincentives to individual owners and investors to repair and restore deteriorating properties, and discouraged potential minority entrepreneurs from buying and upgrading properties in their own neighborhoods.

In brief, what A. D. Little found is that in most of the cities studied property assessments are not revised to reflect actual property values. As neighborhoods begin to decline, for many combinations of economic and social reasons, and property values and rents correspondingly drop, assessed valuations do not. Landlords receive lower and lower rents while property taxes may even increase. Soon property taxes take the lion's share of rents, leaving nothing to meet other expenses. Eventually, owners, who years earlier had brought what they considered solid investments, abandon their properties, hoping to sell them to public authorities for rights-of-way or public housing, rather than accept the huge capital losses they would realize were they to sell to potential minority buyers. At the same time, the A. D. Little study showed how property tax administration fails to reflect fully property values in the higher-income suburbs and neighborhoods. This is a tragic, needless process, and its fruits of blight and squalor mark every major American city.

Mr. Chairman, this demonstration of the urgent need for reform in major cities is echoed and confirmed by a recent report of your Intergovernmental Relations Subcommittee. The report attempted to assess, through a survey of each of the states, the extent to which states have reformed their property tax systems in the 10 years since the ACIR first recommended a series of badly needed reforms. The conclusion of the survey was that the majority of states have failed to take positive action and that the quality of property tax administration in most states is tragically bad.

Under our bill, Federal payments to the states to support their relief programs are made conditional on ultimate reform. States receiving Federal funds would lose half that support in the third year of the program and all of it in the fourth year if they failed to adopt the reforms required by the bill.

I think it would be irresponsible to provide property tax relief without at the same time requiring reform.

Providing relief without reform would simply permit the present tax systems to remain intact—systems that are at worst corrupt, at best inefficient, and usually antiquated. This would be a serious mistake. For one of the most important goals of the Federal Government in my opinion, is to encourage the development of strong local government tax-raising systems. A major goal of our bill is to encourage local fiscal self-support and responsibility by requiring reform. This is the essence of the spirit of "the New Federalism."

Mr. Chairman, it can be argued that property taxation is intrinsically a local matter and that local governments should be allowed to solve their problems for themselves. I deeply respect this viewpoint. However, I think it is possible to design, as we have tried to do, a Federal program that relies on the states to act as the agents of change and reform, with Federal encouragement and within Federal guidelines.

The property tax is under increasing attack from many quarters as costs of public services increase. Reforming the property tax can, in my view, do a great deal to reduce inequitably high rates for many property owners, and raise them for those who are unfairly exempted or underassessed.

Our bill encourages both objectives without removing basic responsibility from the states. Through a program of matching grants it provides adequate property tax relief programs for all low-income homeowners and renters. Yet it provides a strong incentive for reform by making these grants conditional on implementation—within four years—of specified property tax reforms. These reforms have been carefully considered and well studied. They are in large measure based on work of the Advisory Commission on Intergovernmental Relations, which has studied the property tax systems of the states for at least a decade. These reforms themselves should help people who are now so angry over glaringly unfair assessments, and the difficulty of obtaining access to information about their taxes and of appealing unfair assessments on their homes.

A major problem in most states is the failure of local governments to account for properties that have received, over time, exemptions from tax. The result is that many local governments do not even know the value of the property that is not being taxed. Many do not even know what those properties are. Our bill would require states to keep such records.

A recent development in Chicago relates directly to this issue. This week the City of Chicago Tax Assessor recommended to the State Legislature a bill that would place on the tax rolls properties which are owned by tax-exempt charitable organizations, but are leased to commercial enterprises. Currently, the commercial enterprise pays tax on the buildings on the property, but *not* on the value of the land. Under the proposed legislation lessees of tax-exempt land would have to pay taxes on the assessed valuation of the land as if they owned it.

Thus, for example, the Continential Illinois National Bank and Trust Company, one of the nation's great financial institutios, would, under the bill, have to pay taxes on the extremely valuable downtown land, owned by Northwestern University, on which its LaSalle Street building stands.

I strongly support this legislation. If passed, it will result in an estimated $10.3 million in additional tax revenue for Cook County. This is the kind of reform our bill would promote in all the states.

Finally, I believe that the program of grants and interest-free loans provided in titles IV and V of the bill represent an appropriate encouragement to the states to improve their property taxation systems whether they adopt relief programs or not. As the recent report of this Subcommittee on property taxation in the states showed, property tax administration in all states must be improved. In my own State of Illinois, important steps have been taken to upgrade assessment practices. And Illinois adopted last year a relief program that should do much to assist the poor homeowner and renter. Nonetheless, the property tax problem remains a serious one in my State and in the vast majority of other states. This bill is an effort to encourage both relief and reform in all the states, while relying on the states to achieve these goals. I think we have framed a responsible response to an extremely important problem.

CITIES REPORT ON SOLID WASTE AND RECYCLING

Mr. MOSS. Mr. President, the National League of Cities/U.S. Conference of Mayors recently produced a very interesting document. At a time when the President has said that solid waste management is a local problem, the league was drafting a position paper—requested by the administration—which clearly shows that this problem is a national issue and that only national action will yield the kind of results needed to meet the mounting problems of solid waste.

The administration has obviously ignored the advice it sought.

Approximately 98 percent of the costs of solid waste management are borne by State and local government. The Federal Government simply is not carrying its share of the burden or encouraging general policies that would increase reuse of resources.

The report gives a clear call for action. It urges:

First. Use of solid waste as an energy source;

Second. Elimination of discrimination on freight rates for recycled materials;

Third. Elimination of tax discrimination against recycled materials;

Fourth. Requiring Federal procurement of recycled materials when possible;

Fifth. Packaging standards to decrease the volume of solid waste;

Sixth. Making resource recovery from solid waste profitable economically;

Seventh. Incorporating disposal costs into the price of products;

Eighth. Increased efforts in R. & D.

Ninth. Increased technical assistance from the Federal Government; and

Tenth. Better use of information from demonstration projects.

These are simply the highlights of the league/conference report. There are many more detailed suggestions listed in the full text.

The Resource Recycling and Conservation Act of 1973, which I introduced April 16, incorporates many of the suggestions brought forth in this report. Other legislation being drafted in Congress presently, particularly that of the chairman of the Environment Subcommittee of the Senate Commerce Committee, Senator HART, incorporates other suggestions mentioned by the cities. These are good ideas, and legislation is being developed in Congress to incorporate these ideas.

Will these legislative efforts have the help of the President? The answer appears to be "no." The refuse of society mounts as does administration rhetoric; yet on the subject of solid waste disposal, the President is virtually silent. National activities have brought about a massive problem that may be the most difficult of our pollution problems to control. What has the White House said? "This is a local problem." Therefore, Federal funds will be cut. The administration will not attempt to come up with innovative ideas by using the demonstration program grants authorized in the Resource Recovery Act of 1970. These grants, funded at a level of $30 million in fiscal year 1973, are scheduled to be cut back to $5.2 million in fiscal year 1974.

As in most environmental matters, Congress will have to take the lead. Years ago I began calling for the establishment of nondiscriminatory freight rates for recycled materials, for increased Government purchasing of recycled materials, and general policies to encourage recycling and better solid waste management practices. Earlier congressional action, particularly enactment of the Resource Recovery Act of 1970, established clear congressional leadership in this field. The people want this problem solved, and I am confident that Congress is going to be responsive to this desire.

I ask unanimous consent that the highlights of the report made by the National League of Cities/U.S. Conference of Mayors, dated May 15, 1973, be printed in the RECORD. It will be a useful reference for Congress and the public.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

CITIES AND THE NATION'S DISPOSAL CRISIS

(A report of the National League of Cities and U.S. Conference of Mayors Solid Waste Management Task Force)

INTRODUCTION

The report that follows covers an intensive three-month study of solid waste issues by the National League of Cities and the United States Conference of Mayors. We have looked at municipal capability in the context of a basic Federal strategy toward comprehensive solid waste management. We have examined major issue areas, including collection and transportation, disposal and resource recovery, regulation and source reduction, financing and economic incentives, appropriate intergovernmental roles, and problems peculiar to municipal management. Within this tight time frame, we have also assessed the financial, management and technical assistance needs of the nation's cities in solid waste management.

The principle vehicle for our study has been a 14-member Task Force representing ten municipalities, three state municipal associations, and one regional council of government. This group of mayors and city administrators combine more than 150 years of direct experience with solid waste problems. The interest and participation of the Task Force were gratifying, attested by the fact that several cities sent additional representatives at their own expense to assist with the heavy work load.

HIGH PRIORITY RECOMMENDATIONS

The cities and counties of the nation are, and properly ought to be, the focal point for confronting the challenges of solid waste management. The Task Force study of municipal capability reveals a mixture of varying effort and capability levels in cities to meet those challenges. But the Task Force assessment also finds cities contending with solid waste problems which in scope and magnitude are not produced by local policies, problems whose solutions require: (1) resources and support functions that exceed the internal capability of all cities, (2) available land areas for disposal which many cities increasingly lack within their political boundaries, and (3) technology for resource recovery which has severe financing and marketing limitations on a large scale.

Furthermore, the Task Force review of solid waste issues finds direct relationships between solid waste management, especially current waste generation and disposal practices, and the larger issues of national resource conservation.

The Task Force, therefore, directs its attention to those policies and practices at the national, state and local levels which both contribute to and offer the best prospects for alleviating the following: (1) the magnitude of national solid waste problems, (2) the timing and complexity of the nation's disposal crisis, (3) the technological and economic limitations on large scale resource recovery, and (4) the cause and effect, push-pull relationships between current waste generation and disposal practices and the nation's natural resource limitations. Presented below are the steps that must be taken, at all levels of government, if we are to further upgrade municipal solid waste management, confront the nation's disposal crisis, and properly administer our natural resources.

The National League of Cities and United States Conference of Mayors Solid Waste Management Task Force specifically recommends the following:

1. Recognition that solid waste management transcends local jurisdictions and funding capabilities and that satisfactory progress toward adequate improvements will require continued Federal financial support.

The cities and counties of the nation constitute the front line for achieving effective solutions to solid waste pollutions problems and implementing a national program of resource recovery. But critical in this view is the corollary assertion that while local governments should be the focal point for optimum solid waste management, they cannot—by themslves—be the fulcrum. The Federal government has responsibilty for policies that have compounded the waste disposal crisis and prevented large scale resource recovery. Federal funding levels should reflect the national dimensions of solid waste management and resource recovery.

We recommend below market interest Federal loans for resource recovery capital facilities meeting certain criteria, plus planning, training, demonstration grants. Full funding at previously authorized levels should be a minimum guideline for calculating Federal support.

2. Federal assistance to local governments to optimize productivity of collection systems.

Th fundamental fact that solid waste collection costs are—and will, in the foreseeable future, continue to be—several times the cost of disposal, points up the critical importance of optimizing productivity of local collection. Looking at the country as a whole, improvements in municipal collection systems offer high immediate pay off. EPA's Major Technical Assistance program is demonstrating significant results in several cities and should be expanded.

Collection improvement mechanisms should include federally sponsored voluntary evaluations by interdisciplinary management teams comprised of personnel experienced and qualified in municipal solid waste management. Results of limited value derive from studies by personnel without practical experience at the municipal level.

Federal demonstration projects require better mechanisms for feedback to the cities and counties on an organized basis. R & D must be coupled with more effective means of technology transfer. A control reference library of actual performance and cost effectiveness of various methods is needed for municipal solid waste decision makers.

However, collection improvement is a short-term priority that will not deal with waste generation or ultimate disposal problems.

3. Development of major disposal, land reclamation, and resource recovery capabilities by removing barriers to interstate and intrastate transportation of municipal solid wastes.

Generation of solid waste does not recognize political boundaries, but the handling of solid waste does. Cities, particularly those whose disposal problems are affected by interstate and intrastate restrictions, stand in great need of State and Federal assistance in the reduction of solid waste transportation barriers. These barriers to interstate commerce are created by State law, are beyond local authority and jurisdiction, and are a Federal responsibility under the Constitution. There is an urgent necessity, therefore, for Federal action to remove interstate commerce barriers, to correct freight rate discrimination against solid waste and recycled materials, and to pre-empt non-importation laws.

We endorse interstate multi-jurisdictional and intrastate regional approaches to disposal and resource recovery and recommend additional State and Federal leadership in those cases where these strategies are constrained by State boundaries or regulations.

States, in consultation with local governments, must provide critically needed assistance in planning and establishing regional disposal sites.

4. Adjustment of Federal policies that negatively impact resource recovery and establishment of positive incentives to encourage maximum feasible recovery of resources from municipal and other solid waste systems.

Resource recovery will neither impact nor improve local solid waste management until it becomes profitable economically. The overriding consideration is for Federal action on policies and practices which discourage and impede the handling of solid waste or the processing, marketing, and reuse of recycled materials. These include depletion allowances and tax credits for virgin materials, higher rail freight and shipping rates for solid waste and recycled materials than for virgin materials, and procurement policies which primarily use virgin materials.

The Federal government should either reduce the negative impact of these policies with downward adjustment of depletion allowances and freight rates or it should establish subsidies in the form of investment and tax credits for increased recovery and utilization of resources. A higher priority for recycled materials in Federal, State and local government procurement policies—a multibillion dollar market—will help initially. But in the long term, increased utilization of recycled materials in the private sector must follow.

The Federal government should sponsor an expanded demonstration program which focuses greater attention on market factors and demand pull issues for municipal resource recovery.

5. A national effort to decrease the volume of solid wastes generated in the U.S. including packaging standards.

The brunt of today's disposal costs are met neither in the market place nor in the Federal budget, but in city and county budgets. The sky-rocketing volume of solid waste is created by national economic forces that transcend local government. Unless we reduce the total volume of solid waste generated nationally, and unless market prices begin reflecting product disposal costs, local governments will continue to be over burdened with the flow and the financing of the nation's solid wastes.

A combination of government regulation and private cooperation must be used; dependance upon the latter alone has not shown enough results. Measures to restrict excessive waste production are in the national interest. Such measures need to address the recyclability and disposability of products and packaging. Packaging practices and product characteristics contributing to solid waste management or disposal problems should be regulated.

National legislation, with provision for both immediate Federal action and further study and evaluation of proposed strategies, is urgently needed. Emphasis should be given to both legislative and economic strategies that utilize positive incentives for reduced refuse growth.

6. Advancement of the state of the art on a continuing basis.

EPA demonstrations using solid waste as alternative and supplementary energy sources are important but limited step in moving toward solutions to the solid waste challenge. However, the need for further development of separation and recycling technology, and for further demonstration of new and improved solid waste management, disposal, and resource recovery systems still exists.

Economics is obviously a more critical roadblock to resource recovery than technology; nevertheless, additional technological improvements are needed. The view that a magical new process will be found to solve solid waste problems is recognized as illusory, yet we also are skeptical of the assertion that "the technology is here and it's now a matter of implementing it."

We, therefore, call for establishment of an R & D Advisory Board composed of state and local government and private sector representatives. Broader input to R & D decisions and improved communication of results are needed. But top priority for the Advisory Board would be an assessment of the focus and immediate technological impact of R & D projects, as well as overall applicability to municipal solid waste and resource recovery needs.

7. Integration of energy planning and studies to include energy recovery and transfer from solid waste.

Solid waste can and should be considered as a supplemental fuel. Recent technical breakthroughs sponsored by EPA have demonstrated some initial success in the partial replacement of coal and oil with mixed municipal refuse.

Previous Federal research on integrating solutions to the solid waste crisis with the energy crisis has not been funded at appropriate levels. Major commitments should be made to stimulate energy recovery from solid wastes.

PRESIDENT NIXON'S ADDRESS ON THE WATERGATE SITUATION

Mr. BENNETT. Mr. President, President Nixon's address to the Nation Monday night on the Watergate situation was dramatic evidence of the seriousness of his commitment to insure that justice is served.

The President had the courage to assume ultimate responsibility for the actions of his staff, and has taken the forceful action necessary to reveal the truth and restore the confidence of the Nation in government and our political process. I fully agree with the President that this incident and the manner in which it has come to light is a demonstration of the strength of our democratic system, rather than a sign of its weakness.

Now we must get on with the business of governing and dealing with the serious domestic and international problems facing the Nation at this time. There is work to be done in the areas of foreign affairs, the economy, international trade, and other important business. These problems will not go away. The President must face them and deal with them, and it is my hope that he will now be free to carry on his awesome responsibilities in and atmosphere of trust and confidence.

MEANY OPPOSES MFN FOR THE SOVIET UNION

Mr. RIBICOFF. Mr. President, last week President George Meany of the AFL–CIO, in his usual frank and forthright manner explained the reasons for his opposition to granting the Soviet Union most-favored-nation status and other trade concessions.

In making the case for congressional denial of MFN, Meany pointed to recent repressive Soviet actions and intensified persecution of Russian dissidents. At the same time he cited the great benefits the Soviet Union expects from the U.S.-U.S.S.R. Trade Agreement.

It is this extreme one-sidedness which has convinced so many of us in the Senate that the Soviet leadership must prove its good intentions with regard to fundamental human rights by more than mere words.

All Americans owe a debt of gratitude to Mr. Meany for describing those aspects of our trade relations with the Soviet Union which are too readily overlooked by some in their quest for quick profits. There is much more at stake here than exchanging vodka for Pepsi-Cola. The AFL–CIO and its courageous President deserve credit for making these important facts known.

I ask unanimous consent that excerpts from Mr. Meany's address of April 26, 1973, before the Congressional Medal of Honor Society's annual Patriot's Award dinner in New York City be printed in the Record.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

Excerpts From George Meany's Address

President Nixon's visit to Moscow in May 1972 was not an innovation but a well-staged continuation of our country's historic policy of seeking friendly relations with Moscow in order to assure the maintenance of world peace. Towards this end, President Eisenhower met with Khrushchev (1955) in Geneva and had him visit the U.S. in 1959. President Kennedy's Nuclear Test Ban Treaty (1963) and President Johnson's Summit meeting with Premier Kosygin (Glassboro 1968) likewise reflected our country's earnest desire to achieve Soviet-American friendship as a foundation for lasting world peace.

The Kremlin rulers were anxious to have President Nixon visit them last May, despite the stepped-up American bombing of North Vietnam and the mining of its principal port of Haiphong. Their strategy was to utilize the Brezhnev-Nixon Summit meeting especially for an agreement to expand Soviet-American credit and trade relations which would help the USSR overcome the inability of its collectivized agriculture to produce enough food; the failure of its boasted industrial growth to produce consumer goods in sufficient quantity or quality; and the dangerous economic imbalance resulting from technological backwardness—except in the realm of sophisticated military weapons and spacecraft.

The Soviet dictatorship can no longer hide the incapacity of its Communist system to alleviate the distressing social consequences of its faults and failings without massive help from the democratic countries—especially the U.S. This explains their present drive to secure from our country a considerable expansion of trade on a "most-favored-nation" (MFN) basis, generous credits and vast technological know-how. Soviet labor productivity was only about 40% of the U.S. level in 1971. Though the USSR has 50 million more people than the U.S. has, its consumers can get only about one-third of the goods and services available to the Americans. Furthermore, Soviet consumer goods are often shoddy and very high-priced—even when available. Refrigerators, automatic washers and dryers are practically unavailable, while radio and black and white TV sets of poor quality can be gotten only on credit terms. One has to wait 4–6 years for a car.

The Brezhnev-Nixon agreement of May 29, 1972, was a windfall for Moscow. It marked and paved the road to the USSR's securing enormous economic benefits from our country. Moreover, these gains are conducive to the development of an international atmosphere in which the Russians will find it easier to garner new political and military advantages. It provided for a Soviet-American Commercial Commission with power to negotiate an overall agreement for reciprocal most-favored-nation treatment and generous long-term credits. Thus, the USSR would enjoy the same tariff benefits as countries which now have the most-favored-nation trade agreements with the U.S. Furthermore, symbolically and politically, MFN treatment means very much for Moscow, because then even its considerable slave-labor products could enter the American market unhampered.

Our country's large-scale shipment of food and feed grains to Russia, since May 1972, have contributed largely to the big increase in the price of bread and meat for the American people. In addition, the Soviet Government has been receiving far more generous credit terms than those available to Americans trying to buy or build a home or expand a small business or medium-sized plant.

The failure of the Soviets to reciprocate for these invaluable American favors is gravely significant. The Russian government has refused to repeal its inhuman head tax against its citizens of Jewish origin seeking to emigrate. Moscow is now raising the barriers to its citizens' opportunities for freedom of contact with foreigners—a development which normally follows the expansion of trade. Since the Brezhnev-Nixon Summit, the Kremlin has tightened its repressive rule through intensified persecution of Soviet dissidents and stricter GB surveillance of the population as a whole. Despite all the trade benefits, the Soviet Government is still adamant in its opposition to any free exchange of ideas between the American and Soviet peoples.

Too many American businessmen and bankers are shortsighted when they forget that commercial relations with the USSR are not ordinary normal trade deals between buyers and sellers in the free world. The Soviet government has a total monopoly on the buying and selling of all goods and access to all raw material resources in the USSR. While American technological know-how turned over to Russia stays there and helps develop its resources, the Soviet rulers can shut off their market or natural resources at any time they see fit. The benefits of our technological help to the Russians are permanent and will sooner or later reduce Russia's need for buying from the U.S.

Expanded trade between countries does not guarantee their living in peace with each other. Britain and Germany were the top trading partners in 1914; yet, they were the principal opponents in World War I. Today, despite its eagerness to expand trade and credit relations with the U.S. and receive our technological know-how, the Soviet government forcefully and frequently stresses its determination to wage ideological and class warfare against our country and other democracies. It persists in its destructive role in Indo-China and the Middle East. Soviet warships have very recently been used for transporting Moroccan troops to bolster Syria's brazen hostility to Israel. Russia is working tirelessly—at the expense of its own consumers—to build ever stronger military and naval forces. In Europe, Asia, and everywhere else, the Kremlin seeks, by every means possible, to undermine or eliminate American influence. Last but not least,—from the days of Lenin down through Brezhnev—the Soviet Union has had a dismal record of dishonoring its international agreements.

Giving the USSR MFN treatment will not bring any real gains to the American people. There is no reason to believe that such treatment will lead the USSR to make earnest efforts for removing the causes of international tension and promoting equitable and lasting world peace.

Therefore, Congress should reject the proposed trade package (October 18, 1972) which provides for most-favored-nation status for Soviet exports to the U.S. and for the extension of large-scale credits for Russian purchase of American goods and technological know-how. Priority in granting such trade concessions should be accorded to friendly developing nations. What is more, it is most urgent that our country should, first of all, improve its economic, political, and military relations with friendly democracies and allies before even thinking of making new concessions to any aggressive dictatorship which is a potential threat to world peace and freedom.

Some of our corporations have developed a feverish interest in expanding trade with and extending credits—government guaranteed, of course—to the USSR and its satellites. These profit hungry businessmen have yet to learn that, in all Communist countries, all economic matters are completely controlled by the dictatorship. In these totalitarian countries, all economic relations are, first of all, political in character and aim.

American bankers and industrialists make a costly mistake when they think that they can do "business as usual" when they deal with Communist governments. It is false to think that in such deals "the only thing that matters is profit and competitive advantage." This practice of doing "business as usual" with the Nazi and Fascist dictatorships proved disastrous before World War II. "Business as usual" with Communist dictators will be no less disastrous. Our corporations would serve their country and even their own vital interests if they applied the following rule: The decisive consideration in commercial transactions with dictatorships is that such deals must serve the national interest of our country and its free society and not simply be concerned with making a fast buck by helping the Communist regimes bail out of their economic difficulties and thus strengthening them for further subversion and aggression.

Communist rulers never enter into any agreements on the basis of a mutuality of interests. Therefore, no credit or trade, concessions should be given to any Communist government without an adequate political quid pro quo like ceasing subversion, stop aiding and abetting the continuation of military aggression in Cambodia and Laos, dismantling the Wall of Shame in Berlin, and guaranteeing self-determination in freedom for the entire German people—as pledged by Khrushchev at the 1955 Geneva Summit Conference. Only under such conditions can trade and credits be a valuable weapon in the hands of the democracies in their dealings with the USSR and other Communist regimes, and in promoting human freedom and world peace.

There is no more monstrous myth than the notion that world peace, human well-being and freedom can be advanced by helping the Communist dictatorships overcome the severe hardships and difficulties which their policies and practices have inflicted on their people. Expanded trade with and the extension of long-term credits to Communist regimes will not help them "evolve towards democracy" or remove the sources of world tension. On the contrary, such help by the U.S. and other democracies might well enable the Communist regimes to emerge from their present difficulties strengthened for their next round of actions against the free world. This would only aggravate the cold war which they started with their seizure of Czechoslovakia in February 1948 and their fierce opposition to the Marshall Plan. And by the way, in spite of all their talk about detente they have never really stopped waging war against the democracies in one way or another.

It is in this sobering light that we must look at plans to export American technology and machinery for building a Soviet fertilizer complex and special piping to link it to seaports. It is heartening to note the strong resistance in Congress to granting unconditional most-favored-nation treatment to the Soviets. We can all be thankful to the General Accounting Office (GAO) for having brought to light the bungling of the U.S. Department of Agriculture, last summer, when it lavished approximately $300 million in needlessly subsidizing the export of wheat to the Soviet Union.

Obviously when super-politicians become super-financiers in our country, then stupidity takes over in our land. I am referring, of course, to the so-called "historic trade agreement" (October 18, 1972) between Washington and Moscow, when the latter agreed to signify its readiness to settle the $11.1 billion World War II Lend-Lease debt for a few pennies on the dollar, while our Export-Import Bank promised huge credits and most-favored-nation treatment to the USSR. This, of course, if Congress approves. But the U.S. Government Bank has already given its OK to $200 million in loans to the Soviets at a bargain rate—6%

In the face of it all, it is a great tribute to the intelligence of the American people that the euphoria, generated by politicians over the dreams of huge east-west trade and credit deals, has begun to yield to the American people's innate realism. They know that Soviet rhetoric—even when wrapped in rubles—doesn't spell detente or a good deal for America.

The American people now realize that the huge grain deal with the USSR is really only a bonanza for Moscow and a financial catastrophe for our taxpayers and consumers. All we have gotten out of this rotten deal for good American grain is the burden of subsidizing the sale and also paying for it through a jump in the cost of food. I am sure the American people will not tolerate for long their Export-Import Bank's "shovelling out loans" to the USSR at interest rates well below those prevailing in the market.

THE ANNOUNCEMENT THAT JOHN B. CONNALLY IS JOINING THE REPUBLICAN PARTY

Mr. THURMOND. Mr. President, John B. Connally is a man of integrity and accomplishment and I want to welcome him into the Republican Party. As one who took the same step a few years ago, I can understand that he would feel more at home in the party more philosophically in keeping with his own beliefs. His record of public service at both the State and national levels is impressive and his counsel will be an asset in the Republican Party. I commend him for his decision today.

ED WILLIAMS

Mr. CHURCH. Mr. President, on April 23, a tragic accident occurred in Hells Canyon—the deepest gorge on the American continent which separates Idaho and Oregon. A very good friend of mine, Ed Williams, was lost in a boating accident on the Snake River.

Ed ran for Congress last fall. Before that, he served as minority leader of the Idaho House of Representatives and administrative assistant to Idaho Governor Cecil Andrus, his closest friend.

Ed Williams was one of those plainspoken individuals of whom there are not enough in government. He was never devious or deceptive.

One catches a glimpse of what Ed Williams was all about in a column which appeared recently in the Idaho Statesman, written by Bill Onweiler, a Republican representative in the Idaho Legislature.

Discussing a bill which Williams opposed, Representative Onweiler told what happened when it came to the floor:

> Eddy Williams rose and asked for the floor. He explained that he was just a stump-hopper from up north. Some of the people up there referred to him as just one of the ridge-running Williams boys. He then admitted he wasn't an expert at such matters, but he had a concern and he wanted to explain.
>
> Then, in simple American, he told it like it was. He was kind to me, but he dissected my proposition with uncanny expertise. Never once was there a four-bit word. Everybody understood him. Despite my education and municipal experience, I was being shown how little I understood the essence of the proposition before the House.

As Bill Onweiler said, Ed Williams "had the ability to cut through all the talk and voice the essence of the matter before us."

Mr. President, I will miss Ed Williams, and the people of Idaho will miss him. He was one of those individuals all too rare in these days of big government. Rather than asking the people to serve him, all he asked was to serve the people—honestly, simply, and effectively.

Before I close, I would add only one other personal note. Ed Williams was known in public life for his government service. But he had another side, that of a devoted father and family man. To his wonderful wife, Bobbie, and their three children, I can only extend my deepest sympathy.

Mr. President, I ask unanimous consent that Representative Onweiler's column from the Idaho Statesman be printed in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

ONE OF IDAHO'S GREAT LEGISLATORS

How often we wait until a friend is gone before we confess our admiration for him. Let me tell you of a man whom I thought was one of Idaho's great legislators.

I first met Ed Williams when he was minority leader of the House and I was a freshman legislator. He was one of the leaders, and I watched him closely. He always seemed relaxed.

When one joins the legislature, it is a little like a giant billiard game with 70 balls. In the course of two-plus months, you will have several encounters with each of the other members—some make lasting impressions. If you're lucky, you even learn from the brushes and rebuffs.

My great admiration for Ed Williams grew out of two encounters with him on the floor. Of course, there were countless occasions I remember when he was part of the group, but his character, as I saw it, was indelibly impressed on me by the two following situations.

When I was a freshman legislator and filled with panaceas for urban problems, I had jockeyed one through the Local Government Committee and onto the floor. The friends I had made were patient and gave me my chance to sell it. I had worked hours developing just the argument necessary to pull the teeth of the opposition.

When the bill at last hit the floor, I rose and explained it as eloquently as I could. While my talk was too long and far too wordy, I really thought I had stopped all opposition debate.

After several other members added their comments for and against the proposition, Eddy Williams rose and asked for the floor. He explained that he was just a stump-hopper from up north. Some of the people up there referred to him as just one of the ridge-running Williams boys. He then admitted he wasn't an expert at such matters, but he had a concern and wanted to explain.

Then, in simple American, he told it like it was. He was kind to me, but he dissected my proposition with uncanny expertise. Never once, was there a four-bit word. Everyone understood him. Despite my education and municipal experience, I was being shown how little I understood the essence of the proposition before the House.

Needless to say, the bill went down. I don't remember if I received the "crow" (a sort of booby prize) or not, but I should have.

It was then I found that the minority leader had an uncanny legislative ability. He also had a deep and genuine concern for the average citizens (little people). But, most outstanding was his effectiveness as a legislator.

The second occasion was two years later. I had worked hard with other Ada County legislators to develop a bill that would allow the citizens of Ada County to form a single road and street district. Again, it was coddled through the Local Government Committee and to the floor. Paul Worthen floor-sponsored the bill.

The attack was just getting in motion. The main thrust of the opponents was that this was special legislation for just one area—Ada County. No matter what any of us from Ada County would say, we couldn't answer that accusation.

Eddy Williams rose and explained he was from Lewiston. The bill had no effect on his people or him. He was almost apologetic for having taken up our time.

Then he gave one of those unforgettable lessons in civics. He explained to the body of 70 that we were there to be concerned about the specific problems of a great number of areas in the state. One time it was the farmers—then the miners—this time it was the largest urban area in the state.

I think he even said Boise and Ada County weren't always the most loved of the cities and counties of the state, but they had a problem, and it was our (the House) duty to be concerned. As I remember, he didn't talk for or against the bill. It passed.

Eddy had the ability to cut through all the talk and voice the essence of the matter before us.

Even more important, in all the time I knew him and saw him occasionally, I never once saw him act in any way but as an ordinary person and just another legislator. In a short time, he had risen to be minority leader, but it never affected him.

My memory for the Bible isn't what it should be, but I remember somewhere it says that he who exalts himself shall be humbled, but he who is humble shall be exalted. Eddy Williams deserves to be exalted.

The river took a great toll from the Williams family, his friends and the Democratic party. It also took much from all Idahoans because Ed still had much to offer toward making this state a better place to live.

I wish I had said these things a long time ago.

APPOINTMENT OF OUTSIDE PROSECUTOR TO HANDLE WATERGATE INVESTIGATION

Mr. BARTLETT. Mr. President, I am disappointed that the Senate yesterday passed a resolution to have the President appoint an outside prosecutor to handle the Watergate investigation. The resolution was passed by a voice vote while no more than five Senators were present to vote. In fact, the Republican Policy Committee was meeting at the time it was taken up for consideration.

The timing of the resolution was most inappropriate. The night before, the President had pledged to the American people a complete investigation of the Watergate and had authorized Secretary Elliot Richardson to hire outside counsel if he felt it was needed.

Prior to the President's speech, I expressed publicly my desire that the President use outside counsel in the investigation. I was pleased the President authorized Secretary Richardson to commission an independent investigation. I fully expect the Secretary to appoint an eminent prosecutor. But it is inappropriate and presumptuous for the legislative branch to tell him to do so.

The resolution amounts to a vote of no confidence in our judicial system, the President of the United States, and in the Attorney General.

I would have voted to oppose the resolution had there been a yes-no vote as was obviously called for under the circumstances.

NATIONAL ADOPTION INFORMATION EXCHANGE SYSTEM

Mr. TOWER. Mr. President, yesterday, I became a cosponsor of S. 1517, which would establish a national adoption information exchange system.

The benefits of this bill are twofold. First, it would benefit the children who need to be placed by matching them with families who want them and are capable of caring for them. Particularly in the case of the handicapped child, the racially mixed child, and other "hard to place" children, a nationwide computer system could find loving parents for these children—parents who are capable of taking care of them and filling their special needs. Many qualified and potential parents in this country are unable, because of lack of information and a central source from which to receive it, to find children to adopt—although, in 1969, there were nearly a half million children in the United States living in child welfare institutions. If such an adoption information exchange system was available we could stop, or at least reduce, the growing black market in babies.

Second, it is possible that an adoption information exchange system would facilitate adoptions and thus give the American couple an alternative to bearing more than two children when they would like to have a larger family. It would encourage parents to adopt children instead of increasing the population.

I encourage support of this needed and worthy legislation.

CROSS OF COAL

Mr. METCALF. Mr. President, I commend to the Senate a balanced and reasonable statement on surface mining by my colleague from Kentucky, Senator Cook.

In testimony before the Senate Interior Committee on April 30, Senator Cook argued that the deciding criterion for strip mining of coal should be whether the land can be reclaimed—and not whether the angle of slope for permissible mining should be a given degree. Paraphrasing the famous line of William Jennings Bryan, Senator Cook disputed the contention of some people that the health and welfare of the people of this Nation are being sacrificed on a "cross of coal." He asked that compassion for the plight of coal mining families in Appalachia play an important part in the deliberations of the committee on this vital issue.

Mr. President, I ask unanimous consent that the statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Marlow W. Cook at His Appearance Before the Senate Interior Committee Concerning the Study Prepared by the CEQ on Coal Surface Mining and Reclamation, April 30, 1973

Mr. Chairman, thank you very much for the opportunity of appearing before you this morning so that I may comment on the study prepared by the Council on Environmental Quality concerning coal surface mining and reclamation. In reading the letter which the chairman of the Interior Committee forwarded to the chairman of the C.E.Q. on November 2, 1972, and in his response thereto, it is obvious that the thrust of this study is to consider the impact of surface mining on steep slopes. I have many facts and figures relating to this subject which I could include in the record, but I shall not do so as these data are in basic agreement with those contained in the report. I have no intention of clouding the facts with half truths or rhetoric.

As the study points out, mining on steep slopes is extensive in Appalachia, and it follows that the impact of slope angle prohibition on production and reserves, is greatest in that area. The report also concludes, and I concur, that in Appalachia forty-one percent and thirty percent of strippable reserves would be lost with fifteen degree and twenty degree slope angle prohibitions respectively. The report also recognizes that the loss of reserves from a slope angle prohibition represents only one percent of the Nation's total recoverable coal.

One might then easily draw the conclusion that the solution to the Nation's surface mining problem is to stop mining the coal in Appalachia. By so doing our problem would be solved with very little impact on the total energy fuel reserves of this Nation.

Such thinking would be fallacious and would lead us to a false conclusion. The one percent tonnage being denied the Nation would not be significant in overall volume. However, as this coal is low in sulphur content it is in greater demand than much of the other ninety-nine percent. In addition to the desirability of production there is the economic impact which must be considered. In some of these Appalachian areas, the people are one hundred percent dependent on mining this coal for their livelihood. There is no other industry and the only other immediate solution for these people is welfare. Even so, we must be prepared to accept this solution, if to continue to operate will result in the destruction of our land.

I have just recently overflown the coal fields in eastern and western Kentucky by helicopter and was again much distressed by the devastation of the landscape caused by uncontrolled and unregulated surface mining.

I submit that although we hear a great deal about the impact on the environment caused by surface mining areas having steep slopes, some of the greatest damage was done in relatively flat areas of my State where the slope was five degrees or less.

Mr. Chairman, I take the position that to ban the surface mining of coal on a particular piece of land because that land meets some textbook criteria concerning slope is absolutely wrong. I believe that we must prohibit the surface mining of coal in any area—flat land, moderate slope or steep slope—if that particular piece of land cannot be reclaimed. The key then is reclamation. We must insist upon adequate reclamation, and we must require the States to enforce this regulation. If the States cannot, will not, or prefer not to protect the land, then the Federal Government must take this responsibility.

Returning to the comment I made earlier concerning those people who are dependent on coal mining in Appalachia, if the land considered cannot be reclaimed, then surface mining must be prohibited and we must then provide an alternative livelihood for these people. If, on the other hand, through the diligent use of existing procedures and the application of some modern techniques which are now being developed at Berea College in Kentucky and other places throughout the Nation, we find that specific areas can be reclaimed then a permit for surface mining should be issued and these people should be permitted to earn their livelihood and preserve their dignity as American citizens.

In summary, Mr. Chairman, I believe that effective regulation of surface mining of coal is long overdue, and I intend to support any reasonable approach which will prohibit wanton and uncontrolled surface operations. On the other hand, coal is important to Kentucky, and it is also important to the Nation as an energy source of fuel, and I intend to see that the rights of the people of Kentucky and those of the Nation are protected.

I do not think it is fair to say that the health and welfare of the people of this Nation are being sacrificed on a cross of coal as some imply. It is true that in the past we have permitted our land to be destroyed by uncontrolled surface mining. It is true that until the EPA's primary emission standards are reached that the ambient air in some areas will be affected. However, it is equally true that coal has provided and can continue to provide this Nation with the energy required to reach and maintain our present standard of living with its many life saving and health giving benefits. So let's legislate wisely and be very careful not to prohibit the people of this Nation from enjoying the benefits of this natural resource. Let's solve the problems and produce our coal.

THE WOMAN WHO MAKES "REHAB" GO

Mr. DOLE. Mr. President, I would like to express my appreciation and gratitude to a remarkable person and to the people working with her. Such a person is Mrs. Vivian Shephard, who is vitally interested in and committed to a group of very special people—the handicapped. I refer to the handicapped as special, because they have special needs, special problems, and a very special dedication to overcoming their handicaps and becoming increasingly self-reliant.

The handicapped have the dedication, the determination, and the will to do so. They rely on people like Mrs. Vivian Shephard and the extremely capable people on her staff to help give them the means to do so.

Mrs. Shephard is the executive director of the rehabilitation institute in Kansas City, Mo. The institute was formed in 1947 with its beginning in a loft above the McGee Trafficway in Kansas City, and it has developed into a national model. Vivian Shephard has been its only director.

The truly great aspect of the rehabilitation institute is its focus on people's abilities and talents, not on their handicaps. This positive focus fosters progress at its maximum.

The following article "The Woman Who Makes 'Rehab' Go" by Howard W. Turtle and Shirl Brenneke printed in the Star, March 18, 1973, describes what is taking place at the rehabilitation institute.

I ask unanimous consent that this article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Woman Who Makes The "Rehab" Go

(By Howard W. Turtle and Shirl Brenneke)

"Thelma," said the woman with the silver-gray hair, "how's the boy from Hays?"

"He's walking, he'll be home in a few weeks."

"Can he go back to school?"

"Yes, and he says he wants to. I think he will."

The questions came from Mrs. Vivian Shepherd, executive director of the Rehabilitation

Institute, 3011 Baltimore Avenue. She was inquiring of Mrs. Thelma Wempe, supervisor of occupational therapy, about a young man who had suffered a broken neck.

"You have no idea," said Mrs. Shepherd, "how much it means to all of us when we hear someone's improving."

She hears it a lot these days. So do the other members of the institute's staff of 100. Of the 2,962 patients treated last year, 2,296 completed services and were dismissed and of these, 1,836 moved on to improved life situations—or an 80 per cent success record.

In job training of former unemployables, 60 per cent graduated into competitive employment. Among the others, some went into full-time homemaking.

The Institute has become one of the nation's most complete rehabilitation centers under one roof. It is regarded as a pilot in the field, visited by researchers from many parts of the world. Because of its rather formidable name, it has become known as "the Rehab" (REE-habb) or often simply "Rehab."

Mrs. Shepherd, director since the founding of the Institute in 1947, is a short, ample person approaching the time when most individuals begin to slow down. Her hair is more silver than gray, her frequent mood is laughter. She presides at a large, neat desk in sitting-room environment with airy light, a tall tropical plant, and yellow wall-to-wall carpet.

Her operation is the kind that makes sense to bankers, physicians, industrialists, sentimentalists, sociologists and philanthropists.

Last year her budget was $1,342,630. Of this, nearly two-thirds came from workshop contracts and fees paid by patients. One-third came from federal and state sources, the United Fund Campaign gift of $128,305 and private support. The tab came to an average of $472 per patient.

The woman who makes the Rehab go is seldom still for long.

"I want to show you something we're doing here," she said, and led the way out the door and through the buff-yellow corridors. We reached the therapy department and here was David Walters, the young man from Hays. Mrs. Shepherd introduced David's therapist, Miss Sue Goodwin. Miss Goodwin is like a good many others you see at the Rehab—the kind who'd make any young man want to get well. Her blonde hair falls in curls below her shoulders, and her red skirt's a mini. Sue, manipulating David's arm, was bringing a grimace to his face, and Mrs. Shepherd smiled.

"What's she doin', David, killin' you?"

"Nah," he said, "It's O.K."

Sue changed tactics. Kneeling on a raised mat, she partly opened a white plastic sleeve covering part of David's hand. David, a slender fellow in a blue sport shirt, showed how he could partly close his fist despite the sleeve that was custom-made by Sue.

"It gives him the support he needs right now,"—she explained, "but lets his fingers grip."

"Can you tell me what happened to you?" I asked David.

"I hit my head diving," he said.

"In a pool?"

"Well, in the Smoky Hill River."

"Skinny dipping?"

"No, I had my clothes on. My girl and I were out on the riverbank, and I wanted to go in. I tested and found the water wasn't deep enough for a straight-down dive, so I dived shallow. The basin was smaller than I thought, and I hit the other side. My girl pulled me out. I had been under about a minute, I guess, but I was conscious. I just couldn't move anything except my head."

After several weeks at St. Anthony's Hospital in Hays, David was brought to "Rehab."

"It took three people to lift me at that time." David said. "The only thing I could do was bend my arms at the elbow. Now I can walk, (with a crutch or a walker) and I can get out of bed, shave, brush my teeth, everything I need, and I go to the cafeteria for meals. I'll be a senior next fall at Fort Hays State—political science and economics major."

Did he get depressed?

"Gosh, they don't give you time to get depressed!"

Sue was pulling on David's fingers, spreading them farther apart. David was helping, his face reflecting the strain as he pulled to make the nerves and muscles work together.

"Does it hurt?"

"No."

"Does it make you tired?"

"Yeah, I get tired by the end of the day. But that's good. I like to feel that I'm tired. It makes you know that you've done something—it's a good feeling to see that you're making progress."

"Good luck David," we said in leaving, "you're on the right track," and David said so-long and Sue gave a little smile. We walked back to the office with Mrs. Shepherd, buoyed up a little ourselves.

Mrs. Shepherd guides the Rehab in a day that starts in her office at 7:30 a.m. and often continues to 10 p.m. She thinks her super-motivation may have started in early life, through a handicapped friend. She grew up in Jefferson City, where her father was district manager of the Singer Sewing Machine Company. One of her neighbors was Elmer Asel.

"Elmer was my age," Mrs. Shepherd explained. "We were friends. No romance, more like brother and sister—and Elmer, when he was a baby had an illness that left him deaf.

"Well, as kids growing up, I treated Elmer as just a friend, and the fact he was deaf didn't enter into it. His own parents didn't baby him, and neither did I. I refused to learn the sign language and Elmer did lip-reading. Elmer could tear apart a Model-T Ford and put it back together, and I used to watch, handing him a wrench when he needed it. He even got so he could talk a little—at least I could understand him—and I think maybe I just grew up thinking that handicapped people could do a lot of things and don't require babying. Anyway, when I grew up I wanted to help people help themselves. Maybe Elmer had something to do with it. . ."

Mrs. Shepherd (the former Vivian Davis) attended Central Missouri State College at Warrensburg and married James Shepherd, who was to become a teacher of physical education and world history until his retirement in 1970 at Paseo High School in Kansas City.

As a young wife and mother here, Mrs. Shepherd joined Mrs. George H. Gorton in the Women's Campaign to sweep the Machine out of City Hall. She was photographed with a broom on the sidewalk outside headquarters near 10th and Walnut.

"As you remember," she explained, "a school teacher's salary in those days wasn't everything that a family would want, and when my mother came to live with us, I looked for a job. I wanted a 'People' job and got some encouragement from the Missouri superintendent of schools. In 1953 I got my master's degree in counseling at the old Kansas City University, now U.M.K.C."

While she was still working toward her master's degree, Mrs. Shepherd suggested to the Health Council in Kansas City that a survey be made on rehabilitation needs. Such a program, she reasoned, would provide balanced facilities for patient care after the acute stage of illness in the hospital, and before return to active life. It ought to be cheaper, she argued, than prolonged hospital stay.

The survey, confirmed by the Jackson County Medical Society, showed a need. The Rehabilitation Institute was formed in 1947 with minimum equipment and $7,500 in the bank. Almost automatically, Vivian Shepherd was made director. Standing beside her were community leaders such as Mrs. Eleanor Jones Kemper, Oscar D. Nelson, Ray Joselyn, Nelle Dabney and others.

"Now," she smiles as she looks across her attractive office, "you know that with $7,500 you don't put on much of a posh front and you don't meet much of a payroll."

The Rehab started with a staff of four in a loft above 2700 McGee Street Trafficway. The first year 141 patients were treated at a cost of $24,000.

"I'll never forget," she laughed, "we had to do something about keeping the building clean, and at the time, I didn't know anything about maintenance, much less about janitorial supplies. So the late Searcy Ridge of Gateway Chemical came over, and I asked him some dumb questions (*I've found since that if you ask a dumb question you might get a lot of information, depending on who you ask.*) Anyway, Searcy took pity on me and he said, 'Well, Vivian, I'm going to send you over some stuff. It'll be about what you're going to need, and I'll charge you for some of it and the rest I'll just give to you.'

"And . . . well, he did, and that's about the way a lot of things have happened around here in 25 years."

Vivian Shepherd was under way, starting a warm, often humorous and virtually unstoppable account that could be used as part of a textbook on rehabilitation.

"This job," she continued, "is to bring people up to their highest level of functioning. Often it's to move them from dependence to independence—from unemployables to jobholders.

"Sometimes the job isn't the best life role for the person—maybe a return to homemaking is the goal. That homemaker, I tell you, is an important person. Now I ask you—how would you bathe a baby if you only had one arm? How would you peel an apple? That's the kind of thing we deal with. We show the mother how. We get the special gadgets she needs, sometimes make 'em ourselves, so she can function again.

"Often we help a person build his confidence. We teach him how to get out of bed . . . how to walk . . . how to talk . . . how to ask for a job . . . how to work at it . . . how to catch a bus . . .

"We are not a psychiatric center, but we *prevent* some things.

"For some individuals it's a very good level of success if we can help him maintain himself at home—dress himself, get around the house, go to the bathroom, feed himself. This releases the rest of the family to earn their own livelihood and have a good family life. I brings the handicapped person out of the back bedroom into the life of the family.

"I tell you it's a thrill when you help a little kid enter school and start to compete with the others. That's what Rehab's all about."

The director was just getting warmed up.

"We see a lot of people with a long history of failure. Many of our people are from the Inner City. Many are from elsewhere, but for some reason or another they're considered unemployable—maybe for physical reasons, emotional problems, some kind of handicap. Thank goodness all of us don't have to do the same thing. Now I ask you, how much of your entire capability do you use on your job? Not much, really. So, when we have a handicapped person, we let him know that we're going to help him find a job that he can do—a job that won't require the things that maybe he *can't* do.

"And then, we work with the family, in the patient's home. How's he going to handle the steps at work? If the job's in Kansas City, Kansas, how do you get there on a bus?

"Then we talk with the person before he goes on the job. Where's the washroom going to be? What if a couple of guys get in a fight? What do you do? How do you try to get along if you have a cranky supervisor? What if a guy gives you some sass? Do you sass back?"

Mrs. Shepherd and the staff have the opposite problem, involving a man who has seldom known failure but who has been stopped by a stroke.

"Now I'm telling you," she said seriously, "this is a toughie. The man wakes up in a hospital and he doesn't know how he got there. He realizes he can't move this arm, and he can't move this leg, and maybe he can't talk, and his wife is fluttering around, and the trauma is terrible, even if you have plenty of—uh—guts.

"By the time he gets out of the hospital and over to our place he may no longer be the breadwinner. Maybe his wife has had to take a job. The children have always turned to dad as invincible—but not any more.

"Listen, this does a lot of things to a man. Sometimes just being able to talk about it with some of our counselors helps him. Then, when he gets over here, he's out of the 'sick place,' into an environment where everybody's active. In a setting like ours. a patient becomes so busy, the gloom kind of gets crowded out. It's an inspiration, too, when you talk again . . . when you get out of bed by yourself . . . take the first step . . . it's progress and it feels good . . ."

We went down to Rehab's sheltered workshop. Mrs. Shepherd opened the door and we walked into a large factory-like room, well-lighted, apparently efficient. Men and women at tables and benches were busy with their hands, folding, sorting, piling. At a glance, there wasn't anything wrong with anybody.

"Well," smiled Eugene Livingston, manager, "you'll notice things after you've been here a while. See the girl out in the middle folding the big posters? Notice how she uses her hands?"

It then became apparent that the girl's finger movement was minimal. It seemed that she grasped the material with her left hand and used her right mostly as a pusher.

"How long do these people stay here?" we asked Livingston.

"Eight weeks, normally," he said. "By that time we can place a lot of them in employment. They've found out they can get to a job on time, and can work eight hours and do it every day."

We passed a young woman who was lifting olive drab strips of cloth out of a tangled bin, stacking the strips neatly. We asked what the strips were for.

"Bandoliers," she said, "for the Army. You know, out on the firing range? They wear these around their waists, for ammunition. I have to put 25 in each stack."

Livingston explained, as we moved along, that the young woman was working on a contract with Remington Arms for reconditioning the bandoliers. The work will continue for six months, involving more than a half-million bandoliers.

The Rehab's workshop has been involved with more than 100 firms in Kansas City. Jobs are bid at approximately break-even basis, and the work is usually accomplished at an expense no greater than the firm would have incurred otherwise. Handicapped trainees are paid a minimum of 40 cents an hour, $2 maximum.

"Of course," explained Livingston, "some of our people cannot actually earn their wages when they start, but the pay is part of the therapy."

"How would you like to have Gene Livingston's job?" asked Vivian Shepherd. "He doesn't know what his product's going to be, or what his work force will be, except they'll all have something wrong with them. The only thing he knows for sure is that when somebody gets any good he'll be gone!"

The workshop is a quarter-million-dollar project annually, involving something like 600 workers, 100 at a time. Those graduates who went to full-time jobs last year established an 81 percent job-retention record. The workshop, now a national model, is a development from the earliest small shop established 25 years ago at 2700 McGee Trafficway.

The Rehab has occupied two other principal locations since 2700 McGee Trafficway—31st Terrace and Robert Gillham Road and 3600 Troost—the building formerly occupied by Monkey Cleaners. The present red brick, 3-story building, a model of its kind, was occupied in 1969 at a cost of $3 million, including equipment.

We continued our tour past the electromyograph where Dr. Edward J. Novak, medical director, was testing responses of nerves and muscles . . . into the office of Mrs. Ruth Torp, administrative assistant, and Edward P. Wood, comptroller . . . past the speech and audiology department with a Ph.D. supervisor and three master's degree experts . . . to the psycho-social department with two master's degree psychologists and two social workers . . .

"You know," said Mrs. Shepherd, "I believe that the Good Lord meant for this service to become a reality, or it wouldn't have happened. Just think of the hundreds, yes, thousands, of people who've given their energies for this place. You couldn't have hired all those brains—they had to be available, free.

"Why, in the early days, we had to figure some percentages, and I wasn't so good on that, so John Miller of Spencer Chemical just figured the percentages on his slide rule . . . We've laughed about those old metal chairs we had over on Troost, but if Lynn Bauer of Crown Center hadn't given 'em to us I don't know what we'd have done—they were all we had . . . when we've had some mechanical problems, we've had advice from people like Dick Jackson of Western Electric or James Hughes of General Motors . . . you know, those are the kind of people nobody can go out and get unless you're in this kind of work . . . Steve Yeager's bulldog determination during his years as president resulted in this building we have today . . . Oscar Nelson came out of retirement and led the campaign to raise the money . . . I'll never forget the day Mrs. Russell Stover picked up the mortgage of about $3,500 on the old Monkey Cleaners building. That sure put a dramatic finish on *that* board meeting."

Mrs. Shepherd goes on with names of Kansas Citians, names of organizations, names of key individuals who are not so well known, but gives special attention to the present officers: Merrill A. Joslin, Jr , president; Robert E. Morgenthaler, George Korbelik, Robert S. O'Keefe, Mrs. Lois Caflin, Mrs. Hilda C. Anderson, Miss Barbara Pendleton, Oscar W. Thomas, Jr., Mrs. John Manning, Ronald Youmans, M.D., past president, and chairmen, medical staff; Dr. Novak, medical director, and Dr. Richard H. Kiene, advisory board.

We asked Mrs. Shepherd if we could visit the floor where full-time patients such as David Walters stay. We found on this floor what appeared to be a model hospital, with carpeted rooms and TV sets. In one room, instruction was being given student nurses with a life-size doll. On the wall hung a poster that showed a kitten chinning itself on a bar. The kitten's eyes were popped out from the exertion and the caption read:

HANG IN THERE, BABY

Vivian Shepherd laughed as she looked at it. She's seen the poster many times, but it's meaningful. "Hang in there, Baby," is the spirit of the Rehab.

THE BETTER COMMUNITIES ACT

Mr. HUMPHREY. Mr. President, yesterday on the floor of the Senate, I criticized the Nixon administration's 1973 versions of community development special revenue sharing—the Better Communities Act.

At that time, I noted two deficiences of the Better Communities Act. First, the lack of any meaningful Federal role in terms of policy setting or planning. And second, the reduced funding levels that would result from the legislation.

I suggested instead that the Congress should move ahead along the lines of the housing and urban development legislation that passed the Senate last year. This legislation, it seems to me, has the positive features of planning, program objectives, and funding that makes it immensely attractive communities.

Mr. President, an editorial in today's Washington Post—reinforces the points I made in my statement of April 30. Said the Post:

> In this context of abdication and retreat, the Better Communities Act seems less a positive initiative than an attempt to pass the buck—to hand off to local and state officials full responsibility for the future of cities, aided by no federal standards or priorities, and no more dollars than it seems politically imperative to spend.

Mr. President, I ask unanimous consent that the Washington Post editorial, "Community Development: Reform or Retreat," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

COMMUNITY DEVELOPMENT: REFORM OR RETREAT?

The administration's proposed Better Communities Act, just sent to Capitol Hill, illustrates the peculiar blend of reform and retreat which characterizes the "new federalism" propounded by President Nixon. The measure is intended to supplant such tangled programs as model cities and urban renewal, and to liberate local governments from the federal red tape, directives and delays which now confound so many community development programs. Such reforms already command wide support; indeed, a program of block grants for community development with similar aims sailed through the Senate last year, and stopped short of enactment primarily because it was incorporated in the controversial housing bill which perished en route to the House floor.

This time around, the atmosphere is less promising, for a mood of abandonment has come to dominate the administration's entire approach to urban affairs. First came the sudden suspension of housing programs and the arbitrary "termination" of a raft of categorical grant programs which the administration deemed ineffective or philosophically flawed. Then followed President Nixon's remarkable announcement that "the hour of crisis has passed" for the cities. In this context of abdication and retreat, the Better Communities Act seems less a positive initiative than an attempt to pass the buck—to hand off to local and state officials full responsibility for the future of the cities, aided by no federal standards or priorities, and no more dollars than it seems politically imperative to spend.

From the initial reaction of many mayors and governors, one might be pardoned for suspecting that the major difference between reform and retreat is the amount of federal money involved. There is some merit here, for the Better Communities Act would play two cheap tricks on the cities. First, the $2.3 billion in "special revenue-sharing" would not start to flow until July 1, 1974, requiring communities to finance their fiscal 1974 programs from funds already in the various pipelines. In some cases this would mean severe cutbacks in the interim; at best, it dictates few new starts during the coming year. Second, the administration's "needs" formula would spread the new funds so broadly that substantial grants would go to some cities and counties which have no current federal-aid programs and/or relatively little need, while some badly blighted cities would have their programs severely curtailed. The "hold harmless" guarantee offered by the administration is no real solution, for it would maintain current aid levels for only two years.

Congress will have the trying task of devising a fairer formula—and that is not the only change the legislators ought to make. In rebounding from the old approach of narrow, over-supervised grants, the administration has gone to the other extreme. The Better Communities Act contains no requirements for detailed local planning, real citizen involvement, regional coordination, or emphasis on the needs of poor people and neighborhoods. The bills advanced last year on Capitol Hill included prudent provisions which promoted local flexibility without forsaking federal safeguards or national goals. Such a middle ground should be found this year.

Overall, the absence of any federal housing policy is the most serious obstacle to the prompt reform of federal urban programs. Without housing, community development is heartless. Without knowing what federal aid for low-income and moderate-income housing might be available, cities can hardly be expected to make intelligent plans for neighborhood facilities, parks, commercial growth and the improvement of their existing housing stock. The administration has promised to produce its new housing recommendations by September, but that could effectively postpone enactment of any new urban legislation until 1974. For the cities, then, the "new federalism" seems to mean a long season of uncertainty, followed—perhaps—by some worthwhile reforms.

OLDER AMERICANS AMENDMENTS

Mr. RIBICOFF. Mr. President, I urge the President to sign into law the older Americans comprehensive service amendments. The programs under this legislation provide valuable social services to older Americans and provide them with the opportunity to be of service to the community.

Older Americans do not want to be put on the shelf. They want a chance to be useful to themselves and others. This bill gives them that chance. It provides public service jobs to unemployed persons over age 65. It establishes a National Senior Service Corps to provide new job opportunities in a wide range of service activities for older Americans.

One of the major innovations in this legislation is the establishment of multipurpose senior centers to provide a focal point for a wide range of social and nutritional services. These services can enable senior citizens to remain active participants in their communities.

It is time to end the divisive bickering about this legislation which was vetoed in a different form by the President last year. We have worked out a compromise bill which should be acceptable to him. If we continue to argue, the only losers will be the older citizens in America.

TRADE LEGISLATION

Mr. JAVITS. Mr. President, on May 1, Ambassador William D. Eberle, the President's Special Representative for Trade Negotiations made an outstanding address on America's policy regarding world trade before the National Press Club.

As we know, congressional consideration of the Trade Reform Act of 1973 will begin on May 9 when the House Ways and Means Committee open hearings on this bill. This legislation will be among the most important legislation before the Congress this year and its foreign policy implications are of enormous importance.

I would like to call my colleagues' attention to one section of Ambassador Eberle's speech which is of direct and immediate interest to the Congress. Ambassador Eberle pointed to President Nixon's remarks in forwarding the Trade Reform Act of 1973 where the President invited the Congress to "set up whatever mechanism it deems best for closer consultation and cooperation to insure that its views are properly represented as trade negotiations go forward."

Ambassador Eberle then stated that—

> Somehow that placing of the ball on the Congressional side of the court has been largely overlooked.

It is my strong view that we should take the President up on his offer and take meaningful steps to insure that the Congress's participation in the entire range of trade policymaking is increased.

I ask unanimous consent that Ambassador Eberle's fine address entitled "World Trade: American Strategy," be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

WORLD TRADE: AMERICA'S STRATEGY

(Remarks of Ambassador William D. Eberle)

Mr. Lamotte, Distinguished Guests, Ladies and Gentlemen: It is a privilege to be asked to launch this new series of luncheons, and I hope you will indulge my offering congratulations on your selection of "world trade" as the first of eight major topics you will be reviewing over the coming weeks. It is a suitable subject, because trade policy and trade relations touch many people in many nations, with widespread political as well as economic ramifications.

Your chairman, the father of these "issue" luncheons discussions, has asked me to give you some news. This is not an easy assignment. As a trade policy man, I foresee changes in the world trading system which will take several years to negotiate. To accomplish these changes, as a negotiator, I see some of the hardest as well as most complicated international bargaining in which this country will have ever been involved. It is also difficult to make news when the fourth estate—at home and overseas—has already so fully analyzed what I believe to be the very foundation of the forthcoming multilateral trade talks: the President's proposed Trade Reform Act of 1973. The press has effectively illustrated a point I have long held—that trade issues always seem to have at least two sides, depending on one's perspective. If the trade bill can be accused of some ambivalence I cannot help but note the wide variety of press interpretations of it. I have read that it can and may be used as a vehicle of "brutal protectionist retaliation" to "provoke a disastrous new trade war." Yet others say it is a domestic "rip-off" in favor of the ideology of free trade. Some accounts describe it as "something to please—and displease—everyone," or "Jekyll and Hyde incarnate." A headline over the balanced and thoughtful column of one of the distinguished journalists at this table asked: "The Trade Bill: Peace with the Devil?"

Because there are so many different apprehensions, I thought I might try to take these few minutes with you to focus on some of the fundamental ideas we have and what we are trying to do.

First let me point out that at the heart of our policy is the twofold objective of trade expansion and trade reform.

We seek a more open world, because basically we believe this will provide more opportunities—in jobs and in economic well-being for more people at home and abroad than any other approach to the world economy. We seek reforms of the world trading rules and institutions, because greater opportunities cannot be realized if governments tamper indiscriminately with the forces of economic change, intervening too often to favor one interest over another, without regard to effects on third parties or on other nations' interests.

But our twofold trade objective is only part of a broader set of international objectives. We are in fact trying to reform the world economic system as a whole, with monetary reform a critical underpinning to progress in trade. And we are even beginning to explore internationally the nature of the problems in a third area of investment, and policies which affect where investment goes, and how it is used around the world.

We believe there is an overall logic to our approach to modernizing the way the world economy works. On the one hand, we have to insure that domestic economies may be managed effectively from a perspective of domestic social priorities, and yet be allowed, and indeed encouraged, to adapt on a continuing basis to the evolution of the global economy. On the other hand, we accept the need to restore order and introduce a greater degree of collective discipline in world economic relations.

The problem to be managed in seeking these objectives relates to the very high degree of economic interdependence which exists among nations today. Actions or policies in one country often have a direct effect on economic circumstances within other nations—often these effects are transmitted quickly, and sometimes disruptively to particular sectors, regions, or types of workers. In turn, this means that there are political consequences, as people feel themselves touched directly by policies or actions of other peoples in other places.

In trying to find a better system for managing this interdependence, while insuring a large degree of freedom for national governments to deal with their own social and economic problems, one cannot help but be reminded of the centuries-old philosophic debate about how to insure freedom to the individual citizen in a context of orderly communal relations. Can a citizen be free if his fellow citizens are not limited by laws from infringing upon his freedom? Is not a rule of law and the constraint of common custom the basis of individual freedom? The same kinds of questions arise in trade and one is drawn to the conclusion that real economic freedom for a nation can be found in this highly interdependent world only within a framework of international rules, procedures, and understandings which allow for alternative options by sovereign nations within acceptable guidelines.

This is important—because trade policy and world trade rules are a critical part of orderly relations among nations.

When President Nixon sent his Trade Reform Act of 1973 to Congress three weeks ago, he emphasized that the sweeping changes since the close of World War II had not been matched by sufficient change in the world's trading and monetary systems. The rigidity of national and international rules, practices, and institutions has put increasing stress on economic resource and financial flows. Political frictions have been generated among as well as within nations as a consequence of trade and investment distortions. This economic friction in turn threatens to pull nations apart at a time when we should be consolidating relationships and negotiating solutions to mutual political and economic difficulties.

So the President repeated in his trade message to the Congress what he had said in his address to the governors of the IMF last September, that "our common goal should be to set in place an economic structure that will help and not hinder the world's historic movement toward peace."

Even beyond these considerations, we have to recognize today that there is a growing interdependence among the policies of nations in the arenas of politics, security, and economics. To grasp the scope and degree of what is happening we need only look at the renaissance of "summitry". We need only remind ourselves of the tremendous range of issues coming to a head at the same time historically—the Strategic Arms Limitations Talks (SALT II); the discussions on Mutual and Balanced Force Reductions (MBFR); the Conference on Security and Cooperation in Europe (CSCE); the call for new forms of cooperation in dealing with the world energy crisis; international cooperation to bring stability and lasting peace to Indochina; and a string of conferences in the UN and elsewhere on law of the sea, the deepsea bed, the use and control of natural resources and ecological balance.

The world economic talks—on monetary, trade, investment, development assistance, and other issues—are parallel efforts in this broad engagement of political forces to develop a more orderly means of resolving international problems on the basis of mutual advantage. The economic talks are a major element in this country's effort to develop an international order which serves the economic needs of nations while improving the arrangements and incentives for cooperation, so that economic relations can strengthen political ties and stabilize security relationships.

Henry Kissinger's historic speech last week on "The Year of Europe" emphasized this when he said, "It is the responsibility of national leaders to ensure that economic negotiations serve larger political purposes . . . Economic rivalry, if carried on without restraint, will in the end damage other relationships.

"The United States intends to adopt a broad political approach that does justice to our overriding political interest in an open and balanced trading order . . . We see these negotiations not as a test of strength, but as a test of joint statesmanship."

Thus, the Administration does not use lightly the phrase "era of negotiation." The President's openings to Moscow and Peking, his meetings with the Prime Minister of Japan and European leaders, his forthcoming European visits, indeed his message to Congress accompanying the trade bill, all leave little room for misinterpretation. In the words of the trade message:

"The world is embarked today on a profound and historic movement away from confrontation and toward negotiation in resolving international differences. Increasingly in recent years, countries have come to see that the best way of advancing their own interests is by expanding peaceful contacts with other peoples. We have thus begun to erect a durable structure of peace in the world from which all nations can benefit and in which all nations have a stake."

Movement on this historic course will have to be gained at the highest political levels. But that has already been recognized by leaders of many countries as is evidenced for example by the communique of the October 1972 Summit conference of European leaders. President Pompidou in particular, noted this need when he called, in December of last year, for political leadership to provide a framework within which the trade and monetary experts might conduct their negotiations. Thus, it is noteworthy that the themes stressing the broad international relationships and the role of economic talks in those broad relationships, are in sympathy with a mood felt at high levels in many capitals. They are responses to overtures from others, and not just shots in the dark. This overall recognition poses a surprise only for those who have not followed the evolution in this and other nations as evidenced by these international declarations in the last two years, and for those who prefer to believe that there is no policy, and no international mood of cooperation at the political level.

We need now, however, a further firm political commitment to the better world order we seek. We therefore must, at high levels of government, consider with our foreign partners what the framework of political commitment should be. What are the objectives and principles which should guide our political relations and our negotiators' efforts in particular fields? That is a big question—posing an historic challenge for the world's leaders. It is especially a challenge for the leaders of three great economic powers of the world who influence by their actions so much of what happens in the world today: the European Community, Japan and the United States.

Let me then turn to the specific problems of trade, in this broader framework. To build the better world economic structure which the President has called for, is not an easy task. Those who have special situations never like to have them altered. The political entrenchments are sometimes unbelievably resistant to change. However right the course we have chosen may be—and I think it is the right course—it will not always be easy to move ourselves and the world along this path.

The field of trade is especially characterized by political rigidities, ideologies, and pockets of special treatment. To achieve a more open and reformed world trade system, we have to have the ability to encourage change, and to prod it where the incentives to move are not enough. We need to create incentives for a more open and world marketplace and be able when necessary, to pose disincentives to unfair or illegal policies, and to practices which obstruct desired changes. This need to dislodge some of the most resistant forces—to negotiate in the hard core areas where change could never have been achieved in past international negotiations—is the reason why we have had to seek legislative authorities which create both incentives and penalties. It is only if you set aside our broad philosophic objectives that you can easily attack specific parts of our legislative proposals as too protectionist or too liberal. To give us the leverage we need to negotiate effectively we have asked Congress to pass legislation. Many of our trading partners already have negotiating power comparable to or more extensive than that which we are seeking. In fact we are at present much more constrained in what we can do internationally than other major trading nations—which is hardly a good basis from which to negotiate.

But negotiating authority is not enough. We also need the ability to manage effectively our day-to-day trade problems, and our domestic reactions to them, whether they be temporarily restrictive or liberalizing in effect. We need to be able to deal expeditiously with unfair or illegal practices—so that these are less likely to occur.

We also need to be able to open the international trading system on a global basis, to broaden the areas of economic opportunity, as well as to broaden the base of common economic interests in a stable world order. To bring more countries into the new world order, and to provide us with greater direct interests in the course of their economic evolution, we are requesting authorities to establish new trading relations with the Soviet Union and other non-market countries. We are also requesting authorities to provide new lower tariff incentives for developing nations to join in the process of growth of world trade.

But these three basic objectives—negotiating flexibility, management authority for day-to-day problems, and new openings for relations with more countries—have been described as a demand for "broad, sweeping, unprecedented authority without limit." Some accounts suggest that the President has asked the legislative branch of government not only to abdicate its trade powers, but guillotine itself as well.

We don't agree with that analysis and we don't agree for two reasons. First, compare the authorities granted by the Congress to the President in the Trade Expansion Act of 1962 (TEA) to those requested in the pending Trade Reform Act of 1973 (TRA). Let me highlight some points of that comparison. . . . The negotiating powers we seek to lower or restructure tariffs must be subject to negotiation and international agreement. Since tariffs are generally low in the U.S. (averaging 8 percent now), and often there is no tariff at all, the power to change drastically or affect trade through tariff reductions is already circumscribed by the point from where we start. We have emphasized that the results would be phased over five years or more. There will be Tariff Commission hearings. Executive Branch hearings, and extensive consultations with interested parties. How unlimited is all of that?

The TEA authorities were similar, except that then higher tariffs could be lowered by 50 percent in all cases, and to zero on any item for which the U.S. and the European Community combined accounted for 80 percent of world exports—and the phasing of reductions was just five years and no more.

Under the TEA we also had authority to increase tariffs; in fact to 50 percent over the 1934 rates—a level so high as to effectively be unlimited. In our bill we have not specified an upper limit, but there is no intent to increase many tariffs, or to increase any one if very much. Remember, our partners' agreement is necessary to any hikes under this authority.

The request to negotiate on non-tariff barriers does not change existing authority to negotiate and seek Senate treaty approval, Congressional passage of enabling statutes, or utilize existing Presidential authorities whatever they may be. But, we are seeking a new optional procedure which is designed not only to make our negotiating efforts more credible abroad, and less suspect at home, but also to give Congress an extensive and appropriate role. The new non-tariff barrier procedures we propose involve changes which require agreement of our trading partners, and advance notice to the Congress 90 days before concluding any agreements, so that Congress can express its views before commitments are made. We are also providing in many cases a subsequent period of time for Congress to overturn agreements if that should prove politically necessary to the Congress.

The import relief measures we are proposing are different in degree from what was in the TEA—but the approach is very similar, and is related to the nature of the injury or threat of injury involved in the specific case. There is greater flexibility to respond to disruptive problems—but more factors to be weighed and a greater stress on the need for change through limits on duration of relief and through the requirement that levels of special protection be phased down over the temporary period of relief. The President had in the TEA discretion to invoke measures he determined necessary in such cases.

The proposed powers to retaliate are a redrafted and simplified version of retaliatory powers in the TEA. True, there is more in the new proposals, but this is designed to meet problems of third country competition—not foreseen in past years, and to make the powers intended in the past more usable.

I repeat what I already said—our trading partners in most cases already have these or similar powers—and more. Their forms of government in fact provide far greater flexibility than ours ever can have—or needs. It is a matter for us of choosing the right balance of authority, from our own national interest point of view. We believe we have done that in our proposed legislation.

But there is a second reason why the characterizations of unprecedented, unlimited authority are off base. If there is a blank check somewhere, it is in the President's Trade Message, in his invitation to the Congress to increase its participation in the entire range of trade policy-making and negotiation. The President said, "Just as we have consulted closely with the Congress in shaping this legislation, so the Executive Branch will consult closely with the Congress in exercising any negotiating authorities it receives. I invite the Congress to set up whatever mechanism it deems best for closer consultation and cooperation to ensure that its views are properly represented as trade negotiations go forward."

Somehow that placing of the ball on the Congressional side of the court has been largely overlooked.

Taking all of this into account, and the central role international negotiation at many levels plays in our thinking, you can see how complex the task of coming months is going to be. We think we have the apparatus, and the people, and the ideas, and the will to manage it, to help set the world on a better course. We believe other nations accept that fact, at the political level. We have joined in written undertakings with the European Community and Japan, in the aftermath of the Smithsonian Agreement of December, 1971, to negotiate "on the basis of mutual advantage and mutual commitment with overall reciprocity." —Mutual advantage, so that all are winners. —Mutual commitment, so that all play by the same rules in the future. —Overall reciprocity, so that an overall balance of advantage can be struck for each country, enabling the political changes that are necessary.

I go back then to my main theme, which I believe is shared in other capitals, in spite of comments from those who do not see the painting of the big picture in recent months. That theme is that the forthcoming trade negotiations, along with and supported by the monetary reform talks, are key to a wider range of international harmony.

We are aiming at a truly global undertaking. Some of you have referred to it as the Nixon Round. I am not sure that is exactly what suits the process we envisage—for while President Nixon has put his weight behind it, so have other leaders of the world. It is necessarily a work of what Henry Kissinger describes as "joint statesmanship." We have been looking for a better, more creative name. I expect that the process will be started in September by a Tokyo Declaration, since that is the city where ministers of negotiating countries plan to meet for a few days to launch the global talks. It may be that a set of principles and objectives can be embodied in the so-called Atlantic Charter Dr. Kissinger has suggested. Beyond that, we have not come up with the right name for the negotiating process. In the bureaucracy, it is known simply as the MTN (Multilateral Trade Negotiations).

But whatever name we give this common undertaking, we must remember it is just that, a joint effort, in search of a better world order.

I conclude with the President's words, "This structure of peace cannot be strong . . . unless it encompasses international economic affairs. Our progress toward world peace and stability can be significantly undermined by economic conflicts which breed political tensions and weaken security ties. It is imperative, therefore, that we promptly turn our negotiating efforts to the task of resolving problems in the economic arena."

TESTIMONY OF MINNESOTA GOVERNOR, WENDELL ANDERSON, ON PROPERTY TAX RELIEF

Mr. HUMPHREY. Mr. President, the Intergovernmental Relations Subcommittee of the Government Operations Committee today began hearings on the Property Tax Relief and Reform Act of 1973.

I am a cosponsor of that proposed legislation. The legislation would provide property tax relief for those persons suffering the heaviest burden from the property tax, it would strengthen the ability of State and local governments to raise their own revenues, and it would encourage the reform of property tax administration.

Mr. President, the bill now before Senate hearings is an outgrowth of efforts, by myself, the chairman of the Subcommittee on Intergovernmental Relations, (Mr. Muskie) and the Senator from Illinois (Mr. Percy) during last year's Senate debate on revenue sharing to begin a Federal study of the property tax.

Mr. President, the Governor of my home State of Minnesota, Wendall Anderson, was the first witness before the Subcommittee on Intergovernmental Relations.

I believe that our State has an admirable record in the equalizing of the property tax burden. Governor Anderson is to be commended for his leadership on this front.

The Governor has directed a massive redesign of the property tax and school financing system in our State. Today, the State provides about 70 percent of the current operating cost of local schools. What we have done in Minnesota is to shift the financing of education from the property tax to revenues available to the State—the income and sales taxes.

At the same, the amount of funds going from the State to local communities was increased so that municipal property taxes on residents could be reduced. The results: Property taxes in Minnesota declined—that is right—declined by an average of 11.5 percent.

Mr. President, and, I am certain that all the cosponsors of the Property Tax Relief and Reform Act are proud to have Governor Anderson's endorsement of this legislation.

Said the Governor:

> I support the basic approach . . . combining state and federal action to deal with the problems of property tax. The federal role is to encourage and aid state government. **The responsibility for action, however, is** at the state and local level, where I believe it properly belongs.

Mr. President, I ask unanimous consent that Governor Anderson's testimony be printed in the Record.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Testimony of Gov. Wendell R. Anderson, Before the Subcommittee on Intergovernmental Relations, May 2, 1973

I appreciate the opportunity to testify today on the Property Tax Relief and Reform Act introduced by Senator Muskie and cosponsored by seven other Senators. I am pleased that one of those seven is Minnesota's Senator Humphrey.

I support the basic approach that Senator Muskie is taking in this bill—combined state and federal action to deal with the problems of the property tax. The federal role is to encourage and aid state governments. The responsibility for action, however, is at the state and local level, where I believe it properly belongs.

State governments must have such encouragement and assistance in order to correct a situation that has become almost a national scandal, our heavy reliance on the property tax to finance local government services, especially education.

First, the property tax places a shameful burden on low income individuals, especially the elderly. Second, the local nature of property taxes creates a great disparity in educational opportunity for our nation's children, both within states and among states, wherever there is heavy use of property taxation at the local level to support education. That is almost everywhere in the United States.

In Minnesota, as I will explain in a moment, we have taken action to begin to eliminate this disparity. Some other states have also begun to address it. But much more remains to be done.

Why is property tax relief and reform such a pressing issue? Mainly because the local property tax raises more public funds in the United States than any other tax except the Federal individual income tax.

Recently, I served as one of eight special advisors for an extensive study of school financing carried out at the President's request by the Advisory Commission on Intergovernmental Relations. This study shows that, nationally, property tax yields are estimated to be about $45 billion in 1973. This is second only to the Federal individual income tax as a source of revenue, bigger than the sales tax, bigger than the corporation income tax.

The property tax accounts for about two-fifths of all State and local tax collections. Nearly 85 percent of local tax dollars come from the property tax. School districts, for example, rely on the property tax for about 98 percent of their tax revenue. This requires a lot of money to be raised from a tax which has the faults of the property tax.

One of these faults, according to the ACIR's data, is the shameful way in which property taxes place their burden on those least able to pay. Nationally, property taxes on homes claim an average of 17 percent of the annual income of our poorest families. At an income of 3 to 4 thousand dollars per year, the tax takes nearly 8 percent. The highly regressive nature of this tax stands out in this survey. When your income reaches 10 to 15,000 dollars, the property tax falls to about 3.7 percent of your income; for incomes over $25 thousand, about 2.9 percent. This tax takes over five times as great a bite, percentagewise, from the lowest income individuals as from the highest. For those who haven't seen these figures in the ACIR report *Financing Schools and Property Tax Relief—A State Responsibility,* I have included some data from this report.

REAL ESTATE TAXES AS A PERCENTAGE OF FAMILY INCOME, OWNER-OCCUPIED SINGLE-FAMILY HOMES, BY INCOME CLASS AND BY REGION, 1970

						Percentage distribution	
Family income	United States total	North-east region	North-central region	South region	West region	Number (thousands)	Percent district
Less than $2,000	16.6	30.8	18.0	8.2	22.9	1,718.8	5.5
$2,000 to $2,900	9.7	15.7	9.8	5.2	12.5	1,288.7	9.7
$3,000 to $3,900	7.7	13.1	7.7	4.3	8.7	1,397.8	14.1
$4,000 to $4,999	6.4	9.8	6.7	3.4	8.0	1,342.8	13.5
$5,000 to $5,999	5.5	9.3	5.7	2.9	6.5	1,365.1	22.8
$6,000 to $6,999	4.7	7.1	4.9	2.5	5.9	1,530.1	27.8
$7,000 to $7,999	4.2	6.2	4.2	2.2	5.0	5,377.4	45.0
$10,000 to $14,999	3.7	5.3	3.6	2.0	4.0	8,910.3	73.6
$15,000 to $24,999	3.3	4.6	3.1	2.0	3.4	6,365.6	94.0
$25,000 or more	2.9	3.9	2.7	1.7	2.9	1,876.9	100.0
All incomes	4.9	6.9	5.1	2.9	5.4	31,144.7	

Source: Advisory Commission on Intergovernmental Relations Financing Schools and Property Tax Relief—A State Responsibility, Washington, D.C. January 1973.

For the elderly, the picture is just as unfair. Nationally, real estate taxes on elderly homeowners take about 16 percent at the lowest income level. This is more shocking when you consider that, according to the same survey, one out of five homeowners over 65 are in this income class. The property tax takes about 8 percent of incomes of senior citizens between 3 and 4 thousand dollars, 6.2 percent for incomes of 5 to 6 thousand dollars. According to the same survey, nearly two-thirds of elderly homeowners had incomes under this level of 6 thousand dollars.

These figures understate the burden for some of our low income people. These figures are averages. Therefore, the burden is even higher for some even more unfortunate people, those above the average.

So the property tax does not raise revenues according to ability to pay. That is clearly a major weakness in the second largest tax source of public funds in the nation.

The second major fault of the property tax is the great disparity from one taxing district to another in the financial resources on which the property tax is based. The Rodriquez school finance case is a clear illustration. We're all familiar with this. Mr. Rodriquez is a Mexican-American from Texas. He has 3 or 4 children. They want to go to school and be doctors or lawyers or dentists. One wants to be a priest.

The problem is that Mr. Rodriquez lives in a predominantly Mexican-American district. They have very modest little homes where the property taxes are almost confiscatory. Yet they raised only $26 per year per student from those taxes. Across town in the affluent part of the area, real estate taxes are modest. But they could raise $500 or $600 per student. Mr. Rodriquez knew that unless he could do something to crack that system, his children would not get the education they need. The schools would not be good enough. His children could not become lawyers or doctors or dentists.

Well, Mr. Rodriguez went to court on grounds that this sort of unequal opportunity is unconstitutional. The Texas courts agreed with him. Unfortunately, the United States Supreme Court, in a close 5 to 4 decision, disagreed with Mr. Rodriguez. It therefore may be impossible to claim that this unequal opportunity goes against the U.S. Constitution. I will say, however, that it is clearly unfair to limit opportunity for young people because of local limitations in public resources. When you are well off, you can move or find an alternative school for your children. But Mr. Rodriguez and a lot of other people are poor. They can't afford to do either one.

No wonder that the local property tax is so unpopular. With this degree of regressiveness and inequity, it is rightly considered the most unfair of our major taxes.

There are other bad features of the property tax. Poor administration is one problem. Studies show significant variation in the valuation of property for tax purposes. Homes of equal market value are often assessed at quite different values. Thus, two individuals with the same income and the same value home in the same jurisdiction may pay considerably different valuations by the local assessors.

Property taxes also compound the problem of providing adequate housing for low and moderate income families. Communities want families and housing that they feel increase their tax base by more than expected costs. Zoning ordinances are used to keep out inexpensive housing and allow only the more affluent. This raises the cost of housing. It limits the range of alternative areas from which low and moderate income families can choose a place to live. The pressure increases the difference in resources between districts and therefore it also continues the disparities which exist in local government services, especially education.

Our property tax system also increases the difficulties in guiding development and land use. Industry wants to go where property taxes are already low. Municipalities want commercial and industrial development to contribute to their tax base. The result may be uneconomic from a larger view. But, businessmen can't be faulted for seeking to lessen their costs. And the competition for high value development by municipalities is understandable. Rich districts with lower taxes get more industries and become even richer. Poor districts become relatively poorer. And so we end up with tax enclaves, scattered development, industry where we really don't want it. For example, we have a coal burning power plant sitting along the St. Croix River, one of the most beautiful rivers in the country. It's done a lot for the tax base of one municipality. But what is it going to do to that magnificent river valley?

We faced all of these problems in Minnesota. Property taxes had grown steadily from $123 per capita in 1960 to $200 in 1970—an average annual percentage increase of 6 percent over the ten years. Total net property taxes in Minnesota increased 15 percent from 1969 to 1970 and 20 percent from 1970 to 1971, or well over a third in just two years.

We had a study done in 1970 on the whole property tax situation. It documented what we already knew about the level of the tax compared to incomes, and about the regressiveness of the property tax among homeowners.

The tax bite averaged over 3 percent of income in nearly a quarter of municipailities with over 2,500 population. And these figures are for 1968, prior to those 15 and 20 percent increases in total collections.

This study also showed that property taxes were four times as burdensome on incomes of $2,000 as on incomes of $20,000. The following tabel shows how regressive the taxes were in terms of percentage of income at different income levels.

Income group:

Income group:	*Property tax percent of income*
$2,000	6.2
$4,000	4.1
$6,000	3.2
$8,000	2.7
$10,000	2.4
$14,000	1.9
$18,000	1.7
$20,000	1.6

Source: Report to the Governor's Minnesota Property Tax Study Advisory Committee, November 1970.

The difference in burden is also documented by data prepared in 1971 by my Council of Economic Advisors. They used data from the 1968 study and compared housing values and incomes at different income levels.

Income class	Mean housing value	Ratio, housing value to income
$2,000	12,900	6.45
$4,000	12,900	3.23
$6,000	13,000	2.17
$8,000	13,500	1.69
$10,000	15,500	1.55
$14,000	18,300	1.31
$18,000	22,000	1.22
$20,000	23,000	1.15

Source: Unpublished data prepared by the Minnesota Council of Economic Advisers.

The poorer you are, the greater the value of your home when compared to your income. The poorer you are, the higher the proportion of your income that goes for property taxes. Our property tax classification system provides some protection. But the data show that the property tax remains regressive by its nature.

I would like to emphasize again that these figures are averages. This study found considerable variation in housing values at each income level, so that the burden is even higher for some.

Minnesota also had a school financing problem. Assessed value in our ten richest school districts averaged about $6,000 per pupil unit. The tax base per pupil unit in the ten poorest averaged about $2,600 or a little over 40 percent of the richest. Mill rates in the ten poorest were close to double that in the richest, 224 mills as against 126 mills. Yet the richest districts on the average were spending 20 percent more per pupil for education.

Minnesota, like many other states, has a foundation aid formula for state aid to school districts. In 1970, the foundation level was $404 per pupil unit. However, the average expenditure per pupil unit for operating costs was $722. State support of local schools amounted to only 43 percent of the operating costs statewide. These costs do not include capital outlay or debt redemption. School district spending in 1969–1970 varied from a low of $370 per pupil unit to $903. Mill levies ranged from 90 mills to roughly 360 mills, or 4 times as much in the high-levy districts as in the low-levy districts.

Taxpayer dissatisfaction with the property tax burdens of this school finance system showed in a number of ways. It could be demonstrated by the voting on school bond issues throughout the state. In 1967–68, voters passed 81 percent of the school bond issues. In 1969–70, 58 percent of the issues passed. The next year, 1970–71, only a third, 33 percent, passed.

Municipal tax bases showed the same sort of variation. Among municipalities over 2,500, tax base per capita ranged from $281 to $1,914, a ratio of 6 to 1. Municipal mill rates for these same municipalities showed a greater range, from 27 mills to 158 mills, nearly 8 to 1.

And, as I said before, property taxes continued to rise. In 1967, the Minnesota Legislature enacted a sales tax to provide for property tax relief. Homeowners received a partial state payment of their property taxes, renters received a refund, and business received partial exemption of personal property. By 1970, this property tax relief has disappeared.

In 1971, when I began my term as governor, I felt that the two biggest issues were property tax relief and reform of the school finance system. These two problems are closely intertwined and could best, and possibly only, be solved jointly. What we did in Minnesota was to shift the bulk of school finance from the local to the state level. We raised our foundation aid level to $750 per pupil unit in 1972–73. The state now provides about 70 percent of the current operating cost of local schools in Minnesota. This meant a shift from financing education primarily by the property tax to the revenue sources available on a statewide basis, primarily income and sales taxes.

We think this was a great stride in assuring that educational opportunity should be a function of the total resources of the state and not the taxing ability of the local school district. For example, in 1971 the Anoka school district had to levey a tax of $531 on a $20,000 home to spend $537 per pupil. A few miles away, the Golden Valley school district—with more affluent families and substantial commercial-industrial property—levied $438 on a $20,000 home and spent $940 per pupil. The tax was 18 percent lower in Golden Valley, but it raised 64 percent more per pupil.

A year later the Anoka school district could reduce the tax on the same value home $172 or 32 percent, yet spend $627 per pupil. The difference between the taxes on comparable homes was reduced by 60 percent.

This is a dramatic turnaround.

We also raised the volume of state funds going to local units of government, the municipalities and counties, by $111 million. We wanted to provide tax relief here also, and we wanted to help local governments. They are really the ones who have been faced with rising demands for services and funds. One result of our program is that cities and villages in Minnesota now get more dollars from aid—federal, state, and county—than they get from property taxes.

We also provided additional relief to renters by doubling the Rent Credit, so that a renter can get up to $90 of his rent refunded.

What did this achieve for Minnesotans in property tax relief? Property taxes declined an average of 11.5 percent statewide. Yes, an eleven and one half percent *decrease*. That's quite a change from the 20 percent per year increase of previous year.

Until we took action, the Iron Range communities in northern Minnesota had some of the highest property taxes in the state. In 1971, taxes on an $18,000 home in the community of Eveleth were $782. In 1972 the taxes on that same home fell to $389, a reduction of over *50* percent. In Cook and Meadowlands, property taxes on a $18,000 home went down by *60* percent.

This wasn't accomplished easily. We had an 86 day special legislative session in order to work this out. We had an 86 day special legislative session in order to work this out. We had to increase state taxes by a considerable amount. We raised the liquor tax by 25 percent and the cigarette tax 6 cents a pack. We raised corporation tax rates slightly and eliminated deductibility of federal taxes for corporation income taxes. We raised the individual income tax rates by a tenth of a percent in the lowest bracket and by 2½ percent in the highest. We added a penny to the sales tax. We made some changes in other taxes. Altogether we increased state revenues by nearly $600 million over the biennium. That's a lot of money.

But we were able to deal with two major problems, the rising burden of property taxes and the unfairness in our educational finance system.

That property tax reduction meant a great deal to homeowners, farmers, and businessmen in Minnesota.

Let me give you just one example.

Joe Pfaffinger has a farming operation, partly in Minnesota and partly across the border in Iowa.

His Minnesota Real Estate Taxes dropped 19 percent last year.

But, Joe Pfaffinger's Real Estate taxes did not go down in Iowa. Joe Pfaffinger is now paying almost twice the property tax on his Iowa farm as on his Minnesota farm.

We achieved another important result through the combined increase in our state taxes and the reduction in local property taxes. We increased the degree of progressivity of our total state and local tax system in Minnesota. The sum of property, sales, and income taxes actually fell by 8 percent for the average homeowner with an income of $4,000. Combined state and federal taxes decreased for incomes up to the $6,000, and increased only 3 percent in the $20,000 bracket.

We also took some steps to ensure that property tax relief wouldn't be eaten away by rising local expenditures. In the five years prior to 1971, education spending had averaged an increase in excess of 15 percent each year. During the same period, municipal spending had increased on the average five and a half percent per year. Along with the aid increase to education and local governments, we imposed limitations on the rate of increase of levies. These limitations are enforced primarily by partial losses of aid for increases in excess of the limitations. To account for special needs, we do allow school district increases in excess of the limitation without penalty when the voters choose to do so by referendum.

In Minnesota we also tried to deal in another way with property tax problems. We passed a Fiscal Disparities law covering the Seven County Minneapolis-St. Paul Metropolitan Area. This law provides for sharing 40 percent of the growth in commercial-industrial valuation among all jurisdictions in that Metropolitan area. Allocation of the shared base takes account of population and the tax base, so that poorer units get a proportionately larger share. This will help reduce disparities. Just as important, however, this sort of mechanism would help to guide development in that region. It should lessen the competition for development and the problems associated with this competition. I should add that this law was recently declared unconstitutional by a district court. The decision is being appealed to the State Supreme Court. But the law clearly shows the direction we want to go in providing a fair taxing system in Minnesota.

The rate increases of 1971 will bring in additional revenue during the next two years due to growth in the base. This growth, along with some of our revenue sharing money, will provide more property tax relief during the next two years. We're going to raise the education foundation level again to keep the state share at 70 percent. More important, we intend to further equalize education spending. We plan to bring the below average districts up to the average over the next six year period.

In addition, we'll increase the aid going directly to homeowners and renters. The state now pays 35 percent of the nondebt levy on homesteads up to a maximum of $250. We propose to increase that rate and extend it to cover the debt levy which averages about 15 percent of the total levy. We'll also raise the rent credit that refunds a portion of property taxes paid by renters. This will probably go up to 10 percent of rents.

Minnesota also has a type of circuit breaker for the elderly, both homeowners and renters. We pay a percentage of their property taxes, in addition to the other aid. For very low incomes, the state pays 90% of property taxes. We'll raise the income limit this year to aid another 35,000 people. The circuit breaker protects our senior citizens from too high a level of taxes.

But for many, a credit will not handle the whole problem. Their property taxes keep going up, even though their working years are over and their incomes are often fixed. We've proposed therefore, that their property taxes be just as fixed. That would mean no property tax increase, period, for a Minnesotan 65 or older. Under this proposal, when a homeowner reaches 65, his property taxes will never go up again as long as he stays in that home. State funds will reimburse the local government's income loss, so the cost won't fall on other property owners.

We have also discovered that in Minnesota the property tax is being paid more and more by residential property. Residential property is being reassessed upward more rapidly than commercial property. In 1968 urban homestead property accounted for 36 percent of the total taxable value. Only two years later, in 1970, this proportion had increased to 38.5 percent. Figures aren't complete for 1972 but the proportion seems to have risen again. This latest rise does not include an exemption granted in 1971 for business personal property. As a short term solution for this shift of property taxes onto homeowners, we've requested a two year moratorium on reassessments. This would halt shifting of the tax onto homeowners and give us some time to study this situation further. That's a controversial proposal, but we are determined to avoid the worst effects of our property taxation system.

In providing needed incentives for more equitable assessment and property taxation, this proposed legislation should carefully avoid creating a similar problem for other states.

Homes may be assessed, informally or formally, at lower rates than other types of property. Our property classification system in Minnesota directly recognizes this approach as justified social and economic policy. Without such formal recognition, one result of equalizing assessments may actually be to raise taxes proportionately on small homes in comparison to commercial property. This does not seem to me to be the intention of this reform legislation, and such an effect should be avoided.

This program of property tax relief and educational reform has been generally popular in Minnesota. A poll taken in Minnesota in November, 1971, found that generally the program was considered equitable. We do sometimes hear complaints that our tax climate is unfavorable to business. I don't know any governor who doesn't hear that about his state. We also hear that people don't like to transfer to Minnesota because of the taxes. However, once they're in Minnesota they don't want to leave.

I've spent some time talking about Minnesota's situation. I've done this, first, to show that Minnesota has essentially the same problems as other states. Second, I described what we have done to try to deal with these problems. I believe we are proving that these problems can be solved, and other states can learn from Minnesota's experience. And I think that what we've done can help to define the national government's role in approaching property tax problems as they really exist at the state level.

As I stated before, the national government's role should be generally indirect. Encourage our state governments to strengthen their own systems, to carry out necessary reforms. Provide financial assistance and technical aid in setting up state programs to improve assessment practices and other features of administration of the property tax.

I also support the use of federal funds to encourage states to adopt circuit breakers. This is an excellent means of protecting the poor of all ages from the regressiveness and the heavy burden of the property tax. As the information prepared by my Council of Economic Advisors showed, the regressiveness is not due solely to poor administration. Regressiveness follows from the different ratios of housing value to income. The state circuit breaker deals with this directly and effectively.

Encouraging state action can also take other forms than those in the proposed Property Tax Relief and Reform Act. The federal grant system could be used more to reward states with progressive tax systems. Minnesota's neighboring state of Wisconsin is generally recognized as a progressive state. In 1970 Wisconsin ranked second in the nation for income tax collections per $1,000 personal income and second in total state and local taxes per $1,000 of personal income. In fiscal 1971 Wisconsin ranked 47th in the nation in federal grants in aid per capita.

This proposed legislation also does too little to reward progressive states. I realize that it intends to provide relief where it is needed most. However, it should recognize the total state and local tax burden. This is partly a matter of equity. More than that, the best method of providing long-term property tax relief is to shift financing to non-property sources. The bill could encourage this by providing relatively more aid to states where a greater portion of the state and local taxes comes from non-property taxes. The $6 per capita aid limitation and the rate of federal participation could be varied to do this.

I think that it is important to recognize the total tax bill. Look at the states which rank as the top ten in property taxes per $1,000 personal income. Only two of them, Wisconsin and Massachusetts, also rank in the top ten in income taxes per $1,000 personal income. Four of them rank 25th or below. Also, only four of these ten rank in the top ten in total state and local taxes, and three rank 26th or lower. Those states making the greatest effort to use fair taxes, and those making the greatest effort to provide services at the state and local level should have their effort recognized.

Under the funding proposed by this bill, incentives to use non-property sources would be small. But where the chance exists, it should be used. The Revenue Sharing formula recognizes the need to some extent, but it is basically a per capita distribution. Minnesota receives its revenue share under the five factor formula, which does recognize income tax effort. But for most other states, the three-factor formula counts property taxes as much as non-property taxes. Hence there is no incentive for those states to adopt a fairer non-property tax system.

There are some things that I think the federal government ought not to do in the area of property tax relief. You should not enact a program of property tax relief directly from the federal government to the taxpayer. This is important for several reasons. First is the reform of education financing. Much remains to be done at the state level. Much will be done despite the Supreme Court's decision in the Rodriguez case. But property tax relief and reform provides a real handle on education financing for state governments. I think it works the other way around too. These two issues, I said before, can best be dealt with jointly. A large federal program direct to the local taxpayer would remove this state leverage.

Second, I think local government officials have some of the toughest problems and toughest jobs of any level of government. They're pressed for services and damned for tax increases to finance them. A direct federal program would aggravate this. Local officials would still be damned for raising property taxes, while federal officials would be thanked for their concern and kindness for the *income* tax reduction they provided.

Third, a federal program would cause some extra costs and perhaps hardships for people who must pay their property taxes now and then wait a year to receive a rebate from the federal government. Minnesota's major property tax relief goes through the local governments to the individual tax bill to avoid the problems I've just cited.

A direct federal program would also create inequities between states which rely primarily on the property tax and those who use non-property sources more heavily. And what is likely to happen to property tax rates if local officials feel that they can raise property taxes since the federal government will refund some of it? We will lose the opportunity for reducing inequities between taxing districts.

The federal government could provide a significant amount of tax relief directly in another way. Both equality of educational opportunity and income maintenance are national goals. The local share of the costs of these programs is financed heavily by the property tax. Expenditures for education and welfare and the tax burdens for support vary considerably within and among states. If the Federal government would assume the full costs of welfare, differences between taxing jurisdictions in levies for differing local welfare costs would be eliminated entirely. This would be especially effective in states with county participation in welfare costs, like Minnesota. The federal government now provides about 7 percent of the costs of elementary and secondary education in the United States. This could be raised to 30 percent, as the Education Commission of the States recommends, with an effect on local taxes similar to the effects of Minnesota's school finance reform.

That could cost a lot of money. Where would it come from? In the last ten years, the Congress has voted five tax cuts. Federal revenue could be $45 billion higher today without those tax cuts. That's about the same as total state and local property taxes today. At the state level, we've had to raise tax rates steadily over the last ten years.

I've spoken at some length supporting the goals and approach of the Property Tax Relief and Reform Act of 1973. There are a few comments on specifics of the bill that I'd like to make.

An important feature of the bill is the encouragement given to state circuit breakers. Circuit breakers are an excellent method, but not the only method of property relief. Minnesota has a circuit breaker of a slightly different form for our elderly. In 1972, it cost about $9 million. But, our major forms of relief direct to the homeowner and renter, the homestead credit and rent credit, cost $130 million in 1972 and will go up to over $160 million next year. We'd like to be sure that the bill provides some federal recognition of these forms of relief also. I would also like to point out that the bill as introduced, in section 302, D. (3) speaks of relief to families. Households composed of single persons ought to be eligible also.

Improving assessment practices as this bill aims to do is also important. Training is an important factor. Publication of assessment/sales ratios will probably do the most for removing inequities of this sort, since local taxpayers will demand better assessment when they recognize the effects of weaknesses of present methods. There may be some difficulties because of the work and expense of annual studies. Different classifications of property for tax purposes and small samples for some types of property might also cause some trouble.

The appeal procedure and automatic reassessment are powerful methods of dealing with assessment inequities. One slight change is needed here to achieve more uniformity in assessment. The bill would allow a 10 percent deviation each way around the average assessment/sales ratio. The 1966 average assessment/sales ratios ranged from 4.6 percent in South Carolina to 77 percent in Alaska and Kentucky. Allowable variation in South Carolina would be from Zero to 14.6 percent, but from 67 percent to 87 percent in Kentucky and Alaska. More uniformity could be achieved within states, along with more equal treatment among states, by basing the allowable variation on the mean ratio for that state. For instance, the allowable range may be 20 percent of the mean ratio. This would make the allowable variation in South Carolina roughly 3.5 percent to 5.5 percent and in Alaska and Kentucky 62 percent to 90 percent. This provides more uniformity in South Carolina and more even conditions imposed among states. You may also provide that automatic reassessment be at the mean ratio for the jurisdiction.

The federal aid for coordinating property taxation with land use policies is very important. We need to know much more about the effects of property taxation on land use and how to tie our tax policies into our planning.

To summarize my remarks, I support this bill. I think it can do something about the property tax situation in this country. It's just one step, but it's a step in the right direction.

I endorse the approach of working for property tax relief and reform through the state governments. State circuit breaker programs can provide the necessary protection against the awful burden of property taxes on low income people. At the same time, the approach followed by this bill leaves major property tax relief and reform as a lever for getting at the unfairness in our education financing system. The importance of this can't be overstated. Fairness in education finance is one of the major problems facing this country today, regardless of the current opinion of the Supreme Court.

The federal government should take a couple of other steps to provide property tax relief. Greater federal support for welfare costs and education costs can lift some of that property tax burden from local jurisdictions. In addition, the use of tax credits rather than deductions and extending credits to renters can lessen the regressive effect of the property tax. Also, more incentive for the use of non-property taxes at the state and local level could be provided in this bill and in other federal programs.

In Minnesota, we believe that we have accomplished a great deal in property tax relief and education finance. We propose to do more. We take a lot of pride in our program. There are many things unique about Minnesota. But reform of education financing and property tax relief is one area in which we would enjoy having a lot of company.

WE MUST NOT FORGET THE GENOCIDE CONVENTION

Mr. PROXMIRE. Mr. President, virtually every day the Senate was in session during the past 5 years, I have urged this body to take action on ratification of the genocide and other human rights conventions. With respect to the Genocide Convention, there has been widespread support for ratification in this administration, in previous administrations, among many of the most prominent members of the bar, among the press, and among many of my constituents.

In March of this year, a subcommittee of the Committee on Foreign Relations again reported favorably on ratification of the Genocide Convention. The hearings which were held in 1950, 1970, and 1971, and the subcommittee's continued attention and favorable reports, attest to the intense interest in the convention and the widespread support in our Nation for basic human rights. Indeed, much of the resistance to the Genocide Convention has abated in the 20 years since the original 1950 hearings.

I genuinely believe that this lessening of resistance is attributable to the broader and deeper understanding of the provisions of the convention. It is a tribute to our deliberations here in the Senate that an exhaustive analysis has been made of the many questions and issues raised by the convention. Eminent scholars, members of the bar, officials of the administration, and representatives from the United Nations have all demonstrated that those questions and issues can and should be resolved in favor of ratification of the Genocide Convention.

It is my sincere hope that the Senate will ratify this important document in the next few months.

CITY OF EL SEGUNDO, TO HONOR URHO SAARI, GREAT COACH

Mr. TUNNEY. Mr. President, I am very happy to have the opportunity to join the proud people of El Segundo and the State of California in expressing our heartfelt thanks to Mr. Urho Saari for his enduring service and dedication in the field of athletics.

Mr. Saari's illustrious career as coach of winning swimming and water polo teams has brought credit and honor not only to the city of El Segundo, but also to the entire State of California. He has helped to shape and build the youths of today—the leaders of tomorrow's world.

The city of El Segundo, recognizing his leadership, has declared May 24, 1973, as Urho Saari Day—a fitting tribute to a great coach and citizen.

Mr. President, I ask unanimous consent to have printed in the Record a letter I recently received from Mr. Norm Barr, president of the El Segundo Chamber of Commerce.

There being no objection, the letter was ordered to be printed in the Record, as follows:

El Segundo Chamber of Commerce,
March 21, 1973.

Hon. John V. Tunney,
U.S. Senate,
Washington, D.C.

Dear Senator Tunney: El Segundo's swimming coach, Mr. Urho Saari is retiring this year. Mr. Saari has represented El Segundo, Los Angeles, the State of California and the United States in many swimming events and brought home to us many trophies and awards.

Due to his outstanding service to El Segundo, the City of El Segundo has declared May 24, 1973 as Urho Saari Day and issued the following proclamation:

"Whereas, Urho Saari as a Coach at El Segundo High School has compiled one of the greatest records in California High School athletics with a water polo team record of 376 wins and 92 losses since 1946, twelve CIF water polo championships and six CIF swimming championships, and

"Whereas, the El Segundo Swim Club under Urho Saari's leadership since 1947 has produced 18 individuals who have represented the United States 34 times in swimming and water polo in the Olympic Games and Pan American Games and has earned more than 40 team and individual national titles in water polo and swimming, and

"Whereas, Urho Saari was the United States water polo coach for the 1951 Pan American Games, 1952 Olympic Games, 1964 Olympic Games and Maccabia Games, and was water polo manager for the United States 1960 Olympics, and

"Whereas, Urho Saari was selected "National Water Polo Coach of the Year" in 1964 by American Swim Coaches Association, and named "Water Polo Coach of the Year" in 1965 by the Southern California Swimming, Water Polo and Officials Associations, and

"Whereas, Urho Saari was the swimming and/or water polo coach for several hundred professional lifeguards, including more than one-third of the permanent lifeguard staff of the Los Angeles County Department of Beaches, and was a lifeguard himself for eleven years in New York and California, and

"Whereas, Urho Saari was born and raised in Buffalo, New York, where he was graduated from Buffalo State Teachers College, served in the United States Army, was a YMCA swim coach, and has been swimming director and coach for the El Segundo Unified School District since 1941, and

"Whereas, Urho Saari's dedicated service and accomplishments in the field of aquatics is deserving of high praise and commendation;

"Now, therefore, I E. L. Balmer, Mayor of the City of El Segundo do hereby officially proclaim May 24, 1973 as Urho Saari Day in the City of El Segundo, and all residents are urged to join in honoring Mr. Saari for his outstanding achievements and his dedication to building the character of youth and leaders of today and tomorrow."

DR. KISSINGER'S ADDRESS ON EUROPE

Mr. HUMPHREY. Mr. President, although 1973 has been called by some "the year of Europe," the policy emphasis which this phrase implies was not evident until Dr. Henry Kissinger delivered an address to the Associated Press on April 23, 1973.

The President's national security adviser has delivered an eloquent and meaningful address on the future of relationships between countries facing the North Atlantic. Dr. Kissinger's remarks form a fitting opening statement for what must be a close examination of the various economic and security issues which both unite and divide nations on both sides of the Atlantic.

Since the end of the Second World War, our policy toward Europe has been guided by principles and philosophies, though relevant to the late 1940's and the early 1950's, lack a firm foundation in the realities of the 1970's and years beyond.

Henry Kissinger has endeavored to begin the process of policy reformulation which is so vitally necessary to keep alive a partnership in changing economic and political climates both in Europe and the United States.

Both the Congress and the executive branch have an obligation to carry through in the spirit of Dr. Kissinger's message. If there is to be a revitalized Atlantic partnership, then all of the partners must, in Dr. Kissinger's words:

> Strike a new balance between self-interest and the common interest. We need a shared view of the world we seek to build.

Mr. President, I ask unanimous consent that Dr. Henry Kissinger's address to the Associated Press be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

[From the New York Times, April 24, 1973]

Text of Kissinger's Talk at AP Meeting Here on U.S. Relations With Europe

Following is the text of an address delivered at the Waldorf-Astoria yesterday by Henry Kissinger, President Nixon's assistant for national security, at a luncheon of The Associated Press:

This year has been called the Year of Europe, but not because Europe was less important in 1972 or in 1969. The alliance between the United States and Europe has been the cornerstone of all postwar foreign policy. It provided the political framework for American engagements in Europe and marked the definitive end of U.S. isolationism. It insured the sense of security that allowed Europe to recover from the devastation of the war. It reconciled former enemies. It was the stimulus for an unprecedented endeavor in European unity and the principal means to forge the common policies that safeguarded Western security in an era of prolonged tension and confrontation. Our values, our goals and our basic interests are most closely identified with those of Europe.

Nineteen Seventy Three is the Year of Europe because the era that was shaped by decisions of a generation ago is ending. The success of those policies has produced new realities that require new approaches:

The revival of Western Europe is an established fact as is the historic success of its movement toward economic unification.

The East-West strategic military balance has shifted from American preponderance to near equality, bringing with it the necessity for a new understanding of the requirements of our common security.

Other areas of the world have grown in importance. Japan has emerged as a major power center. In many fields "Atlantic" solutions to be viable must include Japan.

We are in a period of relaxation of tensions. But as the rigid divisions of the past two decades diminish, new assertions of national identity and national rivalry emerge.

Problems have arisen, unforeseen a generation ago, which require new types of cooperative action. Insuring the supply of energy for industrialized nations is an example.

'DRAMATIC TRANSFORMATION'

These factors have produced a dramatic transformation of the psychological climate in the West—a change which is the most profound current challenge to Western statesmanship. In Europe a new generation—to whom war and its dislocations are not personal experiences—takes stability for granted. But it is less committed to the unity that made peace possible and to the effort required to maintain it. In the United States decades of global burdens have fostered and the frustrations of the war in Southeast Asia have accentuated a reluctance to sustain global involvements on the basis of preponderant American responsibility.

Inevitably this period of transition will have its strains. There have been complaints in America that Europe ignores its wider responsibilities in pursuing economic self interest too one-sidely and that Europe is not carrying its fair share of the burden of the common defense. There have been complaints in Europe that America is out to divide Europe economically or to desert Europe militarily or to bypass Europe diplomatically. Europeans appeal to the United States to accept their independence and their occasionally severe criticism of us in the name of Atlantic unity, while at the same time they ask for a veto on our independent policies—also in the name of Atlantic unity.

Our challenge is whether a unity forged by a common perception of danger can draw new purpose from shared positive aspirations.

If we permit the Atlantic partnership to atrophy, or to erode through neglect, careless or mistrust, we risk what has been achieved, and we shall miss our historic opportunity for even greater achievement.

In the Forties and Fifties the task was economic reconstruction and security against the danger of attack. The West responded with courage and imagination. Today the need is to make the Atlantic relationship as dynamic a force in building a new structure of peace, less geared to crisis and more conscious of opportunities, drawing its inspirations from its goals rather than its fears. The Atlantic nations must join in a fresh act of creation, equal to that undertaken by the post-war generation of leaders of Europe and America.

"NEW ERA OF CREATIVITY"

This is why the President is embarking on a personal and direct approach to the leaders of Western Europe. In his discussions with the heads of government of Britain, Italy, the Federal Republic of Germany and France, the Secretary General of NATO and other European leaders, it is the President's purpose to lay the basis for a new era of creativity in the West.

His approach will be to deal with Atlantic problems comprehensively. The political, military and economic issues in Atlantic relations are linked by reality, not by our choice nor for the tactical purpose of trading one off against the other. The solutions will not be worthy of the opportunity if left to technicians. They must be addressed at the highest level.

In 1972 the President transformed relations with our adversaries to lighten the burdens of fear and suspicion.

In 1973 we can gain the same sense of historical achievement by reinvigorating shared ideals and common purposes with our friends.

The United States proposes to its Atlantic partners that, by the time the President travels to Europe toward the end of the year, we will have worked out a new Atlantic charter setting the goals for the future—a blueprint that:

Builds on the past without becoming its prisoner.

Deals with the problems our success has created.

Creates for the Atlantic nations a new relationship in whose progress Japan can share.

We ask our friends in Europe, Canada and ultimately Japan to join us in this effort. This is what we mean by the Year of Europe.

ATLANTIC RELATIONSHIPS

The problems in Atlantic relationships are real. They have arisen in part because during the Fifties and Sixties the Atlantic community organized itself in different ways in the many different dimensions of its common enterprise.

In economic relations, the European Community has increasingly stressed its regional personality; the United States, at the same time, must act as part of and be responsible for a wider international trade and monetary system. We must reconcile these two perspectives.

In our collective defense, we are still organized on the principle of unity and integration, but in radically different strategic conditions. The full implications of this change have yet to be faced.

Diplomacy is the subject of frequent consultations, but is essentially being conducted by traditional nation states. The U.S. has global interests and responsibilities. Our European allies have regional interests. These are not necessarily in conflict, but in the new era neither are they automatically identical.

AN ABSENCE OF HARMONY

In short, we deal with each other regionally and even competitively in economic matters, on an integrated basis in defense, and as nation-states in diplomacy. When the various collective institutions were rudimentary, the potential inconsistency in their modes of operation was not a problem. But after a generation of evolution and with the new weight and strength of our allies, the various parts of the construction are not always in harmony and sometimes obstruct each other.

If we want to foster unity, we can no longer ignore these problems. The Atlantic nations must find a solution for the management of their diversity, to serve the common objectives which underlie their unity. We can no longer afford to pursue national or regional self-interest without a unifying framework. We cannot hold together if each country or region asserts its autonomy whenever it is to its benefit and invokes unity to curtail the independence of others.

We must strike a new balance between self-interest and the common interest. We must identify interests and positive values beyond security in order to engage once again the commitment of peoples and parliaments. We need a shared view of the world we seek to build.

No element of American postwar policy has been more consistent than our support of European unity. We encouraged it at every turn. We knew that a united Europe would be a more independent partner. But assumed, perhaps too uncritically, that our common interests would be assured by our long history of cooperation. We expected that political unity would follow economic integration, and that unified Europe working cooperatively with us in an Atlantic partnership would ease many of our international burdens.

It is clear that many of these expectations are not being fulfilled.

We and Europe have benefited from European economic integration. Increased trade within Europe has stimulated the growth of European economies and the expansion of trade in both directions across the Atlantic.

But we cannot ignore the fact that Europe's economic success and its transformation from a recipient of our aid to a strong competitor has produced a certain amount of friction. There has been turbulence and a sense of rivalry in internatonal monetary relations.

FEAR OF TRADE OBSTACLES

In trade, the natural economc weight of a market of 250 million people has pressed other states to seek special arrangements to protect their access to it. The prospect of a closed trading system embracing the European Community and a growing number of other nations in Europe, the Mediterranean and Africa appears to be at the expense of the United States and other nations which are excluded. In agriculture where the United States has a comparative advantage we are particularly concerned that Community protective policies may be strict access for our products.

The divergence comes at a time when we are experiencing a chronic and growing deficit in our balance of payments and protectionist pressures of our own. Europeans in turn question our investment policies and doubt our continued commitment to their economic unity.

The gradual accumulation of sometimes petty, sometimes major economic disputes must be ended and be replaced by a determined commitment on both sides of the Atlantic to find cooperative solutions.

The United States will continue to support the unification of Europe. We have no intention of destroying what we worked so hard to help build. For us European unity is what it has always been—not an end in itself but a means to the strengthening of the West. We shall continue to support European unity as a component of a larger Atlantic partnership.

This year we begin comprehensive trade negotiations with Europe as well as with Japan. We shall also continue to press the effort to reform the monetary system so that it promotes stability rather than constant disruptions. A new equilibrium must be achieved in trade and monetary relations.

We see these negotiations as an historic opportunity for positive achievement. They must engage the top political leaders for they require above all a commitment of political will. If they are left solely to the experts, the inevitable competitiveness of economic interests will dominate the debate. The influence of pressure groups and special interests will become pervasive. There will be no overriding sense of direction. There will be no framework for the generous solutions or mutual concessions essential to preserve a vital Atlantic partnership.

LARGER POLITICAL PURPOSES

It is the responsibility of national leaders to insure that economic negotiations serve larger political purposes. They must recognize that economic rivalry, if carried on without restraint, will in the end damage other relationships.

The United States intends to adopt a broad political approach that does justice to our overriding political interest in an open and balanced trading order with both Europe and Japan. This is the spirit of the President's trade bill and of his speech to the International Monetary Fund last year. It will guide our strategy in the trade and monetary talks. We see these negotiations not as a test of strength but as a test of joint statesmanship.

Atlantic unity has always come most naturally in the field of defense. For many years the military threats to Europe were unambiguous, the requirements to meet them were generally agreed on both sides of the Atlantic and America's responsibility was pre-eminent and obvious. Today we remain united on the objective of collective defense, but we face the new challenge of maintaining it under radically changed strategic conditions and with the new opportunity of enhancing our security through negotiated reductions of forces.

The West no longer holds the nuclear predominance that permitted it in the fifty's and sixty's to rely almost solely on a strategy of massive nuclear retaliation. Because under conditions of nuclear parity such a strategy invites mutual suicide, the alliance must have other choices. The collective ability to resist attack in Western Europe by means of flexible responses has become central to a rational strategy and crucial to the maintenance of peace. For this reason, the United States has maintained substantial conventional forces in Europe, and our NATO allies have embarked on a significant effort to modernize and improve their own military establishments.

While the Atlantic alliance is committed to a strategy of flexible response in principle, the requirements of flexibility are complex and expensive. Flexibility by its nature requires sensitivity to new conditions and continual consultation among the allies to respond to changing circumstances. And we must give substance to the defense posture that our strategy defines. Flexible response cannot be simply a slogan wrapped around the defense structure that emerges from lowest-common-denominator compromises driven by domestic considerations. It must be seen by ourselves and by potential adversaries as a credible, substantial and rational posture of defense.

MUCH STILL TO BE DONE

A great deal remains to be accomplished to give reality to the goal of flexible response:

There are deficiencies in important areas of our conventional defense.

There are still unresolved issues in our doctrine, for example, on the crucial question of the role of tactical nuclear weapons.

There are anomalies in NATO deployments as well as in its logistics structure.

To maintain the military balance that has insured stability in Europe for 25 years, the alliance has no choice but to address these needs and to reach an agreement on our defense requirements. This task is all the more difficult because the lessening of tensions has given new impetus to arguments that it is safe to begin reducing forces unilaterally. And unbridled economic competition can sap the impulse for common defense. All governments of the Western Alliance face a major challenge in educating their peoples to the realities of security in the nineteen-seventy's.

The President has asked me to state that America remains committed to doing its fair share in Atlantic defense. He is adamantly opposed to unilateral withdrawals of U.S. forces from Europe. But we owe to our peoples a rational defense posture, at the safest minimum size and cost, with burdens equitably shared. This is what the President believes must result from the dialogue with our allies in 1973.

When this is achieved the necessary American forces will be maintained in Europe, not simply as a hostage to trigger our nuclear weapons but as an essential contribution to an agreed and intelligible structure of Western defense. This too will enable us to engage our adversaries intelligently in negotiations for mutual balanced reductions.

In the next few weeks, the United States will present to NATO the product of our own preparations for the negotiations on mutual balanced force reductions, which will begin this year. We hope that it will be a contribution to a broader dialogue on security. Our approach is designed not from the point of view of special American but of general alliance interests. Our position will reflect the President's view that these negotiations are not a subterfuge to withdraw U.S. forces regardless of consequences. No formula for reductions is defensible—whatever its domestic appeal or political rationale—if it undermines security.

Our objective in the dialogue on defense is a new consensus on security addressed to new conditions and to the hopeful new possibilities of effective arms limitations.

NEW PHASE OF DIPLOMACY

We have entered a truly remarkable period of East-West diplomacy. The last two years have produced an agreement on Berlin, a treaty between West Germany and the U.S.S.R., a SALT agreement, the beginning of negotiations on a European Security Conference and on mutual balanced force reductions, and a series of significant, practical bilateral agreements between Western and Eastern countries, including a dramatic change in bilateral relations between the U.S. and U.S.S.R. These were not isolated actions, but steps on a course charted in 1969 and carried forward as a collective effort. Our approach to détente stressed that negotiations had to be concrete, not atmospheric, and that concessions should be reciprocal. We expect to carry forward the policy of relaxation of tensions on this basis.

Yet this very success has created its own problems. There is an increasing uneasiness—all the more insidious for rarely being made explicit—that superpower diplomacy might sacrifice the interests of traditional allies and other friends. Where our allies' interests have been affected by our bilateral negotiations, as in the talks on the limitations of strategic arms, we have been scrupulous in consulting them; where our allies are directly involved, as in the negotiations on Mutual Balanced Force Reductions, our approach is to proceed jointly on the basis of agreed positions. Yet some of our friends in Europe have seemed unwilling to accord America the same trust in our motives as they received from us or to grant us the same tactical flexibility that they employed in pursuit of their own policies. The United States is now often taken to task for flexibility where we used to be criticized for rigidity.

All of this underlines the necessity to articulate a clear set of common objectives together with our allies. Once that is accomplished, it will be quite feasible, indeed desirable, for the several allies to pursue these goals with considerable tactical flexibility. If we agree on common objectives, it will become a technical question whether a particular measure is pursued in a particular forum or whether to proceed bilaterally or multilaterally. Then those allies who seek reassurance of America's commitment will find it is not in verbal reaffirmations of loyalty but in an agreed framework of purpose.

We do not agree on all policies. In many areas of the world our approaches will differ, especially outside of Europe. But we do require an understanding of what should be done jointly and of the limits we should impose on the scope of our autonomy.

THE CONTRIBUTION BY THE UNITED STATES

We have no intention of buying an illusory tranquility at the expense of our friends. The United States will never knowingly sacrifice the interest of others. But the perception of common interests is not automatic; it requires constant redefinition. The relaxation of tensions to which we are committed makes allied cohesion indispensable, yet more difficult. We must insure that the momentum of détente is maintained by common objectives rather than by drift, escapism or complacency.

The agenda I have outlined here is not an American prescription but an appeal for a joint effort of creativity. The historic opportunity for this generation is to build a new structure of international relations for the decades ahead. A revitalized Atlantic partnership is indispensable for it.

The United States is prepared to make its contribution:

We will continue to support European unity. Based on the principles of partnership, we will make concessions to its further growth. We will expect to be met in a spirit of reciprocity.

We will not disengage from our solemn commitments to our allies. We will maintain our forces and not withdraw from Europe unilaterally. In turn, we expect from each ally a fair share of the common effort for the common defense.

We shall continue to pursue the relaxation of tensions with our adversaries on the basis of concrete negotiations in the common interest. We welcome the participation of our friends in a constructive East-West dialogue.

We will never consciously injure the interests of our friends in Europe or in Asia. We expect in return that their policies will take seriously our interests and our responsibilities.

We are prepared to work cooperatively on new common problems we face. Energy, for example, raises the challenging issues of assurance of supply, impact of oil revenues on international currency stability, the nature of common political and strategic interests and long-range relations of oil-consuming to oil-producing countries. This could be an area of competition; it should be an area of collaboration.

Just as Europe's autonomy is not an end in itself, so the Atlantic community cannot be an exclusive club. Japan must be a principal partner in our common enterprise.

We hope that our friends in Europe will meet us in this spirit. We have before us the example of the great accomplishments of the past decades—and the opportunity to match and dwarf them. This is the task ahead. This is how in the nineteen-seventies the Atlantic nations can truly serve our peoples and the cause of peace.

THE ROOSEVELT-CHURCHILL CHARTER

The original Atlantic Charter—the inspiration for the "new Atlantic Charter" outlined by Henry A. Kissinger yesterday—was the eight-point unofficial joint declaration of peace aims by President Roosevelt and Prime Minister Churchill, drawn up in a meeting at sea and made public on Aug. 14, 1941.

The declaration listed these principals and aims:

Renunciation of territorial and other aggrandizement.

Opposition to territorial changes not in accord with "the freely expressed wishes of the peoples concerned."

Respect for all peoples to choose their form of government and restoration of sovereign rights to those forcibly deprived of them.

A commitment to the easing of trade restrictions and equal access of all nations to raw materials.

Fullest collaboration to secure better economic and social conditions for all.

A commitment to peace and freedom from fear and want.

Freedom to travel on the high seas.

The abandonment of the use of force, the disarmament of aggressor nations and the endeavor to "lighten for peace-loving peoples the crushing burdens of armaments."

SUPPORT OF CONSTRUCTION OF TRANS-ALASKA PIPELINE

Mr. GRAVEL. Mr. President, on April 30, the Honorable William E. Simon, Deputy Secretary of the Treasury, testified before the Public Lands Subcommittee of the House Interior and Insular Affairs Committee in support of construction of the trans-Alaska pipeline, and the Nation's critical need for Alaska's North Slope oil.

Secretary Simon spoke at length of our growing energy demands. He also spoke of the dollar drain by the increasing of oil imports to meet those demands. The situation is of such magnitude that unless we turn this tide we could very well find ourselves in a major financial crisis abroad which would result in a major depression at home. It took this country almost two decades to recover from the crash of 1929. I would hope that the leaders of this Nation would take all necessary steps to relieve our precarious position. While the construction of the trans-Alaska pipeline would in no way resolve our total problem, it would afford a positive approach to reducing oil imports, which, in turn would ease the balance-of-payments problem.

Mr. President, I ask unanimous consent at this time to have printed in the

RECORD the full text of Secretary Simon's testimony.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

TESTIMONY BY THE HONORABLE WILLIAM E. SIMON

Mr. Chairman and Members of the Committee:

It is a privilege to appear before this Committee to present my views on a topic of intense national concern. The United States urgently needs Alaska's North Slope oil if we are to deal effectively with our emerging energy crisis. Further, it is critical that legislation be passed quickly to allow construction to commence on a trans-Alaska pipeline.

There is no question that this country critically needs its North Slope oil. Every barrel of that oil we can produce will reduce imports by a like amount. This Committee undoubtedly has heard many estimates of the rapidly increasing import levels we face if we don't reverse current trends. Estimates of oil imports in 1980 range between 10 and 15 million barrels per day. Imports of this magnitude could endanger our security and economic well-being.

These projections, however, assume that we do nothing and that present trends continue. Actually, we can take several steps to increase domestic supplies and decrease imports. The President has already moved decisively to increase energy supplies. The Congress can contribute substantially by passing legislation enabling us to initiate needed programs, such as the Alaska pipeline. The Alaska pipeline alone will not solve our energy problem. It will, however, materially ease our monetary and energy security problems. So let us begin with its construction now.

The United States faces serious economic and monetary problems today because of our rapidly deteriorating balance of payments. We cannot afford to permit these deficits to go on mounting unnecessarily by delaying the development of already proven domestic resources.

In the past this country has enjoyed energy security because of our shut-in production potential. This potential has now disappeared. Imports are soaring. And several countries upon which we may have to depend for future energy supplies have declared that they intend to use their oil as a political weapon. Can we afford to become increasingly dependent upon such countries by deliberately delaying the development of the largest find of oil in U.S. history?

The significance of our North Slope energy potential is not just the 2 million barrels per day that could someday be delivered through an Alaska pipeline. Nor is it the 10 billion barrel proven reserves in the Prudhoe Bay field. Alaska has far greater potential reserves. Projections indicate that the North Slope has potential reserves of as much as 80 billion barrels. Thus, we might someday achieve an Alaska production of 5 to 8 million barrels per day.

This, in turn, could possibly reduce our first round balance of trade outflows by $7 billion to $12 billion per year. Production at maximum rates would also materially strengthen our bargaining position with producing countries and increase our ability to meet any supply disruptions with minimum adverse economic consequences. It could, in short, go a long way toward solving our energy problems.

But to obtain the North Slope's full potential during the critical period of the 1980's, we must begin development now.

The question at this point is not whether we *should* develop our North Slope reserves. We should. We must. The question now being debated is how *best* to develop these reserves.

Some have contended that a pipeline route through Canada would be superior to an Alaska pipeline. Deliberations concerning the best pipeline route are necessary to make the right decision. All alternatives must be analyzed in terms of our overall national interest, not in terms of regional or private interests. Our analysis must consider economic and security interests as well as environmental interests. Timing is a crucial component of each of these factors. Given sufficient research and development, we can reasonably expect to develop our vast coal, oil shale, and nuclear resources so as to provide rapidly increasing portions of our energy needs by the late 1980's. Before this, however, we will face a critical period during the late 1970's and the 1980's. The long lead times for exploration and development, for constructing a transportation system, and for administrative approvals must be weighed against our rapidly increasing energy needs during this period, when our needs will be greatest.

There are many reasons why I believe that an Alaska pipeline is clearly superior to a pipeline through Canada. I will briefly mention several of these reasons and will then amplify my remarks concerning economics, security, and the balance of payments—areas in which I have the greatest interest because of my responsibilities as Deputy Secretary of the Treasury and Chairman of the Oil Policy Committee.

1. Building a Canadian pipeline instead of the Alaska pipeline would delay receipt of vitally needed Alaska crude oil by from three to five years and could significantly delay full development of our vital Alaska North Slope oil and gas reserves by as much as 10 years.

Both pipelines, as presently planned, could transport the same volume of oil. But they would not transport the same volume of Alaska oil. Canada would control the portion of any pipeline transversing Canada and would insist on reserving 50 percent of the throughput volume for Canadian oil.

The delayed starting date of a Canadian pipeline would defer further exploration and development of our North Slope resources at a time when security and international economic considerations dictate that we should be increasing exploration and development. Such delays would reduce this country's energy security and could have serious economic consequences in the event of a disruption of foreign supplies after 1978.

2. Our analysis indicates that the Alaska pipeline would provide substantially greater economic benefits to this country than a pipeline route through Canada. Assuming a delivery of 2 million barrels per day, the Alaska pipeline would result in increased benefits of up to $2.4 billion per year in 1980. By 1988, cumulative net benefits of the Alaska pipeline, over and above the Canadian pipeline, would approach $15 billion. This estimate will be elaborated later.

3. A Canadian pipeline would require a dollar outflow of several billion dollars during the construction period.

4. The Alaska pipeline would reduce our first round balance of trade outflows by about $2.3 billion per year over and above whatever balance of payments savings might be made possible by the Canadian pipeline. In view of our present and projected monetary problems, such a reduction of future cash drains could be vital to our economic health.

5. In the event of a major foreign supply disruption we can assume that emergency conservation procedures would be initiated to reduce demand. With the Alaska pipeline any surplus in District V (the West Coast) resulting from reduced demand could easily be transported through the Panama Canal and distributed through the existing pipeline network to points of need in the U.S. East and Midwest.

Conversely, with a trans-Canadian pipeline, any surplus in District II (the mid-Continent) resulting from reduced demand during an emergency could not be readily distributed to points of need in District I (the East Coast) and District V. Since pipeline flow is unidirectional, the existing transportation network would not allow the transporting of any surplus crude in District II to District I or District V.

6. Opponents of the Alaska pipeline contend that there is a greater need for Alaska oil in District II. This, of course, depends upon the definition of need. Without Alaska oil, the percentage of imports into District V would be as high, or higher than, into Districts I–IV. It is also argued that with an Alaska pipeline, the output of Alaska and California would exceed demand, resulting in a surplus in District V and a severe shortage in other areas of the country. This would have been true if construction of the Alaska pipeline had started in 1970 and been completed in 1973, as originally contemplated, but it is clearly not a valid argument today. The earliest we can now expect to complete an Alaska pipeline is mid-1977 or early 1978. By then, demand in District V will most likely exceed supply from California and southern Alaska by more than the capacity of the Alaska pipeline.

7. An Alaska pipeline would provide greater employment benefits to the United States.

8. An Alaska pipeline would produce earlier and substantially greater economic benefits to Alaska. It would allow a greater North Slope production, yielding large royalty payments. A Canadian pipeline would have to be looped to permit the same capacity for U.S. crude as an Alaska pipeline, and we have no assurance that the Canadians would permit looping of a line through Canada. Arguments that a trans-Canadian route would provide greater benefits to Alaska because it would allow a higher field price for crude oil are not valid. Our cost estimates indicate no significant difference in field price for North Slope crude, regardless of which route is selected.

9. With respect to the environmental matters, Secretary Morton has stated that the greater earthquake and water leg risks of the Alaska route are offset by larger unavoidable damage and increased risks to permafrost zones and at river crossings in the much longer Canadian route.

A Canadian pipeline route would cross over twice as much permafrost and muskeg area as the Alaska pipeline. Thus, about twice as much gravel would have to be mined and used for the berm to carry the pipeline over the frozen Arctic. The Canadian pipeline would also have to cross 12 rivers, each over one-half mile wide.

Largely as a result of environmental concerns reflected in the Interior Department's environmental impact statement, the Alaska pipeline has been redesigned, at a threefold increase in projected costs. As now contemplated, the Alaska pipeline is the most carefully designed pipeline, environmentally, ever conceived. In both routes, the lines would be constructed to prevent thawing of the soil in permafrost zones. In the seismic active areas along both routes, special designs would be utilized to withstand even the most severe earthquakes. Safety requirements that have been imposed in the maritime oil transport from Valdez to the West Coast—particularly double-bottom tankers—will significantly reduce the risk to the West Coast from accidental tanker spills. In fact, if we don't ship our oil from Alaska, in specially designed U.S. ships, foreign oil will enter the West Coast in foreign flag vessels that will not be subject to the same rigid standards.

I am not minimizing environmental risks. I do believe, however, that the past delays and resultant research have greatly reduced the magnitude of these risks, and that the overall hazards at this time are not sufficient to further delay construction of the Alaska pipeline.

The above considerations, in my opinion, demonstrate that the Alaska pipeline is clearly superior to the Canadian in terms of economic benefits, balance of payments, security, and employment opportunities. Only in the environmental area does the Canadian route appear comparable, and here the risks and possible damage from either line have been significantly reduced by research during the past few years. Eventually there may be a need for a Canadian line, but all evidence points out that we should move forward on the Alaska pipeline now.

In view of the urgent necessity for early Alaska production, I strongly recommend Congressional action to allow construction of the Alaska pipeline at the earliest possible date.

Now I should like to amplify some of the statements I have made.

TIMING

If Congress moves expeditiously to amend the existing law to allow a wider pipeline right-of-way across government lands, environmental hearings and administrative procedures could perhaps be completed so that construction of the Alaska pipeline could commence during late 1974 or shortly thereafter. The Alaska pipeline could then be completed by late 1977 or early 1978.

The earliest a Canadian pipeline could be completed is 1980. More likely, it would take several additional years. The need to prepare detailed design and route analyses, a longer construction period, and the logical desire of Canadian Federal and Provincial Governments to review carefully the pipeline proposals will cause inevitable delay.

United States governmental approval of a Canadian route would be required and would be subject to the same types of objections and delays as the Alaska pipeline. The major sequential steps that would be followed in obtaining Canadian permission, and constructing a Canadian pipeline are as follows:

1. Final denial of the Alaska pipeline.
2. Soil borings and mile-by-mile pipeline design, and preparation of the environmental impact statement, and completion of financial arrangements.
3. Application to the Department of Indian Affairs and Northern Development (DIAND) for a pipeline right-of-way. Public Hearings: Approval by DIAND.
4. Application to the National Energy Board (NEB). Public Hearings: Approval by NEB.
5. Approval by the Canadian Cabinet.
6. Procurement of pipe, tanks, communication equipment, work equipment, barges, and construction of necessary camps. Arrangements for contracts following bids and awards.
7. Construction.

Now let me develop these points. It is unlikely that any work will commence on a detailed design of a Canadian pipeline prior to final denial on the Alaska pipeline. This is because the North Slope reserves are needed to justify a Canadian line.

Detailed soil testing and mile-by-mile pipeline design took three years on the Alaska pipeline. This could hardly be completed in appreciably less time for the much longer Canadian line. The Mackenzie Valley Pipeline Research, Limited, has made a preliminary feasibility study of the Canadian pipeline but has not started detailed pipeline design studies. They estimate 2½ years for planning and engineering. It could be considerably longer.

The Territorial Lands Act requires that a detailed environmental impact statement be prepared before a right-of-way permit is issued or before easements are allowed for construction. Jean Chritian, Minister of the Department of Indian Affairs and Northern Development, stated on March 1, 1973, that public hearings will be held under the Territorial Lands Act at an appropriate time after the Department receives an application based on a viable project proposal, accompanied by a detailed documentation of research pertaining to areas of social and environmental concern.

D. S. MacDonald, Canadian Minister of Mines, on January 24, 1973, stated that the decision on the actual route to be followed must first be taken by DIAND in conjunction with the territorial governments. An application could then be made to the NEB for a permit. In other words, DIAND's approval must precede an application to the NEB. Presumably, a favorable ruling by DIAND would be contingent upon a prior native claims settlement. Other applications before either DIAND or the NEB could be delayed by law suits such as those brought in this country.

In view of the uncertainty concerning the timing of approvals by DIAND, the NEB, and the Canadian Cabinet, and the large interest costs on premature investments that resulted from delays in construction of the Alaska pipeline, the consortium building a Canadian line would be unlikely to order pipe, and risk large losses on interest payments, prior to the final approval of the pipeline. Lead times of 18 months to 2 years could be required for pipe procurement and construction of necessary camps and roads.

Actual construction time, after the pipe is available and roads and construction camps have been prepared, is uncertain. The Mackenzie Valley Pipeline Research, Limited, has indicated that construction could be completed in 2½ years if there were no other major competing pipeline projects in progress at that time. However, it seems unlikely that the much longer Canadian line could be completed in less time than the Alaska pipeline. A 3-to-4-year construction period seems probable.

I suspect, Gentlemen, that at this point your heads may be spinning, and with ample reason. This is the gauntlet we shall have to run if we choose to go the Canadian route. Indeed, if the Canadians follow the sequence of events they have publicly stated they will follow, then completion of a Canadian pipeline prior to 1983 is unlikely.

ECONOMIC COMPARISONS

Opponents of the Alaska pipeline have asserted that a Canadian route would provide greater economic benefits to the Nation. Our studies indicate the opposite. To avoid confusion we have adopted a methodology similar to that of Mr. Charles T. Cicchetti, an economist whose studies suggest that a Canadian pipeline route is economically superior. We have defined the benefits of an Alaska or Canadian line as the resource cost of the alternate sources of supply, less the resource cost of North Slope crude oil delivered to the same market. Resource costs are defined as the costs of goods and services required to bring North Slope or foreign oil to United States markets. Transfer payments to other Americans, royalty payments to the United States or Alaska, profits in excess of capital costs, and United States taxes are not included in resource costs. Royalty payments and taxes paid to foreign countries, capital costs, and operating expenses are included among the costs of goods and services.

Recent projections made at Treasury indicate that the delivered resource cost of Middle East crude oil in 1975 will be approximately $3.08 per barrel on the West Coast and approximately $3.38 per barrel in Chicago. By 1980, such costs will likely increase $1.50 per barrel, or more, although this is speculation. Bear in mind that these are resource costs, not total costs. United States profits and transfer payments have been excluded. Future market prices will be higher. Our projections indicate delivered resource costs of North Slope crude oil of $1.30 per barrel in Los Angeles and $1.60 per barrel in Chicago. The difference between the delivered resources cost of foreign crude and the delivered resource cost of North Slope crude represents the net benefit to the U.S. economy from producing North Slope crude oil. Our projections indicate a net benefit of $3.28 per barrel in 1980 for either the Alaska or Canadian pipeline route.

Our analysis differs from Mr. Cicchetti's analysis primarily in that we assumed that any North Slope production would displace foreign oil in either market whereas Mr. Cicchetti assumed that it would replace a 50/50 mixture of domestic crude and foreign crude on the U.S. West Coast, and an 83/17 mixture of domestic and foreign crude in the Chicago area. We have also assumed more up-to-date cost estimates. With the United States now producing at peak capacity and imports rising rapidly, it is unrealistic to assume that North Slope oil would displace domestic crude oil rather than imports.

Our analysis indicates that on a barrel per barrel basis, there is essentially no economic difference in the benefit accruing to the Nation from either pipeline route. What is significant is the indicated difference in net benefits, considering that a pipeline through Canada would deliver U.S. crude at a later date and, initially, at much lower volumes for whatever additional time period is required to loop the Canadian line and increase its throughput.

Completion of the Alaska pipeline should yield a net benefit to the economy starting at $1 billion per year, and increase to $2.4 billion annually by 1980, when we estimate that it will reach its full capacity of 2 million barrels per day. In contrast, a Canadian pipeline would yield yearly benefits of only $600 million initially, increasing to $1.4 billion when the line reaches full capacity. The difference is due to the Canadian Government reserving a portion of the pipeline's capacity to carry its own crude.

During the interval between completion of the Alaska pipeline and the earliest completion date of a Canadian pipeline, the average net benefit from the Alaska pipeline should be about $1.9 billion, assuming an average throughput rate of 1.6 million barrels per day for the period. Following the time when a Canadian pipeline could be completed, the Alaska pipeline would still yield net benefits of $1 billion more per year than would accrue from a Canadian pipeline with the same capacity.

If we assume that a Canadian line would not be completed for five years following the completion of the Alaska pipeline, and that it would not be looped to allow North Slope production equal to the capacity of the Alaska pipeline for another five years, then accumulated net benefits from the Alaska pipeline over and above those of a Canadian pipeline for the 10 years would be $14.5 billion.

In our analysis we have made assumptions regarding future oil prices, the cost of the Alaska pipeline and a Canadian pipeline, and the probable timing of completion of both routes. We have attempted to be realistic, but where there was uncertainty we have chosen to err in a manner to minimize the differences between the benefits of the two pipeline routes. For instance, we chose to utilize the cost estimates for a Canadian pipeline prepared by the Mackenzie Valley Pipeline Research, Limited, rather than the much higher estimates of the Interior Department, or others. Consequently, our projections are probably on the low side.

Actually the numbers used are not critical. It is really immaterial to the basic argument whether the net benefits from the Alaska pipeline would be $2.4 billion in 1980, or only one-third of that amount. It is immaterial whether we assume a two-year delay for completion of a Canadian pipeline compared to the Alaska pipeline, or a five-year delay. It is immaterial whether we assume a $3.00 price for foreign crude oil in 1980, or a $5.00 price. It is immaterial whether we assume that a pipeline through Canada would cost $4 billion, or $7 billion. *The point is that under any set of realistic assumptions* an analysis will indicate advantages for the Alaska pipeline over a Canadian pipeline amounting to hundreds of millions of dollars a year.

In fact, the only way that you can show an economic benefit for a Canadian pipeline comparable to the Alaska pipeline is to assume that each pipeline would carry equal volumes of North Slope crude oil (which is not a valid assumption), or to assume that the North Slope crude oil would displace domestic crude oil with appreciably different values in different markets, rather than foreign crude oil. This Committee should not be misled by analyses purporting to show an economic superiority for a Canadian pipeline when these analyses are based on *both* of the fallacious assumptions I have just mentioned.

The facts are that the Alaska pipeline will yield substantially greater economic benefits to this Nation than a pipeline through Canada with an equivalent capacity.

BALANCE OF TRADE BENEFITS

In addition to the economic benefits, the Alaska pipeline will provide substantial balance of trade benefits. During the period between the likely completion of the Alaska pipeline and the earliest completion of an alternative line through Canada, our foreign imports would be reduced by whatever throughput would be delivered through an Alaska pipeline. This would lower our first round balance of trade outflows by the tax paid cost of the foreign crude displaced *plus* the foreign component of shipping costs. By 1980 this would probably be about $4.00 per barrel, or higher. If we assume an average Alaska pipeline throughput of 1,600,000 barrels per day during this period, our yearly first round trade outflows would thus be reduced by approximately $2.3 billion, a not insignificant savings.

If a Canadian line were constructed, we estimate transportation charges of approximately $1.60 per barrel to the Chicago area. Approximately 60¢ per barrel of this would be for our portions of the line, and a return on our invested capital in the Canadian portion (assuming that we would contribute 49 percent of the investment in the Canadian portion). If we assume a capacity of 2,000,000 barrels per day (of which 1,200,000 barrels per day would be United States crude and 800,000 barrels per day Canadian arctic crude) our first round trade outflows from oil pumped through the Canadian line would be approximately $1.6 billion per year.

SECURITY BENEFITS OF THE ALASKA PIPELINE

More important than the economic and balance of trade benefits are the security advantages an Alaska pipeline would provide. During the critical period in the late 1970's and early 1980's, an Alaska pipeline would materially increase our ability to withstand a foreign supply disruption. Perhaps of even more significance than the 2,000,000 barrels per day, would be the stimulus an Alaska pipeline would give to exploration. The U.S. arctic has appreciably more potential than the 2,000,000 barrels per day capacity of an Alaska pipeline. The Prudhoe Bay field, alone, will supply this amount. For maximum security, the U.S. needs to develop additional potential.

Unfortunately, the delay in starting the Alaska pipeline has caused the oil companies to curtail and restrict their exploration efforts. This is a natural reaction since the companies cannot be expected to invest large sums of money for exploration and development until they have the prospects of selling within a reasonable period of time any crude which they may find.

Early initiation of the construction of the Alaska pipeline would stimulate exploration and development that could lead to an additional supply of several million barrels per day by the early 1980's. A Canadian line would not provide the same stimulation, both because of the later starting date and the lower initial U.S. throughput in a Canadian line.

I believe that an early start of the Alaska pipeline could contribute materially to our energy security. Not only would it provide the direct security of the initial Alaska pipeline throughput, it would lead to earlier exploration and development of other arctic reserves. Either of these factors could be critical to our economic well-being in the event of a serious supply disruption during the late 1970's or early 1980's.

LEGAL CONSIDERATIONS

The opponents of an Alaska pipeline have stated that alternative pipeline routes have not been extensively studied, as required by law. This is *not true*. Extensive investigations of a Canadian pipeline route have been made by the Department of the Interior, as well as by the State Department, the Defense Department, and the Office of Emergency Preparedness. Secretary Morton authorized construction of an Alaska pipeline in 1972 following consultations on the merits of various routes with the concerned Governmental Departments and Agencies. The Secretaries of Defense and State, and the Director of the Office of Emergency Preparedness all recommended immediate construction of the Alaska pipeline. I now repeat that recommendation.

In summary, I believe that the Alaska pipeline offers substantial economic, balance of payments, and security benefits to the United States compared to a Canadian pipeline route. It offers increased employment benefits and substantial economic advantages to Alaska. I believe that the environmental risks, while perhaps substantial initially, are now minimal, due to the stringent regulations that have been placed upon construction of the line and for the tanker shipments of the crude oil from Valdez to the West Coast markets.

I strongly urge the Congress to take immediate action to pass the necessary laws to allow us to proceed with the construction of this vital pipeline.

Thank you.

SENATOR LONG'S HEALTH INSURANCE PROPOSAL

Mr. RIBICOFF. Mr. President, on April 16, the distinguished chairman of the Senate Finance Committee, Senator Russell Long told the Louisiana State AFL–CIO Convention of his intention to introduce legislation providing uniform basic health benefits to low-income individuals throughout the Nation.

This measure, combined with his legislation to provide protection against the catastrophic costs arising from prolonged or expensive illnesses, is a major step forward in the legislative debate on national health insurance. Reform of our Nation's health care system will not be cheap. Major costs are involved in every health insurance bill which has been introduced in the Congress. One of the strengths of Senator Long's measure is not only that it is relatively inexpensive compared to other health insurance bills, but that it provides coverage where it is needed most and reforms an open-ended program—medicaid—which grows in cost at an astronomical rate, but does not provide the health care that it should.

Medicaid now costs the States and Federal Government $10 billion. In Connecticut alone the State costs of medicaid exceeded $56 million in calendar 1972. The total medicaid cost for Connecticut when Federal matching money is included exceeds $112 million—almost double the cost to the State of Connecticut of all its other welfare programs.

The Long health plan for low-income persons would not only provide health benefits for those unable to work, but also for those who work but continue to be classified as poor, because of their low earnings.

The catastrophic element of Senator Long's health strategy would protect all Americans against the danger of budget-breaking health expenses. Catastrophic illnesses and accidents strike at random and the specter of financial devastation accompanying these illnesses most be laid to rest.

I look forward to working with Senator Long in the months ahead on the vitally important health insurance issue. His proposals deserve close attention.

I ask unanimous consent that the following statements describing Senator Long's proposals be printed in the Record.

There being no objection, the statements were ordered to be printed in the Record, as follows:

Long Announces National Health Plan for Low-Income Families

Baton Rouge.—U.S. Senator Russell B. Long (D-La.), Chairman of the Senate Finance Committee, announced today he will introduce soon legislation to provide uniform basic health benefits to low-income individuals and families throughout the nation,

This new program not only would replace Medicaid but also would extend health benefits to millions of low-income working individuals and their families—including about one million migrant workers and dependents.

Long said the new program for low-income families, if enacted by Congress, would be coupled with catastrophic health-insurance protection covering virtually every American, Long reintroduced his catastrophic-illness proposal last month in the U.S. Senate.

Senator Long told the state convention of the Louisiana AFL–CIO today in Baton Rouge: "It is time to replace the existing inequities and uneven and uncertain coverage of the present welfare health plan, Medicaid, with a program providing uniform benefits and with uniform eligibility requirements throughout the country."

The estimated annual cost of the low-income plan is $5.3 billion in general revenues above present federal-state expenditures for Medicaid. The catastrophic-illness plan, financed from Social Security payroll taxes, will cost an additional $3.6 billion a year.

States would make a fixed contribution toward the cost of the low-income plan, based upon state spending for Medicaid and general-assistance health care in the year prior to the start of the new program.

Senator Long pointed out that the total federal cost of $8.9 billion for his program compares to an estimated $70 billion cost of the plan proposed by Sen. Edward Kennedy (D-Mass). Long's plan also is about $6 billion less in annual cost than legislation endorsed by the American Medical Association.

Both the low-income program and the catastrophic plan would be administered by the Social Security Administration, which now oversees Medicare.

Benefits under Long's plan would include 60 days of hospital care (the catastrophic plan would pick up from the 61st day) and also take care of the cost of all medically-necessary physicians' services, home health services, skilled nursing-facility care and services in an intermediate-care facility.

Under the low-income proposal, as outlined by the Louisiana Democrat, coverage would be extended to individuals with annual incomes of $2,400 or less and to two-person families with $3,600 or less. The limit would be increased by $600 for each additional family member.

Long noted that families with incomes above the eligibility levels could have medical expenses constituting a "spend-down" to the eligibility point.

The example he cited was a family of four with an income of $5,500. That family would receive help after it had incurred $700 in medical expenses which brought it to the eligibility level of $4,800 for a four-person family.

But, he also noted that such a family probably would have either some private health-insurance protection through employment or would purchase private coverage on its own at less cost than the $700 "spend-down."

Generally, families with incomes above $5,200 would find it advantageous to purchase private health insurance. He said that his legislation would contain provisions designed to stimulate and assure the availability to lower-income families of health insurance policies which had adequate benefits and reasonable premiums.

Without such assurances, Long said, the lower-income family would not be able to choose to insure itself, rather than "spend down" to the eligibility level.

STATEMENT OF THE HONORABLE RUSSELL B. LONG BEFORE THE LOUISIANA AFL–CIO, BATON ROUGE, LA., APRIL 16, 1973

I really appreciate this opportunity to visit with so many old friends who have done so much to improve conditions for the working man.

But the Louisiana AFL–CIO's concern has always extended beyond the well-being of its members—you work, as I do, toward a better life for all Americans. We work toward that better life one step at a time.

Today, I want to tell you about legislation which I will shortly introduce in the Senate which, if enacted, would represent a major step forward for the American people.

This national health insurance proposal has two equally essential parts:

The first part consists of catastrophic insurance coverage for virtually all Americans. This plan, like Medicare, would be financed by Social Security payroll taxes and administered by the time-tested Social Security Administration. The plan would include nearly all employees covered under Social Security and their dependents, and all Social Security beneficiaries. It would make payment for the types of services covered by Medicare, after an individual had been hospitalized for sixty days or a family had incurred expenses of $2,000. The payments would cover expenses beyond those deductibles.

The second part of the bill will consist of an entirely new basic health benefits program for low-income individuals and families. While most middle-income families can afford and can obtain reasonably adequate private health insurance coverage toward the costs of their first sixty days of hospitalization and the first $2,000 of medical expenses, many millions of low-income individuals and families cannot afford or do not have such basic private health insurance protection available to them.

Let's face it. The poorest health insurance risk is the man who most needs the protection but is the least likely to get it.

The present Federal State program providing health benefits to the poor-Medicaid—does not generally cover low-income workers who are not on welfare. It is basically provided only to welfare families and, even then, benefit and eligibility levels vary all over the lot from State to State. In most States Medicaid is limited to poor aged, blind and disabled persons or fatherless families.

Today, for example, in one State a disabled person with $1,800 annual income might not be eligible for Medicaid whereas, in another State he would be. Further, that same disabled person might be covered for only fifteen days of hospitalization under Medicaid in one State while, in another, he would be eligible for unlimited hospitalization. Now, that just doesn't make sense, does it?

Aside from those obvious inequities in treatment of the poor, there is another inequity developing with implementation of the new Supplemental Security Income plan for aged, blind and disabled persons, where thousands of people in a State would be eligible for Medicaid and other thousands in the same State, and with the same income, would not. And in no State is Medicaid coverage available to a hard-working couple or small family with low income.

These general problems with the existing Medicaid program are best illustrated by specific cases, such as the man in Florida who recently had to divorce his wife of many years in an attempt to qualify her under Medicaid and thus obtain necessary medical care for her chronic illness.

The major new program which I am proposing would provide basic health benefits coverage with uniform national eligibility standards for all low-income individuals and families. It would be administered, as would catastrophic health insurance, by the Social Security Administration.

The basic benefits provided under the low-income plan are designed to mesh with the deductibles under the catastrophic program. This new proposal is directed primarily at providing necessary health benefits protection to the millions of working low-income families in the United States who receive no coverage at the present time, and eliminating the inequities and much of the red tape in the present Medicaid program.

Coverage under the new program would be available to all individuals and families with annual incomes at or below the following levels: (a) an individual with income at or under $2,400; (b) a two-person family with income at or under $3,600; and (c) a family of four with an income at or under $4,800. For each family member above the first two, the eligibilty limit is increased by $600. In addition, families with incomes slightly above the eligibility levels would be eligible for benefits if their medical expenses reduced their income to these levels. For example, a family of four with an income of $5,200 would become eligible after they had expended $400 for medical expenses, including any health insurance premiums. However, since such a family could probably obtain reasonably adequate private health insurance coverage for $400, families with incomes above $5,200 would most probably seek to get such insurance, or often have at least some insurance through their employers. Of course, no person presently eligible for Medicaid would lose entitlement to benefits because of the new program.

The benefits covered by the plan would include sixty days of hospital care and all medically necessary physicians' services, laboratory and X-ray services, home health services and care in skilled nursing homes and intermediate care facilities without limitation. Nominal copayments would be required on patient-initiated elective services, such as the first one or two visits to a doctor's office.

The plan would also afford catastrophic insurance coverage to those few low-income families who are not covered under the catastrophic plan and would also pay for low-income families the coinsurance required under the catastrophic plan.

States would be free to provide additional benefits—such as drugs and optometric services—at their own expense.

Physicians and hospitals should be supportive of this proposal for it will authorize uniform reimbursement methods which for physicians will be generally somewhat higher than present Medicaid reimbursement and, in the case of hospitals, will virtually eliminate all bad debts. The plan would also cut red tape since doctors and hospitals would file claims with only one agency, instead of two or three as at present. No new bureaucracies would be created since the program would be administered by an existing and experienced agency of the Federal Government. Private insurance would have a substantially defined area in which to provide health insurance coverage. The Federal Government would have assumed responsibility for the population groups most in need of help—the aged, disabled, those with low incomes and those with catastrophic illnesses.

Parenthetically, you will note that the income levels for eligibility for this plan have been established at points somewhat above present definitions of poverty. There are two reasons for this: First is that the plan would not become effective until July 1, 1975 and, second, because we are, in a sense defining medical indigency rather than indigency.

I have noted that many individuals and families with incomes somewhat above the eligibility levels for the low-income plan would find it more advantageous to secure private health insurance than to "spend-down" to the eligibility levels. But, in order for them to make that choice, reasonably adequate and reasonably-priced private insurance must be readily available to them—and without a host of restrictions and exclusions.

For that reason, my bill would require the Secretary of Health, Education, and Welfare to report annually to the Congress as to whether good basic health insurance protection was actually and generally available to those of moderate means through private insurers at premiums which were reasonable in relation to benefits paid. If the Secretary of Health, Education, and Welfare found that basic private health insurance was not generally available at reasonable premiums, he would recommend to the Congress a mechanism and procedures for establishing a self-sustaining Federal insurance pool to assure general availability of basic health insurance to those individuals and families desiring to purchase such protection. I am confident, however, that private health insurers will meet the challenge without the necessity of a Federal insurance pool.

Now, how much does all of this cost? Well, very little that is worthwhile and does what needs to be done comes cheap.

The estimated cost of the low-income plan is $5.3 billion in general revenues above present Federal-State annual expenditures for Medicaid with an additional $3.6 billion for the catastrophic illness plan financed from Social Security payroll taxes.

States would make a fixed contribution toward the cost of the low-income plan based upon expenditures made by a State under Medicaid and general assistance for the types of benefits covered under the low-income plan in the year prior to the start of the new program.

This total additional Federal cost of $8.9 billion for this program represents only one-eighth of that of the plan advanced by Senator Kennedy and is some $6 billion less in annual cost than the legislation endorsed by the American Medical Association.

The astronomical costs of the Kennedy and AMA proposals make them highly unlikely of enactment in my opinion. And the cost alone of the proposal I am outlining to you today will make for an extremely tough fight in Washington. But, frankly, I don't believe we can really do a comprehensive job for less than the cost of the low-income and catastrophic plans.

Let me tell you for a moment what this plan would mean for us in Louisiana. In Louisiana about one-fourth of the population would be covered under the low-income proposal. A large proportion of these people are working poor who are not now covered by the Medicaid program. Although not covered by Medicaid, the large majority of the new people covered are presently eligible for care at State expense in the Charity Hospital system. Thus Louisiana, along with other States, would realize substantial savings and would be protected against continuing increases in State costs for medical care.

In summary, the low-income plan is designed to mesh with catastrophic health insurance and will provide assistance to many millions of working poor people not presently covered by Medicaid who are not able to adequately protect themselves against the basic costs of health care, let alone the costs of catastrophic illness.

This afternoon, I have stressed the new part of my national health insurance package. Now, I'd like to review with you the catastrophic health insurance plan which completes the package.

As you know, catastrophic illnesses and accidents strike at random, and the specter of such a disabling or even fatal occurrence is a part of all our lives. However, in this age of medical and scientific progress, families live not only with the specter of disabling or fatal illness, but also with a haunting fear of the financial devastation accompanying these illnesses.

Astonishing medical progress has gone hand in hand with a skyrocketing increase in the costs of medical care—particularly the costs of the new and sophisticated techniques employed in the treatment of catastrophic illnesses or accidents. The costs of the complex medical care necessary for spinal cord injury, strokes, severe burns and cancer, to name only a few conditions, can be staggering and can easily go beyond the reach of the resources of nearly any family in America. Families can and do work for a lifetime, only to lose everything at the time they are struck by a catastrophic illness.

Basically, my bill would provide protection to all those who are currently and fully insured under Social Security, their spouses and dependents, and to all Social Security beneficiaries.

This very broad coverage includes about 95 percent of all persons in the United States.

The types of services covered under the catastrophic plan would be similar to those currently covered under parts A and B of Medicare except that there would be no limitation on hospital days or home health visits. Present Medicare part A coverage includes 90 days of hospital care, 100 days of post-hospital extended care and 100 home health visits. Present part B coverage includes physicians' services, laboratory and X-ray services, physical therapy services and other medical and health items and services. Unlike Medicare, which provides basic insurance coverage, people would be responsible for payment for the first 60 days of hospital care and the first $2,000 in medical expenses in a year.

The heart of any catastrophic plan is the deductibles, as this basically defines what will be considered a catastrophe, and distinguishes catastrophic coverage from basic health insurance. My proposal contains deductibles of $2,000 per family for part B physicians' benefits and 60 days hospitalization deductible per individual for hospitalization benefits. In other words, benefits would be payable for a family's medical bills beyond $2,000 and hospitalization would be covered from the 61st day of an individual's hospitalization. After the deductibles have been met, benefits will be payable as under Medicare, which calls for a coinsurance payment of 20 percent on medical bills and $17.50 per day for hospital coverage. These coinsurance payments would be limited to a maximum of $1,000, at which point no further coinsurance would be charged.

Most families would insure themselves through the use of present private health insurance arrangements against their basic health care costs, including the first 60 days of hospitalization and the first $2,000 of medical bills.

Passage of the catastrophic health insurance plan and the health benefit plan for low-income individuals and families would, as I said, when coupled with Medicare virtually assure that no American was denied adequate health care for financial reasons.

When my father was Governor of this State, one of his major goals was to make good medical care available to the poor citizens of Louisiana The charity hospitals which flourished under his leadership were a great step in that direction. Today, I think it is time that we take another step, not just in Louisiana, but throughout the United States to assure that the less fortunate among us—the aged, the disabled, those with low income and those with catastrophic illnesses—receive Federal assistance toward the costs of health care, and to assure that all citizens have adequate health insurance coverage available to them at a reasonable cost.

Health Benefits Coverage for Low-Income Individuals and Families

FACT SHEET

I. General approach

The plan would provide Federally-administered basic health coverage with uniform national eligibility standards for low income individuals and families. Basic benefits provided are designed to mesh with the catastrophic health insurance proposal. The plan is aimed predominately at providing coverage to low-income working individuals and families. In addition, the plan would eliminate the present inequity whereby people with the same incomes and needs are eligible for Medicaid in one State but ineligible in another, and would solve the inequity developing with implementation of the new aged, blind and disabled program where some recipients would be eligible for Medicaid and others—equally needy—would not. It would also provide substantial fiscal relief to States. Catastrophic coverage would start July 1, 1974 and the low-income program July 1, 1975.

II. Eligibility

Coverage would be available to all individuals and families having annual incomes at or below the following levels:

Individual	$2,400
2-person family	3,600
4-person family	4,800
Each additional person	600

To enhance administrative simplicity, eligibility could be certified on an annual or semi-annual basis. Additionally, to further simplify administration, and in view of the fact that this is not a welfare plan, there would be no assets test. Similarly, there would be no requirement of a categorical link or residency requirement as in welfare (aged, disabled, blind, etc.) benefits. Among other effects, this would solve the problem of covering one million migratory workers and dependents. A "spend-down" would be included so that a family of four with say $5,000 of income would be covered after it had spent $200 for medical care.

III. Benefits

The plan would cover sixty days of hospital care and medically-necessary physicians' services, skilled nursing facility care, home health services, plus intermediate care facility services. Nominal copayments would be required on patient-initiated elective services. The coinsurance amount under the catastrophic plan on medical expenses would be payable by the low-income plan, and those participants not otherwise eligible for regular catastrophic coverage would have catastrophic benefits provided under the basic low-income plan. States would be free to provide (at their expense) the optional and less costly services such as drugs and dental care.

IV. Payments and administration

The plan would use Medicare reimbursement bases and would apply all Medicare quality and cost controls. The Bureau of Health Insurance of the Social Security Administration, which administers Medicare, would also administer the low-income and catastrophic plans.

V. Financing

The low-income plan would be financed from general revenues, just as the Federal share of Medicaid is now financed, and also with State funds. States would pay a fixed amount equivalent to their total expenditures from State funds under Medicaid for the types of benefits covered under this plan during the year prior to the effective date of the program. Additionally, a State woud also pay 50 percent of the estimated amount that the State and local governments had expended in that same year for provision of these types of services to people not covered under Medicaid who would however be covered under the new plan. State contributions in future years would be limited to that initial contribution amount.

VI. Cost

The additional first full-year Federal cost above present Medicaid is estimated at $5.3 billion. Including the catastrophic plan, total additional first full year Federal costs are estimated at $8.9 billion.

VII. Miscellaneous

Many of the low-income working individuals and families will have some form of private insurance, adequate or inadequate. The low-income plan would be residual, paying on top of any other benefits. A provision would be included so that no group insurance plan could exclude an otherwise eligible individual on account of coverage under the low-income plan.

The program should mesh smoothly with private insurance. The individual or family should have good private health insurance available to them. For example, a family of four with $6,000 in income would have to expend $1,200 before it would be eligible for the low-income coverage. However, they would probably find it more advantageous to buy a private health insurance plan for $400 or $500 a year rather than run the risk of spending down. They must, however, be able to buy that alternative private insurance coverage. Therefore, the proposal would include various provisions requiring private insurers to make good basic coverage without a host of restrictions and exclusions available throughout the country at premiums reasonable in relation to benefits and pay-out.

The Secretary of HEW would report annually as to whether such coverage was in fact generally available and, if not, submit

his recommendations for a self-sustaining Federal health insurance pool as a means of affording these people an opportunity to buy health insurance where it was not otherwise reasonably available to them.

CURRENT U.S. POPULATION

Mr. PACKWOOD. Mr. President, I would like to report that, according to current Census Bureau approximations, the total population of the United States as of May 1 was 210,644,420. In spite of the widely publicized reduction in our fertility levels, which by the way I heartily applaud, this figure represents an increase of 1,587,909 since May 1, 1972. It also represents an increase of 135,653 in just the last month.

Over the year, therefore, we have added enough additional people to fill three cities the size of Seattle, and, in just the one short month, we have added the equivalent of New Haven, Conn.

Mr. President, I would also like to mention that, according to the Census Bureau, our population will be in the vicinity of 227 million by 1980. It is difficult to think of this many people in the abstract, but I might point out that the increase between today and 1980, about 17 million, would be like adding five new Chicagos in less than 7 years, or nearly one a year.

Mr. President, because the importance of having and understanding demographic data cannot be overemphasized, I ask unanimous consent to have printed at this point in the RECORD a chart prepared by the Population Reference Bureau. This chart provides a State-by-State breakdown of basic demographic information, and I draw the attention of my colleagues particularly to the projections of population in their States and in the entire United States by the year 1980, only 7 short years away.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

U.S. POPULATION DATA SHEET—THE PARTS OF THE WHOLE

As a nation grows, national statistics become both more significant and, sometimes, less useful. Small changes in the national growth rate, for instance, reflect changing behavior in a greater number of people; but for the planner, the businessman, the politician, such numbers often contain too little detail to help them with the problems they face. They need data on a smaller scale.

When the revolutionary string of ex-colonies called the United States held its first census in 1790, it counted a little less than 4 million people. By 1900, 4 of its individual states had exceeded that population, and in 1970 the number had risen to 16. One of them, California, had a 1970 population more than 5 times as large as that of the original 13 states when the union was formed.

So population statistics even on the state level have grown somewhat unwieldy, particularly for those in local communities who are concerned with uncontrolled growth and development. Nevertheless, many decisions guiding the future growth of the country, and its individual communities, will be made at the state level.

To help in understanding the parts that make up the whole of the United States, the Population Reference Bureau has brought together demographic information for each of the states, presented in the form of a U.S. Population Data Sheet. Modelled on the pattern of the annual *World Population Data Sheet*, the U.S. edition contains current data for each state, as well as record of each state's decade-by-decade population since 1900.

The 7 censuses since the beginning of this century showed a growth of 167 percent in the national population, from 76 million in 1900 to 203 million in 1970. The first decade saw the most rapid growth, 21 percent, but the 1950s ran a close second. Almost 30 million people were added to the population during that baby-boom period, an increase of 18.5 percent from 1950 to 1960. Growth was slowest in the 1930s; population increased only 7.2 percent between the 1930 and 1940 censuses.

The 20th century growth rates of individual states have varied tremendously. Some have increased considerably less than the national average. In the 1960s, as in several preceding decades, a few states have lost population; North Dakota hit its peak population of 681,000 in 1930.

Some states, on the other hand, have grown phenomenally. The outstanding examples are in the West Coast region, which in 1900 made up 3.1 percent of U.S. population and by 1970 contained 12.5 percent of all Americans. California itself ranked 22nd in population in 1900; by 1970 it was the nation's most populous state, to the growing dismay of a number of that state's citizens. Florida is the other example of extraordinary growth; its population in 1970, 6.8 million, was almost 13 times what it was in 1900.

Population loss in individual states, and much of the extraordinary growth of some others, resulted from migration. Another demographic trend in the 20th century, urbanization, also came about largely because of migration. Only 5 percent urban in 1790, the U.S. population was still more than half rural in 1900. By 1970, however, almost three-quarters of the population lived in urban areas, and some states had even higher proportions of urban dwellers. Here again, California led the list: More than 90 percent in that state lived in urban areas. New York, New Jersey, Massachusetts and Rhode Island were next: 85 percent or more of their population was urban.

For those concerned with planning for future growth, population projections are an important tool. This Data Sheet gives Census Bureau projections of 1980 population for each state.

The projections are based on the assumption that migration rates into or out of states will remain at the levels of the 1960s. They also assume that fertility will be the same as the Census Bureau's Series E national population projections—a completed national fertility of 2.1 children per woman—adjusted for fertility variations from state to state.

The Series E fertility assumptions are close to present levels. Migration patterns could change significantly, however, particularly in states which had large migration either in or out during the 1960s. Population projections in general are uncertain instruments; in a mobile society such as the United States they must be used with even greater caution than usual.

U.S. POPULATION DATA SHEET

[Population figures in thousands]

	Area (square miles)	Date of admission	First census after admission[1]	1900	1910	1920	1930	1940	1950
United States	3,615,122	------------	3,929	76,212	92,228	106,022	123,203	132,165	151,328
Alabama	51,609	1819	128	1,829	2,138	2,348	2,646	2,833	3,062
Alaska	586,412	1959	226	64	64	55	59	73	129
Arizona	113,909	1912	334	123	204	334	436	499	750
Arkansas	53,104	1836	98	1,312	1,574	1,752	1,854	1,949	1,909
California	158,693	1850	93	1,485	2,378	3,427	5,677	6,907	10,586
Colorado	104,247	1876	194	540	799	940	1,036	1,123	1,325
Connecticut	5,009	1788	238	908	1,115	1,381	1,607	1,709	2,007
Delaware	2,057	1787	59	185	202	223	238	267	318
District of Columbia	67	------------	8	279	331	438	487	663	802
Florida	58,560	1845	87	529	753	968	1,468	1,897	2,771
Georgia	58,876	1788	83	2,216	2,609	2,896	2,909	3,124	3,445
Hawaii	6,450	1959	633	154	192	256	368	423	500
Idaho	83,557	1890	89	162	326	432	445	525	589
Illinois	56,400	1818	55	4,822	5,639	6,485	7,631	7,897	8,712
Indiana	36,291	1816	147	2,516	2,701	2,930	3,239	3,428	3,934
Iowa	56,290	1846	192	2,232	2,225	2,404	2,471	2,538	2,621
Kansas	82,264	1861	364	1,470	1,691	1,769	1,881	1,801	1,905
Kentucky	40,395	1792	221	2,147	2,290	2,417	2,615	2,846	2,945
Louisiana	48,523	1812	153	1,382	1,656	1,799	2,102	2,364	2,684
Maine	33,215	1820	298	694	742	768	797	847	914
Maryland	10,577	1788	320	1,188	1,295	1,450	1,632	1,821	2,343
Massachusetts	8,257	1788	379	2,805	3,366	3,852	4,250	4,317	4,691
Michigan	58,216	1837	212	2,241	2,810	3,668	4,842	5,256	6,372
Minnesota	84,068	1858	172	1,751	2,076	2,387	2,564	2,792	2,982
Mississippi	47,716	1817	75	1,551	1,797	1,791	2,010	2,184	2,179
Missouri	69,686	1821	140	3,107	3,293	3,404	3,629	3,785	3,955
Montana	147,138	1889	143	243	376	549	538	559	591

Footnotes at end of table.

U.S. POPULATION DATA SHEET—Continued

[Population figures in thousands]

	Area (square miles)	Date of admission	First census after admission[1]	1900	1910	1920	1930	1940	1950
Nebraska	77, 227	1867	123	1, 066	1, 192	1, 296	1, 378	1, 316	1, 326
Nevada	110, 540	1864	42	42	82	77	91	110	160
New Hampshire	9, 304	1788	142	412	431	443	465	492	553
New Jersey	7, 836	1787	184	1, 884	2, 537	3, 156	4, 041	4, 160	4, 835
New Mexico	121, 666	1912	360	195	327	360	423	532	681
New York	49, 576	1788	340	7, 269	9, 114	10, 385	12, 588	13, 479	14, 830
North Carolina	52, 586	1789	394	1, 894	2, 206	2, 559	3, 170	3, 572	4, 062
North Dakota	70, 665	1889	191	319	577	647	681	642	620
Ohio	41, 222	1803	231	4, 158	4, 767	5, 759	6, 647	6, 908	7, 947
Oklahoma	69, 919	1907	1, 657	790	1, 657	2, 028	2, 396	2, 336	2, 233
Oregon	96, 981	1859	52	414	673	783	954	1, 090	1, 521
Pennsylvania	45, 333	1787	434	6, 302	7, 665	8, 720	9, 631	9, 900	10, 498
Rhode Island	1, 214	1790	69	429	543	604	687	713	792
South Carolina	31, 055	1788	249	1, 340	1, 515	1, 684	1, 739	1, 900	2, 117
South Dakota	77, 047	1889	349	402	584	637	693	643	653
Tennessee	42, 244	1796	106	2, 021	2, 185	2, 338	2, 617	2, 916	3, 292
Texas	267, 338	1845	213	3, 049	3, 897	4, 663	5, 825	6, 415	7, 711
Utah	84, 916	1896	277	277	373	449	508	550	689
Vermont	9, 609	1791	154	344	356	352	360	359	378
Virginia	40, 817	1788	692	1, 854	2, 062	2, 309	2, 422	2, 678	3, 319
Washington	68, 192	1889	357	518	1, 142	1, 357	1, 563	1, 736	2, 379
West Virginia	24, 181	1863	442	959	1, 221	1, 464	1, 729	1, 902	2, 006
Wisconsin	56, 154	1848	305	2, 069	2, 334	2, 632	2, 939	3, 138	3, 435
Wyoming	97, 914	1890	63	93	146	194	226	251	291
Puerto Rico	3, 435	------	------	[2] 953	1, 118	1, 300	1, 544	1, 869	2, 211

NOTES

[1] 1812 admission date would mean 1820 census population, etc., U.S. population is for 1790, the first National Census; District of Columbia data is for 1800; California, Idaho, Maine, Rhode Island, Wyoming population is the year of admission; Florida and Texas, 1850. Territorial population data for Alaska (1900–50), Arizona (1900), Hawaii (1900–50), New Mexico (1900), Oklahoma (1900).

[2] Population: 1899 figure; birth and death rates: 1970 figures.

Population totals to the nearest thousand.

1790 to 1970 data from U.S. Bureau of the Census, U.S. Census of Population: 1970 Number of inhabitants, Final Report PC(1)–A1 United States Summary, U.S. Government Printing Office, Washington, D.C. 1971. (1970 Official Counts as corrected.)

Provisional statistics for State and national birth, death, and total infant mortality rates for 1971 are from U.S. Department of Health, Education and Welfare, Public Health Service, Health Services and Mental Health Administration, National Center for Health Statistics, Rockville, Md. Monthly Vital Statistics Report, Provisional Statistics, Annual Summary for the United States, 1971 (HSM) 73–1121, vol. 20, No. 13, Aug. 30, 1972.

U.S. POPULATION DATA SHEET

	1960	1970	Percent of change 1960–70	Net migration 1960–70 (percent)[1]	Percent urban 1970[2]	Annual births per 1,000 population 1971	Annual deaths per 1,000 population 1971	Total infant mortality 1971[3]	Population estimates mid-1972[4]	Population projections 1980[5]
United States	179, 323	203, 235	13.3	1.7	73.5	17.3	9.3	19.2	208, 232	226, 934
Alabama	3, 267	3, 444	5.4	−7.1	58.4	19.1	9.7	23.6	3, 510	3, 565
Alaska	226	302	32.8	7.1	48.4	22.9	5.0	18.3	325	352
Arizona	1, 302	1, 772	36.0	17.5	79.6	21.0	8.6	18.3	1, 945	2, 164
Arkansas	1, 786	1, 923	7.7	−4.0	50.0	18.1	10.6	19.9	1, 978	2, 052
California	15, 717	19, 953	27.0	13.4	90.9	16.8	8.5	16.8	20, 468	24, 226
Colorado	1, 754	2, 207	25.8	12.3	78.5	18.1	8.1	18.0	2, 357	2, 636
Connecticut	2, 535	3, 032	19.6	8.5	77.4	14.6	8.5	15.5	3, 082	3, 551
Delaware	446	548	22.8	8.5	72.2	17.7	9.0	14.4	565	655
District of Columbia	764	757	−1.0	−13.1	100.0	33.8	13.9	28.5	748	------
Florida	4, 952	6, 789	37.1	26.8	80.5	16.5	11.2	20.7	7, 259	8, 280
Georgia	3, 943	4, 590	16.4	1.3	60.3	20.4	9.0	21.3	4, 720	5, 191
Hawaii	633	770	21.5	1.7	83.1	20.1	5.7	18.1	809	874
Idaho	667	713	6.8	−6.2	54.1	19.1	8.4	16.6	756	761
Illinois	10, 081	11, 114	10.2	−0.4	83.0	17.2	9.6	20.7	11, 251	12, 256
Indiana	4, 662	5, 194	11.4	−0.3	64.9	18.3	9.3	18.0	5, 291	5, 782
Iowa	2, 758	2, 825	2.4	−6.6	57.2	16.1	10.3	17.0	2, 883	2, 908
Kansas	2, 179	2, 249	3.1	−6.0	66.1	15.1	9.6	19.8	2, 258	2, 334
Kentucky	3, 038	3, 219	5.9	−5.0	52.3	18.1	10.3	20.4	3, 299	3, 372
Louisiana	3, 257	3, 643	11.8	−4.0	66.1	20.1	9.2	22.1	3, 720	3, 975
Maine	969	994	2.4	−7.2	50.8	14.3	10.7	16.3	1, 029	1, 016
Maryland	3, 101	3, 922	26.5	12.4	76.6	14.3	7.9	18.0	4, 056	4, 782
Massachusetts	5, 149	5, 689	10.5	1.4	84.6	15.7	9.9	17.1	5, 787	6, 277
Michigan	7, 823	8, 875	13.4	0.3	73.8	17.0	8.5	19.2	9, 082	10, 031
Minnesota	3, 414	3, 805	11.5	−0.7	66.4	16.3	8.9	17.8	3, 896	4, 245
Mississippi	2, 178	2, 217	1.8	−12.3	44.5	21.7	10.4	26.6	2, 263	2, 245
Missouri	4, 320	4, 677	8.3	------	70.1	17.1	10.9	19.0	4, 753	5, 070
Montana	675	694	2.9	−8.6	5. 34	17.2	9.5	20.7	719	721
Nebraska	1, 411	1, 484	5.1	−5.2	61.5	17.0	10.2	17.2	1, 525	1, 570
Nevada	285	489	71.3	50.4	80.9	18.9	8.3	22.9	527	673
New Hampshire	607	738	21.5	11.3	56.4	16.6	9.8	15.6	771	878
New Jersey	6, 067	7, 168	18.2	8.0	88.9	15.1	9.2	18.0	7, 367	8, 300
New Mexico	951	1, 016	6.8	−13.6	69.8	21.6	7.5	20.9	1, 065	1, 088
New York	16, 782	18, 241	8.7	−0.6	85.6	15.5	10.1	18.6	18, 366	19, 789
North Carolina	4, 556	5, 082	11.5	−2.1	45.0	18.6	8.8	22.2	5, 214	5, 482
North Dakota	632	618	−2.3	−14.9	44.3	17.5	9.2	15.3	632	600
Ohio	9, 706	10, 652	9.7	−1.3	74.3	17.7	9.2	18.2	10, 783	11, 675
Oklahoma	2, 328	2, 559	9.9	0.6	68.0	17.2	9.6	18.4	2, 634	2, 787
Oregon	1, 769	2, 091	18.2	9.0	67.1	15.8	9.3	18.1	2, 182	2, 421
Pennsylvania	11, 319	11, 794	4.2	−3.3	71.5	15.2	10.5	18.1	11, 926	12, 157
Rhode Island	859	950	10.1	1.5	87.1	15.8	9.8	18.9	968	1, 027
South Carolina	2, 383	2, 591	8.7	−6.3	47.6	20.2	8.8	22.5	2, 665	2, 731
South Dakota	681	666	−2.2	−13.9	44.6	17.0	9.9	17.1	679	658
Tennessee	3, 567	3, 924	10.0	−1.3	58.8	19.1	10.0	21.6	4, 031	4, 259
Texas	9, 580	11, 197	16.9	1.5	79.7	20.1	8.1	19.5	11, 649	12, 812
Utah	891	1, 059	18.9	−1.2	80.4	25.8	6.8	14.1	1, 126	1, 234
Vermont	390	445	14.0	3.8	32.2	17.1	9.7	15.0	462	504
Virginia	3, 967	4, 648	17.2	3.6	63.1	16.9	8.2	20.8	4, 764	5, 229
Washington	2, 853	3, 409	19.5	8.7	72.6	15.7	8.8	18.6	3, 443	3, 958
West Virginia	1, 860	1, 744	−6.2	−14.2	39.0	18.0	11.5	21.9	1, 781	1, 634
Wisconsin	3, 952	4, 418	11.8	0.1	65.9	16.0	9.1	15.7	4, 520	4, 930
Wyoming	330	332	0.7	−11.9	60.5	17.4	8.9	21.1	345	342
Puerto Rico	2, 350	2, 712	15.4	------	58.1	25.4	[6] 7.5	[6] 24.5	------	------

NOTES

[1] Net inmigration and outmigration as a percentage of the 1960 population, U.S. Department of Commerce News, Release CB71–85, May 17, 1971.

[2] Urban population comprises all persons living in urbanized areas (usually containing at least one city of 50,000 or more and that portion of surrounding territory which meet specified criteria relating to population density) and places of 2,500 inhabitants or more outside urban areas. (1970 Census definition.) U.S. Bureau of the Census, U.S. Census of Population: 1970, Number of Inhabitants, Final Report PC(1)-A1 United States Summary, U.S. Government Printing Office, Washington, D. C. 1971.

[3] Annual deaths to infants under one year of age per 1,000 live births.

[4] July 1, 1972 population estimates from U.S. Bureau of the Census, Estimates of the Population of States: July 1, 1971 and 1972, Series P-25, No. 488, September 1972, U.S. Government Printing Office, Washington, D.C. 1972.

[5] 1980 population projections (Series I-E) from U.S. Bureau of the Census, Population Estimates and Projections, March 1972, Series P-25, No. 488, U.S. Government Printing Office, Washington D. C. 1972.

[6] Population: 1899 figure; birth and death rates: 1970 figures.

Population totals to the nearest thousand.

1790 to 1970 data from U.S. Bureau of the Census, U.S. Census of Population: 1970 Number of Inhabitants, Final Reoprt PC(1)-A1 United States Summary, U.S. Government Printing Office, Washington, D.C. 1971. (1970 Official Counts as corrected.)

Provisional statistics for state and national birth, death, and total infant mortality rates for 1971 are from U.S. Department of Health, Education and Welfare, Public Health Service, Health Services and Mental Health Administration, National Center for Health Statistics, Rockville, Md. Monthly Vital Statistics Report, Provisional Statistics, Annual Summary for the United States, 1971 (HSM) 72–1121, vol. 20, No. 13, Aug. 30, 1972.

CIVILIAN SCIENCE AND TECHNOLOGY POLICY ACT OF 1973

Mr. KENNEDY. Mr. President, I welcome the initiative of the distinguished Senator from Colorado (Mr. DOMINICK) in introducing his Civilian Science and Technology Policy Act of 1973. I know this represents a serious effort on his part to help promote the more effective application of science and technology to our civilian problems.

I have had a longstanding interest in achieving this goal. On January 4, I reintroduced S. 32, the National Science Policy and Priorities Act, which had passed the Senate overwhelmingly last August. As chairman of the Subcommittee on the National Science Foundation, I intend to give careful study to the bill by the Senator from Colorado, and then to hold hearings on S. 32 and his bill at the same time. I am hopeful that through these efforts we will succeed in enacting legislation that focuses the Nation's technical talent on our mounting civilian problems.

FAMILY FARM INHERITANCE ACT

Mr. BAYH. Mr. President, on May 2, I submitted testimony to the Ways and Means Committee of the House of Representatives urging that my bill, the Family Farm Inheritance Act, be attached to the tax reform bill which the Ways and Means Committee is now considering.

My testimony was based on new information which I have gathered since the initial introduction of S. 204 in January of this year. To assist my colleagues evaluate the merits of the bill, I want to reiterate some of my arguments in favor of the legislation.

First of all, it is my belief, in view of the disturbing decline in the number of farms and of families living on the farm, that Congress must give the most serious consideration to legislation designed to preserve the family farm and maintain a decentralized farm economy.

With this objective in mind, I have introduced a bill, S. 204, which would exclude the first $200,000 in the value of the family farm from the taxable estate of those farmers who have managed their own farms during their lives and have willed it to relatives who plan to carry on this tradition. All such family farms must be actively used to raise agricultural crops or livestock for profit rather than as a hobby. To be specific, in order to qualify for the exemption, the decedent must have owned the farm for at least 5 years and must have exercised substantial management and control over the farm before he died. Those who inherit must not only continue to exercise substantial management and control over the farm, but also must maintain ownership and live on the farm for at least 5 years. In the event that a farm is willed to several children, all inheritors are covered by the bill if one of them meets the residency and management qualifications set forth in the bill. Senators JAVITS and WILLIAMS are cosponsors of the bill.

I want to emphasize that this bill is not envisioned as a tax break for all farmers, but rather as a device to assist those farmers who are not likely to have sufficient liquid capital to meet the estate taxes. Presently, farmers usually have to sell part of their land to raise enough money to pay estate taxes; after one or two generations, so much of the farmland has been sold off that there is no longer a viable economic unit—particularly in these days when the average size of a farm is increasing, not decreasing. The result will probably be increased ownership of land by corporations despite the fact that research studies by USDA relating cost per unit to size have generally shown that all of the economies of size can be achieved by modern and fully mechanized one-man and two-man farms.

As everyone concerned about the rise of corporate farming knows, the individual farmer has been having a progressively harder time making ends meet. Fifty years ago there were about 32 million Americans—more than 30 percent of the entire population—living on the farm; today there are only about 9 million Americans—slightly more than 4 percent of our population—still on the farm. This number is decreasing steadily.

Moreover, it is the small farmer, the family farmer, who is being forced off the farm into our already overcrowded cities. In fact, every day about 300 family farms in this country have to be abandoned by their owners, because they are no longer viable. Cumulatively, a million family-sized farms were consolidated out of existence in the 1950's and another million in the 1960's.

The reasons for the demise of the family farmer are evident. While food prices in this country have gone up along with everything else, the farmer often has not shared in this increase. Food price increases have gone to retailers and middlemen, but too many farmers have seen their share of the retail food dollar remain constant, and at times, decline. At the same time, while the average American nonfarm worker labors an average of only 37 hours a week, the average farmer works 50 hours a week and earns less for his time. Farmers receive an average of only 5.4 percent return on their investment whereas there is a 10 to 12 percent average return on investment in industry.

One of the greatest problems faced by farm families is the estate tax—a tax which is uniquely burdensome for farmers because it is usually based on the inflated value of the land as a real estate parcel rather than on its fair value as a farming operation. Children who have spent years working the farm with their parents are suddenly confronted with a large tax when the owner of their operation dies. For a small farmer, estate taxes are particularly severe because most of his assets are generally nonliquid: his farm, his farmhouse, his livestock, his crops, and equipment comprise the bulk of his assets and they are all essential to the profitable operation of the farm. Nonfarmers, if only because their return on investment is usually greater, normally have a greater percentage of liquid assets with which they can meet estate taxes.

To illustrate the problem faced by family farmers, let us take the hypothetical case of a Mr. Jones, Jr., who is left a 300-acre farm valued at $700 an acre, plus farm equipment, crops, and farmhouse, for a total valuation of $280,000. At the prevailing tax rate, he would have to pay $56,700 in Federal estate taxes. An average small farmer, Mr. Jones makes only about $10,000 a year from his farm; the income is already stretched thin to cover new farm equipment and family expenses. Assuming that Mr. Jones does not have large savings, he would be forced either to take out a mortage on the farm—if it is not already mortgaged—or sell part of his land in order to pay the estate tax on his father's farm. Either way, he would decrease by a considerable margin the already small profit he is able to make from the farm. Furthermore, the burden of estate taxes could very possibly be so great that Mr. Jones, Jr., might find out that he can no longer make enough money on the farm to support his family. Thus he would be forced to sell the farm and look for work elsewhere.

Unless we want to see a continuing decline in the number of family farmers, and an eventual domination of the farm industry by large corporate farms, it is essential to help small farmers meet what are now unbearably high estate taxes.

Mr. President, there are two probable criticisms of this bill which I would like to address: First, small businesses would probably ask for similar tax breaks; and second, the cost could be high.

In response to the first consideration, I am certainly aware that small family businesses often have as difficult a time making ends meet as small family farms do, and that they need encouragement if they are to prosper. However, it seems to me that family farms differ from family businesses in significant respects which entitle farms to separate consideration with reference to estate taxes. The rapid technological changes, marginal profits, and the need for capital in farming encourage forced saving and reinvestment by all family members. Since farm households are relatively more self-sufficient than urban households and since the cost of rural living is generally lower than that of urban living, members of the family often are not remunerated for their contributions to the farm; rather, all wages and profits are pooled and reinvested in more land, new machinery or better fertilizer and seed. Members of the younger generation may be taxed on money which otherwise might have come to them in the form of a salary. Combined with the fact that most profits are plowed back into the farm is the fact that the return on investment is generally lower in farming—5.4 percent—than in business—10 to 12 percent. Thus, farmers tend to have less liquid capital saved with which to pay estate taxes.

Farmers also suffer most dramatically from the fact that their estates are taxed at the real estate value of the land, rather than on the basis of the farming value of the land. The current shortage of land is pushing up real estate values both for the farmer and for the small businessman located in a city; however, a far greater proportion of a farm's assets are tied up in land. The farmer who finds that suburban sprawl is forcing up the value of his main asset simply cannot absorb the increased costs of that particular item.

The second main argument against my proposal is likely to be one of cost. The Department of the Treasury has estimated that the revenue loss would be about $200 million annually. Unfortunately, I do not know the nature of their calculations leading to this estimate. However, the Department of Agricultural Economics at Purdue University has provided a second, tentative estimate of an annual revenue loss falling somewhere between $50 and $100 million—and probably closer to $50 million than to the higher figure. While the estimate is preliminary, the details of their computations should be helpful in evaluating possible assumptions behind the Department of Treasury's estimate. I ask unanimous consent that a copy of the preliminary computation table, a memorandum outlining some of the assumptions used in the extrapolations, and a copy of the bill be printed in the RECORD at the conclusion of my remarks.

Mr. President, I believe that some tax modifications are necessary to assist family farmers bear the burden of estate taxes; I intend also to present this proposal to the Senate Finance Committee at the appropriate time.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ESTIMATE OF REDUCTION IN FEDERAL ESTATE TAX PAID ON FARMS IN 5 CORN BELT STATES (INDIANA, ILLINOIS, IOWA, MISSOURI, AND OHIO) IN 1971 WHICH WOULD HAVE BEEN REALIZED IF THE FEDERAL EXEMPTION HAD BEEN $260,000 INSTEAD OF $60,000

Net worth in 1966[1]	Net worth in 1971[2]	Average net worth in 1971	Percent of farms in each size category[3]	Estimated number of farms in each size category in 1971[4] (thousands)	1 percent of estimated number of farms in 1971	Estimated estate tax on average net worth in 1971[6]	Total estate tax in 1971 (1 percent of farms times average) (thousands)	Estimated estate tax under S. 204 on average net worth	Estimated estate tax under S. 204 in 1971 (1 percent of farms times average) (thousands)
Under $10,000	Under $12,050	$6,025	12.6	75.0	750				
$10,000 to $15,000	$12,050 to $18,075	15,063	5.8	34.5	345				
$15,000 to $20,000	$18,075 to $24,100	21,088	9.2	54.8	548				
$20,000 to $30,000	$24,100 to $36,150	30,125	16.8	100.0	1,000				
$30,000 to $40,000	$36,150 to $48,200	42,175	12.0	71.5	715				
$40,000 to $50,000	$48,200 to $60,250	54,225	8.1	48.2	482				
$50,000 to $60,000	$60,250 to $72,300	66,275	7.2	42.9	429	$239.25	$102.6		
$60,000 to $75,000	$72,300 to $90,375	81,338	7.5	44.7	447	1,787.32	798.9		
$75,000 to $100,000	$90,375 to $120,500	105,438	8.2	48.8	488	5,952.86	2,905.0		
$100,000 to $150,000	$120,500 to $180,750	150,625	7.7	45.9	459	17,665.00	8,108.2		
$150,000 to $200,000	$180,750 to $241,000	210,875	2.5	14.9	149	34,501.50	5,140.7		
$200,000 to $400,000	$241,000 to $482,000	361,500	2.1	12.5	125	79,812.00	9,976.5	$20,566	$2,570.8
$400,000 and over	$482,000 and over	700,000	0.3	1.8	18	176,700.00	3,180.6	116,500	2,097.0
Total			100.0	595.5			30,212.5		4,667.8

[1] Net worth of farm operator families (census definition of farm) in the Corn Belt States, 1966, based on pesticide survey.

[2] Net worth size classes increased by 20.5 percent. This was the estimated increase in the total equity values in farm production assets in the United States between 1966 and 1971, based on the "Balance Sheet of the Farming Sector," Agriculture Information Bull. No. 359, ERS, USDA, January 1973, p. 27.

[3] The percentage shown is for 1966, based on the pesticides survey. The percentages were assumed the same in 1971.

[4] Derived by extrapolating the percentage decline (1.5 percent per year) in the total number of farms shown by the census between 1964 and 1969 to 1971. The number in each category was determined by multiplying the total number of farms by the proportion in each size category.

[5] In 1971, there were 6.6 administrator and executor farm sales per 1,000 farms. An additional 4.7 were inheritance and gifts. Thus 10 per 1,000 were assumed here.

[6] Computed from the Federal Estate Tax Schedule. The total was adjusted for the estimated credit for State death taxes.

Note: Estimated tax reduction: $30,212,500 minus $4,667,800 equals $25,500,000 annually. This figure may be too high, as indicated in the attached memorandum.

MEMORANDUM ON PROCEDURES FOR ESTIMATING ANNUAL REVENUE LOSS WHICH MIGHT BE EXPECTED UNDER S. 204, FAMILY FARM INHERITANCE ACT

FIVE CORN BELT STATES

The attached table shows the procedure employed in arriving at a preliminary estimate of the annual revenue loss which might be expected under S. 204 for five Corn Belt states (Indiana, Illinois, Iowa, Missouri and Ohio). The computation was made for these five states because of the availability of a size distribution of estimated net worth, which was not available for the U.S. as a whole.

The table indicates the various assumptions and adjustments which were made at various stages in the estimating procedure. Given the assumptions shown, the estimated revenue loss for the five states in 1971 was $25.5 million. This figure is probably too high for the following reasons:

1. The marital deduction, which it might have been applicable, was not made. No information is available as to how important it would have been, but it likely would have been applicable to a substantial number of estates.

2. Other expenses, such as lawyers fees and the like were not deducted from average net worth estimates.

3. Several estates, particularly the larger ones, were likely transferred at least partially by gift or in accordance with estate plans which reduced the estate tax liability. Moreover, in 1969 around one percent of U.S. farms were incorporated. These tended to be the larger farms. In Indiana, for example, the 1969 Census of Agriculture indicated that of the 1,162 farms having sales of $100,000 or more, 173 or about 15 percent were incorporated.

In future years, trends which would partially offset the above three factors would be (1) Further inflation, which would increase the dollar value of farm assets and move more and more farms into the higher tax brackets, and (2) The changing size structure of U.S. farms, whereby the number of farms in the larger size categories is expected to increase even though the total number of farms is likely to continue declining. In fact, to the extent that the proportions of farms in the largest categories rose between 1966 and 1971, this factor would offset part of the overestimation of revenue loss attributable to the three factors listed above. However, one might expect that as farm size increases, more farms likely become incorporated.

EXTRAPOLATION OF FIVE STATES ESTIMATES TO THE UNITED STATES AS A WHOLE

The five Corn Belt states account for about 22 percent of farm production assets in the U.S. Hence if the estimated revenue loss in the five states were raised proportionally according to the ratio of the production assets in the U.S. to the five states, the U.S. revenue loss, not taking into account the other qualifications mentioned above, would be over $100 million.

However, the size distribution of farms in the 5 states shows a higher percentage of farms in the largest size classes than the average for all other states.

For example, the 1969 Census of Agriculture showed that in the five Corn Belt states, 4.8 percent of the farms had gross sales of $60,000 or more, while for all other states, farms with gross sales of $60,000 or higher accounted for 4.3 percent of the total number of farms. This would significantly reduce the extrapolated U.S. revenue loss, in that the larger farms are subject to most of the estate tax. The largest three categories in the attached table accounted for 4.9 percent of the farms in the five states but 61 percent of the estimated tax.

CONCLUSIONS

Taking into account various assumptions, adjustments and considerations, the potential U.S. revenue loss from S. 204 might range between $50 million and $100 million annually. It is believed that the actual figure would be nearer to the lower range of the estimate than the higher.

However, this estimate should be considered tentative. It is based on several approximations and assumptions the reliability of which is not known.

S. 204

A bill to amend the Internal Revenue Code to encourage the continuation of small family farms, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Family Farm Inheritance Act".

SEC. 2. Part IV of chapter 11B of the Internal Revenue Code of 1954 (relating to deductions from the gross estate) is amended by adding at the end thereof the following new section:

"SEC. 2057. INTEREST IN FAMILY FARMING OPERATIONS.

"(a) GENERAL RULE.—For purposes of the tax imposed by section 2001, the value of the taxable estate shall be determined by deducting from the value of the gross estate the lesser of (1) $200,000, and (2) the value of the decedent's interest in a family farming operation continually owned by him or his spouse during the five years prior to the date of his death and which passes or has passed to an individual or individuals related to him or his spouse.

"(b) SUBSEQUENT DISQUALIFICATION RESULTS IN DEFICIENCY.—The difference between the tax actually paid under this chapter on the transfer of the estate and the tax which would have been paid on that transfer had the interest in a family farming operation not given rise to the deduction allowed by paragraph (a) shall be a deficiency in the payment of the tax assessed under this chapter on that estate unless, for at least 5 years after the decedent's death—

(1) the interest which gave rise to the deduction is retained by the individual or individuals to whom such interest passed, and

"(2) the individual or any of the individuals to whom the interest passed resides on such farm, and

"(3) such farm continues to qualify as a family farming operation.

"(c) DEATH OF SUBSEQUENT HOLDER.—In the case of the subsequent death of an individual to whom the interest in a family farming operation has passed, his successor shall be considered in his place for purposes of paragraph (b).

"(d) DEFINITIONS.—

"(1) FAMILY FARMING OPERATION.—A 'family farming operation' is a farm:

"(A) actively engaged in raising agricultural crops or livestock 'for profit', within the meaning of section 183, and

"(B) over which the owner or one of the owners exercises substantial personal control and supervision.

"(2) RELATIONS.—An individual is 'related' to the decedent or his spouse if he is that person's father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister."

CONNECTICUT GENERAL'S PREPAID GROUP PRACTICE PLAN

Mr. RIBICOFF. Mr. President, in view of the continued national concern over health care delivery problems, I am especially pleased that private enterprise is taking an active and forward-looking role in trying to solve some of the basic problems of making health care available to as many Americans as possible at a low rate.

Recently Connecticut General Life Insurance Co., a leading insurer in the prepaid group practice field, announced that it is joining with a number of New York doctors in the establishment of a major prepaid group practice health plan, Healthcare.

Connecticut General is already participating in comprehensive prepaid plans in Phoenix, Ariz., and Columbia, Md. Connecticut General is providing more than $1 million in initial capital for Healthcare. I commend them for their initiative in this new medical field.

I ask unanimous consent that the following articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

HEALTHCARE: A REASONABLE ALTERNATIVE

Healthcare, New York's first major prepaid insured health plan in more than a quarter century, will open its doors this fall in the heart of downtown Brooklyn. The new Plan offers major improvements on health care delivery while retaining the best aspects of personalized current medical practice.

The innovations and efficiencies of the Plan are designed to provide comprehensive health care at a cost no greater and possibly less than the consumer's present total out-patient and hospital expenses.

Healthcare will include in-hospital care, out-patient care, emergency service, home care and health maintenance features.

Healthcare has been co-developed by a group of 65 prominent Brooklyn physicians, called the First Downtown Brooklyn Medical Group, P. C. and Connecticut General Life Insurance Company, the leading insurer in the prepaid group practice field.

By joining in this unusual cooperative effort, the physicians' group and CG are creating a "reasonable alternative" to those federal legislative proposals that would radically alter the future of medical care delivery and financing in the United States.

Healthcare, without government assistance or new burdens on the taxpayers, will feature new efficiencies, modern facilities, the latest equipment and the expertise of established physicians to bring quality care on a personal basis.

The attitudes and ideas of enrollees will be solicited frequently in the sponsors' continuing evaluation of Plan performance.

Connecticut General, which is already participating in similar plans in Phoenix, Ariz., and Columbia, Md., will provide over $1 million in initial capital, handle marketing, and participate in a variety of administrative and management activities.

Care will be provided through the Plan's medical facility located at 333 Livingston Street in the center of downtown Brooklyn's redevelopment area. Among the site's advantages will be ready access to all subway lines and buses.

The 30,000 square foot facility will contain multiple reception, consultation, examination and minor surgery suites. There will be extensive x-ray and diagnostic facilities, a medical library and a spacious conference area for physician and patient use. Healthcare center will include separate areas for internal medicine, surgery, obstetrics and gynecology, pediatrics, emergency walk-in, rehabilitation medicine, radiology, isotope study, laboratory, pharmacy and administration.

A centralized file system with complete health records of each enrollee, will be a part of a "problem oriented" rapid retrieval and record analysis system. A Plan spokesman said the system "significantly reduces red tape for the patient and makes more 'doctor-patient time, less doctor-paper time.'" In addition, this minimizes the frustration of form-filling for enrollees, employers and doctors alike.

The central facility will emphasize the comfort and privacy of Plan enrollees. It will avoid traditional "clinic" waiting rooms and stark interiors, having instead a warmer, more cheerful atmosphere.

Enrollment will be initially available to persons living in Brooklyn and parts of Manhattan, Queens and Staten Island.

The geographic definition will place Plan Participants within about 30 minutes or less travel time to the medical facility.

Healthcare expects to have 5,000 participants initially. An enrollment level of 30,000 is projected for the end of its first operational year. Expansion of the Plan to include larger numbers of persons living in other areas of metropolitan New York and beyond is anticipated as the program grows.

The Plan will be offered as part of an employer's group health insurance program. Freedom of choice between modes of health care delivery will be preserved since employees will have the option of enrolling in Health-care or continuing their traditional indemnity health insurance. Enrollees can cancel their plan participation at any time without penalty.

Healthcare's monthly premium rates will be $69.75 for a family and $25.25 for a single person. This premium may be paid entirely by an employer or by a Plan enrollee, depending on the employer's benefit plan. A co-payment of $2 per visit for normal out-patient services and $7 per visit for house calls will help keep monthly premiums low.

HOW HEALTHCARE WILL WORK

Healthcare eliminates nearly all of the financial uncertainty which the typical consumer now faces for health care. Plan participants and their families will receive virtually all of their medical and hospital care by prepaying the monthly premium. Thus, enrollees will be able to budget ahead for family health costs without facing burdensome fluctuations or deficits.

In fact, with a few exceptions, such as long-term psychiatric treatment, participants and their families are covered for total costs, less the co-payment fee. This includes protection even for many "catastrophic" illnesses—the kind that can wipe out a family's financial resources.

Upon enrolling, a participant will be counseled on his choice of his own primary doctor from those available on the Healthcare staff thus preserving the personal doctor-patient relationship. When the services of other staff specalists are required, the Plan participant will be referred to them—all at the same location.

The Brooklyn Hospital, with a tradition of quality medical service for more than 125 years, is a university-affiliated institution which will serve as the in-hospital and emergency care facility for enrollees. It is located two-and-a-half blocks from the Healthcare center. In addition, The Caledonian Hospital and other conveniently located hospitals will provide additional scources of in-hospital and emergency care for Plan participants.

Emergency care will be provided through a special in-hospital facility available exclusively to Plan enrollees at The Brooklyn Hospital. Physician services and those of health professionals will be available to participants 24 hours a day. During regular daytime hours, services will be provided at the Plan's own facility. At night and on weekends it will be provided at the special hospital quarters. Twenty-four hour telephone service is also planned. When necessary, home-bound patients will be provided with care and tests at home.

A primary feature of the Plan will be its emphasis on caring for the healthy as well as the sick. Its health maintenance program is designed to encourage good health habits and reduce the necessity for hospitalization.

By eliminating economic considerations from the doctor-patient relationship and making the medical care delivery system accessible 24 hours a day, the Plan encourages participants to seek early medical care before a problem becomes serious. Early detection or prevention can reduce or eliminate the need for prolonged hospitalization, the most costly component of medical services today. The economic impact of loss of wages and the psychological trauma of being an in-hospital patient may thus be minimized or avoided completely.

Healthcare proposes to encompass the health needs of all enrollees. This will range from the well, the worried well, the asymptomatic sick and the sick.

The "well patient" feels healthy and has no symptoms of ill health. Systematic health evaluations and health counseling will help keep him well.

The "worried well patient" does not feel well, but evidences no findings of physical disease. If diagnostic tests are negative, this patient may be on continued surveillance to detect the development of disease or provide treatment for anxiety.

The asymptomatic sick enrollee feels healthy but is actually sick. Health evaluation may elicit disease and permit treatment before it becomes incurable, results in complications, or requires more costly treatment and care.

The sick patient feels sick and is sick. The Plan's 24-hour service permits early diagnosis and therapy thereby minimizing suffering and costly hospital confinement.

The Plan's formal maintenance programs will include mental health, nutrition programs, pre and postnatal counseling and rehabilitation following a coronary episode or after major surgery.

THE EVOLUTION OF THE MEDICAL CARE SYSTEM

Existing methods of delivery of medical care by physicians have evolved from the standard solo practitioner and solo specialist to associated practices, partnerships or two or more physicians, prepaid panel medical groups such as Health Insurance Plan of New York (HIP), Kaiser Permanente (KP), medical corporations and foundations for medical care. Voluntary health insurance plans and, in some instances, union-sponsored health plans have helped provide for the financing of the health care of a large segment of the United States population. The explosion of medical knowledge and know-how and the intricate demands and detail of subspecialty practices have led to the grouping or partnership of physicians with various backgrounds in order to provide comprehensive quality care.

Despite our national experience of over 40 years with prepaid plans of medical care, less than 5 percent of the United States population are so covered. Indeed, less than 10 percent are so covered in the heartlands of HIP and KP.

Yet, the call for change in present health delivery systems, with their ever-mounting costs, grows stronger.

The true needs are for comprehensive, personal, quality medical care with reasonable cost, efficiency, choice of physician and maintenance of the traditional physician-patient relationship.

The greatest factor in the increasing expense of medical services has been skyrocketing costs for in-patient hospital care. The price for hospital services rose 10.5 percent during 1972 and all indications are that this cost will continue to rise.

For Healthcare enrollees, a certified hospital admission program will eliminate many unnecessary and costly hospital admissions and reduce costs by providing many services in the out-patient facility.

Pressure is mounting in Congress and elsewhere for greater government involvement in health care delivery systems. Congressman Wilbur Mills, who has cautioned against radical federal solutions to health delivery problems, points out the federal government already plays a substantial financial role in health, and illustrates his point by two facts:

The first fact, he notes, is that "two government programs alone, Medicare and Medicaid, are paying out more money in this fiscal year for patient care than will all of private health insurance—Blue Cross, Blue Shield and commercial insurance companies."

The second fact, he says is that "out of a total of $75 billion in fiscal year 1971 spent for health, government at all levels paid $28.5 billion, or 38 percent."

Healthcare does not pretend to solve all health care problems but it does create a framework for future solutions by providing efficient, quality, cost-saving and prepaid comprehensive care. The Plan initially will concentrate on employer groups but it is expected that this enrollment base can eventually be broadened to cover individuals who are not in employer groups, and also those persons in Medicare and Medicaid.

Healthcare is a co-development of practicing physicians with one of the nation's leading health insurers. The medical group is independent of the insurer in medical policy. Non-medical decisions are made jointly by the medical group and the insurer. The physicians are university-affiliated and actively involved in teaching medical students, interns, residents, fellows, and physicians' associates.

In addition to highly trained, multi-specialty physicians rendering care to Plan enrollees, allied health personnel will augment the services provided. A corps of highly skilled nurse clinicians and trained physicians' associates will improve the quantity and reduce the cost of medical care. National experience has demonstrated the enthusiasm and effectiveness of such allied health professionals.

Healthcare can thus provide an opportunity to utilize increasing number of allied health personnel, thereby increasing job opportunities in the central city.

CONNECTICUT GENERAL

As the nation's sixth largest health insurer with annual group health premium volume of $550 million, Connecticut General is vitally concerned with the problems of soaring health care costs and resulting possibilities of federal health insurance. The company's leadership position in the development of prepaid group practice is perhaps the most important and visible expression of that concern.

By entering the insured prepaid group practice field in Columbia in 1969, Connecticut General altered the traditional role of an insurance company in the health services field by becoming involved in the total process of delivering and financing health care rather than remaining in the typical role of the insurance company as an overseer of the payment system.

Connecticut General's involvement with insured prepaid group practice has consisted of a combination of its abilities (financial evaluations, risk-taking capital, various insurance coverages, marketing expertise and administrative and management systems and abilities) and those of physicians' groups operating from a plan's own central facilities and utilizing area hospitals for in-patient care.

A CG spokesman recently elaborated on the potential of this direct medical group-insurance company relationship:

Each party has essential functions to make it work. Insurers know about risk-taking, actuarial measurements, financing and business administration.

The physicians, exclusively, have the medical skill. Separately, neither the insurers nor the physicians can hope to build a successful prepaid group practice. Working together, we will be an unbeatable combination.

The Columbia plan, co-developed with Johns Hopkins Medical Institutions, now has over 13,000 enrollees and will expand as the new city of Columbia grows. The Phoenix plan, which opened its doors in October, 1972, is being co-developed with a group of local physicians. Its enrollment now exceeds 5,000.

Insured prepaid group practice functions side-by-side with the traditional solo and group practice of medicine, foundations for medical care and other health care providers. Competition and freedom of choice for the consumer are necessary ingredients for Healthcare to be the "reasonable alternative" envisioned by both the physicians' group and Connecticut General and are encouraged by the Plan's "dual choice" enrollment features.

"Flaws recognized in health care reforms in countries like Great Britain have been eliminated from Healthcare," a spokesman said. "These include the lack of physician continuity for in-patient and out-patient care, the lack of consumer input, the problems of quality control and the excessive bureaucracy which have precipitated changes in their national health services. On the positive side, we believe that Healthcare's type of reform preserves some of the basic principles of the free enterprise system that historically have served our nation so well."

Healthcare will be subject to the tough disciplines of the marketplace as it strives to maintain high performance standards at competitive costs. Both the physician group, with its medical skills, and Connecticut General, with its business skills, will be strongly motivated to maintain a health plan which compares favorably with other options.

The Plan will be non-governmental, avoiding bureaucracy with its cost and inefficiency. It will avoid legal hamstrings and require no enabling legislation. It will have the strengths of the insurance industry as opposed to the federal government involvement and taxpayers' costs.

Healthcare will be consistent with the direction of proposed legislation, whether voluntary or compulsory. It will be attractive to management and labor and will return badly needed physicians to the urban scene.

Healthcare is a reasonable alternative for physicians, for patients, for Congress to help salvage the best of the current methods of health delivery and provide useful application of all the new techniques and knowledge currently available.

SENSIBLE SURGERY FOR SWELLING MEDICAL COSTS

(By Michael B. Rothfeld)

(NOTE.—This article from the April 1973 issue of Fortune magazine describes the growing importance of privately developed prepaid group practice plans in the United States. It makes reference to Connecticut General Life Insurance Company's early entry into this field. CG was already a co-developer for plans in Columbia, Maryland and Phoenix, Arizona when First Downtown Brooklyn Medical Group, P. C., invited the company to join in forming Healthcare, a New York City plan.)

Early on a January evening in 1970, a half dozen physicians and officials of the Department of Health, Education, and Welfare held an urgent private meeting at Washington's Dupont Plaza Hotel. Their concern was the rapidly rising cost of medical care, which already had helped to cause an ominous $2-billion cost overrun in the medicare and medicaid programs. When the group broke up at 2:00 A.M., the seed had been planted for a whole new national health strategy, and a new term—Health Maintenance Organization (HMO)—had been coined to identify the key element in the plan. In essence, the idea was simple and sensible: why not give doctors more incentive to keep people well, and especially to treat illness before it requires costly hospitalization, instead of paying them mainly to cure the sick?

In the three years since the meeting, HMO's have expanded and proliferated throughout the nation at an unprecedented rate. They are beginning to introduce modern management methods into an $80-billion business that lacks them. And they are bringing some advantages of competitive enterprise to a field that has long restricted competition in the name of medical ethics. Most important of all, HMO's are demonstrating that they can help reduce the cost of medical care.

A $12.5 BILLION INDUSTRY

Three years ago some thirty medical organizations—basically prepaid medical-group practices—could be classified as HMO's. Today there are nearly sixty with an enrollment of about eight million clients; an additional eighty HMO's are in various stages of development. Provided that Congress and the states adopt favorable enabling legislation, government and private sources figure that as many as 50 million people could be enrolled by the mid-1980's. Blue Cross alone hopes to have 280 HMO's in operation by then—enough to give every policyholder the option to join one. With no allowance for inflation, all this expansion would create a $12.5-billion industry inside what is expected to be a $150-billion health market.

The HMO idea is winning support from a surprisingly wide variety of sources. Both the Committee for Economic Development and the A.F.L.–C.I.O. have strongly endorsed the concept. Major employers, including A.T. & T., and such unions as the United Auto Workers have begun offering employees and members the option to enroll in an HMO. Thirteen states now permit medicaid recipients to join. One of them is California, where HMO's expect to enroll nearly 500,000 medicaid patients by this autumn. In California, Arizona, and Minnesota, the organizations are vying with one another to sign up union, government, and employer groups.

Not only Blue Cross but several large commercial insurance companies, particularly Connecticut General Life Insurance Co. and the Equitable Life Assurance Society, have made significant commitments to HMO's. C. G. has established a subsidiary to help operate them in Maryland, New York, and Arizona. Equitable recently helped to organize and recruit clients for a new HMO at the prestigious Lovelace-Bataan medical complex in Albuquerque. Sensing a growing demand for large-scale health-care systems, a few industrial companies are exploring ways to put their financial, legal, and managerial talents to use in HMO's. Westinghouse, for example, is studying the possibility of starting one in Florida.

Perhaps the strongest impetus to the expansion of HMO's has come from Washington. In both his 1971 and 1972 health messages, President Nixon not only endorsed the concept but said HMO's "ought to be everywhere available so that families will have a choice" about their health-care system. Reflecting Nixon's interest, the Department of HEW in 1971 established a Health Maintenance Organization Service. By the end of last year the service had distributed $26 million in planning and development grants or contracts to some eighty-five potential HMO sponsors. Service officials have also made considerable effort to promote the idea among banks, Wall Street investors, and physicians. Despite the current pressures to cut the federal budget, the Administration wants to increase its grants for HMO development to $60 million during the next fiscal year.

The Administration's enthusiasm is shared by many in Congress and the state legislatures. As a part of last year's big increase in social-security taxes and benefits, Congress voted to allow medicare patients to enroll in HMO's, beginning in July. Two bills now pending in Congress would expand the scope of federal aid to HMO's by providing large-scale loans and loan guarantees as well as grants. Four states—Florida, California, Pennsylvania, and Tennessee—have passed enabling laws during the past two years, and similar legislation has been introduced in at least ten others. The main effect of such laws is to override statutes that have restricted the growth of HMO's by prohibiting the advertising of medical services, the solicitation of patients, and, in some cases, even the creation of corporations to provide medical care.

Actually, health-maintenance organizations have been operating in the U.S. under various labels for forty-four years. For the most part, they have caught on slowly. In addition to legal restrictions, they have faced varying degrees of opposition from organized medicine. Some of their physicians have been expelled from local medical societies and hospital staffs. A number of state courts have now prohibited such practices, but the antipathy remains. For example, the Maryland Medical Association voiced angry objections to the HMO in the new town of Columbia while the plan was being formulated.

Another major problem has been the public's lack of understanding about what an HMO is and does. The largest and best known is the California-based Kaiser-Permanente health system, which serves 2,500,000 people from Cleveland to Honolulu (see "Better Care at Less Cost Without Miracles," Fortune, January, 1970). But comparatively few people seem to be aware of such smaller organizations as the twenty-seven-year-old Group Health Cooperative of Puget Sound in Seattle and the forty-four-year-old Ross-Loos Medical Group in Los Angeles, which have operated with great success.

One reason for the public's confusion may be that both old and new HMO's have a bewildering variety of sponsors and formats. Some are for profit, others are not; some are organized by consumers, others by physicians and insurance companies; some contract with hospitals, others own their own. But all have three fundamentals in common: (1) they are *formally organized businesses;* (2) they *arrange for and provide comprehensive care,* from simple checkups to complicated surgery; (3) they do so "at risk" because they operate each year within a fixed revenue pool that comes from *prepayment for services.*

By contrast, the traditional American health system is a "cafeteria of services." The patient is shuttled about between family doctors and diagnostic or treatment specialists, and between laboratories, hospitals, and the corner drugstore. The arrangement is inefficient because it involves piecemeal diagnosis, treatment, and record keeping. As a consequence, complains one New York City neurologist who has practiced medicine for fifty-five years, "the patient's left-toe specialist doesn't know what the right-toe specialist is up to."

The drawbacks of the conventional system have contributed greatly to the escalation of the nation's medical costs. These have increased by 66 percent per capita over the past five years, 2.7 times the inflation rate for the whole U.S. economy, and now account for roughly 7.6 percent of the gross national product. Despite health insurance, consumers last year paid 35 percent of the nation's $83.4-billion health bill out of their own pockets.

THE LURE OF A FREE CADILLAC

HMO's, as President Nixon has pointed out, "are motivated to function more efficiently." Patients save time because physicians, labs, and pharmacies are organized within a system, often under one roof. Clients choose a family physician, but most HMO's also have night office hours and at least one doctor on duty twenty-four hours a day. The fixed-price contract overcomes the consumer's reluctance to seek medical advice for minor ailments. The HMO also permits doctors to spend more time with patients because the administrative staff copes with much of the paper work that may consume as much as a quarter of a physician's time.

An HMO can be pretty attractive for doctors in other ways, too. Many physicians have a large gross income, but it must cover office rent, clerical and technicians' salaries, malpractice and other insurance, and payments to the bank that has financed expensive medical equipment. Additional money must be set aside to provide for retirement. After business expenses, the median pretax income of physicians is estimated to be about $42,000. Salaries in HMO's average $35,000 to $40,000. However, most HMO's offer $5,000 to $10,000 of fringe benefits such as liberal retirement plans, profit sharing, and life and malpractice insurance. To recruit new doctors, HMO International in Los Angeles even offers them the free use of a company-leased Mercedes or Cadillac.

SHIFTING THE EMPHASIS TO THE DOCTOR'S OFFICE

By far the most important advantage of HMO's is that their fixed annual fees hitch the profit motive toward a new goal in medicine: keeping the cost down. HMO's buy drugs and other supplies in bulk. They pare expenses by operating their own diagnostic labs, having specialists on their staffs and, often, facilities for minor surgery. HMO physicians have a personal incentive to cure ailments before the need arises for expensive hospital treatment. In addition to their salaries, many HMO doctors draw a year-end bonus that depends upon how much profit or surplus the organization earns. One HMO even assesses its doctors penalty payments if there is a deficit.

Under these conditions it is understandable that HMO's achieve their most significant cost savings by shifting the focal point of care from the hospital, with its spiraling costs, to the doctor's office. Hospital costs now constitute the largest single element, 39 percent, of the nation's medical bill, and they are rising faster than any other item for which patients pay.

One reason is that doctors often feel obliged to put patients who are not seriously ill in hospitals. They do so partly to protect themselves against the increasing risk of malpractice suits and partly because of the perverse pressure of health insurance. Ordinary health insurance frequently does not cover a substantial portion of the cost of diagnostic procedures or treatment performed outside hospitals. But such minor surgery as cutting out cysts or simple abortions can be done safely in a well-equipped HMO clinic.

The most respected figures on how HMO's reduce the use of hospitals were developed

in a study of the Federal Employees Health Benefits Program, released in 1971. Researchers compared eight years of data covering federal employees and their dependents enrolled in the five most common types of health plans: Blue Cross–Blue Shield, commercial insurance, consumer organizations, medical-care foundations, and prepaid group practice (essentially HMO's). The prepaid group-practice plans showed the lowest yearly hospital utilization, 422 hospital days per 1,000 members, less than half the rates for Blue Cross (924 per 1,000) and commercial insurers (987 per 1,000). The rate compared closely with that for medical foundations (471 per 1,000), in which clients prepay an annual fee for the services of solo practitioners.

Economies in HMO's add up to substantial savings. According to officials of the California State Department of Health Care Services, when medicaid patients shift from fee-for-service practice to prepaid group-practice plans or HMO's, costs drop by 10 to 20 percent. In a seven-year study of 3,200 southern California families, Dr. Milton Roemer, a professor of public health at U.C.L.A., found that out-of-pocket medical expenses and total costs were much lower for families in HMO's than for those covered by Blue Cross–Blue Shield or commercial insurance plans even though average HMO fees were somewhat higher than the premiums for the other plans.

At FORTUNE's request, actuaries at two insurance companies calculated what the premium would have to be for traditional health insurance if it covered all the care provided by an HMO. Connecticut General found that a single person would pay about 27 percent more than the all-encompassing HMO annual fee. For an average family the cost would be 54 percent greater. Northwestern National, which is also involved in managing an HMO, reported that single persons would pay 33 percent more and families 41 percent more. Both companies attributed the lower cost of HMO plans to organizational efficiencies and fewer hospital admissions.

To get another perspective on the same subject, three separate comparisons were made between the cost of care actually received by the average family in an HMO and the same care if provided through the traditional fee-for-service system, including insurance. Connecticut General found that a family enrolled in the Columbia (Maryland) HMO could save 28 percent a year compared with the cost of a high-benefit insurance plan, and 32 percent compared with the type of health insurance actually carried by most families in the same area (see chart on page 116). The Harvard Community Health Plan found that, considering the increased probability of visits to a hospital, a family of two adults and 1.5 children in a fee-for-service system would pay $689 a year for care, compared with $434 at the Harvard plan. Using federal data on average health-care expenditures across the nation, Northwestern National figured that a typical HMO saves a family of two adults and three children $115 a year in out-of-pocket costs.

SKIMPY CARE DOESN'T PAY

The HMO physician's incentive to reduce hospital admissions raises a touchy question: at what point does cost cutting become corner cutting? Indeed, this is the favorite question asked by critics of the movement.

There is no sure-fire way to measure the quality of care that patients receive under any medical system. But HMO's have a number of safeguards built into their structure. It simply is not in the economic self-interest of HMO physicians to skimp on care. The longer most serious diseases go untreated, the more likely the ultimate expense of delayed therapy will rise. Much worse, any HMO that acquired a reputation for poor care might face a catastrophic loss of business. Clients generally enroll for one year at a time and in some HMO's an even quicker exit is possible. The study of federal employees found that when hospitalization *does* occur in an HMO, the patient usually stays for the same number of days as a patient in the fee-for-service system.

An important control, which affects both quality and cost, is regular review of each physician's work by other doctors in his HMO. At the Harvard Health Plan, for example, computers tabulate the procedures, drugs, and tests utilized by every physician. This information, plus some randomly selected diagnoses, is reviewed by a committee of physicians in each department. As a result, says Dr. H. Richard Nesson, the Harvard plan's medical director, the organization dropped some tests and drugs that were found to be ineffective. A number of other HMO's also use the review process to identify doctors who are putting an exceptionally high or low number of patients in the hospital, and the doctors are likely to be asked to justify their decisions.

There is considerable evidence that HMO's can perform minor surgery outside the hospital with no increased risk for the patient. Since 1941 the Ross-Loos Medical Group, which has 120,000 clients, has performed over 50,000 tonsillectomies and thousands of other minor operations requiring anesthesia in its own offices, without keeping the patient overnight. Even members of the medical establishment agree that outpatient surgical procedures are safe if performed under the proper conditions. Dr. John R. Kernodle, a gynecologist who is chairman of the American Medical Association's board of trustees, says he used to do dilations and curettages in his office when hospital space was scarce. "When there is an abundance of hospital beds," he says, "then doctors use them."

Consumers, at least, seem to feel that HMO care is adequate. Some HMO's have formal consumer-complaint mechanisms and, since subscribers can change physicians within the HMO at will, a doctor who has been losing too many patients could lose his job as well. U.C.L.A.'s Dr. Roemer found in his study that 20 percent of the families enrolled in the Blue Cross-Blue Shield plans and 17 percent of the families with commercial health insurance were dissatisfied with the care they received. But that figure dropped to only 8 percent for those enrolled in prepaid group-practice plans.

A $2 MILLION ENTRY FEE

While there are many advantages in an HMO once it is running, reaching that point is always a difficult and at times exasperating process. It often takes an investment of at least $2 million, an effort of two to four years, and an enrollment of at least 20,000 for a completley new HMO to break even. The sponsor usually must hire a staff, acquire facilities, and incur big selling costs before significant numbers will enroll.

The ability to raise large sums of money is crucial. In the past, most of the organizations have been funded initially by physicians, charities, consumer groups, bank loans, or private bond placements. But as a rule, an HMO cannot raise enough money by any of these means to permit quick expansion to an efficient size. Even worse, when borrowing saddles an HMO with big fixed payments, unexpected delays in starting up can lead to serious cash-flow problems. The new interest shown by insurance companies will help to overcome such difficulties, but if HMO's are to spread and grow as rapidly as Washington envisages, they will need to find some new sources of capital.

One possibility, so far used by only one major HMO, is the stock market. Dr. Donald K. Kelly's HMO International went public in 1969 through a merger with Medicalab Management Corp. of Los Angeles, whose shares were already traded over the counter. Having expanded rapidly since then, the company and its subsidiaries and affiliates now run twenty-one facilities in southern California, with 110,000 clients. Last fiscal year, consolidated revenues jumped to $8,800,000 from $3,200,000 in 1971, and profits nearly quadrupled to $500,807. In two years the bid price of HMO International shares has jumped from $1 to a recent high of $22.

To attract equity capital, an HMO obviously would have to be a profit-making corporation. Unfortunately, this idea becomes quite an emotional issue among otherwise rational people. Some think health care is contaminated by the very idea of profits. Others, such as the A.F.L.-C.I.O., like to belabor profit-making HMO's with examples of the corner cutting that has occurred in some nursing homes and hospitals run for profit. Critics contend that profit-seeking HMO's would be under pressure from shareholders too interested in making a fast buck. As a result, enacted or pending legislation in several states favors nonprofit HMO organizations, and the Pennsylvania law flatly limits the field to nonprofit corporations.

THE PITFALLS OF "NONPROFIT" MEDICINE

Strangely, these arguments overlook a central point: the lack of discipline in cost control that attends nonprofit or cost-plus enterprises throughout the economy. The U.S. medicalcare system has always been conducted chiefly on a profit-making basis. At least until recently, even nominally nonprofit hospitals amassed substantial surpluses. Their current fiscal problems might well be less severe if they were profit-making organizations with a strong incentive to control costs. Despite restrictive state laws, profits have played an important role in the rise of HMO's. Their sponsors set up a nonprofit marketing and administrative group, which then contracts with a for-profit medical partnership to deliver services. The arrangement is widely used, not only by Don Kelly but by the Columbia Medical Plan, and even the highly respected Kaiser Foundation Health Plan and its Permanente Medical Groups.

Provided that for-profit HMO's can avoid unreasonable legislative handicaps, the question remains whether they would be attractive to potential investors. The twenty-seven-year-old Kaiser plan provides an opportunity to see what a *mature* HMO might look like on a profit-making basis. In 1971 the nonprofit Kaiser plan reported a tax-free net income of $12,352,000. Adjusting that figure for accelerated depreciation plus other minor charges, and for corporate income taxes, the organization's return on its $105,815,000 net worth (or "equity") would have been 8.8 percent.

This is only 0.3 percent below the average return for the Fortune 500 that year and about equal to that of the oil industry (9 percent). If Kaiser leased its facilities, as many new HMO's do, that return could be considerably higher. Kaiser's financial strength enables it to borrow from the Bank of America at the prime rate. In January, Standard & Poor's awarded the Kaiser plan an "A" bond rating—its first to a private nonprofit corporation.

Despite the potential for private financing, one major new funding source for HMO development is likely to be the taxpayer. The $60 million for grants and contracts proposed in Nixon's new budget would help forty HMO's to begin operating and would finance feasibility studies and planning activities for eighty more. A much more costly measure sponsored by Senator Edward Kennedy, which passed the Senate last year, would authorize $1.4 billion in direct aid plus an unspecified amount for loan guarantees to help develop new HMO's over three years. A more modest bill cosponsored by Representatives Paul G. Rogers and Dr. William R. Roy would provide about $300 million for the same purposes. Action on these measures seems likely this year, though the probable outcome is far from clear. Such government aid would help many more HMO's to open. Moreover, all the major health-insurance bills before Congress would let the beneficiaries join HMO's. That could have an enormous impact on their growth.

HOW THE CUSTOMERS ARE RECRUITED

Whether funds for developing new HMO's come from the government or from private sources, it is clear that the industry must find a better way to sell itself to the public if it is to enjoy fast growth. In California, where the HMO concept is relatively well known and accepted, the problem is not too severe. But in other parts of the country, HMO's must buck their old enemies: ignorance and hostility. Not long ago, for example, the Cambridge Medical Improvement Society advertised in a local newspaper that Harvard's HMO, which is considering expanding into Cambridge, would deprive local residents of free choice in medical care.

The fastest way to sign on subscribers is through group-enrollment plans arranged with employers, unions, and consumer organizations. It is a difficult, two-step process. First, the HMO must persuade company officials to provide an HMO option to employees. That often requires some benevolent help from the company's insurance carrier. Once the "dual choice"—as the industry calls it—has been established, there is the even tougher problem of actually recruiting the customers. One frequent difficulty is persuading a mother to change her obstetrician-gynecologist and her children's pediatrician.

So far, HMO's have enrolled mostly government employees, members of consumer cooperatives and unions, and medicaid recipients. Whether they can attract more affluent subscribers, and achieve a more representative balance in their populaion mix, remains to be seen.

Another big obstacle for HMO's is their lack of national sales networks. If an HMO could offer benefits to an employee or union group spread all over the country, it would be easier to win a contract with an I.B.M. or a General Motors. The only health-industry companies that now have such networks are Blue Cross and the commercial insurers.

HMO's attract the insurance companies for several reasons. With the big debate about national health insurance approaching, involvement in a new and economical delivery system may win the companies some good marks in Congress. It also gives them another product to sell to employer and union groups. Perhaps most important, HMO's offer insurance companies a chance to collect a 2 or 3 percent fee for selling the service, and another fee for management, without exposing themselves to any risk of fluctuating claims.

HMO's prospects for growth will also be greatly affected by how they are regulated. Some state courts have ruled that organizations providing medical care are not insurers. So a tug-of-war has begun over whether state health or insurance authorities—or both—should exercise jurisdiction. Certainly, paid-up consumers ought to be protected against their HMO's going broke; they should be able to receive care in another organization or be permitted to obtain indemnity insurance without penalty. But if, like insurance companies, HMO's were required to maintain hefty reserves, or if they had to operate with the same restrictions as insurers on their real-estate holdings, their growth might be crippled.

A model HMO bill pushed by the National Association of Insurance Commissioners does not propose specific real-estate investment or reserve requirements, leaving that up to the individual commissioner. The clear intent, however, is that, except for health matters, the state insurance department would be the supreme authority. Given the wide variance in performance of state insurance departments, regulation of HMO's probably should not be left to the states. Even the tough New York State insurance department is questioning whether it ought to be heavily involved in HMO regulation, with the exception, perhaps, of making sure that consumers will be protected if an HMO becomes insolvent.

THE A.M.A. PUTS ON THE PRESSURE

In a move that is even more important than their funding provisions, the HMO bills before Congress (except for the Administration's) would remove such groups from the jurisdiction of state insurance departments and would override other restrictive state laws. Financial stability would be left to the marketplace, although periodic reports would be made to the Secretary of HEW. The legislation would also set up quality controls; the Kennedy bill goes so far as to establish a National Commission on Quality Health Care Assurance.

The passage of such federal legislation would open the way for a rapid expansion of HMO's. That legislation has received the endorsement of almost every interested group but organized medicine, which is trying to block or at least to delay passage of these bills. A House committee staff member says: "We've had more pressure from the A.M.A. on this issue than on anything since medicare."

The A.M.A. is certainly correct when it asserts that not all of the data on HMO's are in. HMO's will indeed be difficult to develop in areas with low population density. Some critics argue that their costs should come down, on the ground that they may provide *too much care*. And it's clear that even if HMO's can decrease hospital admissions, the underlying causes of cost inflation in hospitals would remain to be tamed.

Still, the trends in medicine these days is toward more organized systems, in group practices and in full-time hospital-staff practice. All the serious studies so far support the conclusion that when well managed and properly financed, HMO's can sharply reduce the cost of care at a level of quality at least equal to that of the fee-for-service system, while earning a decent return for lenders and investors. And HMO's will pay an important social dividend: they will provide access to better medical care for millions of Americans who have never had that opportunity.

ORDER FOR ADJOURNMENT UNTIL 11:30 A.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11:30 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATORS HARRY F. BYRD, JR., AND GRIFFIN TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that following the recognition of the two leaders tomorrow under the standing order, the distinguished senior Senator from Virginia (Mr. HARRY F. BYRD, JR.) be recognized for not to exceed 15 minutes, and that he be followed by the distinguished Republican leader, Mr. GRIFFIN, for not to exceed whatever time remains prior to the hour of 12 o'clock noon.

The PRESIDING OFFICER (Mr. BIDEN). Without objection, it is so ordered.

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program for tomorrow is as follows:

The Senate will convene at 11:30 a.m. After the two leaders or their designees have been recognized under the standing order, the distinguished senior Senator from Virginia (Mr. HARRY F. BYRD, JR.) will be recognized for not to exceed 15 minutes, following which the distinguished assistant Republican leader (Mr. GRIFFIN) will be recognized for not to exceed 15 minutes and, in any event, not to extend beyond the hour of 12 o'clock noon.

At 12 o'clock noon, the Senate will resume its consideration of the unfinished business, and the 1 hour for debate, under rule XXII on the motion to invoke cloture on the bill, S. 352, will begin running. At the conclusion of that hour, the Chair will ask the clerk to establish the presence of a quorum. Upon the establishment of this mandatory quorum, or around 1:10 p.m. or 1:15 p.m., the vote will occur on the motion to invoke cloture. That will be a yea-and-nay vote.

Subsequent to the vote on the motion to invoke cloture, there will quite likely be additional yea-and-nay votes. As to what those votes will invoke depends on the outcome of the vote on the motion to invoke cloture.

ADJOURNMENT TO 11:30 A.M.

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11:30 a.m. tomorrow.

The motion was agreed to; and at 5:03 p.m. the Senate adjourned until tomorrow, Thursday, May 3, 1973, at 11:30 a.m.

NOMINATIONS

Executive nominations received by the Senate May 2, 1973:

IN THE AIR FORCE

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

To be lieutenant general

Maj. Gen. Daniel James, Jr., [redacted] FR (major general, Regular Air Force) U.S. Air Force.

The following officer to be placed on the retired list in the grade indicated under the provisions of section 8962, title 10 of the United States Code:

To be lieutenant general

Lt, Gen. Otto J. Glasser[redacted]FR (major general, Regular Air Force), U.S. Air Force.

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

To be lieutenant general

Maj. Gen. William J. Evans, [redacted]FR (major general, Regular Air Force) U.S. Air Force.

IN THE ARMY

The following-named officers under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be general

Lt. Gen. William Eugene DePuy, [redacted] (Army of the United States), major general, U.S. Army.

To be lieutenant general

Maj. Gen. Donn Royce Pepke, [redacted], (Army of the United States), brigadier general, U.S. Army.

Maj. Gen. Orwin Clark Talbott, [redacted], U.S. Army.

IN THE ARMY

The following-named officers for promotion in the Army of the United States, under the provisions of Public Law 92–129.

ARMY PROMOTION LIST

To be lieutenant colonel

Abbuhl, Willmott, [redacted].
Abernathy, Eugene B., [redacted].
Ackiss, Ernest L., Jr., [redacted].
Adams, Louis W., [redacted].
Agostini, Victor M., [redacted].
Akers, Jimmy D., [redacted].
Akin, Jere H., [redacted]
Aldrich, Robert J., [redacted].
Alexander, Joseph D., [redacted].
Alhouse, Robert D., [redacted].
Allen, Kenneth D., [redacted].
Allen, Lee, [redacted].
Allen, Richard H., [redacted].
Allen, Sydna B., Jr., [redacted].
Alley, Frank M., Jr., [redacted].
Alt, Richard M., [redacted].
Alvarez, Roy R., Jr., [redacted].
Amos, John O., [redacted].
Anderson, Douglas J., Jr., [redacted].
Andre, David H., [redacted].
Andrew, John K., [redacted].
Andrews, John D., [redacted].
Appel, Cyril H., [redacted].
Apruzzese, Vincent, [redacted].
Arndt, Terrence L., [redacted].
Arnold, Wallace C., [redacted].
Arrington, Edward W., [redacted].
Arwood, Thomas B., [redacted].
Atwood, John B., [redacted].
Auyong, Stephen K., [redacted].
Bacon, Donald D., [redacted].
Bacon, Stanley, Jr., [redacted].
Bair, Arthur H., Jr., [redacted].
Baker, Larry A., [redacted].
Baldwin, Roy G., [redacted].
Balkovetz, Fred W., [redacted].
Ball, James W., [redacted].
Banks, John W., Jr., [redacted].
Banning, Robert D., [redacted].
Barksdale, Lewis B., [redacted]
Barnebey, Hoyt W., [redacted].
Barnes, William R., [redacted].
Barrett, Thomas E., [redacted].
Barrow, John P., [redacted].
Barrus, Rollin L., [redacted].
Baxter, Thomas R., [redacted].
Bayha, William T., [redacted].
Beachem, Paul J., [redacted].
Beaumont, Marion E., [redacted].
Beavers, Leslie E., [redacted].
Beckel, Charles E., [redacted].
Beckett, Jack A., [redacted].
Beebe, Donald J., [redacted].
Behnke, James E., [redacted].
Behrenhausen, Richard, [redacted].
Belinsky, Howard M., [redacted].
Benjamin, Donald C., [redacted].
Bennett, Eugene W., [redacted].
Bennett, Roger M., [redacted].
Berman, Leo, [redacted].
Berti, John R., [redacted].
Best, James W., [redacted].
Beyer, Kurt C., [redacted].
Beyer, Lawrence F., [redacted].
Bice, Burton C., [redacted].
Bieber, John D., [redacted].
Biemeck, John F., IV, [redacted].
Bihn, Marvin A., [redacted].
Bishop, Robert L., [redacted].
Biskup, Robert L., [redacted].
Blackburn, Frederick, [redacted].
Blair, John D., IV, [redacted].
Blakely, Clyde H., [redacted].
Blanchard, Robert D., [redacted].
Blankenship, Malcolm, [redacted].
Bledsoe, Charles R., [redacted].
Bloom, John D., [redacted].
Boes, Richard W., [redacted].
Bogart, William V., [redacted].
Bogenrife, Richard, [redacted].
Bohach, John L., Jr., [redacted].
Boles, John L., [redacted].
Boles, Wayne T., [redacted].
Bolt, Richard R., [redacted].
Boone, George F., [redacted].
Boothe, Robert S., [redacted].
Boren, Charles M., [redacted].
Bosking, William H., [redacted].
Boss, Jerry L., [redacted].
Bowdan, Melvin R., Jr., [redacted].
Bowers, Robert F., [redacted].
Bowker, Charles A., [redacted].
Bowling, Harold K., [redacted].
Boyd, William J., [redacted].
Boylan, Peter J., Jr., [redacted].
Boyle, David J., [redacted].
Boylston, Graves L., [redacted].
Bradin, James W., IV, [redacted].
Bradley, Holley D., [redacted].
Bradley, William A., [redacted].
Brashear, Hollis N., [redacted].
Brasuell, Perry T., [redacted].
Bratisax, Roland J., [redacted].
Brenner, Donald R., [redacted].
Brewer, James S., [redacted].
Bridgewater, Tom W., [redacted].
Briggs, Gaither E., [redacted].
Brockwell, Daniel P., [redacted].
Broocke, Nathan I., [redacted].
Brosset, Lester R., [redacted].
Brothwell, Richard, [redacted].
Brown, Bruce L., [redacted].
Brown, Donn W., [redacted].
Brown, Larry D., [redacted].
Brown, Noel L., [redacted].
Brown, Richard L., [redacted].
Browning, David B., [redacted].
Brunelle, Pierre V., [redacted].
Brunkow, Richard O., [redacted].
Bruscas, Lawrence C., [redacted].
Bruschette, Jerome, [redacted].
Buczek, Richard C., [redacted].
Bullard, Monte R., [redacted].
Bunij, Edwin W., [redacted].
Bunker, David L., [redacted].
Bunting, Willis R., [redacted].
Buono, Daniel P., [redacted].
Burch, Walter M. [redacted].
Burke, James A., [redacted].
Burleson, Grady L., [redacted].
Burnham, Charles A., [redacted].
Burns, George K., [redacted].
Burns, Walter L., [redacted].
Burrell, Raymond E., [redacted].
Butterfield, Jay T., [redacted].
Byars, Harold W., [redacted].
Caddigan, James L. [redacted].
Caffrey, Eugene L., [redacted].
Cain, Moses A., [redacted].
Callender, William, [redacted].
Campbell, George C., [redacted].
Campbell, John G., [redacted].
Campbell, Luther U., [redacted].
Campbell, William R., [redacted].
Cannon, Edwin E., Jr., [redacted].
Cannon Robert S., [redacted].
Carbone, Anthony J., [redacted].
Carlson, Leonard A., [redacted].
Carlton, Terry M., [redacted].
Carmichael, Rex, Jr., [redacted].
Carmichael, Roderick, [redacted].
Carnahan, Ronald J., [redacted].
Carpenter, William, [redacted].
Carter, Bobby J., [redacted].
Case, Ralph W., Jr., [redacted].
Casey, Andrew H., [redacted].
Cavezza, Carmen J., [redacted].
Cavoli, Ivo J., [redacted].
Cercy, James C., [redacted].
Chambers, James A., [redacted].
Chambers, Michael D., [redacted].
Chancellor, Robert, [redacted].
Chandler, Edward V., [redacted].
Chase, Leigh F., [redacted].
Chavis, Langley J., [redacted].
Chelberg, Robert D., [redacted].
Chesher, Phillip B., [redacted].
Childs, Leo M., [redacted].
Churchill, Carl L., [redacted].
Clack, Fred C., [redacted].
Claiborn, Max R., [redacted].
Clark, Claude L., [redacted].
Clark, Howard W., [redacted].
Clark, Jack T., [redacted].
Clark, Niles C., Jr., [redacted].
Clark, Richard A., [redacted].
Clark, Shannon D., [redacted].
Clarke, Robert L., [redacted].
Clough, William S., [redacted].
Coble, Donald R., [redacted].
Cochran, Pinckney C., [redacted].
Coffman, Joe P., [redacted].
Coker, James R., [redacted].
Cole, John W., [redacted].
Cole, Leslie W., [redacted].
Coleman, Lynn F., [redacted].
Connell, Frank M., [redacted].
Connolly, John D., [redacted].
Cook, Donald M., [redacted].
Cook, Robert W., [redacted].
Cooney, Terence P., [redacted].
Cooper, William H., [redacted].
Coppley, Johnny R., [redacted].
Corliss, William D., [redacted].
Cortelli, Richard J., [redacted].
Cote, Joseph R., [redacted].
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Cotts, David G., [redacted].
Covington, Dwight H., [redacted].
Craig, Jack A., Jr., [redacted].
Craig, Joe F., [redacted].
Cramer, Rockwell C., [redacted].
Cramer, Ronald P., [redacted].
Creasy, Calvin H., [redacted].
Creel, William R., [redacted].
Creighton, Francis, [redacted].
Cremer, John C., [redacted].
Cresci, Anthony B., [redacted].
Crews, Roy A., [redacted].
Crowle, James L., [redacted].
Crysel, James W., [redacted].
Curran, Francis P., [redacted].
Curran, Joseph S., Jr., [redacted].
Custer, Leslie L., [redacted].
Daines, Guy E., [redacted].
Damron, James K., [redacted].
Dantzscher, David D., [redacted].
Darby, Barney D., Jr., [redacted].
Darden, Earl, [redacted].
Dast, William A., [redacted].
Davenport, Robert L., [redacted].
David, Ronald C., [redacted].
Davis, Alexander D., [redacted].
Davis, Charley B., [redacted].
Davis, George C., [redacted].
Davis, Kenneth M., Jr., [redacted].
Davis, Paul L., [redacted].
Davis, Roy J., [redacted].
Deasy, William T., [redacted].
Delbuono, John A., [redacted].
Dembinski, Mark L., [redacted].
Dent, William P., [redacted].

Denzler, Ancil L., [redacted].
Depace, Anthony J., [redacted].
Derocher, Robert F., [redacted].
Dercuen, Dudley, [redacted].
Dethlefsen, James D., [redacted].
Devine, Earl M., [redacted].
Dewar, John D., [redacted].
Dice, Jack W., [redacted].
Dickey, James R., [redacted].
Dickson, Richard C., [redacted].
Digiacinto, Joseph, [redacted].
Dikes, Billie N., [redacted].
Dilworth, Robert L., [redacted].
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Doehle, Douglas A., [redacted].
Doherty, Terence, [redacted].
Donahue, John C., [redacted].
Donlen, Roger H., [redacted].
Dooly, Billy B., [redacted].
Doster, David A., [redacted].
Doyle, Bernard K., Jr., [redacted].
Drago, James P., [redacted].
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Drew, John B., [redacted].
Drosdeck, John S., Jr., [redacted].
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Durant, Henry L., [redacted].
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Dyer, Travis N., [redacted].
Earl, Ronald A., [redacted].
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Edmond, Holman, Jr., [redacted].
Eldredge, Richard B., [redacted].
Ellerthorpe, Donald, [redacted].
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Elton, Robert G., [redacted].
Endy, Clarence, Jr., [redacted].
England, Willis R., [redacted].
Enright, Joseph F., [redacted].
Essex, Peter E., [redacted].
Evans, Gerald C., [redacted].
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Fader, Wesley R., [redacted].
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Foote, Brian G., [redacted].
Forbes, Maynard C., [redacted].
Ford, Harold L., [redacted].
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Fox, James H., [redacted].
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Hager, Robert H., Jr., [redacted].
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Jernigan, Cecil L., [redacted].
Johnson, Donald L., [redacted].
Johnson, Floyd C., [redacted].
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Jones, Colonel B., [redacted].
Jones, Fletcher L., [redacted].
*Jones, Julius E., [redacted].
Jones, Robert P., [redacted].
Jordan, James P., [redacted].
Jordan, Joseph C., Jr., [redacted].
*Joulwan, George A., [redacted].
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Kafonek, Richard H., [redacted].
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Karegeannes, Harry, [redacted].
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Kiphart, Richard D., [redacted].
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Lagasse, Louis R., [redacted].
Lager, Kenneth E., [redacted].
Lagutchik, Peter, Jr., [redacted].
Lajcie, Boland, [redacted].
Lamb, John C., [redacted].
Lamb, Richard C., [redacted].
Lambert, Jerry V., [redacted].
Lancaster, George H. [redacted].

Landgraf, James A., [redacted].
Lang, John A., [redacted].
Largen, Raymond E., [redacted].
Laspina, Jack J., Jr., [redacted].
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Levasseur, Julian J., [redacted].
Lewis, Homer, Jr., [redacted].
Lewis, John H., Jr., [redacted].
Licht, William R., [redacted].
Liepins, George, [redacted].
Ligon, John L., [redacted].
Lincoln, James B., [redacted].
Lindsey, Charles R., [redacted].
Lindstrom, Frank V., [redacted].
Linver, Sidney, L., [redacted].
Livingston, George, [redacted].
Locklear, James P., [redacted].
Lockwood, Edward D., [redacted].
Longerbeam, James L., [redacted].
Lopresti, Vincent A., [redacted].
Lozano, William, [redacted].
Lucas, Robert H., [redacted].
Luck, Gary E., [redacted].
Lunt, Robert G., [redacted].
Luther, William A., [redacted].
Luzietti, John E., [redacted].
Lynch, David J., [redacted].
Macdonald, Robert, [redacted].
MacLeod, Albert D., [redacted].
Madden, Jim L., [redacted].
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Mairs, Robert J. III, [redacted].
Malave, Garcia S., [redacted].
Mallory, Glynn C., Jr., [redacted].
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Manganard, S. Joseph, [redacted].
Mapp, Homer S., [redacted].
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McCarty, Billy W., [redacted].
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McConville, Frederick, [redacted].
McDonald, Thomas F., [redacted].
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McGaw, Charles D., [redacted].
McGhee, Acie, Jr., [redacted].
McGovern, Richard, [redacted].
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McIntyre, Steven, [redacted].
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McLaughlin, Edward, [redacted].
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McLeod, Roger L., [redacted].
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McNamara, Michael J., [redacted].
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Micol, Victor E., Jr., [redacted].
Mignano, Bruce P., [redacted].
Miles, Paul L., Jr., [redacted].
Miller, Charles W., [redacted].
Miller, Milton L., [redacted].
Miller, Robert H., [redacted].
Miller, Sheron W., [redacted].
Miller, Thomas H., [redacted].
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Moberley, Lawrence, [redacted].
Mohr, Carl E., [redacted].
Molthen, Theodore J., [redacted].
Monihan, Joseph R., [redacted].
Montgomery, Ralph F., [redacted].
Moore, Bobby L., [redacted].
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Morris, James H., [redacted].
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Murray, Lark R., [redacted].
Musil, Louis F., [redacted].
Nance, Nelson T., [redacted].
Napper, John L., [redacted].
Naughton, Hugh V., [redacted].
Neale, Larry W., [redacted].
Neary, Edward F., [redacted].
Nelson, Richard E., [redacted].
Nelsen, Roosevelt, [redacted].
Newberry, Hilton S., [redacted].
Newton, William P., [redacted].
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Nishimoto, Masami, [redacted].
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Noel, Thomas E. III., [redacted].
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Norton, Graham, Jr., [redacted].
Nowak, John A., [redacted].
Nowak, Leonard G., [redacted].
Nulk, Robert A., [redacted].
O'Brien, Erin S., [redacted].
O'Dell, Ersal D., [redacted].
O'Donohue, Paul J., [redacted].
O'Donovan, Thomas E., [redacted].
Oelschig, Carl H. II,, [redacted].
Offsinga, Peter J., [redacted].
Okane, Michael L., [redacted].
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Oliver, John H., [redacted].
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Ondecker, Lawrence, [redacted].
Oneill, Joseph J., [redacted].
Oravez, James W., [redacted].
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Osborne, Warren W., [redacted].
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Ota, Harry S., [redacted].
Otstott, Charles P., [redacted].
Owen, Claude S., [redacted].
Owen, Lloyd N., [redacted].
Owens, Ira C., [redacted].
Page, Ervin N., [redacted].
Parchen, David H., [redacted].
Parker, Curtis G., [redacted].
Parker, Glynn E., [redacted].
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Parkhurst, Henry A., [redacted].
Patrick, Harold L., [redacted].
Patterson, Joseph M., [redacted].
Peal, Dudley W., [redacted].
Pearce, Donnie D., [redacted].
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Poole, James Robert, [redacted].
Porter, Kelly A., [redacted].
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Pratt, Joseph, [redacted].
Prentice, Leland E., [redacted].
Pretto, William H., [redacted].
Proctor, John J., [redacted].
Putnam, John D., [redacted].
Putnam, Stoney F., [redacted].
Quinlan, Patrick J., [redacted].
Raab, Kenneth E., [redacted].
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Rebholz, Edward S., [redacted].
Reed, Henry M., II, [redacted].
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Rembecki, Edward X., [redacted].
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Sanders, Charles R., [redacted].
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Saul, Gordon E., [redacted].
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Scillian, Billie H., [redacted].
Scott, James M., [redacted].
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Shaffer, Malcolm S., [redacted].
Shalikashvili, John, [redacted].
Shanahan, Edward J., [redacted].
Shaneyfelt, Stanley, [redacted].
Sharp, John B., [redacted].
Shaw, Robert L., [redacted].
Shea, Quinlan J., Jr., [redacted].
Shepard, George T., [redacted].
Shevlin, George L., [redacted].
Shoffner, Wilson A., [redacted].
Shriver, Louis M., Jr., [redacted].
Shrontz, Alva G., [redacted].
Shuler, Oscar L., Jr., [redacted].
Shunk, William A., [redacted].
Siderius, Robert R., [redacted].
Simon, Ernest A., [redacted].
Simons, Robert J., [redacted].
Simpson, Robert M., [redacted].
Sims, Charles C., [redacted].
Sinclair, Bobby H., [redacted].
Singleton, Richard, [redacted].
Sitten, John R., Jr., [redacted].
Slagle, James V., [redacted].
Smart, Lee D., [redacted].
Smith, Allen D., [redacted].
Smith, Edward C., Jr., [redacted].
Smith, Fred, [redacted].
Smith, Harvey A., Jr., [redacted].
Smith, Luther S., Jr., [redacted].
Smith, Robert A., [redacted].
Smith, Robert C., [redacted].
Smith, William G., [redacted].
Snell, Douglas M., [redacted].
Snell, Robert A., [redacted].
Snihurowych, Wiroslow, [redacted].
Snyder, Richard J., [redacted].
Snyder, Thomas E., [redacted].
Solomon, Irwin E., [redacted].
Solomon, John K., [redacted].
Solomon, William V., [redacted].
Sowell, Mark S., Jr., [redacted].
Spaulding, Albert R., [redacted].
Spears, Tom C., [redacted].
Spence, James, [redacted].
Spicer, William R., [redacted].
Spigelmire, Michael, [redacted].
Spinner, Charles R., [redacted].
Squier, Jack E., [redacted].
Stafford, Benjamin, [redacted].
Stalker, Paul R., [redacted].
Stallings, Jimmie L., [redacted].
Stamant, Joseph F., [redacted].
Stamper, Walton B., [redacted].
Starley, Vernon B., [redacted].
Stearns, Henry A., [redacted].
Steed, Dale C., [redacted].
Steele, Merrill F., [redacted].
Stem, David H., [redacted].
Stevens, Eulin L., [redacted].
Stewart, Alexander, [redacted].
Stewart, Frank M., [redacted].
Stewart, Robert G., [redacted].
Stjohn, John E., [redacted].
Stofft, William A., [redacted].
Stokke, Edward T., [redacted].
Strauss, Richard D., [redacted].
Streeter, William F., [redacted].
Strong, Edward M., [redacted].
Stroud, Lamar A., Jr., [redacted].
Struck, Larry D., [redacted].
Stuart, James E., [redacted].
Suarez, Nolan R., [redacted].
Sullinger, Carl W., [redacted].
Sullivan, Gordan R., [redacted].
Suter, William K., [redacted].
Swain, Richard C., [redacted].
Swinson, Benjamin L., [redacted].
Talbot, Ralph, IV., [redacted].
Talkington, Thomas, [redacted].
Tamer, Robert S., [redacted].
Tannenbaum, David L., [redacted].
Taylor, Edward N., [redacted].
Taylor, Harry, Jr., [redacted].
Taylor, Paul W., [redacted].
Tennis, Gayland L., [redacted].
Terry, Robert L., [redacted].
Thiessen, Derek J., [redacted].
Thomas, Bruce A., [redacted].
Thomas, Charles R., [redacted].
Thomas, Golden L., [redacted].
Thomas, James E., [redacted].
Thomas, Joel F., [redacted].
Thomas, Kenneth E., [redacted].
Thompson, Billie F., [redacted].
Thompson, John T., Jr., [redacted].
Tilton, Robert C., [redacted].
Tinseth, Frederick M., [redacted].
Tipton, Carl W., [redacted].
Tobin, Ernest H., [redacted].
Todd, Alan R., [redacted].
Todd, John J., [redacted].
Tolcher, James A., [redacted].
Tomberlin, John R., [redacted].
Toner, Richard M., [redacted].
Townley, Robert R., [redacted].
Toye, Calvin O., [redacted].
Tredinnick, Richard, [redacted].
Trevino, Francisco, [redacted].
Turner, Larry G., [redacted].
Turner, Rex M., Jr., [redacted].
Turpin, Robert P., [redacted].
Udick, Ralph A., [redacted].
Ulzheimer, Robert, [redacted].
Unger, Curtis G., [redacted].
Vanderels, Theodore, [redacted].
Vandevender, Edward, [redacted].
Vaneynde, Donald F., [redacted].
Vanherpe, William H., [redacted].
Vanhooser, David P., [redacted].
Vanlandingham, Robert, [redacted].
Vansteenbergen, Albert, [redacted].
Varley, William L., [redacted].
Vaughn, Arthur R., [redacted].
Vazquezsamo, Jose, [redacted].
Vermette, Robert E., [redacted].
Vickery, Ellison B., [redacted].
Wagner, Edward H., [redacted].
Wagner, Robert C., [redacted].
Wakefield, Samuel N., [redacted].
Wakelin, John D., [redacted].
Walker, Emmett L., [redacted].
Walker, James M., [redacted].
Wall, William J., Jr., [redacted].
Wallace, Richard C., [redacted].
Walsh, Richard J., [redacted].
Walters, Charles C., [redacted].
Walton, Joseph A., [redacted].
Walton, Ronald A., [redacted].
Wangsness, James C., [redacted].
Warmath, Julius G., [redacted].
Wasson, James V., [redacted].
Watt, Robert, [redacted].
Webb, Daniel J., [redacted].
Webb, James R., [redacted].
Weekly, Robert M., [redacted].
Weis, James H., [redacted].
Weiss, James J., [redacted].
Welch, Elliot J., [redacted].
Welch, Jack L., [redacted].
Wheeler, Rock C., Jr., [redacted].
White, Jerry A., [redacted].
White, Lawrence L., [redacted].
White, Lloyd C., [redacted].
White, Willington E., [redacted].
Whitmarsh, Donald B., [redacted].
Wickliffe, Paul T., [redacted].
Wieduwilt, Leslie R., [redacted].
Wiersema, Kenneth E., [redacted].
Wilbanks, Ronald H., [redacted].
Wilbur Donald V., [redacted].
Wilcox, Arthur M., Jr., [redacted].
Wilfong, John F., [redacted].
Wilhite, James A., [redacted].
Wilkinson, Tary D., [redacted].
Williams, David H., [redacted].
Williams, David K., [redacted].
Williams, Donald R., [redacted].
Williams, Francis M., [redacted].
Williams, John S., [redacted].
Williams, Joshua O., [redacted].
Williams, Phillip J., [redacted].
Williams, Robert S., [redacted].
Willies, Edward J. [redacted].
Willis, Carlton R., [redacted].
Willis, Edward C., Jr., [redacted].
Wilson, Carroll R., [redacted].
Wilson, David G., [redacted].
Wilson, Gifford D., [redacted].
Wilson, Oliver W., [redacted].
Wilson, Richard A., [redacted].
Wilson, Sanford H., [redacted].
Winslow, Robert A., [redacted].
Winter, Robert G., [redacted].
Winzurk, William F., [redacted].
Withington, Robert, [redacted].
Witt, Jerry V., [redacted].
Wittenberg, Kenneth, [redacted].
Witter, Lee F., [redacted].
Womack, Daniel, Jr., [redacted].
Woods, Rex J., [redacted].
Woodward, Vernon W., [redacted].
Wooten, R. J., [redacted].
Worsham, Kenneth P., [redacted].
Wright, Dean W., [redacted].
Wright, Willie F., [redacted].
Xenos, Michael J., [redacted].
Yamaguchi, Philip, [redacted].
Yaugo, Edward C., [redacted].
York, Edmond R., [redacted].
Young, Leon A., [redacted].
Youree, James F., [redacted].
Zimmer, Gerald H., Jr., [redacted].
Zouzalik, Ervan E., [redacted].
Zumbro, Harold D., [redacted].

CHAPLAIN CORPS

To be lieutenant colonel

Aiken, Clyde M. [redacted].
Alexander, George W., [redacted].
Andrews, Joel E., [redacted].
Bagnal, William K., [redacted].
Bowers, Curtis R., Jr., [redacted].
Brough, Alfred E., [redacted].
Brown, Charles J., [redacted].
Buckner, Leland S., [redacted].
Burttram, Danny W., [redacted].
Carey, John C., [redacted].
Chavarry, Richard E., [redacted].
Compton, David D., [redacted].
Cooley, Virgil T., [redacted].
Crick, Robert D., [redacted].
Darcy, Richard L., [redacted].
David, Lawrence T., [redacted].
Desaegher, John A., [redacted].
Desantis, Michael M., [redacted].
Deveaux, John A., Jr., [redacted].
Ditadded, Alessand, [redacted].
Easley, Paul H., [redacted].
Einertson, Norris L., [redacted].
Esco, Hugh R., Jr., [redacted].
Evangelisto, Louis, [redacted].

Felgar, Stanley G., [redacted].
Fishburn, Ralph D., [redacted].
Fleming, William A., [redacted].
Forsberg, Paul O., [redacted].
Galle, Joseph E., III [redacted].
Grenz, Clinton E., [redacted].
Haefner, Paul F., [redacted].
Hedrick, Richard M., [redacted].
Hefty, Gerald N., [redacted].
Hendricks, Louis D., [redacted].
Hill, Charles F., [redacted].
Hoh, David W., [redacted].
Holley, Franklyn D., [redacted].
Hughes, William J., [redacted].
Huseth, Joseph L., [redacted].
James, Leroy, [redacted].
Johnson, Charles M., [redacted].
Kuhn, Herbert, [redacted].
Ligget, Francis A., [redacted].
Linderman, James R., [redacted].
Loud, Irwin C., Jr., [redacted].
Lucky, Carl E., Jr., [redacted].
Lukaszewski, Leonard, [redacted].
Martin, Richard K., [redacted].
McEuen, William R., [redacted].
Merrill, Thomas R., [redacted].
Miller, Ray E., [redacted].
Ormsbee, George E., [redacted].
Phillips, Walter L., [redacted].
Roque, Francis X., [redacted].
Sauer, Walter K., [redacted].
Saunders, Robert E., [redacted].
Schmidt, Charles H., [redacted].
Schneider, Walter M., [redacted].
Scott, John C., [redacted].
Silliman, Edwin T., [redacted].
Solem, Arthur E., [redacted].
Speitel, Edmond J., [redacted].
Staples, John H., [redacted].
Todd, Ermine, Jr., [redacted].
Tuller, Jerome D., [redacted].
Tupy, Richard R., Jr., [redacted].
Vanderburgh, Daryl, [redacted].
Vanmeter, James W., [redacted].
Walker, Norman G., Jr., [redacted].
Whiteside, Billy M., [redacted].
Zwiers, John C., [redacted].

WOMEN'S ARMY CORPS

To be lieutenant colonel

Bodron, Margaret M., [redacted].
Carroll, Sallie L., [redacted].
Dicke, Diane, [redacted].
Foote, Evelyn P., [redacted].
Gibson, Gwen, [redacted].
Hardy, Nancy J., [redacted].
Heffren, Monica A., [redacted].
Ingersoll, Hazel M., [redacted].
Jorge, Marlene M., [redacted].
Keil, Barbara J., [redacted].
Kelly, Jacquelin J., [redacted].
Kennedy, Elizabeth, [redacted].
Knutsen, June E., [redacted].
MacGregor, Regina H., [redacted].
Maybin, Patricia J., [redacted].
McCord, Patricia A., [redacted].
Merrill, Pauline D., [redacted].
Oclaire, Joyce W., [redacted].
Phillips, Charlotte, [redacted].
Pomeroy, Mae E., [redacted].
Richard, Anne B., [redacted].
Sanford, Barbara J., [redacted].
Simmons, Ruth L., [redacted].
Stockwell, Frances, [redacted].
Wepner, Charlotte M., [redacted].
Willis, Ellen R., [redacted].
Wood, Rosemary R., [redacted].

MEDICAL CORPS

To be lieutenant colonel

Alderson, Gerald L., [redacted].
Allison, Stanley C., [redacted].
Almquist, Howard T., [redacted].
Alvarez, Johnny D., [redacted].
Anderson, Daniel L., [redacted].
Armitage, David T., [redacted].
Babcock, William S., [redacted].
Barcia, Peter J., [redacted].
Barham, Ed Dalton, [redacted].
Barlow, Matthew J., [redacted].
Barry, Michael J., [redacted].
Baur, Ogden T., [redacted].
Beard, Graham E., [redacted].
Benson, William L., [redacted].
Besantmatthews, P. E., [redacted].
Bianchi, Anthony, [redacted].
Biggs, Richard D., Jr., [redacted].
Blalock, James C., Sr., [redacted].
Blount, Richard B., [redacted].
Bobbitt, John R., [redacted].
Bollman, Charles S., [redacted].
Bonnin, Irvin R., Jr., [redacted].
Boone, Stephen C., [redacted].
Branch, Leslie B., [redacted].
Brannon, Julian W., [redacted].
Bridenbaugh, Robert, [redacted].
Briggs, William A., [redacted].
Bronshvag, Michael, [redacted].
Brown, Ellis N., [redacted].
Brown, Luther E., [redacted].
Brundage, Bruce H., [redacted].
Bunn, Simon M., Jr., [redacted].
Buratto, Gregory J., [redacted].
Burdick, George E., [redacted].
Burleson, Richard L., [redacted].
Burton, Francis C. J., [redacted].
Butler, Melvin L., [redacted].
Camp, Richard A., [redacted].
Caporossi, Paul V., [redacted].
Carmichael, Benjamin, [redacted].
Carson, Gordon C. II, [redacted].
Carvalho, Richard S., [redacted].
Chamberlain, Terry, [redacted].
Chin, Henry L., [redacted].
Chojnacki, Richard, [redacted].
Cipriano, Frank J., [redacted].
Clark, Thomas H., [redacted].
Claypool, Robert G., [redacted].
Collin, Daniel B., [redacted].
Collins, George J., [redacted].
Corder, Michael P., [redacted].
Coville, Frederick, [redacted].
Cowan, George S., [redacted].
Craig, David E., [redacted].
Crowley, James R., [redacted].
Cuetter, Albert C., [redacted].
Daubek, Joseph L., [redacted].
Deryuen, Douglas, [redacted].
Deutsch, Fredrick, [redacted].
Diaz, Jaime Alberto, [redacted].
DiBella, Nicholas J., [redacted].
Dixon, William L., [redacted].
Drake, Frank R., Jr., [redacted].
Dunn, Bruce E., [redacted].
Dunnington, Glenn W., [redacted].
Eichner, Harvey L., [redacted].
Eielson, John A., [redacted].
Evans, Roger W., [redacted].
Farnsworth, Lynn S., [redacted].
Firestone, Marvin H., [redacted].
Flanagan, Clyde H., [redacted].
Fleming, Arthur W., [redacted].
Flores, George H. P., [redacted].
Foianini, Jorge E., [redacted].
Fossum, Dale R., [redacted].
Fromm, David G., [redacted].
Gallagher, Edgar G., [redacted].
Gandara, Jose R., [redacted].
Gardner, Horace B., [redacted].
Garvis, Gary E., [redacted].
Gay, James S., [redacted].
Gehle, Don E., [redacted].
Gerstenberger, Duane, [redacted].
Geschke, Dietrich W., [redacted].
Ghaed, Nasser, [redacted].
Gillum, Ronald L., [redacted].
Glasser, Stephen P., [redacted].
Glick, Benjamin, [redacted].
Gober, Lowman E., [redacted].
Goette, Detlef K., [redacted].
Goldberg, Michael J., [redacted].
Golosow, Nikolas, [redacted].
Grabhorn, Larry L., [redacted].
Graven, Richard M., [redacted].
Greene, Harry L., [redacted].
Gross, Richard H., [redacted].
Guerry, Roderick L., [redacted].
Gunther, John S., [redacted].
Gunther, Robert C., [redacted].
Haines, Joe O., [redacted].
Harner, Stephen G., [redacted].
Hart, Michael N., [redacted].
Harvey, John E., [redacted].
Hayes, Thomas D., [redacted].
Haynes, Richard J., [redacted].
Hecht, Manfred H., [redacted].
Hegstrom, George R., [redacted].
Heitzman, Martin, [redacted].
Henry, James M., [redacted].
Hentz, Edwin C., [redacted].
Herrell, Michael A., [redacted].
Herzinger, Raymond, [redacted].
Hilberman, Mark, [redacted].
Hill, John C., [redacted].
Hinckley, Marshall, [redacted].
Hoell, Noel L., [redacted].
Holloway, George A., [redacted].
Hopkins, David G., Jr., [redacted].
House, Homer C., [redacted].
Howard, William J., [redacted].
Husband, George G., [redacted].
Husbands, Milton E., [redacted].
Jackson, Stephen M., [redacted].
Jacobs, James W., [redacted].
Jenis, Edwin H., [redacted].
Jirka, Anton J., [redacted].
Keeports, Richard L., [redacted].
Kelly, Charles S., [redacted].
Kennedy, Charles W., [redacted].
Kessler, Robert T., [redacted].
Keys, David N., [redacted].
Kichler, Jack, [redacted].
Kimball, Daniel B., [redacted].
Knapp, Don, [redacted].
Kull, Donald H., [redacted].
Lacey, John R., [redacted].
Landes, Richard D., [redacted].
Lauring, Lewis M., [redacted].
Lawrence, Larry L., [redacted].
Lefko, Andrew G., [redacted].
Leman, Milton H., Jr., [redacted].
Lemmon, Francis M., [redacted].
Levister, Ernest C., [redacted].
List, Robert M., [redacted].
Lowell, George G., [redacted].
Lull, Robert J., [redacted].
Massa, Emilio, [redacted].
Materson, Richard S., [redacted].
Maybee, David A., [redacted].
McAllister, Hugh A., [redacted].
McAninch, Jack W., [redacted].
McCormick, Wilbur S., [redacted].
McCracken, Joseph D., [redacted].
McEarchern, Walter, [redacted].
McFarland, James C., [redacted].
McKinley, Oscar B., [redacted].
McLeod, David G., [redacted].
McManus, William F., [redacted].
Messersmith, John K., [redacted].
Metz, Leon D., Jr., [redacted].
Miles, Philip A., [redacted].
Milke, Denis, [redacted].
Mooney, John J., [redacted].
Morris, Alan H., [redacted].
Morris, Jerry L., [redacted].
Morton, Arthur R., Jr., [redacted].
Nagle, Raymond B., [redacted].
Neal, Gary L., [redacted].
Nettles, Harry H., [redacted].
Newman, Philip H., [redacted].
Ninos, Nicholas P., [redacted].
O'Loughlin Edward P., [redacted].
Paluay, Pedro G., [redacted].
Parker, David N., [redacted].
Pastore, Robert A., [redacted].
Pawlak, Wallace U., [redacted].
Payne, Ronald J., [redacted].
Peck, Charles A., Jr., [redacted].
Phyliky, Robert L., [redacted].
Pierce, H. Irving, [redacted].
Placer, Joseph W., [redacted].
Post, Albert A., [redacted].
Protzman, Robert R., [redacted].
Rankin, Edward A., [redacted].
Rau, Jerold M., [redacted].
Roberson, Shedric H., [redacted].
Robnett, Gary B., [redacted].
Rodman, Orlando G., [redacted].
Rodriguez-Garces F., [redacted].
Rose, Roger A., [redacted].
Rossiter, Francis P., [redacted].
Ruark, Sylvan R., [redacted].
Rumbaugh, James H., [redacted].

Sanders, Harold L., [redacted].
Sawyer, Robert, [redacted].
Scotti, Michael J., [redacted].
Servis, Hubert T., [redacted].
Sewell, David H., [redacted].
Shively, Harold H., [redacted].
Sitter, Stephen C., [redacted].
Slaughter, William, [redacted].
Smith, Gerald E., [redacted].
Smith, Gilbert A., [redacted].
Smith, Robert K., [redacted].
Snyder, Alexander B., [redacted].
Spence, Crumpton R., [redacted].
Stafford, Chester T., [redacted].
Starke, William R., [redacted].
Stefanik, Thomas J., [redacted].
Stones, Carl, [redacted].
Stout, John J., Jr. [redacted].
Strait, Gail B., [redacted].
Stroud, Michael B., [redacted].
Sullivan, Dennis J., [redacted].
Susac, John O., [redacted].
Sutton, Richard O. [redacted].
Swallow, Charles T., [redacted].
Teske, Theodore K., [redacted].
Tiongson, Genaro I., [redacted].
Tippens, Jack K., [redacted].
Torgerson, Leslie A., [redacted].
Travis, Richard T., [redacted].
Treanor, John J. [redacted].
Tuerk, Jonathan D., [redacted].
Turner, Clifford J., [redacted].
Vansant, Thomas E. J., [redacted].
Vargas, Carlos A., [redacted].
Voges, Peter W., [redacted].
Wagner, John R., [redacted].
Wardlaw, Lee L., [redacted].
Wartofsky, Leonard, [redacted].
Werner, John L. [redacted].
Wheeling, James R., [redacted].
Whitcomb, Michael E., [redacted].
Whitelaw, John M., Jr., [redacted].
Whitmore, Paul V., [redacted].
Wiese, George M., [redacted].
Wiles, Peter J., [redacted].
Williams, Troy H., [redacted].
Wilson, Wayne H., [redacted].
Wurster, John C., [redacted].
Zimmerman, Robert A., [redacted].
Zumbro, George L., [redacted].

DENTAL CORPS

To be lieutenant colonel

Ailor, John E., Jr. [redacted].
Appleton, Isaac E., [redacted].
Arroyo, Francisco, [redacted].
Axinn, Sherman, [redacted].
Baggs, Gary A., [redacted].
Balserak, Robert J. [redacted].
Barrett, Kay C., [redacted].
Battle, Lucius W., Jr., [redacted].
Beasley, Joe D., III, [redacted].
Beatty, Edward J., Jr., [redacted].
Bernier, William E., [redacted].
Berringer, Ray D., [redacted].
Biven, Glenn M., [redacted].
Blaho, Daniel M., Jr., [redacted].
Blahuta, George J., [redacted].
Bole, Charles T., II, [redacted].
Booth, Robert J., [redacted].
Boyce, William A., [redacted].
Boyer, Kenneth H., [redacted].
Brady, Robert E., [redacted].
Braun, Edward E., [redacted].
Brown, George O., [redacted].
Brown, Richard T., [redacted].
Brunner, David S., [redacted].
Bulken, James D., [redacted].
Campbell, Larry D., [redacted].
Campolio, Gerald R., [redacted].
Carpenter, William, [redacted].
Chretien, James, [redacted].
Ciconte, Joseph A., [redacted].
Clampit, William T., [redacted].
Coleman, Alfred E., [redacted].
Crutchfield, David, [redacted].
Cupero, Hamil M., [redacted].
Dalzell, Daniel P., [redacted].
Davisson, Nelson M., [redacted].
Dayoub, Michael B., [redacted].
Dean, Richard J., [redacted].
Dowdy, Thomas S., [redacted].
Duet, William J., [redacted].
Eaton, John D. III, [redacted].
Eberhardt, John J., [redacted].
Edington, Ernest M., [redacted].
Edmonds, Peter P., [redacted].
Ellinger, Harley A., [redacted].
Ellis, Herman B., [redacted].
Fagouri, Edward L., [redacted].
Falenski, Richard E., [redacted].
Fay, Joseph T., [redacted].
Fox, Lonald J., [redacted].
Goldberg, Joel R., [redacted].
Gott, Frank K. Jr., [redacted].
Gower, Gerald W., [redacted].
Griswold, William H., [redacted].
Guess, Kenneth D., [redacted].
Hagerman, Jerry T., [redacted].
Hahn, Eitel H., [redacted].
Hansen, Carl A., [redacted].
Hatch, Edward A., [redacted].
Hennig, Guenther H., [redacted].
Henry, Samuel W., [redacted].
Herrmann, John W., [redacted].
Hickman, William B., [redacted].
Hicks, John L., [redacted].
High, Roy S., [redacted].
Hillis, Robert E., [redacted].
Hipp, Benny R., [redacted].
Hobaugh, Don C., [redacted].
Hoeksema, Gordon J., [redacted].
Holden, Richard C., [redacted].
Ishimura, Samuel M., [redacted].
Jacobs, Richard C., [redacted].
Jastrzembski, Steve, [redacted].
Johnson, Baxter E. [redacted].
Johnson, Timothy M., [redacted].
Kazlusky, Joseph B., [redacted].
Kempf, Kenneth K., [redacted].
Kenigsberg, Herbert, [redacted].
Keoleian, Diran A., [redacted].
Kern, Robert W., [redacted].
Kirchoff, Rodney M., [redacted].
Kotwal, Keki R., [redacted].
Krakowiak, Francis, [redacted].
Krier, Paul W., [redacted].
Laduzenski, Eugene, [redacted].
Larr, Edwin T., Jr., [redacted].
Latta, George H., Jr., [redacted].
Leahy, Robert E., [redacted].
Lebeau, Paul, Jr., [redacted].
Lorio, Gary P., [redacted].
Luther, Wallace W., [redacted].
Lyon, Robert E., [redacted].
Marshall, Keith J., [redacted].
Martin, Robert L., [redacted].
Masterson, Martin P., [redacted].
Matich, Joseph A., [redacted].
Maupin, Clay C., Jr., [redacted].
McDonald, Frederick, [redacted].
McFatridge, John J., [redacted].
Merritt, Ezra A., [redacted].
Merten, Robert L., [redacted].
Metzger, Floyd D., [redacted].
Miklik, David K., [redacted].
Moore, Henry B., [redacted].
Moss, James L., III, [redacted].
O'Connor, Randolph, [redacted].
Olive, Kenneth A., [redacted].
Overton, Eugene E., [redacted].
Pagan, William J., [redacted].
Pare, Henri A., [redacted].
Perry, Joseph L., [redacted].
Pickett, Alan B., [redacted].
Pommert, Charles J., [redacted].
Pompura, John P., [redacted].
Porst, Edward A., [redacted].
Provant, Delbert R., [redacted].
Reddin, James B., [redacted].
Redmond, Hight S., [redacted].
Rigdon, Walter F., [redacted].
Ritchie, Gary M., [redacted].
Roth, Neal A., [redacted].
Santa, Edward A., [redacted].
Schackel, William A., [redacted].
Schreck, Gerald G., [redacted].
Schurr, David B., [redacted].
Schwab, Joel I., [redacted].
Shaffer, Edward L., [redacted].
Shimer, Tommy W., [redacted].
Shulski, Fred P., [redacted].
Simes, Thomas A., [redacted].
Simkins, Benjamin R., [redacted].
Spano, Donald M., [redacted].
Stanton, Gary A., [redacted].
Suson, Morris A., [redacted].
Swintak, Edward F., [redacted].
Tabor, Herman S., [redacted].
Theisen, Frank C., [redacted].
Thompson, David A., [redacted].
Tisot, Frederick J., [redacted].
Todd, Robert A., [redacted].
Torresnadal, Jorge, [redacted].
Tortorelli, Alfred, [redacted].
Traweek, Frank C., [redacted].
Trawick, Jack S., [redacted].
Tromly, Robert R., [redacted].
Tsaknis, Peter J., [redacted].
Walker, Kahn K., [redacted].
Ward, James P., [redacted].
Webster, Robert C., [redacted].
Wehmeyer, Thomas E., [redacted].
Wentz, Clarence E., [redacted].
Whitbeck, Peter, [redacted].
White, John C., [redacted].
Wilson, Roy L., [redacted].
Woody, Ronald D., [redacted].
Yearwood, Lionel L., [redacted].
Zehngraff, Paul E., [redacted].
Ziesmer, Dale W., [redacted].
Zocchi, Mario, [redacted].
Zurek, Dennis J., [redacted].

MEDICAL SERVICE CORPS

To be lieutenant colonel

Anderson, Richard K., [redacted].
Baker, Harlan R., Jr., [redacted].
Bardill, Donald R., [redacted].
Bishop, Garland G., [redacted].
Black, Baxter F., III, [redacted].
Bonner, Harry E., [redacted].
Brekhus, Dennis A., [redacted].
Brewer, Jerry R., [redacted].
Burton, Nelson L., [redacted].
Butler, Roosevelt D., [redacted].
Carter, William A., [redacted].
Casasanta, John J., [redacted].
Cobbs, John R. [redacted].
Corn, Poe R., [redacted].
Covell, Bruce W., Jr., [redacted].
Coyle, George B., [redacted].
Crocker, Alvin E., Jr., [redacted].
Davenport, Jerry B., [redacted].
Dixon, Thomas, Jr., [redacted].
Dryden, David D., [redacted].
Early, Ralph T., [redacted].
Ellingson, Mayo K., [redacted].
Evans, Billy W., [redacted].
Fain, Ronald A., [redacted].
Fechner, Ruben F., Jr., [redacted].
Gordon, Gerald C., [redacted].
Gossage, Donald R., [redacted].
Hanson, Robert L., [redacted].
Harris, Cecil B., [redacted].
Hawkins, Robert O., [redacted].
Hayes, John D., [redacted].
Hoke, Mark L., [redacted].
Hubbart, James A., [redacted].
Jackson, Thomas C., [redacted].
Jenkins, Irvin E., [redacted].
Jenkins, William N., [redacted].
Jones, John P., Jr., [redacted].
Jones, Ronald C., [redacted].
Korte, Thomas H., [redacted].
Laluzerne, Ronald J., [redacted].
Lamb, William "O" [redacted].
Lamport, James E., [redacted].
Leach, William D., [redacted].
Leddy, John T., [redacted].
Logan, Robert F., Jr., [redacted].
Martinka, Gerald R., [redacted].
McLeod, William R., [redacted].
Milske, Thomas R., [redacted].
Murphy, Robert J., [redacted].
Ney, Leland E., [redacted].
O'Donnell, Frank P., [redacted].
Picha, Norbert O., [redacted].
Rengstorff, Roy H., [redacted].
Roberts, John E., [redacted].
Roles, Robert H., [redacted].

Schiefer, Donald O., [redacted].
Short, Edward A., [redacted].
Sites, William G., [redacted].
Slyman, George L., [redacted].
Sobocinski, Philip, [redacted].
Summary, Robert J., [redacted].
Taylor, Edward J., Jr., [redacted].
Tuten, William R. II, [redacted].
Walker, Marvin E., [redacted].
Wallace, Norman G., [redacted].
Williams, Ernest S., [redacted].

ARMY NURSE CORPS

To be lieutenant colonel

Albanesi, Mary E., [redacted].
Aycock, Erline T., [redacted].
Balkema, Sarah A., [redacted].
Beadles Robert J., [redacted].
Berry, Dorothy M., [redacted].
Bradley, George P., [redacted].
Brink, Betty L., [redacted].
Burton, Robert W., [redacted].
Campman, Keith L., [redacted].
Castleman, Glynna K., [redacted].
Clark, Anna M., [redacted].
Colon, Leticia M., [redacted].
David, Erich W. P., [redacted].
Daytner, Nadine, [redacted].
Dew, Herbert W., Jr., [redacted].
Dunn, J. C., [redacted].
Elledge, Dorcas J., [redacted].
Ellerman, Miriam M., [redacted].
Farrell, John D., [redacted].
Franklin, Charlene, [redacted].
Frederico, Anna K., [redacted].
Garbett, Jean A., [redacted].
Golden, Thomas J., [redacted].
Gonzales, Luis J., [redacted].
Gray, Jeanette M., [redacted].
Hammer, Joyce A., [redacted].
Haupert, Irene T., [redacted].
Hickman, Joan J., [redacted].
Higa, Hanako, [redacted].
Hill, Perry J., [redacted].
Horsley, Norma P., [redacted].
Isley, Frederick W., [redacted].
Johnson, Calalfra E., [redacted].
Jones, Addie B. L., [redacted].
Kaiser, Russell, [redacted].
Kamensky, Richard J., [redacted].
Keller, Larue S., [redacted].
Kizer, Eleanor M., [redacted].
Laughlin, Mary P., [redacted].
Laurence, Charles H., [redacted].
Lee, Carolyn M., [redacted].
Lee, Linda, [redacted].
Lewis, Viola M., [redacted].
Lutz, John M., [redacted].
Majewski, Mary T., [redacted].
Marsino, Edward J., [redacted].
McDowell, Patricia, [redacted].
McIntosh, Hazel F., [redacted].
McKeone, William J., [redacted].
McKinzie, Daniel G., [redacted].
Melvin, Doris O., [redacted].
Metz, Martha L., [redacted].
Nakama, Shizuko, [redacted].
Nellis, Virginia M., [redacted].
Nixon, George A., [redacted].
Nolfe, Vera A., [redacted].
Odell, Shirley J., [redacted].
Petrocelli, Shirley, [redacted].
Pheil, Margaret L., [redacted].
Pica, Alfred, [redacted].
Powell, Eugene T., [redacted].
Rando, Joseph T., [redacted].
Rausch, Francis M., [redacted].
Reumann, Albert D., [redacted].
Richardson, Joyce R., [redacted].
Sachs, Ruth S., [redacted].
Segura, Maria, [redacted].
Seufert, Helen J., [redacted].
Shoman, Ernest A., Jr., [redacted].
Soltys, Anthony W., [redacted].
Souza, Mavis G., [redacted].
Swenson, James W., [redacted].
Tracy, Joseph M., [redacted].
Trafford, Alfred F., [redacted].
Tweito, Thelma W., [redacted].
Ware, Jean M., [redacted].
Wargo, Vincent J., [redacted].
West, Nina, [redacted].
Wilson, Anne M., [redacted].
Woods, Francis X., [redacted].
Yoder, Delores E., [redacted].
Zilonka, Bernice M., [redacted].

VETERINARY CORPS

To be lieutenant colonel

Bellamy, Albert D., [redacted].
Bixby, Howard H., [redacted].
Blanchard, Decatur, [redacted].
Carraway, Claude W., [redacted].
Depaoli, Alexander, [redacted].
Ferguson, James A., [redacted].
Freel, Marvin E., [redacted].
Keefe, Thomas J., [redacted].
Keel, James E., [redacted].
Morris, James M., [redacted].
Ottenberg, John C., [redacted].

ARMY MEDICAL SPECIALIST CORPS

To be lieutenant colonel

Appleby, Howard A., [redacted].
Carmona, Louis S., [redacted].
Day, Donna J., [redacted].
Dobbs, Eunice R., [redacted].
Durey, Doris J., [redacted].
Fisk, Mary L., [redacted].
Fritsch, Ann D., [redacted].
Gross, Marie L., [redacted].
Hall, Wilma F., [redacted].
Hansen, Nancy P., [redacted].
Hyde, Patricia L., [redacted].
Latimer, Estill V., [redacted].
Miller, Clara L., [redacted].
Minogue, Rita C., [redacted].
Mount, Dorothy M., [redacted].
Pavlis, Patricia M., [redacted].
Sanchez, Aida N., [redacted].
Strayer, Eleanor J., [redacted].
Thompson, Margaret, [redacted].
Williams, Bertha C., [redacted].

The following named officers for promotion in the Regular Army of the United States under the provisions of title 10, United States Code, sections 3284 and 3299:

ARMY PROMOTION LIST

To be captain

Buys, Albert P., [redacted].
Canfield, William J., [redacted].
Cardell, Larry E., [redacted].
Dismukes, William F., [redacted].
Ewart, Loel A., [redacted].
Fontenot, Russell J., [redacted].
Gary, William C., [redacted].
Koehler, Walter L., [redacted].
Kulhavy, Bill J., [redacted].
Long, Donald W., [redacted].
McLaughlin, Gary D., [redacted].
Mitrook, Ronald, [redacted].
Moyer, Raymond, Jr., [redacted].
Morris, Roger H., Jr., [redacted].
Offineer, Gary W., [redacted].
Riddle, Stephen S., [redacted].
Smith, Gordon R., [redacted].
Stokes, John J., [redacted].
Sweeney, Robert T., [redacted].
Taylor, Warren P., [redacted].
Webb, Hershel B., [redacted].

DEPARTMENT OF DEFENSE

Howard H. Callaway, of Georgia, to be Secretary of the Army, vice Robert F. Froehlke, resigned.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

William A. Morrill, of Virginia, to be an Assistant Secretary of Health, Education, and Welfare, vice Laurence E. Lynn, Jr.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

The following-named persons to be Assistant Directors of the U.S. Arms Control and Disarmament Agency:

Amrom H. Katz, of California, vice Spurgeon M. Keeny, Jr., resigned.

Robert M. Behr, of Michigan, vice Vice Adm. John Marshall Lee, U.S. Navy, resigned.

EXTENSIONS OF REMARKS

BESS MYERSON: CONSUMER CRUSADER

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Wednesday, May 2, 1973

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have an article which originally appeared in the Minneapolis Tribune and reprinted in the April 25 issue of The Washington Post, printed in the Extensions of Remarks.

The article dealing with the resignation of Ms. Bess Myerson as New York City's director of consumer affairs, was written by Geri Joseph, a contributing editor of the Minneapolis Tribune, a distinguished journalist and a dear personal friend. Her article on Bess Myerson is a tribute to one of our country's most illustrious citizens and public servants from whom much is still to be heard.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BESS MYERSON: BEAUTY QUEEN TO CRUSADER

(By Geri Joseph)

Nobody handed Bess Myerson a medal when she resigned as New York City's chief of consumer affairs. But judging from letters and phone calls, a lot of people think she deserves one. Including a few dozen friends who gathered recently to bombard her with compliments, kisses and endless good wishes.

There were Mrs. Herbert Lehman, white-haired and dignified widow of the late New York senator, and Theodore Kheel, the skillful settler of strikes. Louis Stuhlberg, chief of the big Ladies Garment Workers' Union, came, and so did Eleanor Holmes Norton, chairman of the Human Rights Commission.

Alex Rose, head of the Liberal Party, was there, too, looking none the worse for trauma after his unsuccessful venture with Gov. Rockefeller. (The two men tried to make former Mayor Robert Wagner the 1973 mayoralty choice of Republicans and Liberals.)

"You got liberated without a movement," Rose told Miss Myerson, referring to her lifestyle, not her resignation. His whispered remark as he gave her a hug was not for publication, but it could have been a bit of political advice. Other Myerson fans have been urging, even pleading with her, to run for public office. Try for president of the New York City Council, they suggest. Or better still mayor.

Only in America, as the saying goes, could a former beauty queen from the Bronx be among those mentioned for one of the nation's hardest jobs: mayor of New York city. But then Miss Myerson is no ordinary ex-Miss America, and unlike most of her sister winners, she has not faded into quick oblivion.

Her standing with New Yorkers was proven recently when Gov. Rockefeller commissioned a poll to determine the popularity of possible mayoralty candidates. Miss Myerson's name led all the rest. It was flattering, she admitted, but it also inspired considerable pressure, including some from the governor himself.

"I have made a decision not to run for public office, she keeps saying.

Her success comes as a surprise to some people who with a jaundiced notion of Miss Americas, assumed she was "whipped cream" or "window dressing." There was nothing in her earlier career, they thought, to produce an effective crusader for consumers. True, she won the beauty prize not only for face and form, but for considerable talent as a classical flutist and pianist. True, too, her performance on a number of prominent TV panel shows was canny and appealing and at one time reportedly earned for her $125,000 a year.

Still, girls who win beauty contests have a harder time than the rest of us to prove they are serious-minded. It is fair to say, however, that early skeptics have been convinced. And for her part, Miss Myerson never doubted that good looks are nice, but brains are more durable.

Appointed by Mayor John Lindsay in the days he was still a Republican, Miss Myerson, a devoted Democrat, occupied the city's second most visible office for four action-packed years. It meant long hours, meals eaten at her desk and a social life considerably more limited than most beautiful women experience. But the building of a brand new department was just the kind of challenge Miss Myerson prefers.

Surrounded by young Ivy League lawyers, she became a familiar sight as she walked unannounced (and uninvited) into supermarkets to check meat scales or unit-price labels. She spoke at innumerable local meetings, testified at congressional hearings and carried the consumer banner on television programs.

During her administration, New York City adopted some of the strongest consumer laws in the nation. The department, which now will be run by another woman, Betty Furness, has a budget of $4 million a year, 325 employees and five neighborhood offices. It makes use of 100 volunteers a month and handles a stunning 200,000 complaints annually.

(By contrast, Virginia Knauer, President Nixon's consumer adviser, had $810,000 for fiscal year 1971 and 35 employees. The Chicago consumer office had an annual budget of $925,000 and 93 employees.)

If you ask Miss Myerson how it happens that she made the unlikely leap from beauty pageant to possible candidate, her answer is simple. Maybe too simple. "I am a worker," she said. "I have to work because it creates a healthy balance in my life. I've worked since I was 13."

She has revealed only a few of her immediate plans. A vacation. A visit with her only child, Barbara, 24, an actress with a Los Angeles theater group. She intends to write a book.

And she plans to have her piano tuned. But for neighbors who may be anticipating one long, classical concert, forget it. Whether she runs for office or returns to television or strikes out in a new direction, the admirable Miss Myerson is going to be busy. You can count on it.

ST. CHARLES WELCOMES HOME CAPT. ROBERT T. WHITE

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. McCLORY. Mr. Speaker, the city of St. Charles, Ill., is honoring Capt. Robert T. White, who was the last American prisoner of war released by the Vietcong. The citywide civic welcome celebration will take place Saturday, May 5, according to an announcement by St. Charles Mayor C. V. Amenoff. In addition to Steven W. Fitzsimmons, who has been named chairman of the homecoming committee, the members of the American Legion Post 342 and of the Veterans of Foreign Wars Post 5036 are cooperating in preparing this community tribute to a beloved native son of the St. Charles community who served with honor and courage during two tours of duty in Vietnam.

Mr. Speaker, Captain White was shot down on a reconnaissance mission over the Mekong Delta area on November 15, 1969. Although seen by an observer while walking away from his damaged plane, he was listed nevertheless as missing in action until quite recently.

A graduate of St. Charles High School, after which he attended DePauw University in Greencastle, Ind., Bob White enlisted in the Air Force and became a helicopter pilot, in which capacity he served in Vietnam. Following a year back in the United States, Captain White was reassigned to duty in Vietnam in 1969, as a reconnaissance plane pilot. It was during this second tour of duty that his plane was shot down, and he was taken prisoner by the Vietcong.

Bob White's release on March 28, took place in the Mekong Delta south of Saigon. From there, he was returned to Clark Air Force Base in the Philippines, after which he was returned to the Valley Forge Hospital in Pennsylvania. Bob's wife, Judith, of Alexandria, Va., and his mother, Mrs. Betty White of St. Charles, have kept a steadfast vigil during the years of his captivity. The family has been temporarily reunited at a cottage on the grounds of the Valley Forge Military Hospital. It is expected that Captain White and his wife, Judith, will establish their new home in Alexandria, Va.

Mr. Speaker, in joining with my counterpart in the Illinois General Assembly, Representative John Grotberg, as well as with other public officials and civic leaders and longtime friends of Capt. Bob White at his homecoming on Saturday, I will convey the affection and appreciation of a grateful Nation in whose behalf Capt. Bob White served and suffered.

Mr. Speaker, homecoming day for Capt. Robert T. White of St. Charles, Ill., is an occasion for rejoicing that he and the other prisoners of war have been released by the North Vietnamese and the Vietcong. The occasion is also one for prayerful reflection on the sacrifices of those who have not returned or who have suffered the wounds and agonies of war and separation.

Mr. Speaker, in behalf of all of us here in this Chamber, I salute Robert T. White of St. Charles. We honor him as a returned prisoner of war—and we welcome him home.

PROPOSED ASSISTANCE TO NORTH VIETNAM

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, May 2, 1973

Mr. HARRY F. BYRD, JR. Mr. President, the April 11 edition of the Staunton Leader included an excellent editorial on the subject of proposed assistance to North Vietnam. The editorial praises the action of the Senate in voting by 88–3 to prohibit assistance to North Vietnam "unless specifically authorized hereafter by the Congress." Fourteen members of the Senate joined me in sponsoring the amendment.

The cosponsors of my amendment are:

Senator Allen of Alabama.

Senator Bayh of Indiana.

Senator Biden of Delaware.

Senator Buckley of New York.

Senator Robert C. Byrd of West Virginia.

Senator Case of New Jersey.

Senator Church of Idaho.

Senator Hollings of South Carolina.

Senator Nunn of Georgia.

Senator Proxmire of Wisconsin.

Senator Randolph of West Virginia.

Senator Helms of North Carolina.

Senator Domenici of New Mexico.

Senator Chiles of Florida.

The Staunton Leader correctly points out that the argument for assistance to North Vietnam based on our aid to Japan, Germany, and Italy after World War II is without foundation. The circumstances are totally different.

The editor of the Staunton Leader is Gen. E. Walton Opie. I feel sure that in the editorial of April 11, General Opie accurately reflects the thinking of his readers, most Virginians, and indeed most Americans.

I ask unanimous consent that the editorial, "Did U.S. Submit to Blackmail?", be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DID UNITED STATES SUBMIT TO BLACKMAIL

Sen. Harry F. Byrd Jr., I-Va., made a major address to the Senate in advocacy of his amendment to the appropriation bill to inhibit aid to North Vietnam unless specifically authorized by Congress. With 14 cosponsors and speeches on the floor in support, the Senate voted approval, 88 to 3.

The amendment text says: "No funds made available by the Congress to any department or agency of the government may be obligated or expended for the purpose of providing assistance of any kind, directly or indirectly, to or on behalf of North Vietnam, unless specifically authorized hereafter by the Congress."

Sen. Byrd told the Senate convincingly that the argument for aid to the Communist aggressor in Southeast Asia was justified by our aid to Japan, Germany and Italy after World War II was without logic. He pointed out: "The governments of the Axis Powers had been destroyed, they were absolutely defeated, and they had surrendered unconditionally. We had responsibilities, as occupying powers, to see that those countries that needed to get on their feet had a chance to do so."

He reminded the Senate, accurately and

forcefully, that North Vietnam aggression, adamancy against persistent U.S. efforts for a peaceful settlement, its butcheries, its bad faith in not observing and enforcing the cease-fire and its continuation of the aggression against all three Southeast Asian countries, made the idea of aid to it repugnant to the American people.

Sen. James B. Allen, D-Ala., a co-sponsor of the amendment and among those speaking for it, said in reference to the proposal for a $2.5 billion "contribution" to North Vietnam: "The payment of this bribe, for that is what it would be, will have my strong opposition. In the words of a famous toast, usually attributed to Charles Pinckney of South Carolina, at the time when the Barbary pirates were demanding tribute from the United States to refrain from attacking our ships in the Mediterranean and in the Atlantic, 'Millions for defense, but not one cent for tribute'."

There has been uneasiness that the Paris Agreement finally hammered out as a result of the Nixon Administration's efforts, was supplemented with a secret promise to the Hanoi Communists of U.S. assistance for reconstruction, in return for the cease-fire agreement with peace negotiations to follow. There has been no verification of any such commitment, and it is to be hoped that the President has never agreed to what Sen. Allen termed blackmail. This nation should never submit to it in any form.

HOWARD DRAKE

HON. FRANK CHURCH

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Wednesday, May 2, 1973

Mr. CHURCH. Mr. President, one of the elder statesmen of Idaho's Democratic Party, Howard Drake, died recently in Missoula, Mont., following an automobile accident.

Howard Drake became known in his home area of Kootenai County as "Mr. Democrat"—a title richly deserved. Several generations of aspiring politicians came to rely on his advice and counsel, which was always generously given.

In addition to his active involvement in the Democratic Party, Howard Drake also devoted years of his earlier life to the U.S. Forest Service. He was one of the earliest organizers of the Coeur d'Alene National Forest.

Mr. President, I ask unanimous consent that an article from the Coeur d'Alene Press of April 13 concerning Howard Drake be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"MR. DEMOCRAT," DRAKE, DIES

A man known as Kootenai County's "Mr. Democrat"—Howard Drake, 90, 115 N. First St.—died today in a Missoula, Mont. hospital.

Mr. Drake was seriously injured in an automobile accident last month.

Mr. Drake first voted in a presidential election in 1908 when William Howard Taft was elected. But Taft was a Republican so Mr. Drake didn't vote for him. In his 69 years of voting, he usually voted the Democratic ticket.

In later years, he became more active in politics following his retirement from the forest service. Active participation in party politics while a federal employe was prohibited by the Hatch Act.

Mr. Drake was one of the earliest organizers of the Coeur d'Alene National Forest He joined the U.S. Forest Service in 1909 and fought the fire of 1910 on the McGee Ranger District of the Coeur d'Alene National Forest.

He worked for the Forest Service until 1945 and was working in the division of timber management in the Northeastern Region office in Missoula, Mont., upon retirement.

Mr. Drake worked for two years, 1945–47, as an assistant state forester for the State of Idaho.

He was born at Yellville, Ark., Nov. 14, 1882, and came to Coeur d'Alene July 1, 1909 from Bellingham, Wash.

Mr. Drake married the former Retta Farley Jan. 9, 1913 in Siloam Springs, Ark. Mrs. Drake preceded him in death Aug. 3, 1970.

Mr. Drake was a member of the First Christian Church, the Knights of Phythias for 70 years; the Masonic Lodge in Bellingham for 58 years; the Shrine Calam Temple in Lewiston for 52 years; and the Elks in Coeur d'Alene since 1942.

Mr. Drake is survived by two sisters, Mrs. Mabel Biglow, Aberdeen, Wash., and Mrs. Mamie Oien, Seattle, Wash.

Funeral arrangements are pending at English Funeral Chapel.

A FORTUNATE CRISIS

HON. SIDNEY R. YATES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. YATES. Mr. Speaker, one of the most timely and perceptive analysis of the Watergate mess appeared in yesterday's New York Times written by its distinguished editorial writer, William V. Shannon. I think the Members of the House would want to read it, and I attach it to my remarks as follows:

A FORTUNATE CRISIS

(By William V. Shannon)

WASHINGTON, April 30.—The discovery of the Watergate scandal so early in the second Administration of President Nixon is a fortunate circumstance for the nation. It is likely to slow down and may reverse related and equally ominous developments.

The Watergate affair is a most unusual scandal rivalled only by the stealing of the election of 1876. It does not involve outsiders trying to corrupt members of the Government with valuable gifts or money. Instead, it is a conspiracy by insiders to crush their political opposition and maintain themselves in power.

In the Teapot Dome case, an oil man paid Secretary of the Interior A. B. Fall a bribe of $100,000 to obtain a valuable oil lease on public land. In the Truman Administration, certain White House aides did favors for shady people and accepted mink coats, deep freezers, suits of clothes, and other comparatively trivial gifts in exchange.

President Eisenhower was deeply embarrassed when Sherman Adams, his chief assistant, intervened with Federal regulatory agencies in behalf of a businessman who had over the years given Adams a vicuna coat and free hotel rooms.

Those earlier scandals were different in kind from Watergate. It threatens not the integrity of the Government's policymaking process, although that is involved, but the freedom of ordinary Americans.

This kind of threat is so unusual in this country's experience, so alien to its traditions, that most Americans have difficulty taking it seriously. The Times last week carried a report from Muncie, Indiana, telling of the reaction in that typical American city. The local paper carried a letter from a reader who pointed out: "No lives were lost, no one harmed, no bank robbed, or large amount of money lost. And so far as we can detect, no one in particular was harmed. It is indeed getting boring."

It is boring only if the defense of freedom is boring. Watergate was a calculated attempt to tip the scales of power which already weigh in favor of an incumbent Administration.

When those in office not only make use of their inherent advantages but also engage in a systematic effort to wiretap and "bug" their political opponents, to sabotage their opponents' meetings, to put spies in their offices, to steal material from their files and to forge incriminating letters, then the whole procedure by which a free people elect their rulers is gravely compromised.

The power at the disposal of any modern govenment to manipulate opinion and to coerce the ordinary citizen is fearsome. Long before electronic bugs, closed-circuit television, and other modern devices for surveillance and control had been invented, thoughtful men worried about governments becoming too powerful and making themselves into the masters rather than the servants of citizens. That is why the Fourth Amendment to the Constitution states: "The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated."

President Nixon and his closest associates have repeatedly shown themselves to be insensitive to constitutional retraints upon the exercise of executive power. The Constitution clearly intended that the President should share the war power with the Senate but Mr. Nixon conducted the Vietnam war for four years in defiance of the Senate and is now bombing in Cambodia without any visible constitutional sanction.

In dismantling the Office of Economic Opportunity, the Administration is violating a law passed by Congress last year. In impounding funds—not in part or for a limited time—but to kill who programs permanently, the White House seeks to usurp the most fundamental power of Congress, the power to determine public spending.

President Nixon and his associates have also evinced deep hostility tinged with contempt for various public and private institutions. They have gagged public television and tried to undermine the public's confidence in commercial television and in leading newspapers. On great public controversies, they have ignored or disparaged the opinions of religious leaders, college presidents, student groups, and Negro organizations.

Yet independent centers of power which a Government has to take into account are the essential feature of an open, free society, as distinguished from a closed, monolithic one. Whether consciously or otherwise, President Nixon has given the country a kind of slow-motion dress rehearsal of how political authoritarianism would begin to consolidate its power.

The Watergate scandal, a secret and lawless effort to rig the election and then to conceal the guilty higher-ups, is the characteristic, almost inevitable, scandal of this Administration. If its exposure causes the President to back away from his other ominous attempts at lawless manipulation and control, then the Republic—which is far greater and more precious than the Presidency or any other particular office—will have been well served.

OPPOSITION TO AID FOR NORTH VIETNAM

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, May 2, 1973

Mr. HARRY F. BYRD, JR. Mr. President, on April 5 the Senate, by a vote of 88 to 3, approved an amendment which I sponsored prohibiting assistance to North Vietnam without the prior approval of the Congress.

Excellent editorials on the action of the Senate appeared in two Georgia newspapers during the week following the vote.

I feel that these editorials, which strongly oppose a new program of assistance to North Vietnam, represent the thinking of the vast majority of the people. I can see no justification for undertaking a program of assistance to Hanoi.

I ask unanimous consent that the editorials, "The First Responsibility Is to American People", published in the Moultrie Observer, dated April 12, 1973, and "Senate Says No!", published in the Brunswick News, dated April 10, 1973, be printed in the Extensions of Remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

THE FIRST RESPONSIBILITY IS TO AMERICAN PEOPLE

As compassionate as the American people are, the great majority of them are certain to support the members of Congress who are unalterably opposed to financing the rebuilding of North Vietnam in the wake of a ten-year conflict in South Vietnam.

When Presidential Aide Henry Kissinger was negotiating a cease-fire and prisoner-release program, there was talk of aiding North Vietnam to rehabilitate those areas destroyed or badly damaged by U.S. bombings. The only reason that American people did not speak out vigorously and angrily was because nearly 600 of our young men were being held prisoner. Everybody wanted them back, so the public voice was muted for a good purpose.

Now that the prisoners are home and beginning to tell the true story of torture and abuse while in prison camps, the public ire is beginning to demonstrate itself.

The fact that the Senate recently voted 88–3 for an amendment to the dollar-devaluation bill which would prohibit expenditure of funds to North Vietnam is evidence of public attitude—as well as that within Congress.

Both of Georgia's senators—Herman Talmadge and Sam Nunn—are outspokenly against rebuilding North Vietnam at U.S. expense, and we feel sure most Georgians support them 100 per cent in their backing of the measure introduced by Senator Harry Byrd of Virgnia which would assure a prohibition against such use of funds.

North Vietnam, in reality, has been lucky. The U.S. participated for ten years in a stalemate-type war which we could have wound up in short order with massive bombing. It was only in the latter stages of that conflict our bombers mined North Vietnam's harbors and systematically began bombing industrial and military targets.

Germany, Italy and Japan felt the real weight of America's aerial might, and they were forced to surrender. Old governments toppled and new ones were established. Hanoi's regime experienced only a taste of devastation.

We have domestic and financial problems in the United States. We need to develop our business and industry further to absorb the returning thousands of servicemen. We need to wipe out poverty and disease, help deteriorating cities, and build hospitals, sewerage systems and badly-needed public buildings such as schools and auditoriums. We need to stabilize the value of the dollar and wipe out a federal deficit which exceeds $100 billion.

The American government's first responsibility is to the American people and their needs—not to rehabilitating a communist country which spent ten years trying to force its will upon a South Vietnam population which wished to determine their own future.

SENATE SAYS NO!

All things considered, chances of Congress approving funds for rehabilitation of North Vietnam are about as remote as the good intentions of Hanoi toward South Vietnam. There was scant support for the proposal in Congress to begin with, but the scars and reports brought back from years of captivity by the POWs clinch the rejection of reparations.

To be certain funds are not diverted to that purpose through other authorizations the Senate voted 88–3 in favor of a proposal by Sen. Harry F. Byrd of Virginia to bar aid to North Vietnam unless Congress specifically approves.

The administration has not requested congressional approval of aid to Hanoi, but the overwhelming support given the Byrd restriction means no funds can be diverted from authorizations already granted to the Defense Department and other agencies for other purposes.

Had Hanoi been a humane captor and had its leaders worked to implement the cease-fire they signed, aid might have received greater favor. They were not, and it most certainly has not.

CONFERENCE REPORT ON S. 398, TO EXTEND AND AMEND THE ECONOMIC STABILIZATION ACT OF 1970

HON. JOEL PRITCHARD

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. PRITCHARD. Mr. Speaker, because I was unavoidably detained in my district on Monday I was unable to be present for the vote on H. Rept. 93–148. Because of my absence I was able to spend the day with members of the Northwest Trade Symposium discussing issues of local and national importance. Had I been present, I would have voted for swift passage of the conference report.

When the House originally passed S. 398, I appealed to the President in a letter to take "strong and decisive action in restoring stability to the Nation's economy."

I am still concerned over the intensity of the inflationary pressures still rampant throughout our economy because of the apparent lack of public confidence in the phase III economic stabilization effort.

I share the President's desire to move as rapidly as possible back to a control-free economy, but I do not see progress toward that goal as practical at this moment. I urge the President to use his continuing authority to demonstrate, in a positive and forceful manner, his commitment to win the war against inflation. I pledge my ongoing support in that effort.

The passage of the conference report on S. 398 represents a clear mandate from Congress for restoring stability to the Nation's economy, and there should be no reluctance on the part of the administration to take whatever steps may be necessary to halt our galloping inflation.

MILITARY JUSTICE IS BEST BUT IT CAN BE BETTER

HON. BEN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. BLACKBURN. Mr. Speaker, Capt. Richard J. Selman, Appellate Judge on the U.S. Navy Court of Military Review, recently addressed the Special Committee on Military Justice of the American Bar Association in San Francisco.

Captain Selman is a well-known authority and has done a terrific job at continuing to keep military law at it's high standing.

At this time, I would like to insert Captain Selman's speech, "Military Justice Is Best But It Can Be Better," in the CONGRESSIONAL RECORD inasmuch as this is a matter of national interest:

MILITARY JUSTICE IS BEST BUT IT CAN BE BETTER

(By Capt. Richard J. Selman, JAGC, USN)

The remarks and opinions here expressed are the personal ones of Captain Selman and do not necessarily represent those of the Judge Advocate General of the Navy, Navy Department or Department of Defense. Captain Selman is an Appellate Judge on the U.S. Navy Court of Military Review. His previous duty assignment was as Assistant Judge Advocate General of the Navy (Military Law) for which performance he was awarded the Legion of Merit. He holds LLB and JD degrees from Drake University and is a member of the Iowa Bar, American Bar and Federal Bar associations. He is Chairman of the Council on Law Observance and Administration of Justice of the Federal Bar Association.

The Armed Forces are indeed fortunate to have Hugh Howell, Jr., of Atlanta, Georgia, chair this Committee. He is fully knowledgeable of the problems of Military Commanders having had extensive combat experience as a line officer during World War II. Since then he has kept current in Military Justice through active duty and as a member and Commanding Officer, U.S. Navy Reserve Law Company, Atlanta. He is a Captain in the Judge Advocate General's Corps and is in the Ready Naval Reserve.

Captain Howell will see to it that what the armed forces want in Military Justice is forcefully presented to the right people and at the right time and place. However, he can't do the job alone. He will need help. He will need information on a continuing basis which will describe the problems as they are with complete candor. He will need recommended solutions from the Judge Advocates General and Chief Counsel of the Coast Guard which I am confident will be forthcoming in timely manner.

My remarks represent my personal observations and opinions and are presented for your consideration. I assure you that any criticism which I express is intended to be constructive, and hopefully, will assist you in formulating your recommendations for any changes to the Uniform Code of Military Justice (UCMJ) and to the Manual for Courts-Martial (MCM).

The Annual Report of the U. S. Court of Military Appeals (USCMA), the Judge Advocates General and the General Counsel of the Department of Transportation, known as the Code Committee, contains recommendations which are to me, heartwarming indeed. Formulization of the Charter for the Joint Service Committee on Military Justice will provide a working level forum for development of Code and Manual changes reflecting Court decisions, improvement in Judicial Administration, and the changing needs of the Armed Forces.

The Annual Report reflects that the Manual Committee's work on Manual changes has been approved for inclusion in an Executive Order. However, I must observe that many months have gone by since the Manual Committee completed its recommended changes and the Executive Order has not yet been signed and promulgated.

This year's report of the Code Committee includes four recommendations for legislative changes and three of these have been included in legislation which has been bebefore the Congress for over a year without any hearings having been held.

I predict that during FY 1973 we will see considerable activity in the Courts and in the Congress which will have a great impact on our society in general and the armed forces in particular. While I am not here attempting to preach to the choir, I have reference to the issue of retroactivity of *O'Callahan* and, hopefully, a clarification of that decision, which is now pending before the U.S. Supreme Court in the cases of *Flemings, Gosa,* and *Schlomann.* The right to counsel or intelligent waiver thereof rule laid down in *Argersinger* raises the question of its application, or not, to personnel in the Armed Forces whose offenses are disposed of by summary court-martial or under Article 15 and the awarded punishment includes confinement or some other type of restraint. Will "Cake and Wine" be determined to no longer be an authorized punishment?

In the legislative hopper there is pending HR 10422, the Administrative Discharge bill, supported by the Department of Defense which has cleared the House and is now before the Senate Armed Services Committee. This bill, in my opinion, is probably the only bill affecting the rights of military personnel which has much chance of enactment in this Congress. If you will recall the speed with which Senator Ervin cranked out the Military Justice Act of 1968, don't be too surprised if he acts in like fashion on the Administrative Discharge Bill. However, I have no inside information on this.

The Omnibus Military Justice Act of 1971 introduced by Senator Bayh and HR 579 introduced by Congressman Bennett contain sweeping changes to the Military Justice system. While the earlier Bayh bill was referred by DOD to the Armed Services for comment and recommendation, I am not aware that his latest bill, which differs somewhat, has been so referred. I am not aware that the Armed Forces have been requested to comment on HR 579.

If there has been one facet of the Military Justice System that has provided succulent grist for UCMJ critics, it has been the judicial and quasi-judicial powers invested by the Code in the Military Commander. To legislators like Senators Bayh and Hatfield and Congressman Bennett, and to law school professors such as Ed Sherman of Indiana, the vesting of so much power in one individual is an anachronism—a throwback to the days of Drum Head Justice.

The Code as presently constituted permits the Military Commander, an individual most probably not schooled in the law, to:

(A) Determine what incidents will be investigated;

(B) Select and appoint a Pretrial Investigation Officer;

(C) Approve or disapprove the recommendations of the Pretrial Investigation Officer;

(D) Select and appoint the Judge, members of the Court, Trial Counsel and Defense Counsel;

(E) Overrule the Judge on matters of law and direct the Judge to accede to his wishes;

(F) Review the case and act on the findings and the sentence; and finally,

(G) Fill out the Fitness Reports of all Court personnel under his command except the Military Judge.

As you well know, the power to appoint court personnel has been overly berated by Code critics. All General Court-Martial Military Judges are responsible only to their Judge Advocate General who reports on their performance, and these Judges are assigned a geographical area in which to sit. Thus, the Convening Authority is compelled to appoint the Military Judge assigned by the Judge Advocate General to his area. In addition, the actual selection of counsel for a case is usually left to the Staff Judge Advocate or one of his subordinates in the Law Center or SJA office. Finally, the Convening Authority rarely personally selects the Court members, since they are usually nominated by local commands to serve for a given period of time rather than for specific cases.

With regard to Fitness Reports, the Commander is forbidden from commenting adversely about the Court members or the Military Judge because of their actions while on the Court. One can readily recognize the similarities between what Bennett and Bayh propose and how the system actually works.

I personally feel that present day UCMJ critics who charge command influence are forced to dust off pre-military Justice Act of 1968 cases; further, that in those cases in which command influence is alleged to have occurred, the critics fail to tell the public that the present appeals procedures provide a forum for full and fair consideration of the allegations.

Many of the legislative proposals would, I fear, add to the height of the present paper giant who direly needs a good cathartic. The so-called Trial Command Proposal would, I believe, exacerbate the grist in the present paper mill.

I do think the name of the Convening Authority should be changed to the Referral Authority. A Flag or General Officer would have authority to refer a case to a Military Judge to be tried as a General or as a Special Court-Martial. Under my concept no lawyer would, as in Senator Bayh's proposal, second guess the Referral Authority as to whether or not the case would be tried or as to the level of court that would try it. A Commanding Officer as we know him in the Navy, could refer cases to the Military Judge to be tried as a Special or as a Summary Court-Martial.

The Military Judge would constitute the Court. Court members would be called the Military Jury. The Judge would be certified by a Judge Advocate General who would assign him to a specific geographic area in which to function, much as is presently done with Federal District Judges. Upon receipt of the charges, the Judge would either try the case himself or refer it to another Judge for trial. Additionally, if the accused desired to be tried by members, the Military Judge would be responsible for obtaining and selecting a panel from which the Military Jury would be selected. The only signature required of the Military Commander would be on the Charge Sheet referring the case to a Military Judge for trial. Upon completion of the trial the record would be returned to the Referral Authority for review by his Staff Judge Advocate for legality and for any action by the Referral Authority on the sentence.

I think my Referral Authority Concept would admirably serve both to eliminate from Military Justice any vestige of command influence and, perhaps just as important, to eradicate the *appearance* of command influence. At the same time, one of the most desirable features of the present system is that the sentence review at the local level would be preserved. The Bayh and the Bennett Bills fail to consider this very desirable aspect of the present system and, to that extent, I find those bils deficient.

I fully support Recommendation 3 of the Code Committee which would relieve the Convening Authority of responsibility of a legal review of the findings but retain his power to act on the sentence. However, I recommend that his Staff Judge Advocate be empowered and required by a Code change to review the case for legality but without any requirement for a summary of the evidence or rationalization thereof. Further, a Code change should provide that, except when the accused appeals, all special courts-martial will be final upon action by the Staff Judge Advocate of the Supervisory Authority on the findings and by the supervisory authority on the sentence. I would retain present appeal rights for a new trial.

Legislation that would amend Article 25 to require that not less than half the membership of courts-martial be composed of enlisted men when enlisted personnel are requested has been introduced by Senator Hatfield and others. While I favor enlisted men on the courts of all enlisted men, I do not favor this proposal as introduced in Congress.

Prior to the UCMJ and the *Manual for Courts-Martial* the Navy conducted its courts-martial in accordance with *Articles For the Government of the Navy and Naval Courts and Boards.* In accordance with *Courts and Boards,* if a Staff or Marine officer were tried by court-martial, then at least one-third of the court was composed of the same corps as the accused and all were senior to him.

I think it is time to proclaim the same trust and confidence we place in our enlisted personnel in the performance of their military duties by recognizing their ability to serve as responsible members of courts-martial in the trials of enlisted personnel.

Men and women are enlisted in the services at age 17 or 18. The Marines give the men a rifle and train them how to use it to kill the enemy and protect themselves and their shipmates. At eighteen, one is now old enough to vote in Federal and many State elections. We permit these young people to operate one of the most dangerous instrumentalities of them all, the automobile. Since we trust eighteen year olds with these critical responsibilities, then I submit we can also trust them in the courtroom to determine responsibly whether a shipmate has been proven guilty beyond a reasonable doubt of committing a criminal act. I see no reason why the ⅓ corps membership criteria we formerly applied to the composition of courts-martial under *Courts and Boards* should not be successfully applied to courts-martial of enlisted personnel.

I would not merely *permit* an enlisted accused to request enlisted personnel as court members, as is currently provided by the

Code. Rather, I would *require* that in every case at least ⅓ of the court members be enlisted if the accused is enlisted. In addition, I would require that these enlisted court members be senior to the accused by not more than one grade, and selected on a true random basis such as through a computer readout. This procedure would foreclose the oft-voiced complaint that when enlisted personnel now request enlisted members the court is always stacked with senior NCO's and petty officers. Random selection would ameliorate the distrust of courts-martial by black and other minority races since they would have the opportunity to serve as court members not because they are of a minority race but through the random selection process.

Under the present procedure, if enlisted men are requested, they must all come from a unit other than that of the accused. I would not object to a requirement that court members come from a different department than the accused. For example, if the accused works in the engineroom, the enlisted members should be drawn from other departments aboard ship, such as the deck force or supply department. To require that they come from a different ship altogether simply does not make sense. Logically, enlisted members should be subject to the right of challenge by prosecution or defense for the same reasons as officer members.

I strongly recommend that immediate steps be taken to increase the authority and responsibility of the Trial Military Judge. A Navy commanding officer is reputed to have said, "This ship is an island and I am the King." In the civilian courtroom the Judge is the King and so he should be in the Military unless he is to function as a second class Judge. All military Trial Judges when performing judicial functions should be required to wear judicial robes except when the Judge determines this is not feasible due to the exigencies then existing. Our senior sea service, the U.S. Coast Guard and the Army now require their military trial judges to wear robes. Upon Admiral Staring's recommendation, judicial robes have been approved for Appellate Judges of the Navy and Marine Corps who sit on the Navy Court of Military Review. Judicial robes have not been approved for the Trial Military Judges in the Navy and Marine Corps and, to my knowledge, no Judges in the Air Force are permitted to wear judicial robes. While my remarks will be regarded by some as heresy, it is the Special Court-Martial Military Judge who is a Navy Lieutenant or Captain in the other services, and who sits with Court members senior to him in rank, who would be greatly assisted in the professional performance of his judicial functions if he wore judicial robes. Should our Trial Military Judges continue to be denied the professional attire befitting them while on the bench which is now afforded to our chaplains, doctors and dentists while in the pulpit, hospitals and clinics?

Do our courtrooms in the military provide a professional environment appropriate to and commensurate with the serious crimes tried by and the sentences adjudged therefore by courts-martial? What about the place of the Military Judge in the courtroom? I submit that all military courtrooms, whether in an imposing edifice or a field tent in a combat situation, should have the Trial Military Judge in the same place of honor as is his civilian counterpart.

I would hope that as our body of military law emerges changes will be made to the Code and to the Manual which will permit our appellate courts to regard our Military Trial Judges as first class judges instead of being required by the Code and the Manual to second guess their decisions.

Code and Manual changes should, I submit, have some consideration for the price tag involved in present procedures and any modifications thereto. One area which I submit should be viewed with a gimlet eye is the availability of individual military counsel at government expense. An accused is entitled to, and is provided free of charge, a military counsel certified by a Judge Advocate General as competent to perform his duties. This should be continued. He can hire civilian counsel of his choice at his own expense and there is no question about his right to do so. However, I submit that the decision on availability of individual military counsel should be placed solely within the province of a Military Judge whose determination, after a show cause hearing, would be final and not subject to review except upon a clear and convincing showing of a gross abuse of discretion. The right to individual military counsel should be identical for both officer and enlisted accuseds.

The Code Committee in its annual report to the Committees on Armed Services of the Senate and of the House has expressed its concern over the delay in the processing of disciplinary actions. Recent decisions by the U.S. Court of Military Appeals ring crystal clear and with clarity of tone the disapprobation of that Court over inordinate delay in courts-martial processing. To say that USCMA is in the vanguard amongst other courts in ordering charges dismissed when the governmment does not proceed in timely manner is an understatement.

The concern expressed by the Code Committee in its annual report over the shortage of experienced military lawyers gives rise to some questions which might be posed here amongst friends, with full realization that elsewhere, only a fool would rush in where angels fear to tread.

To what extent have budgetary and personnel assignment and control limitations of Judge Advocates and legal clerical personnel hamstrung the Judge Advocates General and Chief Counsel of the Coast Guard in meeting the legal needs of the Army, Navy, Marine Corps, Air Force and Coast Guard? Are the present and foreseeable future promotion opportunities for Judge Advocates conducive for their retention? Is there a need for accelerated promotion for qualified Navy and Coast Guard Lieutenants and Captains in the other services? How do the opportunities for Flag and General rank for Judge Advocates compare in each of the armed services including the Reserve Forces of each? Do Judge Advocates in the Ready Reserve of each of the Armed Forces have the same opportunity for drill pay and pay for active duty training and, if not, should they? How does the take home pay of a Judge Advocate General and Chief Counsel of the Coast Guard compare with that of their chief civilian counsel? How does it compare with that of a General Counsel of a military department? How much does each day's delay in the processing by courts-martial, of unauthorized absence offenses alone, cost the services through pay and allowances to accused personnel from the time they return to military control until the time the convening authority applies to forfeitures adjudged by the Court? Have the overall requirements for legal services enabled the Judge Advocates General and the Chief Counsel of the Coast Guard to utilize solely in military justice matters all of the increased numbers of Judge Advocates authorized for implementation of the Military Justice Act of 1968?

The law like the sea is never still and while I am personally convinced that the criminal procedures under the UCMJ are the best in the land they can be better.

Although favorable comparisons between military and civilian systems may be relevant they are relative assessments only. Many members of our society, I think, tend to overlook that, despite its basic commitment to the preservation of as much personal freedom as possible for our citizens in the Armed Forces, the military alone has the organizational responsibility for preparing and managing war and combat. That responsibility is carried out through the command structure which, in turn, holds the commanding officer responsible not only for the efficiency of his command but also for the morale, discipline, well being and safety of everyone within his command.

That indefinable relationship of loyalty, loyalty up, loyalty down and loyalty sidewise is terminated when the umbilical cord which connects the man with his division officer and his commander is severed through non-conformance with established standards of conduct and performance. When mutual loyalty and respect no longer exist between a commander and his personnel the Commander's ability to maintain discipline through obedience to his orders and those of his superiors is seriously threatened and offenses occur which must be resolved by judicial process.

Justice delayed is justice denied. Responsibility for delays in the administration of military justice is not difficult to fix. Too often, I think, Judge Advocates are content to wait in their offices until the clients walk in. Too often, I think, the commander doesn't realize that he has a legal problem until he finds that the delay in bringing the offender to trial is so long a time that the accused has a USCMA established cloak of immunity which insulates him from punishment for his offenses.

Military Justice is not perfect. No system of justice is perfect. We must always be able to distinguish between responsible and irresponsible criticism, rejecting the latter and welcoming the former. Those of us involved in the judicial process must, of course, base our decisions on the trestleboard *of what the law is* and yet not be hoodwinked in our thinking as to *what we think the law ought to be.*

I sincerely hope that some of the ideas, theories, notions and suggestions that I have expressed here today will see eventual fruition and the comments I have made will assist in improvement in Military Justice. Our responsibility to our country and to the citizen in uniform requires that we continually seek to identify areas in need of reform and to initiate appropriate changes. Surely we must do no less.

DADE COUNTY CONSUMERS OUTRAGED BY FOOD PRICES

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. LEHMAN. Mr. Speaker, during the congressional recess last week, I held a food price forum in my district in order to bring together Dade County's consumers and representatives of the food industry in a discussion about today's food prices.

One of the speakers at the forum was Ms. Eileen Campion, an attorney in Miami. I thought her statement particularly interesting and would like to commend the attention of my colleagues to it:

OUR ENEMY, THE CONSUMER

"It costs a lot to run a cow," reads the facetious ad of the dairy industry in our local newspapers.

"Buy more milk; it's a bargain," advises another ad.

"It costs a lot to run a cow." Has the dairy industry heard how much it costs to run a home today?

Milk is a bargain, is it? Let's look at some statistics. In early January 1973 the price of whole milk in Dade County supermarkets was $1.21 per gallon. It rose to $1.27, then to $1.31, and this week to $1.39. This is a bargain?

Just this week we were informed that milk would henceforth cost the consumer 8 cents more per gallon.

This is merely another incident in a long series which points up two major abuses to the consumer today: (1) the complete lack of communication between business and the consumer; and (2) the defenseless position of the consumer in today's market.

The first abuse—lack of communication—appears almost ludicrous at times. Millions of dollars are spent by supermarkets in our country on advertising—TV commercials and newspaper ads which tell us to come shop with the People Pleasers, or another, Where Shopping Is A Pleasure.

Yet when the consumer, feeling completely frustrated about food abuses, attempts to help himself by seeking corrective legislation, the same supermarkets join forces to fight him. To the People Pleasers and the Shopping Is A Pleasure folks, he has now become Our Enemy, The Consumer.

The same dairies who today beg the consumer to buy milk because it's a bargain last year fought the consumers of Dade County with all the force their combined wealth could command, when the consumers, tired of bad food, sought relief from local government, and among other remedies asked for a 5-day shelf life for milk. They fought the consumer at the local government level, through the state courts, and finally through the Florida Legislature.

For years the consumer in Dade County, as well as in many other areas, was defrauded through having to pay for waste material in meat packages, in the old cardboard or styrofoam trays, hidden beneath the meat, not visible to the housewife until she opened the package on arriving home—after she had paid for it.

The people of Dade County fought for the right to see what was in that package of meat *before* they paid for it. Again they were successful in having the law passed, but before its effective date, makers of another tray providing much less visibility pleaded with our County Commission for modification. The 100% clear-packaging law was wiped off the books before it ever had a chance to be tested.

The issue as the consumer saw it was simple: does the consumer have a right to see what he's buying? Of course, the answer must be yes—unless there is a serious reason why clear-packaging should not be used. There are no reasons left; we have answered all their arguments, through an extensive research project. The last we heard from the County Commission, they were afraid that a 100% clear-packaging requirement would create a monopoly. But the last time we looked, all supermarkets in the county were using the new, grid-type tray which is supposed to provide 70% visibility but, under the complaint filed in two lawsuits in Dade County, provides much closer to 40%. Some consumers complain the visibility is no better now than it was with the old-type solid cardboard tray.

In both of these instances, business has won the battle. They have succeeded in defeating their Enemy, the Consumer.

It is a battle in which the consumer is outnumbered by the opponents many times over. Appearing before local government bodies business can—and does—produce legal assistants, professionals from every field, expert witnesses. And who appears for the consumer? An elderly senior citizen, a housewife, women's organizations' representatives, sometimes two or three citizens from a civic group. Volunteers all—not organized—costing them money just to make an appearance—while speakers for the opponent are being paid for every hour they spend—fighting the consumer. Yes, the consumer today is defenseless.

Think of the consumer in the battle over the price of milk. As you probably know, the federal government supports the price of milk, but this week, according to our local papers, the farmer said he wanted more than the minimum set by the government, and the processor said, "All right, we'll pay you more and we'll pass the cost on to the consumer." The farmer passes the cost on to the processor, the processor passes the cost on to the consumer, but to whom does the consumer pass the cost? Farmers are subsidized; business is frequently subsidized—all at the cost of the consumer.

Under our form of government it cannot continue. If business does not realize that in fighting the consumer they are fighting their own bread and butter, then government must step in. Consumer advocates at every level of government have become a necessity—advocates who have recognized legal status as representing the consumers of that community—advocates in continuous communication with the consumer and with the consumer only—studying and analyzing consumer problems—taking aggressive action in a continuing program to remedy those problems.

A frequent response to a plea for consumers is, "But we're all consumers!" True; we are all consumers. But when an individual is receiving a substantial income from industry, I have noticed that his concern for consumers is tempered somewhat by the sight of that industry paycheck. So the consumer advocate must be completely divorced from other interests, his sole concern that of the consumer as a consumer.

The consumer is weary of skyrocketing prices—in meat and milk and other foodstuffs—in clothing—in utilities—in rents. Consideration for the consumer must be part of every subsidy granted by government, must be part of all our agreements with other nations involving foodstuffs and other necessities, must be involved in all special privileges afforded special groups in our society where the interests of the average consumer will eventually be affected. Consideration for the consumer must become a primary rule at all levels of government.

The Day of the Consumer has arrived. No longer is he passively submitting to abuse after abuse. He is saying, "Count me in!" The consumer is demanding relief!

OVERTON—A CENTURY OF PROGRESS

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. PATMAN. Mr. Speaker, it gives me great pleasure to call to the attention of the House the fact that the city of Overton in Rusk County, Tex., is this year celebrating 100 years of good living. From 1873 to 1973 generations of sturdy, forward looking, energetic, and enterprising folk have lived and worked in the Overton community, adding greatly to the growth and development of east Texas. They have given to the world a wonderful picture of balanced family life in the best tradition of our American pioneering heritage.

The interesting history of Overton is well recounted in the following statement commemorating the Overton Centennial. I recommend it as wholesome and inspiring reading for all Americans:

THE OVERTON STORY

Engineers for the International and Great Northern Railroad (now the Missouri Pacific) laid out a small township in Rusk County in 1872 and today's city of Overton stands as a result of their effort. With the coming of the first tracks, business firms in the settlement of Jim Town, four miles away, came to join area residents in building a city.

Named in honor of a pioneer doctor, Frank Overton, the city immediately began starting industry, building churches, schools and homes. Hubbard College, boarding students from a wide area, was the first educational plant for higher learning after the public schools were installed on the lower floor of the Masonic building. Both the Methodist and Baptist congregations used the same facilities for worship. The college burned in 1905 but the new school system continued to serve the needs of the community.

King cotton was the basis industry in the early days of Overton's development, with a huge cotton compress and gins located in the area. With the arrival of the boll weevil and a market price of 10 cents a pound for the crop the bugs missed, a general diversification of crops was made by area farmers. Peanuts, potatoes, peas and ribbon cane were planted, harvested and marketed. Raising of livestock received more attention. Already a center of active lumbering activities, the city continued as an important shipping point for industrial products.

In 1931 many Overton citizens joined financial hands with "Dad" Joiner in a search for oil in southern Rusk County and many continued to support the pioneer oilman after four successive dry holes were drilled. When the hard working crew finally struck black gold, the results brought real prosperity to the hardy farmers and ranchers in the area. The ultimate development of the discovery well grew into a proved oil pool that was the largest in the world.

With the oil boom of the 30's came fine school systems throughout the entire area, along with churches, road systems and medical facilities.

Prosperity brought in with the oil wells continued for fully 28 years before production began to decline in some sections around Overton. But with introduction of new methods of producing oil, conservation and proration came the promise of a steady, dependable industry for another 30 years.

Through grants from the Bruce McMillan Jr. Foundation, the Texas A. & M. University Agricultural Research & Extension Center was established in Overton and the 1970's opened a new era of residential building and business expansion.

Overton has always been very progressive and civic minded. The citizens have worked together to have a beautiful Community Building, Park Area, travel trailer facilities, a nine hole golf course, twin lakes, a swimming pool, and Kilgore College Ranger Arena. With the local and area people donating money, volunteering labor and materials, each project was paid for as it was completed. Overton is a proud town and will continue to better itself.

Overton today has a promising future, entering its second century with the theme "100 More Years of Progress."

THE WESTSIDER

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. RANGEL. Mr. Speaker, we, in Congress, know the important role that local newspapers play in the workings of a community.

The West Side of New York City, part of which I represent in this body, has had, for the past year, its own journal, "The Westsider." This community publication has done an extraordinary job in covering and recording life on the West Side.

I congratulate the staff of "The Westsider" on its first anniversary and join with fellow New Yorkers in hoping for many more years of distinguished journalism.

KATHY BORELLO

HON. WILLIAM R. COTTER

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. COTTER. Mr. Speaker, every so often one reads about an individual who has been struck a cruel blow only to overcome the adversity. Such an example of courage was recently described in a story appearing in the April 30 edition of the Hartford Courant. It was a story of a young schoolteacher, Kathy Borello, who suddenly went blind last fall yet is continuing to teach fifth grade in Manchester.

I want to share this inspirational story with my colleagues, who I am sure will join with me in saluting Kathy and the Manchester school system for their joint display of courage.

BLINDNESS DIDN'T STOP TEACHER

(By William A. Johnson)

MANCHESTER.—For the past six months Kathy Borello has been trying harder than ever and both she and her fifth grade pupils think she is a better teacher for it.

A visitor to her Bowers School classroom might not realize at first the young, blonde teacher with a ready smile has a handicap.

The room with its bulletin board displays, charts and student projects really isn't much different from other classrooms.

So it might take the visitor a few minutes to notice the white cane behind her desk.

Mrs. Borello is one of two totally blind teachers in the state.

For the 27-year-old teacher, blindness occurred "almost instantly" one day last October. A diabetic since age 7, she says she expected to lose her sight. "I knew it would happen but I didn't expect it for a few years . . . and a few years seemed like a long time then," she said.

For some people it might have meant the "end of the world." But Kathy Borello wasn't ready to end her five-year teaching career so abruptly.

She returned to the classroom a month later because "I always knew I was a good teacher and I believed I could be again."

Outwardly she exuded confidence but deep inside she says she was "afraid I would fail the class."

"What if things don't go smoothly . . . if the students fall behind? I would be responsible," she worried.

Living and coping with a severe handicap isn't easy and she says sometimes she asks, "Why me?"

"Then I realize I just have to work harder . . . I'm probably doing more for my students now than ever before."

She just received the "strongest recommendation ever" from her principal and you can tell its made her very happy.

But not everyone, including Principal Ray E. Gardiner, expected things to go so smoothly.

"When I told Mr. Gardiner I wanted to come back he was a little hesitant . . . he wasn't sure I could do the job," she said.

She laughs now when she says her classroom was like a fishbowl. "Everyone was watching," she remembers.

"The teachers across town would ask themselves, 'How can she handle a classroom . . . the kids must be hanging from the lights.' This really burned me up," she said.

She describes her pupils' parents as "really tremendous." "They were great to me . . . they were really willing to give me a chance," she said.

Bowers School has an "open classroom" method which allows more personal and academic freedom for its students. For some the challenge would be too great but for Kathy Borello "It wouldn't be any other way."

She says she gave up the more orthodox classroom approach and doesn't intend to go back.

"Dickie, got your 'Keys to Good Language' out yet?" she asks, as if she can see the boy away from his desk and his blue-green workbook.

She looks up from helping Matthew with a math problem and tells Christine, "If you haven't finished your science then you haven't time to be discussing."

During this individual study period most are going over their assignment but one boy is shopping in a catalog and two girls play with "Smuggles," a pet guinea pig.

But most are working because "Mrs. Borello expects it."

Shirley tells a visitor, "Sometimes I don't think Mrs. Borello is blind . . . the way she knows what everyone is doing."

Paul says having a blind teacher means having to employ more self control: "You can do a lot of bad things . . . like cheating."

"Mrs. Borello really isn't any different . . . she gets around all right. I think she does a great job," says Donna, a pert, darkhaired girl.

Kathy isn't worried about discipline: "Sighted teachers are sometimes picky . . . they get bogged down in policing a classroom."

She proudly says her class is the best behaved of all fifth and sixth grades at Bowers.

Her students have an extremely wide range of intelligence, though. The assignment would be a difficult one for any teacher but Mrs. Borello says the students have shown a "marked" improvement" academically.

She has been "too busy" to learn Braille and says it might be months before she can get a Seeing Eye dog.

It means her husband, Robert, also a teacher at Bowers, has to read to her and it means maybe he has to do some extra work around the couple's 107 Eldridge St. home.

Kathy is careful about her appearance: "I don't want my husband to have a dumpy wife." She says he helps her apply eye makeup in the morning. "Sometimes he teases and says he's done only one eye."

He, too, was a bit skeptical about her returning to the classroom, but now says, "It's amazing how well she can teach."

Kathy says the pupils were the easiest to convince: "They don't realize my blindness is a handicap. Sometimes one will forget and yell to me to look at something outside."

Her students use words like courage and respect to describe her. They describe the class as a family.

And you know Kathy Borello is an important member of that family.

NATIONAL EARTH AND WILDLIFE MONTH

HON. RICHARD H. FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. FULTON. Mr. Speaker, one of the most positive signs I have seen recently showing the deep-rooted vitality of the ecology movement was a letter I received from Mr. Lonzo Mayfield's sixth grade science class at Buena Vista School in Nashville. They informed me of a special project which they are undertaking in conjunction with their study of ecology, a project which deals with the saving of small wild life. They have entered the President's environmental awards program and plan to set up a small game preserve on Mr. Mayfield's farm.

As part of their project, the class asked me to write a resolution to promote earthkeeping and the saving of wildlife. However, since so much of the real value of their program derives from their own commitment and their own participation, I suggested that they determine what they considered to be the points of most critical importance to them and write a resolution themselves. I sent a sample copy of a resolution for the purposes of form, which they modified slightly to suit this particular situation. The result is a truly gratifying piece of legislation that I would like to present to you as it was presented to me, with a few technical revisions, as it was introduced in the House on April 19. And I suggest that all of us would do well to pay careful attention to what our young people are proposing for their future and the future of our planet.

I hereby submit to you this joint resolution on behalf of Mr. Lonzo Mayfield, Robert Green, Henry C. Jones, Tony McCullers, Tony Rogers, Wendell Quarles, Cordelia Osborne, Cindy Thompson, Buddy Blake, Sandi Zumbro, Stephany Looney, Teresa Lawrence, Dale Simmons, Debbie Stratton, Lisa Lawrence, Fred Parrish, Steven Ray Martin, Brad Rowlette, Theo Garner, Jerry Morton, Karen Schmutz, Zachary Ridley, James Mitchell, Peggy Mangrum, Lytres Taylor, Eileen Tschan, Dexter Lee, and Clarence Johnson, Jr.

H.J. RES. 524

Joint resolution authorizing the President to proclaim May of each year as "National Earth and Wildlife Month".

Whereas there is an urgent need to promote broader awareness and understanding of the national environmental crisis, including the abuse of energy resources, the pollution of air, land, and water, and the loss of wildlife; and

Whereas there is a compelling need to encourage a continuing commitment by educational, agricultural, business, labor, and civic groups to solve environmental and wildlife problems; and

Whereas education of the public regarding environmental issues is necessary in order to solve complex environmental problems; Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation designating May of each year as "National Earth and Wildlife Month", and calling upon the people of the United States to observe such month with appropriate ceremonies and activities.

ZOO CONDITIONS

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. WHITEHURST. Mr. Speaker, I want to share with my colleagues a recent editorial in the Washington Post noting some of the problems that face the National Zoo in the Nation's Capitol. It reveals what can happen when budgets that are stretched to the breaking point are forced to stretch even further to accommodate additions.

I do not believe the National Zoo to be in a unique position regarding budget and personnel problems. Those problems afflict nearly every zoo in this country. The agony and suffering caused animals trapped in such unfortunate environments is an exceedingly unpleasant thought.

Such thoughts, I believe, are reflected in the additional meaning the word "zoo" has come to have in recent years. Referring to a location as a "zoo" implies indignity, humiliation, ill treatment, severe restriction, and similar unpalatable conditions common to most zoos in this country. An additional definition might be "treated little better than an animal." I wonder if such words are not more revealing of another attitude that mistreatment of animals is to some degree acceptable because they are animals.

Congress is not the proper forum to attempt change in words and attitudes, but it can take action to change the conditions giving rise to these beliefs.

I have introduced a bill, H.R. 1266, which would provide assistance in improving zoos and aquariums by creating a National Zoological and Aquarium Corporation.

The Corporation is authorized to set standards for the accreditation of zoos and aquariums, and is further authorized to provide technical assistance and grants to meet those standards.

The funds can be used to train a professional staff, establish a pilot project for a model zoo or aquarium, insure mortgages during construction projects, carry out needed construction or modernization of the zoo or aquarium, and similar upgrading and expansion project assistance.

The bill provides a legislative vehicle to achieve the improvement of our zoos, and through the revolving fund established by the bill, without undue drain on the Treasury.

H.R. 1266 has been referred to the Committee on House Administration. I urge those favoring the bill to voice their support to the committee at H326 Capitol, Washington, D.C. 20515.

Mr. Speaker, I insert the editorial from the April 27, 1973, edition of the Washington Post to be printed at this point in the Record.

Elitism at the National Zoo

One of the greater pastimes in our town—for resident Washingtonians as well as the swelling numbers of widespread visitors to the Nation's Capitol—is the zoo. It is, after all, the National Zoo, supposedly a unique showcase of animal life. Certainly the diversity of its inhabitants ranks it among the world's fine zoos, especially since the arrival last year of those two furry, elitists from China, the pandas.

But according to reports by Washington Post staff writer John Saar, the pandas have put quite a crimp in the zoo's modest budget, and many of the park's older inhabitants have been feeling the pinch. It turns out that some $550,000 of the zoo's federal funds for the current fiscal year were spent on the two pandas, amid strong complaints from some of the keepers that the rest of the zoo's 1,800 occupants have been neglected as a consequence.

Neither Ling-Ling nor Hsing-Hsing has yet been declared persona non grata. But there is beginning to be talk about the size of their expense accounts. Specifically, the critics charge that the pandas have been allocated unnecessarily large quarters, displacing other rare and important residents. As a result, the employees say, a quite rare antelope miscarried, and two white rhinos—ranked among the world's rarest animals—were sent on indefinite loan to the San Diego Zoo. Furthermore, say the critics, more emphasis ought to be placed on other financial needs at the zoo; there is overcrowding, there are dilapidated animal living quarters and there is a serious soil erosion problem.

Not all of the zoo's troubles can be laid at the paws of the pandas, however. More serious than the budget problems, in our view, is the complaint of an investigator for the Washington Humane Society that there has been a recurrent pattern of neglect of animals. "It is not deliberate cruelty," said field investigator Mark Kimbrell, "but neglect, and there is something about the way in which the zoo is now operated which allows these things to happen."

Mr. Kimbrell emphasized that the zoo has "tremendous institutional problems over funding and skilled help," but he charged that conditions there are causing animal deaths. Indeed, he stated that justified complaints of animal neglect at the zoo average one a month. In view of the fact that Mr. Kimbrell's organization is specifically chartered by Congress to investigate allegations of neglect or cruelty to animals—and to initiate prosecution when necessary—his charges ought not be taken lightly.

The Humane Society should continue to monitor conditions at the zoo on a regular basis, and should make its findings public. In addition, Congress ought to take into account the heavy budget strain caused by the arrival of the pandas, as well as the urgent need for improvements in living conditions generally at the zoo. Otherwise, it is pointless for zoo officials to keep on acquiring new animals. The capital city of the United States ought to be able to afford a first-class zoo not only for the sake of the people from Washington and around the world who visit it regularly—but for the welfare of the animals who must live there year around.

WE KNOW WHERE KETCHIKAN IS, BUT WHERE'S MA BELL?

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. YOUNG of Alaska. Mr. Speaker, it has recently come to my attention that Alaska, the Great Land, is still being mistakenly represented as a land of eternal ice and snow.

Nothing could be further from the truth.

Admittedly, the ice has not yet broken up on Tanana River, and the temperature has yet to see the warmer side of 30 degrees above on the North Slope, but Alaska is still being misunderstood by many people in the United States.

The most recent example of this is an advertisement that appeared in the April 23 issue of Sports Illustrated magazine under the sponsorship of the American Telephone & Telegraph Co. Under a headline that read "When your phone bill says you made a call to Ketchikan, and you don't even know where it is, call us," the company portrayed Ketchikan, the logging and fishing capital of southeast Alaska, as a desolate plain with only a long line of telephone poles and an igloo to break the dreary monotony of the white panorama.

Ketchikan Daily News Staff Writer Gerry Bruder, in his story about the advertisement, did an excellent job of letting both Sports Illustrated and American Tel & Tel know where Ketchikan is. And so, in the interest of informing my colleagues, I hereby submit Mr. Bruder's account of the incident for the Record:

We Know Where Ketchikan Is, But Where's Ma Bell?

(By Gerry Bruder)

Ketchikan residents were both outraged and amused this week by an advertisement in the April 23 edition of Sports Illustrated magazine.

The advertisement, featured on one-third of page 66 and all of page 67, is sponsored by the AT&T Corp. and Bell Telephone Co.

"When your phone bill says you made a call to Ketchikan, and you don't even know where it is, call us," the headline reads.

The text of the ad discusses what Bell Telephone customers should do if they dial the wrong long distance number or receive a phone bill listing erroneous calls.

At the bottom of the ad is a 5 x 7 inch black and white photo which, by inference, portrays Ketchikan as a desolate, treeless wasteland of ice and snow. A lonely igloo is positioned next to a string of telephone poles.

Ketchikan residents, asked for comment on the ad said it was a classic example of the misconceptions many people have about Alaska. Sen. Robert H. Ziegler Sr. called the ad "totally irresponsible advertising," and district Judge Henry C. Kenne Jr. said "We're about as close to an igloo as we are to Chicago. Ma Bell doesn't know anything about Alaska."

"I think it's funny," said Len Laurance, president of the Alaska Visitors Assoc. and Alaska World Travel. "It is, however, a shame that a company with the posture of AT&T has chosen this misleading format. I think we should ask AT&T to run additional advertising correctly portraying Ketchikan."

"It's a shocking thing to realize we're making this kind of impression on people," said Walt Bolling of Tongass Realty, and Dick Axelson, president of the Ketchikan chamber of commerce, added, "Obviously, the larger corporations aren't aware of what Alaska is like; we'll write them a letter and include a picture of Ketchikan."

The April 23 edition of Sports Illustrated hadn't reached Juneau yet when the Daily News contacted Guy Russo, director of the state division of tourism, for his comments. However, Russo said the division has many beautiful color photos of Alaska and "we'll make them all available" if AT&T chooses to sponsor a correction.

Russo noted that people in the South 48 states are often incredibly ignorant about Alaska. Recently, he said, a New Jersey travel agent asked a travel division official what sort of currency Alaskans use. And last week another New Jersey citizen phoned Juneau to find out what language Alaskans speak.

Sen. Ziegler said as a state senator he has discovered that misconceptions about Alaska are widespread. The photo in Sports Illustrated will certainly not correct those misconceptions.

There is some question, however, about the effect the photo will have on tourism. Axelson said it's hard to predict the effect and noted that some prospective visitors might actually want to see igloos. Bolling said he has "mixed emotions;" on the one hand, he said, he approves of the nationwide publicity the name Ketchikan will enjoy. On the other, he regrets that the photo is so completely misleading.

Both Axelson and Bolling noted that Ketchikan lacks sufficient hotel facilities to accommodate tourists anyway.

According to Sen. Ziegler, a suit for libel would be difficult to win because it would be practically impossible to prove how many people decided not to come to Ketchikan or Southeast Alaska as a result of the ad.

Also, Ziegler noted that "if we get into a big flap, we'll just call attention to the photo, you have to treat these things with a little sense of humor."

A preferable course of action, he said, would be to secure an apology and a correction.

The photo will probably have a favorable effect on the proposed trans-Alaska pipeline, since Congressmen who see it will not be excessively leery of "protecting" the wilderness from a pipeline if they believe the Alaskan environment is correctly depicted in the photo.

While Ketchikan's image may be a little the worse (or better) for wear, as one reader pointed out "at least they spelled it right."

BOMBING OF CAMBODIA

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. EILBERG. Mr. Speaker, the administration's continued bombing of Cambodia is of great concern to me and the people of my district.

Neither the President nor any of his spokesmen have consulted the Congress or its leadership about this policy nor have they been able to cite any statute or portion of the Constitution which makes this bombing a legal act. There are no American troops on the ground to protect and there are no treaty commitments to lend even quasi-legality to the situation.

This policy is the first step down the long and bloody road we followed in Vietnam.

As the bombing continues it becomes more likely that planes will be shot down and the crews captured or killed. If that happens, it is almost certain that more troops will have to be used to destroy the antiaircraft sites and then more troops will be needed to protect those men and we will once again be confronted with a full-scale, undeclared, illegal war in Southeast Asia.

If the President will not stop the bombing voluntarily, it will be up to Congress to stop it by cutting off the funds he needs to continue this policy.

AP SURVEY: 1 OF EVERY 6 LETTERS "SLOW"

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. ZWACH. Mr. Speaker, while the Subcommittee on Postal Service continues hearings on the general oversight of the U.S. Postal Service, I continue to receive complaints daily about the poor service rendered.

I noticed the results of a AP survey in the Worthington Globe, a daily in my Sixth Congressional District. The April 28, 1973, article is indeed interesting, and deserves the attention of all Members. The article follows:

AP SURVEY: 1 OF EVERY 6 LETTERS "SLOW"

The Daily Globe has rarely quarrelled publicly with postal service. Rather, this newspaper's quarrel has been with postal charges. Three basic arguments have been outlined from time to time:

(1) The postal service should not be required to "pay its own way" any more than the Department of State, the Department of Defense or the Department of Agriculture are required to pay their own way. It is desirable to require only a rather minimal charge for postage; the inevitable deficit should be paid from general revenues. Postal service is a basic service which taxpayers demand and expect of any government.

(2) Postal service should never be permitted to become a service for only an affluent part of a population. The only way to assure that there is full postal service for those who are "least among us" economically is to keep postal rates low.

(3) In a free society it is urgent that there be an unrestricted flow of information and ideas at all times. This requires that postal rates for books, newspapers, magazines and all publications be kept low. It is deeply disturbing that, as postal rates have climbed, subscription rates necessarily have climbed as well. The consequence has been that significant numbers of citizens are receiving fewer newspapers, fewer magazines—fewer opinions and less information.

The government itself is forcing this newspaper and (at least) several others into a broadened attack, however. Americans are being forced to pay rather dear rates specifically for service by this date. It becomes reasonable then to lodge complaints against service itself, as well as against rates.

On Friday The Associated Press released through all of its newspaper, radio and television members across the nation the results of an AP survey which concludes:

". . . there is no surefire way to beat the odds. The survey shows that air mail, zip coding, or a morning trip to the mailbox won't guarantee your letter an earlier—or even predictable—arrival."

The Daily Globe did not publish the AP survey on Friday. But on second thought: How in good conscience can information be kept from Daily Globe readers which is available to other Americans?

Following are highlights of the AP survey which reports "about 16 per cent of the time—roughly one out of every six letters—the U.S. Postal Service remains unable to lick problems that appear to be growing worse."

For the survey 792 letters were mailed from six cities through five days. Participants in the survey were the AP bureaus at New York, Washington, Chicago, St. Louis, Houston and Los Angeles. A staff member in each bureau went to an outside mailbox six times—Monday, Wednesday and Friday at 10 a.m. and the same three days at 4 p.m. Each time 22 letters were deposited. Two letters were addressed to the bureau itself, one without a zip code and one with a zip code. Each of the five bureaus was sent four letters—one first class without a zip code, one first class with a zip code, one air mail with a zip code, and one air mail without a zip code. Each letter was coded to indicate the time of mailing. Each bureau promptly sorted its mail deliveries to assure an accurate recording of the letters' arrival times.

Following are the findings:

(1) One out of every 10 times first class mail arrives more quickly than air mail. Three out of every 10 times air mail and first class mail arrive at the same time. Air mail, for which there is extra charge, arrives ahead of first class mail 60 per cent of the time, six times out of 10.

(2) One out of 12 times mail without a zip code arrives ahead of mail with a zip code. Eight out of 12 times mail without a zip code arrives at the same time as mail with a zip code. Three out of 12 times mail with a zip code arrives ahead of mail without a zip code—zip codes assure more speedily delivery 25 per cent of the time. One the average, zip-coded letters spent 2¾ hours less in the mail—49¼ hours vs. 52 hours.

(3) The AP bureaus had twice-a-day delivery which is not available in residential sections. Nineteen per cent—one in every five—of the letters arrived in the second (afternoon) delivery. Letters mailed in the morning moved more slowly, however. The morning mail reached its destination in 52 hours. The afternoon mail reached its destination in 49 hours.

But:

"About one time in every six that you put a letter in a U.S. Postal Service mailbox . . . you run the risk that its delivery will be delayed several days."

A quasi-independent U.S. Postal Service replaced the U.S. Post Office Department approximately 36 months ago. The result has been that America is paying more and getting less when it comes to postal service.

The Daily Globe is satisfied its own mail, incoming and outgoing, generally arrives "soon enough." If it is urgent that a message be delivered within hours there is recourse to telephones and telegrams. But the Daily Globe believes postal rates are already steep and the promise, not prospect, is that the rates will go still higher.

LITTER-ALLY DISCOURAGING

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. DERWINSKI. Mr. Speaker, too often solutions to problems involve grandiose plans and impressive schemes that never make it beyond the blueprint stage. This observation is directly applicable to the battle we must wage to maintain the cleanliness and neatness of our communities and our country as a whole. A very stimulating commentary against littering is the subject of an article by Fran Zuiker in the Calumet Index, a publication serving the far south side and immediate suburbs of Chicago, in the April 4 edition. I am pleased to insert this very practical observation into the RECORD:

Litter-Ally Discouraging

(By Fran Zulker)

In a few weeks the streets of most enlightened communities will swarm with little kids with bags picking up papers, bottles, tin cans and rubbish, in order to make their little part of town a little brighter. They will be encouraged and supervised by taxpayers who live in the community and want to see their part of town the bright place they hoped it would be when they moved in. All of these people will be doing this on a volunteer basis and for a few days their community will be a bright place to live in.

Meanwhile, around every chicken and hamburger drive-in, around every liquor store in the community, big brothers and sisters, fathers and mothers are dumping paper bags, napkins, pop bottles, wine bottles, whiskey bottles and beer cans onto the streets and sidewalks and curbs of their little part of town.

The Indians used to have a phrase for that kind of action but it used to refer to white people and it meant they said one thing while they did something else. If you live in a community and want it to be a special kind of a place you must do your part to make sure that at least you are doing what you can to see that it will be the nice place you want it to be.

The other day I walked through the parking lot of a liquor store and a black man and myself joined in a common cause of kicking away broken bottles that littered the lot and could cause damaged tires. But this was nothing compared to what it could cause the homeowners in the community as the years roll by.

Nothing stands still. The Grand Canyon, the Mississippi River, even metropolitan Chicago is changing every day. In Indiana, people who lived on a sandy shore now find their homes in Lake Michigan because they ignored vital signs of erosion. Litter is erosion that can drain the equity from your home investment and the only thing you can do about it is putting an end to litter no matter what the initial cost might be.

In Chicago there are ordinances prohibiting litter but like so many other laws that might be annoying they are completely ignored and there are not even token shows of enforcement. It has been said that education builds pride and pride gives confidence and confident people become interested in the little things that make for a better life.

People who litter are sloppy people without pride and without interest in their own future or investment in society and the only way you can correct the situation is to impress them with the necessity to help themselves by helping others. When one person discards an item it is invisible but when hundreds do it the situation develops a garbage dump and property littered with debris becomes unsalable and useless, and the sweat and labor of years goes into oblivion.

In a few weeks the kids will go out with their bags to collect debris, but meanwhile the owners of property in a community should ask themselves what they are doing. The obvious answer would be—Discover what your community association is doing on the long range. Discover what the police department is doing or what they can do about litter. Then Do your own part—Don't Litter!

INCREASING THE BUDGET FOR FUSION RESEARCH

HON. MIKE McCORMACK

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. McCORMACK. Mr. Speaker, I want to take this opportunity to announce that I will propose an increase of $11.4 million in the 1974 Atomic Energy Commission budget for controlled thermonuclear fusion research.

Nuclear fusion, the reaction that powers the Sun, the stars, and hydrogen bombs, offers the promise of limitless, economically feasible and virtually clean energy for all time. The fuel, heavy hydrogen, is available to all nations, because it is present in minute quantities in all the waters of the Earth. Heavy hydrogen, known to the scientific world as "deuterium" can be extracted from any sample of water for a tiny fraction of the cost of its value as a fuel in future fusion power reactors. There is enough deuterium available on Earth for boundless supplies of energy for all people for millions of years.

Our challenge today is to develop methods and equipment to produce the fusion reaction in a controlled manner, and to convert the energy of the reaction to usable electricity.

Fusion research has been progressing steadily for several years, but it has been, and still is, in its infancy. It is still basic research, and even if all theories work out as predicted, the production of economically competitive fusion electricity is still 20 to 30 years away.

During recent months, however, extremely encouraging progress has been made at three laboratories in the United States: Oak Ridge, Tenn.; Los Alamos, N. Mex.; and at Princeton Plasma Physics Laboratory. Conservative scientists in the field now believe that, because of these advances, the basic characteristics and behavior of the thermonuclear plasma—the hundred-million degree state at which fusion occurs—are understood and can be controlled. This is a major and exciting accomplishment after 20 years of frustration, and brings us within striking distance of proving scientific feasibility, and demonstrating that the fusion reaction will actually occur under the controlled conditions of a confined plasma.

Now that we have reached this point, we must at once move forward more aggressively with fusion research. We have always followed the wise course of spending only as much money for fusion research as an orderly program demanded. On the other hand, we must never allow the fusion research and development program to be budget-limited. Having fusion electric power even 1 year nearer vastly strengthens our bargaining position with the oil-producing nations of the Middle East, and even one fusion reactor on the line for 1 year could reduce oil imports by about 120 million barrels/year, costing about $500 million at today's prices. In addition, generation of fusion electricity will present fewer environmental problems than encountered with electric generation using today's methods.

It is of critical importance that this Nation's fusion R. & D. program never be limited by budgetary restraints. The recent successes in this area have outdated the original 1974 budget recommendations for fusion research. My proposal to increase the funding for this work from $47.3 to $58.7 million for fiscal year 1974 is not just a "blue-sky" guess at some acceptable appropriation level. The additional $11.4 million is designed to fund 10 specific projects employing the services of the AEC national laboratories, and several universities and research institutes.

Mr. Speaker, during recent months, I have visited the major fusion research sites funded by the Atomic Energy Commission. I have discussed the various fusion research programs with many of the leading experts in the field. I can assure the Members of the House that the research programs which will be funded by the increase I will propose are in order at this time, and that they will keep the fusion R. & D. program moving forward in an organized way, thus avoiding some unnecessary future delays.

BLOODBATH IN BURUNDI

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. HUBER. Mr. Speaker, a feature in the April 16 Detroit News comments on one of the saddest behaviors of peoples and nations—their tendency to ignore an action at one time or place that would bring down the wrath of world censure if it had happened at even a slightly different location or period.

The case in point is the bloodbath in the virtually all-black central African republic of 4 million souls called Burundi. Here the Hutu tribe outnumbers the Tutsi tribe 6 to 1, but the latter firmly controls the government. Last year the ruling class systematically exterminated the leaders, the educated, and the wealthy among the Hutu, probably about 100,000 in all.

First one influential voice and then another—from the dominant Catholic Church to major foreign powers including the United States—chose publicly to ignore the massacre. Only tiny Belgium seems to have stood up in protest, and this is particularly ironic in view of the abuse Belgium was subjected to during the agonies attendant upon the Belgian Congo—now Zaire—gaining independence during the early 1960's.

The article follows:

Bloodbath in Burundi: World Ignores Slaughter of 100,000

(By Stanley Meisler)

Bujumbura, Burundi.—One of the strangest aspects of the slaughter of 100,000 or more people in Burundi last year was the feeble reaction of the rest of the world.

Missionaries kept quiet or muted their concern. Most foreign governments, including the United States, refused to protest in public. Two African countries even rushed military help to the government that was doing the killing.

Almost all foreign aid continued to flow into Burundi. European businessmen kept playing golf here in Bujumbura.

It is clear now that the Burundi government, in a chilling and calculated way, tried last year to kill all members of the majority Hutu tribe who had some education, wealth or potential for leadership. The killing came out of fear.

The ruling Tutsi tribe—tall, slender, Hamitic people—are frightened because the short, Negroid Hutu people outnumber them almost 6–1. After a Hutu uprising in late April the government decided to make sure that the Hutus would be powerless to rise again.

It is not difficult to imagine the outcry in the rest of the world today if the whites who run the government of South Africa had decided to put down a rebellion and guarantee their continued control by killing all black South Africans who had some education, wealth or potential for leadership.

Yet the events in Burundi, roughly analogous, provoked only a few whimpers of protest. It was almost as if all foreigners had banded together in a conspiracy of silence about what was going on in a little-known African country of almost four million people.

Actually there was no conspiracy. For a variety of reasons, all institutions that might have protested—church groups, governments, international organizations—made individual decisions to look the other way.

Each decision seemed logical and right to those who made it. But the net result was that the Burundi government escaped any punishment or even condemnation for the horror it inflicted on so many of its people.

Missionaries and other religious leaders showed the most surprising restraint, for in the past they have been in the forefront of those exposing injustice in Africa. During the Nigerian and Sudanese civil wars, for example, church groups played a major role in publicizing the pains of Biafra and the southern Sudan.

Burundi is one of the most predominantly Christian countries in Africa. More than half its people are Christian, mostly Catholic. It might seem that this strength would make the churches forthright in their condemnation of the killing.

But it actually made most missionaries hesitant. They were afraid that if they spoke out they might lose their hold on Burundi.

The reaction of the U.S. government to the events was typical of most foreign governments. Thomas P. Melady, who was then U.S. ambassador, believed that his first responsibility was protection of the 150 Americans in Burundi, mostly missionaries.

When the massacres began the U.S. embassy in Nairobi, Kenya, which was receiving reports from Melady, began briefing American correspondents on what was going on. The correspondents, based in Nairobi, had been unable to obtain visas to enter Burundi.

The U.S. government never has publicly expressed any disapproval of the killings in Burundi. Sometime during the past year, however, David D. Newsom, assistant secretary of state for African affairs, privately called the Burundi ambassador to the State Department in Washington and reportedly expressed U.S. concern about the troubles.

Officials decided that the killings were an African problem. If African governments chose to ignore it, they reasoned, why should the U.S. government make an issue of it?

Burundi never has received much U.S. aid. The ambassador has a fund of $25,000 a year for small projects around the country. But this has been discontinued for the present.

Belgium was the only Western country to react differently from the United States. The former colonial power in Burundi, Belgium is the largest donor of foreign aid to Burundi and has the most nationals living there, about 3,000.

In May, Premier Gaston Eyskens of Belgium denounced the massacres as "veritable genocide" and his government announced that it would review the continuation of Belgium aid, which amounts to $4.5 million a year. This set off a storm of anti-Belgium invective from the Burundi government, which even accused the Belgians of starting all the trouble in the first place.

Despite the premier's strong statement, Belgium has not carried out its threat.

Almost all African governments reacted in a predictable way. As usual in cases of African disorder, the governments either ignored the massacre or pledged support to the Micombero government.

African leaders do not want to break their facade of black African unity. It's as if all leaders of Europe had refrained from criticizing Hitler or Stalin in the name of white unity.

Deluded by President Micombero's claim that the original Hutu uprising had been led by former Congolese rebels now exiled in Tanzania, President Mobutu Sese Seko of Zaire (the former Belgian Congo) even sent troops to Bujumbura and President Julius K. Nyerere of Tanzania sent ammunition.

WHAT IS A "SOLDIER"?

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. CHARLES H. WILSON of California, Mr. Speaker, the great Mahatma Gandhi wrote:

> A true soldier does not argue, as he marches, how success is going to be ultimately achieved. But he is confident that if he only plays the humble part well, somehow or other the battle will be won.

Such a "true soldier" is 1st Lt. Robert C. Brand whom I had the privilege of appointing to West Point in 1966. I was very proud to read a letter Lieutenant Brand wrote recently to the Army Times wherein he demonstrates the dedication of one young man to his military career. It is due to the integrity, courage, and commitment of soldiers such as Lieutenant Brand that our Armed Forces remain strong, and I would like to take this opportunity to commend his letter to my colleagues:

> I am compelled to write this letter because of my deep love for the Army and my deepest admiration for the real soldiers who serve in it. Mr. Ewing's story about Maj. [Josiah] Bunting in "Army Dropout" [January 3] is the cause of this letter.
>
> Major Bunting is only one of the good grunts, cannon cockers, tankers, bridge builders and communicators to leave the Army because of that plague called "careerism." I know several such individuals myself. One used the excuse that he was ready to command a battalion and was not going to wait for the Army. Another left because he no longer wanted to be subjected to the horrors of working for and being rated by an idiot. Both of these young captains had excellent records as infantrymen as did Major Bunting. Yet what I want to discuss is the one thing they and many others lacked.
>
> They were not soldiers. A soldier is a person who is a soldier first, last and always, regardless of the consequences. A soldier does what is asked of him until such time when he must make a moral or ethical decision. He must choose to either acquiesce or stand up and be counted. If he stands up, he may, as Major Bunting so aptly hinted at, jeopardize his career. If he acquiesces, he ceases to be a soldier. A soldier must stand up, be counted, take the chance, and then, regardless of the outcome, continue to march forward. Major Bunting and the others I mentioned stood up, but instead of marching forward, they left the Army.
>
> A soldier must be willing to accept and handle the consequences of his actions within the system. For those who have read Anton Myrer's *Once an Eagle*, Sam Damon's actions "for the good of the service" are more than appropriate in today's Army.
>
> Some, as Major Bunting claims, think the system is too inflexible. They say the real soldier is doomed and cannot survive in the system. My boss is a soldier and won't make general because of it, but he continues to soldier. There are many colonels who aren't generals because they were too busy soldiering. Yet I maintain there are more than 2500 colonels and only 500 some generals, and simple math dictates some good soldiers won't be generals. I further claim that most generals were and continue to be soldiers. Finally, I assert that the Army will not only survive, but also prosper because there are plenty of soldiers who are willing to perform their duty in the same manner as Sam Damon performed his. For proof and substantiation, I will use one real example of what I am getting at.
>
> The finest general I know has been a soldier his entire career. Maj. Gen. Sidney M. Marks has done nothing but soldier from his first day of OCS until now. For those of us willing to hang in there, we need only look to General Marks' career as an inspiration to follow the cliche, "When the going gets tough, the tough get going."
>
> 1st Lt. Robert C. Brand, USA.

ST. ANTHONY EAST, AN URBAN RENEWAL SUCCESS STORY

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. FRASER. Mr. Speaker, St. Anthony East, an older residential neighborhood in Minneapolis, is making a real comeback due to the wise use of urban renewal. Area residents together with the Minneapolis Housing and Redevelopment Authority have developed a renewal plan that is succeeding in drawing suburbanites back into the city.

The St. Anthony project, I think, points up the harmful impact of the Nixon administration's "meat ax" approach to community development. Many of us agree that improvements can be made in the operation of the urban renewal program. But to shut the program down completely, as the administration intends to do, will only threaten the success of projects like St. Anthony that are doing so much to strengthen urban communities.

At this point in the Record, I would like to insert a Minneapolis Star article that tells about the St. Anthony East urban renewal project:

> Couple Flees Suburb to City Renewal Area—St. Anthony East Wins Friends
>
> (By Peter Blankman)
>
> Like many commuters, George and Bernice Gorski don't like to drive through miles of congested streets to work.
>
> Unlike many commuters, the Gorskis are doing something about it by moving back into one of the oldest neighborhoods in Minneapolis from New Brighton.
>
> "I love to drive, but that 9-mile trip is getting longer and longer," he says.
>
> Their new home will be at 604 NE. Quincy St., in the heart of the St. Anthony East urban renewal area.

Urban renewal? Isn't that where they tear down everything—a sort of urban removal?

That may be in some cases, but for many St. Anthony residents urban renewal has been just what the name says.

There are dozens of new homes, a 221-unit high rise for the elderly and new commercial space.

There are old homes with new paint jobs. More than 150 families have received grants and low-interest loans for more than $500,000 of rehabilitation.

There are plans for a new elementary school and a park.

Add the money spent on public improvements rehabilitation and new construction and the total is more than $7 million for the two-dozen-block renewal area.

Money spent doesn't make a neighborhood, of course. But many residents and Housing and Redevelopment Authority (HRA) officials agree that the commitment of funds and energy probably have saved the neighborhood.

Before the renewal, says Jeannette May, a resident, the deteriorating buildings "meant that the apartment developers went around the area like vultures, seeking vacant lots next door to beat-up houses."

A few 2½-story apartments were built. But, says John Hessel, HRA land disposition officer, "We caught it just in time. Two more years and it would have gone to apartments."

Mrs. May, a 30-year resident of the area and secretary of the Project Area Committee (PAC), the citizens' group that works with the HRA, is an enthusiastic fan of the renewal project.

"The HRA staff was viewed as a sort of conquering occupational army when they arrived, but they'll leave as friends," she says.

It's that kind of feeling about the area that has drawn the Gorskis and others back from the suburbs and other parts of the city.

Part of St. Anthony's attraction is the ethnic solidarity of much of the northeastern part of the city. Church names give a clue—St. Constantine Ukrainian Catholic Church, St. George's Ukrainian Greek Orthodox Church, St. Mary's Russian Orthodox Greek Catholic Church.

Time after time, people interviewed said there was an earlier connection to Northeast—"My wife was from here" or "I was raised here" or "Our parents lived here."

But there's something more than neighborhood ties that brings people back.

The Gorskis left the city in 1954 when they built a house in Coon Rapids. The open spaces looked good at first, but within a few years the couple was dissatisfied. They then bought an 80-year-old house in Minneapolis on 26th Av. NE.

"But no matter what you did, it needed more work," Gorski says. Unable to find land to build on in the city in an area they liked, the family moved to New Brighton seven years ago.

But when renewal came to St. Anthony East, land became available where old houses had been demolished and the Gorskis decided to come back, A 60- by 130-foot lot, for sale by the HRA for $3,300, caught their eye. They're now building a three-bedroom split-level and hope to move in June 1.

The best thing about coming back, they say, will be less dependence on the two family cars. They even look forward to selling one of them, since both will be close to their jobs.

Convenience was the attraction for others as well.

John Wilhelm says, "My wife works downtown and can catch the bus four doors down." Mrs. May says, "I don't drive and my husband doesn't want to commute."

Kathy Kittelson says, "My husband hates to commute and now he's close enough to walk." Judy Honigschmidt, a 26-year-old mother of three, says, "I don't drive and now I'm close to school, doctors, shopping, everything."

Not everyone is happy with urban renewal, of course. The St. Anthony West project, which came before the east, caused great uproar.

St. Anthony East had its opponents, too, but generally things were much quieter. John Wakiriak, one of the early members of the east citizens' committee, says the main item was that people wanted to know what was going on. Good cooperation from the HRA ensured that, he says.

Another reason for the project's general acceptance may have been the emphasis on rehabilitation rather than demolition. Philip Handy of the HRA's northeast office said 285 buildings with 539 housing units have been rehabilitated while 197 buildings with 354 units have been torn down.

There's still empty land in St. Anthony East. There's still no end in sight of a long wait for the school board and the Park Board to build a new school and park.

But many say the neighborhood will make it. The PAC has a substantial say in how the area is redeveloped and the group is determined to retain the residential atmosphere. As Mrs. Honigschmidt says, "We've just come to feel it's better to fight for things than to just move out."

RESTORATION OF THE MENOMINEE INDIAN TRIBE OF WISCONSIN

HON. HAROLD V. FROEHLICH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. FROEHLICH. Mr. Speaker, on June 17, 1954, the United States by act of Congress terminated the Menominee Tribe of Wisconsin, depriving them of recognition as Indians under Federal law, closing their tribal roll, and withdrawing from them the services and assistance accorded to American Indians because of their unique status.

Whatever its motivation and objective, this Termination Act has proved in the ensuing years to be a misconceived and tragic experiment. It was an involuntary experiment that has produced cultural shock and severe economic hardship for the Menominee people. It has led to disorientation, disunity, and despair in the tribe. And it has written a sad and regrettable chapter in American social history.

Today, I am introducing legislation to restore Federal recognition to the Menominee Tribe and to reestablish their reservation. My bill, among other things, will repeal the Menominee Termination Act of 1954. This will not only improve the economic situation for the Menominee people but also provide a signal to Indian tribes across America that termination as a policy has been repudiated. Because of the symbolism inherent in the restoration of a terminated tribe, the Menominee Restoration Act could well be the most significant Indian legislation to come before the 93d Congress. When it is enacted, its impact will be felt on every Federal reservation in the United States.

I am proud to be joined in this important and historic legislation by my friend and colleague from Wisconsin, DAVID OBEY, who introduced the first Menominee Restoration Act last spring, and by Representatives ABZUG, ANDERSON of Illinois, ASPIN, BINGHAM, BLATNIK, BURKE of California, CHISHOLM, CLEVELAND, DERWINSKI, FRASER, HANSEN of Washington, HARRINGTON, KASTENMEIER, MEEDS, REUSS, ROYBAL, RUPPE, SARBANES, THOMSON of Wisconsin, WALDIE, YOUNG of Georgia, YOUNG of Alaska, and ZABLOCKI.

I am deeply grateful to all these distinguished Members of the Congress for the invaluable support they have given to this bill.

Mr. Speaker, permit me to explain briefly the background and the consequences of the termination policy, as applied to the Menominee Tribe.

In 1951, the Menominees won a judgment of $8.5 million against the United States for mismanaging the assets of the tribe. According to law, this judgment was deposited for the tribe in the U.S. Treasury. A decision was then made by the tribe to seek legislation authorizing the distribution of part of this judgment to individual tribal members. Such legislation was introduced by former Representative Melvin R. Laird, and was passed by the House.

In the Senate, however, this per capita distribution bill was radically altered to embody and implement the policy of termination established in House Concurrent Resolution 108, passed by the 83d Congress in 1953. The prime mover in this effort was Senator Arthur Watkins, who fervently believed that the U.S. Government, notwithstanding its treaty obligations to various Indian tribes, should "get out of the Indian business."

"Uncle Sam . . . cannot possibly do the job—

Watkins told the Menominees during a brief appearance on their reservation—

> Congress has gotten to the point where it wants to put these people on their own feet and let them have full control of their affairs just as rapidly as it can be done.

For various reasons the Watkins version of the bill was enacted, and the tribe was terminated. Although Federal supervision was extended until 1961, the decline in the fortunes of the Menominee Tribe began the day the Termination Act became law.

It is sometimes contended now that the Menominees wanted the termination of their trust relationship. This is not borne out by the record. While it is undoubtedly true that most of the few Menominees who participated in the tribal council meetings at that time desired legislation to authorize a partial distribution of their recently-won judgment, there is scant indication that there was ever much sentiment for termination. The only vote that could be construed as supporting termination came on the heels of Senator Watkins' visit to the reservation, amid great confusion and misunderstanding. At stake in the vote was the carrot of a $1,500 per capita distribution that was tied, apparently inextricably, to something vague called termination, which Senator Watkins had said was inevitable. It was hardly an election with clear cut issues, held under laboratory conditions.

At a later date, when the meaning of

termination became more clear, the tribe voted unanimously to reject termination.

There was even less confusion among officials of the State government and the Board of Supervisors of Shawano County. They were against termination, said so repeatedly, and tried first to prevent it and then to repeal it. These efforts were discontinued only after termination became an accomplished fact that was seemingly irreversible.

After a period of delay ending in 1961, Menominee County was created by the State of Wisconsin to provide civil government for the former reservation. Menominee Enterprises, Inc., was established as the entity to control and manage the tribe's assets—primarily a sawmill and the forest land within the county.

Since 1961, Menominee Enterprises has been pushed to the brink of bankruptcy by business conditions, operating restrictions, and, most important, the mounting tax burden of local government. Over a period of years virtually all the corporation's profits have gone into property taxes for education and other local services in the poorest county in Wisconsin.

In order to stave off financial disaster, a decision was made in the mid-1960's to begin selling Menominee land to non-Menominees. This course was designed to secure new income for the corporation and a new tax base for the county. In time, however, the decision generated great controversy.

It was highly unpopular among many Menominees, who have a deep feeling for their ancestral land; and it led eventually not only to an upheaval in the tribal leadership but also to strained relations and frictions with the new property owners. The legitimacy of some of the land sales and of the hunting and fishing rights that were purportedly conveyed in some of these sales, is now being tested in the courts.

Regrettably, the sale of Menominee land created new problems, but it did not lift the corporation or the county out from under their serious economic difficulties. These acute problems remain.

In 1970, in his Recommendations for Indian Policy, President Nixon rejected the policy of termination, citing its "bad practical results" in the few instances in which it had been tried. Writing with the Menominees in mind, the President declared:

> The removal of Federal trusteeship responsibility has produced considerable disorientation among the affected Indians and has left them unable to relate to a myriad of Federal, State, and local assistance efforts. *Their economic and social condition has often been worse after termination than it was before.*" [Italic supplied.]

Last month, in a special report, the Bureau of Indian Affairs rendered an even more sobering assessment of the crisis in Menominee County:

> The economic instability of MEI combined with the elimination of public funds to the county make the situation perilous. Unless relief is made immediately available in the form of either a massive infusion of public funds or restoration, MEI will no longer be economically viable and Menominee County will go under.

These are some of the serious considerations that have prompted me to introduce and strongly support the Menominee Restoration Act.

These are some of the considerations that require the prompt enactment of this legislation by the House and Senate.

Termination of the Menominee Tribe was a monumental mistake. It must be corrected, and it must be corrected now.

It is imperative to recognize, however, that the correction of this mistake will not be uncomplicated. Restoration of the reservation will have widespread ramifications affecting many interests. In the push for restoration, these competing interests cannot be ignored. They must be considered and, if possible, accommodated, without losing sight of ultimate objectives. That is what I have tried to accomplish in this bill.

The bill in its present form:

Repeals the Termination Act of 1954 and reinstates all rights and privileges lost on account of that act;

Extends immediate Federal recognition to the Menominee Tribe of Wisconsin, making them eligible immediately for Federal services and assistance;

Opens the tribal roll and eventually gives to the tribe complete control of the enrollment process;

Calls for the election of a 9-member Menominee Restoration Committee within 60 days of enactment;

Provides for an election to determine the tribe's constitution within 180 days of enactment;

Sets an election of constitutional officers within 120 days after the approval of a tribal constitution;

Gives to the tribe broad discretion to fashion a tribal constitution; and

Authorizes to be appropriated such sums as are necessary to carry out the provisions of the Restoration Act.

Nothing in the Restoration Act diminishes the treaty rights of the Menominee people.

Nothing in the Restoration Act disturbs, diminishes, or prejudices the property rights of non-Menominee people who own land in Menominee County.

In all these provisions, the substance of the draft bill that was submitted to me last December has not been changed.

There are, however four major changes in the bill that should be mentioned.

The first and most important change is contained in section 6(a). This section provides that the land controlled by Menominee Enterprises and the land owned by individual Menominees shall not be accepted into trust by the Secretary of the Interior until 2 years after the enactment of the bill.

The purpose of this provision is to permit an orderly period of transition from the time of enactment to the time when the vast majority of land in Menominee County is stricken from the property tax rolls of local government. During this transition period all concerned parties will be able to assess the desirability of preserving or restructuring local government, and all concerned parties will be able to gage the impact of Federal financial assistance for the tribe on the budgets of the town and county governments. The more Federal assistance that is received, the more the cost of local government should go down. Should Federal financial assistance be substantially less than anticipated, however, the burden of financing local government will not fall immediately and unfairly upon the non-Menominee property owners in Menominee County.

This provision is a compromise between those who would like all sections of the Restoration Act to take effect immediately and those who would prefer to make the effective date contingent upon total restoration of the local government structure that existed prior to termination.

My able colleague, Mr. OBEY, believes that a 2-year delay before the trust relationship is established is unnecessary and that the problems with which non-Menominee property owners are concerned are largely illusory. I do not share this view.

To my mind, the ultimate solution to the problem of uncertain Federal revenues and the inevitable friction that will result from a nontaxpaying Menominee majority assessing and taxing a largely nonvoting but taxpaying non-Menominee minority, is a restoration of the town and county lines that existed before termination.

Because I believe the vital interests of all concerned parties will best be served by discontinuing the life of Menominee County, I will attempt to persuade the Interior Committee to reflect this view in the committee's final bill.

A second major change is the addition of section 8. This section recognizes the special educational needs of Menominee young people and the responsibility, not of local taxpayers, but of the U.S. Government to meet these needs. Hence, this section declares it to be "the policy of the United States to provide full financial assistance for Menominee students to those local educational agencies which enroll two or more members of the tribe who reside on the reservation or within the boundaries of Menominee County."

This provision is designed to promote high quality education for Menominee students without unfairly burdening local taxpayers. I am determined to see that restoration is a benefit, not a burden. This provision will go a long way toward achieving that end.

A third significant change is contained in the last sentence of section 7. This sentence declares that fishing by non-Menominees on the Legend Lakes, La Motte Lake, Moshawquit Lake, and Round Lake shall be regulated by the State of Wisconsin. The sentence also imposes a duty upon the State of Wisconsin to treat property owners on these lakes in the same manner as it treats other property owners by periodically stocking these lakes with fish "in the same manner as other lakes are regulated by the State of Wisconsin."

The State's recognition of the treaty rights of Menominee Indians to fish without regulation in all the lakes in Menominee County should not and must not give rise to any deprivation of the rights of non-Menominee property owners. This section asserts the determination of the Congress that this shall not happen.

The final important change is the elimination from section 5 of the draft bill a clause that required the tribe's constitution to contain a provision prohibiting the sale of all land within the limits of the tribe's reservation.

The tribe is authorized by my bill to include in its constitution a clause prohibiting the sale of reservation land, but I do not believe that Congress should require them to do so. To my mind, such a clause is not in keeping with the new spirit of self-determination that should apply to Indian tribes in the governance of their internal affairs.

I do not advocate the sale of tribal land, but I can conceive of situations in which a majority of the tribal members might wish to sell a small part of their reservation. To require an Act of Congress in order to sell a small piece of land is to say, in effect, that the Menominees, having been through so much, cannot be trusted to decide the most important of their own affairs. That is a proposition to which I cannot subscribe.

The bill introduced today is a forthright attempt to correct a national mistake, and to promote self-determination and self-sufficiency within the context of a trust relationship.

It is an important and vital bill that I hope will touch the conscience of America.

The bill follows:

H.R. 7421

A bill to repeal the act terminating Federal supervision over the property and members of the Menominee Indian Tribe of Wisconsin as a federally recognized, sovereign Indian Tribe; and to restore to the Menominee Tribe of Wisconsin those Federal services furnished to American Indians because of their status as American Indians; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Menominee Restoration Act".

SEC. 2. For the purpose of this Act—

(1) The term "tribe" means the Menominee Tribe of Wisconsin.

(2) The term "Secretary" means the Secretary of the Interior.

(3) The term "Menominee Restoration Committee" means that committee of nine Menominee Indians who shall be elected at a general council meeting called by the Secretary pursuant to section 4(a) of this Act.

SEC. 3. (a) Effective on the date of enactment of this Act Federal recognition is hereby extended to the Menominee Indian Tribe of Wisconsin.

(b) The Act of June 17, 1954 (25 U.S.C. 891–902) is hereby repealed. There are hereby reinstated all rights and privileges of the tribe or its members under Federal treaty or otherwise which may have been diminished or lost pursuant to the Act of June 17, 1954 (25 U.S.C. 891–902).

(c) Nothing contained in this Act shall diminish any rights or privileges enjoyed by the tribe or its members now or prior to June 17, 1954, under Federal treaty or otherwise. Except as specifically provided in this Act, nothing contained in this Act shall alter any property rights or obligations, any contractual rights or obligations, or any obligations for taxes already levied.

SEC. 4 (a) Within fifteen days after the date of enactment of this Act the Secretary shall announce the date of a general council meeting of the tribe to elect the Menominee Restoration Committee. Such general council meeting shall be held within 60 days after the date of enactment of this Act. All living persons on the final roll of the tribe published under section 3 of the Act of June 17, 1954 (25 U.S.C. 893) and all descendants, who are at least 18 years of age, of persons on such roll shall be entitled to attend, participate, and vote at such general council meeting. The Secretary shall approve the Menominee Restoration Committee if he is satisfied the requirements of this section relating to the general council meeting have been met. The Menominee Restoration Committee shall represent the Menominee people in the implementation of this Act and shall have no powers other than those given to it in accordance with this Act.

(b) The membership roll of the Menominee Tribe of Wisconsin which was closed as of June 17, 1954, is hereby declared open. The Menominee Restoration Committee, under contract with the Secretary, shall proceed to make current that roll in accordance with the terms of this Act. The names of all enrollees who are deceased as of the date of enactment of this Act shall be stricken. The names of any descendant of a person who is or was enrolled shall be added to the roll provided such descendant possesses at least one-quarter degree Menominee Indian blood. Upon the installation of elected constitutional officers of the Menominee Indian Tribe of Wisconsin, the Secretary and the Menominee Restoration Committee shall deliver their records, files, and any other material relating to enrollment matters to the tribal governing body. All further work in bringing and maintaining current the tribal roll shall be performed in such manner as may be prescribed in accordance with the tribal governing documents. Until responsibility for the tribal roll is assumed by the tribal governing body, appeals from the omission or inclusion of any name upon the tribal role shall lie with the Secretary and his determination thereon shall be final. The Secretary shall make the final determination of each such appeal within 60 days after an appeal is initiated.

SEC. 5. (a) The Menominee Restoration Committee, under contract with the Secretary, shall conduct an election by secret ballot for the purpose of determining the tribe's constitution and by-laws. The Secretary shall enter into such contract with the Menominee Restoration Committee within 90 days after the enactment of this Act. The election shall be held within 180 days after the enactment of this Act.

(b) The Menominee Restoration Committee shall distribute to all enrolled persons who are entitled to vote in the election, at least thirty days before the election, a copy of the constitution and by-laws as drafted by the Menominee Restoration Committtee which will be presented at the election, along with a brief impartial description of the constitution and by-laws. The Menominee Restoration Committee shall freely consult with persons entitled to vote in the election concerning the text and description of the constitution and by-laws. Such consultations shall not be carried on within fifty feet of the polling places on the date of the election.

(c) The Menominee Restoration Committee, under contract with the Secretary, shall conduct an election by secret ballot for the purpose of determining the individuals who will serve as members of the tribe's governing body. The Secretary shall enter into such contract with the Menominee Restoration Committee within 60 days after the tribe adopts a constitution and bylaws pursuant to subsection (a) of this section. The election shall be held within 120 days after the tribe adopts a constitution and bylaws.

(d) In any elections held pursuant to subsections (a) and (c) of this section, the vote of a majority of those actually voting shall be necessary and sufficient to effectuate the adoption of a tribal constitution and bylaws and the election of the tribe's governing body, so long as, in each such election the total vote cast is at least 30 per centum of those entitled to vote.

(e) The Act of June 18, 1934 (25 U.S.C. 461 et seq.) shall not apply to any election under this Act.

SEC. 6. (a) Subsections (c) and (d) of this section shall not become effective until two years following the enactment of this Act.

(b) The Secretary shall negotiate with the elected members of the Menominee Common Stock and Voting Trust and the board of directors of Menominee Enterprises, Incorporated, or their authorized representatives, to develop a plan for the assumption of the assets of the corporation.

(c) The Secretary shall, subject to the terms and conditions of the plan negotiated pursuant to subsection (b) of this section, accept the assets (excluding any real property not located in or adjacent to Menominee County, Wisconsin) of Menominee Enterprises, Incorporated, but only if transferred to him by the board of directors of Menominee Enterprises, Incorporated, subject to the approval of the shareholders as required by the laws of Wisconsin. Such assets shall be subject to all valid existing rights including, but not limited to liens, outstanding taxes (local, State, and Federal), mortgages, outstanding corporate indebtedness of all types, and any other obligation. The land and other assets transferred to the Secretary pursuant to this section shall be subject to foreclosure or sale pursuant to the terms of any obligation in accordance with the laws of the State of Wisconsin. Subject to the conditions imposed by this section, the land transferred shall be taken in the name of the United States in trust for the Menominee Tribe of Wisconsin and shall be their reservation. The transfer of assets authorized by this section shall be exempt from all local, State, and Federal taxation. All assets transferred under this section shall, as of the date of transfer, be exempt from all local, State, and Federal taxation.

(d) The Secretary shall accept the real property (excluding any real property not located in or adjacent to Menominee County, Wisconsin) of members of the Menominee Tribe, but only if transferred to him by the Menominee owner or owners. Such property shall be subject to all valid existing rights including, but not limited to liens, outstanding taxes (local, State, and Federal), mortgages and any other obligation. The land transferred to the Secretary pursuant to this section shall be subject to foreclosure or sale pursuant to the terms of any valid existing obligation in accordance with the laws of the State of Wisconsin. Subject to the conditions imposed by this section, the land transferred shall be taken in the name of the United States in trust for the Menominee Tribe of Wisconsin and shall be part of their reservation. The transfer of assets authorized by this section shall be exempt from all local, State, and Federal taxation. All assets transferred under this section shall, as of the date of transfer, be exempt from all local, State, and Federal taxation.

(e) The Secretary and the Menominee Restoration Committee shall consult with appropriate State and local government officials to assure that the provision of necessary governmental services is not impaired as the result of the transfer of assets provided for in this section.

SEC. 7. The tribe's constitution shall provide that the governing body of the tribe, after full consultation with the Secretary, (1) shall make rules and regulations for the operation and management of the tribal forestry units on the principle of sustained-yield management, (2) may make such other rules and regulations as may be necessary to protect the assets of the tribe from deterioration, and (3) may regulate hunting, fishing, and trapping on the reservation. Fishing by non-Menominees on Legend Lakes, LaMotte Lake, Moshawquit Lake, and Round Lake shall be regulated by the State of Wisconsin, and the State shall stock these lakes in the same manner as other lakes regulated by the State of Wisconsin.

SEC. 8. In recognition of the special educational needs of Menominee students and of the responsibility of the United States for the impact that members of the Minominee tribe have on local educational agencies, Congress declares it to be the policy of the United States to provide full financial assistance for Menominee students to those local educational agencies which enroll two or more members of the tribe who reside on the reservation or within the boundaries of Menominee County.

SEC. 9. The Secretary is hereby authorized to make such rules and regulations as are necessary to carry out the provisions of this Act.

SEC. 10. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

REMARKABLE PROGRESS OF BLACK AMERICANS IN THE PAST DECADE

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. QUIE. Mr. Speaker, I should like to bring to the attention of my colleagues a most interesting article which was printed in the April 29 issue of the Sunday Star. It contains heartening evidence that remarkable progress has been made in the past decade in the economic life of black Americans, and it gives me hope that the legislative process has been accomplishing its purpose of broadening the base of our democracy.

We need a return to hope in this country and increased faith in the democratic process. I for one am increasingly weary of the negativists among us who do not see beyond their noses. I agree with the Star that Messrs. Ben J. Wattenberg and Richard M. Scammon, in the April issue of Commentary, are, with their statistical analysis proving that "black progress has been real progress and a mammoth achievement."

To me, one of the most heartening statistical evidences of progress is the contention by the analysts that labor unions are opening their doors:

> . . . Of particular interest are the apprenticeship figures . . . Today 13 percent of the apprentices in the construction trades, and 20 percent of those enrolled in the first half of 1972, are non-white . . . blacks are somewhat more likely—not less likely—to belong to unions than are whites.

Wattenberg and Scammon also point to the breakthrough in the area of education:

> . . . in 1960 only 36 percent of young black males finished four years of high school . . . By 1970 the rate was more than half—54 percent . . .

Part of the successful climb by blacks into the middle class—52 percent of the Nation's blacks were economically in the middle class—is attributed by the analysts to some of the social programs passed by Congress in the 1960s: civil rights laws, education measures, manpower programs, and so forth.

We still have a great distance to travel before we have an integrated society, but America is making progress, and I am grateful to Wattenberg and Scammon for their report.

Excerpts of the Wattenberg/Scammon report follow:

BLACK PROGRESS IS REAL—WHY IGNORE IT?

(By Ben J. Wattenberg and
Richard M. Scammon)

A remarkable development has taken place in America over the last dozen years: for the first time in the history of the republic, truly large and growing numbers of American blacks have been moving into the middle class, so that by now these numbers can reasonably be said to add up to a *majority* of black Americans—a slender majority, but a majority nevertheless.

This development, which has occurred against a historical backdrop of social and economic discrimination, is nothing short of revolutionary. Despite the fact that Southern blacks are economically still significantly worse off than Northern, and older blacks than younger, and despite the fact too that the economic and social gap separating whites and blacks is still a national disgrace, "middle class" has now become an accurate term to describe the social and economic conditions of somewhat more than half of black Americans.

This movement of blacks into the middle class is a phenomenon of enormous portent for the future of American society. That it should have come about, as it has, at a time when many civil-rights leaders and liberals alike have insisted that conditions for American blacks are not improving at all, but actually deteriorating, is not the least astonishing aspect of the entire episode. It will be a great and tragic irony if this insistence on failure should in the end prove a hindrance to the continued upward progress of American blacks.

The first and most basic index of status in American life is money, and it therefore to comparative income statistics that we must turn first to show the broad outlines of black upward mobility in the 1960's. According to the 1970 census figures, income for white families in America went up by 69 percent in the 1960's, while income for black families went up by 99.6 percent. If we round off the 99.6 percent figure it can be stated that black family income actually doubled during a single decade!

(The statement, however, would be accurate only if inflation had not eroded everyone's income. Taking inflation into account we find that the actual income increases come out to 34 percent for whites and 59 percent for blacks.)

The ratio of black family income to white family income also changed dramatically in the period, climbing from 53 percent in 1961 to 63 percent in 1971. It might be argued—and rightly—that 63 percent is a long way from 100 percent and still scandalously low, but what is open to little argument is that there has been sharp progress—a catching up—during recent years which was not at all apparent during the previous decade (the ration of black to white family incomes was the same in 1961 as it had been in 1951). And the changing percentage of black families earning above $10,000 is even more startling, jumping from 13 percent in 1961 to 30 percent in 1971, (from 1951 to 1961 the percentage had increased from 3 to 13); these figures are in 1971 constant dollars, the effects of inflation having been factored out.

The median family income in the United States in 1971 was $10,285; today it can be estimated at $11,000. This figure represents the middle-of-the-middle of family income distribution. Some lower figure—say $8,000 outside the South—may be said to represent the bottom-of-the-middle or the beginning of middle-income status in America. In the South, where median income averages almost $2,000 lower, and where a disproportionate number of blacks still lives, the bottom-of-the middle line may be drawn at $6,000.

By these criteria, and again adjusting for recent income increases, just over half of black families in the United States are by now economically in the middle class (about 52 percent).

But perhaps the most encouraging, and most significant, cross-tabulation of the income data concerns the economic status of young blacks. These young men and women have made striking educational gains in recent years; they have made gains in "occupation" as well, i.e., in the sorts of jobs they hold; and they have made gains in the amounts of money they earn. Black males aged 25-34, for example, earn 80 percent of white levels of income on a national basis.

When one combines all these factors—youth, non-Southern residence, and an unbroken family—a truly striking statistic emerges. The median income of black husband-wife families, in the North and West, with the head of family under 35 years of age, rose from 78 percent of white income in 1959 to 96 percent in 1970. There is a word to describe that figure: parity. And if we add a fourth variable to the equation, and examine families in which both the husband and wife work, the figures come out to 85 percent in 1959, and in 1970—104 percent.

(Some, but by no means all, of these remarkable husband-wife family gains are due to the fact that young black wives outside of the South are somewhat more likely to work year 'round than young white wives—52 percent versus 36 percent. However, it is important to note that in those same families the husbands were also making progress. They earned 76 percent of comparable white husbands in 1959—and 90 percent of comparable white husbands in 1970.)

If income statistics are the most basic index of economic mobility in the United States, employment patterns follow closely behind. For the last two decades the reality of the black-white employment situation can be summed up bleakly, as follows: black unemployment rates have been twice as high as white rates. But in recent years a massive shift has occurred in the identity of the black unemployed. A cross-tabulation of married men over age 20 reveals a far sharper drop in unemployment among blacks than for the population as a whole, as is shown by this comparison of two early years of the 60's with two early years of the 70's.

UNEMPLOYMENT RATE AND BLACK-TO-WHITE RATIO FOR MARRIED MEN, 20 YEARS AND OVER, WITH SPOUSE PRESENT, 1962-72

	Negro and other races percent	White percent	Ratio
1962	7.9	3.1	2.5-1
1963	6.8	3.0	2.3-1
1971	4.9	3.0	1.6-1
1972	4.4	2.6	1.7-1

The drop in the ratio from 1962 to 1972 is 53 percent (from 2.5 to 1, to 1.7 to 1—with 1 to 1 representing parity). Here, too, then, we see a steady and powerful movement into the middle class. Black family men are, like white family men, "at work," that is, at least 95 out of 100 of them are, even during recessionary times.

At the same time, teen-age unemployment has gone up. Among the 1.9 million black teen-agers (age 16-19), unemployment rates in 1960 were 24 percent; by 1970, the rate had climbed to 29 percent, and by 1971 to 32 percent. The rate for white teen-agers fluctuated between 13 and 15 percent in the same years.

These comparative data are discouraging, but there is something to be said about them that is not generally understood. In 1971, of the 1.9 million black teenagers, 1.25 million were "not in the labor force" at all (about a million were students, most of the rest housewives). They were neither "at work" nor "looking for work," and thus not tabulated in unemployment statistics. Of the 650,000 remaining black teen-agers, that is those actually "in the labor force," more than two-thirds—about 450,000—were "at work." That left about 200,000 actually unemployed, i.e., "looking for work." The fraction 200,000 over 650,000 is what yielded the high "unemployment" rate—the percentage without jobs actually looking for work.

But the fact is that even of these 200,000 unemployed black teen-agers, more than half—about 110,000—were in school, and about 90 percent of these were looking for part-time work. That left about 100,000 black teen-agers—male and female—who were both out of work and out of school; this element represented not much more than 5 percent of the total number of black teen-agers.

On balance, then: teen-age unemployment rates are up, adult male rates are down, particularly among married males. Black teen-agers are mostly in school, adults are mostly supporting families. The net result would seem to be an important social and economic plus, despite the unfortunately large and continuing disproportion in black-white unemployment rates.

The overall employment pattern, of course, is made up more than the statistics of who is at work and who is without work. Of equal significance is what kinds of jobs people hold. And here gain we see major progress by blacks in gaining access to middle-class occupations, especially in the categories of "white-collar workers," "craftsmen," and "operatives":

NUMBERS OF WHITE-COLLAR WORKERS, CRAFTSMEN AND OPERATIVES

[In millions]

	Negro	White
1960	2.9	46.1
1970	5.1	57.0
Percentage increase	76	24

Over the same decade the numbers of Negroes in "other" work—primarily low-paying jobs in private households, as service workers, farm workers, and laborers—decreased from 4 million to 3.5 million. Comparing, then, the balance of occupational status for blacks in America in 1960 and 1970, we find that in 1960 blacks in "good" jobs totaled 2.9 million while blacks in "not good" jobs totaled 4 million; by 1970 the number of blacks with "good" jobs totaled 5.1 million, while those with "not good" jobs totaled 3.4 million—in short, a reversal, and then some. In 1960, 42 percent of blacks held "good" (i.e., middle-class) jobs—less than half. By 1970 the rate had climbed to 64 percent—almost two-thirds.

Although final and detailed comparative figures on jobs are not at this writing available from the Census Bureau, the specific data we do have are enough to give a flavor of changes that have transpired over the decade. Thus, the 1960 Census reported 143,000 non-white teachers (other than college); the 1970 Census gave 223,000 Negro teachers. In 1960 there were 16,000 non-white social workers; in 1970 there were 41,000 black social workers. There were 12,600 male "plumbers and pipe-fitters" in 1960, 18,000 in 1970. The figures for machinists were 15,000 versus 23,600; for welders, 24,700 versus 44,200.

Many of the new and better jobs held by blacks are union jobs, and many of these are in the much-discussed construction trades, including the most highly skilled of these trades. Of particular interest are the apprenticeship figures—for these signal the way of the future. Today 13 percent of the apprentices in the construction trades, and 20 percent of those enrolled in the first half of 1972, are non-white. Curiously, despite all the talk about blacks and unions, one central fact is generally ignored: blacks are somewhat more likely—not less likely—to belong to unions than are whites. In 1970, black workers were 12 per cent of all union members. (Blacks are 11 per cent of the total population.)

Along with higher incomes and better jobs the 1960's also saw a great breakthrough in the area of education. Thus in 1960 only 36 percent of young black males finished four years of high school, the educational level that seems to separate Americans into "middle class" and "non-middle class." By 1970 the rate was more than half—54 percent. Among young black women the increase was even greater—from 41 percent in 1960 to 61 percent in 1971. If we take a longer range view, say over the last thirty years, the great educational leap forward of young American blacks becomes even more impressive:

Median School Years Completed, Negroes, Aged 25–29

1940	7.0
1950	8.6
1960	10.8
1970	12.2

In 1940 the young black was typically an elementary school dropout; a decade later he could be described only as an elementary-school graduate. Not until 1960 did the young American black typically reach even the level of high-school dropout, and not until 1970 did he typically become a high-school graduate—a bona-fide member of the educational middle class.

The significance of these data cannot be discounted by arguments, however valid, that blacks are behind whites in reading levels, or by the view that education has little to do with economic success. In the real world, a young man cannot even get interviewed for a job as a bus driver unless he has a high-school diploma.

Finally, the leap into the educational middle class can be seen in college-enrollment statistics. In 1970, there were over half a million young blacks in college, slightly more than 9 percent of the total. Over a short six-year period—from 1965 to 1971—the comparative figures are as follows:

PERCENT OF PERSONS, AGED 18 TO 24 ENROLLED IN COLLEGE 1965-71

[In percent]

	1965	1971
Negro	10	18
White	26	27
Gap	16	9

Again, there is a gap and it is still large—but it has narrowed considerably.

By most of the standards by which Americans measure middle-class status, then, blacks in the last decade have made mighty strides—both absolutely and relative to whites—and the time has come for this fact to be recognized.

But to say this, while indeed correct, is not to say that the situation is uniformly good; that all blacks are in the middle class; that blacks as a whole have achieved parity with whites; that poverty is largely a thing of the past; or, last but not least, that there is cause for complacency in the realm of social and economic policy. None of these conclusions, in fact, is valid.

What do the figures on poverty and dependency tell us? First of all, there are fewer blacks in poverty. Secondly, those blacks in poverty are far more likely to be receiving help than was formerly the case. And finally, it should be noted, poor blacks are rising to levels closer to the line dividing poverty from non-poverty than before. Now, however, two additional factors must be considered which bear upon the current situation, and these are the changing demographic characteristics of the black poor and the problem of crime.

By and large over the last decade, people engaged in full-time work have left the poverty class. Thus the poor today are disproportionately the elderly and those in female-headed families; this holds true for whites and blacks alike.

It has been said that this change in the characteristics of the black poor amounts only to exchanging male poverty for female-poverty-plus-dependency, and that its net effect has thus been an increase, not a decrease, in dependency, as well as the creation of a vicious circle—what has been called the "welfare mess"—that drives more and more men away from home.

But there is another side to the picture as well. As long as the poor are to remain with us—a notion that has outlived necessity but not, unfortunately, fact—it can surely be argued that it is better, all things considered, that their numbers be made up of those unable to work. Such a situation may be—is—a social tragedy of the first order; but an alternative situation—in which a husband-wife family, with the husband fully employed, was still on welfare—would be intolerable, both for the recipients and for the body politic as a whole.

What of the future? Two scenarios seem plausible to us; a third—an unpleasont one—seems unlikely.

The first scenario envisages continued progress for American blacks, not only absolutely as the rest of the nation progresses, but 1960's-style, in the form of the continued march toward statistical parity with whites.

At least two good sets of reasons can be adduced to confirm the likelihood of this taking place. There are, first, the structural reasons. Black income levels are lowest in the South, yet rising relatively fastest there (up 113 percent from 1960 to 1970, versus rates of from 70 to 80 percent in other regions). A majority of all blacks still live in the South (compared with 31 percent of all Americans), yet out-migration has been substantial and seems to be continuing. Blacks outside the South make more money than blacks in the South. There is no basis for supposing that any of these trends will change: blacks will continue to live disproportionately in the South where black earnings are climbing fastest, and they will continue to leave the South, thus getting an automatic boost toward income parity.

Another structural consideration is the status of young blacks. As noted earlier, the sharpest relative gains in the last decade were made by black families under 35. If this pattern continues—and there is no reason to believe it will not—it will of its own weight continue to move the total black-white numbers closer to parity. Elderly blacks will leave the labor force and ultimately die, and will be replaced by the new cohorts of young blacks (who happen to be a disproportionately large group today). These new young black families will enter at the present close-to-parity rates now held by young black families as a whole. Further, it seems likely that the now-young but soom-to-be-middle-aged blacks will continue to retain some, most, or all of their present relatively high standing as they reach their last 30s and early 40s.

A black who enters the civil service, or a labor union, at age 25—because he had suitable education or apprentice training—will not only not lose ground as he ages, but will gain all the normal advantages of seniority. What this means, in effect, is that the progress that is now discernible is due not to the sheer youth of young blacks, but to the fact that something happened in America that opened up paths of mobility for young blacks. As the proportion of those able to take advantage of this new situation becomes an ever-greater share of the total black population, the black-white statistics will look better and better as the years go on.

In the second—less optimistic—scenario of the future, the broad structural factors just mentioned are taken into account, the broad political-cultural factors are minimized, and two other factors are introduced.

First, insofar as it can be measured sketchily over a short period of time, progress in the Nixon years of 1969, 1970, and 1971 was less dramatic than in the Kennedy-Johnson years. True, the slowdown was not aimed at blacks; there was a national economic recession, and if the sinking rate of blacks in poverty stopped sinking, so, roughly, did the rate for whites.

No one really knows how much good (or bad, for that matter) was accomplished by the Great Society programs of the 60s, and debate, over the question is likely to go on indefinitely. Our own view—which owes something to political considerations, something to statistical ones—is that the programs accomplished a good deal; their sharp curtailment would probably be sufficient to prevent the future of steady progress envisaged in the first scenario, yet probably not sufficient to insure the future of total stasis envisaged in the second.

The third and final scenario of the future course of events asserts confidently that the Great Society programs were in fact so important that their partial demise will not only eliminate the projected structural gains, but insure an absolute retrogression. Things for blacks will get relatively worse in the 70s according to this scenario.

In our judgment this is an improbable prognosis. President Nixon neither wants to, nor could, undo all the progress of the 60's. No one, for instance, has proposed repealing the Voting Rights Act, which wields enormous political clout. No one has proposed repealing the Public Accommodations Law. Nor the New minimum wages. Nor Medicaid. Nor aid to higher education.

In addition, while no one can accurately quantify the impact of the New Frontier and Great Society, we believe it a mistaken analysis that the programs alone were responsible for the progress of the 60's. A key anti-poverty remedy in the past, and one likely to remain so in the future, is a steadily strong economy. The Great Society programs were a central ingredient of progress, but not so central that repeal of some of them now would actually reverse the tide.

We noted early in this essay that a blanket of silence seems to envelop the liberal community on this point of black progress, so that the economic and social advances made by blacks, far from being trumpeted or even acknowledged, are simply ignored when they are not actually denied. In the face of all the evidence to the contrary, not a few liberal spokesmen and civil-rights activists have claimed that blacks are in fact worse off now than they were 10 years ago.

In December of last year the Lyndon Baines Johnson Library in Austin was host to a Civil Rights Symposium on the occasion of the opening of the monumental collection of papers and documents concerned with civil rights during the LBJ era. It was a major event at an institution that had already become known as a first-rate center of scholarship, and it was attended by many of the great and the near-great, the famous and the near-famous, of the civil-rights movement. Among those on hand were Roy Wilkins, Earl Warren, Vernon Jordan, Burke Marshall, Julian Bond, Richard Hatcher, Barbara Jordan, Yvonne Braithwaite Burke, plus a host of panelists. Each had his moment before the microphones, each participated in this most recent collective attempt to evaluate the past, present, and future of the black man's struggle for equality in our time.

All this legislation, it was correctly noted, broke the back of legalized discrimination in America. For the first time blacks could vote everywhere in the nation, could eat at a lunch counter, could legally buy a house in any neighborhood. For this great formal progress, LBJ and the civil-rights movement were to be awarded accolades.

Yet curiously the talk was exclusively of new rights gained by blacks in this period, not of any achievements made by them as a consequence.

Why have the data of black advancement been kept secret by those who presumably have an interest in making them known? After all, the black man-in-the-street is perfectly aware of the gains that have been made. A Potomac Associates/Gallup Poll taken in 1972, for instance, revealed that whereas whites on the whole said life in America had gotten worse in recent years, blacks said things were getting better (they were the only group of 31 sub-categories who thought so).

The answer is of course that civil rights leaders do know what has happened, and even acknowledge it in private; but they have elected as a matter of policy to mute any public acknowledgment or celebration of black accomplishments in order to maintain moral and political pressure on the administration and on public opinion.

This strategy, we submit, is a mistaken one counterproductive of its goal; the only people who have been kept under pressure by it are liberals themselves. As has been the case with many aspects of the liberal agenda in the last half-century, civil-rights leaders who refuse to claim credit for the successes they have earned only lend themselves to the purposes of those who declare the bankruptcy of liberalism altogether as a political strategy.

Here is the dilemma in which liberals find themselves. Forty years have passed since they became the driving force of American politics, frequently occupying the White House, always influential in the Congress. In this period of time a remarkable body of legislation has been placed on the statute books, as a result of which great economic and social progress has been made in the country at large, from which all Americans have benefited.

And this progress liberals now deny, claiming that the programs for which they fought and lobbied have not worked (but at the same time denouncing Richard Nixon when he says they haven't worked).

In short, the liberal battle-cry has become, "We have failed; let us continue!"

Now let us suppose that, instead of the institutionalized gloom pervading liberal thought today, a different analysis—an accurate analysis—were substituted, and a different rhetoric adopted to conform to it. Of what would it consist? It would begin, first of all, in the recognition that in 1960 and in 1964, the nation elected Presidents who were pledged to get America moving again, to give a better deal to the poor and the black, to break a decades-old legal, political, and social logjam. Thanks to these Presidents, thanks to a liberal impulse in the Congress in the mid-1960s, thanks to the tireless efforts of liberals all over America, the legislation was passed to fulfill that pledge: manpower programs, poverty programs, and a stunning array of health education and legal services.

Now, more than a decade later, we can look back and see—results. The census and the other statistical indices of our time show success in many crucial areas; in particular, a better deal has been given to the poor and the black to the point where many of them are now in the middle class, just as the Presidential pledges and the legislation promised. The confirming data have been presented above. To be sure, we cannot say absolutely that the legislation was totally responsible for the progress made, but we can say absolutely that it was crucial. Liberalism worked.

Normally, given a situation such as the one we have described, the political burden of proof would be on him who wished to deny it, in this case a Republican President with an analysis and a strategy of his own to promote. He would be the one forced to show that life in America has deteriorated, or at least that liberal programs had failed.

Instead—at a moment when history and data show victory for their ideas—liberals loudly compete with each other to do his work. Instead of proclaiming success, liberals can only assert that America is a failure, that things are as bad as ever and maybe worse. And President Nixon smiles in agreement.

The problem is more than just political in the narrow, partisan sense, at issue finally is the possibility of achieving a rational and peaceful resolution of the enduring racial problems of this country.

By refusing to acknowledge the facts of success, liberals give further currency to the old stereotypes of black poverty—slums, rat-infested dwellings, a self-perpetuating welfare culture—and thereby help to confer legitimacy on the policies of those who would shirk the hard task of social and economic integration.

Integration, still the only realistic solution to the race problem, will proceed only as economic class gaps narrow, and are publicly acknowledged to be narrowing. Trumpeting failure, the best deal liberals are likely to get, from this or any other administration, is one that amounts to standpatism. Acknowledging those successes that have in fact been achieved, demanding the means and the money for the completion of the job, liberals might legitimately hope for action, and an extension of their political writ.

TAXPAYERS INDEPENDENCE DAY

HON. WILLIAM L. ARMSTRONG

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. ARMSTRONG. Mr. Speaker, today is May 2, 1973. It might also be called Taxpayers' Independence Day.

It is Taxpayers' Independence Day because today the average American taxpaying citizen has earned enough money to pay his taxes for the year and begin working for himself. He is at last free and independent of the burden of financially supporting his Government. Free and independent, that is, until next January 1 when he must work another 4 or more months to earn enough money for another year's governmental support through taxation.

I call this to the attention of the House for two reasons:

First, to point out how ridiculous it is to have to work 4 months out of the year to pay taxes. Our country was born in a revolution sparked by unjust and excessive taxation. The fight against excessive taxation is symbolized by the Boston Tea Party. Today we are very close to taxation so excessive it often threatens to create a similar revolutionary spark.

But Congress must have forgotten the meaning of the Tea Party symbol or surely it would not have created the overblown and fat-laden programs which have necessitated excessive Federal spending, spending on a scale unknown throughout the history of mankind:

The Federal Government is spending $10,000 per second—actually every 1.1 seconds. And the total continues to go up every year. As a consequence citizens must work longer each year to support a profligate government and Taxpayer's Independence Day arrives later each year Last year the magic date was April 27. A few short years ago it was in March.

Second, I want to dispel some of the myths that are so glibly spun by those who want to foster even bigger Federal spending.

Over and over again we are told that tax reform and loophole closing can provide funds to finance vast new spending schemes. If only we are willing to create tax equity, the story goes, we can balance the budget and spend more; in other words, have our cake and eat it, too.

This talk has the ring of demagoguery about it.

Under the guise of shifting the burden through a tax reform that soaks the rich or allegedly restores equity to taxation or under some other name, we are told all will be better for the average taxpayer. The truth is the average man or woman will get it in the neck again if Federal spending is not brought under control.

Why?

Because in this country the wealth is in the hands of the average people. They are the economic backbone of the Nation. Middle America, if you will. They do the work and they have got the income. So new taxes are bound to hit them the hardest.

We are told taxes could be shifted from the average breadwinner to the huge corporations. Corporations have the big money and could solve our problems, the story goes.

Well, what about the big corporations?

I presume we are not going to tax corporations out of existence. Even if we did we could not pay the Government's bill very long. For the sake of illustration let me point out that if we taxed all of the corporate income in the United States not at 50 percent or 60 percent or even 70 percent, but at a full 100 percent—that is, if we ignore all considerations of equity and commsense and confiscate the profits of all corporations in the country—by the way how would State governments replace the lost tax on corporate income—it would raise only about enough money to keep the Federal budget going for about 10 weeks.

Obviously this would wreck our economy, send the stock market plummeting to zero, precipitate a depression, throw millions of workers out of jobs, and deal harshly and unfairly with millions of Americans who have invested their savings in business enterprises.

Well then, what about closing some loopholes and getting it from the high income individuals?

Again the facts contradict the demagogues.

It is true, of course, that some people in our system earn huge incomes. But as long as it is honestly acquired in a free, competitive market we should not punish people for being successful. To do so would remove the fundamental incentive that makes the free enterprise system function.

But, even if we did not wish to be fair to upper income people, even if we wished to tax the incentives out of our system completely, there just are not enough of these high-income persons to raise a significant amount of tax revenue. Let me give you some more examples:

If we taxed the income of everyone in the $100,000 and up bracket at the rate of 100 percent it would not keep the Federal Government going for 3 weeks.

With Federal spending running at the rate of $5 billion per week, confiscation of all incomes above $50,000 would barely cover Federal expenditures for 7 weeks. Even if we seized every penny of income above $30,000, it would provide less than 3 months running expenses of the Federal Government. And on and on and on.

Additionally, there is the problem of determining what constitutes a high income. To the man earning $5,000 a year, $20,000 is high. To the $20,000 a year man, $50,000 looks high. That, too, goes on and on. Thus, even if we could support the Government by "soaking the rich," we would be hard pressed to find an equitable place to draw the line.

So any attempt to increase Federal income tax revenues significantly in order to pay for greater Federal spending is bound to hurt the people who can afford it the least: The wage earners, men and women who are trying to make ends meet, educate their children, support their churches, and charitable organizations, and even to save a little for their old age—all of which are getting harder and harder to do as the burden of taxation grows heavier.

So today, May 2, is really not a day of celebration. For Taxpayers' Independence Day to come so late in the year is a sad thing. I hope Congress will take the steps necessary to make it earlier not later, in the years ahead.

CREDIBILITY RUNS OUT

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. CRANE. Mr. Speaker, the May issue of Trains magazine carries an editorial piece by a professional engineer, John G. Kneiling, entitled "Credibility Runs out."

This article is perhaps the most striking—no pun intended—commentary on current problems in the transportation industry I have ever seen in print. Mr. Kneiling's commentary gets to the heart of the problem which everybody is afraid to discuss, namely, organized labor. We can pour billions of devalued Federal dollars into the Nation's transportation systems and we can purchase rail rights-of-way and we can form new reorganized corporations out of the ashes of the old bankrupt corporations, but we will never come to grips with what ails our transportation industry until we begin to look at the questions of organized labor, productivity, wages, and others.

Because Mr. Kneiling's commentary provides much needed insight into this current dilemma, I included it in the RECORD at this point:

CREDIBILITY RUNS OUT

(By John G. Kneiling)

As this column is written in February, some 1972 end-of-year events can be viewed with detachment. Most were simply current episodes in long-running cliff-hangers, but so many of these events occurred so close together that the scene has become overpowering.

The Long Island Rail Road was on strike for nearly two months—this time the strikers were the shopmen. Commuters recall them as the group who couldn't maintain new cars. The railroad contracted with the builder for work that LIRR men couldn't do. Then these men struck—the work was "theirs" even if they could not do it.

The beef this time was that train jockeys got big raises, allegedly (opinions differ) for less featherbedding. Nonoperating forces wanted the same arrangement, and didn't want to talk about productivity. Eventually the union admitted to 600 excess employees, but would allow their elimination only on two conditions: wage increases twice the amount of the saving; and full pay and overtime (!) for the 600 excess employees for the rest of their lives.

Highway jams did not materialize as a result of the strike—perhaps few commuters missed the LIRR this time. Reportedly, 20 to 30 per cent (depending on whom you believe) of the riders did not return to the trains—even before the inevitable fare increase came.

The State of New Jersey finally told the Central of New Jersey to drop its commuters. The subsidy demanded was $80 per month per commuter—plus the fares. No one claimed the account was padded. Eight thousand riders on the main line and 7000 on the New York & Long Branch will "find other means." The 7000 on the Long Branch will ride the Penn Central—while PC lasts.

I recall when trains ran like trolley cars on the Long Branch—and with cafe cars and bar cars and commuters' clubs. The trains ran from Penn Station, Exchange Place, and the CNJ ferry. Now commuters use the Garden State Parkway—in their autos. The highway is not subsidized and it makes a profit; New Jersey Governor William T. Cahill commented publicly on spending the profit in his January message to the Legislature.

Commuters who started driving gave up the club cars to push a piece of iron over the road—and paid tolls too. Besides, a commuter using a car he would not otherwise need (the second car, for instance) must assign to it the first $250 earnings each month—and drive it too. This choice seldom (despite Detroit myths) is made voluntarily; it results from perceived necessity.

Then the subway shops appeared in the news again. Two inspectors, fed up with goof-offs, presented on TV a film they had made at a subway barn. The municipal management filed charges against them for making the film. Nothing was said about the goof-offs. Riders find the story credible. Trains don't work or they break down in service. Doors don't work. Lights don't work. These failures mean that repairmen did not do their jobs. The two inspectors were very, very credible. (Riders recall the last time shopmen showed up on the TV screen. During a strike a union boss appeared on TV and tore up an injunction, saying the judge should drop dead.)

Authority hearings were going nowhere, so a mayor's committee held a public session to hear the two inspectors. The meeting was invaded and disrupted by a union delegation. Union civil-service police did not maintain order. That very day an empty parked train rolled into a standing train. Twelve hours later torch men still were cutting apart the wreckage, and the district's State Assemblyman who was inquiring on behalf of his constituents was brushed off.

A driver was too lazy or too stupid to apply brakes; or a mechanic did not do his work, so the brakes did not do theirs. Either theory is believable. Riders recall when the Transit Authority stopped the "key by" system after some accidents. Eliminating the system admitted that drivers can't be trusted with judgment, and that the line must be run as if it were completely automated.

Two major Connecticut Valley bus lines struck last fall, and few cared if they ever came back. (The region is settled at a sparse 1000-per-square-mile population with small cities and no big center.) Both once were trolley lines, and one was railroad owned. Areas dense enough to support bus lines were taken over by people who don't work. People who do work scattered to areas which require every adult to have a car. Industry started to leave—often for lack of help. Factory wages don't support "scatteration," and convenient living areas became uninhabitable for anyone who cares how he lives. The lines were down to one round trip each weekday for every 40 residents. The region became a mini-Los Angeles where common carriage is just a phrase. One line surrendered its franchise when labor demanded security and wage raises. The proposal now has been made that the State run empty buses so that drivers can be hired.

A major airline (American) canceled hundreds of flights last December when pilots ran out of hours. Reportedly plane drivers put in 80 hours a month, and when driver time runs out, the customers are not given consideration. A patron does not like being stranded because some plane jockey had completed his half-time for more income than most riders get for a full-time job.

Commuters were threatened by a strike on PATH—the Port Authority train service which runs to New Jersey bus and rail connections from Manhattan. PATH has the usual problems of poor service and overmanning, and it's losing customers as people find that the connections are useless.

Penn Central's long-overdue cutting of crews produced another strike threat until the Government ordered the PC to give the union all it asked. Apparently brakemen can't get jobs even in labor-short New York, so they *need* protection. That's believable—they have no work experience.

PC's one-day strike further harassed the riders—then Congress again awarded the union all it demanded. You know at whose ultimate expense.

This, incidentally, is how CNJ got into trouble. It kept acquiring help to do less work until the working taxpayers cut them off. A passenger-train employee "bumps" when he should get fired; he loses the customers and someone else gets canned.

Credibility problems are not unique to the big city or to the railroads or to passenger carriers. For instance, a big freight shipper is conducting accident studies to determine which rail route is apt to get his cargo there at all.

I commented in a service conference that a ship line noted in the trade press for a shoestring operation with cheap boats achieves 350 miles a day—nautical miles, at that—including port time. This is seven times the performance of the U.S. rail car. The fastest freighters so far (the SL–7's) make only 40 mph top. A railroader noted that the rail industry as a whole has fallen apart to the point where few trains can be sure of 40 mph even when they run.

Back to commuters. You must understand the customers if you're going to be interested in carrying them. You need not agree with them or approve of them or like them or even care what happens to them, but in any business you must understand what makes the customers tick.

Once it was axiomatic that rails were the way to carry a lot of people or a lot of goods easily, cheaply, with minimum space demands and minimum fuss. That axiom no longer is readily accepted. The practicality of running a railroad at all is being doubted. The practicality of running any labor-intensive common carrier is being doubted by commuters and shippers.

We may be past the point of no return. The day may be past when users of any facility can rely on anything that depends on organized, low-grade labor.

LEE HAMILTON'S WASHINGTON REPORT OF APRIL 25, 1973, ENTITLED "EUROPE'S FOOD AND THE AMERICAN FARMER"

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. HAMILTON. Mr. Speaker, my Washington report dated April 25, 1973, entitled "Europe's Food and the American Farmer," follows:

EUROPE'S FOOD AND THE AMERICAN FARMER

The United States, and especially the American farmer, have a large stake in the agricultural policy of the European Community, and the debate over who should buy what food products from whom and at what prices promises to get hotter.

The U.S., grappling with a huge trade deficit of $6.4 billion, simply does not have much choice on what to sell the rest of the world except food and high technology products. Agricultural products make up one-fifth of all American exports. The European Community's restrictive agricultural policy hinders the expansion of U.S. agricultural products with its high import levies and subsidies of exports. Hoosier farmers, who sell abroad the produce from 1 acre out of every 4, feel the impact of that policy, too.

Elimination of these trade barriers in Europe and Japan would expand U.S. agricultural exports by $3 to $5 billion a year. As it is, U.S. exports to the European Community of commodities covered by the policy have declined by 15 percent since the policy became effective in 1966, while exports of agricultural products not covered by the policy, e.g. soybeans, have increased by 70 percent.

At the heart of the European Community's Common Agricultural Policy (CAP) is the belief of European leaders that they must protect agriculture to obtain the political support of the farmers, in spite of the enormous cost to the consumer in higher food prices. They have tried to keep prices high to give the relatively inefficient European farmer adequate income. The European farmer remains a potent political force.

The Europeans argue that in the zeal of the Americans to find a market for farm products, Americans do not consider the political and social turbulence which would come if huge new quantities of American food arrived. So, removing the trade barriers which prop up agricultural prices in Europe is not just a political issue, but also a social question. Without the barriers many of Europe's farmers would have to be trained for new jobs or end up on welfare.

Much of the farming in Europe is small-scale, old-fashioned and inefficient. The European Community, with a population about the same as the U.S., has twice as many farms as the U.S., with an average farm size of only 30 acres (compared with 390 acres per farm in the U.S.) and 10 million agricultural workers, who make up 13 percent of the total labor force. In the U.S., 3.5 million farmers constitute less than 4 percent of the total labor force.

The U.S., of course, is not without its own restrictive measures. U.S. average tariff rates are 7.5 percent as compared to 7.9 percent for the European Community. U.S. imports of agricultural items and petroleum are regulated by quotas, high tariffs are placed on certain chemicals, and voluntary agreements exist to limit steel, and woolen and synthetic textiles.

In the coming trade negotiations the U.S. objective is to have market forces play a greater role in supplying the needs of consumers of farm products. So far, the principal barriers to trade in agriculture have been intractable as European countries act to preserve the home market for the domestic farmer.

A major aim of the U.S. must be to open European Community markets to American agricultural products by the gradual reduction or elimination of both tariff and non-tariff barriers, and to encourage the European Community to move toward structural reform by more efficient land use and the retirement of farmers from very small farms.

The U.S. has several good arguments in the trade negotiations. With all the currencies of the EEC bloc floating now, the already complicated CAP has become almost unworkable. Also, the countries of Western Europe, with their widely differing soils, climates, percentages of farmers and economic philosophies, are not united on exactly what the agricultural policy ought to be, and the U.S., as the most efficient producer, can sell the grain at lower prices in countries already fighting rampant inflation.

The U.S. must adopt a tough stance in negotiations on farm products, viewing them as a crucial part of world trade. Unless there is meaningful negotiations in the agricultural sector, the U.S. should not proceed with further negotiations.

MARAZITI OFFERS $1,000 TAX DEDUCTIONS TO OFFSET HIGHER EDUCATION COSTS

HON. JOSEPH J. MARAZITI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. MARAZITI. Mr. Speaker, the rapidly escalating costs of a higher education prompt me to introduce legislation today to amend the Internal Revenue Code of 1954 to provide up to a $1,000 tax deduction for part of the expenses incurred by a taxpayer putting himself or a parent putting his children through college or a vocational school.

A quality education is rapidly becoming prohibitively expensive for the middle-income family in America. In 1971 U.S. Office of Education estimates showed that the charges for tuition, fees, room and board for a full-time resident, undergraduate student in a public, 4-year university averaged $1,313 per year. The cost was estimated to be $2,857 at private institutions.

Since then, these costs have gone up another 5 to 7 percent. And, they are exclusive of such necessary incidentals as travel, recreation, laundry, and clothing.

Middle-income families are not likely to get Federal assistance and they are already caught in the bitter squeeze of inflation and taxes. Students trying to get student aid assistance have been frustrated by a Congress that has been dragging its feet on funding the programs in time to let the financial aid officers award the grants in time for the fall term, and summer jobs are tight.

For all these reasons I have introduced this bill to provide what I consider to be substantial assistance to families supporting college students, and to college students supporting themselves.

I do not think that the rewards of a higher education can be measured. To me it makes good sense on a purely economic basis to expand financial assistance to those who want to go to college, or vocational school, by providing them with tax deductions.

Census Bureau statistics show that the lifetime difference between a college degree and a high school education is worth about $245,205. The taxes paid on this income would more than offset earlier losses in tax revenues due to the tax deductions for a higher education.

QUEEN ISABELLA DAY

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. PEYSER. Mr. Speaker, on February 20, of this year I introduced House Joint Resolution 349 to proclaim Monday, April 23, as Queen Isabella Day. I was delighted when Mayor Lindsay recently proclaimed this day in New York City:

PROCLAMATION

The enthusiasm and support of a single ruler led to the discovery of America and the resounding effect this discovery had upon the history of the world.

This great ruler, Queen Isabella of Castile, wife of Ferdinand of Aragon, was the sole backer of Christopher Columbus, whose proposed expedition to the New World was contrary to the 15th century concept of the world.

The shrewd intuition of Queen Isabella, as well as the financial support and risk taken by Her Majesty on behalf of Spain, was responsible for uncovering the unknown riches of the Western Hemisphere.

The history of America has direct linkage to the birth of Queen Isabella on April 22, 1451.

Now, therefore, I, John V. Lindsay, mayor of the city of New York, do hereby proclaim Monday, April 23, 1973, as "Queen Isabella Day" in New York City.

YOUTH CONFERENCE

HON. VICTOR V. VEYSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. VEYSEY. Mr. Speaker, on March 30, 1973, representatives of all the high school located in the 43d Congressional District of California took part in our second annual 43d District Youth Congress at the University of California at Riverside. Participating in the simulated "Congress-for-a-day" activities were 15 teacher-advisers, a number of law enforcement officers and school officials, and more than 125 high school students.

Each school chose its delegates, and they selected issues which they considered important. Committees of students were formed with the assistance of the Junior Chamber of Commerce and school advisers; and all facets of the conference were coordinated by youth leaders.

Issues were discussed and two were identified as having the most importance; drug abuse prevention, and special revenue sharing for education. Bills on these issues were introduced and testimony was heard from law enforcement officers and school officials. The issues were debated, amendments were offered and action taken on them, and approved versions of the bills were reported.

The University of California, Riverside, played a major role in providing facilities, and coordinating and counseling on the conference, as did school and community leaders throughout our district. I am deeply grateful to all who helped.

Following are the bills on drug prevention abuse and special revenue sharing for education as they were reported from the conference:

A BILL FOR DRUG ABUSE PREVENTION

A bill to direct the Special Action Office for Drug Abuse Prevention to hire additional personnel to serve as public relations and interagency referral officers, working with local agencies and drug abuse prevention programs

Be it enacted by the 43rd Congressional District Youth Conference, That this act may be cited as the "Drug Education and Communication Act of 1973".

FINDINGS AND PURPOSE

SEC. 2. (a) We find that although there is an adequate amount of money already allocated through the Special Action Office for Drug Abuse Prevention, there is an inadequate means of communication between Federal Drug programs and community and educational groups working in the field of drug prevention.

SEC. 2. (b) Further noting that there is a lack of public awareness and interest in the drug problems in most communities.

SEC. 2. (c) It is the purpose of this Act to provide for the employment of personnel to serve in a dual role of public relations and inter-agency referral.

SEC. 3. (a) Therefore the Special Action Office on Drug Abuse Prevention is authorized to hire two additional public relations personnel for each congressional district to work with local agencies.

SEC. 3. (b) The SAODAP is to communicate through these personnel with the local agencies on all matters of available funds and materials for drug education and abuse prevention programs.

SEC. 3. (c) These personnel are to work within the structure of established local governmental agencies county or state established offices) and work with other groups or agencies within their areas to establish new drug abuse prevention programs.

FINANCIAL

SEC. 4. (a) The new personnel hired under this act are to be paid from the funds already available to the Special Action Office for Drug Abuse Prevention under HR 9264.

A BILL ON SPECIAL REVENUE SHARING FOR EDUCATION

A bill to provide a share of the revenues of the United States to give assistance to the states elementary and secondary education programs. This will be accomplished by the creation of an Educational Voucher Agency, funded and designed by the Federal Government and administered by the states

Be it enacted by the General Assembly of the 43rd Congressional District Youth Conference, That this Act may be known as the "Federal Educational Assistance Act of 1973".

FINDINGS AND PURPOSE

SEC. 2. (a) The General Assembly finds that in order to insure quality equal education throughout the United States the Federal government must take on a larger role in the financial assistance to Elementary and Secondary Education. And we also find that the cause of quality education for all and the freedom of parents to choose the method of that education would best be served by the establishment of an Education Voucher Agency, that will distribute the major part of the federal share of educational assistance directly to the parents of each student to be used at the school of their choice.

(b) Therefore, it is the intent of the Act to appropriate federal funds to the states with instructions to establish an Educational Voucher Agency, directly administered by the states, and funded by the Federal Government. These vouchers would be only representative of the federal share of elementary and secondary education funding. The states will remain responsible for the major portion of the expense involved in the operation of the public schools. Private sources will retain the major responsibility for the financial operation of Private and Parochial schools. And federal government will maintain operation of special use educational grants and other programs that have been on the federal level.

AUTHORIZATION OF APPROPRIATIONS

SEC. 3. (a) For the fiscal year ending June 30, 1975 and for each fiscal year thereafter appropriations are authorized in the amounts necessary to implement this act.

(b) During the period between enactment and implementation of this act the Secretary is authorized to make payments to the states in proportion to the size of their share of the revenues in this act for the purpose of planning and establishing their state administered Educational Voucher Agency.

ALLOTMENT OF REVENUES TO THE STATES

SEC. 4. (a) General use funds. Each state shall be required to report to the secretary the number of students enrolled in the elementary and secondary schools in the state. The Secretary shall then allot to the states an amount equal to 20 per centum of the average expenditure per student multiplied times the number of students in the state. These funds are to be distributed through the Educational Voucher Agency in the form of Educational Vouchers that will be distributed to the parents of each pupil. These vouchers will constitute the major role of the federal government only. The states may supplement these federal funds to increase the size of the vouchers, but their primary responsibility will be to operate the public schools and pay that portion of their expenses that will not be covered by the vouchers. These vouchers are not designed to be any school's sole source of revenues. In public schools the state retains its responsibility for 80% of the funds and in Private schools the parents or other source will still be responsible for 80% of the financial operation of these schools.

(b) Also, various federal programs which are designed to benefit educationally and economically disadvantaged pupils will be maintained. Funds now going to training of the handicapped, improvement of ghetto schools, establishment of vocational and supplementary educational centers and services will remain in these areas.

(c) New special use funds will be established through the voucher program in addition to the general use vouchers students in need of special training will be given supplementary vouchers to assist in the formation of special programs. The states must report to the Secretary the number of students eligible for special use vouchers and he will allot sufficient funds to the states to equal 20 per centum of the cost of special education in the states, this is in addition to the 20 percent vouchers given to all students, so the federal government will be responsible for 40% of the cost of special education for the handicapped, mentally retarded, and otherwise educationally disadvantaged through language barriers, etc. . . .

DISTRIBUTION AND USE OF VOUCHERS

SEC. 5(a) Each state's Educational Voucher Agency shall provide one voucher for each student from the general use funds.

(b) Special use vouchers are to be made available to all physically or mentally handicapped children as according to Section 4 (c) above from special use funds wherever special education is available and deemed necessary by the students' parents and teachers.

(c) The general use vouchers may be used at any accredited school in the state provided that:

1. The school meets the state's requirements for curriculum and safety.

2. The admissions policy of the school is designed in a way that will not segregate the students along sectarian, racial, or ethnic lines.

3. Students that meet the academic standards of the school must be accepted in the order they apply, no group may receive preferential admissions standing.

4. The school must have other sources of revenue besides the general use vouchers. Private and Parochial schools may charge tuition, but only within reasonable amounts in excess of the state per pupil expenditure. Scholarships must be made available to the economically disadvantaged of these schools.

5. Public schools must accept any student or refer them for special education.

(d) After the children have enrolled in the schools and given their voucher to the school of their choice, the schools report to the Educational Voucher Agency to receive their allotment of funds.

(e) The funds distributed to the schools through this act must be used to improve and maintain the scope and quality of their educational programs. These revenues are not to replace monies coming presently from other programs, the states or private sources in the case of private and parochial schools.

(f) Parochial schools are hereby barred from use of these funds to establish religious instruction or exercises. This money is to be used only for secular instruction.

(g) The attorney Generals Office is authorized to proceed through civil action to cut off aid to any parochial school found to be using these funds to finance sectarian instruction. We are not intending to discourage religious instruction of any form, only the use of these funds to finance it.

STATE ADMINISTRATION

SEC. 6. (a) The state legislature in any state that wishes to receive funds under this act must set up an Educational Voucher Agency according to the specifications of advisory council in 5b.

(b) The Educational Voucher Agency shall be designed by an educational advisory council that reflects the composition of the educational community within the state including at least one member representing the public school system in the state.

(c) The State Educational Advisory Council must:

1. Report activities under this act to the secretary in an annual report.

2. Evaluate change made by this act and progress made by various schools.

3. Advise the Educational Voucher Agency of their state and manage its general policies under the state laws and this act.

DEFINITIONS OF TERMS

For the purpose of this act:

SEC. 7 (a) "Average expenditure per pupil" is the total expenses of all elementary and secondary schools, including special education programs under this act, divided by the total number of students enrolled in these schools.

(b) "General Use Funds" are those monies distributed through this act to all schools, excluding the special use funds used for the handicapped. The purpose of these funds is contained in Section 1b and further defined in 3a, 4c, and 4d restrictions on use in Sections 4c, d, e, and f.

(c) "Special Use Funds" means those funds which under this act are intended for special education projects in the areas of physical and mentally handicapped children, children who must have special education because of a language barrier, and children who need special tutoring aid due to their impoverished background.

(d) The terms "Elementary School" and "Secondary School" apply to those institutions which under state law are accreditd to provide elementary and secondary education.

(e) The "Secretary" is the Secretary of Health, Education and Welfare.

(f) The term "Voucher" under this act is a certificate of enrollment to be signed by the parent and given to the school for the school to give to the State Educational Voucher Agency to qualify for one share in the alloted funds of this act.

TO ESTABLISH THE CHANNEL ISLANDS NATIONAL PARK IN CALIFORNIA

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. WALDIE. Mr. Speaker, the Channel Islands, a group of five islands off the coast of southern California, present a unique collection of marine, botanical, geological, zoological, and historical attractions.

These islands have been recognized for some time as a coastal area which should be preserved. The National Park Service, in 1963, made this statement about the island:

> The superb qualifications of the northern five-island group became apparent during the Pacific Coast Recreation Survey completed by the National Park Service in 1959. This and subsequent studies found a combined array of park values not included in the National Park System and unmatched in any other similar area of park potential.

Yet, even with this glowing recommendation, little action has been taken to preserve this area.

Of the five islands—Anacapa, Santa Barbara, San Miguel, Santa Cruz, and Santa Rosa—the two smallest—Anacapa and Santa Barbara—were established several decades ago as the Channel Islands National Monument; San Miguel is owned by the Federal Government and administered by the Navy Department; Santa Rosa and Santa Cruz are privately owned.

Besides the unique array of wildlife that populates these islands—six species of seals, including the Alaskan fur seal, the island fox and a variety of seabirds—the islands offer geological and archeological attractions to scientists and conservationists.

Together the islands offer a panorama of natural resources which, thus far, have not been degraded or destroyed by society. In the past their isolation has provided some degree of security and protection. However, civilization is fast encroaching and there does not remain much time to preserve these islands. Housing developers, although stymied in past attempts, will undoubtedly try again to subdivide this land. Oil companies have discovered Santa Cruz island and its attractions, and airport developers would like to open up the area for sports flying.

Mr. Speaker, we have a responsibility to future generations to preserve intact such valuable and irreplacable natural beauty and resources. It will soon be too late unless a concerted effort is made by Congress. I urge every Member seriously consider supporting this legislation.

The bill follows:

H.R. 7442

A bill to establish the Channel Islands National Park, in the State of California and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve for the benefit of the people certain property in the State of California possessing unique scenic, scientific, and other natural values, there is hereby established the Channel Islands National Park. The national park, subject to valid existing rights, shall comprise the islands of Anacapa, Santa Barbara, San Miguel, Santa Cruz, and Santa Rosa in the Channel Islands group, together with the lands, submerged lands, and waters within one nautical mile of the shoreline of such islands.

SEC. 2. Within the Channel Islands National Park the Secretary of the Interior is hereby authorized to procure lands and interests in lands, including submerged lands, by purchase, donation, purchase with donated funds, or otherwise. Lands and submerged lands owned by the State of California or any of its political subdivisions within the park may be acquired only with the consent of such owner. Notwithstanding any other provision of law, federally owned lands or waters lying within the park may, with the concurrence of the agency having custody thereof, be transferred to the administrative jurisdiction of the Secretary, without transfer of funds, for administration as part of the park.

SEC. 3. Lands and submerged lands acquired by the Secretary of the Interior and those transferred to his administrative jurisdiction pursuant to section 2, together with the former Channel Islands National Monument, shall be preserved and administered by the Secretary of the Interior as the Channel Islands National Park in accordance with the provisions of the Act entitled "An act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4), as amended and supplemented, with special consideration for the conservation and protection of their existing marine fauna, bird life, and archeologic heritage.

SEC. 4. Any funds that may be available for the purposes of the Channel Islands National Monument shall hereafter be available to the Secretary for the purposes of the Channel Islands National Park.

SEC. 5. There are hereby authorized to be appropriated such funds as are necessary to accomplish the purposes of this Act.

AN ULTIMATE CONTEMPT

HON. ELIZABETH HOLTZMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Ms. HOLTZMAN. Mr. Speaker, the events that have been disclosed in connection with the Watergate matter and the Ellsburg trial are of great concern to every American. The issues that are raised affect the credibility of our basic political institutions. I would like to draw the attention of my colleagues to some of the questions that have been raised about the conduct of the White House in connection with these matters that appeared in the following editorial in the New York Post today.

AN ULTIMATE CONTEMPT

During a recess in the Pentagon Papers trial about a month ago, presiding Federal Judge Matt Byrne was suddenly called on to exercise his personal judgment in another matter. He felt obliged—understandably enough in the circumstances—to reserve decision. A disturbing mystery remains as to why the issue came before him.

As the judge has just confirmed, he was summoned to a brief secret meeting with President Nixon and White House domestic aide John D. Ehrlichman. The judge, who has been previously identified as a prospective new FBI director, was offered a "possible appointment" to a government post. He has not said which one, declaring he would have to withhold further consideration of the offer, until the proceedings before him are over.

The story, even in the elements so far revealed, is astonishing. Was the White House utterly unaware of the appearance of impropriety that would be created by such a meeting between the President and the judge in an extraordinarily sensitive case so directly involving the government? Did it believe such a rendezvous could remain secret? Could there be any more flagrant example of contempt for the concept of an independent, untainted judiciary?

The disclosures of moral delinquency in high places multiply each day. Yet this episode in some ways is more revealing than many others because Mr. Nixon was a personal participant in the transgression.

DISCUSSION OF TRANS-ALASKA VERSUS TRANS-CANADA PIPELINE ISSUE

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. HOSMER. Mr. Speaker, there follows the testimony I delivered to the Public Lands Subcommittee of the House Interior and Insular Affairs Committee on May 1 on the Alaska pipeline issue:

ALASKA PIPELINE STATEMENT BY CONGRESSMAN CRAIG HOSMER

Mr. Chairman, plagued as this nation is by chronic energy shortages and chronic balance of payment deficits due to petroleum imports, the idea of postponing the availability of domestic Alaskan oil to the lower 48 states is, to me, sheer madness.

TRANS-CANADA PIPELINE—A DEFECTIVE CONCEPT

Yet, that is the exact proposal which has been deposited here on the doorstep of the U.S. Capitol by the perpetrators of that fabulous humbuggism, euphemistically called the Trans Canada Pipeline. The TCP has a lot of bad features about which many witnesses will tell you much. And, they will be right, too, when, for instance, they say that:

TCP would cost at least $5.6 billion even in terms of unshrunken 1971 dollars, not the $3.5 billion its supporters mistakenly claim. It would be able to move oil only at a truly wasteful delivery cost.

TCP would dig a hole in Canada's debt capacity equal to 51% of that $5.6 million and thus may be fiscally unbalancing and unacceptable to that nation's monetary leaders.

TCP also would dig a mammoth hole—half a continent wide—in Canada's real estate—which may be environmentally unacceptable to that sovereign nation, or unacceptable to its indigenous natives with whom no claims settlement has been reached, or obnoxious to Canada's own petroleum exporting potential which needs its market south of the border pre-empted by Midwestern oil and gas barons like it needs a proverbial hole in the head.

Critics of TCP also will be hitting the nail on the head when they tell you:

That the other pipeline, the Trans Alaska Pipeline, can start tapping 25% of the proven oil reserves of the U.S., and send them flowing down from Prudhoe Bay at the rate of 2 million barrels per day, as soon as 1977 if, that is, Congress does not halt or delay the Administration's legislation recommended for this purpose. And,—That the minute this happens:

(a) The U.S. will be relieved of the need to import upwards from $2.5 to $3 billion per year of Mideast oil—which need it has already suffered unnecessarily, to the tune of more than $10 billion during the last 4 years while TAP has been stalled; and,

(b) The Alaska natives will start getting the revenues they bargained for and were promised out of oil royalties by the Settlement Act—which also they have been denied during these same four years.

Further, until this oil starts to flow:

(a) The Alaska natives will continue to go hungry;

(b) The United States energy crisis will keep on getting worse and worse; and,

(c) Uncle Sam will continue to play sucker to the Arab Oil exporters in the same way and to an extent continually increasing to an estimated $17 billion annually by 1985. I remind you that foreign trade deficits such as these precipitated our latest monetary crisis and our two recent dollar devaluations.

There is just no way—no way—that a Trans Canada line can be started from scratch at this late date and consume any less than 5 to 7 years beyond the 4 years needed for prompt completion of the Trans Alaska line. And, in addition to all other costs, the TCP alternative would involve many unnecessary billions of annual trade deficits during those extra years—just multiply $3 or $4 or $5 billion times each year of delay to get an order of magnitude estimate of how unnecessarily costly this misguided proposition could be.

But supposing by some tragedy of errors we actually got TCP—what then would we have? The answer is a hindrance, not a help. Canada is no Lybia. But, on the other hand, there is no assurance whatever that in some future fit of xenophobia Ottawa's politicians won't shut in the line—or continually hold it for ransom with repeated threats to do so. None of us vote in Canada, not even the U.S. deserters and draft dodgers who fled there and are not returned by a sympathetic Canadian government. We can't control future events in Canada any more than we controlled past events in Cuba. History teaches one that the nation which leaves itself to the mercy of another will likely find prophesy in these words of an ancient philosopher: "Nothing emboldens sin so much as mercy."

The question, then, is not just can we wait many extra years for TCP. It is also whether a complicated, energy dependent society such as ours can, or should, assume the indefinite politico/military risk of dependence upon a neighbor's goodwill for a vital fraction of its prime energy requirements.

No leader of a nation in his right mind would voluntarily submit his country to that risk. And, the leader of our nation certainly doesn't want to do so. He is desperately seeking to avoid it by his request to you for legislation to permit construction of the Trans Alaska pipeline. I urge your respectful consideration for his concern.

THE GUT ISSUE—WHETHER TO DISPLACE IMPORTS ON WEST COAST OR MIDWEST

Now, to get to the gut issue. Above and beyond all the oil we can get down from Alaska to someplace in the lower 48, there will still be a need for many years for substantial foreign imports. To the extent of its capacity, the Alaska line would replace, and thus diminish, the need for these imports at West Coast locations. Alternatively, the Canada line would replace, and thus diminish, the need for these imports at Middle West locations. So that's the issue:

Should foreign oil imports be displaced by TCP in the Midwest or by TAP on the West Coast? The issue actually is just as simple as that!

LOCATING OIL IMPORTS DISPLACEMENT IN MIDDLE WEST WOULD GAIN NOTHING

Accomplishing this displacement in the Midwest would involve no advantage to that region or to the nation since, in any event, the Midwest's needs for crude imports will be satisfied without price disadvantage to the full extent foreign imports are permitted anywhere. However, just the talk about TCP already threatens shortages of petroleum products and supply disruption in the Middle West because it is uneconomic to invest in interim petroleum supply facilities to satisfy increasing demands during, *but only for*, the period of about a decade while TCP facilities to take over the job would be under construction. Any decision actually to go ahead with TCP would severely aggravate this kind of distress. The intelligent thing to do is to bury the TCP idea quickly, along with all its disagreeable side effects.

There simply is no good reason for selecting the Midwest as the location for displacing foreign imports by Alaskan crude. Somebody has been sold a bill of goods. That is why I earlier characterized the proposal as pure humbug. The best that can be said of it is that it is some kind of a gasoline station political hoax dreamed up by economic Mao-Mao's and packaged for strictly regional consumption by paranoid super-booster chamber-of-commerce types in and around Chicago. In no context does TCP make any economic or military sense whatever.

LOCATING OIL IMPORT DISPLACEMENT ON WEST COAST WILL ADVANTAGE THE NATION

On the other hand, electing to displace foreign oil imports at West Coast locations by a decision to go ahead with the Trans Alaska Pipeline will accrue many benefits and advantages to the nation. Amongst the reasons this issue should be resolved quickly in favor of TAP are the following:

(A) The price of crude delivered to the Midwest by pipeline would be controlled by the larger volume of oil still coming there from overseas. Thus TCP would not involve price benefits for Midwest consumers. On the other hand, the unit transportation costs for moving Alaskan oil to the West Coast via TAP are less than for moving Mideast oil either to the Midwest or to the West Coast. Therefore, displacing Mideast imports by TAP on the West Coast will accrue net savings to the nation and the alternative will not.

(B) With prompt approval of TAP, displacement of 2 million barrels per day of foreign imports involving upwards from $5 million per day in foreign exchange deficits can commence by 1977. To delay this deplacement a decade or more while waiting for TCP would be grossly uneconomic and unconscionable.

(C) TAP serves the national defense. TCP would imperil the national defense.

(D) TAP will strengthen the United States shipbuilding industry and merchant marine. TCP is devoid of these substantial peripheral benefits.

(E) West Coast demand for crude is increasing at a 6% annual rate rather than the predicted 5.4%, thus TAP's full capacity will be utilized there. But, should demand ever temporarily slacken for any reason, advantageous spot sales could be made to Japan. The relatively miniscule amount of crude which might be involved is totally inconsequential. And, in any event, the resultant foreign exchange benefits would totally offset any hypothetical non-displacement of imports under the TCP alternative.

(F) TAP can and will be built in accordance with high U.S. environmental standards imposed by law. Canada has no NEPA. The quality of environmental standards which might be imposed on the much longer TCP alternative cannot even be predicted. Canadian environmentalists could be expected to go to the courts, to Parliament and to public opinion on the issue. For this reason, ominous delays in the project can be anticipated, but in no way estimated.

(G) Rejection of the TCP proposal and passage of the TAP bill before you will spare the United States government the difficult, embarrassing, undiplomatic and insulting task of attempting, in effect, to export to Canada what, if any environmental consequences are inherent in getting U.S. Alaskan oil south to the lower 48.

(H) Moving ahead with TAP will ameliorate our energy supply problem to some extent and operate to remove a negotiating gun from the heads of U.S. negotiators and businessmen. Thereafter we will cease to be disadvantaged in our discussions with Canada on fair and reasonable ways to bring Alaskan gas, more Alaskan oil, plus Canadian gas and oil, south to market under sensible arrangements in the mutual self-interest of both countries.

CONCLUSION

Mr. Chairman, authority to proceed with the Trans Alaska Pipeline will provide an oil delivery system completely within the jurisdiction of the United States—one which is regulated by U.S. government agencies and U.S. standards. This is an essential first step toward moving this country in the direction of the self-sufficiency it once had in energy resources. There are other necessary steps, of course, but this is one we can take now, and I urge upon the subcommittee the wisdom of doing so.

ACHIEVEMENTS OF JOHN E. MEYERS

HON. ROBERT P. HANRAHAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. HANRAHAN. Mr. Speaker, I should like to bring to the attention of my colleagues the achievements of John E. Meyers, of Chicago Heights, Ill.

Mr. Meyers, whose column has been a fixture on the port side of the Star sports pages for more than a quarter of a century, has become a charter member of the new "Hall of Fame" established by the Illinois basketball coaches association.

Meyers was one of the select group of media representatives who were honored by the IBCA in ceremonies held last Saturday at Normal, Ill., on the Illinois State University campus.

Only 28 members of the press were singled out for the honors, which also were bestowed upon famous coaches, players, and officials who played major roles in the history of Illinois basketball.

Mr. Meyers, the senior sports editor of Star-Tribune publications, has won many awards for sportswriting. Largely because of his efforts, the Star sports section is one of the most prestigious and prosperous community newspapers in the State.

Meyers is a native of Chicago Heights.

The column "The Hot Corner" first appeared in the Star, April 8, 1947. Before that Meyers covered sports events and authored a column on bowling—Maple Lane. He also worked on other assignments for the newspaper including the police beat.

The subject of the original "Hot Corner" was baseball, although Meyers footnoted an item about Maurino Richton who rolled a 557 series in the Kiwanis bowling league just after a long successful campaign for Mayor of Chicago Heights.

In his second column, Meyers argued the case of promoting baseball's Jackie Robinson to the major leagues, setting a precedent for many columns to come wherein Meyers championed a minority cause.

Shortly thereafter, of course, Robinson was called up from the minors to the Brooklyn Dodgers thus breaking the major league color barrier.

One of the columnist's most celebrated accomplishments was a story that lead to the discovery of pitcher Jim Bouton, who went on to world's series fame and later became a successful author and TV sportscaster.

Mr. Meyers has many other achievements, all to his credit. He was the only sportswriter from the area to be honored by the Illinois Basketball Coaches Association at its "Hall of Fame" night.

He is indeed a credit to journalism and to the State of Illinois.

REMEMBER RON ZIEGLER

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. THOMPSON of New Jersey. Mr. Speaker, I sought to call attention in the April 30 edition of the CONGRESSIONAL RECORD to the role which the press has played in uncovering the Watergate scandal by bringing to the attention of our colleagues two commentaries which appeared in newspapers which circulate in my district. Unhappily, one of the articles was inadvertently omitted. It was an editorial which appeared in the Burlington County Times. I am pleased now to bring this article to the attention of our colleagues:

REMEMBER RON ZIEGLER

As the charges and counter-charges begin to pour out regarding the incredible series of events before and after the Watergate bugging affair, there is one institution that has indisputably come out ahead.

That is the press.

For months on end, The Washington Post, the Los Angeles Times, the New York Times and other newspapers persevered with their slow, methodical uncovering of the myriad of details that were involved in the Watergate affair, against hails of criticism from the White House and the Congress, and a bored indifference from the public.

The Washington Post, especially, deserves our thanks. That paper was subjected to the most severe pressures. Its society editor was barred from White House functions, its parent corporation's TV and radio outlets were investigated by the Federal Communications Commission, and it was repeatedly charged with "unfounded rumors" and "character assassination" by White House spokesmen.

In the past couple of weeks, its efforts have been vindicated. Federal grand juries are now investigating—and indicting—on the basis of what the Post and other papers printed.

The rush is now on, in Congress and among academic experts, all to say that this must be done, or that must be cleared up, so that all the facts can be uncovered and future Watergates be prevented.

Well and good. But it seems pretty clear to us that the main lesson of Watergate is that the key to a free government is a free press.

The Founding fathers knew what they were doing when they wrote into the First amendment that "Congress shall make no law . . . abridging freedom of the press."

And the next time somebody suggests that it would be a good idea to force reporters to disclose this or that, or how something ought to be done to make newspapers more objective, or why don't they print more good news and less bad, remember this: that without a free press, you would still be seeing Ron Ziegler on your TV screens in the evening denying that anyone in the White House was involved in this "third rate burglary."

When Thomas Jefferson suggested he would rather see newspapers without government, rather than governments without newspapers, he probably didn't have Ron Ziegler in mind. But that's certainly what he meant.

INDIANA GENERAL ASSEMBLY URGES SUPPORT OF COMMUNITY MENTAL HEALTH CENTERS

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. BRADEMAS. Mr. Speaker, I insert at this point in the RECORD a digest of a Concurrent Resolution approved this year by the Indiana General Assembly memorializing Congress to continue its support of community comprehensive mental health centers.

The text of the digest follows:

DIGEST—MEMORIALIZES CONGRESS TO CONTINUE ITS SUPPORT OF COMMUNITY HEALTH CENTERS

A Concurrent Resolution memorializing Congress to continue its support of the community comprehensive mental health centers program in order that Indiana's network of thirty-two community comprehensive mental health centers may be completed.

Whereas, In 1955 President Dwight David Eisenhower appointed the Joint Commission on Mental Illness and Health to study the problems of this nation's mentally ill; and

Whereas, The Joint Commission of Mental Illness and Health in its report to the President in 1961 recommended, among other things, the creation of community comprehensive mental health centers to provide treatment facilities for this nation's mentally ill in close-to-home treatment facilities; and

Whereas, In 1963 Congress passed the Community Mental Health Centers Act implementing the Joint Commission of Mental Illness and Health report and authorized federal dollars to assist the several states in providing its network of community comprehensive mental health centers; and

Whereas, Congress committed itself to becoming a full partner with the several states and local communities in the initial construction cost and staffing cost; and

Whereas, The Indiana General Assembly and the several counties of this state enacted legislation and provided the state's and local government share to create a network of thirty-two community comprehensive mental health centers for the citizens of the state of Indiana; and

Whereas, Ten centers are presently in operation in Indiana, five more will be operational within the next two-year period and the remaining seventeen centers will be operational by 1980; and

Whereas, The state of Indiana and local county governments have kept their pledge to the mentally ill of this state by enacting the necessary legislation and providing funds to complete the network of thirty-two community comprehensive mental health centers: Therefore,

Be it resolved by the Senate of the general assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the General Assembly hereby memorializes the Indiana Congressional delegation, the Federal administration and the Congress to renew the Community Mental Health Centers Act to permit the continuation and completion of the plan to provide community comprehensive mental health centers for all this nation's mentally ill and to authorize and appropriate the federal funds necessary to keep the national commitment as a full partner in combating mental illness.

SEC. 2. The Secretary of the Senate is hereby directed to forward copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives of the Congress of the United States, and to all the members of Congress from the state of Indiana.

SUN-TELEGRAM RECOGNIZES POTENTIAL OF SOLAR ENERGY

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. BROWN of California. Mr. Speaker, throughout the years I served on the Science and Astronautics Committee as a Representative of California's 29th District, and even prior to that period, I developed a strong interest in and optimism toward the possibility of using solar power to meet our energy needs here on earth. I maintained that interest and optimism during the 2 years I was out of this distinguished body, and I expect to have a good deal to say regarding this subject in the future, especially since I am now on the newly-formed Energy Subcommittee of Science and Astronautics.

I do not, however, wish to go into the subject at length today, but rather would merely like to call our colleagues' attention to recent comments by the editors of the San Bernardino Sun-Telegram regarding this matter. Their editorial deserves the broadest possible circulation and I am pleased to be able to provide it the additional exposure which will receive by being placed in the RECORD. The editorial, printed on April 11, reads as follows:

PROGRAM TO MEET ENERGY CRISIS

"Crash program" has become probably the most overworked cliche in the American language.

It usually means that lack of foresight and planning has resulted in the need for doing something in a big rush—and just as usually at big expense. The fears today over an impending energy crisis in the nation could not be a better example.

A House task force recommends a $1 billion a year crash program in research to meet the crisis. Cooperation financially by industry could increase this amount to between $2.5 billion and $3 billion annually.

Granted the research is needed. But there might have been some shaving of costs if research along several lines had been conducted long before this. Blessed—or as it now seems, cursed—with an abundance of fossil fuels for power production, other forms were largely neglected by industry.

Among them, and toward which the research will be directed, are:

Development of synthetic gas from coal.

Controlled nuclear fusion and fast breeder reactors.

Geothermal energy, a tremendous reservoir of which exists in the Salton Sea area.

Solar energy which is continuous and virtually inexhaustible.

It is the latter which holds much promise for Southern California, is non-polluting and has enormous potential already proven to be practical.

Most of the technology is at hand. According to a Solar Energy Panel of top federal scientists, this timetable can be met:

In five years solar energy could be heating many private homes and office buildings.

In less than 10 years, the sun's power could be running air-conditioning systems.

In five to 10 years solar heat could be used to convert organic materials into fuel oil and methane gas, and there is the capability to provide the U.S. with a third of its gaseous fuels by shortly after the turn of the century.

Within 15 years the rays from the sun could be producing substantial amounts of electricity for consumers.

An example of the sun's power now going to waste is that one day of sunlight on Lake Erie is equal to all the energy consumed by Americans in a year.

Of course, there are sunless days. So any use of solar rays to produce energy requires some type of storage. But scientists feel sure that if demand is great enough this problem would take care of itself.

Looking farther ahead, orbiting of solar cells in space about the earth, where sunlight is constant, and beaming the electricity from them back to ground is within modern technology's capacity.

On a small scale, it is possible to meet all the energy needs of a home if an inexpensive solar cell is developed for rooftops, along with a storage battery.

The Solar Energy Panel is entirely optimistic, concluding:

"There are no technical barriers to wide application of solar energy to meet U.S. needs. For most applications, the cost of converting solar energy to useful forms of energy is now higher than conventional sources, but with increasing constraints on their use, it will become competitive in the near future.

It is a pity that research has lagged as far as the production of energy from sources alternative to fossil fuels. But today—through pure necessity—it has become imperative, not only because of the growing demands for power but also environmental considerations.

"Crash program," cliche though it is, expresses the immediacy of the problem which the House task force and industry now recognize must be solved.

LACK OF RENT OR AGRICULTURE PRICE CONTROLS HURT THOSE ON FIXED INCOMES

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. LEHMAN. Mr. Speaker, yesterday I voted to accept the conference report on the Economic Stabilization Act. I was not happy with the bill, as I believe that any measure intended to bring about some control of our inflated economy is very ineffective without any provisions to control rents or agricultural prices.

I have received many letters from constituents who are faced with rent increases of as much as 31 percent. Most of these people are retired and are trying to live on a fixed income that cannot expand as the cost of living goes up. Without any limitations placed on the amount by which rents can be increased, how will these people continue to pay for the roof over their heads? It is obvious that the increase will have to be paid, because the vacancy rate in my district is exceptionally low. In fact, one-third of the population in the 13th District lives in rental units. Shelter is one of the necessities of life. There is really no choice left for these people except to pare their spending in other essential areas.

Nonetheless, I voted for the extension,

realizing that it was the 11th hour and without any kind of controls authorized, prices could skyrocket. I only regret that I will be unable to offer my constituents much hope for immediate relief in this area.

RAY LAWLEY RETIRES

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. KEMP. Mr. Speaker, at a time when the integrity of the political process and politicians has, once again, been thrown into question, those of us in Erie County and New York State will particularly miss the presence of my friend Ray Lawley, recently retired Erie County Republican elections commissioner and former chairman of Erie County Republican Party. Integrity and dedication had become synonymous with Ray, and it is sad to see the retirement of one for whom such principles meant so much. George Borrelli recently talked about Ray's contribution to the political process in an article in the Buffalo Evening News. I include it at this point:

RAY LAWLEY WILL LEAVE BIG VOID IN AREA POLITICS

One of the most colorful and controversial political leaders in the history of Erie County retires today.

James R. (Ray) Lawley, Republican elections commissioner, is leaving the county post and the arena of active political combat.

For Mr. Lawley, who will be 66 on April 16, retirement will mean more time with his wife, their children and grandchildren and more frequent visits to the Lawley condominium in Ft. Lauderdale, Fla.

But it won't diminish his appetite for politics.

Ray Lawley is a consummate politician, and his interest in government and matters partisan will never wane.

Mr. Lawley served as GOP elections commissioner here more than 32 years, longer than any commissioner in recent history.

He was Erie County Republican chairman from Jan. 26, 1966, until he resigned May 20, 1968, for reasons of health.

A portly, gregarious man, Ray Lawley is one of the last of the old breed of politicians.

His political philosophy has been imbedded on organizational integrity, known in the trade as party loyalty.

It's a philosophy that has been shredded in recent years by the new politics and the growing resistance of young people to the established methods of operating a political organization.

In the political community, Ray Lawley's name evokes a variety of responses.

"He's a kind, compassionate human being who would give you the shirt off his back," says an attorney whose career was helped by Mr. Lawley.

"He was forever doing favors, not just for the privileged, but for the working man," comments another acquaintance.

Stories of Mr. Lawley digging into his own pocket to help a needy friend are legend.

Others who have locked political horns with Mr. Lawley over the years are not as kind in their assessments of his career.

But virtually all who have met and dealt with him acknowledge his friendly manner, his ability to devote full energies to a task and the legendary Lawleyisms.

The Lawleyisms—quips—are topics that are discussed frequently whenever politicians gather.

"He'd need a compass to find his way to Republican Headquarters," commented Mr. Lawley recently of a prospective candidate for GOP county chairman.

During the heat of one campaign for a major local office, Mr. Lawley remarked of the opposition:

"If he's elected, I'll pack my bags and move to Ft. Erie."

Mr. Lawley almost always prefaced the name of a junior political colleague with the word "young," even if the subject were in his 50s.

A favorite Lawley tool in the political trade was the telephone, which he used incessantly, sometimes juggling two or three calls simultaneously.

An early riser, Mr. Lawley never hesitated to rouse an employe or political colleague from bed with a 6 AM call.

And more often than not, his telephoning continued well beyond midnight.

Mr. Lawley's climb up the political ladder started at the bottom at age 24 when he became a district committeeman in South Buffalo.

He rose to Second Ward Chairman, served as a GOP state committeeman from the old Fourth Assembly District and was secretary to the Republican County Committee under former Chairman Edwin F. Jaeckle.

GOP state leaders named Mr. Lawley Western New York regional co-ordinator for the party in 1967.

During his 42 years in politics, Mr. Lawley served in most of the major national, state and local campaigns and played a leading role in many of them.

He's a close friend and political crony of Sen. Jacob K. Javits, the state's senior U. S. senator.

Mr. Lawley's career has been spiced with variety. He served briefly as a Buffalo policeman and firefighter, entered law school, then quit to become an investment counselor.

In 1931 he organized his own insurance agency, which he operated with his wife, Edna, and their son, William.

Mr. Lawley resigned as GOP county leader on advice of his physician because of a heart condition. In recent months, he has been troubled by a nagging back problem.

"There'll never be another Ray Lawley," says one long-time friend. "He had his own style, his own way of doing things."

Both admirers and detractors agree that Ray Lawley has indeed been a unique personality in Erie County and state politics.

SAVE THE OEO LEGAL SERVICES

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. RANGEL. Mr. Speaker, the legal services program, which is a part of the dismantled Office of Economic Opportunity, has been providing essential legal services for the poor people of this country since 1965. In 1972 alone, over 1.2 million cases were handled by this program—98 percent of these were routine civil matters.

However, this invaluable legal assistance may no longer be available to the poor as a result of the efforts of the Nixon administration. In its attempt to destroy the Office of Economic Opportunity, the administration is also destroying the legal services program. Many local offices have already been forced to close due to a lack of funds.

However, since the President included over $70 million in this year's budget for a legal services program, it would appear that he does realize the necessity of having the Federal Government provide some type of legal aid to the poor.

But the administration has still failed to introduce its promised enabling legislation and unless some legislation is passed by June 30, the legal services program will no longer exist.

Unfortunately, there is even some doubt as to whether the President's legislation will call for the creation of a truly independent legal services program, one that would be free from political pressures; or an agency that would merely be a puppet of the Federal or State governments and would not adequately serve the needs of the poor.

Many people across the country have organized to insure the continuation of the legal services program. One group that has been leading the fight is the Lawyers Committee To Save Legal Services. The efforts of this committee have prompted many individuals within the legal profession into action.

I would like to place in the RECORD the following New York Law Journal editorial which. sets forth the goals of the Lawyers Committee and explains the need for legal services in general. As its author, Mr. Jerry Finkelstein, points out, a failure to continue legal services for the poor will only lead to a disruption of our democratic process.

The editorial follows:

SAVE THE OEO LEGAL SERVICES

(By Jerry Finkelstein)

The drive spearheaded by the ad hoc Lawyers Committee to Save Legal Services to prevent the dismantling of legal services programs funded by the federal Office of Economic Opportunity deserves the unstinting support of bar associations, lawyers and all others dedicated to the true administration of justice.

"The law, in its majestic equality," Anatole France wrote, "forbids all men to sleep under bridges, to beg in the streets, and to steal bread—the rich as well as the poor." The imperative corollary to that aphorism is that the law requires that all have equal access to the courts and to counsel—rich and poor alike. The OEO legal services programs helped to make the principles of justice and equality a reality to thousands of poor people, especially those in ghetto areas. It would be tragic to again bar the doors to justice for those in need.

The urgent needs to preserve and expand these legal services programs has been recognized in a resolution adopted by the House of Delegates of the American Bar Association and by many other bar associations. We urge the legal profession here to participate in the program organized by the Lawyers Committee to Save Legal Services by communicating with the committee, in care of James J. Fishman, treasurer, Room 500, 36 West Forty-fourth Street, New York 10036.

We are rapidly approaching Law Day on May 1, with its theme, "Help The Courts—Assure Justice." We can help the courts in assuring justice in many ways. One way is to strengthen the legal process and to encourage the rights and responsibilities of citizenship by maintaining access to the courts. For those in poverty, their search for justice has become as critical as their need for food, clothing and shelter.

The legal services programs have contributed immeasurably towards promoting greater understanding of the legal process and of the rule of law. These programs have opened countless avenues for justice for those who have for too long been denied justice. Our failure to keep those avenues open can only lead to the disruption of our democratic way of life. Continuation of these programs will permit society to respond creatively and constructively to the needs of our time.

HONOR THOSE WHO CARE

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. GAYDOS. Mr. Speaker, I recently received a letter from a man who has been outraged by the public recognition bestowed over the years upon those who would desecrate and disgrace our Nation. The writer strongly believes, and so do I, that such recognition is more deserving "those who do for our Nation and not against it."

As an example of the kind of people he feels should be publicly honored, the writer cited a family from my 20th Congressional District of Pennsylvania. The parents of that family are Mr. and Mrs. John Gabriel of 817 Vermont Street, White Oak, and the contribution it has made to our country is most impressive: four sons, a son-in-law and two grandsons have seen military service; the father and one daughter worked in the same defense plant during World War II while the mother cared for a grandchild; two granddaughters now married to servicemen.

The aforementioned letter was written by one of Mr. Gabriel's sons, John Joseph Gabriel of 108 East Wakefield Avenue in Anaheim, Calif. He is justifiably proud of his family and its contribution to America and believes people such as these are worthy of public recognition.

Mr. Speaker, I could not agree more. Therefore, it is with great pleasure I insert Mr. Gabriel's letter into the Record, not just for the attention of my colleagues in Congress, but for the attention of the entire Nation:

Mr. Gaydos: Being a citizen of this great nation of ours I'm proud to have served in the U. S. Navy during World War 2.

The thing that bothers me is the public recognition that the draft card burners, the flag burners and the demonstrations that these people have put on publicly against our *government* which to me is *our country*. The people I think should be honored publicly are those who *do for* our nation and not *against it*.

This is the story of a family in your district in Pennsylvania. Parents are Mr. & Mrs. John Gabriel, 817 Vermont Street, White Oak, McKeesport.

The oldest child in this family is a daughter, June, who at the time World War 2 broke out was married and who went to work in the Defense plant at Christy Park while her husband went to serve as a Marine in the 1st division in the South Pacific.

The next child, a son, John Joseph, (who is myself) also went to serve in the war. I served in the U. S. Navy aboard the USS *Norman Scott* 00690. I also was in the south Pacific and am proud of our record.

The next children were twin boys, Charles Gabriel and William Gabriel, both who served their country in the Korean War. They were followed by another child, Robert Gabriel, who also served in the Korean War.

My father, John Gabriel, also worked in the defense plant at Christy Park during WW 2. My mother took care of my sister's child while she did her bit as a defense worker at Christy Park, WW 2.

I, myself, am now a proud father as my father before me is. I have three sons. The oldest son, John Jay, has served our country in Vietnam and my next son is serving right now in Germany. My next son, Gary, is only twelve but who is also anxiously waiting to become of age so he can serve too. My oldest daughter is married and lives in Port Vue. My next daughter married a Marine and lives in Tennessee. My youngest daughter is married to a Marine also and he, too, is serving here in Camp Pendleton.

As you can see, we are a family that really loves this nation of ours.

I think my parents should be honored publicly for their contribution to this great nation of ours. Four sons who served in the wars and all who returned safe under the constant praying of two very faithful parents.

Father—John Gabriel, Defense Plant, World War 2.

Daughter—Mrs. E. B. Schultz (June Gabriel), Defense Plant, World War 2.

Son—John Gabriel, U. S. Navy, World War 2.

Son-in-law—E. B. Schultz, U. S. Marine, World War 2.

Son—Charles Gabriel, U. S. Army, Korean War.

Son—William Gabriel, U. S. Navy, Korean War.

Son—Robert Gabriel, U. S. Army, Korean War.

Grandson—John Jay Gabriel, U. S. Army, Vietnam.

Grandson—William Gabriel, U. S. Army, Germany.

This family is one to receive public recognition and not the flag burners and draft card burners or the demonstrators against our country.

Thank you,

John Gabriel.

MARAZITI PRAISES WIXL-FM ON SERVICE TO THE COMMUNITY

HON. JOSEPH J. MARAZITI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. MARAZITI. Mr. Speaker, many criticize when the broadcasting media does not live up to expected public service standards. However, few, if any, take time out to praise the efforts of those broadcasting stations that strive to excel in service to the community.

I would like to break that old and tired pattern by taking time out today to salute the efforts of WIXL-FM radio in New Jersey's 13th Congressional District.

On April 30, WIXL-FM started broadcasting in stereo, playing fine music from 6 a.m. until midnight, 7 days a week. This is a dramatic achievement for a small station that has only been in existence since 1960's, and it shows the kind of public service commitment that makes it a licensed broadcasting station to be proud of. WIXL-FM is responding to the desires of the consumers and making an effort to provide the kind of music they want to hear with the best technology and equipment available to radio.

Congratulations, WIXL-FM, on another milestone in your record of outstanding community service.

CELEBRATION OF POLISH CONSTITUTION DAY AND THE BIRTHDAY OF MIKOLAJ KOPERNIK

HON. PAUL S. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. SARBANES. Mr. Speaker, it is with deep admiration for the achievements of the Polish people that I draw attention to the dual celebration being held across the country this week by Americans of Polish descent. They will be commemorating both the 500th anniversary year of the birth of Mikolaj Kopernik, one of the true giants in the history of science, and the 182d anniversary of the adoption of the Polish Constitution, one of the world's great historic documents of political freedom and religious toleration.

In Maryland this double anniversary will be celebrated by Baltimore's distinguished Polish-American community with appropriate ceremonies at Polish Home Hall on Sunday, May 6. I want to commend the officers of the Maryland Chapter of the Polish American Congress who have devoted so much time and effort to planning and arranging this important occasion, namely: John F. Pasko, president; Melvin Laszczynski, vice president; Genevieve Jaworski, vice president; John Krysiak, vice president; Agnes M. Sito, financial secretary; Veronika Stachorowska, recording secretary; Thaddeus Cwalina, treasurer; and Andrew Piwinski, sergeant at arms.

It was Mikolaj Kopernik whose Latin name was Copernicus, a brilliant and widely learned Polish scholar, skilled in law, languages, religion, and administration as well as astronomy, who set men's minds free of the outworn concepts of a clumsy and inefficient astronomy. By proving definitively that the sun and not the earth was the center of our planetary system, Copernicus encouraged men to use their minds to contemplate the truly awesome mysteries of space. He it was who took the first great step for mankind which would one day lead to an American astronaut setting foot on the moon. This year commemorating the 500th anniversary of his birth has been marked by a series of events and exhibitions, symposia and competitions held all across America and indeed the world in honor of his magnificent contribution to the sum of human knowledge.

Copernicus was born on February 19, 1473, in the Polish city of Torun, on the Vistula River near the Baltic Sea. When he was 10 years old his father died and he was entrusted to the care of his uncle, Lucas Watzelrode, who was to become bishop of Uarmia and an important figure in both church and state in Poland. Poland was a preeminent center of culture and learning in Europe and the University at Cracow, with its prestigious schools of mathematics and astronomy, was unmatched in Northern Europe. It was to Cracow that young Copernicus was sent by his uncle to study in 1491. From Cracow Copernicus proceeded to 10 years study in Italy at Bologna and Padua. There he undertook the study of law, medicine, and astronomy. Upon returning to Poland, where he was to spend the rest of his life, Copernicus was learned in mathematics, law, astronomy, medicine and even skilled at portrait painting.

To understand the development of Copernicus' work, we must remind ourselves that he was the contemporary of Columbus, Magellan, and the other great explorers whose accomplishments revolutionized man's understanding of his own earth. In the course of his many years of study Copernicus became convinced that the planets were centered on the sun rather than on the earth but he was reluctant to publish his ideas. It was only through the efforts of his friends and in particular of his former student Georg Rhaticus, that his great work, "De Revolutionibus Orbium Coelestium," was published shortly before his death in 1543. Upon this brilliant study is based all subsequent work in astronomy and in the exploration of our universe.

Today we can look back to Copernicus' brilliant career in 16th century Poland and appreciate the intellectual genius which enabled him to combine the best traditions of classical teaching, love of God and scientific learning, and to live in peace as a highly respected member of his society. Mikolaj Kopernik was a scholar in the very finest sense of the word. I trust that his devotion to knowledge and truth will remain a beacon to civilized men and women in all countries, in all times.

Mr. Speaker, we also commemorate this week the Polish Constitution of 1791 whereby the people of Poland peacefully transformed their government from a monarchy to a democracy and in so doing set an example for freedom-loving men and women of courageous commitment to human rights and individual freedom. The Polish people's indomitable spirit and their dedication to freedom allowed them to create in 1791, just 2 years after the adoption of the U.S. Constitution, a historic document which abolished class distinction, established absolute religious toleration, and declared the equality of all citizens under law.

A brave people long recognized for their chivalry and compassion, the Polish people have for generations struggled for liberty, a struggle which led them to carry on their national banner the motto "For Our Liberty and Yours." But theirs is a tragic history. Despite the fact that it was Poland which stopped Genghis Khan's invasion of Europe in 1250, despite the heroism of Poland's King Jan Sobieski and his 40,000 Polish troops who turned back at Vienna on September 13, 1683, Turkey's invasion of Europe despite the great courage and skill of men like Thaddeus Kosciuszko in the 1790's, Jan Paderewski in the 1920's, and the brave sons of Poland who fought with the Allies in World War II, Poland has time and again been attacked and occupied by aggressive neighbors. But the spirit of this great people has never died—neither in Poland nor in the lands where Poland's sons and daughters began life anew.

Mr. Speaker, just as the Polish people courageously sought their own freedom in 1791, so they have contributed to this Nation's struggle to create a free society since the earliest days of the Republic. During the American Revolution, Thaddeus Kosciuszko and Count Casimir Pulaski rallied to the banner of our newborn country as it struggled for its independence. With the exception of Lafayette, Kosciuszko was the only foreigner ever admitted to the American Order of the Cincinnati, an honorary society of Revolutionary War officers. Jefferson wrote of Kosciuszko:

> He is as pure a son of liberty as I have ever known.

Count Pulaski arrived in America in July 1777 and shortly thereafter he was commissioned a brigadier general by the Continental Congress. During the spring and summer of 1778, General Pulaski came to our city of Baltimore to recruit and organize an independent corps of cavalry and infantry. Pulaski's Legion from Baltimore and neighboring areas served with distinction in South Carolina and Georgia and Pulaski himself gave his life for the cause of American freedom when he was shot and mortally wounded during the siege of Savannah.

From these early examples of the contribution Polish Americans have made to our land and to the cause of freedom throughout the world, there are thousands more which can be found in each generation which followed. Today Americans of Polish descent number well over 10 million and their contribution to the strength and vitality of this Nation is beyond measurement. The list of distinguished Polish Americans grows with each generation and marks the ranks of every profession and walk of life. In government Polish Americans have distinguished themselves as Senators and Congressmen, Cabinet officers, Governors and mayors, jurists, and in countless other positions in Federal, State, and local governments. Polish Americans have contributed significantly to American industry and strengthened American labor. They have added their many talents to our intellectual, artistic, and social life. And, above all, they have always championed our Nation's freedom and honor.

In joining with Americans throughout our land in celebrating Polish Constitution Day and the birthday of Mikolaj Kopernik, I do so with the deepest respect and admiration for the strength and quality that Americans of Polish descent have brought to this country. Theirs has indeed been a contribution which has immeasurably enriched our national life.

TEXAS INDEPENDENCE DAY

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. GONZALEZ. Mr. Speaker, every year in honor of Texas Independence Day the citizens of San Antonio visit the Alamo for the annual pilgrimage to the Alamo ceremony. This is a very historic occasion for the State of Texas, and San Antonio in particular, and I would like to share with you the speech given by Pat Cassidy, commanding general of the 5th Army, at this ceremony. General Cassidy, a great American and patriot, has served with distinction and is an outstanding commander who speaks most eloquently on this occasion.

The speech follows:

SPEECH OF GEN. PAT CASSIDY

I can think of no major event more appropriate for this week-long fiesta than the pilgrimage to this shrine. I for one am deeply moved at standing here on this occasion and recalling those famous words of "Remember the Alamo."

Even as one who has lived in San Antonio less than two years, I feel the great pride which characterizes those born in this great State, so abundantly rich in traditional history. I also feel deep reverence for the awesome drama which unfolded here in the spring of 1836.

To have this opportunity to recall those events in commemoration of the heroes who gave their lives here 137 years ago is indeed an honor.

Although "Fiesta San Antonio" hails the Texan victory at San Jacinto near Houston on April 21, 1836, it was the rallying cry of "Remember the Alamo"—a defeat here six weeks before—which inspired General Sam Houston's forces to that victory.

As a member of the military, I, too, am inspired by the patriotism shown by that little band of men who, on this ground, decided to stand up and fight against overwhelming odds. Their decision to be victorious or die, when they might have escaped, was no play for recognition by the crowd gathered here today. They could not envision our standing here paying homage to them!

Why, then, did those men remain here to either win or die? To a few dissenters, the resolve to defend this mission of little intrinsic value could appear a bit contrary to reason. The men were not defending the structure, which was at that time a Franciscan mission compound called "San Antonio de Valero"—already 118 years old and in partial ruins.

Those dedicated men were devoted to a *cause—the belief in the right of a people to determine their own destiny—free from the fear and power of the dictator and the tyrant,* willing to stand up and fight for what they considered just and right. And so they died in triumphant defeat, having made an invaluable contribution to the final victory at San Jacinto and the ultimate course of American history.

It is that belief and resolve, held by those heroes and other earlier Americans—and steadfastly maintained by later generations—that has made our country the great nation that it is.

As you know, there are some people who deride the emotional approach to Americanism, and who scorn phrases like "Don't Give Up the Ship," "Give Me Liberty or Give Me Death" and "Remember the Alamo." These slogans are a part of our American drama—

each one a reminder of the patriotism of our ancestors.

I *will* say this—lately, more patriotism and more pride in our country are being displayed, and less derision, than during the past several years. The veterans recently returned from Hanoi are the most notable example. Their expressed love and appreciation of country, faith in their fellow men, and acknowledgement of the integrity and courage of our President should inspire respect throughout the world.

There is yet another inspiring aspect of the storming of the Alamo: the display of unity in race relations. That group of settlers who made their first heroic bid for independence on this ground where we stand today, represented the many national and ethnic groups of modern-day Texas. Together they fought—together they died, regardless of race, creed or color.

Since 1891, their descendants have displayed that same unity in presenting this world-renowned "Fiesta Week " Each year they have joined in everything from deep reverence, to pomp, and buffoonery. A prime example is "Nights in Old San Antonio," where representative dishes of the people who came here are served—Mexican, French, German, Italian, Irish, Belgian, Spanish and Chinese—maybe others.

There is similar representation in the other events throughout the week-long span of gaiety. In fact, I can think of no place where ethnic unity is more prevalent and apparent, where the military and civilians are more complimentary of each other, than in "Fiesta San Antonio."

I praise and salute this city, its people, and each ethnic group that it has represented since its founding more than 250 years ago.

May each of you have a glorious week!

Let us remember the Alamo.

Thank you.

PENNSYLVANIA FLOOD VICTIMS HELP MISSISSIPPI RIVER FLOOD VICTIMS

HON. HERMAN T. SCHNEEBELI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. SCHNEEBELI. Mr. Speaker, in 1972 residents of the Central Susquehanna Valley saw their rivers and streams rise to record levels, forcing them from their homes. The floods of Agnes changed the lives of many people, and their impact continues.

It would be easy for these individuals to go about their own business, taking care of themselves. Recent events, however, prove that their perspective is much larger.

Last week, the manager of radio station WKOK in Sunbury, Pa., had an idea. Rick Todd went on the air to suggest that area people might want to extend at least a symbolic hand of understanding to 1973's flood victims in the Mississippi Valley. The amount of $300 as a contribution to the Red Cross was set as a reasonable goal.

Mr. Speaker, the fund raising drive ended last night. The results: $45,488 donated to the American Red Cross for flood relief, and four tractor trailers full of food and clothing on the way—all in a 1 week informal, unplanned drive.

Local scout troops, wrestling teams, civic organizations and other groups became involved. The response came from throughout WKOK's coverage area—including communities hard hit by Agnes.

Rick Todd informs me that he has witnessed this spirit of dedication and one-mindedness and total concern only once before. That was last June, when it was the Susquehanna which was changing the course of lives.

Mr. Speaker, I am sure all my colleagues in the Congress join me in congratulating the people of the Central Susquehanna Valley for a job well done. In addition, we wish to thank the personnel at radio station WKOK, whose initials have been adapted as the slogan of the Susquehanna Valley. "We Keep On Karing."

TRIBUTE TO FRANK AND FRANCES GRUBBS

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mrs. GRASSO. Mr. Speaker, a dinner for "Reminiscences and Recollections" at the Hartford Hilton on April 9 provided a special setting for the Greater Hartford Alumni of Loomis-Chaffe School. It was an opportunity to pay tribute to Frank and Frances Grubbs on their retirement from a beloved school and a career that spanned the years from 1930. Then Frank was hired as a French teacher until his election in 1952 as headmaster, a position of love and trust that was honorably and splendidly fulfilled. In 1967, FOG became president in the new era which brought Chaffe School to the Island and resulted in one school with two sides, but more than 100 members of one faculty, an operating budget of more than $2.5 million and an endowment of $12 million. A larger endowment that cannot be measured represents the legacy of this man who for more than 40 years influenced the lives of countless generations of young students. The gift he gave is encompassed in his own words:

> I want Loomis to develop independent spirits who will stand on their own feet, make their own decisions, dream their own dreams, create their own empires, stand up up to be counted when the roll is called concerning the support, or defeat of an important issue.

The following tributes attest to the influence of his presence and his contributions to the Loomis education—an education that "is not 'secondary'; it is an entity in itself":

Not St. Francis of the Island—But . . .

(By Frederick G. Torrey)

The Connecticut River Valley has its own peculiar weather patterns, and the State Highway sign just north of Hartford on Route 91 is merely alerting strangers to a local condition when it is set to blink in large red letters . . . FOG AHEAD . . . FOG AHEAD.

But for me, and I wonder how many other Loomis people, the sign always becomes the familiar initials of Francis Olmsted Grubbs, the man who has set the local climate of this Institution for the last twenty-one years. It has been a benign healthy climate, conducive to both individual and institutional growth. By any standard the harvest of Frank Grubbs' career has been extraordinarily rich. Forty-three years of service to the school in every schoolmasterly capacity, teacher, coach, counselor, housemaster, administrator, headmaster, and president, his tenure covers more than seventy per cent of Loomis history. In the perspective of that history I am sure his personal influence in shaping the school is equal to that of the founders and Mr. Batchelder. As headmaster he stabilized the school in the traumatic period following the retirement of the founding headmaster, capitalized on the admissions pressure of the fifties, encouraged the expansion of Chaffee, and guided the two schools toward closer co-ordination in the early turbulence of the sixties. As President he lead the school through the formation of a long-range development plan; two phases of an eminently successful capital fund campaign, the merger of the boys' and girls' schools, and the construction of five major buildings. In a sense he gently but firmly refounded The Institute as The Loomis-Chaffee School.

All of this has been accomplished by a gentle gentleman who avoids controversy like a plague, and is constitutionally incapable of deliberately hurting anyone. He is a completely likeable man who has so integrated his life and his career that he often is called and responds to the name, Mr. Loomis. Hard-working, self-disciplined and intensely loyal, Frank has legions of friends, and his elephantine memory is more accurate than the alumni files. At the end of a long traveling day on an alumni trip I have seen both Frances and him swell with renewed energy at the sight of the first old friend and fill an evening with affectionate memories and subtle wit, all the while seeking to assure the continuing strength of Loomis through the muted rattling of his famous tin cup.

It has been my pleasure and an important part of my education to work with Frank Grubbs for the last six years of his tenure. His patience, support, and trust have made it possible for Barbara Erickson and me to move confidently in our jobs through a period of extraordinary national tension and rapid institutional change. We have been a team of three, a number which in a human organizational unit usually requires at least one "saint" in order to be workable. It may be just a psycho-social hallucination, but Barbara and I agree that in certain lights a distinct golden circlet is discernable behind Frank Grubbs' head. Frank's friends may have a little difficulty seeing him as "St. Francis of the Island" but I am sure all who know him will agree that the educational climate of this region of the valley will always be influenced by FOG.

Frank Grubbs

(By James F. English, Jr.)

Frank Grubbs is of the generation which succeeded to the Mycenaean Age of headmasters. How natural to have polished the legacy of these giants and demi-gods with a Mandarin administration of fine-honed institutionalism, but events were less accommodating. Motivations and mores suddenly changed. Inflation lopped off options and demanded precise priorities.

Fortunate it was for Loomis-Chaffee that Frank combined with his dedication and sensitivity a large measure of the entraprepreneurial agility of the earlier age of schoolmasters. Like them he has the split vision which monitors the general plan but seizes the immediate opportunity. Quick to move, happy to venture. Frank is a leader with the frugality to pinch pennies and the affrontery to solicit fortunes. He realizes that the final success of his trust depends on his capacity to motivate: faculty, students, supporters. And this he and Frances have done, through their charm, their sincerity, and their wisdom.

And so Loomis-Chaffee has survived, evolved, prospered, ready for another happy era under the new leadership Frank has so skillfully assembled. We envy him for the wisdom to have concentrated his life on so useful an effort and for the satisfaction he must get from the important work he has created.

FRANK GRUBBS

(By Hoyt Ammidon)

THE RIGHT MAN AT THE RIGHT TIME

The transition from our first Headmaster, Nathaniel Horton Batchelder, to Frank Grubbs was not an easy one. It entailed for better or worse, and I believe a lot of good did come out of it, a short and somewhat chaotic experience with an interim headmaster. In fairness to him it should be stated that any transition from the era of great, colorful and very independent headmasters, such as we saw all through the New England prep school system, would have been a very difficult one and, while one does not like to think of an interim headmaster as expendable, it is not unlikely that a real purpose was served in learning what was needed in the period to come. I am sure most of the New England schools went through a traumatic period of change when men like Batchelder, Sill, Taft, St. John and Peabody moved on.

This is where Frank came in and, as I think of Frank and the school, it is hard for me to tell whether Frank was like Loomis or whether Loomis was like Frank because he was a natural for the job from the first minute. Not only had he grown up in the traditions of the School as a teacher of quite a few years' standing, but he was highly sensitive during that period to the atmosphere and values of the School, and a close observer of Mr. B. Thus. Frank was able to take the School as it was and adapt it to the future in a sensitive and thoughtful manner and in the process assume the leadership in his own right. This is, in fact what occurred and because he was, in addition, a good communicator, a superb administrator and well equipped to deal in human relations with students and parents alike, the Grubbs and Loomis names became happily linked.

I was President of the Board of Trustees at the time all of this occurred, and these were days of deep involvement with Loomis affairs. I went on the Board back in 1937, one of the two first alumni trustees, and as a result was also close to Mr. Batchelder and indoctrinated in the history and traditions of the School by him. It, therefore, naturally followed that Frank and I together saw things in very much the same light and, while it unfortunately befell my lot to bring the short interim period following Mr. B to an end, it was also my great joy to be able to bring Frank into the role he has carried out so magnificently ever since. Surely he will go down in Loomis history as a great headmaster, every bit as good for his period as Mr. Batchelder was at the beginning. Schools used to be autonomous, and the headmaster was as close to God as a young boy could visualize. The passage of time, though, ended this and so it came to pass that we found in Frank the right man at the right time, making Loomis' transition to the necessities and pattern of the day a relatively painless one.

All this while, Frances Grubbs has been a source of great strength, support and comfort to Frank—a very good team indeed. Ordinarily it might be a very sad thing to see the end of an era but, in this case, while we will all miss Frank tremendously, he goes out with such bright flying colors and with such a great record that it seems appropriate to write "finis" to a magnificent period in Loomis history.

When asked how long a man's legs should be, Abe Lincoln is said to have replied: "Long enough to reach the ground."

It is that down-to-earth, non-pedestal attitude which seems to me the major characteristic of Frank and Frances Grubbs during their 21 years at the head of Loomis-Chaffee and the chief reason for their, and the school's, enormous success.

Having graduated from Loomis, before * * * would have put it in his French class), inspired neither awe nor hate. Boys, girls, parents and teachers simply liked and trusted him. If Batch can be said to have brought Loomis-Chaffee strongly through adolescence. Frank tremendously helped by Frances, can rightly claim to have brought the two schools not only to maturity but to one-ness.

My most vivid single memory of 23 years on the Board and the highest compliment I can pay Frank and * * *. How fine it is that Frank and Frances, as part-time consultants, will be active participants in this new phase of our progress!

We who love them can count on their not letting us forget Adlai Stevenson's apt definition of Education: "Where to be penny wise is to be people foolish," nor the earthy, unattributed saying that "an educated man is one who can give directions without taking his hands out of his pockets." That's Frank.

RARICK REPORTS TO HIS PEOPLE: INDIAN MILITANTS, A NEWS MEDIA CREATION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. RARICK. Mr. Speaker, the radical activities of the antiwar movement that rocked the country a few years ago seem to have faded in the wake of withdrawal of troops from Vietnam. The potentially violent student-police confrontations, the radical bombings, and the scene of masses of protesters in the streets have cooled. Other problems have stolen the thunder of the "peaceniks." And the American public has breathed a sigh of relief.

But this country has not heard the last from radicals. Other causes and other types of dissent besides marches, sitins, and massive violence are becoming the new focus of activists in the 1970's.

Two movements that have already attracted some hard-core radicals of the antiwar protestors are the causes of prissoner's rights and the problems of American Indians. These causes have adopted the violent methods the new left used in the 1960's to undermine the structure of this country. Prison riots and Indian war parties are the present directions being taken.

The seizure of the Bureau of Indian Affairs Building in Washington, D.C., by militant Indians last fall and now the armed occupation of the South Dakota town of Wounded Knee, have focused national attention on the American Indian movement. Both of these outrages have been the work of this disloyal group. One of the participants in the virtual destruction of the Indian Affairs Building admitted that this was accomplished with "help from the Washington antiwar movement."

The decent respectable American Indians recognize the renegade AIM group as little more than a scalping party on the fringes of the cause of Indian rights. The duly elected leaders of the Indian tribes look upon the renegade holdouts at Wounded Knee as a disgrace to all American Indians.

The American Indian has a proud, although tragic heritage in this country. The treatment the Indians received during the last century was a disgraceful chapter in the history of this country. Few Americans today would condone many of the actions our country took against the Indians. But wanton destruction of public property, and the armed seizure of private property are no legitimate means for redress of past injustices.

The great majority of American Indians are law abiding citizens and deplore the activities of the militant minority within their ranks. But, as is so often the case, the radicals and lawbreakers get the attention of the news media, and their demands, however outrageous, are given sympathetic treatment.

Last December, a congressional subcommittee investigated the seizure of the Bureau of Indian Affairs headquarters building. About 200 militants and troublemakers invaded the building, forced the 400 Bureau employees to leave and held the U.S. Government at bay for 6 days while they occupied the building. The report documented the fact that when they left, the inside of the building was virtually gutted. Offices had been ransacked, equipment and furniture destroyed. Legs from tables and chairs were broken off and fashioned into weapons. Priceless artifacts of Indian culture were stolen along with every painting and picture of value. Valuable records, files, equipment, and other property of the Government were loaded onto trucks and carted away.

While the destruction and looting were taking place, the police, trained in riot control, stood by and watched. They were under orders not to intervene.

The chairman of the subcommittee described the building after the militant Indians finished, as looking "similar to a building in which a bomb had exploded." It is estimated that the cost of repairing the physical damage to the building and its contents, plus the cost of restoring the records may run well in excess of $2 million.

Rather than being marched promptly off to the District of Columbia jail to await charges, the leaders of the outlaws were given some $66,000 which they used to finance their transportation from Washington. Once they had collected their blackmail money from the Office of Economic Opportunity, the mob vacated the building they had wrecked.

There is no justification for this action, just as there is no justification for our Federal Government to allow such a national indignation to take place.

This savage destruction was condemned by Indian leaders across the country. One representative of 147 Indian tribes described the Indians that occupied the building as "revolutionaries," and denounced our Government for allowing the renegades to get away with the crime.

Although the American Indian movement boasts some 65 chapters throughout the country, the membership is reported to be not more than 260. It is another example of a small vocal minority of violence-prone individuals ignoring legal channels of protest.

The evidence that when such acts of violence go unpunished, and are even rewarded with Federal funds, they lead only to continued acts. The siege of Wounded Knee, S. Dak., by the same AIM group that took over the Bureau building is a prime example.

On February 27, a group of about 200 heavily armed militant Indians, seized a small general store and a Catholic Church at gunpoint and for a time held 11 hostages. They set up roadblocks, dug trenches and bunkers, and have been allowed to keep FBI agents, U.S. marshals, and other law enforcement officers at bay since that time. They fired on passing cars, low-flying planes, and exchanged shots with the lawmen. Although there are sufficient law enforcement officers to put an end to the entire show in short order, authorities in Washington have refused to grant permission to restore order. And the whole disgraceful mess continues.

By recognizing the AIM militants as spokesmen for all Indian people, the Government has granted them the undeserved prestige and power they seek. By no stroke of the imagination can about 200 unelected loudmouths be considered representatives of the almost 800,000 American Indian population. But the Government recognition has granted them a degree of legitimacy.

The so-called siege has fed and grown on the coverage given it in the press and on television. Some interesting facts have emerged to show that the whole affair is just another of those media-created nonnews events that today's journalists are so fond of promoting into headlines.

There is a thin line between covering news and creating it. And the line has been crossed at Wounded Knee by the press. Newsmen were allowed to filter in and out of the town with little difficulty. AIM leaders were highly successful at getting their side of the story across—so successful that they were willing to prolong the conflict for the sake of continued headlines.

When food ran low during the siege, the Indians rustled a few head of cattle from a nearby farm. But as it turned out, none of them knew how to slaughter and dress a calf. In the interest of accurate news reporting, a network television cameraman showed the Indians how.

Other instances of news creation, rather than news reporting have become evident. At a news conference a reporter asked the AIM spokesman: "Are you setting up a provisional government?" There was no immediate answer, but a few hours later the militants declared the 40-acre area around Wounded Knee to be "an independent sovereign nation." A group of Indians later conferred with the United Nations Undersecretary, demanding that the "Oglala Nation" be admitted to the U.N. as an independent state. The U.N. was also urged to intervene in the "longest undeclared war in history" and to restore more than 60 million acres of land to the Indians.

The American Indian movement is made up mostly of urban educated activists schooled in confrontation. More than half of its members are reported to be employees of social welfare agencies financed by taxpayers through Federal Government grants. Since its founding in 1968, the organization has received more than $400,000 in Federal funds as an offshoot of a Minneapolis antipoverty program. The militant movement probably could not have gotten off the ground without the $203,000 in church funding since 1968. Most of this money was given by the National Council of Churches, as well as by various religious denominations throughout the country. As an interesting footnote, about 20 National Council of Churches representatives trying to enter Wounded Knee were turned away as "undesirables" by the Bureau of Indian Affairs police—themselves Indians.

Certainly this country is in no danger of an Indian uprising. Respectable Indians have voiced outrage at the antics of the few. The real danger lies in the Federal Government's inability to protect the rights and property of its citizens from a few radicals bent on violence as a means of protest. The administration, while claiming to be a friend of law and order, has done little to stop this nonsense, rather, it has aided it with taxpayer's money and has hampered local authorities from performing their duties of law enforcement. The question here is not whether the demands of a few radical Indians are justified. The deeper question is: Shall the U.S. Government continue to allow vocal bands of outlaws and militant minorities to trample the rights of majority of law abiding citizens.

WATERGATE

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Ms. ABZUG. Mr. Speaker, with each passing day the blot of the Watergate scandal spreads further across the escutcheon of the Presidency, making Teapot Dome and the Credit Mobilier pale by comparison.

Several of the items and editorials that have appeared in the press over the past few days are worth reading, and I include them in the RECORD at this point:

[From the New York Times, May 1, 1973]

VIETNAM AND WATERGATE

(By Tom Wicker)

A lot of Americans thought George McGovern hysterical last year when he said the Nixon Administration was "the most corrupt in American history." But neither Senator McGovern nor anyone who supported him should take pleasure in the considerable vindication they are now receiving. This grim spectacle of investigation, recrimination and resignation, overshadowed as it is by the probability of criminal indictment, shakes not just "the Nixon Administration" but American government, and to its roots.

Those roots lie in the confidence and trust of the American people. For two centuries, despite their amiable cynicism about many forms of graft and an almost admiring tolerance for colorful demagogery, Americans have generally trusted their government—particularly that government most remote from them in the twentieth century, that trust concentrated itself almost fanatically in the Presidency, as the one office capable of coping with the vast new concerns that rushed in at home and abroad. The result is a Presidential Government, in which the other branches serve mostly as occasionally effective anchors to windward.

Shake confidence in the Presidency, therefore, and you shake confidence in the Government. In the sixties for millions of Americans, the war in Vietnam and its consequent deceptions and disillusionments first brought the office into distrust and contempt. Now the Watergate scandal is bound to extend that corrosion of confidence—particularly since the Nixon Administration came to office in 1969, and stayed in after 1972, not least because so many Americans believed Mr. Nixon's pledge to restore confidence, reestablish authority and preserve traditional American values.

But it seems reasonably clear that crimes including at least wiretapping, theft, burglary, breaking and entering, perjury, malfeasance in office, suborning perjury, bribery, forgery, obstruction of justice, various forms of conspiracy and numerous violations of both the election and campaign finance laws, have been planned, committed, connived at, condoned or covered up at high levels of the Government (which is to say the Presidency). The accompanying ethical transgressions—particularly the vile intrusion upon Daniel Elsberg's psychiatric records—shatter even the most supple standards of personal or political conduct.

And no matter how strongly it may be asserted that Mr. Nixon knew nothing of any of this, and took strong action as soon as he did know, the facts remain that he gathered the culprits about him, he gave them their power and whatever sense of his purposes and limits they may have had, and he failed in the first duty of a responsible official, which is to know what is being done in his name or with his authority.

These sorry facts, moreover, raise new and ominous questions about other, earlier matters of concern—the Administration's decision, for example, to raise milk support prices after major campaign contributions by the dairy industry, and the settlement in dubious circumstances of an important antitrust suit against I.T.T.

This sad crumbling of an Administration and Mr. Nixon's desperate efforts to retrieve a position that so recently appeared imperial may seem nothing more than good political fodder to some Democrats; others, like the governors who canceled National Chairman Robert Strauss's plan to make a television speech on the subject, surely realize that whatever partisan advantage may be derived from the Watergate crimes is minor when measured against the damage to the nation, its institutions and its spirit.

The conclusion the Democrats as well as the Republicans would do best to draw is that the Presidency is not an imperial office. No matter who holds it, neither he nor his men are above the law or beyond political accountability. There is nothing inherently ennobling or mystic in the office—nothing that makes ordinary humans superhuman—nor is there anything about mere power that enhances character. Rather, it is how Presidents respond to their power—how they use it or refrain from using it—that can make them great, or make them corrupt.

Now two Administrations in succession have tried to push beyond the limits of the office, the first in making war, the second in securing its power; one was rebuked politically, to the detriment of its laudable domestic purposes; the other has been criminally tainted, to the possible endangerment of its foreign policy goals and achievements.

No doubt there is a certain rough justice in both cases; it is even possible that in the perverse way of human nature, the Presidency has been saved, not destroyed by these retributions; but if that is to be so, Mr. Nixon and his successors will have no greater task than to show that they are worthy of trust. After Vietnam and the Watergate, they had better not count on blind faith.

[From the New York Times, May 1, 1973]

A Fortunate Crisis

(By William V. Shannon)

WASHINGTON, April 30.—The discovery of the Watergate scandal so early in the second Administration of President Nixon is a fortunate circumstance for the nation. It is likely to slow down and may reverse related and equally ominous developments.

The Watergate affair is a most unusual scandal rivalled only by the stealing of the election of 1876. It does not involve outsiders trying to corrupt members of the Government with valuable gifts or money. Instead, it is a conspiracy by insiders to crush their political opposition and maintain themselves in power.

In the Teapot Dome case, an oil man paid Secretary of the Interior A. B. Fall a bribe of $100,000 to obtain a valuable oil lease on public land. In the Truman Administration, certain White House aides did favors for shady people and accepted mink coats, deep freezers, suits of clothes, and other comparatively trivial gifts in exchange.

President Eisenhower was deeply embarrassed when Sherman Adams, his chief assistant, intervened with Federal regulatory agencies in behalf of a businessman who had over the years given Adams a vicuna coat and free hotel rooms.

Those earlier scandals were different in kind from Watergate. It threatens not the integrity of the Government's policymaking process, although that is involved, but the freedom of ordinary Americans.

This kind of threat is so unusual in this country's experience, so alien to its tradition, that most Americans have difficulty taking it seriously. The Times last week carried a report from Muncie, Indiana, telling of the reaction in that typical American city. The local paper carried a letter from a reader who pointed out: "No lives were lost, no one harmed, no bank robbed, or large amount of money lost. And so far as we can detect, no one in particular was harmed. It is indeed getting boring."

It is boring only if the defense of freedom is boring. Watergate was a calculated attempt to tip the scales of power which already weigh in favor of an incumbent Administration.

When those in office not only make use of their inherent advantages but also engage in a systematic effort to wiretap and "bug" their political opponents, to sabotage their opponents' meetings, to put spies in their offices, to steal material from their files and to forge incriminating letters, then the whole procedure by which a free people elect their rulers is gravely compromised.

The power at the disposal of any modern government to manipulate opinion and to coerce the ordinary citizen is fearsome. Long before electronic bugs, closed-circuit television, and other modern devices for surveillance and control had been invented, thoughtful men worried about governments becoming too powerful, and making themselves into the masters rather than the servants of citizens. That is why the Fourth Amendment to the Constitution states: "The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated."

President Nixon and his closest associates have repeatedly shown themselves to be insensitive to constitutional restraints upon the exercise of executive power. The Constitution clearly intended that the President should share the war power with the Senate but Mr. Nixon conducted the Vietnam war for four years in defiance of the Senate and is now bombing in Cambodia without any visible constitutional sanction.

In dismantling the Office of Economic Opportunity, the Administration is violating a law passed by Congress last year. In impounding funds—not in part or for a limited time—but to kill who programs permanently, the White House seeks to usurp the most fundamental power of Congress, the power to determine public spending.

President Nixon and his associates have also evinced deep hostility tinged with contempt for various public and private institutions. They have gagged public television and tried to undermine the public's confidence in commercial television and in leading newspapers. On great public controversies, they have ignored or disparaged the opinions of religious leaders, college presidents, student groups, and Negro organizations.

Yet independent centers of power which a Government has to take into account are the essential feature of an open, free society, as distinguished from a closed, monolithic one. Whether consciously or otherwise, President Nixon has given the country a kind of slow-motion dress rehearsal of how political authoritarianism would begin to consolidate its power.

The Watergate scandal, a secret and lawless effort to rig the election and then to conceal the guilty higher-ups, is the characteristic, almost inevitable, scandal of this Administration. If its exposure causes the President to back away from his other ominous attempts to lawless manipulation and control, then the Republic—which is far greater and more precious than the Presidency or any other particular office—will have been well served.

[From the New York Times, May 1, 1973]

A Partial Beginning

In his comments and actions on the Watergate scandal yesterday, President Nixon did all that was inevitable—but not all that is necessary. His belated decision to dispense with the services of Attorney General Kleindienst, of John Dean 3d, his legal counsel, and of H. R. Haldeman and John Ehrlichman, his senior staff assistant, was a bow to the inescapable. It has been apparent for many days that their usefulness in public office was at an end.

Where Mr. Nixon still seems unwilling to do what is so clearly necessary is to accept the reality that restoration of confidence in the integrity of government will come only with a turnaway from Administration insiders in the choice of successors for these departed members of his inner circle. Substantial as are their personal talents, Elliot L. Richardson, the Attorney General-designate, and Leonard Garment, who has been temporarily assigned the duties of counsel to the President, have the same drawback as does William D. Ruckelshaus, who was named last week as acting director of the Federal Bureau of Investigation. They are all close to the President and dependent on his continued favor.

To point out this elementary fact of life is not to derogate either their ability or their integrity, but to make clear why their appointments at this time are unsatisfactory. These are not the men of detachment from outside the Administration, of the type the situation requires. Mr. Nixon seems to think of Mr. Richardson, in particular, as a kind of totemic figure who can be moved about from one trouble spot to another as a symbol of honesty and Boston Brahmin disinterestedness.

But the public impact of the Richardson-Ruckelshaus-Garment appointments in the present context is quite different. These appointments convey the impression of a President still reluctant to move beyond his own political circle and still determined to keep the investigation of Watergate as far as possible under his own control.

It is instructive to contrast President Nixon's moves with those of President Coolidge in the Teapot Dome scandals. Mr. Coolidge named Harlan Fiske Stone, the widely admired dean of the Columbia University School of Law, as Attorney General and chose Owen Roberts and former Senator Atlee Pomerene as special counsel in the Teapot Dome case. The Bar Association of the City of New York has urged a similar course upon Mr. Nixon, as have Congressmen of both parties. Inasmuch as the President seems unable to make that complete break, the public has no alternative except to rely upon the courts and the Senate select committee chaired by Senator Sam Ervin as the guarantors that the whole truth will eventually become known.

Like the Harding Administration scandals of a half-century ago, but in even more sinister and damaging fashion, the Watergate scandal involves the President's political confidants and some of his most trusted associates. In announcing yesterday's resignations, Mr. Nixon made a sharp distinction between Mr. Dean and the others who are quitting. The public can only reserve judgment on those gradations of responsibility until the full story unfolds. But it is apparent from the President's comments that he is not yet ready to confront the full enormity of this debacle and its implications. In his farewell words of praise for Mr. Haldeman and Mr. Ehrlichman and in his inward turn for successors, there is no hint of recognition by the President that the quality of his own leadership or his own staffing arrangements have been shown, at the very least, to be dangerously faulty.

The mania for secrecy, the arrogance toward Congress and the public, the overcentralization of authority, the suppression of internal dissent, and the failure to provide the President with alternative sources of information are weaknesses that will not necessarily depart from the White House with Messrs. Haldeman, Ehrlichman and Dean. Until those grave weaknesses are corrected, the country cannot be confident that Mr. Nixon has learned the lessons of Watergate.

[From the New York Post, May 1, 1973]

A Plea of Innocence

President Nixon went before the country last night to protest his innocence of any complicity in either the devious planning or elaborate coverup of the underground political operations waged in his behalf during the 1972 campaign. Whether he protested too much will be answered by future events.

Mr. Nixon played so many roles during a performance inevitably reminiscent of his 1952 "Checkers" speech that it was often hard to identify which part he way playing, and to differentiate high drama from soap opera.

He began as the betrayed defendant, lamenting his ignorance of the crimes committed around him through so many months but asking mercy on the ground that his international missions had distracted him from local happenings.

He proceeded to the posture of defense counsel and character witness for Messrs. Kleindienst, Haldeman and Ehrlichman, whom he had finally been obliged to find expendable but about whom he could discern nothing more suspect than overzealous devotion to duty, meaning, in this instance, the cause of his reelection.

Then he seemed to become both chief prosecutor and judge as he described his designation of Defense Secretary Richardson as Attorney General to conduct a "fair and fearless" inquiry into all the unpleasant occurrences. At no point did he explicity concede that his own conduct would be a legitimate area of investigation, a matter he presumably foreclosed by asserting that he accepted "responsibility" for what was done, allegedly behind his back, by those under his command.

Actually much of his speech dealt neither with the history of Watergate nor the grave questions growing out of the many ramifications of the scandal. It was campaign oratory affirming his worthiest world goals and his American dreams, as if he were once again running for reelection. That this was the occasion for such transparently political rhetoric is surely debatable but the device was hardly unexpected.

The questions he left unanswered were innumerable: the most obvious was why he had so long derided each successive Watergate disclosure if he had been genuinely "appalled" by the initial news. Similarly unexplained was the timing of John Mitchell's resignation as campaign chief. The most generous and contrite notes in his remarks were his sporting tribute to "the vigor of the press" that kept pursuing the story and to Judge John Sirica's diligence. But he gave us no persuasive clue to his avowed failure to take the story seriously until Sirica's persistence, accompanied by the labors of Senator Sam Ervin, forced a major breakthrough toward truth.

More important than a rehearsal of the gaps in Mr. Nixon's soliloquy is the crucial issue of whether Attorney General-designate Richardson will take over the inquiry or yield the stage to a special prosecutor. Mr. Nixon said Richardson has the authority to name an independent figure to that post "if he deems it appropriate." Nothing could be more appropriate—and nothing else can provide real reassurance to the country. Regardless of Richardson's past credentials, he is a member of the Nixon establishment and the beneficiary of repeated Presidential appointments. The conflict of interest is clear.

Mr. Nixon absolved himself of any personal involvement even as he chose Richardson. There can be no true appearance of "fair and fearless" inquiry until and unless Richardson steps aside for a respected special prosecutor wholly unconnected with the Nixon Administration.

That is the key test of the President's avowed resolve to reject a whitewash of the White House. We believe that will be the considered judgment of the country as it weighs his many words. Mr. Nixon's speech would have been far more effective if he had plainly and unequivocally called for such an appointment and omitted his familiar, repetitive theatrics.

THE PRESIDENT'S ENERGY MESSAGE

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. FRASER. Mr. Speaker, the President's energy message released on April 18 was long overdue. I welcome the lifting of oil import quotas and the initiation of a program to educate the public to conserve energy. I deplore the failure to come to grips with the immediate problem facing us this summer and next winter of worsening shortages of gasoline, diesel fuel, and heating oil. These supplies must be spread as fairly and equally as possible, with priority given to those with the greatest need. It is impossible to do this without the Government stepping in.

We all had a scare last winter. Only mild weather saved many of us from being cold and possibly out of work. The situation is not going to improve in the next few years. In Minnesota, more than a hundred gasoline stations have closed because of lack of supplies, and 200 more may soon have to do the same. Independent truckers in the Twin Cities report that they are unable to obtain fuel transporting contracts. Unemployment in Minnesota's trucking industry is mounting. Similar problems are being reported throughout the country. Municipal officials in Atlanta, Detroit, Chicago, Indianapolis, and Los Angeles tell of difficulties in getting fuel for city vehicles. The Civil Aviation Board has indicated that flights may have to be curtailed because of fuel shortage.

It is unrealistic and unwise to rely, as the President proposes to do, on private initiative and voluntary restraints to alleviate the serious scarcity of petroleum and petroleum products facing us all in the immediate future. All sources of energy in this country are stringently controlled by the same 20-odd companies. The free market forces needed to make the President's proposals work simply are not there.

SHORT-TERM REMEDIES: ALLOCATION AND STORAGE

The Economic Stabilization Act, which became law on April 30, authorizes the President to allocate scarce petroleum supplies. The administration has indicated it does not intend to exercise this authority.

I will be introducing legislation requiring such allocation. We need an agency with the authority to allocate petroleum and petroleum products and to regulate marketing, distributing, refining, blending, and jobbing of these products. This new body would be empowered to prevent anticompetitive effects resulting from shortages.

An additional possible solution to the problem of distribution of supplies to independent marketers might be a recent proposal in the Minnesota State Legislature requiring 10 percent of distributors' current supply to be offered for sale to unaffiliated dealers.

To deal with the immediate national security problem posed by our dependence on oil, I endorse Senator JACKSON's proposal for establishment of a system of national petroleum reserves. We should have at least a 90-day supply of oil on hand for emergency purposes. Space in existing military storage facilities would be used, as would abandoned salt mines and other suitable natural geological formations. Where necessary, storage tanks would be constructed. The European Common Market countries are currently considering a system of this kind, perhaps even for a 120-day supply.

The President's proposal for international cooperation is welcome. The suggestion made in the State Department for organization of oil importing countries as a counterbalance to OPEC, the organization of oil exporting countries, appears a good one.

In addition, to lessen our dependence on Saudi Arabian and other Middle Eastern oil, we must do all in our power to encourage exploitation of petroleum resources in the Western Hemisphere, both in Latin America and Canada. I am convinced, as are many others, that construction of an oil pipeline across Canada from Alaska's North Slope would encourage development of Canada's own vast northern petroleum potential.

LONG-RANGE PLANNING

Although the President fails to deal with the short-term crunch, he does at long last provide for many aspects of long-range planning that we badly need. Essentially, he has proposed to increase as expeditiously as possible available energy resources both domestic and foreign. By lifting quotas on oil imports, by structuring the new license fee system for imports to favor construction of new domestic refineries, by speeding up leasing on the Outer Continental Shelf, by removing Federal price ceilings on natural gas, and by providing tax incentives to make recovery of known domestic reserves more profitable, our oil and gas supplies should increase by the end of the decade.

Unfortunately, if consumption goes unchecked and if we do not make a massive commitment of funds to research and development of alternate energy sources, we are still headed for disaster. The national energy policy outlined in the President's message does not undertake to slow down the rate of consumption. Nor does it make the commitment necessary to develop alternate sources of energy. To rely, as the President has, in the one case on individual abstention and in the other on public thrift, shows a misplaced sense of values and a false sense of economy.

The message fails totally to deal with the problem of soaring consumption. To depend, as the President does, on voluntary restraint, is expecting too much of human nature. I welcome the proposal for an office to undertake a campaign for public education in conservation of energy. We have seen in Minnesota what enlightened leadership can do in this regard. But when I look at the offices of the Environmental Protection Agency each night from my home nearby and see the lights blazing, I am convinced more than ever that voluntary effort will not do the trick. While I applaud the public education program that the President proposes, we cannot afford to wait for the effects of such a program to be felt. We must act and act now.

LEGISLATION TO CONSERVE ENERGY

What the President has failed to do, Congress must do. I plan to introduce legislation which will encourage efficiency in the use of automobiles and electric power. Among the remedies which we need and which we cannot afford to leave to private initiative are the following:

Discouragement of wasteful consumption of gasoline through a tax on automobile weight and on such accessories as automatic transmissions and air conditioners.

Prohibition in new construction of electric heat from fossil fuel sources. In this kind of heating, two-thirds of the energy is lost in generation and transmission. It is wrong that we continue to permit such wasteful use of electricity. In 1969, 23 percent of the 40,000 buildings constructed in the United States—5,400 of which were office buildings—were equipped with electric heat.

Encouragement of research and development by the electric power industry. One way of doing this might be by taxing electric utility advertising and earmarking the revenue for research and development. It is shocking to learn that major electric utilities in 1971 spent 3.3 times more on advertising and sales promotion than on research and development.

Mandatory efficiency standards and labeling of electrical appliances to indicate relative efficiency. The President has proposed such labeling, but would leave it to voluntary effort. While industry has indicated a willingness to cooperate in labeling products, the profit motive encourages manufacture of appliances of low electrical efficiency at low initial cost to the consumer, but with extremely high costs to society at large in terms of wasted electricity. We need legislation requiring that efficiency standards be set for new air conditioners, water heaters, refrigerators, and other major appliances, and that all electrical appliances be labeled as to relative efficiency.

NEED FOR ADEQUATE FUNDING OF ENERGY RESEARCH AND DEVELOPMENT

The President has not made the commitment of funds we must have if we are to provide our people and our industries with adequate fuel and power for the long-range future. The reason we find ourselves in our present predicament is that we did not make the necessary capital investment years ago to provide us with alternate sources of energy to use when we began to run out of oil. The crunch we are experiencing results directly from our failure to plan adequately in the past.

Again, it appears to be a case of being pennywise and pound foolish. Solar or geothermal energy or fusion may sound exotic, but so did putting a man on the Moon. The President stresses in his energy message the increases for energy research and development in the fiscal year 1974 budget over the funds allotted for that purpose the previous year. By doing so, he draws attention away from the fact that the total sum is inadequate. Starting from an even more inadequate base, an increase means little. What we need is an all-out effort like that of the Apollo project in order to solve the problem of our future energy needs.

The total in the fiscal year 1974 budget for energy research and development is $771.8 million. That this is hailed as a 20-percent increase over fiscal year 1973 is a sad comment on our effort of the past year. To put this sum in perspective, we should consider it in contrast to the $25 billion we spent on Apollo over an 11-year period, or consider it in contrast to the $81 billion earmarked for defense expenditures in the coming year.

Senator JACKSON has proposed a $20 billion Government-industry research effort over the next decade. This is the kind of effort we need—the kind that got us on the Moon. I intend to sponsor this bill in the House, with an important addition. We need ample and immediate funding of development of sulfur emissions controls so that we can burn our vast reserves of high sulphur coal without polluting the atmosphere.

TOO MUCH EMPHASIS ON NUCLEAR FISSION POWER

Aside from the inadequacy of the President's proposed energy research and development program, I do not like to see so many of our eggs put in one basket. Too much reliance is being placed on the development of the liquid metal fast breeder reactor—LMFBR—and too little on alternate energy sources. Almost two-thirds of our total energy research and development effort is allotted to development of nuclear fission power, and of this, roughly three-fourths goes to the liquid metal fast breeder reactor.

Only $12.2 million is allowed for development and research on solar energy, and only $4.1 million on geothermal energy. On the other hand, $320 million is budgeted for the LMFBR and a total of $475.4 million for nuclear fission power.

I was surprised at the prominence given to nuclear fission power in the President's message. Mr. James Akins, of the State Department, who has worked on the White House message, told a congressional staff group last month that nuclear power had proved a grave disappointment in terms of economics and efficiency, and that estimates of the share it would play in the Nation's energy mix by 1980 had been downgraded by one-third. I find that in the recommendations on energy drafted by the Council on Environmental Quality—which the Office of Management and Budget is said to have suppressed last August—nuclear power was estimated as filling 15 percent of the total energy picture by 1985. Yet in the material released by the White House this April 18 it is estimated that by 1985 nuclear power will account for up to 25 percent of the Nation's electricity.

In praising the "extraordinary safety record" of nuclear power generation, the President ignores in his energy message the grave and perhaps insoluble problem of high-level, long-lived, radioactive solid wastes. In 1970 there were 100,000 gallons of high-level, long-lived radioactive solid wastes from nuclear powerplants. By 2000, this quantity may increase to 6 million gallons a year. These wastes must be permanently stored because they remain highly radioactive for thousands of years. No acceptable site has yet been found. They must be monitored constantly even after burial. One million cubic feet of low-level radioactive wastes were buried in 1970. It is anticipated that this amount will triple by 1980. Again I am using data provided in the withheld CEQ report on energy.

I do not want us to shun this source of energy. I ask only that we devote adequate attention and funds to solving the grave problem of long-lived, high-level radioactive solid wastes associated with production of this kind of power. I am concerned that there was not even an allusion to the problem in the President's lengthy energy message.

The White House message points up the impotence of the so-called new federalism in coping with the energy crisis. It underlines the basic difference in philosophy between the present administration and those that preceded it. The message fails to deal with the inconveniences and hardships people will suffer over the next 2 or 3 years. It relies almost exclusively on pricing and the profit motive to alleviate the situation by the end of the decade.

We are not dealing with free market mechanisms in the hydrocarbon industries. We cannot rely on individual or local initiative to solve our momentous energy problems, nor can we rely on the philosophy that what is good for the big oil companies is good for the country. I hope that the Congress will provide the leadership needed to establish an effective national energy policy that will meet the Nation's energy needs, not only in the long-term future, but over the next few years as well.

PHILADELPHIA INTERNATIONAL AIRPORT INAUGURATES NEW OVERSEAS TERMINAL

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. EILBERG. Mr. Speaker, Philadelphia International Airport's new $3 million overseas terminal became fully operational on Sunday, April 29 at 6 a.m.

City officials expect that the new overseas terminal will spur a dramatic increase in the already booming international passenger traffic at the airport, which has been growing at the rate of 30 percent annually.

In addition to serving nine overseas airlines, the overseas terminal also will accommodate all supplemental and charter flights out of Philadelphia.

This transfer of operations from the main terminal, currently undergoing a $150 million modernization and expansion project, also will provide more comfort and convenience to the domestic airline passenger.

The overseas terminal, about 1 mile east of the main terminal, occupies 100,000 square feet of space, whereas the present old international section occupied only 10,000 square feet of space.

The new terminal contains 22 U.S. customs inspection counters compared to six in the old international area.

While the old facility had zero in passenger amenities, the fully carpeted overseas terminal features beautiful passenger lounges, a newsstand, gift shop, Philadelphia's first duty-free shop, a restaurant and bar, and a branch of the Fidelity Bank of Philadelphia where foreign currency may be exchanged. And immediately adjacent to the terminal is a 500-space parking lot.

At the duty-free shop, passengers leaving the country will be able to order merchandise for delivery on the aircraft without paying State, city, and Federal taxes. Luxury items such as cigarettes, liquor, and perfume will be available at savings up to about 40 percent.

The largest commercial aircraft in existence will be able to utilize the new terminal because of the new $22 million runway and a recently completed aircraft parking area which will accommodate four 747 aircraft simultaneously.

The waiting time for baggage claims will be sharply reduced.

The new terminal has four baggage claim conveyor belts and each can process about 400 bags an hour, compared to one belt in the old facility handling 150 bags an hour.

Eight college students, fluent in several languages, also will be on duty at the terminal to assist foreign visitors.

The new overseas terminal was a former four-hangar installation occupied by the Boeing-Vertol Co. It was renovated at a cost of $3 million. The architect was John R. Betts.

The terminal was opened on a very limited basis during the recent Easter holiday. Formal dedication ceremonies will be held sometime next month.

MIGRANT STUDENT RECORD TRANSFER SYSTEM

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. WILLIAM D. FORD. Mr. Speaker, the April issue of American Education, an official publication of the Office of Education of the Department of Health, Education, and Welfare, contains an excellent article entitled, "Improving the Education of Migrant Children," which I would like to call to the attention of my colleagues.

This article describes the vital role being played by the Migrant Student Record Transfer System—MSRTS. The MSRTS is located in Little Rock, Ark. and is funded by the migrant education program authorized by title I of the Elementary and Secondary Education Act.

As the article points out, the MSRTS is a computerized communications network serving the 48 continental States. Within a matter of hours, it can provide a school with the basic academic and health history of any of its approximately 400,000 registered youngsters, no matter where they may travel by way of migrant streams.

The article also notes that this system has been so successful that educators who work with other mobile groups, such as the children of families in the military, and other noneducational groups are studying the performance of the MSRTS with keen interest.

Mr. Speaker, I hope all my colleagues will take a few minutes to read this article and make themselves familiar with the success story of the MSRTS. I hope we will also keep in mind that is the continuing existence of proven programs such as this which would be endangered by the Nixon administration's special education revenue-sharing proposal, and that it is programs such as this which are essential to insure that the children of migrant families receive an adequate education which will enable them to become productive citizens during their adult lives.

At this point, Mr. Speaker, I would like to insert into the RECORD the text of this article, followed by a brief outline which describes the historical need for MSRTS, the services it provides, and its benefits and accomplishments:

IMPROVING THE EDUCATION OF MIGRANT CHILDREN

(By Patrick F. Hogan)

For few segments of our population is an effective program of education more difficult to plan and conduct than for the Nation's 500,000 or so migrant youngsters.

Traditionally the difficultes have begun with so fundamental a proposition as placing the student at the appropriate level, based on previous schooling and individual aptitudes and interests. For any child the business of switching to a new school has traumatic overtones. Multiply that by four or five moves a year, add the deprivations of poverty plus an exceptionally high incidence of disease, and it is not surprising that the great majorty of migrant students fail to complete high school.

Planning a sustained and coherent program of education for migrant children has in fact been so fraught with ramifications that educators have found it difficult to know where to begin. A promising starting place seems to be opening up through what is called the "Migrant Student Record Transfer System" (MSRTS), a computerized communications network that can in a matter of hours provide a school with the basic academic and health history of registered youngsters no matter where they may travel by way of the migrant streams.

Launched in November of 1968 on an experimental basis, the system has been steadily improved over the subsequent years and is now generally regarded by the participating schools as just about essential. Currently more than 390,000 children are covered by the system (with more being added at a rate of about 500 per day) and educators who work with other especially mobile groups—the children of families in the military, for example—are studying its performance with keen interest. So are such noneducational agencies as the Public Health Service, which sees in a system of this kind an invaluable approach to identifying and tracking the onset of epidemic illnesses. Improvements in the system and in the mechanics of its operation have also led to lower costs. Expenditures by the States, out of set-aside funds under Title I of the Elementary and Secondary Education Act, have declined from $3.1 million in fiscal year 1971 to $1.9 million in 1972 to the current level of $725,000.

The boys and girls covered by MSRTS have been certified by the various State departments of education as being the sons and daughters of families that follow the crops in search of agricultural work. Generally speaking they travel in three streams: up from Florida along the Atlantic Coast, up from southern California along the West Coast, and up from the gulf coast of Texas and forking in two directions—one in Colorado and the Mountain States, the other into the Great Lakes region. These routes are not hard and fast, of course, not even as standardized as the flyways of birds. The course is instead set by the exigencies of fortune. In any event, most of those who move north from Florida are black and Puerto Rican, and the majority who travel the western routes are Mexican-American, though in all three streams there may be heavy mixtures of poor white families, Indians, and Orientals.

Usually they travel as family groups, working as teams to earn their average annual wage of about $3,600 per family. Ask 12-year-old Billy where he and his mother and father and his four brothers and two sisters are going when they leave Florida this time and you are apt to get a vague shrug and smile. It is not that he does not wish to share his family's plans with you, it is that there are no specific plans to share. Depending on what they hear about the weather, or the crops, or perhaps about places where harvesting operations are being taken over by machines, they and some of their neighbors may head out in their asthmatic old cars or flat-bed trucks into the Carolinas and Virginia, to Delaware, Pennsylvania, or maybe Upstate New York. Billy's family vaguely hopes to have the children back in Florida, their home base, in time for the opening of school in the fall. Chances are, however, that it will be more like December or January or February (these being the months in which Florida schools carry their peak migrant load).

Such irregular comings and goings of varying numbers of children can confound school officials and unsettle an ordinarily orderly classroom. As with any new students, the teachers will want to know what schools the youngsters had been attending, what levels, how they had scored on aptitude and achievement tests, what illnesses they had suffered recently, what diseases they had been immunized against. These are not matters that youngsters are likely to have on the tips of their tongues, and the difficulties of extracting clues usually include a language barrier about 75 percent of migrant children are from families that rarely speak anything but Spanish.

Yet this kind of information is essential to getting these youngsters off to a sensible start in their new schools, and at least in its health aspects is usually a requirement even to be admitted. The previous practice had been to give the child a copy of his record to be turned in at his next school. Predictably, the rate of loss was almost 100 percent.

The answer: MSRTS, by which terminals in 137 locations along the migrant streams are tied into a computer located at the University of Arkansas Medical Center in Little Rock and leased on a shared-time basis by the Arkansas State Department of Education, selected from among a number of applicants submitting proposals to operate the system. As of this summer the Arkansas Department of Education will use its own computer, thereby gaining top priority for the migrant record system and providing opportunities for other agencies to develop analogous systems.

Information fed into the centralized data bank by teletypewriter operators in one school district can be retrieved at another terminal simply by typing out the proper query. Thus as a youngster travels from State to State and school to school, his or her basic academic and health record can be made available in a turn-around time of about four hours—assuming, of course, that the child has been registered into the system and that the schools along the way have kept the record up to date. The latter has been the chief fly in an otherwise highly effective ointment. The usual reaction among educators asked about the system is that MSRTS represents "a real breakthrough," but there is the occasional disappointment that arises when the computer can only respond that no new data have been added since the original filing. Given the inevitable complications of getting agreement among a large number of officials representing a large number of jurisdictions, perhaps the chief tribute to the system lies in the fact that State departments of education in all 48 of the contiguous States have gotten together to agree upon a standard form for recording the called-for information and have jointly undertaken to do whatever they can to improve the system still further.

To see MSRTS in action, drive west in the Everglades region of Florida across the flat land with its thick black soil toward the migrant center at Belle Glade, in Palm Beach County. Beyond the Australian pines leaning over a roadside canal, the migrant workers are harvesting vegetables. Their children are going through last-day-of-school rites at the Lake Shore Elementary School.

Billy is playing first base in the faculty-student ball game. A sturdy sixth-grader, he has been attending an average of four schools per year. He likes spelling and football and baseball, he says, and wants to work in a factory when he grows up or maybe be a school principal. He likes his teacher, Mrs. Allen. "She's nice to us," he says, and adds this interesting comment: "She tells us the rules." The disparity of his ambitions aside, Mrs. Allen wonders when he'll have occasion to pursue them, since Billy and his brothers and sisters seem to spend all their "free" time picking cucumbers and potatoes in the winter and, she suspects, working full time in the fields during the summer. Be that as it may, Billy is a bright youngster and a capable one, and she hopes he will enroll in one of the special programs for migrant children somewhere "up the road" this summer.

Mrs. Allen has conscientiously filled out her students' record forms in triplicate—one for the teacher, one for the school nurse, one for the school to give to the youngster when he or she withdraws. Billy's name, sex, birthdate, birthplace, and student identification number had been recorded on the form when he enrolled last fall. Before reaching Mrs. Allen it had gone through the school nurse, who had recorded the inoculation and vaccination shots he had received, the fact that Billy had had both the mumps and the measles, and the results of a complete medical examination.

Aside from making notations regarding the results of aptitude tests and tests measuring progress, Mrs. Allen is called upon to rate Billy's school record under 39 headings and subheadings covering the basic academic subjects (reading and related language skills are especially emphasized) plus special interests and abilities in areas ranging from drawing and music to science and sports.

At the same time that Mrs. Allen was busy filling in Billy's record, teachers in several other schools in the area were similarly filling out MSRTS forms. Out here in "the Glades," migrant children make up a good proportion of the student body. At Pahokee they account for about a third of the 600 enrollment, at Lake Shore almost half. Most of the completed forms are collected by one of the aides to Florence Lockett, who operates the terminal for the west section of Palm Beach County, though in some cases—for schools located some distance away—the information is telephoned to her.

Mrs. Lockett sits at her teletype machine, cutting a tape by which coded information about Billy and Carlotta and Jose and Bernice and other departing children is sent on leased lines to the computer in Little Rock. Discs spin, new information is stored in the data bank, Billy's record is available no matter where his family's old truck takes him. Last year, leaving Palm Beach County in mid-June, it took them across the 19-mile Chesapeake Bay bridge-tunnel to the farmlands of the eastern shore of Virginia, in Accomack County. Billy had intended to work in the fields with his older brother, but shortly after they arrived, as he was lazing up against a truck in the migrant camp where he and his family were staying, he was approached by a visitor to the camp named Bill Dryden. Dryden, one of two Accomack County "home-school coordinators," had an interesting proposition to advance—a special summer program for migrant children that offered classes in reading and arithmetic plus field trips, movies, classes in music, arts, and crafts, and a square meal at lunchtime. The next morning Billy and his sisters were picked up by a bus that took them through the fields along bumpy country roads to the North Accomack Elementary School in Mappsville.

As part of the process of enrolling Billy in the program, guidance counselor Levolia Fletcher recorded his name and date of birth, the names of his parents, the family's Florida and Virginia addresses, and the name of their crew leader (like many migrant families, Billy's parents travel as part of a small labor force recruited by a leader who contracts to deliver them as a package). At 10 o'clock that morning terminal operator Windal Blake, sitting at the same sort of machine Mrs. Lockett had used in Florida, queried Little Rock for Billy's record. By 2 o'clock that afternoon the computer had searched the data bank and responded with basic facts from his school in Florida concerning his health and academic record—the essential information for placing Billy at the proper level in the Accomack program and for making sure he was not unwittingly bringing a serious communicable disease with him. As procedure calls for, a print-out giving the details of his school and health history arrived by mail three days later. Even when MSRTS performs that efficiently—and sometimes it doesn't, simply because the computer can reveal only what it has received—the system is not free of criticism and even of controversy.

Its champions contend that while the system does indeed need improving, its only basic flaw is the failure of some school people to feed the computer on schedule. Moreover, as is pointed out by A. K. Fisher, Assistant Superintendent of Schools in Accomack County and head of the migrant program there, the alternative, is to "try to tie the youngsters' records around their necks, as in the old days." (The present system does in fact call for giving the children copies of their records, to be turned in at the next school, but the incidence of loss remains almost total.)

Since the schools along the migrant streams will at best have only a few weeks in which to try to help the youngsters, Fisher says, they cannot afford the time it would take to trace back through the migrant child's wanderings and try to determine what classes he should be assigned to and whether there were health problems that might endanger not only the youngster himself but the other children. People working with migrant youngsters claim there have been many instances in which these children have been given the same inoculation two or three times in the same year, simply because health authorities could not take a chance.

Some teachers—Palm Beach County's Robert Bedell and Eileen Huff are examples—feel the form is too restricted. Those filling it out are confined to checking the rows of prescribed boxes, they say, with no provision for observation and comments. Bedell and Miss Huff nevertheless agree that MSRTS is "a good idea."

Some critics in Florida have contended that the system is in effect discriminatory. While there is an obvious gain in keeping track of the records of migrant children, they say—since these children need all the help they cañ get—other deprived children in the area need help, too, and often aren't getting it because they cannot be classified as "migrants." Defenders respond that MSRTS is indeed a special effort to meet a special need—just as there are special programs to serve the physically handicapped—and that the issue is not discrimination but the particular nature of the problem. Broader criticism comes from Cassandra Stockburger, director of the National Committee on the Education of Migrant Children. The public schools as they now operate, she argues—their curriculums and the way they are organized—do not adequately serve the needs of migrant students, and money spent on tracking their records should instead be spent on improving the schools themselves. To which the system's proponents reply that improvements are indeed called for and that MSRTS is a significant move toward building a foundation for a coordinated, broad-scale planning effort that crosses State and district lines.

Perhaps the most fundamental concern is that pointedly expressed by Senator Sam Ervin (D-North Carolina), in his capacity as chairman of the Senate Subcommittee on Constitutional Rights. Senator Ervin's reservations have gone not to the matter of helping migrant children as such but rather to the general issue of possible invasion of privacy represented by "official" data banks and their potential misuse. This issue has been a major topic of consideration by the Arkansas education department officials who carry out the system's policies, and firm restrictions have been laid down about the kind of information going into MSRTS and confining access to that information to school authorities involved in migrant programs.

Meanwhile, efforts have been launched among the States to expand the exchange of information about migrant education in general and to improve the performance of MSRTS at the local level. Spurred by meetings of State migrant education officials held last summer and again last December, explorations are under way to try to improve the standard form on which MSRTS information is recorded for storage in the computer. Suggestions to date have concentrated on expanding the number of items to be checked so as to cover not only the basic skills and subskills but to provide for more detailed data within these headings. Thus in the boxes related to vocational education there might be room for information covering automotive tune-up, medical assistant training, cash register skills, hotel worker skills, and the like; and for younger children there might be headings related to preschool and day-care experience. One notable decision, reflecting the concern over possible invasion of privacy, is that the record will not include comments from teachers. At the same time, with the assistance of the American Academy of Pediatrics, work is under way toward refining the health sections of the form.

What all this means to the Nation's migrant children is that they had a better shot at schooling last year than they had the year before, and that with further refinements of the record system, their chances may be still further improved in the years ahead. Given the haphazard education that has been the migrant youngster's traditional lot, MSRTS represents only a small advance, but it has large implications.

Much though the system may need improving, it is beginning at last to bring order and continuity to the school experience of the most mobile segment of our population. It assures that migrant children can be enrolled in their new schools without delay or confusion, and placed in classes that built on the schooling they have already received. It means diminution if not eradication of the health problems to which these children are so particularly subject—typhoid and tuberculosis prominently among them. And perhaps more broadly it may stimulate schools along the migrant trails to undertake those reforms and readjustments necessary for providing migrant children with the kind of education that will enable them to enter the mainstream of American life.

More About Migrants

Single copies of four publications dealing with the education of migrant children are available to American Education readers without charge.

Two of these publications may be obtained from the Public Inquiries Section, U.S. Office of Education, Washington, DC 20202. They are:

Children at the Crossroad (OE 37062)—a 48-page booklet describing the plight of migrant families and outlining various State programs funded under Title I of the Elementary and Secondary Education Act to aid them.

Available from the Texas and Arkansas State education departments, as noted below, are the following:

Texas Child Migrant Program—a 23-page booklet detailing programs for migrant children instituted in the Lone Star State. Available from the Division of Migrant and Preschool Programs, Room 222, Texas Education Agency, 201 E. 11th Street, Austin, TX 78701.

Love and Understanding of the Migrant Child—a 33-page collection of speeches by educators and government officials dealing with a wide range of issues affecting the migrant child. Copies are available from The Migrant Office, Room 611, 1515 Building, Little Rock, AR 72201.

Need, Services, and Benefits Provided by MSRTS

MSRTS CLIENTELE

Migratory children are children who have moved from one school district to another during the past year with parents or guardians who were seeking or acquiring employment in agriculture including related food processing activities such as canning.

HISTORICAL NEED FOR MSRTS

The rapidity with which many farm migrant children have moved during school terms has been accompanied by the problem of many schools receiving student records after the children had already moved on, thus ineffectuating the usefulness of the data.

SERVICES PROVIDED BY MSRTS

1. Yearly contract proposal development, negotiation and execution.
2. On-site visits to terminals to give needed assistance.
3. Daily monitoring of all terminals for volume and efficiency control.
4. Provide all computer services.
5. Blank and printed student Transfer Record forms.
6. Mailing of student Transfer Record forms to schools.
7. Provides a recommended total system operation.
8. Develops and provides training materials for states.
9. Develops and provides operational manuals for terminal operators and school users.
10. Provides monthly, quarterly and annual activity reports to USOE and the states.
11. Provides training, for all terminal operators and back-up terminal operators and other state personnel.
12. Works with USOE and state agencies on operational development problems related to MSRTS.
13. In-service training for MSRTS Staff.
14. Monitors users' needs and modifies System accordingly with USOE approval.

BENEFITS OF MSRTS

1. Rapid transmittal of pertinent general, health and academic student data for rapid programming for students.
2. Information for placement and care of children:
   (a) School attendance patterns.
   (b) Parent/guardian relationship to student.
   (c) Kinds of health screening exam(s) administered and when.
   (d) Health screening findings and subsequent treatments (if any).
   (e) Urgent health conditions.
   (f) Status of treatment procedures.
   (g) Inoculations administered and needed.
   (h) Students' chronic health conditions.
   (i) Standardized test(s) administered, date and score(s).
   (j) Special educational programs of student involvement. Encourages program continuity.
3. Encouragement for more attention to program development.
4. Encourages positive attitudinal changes toward problems and needs of migrant children.
5. One agency responsible for accumulation, storage and dissemination of pertinent data on seasonal farm migrant children.
6. Provides data for establishing an empirical method of distributing funds to states for student programs and services.
7. Provides a vehicle for interstate cooperation in the education of agricultural migrant children.
8. Provide statistics to USOE and the states for program planning and budgeting and for better understanding of the nature of farm migrancy.
9. Monthly newsletter.

MSRTS SAFEGUARDS OF STUDENT PRIVACY

1. Design of a uniform record which does not permit the recording of derogatory information.
2. Resolution adopted by the states and approved by USOE that allows individual student records to be sent only to authorized educational agencies within the states. Summary statistical reports may in addition be sent to USOE and the states from the Central Depository.
3. Unauthorized terminals cannot communicate with MSRTS computer.
4. Precise tape and message format that is made available only to authorized personnel.
5. Peculiar student file access security codes.
6. Peculiar set of student data required to access student files.
7. Field validity checks.
8. All access data must match precisely all the data in the student's electronic file.
9. Each state's laws on student file protection apply.

(Note.—System design for the safeguarding of private student data was approved by the Senate sub-committee on Constitutional Rights headed by Senator Sam Ervin of North Carolina.)

ANNUAL TASKS OF MSRTS

First year—fiscal year 1970—Complete the design for MSRTS and build an operational facility.

Second year—fiscal year 1971—Initial process of bringing all participating states into the System.

Third year—fiscal year 1972—First year of full-scale operation.

Fourth year—fiscal year 1973—Second Year of full-scale operation and conversion to dedicated computing facility.

AN AMERICAN SUCCESS STORY

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. CARNEY of Ohio. Mr. Speaker, there is a myth gaining acceptance among some people in our country that it is impossible for a man to start from scratch and reach the top of the business world. However, the New York Times recently published an American success story which completely discredits this myth.

The story is about a man who started from a humble beginning and, with a great deal of ingenuity and hard work, has become the leading builder of shopping malls in the United States. That man is Edward J. DeBartolo, Sr., president of the Edward J. DeBartolo Corp. Mr. DeBartolo is a lifelong resident of Youngstown, Ohio.

In addition to being a highly successful businessman, Edward DeBartolo still finds the time to be an outstanding civic leader and a good family man. I am very proud to have Mr. DeBartolo, his lovely wife, Maria Patricia, his son, Edward, Jr., and his daughter Maria Denise, as residents of my congressional district.

Mr. Speaker, Edward J. DeBartolo proves that the United States of America still is the land which offers an individual the best opportunity for fulfilling himself and for making his hopes and dreams a reality. Mr. Speaker, I insert the New York Times story in the Record at this time:

[From the New York Times, Apr. 29, 1973]

No. 1 Builder of Shopping Malls a Shy Dynamo

(By Isadore Barmash)

Youngstown, Ohio.—Workmen perspiring during construction of a shopping center, racetrack or motel in Florida, Louisiana or Ohio these days occasionally look up at the sky with a frown or a hopeful glance. It is not unknown for a Learjet or Helio STOL Courier to swoop out of the clouds and deposit a thin, serious, dark-haired man in his mid-fifties just at the moment that a crucial building problem has cropped up.

Edward J. DeBartolo Sr., the country's leading builder of shopping centers, clocks 500 hours of air travel every year in his two company planes. His hair-trigger sense for spotting troubles and his skill in quickly coping with them are attributable to many years spent as a young construction laborer and to his later experience as a civil engineer on big construction projects.

And, despite this boss's friendly, sober, soft-spoken style, woe betide a dallying—or, worse, a sleeping—carpenter or painter. Construction deadlines are a serious matter to Mr. DeBartolo.

"We've built more than 100 shopping centers over the years," he said recently, "and we've never failed to meet a deadline. Maybe that's why we get so much repeat business."

A man of irrepressible nervous energy, Mr. DeBartolo for years has worked 15 hours a day on weekdays, 10 to 12 hours on Saturdays and seven hours on Sundays.

Last week, as he sauntered down the center of nearby Boardman, Ohio, he pointed to a business block and said:

"As a kid, I used to pass by here every day going to high school and I promised myself that I would own that block someday. Today I own that block and much more. One thing led to another, I guess, because I had to work from scratch."

Moments later he toured his Southern Park Mall in Boardman, exuding pride in the fact that not a single candy wrapper or cigarette butt marred the neatness of his shopping center.

He added: "We've got nine ongoing mall developments involving some 12 million square feet. All in all, we're in various stages of about 35 different projects." He paused a moment.

"I love the action," he went on. "It stopped being work a long time ago. Yet it took a long time for us to be discovered. But we've got lots of big plans."

An early riser, Mr. DeBartolo needs only four hours of sleep and is at his desk at 5 A.M. The 55-year-old president of the Edward J. DeBartolo Corporation is a blend of paradoxes.

Considered one of the building industry's best salesmen, he indulges in no hardsell techniques but talks about his "total concept" construction in terse engineering terms.

"I may talk softly," he says with a smile, "but I took chances a million miles out. I no longer have any qualms, though, about taking chances. A mistake would not be too prohibitive these days."

Mr. DeBartolo lives in Youngstown with his wife, Marie Patricia, a quarter of a mile from the company offices in a 12-room, ranch-style home with a sort of Colonial-style entrance.

Besides their son, Edward Jr., who is 26 and executive vice president of the concern, the DeBartolos have a daughter, Marie Denise, 21, who is the company's personnel director. Edward Jr. has two young children.

Frequently the Helio STOL (short takeoff and landing) shuttle plane lands on a grass strip behind the square DeBartolo office building at 7620 Market Street, taxis quickly and deposits a passenger a few feet from the front door.

Inside, some 300 employes are busy in what Mr. DeBartolo calls "our fantastic machine—the fullest complement of in-house services of any builder in America." He explains:

"We do everything ourselves, from our own legal services through site selection, leasing, construction, engineering management and financing."

These combined activitiess have produced corporate assets of about $300-million, up from $125-million five years ago. Projects now under way are expected to expand the DeBartolo assets to about $450-million. Of that total, shopping-center building and ownership account for 75 percent; racetrack building and franchises, 15 percent, and motels and industrial building, 10 percent.

In earlier years, when the company was building primarily smaller neighborhood shopping centers, it sold about 100 of them to finance its construction of larger regional covered malls. Today the DeBartolo concern retains 100 percent ownership of about 30 of the big malls.

As the president of a privately held company, Mr. DeBartolo declines to specify its cash flow or revenues or to disclose his personal wealth. Other Youngstown sources, however, indicate that he has personal holdings of more than $100-million, mostly equity in real estate.

In a survey by Chain Store Age, the DeBartolo concern took first place for the second straight year as the country's largest builder of shopping-center space in the 12 months ending tomorrow. The company built 4,231,670 square feet of such space, up 35 percent from a year before, the magazine reported.

No. 2 was the Hanson Development Company of Hackensack, N.J., with 2,550,882 square feet.

The DeBartolo company also owns the Thistledown Racetrack in Cleveland, is building another track near Shreveport, La., has constructed and operates an inland foreign trade zone in Toledo, Ohio, and operates a chain of Holiday Inns under franchise.

Hard work is something Mr. DeBartolo discovered early. Growing up in a well-disciplined Italian household in Youngstown, he became inured to day-long toil as assistant to his late step-father, Michael DeBartolo, who was a master mason and later a general contractor.

"In the early days," he said, "my stepfather and I would leave in his old touring car when it was still dark and come home when it was dark. I was beat, pooped out. But I remember that the old man, tired as he was, would put an arm around my shoulder and we'd drive home that way. He was a wonderful man—even though he was not my real father, who died when I was very young—and I owe him an awful lot."

After graduating from high school, the youth fought the idea of any higher education. For a year he drove a truck.

But his mother Rose, insisted that he go to Notre Dame University. So he did, and he earned a B.S. degree in civil engineering before serving in the Army Corps of Engineers during World War II. He started his company in 1948.

His mother, now in her eighties, maintains an active interest in the business world and Mr. DeBartolo subscribes to financial publications for her, such as Fortune, Business Week and The Wall Street Journal. His regular Sunday visits to her are filled with "a lot of good lively talk about business," he says. "She reads everything and she's sharp."

Another key to Mr. DeBartolo's success may be the effort he takes to train people. One of his long-time executives commented, "He's known best as a developer of buildings, but he's really more of a developer of people."

Mr. DeBartolo puts it this way: "We've disproved the Peter Principle in this building. We've trained every department head ourselves, and we've found that many people can rise to a high level of competence when given the responsibility, not a chance to benefit from their level of incompetence. We've given each directions, horizons and incentives."

The incentives are unusual. Some of the DeBartolo-owned shopping malls, such as Security Square in the Baltimore area, have been made partnerships between Mr. DeBartolo and more than 50 key executives.

The maximum share given to each was 3 per cent. A percentage point during the building phase was worth $45,000, for which the employe paid $50. After the Baltimore center opened, each point rose in value to $150,000.

Also, each holder of a share or fraction of a share benefited from the income tax shelter that real estate offers through its strong depreciation factor.

Real estate depreciation is a periodic write-off of costs over a period of years. If depreciation runs in excess of revenues, the result is a net loss, which reduces the taxpayer's taxable income.

Besides being convinced that keeping his company privately held permits him to have "ultimate flexibility to make decisions and tackle new ventures," Mr. DeBartolo believes that publicly held real estate companies bear the burden of having to produce net income to keep stockholders happy.

"Fortunately, we're spared all that," he said with a smile. "Once we got over the hurdle of selling our total concept to the lenders—and especially to the big retailers, such as Sears, Penney's, Federated Department Stores and Associated Dry Goods—we've been able to obtain all the financing we need. We borrow about $150-million a year from life insurance companies and mutual savings banks."

THE FURROW AND FREE TRADE

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. RAILSBACK. Mr. Speaker, recently I had the opportunity to read "The Furrow and Free Trade" by William Hewitt, chairman of the board at Deere & Co. in my congressional district. On May 7, the House Ways and Means Committee will begin hearings on trade legislation. Undoubtedly, this subject will be of highest priority in the 93d Congress. Articles such as "The Furrow and Free Trade" will certainly prove valuable to all of my colleagues. It is excellently written, and endorses free trade: a concept I have long embraced. It follows:

THE FURROW AND FREE TRADE

(By William A. Hewitt)

Winston Churchill is reported to have said that the three most difficult things for a man to do are: one, to climb a wall that is leaning toward him; two, to kiss a woman who is leaning away from him; and three, to deliver a good after dinner speech. However, Mr. Churchill overcame at least the last of those three difficulties with great success and style . . . and probably delivered more great speeches, some of them after dinner, than any other man of this century.

If I remember correctly, Mr. Churchill coined the term "Iron Curtain," in a speech at Westminster College in Fulton, Missouri, in 1946, I mention this geographic and academic parallel to our own circumstances this evening, not from any expectation of being able to read tonight's remarks in the textbooks and encyclopedias of the future, but rather because of the 180 degree swing in international attitudes since Mr. Churchill's Missouri talk.

Much has happened during the 27 years since 1946 and the end of World War II. To cite a few examples, our nation has indirectly tilted with Russia and China in two wars on the Asian continent, has been through a missile crisis with the Soviet Union in Cuba, has cured polio, explored the moon, suffered through a decade of often violent youth rebellion, endured several economic recessions, launched the electronics and computer industries, and has grown and prospered to unprecedented levels. In contrast to the comparatively innocent age of 1946, today this nation and other nations of the world communicate with one another via satellites while tourists, businessmen and government representatives ocean-hop regularly by jet in a matter of hours. In terms of access, familiarity and understanding, the world today is about the size of the United States in 1946 when Mr. Churchill cautioned us about the Iron Curtain.

But, of course, there are similarities, too. As in 1946, our President and his envoys have just recently negotiated the end of yet another war—a wasteful war which most Americans felt was more tragic, and certainly more frustrating than World War II.

Even as we meet here tonight, prisoners of the Viet Nam War are being exchanged in the Philippines and are returning to their homes. If there was ever a time for a new beginning, it is now. It is time to melt what remains of Iron Curtain-type barriers around the world and it is time to work together with the Common Market nations and all other nations to ensure peace in the future. A wise old axiom contends that the less hungry a man or a nation is, the less likely he is to want to rob his neighbor's pantry. I truly believe that increased trade among nations is certainly one of the most promising paths to mutual prosperity, and thus to peace. For this reason, world trade is the subject I would like to discuss with you tonight—and especially the role of agriculture in world trade.

Trade has a special significance for those of us associated with agriculture. Let us remember that U.S. farmers export about 15 percent of their product. If their production were reduced by that amount, not only would the U.S. balance of payments suffer significantly, but the U.S. industries that support agriculture would also suffer. Farmers would need less farm equipment, less fertilizer, less insecticides, and consequently a great many U.S. workmen would lose their jobs. Increased restrictions on imports would be bound to provoke retaliatory moves by our trading partners and thus cause a reduction in our opportunity for exports, just as happened in the 1930s.

I believe it is essential that U.S. companies as well as corporations in other countries be able to compete freely on a worldwide basis. This is necessary not only for their own long-term commercial success, but also for the good of our country and for the good of the other nations involved. Because of foreign government regulations, high transportation costs, and the need for special products in certain foreign markets, competition on a worldwide basis often requires that U.S. companies establish manufacturing facilities overseas. In the experience of Deere & Company and in the experience of other major business organizations, this does not take away U.S. jobs, it increases them. This may seem surprising to some, but it is true.

Since Deere & Company began investing in manufacturing facilities overseas in 1956, for example, our exports from the U.S. have grown substantially. They totaled nearly $131 million in 1972. We estimate that John Deere exports provided more than 2,800 jobs in Illinois, Iowa and Wisconsin last year, most of which would not have existed if we had not built factories overseas. Many other large American companies that operate on a multinational basis can prove this same point.

There are two main reasons why John Deere exports have increased substantially since 1956.

First, as our overseas organization has been strengthened by the establishment of factories in other countries, our ability to market U.S. products overseas has increased. This development has increased the demands by foreign customers for U.S machines and repair parts, including such products as large-horsepower farm wheel tractors.

Second, John Deere's overseas factories have required a growing volume of high-technology U.S.-made components such as engines and transmissions to supplement their own manufacturing operations.

In the United States we have a fortuitous combination of climate, soil fertility, technology and management skill that sets our nation in the vanguard of world agriculture. The Japanese may match us in electronics and the Germans in automobiles, but no nation can match America in agricultural efficiency. Our position will hold even higher promise provided we do not permit the construction of prohibitive new trade barriers.

For example, due to a general improvement in standards of living there is an important trend developing toward more meat consumption in many parts of the world, especially in Japan and the industrially developed nations of Europe. The same is also becoming true in the U.S.S.R. This development heavily favors U.S. agriculture. In the production of feed, especially corn, to support this livestock expansion, and also in the production of soybeans, no other country can come close. Major corn producers outside of the United States include Argentina, and to a lesser extent, Brazil, Mexico and a few other Latin-American countries. In Europe, we find that France, and to some degree Italy, are expanding their corn production. But the United States produces about half of the world's corn output and about three-fourths of the soybeans. And, of course, midwestern America is responsible for the bulk of that production.

U.S. exports of farm products totaled $8 billion in the fiscal year ending June 30, 1972, and that was an all-time record. Educated estimates are that this figure will total more than $11 billion in 1973. Large purchases of wheat, corn, and soybeans by the Soviet Union were a major factor in setting these new records. It is important to recognize, however, that the increase in U.S. farm exports last year and this year is broad-based. It involves increased demands from many countries besides the Soviet Union, and for many commodities other than wheat and soybeans, which happen to be the ones we have heard the most about.

As I am sure you know, the rate of gain in productivity in the U.S. is greater in agriculture than in virtually any other industry. This has produced a contribution to United States exports and toward a favorable trade balance that is unmatched despite agriculture's historic trade restriction handicaps. And now our government appears to be moving to enhance the potential of U.S. agriculture in international trade. A new study by the Foreign Agricultural Service of the Department of Agriculture concludes, for example, that with reasonably open access to world markets, the highly efficient U.S. grain-oilseed-livestock complex could shoot U.S. exports of agricultural products above $18 billion by 1980—more than double the 1972 level. Let me reemphasize, however, that this growth can only be achieved with relatively open world trade.

It is my own observation that the President and his advisors on agriculture want to achieve less fettered movement of farm goods across national borders. We are cautiously optimistic on this point, remembering how long it has taken to dismantle trade barriers in the past and also remembering the protectionist attitude most countries have taken related to agriculture.

The mechanism of the U.S. economy, together with the benefits it derives from a rationally regulated international flow of technology, capital and goods is difficult enough to digest and even harder to describe. Yet, the protectionist forces seem to be attempting to reduce the issue to a simple matter of imports plus overseas investment equals fewer jobs for American workers. That is a gross and an inaccurate over-simplification. Such reasoning assumes that only other nations benefit from U.S. purchases and investments in those nations. Trade and investment, however, are mutually rewarding to both parties.

Imports provide the foreign exchange that other countries need to purchase U.S. products. In other words, imports finance exports. Exports in turn are effective employment catalysts. About 25,000 jobs are created by every $1 billion of goods that we export from this country. And as I said earlier, exports of John Deere equipment alone last year provided over 2,800 jobs in the U.S. Imports also aid consumers, including the farmer. They give him a wider choice of products and prices, whereas tariffs and quotas tend to limit his choice, raise prices and nurture inflation. Over the long pull, trade restrictions also stifle exports.

Let me cite some evidence.

A survey of 74 multinational corporations was conducted by the Emergency Committee for American Trade, a group known as ECAT with which we in Deere & Company have worked very closely. This study found that in the decade from 1960 to 1970 the corporations that were studied increased total sales of goods they produced in the United States from $58 billion to $113 billion, a gain of almost 100 percent in that same decade those companies increased their exports from the United States from $4.3 billion to $12.2 billion, a gain of almost 200 percent. They exported 11 percent of their production, or double the national average for manufacturing firms. During the same 10-year period, those 74 companies increased their number of U.S. employees by nearly 900,000, for an average annual growth rate of 3.3 percent. By contrast, the average employee growth rate for all U.S. manufacturing industries was 1.4 percent. The ECAT survey clearly supports the thesis that having overseas units helps U.S. companies provide jobs at home.

In another interesting comparison, the 74 companies in the ECAT survey increased their net trade balance (the surplus of exports over imports) from $3.2 billion in 1960 to $6.6 billion in 1970, for an average annual rate of increase of 7.7 percent. By contrast, the net trade figure for all U.S. manufacturing industries during that same decade fell from $6.2 billion to $3.1 billion, for an average annual shrinkage rate of 6.6 percent.

In a similar study, a Harvard Business School team reviewed nine major overseas investments in industries accounting for 90 percent of U.S. foreign direct investment in manufacturing facilities. These included chemicals and allied products, electrical machinery, non-electrical machinery, oil, transportation equipment, food, paper, primary and fabricated metals and rubber goods. Each of the multinational corporations studied could no longer serve its overseas markets from its U.S. facilities. The alternative was either to invest in production overseas, or lose the markets to foreign producers.

The effect on U.S. employment from the new overseas factories of those nine companies was precisely what we had found it to be in Deere & Company. The Harvard report found that foreign investments in manufacturing created additional jobs for U.S. workers; furthermore, the report found that if the U.S.-based corporations had not made the foreign investments, the cost to U.S. employees would have been an estimated 600,000 jobs lost.

On the negative side, the overseas investments of these nine multinationals did tend to alter U.S. trade patterns which in turn upset employment in some sectors of this country. The research team concluded that a substantial amount of government assistance—such as grants, loans, training assistance and wage supplements—is needed to ease the impact on industry sectors hurt by foreign competition. That is one of the critical areas where government can and should be of service in advancing international trade, instead of imposing new trade restrictions.

Against such evidence it should seem clear that to restrict multinational American companies in order to try to force them to invest more at home would be counter productive. It is wrong to assume that all of their overseas investments are substitutes for investments that would be made at home. Many overseas investments are, in fact, unique opportunities with no alternative counterpart at home.

There are many in America today who, for a variety of reasons, seem to advocate an almost primitively nationalistic stance concerning this country's interface with other nations of the world. This restrictive and narrow protectionist philosophy harks back to 1930 when the Smoot-Hawley Tariff Act brought U.S. tariffs to the highest protective level in the history of this country and spurred strong retaliatory tariff acts from other countries. As a result, this nation's foreign trade suffered a nosedive that contributed substantially to that decade of economic depression.

Two hundreds years ago Thomas Paine wrote: "Not a place upon earth might be so happy as America. Her situation is remote from all the wrangling world, and she has nothing to do but to trade with them." Today we are intimately involved with, and certainly not remote from, the wrangling world. But unlike Paine, some 20th century Americans are—perhaps unwittingly—advocating national isolation.

In discussing foreign trade with you this evening on this university campus, there is a sidelight of personal background I would like to mention.

As a student at the University of California at Berkeley during the mid 1930s, it was my good fortune to study under Henry F. Grady, a distinguished professor of international trade and Dean of the university's college of commerce. Professor Grady's remarkable career in government, education and business spanned some 40 years, and as the best of teachers do, he had a considerable and lasting influence on many of us who studied under him.

Professor Grady served in Washington as Assistant Secretary of State under Cordell Hull and while in the State Department he was in charge of economic and trade affairs. In this capacity he drafted the reciprocal trade agreements that led our country away from the economic suppression that was brought on by the Smoot-Hawley Tariff Act. It is in considerable measure because of his influence that I feel firmly opposed to new efforts at the national level to insulate our country from world trade and thereby risk a relapse into an early 1930s posture with all the economic and social reverses that protective legislation would induce. Such measures as the Foreign Trade Investment Act of 1972 now pending in Congress—or the Burke-Hartke Bill as it is popularly known—are particularly threatening to U.S. agriculture and to affiliated industries.

I am deeply concerned by the growing number of voices which call for increased restrictions on imports and curbs on the operations of U.S. firms in other countries. The Burke-Hartke Bill, for example, is proposed in the belief that it would protect U.S. industry and the jobs of U.S. workmen. According to its joint sponsors, Senator Vance Hartke of Indiana and Representative James Burke of Massachusetts, the bill is designed to "stem the outflow of U.S. capital, jobs, technology and production." Of these, the primary objective appears to be the protection and creation of U.S. jobs. To accomplish their objective, advocates of the bill would impose severe restrictions on U.S. companies which have overseas operations.

For example, the bill would require U.S. corporations to pay income taxes on all foreign earnings on top of the income taxes already imposed by each foreign government where the company operates. Existing tax credits based on U.S. treaties and agreements with foreign countries would no longer be allowed. This would amount to double taxation.

The bill would also create a new agency and empower it to restrict imports by establishing quotas based on the level of production during the years 1965–69. Furthermore, the bill would give the President authority to prohibit foreign investment and licensing when, in his opinion, that would result in a net decrease in employment in the United States.

The Burke-Hartke Bill itself is not the only current danger. If it does not become law, critical parts of the bill may be attached as riders to other pending legislation and slide through with little warning. In the existing climate, similar bills could crop up at any time. It is critical that people in agriculture recognize this type of proposed legislation for what it is. The facts are that such measures would be very harmful to the long-term national interest, and to agriculture specifically.

Those of us in agriculture have a special stake and a special responsibility in this promising ,decade to see that international trade is advanced and not impaled on the twin pitchforks of provincialism and protectionism. U.S. farmers supply about 16 percent of the world's agricultural exports, including 90 percent of the soybeans, over 40 percent of the feed grain, 30 percent of the wheat and tobacco, 25 percent of the rice, and 20 percent of the cotton. U.S. farm products during the last fiscal year required the financing, inland transportation and storage, and ocean transportation for about 70 million tons of cargo—enough to fill over a million freight cars or more than 3,000 cargo ships. To produce the record $8 billion worth of commodities exported last year required 65 million acres of U.S. crop land. The output of almost one out of every five harvested acres in this country was explored. With imaginative, rational trade regulations those levels will rise substantially in the years ahead.

I mentioned at the outset that we are verging on a new era of opportunity for world cooperation, distinctly different in its potential for progress than the days immediately after World War II when Mr. Churchill came to our part of the country to warn of the Iron Curtain. Quite aside from those in this country and elsewhere who are lining up against one another on the protectionist versus free trade issue, there are many in industry and government who feel that the United States should not trade with Communist countries. I do not share this view.

When I referred earlier to melting down the Iron Curtain through trade, I said it not only with the conviction that this is a very important avenue toward world stability and prosperity but with the belief, based on personal experience, that the Soviet Union and East European nations are equally eager to trade with us. I subscribe to the idea that "communication is the beginning of understanding." The more we trade with our ideological adversaries the more chance there is of fostering greater understanding among nations, including those nations who have been squared off against one another in the Cold War that started at the end of World War II. The more we trade with our ideological adversaries, the more we will spread the benefits of more and better food and fiber throughout the world and thus soften the temptation of nations to raid their neighbor's storehouse. The more we trade with our ideological adversaries on a mutually beneficial basis, the more we will gain from one another, and the more we will progress in the common quest for a more comfortable and more cultured civilization. Conversely, if nations with different ideologies insist on remaining in their mutually isolated compartments in the world, antagonism is bound to grow, hostility will flourish and the potential for outright conflict will be increased.

Emerson wrote in 1844 ". . . the historian will see that trade was the principle of liberty, that trade planted America and destroyed feudalism; and that it makes peace and keeps peace . . ." I say to you that international trade can play the same important role today—but this will happen only if we let it.

Most of us who are active in world trade today are convinced that such trade benefits both our nation and the world. Yet only because of threatening new anti-trade activity in Congress has international trade come to the forefront in terms of news. As a result, tonight I find myself feeling somewhat like the little boy who grew to the age of three without speaking. His mother had taken him to doctors who declared him healthy and mentally alert and told her not to worry. Then one morning, after his long silence, the little boy startled his parents by pounding on the breakfast table and shouting "These eggs are terrible!" His mother, overjoyed at hearing her little boy say something, first hugged him and then asked, "Why haven't you ever spoken before?" And the little boy answered quietly, "Well, up to now the eggs have always been very good."

ENERGY DEMANDS ENERGY CONSERVATION

Hon. Yvonne Brathwaite Burke

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mrs. BURKE of California. Mr. Speaker, we all recognize that America no longer will have the luxury of dirt-cheap energy that made it the world's leading industrial power. With each day, we learn more about our inability to meet our own growing energy demands. The phrase "energy crisis" reappears daily in the newspapers.

With 5 percent of the world's population, the United States guzzles 33 percent of the globe's energy. On any given day, the average household uses the energy equivalent of 46 pounds of coal, 9½ gallons of oil products, and a half-pint of nuclear energy, among other fuels. Projections call for far higher consumption by 1985: 70 pounds of coal, 5½ gallons of nuclear energy. Therefore, what we do in the intervening 12 years will be crucial indeed.

We have simply taken for granted blindly the availability of cheap energy and have given too little thought to the huge amounts we were actually wasting.

Automobiles, for example, belch 87 percent of their energy intake out the exhaust pipe. The pilot lights on our gas ranges consume an unbelievable one-third of all the fuel the appliance burns. All in all, it is estimated that the United States wastes nearly 50 percent of all the energy it burns.

These incredible statistics underscore the need to begin now to develop radical policies that prevent this wasteful misuse of our valuable energy resources.

The President's recent statement on energy all but ignored this current question: How can we conserve the misuse of our energy supplies? His message was geared toward answering the supply questions instead of how to control the demand for energy. By emphasizing supply of energy, the President is making a decision to fuel the escalating demand for energy consumption.

In a recent column by Hobart Rowen, enlightened discussion is given to the conservation of energy question particularly as it applied to the automobile. In his article entitled "Curbing the 'Gas Guzzlers'," Mr. Rowen boldly comes out and calls on Detroit to produce smaller and lighter cars which burn less fuel. I commend this article to the attention of my colleagues, and hope they will begin to give serious thought to developing legislative ways to encourage Detroit to produce smaller cars.

[From the Washington Post, Apr. 29, 1973]

CURBING THE "GAS GUZZLERS"

(By Hobart Rowen)

The public may be ahead of the Nixon administration in assessing the need for a bold program to conserve energy. At least, that's the conclusion I draw from some comments on the column in this space last Sunday on the President's energy message.

My observation on the need for more concerted action to curb the consumption of gasoline by today's high-powered American cars touched a responsive chord.

Several readers suggested a new tax on gasoline specifically designed to reduce gas use. One argued for the "shock" effect of an additional 10-cent-a-gallon tax, which he estimated would cut gas use by 25 per cent.

Funds built up by such a tax could also be used to finance mass transit, additional technological research—or even to buy pollution-control devices for existing cars.

But to come to grips with the problem caused by gasoline shortages in the next few years—and government officials assure that there will be a serious pinch in some regions this summer and fall—the government will have to talk turkey to Detroit.

The automobile industry has to be encouraged to build smaller cars. Concern, Inc., of Washington, D.C., puts out an interesting leaflet of tips on energy conservation which shows that about 12½ per cent of all the energy consumed in the U.S. is burned by automobiles.

Figures just published by the Environmental Protection Agency show that 1973 models of the big cars—foreign or domestic—are about twice as gasoline-hungry as smaller ones. Cars getting better than 20 miles a gallon under city driving conditions included the Datsun 1200, Toyota Corolla, Honda, Triumph Spitfire, Fiat Sport Spider, Buick Opel, Mazda, VW Beetle, Plymouth Cricket, Dodge Colt, Saab 97, Ford Capri, Vega, and Pinto (listed in declining order from 27.1 to 21.2 miles per gallon).

Cars getting less than 10 miles a gallon included the Ferrari Daytona, Chevrolet Suburban, Ford Wagon, Plymouth Satellite, Pontiac Catalina, Rolls Royce, Cadillac, Buick Electra, Lincoln, Oldsmobile Toronado, Imperial, Chrysler, and AMC Ambassador Wagon (in ascending order from 6.3 to 9.8 miles per gallon.) Not coincidentally, most of the gas-guzzlers have big engines of 400 cubic inches or better.

But how can Detroit be encouraged to produce more four-cylinder and six-cylinder cars and fewer big "eights"? There are many possible ways. An automobile excise tax penalizing high horsepower is one. Conceivably, if we really have an energy crisis, the government could put a limit on total horsepower to be produced by each company, according to a base period formula for each. To get the most number of units, the companies would be forced to make smaller cars.

"They could still be expensive," observes a New York banker. "You could have a small Cadillac—still very costly and very smart to own."

A high government official, concerned with the energy problem, concedes that "it would be entirely logical" to push Detroit toward a smaller car because it ties in so well with environmental needs: smaller cars mean reduced pollution, and reduced dollar-outlays by companies and consumers alike for pollution control devices.

The automobile industry, to be sure, is far from charmed by this idea. But Detroit historically is slow to catch on. For years, it ignored the combined style and gas-economy appeal of the foreign compact car, losing untold millions in sales to VW, Datsun and Toyota before it fought back with its own smaller breed.

But if retail gas prices get to the neighborhood of 50 cents a gallon and a typical medium-sized American car yields only 10 to 12 miles a gallon when encumbered with a pollution control device, the public will be howling for smaller cars, and nothing but smaller cars.

Conservation on the highways is not the only energy waste that can be pursued. Concern, Inc., points out that the heating and cooling of homes chews up 20 per cent of all energy used in this country. The group makes several practical suggestions that individuals can follow. (Their leaflet is obtainable by writing to Concern, Inc., 2233 Wisconsin Ave. NW, Washington, D.C. 20007.)

Concern, Inc., also sensibly recommends a major effort by industry, which could save vast amounts of energy by greater use of recycled materials which cost less in energy than do virgin materials; a truth-in-energy law which would require the posting and labeling of power requirements of all appliances; and the study of advertising and other promotional practices which stimulate rather than conserve energy.

One local reader draws attention to the fact that the Pennsylvania Power & Light Co. has actually taken employees formerly involved in marketing electricity and converted them to an advisory force working with builders and developers on ways to economize on power use. That's a real switch, and other companies are likely to be doing the same thing.

But above all, a conservation drive needs national leadership and direction. That can only come from the White House.

DR. GILES CELEBRATES GOLDEN ANNIVERSARY

HON. BEN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. BLACKBURN. Mr. Speaker, on Thursday, April 12, an article appeared in the Atlanta Daily World with regard to Dr. Samuel Hopkins Giles.

Dr. Giles is celebrating his golden anniversary as a teacher and Christian minister.

At this time, I would like to bring this article to the attention of my colleagues:

Dr. Samuel H. Giles; Church Historian

(By Charles E. Price)

Dr. Samuel Hopkins Giles is without a doubt one of the leading scholars on Black Church History in America. He has spent a lifetime correcting errors and discovering new facts about the neglected and ignored past of Black folk. Serious students of the Black past flock to him and only a few are bold enough to be sure about certain historical facts without consulting Dr. Giles or referring to his works.

Dr. Giles is a man of decided opinion. He cast his lot with the state of Georgia shortly after his return from his European study and has become a regular fixture in the intellectual landscape of Georgia. He blends so well with this landscape until it is hard to think of him as other than a native son of Georgia.

However, this native of Baltimore, Maryland, will celebrate fifty years as a member of Kappa Alpha Psi, fifty years since graduating from Lincoln University and fifty years in the Christian Ministry. These are not celebrations of endurance records, although endurance is a laudable part, but rather they note his successes and the fruits that his efforts have borne.

Many honors and awards have been thrust upon him. Dr. Giles was the recipient of the Delaphine McDaniel Fellowship in the Department of Ecclesiastical History, Drew Theological Seminary in 1926, first black to receive this award which requires graduate study in a Foreign University. He has also received two Rockefeller Grants for Research Projects.

His works have appeared in scholarly journals throughout the nation. Some of which includes "Some New Light on Richard Allen," The Journal of Religious Education of the African Methodist Episcopal Church. Three studies done by Dr. Giles were published in Summaries of Research projects, 1947–59. Atlanta University Center and Associated Colleges. Also extracts from the Thesis "The Person of Christ in the Synoptic Gospel" have been published and are widely discussed among Seminarians. "From Payne to Greene" was written by Giles in 1951.

Much of the Research efforts of Dr. Giles have resulted in the location of noteworthy documents which include a Biography of Morris Brown by Daniel A. Payne, a speech by Atticus G. Haygood at the dedication of Morris Brown College, November 25, 1885, and the original charter of Morris Brown College. Also, his research has unearthed supportive or collaborating historical facts which regularly appear in African Methodist publications.

Dr. Giles experiences in the Christian Ministry include his pastorate in the local parish as well as Chaplaincy in the U.S. Army. He held pastorates in Narragansett Pier, Rhode Island 1925–26, Bethel AME Church, Charlotte, N. C., Galesville Circuit, Maryland 1935–36 and Bethel AME Church, Cambridge, Md., 1939–41. He was a probation officer, Court of Juvenile Delinquency, Baltimore, Md.

From this position he entered the Chaplaincy of the U.S. Army in 1941. He served for awhile at Camp Lee, Va. where he was the founder and the developer of a program to reduce illiteracy among the men in the Quartermaster Replacement Center. The trainees were taught to read, write, do arithmetic problems in addition to mastering basic military maneuvers and special jobs essential to quartermaster soldiering. Later overseas, Chaplain Giles received congratulations from Mrs. Eleanor Roosevelt when she reviewed American Troops in Bristol, England. Mrs. Roosevelt heaped praise on Chaplain Giles for the appearance and performance of his regiment during her visit with the men at a Red Cross Club shortly after Bristol citizens staged a civil demonstration for her benefit. In the service, Dr. Giles rose from the rank of Lieutenant to that of Lt. Col. he now holds the rank of Lieut. Col. (retired).

Returning to Morris Brown in 1946 after his mustering out of the service, Dr. Giles assumed teaching and administrative duties in the College of Liberal Arts and Turner Theological Seminary. Since 1957 he has served as Director Christian Education. Sixth Episcopal District AME Church in Georgia.

He has been a frequent traveler in foreign countries first as a student at Edinburgh University, Scotland, secondly, as a chaplain in the Armed Forces of the U.S.A. Serving in North Ireland, North Africa, and Italy at the close of World War II. From this journey he brought back many artifacts and souvenirs and shared his experiences and observations in a well attended travelogue at Big Bethel AME Church on February 23, 1947. His last trip to Europe was in 1950 for the purpose of rechecking pertinent information on the writings and letters from John Welsley, William Penn, and Dr. Benjamin Rush, the latter having been connected in research in this country with Richard Allen and Absalom Jones.

Dr. Giles is married to Phoze D. Giles. Their daughter Charlotte Emma Giles, is a star in their crown. She is a graduate of Fisk University with both the masters and doctorate of music from Indiana University. Miss Giles has held teaching assignments at Tuskegee, Florida A&M, Knoxville College, and presently she is on the faculty of music at West Virginia College and serves as a pianist with the Charleston, W. Virginia symphony orchestra. She is listed in Outstanding Young Women in America, 1971.

Dr. Giles is a graduate of Lincoln University, 1923, initiated in Kappa Alpha Psi at Lincoln in 1923. He received the BTH with honor in 1926 from Drew Theological Seminary and the master of Theology from Drew in 1931. Post graduate work was done at Edinburgh University on a special award for outstanding work at Drew. At Edinburgh, he completed the residence requirements for the Doctor of Philosophy, the subject of his thesis was "The Early History of an Independent Negro Church in America, 1816–1916."

Dr. Giles has had a busy and productive life. He has touched all the bases of intellectual pursuit. He has traveled, preached, taught, studied, listened, comforted and consoled, acted and decided. His chief attributes are the dedication and the enthusiasm which he brings to every task which he performs. He walks with kings and bishops and still has the common touch.

Dr. Giles is a scholar to be reckoned with in this specialty, The Black Church. He has brought certainty and accuracy to many long accepted historical facts and he has also pointed to the errors of our way. Those of us who shared his interest in scholarship, do well to pause with him as he celebrates his golden anniversaries as a brother, scholar, and christian leader.

SENATOR CECIL A. PARTEE SPEAKS ON THE SUBJECT OF "QUOTAS"

HON. SIDNEY R. YATES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. YATES. Mr. Speaker, Senator Cecil A. Partee is the able and eloquent majority leader of the senate of the Illinois State assembly. On April 15 at a meeting of the Temple Sholom Brotherhood he delivered a most interesting and thoughtful speech on the subject of quotas. I am sure Members will be interested, and I am including at this point Mr. Partee's remarks:

CECIL A. PARTEE REMARKS FOR APRIL 15 SPEECH ON "QUOTAS," TEMPLE SHOLOM BROTHERHOOD, CHICAGO

Officers, directors, members of Temple Sholom Brotherhood. I am grateful for the privilege of being with you this morning in God's house.

When I was asked to discuss with you the subject of "quotas" in American politics, education and employment—and whether they pose a threat to our democracy—I knew I had a very challenging task.

Not only does the concept of "quotas" present deep philosophical questions, it evokes as well a great deal of emotion—both pro and con. It is, in short, one of the toughest, most controversial philosophical issues facing America today.

But I welcome the chance to share my views with you on this subject. Though a contemporary problem, it is one that has been with us for most of the 20th Century.

Advocacy of a quota system to ensure minority representation in all facets of American life—has been a concomitant of the civil rights movement that began gathering steam in the early 1960's. This is so whether social, economic, political and educational.

Quotas became widely used—particularly in industry, labor unions and institutions of higher learning—as a means of guaranteeing that a minimum number of persons from minority groups, especially blacks, received representation roughly equivalent to their population proportion.

I cogitate that at least three basic assumptions lead to the call for a quota system:

1. No person's opportunity should be adversely affected because of race, religion, national origin or class.

2. Blacks, Jews, Puerto Ricans and other white and non-white minorities have been discriminated against for centuries, in this country and elsewhere in the world.

3. In order to overcome inequality and discrimination, everything within the law must be done to expedite the entry of disadvantaged minorities into the American mainstream, or, if you will, the "melting pot" of economic assimilation.

Discrimination and other destructive practices which unfairly delimit opportunity can be overcome through implementation of what is known in sociology as "affirmative action" programs. Gaining popularity in the early 60's, affirmative action refers to positive steps aimed at combating discrimination—whether it is discrimination in education, housing, the job market or the political process.

"Affirmative action" means consciously searching for qualified members of minority groups: it means developing compensatory education services so that we can train and qualify minorities for proportional representation; and it means taking deliberate action so that various institutions in our society accurately reflect the percentage of minority groups in overall society.

I heartily endorse the concept of "affirmative action." It is necessary in American society, which historically has discriminated against blacks, Jews and numerous other minority groups.

Deliberate attempts to correct this imbalance, which is what "affirmative action" programs are designed to do, are commendable and laudable. Without conscious efforts, the imbalance and inequity would no doubt continue for many more centuries.

Unfortunately, however, the ugly "quota" system often emerges from this basically sound idea of "affirmative action." It is but an extension of "affirmative action". The distance from that noble concept to that narrow, rigid and inflexible quota system is short: You must hire so many blacks in labor union *x*. You must admit so many Jews to University *v*. You must elect so many women political convention delegates from District *z*.

And on and on like Tennyson's Brook.

What I am saying is this: we must be very careful, in our quest for justice and equality in a Democratic framework, to avoid destroying democracy in the name of democracy. Paradoxically, the attempt to democratize through the use of quotas can destroy the very essence of democracy.

Heterogeneity is implied in the word "democracy." Even words like "happenstance." Arbitrary numbers, quotas or allotments are alien to the nomenclature of a democracy.

In a democracy, we encourage all to share a portion of the good life. But can that portion be obtained by boxcar-like computerization?

As wonderful as democracy is, there simply is no room in it for rigidly ascribed maximums, minimums and numerically finite limits. To the contrary, the beauty of democracy lies not in its inner and outer limits, but in its capacity for open-ended flexibility. A beckoning to one and all, without regard to circumscribing terms like "allotment," "proportion" and "assignment".

Though it is true that a "quota" can ensure that at least some desirable minimum numbers of blacks, Jews or other minorities shall receive certain opportunities, it can also mean that once that arbitrary, fixed level is reached, no additional numbers of those minorities need bother to apply for admission through the gates of democracy. It can result in a ceiling as well as a floor

So I do not like the quota system. I consider it to be inherently undemocratic—whether you define it to mean floor or ceiling, minimum number or maximum figure.

The quota system is deleterious to almost all aspects of American life I can gather to mind—even when the policeman is given some ridiculous traffic-ticket "quota" to fill, or risk demotion or stymie advancement.

On Monday, Policeman Jones might nab 10 speeders on the highway. On Tuesday, he may try just as hard but catch only five. For his superiors to tell him he must catch at least 10 every day is just not proper.

I know this is an elementary illustration, but I still think it amply demonstrates the impossibility of the quota system.

Consider another hypothetical example. A college decides it needs more blacks. It wants to enroll 25 additional blacks this year, so 28 blacks take the entrance exam.

The college also wants to enroll 25 additional Jews, and 30 Jewish persons take the test.

Twenty-six Jews score remarkably well. Only 24 blacks are outstanding. But the school hires the 25th black and turns away the 26th Jew, even though the 26th Jew scored 90 out of 100 and the 25th black scored only 55.

I believe it is much more desirable to allow the forces of competition to be the determining factor, assuming of course that we have a solid "affirmative action" foundation to enable equal opportunity.

Facist Italy and other totalitarian nations in years past have flirted with the quota system in their parliaments and legislative bodies, mixing modified syndicalism with distorted concepts of democracy to come up with rigidly proportioned legislative bodies.

They insisted that their legislative bodies had to have so many butchers, so many plumbers, so many doctors, so many from this segment of the population and so many from that segment.

I agree that it is desirable to encourage broader representation in government. Our legislature in Springfield, for instance, is top-heavy with attorneys and businessmen, and underrepresented by blue-collar types, farmers and the like. Perhaps such inequities in governmental representation have more than a little to do with the wave of hardhat populism that has pervaded our land in recent years—much of it beneficial, in my opinion.

But I would prefer taking my chances with unpatterned democracy at the polls, even though it might not mean equal representation to all groups in the legislature—than I would in establishing a regimented quota system similar to those that have been tried and discarded in disgust.

As I mentioned earlier, the quota system was popularized during the height of the civil rights movement of the early 60's. Originally, it was used primarily in the job market. Prior to that, employers who had few blacks working for them rationalized by blaming the unions; and the unions rationalized the fact that they had too few blacks by blaming employers.

So quotas developed as a concrete way of showing a willingness to hire blacks and other minorities, and furthermore, as a way of measuring that willingness.

But when quotas are taken literally, when they exceed the altruistic notion of "affirmative action" of searching, training and placing, then we have diluted democracy.

In 1972, the superintendent of San Francisco schools decided that not more than 20 per cent whites could fill administrative posts that year in the system, not more than 10 per cent the second year, and none the third year or in succeeding years until ethnic and racial proportions equalled the ethnic and racial population in the schools. Jews, who as you know, hold many educational administration posts because of their opportunities over the years in this field, were not among the minorities included in the superintendent's edict.

Such quotas are not a measure of affirmative action; they are an ascription by political fiat without regard to competition or individualism. They destroy individualism and competition and promote an unhealthy form of numerically balanced collectivism.

I do not know what became of the San Francisco Superintendent's plan, but I hope its stupid rigidity was replaced by a common-sense effort to increase minority faculty representation, without destroying the lives and futures of others simply because they did not fit into some arbitrary category.

To say that minorities hired are "qualified" is to evade the issue. A rigid quota system not only discriminates against the many who do not fit into the "minority" categorization of the moment, but it implies that quota supported minorities are a caste unable to qualify for competition, unable to ever become qualified, unable ever to compete and therefore in need of a phony crutch. Quotas degrade minorities ostensibly to be helped, while at the same time putting the so-called majority at an impossible disadvantage.

We need "affirmative action" programs in politics, education, employment and all other facets of life—the history of discrimination and inequality in this nation leaves no doubt about that. But in implementing affirmative action, we must not move neither too fast, nor too slowly. We must move as fast as the traffic will bear.

What the traffic will bear depends upon individual, specific circumstances. If, for example, we give a minority-group member preference on an exam—as we have done for years for veterans—we might be moving too rapidly in giving him 75 points, too slowly in giving him five. Perhaps the traffic will bear 40 points. But it should be left to individual judgment, based on the unique conditions. A quota system would not allow for needed flexibility and choice.

A mark of a free society is that it emphasizes ascendance of performance—or achieved status—over ancestry, or ascribed status.

Thus, a quota system is similarly undemocratic, where ascribed status is more important than achieved status: where individuals are forbidden to fully stretch their unique spirits and capacities.

Another example of what I am talking about also occurred in San Francisco schools. In an economy move about two years ago, the school board voted to eliminate up to 125 administrative posts. In establishing criteria for ascertaining which administrators to demote, the board went beyond the affirmative action principle and decided that only whites would be demoted—no Japanese, no Koreans, no American Indians, no blacks and so forth. The only exempt whites were the Spanish-speaking.

Even though the Jews constitute one of the most discriminated against minorities, they too were victimized by this quota decision in San Francisco. Why? Because there was no special minority category for them. Since a number of Jews were in the system, many of them naturally faced ignominious demotion, despite exemplary work records.

Fortunately, for some reason the Board changed its mind and did not fire or demote any of the school administrators.

No people in this nation have more of a right to decry the quota system than the Jews.

Until the last decade of the 1800's, there were only some quarter of a million Jews in this country. There were few if any assimilation problems, hence relatively little discrimination. But with the wave of immigration from the turn of the century to World War I and after, especially from Eastern Europe, the Jewish population in the United States soon climbed to four million.

Before long, the Jew became the scapegoat for every ill, real or imagined. Henry Ford, in a 1920 book he or a ghostwriter compiled, entitled "The International Jew", blamed World War I and everything else on the Jews in America.

In was in the 1920's that many exclusive, private eastern universities began placing cruel quotas on the number of Jews that could enroll each year. Why? Because the elitist WASPS, from the 'old boy' school that controlled these Ivy League institutions began to feel threatened.

The white upper classes, mainly Anglo-Saxon in origin, all of a sudden got scared. Harvard was 20 per cent Jewish, Columbia 40 per cent, Yale, Princeton and other schools felt similarly threatened.

So a clever, invidious quota system was established—usually not formally, but established nonetheless—to drastically limit the number of Jewish enrollees.

Immediately, the percentage of Jewish students at the Ivy league schools plummeted dramatically.

The effects of this quota have carried over even into modern times. One of the byproducts is the so-called "regional balance" recruitment, where the eastern colleges recruit in the midwest and other areas of the country outside the East. This was started in the 1920's when the colleges knew that to recruit in the East was to recruit Jews.

One college even excluded Metropolitan New York City from its recruitment list in the 1920's.

Yes, quotas should be particularly anathemic to the Jews. You are a tiny minority, obviously threatened by the concept of "proportional representation."

The Deeds of the Jews in world history—in medicine, science, the theater, law and education—have far outstripped their numbers. Carried to its extreme, a quota system imposed on the Jews would have precluded their great contributions to society.

You have a memory of the "numerous clauses" that restricted Jewish access to universities in Russia.

You have a memory of the first quotas established in higher education in America to limit the Jew, forcing Jews to go to CCNY, Hunter and others on the Eastern seaboard. Both of those schools reached 80 per cent Jewish student attendance as a direct result.

Some of you remember the Johnson Act of 1924, the cold and inhumane immigration-quota law aimed largely at people from Eastern Europe.

But the Jews made it big despite discouraging quotas. With only three per cent of the U.S. population, Jews make up 9 per cent of faculty membership in the nation's colleges and universities. Counting only the top-ranking 17 universities, that figure grows to 17 per cent Jewish.

If quotas had become all-pervasive, I wonder how many persons in this country—Jewish and otherwise—would now be mill hands, floor sweepers and low-level clerks instead of brilliant professors and surgeons, laboratory geniuses and courtroom giants.

Today, we have the Women's Liberation Movement, which also carries with it a potential quota problem. There are movements underway to guarantee that X number of women are represented in factories, classrooms, and law firms. I fully support Women's Lib—I have consistently pushed for the Equal Rights Amendment—I know that women have been openly and blatantly discriminated against.

But I am fearful that this is another opportunity for the quota system to rear its ugly head. Already, a group of male academicians have formed a Committee on Academic Nondiscrimination and Integrity because they are afraid a nonsensical quota system for women will destroy the educational process.

A fifth of all faculty members at American colleges and universities are women, but only one-tenth of the full professorships belong to women. Even fewer of the top-level administrative posts are held by women.

What we need and need badly is a good "affirmative action" program. With the colleges consciously but not arbitrarily striving for equality for women.

Finally, let me talk about quota systems in politics and my experience with them.

In the March, 1972 primary, I was a candidate on the ballot for Delegate to the Democratic National Convention from the 5th Congressional District. I received 53,381 votes and was duly elected, along with a number of other Democrats in the Chicago area.

When we went to Miami Beach, we were refused our seats on the grounds that, regardless of our election, we did not meet a predetermined quota—so many blacks, so many women and so forth.

So the only seat I had in Miami was on a golf cart.

But a rump group of delegates—chosen at semi-private caucuses—appointed, in effect, by themselves—was seated under the quota formula.

Those 53,381 persons who voted for me were disenfranchised. So were thousands of others who voted for the delegates who failed to get seated.

I am for opening up the political parties, bringing into them a wider cross section of people. But not at the expense of the Democratic process of those who participate in it. I felt cheated at Miami, even though I got in more golf than I had anticipated. But more importantly, those who voted for me were deprived of their rights.

I felt, oddly enough, kind of like the Iowa Delegate who said he felt out of place at the convention because he was white, a Protestant, a male and made more than $25,000 a year.

I read this week in the newspapers where even Senator McGovern, who helped set up the quota program at the convention, has second thoughts and wants the party to eliminate quotas before 1976.

In the employment field, the Philadelphia Plan—started by President Nixon in 1969 to implement President Johnson's executive order of 1965 banning discrimination in construction work involving federal contracts—has had some difficulties in part because of the quota dilemma.

I am happy that many building trade unions and industries in the Chicago area are seeking affirmative action programs in hiring disadvantaged minorities. Hopefully, they will make them flexible enough with broad ranges and goals—to qualify for the "affirmative action" definition instead of the definition of "quota".

Let me close by quoting William Faulkner, who wrote: "I believe that man will not merely endure: He will prevail. He is immortal not because he alone among creatures has an inexhaustible voice, but because he has a soul, a spirit capable of compassion and sacrifice and endurance."

I believe that anyone who shares Faulkner's faith in man, as I do, opposes the quota system.

Thank you very much. I hope that I have articulated my views well enough today. It has been a real pleasure being with you.

TEXAS CREDIT UNION LEAGUE VOTES TO AID MEXICAN DEVELOPMENT

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 1973

Mr. PATMAN. Mr. Speaker, the Texas Credit Union League voted at its recent annual meeting to contribute $25,000 over the next 5 years to a $125,000, 5-year program for credit union development in Mexico.

This project is being handled by the World Council of Credit Unions, the international arm of CUNA International.

The Texas Credit Union League voted the funds after R. C. Robertson, president of the World Council, explained the program in a keynote speech and appealed for assistance on the part of the Texas Credit Union League. Mr. Robertson said—

> The program can literally be the difference between service and subsistence for the Mexican movement.

He projected a tripling of credit union membership in the project area in the 5 years of the program. The World Council hopes to raise the remaining funds from contributions from U.S. credit union leagues in the Southwest.

Mr. Speaker, the action by the Texas Credit Union League is another example of how credit unions work together to help each other so that they can better serve their members. I applaud the efforts of the Texas Credit Union League in this worthwhile project.

SENATE—*Thursday, May 3, 1973*

The Senate met at 11:30 a.m. and was called to order by Hon. LAWTON CHILES, a Senator from the State of Florida.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, in whom we live and move and have our being, make us aware of how near Thou art at all times to guide us and strengthen us. Refresh us with Thy spirit to quicken our thinking and reinforce our judgment. Show us what is holiest in our heritage that we may conserve and strengthen it. Show us what needs to be changed and give us the courage and wisdom to make the changes. In all our labors help us to yield ourselves to Thy will that this body may help fulfill Thy purposes for this Nation and all mankind.

We pray in the name of Him who was the way, the truth, and the life. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The second assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., May 3, 1973.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. LAWTON CHILES, a Senator from the State of Florida, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. CHILES thereupon took the chair as Acting President pro tempore.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the joint resolution (S.J. Res. 93) to provide a temporary extension of the authorization for the President's National Commission on Productivity.

The message also announced that the House had passed the bill (S. 38) to amend the Airport and Airway Development Act of 1970, as amended, to increase the U.S. share of allowable project costs under such act, to amend the Federal Aviation Act of 1958, as amended, to prohibit certain State taxation of persons in air commerce, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the joint resolution (S.J. Res. 51) to authorize and request the President to issue a proclamation designating the calendar week beginning May 6, 1973, as "National Historic Preservation Week," with an amendment, in which it requested the concurrence of the Senate.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution:

H.R. 3841. An act to provide for the striking of medals in commemoration of Roberto Walker Clemente; and

S.J. Res. 93. Joint resolution to provide a temporary extension of the authorization for the President's National Commission on Productivity.

The enrolled bill and joint resolution were subsequently signed by the Acting President pro tempore (Mr. CHILES).

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, May 2, 1973, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I yield my 5 minutes to the distinguished Senator from Maryland (Mr. MATHIAS).

Mr. SCOTT of Pennsylvania. Mr. President, may I be recognized for the purpose of yielding 5 minutes, if he desires it, to the Senator from Maryland?

The ACTING PRESIDENT pro tempore. The Senator from Maryland is recognized for a period of not to exceed 10 minutes, without objection.

Mr. MATHIAS. Mr. President, I thank both the distinguished majority leader and the distinguished minority leader for their kindness in yielding me their time.

(The remarks Senator MATHIAS made at this point when he submitted Senate Resolution 107, relating to the continuation of hostilities anywhere in Indochina, are printed in the routine morning business section of the RECORD under submission of a resolution.)

SECRETARY OF INTERIOR MORTON VOLUNTARILY SURRENDERS CADILLAC

Mr. MATHIAS. Mr. President, over the past 12 years I have observed the steady proliferation of Government-owned, chauffeur-driven automobiles on the streets of Washington. Traditionally those long, black Cadillacs were reserved for the President, the Vice President, the Chief Justice, and the members of the Cabinet and the congressional leadership. But there are certainly more than 22 or 23 of these limousines prowling and parking on the streets of Washington.

I am taking this moment out of this important debate to commend Secretary of Interior Rogers Morton for voluntarily surrendering his long, black Cadillac, and taking the step necessary for the economy of the country and the environment of this city by traveling in a more modest, less highly priced and more environmentally perfect automobile. I think he deserves great credit.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Virginia (Mr. HARRY F. BYRD, JR.) is recognized for a period of not to exceed 15 minutes.

THE VIEWS OF THE PEOPLE AT LARGE

Mr. HARRY F. BYRD, JR. Mr. President, during the past 4 days I have been in Virginia five times and have made four speeches.

Mr. President, on Monday I attended a dinner in Virginia of the Virginia State Chamber of Commerce, whose president is Jack F. Davis, executive editor and general manager of the Winchester Evening Star.

On Tuesday I attended the Annual Law Day luncheon of the Richmond Bar Association. And on behalf of that association I presented to Lt. Cmdr. Paul Gallanti a special award which he received on behalf of all our prisoners of war. Commander Gallanti was a prisoner of war for more than 6 years.

Mr. President, on Wednesday morning I journeyed to central Virginia, to Louisa which is located in the heart of Virginia. Louisa was celebrating its 100th anniversary that day.

Last night I spoke in Fairfax County to the Virginia Association of Professionals, and this morning I spoke in another part of Fairfax County to the Northern Virginia Regional Safety Conference.

The more I get out of Washington, Mr. President, the more I get to Virginia, and the more I mingle with the people, the more convinced I am that the vast majority of the citizens of our Nation are sound and solid people. Most certainly they are in Virginia. I think it is important for us in Washington to get out of Washington from time to time and to see the people of our States. I want to carry that message to the executive branch of the Government. Mr. President, the administrators of these departments and the subordinates in these departments who make decisions would make better decisions and would have a better feel of our Nation if they, too, would get out among the people.

Located in this great northern Virginia area of our State, Fairfax County is the largest political subdivision of Virginia, now having 520,000 people and still growing rapidly. It is larger than four or five States of the Union. This is a very intriguing and interesting area. I am pleased to have been within that great county twice within the past 14 hours.

I want to pay tribute today and call the attention of the Senate to the town and the county of Louisa. Louisa is in the heart of Virginia. It is not too far from Richmond. It is quite close to Charlottesville. It is not too far from Fredericksburg.

In the town of Louisa yesterday morning, with beautiful skies and a bright sun, there was a wonderful celebration in the courthouse yard to celebrate the 100th anniversary of the town of Louisa.

There was a tremendous crowd, and it was heartening to speak to that crowd. And after my speech, it was even more heartening to shake hands with those of my fellow Virginians who were there for the ceremony.

In talking with these Virginians, Mr. President, I find that they have deep concern about many of the grave problems facing our Nation and that they have deep concern that the Congress come to grips with the very bad and the very unfortunate financial situation facing our country.

I think the people outside of Washington understand even better than the people in Washington just how serious is our Nation's financial condition.

Mr. President, the town of Louisa has been in existence since the formation of Louisa County in 1742. The town of Louisa incorporated by the General Assembly of Virginia on March 8, 1873. It is the county seat of Louisa County.

Louisa was the scene of great activity during the War between the States and Gen. Fitzhugh Lee camped there on June 10, 1864, prior to the Battle of Trevilians.

The welcome yesterday was given by the spendid mayor of the city, Mayor Robert A. Whitlock, and a brief history of Louisa was delivered by Porter C. Wright. The chairman of the centennial committee was Jerry N. Porter.

I was pleased to be introduced to the audience by a long-time close friend, Judge Harold H. Purcell. Judge Purcell and I became members of the Virginia Legislature on the same day in 1948, and we have been close friends ever since. He is rendering his State and his judicial district outstanding service as judge of the ninth judicial circuit.

Mr. President, I commend the people of Louisa and the people of Louisa County for the outstanding centennial celebration which they had yesterday.

THE COLLINSVILLE RAIDERS

Mr. HARRY F. BYRD, JR. Mr. President, the Washington Star, on Sunday, April 29, under an 8-column headline on page 3, the headline being "The Night Terror Came Knocking," reported events from Collinsville, Ill., in which two houses were broken into by Federal narcotics agents. Those houses were subsequently found to be the wrong houses.

I ask unanimous consent that the article be printed in the RECORD at the end of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HARRY F. BYRD, JR. When one reads this report on what happened in Collinsville, Ill., it sends chills down one's spine. It is difficult to comprehend that this could happen in the United States in the Senate on August 6, 1971 I spoke against the controversial no-knock law, wherein police officers armed with a search warrant, may enter a dwelling without first announcing their intentions I oppose those no-knock provisions. I do not believe in breaking into people's houses at night without any warning.

I think that when we resort to tactics of that type, we are getting on very unsound ground. It was proved in Collinsville, Ill., last week when two houses were broken into, and in one house a man and his wife and in the other a man and his wife and children were terrorized by Federal agents. Had the agents knocked—instead of breaking down the door—they would have learned they were in the wrong homes—and a night of terror would not have come to those homes.

I think these incidents must be brought to the attention of Congress. The administrators must take firm steps to punish those responsible, and take firm steps to be certain that no such tactics are used in the future.

I would like to see the no-knock provisions knocked out of all the crime legislation which has been enacted by Congress. But if the no-knock provisions are allowed to remain on the books, I think certainly greater care must be exercised by Government officials, police, and narcotics agents to see that they get the right houses.

I yield back the remainder of my time.

EXHIBIT 1

THE NIGHT TERROR CAME KNOCKING

(By Andrew H. Malcolm)

COLLINSVILLE, Ill.—Herbert Giglotto was asleep with his wife in their townhouse apartment here the other night. He heard a crash by the front door. He stumbled from bed.

"One more step, you (obscenity) and you're dead," said a voice in the darkness. And Giglotto felt a gun barrel against his forehead.

One half hour later across town Don Askew, his wife Virginia and their son Michael were sitting down to a late fish supper.

Their dog Charlie barked. Mrs. Askew went to the living room, then gasped. "My God, Don, there's a man at the window."

There was, in fact, a man at every window. Each pointed a pistol inside. And three men stood by the door with shotguns.

Thus began a night of terror for two families here last Monday. Their doors were kicked in; their homes damaged, their arms shackled. And the screaming bearded men told some they were to die.

The long-haired, unshaven, poorly dressed armed men who burst into the homes shouting obscenities were federal narcotics agents hunting, with no known warrants, for something or someone.

They went, however, to the wrong houses. And when they realized their error, the men disappeared with no apologies.

"I think people should know," said Mrs. Giglotto, "that this sort of thing can happen in America now. God only knows how many families this has happened to."

The agents' actions here prompted charges of "Gestapo tactics," a $100,000 lawsuit, some angry editorials, a federal investigation and a good deal of fear in this quiet southern Illinois community of 19,600, 15 miles east of St. Louis.

Except to confirm that the men involved were, in fact, narcotics agents, no one in the federal government would explain the incidents.

Herbert Giglotto is a 29-year-old boilermaker who lives with his wife, Evelyn, in a tri-level apartment. They have no children.

They had retired at 8:30 p.m. Monday because Giglotto arises for work at 5 a.m.

At 9:30 p.m., there was a crash. That was the storm door being ripped out. A second crash followed. That was the inside door buckling off its hinges.

Giglotto reached the top of the stairs when a man put a gun to his head.

The boilermaker turned to his wife. "Honey, we're dead."

"That's right, you (obscenity)," said the man.

He threw Giglotto face down on the bed and handcuffed his arms behind his back and said: "one move and your dead. Who's that bitch?"

The room had filled with 15 men. They were tearing down shelves and ripping clothes out of closets and drawers.

"That's my wife," said Giglotto, "and this is our bedroom."

"Don't get smart," said the man. He cocked his pistol. "I'm gonna kill you."

Mrs. Giglotto pleaded hysterically for her husband's life.

"Shut up," the man said.

He ordered Mrs. Giglotto, who was clad only in a short green negligee, to lie on the floor. Another man threw a sheet across part of her exposed body.

There were crashes elsewhere. A television set, among other things, was thrown across a room. An antique plaster dragon was shattered. Cameras were bashed on the floor. Papers were strewn about.

Then one man flashed a small gold badge for an instant, but not long enough to read. And he rattled off a list of names that Giglotto did not recognize.

"You're going to die if you don't tell us where the drugs are," said the man.

"Please, please, before you shoot, check my wallet," screamed Giglotto, who says aspirin is the strongest drug he takes. Just then there was a voice on the stairs.

"We've made a mistake," it said.

Giglotto was released and the room emptied.

"Why, why did you do this?" Giglotto asked as he struggled to put on some pants.

"Boy, you shut your mouth," said one man. And he knocked Giglotto over, ripping his trousers.

Outside, a man was modeling one of Giglotto's construction hardhats. The Giglotto's pets—three dogs and a cat—had been thrown outdoors.

"(Obscenity) your animals," one man said, "I don't care about your goddamned pets."

And the men walked off down the street.

About that time 40-year-old Don Askew was returning from his East St. Louis gas station to his modest, six-room home on Collinsville's north side.

The dead-end street, a one-lane curving affair, is little-traveled.

So Arnold Blass, a 66-year-old next-door neighbor, was puzzled by the car that cruised back and forth. He had just cleaned a .22-caliber pistol and put it in the house.

Now Blass was in his backyard chatting with Jack Freiburg, a friend, and cleaning some freshly-caught carp.

Suddenly, they saw about 25 "raggedy-looking hippies" running across the vacant lot toward them. One pushed Freiburg, who knocked him down instead against an old icebox. Another seized Blass' knife.

Then, a man produced a badge for a second. "Is that all the identification you've got?" asked Freiburg, "I can buy one of those in any dime store."

By then Mrs. Askew was screaming for the police. As Blass turned toward his house, three men barred his way, shaking their heads slowly.

"It's a good thing I didn't have my gun," Blass said later.

Askew thought the strangers were a motorcycle gang after his 16-year-old son. Then he saw the armed trio at the door.

"You kids go on home now before I call the police," he said, holding the door shut. Then, slowly, without a word, one of the men leaned back and kicked the foot just below the glass. The muddy footprint is still there.

Mrs. Askew ran screaming toward a bedroom. She fainted and hit her head on a table. Her son went for the phone. "Hold it, boy," said the voice in the window.

Then one man at the door waved a badge briefly. Askew opened the door promptly and stepped back. Only then did he see a pistol pointed at his back through the kitchen window and a man standing quietly by the bathroom with a shotguun in his hands.

The man had ripped open a screen and kicked in a back door that Askew had nailed shut eight years ago.

The men searched the home. "Do you know John Coleman?" they asked.

"No," replied Askew.

"I can't breathe," Mrs. Askew said.

"Take it easy, lady," one man responded, "We're federal agents and we've gotten a bum tip." They began to leave.

"Wait until the police get here," Askew said.

"We can't," the man said. "We've got four more places to go tonight. Here's a phone number. Call and they'll pay any damages."

The number was for the Bureau of Narcotics and Dangerous Drugs in St. Louis.

In his stocking feet Askew followed the 25 men to the Collinsville police station, where the agents identified themselves to Chief Paul Cigliana and reportedly admitted they had no warrants.

On Wednesday the Askews sued the federal government for $100,000 for violation of their civil rights. The Giglottos also retained an attorney. "I can't compete with a government like this," said Giglotto.

In Washington, Myles J. Ambrose, special assistant attorney general in charge of drug abuse law enforcement, ordered a "thorough investigation" and said "appropriate action" would be taken against any federal agents who acted "improperly."

"Every day I get madder," Giglotto said. "They acted like those German Gestapos. If they were representatives of the federal government, we're all in trouble."

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. (Mr. Chiles). Under the previous order, the Senator from Michigan (Mr. Griffin) is recognized for a period not to exceed 15 minutes, but not to extend beyond the hour of 12 o'clock noon.

Mr. MANSFIELD. Mr. President, I think if that contingency occurs we will be able to provide sufficient time out of the time allotted.

Mr. GRIFFIN. Mr. President, I yield 3 minutes to the distinguished Senator from Massachusetts (Mr. Brooke).

SUBMISSION OF SENATE RESOLUTION 106, URGING THE ATTORNEY GENERAL TO APPOINT A SPECIAL ASSISTANT IN CONNECTION WITH THE PRESIDENTIAL ELECTION OF 1972

Mr. BROOKE. Mr. President, I have been greatly concerned about the resolution (S. Res. 105) which was introduced in the Senate Tuesday and was passed by a voice vote, with no more than five Senators present at the time, despite the fact that opposition to such resolution had been voiced. It is my further understanding that the vote was locked in by a motion to reconsider and a motion to table, and therefore a further motion to reconsider would depend upon unanimous consent, which, of course, will be difficult if not impossible to obtain.

My concern is that the resolution introduced on Tuesday and passed by a voice vote was a resolution that would remove the investigatory and prosecutory responsibilities from the Department of Justice. I can conceive of no prospective Attorney General, in accepting the responsibility as the highest legal officer of our land, abdicating his responsibility in criminal matters.

In addition, Mr. President, I am disturbed that there was no opportunity for Members of the U.S. Senate to discuss and debate this important matter on the floor—no opportunity for clarification as to what was intended and what was meant by the wording of the resolution.

These are very grave times in the history of our Nation. The confidence of our Government is at issue. I cannot conceive that we, the Members of the U.S. Senate, would pass such an important resolution at this time without the most thorough and exhaustive discussion and debate on every facet of that resolution.

I personally feel that this authority should be vested in the Attorney General of the United States, and that if the Senate does not feel that the Attorney General will do the job, it has the right, under the Constitution, to refuse to confirm his nomination. The Attorney General-designate has not been before the Senate Judiciary Committee, which is the proper arm of the Senate to conduct hearings and to interrogate thoroughly the nominee for Attorney General as to his views, his connections, his associations, and his principles of law.

Mr. DOMINICK. Mr. President, will the Senator from Massachusetts yield at that point?

Mr. BROOKE. I therefore feel, Mr. President, that at this time I wish to submit a resolution for the distinguished minority leader, the Senator from Pennsylvania (Mr. Scott) and myself, the Senator from Colorado (Mr. Dominick)——

The ACTING PRESIDENT pro tempore. The 3 minutes of the Senator have expired.

Mr. MANSFIELD. Mr. President——

Mr. GRIFFIN. Mr. President, how much time remains, a minute or two?

The ACTING PRESIDENT pro tempore. The Senator has 30 seconds prior to the hour of 12 o'clock.

Mr. GRIFFIN. Mr. President, I yield that much time to the Senator from Massachusetts, and he had better proceed——

Mr. BROOKE. The Senator from Wyoming (Mr. Hansen)—and ask for its immediate consideration.

Mr. GRIFFIN. Mr. President, reserving the right to object——

The ACTING PRESIDENT pro tempore. The clerk will report the resolution.

The assistant legislative clerk proceeded to read the resolution.

VOTER REGISTRATION ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the hour of 12 o'clock having arrived——

Mr. GRIFFIN. Mr. President, I object.

The ACTING PRESIDENT pro tempore. The Senate will resume the consideration of the unfinished business, which the clerk will state.

Mr. HARRY F. BYRD, JR. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from Virginia will state the inquiry.

Mr. HARRY F. BYRD, JR. Mr. President, what has happened to the unanimous-consent request?

The ACTING PRESIDENT pro tempore. The unanimous-consent request was superseded by the previous order of the Senate.

Mr. HARRY F. BYRD, JR. So there has been no unanimous-consent request; is that correct?

Mr. MANSFIELD. Right.

The ACTING PRESIDENT pro tempore. It has not been acted on.

Mr. HARRY F. BYRD, JR. It has not been acted on. I thank the Chair.

The ACTING PRESIDENT pro tempore. The Clerk will report the unfinished business.

The assistant legislative clerk read as follows:

S. 352, to amend title 13, United States Code, to establish within the Bureau of the Census a Voter Registration Administration for the purpose of administering a voter registration program through the Postal Service.

The Senate resumed the consideration of the bill.

The ACTING PRESIDENT pro tempore. Under the previous order, the hour allocated before the Senate proceeds to vote on the cloture motion will be equally divided and controlled by the Senator from Wyoming (Mr. McGEE) and the Senator from Hawaii (Mr. FONG).

Mr. ALLEN. Mr. President, on behalf of the distinguished Senator from Hawaii (Mr. FONG), I yield 5 minutes to the distinguished Senator from Massachusetts.

SENATE RESOLUTION 106

Mr. BROOKE. Mr. President, I am most grateful to the distinguished Senator from Alabama for yielding me 5 minutes to conclude this matter.

Now, Mr. President, I renew my unanimous-consent request that the resolution which I have just sent to the desk be given immediate consideration by the Senate.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution.

The assistant legislative clerk read as follows:

S. RES. 106

Resolution urging the Attorney General to appoint a special assistant in connection with the Presidential election of 1972

Resolved, That it is the sense of the Senate that—(1) the Attorney General appoint an individual of the highest character and integrity from outside the executive branch as special assistant for the United States Government in any and all criminal investigations, indictments, and actions arising from any illegal activity by any person, acting individually or in combination with others, in the Presidential election of 1972, or any campaign, canvas, or other activity related to such election; and

(2) the Attorney General shall inform the President of the name of the individual so appointed and the President is requested to submit the name of such appointee to the Senate requesting a resolution of approval thereof.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. HARRY F. BYRD, JR. Mr. President, reserving the right to object——

Mr. GRIFFIN. Mr. President reserving the right to object—

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. BROOKE. Mr. President, I yield to the distinguished Senator from Virginia (Mr. HARRY F. BYRD, JR.).

Mr. GRIFFIN. Mr. President, reserving the right to object——

Mr. CHILES. Mr. President——

Mr. GRIFFIN. Mr. President, let me ask the distinguished Senator from Massachusetts: As I understand his position, it is not to bring this resolution to debate and to a vote today but to get it on the calendar for consideration by the Senate; is that correct?

Mr. BROOKE. Mr. President, the distinguished minority whip is absolutely correct. My purpose is to introduce the resolution, have it objected to, and let it lay over until tomorrow; and then have it objected to, and have it go on the calendar. I hope the leadership will then assign full time for discussion and debate on the resolution.

Mr. GRIFFIN. So that, because of the parliamentary situation, if the assistant minority leader objects, he will actually be doing what the Senator from Massachusetts wants him to do at this point; is that correct?

Mr. BROOKE. And for which the Senator from Massachusetts would be most grateful. [Laughter.]

Mr. DOMINICK. Mr. President, will the Senator from Massachusetts yield?

Mr. BROOKE. I yield.

Mr. DOMINICK. It is my understanding that this resolution is a sense-of-the-Senate resolution; is that correct?

Mr. BROOKE. That is correct.

Mr. DOMINICK. That is correct. So that this effort, which I am happy to endorse, is to make sure that all Senators know what is in the resolution, so that they will have a chance to review it and debate it at some length.

Mr. BROOKE. The Senator from Colorado is correct again.

Mr. DOMINICK. Being a cosponsor of it, instead of the assistant minority leader having to do it, I will be happy to object.

Mr. BROOKE. I appreciate the objection of the Senator from Colorado.

The PRESIDING OFFICER. (Mr. HATHAWAY). Objection is heard. The resolution will go over until tomorrow.

Who yields time?

Mr. ALLEN. Mr. President, how much time remains?

Mr. TOWER. Mr. President, will the Senator from Alabama yield?

Mr. ALLEN. How much time does the Senator require?

Mr. TOWER. Five minutes.

Mr. ALLEN. On what subject?

Mr. TOWER. On the subject of Cambodia.

Mr. ALLEN. Mr. President, I yield to the distinguished Senator from Texas 5 minutes, provided he will use 1 minute in opposition to the voter registration bill.

Mr. TOWER. Mr. President, I will be glad to take that 1 minute first and express my dedicated opposition to the voter registration bill, S. 352. I think it takes the electorate machinery out of the hands of the State. It is an ill-advised attempt. It lends itself to all kinds of abuse and fraud. It will be a terrible thing to perpetrate upon the American people. It is urging an effort to encourage people who are uninformed or uninterested in an election to vote like cattle. Therefore, I shall be happy to vote against cloture and if the cloture motion should succeed, I shall vote against the bill.

CAMBODIA

Mr. TOWER. Mr. President, yesterday, the Democratic conference adopted a resolution seeking to foreclose by legislative action further use of Federal funds for the pursuit of any military activity by the United States in Cambodia. I can understand the motivation of the conference, and I do not criticize my well-meaning Democratic friends for having done this. I appreciate the spirit in which it was done.

But, Mr. President, should the provisions of that resolution be implemented, we would seriously hamstring the President of the United States in the formulation of the conduct of foreign policy.

Dr. Kissinger is on his way to Moscow. Negotiations in Moscow are difficult even from a position of strength. I should point out that the foundation of American foreign policy is the maintenance of adequate military strength and the conviction on the part of others of our will, our resolve, and our desire to use that strength when and if necessary.

Should we adopt the provisions of that resolution, we would serve notice that in certain instances the United States has not the will nor the resolve to use its strength.

We should understand that we can have détentes on favorable terms, and we can have arms limitations with balance of force reductions, only if the United States maintains its strength and convinces the rest of the world of its willingness to use it, if necessary.

We are making progress. We can achieve, I think, stability and peace in the world through diplomatic means, only if the President is not narrowly proscribed in the use of the power that he possesses.

It is a certainty that a satisfactory settlement in Southeast Asia is wholly dependent on U.S. resolve. We are making progress. I think that through diplomatic means we can persuade the North Vietnamese to observe the letter and spirit of the law. But if we convince them that they can, with impunity, violate article 20 of the Agreement by refusing to withdraw their forces from Cambodia, by continuing their aggressive designs on Cambodia, by continuing military operations in Cambodia, then we will postpone the day of peace in Southeast Asia and, indeed, we may be perpetrating perpetual war in Southeast Asia.

Make no mistake about it, the principal military muscle in opposition to the present Government of Cambodia is North Vietnam. It is not the native or the ethnic Cambodians. Therefore, it becomes incumbent on us to be ready and willing to use force, if necessary, to try to achieve recognition and obedience to and compliance with article 20 of the Agreement.

I am sorry that the Democratic conference acted in the way it did, because I am afraid it might be encouraging to the North Vietnamese to continue its military activities in both Cambodia and Laos.

Looking at the long-range implications for the United States, we are a signatory to the SEATO treaties. We are obligated to come to the defense of Thailand, if Thailand is confronted by overt aggression. The safety and security of the territorial and political integrity of Thailand is directly related to our ability and the prospect for sanitization of Laos and Cambodia.

But what we are doing in Cambodia is not in support of the Government of Cambodia. It is in opposition to the blatant noncompliance of North Vietnam with article 20 of the Agreement. Any attempt to proscribe our efforts to force compliance or to negotiate compliance will, I think, result in continued warfare and instability in Southeast Asia and make it a continuing tinderbox.

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time?

Mr. MOSS. I yield 3 minutes to the majority leader.

Mr. MANSFIELD. Mr. President, I listened with great interest to the remarks of the distinguished senior Senator from Texas. I must say that he is consistent in his views. But I must say, also, that consistency is not always a jewel.

I am sorry that the distinguished Senator was not on the floor to hear the remarks of the distinguished Senator from Maryland (Mr. Mathias) when he submitted his resolution today. The Senator from Maryland pointed out that this was not a military or a foreign policy question but that it was basically a constitutional and a statutory issue which has to be resolved if the equality between the branches of the Government, as defined by the Founding Fathers, is to be maintained.

The distinguished Senator drew in SEATO in his reference to Cambodia. Cambodia never has been a member of SEATO. Under Prince Norodom Sihanouk, it specifically demanded that it be excluded—against our wishes, incidentally; and even under the Lon Nol government, the present government, maintained by us—a client state, a client ruler—it has indicated that it does not want to be under the SEATO umbrella.

Mr. TOWER. Mr. President, will the Senator yield, for a point of clarification?

Mr. MANSFIELD. I yield.

Mr. TOWER. I did not mean to imply that Cambodia or Laos were signatories. They are not signatories; nor is South Vietnam, for that matter. I only meant to point out that Thailand is and to point out the responsibility to Thailand.

Mr. MANSFIELD. Thailand is. Laos and South Vietnam have come under the umbrella, based on the protocol.

But what does SEATO amount to? At the present time, it really amounts to a defense agreement between Thailand and the United States, because Pakistan has, in effect, withdrawn. The British and the French have, in effect, withdrawn. The Australians and the New Zealanders do not show any great enthusiasm and would like to get out. So that leaves the Philippines, Thailand, and the United States.

But I would hope that we would be aware of the fact that what is being done in Cambodia today, based upon the thousands of tons of bombs that have been dropped for 56, 57, 58 days in a row—with one exception—is the expenditure of funds which have not been approved by Congress. That will come in the supplementary appropriation, which I understand will be taken up in the House on Tuesday or Wednesday of next week.

Have we not had enough of war in Indochina? Are not 55,000 Americans dead enough? Are not 303,000 wounded enough? Are not 25,000 quadriplegics and paraplegics enough? Is not $130 billion or more enough?

I wonder when we are going to wake up to our responsibility, and I wonder when we are going to get out of Indochina and Thailand on a lock, stock, and barrel basis. No interest of ours was involved in the first place. No interest of ours is involved now.

If it is a question of face, I, for one, am prepared to give up what face is involved; because I think more of my own people than I do of those people over there, and they have to settle their own destiny, decide their own future. It is their choice.

Mr. MOSS. Mr. President, I yield 5 minutes to the Senator from Maryland.

Mr. MATHIAS. Mr. President, before addressing myself to the subject of the debate on the voter bill, let me say very briefly with reference to the colloquy which just took place between the distinguished Senator from Texas and the distinguished Senator from Montana that I was amazed to hear the SEATO treaty mentioned as one of the justifications for operations in Cambodia. I myself made a request for a statement of legal justification for the operations in Cambodia during a secret meeting of the Subcommittee on Government Operations of the Committee on Appropriations on April 9, and nobody has yet mentioned SEATO as even a possible reason for bombing in Cambodia. I do not feel it is a very tenable ground and I am sorry that it was brought into this debate today.

Mr. HUGHES. Mr. President, before I get back to the subject of voter registration, for which this time was allotted, I wish to associate myself completely with the remarks of the distinguished majority leader in relation to Cambodia and Southeast Asia.

VOTER REGISTRATION ACT

The Senate continued with the consideration of the bill (S. 352) to amend title 13, United States Code, to establish within the Bureau of the Census a Voter Registration Administration for the purpose of administering a voter registration program through the Postal Service.

The PRESIDING OFFICER. Who yields time?

Mr. MOSS. I yield 5 minutes to the Senator from Iowa.

Mr. HUGHES. Mr. President, the allotted hour before the vote on cloture on S. 352 is proceeding. I hope this vote succeeds, because it is time to call a halt to this protracted debate and to really have a vote on this bill. The bill has been debated extensively, from April 10 until we recessed for Easter, even prior to its resumption Monday. It was debated last year and not given the advantage of a vote on its merits. It has been subject to extensive hearings over a period of a year and a half, both in the Committee on Post Office and Civil Service and on the House side of the Capitol.

Prior to the introduction of this measure, or the other bills akin to it, Mr. President, we have had the benefit of study after study—going back to the 1963 President's Commission on Registration and Voting Participation—which have concluded that registration is a major cause of nonvoting in America.

Just last year, fully 62 million Americans did not vote and that was in a Presidential election year. Sixty-two million Americans did not vote last year. The President of the United States was elected by 47 million voters, who cast their ballots in his favor—by fewer voters than sat it out or were more or less forced to sit it out.

This is a sad commentary on the American system. We can look at other countries in the free world, as we like to refer to it, and we find nothing comparable. In 1970, in the United Kingdom only 71 percent of those eligible voted and they were dismayed by the turnout. Canada gets 75 percent, France 77, and West Germany a full 91 percent.

What do we do wrong that we barely get 50-percent voter turnout?

Mr. President, what we do is put the onus, the responsibility, the chore—whatever you want to call it—of registering to vote on the voter. And then, in jurisdiction after jurisdiction across this country, we make it difficult to register. We establish the hours to be convenient to the registrar, not to would-be voters who must make a living. In effect, we impose a poll tax in many places. It is not, perhaps, the last barrier to voting in America, but it is a significant one, as study after study has shown. And it is often a subtle barrier, erected originally in the name of good government, to prevent fraud and all that sort of thing.

But our prior registration laws today work to prevent people from voting. That fact is clear. For, on the average, while no more than 6 out of 10 Americans vote in our national elections, 9 out of 10 who are registered cast their ballots on election day. And, in historical terms, we can look back and see that before prior registration laws came into vogue, we had more like 80-percent turnout on election days.

Clearly, registration does make a difference, then. It causes people to fail to exercise their right as citizens of the United States. Make no mistake about it. It is a right, and the Constitution clearly so states. There are those who would bestow the franchise as a privilege, but America was founded to get away from just such privilege. The 15th amendment was enacted to get away from such privilege. Voting is a right implicit in American citizenship.

There are a number of obstacles imposed by registration laws now in force in the various States. As one authority, Penn Kimball of Columbia University, told the Committee on Post Office and Civil Service:

> Large numbers of Americans are unregistered to vote because registration instructions and procedures are needlessly complicated, registration places and hours are inaccessible and inconvenient.

The League of Women Voters conducted a nationwide survey and found that 77 percent of the communities studied had no Saturday registration and 75 percent had no evening registration in nonelection months. During the preelection period itself, it found that 38 percent provided no additional hours for registration.

Another witness before the committee pointed out that in Cuyahoga County, Ohio, unless you register on the 1 day during the year when there is countywide registration, you must take time off from work to register between the hours of 8:30 a.m. and 4:30 p.m. He stated that a person must also pay a fee between $1 and $2 to park his car. He said that this is a much higher and crueler poll tax than in the days when poll tax was considered legal in this country.

Many jurisdictions have only one location to register and a person must travel there.

In every other country in what we like to call the free world, the duty of registering voters is placed on the shoulders of public officials and the Government—not imposed upon the electorate itself.

The result is obvious from what I have already said with regard to the higher percentage of turnout of voters in nations elsewhere around the globe.

S. 352 is really a simple measure aimed at only enabling qualified electors to vote in Federal elections.

Regardless of what its opponents claim, the bill transfers no significant power to the Federal Government, since the responsibility of registering voters and ascertaining the eligibility of applicants is still vested in State and local officials.

The postcard form provided for under the bill would be sent to appropriate local officials and they would have the power to examine the applicant's qualifications, to put them on the rolls or to question those qualifications before taking such action.

The Federal Government would provide 100 percent reimbursement of the cost of processing the cards. If the system were adopted for State elections as well, the Federal Voter Registration Administration would pay 130 percent of the cost of processing the cards. These incentive payments would provide local election officials with financial assistance needed so that they can better cope with the registration burden placed on them in many places at present.

The bill would strengthen antifraud efforts, for, despite the claims of opponents, the committee has much testimony to the fact that such simplified registration does not induce fraud into the election system.

In addition to seeing to the mass distribution of registration forms, the National Voter Registration Administration would be available to State and local officials for fraud prevention. The bill authorizes action by the Attorney General against the registration of individuals not qualified. It provides criminal penalties for violations which are stronger than the penalties we have today. Let us, then, vote for cloture and proceed to the up or down decision S. 352 requires on the part of this body.

Mr. MATHIAS. Mr. President, as we examine the bill that is before us today regarding voter registration by mail I think it is useful to seek advice and wisdom from those who have actual experience with registration by mail. For that reason it occurred to me that my colleagues might be interested in the statement of my longtime personal friend, Willard A. Morris, the administrator of Maryland's Board of Elections, regarding his experience with registration by mail.

Mr. Morris told a committee of the Maryland State Senate:

> We in Maryland should not be alarmed by registration by mail—we already have it—and *it does work*. We register, by mail, members of the Armed Forces, the Merchant Marines, the Red Cross, the USO and other organizations serving the Armed Forces outside of the United States, civilian employees of the United States serving outside the United States, all of these including their spouses and dependents. In addition, for years we have registered the ill and disabled by mail. Since the 1970 Voting Rights Act amendments, we have had mail registration for any citizen of Maryland who was away from home during the last month of registration during an election.

Mr. Morris included in his remarks a comment about the question of fraudulent registration under a registration-by-mail system. He said:

> In all of these mail registrations, there is no face-to-face oath taking. The citizen's own signature under penalty of perjury is the attestation.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MOSS. I yield 1 additional minute to the Senator from Maryland.

Mr. MATHIAS. I thank the Senator

The PRESIDING OFFICER. The Senator may proceed.

Mr. MATHIAS. Mr. President, Mr. Morris sought to clarify the question of where the responsibility of voter registration lies—with the Government or with the people. He stated:

> Contrary to the opinion of many, the Constitution guarantees to the citizens the *right* to vote and the courts have consistently said voting is a *right* and not a privilege.

Before Mr. Morris was administrator for the State board of elections, he had extensive experience as a local election official and can speak with considerable authority and expertise in this area. The concluding paragraph of his statement points out the monetary and other benefits local registration officials will gain by a registration-by-mail program. He said:

> The State Board supports the concept of registration by mail. The prospect of federal funding will make it possible for local boards that are neither staffed nor funded for extensive registration to provide a registration opportunity to attract the largest number of voters. In so doing, the local board will no longer be the obstacle to registration. The blame will be squarely on the perspective voter.

The statement I have quoted from was made for the purpose of encouraging the Maryland State Senate to adopt a statewide registration-by-mail system. Mr. Morris' voter registration jurisdiction stretches from the lonely rural routes of the Eastern Shore, through the streets of Baltimore and the suburban neighborhoods of Metropolitan Washington, to the green mountain valleys of western Maryland. Experience with these diverse areas has led him to believe that the prudent course for his State is a registration-by-mail system.

Mr. Morris' foresight is to be commended and the citizens of his State will indeed be the benefactors of his wisdom.

Mr. President, I would like to address myself briefly to the philosophy of this bill. It seems to me it is very difficult to oppose the bill when all it seeks to do is to give more people encouragement to exercise their right to vote. I commend the efforts of the distinguished Senator from Tennessee (Mr. BROCK) who has been an active participant on behalf of the Republican Party, because I think his efforts indicate that we as Republicans are not afraid to have more voters vote; we welcome the opportunity to have more voters vote, as he has stated very forcefully.

Mr. President, I ask unanimous consent to have printed in the RECORD an editorial supporting this concept which was printed in the Frederick, Md., Post on April 23, 1973.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

VOTER REGISTRATION

In large part, the story of American democracy in the past century has been written in the long line of successful efforts to expand the franchise and to broaden the base of political participation in our society.

Six of the past twelve amendments to the Constitution have been concerned with extending the right to vote. Hand in hand with these great amendments in recent years have come a series of landmark decisions by the Supreme Court and far-reaching laws enacted by Congress—each a historic victory in the continuing effort to insure the broadest possible exercise of the right to vote.

Now we have reached the next frontier—the archaic and obsolete system of voter registration that operates each year to deny the vote of tens of millions of our citizens. Congress has the chance now to achieve another major milestone in our democracy.

The problem is clear. For a nation that likes to call itself a democracy responsive to the people, our record of voter participation is a national scandal and disgrace. Of all the figures to come out of the 1972 presidential election, perhaps the most distressing is the fact that only 56 per cent of those who were eligible to vote actually went to the polls on election day.

Put another way, of the 139 million eligible voters in 1972, only 77 million actually went to the polls. 62 million citizens stayed home. 62 million lost voters.

The voting record of America becomes even more dismal when we compare it with the record of other Western democracies. In 1970 in Britain, 71 per cent of the eligible voters went to the polls and they called it one of the lowest turnouts in British history. In recent elections in other nations, the turnout has been even higher—74 per cent in Canada, 77 per cent in France, and 91 per cent in Western Germany.

In part, of course, the dramatically higher voter turnout in foreign countries is a result of the fact that the United States tolerates a passive role of government in registration, leaving it entirely to the initiative of the individual to register, rather than to government action.

Voter participation has not always been this low in the United States. Throughout the latter half of the 19th century, voter turnout in our presidential elections consistently ranged in the neighborhood of 70 per cent to 80 per cent. Twice it exceeded 80 per cent. Only once did it drop as "low" as 70 per cent.

Since 1900, however, we have not seen the 70 per cent level again. Eight times in this century—including 1972, the turnout has fallen below 60 per cent. Twice it fell below 50 per cent. Clearly, in spite of the enormous progress that the 20th century has brought us in so many other areas, we have moved backward in the crucial area of voter participation.

The cause is not far to seek. Study after study in recent years has demonstrated that registration is the villain, and 1972 was no exception. The heart of the problem is our archaic system of voter registration. It is no accident that the sharp decline in voter turnout at the beginning of the 20th century coincided with the advent of voter registration legislation.

For decades, every American who sought to exercise his right to vote has had to run a gauntlet of arbitrary, unfair and obsolete requirements of voter registration. Confronted by such requirements, millions more refuse to even try.

Today, in spite of the enormous progress we have made in so many other areas of public life, we are still using voter registration methods which were, perhaps, sophisticated at the turn of the century, but which are generations out of date today.

In almost every other sphere in which government now operates—at the federal, state or local level—it uses the tools of the modern world, especially in the area of communications with the people. If governments collected taxes the way they register voters today, they would be so bankrupt that revenue sharing could never bail them out. Why is it that Americans pay their taxes by mail, when they still have to register to vote by methods as obsolete as the Pony Express or the Model T?

There is ample evidence that reform in voter registration is the key to improvement in voter turnout. According to the preliminary results of a population survey carried out by the Census Bureau two weeks after the election last November, of the Americans who said they were registered to vote in 1972, fully 87 per cent went to the polls and cast their ballots on election day. Put another way, of the 62 million citizens who stayed home on election day in 1972, the vast majority were not registered to vote. They could not have voted, even if they had wanted to. Only a small percentage of those who stayed home were registered to vote.

As the table attached shows, the most recent available official data on voter registration bear out the dramatic fact suggested by the census poll—the overwhelming majority of citizens who are registered actually go to the polls and vote on election day.

Those figures are the measuring of both our present failure and our future promise. They indicate that somewhere between 15 and 30 million citizens lost their right to vote because of the requirement of registration.

The defects of the present system are not confined to any State or geographic region. They go by names like early closing deadlines, unreasonable purges of voting rolls, unfair registration requirements, inaccessible registration offices, and lack of absentee registration.

For millions of the nation's citizens who are elderly, disabled, or sick—those who do not have the physical ability to travel to the registration office to register in person—the lack of any effective procedure for absentee registration means that they are denied the right to vote at all.

And, those who find their way to the registration office often learn that their problems have just begun. In some cases the office is open only an hour or two a day, or a day or two a week. Sometimes, it may be necesary to make an appointment in advance. Other times, the registrar simply shuts the office early, if no applicants arrive that day. In still other cases, all but the most determined voters give up in the face of endless lines and waiting periods they find inside the door of the registration office.

Finally, even those who complete the obstacle course and think they have actually registered to vote are often wrong on election day. Thanks to the chaos and confusion of the registration process—and sometimes a touch of fraud—thousands of voters who went to the polls on election day last fall were denied the right to vote because no record of their registration could be found.

It is not just the disadvantaged who are caught by the existing system. The problem is not confined to any single population group or geographic region. The system traps us all—the businessman in his office, the housewife in her suburb, the worker in his factory, the doctor in his clinic.

Registration is a national problem, and it demands a national solution. Without legislation at the federal level, the inertia of nearly a century of past and present practice will continue, and we shall lose this timely and fertile opportunity to repair a serious breakdown in our democracy and make government more responsive to the people.

Mr. MOSS. Mr. President, I yield myself 3 minutes at this time.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. MOSS. Mr. President, for some time I have been doing what I could to further the cause of the bill that is now before the Senate, and that of voter registration. The right to vote is the ingredient upon which a free government is built. We take such pride in saying that we are a democracy, that we are governed by the people, and ringing words to that effect, but at the same time, by various means and in a hodgepodge way we make it difficult for people to exercise their franchise and as a result we have as bad a record as any free government has in the whole world for casting ballots to choose our officers and the directors of our Government.

The State of Utah has always been at or near the top in the number of people who cast their votes in elections. We take great pride in this, but we take great pride also in the fact that we can get into the 70's and sometimes 80's percentagewise.

In the debate the Senator from Alabama has said that 98 percent of the people in Utah were registered to vote in 1970. It appears the Senator is comparing the number of residents over age 18 with the total number of names on the registration rolls and concluded that 98 percent of all the eligible voters are registered. The problem with these statistics lies in the misleading number of names on the registration list.

Registration officials tell us that registration lists contain all those Utah citizens who have left the State in the last 4 years, and can no longer cast their vote in Utah. The Bureau of the Census tells us that more than 6.5 percent of the American population move out of their election jurisdiction every year.

According to most voter registration experts, in those jurisdictions like Utah, where former residents' names are removed from registration rolls 4 years after they have moved, approximately 25 to 30 percent of the names on the registration rolls can no longer vote in the State.

If the Senator from Alabama takes our country's extraordinary population mobility into consideration, he will find that registered voters make up only about 60 to 70 percent of any State's population—including Utah.

The Census Bureau figures do show, however, that in the 1972 election there were 68,000 voters in the State of Utah who were eligible to vote but were not registered.

I am convinced that if the Congress enacts the bill under consideration here today, a significant portion of these citizens will be registered for the next election.

Registration is the sine qua non of the voting process.

So I say the whole thrust of the efforts of this Congress, of this Government, should be to see that a person has the right to vote and then encourage him to exercise that right on election day.

Other democratic forms of Government have used the system of inflicting a penalty or a fine on a citizen who did not vote, and I do not advocate that, but it indicates the urgency of a person's being eligible to vote exercising his franchise.

Therefore, I strongly urge that the Senate support the bill, and in doing so, bring to a halt now the extended discussion we have had by voting for cloture at this time.

The PRESIDING OFFICER. Who yields time?

Mr. CRANSTON. Mr. President, will the Senator yield to me so I may make a unanimous consent request?

Mr. MOSS. I yield for that purpose.

Mr. CRANSTON. Mr. President, I ask unanimous consent that Martha Weisz of my staff may be on the floor during further consideration of this bill and all proceedings connected with the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MOSS. Mr. President, I reserve the balance of my time.

The PRESIDING OFFICER. Who yields time?

Mr. FONG. Mr. President, I yield myself 5 minutes.

We are all in agreement that there should be greater voter participation in our elections. We believe in greater voter participation because it is a basic principle of American democracy. But we believe this bill is not the way to get greater voter participation.

The distinguished Senator from Iowa stated that 62 million voters did not vote in the 1972 presidential election, and he seemed to ascribe the nonvoting of those 62 million Americans to the fact that our State voter registration laws are cumbersome and onerous.

There is no indication, Mr. President, that the voter registration laws are onerous or cumbersome or that they prevent American citizens from registering to vote if they desire to register. The reason Americans do not vote is not that they are unable to register to vote wherever they wanted to register, but because they are not interested in politics.

A survey was made in 1968 by the Bureau of the Census of 50,000 households of approximately 3 persons to a household. There we had a survey of approximately 150,000 American citizens. These 50,000 households were asked certain questions, and may I say that a survey of 50,000 households is so much greater than the number of persons polled by the Harris poll or the Gallup poll, which talk to only 1,200 or 1,500 of our citizens. Approximately 150,000 people were asked whether they had registered to vote in the 1968 election, and of the 50,000 households, 26,000 of those households, more than 50 percent, said they had not registered to vote.

Those persons who had not registered to vote were asked the reasons for their not registering to vote, and 53.3 percent of those who said they had not registered said they were not interested in politics. Of those who had not registered to vote, approximately 10 percent said they could not register because they could not meet the qualifications or they were not citizens.

So, if we take into consideration the fact that approximately 60 percent of those who did not register did not do so because they were not interested in politics, then we can conclude that most of the 62 million Americans who did not vote in the 1972 election did not vote because they did not want to vote, not because they were precluded from going to the polls because of onerous laws which prevented them from registering.

Take, for example, the State of Texas. In the State of Texas people register by mail. A coupon or an ad is put in the local newspapers. If one wants to register, he clips the coupon and sends it to the registrar. This system has been in effect for the past 30 years. What do we find happens in the State of Texas? In the State of Texas, 54.1 percent of the people—even with a very, very simple and easy and lenient and liberal way of registering—did not go to the polls in 1972.

The distinguished Senator from Maryland said that a Mr. Morris of his State said that they do register by mail in the State of Maryland, and yet 49.6 percent of the people in the State of Maryland eligible to vote in the 1972 election did not go to the polls in that election—not because the registration laws were onerous, not because they could not register. As we have heard here from the lips of the distinguished Senator from Maryland, Mr. Morris says that they have had registration by mail for a long time, and yet only 49.6 percent of those who are eligible to vote voted.

Take, for example, the State of Florida. Florida, as I understand it, has had registration by postcard, and yet 49.5 percent of the people did not vote in the State of Florida.

The failure to vote on the part of 62 million Americans in the 1972 Presidential election cannot be ascribed to onerous and cumbersome registration laws, but to the fact that they did not care to vote.

In the State of North Dakota, a voter does not have to register at all. He just goes down to the polls and votes. And yet what do we find in the State of North Dakota?

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. FONG. I yield myself 2 minutes.

Of the voters in the State of North Dakota, 30.1 percent did not vote at all.

Mr. President, the laws on registration are not cumbersome. They are not onerous. As I have said, the laws in the State of Texas, the laws in the State of Florida, the laws in the State of Maryland all show one can register very simply by sending in a coupon or a postcard.

In the State of Hawaii, for example, registrars are deputized by the parties and they go from door to door. They sit at street corners. They go into supermarkets. They go from house to house asking people to register. They are paid on the basis of the number of people who are registered. Yet in my State, with such liberal laws, when registration offices are only a few miles from where the people live, where the registrars' offices are open until 12 o'clock midnight during the election period, where they have registrars going from house to house, where they have registrars on the street corners, what do we find in the State of Hawaii?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FONG. I yield myself another minute.

Of the people of Hawaii, 49.2 percent did not vote in 1972.

Why did they not vote? Was it because of cumbersome registration laws, Mr. President? No. They did not vote, not because of cumbersome registration laws. These laws are lenient. It is so easy for them to register. We say the registration laws are not cumbersome. It is easy for anyone to register if he wishes.

So if it is easy for them to register, and they do not register, why should we go through the cumbersome procedure of mailing 300 million cards to 88 million addresses in the United States? Three or four cards will have to be sent to each address. It will cost at least $100 million for each mailing, and we can have more than one mailing in every 2 years. It may cost more than $100 million to mail them once.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FONG. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Hawaii is recognized for 1 additional minute.

Mr. FONG. Mr. President, why should we go through this very cumbersome and very costly procedure when our registration laws are not cumbersome or onerous?

We say this bill will not do the job. This bill, besides spending a lot of money, will open up opportunities for fraud to such an extent as never seen before.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FONG. Mr. President, I yield 5 minutes to the distinguished Senator from Alabama.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 5 minutes.

Mr. ALLEN. Mr. President, I thank the Senator from Hawaii.

Mr. President, at this time I send to the desk four amendments and ask unanimous consent that they be considered as having been read in compliance with the provisions of rule XXII.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLEN. Mr. President, the pending bill is just another effort to heap indignity upon our State governments. It is another effort to take over the functions of our States.

They say that it is necessary to break down the barriers to registration that exist in the various States. There are no barriers under existing law throughout the country.

If a person is 18 years of age and is a resident citizen, he can register to vote. All he has to do is to present himself at the registration office. He can sign by a mark. He does not have to be able to read. All he has to do is to come up and register. All literacy tests have been ruled out by the action of Congress, aided by action of the Supreme Court.

How is this system to operate under the provisions of the bill? They would distribute hundreds of millions of cards throughout the country, on a junk mail basis, through an already overburdened post office system. Then they would have unlimited supplies of these cards available to hand out at every meeting of every pressure group, every march on the Nation's Capital, and every protest march everywhere.

Mr. President, these cards would not be distributed through a mass mailing. There would be a mass broadcasting of these cards to recipients of the cards with no names on the card.

A postman is supposed to deliver a sufficient quantity to each mailing address. We do not know what a sufficient quantity is, whether it is a sufficient quantity to make note pads, to paper the room in a house, or what. It merely says a sufficient quantity.

When they send the cards back, the people do not have to go before a notary public. The cards are just dumped on the registrar.

I might say that there is not a single word of support by local authorities of this measure. There is not a single line of testimony, not a single utterance on the floor of the Senate regarding any support by local boards of registrars.

I have here a letter from the Florida State Association of Supervisors of Elections. I also have one from my own State government. And I ask unanimous consent that this letter be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FLORIDA STATE ASSOCIATION
OF SUPERVISORS OF ELECTIONS, INC.,
March 21, 1973.

Hon. GALE MCGEE,
U.S. Senator, Senate Office Building,
Washington, D.C.

DEAR SENATOR MCGEE: I appreciate your letter of February 20th in which you enclosed a copy of Senate Bill 352 which would

> establish within the Bureau of Census a voter registration administration for the purpose of administering a voter registration though the postal service.
>
> As President, I represented the Florida State Assocation of Supervisors of Elections at the meeting of the Secretaries of State in New Orleans. It was a real privilege to have an opportunity to listen to the discussions by the various State Administrators of Elections.
>
> With reference to Senate Bill 352, I wish to offer the following comments on behalf of the 67 Supervisors of Elections of the State of Florida:
>
> We take pride in the fact that Florida Election Laws have a reputation of being among the best, if not the best, in the nation. We operate under a permanent registration system whereby an elector's name remains on the registration books, provided he votes at least once during a two-year period. If not, a renewal card is sent to him by mail and if this card is completed and returned to the Supervisor of Elections, either by mail or personally, his registration is renewed for another two-year period.
>
> Although in Florida the Secretary of State is the chief elections officer, the registration of electors and the elections are conducted by the Supervisors of Elections who are Constitutional officers and are elected by the voters for a term of four years.
>
> Registration facilities are made available to residents of Florida by the Supervisors of Elections by keeping courthouse offices open eight hours a day, five days a week, and for several weeks prior to each election, the office is open six days a week and from eight to twelve hours a day. Temporary offices are established in various municipalities of the counties, at colleges and other areas. Mobile units are also used at shopping centers, places of industry, migrant housing projects and many other areas.
>
> Florida also allows registration by mail to:
>
> (a) Members of the armed forces while in active service and their spouses and dependents;
>
> (b) Members of the merchant marine of the United States and their spouses and dependents;
>
> (c) Citizens of the United States who are permanent residents of Florida and are temporarily residing outside the territorial limits of the United States and the District of Columbia, and their spouses and dependents;
>
> (d) Citizens of the United States who are permanent residents of the state and are temporarily outside the state; and
>
> (e) Residents of the state who are physically unable to register in person.
>
> We are of the opinion that any voter who is a resident of Florida and having a desire to register certainly has the opportunity to do so. We do not believe there exists mechanical, physical or legislative barriers to voting in Florida.
>
> We are also of the opinion that Senate Bill 352 would be a duplication of effort; would result in dual registration and voting systems; would require additional personnel and office space on the local level and would certainly be an added cost to the taxpayers who are already over-burdened with taxes from the national through the local level.
>
> This bill would result in duplicate registrations; registrations that would not be legible; incomplete information; registration cards filled out by people other than the intended voter and lead to wide-spread fraud. In our opinion, this bill would cause mass confusion in the office of Supervisor of Elections and at the polling places.
>
> Registration does not appear to be the cause of the low percentage of voter turnout. For the 1972 primary elections in Florida, 2,982,076 voters were registered and qualified to vote. Only 22 percent of this number voted in the First Primary and 18 percent in the Second Primary. In the November General Election with a registration of 3,487,458 voters, only 73 percent went to the polls . . . the lowest percentage since 1948.
>
> We, as Supervisors of Elections, believe a more appropriate step would be an in-depth study to find out why those who are registered do not vote—why the apathy? This is the question that should be answered!!!!
>
> A poll by the University of Michigan, whose Institute of Social Research long since has gained stature and real recognition for the quality of its work, reported that whereas 62 percent of a nationally representative group of Americans expressed a "high degree" of trust in their federal officials in the early 1960's, only 37 percent held that view a decade later.
>
> A free nation is the sum of its people—and when a team of diligent and concerned scientists reports that a decade-long survey shows a decline of 25 percent in the confidence of the American people in their federal government, it should cause all of us to shudder.
>
> This cause of apathy applies not only to Federal Government but to state and local governments as well, but to a smaller degree. All polls point up to this fact.
>
> Another point which greatly concerns us is the rapid deterioration of the postal service. This causes many absent voters ballots to be received too late to be counted. For example, I should like to point out that it quite often requires 10 days for a ballot to be received from a distance of 13 miles, 6 days from a distance of 8 miles and at times as many as 5 days from one place in town to another in the same town, not to mention the time required to have them returned from other parts of the state, other states, and other countries. Voters are complaining that the old "Pony Express" or even walking could get mail delivered more promptly.
>
> In conclusion, may we say that it is our opinion that the average person does not appreciate Federal intervention in elections, so let us concern ourselves with making government and those in government more palatable to the average citizen and thus build a desire of the citizens to participate in the election of the officials who run our government.
>
> Again, may I say that we are very much opposed to Senate Bill 352.
>
> Sincerely,
>
> BLANCHE M. WORK,
> *President.*

Mr. ALLEN. They say:

> We are also of the opinion that Senate Bill 352 would be a duplication of effort; would result in dual registration and voting systems.

That is what they say at the local level—

> Would require additional personnel and office space on the local level and would certainly be an added cost to the taxpayers who are already over-burdened with taxes from the national through the local level.

I may say that the bill, according to the best estimates, would cost about $100 million a year to operate.

Why run all the cards through the Post Office? There is a very simple reason. The chief sponsor of the bill is the chairman of the Committee on Post Office and Civil Service. He is the distinguished Senator from Wyoming (Mr. MCGEE). In order to create jurisdiction for his committee, it was provided that the postcards would have to go through the postal system. They could just as well have been left at the post office or the mayor's office or the office of the chief of police, and picked up by anyone who wanted to register.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ALLEN. Mr. President, I ask for 2 additional minutes.

Mr. FONG. I yield 2 additional minutes to the Senator from Alabama.

Mr. ALLEN. Mr. President, by running the cards through the post office, the taxpayer is going to have to pay an additional $150 million a year. That is absolutely ridiculous. It might well be called the "tombstone registration bill." A person can present himself to the registrar. He can vote absentee. Under the bill, thousands and thousands of fictitious or dead persons' names could be filed and placed on the voting lists; the persons would never have to appear before the board of registrars.

Mr. LONG. Mr. President, will the Senator yield?

Mr. ALLEN. I yield.

Mr. LONG. I am beginning to have second thoughts about this proposal. One thought that concerns me is the danger of fraudulent registrations. The Senator is making that point. That is very well stated in the minority views.

We found in studying welfare measures that in the State of Maryland not a single person was investigating fraudulent applications for welfare, outside the city of Baltimore. Someone should investigate the people who are improperly on welfare rolls, people who are drawing three or four different checks, even though only one person is involved.

We have a situation in Louisiana right now in which a person has been accused of being on the welfare rolls under 18 different names. We even had the situation in Louisiana where a person who was a delegate to a national convention was registered under two different names.

If it is so easy for welfare recipients to get on the rolls under two different names, would it not be very easy, where very little financial interest is involved, to find that some persons had registered more than one time under different names?

Mr. ALLEN. It is very difficult to police such registration and prevent fraudulence and corruption. There is absolutely no necessity for the bill.

Mr. LONG. I can recall a hotly contested election—I was not old enough to vote at that time—when one candidate lost the election because the opposition had more than 20,000 persons fraudulently registered, and the police were asked to strike the fraudulent names from the rolls.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. FONG. I yield 2 additional minutes to the Senator from Louisiana.

Mr. LONG. We certainly ought to avoid that type of situation and prevent its happening again, after we have worked so hard to prevent it from developing.

Mr. ALLEN. The Senator is exactly correct. I am aware of the possibility of fraud and corruption that is in the bill.

Mr. LONG. Is there not one more point involved? While it is true that we might proceed criminally against a person for fraudulent registration, if it gets to the point where fraudulence is rampant across the Nation, we would find difficulty in having juries find such persons guilty.

Mr. ALLEN. Yes, we certainly would. It would be necessary to put them in every football field throughout the Nation.

Mr. LONG. If fraud became prevalent, a new situation might develop which might become so widespread and involving so many people that it would be impossible to straighten out the rolls without starting all over again.

Mr. ALLEN. That is exactly right. I thank the distinguished Senator.

One further point I would like to make, if I have time: The qualification under the post card registration system would actually make the registrant, under that system, a second class citizen, because he could not vote in State elections. He could not vote for Governor, Lieutenant Governor, sheriff, probate judge, or members of the county commission. He would be confined to the Federal offices.

If a man came in to vote, he would have to be told he could vote only for Federal officers. He would have to be told——

The PRESIDING OFFICER. The Senator's additional 2 minutes have expired.

Mr. FONG. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Hawaii has 2 minutes. The Senator from Utah has 8 minutes.

Mr. FONG. I yield the Senator from Alabama an additional half minute.

Mr. ALLEN. Mr. President, this system would be superimposed upon existing electoral systems. It should not be superimposed upon the electoral systems of the States against their will. And I have not heard the testimony of a single member of a registrar's board saying that this measure should be passed.

Mr. President, I ask unanimous consent to have printed in the RECORD the statements of Mary C. Lawton, Deputy Assistant Attorney General, and Robert L. Hagen, Acting Director, Bureau of the Census, before the Committee on Post Office and Civil Service on March 16, 1973.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

VOTER REGISTRATION ACT

We appreciate the opportunity to appear before this Committee to comment on S. 352, a bill to establish a mandatory voter registration program for Federal elections and primaries and to grant funds to States that agree to adopt a similar registration system for State elections.

The percentage of eligible voters voting in the last presidential election illustrates the problem to which this bill is addressed. Too few of our people participate in the democratic process. Indeed we lag far behind many other democratic nations of the world. As we view it, the basic questions before this Committee are why do so few people vote and what can we do about it. The proposed Voters Registration Act assumes that the reason is that voting registration procedures present a barrier that prevents people from voting and that greater ease of registration is the answer. We are not quite so sure.

As this Committee is well aware, a preliminary study conducted by the Census Bureau in 1968 indicated that there are many reasons for non-registration—chief among which is a lack of interest. While there are other reasons as well, including difficulty of registration, some of this has been alleviated by the Voting Rights Act Amendments of 1970 and by court decisions such as *Dunn* v. *Blumstein*, 405 U.S. 330 (1972). We are not convinced that postcard registration of voters will result in a substantial increase of either registrations, or more importantly, voter participation.

In our view, S. 352, at least in its present form, poses substantial legal difficulties. We fear also that it contains serious fraud potential. In addition, it would entail substantial expenditures of funds without perhaps achieving the aim of increased voter participation. These problems may not be insurmountable but until we have a better understanding of the reasons for nonparticipation and the methods of achieving greater participation, they justify a more cautious approach. For now, our time and financial resources might more profitably be spent in a study of the root causes of the problem.

I

The initial question in any Federal legislation dealing with voter rights is whether it is within the constitutional power of Congress. This is a complex and delicate question.

On its face, S. 352 would mandate postcard registration only for "Federal" elections and primaries, strongly encouraging but not requiring it in State elections. On the surface, this appears to demonstrate a clear Federal interest. On close examination, however, the matter becomes more complex.

In the case of Federal primaries and elections, the bill would, in effect, supersede State registration requirements with Federal procedures. Indeed, it appears to impose registration requirements on a State which, like North Dakota, presently has no registration procedure. While the postcard registration is, we gather, expected to reflect State law, there is no indication whether Federal or State authorities would have the last word as to whether a registrant does, in fact, comply with State law. For example, we assume States would remain free to restrict voting in all but certain limited circumstances involving presidential elections to bona fide residents (*Dunn* v. *Blumstein, supra* 405 U.S. at 342–343), yet the bill does not indicate what would happen if a State were to reject a registrant as not being a bona fide resident. Could the individual appeal under Federal procedures? State procedures? Not at all?

If Federal authorities are to determine the bona fides of residency, we think there would be substantial constitutional problems. While *Oregon* v. *Mitchell*, 400 U.S. 112 (1970), upheld the authority of Congress to supersede State residency requirements in presidential elections, nevertheless Justice Black in his opinion noted that the Constitution "saves for the States the power to control State and local elections which the Constitution originally reserved to them and which no subsequent amendment has taken, from them." *Id.* at 134–35. Moreover, it seems clear from recent opinions, particularly *Dunn* v. *Blumstein, supra,* that the State still has the right to determine who is a bona fide resident.

It is true that there is dicta in *Smiley* v. *Holm*, 285 U.S. 355 (1932), which, read literally, seems to indicate unlimited congressional authority with respect to election of Senators and Representatives. It must be remembered, however, that the congressional authority over election of Senators and Representatives as set forth in Article I, section 4, of the Constitution is broader than the authority concerning presidential electors mentioned in Article II, section 1, clause 2. As Justice Harlan observed in his dissenting opinion in *Oregon* (400 U.S. at 211 fn. 89), there is substantial authority to the effect that presidential electors are State rather than Federal officers. *In re Green,* 134 U.S. 377, 378 (1890); *Ray* v. *Blair,* 343 U.S. 214, 224–225 (1952).

In addition to covering the election of presidential electors, the bill would also apply to primaries and elections of delegates to national nominating conventions. These are essentially political party, not Federal matters. See *Irish* v. *Democratic Farmer-Labor Party,* 399 F.2d 119 (8th Cir. 1968), *aff'g* 287 F. Supp. 794 (D. Minn. 1968). Moreover, it has been held that the action of individual State political parties in selecting such delegates constitutes "State action" within the meaning of the Equal Protection Clause of the Fourteenth Amendment, *Bode* v. *National Democratic Party,* 452 F.2d 1302 (D.C. Cir. 1971), *cert. denied* 92 Supp. Ct. 684 (1972).

In an area as complex and changing as the Federal regulation of elections, we are not prepared to say that the Congress is powerless to exercise some control. It is open to question, however, whether the Congress can reach so far into the State mechanisms for policing voter eligibility or can impose registration requirements where the State has chosen not to. Great care must be exercised in determining the proper role of both the Congress and the States in this area of shared constitutional responsibility.

II

Another major area of concern in any registration which attempts to reduce State control over the registration of voters is the potential for fraud which may result from such relaxation. Here again it is a question of balancing delicate interests. Voter registration procedures should not be so complex or onerous as to discourage participation in the most fundamental right of a citizen. At the same time, such procedures must not be so lax as to permit substantial fraud in elections. Fraud dilutes, if it does not destroy, the effect of the citizen's participation.

As we understand it, many, if not most, registration procedures now require the citizen to appear in person to register so that some inquiry into his right to do so may be conducted on the spot. Under the bill, prospective voters would register by mail. If the interlude between mail registration and election day were substantial, there might be enough time for State officials, with the necessary manpower, to initiate "field investigations" to determine whether the signatory of the form is entitled to register. The bill, however, leaves little time for such policing. It merely requires the forms to be mailed out to addresses no earlier than 45 days nor later than 30 days prior to the close of registration. If the form is not returned until the last available day—presumably the day registration closes—will State officials have the time to initiate independent checks of all forms received? This may pose severe difficulties in highly-populated precincts.

The bill, it is true, provides that whenever a State official has reason to believe that unqualified individuals are attempting to register, he "may" notify the Administration and request its assistance to prevent fraudulent registration. But will the Administration itself have time to assist? Enormous manpower resources would be required, it seems to us, for the Administration on its own to detect large-scale fraud particularly where the forms themselves do not reach the Administration, and the State official, as is possible, may be involved in the fraud. As Senator Aiken observed in debate on a prior bill last year: "There can be collusion between election officials of a community, and as many fraudulent registrations as they get, if they are not complained of, they can get away with it. . . ." Cong. Rec. vol. 118, pt. 6, p. 7531.

6, p. 7531. Senator Ervin expressed the same concern, citing graphic details (*Id.* at 7523):

"It may be said that there is no danger of election frauds. Yet, some years ago they had quite an investigation of an election in Kansas City. As a result of that election, the district attorney wrote a book in which he recounted what the investigation of that election disclosed. The investigation of that election disclosed the information, according to this district attorney, that the names of scores and scores of people had been placed upon the registration books as having resided in vacant lots or in filling stations and that votes had been cast in the names of those people."

* * * * *

"This bill contemplates that the State or local registrar will never see the voter whom they undertake to register by postal card. As a matter of fact, this bill contemplates that the election official will be denied access to all information about the qualifications of a person, who is called an individual, except the information which is set forth by that individual or by somebody for that individual on a postal card."

In our view, a bill that increases fraud potential while it attempts to increase voter participation is self-defeating.

III

The Department of Justice lacks the expertise to assess the full cost of the program outlined by S. 352. We note, however, that the cost estimates for similar bills last year, as reflected in Senate Report 92–426, were very substantial. The Census Bureau estimated costs to be about $15 to $20 million per mailing for registration forms for establishing the address system. The cost per presidential year was estimated at $120 million. The majority of this Committee set the figure at $26 million. In a study done by the Comptroller General, however, the potential startup costs of S. 2457—a similar although somewhat broader proposal—were variously estimated between $191 million and $527 million, depending on the volume of registration, with added annual ongoing costs estimated between $52 million and $134 million. *Voter Registration,* Hearings Before the Committee on Post Office and Civil Service, United States Senate, p. 97 (1971).

If we had any guarantee that the registration provisions would produce 100% or even 90% participation by the American electorate, it might well be worth it. But as the Census study, referred to above, points out, registration procedures as they exist today are neither the major, nor even a substantial reason for the nonparticipation which concerns us all. Until we understand better the reasons why our citizens neglect their obligation to share in governmental responsibility, is it wise to expend such great sums on registration? Would it not be wiser to spend more time and less public money in studying the root causes of the problem?

IV

Even if the constitutional and fiscal problems can be resolved and the fraud potential eliminated, the bill in its present form raises a number of questions that remain unanswered. To be sure, many of these are technical problems but some of them are substantial.

1. Registration forms would have to be sent to the occupants of all United States households—at least in the States and the District of Columbia. According to the Bureau of the Census, there are about 64 million households in the United States. There may be several eligible occupants in each household. How will the Administration know what number of forms to send to each address?

2. The bill provides that registration forms shall include such matters as State law requires *and* the Administration determines appropriate to ascertain the individual's qualifications to register. Does this provision mean that the Administration may veto the designation of material the State officials believe to be required? What if there is disagreement? Will it not be necessary to have different forms for each State and for presidential vs. congressional elections?

3. If a State refuses to participate on the State level and declines to process the forms for Federal elections, what mechanism is there to require compliance?

4. The question as to who is a "resident of a State" entitled to vote is often a difficult matter to decide, depending on State laws and decisions of State courts. If the applicant states that he is a duly qualified resident, does the State or local official have to be bound by the registrant's own classification of himself? Who determines the qualifications of the non-resident who votes in his former State in a presidential election?

5. Who processes the forms for a State that has no registration procedure?

6. Do the penal provisions of the bill in section 408 preclude resort to State civil or criminal remedies?

7. What is the relationship of the penal provisions in this bill to the existing Federal election laws carrying quite different penalties, such as 18 U.S.C. 245, 594, 597, etc.?

8. Will the exclusion of the election of delegates in Guam and the Virgin Islands and the election of a resident Commissioner in Puerto Rico raise equal protection problems?

9. Does the "processing" of registration forms in section 409(a) of the bill include independent investigation of the qualifications of a prospective registrant or is it limited to the handling of the registration form itself?

10. Possession of a form under section 405(c) would be prima facie evidence that the individual is qualified. Would the State or local official be obliged to permit the holder of the form to vote even if he knows, of his own knowledge, that he lacks the necessary qualifications? When Federal and State officials disagree as to qualifications, what mechanism will provide for a prompt and final determination?

We raise these questions, not in criticism of this particular bill but as an illustration of the complexity of regulating an area where there is such diversity, and, we might add, justifiable diversity. Determination of voter eligibility is very different in a rural State and a highly populous State. Registration procedures, of necessity, differ in a compact, urban area like Rhode Island, and a sparsely populated land mass like Alaska. Do we really know enough about the problems, at this stage, to propose a universal solution like S. 352.

It seems to us that a wiser course would be that proposed by a bill such as H.R. 12016, 92d Congress. That bill recognized that there is an appropriate inquiry to make before legislating permanent Federal law on voter registration. It proposed that a study be made by the Bureau of the Census of the election process, and that a report be made with recommendations for improvements in procedures for Federal elections. It is possible that the information which would ultimately be furnished under a bill such as that may constitute a more adequate basis for evaluating legislation such as S. 352.

CONCLUSION

In summary, we believe S. 352 raises constitutional issues that are as yet undetermined, as well as a number of practical and legal problems which are virtually certain to produce extensive ligitation. Moreover, it is our view that the danger of election fraud may be substantially increased. As an alternative, we suggest that an extensive study of the cause and cure of voter nonparticipation might be the more appropriate step at this time.

Statement of Mr. Robert L. Hagan

Mr. Chairman, I appreciate the opportunity to appear before the Committee and to discuss the position of the Bureau of the Census in relation to the duties which would be placed on the Bureau by the proposed voter registration legislation.

At the outset, I would like to stress that my views are concerned with the mission and role of the Bureau of the Census in relation to the provisions of a Voter Registration Administration which would be established by enactment of either S. 352 or S. 472.

The Bureau of the Census is a general purpose statistical agency, that is, it collects statistical data on many diverse subjects from many sources and reports the same in an objective and scientific manner. This role is expressed in Title 13, United States Code, and historically the Bureau has performed only this role since its establishment in 1902. The success of any statistical agency in producing reliable data is dependent upon many factors but of primary importance is the attitude of the public toward the agency.

The success of the Bureau of the Census has stemmed from public confidence in the Bureau's record for the unbiased scientific collection and publication of statistical data. Placing the proposed Voter Registration Administration within the Census Bureau, we believe, could seriously impair that confidence, since the nature of many of the Administration's activities would be seen by many as inseparably or inherently political.

The Bureau of the Census has always avoided programs or projects which could lead the Bureau into the arena of partisan politics. There are certain provisions in the legislation that, we believe, would do just that. Illustrative is the provision contained in Section 45 of S. 472 authorizing the Administration to make grants to increase voter registration. This provision is discretionary, and the type of grant, which may be made to any State or political subdivision thereof, is very broad. It is inevitable that a provision such as this would lead the Administration into partisan politics or the appearance thereof. For example, a grant for door-to-door canvassing may be more advantageous to one political party in a district than another. Likewise, a grant for expanded registration hours and locations may benefit one party over another in a particular State or district.

Similarly, the Census Bureau has sought to avoid programs or projects connected with regulatory functions, budgetary auditing, or evaluations of compliance with laws. We believe these programs or projects could impair the ability of the Bureau to obtain a full disclosure from the public of needed data. The collection methods used by the Bureau are usually based upon voluntary responses to requests for data. If the public were to generally regard the Bureau as another Federal regulatory agency, we question whether the public would freely and fully disclose data as is now the case. Illustrative of such regulatory programs in the legislation are those requiring the Voter Registration Administration to assist State officials in preventing fraudulent registrations (Section 407 of S. 352); making of grants for new voter registration programs (Section 405 of S. 472); processing of grant applications and the auditing of such applications (Section 409 of S. 472); and interpreting voter registration laws of the 50 States (Section 405 of S. 352; Section 407 of S. 472). This latter obligation of interpreting State law is a task especially far removed from the Bureau's basic role.

Finally, there is one more point I believe that should be brought to the attention of the Committee. That is the cost of the legislation. As you may remember, the General Accounting Office at the request of Senator Kennedy made an estimate in the 92d Congress of the costs of a system of universal voter registration similar to that proposed in the instant legislation. They were between $191 million and $540 million in start up costs, depending upon the volume of registration, and between $52 million and $134 million in ongoing costs. Needless to say, voter registration is quite an expensive proposition.

In summary, involvement of the Bureau in the electoral process either through a national voter registration, or a grants program could lead Census into the arena of partisan politics. Likewise, involvement of the Bureau in regulatory programs or projects are incompatible with the Bureau's data collection methods and the role of the Bureau. Involvement in any partisan issues or in regulatory programs, we believe, would have a deleterious effect on the exceptional survey response rates, the reliability in the data collected, and the public acceptance and reliance upon the data collected as being objective and scientific.

I shall be glad to endeavor to answer any questions which the Committee may have.

The PRESIDING OFFICER. Who yields time?

Mr. FONG. Mr. President, I yield myself 1½ minutes, that being all my remaining time.

Let me say to the distinguished Senator from Louisiana that when a person registers, under this proposal, he sends his card to the registrar. The registrar will send him a receipt. With that receipt, he becomes a qualified voter, and it is prima facie evidence that he is a qualified and registered voter, and can vote. The only thing that the registrar can do, when he comes in, is to rebut that presumption; and it is a very difficult presumption to rebut.

Any man can send in thousands of postcards and receive thousands of receipts showing the receipts, to the polling supervisor—and they are prima facie evidence that he is a registered and qualified voter—and vote. So we say this bill will open up great opportunities for fraud. We say that this bill will result in registering tombstones, people who never existed, and people at nonexistent addresses. There will be great opportunities for fraud, and we feel its enactment would bring a great deal of fraud to our election system.

The PRESIDING OFFICER. Who yields time?

Mr. MOSS. Mr. President, I yield 2 minutes to the Senator from Ohio.

Mr. TAFT. Mr. President, I ask unanimous consent that my staff assistant, Mr. Solomon, have the privilege of the floor during the debate and vote on this measure.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TAFT. I ask unanimous consent that all amendments proposed by me and in my name at the desk at the time of the vote on cloture later today be considered as read and presented for the purposes of rule XXII.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TAFT. Mr. President, I would just like to take a minute or two to say that I am deeply concerned by the problem raised by this bill, the lack of voting in this country, but I am also deeply concerned by a number of provisions that remain in the bill. For that reason, I have some amendments pending at the desk for the consideration of Senators that may be called up later under the unanimous-consent agreement I have proposed, should cloture be voted.

I do feel, however, that the matter has been fully discussed and the problems well understood by all Members of the Senate. We have been engaged in the debate now for many days. For that reason, it seems to me it would be defeating of the will of the majority of this body not to exercise the right to vote for cloture on this measure at this time.

In taking this position, I am not saying that in all instances when cloture is proposed I would vote for cloture. Indeed, in many instances I have not, because I have felt that there were facets of the measure involved which had not been made clear. But in this instance, it seems to me that the issues are clearly drawn, and therefore it would be my position, regardless of my ultimate position on the bill, to vote for cloture when that issue comes before us today.

Mr. MOSS. Mr. President, I yield 3 minutes to the Senator from Iowa.

Mr. HUGHES. Mr. President, I have listened carefully to the Senator from Hawaii and the Senator from Alabama as they went through the process of explaining the statistics of the 62 million nonvoters. I certainly would like to see, on behalf of everyone running for public office in America, as complete a dedication to seeing guaranteed and protected by every means the right to vote in this country for every individual citizen who qualifies, as I find the dedication to trying to ferret out those who sit in the shadows who might try to register falsely.

The distinguished Senator from Hawaii said that 60 percent of those 62 million people did not care about politics, and that is the reason they did not vote. I do not concede that, but even if I did, what about the other 40 percent? There are 25 million Americans, even conceding the figures, who cannot vote, for a number of reasons, many of them simply because there are occupational hazards, such as the fact that they fly airplanes, are stewardesses, bus drivers, or follow any of a hundred other occupations in this mobile society, and for that reason, and that reason alone, the difficulty of getting to a place of registration is beyond their capability.

If even 1 million Americans are deprived of the right to vote, because of restrictions or lack of an open system, it is a tragedy in a free society. As we sit here today, in our time, and listen to the recitation of 20,000 fraudulent votes cast in a city in Louisiana by that State's distinguished Senator, I remind Senators that happened under the old system. It happened by fraud under existing law, and fraud continues if people take the risk of prison and fines to do it. But I prevail on this body to exercise the reason to realize, with the troubles and the challenges to the system in America today, that it is the absolute right of every person born or naturalized in this country to be able to cast his vote with as little inconvenience as we can place in his way in the way of barriers, and that anything we do to inhibit that right makes for less than a free society.

We should do everything humanly possible to allow those people to vote, and when it is said we would make them second-class citizens, they could only vote for President and Vice President, that they could not vote for the local constable or the local mayor, I say it is better to be able to half-vote for a President than not to be able to vote at all. It is better to be able to cast the single most important ballot in the land than to be able to cast no ballot at all, for anyone.

Mr. MOSS. Mr. President, I yield 3 minutes to the Senator from Oklahoma.

Mr. BELLMON. Mr. President, I am of the opinion that nothing this body does is more important than taking down existing barriers that keep millions of Americans from casting their votes in our national elections. But to me one of the principal problems with the present system is that the very individuals who are most likely to be kept away from the polls by the present archaic registration system are the ones who ought to be encouraged to vote, because most of those people are the working people of the country, who find it difficult to get away from their jobs to go to the courthouses or to the places of registration, to become qualified voters. The same thing is true of the rural people, who often have to travel many miles to become registered voters under the present system. I believe these people make up the backbone of this Nation. They are the level-headed, clear-thinking people, and we should do everything we can to enable them to fully participate in our elective process.

Mr. President, since I have been in the Senate, the process of involving the citizens of this country in this Government is one which has long and properly occupied the attention of the Senate. We have come a long way since the time Government was considered to be the exclusive right of the aristocracy or the landed gentry. The noble experiment in self-government, begun on this side of the Atlantic by our forefathers, has borne fruits far beyond their wildest expectation. In this country during these past 200 years we have proved that common people can manage their own affairs and provide for their own Government.

Only last year this body took action to lower the voting age to 18. The results of this change, contrary to the statements of those who opposed the measure, were shown by the last election highly beneficial to our body politic. The young people, to whom the franchise was given for the first time, proved themselves to be not radically different from the total population. The main achievement of lowering the voting age was that many, who previously felt outside the system, are now included. They now have a direct voice in the decisionmaking process of the Nation and no longer feel forced to result to violent means in order to be heard or to gain their objectives.

The purpose of the legislation we are considering today is to include directly in our governmental decisionmaking process large numbers of our citizens who, for many reasons, have been excluded through difficulties with the present voter registration system from our electoral process.

Whether by accident or by design the system of becoming a qualified voter in this country is still far too complex and too difficult for many of our citizens. In my own State of Oklahoma we have many countries where working people who live away from the county seat find it extremely difficult and expensive to register and qualify to vote. Also, regrettably, the election officials in many cases have demonstrated an inexcusable degree of partisanship which has discouraged many voters and distorted the outcome of our electoral processes. Also, again whether by design or accident, the present electoral procedures have allowed and sometimes even encouraged widespread irregularities.

Mr. President, plainly a simpler, more inclusive, and less corruptible voter registration system is needed to safeguard the political health of this Nation. The bill before us today is a long step in this direction. I would support amendments to strengthen this legislation. Even in its present state it will remove many of the barriers which contribute to the low level of public participation in this Nation's elections and the resulting disenchantment with Government.

As the report shows and I quote:

> Nowhere in the free world is voter participation at a lower level than it is in the United States. Voters in Canada, England and Germany, for instance, have been participating in their elections at a rate well above 75 per cent; while in the United States, the trend of participation has steadily declined since the adoption of voter registration laws.

In the United States the highest rate of participation in the 20th century was in 1960 when 64 percent of all Americans of voting age voted. In 1966, the percentage dropped to 60.6 percent. In 1972, the percentage of participation by voting-age Americans had dropped to a shocking 55 percent.

Mr. President, plainly if self-government is to continue to work in this Nation the citizens must be given every opportunity to participate in the election process. The arguments of opponents that this bill will invite voting irregularities do not stand up. There is great need to reduce existing incidences of irregularities. This bill, through the possible use of social security numbers and by other means should provide the administration with tools to create not only a more inclusive, but also a less corruptible election process.

CLOTURE MOTION

The PRESIDING OFFICER (Mr. JOHNSTON). The hour of 1 p.m. having arrived, under the unanimous consent pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion which the clerk will state.

The assistant legislative clerk read as follows:

> CLOTURE MOTION
>
> We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the pending bill (S. 352, a bill to amend title 13, United States Code, to establish within the Bureau of the Census a Voter Registration Administration for the purpose of administering a voter registration program through the Postal Service.
>
> Mike Mansfield, Robert Byrd, Gale W. McGee, William Proxmire, Edmund S. Muskie, Thomas F. Eagleton, Dick Clark, William D. Hathaway, Daniel K. Inouye, Philip A. Hart, John O. Pastore, Stuart Symington, Walter D. Huddleston, Claiborne Pell, Vance Hartke, Adlai E. Stevenson III, Alan Cranston.

CALL OF THE ROLL

The PRESIDING OFFICER. Under rule XXII, the Chair directs the clerk to call the roll to ascertain the presence of a quorum.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 115 Leg.]

Abourezk
Aiken
Allen
Baker
Bartlett
Bayh
Beall
Bellmon
Bennett
Bentsen
Bible
Biden
Brock
Brooke
Buckley
Burdick
Byrd, Harry F., Jr.
Byrd, Robert C.
Cannon
Case
Chiles
Church
Clark
Cook
Cotton
Cranston
Curtis
Dole
Domenici
Dominick
Eagleton
Eastland
Ervin
Fannin
Fong
Fulbright
Goldwater
Gravel
Griffin
Gurney
Hansen
Hart
Hartke
Haskell
Hathaway
Helms
Hollings
Hruska
Huddleston
Hughes
Humphrey
Inouye
Jackson
Javits
Johnston
Kennedy
Long
Magnuson
Mansfield
Mathias
McClellan
McClure
McGee
McGovern
McIntyre
Metcalf
Mondale
Moss
Muskie
Nelson
Nunn
Packwood
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Ribicoff
Roth
Saxbe
Schweiker
Scott, Pa.
Scott, Va.
Stafford
Stevens
Stevenson
Symington
Taft
Talmadge
Thurmond
Tower
Tunney
Weicker
Williams
Young

Mr. ROBERT C. BYRD. I announce that the Senator from Alabama (Mr. SPARKMAN) and the Senator from New Mexico (Mr. MONTOYA) are necessarily absent.

I also announce that the Senator from Mississippi (Mr. STENNIS) is absent because of illness.

Mr. GRIFFIN. I announce that the Senator from Oregon (Mr. HATFIELD) is necessarily absent.

The PRESIDING OFFICER. A quorum is present.

The question before the Senate is, Is it the sense of the Senate that debate on S. 352, a bill to amend title XIII, United States Code, to establish within the Bureau of the Census a Voter Registration Administration for the purpose of administering a voter registration program through the Postal Service, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will now call the roll.

The legislative clerk called the roll.

Mr. BIBLE (when his name was called). On this vote I have a pair with the Senator from Oregon (Mr. HATFIELD) and the Senator from Ohio (Mr. SAXBE). If they were present and voting, they would vote "yea." If I were permitted to vote, I would vote "nay." Therefore, I withhold my vote.

Mr. ROBERT C. BYRD. I announce that the Senator from Alabama (Mr. SPARKMAN), and the Senator from New Mexico (Mr. MONTOYA), are necessarily absent.

I also announce that the Senator from Mississippi (Mr. STENNIS) is absent because of illness.

I further announce that, if present and voting, the Senator from New Mexico (Mr. MONTOYA) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from Oregon (Mr. HATFIELD) is necessarily absent and his pair has been previously announced.

The Senator from Ohio (Mr. SAXBE) is detained on official business, and his pair has been previously announced.

The yeas and nays resulted—yeas 60, nays 34, as follows:

[No. 116 Leg.]

YEAS—60

Abourezk
Aiken
Bayh
Beall
Bellmon
Bentsen
Biden
Brock
Brooke
Burdick
Byrd, Robert C.
Cannon
Case
Chiles
Church
Clark
Cook
Cranston
Eagleton
Fulbright
Gravel
Hart
Hartke
Haskell
Hathaway
Hollings
Huddleston
Hughes
Humphrey
Inouye
Jackson
Javits
Johnston
Kennedy
Magnuson
Mansfield
Mathias
McGee
McGovern
McIntyre
Metcalf
Mondale
Moss
Muskie
Nelson
Nunn
Packwood
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Ribicoff
Schweiker
Stevenson
Symington
Taft
Tunney
Williams

NAYS—34

Allen
Baker
Bartlett
Bennett
Buckley
Byrd, Harry F., Jr.
Cotton
Curtis
Dole
Domenici
Dominick
Eastland
Ervin
Fannin
Fong
Goldwater
Griffin
Gurney
Hansen
Helms
Hruska
Long
McClellan
McClure
Roth
Scott, Pa.
Scott, Va.
Stafford
Stevens
Talmadge
Thurmond
Tower
Weicker
Young

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Bible, against.

NOT VOTING—5

Hatfield
Montoya
Saxbe
Sparkman
Stennis

The PRESIDING OFFICER. On this vote the yeas are 60 and the nays are 34. Two-thirds of the Senators present and voting not having voted in the affirmative, the motion is not agreed to.

APPOINTMENTS TO THE OFFICES OF DIRECTOR AND DEPUTY DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET

Mr. ERVIN. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 518.

The PRESIDING OFFICER (Mr. JOHNSTON) laid before the Senate the amendments of the House of Representatives to the bill (S. 518) to provide that appointments to the offices of Director and Deputy Director of the Office of Management and Budget shall be subject to confirmation by the Senate, which were to strike out all after the enacting clause, and insert:

That the offices of Director of the Office of Management and Budget, and Deputy Director of the Office of Management and Budget, established in section 207 of the Budget and Accounting Act, 1921 (31 U.S.C. 16), and as designated in section 102(b) of Reorganization Plan Numbered 2 of 1970, are abolished.

SEC. 2. The offices of Director, Office of Management and Budget, and Deputy Director, Office of Management and Budget, are established in the Office of Management and Budget and shall be filled by appointment by the President, by and with the advice and consent of the Senate.

SEC. 3. (a) The functions transferred to the President by section 101 of Reorganization Plan Numbered 2 of 1970, and all functions vested by law in the Office of Management and Budget or the Director of the Office of Management and Budget are transferred to the office of Director, Office of Management and Budget. The President may, from time to time, assign to such office such additional functions as he may deem necessary.

(b) The Director may, from time to time, assign to the office of Deputy Director, such functions as he may deem necessary.

SEC. 4. Nothing in this Act shall impair the power of the President to remove the occupants of the offices of Director, Office of Management and Budget, and Deputy Director, Office of Management and Budget.

SEC. 5. (a) Subchapter II (relating to Executive Schedule pay rates) of chapter 53 of title 5, United States Code, is amended as follows:

(1) Paragraph (11) of section 5313 is amended by striking out "of the Bureau of the Budget." and inserting in lieu thereof ", Office of Management and Budget.".

(2) Paragraph (34) of section 5314 is amended by striking out "of the Bureau of the Budget." and inserting in lieu thereof ", Office of Management and Budget.".

SEC. 6. This Act shall take effect upon the expiration of the thirty-day period which begins on the date of its enactment.

And amend the title so as to read: "An Act to abolish the offices of Director and Deputy Director of the Office of Management and Budget, to establish the Office of Director, Office of Management and Budget, and transfer certain functions thereto, and to establish the Office of Deputy Director, Office of Management and Budget."

Mr. ERVIN. Mr. President, the Senate passed a bill making the office of the Director and the office of the Deputy Director of the Office of Management and Budget subject to Senate confirmation. The House has acted and it struck out everything after the enacting clause, and it abolished these offices and then recreated the offices, making them subject to Senate confirmation.

I move that the Senate concur in the amendments of the House to S. 518. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second. The yeas and nays are ordered.

The question is on agreeing to the motion of the Senator from North Carolina. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from South Carolina (Mr. HOLLINGS), the Senator from Montana (Mr. METCALF), the Senator from Utah (Mr. MOSS), the Senator from Alabama (Mr. SPARKMAN), and the Senator from Georgia (Mr. TALMADGE) are necessarily absent.

I also announce that the Senator from Mississippi (Mr. STENNIS) is absent because of illness.

Mr. GRIFFIN. I announce that the Senator from Oregon (Mr. HATFIELD) is necessarily absent.

The Senator from Ohio (Mr. TAFT) is detained on official business.

The result was announced—yeas 73, nays 19, as follows:

[No. 117 Leg.]

YEAS—73

Abourezk
Aiken
Allen
Baker
Bayh
Beall
Bentsen
Bible
Biden
Brooke
Buckley
Burdick
Byrd,
  Harry F., Jr.
Byrd, Robert C.
Cannon
Case
Chiles
Church
Clark
Cook
Cranston
Domenici
Dominick
Eagleton

Eastland
Ervin
Fulbright
Gravel
Griffin
Gurney
Hart
Hartke
Haskell
Hathaway
Huddleston
Hughes
Humphrey
Inouye
Jackson
Javits
Johnston
Kennedy
Long
Magnuson
Mansfield
Mathias
McClellan
McClure
McGee

McGovern
McIntyre
Mondale
Montoya
Muskie
Nelson
Nunn
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Ribicoff
Roth
Schweiker
Stafford
Stevens
Stevenson
Symington
Tunney
Weicker
Williams
Young

NAYS—19

Bartlett
Bellmon
Bennett
Brock
Cotton
Curtis
Dole

Fannin
Fong
Goldwater
Hansen
Helms
Hruska
Packwood

Saxbe
Scott, Pa.
Scott, Va.
Thurmond
Tower

NOT VOTING—8

Hatfield
Hollings
Metcalf

Moss
Sparkman
Stennis

Taft
Talmadge

So the motion to concur in the House amendments was agreed to.

ACTION OF DEMOCRATIC CONFERENCE ON MAY 2, 1973

Mr. MANSFIELD. Mr. President, yesterday Democratic Senators met and agreed to five resolutions—really four, and tentatively agreed to a fifth—expressing the general sentiments of the majority Members of the Senate on some very important issues.

We discussed at some length reducing Federal expenditures and the proposed closing or cutting back of foreign military installations as well as the administration's announced closing of domestic defense facilities. Two resolutions were agreed to relating directly to domestic and foreign military bases. The first, sponsored by Senator PASTORE, urged the administration to reduce military expenditures overseas and to submit forthwith a list of bases abroad that it plans to close similar to the list of domestic bases which it plans to close. The second resolution, sponsored by Senator KENNEDY, calls for assistance to workers affected by the closing or consolidation of defense facilities throughout the country.

Also concurred in at the meeting were two resolutions proposed by the Democratic Policy Committee. The first deals with limiting Federal expenditures and directing the administration's attention to the resolution of March 15 calling for a "Reduction of Military Expenditures Abroad." The second resolution calls for foreclosing by legislative action the further use of Federal funds for the pursuit of any military activity by the United States in Cambodia.

Senator ABOUREZK offered an important resolution regarding open public financing of Federal elections, but because of the late hour and because Senators were needed on the floor to vote, discussion of this matter was postponed until the next meeting.

I ask unanimous consent that the resolutions—five, in reality—adopted by the Democratic conference on yesterday, and the resolution adopted on March 15, 1973, to which reference is made, be inserted in the RECORD at this point. I also ask unanimous consent that my remarks in connection with two of these resolutions be included.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR MIKE MANSFIELD

In accord with the mandate of the Conference, I have called for this meeting to report on various discussions involving the Resolution which the Conference adopted on March 13. The Conference asked that I report back by April 30. I must apologize for being two days late. I delayed in order to be able to include a report on the meeting of the Policy Committee of this Conference on yesterday.

At that time, the Committee returned to a consideration of some of the matters which confronted the nation before the floodgate opened on the Watergate. The issues which were before us at the beginning of the Easter recess are still there. Inflation . . . Disruption of federal programs by the arbitrary recasting of appropriations by the Executive Branch . . . A gross imbalance in the budget . . . Wasteful defense expenditures, especially abroad . . . All the issues remain.

What is our responsibility in the situation? What is the Majority responsibility in the Senate? It seems to me that when the Democratic Majority obtained the creation of the Ervin Committee at the start of the session, we did what had to be done by the Senate in the Watergate Affair. The matter, properly, in my judgment, now rests with that Committee, the Judiciary and the President.

It remains for us to carry on with the regular business of the Senate and the Federal Government. To pick up from where we left off, you will recall that just before the recess, the Administration announced plans to close down or cut back 274 military bases in this country, with a possible termination of 42,000 jobs. On the same day of the announcement the President saw fit to criticize "those who would slash the defense budget," an apparent reference to the resolution adopted by the Democratic Policy Committee calling for reductions of defense expenditures *abroad* in contrast to Administration plans for cuts at home. Still, on the same day, Secretary of Defense Richardson told the press (in connection with the closing of domestic bases) that measures designed to reduce installations abroad were under intensive review.

Two resolutions adopted by the Democratic Policy Committee relate to these Janus-like statements. The first resolution—which was endorsed at the last Conference of Democratic Senators with only four dissenting votes—urges a substantial reduction of U.S. overseas military expenditures.

Pursuant to that resolution, the Leadership has held meetings with the Chairmen of the Committee on Appropriations and Foreign Relations and with the Acting Chairman of the Armed Services Committee. I believe it is accurate to say that, generally, we have seen eye to eye on the question.

We have also met with Mr. Ash of the Office of Management and Budget. While the meeting was cordial enough, there was no indication that the Administration was about to reconsider in any way its position on a resolution in overseas expenditures or a reshuffling of budget priorities.

A second resolution which was approved before the Easter recess by the Policy Committee is directly related to the resolution on reductions of military expenditures overseas. It is this resolution which the Policy Committee directed me to place, today, before the Conference. It calls for a Congressional cut in expenditures below the President's budgetary proposal. In this connection, it makes reference to the resolution on reduction of military expenditures abroad as a key to the cut as well as to more emphasis on domestic needs.

As further directed by the Committee, I wrote to the 17 Standing Committee Chairmen and the Chairman of the Joint Economic Committee and submit at this time the replies which have been received for incorporation in the record. I can report that the Committee Chairmen, in general, support the intent of the resolution.

I would note, in particular, that the Chairman of the Appropriations Committee has already moved to set a ceiling on appropriations which is $1.6 billion below the President's budget ceiling. Senator McClellan's figures list the Defense Appropriations figure as $3 billion below the President's budget, while Agriculture, Environmental and Consumer Protection appropriations are $801 million above the Administration's proposed budget and the Labor, HEW figure $2.2 billion above.

May I say that the Policy Committee resolution which will be laid before you does not ask for a specific endorsement of the tentative adjustments which are being considered by the Appropriations Committee. Nevertheless, it should be pointed out that these adjustments do go in the direction of the resolution of the Policy Committee. As such, they represent a most commendable initiative by the Chairman and Members of the Appropriations Committee.

I might also remind you that the Senate has already put the spirit of this proposed resolution of the Policy Committee into legislative form by passing the Muskie amendment providing that spending should not exceed $268 billion—which is below the President's figure. It may be that the Senate will cut even more deeply before the session is completed. But, again, the Muskie amendment is in accord with the objective of the Policy Committee resolution and is, in my judgment, a very worthwhile step in the right direction.

Before having the Policy Committee resolution read, let me remind the Conference that we operate on a two-thirds vote. What we are asking here is not the dotting of every "i" or the crossing of every "t" in this resolution. We recognize that there are other ways in which the issue might be stated. I daresay some of us would go further and some not so far or some would go the same distance but say it differently. But what your Policy Committee is looking for in this and in all of its proposed resolutions is the establishment by this Conference of general ground on which the great majority of us, as Democrats in the Senate, are prepared to stand on specific issues. The Senate as a whole will work its will in its own way and each Member will vote as he sees fit on the floor. That does not excuse us, particularly at this time, of national confusion, from trying to define our approach as Democrats in the Senate to the issues which confront the nation, for our own guidance and for the information of the nation.

If the Conference concurs in the resolution which will be put to you shortly, it will be referred to the Chairman of the Appropriations Committee as an expression of the overwhelming sentiments of the Democratic Majority. We may be able, thereafter, by legislative action, to cut the budget and to bring about reductions in military expenditures overseas. I repeat, what we are asking is not the end-all in this matter. Individual Members may wish to do more or less than what is suggested in this resolution and, of course, that will be made plain in Committee or on the floor of the Senate.

I think, however, that there is no single unified act which we can take at this time which would more clearly separate the Senate Democratic Majority from the Executive Branch in a very fundamental way than the adoption of this resolution. I think we should stand, as a party, in calling on the Administration to modify its apparent determination to maintain existing military arrangements abroad regardless of archaic purpose, regardless of immense cost, regardless of budgetary deficits, regardless of current domestic needs and inflation and regardless of the devastation which has been wrought on the value of the dollar.

The question is on the adoption of the resolution of the Policy Committee of the Democratic Conference.

REMARKS OF SENATOR MIKE MANSFIELD

The second matter which was considered by your Policy Committee on yesterday was the continued involvement of the United States in the conflict in Cambodia. The Cambodian question was not a scheduled subject for discussion. It arose spontaneously out of the deep anxieties of every Member of the Committee with regard to the trend of events in Indochina.

Senators Inouye and Pastore, in particular, flagged the danger of another inadvertent Senate endorsement of war in the pattern of the Tonkin Gulf Resolution, this time, via the appropriations route. May I say, if there is anything this nation and the Senate do not need, it is another Tonkin Gulf Resolution on Cambodia, regardless of how it is interpreted. No matter what the rationale, the nation will be hard pressed to forgive this institution and its Majority another mistake of that kind.

In the judgment of the Policy Committee, therefore, there is a need for a Majority policy statement and legislative action to prevent a back-door Tonkin Gulf resolution which would have the effect of endorsing the Administration's present policies on Cambodia. We must seek, instead, to foreclose further military commitment in Cambodia and bring to an end the involvement in which we already engaged there, at a cost of hundreds of millions of dollars and at the risk, every day, of the accumulation of new casualties and more P.O.W.'s.

The resolution on Cambodia which is proposed by the Policy Committee to the Conference is concise and without window-dressing. The appalling situation in that country, with day in and day out bombings under what must be regarded as an arbitrary Executive Branch commitment of the nation to aerial conflict, is too well known to require any introduction. This resolution says and says bluntly that it is the sentiment of the Senate Majority (and I would hope that it is also the sentiment of the Senate) that the nation should steer completely clear of military involvement in Cambodia, by land, by sea and by air and that legislation should be adopted to that end.

The resolution does not and is not intended to spell out the legislative formula by which a termination of the involvement will be achieved. That is best left in the capable hands of the Chairmen and Senators who are expert in these matters as, for example, Senators McClellan, Fulbright, Symington, Church, Case, and others.

I would hope, however, that the Majority in the Senate will stand firm and stand together on the common ground of a policy which calls for an end forthwith to the military involvement in Cambodia, as we did with regard to Viet Nam—an end, lock, stock, and barrel. The vital interests of this nation, in my judgment, all point us in the direction of out of Indochina and not into Cambodia.

The draft resolution will now be read by the Secretary for the Majority.

PASTORE RESOLUTION ON THE CLOSING OF FOREIGN AND DOMESTIC MILITARY BASES

Whereas, The Democratic Conference of the Senate has urged the Administration to reduce military expenditures abroad, and

Whereas, The Administration has announced the closing of military bases at home which eliminates at least 42,000 jobs at home, and

Whereas, There are presently 166,000 non-American civilian personnel employed at U.S. military bases outside the U.S.,

Resolved, That the Administration, in conformity with the Resolution adopted on March 15, 1973 by this Conference calling for a "Reduction of Military Expenditures Abroad," submit forthwith a list of the bases abroad that it intends to close and the amount of savings attributable to these closings similar to the list of domestic bases recently announced by the Administration.

KENNEDY RESOLUTION ON ASSISTANCE TO THOSE AFFECTED BY MILITARY BASE CLOSINGS

The Conference hereby finds that in light of recent decisions announced April 17, 1973, to close or transfer functions at defense facilities and or other consolidations throughout the United States.

1. That such reductions in defense facilities place heavy economic, social and health burdens on the communities and individuals affected;
2. That many of the workers affected by recent defense base closings are older workers who have the greatest difficulty in acquiring new employment;
3. that to reduce unemployment it is essential that the government provide adversely affected workers with short-term assistance;
4. that such assistance for unemployed workers shall include income benefits, health benefits, relocation benefits, public service job opportunities and job counseling and retraining opportunities;
5. that to insure the earliest community readjustment from the economic dislocation caused by the government decision to close a facility, immediate efforts shall be extended to provide technical assistance necessary to plan and implement an economic development plan to make full use of the local facility.

RESOLUTION ON REDUCTION OF MILITARY EXPENDITURES ABROAD

Whereas, At home, Americans are plagued with inflation, and abroad, the value of the dollar declines;

Whereas, The current U.S. military base structure and deployment around the world constitute a serious drain on the budget and bite deeply into tax revenues available for essential needs inside the United States;

Whereas, Reductions of U.S. forces overseas and the closing of excessive and obsolete military bases abroad would save billions of dollars and help, thereby, to halt inflation, strengthen the dollar and permit additional use of tax revenues for domestic purposes;

Whereas, Such reductions are commensurate with the nation's defense, feasible in terms of present military strategy and technology, and in no way contradictory to the nation's foreign policies under the Nixon Doctrine;

The Senate Majority Conference urges:

1. That the Administration consider, forthwith, in conjunction with the appropriate committees of the Congress, revisions in the proposed budget with a view to making specific recommendations on the reduction of military expenditures through the prompt close-out of installations abroad which are obsolescent or excessive to the current security needs of the nation; and

2. That the contingent of U.S. troops stationed overseas be substantially reduced, such reductions to be accomplished in stages over the next one and one-half years.

The Majority Leader is requested to confer with the Speaker of the House, the Director of the Office of Management and Budget, and with the Chairmen of the Committees on Appropriations, Foreign Relations and Armed Services on the contents of this resolution and ways and means of implementation by Executive Order or legislative action and to report to the Policy Committee on or before April 30 on the results of these conferences.

Resolution on Federal Expenditures

Whereas, a responsible national fiscal policy requires that federal expenditures be brought into line with receipts;

Whereas, the federal budgetary deficit has totaled $104.3 billion during the past four years, notwithstanding cuts by Congress in the Administration's proposed spending for the same years, totaling $20.2 billion;

Whereas, past experience suggests that the Administration's proposed expenditures ceiling of $268.7 billion for the coming fiscal year is, again, excessive under present estimated revenues;

Whereas, the Administration's proposed budget increases military and foreign aid expenditures even as the Administration continues to ignore the spending of tax money for excessive, obsolescent and irrelevant military and foreign aid purposes abroad:

The Majority Policy Committee urges:

1. That the Administration's attention be directed, again, to the resolution adopted by the Senate Democratic Conference on March 15, 1973, calling for a "Reduction of Military Expenditures Abroad," the implementation of which can bring about substantial reductions in federal expenditures, strengthen the dollar and help to curb inflation;

2. That, pursuant, in particular, to the provisions of paragraph 1, the Administration's proposed budgetary ceiling be accordingly lowered as in past years;

3. That the Appropriations, Armed Services and Foreign Relations Committee consider substantial reductions in authorizations and expenditures for military and foreign aid purposes abroad and that all other committees of the Senate act to restrain the authorizing of expenditures of federal funds;

4. That the Senate Members of the Joint Study Committee on Budget Control consider with the House Members establishing a specific ceiling on budgeted expenditures substantially below that of the Administration's proposed ceiling and report to the Senate thereon as soon as possible.

The Majority Leader is directed to communicate the text of this resolution to the Director of the Office of Management and Budget, to the Senate Members of the Joint Committee on the Budget and to the Chairmen of the Committees on Foreign Relations, Armed Services, and Appropriations and to the Chairmen of such other committees of the Senate, to which, in his judgment, the contents of the resolution are applicable.

He is directed, further, to communicate the comments of the Chairmen of the Committees on the resolution of the Policy Committee to the Majority Conference and, at that time, to seek the concurrence of the Conference in the resolution.

Resolution on Cambodia

The Democratic Conference resolves:

That the appropriate committees and the Senate act to foreclose by legislative action the further use of federal funds for the pursuit of any military activity by the United States in Cambodia.

The Majority Leader is directed to communicate its text to the Chairmen of the Committees on Appropriations and Foreign Relations and the Acting Chairman on the Armed Services and to confer with them on ways and means of presenting the matter to the Senate.

Resolution Offered by Senator Abourezk

Whereas, public confidence in the integrity of the electoral process has been undermined by the events of recent months, and

Whereas, the restoration of confidence in the integrity of free and open elections is of paramount concern to the preservation of democracy and the continuing orderly operation of government, and

Whereas, the Congress has committed itself to positive and constructive electoral reform by the enactment of tax credits and campaign contribution check-offs to assist in the provision of open and public financing of elections,

Be it therefore resolved that the Majority Caucus of the Senate commit itself to the immediate enactment of proposals to provide for the open public financing of federal elections.

SENATOR ROBERT C. BYRD—UNSUNG HERO OF WATERGATE INVESTIGATION

Mr. PROXMIRE. Mr. President, for months the Watergate scandal was swept under the rug. It was referred to as a "caper." It had little effect on the election. The American people were bored with reports about it.

But suddenly, due to three significant actions, the immense proportions of the scandal finally evolved. They were the actions of a courageous judge, a great newspaper, and a persistent and dogged Senator.

Two of these actions are widely known and acknowledged. Even President Nixon in his speech early this weekend acknowledged them—one directly and one indirectly.

A COURAGEOUS JUDGE

The first was the courageous action of Judge Sirica in refusing to accept the blatantly inadequate presentation to his court.

A GREAT NEWSPAPER

The second major reason Watergate has finally begun to come out fully was the persistence of the Washington Post, particularly its two superb reporters, Bob Woodward and Carl Bernstein, and the backing they got from a brave publisher who refused to be intimidated by the most powerful forces in the land, Kathryn Graham. We salute both her and them.

A PERSISTENT AND DOGGED SENATOR

But there was a third event which essentially broke open the Watergate case. That was the questioning by Senator Robert C. Byrd, of West Virginia, of the President's nominee to head the FBI, Mr. L. Patrick Gray.

Senator Byrd's doggedness and persistence in questioning brought the admission from Mr. Gray that Mr. Dean of the White House had lied when he told the FBI that he would check to see if Mr. Hunt had had an office in the Executive Office Building. Mr. Dean knew for certain at the time that Mr. Hunt did have an office there. The admission by Mr. Gray that Mr. Hunt probably lied or did lie, as well as the numerous other facts brought out in the questioning, broke open the case.

It started the avalanche.

SENATOR BYRD'S ROLE UNSUNG

Senator Byrd has never received appropriate recognition for his part in this and for the public service he rendered. In the beginning he was virtually all alone in his opposition to the confirmation of Mr. Gray. But his instincts and his reasons gained the day because he was both persistent and right.

I think the record should show that along with Judge Sirica and the Washington Post, Senator Robert C. Byrd of West Virginia deserves great credit for finally making certain that the Watergate scandal will ultimately be revealed in all of its dimensions.

The Senate and the country owe Senator Byrd a vote of thanks. In fairness to him and to the history of this affair, his role in bringing this sordid mess to light justly deserves both to be noted and praised.

FEDERAL-AID HIGHWAY ACT OF 1973

Mr. RANDOLPH. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 502.

The PRESIDING OFFICER (Mr. Johnston) laid before the Senate the amendment of the House of Representatives to the bill (S. 502) to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes which was to strike out all after the enacting clause, and insert:

TITLE I

SHORT TITLE

Sec. 101. This title may be cited as the "Federal-Aid Highway Act of 1973".

REVISION OF AUTHORIZATION FOR APPROPRIATIONS FOR THE INTERSTATE SYSTEM

Sec. 102. Subsection (b) of section 108 of the Federal-Aid Highway Act of 1956, as amended, is amended by striking out "the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1974, the additional sum of $4,000,000,000 for the fiscal year ending June 3, 1975, and the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1976", and by inserting in lieu thereof the following: "the additional sum of $3,500,000,000 for the fiscal year ending June 30, 1974, the additional sum of $3,500,000,000 for the fiscal year ending June 30, 1975, the additional sum of $3,500,000,000 for the fiscal year ending June 3, 1976, the additional sum of $3,500,000,000 for the fiscal year ending June 30, 1977, the additional sum of $3,500,000,000 for the fiscal year ending June 30, 1978, and the additional sum of $2,500,000,000 for the fiscal year ending June 30, 1979."

AUTHORIZATION OF USE OF COST ESTIMATES FOR APPORTIONMENT OF INTERSTATE FUNDS

SEC. 103. The Secretary of Transportation is authorized to make the apportionment for the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976, of the sums authorized to be appropriated for such years for expenditures on the National System of Interstate and Defense Highways, using the apportionment factors contained in table 5, of House Public Works Committee Print Numbered 92–29, as revised in House Report Numbered 92–1443.

HIGHWAY AUTHORIZATIONS

SEC. 104. (a) For the purpose of carrying out the provisions of title 23, United States Code, the following sums are hereby authorized to be appropriated:

(1) For the Federal-aid primary system in rural areas, out of the Highway Trust Fund, $700,000,000 for the fiscal year ending June 30, 1974, $700,000,000 for the fiscal year ending June 3, 1975, and $700,000,000 for the fiscal year ending June 30, 1976. For the Federal-aid secondary system in rural areas, out of Highway Trust Fund, $400,000,000 for the fiscal year ending June 30, 1974, $400,000,000 for the fiscal year ending June 30, 1975, and $400,000,000 for the fiscal year ending June 30, 1976.

(2) For the Federal-aid urban system, out of the Highway Trust Fund, $700,000,000 for the fiscal year ending June 30, 1974, $700,000,000 for the fiscal year ending June 30, 1975, and $700,000,000 for the fiscal year ending June 30, 1976. For the extensions of the Federal-aid primary and secondary systems in urban areas, out of the Highway Trust Fund $400,000,000 for the fiscal year ending June 30, 1974, $400,000,000 for the fiscal year ending June 3, 1975, and $400,000,000 for the fiscal year ending June 3, 1976.

(3) For forest highways, out of the Highway Trust Fund $33,000,000 for the fiscal year ending June 30, 1974, $33,000,000 for the fiscal year ending June 3, 1975, and $33,000,000 for the fiscal year ending June 30, 1976.

(4) For public lands highways, out of the Highway Trust Fund, $16,000,000 for the fiscal year ending June 30, 1974, $16,000,000 for the fiscal year ending June 30, 1975, and $16,000,000 for the fiscal year ending June 30, 1976.

(5) For forest development roads and trails, $170,000,000 for the fiscal year ending June 30, 1974, $170,000,000 for the fiscal year ending June 30, 1975, and $170,000,000 for the fiscal year ending June 30, 1976.

(6) For public lands development roads and trails, $10,000,000 for the fiscal year ending June 30, 1974, $10,000,000 for the fiscal year ending June 30, 1975, and $10,000,000 for the fiscal year ending June 30, 1976.

(7) For park roads and trails, $30,000,000 for the fiscal year ending June 30, 1974, $30,000,000 for the fiscal year ending June 30, 1975, and $30,000,000 for the fiscal year ending June 30, 1976.

(8) For parkways, $75,000,000 for the fiscal year ending June 30, 1974, $75,000,000 for the fiscal year ending June 30, 1975, and $75,000,000 for the fiscal year ending June 30, 1976.

(9) For Indian reservation roads and bridges, $100,000,000 for the fiscal year ending June 30, 1974, $100,000,000 for the fiscal year ending June 30, 1975, and $100,000,000 for the fiscal year ending June 30, 1976.

(10) For economic growth center development highways under section 143 of title 23, United States Code, out of the Highway Trust Fund, $150,000,000 for the fiscal year ending June 30, 1974, $150,000,000 for the fiscal year ending June 30, 1975, and $150,000,000 for the fiscal year ending June 30, 1976.

(11) For carrying out section 319(b) of title 23, United States Code (relating to landscaping and scenic enhancement), $10,000,000 for the fiscal year ending June 30, 1974, $10,000,000 for the fiscal year ending June 30, 1975, and $10,000,000 for the fiscal year ending June 30, 1976.

(12) For necessary administrative expenses in carrying out section 131, section 136, and section 319(b) of title 23, United States Code, $3,000,000 for the fiscal year ending June 30, 1974, $3,000,000 for the fiscal year ending June 30, 1975, and $3,000,000 for the fiscal year ending June 30, 1976.

(13) For carrying out section 215(a) of title 23, United States Code—

(A) for the Virgin Islands, not to exceed $5,000,000 for the fiscal year ending June 30, 1974, not to exceed $5,000,000 for the fiscal year ending June 30, 1975, and not to exceed $5,000,000 for the fiscal year ending June 30, 1976.

(B) for Guam not to exceed $2,000,000 for the fiscal year ending June 30, 1974, not to exceed $2,000,000 for the fiscal year ending June 30, 1975, and not to exceed $2,000,000 for the fiscal year ending June 30, 1976.

(C) for American Samoa not to exceed $1,000,000 for the fiscal year ending June 30, 1974, not to exceed $1,000,000 for the fiscal year ending June 30, 1975, and not to exceed $1,000,000 for the fiscal year ending June 30, 1976.

Sums authorized by this paragraph shall be available for obligation at the beginning of the fiscal year for which authorized in the same manner and to the same extent as if such sums were apportioned under chapter 1 of title 23, United States Code.

(14) Nothing in the first ten paragraphs or in paragraph (13) of this section shall be construed to authorize the appropriation of any sums to carry out section 131, 136, 319 (b), or chapter 4 of title 23. United States Code.

(b) Any State which has not completed Federal funding of the Interstate System within its boundaries shall receive at least one-half of 1 per centum of the total apportionment for each of the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976, under section 104(b)(5) of title 23, United States Code, or an amount equal to the actual cost of completing such funding, whichever amount is less. In addition to all other authorizations for the Interstate System for the two fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976, there are authorized to be appropriated out of the Highway Trust Fund not to exceed $50,000,000 for each such fiscal year for such system.

SUBMISSION OF CERTAIN REPORTS

SEC. 105. The Secretary of Transportation is hereby directed to forward to the Congress within thirty days of the date of enactment of this Act final recommendations proposed to him by the Administrator of the Federal Highway Administration in accordance with section 105(b)(2), section 121, and section 144 of the Federal-Aid Highway Act of 1970 together with those recommendations of the Secretary of Transportation to the Director of the Office of Management and Budget unless these recommendations have been submitted to the Congress prior to the date of enactment of this Act.

DEFINITIONS

SEC. 106. Subsection (a) of section 101 of title 23 of the United States Code is amended as follows:

(1) The definition of the term "construction" is amended by striking out "Coast and Geodetic Survey in the Department of Commerce)," and by inserting in lieu thereof: "National Oceanic and Atmospheric Administration in the Department of Commerce), traffic engineering and operational improvements,".

(2) The definition of the term "urban area" is amended by inserting immediately after "State highway department" the following: "and appropriate local officials in cooperation with each other".

(3) The definition of the term "Indian reservation roads and bridges" is amended to read as follows:

"The term 'Indian reservation roads and bridges' means roads and bridges that are located within or provide access to an Indian reservation or Indian trust land or restricted Indian land which is not subject to fee title alienation without the approval of the Federal Government, or Indian and Alaska Native villages, groups, or communities in which Indians and Alaskan Natives reside, whom the Secretary of the Interior has determined are eligible for services generally available to Indians under Federal laws specifically applicable to Indians."

EXTENSION OF TIME FOR COMPLETION OF SYSTEM

SEC. 107. (a) The second paragraph of section 101(b) of title 23, United States Code, is amended by striking out "twenty years" and inserting in lieu thereof "twenty-three years" and by striking out "June 30, 1976", and inserting in lieu thereof "June 30, 1979".

(b)(1) The introductory phrase and the second and third sentences of section 104 (b)(5) of title 23, United States Code, are amended by striking out "1976" each place it appears and inserting in lieu thereof at each such place "1979".

(2) The last four sentences of such section 104(b)(5) are amended to read as follows: "Upon the approval by Congress, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976. The Secretary shall make a revised estimate of the cost of completing the then designated Interstate System after taking into account all previous apportionments made under this section in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1975. Upon the approval by Congress, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal years ending June 30, 1977, and June 30, 1978. The Secretary shall make a revised estimate of the cost of completing the then designated Interstate System after taking into account all previous apportionments made under this section in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1977. Upon the approval by Congress, the Secretary shall use the Federal share of such approved estimates in making apportionments for the fiscal year ending June 30, 1979. Whenever the Secretary, pursuant to this subsection, requests and receives estimates of cost from the State highway departments, he shall furnish copies of such estimates at the same time to the Senate and the House of Representatives."

DECLARATION OF POLICY

SEC. 108. Subsection (b) of section 101 of title 23, United States Code, is amended by adding at the end thereof the following new paragraph:

"It is further declared that since the Interstate System is now in the final phase of completion that after completion of that system it shall be the national policy that increased emphasis be placed on the accelerated construction of the other Federal-aid systems in accordance with the first paragraph of this subsection, in order to bring all of the Federal-aid systems up to standards and to increase the safety of the systems to the maximum amount possible by no later than the year 1990."

MINIMIZATION OF REDTAPE

Sec. 109. Section 101 of title 23 of the United States Code is amended by adding at the end thereof the following new subsection:

"(e) It is the national policy that to the maximum extent possible the procedures to be utilized by the Secretary and all other affected heads of Federal departments, agencies, and instrumentalities for carrying out this title and any other provision of law relating to the Federal highway programs shall encourage the drastic minimization of paperwork and interagency decision procedures and the best use of available manpower and funds so as to prevent needless duplication and unnecessary delays at all levels of government."

FEDERAL-AID SYSTEMS

Sec. 110. Section 103 of title 23, United States Code, is amended as follows:

(1) The second sentence of subsection (d) is amended by inserting immediately after "such area" the following: "and shall provide for the collection and distribution of traffic within such area".

(2) Subsection (d) is further amended by inserting immediately following the next to the last sentence the following new sentences: "Any State not having a designated urbanized area may designate routes on the Federal-aid urban system for its largest population center, based upon a continuing planning process developed cooperatively by State and local officials and the Secretary. For the purposes of sections 104(b)(6) and 142 of this title, such largest population center shall be held and considered to be an urbanized area."

(3) Subsection (g) is amended by striking out "1973" wherever it appears and inserting in lieu thereof "1974" and by striking out "1975" and inserting in lieu thereof "1977".

(4) Subsection (g) is further amended by adding at the end thereof the following new sentence: "This subsection shall not be applicable to any segment of the Interstate System referred to in section 23(a) of the Federal-Aid Highway Act of 1968."

APPLICATION TO URBAN SYSTEM OF CERTAIN CONTROLS

Sec. 111. The last sentence of subsection (d) of section 103 of title 23, United States Code, is amended to read as follows: "The provisions of chapters 1, 3, and 5 of this title that are applicable to Federal-aid primary highways shall apply to the Federal-aid urban system unless determined by the Secretary to be inconsistent with this subsection, except that sections 131, 136, and 319(b) are hereby made specifically applicable to such system and the Secretary shall not determine such sections to be inconsistent with this subsection."

APPORTIONMENT

Sec. 112. Section 104 of title 23, United States Code, is amended as follows:

(1) Paragraph (1) of subsection (b) is amended by striking out "one-third in the ratio which the population of each State bears to the total population of all the States" and inserting in lieu thereof the following: "one-third in the ratio which the rural population of each State bears to the total rural population of all the States".

(2) Paragraph (6) of subsection (b) is amended by adding at the end thereof the following: "No State shall receive less than one-half of 1 per centum of each year's apportionment."

(3) Subsection (c) is amended by striking out "20 per centum" in each of the two places it appears and inserting in lieu thereof in each such place the following: "50 per centum" and by striking out "paragraph (1), (2), or (3)" and inserting in lieu thereof "paragraph (1) or (2)".

(4) Subsection (d) is amended to read as follows:

"(d) Not more than 50 per centum of the amount apportioned in any fiscal year to each State in accordance with paragraph (3) or (6) of subsection (b) of this section may be transferred from the apportionment under one paragraph to the apportionment under the other paragraph if such transfer is requested by the State highway department and is approved by the Governor of such State and the Secretary as being in the public interest. The total of such transfers shall not increase the original apportionment under either of such paragraphs by more than 50 per centum."

(5) The last sentence of subsection (c) is hereby repealed.

APPORTIONMENT OF PLANNING FUNDS

Sec. 113. Subsection (f) of section 104 of title 23, United States Code, is amended to read as follows:

"(f)(1) On or before January 1 next preceding the commencement of each fiscal year, the Secretary, after making the deduction authorized by subsection (a) of this section, shall set aside not to exceed one-half per centum of the remaining funds authorized to be appropriated for expenditure upon the Federal-aid systems, for the purpose of carrying out the requirements of section 134 of this title.

"(2) These funds shall be apportioned to the States in the ratio which the population in urbanized areas or parts thereof, in each State bears to the total population in such urbanized areas in all the States as shown by the latest available census, except that no State shall receive less than one-half per centum of the amount apportioned.

"(3) The funds apportioned to any State under paragraph (2) of this subsection shall be made available by the State to the metropolitan planning organizations designated by out the provisions of section 134 of this title. the State as being responsible for carrying These funds shall be matched in accordance with section 120 of this title unless the Secretary determines that the interests of the Federal-aid highway program would be best served without such matching.

"(4) The distribution within any State of the planning funds made available to agencies under paragraph (3) of this subsection shall be in accordance with a formula developed by each State and approved by the Secretary which shall consider but not necessarily be limited to, population, status of planning, and metropolitan area transportation needs."

ADVANCE ACQUISITION OF RIGHTS-OF-WAY

Sec. 114. (a) The last sentence of subsection (a) of section 108 of title 23, United States Code, is amended by striking out "seven years" and inserting in lieu thereof "ten years".

(b) The first sentence of paragraph (3) of subsection (c) of section 108 of title 23, United States Code, is amended by striking out "seven years" and inserting in lieu thereof "ten years".

HIGHWAY NOISE LEVELS

Sec. 115. Subsection (i) of section 109 of title 23, United States Code, is amended by adding at the end thereof the following: "The Secretary after consultation with appropriate Federal, State, and local officials, may promulgate standards for the control of highway noise levels for highways on any Federal-aid system for which project approval has been secured prior to July 1, 1972. The Secretary may approve any project on a Federal-aid system to which noise-level standards are made applicable under the preceding sentence for the purpose of carrying out such standards. Such project may include, but is not limited to, the acquisition of additional rights-of-way, the construction of physical barriers, and landscaping. Sums apportioned for the Federal-aid system on which such project will be located shall be available to finance the Federal share of such project. Such project shall be deemed a highway project for all purposes of this title."

SIGNS ON PROJECT SITE

Sec. 116. The last sentence of subsection (a) of section 114 of title 23, United States Code, is amended to read as follows: "After July 1, 1973, the State highway department shall not erect on any project where actual construction is in progress and visible to highway users any informational signs other than official traffic control devices conforming with standards developed by the Secretary of Transportation."

CERTIFICATION ACCEPTANCE

Sec. 117. (a) Section 117 of title 23 of the United States Code is amended to read as follows:

"§ 117. Certification acceptance

"(a) The Secretary may discharge any of his responsibilities under this title relative to projects on Federal-aid systems, except the Interstate System, upon the request of any State, by accepting a certification by the State highway department of its performance of such responsibilities, if he finds—

"(1) such projects will be carried out in accordance with State laws, regulations, directives, and standards establishing requirements at least equivalent to those contained in, or issued pursuant to, this title;

"(2) the State meets the requirements of section 302 of this title;

"(3) that final decisions made by responsible State officials on such projects are made in the best overall public interest.

"(b) The Secretary shall make a final inspection of each such project upon its completion and shall require an adequate report of the estimated, and actual, cost of construction as well as such other information as he determines necessary.

"(c) The procedure authorized by this section shall be an alternative to that otherwise prescribed in this title. The Secretary shall promulgate such guidelines and regulations as may be necessary to carry out this section.

"(d) Acceptance by the Secretary of a State's certification under this section may be rescinded by the Secretary at any time if, in his opinion, it is necessary to do so.

"(e) Nothing in this section shall affect or discharge any responsibility or obligation of the Secretary under any Federal law, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), section 4(f) of the Department of Transportation Act (49 U.S.C. 1653(f)), and the Uniform Relocation Assistance and Land Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.), other than this title."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by striking out

"117. Secondary road responsibilities."

and inserting in lieu thereof the following:

"117. Certification acceptance.".

MATERIALS AT OFF-SITE LOCATIONS

Sec. 118. Section 121(a) of title 23 of the United States Code is amended by inserting after the period at the end thereof the following: "Such payments may also be made in the case of any such materials not in the vicinity of such construction if the Secretary determines that because of required fabrication at an off-site location the materials cannot be stockpiled in such vicinity."

TOLL ROADS, BRIDGES, TUNNELS, AND FERRIES

Sec. 119. (a) After the second sentence of section 129 (b) of title 23, United States Code, insert the following: "When any such toll road which the Secretary has approved as a part of the Interstate System is made a toll-free facility, Federal-aid highway funds apportioned under section 104(b)(5) of this title may be expended for the construction, recontruction, or improvement of that road to meet the standards adopted for the improvement of projects located on the Interstate System."

(b) The first sentence of subsection (e) of section 129, title 23, United States Code, is amended by striking out "on the date of enactment of this subsection". The third sentence of subsection (e) of section 129, title 23, United States Code, is amended by striking out "1968" and inserting in lieu thereof "1973".

CONTROL OF OUTDOOR ADVERTISING

SEC. 120. (a) The first sentence of subsection (b) of section 131 of title 23, United States Code, is amended by inserting after "main traveled way of the system," the following: "and Federal-aid highway funds apportioned on or after January 1, 1974, or after the expiration of the next regular session of the State legislature, whichever is later, to any State which the Secretary determines has not made provision for effective control of the erection and maintenance along the Interstate System and the primary system of those additional outdoor advertising signs, displays, and devices which are more than six hundred and sixty feet off the nearest edge of the right-of-way, located outside of incorporated cities and villages, visible from the main traveled way of the system, and erected with the purpose of their message being read from such main traveled way,".

(b) Subsection (c) of section 131 of title 23, United States Code, is amended to read as follows:

"(c) Effective control means that such signs, displays, or devices after January 1, 1968, if located within six hundred and sixty feet of the right-of-way and, on or after July 1, 1974, or after the expiration of the next regular session of the State legislature, whichever is later, if located beyond six hundred and sixty feet of the right-of-way, visible from the main traveled way of the system, and erected with the purpose of their message being read from such main traveled way shall, pursuant to this section, be limited to (1) directional and official signs and notices, which signs and notices may include, but not be limited to, signs and notices pertaining to information in the specific interest of the traveling public, such as, but not limited to, signs and notices pertaining to rest stops, camping grounds food services, gas and automotive services, and lodging, and shall include signs and notices pertaining to natural wonders, scenic and historical attractions, which are required or authorized by law, which shall conform to national standards hereby authorized to be promulgated by the Secretary hereunder, which standards shall contain provisions concerning lighting, size, number, and spacing of signs, and such other requirements as may be appropriate to implement this section (except that not more than three directional signs facing the same direction of travel shall be permitted in any one mile along the Interstate or primary systems outside commercial and industrial areas), (2) signs, displays, and devices advertising the sale or lease of property upon which they are located, and (3) signs, displays, and devices advertising activities conducted on the property on which they are located."

(c) Subsection (d) section 131 of title 23, United States Code, is amended by striking out the first sentence thereof and inserting the following in lieu thereof: "In order to promote the reasonable, orderly and effective display of outdoor advertising while remaining consistent with the purposes of this section, signs, displays, and devices whose size, lighting, and spacing, consistent with customary use is to be determined by agreement between the several States and the Secretary, may be erected and maintained without areas adjacent to the Interstate and primary systems which are zoned industrial or commercial under authority of State laws, or in unzoned commercial or industrial areas as may be determined by agreement between the several States and the Secretary."

(d) Subsection (e) of section 131 of title 23, United States Code, is amended to read as follows:

"(e) Any nonconforming sign under State law enacted to comply with this section shall be removed no later than the end of the fifth year after it becomes nonconforming, except as determined by the Secretary."

(e) Subsection (f) of section 131 of title 23, United States Code, is amended by inserting the following after the first sentence: "The Secretary may also, in consultation with the States, provide within the rights-of-way of the primary system for areas in which signs, displays, and devices giving specific information in the interest of the traveling public may be erected and maintained: *Provided*, That such signs on the Interstate and primary shall not be erected in suburban or in urban areas or in lieu of signs permitted under subsection (d) of this section, nor shall they be erected where adequate information is provided by signs permitted in subsection (c) of this section."

(f) Subsection (g) of section 131 of title 23, United States Code, is amended by striking out the first sentence and inserting the following in lieu thereof: "Just compensation shall be paid upon the removal of any outdoor advertising sign, display, or device lawfully erected under State law."

(g) Subsection (m) of section 131 of title 23, United States Code, is amended to read as follows:

"(m) There is authorized to be apportioned to carry out the provisions of this section, out of any money in the Treasury not otherwise appropriated, not to exceed $20,000,000 for each of the fiscal years 1966 and 1967, not to exceed $20,000,000 for the fiscal year 1970, not to exceed $27,000,000 for the fiscal year 1972, not to exceed $20,500,000 for the fiscal year 1972, and not to exceed $50,000,000 for the fiscal year ending June 30, 1973, and $50,000,000 for the fiscal year ending June 30, 1974, and $50,000,000 for the fiscal year ending June 30, 1975, and $50,000,000 for the fiscal year ending June 30, 1976. The provisions of this chapter relating to the obligation, period of availability, and expenditure of Fedral-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this section after June 30, 1967."

(h) Section 131 of title 23, United States Code, is amended by adding at the end thereof the following new subsections:

"(o) No directional sign, display, or device lawfully in existence on June 1, 1972, giving specific information in the interest of the traveling public shall be required to be removed until December 31, 1974, or until the State in which the sign, display, or device is located certifies that the directional information about the service or activity advertised on such sign, display, or device may reasonably be available to motorists by some other method or methods, whichever shall occur first. A State shall give preference, with due regard to the orderly scheduling of the removal of signs, displays, and devices and to highway safety, to the purchase and removal of any nonconforming sign, display, or device voluntarily offered by the owner thereof to the State for removal if funds are available to such State for such purpose.

"(p) In the case of any sign, display, or device required to be removed under this section prior to the date of enactment of the Federal-Aid Highway Act of 1973, which sign, display, or device was after its removal lawfully relocated and which as a result of the amendments made to this section by such Act is required to be removed, the United States shall pay 100 per centum of the just compensation for such removal (including all relocation costs)."

URBAN AREA TRAFFIC OPERATIONS IMPROVEMENT PROGRAMS

SEC. 121. Subsection (c) of section 135 of title 23, United States Code, is hereby repealed and existing subsection (d) is relettered as subsection (c), including any references thereto.

CONTROL OF JUNKYARDS

SEC. 122. (a) Subsection (j) of section 136 of title 23, United States Code, is amended by striking out the first sentence and inserting in lieu thereof the following: "Just compensation shall be paid the owner for the relocation, removal, or disposal of junkyards lawfully established under State law."

(b) Subsection (m) of section 136 of title 23, United States Code, is amended to read as follows:

"(m) There is authorized to be appropriated to carry out this section out of any money in the Treasury not otherwise appropriated not to exceed $20,000,000 for each of the fiscal years 1966 and 1967, not to exceed $3,000,000 for each of fiscal years 1970, 1971, and 1972, not to exceed $5,000,000 for the fiscal year ending June 3, 1973, and not to exceed $15,000,000 for the fiscal year ending June 30, 1974, and $15,000,000 for the fiscal year ending June 30, 1975, and $15,000,000 for the fiscal year ending June 30, 1976. The provisions of this chapter relating to the obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this section after June 30, 1967."

HIGHWAY PUBLIC TRANSPORTATION

SEC. 123. Section 142 of title 23, United States Code, is amended to read as follows:

"§ 142. Highway public transportation

"(a) To encourage the development, improvement, and use of public mass transportation systems operating motor vehicles (other than on rail) on Federal-aid highways for the transportation of passengers (hereafter in this section referred to as 'buses'), so as to increase the traffic capacity of the Federal-aid systems for the movement of persons, the Secretary may approve as a project on any Federal-aid system the construction of exclusive or preferential bus lanes, highway traffic control devices, bus passenger loading areas and facilities (including shelters), and fringe and transportation corridor parking facilities to serve bus and other public mass transportation passengers. Sums apportioned under section 104(b) of this title shall be available to finance the cost of these projects.

"(b) Sums apportioned in accordance with paragraph (5) of subsection (b) of section 104 of this title shall be available to finance the Federal share of projects for exclusive or preferential bus, truck, and emergency vehicle routes or lanes. Routes constructed under this subsection shall not be subject to the third sentence of section 109(b) of this title.

"(c) Whenever responsible local officials of an urbanized area notify the State highway department that, in lieu of a highway project the Federal share of which is to be paid from funds apportioned under section 104(b)(6) of this title, their needs require a nonhighway public mass transit project involving the construction of fixed rail facilities, or the purchase of passenger equipment, including rolling stock for any mode of mass transit, or both, and the State highway department determines that such public mass transit project is in accordance with the planning process under section 134 of this title and is entitled to priority under such planning process, such public mass transit project shall be submitted for approval to the Secretary. Approval of the plans, specifications, and estimates for such project by the Secretary shall be deemed a contractual obligation of the United States for payment out of the general funds of its proportional share of the cost of such project in an amount equal to the Federal share which would have been paid if such project were a highway project under section 120(a) of this title. Funds previously apportioned to such State under section 104(b)(6) of this title shall be reduced by an amount equal to such Federal share. No financial assistance shall be provided under this subsection for the purchase of buses to any State or local public body or agency thereof which, after the date of enactment of this subsection, has engaged or proposes to engage directly or indirectly in charter bus operations in competition with private bus operators outside the urbanized area within which such State or local public body or agency provides mass transportation service.

"(d) The establishment of routes and schedules of such public mass transportation systems in urbanized areas shall be based upon a continuing comprehensive transportation planning process carried on in accordance with section 134 of this title.

"(e) For all purposes of this title, a project authorized by subsection (a) of this section shall be deemed to be a highway project, and the Federal share payable on account of such project shall be that provided in section 120 of this title.

"(f) No project authorized by this section shall be approved unless the Secretary of Transportation has received assurances satisfactory to him from the State that public mass transportation systems will have adequate ridership to fully utilize the proposed project.

"(g) In any case where sufficient land exists within the publicly acquired rights-of-way of any Federal-aid highway to accommodate needed rail or nonhighway public mass transit facilities and where this can be accomplished without impairing automotive safety or future highway improvements, the Administrator may authorize a State to make such lands and rights-of-way available without charge to a publicly owned mass transit authority for such purposes wherever he may deem that the public interest will be served thereby.

"(h) No financial assistance shall be provided under this section to any State or local public body or agency thereof which engages directly or indirectly in the transporting of schoolchildren and school personnel to and from school and school-authorized functions or which proposes to expand present routes, schedules, services, or facilities for the purposes of providing transportation for school children and school personnel to and from school and school-authorized functions in competition with or supplementary to the service currently provided by a private transportation company, or other person, engaged in so transporting such children and personnel. This subsection shall not apply unless such private transportation company is able to provide adequate transportation, at reasonable rates, and in conformance with applicable safety standards, and this subsection shall not apply with respect to any State or local public body or agency thereof if it (or a direct predecessor in interest from which it acquired the function of so transporting such children and personnel along with facilities to be used therefor) was so engaged any time during the twelve-month period immediately prior to the date of the enactment of this subsection.

"(i) The provision of assistance under subsection (c) of this section shall not be construed as bringing within the application of chapter 15 of title 5, United States Code, any nonsupervisory employee of an urban mass transportation system (or of any other agency or entity performing related functions) to whom such chapter is otherwise inapplicable.

"(j) Funds available for expenditure to carry out the purposes of subsection (c) of this section shall be supplementary to and not in substitution for funds authorized and available for obligation pursuant to the Urban Mass Transportation Act of 1964, as amended.

"(k) The provisions of section 3(e)(4) of the Urban Mass Transportation Act of 1964, as amended, shall apply in carrying out subsection (c) of this section."

ECONOMIC GROWTH CENTER DEVELOPMENT HIGHWAYS

SEC. 124. (a) Section 143 of title 23, United States Code, is amended by striking out "demonstration projects" each place it appears and inserting in lieu thereof "projects", and by striking out "demonstration project" each place it appears and inserting in lieu thereof in each such place "project", by striking out "the Federal-aid primary system" in each place it appears and inserting in lieu thereof in each such place "a Federal-aid system (other than the Interstate System)", and in subsection (d) by striking out "Federal-aid primary highways" and inserting in lieu thereof "highways on the Federal-aid system on which such development highway is located".

(b) Section 143(e) of title 23, United States Code, is amended to read as follows:

"(e) Except as otherwise provided in subsection (c) of this section, the Federal share of the cost of any project for construction, reconstruction, or improvement of a development highway under this section shall be the same as that provided under this title for any other project on the Federal-aid system on which such development highway is located."

(c) Section 143(a) of title 23, United States Code, is amended by striking out "to demonstrate the role that highways can play".

FEDERAL-STATE RELATIONSHIP

SEC. 125. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 145. Federal-State relationship

"The authorization of the appropriation of Federal funds or their availability for expenditure under this chapter shall in no way infringe on the sovereign rights of the States to determine which projects shall be federally financed. The provisions of this chapter provide for a federally assisted State program."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"145. Federal-State relationship."

BICYCLE TRANSPORTATION

SEC. 126. (a) Chapter 2 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 217. Bicycle transportation

"(a) To encourage the multiple use of highway rights-of-way, including the development, improvement, and use of bicycle transportation on or in conjunction with highway rights-of-way, the States may, on Federal-aid highway projects, include to the extent practicable, suitable, and feasible, the construction of separate or preferential bicycle lanes or paths, bicycle traffic control devices, shelters and parking facilities to serve bicycles and persons using bicycles in conjunction or connection with Federal-aid highways. Sums apportioned in accordance with paragraphs (1), (2), (3), and (6) of section 104(b) of this title shall be available for bicycle projects authorized under this section and such projects shall be located and designed pursuant to an overall plan which will provide due consideration for safety and contiguous routes.

"(b) For all purposes of this title, a bicycle project authorized by subsection (a) of this section shall be deemed to be a highway project, and the Federal share payable on account of such bicycle project shall be that provided in section 120 of this title.

"(c) Funds authorized for forest highways, forest development roads and trails, public lands development roads and trails, park roads and trails, parkways, Indian reservation roads, and public lands highways shall be available, at the discretion of the department charged with the administration of such funds, for the construction of bicycle routes in conjunction with such trails, roads, highways, and parkways.

"(d) No motorized vehicles shall be permitted on trails and walkways authorized under this section except for maintenance purposes and, when snow conditions and State or local regulations permit, snowmobiles.

"(e) Not more than $20,000,000 of funds authorized to be appropriated in any fiscal year may be obligated for projects authorized by subsections (a) and (c) of this section, and no State shall obligate more than $1,000,000 for such projects in any fiscal year."

(b) The analysis of chapter 20, title 23, United States Code, is amended by inserting at the end thereof the following:

"217. Bicycle transportation."

SPECIAL URBAN HIGH DENSITY TRAFFIC PROGRAM

SEC. 127. (a) Chapter 1 of title 23 of the United States Code is amended by adding at the end thereof the following new section:

"§ 146. Special urban high density traffic program

"(a) There is hereby authorized to be appropriated out of the Highway Trust Fund $100,000,000 for the fiscal year ending June 30, 1974, $100,000,000 for the fiscal year ending June 30, 1975, and $100,000,000 for the fiscal year ending June 30, 1976, for the construction of highways connected to the Interstate System in portions of urbanized areas with high traffic density. The Secretary shall develop guidelines and standards for the designation of routes and the allocation of funds for this purpose which include the following criteria:

"(1) Routes designated by the Secretary shall not be longer than ten miles.

"(2) Routes designated shall serve areas of concentrated population and heavy traffic congestion.

"(3) Routes designated shall serve the urgent needs of commercial, industrial, airport, or national defense installations.

"(4) Any routes shall connect with existing routes on the Interstate System.

"(5) Routes designated under this section shall have been approved through the planning process required under section 134 of this title and determined to be essential by responsible local officials.

"(6) A route shall be designated under this section only where the Secretary determines that no feasible or practicable alternative mode of transportation which could meet the needs of the area to be served is now available or could become available in the foreseeable future.

"(7) The designation of routes under this section shall comply with section 138 of this title, and no route shall be designated which substantially damages or infringes upon any residential area.

"(8) Routes shall be designated by the Secretary on the recommendation of the State and responsible local officials.

"(9) No more than one route in any one State shall be designated by the Secretary.

"(10) Any route designated by the Secretary under this section must be on a Federal-aid system prior to such designation.

"(b) The Federal share payable on account of any project authorized pursuant to this section shall not exceed 90 per centum of the cost of construction of such project."

(b) The table of contents of chapter 1 of title 23 of the United States Code is amended by adding at the end thereof the following:

"146. Special urban high density traffic program."

PRIORITY PRIMARY ROUTES

SEC. 128. (a) Chapter 1 of title 23 of the United States Code is amended by adding at the end thereof the following new section:

"§ 147. Priority primary routes

"(a) High traffic sections of highways on the Federal-aid primary system which connect to the Interstate System shall be selected by each State highway department, in consultation with appropriate local officials, subject to approval by the Secretary, for priority of improvement to supplement the service provided by the Interstate System by furnishing needed adequate traffic collector and distributor facilities. A total of not more than ten thousand miles shall be selected under this section. For the purpose of this section such highways shall hereafter in this section be referred to as 'priority primary routes'.

"(b) The Federal share of any project on a priority primary route shall be that provided in section 120(a) of this title. All provisions of this title applicable to the Federal-aid program system shall be applicable to priority primary routes selected under this section except section 104. Funds authorized to carry out this section shall be deemed to be apportioned on January 1 next preceding the commencement of the fiscal year for which authorized.

"(c) The initial selection of the priority primary routes and the estimated cost of completing such routes shall be reported to Congress on or before July 1, 1974.

"(d) There is authorized to be appropriated out of the Highway Trust Fund to carry out this section not to exceed $300,000,000 per fiscal year for the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976. One-half of such funds shall be apportioned among the States in accordance with section 104(b)(1) of this title, and one-half shall be apportioned among the States in accordance with section 104(b)(3) of this title."

(b) The table of contents of chapter 1 of title 23 of the United States Code is amended by adding at the end thereof the following:

"147. Priority primary routes."

ALASKA HIGHWAY

SEC. 129. (a)(1) Chapter 2 of title 23 of the United States Code is amended by inserting at the end thereof a new section as follows:

"§ 218. Alaska Highway

"(a) Recognizing the benefits that will accrue to the State of Alaska and to the United States from the reconstruction of the Alaska Highway from the Alaskan border to Haines Junction in Canada and the Haines Cutoff Highway from Haines Junction in Canada to the south Alaskan border, the Secretary is authorized out of the funds appropriated for the purpose of this section to provide for necessary reconstruction of such highway. Such appropriations shall remain available until expended. No expenditures shall be made for the construction of such highways until an agreement has been reached by the Government of Canada and the Government of the United States which shall provide, in part, that the Canadian Government—

"(1) will provide, without participation of funds authorized under this title all necessary right-of-way for the reconstruction of such highways, which right-of-way shall forever be held inviolate as a part of such highways for public use;

"(2) will not impose any highway toll, or permit any such toll to be charged for the use of such highways by vehicles or persons;

"(3) will not levy or assess, directly or indirectly, any fee, tax, or other charge for the use of such highways by vehicles or persons from the United States that does not apply equally to vehicles or persons of Canada;

"(4) will continue to grant reciprocal recognition of vehicle registration and drivers' licenses in accordance with agreements between the United States and Canada; and

"(5) will maintain such highways after their completion in proper condition adequately to serve the needs of present and future traffic.

"(b) The survey and construction work undertaken pursuant to this section shall be under the general supervision of the Secretary."

(2) The analysis of chapter 2 of title 23 of the United States Code is amended by adding at the end thereof the following:

"218. Alaska Highway."

(b) For the purpose of completing necessary reconstruction of the Alaska Highway from the Alaskan border to Haines Junction in Canada and the Haines Cutoff Highway from Haines Junction in Canada to the south Alaskan border there is authorized to be appropriated the sum of $58,670,000 to be expanded in accordance with the provisions of section 217 of title 23 of the United States Code.

BRIDGES ON FEDERAL DAMS

SEC. 130. (a) Section 320(d) of title 23, United States Code, is amended by striking out "$16,761,000" and inserting in lieu thereof "$25,261,000".

(b) All sums appropriated under authority of the increased authorization of $8,500,000 established by the amendment made by subsection (a) of this section shall be available for expenditure only in connection with the construction of a bridge across lock and dam numbered 13 on the Arkansas River near Fort Smith, Arkansas, in the amount of $2,100,000 and in connection with reconstruction of a bridge across the Chickamauga Dam on the Tennessee River near Chattanooga, Tennessee, in the amount of $6,400,000. No such sums shall be appropriated until all applicable requirements of section 320 of title 23 of the United States Code have been completed by the appropriate Federal agency, the Secretary of Transportation, and the State of Arkansas for the Fort Smith project, and the State of Tennessee for the Chattanooga project.

GREAT RIVER ROAD

SEC. 131. (a) Section 14 of the Federal-Aid Highway Act of 1954, as amended (68 Stat. 70; Public Law 83–350), is amended by striking out "$500,000" and inserting in lieu thereof "$600,000".

(b) Chapter 1 of title 23 of the United States Code is amended by inserting at the end thereof a new section as follows:

"§ 148. Development of a prototype of a national scenic and recreational highway program

"(a)(1) The Congress finds—

"(A) that there are significant esthetic and recreational values to be derived from making places of scenic and natural beauty and historical, archeological, or scientific interest accessible to the public;

"(B) that there is a deficiency in the number and quality of scenic roads, parkways, and highways available to the motoring public;

"(C) that with increased population, greater leisure time and higher percentage of privately owned automotive vehicles, more families than ever are seeking suitable areas in which to drive for pleasure and recreation;

"(D) that the growth of cities and large metropolitan centers has decreased the quantity of open-space and recreational areas available to the general public, especially urban dwellers; and

"(E) that substantial economic, social, cultural, educational, and psychological benefits could be gained from a nationwide system of attractive roadways making possible widespread enjoyment of natural and recreational resources.

"(2) It is therefore the purpose of this section to provide assistance to the States and to other Federal departments and agencies having jurisdiction over Federal lands open to the public in order to develop highways throughout the Nation to satisfy such needs and to prove the actual national feasibility of such a system through direct Federal participation in the improvement and construction of the Great River Road and attendant facilities and to further provide for Federal participation in the celebration of the tricentennial of the discovery of the Mississippi River.

"(b) As soon as possible after the date of enactment of this section, the Secretary shall establish criteria for the location and construction or reconstruction of the Great River Road by the ten States bordering the Mississippi River in order to carry out the purpose of this section. Such criteria shall include requirements that—

"(1) priority be given in the location of the Great River Road near or easily accessible to the larger population centers of the State and further priority be given to the construction and improvement of the Great River Road in the proximity of the confluence of the Mississippi River and the Wisconsin River;

"(2) the Great River Road be connected with other Federal-aid highways and preferably with the Interstate System;

"(3) the Great River Road be marked with uniform identifying signs;

"(4) effective control, as defined in section 131(c) of this title, of signs, displays, and devices will be provided along the Great River Road;

"(5) the provisions of section 129(a) of this title shall not apply to any bridge or tunnel on the Great River Road and no fees shall be charged for the use of any facility contructed with assistance under this section.

"(c) For the purpose of this section, the term 'construction' includes the acquisition of areas of historical, archeological, or scientific interest, necessary easements for scenic purposes, and the construction or reconstruction of roadside rest areas (including appropriate recreational facilities), scenic viewing areas, and other appropriate facilities determined by the Secretary for the purpose of this section.

"(d) Highways constructed or reconstructed pursuant to this section (except subsection (g)) shall be part of the Federal-aid primary system except with respect to such provisions of this title as the Secretary determines are not consistent with this section.

"(e) Funds appropriated for each fiscal year pursuant to subsection (h) shall be apportioned among the ten States bordering the Mississippi River on the basis of their relative needs as determined by the Secretary for payments to carry out the purposes of this section.

"(f) The Federal share of the cost of any project for any construction or reconstruction pursuant to the preceding subsections of this section shall be 80 per centum of such cost.

"(g) The Secretary is authorized to consult with the heads of other Federal departments and agencies having jurisdiction over Federal lands open to the public in order to enter into appropriate arrangements for necessary construction or reconstruction of highways on such lands to carry out the purpose of this section. To the extent applicable criteria applicable to highways constructed or reconstructed by the State pursuant to this section shall be applicable to highways constructed or reconstructed pursuant to this subsection. Funds authorized pursuant to subsection (h) shall be used to pay the entire cost of construction or reconstruction pursuant to this subsection.

"(h) There is authorized to be appropriated to carry out this section, out of the Highway Trust Fund, for construction or reconstruction of roads on a Federal-aid highway system, not to exceed $20,000,000 for each of the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976, for allocations to the States pursuant to this section, and there is authorized to be appropriated to carry out this section out of any money in the Treasury not otherwise appropriated, not to exceed $10,000,000 for each of the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976, for construction and reconstruction of roads not on a Federal-aid highway system."

(c) The table of contents of chapter 1 of title 23 of the United States Code is amended by inserting at the end thereof the following:

"148. Development of a prototype of a national scenic and recreational highway program.".

ALASKAN ASSISTANCE

SEC. 132. Subsection (b) of section 7 of the Federal-Aid Highway Act of 1966 is amended by striking out at the end of the last sentence "June 30, 1972 and June 30, 1973." and substituting "June 30, 1972, June 30, 1973, June 30, 1974, June 30, 1975, and June 30, 1976."

ROUTE 101 IN NEW HAMPSHIRE

SEC. 133. (a) The amount of all Federal-aid highway funds paid on account of those sections of Route 101 in the State of New Hampshire referred to in subsection (c) of this section shall, prior to the collection of any tolls thereon, be repaid to the Treasurer of the United States. The amount so repaid shall be deposited to the credit of the appropriation for "Federal-Aid Highways (Trust Fund)". At the time of such repayment, the Federal-aid projects with respect to which such funds have been repaid and any other Federal-aid project located on said sections of such toll road and programed for expenditure on any such project, shall be credited to the unprogramed balance of Federal-aid highways funds of the same class last apportioned to the State of New Hampshire. The amount so credited shall be in addition to all other funds then apportioned to said State and shall be available for expenditure in accordance with the provisions of title 23, United States Code, as amended or supplemented.

(b) Upon the repayment of Federal-aid highway funds and the cancellation and withdrawal from the Federal-aid highway program of the projects on said sections of Route 101 as provided in subsection (a) of this section, such sections of said route shall become and be free of any and all restrictions contained in title 23, United States Code, as amended or supplemented, or in any regulation thereunder, with respect to the imposition and collection of tolls or other charges thereon or for the use thereof.

(c) The provisions of this section shall apply to the following sections:

(1) That section of Route 101 from Route 125 in Epping to Brentwood Corners, a distance of approximately two and thirty one-hundredths centerline miles.

(2) That section of Route 101 in the vicinity of Sells Corner in Auburn, beginning approximately two and forty one-hundredths centerline miles east of the junction of Interstate Route 93 and running easterly approximately two miles.

FREEING INTERSTATE TOLL BRIDGES

SEC. 134. Section 129, title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(h) Notwithstanding the provisions of section 301 of this title, in the case of each State which, before January 1, 1975, shall have constructed or acquired any interstate toll bridge (including approaches thereto), which before January 1, 1975, caused such toll bridge to be made free, which bridge is owned and maintained by such State or by a political subdivision thereof, and which bridge is on the Federal-aid primary system (other than the Interstate System), sums apportioned to such State in accordance with paragraphs (1) and (3) of subsection (b) of section 104 of this title shall be available to pay the Federal share of a project under this subsection of (1) such amount as the Secretary determines to be the reasonable value of such bridge after deducting therefrom that portion of such value attributable to any grant or contribution previously paid by the United States in connection with the construction or acquisition of such bridge, and exclusive of rights-of-way, or (2) the amount by which the principal amount of the outstanding unpaid bonds or other obligations created and issued for the construction or acquisition of such bridge exceeds the amount of any funds accumulated or provided for their amortization, on the date such bridge is made free, whichever is the lesser amount."

STUDY OF TOLL BRIDGE AUTHORITY

SEC. 135. The Secretary of Transportation is authorized and directed to undertake a full and complete investigation and study of existing Federal statutes and regulations governing toll bridges over the navigable waters of the United States for the purpose of determining what action can and should be taken to assure just and reasonable tolls nationwide. The Secretary shall submit a report of the findings of such study and investigation to the Congress not later than July 1, 1974, together with his recommendations for modifications or additions to existing laws, regulations, and policies, except that in the case of the toll bridge at Chester, Illinois, the Secretary shall submit a report to the Congress not later than December 31, 1973.

NATIONAL SCENIC HIGHWAY SYSTEM STUDY

SEC. 136. The Secretary of Transportation shall make a full and complete investigation and study to determine the feasibility of establishing a national system of scenic highways to link together and make more accessible to the American people recreational, historical, scientific, and other similar areas of scenic interest and importance. In the conduct of such investigation and study, the Secretary shall cooperate and consult with other agencies of the Federal Government, the Commission on Highway Beautification, the States and their political subdivisions, and other interested private organizations, groups, and individuals. The Secretary shall report his findings and recommendations to the Congress not later than July 1, 1974, including an estimate of the cost of implementing such a program. There is authorized to be appropriated $250,000 from the Highway Trust Fund to carry out this section.

PARTICIPATION IN TOPICS AND FRINGE PARKING PROGRAMS

SEC. 137. In the administration of title 23 of the United States Code the Secretary of Transportation shall take such actions as he deems necessary to facilitate broad participation by the States in the urban area traffic operations improvement programs and projects for fringe and corridor parking facilities authorized by sections 135 and 137 of such title.

DISTRICT OF COLUMBIA

SEC. 138. None of the provisions of the Act entitled "An Act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities", approved March 2, 1893 (27 Stat. 532), as amended, shall apply to any segment of the Interstate System within the District of Columbia.

CORRIDOR HEARINGS

SEC. 139. (a) The Secretary of Transportation shall permit no further action on Interstate Route I-287 between Montville and Mahwah, New Jersey, until new corridor hearings are held.

(b) The Secretary of Transportation shall permit no further action on the Corporation Freeway, Winston-Salem, North Carolina, until new corridor hearings are held.

INTERSTATE SYSTEM

SEC. 140. (a) Paragraph (2) of subsection (e) of section 103 of title 23, United States Code, is amended as follows:

(1) The first sentence is amended by striking out "additional mileage for the Interstate System of two hundred miles, to be used in making modifications" and inserting in lieu thereof "such additional mileage for the Interstate System as may be required in making modifications".

(2) The fourth sentence is amended by striking out "the 1968 Interstate System cost estimate set forth in House Document Numbered 199, Ninetieth Congress, as revised." and inserting in lieu thereof the following: "the 1972 Interstate System cost estimate set forth in House Public Works Committee Print Numbered 92-29, as revised in House Report Numbered 92-1443."

(3) The fifth sentence is amended by striking out "due regard" and inserting in lieu thereof the following: "preference, along with due regard for interstate highway type needs on a nationwide basis,".

(b) Subsection (e) of section 103 of title 23, United States Code, is amended by adding the following:

"(4) Upon the joint request of a State Governor and the local governments concerned, the Secretary may withdraw his approval of any route or portion thereof on the Interstate System within that State selected and approved in accordance with this title prior to the enactment of this paragraph, if he determines that such route or portion thereof is not essential to completion of a unified and connected Interstate System or will no longer be essential by reason of the application of this paragraph and will not be constructed as a part of the Interstate System, and if he receives assurances that the State does not intend to construct a toll road in the traffic corridor which would be served by such route or portion thereof. The mileage of the route or portion thereof approval for which is withdrawn under this paragraph shall be available for designation on the Interstate System in any other State in accordance with paragraph (1) of this subsection. After the Secretary has withdrawn his approval of any such route or portion thereof, whenever responsible local officials of an urbanized area notify the State highway department that, in lieu of a route or portion thereof approval for which is withdrawn under this paragraph, their needs require a nonhighway public mass transit project involving the construction of fixed rail facilities, or the purchase of passenger equipment, including rolling stock for any mode of mass transit, or both, and the State highway department determines that such public mass transit project is in accordance with the planning process under section 134 of this title and is entitled to priority under such planning process, such public mass transit project shall be submitted for approval to the Secretary. Approval of the plans, specifications, and estimates for such project by the Secretary shall be deemed a contractual obligation of the United States for payment out of the general funds of its proportional share of the cost of such project in an amount equal to the Federal share which would have been paid for the route or portion thereof approval of which is withdrawn under this paragraph. Funds previously apportioned to such State for the Interstate System shall be reduced by an amount equal to such Federal share. No nonhighway public mass transit project shall be approved under this paragraph unless the Secretary has received assurances satisfactory to him from the State that public mass transportation systems will have adequate capability to fully utilize the proposed project. No financial assistance shall be provided under this paragraph for the purchase of buses to any State or local public body or agency thereof which, after the date of enactment of this paragraph, has engaged or proposes to engage directly or indirectly in charter bus operations in competition with private bus operators outside the urbanized area within which such State or local public body or agency provides mass transportation service. No financial assistance shall be provided under this paragraph to any State or local public body or agency thereof which engages directly or indirectly in the transporting of schoolchildren and school personnel to and from school and school-authorized functions or which proposes to expand present routes, schedules, service, or facilities for the purposes of providing transportation for schoolchildren and school personnel to and from school and school-authorized functions in competition with or supplementary to the service currently provided by a private transportation company, or other person, engaged in so transporting such children and personnel. The preceding sentence shall not apply unless such private transportation company is able to provide adequate transportation, at reasonable rates, and in conformance with applicable safety standards, and such sentence shall not apply with respect to any State or local public body or agency thereof if it (or a direct predecessor in interest from which it acquired the function of so transporting such children and personnel along with facilities to be used therefor) was so engaged any time during the twelve-month period immediately prior to the date of the enactment of this paragraph. The provision of assistance under this paragraph shall not be construed as bringing within the application of chapter 15 of title 5, United States Code, any nonsupervisory employee of an urban mass transportation system (or of any other agency or entity performing related functions) to whom such chapter is otherwise inapplicable. Funds available for expenditure to carry out the purposes of this paragraph shall be supplementary to and not in substitution for funds authorized and available for obligation pursuant to the Urban Mass Transportation Act of 1964, as amended. The provisions of section 3(e)(4) of the Urban Mass Transportation Act of 1964, as amended, shall apply in carrying out this paragraph."

PUBLIC MASS TRANSPORTATION

SEC. 141. (a) The Secretary shall, in cooperation with the Governor of each State and appropriate local officials, make an evaluation of that portion of the 1972 National Transportation Report, pertaining to public mass transportation. Such evaluation shall include all urban areas. The evaluation shall include but not be limited to the following:

(1) Refining the public mass transportation needs contained in such report.

(2) Developing a program to accomplish the needs of each urban area for public mass transportation.

(3) Analyzing the existing funding capabilities of Federal, State, and local governments for meeting such needs.

(4) Analyzing other funding capabilities of Federal, State, and local governments for meeting such needs.

(5) Determining the operating and maintenance costs relating to the public mass transportation system.

(6) Determining and comparing fare structures of all public mass transportation systems.

(b) The Secretary shall, not later than July 1, 1974, report to Congress the results of this evaluation together with his recommendation for necessary legislation.

(c) There is hereby authorized not to exceed $75,000,000 to carry out this section.

FERRY OPERATIONS

SEC. 142. (a) The last subsection of section 129 of title 23, United States Code, is hereby redesignated as subsection (g).

(b) Paragraph (5) of subsection (g) of section 129 of title 23, United States Code, as redesignated in subsection (a) of this section, is amended to read as follows:

"(5) Such ferry may be operated only within the State (including the islands which comprise the State of Hawaii) or between adjoining States. Except with respect to operations between the islands which comprise the State of Hawaii and operations between the States of Alaska and Washington, or between any two points within the State of Alaska, no part of such a ferry operation shall be in any foreign or international waters."

METRO ACCESSIBILITY TO THE HANDICAPPED

SEC. 143. The Secretary of Transportation is authorized to make payments to the Washington Metropolitan Area Transit Authority in amounts sufficient to finance the cost of providing such facilities for the subway and rapid rail transit system authorized in the National Capital Transportation Act of 1969 (83 Stat. 320) as may be necessary to make such subway and system accessible by the handicapped through implementation of Public Laws 90–480 and 91–205. There is authorized to be appropriated, to carry out this section, not to exceed $65,000,000.

ENVIRONMENTAL IMPACT STATEMENTS

SEC. 144. (a) The Secretary of Transportation shall, not later than forty-five days after the date of enactment of this section, complete all necessary action on (1) the environmental impact statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, and (2) the application for approval under the General Bridge Act of 1946, with respect to the proposal for construction by the Department of Transportation of the State of New Jersey of a bridge over the Raritan River in such State for the purpose of such State's Highway Route 18.

(b) The Secretary of Transportation shall—

(1) by October 1, 1973—

(A) complete the draft environmental impact statement pursuant to section 102(2)(c) of the National Environmental Policy Act, and his determination under section 4(f) of the Department of Transportation Act and section 138 of title 23 of the United States Code, on the project for Interstate Route Numbered 66 in the State of Virginia from the National Capital Beltway to the Potomac River, which project is described in the 1972 estimate of the cost of completing the National System of Interstate and Defense Highways as estimate section termini E 10.4.2 at the Beltway to E 10.11.1 in Rosslyn,

(B) circulate such statement to all interested Federal, State, and local agencies and to the public for comment within forty-five days, and

(C) insure that notice of a public hearing on the design and location of such project is issued;

(2) insure that a public hearing is held within forty-five days after issuance of the notice pursuant to paragraph (1)(C) of this section; and

(3) not later than December 31, 1973, complete consideration of the information received at the hearing, review any comments on the statement received within the forty-five-day notice period referred to in paragraph (1)(B) of this section and any other information received by the end of such forty-five-day period and file the final version of such statement on the basis of such comments and information, together with any other final determination which he is required by law to make in order to permit the construction of such project to proceed. The determination of the Secretary shall be conclusive with respect to all issues of fact.

TRUCK LANES

SEC. 145. (a) Chapter 1 of title 23, United States Code, is amended by adding to the end thereof the following new section:

"§ 150. Truck lanes

"The Secretary may approve as a project on any Federal-aid system the construction of exclusive or preferential truck lanes."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"150. Truck lanes.".

HIGHWAY STUDIES

SEC. 146. The Secretary of Transportation shall report to Congress by January 1, 1975, on the feasibility and necessity for constructing to appropriate standards proposed highways along the following routes:

(1) A route from Brunswick, Georgia, or its vicinity, to Kansas City, Missouri, or its vicinity, so alined to serve the following intermediate locations, or vicinities thereof: Columbus, Georgia; Birmingham, Alabama; Tupelo, Mississippi; Memphis, Tennessee; Batesville or Jonesboro, Arkansas; and Springfield, Missouri.

(2) A route from Kansas City, Missouri, or its vicinity, to Chicago, Illinois, or its vicinity, so aligned as to cross the Mississippi River at a point between Nauvoo, Illinois, on the north, and Hannibal, Missouri, on the south.

(3) A route from Amarillo, Texas, or its vicinity to Las Cruces, New Mexico, or its vicinity, so aligned as to serve the following intermediate locations, or vicinities thereof: Hereford, Texas; Clovis, New Mexico; Portales, New Mexico; Roswell, New Mexico; Ruidoso, New Mexico; Tularosa, New Mexico; and Alamogordo, New Mexico; together with a branch route from Alamogordo, New Mexico, or its vicinity, to El Paso, Texas, or its vicinity, to connect with Interstate Route No. 10 and the port of entry with Mexico.

(4) A route from the Port of Catoosa, Catoosa, Oklahoma, or its vicinity, to Interstate Route No. 35 to Ponca City, Oklahoma, or its vicinity.

INTER-AMERICAN HIGHWAY

SEC. 147. Section 4 of the Federal-Aid Highway Act of 1962 (Public Law 87–866; 76 Stat. 1145) is amended by striking out "$32,000,000" and inserting in lieu thereof "$42,000,000".

DONATIONS

SEC. 148. (a) Chapter 3 of title 23 of the United States Code is amended by adding at the end thereof the following:

"§ 323. Donations

"Nothing in this title, or in any other provision of law, shall be construed to prevent a person whose real property is being acquired in connection with a project under this title, after he has been tendered the full amount of the estimated just compensation as established by an approved appraisal of the fair market value of the subject real property, from making a gift or donation of such property, or any part thereof, or of any of the compensation paid therefor to a Federal agency, a State or a State agency, as said person shall determine."

(b) The analysis of chapter 3 of title 23, United States Code, is amended by adding at the end thereof the following:

"323. Donations.".

TRAINING PROGRAMS

SEC. 149. Subsection (b) of section 140 of title 23, United States Code, is amended by striking out in the second sentence "and 1973," and inserting in lieu thereof ", 1973, 1974, 1975, and 1976", and by striking out "$5,000,000 per fiscal year" and inserting in lieu thereof "$5,000,000 per fiscal year for the fiscal years 1972 and 1973, and $10,000,000 per fiscal year for the fiscal years 1974, 1975, and 1976,".

SEC. 150. Section 106 of title 23 of the United States Code is amended by adding at the end thereof the following new subsection:

"(e) The Secretary shall not approve any surveys, plans, specifications, and estimates for any project on the Federal aid system which would connect any part of the Interstate System with a bridge over Long Island Sound, unless prior to the submission of such surveys, plans, specifications, and estimates, such project has received the approval of the legislature of the State of Connecticut and the legislature of the State of New York."

USE OF INTERSTATE SYSTEM RIGHT-OF-WAY

SEC. 151. The second sentence of Section 111 of title 23, United States Code, is amended by striking the period at the end thereof and substituting in lieu thereof a comma and the following: "Except the State highway department may permit the construction and operation of small food service establishments in rest stop areas."

TITLE II

SHORT TITLE

SEC. 201. This title may be cited as the "Highway Safety Act of 1973".

HIGHWAY SAFETY

SEC. 202. The following sums are hereby authorized to be appropriated:

(1) For carrying out section 402 of title 23, United States Code (relating to highway safety programs), by the National Highway Traffic Safety Administration, out of the Highway Trust Fund, $200,000,000 for the fiscal year ending June 30, 1974, $300,000,000 for the fiscal year ending June 30, 1975, and $300,000,000 for the fiscal year ending June 30, 1976.

(2) For carrying out section 403 of title 23, United States Code (relating to highway safety research and development), by the National Highway Traffic Safety Administration, out of the Highway Trust Fund, $115,000,000 for the fiscal year ending June 30, 1974, $115,000,000 for the fiscal year ending June 30, 1975, and $115,000,000 for the fiscal year ending June 30, 1976.

(3) For carrying out section 402 of title 23, United States Code (relating to highway safety programs), by the Federal Highway Administration, out of the Highway Trust Fund, $35,000,000 for the fiscal year ending June 30, 1974, $45,000,000 for the fiscal year ending June 30, 1975, and $45,000,000 for the fiscal year ending June 30, 1976.

(4) For carrying out sections 307(a) and 403 of title 23, United States Code (relating to highway safety research and development), by the Federal Highway Administration, out of the Highway Trust Fund, for each of the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976, not to exceed $10,000,000 per fiscal year.

RAIL-HIGHWAY CROSSINGS

SEC. 203. (a) Each State shall conduct and systematically maintain a survey of all highways to identify those railroad crossings which may require separation, relocation, or protective devices, and establish and implement a schedule of projects for this purpose. At a minimum, such a schedule shall provide signs for all railroad-highway crossings.

(b) In addition to funds which may be otherwise available to carry out section 130 of title 23, United States Code, there is authorized to be appropriated for projects for the elimination of hazards of railway-highway crossings $150,000,000 for the fiscal year ending June 30, 1974, $225,000,000 for the fiscal year ending June 30, 1975, and $225,000,000 for the fiscal year ending June 30, 1976. Two-thirds of all funds authorized and expended under authority of this section in any fiscal year shall be appropriated out of the Highway Trust Fund. At least half of the funds authorized and expended under this section shall be available for the installation of protective devices at railway-highway crossings. Such sums shall be available for obligation in the same manner and to the same extent as if such funds were apportioned under this chapter.

(c) Funds authorized by this section shall be available for expenditure as follows:

(1) two-thirds for projects on any Federal-aid system (other than the Interstate System);

(2) one-third for projects on highways not included on any Federal-aid system.

(d) Funds made available in accordance with paragraph (1) of subsection (c) shall be apportioned to the States in the same manner as sums authorized to be appropriated under paragraph (1) of section 105 of the Federal-Aid Highway Act of 1970. Funds made available in accordance with paragraph (2) of subsection (c) shall be apportioned to the States in the same manner as is provided in section 402(c) of title 23 of the United States Code, and the Federal share payable on account of any such project shall not exceed 90 per centum of the cost thereof.

(e) Each State shall report to the Secretary of Transportation not later than September 30, 1974, and not later than September 30 of each year thereafter, on the progress being made to implement the railroad-highway crossings program authorized by this section and the effectiveness of such improvements. Each State report shall contain an assessment of the costs of the various treatments employed and subsequent accident experience at improved locations. The Secretary of Transportation shall submit a report to the Congress not later than January 1, 1975, and not later than January 1 of each year thereafter, in the progress being made by the States in implementing projects to improve railroad-highway crossings. The report shall include, but not be limited to, the number of projects undertaken, their distribution by cost range, road system, nature of treatment, and subsequent accident experience at improved locations. In addition, the Secretary's report shall analyze and evaluate each State program, identify any State found not to be in compliance with the schedule of improvements required by subsection (a), and include recommendation for future implementation of the railroad-highway crossings program.

(f) Funds authorized by this section may be used to provide local government with funds to be used on a matching basis when State funds are available which may only be spent when local government produces matching funds for the improvement of railroad crossings.

BRIDGE RECONSTRUCTION AND REPLACEMENT

SEC. 204. (a) Subsection (b) of section 144 of title 23, United States Code, is amended by striking out "on any of the Federal-aid systems".

(b) Subsection (e) of section 144 of title 23, United States Code, is amended by striking out "1972; and" and inserting in lieu thereof "1972,"; by inserting immediately after "1973," the following: "$225,000,000 for the fiscal year ending June 30, 1974, $450,000,000 for the fiscal year ending June 30, 1975, and $450,000,000 for the fiscal year ending June 30, 1976,"; by striking out "out of the Highway Trust Fund," in the first sentence; and by inserting after the first sentence the following: "Two-thirds of all funds authorized and expended under authority of this section in any fiscal year shall be appropriated out of the Highway Trust Fund.".

(c) Subsection (f) of section 144 of title 23, United States Code, is relettered as subsection (g) (including references thereto); and immediately after subsection (e) the following new subsection (f) is inserted:

"(f) Funds authorized by this section shall be available for expenditure as follows:

"(1) two-thirds for projects on any Federal-aid system; and

"(2) one-third for projects on highways not included on any Federal-aid system."

(d) Existing subsection (g) of section 144 of title 23, United States Code, is relettered as subsection (h) (including references thereto).

PAVEMENT MARKING DEMONSTRATION PROGRAM

SEC. 205. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 151. Pavement marking demonstration program

"(a) Congress hereby finds and declares it to be in the vital interest of the Nation that a pavement marking demonstration program be established to enable the several States to improve the pavement marking of all highways to provide for greater vehicle and pedestrian safety.

"(b) Notwithstanding the provisions of the last sentence of subsection (a) of section 105 of this title, the Secretary may approve under this section such pavement marking projects on any highway whether or not on any Federal-aid system, but not included in the Interstate System, as he may find necessary to bring such highway to the pavement marking standards issued or endorsed by the Federal Highway Administrator.

"(c) In approving projects under this section, the Secretary shall give priority to those projects which are located in rural areas and which are either on the Federal-aid secondary system or are not included on any Federal-aid system.

"(d) The entire cost of projects approved under subsections (b) and (f) of this section shall be paid from sums authorized to carry out this section.

"(e) For the purpose of carrying out the provisions of this section by the Federal Highway Administration, there is hereby authorized to be appropriated for each of the fiscal years ending June 30, 1974, and June 30, 1975, out of the Highway Trust Fund, the sum of $125,000,000. Such sums shall be available for obligation in the same manner and to the same extent as if such funds were apportioned under this chapter.

"(f) Funds apportioned to a State but not required by it for pavement-marking projects authorized by this section may be released by the Secretary to such State for expenditure for projects to eliminate or reduce the hazards to safety at specific locations or sections of highways which are not located on any Federal-aid system and which have high accident experiences or high accident potentials. Funds may be released by the Secretary under this subsection only if the Secretary has received satisfactory assurances from the State highway department that all nonurban area highways within the State are marked in accordance with the pavement-marking standards issued or endorsed by the Federal Highway Administrator for carrying out this program.

"(g) Each State shall report to the Secretary of Transportataion not later than September 30, 1974, and not later than September 30 of each year thereafter, on the progress being made in implementing the program and the effectiveness of the improvements made under it. Each report shall include an analysis and evaluation of the number, rate, and severity of accidents at improved locations and the cost-benefit ratio of such improvements, comparing an adequate time period before and after treatment in order to properly assess the benefits occurring from such pavement markings. The Secretary of Transportation shall submit a report to the Congress not later than January 1, 1975, and not later than January 1 of each year thereafter, on the progress being made in implementing the program and the safety benefits achieved under it."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"151. Pavement marking demonstration programs.".

PAVEMENT MARKING RESEARCH AND DEMONSTRATION PROGRAMS

SEC. 206. (a) In addition to the research authorized by section 307(a) of title 23, United States Code, the Secretary of Transportation is authorized to conduct research and demonstration programs to improve the effectiveness and durability of various types of pavement markings and related delineators, to develop improved equipment and techniques for applying, erecting, and maintaining such markings and delineators, and to develop new traffic control materials, devices, and related delineators to assist the traveling public during adverse weather and nighttime driving conditions.

(b) There is authorized to be appropriated to carry out this section by the Federal Highway Administration, out of the Highway Trust Fund, $15,000,000 for the fiscal year ending June 30, 1974, and $25,000,000 for the fiscal year ending June 30, 1975.

HIGHWAY SAFETY ON INDIAN RESERVATIONS

SEC. 207. Section 402 of title 23 of the United States Code is amended by adding a new subsection (i) as follows:

"(i) For the purpose of the application of this section on Indian reservations, 'State' and 'Governor of a State' includes the Secretary of the Interior and 'political subdivision of a State' includes an Indian tribe: *Provided*, That, notwithstanding the provisions of subparagraph (C) of subsection (b) (1) hereof, 95 per centum of the funds apportioned to the Secretary of the Interior after date of enactment, shall be expended by Indian tribes to carry out highway safety programs within their jurisdictions: And provided further, That the provisions of subparagraph (E) of subsection (b)(1) hereof shall be applicable except in those tribal jurisdictions in which the Secretary determines such programs would not be practicable."

(b) Subsection (d) of section 402 of title 23, United States Code, is amended by inserting at the end of the first sentence thereof the following: "and except that, in the case of a local highway safety program carried out by an Indian tribe, if the Secretary is satisfied that an Indian tribe does not have sufficient funds available to meet the non-Federal share of the cost of such program, he may increase the Federal share of the cost thereof payable under this Act to the extent necessary."

DRUG USE AND DRIVER BEHAVIOR HIGHWAY SAFETY RESEARCH

SEC. 208. (a) Section 403 of title 23, United States Code, is amended by inserting "(a)" immediately before the first sentence thereof, and by striking out "this section" each place it appears and inserting in lieu thereof "this subsection", and by adding at the end thereof the following new subsections:

"(b) In addition to the research authorized by subsection (a) of this section, the Secretary, in consultation with such other Government and private agencies as may be necessary, is authorized to carry out safety research on the following:

"(1) The relationship between the consumption and use of drugs and their effect upon highway safety and drivers of motor vehicles; and

"(2) Driver behavior research, including the characteristics of driver performance, the relationships of mental and physical abilities or disabilities to the driving task, and the relationship of frequency of driver accident involvement to highway safety.

"(c) The research authorized by subsection (b) of this section may be conducted by the Secretary through grants and contracts with public and private agencies, institutions, and individuals."

(b) There is authorized to be appropriated to carry out the amendments made by this section by the National Highway Traffic Safety Administration, out of the Highway Trust Fund, the sum of $15,000,000 for the fiscal year ending June 30, 1974, and $25,000,000 for the fiscal year ending June 30, 1975.

PROJECTS FOR HIGH-HAZARD LOCATIONS

SEC. 209. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

§ 152. Projects for high-hazard locations

"(a) Each State shall conduct and systematically maintain an engineering survey of all highways to identify high-hazard locations which may constitute a danger to vehicles and to pedestrians, assign priorities for the correction of such locations, and establish and implement a schedule of projects for their improvements.

"(b) For projects to eliminate or reduce the hazards at specific locations or sections of highways which have high accident experiences or high accident potentials, by the Federal Highway Administration, there is hereby authorized to be appropriated for each of the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976, the sum of $100,000,000 except that two-thirds of all funds authorized and expended under authority of this section in any fiscal year shall be appropriated out of the Highway Trust Fund. Such sums shall be available for obligation in the same manner and to the same extent as if such funds were apportioned under this chapter.

"(c) Funds authorized by this section shall be available for expenditure as follows:

"(1) two-thirds for projects on any Federal-aid system (other than the Interstate System); and

"(2) one-third for projects on highways not included on any Federal-aid system.

"(d) Funds made available in accordance with subsection (b) shall be apportioned to the States in the same manner as is provided in section 402(c) of this title, and the Federal share payable on account of any such project shall not exceed 90 per centum of the cost thereof.

"(e) Each State shall report to the Secretary of Transportation not later than September 30, 1974, and not later than September 30 of each year thereafter, on the progress being made to implement projects for high-hazard locations and the effectiveness of such improvements. Each State report shall contain an assessment of the cost of, and safety benefits derived from, the various means and methods used to mitigate or eliminate hazards and the previous and subsequent accident experience at these locations. The Secretary of Transportation shall submit a report to the Congress not later than January 1, 1975, and not later than January 1 of each year thereafter, on the progress being made by the States in implementing projects for improvements at high-hazard locations. The report shall include, but not be limited to, the number of projects undertaken, their distribution by cost range, road system, means and methods used, and the previous and subsequent accident experience at improved locations. In addition, the Secretary's report shall analyze and evaluate each State program, identify any State found not to be in compliance with the schedule of improvements required by subsection (a) and include recommendations for future implementation of the spot improvements program."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"152. Projects for high-hazard locations.".

PROGRAM FOR THE ELIMINATION OF ROADSIDE OBSTACLES

SEC. 210. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 153. Program for the elimination of roadside obstacles

"(a) Each State shall conduct and systematically maintain an engineering survey of all highways to identify roadside obstacles which may constitute a hazard to vehicles and to pedestrians, assign priorities for the correction of such obstacles and establish and implement a schedule of projects for their elimination. Such a schedule shall provide for the replacement, to the extent necessary, of existing sign and light supports which are not designed to yield or break away upon impact. Yielding or breakaway sign and light supports shall be used, where appropriate, on all new construction or reconstruction of highways.

"(b) For projects to correct roadside hazards by the Federal Highway Administration, there is hereby authorized to be appropriated for each of the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976, the sum of $75,000,000 except that two-thirds of all funds authorized and expended under authority of this section in any fiscal year shall be appropriated out of the Highway Trust Fund. Such sums shall be available for obligation in the same manner and to the same extent as if such funds were appropriated under this chapter.

"(c) Funds authorized by this section shall be available for expenditure as follows:

"(1) two-thirds for projects on any Federal-aid system (other than the Interstate System); and

"(2) one-third for projects on highways not included on any Federal-aid system.

"(d) Funds made available in accordance with subsection (c) shall be apportioned to the States in the same manner as is provided in section 402(c) of this title, and the Federal share payable on account of any such project shall not exceed 90 per centum of the cost thereof.

"(e) Each State shall report to the Secretary of Transportation not later than September 30, 1974, and not later than September 30 of each year thereafter, on the progress being made in implementing the program for the removal of roadside obstacles and the effectiveness of such improvements. Each report shall contain an assessment of the costs and safety benefits of the various means and methods used to mitigate or eliminate roadside obstacles. The Secretary of Transportation shall submit a report to the Congress not later than January 1, 1975, and not later than January 1 of each year thereafter, on the progress being made by the States in eliminating roadside obstacles and the effectiveness of the improvements made under this program. The Secretary's report shall include, but not be limited to, an analysis and evaluation of each State program, identification of any State found not to be in compliance with the schedule of improvements required by subsection (a) and shall include recommendations for future removal program. In addition, to assess the implementation of the roadside obstacle safety benefits of varying roadside obstacle treatments, the report shall contain an assessment of the costs and safety benefits of the various means and methods used to mitigate or eliminate roadside obstacles."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"153. Program for the elimination of roadside obstacles.".

HIGHWAY SAFETY EDUCATIONAL PROGRAMING AND STUDY

SEC. 211. (a) The Secretary of Transportation, in cooperation with interested government and nongovernment authorities, agencies, organizations, institutions, businesses, and individuals, shall conduct a full and complete investigation and study of the use of mass media for informing and educating the public of ways and means for reducing the number and severity of highway accidents. Such a study shall include, but not be limited to, ways and means for encouraging the participation and cooperation of television and radio station licensees, for measuring audience reactions to current educational programs, for evaluating the effectiveness of such programs, and for developing new programs for the promotion of highway safety. The Secretary shall report to the Congress his findings and recommendations by June 30, 1974.

(b) For the purpose of carrying out subsection (a) of this section, there is hereby authorized to be appropriated the sum of $1,000,000 out of the Highway Trust Fund.

(c) The Secretary of Transportation, in consultation with State and local highway safety officials, shall develop a series of highway safety television programs of varying length, up to and including five minutes, for use in accordance with the provisions of the Communications Act of 1934. At least 50 per centum of the funds authorized and expended under subsection (d) of this section shall be allocated to the States at the discretion of the Secretary for approved programing projects. To the maximum extent feasible, the services of private individuals shall be utilized in carrying out this subsection.

(d) For the purpose of carrying out subsection (c) of this section, there is hereby authorized to be appropriated the sum of $4,000,000 out of the Highway Trust Fund.

CITIZEN PARTICIPATION STUDY

SEC. 212. (a) The Secretary of Transportation, in cooperation with State and local highway safety authorities, shall conduct a full and complete investigation and study of ways and means for encouraging greater citizen participation and involvement in highway safety programs, with particular emphasis on traffic enforcement and accident detection, response, and reporting, including, but not limited to, the creation of citizen adjuncts to assist professional traffic enforcement agencies and highway rescue agencies in the performance of their duties. The Secretary shall report to the Congress his findings and recommendations by June 30, 1974.

(b) For the purposes of carrying out this section, there is authorized to be appropriated the sum of $1,000,000 out of the Highway Trust Fund.

FEASIBILITY STUDY—NATIONAL CENTER FOR STATISTICAL ANALYSIS OF HIGHWAY OPERATIONS

SEC. 213. (a) The Secretary of Transportation shall make a study of the feasibility of establishing a National Center for Statistical Analysis of Highway Operations designed to acquire, store, and retrieve highway accident data and standardize the information and procedures for reporting accidents on a nationwide basis. Such study should include, but not be limited to, an estimate of the cost of establishing and maintaining such a center, including the means of acquiring the accident information to be stored therein, the methods to be used for its evaluation and the criteria needed to assure its proper utilization by appropriate public and private agencies and groups. The Secretary shall report to the Congress his findings and recommendations not later than January 1, 1975.

(b) For the purpose of carrying out this section, there is authorized to be appropriated the sum of $5,000,000 out of the Highway Trust Fund.

PEDESTRIAN SAFETY STUDY

SEC. 214. (a) The Secretary of Transportation shall make a full and complete investigation and study of pedestrian safety. Such an investigation and study shall include, but not be limited to, the following:

(1) A review and evaluation of State and local ordinances, regulations, and laws and the enforcement policies, procedures, methods, practices, and capabilities for enforcing them.

(2) The relationship between alcohol and pedestrian safety, with special emphasis on problem drinkers, both drivers and pedestrians.

(3) An evaluation of ways and means of improving pedestrian safety programs.

(4) An analysis of present funding allocations for pedestrian safety programs and an assessment of the capabilities of Federal, State, and local governments to fund each activities and programs.

In the conduct of such investigation and study, the Secretary shall cooperate and consult with other agencies of the Federal Government, the States, and their political subdivisions, and other interested private organizations, groups, and individuals.

(b) The Secretary shall, not later than January 31, 1975, report to the Congress the results of this investigation and study together with his conclusions and recommendations for appropriate legislation.

(c) There is hereby authorized not to exceed $5,000,000 from the Highway Trust Fund to carry out this section.

MANPOWER TRAINING AND DEMONSTRATION PROGRAMS

SEC. 215. (a) The first sentence of subsection (c) of section 402 of title 23, United States Code, is amended by inserting immediately after "approved in accordance with subsection (a)," the following: "including development and implementation of manpower training programs, and of demonstration programs that the Secretary determines will contribute directly to the reduction of accidents, and deaths and injuries resulting therefrom. Such funds".

PUBLIC ROAD MILEAGE

SEC. 216. Subsection (c) of section 402 of title 23, United States Code, is amended by inserting immediately after the third sentence the following: "Public road mileage as used in this subsection shall be determined as of the end of the calendar year preceding the year in which the funds are apportioned and shall be certified to by the Governor of the State and subject to approval by the Secretary."

MINIMUM APPORTIONMENT

SEC. 217. Subsection (c) of section 402 of title 23, United States Code, is amended by striking "one-third of 1 per centum" in the fifth sentence thereof as amended, and inserting "one-half of 1 per centum".

HIGHWAY SAFETY PROGRAM APPLICABILITY

SEC. 218. Section 401, title 23, United States Code, is amended by adding at the end thereof the following: "For the purposes of this chapter, the term 'State' means any one of the fifty States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, and American Samoa, except that all expenditures for carrying out this chapter in the Virgin Islands, Guam, and American Samoa shall be paid out of money in the Treasury not otherwise appropriated."

INCENTIVES FOR COMPLIANCE WITH HIGHWAY SAFETY PROGRAMS

SEC. 219. Section 402 of title 23, United States Code, is amended by adding the following new subsection:

"(j) (1) In addition to other grants authorized by this section, the Secretary may make incentive grants in each fiscal year to those States which have adopted legislation requiring the use of seatbelts in accordance with criteria which the Secretary shall establish and publish. Such grants may only be used by recipient States to further the purposes of this chapter. Such grants shall be in addition to other funds authorized by this section. There is hereby authorized to be appropriated to carry out this paragraph, out of the Highway Trust Fund, not to exceed $50,000,000 for the fiscal year ending June 30, 1974, not to exceed $75,000,000 for the fiscal year ending June 30, 1975, and not to exceed $75,000,000 for the fiscal year ending June 30, 1976.

"(2) In addition to other grants authorized by this section, the Secretary may make additional incentive grants to those States which have made the most significant progress in reducing traffic fatalities based on the reduction in the rate of such fatalities per one hundred million-vehicle miles during the calendar years immediately preceding the fiscal year for which such incentive funds are authorized compared with the average annual rate of such fatalities for the four calendar year period preceding such calendar year. Such incentive grants shall be made in accordance with criteria which the Secretary shall establish and publish. Such grants may only be used by recipient States to further the purposes of this chapter. Such grants shall be in addition to other funds authorized by this section. There is hereby authorized to be appropriated to carry out this paragraph, out of the Highway Trust Fund, not to exceed $25,000,000 for the fiscal year ending June 30, 1974, not to exceed $35,000,00 for the fiscal year ending June 30, 1975, and not to exceed $35,000,000 for the fiscal year ending June 30, 1976.

"(3) Incentive awards authorized by the section shall not exceed 25 per centum of each State's apportionment as authorized by this chapter."

HIGHWAY SAFETY RESEARCH AND DEVELOPMENT

SEC. 220. The second sentence of subsection (a) of section 403 of title 23, United States Code, is amended to read as follows: "In addition, the Secretary may use the funds appropriated to carry out this section, either independently or in cooperation with other Federal departments or agencies, for making grants to or contracting with State or local agencies, institutions, and individuals for (1) training or education of highway safety personnel, (2) research fellowships in highway safety, (3) development of improved accident investigation procedures, (4) emergency service plans, (5) demonstration projects, and (6) related activities which the Secretary deems will promote the purposes of this section. The Secretary shall assure that no fees are charged for any meetings or services attendant thereto or other activities relating to training and education of highway safety personnel."

TRANSFER OF DEMONSTRATION PROJECT EQUIPMENT

SEC. 221. Section 403 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(d) The Secretary may, where he deems it to be in furtherance of the purposes of section 402 of this title, vest in State or local agencies, on such terms and conditions as he deems appropriate, title to equipment purchased for demonstration projects with funds authorized by this section."

ADMINISTRATIVE ADJUDICATION OF TRAFFIC INFRACTIONS

SEC. 222. Section 403 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(e) In addition to the research authorized by subsection (a) of this section, the Secretary shall, either independently or in cooperation with other Federal departments or agencies, conduct research into, and to make grants to or contracts with State or local agencies, institutions, and individuals for projects to demonstrate the administrative adjudication of traffic infractions. Such administrative adjudication demonstration projects shall be designed to improve highway safety by developing fair, efficient, and effective processes and procedures for traffic infraction adjudication, utilizing appropriate punishment, training, and rehabilitative measures for traffic offenders. The Secretary shall report to Congress by July 1, 1975, and each year thereafter during the continuance of the program, on the research and demonstration projects authorized by this subsection, and shall include in such report a comparison of the fairness, efficiency, and effectiveness of administrative adjudication of traffic infractions with other methods of handling such infractions."

NATIONAL HIGHWAY SAFETY ADVISORY COMMITTEE

SEC. 223. Subsection (a) (1) of section 404 of title 23, United States Code, is amended by inserting immediately after "Federal Highway Administrator," the following: "the National Highway Traffic Safety Administrator,".

DATE OF ANNUAL REPORT

SEC. 224. The first sentence of subsection (a) of section 202 of the Highway Safety Act of 1966 (80 Stat. 736) is amended by deleting "March 1" and substituting in lieu thereof the following: "July 1".

UNDERPASS DEMONSTRATION PROJECT

SEC. 225. (a) The Secretary of Transportation shall carry out a demonstration project in Anoka, Minnesota, for the construction of an underpass at the Seventh Avenue and County Road 7 railroad-highway grade crossing.

(b) The Secretary shall make a report to the President and Congress with respect to his activities pursuant to this section.

(c) There is authorized to be appropriated not to exceed $3,000,000 to carry out this section.

HIGHWAY SAFETY NEEDS STUDY

SEC. 226. In order to provide the basis for evaluating the continuing highway safety programs authorized in title 23, United States Code, and to furnish Congress with the information necessary for the authorization of appropriations for such programs, the Secretary of Transportation, in cooperation with the Governors and appropriate State and local highway officials, shall make a full and complete study of highway safety needs and shall prepare recommendations and estimates of the costs for meeting such needs. Such estimates and recommendations shall identify the requirements to meet highway safety needs of the States, Puerto Rico, and the District of Columbia and would also consider those of Guam, American Samoa, the Virgin Islands and such other United States territories the Secretary shall determine. The Secretary shall submit such detailed estimates and recommendations to the Congress not later than January 10, 1976.

DRIVER EDUCATION EVALUATION PROGRAM

SEC. 227. (a) Section 403 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(f) In addition to the research authorized by subsection (a) of this section, the Secretary shall carry out research, development, and demonstration projects to improve and evaluate the effectiveness of various types of driver education programs in reducing traffic accidents and deaths, injuries, and property damage resulting therefrom. The research, development, and demonstration projects authorized by this subsection may be carried out by the Secretary through grants and contracts with public and private agencies, institutions, and individuals. The Secretary shall report to the Congress by July 1, 1975, and each year thereafter during the continuance of the program, on the research, development, and demonstration projects authorized by this subsection, and shall include in such report an evaluation of the effectiveness of driver education programs in reducing traffic accidents and deaths, injuries, and property damage resulting therefrom."

(b) For the purpose of carrying out the amendment made by subsection (a) of this section, there is authorized to be appropriated $10,000,000 out of the Highway Trust Fund.

TRANSFER OF FUNDS AMONG HIGHWAY SAFETY PROGRAMS

SEC. 228. Section 104 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(g) Not more than 30 per centum of the amount apportioned in any fiscal year to each State in accordance with sections 144, 152, and 153 of this title, or section 203(d) of the Highway Safety Act of 1973, may be transferred from the apportionment under one section to the apportionment under any other of such sections if such a transfer is requested by the State highway department and is approved by the Secretary as being in the public interest. The Secretary may approve such transfer only if he has received satisfactory assurances from the State highway department that the purposes of the program from which such funds are to be transferred have been met."

CURB RAMPS FOR THE HANDICAPPED

SEC. 229. Paragraph (1) of subsection (b) of section 402 of title 23, United States Code, is amended by adding at the end thereof the following:

"(F) provide adequate and reasonable access for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks throughout the State."

DEMONSTRATION PROJECT—RAIL-HIGHWAY CROSSINGS

SEC. 230. (a) The Secretary of Transportation shall carry out a demonstration project for the elimination or protection of certain public ground-level rail-highway crossings in, or in the vicinity of, Springfield, Illinois.

(b) The Secretary shall make a report to the President and Congress with respect to his activities pursuant to this section.

(c) There is authorized to be appropriated not to exceed $36,000,000 to carry out subsections (a) and (b) of this section.

(d) The Secretary of Transportation shall enter into such arrangements as may be necessary to carry out a demonstration project in Lincoln, Nebraska, for the relocation of railroad lines from the central area of the city in conformance with the methodology developed under proposal numbered DOT–FR–20037. The city shall (1) have a local agency with legal authority to relocate railroad facilities, levy taxes for such purpose, and a record of prior accomplishment; and (2) have a current relocation plan for such lines which has a favorable benefit-cost ratio involving and having the unanimous approval of three or more class 1 railroads and multicivic, local, and State agencies, and which provides for the elimination of a substantial number of the existing railway-road conflict points within the city.

(e) Federal grants or payments for the purpose of subsection (d) of this section shall cover 70 per centum of the costs involved.

(f) The Secretary shall make annual reports and a final report to the President and the Congress with respect to his activities pursuant to subsection (d) of this section.

(g) For the purpose of carrying out subsections (d), (e), and (f) of this section, there is hereby authorized to be appropriated the sum of $2,500,000 out of the Highway Trust Fund, and not to exceed $9,500,000 out of any money in the Treasury not otherwise appropriated.

(h) The Secretary of Transportation shall enter into such arrangements as may be necessary to carry out demonstration project in Brownsville, Texas, and Matamoros, Mexico, for the relocation of railroad lines from the central area of the cities in conformance with the methodology developed under proposals submitted to the Secretary by the Brownsville Navigation District, providing for the construction of an international bridge and for the elimination of a substantial number of existing railway-road conflict points within the cities.

(i) The Secretary of Transportation shall enter into such arrangements as may be necssary to carry out a demonstration project in East Saint Louis, Illinois, for the relocation of rail lines between Thirteenth and Forty-third Streets, in accordance with methodology approved by the Secretary. The Secretary of Transportation shall carry out a demonstration project for the relocation of rail lines in the vicinity of Carbondale, Illinois.

(j) The Secretary of Transportation shall enter into such arrangements as may be necessary to carry out a demonstration project in New Albany, Indiana, for the elimination of the existing rail loop and relocation of rail lines to a location between Vincennes Street and East Eighth Street, in accordance with methodology approved by the Secretary.

(k) The Federal share payable on account of projects under subsections (h), (i), and (j) of this section shall be that provided in section 120 of title 23 of the United States Code.

(l) There is authorized to be appropriated not to exceed $2,150,000 in the case of Brownsville, Texas, $15,000,000 in the case of East Saint Louis and $10,000,000 in the case of Carbondale, Illinois, from the Highway Trust Fund, and not to exceed $4,300,000 in the case of Brownsville, Texas, and $1,000,000 in the case of New Albany, Indiana, from money in the Treasury not otherwise appropriated, for carrying out the provisions of subsections (h), (i), and (j) of this section.

(m) The Secretary of Transportation shall carry out demonstration projects for the construction of an overpass at the rail-highway grade crossing on Cottage Grove Avenue between One Hundred Forty-second Street and One Hundred Thirty-eighth Street in the village of Dolton, Illinois, and the construction of an overpass at the rail-highway grade crossing at Vermont Street and the Rock Island Railroad tracks in the city of Blue Island, Illinois.

(n) The Secretary shall make a report to the President and the Congress with respect to his activities pursuant to subsection (m) of this section.

(o) For the purpose of carrying out subsection (m) of this section, there is authorized to be appropriated, out of the Highway Trust Fund, not to exceed $5,250,000.

(p) The Secretary of Transportation shall carry out a demonstration project for the elimination or protection of certain public ground level railroad-highway crossings in, or in the vicinity of Elko, Nevada.

(q) The Secretary shall make a report to the President and the Congress with respect to his activities pursuant to subsection (p) of this section.

(r) For the purpose of carrying out subsection (p) of this section, there is authorized to be appropriated the sum of $1,400,000 out of the Highway Trust Fund, and not to exceed $2,800,000 out of any money in the Treasury not otherwise appropriated.

(s) The Secretary of Transportation shall carry out a demonstration project for the elimination of the ground level railroad highway crossing on United States Route 69 in Greenville, Texas. He shall report to the President and Congress with respect to his activities under this subsection. There is authorized to be appropriated not to exceed $1,200,000 to carry out this subsection, except that local interests shall contribute $800,000 to the cost of such project.

HIGHWAY SAFETY STANDARDS

SEC. 231. Subsection (h) of Section 402 of title 23, United States Code, is amended to read as follows:

"(h) Each uniform safety standard promulgated under this section on or before January 1, 1973, shall continue in effect unless otherwise specifically provided by law enacted after the date of enactment of the Federal-aid Highway Act of 1973. The Secretary shall not promulgate any other uniform safety standard under this section (including by revision of a standard continued in effect by the preceding sentence) unless otherwise specifically provided by law enacted after the date of enactment of the Federal-aid Highway Act of 1973."

TITLE III

URBAN MASS TRANSPORTATION ACT OF 1964

SEC. 301. (a) The fifth sentence of section 4(a) of the Urban Mass Transportation Act of 1964 is amended to read as follows "The Federal grant for any such project to be assisted under section 3 shall be in an amount equal to 80 per centum of the net project cost."

(b) The amendment made by subsection (a) shall apply only with respect to projects which were not subject to administrative reservation on or before July 1, 1973.

(c) Section 4(c) of the Urban Mass Transportation Act of 1964 is amended by striking out "$3,100,000,000" in the first and third sentences and inserting in lieu thereof "$6,100,000,000".

(d) Section 9 of the Urban Mass Transportation Act of 1964 is amended—

(1) by striking out "to make grants" in the first sentence and inserting in lieu thereof "to contract for and make grants";

(2) by striking out "and designing" in the first sentence and inserting in lieu thereof "designing, and evaluation";

(3) by striking out "and (3)" in the second sentence and inserting in lieu thereof "(3) evaluation of previously funded projects; and (4)";

(4) by inserting "or contract" after "A grant" in the third sentence; and

(5) by striking out all that follows "Secretary" in the third sentence and inserting in lieu thereof a period.

(e) The provision of assistance under the amendments made by this section shall not be construed as bringing within the application of chapter 15 of title 5, United States Code, any nonsupervisory employee of an urban mass transportation system (or of any other agency or entity performing related functions) to whom such chapter is otherwise inapplicable.

(f) Section 12 of the Urban Mass Transportation Act of 1964 is amended by adding at the end thereof the following new subsection:

"(f) No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance under this Act or carried on under this Act. This provision will be enforced through agency provisions and rules similar to those already established, with respect to racial and other discrimination, under title VI of the Civil Rights Act of 1964. However, this remedy is not exclusive and will not prejudice or cut off any other legal remedies available to a discriminatee."

(g) Section 16(b) of the Urban Mass Transportation Act of 1964 is amended to read as follows:

"(b) In addition to the grants and loans otherwise provided for under this Act, the Secretary is authorized to make grants and loans—

"(1) to States and local public bodies and agencies thereof for the specific purpose of assisting them in providing mass transportation services which are planned, designed, and carried out so as to meet the special needs of elderly and handicapped persons, with such grants and loans being subject to all of the terms, conditions, requirements, and provisions applicable to grants and loans made under section 3(a) and being considered for the purposes of all other laws to have been made under such section; and

"(2) to private nonprofit corporations and associations for the specific purpose of assisting them in providing transportation services meeting the special needs of elderly and handicapped persons for whom mass transportation services planned, designed, and carried out under paragraph (1) are unavailable, insufficient, or inappropriate, with such grants and loans being subject to such terms, conditions, requirements, and provisions (similar insofar as may be appropriate to those applicable to grants and loans under paragraph (1)) as the Secretary may determine to be necessary or appropriate for purposes of this paragraph.

Of the total amount of the obligations which the Secretary is authorized to incur on behalf of the United States under the first sentence of section 4(c), 2 per centum may be set aside and used exclusively to finance the programs and activities authorized by this subsection (including administrative costs)."

IMPOUNDING OF FUNDS

SEC. 302. Section 12 of the Urban Mass Transportation Act of 1964, as amended, is amended by adding at the end thereof a new subsection, as follows:

"(g) No part of any sums authorized to be obligated, appropriated, or expended pursuant to the provisions of this Act shall be impounded or withheld from obligation, for purposes and projects as provided in this Act, by any officer or employee in the executive branch of the Federal Government."

UNFAIR COMPETITION

SEC. 303. The Urban Mass Transportation Act of 1964 is amended by adding at the end thereof the following new section:

"UNFAIR COMPETITION

"SEC. 17. No financial assistance will be provided under this Act for the purchase of buses to any State or local public body or agency thereof which, after the date of enactment of this section, has engaged or proposes to engage directly or indirectly in charter bus operations in competition with private bus operators outside the urban area within which such State or local public body or agency provides mass transportation service. No financial assistance shall be provided under this Act to any State or local public body or agency thereof which engages directly or indirectly in the transporting of schoolchildren and school personnel to and from school and school-authorized functions or which proposes to expand present routes, schedules, service, or facilities for the purpose of providing transportation for schoolchildren and school personnel to and from school and school-authorized functions in competition with or supplementary to the service currently provided by a private transportation company, or other person, engaged in so transporting such children and personnel. The preceding sentence shall not apply unless such private transportation company is able to provide adequate transportation, at reasonable rates, and in conformance with applicable safety standards, and such sentence shall not apply to any State or local public body or agency thereof if it (or a direct predecessor in interest from which it acquired the function of so transporting such children and personnel along with the facilities to be used therefor) was so engaged any time during the 12-month period immediately prior to the date of the enactment of this section."

TITLE IV

PROHIBITION OF DISCRIMINATION ON THE BASIS OF SEX

SEC. 401. (a) Title 23, United States Code, is amended by adding at the end thereof the following new chapter:

"Chapter 6—DISCRIMINATION ON THE BASIS OF SEX PROHIBITED

"Sec.
"601. Prohibition of discrimination on the basis of sex.

"§ 601. Prohibition of discrimination on the basis of sex

"No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance under this title or carried on under this title. This provision will be enforced through agency provisions and rules similar to those already established, with respect to racial and other discrimination, under title VI of the Civil Rights Act of 1964. However, this remedy is not exclusive and will not prejudice or cut off any other legal remedies available to a discriminatee."

(b) The analysis of chapters at the beginning of title 23, United States Code, is amended by adding at the end thereof the following:

"6. Discrimination on the basis of sex prohibited ---------------------- 601".

TITLE V

INAPPLICABILITY OF TIME REQUIREMENTS

SEC. 501. The time requirements in section 104(b) of title 23, United States Code, shall not be applicable to the apportionment of sums authorized for the fiscal year ending June 30, 1974, in any title of this Act, and the Secretary shall apportion such sums for such fiscal year as soon as practicable after the date of enactment of this Act.

Mr. RANDOLPH. Mr. President, I move that the Senate disagree to the amendment of the House to the Senate bill (S. 502) to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, and agree to the request of the House for a conference on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

Mr. GRIFFIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRIFFIN. Mr. President, I ask

unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to, and the Presiding Officer appointed Mr. BENTSEN, Mr. RANDOLPH, Mr. MUSKIE, Mr. MONTOYA, Mr. BAKER, Mr. STAFFORD, and Mr. BUCKLEY conferees on the part of the Senate.

VOTER REGISTRATION ACT

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title.

The legislative clerk read as follows:

> A bill (S. 352) to amend title 13, United States Code, to establish within the Bureau of the Census a Voter Registration Administration for the purpose of administering a voter registration program through the Postal Service.

Mr. GRIFFIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BELLMON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GOLDWATER). Without objection, it is so ordered.

(The remarks Senator BELLMON made at this point on the introduction of S. 1706, to authorize the Secretary of Agriculture to conduct a program of research into loss of animals through disease and injury while being transported to market, are printed in the RECORD in the Routine Morning Business section of the RECORD under Statements on Introduced Bills and Joint Resolutions.)

QUORUM CALL

Mr. BELLMON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BARTLETT). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, no further rollcall votes are anticipated today.

I ask unanimous consent that there now be a period for the transaction of routine morning business, with statements therein limited to 5 minutes, the period not to extend beyond 1 hour.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

FELTON M. JOHNSTON

Mr. BIBLE. Mr. President, it was with real sadness and a sense of loss that I noted the sudden and untimely death of the Honorable Felton M. Johnston while the Senate was in recess over the Easter holiday.

"Skeeter" Johnston was Secretary to the Democratic majority when I came to the Senate as a freshman in 1954. He served as Secretary of the Senate from January 1955 until his retirement in December 1965. Also, he was working for Senator Pat Harrison, for the Committee on Finance, at the time I worked on the floor of the Senate in 1933 and 1934.

Over the years, I developed a great admiration and respect for "Skeeter" Johnston. He brought a native honesty, integrity, and loyalty to the office of Secretary of the Senate, an office he filled with great distinction.

"Skeeter" was my friend. I will remember him not only for his outstanding service to the Senate and his country but for his qualities as an individual. He was a gentleman throughout. He was a very warm human being—a thoughtful, generous man, and one it was a high privilege to know so well.

My heartfelt condolences go out to his son, Mac, his daughter, Wray Chatfield, and his sister, Bet Patterson, on their loss—a loss I and many others here in the Senate share with them.

QUORUM CALL

Mr. BIBLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. BARTLETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GRIFFIN). Without objection, it is so ordered.

ENERGY POLICY

Mr. BARTLETT. Mr. President, in mid-April 1973, President Nixon delivered his long awaited and long delayed energy message.

It was a step—yes, a big step in the right direction—but it did not go far enough.

It did not go far enough because it did not adequately stress the enormity of the many problems, and the many difficult solutions required to create a sound energy policy. Nor did it vividly describe the urgency of beginning immediately the many painful steps toward a sound energy policy.

With energy, matters will get worse before they get better and we will have big problems for at least 15 years.

Because there is such a definite relationship between economic growth and growth in energy consumption, with 3.3 and 3.2 percent growth rates, respectively, during the period from 1920–70, a sufficient and dependable supply of energy is a matter of utmost and immediate concern.

Prosperity thrives on energy. Former Secretary of Interior Walter J. Hickel said:

> Show me any area in the world where there is a shortage of energy and I'll show you basic poverty.

A new era, roughly between now and the year 2000, will be a period of changes—some perhaps painful as we cut back on wasteful, inefficient, and unnecessary uses of energy.

According to the U.S. Geological Survey, we have sufficient resources of oil, gas, coal, and nuclear material to provide our energy requirements if—and it is a big if—if we begin immediately to develop and use them; if we adopt a sound energy policy.

Unfortunately, so many people, including some of those who are quite well informed on the energy matter, underestimate the urgency and the enormity of the problem and have a simplistic solution—or say there is no problem at all.

Outsiders looking in on the United States are dumbfounded by our complacency, over our delays and inaction regarding a fundamental matter of self-interest.

The time to begin is now.

One step that must be taken is to market the much needed domestic Alaskan oil in the lower 48 States.

The current Congress is moving like molasses to correct the 25-foot right-of-way provision in the present law that must be corrected before the Supreme Court will consider the environmental impact of the Alaskan pipeline. The Interior Committee has been putting everything but the kitchen sink into what should be a simple bill to be passed intelligently yet quickly to hasten the day of a stronger domestic energy industry.

One-half of our proven domestic reserves of oil are located on the North Slope of Alaska. We should be, and could already have been producing up to 2 million barrels of oil per day from Alaska. This year our imports of oil will increase 50 percent over what they would have been and cost our Nation about $2 billion more in our balance-of-payments deficit than otherwise.

The value of increasing our own oil energy supply is immeasurable in terms of national security.

We must not allow ourselves to slip into the position of being overly dependent upon foreign sources of oil to the extent that we would be blackmailed by any country for political or economic reasons.

In order to strengthen our national security and our economy and have greater opportunity to raise our standard of living and make more social progress, we merely need a transportation system—a pipeline—the most pollution-free method of transporting large quantities of oil long distances.

Undoubtedly, we will need another pipeline in the near future. The Trans-Canadian route is a logical one. We should encourage the immediate application for such a route which would bring oil into the Midwest. This application undoubtedly will be delayed many years just as the Alaska pipeline has been delayed.

The Supreme Court will determine whether the technology and engineering plans of the Alaskan pipeline meet the stringent requirements of the Environmental Protection Agency.

It is shortsighted and costly for Congress to delay 1 extra day a right-of-way bill that will meet the needs of modern pipelines.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. Chiles) laid before the Senate the following letters, which were referred as indicated:

Report of Home Loan Bank Board

A letter from the Acting Chairman, Federal Home Loan Bank Board, transmitting, pursuant to law, a report of that Board, for the calendar year 1972 (with an accompanying report). Referred to the Committee on Banking, Housing and Urban Affairs.

Report on Budgetary Reserves

A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report on Budgetary Reserves, as of April 14, 1973 (with an accompanying report).

Mr. ROBERT C. BYRD subsequently said: Mr. President, this request has been cleared on both sides of the aisle.

I ask unanimous consent that the report submitted by the Office of Management and Budget pursuant to the Federal Impoundment and Information Act, as amended, which in the normal course would be referred to the Committee on Government Operations, be also referred to the Committee on Appropriations.

The PRESIDING OFFICER. Without objection, it is so ordered.

Publication Entitled "Texts Adopted," North Atlantic Assembly

A letter from the Secretary General, North Atlantic Assembly, transmitting, for the information of the Senate, a publication entitled "Texts Adopted" (with an accompanying document). Referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CRANSTON (for Mr. Kennedy) from the Committee on Labor and Public Welfare, with amendments:

S. 504. A bill to amend the Public Health Service Act to provide assistance and encouragement for the development of comprehensive emergency medical service systems (Rept. No. 92–135).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. JAVITS (for himself and Mr. Mondale, Mr. Brooke, Mr. Case, Mr. Hart, Mr. Humphrey, Mr. Moss, Mr. Muskie, Mr. Pastore, Mr. Pell, Mr. Randolph, Mr. Tunney, and Mr. Williams):

S. 1693. A bill to provide for the implementation of a full employment policy through the establishment of a Federal Full Employment Board and the provision of increased assistance for job development in the public and nonprofit private sectors, and related training and assistance. Referred to the Committee on Labor and Public Welfare.

By Mr. MOSS:

S. 1694. A bill to amend the Federal Trade Commission Act to regulate commerce and to assure adequate and stable supplies of petroleum products at the lowest cost to the consumer, and for other purposes. Referred to the Committee on Commerce.

By Mr. KENNEDY (for himself Mr. Cranston, Mr. Hathaway, Mr. Pastore, Mr Pell, Mr. Tunney, Mr. Brooke, and Mr. Muskie):

S. 1695. A bill to provide readjustment allowance, opportunities, early retirement benefits, health benefits, public service employment and job counseling and training opportunities, and relocation benefits to adversely affected workers separated from their employment because of defense installation and activity realinements. Referred to the Committee on Labor and Public Welfare; and, if and when reported by that committee, be referred to the Committee on Post Office and Civil Service for consideration of parts under its jurisdiction, by unanimous-consent order.

By Mr. DOLE:

S. 1696. A bill to amend section 4491 of the Internal Revenue Code of 1954 to provide that the weight portion of the excise tax on the use of civil aircraft shall apply to piston-engined aircraft only if they have a maximum certificated takeoff weight of more than 6,000 pounds, and for other purposes. Referred to the Committee on Finance.

By Mr. CRANSTON (for himself and Mr. Tunney):

S. 1697. A bill to require the President to furnish predisaster assistance in order to avert or lessen the effects of a major disaster in the counties of Alameda and Contra Costa, Calif. Referred to the Committee on Banking, Housing and Urban Affairs.

By Mr. HUMPHREY (for himself and Mr Mondale):

S. 1698. A bill to amend the Rural Development Act of 1972 (Public Law 92–419), and for other purposes. Referred to the Committee on Agriculture and Forestry.

By Mr. INOUYE:

S. 1699. A bill for the relief of Nicolas S. Ubongen, Jr. Referred to the Committee on the Judiciary.

S. 1700. A bill to amend the Clean Air Act and the Solid Waste Disposal Act in order to include the Trust Territory of the Pacific Islands within the definition of the term "State." Referred to the Committee on Public Works.

By Mr. GRAVEL:

S. 1701. A bill for the relief of Hillary V. Gregg. Referred to the Committee on the Judiciary.

By Mr. RANDOLPH:

S. 1702. A bill to provide for an investigation by the General Services Administration of various problems involved in providing toll-free telephone numbers for incoming calls at each regional office of most executive agencies. Referred to the Committee on Government Operations.

My Mr. MONDALE:

S. 1703. A bill to amend the Agricultural Act of 1949, to require the Secretary of Agriculture to make advance payments to producers under the feed grain program with respect to crops of wheat. Referred to the Committee on Agriculture and Forestry.

By Mr. EAGLETON:

S. 1704. A bill for the relief of Chandu Shewaram Mansharamani, Hiro Shewaram Mansharamani, Indra Hiro Mansharamani and Hardevi Shewaram Mansharamani. Referred to the Committee on the Judiciary.

By Mr. MAGNUSON (for himself and Mr. Williams):

S. 1705. A bill to amend the Federal Aviation Act of 1958 and the Interstate Commerce Act in order to authorize reduced-rate transportation for handicapped persons and for persons who are 65 years of age or older or 21 years of age or younger. Referred to the Committee on Commerce.

By Mr. BELLMON:

S. 1706. A bill to authorize the Secretary of Agriculture to conduct a program of research into the substantial losses of animals sustained through disease and injury while such animals are being transported to market, and for other purposes. Referred to the Committee on Agriculture and Forestry.

By Mr. SCHWEIKER:

S. 1707. A bill to establish the Federal Bureau of Investigation as an independent agency of the executive branch of the Government, responsible to the Congress, and to provide for the term and succession of the Director and Deputy Director. Referred to the Committee on the Judiciary.

By Mr. CRANSTON (for himself, Mr. Taft, Mr. Williams, Mr. Baker, Mr. Bayh, Mr. Brooke, Mr. Case, Mr. Goldwater, Mr. McGee, Mr. McGovern, Mr. Moss, and Mr. Packwood):

S. 1708. A bill to amend title X of the Public Health Service Act to extend appropriations authorizations for 3 fiscal years and to revise and improve authorities in such title for family planning services programs, planning, training and public information activities, and population research. Referred to the Committee on Labor and Public Welfare.

By Mr. TUNNEY (for himself and Mr. Cranston):

S. 1709. A bill relating to the reduction of civilian personnel at military installations in the United States and the closing of military installations in the United States. Referred to the Committee on Armed Services.

By Mr. ROBERT C. BYRD (for himself and Mr. Randolph):

S. 1710. A bill to provide one additional permanent district judgeship for the northern district of West Virginia. Referred to the Committee on the Judiciary.

By Mr. MANSFIELD (for himself and Mr. Baker):

S.J. Res. 104. Joint resolution providing for the designation and adoption of the American marigold as the national floral emblem of the United States. Referred to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. JAVITS (for himself and Mr. Mondale, Mr. Brooke, Mr. Case, Mr. Hart, Mr. Humphrey, Mr. Moss, Mr. Muskie, Mr. Pastore, Mr. Pell, Mr. Randolph, Mr. Tunney, and Mr. Williams):

S. 1693. A bill to provide for the implementation of a full employment policy through the establishment of a Federal Full Employment Board and the provision of increased assistance for job development in the public and nonprofit private sectors, and related training and assistance. Referred to the Committee on Labor and Public Welfare.

Mr. JAVITS. Mr. President, I introduce for myself and Senator Mondale, the Full Employment and Job Development Act of 1973. We are joined by the following cosponsors: Senators Brooke, Case, Hart, Humphrey, Moss, Muskie, Pastore, Pell, Randolph, Tunney, and Williams.

The bill is basically identical to S.

3927, which Senator **Mondale** and I introduced on August 17, 1972, with many of the same cosponsors.

The bill consists of two major elements, designed to implement the national objective of full employment.

First, it would establish a Federal Full Employment Board as an independent agency in the executive branch of the Federal Government to implement the full employment promise of the Employment Act of 1946.

Second, it would establish a full employment assistance fund to be used at the discretion of the Board by the Secretary of Labor for the provision of financial assistance for job development and related training in public service fields: for the fund the bill authorizes $1 billion for fiscal year 1974 and "such sums" for each succeeding fiscal year.

THE NEED TO PUT "TEETH" INTO THE CONCEPT OF FULL EMPLOYMENT

Mr. President, the Employment Act of 1946 identified "maximum employment" as a national goal.

But, if we put aside rhetoric and take stock of the actual situation, it is quite clear that the promise of full employment so implicit in the very fabric of our society, has been honored more in breach than in observance by all administrations since the Employment Act of 1946.

We do not have a positive goal; we have a negative one. Instead of asking, "Have we achieved full employment?" we usually ask "Is the economy growing fast enough?".

We have a number of efforts contributing to full employment, such as manpower training, and "transitional" public service employment programs.

But at the same time these efforts have not been fully coordinated and a wide range of powerful tools—such as budgetary policy, tax policy, procurement policy, public works, interest rates, foreign trade and investment policy, and wage and price controls—remain untapped.

It is about time that we started pulling these levers in a planned way so as to achieve and maintain full employment as well as price stability.

But we have no one governmental entity capable of doing so effectively—that is, acting as an advocate for full employment within the Federal structure.

The Council of Economic Advisers established under the 1946 act has been given a broader, and wholly advisory function; its responsibility is to oversee the general economy; it should not and cannot be an advocate for full employment alone and it has not been. Neither can the National Commission on Productivity serve that function, as it too, has a related but different focus.

The Department of Labor, while generally entrusted with the goal of increasing employment opportunities has no charter to make recommendations with respect to the many programs outside of its jurisdiction which have substantial effects on full employment; for example, monetary, fiscal, wage and price, budgetary, and other policies generally.

And perhaps even worse still, we have no precise positive measurement of what is full employment; instead we apply a negative standard. We do not ask, "Have we reached full employment?" We ask instead, "Is unemployment at an 'unacceptable' or 'intolerable' level?" Thus, from the start we subordinate automatically employment objectives to other objectives.

We overlook the fact that at any given time since the Employment Act was enacted in 1946 the unemployment situation has been "intolerable" for at least 2 million persons.

It is clearly unacceptable now at 5 percent, with approximately 4 million unemployed in March 1973, including all socioeconomic segments of the populations, from the chronically poor to more recently displaced aerospace engineers and technicians.

It is clearly intolerable when particular towns and cities, and areas within cities, have levels substantially above the national norm. For example, the most recent statistics in my own State show a rate of 6.2 percent in Buffalo and 7.5 percent in the Utica-Rome area, and, of course, the geometric escalation of these figures for youth and minority groups is completely unacceptable.

Mr. President, how costly is our failure to reach full employment in terms of loss of productivity, added welfare, correctional costs, and increased unemployment compensation?

How ironic these facts are in a society that gives such importance to work as a part of life.

How tragic it is for millions of citizens who suffer loss of dignity as well as loss of earnings for failure to match opportunity for work with the tenets of our free society.

Mr. President, I urge that we take action in this Congress which will provide a framework for a true full-employment program over the longer term.

With that background, I shall now comment on each of the bill's two principal elements.

THE FEDERAL FULL EMPLOYMENT BOARD

The bill would establish a Federal Full Employment Board as an independent Agency in the executive branch.

The Board would consist of five full-time members appointed by the President, subject to Senate confirmation, including one representative of labor, one representative of management, one distinguished economist, one manpower training expert, and one member from the general public.

The Board would, first, recommend to the President and to the Congress each year a program to achieve full employment, and alternative means of achieving that objective, in terms of monetary, fiscal, wage and price, manpower training, public service employment, and other relevant policies; it would do so principally in an annual "full employment report" submitted to the Congress and to the President for their consideration.

Second, undertake manpower planning and long-range and short-term surveys to estimate employment and manpower needs in terms of demand and supply, by sector, by geographic area, by industry, and occupation, including anticipated changes in short-term and long-term technology. In that connection, the Board would be empowered to review decisions made by public and private employers, including projections of manpower needs by job category.

Third, review the implementation of existing manpower training and public service employment programs and related services, such as those under the Manpower Development and Training Act of 1962, the Economic Opportunity Act of 1964, the Social Security Act, the Emergency Employment Act of 1971, and any new authorities that may consolidate these efforts, and make recommendations to the President and to the Congress.

THE FULL EMPLOYMENT ASSISTANCE FUND

The bill would establish a "full employment assistance fund" with an authorization of $1 billion for fiscal year 1974 and "such sums" for the succeeding fiscal years; the Board would direct the use of funds appropriated in terms of the public and nonprofit sectors, various geographical areas, and significant segments of the labor force; approximately 200,000 jobs could be funded in fiscal year 1974.

It is this element—the link between the Board and the fund—which distinguishes this proposal from the current public service employment program conducted under the Emergency Employment Act of 1971.

On April 12, 1973, Senator **Gaylord Nelson** and I introduced S. 1560, the Emergency Employment Amendments of 1973, to extend that authority for 2 years with an authorization of $1.25 billion for fiscal 1974—the amount appropriated for this fiscal year—and "such sums" for fiscal 1975: approximately 228,000 jobs could be funded in fiscal year 1974.

Continuation of that current authority must be our first priority in terms of public service employment as it provides a basic "floor" under our efforts.

But over the longer term—and especially as funds for public service employment increase—we will need even a more sophisticated idea of where to channel those funds, taking into account the other "tools" that may be available for reaching full employment as to other sectors. For example, it may not be necessary to expend such funds on jobs for aerospace technicians if we have adopted a more solid program to deal with economic conversion.

Accordingly, it is very important that we begin to consider linking the use of public service employment funds to decisionmaking by a high-level Board and to make good on the full-employment promise, and that is what this proposal would so.

Indeed, even at present levels of funding for public service employment, a Board could be very helpful in making determinations with respect to the use of "discretionary" funds under the Emergency Employment Act. These funds—which are approximately 20 percent of funds under that act—are now allocated to the States and the cities without regard to any particular formula.

It should be noted that, although the Board will direct that funds be applied to various segments and areas, the Department of Labor, not the Board, will administer the program.

This element will insure that, while general decisions with respect to the use of additional public service employment funds will be centralized in the Board, administration will be decentralized and funds will be run through the anticipated new manpower training delivery system conducted by State and local prime sponsors. Senator NELSON and I have introduced S. 1559, the "Job Training and Community Service Act of 1973," to establish such a system.

Mr. President, in conclusion I urge that we evaluate full employment as a goal and that we raise our decisions with respect to the use of any additional funds for public service employment to a high level.

I do not claim that we should shrug our shoulders at inflation or abandon our vigilance over the way the taxpayer's dollars are spent.

However, I do suggest that the time has come for us to raise the issue of full employment to at least as a high priority.

We have the resources to put everybody to work in this country and we all know there is no shortage of work to be done. Such a policy is not only morally and philosophically compelled, but also will prove to be economically sound for the Nation.

Mr. President, I wish to acknowledge the assistance of Mr. Jule Sugarman, administrator, Human Resources Administration, city of New York, who first suggested the concept of an independent "Job Creation Commission" in testimony before the House Select Subcommittee on Labor, February 9, 1972, and who, along with Mr. Elwood Taub, executive director, New York City Manpower Area Planning Council, has contributed to the development of this proposal.

Mr. President, I ask unanimous consent that a section-by-section analysis and a copy of the bill be printed at this point in the RECORD.

There being no objection, the analysis and bill were ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS OF FULL EMPLOYMENT AND JOB DEVELOPMENT ACT OF 1973

Sec. 2. *Congressional Statement of Policy and Findings.* This section states that in order to attain the national objective of full employment it is necessary to assure an opportunity for a job to each American, that the United States has the capacity to do so and that the Federal Government lacks any comprehensive means to reach that objective.

The purpose of the Act is to provide for the implementation of a full employment policy through the establishment of a "Federal Full Employment Board" and the provision of assistance for job development in the public and non-profit private sectors and related training and assistance.

Sec. 3. *Federal Full Employment Board.* This section establishes as an independent agency in the executive branch a "Federal Full Employment Board", to consist of five members appointed by the President by and with the advice and consent of the Senate as follows: one representative of labor, one of management, one distinguished economist, one distinguished manpower expert; and one member of the general public. Not more than three members may be of the same political party. Members shall serve full time.

Sec. 4. *Functions of the Board.* This Section authorizes and directs the Board to (i) recommend to the President and to the Congress a program to achieve full employment; (ii) undertake manpower planning and long-range and short-term surveys in terms of demand, supply and by sector; (iii) review decisions made by public and private employers affecting full employment; (iv) develop guidelines and standards for use of public funds in job development programs; (v) review the implementation of manpower training and employment programs in terms of the extent to which they contribute to full employment; (vi) direct the Secretary of Labor to obligate funds made available under the Full Employment Assistance Fund established under Section 7, (vii) hold nationwide and regional conferences; (viii) analyze the extent to which the Federal budget may assist in reaching full employment; (ix) evaluate programs and (x) carry out such other functions as the President may direct.

In carrying out these functions, the Board shall use the services and facilities of the other agencies (to the extent directed by the President), supply technical assistance, establish regional offices, make grants and enter into contracts, accept gifts, consult with the Council of Economic Advisors and with the Commission on Productivity and with representatives of industry, labor and other groups.

Sec. 5. *Authorization of Appropriations.* This section authorizes $3 million for fiscal year 1974 and for each fiscal year thereafter, for the activities of the Board (other than under Section 7).

Sec. 6. *Reports.* This section provides for an annual "Full Employment Report" setting forth the Board's recommendations with respect to implementation of a full employment policy for each fiscal year and for succeeding fiscal years. The report is to be referred to appropriate committees in each House.

Sec. 7. *Full Employment Assistance Fund.* This section establishes a fund and authorizes therefor $1 billion for fiscal 1974 (the start-up year), and such funds as necessary for each year thereafter. The Secretary of Labor is to provide assistance from the fund pursuant to specific directions of the Board, to public agencies and non-profit private organizations, (including prime sponsors of manpower training and employment programs) for public service job development programs and related training and assistance.

Sec. 8. *Applications.* This section provides that assistance is to be provided under Section 7 only by application submitted to the Secretary and approved by him. Each application must be set forth a program to provide employment and related training and assistance for unemployed persons, to enable them to obtain employment not supported under the Act and meet other special requirements.

Sec. 9. *Related Training.* This section authorizes the Secretary of Labor to use such sums as may be necessary from those appropriated under Section 7 of the Act, for training and other services related to employment.

Sec. 10. *Special Responsibilities of the Secretary.* This section contains conditions designed to ensure that jobs are transitional, that is, will lead to public or private employment opportunities not supported under the Act.

Sec. 11. *Full Employment Intergovernmental Advisory Council.* This section establishes a Council consisting of state and local prime sponsors responsible for conducting manpower training and employment programs, to advise the Board on intergovernmental aspects of attaining full employment.

SEC. 12. *Special Provisions.* This section contains important requirements as to reporting, discrimination, political activities, and wages, and other benefits. It provides that all persons employed under programs shall be paid wages which shall be equal to whichever is the highest of the federal minimum wage, the state or local minimum wage, or the prevailing rates of pay.

Sec. 13. *Definitions.* This section defines Board, Secretary, State public service job development program, and Unemployed person.

Sec. 14. *Effective date.* This section provides that the Act shall take effect upon enactment.

S. 1693

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Full Employment and Job Development Act of 1973".

CONGRESSIONAL STATEMENT OF POLICY AND FINDINGS

SEC. 2. Congress hereby finds and declares that—

(a) (1) To attain the objective of full employment it is necessary to assure an opportunity for a gainful, productive job to every American who seeks work and to furnish the employment opportunity, training, and related assistance needed by any person to qualify for employment consistent with his or her highest potential and capability.

(2) The United States has the capacity to provide every American who is available for work the full opportunity, within the framework of a free society, to prepare for and to obtain employment at the highest level of productivity, responsibility, and remuneration consistent with his or her abilities.

(3) While full employment is a national objective, the Federal Government lacks any comprehensive means of reaching that objective with the results of individual hardship, unacceptable levels of unemployment, an erosion of the American spirit of work, and increasing welfare dependency.

(4) While it is desirable to decentralize the manpower services "delivery system" to provide substantial flexible funds for manpower training and employment programs at the State and local level, it is also appropriate to insure that decisions with respect to the utilization of additional Federal resources for job development in the public or nonprofit private sectors and related training and services be made taking into account the factors in the economy and policy determinants which affect employment, with reference to local effects, so as to insure the best possible use of available primary and supplemental resources.

(b) It is the purpose of this Act to provide for the implementation of a full employment policy through the establishment of a Federal Full Employment Board and the provision of assistance for job development in the public and nonprofit private sectors, and related training and assistance.

FEDERAL FULL EMPLOYMENT BOARD

SEC. 3. (a) There is hereby established as an independent agency in the executive branch a Federal Full Employment Board, to consist of five members appointed by the President by and with the advice and consent of the Senate as follows:

One member shall be representative of labor.

One member shall be representative of management.

One member shall be a distinguished economist.

One member shall be a distinguished manpower expert.

One member shall be a member of the general public.

Not more than three members shall be members of the same political party. Each member shall serve full time. The President shall designate one member to serve as Chairman.

(b) Each member shall hold office for a term of three years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of the term and the terms of office of the members first taking office after the enactment date shall expire, as designated by the President, one at the end of one year, two at the end of two years, and two at the end of three years.

(c) The Board shall meet at the call of the Chairman or at the call of the President and in no event less than four times each year. A quorum shall consist of three members.

(d) Members of the Board shall receive compensation at the rate prescribed for level IV of the Executive Schedule by section 5315 of title 5 of the United States Code.

(e) The President is authorized to appoint, by and with the advice and consent of the Senate, an Executive Director of the Board. The Executive Director shall be the principal executive officer of the Board and shall receive compensation at the rate prescribed for level V of the Executive Schedule by section 5116 of title 5 of the United States Code.

(f) The Executive Director of the Board with the approval of the majority of the Board is authorized to employ, and fix the compensation of, such specialists and other experts as may be necessary for carrying out the Boards' functions under this Act, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, and is authorized, subject to such provisions, to employ such other officers and employees as may be necessary for carrying out its functions under this Act and fix their compensation in accordance with the provisions of such chapter 51 and subchapter III of chapter 53.

FUNCTIONS OF BOARD

SEC. 4. (a) The Federal Full Employment Board is authorized and directed to—

(1) recommend to the President and to the Congress a program to achieve full employment and alternative means of attaining that objective, in terms of monetary, fiscal income, manpower training, and other relevant policies;

(2) undertake manpower planning and long-range and short-term surveys to estimate employment and manpower needs in terms of demand and supply by sector (public and private), by geographical area, by industry, and by occupation, including anticipated changes in short-term and long-term technology;

(3) review decisions made by public and private employers affecting full employment and establish appropriate procedures for the receipt of information from such employers necessary to carry out the purposes of this Act, including projections of manpower needs by job category;

(4) develop guidelines and standards for use of public funds in job development programs in the public and private sectors;

(5) review the implementation of manpower training and employment programs and related services and other programs affecting employment including but not limited to the Manpower Development and Training Act of 1962, Title I of the Economic Opportunity Act of 1964, the Emergency Employment Act of 1971, in terms of the extent to which the programs authorized by such Acts serve to meet the objectives of this Act, and make recommendations to the President and to the Congress as the Board deems advisable for in respect to such programs and the funding and conduct thereof;

(6) recommend to the President and to the Congress amounts to be appropriated for use under the Full Employment Assistance Fund established under section 7 of this Act and direct the Secretary of Labor to obligate such funds, from time to time among the public and nonprofit private sectors, various geographical areas, and significant segments of the labor force and potential labor force in each case as the Board deems necessary to accomplish the purpose established under section 2 of this Act;

(7) hold on a regular basis nationwide and regional conferences designed to encourage the support of management and labor in meeting the objectives of this Act;

(8) analyze the extent to which the Federal budget may assist in reaching full employment, including the effect of procurement policies and make recommendations to the President and the Congress with respect to changes necessary to achieve full employment;

(9) evaluate programs conducted under section 7 of this Act; and

(10) perform such other functions as the President may direct.

(b) In exercising its duties and functions under this Act, the Board is authorized to—

(1) use the services, facilities, and information (including statistical information) of other Government agencies in order that duplication of effort and expense may be avoided;

(2) supply technical and administrative assistance to labor and management and similar groups;

(3) establish regional and such other local offices as it deems necessary;

(4) make grants to or enter into contracts with any public or private agency or organization;

(5) accept gifts or bequests, either for carrying out specific programs which it deems desirable or for its general activities;

(6) consult and coordinate with the Council on Economic Advisers to the President and with the National Commission on Productivity;

(7) consult with such representatives of industry, labor, antipoverty, State and local governments, and other groups, organizations, and individuals as it deems advisable to insure the participation of such interested parties; and

(8) make recommendations for the elimination of delays in respect to the dissemination of information concerning job vacancies.

AUTHORIZATION OF APPROPRIATIONS

SEC. 5. There are hereby authorized to be appropriated the sum of $3,000,000 for each fiscal year beginning with the fiscal year ending June 30, 1974, for the activities of the Board other than activities conducted under section 7.

REPORTS

SEC. 6. (a) The Board shall transmit to the Congress not later than sixty days after the beginning of each regular session of the Congress (commencing with the calendar year 1974) a report, to be known as the Full Employment Report setting forth its activities during the previous calendar year and its recommendations with respect to the implementation of a full employment policy for the following fiscal year and, to the extent necessary in terms of the objectives of this Act with respect to each of the four succeeding fiscal years. The Board may make such other reports to the President and to the Congress from time to time as it deems appropriate or as are requested by the President.

(b) The Full Employment Report, and all supplementary reports transmitted under subsection (a) of this section, shall, when transmitted to Congress, be referred to the Committee on Labor and Public Welfare of the Senate and the Committee on Education and Labor of the House of Representatives, which committees shall hold at least annually hearings on the report and such supplementary reports. Nothing in this subsection shall be construed to prohibit the consideration of the report by any other committee of the Senate or the House of Representatives, including any joint committee of the Congress, with respect to any matter within the jurisdiction of any such committee.

FULL EMPLOYMENT ASSISTANCE FUND

SEC. 7. (a) There is hereby established a special fund to be known as the Full Employment Assistance Fund (hereinafter referred to as the "fund"). There are hereby authorized to be appropriated for such fund $1,000,000,000 for the fiscal year ending June 30, 1974, and such sums as may be necessary for each succeeding fiscal year. The Secretary is authorized to utilize sums deposited in the fund to provide assistance under this section.

(b) Pursuant to specific directions of the Board in accordance with paragraph (6) of subsection (a) of section 4, the Secretary may provide financial assistance, in accordance with the provisions of this Act, directly to public agencies and nonprofit private organizations, including prime sponsors of manpower training and employment programs, in order to meet the objectives of this Act, for public service job development programs, and related training and assistance.

(c) As soon as practicable after funds are obligated, the Board shall publish in the Federal Register information in respect to the benefits to various segments of the population of unemployed and to geographical areas from allocations under this section.

APPLICATIONS

SEC. 8. (a) Financial assistance under section 7 of this Act may be provided by the Secretary for any fiscal year only pursuant to an application which is submitted to the Secretary by a public agency or nonprofit private organization and which is approved by the Secretary in accordance with the provisions of this Act. Any such application shall set forth a public service job development program to provide employment and related training and assistance for unemployed persons.

(b) An application for financial assistance for a job development program under section 7 of this Act shall include provisions setting forth—

(1) assurances that the activities and services for which assistance is sought under this Act will be administered by or under the supervision of the applicant, identifying any employer, agency, or institution designated to carry out such activities or services under such supervision;

(2) a description of the area to be served by such programs, and a description of the population to be served, including data indicating the number of participants and their income and employment status;

(3) assurances that special consideration will be given to the filling of jobs which provide sufficient prospects for advancement or suitable continued employment by providing complementary training and manpower services designed to (A) promote the advancement of participants to employment or training opportunities suitable to the individuals involved, whether in the public or private sector of the economy, (B) provide participants with skills for which there is an anticipated high demand, or (C) provide participants with self-development skills, but nothing contained in this paragraph shall be construed to preclude persons or programs for whom the foregoing goals are not feasible or appropriate;

(4) a description of the methods to be used to recruit, select, and orient participants, including specific eligibility criteria, and programs to prepare the participants for their job responsibilities;

(5) a description of jobs to be filled, a listing of the major kinds of work to be performed and skills to be acquired, and the approximate duration for which participants would be assigned to such jobs;

(6) the wages or salaries to be paid persons employed in jobs under this Act and a comparison with the wages paid for similar occupations by the same employer;

(7) wherever appropriate, the education, training, and supportive services (including counseling and health care services) which complement the work performed;

(8) the planning for and training of supervisory personnel in working with participants;

(9) a description of career opportunities and job advancement potentialities for participants;

(10) assurance of compliance with procedures established pursuant to subsection (a) of section 10;

(11) assurances that agencies, institutions, and organizations to whom financial assistance will be made available under this Act will undertake analysis of job descriptions and a reevaluation of skill requirements at all levels of employment, including civil service requirements and practices relating thereto, in accordance with regulations promulgated by the Board; and

(12) assurances that all persons employed under any such program, other than necessary technical, supervisory, and administrative personnel, will be selected from among unemployed persons.

RELATED TRAINING

SEC. 9. For the purpose of providing training and related services for persons employed in programs assisted under this Act, the Secretary is authorized to utilize, in addition to any funds otherwise available under federally supported manpower programs, such sums as may be necessary from funds made available under section 7 of this act.

SPECIAL RESPONSIBILITIES OF THE SECRETARY

SEC. 10. (a) The Secretary, in consultation with the Board, shall establish procedures for periodic reviews by an appropriate agency of the status of each person employed in a program under this Act to assure that—

(1) in the event that any person employed in a job under this Act and the reviewing agency find that such job will not provide sufficient prospects for advancement or suitable continued employment, maximum efforts shall be made to locate employment or training opportunities providing such prospects, and such person shall be offered appropriate assistance in securing placement in the opportunity which he chooses after appropriate counseling; and

(2) as financial assistance will otherwise no longer be available under this Act, maximum efforts shall be made to locate employment or training opportunities not supported under this Act for each person employed in a job under this Act, and such person shall be offered appropriate assistance in securing placement in the opportunity which he chooses after appropriate counseling.

(b) The Board and the Secretary shall review the implementation of the procedures established under subsection (a) of this section six months after funds are first obligated under this Act and at six-month intervals thereafter.

(c) From funds appropriated pursuant to section 7, the Board may reserve such amount, not to exceed 2 per centum, as it deems necessary to provide for a continuing evaluation of programs assisted under this Act and their impact on related programs.

FULL EMPLOYMENT INTERGOVERNMENTAL ADVISORY COUNCIL

SEC. 11. The President shall establish an Intergovernmental Full Employment Advisory Council, which shall meet at least twice a year to advise the Board with regard to matters related to achieving the objective of full employment. In selecting members of the Council, the President shall assure an equitable balance in political and geographical affiliation of its members and shall insure inclusion of State and local prime sponsors and other public and private agencies and organizations responsible for conducting manpower training and employment programs. The President shall designate a Chairman of the Council. Members of the Council shall receive no compensation and members shall not be Federal employees for any purpose except that they shall be allowed travel expenses and per diem in lieu of subsistence as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently and receiving compensation on a per diem, when actually employed basis.

SPECIAL PROVISIONS

SEC. 12. (a) (1) Any amounts received under chapters 11, 13, 31, 34, or 35 of title 38, United States Code, by any veteran, as defined by section 101 of title 38, United States Code, who served on active duty for a period of more than one hundred and eighty days or was discharged or released from active duty for a service-connected disability or any eligible person as defined in section 1701 of such title, if otherwise eligible to participate in programs under this title, shall not be considered for purposes of determining the needs of qualifications of participants in programs under this Act.

(2) The Secretary shall not provide financial assistance for any program under this Act unless he determines, in accordance with regulations which he shall prescribe, that periodic reports will be submitted to him and to the Board containing data designed to enable him, the Board, and the Congress to measure the relative and, where programs can be compared, appropriately, comparative effectiveness of the programs authorized under this Act. Such data shall include information on—

(A) enrollee characteristics, including age, sex, race, health, education level, and previous wage and employment experience;

(B) duration in employment and related training situations, including information on the duration of employment of program participants for at least one year following the termination of participation in federally assisted programs and comparable information on other employees or trainees of participating employers; and

(C) total dollar cost per participant, including breakdown between salary and stipend, training and supportive services, and administrative costs.

The Secretary shall compile such information on a State, regional, and national basis.

(3) The Secretary shall not provide financial assistance for any program under this Act unless the grant, contract, or agreement with respect thereto specifically provides that no person with responsibilities in the operation of such program will discriminate with respect to any program participant or any applicant for participation in such program because of race, creed, color, national origin, sex, political affiliation, or beliefs.

(4) The Secretary shall not provide financial assistance for any program under this Act which involves political activities; and neither the program, the funds provided therefor, or personnel employed therein shall be, in any way or to any extent, engaged in the conduct of political activities of contravention of chapter 15 of title 5, United States Code.

(5) The Secretary shall not provide financial assistance for any program under this Act unless he determines in accordance with guidelines established by him that participants in the program will not be employed on the construction, operation, or maintenance of so much of any facility as is used or to be used for sectarian instruction or as a place for religious worship.

(6) All laborers and mechanics employed by contractors or subcontractors in any construction, alteration, or repair, including painting and decorating of projects, buildings, and works which are federally assisted under this Act, shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–276a–5). The Secretary of Labor shall have, with respect to such labor standards, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267) and section 2 of the Act of June 1, 1934, as amended (48 Stat. 948, as amended; 40 U.S.C. 276(c)).

(b) The Secretary shall not provide financial assistance for any job development program under this Act unless he determines, in accordance with such regulations as he shall prescribe, that—

(1) the program will result in an increase in employment opportunities over those which would otherwise be available and will not result in the displacement of currently employed workers (including partial displacement such as a reduction in the hours of nonovertime work or wages or employment benefits), and will not impair existing contracts for services or result in the substitution of Federal for other funds in connection with work that would otherwise be performed;

(2) all persons employed in a job under this Act will be assured of workmen's compensation, retirement, health insurance, unemployment insurance, and other benefits at the same levels and to the same extent as other employees of the employer and to working conditions and promotional opportunities neither more nor less favorable than such other employees enjoy; and

(3) the provision of section 2(a)(3) of Public Law 89-286 shall apply to such agreements.

(c) Where a labor organization represents employees who are engaged in similar work in the same labor market area to that proposed to be performed under any program for which an application is being developed for submission under this Act, such organization shall be notified and afforded a reasonable period of time in which to make comments to the Secretary.

(d) The Secretary shall prescribe regulations to assure that programs under this Act have adequate internal administrative controls, accounting requirements, personnel standards, evaluation procedures, and other policies as may be necessary to promote the effective use of funds.

(e) The Secretary shall, where appropriate, provide for the payment of weekly allowances to individuals receiving services under this Act. Such allowances shall be at a rate prescribed by the Secretary which, when added to amounts received by the trainee in the form of public assistance or unemployment compensation payments, shall approximate the minimum wage for a workweek of forty hours under section 6(a)(1) of the Fair Labor Standards Act of 1938 or, if higher, under the applicable State minimum wage law, or, where the trainee is being trained for particular employment, at a rate equal to 80 per centum of the weekly wage for such employment, whichever is greater. In prescribing allowances, the Secretary may allow additional sums for special circumstances such as exceptional expenses incurred by trainees, including but not limited to meal and travel allowances, or he may reduce such allowances by an amount reflecting the fair value of meals, lodging, or other necessaries furnished to the trainee. The Secretary shall take such action as may be necessary to insure that such persons receive no allowances without good cause with respect to periods during which they are failing to participate in such programs, training, or instruction as prescribed herein. Notwithstanding the preceding provisions of this subsection, the Secretary may, in accordance with such regulations as he shall prescribe, make such adjustments which take into account the amount of time per week spent by the individual participating in such programs and adjustments to reflect the special economic circumstances which exist in the area in which the program is to be conducted. Allowances shall not be paid for any course of training having a duration in excess of one hundred and four weeks.

(f) All persons employed under programs assisted under this Act shall be paid wages which shall be equal to whichever is the highest of (A) the minimum wage which would be applicable to the employment under the Fair Labor Standards Act of 1938, if section 6(a)(1) of such Act applied to the participant and if he were not exempt under section 13, thereof, (B) the State or local minimum wage for the most nearly comparable covered employment, or (C) the prevailing rates of pay in the same labor market area for persons employed in similar occupations.

DEFINITIONS

SEC. 13. As used in this Act, the term—

(1) "Board" means the Federal Full Employment Board established under section 3;

(2) "Secretary" means the Secretary of Labor;

(3) "State" means the several States and the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands;

(4) "Unemployed persons" means—

(A) persons who are without jobs and who want and are available for work; and

(B) adults who or whose families receive money payments pursuant to a State plan approved under title I, IV, X, or XVI of the Social Security Act or food stamps or surplus commodities under the Agriculture Act of 1949 or the Food Stamp Act of 1964 (1) who are determined by the Secretary of Labor, in consultation with the Secretary of Health, Education, and Welfare, to be available for work, and (2) who are either (i) persons without jobs, or (ii) persons working in jobs providing insufficient income to enable such persons and their families to be self-supporting without welfare assistance;

and the determination of whether persons are without jobs shall be made in accordance with the criteria used by the Bureau of Labor Statistics of the Department of Labor in defining persons as unemployed;

(5) "public service job development program" shall include programs providing employment in the public or nonprofit private sectors in such fields as environmental quality, health care, education, public safety, crime prevention and control, prison rehabilitation, transportation, recreation, maintenance of parks, streets, and other public facilities, solid waste removal, pollution control, housing and neighborhood improvements, rural development, conservation, beautification, disaster relief, and other fields of human betterment and community improvement; and

(6) "nonprofit" as applied to any foundation, corporation, or association means a foundation, corporation, or association, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

EFFECTIVE DATE

SEC. 14. Except as otherwise provided, this Act shall take effect upon enactment. Rules, regulations, guidelines, and other published interpretations or orders may be issued by the Secretary at any time after the date of its enactment.

By Mr. MOSS:

S. 1964. A bill to amend the Federal Trade Commission Act to regulate commerce and to assure adequate and stable supplies of petroleum products at the lowest cost to the consumer, and for other purposes. Referred to the Committee on Commerce.

FAIR MARKETING OF PETROLEUM PRODUCTS ACT

Mr. MOSS. Mr. President, I introduce for appropriate reference the Fair Marketing of Petroleum Products Act.

Several months ago, after hearing of widespread manipulations in marketing of gasoline and other refined petroleum products, I directed the Senate Consumer Subcommittee staff to undertake a review of existing and developing practices. This investigation uncovered a variety of disturbing findings which were exposed at a March 17 hearing in Salt Lake City, Utah.

Current stocks of refined petroleum products are at an all-time low. Refinery operations have been directed mainly at solving short-term demands, that is, production was extremely heavy in order to provide heating oils and ancillary fuels during the winter.

But we found that the distribution of refined products and crude oil was being allocated in a curiously anticompetitive way. Independent inland refiners were finding that their supplies of crude oil were being cut back. Thus, a number of these refineries were unable to operate at capacity. Next, we found that independent jobbers and retailers of gasoline were being cut off from supply and forced out of the marketplace. These independents are the critical natural economic forces which keep consumer prices down and stimulate competition in the marketplace. Next, independent businessmen running branded gasoline service stations, who were willing to invest their capital, work long and hard hours, and build a business by paying personal attention and providing service to the consumer, were having their leases arbitrarily canceled and were forced to cease operations.

At the same time, these hard-working people, who had long operated branded retail service stations were finding the physical plant taken over by the major oil company supplier and converted to self-service gasoline-only stations or alternatively to secondary brand or "fighting" brand stations.

Thus, the branded dealer who had built his reputation on service was being thrown out and the oil company supplier was taking over the station and artificially reducing prices. Whether by design or coincidence, this results in the elimination from competition of those remaining gasoline retailers who still had supplies of refined products available. Previous experience tells us that the "fighting" brand is used by the major oil company to undercut the independent retailer. After the independent is forced to terminate his business, the low price of this secondary brand is dropped and a noncompetitive high pricing structure is reinstated.

It is thus critical for us to insure that equity prevails in the allocation and the pricing of gasoline and fuel oils. To treat one type of petroleum product without the other—that is, to regulate just gasoline—would be foolish as refineries would produce gasoline in sufficient quantities to meet the short-term demand, but would fail to deliver to market the increasingly greater quantities of fuel oil needed next winter.

Furthermore, fuels are needed for a variety of agricultural purposes critical to our national interest as well as products for supplying the public during the heavy motoring and recreation season which is just beginning.

We must insure that independent brand gasoline and fuel distributors have an adequate supply, equal to their market share during earlier periods of time. We must insure that branded dealers of gasoline and fuel oils have protection from arbitrary cancellation and termination of their leases and franchises. These are men who have invested time and money in building a business to serve the local community. They are an endangered species.

Furthermore, we must create a system of monitoring the allocation of gasoline, refined fuels, and crude oil so that refinery capacity is kept at an optimum, and that production is directed to serve national needs and priorities.

And finally, we need to know whether the current vertical integration of production, refining, and marketing of petroleum products has inhibited competition and thus fostered the current crisis.

The Cost of Living Council rules for price controls for petroleum products have had the untoward effect of decreasing competition and raising consumer prices. I have received information from one of my constituents, a jobber who purchases petroleum products for sale to retail gasoline outlets and his own retail outlets, that his supplier has increased the price of petroleum products by more than 22.5 percent. Apparently, because of the method of computation of prices under the COLC regulations, this increase has not been deemed excessive. And now, because that jobber has been able to roll with the punch and take on this increased price, passing only a portion on to consumers, the refinery has informed him that it would be more profitable to sell products to sources in other locations. Current law must be altered to make it explicitly clear that any operator in the chain of oil production refining and marketing, who sells to his own subsidiaries at the next lower step of the distribution system, cannot refuse to sell to all comers on equal terms.

Another jobber constituent of mine, Bill Roderick, Inc., supplied the Granite School District in Salt Lake City with 180,000 gallons of fuel oil during our bitter cold winter. If it were not for the service that he had provided to the four high schools and six junior high schools using No. 2 fuel oil as a standby fuel when the natural gas supply was curtailed, these schools would have closed. Now it is certain that he will close; his supplier, the American Oil Co., has terminated his buying contract. And no new supplier has been found.

Mr. President, these comments and the bill which I have introduced are an outgrowth of this investigation and hearings. It is critical that Congress move ahead to straighten out the destructive situation which prevails in the marketing of petroleum products. I will urge the chairman of the Committee on Commerce to expedite our consideration of this and other measures so that the motoring public can be assured of fairness and equity in the availability and pricing of refined products over the next few years.

I ask unanimous consent that the text of the Fair Marketing of Petroleum Products Act be printed in the RECORD at the conclusion of my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1694

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Fair Marketing of Petroleum Products Act".

FINDINGS

SEC. 2. Congress finds and declares that:

(1) Current practices have harmed marketing competition in the gasoline and petroleum products industry.

(2) Independent businessmen willing to risk their personal savings and assets and to work long and hard hours to build and maintain a business by paying personal attention and providing service to the consumer are being unfairly punished by arbitrary control of refined petroleum products by suppliers.

(3) Winter shortages of fuel oils have had a deleterious effect on the availability of fuel supplies to heat American homes and to dry grain crops.

(4) Projected shortages of gasoline and propane will damage the consumer during the summer months by higher prices, shortages of supply, and the possibility of rationing in some areas.

(5) Independent jobbers and retailers of petroleum products have been cut off from sources of supply of such products and pressured out of the marketplace to the great disadvantage of the consumer.

(6) Independent jobbers and retailers of petroleum products who have made substantial personal investments in their businesses and who employ or have employed large numbers of citizens find themselves earning subsistence wages or unemployed.

(7) Apparently unnatural economic forces prevail in the marketing of petroleum products.

(8) Excessive and distorted market power which is enjoyed by major integrated oil companies is harming the consumer.

DECLARATION OF POLICY

SEC. 3. Competition, equal access to supplies for all retailers, and nondiscriminatory practices are essential to the fair and efficient functioning of a free market economy. Gasoline and other petroleum products should be produced, distributed, and marketed in the manner most beneficial to the consumer. Therefore, it is declared to be the policy of the Congress to assist consumers and retailers to reach these goals.

DEFINITIONS

SEC. 4. As used in this Act—

(1) "Commerce" means commerce among the several States or with foreign nations or in any State or between any State and foreign nation.

(2) "Commission" means the Federal Trade Commission.

(3) "Corporation" means any corporation, joint-stock company, partnership, association, business trust, or organized group of persons, whether incorporated or not.

(4) "Franchise" means any agreement or contract between a petroleum producer or petroleum distributor and a petroleum retailer under which such retailer is granted authority to use a trademark, trade name, service mark, or other identifying symbol or name owned by such producer or distributor, or any agreement or contract between such parties under which such retailer is granted authority to occupy premises owned, leased, or in any way controlled by such producer or distributor, for the purpose of engaging in the sale at retail of petroleum products of such producer or distributor.

(5) "Includes" should be read as if the phrase "but is not limited to" were also set forth.

(6) "Person" means an individual or a corporation.

(7) "Petroleum distributor" means any person engaged in the sale, consignment, or distribution of petroleum products to retail outlets which it owns, leases, or in any way controls.

(8) "Petroleum producer" means any person engaged in the production, importation, or refining of petroleum and in the sale of petroleum or petroleum products in commerce for resale.

(9) "Petroleum product" includes any substance refined from petroleum.

(10) "Petroleum retailer" means any person engaged in the sale at retail of a petroleum product in any State, either under a franchise or independent of any franchise.

(11) "Retail" means the sale of a product for purposes other than resale.

(12) "State" means any State, the District of Columbia, the Commonwealth of Puerto Rico, and any organized territory or possession of the United States.

DUTY TO DEAL EQUITABLY

SEC. 5. The Federal Trade Commission Act (15 U.S.C. 41 et seq.) is amended by adding at the end thereof the following new section:

"MARKETING OF PETROLEUM PRODUCTS

"SEC. 19. (a) UNLAWFULNESS.—It shall be unlawful for any person engaged in commerce in the business of refining petroleum into gasoline and other petroleum products and furnishing such products to petroleum distributors for sale at retail to fail to furnish gasoline or any other petroleum product to a petroleum retailer, whether or not such retailer is under a franchise to such person, at wholesale prices and in reasonable quantities so long as such person continues to furnish gasoline or any other petroleum product to petroleum retailers who are under a franchise to such person.

"(b) UNFAIR OR DECEPTIVE ACT OR PRACTICE.—Violation of subsection (a) of this section shall be an unfair or deceptive act or practice in commerce within the meaning of section 5(a) (1) of this Act.

"(c) PRIMA FACIE EVIDENCE.—It is prima facie evidence of a violation of subsection (a) of the section that a person engaged in commerce in the business of refining petroleum and furnishing petroleum products to petroleum distributors—

"(1) delivers, during any calendar month, to petroleum retailers who are independent of any franchise a lower percentage of the total number of gallons of gasoline or other petroleum products delivered by him to all petroleum retailers than the percentage so delivered during the period July 1, 1971, through June 30, 1972, or

"(2) sells gasoline or other petroleum products to petroleum retailers who are independent of any franchise at a price, during any calendar month, which is greater than:

"(A) the average price at which he sold such product during the period July 1, 1971 through June 30, 1972, increased by

"(B) a percentage equal to the percentage by which the average price at which such product was sold during such month to petroleum retailers under franchise to him exceeds the average price for such product sold to such retailers during the period July 1, 1971, through June 30, 1972."

CAUSE OF ACTION

SEC. 6. (a) Except as otherwise provided, a petroleum distributor whose actions affect commerce shall be liable to a petroleum retailer who sells the products of such distributor under a franchise for actual damages resulting from the termination, cancellation, or failure to renew such franchise, together with such equitable relief including interim equitable relief, as the court deems proper and costs including a reasonable attorney's fee. No such action may be brought if the terms of such franchise provide for binding arbitration of disputes arising under such franchise, includng disputes related to the termination, cancellation, or failure to renew such franchise, in accordance with the rules of the American Arbitration Association.

(b) An action under subsection (a) of this section may be brought in the district court of the United States for the district in which the petroleum distributor against whom such action is brought resides, is found, or is doing business, without regard to the amount in controversy.

(c) It shall be a defense to any action brought under this section that the franchise was terminated, canceled, or not renewed because—

(1) the petroleum retailer failed to comply substantially with essential and reasonable requirements of such franchise;

(2) the petroleum retailer failed to act in good faith in carrying out the terms of the franchise; or

(3) No such petroleum products are available provided the petroleum distributor is not also a petroleum producer or: *Provided further,* That if such distributor is also a petroleum producer such producer is unable to meet the demands of such distributor because of apportionment priorities established by the Commission.

No defense under this subsection may be raised by a petroleum distributor unless he gave written notiec to such retailer of intent to terminate, cancel, or not to renew such franchise not less than ninety days prior to the date on which he terminated, canceled, or failed to renew.

(d) No action may be brought under this section for a cause of action which arose more than three years prior to the date such action is filed.

CONFORMING AMENDMENT

SEC. 7. Sections 1 and 3 of the Robinson-Patman Price Discrimination Act (15 U.S.C. 13, 13a) are hereby amended by striking out "engaged in commerce" wherever such term is used and inserting in lieu thereof "engaged in commerce or affecting commerce".

REPORT

SEC. 8. The Commission shall cause to be conducted a study of economic forces, market power, and practices in the marketing of gasoline and other petroleum products to the American consumer including the effects of petroleum producers being directly or indirectly operating as petroleum distributors and petroleum retailers and shall report thereon, including recommendations for legislation, to the President and the Congress simultaneously not later than two years after the date of enactment of this Act.

By Mr. KENNEDY (for himself, Mr. CRANSTON, Mr. HATHAWAY, Mr. PASTORE, Mr. PELL, Mr. TUNNEY, Mr. BROOKE, and Mr. MUSKIE):

S. 1695. A bill to provide readjustment allowance, opportunities, early retirement benefits, health benefits, public service employment and job counseling and training opportunities, and relocation benefits to adversely affected workers separated from their employment because of defense installation and activity realinements. Referred to the Committee on Labor and Public Welfare; and, if and when reported by that committee, be referred to the Committee on Post Office and Civil Service for consideration of parts under its jurisdiction, by unanimous consent order.

Mr. KENNEDY. Mr. President, I ask unanimous consent that a bill I introduced on providing readjustment allowance, opportunities, early retirement benefits, health benefits, public service employment and job counseling and training opportunities, and relocation benefits to adversely affected workers separated from their employment because of defense installation and activity realinements be referred to the Committee on Labor and Public Welfare, and that, if and when it should be reported, it be referred to the Committee on Post Office and Civil Service for its consideration of provisions therein falling withn its jurisdiction.

Mr. GRIFFIN. Mr. President, reserving the right to object, I ask the distinguished Senator from Massachusetts whether this measure would ordinarily go to the Committee on Post Office and Civil Service.

Mr. KENNEDY. The Senator is correct, as I understand the procedure. If the Parliamentarian would correct me, I understand that would be an appropriate reference if left up to the discretion of the Parliamentarian. Mr. President, I make a parliamentary inquiry as to whether my understanding is correct.

The PRESIDING OFFICER. The request is in keeping with previous precedent.

Is there objection to the request of the Senator from Massachusetts? The Chair hears none, and it is so ordered.

By Mr. DOLE:

S. 1696. A bill to amend section 4491 of the Internal Revenue Code of 1954 to provide that the weight portion of the excise tax on the use of civil aircraft shall apply to piston-engined aircraft only if they have a maximum certificated takeoff weight of more than 6,000 pounds, and for other purposes. Referred to the Committee on Finance.

FAIR TAXATION FOR PRIVATE AIRCRAFT

Mr. DOLE. Mr. President, the Airport and Airways Development Act of 1970, imposed a use tax on all piston-engine civil aircraft. This tax requires a yearly payment of $25 for each aircraft, plus a surcharge of 2 cents per pound for weight above 2,500 pounds.

I believe the use tax surcharge for weight in excess of 2,500 pounds places an inordinate financial burden on the owners of small and primarily noncommercial aircraft without providing any benefits to them in return. Therefore, in an effort to provide a more reasonable tax base and a fairer tax burden, I am introducing a bill to raise the surcharge exemption for piston-engine civil aircraft from 2,500 pounds to 6,000 pounds. The 6,000 pound figure is appropriate, because aircraft weighing less are generally used for private business and pleasure while those weighing more are used mostly for commercial purposes.

This legislation would exempt approximately 117,346 aircraft of the 125,365 general aviation fleet; whereas, the present law exempts only 80,000. The provisions of this bill would not affect the basic $25 use tax levied on every aircraft, nor would it alter the surcharge payment for weight in excess of 2,500 pounds on planes not qualifying for the exemption.

This legislation will reduce the tax burden for private aircraft operators by approximately $3.4 million, but about $60 million will still be brought in from general aviation by aviation use taxes.

The present 2-cent surcharge is unfair to light aircraft operators, because the bulk of this revenue is not used for the improvement of aviation facilities and services which benefit them; instead, it goes to airports used primarily by larger commercial planes. Of the 10,000 airports used by these aircraft only 800 are receiving any Federal assistance.

Private aircraft under 6,000 pounds generally operate under visual flight rules and impose little or no load upon the air traffic control system. When the weather requires the use of such systems, these small planes usually stay on the ground, for only some 10 percent are even equipped to fly by instruments.

The 2,500-pound limitation for the present use-tax surcharge exemption is especially burdensome in light of the fact that small aircraft owners are being hit with increased taxes and fees from several directions simultaneously. The Federal gasoline tax on aircraft increased by 350 percent on July 1, 1970, and many State and local governments have been imposing private aircraft taxes and fees as a means of raising local funds; and, as an indication of things to come, the Federal Aviation Administration is checking every aspect of aircraft activity in an effort to find new and increased sources of revenue. The prospect of new taxes and fees is causing increasing apprehension in the general aviation community.

This bill will help to insure continued strength in the aviation industry. It will also promote the use of small aircraft which are so important to many small, rural communities which cannot support scheduled airline service.

Mr. President, it is time to limit the taxation of this important class of aircraft. I urge early consideration of this measure and ask unanimous consent that the text of the bill be printed in the RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1696

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4491(a)(2)(A) of the Internal Revenue Code of 1954 (relating to tax on use of civil aircraft) is amended by striking out clause (A) and inserting in lieu thereof "(A) in the case of an aircraft (other than a turbine-engine-powered aircraft) having a maximum certificated takeoff weight of more than 6,000 pounds, 2 cents a pound for each pound of the maximum certificated takeoff weight in excess of 2,500 pounds, or".

SEC. 2. (a) The amendment made by the first section of this Act shall take effect on July 1, 1973.

(b) Section 305 of the Excise, Estate, and Gift Tax Adjustment Act of 1970 is repealed.

By Mr. HUMPHREY (for himself and Mr. MONDALE):

S. 1698. A bill to amend the Rural Development Act of 1972 (Public Law 92–419), and for other purposes. Referred to the Committee on Agriculture and Forestry.

NATIONAL RURAL DEVELOPMENT BANK ACT—AN AMENDMENT TO THE RURAL DEVELOPMENT ACT OF 1972

Mr. HUMPHREY. Mr. President, rural America has nearly half of this Nation's poverty, 60 percent of its substandard housing, rates of unemployment and underemployment well above the national average, continuing substantial outmigration—particularly of the young—inadequate public facilities and services—especially in the health, education, and public utilities areas, and a severe flight of rural capital to the metropolitan areas. The economy of rural America today is far from healthy.

The impact of these problems is not limited to our rural areas alone. Every city in America has felt their consequences. Substantial immigration has, at least in part, been responsible for overcrowded housing, high rates of joblessness, unanticipated demands for health, education, and other public services, rising crime rates, swollen welfare rolls, and urban congestion in general.

This relationship between rural and urban problems has been recognized, in recent years, by Federal legislation aimed at bringing some sanity to national growth patterns.

With the enactment of title IX of the Agriculture Act of 1970, Congress and the President committed themselves to a national policy of "sound balance between rural and urban America. The Congress considers this balance so essential to the peace, prosperity, and welfare of all our citizens that the highest priority must be given to the revitalization and development of rural areas."

A similar commitment to the balanced growth of rural and urban America was echoed in title VII of the Housing and Urban Development Act of 1970.

Last year, the first major step in implementing this rural America growth policy was taken with the passage of the Rural Development Act of 1972. It contains bold new programs designed to help rural America prosper. It is a good, solid bill and one that, I believe, ought to be fully funded and implemented without delay.

Despite enactment of the Rural Development Act of 1972, which, I think, most people will now agree was truly a historic piece of legislation, rural America still lacks the basic investment and financial system which, I and many others feel, is essential to stimulate development in the rural areas of our Nation. What I am referring to is the kind of credit and financial system which Senator TALMADGE, chairman of the Agriculture and Forestry Committee, and I proposed last year as part of the Rural Development Act. Regrettably, that proposal fell out of the bill during debate on the Senate floor.

The United States has capitalized development financing institutions in Asia, Africa, and Latin America. While I am not adverse to providing such assistance to our foreign friends, I think it is time we did the same for our own people.

Such a financial institution, channeling additional capital into rural areas of the United States for nonfarm development purposes, is essential to the economic revival of rural America. History clearly shows that, because of the way the financial system works in this country, funds tend not to revolve within rural communities. Instead, they normally flow to the largest national population centers. They flow into bond markets, stock markets, insurance companies, corporate bank accounts, and trust funds—all of which are uniquely metropolitan. The reverse flow of capital—urban to rural—is much more modest.

Smalltown banks are limited by small reserves from making large loans. The regulations under which they operate force them to lend money for short periods of time to those who represent virtually no risk whatsoever. Often small banks' reserves are invested in Government bonds instead of being loaned out, once again reducing the availability of capital for use in developing rural areas. This lack of investment power by rural banks and of venture capital by rural entrepreneurs is a crucial deficiency in rural economic development efforts. Even though many local development efforts are led by bankers, they have very limited means at their disposal to accomplish their economic development objectives.

Often, small rural communities are prevented from doing those things which attract economic development because they do not need enough money. Few bond houses, for example, will handle issues of less than $500,000. As a result, nonrevenue producing services are completely neglected by rural communities, and even credit for self-liquidating, or partially self-liquidating, activities, such as water and sewer lines, is hard to come by.

In addition, small rural banks are severely limited in the amount of credit they can dedicate to any individual rural development project or borrower. Yet many individual projects, if we are really serious, are going to cost a lot of money. Even when the Federal Government guarantees 90 percent of a $7 million loan, the remaining $700,000 is more than most small banks can handle alone.

Of course, most small rural banks have developed good cooperative working relationships with other larger banks, usually in metropolitan areas. Such banks are helpful to local banks in meeting rural credit needs. But this line of credit is limited and the small bank also has problems of liquidity and flexibility to think about in drawing on this source of capital. Moreover, experience shows that, during periods of rapid national economic expansion, many of these large financial institutions themselves need somewhere to turn for asistance with their rural development credit and investment portfolios.

In 1971 President Nixon's Task Force on Rural Development recognized this need for additional financial resources in rural areas to stop and reverse the ongoing trend of outmigration. It stated in its final report—

> The Task Force recommends a new credit institution to provide rural aeeas with greater access to private capital.

The bill I have introduced today responds to this recommendation and would go a long way toward meeting the additional capital needs of rural America. And it would meet them in an effective and timely manner.

In general, the national rural development bank bill would establish a National Rural Development Bank to serve as a basic source of financial assistance to institutions that have purchased, refinanced, discounted or rediscounted nonfarm rural development loans made by local rural banks and other local financial institutions, or to these institutions themselves, when the need arises.

It would also set up a Board for the Bank composed of 11 Presidential appointees, 3 ex officio members, and 10 members elected by the bank stockholders to set bank policy and procedures; and

In addition, it would authorize the appropriation of not more than $200 million annually for 10 years for the purchase of capital stock in the bank by the Secretary of the Treasury.

In its organization and operations, the proposed bank would:

First, rely on the existing private rural banking and financial system and not create a major new bureaucracy to administer the bank's operations;

Second, be owned and controlled by the independent rural investment institutions themselves;

Third, create an additional independent source of capital for nonfarm rural development that can be utilized by rural financial institutions and now required to operate within the constraints of the Federal and State political structure;

Fourth, work with correspondent banks of rural banks and with rural banks themselves to increase the liquidity and security of rural development loans;

Fifth, join with local banks and other investors to make joint-venture equity investments in rural development projects on a limited basis; and

Sixth, require the purchase of bank stock by borrowers who are rural development project sponsors and joint venture cosponsors.

The proposed National Rural Development Bank has a greatly simplified organizational structure compared to last year's proposal. The current proposal would eliminate the 10 regional banks by establishing one national bank;

It would eliminate the district rural development finance agencies by authorizing the national bank to deal directly with local private banks and other financial institutions.

It would eliminate the Rural Development Credit Agency giving some of its duties to the National Board and some to the bank itself.

It would eliminate the capital and interest rate supplementing grants and the Rural Development Investment Agency that would administer them, since the direct grant component was already included, in another form, in the Rural Development Act of 1972.

As things now stand, control of nonfarm rural development credit rests in the executive branch of the Federal Government—nowhere else. The administration's action on the Rural Development Act provisions for guaranteed and insured loans for rural industrial development and community facilities forces reliance on the rural development insurance fund for virtually all nonfarm rural credit.

The decision by the Office of Management and Budget to set a ceiling on these guaranteed and insured loans and to make them subject to the present budgetary and appropriations process, coupled with the administration's proposed cutbacking in personnel of the Farmers Home Administration, reinforces the need for an independent, nonfarm rural capital generating institution like the proposed National Rural Development Bank.

In conclusion, unless more credit is made available for projects which can pay at least part of their own way, small towns will never be able to use local tax dollars for those things which improve the quality of rural life; make communities attractive for commercial and industrial expansion; and are part of the American way of living which most nonrural residents take for granted.

I ask unanimous consent that the detailed section-by-section analysis of the proposed National Rural Development Bank bill be printed in the RECORD.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS OF S. 1698

A Bill to amend the Rural Development Act of 1972 (Public Law 92–419) and for other purposes.

The bill amends the Rural Development Act of 1972 by adding a new Title VII to be cited as the "Rural Development Act Amendments of 1973."

SUBTITLE A

Subtitle A sets forth the findings of Congress, states the policy and purpose of Congress, and provides the definition of terms used in the bill.

Section 701—Title

Section 701 states the title, and findings, and purpose.

Subsection (a) states the title as the "Rural Development Act Amendments of 1973".

Findings

Subsection (b) sets forth the following findings:

1. Farming and forestry form the backbone of the rural economy; yet the community services and facilities and the income earning opportunities needed by farm and forestry people to increase their incomes and raise their quality of life are shared with all other residents living in rural areas and rural communities who must participate in their financial support.

2. Adequately raise farm family and for-

estry income and increase the accessibility to farm and rural residents of high-quality community facilities and services, require all the resources in local rural communities to be used at maximum effectiveness and efficiency.

3. The conduct of industry, business, and commerce, as well as farming and forestry, contributes to the jobs and income earning opportunities needed to provide the tax base to establish and maintain adequate rural facilities and services; the same circumstances are essential to expanding the service loads and hence the ability of rural electrification and telephone systems to pay overhead costs for service for farmers and other rural residents and repay indebtedness on Government and Government insured and guaranteed loans.

4. Prosperous, productive, and attractive rural communities are essential to the well-being of farm and other rural families and of a free nation because a more general, better balanced geographic distribution of the Nation's population is essential to the prosperity, general welfare, and domestic tranquility of the urban as well as the rural communities of the United States.

5. To attain a more general, better balanced geographic distribution of the Nation's population requires a reversal of the long-term trend of migration from rural to urban areas.

6. To reverse the flow of population from rural to urban areas and achieve a more general, better balanced geographic distribution of the Nation's population requires a more general, better balanced geographic distribution of profitable private economic enterprises, income earning opportunities, and high-quality public community facilities, services, and public works.

7. Additional capital investment and finanical resources in rural areas are essential to enable them to establish and operate the private economic enterprises, public works, and community facilities and services necessary to achieve a more uniform geographic distribution of economic enterprises, jobs, and increased rural income.

8. Much of the needed investment must come from outside of rural areas and communities.

9. Much of the outside investment and credit needed by rural areas will be made available by the Nation's existing network of commercial and investment banks, the Farm Credit System, and other local rural financial institutions, and by other private enterprise and local and State governments buttressed and supplemented by the direct, insured, and guaranteed loans, technical assistance, and grants provided by the Consolidated Farm and Rural Development Act and other titles of the Rural Revelopment Act of 1972.

10. However, because the size of investment or credit required by the sponsors of significant rural development projects often exceeds the regulated lending limits and investment standards of existing local rural financial institutions and individuals even when a part of the loan is insured or guaranteed under the Consolidated Farm and Rural Development Act, existing arrangements do not fully provide to local rural investors and financial institutions the liquidity, flexibility, and usable financial resources they require to be fully responsive to expanding rural development investment and credit needs.

11. Moreover, the individual potential investor, public or private, who wishes to construct and operate a significant rural development project does not have an independent access to investment funds and capital, if these are not currently available from existing credit and investment individuals and institutions.

Policy

Subsection (c) states that it is the policy of Congress to meet this need by establishing a local-lender-and-borrower-owned facility that will make equity investments along with sponsors of rural development projects and extend financial assistance to local lenders and those with whom loans extended by local lenders are refinanced, discounted, rediscounted, or to whom such loans are sold.

Purpose

Subsection (d) states it is the purpose of this Act to provide for a permanent rural development investment and financial institution that will organize and make available a stable, continuous, and dependable source of financial resources that will provide equity investments, extend loans, and provide discounting, rediscounting, refinancing and purchase of loans extended by local rural financial institutions to the residents of rural areas, rural corporations, agricultural producers' organizations and other cooperatives (except where able to obtain needed credit from the banks for cooperatives under the Farm Credit Act of 1971), rural industrial and business enterprises, quasi-public bodies in rural areas, rural counties and municipalities, Indian tribes on Federal and State reservations or other federally recognized Indian tribal groups, and other units of rural local general and Special purposes government that will establish, construct, and operate private and public facilities, works, and services in rural areas and will provide remunerative employment to increasing numbers of rural residents.

Section 702—Definitions

Section 702 sets forth the following definitions:

"Rural area" is defined to mean all the territory of a State, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, and Guam that (1) is not within the outer boundary of any standard metropolitan statistical area, as designated by the Office of Management and Budget plus (2) all territory within [any standard metropolitan statistical area that is, also, within counties, towns, plantations in Maine]) and townships having a population density of less than two hundred persons per square mile, as determined by the Secretary of Agriculture according to the latest decennial census of the United States.

"Rural development purpose" is defined to mean any project undertaken by any private industrial or business enterprise or by any multistate region, State, multijurisdictional district, or local government or instrumentality thereof, that contributes or will contribute to giving highest priority to attainment of the objectives of the revitalization and development of rural areas as provided in section 901(a) of the Agricultural Act of 1970 (Public Law 91–524), or the enhancement of any rural community or rural area as a place to live and make a living. Rural development purpose is defined to include activities that provide increased employment or income for or directly benefit rural residents and that—

1. establish or improve public works or community services, or facilities;

2. encourage private investment in, or promote the establishment and expansion of, industrial or commercial enterprises, including but not limited to, investor-owned and cooperative marketing and other service associations and enterprises;

3. provide manpower development and training;

4. improve the quality and accessibility of rural community facilities and services;

5. promote the conservation, development and proper utilization of natural resources;

6. establish and improve public educational facilities, including but not limited to community and junior colleges, vocational and technical schools and other institutions of higher education, and encourage the development of improved educational methods;

7. establish and improve land, water, and air transportation systems and services for goods and passengers;

8. assist in the solution of problems related to law enforcement activities;

9. establish decent, safe, sanitary, and comfortable housing;

10. establish and improve health care and preventative practice facilities and services, including but not limited to facilities for vocational rehabilitation and generally promote improved health and nutrition of residents of rural areas;

11. provide direct financial incentives to industry to create jobs in rural areas; and

12. establish and improve facilities and services that will enhance the quality of the environment and provide abatement and control of pollution.

"Rural development project" is defined to mean an organized proposal or activity with an identifiable legal sponsor that will or does contribute to the attainment of one or more rural development purposes.

"Local general government" is defined to mean the government of a municipality, county, town, or township as such terms are defined and used by the United States Bureau of the Census.

"Regional office" is defined to mean the office that serves the rural part of the geographical area located within a uniform region established by the President of the United States for coordination of Federal agencies.

"Board" is defined to mean the National Rural Development Bank Board.

"Bank" is defined to mean the National Rural Development Bank.

"Participant" is any local rural bank or other local rural financial institution designated as a Participating Rural Development Financial Institution under the Act.

A *"supporting financial institution"* is any person or financial institution within the United States that has purchased, discounted, rediscounted, or refinanced all or part of a rural development loan extended to an eligible sponsor by a Participant.

A *"rural development loan"* is a unit of credit or other financial assitance extended to an eligible sponsor to construct and operate a rural development project.

The *"Governor"* is the executive officer of the National Bank.

"Financial assistance" means (1) the purchase of legal obligations and the discount, rediscount, or refinancing of any note, draft, or other obligation and similar legal instruments evidencing and securing the repayment of a secured rural development loan advanced by a local rural financial institution for the establishment or operation of any rural development project irrespective of whether such loan is insured or guaranteed in whole or in part by an instrumentality of the Federal Government; (2) the providing of funds for joint-venture equity investment in rural development projects; and (3) the extending of loans to sponsors of rural development projects who are unable to obtain needed credit from other existing financial institutions.

"Joint-venture equity investment" means the investment of funds jointly with another private or public rural development project sponsor to establish and operate a rural development project.

"Eligible sponsor" is defined to mean—

1. Any of the following who propose to or are engaged in establishing or operating a rural development project, if they meet the requirements specified in paragraph (2):

Public and quasi-public bodies;

Cooperative associations as defined in the Agricultural Marketing Act (42 Stat. 388; 12 U.S.C. 1141j(a), if such associations are unable to borrow from the banks for cooperatives; other cooperatives;

Corporations;

Partnerships;

Individual proprietors;

Multijurisdictional substate general purposes planning and development districts established by the legislature or Governor of a State;

Persons and firms;

Owners or potential owners of rural homes;

Municipalities;

Resource conservation and development project sponsors under title III of the Bankhead-Jones Farm Tenant Act;

Sponsoring associations carrying out projects under the Watershed Protection and Flood Prevention Act;

Corporate entities established by sponsors of concerted education and training service projects carried out jointly by the Department of Agriculture, the Department of Health, Education, and Welfare, and the Department of Labor;

Cooperative associations furnishing to farmers and rural residents services and facilities for harvesting, storing, processing (including preservation or preparation of edible products for market), transporting or marketing agricultural commodities or products, consumer purchasing services, or the processing or marketing of other products of farmers or rural residents, or other cooperatives or self-help enterprises;

Councils of government established under State law if rural areas are included within their jurisdiction;

Private associations;

Local development districts organized under the Appalachian Development Act;

Economic Development Districts organized under the Economic Development Act of 1965;

Technical vocational schools; and

Indian tribes on Federal and State reservations or other federally recognized Indian tribal groups.

2. To be eligible the proposed or operating project would have to be declared eligible based upon the following:

A review of the proposed project by the governing body of the multijurisdictional, areawide, general purpose planning and development district, if any, established by the legislature or Governor of the State concerned and a certification by such body that the proposed private or public facility, work or service is not inconsistent with the current areawide general purpose development plan, if any, for the multijurisdictional district;

A determination that the private or public facility, work, or service provided by the project will be located in and operate primarily in a rural area to increase the employment of or for the benefit of rural residents and that the proposed project promises to make a net increase in the number of jobs, quality of life, or median family income in the rural area served;

A determination that the proposed undertaking covered by the loan is not inconsistent with the Federal, State, or local laws or regulations relating to protecting the quality of the environment.

"Voting stockholders" include all Participants, all borrowers, and all Joint-venture-cosponsors who have purchased and own voting stock in the Bank.

A "Joint-venture-cosponsor" is an eligible sponsor who joins with the Bank in making a joint-venture equity investment in a rural development project.

SUBTITLE B—NATIONAL RURAL DEVELOPMENT BANK BOARD

Section 801—Establishment

Section 801 establishes a National Rural Development Bank Board (hereinafter referred to as the "Board") composed of eleven appointed, three ex officio, and ten elected members. The appointed members are to be appointed by the President, by and with the advice and consent of the Senate, not more than six of whom shall be from the same political party nor more than one of whom shall be from any State. In making appointments to the Board the President must select persons who are especially qualified to serve on the Board because of their education, training, and experience, shall attempt to provide a fair representation on the Board of the different geographic regions of the United States and the several economic interests in rural development-farming, labor, business, banking, cooperatives, local government, and private economic enterprises both for profit and nonprofit. The representative of the Secretary of Agriculture on the Farm Credit Board, the Governor of the Farm Credit Administration, and the Governor of the Bank shall be ex officio members of the Board and shall not be eligible to vote. One elected member shall be chosen by voting stockholders of the rural area served by each regional office.

All members of the Federal Board must be citizens of the United States and not less than seventeen members, exclusive of ex officio members, must be legal residents of rural areas in which the Bank is authorized by this Act to extend financial assistance for rural development projects.

The Board shall elect a chairman and vice chairman from among its appointed and elected members. The Board shall elect a Secretary from among its members or from outside its membership. Such officers shall be elected for terms of one year and shall hold office until their successors have been elected.

No member of the Board, other than the ex officio members shall, while serving as a member of the Board, be an officer or employee of the United States or of any State or of the Rural Development Bank or of the Farm Credit System.

Appointed and elected members of the Board will serve for terms of six years, except that (1) a person appointed to fill an unexpired term will serve only for the remainder of the term for which his predecessor was appointed, and (2) with respect to the first members appointed and elected to such Board, four will be appointed and four elected for terms of six years, four will be appointed and four elected for terms of four years, and three will be appointed and two elected for terms of two years.

The bill provides that a vacancy on the Board will not affect the power of the Board to act. A vacancy will be filled in the same manner as originally filled, and members serve until their successors are appointed and qualified.

The Board is authorized to establish its own rules of procedure for conducting its business, except that a majority of all members of such Board shall constitute a quorum for the transaction of its business.

Each appointed and elected member of the Board shall receive $200 a day for not more than one hundred days of meetings each year and all members shall be reimbursed for travel and reasonable expenses incurred in attending meetings of such Board and in discharge of their official duties without regard to laws with respect to allowances which may be made on account of travel and subsistence expenses of officers and employed personnel of the United States. Nothing in the preceding sentence shall be construed to limit the number of days of meeting each year to one hundred days.

The Board shall hold at least six regularly scheduled meetings a year and such additional meetings at such times and places as it may determine. Special meetings shall be held at any time at the call of the chairman or by any three members of such Board.

Section 802—Powers of the Board

Section 802 empowers the Board to establish the general policy for the guidance of the Bank in carrying out this Act. It may require such reports as it deems necessary from the Bank. The Board must provide for the examination of the condition of and general supervision over the performance of the powers, functions, and duties vested in the Bank and in Participants, which, in the judgment of the Board, relate to matters of board and general supervisory, advisory, or policy nature. The Board is required to function as a unit without delegating any of its functions to individual members, but is allowed to appoint committees and subcommittees for studies and reports for consideration by such Board. It shall not operate in an administrative capacity.

Section 803—Reports

Section 803 provides for the Board making an annual report to the Congress on the condition of the Bank, including analytical program evaluation and cost effectiveness studies, and recommendations to improve the operation of the Bank in providing supplementary investment required to attain rural development purposes.

SUBTITLE C—NATIONAL RURAL DEVELOPMENT BANK

Section 901 establishes a National Rural Development Bank (herein called Bank) as a federally chartered instrumentality of the United States subject to policies of the Board. Its charter may be modified from time to time by the Board in any manner not inconsistent with the Act.

Section 902—Corporate powers

Section 902 provides for the corporate existence of the Bank and for its general corporate powers.—The Bank is given the following general powers:

Adopt and use a corporate seal;

Have succession until dissolved under the provisions of this Act or other Acts of Congress;

Make contracts;

Sue and be sued;

Acquire, hold, dispose, and otherwise exercise all the usual incidents of ownership of real and personal, tangible and intangible property necessary or convenient for its business;

Operate under the policy direction of the Board;

Prepare and disseminate information to the general public on use, organization, and functions of the Bank and to investors on merits of its securities;

Require appropriate bonds or other provision for protection of the assets of the Bank against losses occasioned by employees;

Prescribe rules and regulations necessary or appropriate for carrying out the provisions of this Act;

Prescribe its bylaws, subject to approval of the National Board;

Provide in the bylaws for

The classes of its stocks and the manner in which such stock shall be issued, transferred, and retired;

The election or appointment of its officers and executive employees;

Property acquired, held, or transferred;

The conduct of its general business; and

The exercise and enjoyment of the privileges granted to it by law.

Deposit its securities and its current funds with any member bank of the Federal Reserve System, and pay fees therefor and receive interest thereon as may be agreed. When designated for that purpose by the Secretary of the Treasury, it shall be a depository of public money, except receipts from customs, upon such regulations as may be prescribed by the Secretary; may be employed as fiscal agent of the Government, and shall perform all such reasonable duties as a depository of public money or financial agent of the Government as may be required of it. No Government funds deposited under provisions of this subsection shall be invested in loans or bonds or other obligations of the Bank;

Buy and sell obligations of, or insured or guaranteed by, the United States or of any agency thereof, or securities backed by the full faith and credit of such agency, and make such other investments as may be authorized by the Board;

Delegate to Participants and Joint-venture-cosponsors such functions vested in the Bank, as it may determine appropriate;

Exercise by its authorized officers, employees, or agents all such incidental powers as may be necessary or expedient to carry out the business of the Bank;

Purchase, refinance, or discount rural development loans and participations in such loans made by local rural financial institutions from such institutions and from other financial institutions that have purchased, discounted, or refinanced such loans; and

Make joint-venture equity investment in rural development projects.

Section 903—Governor

Section 903 provides for the appointment of the Governor, his salary, and his expense allowance.

The Governor is appointed by the Board subject to confirmation by the Senate.

The compensation of the Governor is set at the rate prescribed for positions in level IV of the Executive Pay Schedule under subchapter II of chapter 53 of title 5, United States Code. The Federal Board shall fix the allowance for his necessary travel and subsistence expenses or per diem in lieu thereof.

Section 904—Duties

Section 904 provides that the Governor shall be responsible, subject to the supervision and control of the Board, for carrying out the functions of the Bank and the policies of such Board. He is required to carry out all orders and directives received by him from the Board.

Section 905—Powers of Governor

Section 905 authorizes the Governor to carry out the powers and duties now or hereafter vested in him by the Act and Acts supplementary thereto, to establish and to fix the powers and duties of such officer to serve within regional offices, divisions, and instrumentalities as he may deem necessary to insure the proper and efficient administration. The Governor is given authority to appoint and employ such personnel as may be necessary to carry out the functions of the Bank, including the appointment, with the approval of the Federal Board, of a Deputy Governor who shall receive compensation at the rate prescribed for positions in level V of the Executive Pay Schedules. The powers of the Governor may be exercised by him through such officers and employees of the Bank as he may designate. The Governor shall provide on a reimbursable basis such administrative management services, other than public information for the Federal Board as shall be mutually agreed upon by the two parties.

Section 906—Administrative

Section 906 allows the Bank within the limits of funds available therefor, to make necessary expenditures for personnel, services, and rent at the seat of Government and elsewhere; for contract stenographic reporting services; for purchase and exchange of law books, books of reference, periodicals, and newspapers; for expenses of attendance at meetings and conferences; for purchases, operation, and maintenance at the seat of Government and elsewhere of motor-propelled, passenger-carrying vehicles and other vehicles; for printing and binding; and for such other facilities and services, including temporary employment by contract or otherwise, as may from time to time be necessary for proper administration.

Section 907—Enumerated powers

Section 907 provides to the Bank in addition to the corporate powers enumerated above the following powers, functions, and responsibilities in connection with the provision of financial assistance to Participants, to Joint-venture-cosponsors, and to those who have purchased, discounted, or refinanced rural development loans extended by Participants:

—to make studies of rural lending and investment needs, the need for better geographic distribution of population and economic opportunity, appraisal and credit standards, and credit requirements of rural industrial and commercial enterprise; to develop acceptable national and regional standards, procedures, and appraisal forms; and to prescribe price and cost levels to be used in such standards, joint-venture investment, appraisals, and lending.

Section 908—Policies and regulations

Section 908 requires Board to establish and promulgate policies and regulations, not inconsistent with provisions of this Act, to govern the policies, programs and procedures of the Bank.

The policies of Bank, for so long as the Secretary of the Treasury holds stock in such Bank for the United States will be subject to prior approval by the Secretary of the Treasury.

Section 909—Financial examinations

Section 909 subjects the Bank, Participants, and Joint-venture-cosponsors to the supervision of the Farm Credit Administration with respect to all procedures relating to financial examinations, including audits. The section requires the Board to arrange with the Federal Farm Credit Board to utilize the services of the Farm Credit Administration examiners for investigative, accounting, and administrative auditing of the work of the Bank in an orderly, efficient, and effective manner. The Farm Credit Administration is authorized to provide such services on a mutually agreeable reimbursable basis.

Section 910—Examination and audit

Section 910 provides that except as otherwise provided the Bank, Participants, and Joint-venture-cosponsors, at such times as the Board may determine, shall be examined and audited by examiners of the Farm Credit Administration on a reimbursable basis but that in no event shall any such institution be examined and audited less frequently than once a year. If the Board determines it to be necessary or appropriate, the section provides that the required examinations and audits may be made by independent certified public accountants, certified by a regulatory authority of a State, in accordance with generally accepted auditing standards. Upon request of the Governor of the Bank, credit examiners shall also make examinations of any organization, other than a national bank, to which, or with which, the Bank contemplates extending financial assistance or delegating authority. Examiners of the Farm Credit Administration are made subject to the same requirements, responsibilities, and penalties as are applicable to examiners under the National Bank Act, the Federal Reserve Act, the Federal Deposit Insurance Act, and other provisions of law and shall have the same powers and privileges as are vested in such examiners by law. The section provides that a report of each audit of the Bank or other institution for any fiscal year shall be made by the Farm Credit Administration through the Board to the President of the United States and to the Congress not later than six months following the close of such fiscal year. The section requires the Bank to reimburse the Farm Credit Administration for the cost of performing the audits.

The Bank, Participants, and Joint-venture-cosponsors are made subject to audit by the General Accounting Office at such times and to such extent as the Comptroller General shall determine.

Section 911—Comptroller of Currency

Section 911 authorizes and directs the Comptroller of the Currency, upon request of the Farm Credit Administration, to furnish for the exclusive and confidential use of the Board such reports, records, and other information as he may have available relating to the financial condition of national banks through, for, or with which the Bank has made or contemplates making discounts, loans, or delegations of power.

Section 912—Consent to examination

Section 912 requires any organization, other than State banks, trust companies, and savings associations shall, as condition precedent to security discount privileges or delegated powers with the Bank for its exclusive and confidential use, to file with such bank its written consent to examination by Farm Credit Administration examiners. State banks, trust companies, and savings associations may be required in like manner to file a written consent that reports of their examination by constituted State authorities may be furnished by such authorities upon the request of the Farm Credit Administration.

Section 913—Executive departments and Federal Reserve information

Section 913 authorizes the executive departments, boards, commissions, and independent establishments of the Government of the United States, the Federal Deposit Insurance Corporation, the Comptroller of the Currency, the Board of Governors of the Federal Reserve banks, under such conditions as they may prescribe, upon request of the Farm Credit Administration, to make available to the Board in confidence all reports, records, files, or other information relating to the conditions of any Participant or Joint-venture-cosponsor to which the Bank has or is contemplating extending financial assistance or for which it has or contemplates using as a custodian of securities or other credit instruments, or which is using as or contemplates using as a depository, or to which it contemplates delegating powers under this Act. The Federal Reserve banks in their capacity as depositories, agents, and other obligations issued by the banks of the Rural Development Credit System or book entries thereof are also authorized and directed, upon request of the Board, to make available for audit all appropriate books, accounts, financial records, files, and other papers.

Section 914—Jurisdiction

Section 914 provides that the Bank, Participants, and Joint-venture-cosponsors shall, for the purposes of jurisdiction, be deemed to be a citizen of the State, commonwealth, or District of Columbia in which its principal office is located. No district court of the United States shall have jurisdiction of any action or suit by or against any private financial institution exercising delegated powers under the Act, upon the ground that it was incorporated under the Act or that the United States owns any stock thereof, nor shall any district court of the United States have jurisdiction, by removal or otherwise, of any suit by or against the United States or by or against any officer of the United States and except in cases by or against any receiver or conservator of any such institution appointed in accordance with the provisions of this Act.

Section 915—Stock and franchise tax

Section 915 allows the Bank to issue stock which may be purchased by the Secretary of the Treasury on behalf of the United States as an initial investment in the stock of the Bank to help it to inaugurate financial assistance operations. During the time the stock is outstanding, the pertinent provisions of the Government Corporation Control Act will be applicable to the Bank. Notwithstanding the requirements for annual audits and annual reports to the Congress contained in sections 202 and 203 of the Government Corporation Control Act the section provides that the operations of the Bank shall also be subject to audit by the General Accounting Office at such times and to such extent as the Comptroller General shall determine.

Moreover, for any year or part thereof in which the Secretary of the Treasury holds any stock in the National Bank, the Bank, before declaring any dividends shall pay to the United States as a franchise tax a sum equal to the lower of (1) 25 per centum of its net earnings for the year, or (2) a rate of return on such investment calculated at a rate determined by the Secretary of the Treasury equal to the average annual rate of interest on all public issues of debt obligations of the United States issued during the fiscal year ending next before such tax is due, multiplied by the percentage that the number of days such stock is outstanding is of three hundred and sixty-five days. Such payments shall be deposited in the miscellaneous receipts of the Treasury.

Section 916—Government Purchases of Stock

Section 916 directs the Secretary of the Treasury to purchase stock of the Bank on behalf of the United States in the amount appropriated by Congress.

Section 917—Limit on stock issued

Section 917 authorizes the Governor subject to the provisions of the Act, and approval of the Board, to issue from time to time and to have outstanding voting and nonvoting capital stock of an aggregate par value of not to exceed the par value of stock purchased by the Secretary of the Treasury plus not to exceed two per centum of the amount of outstanding financial assistance and joint-venture equity investment.

Section 918—Classes of stock and redemption of stock

Section 918 provides that the capital stock of the Bank shall be divided into shares of par value of $5 each and may be of such classes as may be determined by the Board. The voting stock of the Bank shall be held only by such Participants as obtain financial assistance from such Banks and Joint-venture-cosponsors, which stock may not be transferred, pledged, or hypothecated except as authorized pursuant to the Act. Any Participant is allowed to elect to receive nonvoting stock in lieu of voting stock.

Nonvoting stock may be issued to the Secretary of the Treasury and may also be issued to Participants. When a Participant reduces its total outstanding indebtedness to the Bank, or when a Joint-venture-cosponsor has retired the Bank's investment, its voting stock may be converted at par value, or such greater value as the Bank may from time to time determine, into nonvoting stock, or may be redeemed in cash or as a credit to extinguish final indebtedness at such value as the Bank may from time to time determine. Nonvoting stock or other evidences of indebtedness of the Bank held by the Secretary of the Treasury may be retired at any time, subject to approval of the Board, and shall be retired each year to the extent of the availability of earnings in accordance with the provisions of this Act.

DETERMINATION OF EARNINGS

The earnings of the Bank shall be determined in accordance with approved accounting principles and practices, as established by the Board subject to examination under policies of the General Accounting Office.

Earnings shall be distributed as follows:

First, not less than 10 per centum of net earnings for the year shall be paid into the reserve fund of the Bank until said reserve fund shall equal 150 per centum of outstanding stock.

Second, not less than 10 per centum of net earnings for the year shall be paid into the capital surplus fund of the Bank.

Third, the franchise tax shall be paid as required by section 915 for any year in which any stock is held by the Secretary of the Treasury.

Fourth, not less than 10 per centum of net earnings shall be used for retirement of nonvoting stock and other evidences of indebtedness of the Bank held by the Secretary of the Treasury.

Fifth, dividends shall be paid on nonvoting stock held by investors other than the Secretary of the Treasury at a rate not exceeding the average cost to the Bank of funds obtained through issuance of bonds, debentures, and other evidences of indebtedness in its funding operations.

Sixth, dividends shall be paid on voting stock of the Bank as determined by Board.

Dividends shall not be payable on any stock held by the Secretary of the Treasury.

Section 919—Issuance of notes, bonds, debentures, and other obligations

Section 919 authorizes the Bank, subject to supervision of the Board, to issue its own notes, bonds, debentures, or other similar obligations, fully collateralized by the notes, mortgages, joint-venture equities and security instruments it holds in the performance of its functions in such sums, maturities, rate of interest, and terms and conditions of each issue as it may determine.

Section 920—Limitations on amount of obligations

Section 920 sets the maximum amount of long-term notes, bonds, debentures, or other obligations the Bank may issue at an amount which, when added to the amount of other bonds, debentures, long-term notes, or other similar obligations issued and outstanding, will not exceed twenty times the capital and surplus of the Bank, or such lesser amount as the Board shall establish by regulation.

The section also requires that the Bank have on hand at the time of issuance of any long-term notes, bonds, debentures, or other similar obligations, and at all times thereafter maintain, free from any lien or other pledge, notes, and other obligations representing rural development loans made, refinanced, rediscounted, or purchased under the authority of this Act, equities in joint-venture investments obligations of the United States or any agency thereof direct or fully guaranteed, other readily marketable securities approved by the Board, or cash, in an aggregate value equal to the total amount of long-term notes, bonds, debentures, or other similar obligations outstanding for which the Bank is primarily liable.

Section 921—Liability of the bank

Section 921 requires the Bank to be fully liable on all notes, bonds, debentures, or other obligations issued by it.

The section provides that the United States shall not be liable or assume any liability directly or indirectly on obligations issued by the Bank.

Section 922—Lawful investments

Section 922 provides that the bonds and other similar obligations issued under the authority of the Act shall be lawful investments for all fiduciary and trust funds and may be accepted as security for all public deposits. It also provides that any obligation issued by the Bank pursuant to the Act shall be deemed to be exempt securities within the meaning of laws administered by the Securities and Exchange Commission, to the same extent as securities which are direct obligations guaranteed as to principal or interest by the United States.

Section 923—Federal reserve system

Section 923 authorizes any member of the Federal Reserve System to buy and sell bonds, debentures, or other similar obligations issued under the authority of the Act, and authorizes any Federal Reserve Bank to buy and sell such obligations to the same extent and subject to the same limitations placed upon the purchase and sale by said banks of State, county, district, and municipal bonds under section 14(b) of the Federal Reserve Act (12 U.S.C. 355).

Section 924—Fiscal agent

Section 924 authorizes the Bank to purchase its own obligations and to provide for the sale of obligations issued by it, through a fiscal agent or agents, by negotiation, offer, bid, or syndicate sale, and to deliver such obligations by book entry, wire transfer, or such other means as may be appropriate.

Section 925—Investments and guarantees

Section 925 authorizes the Bank to:

Buy and sell securities it has guaranteed or whose mortgages it has insured or in which it has invested;

Invest funds not needed in its financing operations in such property and obligations as it may determine;

Guarantee securities in which it has invested for the purpose of facilitating their sale; and

Guarantee and insure rural development loans made by other lenders.

Section 926—Liquidation

Section 926 prohibits the Bank from going into voluntary liquidation without the consent of the Board. With such consent it may liquidate only in accordance with regulations prescribed by the Board. Upon default of any obligation by the Bank, it may be declared insolvent and placed in the hands of a conservator or a receiver appointed by the Board and the proceedings thereon shall be in accordance with regulations of the Board regarding such insolvencies.

Section 927—Financial assistance provided

Section 927 authorizes the Bank to extend financial assistance to eligible sponsors, to Participants, and to such other financial institutions as have extended financial assistance to Participants in accordance with provisions of the Act.

Section 927—Joint-venture investments; limitations

Section 927 also authorizes the Bank to invest its funds in joint-venture equity investments in rural development projects.

The section also requires the Bank to develop criteria to assure that projects assisted by it are not inconsistent with the comprehensive planning, if any, for the development of the general purpose substate multi-jurisdictional planning and development districts in which such projects are proposed to be located.

Financial assistance extended under this section may not exceed the total capital cost of the project to be financed.

Section 927—Special handling of public bodies credit

Section 927 provides for special handling in any case in which the Bank undertakes to provide assistance to a State or local government under subsection (a) for the construction of a project for which any other department or agency of the Federal Government (under another law of the United States) will also provide funds.

The assistance provided by the Bank under this section may be in the full amount needed by the State or local government to finance such project (including the amount of the funds which will be provided by such other department or agency), but the funds to be provided by such other department or agency with respect to such project shall become payable (notwithstanding any contrary provision in the law under which they are payable) to the Bank in lieu of being paid directly to such government; and

The Bank may accept in return (A) an obligation or obligations of such State or local government covering only the difference between such full amount and the amount of the funds which are payable with respect to such project by such other department or agency, plus (B) a commitment from such other department or agency to pay the funds which are to be provided by it and are payable to the Bank as described in paragraph (1), in order to insure that such State or local government will not have to include within its debt limit that portion of the indebtedness incurred for the financing of such construction which is attributable to funds provided by such other department or agency.

Section 928—Interest rates

Section 928 requires that financial assistance provided by the Bank bear interest at a rate or rates, and on such terms and conditions, as may be determined by the Board from time to time. The section provides that rates and charges will be set to provide the types of financial assistance needed on a sound business basis at the lowest reasonable cost, taking into account the cost of money to the Bank, the necessary reserves, capital surpluses, and expenses of the Bank, and the orderly retirement of the capital subscriptions of the United States, with provision for the interest rate or rates to vary from time to time during the period of the assistance in accordance with the rate or rates currently being charged by the Bank.

Section 929—Security

Section 929 requires that the financial assistance extended by the Regional Bank shall be secured by all of the best available security owned or to be acquired by the beneficiary as may be required adequately to secure the obligation.

Section 930—Delegation of powers

Section 930 authorizes the Bank, by order, rule, or regulation to delegate to any Participant, Joint-venture-cosponsor, or supporting financial institution such of the duties, powers, and authority of the Bank with respect to such Participant or the officers and employees thereof, in the rural area wherein such Participant is located, as may be determined to be in the interest of effective administration. Any Participant, or other person to which any such duties, powers, or authority may be delegated, is authorized and empowered to accept, perform, and exercise such duties, powers, and authority as may be so delegated to it.

Section 931—Sharing of gains and losses

Section 931 authorizes the Bank to enter into agreements with Participants, Joint-venture-cosponsors, and eligible sponsors for sharing the gains and losses on financed assistance extended and on joint-venture equity investments.

Section 932—Lawful investments

Section 932, in defining the nature of obligations, designates all obligations issued by the Bank, as lawful investments, that may be accepted as security, for all fiduciary, trust, and public funds the investment or deposit of which shall be under the authority or control of the United States or of any officer or employee thereof.

Section 933—Tax status

Section 933, defines the tax status. The Bank is made subject to Federal, State, and local taxes as follows:

(a) The real property and tangible personal property of such Bank shall be subject to Federal, State, and local taxation to the same extent, according to its value, as other similar property held by other persons is taxed.

(b) The income of the Bank and from any obligations purchased by such Bank from any Federal, State, or local governmental or quasi-governmental body and any obligation issued by such Bank shall be subject to Federal, State, and local taxation to the same extent as the income obligations of private corporations are taxed.

(c) The Bank shall be liable for the franchise tax as provided by section 915.

(d) Notwithstanding the foregoing provisions, the Bank shall not be subject to Federal, State, or local income taxes for any period in which capital stock in such Bank is held by the Secretary of the Treasury for the United States.

SUBTITLE D—PARTICIPATING RURAL DEVELOPMENT FINANCIAL INSTITUTIONS

Section 1001—Designation of participants

Section 1001 provides for the designation of any National or State bank, savings institution, credit union, or other financial institution making loans in rural areas for rural development purposes, upon application, be considered for designation as a Participating Rural Development Financial Institution, referred to in this Act as a "Participant."

Section 1002—Powers of participant

Section 1002 authorizes a Participant or a supporting financial institution, subject to provisions of this Act, to obtain financial assistance from the Bank and to issue obligations for purchase by the Bank and to perform such other duties as the Bank may delegate and the Participant agrees to undertake.

Section 1003—Capital stock purchase

Section 1003 establishes the following rules for acquiring capital stock of the Bank:

(a) The Participant may purchase voting capital stock in the Bank in an amount (at par value) equal to not less than 1 per centum and not more than 10 per centum of the amount of the financial assistance received from the Bank.

(b) Any of the institutions which qualify as Participants are authorized to purchase voting stock of the Bank.

(c) Any of the institutions that are eligible for designating as a Participant may purchase nonvoting stock in the Bank equal to at least 1 per centum and not more than 10 per centum of the financial assistance received.

Section 1004—Governance of participants; appeals

Section 1004 provides that with respect to all evidence of financial assistance and other obligations which a Participant shall present to the Bank, the policies, rules, regulations, and procedures followed shall be in accordance with the rules and regulations established by the Board. The designation of any institution as a Participant may be canceled by the Banks.

Any Participant whose designation has been canceled under this section may appeal the cancellation to the Board. The decision of the Board shall be final. The Board shall establish appropriate rules and regulations and review bodies to implement expeditious, orderly, and fair consideration of appeals filed by Participants objecting to canceled designations or other matters related to their relationship to the Bank.

Section 1005—Requirements

Section 1005 requires that the terms and conditions under which financial assistance may be made available to Participants, directly or through other financial institutions, be established by the Board. Such terms and conditions are allowed to vary depending on the rural development purpose for which such assistance is to be used and the customary practices of the supporting regional financial institutions serving rural areas within the jurisdiction of different regional offices.

Section 1006—Rural activity required

Section 1006 permits only those financial institutions whose volume of loans in rural areas is more than one-half of the total volume of all its loans shall be eligible to purchase voting stock of the Bank.

Section 1007—Required purchase of stock

Section 1007 requires a Participant, as a condition of eligibility for financial assistance with respect to any rural development loan it has extended, to require the deposit by the borrower of 5 per centum of the amount of that part of the loan for which the financial assistance of the Bank is requested.

This amount shall be utilized by the Participant to purchase, on behalf of the borrower, voting capital stock of the Bank. The Participant is required to transmit such stock to the borrower.

SUBTITLE E—JOINT VENTURE EQUITY INVESTMENT IN RURAL DEVELOPMENT PROJECTS

Section 1101—Equity investments

Section 1101 authorizes the Bank, subject to regulations approved by the Board, to make investments in rural development projects proposed or established by eligible sponsors, directly, or through a Participant, in accordance with standards ad criteria to govern the making of investments in joint-ventures with eligible sponsors established by the Board.

Section 1102—Division of profits

Section 1102 specifies that the Bank and the eligible sponsor with whom the Bank has entered into a joint equity investment in a rural development project shall share in the profits of the project in the same ratio as the amounts of their several investments.

Section 1103—Taxes

Section 1103 makes joint-venture rural development projects subject to all Federal, State, and local taxes.

Section 1104—Limitation

Section 1104 prohibits Bank investment in any project than can obtain necessary credit or investment for the full amount of the investment from any other source on reasonable terms.

Section 1105—Additional limitation

Section 1105 prohibits the investment made by the Bank in joint-venture projects from exceeding the amount that cannot be obtained elsewhere on reasonable terms.

Section 1106—Joint-venture agreement

Section 1106 requires that the joint-venture agreement between an eligible sponsor and the Bank provide:

That the eligible sponsor will, as soon as financially able, purchase the investment of the Bank, and that

The control over the joint-venture shall be apportioned between the Bank and the eligible sponsor in accordance with the relative amounts of investment of each in the project.

SUBTITLE F—GENERAL

Section 1201—Amendments of other laws

Section 1201 includes amendments to other laws as follows:

Subsection (a)

Section 5315 of title 5, United States Code, is amended by adding at the end thereof the following:

"(95) Governor of the National Rural Development Bank."

Subsection (b)

Section 5316 of title 5, United States Code is amended by adding at the end thereof the following:

"(132) Deputy Governor of the Federal Rural Development Credit Agency."

Subsection (c)

Paragraph "seventh" of section 5136 of the Revised Statutes (12 U.S.C. 24) is amended by adding at the end thereof a new sentence as follows: "Notwithstanding any other provision in this paragraph, the association may purchase the stock, bonds or other obligations of the National Rural Development

Bank created pursuant to the authority of the Rural Development Act Amendments of 1973."

Section 1202—Separability

Section 1202 is the usual separability clause.

Section 1203—Reservation

Section 1203 reserves the right to alter, amend, or repeal. The right to alter, amend, or repeal any provision or all of this title is expressly reserved.

Section 1204—Appropriation authorization

Section 1204 authorizes appropriation to the Secretary of the Treasury of not to exceed $200,000,000 annually for not to exceed ten years for the purchase of capital stock of the Bank.

By Mr. INOUYE:

S. 1700. A bill to amend the Clean Air Act and the Solid Waste Disposal Act in order to include the Trust Territory of the Pacific Islands within the definition of the term State. Referred to the Committee on Public Works.

Mr. INOUYE. Mr. President, Congress has advanced the cause of the preservation of our natural environment through the enactment of both the Clean Air Act and the Solid Waste Act.

By its action, Congress lent Federal financial assistance and leadership to the prevention and control of air pollution and to the effective management of solid wastes.

Today, I am introducing a bill that will correct an oversight which effectively excluded the Trust Territory of the Pacific Islands from the definition of "State" in both acts.

For too long we have shirked our responsibility in failing to adequately provide for this trusteeship. As a result, the territory has suffered from our indifference.

As this area begins to develop its natural resources, the actual need for Federal assistance in conserving these islands will significantly increase. Thus, coverage under these acts will effectively enable the trust territory to carefully manage its growth.

As they are American lands which deserve our sympathetic attention. I hope that Congress will move expeditiously to correct this oversight by passing this legislation.

By Mr. RANDOLPH:

S. 1702. A bill to provide for an investigation by the General Services Administration of various problems involved in providing toll-free telephone numbers for incoming calls at each regional office of most executive agencies. Referred to the Committee on Government Operations.

Mr. RANDOLPH. Mr. President, I introduce for appropriate reference a bill to authorize the General Services Administration to investigate the economic and operational feasibility of providing toll-free telephone service for incoming calls at each regional office of most executive agencies. Several governmental agencies do provide such a service to Federal offices located within a State. These include the Civil Service Federal Job Information Centers and the Internal Revenue Service Tax Assistance Office. Also Federal information centers are located in 36 cities in the country, which serve mostly as referral services. Citizens in 37 other cities can call at least one, and in some cases two or three of the 36 centers on toll-free telephone lines.

The Congress is an extension of the citizenry of this country. We are elected by the people and we must not only report to them what we, their elected representatives, are doing in Washington, but also to receive their responses to our efforts and their ideas about what else we should be doing. Members of Congress, I feel, try to respond to the wishes and needs of the American people. We in the legislative branch are attempting to correct the attitude by many that causes distrust and lack of confidence in the Federal Government.

The executive branch shares with the Congress the serious responsibility of making Government more responsive to citizens and their needs. While people have increasing opportunity to bring their needs and problems to the Congress, such opportunity does not exist when it comes to the Executive.

This toll-free telephone service would help bring the people to the executive branch. Mr. President, in 1970, over 90 percent of the households in the United States were equipped with telephone service. There were over 58 telephones per 100 population and 86,850,000 residences had telephones. In my own State of West Virginia more than 80 percent of the homes have telephones. Such a communication carrier as the telephone could aid in ridding the "disease of large government." Phone service to the regional government agencies would serve as a "focal point" in helping the citizen to find the ultimate goal—how to eliminate the "government run-around."

We are now witnessing the beginning of a shift away from Washington to the State houses and city halls—a shift in authority from the Federal level back to State and local governments. The correct mix or responses to the needs of the people must be sought. Government cannot and must not be static. To be effective it must be dynamic. The Federal Government must be flexible and capable of meeting changing conditions. If the American democratic system is to function effectively, government officials cannot sit isolated in ivory towers. This is why I strongly believe in maximum contact between Members of Congress, the administration, and the electorate.

I agree with Commissioner Nicholas Johnson of the Federal Communications Commission, "We simply must open new channels of communication between the public and Washington." Parade magazine wrote:

> Johnson reports that the response to his proposal (for a toll-free telephone line to the Federal Government) shows "the citizens are for all for it, while some bureaucrats think it would require too many people to answer the phones."

A study by the General Services Administration will help solve such questions.

The administration must assist people with their questions on unemployment, drug abuse, taxation, education, and many other important issues. This legislation will aid the disadvantaged person, the person on welfare, the aged on social security, the miner with a black lung problem, the confused immigrant, and others to have easy accessibility to their Federal Government. Thomas Mann said:

> Speech is civilization itself. The word, even the most contradictory word, preserves contact—it is silence which isolates.

Mr. President, Government must not isolate the American public. We must assure that their voices will be heard and that their questions will be answered.

I ask unanimous consent that an article by Commissioner Nicholas Johnson of the Federal Communications Commission; an article about West Virginia's toll-free line to the Office of the Governor; and also a listing of the cities which have Federal information centers and their respective toll-free telephone tielines be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Parade magazine, April 8, 1973]

IF THE GOVERNOR ANSWERS, DON'T HANG UP

(By Larry Jackson)

CHARLESTON, W. VA.—Last September Nicholas Johnson of the Federal Communications Commission explained in a Parade article why this country needs a single toll-free telephone line to the Federal Government.

He said that because Congress and the Executive Branch administer programs crucial to the lives of many Americans, citizens should be able to call free to seek information or to complain. "We simply must open new channels of communication between the public and Washington," he wrote.

Johnson reports that the response to his proposal shows "the citizens are all for it, while some bureaucrats think it would require too many people to answer the phones."

While so far, little has been done to implement Johnson's idea, on the state level a similar plan has been working well in West Virginia since 1971. The system, much like the toll-free reservation lines operated by national hotel chains, allows free calls from any phone in the state to the office of Gov. Arch A. Moore Jr.

The governor said the telephone hookup came about largely because of West Virginia's geography—the state has two long panhandles surrounded by other states on three sides.

FLOODS TO TAXES

"There are many towns in West Virginia that are closer to other state capitals than to our own," Moore said. "People couldn't afford to travel to Charleston or pay for long-distance calls every time they had a problem. And the problems are many, ranging from roads, in disrepair since floods washed them out last summer, to tax claims.

"People want answers," said Moore, who developed the idea. "They don't want to call up one state official who pushes them off to another official and so on until they give up."

Telephones are manned by members of the governor's staff, but occasionally Moore himself answers.

"Sometimes I surprise the hell out of callers when they ask for the governor and I tell them, 'This is the governor.' They don't always believe me at first."

Moore claims that 90 percent of the calls (they average 45 a day) are handled the day they're received. "Speed is a must if our system is to work," he said. "If people have no confidence that you will go to bat for them right away, they won't call. Then you have discontent."

Typical of the fast action is the experience of Pauline Chapman who phoned last winter to complain of a crumbling stone road in front of her home near Clarksburg.

"I called at 9:45 on a Monday morning," she said. "Later that day someone in the governor's office notified me the road would be fixed. I had already complained to the local highway department office and hadn't gotten too far, so I didn't know what to expect.

"But early the next day a crew began fixing the road. It still isn't as good as new, but at least you can drive on it."

Or take the case of Carlon Hill, who suffered an injury on his job and was unable to work. He applied for welfare and received food stamps, but no relief check. A call to the governor's office sped payment.

"MY W-2 FORM"

Some of the problems seem minor, except to the people directly involved.

Pete Toth, a tavern owner in Mount Gay, near Logan, wanted a statement of his earning from an extra job with the State Highway Department.

"I had lost my W-2 form, and I needed it right away to file my income tax," said Toth. "I called the highway people, and they told me it would take a while. So I phoned the governor and got the W-2 form right quick."

BENDING THE RULES

Some calls do not deal with state services at all, but they receive answers, too.

Last year a man phoned and pleaded for help because his wife was dying of internal bleeding in a small hospital. She needed emergency treatment from specialists on the other end of the state, but the man couldn't afford to pay for an ambulance.

"I arranged for a helicopter to rush the woman to West Virginia University Medical Center where her life was saved," Moore said.

"That case, and many others, are not necessarily the function of state government," he said, "but if we are to make government more responsive to the citizens that pay for it, we have to bend the rules a little. They appreciate it when the government treats them as human beings."

[From Parade Magazine, September 24, 1972]

DO YOU AGREE? WE NEED A FREE PHONE LINK TO OUR GOVERNMENT

(By Nicholas Johnson)

WASHINGTON, D.C.—Do you have a question or complaint about the way the country is being run?

Try telling it to the government. You'll find it isn't easy.

A large corporation, of course, can hire a $100,000 a year lobbyist to do its talking. But the average citizen can't afford such expensive errand boys. To obtain information or redress from a federal agency, he must write to Washington, where his letter winds up on the desk of some low-level bureaucrat. When he receives a reply, it's often drafted in hopelessly garbled officialese.

If he calls instead—assuming he can figure out whom to call—he does so at his own expense. The further away he lives from Washington, or the longer the call takes, the more money he pays.

Yet the technology to correct this phone problem already exists. In fact, it's being used right now by private industry and a handful of government offices. It's called inward WATS—Wide Area Telephone Service—or, more simply, the 800 number.

Actually, WATS has been in existence for some time. Its original purpose was to permit large firms to place *outgoing* long distance phone calls without charge, in return for a fixed monthly payment.

But inward WATS—the system which enables subscribers to *receive* calls toll-free—came somewhat later. It really began with the development of nationwide motel chains and credit systems. The motels needed a fast, efficient way to coordinate reservations. And credit card companies also needed some method to relay up-to-the-minute information from member banks and stores to a central credit office. If the phone company could provide an outgoing phone service at a fixed rate, why couldn't it provide an incoming service as well? And so, early in 1967, inward WATS was born.

POPULAR AD

One of the first customers to advertise its toll-free reservations service was the Sheraton Hotel chain. Its number—800-325-3535—became a household jingle, and the music from the ad was recorded by the Boston Pops Orchestra and performed by a dog on the *Tonight Show*.

The idea caught on. There are now approximately 11,000 such numbers in the United States, with more being added every day. By calling, you can find out which store in your area sells your brand of clothes, where to rent a car, or where to buy insurance. The telephone company has its own 800 number, a directory to every other 800 number: 800-555-1212.

You can even call some federal agencies for special purposes. You can complain about housing discrimination to the Department of Housing and Urban Development (800-424-8590); report drug offenders anonymously to the Justice Department (800-363-5363); or join the Air Force (800-631-1972). In Pennsylvania, the State Public Utilities Commission has instituted a statewide 800 number to receive complaints about utility service. And Congresswoman Ella Grasso of Connecticut has installed a district-wide inward WATS line in her office in New Britain.

But you still can't call Uncle Sam himself.

Throughout the federal government—with a few scattered exceptions, like the ones just noted—the rule seems to be, "Don't call us, we'll call you." Federal officials have a nationwide outward WATS network at their disposal. But a taxpayer can't call them, unless he foots the bill.

What can be done about it?

It seems to me that the United States Government ought to institute the 800 number. Federal offices—Congress, the Executive branch, and administrative agencies—operate so many important programs which affect people's lives that we simply must open up new channels of communication between the public and Washington.

In fact, businessmen already can write off calls to the government as a tax-deductible business expense. This creates an unfair disparity between the private citizen, whose affairs may be every bit as important, and industry. With 800 numbers, anyone could call for free.

Granted, there are obstacles. But they could be overcome. For instance, the federal government is bigger than any private enterprise. How could we establish a system capable of handling all incoming calls?

There are several ways to do this. We could connect several nationwide lines to a sophisticated directory service, consisting of operators who could listen to callers and tell them whom to contact for information. Or, the service could be broad enough to provide experts who would actually answer questions. A third alternative is a switchboard, which would simply direct calls to whatever administrative agency or Congressional office the party requests.

Another problem is money. The 800 service is expensive. A single nationwide inward WATS line costs almost $23,000 a year. National Data Corporation, which supplies reservation services and credit information to its clients, has more than 170 lines to accommodate its 100,000 daily calls. The annual price tag: roughly $2.5 million. The government would have to spend even more money than this.

But think, also, of how much money would be saved. A written reply to a citizen's letter may cost $10 to $20 by the time it has been drafted, reviewed up and down the line by supervisors, and typed a few times. A single WATS call, prorated, costs only a fraction as much. Moreover, the letter might not be satisfactory, and this could trigger several more rounds of correspondence. In a phone conversation, the parties could talk until the matter is resolved.

BIG SPENDER

The Defense Department alone spends $400 million a year on its communications, foreign and domestic, and this figure doesn't even include the salaries of the military personnel—some 3000 of them—who service and repair the phones. If we're willing to devote so many dollars and people to one government department, surely we can spare an additional amount to service the rest.

What should the new number be? All sorts of exciting possibilities suggest themselves, once you start playing with the letter equivalents of the numbers on your telephone dial. 800-872-1776 becomes 800-USA-1776. 800-373-3366 reads 800-Freedom. Or try: 800-468-6368 (800-Govment); 800-333-3725 (800-Federal); or 800-263-7422 (800-America.)

The last seven digits, though, aren't as important as the first three. Those are the ones we need.

UNITED STATES OF AMERICA, FEDERAL INFORMATION CENTERS, OPERATED BY THE GENERAL SERVICES ADMINISTRATION

Albuquerque, N.M., telephone no. 505-843-3091, address Federal Building, U.S. Courthouse, 500 Gold Avenue, SW 87101.

Atlanta, Ga., 404-526-6891, Federal Building, 275 Peachtree St., NE 30303.

Baltimore, Md., 301-962-4980, Federal Building, 31 Hopkins Plaza 21201.

Boston, Mass., 617-223-7121, John Fitzgerald Kennedy, Federal Building, Government Center 02203.

Buffalo, N.Y., 716-842-5770, Federal Building, 111 West Huron St. 14202.

Chicago, Ill., 312-353-4242, Everett McKinley Dirksen Bldg., 219 South Dearborn St. 60604.

Cincinnati, Ohio, 513-684-2801, Federal Building, 550 Main St. 45202.

Cleveland, Ohio, 216-522-4040, Federal Building, 1240 East Ninth St. 44199.

Denver, Colo., 303-837-3602, Federal Building, U.S. Courthouse, 1961 Stout St. 80202.

Detroit, Mich., 313-226-7016, Federal Building, U.S. Courthouse, 231 West Lafayette St. 48226.

Fort Worth, Tex., 817-334-3624, Fritz Garland Lanham, Federal Building, 819 Taylor St. 76102.

Honolulu, Hawaii, 808-546-8620, U.S. Post Office, Courthouse and Customhouse, 335 Merchant St. 96813.

Houston, Tex., 713-226-5711, Federal Building, U.S. Courthouse, 515 Rusk Ave. 77002.

Indianapolis, Ind., 317-633-8484, Federal Building—U.S. Courthouse, 46 East Ohio St. 46204.

Kansas City, Mo., 816-374-2466, Federal Building, 601 East Twelfth St. 64106.

Los Angeles, Calif., 213-688-3800, Federal Building, 300 North Los Angeles St. 90012.

Louisville, Ky., 502-582-6261, Federal Building, 600 Federal Place 40202.

Memphis, Tenn., 901-534-3285, Clifford Davis Federal Bldg., 167 N. Main St. 38103.

Miami, Fla., 305-350-4155, Federal Building, 51 Southwest First Ave. 33130.

Minneapolis, Minn., 612-725-2073, Federal Building, U.S. Courthouse, 110 South Fourth St. 55401.

New Orleans, La., 504-527-6696, Federal Building, Room 1210, 701 Loyola Avenue 70113.

New York N.Y., 212–264–4464, Federal Office Building, U.S. Customs Court, 26 Federal Plaza 10007.

Newark, N.J., 201–645–3600, Federal Building, 970 Broad St. 07102.

Oklahoma City, Ok., 405–231–4868, U.S. Post Office and Federal Office Building, 201 NW. 3rd St. 73102.

Omaha, Neb., 402–221–3353, Federal Building, U.S. Post Office and Courthouse, 215 North 17th St. 68102.

Philadelphia, Pa., 215–597–7042, One East Penn Square Bldg., 17 North Juniper St. 19107.

Phoenix, Ariz., 602–261–3313, Federal Building, 230 N. First Ave., 85025.

Pittsburgh, Pa., 412–644–3456, Federal Building, 1000 Liberty Ave. 15222.

Portland, Ore., 503–221–2222, 208 U.S. Courthouse, 620 Southwest Main St. 97205.

St. Louis, Mo., 314–622–4106, Federal Building, 1520 Market St. 63103.

St. Petersburg, Fla., 813–893–3495, William C. Cramer Federal Bldg., 144 First Ave., S. 33701.

Sacramento, Calif., 916–449–3344, Federal Building, U.S. Courthouse, 650 Capitol Mall 95814.

Salt Lake City, Utah, 801–524–5353, Federal Building, U.S. Post Office, Courthouse, 125 So. State St. 84111.

San Diego, Calif., 714–293–6030, 202 C Street, San Diego, Calif. 92101.

San Francisco, Calif., 415–556–6600, Federal Building, U.S. Courthouse, 450 Golden Gate Ave. 94102.

Seattle, Wash., 206–442–0507, Arcade Plaza, 1321 Second Ave. 98101.

TELEPHONE TIELINES

If you are in the following cities you can dial the center—toll free:

Santa Fe, N. Mex., Albuquerque, 983–7743.
Birmingham, Ala., Atlanta, 322–8591.
Charlotte, N.C., Atlanta, 376–3600.
Providence, R.I., Boston, 331–5565.
Rochester, N.Y., Buffalo, 546–5075.
Syracuse, N.Y., Buffalo, 476–8545.
Milwaukee, Wisc., Chicago, 271–2273.
Columbus, Ohio, Cincinnati, 221–1014.
Dayton, Ohio, Cincinnati, 223–7377.
Akron, Ohio, Cleveland, 375–5475.
Toledo, Ohio, Cleveland, 244–8625.
Colorado Springs, Colo., Denver, 471–9491.
Pueblo, Colo., Denver, 544–9523.
Dallas, Tex., Fort Worth, 749–2131.
Austin, Tex., Houston, 472–5494.
San Antonio, Houston, 224–4471.
St. Joseph, Mo., Kansas City, 233–8206.
Topeka, Kans., Kansas City, 232–7229.
Wichita, Kans., Kansas City, 263–6931.
Chattanooga, Tenn., Memphis, 265–8231.
Little Rock, Ark., Memphis, 378–6177.
Fort Lauderdale, Fla., Miami, 522–8531.
West Palm Beach, Fla., Miami, 833–7566.
Trenton, N.J., Newark, 396–4400.
Mobile, Ala., New Orleans, 438–1421.
Albany, N.Y., New York, 463–4421.
Hartford, Conn., New York, 527–2617.
New Haven, Conn., New York, 624–4720.
Tulsa, Okla., Oklahoma City, 584–4193.
Des Moines, Iowa, Omaha, 282–9091.
Scranton, Pa., Philedelphia, 346–7081.
Tucson, Ariz., Phoenix, 622–1511.
Jacksonville, Fla., St. Petersburg, 354–4756.
Tampa, Fla., St. Petersburg, 229–7911.
Ogden, Utah, Salt Lake City, 399–1347.
San Jose Calif., San Francisco, 275–7422.
Tacoma, Wash., Seattle, 383–5230.

By Mr. MONDALE:

S. 1703. A bill to amend the Agricultural Act of 1949, to require the Secretary of Agriculture to make advance payments to producers under the feed grain program with respect to crops of wheat. Referred to the Committee on Agriculture and Forestry.

Mr. MONDALE. Mr. President, I am introducing a bill to require the Secretary of Agriculture to make advance payments to producers under the wheat and feed grain programs.

The Secretary of Agriculture in 1970 decided to abandon the advance payments program although it had been working well for 7 years. Under the program, wheat and feed grain producers received an advance on diversion payments in the spring with the balance paid in August.

This is a fair and sensible approach, for farm production costs fall heavily in the spring when the planting season begins. When payments for participating in the wheat and feed grain programs are delayed until mid-summer, farmers are often forced to borrow money at high interest rates in order to operate.

Elimination of advance payments does not offer a real savings to the Department of Agriculture. Rather, it results in an on paper savings that simply shifts funding to the next fiscal year.

Without advanced payments farmers must pay high interest charges to pay for seed, fertilizer, and other operating expenses. For 1973 it is estimated that interest charges on short term loans to farmers will total more than $2.3 billion, compared with $1.7 billion in 1969 before advance payments were discontinued.

With or without advance payments, interest charges paid by farmers have been mounting at a tremendous rate over the past few years. But the absence of such payments has certainly contributed to the credit squeeze that continues to plague rural America. Without advance payments, rural merchants and tradesmen, as well as farmers, are hurt economically since they must either suspend transactions or carry over credit until program payments are made.

The farmer of course bears the major cost of abandoning advance payments. This year we have seen a great deal of attention directed toward improved farm income. However, income received by farmers still falls far below nonfarm income, and inflation continues to drive up farm production costs.

Under Government policies designed to expand production, operating costs will this year increase substantially, yet there is no guarantee that prices received by farmers will not fall far below current levels. The President has announced his intention to phase out price suport and acreage adjustment payments. This decision is apparently based on the assumption that increased exports of agricultural commodities will enable farmers to greatly expand production. However, the administration would offer virtually no protection against a disastrous drop in farm prices. Thus farmers are expected to increase substantially their investment in producing food to feed the world with no guarantee that they would be able to earn a fair and decent income.

Congress should firmly reject the administration's proposal to dismantle Federal price support and acreage adjustment machinery. The legislation I introduce today will make payments to farmers under the wheat and feed grain programs mandatory within 60 days following sign-up. Advance payments would be equal to not less than 50 percent of the total payments to be made.

Good sense calls for a restoration of advance payments. Moreover, we already give this type of advance in the form of progress payments to defense contractors before their work is completed. Surely, if we can afford such payments for defense construction, we can afford this needed advance on payments to which farmers are already entitled.

This is a matter of priorities. The administration has chosen paper savings over the very real costs incurred by producers in the absence of advance payments.

As the Senate Agriculture Committee begins to put together the basic elements in the 1973 farm bill, I hope consideration will be given to this approach and that the Congress will adopt such legislation.

Mr. President, I ask unanimous consent that the full text of my bill be printed in the Record at this point.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1703

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 105 of the Agricultural Act of 1949 is amended by striking out subsection (g) and inserting in lieu thereof the following:

"(g) The Secretary shall make a preliminary payment to producers, within sixty days following signup for the program, and such payment shall not be less than 50 per centum of any payments to such producers under the feed grain program."

Sec. 2. The first sentence of section 107(f) of the Agricultural Act of 1949 is amended by striking out "as soon as practicable after July 1 of the year in which the crop is harvested" and inserting in lieu thereof "within sixty days following signup for the program".

By Mr. MAGNUSON (for himself and Mr. Williams):

S. 1705. A bill to amend the Federal Aviation Act of 1958 and the Interstate Commerce Act in order to authorize reduced rate transportation for handicapped persons and for persons who are 65 years of age or older or 21 years of age or younger. Referred to the Committee on Commerce.

Mr. MAGNUSON. Mr. President, on behalf of the distinguished chairman of the Labor and Public Welfare Committee, Mr. Williams and myself, I rise to introduce legislation that would permit airlines as well as interstate bus companies and Amtrak to grant reduced fares to senior citizens, the blind, the handicapped, and youths.

This legislation would amend the Federal Aviation Act of 1958 to allow airlines to offer price service—on a space available basis—to persons 65 or older and 21 or younger. Additionally it would permit the airlines to sell reserved seats at reduced prices to the blind and handicapped. Finally, this bill would also amend the Interstate Commerce Act to allow interstate buslines and Amtrak to offer reduced fares, with or without reservations, to those same groups. I have ordered hearings on this bill before my Commerce Committee which begin next week.

At the outset, I wish to bring to the Senate's attention two important features of this bill.

First, it should be emphasized that this is permissive, rather than mandatory, legislation and would not require any carrier to offer any reduced fare to any category of passengers. Instead, it would simply provide the federally regulated airlines, bus companies, and Amtrak the legal discretion to offer reduced fares to those groups. Presumably, the companies would exercise that discretion wherever it would prove economically advantageous by enabling them to fill seats that would otherwise go unsold. That, of course, has been the prime economic motivation for the various youth fares and there is reason to believe that by reducing fares for the aged or handicapped the companies would profit by attracting additional new passengers who would otherwise not travel. In Commerce Committee hearings last year, for example, we learned that only about 5 percent of the airline passengers flying interstate in 1970 were 65 or older although that group comprises about 10 percent of the Nation's population and generally has far more leisure time for travel than do younger persons. The experience of city bus companies that have offered reduced fares for the aged is also instructive. One study made in New York City, for instance, showed that bus passengers increased by 26 percent after reduced fares for the elderly were instituted.

Second, it should be emphasized that this bill would provide no subsidy of any kind and therefore would not require the expenditure of any Federal dollars. For the same reason, persons who availed themselves of these reduced fares would be accepting neither a Federal dole nor charity from the carriers. On the contrary, they would be providing the carriers with additional business.

Before I go into the justifications for permitting the elderly, blind, and handicapped to travel at reduced prices. I wish to explain why this legislation has now become legally necessary. Recently the Civil Aeronautics Board issued a ruling which will have the effect of denying airlines the prerogative of offering special youth fares unless the Congress provides otherwise. Since there is widespread support for those fares, we believe the airlines should be permitted to continue them if they so desire. However, we feel even more strongly that if youth fares are allowed to continue then the same benefits should be extended to the aged, blind, and handicapped. Additionally, equity and efficiency require that all interstate carriers be given basically the same opportunities to offer reduced fares for these persons. And in this connection it should be noted that Amtrak already provides reduced fares for the blind.

Mr. President, the best available estimate is that between 76 and 86 percent of Americans 65 or older do not have drivers licenses. Consequently, the great majority of our senior citizens must rely upon public transportation. Regrettably, however, their generally low incomes severely restrict their access to that transportation.

Census data shows that in July 1972, there were approximately 20.9 million Americans aged 65 or older. Of that group, about 5.2 million—or 1 out of every 4—had incomes below the federally established poverty line. And 1971 figures showed that the average income in that year for all senior citizens was only $2,466.

Consequently, just the taxi fare to the supermarket is frequently out of the older person's reach let alone round trip air fare between, say, Seattle and Omaha which costs $164.73 or even bus fare to and from Los Angeles that costs $90. It is not surprising, then, that in 1970 for example, only about 5 percent of the elderly population traveled across a State line.

It is cruelly ironic that a person's financial ability to travel so often dramatically declines or disappears altogether at retirement, the very time when, finally after years of working, he has the leisure time to travel. It is impossible to really measure the effect this has upon the elderly or the benefits which would accrue to them if travel were made possible through the reduced fares this legislation would authorize. However, it is not difficult to imagine how depressing it must be for a man or woman who is suddenly forced to sit at home in a society so deeply wedded to the automobile and the mobility it makes possible. Nor is it difficult to understand how an occasional visit to see grandchildren or to visit another city could immeasureably improve the quality of many older Americans' lives. And the opportunity to travel is, if anything, probably even more important to the millions of blind and handicapped persons. If those of us who are more fortunate become bored with our everyday surroundings and yearn for a trip across the country or around the world, how much more intense must be those same feelings for the person who is, for example, confined to a wheelchair?

Mr. President, reduced fare transportation is certainly not the most pressing need of either the handicapped or the elderly, and in proposing this legislation I do not mean to suggest otherwise.

The Vocational Rehabilitation Act which we twice passed and which the President twice vetoed would, for example, have offered far more important assistance to the blind and the handicapped. And the need for that legislation has in no way diminished.

For the elderly there is no replacement for a livable retirement income. Since 1968 the Congress has increased social security benefits by 58 percent. Last year, alone, we provided a 20-percent increase despite the President's objections and for the first time authorized automatic cost-of-living increases that will become possible in 1975. In this Congress any number of proposals have been introduced to further improve the financial status of older citizens. The distinguished chairman of the Special Committee on Aging, Mr. CHURCH, and I, for example, have jointly introduced bills to raise the social security earnings ceiling, to provide property tax relief for the aged, and to extend medicare coverage to out-of-hospital prescription drugs. And, of course, the private pension plan reform measure that has been proposed by Senator WILLIAMS could well become a legislative landmark, and I am pleased to be a cosponsor of that bill.

National health insurance remains critically important to all Americans, but particularly for the elderly, and we must press toward its enactment even as we carry on a rearguard action against the President's efforts to severely curtail medicare coverage.

Those are just some of the items on Congress' agenda that are far more crucial to the handicapped and the elderly than is the matter of reduced-fare transportation. We must push forward on all of these fronts, and I am confident we will. However, this bill could, at no cost to the Treasury and without depleting available resources for those more critical needs, bring some brightness into many otherwise somber lives. That might be a small achievement, but it most assuredly is a worthy objective.

By Mr. BELLMON:

S. 1706. A bill to authorize the Secretary of Agriculture to conduct a program of research into the substantial losses of animals sustained through disease and injury while such animals are being transported to market, and for other purposes. Referred to the Committee on Agriculture and Forestry.

Mr. BELLMON. Mr. President, today I am introducing a bill to authorize the Secretary of Agriculture to conduct a program of research into the reasons which are presently causing substantial losses of animals sustained through disease and injury while such animals are being transported to market, and for other purposes. The purpose of this bill is to promote efficient and humane transportation of livestock. The urgent need for this bill is obvious today, because of the high prices of beef which are caused, in part, to the net losses of cattle caused by a complexity of factors during the marketing process.

The state of our knowledge today is so fragmented that it is impossible accurately to determine on a comprehensive basis the full scope of the losses to the American people of animal deaths from transferring and marketing. The last attempt at a definitive study of the problem was made in 1956 by the Department of Agriculture. The dollar loss represented by the dead and crippled animals actually observed during their study was $7,671. The Department concluded that if all the livestock received by motor truck at the 60 major public stockyards in the United States during 1956 had been subjected to the same loss rates per 10,000 head of cattle, the dollar loss nationally would have approximated $100 million. That was in 1956. Today, we are transporting probably twice the number of animals. Obviously, the loss is much greater today in dollar terms and net cattle losses. Recently, an across-the-board survey has shown that there is a $10 to $15 loss per feeder calf per year in the United States. The integrated program of study is necessary to isolate the problems, to determine the causes of the problem and to develop a practical solution through research which will be made available to those who are involved, and to also set up a system on a national basis to learn how effective the solutions prove to be.

The bill I am introducing would authorize the Secretary of Agriculture to set up a definitive study to include all segments of the industries involved in the marketing and transportation of cattle and to combine their knowledge in an effort to improve the situation. The support for this study is strong in all segments of the industries involved.

The complexity of the issues and problems involved is enormous and the causation factors which have been suggested are many. Therefore, it is necessary that the Secretary of Agriculture have broad discretion to study the overall problem and ample time to come up with workable solutions.

My bill would authorize and direct the Secretary of Agriculture to conduct an intensive research program for the purpose of developing measures that can be taken to reduce materially the number of animals lost through injury and disease during transportation for commercial purposes. Several problematic areas are mentioned in the bill, but this is not intended to limit the Secretary's discretion in his search and evaluation of the problem. I feel that this is one of the greatest controllable factors in livestock production costs and, given reasonable support through research, dramatic improvements can quickly follow. The results from this kind of improvement will flow to the consumer, and we will all benefit through lower prices of food as well as in having more abundant supplies. The producers will benefit through lower costs of production.

That is the purpose of this bill and I would urge my fellow Senators to give full consideration to the early adoption of this bill.

I ask unanimous consent that the text of this bill be printed in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1706

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized and directed to carry out a comprehensive study and investigation to determine the reasons for the extensive loss of livestock sustained each year, through injury and disease, while such livestock is being transported in interstate commerce for commercial purposes. The Secretary is also authorized and directed to conduct, in connection with such study and investigation, and intensive research program for the purpose of developing measures that can be taken to reduce materially the number of animals lost, through injury and disease, during transportation for commercial purposes. In carrying out such study and investigation and such research, the Secretary shall devote special attention to—

(1) the incidence of respiratory diseases among animals transported in interstate commerce;

(2) the effects of diesel fumes on animals transported in vehicles using diesel fuel;

(3) the adequacy of current laws and regulations pertaining to the transportation of livestock;

(4) whether sufficient preconditioning procedures are required and enforced in connection with the transportation of livestock in interstate commerce;

(5) the instances in which livestock is unable to withstand long hauls because of insufficient maturity;

(6) the adequacy of ventilation and other design requirements of the vehicle or other containers in which livestock is transported;

(7) the effect of mixing livestock that has been properly preconditioned with livestock that has not been properly preconditioned or that is sick or diseased;

(8) whether livestock transported in interstate commerce should be identified in such a manner as to permit instant identification of the transportation origin of such livestock and provide other pertinent information;

(9) the methods and techniques of loading and unloading livestock, the care and treatment given livestock during transportation, the effect of time and weather conditions on livestock during transportation, requirements with respect to the crowding of livestock during transportation, and the care and treatment of livestock at stock yards and other places at which livestock may be held during the course of transporting livestock;

(10) any other stresses to which livestock may be subjected during transportation that may result in the sickness or death of such livestock; and

(11) such other matters as he deems pertinent to the study and investigation and research authorized by this Act.

Sec. 2. The Secretary of Agriculture shall submit to the Congress not more than four years after the date of enactment of this Act a final report on the results of his study and investigation and research together with such recommendations for administrative and legislative action as he deems appropriate. He shall submit such interim reports to the Congress as he deems advisable, but at least one at the end of each twelve month period following the date of enactment of this Act.

Sec. 3. There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not more than $500,000 in any fiscal year.

By Mr. SCHWEIKER:

S. 1707. A bill to establish the Federal Bureau of Investigation as an independent agency of the executive branch of the Government, responsible to the Congress, and to provide for the term and succession of the Director and Deputy Director. Referred to the Committee on the Judiciary.

Mr. SCHWEIKER. Mr. President, I am introducing a bill to establish the Federal Bureau of Investigation as an independent agency of the executive branch, with direct responsibility to Congress and, even more important, to provide for the insulation of the Director and Deputy Director of the FBI from political pressures.

Mr. President, I regret to say that at this point in our history, no one needs to explain to this distinguished body the critical need for an independent Federal Bureau of Investigation. The evidence is before us daily, in the newspapers and in the media, and in the deluge of mail which we are all receiving from our constituents expressing outrage over the apparent involvement of the FBI in the Watergate mess.

Several of my distinguished colleagues, the Senator from West Virginia (Mr. Robert C. Byrd), the Senator from Tennessee (Mr. Brock), and the Senator from Washington (Mr. Jackson), have also responded to this situation, and I commend their efforts.

With all respect, however, I think that the developing FBI crisis has passed the point where it can be dealt with by simply appointing the Director for a fixed term, although that is certainly an essential first step, and it is included in my bill. Recent disclosures have made it clear that the FBI will not be truly independent until its Director and Deputy Director and any interim or acting Directors, are fully insulated from political pressure.

The FBI as an institution has rendered great service to this Nation over the years. Individual FBI agents, as well as the administrators and executives of the FBI, have performed ably and courageously in the overwhelming majority of cases, and they have been a great credit to their country.

To insure that this record of unselfish public service can continue, I have prepared legislation which will insulate the Director and Deputy Director from political pressure. It will insure that no Acting or Deputy Director will ever again be subjected to pressures to perform acts for political purposes, in order to gain promotion within the Bureau. The bill which I am now introducing will accomplish this in the following ways:

First, the Director and Deputy Director will be appointed by the President, with the advice and consent of the Senate, for a term of 10 years, and no Director or Acting Director can succeed himself, or serve as Director more than 12 years during any 22-year period.

Second, my bill provides that if the President desires to appoint the Deputy Director to succeed a Director, he must do so within 20 days following the termination of the Director's service. It would make any Acting Director ineligible to be appointed Director. This will eliminate the situation where the Deputy or Acting Director waits in limbo for his promotion, under great pressure to perform any chore requested by the executive branch.

Third, the FBI will be established as an independent agency of the executive branch, but with direct accountability to Congress. An annual report, including detailed financial data, will be required to be filed by the Director simultaneously with the President and with the Congress, and the Director will be required, if requested by one-third of the members of either the House or Senate Judiciary Committees, to appear in person and expand upon the written report.

Finally, my bill provides that the President shall dismiss a Director for malfeasance in office or neglect of duty or permanent incapacity, but it specifically provides that the failure of the Director to follow directives from the executive or legislative branches shall not be grounds for dismissal, unless such failure constitutes malfeasance in office or neglect of duty.

It is high time that we place the FBI above politics, and free the Director from the kind of carrot-and-stick pressures which we have recently witnessed. Under the present law, the carrot of possible appointment as Director has proved to be irresistible, and it has allowed the executive branch to apply the stick and demand obedience. This must stop, and the bill which I now introduce will stop it.

Mr. President, I ask unanimous consent that the text of my bill be printed in the RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1707

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Independent Federal Bureau of Investigation Act".

ESTABLISHMENT

SEC. 2. (a) There is established as an independent establishment of the executive branch of the United States Government, the Federal Bureau of Investigation (referred to in this Act as the "Bureau").

(b) (1) The Bureau shall be headed by a Director who shall be appointed by the President, by and with the advice and consent of the Senate. There shall be in the Bureau a Deputy Director who shall be appointed by the President, by and with the advice and consent of the Senate.

(2) The term of the Director and the Deputy Director shall be ten years, except that any Director or Deputy Director appointed to fill a vacancy occuring prior to the expiration of the term to which his predecessor was appointed shall be appointed for the remainder of such term. Upon the expiration of his term, the Director and the Deputy Director shall continue to serve until his successor has been appointed and has qualified, except that neither the Director nor the Deputy Director may serve under the authority of this sentence for a period longer than sixty days after the expiration of that term.

(3) The Deputy Director may be appointed to a full term as Director: *Provided,* That such nomination is made within twenty days after the expiration of the termination of service of the prior Director. If after the expiration of twenty days following the termination of the prior Director's service, the Deputy Director has not been appointed to succeed as Director he shall be ineligible for the office of Director for a period of ten years thereafter. No individual serving as Director may be appointed to succeeed himself, regardless of the period of time he has served as Director. No acting Director shall be eligible for appointment as Director. No individual may hold the office of Director more than twelve years during any twenty-two year period.

(4) The President shall remove the Director or Deputy Director from office, prior to the expiration of their respective terms, for malfeasance in office, neglect of their duties, or permanent incapacity. Failure to follow a directive from any member of the executive branch or legislative branch of government shall not constitute grounds for removal from office unless such failure constitutes a dereliction of the lawful duties of the Director or Deputy Director.

(5) The Deputy Director shall perform such functions as the Director may prescribe and shall be the acting Director during the absence or disability of the Director or in the event of a vacancy in the position of Director.

(c) The President, by and with the advice and consent of the Senate, is authorized to appoint within the Bureau not to exceed twelve Assistant Directors.

FUNCTIONS

SEC. 3. (a) There are transferred to the Bureau and the Bureau shall perform all functions carried out by the Federal Bureau of Investigation, Department of Justice.

(b) There are transferred to the Bureau, and the Bureau shall perform, all functions of the Attorney General, with respect to, and being administered through, the Federal Bureau of Investigation, Department of Justice.

(c) The Bureau is authorized to—

(1) detect and investigate crimes against the United States:

(2) assist in the protection of the President; and

(3) upon the request of the President, conduct such other investigations regarding official matters under the control of the Department of Justice and the Department of State as he may direct.

This subsection does not limit the authority of departments and agencies to investigate crimes against the United States when investigative jurisdiction has been assigned by law to such departments and agencies.

(d) The Director shall cooperate fully with the Attorney General with respect to the investigation and prosecution of crimes against the United States.

(e) The Director shall—

(1) acquire, collect, classify, and preserve identification, criminal identification, crime, and other records; and

(2) exchange these records with, and for the official use of authorized officials of the Federal Government, the States, cities, and penal and other institutions.

The exchange of records authorized by clause (2) of this subsection is subject to cancellation if dissemination is made outside the receiving departments or related agencies.

(f) (1) The Director and the Bureau may investigate any violation of title 18, United States Code, involving Government officers and employees—

(A) notwithstanding any other provision of law; and

(B) without limiting the authority to investigate any matter which is conferred on them or on a department or agency of the Government.

(2) Any information, allegation, or complaint received in a department or agency of the executive branch of the Government relating to violations of such title 18 involving Government officers and employees shall be expeditiously reported to the Director by the head of the department or agency, unless—

(A) the responsibility to perform an investigation with respect thereto is specifically assigned otherwise by any other provision of law; or

(B) as to any department or agency of the Government, the Director directs otherwise with respect to a specified class of information, allegation, or complaint.

(3) This section does not limit—

(A) the authority of the military departments to investigate persons or offenses over which the armed forces have jurisdiction under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice); or

(B) the primary authority of the United States Postal Service to investigate postal offenses.

PERSONNEL OF THE BUREAU

SEC. 4. (a) The Director may appoint such personnel as may be necessary to carry out the provisions of this Act without regard to the provisions of title 5, United States Code, governing appointments in the competitive service.

(b) (1) Section 5313 of title 5, United States Code, relating to level II of the Executive Schedule, is amended by adding at the end thereof the following new paragraph:

"(22) Director, Federal Bureau of Investigation."

(2) Section 5314 of such title, relating to level III of the Executive Schedule, is amended by adding at the end thereof the following new paragraph:

"(60) Deputy Director, Federal Bureau of Investigation."

(3) Section 5315 of such title, relating to level IV of the Executive Schedule, is amended by adding at the end thereof the following new paragraph:

"(98) Assistant Director, Federal Bureau of Investigation (12)."

(c) The Director is authorized to fix the compensation of the personnel of the Bureau and to prescribe their functions and duties.

(d) The Director may obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code.

TRANSFERS

SEC. 5. (a) All personnel, assets, liabilities, contracts, property, and records as are determined by the Director of the Office of Management and Budget to be employed, held, or used primarily in connection with any function transferred under the provisions of section 3, are transferred to the Bureau.

(b) All personnel transferred by this Act shall remain in the excepted service.

ADMINISTRATIVE PROVISIONS

SEC. 6. (a) The Director may, in addition to the authority to delegate and redelegate contained in any other Act in the exercise of the functions transferred to the Bureau by this Act, delegate any of his functions to such officers and employees of the Bureau as the Director may designate, and may authorize such successive redelegations of such functions as he may deem desirable.

(b) In order to carry out the provisions of this Act, the Bureau is authorized—

(1) to adopt, alter, and use a seal;

(2) to adopt, amend, and repeal rules and regulations governing the manner of its operations, organization, and personnel, and the performance of the powers and duties granted to or imposed upon it by law;

(3) to accept gifts or donations of services, money, or property, real, personal, or mixed, tangible, or intangible;

(4) to enter into contracts or other arrangements or modifications thereof, with any agency or department of the United States, or with any State or political subdivision thereof, or with any person, firm, association, or corporation, and such contracts or other arrangements, or modifications thereof, may be entered into without legal consideration, without performance or other bonds, and without regard to section 3709 of the Revised Statutes (41 U.S.C. 5);

(5) to make advance, progress, and other payments which the Director deems necessary under this Act without regard to the provisions of section 3648 of the Revised Statutes (31 U.S.C. 529);

(6) to utilize, with their consent, the services, equipment, personnel, and facilities of any other department or agency of the United States, with or without reimbursement;

(7) to accept and utilize the services of voluntary and uncompensated personnel and reimburse them for travel expenses including per diem, as authorized by section 5703 of title 5, United States Code;

(8) to make other necessary expenditures; and

(9) to take such other action as may be necessary to carry out the provisions of this Act.

(c) Upon request made by the Director each Federal department and agency is authorized and directed to make its services, equipment, personnel, facilities, and information (including suggestions, estimates, and statistics) available to the greatest practicable extent consistent with the laws to the Bureau in the performance of its functions.

EXPENSES OF UNFORESEEN EMERGENCIES OF A CONFIDENTIAL CHARACTER

SEC. 7. Appropriations for the Bureau are available for expenses of unforeseen emergencies of a confidential character, when so specified in the appropriation concerned, to be spent under the direction of the Director. The Director shall certify the amount spent that he considers advisable not to specify, and his certification is a sufficient voucher for the amount therein expressed to have been spent.

ANNUAL REPORT

SEC. 8. The Director shall, as soon as practicable after the end of each fiscal year, make a report in writing, to be delivered simultaneously to the President and to the Congress, on the activities of the Bureau during the preceding fiscal year, including a complete financial statement describing all expenses of the Bureau including confidential expenses as certified by the Director under section 7 of this Act. Upon the request of one-third of the members of the Judiciary Committee of either the House of Representatives or the Senate, the Director shall appear in person, during a closed session of either such Committee, or both, and shall respond to any questions concerning the operation of the Bureau, and shall, upon request, disclose all details concerning any expenses certified as confidential under any such report.

SAVINGS PROVISIONS

SEC. 9. (a) All orders, determinations, rules, regulations, permit, contracts, certificates, licenses, and privileges—

(1) which have been issued, made, granted, or allowed to become effective in the exercise of functions which are transferred under this Act, by (A) any department or agency, any functions of which are transferred by this Act, or (B) any court of competent jurisdiction; and

(2) which are in effect at the time this Act takes effect, shall continue in effect according to their terms until modified, terminated, superseded, set aside, or repealed by the Director, by any court of competent jurisdiction, or by operation of law.

(b) The provisions of this Act shall not affect any proceedings pending at the time this section takes effect before any department or agency, or part thereof, functions of which are transferred by this Act, except that such proceedings, to the extent that they relate to functions so transferred, shall be continued before the Bureau. Such proceedings, to the extent they do not relate to functions so transferred, shall be continued before the department or agency, or part thereof, before which they were pending at the time of such transfer. In either case orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this Act had not been enacted, and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or repealed by the Bureau, by a court of competent jurisdiction, or by operation of law.

(c)(1) Except as provided in paragraph (2)—

(A) the provisions of this Act shall not affect suits commenced prior to the date this section takes effect; and

(B) in all such suits proceedings shall be had, appeals taken, and judgments rendered, in the same manned and effect as if this Act had not been enacted.

No suit, action, or other proceeding commenced by or against any officer in his official capacity as an officer of any department or agency, or part thereof, functions of which are transferred by this Act, shall abate by reason of the enactment of this Act. No cause of action by or against any department or agency, or part thereof, functions of which are transferred by this Act, or by or against any officer thereof in his official capacity shall abate by reason of the enactment of this Act. Causes of actions, suits, or other proceedings may be asserted by or against the United States or such official of the Bureau as may be appropriate and, in any litigation pending when this section takes effect, the court may at any time, on its own motion or that of any party, enter an order which will give effect to the provisions of this subsection.

(2) if before the date on which this Act takes effect, any department or agency, or officer thereof in his official capacity, is a party to a suit, and under this Act—

(A) such department or agency, or any part thereof, is transferred to the Bureau; or

(B) any function of such department or agency, or part thereof, or officer is transferred to the Bureau,

then such suit shall be continued by the Bureau.

(d) With respect to any function transferred by this Act and exercised after the effective date of this Act, reference in any other Federal law to any department or agency, or part thereof, or officer so transferred or functions of which are so transferred shall be deemed to mean the Bureau or the officer in which such function is vested pursuant to this Act.

(e) This Act shall not have the effect of releasing or extinguishing any criminal prosecution, penalty, forfeiture, or liability incurred as a result of any function transferred under this Act.

(f) Orders and actions of the Bureau in the exercise of functions transferred under this Act shall be subject to judicial review to the same extent and in the same manner as if such orders and actions had been by the department or agency, or part thereof, exercising such functions, immediately preceding their transfer. Any statutory requirements relating to notice, hearings, action upon the record, or administrative review that apply to any function transferred by this Act shall apply to the exercise of such function by the Bureau.

(g) In the exercise of the functions transferred under this Act, the Bureau shall have the same authority as that vested in the department or agency, or part thereof, exercising such functions immediately preceding their transfer, and actions of the Bureau in exercising such functions shall have the same force and effect as when exercised by such department or agency.

REPEALER

SEC. 10. (a)(1) Chapter 33 of title 28, United States Code, is repealed.

(2) The table of chapters of part II of such title is amended by striking out

"33. Federal Bureau of Investigation__ 531".

(b) Title VI of the Omnibus Crime Control and Safe Streets Act of 1968 is repealed.

EFFECTIVE DATE: INITIAL APPOINTMENT OF OFFICERS

SEC. 11. (a) This Act, and amendments made by this Act, other than this section and section 9, shall take effect 90 days after the enactment of this Act, or on such prior date after enactment of this Act as the President shall prescribe and publish in the Federal Register.

(b) Notwithstanding subsection (a) of this section, any of the officers provided for in section 2 of this Act may be appointed in the manner provided for in this Act, at any time after the date of enactment of this Act. Such officers shall be compensated from the date they first take office, at the appropriate rates provided for in this Act or amendments made by this Act. Such compensation and related expenses of such officers shall be paid from funds available for the functions to be transferred to the Bureau under this Act.

By Mr. CRANSTON (for himself, Mr. TAFT, Mr. WILLIAMS, Mr. BAKER, Mr. BAYH, Mr. BROOKE, Mr. CASE, Mr. GOLDWATER, Mr. HART, Mr. INOUYE, Mr. JACKSON, Mr. MCGEE, Mr. MCGOVERN, Mr. METCALF, Mr. MOSS, Mr. PACKWOOD, and Mr. STEVENSON):

S. 1708. A bill to amend title X of the Public Health Service Act to extend appropriations authorizations for 3 fiscal years and to revise and improve authorities in such title for family planning services programs, planning, training and public information activities, and population research. Referred to the Committee on Labor and Public Welfare.

S. 1708: FAMILY PLANNING SERVICES AND POPULATION RESEARCH AMENDMENTS OF 1973

Mr. CRANSTON. Mr. President, I am pleased to introduce S. 1708, the proposed "Family Planning Services and Population Research Amendments of 1973," and am gratified to be joined in introducing this legislation by the Senator from Ohio (Mr. TAFT), the Senator from New Jersey (Mr. WILLIAMS), the Senator from Tennessee (Mr. BAKER), the Senator from Indiana (Mr. BAYH), the Senator from Massachusetts (Mr. BROOKE), the Senator from New Jersey (Mr. CASE), the Senator from Arizona (Mr. GOLDWATER), the Senator from Michigan (Mr. HART), the Senator from Hawaii (Mr. INOUYE), the Senator from Washington (Mr. JACKSON), the Senator from Wyoming (Mr. MCGEE), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Montana (Mr. METCALF), the Senator from Utah (Mr. MOSS), the Senator from Oregon (Mr. PACKWOOD), and the Senator from Illinois (Mr. STEVENSON). The breadth of support for this measure and the title X family planning programs is illustrated by the 16 cosponsors, divided among both parties and all political philosophies.

FAMILY PLANNING SERVICES AND POPULATION RESEARCH ACT OF 1970—PUBLIC LAW 91-572

Mr. President, the original passage of the Family Planing Services and Population Research Act of 1970 (Public Law 91-572) was the culmination of years of effort on the part of many groups and individuals to make family planning services available to all those who wanted but could not afford them, as well as to improve our knowledge in the field of human reproduction and population dynamics so that each individual family could determine its size by choice rather than by force of circumstances.

Public Law 91-572 created a new title X in the Public Health Service Act, providing for grants and contracts to assist in the establishment and operation of voluntary family planning projects; to provide training for personnel to carry out such programs; to promote research in the biomedical, contraceptive development, behavioral, and program implementation fields related to family planning and population, and to train researchers for such fields; and to assist in developing and making available family planning and population information to all those individuals desiring such information. The legislation carried clear expressions of congressional intent that—

First, priority would be given in furnishing such services to persons from low-income families, and that no charge would be made to such individuals, except to the extent payment would be made by a third party;

Second, acceptance of any services or information must be voluntary and cannot be made a prerequisite to eligibility for or receipt of services; and

Third, no funds appropriated under title X are to be used in programs where abortion is a method of family planning. All of these concepts are continued in the bill I introduce today.

In addition, Public Law 91–572 provided for the establishment in the Department of Health, Education, and Welfare, of an Office of Population Affairs, directed by a Deputy Assistant Secretary for Population Affairs, whose functions were described in the law as being responsible for creating liaison and coordination among all Federal programs relating to population research and family planning, and being responsible for the administration, coordination, and evaluation of all programs in the Department of Health, Education, and Welfare related to population research and family planning.

The law further required the Secretary of Health, Education, and Welfare, to make a report to Congress setting forth a plan to be implemented over a period of 5 years to carry out the purposes set forth in the act, and to report annually to Congress on its progress in reaching the objectives outlined in the plan.

THE 5-YEAR PLAN

This plan was submitted to Congress in October of 1971 and outlined the goals as follows:

In research, the plan described three areas requiring attention: The development of improved methods of fertility regulation, including the improvement of contraceptive technology and the control of infertility; studies of biologic and genetic implications of contraceptive use; and investigations of the social science aspects of population problems.

In services, the plan projected as its goal making family planning services available by 1975 to the estimated 6.6 million women who wanted such services, but could not afford them.

In training, the plan estimated 90,000 family planning personnel would be needed by fiscal year 1975, and in addition 6,000 to 8,000 physicians.

In education, the plan defined the goal as an educational program which would help individuals to plan their families effectively and to be aware of the effects of population change on the individual and on society.

ACHIEVING 5-YEAR PLAN GOALS

Mr. President to date, we have not made enough headway in the research field. Today, there is as yet no completely safe and effective means of contraception available to any woman, rich or poor. Research is urgently needed to develop a means of voluntary control of reproduction. There is much scientific opinion that the technology is there to make this breakthrough if adequate funding is provided.

In the field of education, some steps have been taken to assess the information development and dissemination resources available, but sufficient staff and budget have not been made available to the Office of Population Affairs to really make a perceptible impact on the expansion of such programs or the development of new ones.

In the field of services, Mr. President, organized programs receiving support under the authorities of title X have developed the capacity to reach some 45 percent of HEW's announced objective of reaching 6.6 million women who want family planning services, but are unable to afford them. The Department estimates that by June of this year, only 2,981,000 women will be reached through organized family planning programs. This is a level approximately 1 year behind the projection in the 5-year plan.

In the field of training, Mr. President, nearly 5,000 personnel were trained in fiscal year 1972 as a result of funds made available through the National Center for Family Planning Services. This is a beginning, but unless this program is given increased attention and emphasis it will not be able to achieve the objective that has been set in the 5-year plan to train a total of 98,000 individuals by 1975.

PROVISIONS OF S. 1708

The legislation we are introducing today—S. 1708—extends and consolidates the provisions of the Family Planning Services and Population Research Act of 1970 and generally approves and tightens up its provisions to more clearly reflect the original congressional intent in the 91st Congress, and to insure that programs can be implemented in accordance with this intent.

In general, the bill would consolidate the provisions of the existing title X of the Public Health Service Act with the provisions of Public Law 91–5572, the Family Planning Services and Population Research Act of 1970. This consolidation places in the Public Health Service Act the statutory authority for reports on implementation and achievements of the programs mandated by that title, as well as the organizational structure of the Office of Family Planning and Population Science, to be headed by an Assistant Secretary rather than a deputy assistant secretary. The functions and responsibilities of the Assistant Secretary are clearly defined, and two centers are established directly under his office—a National Center for Family Planning Services, and a National Center for Population Science—with directors appointed by the Assistant Secretary.

In addition, a National Advisory Council on Family Planning and Population Science is established which would exercise peer review authority on research programs supported in the fields of human reproduction, the provision of family planning services, and population dynamics, and would make recommendations with respect to the establishment of policies and implementing regulations to carry out all the provisions of title X, as it would be amended by S. 1708.

The grant and contract authorities currently in title X are maintained with the exception of the State formula grant provision for services, which has never been funded and has been opposed by the administration. Appropriations authorizations for the four programs—services, research, training, and education—are extended for 3 fiscal years, through fiscal years 1976 with modest increases in the amounts authorized. In each case, congressional intent is clearly stated as to the necessity of implementing these appropriations, authorities, and for the purpose of carrying out the objectives in the 5-year plan and its updates.

New requirements are added which will safeguard the rights of individual recipients of services, encourage the provision of family planning services as part of comprehensive child and maternal services, include infertility services as a specific service for which support may be provided, and require the participation of those individuals served by the programs to participate in the decisionmaking process of such programs.

Also, the requirements for the 5-year plan are revised and refocused, an amended plan to meet these requirements is mandated, and the information to be included in the annual updated reports is specified with greater particularity. Finally, to try to insure a more timely submission of the plan and annual updates—which have traditionally been presented months after they were due by law—the bill calls for submission to the Congress of the version submitted by HEW to the Office of Management and Budget, and places statutory responsibility for preparation and submission directly on the Assistant Secretary.

Mr. President, the Special Subcommittee on Human Resources, which I am privileged to chair, of the Labor and Public Welfare Committee will hold hearings on S. 1708 and Federal family planning and population research programs next week on Tuesday, Wednesday and Thursday, May 8–10.

Mr. President, I ask unanimous consent to insert in the RECORD at this point a summary of the individual provisions of S. 1708, to be followed by the full text of the bill.

There being no objection, the summary and the bill were ordered to be printed in the RECORD, as follows:

SUMMARY OF PROVISIONS OF S. 1708: THE FAMILY PLANNING SERVICES AND POPULATION RESEARCH AMENDMENTS OF 1973

SEC. 1000. Declaration of Purpose. Establishes as purposes of the title, assistance in: making comprehensive voluntary family planning services readily available to all persons desiring such services; strengthening domestic research in the fields of human reproduction, the provision of family planning services, and population dynamics; improving administration and operation of such programs; developing and making readily available information on family planning services and population dynamics; evaluating and improving the effectiveness of programs; providing trained manpower to effectively carry out such programs; and establishing an Office of Family Planning and Population Science.

SEC. 1001. Plans and Reports. Requires the Assistant Secretary for Family Planning and Population Science to report (through the Secretary) to Congress not later than six months after enactment of the section on: the number of individuals in need of family planning services—organized and otherwise—and a timetable for serving them, the number who can be served by HEW programs, the types of information and educational materials to be developed, research goals to be established and a timetable for their achievement, and the manpower required to meet these objectives, as well as steps taken to maintain the reporting system which would yield data on which service projections and program evaluations will be based. This revised report would also include the January 1, 1974, updated report pursuant to section 5(b) of Public Law 91–572. In addition to the report required six months after the date of enactment, the Assistant Secretary is required to submit progress reports annually on specific achievements made in reaching goals established by the six-month report.

Sec. 1002. Voluntary Family Planning Services Grants and Contracts. Authorizes grants to assist in the establishment and operation of voluntary family planning programs and projects. Appropriations are authorized for an additional three-year period—fiscal years 1974 ($159.5 million), 1975 ($207.5 million) and 1976 ($255.5 million). The increase in authorization of appropriations for each year (over the current $111.5 million—of which $107 million was requested in the President's FY 1973 budget) represents the cost of providing services to the approximately 800,000 additional individuals the Department's five-year plan for family planning services (submitted pursuant to P.L. 91–572) projected will have to be served each year in order to meet by 1976 the five-year goal of reaching 6.6 million women from low-income families desiring services.

This section would further change existing law by specifying that grants and contracts awarded under this section must be made with the concurrence of the Assistant Secretary for Family Planning and Population Science and be carried out through the new National Center for Family Planning Services in the Assistant Secretary's Office and in consultation with the new National Advisory Council established by new section 1009. Language is also added clarifying that in determining the relative need of the applicant, the Secretary shall take into consideration the availability of third party payments to finance services, but only to the extent that the Secretary determines that the applicant has, in the past, been able to obtain such payments on a timely and continuing basis.

In addition, the section is amended to specify that the amount authorized to be appropriated for the grant and contract authority is to meet the objectives set forth in the revised and updated plan submitted by the Secretary pursuant to section 1001.

Sec. 1003. Training Grants and Contracts. Extends appropriations authorizations for an additional three-year period—fiscal years 1974 ($5 million), 1975 ($7.5 million), and 1976 ($10 million)—for training grants and contracts for the training of such personnel to carry out family planning services programs eligible for support under title X as are needed to meet program objectives specified in the plan. The FY 1973 authorization and budget request are $4 million and $3 million, respectively, for this item. This section would, again, amend existing law by specifying that grants and contracts awarded under this section must be made with the concurrence of the Assistant Secretary for Family Planning and Population Science and be carried on through the new National Center for Family Planning Services and in consultation with the new National Advisory Council. The necessity of training nurse midwives to carry out family planning services programs is also stressed.

In addition, existing law is changed to specify that the amount authorized to be appropriated for the grant and contract authority is to meet the objectives set forth in the revised and updated plan submitted by the Secretary, and that in determining the amount of funds to be provided under any grant or contract, the Secretary shall ensure that assistance under title X is provided only to the extent such training is not supported by a sufficient amount of Federal assistance under other titles of the Public Health Service Act or other provisions of law. The section further requires the Assistant Secretary to concur in the awarding of any grants for the training of personnel in the field of family planning which training would be authorized under this section.

Sec. 1004. Research Grants and Contracts. Extends appropriations authorizations for an additional three-year period—fiscal years 1974 ($65 million), 1975 ($75 million) and 1976 ($80 million)—for grants and contracts for research in biomedical, contraceptive development, social science and program implementation fields related to family planning and population dynamics. The present FY 1973 authorization is $65 million. The FY 1973 budget includes $39.8 million for contraceptive development carried out under the National Institute for Child Health and Human Development, not under title X. To remedy this, the section also gives the Assistant Secretary authority to utilize any other population research authority and appropriations thereunder to carry out research goals under this section. Any Federal support for contraceptive development research carried out by a profit-making entity is limited to 50 per cent of the total cost of such research. This section would, again, amend existing law by specifying that grants and contracts awarded under this section must be made with the concurrence of the Assistant Secretary for Family Planning and Population Science and carried out through the new National Center for Population Science and after peer-review consultation with the new National Advisory Council. In addition, the section would change the existing law to specify that the amount authorized to be appropriated for the grant and contract authority is to meet the objectives set forth in revised and updated plan submitted by the Secretary. Grants for the establishment of university-based research centers are stressed.

Sec. 1005. Informational and Educational Material Grants and Contracts. Extends appropriations authorizations for an additional three-year period—fiscal years 1974 ($1.5 million), 1975 ($2 million) and 1976 ($3 million)—for grants and contracts for informational and educational materials on family planning and on the causes and consequences of demographic characteristics and trends, as well as for the distribution of such materials. The present FY 1973 authorization is $1.25 million and $700,000 is included in the FY 73 budget. The section gives the Assistant Secretary authority to sign off on population education or information assistance provided under any other law which would be authorized under this section. This section would, again, amend existing law by specifying that grants and contracts awarded under this section must be made with the concurrence of the Assistant Secretary for Family Planning and Population Science in consultation with the new National Advisory Council. The section would also change existing law to specify that the amount authorized to be appropriated for the grant and contract authority is to meet the objectives set forth in the plan submitted by the Secretary.

Sec. 1006. Regulations, Payments, and Special Conditions. Requires projects or programs receiving assistance under section 1002 to be located so as to be most accessible to persons from low-income families rather than to express this thought as a priority to low-income persons in the provision of services, as in present law. The section also prohibits charges for such services except to the extent that payment will be made by a third party, and requires wherever feasible, such projects or programs to make arrangements, either directly or through linkages, for a comprehensive range of child and maternal health services, including infertility services, to individuals to whom family planning services are made available. The section further requires that those persons served by such projects and programs participate in the decision-making process for such projects or programs; requires opportunity for review and (non-binding) comment by the 314(a) and (b) (comprehensive health planning) agencies on applications for family planning services support under section 1002; prohibits research programs involving human subjects at risk unless projects or programs have assured the Secretary that the rights and welfare of any individuals involved are fully protected; and limits provision of drugs to individuals to only those uses indicated in the official labeling for such drugs approved by the Food and Drug Administration (except in the case of the use of investigational new drugs where such use is in compliance with requirements prescribed by the Secretary, or where use for another purpose is approved by a peer review committee in accordance with regulations prescribed by the Secretary, or where two physicians certify that such use is necessary in a life-threatening situation). The term "low-income family" is defined as the Department of Labor lower living standard budget ($7,214) and the questioning of any individual as to his income level is prohibited in services projects and programs assisted under title X. Finally, a State health authority in order to receive support under section 1002 is required to submit a statewide plan for a comprehensive program of family planning services, with requirements for subsequent periodic reporting on achievements in reaching goals outlined in the plan.

Sec. 1007. Voluntary Participation. Requires that acceptance of any service or information provided through financial assistance under title X must be on a totally voluntary basis and cannot be made a condition for the receipt of any other service or benefit. (Identical to the present title X language.)

Sec. 1008. Prohibition of abortion. Prohibits use of funds under title X in programs where abortion is a method of family planning. (Identical to the present title X language.)

Sec. 1009. Office of Family Planning and Population Science. Establishes within the Office of the Secretary of HEW an Office of Family Planning and Population Science, to be directed by an Assistant Secretary for Family Planning and Population Science appointed by the President by and with the advice and consent of the Senate, and establishes within the Office of Family Planning and Population Science a National Center for Family Planning Services (currently existing under the Health Services and Mental Health Administration in HEW) and a National Center for Population Science (currently existing under the NIH Institute of Child Health and Human Development). The section also establishes a National Family Planning and Population Science Advisory Council consisting of the Secretary, the Assistant Secretary, the Directors of the two new Centers, and fifteen (eight technical/scientific/programmatic and seven general public) members appointed by the Secretary. Functions of the Council shall be to advise, consult with, and make (peer-review-type) recommendations to the Secretary on applications for grants and contracts for research under section 1004, and to make recommendations to the Secretary with respect to the establishment of policies and implementing regulations to carry out all the provisions of title X, including the preparation and review of the annual budget estimate for all programs under title X, and of the plan and reports required by title X.

Sec. 1010. Functions of the Assistant Secretary for Family Planning and Population

Science. Requires the Secretary to utilize the Assistant Secretary: to administer and be responsible for grants and contracts related to family planning services and research in the fields of human reproduction, the provision of family planning services, and population dynamics, including training of necessary manpower for such programs and evaluation of all such programs; to concur in the operation of programs providing any other Federal assistance for such purposes (including consultation with the FDA Commissioner on the testing, evaluation and approval of contraceptive methods under the Federal Food, Drug and Cosmetic Act); to act as a clearinghouse for information pertaining to such programs; and to provide liaison with activities carried on by other agencies of the Federal Government relating to such programs. The Assistant Secretary is also given responsibility for preparing the budgets for carryingout the programs of the National Center for Family Planning Services and the National Center for Population Science, as well as the responsibility for appointing the Directors of such Centers.

Miscellaneous Provisions. Amend Public Law 91–516, the Environmental Education Act, to add the Assistant Secretary as a member of the Advisory Council on Environmental Education; and to require, wherever feasible, that grants or contracts supported under that Act include programs for consideration of the relation of population to the total human environment and require that grants and contracts including such a component or any other component related to population education have the concurrence of the Assistant Secretary.

S. 1708

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Family Planning Services and Population Research Amendments of 1973".

Sec. 2. Title X of the Public Health Service Act is amended to read as follows:

"TITLE X—VOLUNTARY FAMILY PLANNING AND POPULATION SCIENCE PROGRAMS

"DECLARATION OF PURPOSE

"Sec. 1000. It is the purpose of this title to provide for—

"(1) assistance in making comprehensive voluntary family planning services readily available to all persons desiring such services, particularly persons from low-income families.

"(2) assistance in strengthening domestic research in the fields of human reproduction, the provision of family planning services, and population dynamics, and coordination of such research with the present and future needs of family planning programs;

"(3) improvement of administrative and operational supervision of domestic family planning programs and of domestic research programs in the fields of human reproduction, the provision of family planning services, and population dynamics;

"(4) assistance to enable public and nonprofit private entities to plan and develop comprehensive programs of family planning services;

"(5) assistance to develop and make readily available information (including educational materials) on family planning services and population dynamics to all persons desiring such information;

"(6) evaluation and improvement of the effectiveness of family planning services programs and of research programs in the fields of human reproduction, the provision family planning services, and population dynamics;

"(7) assistance in providing trained manpower needed to effectively carry out family planning services program and research programs in the fields of human reproduction, the provision family planning services, and population dynamics; and

"(8) establishment of an Office of Family Planning and Population Science in the Office of the Secretary of the Department of Health, Education, and Welfare to carry out or exercise concurrent responsibility for and coordiwithin the Federal Government all Federal programs pertaining to family planning services and to research in the fields of human reproduction, the provision family planning services, and population dynamics.

"PLANS AND REPORTS

"Sec. 1001. (a) The plan (to be carried out over a five-year period for extension of family planning services to all persons desiring such services, for family planning and population research programs, for training of necessary health manpower for programs authorized by this title and other Federal laws, and for carrying out other purposes in Public Law 91–572) submitted by the Secretary to the Congress pursuant to section 5(a) and (b) of Public Law 91–572 shall be revised and updated, and submitted, not later than six months after the date of enactment of this section, by the Assistant Secretary for Family Planning and Population Science, after consultation with the National Family Planning and Population Science Advisory Council established by section 1009(e), through the Secretary, to the Congress to specify, at a minimum, on a phased basis—

"(1)(A) the total number of individuals (and their family income levels) in the United States (i) in need of family planning services, (ii) who can be served by organized and comprehensive family planning services and (iii) who which can be served by family planning programs under this title and other Federal laws for which the Secretary has responsibiltiy and a timetable for providing services to all individuals in need of family planning services;

"(B) the types of family planning and population information and educational materials to be developed under this title, Public Law 91–516 (20 U.S.C. 153 et seq.), and other Federal laws and the ways in which such materials will be made available;

"(C) the research goals to be established under such laws and a timetable of the progress to be made toward achievement of such goals; and

"(D) the total manpower required to meet the objectives specified pursuant to subclauses (A), (B), and (C) of this subsection, with separate estimates of the manpower needed to be trained under this title and other laws for which the Secretary has responsibility;

"(2) an estimate of the total costs and personnel requirements needed to meet the objectives specified pursuant to clause (1) of this subsection, including an estimate of such costs and requirements to be met—

"(A) under this title and other Federal laws for which the Secretary has responsibility;

"(B) from nongovernmental and State and local government resources; and

"(C) the assumptions and authorities on which all such estimates are based; and

"(3) the steps taken to maintain and operate the reporting system (to yield comprehensive data on which service figures and program evaluations for the Department of Health, Education, and Welfare shall be based) required to be established by section 5(b)(3) of Public Law 91–572.

Such revised plan shall also include the specifications required by section 5(c) of Public Law 91–572 with respect to the objectives set forth in the plan submitted by the Secretary pursuant to section 5 (a) and (b) of such law.

"(b) On or before January 1, 1975, January 1, 1976, and January 1, 1977, respectively, the Assistant Secretary for Family Planning and Population Science, after consultation with the National Family Planning and Population Science Advisory Council established by section 1009(e), shall submit to the Congress, through the Secretary, a report which shall, at a minimum, specify—

"(1) projections and a comparison of accomplishments during the preceding fiscal year with the objectives established for such year under the plan submitted pursuant to subsection (a) of this section;

"(2) steps to be taken to achieve or maintain the service, manpower training research, and educational objectives during the remaining fiscal years of the plan and any revisions in such objectives and the schedule for achieving them necessary to meet or maintain these objectives;

"(3) a full explanation of any significant discrepancies between such objectives and actual accomplishments;

"(4) steps, and a timetable for their implementation, being taken to achieve the orderly integration of comprehensive, coordinated family planning services into existing comprehensive health care programs or systems by June 30, 1977; and

"(5) any recommendations with respect to additional legislation or administrative action necessary or desirable in carrying out such plan.

"(c) If the plan and subsequent reports to be submitted pursuant to subsections (a) and (b) of this section are submitted, prior to submission to the Congress, for review by the Office of Management and Budget or any other Federal department or agency or official thereof (1) the plan or report submitted to the Congress shall specify the changes and the reasons therefor made during any such review process, and (2) if any such review process delays the submission of such plan or report to the Congress beyond the date established for such submission by this section, the Assistant Secretary shall immediately on such date submit to the Congress the plan or report in exactly the form it was submitted to such review process.

"VOLUNTARY FAMILY PLANNING SERVICES GRANTS AND CONTRACTS

"Sec. 1002. (a) The Secretary, with the concurrence of the Assistant Secretary for Family Planning and Population Science and through a National Center for Family Planning Services, shall make grants to and enter into contracts with public or nonprofit entities to assist in the establishment and operation of voluntary family planning programs and projects.

"(b) In making grants and contracts to provide assistance under this section, the Secretary shall take into account the number of patients to be served, the extent to which family planning services are needed locally, the relative need of the applicant (taking into consideration the availability of third-party (including government agency) payments to finance such services but only to the extent that the Secretary determines that the applicant has been able to obtain such payments on a timely and continuing basis), and its capacity to make rapid and effective use of such assistance.

"(c) For the purposes of making grants and contracts under this section to meet the services objectives specified in (1) the plan and reports submitted pursuant to section 5(a) and (b) of Public Law 91–572 and (2) beginning six months after the date of enactment of this Act, the revised plan submitted pursuant to section 1001(a) and the subsequent reports submitted pursuant to section 1001(b), there are authorized to be appropriated $30,000,000 for the fiscal year ending June 30, 1971; $60,000,000 for the fiscal year ending June 30, 1972; $111,500,000 for the fiscal year ending June 30, 1973; $159,500,000 for the fiscal year ending June 30, 1974; $207,500,000 for the fiscal year ending June 30, 1975; and $255,500,000 for the fiscal year ending June 30, 1976.

"(d) For the purposes of this title, the terms 'State' and 'United States' include Guam, American Samoa, and the Trust Territory of the Pacific Islands.

"TRAINING GRANTS AND CONTRACTS

"Sec. 1003. (a) The Secretary, with the concurrence of the Assistant Secretary for Family Planning and Population Science and through a National Center for Family Planning Services, in consultation with the National Family Planning and Population Science Advisory Council established by section 1009(e), shall make grants to public or nonprofit private entities and enter into contracts with public or private entities and individuals to provide the training for personnel (including nurse midwives) to carry out family planning services programs eligible for assistance under section 1002.

"(b) In determining the amount of funds to be provided under any such grant or contract, the Secretary shall ensure that assistance under this title is provided only to the extent that such training is not supported by a sufficient amount of Federal assistance under other titles of this Act or other provisions of law to meet the manpower training objectives specified in (1) the plan and reports submitted pursuant to section 5(a) and (b) of Public Law 91–572 and (2) beginning six months after the date of enactment of this Act, the revised plan submitted under section 1001(a) and the subsequent reports submitted pursuant to section 1001(b). Notwithstanding any other provision of law, no funds other than those appropriated under this section shall be used for the training of family planning personnel authorized to be supported under this section unless the Assistant Secretary for Family Planning and Population Science shall have concurred in the terms and conditions governing the use of such funds.

"(c) For the purpose of making payments pursuant to grants and contracts under this section to meet the training objectives specified in clauses (1) and (2) of the first sentence of subsection (b), there are authorized to be appropriated $2,000,000 for the fiscal year ending June 30, 1971; $3,000,000 for the fiscal year ending June 30, 1972; $4,000,000 for the fiscal year ending June 30, 1973; $5,000,000 for the fiscal year ending June 30, 1974; $7,500,000 for the fiscal year ending June 30, 1975; and $10,000,000 for the fiscal year ending June 30, 1976.

"RESEARCH GRANTS AND CONTRACTS

"Sec. 1004. (a) In order to promote research in the biomedical, contraceptive development, social science, and program implementation fields related to family planning and population dynamics, the Secretary, with the concurrence of the Assistant Secretary for Family Planning and Population Science and through a National Center for Population Science, after consultation with the National Family Planning and Population Science Advisory Council established by section 1009(e), shall make grants to public or nonprofit entities and enter into contracts with public or private entities and individuals for projects for research and research training (including travel, subsistence expenses, and stipends) in such fields, including the establishment of university-based research centers.

"(b) Notwithstanding any other provision of law and except with respect to programs and activities authorized under the Foreign Assistance Act of 1962, as amended (22 U.S.C. 2151–2412), (1) no funds other than those appropriated under this section shall be used for research and research training in the biomedical and contraceptive development fields related to family planning, except that such funds authorized to be appropriated by such other provisions of law to support such development may, notwithstanding any other provision of law unless enacted in express limitation of this subsection, be expended and obligated by the Assistant Secretary for Family Planning and Population Science, in accordance with the provisions of this section, and (2) funds provided under this section or any other provision of law under any contract with a profit-making entity to support any contraceptive development research shall be limited to not more than 50 per centum of the total cost attributed to the research activity covered by such contract.

"(c) For the purpose of making payments pursuant to grants and contracts under this section to meet the research objectives specified in (1) the plan and reports submitted pursuant to section 5(a) and (b) of Public Law 91–572 and (2) beginning six months after the date of enactment of this Act, the revised plan submitted pursuant to section 1001 (a) and the subsequent reports submitted pursuant to section 1001 (b) there are authorized to be appropriated $30,000,000 for the fiscal year ending June 30, 1971; $50,000,000 for the fiscal year ending June 30, 1972; $65,000,000 for the fiscal year ending June 30, 1973; $65,000,000 for the fiscal year ending June 30, 1974; $75,000,000 for the fiscal year ending June 30, 1975; and $80,000,000 for the fiscal year ending June 30, 1976.

"INFORMATIONAL AND EDUCATIONAL MATERIALS GRANTS AND CONTRACTS

"Sec. 1005. (a) The Secretary, through the Assistant Secretary for Family Planning and Population Science, in consultation with the National Family Planning and Population Science Advisory Council established by section 1009(e), shall make grants to public or nonprofit private entities and enter into contracts with public or private entities and individuals for—

"(1) the development of educational and informational materials on voluntary family planning;

"(2) the development of educational and informational materials on the causes and consequences of demographic characteristics and trends; and

"(3) the distribution of such materials to all persons desiring such information and materials.

"(b) Notwithstanding any other provision of law, no funds other than those appropriated under this section shall be used for the development of educational and informational materials authorized to be supported under this section unless the Assistant Secretary for Family Planning and Population Science shall have concurred in the terms and conditions governing the use of such funds.

"(c) For the purpose of making payments pursuant to grants and contracts under this section to meet the public information and educational materials objectives specified in (1) the plan and reports submitted pursuant to section 5 (a) and (b) of Public Law 91–572 and (2) beginning six months after the date of enactment of this Act, the revised plan submitted pursuant to section 1001(a) and the subsequent reports submitted pursuant to section 1001(b), there are authorized to be appropriated $750,000 for the fiscal year ending June 30, 1971; $1,000,000 for the fiscal year ending June 30, 1972; $1,250,000 for the fiscal year ending June 30, 1973; $1,500,000 for the fiscal year ending June 30, 1974; $2,000,000 for the fiscal year ending June 30, 1975; and $3,000,000 for the fiscal year ending June 30, 1976.

"REGULATIONS, PAYMENTS, AND SPECIAL CONDITIONS

"Sec. 1006. (a) Grants and contracts made under this title shall be made in accordance with regulations which the Secretary shall prescribe.

"(b) Grants under this title shall be payable in such installments and subject to such conditions as the Secretary may determine to be appropriate to assure that such grants will be effectively utilized for the purposes for which made.

"(c) A grant may be made or contract entered into under section 1002 for a voluntary family planning services project or program only upon assurances satisfactory to the Secretary, in accordance with regulations which he shall prescribe, that—

"(1) projects or programs will be located so as to serve persons from low-income families;

"(2) no charge will be made in such projects or programs except to the extent that payment will be made by a third party (including a government agency) which is authorized or is under legal obligation to pay such charge;

"(3) wherever feasible, such projects or programs have made arrangements for the provision, either directly or through linkages with other health providers, of a comprehensive range of child and maternal health services, including infertility services, to those persons or families to whom voluntary family planning services under this title are made available;

"(4) substantial opportunities are provided for low-income persons served by or to be served by such projects or programs to participate in the decisionmaking process of such projects or programs;

"(5) the State comprehensive health planning agency established pursuant to section 314(a) and the areawide health planning agency (if any) established pursuant to section 314(b) have had an opportunity to comment thereon, within ninety days of the submission to those agencies of copies of such application, and the applicant has submitted to the Secretary a reply to any such comments with a view toward accommodating and resolving any differences with such agency or agencies;

"(6) no research activity in connection with such projects or programs which involves any human subjects at risk will be undertaken unless such projects or programs have, on the basis of a peer review procedure (including participation by consumer), submitted to the Secretary, in accordance with regulations which he shall prescribe, a certification based on such review that, in accordance with standards prescribed in such regulations, the rights and welfare of any human subjects involved are adequately protected, the risks to each such individual are outweighed by the potential benefits to him or by the importance of the knowledge to be gained, and the informed consent of such individual will be obtained by appropriate methods; and

"(7) any drugs provided individuals shall be prescribed only for uses indicated in the official labeling approved pursuant to section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321 et seq.), except when (1) in the case of the use of investigational new drugs as defined in such Act, the use is in compliance with requirements for investigational new drugs and procedures for human subjects at risk in accordance with regulations which the Secretary shall prescribe (including full and written disclosure of the investigational nature of the use, and the indications and contraindications associated with such use, to each prospective user), or (2) use for another purpose is approved by a peer review committee, in accordance with regulations which the Secretary shall prescribe, or (3) two physicians certify that such use is necessary in a life-threatening situation.

For the purposes of this subsection, the term 'low-income family' means a family with that income level (adjusted for regional and metropolitan, urban and rural differences and family size) determined annually by the Bureau of Labor Statistics of the Department of Labor and referred to by such Department as the 'lower living standard budget'. The comments procedure established by clause (5) of this subsection shall not be administered in such a way as to delay the review and grant process carried out pursuant to section 1002.

"(d) In furnishing voluntary family planning services in projects or programs assisted under this title, no project or program, or any person working in such project or program, shall request or require any person to submit any information with respect to such person's or such person's family's income level.

"(e) No grant may be made to a State health authority under section 1002 unless such authority has submitted, and the Secretary has approved, a statewide plan, which shall be updated annually in connection with each such grant, for a coordinated and comprehensive program of voluntary family planning services, which shall specify at a minimum—

"(1) the number of individuals in such State (and the income levels of their families) estimated to be in need of and the number then receiving family planning services;

"(2) the types of services being and, with assistance under this section, to be provided;

"(3) the sources and levels of state funds to be made available for such services;

"(4) the geographical and program priorities which will govern the utilization of available Federal and State financial resources for such services; and

"(5) assurances that the requirements of subsection (b) (6) and (7) of this section will be met.

Such plans shall be made available and easily accessible to the Congress and to the public.

"VOLUNTARY PARTICIPATION

"SEC. 1007. The acceptance by any individual of family planning services or family planning or population information (including educational materials) provided through financial assistance under this title (whether by grant or contract) shall be voluntary and shall not be a prerequisite to eligibility for or receipt of any other service or assistance from, or to participation in, any other program of the entity or individual that provided such services or information.

"PROHIBITION OF ABORTION

"SEC. 1008. None of the funds appropriated under this title shall be used in programs where abortion is a method of family planning.

"OFFICE OF FAMILY PLANNING AND POPULATION SCIENCE

"SEC. 1009. (a) There is established within the Office of the Secretary an Office of Family Planning and Population Science to be directed by an Assistant Secretary for Family Planning and Population Science (hereinafter referred to as the 'Assistant Secretary') who shall be appointed by the President by and with the advice and consent of the Senate.

"(b) The Secretary shall provide such Office with such full-time professional and clerical staff and with the services of such consultants as may be necessary to assist the Assistant Secretary to carry out his function under this title.

"(c) The Secretary shall make available to the Assistant Secretary such sums as may be necessary for him to administer such Office and to carry out the functions of such Office under this title, including the costs of collecting the data necessary for carrying out the requirements of section 1001. In no event may such sums be greater than 1 per centum of the total sum appropriated or made available for expenditure under this title.

"(d) There is established within such Office a National Center for Family Planning Services and a National Center for Population Science, which shall, respectively, be assigned and carry out the functions assigned to such Centers by this title and such other duties and responsibilities as the Assistant Secretary may specify in regulations.

"(e) (1) The Secretary shall establish a National Family Planning and Population Science Advisory Council with which he and the Assistant Secretary shall consult on a continuing and regular basis in administering this title. The Council shall consist of the Secretary, the Assistant Secretary, the Directors of the National Center for Family Planning Services and the National Center for Population Science, respectively, established by subsection (d) of this section, all of whom shall serve as ex officio, nonvoting members thereof, and fifteen members appointed by the Secretary. Not more than ten of the appointed members of the Council shall be scientists, physicians, or persons representative of groups or organizations specializing in family planning or research in the fields of human reproduction, the provision of family planning services, and population dynamics, or both, and not less than five of the appointed members shall be representatives from the general public who are not directly related to the provisions of family planning services or the conduct of research in the fields of human reproduction the provision of family planning services, and population dynamics (except that one such member shall be a person who has been or is a recipient of services from a program or project supported under this title). The Secretary shall designate as Chairman of the Council one of the appointed members.

"(2) The functions of the Council shall be to advise, consult with, and make recommendations to, the Secretary (through appropriate subgroups which it shall appoint) on applications received for grants and contracts in excess of $35,000 under section 1004 of this Act, and to make recommendations to the Secretary with respect to the establishment of policies and implementing regulations to carry out all provisions of this title, including preparation and review (including any agency appeal thereof) of the annual budget estimate for the programs established under this title and of the plan and subsequent reports required to be submitted by section 1001.

"(3) Each appointed member of the Council shall be appointed for a term of four years, except that—

"(A) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his or her predecessor was appointed shall be appointed for the remainder of such term; and

"(B) of the members first appointed after the effective date of this title, five shall be appointed for a term of four years, five shall be appointed for a term of three years, and five shall be appointed for a term of one year, as designated by the Secretary at the time of the appointment, except that the initial terms of members appointed from the general public who are not directly related to the provision of family planning services or the conduct of research in the fields of human reproduction, the provision of family planning services, and population dynamics shall be not less than three years. Appointed members may serve after the expiration of their terms until their successors have taken office.

"(4) A vacancy in the Council shall not affect its activities, and nine voting members of the Council shall constitute a quorum for the purpose of making recommendations pursuant to paragraph (2) of this subsection.

"(5) Members of the Council who are not officers or employees of the United States shall receive for each day they are engaged in the performance of the functions of the Council compensation at rates not to exceed the daily equivalent of the annual rate in effect for grade GS–18 of the General Schedule, including traveltime; and all members, while so serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as such expenses are authorized by section 5703, title 5, United States Code, for persons in the Government service employed intermittently.

"(6) The Council shall meet at the call of the Chairman, but not less often than four times each year.

"FUNCTIONS OF THE ASSISTANT SECRETARY FOR FAMILY PLANNING AND POPULATION SCIENCE

"SEC. 1010. (a) The Secretary shall utilize the Assistant Secretary to—

"(1) administer all Federal laws for which the Secretary has administrative responsibility and which provide for or authorize the making of grants or contracts related to, and to exercise concurrent responsibility with respect to all other Federal laws providing support for family planning programs and research in the fields of human reproduction, the provision of family planning services, and population dynamics;

"(2) administer and be responsible for all research in the fields of human reproduction, the provision of family planning services, and population dynamics carried on directly by the Department of Health, Education, and Welfare or supported by the Department through grants to or contracts with entities and individuals, and consult with the Commissioner of the Food and Drug Administration in order to coordinate testing, evaluation, and approval of methods of contraception carried out under the provisions of the Federal Food, Drug, and Cosmetic Act, as amended (21 U.S.C. 321 et seq.) with similar activities carried out under this title;

"(3) act as a clearinghouse for information pertaining to domestic and international family planning services programs and research in the fields of human reproduction, the provision of family planning services, and population dynamics for use by all interested persons and public and private entities;

"(4) provide a liaison with the activities carried on by other agencies and instrumentalities of the Federal Government relating to research in the fields of human reproduction, the provision of family planning services, and population dynamics;

"(5) administer and be responsible for the training of necessary manpower for domestic family planning services programs and domestic programs of research in the fields of human reproduction, the provision of family planning services, and population dynamics;

"(6) coordinate, and be responsible for, the evaluation of the other Department of Health, Education, and Welfare programs relating to family planning and to research in the fields of human reproduction, the provision of family planning services, and population dynamics, and to make periodic recommendations to the Secretary;

"(7) submit to him directly, with appropriate opportunity for comments by the Assistant Secretary for Health and Scientific Affairs, after consultation with the National Family Planning and Population Science Advisory Council established by section 1009 (e), the budgets for carrying out programs of the National Center for Family Planning Services and the National Center for Population Science, after receiving such budget proposals from the directors of such respective centers; and

"(8) provide such staff and other support to the Advisory Council established by section 1009(e) and the National Centers established by section 1009(d) as is necessary to ensure the capacity of such Council and such Centers, respectively, to carry out their functions under this title effectively.

"(b) The Assistant Secretary shall appoint the Director of the National Center for Family Planning Services and the Director of the National Center for Population Science, established by section 1009(d), and such

Directors shall be directly responsible to him."

SEC. 3. Public Law 91–572 is repealed effective upon the date of enactment of this Act.

SEC. 4. (a) Section 3(c)(1) of Public Law 91–516 (22 U.S.C. 1532(c)(1)) is amended by adding after the first sentence the following new sentence: "The Assistant Secretary for Family Planning and Population Science, as established by section 1009(a) of the Public Health Service Act, shall serve as an ex officio, nonvoting member of the Council."

(b) Section 3(b)(3) of such Public Law (20 U.S.C. 1532(b)(3)) is amended by adding at the end thereof the following new sentence: "Such grants or contracts shall, wherever feasible, include provision and funding for consideration of the relation of population to the total human environment, and grants or contracts including such provision and any other provisions for population education shall not be entered into except with the concurrence of the Assistant Secretary for Family Planning and Population Science with respect to such provision or provisions."

By Mr. TUNNEY (for himself and Mr. CRANSTON):

S. 1709. A bill relating to the reduction of civilian personnel at military installations in the United States and the closing of military installations in the United States. Referred to the Committee on Armed Services.

Mr. TUNNEY. Mr. President, American workers should not be thrown out of jobs while we subsidize foreign nationals in shipyards and other installations overseas. That is the premise of legislation Senator CRANSTON and I are introducing today.

The bill would protect the jobs of civilian personnel in this country.

It would preserve defense installation in this country.

It would help assure the continued economic survival of many hard-pressed cities in this country.

In brief, it would keep American workers on the job instead of turning over their work to foreign-based installations, the only exception being cases where U.S. defense posture or the economy would be seriously and adversely effected.

The Defense Department used a meat axe to cut defense facilities in this country. It has done nothing to cut costly and duplicative facilities in other countries. Consequently, shipyard workers in the Philippines and Japan will be at work while those in San Francisco, Boston, and elsewhere in this Nation may be in unemployment lines.

The Defense Department acted without apparent concern for the economic hardships it is bringing upon thousands of working men and women in this country.

It acted without prior planning to alleviate difficulties that must now be faced by scores of affected communities.

It acted with the full knowledge that its economic assistance program is a sham. It has but one man permanently assigned in California to administer its entire program. This is equivalent to asking the man to stem a flood with a sponge.

In California, the Defense Department action will disrupt the lives of 60,000 persons. Some are servicemen who, along with their families, will be shifted to other bases. Many are civilians who will have to pull up roots and relocate, trying to find new homes at today's inflated prices. For 4,000 there are no other jobs slotted. The Defense Department admits that for the people it will be a "hard time."

Twice since the Defense Department announced the cutbacks, I have flown to California to meet with the men and women affected. One obvious and compelling conclusion emerged from these visits: cutbacks in military expenditures should begin with overseas bases, not with those in our own country.

Clearly, we should reduce defense spending, but American workers must not be the first victims.

Let us look at the bases I visited in California:

Hunter's Point Naval Shipyard in San Francisco performs repair, overhaul and conversion of surface ships. It employs 5,184 civilians. It is scheduled to be closed 30 June, 1974. The Defense Department has indicated it plans to transfer only 535 of the 5,184 civilians who will be displaced. All others will be terminated with the provision that, if they so desire, they can be added to the nationwide pool for possible rehire, not necessarily in equivalent positions.

Drydocking and other facilities at Hunter's Point are also performed at our overseas installations, such as Subic Bay in the Philippines, Yokosuka, in Japan, and Guam in the Marianas. I have asked the Department of the Navy for a complete accounting of all our overseas bases especially those which are classified as "Ship Repair Facilities."

Preliminary reports from the Navy are revealing. During the past year, seven of our ships were overhauled at Guam, and one at Yokosuka. Some 5,639 foreign nationals at Subic Bay remain on the Department of Defense payroll even though our fleets no longer operate off the coast of Vietnam, and our ships could be repaired in home waters.

The United States maintains a total of 2,300 foreign military installations at an annual cost of approximately $30 billion. Almost 200,000 civilians are employed by the United States at our foreign installations. Approximately 87 percent are foreign nationals. Many of these workers are working on assignments which could be performed at our own domestic installations.

I just learned today that at the same time the Department of Defense is planning to close Hunter's Point they are asking Congress to authorize $2,723,000 for new construction at Subic Bay, $8,376,000 for new construction at Guantanamo Bay, and $14,225,000 for new construction at Guam.

If the goal of the Defense Department is to cut costs and consolidate operations—a goal I support—the place to begin is overseas. We gain little by disrupting our own economy through aggrevating unemployment at home and exacerbating our international balance of payments.

Another heavily hit California installation is the Naval Station in Long Beach, one of the principal bases on the west coast. It provides for the construction, overhaul, repair and drydocking, conversion and outfitting of ships and crafts operating in the Pacific. The Defense Department's action will result in the reduction of over 17,000 military and 780 civilian personnel from the Long Beach area. The estimated savings to the Navy are $11.4 million annually. The city of Long Beach has, however, compiled a report which raises serious doubt as to the actual savings attributable to the movements projected under this action.

This report points out that 178 of the 456 military positions would have been eliminated anyway as a result of the disestablishment of the Navy Hospital given adequate consideration to the problems of housing shortages in the San Diego area where many of the service families will be transferred. While the city's report is not conclusive as to the wisdom of the Navy's decision, it strongly suggests that further study and justification are needed prior to the execution of any movement of such magnitude.

It is not the intent of my bill to tie the hands of the Defense Department to make reductions and cutbacks. On the contrary, my bill will promote further reductions, but it will require that they be made where they are needed most—in our overseas installations.

The situation in California is by no means unique. Communities across the Nation will be drastically affected by the recently announced cutbacks. Long Beach, for example, has estimated that the loss to the Long Beach-Los Angeles area alone will be between $43 million and $55 million annually. We can no longer tolerate reduction and cutback procedures which give no weight to the dramatic human dislocations which result from base closures. Their impact on people and local communities must be given every adequate consideration in the planning process. I have cosponsored Senator PELL's bill, S. 1548, which calls for the establishment of a commission to aid in the planning of base closings. More than that, however, is needed. I shall shortly introduce additional legislation providing for a stronger Office of Economic Adjustment with substantial funds and authority to alleviate the economic repercussions of base closings and installation cutbacks. Besides requiring advanced planning on the part of the Department of Defense through a greatly expanded Office of Economic Adjustment, this bill will provide substantial assistance to civilians adversely affected by DOD actions.

My distinguished colleagues, we all desire to reduce military expenditures wherever possible. But concurrent with that desire must be the recognition and assumption of our responsibility to provide meaningful help to American citizens affected by those reductions. I ask your support for this bill and for those Americans who are falling victim to the administration's lack of responsible planning.

I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

There being no objection, the bill was

ordered to be printed in the Record, as follows:

S. 1709

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law and subject to the provisions of section 2 of this Act, no action may be taken by the Department of Defense which:

(1) results in the permanent reduction in the number of direct hire civilians of the United States employed at any military installation in the United States unless, prior to the date on which such termination is to become effective, there is a comparable reduction-in-force of foreign nationals employed by the United States at military installations overseas. The comparable reduction-in-force will constitute a per centum of the total number of foreign nationals employed by the United States overseas equal to or greater than the per centum of the total number of United States direct hire civilians employed at military installations within the United States who are being considered for reduction;

(2) results in the closing of any military installation in the United States, while there exists an equivalent United States installation overseas which performs a like function and that function can be performed at either the domestic or foreign installation.

Sec. 2. The prohibitions contained in the first section of this Act shall not apply in any case in which the Secretary of Defense makes a finding that a reduction in the civilian personnel overseas or the transfer of an activity from an overseas installation would seriously and adversely affect the defense posture or the economy of the United States and promptly reports such finding(s) in writing to the Congress.

Sec. 3. As used in this Act (1) the term "United States," when used in a geographical sense, means the several States and the District of Columbia, (2) the term "military installation" includes any facility that supplies or services a military function, operation, or activity, and (3) the term "foreign national" refers only to those foreign citizens who are employed by the United States Government and are paid out of Department of Defense appropriated funds.

Sec. 4. This Act shall be effective as of January 1, 1973.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 287

At the request of Mr. Scott of Virginia, the Senator from Oklahoma (Mr. Bartlett), the Senator from Alabama (Mr. Sparkman), and the Senator from Georgia (Mr. Talmadge) were added as cosponsors of S. 287, to clarify the jurisdiction of certain Federal courts with respect to public schools and to confer such jurisdiction upon certain other courts.

S. 740

At the request of Mr. Williams, the Senator from Idaho (Mr. Church) and the Senator from Missouri (Mr. Eagleton) were added as cosponsors of S. 740, to extend the Migrant Health Act for 4 years.

S. 868

At the request of Mr. Williams, the Senator from South Dakota (Mr. McGovern), the Senator from Rhode Island (Mr. Pell), and the Senator from Minnesota (Mr. Humphrey) were added as cosponsors of S. 868, to provide computation of social security benefits based on combined earnings of married couples.

S. 869

At the request of Mr. Williams, the Senator from South Dakota (Mr. McGovern), the Senator from Rhode Island (Mr. Pell), and the Senator from Minnesota (Mr. Humphrey), were added as cosponsors of S. 869, to provide computation of social security benefits for men at age 62.

S. 904

At the request of Mr. Williams, the Senator from Iowa (Mr. Hughes), and the Senator from Maine (Mr. Muskie), were added as cosponsors of S. 904, the Truth in Food Labeling Act.

S. 1123

At the request of Mr. Moss, the Senator from Michigan (Mr. Hart), the Senator from West Virginia (Mr. Randolph), and the Senator from Wyoming (Mr. McGee) were added as cosponsors of S. 1123, to amend title 5, United States Code, to provide for the reclassification of positions of Deputy U.S. Marshal, and for other purposes.

S. 1218

At the request of Mr. Gravel, the Senator from Texas (Mr. Bentsen) was added as a cosponsor of S. 1218, to amend title II of the Communications Act of 1934 to authorize common carriers subject to such title to provide certain free or reduced rate service for individuals who are deaf or hard of hearing.

S. 1283

At the request of Mr. Jackson, the Senator from Ohio (Mr. Taft) was added as a cosponsor of S. 1283. The National Energy Research and Development Policy Act of 1973.

S. 1543

At the request of Mr. Mondale, the Senator from Missouri (Mr. Eagleton) was added as a cosponsor of S. 1543, to amend the Social Security Act to provide for extension of authorization for special project grants under title V.

S. 1599

At the request of Mr. Saxbe, the Senator from South Dakota (Mr. Abourezk) and the Senator from Iowa (Mr. Clark) were added as cosponsors of S. 1599, to provide for the continued sale of gasoline to independent gasoline retailers.

SENATE JOINT RESOLUTION 98

At the request of Mr. Humphrey, the Senator from South Dakota (Mr. Abourezk), the Senator from Iowa (Mr. Clark), the Senator from Iowa (Mr. Hughes), the Senator from Minnesota (Mr. Mondale), the Senator from Illinois (Mr. Stevenson) and the Senator from Connecticut (Mr. Ribicoff) were added as cosponsors of Senate Joint Resolution 98, a joint resolution relating to nationwide gasoline and oil shortages.

SENATE RESOLUTION 106—SUBMISSION OF A RESOLUTION RELATING TO APPOINTMENT OF A SPECIAL ASSISTANT IN CONNECTION WITH THE PRESIDENTIAL ELECTION OF 1972

(Ordered to lie over under the rule.)

Mr. BROOKE (for himself, Mr. Scott of Pennsylvania, Mr. Dominick, and Mr. Hansen) submitted a resolution (S. Res. 106) urging the Attorney General to appoint a special assistant in connection with the Presidential election of 1972.

(The resolution and discussion thereof are printed in the Record at the time it was submitted and appear earlier in the Record.)

SENATE RESOLUTION 107—SUBMISSION OF A RESOLUTION RELATING TO FORMULATION OF THE FOREIGN AND MILITARY POLICY OF THE UNITED STATES

(Referred to the Committee on Foreign Relations, by unanimous consent.)

Mr. MATHIAS. Mr. President, I have sought this time today in order to submit a resolution that addresses itself to a constitutional and statutory issue and not to a foreign or military policy question. In effect, I am essentially asking whether due process of law has been observed in pursuing acts of war in Cambodia.

There are foreign policy questions that should be asked when we debate what our course in Indochina should be. These include a decision that the interests of the United States in the area justify the risk of breeding a whole new generation of American prisoners of war. Fliers who survive bomber crashes and are captured by the Khmer Rouge are not likely to find them significantly better hosts than the Viet Cong. The list of necessary determinations also demands assigning some priority to the great economic costs of the bombing. If we are making up to 200 bombing runs a day at a cost of $40,000 to $50,000 per raid for each plane, we are soon going to have a new unbudgeted item above the billion dollar level. These questions, and others equally pressing ought to be answered before the bombers take off from their bases.

But they are not the first questions to be asked under existing circumstances. We must first ask what is permissible under the Constitution, what statutory steps would be requisite before a given policy could be properly adopted and executed, whether the policy we are now pursuing is both constitutional and legal and what immediate policy changes are required to preserve the integrity of our political system.

So I am not talking today primarily about planes or bombs or soldiers, or of the wisdom of a particular military strategy; I am talking about the law.

I refer to military activities in Indochina only because they embody the particular issues and circumstances which the constitutional process ought to govern.

The present military activities in Indochina have challenged the integrity of our government of laws and these activities have not been approved through our constitutional processes. It is because I believe that our policies should be the result of proper constitutional process that I submit this resolution today.

The resolution expresses the formal advice of the Senate to the executive branch that the continuation of hostilities anywhere in Indochina, including Cambodia, unless specifically authorized by Congress is contrary to both the Constitution and specific statutes prohibiting such hostilities enacted by Congress and signed by President Nixon. It is further the purpose of the resolution to specify the particular provisions of the Constitution and the law pertinent to the continued bombing of Cambodia and to advise that the President order an end to this action in Indochina.

I had prepared the resolution some weeks ago. I delayed submitting it because I wished to obtain from the executive branch the legal justification for continued bombing in Cambodia. At a meeting of the Foreign Operations Subcommittee of the Appropriations Committee on April 9, 1973, I made such a request. As of this hour I have not been notified of compliance with this request.

In the meantime, on Monday, April 30, the Secretary of State gave to the Foreign Relations Committee a 13-page memorandum giving the administration rationale. This statement came well over a month after it was originally requested. In my view, the State Department argument places Congress in an awkward, not to say impossible, position. We are offered no reasonable alternative to further inquiry. The Secretary maintained that article 20 of the executive agreement signed by the United States concerning ending of hostilities in Indochina was being violated, and that the United States was continuing bombing in Cambodia and elsewhere in order to encourage compliance with article 20. At this point, it appears that all parties including the United States are violating article 20. But even if it were being scrupulously observed, it could not supersede the Constitution or the statutes. It has never been submitted to Congress for its approval as a treaty, nor has there been a request for a formal resolution supporting the terms of the agreement.

In any event, Cambodia, at whose request and for whom the bombing activities by the United States are being carried out, is not a party to the Vietnam agreements, and so article 20 could not be operative in Cambodia. It was further said that U.S. air activities were simply a continuation of what we had been doing since the 1970 invasion of Cambodia. In accepting this argument, Congress is confronted wtih the difficulty of reconciling it with the President's statement made June 3, 1970, concerning U.S. activities in Cambodia and their purpose:

> The only remaining American activity in Cambodia after July 1 will be air missions to interdict the movement of enemy troops and material where I find that it is necessary to protect the lives and security of our men in South Vietnam.

These words by the President were an important part of the basis of an agreement worked out between Congress and the President when the final language of Cooper-Church was written in December 1970. The legislative history of the legal authority for the use of United States air power in Indochina is clear. The original Cooper-Church provisions passed by the Senate which prohibited the use of U.S. forces in support of Cambodia included an amendment by the Senator from Washington (Mr. JACKSON) that specified that U.S. airpower could not be used in direct support of the Government of Cambodia.

It was on the basis of this understanding that U.S. airpower could be used only for the protection of U.S. forces in Indochina that Congress adopted the Cooper-Church amendment that was signed into law by President Nixon on January 3, 1971.

In addition, the following sections were passed by Congress and signed by President Nixon: Section 7(b) of the Special Foreign Assistance Act of 1971, which reads:

> Military and economic assistance provided by the United States to Cambodia and authorized or appropriated pursuant to this or any other Act shall not be construed as a commitment by the United States to Cambodia for its defense.

And section 655(g) of the Foreign Assistance Act of 1961, which reads:

> Enactment of this section shall not be construed as a commitment by the United States to Cambodia for its defense.

These laws specifically exclude the use of U.S. funds for the purpose of supporting the Government of Cambodia.

A recent staff report by the Foreign Relations Committee, issued by the distinguished chairman of the Subcommittee on National Commitments, who is the acting chairman of the Armed Services Committee, the Senator from Wisconsin (Mr. SYMINGTON), strongly indicates that U.S. air activities are in direct support of the Government of Cambodia. The most searching study of the statutes and the Constitution does not reveal authority for the activities in the laws of the United States.

There are those who maintain that a Senate Resolution is a parliamentary gesture without force. It is my view that it is not only constitutionally proper but also constitutionally obligatory for the Senate to give its advice to the President—as this resolution does—and to request that the legal dilemma be resolved by the termination of the bombing.

It is my hope that this advisory action and a constructive response to it will make unnecessary legislation prohibiting the use of funds for hostilities in Indochina.

This resolution is a formal expression by the Senate that, in the judgment of the Senate, the laws of the land should be obeyed, and that the law should shape the policies and not the policies shape the law. This resolution is offered in fulfillment of the duty of the Senate to give its advice to the President when it is aware of facts so serious as the continued hostilities in Indochina which are proceeding without the specific authorization of Congress or without some clear legal basis for doing so.

While we all desire that the integrity of the U.S. position in Indochina should be maintained in every honorable way, yet I believe that it is even more important to preserve the integrity of the Constitution and the laws at home.

Mr. President, so that I may have the resolution submitted at this time, I will offer it on behalf of myself and Senators MANSFIELD, CASE, CHURCH, JAVITS, HART, SYMINGTON, HATFIELD, MONDALE, MCGOVERN, CRANSTON, HUMPHREY, and BAYH, and ask unanimous consent that it be referred to the Committee on Foreign Relations.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The text of the resolution is as follows:

Resolved, That it is the sense of the Senate that—

(1) the United States prisoners of war have been released;

(2) all United States combat forces have been withdrawn from Indochina; and

(3) the United States has no commitment to Cambodia to provide for its defense;

(4) the bombing of Cambodia and elsewhere in Indochina is an act of war and contrary to clause 11 of section 8 of article I of the Constitution which provides that the Congress only shall have the power "to declare war . . .";

(5) the territory of the United States or its vital national interests are not endangered by any nation in Indochina.

SEC. 2. It is further the sense of Congress that since—

(1) there has been no such declaration of war by Congress with respect to the hostilities in Indochina; and

(2) the United States has no commitment to assist in the defense of Cambodia and, by section 7(b) of the Special Foreign Assistance Act of 1971 and section 655(g) of the Foreign Assistance Act of 1961, the laws of the United States specifically provide that the United States has no commitment to the defense of Cambodia;

Any combat actions by the United States Armed Forces in, over, or off the shores of Indochina are contrary to the laws of the United States.

SEC. 3. The Senate affirms that continued hostilities in Cambodia and elsewhere in Indochina by the United States Armed Forces in the absence of specific congresssional authorization are not in accordance with the Constitution and statutes of the United States and are contrary to the lawful conduct of the United States Government. The Senate therefore advises the President (1) to cease immediately any hostilities in Indochina by United States Armed Forces, and (2) that any future engagement of United States Armed Forces in Indochina or any other part of the world hereafter only be undertaken in conformity with statutes and in accordance with constitutional processes.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MATHIAS. I am happy to yield.

Mr. JAVITS. I am extremely pleased to join the Senator from Maryland and the Senator from Montana (Mr. MANSFIELD) in offering the resolution.

The resolution is now clear in its terms and by the statement of the Senator from Maryland that we are talking now not about the power but the methodology. The methodology must be clear in order to get the power. There is no power, in my judgment, until it does.

But we are not talking about forbidding anything. What I think the Senator has made crystal clear is that the President may be permitted to do everything he wishes to do with our concurrence, but he may not do it without our concurrence.

I would like to make only one brief comment on the memorandum, relative to the constitutional justification. I am a member of the Committee on Foreign Relations and met with Secretary Rogers when he was there. The Senator says the President bases his authority to continue the Cambodian bombardment on the fact that there is an agreement for a cease-fire. It seems to me that we cannot build a structure on no foundation, on the fact that the President has an executive agreement that is not a treaty, with no concurrence from us. That does not give him any more power than he had before, if we believe that he has no constitutional power to bomb in Cambodia.

I should like to have the comment of the Senator from Maryland on that point.

Mr. MATHIAS. I think the Senator from New York has stated the situation exactly. The agreement has the force and effect of a cease-fire. Cambodia is not a party to that agreement and never has been a party to it. So it is difficult to see how it could have any force and effect in the territories which constitute Cambodia.

It seems to me that even if there were agreement by Cambodia and even if there were agreement by all parties—which there clearly is not—it could not supersede the Constitution nor the acts or statutes of Congress.

Mr. JAVITS. The Senator is exactly correct. However, such a document does not give power that the President does not have. And we emphasize that he does not have that power.

Mr. President, may I emphasize the critical importance of this. The American people were devastated by the Vietnam war. They may find themselves devastated by a war in Cambodia or some other war. Until this question of power is laid to rest, the country is in too much peril. We cannot overemphasize the importance of such decision to the future of our Nation.

Mr. MATHIAS. Mr. President, the Senator from New York further said that we are not at this point debating what is being done. We are debating the fact that whatever course of action is to be adopted, it must be adopted in accordance with the system of law which has been so widely and wisely established. It gives the kind of balance which has made this Republic a great success for nearly two centuries.

Mr. JAVITS. Mr. President, I thank the Senator.

Mr. MANSFIELD. Mr. President, if the Senator would yield, I wish to commend the distinguished Senator from Maryland for introducing this resolution at this time.

I attest to the fact that this is something which he has had on his mind for more than a month to my personal knowledge and that he has not introduced it because of situations which arose in the meantime.

I am delighted that the Senator is addressing himself to the constitutional and statutory issues apart from the military and foreign policy issues, even though there is an interrelationship between all the factors involved.

I would express the hope and anticipate that action would be taken on this resolution in the Foreign Relations Committee very shortly and that it would be reported to the floor. I would hope that the Senate would then look at this matter not from the viewpoint of foreign policy or a military question, but primarily from the point of view of a constitutional question.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

SENATE RESOLUTION 108—SUBMISSION OF A RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURES BY COMMITTEE ON COMMERCE

(Referred to the Committee on Commerce.)

Mr. MAGNUSON submitted the following resolution:

S. RES. 108

> *Resolved,* That Senate Resolution 45 authorizing additional expenditures by the Committee on Commerce for inquiries and investigations, be amended so that the expenses of the committee under said resolution shall not exceed $1,300,000, of which amount not to exceed $40,000 instead of $10,000 shall be available for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended).

AUTHORIZATION OF APPROPRIATIONS FOR THE DEPARTMENT OF STATE—AMENDMENT

AMENDMENT NO. 98

(Ordered to be printed, and referred to the Committee on Foreign Relations.)

Mr. EAGLETON. Mr. President, in recent days the subject of credibility in Government has been foremost in the minds of Americans. It is clearly time to act on a variety of fronts to cleanse our system and to revive the institutional and legal mechanisms that serve to protect and enhance the integrity of Government officials both with our own citizens and in the eyes of the world.

It is most important that we maintain the nonpartisan integrity of those within our Government who are assigned the important task of representing the United States to foreign governments. Our diplomats should be single-minded in their effort to espouse the policies of our Government. But under no circumstances should they become involved in the partisan controversies which serve to create those policies.

The amendment I submit today to the State Department authorization bill will assure that the integrity of our diplomats is protected by carefully restricting the improper activities of the few who would seek to undermine that integrity.

Last February, a constituent informed me that he had received an unsolicited letter from our Ambassador to London, Walter Annenberg. With this letter Ambassador Annenberg enclosed two editorials appearing in the British press which he said would "rebut the claims made in some quarters that our allies had turned against us in the day preceding the Vietnam cease-fire and were critical of the President." The Annenberg letter went on to say that the editorials "showed that the President's emphasis on the solid achievement of sensible and realistic goals is not only important to Americans at home, but to our allies as well."

In fact, these editorials were not only highly laudatory of President Nixon's first term in office, they were also highly critical of the Democratic administrations that had preceded Mr. Nixon as well as the 1972 Democratic candidate for President, Senator GEORGE McGOVERN.

The editorial attack on Senator McGOVERN was particularly intemperate and unfair. The use of such terms as "irresponsible" and "wishy-washy lefty-liberalism" left little doubt that Ambassador Annenberg was indirectly attempting to denigrate President Nixon's Democratic opponent in the last election. We cannot tolerate such partisan conduct on the part of our Ambassadors.

In a letter to the Secretary of State dated February 19, 1973, I expressed my concern that public money was being used for an activity that could lend itself to partisan interpretation. I told Secretary Rogers that while I may be in agreement with some of the favorable comments the editorials make about Mr. Nixon, the attack on the President's political adversaries, past and present, placed Ambassador Annenberg's letter in a very unfortunate partisan context.

The initial State Department reply to my inquiry came on April 6 and was signed by Acting Assistant Secretary for Congressional Relations Marshall Wright. In that letter he stated that—

> Ambassador Annenberg decided to send this letter to United States citizens, either known to him or suggested by his friends, to call attention to support in the United Kingdom for the President's policies.

Continuing, Mr. Wright stated that—

> We do not believe that Ambassador Annenberg's correspondence constitutes a partisan political activity. On the contrary, the Ambassador was concerned with calling attention to support received for policies of the United States Government. *It is not inappropriate for an Ambassador to engage in such correspondence.* (emphasis supplied)

It was greatly surprising to receive such a reply from an agency of Government which has traditionally observed the highest order of protocol by avoiding the improprieties of partisan associations. I began to have serious questions about the extent to which political activities had pervaded the U.S. Government. If an American Ambassador—a person chosen by the President and confirmed by the Senate to represent our country in a nonpartisan capacity—engages in such an obvious indiscretion, and then receives the support of the Department of State and the career Foreign Service, then the integrity of our governmental process has been compromised much more seriously than I first imagined.

I wrote to Secretary Rogers again saying that his initial response was "inadequate."

The State Department's reply to my second inquiry substantiated my deepest concerns. According to this response Ambassador Annenberg was asked to write his letter by Mr. Charles Colson, a former political operative of the White House. Although the details are unclear, Colson then apparently took the letter, reproduced it and arranged for its distribution.

If there were doubts as to the partisan nature of the Annenberg letter previously, these doubts were dispelled by Ambassador Annenberg's more recent—and more forthright—description of the events that led to the distribution of his letter.

Ambassador Annenberg's letter represents a dangerous precedent. While the letter was written after the 1972 election, I am concerned over the possibility of a future attempt by American diplomats to use public funds to influence the political process. We must make every effort to avoid this possibility.

The first section of my amendment would prohibit the use of authorized appropriations for publicity or propaganda purposes designed to support or defeat legislation pending before Congress. Language similar to this is already embodied in the law in title VI, section 608(a) of Public Law 92–351 known as the "Treasury, Postal Service and General Government Appropriation Act of 1973."

Recent action by the administration in preparing materials for use in lobbying Congress on pending legislation has convinced me of the necessity to repeat this language in measures such as this. The difficulty we have had in obtaining information from the executive branch to fulfill our legitimate legislative function has long been a source of great frustration to Members of Congress. To combine the problem of limited access to information because of claims of executive privilege, with a lobbying effort to influence the legislative process with the use of Government funds would only further exacerbate the situation we now have.

The second section of my amendment would prohibit the use of authorized appropriations to influence in any way the outcome of a political election. State Department personnel have access to information concerning American foreign policy, some of which is, of course, politically sensitive. This provision would assure that Government funds could not be used to distribute this or any other type of information for the purpose of influencing a political campaign.

The third provision of my amendment goes directly to the problem raised by the Annenberg letter itself. The letter, as far as can be ascertained, was not being used to influence pending legislation, nor was it intended to influence the outcome of a political election. There can be little doubt, however, that Ambassador Annenberg and Mr. Colson were attempting to influence a certain segment of American public opinion for partisan purposes.

Mr. Annenberg's official duties as U.S. Ambassador to the United Kingdom are to represent the American Government and its policies in that country. If these duties require a strong advocacy of President Nixon's merits as a world leader to the British people, they do not also require taking that same advocacy to American citizens in the form of unsolicited mass mailings at Government expense. The taxpayer pays enough to have his Government lobby the British people on his behalf. He should not, at the same time, be burdened with the expense of being lobbied by officials of our own Government.

My amendment would prevent this activity in the future and would protect our diplomats from requests such as Mr. Colson made to involve the President's representatives in efforts which could lend themselves to partisan interpretation.

Those assigned to represent the United States to foreign governments must remain above political controversies and partisan debate. Involvement in this activity serves only to erode the confidence of foreign countries in the policies of the U.S. Government.

Mr. President, I ask unanimous consent that the following correspondence relevant to this matter be printed in the RECORD at this point; together with the amendment.

First. Ambassador Annenberg's letter of February 5, 1973 including the two editorials from the British press;

Second. My initial letter of February 19, 1973 to Secretary Rogers requesting information on the Annenberg letter;

Third. Acting Assistant Secretary Marshall Wright's response of April 6, 1973;

Fourth. My letter of April 23, 1973 to Secretary Rogers requesting a more adequate response to my inquiry;

Fifth. Acting Assistant Secretary Marshall Wright's response of April 30, 1973.

There being no objection, the letters and amendment were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, D.C., February 5, 1973.

DEAR SIR: Just before the Vietnam peace agreement was announced, there were two editorials in the British press of such great interest that I am sending you personal copies.

One editorial was in the London *Sunday Express*, dated January 21, 1973, and the other in the London *Daily Telegraph*, dated January 22, 1973. In my judgment, these articles are significant not only in terms of their own merit—but because they rebut the claims made in some quarters that our allies had turned against us in the days preceding the ceasefire and were critical of the President.

In my judgment, these editorials also tend to reflect the opinions of large numbers of British people at this time.

Both editorials center attention on President Nixon's strong but quiet leadership. They also show that the President's emphasis on the solid achievement of sensible and realistic goals is not only important to Americans at home, but to our allies as well.

I trust that you will find this material of interest.

With every best wish,
Sincerely,
WALTER ANNENBERG.

FULL TEXT OF LONDON DAILY TELEGRAPH EDITORIAL OF JANUARY 22, 1973

Mr. Nixon has shown himself truly a great President in his conduct of the Vietnam war and of peace negotiations which gave strong signs of approaching their conclusion in Saigon and Paris as he delivered his Inaugural Address in Washington. There was greatness, too, in the leadership he gave for what the world prays will be a peaceful post-Vietnam war era, both in that region ravaged by Communist aggression, and elsewhere. No flamboyance, no political maneuvres, no hustling to get the cease-fire signed, regardless of known or unknown outstanding problems, in time for a complete Inaugural triumph. Mr. Nixon, rightly confident of the support of the vast majority—silent except on Election Day and in the opinion polls—could afford to allow the contrast between his own achievements and the empty spite of the domestic and foreign protesters to speak for itself.

It was deplorable that Senator McGovern, speaking at Oxford University, should have continued his abuse of the President in such irresponsible phrases as 'the Nixon destruction of Indo-China' and 'executive wars by whim.' At the same time, he confessed that Mr. Nixon's overwhelming victory last November remained 'something of a mystery' to him. This sounds like the boxer who regains consciousness still not knowing what hit him. In fact it was the straight right from the mass of the American people, whom Mr. Nixon has led back to psychological and economic health after an attack of Vietnamitis that in less capable hands might have been fatal, who emphatically rejected wishy-washy lefty-liberalism at home and abroad.

"Mr. Nixon's message, to his own people and to the rest of us, was clear and salutary. No more of John F. Kennedy's world-wide crusade for freedom and democracy. But solid gains for peace, he urged, must not be jettisoned by a post-war mood of isolationism in America. America would do her share towards defending peace and freedom, but others must do their share too. Europeans in particular should be grateful that Mr. Nixon is President for another four years, and heed his warning."

FULL TEXT OF LONDON SUNDAY EXPRESS EDITORIAL ON JANUARY 21, 1973

As Richard Milhous Nixon begins his second term, it is hard to recall an American president who has been more reviled. Trendies and left-wingers turn their venom on him as 'the tyrant in the White House.' With tears in their eyes the same individuals dream of the golden age when handsome Jack Kennedy made Washington into Camelot. Then, instead of Mr. Nixon's cottage cheese, there was salmon cooked in champagne. Instead of folk songs and baseball players there were Bach and philosophers. All that and Jackie, too.

Yet notice something curious. Mr. Nixon's critics rarely venture beyond the trappings. They do not try to contrast his actual record with that of Kennedy. Let us do just that. Vietnam? Kennedy began the war. Mr. Nixon by his albeit ruthless bombing policy, is about to bring it to an end. Universities? Remember the torchlight marches and the sit-ins under Kennedy? The ghettoes? Remember the dreadful riots when Kennedy and his brother Bobby made promises to the Blacks that could not be kept? Under Mr. Nixon the universities are as silent as the reading room at the British Museum. The ghettos are peaceful, too, because it is recognized that there is now a president who cannot be panicked into concessions. The economy? Kennedy faced recession and inflation and did nothing. Mr. Nixon courageously introduced one of the severest freezes in American history and the country is once more heading into prosperity.

His enemies sneer that Mr. Nixon is "ordinary," but this, in fact, is his greatest quality. He is ordinary in the sense that he seeks the substance rather than the shadow; that he is concerned not with cheap popularity but with promoting the real, mundane interest of his nation. The American voters recognized this when they re-elected him overwhelmingly. And people far from the United States should give thanks every day that this plain and sensible man sits in the White House. Would a progressive have kept America strong and prosperous? Would a trendy have achieved peace except by surrender?

U.S. SENATE,
Washington, D.C., February 19, 1970.
The Honorable WILLIAM P. ROGERS,
Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: I am enclosing a copy of a letter received by a constituent from Ambasador Walter Anneberg which appears to be part of a mass mailing using the Department of State letterhead. Enclosed with this letter were two editorials from London newspapers concerning President Nixon.

As a member of the Appropriations Subcommittee for the State Department, I am concerned that public money would be used for an activity that could lend itself to partisan interpretation. I would appreciate knowing how many of these letters have been sent at government expense, the approximate cost in terms of manpower, material and postage and the mailing list used for this purpose. I would like to know whether other Ambassadors engage in this practice and whether it is permissible under Departmental regulations.

While I may be in agreement with some of the favorable comments the editorials make about Mr. Nixon, I feel that the attack on Mr. Nixon's political adversaries, past and present, places Ambassador Anneberg's letter in a very unfortunate partisan context. I am most disturbed that these editorials would be randomly mailed to a list of individuals within the United States by an American ambassador—a person who has been chosen by the President and confirmed by the Senate to represent our country in a non partisan capacity.

Sincerely,

THOMAS F. EAGLETON,
U.S. Senator.

DEPARTMENT OF STATE,
Washington, D.C., April 6, 1973.
Hon. THOMAS F. EAGLETON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR EAGLETON: Secretary Rogers has asked me to reply to your letter of February 19 about a letter from Ambassador Annenberg to one of your constituents.

As Ambassador Annenberg has indicated, he decided to send this letter to United States citizens, either known to him or suggested by his friends, to call attention to support in the United Kingdom for the President's policies. His purpose was to show that there is intelligent and articulate support for these policies in important sections of the British press.

We do not believe that Ambassador Annenberg's correspondence constitutes a partisan political activity. On the contrary, the Ambassador was concerned with calling attention to support received for policies of the United States Government. It is not inappropriate for an Ambassador to engage in such correspondence.

Sincerely yours,

MARSHALL WRIGHT,
Acting Assistant Secretary for Congressional Relations.

APRIL 23, 1973.
The Honorable WILLIAM P. ROGERS,
Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: Acting Assistant Secretary Marshall Wright has responded to my letter to you of February 19 concerning Ambassador Annenberg's correspondence with a number of American citizens. I consider this response to be inadequate and I would hope that the information I requested can be obtained from the Department without resorting to a congressional investigation of the matter.

I am not surprised that we have differing views over the nature of Ambassador Annenberg's correspondence. Such differences of opinion, however, should not have prevented you from responding to the other questions I posed. As I stated in my letter of February 19, I would appreciate knowing how many of these letters have been sent at government expense, the approximate cost in terms of manpower, material and postage, and the mailing list used for this purpose. Mr. Wright has stated in his letter of April 6 that Ambassador Annenberg decided to send this letter to "United States citizens either known to him or suggested by his friends . . ." I have reason to believe that Ambassador Annenberg was provided the mailing list which is used by the State Department to distribute its weekly "Bulletin" which is printed in your office of media services. Did Ambassador Annenberg use this mailing list?

It has taken more than two months to receive an adequate response on this inquiry and I would therefore appreciate your giving this matter your personal attention.

Sincerely,

THOMAS F. EAGLETON,
U.S. Senator.

DEPARTMENT OF STATE,
Washington, D.C., April 30, 1973.
The Honorable THOMAS F. EAGLETON,
U.S. Senate.

DEAR SENATOR EAGLETON: The Secretary has asked me to reply on his behalf to your letter of April 23, regarding letters from Ambassador Annenberg to persons in the United States.

First of all, let me express my genuine regret that my earlier letter to you of April 6, which was based on information relayed to the Department from London and on a statement which Ambassador Annenberg released in London, was neither as complete nor as accurate as it should have been.

When Secretary Rogers learned several days ago of another letter to the Department raising questions similar to those posed by you, he directed that further inquiries be made into this matter. As a result, Ambassador Annenberg has informed us that he does not know to whom the letters and enclosed editorials were sent, nor does he know at whose expense the letters were mailed. We have learned from Ambassador Annenberg that the initiative for his letter came from Mr. Charles Colson, at that time a member of the White House staff. Ambassador Annenberg further informs us that he signed one copy of the letter in question, and gave it to Mr. Colson. He assumes that Mr. Colson subsequently reproduced the letter and arranged for its distribution. The original letter was on official Department of State stationery.

In view of these circumstances, the Department of State does not know the answers to your questions as to how many of these letters may have been sent at Government expense, nor do we know what funds were used to defray the cost of the distribution, In response to your question about the possible use of State Department mailing lists, the facts, as set forth above, are all we, or Ambassador Annenberg, know about the circumstances of the mailing.

Sincerely yours,

MARSHALL WRIGHT,
Acting Assistant Secretary for Congressional Relations.

AMENDMENT NO. 98

At the end of the bill add the following new section:

LIMITATION

SEC. 106. No appropriation made available under this Act shall be used—

(1) for publicity or propaganda purposes designed to support or defeat legislation pending before Congress;

(2) to influence in any way the outcome of a political election; or

(3) to make any oral or written communication to any person or organization unless that communication is directly related to the performance of United States Government duties.

ESTABLISHMENT OF A COUNCIL ON ENERGY POLICY—AMENDMENT

AMENDMENT 99

(Ordered to be printed and to lie on the table.)

Mr. METCALF submitted an amendment, intended to be proposed by him, to the bill (S. 70) to promote commerce and establish a Council on Energy Policy and for other purposes.

VOTER REGISTRATION ACT—AMENDMENTS

AMENDMENTS NOS. 100 THROUGH 104

(Ordered to be printed and to lie on the table.)

Mr. TAFT submitted five amendments, intended to be proposed by him, to the bill (S. 352) to amend title 13, United States Code, to establish within the Bureau of the Census a Voter Registration Administration for the purpose of administering a voter registration program through the Postal Service.

AMENDMENTS NOS. 105 THROUGH 108

Mr. ALLEN. Mr. President, I submit four amendments, intended to be proposed by me, to Senate bill 352. I ask unanimous consent that the amendments be printed in the RECORD.

There being no objection, the amendments were ordered to be printed in the RECORD, as follows:

AMENDMENT NO. 105

Amend S. 352 by adding the following new section on page 8 between lines 9 and 10:

(f) *Provided, however,* That the administration, if it finds that to do so would reduce the expense to the government without reducing the efficiency of the service, may, after competitive bidding, contract with one or more private postal, mail or delivery services to perform the services herein provided to be performed by the U.S. Postal Service; or it may arrange for such services to be performed by or through any federal youth job program.

AMENDMENT NO. 106

Amend S. 352 by adding the following new section on page 8 between lines 9 and 10:

(b) *Provided, however,* That the administration, if it finds that to do so would reduce the expense to the government without reducing the efficiency of the service, may, after competitive bidding, contract with one or more private postal, mail or delivery services to perform the services herein provided to be performed by the U.S. Postal Service.

AMENDMENT NO. 107

Amend S. 352 by adding the following new section on page 8 between lines 9 and 10:

(b) *Provided, however,* That the administration, if it finds that to do so would reduce the expense to the government without reducing the efficiency of the service, may contract through other means for the performance of the services herein provided to be performed by the U.S. Postal Service.

Amendment No. 108

Amend S. 352 by adding the following new section on page 8 between lines 9 and 10:

(b) *Provided, however,* That the administration, if it finds that to do so would reduce the expense to the government without reducing the efficiency of the service, may contract with one or more private postal, mail or delivery services to perform the services herein provided to be performed by the U. S. Postal Service.

ANNOUNCEMENT OF HEARINGS ON INDUSTRIAL PRICES

Mr. HUMPHREY. Mr. President, I believe price increases of industrial commodities require immediate investigation. The escalating inflation of nonfood prices must be halted.

Dramatic increases in food prices have tended to distract attention from equally disturbing price problems in the nonfood sector, but the recent evidence provided by the wholesale price index can no longer be ignored.

In the last 3 months wholesale prices of industrial commodities have risen at an annual rate approaching 15 percent. The further back we look into the production process, the worse the outlook appears.

Wholesale prices of consumer finished goods—excluding food—have been rising at an annual rate of 13 percent; intermediate materials at a 17-percent rate; and crude materials at a 19-percent rate. Over the months ahead these increases will be reflected in the prices consumers pay for clothing, furniture, appliances, fuel, and a myriad of other commodities.

The rapid economic expansion which we are currently experiencing is creating a climate in which further large industrial price increases are almost certain, unless there are strong public policies to hold these increases in check. The actions taken yesterday by the administration are far from adequate to cope with the situation. It is the consumer who will foot the bill for this policy failure.

As its chairman, I am announcing that the Subcommittee on Consumer Economics will continue its investigation of the cost-of-living with a hearing Tuesday, May 8 on prices of nonfood commodities. We intend to examine both the outlook for nonfood prices and the need for stronger price-wage policies. Two of the witnesses, Mr. Robert Lanzilotti and Mr. Robert Nathan will provide an overview of the industrial price situation. The third witness, Mr. Walter Adams, will discuss steel prices.

The hearing will begin at 10 a.m. Tuesday, May 8 in room S-407 in the Capitol—the Atomic Energy Committee hearing room. The witness list follows:

Walter Adams, department of economics, Michigan State University.

Robert Nathan, Robert Nathan Associates, Washington, D.C.

Robert F. Lanzilotti, dean, College of Business Administration, University of Florida.

NOTICE OF HEARING ON NOMINATIONS

Mr. WILLIAMS. Mr. President, I wish to announce that the Committee on Labor and Public Welfare has scheduled a public hearing on Thursday, May 10, at 2 p.m., in room 4232, Dirksen Office Building, on the following nominations:

Arthur S. Flemming, of Virginia, to be Commissioner on Aging.

Richard F. Schubert, of Pennsylvania, to be Under Secretary of Labor.

Bernard E. DeLury, of New York, to be an Assistant Secretary of Labor.

NOTICE OF HEARING ON DISASTER LEGISLATION

Mr. CRANSTON. Mr. President, I wish to announce that the Subcommittee on Small Business of Banking, Housing and Urban Affairs Committee will hold hearings on May 9 on legislation (S. 1697) to require the President to furnish predisaster assistance in order to avert or lessen the effects of a major disaster in the counties of Alameda and Contra Costa in California.

The hearings will commence at 2 p.m. Wednesday, May 9, in room 5302, New Senate Office Building.

All persons wishing to testify should contact Carolyn Jordan, room 455, Old Senate Office Building, telephone number 225-8131.

NOTICE OF HEARINGS ON S. 1708

Mr. CRANSTON. Mr. President, I announce for the information of Senators that the Special Subcommittee on Human Resources, which I am privileged to chair, of the Committee on Labor and Public Welfare, will hold public hearings on S. 1708, the proposed "Family Planning Services and Population Research Amendments of 1973," which I introduced today to extend, revise, and improve family planning and population research authority in title X of the Public Health Service Act. The hearings will be at 1:15 p.m. on Tuesday, May 8; at 9 a.m. on Wednesday, May 9; and at 1 p.m., Thursday May 10.

We will hear testimony from the administration as the first witness on Tuesday and thereafter will hear from representatives of family planning, population research, church, women's, and right-to-life groups and organizations.

ADDITIONAL STATEMENTS

CITIZEN COLUMBUS

Mr. SCOTT of Pennsylvania. Mr. President, I ask unanimous consent to have printed in the Record an editorial from the Philadelphia Evening Bulletin of April 23 that points out the efforts of Mr. John Paul Paine. Mr. Paine is a constituent of the Commonwealth and an enthusiastic supporter of proclaiming April 22 of each year as Queen Isabella Day.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Citizen Columbus

Bills granting United States citizenship to specific persons who might otherwise never achieve it are routine in Congress.

But not the one introduced by Rep. Ogden R. Reid (D-NY). Representative Reid—whose constituents include many Italian-Americans—would grant citizenship posthumously to Christopher Columbus.

Captain Columbus, of course, never asked for U.S. citizenship because there was no U.S., and there's no guarantee that he'd want it, even if there had been. He was, after all, an Italian on the Spanish payroll when he sailed the ocean blue in fourteen-hundred-ninety-two, and the Nina, Pinta and Santa Maria landed in the West Indies, not the North American continent.

Be that as it may, there's certainly no harm in making the Great Discoverer a citizen even five centuries later. And while we're at it, since behind every great man there's a woman, maybe something should be said for the lady who made it all possible.

It was Queen Isabella of Castile who bankrolled the great Italian sailor—let's not forget it. John Paul Paine hasn't forgotten it.

Mr. Paine, a Philadelphian, is founder and president of a national committee that has succeeded in getting 46 governors and many mayors to proclaim April 22, the date on which she was born in 1451, as Queen Isabella Day.

So happy birthday, Queen Isabella, and welcome aboard, Captain Columbus—and what happens when a congressman from rural Minnesota submits a bill to make Leif Erikson a citizen?

DRUG ABUSE

Mr. MOSS. Mr. President, I wish again to express deep concern over the vicious destruction of human values which result from drug abuse. No American State, city, or town can feel entirely safe from the insidious drug pushers who prey upon our citizenry. We, as individuals and legislators, can ignore the damage to our society due to drug abuse only at our Nation's peril.

My involvement as a Senator in the fight against the misuse of alcohol and cigarettes is known. In addition, my support to curtail the misuse of hard narcotics, hallucinogens, depressants, stimulants, and marihuana is a matter of record. I am in agreement with recent legislation introduced by Senator Bayh of Indiana that would amend the Controlled Substances Act in order to control more effectively the use of dangerous drugs.

Of special concern to me is the need for new and imaginative approaches by the Congress to aid in rehabilitation of the drug addict. The addict must be treated as a sick person, not a criminal. Until drug addiction is accepted as a disease, it will be impossible to treat humanely the habitual user of drugs who cannot help himself.

As has been stated by many experts on the subject, it is the drug pusher who must be expunged from our society. This will necessitate a concentrated law enforcement effort which includes cooperation between cities, States, and nations. More international cooperation in the curtailment of drug production and distribution is necessary. Although it is widely known that the United States does not directly produce various dangerous drugs, millions of dollars is exchanged on the streets of America as a result of their illegal distribution. The accessibility of the American citizenry, especially the young, to these dangerous substances must be prevented.

The tremendous use of drugs by members of the military is also unconscionable. Hopefully more germane programs to rehabilitate those in the military who are addicted to drugs will be found. This would allow a more successful reentry into American society as well as prevent considerable heartache and economic loss for many who have served their country well.

Today, I wish to call special attention to the efforts that have been made in my native State—Utah—to control drug abuse. Although drug patterns reach Utah from 6 months to a year after being established in major cities like New York and San Francisco, the existence of possible problems is recognized. To avoid drug abuse problems of crisis proportions, I am happy to announce that the Beehive State has implemented various programs, several financed by Federal funds, which have been very successful.

One example of an extension of Utah's educational efforts against drug abuse is the 22d annual session of the University of Utah School on Alcoholism and Other Drug Dependencies to be held at the University of Utah from June 17 to 22, 1973. The session will be sponsored by the University of Utah, Utah State Division of Alcoholism and Drugs, and the Utah Alcoholism Foundation. Assisting the sponsors will be the Utah State Board of Education; Rehabilitation Services Administration of the U.S. Department of Health, Education, and Welfare; National Institute of Mental Health; Clyde and Marie Gooderham Scholarship Fund; and the Kemper Foundation. Included among the executive committee and trustees, and the lecturers and consultants for this seminar, are some 58 noted doctors, scholars, and authorities on drugs. The following statement indicates the purpose and scope of the program:

> The increasing awareness of the social and health problems of alcoholism and other drug dependencies has evidenced a growing need to provide for extensive training for individuals of professional and other disciplines concerned with treatment, rehabilitation, education, prevention, and research. The objectives of the School are to provide the latest methods and techniques which may be employed in these areas to deal with the problems.

Mr. President, I ask unanimous consent that a recent informative letter from Gary F. Jensen, director, Division of Alcoholism and Drugs, Salt Lake City, Utah, be inserted in the RECORD. The letter contains information on a considerable number of services currently available to drug users in the State. Several of the programs receive considerable financial support from Federal funds.

Also, I ask that special recognition be given to Project Reality, a community-oriented methadone treatment program that was begun in Utah in 1971. This program is rated by HEW to be among the best of its kind in the Nation. Project Reality, and its director, Mr. E. Earl Hobby, were recognized by a resolution of appreciation, passed by the Board of Commissioners of Salt Lake City, Utah, on April 3, 1973. I ask unanimous consent that information contained in a brochure put out by Project Reality concerning the special program be included in the RECORD.

There being no objection, the letter and information were ordered to be printed in the RECORD, as follows:

DIVISION OF ALCOHOLISM AND DRUGS,
Salt Lake City, Utah, April 12, 1973.
Hon. FRANK E. MOSS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MOSS: In its two-and-one-half-year history, Utah's Drug Abuse Authority, the State Division of Alcoholism and Drugs, has noted a considerable increase in the number of services available to drug users in the state. These services, for the most part, are concentrated along the Wasatch Front, particularly in the Salt Lake County area. Presently, in the Salt Lake County area, 12 agencies, acting as a consortium, are receiving support through an eight-year NIMH Grant which will amount to approximately $8.5 million during the funding period. The agencies involved in this grant are the private drug treatment programs, Manhattan Project for adolescent users, Odyssey House of Utah for older users with more serious drug problems, and Project Reality, a residential treatment program coupled with a methadone maintenance facility for those with heroin addiction problems. Detoxification and emergency hospital treatment, as well as medical care for juveniles below the age of legal consent are also included in this grant. The three Mental Health Centers within the county are also designing special treatment components which may include the use of a special facility at the Utah State Mental Hospital to begin to meet the total treatment and rehabilitation needs for the users within the Salt Lake County area. A Central Referral Agency administered by the City-County Health Department will be handling diagnosis, referral, and follow-up with all of the separate components in the Grant.

The degree of coordination and the broad range of services which are provided through this Grant have been made possible in large part due to the awarding of the NIMH Grant last November. The Division of Alcoholism and Drugs allocates roughly 10% of the total cost of treatment provided through this comprehensive set of services. Other support has been secured from the City-County Health Department, the Division of Vocational Rehabilitation, the Division of Family Services, United Fund, private contributions, and in the past, from the Utah Law Enforcement Planning Agency as well as Model Cities. A special contract with the OEO also provides services to a limited number of clients in the methadone maintenance component. The Division has been successful in obtaining the coordination necessary to provide these comprehensive services and has been instrumental in securing support from both the State Legislature and the other agencies listed above for these drug treatment and rehabilitation programs. There is every indication that State and County Government, as well as other agencies, will be willing to assume the financial responsibility for continuing these services once the Federal money has expired.

In the Utah County area, a grant to provide comprehensive drug abuse services has been submitted to NIMH and has been approved for funding. We are now hopefully awaiting confirmation of the allocation of funds for this program. This program, in cooperation with other community agencies in the area such as public schools, Vocational Rehabilitation, Family Services, etc., will provide treatment and rehabilitation services as well as education and prevention services for the drug abusing residents of Utah County. There will be an extensive outreach in several of the smaller Utah County communities as part of the comprehensive grant.

In the Weber County area, a comprehensive drug abuse services grant has recently been prepared. It would provide methadone services, detoxification, hospitalization, and residential and outpatient treatment as well as follow-up for all drug abusing residents of the Weber County area. There is serious question whether the comprehensive services which are needed in this area can be secured without Federal support.

We estimate that comprehensive drug treatment and rehabilitation in all areas of the State with full utilization of all State, County, and local resources, would require an additional $2 million to $3 million dollars a year than is currently being received in the Salt Lake County area, and, hopefully, soon to be received in the Utah County area. Although local agencies such as Mental Health Centers, Vocational Rehabilitation Offices, and Family Services Offices have been more than willing to use their resources and finances to provide specialized services to drug users, there are very realistic limits to the kinds of services which can be delivered without additional Federal support.

The Utah State Division of Alcoholism and Drugs has been acutely aware of drug education and prevention needs at the community level. The Federal government has been helpful in bringing some good community-oriented programs in drug education and prevention to Utah. Noteworthy among them is the Social Seminar, a program of drug and mental health education sponsored by the National Institute of Mental Health through the Department of Health, Education and Welfare. The federal government provides expert training in the use of the Social Seminar and various media supplies. To date, this includes over $3,000 worth of movies and over $1,000 worth of brochures, pamphlets, discussion guides, and simulation games. The entire seminar concept, particularly adaptable at the community level, deals with causal factors of drug and alcohol abuse rather than just symptoms.

Another project which has come from the federal government to the state of Utah has been the Bureau of Narcotics and Dangerous Drugs' training "Alternative Pursuits". This training is designed for persons affiliated with law enforcement. It suggests alternatives other than the jails and courts to treat problems caused by drugs or alcohol.

The Office of Education provides a training laboratory which is housed in San Antonio, Texas, that provides two weeks of concentrated training to representative groups of local communities. In the past year 8 groups of citizens from various cities in Utah have attended these training sessions, and then they return to their homes to initiate drug education and prevention programs. This is approximately a $50,000 project funded entirely with Federal monies and given federal and state support in a follow up manner. This coming year, 22 communities from Utah have been funded to attend their training at a cost of $110,000 to the Office of Education.

I hope that the success of the present drug abuse programs in Utah will be considered when future legislation that deals with drugs comes before the Senate. Again, the success in Utah has resulted from Federal, state, and local cooperation.

Sincerely,

GARY F. JENSEN,
Director.

PROJECT REALITY

PROGRAM DESCRIPTION

Project Reality was originally designed for the delivery of clinical and social services to the clients of the Salt Lake City/County Health Department's Methadone Treatment Clinic. These programs both began in June of 1971, but soon combined after a few months operation under a single director to form a unified and comprehensive treatment and rehabilitation service.

Project Reality is basically a community oriented program. The emphasis is in treating the patient in the setting where his problems developed and where he must eventually learn to live. Even patients in the Residential program are expected to become increasingly more responsible as members of the community. The program is for individuals who can be maintained on either short-term Residential care or totally on an out-patient basis. Project Reality meets the needs of the narcotic addict who either does not need, or would not agree to long-term Residential treatment. Whether the patient is on methadone or drug-free, this treatment alternative allows for both Residential and out-patient clients to handle their addiction problems without being removed from family and community privileges and responsibilities.

Dealing with individuals that have generally supported themselves and their narcotic habit through various illegal means, Project Reality has already been able to demonstrate impressive evidence of change in the lives of its patients.

After approximately 18 months of operation, 167 patients were in the program, 58% of these patients were employed, and 27% were in some type of education or training. Of interest is the fact that 23 married addicts and 19 married couples are attempting to improve their own lives and the lives of their children through the program. Thirty-six (36) clients have completed treatment and therapeutic program services and are responsibly living in the community drug-free.

The patients' interest and support of the program is demonstrated by the fact that the largest source of referrals is the addicts themselves. Currently, approximately 5–8 patients are admitted per week and this figure is expected to continue.

Project Reality provides an economically feasible method for the rehabilitation and treatment of large numbers of addicts, thus providing a valuable service to both the individual patient and to the community.

SERVICES OFFERED

1. Clinical Team Services:
(a) Admissions Team.
(b) Treatment Team.
(c) Methadone Team.
2. Methadone treatment and detoxification.
3. Urine surveillance.
4. Residential (in-patient) therapeutic community.
5. Psychiatric services.
6. Individual counseling.
7. Group therapy.
8. Marital counseling.
9. Recreational therapy and activity groups.
10. Job placement and counseling.
11. Extensive medical services and health care.
12. Financial counseling.
13. Housing assistance.
14. Public and private agency services, orientation and referral.

ADMISSION—WHO QUALIFIES?

Candidates for Project Reality come from several sources: Physicians, other treatment programs, public and private agencies, criminal justice system, other addicts and walk-ins. Prospects are evaluated by an admission team that consists of a medical doctor, psychologist, house director, social service representatives, community counselor, consulting psychiatrist and other members of the staff as needed. Patients must be of legal age, have a confirmed drug abuse history and have the positive motivation to desire to change their life style. Consideration is given regardless of race, color, creed, social-economic background or police record.

METHADONE

Methadone is an inexpensive, synthetic, narcotic drug that offers several major advantages for the treatment of heroin addiction. The regular daily administration of methadone controls the *'drug hunger'* enabling the narcotic addict to cease the use of illegal drugs and permits the development of significant life-style changes. It should be understood that methadone produces no euphoric effect and in fact can block the euphoria and *'rush'* produced by the injection of heroin. Thus, without the *'highs'* and *'lows'* of heroin use, the addict, with the help of the program develops new methods of handling stress, frustration, and anxiety. The daily dose of methadone allows the addict to obtain work, education, and training, to be with his family and be productive in his community. The lifestyle changes developed while on methadone allow many heroin addicts to become drug-free who would not be able to do so without this temporary physiological and psychological support.

The Methadone Team consists of a highly qualified professional staff who have special skills and training in the management of methadone. These staff members include a medical doctor, licensed practical nurses and the clinic director. Other Salt Lake City/County Health Department staff and facilities are utilized as needed. Project Reality has a closely supervised and controlled program that allows no fraudulent methadone. All aspects of the dispensing system equal or exceed national standards.

Methadone offers a number of positive characteristics. It can be taken orally and its sustained effect lasts for at least 24 hours of normal alertness and well-being. There are virtually no contraindications to methadone and side effects are minimal. Research to date indicates that when properly administered and controlled, methadone treatment is a safe and effective treatment modality.

Methadone and its use for the treatment and rehabilitation of individuals who otherwise would be likely to continue to use intravenous heroin has been endorsed by the following agencies and associations: The American Medical Association Council on Problems of Drug Dependence, the American Psychiatric Association Commission of Drug Abuse, the Task Force of the American Society of Pharmacology and Experimentation Therapeutics, the Joint Food and Drug Administration/National Institute of Mental Health Advisory Committee, and the FDA Drug Abuse Advisory Committee. Project Reality does not have a *"substitute" or "maintenance"* philosophy.

URINALYSIS

Almost all patients who are on the Project Reality program, whether drug-free or on methadone, are regularly evaluated by urine surveillance. All methadone patients are required to be on surveillance. This is done to alert the staff to any patient who is abusing drugs while on the program.

Urine samples are collected randomly 7 days/week. Strict control of urine collection and testing insures accurate surveillance. Observation, urine temperature checks, a number system, etc., prevent fraudulent samples from being submitted. The urinalysis surveillance system exceeds federal standards and is the most sophisticated process available.

Under the supervision of skilled laboratory personnel of the Salt Lake City/County Health Department, the urine specimen collected from each addict is extracted with organic solvents to remove any drugs. This extract is concentrated by evaporation and analyzed using thin-layed chromatography. If a drug other than methadone is found, the extract is analyzed again by thin-layer chromatography using a different solvent system. This serves as an internal check against false positives. In a few cases it has been necessary to use gas chromatography to provide a further confirmation of the results. We are also able to have some samples analyzed by the lab at the Utah State Division of Health as a confirmation and check of our results.

RESIDENT PROGRAM

Our experience so far, suggests that one of every twenty applicants accepted for treatment needs the services and structure that a Residential program can provide. These individuals lack the resources and/or stability, and responsibility to be maintained within the community. They are individuals who need the structure and treatment services of the Residential program. For many, there appears to be a period of adjustment necessary to cope with the pressures of reorienting themselves to society. This re-orientation process takes place on a gradual basis according to the strength and limitations of the individual patient.

The basis for Residential treatment is the therapeutic community. Many patients have not previously learned to be responsible to themselves and others. As Residents, they have the experience of obeying rules determined by the total group. This includes patients and staff. Privileges are earned only by appropriate behavior. Inappropriate actions are confronted and dealt with by the total group. This is for many addicts a new experience in limits, structure, leadership, cooperation, and sharing.

While in the Residential program, the individual is still expected to be moving toward becoming part of the community process through education, employment, and training. The mode of re-integration of the individual back into the community is based on the suggestions and support of the other patients and the clinical judgment and expertise of the project staff.

REFERRAL

Project Reality provides a treatment resource for narcotic addicts with or without criminal charges who meet the candidacy requirements. Referrals are accepted from physicians, other treatment programs, a variety of public and private agencies, as well as the criminal justice system. While admission is through the Project Reality Admission Team, not all cases are accepted for treatment services. After the evaluation a candidate may be appropriately referred to another drug treatment program or clinic, to mental health clinics and centers, or for detoxification medical services, or hospitalization. Project Reality is a rehabilitation program, and services provided by the project are coupled and co-ordinated with those of many other public and private agencies. This avoids duplication and provides a comprehensive program of services and treatment.

Project Reality is proud to be an active member of the Utah Drug Foundation, Utah United Fund, and the Drug Referral Center System.

While only a small percentage of the clients in the program have criminal charges, the project regularly evaluates candidates with charges for project services. For the probationer, regular progress reports are submitted through the Adult Probation and Parole Department. Release of information to the court is always done with the client's full knowledge.

The candidate with criminal charges necessarily requires referral to be done in conjunction with the defendant, his attorney, the prosecuting attorney, the court, and especially the Adult Probation and Parole Department. After evaluation and report by the Admission Team, the court may elect to require the defendant to participate in the Project Reality program as a stipulation of probation. After sentencing, the addict must complete and sign his probationary conditions and agreements with the Adult Probation and Parole Department prior to acceptance into the formal treatment and rehabilitation program. If such disposition is made by the court, it is always with the understanding that the patient may be at any time referred back to the court if there is any persistent failure to take advantage of the treatment processes offered.

BOARD OF DIRECTORS

Project Reality is a private, non-profit rehabilitation program incorporated under the laws of the State of Utah. It is governed by a Board of Directors who meet regularly, determine policies and develop and supervise the program. The Board is composed of local lay and professional citizens. The project has a tax exempt status and relies on federal, state, and local funds as well as donations for the financial support of the program. The Board of Directors employs an Administrative Director who, under their direction, supervises and directs the program.

NEW ANTI-INFLATION STEPS

Mr. GRIFFIN. Mr. President, when he signed into law the bill extending the Economic Stabilization Act, President Nixon issued a statement setting forth certain additional steps that have been taken in the fight against inflation. I ask unanimous consent that the text of that statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by the President

The Congress has passed and I have signed into law an extension of the Economic Stabilization Act. This legislation will permit continuation of a constructive and orderly program to restore price stability and I congratulate the Congress on its action.

After 18 months of great progress against inflation, prices soared again in February and March. Most of the increases were in the price of food, an area that strikes home for each of us every day. In these circumstances the temptation was strong to go for the superficially simple solution—to freeze prices across the board or even roll them back. We carefully considered that alternative. We firmly concluded, however, that such a move, taken at this time, would have created more problems for the average American than it would solve.

If, on the one hand, the freeze had been brief, the country would soon have confronted all the old problems again with even greater urgency when the freeze expired. But if, on the other hand, the freeze were planned to last for an extended period, then our present rising prosperity would have ground to a halt and the controls system would eventually have broken down.

Concerned as we are about the rise of prices, we must also recognize that there are some cases in which necessary supplies will not be available if prices are frozen or rolled back. We are seeing this now with oil and gas products. Similarly, if we had forced the prices of meat back to their January levels, as some have suggested, customers would not be boycotting meat today but would instead be storming supermarkets to be the first in line for the scarce supply of meat.

There are times, of course, when a price-wage freeze is necessary. August of 1971 was such a time.

But the situation is very different today. The American economy is operating much closer to capacity than in the summer of 1971. As a result, there are many more cases today where freezing prices would cause shortages. More than that, today we have a flexible price and wage control system already in existence. If conditions require firmer action, generally or selectively, we are already well-equipped to take it.

The price-wage control system is part of a larger anti-inflation program, the cornerstone of which is a responsible budget policy. The healthy expansion of our economy, which is creating more jobs and better wages today, could be transformed into a dangerously inflationary boom tomorrow if the rise in Federal spending accelerates. We must not let that happen.

At the same time that we are following fiscal and monetary policies to restrain excessive demand in the marketplace, we also are acting to increase supplies, the best of all ways to fight rising prices.

One area of special concern, of course, is food prices. We have been working in many ways to increase the supply of food. We have greatly increased the acreage of land available for raising crops and grazing livestock. We have sold the Government-owned stocks of wheat and feed grains. We are no longer subsidizing the export of food, and we have acted to increase imports of meat, dried milk and cheese. These measures cannot immediately offset the food shortages we have recently experienced—including those caused by the blizzards and floods of the last few months. However, what has been done, together with the spontaneous response of farmers to the present high prices, will have the effect of increasing food supplies and thus holding down prices. In fact, retail food prices have been rising less rapidly in recent weeks than earlier this year. We will continue to explore every possible way to meet the food inflation problem.

We are also seeking to increase supplies of industrial materials by selling off stocks held in the Government's strategic stockpile that are no longer required for national security. I have sent to the Congress the legislation necessary to effect this disposal and I urge its prompt enactment. I have also sent to the Congress a request for authority to suspend tariffs or other restrictions on imports where such action would be useful to restrain inflation; I hope this legislation will also be promptly and favorably considered.

The third element in the Government's anti-inflation program, in addition to checking the expansion of demand through appropriate fiscal and monetary policies and stimulating the expansion of supply, is the price-wage control system, now known as Phase III.

In Phase III the Government has set forth standards of desirable price and wage behavior which are essentially the same standards used during Phase II. In some areas—food processing and distributing, construction and medical care—observance of these standards is mandatory, just as it was in Phase II. For the rest of the economy, compliance is on a self-administering basis unless the Government, through the Cost of Living Council, finds mandatory control necessary. As I have said before, Phase III will be as voluntary as it can be and as mandatory as it has to be.

Since Phase III began, we have taken a number of steps to ensure the achievement of its goals. Mandatory price control has been imposed on the larger oil companies. Ceiling prices have been set for beef, pork and lamb. Those wage agreements that have appeared inconsistent with price stabilization have been held up pending further study. The Internal Revenue Service is checking on some 500 large companies to be sure that their pricing procedures conform with the standards of Phase III. The Cost of Living Council is meeting with representatives of a number of large industries to gain a better understanding of the causes of their recent price increases.

So that the Government can administer the Phase III price control program more effectively, I have directed the Cost of Living Council to take several further steps.

First, it will obtain from the largest firms a full and detailed report on price changes that have been put into effect since the beginning of Phase III, so that it may order reduction of increases that have exceeded the standards.

Second, a new system of prenotification will be instituted. If a major firm intends to raise its average prices more than 1.5 percent above the January 10 authorized level, it must notify the Cost of Living Council 30 days in advance. This will give the Cost of Living Council an opportunity to determine whether or not the use of its authority to stop the increase, or some other action, is warranted.

Third, firms not exceeding the 1.5 percent limit will still be required to report their actions quarterly, so that their conformity to the cost-justification standards may be checked.

Fourth, additional resources will be assigned to ensure that these strengthened efforts are carried out fairly and effectively.

The Cost of Living Council will provide the details of these actions.

This Administration will continue to do everything it can to fight inflation, but others must also do their part if we are to succeed. Everyone has an interest in restoring reasonable price stability without ending the present prosperity and without rigid suppression of free markets and free collective bargaining.

Our great need is for more production. Only with more production can we fight inflation while still providing the goods and services people want.

Today I address the call for more production particularly to the Nation's farmers, because it is the price of food more than anything else that now blocks the return of price stability. There are many grounds on which such an appeal can be based. Prices are high, world demand is strong, and economic conditions are such that farmers will improve their incomes by producing more. This is especially true of animal products—meat, dairy products and eggs. Continuously rising food prices, on the other hand, would create greater pressure for controls, pressures which could be hard to resist even though the controls would hurt consumers as well as farmers.

The country needs more food, and American farmers have never failed to deliver when the country needed them. Although our farmers have had to contend with miserable weather conditions in recent months, their productive capacity is still not fully utilized.

Labor and management also can contribute to the fight against inflation by continuing to improve productivity. Rising productivity attacks inflation both by increasing supplies and by holding down costs. Progress on this front to date has been encouraging. Since the summer of 1971, output per man-hour has risen 50 percent faster than it has over the long-term. It is imperative that we continue this excellent performance, even though it will become more difficult to do so as the economy reaches higher levels.

Labor and management have also been contributing to our stabilization efforts through responsible collective bargaining. The average size of increases in collective bargaining agreements was lower in the first quarter of 1973 than before the New Economic Policy began. I am also encouraged by the record to date in maintaining industrial peace. In short, the cooperation of American labor and management in the stabilization effort has been outstanding.

The American people look to labor and management to continue constructive behavior.

Although I believe that prices will not rise as much in the months ahead as they did in February and March, price increases will probably be higher than we would like for some months. We should be mature enough to recognize that there is no instant remedy for this program. We are dealing with a condition that is world-wide in scope and indeed has been less severe and more effectively confronted here than in most other countries. Working together, the American people will solve the problem of inflation, but that process will require patience, cooperation and understanding from us all.

Meanwhile, let us not overlook the great strengths of our economy. We have more people at work than ever before, earning higher real incomes and consuming more goods and services per capita than at any time in our past. Inflation is a potential danger to all and a present hardship for some but nevertheless the American people are enjoying the fruits of an extraordinarily effective economic system. Any superficially appealing actions that would disrupt or abandon that system would ultimately cause far more damage than they would repair.

THE 30TH ANNIVERSARY OF WARSAW GHETTO UPRISING

Mr. MONDALE. Mr. President, during the Easter recess the world commemorated the 30th anniversary of the Warsaw ghetto uprising. In April 1943, young Jewish men and women organized, in the sewers and rubble of the Warsaw ghetto, the first organized civilian resistance in Nazi Europe. Starving, isolated and desperate, they repelled onslaught after Nazi onslaught. And as the Nazis used tanks to destroy the walls of the ghetto, the food, water, and ammunition were exhausted and the ghetto was turned into an inferno. These beleaguered and outnumbered Jews were able to hold off the Nazis—while the world silently watched. In the end, the ghetto was rubble and the few survivors destined for the horrors of the concentration camps.

But today we remember their heroic battle cries and the valor of those who refused to capitulate to the Nazi slaughter.

In a recent article entitled "At the Wall in Warsaw, 30 Years Later" in the New York Times Magazine on April 15, 1973, James Feron returned to Warsaw with one of the few survivors of the uprising. I request unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

At the Wall in Warsaw, 30 Years Later

(By James Feron)

Warsaw—Several weeks ago, Jack P. Eisner, a New York businessman specializing in foreign trade, arrived here to confer with Polish officials on export-import matters. Visits of this kind are increasing with the improved political climate between Poland and the United States. As Mr. Eisner ate breakfast in the restaurant of the Europeski Hotel, he saw others like him who had also come to talk business.

His trip was somewhat different, however. For one thing, Mr. Eisner was resuming contacts rather than initiating them. His company, Stafford International of 30 West 26th Street, had traded with Polish concerns until 1968, when links were severed. That was the year that a political struggle within the Communist leadership flared into a purge of Polish "Zionists" accused undermining the state. "The atmosphere was very bad," Mr. Eisner says, "so we pulled out." The passage of time (and the political demise of the 1968 leadership) has put all that behind, however, and doors once closed are being reopened.

But Mr. Eisner's trip was different for still another reason. It was a journey home for him. Born in Warsaw, he was a teen-ager when the Germans attacked Poland on Sept. 1, 1939, occupied the capital a few weeks later and soon began to enclose what they would call the "Jewish living area." By November, 1940, an estimated 400,000 Jews had been crammed within a 10-mile-long wall surrounding the ghetto. Then, methodically, they were "selected" and sent to their deaths at Treblinka and other extermination camps. By April, 1943, the leaders of the shrunken Jewish community—about 60,000 emaciated men, women and children—decided they would resist the final deportation. They fought desperately for a month in a futile struggle that has since become one of the few proud sagas of the wartime Jewish holocaust. Not many survived that month of resistance, but Mr. Eisner was one of them.

This Thursday, a small group will gather before the Jewish memorial on Zamenhof Street, in what was once the heart of the ghetto, to commemorate the 30th anniversary of the rebellion's beginning. Wreaths will be laid and speeches made, but the special nature of the uprising is disappearing in Poland. Each year, the Government officials who show up emphasize two points with increasing intensity: that the Jewish insurgents were assisted in their final struggle by combat units of the Polish underground organizations, and that the uprising itself must be seen as part of "the national Polish struggle against the forces of racism and Fascism."

These points are arguable. It is often noted that the ghetto fighters raised both the Polish and Jewish flags during their uprising. Poles offer it as proof of the Jews' patriotic feeling, while Jews argue that the display of the blue and white flag with Magen David that now flies over Israel represented their separate identity and the special nature of that 1943 struggle. But the argument is muted in a country where historians are obliged to conform to official lines. The time may come, in fact, when no Jews will be left in Warsaw to help celebrate the ghetto anniversary, much less dispute the role being assigned to it by Communist authorities.

I met Mr. Eisner during his brief visit here and asked if he had been able to recognize anything of that anguished period. The ghetto, which once covered a third of the Polish capital, had been systematically leveled by the Germans as the battle ended. So had most of the rest of the city a year and a half later, after an equally heroic and tragic uprising by the Polish underground. Mr. Eisner said that he had, in fact, intended to spend part of his last day here walking through the former ghetto area, seeking familiar landmarks.

So it was that the next day, a cold and windy January afternoon, we were circling the Nozik Synagogue near Grzybowski Square, where Mr. Eisner said he had sung as a boy, looking for an open door. The century-old building is the last synagogue still standing in Warsaw, and it looks ready for the wrecker's hammer. All the windows were bricked or boarded shut, and the large wooden front door was closed behind a massive lock. The walls were chipped and, along the lower portions, occasionally defaced with what the scrawler apparently felt was an epithet in itself—"Zyd" (Jew).

The only sign of life was steam pouring lustily from a pipe that stuck out of an otherwise sealed second-story window. We eventually found a door that was open, and this led to a dark, dank and heavily littered staircase. At the top, a bearded man watched our approach, unsmiling and suspicious. Mr. Eisner asked him a few questions in Polish, and the man replied, but just barely. Was the synagogue closed? In winter, yes; it cost too much to heat. But there was a room next door for services. How often were they held? Once a week, on Saturday. The two men spoke evenly, without expression, feeling each other out.

Finally, the bearded man asked, in Yiddish, "Biz tu a Yid?"—"Are you a Jew?"

Mr. Eisner looked a bit surprised, and annoyed. "Of course I'm a Jew," he replied, in Yiddish.

"Well, you spoke such good Polish that I wasn't sure," the other man said in a more affable tone. Now they chatted on, and soon the bearded man invited us inside.

There have been Jews here over the ages, but the number multiplied after the 14th century when Casimir the Great welcomed to Poland the many victims of religious persecution in Spain and Germany. Some historians maintain that at one time in the Middle Ages, 80 per cent of the world's Jewish population lived in Poland. By 1939, Jews represented 10 per cent of the total population in this country. They were a vigorous community, living for the most part in separate, Yiddish-speaking enclaves.

Before the war there were 3.5 million Jews in Poland. Now there are fewer than 10,000, scattered through the country, the great majority of them speaking Polish—even to each other—and seeking, in many cases, to disguise their background. Within this larger group, there is a smaller "community," also scattered, of observant Jews, but it is an aging and dying group. Where once it was difficult in some areas to find a nonkosher restaurant, there are now just 10 widely separated kosher cafeterias, supported by funds from outside. The maintenance of rabbinical law, for the relatively few who still care, is a triumph of accommodation.

Poland is perhaps witnessing a final chapter of the thousand-year-old history of Polish Jewry, and even these last pages are punctuated with irony. The principal sponsors of the 30th-anniversary celebrations are the Social-Cultural Society of Jews in Poland, a thinly veiled branch of the Interior Ministry headed by officials with long experience in the state security apparatus, and the Polish Union of Fighters for Freedom and Democracy, a veterans' organization that served as the vanguard of the 1968 anti-Semitic campaign.

The real leader of the Jewish community of Poland, such as it is, turns out to be Isaac Frenkiel, a 58-year-old survivor of the Lodz ghetto, who lives with his wife, Esther, in a brick building that is next to the synagogue and in an equally decrepit condition. Unlike the synagogue, it is slated for demolition, to make way for a road. Mr. Frenkiel has witnessed much, including the departure for Israel of his own three sons in the aftermath of the 1968 "events." He now serves as the conduit for the funds, medical supplies and other assistance that still come from Jewish organizations abroad, and as the link between the rabbinate in Jerusalem and his meager congregation in Poland. He organizes the rabbinical supervision of kosher products, no mean trick in a country without a single rabbi, conducts those religious services that are still possible and speaks with benign contempt of the "antireligious" Jewish Social-Cultural Society operating out of a modern building less than 100 yards away. For three months each year, he sees to the baking of matzoh for Passover on a clanking assembly line operating in the otherwise deserted Nozik Synagogue.

It was the steam from his matzoh machine that we had seen billowing from the synagogue, and the bearded man invited us in to witness the elaborate process. Mr. Frenkiel himself had invented the device. "I'm an engineer as well as the head of the Jewish community, so what could be more appropriate?" he remarked with a shrug. Then, sweeping an arm to encompass the rollers, wire-mesh belt, elongated oven, stacking tables, wrapping counter and chute leading to a loading platform on the ground floor, he added, "This is something unique.

For a thousand years we've been making matzoh by hand here, but I've been able to mechanize the whole process while keeping within religious law." As an example, he indicated a basin of water near the center of the room. "Because of religious law, the water has to stand overnight. We have faucets near the mixing machine, but we use the basins instead." He grinned, as though relishing victory in a skirmish with some unseen force.

The line of rabbinical authority originating in Jerusalem remained unclear, not only for the matzoh production but for the other ritually "approved" products emerging from engineer Frenkiel's scattered enterprises. The kosher flour comes from a special mill in Otwock, southeast of Warsaw, and is "used only by us," he said. It was a state enterprise, as were the slaughterhouses in Warsaw, Lodz and Wroclaw where meat was ritually slaughtered once a week. "In Cracow there's a state enterprise making gefilte fish, and that's kosher, too. In Kamieniec, near Bielsko Biala, they make the Passover slivovitz. It's made by the state spirits monopoly, and I give the O.K. for that."

Mr. Frenkiel said he was authorized to delegate supervisory responsibility for dietary law, but he veered away from details. There's no reason to assume, however, that Jews who were able to maintain their identity through the Inquisition should not be able to do so in contemporary Poland, where they are merely dying of attrition. Still, attention to the laws at Frenkiel's kosher matzoh works seemed pretty casual. When I visited the factory a second time, the worker responsible for watching the matzoh to make sure it's all kosher, 85-year-old Rubin Nowak, was missing. So who was watching the matzoh? "Oh, he's watching it," Mr. Frenkiel responded, indicating one of the men working on the rollers. This same attitude was apparent later when the subject turned to kosher restaurants. "There's one place in Warsaw where a lot of our people go," Mr. Frenkiel said. "It's not kosher exactly, but it's Jewish."

Later, in his office, he spoke of what life was like for a Jew in Poland today. To begin with, it was difficult to say just how many remained here after the last major emigration triggered by the 1968 purge. An estimated 14,000 Jews, most of them completely assimilated and identified as Jews only by the state authorities, went through the departure process—essentially renouncing their Polish citizenship and declaring their desire to go to Israel (only a third left for there, and the majority were taken in by the Danes and Swedes).

"We count 3,000 practicing Jews in our 18 congregations throughout Poland," Mr. Frenkiel said. These congregations are united under a Jewish religious union, technically called the Congresgation of Moses' Denomination. "We assume there are 10,000 to 12,000 Jews altogether, including mixed marriages." The Jewish Historical Institute suggested a figure of 15,000. Officials at the Social-Cultural Society said the number was 9,000 to 15,000, which means this is the figure the Interior Ministry uses. The Office of Religious Affairs, a Government unit, offered 1,700 as the number of members of Jewish congregations, with some members representing families.

Several years ago there were two rabbis in Poland, but one of them, Dov Percowicz, died five or six years ago and the other, Zeev Moreno, left for the States a bit later. It is now difficult sometimes to find a minyan, the minimum of 10 male Jews necessary for a service. A Jewish official working in the West said recently that "they have to pay some of the men to arrive sometimes, just to make sure they have a minyan." A Jewish diplomat who attended services in Poland said he was welcomed sometimes as the 10th man. On Yom Kippur, however, the synagogue is full, Mr. Frenkiel said.

The center of Jewish life is the cafeteria, a soup-kitchen type of operation where the mostly aged members—of the community—those who cannot cook for themselves or who prefer to mingle with their friends—go for meals. The food is simple but good, and it is kosher. Two dozen people were eating lunch one day recently at the Warsaw kitchen in Mr. Frenkiel's building. Except for a girl in a scalloped-edged miniskirt who was checking names and clearing tables, the average age appeared to be well above 60.

I had asked Mr. Frenkiel if anybody spoke Yiddish anymore, and he had said, "Come to lunch and just listen." I did, but they were all speaking Polish. There seemed to be an equal number of men and women chatting and joking. A small lady wore the uniform of a Polish postman. One man asked Mr. Frenkiel above the din who I was. The engineer replied, "None of your business," and several people, including the questioner, laughed good-naturedly.

A woman I sat near asked if I was a visitor from abroad, and if so, would I like to come to her flat for tea with my wife. I explained that I lived in Warsaw and was a newspaperman. She asked if she would appear on television, and was relieved to hear she would not. "I don't want my son to see me eating here."

Her son was an engineer working in Canada. He was married now and might come to her once he got his new citizenship. Jews forced out after 1968 are usually advised in their new country not to attempt to return in their stateless condition. "He was in the party," she explained, "but it was for work." One day at a party meeting, "they singled him out as being an enemy of the state. He never thought they would do that, because he had been faithful for so many years. Anyway, he had to leave." The woman's son was a typical case. Many of those purged had been only nominal party members, joining only as a means of security job advancement.

Did she plan to join him in Canada? "No," she said, "I don't want to burn my bridges."

Officials of the Joint Distribution Agency, now based in Geneva, say they learned long ago that Jews—and people in general—do not move unless they are forced to. Jews who have lived under stress in other areas such as North Africa have refused to leave when given the opportunity. They departed only when they felt they were faced with catastrophe. So it was with the woman seeking companionship in a kosher kitchen, afraid that if she left she would never return—to what?

Mr. Frenkiel claimed the 1968 events had nothing to do with his congregations. "It was a party fight, and most of those who left were party members." He jerked his thumb over his shoulder, indicating the nearby offices of the Social-Cultural Society of Jews in Poland, and said: "It's their problem, not ours." Then, abruptly, "Esther, get that 1966 story about me."

The article, which was in the Yiddish-language weekly Folkstimme, published by the party-run society, spoke of Poland's Jewish schools (the last of which closed in 1967) and their failure to divert Jewish youth from "decadent" religious customs. It condemned the "participation of youth" in Purim and Passover celebrations, organized then as now by Frenkiel, in Warsaw, Lodz and Wroclaw.

Mr. Frenkiel said that the schools had never really taught any religion. Yiddish-language and Jewish-culture courses were given, but the lessons were taught in Polish. "They were state-run, and like all other state schools, they sought to indoctrinate [the students in] nationalism and Communist ideology. I sent my own sons to the Kopernik School in Lodz, a regular Polish school, and if they learned Hebrew and got religious training, it was only at home."

He smiled as he recalled something. "In Lodz my sons were allowed to stay home on Jewish holidays, but in Szczecin, do you know the Jewish kids were offered bars of chocolate to go to school during Passover?"

Mr. Frenkiel deals with the Government through the Office of Religious Affairs, just as "they"—jerking his thumb again—deal with the Ministry of Interior. The Office of Religious Affairs handles only religious matters, and officials there said they would be pleased if Mr. Frenkiel limited his own activities in the same way.

"Look," Mr. Frenkiel said. "I'm not just a poor Jew who prays all day long or takes off his hat like a poor *muzhik* [peasant]. I go beyond the religious field . . ."

His wife interrupted. "Sure, he does charity work, and his cafeterias . . ."

"Not only that, not only that," her husband insisted. "I look after the needs of the Jewish minority in the full sense of the word. They know what I do. They can throw me out if they want. Call it politics, but it's the politics of looking after the Jewish minority."

The religion *vs.* atheism struggle exists even today, he said, despite the sharply reduced Jewish community. "When our congregations organize festivities for children—we will have a Purim party for example—it's like a thorn in their side." He would not acknowledge that the Jewish community was disappearing. "There are still 2,000 Jews here between the ages of 18 and 30," he said. A Jewish official working abroad said a man from Cracow told him he "couldn't remember the last Jewish birth in that city, while someone was carried off to the cemetery every week." I asked engineer Frenkiel: When was the last Jewish marriage?

"Today," he replied triumphantly, banging the desk in his office for emphasis. "At 10 o'clock." That was the civil ceremony—the only legal kind in Poland—at the Palace of Marriages, "but the religious ceremony took place last Saturday in Lodz." She was 22, and he was 21, Mr. Frenkiel said. "They were married at home by a man who was here designated to take the place of a rabbi."

Nevertheless wasn't the community dying out? "A Danish TV team was here and they asked me the same question," he replied. "I didn't answer. The film was shown in Israel, and one of my sons wrote that the Israeli commentator said: 'In Poland today, no answer is also an answer.'" He leaned back. "What can I tell you? For the time being there are Jews here. That's a fact. It's a fact also that for some their body is here and their soul is somewhere else."

The engineer was reluctant to say how the community maintained itself financially. Although "Joint"—as the Joint Distribution Agency, a normal source of funds for such Jewish communities, is called here—was forced to cease operations in Poland in 1967, support continues to reach Polish Jews from organizations based abroad. Mr. Frenkiel acknowledges as much when I asked him if he received state support. "Sure, sure, state support," he replied, laughingly. "Our state support was just cut by 10 per cent," a reference to the February devaluation of the dollar.

He pulled out his wallet and spread some color snapshots on the desk. "This is Zeev. He lives in Bat Yam, an engineer, 27 years old." Zeev was in an Israeli Army uniform, holding an Uzi, the standard automatic weapon. Behind him was barbed wire and a sign reading, "Stop. Frontier ahead." " . . . And this is Shmuel—25, I think . . ." His wife cut in: "Of course he's 25, like the State of Israel. He was born on Independence Day. How could you forget?"

"Sure, Shmuel is 25," Mr. Frenkiel continued, "studying at the university in Jerusalem. And this is Jonah, 24, who goes to the Polytechnic in Haifa." There were other pictures, including one of Mr. Frenkiel and his wife standing with their three sons against a sun-drenched Jerusalem skyline.

He produced a calendar published by Polish authorities for the Jewish community. It was in Yiddish. "Look at May 7," he said. "We even got them to mark May 7 as Israel's Independence Day. Very nice." Although Israel and Poland have not maintained diplomatic relations since the 1967 Arab-Israeli war, the Frenkiels keep in touch with their sons through direct mail and by phone. "They put me right through—250 zlotys a minute for the first three minutes (roughly $4) and 105 zlotys for each minute after that."

"Anyway, who's a Jew, who's not a Jew?" Marion Fuks, director of the Jewish Historical Institute in Warsaw until his retirement last month, said when asked if he could offer some idea of how many Jews remained in Poland. "Only the keeper of the Jewish cemetery knows for sure."

The question of how many Jews there are in public life is clouded for the same reasons. While I was interviewing officials at the Social Cultural Society, they suddenly began arguing over a few names. One man offered the name of a leading theatrical personality, but Mr. Edward Rajber, director of the Society, objected. "He was christened as a child, don't make a Jew out of him," Mr. Rajber said heatedly and, perhaps, protectively. Another official suggested that Mr. Fuks's reference to the cemetery gatekeeper was not as facetious as it sounded: "He (the gatekeeper) will meet you and say, 'You know who came in today?,' and you say, 'No, who?,' and he'll say the daughter of so and so, mentioning a professor who died several years ago. 'And so?' And so she's Nina Andrycz, a leading actress and former wife of (ex-Premier) Jozef Cyrankiewicz."

Engineer Frenkiel was a bit more forthcoming about Jews in public life, although he laughed and said, "That's someone else's job, deciding who's a Jew and who's not." Again the thumb indicating his friends at the Social-Cultural Society. "There are some Jews in public life whose names I can even mention. One of our Vice Premiers, Eugeniuz Szyr, for example, and the Ambassador to London, Artur Starewicz. There are also three Jewish judges on the Supreme Court. One of them was in here just the other day." He said that whole areas of Polish life were only lightly touched in '68—lawyers, doctors, nonparty people in the Government, especially those doing highly technical work. Jews still occupy responsible posts in publishing, cultural, educational and agricultural fields, although a relatively small number have the same responsibilities they had before '68.

The underground nature of being Jewish persists. There is one story that the audience for the opening of the rebuilt Yiddish Theater included a number of Jews who had received letters encouraging their attendance. They belonged to no Jewish organization, had not attended any Jewish functions and thought they had become invisible. They were understandably disturbed to discover that lists existed somewhere identifying them still as Jews.

Jews continue to leave the country, but in small numbers now, and in some cases on the basis of applications they were obliged to make long ago, during the 1968 "events." A nonpracticing Jew whose parents and two brothers were forced out after 1968—they now live in Scandinavia—has been unable since then to leave the country to renew family ties, even though, in Polish security terms, he is more likely than ever to return home. He has married since his family left and has a baby daughter—although after '68 he vowed never to have a family in Poland for fear the child would be persecuted because of the Jewish forebear.

"I am able to correspond with my parents, but it is only a half-correspondence," he said. "We write about the baby, of course, but we cannot meet, even though we have considered many neutral locations. A friend finally told me it would be easier to see *Il Papa* in Rome than to get a visa. It's all so sad, this '68 business. My parents were not Zionists, they were not ever practicing Jews. They couldn't even speak Yiddish.

"Who was responsible for this? Nobody is sure, even today, but it was within the party. And if you want to know who were the anti-Semites, just go through the back issues of Nowe Drogi [the party ideological organ] and copy down the list of editors and writers. That would be a good beginning.

"But that's all past. The question is why do they keep it up? Why not let us out to visit my parents? There must be a reason. Maybe they still need some Jews around to grab when things get tough again, someone to blame. It's a tradition. It's like the Jewish joke about the source of Polish problems—'The Jews and the bicyclists.' 'Why bicyclists?' 'I don't know, but why Jews?' "

The disappearance of Polish Jews is taken for granted now, and it is unlikely that they will be mourned by many here. Poles born after the war, of course, would not know much of the Jews' distinctive ways, except from what they read, or were told. The older generation has mixed feelings. A Polish woman whose forearm bears the Auschwitz tattoo, and who helped save an orphaned Jewish child in the camp (she discovered only last year that he survived, and now wonders if she should tell him he is Jewish when they meet), had an explanation for the 1968 purge that reflected both her own experience and the Government's explanation:

"The Government wasn't after Jews in 1968, but only the Zionists. They just couldn't find the difference. But, you know, scholarships were only going to Jews then, as the Jewish professors saw to it that they were favored." The two statements seem unconnected, except in a country where longstanding resentments fit comfortably in political actions, or where the actions capitalize on widely held attitudes. The woman, similarly, felt that Poles had been slandered in some of the best-known books about the ghetto uprising, including "Mila 18." "They say we did not help them, but people did help. It was the death penalty if you were caught, but Poles hid Jews and supplied arms to them. And I wonder sometimes how the Jews would have treated us had they been in our position."

Another woman, of mixed parentage, who had been married to a Jewish artist, refused after the war to translate "The Wall" by John Hersey because she felt it, too, was anti-Polish. "Many Poles died. Jews were found in their homes," she explained. A scientist, too young to have taken an active part in the war, said: "It's absurd to say that there were no anti-Semites or that Poles did not beat Jews, but it's just as ridiculous to deny the good things that did happen. It's just a matter of numbers, in a way. We had a huge Jewish population here before the war, so there were many acts of heroism just as there were many terrible things between Jews and Poles."

Anti-Semitism lingers, even without Jews, but surfaces only occasionally. The men from the Interior Ministry who seemed to have been largely responsible for the 1968 purge are mostly gone now, so anti-Semitism, or anti-Zionism, no longer seems politically acceptable. Last year, however, an extraordinary theatrical performance in Warsaw indicated anti-Semitism was still tolerated at high levels.

A series of one-actor plays included a production called "R.F. 68," after the initials of Ryszard Filipski, a Cracow producer who had been active in the 1968 purge. Performed with other plays in the Prochownia (Powder Tower), a historical building in the Old Town, "R.F. 68" represented a monologue on the Jewish role in World War II. The theater was decorated with menorahs and the actor spoke his lines against a huge picture of a Jewish ghetto policeman arresting a small boy, presumably for stealing. One of the sketches, called "Your Brother Abel," put the blame on Jews for World War II, and accused them of becoming prostitutes in the ghetto and of a host of anti-Polish actions. During the performances, some members of the audience began walking out to the taunts of others. The controversy has continued with the circulation of unpublished letters by prominent writers demanding an official explanation.

The largest, and possibly busiest, surviving site for Warsaw Jews is the cemetery, tended inadequately by an old man who always asks new visitors if they are Jewish. Mr. Eisner recalled the role of the cemetery as a center of smuggling, resistance and violent death during the war: "It was at the edge of the ghetto, actually outside the walls, but we could reach it by a wooden bridge. Hundreds of people used that bridge only one way—coming here to commit suicide because they were so discouraged. Later on we used it to transport food, clothing, guns and ammunition, and to get people in and out of the ghetto itself. We would use make-believe hearses, and when the Germans caught on, we would make double-bottom boxes, with a dead body on top and food and medicine underneath. During the uprising itself, we built bunkers under the graves to hide gasoline."

The cemetery today bears evidence of age and abuse. Most of the paths are overgrown, with those leading to the farthest corners taking on an impenetrable jungle look. Hebrew-lettered tombstones, green with age, lean in all directions, some tipped by the roots of trees that have been growing unchecked since the war and some knocked over by grave robbers. One whole section in the most remote corner of the cemetery has been systematically looted, evidently some years ago.

A rumor persists that Polish authorities will build a road through the cemetery, or turn it into a park, as they did in Bialystok, but the months turn into years and nothing happens. Every once in a while a body is carried in, accompanied by a small knot of mourners. There is no rabbi to read the service. So a male member of the community does so. Some day, they tell each other, there will not be anyone left to do even that.

FLIGHT CURFEW VIOLATIONS

Mr. SAXBE. Mr. President, I have information that there have been an increasing number of violations of the flight curfew agreement at Washington National Airport. The agreement is aimed at preventing jet takeoffs or landings between the hours of 11 p.m. and 7 a.m., except in emergency situations.

These violations are not limited to any single source, but have been perpetrated by airline companies and private and military aircraft.

For example, one airline alone has violated the curfew no fewer than 25 times since the first of this year. Eleven of these violations were attributed to nothing more than late operations.

I can understand the extreme discontent of area residents over the repeated violations. And, if these violations continue, I am sure there will be many people interested in forcing more flights out to Dulles International.

I am reliably informed that some of the most consistent violators are private jet planes over which the airport people say they have no control.

Currently, I am putting together a list of all violators and the companies involved, and will release the list in the near future. Then I am going to ask the private companies for an explanation, and also demand that the military show justification for any flights made in or out of Washington National during curfew hours.

If the only justification is to fly some big-wig back to Camp Swampy, I think this ought to be exposed and publicized.

I would like to point out that it is not difficult even for the average citizen to tell who the curfew violators are. Anyone with a VHF radio can identify the violators, and I would see nothing wrong with civilian monitoring of VHF radio bands to search out these flights. I would be glad to have these reports, and I will see to it that they are properly publicized.

I am hopeful that the airlines and all others will respect the curfew agreement and discontinue jet takeoffs and landings during the restricted hours. But this is going to require voluntary cooperation on the part of all jet aircraft operators.

TULE ELK WILDLIFE REFUGE

Mr. CRANSTON. Mr. President, there has been widespread misunderstanding of the purpose for which my bill establishing the Tule Elk National Wildlife Refuge, Senate Joint Resolution 6, was introduced.

Recently, I had occasion to respond to the Inyo County Board of Supervisors about their misapprehensions about the bill. I think my colleagues will be interested in sharing this clarification.

I ask unanimous consent that the text of my letter to the board of supervisors be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

April 11, 1973.

Hon. Robert P. Fisher,
Chairman, Board of Supervisors,
County of Inyo,
Independence, Calif.

Dear Mr. Fisher: Thanks very much for forwarding to me the Inyo County Resolution No. 73-29 concerning the Tule Elk National Wildlife Refuge. It gives me an opportunity to clear up several misunderstandings you have about the bill.

1. The bill does not require that the Tule Elk herd of Owens Valley be increased to 2000. The bill specifically states that if the Secretary of the Interior finds that the area cannot support 2000 head, he would seek to achieve the 2000 number by developing herds elsewhere.

Since Dr. McCullough, whom you describe as the most eminent authority on the Tule Elk, has found that the Owens Valley can support only 500 elk, I believe the Interior Department would make the same finding. As author of the bill, I assume it means only 500 Tule Elk will be in the Owens Valley.

2. I do not believe that the bill would lead to the acquisition of any lands in the Owens Valley by the Federal government. The Secretary is given that authority only excuse the Secretary could have for acquiring to carry out the intent of the bill, which is to permit the maximum herd, which I assume is 500, in Owens Valley. The only lands is if some property owner were to inhibit a head of 500 Tule Elk in Owens Valley. Obviously, the only property owner owning enough property to do this would be the City of Los Angeles. I cannot conceive that the City of Los Angeles would attempt to thwart the establishment of a herd of 500 Tule Elk in the Valley, and thus run the risk of losing its land. Thus I feel the mention of eminent domain is only intended as standby authority, which should never need to be used.

3. The Secretary of Agriculture is given the authority to limit grazing only if necessary to accomplish the purposes of the resolution. If, as Dr. McCullough says, the number of cattle grazing in Owens Valley does not affect the carrying capacity for Tule Elk, then the bill clearly would not necessitate a decrease in grazing permits.

I hope this clarification of the bill will permit you to reconsider your opposition to it. I believe the bill can do much to protect and enhance the environment in Owens Valley including the subsurface water table and I would like to feel I have the support of the Inyo County Board of Supervisors when hearings are scheduled for the bill.

Let me further say that my intention with S.J. Res. 6 to cooperate with the State of California's new law that the number of Tule Elk be increased to 2000. What S.J. Res. 6 does is to require that the Federal government, as a matter of policy, cooperates with the State of California in attaining that goal.

Thanks again for giving me the opportunity to reply. I would appreciate your comments on this letter.

With best regards,
Sincerely,

Alan Cranston.

TAX LOOPHOLES

Mr. FANNIN. Mr. President, last year there was a flurry of nonsensical rhetoric about taxes and the need for radical tax reform. Serious observers of the American political scene discounted this rhetoric because it was an election year.

It has been my hope that this year, with the elections behind us, we could deliberate responsibly on the need for improvements in our tax code without the distractions caused by the ill-informed or the tax reform sensationalists.

Unfortunately, there has been another emergence of shrill voices and distorted statistics attacking our tax system.

Under these circumstances, the counsel of rational men is often drowned out.

One authority we should be listening to is economist Roger A. Freeman. It has been my privilege to get a glimpse of his forthcoming book, "Tax Loopholes: The Legend and the Reality," which will be released by the American Enterprise Institute and the Hoover Institute.

This book will expose many of the myths being manufactured by those who are attempting to build a case for radical changes in tax laws. Some of the good points which Mr. Freeman makes are included in a recent article he wrote, "Let's Talk Sense About Tax 'Loopholes.' "

Mr. President, for the benefit of Senators who are concerned with the tax reform issue, I ask unanimous consent that the article from Human Events of April 21, 1973, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

As April 15 Arrives: Let's Talk Sense About Tax "Loopholes"

(By Roger A. Freeman)

Ever since the mid-1950s a legend has been widely broadcast by some and believed by many: that our tax laws are so rigged as to enable rich persons to pay little or nothing in federal income tax while squeezing the little man to make up for the resulting deficiency.

Some authors repeat that story in an effort to sell their own advisory services to burdened taxpayers who seek ways to lighten their load. Other writers, and some vote-conscious politicians, shout it from the rooftops in order to create a public sentiment that would help them attain their aims: to have the government redistribute income, even more strongly than it does now—from those who earn it to those who yearn it.

To put it plainly: The current campaign to "close the loopholes" is largely an appeal and attempt to "Soak the Rich," with pseudo-moralistic overtones, clothed in language that pretends to be sophisticated but is largely sophistry.

In this drive of latter-day muckraking, in the worst tradition of the late 19th Century populists, the most articulate professional in the art of slanted, one-sided and flamboyant description of law, rules and lawmaking on taxes by Congress, the one with the shrillest voice and the least concern for a factual and balanced presentation, probably is Philip M. Stern.

Ten years ago he achieved much attention with *The Great Treasury Raid.* His latest volume, *The Rape of the Taxpayer,* is an updated and expanded version of the earlier volume. The book's approach and aims are clear from its blurb and ads: "How would you feel about a federal welfare program that gave each of America's 3,000 richest families $720,000 a year of your hard-earned money in annual welfare checks?" and "Read this book before April 15th. It will make you mad as hell." Stern's intent is clearly to incite hatred and class warfare.

If I were a librarian I would put *The Rape of the Taxpayer* on the fiction shelf. I would do so not only because of the dozens of fictitious letters and statements from such characters as Allan Welloff, Mr. and Mrs. Van der Meer Opulent, Mr. and Mrs. Wallace Comfortable, Roger Croesus, John D. Rockmellon, Clark Movie Star and numerous others and several imaginary court trials, government press conferences and statements—all of them invented and grotesquely distorted to hold their presumed authors up to derision and public ridicule.

I would do so because much of the rest of the book consists of slanted and other malicious descriptions of the way in which the tax laws operate, of the intentions of Congress in writing tax law and, in fact, of the capacity—or according to the book, incapacity—of Congress to deal with tax matters in a proper way.

It was, I believe, the late Justice Holmes who once said that the right of free speech does not include the right to shout "fire" in a crowded assembly. What Stern has done in his writings in precisely shouting fire in a crowded assembly, aiming to harangue and arouse to frenzy broad sections of the American public by telling them that they are being cheated. To be sure, Stern also presents masses of correct data. But he reminds me of the sports-writer reporting that the Cincinnati Reds got 10 runs without bothering to point out that the Dodgers got 12 to win the game.

Depicting tax payments of multinational corporations to the governments of the countries in which they operate as subterfuges ("every dollar paid to a foreign government is a dollar less for the U.S. Treasury"), Stern calls some foreign operations "Potemkin villages" and explains that term: "Consisting solely of fake building fronts, with nothing behind them, to lead Catherine II and her entourage passing by on railroads, to believe that the villages really did exist" (p. 255).

Catherine II passing by "on railroads"—presumably around 1787—is a picture that fits in well with Stern's other imaginative descriptions.[1]

To be sure: Stern is correct in charging that huge amounts of income escape federal income taxation. He cites numerous examples and gives mountains of details, some of them factual but usually wrapped in and overwhelmed by propaganda and inflammatory polemics.

Never once does he mention, among all the abundant statistics he displays, how much income actually does get around the federal tax gatherers, although the facts are easily available. All personal income in the United States in 1970 (the latest year for which income tax data has been published) totalled $806 billion; taxable income reported on federal income tax returns amounted to $401 billion. This means that at least $405 billion—or about half of all personal income—escaped taxation.[2] It also means that the federal income tax is the "leakiest" tax in the United States.

In the much-maligned property and sales taxes only between one-fourth and one-third escapes taxation through deductions or exemptions from the base.

Why does Stern never mention that half of all personal income is not taxed, for a total of over $400 billion in 1970? Because it would disprove and make utterly ridiculous his claims that the rich are the main beneficiaries of "loopholes" in the income tax ("Statistics show that most of the tax advantages go to corporations and upper-bracket individuals"—p. 286; or that tax shelters are "for the rich only"—p. 204).

Unfortunately no breakdown of personal income by income brackets has been available since 1964 when the U.S. Department of Commerce discontinued those statistics. But an analysis of the $405-billion gap between personal income and taxable income is possible. The $231-billion difference between adjusted gross income (AGI) and taxable income (TI) is available from annual Internal Revenue Service statistics. They show clearly *that the percentage of AGI that is taxable increases steadily and sharply as income goes up:* In the under $5,000 bracket only 34 per cent of income is taxable, between $15,000 and $25,000 71 per cent and from $50,000 and up 78 per cent.

No breakdown is available for the $174-billion difference between adjusted gross income (AGI) and personal income (PI). Some authors in this field have manipulated AGI and added estimates of certain selected items (those they feel ought to be taxed) so as to achieve the desired results. Stern uses some of those "revised" income data. The fact is that most of the $174-billion difference between AGI and PI is income such as Social Security and other social benefits, untaxed labor income, etc., which redounds largely to persons in low-income brackets.

We may estimate that at least 90 per cent of the personal income not subject to federal income taxation—because of exclusions, exemptions, deductions and credits in the Internal Revenue Code—goes to persons in lower and middle-income brackets and less than 10 per cent to those in higher income ranges. In other words, the facts are exactly the reverse of the claim which Stern makes dozens of times throughout his book: that the federal income tax is rigged in favor of the rich. It is increasingly tilted toward the poor.

Whenever Congress closes or narrows "loopholes" that benefit persons in higher brackets, it simultaneously widens escape hatches for persons at the lower levels. As additional millions of voters are freed of any income tax liability, we get a steadily growing incidence of "representation without taxation," of persons able and eager to vote for growing governmental benefits and services who bear no share of the cost. This leads to dangerous levels of political irresponsibility.

When presidential assistant John Ehrlichman in a TV interview on March 11, 1973, stated that the closing of "loopholes" could yield substantial revenue only if it were extended to provisions affecting persons in the middle-income bracket—which is correct—Philip Stern charged him with demagoguery (New York *Times*, March 18 and 24, 1973.)

This truly is a case of the pickpocket running away from the crowd, pointing ahead of him and shouting, "Hold the thief." Demagoguery is a mild term for what Stern has committed in *The Rape of the Taxpayer*. The fact is that compared with all other industrial countries there is a heavy bias against effort, success and capital formation in the U.S. tax structure and this is particularly strong in the federal income tax.

That tax loopholes—or as Stern calls them, "welfare for the rich"—cost the U.S. Treasury $77 billion is sheer nonsense: If all income over $25,000 were confiscated it would yield only an additional $25 billion—and that only temporarily because such a step would soon bring economic collapse.

To pretend, as Stern does, that $14 billion could be raised in a single stroke by taxing capital gains as ordinary income, or $6.5 billion by repealing the investment credit and accelerated depreciation range, or $21 billion by abolishing the privilege of filing joint returns, assumes that taxpayers would not change their transactions even if the taxes were multiplied. The fact is that any of these and similar steps would have a disastrous economic impact and would be self-defeating. This is why Congress, which studies tax issues more thoroughly than just about any other subject matter, avoids taking precipitate action despite steady urging by Philip Stern and others of a like persuasion.

Once in a while Stern attacks some genuine inequities, such as in the treatment of married and single persons. Single persons still pay on the same income up to 20 per cent more than if they were married; simultaneously, some couples (when both are working at high and approximately equal earnings) pay up to 19 percent more than if they were single. Stern's proposal to revert to a single rate schedule with a specific schedule for married persons filing single returns, makes much sense and may, in fact, offer the best solution. His suggestion that allowances for state and local taxes, charitable contributions, etc., should be changed from deductions to tax credits is excellent.

Unfortunately, he then goes on to repeat the tired story of hundreds of rich people paying no income tax at all—but does not give the reasons why, although they were reported by (then) Treasury Under Secretary Edwin Cohen more than a year ago. In most of those cases—.6 percent of all returns with AGI of $200,000 or more—the *net* income was small or nonexistent, though there was a large adjusted gross income.

A good illustration of Stern's method is his reference to oil shale taxation. "How many Americans are aware of a provision that crept into the 1969 tax law almost entirely unnoticed, although it is predicted to save the oil shale industry and to cost the American taxpayers *a billion* dollars or more in taxes before the year 2000?"

The fact is: There is no oil shale industry in America. While the United States is threatened with an oil and energy shortage of crisis proportions (and heavy dependence on imports from distant and unreliable sources), it possesses huge deposits of oil shale from which no oil is being extracted because the process costs too much and taxes (under the 1954 Code) make such production a loss proposition.

So a provision was inserted in the 1969 act (and I have to accept some responsibility in this) to ease taxes so as to offer an incentive for at least exploratory attempts to gain oil from shale. It turned out to be inadequate. There still is no production of oil from shale which suggests that the incentive may have to be increased if it is to be effective.

Stern concludes: "I suggest abolishing all the preferences, or loopholes—for the un-rich many as well as for the wealthy few—and taxing everyone, uniformly, on the basis of his or her total income 'from whatever source derived'" (p. 398). This sounds like an excellent suggestion. A uniform rate of slightly over 10 per cent on *all personal income* would return to the U.S. Treasury as much as the 14 per cent to 70 per cent rate schedule on approximately half the personal income. Alternatively, the graduated rate schedule could be cut to between 7 and 35 per cent.

As it turns out, Stern did not really mean that, as he makes apparent in notes covering over three pages (pp. 400–404): He wants to maintain some deductions from personal income which express his own political, philosophical preferences, and he certainly wants no uniform tax rate.

Stern apparently realizes that to tax all personal income, without exclusions, deductions, exemptions or credits would place a heavier burden on the persons in the low and lower-middle income brackets and ease taxes for taxpayers at the upper end. That, of course, is the last thing Stern would want to happen.

In summary, *The Rape of the Taxpayer* is likely to mislead many people, create confusion regarding the tax situation and arouse ill feelings among wide sections of the public. The expectations it raises cannot be fulfilled. To think that governmental revenues can be raised by many billions of dollars, or income tax rates substantially cut by closing so-called loopholes for the rich, is not a hope but a mirage. If Congress were to try it, it would wreak grave damage on the American economy.

But there is little prospect that such an attempt will really be made. While some vote-conscious members of Congress show keen awareness of political arithmetic which informs them that only .6 per cent of all taxpayers report an income of $50,000 or more, while 57 per cent report an income under $8,000, there are others who place public responsibility before demagogic appeal. Hopefully, the latter will continue to be in the majority.

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[1] The first railroad did not run until 1812.

[2] The total is actually about $465 billion because of certain offsetting items, especially items that are taxable though they are not defined as income in national income accounting (such as one-half of long-term capital gains).

SENATOR WILLIAM BENTON

Mr. SYMINGTON. Mr. President, William Benton was a friend as well as a Yale colleague; and over the years I have felt most fortunate to know this extraordinary human being.

We who knew Bill are saddened at the loss of a good friend. As a man of ideas and ideals, however, he has left us with a wealth of contributions to society and to the world.

The scope of his achievements is breathtaking. Few have ever accomplished so much in so many fields.

Bill Benton's business acumen was evident even in his early years. At Yale he earned an admirable reputation as a high stake auction bridge player, and his lucrative success at the game reportedly assisted in paying his college expenses. While denying claims that he made $25,000 a year at the game, he once commented:

> It's a demonstrable fact that for 10 years I was one of the 10 or 20 best card players in the world.

As a Yale graduate in 1921, he turned down the offer of a Rhodes Scholarship for a job as an advertising copier.

It was not long before Bill became a great success in business and a legend in the field of advertising. He cofounded with Chester Bowles the Benton and Bowles advertising agency which flourished in spite of the fact the agency was started just months before the crash of 1929. Among his many contributions in the advertising field, he was responsible for development of the radio commercial as an advertising medium and introduced the consumer research survey.

In the academic world, he was perhaps best known as publisher of the Encyclopaedia Britannica. He was dedicated to the education field. He originated and published the Great Books of the World series, and developed an international encyclopedia in Japanese. From 1937-1945, he was vice president of the University of Chicago. While in that post, he assisted the university in the use of educational radio and educational movies.

He also had a career as public servant in a variety of capacities.

He was Ambassador to the United Nations Educational, Scientific and Cultural Organization—UNESCO—and played an important role in its establishment.

He was founder of the Committee for Economic Development to aid in rebuilding Europe after World War II, was Assistant Secretary of State for Public Affairs, and was a U.S. Senator from Connecticut.

The list of major, and often as not, spectacular acomplishments of William Benton goes on and on.

He was an exhilarating vital man. His dedication to life throughout his multifaceted career gives inspiration to us all, and we will truly miss this superb human being.

ELDERLY ADVERSELY AFFECTED BY SOCIAL SERVICES REGULATIONS

Mr. EAGLETON. Mr. President, the final social services regulations announced by Secretary Weinberger on April 26 and printed in the Federal Register on May 1 have been revised in some respects in response to an unprecedented volume of public comment on the proposed regulations issued in February.

The final regulations provide for the continued Federal matching of funds donated to a State by private sources for social services programs.

The eligibility requirements for participation in day care programs by those not currently welfare recipients have been liberalized. The income test has been increased from 133⅓ percent of the State's payment level to 150 percent of the State's payment standard. In addition, establish a schedule of fees for the care of children where the family income is between 150 percent and 233⅓ percent of the payment standard.

HEW has also made it clear that a former welfare recipient, whose continued eligibility for day care on that basis is limited to 3 months, may at the end of that period qualify as a potential recipient if the income test is met.

SERVICES FOR AGED

Mr. President, the purpose of my remarks today is to call the attention of my colleagues to the regressive nature of the final regulations as they pertain to services for the elderly.

Briefly, these regulations would prohibit the provision of social services to any elderly person who is not a recipient of cash assistance.

Titles I and XVI of the Social Security Act, and the new title VI of the act which will become effective on January 1, 1974, authorize Federal matching for expenditures by the States for services "which the Secretary may specify as appropriate for aged individuals who, within such period or periods as the Secretary may prescribe, have been or are likely to become applicants for or recipients of assistance—if such services are requested by such individuals.

Under the old social services regulations, appropriate available services could be provided to potential recipients, whether aged, blind, disabled, or families, for a period not to exceed 5 years. In the case of the aged, this meant that a person might qualify for services beginning at age 60.

Last year, Congress enacted a law placing a $2.5 billion ceiling on social services expenditures and requiring social services funds to be targeted to current recipients. With the exception of five specified services, the new law requires that at least 90 percent of social services expenditures by a State go to current recipients with a maximum of 10 percent of such expenditures for former or potential recipients.

This latter action places a statutory restriction on the States with respect to services for the elderly which I believe should be reconsidered by this Congress.

However, the point of my remarks today is that the new social services regulations, in their final form, prohibit the use of any funds for potential elderly recipients. This was clearly not the intention of Congress when it enacted the 90-10 restriction last year.

In addition, this prohibition was not contained in the proposed regulations issued in February and, therefore, no opportunity was provided for public comment on it.

DEFINITION OF POTENTIAL RECIPIENT NARROWED

The proposed regulations did restrict the definition of potential recipient over that previously in effect. The time period for which a potential recipient could qualify for services was reduced from 5 years to 6 months. In the case of the aged, the effect is to deny social services to any person before age 64½.

In addition, an income test was imposed equal to 133⅓ percent of the State's assistance payment level.

Under the proposed regulations, then, beginning at age 64½ an elderly person who met the income test could qualify for social services designed to meet the goal of self-sufficiency; that is, "to achieve and maintain personal independence, self-determination, and security."

Under the final regulations, an elderly person may still be defined as a potential recipient beginning only at age 64½. The income test has been changed from 133⅓ percent of the State's payment level to 150 percent of the combined total of the supplemental security income benefit level and the State's supplementary benefit level, if any.

PROHIBITION ON SERVICES FOR POTENTIAL RECIPIENTS

But this new definition of potential elderly recipient has been made inoperative. The social services goals, set forth in a later section of the regulations, have been restated since February in such a fashion that there are no services that may be provided a potential elderly recipient at age 64½ or at any other later age.

Under both the proposed regulations and the final regulations, services may be provided only to support the attainment of one of two goals—self-support and self-sufficiency.

Under both the proposed regulations and the final regulations, the self-support goal is made inapplicable to the aged.

Under the proposed regulations, the self-sufficiency goal was defined as applying to the aged, blind, disabled, and families, without regard to whether they were current, former, or potential recipients.

Under the final regulations, the self-sufficiency goal has been redefined to apply only to "applicants for or recipients of assistance under the blind, aged, disabled, and family programs."

The result is that, while potential recipients who are blind, disabled, or members of families may qualify for services directed toward self-support but not for services directed toward self-sufficiency, no social services of any kind may be provided an elderly person who is not a current recipient.

Mr. President, I ask unanimous consent that there be printed at the conclusion of my remarks the social services goals as stated in the proposed regulations, the social services goals as stated in the final regulations, and the definition of a potential elderly recipient in the final regulations which is rendered meaningless by the fact that no services may be provided a person who meets that definition.

The PRESIDING OFFICER. Without objection, it is so ordered.

ANOTHER COUNTERPRODUCTIVE DECISION

Mr. EAGLETON. Mr. President, apparently a policy decision was made by HEW between February 16 and April 26 that social services directed toward the goal of self-sufficiency should be provided only to current welfare recipients.

Here once more we have a decision, no doubt directed toward saving Federal dollars, which is in the long run counterproductive, and especially so in the case of the elderly.

The primary purpose of social services for the elderly is to prevent dependency and institutionalization by providing the support that can enable older people to remain in their homes.

To be efficacious, these services must be provided when they are most needed. And they are needed, not at some arbitrary age, not at the point when the individual's income and resources meet cash assistance eligibility standards, but at that point in time when the individual becomes vulnerable to dependency.

The provision of social services at that crucial time, whether before 65 or after 65, whether the person is receiving cash assistance or not, can mean the difference between continued independent living and dependence on institutional care which can only result in a higher cost to the public and the diminution of the elderly person's self-esteem and dignity.

Mr. President, the Senate Finance Committee has announced hearings on the new social services regulations beginning on May 8. I am hopeful that the committee will scutinize very closely what I consider to be unwise and unwarranted restrictions on the provision of services to the elderly contained in the regulations published on May 1.

EXHIBIT 1

SOCIAL SERVICES REGULATIONS

SERVICE GOALS—PROPOSED SOCIAL SERVICES REGULATIONS

Sec. 221.8 Individual service plan.

For the purposes of this part, the specific goals to be achieved are limited to:

(1) *Self-support goal.*—To achieve and maintan the feasible level of employment and economic self-sufficiency. (Not applicable to the aged under the adult services program.)

(2) *Self-sufficiency goal.*—To achieve and maintain personal independence, self-determination and security, including, for children, the achievement of potential for eventual independent living.

SERVICE GOALS—FINAL SOCIAL SERVICES REGULATIONS

Sec. 221.8 Program control and coordination.

The State agency must establish procedures and maintain documentation (including the aggregation and assimilation of data) to substantiate that Federal financial participation under the State's family services or adult services program is claimed only for services which:

(a) Support attainment of the following goals:

(1) *Self-support goal.*—To achieve and maintain the feasible level of employment and economic self-sufficiency. (Not applicable to the aged under the adult services program.)

(2) *Self-sufficiency goal.*—In the case of applicants for or recipients of assistance under the blind, aged, disabled, and family programs, to achieve and maintain personal independence and self-determination.

DEFINITION OF POTENTIAL AGED RECIPIENT—FINAL SOCIAL SERVICES REGULATIONS

Sec. 221.6 Services to additional families and individuals.

* * * * *

(c) The State may elect to provide services to all or to reasonably classified subgroups of the following:

* * * * *

(3) Families and individuals who are likely to become applicants for or recipients of financial assistance under the State plan within 6 months, i.e., those who:

* * * * *

(B) With respect to title I, X, XIV, or XVI, do not have income exceeding 150 percent of the combined total of the supplemental security income benefit level provided for under title XVI of the act (as amended by Public Law 92-603) and the State supplementary benefit level (if any); and

(ii) Do not have resources that exceed permissible levels for such financial assistance under the State plan or under the amended title XVI, if applicable; and

* * * * *

(B) In the case of eligibility under title I, X, XIV, or XVI, have a specific problem or problems which are susceptible to correction or amelioration through provision of services and which will lead to dependence on financial assistance under such title, or medical assistance, within 6 months if not corrected or ameliorated; and who are

(1) At least 64½ years of age for linkage to title I, or title XVI with respect to the aged . . ."

(4) Aged, blind, or disabled persons who are likely to become applicants for or recipients of financial assistance under the State plan within 6 months as evidenced by the fact that they are currently eligible for medical assistance as medically needy individuals under the State's title XIX plan."

TAX REFORM

Mr. FANNIN. Mr. President, the Treasury Department recently submitted to the Committee on Ways and Means what, in my view, is an outstanding proposal for tax reform. As pointed out by Secretary Shultz, the proposed bill has three goals to which the recommendations are directed: tax equity, simplification, and economic growth.

Mr. President, we have been subjected to a myth that wealthy people are not paying income taxes. An example often cited is that in 1970 there were 112 persons with adjusted gross incomes over $200,000 who paid no tax. The 112 returns cited for 1970 represented a decline of 63 percent from the 300 returns so classified in 1969, and it has been demonstrated that over 99 percent of all high income bracket returns for 1970 paid high income taxes.

Do these facts stop the tax reform rhetoric? Not in the least. The zealots now claim that even if the wealthy are paying taxes, the tax system is riddled with loopholes which favor the rich.

Mr. President, I am a strong supporter of the minimum tax concept, and I have been concerned about tightening up the Code in this respect. In my estimation this would be accomplished by the administration tax bill which recommends that the existing minimum tax be repealed for individuals and that it be replaced with two new provisions: first, the minimum taxable income provision, and second, a limitation on artificial accounting losses. These proposals are designed to assure that every individual will pay a reasonable amount of Federal income tax relative to the size of his income, and to eliminate "tax shelters" which have introduced certain distortions into the tax system.

A reasonable man would suppose that the tax reformers would applaud the Treasury recommendations. Wrong again. One critic called the administration's program a copout. The so-called tax reform research group is reported to have criticized the program as "no reform at all."

I can only conclude that these remarks were made for one of two reasons:

First. The reformers have not read the bill and do not understand the impact of the proposals, or

Second. The reformers well understand the proposals but their real aim is not an equitable system of taxation but a vehicle that would redistribute income.

INSULATION AND CONSERVATION OF ENERGY

Mr. MOSS. Mr. President, on February 15, I introduced a simple little bill, S. 861, to provide a tax incentive for householders who would add insulation to their residences and thus conserve the energy needed to heat and cool the dwellings.

I have just been supplied with a chart from the American Society of Heating and Ventilating Engineers which dramatically shows the heat loss and annual energy usage with varying insulation and storm windows for typical homes located in various areas in the United States.

For the information of the Senate, I ask unanimous consent that the chart be printed in the RECORD.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

VALUE OF INSULATION

Heat loss and annual energy usage with varying insulation and storm windows for a typical 1,200 sq. ft home located in various areas in the United States

Insulation and windows	Total heat loss per °F temperature difference (Btu/°F/hr)	Total heat loss (Btu/hr) Salt Lake City, TC=80° F	Los Angeles, TD=35° F	San Francisco, TD=35° F	Washington, D.C., TD=70° F	Chicago, TD=80° F	Seattle, TD=55° F	New York, TD=70° F	Atlanta, TD=60° F	New Orleans, TD=50° F
None (no storm windows or doors)	1,660	133,100	58,100	58,100	116,200	133,100	91,300	116,200	99,600	83,000
3 inches in ceiling (no storm windows or doors)	970	77,800	33,950	33,950	67,900	77,800	53,350	67,900	58,200	48,500
3 inches in ceiling, 3 inches in walls, (no storm windows or doors)	760	61,100	26,600	26,600	53,200	61,100	41,800	53,200	45,600	38,000
6 inches in ceiling, 3 inches in walls, 2 inches in floor (no storm windows or doors)	510	41,000	17,850	17,850	35,700	41,000	28,050	35,700	30,600	25,500
6 inches in ceiling, 3 inches in walls, 2 inches in floor, with storm windows and doors	420	33,400	14,700	14,700	29,400	33,400	23,100	29,400	25,200	21,000
10 inches in ceiling, 5½ inches in walls, 9½ inches in floor with storm windows and doors	310	24,900	10,850	10,850	21,700	24,900	17,050	21,700	18,600	15,500

The reduction in heating requirements shown above produces the following in savings in energy usage

	Annual energy requirements[1] (million Btu)								
	DD=5866	DD=1391	DD=3137	DD=4561	DD=6280	DD=4815	DD=5820	DD=2985	DD=1203
None (no storm windows or doors)	146.4	34.6	78.0	113.6	156.7	119.9	131.5	74.3	29.9
3 in. in ceiling (no storm windows or doors)	85.6	20.2	45.6	66.4	91.6	70.1	76.9	43.4	17.5
3 in. in ceiling, 3 in. in walls (no storm windows or doors)	67.2	15.9	35.9	52.0	71.9	54.9	60.2	34.0	13.7
6 in. in ceiling, 3 in. in walls, 2 in. in floor (no storm windows or doors)	45.1	10.6	23.9	34.9	48.3	36.8	40.4	22.8	9.2
6 in. in ceiling, 3 in. in walls, 2 in. in floor, with storm windows and doors	36.7	8.8	19.8	28.7	39.3	30.3	33.2	18.8	7.6
10 in. in ceiling, 5½ in. in walls, 9½ in. in floor, with storm windows and doors	27.4	6.5	14.7	21.2	29.3	22.4	24.5	13.9	5.6

[1] $\text{Btu/yr} = \frac{\text{Heat loss} \times \text{degree days (DD)} \times 15}{\text{Temperature difference (TD)}}$

AN ANTISECRECY PLAN

Mr. HART. Mr. President, in a recent speech our distinguished colleague from Maine, Senator MUSKIE, made a proposal which I believe deserves our careful attention. Speaking on April 25 at Montclair State College in New Jersey, Senator MUSKIE once again pointed out the dangers of excessive secrecy in Government. He called on Congress to supervise executive secrecy practices by enacting strict standards for the classification and declassification of information, and by establishing a process to review and contest executive secrecy. I commend Senator MUSKIE's speech to the Senate and ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

AN ANTISECRECY PLAN

Thank you very much for giving me this occasion to be an instructor. Senators usually spend more time preaching than teaching, and I am not sure how quickly I can learn new tricks.

Still, I am always mindful of H. G. Wells' observation: "History becomes more and more a race between education and catastrophe," and I am pleased to get on what I am certain will be the winning side.

I want to talk tonight about a very modern problem—secrecy in government, the practices which deny information both to the Congress and the public. But, in an academic setting, it is appropriate to start with a little history, recent and ancient.

I am sure you are all familiar with the debate in Washington over "executive privilege." The phrase is a lawyer's and a scholar's term for the idea that the President's advisers are protected from interrogation by the Congress about the confidential advice they give the President.

The reason the term has come into dispute is that the President made a sweeping claim that the "privilege" extended beyond confidential advice to him personally to cover all communications in the Executive Branch, if he—and he, alone—determined that disclosure of such information would hurt the national interest.

The Attorney General even told me in hearings I held two weeks ago that if the President "directed a person on his staff who was accused of a crime" not to testify to Congress about his alleged criminal conduct, "that person should not appear and could not appear." Mr. Kleindienst then tried to extend that asserted Presidential power to restrict Congressional investigation to cover all government employees—some two-and-a-half million people. And he said, "Your power to get what the President knows is in the President's hands."

Others who heard that statement were astonished. Some of us found it frightening. Practice has already shown it to be preposterous.

The President has agreed to let White House aides testify before Senator Ervin's Watergate Committee, but his concession on that point has not changed the Administration's broader contention that it retails the power to refuse any other Congressional summons for information. The White House still maintains that Presidential advisers may invoke executive privilege in response to some questions. If such a claim is made, Senator Ervin has said his committee will determine whether or not it is appropriate.

So the issue is not really resolved. We would be mistaken in thinking that a partial victory for common sense in this particular, odious business of the Watergate is a lasting victory for the right of Congress and the people to know the truth.

Let me go back to what Attorney General Kleindienst said to me on April 10: "Your power to get what the President knows is in the President's hands."

Think about that for a minute. Is it true? Is it reasonable? Is it even safe for our democracy?

My own answer is that the doctrine the Attorney General expressed is unconstitutional and profoundly dangerous. The trouble is that views such as his have become the usually unspoken basis for widespread governmental secrecy. That philosophy provides the underpinning of a practice that gives a higher priority to confidentiality than to candor, that encourages deception instead of disclosure and that feeds the suspicion of many Americans that their government will not tell them the truth.

The problem is a broad and complicated one, but the expression, "executive privilege," is a good place to start toward understanding it. It turns out that the phrase is nowhere to be found in the Constitution, has never been defined by the Supreme Court and did not even enter the American language until 1958.

But the idea has been around a long time. Back in 1621 King James I ran out of money to finance a war in the Netherlands. He made the mistake of convening Parliament for the first time in seven years to get it to levy new taxes.

The Parliament, however, exacted a stiff price for going along. It demanded that the King get rid of his Lord Chancellor, Sir Francis Bacon, certainly one of the most distinguished philosophers in English history. Sir Francis, however, had his faults, and one of them was taking bribes from people who had cases pending in court.

Many people did the same thing. Sir Francis protested that he never let the gifts influence his judgment. But the Parliament, for a number of reasons, wanted him punished.

The King moved in and offered to appoint a Parliamentary commission—whose members he would name—to investigate the charges. The Parliament refused the offer. Instead, Sir Francis made a full confession and resigned his office. The House of Lords sentenced him to a fine of forty-thousand pounds, imprisonment in the Tower of London and prohibited him from ever attending the Royal Court again.

King James commuted much of the sentence, but the fact remains that Parliament carried out its investigation in its own manner, rejecting any royal claim to power over its inquiry or its decision. And when Sir Francis was sent back to his books, it gave King James the money he wanted.

There are several morals to be drawn from that story. The right of Parliament to investigate official misconduct was absolute. The way to enforce that right was through the power of the purse.

In fact, Parliament was continually referred to as the "Grand Inquest" of the nation. The framers of the American Constitution, when they were debating its provisions and then as they argued for its ratification, talked repeatedly about the parallel between Parliamentary power to investigate and Congressional responsibility to perform the same function.

James Wilson, who with Madison was one of the chief architects of the American Constiution, wrote of the English House of Commons, that its members "have checked the progress of arbitrary power and have supported with honor to themselves, and with advantage to the nation, the character of the grand inquisitors of the realm. The proudest ministers of the proudest monarchs have trembled at their censure; and have appeared at the bar of the house, to give an account of their conduct, and ask pardon for their faults."

The first test of the scope of the Congressional right to know came in 1792. Major General St. Clair had led a contingent of troops against the Indians in the Northwest Territory, and he got whipped. The Congress wanted to know how the defeat occurred, and the House of Representatives called on the Secretary of War to send it all the records of the expedition.

President George Washington complied. He determined that disclosure was in the public interest, and he acceded to the request of the House. But in a Cabinet meeting about the problem, the idea was born that there were limits on Congress's power, and that the President could try to set them. Private notes by Thomas Jefferson show that the issue of executive discretion about what to reveal and what to conceal from Congress was faced as early as 1792. But in that case, the Congress prevailed.

In 1951, the Congress was investigating the fate of another general, Douglas MacArthur. President Truman had fired him as commander in Korea, and the country was split over its reverence for a great military hero and its belief in the importance of civilian control over the military. General Omar Bradley was summoned to testify, as chairman of the Joint Chiefs of Staff, before joint hearings of the Senate Foreign Relations and Armed Services Committees, and he agreed to appear.

The messages from Washington to General MacArthur and his replies were put into the record and analyzed. General Bradley had to explain the whole sequence of the disagreement between MacArthur and Truman, the efforts to patch things up and the final decision to replace an insubordinate general.

But then Senators asked General Bradley what he and President Truman had said to each other about the case. And here General Bradley balked. He said, in effect, that such conversations were privileged; they were private discussions between the President and his top military adviser and they were none of the Senators' business.

General Bradley is a courtly man, and his refusal was polite, but it was absolute. It made many of the Senators angry, and finally, Senator Richard Russell of Georgia called for a vote of the committees on the question of whether or not to *order* General Bradley to answer the questions. By a vote of 18 to 8, the Senators agreed with Bradley's decision to preserve an area of Presidential privacy, and the issue was resolved.

So the Executive asserted a privilege, and the Congress, reviewing the claim, upheld it. The essential aspect of that incident is that Congress did *review* the claim. In theory, it could have contested General Bradley's decision and taken him to court to try to force an answer to its questions.

I have gone over this history, not to qualify myself for one of your professor's jobs, but to illustrate the important precedents in our law and our tradition for the right of Congress to investigate official behavior. Usually we do it for the purpose of guiding us in writing laws to correct bad behavior. Sometimes we must do it to gather the facts to impeach an official of the government. There can be no question of our right to get all the facts. Even such a strong President as Andrew Jackson recognized Congressional power to investigate. "Cases may occur," he said, "in the course of (Congress') proceedings in which it may be indispensable to the proper exercise of its power that it should inquire or decide upon the conduct of the President or other public officers, and in every case its Constitutional right to do so is cheerfully conceded."

Now on April 10, I read that statement to the Attorney General. He flatly disagreed with it. I do not understand his disagreement, but it is there, on the record, and it is a disagreement of great importance to the conduct of our government.

The Attorney General's view is that information developed in the Executive Branch is the exclusive property of the Executive and will not be given to the Congress if the President decides to keep it secret. His view is that government information is Presidential property, and working from that opinion, he can justify any decision to conceal that property from the Congress and the people.

My view is that government information is public property. It is compiled at the taxpayers' expense to serve the public interest, not the temporary or limited interests of those officials who act for a time as its custodians.

So here is the conflict. The decision to send White House aides up to testify about their reported involvement in the Watergate conspiracy does not resolve that conflict. It still leaves unresolved the broader question: who shall determine what the people know about their government.

According to the Attorney General, the Executive will make that decision. And once the decision is made, no one else—neither the Congress, nor the courts, nor the common citizen—may reverse it.

Knowledge truly is power. The Attorney General's view—if we allowed it to prevail—would give one branch of the government absolute power through a monopoly of information. The power would extend to telling Congress only those facts a President decided it should have. And it would, logically, extend to giving the public only those pieces of information the President wanted known.

I hope you will agree with me that such a prospect is a nightmare for a democracy. It is standard operating procedure in dictatorships around the world. But the very idea of such an exclusive, unreviewable right lodged in any one office or any one man or any one branch of government is alien to the American concept of a free and open society.

We have good reason to be deeply concerned. That power over information already exists. It is growing, not shrinking. And it endangers every one of us.

Let me give you some specific examples of how the power is exercised. A Senate survey of refusals by the Executive to provide Congressional committees information or testimony they requested between January 1964 and the present turned up 166 examples. Only four of them, all in the last four years, involved formal invocation of the executive privilege claim.

The refusals range over all sorts of issues. The Justice Department, for example, refused to let a House Subcommittee see its files relating to alleged White House intervention to settle a suit involving a steel company's dumping poisonous wastes into the ship channel at Houston, Texas. The Environmental Protection Agency refused to hand over a study of virus infection in New England water supplies.

Some of these refusals were absolute. In some cases the Congressional committees negotiated compromises which enabled them to get some of the information they were originally denied, but often the refusal succeeded in delaying Congressional action and diverting public attention.

In none of these 166 cases we know of did the Congress put its power to a test in court, one that could be achieved by subpoenaing a reluctant witness, holding him in contempt for failure to testify or, if necessary, arresting him and creating the conditions necessary for a habeas corpus suit.

The result of not pushing our power to the limit has been to permit the Executive to overstep its boundaries—and to get away with it. Until now, we have backed away from confrontation.

So we have tolerated secrecy we should have contested. And the result has been to let it spread.

In the field of classifying information which the Executive says must be kept secret to protect defense or foreign policy activities, the Congress has never even written a law to supervise administrative practices. The only statute that sets standards for what should be kept secret and for the length of time secrecy is required is a law dealing with atomic energy.

But experts have estimated that the Defense Department files contain some 20 million documents that are classified. State Department records, according to an official of the Department itself, include some 35 million pieces of paper stamped Top Secret, Secret or Confidential.

Many of them are a quarter of a century old and a few even date back to before World War I. The only example I know that may be more ridiculous is the policy of the British Foreign Office that the background records of British involvement in the French and Indian War of 1756 should be kept secret forever, so as not to damage relations with the "colonies."

We know these documents exist, and we know that more are made secret every day. Over 18,000 government employees are authorized to classify information. We also have heard expert testimony that much of this information no longer requires protection from disclosure. Former Supreme Court Justice Arthur Goldberg, who also served as Secretary of Labor and Ambassador to the United Nations, said that no more than 25 percent of the documents really deserved to be kept secret. An Air Force officer who handled classification and security problems for over 40 years believes only one half of one percent of all the Pentagon's secret files actually contain vital information.

But no one really knows what is in the files or, more importantly, what is being put into them every day. Until 1959 the Migratory Bird Commission and the American Battle Monuments Commission had officials with authority to classify secret papers. For all we know, some of their records may still be hidden away.

And now, as an expression of the view that government information is exclusively government property, the Administration has sent Congress proposed new laws to make any unauthorized disclosure of classified information a crime, one that could be punished by up to three years in jail and up to $25,000 in fines. These proposed laws would even make it criminal to disclose *any* information relating to the conduct of foreign policy affecting the national defense.

Such laws would enforce public ignorance by making criminals out of honest men and women who put the public interest above bureaucratic secrecy. They would impose a gag rule both on officials and journalists and prevent those who disclosed classified information from justifying their action by proving to a court that the disclosure did no damage to national security. They would deny you and me the information we need to make intelligent judgments about public policy required of citizens in a democracy.

I am confident we will defeat these proposals. There should be penalties—and there already are—for revealing information that damages national security. That damage test is crucial and must be preserved, not discarded, as the Administration would do in sweeping away protections that now exist to insure that vital information is not arbitrarily denied to the public.

But the Congress must go farther than just drawing a line and saying, "Secrecy stops here." It must take positive action to undo governmental secrecy and put the emphasis where it belongs, on systematic disclosure.

Just as we must review and contest assertions of executive privilege when they are improperly claimed, we must review and contest the day-to-day secrecy that is the practical expression of executive privilege.

I have already introduced legislation to require that judges, reviewing government refusals to disclose classified information to the public, go behind the secret stamp on a document or record to look at the information it contains. Judges would then decide whether or not disclosure would actually harm national defense or foreign policy.

For if the courts will not make such an impartial determination, no one else will. The official who decides to hide information under a rubber stamp will be safe from challenge forever, and we will all be deprived of knowledge that may be crucial.

Beyond judicial review, however, we must move to a new system of supervising the way information is classified, the length of time it stays classified and the access Congress has to it while it is classified. The Executive now retains exclusive control over all those procedures, even over the ground rules under which Congressmen and their staffs are permitted to inspect classified material.

In March 1972, President Nixon announced a reform of those procedures, but his action did not go far enough. The agencies he prohibited from classifying information were, by and large, agencies like the Canal Zone Government, the Postal Service, the Small Business Administration and the Departments of Labor, Agriculture and Interior which never needed such authority to begin with. Under his new order, however, eight new agencies in the Executive Office of the President could be given authority to classify by the President.

It is time to put a Congressional check on the President's discretion in this area, to balance the understandable bureaucratic preference for secrecy against the fundamental assertion that the right of Congress and the public to know amounts to a need to know.

We can achieve this balance either through a new joint Congressional committee or a new agency, similar to the General Accounting Agency, directly responsible to Congress. The new body would have responsibility to review an index the Executive prepared of all information which was being classified, to inspect information listed in the index and to order either an immediate declassification or a speed-up in declassification of information which did not merit prolonged secrecy.

The Executive could contest those orders in court, if it felt they were dangerous, but at the least, the Congress would exert a review function which it now leaves exclusively to the Executive.

Unless there is compelling evidence to the contrary, I believe we should set three years as the standard time for material to be automatically locked away from public view. Any information older than that should be considered declassified and made available on request, subject, of course, to challenge by Executive agencies with a strong case against disclosure.

By enacting such standards and such review procedures into law, the Congress can fulfill its dual obligation—to itself as an equal branch of government and to the people whose liberties we cannot safeguard without knowledge of all government activities. The alternative—the course of inaction—is to restrict our information to the authorized disclosures of official press releases, where only one version of the truth—the sound of one hand clapping—is made public.

James Madison once wrote, "Knowledge will forever govern ignorance, and a people who mean to be their own governors must arm themselves with the power knowledge gives. A popular government without popular information or the means of acquiring it is but a prologue to a farce or a tragedy, or both."

The government, in the last analysis, does not belong to the President or to the Congress. It belongs to you. But if you, through the Congress, do not act to assert your control over government—if you do not insist on the power knowledge gives you to control public conduct—you and I will lose popular government. Education will lose that race to catastrophe, and the world will lose the hope of freedom America has given it.

TRIBUTE TO GEORGE E. FOREMAN, HEAVYWEIGHT BOXING CHAMPION

Mr. FANNIN. Mr. President, Mr. Verne Boatner, sports editor of the Arizona Republic, in Phoenix, Ariz., recently wrote an outstanding column about George Foreman, the heavyweight boxing champion of the world.

The column is a great tribute to Mr. Foreman and reiterates in dramatic fashion the opportunities available to those who, no matter how humble their origin, subscribe to and earnestly practice what has become known as the American work ethic.

I ask unanimous consent that Mr. Boatner's column be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WAVING THAT FLAG

(By Verne Boatner)

If you ask the average person what he remembers most from the Mexico City Olympics, he will probably recall the clenched fists of John Carlos and Tommy Smith.

The Black Power protests threatened to overshadow the whole Olympic show.

But I also vividly recall the sight of a relatively unknown black fighter who pounded a Russian into submission and claimed a gold medal. Then, suddenly, there was this huge man parading around the ring waving this tiny American flag.

There was a gasp of astonishment from the audience. Scribes beat a path to the interview area and bombarded him with questions.

He denied that his flag-waving was a protest to the Black Power protest. In fact, he went to lengths to defend the right of Carlos and Smith to express their feelings.

There were those who suspected he had let whites manipulate him for propaganda purposes. While what he said may have sounded as corny as Kansas in August to certain segments, he seemed sincere.

And today, George Foreman, heavyweight champion of the world, is still waving that flag. Recently, he wrote an article in Nation's Business.

"Casting about for places to put the blame for the troubles a person has is an old human trait," he said. 'They' is an easier word to use than 'I,' when things don't go right...

"The messes a man gets into, they're the same. They didn't hunt him up; he went looking for them, whether he always knew it or not..."

The former bully from a Houston slum knows whereof he speaks. Nobody, he stresses, made him get drunk on cheap wine as a kid, smash 200 windows, quit school and cause his mother to have a nervous breakdown. He did it all by himself.

The turning point in his life came one day in a pool hall, when he listened to Johnny Unitas on TV, extolling the virtues of the Peace Corps.

So today, instead of sitting in a penitentiary, Foreman is sitting on top of the world. He credits it all to a discredited four-letter word, "work."

"Now down there in Houston in the slum I came from," recalls Foreman, "there wasn't too much talk about working for anything. People got money a lot of the time from being what was called smart—or from taking advantage of somebody. People walked on both sides of the line, as far as the law was concerned..."

Foreman discovered that the harder he worked, the luckier he became. He couldn't put the blame on lousy luck any more. He also discovered something else.

"... because I like kids," he said, "I found the ones who lived in slums as I had, and others, too, were beginning to hang around me ... What a difference it makes when you first have the feeling that people are looking up to you, and not down on you!"

Of his heavyweight title, he says, "I can truly say I worked for it. I say worship the opportunity this country grants to those who will really try, don't knock it.

"I'll wave that flag in every public place I can."

Of course, it might be argued that Foreman is not very bright. This ninth-grade dropout never had the advantages of a college education or a free-ride athletic scholarship, as did Carlos and Smith.

MARGARET W. PRICE—A LEGACY OF PUBLIC SERVICE

Mr. SYMINGTON. Mr. President, St. Louisans and people across this Nation deeply miss Margaret W. Price, but she left a legacy of service to public and private associations for which she will be long remembered.

Perhaps her most significant achievements were on behalf of the Girl Scouts of the United States of America. Serving as president of that fine organization from 1963 to 1969, she represented this country at world Girl Scout conferences and visited South America on behalf of the Girl Scouts under the State Department's educational and cultural exchange program.

In addition to her work in scouting, Mrs. Price served on the boards of a number of cultural, health, and environmental associations in St. Louis and Missouri.

It was my privilege to be a member with her in the Missouri Academy of Squires which in 1965 recognized the outstanding contribution she had made to her city, State, and Nation.

I ask unanimous consent that an article from the March 22, 1973, New York Times, "Mrs. Margaret Price, 62, Dies; Ex-National Head of Girl Scouts," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MRS. MARGARET PRICE, 62, DIES; EX-NATIONAL HEAD OF GIRL SCOUTS

ST. LOUIS, March 21.—Mrs. Margaret W. Price, who was national president of the Girl Scouts of the U.S.A. from 1963 to 1969, died of cancer today. She was 62 years old.

Mrs. Price, who was known to her friends as "Tuck," was the wife of Holton R. Price Jr., board chairman of W. H. Markham & Company, an insurance concern. She had served the Girl Scouts in many capacities on local, regional and national levels for more than 30 years. She also had been a member of the women's auxiliary of the board of the St. Louis Symphony Orchestra, and had been on the boards of Barnard Cancer Hospital, St. Louis State Hospital and the Missouri Historical Society.

At her death she was president of the St. Louis Mental Health Association, a director of the National Center for Voluntary Action, board chairman of Missouri Youth for Environmental Quality—a statewide organization she founded in 1969—and chairman of the Girl Scout National Centers Development Committee.

RECEIVED SERVICE AWARDS

In 1960, Mrs. Price was named St. Louis Woman of the Year in the youth service field. In 1963 she received the Matrix Award of the St. Louis chapter of Theta Sigma Phi, women's professional journalism organization, for services to her home community.

In 1965, she was elected to the Missouri Academy of Squires, a group of 100 persons who have distinguished themselves in business and in the professions while serving their communities, state and country. In 1972, the Missouri Conservation Committee honored her for her commitment to environmental preservation in the state.

Mrs. Price traveled widely for the Girl Scouts. She was a United States delegate to several World Conferences of the World Association of Girl Guides and Girl Scouts.

In 1965, under sponsorship of the educational and cultural exchange program of the State Department, she visited South America as a representative of the Girl Scouts.

Mrs. William McLeod Ittmann, the current national president of the Girl Scouts, noted yesterday that Girl Scouting's National Center West, a 13,000-acre expanse in Wyoming had become a reality in Mrs. Price's final years in office, and credited her "drive and possible.
dedication" as having made the acquisition

In addition to her husband, Mrs. Price leaves two daughters, Mrs. Theodore O. Simpson of Brussels and Mrs. Jeremy T. Johnstone of St. Louis; two sisters, Mrs. Horace A. Bradt and Miss Mary Elizabeth Wright, and five grandchildren.

A memorial fund has been established to continue the development of the Wyoming tract.

ARMY DEFENDS USE OF SERVANTS

Mr. PROXMIRE. Mr. President, Secretary of the Army Robert Froehlke's statement before the House Defense Appropriations Committee that he could not permit his Chief of Staff to go home at 5 p.m. to mow his lawn exposes the feebleness of the Pentagon's insistence on the use of servants for the top brass.

Generals making over $50,000 a year in salary and equivalent benefits should not be running home at 5 o'clock.

At that rank and pay, they should be putting in long hours like the farmers, businessmen, and construction workers of this country. Furthermore, when these other Americans go home after a hard day's work, they have to mow their own lawns and carry out their own chores.

On many occasions people get up at dawn to start mowing grass or else do it on weekends.

Mowing the lawn would be fine exercise for Creighton Abrams and other general officers and would keep them healthy and mentally alert.

The military brass do not even pay for their homes which they get rent free. The least they could do would be keep them up without charging the taxpayers again.

As for the Army's contention that generals cannot afford to pay for such services, the facts paint a different picture. High ranking officers get free retirement, free medical services, commissary privileges, free travel on military aircraft, party allowances, chauffeurs, cooks, butlers, special income tax deductions and many other benefits not available to the ordinary American. In short, they can afford to pay for their own luxuries.

I have introduced a bill to prohibit the practice of supplying enlisted men as personal servants to the brass. General Abrams now has eight servants attending him. This is an abuse of the military system and should be ended immediately.

Mr. President, I ask unanimous consent that a Wall Street Journal editorial of May 2, 1973 be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Generals' Welfare

Much of the antimilitary sentiment of the past decade probably stemmed from frustration with the U.S. role in the Vietnam war. It is ironic that the military became a whipping boy because it dutifully followed civilian orders, but it's probably understandable, given the passions aroused by the American involvement. Less understandable were the personal attacks on the officer corps, led by a spate of movies and books depicting generals as bloodthirsty ogres who spent their time plotting to overthrow their own government and to obliterate foreign governments.

So just when the military is regaining favor, partly because of a return to reason and partly because of the exemplary performance of returning POWs, one hesitates to criticize it for fear it will set off another antimilitary outburst Nevertheless, Senator Proxmire does seem to have a point in questioning the use of enlisted men as servants for the military brass.

The armed services are admirably moving toward racial balance among "enlisted aides" (Army), "specialists" (Marine Corps), "airman aides" (Air Force) and "stewards" (Navy). Yet the broader question is less racial than philosophical: whether armed forces' enlisted men should shine the shoes of high-ranking officers, wash their cars, walk their dogs, shop for their wives, clean their houses, and act as valets, butlers and servants.

Rank has and deserves certain privileges, and perhaps $13 million annually isn't too much to spend so that some 1,700 aides can look after 970 generals and admirals (although that works out to almost $13,500 per officer per year) But Defense Secretary Richardson (Attorney General-designate) would seem to have had a point when he recently noted that the Pentagon boss hasn't any such aides, despite his own extensive official and social obligations.

More to the point, however, the use of enlisted men for such purposes tends to perpetuate a castle system, even though a mini-caste system, that is alien to America's civilian tradition and questionable as part of its military tradition. It confuses the general welfare with the generals' welfare, and probably should be abolished or sharply curtailed.

CINCO DE MAYO

Mr. FANNIN. Mr. President, in Mexico and in my State of Arizona, the words Cinco de Mayo have very special meaning. Translated, of course, Cinco de Mayo simply means the 5th of May.

This Saturday, the 5th of May, the people of Mexico and Americans of Mexican descent will celebrate the 111th anniversary of a battle which had little military, but great and lasting moral significance.

On May 5, 1862, a small volunteer force of Mexican patriots under Gen. Ignacio Zaragoza defeated a superior French army at the town of Puebla.

Eventually, Mexico was conquered militarily, and the French established a monarchy under Archduke Ferdinand.

The Mexican people did not give up their fight for independence, however, and it was the battle of Cinco de Mayo that provided the inspiration which enabled them to carry on the struggle.

Cinco de Mayo is a symbol of the victory of the human spirit over all military odds.

As this date approaches, I am pleased to salute the great people of Mexico, and I join with Americans of Mexican descent in paying tribute to the memory of the gallant men who participated in the Battle of Cinco de Mayo.

IN SUPPORT OF THE ARTS AND HUMANITIES

Mr. JOHNSTON. Mr. President, anyone familiar with my public record knows that I have been a consistent supporter of Government contributions to cultural affairs, for I believe strongly that the Government has a proper role and obligation with respect to supporting the arts and humanities—activities that can and do enrich the fabric of our society.

First begun on a substantial scale some 7 or 8 years ago by President Johnson, direct Federal contributions to these programs have grown greatly and I know of few people who would quarrel with this level of funding—totaling some $80 million in the current budget. However, this spending must be kept in perspective and must be considered on a priority scale at a time of drastic cutbacks in social programs and a time of fiscal belt-tightening.

The President's budget proposed for the next fiscal year contains cuts in education. It reflects a curtailment in Federal programs for medical training. It calls for an increase in insurance premiums paid by elderly medicare recipients. It abolishes the Agency that has symbolized this country's attack on poverty. It abandons many programs that have spelled a bare margin of security for millions of small farmers. Administration officials are even considering regulations to reduce disability benefits for Vietnam veterans.

But that same budget, incredibly, recommends a more than fivefold increase in appropriations to the National Foundation on the Arts and the Humanities over the next 3 years. The Senate on Wednesday had the opportunity to adopt a substitute bill which would have increased spending for these programs by some 50 percent but would have kept the authorization within the bounds of fiscal restraint. That amendment had my support but failed. We were left to cast an up-or-down vote on the President's bill and I could not in good conscience support that legislation.

Although the bill passed the Senate and there were scant few of us voting against it, I believe we were absolutely right. My avid support for the arts and humanities does not blind me to the hard fact that uncontrolled Federal spending is not a benefit but a burden to millions of Americans who must pay taxes, then bear the inflationary fruits of those taxes. If it is essential that we pare the level of spending on vital social programs, then so is it essential that other programs not be precipitately increased.

It is often said that what is good for the goose is good for the gander. By my vote yesterday, I am suggesting that what is good for the ugly duckling is good for the swan.

THE RIGHTS OF THE HANDICAPPED

Mr. HUMPHREY. Mr. President, our Nation's Capital is honored this week by the presence of several national conferences directing their attention to the needs and hopes of the disabled and the handicapped. The visit of fellow citizens who speak for, are, or represent the disabled and the handicapped comes at a critical moment. The President has once again vetoed the Vocational Rehabilitation Services Act. The Congress has yet to act on the Comprehensive Health Services Act providing for authorization of a number of programs pertaining to the disabled and the handicapped.

The time has come to focus public attention upon a minority group whose human rights and critical needs have for too long remained at the bottom of the Nation's agenda.

I am talking about our fellow Americans who are physically, mentally, or behaviorally disabled. Whatever the disability, the impairment, or the handicap, these people ask not for a handout. They ask only for the opportunity to be counselled, to be evaluated, to be trained, and to have employment commensurate with their God-given abilities without prejudice.

They ask for this compensatory or vocational rehabilitation help only to make them productive, self-reliant and competitive, and to do this without delay—not to be held back for 3 months, or 6 months, or 1 or more years after the disablement, but upon inception of the disability.

What does this mean? Not food and shelter and medical attention as a dole, but as offsetting costs due to disablement.

If in a wheelchair, then transportation and housing at a cost not greater than for the nondisabled.

If mentally retarded and working in a sheltered workshop, then housing or cost-of-living help to supplement the earnings at the workshop, in order to live independent, self-sufficient lives in their communities.

If deaf, then telecommunications services at no higher cost than a telephone for the hearing person.

If a disablement such as epilepsy, diabetes, renal disease, and so forth, then no higher costs for medical services or maintenance than for a person who does not have these chronic disabilities.

Let this Nation firmly commit itself to establishing the rights of handicapped Americans.

The right to work to the maximum of their capacity without regard to the severity of their disability.

The right to receive a daily compensation dollar benefit, but also the privilege to retain what they earn as an incentive to aspire to greater heights without the fear of loss in any form.

The right to self-esteem, the right to fail, and the right to succeed.

These are the kinds of things that were a part of the Rehabilitation Act of 1972. This legislation would have provided many of the services to give concrete expression to these rights—necessary services to meet the unique individual needs of all of our handicapped fellow Americans.

I am determined that a Presidential veto of this legislation will not be the last word, but rather that handicapped Americans will know hope and promise and respect for human dignity through congressional action to continue and to move forward vital programs of assistance.

This I believe: Our society must provide the needed services to make us all competitively equal—this is the right of all mankind. Let us today vow that we will further the slogan of the State-Federal vocational rehabilitation program: "Let us help the handicapped to help themselves."

On the evening of May 3 there will be a candlelight ceremony on behalf of the handicapped at the Lincoln Memorial. On the morning of May 4 the handicapped will march to the Capitol to bring to the Congress and the public the message of their needs and programs.

SALUTE TO WILLIAM HOROWITZ

Mr. RIBICOFF. Mr. President, the New Haven Register recently honored William Horowitz, an old and dear friend who is ending an 18-year career of distinguished service on the Connecticut Board of Education.

I ask unanimous consent that the Register's April Salute to William Horowitz be printed in the Record.

There being no objection, the salute was ordered to be printed in the Record, as follows:

OUR APRIL SALUTE: WILLIAM HOROWITZ

Call him the personification of an "only-in-America" story. Call him a pillar of Connecticut education. Call him warm, tough, tactful, dynamic, resourceful, industrious, unselfish, dedicated and patriotic. New Haven's William Horowitz has placed all those qualities at the service of his fellow men. He'll be sorely missed when he leaves the State Board of Education, of which he is chairman, after being a member of that body for the last 18 years.

It was announced this month by the Republican Administration that Horowitz, a Democrat who has labored in his party's vineyards, will be succeeded on the board by a Republican. Supporters of education from both parties will lement his separation from the board.

Education brought Horowitz to New Haven and education has been the recipient of his devotion for many decades. He came out of Kansas City, the son of Russian-Jewish immigrants, to be educated at Yale. He remained in New Haven where he became a major contributor to the betterment of town-gown relations. He has given of himself, in terms of personal sacrifice and forceful leadership, to improve both private and public education at many levels.

But it takes no superlatives to convey what Horowitz has done for others. All it takes is a bare outline of the career of this 66-year-old banker-industrialist-civic and religious leader. As a boy and a man, as an individual and a social being, he excelled.

In his youth, he was one of the founders of AZA, the junior B'nai B'rith, serving as first president of the Kansas City chapter. As a high school student, he was active in Democratic politics, and as a successful businessman in this city, he continued to actively support the party.

He worked his way through Yale as a Hebrew teacher in a synagogue here and as a dishwasher. Upon graduation, Horowitz staged a proxy fight and was named president of New Haven's General Industrial Bank at the age of 42. The bank became the General Bank and Trust Company, which merged with the Hartford National Bank, of which he became an executive. He has been a successful industrialist and vice president of Radio Station WELI.

Despite heavy business commitments, he has given 25 per cent of his work time to Yale and State educational affairs. As the first non-Protestant as well as the first Jew to be elected a trustee of Yale, he diplomatically pursued the interests of his city and his alma mater.

Faithful to his religious heritage Horowitz helped supply Israel with life-or-death arms during the 1948 war of independence. In a frantic purchase of surplus at the Colt Arms plant in Hartford, he managed to obtain gun-making machines for the Jewish underground. His fellow Jews of B'nai B'rith honored him as an individual who has demonstrated the highest ideals of the American way of life.

Horowitz went to bat for civil rights as a member of the State Board of Education, the State Commission on Higher Education and as co-chairman of the NAACP Freedom Fund Drive. He also has been a member of the board of directors of Yale-New Haven Hospital.

Although he felt the extent of American involvement in the Vietnam was a mistake, Horowitz agreed to be the principal speaker at the Reserve Officer Training Corps commissioning ceremony at the height of anti-war protesting. He recognized the point where personal opinion had to give way before the nation's call.

For a life that is inspiring with concern for others, a fruitful, busy life that has put principles into action, The Register salutes William Horowitz.

INDEPENDENT OIL JOBBERS

Mr. ABOUREZK. Mr. President, I am very pleased to join Senator Saxbe and others in cosponsoring legislation to protect independent oil jobbers. This bill, S. 1599, would provide for the continued sale of gasoline to independent gasoline retailers by making it a prima facie violation of the Federal Trade Commission Act for a refiner to refuse to sell to independent marketers a percentage of his total sales to all outlets during any given month.

The amount the refiner must sell independent marketers is based on the percentage he sold to independents during a base period—July 1, 1971 to June 30, 1972. The bill also prohibits the refiner from charging a percentage increase in price to the independent marketer that is greater than the percentage increase he might charge to his own franchised retail outlets.

This is an important proposal to prevent independent retail outlets from being forced out of business. Unfortunately, it appears that many major companies have been in a position to dominate the tight supply situation and have quite naturally used this position to favor their own franchised outlets at the expense of small independents.

The impact of this situation is most clearly seen in a letter I recently received from the owner of the Johnson Oil Co. in Langford, S. Dak. I ask unanimous consent that this letter and the letter Mr. Johnson received from the Sun Oil Co. be printed in the Record.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JOHNSON OIL CO.,
Langford, S. Dak., April 23, 1973.
Hon. Senator JAMES ABOUREZK,
Senate Office Building,
Washington, D.C.

DEAR SENATOR ABOUREZK: Enclosed is a copy of the letter received from our petroleum supplier, the Sun Oil Co., and also a copy of the cover of the S.D. Jobber magazine which clearly depicts the plight of the independent oil jobber.

My father and I have owned and operated an oil business in Langford for 50 years. We served our farm customers with the best of service, competitive price, and quality products and we have always paid our suppliers for their products when due. We are now only one small jobber along with many others that have recently found their contracts terminated. After contacting a number of oil companies, we find they are not interested in signing not only us but any new jobbers because they claim that they either have no extra product or that it isn't profitable for them to market in our geographical area.

It seems strange that large oil companies can monopolize and dictate in this manner without violating federal anti-trust laws. Under these circumstances, who is going to supply the farmers and consumers with the almost one million gallons of product we are now selling when oil companies say they can provide only the same volume as the previous year?

I would like to know what help you will give us in acquiring products or a supplier after our agreement with Sun Oil Company is terminated. Should we have to close our doors, there will be three families unemployed, we will not be paying the repair men, interest to the banker, insurance, taxes, etc., generated from our gross sales of $240,000.00.

I believe your full support for the Humphrey-Mondale bill favoring the oil pipeline from Alaska through Canada to the midwest will be necessary for a long-term solution to our dilemma, but must request your assistance immediately to head off our impending crisis.

Sincerely yours,
ROBERT B. JOHNSON.

SUN OIL CO.,
Tulsa, Okla., February 1, 1973.

DEAR SIR: We are writing to alert you of changes in our marketing strategy which will very shortly affect our relationship.

Your business is located in an area where the Company has found it unable to market economically. It is our desire to withdraw from the marketing of gasolines, diesel fuels and heating oils in your area. The Company is reluctant to take this course of action, and is doing so only after a thorough review of all facts. We are certain you, as a businessman, can appreciate our position.

Therefore, since the Company will be unable to renew its present agreement at its expiration, please consider this your notice that effective November 10, 1973, Sun Oil Company of Pennsylvania is terminating your Jobber Franchise Agreement dated August 26, 1970.

We are giving you this advance notice so that you may have the maximum opportunity in making satisfactory arrangements with another supplier. Our representative will be available at your convenience to answer any questions you may have in this matter.

We regret that circumstances have forced us to take this action and will do our utmost to make the pre-termination period as harmonious as possible.

Yours very truly,
W. W. NEDDO.

Mr. ABOUREZK. Frankly, Mr. President, we need independent oil jobbers and retail outlets. They are an important and vital competitive part of gasoline retailing. It would be nothing less than another tragedy if the energy crisis should be used as an excuse to drive independents from the marketplace and leave gasoline retailing in the hands of only a few giant conglomerates.

Also, Mr. President, I would like to express my concern over the price increases that are going to be a consequence of this situation. I understand from news releases that City Services Oil Co. has recently imposed significant gasoline price increases that are expected to be the bellwether for increases by the entire industry.

This adds another step on the road to inflation which we have been traveling. Worst of all, this comes in the face of huge profits which most oil companies have been enjoying. I would like to print in the RECORD an article from the Washington Post which points out this favorable profit picture.

There being no objection, the article was ordered printed in the RECORD as follows:

[From the Washington Post, Apr. 25, 1973]

TEXACO, GULF, CONTINENTAL, PHILLIPS PROFITS GAIN

Six of the nation's big petroleum companies, including giant Texaco and Gulf, yesterday reported increased earnings and sales for the first quarter of 1973 compared with the same period of 1972.

Texaco said its net income increased from $229.9 million to $264 million on an increase in revenue from $2.2 billion to $2.5 billion. Per-share earnings were 97 cents, up from 84 cents.

Texaco officials noted improved product prices, increased worldwide production and sale of crude oil, improved natural gas sales and revenues and "vigorous control of expenses."

Gross production of crude oil and natural gas liquids increased by 12.2 per cent to an average 4.35 million barrels a day, refinery runs were 1.5 per cent lower at 3.024 million barrels a day, petroleum product sales were down 4.8 per cent at 3.53 million barrels and natural gas sales gained 1.7 per cent to 4.74 billion cubic feet a day.

Gulf Oil's net income for the latest quarter was $18.7 million (80 per cent a share) on revenues of $2.103 billion compared with net income a year earlier of $139 million (67 cents) on revenues of $1.938 billion.

Gulf officials said prices in the U.S. were firmer in the latest quarter, chemical prices and volumes rose, Gulf improved its tanker transportation position and certain unprofitable operations were discontinued.

Continental Oil Co. set a first-quarter net income record at $47.5 million (94 cents a share), an 11.5 per cent gain from earnings for the first period last year of $42.6 million (85 cents). Revenues rose 9.1 per cent from $853.9 million to $931.2 million.

Increased earnings from the company's worldwide petroleum and chemicals business were partially offset by a loss from coal operations and currency revaluation losses.

Phillips Petroleum Co. earnings rose from $35.6 million (48 cents a share) in the first quarter of 1972 to $43.4 million (58 cents) in the same period this year as revenues increased from $635.9 million to $680.8 million.

Rises in crude oil production in Nigeria, the Norwegian North Sea and Venezuela sparked worldwide net production of crude oil and natural gas liquids, Phillips said.

Total petroleum products sales decreased slightly while motor fuel sales increased, the company added.

Cities Service Co. net income increased by 17.4 per cent for the first quarter compared with the same period a year ago, the company announced yesterday.

The gain was from $29.3 million ($1.14 a share) to $34.4 million ($1.32).

Favorable trends aiding the improved profits picture were good production rates for oil and natural gas, and strengthening prices for petroleum products and copper, Cities Service said.

Standard Oil (Ohio) net income rose from $11.8 million (64 cents a share) to $17.5 million (95 cents) as sales grew from $365.2 million to $402.9 million.

A strong surge in chemical operations plus higher royalty income aided first-quarter earnings, officials said.

THE STATUS OF U.S. AND FOREIGN AIRFRAME MANUFACTURING

Mr. GOLDWATER. Mr. President, 2 years ago it was my pleasure to represent the President of the United States at the Paris Air Show. When I returned from Paris I made what to me was a very discouraging report relative to the status of foreign airframe manufacturing and our own. It was discouraging because before that show, or maybe I should say that particular time, the United States absolutely dominated the airframe business of the world. Over 80 percent of the passenger aircraft flying over the world came from our factories. Nearly all transport aircraft were equipped with American made avionics.

When the United States decided to abandon the SST, which was shortly before that show, the foreign manufacturers took great encouragement from this feeling that the U.S. Government had no more interest in technological and aeronautical developments that would keep our industry ahead. They have literally taken the bull by the tail and have turned the whole industry around in that they are actively competitive with us now and our share of the foreign market declined rather sharply.

To give you an idea of what this means to us, while our overall trade balance slid by $12 billion between 1965 and 1972, our aircraft sales grew by $2 billion.

Most of this was before the last Paris Air Show, and I am afraid the next report will show our balance in aircraft sales to be very close to the disappearing point.

So that my colleagues might have a better idea of just what I am talking about, I would remind them that in the March 19 issue of Aviation Week and Space Technology there appeared at least 12 different advertisements from overseas manufacturers where a few short years ago no such advertisements appeared in this country.

For the further information of my colleagues, I have taken from that issue of the magazine a compilation of U.S. commercial transports, Russian military and civil aircraft and the leading international aircraft. A brief look at this catalog will demonstrate, I believe, the extent to which foreign competition is growing and the extent to which our industry is suffering.

I ask unanimous consent that these lists be printed in the RECORD.

There being no objection, the lists were ordered to be printed in the RECORD, as follows:

U.S. COMMERCIAL TRANSPORTS

Manufacturer and model designation	Popular name or sub-type designation	Number in flight crew	Number of passengers	Cargo capacity, lb.	Wingspan, ft.	Maximum length, ft.	Maximum height, ft.	Empty weight, lb.	Typical gross weight, lb.	Max. landing weight, lb.	Power plant: number, make and model	Maximum speed, mph.	Best cruise speed, mach or mph.	Landing speed, mph.	FAA takeoff field length, ft.	FAA landing, field length, ft.	Max. still-air range, mi.
PASSENGER																	
Beech Boeing:																	
B-99		1-2	15	1,500	45.8	44.6	14.4	6,000	10,900	10,900	2 UACL PT6A-27	285	285	85	3,100	2,220	1,150
707-120		3-4	100-181	19,200	130.9	144.5	41.7	118,000	258,000	190,000	4 P&WA JT3C-6	600	524	165	10,550	6,320	4,650
707-120B		3-4	100-181	25,000	130.9	144.5	42.0	125,060	258,000	190,000	4 P&WA JT3D-3	600+	537	158	7,450	6,550	6,325
707-220		3-4	100-181	19,200	130.9	144.5	41.7	122,000	248,000	185,000	4 P&WA JT4A-3	600+	531	167	8,220	6,230	4,650
707-320	Intercontinental	3-4	108-189	28,200	142.4	152.9	41.7	135.000	316,000	207,000	4 P&WA JT4A-11	600+	525	161	10,650	7,280	6,735
707-320B	Intercontinental	3-4	189	28,200	145.8	152.9	42.5	141,800	336,000	247,000	4 P&WA JT3D-3B-7	600+	531	158	10,020	6,250	7,600
707-320C	Intercontinental	3-4	189	28,200	145.8	152.9	42.5	145,700	336,000	247,000	4 P&WA JT3D-3B-7	700+	532	158	10,020	6,250	7,600
707-420	Intercontinental	3-4	108-189	28,200	142.4	152.9	41.7	133,000	316,000	207,000	4 R-R. R. Co. 12	600+	522	162	10,650	7,280	6,735
720		3	88-167	16,680	130.9	136.7	41.8	110,800	230,000	175,000	4 P&WA JT3C-7, -12	600	533	148	9,400	6,200	5,240
720B		3	167	20,500	130.8	136.7	41.5	112,883	235,000	175,000	4 P&WA JT3D-3	600+	537	152	6,450	6,350	5,720
727-100		3	70-131	12,830	108.0	133.1	34.0	87,616	170,000	142,500	3 P&WA JT8D-1, 7 or 9	600+	0.84	140	7,950	4,800	3,000
727-200	Advanced	3	120-189	21,000	108.0	153.1	34.0	99,000	160,000	154,500	3 P&WA JT8D-7, 9 or 15	600+	0.84	145	8,050	4,150	3,000
737-100		2	112	10,290	93.0	94.0	37.0	59,650	111,000	101,000	2 P&WA JT8D-7 or 9	586	569	125	5,700	4,000	1,300
737-200	Advanced	2	115-130	13,135	93.0	100.0	37.0	60,000	116,000	103,000	2 P&WA JT8D-9 or 15	586	569	125	4,700	3,750	1,900
747-100	Superjet	3	374-500	103,170	195.7	231.3	63.5	352,711	713,000	654,000	4 P&WA JT9D-3A, -3AW, -7.	640	580	162	9,000	6,200	6,900
McDonnell Douglas:																	
747B-200	Superjet	3	374-500	103,170	195.7	231.3	63.5	361,755	778,000	564,000	4 P&WA JT9D-7, -7W	640	580	162	10,500	6,200	7,400
DC-6		3-5	48-58		117.5	100.6	28.4	51,495	97,200		4 P&WA R2800-CA15	356	313	91			4,610
DC-6B		3-5	64-92		117.5	105.6	28.4	54,148	100,000	85,000	4 P&WA R2800-CB17	360	311	93			4,540
DC-8	Series 10	3	116-176	20,850	142.3	150.5	42.3	120,999	273,000	193,000	4 P&WA JT3C-6	580	544	148	9,625	6,410	5,490
DC-8	Series 20	3	116, 176	20,850	142.3	150.5	42.3	123,757	276,000	199,500	4 P&WA JT4A-9, -11	600	544	151	7,680	6,590	5,780
DC-8	Series 30	3-5	116-176	20,850	142.3	150.5	42.3	126,525	315,000	207,000	4 P&WA JT4A-9, -11	600	544	153	9,050	6,800	7,010
DC-8	Series 40	3-5	116-176	20,850	142.3	150.5	42.3	124,369	315,000	207,000	4 R-R R. Co. 12	600	544	153	9,650	6,800	7,380
DC-8	Series 50	3-5	116-176	20,850	142.3	150.5	42.3	125,030	315,000	207,000	4 P&WA JT3D-3, -3B	600	544	153	9,450	5,400	8,720
DC-8	Super 61	3-5	259	66,665	142.4	187.4	42.6	148,897	325,000	240,000	4 P&WA JT3D-3B	600	580		9,980	6,140	7,150
DC-8	Super 62	3-5	189	42,580	148.4	157.4	42.3	141,903	335,000	240,000	4 P&WA JT3D-3B	600	586		10,280	6,140	8,500
DC-8	Super 63	3-5	259	66,665	148.4	187.4	42.6	153,749	350,000	245,000	4 P&WA JT3D-3B	600	583		11,900	6,250	7,700
DC-9	Series 10	2	90	23,845	89.4	104.4	27.5	45,388	77,700	74,000	2 P&WA JT8D-1 or 5		559		5,420	5,020	1,470
DC-9	Series 20	2	56-90		89.4	104.4	27.5				2 P&WA JT8D-9						
DC-9	Series 30	2	115	26,534	93.4	119.3	27.5	52,557	98,000	93,000	2 P&WA JT8D-7		565		6,800	4,920	1,725
DC-9	Series 40	2	125	30,836	93.4	125.6	28.0	55,516	114,000	102,000	2 P&WA JT8D-9		565		9,200	5 100	1,300
DC-10	Series 10	3	250-380	3,045– [1] 4,670	155.3	182.3	57.5	233,300	440,000	363,500	3 GE CF6-6D1	600+	0.82– 0.85	148	9,000	5,250	[2] 4,450
DC-10	Series 30	3	250-380	3,045– [1] 4,670	165.3	181.5	57.5	263,500	555,000	403,000	3 GE CF6-50C	600+	0.82– 0.85	158	10,500	5,330	[2] 5,950
DC-10	Series 40	3	250-380	3,045– 4,670	165.3	182.3	57.5	267,250	555,000	403,000	3 PW JT9D-20	600+	0.82– 0.85	160	12,250	5,500	[2] 5,350
Fairchild Industries:																	
F-27	Friendship	2	40-48	[1] 212	95.2	77.2	27.5	24,000	40,500	38,500	2 R-R R. Da. 6 514-7	275	270	107	5,600	3,660	1,530
F-27A	Friendship	2	40-48	[1] 212	95.2	77.2	27.5	25,600	42,000	40,000	2 R-R R. Da. 7 528-7E	300	293	109	5,680	3,770	1,530
F-27B	Friendship	2	40-48	[1] 212	95.2	77.2	27.5	24,400	40,500	38,500	2 R-R R. Da. 6 514-7	275	270	107	5,600	3,660	1,530
F-27J	Friendship	2	40-48	[1] 212	95.2	77.2	27.5	25,700	42,000	40,000	2 R-R R. Da. 7 532-7	300	294	109	5,200	3,770	1,530
FH-227		2	44-52	[1] 345	95.2	83.1	27.5	28,550	43,500	43,000	2 R-R R. Da. 7 532-7	300	294	113	5,520	4,050	1,520
FH-227B		2	44-52	[1] 345	95.2	83.1	27.5	28,800	45,500	45,000	2 R-R R. Da. 7 532-7	300	290	120	5,000	4,220	1,520
FH-227C		2	44-52	[1] 345	95.2	83.1	27.5	28,550	43,500	43,000	8 R-R R. Da. 7 532-7	300	294	113	4,220	4,050	1,520
FH-227D		2	44-52	[1] 345	95.2	83.1	27.5	28,850	45,500	45,000	2 R-R R. Da. 7 532-7L	300	290	120	4,650	4,220	1,520
FH-227D (LCD)	Cargonaut	2	52	11,900	95.2	83.1	27.5	29,210	45,500	45,500	2 R-R R. Da. 7 Mk. 532-7L	300	290	120	4,650	4,220	1,520
FH-227E		2	44-52	345	95.2	83.1	27.5	28,600	43,500	43,000	2 R-R R. Da. 7 Mk. 532-7L	300	294	113	3,940	4,050	1,520
General Dynamics Convair Aerospace:																	
240		2	40-44	3,800	91.8	74.8	26.9	29,280	41,790	39,800	2 P&WA R2800 CA 3		304	88	5,100	4,200	1,025
440/340	Metropolitan	2	44-53	5,100	105.3	81.5	28.2	31,775	49,100	47,650	2 P&WA R2800 CB 17	310	300	83	5,000	4,010	2,050
600		2	40-46	3,800	91.8	74.8	26.9	28,380	46,200	44,000	2 R-R Dart 542-4	317	315	83	4,520	4,020	
640	S. Metropolitan	2	44-59	3,100	105.3	81.5	28.2	30,275	55,000	52,500	2 R-R Dart 542-4	312	310	84	5,170	4,380	1,230
880		3-4	88	8,630	120.0	129.4	36.0	81,800	185,000	155,000	4 GE CJ805-3	615	0.84	138	6,000	6,250	3,200
880M		3-4	88	8,490	120.0	129.4	36.0	88,300	193,500	155,000	4 GE CJ805-3B	615	0.84	138	5,200	5,400	3,800
990	Coronado	3-4	96-146	9,280	120.0	139.2	39.5	114,750	255,000	202,000	4 GE CJ805-23B	621	0.86	125	5,400	5,200	4,200
580		2	53		105.3	81.5	29.1		54,600	52,000	2 All. 501-D13		342		4,380	4,256	1,605
Lockheed:																	
188A	Electra	3-4	66-98		99.0	104.5	32.8	57,300	113,000	96,650	4 All. 501-D13	450	406	130	5,250	4,960	3,400
L-1011	TriStar	3	256-400	45,750	155.3	178.7	55.3	138,817	430,000	358,000	3 R-R RB. 211-22B	620	0.85	160	7,950	5,680	5,175
CARGO																	
Boeing:																	
707-320C		3-4	189	91,300	145.9	152.9	42.5	139,800	336,000	247,000	4 P&WA JT3D-3B.-7	600+	532	158	10,020	6,250	7,440
727-100C/QC		3	70-131	46,000	108	133.1	34	86,000	170,000	142,500	3JT8D-1 7 or 9	600+	0.84	140	7,950	4,800	2,600
737-200C/QC		2	115-130	35,500	93	100.0	37	59,500	116,000	103,000	2 P&WA JT8D-9 or 15	586	569	134	5,950	3,750	1,900
747F-200		3		254,923	195.7	231.3	63.5	335,077	778,000	630,000	4 P&WA JT9D-7W	640	580	175	10,500	7,000	7,700

Footnotes at end of table.

U.S. COMMERCIAL TRANSPORTS—Continued

Manufacturer and model designation	Popular name or sub-type designation	Number in flight crew	Number of passengers	Cargo capacity, lb.	Wing-span, ft.	Maximum length, ft.	Maximum height, ft.	Empty weight, lb.	Typical gross weight, lb.	Max. landing weight, lb.	Power plant: number, make and model	Maximum speed, mph.	Best cruise speed, mach or mph.	Landing speed, mph.	FAA takeoff field length, ft.	FAA landing field length, ft.	Max. still-air range, mi.
McDonnell Douglas:																	
DC-7F		3		33,000	117,5	108.9	28.6	68,292	125,850	108,900	4 Wr R3350	358	250	138	6,200	6,400	3,700
DC-8F	Jet Trader	3	15-189	95,124	142.3	150.5	42.3	126,173	325,000	240,000	4 P&W3JTAD-3, -3B	600	544	165	10,050	6,050	8,720
DC-8-61F	Jet Trader	3-5		89,100	142.4	187.4	42,4	144.900	325,000	250,000	4 P&WA JT3D-3B	600	580		9,980	6,140	7,150
DC-8-62F	Jet Trader	3-5		93,400	148.4	157.4	42.4	136,600	335,000	250,000	4 P&WA JT3D-3B	600	586		10,280	6,140	8,500
DC-8-63F	Jet Trader	3-5		106,400	148.4	187.4	42.4	261,000	355,000	275,000	4 P&WA JT3D-7	600	555		11,500	5,910	3,600
DC-9-30F		2		37,920	93.4	119.3	27.4	57,578	114,000	102,000	2 P&WA JT8D-9	600	555		8,600	4,700	1,300
DC-10	Series 10CF	3	250-380	127,000	155.3	182.3	57.5	207,950	440,000	363,500	3 GE CF6-6D1	600+	0.82-0.85	[1] 159	9,000	[2] 5,820	[3] 2,700
DC-10	Series 30F	3	250-380	158,000	165.3	181.5	57.5	233,000	555,000	411,000	3 GE CF6-50C	600+	0.82-0.85	[2] 170	10,500	[2] 5,970	[3] 3,700
Fairchild Industries-Lockheed:																	
FH-227D (LCD)	Cargonaut	2	None	14,500	95.2	83.1	27.5	26.500	45,500	45,000	2 R-R R. Da 7 Mk. 532-7-L.	300	290	120	4,650	4,220	1,520
1049H		3		30,000	123	113.7	24.8	104,000	137,000	104,000	4 Wr 972TC18DA-3		282		5,800	5,250	2,500
1649A		3		33,000	150	116.1	23.4	122,850	160,000	128,850	4 Wr 98TC18EA2	300	236	133	6,500	5,000	5,000
100	Hercules	3		47,187	132.6	97.8	38.4	71,293	155,000	130,000	4 All. 501-D22	357	333	145	6,800	4,800	4,074
100-20	Hercules	3		48,113	132.6	106.1	38.4	71,887	155,800	130,000	4 All. 501-D22A	377	352	145	6,000	4,670	4,396
100-30	Hercules	3		52,550	132.6	112.7	38.4	72,450	155,800	135,000	4 All. 501-D22A	377	352	147	6,000	4,850	4,396

[1] Cubic feet of cargo space.
[2] With full passnger, bag load.
[3] With maximum cargo load.

Abbreviations:
All.—Allison.
GE—General Electric.
P&W—Pratt & Whitney Aircraft.
R-R—Rolls-Royce.
Wr—Curtiss Wright.
UACL—United Aircraft of Canada, Ltd.

U.S.S.R. MILITARY AND CIVIL AIRCRAFT

Mission and designation	NATO Code Name	No. of crew	Over-all span, ft.	Over-all length, ft.	Gross weight, lb.	No., design., max. power each engine	Max. speed, mph.	Service ceiling, ft.	No. and type weapons or payload	Remarks
Bombers: Tu-22	Blinder	3	70.0	130.0	175,000	2×rear-mounted axial tj	1,300.0	60,000	1 Kitchen ASM	Blinder B has larger engines, refueling probe. ECM version.
Tu-?	Backfire		70.0	130.0	272,000	2×wing-root uprated NK 144 tf	M 2+			Variable geometry wing; 3,00 mi.+ unrefueled radius.
TM-4	Bison		160.0	150.0	250,000	4×AM-209 tj. at 19,500 lb. t	610.0	57,000		Equipped for aerial refueling.
Tu-95	Bear[1]		165.0	150.0	330,000	4×NK-12 at tp. 12,000 shp	550.0	50,000	1 Kangaroo ASM	Range about 8,000 mi. Equipped for aerial refueling.
Tu-16	Badger[1]		105.0	115.0	150,000	2×AM-209 tj. at 19,500 lb t	600.0	50,000	1 Kipper, 2 Kelt or 2 Kennel	Sold to Indonesia, UAR.
Il-28	Beagle	3	68.0	62.0	44,000	2×RD-45 tj. at 5,000 lb t	600.0	45,000	2×23 mm	Satellite production and use.
Yak-28	Brewer	2	40.0	55.0	30,000	2 ax. tj. at 8,800 lb	800.0	50,000		Strike version of Firebar.
Reconnaissance:[1]										
Be-10	Mallow	6	115.0	115.0	145,000	2×tj. at 19,000 lb. t	570.0	35,000	ASW gear	Flying boat.
Be-12	Mail	4	90.0	85.0	70,000	2×tp. at 8,000 eshp		29,000	MAD gear	Gull wing flying boat.
Yak-?	Mandrake				20,000	2×tj	460.0			High-altitude reconnaissance.
Yak-25	Mangrove	2	35.0	55.0	30,000	2×tj. at 7,500 lb. t	700.0			Tactical reconnaissance.
Tu-114 bis	Moss									AWACS version of transport.
Il-18 bis	May									ASW version of transport.
Fighters:										
MiG-25	Foxbat		44.0	80.0	62,400	2×tj.+A/B	M 3.2	80,000+	4 uprated Atoll	Strategic variant. Operational. Down-looking radar.
MiG-25			48.0	80.0		2×tj.+A/B	M 2.8			Ground attack variant.
MiG-25				80.0		2×tj+A/B	M 2.8-3			Air superiority variant.
MiG-23	Flogger	2			28,000	1×tj.+A/B	M 2.8	50,000		Variable geometry. Operational. Trainer version also.
MiG-?	Faithless		35.0	65.0		2×tj.+lift tj				STOL interceptor.
MiG-?	Flipper	1	30.0	50.0	29,000	2×tj.+rocket	M 2.5	65,000	2 Awl AAM	Exp. prototype.
MiG-21	Fishbed G	1	25.0	45.0	17,000	1×Tumansky R-11 tj.+lift tj	M 2.0	60,000		STOL version of Fishbed.
MiG-21	Fishbed F/J/K	1	25.0	41.6	17,000	1×Tumansky R-11 tj. at 12,100 lb. t	M 2.0	60,000		Advanced version with data link. Fishbed K has back-looking radar.
MiG-21[1]	Fishbed D/H	1	25.0	40.0	17,000	1×Tumansky R-11 tj. at 12,100 lb t	M 2.0	60,000		All weather; Fishbed D in Vietnam, Fishbed H in Warsaw Pact country inventories.
MiG-21	Fishbed C	1	25.0	40.0	16,700	1×Tumansky R-11 tj. at 12,100 lb t	M 2.0		2 Atoll AAM	Standard day fighter; two-seat trainer code-named Mongol.

MiG-19	Farmer	1	36.6	44.3	27,000	2×VK-7 tj. at 8,800 lb. t	900.0	55,000		In SE Asia.
MiG-17	Fresco	1	33.0	37.0	11,000	1×VK tj. at 6,850 lb. t	700.0	51,000	2×23 mm	
Su-11	Flagon A				35,000	2×tj	M 2.5	80,000		Delta wing interceptor. Operational.
Su-?	Flagon B		35.0	75.0		2×tj.+lift tj				STOL version of Flagon.
Su-?	Fitter B	1	[3] 39.0	50.0		1×tj. at 22,000 lb. t				Variable geometry version.
Su-7	Fitter	1	30.0	50.0	29,000	1×tj. at 22,000 lb. t	M 1.7	50,000		Swept wing fighter-bomber; two-seat trainer code-named Moujik.
Su-9	Fishpot	1	25.0	50.0		1×tj. at 22,000 lb. t	M 1.8	60,000		Delta wing fighter.
Tu-28P	Fiddler	2	72.0	120.0	82,000	2×tj	M 1.7	60,000	2 Ash AAM	Coordinates with Tu-114 bis AWACS.
Yak-?	Freehand	1	25.0	38.0		2×vectored thrust tj	400.0			VTOL testbed.
Yak-28P	Firebar	2	40.0	55.0	30,000	2×tj. at 8,800 lb. t	800.0	50,000	2 Atoll/2 Anab	Yak-25 Flashlight development.
Helicopters:[4]										
V-12[5]	Homer	6	[6] 221.0	122.0	231,000	4 Sol. D-25VF at 6,500 shp	163.0	11,500	66,000	Compound twin rotor helicopter; 88,653 lb. payload to 7,382 ft.
Mi-10	Harke	3	114.8	107.8	95,807	2 Sol. D-25V at 5,500 shp	214.0	9,843	33,075 lb	Mi-10K has short landing gear.
Mi-8	Hip	2	169.8	60.0	26,400	2×TB-2-117 at 1,400 shp	142.0	14,764	28 pass	Has executive variant.
Mi-6	Hook	5	114.8	108.7	93,712	2×Sol. D-25V at 5,500 shp	186.0	14,764	65–90 pass	Troop carrier.
Mi-4	Hound	2	69.0	55.0	17,199	1×ASh-82V at 1,700 hp	130.0	11,800		Aeroflot uses 10-place Mi-4P.
Mi-2	Hoplite	1	47.5	39.1	7,500	2×GTD-350 at 400 shp	136.0	13,124	2,600 lb. chem	Produced in Poland under license.
Ka-26	Hoodlum	2	42.7		6,600	2 M14V-26 at 325 hp	106.0	9,840	7-pass. pod	Glass fiiber rotor blades; agricultural.
Ka-25K	Hormone	2	51.6	32.2	15,655	2×ts. at 900 shp	136.0	11,483	9 pass. + cargo	Navy has ASW carrier version.
Ka-20	Harp	2				2×axial tj			ASM	ASW role, radar.
Ka-18	Hog		32.8	23.1	2,888	1×AI-14WF at 275 hp	150.0	11,500	4 pass	Coaxial rotor.
Transports and utility:										
An-26	Coke	3	95.8	77.2	52,920	2×AI-24 tp.+1 RU-19 tj	335.0	24,600	13,230 lb	Formerly An-24 RT.
An-24V	do	3	95.8	77.2	46,305	2×AI-24T tp. at 2,550 shp	335.0	29,529	24–50 pass	An-24RV w/aux. tj.;
An-22	Cock	5	210.0	167.0	500,000	4 NK12MV at 15,000 shp	570.0		160,000 lb	Heavy cargo; 6,800 mi. max. range.
An-14	Clod	1	72.1	37.2	7,607	2×AI 14R at 300 hp	143.0	16,400	7 pass	STOL class; called Little Bee.
An-12	Club	3–5	124.8	109.0	121,500	4×AI 1-20 Mtp. at 4,000 shp	450.0	30,000	Tail turret	Military rear loading An-10.
An-10	Cat	3–5	124.8	121.4	121,500	4×AI-20 tp. at 4,000 shp	450.0	30,000	85 pass	An-10A carries 100 pass.
M-15		1	72.0	41.0	11,700	1×AI-25 tf			650 gal. ag. chem	Underdevelopment jointly w/Poland.
Be-30	Cuff	1–2	55.8	49.2	12,919	2×TVD-10 tp. at 950 eshp	290.0	36,000	14–15 pass	Short haul. An-2 replacement.
Il-86							560.0		350 pass	Wide-body airbus.
Il-76	Candid		165.7	142.7	354,000	4×Sol. D-30KP tf. at 25 300 lb. t	562.0	43,000	90,000	Containerized cargo capability.
Il-62	Classic	3–6	142.0	174.2	347,125	NK8-4 tf. at 23,100 lb. t	560.0	36,000	122–186 pass	5,500-mi. range transport.
Il-62M200	do	3–6	142.0	174.2	363,000	4×Sol. D-30KU tf. at 25,300	560.0	36,000	198 pass	6,400-mi. range.
Il-18V	Coot	3–5	122.7	117.8	134,640	4×AI-20K tp. at 4,000 shp	425.0	32,000	84–110 pass	Il-18D has 140 800 lb. gross weight.
Il-14	Crate	2–5	104.0	70.0	36,400	2×ASh-82T at 1,900 hp	200.0	24,000	28–32 pass	
Il-14M	do	2–5	104.0	70.0	36,400	2×ASh-82T at 1,900 hp	207.0	24,000	32–36 pass	Military version.
Il-12	Coach	2–5	104.0	70.0	38,000	2×ASh-82FNV at 1,850 hp	252.0			USSR satellite airlines.
Tu-154	Careless	3	123.2	157.2	198,450	3 NK8-2 tf. at 20,947 lb. t	559.0	40,000	128–164 pass	Tu-104 replacement. 2,600-mi. range.
Tu-154A	do	3	123.2	157.2	206,000	3×Sol. D-30KU tf. at 25,300 lb. t	559.0	40,000	175 pass	3,000-mi. range.
Tu-144	Charger	3	90.7	191.0	395,000	4 NK 144 tf. at 38,580 lb. t	M 2.0	65,000	140 pass	4,560-mi.-range SST.
Tu-134	Crusty	3	95.1	112.7	98,000	2×Sol. D-30 tf. at 14,900 lb. t	540.0	38,600	64–72 pass	Rear engine. 2,000-mi. range.
Tu-134A	do	3	95.1	121.7	103,000	2 Sol. D-3011 tf	540.0	37,800	76 pass	1,800-mi. range.
Tu-124	Cookpot	4	83.8	100.3	80,482	2×Sol. D-20P tf. at 19,908 lb. t	620.0	35,000	44–56 pass	1,000-mi.-range transport.
Tu-114	Cleat	5	167.6	177.5	361,620	4×NK-12MV tp. at 15,000 shp	540.0	39,372	100–172 pass	Moscow-Havanna nonstop.
Tu-104A	Camel A	5	113.0	127.0	167,000	2×AM-3M-500 tj. at 21,000 lb. t	600.0	38,000	70 pass	
Tu-104B	Camel B	5	113.0	124.5	167,000	2×AM-3M-500 tj	600.0	38,000	100 pass	
Yak-40	Codling	2	82.2	65.9	30,208	3×AI-25 tf. at 3,307 lb. t	435.0	23,600	24–31 pass	Short haul.
Yak-40M	do	2	82.2	65.9	30,208	3×AI-25 tf. at 3,707 lb. t	435.0	23,600	36–40 pass	High-density variant.
Yak-18T		1	36.6	27.4	3,572	1×AI-14RF at 300 hp	186.0		Four place	Light cargo, ambulance mail.
Trainers:										
Yak-32	Mantis	1				1×Tumansky ax. tj				
Yak-30	Magnum	2								Rear cockpit version of Yak-32.
Yak-18A	Max	2	34.8	28.0		1×radial piston	161.0	16,897		Tricycle gear.
Yak-18P		2	34.8	27.0	2,348	1×AI-14R at 260 hp	171.0	21,326		Yak-18PM for acrobatics.

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[1] Bear, Badger also modified for strategic reconnaissance, esp. electronic; infared; photo reconnaissance of shipping.

[2] Fishbed H is modification with improved avionics, gun and photographic capability.

[3] Forward swept position.

[4] For helicopters, over-all span refers to rotor diameter. Length is fuselage without rotors.

[5] Mil design.

[6] Span refers to combined rotor diameter minus inboard overlap.

Abbreviations:

AAM—Air-to-Air Missile.
Aft—afterburner.
AM—A A. Mikulin.
An—O.K. Antonov.
ASh—A. D. Shvetsov.
ASM—Air-to-Surface Missile.
Be—Beriev.
Il—Serge Ilyushin.
AI—A. G. Ivchenko.
Ka—Nicolai Kamov.
Imp.—improved.
M—Myasischev.
MiG—Artem Mikoyan & Mikhail Gurevich.
Mil—Mikhail Mil.
NK—N.D. Kuznetsov.
Sol—Soloviev.
Su—Pavel Sukhol.
tf—turbofan.
tp—turboprop engine.
ts—turboshaft engine.
Tu—Andrei Tupolev.
VK—V. Klimov.
Yak—Aleksandr Yakovlev

Manufacturer	General				Dimensions				Weights		Powerplant, number, make and model	Max. speed, mph.
	Model designation	Aircraft name	Primary mission	Crew	Passengers	Wingspan, ft.	Max. length, ft.	Max. height, ft.	Empty weight, lb.	Gross weight, lb.		
ARGENTINA												
FMA: Cordoba	IA. 46	Ranquel	Utility/Agri	1	2	38.1	24.2	6.6	1,389	2,116	1 Lyc. 0-320 re	102
	IA. 46	Super Ranquel	Utility	1	2	38.1	24.2	6.6	1,389	2,315	1 Lyc. 0-360 re	115
	IA. 50	Guarani 2	Transport	2	10-15	64.2	50.8	18.8	8,818	14,770	2 Tur. Bastan 6A tp	304
	IA. 51	Tehuelche	Utility	1	2	38.0	25.2	7.0	1,500	2,700	1 Lyc. 0-360 re	121
	IA. 53		Agriculture	1		38.0	26.9	10.8	1,856	3,355	1 Con. 0-470-D re	133
	IA. 58	AX-2, Dolphin	Coin	2		47.3	43.9	15.4	6,700	12,000	2 AiR TPE331-3U-303 tp	260
AUSTRALIA												
Government Aircraft Factories (Dept. of Supply): Melbourne	Project N 22		Military Utility	1-2		54.0	40.8	18.9	4,330	8,000	2 All. 250-B 17	214
	Project N 24		STOL Transport	1-2	13	54.0	42.8	18.9	4,330	8,000	2 All. 250-B 17	214
AUSTRIA												
Josef Oberlerchner Holzindustrie: A-9800 Spittal/Drau	JOB 15-150	Lark	Personal/Sport Trainer	1	3	33.1	25.2	6.5	1,327	2,130	1 Lyc. 0-320-A2B re	146
BRAZIL												
Sociedade Construtora Aeronautica Neiva Ltd.: Botucatu, S.P.	N-591	Regente	Personal	1	3	29.5	22.8	8.9	1,220	2,320	1 Lyc. 0-360-A1A re	160
Embraer (Empresa Brasileira de Aeronautica S.A.): Sao Paulo	EMB 500		Transport/Patrol	2-5	30	78.7	65.5	23.2	15,050	26,500	4 UACL PT 6A-40 tp	297 cr.
	EMB 110	Bandeirante	Transport	2	12	50.3	46.7	15.5	6,424	11,200	2 UACL PT 6A-27 tp	257
	EMB 200	Ipanema	Agriculture	1	0	36.7	24.4	7.2			1 Lyc. 0540-H1A5	
CANADA[1]												
Canadair, Ltd.: Montreal, Quebec	CF-5A		Tact. support	1	0	25.8	47.2	13.2	8,750	20,648	2 GE J85-15 tj	M 1.29
	CF-5D		Tactical/Trainer	2	0	25.8	47.4	13.1	8,906	20,299	2 GE J85-15 tj	M 1.24
	CL-41A	Tutor	Trainer	2	0	36.5	32.0	9.3	4,860	7,437	1 GE J85-CAN-40 tj	480
	CL-41G		Tactical/Trainer	2	0	36.5	32.0	9.3	5,296	11,288	1 GE J85-J4 tj	480
	CL-44-6	Yukon	Transport	5	134	142.3	136.7	38.8	89,750	205,000	4 R-R Tyne 12 tp	317
	CL-84-1		V/STOL Trans	1	14	33.3	47.3	16.0	8,437	14,700	2 Lyc. LTC1K-4C ts	350
	CL-215		Water bomber	2	8-19	93.8	65.0	29.5	27,000	43,500	2 P&W R2800 re	220
CZECHOSLOVAKIA												
Omnipol Foreign Trade Corp.: Prague 1	L-29	Delfin	Jet Trainer	2	0	33.8	35.4	10.3	5,230	7,300	1 Walter Minor M-701 tj	393
	L-29A	Akrobat	Sport	1	0	33.8	35.4	10.2	4,860	5,950	1 Walter Minor M-701 tj	395
	Zlin-526F[6]	Zlin Trener	Trainer Aerobatics	1	1	34.8	26.2	6.8	1,521	2,149	1 Avia M 137A	151
	Zlin-37A	Cmelak	Agricultural	1	0	40.2	28.0	12.9	2,300	4,078	1 Walter M-462RF re	109
	L-410A	Turbolet	Transport	2	15-19	57.2	44.6	18.5	6,830	11,905	2 UACL PT 6A-27 or Walter M 601.	224
	Zlin-42[7]		Trainer	1	1	30.5	23.5	8.8	1,380	2,140	1 Avia M 137A	133
	Zlin-43		Transport	1	3	32.4	25.8	9.7	1,600	3,000	1 Avia M 337A	146
	L-39	Albatros	Advanced Train	2	0	29.9	39.7	14.6		8,360	1 AI-25W tf	M 0.8
FRANCE												
Aerospatiale: 37, Bd. Montmorency, Paris 16.		Concorde [3]	Supersonic Trans	3	128	128/144	204.0	40.0	170,000	385,800	4 R-R Bristol/Sneema Olympus 593 Mk. 602 tj.	M 2.2
	A-300 B	Airbus	Transport	3	281	147.0	171.0	54.0	186,810	302,000	2 GE CF6-50A tf	585
	SE 210	Caravelle 3	Transport	2	64-99	112.5	105.0	28.6	59,955	101,410	2 R-R Avon RA. 29-527	500
	SE 210	Caravelle 4 N	Transport	2	64-99	112.5	105.0	28.6	61,949	105,820	2 R-R Avon RA. 29-531	525
	SE 210	Caravelle 6 R	Transport	2	64-99	112.5	105.0	28.6	63,492	110,230	2 R-R Avon RA. 29-533	525
	SE 210	Caravelle 10 R	Transport	2	64-99	112.5	105.0	28.6	64,319	114,640	2 P&W JT8D-7 tf	498
	SE 210	Caravelle 11 R	Transport	2	50	112.5	107.3	28.6	68,135	114,640	2 P&W JT8D-7 tf	498
	SE 210	Super Caravelle	Transport	2	68-118	112.5	108.3	28.6	62,130	123,460	2 P&W JT8D-7 tf	498
	SE 210	Caravelle 12	Transport	2	130-140	112.5	118.9	29.7	65,030	127,870	2 P&W JT8D-9 tf	505
		Frigate	Transport	2	29	74.1	63.3	20.4	15,930	23,800	2 Tur. Bastan 7C tp	253
	N. 262		Transport	2	29	71.9	63.3	20.4	15,500	23,370	2 Tur. Bastan 6C tp	223
	C. 160	Transall	Mil. Transport	3	80	131.2	105.1	38.2	61,850	108,350	2 R-R Tyne 20 Mk. 22 tp	317
	SN 601	Corvette	Light transport	2	6-12	42.0	45.5	14.0	7,900	13,450	2 UACL JT15D-4 tf.[5]	497
	A 904		STOL Transport	2	130	101.0	121.8	33.0	72,765	112,500	2 R-R Sneema RB410/M4551	515
Socata (Group Aerospatiale)		Rallye 100	Trainer Sport	1	2-3	31.7	23.0	8.6	1,990	1,700	1 R-R Con. 0-200A re	122
		Rallye 125	Trainer, Sport	1	2-3	31.7	23	8.6	990	1,700	1 Lycoming 0-235-F2A	122
		Rallye 150GT	Sport, Business	1	3	31.7	23.5	9.2	1,220	2,130	1 Lyc. 0-320 E2A re	132
		Rallye 180GT	Sport, Business	1	3	31.7	23.6	9.2	1,255	2,310	1 Lyc. 0-360 A24 re	150
		Rallye 220GT	Sport, Business	1	3	31.7	23.6	9.2	1,390	2,420	1 Frank. 6A-350 C1 re	166
	ST 10	Diplomate	Business	1	3	31.8	23.8	8.3	1,411	2,646	1 Lyc. IO-360 C1B re	174
	ST 60	Rallye 7-300	Passeng./Cargo	1	6	36	29.0	10.5	1,985	3,750	1 Lyc. IO-540 B re	173

Avions Marcel Dassault-Breguet Aviation: 46, Av. Kleber Paris 16.		Extendard 4M	Fighter	1	0	31.5	47.0	12.6	14,000	23,800	1 Snecma Atar 8 tj	M>1
		Milan	Air Superiority	1	0	27	51	14.7	15,200	30,800	2 Snecma Atar 9K–50 tj	M 2.2
		Mirage 3C [4]	Fighter	1	0	27.0	48.6	14.1	14,000	26,500	1 Snecma Atar 9B tj	M>2
		Mirage 3D	Trainer	2	0	27.0	51.0	14.7	14,200	29,800	1 Snecma Atar 9C tj	M>2
		Mirage 3E [4]	Strike/Fighter	1	0	27.0	49.2	14.1	14,600	29,800	1 Snecma Atar 9C tj	M>2
		Mirage 3R	Recon./Strike	1	0	27.0	51.0	14.6	14,600	29,800	1 Snecma Atar 9C tj	M>2
		Mirage F1	Fighter	1	0	27.9	49.2	14.7	16,400	33,000	1 Snecma Atar K–50 tj	M 2.2
		Mirage F2	Strike	2	0	34.4	57.4	19.0	21,000	39,600	1 Snecma TF–306 tf	M 2.2
		Mirage G8	Var. Geom	2	0						2 Snecma Atar 9K/M53 tj	M 2.5
		Mirage 4	Bomber	2	0	38.8	76.4	17.7		70,000	2 Snecma Atar 9K tj	M>2
		Mirage 5	Ground Support	1	0	27.0	51.0	14.7	14,500	29,800	1 Snecma Atar 9C tj	M>2
		Alphajet [3]	Trainer/Close support	2	0	30.0	38.6	13.6	7,000	13,000	2 Snec./Tur M49 Larzac tj	M 0.85
		Jaguar [2]	Train./Tact	1–2	0	28.0	51.0	15.0	15,600	33,000	2 R–R Turbomeca RB 172 T260 tf	M 1.5
	1050	Alize	ASW	3	0	51.2	45.6	16.4	12,560	18,100	1 R–R Dart 21 tp	317
	1150	Atlantic	ASW/Patrol	12	0	119.1	104.2	37.2	52,470	96,000	2 R–R Tyne R. Ty. 20 tp	418
	941		STOL Trans	2	55–60	76.6	77.9	30.7	28,920	58,400	4 Tur. Turmo 3D–3 tp	293
		Falcon 10	Executive trans	2	4–7	42.9	45.5	14.3	10,400	18,200	2 AIR TFE731–2	M 0.87
		Falcon 20	Executive trans	2	8–14	53.5	56.3	17.4	15,760	28,660	2 GE CF700–2D tf	533
		Falcon 30	Commuter	2	30–40	59.0	65.0	20.0	21,000	35,200	2 Lycoming ALF 502D	M 0.8
		Mercure	Transport	2	130–150	100.2	111.5	37.2	60,350	119,000	2 P&W JT8D–15 tf	580
Reims Aviation: [8] 533 Reims (Marne)	Cessna F150		Personal, Trainer	1	1	33.2	23.9	8.0	1,030	1,600	1 R–R (Con) O–200–A	122
	Cessna FRA150	Aerobat	Trainer, Sport	1	1	33.2	23.9	8.0	1,080	1,650	1 R–R (Con) O–200–A	130
	Cessna F172		Personal, Utility	1	3	35.1	26.1	8.9	1,300	2,300	1 Lyc. O–320E2D	139
	Cessna FR172	Reims Rocket	Personal, Utility	1	3	36.7	27.0	8.9	1,430	2,550	1 R–R (Con) IO–360–D	153
	Cessna F177RG		Sport, Business	1	3	35.6	27.3	8.7	1,720	2,800	1 Lyc. IO–360–AIA	178
	Cessna F337		Passenger	1	5	38.0	29.9	9.2	2,725	4,630	2 R–R (Con) IO–360–C re	199
	Cessna FT337P		Business	1	4	32.8	29.1	9.4	3,060	4,700	2 (Con) TSIO–360–A	231
Avions Pierre Robin: Dijon	DR 400/108	2+2	Trainer	1	2	28.1	22.1	7.4	1,158	1,903	1 Lyc. O–235–C 2A re	146
	DR 400/125	Petit Prince	Train./Sport	1	3	28.1	22.1	7.4	1,170	1,990	1 Lyc. O–235–F re	149
	DR 400/140	Major	Train./Sport	1	3	28.1	22.1	7.4	1,220	2,170	1 Lyc. O–320–E re	155
	DR 400/160	Chevalier	Sport	1	3	28.1	22.1	7.4	1,240	2,330	1 Lyc. O–390 D	164
	DR 400/180R	Remorqueur	Glider Training	1	3	28.1	20.1	7.4	1,310	2,440	1 Lyc. O–360–A re	
	DR 400/180	Regent	Sport	1	3	28.1	22.1	7.4	1,310	2,440	1 Lyc. O–360–A re	160
	HR 100/210		Business	1	3	23.1	24.0	7.5	1,580	2,780	1 Lyc. IO–360D	177
	HR 200/100	Club	Trainer	1	1	27.0	21.1	6.3	1,110	1,670	1 Lyc O–235 C2C	143
	HR 200/125	Aerobin	Train/Aero	1	1	27.0	21.1	6.3	1,120	1,720	1 Lyc O–235 GI	156
GREAT BRITAIN												
Aviation Traders Ltd.: Southend Airport, Essex.	ATL–98	Carvair	Pass./Cargo	2	85	117.5	102.6	29.8	41,365	73,800	4 P&W R2000–7M2 re	250
	953–C	Merchantman	Cargo	3	0	118.0	122.8	36.1	122,232	141,700	4 R–R Tyne 506/10tp	445
British Aircraft Corp.: London, SW1		Concorde [9]	Supersonic Trans	3	108–128	84.0	204.0	40.0	170,000	385,800	4 Olympus 593 Mk. 602	M 2
	BAC 111	One Eleven 400	Transport	2	74	88.5	93.5	24.5	47,815	87,500	2 R–R Spey 25 Mk. 511–14	550
	BAC 111	One Eleven 475	Transport	2	74–89	93.5	93.5	24.5	50,154	97,100	2 R–R Spey 512–14 DW	550
	BAC 111	One Eleven 500	Transport	2	119	93.5	107.0	24.5	52,642	104,500	2 R–R Spey 512–14 DW	550
	1100	VC. 10 Standard	Transport	4	135	146.2	158.6	39.2	146,979	314,000	4 R–R Conway 540 tf	600
	1150	Super VC. 10	Transport	4	163	146.2	171.7	39.3	155,380	337,000	4 R–R Conway 550 tf	600
Military Aircraft Div	Mk. 53	Lightning	Interceptor/Fight	1	0	34.8	55.3	19.6			2 R–R Avon 302C tj	M 2+
	Mk. 55	Lightning	Trainer	2	0	34.8	55.3	19.6			2 R–R Avon 302C tj	M 2+
	BAC 145	Jet Provost Mk. 5	Trainer	2	0	35.3	34.0	10.1	5,550	8,524	2 R–R Bristol Viper 202	440
	BAC 167	Strikemaster	Light Strike, Train	2	0	36.9	34.0	10.1	5,850	11,500	1 R–R Bristol Viper 535	475
	S, A	Jaguar [10]	Tac. Strike	1	0	27.9	50.9	16.7		29,800	2 R–R /Turbomeca Adour	M 1.5
	B, E	Jaguar [10]	Adv. Trainer	2	0	27.9	53.9	16.7		29,800	2 R–R /Turbomeca Adour	M 1.5
	M	Jaguar [10]	Naval Strike	1	0	27.9	50.9	16.7		29,800	2 R–R /Turbomeca Adour	M 1.5
	Panavia 200	MRCA [11]	Multi-Role	2						40,000	2 Turbo Union RB. 199–34R	M 2+
Britten-Norman, Ltd.: Isle of Wight	BN2A–23	Islander	Light Transport	1	11	53.0	39.5	13.9	3,738	6,600	2 Lyc. IO–540–K1B5 re	180
	BN2A–24	Islander	Light Transport	1	9	49.0	39.5	13.9	3,588	6,600	2 Lyc. O–540–E4C5	170
	BN2A Mk. 3	Trislander	Transport	1	17	53.0	47.6	14.2	5,683	10,000	3 Lyc. O–540–E4C5	187
	BN3	Nymph	Utility	1	3	39.3	23.6	9.5	1,250	2,350	1 Lyc. O–320	135
	BN2A	Defender	Multi-Role mil	2		53	35.6	13.9		6,950	2 Lyc. IO–540KIB5	180
	BN4	Mainlander	Multi-Role transport	2	101	130	62.6	31.9	30,140	62,500	3 R–R Dart RDa 7	235
Hawker Siddeley Aviation, Ltd.: Kingston-upon-Thames.	AW 650	Argosy 100	Freighter	2–3	89	115.0	86.8	27.0	50,200	93,000	4 R–R Dart RDa 7 Mk. 526	300 cr.
	AW 650	Argosy 220	Freighter	2–3	89	115.0	86.8	27.0	28,800	93,000	4 R–R Dart RDa 7 Mk. 532	300 cr.
	AW 660	Argosy C. Mk. 1	Mil. Transport	4	69	115.0	89.1	27.0	57,400	97,000	4 R–R Dart RDa 8 Mk. 102	280 cr.
	698	Vulcan B. Mk. 2	Bomber	5	0	11.0	99.9	27.2			4 BS. Olympus 301 tj	
	HS 748	748 Series 2A	Transport	2	40–62	98.5	67.0	24.8	26,000	44,495	2 R–R Dart RDa 7 Mk. 532	312
	HS 780	Andover C. Mk. 1	Mil. Transport	2	56–58	98.2	78.0	30.1	28,650	50,000	2 R–R Dart RDa 12 tp	
	HS 801	Nimrod MR Mk. 1	Maritime Recon	12	0	114.8	126.8	29.7			4 R–R Spey Mk. 250 tj	
	DH. 104	Dove 8	Business	1–2	6	57.0	39.2	12.3	6,220	8,950	2 DH Gipsy Queen 70 Mk. 3	210
	DH. 106	Comet 4	Transport	4	81	115.0	111.5	29.5	73,600	162,000	4 R–R Avon 29 tj	530
	DH. 106	Comet 4B	Transport	4	101	108.0	118.0	29.5	75,100	158,000	4 R–R Avon 29 tj	540
	DH. 106	Comet 4C	Transport	4	101	115.0	118.0	29.5	75,600	162,000	4 R–R Avon 29 tj	530
	DH. 114	Heron 2	Transport	1–2	17	71.5	48.5	15.6	8,983	13,500	4 DH Gipsy Queen 30 re	183
	HS. 121	Trident 1C	Transport	3	109	98.8	114.8	27.0	62,265	117,000	3 R–R Spey RB. 163–1 tf	610
	HS. 121	Trident 1E	Transport	3	139	85.0	114.8	27.0	64,800	135,500	3 R–R Spey RB. 163–25 tf	605

Footnotes at end of table.

Manufacturer	General				Dimensions				Weights			
	Model designation	Aircraft name	Primary mission	Crew	Passengers	Wingspan, ft.	Max. length, ft.	Max. height, ft.	Empty weight, lb.	Gross weight, lb.	Powerplant, number, make and model	Max. speed, mph.
GREAT BRITAIN—Continued												
Hawker Siddeley Aviation, Ltd.: Kingston-upon-Thames—continued	HS. 121	Trident 2E	Transport	3	149	98.0	114.8	27.0	66, 850	143, 00	3 R-R Spey RB. 163-25 tf	612
	HS. 121	Trident 3B	Transport	3	179	98.0	131.2	28.3	74, 600	158, 000	3 R-R Spey 512 tf.+1R-R RB. 162 booster.	590
	H.S. 125	Series 600A	Business	2	6-14	47.0	50.5	17.2	12, 225	25, 000	2 R-R Viper 601	520
	HS. 125	Series 400A	Business	2	6-10	47.0	47.4	16.5	11, 397	23, 300	2 R-R Bristol Viper 522 tj	510
	HS. 125	Dominie T. Mk. 1	Jet Nav. Trainer	2	2-4	47.0	47.4	16.5	10, 500	20, 500	2 R-R Bristol Viper 301 tj	485
	HS. 1182		Trainer/Ground attack	2		30.8	39.2	13.4			1 R-R RT-172-06-11	
	FO. 141	Gnat Mk. 1	Fighter	1	0	22.1	29.7	8.1	4, 620	8, 300	1 R-R Bristol Orpheus 701 tj	M .98
	FO. 144	Gnat T. Mk. 1	Trainer	2	0	24.0	37.8	10.5	5, 518	9, 081	1 R-R Bristol Orpheus 101 tj	M .95
		Buccancer Mk. 50	Strike/Recon	2	0	44.4	63.4	16.3			2 R-R Spey 1-1 BS605 rkt	
		Buccancer S. Mk. 2	Strike/Recon	2	0	44.4	63.4	16.3			2 R-R Spey RB. 168 tf	M>1
	P. 1099	Hunter F. GA Mk. 9	Ground Attack	1	0	33.7	45.8	13.3	14, 600	25, 500	1 R-R Avon Mk. 207 tj	M .93
	P. 1101	Hunter Y. Mk. 66	Trainer	2	0	33.7	48.8	13.3	14, 000	23, 000	1 R-R Avon Mk. 203 tj	M .93
	P. 1127	Kestrel	V/STOL eval	1	0	22.9	42.5	10.8	10, 500	16, 000	1 R-R Bristol Pegasus 5 tf	M .90
		Harrier G.R. Mk. 1 Mk. 50 (U.S. AV-8A).	V/STOL Strike/Recon	1	0	25.3	45.7	11.2	12, 000	25, 000	1 R-R Bristol Pegasus Mk. 101/102 (AV-8A 102/103).	M .95
		Harrier T. Mk. 2	V/STOL Trainer	2	0	25.3	56.0	12.3	13, 200	25, 000	1 R-R Pegasus Mk. 101 tf	M .95
Lockspeiser Aircraft, Ltd.: London W.1	LDA-1		Utility/Cargo	1		44.0	34.6	12.3	1, 500	4, 500	1 Lyc. O-540	150
Scottish Aviation Ltd.: Prestwick Airport	Series 100/120	Bulldog	Primary Trainer	1-2	1-2	33.0	23.3	9.0	1, 430	2, 350	1 Lyc. IO-360-A1B6	150
	HP 137	Jetstream Mk. 1	Light Transport/exec	1-2	18	52	47.1	17.5	7, 550	12, 500	2 Turbomeca Astazou-16	270
	Jetstream	200	Exec/Trans/Trainer	1-2	18	52.0	47.1	17.5	7, 562	12, 566	2 Turbomeca Astazou 16C2	285
Short Brothers & Harland, Ltd.: Queens Island, Belfast.	SC. 7 Series 3	Skyvan	Cargo/Passenger	1-2	19	64.1	40.1	15.1	7, 100	12, 500	2 AiR TPE 331-2-201A tp	203
	SC. 7 Series SM	Skyvan	Military Cargo	1-2	21	64.1	40.1	15.1	7, 210	13, 700	2 TPE 331-201A tp	203
	SC. 7 Series 3A	Skyliner	Passenger	2	19	64.1	40.1	15.1	7, 345	13, 700	2 TPE 331-201A tp	203
INDIA												
Director General of Civil Aviation: Safdarjung, New Delhi.	TC-101	Revathi Mk. 1	Trainer/Personal	1	2	32.1	24.9	9.1	1, 278	1,950/1,690	1 R-R Con O-300-C	120
	TC-102	Revathi Mk. 2	Trainer/Personal	1	2	30.9	24.8	9.8	1, 391	2,120/1,830	1 R-R Con O-300-C	120
SOUTH AFRICA												
Atlas Aircraft Corp. of S.A., Ltd.: Kempton Park.	MB326M	Impala	Trainer	2		35.2	34.9	12.2	5,500	9,500	1 R-R Viper 11 Mk. 22A tj	512
SPAIN												
Aeronautica Industrial, S.A.: Madrid 14	AISA I-11B		Personal/Trainer	1	1	30.7	21.3	6.3	926	1, 417	1 Con. C-90-12F re	124
	AISA I-115		Primary Trainer	2		31.3	24.1	6.9	1, 346	1, 980	1 ENMA Tigre G-4-B re	149
	S. 205-18F, R		Business	1	3	35.6	26.2	9.5	1, 565	2, 645	1 Lyc. O-360-A1A re	146-162
	S. 205-20F, R		Business	1	3	35.6	26.2	9.5	1, 630	2, 753	1 Lyc. IO-360-A1A re	156-174
Construcciones Aeronauticas, CASA: Madrid 8.	C. 207A	Azor	Mil. transport	2	30	91.2	68.4	25.4	23, 369	36, 400	2 R-R Bristol Hercules 730	283
	C. 212	Aviocar	STOL Transport	2	18	62.3	50	20.6	8, 157	13, 888	2 AiR TPE 331-5-251C	225
	SF-5A	Freedom Fighter	Fighter/Attack	1	0	25.3	47.2	13.2	8, 085	20, 677	2 GE J85-13 tj	M 1.4
	MBB 223[12]	Flamingo	Trainer	2	2+	27.2	24.4	8.8	1, 510	2, 315	1 Lyc. IO-360-C1B	236
	HA-220	Super Sacta	Ground Attack	1-2		34.2	29.4	9.4	4, 894	8, 157	2 Tur. Marobre 6 tj	497
SWEDEN												
Saab-Scania AB: Linkoping	Sk35C	Draken	Trainer	2	0	30.8	47.8	12.8		20, 000	1 Flygmotor RM6B tj	M 1.8
	J35D, F[13]	Draken	AW Interceptor	1	0	30.8	50.3	12.8		23, 000	1 Flygmotor RM6C tj	M 2
	S35E	Draken	Photo/Recon	1	0	30.8	50.3	12.8		22, 000	1 Flygmotor RM6C tj	M 2
	35X	Draken	Ground Attack	1	0	30.8	50.3	12.8		35, 000	1 Flygmotor RM6C tj	M 2
	Sk 35X	Draken	Trainer	2	0	30.8	50.3	12.8		35, 000	1 Flygmotor RM6C	M 2
	AJ37	Viggen	AW Attack	1	0	34.8	53.5	18.4		35, 000	1 Flygmotor RM8 tf	M 2
	Sk37	Viggen	Trainer	2	0	34.8	53.5	19.0		35, 000	1 Flygmotor RM8 tf	M 2
	Sk60A		Trainer/Liaison	2	2	31.2	35.5	8.8		8, 800	2 Turbomeca Aubisque tf	478 cr.
	Sk60B, C		Strike/Recon	2	0	31.2	35.5	8.8		10, 400	2 Turbomeca Aubisque tf	478 cr.
	105O		Attack/Trainer	2	0	31.2	35.5	8.8		14, 300	2 GE J85-17B tj	610
	105G		Attack/Trainer	2	0	31.2	35.5	8.8		14, 300	2 GE J85-17 tj	610
Saab-Scania: Malmo Flygindustri: Malmo	Saab-MFI 15/17		Trainer/Utiilty	1	1-2	29.0	23.0	8.5	1, 300	2, 420/2, 090	1 Lyc. IO-360 re	154

SWITZERLAND

Fabrique Federale d'Avions: Emmen	C-3-605		Target Tub	2	0	44.1	39.5	13.3	5,800	7,270	1 Lyc. T-53-L-7 tp	264
	Mk.58A	Hunter	Ground Attack	1	0	33.7	48.8	13.3			1 x RR Avon-Mk. 207 tj	M 0.93
Flug-und Fahrzeugwerke AG: Altenrhein	AS 202/15	Bravo	Training/Sport	1	2	31.9	24.6	9.2	1,420	2,200	Lyc. O-320-E2A re	200
Pilatus Aircraft Ltd.: 6370 Stans	PC-6/H2	Porter	STOL Utility	1	7-10	49.7	36.2	10.4	2,580	4,850	1 Lyc. GSO-480-B1-A6tf	140
	PC-6/B2-H2	Porter	STOL Utility	1	7-10	49.7	26.2	10.4	2,480	4,850	1 UACL PT6A-20 tp	155

WEST GERMANY

Deutsche Airbus GmbH:[14] Munich	A300B2	Airbus	Transport	3	281	148.0	177.0	54.4	167,500	300,000	2 CF6-50C tf	585
	A300B4	Airbus	Transport	3	231	148.0	177.0	54.4	172,000	330,000	2 CF6-50C tf	585
Dornier AG: Friedrichshafen	Do. 27 H-2		STOL Utility	1-2	4-6	39.4	32.5	11.5	2,700	4,080	Lyc. GSO-480-B1B6 re	160
	Do. 27 Q-6		STOL Utility	1-2	4-6	39.4	31.5	8.9	2,490	4,080	1 Lyc. GO-480-B1A6 re	152
	Do. 28 B-1		STOL Utility	1-2	6-8	45.2	29.5	12.6	3,960	6,000	2 Lyc. IO540-A1A5 re	167
	Dol 28 D-1	Skyservant	STOL Utility	1-2	8-11	49.2	37.4	12.8	4,719	8,040	2 Lyc. IGSO-540-A1E re	200
	Do. 28 D-2	Skyservant	STOL Utility	1-2	8-11	49.2	37.6	12.8	5,765	8,390	2 Lyc. IGSO-540-A1E re	202
	Do. 31		VTOL Testbed	2		59.2	67.6	28.0	37,900	54,000	2 R-R Bristol Pegasus[5] tf. +8 R-R RB. 162-4.	400
		Alphajet[15]	Trainer/Air support	2		30.0	39.4	12.6	6,940	13,230	2 Snec./Tur. Larzac 04	M 0.85
Messerschmitt-Boelkow-Blohm GmbH: Hamburger Flugzeubau Div.: Finkenwerder.	HFB 320	Hansa Jet	Business/Train. Commuter/ Freight/QC.	2	12	47.5	54.5	16.2	11,960	20,280	2 GE CJ610-5 or -9 tj	M 0.83
	C-160[16]	Transall	Mil. Transport	4	80	131.3	105.2	38.5	61,850	108,250	2 R-R Tyne R Ty 20 tp	310
MBB Aircraft Div.: Ottobrunn/Munich	MBB 223	Flamingo	Trainer	2	2+	28.9	24.4	8.8	1,540	2,360	1 Lyc. IO or AIO-360 re	153
	Panavia 200[17]	MRCA	Interdiction	2	0					40,000	2 Turbo Union RB. 199-34R	M 2+
Poschel Aircraft: 7901 Ulm-Allewind	P-300	Equator	STOL Amphibian	1	5-7	40.5	28.0	10.1	1,980	3,968	1 Lyc. TIO-540 re	240
	P-400	Meridian	STOL Amphibian	1	5-7	40.5	28.0	10.1	1,800	4,400	1 Allison 250-C20 tp	320 cr.
Sportabia-Putzer GmbH & Co. KG: D-5377 Dahlem Schmidtheim, Flugplatz Dahlemer Binz.	Fournier RF4D		Personal/Train	1	0	36.9	19.8	5.1	605	860	1 Rectimo 4 AR 1200	155
	Fournier RF 5		Personal/Train	1	1	45.0	25.6	6.4			1 Sport.-Limb. SL 1700 E	155
	SFS 31	Milan	Training/Gliding	1	0	49.2	19.8	5.1	670		1 Rectimo 4 AR 1200	120
	SF 25B	Falke	Training/Gliding	1	1	50.2	24.9	5.2	760	1,190	1 Stamo MS 1500/1	95
	SF 25C	Falke	Training/Gliding	1	1	50.2	24.9	5.2	825	1,250	1 Sport.-Limb. SL 1700 EA	115
	RF 5B	Sperber	Training/Gliding	1	1	55.9	25.3	6.4	1,012	1,500	1 Sport.-Limb. SL 1700 E	143
	RF 55	Sperber	Training/Gliding	1	1	55.9	25.3	6.4	1,020	1,500	1 Franklin 2A-120A	143
FW-Vereinigte Flugtechnische Werke: Bremen.	VA K-191B		Experimental V/STOL	1		20.2	48.3	14.1	12.500	18,000	2 R-R RB. 162-81 & 1 MTU/R-R RB. 193-12.	610
	VFW 614		Transport	2	40-44	70.5	67.5	25.6	26,900	41,000	2 R-R/Snecma M 45 H Mk. 501 tf.	455

YUGOSLAVIA

Yugoslav Soko: Mostar	G2-A	Galeb	Trainer	2		34.3	34	10.8	5,780	9,210	1 R-R Viper 11 Mk. 22-6	500
	G-3	Soko Galeb-3	Trainer	2		38.2	34.1	11.9	6,095	10,860	1 R-R Viper-522 tj	540
	J-1	Jastreb	Strike/Recon	1		38.2	35.2	11.9	6,095	10,860	1 R-R Viper-531 tj	500
	J-5A	Soko Jastreb 5A	Strike/Recon	1		38.2	35.2	11.9	6,290	11,020	1 R-R Viper-522 tj	513
	J-5B	Soko Jastreb 5B	Strike/Recon	1		38.2	35.2	11.9	6,353	11,470	1 R-R Viper-600 tj	534

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[1] See STOL aircraft table for de Havilland.

[2] Joint program with British Aircraft Corp. Two-seat version of Jaguar is 3 ft. longer.

[3] Joint project with Dornier.

[4] Mirage 3S is Swiss version. Mirage 30 for Australia & Swiss Mirage 3S are similar to Mirage 3E. Mirage 3CJ is Israeli version and 3CZ is South African.

[5] Also available with 2 Snecma/Turbomeca Larzac 03 giving max. speed of 541 mph.

[6] Zlin 526L has Lycoming AIO-360-B1B engine.

[7] Zlin 42L has Lycoming AIO-320-B1B engine.

[8] Built under U.S. license.

[9] Joint program with Aerospatiale.

[10] Joint program with Breguet administered by Sepecat.

[11] Joint British, German, Italian program.

[12] MBB license with Aerospatiale.

[13] J35F carries Saab-built Hughes Falcon missile.

[14] Deutsche Airbus prime contractors are MBB and Aerospatiale.

[15] Joint project with Breguet/Dassault.

[16] Joint project with Aerospatiale and VFW.

[17] Joint project with BAC, Aeritalia.

Mr. GOLDWATER. If we continue to threaten the aircraft industry by threatening cuts in research and development in NASA and cuts in research and development in military aircraft and the purchase of military aircraft, we are going to see a sad but further decline in America's position. The entire opportunity of the future, the jobs for our children and grandchildren are to be found in continued technological development and advancement, and the ill-behooved Congress, whichever one it is, to threaten the future of American jobs by threatening the future domination of America in aviation and in space.

ORDER FOR ADJOURNMENT UNTIL MONDAY, MAY 7, 1973

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries.

REPORT ON UNITED STATES FOREIGN POLICY FOR THE 1970's—MESSAGE FROM THE PRESIDENT

The PRESIDING OFFICER (Mr. BARTLETT) laid before the Senate a message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations. The message is as follows:

To the Congress of the United States:

This Administration attaches fundamental importance to the articulation as well as the execution of foreign policy.

Public understanding is, of course, essential in a democracy. It is all the more urgent in a fast changing world, which requires continuing, though redefined, American leadership. One of my basic goals is to build a new consensus of support in the Congress and among the American people for a responsible foreign policy for the 1970's.

These were the reasons that I began the practice of annual Presidential Reports to the Congress. This fourth Review, like the previous ones, sets forth the philosophical framework of our policy and discusses major trends and events in this context. Two other important documents complement this one with the more detailed record of current questions and policies. The Secretary of State's third annual report of April 19, 1973, covers our specific country, regional, and functional policies and provides basic documentation. The Secretary of Defense's yearly report of April 3, 1973, presents a thorough accounting of our policies and programs for national defense.

It is my hope that this Report will inform and lift the national dialogue on our purposes and our place in the world.

RICHARD NIXON.

THE WHITE HOUSE, *May 3, 1973.*

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer (Mr. BARTLETT) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received today are printed at the end of Senate proceedings.)

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BARTLETT). The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BARTLETT). Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATORS GRIFFIN AND ROBERT C. BYRD AND FOR TRANSACTION OF MORNING BUSINESS ON MONDAY, MAY 7, 1973

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on Monday, immediately following the recognition of the two leaders or their designees under the standing order, the distinguished Senator from Michigan (Mr. GRIFFIN) be recognized for not to exceed 15 minutes, that he be followed by the junior Senator from West Virginia (Mr. ROBERT C. BYRD) for not to exceed 15 minutes, and that there then be a period for the transaction of routine morning business for not to exceed 30 minutes, with statements limited therein to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONSIDERATION OF UNFINISHED BUSINESS ON MONDAY NEXT

Mr. ROBERT C. BYRD. Mr. President, at the close of morning business on Monday, the unfinished business would automatically be laid before the Senate.

The PRESIDING OFFICER. At the end of the morning hour; that is correct.

ORDER FOR THE VOTER REGISTRATION ACT TO BE LAID BEFORE THE SENATE ON MONDAY NEXT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at the conclusion of routine morning business on Monday, the unfinished business, the Voter Registration Act, be laid before the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR THE UNFINISHED BUSINESS TO BE TEMPORARILY LAID ASIDE AND FOR THE CONSIDERATION OF THE PUBLIC BROADCASTING BILL ON MONDAY NEXT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at no later than 3 p.m. on Monday, the unfinished business be temporarily laid aside, that the Senate then proceed to the consideration of S. 1090, the public broadcasting bill, and that the unfinished business remain in a temporarily laid-aside status until the close of business that day or until S. 1090, the public broadcasting bill, is disposed of, whichever is the earlier.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR TIME LIMITATION ON BROADCASTING BILL

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the debate on S. 1090, the public broadcasting bill, be limited to 1 hour, to be equally divided between the Senator from Rhode Island (Mr. PASTORE) and the Senator from Tennessee (Mr. BAKER), and that the time on any amendment thereto, debatable motion, or appeal be limited to 30 minutes, the time to be equally divided in accordance with the usual form.

The PRESIDING OFFICER. Without objection, it is so ordered.

The text of the unanimous-consent agreement is as follows:

Ordered, That, during the consideration of S. 1090, a bill to amend the Communications Act of 1934, debate on any amendment, debatable motion, or appeal shall be limited to 30 minutes, to be equally divided and controlled by the mover of such and the manager of the bill, the Senator from Rhode Island (Mr. Pastore): *Provided,* That in the event the manager of the bill is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or his designee: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill, debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the manager of the bill (Mr. Pastore) and the Senator from Tennessee (Mr. Baker): *Provided,* That the said Senators, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, debatable motion or appeal.

ORDER FOR ADJOURNMENT FROM CLOSE OF BUSINESS ON MONDAY UNTIL 10 A.M. ON TUESDAY, MAY 8, 1973

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business on Monday, it stand in adjournment until the hour of 10 a.m. on Tuesday.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSACTION OF ROUTINE MORNING BUSINESS ON TUESDAY

Mr. ROBERT C. BYRD. I ask unanimous consent that on Tuesday, after the two leaders have been recognized under the standing order and upon the completion of any 15-minute orders for the recognition of Senators which may prior thereto be entered, there be a period for the transaction of routine morning business of not to exceed 15 minutes, with statements therein limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR THE RESUMPTION OF THE UNFINISHED BUSINESS ON TUESDAY

Mr. ROBERT C. BYRD. I ask unanimous consent that at the conclusion of routine morning business on Tuesday, the Senate resume its consideration of the unfinished business.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF AUTHORIZATIONS OF THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965—UNANIMOUS-CONSENT AGREEMENT

Mr. ROBERT C. BYRD. I ask unanimous consent that at no later than 11 a.m. on Tuesday, the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of H.R. 2246, an act to amend the Public Works and Economic Development Act of 1965 to extend the authorizations for a 1-year period; that the unfinished business remain in a temporarily laid-aside status until the close of business on that day or until the disposition of H.R. 2246, whichever is the earlier.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I am also authorized by the distinguished majority leader to propose the following unanimous-consent request on H.R. 2246:

I ask unanimous consent that debate on the bill be limited to 2 hours, to be divided as follows: 30 minutes to be under the control of the distinguished Senator from New Hampshire (Mr. Cotton), and the remaining time to be under the control of and equally divided between the distinguished Senator from New Mexico (Mr. Montoya) and the distinguished Senator from Tennessee (Mr. Baker);

Provided further, that time on any amendments, debatable motions, or appeals be limited to 30 minutes, and divided and controlled in the usual form, with the further proviso that on an amendment to be proposed by Mr. Baker, there be a time limitation of 1 hour, the time to be equally divided between and controlled by Mr. Baker and Mr. Montoya;

Ordered further, that time on an amendment by Mr. Cotton be limited to 1 hour, the time to be equally divided between and controlled by Mr. Cotton and Mr. Montoya;

Ordered further, that the time allotted for debate on the bill may be yielded by those in control thereof to any Senator on any amendment, debatable motion or appeal.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM TUESDAY UNTIL 11 A.M. ON WEDNESDAY, MAY 9, 1973

Mr. ROBERT C. BYRD. Mr. President, with the approval of the distinguished majority leader and the distinguished assistant Republican leader—I have not cleared this yet, but I think it will probably be agreeable to both—I ask unanimous consent that when the Senate completes its business on Tuesday, it stand in adjournment until the hour of 11 o'clock a.m. on Wednesday, and that at the hour of 12 o'clock noon on Wednesday, the 1 hour of debate on a motion to invoke cloture, which will be filed on Monday, begin running.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House receded from its disagreement to the amendment of the Senate to the joint resolution (H.J. Res. 393) to amend the Education Amendments of 1972 to extend the authorization of the National Commission on the Financing of Postsecondary Education and the period within which it must make its final report, and concurred therein.

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, May 3, 1973, he presented to the President of the United States the enrolled joint resolution (S.J. Res. 93) to provide a temporary extension of the authorization for the President's National Commission on Productivity.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. ROBERT C. BYRD. I yield.

Mr. MANSFIELD. I state for the information of the Senate that if at all possible, it will be the intent next week to call up Calendar No. 109, S. 70, a bill to promote commerce and establish a Council on Energy Policy, and for other purposes, and also, if possible, Calendar Nos. 120, 121, and 122, a trio of health bills which we think will be in satisfactory shape to consider at that time.

So it looks as if we will have a pretty busy week next week, if our hopes are fulfilled; and if not, at least we have indicated what the joint leadership hopes will be considered by the Senate during the course of the next week.

Mr. BURDICK. Mr. President, will the Senator from West Virginia yield?

Mr. ROBERT C. BYRD. I yield.

Mr. BURDICK. Could the Senator advise me if unanimous consent would be required to permit the filing of a cloture motion on Monday?

Mr. ROBERT C. BYRD. There is nothing to keep any Senator from filing such a motion on Monday when the unfinished business is before the Senate, and that is the intention of the distinguished majority leader, I understand.

Mr. MANSFIELD. Yes, it is my intention to file a cloture motion on Monday, and the usual procedure will follow, with 1 legislative day intervening, and the next day for the vote to occur.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT ON CONSIDERATION OF SENATE RESOLUTION 106

Mr. ROBERT C. BYRD. Mr. President, my attention has been called to the fact that the distinguished Senator from Massachusetts (Mr. Brooke) has offered a resolution today, asked for its immediate consideration, and the request was objected to, and, of course, that resolution goes over under the rule. I would not want to shut the distinguished Senator from Massachusetts out with respect to further consideration of his resolution that goes over under the rule on Monday.

I therefore ask unanimous consent to modify the previous order as follows:

I ask unanimous consent that the Senate not resume consideration of the unfinished business on Monday next until the resolution which is going over, under the rule, is acted on, one way or another, or until the close of the morning hour, whichever is the earlier.

The PRESIDING OFFICER (Mr. Bartlett). Is there objection to the request of the Senator from West Virginia?

Mr. HARRY F. BYRD, JR. Mr. President, reserving the right to object, there is no time limitation, I assume, on the resolution submitted by the distinguished Senator from Massachusetts?

Mr. ROBERT C. BYRD. There is a time limitation only under the rule, that being the close of the morning hour—the unfinished business would automatically come up at that time, in any event. But in the event that the resolution going over, under the rule, would be disposed of, let us say, prior to the close of the morning hour, there would be a hiatus between that time and the hour of 2 o'clock.

Mr. HARRY F. BYRD, JR. I thank the distinguished Senator from West Virginia but I want to establish that there is no time limitation on debate on the resolution submitted by the distinguished Senator from Massachusetts.

Mr. ROBERT C. BYRD. Not as such, but there would be a time limitation, in a sense—by virtue of the normal operation of the Senate rule—until 2 p.m. The debate on that resolution could not extend beyond the hour of 2 o'clock on Monday in any event, at which time the unfinished business would be resumed automatically. There is no time limitation agreement on the resolution in the sense which the able Senator has in mind.

Mr. HARRY F. BYRD, JR. I thank the Senator from West Virginia.

Mr. ROBERT C. BYRD. Only to the extent of the rule is there a time limitation.

The PRESIDING OFFICER (Mr. Bartlett). Is there objection to the request of the Senator from West Virginia? The Chair hears none, and it is so ordered.

The text of the unanimous-consent agreement is as follows:

Ordered, That, during the consideration of H.R. 2246, an act to amend the Public Works and Economic Development Act of 1965, debate on any amendment (except an amendment by the Senator from Tennessee (Mr. Baker) on which time for debate shall be limited to 1 hour, to be equally divided and controlled by the Senator from Tennessee (Mr. Baker) and the Senator from New Mexico (Mr. Montoya), and an amendment to be offered by the Senator from New Hampshire (Mr. Cotton) on which time for debate shall be limited to 1 hour, to be equally divided and controlled by the Senator from New Hampshire (Mr. Cotton) and the Senator from New Mexico (Mr. Montoya)), debatable motion or appeal shall be limited to 30 minutes, to be equally divided and controlled by the mover of such and the manager of the bill: *Provided*, That in the event the manager of the bill is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or his designee: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill, debate shall be limited to 2 hours, to be divided and controlled as follows: 30 minutes to the Senator from New Hampshire (Mr. Cotton), 45 minutes to the Senator from New Mexico (Mr. Montoya), and 45 minutes to the Senator from Tennessee (Mr. Baker): *Provided*, That the said Senators or any of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion or appeal.

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum, and I hope that this will be the final quorum call of the day.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DESIGNATION OF "NATIONAL HISTORIC PRESERVATION WEEK"

Mr. ROBERT C. BYRD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on Senate Joint Resolution 51.

The PRESIDING OFFICER (Mr. Bartlett) laid before the Senate the amendment of the House of Representatives to the joint resolution (S.J. Res. 51) to authorize and request the President to issue a proclamation designating the calendar week beginning May 6, 1973, as "National Historic Preservation Week," which was to strike out the preamble.

Mr. ROBERT C. BYRD. Mr. President, it is my understanding that this matter has been cleared on both sides. Therefore, I move that the Senate concur in the amendment of the House.

The motion was agreed to.

ORDER FOR RECOGNITION OF SENATOR McGOVERN ON MONDAY, MAY 7, 1973

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on Monday, following the recognition of the two leaders under the standing order, and prior to the recognition of Mr. Griffin, the distinguished Senator from South Dakota (Mr. McGovern) be recognized for not to exceed 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

RELATING TO FORM OF UNANIMOUS-CONSENT AGREEMENTS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that with respect both to H.R. 2246, the Public Works and Economic Development Act, and S. 1090, the public broadcasting bill, the agreements in connection therewith—in both instances—be in the usual form.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY FOR COMMITTEES TO FILE REPORTS DURING THE ADJOURNMENT OF THE SENATE

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that, during the adjournment of the Senate over to Monday, committees may be authorized to file reports.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY FOR THE SECRETARY OF THE SENATE TO RECEIVE MESSAGES FROM THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that, during the adjournment of the Senate over to Monday, the Secretary of the Senate may be authorized to receive messages from the other body and/or from the President of the United States, and that appropriate referral thereof may be made.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR CERTAIN ACTION TO BE TAKEN DURING THE ADJOURNMENT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that, during the adjournment of the Senate over to Monday, the Vice President, the President pro tempore, and the Acting President pro tempore may be authorized to sign duly enrolled bills and joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program for Monday is as follows:

The Senate will convene at 12 o'clock noon. After the two leaders or their designees have been recognized under the standing order, the following Senators will be recognized, each for not to exceed 15 minutes, and in the order stated: Mr. McGovern, Mr. Griffin, and Mr. Robert C. Byrd.

There will then be a period for the transaction of routine morning business for not to exceed 30 minutes, with statements limited therein to 3 minutes.

Upon the disposition of the resolution submitted today by the distinguished Senator from Massachusetts (Mr. Brooke), Senate Resolution 106—which goes over under the rule—or not later than the hour of 2 o'clock p.m. on Monday, the unfinished business, S. 352, the voter registration bill, will again be laid before the Senate and consideration thereof will be resumed.

A cloture motion will be entered on Monday by the distinguished majority leader and the requisite number of Senators, with the vote on the cloture motion to occur on Wednesday next at circa 1:15 p.m.

At not later than 3 o'clock on Monday afternoon, the unfinished business will be temporarily laid aside and the Senate will proceed to the consideration of S. 1090, the public broadcasting bill. There is a time agreement thereon. Yea and nay votes could occur on amendments or on passage.

I wish also to say that yea-and-nay votes could also occur on the unfinished business on Monday, prior to taking up S. 1090, or subsequent to any disposition of S. 1090 on Monday.

ADJOURNMENT TO MONDAY, MAY 7, 1973

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon on Monday.

The motion was agreed to; and at 3:27 p.m. the Senate adjourned until Monday, May 7, 1973, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate May 3, 1973:

DEPARTMENT OF DEFENSE

Robert C. Hill, of New Hampshire, to be an Assistant Secretary of Defense, vice G. Warren Nutter, resigned.

U.S. COAST GUARD

The following-named lieutenant commanders of the Coast Guard Reserve to be permanent commissioned officers in the Coast Guard Reserve in the grade of commander:

Glen N. Armitage
Richard L. Atkins
William R. Babineau
Robert H. Bacchus
Ernest J. Bader
Thomas M. Bader
James H. Barmettler
James P. Barnett
Henri L. Bignault
David J. Bond
Edward D. Brickley
Allan K. Brier
Lawrence A. L. Budreau
Richard Buell
Arthur F. Busalacchi
Willis W. Carnegie
Alan B. Chamberlain
Robert V. Chiarenzelli
Raymond Condo
Hugh J. Costello
Jay W. DeCoulter, Jr.
Juan J. Del Castillo
Harmon G. Eakles
Ernest G. Erspamer
James W. Fenimore, Jr.
David A. Gayner
Richard E. Goss, Jr.
Randolph B. Grinnan III
Paul J. Hanson
Charles H. Jehle
Guy B. Jones
Joseph F. Lavelle
Morton M. Levine
Robert K. Liput
Aristedes Manthous
John D. McLean
Earl R. McNinch
Myron J. Menaker
David B. Michel
Benjamin Muse, Jr.
James S. Painton, Jr.
David L. Pearl
Wilton Phillips, Jr.
John C. Raynor
Bolivar T. Recio
Henry G. Satterwhite
Norman R. Smith
Bennett S. Sparks
Robert A. Spatols
William A. Stone, Jr.
Raymond T. Sullivan, Jr.
George L. Sutton
Norman G. Swanson
William J. Tangalos
Fenwick Taylor
William N. Taylor
James R. Treese
Donald J. Willenborg
Donald G. Wolf
Carl A. Zellner

HOUSE OF REPRESENTATIVES—*Thursday, May 3, 1973*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Thou shalt keep the commandments of the Lord thy God, to walk in His ways and to fear Him.—Deuteronomy 8: 6.

Almighty God, in whose presence is our power, by whose grace we find goodness, and through whose spirit we receive strength for daily living, give to us the assurance that in life and death, in victory and defeat, in joy and sorrow Thou art with us always, all the way.

Grant unto us an awareness of Thy renewing life in nature and of Thy redeeming love in our human nature. Keep us ever grateful for this glorious land in which we live and for which we daily labor.

Amid the stress and strain of these troubled times help us to be loyal to the royal within ourselves and in the midst of the strife and struggle of these difficult days may we be faithful to our faith in the highest and best we know.

Lead us, we pray Thee, to a deeper dedication to Thee that we may walk the ways of truth and love for the good of our country and for the benefit of all mankind.

In the spirit of Him who was ever true to Thee, we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 3841. An act to provide for the striking of medals in commemoration of Roberto Walker Clemente.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 755. An act to provide 4-year terms for the heads of the executive departments;

S. 795. An act to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes; and

S. 1264. An act to authorize and direct the Secretary of the Treasury to make grants to Eisenhower College in Seneca Falls, N.Y., out of proceeds from the sale of silver dollar coins bearing the likeness of the late President of the United States, Dwight David Eisenhower.

MAJORITY LEADER THOMAS P. O'NEILL, JR., CONDEMNS THE REPUBLICAN LACK OF MORAL CONSTRAINT

(Mr. O'NEILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks).

Mr. O'NEILL. Mr. Speaker, Governor Reagan of California was quoted yesterday as saying that the Watergate spies acted illegally—but that they are not criminals at heart.

A Republican leader in the other body said the other day that the bugging was the work of "zealous amateurs."

These refrains are distressingly familiar—they recall the dictum uttered by the Republican Presidential candidate in 1964. He said:

> Extremism in the pursuit of freedom is no vice, and moderation in the pursuit of justice is no virtue.

This ends-justifies-the-means attitude seems to persist within the Republican philosophy of government, as if it were transmitted from one generation of candidates to the next like some malignant gene.

We have seen high administration officials who felt that they alone were competent to judge what was right and wrong for this Nation and who felt that they were beyond any moral or legal constraints in pursuing their goals.

Disdain has pervaded this administration's dealings with Congress. We have seen it in the arrogance of certain officials, the reluctance of the administration to consult with Congress, the abuse of impoundment, the exaggeration of the doctrine of executive privilege.

This is not a closed society. We must eradicate this pernicious attitude that the administration knows best. We are a government of shared and balanced powers, and Congress must continue to exercise its rightful share of authority in the governance of this Nation.

CONGRATULATING JOHN CONNALLY

(Mr. ARCHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARCHER. Mr. Speaker, because John Connally is a resident of my Seventh Congressional District in Texas, I take particular pleasure in welcoming him to the Republican Party.

For a long time I have believed that this is where he belongs. He will find a comfortable home in the Republican Party as other Democrats have before him.

My Republican colleagues and I can only be uplifted by the Governor's decision and by his commitment to our party, the same way that we would be uplifted to hear of anyone taking a step to reinforce his personal convictions.

I spoke with Governor Connally yesterday to convey to him my personal best wishes, and I gave him my warmest encouragements and compliments for following the dictates of his conscience in alining himself with the party closest to his own beliefs.

John Connally is an outstanding man and he is a person people believe in and a person people respect. His dedication to our country and his belief in our Nation's goodness and potential greatness are sincere and contagious. He is an example to all of us.

We Republicans hope that many Americans will follow his example now and join his party as that which best represents the philosophy of the majority.

CALL OF THE HOUSE

Mr. HILLIS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. Mr Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 120]

Abdnor
Alexander
Anderson, Calif.
Anderson, Ill.
Andrews, N.C.
Ashley
Badillo
Beard
Bell
Biaggi
Blatnik
Brown, Mich.
Burke, Fla.
Carney, Ohio
Clark
Conable
Conyers
Cronin

Culver
Dulski
Eckhardt
Esch
Eshleman
Fish
Flynt
Fountain
Fraser
Frelinghuysen
Gibbons
Gray
Guyer
Hanna
Hébert
Heinz
Jarman
Johnson, Calif.
Johnson, Colo.
Jones, Ala.
Jones, Okla.
Jones, Tenn.
Karth
King
Kluczynski
Landrum
Lott
McCormack
McSpadden
Macdonald
Melcher
Mitchell, Md.
Moorhead, Pa.
Murphy, Ill.
Myers
Nichols
Obey
Price, Tex.
Randall
Reid
Rooney, N.Y.
Rosenthal
Rostenkowski
Ryan
Sarasin
Stanton, James V.
Stark
Stubblefield
Teague, Tex.
Ullman
Van Deerlin
Vander Jagt
Waldie
Whalen
Wolff
Wright
Wydler
Yatron

The SPEAKER. On this rollcall 357 Members have recorded their presence by electronic device, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERMISSION FOR COMMITTEE ON WAYS AND MEANS TO FILE REPORT ON H.R. 7445, EXTENDING RENEGOTIATION ACT OF 1951

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means have until midnight tonight to file a report to accompany the bill H.R. 7445, extending the Renegotiation Act of 1951.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON CONSUMER AFFAIRS TO MEET TODAY

Mrs. SULLIVAN. Mr. Speaker, I ask unanimous consent that the Subcommittee on Consumer Affairs may meet during general debate this afternoon.

The SPEAKER. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

EXTENSION OF DATE FOR FILING REPORT BY THE NATIONAL COMMISSION ON THE FINANCING OF POSTSECONDARY EDUCATION

Mr. O'HARA. Mr. Speaker, I call up the conference report on the joint resolution (H.J. Res. 393) to amend the Education Amendments of 1972 to extend the authorization of the National Commission on the Financing of Postsecondary Education and the period within which it must make its final report, and ask for its immediate consideration.

The SPEAKER. The Clerk will read the conference report.

The Clerk read the conference report.

(For conference report and statement, see proceedings of the House of April 30, 1973.)

The Clerk read the Senate amendment, as follows:

Resolved, That the joint resolution from the House of Representatives (H.J. Res. 393) entitled "Joint resolution to amend the Education Amendments of 1972 to extend the authorization of the National Commission on the Financing of Post-secondary Education and the period within which it must make its final report", do pass with the following amendment: Page 2, after line 5, insert:

"SEC. 2. If the appropriation for the fiscal year 1973 for making payments under subpart 1 of part A of title IV of the Higher Education Act of 1965 does not exceed $385,000,000, payments under such subpart from such appropriation shall not be paid on the basis of any entitlement for any student (1) who was in attendance, as a regular student (as defined by the Commissioner of Education), at an institution of higher education prior to July 1, 1973, or (2) who is in attendance at such an institution on less than a full-time basis.

"SEC. 3. The provisions of this joint resolution shall be effective on and after May 1, 1973, and such provisions shall be deemed to be enacted immediately before such date."

POINT OF ORDER

Mr. GROSS. Mr. Speaker, I would like to reserve a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. GROSS. Mr. Speaker, my point of order is that the Senate amendment is not germane to the bill.

The SPEAKER. The conferees have not agreed to the Senate amendment. They have reported the conference report back in disagreement.

MOTION OFFERED BY MR. O'HARA

Mr. O'HARA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. O'HARA moves that the House recede from its disagreement to the amendment of the Senate and concur therein.

The SPEAKER. The Chair will recognize the gentleman from Michigan if he desires to be heard on the motion.

Mr. O'HARA. Mr. Speaker, I have offered this motion at the direction of the other managers on the part of the House on the disagreeing votes of the two Houses on the Senate amendment to House Joint Resolution 393. The first section of the pending resolution is not in disagreement as between the two Houses. That section extends the reporting date of the National Commission on the Financing of Postsecondary Education from April 30 to December 31. This section constituted all of the resolution when it was originally considered and passed by this House on suspension of the rules on March 5. The Senate made no substantive changes in that section, but made a technical change in section 3, to clarify the intention of the resolution that the extension should take effect without any break, as of May 1.

The new substantive matter that was added by the Senate appears in section 2 of the resolution, and would have the effect of limiting student assistance payments under the basic opportunity grant program—for the coming academic year only, and only if the total fiscal year 1973 appropriation for that program does not exceed $385 million—to first-year, full-time students.

After discussing the matter with the managers of the Senate, the House managers concluded that this amendment was an appropriate one, and that it was particularly useful taking into account the level of BOG appropriations thus far enacted into law for fiscal year 1973.

The Congress has enacted, and the President has approved, $122.1 million to fund basic opportunity grants. The other existing programs were funded at the level of the current year—$210.3 million for supplemental grants, $270.2 for college work-study, and $269.4 million for capitalization of the direct loan funds—plus an earlier $23.6 million for these funds.

If all eligible undergraduate students were to remain eligible for basic grants, the average grant would be in the neighborhood of $80, and the grant ceiling is estimated at about $200. This would put BOG technically into operation, and it might give the Administrators an opportunity to test their mechanisms for computing and distributing such grants—but it would not provide more than a tiny handful of students with anything like a meaningful grant with which to meet their college expenses next fall.

Under the proposed amendment as long as the amount appropriated remains below $385 million—the amount estimated as required for full funding for first-year students—the payments will be limited to such students. If we do this, if we limit the payment of BOG grants to students who have not been in college before, and are attending on a full-time basis, the average grant will be in the neighborhood of $250 and the grant ceiling will be at or near $600. The proposed amendment, Mr. Speaker, seeks to make the best use of limited funds.

If the Congress had been able to fully fund BOG, and still meet the statutory requirements for the operation of the BOG program—which involve the operation of other student assistance programs—this amendment might not have been necessary. But that was not the situation with which we were confronted. The administration budget ceiling of $872 million has been accepted, wisely or not, as an inviolable barrier beyond which we cannot go, even to pay for the education of our children. Under these circumstances, we have to make the best of a bad bargain. And one of the most useful ways to do this is to limit BOG payments to first-time, full-time students.

Mr. Speaker, the past several days have been very active ones in the field of higher education. A month—even 2 weeks ago—students, their families, and the institutions of higher education were wholly unable to even begin to make concrete plans for the year beginning this fall. The amount of funds was uncertain, the very fate of programs mandated by the law was uncertain, and there was considerable unresolved controversy about the regulations for carrying out the basic opportunity grant program.

I cannot come before this House, Mr. Speaker, and cheerfully announce that everything is sunshine and roses. But I can say that the uncertainty has in great part been dispelled.

We now know that at least $872 million will be available for student assistance programs in September. We now know that the money is available to carry out the law as the law is written—that the supplemental grant program, college work-study and the direct student loan funds have all been funded, at the level of the current year.

We know that BOG is on the move. If this amendment is agreed to, this will clear for the President's signature the limitation of BOG grants to first-year, full-time students.

And the BOG family contribution schedule has been issued in its final form for the coming academic year. Here, too, we have not obtained from the Office of Education all that we sought, or even all that we might reasonably have expected.

I am advised, for example, that the revised family contribution schedule does not alleviate the harsh and unjust treatment of family assets that was so roundly criticized when the original draft regulations were put before the Congress. I am not happy with this news, Mr. Speaker, because one of the reasons the pro forma resolution disapproving the proposed schedule was tabled by my subcommittee was that we had a letter from Commissioner of Education Ottina suggesting that certain modifications in assets treatment proposed by the subcommittee "seem to be workable" and were being given "serious consideration." We heard no more about those proposals once we had tabled the resolution of disapproval, and apparently they were not given any further "serious consideration."

Mr. Speaker, essentially, in tabling the resolution of disapproval of the BOG regulations last month, as in enacting this limitation today, we were saying that we believe the Basic Grant program ought to be given a chance to work. We in the Congress enacted the basic program, and we should not stand in the way of its operation on a "fair trial" basis. We have all heard enough of suggestions that such-and-such an education program "has not worked" advanced by the very people who have starved those programs into ineffectiveness. The basic Grant program may be as good as its proponents say, or it may be as bad as its most fervent detractors say but it deserves a fair trial. The Senate amendment is designed to give it one.

Mr. Speaker, I include some letters and telegrams I have received in support of the "first-time, full-time limit" at this point:

COLLEGE ENTRANCE EXAMINATION BOARD,
Washington, D.C., April 24, 1973.

To: College Presidents, CEEB Voting Representatives, and Financial Aid Officers.

From: The Washington Office of CEEB, Lois D. Rice—Vice President and Director; Larry Gladieux—Associate Director.

Subject: Report and analysis of recent actions on Federal student aid programs.

CONGRESSIONAL APPROPRIATIONS

The logjam in Federal student aid appropriations for the academic year 1973-74 has finally broken.

Last week, the Congress passed and sent to the President an emergency resolution containing $872 million in student aid funds—an amount identical to the President's budget ceiling for student aid but spread among a mix of programs radically different from what the President wanted. The measure provides funding for the three institutionally administered Federal programs (College Work-Study, Supplemental Educational Opportunity Grants, and Direct Student Loans) at current year levels, plus a token $122.1 million for the new Basic Opportunity Grants Program.

The Administration had focused its budget request on Basic Opportunity Grants (BOG), proposing $622 million for the entitlement program, $250 million for College Work-Study (CWS) and no monies for the Supplemental Educational Opportunity Grants (SEOG) or National Direct Student Loans (NDSL), although the Education Amendments of 1972 required at least $130.1 million for SEOG and $286 million for NDSL before payments of Basic Grants can be made.

Summarized below are the specific amounts provided by the Congress for 1973-74 compared with the President's Budget and current year funding:

[In millions of dollars]

	1972-73 funding	1973-74	
		Presidents budget request	Congressional resolution
Basic grants		$622	122.1
Supplemental EOG	$210.3		210.3
College work-study	270.2	250	270.2
Direct student loans (Federal capital contributions)	293	[1]23.6	[2]293

[1] Appropriated last year and to be released for use as Federal capital contributions to the loan program in 1973-74.

[2] The congressional resolution actually appropriates $269,400,000 for direct loans; the $293,000,000 includes the $23,600,000 already appropriated.

The language of the Resolution provides that the $122.1 million appropriated for Basic Grants could be used for the SEOG Program if the Basic Grants Program cannot be implemented in 1973-74.[1]

It is noteworthy that for the first time Congress has provided an advance appropriation for the NDSL Program, placing it on a one-year forward funding cycle like SEOG and Work-Study. (Previously NDSL has been funded in the fiscal year during which the funds are used.)

LIMITATION OF BASIC GRANTS TO INCOMING FRESHMEN

Immediately preceding final Congressional action on the appropriations measure, the Senate unanimously voted to limit eligibility for Basic Grants in the academic year 1973-74 to full-time entering freshmen, a step that was widely supported as possibly the only way in which the program could be reasonably operated in the first year on a meagre appropriation of $122.1 million. Spread among all eligible undergraduate students, this amount would yield an estimated average grant of $80, with many otherwise eligible students falling below the minimum grant level of $50 (which applies under any budget less than full funding). In contrast, if the program is limited to full-time freshmen, the $122.1 million would result in more viable payment levels—with an estimated average award of $240 and a maximum of $600.

Sponsored by Senator Claiborne Pell, the Senate-passed provision would apply as long as the available appropriation for Basic Grants remains below $385 million, an amount estimated by Office of Education as full funding for entering students. If the appropriation should reach above this level, then the program would automatically be reopened to all eligible undergraduates. (Efforts will probably be made in the Senate to beef up the $122.1 million budget for Basic Grants by adding additional monies to the regular supplemental appropriation measure that will be considered in May. Such efforts will face tough sledding, however, because additional funds for Basic Grants would necessarily exceed the President's over-all budget ceiling for student aid.)

The so-called "freshmen amendment" was attached to a House-passed resolution extending the life of the National Commission on the Financing of Postsecondary Education. The measure will go to a small House-Senate Conference Committee just after Congress reconvenes, where it is expected to be approved.

The freshmen amendment has bipartisan support in the House and the support of the Administration.

NEXT STEPS AND REMAINING UNCERTAINTIES

The Congress has now acted on student aid appropriations for the coming academic year. Next steps are up to the Administration.

These days, a presidential veto is always a possibility but seems unlikely in this situation because:

1. The student aid funds are attached to a measure providing absolutely essential monies for Veterans Readjustment payments. The Veterans Administration underestimated the volume of GI Bill benefits this year and must have an additional $468 million in order to make checks to eligible veterans at the end of April.

2. The student aid package stays within the budget ceiling. As Representative Daniel Flood of Pennsylvania assured his colleagues in presenting the amendment on the House floor, the package "does not go a dime above the President's Budget proposal—not one dime." It would be awkward for the President to veto the entire measure just because he did not get funding for the specific program that he wanted.

(One lesser factor weighing against White House clearance is the last-minute inclusion in the measure of an additional $85 million for impacted areas school aid which the President opposes, but this is not likely to be enough to generate a veto.)

Impoundment is another question. It is possible that the President will simply refuse to spend certain of the monies appropriated by the Congress. But major impoundment action would seem unlikely in view of the legal ramifications of withholding funds for programs based on state allocation formulas (such as SEOG, CWS, and NDSL) or on entitlements such as Basic Grants.

Moreover, even assuming that the President signs the bill and funds are not impounded, the timing of actual award letters to institutions and issuance of new regulations for the college-based programs is not at all clear at this time (further on this below).

Despite the remaining uncertainties, there are three encouraging aspects to the recent and sudden developments on appropriations:

1. At least the Congress has acted. Two weeks ago there appeared to be absolutely no chance that money would be appropriated before mid or even late May. This early action eases somewhat the already horrendous timing of student aid for next year. The volume of mail flowing into Congress from students, parents, aid officers, educational associations, etc., created considerable pressure on the Appropriations Committee and helped to pry the appropriations loose, though it was only by chance that an appropriate vehicle came

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[1] However, the possibility of transferring the Basic Grants appropriation to SEOG may be subject to technical interpretation. The authorization ceiling for initial year awards under SEOG is $200 million, and if SEOG is considered a new program, the old EOG having been renamed and revised by the Education Amendments of 1972, then all grants under the program during the coming year could be initial awards and funds might not be released above the $200 million authorization level. This matter is now under study by the Office of Education.

along (the urgent supplemental for veterans benefits) to which the student aid money could be attached.

2. Congress in this measure has appropriated more for Office of Education student aid programs than ever before. Also, the combined total for BOG and SEOG is $120 million more than has ever been appropriated for grants alone. Until this year, grant support was the least popular form of student aid and was always the least adequately funded, particularly by the House.

3. Congress has now placed all three college-based programs as well as Basic Grants on an advanced funding cycle, and assuming that budget requests reach the Congress on schedule (unlike this year) colleges and students will in the future be in a far better position to make earlier and more meaningful decisions.

SOME IMPLICATIONS OF THE CONGRESSIONAL ACTION

Again barring a Presidential veto or impoundment of funds, institutions can expected SEOG, CWS, and NDSL allocations for 1973–74 that are fairly comparable to this current academic year, although in most cases slightly lower for the following reasons:

While the appropriation for each program is level with 72–73 funding, more institutions are participating (3,400 for 1973–74 compared to 2,900 for 72–73);

The volume of panel approved requests is $1.534 million, up some 7 percent. Hence the same amount of funds will have to be stretched further. (The increase in panel approvals, however, is less than might have been anticipated, particularly since the Education Amendments of 1972 extended eligibility to all half-time students as well as to students in accredited proprietary and vocational schools. Between 1971–72 and 1972–73, before changes in eligibility criteria were made, panel approved requests rose 21 percent);

Because under the new legislation, funds for SEOG and CWS probably can no longer be focussed exclusively on lower-income groups, institutions which enroll substantial numbers of low-income students, thus benefiting previously from OE "targeting" of these monies, may stand to lose relatively more funds this year than other institutions.

Viewed in comparison with panel approved requests, the appropriations for SEOG, CWS and NDSL will only partially meet the needs of students. This is demonstrated below:

Need as indicated by Panel approved requests 1973–74

CWS	$480,000
NDSL	577,000
EOG	468,000

Need met by appropriations 1973–74 (1972–73)

[In percent]

55	(68)
51	(65)
45	(62)

It should be noted, however, that if Basic Grants are implemented and restricted to entering students, a substantially higher percentage of the need for grant funds (as reflected in panel approved requests) will be met. In addition, Basic Grant monies will reach students at institutions not now participating in the college-based programs as well as a students at participating institutions whose needs are not reflected in institutional requests for the college-based programs.

According to Office of Education estimates, the $122.1 million appropriated for Basic Grants will meet about 33 percent of the amount required to fully fund full-time freshmen, and a mere 10 percent of the amount needed for full funding of all eligible undergraduates.

(The Washington Office of CEEB will issue shortly a study of the effects of Basic Grants at differing funding levels.)

TIMING

Although Congress has cleared the appropriations for 73–74, uncertainties persist on how rapidly the Office of Education will be able to issue institutional allocations and final rules, regulations, and guidelines for SEOG, CWS and NDSL.

OE officials report that every effort will be made to issue allocations (effective July 1) for the college-based programs just as soon as the President signs the urgent supplemental. Normally allocations are not made before the Office of Management and Budget releases funds and program regulations are available, but the current funding crisis is prompting efforts to get a more rapid release.

Since CWS was budgeted by the Administration, the Office of Education now reports that guidelines and regulations for this program are nearer completion than the other programs. VWS guidelines and hopefully those too for NDSL will be issued in mid-May. SEOG rules and regulations are not anticipated before late May or early June. By statute all rules and regulations must be finalized by June 23.

While tentative awards to students could be made at an earlier date, final commitments to students will not be possible until the rule making is completed and guidelines issued. It might be helpful, however, to sketch some changes in the legislation relating to SEOG and CWS that may guide your planning. Changes relating to NDSL, which have been in effect since last July, are also reported below.

SUPPLEMENTAL EDUCATIONAL OPPORTUNITY GRANTS

Duration of grants is one year—students are not assured of grant renewal. (While Panels approved amounts for Initials and Renewals, all allocations by OE will undoubtedly be made in the form of Initials.

The maximum grant level is now $1,500, but no student may recevie more than $4,000 during four years (or $5,000 if he is eligible for five years).

The minimum grant level remains at $200.

Institutions may transfer up to 10 percent of their allotment to College Work-Study.

COLLEGE WORK-STUDY

There is a change in focus from "low-income students" to those with "exceptional need".

There is no maximum on the number of hours students may work. (The old maximum of 15 hours work per week is eliminated.)

Institutions may transfer up to 10 percent of their allotment to EOG.

DIRECT LOANS (NDSL)

Loan ceilings are: $10,000 aggregate for graduate students (including undergraduate loans) and $5,000 for all other students. (No longer is there an annual ceiling of $1,000 for undergraduates and $2,500 for graduate students.)

Minimum monthly repayment is $30.

Forgiveness is restricted to borowers who are combat veterans, teachers of the handicapped and the disadvantaged, and preschool teachers in Head Start Programs.

OE also reports that regulations for Basic Grants will be issued in May, probably in two stages. They will focus on: the determination of college costs for the program; definitions, including those for full-time students, academic year, eligible institutions; and procedures for the disbursement of awards.

In early May the Office of Education will also republish, with only minor changes, the final schedule of family contributions for the BOG Program. While members of Congress have echoed many of your concerns about the proposed rules for determining family contributions, both the House and Senate education committees have formally or informally accepted the schedules proposed by the Office of Education in February. The comittees have indicated, however, that they wish to maintain a constant dialogue with OE and work toward some substantive changes in the schedules during the next academic year.

Currently OE is planning to have application forms for Basic Grants in the field by late May. Also during May and June USOE Regional Offices wil conduct a series of workshops or training sessions for financial aid officers on the implementation of the Basic Grants Program.

BACKGROUND TO HOUSE AND SENATE ACTION ON APPROPRIATIONS

The student aid appropriations package that finally prevailed in Congress was formulated in the House Subcommittee on HEW Appropriations and offered by the Subcommittee Chairman, Representative Daniel Flood, as a floor amendment to the urgent supplemental for the Veterans Administration.

The House Subcommittee had been the target of many conflicting pressures. Starting with a firm agreement not to bust the budget, the Subcommittee Members then had to decide on the mix of programs. They were cognizant of the funding requirement written into the 1972 law for the college-based programs and were agreed on at least satisfying the legal minimums for these programs.[2] The question was whether there would be any money remaining to fund Basic Grants; the answer, in part, turned on a matter of technical interpretation. To meet the requirement of the law, was it necessary to appropriate funds for NDSL in the pending fiscal 1973 supplemental, or had the legal minimum for NDSL already been satisfied by the 1973 supplemental appropriation that was voted by Congress last fall and is being used in the current academic year? If NDSL were funded in the pending supplemental at the specified level of $286 million, very little of the total student aid allocation would be left to fund Basic Grants.

Legal opinions on the issue differed. As a practical matter, most of the testimony to the Subcommittee weighed heavily for an advance appropriation of NDSL in the pending supplemental. Most of the higher education associations argued the importance of nailing down the 1973–74 NDSL funding now, rather than depending on the regular 1974 appropriation bill later in the year. Also weighing in favor of this approach was the traditional popularity of the loan program among the Appropriations Committee Members, coupled with some strong reservations among the Members about the operational feasibility of the BOG Program in the coming year.

As Representative Robert Michel, ranking Minority Member of the House Subcommittee, explained on the House floor, "It is simply too late in the season, now, to put all of our eggs in the BOG basket."

So, in the final analysis the Subcommittee decided to fund the full amount for NDSL and to continue SEOG and CWS at current year levels (which exceed the legal minimum for these programs by $80 million and $20 million respectively), while deemphasizing though not eliminating Basic Grants. The $122 million figure for Basic Grants was derived by simple subtraction; it was the amount that was left after funding the other three programs at this year's levels.

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[2] The Administration, incidentally, has proposed a bill repealing the provision of the Education Amendments of 1972 which established the minimum levels for SEOG, CWS, and NDSL. Introducing the bill on behalf of the Administration, Representative Albert H. Quie of Minnesota stated that it was designed to give Congress "the flexibility to evaluate the progress of these programs and the new Basic Educational Opportunity Grants Program and to determine freely the best level of funding for each one." No committee action is scheduled on the measure.

The Flood amendment passed the House by voice vote on April 12.

The measure was then immediately transmitted to the Senate where the Senate Appropriations Committee ratified the House action after narrowly voting down two proposals to adjust the House figures and produce a more viable funding level for Basic Grants.

It was a different story, however, when the bill reached the Senate floor. There Senators Pell and Dominick successfully amended the measure to place greater emphasis on BOG's while still staying within the proposed budget total of $872 million. Senator Pell contended that the House bill "completely aters the authorizing legislation" by giving so little funding to BOG's. By a margin of 62–19 the Senate voted $384.5 million for Basic Grants, the minimums required in the authorizing legislation for SEOG ($130.1 million) and CWS ($237 million), and $120 million in advanced funding of the Direct Loan Program.

Nevertheless, a few hours following the Senate action, Senate and House Conferees met briefly and accepted the House version of the bill.

The final action reflects a willingness on the part of Congress, at least at this juncture, to accept the President's budget ceiling for student assistance for 1973–74, but an unwillingness to thwart the Education Amendments of 1972 by eliminating expenditures for any of the ongoing student aid programs. Interestingly, the Administration demonstrated during the Senate debate that it was willing to compromise and reduce its Basic Grants request by the $130.1 million needed to meet the required minimum for SEOG. Had the Administration indicated this possible compromise earlier, particularly during House Subcommittee hearings on the student aid appropriations, the final outcome might have been somewhat different.

OUTLOOK FOR 1974–75—STUDENT AID FUNDING

In our February 13 memo, we said that the outlook for Federal student aid funding in 1972–73 was at once extremely hopeful and extremely uncertain. The same statement would apply to the prospects for 1974–75. In fact, the Congressional debate on 1974–75 funding decisions will in some ways be a re-run of the battle over 1972–73 appropriations. The basic issues—the mix of programs and the relative funding priority among them—will be the same. And the starting point—an Administration budget that places principal emphasis on direct entitlements versus institutionally administered funds—is the same.

Yet there is an important difference as well. The Administration is committed to a still larger total budget for student aid in 1974–75—over $1.2 billion ($959 million for Basic Grants and $250 million for Work-Study). This ceiling should permit Congress, if it wishes, to sustain the three traditional programs and at the same time, without breaking the budget, set a viable funding level for BOG as well as hopefully provide some start-up money for the newly authorized State Student Incentive Grants Program.

Floor statements by both House and Senate Appropriations Committee leaders during consideration of the urgent supplemental suggest that substantial Basic Grants funding may be approved for 1974–75. Mr. Flood, in presenting his amendment and conceding that the recommended 1972–73 appropriation for Basic Grants was perhaps unrealistically low, stated to his House colleagues: "I believe I can report to the Members that it is the definite intent of our Subcommittee to recommend that the Basic Opportunity Grants be funded at an appropriate level and at a proper level for the academic year 1974–75 in the fiscal year 1974 appropriation bill." Likewise Senator Warren Magnuson, Chairman of the HEW Appropriations Subcommittee, assured his Senate colleagues, "We are going to get BOG's funded properly. We have the money for BOG's start-up . . . We can give the BOG's Program . . . close to $1 billion in the regular fiscal 1974 bill."

Also indicating a strong commitment to a viable BOG Program was Senator Norris Cotton of New Hampshire, ranking Minority Member of the Senate Subcommittee on HEW Appropriations. In lending support to the efforts of Senator Pell to boost the initial year funding level for Basic Grants, the Senator offered an inspired bit of rhetoric:

[From the Congressional Record, Senate, Apr. 17, 1973]

Mr. Cotton. "Mr. President, I will take about 3 minutes. . . . Every time I pick up a newspaper, every time I turn on my television, every time that I go anywhere or have any group of people come into my office from the various-do-gooder organizations, I constantly have it thrown in my face that this administration, from the President down to the last doorkeeper in the White House are a cold blooded, heartless bunch of people who have no interest in the human problems of this country. The charge is constantly made that the administration wants to build up our defenses and does not want to take care of the poor, and in this instance, does not want to give help to those who are trying to earn an education.

"Here is the first time so far, I think, in this session, that we have come in with a program, and the people downtown are squarely behind it, that I think promises to be one of the most effective programs we have ever had to promote higher education and put it within the reach of the unfortunate. That is the basic opportunity grants. They do not have to get it from a bank, they do not have to go anywhere else, it is a basic opportunity grant.

"This is the first time that this heartless, coldblooded administration that has ice water in their veins, that serves only the rich and does not give a damn for the poor and unfortunate, and is all for national defense with nothing for human needs, are asking us to stand up for something that we really believe and hope will be effective in giving an opportunity to get a college education to every boy and girl in America."

The timetable for consideration of the fiscal 1974 HEW appropriation bill, which will contain advance funding for 1974–75 Federal student aid, is not yet clear and may be delayed pending action on authorizing legislation for elementary and secondary programs. It could be well into the summer before the House Committee marks up the 1974 bill, and a Presidential veto of the entire measure could delay matters further.

It is well to remember that the regular fiscal 1973 HEW appropriation bill was vetoed twice last year. The President has evidenced a still greater readiness this year to reject any Congressional offering that exceeds his budget recommendations, and it seems likely that the 1974 HEW bill will do exactly that.

One can only hope that the annual tilt between Congress and the Executive over HEW appropriations will be resolved before the end of the current session of Congress to permit the kind of lead-time for Federal student aid programs that is sorely needed by both students and institutions.

Education Commission of the States
Denver, Colo., April 26, 1973.
Hon. James G. O'Hara,
Chairman, Special Subcommittee on Education, U.S. House of Representatives, Washington, D.C.

Dear Congressman O'Hara: I am writing in connection with Senator Pell's amendment to H.J. Resolution #393 in relation to limiting Basic Educational Opportunity Grants this first year to new full-time students.

In the light of the restriction of the Basic Educational Opportunity Grant appropriation to $122.1 million, Senator Pell's amendment would seem to make excellent sense. If this is not done the amount that any student would receive would be minimal and the $122.1 million would be dissipated without offering any substantial help. This would make it possible for critics of the Basic Educational Opportunity Grant Program to claim that it had not worked whereas, in fact, it would not have had a chance to work. On the other hand, if it is restricted to new full-time students it can make a sufficient difference to those students receiving it. This would seem to be in harmony with the congressional intent in inaugurating the Basic Educational Opportunity Grant Program to help more substantially those students in serious need. Thus, for the sake of the students, we would like to support the amendment and urge its adoption.

I would also like to take this opportunity to express our very great appreciation to you and the Subcommittee for holding the hearings in relation to the 1202 Commissions and to thank you for the move to publish the issue paper and guidelines in the proceedings of the Committee. While I fully realize that this is not the same as release by the Office of Education, at least it removes some of the mystery. We are most grateful, also, for the enlightened and strong leadership you are giving to the Special Subcommittee on Education.

Cordially,

Richard M. Millard,
Director, Higher Education Services.

Association of American Colleges,
Washington, D.C., April 30, 1973.
Hon. James G. O'Hara,
Chairman, Special Subcommittee on Education, House of Representatives, Cannon House Office Building, Washington, D.C.

Dear Congressman O'Hara: This association wishes to support the amendment to H. J. Res. 393 which would not direct previously appropriated FY '73 Basic Opportunity Grant funds to regular students enrolled at an institution of higher education prior to July 1, 1973, or students enrolled on less than a full-time basis.

We are confident the financial aid administrators at colleges and universities, as they build financial aid packages for the next school year, will use appropriated funds from current student aid programs, plus other financial aid resources, to help make it possible for entering freshmen with minimally-funded BOG's to receive the additional support necessary to attend the institution of their choice.

Sincerely,

Frederic W. Ness,
President.

American Council on Education,
Washington, D.C., April 26, 1973.
Hon. James G. O'Hara,
Chairman, Special Subcommittee on Education, Committee on Education and Labor, U.S. House of Representatives, Washington, D.C.

Dear Mr. Chairman: We understand that when Congress resumes, there will be a conference to resolve the differences between the Senate and House versions of H.J. Res.

393. It may be helpful to know the position of the American Council on Education.

In a statement submitted to the House appropriations subcommittee and in formal testimony before the Senate appropriations subcommittee we strongly supported the President's request for $622 million for Basic Opportunity Grants. We did, however, point out how essential it is to continue support for the well established institutionally-administered programs of Supplementary Opportunity Grants, Work-Study, and National Direct Student Loans. We were gratified indeed that the Congress saw fit to fund these latter programs, and we also understand the reason for staying within the President's total request for student aid in the FY 1973 budget.

The result of these two decisions, however, does create a problem. Because of the new concept of entitlement, every student found eligible for a BOG must receive as a matter of right funds from the BOG appropriation. We believe that with only $122.1 million available for the program this fall these entitlement awards would be so small as to be relatively meaningless in helping students meet their educational expenses. For this reason we believe the so-called Pell amendment, which would make BOG's available only to first time, full time students in this first year of the program, to be a logical and desirable solution. Such a limitation would make possible the award of significant grants. It would also have the merit of getting this program into operation and enabling all concerned to discover the bugs that are almost certain to crop up when any major new program is launched.

We sincerely hope that the conference may see fit to adopt the Pell amendment.

Sincerely yours,

JOHN F. MORSE,
Director.

THE ASSOCIATION OF
AMERICAN UNIVERSITIES,
Washington, D.C., April 26, 1973.

Congressman JAMES G. O'HARA,
Chairman, Special Subcommittee on Education, Cannon House Office Building, Washington, D.C.

DEAR CONGRESSMAN O'HARA: The Association of American Universities (list of members attached) at a meeting on April 24 and 25, 1973, considered matters relating to Federal assistance to students.

The Association supports the principle of limiting eligibility for basic opportunity grants to first time students in fiscal year 1974 because the total amount available for this purpose will be so limited that grants can be made in meaningful amounts only if some reasonably equitable way of defining a relatively small group of eligible students.

We appreciate your continuing and effective interest in problems of higher education.

Sincerely yours,

CHARLES V. KIDD.

NATIONAL ASSOCIATIONS OF STATE
UNIVERSITIES AND LAND-GRANT COLLEGES,
Washington, D.C., April 27, 1973.

Hon. JAMES G. O'HARA
Chairman, Special Subcommittee on Education, House Committee on Education and Labor, Cannon House Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: I should like to express to the House conferees on H.J. Res. 393 my hope that they will accept the Senate amendment which limits the distribution of Basic Educational Opportunity Grants provided in the recent supplemental appropriation to first-year students in post-secondary education.

As you know, the higher education associations, incluuding our own, strongly supported the position you and Chairman Perkins presented to the House Subcommittee on Labor-DHEW appropriations that the so-called "traditional" student assistance programs (Supplemental Educational Opportunity Grants, Work Study, Direct Student Loans) should be funded to at least the minimum level required by law before the BEOG's were funded. We believe that in this time of fiscal constraint, with the Congress wanting to stay within the total amount requested by the President, the Congress was wise in putting most of the funds in traditional programs, which are in place and can be immediately used to assure students of help next fall. But the BEOG program represents a new and challenging approach to student assistance. We believe it should be given the best opportunity possible to succeed and be of maximum assistance to students.

With an appropriation of $122.1 million dollars pro-rated among the whole population of students with legal entitlements, we believe this goal could not be achieved. A great number of very small grants would neither help many students very much nor test the number of students who would seek BEOG's if the grants were adequate. By limiting the awards to first-year students they may be made large enough to be of genuine assistance. If in the supplemental to be enacted soon, it were possible to fund the BEOG's to an estimated full-funding level *for first-year students* (which we certainly would support) it would be possible to have **a genuine test of the potential impact of full funding for the entire student population.**

We appreciate this chance to express the views of this Association to you and your colleagues.

Sincerely,

RALPH K. HUITT,
Executive Director.

AMERICAN ASSOCIATION OF
STATE COLLEGES AND UNIVERSITIES,
Washington, D.C., April 26, 1973.

Hon. JAMES G. O'HARA,
Chairman, Special Subcommittee on Education, Committee on Education and Labor, Washington, D.C.

DEAR CONGRESSMAN O'HARA: On behalf of our member institutions and particularly the students whom they serve, may I take this opportunity to thank you for your efforts towards having the student aid programs funded earlier than had seemed to be the case. We believe that the ability to tell our students during the next several weeks what they may except in the way of financial aid will prevent many qualified and deserving students from dropping out of school, a problem we had feared.

I would also like to take this opportunity to express our support of the so called "Pell Amendment" passed by the Senate prior to recess which would permit the Office of Education to concentrate the 122.1 million dollars appropriated for basic equal opportunity grants on first time students only. We would have favored the appropriation even if the funds had to be spread across the entire eligible student population if only to have the program get under way and have the machinery established for the next year when a larger sum would be available.

However, we believe that concentrating the money, and thereby tripling the average grant, will allow the programs to have a meaningful impact on the financial means of a specifically identified group of students. We would urge the members of the House who will serve as conferees next week to favorably consider the Senate amendment in the final measure approved by the conference.

Sincerely,

ALLAN W. OSTAR.

AMERICAN ASSOCIATION OF
COMMUNITY AND JUNIOR COLLEGES,
April 27, 1973.

Representative JAMES O'HARA,
Chairman, Special Subcommittee on Education, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: We hope the conferees will act quickly after the Easter recess to adopt the resolution extending the life of the national commission on higher education finance, and on the Pell Amendment which would target the first year's funding of the Basic Education Opportunity Grants Program (BOGs) on the first-year students.

Our ranks strongly support BOG and the Pell Amendment. From the recent AACJC testimony before your Subcommittee, you will recall Dr. Gleazer's vigorous support of the BOG.

Senator Pell's Amendment has several clear advantages in getting the program off to a successful start. It would simplify the operation in its first year. It might ensure that the individual grants, modest though they may prove to be, will be large enough to be effective. It also provides a useful device for measuring the BOG demand, since the program would serve only the new students.

BOG would receive a fairer test in its first year if it could be funded more nearly at full-grant level for the new students. The cost has been estimated by USOE at $385 million, and since the Administration has been equally anxious to get the program off to a strong start, it is our earnest hope that the Congress will be able through supplemental appropriations, to fund the program and the new students at this figure.

Sincerely,

R. FRANK MENSEL,
Vice President for Governmental Affairs.

ASSOCIATION OF COMMUNITY
COLLEGE TRUSTEES,
Washingon, D.C., April 26, 1973.

Representative JAMES G. O'HARA,
Rayburn Building,
Washington, D.C.

DEAR CONGRESSMAN O'HARA: Speaking for the Association of Community College Trustees we are urging your support of House Joint Resolution 393 pertaining to the BOGs program.

Since the BOG program is funded at less than the full amount, it would appear that if the program was available to all students that the amount available for each student would be insignificant.

On the other hand if the program is limited to first time-full time students, the amount being afforded those students would substantially increase their chances for a successful beginning in college.

This kind of financial support is of critical importance to the student who attends college from the low income family.

On behalf of community colleges and technical institutes in the United States, we want to commend Congress on the passage of the Student Aid Bill. It is critical to the development of skills among young people. They are in great need of the acquisition of saleable skills in today's highly technological

Executive Director.

Sincerely yours,

WILLIAM H. MEARDY,
Executive Director.

NATIONAL STUDENT LOBBY,
Washington, D.C., April 27, 1973.

Chairman JAMES G. O'HARA,
Special Subcommittee on Education, U.S. House of Representatives, Washington, D.C.

DEAR CHAIRMAN O'HARA: The National Student Lobby strongly supports the amendment to limit the Basic Educational Opportunity Grants program to freshmen for the academic year '73–'74. I have had the opportunity to talk with numerous student leaders around the country since the introduction of the amendment and their support is nearly unanimous. There is, however, great apprehension that this limitation may occur again next year. It is our position that BOGs must be funded adequately enough to avoid any such limitation in the next fiscal year.

The feeling of students on the "freshmen amendment" is positive for several reasons. The funding of the program, and the spirit of the student aid sections of the '72 amendments were compromised in the FY '73 supplemental appropriation. In order to provide a true picture of the potential of the BOG program it is necessary to impose some limitation on eligibility. It is highly appropriate that in a program aimed towards providing universal access to postsecondary education any limitation should apply to first year students. This will begin to gear high school students, financial aid officers, high school counselors and students currently in institutions of postsecondary education towards thinking of BOGs as a means of entry into the educational system.

Our reaction to the amendment was one of caution. We feared that such a limitation would create widespread hostility towards the program on the part of students as "favoring" freshmen. This does not seem to be the case. Students are appreciative of the increase in aid funds and the consensus is that the increase will be equitably distributed among all aid recipients regardless of class standing. There is no fear that freshmen will be discriminated against in the distribution of funds through the traditional programs.

The delay in funding has created serious problems in informing students of the BOG program for the fall. The Office of Education has compounded this problem by their refusal to inform students on a large scale of the development of the program. This problem will seriously jeopardize the success and acceptance of BOGs with students. It is imperative that immediately following Congressional action of the freshmen amendment, that the Office of Education undertake to inform students and institutions of the program on a broad scale.

To effectively inform students there must be a broad informational mailing which would reach all high school and college student newspapers, high school counselors, college student aid officers, and other community and student organizations. This mailing should include:

1) a sample application form for BOG. Although the final form may not have reached completion, a sample form will serve to make students aware of the information they will need, how the program will determine eligibility, and how problems such as independent students, student assets, etc., will be treated.

2) a "factsheet" giving background information on the program. This should explain the origins and purpose of the program and explain the reasons for the temporary limitation of eligibility to freshmen.

3) a status report. This report should indicate the projected timetable for application forms, what role the contractor will play in administering the program, what the appeals process will be, how they can stay in touch with the process during the summer months when many students may not have access to traditional counselors.

In conclusion, we recommend that Congress approve the Senate action to limit eligibility for the Basic Grants program to freshmen for the first year of the program. We also recommend that the Special Subcommittee on Education play an active role in encouraging the Office of Education to promptly and effectively inform students of the program as outlined above.

Sincerely,

Seth Brunner,
Education Director.

The City University of New York,
Washington, D.C., April 23, 1973.
Hon. James G. O'Hara,
U.S. House of Representatives, Rayburn House Office Building, Washington, D.C.

Dear Congressman O'Hara: You have been appointed to a conference committee considering H.J.R. 393, which the Senate amended by limiting BOG eligibility to incoming freshmen next year. I am writing in support of the Senate amendment.

Under the present law, all of our undergraduates would compete for a slice of the $122.1 million BOG appropriation. The average award would be only $58 under these circumstances. This scarcely justifies the expense of administering BOG, and would constitute a cruel hoax upon hundreds of thousands of applicants. In fact, the Office of Education has indicated repeatedly that it would not administer BOG on this basis.

By limiting BOG eligibility to incoming freshmen, the Senate amendment would permit more substantial awards to reach part of the college population and allow a promising new program to be launched.

It is time to face the consequences of a a very inadequate BOG appropriation by establishing the only administrative format under which BOG can operate under the circumstances. I urge you to join the Senate in limiting BOG eligibility to incoming freshmen next year.

Sincerely,

Lawrence N. Gold,
Assistant Director.

National Association for Equal Opportunity in Higher Education,
Washington, D.C., April 30, 1973.
Congressman James G. O'Hara,
Chairman, Special Subcommittee on Education, U.S. House of Representatives, Washington, D.C.

Dear Mr. O'Hara: In response to the request from your committee's office, I am presenting reactions to the Pell Amendment to the House Joint Resolution 393 to amend the Education Amendments of 1972.

The President has signed into law the bill providing 872 million dollars for student assistance in the coming academic year. This law includes sums of 210.3 million for Supplemental Education Opportunity Grants, 270.2 million for College Work Study, 269.4 million for Direct Student Loans, and 122.1 million for Basic Educational Opportunity Grants.

The Pell Amendment proposes that if the Basic Educational Opportunity Grants appropriation for FY 1973 does not exceed $385,000,000, payments under such support from such appropriation shall not be paid on the basis of any entitlement for any student (1) who was in attendance, as a regular student at an institution of higher education prior to July 1, 1973, or (2) who is in attendance at such an institution on less than a full-time basis. This would limit this program to full-time freshmen students in Academic Year 1973–74.

Since the 122.1 million is the approved amount for the Basic Educational Opportunity Grants Program, it would be better to limit this money to the Freshmen Students.

The American Council on Education's 1972 Fall Freshman Enrollment indicates that there were approximately 1,557,521 First time, Full-time Freshmen in all institutions of Higher Education. Of this number, there were approximately 97,684 Black College Freshmen. This figure has not taken into consideration the universe of proprietary school students who will be eligible. Assuming that all students would be entitled to something, this figure alone would average out to about 78 dollars per student. This is the magnitude of the program for freshmen.

Based on attrition rates the Freshman year is the year with the largest enrollment. The student enrollment tends to decrease from year to year until graduation. If the program is limited to Freshmen there would still need to be large sums of other money to make this program adequate.

Under full funding a Basic Grant would be the basic amount for other student aid programs. Without this program at a fully funded level, the amount of other aid program support need increases in proportion to the deficit in the Basic Educational Opportunity Program.

With the tightening up of the economy with regards to loans, students will be hard pressed for aid outside of the traditional aid programs of Supplemental Educational Opportunity Grants, College Work Study, and Direct Student Loans.

Since the thrust of the student aid programs is to serve the needy, the Basic Educational Opportunity Grants Program would hopefully take care of students from low-income families. Without this thrust all need may end up being middle income and other rather than inclusive of the lower-income student.

In this type of student aid crises based on a shortage of funds, flexibility is more important than rigidity with regards to meeting the needs of the students. The crises is getting students in school, keeping them in school, and getting them out of schools as graduates.

Enclosed you will find an excerpt from testimony before the Senate's Appropriations Subcommittee on Labor-HEW indicating the problems that a 622 million level would have presented. With 122.1 million or approximately 500 million dollars less in the program, the problems are more compounded.

If we can be of further help to you in supplying additional information and/or testimony before the Special Subcommittee on Education, please feel free to call upon us.

Sincerely,

Miles M. Fisher IV,
Executive Secretary.

Alma College,
Alma, Mich., May 2, 1973.
Representative James G. O'Hara,
House of Representatives, Cannon House Office Building, Washington, D.C.:

The Michigan Students Financial Aid Association urges your support of the Senate amendment to House Resolution 393 which limits BOG eligibility to first time, full-time students.

John Kimball,
Chairman, Michigan Student Financial Aid Association.

Berkeley, Calif.,
May 2, 1973.
Congressman James G. O'Hara,
Capitol Hill, Washington, D.C.

Dear Mr. Chairman: On behalf of the University of California I urge your support of House Joint Resolution 393 which will target BOG funds for academic year 1973–74 on entering freshmen. House Joint Resolution 393 will permit the BOG program to be run as a pilot program in its initial year of operation. Also, it will assist freshmen students who in California are unable to obtain loans as California banks are not making such loans this year.

Respectfully yours,

Charles J. Hitch,
President, University of California.

TUCSON, ARIZ.,
May 2, 1973.

Hon. JIM O'HARA,
Chairman, Special Subcommittee on Education, House of Representatives, Washington, D.C.:

Urge you to support House Joint Resolution 393. These funds are most necessary for University of Arizona students for the coming year and will provide the only available route to higher education for many.

JOHN P. SCHAEFER,
President, University of Arizona, Tucson.

CINCINNATI, OHIO,
May 2, 1973.

Representative JAMES O'HARA,
Capitol Hill, Washington, D.C.:

Edgecliff College is in support of your proposal to limit basic opportunity grant funds for the academic year 1973–1974 to incoming full time freshmen only.

Sister MARCIA KENNING,
Director Student Financial Aid, Edgecliff College.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. I am one of those who thought it was not desirable, as the administration had proposed, to rely almost entirely on the BOG program this year and to reduce the ongoing programs for direct loan, work study, and EOG's. Therefore our appropriation committee came up with the same level of appropriations for the ongoing programs but also with $122 million to try out BOG.

I do recognize the desirability of limiting the number of students who would be involved in the trial run. That would reduce the probability of a snafu. However, it really concerns me that financial aid officers, being hard-pressed for funds, may likely say, "Since these freshmen are going to have access to some BOG's, perhaps in August or some other time, through the computer, then we will just automatically reduce the amount we will give them under the other programs. This would leave them in a state of great uncertainty and be very discouraging. For freshman especially, this would be bad and in many cases would cause them to give up or make alternate and less desirable plans."

I believe it ought to be made absolutely crystal clear that these financial officers should not leave freshmen in this kind of a situation.

I believe something ought to be done to make sure on a continuing basis that the financial aid officers do not just assume that freshman will receive BOG money in any particular amount.

Mr. O'HARA. I want to assure the gentleman from Iowa that the managers on the part of the House share his concern. We say in the joint statement of the conferees our understanding and intention that this resolution shall not be interpreted as denying the benefits of any other title IV assistance program to any otherwise eligible student, and that such students shall be eligible for such benefits to the full extent that the funds appropriated by the Congress shall permit.

We brought this matter up with the National Association of Student Financial Aid Administrators, and we received assurance from them, in a letter dated April 18, that in the discharge of their duties they will continue to "focus on the most needy students regardless of the year in school," and that freshmen students will receive full consideration. I ask that the full text of the letter from Mr. Richard Tombaugh, for the association, be printed at this point in the proceedings.

NATIONAL ASSOCIATION OF STUDENT
FINANCIAL AID ADMINISTRATORS,
Washington, D.C., April 18, 1973.

Hon. JAMES G. O'HARA,
Chairman, Special Subcommittee on Education, Cannon House Office Building, Washington, D.C.

DEAR MR. O'HARA: The National Association of Student Financial Aid Administrators would like to endorse the limitation of the $122.1 million appropriation for the Basic Educational Opportunity Grant to first year students, as proposed by the Senate in H.J. Res. 393, as amended.

We feel that this limitation will add appreciably to the success of the program, by making otherwise very small individual grants sufficiently large to be of real value.

We would like to assure the House of Representatives that the distribution of the college-based programs will continue to focus upon the most needy students, regardless of year in school. Financial aid administrators, no longer compelled to provide Supplemental Opportunity Grants to continuing students before aiding first year students, will be able to evaluate each case on its own merits. They may award Supplemental Grants to first year students with exceptional need, who do not qualify for Basic Grants, or to those who require additional aid to attend the institution of their choice. Likewise, we would not anticipate any preference being given to continuing students for NDSL and CW–SP funds because of the first year limitation on Basic Grants. First year students have historically received a proportional share of NDSL and CW–SP, and we see no reason that this would change.

We urge the House to concur with this Senate proposal to enhance the impact of the Basic Grant program.

Sincerely,

RICHARD L. TOMBAUGH,
Executive Secretary.

That is certainly the intention of the amendment and of the conferees, and I am glad the gentleman from Iowa brought the matter up.

Mr. SMITH of Iowa. And I understand the letter also states:

> We would not anticipate any preference being given to continuing students for NDSL and CWS funds because of the first year limitation for basic grants. First year limitations for basic grants. First year students have historically received a proportional share of NDSL and CW–SP, we see no reason that this would change.

Mr. QUIE. Mr. Speaker, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Speaker, I cannot think of any substantive reasons for opposing either of the two major provisions of this resolution. I strongly recommend approval of the Senate amendment.

The extension of the reporting date for the National Commission on the Financing of Postsecondary Education was approved by a vote of 332 to 29 in the House last March 5. The need for this change was fully anticipated a year ago when the President signed into law the Education Amendments of 1972. Because that bill was delayed for so many months, the original reporting date adopted in committee gave less and less time for the National Commission to carry out its responsibilities. Only because the new rules of conference prevented the conferees from extending the reporting time was it necessary to seek separate legislation. Thus, House Joint Resolution 393.

As you will recall, just before the Easter recess we passed an urgent supplemental appropriations bill which included funds for student assistance programs. The President has signed that bill. Many of us were very disappointed that the new basic opportunity grant program received only $122.1 million for next fall. The President had asked for $622 million. And even his request would not have given students their full entitlement.

As the law now stands, that $122.1 million would have to be spread out over approximately 1.5 million students. Grants would range from $50 to $210 with an average award of $80. Now $122.1 million is a lot of money. It should be used wisely. But to most students, $80 is not going to help them significantly one way or the other. The program would not be fulfilling congressional intent.

To rectify this situation, many of our colleagues and people in the higher education community have suggested a pilot program for the first year. The question was, how to limit the program in the first year in a fair way and still make the program work. Almost everyone familiar with this program has agreed that limiting the money next fall to first-year, full-time students is the best approach.

If we adopt the Senate amendment, then all first-time, full-time students will be eligible. Grants will range from $50 to $600, with an average award of approximately $240. This is because the number of students eligible will be reduced to approximately 500,000.

Let me answer some of the questions that people have raised about this limitation. First, will this change delay the implementation of the program? The answer is "No." HEW has additional regulations drafted to implement the BOG program. One draft incorporates the limitation to freshmen for next fall. They will be published next week, as soon as this limitation becomes law.

What will this change do to the application procedures? HEW has approved application forms at the printers. One would apply to all students in postsecondary education. The other would clearly explain that only first-time students are eligible to apply. As soon as we act today, the printer can begin and the forms can soon be distributed. We hope that information about the BOG's can get to the high schools immediately, as the majority of eligibles are now high school seniors.

Some have questioned whether limiting BOG's to freshmen will effect the distribution of other Federal student aid money. We have assurance from HEW that freshmen will in no way be discriminated against in the rules and guidelines applied to the other programs. And the National Association of Student Financial Aid Administrators has assured us that their members will not give freshmen a lower priority in the awarding of supplemental education opportunity grants, work-study, or direct loans. Obviously, even with the limitation, freshmen are going to need additional help in order to enroll since under no condition will the BOG cover more than half of the student's total need.

So, Mr. Speaker, we have here a chance to insure the wise use of $122.1 million which has already been appropriated; the opportunity to launch in a meaningful way one of the best new programs for students the Congress has adopted; and to approve the final action necessary to give all of our colleges, students, and parents the information they need to plan for the school year next fall.

Mr. O'HARA. I thank the gentleman.

Mr. DELLENBACK. Mr. Speaker, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Oregon (Mr. DELLENBACK).

Mr. DELLENBACK. Mr. Speaker, I thank the gentleman for yielding, and I would join very strongly with our colleague, the gentleman from Michigan (Mr. O'HARA), the chairman of the subcommittee, in recommending that the House act favorably today on this proposed amendment.

We should not forget in talking about the amendment that the basic bill to which it is an amendment is something that was passed by this House on March 5 by an overwhelming vote, a vote of something like 332 to 29. It was the basic measure to extend the life of the National Commission on the Financing of Postsecondary Education.

Mr. Speaker, the amendment pertaining to the basic opportunity grant program is strongly supported in the other body. It is, in my opinion, a desirable amendment which will help to assure the success of the program.

I would add one further word on this particular program. The mechanics which are proceeding at the present time to put the basic opportunity grants into operation look very favorable, and are right on schedule. Early action today by this House on this program will strongly support and give additional benefits to what is a highly desirable program.

Mr. PERKINS. Mr. Speaker, will the gentleman yield?

Mr. O'HARA. I will yield to the gentleman from Kentucky (Mr. PERKINS).

Mr. PERKINS. Mr. Speaker, the distinguished chairman of the subcommittee has adequately explained the conference report. This is a good amendment. It is not only reasonable—it is necessary.

The amendment will not involve any additional costs to the Federal Government. To the contrary, it will insure rational and effective utilization of precious Federal student aid funds.

Only $122,100,000 has been appropriated for the operation of the new and important basic grant program next year. This is an entitlement program and as such the $122 million would have to be spread among an estimated 1.5 million students. As the law now stands, grants would amount to approximately $80 each. It would cost approximately $10 to make each grant. The ratio of administrative costs is obviously highly inefficient.

Under the amendment, basic grants will be concentrated on first year students who are attending on a full-time basis. Instead of an average grant of $80—there will be an estimated average grant of $250. The amendment will significantly increase the impact of the BOG's program.

As my colleagues know, there has been great uncertainty and confusion with respect to student aid monies for the next academic year. With adoption of the amendment today this period of uncertainty will be over. The Office of Education is prepared to move rapidly with application forms.

In light of the small amount available for basic grants next year it just makes good sense that we limit eligibility. I wish to make clear: First, that the amendment applies only to fiscal year 1973 appropriations; and, second, that there is no intention that the amendment affect eligibility for participation in any other student aid program. First year students will not be restricted to the basic program. They will be eligible for the other three traditional institutionally based programs of supplemental grants, college work-study and direct loans as well.

Mr. Speaker, I urge the House to concur in the Senate amendment.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. O'HARA. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I fully endorse the recommendations of the House conferees. During the recent consideration of the appropriation bill affecting the student assistance program, I asked several questions as to whether or not the existing law, the BOG program, could be implemented effectively. The answer was: Probably not.

Mr. Speaker, this legislation is necessary to make it clear that the $122 million can be used for pilot programing to prove the BOG program is a constructive step forward. I compliment the conferees.

Mr. CONTE. Mr. Speaker, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Speaker, I rise in support of the motion to agree to the Senate amendment to House Joint Resolution 393.

Just 2 weeks ago, the Congress took a major step in providing a rational plan of Federal aid to college students. As part of the urgent supplemental appropriations bill, the Congress adopted an amendment I proposed in the Labor-HEW Appropriations Subcommittee. This amendment provides funding for three proven student assistance programs and provides $122.1 million for the new basic opportunity grant program.

While the administration had proposed that major reliance should be placed on the new basic opportunity grants, it became readily apparent that there were significant questions about the wisdom of this course of action. On the other hand, we, on the subcommittee, felt that the BOG's should be given a chance. They need that chance so that we can see how well they will work.

Because funds that can be provided for student assistance are limited, we were only able to provide enough for the BOG's to operate at a very low level. It has been estimated that, with the $122.2 million appropriation, the average grant under BOG's would be $80, and the ceiling would be about $200. Further, the administrative costs would be disproportionately high.

Recently, the Senate added an amendment to House Joint Resolution 393. That amendment provides that, for the next academic year only, BOG's will be limited to full-time, first-year students. It has been estimated that this would have the result of raising the average grant to 250 dollars and would raise the ceiling to $600. The administrative costs would also fall to a more reasonable level.

I think the amendment makes a great deal of sense. It would establish a more realistic laboratory in which to evaluate the BOG's. It would give us a chance to see and correct the mistakes we may have made, and the pitfalls we may not have seen, in designing the program. It will set the groundwork for phasing the BOG's into the Federal student assistance framework, starting with those students who will continue with the BOG program, should the program prove its worth.

This course also has the advantage of widespread support in the financial aid community.

I urge my colleagues to join me in supporting the motion to agree to the Senate amendment. This will be the final step in clearing up the questions about financial assistance for the next school year. It is a wise way of using our limited resources.

Mr. O'HARA. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER. The question is on the motion offered by the gentleman from Michigan (Mr. O'HARA)

The motion was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. O'HARA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks during the consideration of the motion with respect to the Senate amendment to House Journal Resolution 393.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AMENDING IMMIGRATION AND NATIONALITY ACT

Mr. MATSUNAGA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 352 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 352

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 982) to amend the Immigration and Nationality Act, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. MATSUNAGA. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio (Mr. Latta), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 352 provides for consideration of the bill, H.R. 982, which, as reported by our Committee on the Judiciary, would make it unlawful to knowingly employ aliens who have not been lawfully admitted for permanent residence, or who are not otherwise authorized by the Attorney General to work while in the United States.

The proposed legislation is designed to cope with the growing problem of job competition created by illegal aliens in the United States. These aliens fall generally into two categories: First, those who entered this country illegally, and second, those who entered legally as nonimmigrants and thereafter violated their status by accepting unauthorized employment.

U.S. citizens who suffer from job competition posed by these illegally employed aliens are the unskilled or low-skilled workers—the occupationally disadvantaged to whom our manpower programs are directed.

The magnitude of the problem is evidenced by the number of illegal aliens in the United States, estimated to be between 1 and 2 million persons.

H.R. 982 would establish a 3-step procedure for the imposition of sanctions against employers who hire illegal aliens. The civil penalty that is assessed increases in severity as the employer repeats the violation.

First, a citation is served on the offending employer or his agent informing him of an apparent violation of the legislation;

Second, upon the occurrence of a subsequent violation within 2 years of the first, the Attorney General would be empowered to assess a civil penalty of not more than $500 for each alien employed in violation of the provisions of this legislation; and

Third, if the employer violates the law again, he would then be subject to a $1,000 fine and/or a 1-year prison term for each alien hired.

The proposed legislation also contains provisions relating to the forfeiture of vessels, vehicles, and aircraft which are used to smuggle aliens into the United States. This may be a too harsh provision and as I understand it an amendment to delete it will be offered.

The cost to carry out the provisions of H.R. 982 is estimated at $298,400 for each fiscal year following its enactment.

Mr. Speaker, House Resolution 352 provides for an open rule with 1 hour of general debate, the time to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, after which the bill would be read for amendment under the 5-minute rule. It would then be in order to consider the amendment in the nature of a substitute recommended by the committee and now printed in the bill as an original bill for the purpose of amendment under the 5-minute rule.

At the conclusion of the consideration of the bill for amendment, the Committee of the Whole House would rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill for the committee amendment in the nature of a substitute.

The previous question would then be considered as ordered on the bill and amendments thereto to final passage, without any intervening motion except one motion to recommit, with or without instructions.

Mr. Speaker, I urge the adoption of House Resolution 352 in order that H.R. 982 may be considered.

Mr. LATTA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I agree with the remarks just made by the gentleman from Hawaii (Mr. Matsunaga) concerning the provisions of this resolution. I hasten to point out that the bill that this resolution makes in order, H.R. 982, is the wrong way to attack the problem.

I might say, Mr. Speaker, that back in 1963—in fact, on October 31—this House voted to extend the then existing bracero labor program for only one year and then terminate that program. The bracero program had been very effective in keeping back the wetbacks and provided adequate help in a very systematic way with the cooperation of the Government of Mexico and the Government of the United States. During the 1963 debate on the bracero program I quoted from a letter written by the Ambassador of Mexico, printed at page 19657 of the Congressional Record for October 31, 1963. The following quotation is an accurate prediction of the present situation:

> Therefore, the absence of an agreement would not end the problem but rather would give rise to a de facto situation; the illegal introduction of Mexican workers into the United States, which would be extremely prejudicial to the illegal workers and, as experience has shown, would also unfavorably affect American workers, which is precisely what the legislators of the United States are trying to prevent.

When we on that day voted in this House to only extend that program for 1 year, there were many of us in the House that pointed out how successful the program had been and what would result in the way of illegal aliens entering this country if we did not extend the program for 2 years' time and then re-extend it.

I might say, Mr. Speaker, that since that time we have had nothing but wetback trouble, and I say that this bill is an after-the-fact attempt to solve the problem.

Actually this bill if it is enacted into law is not going to solve the problem of illegal entry of these immigrants. No; we are going to let them continue to come in. We are going to have no understanding with the Government of Mexico; we are going to put the monkey on the back of the employer. I think what has been happening since this Congress let the bracero program die in 1963 is absolutely wrong.

Under the bracero program we did not have the families of the Mexican people coming in here. We only had male laborers. They went back to Mexico at the end of the harvest season, and they came back the next year under contract. At that time we only were dealing with about 200,000 employees. We did not have the problem that we have today.

What is the problem that we have today? Today we have, according to the report of the Committee on the Judiciary, between 1 and 2 million illegal aliens in this country. On page 5 of this report prepared by the committee we see what the trend is. In 1965 the U.S. Government apprehended 110,371 illegal entrants and expelled 105,406. The numbers continued to increase, so that in 1972, 505,949 aliens were apprehended; 467,193 were expelled.

How much is this costing the Federal Government? It is costing, according to the committee report, $35 million just to deport illegal aliens in fiscal year 1970.

It seems to me that the Committee on the Judiciary should not be reporting this bill out, and the House should not be considering it today, but the House Committee on Agriculture should bring forth a bill that would reinstate the bracero program. We could have an agreement with the Government of Mexico, and we could have an orderly process once more where we could import the help that we need, and when the help was no longer needed, they would return to Mexico.

Mr. Speaker, I invite the attention of the membership to the statements that were made back in 1963 as to what would happen if that bracero program were not extended. Those individuals who spoke on the floor of the House pointed out exactly what was going to happen, and it has happened. It seems to me that we ought to go back there in 1963 and correct the mistakes that we made, and not be permitting these illegal entrants to come into the country by the hundreds of thousands, as they have been doing, and staying here and costing the taxpayers millions of dollars just to seek them out and return them.

In addition to that, this legislation puts the burden on the employer. I do not think this is proper, Mr. Speaker. As a consequence, I am going to oppose the legislation. I am not going to oppose the resolution, but in debate I hope that this House in its wisdom will send this legislation back to the committee, and the Committee on Agriculture will come out with a bill to reinstate the bracero program.

I understand several bills have been introduced in this session of Congress to do exactly that. That is the proper approach to this problem, Mr. Speaker, and not this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. MATSUNAGA. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. EILBERG. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 982) to amend the Immigration and Nationality Act, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Pennsylvania.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 982, with Mr. Moss in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Under the rule, the gentleman from Pennsylvania (Mr. EILBERG) will be recognized for 30 minutes and the gentleman from Ohio (Mr. KEATING) will be recognized for 30 minutes.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania.

Mr. EILBERG. Mr. Chairman, the bill, H.R. 982, which the committee brings to the floor today, is the direct product of a year-long investigation by the Immigration and Nationality Subcommittee into the illegal alien problem. In any discussion of this problem it must be recognized that the term "illegal alien" includes not only the alien who surreptitiously enters this country but also any alien who enters legally as a nonimmigrant—visitor, student, and so forth—and thereafter violates the terms of his admission.

The committee has been especially disturbed by the taking of employment by such individuals—a situation which has resulted in the substantial displacement of American labor. Our committee has long been concerned with this problem and in recent years it has been intensified to such an extent that present estimates indicate that there are approximately 1 to 2 million illegal aliens in this country.

In the 92d Congress the administration included provisions in its omnibus immigration bill which would initially impose criminal penalties on those who knowingly employ illegal aliens. When administration witnesses appeared before the Judiciary Committee in support of this legislation, it was indicated that the illegal alien problem had reached serious proportions and that legislation was urgently needed. As a result Subcommittee No. 1 of the Committee on the Judiciary immediately commenced a detailed investigation in an effort to determine the magnitude and scope of the problem and to determine the impact of illegal aliens on the American economy.

The subcommittee members traveled to six major cities throughout the United States—Los Angeles, Calif.; Denver, Colo.; El Paso, Tex.; Detroit, Mich.; Chicago, Ill.; and New York City. During these hearings we heard from approximately 200 witnesses who were affected by or were intimately familiar with this problem.

As a result of these hearings the subcommittee concluded that the adverse impact of illegal aliens on the domestics labor market, Federal and State public assistance programs, and the United States balance of payments has been substantial and warrants legislation to meet the problem as well as to assure the orderly entry of immigrants into the United States.

In addition, the subcommittee learned that the illegal alien himself is often viciously exploited by unscrupulous employers. For example, some witnesses indicated that such employers will threaten to expose an alien to immigration officials if he should complain about substandard wages and working conditions or the denial of fringe benefits. Others, including the United Farm Workers, have stressed that "it is a common practice for employers to hire illegal aliens and right before pay day make a convenient call to the Immigration authorities who thereafter pick up the illegals and absolve the employer from any duty to pay earned wages to that date."

In other words, with no law specifically prohibiting the employment of illegal aliens employers will continue to hire such individuals since by virtue of their illegal status, they must work harder, longer and often for less pay. In addition to the intolerable situation in which the illegal alien finds himself, his employment also compromises labor conditions, depresses wage rates and deprives Americans of jobs. Whatever sympathy one might have for the underprivileged aliens in their desire to improve their economic position, this Government can not condone their employment when it adversely affects American citizens and other persons who are lawfully in the United States.

It is evident that the primary reason for the illegal alien problem is the economic imbalance between the United States and the countries from which the illegal aliens come, particularly Mexico, coupled with the availability of employment in the United States. It is, therefore, apparent that this is truly an international problem and it is conceded that this legislation will not provide a panacea nor solve the underlying reasons for this problem, namely the "pull" factors encouraging aliens to come to the United States and the "push" factors—the economic conditions in the alien's native country.

On the other hand, the committee has concluded that the best method to attack this problem on the domestic level is to eliminate the availability of employment by imposing sanctions on the employer who knowingly hires illegal aliens. In other words, H.R. 982 is designed to remove the economic incentive which causes aliens to illegally enter this country and to remove the incentive for employers to exploit this source of labor.

In considering this legislation the committee was originally concerned with the criticism that the initial imposition of criminal penalties—as proposed by the administration—would be too severe and would result in employment discrimination against members of ethnic and minority groups. For example, the argument was raised that since employers would be exposed to criminal penalties for a first violation they would be reluctant to hire any individual with a Spanish surname or a foreign accent. For this reason, the subcommittee abandoned that approach and instead substituted a three-step procedure for the imposition of sanctions, including citations by the Attorney General, civil fines and criminal penalties. Moreover, the committee has devised two provisos, contained in section 2 of the bill, which are designed to insure conscientious employers that they they will not be prosecuted under this legislation. The first proviso states that any employer who makes a bona fide effort to ascertain whether the prospective employee is a citizen, a permanent resident alien or is otherwise authorized to work shall not be subject to civil or criminal liability. This provides the employer with a great degree of flexibility in meeting the bona fide inquiry provision and will allow him to make such an inquiry in any manner he so chooses. The second proviso stipulates that if an employer obtains from the employee a signed statement in writing that such employee is a citizen, a permanent resident alien or an alien authorized to work, this shall be deemed prima facie evidence that the employer has made a bona fide inquiry. In order to assist employers, agents of employers and employment agencies in obtaining such statements, the Attorney General is required to prepare and furnish special forms to such individuals.

In addition, the committee has recently been advised that the Department of the Treasury is in the process of considering an amendment to the W-4 form—employee's withholding allowance certificate—include a question on the citizenship or alien status of each employee. If this change is adopted, it will substantially aid employers in making bona fide inquiries without the necessity of additional recordkeeping on their part.

In summary, there are two primary goals which this legislation seeks to accomplish. First, the bill will eliminate the intolerable situation under current law which enables employers to hire and exploit illegal aliens without fear of penalties and without regard for those American workers who are displaced or are already unemployed.

It should be emphasized that this legislation is not intended as a punitive measure and it is not our desire to make criminals of employers. The committee believes that by and large most employers are law-abiding individuals and that when it becomes known that it is a violation of Federal law to knowingly employ illegal aliens, most employers will immediately discontinue this practice. Furthermore, the Committee is of the opinion that administrative fines will provide an additional deterrent and that criminal penalties should be imposed only upon those unscrupulous employers who habitually hire illegal aliens.

It should also be mentioned that we have avoided imposing any additional criminal penalties on the alien who enters illegally and obtains employment or on the nonimmigrant who accepts unauthorized employment. The committee felt that additional penalties would serve no useful purpose since past experience has clearly demonstrated that such penalties have not effectively deterred those unfortunate individuals who illegally enter the United States for the sole purpose of providing necessities for themselves and their families. Furthermore, since the courts are already seriously backlogged with serious criminal cases, the U.S. attorneys' offices are reluctant to prosecute cases of illegal entry and even when prosecutions are instituted, convictions are infrequent.

Another provision of this bill, section 1, would allow qualified and admissible natives of the Western Hemisphere to adjust their status from a nonimmigrant to an immigrant without leaving the United States to obtain an immigration visa. This relief is presently available to natives of the Eastern Hemisphere and the committee believes that it should also be made available to Western Hemisphere natives. This section would, however, deny adjustment of status to aliens—other than immediate relatives—who have accepted unauthorized employment.

In summary, this bill is the result of long hours of serious study and deliberation and in preparing this legislation careful consideration has been given to the budgetary problems confronting the Immigration and Naturalization Service as well as the practical limitations on our overburdened judicial system.

I, therefore, urge my colleagues to support this necessary legislation.

Mr. RODINO. Mr. Chairman, will the gentleman yield?

Mr. EILBERG. I yield to the distinguished chairman of the committee.

Mr. RODINO. I note that section 2 of the committee amendment to H.R. 982 contains language which was not contained in H.R. 16188 which passed the House last year. I am referring to the phrase that it shall be unlawful "knowingly" to "continue to employ" illegal aliens. I would like to know the reason for the inclusion of this additional language.

Mr. EILBERG. There was some discussion in the subcommittee this year as to whether the phrase "to employ" means to hire in the future or whether it means to continue to engage one's services. Therefore, in order to clarify a possible ambiguity regarding this language, the subcommittee adopted language which would specifically indicate that it is unlawful for an employer to "knowingly" continue to employ an illegal alien beyond the 90-day delayed effective date prescribed in this act. In other words, if an employer has actual knowledge that one of his present employees is an illegal alien, he is exposing himself to civil and criminal penalties.

Mr. RODINO. Does this additional language—continue to employ—impose any affirmative obligation on the employer to check or screen those individuals presently on his payroll in an effort to determine whether or not they are illegal aliens?

Mr. EILBERG. No; I wish to emphasize that this bill containing the additional language to which you have referred as well as the bill which passed the House last year would impose no direct obligations or legal requirements upon an employer to identify or locate illegal aliens who may be on his payroll. The only time that an employer is subject to civil and criminal penalties is when he has actual knowledge that such employee is an alien who is illegally in the United States.

The chairman is correct in his position that no burden is placed upon the employer to screen his current or future employees. Nevertheless, a prudent employer would be well-advised to be prepared to show his good faith in the event any complaint is made concerning any of his continuing employees who are illegal aliens.

Mr. RODINO. Is it not true that in order for penalties to attach for continuing to employ and referring for employment illegal aliens, an employer must engage in each of these activities with "actual knowledge" that the alien is illegally in the United States and is not authorized to work?

Mr. EILBERG. Yes, the distinguished Chairman is absolutely correct and it is intended that the word "knowingly" modifies each of the verbs which follows it, namely "to employ, to continue to employ, and to refer for employment". In other words, in order to be subject to the penalties of this bill, the employer, agent or referrer must engage in each of these activities with actual knowledge of the alien's illegal status.

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

Mr. EILBERG. I yield to the gentleman from Michigan (Mr. O'HARA).

Mr. O'HARA. I thank the gentleman for yielding.

I am concerned about the provisos that were added at the end of section (b) (1) on page 10:

> *Provided*, That an employer, . . . shall not be deemed to have violated this subsection if he has made a bona fide inquiry. . . .

"Provided further, That" obtaining this signed form shall be considered a bona fide inquiry.

My question for the gentleman is this: The statute says, "knowingly to employ, continue to employ," et cetera.

Now, if the employer knows that an employee is an illegal alien and he nevertheless has that employee sign one of these forms, does that relieve him, the employer, from his responsibility?

Mr. EILBERG. It absolutely does not. That would simply provide prima facie evidence of good faith. That prima facie evidence could be overcome as the result of an investigation by the Immigration Service. We would anticipate that if there were any kind of a group shelter involved in the situation, the prima facie evidence could be overcome.

Mr. O'HARA. With or without the proviso, the question is whether he knowingly employed?

Mr. EILBERG. That is exactly the point.

Mr. O'HARA. Mr. Chairman, I thank the gentleman very much. I am greatly relieved by the gentleman's answers.

Mr. KAZEN. Mr. Chairman, will the gentleman yield?

Mr. EILBERG. I yield to the gentleman from Texas (Mr. KAZEN).

Mr. KAZEN. Mr. Chairman, I have listened to the gentleman very intently as he was talking about this situation, and he argues about the illegal aliens taking jobs away from others.

What happens in areas where nobody is available to do work and where work must be done, where a man cannot hire anybody to do any work? Does the gentleman mean to say that in those instances they are taking jobs away from somebody? Mr. Chairman, this happens to be the situation down in my part of the country many times.

Mr. EILBERG. Mr. Chairman, there are many employers unfortunately around the country who are employing individuals at substandard wages and under substandard working conditions. It is our belief that if prevailing wages were paid, there would be far less difficulty in getting those jobs filled.

No. 2, there is a provision in the law, H. 2, whereby people may legally come to this country from Mexico or from any other country to do a temporary job. In fact, the subcommittee is studying the possibility of their coming to be engaged in a permanent type of work.

The point is that so many people who are U.S. citizens or permanent citizen aliens or aliens who have a right to be here and work here are, in fact, being discriminated against. Although my heart is very sympathetic to those unfortunate people south of the border who find it economically necessary to cross the border to find work, I think charity begins at home, and I am very much more concerned about discrimination being shown toward our own minorities and our own alien disadvantaged groups in this country.

Mr. KAZEN. Mr. Chairman, I will ask another question if the gentleman will yield further.

Mr. EILBERG. I yield to the gentleman from Texas (Mr. KAZEN).

Mr. KAZEN. Mr. Chairman, I thoroughly agree with the gentleman, but all one has to do is go down in my own district and see the situation where people are willing to pay minimum wages if they could just get the help, but the help is just not available.

Mr. Chairman, may I ask the gentleman, could we in any way set up some kind of an employment agency or recruiting agency to help these people? As one man recently told me:

> It is un-Christian to turn a man away who wants to work when I have work to give him and can't find anybody else and this man is hungry and I am in a position to feed him and hire him.

Does the gentleman have any conception of the full scope of the problem?

Mr. EILBERG. Mr. Chairman, these arguments have been made by some in the subcommittee hearings, and we have found in many cases that organized labor has supported the very proposition we are legislating today. We have letters here from many leaders of minority groups, including the one before me, Clarence Mitchell of the NAACP, demanding this very legislation.

They are also proposing acting on legislation affecting the preference system for the Western Hemisphere and under the direction of the chairman of the full committee, for all practical purposes that is in effect. Now, those persons who come into categories of group shelter will stay. Also people who are in a hardship situation, the heads of families who come over, who marry American citizens, they are not excluding that group. In this way we are keeping families united.

We recognize the hardship situation, but we simply must do something about all or many of the jobs that have been displaced and people who are coming over improperly and who are virtually in involuntary servitude.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. EILBERG. I yield to the gentleman from Ohio (Mr. KEATING).

Mr. KEATING. Mr. Chairman, H.R. 982 is an almost identical bill to that which passed the House in the 92d Congress, only slight changes of a "cosmetic" nature have been made by the Committee on the Judiciary. I support this bill as a carefully drawn and reasoned measure directed at a most complex and troublesome problem—the presence in our country of 1 to 2 million aliens who are illegally employed. The objective of H.R. 982 is to dry up job opportunities for illegal aliens by imposing sanctions upon employers who knowingly employ illegals. However, the bill has been carefully drafted to protect the employers who make a sincere effort to ascertain whether job applicants are eligible under our immigration laws. It is a reasoned and moderate measure because it provides for a three-step enforcement procedure beginning with what amounts to a warning to the employer for the first, perhaps inadvertent offense, yet subjects the unscrupulous repeater to severe penalties.

The problem of illegally employed aliens is a complex one, and a serious one. It has severe consequences for the U.S. economy: First, raising our unemployment rolls as illegal aliens take jobs which should be filled by U.S. citizens and permanent resident aliens; second, contributing to our dollar drain as the illegally employed aliens send money out of the United States; and third, adding to the cost of our public welfare and health services as the illegal aliens sometimes are found on relief rolls. The cause of the illegal alien problem is that the United States of America is still the promised land. Other countries—Mexico in particular—are comparatively poor. The lure of America, and of American jobs, in this situation is strong, and it will remain strong for aliens everywhere in the world after we have adopted this bill. However, hopefully the sanctions provided in this bill will preserve available job openings for U.S. citizens and eligible aliens, thereby discouraging the illegal alien from entering this country illegally. For the illegal aliens the consequences are, all too often, exploitation by unscrupulous employers who underpay, deny benefits, overwork and abuse the defenseless aliens.

Currently the law provides that an alien who enters the United States at a time or place other than designated by the Immigration Service, or who eludes examination or inspection, or obtains entry by a willful, false or misleading statement or concealment of a material fact, shall be guilty of a misdemeanor and subject to up to 6 months imprisonment and $500 fine for the first offense.

Our committee found that this provision of law is rarely invoked. Because of the humanitarian factors involved and the large number of aliens against whom the law could be applied, the law enforcement officers and courts have generally refused to prosecute, in lieu thereof, when aliens are apprehended they customarily are granted voluntary departure by the Immigration Service.

In order to discourage jobseeking in the United States by illegal aliens we are, in H.R. 982, for the first time, applying sanctions—first civil and then criminal—to the American employers of these aliens not eligible to work. This applies not only to the big corporate employers, but also to housewives who hire a cook or maid, to large and small retail establishments, and to farmers and ranchers.

However, the bill provides that employers who make a bona fide effort to determine if the prospective employees are entitled to work in the United States shall not be subject to civil or criminal liability. For those who do violate the law, the first offense will bring a warning in the form of a citation. A second offense for the employer who with full knowledge employs illegal aliens will bring a civil fine. For the unscrupulous employer who repeatedly flouts the law, the penalties can be severe—a fine of $1,000 or 1 year imprisonment, or both, for each alien illegally employed.

Provision is also made in H.R. 982 for the forfeiture of vehicles used in smuggling and transporting illegal aliens. These forfeiture sections are felt to be essential to the objectives of the bill. Many illegal aliens reach this country in modified personal cars and trucks which have been altered to provide hidden compartments for the concealment of aliens. The forfeiture of such vehicles will constitute an additional economic penalty for the smuggler and transporter of illegals. The present law provides for penalties up to $2,000 in fines or imprisonment up to 5 years for each alien, for bringing in, transporting, concealing, or harboring illegal aliens. So with the enactment of this law, the consequences for the employer who knowingly and willfully exploits the illegal alien can be very severe.

There is another group of aliens who have contributed to the unemployment problem by taking jobs from U.S. citizens. These are the nonimmigrants, the visitors and students who are admitted legally but then take unauthorized employment. The committee in extensive hearings heard no knowledgeable testimony as to the number of "legal aliens" who illegally take employment, but the number is not small.

The nonimmigrant visitor or student who does take an unauthorized job violates his status, and when discovered, is subject to deportation. However, H.R. 982 adds another sanction. The privilege of adjusting status, from nonimmigrant to immigrant, while in the United States—provided a visa is available and the alien is otherwise qualified—is denied the nonimmigrant who has violated his status by taking employment.

Mr. Chairman, some persons have attacked this bill as discriminating, alleging that fear of the penalties provided will cause employers to avoid employment of all aliens and persons foreign in appearance and speech. This objection simply reflects a failure to understand the terms and procedures under H.R. 982. Only a "knowing" employment of an illegal can subject the employer to sanctions, and the employer need only show he has made a bona fide inquiry. He can establish that he has made proper inquiry by obtaining from the job applicant a signed statement as to eligibility for employment. The committee included in the bill requirements that the Attorney General provide suitable forms for this purpose. It follows that with such simple procedures employers will have no reason whatsoever to refuse to employ applicants with easily ascertainable eligibility.

Perhaps the best answer I have heard to the cries of "bias" and "discrimination" came from Howard Samuel, vice president of the Amalgamated Clothing Workers of America, testifying before the Immigration and Nationality Subcommittee. I asked Mr. Samuel:

> What about the concern of people like Ceasar Chavez and his union who just before we passed the illegal alien bill out of the Judiciary Committee came out in opposition to the bill for fear that there might be discrimination for legitimate Mexican-Americans who are seeking jobs and the employer, who says, "We are not going to hire you because you may be an illegal alien." Is there any way we can overcome such discrimination and are there any other positions that you are aware of that Mr. Chavez may have that may be real objections to this legislation?

Mr. Samuel answered:

> I have just had the letter read to me of Mr. Chavez. I gather from his point of view the bill is not strong enough. Not that it is too weak. It is not strong enough particularly on the penalties imposed on employers. So I think, whether this is true or not, I think the subcommittee and the committee are right in the direction they are taking.

There may be amendments to be considered, either on the floor or the other House or in conference to meet his direction, but I think the direction you are taking is correct. I think the fear of discrimination is overblown.

I think the real problem is so overwhelming that fear of discrimination—the fact is the one thing this Congress cannot do is leave the illegal alien as illegal. And those who say we should leave it where it stands are simply beyond the realm of logic. Something has to be done to remove from the alien the burden of illegality, the exploitation and remove from the employer the benefit he is getting from it.

In Mr. Chavez' letter he mentions a point I had not known and, I assume, comes firsthand to him. He refers to employers who hire illegals on Thursday evening—they call up the Immigration and Naturalization Service. They are picked up and deported and he avoids the responsibility of paying them 4 days' work. Those who vote against this bill or vote against what this bill is trying to accomplish are, in effect, asking to continue this kind of situation which is only one degree removed from slavery.

Finally, Mr. Chairman, it has become obvious to all that the employment of illegal aliens has had a substantial adverse impact upon our unemployment problem and the wages and working conditions of American workers. The problem is growing steadily in size and scope, affecting the labor market in all sections of the country. H.R. 982 is a moderate and logical bill. It will be of substantial assistance in curbing this problem, and, hopefully, removing much of the economic incentives for the illegal aliens to cross our borders. I strongly urge its adoption.

Mr. Chairman, at this time I yield 5 minutes to the gentleman from Indiana (Mr. DENNIS).

Mr. DENNIS. Mr. Chairman, as has been stated before, this bill is essentially the same bill which passed this House in the last Congress, at which time I also was a member of the subcommittee which reported it to this body. The bill is an attempt to deal with the problem of illegal aliens present in the United States, and particularly with their employment contrary to the laws of the United States. This is a far-reaching and large problem. It is in many respects an economic problem. It is in many respects a human problem. Its larger ramifications exceed the scope of the authority or the abilities of this subcommittee. This bill is certainly not any sort of a panacea, nor do we advance it as such. It is a limited attempt to reach a certain part of this problem, and it is an attempt to do it in a way which takes account of the situation as we face it.

Like most bills that reach the floor, it is a compromise measure. The thought was this: While the laws provide that illegal aliens are deportable, and unless they are here on an immigration status or some other special status, they are not entitled to employment, there is not much teeth in the law, and a great many aliens illegally present are working and are taking employment which American citizens might have. The only thing we now do is deport the alien, and there is no penalty on the employer.

So the thinking was that if some sort of a penalty were attached here which would counteract to a certain extent the strong economic drive to violate these laws, maybe that might be a useful approach.

The bill originally considered by the subcommittee put penalties on both the illegal alien who took work when he was not entitled to it, and criminal penalties right off the bat on the employer. There were those on the subcommittee who did not think we ought to criminally penalize, any more than the law now does, a man simply because he took a job when he needed it, even though he was not entitled under the laws to have it. There were other members of the committee who did not think we wanted to make every employer in the United States who might get an illegal alien in his employ necessarly a violator of the criminal law. So it was compromised, and the bill as it is presented does nothing to the alien whatsoever. His status remains as it was.

If he is here in an illegal status, he is now deportable. Under this bill he is still deportable, and that is all that happens to him. The bill does not really do anything to him. Where the employer is concerned, we, rather than make him guilty immediately of a criminal violation, have written into this bill a three-step procedure.

The bill for the first time—and this is the main thing that it does; there are some other features, but this is the main thing it does—makes it an offense to knowingly employ or continue to employ an alien who is not lawfully here, lawfully entitled to be employed in the United States.

The key word is "knowingly." There is no offense committed by the employer unless he knowingly employs the illegal alien contrary to law. If he does that, he is guilty of an offense. He is guilty of an offense if he employs these people in the future knowingly; he is guilty if he has illegals in his employ when the law goes into effect and he knows it and he knowingly continues to keep them in his employ. But in neither case is he guilty except with guilty knowledge, which is proper to any criminal statute.

Now if the Attorney General of the United States thinks the man is violating the law under this bill, he first gives the man a notice. Nothing else happens. He tells the man he is in violation in the opinion of the Attorney General. It is information. It is a warning, if the Members like. If the man has apparently violated the law again within 2 years after he receives such a warning, the Attorney General, after a hearing, is authorized to assess a civil money penalty in the nature of a fine. If thereafter the man violates the law again, he is subject to prosecution and may be found guilty of a misdemeanor. So the employer is given, we might say, three bites at the apple.

He is given an additional protection. I have already said he has got to be knowingly guilty. The law further provides that if he has made a bona fide inquiry of his employee and has been assured that the man is in a legal status, then the employer is not guilty of knowingly employing an illegal alien. Moreover, if he takes a written statement to that effect, on forms which the Attorney General will prescribe, prima facie his inquiry is bona fide.

Of course if we could show his inquiry was a phony, that here is a pattern, that he is hiring illegal aliens all the time, the mere fact that he has asked the employee a question will not necessarily cover the employer, but if he makes a bona fide inquiry he is safe, and if he takes the written statement, prima facie his inquiry was made in good faith.

Mr. ROYBAL. Mr. Chairman, will the gentleman yield?

Mr. DENNIS. I yield to the gentleman from California.

Mr. ROYBAL. Under the bill as now written, does it mean the employer will submit this form, which the gentleman says will be submitted by the Attorney General, to everyone of his employees and every applicant for employment regardless of who the applicant is?

Mr. DENNIS. Let me make this clear.

Mr. ROYBAL. I ask the gentleman: Will he or will he not?

Mr. DENNIS. It is up to him whether he does or does not. He is not required to do it. If he wants to and he thinks it is a good protection, the law gives him that opportunity, but he is not required to do it, and we still have to prove that he knowingly violated the law.

Mr. KEATING. Mr. Chairman, I yield to the gentleman from Virginia (Mr. PARRIS) such time as he may consume.

Mr. PARRIS. Mr. Chairman, I rise in support of H.R. 982 and to urge its passage. I am relieved at last to see the dawn of congressional attention begin to bring light to a problem of gravest national importance.

As a member of the Government Operations Committee's Legal and Monetary Affairs Subcommittee, I have, over the recent months, been engaged in a study of the operations and management of the Immigration and Naturalization Service. I support any worthy legislation which will serve to assist the men of this organization in performing their duties. This service has for too long been the stepchild of the Department of Justice. Its mission is at times unpopular; at times difficult; and at times far from the arena of spectacular headline operations of the Justice Department.

The most startling evidence of this is made plain when the tremendous growth of the major problem which I. & N.S. is charged to control, that of aliens illegally in this country, is compared to the truly inadequate growth of the service.

In this city, Washington, D.C., the Caiptal of our Nation, I. & N.S. completed only 324 investigations in the year 1962. In 1972 there were 1,422 investigations completed—a workload increase of 439 percent. In the same 10-year period area control operations, the method of search which produces by far the greatest number of apprehensions of illegal aliens, increased by a whopping 6,377 percent. This tremendous increase in activity was handled by the same number of officers on duty in 1972 as in 1962. The efforts and sacrifices of the I. & N.S. personnel are at once both commendable and a shameful commentary on the neglect of the service in budget and manpower priorities.

In the great city of New York the same situation obtains. Investigations received during the same 10-year period, from 1962 through 1972, increased over 46 percent. Area control operations increased by 486 percent. This occurred while the number of officers on duty actually decreased from 141 in 1962 to 55 in 1972. I understand that there were 86 trainees taken on by I. & N.S. in 1972, but even this represents an increase in officer personnel of only 36 men in a 10-year period of uncontrolled alien increase.

Move further north, to Boston, Mass. The picture remains equally grim. Figures are available only for the period of 1965 through 1972, but the message is equally clear. Investigations received increased 140 percent in 7 years. Area control operations increased by a staggering 1,392 percent.

All this with not an increase of a single officer during this period.

There is no major city in the United States, no rural area, whose citizens have not suffered in some measure as a result of this dramatic increase in illegal aliens. There is no Member of this body whose district has not been affected adversely by the impact of some 2 million illegal jobseekers and potential public charges. There is a compelling need for immediate and forceful legislative action. The measure before us today, in representing a small but positive step toward this end, falls far short of making the kind of impact so vitally required. I trust that this body will recognize this fact and lend its unwavering attention to a problem which is growing by unimaginable proportions in every State of this country at a time when its effects—impeding full employment, increasing the welfare rolls, encouraging substandard wages, promoting organized smuggling of persons and contraband—are most damaging.

Mr. EILBERG. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey (Mr. RODINO).

Mr. RODINO. Mr. Chairman, I rise in strong support of H.R. 982 and firmly believe that only a prohibition on the knowing employment of illegal aliens will solve the various problems created by the large scale migration of illegal aliens across our borders and by immigrants who violate their status.

As my colleagues will recall, this bill is the direct product of an extensive investigation into the illegal alien problem by my Immigration Subcommittee during the 92d Congress. The subcommittee members traveled to six cities throughout the United States and listened to almost 200 witnesses regarding the problem. These witnesses represented all segments of society and included Federal, State, and local officials, employers, labor representatives, immigration lawyers, religious, ethnic and minority groups as well as legal and illegal aliens.

The basic conclusion reached by my subcommittee as a result of this intensive study was that the adverse impact of illegal aliens has been substantial and warrants legislation to: First, protect the domestic labor market; second, insure the orderly entry of immigrants into the United States; and, third, eliminate the vicious exploitation of unfortunate aliens who have entered this country to improve their economic wellbeing.

The official statistics from the INS clearly indicate the magnitude of this ever-increasing problem. For example, last year the INS located 505,949 illegal aliens—this represents 121,000 more aliens than were legally admitted as immigrants during 1972. Apprehension, detention, and deportation costs our Amercan taxpayers well over $50 million last year. Instead of indicating better control of the problem it is contended that these apprehension statistics clearly indicate that the problem is drastically increasing and will continue to worsen unless corrective legislation is enacted. Since most persons are in agreement that the illegal problem has reached serious proportions, I do not intend to recite an endless litany of statistics concerning the impact that these aliens have had on the American economy. It should be mentioned, however, that the committee estimates that there are approximately 1 to 2 million aliens illegally in the United States and the presence of these aliens has indeed had a drastic effect on the domestic unemployment situation, Federal and State public assistance programs, as well as the balance of payments problem.

In summary there are three major provisions in this bill. The first section of H.R. 982 would prohibit nonimmigrants—visitors, students, et cetera—who take unauthorized employment from adjusting their status in the United States to that of permanent residents. In addition, this section would allow natives of the Western Hemisphere to adjust their status without leaving the country. This relief is already available to natives of the Eastern Hemisphere and equity demands that such relief be made available to Western Hemisphere natives.

Section 2 establishes the method for imposing sanctions on employers who knowingly hire illegal aliens. In the first instance such an employer would be served a citation by the Attorney General advising him that he had apparently violated Federal law. If this same employer is found to have committed a second violation within 2 years after the service of a citation, he would then be subject to a fine of $500 for each illegal alien in his employ. Once a fine has been imposed and the determination becomes final, the employer would then be subject to a fine of $1,000 and/or 1-year imprisonment for any subsequent violation.

Section 3 of the bill would revise 18 United States Code 1546 relating to the counterfeiting and misuse of immigration documents. This section would specifically include border crossing cards, alien registration cards and other entry documents within this provision of title 18.

The committee has diligently pursued every possible suggestion or recommendation in an effort to solve the problem of the illegal alien. I feel that the approach presented today, which is designed to remove the incentive for aliens to come to the United States illegally and for employers to exploit this source of labor, is feasible and fair, and I am convinced it will go a long way in alleviating this serious problem.

This legislation embodies the conclusion that the primary reason an alien enters this country is to obtain a job and that the best method of attacking this problem is to eliminate the availability of employment by making the knowing employment of illegal aliens an unlawful act. The primary thrust of this legislation is twofold; first, to protect the job security of U.S. citizens and aliens eligible to work in this country and second, to eliminate the exploitation of illegal aliens by unscrupulous employers. The testimony during the hearings clearly indicated that illegal aliens by virtue of their unlawful status are often required to work harder, longer and often for less pay. In addition, illegal aliens are frequently denied overtime, vacation pay and a multitude of other fringe benefits to which they may be entitled. Moreover, the subcommittee last year learned that some employers continuously threaten the alien with exposure in the event he should complain about the substandard wages and working conditions. We are also informed that other employers have adopted the practice of turning such aliens in to immigration authorities just prior to pay day, thereby escaping their obligation to pay the alien his wages earned to that date.

It is incumbent upon this committee to terminate these intolerable conditions which often surround the employment of illegal aliens.

Furthermore, whatever sympathy one might possess for these underprivileged and unfortunate individuals we as U.S. citizens have a primary responsibility to protect the job security of all American workers.

For these reasons and because present criminal penalties have not effectively deterred the entry of illegal aliens, I have consistently resisted any efforts to impose additional penalties upon such aliens. It is my belief that additional sanctions on these unfortunate individuals, who enter this country unlawfully for the sole purpose of sustaining themselves and their families, would not be humanitarian and will serve no useful purpose.

The subcommittee's earlier hearings were concerned with provisions contained in the administration's Omnibus Immigration proposal—H.R. 2328, 92d Congress—which would impose a $1,000 fine and/or 1-year imprisonment for the knowing employment of illegal aliens. However, during our hearings there was substantial opposition to subjecting an employer to a criminal penalty for a first violation as proposed in the administration's bill. Many witnesses felt that this approach would be too severe on the employer and would thus make some employers reluctant to hire members of ethnic or minority groups. The argument was made that employers subjected to the possibility of criminal sanctions for a first violation would refrain from hiring any person with an accent or a Spanish surname.

In order to meet these objections, the subcommittee devised a three-step procedure for the imposition of sanctions, including: citations, civil fines, and criminal penalties. In addition, the subcommittee established an additional safeguard by inserting a proviso which would specifically exempt from civil and criminal liability any employer who makes a bona fide inquiry as to the eligibility of a prospective employee to work in the United States. Another section of the bill would provide that receipt by the employer of a signed statement in writing that the employee is a U.S. citizen or a permanent resident alien would be deemed prima facie evidence that a bona fide inquiry has been made.

This legislation has been very carefully prepared in an effort to eliminate the adverse effect of illegal aliens on the American economy and the domestic labor market and at the same time, it is designed to insure that members of ethnic and minority groups will not be disadvantaged. In fact, numerous witnesses noted that such individuals who have traditionally been denied opportunities to improve their skills will derive substantial benefits by the enactment of this legislation.

In this regard, I wish to insert into the Record at this point a letter which I have received from a great and distinguished American, Clarence Mitchell, director, NAACP, supporting this legislation.

National Association for the
Advancement of Colored People,
Washington, D.C., May 1, 1973.

Hon. Peter Rodino,
Chairman, House Judiciary Committee,
U.S. House of Representatives,
Washington, D.C.

Dear Congressman Rodino: The National Association for the Advancement of Colored People is concerned about the illegal employment of aliens. We have received complaints from persons who have been misled by recruiters and/or employers, I understand that these persons have been told that they would receive certain wages and working conditions before coming to the United States, but once they are here the wages are lower and the working conditions are far below acceptable standards. Accordingly, we are very pleased that Congress is moving to correct this problem through the enactment of H.R. 982, which is your bill to amend the Immigration and Nationality Act.

In supporting this proposed legislation we reaffirm our traditional belief that all persons without regard to race, religion, national origin or sex should have access to equal opportunity and the benefits of our country. At the same time, we do not believe that any of our fellow humans, whether citizens, aliens legally in the United States or aliens who are here because of improper acts on the part of other persons, should be subjected to exploitation and mistreatment. We hope very much that H.R. 982 will become the law and that it will help to eliminate present unfair practices.

Sincerely yours,
Clarence Mitchell,
Director, Washington Bureau.

Moreover, it should be emphasized that title VII of the Civil Rights Act of 1964 and guidelines issued by the Equal Employment Opportunity Commission prohibit employment discrimination based on national origin. Therefore, any refusal by an employer to interview or hire permanent resident aliens or citizens of certain ethnic backgrounds or the refusal by employment or placement agencies to refer such individuals for employment are prohibited. It has always been the Committee's intent that this legislation should not result in employment discrimination and the legislative history requires INS officials to advise employers as to their respective responsibility under the Civil Rights Act and under this legislation.

It is my belief that this legislation does not in any manner affect the rights of all persons to equal employment opportunities. On the other hand, it attempts to insure that such opportunities are made available for U.S. citizens and lawful permanent residents who have been severely disadvantaged by the presence of large numbers of illegal aliens in this country.

In conclusion, I believe this legislation is urgently needed if we are to protect our domestic labor market and enhance the orderly entry of immigrants into the United States.

There is nationwide support for the enactment of this legislation. I have received mountains of letters and hundreds of telegrams urging that the House approve H.R. 982. I would like to include one of the letters in the Record at this point from Andrew J. Biemiller, director, Department of Legislation, AFL–CIO. The AFL–CIO strenuously supported this legislation when it was before us last year and no less strenuously supports it today.

I urge my colleagues to support this very necessary legislation.

American Federation of Labor and
Congress of Industrial Organizations,
Washington, D.C. May 1, 1973.

Hon. Peter W. Rodino, Jr.,
Chairman, House Judiciary Committee,
U.S. House of Representatives,
Washington, D.C.

Dear Mr. Chairman: On Thursday, May 3, 1973 the House of Representatives is scheduled to debate and take action on H.R. 982, a bill to repeal the exemption of employers from the prohibition against "harboring" illegal aliens which is presently contained in the Immigration and Nationality Act. The AFL–CIO supports this legislation and urges its approval by the House of Representatives.

H.R. 982 would impose penalties on employers who knowingly employ aliens who have not been admitted for permanent residence in the United States or who have not been authorized by the Attorney General to accept employment here. The bill is similar to a bill passed by the House of Representatives last year and should enjoy the same support of a substantial majority of the House that last year's bill obtained.

The problem of aliens who enter this country illegally, take jobs needed by unemployed citizens and permanent residents and work at substandard wages paid by exploiting employers, is well known. Equally well known is the fact that the present exemption of employers from the anti-harboring provision plays a major role in the hiring of illegal aliens. This exemption tends to frustrate and defeat the policy of Congress as declared in other provisions of the Immigration and Nationality Act to protect the employment opportunities and labor standards of American workers.

H.R. 982 is, we believe, workable legislation. It is also fair in its application to employers in that it provides for notice and warning before any punitive action is taken against persons violating the law.

The argument that the bill discriminates unfairly against Mexicans and Mexican-Americans by requiring them to assert that they are legally entitled to be present and to work in the United States is, we believe, without foundation. As we understand it, this requirement is applicable across the board, without reference to any group or individuals. In any case, it is necessary to enable the bill to operate effectively.

H.R. 982 should receive the overwhelming approval of the House of Representatives.

Sincerely,
Andrew J. Biemiller,
Director, Department of Legislation.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. RODINO. I am glad to yield to the gentleman from Illinois.

Mr. McCLORY. I commend the gentleman in the well, the chairman of the Judiciary Committee, on his statement. I know the gentleman and his Subcommittee on Immigration carried on extensive hearings preliminary to the introduction of this bill. I note that in the hearings conducted in Chicago it was shown there was an 800-percent increase in the employment of illegal aliens over a 10-year period prior to the time of the hearing held there, and that, contrary to popular belief, only 10 percent of these were employed in agriculture or domestic positions and the other 90 percent were employed in industry. That is correct, is it not?

Mr. RODINO. The gentleman is absolutely correct. These cases also relate to individuals who become illegal aliens. It covers those who have lawfully entered the country with a visitor's visa, and thereafter violate their status. They overstay that and as a result continue to be employed, again denying job opportunities to other individuals.

Mr. McCLORY. Mr. Chairman, will the gentleman yield for one question?

Mr. RODINO. I yield.

Mr. McCLORY. The question is this: Without this legislation it is virtually impossible for the immigration authorities to control illegal aliens flowing into this country, is it not?

Mr. RODINO. I would say more than that. It is virtually impossible to touch the unscrupulous employer who will continue to employ illegal aliens notwithstanding the fact that he actually knows this fact.

Mr. EILBERG. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. Seiberling).

Mr. SEIBERLING. Mr. Chairman, I rise in support of this legislation.

I believe a lot that needed to be said was said during the debate on this bill last fall, and the bill is esssentially the same bill. It was drafted very carefully, with great concern for the rights not only of employers but also of people who might be subjected to the bill, the illegal aliens themselves, Spanish-speaking Americans, Americans of foreign birth and legally resident aliens, to make sure there was not something in the bill that would result in any improper discrimination against them.

The fact is that this is a serious problem and it is a growing problem. Last year more than a half million illegal aliens were rounded up for deportation, and that was only the tip of the iceberg.

We had testimony in Los Angeles, in El Paso, and in other places, by Mexican Americans, who said that they were being discriminated against by the very fact that illegal aliens were being employed.

The purpose of the bill is to end that situation.

Miss HOLTZMAN. Mr. Chairman, will the gentleman yield?

Mr. EILBERG. I yield 1 minute to the gentlewoman from New York (Miss Holtzman).

Miss HOLTZMAN. Mr. Chairman, while I have major reservations about this legislation, I should like to ask the gentleman from Pennsylvania (Mr. Eilberg) a question concerning two provisions in the bill, for the purposes of legislative history.

Will the gentleman please clarify whether employers may take advantage of the bona fide inquiry provision contained in H.R. 982 with respect to currently employed individuals as well as those employed after the enactment of this legislation?

Mr. EILBERG. May I ask the gentlewoman from New York (Miss Holtzman) is this the question? Can employers take advantage of the bona fide inquiry with respect to current employees?

Miss HOLTZMAN. Yes, with respect to individuals who are at this time in their employ.

Mr. EILBERG. The answer to that question would be: Yes. The intent of this bill is to allow all employers to take advantage of the bona fide inquiry provisions with regard to current employees as well as any possible future employees.

Miss HOLTZMAN. Mr. Chairman, I thank the gentleman. I have one additional question.

Under H.R. 982, a citation may be served on the basis of evidence or information. It may therefore be served on the basis of hearsay information or illegally obtained information or evidence.

What procedures are there in H.R. 982 for challenging the service of the citation?

Mr. EILBERG. The citation will be served if evidence or information is elicited which persuasively demonstrates that the alien was not authorized to work and this fact was known to the hiring authority, who did not make a bona fide inquiry. It is expected that the citation will issue under the name of the Immigration and Naturalization Service District Director having jurisdiction over the place of employment.

In the event a citation is issued erroneously the issuing District Director will be empowered to revoke it and it will be revoked ab initio.

The citation is a warning. It is a predicate or a prerequisite, if you will, for an administrative fine. This bill provides for a hearing conforming with the safeguards of the Administrative Procedure Act before an administrative fine will be assessed. Even at that point the offender could raise the issue that the citation was erroneously issued and if that fact is established, the citation will be revoked and there will be no basis to assess an administrative fine.

The law is very clear, that the citation is only a warning. It has no immediate legal effect on the employer and causes him no legal detriment, except that it is a condition precedent to later sanctions.

Miss HOLTZMAN. Mr. Chairman, I thank the gentleman.

Mr. KEATING. Mr. Chairman, at this time I yield 3 minutes to the gentleman from California (Mr. Ketchum).

Mr. KETCHUM. Mr. Chairman, I rise in opposition to H.R. 982. Stipulating at the outset the enormous problem of illegal aliens in the United States and understanding the concern of the distinguished chairman of the Judiciary Committee in his and the Committee's attempt to solve this problem, I submit that this bill is not the vehicle to do the job. It is instead: First, a blow at the employers of this Nation and, second, a bill with deep racial overtones. We have already made our employers—large and small—the unpaid tax collectors of the country: This bill will now make them our unpaid immigration officers—with civil sanctions for noncompliance. How can this bill be racist? Who does it seriously damage? Surely not black Americans, nor Japanese or Chinese Americans, and above all, not whites. No, Mr. Chairman and my colleagues, it is aimed right down the throat of every American of Mexican descent in the United States. When we think in terms of illegal aliens, we think only of one ethnic group—those of Mexican origin—and I would have the temerity to state at this point that many of these people were citizens before our parents and grandparents arrived on these shores.

Do you really believe that under the terms of this bill employers will willingly hire Mexican Americans when by so doing they may open themselves to harassment not only by Immigration and Naturalization people but also troublemakers—even when he has demanded proof of citizenship? Why should he—there are lots of other people to hire with no problems. We have the Civil Rights Act of 1964 to be sure—more harassment. The honest employer now becomes damned if he does and damned if he does not—while the citizen of Mexican descent sits on the sidelines wondering what in the world happened to make him a 3d class citizen.

Mr. Chairman, Cesar Chavez and I have battled each other for 7 long years and will in all probability continue that battle; but wonder of wonders, we find ourselves in total agreement that this is a bad bill. I urge the House to defeat the bill, I further urge it to fund the Immigration and Naturalization Service to proper levels so that illegal entrance might be stopped where it should—at the borders of our country and the various ports of entry. I further feel that strong penalties should be implemented against illegal entrants and those who transport them rather than simply deporting them. In most cases, the so-called wetback is back in San Diego before the border patrol gets home.

This bill complicates the problem rather than solving it. I respectfully request a no vote. Than

Mr. SYMMS. Mr. Chairman, will the gentleman yield?

Mr. KETCHUM. Yes, I yield to the gentleman from Idaho (Mr. Symms).

Mr. SYMMS. Mr. Chairman, I would like to commend the gentleman from California (Mr. Ketchum) for his contribution and compliment him on the logical argument that he has presented before the committee. I share his concern, and I wish to state that I am also opposed to this bill.

This bill if passed into law will be demeaning to many of my Mexican-American constituents, as it will force unnecessary harassment to them when seeking employment—not to mention the fact that in many cases it will cost them the equal opportunity for employment just because they are Mexican-American and some employers won't hire them just to avoid the risk that maybe they are aliens—I thank the gentleman for yielding.

Mr. KEATING. Mr. Chairman, at this time I yield 5 minutes to the gentleman from California (Mr. Wiggins).

Mr. WIGGINS. Mr. Chairman and members of the committee, I wish to speak about a portion of this bill which has not yet been touched upon, but before I do so, let me say I support the bill. I do not believe for one moment it is going to solve all of the problems to which it is addressed, but I think it will help and is worthy of a trial.

The alleged burden to the employer is minimal, it seems to me; certainly it is reasonable given the magnitude of the problem Congress should consider.

Now, having said that by way of introduction, let me tell you about something in this bill. I hope I shock you a little bit, because it certainly shocks me that the Congress of the United States would consider in the year 1973 an archaic procedure which comes to us from feudal times, which is based on the notion that the thing itself is somehow guilty of a crime notwithstanding the innocence or lack of culpability of the owner of that thing.

There have been many historical examples of this. We used to melt down swords when an individual was killed. It did not matter whether or not the owner was the perpetrator of the crime. His sword was guilty.

Let me tell you that this antiquated superstition is carried forward in this bill in the form of a system of forfeitures.

Now, I have no sympathy for the owner of a vehicle who illegally smuggles an alien into this country, but why in the world would we forfeit the interest of an owner if he is wholly innocent of any misconduct?

Mr. EILBERG. Will the gentleman yield?

Mr. WIGGINS. I will in just a moment.

Let me assure you, ladies and gentlemen, because there is no doubt about it, that this bill authorizes the seizure and forfeiture of vessels and vehicles and aircraft of an owner if that vehicle, vessel, or aircraft is used "in furtherance of"—whatever that means—an illegal act, even though its owner is wholly innocent and guilty of nothing at all.

Now, if that shocks you as it shocks me, I urge you at the appropriate time to support an amendment which is going to delete that language from the bill.

Ladies and gentlemen, the argument can be made that the bill will be administered in a benevolent sort of way. According to that argument, surely the Department of Justice is not going to seize the interest of an innocent owner, although we give them authority to.

I do not think, ladies and gentlemen, that we should ever put that kind of trust in law-enforcement officials by giving them a vicious law in the hope that they will administer it with compassion. I want to say to you that the record does not support this compassion and benevolence in administering similar laws.

I have had some personal experience with clients and constituents who have been viciously deprived of their property without compensation even though they were utterly innocent of any misconduct.

I will not belabor the point at this time, because I am going to offer an amendment, but I simply appeal to your sense of justice, and when the time comes to vote in support of the amendment, I hope you will do so.

I am now pleased to yield to the gentleman from Pennsylvania.

Mr. EILBERG. I thank the gentleman for yielding.

I will question the gentleman very briefly at this point. Has the gentleman seen the exhibit of vehicles in the lobby?

Mr. WIGGINS. I have, and indeed I invite you all to go take a look at those exhibits.

But the question is: Who owns the vehicles out there? If they were owned by the smuggler, I do not have any sympathy for them, but if those vehicles shown in the pictures are owned by an innocent party, then why should his asset be forfeited?

Mr. EILBERG. The vehicles demonstrated in those photographs under present law can be immediately released to be used once again in the smuggling of human cargo.

Mr. WIGGINS. The gentleman is too good a lawyer to make a judgment as to the culpability of an owner by reason of the appearance of a vehicle.

I am saying that if that owner is culpable then let us do something to him.

Let me ask the Members this question in almost a rhetorical sort of way: Does it deter (A) in his illegal scheme to forfeit the automobile of (B)? What difference does it make to (A)?

Mr. DENNIS. Mr. Chairman, would the gentleman yield?

Mr. WIGGINS. I yield to the gentleman from Indiana.

Mr. DENNIS. Mr. Chairman, would the gentleman agree that, if its effects were confined to the wrongdoer, that then the forfeiture of a vehicle used in the commission of an illegal act would be an effective and additional penalty?

Mr. WIGGINS. I believe the gentleman is right, if the bill were drafted so that the forfeiture was an additional penalty to a malfeasor. I am for that, although I think it is a rather imperfect way to dispense justice, but at least it is an improvement.

Mr. KEATING. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. HINSHAW).

Mr. HINSHAW. Mr. Chairman, I rise in support of H.R. 982, the amendments to the Immigration and Nationality Act. This bill is a step in the direction of remedying the "illegal alien" problem—the problem of aliens entering this country illegally, or entering the country legally, but working, in violation of their visas.

The step which H.R. 982 constitutes, however, is a small one. I want to take a few moments to explain to my colleagues why I support this measure, and where I think their attention should be directed on an important national problem.

One to two million aliens—our knowledge is so poor that we cannot estimate more precisely—are now living illegally in the United States. Their numbers have grown tremendously since 1965, when the Bracero program was terminated and the Congress enacted legislation which greatly curtailed the number of Western Hemisphere nationals who could enter this country each year. In my home area of southern California, we may have as many as 500,000 illegal aliens. When Raymond Farrell, who recently retired as Commissioner of the Immigration and Naturalization Service, appeared before my Legal and Monetary Affairs Subcommittee of the Government Operations Committee, I asked him how bad the situation really was. He told me:

> You can actually throw a rock up in the air in a large city such as Los Angeles, and probably hit an alien who is illegally in the United States.

But what is the Immigration and Naturalization Service doing about the problem? From fiscal year 1964 to 1972, its manpower increased by only 9 percent, but more importantly it has failed to keep up with technological advances. The INS does not use helicopters to patrol our borders; it employes airplanes only when funds for gasoline can be spared from its meager budget. Computers are only now beginning to be used by INS management. The Service uses Army-surplus electronic sensing devices which are supposed to report when the border is crossed between ports of entry. These devices sometimes fail to function while numerous persons are crossing the border; at other times, they indicate a crossing where none is made. So in all, the INS is bereft of manpower, and it is bereft of modern equipment. If the Service is to do its job, it needs our assistance in providing funds for both resources. It may also—and I say this tentatively, pending completion of hearings by the Legal and Monetary Affairs Subcommittee—need improved management techniques to direct its forces.

In the face of these needs, what does H.R. 982 provide us with? A statement that employers must try to ensure that they do not hire illegal aliens. A procedure for chastening employers who violate the bill's provisions—but minimum sanctions against violators, and then only for repeat offenders. A requirement that welfare officials report the names of illegal aliens who are receiving benefits under their programs.

When the INS Associate Commissioner for Management was asked during our hearings:

> By approximately how much would (passage of H.R. 982) decrease your need for additional manpower in the next few years?

He responded:

> I couldn't say. I don't think it would decrease it at all for the next few years.

Mr. Chairman, this bill does not address itself to the vital problems of the Immigration and Naturalization Service. It does, however, indicate a congressional willingness to face up to those problems, and it does provide a framework—if not flesh for that skeleton—to make a first step in solving them. For those reasons alone, I support the bill.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from California.

Mr. TEAGUE of California. Mr. Chairman, very briefly, I would just like to remind the members of the House who are on the floor at this time and who were here when we repealed the bracero program that had we not taken that action we would not have this problem today, at that time there were very few illegal entrants.

Mr. KEATING. Mr. Chairman, may I inquire how much time I have remaining?

The CHAIRMAN. The gentleman from Ohio has 1 minute remaining.

Mr. KEATING. Mr. Chairman, I yield that minute to the distinguished chairman of our subcommittee, the gentleman from Pennsylvania (Mr. EILBERG).

Mr. EILBERG. Mr. Chairman, I thank the gentleman for yielding me this time and I now yield that 1 minute to the gentleman from Illinois (Mr. ANNUNZIO).

Mr. ANNUNZIO. Mr. Chairman, I welcome this opportunity to commend the gentleman from Pennsylvania, the Honorable JOSHUA EILBERG, distinguished chairman of the Subcommittee on Immigration and Nationality, who has brought this bill before us today. I also rise to commend the Honorable PETER W. RODINO, JR., the distinguished chairman of the House Committee on the Judiciary who pioneered this legislation in the last Congress and who conducted thorough and comprehensive hearings which preceded its drafting.

Mr. RODINO bent over backward to be fair and impartial and gave everyone an opportunity who wanted to testify to come before his subcommittee which he chaired in the 92d Congress so that every viewpoint could be made known. Notwithstanding his high quality efforts some factions in this country, for their own selfish motivation, irrespective of the welfare of the United States, have attempted to label this bill as racist. I deplore such irresponsible accusations.

I rise in support of H.R. 982, a bill to make it unlawful for the U.S. employers or their agents to knowingly hire aliens who are here illegally, or whose immigration status prohibits their accepting employment.

Based on extensive hearings on the illegal alien problem held by House Judiciary Subcommittee No. 1 during 1971 and 1972, we estimate that there are between 1 and 2 million illegal aliens currently in the country, and that the majority of them are employed or seeking employment. It became abundantly clear during the course of the hearings that employment is the key to the whole problem. It is the near certainty of employment which brings the illegal alien here in the first place or, in the case of the nonimmigrant, causes him to violate the terms of his visa.

The illegal alien is subject to exploitation by unscrupulous employers who take advantage of his vulnerable position, usually by paying him low wages and denying him fringe benefits such as vacations, overtime, and health care. I want to stress this point because I believe there is some misplaced sympathy for the illegal alien who will have difficulty finding employment here if this bill is passed. The physical and emotional conditions under which many illegally employed aliens now work border on the conditions of slavery. Perpetuating this situation is surely misplaced humanitarianism.

I would like to turn now to the objection against the bill which has been raised on the grounds that it will lead to the separation of families. It is argued that this bill will result in the deportation of illegal aliens who may be the close relatives of U.S. citizens or permanent resident aliens. First, if in fact this allegation were true, my previous argument regarding the intolerable conditions under which most illegal aliens work and, for that matter, live with their families, would be directly relevant. However, those who have made this allegation have apparently done so on the basis of inadequate information.

The bill before us today deals only with the employability of illegal aliens, and not with their deportability. In no way does the bill affect the immigration status of aliens, nor does it establish any additional grounds for deportation. In other words, the objection regarding the separation of families is simply not germane to the provisions of H.R. 982.

The objection has been raised that this legislation will result in discrimination on the part of employers against some people who are legally entitled to work in this country, and particularly against Mexican Americans and Mexicans. It is argued that employers would no longer hire Spanish-speaking people at all or, at the very least, would discriminate against members of ethnic and minority groups by making inquiries only of them regarding their eligibility to work.

Before answering this objection, I would like to say that among those making it are some growers' organizations which have not, in the past, been noted for their liberal views or their concern about discrimination. I caution those who are genuinely concerned about this issue to beware of the hysteria cynically being worked up by some who stand to lose if the illegal alien is no longer available as a source of cheap labor.

It is my opinion, and that of the Judiciary Committee, that the provisions of H.R. 982 would benefit, rather than harm, the Mexican American and other members of minority groups, foreign or otherwise.

Mr. Chairman, quite frequently foreign immigration has been blamed for high unemployment in the United States. This is sheer fallacy. Labor certification is required for all lawfully admitted aliens who plan to become American citizens, other than immediate relatives, such as mothers, fathers, sons, daughters, brothers, and sisters. My colleagues will recall it was the intention of the Immigration and Nationality Act Amendments of 1965, which I cosponsored and supported, to make it easier to reunite families and bring together members of families who had been tragically separated for so many years. Also, the Commissioner of the Immigration and Naturalization Service has assured Chairman RODINO that this measure will not force relatives of U.S. citizens or permanent resident aliens to leave the country.

During fiscal year 1972, 29,000 to 30,000 skilled immigrants entered the United States with the required labor certification which was issued to them only because their skills were in short supply in the United States. Thus, labor certification has been used as an effective tool in limiting admission of aliens to those whose skills are needed in the American labor market.

It is not the lawfully admitted aliens who are taking jobs away from Americans. To the contrary, lawfully admitted aliens are usually highly educated, highly skilled individuals who are supplementing our labor supply when it is short in certain specific areas, and quite frequently, we find other nations lamenting their "brain drain" because only their highly qualified citizens can meet the requirements for immigration to the United States and therefore, they are losing their most productive citizens. Their loss, of course, is our gain.

Our country was built, and its greatness was assured to a very large degree by the lawfully admitted aliens who have come to America from all over the world. Indeed, Polish Americans, Italian Americans, German Americans, Jewish Americans, Irish Americans, Scandinavian Americans, Slovenian Americans, Greek Americans, and so many others, have made tremendous contributions to the growth and advancement of our country—and it is unfair to put legally admitted and illegal aliens in the same category. They are totally different, and this vast difference should be recognized.

I do not advocate a ban on immigration—our immigrants are the ones who built America. What I do advocate is a halt to the entry of illegal aliens into our country, since it is they who are adversely affecting our employment situation.

In conclusion, I want to say that regardless of whatever sympathy we may share for the underprivileged of other countries, we, as Members of Congress, in considering any legislation, have an obligation to support and protect the American worker. Protection of our workingmen must begin at home. We must not tolerate unfair competition for jobs, nor creation of substandard working conditions caused by aliens who are illegally in our country.

Mr. **EILBERG**. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. GONZALEZ).

Mr. **GONZALEZ**. Mr. Chairman, it is my pleasure to introduce today a resolution to amend the U.S. Constitution requiring each State to provide its citizens with an opportunity for elementary and secondary education, and for each State to devise methods for the equitable distribution of resources to provide for such education.

The recent Supreme Court decision on the Rodriguez against San Antonio Independent School District case has brought a flood of mail to my office from young people in my district. Since I represent the city of San Antonio these young constituents have written to me expressing their opinions on the case, and it is obvious that they have been following it with special interest. Most of them ask the same questions, "Why can't their school district have as good an education program, including facilities, as a school district a few miles away?" and "Why did the Supreme Court rule as it did?"

I can answer their second question by saying that the Supreme Court did not rule that the current school financing system in Texas is the best, and they did acknowledge that "substantial interdistrict disparities in school expenditures" exist in Texas, but they decided that property taxes for financing education was not unconstitutionally discriminating under the 14th amendment's guarantee of equal protection under the law.

However, I found it much more difficult to answer their first question, since I am sure everyone would agree that it is not easy to tell a young person that he cannot have education programs and school facilities that he knows others in the same city have because he resides in a certain section of town.

One young girl wrote that representatives from Austin should be sent to visit a wealthier district and then come to the poorer districts to see the differences in schools within the same city. She further commented that there are two sides to every story and she feels that the officials should start looking at both of them. I believe she is correct.

In introducing this resolution to amend the Constitution I am asking that young people, not just in Texas but in all the 50 States, be given a chance to have an equal education.

In order for each citizen to have the opportunity to receive this education there must be a more equitable revenue system that currently exists in many States. My resolution to amend the Constitution does not propose a particular scheme such as equalizing property taxes across a State, as many have shown that this would tend to find the poor communities paying more for education than they currently do, and the richer communities paying less.

I am, however, advocating that

through this amendment each State develop a more efficient system of financing education so that each and every young person in this great Nation, rich, poor, or middle class, has an equal opportunity for a good education.

Mr. BIAGGI. Mr. Chairman, I rise in support of this bill to control the increasing number of illegal aliens in this country and commend the distinguished chairman of the Judiciary Committee (Mr. Rodino) for his work in this area.

The number of illegal aliens in this country now appears to be about 1.5 million with more coming in every day. While the problem is mainly in the Southwest United States and involves Mexican nationals, it affects every major metropolitan area to some degree. New York, Miami, Los Angeles, and San Francisco face particularly serious problems as port cities. These illegal immigrants take jobs away from American citizens and legal aliens. Since they are willing to accept lower wages, they tend to lower the entire scale of wages in an area. Many expand our welfare rolls and their children contribute to the overcrowding in schools.

There is no question that this flow of illegal aliens must be controlled. To do so, we must eliminate the economic incentive to the employers and to the illegal aliens themselves. This bill provides a new provision in the law that punishes the employer who knowingly employs illegal aliens. In the past, many employers would call the Immigration and Naturalization Service to have his employees deported—just before payday. This now puts the burden on the employer and will help greatly to remove the economic incentive for him. Similarly, by forbidding such illegal aliens the right to obtain welfare payments or by barring their children from our schools, they will not be attracted to this country thinking that they can easily get something for nothing.

Two problems, however, have arisen in consideration of this bill. The first represents the very real fear on the part of aliens legally in this country and recently naturalized citizens that employers will use the new law to discriminate against them. The unscrupulous employer may choose to deny jobs to all persons who he even suspects may be foreign and thus illegally in the country.

The committee has taken cognizance of this possibility and eliminated initial penalties for a first offense. This gives the employer a greater degree of latitude and freedom from fear of mistaken prosecution.

At the same time, it bears repeating that the Civil Rights Act of 1964 clearly prohibits any discrimination based on national origin. Employers may find themselves afoul of this law, should they choose to bar any foreign born person from their employ.

A second problem was brought to my attention by Father Anthony J. Bevilacqua, Director of the Brooklyn Diocesan Migration Office. He points out that many illegal aliens are now settled in New York with their families and have obtained jobs. To deport them now, would cause great hardship for them and their families.

The chairman of the committee (Mr. Rodino) has again taken the precaution to ask the Immigration and Naturalization Service to hold up any deportation proceedings until the committee has had an opportunity to consider this problem and the problem of quotas for the Western Hemisphere nations.

While this bill will not correct all the inequities in the current law and may create some new ones, on balance it is a good bill and deserves passage by this body. I hope all my colleagues will support it.

Mr. Chairman, I would like to include for the Record a copy of the press release on this bill issued by the Roman Catholic Diocese of Brooklyn expressing some of the problems they had with the bill. It is my understanding that the gentleman from New Jersey (Mr. Rodino) has cleared up these matters, for which he is to be commended.

The press release follows:

DIOCESAN SPOKESMEN CRITICIZE HOUSE BILL ON ILLEGAL ALIENS

Immigration officials of five Catholic dioceses in the New York metropolitan area lashed out today (March 20) at proposed federal legislation designed to cope with the problems of illegal aliens.

Citing a bill in Congress submitted by Rep. Peter Rodino (D N.J.), they declared that some provisions of the measure would cause "irreparable harm to hundreds of thousands of people who live in the metropolitan area."

It is believed that more than one million persons in this country live here with questionable entry status. A large percentage of them—some say 30 to 40 percent—reside in and around New York City. Many arrived here from Haiti, Ecuador, Colombia and Santo Domingo.

Speaking at a press conference in Brooklyn, Father Bryan J. Karvelis, a priest of the Brooklyn Diocese, criticized what he said were the Rodino bill's failures.

"We regret," he said, "the lack of any mention of relief from expulsion of the alien in our country who has established equity because of his labors, who has established a home, created family ties and made special contributions to the community in which he lives."

"Many of them are hard-working people who have taken what others might consider menial jobs in order to support their families," he asserted. "Of course, they are not eligible for public assistance, and they are managing to make do with what they can earn. That kind of industriousness should not be penalized."

A provision of the Rodino bill (H.R. 982) would place sanctions on employers of illegal aliens. Opponents of the bill believe that any person seeking work who looks like a foreigner would have an identity problem.

"Employers probably would only employ job seekers who look the way Americans are supposed to look," said Father Karvelis, who is chairman of the immigration committee of the Spanish-Speaking Apostolate of the Brooklyn Diocesan Migration Office.

In addition to Father Karvelis, spokesmen for the five dioceses include Father John J. O'Brien of Brooklyn, Father Francis Gorman of New York, Father Edward G. Sullivan of Rockville Centre, Father James F. Jannucci of Paterson and Father Thomas W. Heck of Newark.

The Brooklyn Diocesan Migration Office, directed by Father Anthony J. Bevilacqua, has organized a series of meetings in recent weeks for immigration leaders in U.S. dioceses who serve large groups of immigrants.

Father Bevilacqua told the House Subcommittee on Immigration and Nationality last year that "a significant number of newcomers" without legal status live in the Brooklyn Diocese. He noted that Bishop Francis J. Mugavero of Brooklyn has expressed "particular anxiety" that their legal status be regularized.

The immigration officials of the New York area dioceses urged measures that would regularize the status of illegal aliens by a certain date before proposed legislation takes effect.

"There is precedence for this in Canada," said Father Karvelis, "where illegal aliens were regularized in the country at the time new legislation became operative."

He stressed that "unscrupulous employers who abuse illegal aliens could be controlled by strict enforcement of existing labor laws and minimum wage laws."

The immigration officials also called for reversal of a U.S. Immigration Office directive that says separation of spouses is not a hardship. They described the directive as detrimental to the well-being of families.

In addition, they asked for removal of a quota ceiling for persons fleeing political oppression.

Mr. MAYNE. Mr. Chairman, I rise in support of H.R. 982, the pending bill providing long needed and highly important amendments to the Immigration and Nationality Act. As a Member in the 92d Congress of the House Judiciary Committee's Subcommittee on Immigration and Nationality, I shared the deep concern of my colleagues with the serious problem of illegal aliens—especially those taking employment after entering the United States without inspection and those entering legally as nonimmigrants but thereafter violating their status by accepting unauthorized employment. The number of illegal aliens rapidly increased since 1965, and has reached severe proportions. It is estimated there are presently between 1 to 2 million aliens illegally in the United States. In 1972 alone, the Immigration and Naturalization Service apprehended 505,949 illegal aliens, and 467,193 were expelled.

As the resources of the Immigration and Naturalization Service have increased, especially in recent years, it has dramatically increased its effectiveness in dealing with this problem—nearly quintupling annual apprehensions since 1965. It needs far greater financing, and should have the appropriations and personnel it needs to do its job.

However, increased funding, facilities, and enforcement personnel will not by itself solve the illegal alien problem—we must also make it an offense to hire the illegal alien, thereby removing the economic incentive which draws such aliens to the United States as well as the incentive for employers to exploit this source of labor.

The subcommittee held extensive hearings, in Washington and throughout the United States, on this problem. Following these hearings, I joined in cosponsoring H.R. 16188, which the full Judiciary Committee reported favorably on August 17, 1972, and which the House passed on September 12, 1972.

In this Congress, I have moved to another subcommittee, but I have closely followed the Subcommittee on Immigration and Nationality as it took early action on the reintroduced bill, in the form of H.R. 982. Following further hearings, the subcommittee adopted clarifying and technical amendments, and I joined my colleagues in the full committee's favorably reporting this legislation March 27, by vote of 30 to 2.

There was never any question in my mind that the language of the bill reported by the Judiciary Committee in the last Congress and passed by the House clearly intended to penalize not just the act of newly hiring an illegal alien after the effective date of the legislation, but also the act of continuing to maintain in employment an illegal alien hired before the bill took effect. I still feel that the language in the bill passed by the House last year unquestionably reached the continued employment of one, knowing him to be ineligible because of his status as an illegal alien. However, this language has been questioned, and I commend the subcommittee members for their wisdom in dotting the "i" and crossing the "t," through clarifying amendments making it clear for all that an employer will not escape penalty for employing an illegal alien just because he first hired that person before the act takes effect, if he continues to employ the alien.

In the hearings the subcommittee conducted in the last Congress, there was very clear and conclusive evidence that many of the illegal aliens, who had been apprehended and then deported or permitted voluntary departure, later showed up again employed illegally by the very same employers from whose places of business the alien as originally taken when first identified. In at least these circumstances, undoubtedly the employer was illegally employing these aliens knowingly.

The problem of the illegal alien is nationwide in scope, with illegal aliens having entered in labor markets in every section of the country. Each job occupied by an illegal means a lost job opportunity for a U.S. citizen or permanent resident.

My own inland Sixth Congressional District of Iowa, about as far from the borders as you can get, has not been immune from this problem of increasing magnitude. The Omaha district office of the Immigration and Naturalization Service apprehended 65 illegal aliens in Iowa and Nebraska in 1965, but total apprehensions by that office have increased since by leaps and bounds until 771 illegal aliens were apprehended last year. Just last week, the Iowa Highway Patrol stopped a Texas trucker on Interstate 80 east of Des Moines, Iowa, and arrested the driver and 21 illegal aliens of Mexican nationality, hidden in the back of the truck. Allegedly the driver had charged $20 to $60 each for transportation from Texas to Colorado—none spoke English and they apparently got lost. Many more have been apprehended on Interstate 80 crossing Iowa on the way to jobs in the Chicago area; but most of those apprehended by INS were taken into custody by INS inspectors upon visiting various farms and industries within the State.

Illegal aliens impose a heavy drain upon our local educational, welfare, and health services. Our balance of payments is unfavorably affected by the large aggregate of funds sent out of the country by the alien. Furthermore, the illegal aliens are often severely exploited by unscrupulous employers—paid minimum wages, often worked overtime without pay, denied vacations and other benefits, and so forth. He is often subject to extortion through blackmail, because of his fear of exposure. Fearful he will be apprehended if he reports any income, he usually pays no income tax, contributes nothing toward social security or unemployment funds, avoids the census taker, and evades registration for Selective Service. Afraid to bank his money he hoards it in cash, and is easy prey to confidence men and thieves, but is reluctant to report his being victimized to law enforcement officers.

H.R. 982 puts employers on notice that employment of illegal aliens is proscribed. Employers avoid violating the penalty if they have made bona fide inquiry, in accordance with regulations to be promulgated by the Attorney General, whether the prospective employee is a citizen or an alien authorized to work.

This is good legislation, making possible substantial progress toward elimination of the problem of illegal employment. With all employers on notice of this law, illegal aliens in this country will find employment opportunities drastically reduced, and those aliens across the borders will have far less incentive to enter the United States illegally. I urge all Members to join in acting favorably in support of passage of this needed legislation.

Mr. GONZALEZ. Mr. Chairman, we are again faced with the same issue as in the last Congress in dealing with the legislation concerning the employment of illegal aliens and I do not want to belabor the point, so I am taking the liberty of inserting the remarks that I made on this matter last year:

> I cannot help but review this situation. It was almost exactly 10 years ago as a freshman in this House that I was given the credit for the leadership in eventually defeating the so-called bracero system or law. Let us go back. That system prevailed in our country from 1951 until about 1964, the terminal year, because we allowed 1 year to round out the program in 1963.
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> I recall the history in my part of the country, which is the State of Texas, as it occurred under a controlled plan. The gentleman's amendment is a resurrection of the bracero program without any of the merits or any of the controls of the bracero program.
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> I heard the same arguments 10 years ago and 20 years ago as offered by my other distinguished colleague, the gentleman from Texas, that it is impossible to find farm labor, that it must be necessary to contract in some vague way in order to tap this reservoir.
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> I recall 1957, my freshman year in the State senate of the State of Texas, for the first time offering a minimum wage bill in the State of Texas, and I had set a minimum of 40 cents, because the farmworker who happened to have the bad luck of being born in the State and being a native American was earning less than 40 cents in the fields of Texas, but the foreign imported Mexican laborer under the bracero contract first was guaranteed by international agreement, having the power and sanction of enforcement by two countries, of first 40 cents and then 50 cents. The native Texan,. the native American, had absolutely no protection, no safeguard, and nobody really cared if he earned 30 cents or less.
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> If we adopt this proposal, we are going to go back to it at a time in which all the labor indexes clearly show there is available labor; but what we are not told is not that the labor is not going to go into the fields at 40 cents or 50 cents or 75 cents an hour. That is the salient difference. This is the point which ought to be brought out and this is the reason I rise at this time.
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> We have heard time and time again the same arguments. I remember the alarums in 1962 and 1963 from the California fields, where I was even burned in effigy. They said that if we did away with the bracero program the crops would perish in the fields, and that was 10 years ago, and the crops certainly have not perished.
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> Of course we have problems. The reason I was motivated and the reason for my saying I did not intend to get up to argue much on this is that in all these efforts in this field we have never really brought in the human element, the human side. It is a very tragic thing to have to debate this type of legislation one way or the other, because we know that literally thousands of the folks that have come into the United States have done it impelled by the same motive as our ancestors did. They want to have a job. They want to have a chance to earn a living and support their families. I think every one of us instinctively shares a sympathy with this, but unfortunately the conditions staring us in the face today are a little bit more complex. In my district for instance there is no question. I have statements from the immigration officials just this week where they have raided at least two places that have been under strike by the employees. They have found illegal workers at the struck plants having the impact of strike breakers.
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> I find that the human element gets lost. On the one hand you have unions and union members who are interested in protecting their particular economic interests. On the other hand, we have the employer who is also interested in protecting his economic interests and we tend to lose sight of what is really, really involved here that we are not addressing ourselves to, and we have not. I think that on a higher order eventually we will have to see what is involved, because it is wrong for us to have the misery of one nation feeding on the misery of another. It is wrong for us to provide laws or systems or operations that will allow a continuation of the exploitation of the native American fieldworker and his associates by the importation of the hard-pressed and usually in misery foreign counterpart.

Mr. PRICE of Texas. Mr. Chairman, I must rise today in opposition to the Immigration and Nationality Act Amendments. The passage of this bill will only serve to complicate the plight of farmers and ranchers by denying them a viable labor market. What we need instead, is a program similar to the bracero program which existed from 1951 to 1963.

Looking back, the bracero program was the kind of program that had substantial appeals for those involved in it. U.S. farmers and ranchers like it, because it helped them meet their labor demands by supplying steady dependable help and at reasonable costs. Mexicans who participated in the program like it, because it enabled them to make significantly more money doing agricultural work in the United States than they were able to earn doing similar work in Mexico. The Government of Mexico favored the program, because it provided an additional means of obtaining U.S. dollars and it partially helped Mexico's domestic employment problems. In fact the only primary dissatisfactions with the bracero program stemmed from certain liberal politicians and organized labor representatives who viewed the program in the light of misguided idealism at best; and union organizational needs at worst.

I regretted the passing of the bracero program, and I have viewed with interest the varied attempts the detractors of the program have made to find a workable substitute. To date, nothing has really been developed. Farmers and ranchers in northwest Texas and throughout much of the Southwest still stand in dire need of steady and dependable farm labor. I would point out here that the high unemployment rate has not materially changed this labor shortage situation, because there are just not that many people who are interested in working in agriculture. I say this despite the fact that the Department of Labor claims there are workers available in general and in northwest Texas in particular. I say this, because I know from bitter experience what other farmers and ranchers know; namely, that the chronically unemployed cannot do the needed jobs on farms and ranches—they just cannot do the work. The simple fact of the matter is farmwork is hard work. There is no real timeclock, work is governed more by the light of the sun and the state of the weather. Moreover, wages are typically low, because farmers do not make enough money themselves to pay top dollar for farm labor. In this regard, as I and other farm State Members have often stated, the level of food prices in the marketplace depend more on distribution and packaging costs than they do on farm production costs.

Mr. Chairman, the present welfare system and unemployment compensation system also have contributed to the farm labor shortage. In some cases individuals can make more money by drawing welfare and unemployment compensation than they can make by either working partime or not working at all.

When all is said and done, when the liberals are through gnashing their teeth over the supposed immorality of encouraging Mexicans willing to work on U.S. farmlands, and when the labor organizers are through bemoaning the fact that the Bracero program undercuts their efforts to unionize American farmworkers, then one central fact remains. The farmers and ranchers of this Nation need new sources of farm labor and they need it desperately.

In an attempt to meet this need I introduced a bill during the last session of the Congress to reestablish the Bracero program, put it under the jurisdiction of the Secretary of Agriculture, and empower the Secretary to establish certain program standards governing the provision of adequate wages, hours, and conditions of employment. Under my proposal, U.S. farmers and ranchers would have had the opportunity to get more help, and Mexicans who wanted to better themselves and their families by earning more money would have been free to do so in this country.

Mr. Chairman, on balance it seems to me there is a clear need for instituting a new Bracero program or something close to it rather than passing the legislation before us today. Not only would it benefit American agriculture, it would also appeal greatly to Mexican farmworkers. Such a program would strike a new equilibrium between the labor resources of Mexico and the agriculture labor needs in the United States. It would better enable the food and fiber producers of this Nation to continue to provide their needed goods at reasonable costs to the American consumer.

Mr. DON H. CLAUSEN. Mr. Chairman, it would be unfair to my own sense of justice and fair play as well as to the Mexican-Americans in my own constituency if I were to vote in favor of the legislation before us to penalize employers who hire illegal aliens.

Mexican-Americans are proud and hard-working people but they have related to me the constant pressures and harassment they face simply because they are of Mexican descent.

I try to put myself in their position and ask why should I be singled out to display identification and verification of birth place in order to obtain or retain a job.

I know of no other group in these United States that is treated in this manner. Nor do I feel that any group should be. That is why I believe this bill, or any other bill, that could possibly encourage any form of discrimination no matter how subtle, no matter how innocent in appearance, would set a dangerous precedent.

While I am sure there could be a strong case submitted to support this legislation and while I must say it would be tempting to cast an affirmative vote, my conscience and my desire to fight discrimination wherever it rears it ugly head tell me that I can only register my feelings by voting in the negative.

Mr. BINGHAM. Mr. Chairman, I shall vote for passage of H.R. 982, but I wish to point out that the issues to which this legislation is addressed are complex and controversial.

The basic purpose of the bill, to deter U.S. employers from giving jobs to aliens who are illegally present in this country is sound. Illegal immigrants often compete with low-income U.S. workers for jobs. As a result, some native-born Americans, naturalized citizens, and legal immigrants with work permits are displaced from opportunities in the job market and may be forced onto welfare and unemployment rolls, thus adding to the national tax burden.

Illegal immigrants pay no income taxes and often send the bulk of their wages back to their native countries, thereby contributing to the U.S. balance of payments deficit. Because they are fearful of apprehension by U.S. Immigration authorities, illegal aliens usually will not complain when employers pay them substandard wages, below the U.S. minimum wage level. These illegal aliens also accept working and living conditions which do not meet legal requirements because they prefer to endure hardships imposed by unscrupulous employers rather than risk detection by law enforcement officials and expulsion from the country. The net result is that heartless employers hold these illegal aliens in virtual peonage and avoid the necessity of paying the minimum wage to American workers and meeting job standards which U.S. workers would demand.

Statistics bear out the fact that the problem of illegal aliens in the U.S. job market is serious. In 1972, over a half million were apprehended by the U.S. Immigration and Naturalization Service. It is impossible to measure precisely the number of aliens illegally present in the United States, but general estimates place the total at between 1 million and 2 million.

However, there are dangers which could arise from improper administration of the law proposed by H.R. 982. Congress must put on the record a warning to the Government agencies which would be involved in the administration of this law—the Department of Justice, the Department of Health, Education, and Welfare, and the Immigration and Naturalization Service—to guard against those abuses in the governmental and private sectors which might arise as a result of the enactment of this bill.

It is said that U.S. employers, fearful of punishment for hiring illegal aliens, might refuse to hire anyone who speaks no English or speaks it with a foreign accent. Since more than 85 percent of the illegal aliens are from Latin America, this could result in job discrimination against all Spanish-surnamed or Spanish-speaking Americans, including especially the large Chicano populations in the Southwest and the Puerto Rican residents of the Northeast. This dangerous problem can be avoided by making clear to all potential employers that the law requires only a good faith effort on the part of the employer to insure that the prospective employee is a legitimate member of the U.S. work force. The receipt by the employer of a statement signed by the prospective employee confirming that he is a U.S. citizen or an authorized work permit holder constitutes prima facie evidence that the employer has made a bona fide inquiry. An employer can only be punished if he "knowingly" hires an illegal alien. The respective Government agencies have a duty to remind employers that title VII of the Civil Rights Act of 1964 prohibits employment discrimination on the basis of national origin, and the agencies must insure that the implementation of this legislation does not cause job discrimination against legitimate employees of the affected ethnic and minority groups.

In addition, some minority group communities, particularly those with large concentrations of Spanish-speaking persons, are fearful that the Immigration and Naturalization Service may engage in wholesale roundups and dragnets of Spanish-speaking persons, including U.S. citizens and lawfully resident aliens, in an attempt to ferret out illegal aliens. Of course, the administrators of the INS must avoid any such "razzia"-type actions which would be in violation of the constitutional rights of American citizens and residents and highly offensive to minority group communities. In any event, enactment of the bill before us would not in any way add to this problem. Indeed, it might well make such actions less likely, since enforcement procedures would no longer be aimed solely at the illegal immigrants, as is now the case.

If due precautions are observed, Mr. Chairman, then the effect of this legislation will be a benefit to all native-born or naturalized Americans and legally resident aliens, particularly those persons who must compete for employment at the lower end of the income scale.

Mrs. CHISHOLM. Mr. Chairman, I am opposing the Immigration and Nationality Act Amendments today because I do not believe that they offer even a partial solution to our unemployment problem. In all the comments I have heard and read, one essential point has been ignored. The point is this: This bill attempts only to shift the burden of undesirable and substandard jobs from the alien poor to the indigenous poor.

In reality this bill makes illegal aliens the scapegoats for a problem which is not their doing. The real problem which we should be attacking is an employment situation where the jobs on the lowest end of the scale are so demeaning and financially unrewarding that not enough Americans are willing to take them. The illegal aliens are not replacing American labor; they are taking jobs which look good to them only in contrast to what they have come from.

Let us look at some facts in this area. One of the jobs most frequently taken by female illegal aliens is that of a domestic household worker. Altogether there are over 1 million household workers in America. And how much do these women earn? The median income for a private household worker in the United States is approximately $1,800 a year. Who among you can tell me that American women are fighting for jobs that only pay an average of $1,800 a year? How many women are competing for jobs that cannot provide them even a poverty-level income? Mr. Chairman, if we really want American ethnic and minority groups to fill these jobs, then we should concentrate not on an immigration bill but on a bill to provide a decent and humane minimum wage.

Let us look at some other facts. Right here in the District of Columbia, where the unemployment rate is one of the lowest in the country and the wage rate is one of the highest, there are 347,000 workers who are earning incomes below the poverty level. If that many workers in the Washington, D.C., area are receiving substandard wages, you can imagine what the rate across the country must be. I say that we are lucky to have anyone—illegal aliens or legal citizens—to work for below-subsistence wages. I certainly would not compete for a job which still left me unable to live a decent life or care for my children. Yet these are the type of jobs so often taken by illegal aliens out of dire necessity. If this bill were to pass, I do not think we would have a mass of unemployed Americans jumping to take these jobs. Why should they? Why should they take jobs which are an insult to their dignity as human beings?

As a final comment, I think that the best indictment of this bill is a statement uttered in support of the bill. The Department of Justice, in testimony before the Judiciary Committee stated their support of this bill because it will prohibit the hiring of "illegal aliens who are often highly productive and willing to work for wages and under working conditions that are unattractive to American workers." In effect this is admitting what I have just emphasized—that the illegal aliens are taking jobs which are unattractive to American workers. As I have pointed out, it is quite clear why these jobs are unattractive to American workers—the jobs do not pay a living wage. The solution, as presented in the Immigration and Nationality Act amendments, is to give these undesirable jobs back to Americans. What kind of solution is that? My stand is that we should not shift the undesirable jobs from aliens to Americans, as this bill would do, but that we should eliminate the undesirable jobs altogether by enacting legislation to provide respectable wages and respectable working conditions for all people.

Mr. RANDALL. Mr. Chairman, I rise in support of H.R. 982. I do so with the realization that, in the light of the problem created by the ease with which aliens can enter this country illegally and gain employment here, the bill may help; it is a step in the right direction but it does not go far enough to solve many illegal alien problems.

I must reluctantly point out that section 1 of H.R. 982 does not address itself to the problems that arise from hundreds of thousands of illegal aliens competing for jobs in this country and/or receiving benefits from welfare, food stamp, and medical care programs. Part of this section merely restates existing administrative procedures for Western Hemisphere natives to adjust their status from nonimmigrant to permanent resident aliens. The remainder of section 1 permits this to be accomplished without the alien leaving and then reentering the country.

Under the provisions of section 2, there is a 3-step procedure for imposing sanctions on employers and agents of employers who knowingly employ aliens illegally in the United States, culminating in the assessment of fines at the rate of $500 per alien found working in subsequent violations, if such violations occur within a 2-year period.

The Government Operations Committee's Legal and Monetary Affairs Subcommittee, of which I am chairman, is currently engaged in a study of the management and operational problems of the Immigration and Naturalization Service. Our authority for engaging in this study derives from section 8(2) of rule XI of the House of Representatives, which states that the Government Operations Committee has the duty of "Studying the operation of Government activities at all levels with a view to determining its economy and efficiency"; While we have had only 3 days of hearings so far, our subcommittee has had the benefit of findings contained in a draft report by the General Accounting Office, and we have compiled a mass of background information in a study that is now in its 21st month.

Our illegal alien problem arises, of course, from the attractiveness of life in this country to residents of other nations. It is a sad commentary on the existence at lower economic levels in other countries that living on welfare in the United States provides a better way of life than working at menial tasks almost any place else in the world. To oppose letting those unfortunates come to this country at will and infiltrate our work force or live on the handouts at the public trough could smack of incompassion. But consider the consequences of letting down all the bars against immigration. There would not be enough jobs to go around; there would not be enough money in the Treasury to feed, clothe, and house all the unemployed. The relatively good working conditions and reasonable wage structures, hard-won by years of labor-management negotiations, would break down under conditions where there would be several workers available for every job. There would not be enough housing to meet the needs of a vastly expanded population if there were no restraints on immigration. There would not be enough schools, recreational, and medical facilities to go around. There just is no reasonable way we can assume all the burdens of all the other countries by permitting free entry to all of their unfortunates.

We have laws by which restraints are placed upon immigration into the United States and it is the duty of the Immigration and Naturalization Service to enforce these laws. Our subcommittee is now studying the Immigration and Naturalization Service to see if economy and efficiency are key ingredients in its operations.

Our study is not yet complete; it is too early to arrive at any firm conclusions. But I think I can say that at this point there is much that the Immigration and Naturalization Service needs in order to quell the onrushing tide of illegal immigrants.

For one thing, the Department of Justice, of which Immigration and Naturalization Service is a part, and the Office of Management and Budget places, in my opinion, too low priority on the budgetary needs of the Service. In the past 10 years there has been an appalling pattern of reducing or eliminating requests for increased appropriations for Immigration and Naturalization Service, while the growth of our illegal alien problem has mushroomed. At the same time, it appears that Immigration and Naturalization Service does not always make maximum efficient use of resources made available to them. Little has been done in the way of more sophisticated identification and detection techniques; the age of computerization is slow in coming to Immigration and Naturalization Service.

As one member of the subcommittee I have wondered at the emphasis placed by Immigration and Naturalization Service on the Mexican alien problem, almost to failing to recognize that illegal aliens come from a hundred or more other countries.

Here in Washington, for example, illegal Mexicans comprise less than 5 percent of the total of illegal aliens located. There are more Bolivians, more Chinese, more El Salvadoreans, more Peruvians here in an illegal status than there are illegal Mexicans.

In New York City illegal Mexicans comprise less than 7 percent of aliens of questionable status located. In Fun City there are more Chinese, Greeks, Italians, and Dominicians than Mexicans in an illegal status.

The blame for the illegal alien problem lies in many places. We have this problem because there does not appear to be sufficient manpower, supportive personnel, apprehension and detection equipment available to the Immigration and Naturalization Service. Initial findings of the Legal and Monetary Affairs Subcommittee's study indicate that if there is a breakdown in the economy and efficiency of the Service it is due partly, at least, to the overwhelming work load of Immigration and Naturalization Service.

The job of expelling illegal aliens is at a breakdown status in some parts of the country because constitutional procedures must be followed in these matters; the alien must be given his day in court and the courts are overburdened.

The billions of dollars in foreign aid money we have sent overseas in the past quarter of a century have obviously not filtered down to the people and made life in their native lands palatable enough so they are unwilling to run the risks; including possible imprisonment, in order to come to the United States.

Once the alien is here in an illegal status, he often seeks to lose himself in the work force of a large city, where, all too often, he becomes the victim of an unscrupulous employer, who takes advantage of the alien's illegal status by working him long hours at substandard pay.

The legislation now before the House, H.R. 982, addresses itself in part to the latter problem. I support H.R. 982 because it does take at least a small step in the direction of making it a little more difficult, a little riskier for employers to exploit illegal labor.

Mr. EILBERG. Mr. Chairman, we have no further requests for time.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the committee amendment in the nature of a substitute printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) is amended to read as follows:

"SEC. 245. (a) The status of an alien who was inspected and admitted or paroled into the United States may be adjusted by the Attorney General, in his discretion and under such regulations as he may prescribe, to that of an alien lawfully admitted for permanent residence if (1) the alien makes an application for such adjustment, (2) the alien is eligible to receive an immigrant visa and is admissible to the United States for permanent residence, and (3) an immigrant visa is immediately available to him at the time his application is filed.

"(b) Upon the approval of an application for adjustment made under subsection (a), the Attorney General shall record the alien's lawful admission for permanent residence as of the date the order of the Attorney General approving the application for the adjustment of status is made, and the Secretary of State shall reduce by one the number of the preference or nonpreference visas authorized to be issued under section 203(a) within the class to which the alien is chargeable, or the number of visas authorized to be issued pursuant to the provisions of section 21(e) of the Act of October 3, 1965, for the fiscal year then current.

"(c) The provisions of this section shall not be applicable to: (1) an alien crewman; (2) an alien (other than an immediate relative as defined in section 201(b)) who hereafter continues in or accepts unauthorized employment prior to filing an application for adjustment of status; or (3) any alien admitted in transit without visa under section 238(d)."

SEC. 2. Section 274 of the Immigration and Nationality Act (8 U.S.C. 1324) is amended by deleting the proviso in paragraph 4 of subsection (a) and by redesignating subsection (b) as subsection (e) and adding new subsections (b), (c), and (d) to read as follows:

"(b) (1) It shall be unlawful for any employer or any person acting as an agent for such an employer, or any person who for a fee, refers an alien for employment by such an employer, knowingly to employ, continue to employ, or refer for employment any alien in the United States who has not been lawfully admitted to the United States for permanent residence, unless the employment of such alien is authorized by the Attorney General: *Provided,* That an employer, referrer, or agent shall not be deemed to have violated this subsection if he has made a bona fide inquiry whether a person hereafter employed or referred by him is a citizen or an alien, and if an alien, whether he is lawfully admitted to the United States for permanent residence or is authorized by the Attorney General to accept employment: *Provided further,* That evidence establishing that the employer, referrer, or agent has obtained from the person employed or referred by him a signed statement in writing in conformity with regulations which shall be prescribed by the Attorney General that such person is a citizen of the United States or that such person is an alien lawfully admitted for permanent residence or is an alien authorized by the Attorney General to accept employment, shall be deemed prima facie proof that such employer, agent, or referrer has made a bona fide inquiry as provided in this paragraph. The Attorney General of the United States shall prepare forms for the use of employers, agents, and referrers in obtaining such written statements and shall furnish such forms to employers, agents, and referrers upon request.

"(2) If, on evidence or information he deems persuasive, the Attorney General concludes that an employer, agent, or referrer has violated the provisions of paragraph (1), the Attorney General shall serve a citation on the employer, agent, or referrer informing him of such apparent violation.

"(3) If, in a proceeding initiated within two years after the service of such citation, the Attorney General finds that any employer, agent, or referrer upon whom such citation has been served has thereafter violated the provisions of paragraph (1), the Attorney General shall assess a penalty of not more than $500 for each alien in respect to whom any violation of paragraph (1) is found to have occurred.

"(4) A civil penalty shall be assessed by the Attorney General only after the person charged with a violation under paragraph (3) has been given an opportunity for a hearing and the Attorney General has determined that a violation did occur, and the amount of the penalty which is warranted. The hearing shall be of record and conducted before an immigration officer designated by the Attorney General, individualy or by regulation and the proceedings shall be conducted in accordance with the requirements of title 5, section 554 of the United States Code.

"(5) If the person against whom a civil penalty is assessed fails to pay the penalty within the time prescribed in such order, the Attorney General shall file a suit to collect the amount in any appropriate district court of the United States. In any such suit or in any other suit seeking to review the Attorney General's determination, the suit shall be determined solely upon the administrative record upon which the civil penalty was assessed and the Attorney General's findings of fact, if supported by substantial evidence on the record considered as a whole, shall be conclusive.

"(c) Any employer or person who has been assessed a civil penalty under subsection (b) (3) which has become final and thereafter violates subsection (b) (1) shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding $1,000, or by imprisonment not exceeding one year, or both, for each alien in respect to whom any violation of this subsection occurs.

"(d) (1) Any vessel, vehicle, or aircraft which has been or is being used in furtherance of a violation of subsection (a), or which has been or is being used by any person who for a fee refers or transports an alien for employment in furtherance of a violation of subsection (b), shall be seized and forfeited: *Provided,* That no vessel, vehicle, or aircraft used by any person as a common carrier in the transaction of business as such common carrier shall be forfeited under the provisions of this section unless it shall appear that (A) in the case of a railway car or engine, the owner, or (B) in the case of any other such vessel, vehicle, or aircraft, the owner or the master of such vessel or the owner or conductor, driver, pilot, or other person in charge of such vehicle or aircraft was at the time of the alleged illegal act a consenting party or privy thereto: *Provided further,* That no vessel, vehicle, or aircraft shall be forfeited under the provisions of this section by reason of any act or omission established by the owner thereof to have been committed or omitted by any person other than such owner while such vessel, vehicle, or aircraft was unlawfully in the possession of a person who acquired possession thereof in violation of the criminal laws of the United States, or of any State.

"(2) All provisions of law relating to the seizure, summary and judicial forfeiture, and condemnation of vessels and vehicles for violation of the customs laws; the disposition of such vessels and vehicles or the proceeds from the sale thereof; the remission or mitigation of such forfeitures; and the compromise of claims and the award of compensation to informers in respect of such forfeitures shall apply to seizures and forfeitures incurred, or alleged to have been incurred, under the provisions of this chapter, insofar as applicable and not inconsistent with the provisions hereof: *Provided,* That such duties as are imposed upon the collector of customs or any other person with respect to the seizure and forfeiture of vessels and vehicles under the customs laws shall be performed with respect to seizures and forfeitures of vessels, vehicles, and aircraft under this section by such officers, agents, or other persons as may be authorized or designated for that purpose by the Attorney General."

SEC. 3. The Immigration and Nationality Act is amended by inserting immediately after section 274 the following new section:

"DISCLOSURE OF ILLEGAL ALIENS WHO ARE RECEIVING ASSISTANCE UNDER THE SOCIAL SECURITY ACT

"SEC. 274A. Any officer or employee of the Department of Health, Education, and Welfare shall disclose to the Service the name and most recent address of any alien who such officer or employee knows is not lawfully in the United States and who is receiving assistance under any State plan under title I, X, XIV, XVI, XIX, or part A of title IV of the Social Security Act."

SEC. 4. The first paragraph of section 1546 of title 18 of the United States Code is amended to read as follows:

'Whoever knowingly forges, counterfeits, alters, or falsely makes any immigrant or nonimmigrant visa, permit, border crossing card, alien registration receipt card, or other document prescribed by statute or regulation for entry into or as evidence of authorized stay in the United States, or utters, uses, attempts to use, possesses, obtains, accepts, or receives any such visa, permit, border crossing card, alien registration receipt card, or other document prescribed by statute or regulation for entry into or as evidence of authorized stay in the United States, knowing it to be forged, counterfeited, altered, or falsely made, or to have been procured by means of any false claim or statement, or to have been otherwise procured by fraud or unlawfully obtained; or."

SEC. 5. Nothing contained in this Act, unless otherwise specifically provided therein, shall be construed to effect the validity of any document or proceeding which shall be valid at the time this Act shall take effect, or to affect any prosecution, suit, action, or proceeding, civil or criminal, done or existing, at the time this Act shall take effect; but as to all such prosecutions. suits, actions, proceedings, statutes, conditions, rights, acts, things liabilities, obligations, or matters, the statutes or parts of statutes repealed by this Act are, unless otherwise specifically provided therein, hereby continued in force and effect.

SEC. 6. This Act shall become effective on the first day of the first month after expiration of ninety days following the date of its enactment.

Mr. EILBERG (during the reading). Mr. Chairman, I ask unanimous consent that the committee amendment in the nature of a substitute be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KAZEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have given this bill thorough study. I have searched the arguments of its advocates. I have reexamined the debate of last year. I say to Members of this House that I accept the purposes of this bill, but with all my vigor I oppose the methods proposed to achieve those purposes and I, therefore, urge rejection of the bill.

I do not argue here for illegal aliens. I do not argue for jobs being filled by such people, at the expense of our own citizens or the legal aliens. But, as I did last year, I urge rejection of the premise that every employer must be a policeman and every Mexican American must be a suspected law violator. That, I say, is discrimination—and discrimination violates the great traditions of our Nation. This bill would write selfishness into law—and I say that must not be done.

I want to explain my two basic objections. First, the bill would require every employer—farmer, storekeeper, rancher, or housewife—to be satisfied with the legal status of not only every job applicant but of every employee. The bill would invoke penalties for "knowingly" hiring illegal aliens. It is easy for some to say that these people should not be hired. It is easy, too, to say that no one should drive on our highways without a driver's license. But we do not ask every citizen to stop automobiles on our highways to demand driver's licenses from passing motorists. It is easy to be against bank robbery, or burglary, or arson, but we do not expect every citizen to challenge the intentions of every passer-by on the street.

What would you do, if you had to accept such strictures? When you buy a tire at a filling station you have patronized for years, would you ask the dealer to prove he bought the tire from a wholesaler and not a hijacker? When you buy cigarettes, would you demand proof that the tax stamps are valid? When you interview a job applicant for your staff, would you ask a young lady to prove she has never been arrested? Of course, your answers are negative. None of us wants to be a law enforcement officer in every transaction. Ours is a free society, one in which we respect others and expect their respect.

But assume for a moment that you are an employer and do not want to challenge the citizenship of every job applicant. What is the easy way out? The easy way—if not the ethical way—is to refuse to consider anyone whose legal rights might be suspect.

That brings me to my second major objection—that this bill will encourage discrimination. Most employers do not need more complications in their operation. If they need a farmhand to harvest a crop, or a woman to clean house, or a porter to handle crates in a store, they want an honest worker. Should we say to them, as this bill would have us say, that they can save time and perhaps even legal penalties by not even considering an applicant whose skin is brown, or whose speech is accented, or whose name suggests a foreign heritage?

I am not alone in saying this bill would invite discrimination. Bishops of the Catholic Church have said so; their representatives have said this bill would bring "incredible suffering"—that is quoted: "Incredible suffering" to hundreds of thousands of foreign-born residents. To quote further, the bishops said this bill "could encourage subtle discrimination by making employers fearful of hiring Latin-looking people."

I also cite the position of the Association of the Bar of the City of New York. The association's committee on immigration and nationality law has criticized this bill—and I quote:

> We do not believe that enactment of this bill will adequately deal with an admittedly unsatisfactory situation. We believe there are already adequate provisions in the law to deal with aliens who accept unauthorized employment or otherwise violate provisions of their admission.

The CHAIRMAN. The time of the gentleman from Texas has expired.

(By unanimous consent, Mr. KAZEN was allowed to proceed for 2 additional minutes.)

Mr. KAZEN. Mr. Chairman, I cite other organizations:

CASA, the Mexican-American Political Association of California and other associated Los Angeles groups have firmly declared that the proposed bill—

> Will place every Spanish surname person in the United States in the position of having to justify his or her status every time he or she seeks employment.

Carina Ramirez, director of chicano studies at the University of Texas in El Paso, is convinced that this bill would not deter employers of illegal aliens. She wrote me:

> "What they save in wages is far greater than any fine that could be imposed. On the other hand, those employers intimidated by the bill would be disinclined to hire any persons of Mexican descent. Thus the bill would not alleviate the problem of unemployment of Mexican-American people, but would actually increase the problem.

Let me cite a common problem in my district. A farmer has a crop ready for harvest, or a rancher needs more hands with his cattle, or a housewife needs help in her home. An honest effort to find an employee is unsuccessful—whether we like it or not, though unemployment is terribly high in southern Texas, there are some people who do not want the jobs available to them. That situation, where honest effort to get help is futile, occurs often in areas some distance from our cities. Sometimes the need for help is temporary, but if a farmer needs help with a harvest, that temporary need is vital. His return on a year's work hangs on getting his crop to market.

One man or several may show up, asking for work. I say it is asking too much for the Congress to tell that farmer that he has to turn help away, or risk going to jail if he hires those men.

The CHAIRMAN. The time of the gentleman from Texas has expired.

(On request of Mr. MAHON, and by unanimous consent, Mr. KAZEN was allowed to proceed for 2 additional minutes.)

Mr. KAZEN. Mr. Chairman, I thank the gentleman from Texas, and if he will let me finish this statement I will be delighted to yield to the gentleman.

I say again that if we seek to protect jobs for our citizens, that is quite another matter. But we should not place the policing burden, and the threat of jail, over the producers of food and fiber, the housewives, and small businessmen. I say again that I do not want illegal aliens taking jobs from our citizens or from legal aliens, and I support the revision in the adjustment of status provision. However, I say again that this bill would foster discrimination and prejudice. I offer no better reason for urging Members to vote against this bill.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. KAZEN. Mr. Chairman, I yield to the gentleman from Texas, Mr. MAHON.

Mr. MAHON. Mr. Chairman, I would like to compliment the gentleman on his very down-to-earth and commonsense approach to this legislation. I want to say that I shall vote against this legislation unless it can be amended and made more suitable and fair.

I just hope the words of wisdom which the gentleman has expressed will be heeded by this House. I know that the gentleman speaks from experience.

Mr. Chairman, I know that in my own area we have many Mexican-American workers. This bill as now written would impose an intolerable and unacceptable burden upon our people.

I just wish to commend the gentleman upon his excellent statement and express the hope that the bill can be improved by amendment.

Mr. KAZEN. Mr. Chairman, I thank the gentleman from Texas.

Mr. Chairman, what I do not want to happen is for every single one of our native-born Mexican Americans to be second-class, card-carrying Americans at every turn of the road when no other citizen is required to be; to be put to the humiliation of having to sign statements prepared by the Attorney General or someone else before they can earn a livelihood for themselves and to feed, clothe, and educate their families.

Mr. EILBERG. Mr. Chairman, I move to strike the last word.

Mr. Chairman, very briefly, in response to the appeal just made by the gentleman from Texas (Mr. KAZEN), I would like to repeat and emphasize that no burden is placed upon the employer at all in this bill. The only burden placed upon an employer is to refrain from knowingly employing illegal aliens.

What is so burdensome about making or responding to a simple inquiry?

The gentleman is fearful that people with Spanish surnames will be discriminated against. This is exactly why we structured the bill the way we did. It would require a knowing employment. The first sanction would be warning only, but no criminal penalty. The employer would be taking a minimum kind of risk in hiring any individual because nothing would happen other than a warning if it became established that he knowingly hired an illegal alien.

As far as discrimination goes, we have Federal agencies out working in the field on this such as the Equal Opportunities Commission, the Civil Service Commission and the Civil Rights Commission. They are effective, and working. If we are not satisfied with the kind of job they are doing, we have an opportunity in the House and the Senate to increase their enforcement powers so that these agencies will in fact help to reduce discrimination.

Mr. Chairman, I also remind the gentleman that in the area of the country he represents, unemployment is among the highest in the entire United States. It is precisely this kind of reasoning which brings this bill to the floor.

We must be more concerned with the present discrimination against the U.S. citizen and against the lawful alien who cannot find employment.

Mr. KAZEN. Mr. Chairman, will the gentleman yield?

Mr. EILBERG. I yield to the gentleman from Texas.

Mr. KAZEN. Mr. Chairman, the very first point the gentleman made is the fact that there is no burden placed upon the employer. I will refer the gentleman to the top of page 7 where, in order to preserve prima facie case, he must comply, the least he would be able to show is a signed statement by the prospective employee. Those are the provisions of this bill.

Mr. EILBERG. Mr. Chairman, we provide methods by which he can show his good faith, he can use any one or none of those methods.

Mr. KAZEN. But, if this is the route it would take for him to make a prima facie case to prove he has done everything to comply with the law, that man, in order to protect himself, is going to take a written statement from every person he feels might be illegal.

He is not going to bother with a white, but he will with the brown-skinned man.

Mr. EILBERG. It is our view that if an employer is responsible and desires to make inquiries, he will make such inquiries of all his employees.

Mr. KAZEN. But this is the burden.

Mr. EILBERG. There is no burden placed upon the employer at all.

Mr. KAZEN. Mr. Chairman, I refer the Members to the bill itself.

AMENDMENT OFFERED BY MR. WIGGINS

Mr. WIGGINS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. WIGGINS: strike out all of subsection (d) of section 2, on pages 13 and 14.

Mr. WIGGINS. Mr. Chairman, H.R. 982 is a well-intentioned measure designed to discourage the employment of illegal aliens. I have considerable doubt that it will be efficacious in achieving this desirable objective since the committee has provided an easy escape for employers from the civil and criminal sanctions of the bill. But the problem to which the bill is addressed is of sufficient magnitude to justify my support for the procedure therein authorized on a trial basis, at least, notwithstanding the reservations which I hold.

Quite apart from the wisdom of imposing civil and criminal penalties upon employers and referrers, and the debate concerning the possible discriminatory impact such procedures may have on certain racially identifiable Amerians, I have other reservations to which the remainder of my remarks shall be addressed.

I believe H.R. 982 to be flawed in at least one important respect. The bill grants, unwisely, the power to seize and forfeit certain assets which have been used in furtherance of designated illegal activities. My amendment is to strike these provisions from the bill.

The bill before us provides that section 274 of the Immigration and Nationalities Act (8 U.S.C., 1324) shall be amended by adding a new subsection (d) thereto. The new subsection declares that:

> Any vessel, vehicle, or aircraft which has been or is being used in furtherance of a violation of subsection (a) [relating to the smuggling of illegal aliens], or which has been or is being used by any person who for a fee refers or transports an alien for employment in furtherance of a violation of subsection (b), shall be seized and forfeited.

Two exceptions to the authorized forfeitures are specified in the bill. First, if the conveyance is a common carrier, forfeiture is not permitted unless it shall appear first, in the case of a railway car or engine that the owner, or second, in the case of any other vessel, vehicle, or aircraft, the owner or the person in charge thereof was at the time of the alleged illegal act a consenting party or privy thereto. Second, a forfeiture is not permitted if the owner establishes that the vessel, vehicle, or aircraft was stolen and the alleged illegal acts were performed while the thief was in possession thereof.

Existing law with respect to seizure, summary and judicial forfeiture, and remission or mitigation of such forfeitures is made applicable to the seizures and forfeitures authorized in the bill.

I take exception to the forfeitures provisions of this bill on both technical and conceptual grounds. Although I believe the only proper corrective action to be taken is to strike the entire section, my amendment to strike may not prevail. I should make mention, therefore, of the maze into which this forfeiture section will lead us if permitted to stand.

I

The authority to seize and forfeit is triggered upon a determination that the vessel, vehicle or aircraft "has been or is being used in furtherance of a violation" of subsection (a) or (b) of section 274 of the Immigration and Nationalities Act.

Who possesses the authority granted? And under what circumstances may it be exercised?

Plainly, it is intended that the seizure will, in most cases, be made simultaneous with the arrest or the issuance of a citation. Therefore, the considerable discretion to determine whether the conveyance is used "in furtherance" if a violation, whether the absent owner was a "consenting party or privy" to the violation, or whether the absent owner has met his burden to "establish" that the conveyance was "unlawfully in the possession of a person who acquired possession thereof in violation of the criminal law—" is vested in a law enforcement official.

Of practical necessity, police agencies are granted wide discretion in making an arrest. Preliminary judgments must be made concerning probable guilt in order to put the judicial machinery into motion. The point to be made, however, is that, in the case of an arrest, these preliminary police judgments are subject to prompt judicial review. Under the pending bill, we authorize a procedure for the seizure of property which we would never tolerate for the seizure of a person. The broad police discretion granted to seize property is subject to no necessary judicial review. Although Congress may possess the power to vest a police official with such broad and unsupervised discretion in the case of a seizure and forfeiture of a property interest, I cannot believe that it is wise for us to exercise such power as we may possess in this regard. Indeed, I seriously question the present validity of prior precedents recognizing such power, at least in the case of property which is not contraband.[1]

The bill is ambiguous with respect to the circumstances under which a seizure and forfeiture may be authorized.

Witnesses from the Department of Justice testified that a seizure would be justified at the time of an apparent violation, but that forfeiture would occur only upon a final judgment of conviction of that violation.

This interpretation, however desirable, is not supported by the language of the bill itself.

The section in question requires only that the property be used "in furtherance of" a violation. Clearly some act short of the commission of the offense would support a finding that the act was done "in furtherance" of it. The act "in furtherance" of a violation could not necessarily be characterized as an illegal act because it may not, standing alone, support a conviction. However, an exemption from forfeiture is granted to common carriers only if the owner or person in control thereof did not consent to "the alleged illegal act." The use of the words "alleged illegal act" tend to contradict the clear authorization to seize and forfeit for an act which may not be illegal, but is only "in furtherance of" a violation.

Further confusing the true intention of the bill is the contrasting language employed in the stolen conveyance exemption. That proviso speaks of a forfeiture "by reason of an act of omission"[2] in furtherance of a violation. Unlike the common carrier exemption, the conduct—or lack thereof—triggering the forfeiture is not characterized as an "alleged illegal act."

To add another element of confusion is the use of the words "or transports" in subsection (d)(1). That section reads in part:

> (d)(1) Any vessel, vehicle, or aircraft which has been or is being used in furtherance of a violation of subsection (a), or which has been or is being used by any person who for a fee refers *or transports* an alien for employment in furtherance of a violation of subsection (b) shall be seized and forfeited. (Italic added.)

Subsection (b), to which the above subsection (d)(1) refers, reads in part:

> (b)(1) It shall be unlawful for any *employer* or any person acting as an agent for such employer, *or any person who for a fee, refers* an alien for employment by such employer, knowingly to employ or refer for employment any alien . . . (Italic added.)

It is apparent that the violation in subsection (b)(1) is the employment or the referral, for a fee, for employment. The transportation of the illegal alien is not, in itself, prohibited. However, it is also apparent that a person who transports the illegal alien may have his vessel, vehicle or aircraft seized and forfeited, although he may be innocent of any knowledge of the wrong of the employer or referrer. The extreme case might be the referrer who, for a fee, promises an alien employment upon his arrival in the United States. The alien enters illegally and hitchhikes to the place of his promised emploment. If apprehended en route, would the good samaritan who innocently picks up the alien have his automobile seized and forfeited because he transported the alien in furtherance of the referrer's violation of subsection (b)(1)? Apparently so.

Moreover, the bill would clearly authorize a seizure and forfeiture in the case of a referrer who has been issued a citation only and against whom no criminal action or civil penalties are contemplated. I doubt that the drafters of this legislation intended such a harsh consequence upon a first citation, but it is authorized nevertheless, and stands as a further contradiction of the understanding of the bill voiced by the witnesses from the Department of Justice.

In summary, with respect only to the circumstances under which a seizure and forfeiture is authorized, it is charitable to characterize the bill as unclear. Although I prefer to remedy its shortcomings by striking the entire forfeiture section, if my amendment fails, it is hoped that its supporters will make abundantly clear the intention of Congress that a seizure and forfeiture is only authorized for acts, not omissions; that the acts result in a criminal prosecution; that the actor have an interest in the asset forfeited; and that the forfeiture occurs only after a final judgment of conviction of the actor.

II

In attempting to provide a useful tool for law enforcement officials to discourage the smuggling and referrel of illegal aliens for employment by authorizing the seizure and forfeiture of vessels, vehicles and aircraft used in furtherance thereof, the drafters of this legislation have created certain classifications which border upon being capricious.

First, seizure and forfeiture is only permissible in the case of a vessel, vehicle, or aircraft. Assets of this character are not instruments uniquely necessary to the commission of the wrong which Congress seeks to prevent. The seizure of a still, perhaps, would substantially deter a moonshiner. But, in a modern society, an automobile, for example, is a fungible commodity.

Perhaps our intent is to get at those assets actually used for the conveyance of illegal aliens in furtherance of the specified violations. We have not so limited the forfeiture authority, but if we were to do so, it would hardly be a rational means of achieving the legitimate objects of the legislation, given the fungible character of the assets in question, and the ease with which they can be replaced.

Second, seizure and forfeiture may occur in the case of a smuggler, a referrer for a fee, or a transported—for unexplained reason the culpable employer, at whom this legislation is also clearly aimed, is excluded. Both the smuggler and the referrer for a fee may be regarded as wrongdoers and likely candidates for the additional penalty of forfeiture if their assets are used in furtherance of their wrongful acts. But why do we subject the transporter to this risk?

The irrationality of the classification can be demonstrated by the following example:

Assume "A," a referrer of illegal aliens for a fee, contracts with innocent "B" to transport in "B's" vehicle illegal aliens to a distant location for employment. Under these circumstances, "A" has committed the violation but "B's" vehicle is subject to forfeiture as having been used in furtherance of "A's" violation.

It is hardly persuasive to argue in the year 1973 that "B's" vehicle is itself culpable and "B's" personal innocence is irrelevant.

Third, the common carrier exemption is irrational. In the case of a railway car or engine, the consent of the conductor or engineer to the illegal act is not imputed to the owner so as to subject the owner to the hazards of seizure and forfeiture. However, in the case of a common carrier bus, vessel, or aircraft, the consent of the driver, master, or pilot is imputed to a wholly innocent owner so as to subject his property to forfeiture The difference in treatment can hardly be explained away as another special benefit to rail transportation or a conclusive legislative finding that owners of railroad equipment are in all cases innocent, whereas the owners of a Greyhound Bus, for example, may in some instances be culpable. The simple fact is that the legislation treats wholly innocent owners, and thus identical parties, in a different way without apparent justification.

Fourth, the stolen conveyance exception is capable of mischievious and irrational application. That exemption requires first, that the actor be in unlawful possession of the vessel, vehicle, or aircraft, and second, that the same actor have acquired such possession in violation of the criminal laws. If these two facts are established by an owner who is not himself the actor, his asset is not subject to forfeiture. The evident purpose of this exception is to insulate from forfeiture an innocent owner whose conveyance has been stolen and used by the criminal in furtherance of a violation of the act. This protection is lost, however, if the stolen asset is transferred to a person who has no knowledge of the fact that it was stolen. The innocence of the owner is the same whether the asset is transferred to others or not, yet he is protected in one case and not the other.

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[1] At least one lower Federal Court has held forfeiture provisions similar to that before us to be unconstitutional. See *United States* vs. *One 1971 Ford Truck,* 346 F. Supp. 613 (1972).

[2] The use of the word "omission" in this sentence is a mystery to me. The only omission which would appear to be relevant would be the failure of a referrer to make a bona fide inquiry concerning the legal status of the alien. Such an omission would tend to support his lack of knowledge (however unreasonable) rather than support a finding that he "knowingly" referred an alien for employment. Surely such an omission would not be "in furtherance of" a violation so as to justify a seizure and forfeiture. The gratuitous use of the word "omission" only tends to muddy the water.

I can conceive of no justification for the requirement that the actor have come into possession of the conveyance illegally if our true concern is for innocent owners.

Fifth, the creation of statutory exceptions for common carriers and for owners of stolen conveyances is to grant an arbitrary preference to owners in these two categories at the expense of others whose situation may be substantially identical.

At the outset, it surely must be conceded that the legislative purpose in creating the two exceptions is to avoid the hardship of a seizure and forfeiture of assets belonging to persons who are innocent of any misconduct. But too many innocent parties remain snared in the statutory net to give rationality to the special exemptions afforded common carriers and owners of stolen conveyances.

The lessor, the gratuitous bailor, and the owner of a security interest all risk the forfeiture of their property right although wholly innocent of any wrong. It is true, of course, that remission or mitigation is possible or that they may mount a successful defense to judicial forfeiture; but this overlooks the inconvenience and expense of such remedies which we impose without justification upon these innocent parties and do not impose upon a limited category of others who are identical insofar as the central question, innocence, is concerned.

One cannot overlook the extent of this discrimination. In the nature of things, it is to be expected that most vessels, vehicles, and aircraft would involve the ownership of interests apart from that of the immediate possessor.

III

I have taken some time to detail defects in the proposed forfeiture provisions of this bill. Many of these errors might be corrected by technical amendments, but I cannot be their sponsor. Even a carefully drafted forfeiture section is, in my view, unacceptable.

Much has been written about the history of forfeitures. In summary, the practice has grown out of the notion that the instrument used in the commission of a wrong is itself culpable and should be subject to the "punishment" of forfeiture. (See *United States* v. *U.S. Coin and Currency*, 401 U.S. 715 (1971).) Such a notion is an anachronism and should not be nourished by its extension into a new area of the law where it has not existed historically.

Forfeitures are not a per se evil. In the case of contraband which cannot lawfully be possessed, a forfeiture thereof makes abundant sense, not because the property itself is guilty of a wrong, but because society does not recognize a lawful property interest in it. Vessels, vehicles, and aircraft are not in this narrow category. It is precisely because persons may own legitimate interests in these items of property, the right to possession being but one, that forfeitures become instruments of injustice which we should not tolerate.

If a modern justification for the forfeiture of noncontraband property exists, it is to provide an additional punishment to those who may commit a certain category of crimes. Perhaps, a schedule of punishment for certain limited offenses might include fine, imprisonment and forfeiture of the wrongdoer's interest in designated assets. But this bill, and most other forfeiture statutes, are not so limited. The entire property, and all interests therein, are forfeited. The guilty and the innocent are punished with blind evenhandedness.

It is true that a procedure exists for the innocent to recapture his property. He may shoulder the burden of resisting a judicial forfeiture, or he may appeal to the sense of fair play of the very agency which seized his asset in the first instance, for remission or mitigation. The magnitude of this burden is not insignificant, especially when measured against the value of the asset seized.

To illustrate, assume that a wholly innocent owner of an automobile lends it to a referrer. The referrer uses the vehicle to transport an alien for employment. The referrer is arrested and the vehicle seized. It is of small comfort to the owner that he may obtain the return of his vehicle if he pays all accrued storage charges, hires an attorney to resist a judicial forfeiture or petitions for remission based upon certain criteria established by the seizing agency. In the past we have seen such agencies promulgate irresponsible rules which impose the impossible burden on the holders of security interests and bailors to conduct a prior investigation of the criminal background and reputation of the borrower or bailee as a condition of remission. It must be remembered at this point that the forfeiture proceeding is deemed to be civil in nature and the seizing agency may convince itself by a preponderance of the evidence that the owner is sufficiently culpable by its own standards to justify a forfeiture.

If there is elemental justice in such a procedure, it escapes me. And we condone such an unjust procedure in this Act.

To those who may adhere tenaciously to the ancient doctrine that the asset itself is culpable and thus a proper subject for forfeiture, I suggest an amendment authorizing the Attorney General to beat the errant vessel, vehicle or aircraft with a stick, or perhaps, in order to avoid physical damage, to hold the asset up to public censure by a stinging letter.

But to those who may believe, as I do, that only the wrongdoers should be punished, let us abandon this archaic concept of forfeiture in favor of civil or criminal penalties which may be imposed directly against the person guilty of misconduct. If such penalties are insufficient, they may be strengthened without the risks to innocent parties which are inherent in forfeiture statutes.

I urge support of my amendment.

Mr. DENNIS. Mr. Chairman, will the gentleman yield?

Mr. WIGGINS. I yield to the gentleman from Indiana.

Mr. DENNIS. I should like to refer to the question I discussed with the gentleman a moment ago. Suppose we should limit the forfeiture to the interest in the vehicle of a guilty party? That would take out the idea that we were doing something to innocent people here in forfeiting their property. Would that not give a legitimate and useful additional penalty to a man who is devoting his property to a violation of law?

Mr. WIGGINS. Mr. Chairman, I will answer the gentleman in this way: I would say it would be an improvement, but not fully adequate. I believe, however, that the enlightened and reasonable way to punish misconduct is to find a man guilty, and if he is guilty, send him to jail. If the penalties are inadequate, let us make them a little tougher. This whole notion of forfeiture of assets has inherent in it the tendency to work an unjustified hardship against innocent people, and I do not support it.

Mr. LEHMAN. Mr. Chairman, will the gentleman yield?

Mr. WIGGINS. I yield to the gentleman from Florida (Mr. LEHMAN).

Mr. LEHMAN. Mr. Chairman, before I came to the Congress, I was involved in the automobile sales business for many years, and as a result I look forward to the support of this amendment, because of this background. We had dealings with a similar agency of the Federal Government, usually the alcoholic tax unit.

I just want to say that many times, unless the dealer had an understanding with the alcoholic tax unit for any particular sale of the car, if the person you were selling the car to had no previous record, anything that happened to the car by any investigation by agents of the Federal Government took precedence over any lienholder. So in the event there would be an innocent party, other than the person driving the car and other than the person owning the car, that would be the person who was a lienholder on the car, in this kind of a case, and I think it is not fair to the innocent businessman to be involved in these kinds of situations.

(On request of Mr. KEATING and by unanimous consent, Mr. WIGGINS was allowed to proceed for 1 additional minute.)

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. WIGGINS. I yield to the gentleman from Ohio (Mr. KEATING).

Mr. KEATING. Mr. Chairman, with reference to the statement made by the gentleman on the other side of the aisle a moment ago, he indicated that the lienholder was not protected. I ask the gentleman in the well at this time if under this bill, H.R. 982, the lienholder is not protected?

Mr. WIGGINS. Not at all. The lienholder's only protection is to concede the validity of the forfeiture and to ask the Attorney General for his clemency under regulations promulgated by the Attorney General.

Mr. KEATING. Is he not entitled to relief under the terms of this bill?

Mr. WIGGINS. No, he is not.

Mr. KEATING. Certainly he does have recourse to get his interest in this matter recovered under the terms of this bill.

Mr. WIGGINS. I refer the gentleman to the bill. There certainly is not such a provision.

(On request of Mr. SEIBERLING and by unanimous consent, Mr. WIGGINS was allowed to proceed for 1 additional minute.)

Mr. SEIBERLING. Mr. Chairman, will the gentleman yield?

Mr. WIGGINS. I yield to the gentleman from Ohio. (Mr. SEIBERLING).

Mr. SEIBERLING. Mr. Chairman, as the gentleman knows, I strongly support this bill. However, I think the gentleman is absolutely right on the forfeiture provisions of this bill. They work a seizure of property without compensation. They go contrary to the principles if not the letter of the Constitution, and the mere fact that we have been doing it for years does not justify it. There is no justification for inflicting hardship on innocent people simply to convict other people who are violating the law.

Mr. DANIELSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am not so strongly opposed to the amendment that I could not live with the bill with the amendment but I think that it is important that we put some of this into its proper perspective.

First of all, the amendment offered by my colleague, the distinguished gentleman from California (Mr. WIGGINS) as well as the support which he received from the gentleman from Florida, is predicated on the assumption that everybody involved in smuggling aliens is innocent. That is about the farthest thing from the truth.

No doubt there are times when a motor vehicle, an airplane, a boat, or whatever may be the vehicle which is used in a smuggling operation, may be the property of a person who is totally innocent of any knowledge, of any privity or anything at all that would compromise his innocence in the operation.

However, I respectfully submit that more times than not the smuggler who is bringing in illegal aliens, just as the smuggler who is bringing in narcotics, or counterfeit money, or any other type of contraband, is privy to the operation. He does have knowledge of what he is doing and is a party to it and there is no innocence whatsoever involved.

Mr. WIGGINS. Will the gentleman yield?

Mr. DANIELSON. Not at this time. I will yield at the appropriate time.

I would like to point out, also, that we had better put this in perspective from another point of view. There is ample provision within our existing laws to protect the innocent owner of the motor vehicle if his vehicle should be seized in conjunction with a smuggling operation. There are provisions right in the bill itself which take care of a substantial number. They appear on page 13 of the bill before us. Also we have provisions in the code of Federal regulations, 28 CFR 9, which authorizes the remission or mitigation of forefecture and the right of the petitioner to establish his innocence or lack of knowledge of a violation which subjected the property to seizure and forfeiture.

I would like to respond, also, to the gentleman from Florida who expressed concern because of his years of experience in the automobile sales business that the old provision of years ago, that a motor vehicle dealer was compelled to check with law enforcement agencies to determine whether the conditional buyer or the lessor of a vehicle had a criminal record, was repealed some time ago and is no longer a part of the law of the land.

Admittedly, in the illegal alien problem smuggling becomes an important factor.

All illegals are not smuggled, however. Many of them walk across the border, or find some other method of obtaining entrance into the country. But there is a sizable number who are literally smuggled into the country aboard a vehicle of some person who charges a fee for that operation

In doing so I would like to have my colleagues note some of the facts which come up.

Oftentimes the smuggling operations are so inhumane that they result in illness or death to the aliens being smuggled. In the 1968 annual report of the Immigration and Naturalization Service, for example, there is a quotation which states:

> In January an Illinois State trooper stopped a pick-up truck near Morris, Ill., because it was moving at a slow rate of speed and appeared to be heavily overloaded. The vehicle had been topped with aluminum and wood. The trooper found 52 Spanish-speaking males jammed into the enclosed part of the van.

Again in the 1972 report they state:

> In another instance a vehicle intercepted by agents in California had been specially equipped with two fans installed in the trunk, which could be connected to the cigarette lighter, thereby facilitating the circulation of air drawn from vents in the rear deck of the auto. Air ride supports installed on the vehicle maintained an even balance in spite of the additional weight in the trunk of the car. It was learned that the smuggler had regularly been bringing in two to four illegal aliens in this manner.

Mr. Chairman, this is a racket. The smuggling of aliens by those who make it a part of their livelihood is a vicious racket which, in turn, ought to be stopped. It is an auxiliary question to the entire illegal alien question, but these people are victimizing these poor illegals, and I think that should be stopped. Forfeiture is one good way of doing it.

Now I yield to the gentleman from California.

Mr. WIGGINS. I thank the gentleman for yielding.

I concede that there are many illegal aliens in this country and some of them have been smuggled here.

The smugglers, perhaps, should have their vehicles forfeited. I have no case to make for them. But consider the employer who promises an alien employment on his arrival in the United States. The alien enters illegally.

The CHAIRMAN. The time of the gentleman from California has expired.

(By unanimous consent, at the request of Mr. WIGGINS, Mr. DANIELSON was allowed to proceed for 1 additional minute.)

Mr. WIGGINS. Mr. Chairman, would the gentleman yield?

Mr. DANIELSON. I yield to the gentleman from California.

Mr. WIGGINS. Mr. Chairman, all I am saying is considering the case, and this is a very realistic one, of an alien who entered the United States illegally for the purpose of accepting employment which had been promised to him by a bad man, a referer for a fee. Let of us suppose that the alien has hitchhiked through your district or through mine on his way to accept this employment; and let us further suppose that he is picked up by this good Samaritan. If that automobile is stopped and the illegal alien is apprehended, then what is the status of the good Samaritan who offered him that ride? I can tell you that the answer to that under this bill is that his vehicle is subject to forfeiture. Where is there justice in that?

Mr. DANIELSON. I would be delighted to give my colleague, the gentleman from California, another answer and that is that that man is not engaged in an illegal smuggling action.

Mr. WIGGINS. But under this bill he has to forfeit his car as a transporter.

Mr. DANIELSON. I would like to add one more comment and that is that if this good Samaritan who has picked up a hitchhiker, and who is not illegally smuggling aliens, and if his car should be seized, he probably would go to a competent lawyer such as my colleague, the gentleman from California, who I am sure would not go hat in hand seeking for remission.

Mr. WIGGINS. A good attorney would not go hat in hand; he would go fee in pocket. The good Samaritan would have to pay a price to ask for remission of the forfeiture.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EILBERG. Mr. Chairman, I move to strike the requisite number of words and I rise in opposition to the amendment offered by the gentleman from California (Mr. WIGGINS).

Mr. Chairman, I would just like to make a few points. The principle, first of all, is a well-established one in law and it has been placed in many, many statutes. Further, as the gentleman from California well knows, this provision has been tested as to its constitutionality and there is no question as to its constitutionality.

The gentleman also knows that there is a provision for getting the vehicle back, for mitigation, and remission and that in 95 percent of the cases that vehicle is returned. The procedure for doing this is relatively simple. The gentleman also knows that where a vehicle is retained there is provision for a bond to be put up so that unnecessary hardship is not involved.

Mr. Chairman, I should also like to point out that in these smuggling cases it is very difficult to get a criminal conviction, but that under the forfeiture provision it is a civil matter—especially in the type of vehicles used. I trust the Members saw those vehicles displayed in the Speaker's lobby that have been used in smuggling aliens.

I would also refer to the case the gentleman has cited through his own personal experience. He is talking about different vehicles, not such as those that are displayed in the Speaker's lobby—vehicles of low value or of very little value, that are the actual instruments of the crimes themselves. I believe that we should have such vehicles held in forfeiture because if we did not, such vehicles will be back across the border smuggling aliens the very next day.

Finally, Mr. Chairman, the gentleman from California stresses the fact that a great many of these vehicles are rented vehicles. However, I have a report concerning this issue. From January through March, 1973, INS records show forfeiture of some 1,500 vehicles privately owned and only 44 that were rented vehicles. So, the gentleman from California is talking about a very, very small percentage. I do not think that the isolated experiences the gentleman has referred to justifies striking this provision as a principle because it is a principle that has been involved in our law in many ways. It is particularly applicable when we are dealing with the kind of vehicles displayed in the Speaker's lobby today.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. EILBERG. I yield to the gentleman from Ohio.

Mr. KEATING. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from California (Mr. WIGGINS) and I wish to compliment my chairman of the subcommittee, the gentleman from Pennsylvania (Mr. EILBERG) in the position that he has taken in this debate.

Mr. FLOWERS. Mr. Chairman, will the gentleman yield?

Mr. EILBERG. I yield to the gentleman from Alabama.

Mr. FLOWERS. Mr. Chairman, I wish to join with my chairman of the subcommittee, the distinguished gentleman from Pennsylvania (Mr. EILBERG) in opposing the amendment offered by the gentleman from California (Mr. WIGGINS). I think that the principle of forfeiture in situations like this is well established in our jurisprudence. It is definitely a deterrent and it would help cut down on these activities and it ought to be in this bill as it is in other legislation on this same subject.

Miss HOLTZMAN. Mr. Chairman, will the gentleman yield?

Mr. EILBERG. I yield to the gentlewoman from New York.

Miss HOLTZMAN. Mr. Chairman, I thank the gentleman for yielding. Is not one of the problems, however, associated with this provision of forfeiture it is that forfeiture can be triggered simply on the service of the citation which in itself can be triggered on the basis of hearsay information?

Mr. EILBERG. Mr. Chairman, I would reply to the gentlewoman from New York that that is totally incorrect. The service of the citation is a separate matter. We are talking about forfeiture of the vehicle only where there has been smuggling involved on transporting for a fee. It has nothing to do with the service of the citation, which is a separate proceeding.

Miss HOLTZMAN. Mr. Chairman, if the gentleman will yield further, what information or evidence, if any, must the Attorney General have in order to authorize him to seize property?

Mr. EILBERG. He must have sufficient evidence to show that this vehicle has been used for smuggling and that was the reason the vehicle was obtained for that smuggling operation.

Mr. WIGGINS. Mr. Chairman, will the gentleman yield?

Mr. EILBERG. I yield to the gentleman from California.

Mr. WIGGINS. I would say that my chairman is absolutely incorrect in the statement he has just made that a forfeiture is not authorized upon the issuance of a citation. I suggest that the gentleman read carefully the bill. The forfeiture and seizure are authorized for any person who uses a vehicle in furtherance of a violation of the act, period. One cannot issue a citation unless a man has violated the act.

Mr. EILBERG. The citation is also for knowingly employing an illegal alien.

Mr. WIGGINS. If there is a smuggling operation involved, if there is a violation of the act, then the forfeiture is authorized.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. EILBERG. I yield to the gentleman from Ohio.

Mr. KEATING. Using the words of the act:

> Any vessel, vehicle, or aircraft which has been or is being used in furtherance of a violation of subsection (a), or which has been or is being used by any person who for a fee refers or transports an alien for employment in furtherance of a violation of subsection (b), * * *

I think that coincides with the chairman's understanding and representation of that portion.

Mr. EILBERG. I thank the gentleman very much for his contribution.

Mr. DENNIS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I think the trouble with the argument of my good friend, the gentleman from California (Mr. WIGGINS) is that he seeks to prove too much. Actually if we look at the bill, there are only two places where a forfeiture can take place.

One is if a vessel, vehicle, or aircraft is used in furtherance of a violation of subsection (a)—which is smuggling aliens—or which has been or is being used by any person who, for a fee, refers or transports an alien for employment in furtherance of a violation of subsection (b). He has got to be referring or transporting the alien for a fee. Not every violation of subsection (b) authorizes forfeiture of a vehicle. It is only when one uses vehicle, for a fee, to further such a violation.

Therefore, the case of the innocent hitchhiker that my friend referred to, in my judgment, is not covered. He has to transport him for a fee in furtherance of a violation of subsection (b) to be guilty.

I have considerable sympathy with the idea that we should not forfeit property of innocent people, but even under the bill as drawn there are some protections. Here is what we say further:

> All provisions of law relating to the seizure, summary and judicial forfeiture, and condemnation of vessels and vehicles for violation of the customs laws; * * *

Which we already have—

> * * * the disposition of such vessels and vehicles or the proceeds from the sale thereof; the remission or mitigation of such forfeitures shall apply to seizures and forfeitures—under—this chapter—

So there is relief.

It is perfectly true that under the old regulations Mr. WIGGINS referred to, if one has a security interest, for instance, in something, one could not get relief if one did not know of the criminal record or reputation for a law violation of the man with the vehicle, unless one could show, under the Attorney General's regulations, that he had made an inquiry about that; but that has been changed. That is no longer the regulation.

Under the present regulations, as long as one can show that one did not know anything about this criminal record or his bad reputation, one can get relief.

So even under this law there is protection for the innocent person.

I say this: The amendment would strike the whole forfeiture provision. I think that is wrong. If we need an amendment which will make the protection of the innocent clearer, if somebody would offer an amendment, I would be for it; but I do not think we ought to support this one. If there is not enough protection for the innocent party under the present law, let us work it out later in conference, or some place, and get that principle established.

Mr. ROUSSELOT. Mr. Chairman, will the gentleman yield?

Mr. DENNIS. I yield to the gentleman from California.

Mr. ROUSSELOT. I thank the gentleman for yielding. It is not true, and maybe the chairman of the subcommittee can also answer this question. Possibly it was discussed in the judiciary committee hearings. I would like to know if it, that the U.S. District Court in Los Angeles ruled that this same forfeiture language from another Federal law was in fact declared to be unconstitutional.

That Los Angeles Federal Court has held forfeiture provisions similar to that before us to be unconstitutional. (See *United States* v. *One 1971 Ford Truck*, 346 F. Supp. 613 (1972).)

Mr. EILBERG. I wish I could answer the gentleman's question as to the particular case. I know they have ruled repeatedly on the constitutionality.

Mr. ROUSSELOT. In this case, as I understand it, a forfeiture provision was very clearly ruled unconstitutional, and I think on that basis alone this committee should have considered more careful language. I am disturbed to know the committee, which I know is very conscious of constitutional issues, did not consider this important civil rights issue.

I support the amendment by the gentleman from California (Mr. WIGGINS) which would strike this unconstitutional section.

Mr. DENNIS. I might say to my friend, the gentleman from California, since I still have the time, that while I am not familiar with that particular decision of that particular lower court, I am confident that the general forfeiture provisions of the customs laws have been upheld many times, so I do not think the constitutionality of the law is seriously involved in this.

Mr. SEIBERLING. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am strongly in support of the other provisions of this bill and I think it is unfortunate that we have allowed ourselves on the committee to be diverted into defending what is basically an indefensible position. The fact is that if this bill is passed the Government is not going to have to resort to seizures to enforce the laws against illegal immigration, because the bill itself is going to dry up most of this illegal alien problem.

I would like to say in response to the chairman, whom I greatly respect and who is absolutely correct about the bill in general, that the mere fact there are already similar forfeiture provisions in the law as to other misuse of vehicles is no excuse if this type of provision is wrong. I do not care if there are only 44 cases where rental cars were used, those are 44 carowners who even if wrongly deprived of their rights to their property for only a day, have had an unwarranted injustice inflicted on them.

Second, I think it is opposed to our concept of due process that in order to get their property back the burden of proof is placed on them to go in and prove their innocence. That is at odds with our traditional concept of due process. There can be no justification for adding more of this type of legislation, and I would hope we would not only eliminate this from the bill but also go through the rest of the U.S. Code and eliminate similar provisions.

So I am completely in accord with the amendment offered by the gentleman from California (Mr. WIGGINS), but I also suggest the utility of this type of provision will be eliminated if we can get this bill passed. So let us eliminate the offensive provision and concentrate on the main point of this bill.

Mr. EILBERG. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, reference has been made again and again to the forfeiture of the vehicle involved. I want to tell the members of the committee that the Supreme Court recently has made it very clear that the Attorney General is to bend over backward in considering these petitions for remission, so that this concept is well understood by the lawyers and by the Supreme Court, and in fact the great bulk of the petitions that have been filed have been granted.

Furthermore, the United States Code annotated, title 49, section 781, on page 130, it is apparent that case after case establishes the constitutionality of similar forfeiture provisions.

If the gentleman from California (Mr. ROUSSELOT) is listening, if he wants to refer to this section, he will find that the constitutionality of forfeiture proceedings have been established.

Mr. WIGGINS. Mr. Chairman, will the gentleman yield?

Mr. EILBERG. I yield to the gentleman from California.

Mr. WIGGINS. Mr. Chairman, let me say that the last word by the U.S. Supreme Court does characterize the whole procedure as a superstition. This is a majority opinion.

Mr. EILBERG. But the decision also indicates that it is their forfeiture statutes are designed to impose penalties only on those who are involved in the criminal enterprise.

Mr. SEIBERLING. Mr. Chairman, will the gentleman yield?

Mr. EILBERG. I yield to the gentleman from Ohio (Mr. SEIBERLING).

Mr. SEIBERLING. Mr. Chairman, I would just like to say that we are not limited to the question of whether this provision is constitutional or not. Assuming it is constitutional, our responsibility as legislators is to decide what is right as a matter of policy.

Mr. Chairman, I ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. WIGGINS).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. EILBERG. Mr. Chairman, I demand a recorded vote.

A recorded vote was refused.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. ROYBAL

Mr. ROYBAL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROYBAL: Page 10, beginning in line 7 strike out section 2. Redesignate the succeeding sections accordingly.

Mr. ROYBAL. Mr. Chairman, while I agree with the intent of the bill to prevent employers from using illegals, I strongly disagree with its approach.

I believe this bill is the most discriminatory bill against Mexican-Americans and Asians which has been brought to the floor of this House. In the first place, the law places a responsibility of making difficult decisions involving a person's citizenship or immigation status on the employer. Now, the employer makes a selection. He determines whom he is going to quiz with regard to his resident status. This is not done with everyone seeking employment, but only with the individuals whom he selects.

This is why I believe this to be most discriminatory. Employers argue that immigration is the responsibility of the Department of Immigration. Whether the committee agrees with this or not, it is so. It is the responsibility of the Department of Immigration to deal with immigration problems in the United States.

But, what happens under this law is that the entire responsibility then is placed on the employer, and the employer then must make a finding of fact as he makes a determination on whether or not that individual is in the United States with a legal status.

The employers also argue that if Congress feels that the Department of Immigration is incompetent, or if Congress feels that the Department of Immigration is unable to do its job, that there is a remedy; that this Congress can remedy the situation by making it possible for the Department of Immigration to impose a fine on those employees who hire illegal immigrants.

We have all read in the papers many, many times of employers who have been raided and many illegals have been apprehended and sent back to their country of origin.

But what has happened to the employer? Absolutely nothing.

This Congress has the power to give the Department of Immigration whatever it needs to do what it must to see to it that such an employer never hires again an illegal alien.

The employers with whom I talk are absolutely correct when they say that this is the responsibility of the Department of Immigration and not their responsibility at all. What actually happens is that the employer is forced to do the job of the Department of Immigration. The Department of Immigration has certain responsibilities and certain knowledge that an employer does not possess. He, the employer, is the first to admit he is not trained to do this job; therefore, he should not be forced to do it.

The employer will also be the first to say that he does not want the job anyway. It is just as simple and as clear as that.

The second reason why I presented this amendment is that I believe this proposal is most discriminatory, but this is very hard to explain to individuals who perhaps have not been faced with the problem of discrimination, individuals who perhaps really do not understand what the situation is with respect to the thousands of individuals who reside in the United States at the present time and who may speak Spanish or some other language.

The argument that the committee uses is that, "Well, if discriminaton does take place they can always apply to the Equal Employment Opportunities Commission."

This is the biggest farce of all, because the Spanish-speaking people of the United States do not have much confidence in the Commission to begin with. Even if they did, and made a complaint today, it would take the Commission at least 2 years before it got to the case, because at the present time the Commission is overburdened with work. They have 128,357 cases that they have not even looked at. The committee may take the position that the Commission must take care of discriminatory attitudes on the part of employers. That just cannot be done.

The CHAIRMAN. The time of the gentleman from California has expired.

(By unanimous consent, Mr. ROYBAL was allowed to proceed for 5 additional minutes.)

Mr. ROYBAL. Mr. Chairman, the other reason why I believe my amendment should be adopted is that I believe it is unconstitutional. This is almost similar to the law passed in the State of California that was ruled unconstitutional in the State of California. A suit was filed on the grounds it violated the equal protection and due process clauses of the 14th amendment and violated various civil rights statutes passed by the Congress. The suit, incidentally, was filed even before the law became effective.

The court took the unprecedented action of acting immediately, before the effective date of the law. The court rested its decision on dual grounds, that the law violated the equal protection and due process clauses because it led directly to the hiring on the basis of race.

I am going to repeat that. The court ruled it unconstitutional because it violated the equal protection and due process clauses because it led directly to the hiring on the basis of race.

That is exactly what this law now before us would do.

As one goes into the entire matter as it really rests, this legislation is really directed at just a certain ethnic group in the United States, and no one else, because if it were directed at everyone, at every resident, then every employer would have to have in his possession the form recommended by the committee, one that would be given to every employer by the Attorney General, and would require certain information of each and every employee in the United States.

If that is done, then everyone is treated equally, and the information then can be gathered by employers throughout the United States.

Mr. Chairman, I believe that no matter how conscientious or fair-minded an employer will be, he will try to minimize his encounter with the law simply because it is not good business. As a consequence, the employer will be reluctant to accept the applicant's statement or his documents as true and he will base this decision on color or ethnics and not on his qualifications.

Now, I appeal to the Members of this House to look at the facts as they are. We all agree that there is a problem with regard to illegal immigrants in the country.

No one disagrees with that argument.

One must also agree with the fact that it is not the employer's responsibility to make a determination or to do the job of the Department of Immigration. I think we can all agree that we have a good department; I think we can all agree that the men who run the department are competent and that they can do the job, but I think we must all agree that the reason they have not been effective is because this Congress has not given them the tools to work with, and I believe this is our responsibility. We should give them the tools, not a law which is clearly discriminatory, not a law that was written—I was going to say, "written in haste," but the fact is this law was not written in haste; it has taken a long time—but a law that was written without the knowledge that was necessary to bring to this House a piece of legislation that treated all residents of our country on an equal basis.

Mr. Chairman, may I conclude by again appealing to the Members of this House to read and consider the consequences of this legislation, and then make a determination. Consider again the facts which have already been expressed by many individuals in this House, both for and against this piece of legislation. But I ask the Members to consider primarily the effect that it is going to have, the discriminatory effect upon, if you please, and the clear violation of the civil rights of a large segment of the population of this Nation: the Mexican Americans, the Chicanos, and Asians residing in the United States.

Mr. EILBERG. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I think that we have been over most of the ground that has been described by the gentleman from California.

However, the thing that I think is very important is that this body acted upon a measure which is virtually identical just a few months ago, last September. The vote was 297 to 53. I would like to know what has changed, if anything, to alter the feelings or opinions of the House. But I emphasize the point at this time that the ground has been established for this here in this very Chamber.

I think it is obvious that what the gentleman would do would be to destroy, in effect, our efforts over the past year. We have traveled all over the country and explored every possibility, every possibility, to approach this problem. We think we have come up with a fair approach. We do not think we are discriminating against any community. We think there are ample protections involved and we expect that the governmental agencies involved will see to it that any discrimination be rooted out and any patterns of discrimination will be noted. If it is demonstrated objectively that certain discriminatory patterns are being displayed, I am certain the agencies involved will do their part.

I suggest that people should be employed on the basis of their qualifications and that this should be the goal. I think most employers are obeying the law. We do not want to make criminals out of employers or place unnecessary burdens on employers. We have provided a vehicle here whereby employers will be encouraged to hire American workers and pay the prevailing wages.

Mr. DENNIS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

One hundred three Members are present, a quorum.

Mr. KEATING. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman and strongly oppose it because it simply destroys the bill. It has been voted out of the subcommittee and the Judiciary Committee, and I think we should all be for it.

Mr. McCORMACK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from California. I want to associate myself with his remarks.

I want to apologize at this time for not having appeared before the committee and made my points in this matter. I suppose it is a problem all of us have in our busy schedules, not being able to get to the committee before which there is legislation with which we have some concern.

Nevertheless, I believe that this bill, sincere as it is, may well be working a very severe injustice on all parties concerned. This bill is really addressed to the problems of Mexican Americans in the United States, and the growers for whom they work.

Coming from eastern Washington, which is primarily agricultural in nature, I have a large number of Mexican Americans in my district. These people come in and work, and they consist of migrants and permanent residents, both of whom work in agricultural labor from early spring until late fall. Many of them are citizens and legal residents of this country. Many of them are illegal aliens. We know this, and no one seriously pretends this is not true. Many of the growers and farmers who hire them operate legally and do their best to hire only legal immigrants or citizens. Some of the growers, unfortunately deliberately try to obtain illegal immigrants, so that they can operate with cheap labor.

I think the situation is indeed an unfortunate one. I think that certainly we should do all we can to correct it. But to require that an employer certify that an employee is indeed a legal employee or is a citizen is putting an undue hardship on the employer and is stigmatizing all the Mexican-Americans or Spanish-speaking farmworkers. It is subjecting them to a particular type of discrimination which would work against those who are citizens and legal immigrants. I believe that if we are really serious and sincere about this legislation, we will have to provide in it that every person's social security card be a plastic card with a photograph and his fingerprints on the card. Thus, when a potential worker presents his social security card to an employer, it can be looked at and the employer can say yes, this person is indeed a legal entrant, or a citizen of this country. Based upon that information, the employer then can be held responsible for hiring only legal entrants into this country or citizens of this country.

However, to subject the growers to this responsibility when all they have is a social security card with numbers on it, cards that can be handed around from one person to another, and that is certainly done, then I think it is unfair to the growers; and stigmatizes the Mexican-Americans.

Mr. SEIBERLING. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Ohio.

Mr. SEIBERLING. Mr. Chairman, let me make just a couple of points. First, the gentleman is not correct when the gentleman says that this bill would require an employer to certify anything. The bill does not require the employer to take any affirmative action, all it says is that he shall not knowingly hire an illegal alien. Then it goes on to detail various ways that he can create bona fide proof, if he so desires, in case anyone should challenge him as to whether he knowingly hired an illegal alien. So he does not have to certify anything.

The bill says that all the employer need do, if he wants to protect himself and make doubly sure is to ask for some statement from the employee that he is legally permitted to work in the United States or he can ask the employee to fill out, when he signs the W-4 form, a statement that he is legally entitled to be here in the United States.

A second thing is that this does not in any way discriminate against aliens who are lawfully entitled to be here or who perhaps speak Spanish or the like. They are totally in the clear as far as their right to work is concerned and they are totally in the clear as to their civil rights and protection under our laws and there is just plain no discrimination in this bill.

Mr. McCORMACK. Mr. Chairman, I appreciate the comments made by the gentleman from Ohio, but I must say that I differ from them, because the gentleman is pointing out legalistic principles that do not deal with the real problems that the grower and the workers face.

Mr. DENNIS. Mr. Chairman, I move to strike the requisite number of words and I rise in opposition to the amendment offered by the gentleman from California (Mr. ROYBAL).

Mr. Chairman, first of all I wish to associate myself with what the gentleman from Ohio (Mr. KEATING) said earlier. This amendment is not directed at any of the specific points that anybody objects to. If you strike out section 2 in toto, section 2 is the bill. Section 2 is the part of the bill that provides the three step process we have been talking about here whereby a citation, then by a civil penalty and, finally, if necessary, by a criminal penalty, sanctions are imposed upon the employer who knowingly—and only if knowingly—employs illegal aliens.

To strike out section 2 is to strike out the bill. One might just as well vote against the bill as to vote for this amendment, because if the amendment is agreed to, then there is no bill left.

Now it is ridiculous, if I may be pardoned for saying so, to say there is anything racist about this bill. As the gentleman from Ohio has pointed out, it does not require any action by any employer at all. He is guilty under this bill if he knowingly employs an illegal alien, and not otherwise. There is a clause in there which enables the employer to show prima facie that he has not acted knowingly, therefore he is not guilty of any offense—if he wants to use it—by asking people whether or not they are aliens and, if so, whether or not they are people who are in a status that entitles them to work.

If they say they are, that gives him prima facie protection that he was not guilty of knowingly violating the law. He does not have to do that if he does not want to, he can do it to everybody, and there is nothing in this bill to suggest he do it to Spanish-speaking people or any other speaking people.

We had hearings in Chicago which showed that a lot of illegal aliens there came from Poland and Eastern Europe, and whatnot. They were just as much illegal as anybody else. The employer will ask them, too, if he wants to. He does not have to ask anybody; so let us understand what the bill does.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. DENNIS. I yield to the gentleman from Ohio.

Mr. KEATING. I should just like to take an excerpt from the testimony of Howard Samuel of the Amalgamated Clothing Workers of America. In this, there are a couple of excerpts that I think are very important:

> I have tried to suggest just how misguided these so-called humanitarians may be. No humanitarian can advocate illegal immigration which has brought unemployment and misery to hundreds of thousands of the disadvantaged, and exploitation to the alien himself. No humanitarian can support lower living standards and the undermining of decent wage levels for entire areas of our country, caused by the influx of a labor force which must take any job it can get.

Mr. Samuel went on to talk in terms of the heritage of his union which was founded by immigrants—

> Among whose members you will still find many immigrants. We have always supported legal immigration, as part of the heritage of our nation. But illegal immigration is a distortion of that heritage, because instead of offering brighter opportunities for the immigrant and enhancing economic opportunity in this country, it brings instead misery and unemployment and exploitation. There is no room in our tradition of immigration for the illegal alien, and the sooner that Congress takes action to end illegal immigration, the better it will be for all of us.

I thank the Chairman.

Mr. WHITE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman the remarks previously have been addressed to the general sociological effect of this bill. I speak in favor of the amendment, but I also want to point out some specific language in the bill that must be looked at.

The duty that we have as Representatives, whether we are for or against the principle involved here, is to legislate good law. Let me refer to page 10 to start with. It was pointed out that there is provision for requesting a written statement as prima facie evidence that the employer has taken the steps to determine citizenship. This provision is going to cause every employer to present to every employee a request to determine whether or not he is a citizen. This is a step backward in the fight against discrimination.

But the part that really concerns me starts on page 11 in subsection (2). It states there that the Attorney General can cite an employer on either evidence or information, meaning that he can issue the citation on the basis of pure hearsay, without any provision whatever in that section for a hearing. This is important because this pertains to another section determining whether or not he is later going to go to jail for a misdemeanor.

In the second section, subsection (3) it states that if an employer continues to hire or does subsequently hire an employee, not necessarily the same alien that was cited for by hearsay, then the Attorney General—acting as judge and prosecutor, can assess a $500 penalty, and it says that the Attorney General will provide a hearing by an immigration officer who may or may not be a lawyer.

So again we have the same problem of the prosecutor and judge being the same fellow. He then assesses a penalty, and then could take the lawsuit into a district court to collect on the basis of that penalty, but this is something very new in judicial proceedings, in that by this bill in a district court, which is a trial court, all that can be presented is the record by the immigration officer who is the trial judge and prosecutor and there cannot be any independent new evidence. There is no provision for a full trial. The record before the hearing officer is conclusive and no other evidence can be presented on which a man can have a lawsuit and a judgment assessed against him.

On one more alleged violation an employer can go to jail on the basis of a misdemeanor against him or have a fine assessed on, first, hearsay, and second, a hearing before a hearing officer who is not a judge and who may not be a lawyer himself, with a decision on the basis of this hearing before the immigration officer, cut off from presenting new evidence before the district court.

Is this the American system? Is this the system we should have on which the decision can be based on pure hearsay and not new evidence? I do not think this is good law. This should be looked at by the committee again, and we should follow the traditional procedure of the jury trial or a trial before the judge where everybody can come into court and have his day, when evidence can be presented, and it is not concluded by a closed procedure before a hearing officer appointed by the Attorney General.

Mr. KEATING. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments to the bill be concluded in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

Mr. PICKLE. Mr. Chairman, reserving the right to object, I have been seeking recognition. If I may be recognized and be given permission to make my speech, and then if the gentleman will make it 10 minutes, I will not object.

Mr. KEATING. Mr. Chairman, I ask unanimous consent to make that time 10 minutes.

Ms. ABZUG. Mr. Chairman, I object.

MOTION OFFERED BY MR. KEATING

Mr. KEATING. Mr. Chairman, there has been objection to the unanimous-consent request, so I move that all debate on this amendment and all other amendments to the bill be concluded in 10 minutes.

The CHAIRMAN. The gentleman moves that all debate on this amendment and all amendments to the bill be concluded in 10 minutes.

The question is on the motion offered by the gentleman from Ohio (Mr. KEATING).

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. KEATING).

(By unanimous consent, Mr. KEATING yielded his time to Mr. PICKLE.)

Mr. PICKLE. Mr. Chairman, I thank the gentleman from Ohio.

Mr. Chairman, the Members of the House may remember when we had this bill before us last year I offered an amendment to this measure which is now section 3 in this bill, which says, "that any officer or employee of HEW shall disclose to the Immigration Service the name and most recent address of any alien who such officer or employee knows is not lawfully in the United States."

That amendment was passed. It was opposed by the committee at the time.

My State has told me that if they had to pay benefits to illegal aliens it might cost my State up to $25 million. The committee was open and fair in saying that this procedure ought not to be permitted, but if we were going to do it, they felt there ought to be some kind of penalty in the law. Accordingly they have come back this year and requested the exact language which this House passed last year when it passed the bill by a vote of 297 to 53.

The committee put this same amendment with the same wording in, exactly, but have added section 2, the penalty provisions accordingly. The Members may disagree with the extent of the penalty provisions, the severity of them, the burden that might be on employers, and with other matters. That may be a legitimate difference of opinion, but it is not proper, really, to say that if one wants to help this bill along, one must take out section 2. If we do that, we are killing the bill.

Therefore, I say that if we really want to have a bill which says we are not going to pay benefits to illegal aliens and keep in section 3, then we must vote down this amendment.

I talked to welfare agents in my State this week, and they said that there has been no basic improvement since a year ago. They said they had been instructed by HEW that they are not supposed to ask if a person was a citizen or not, or if he had a work permit, but my State says that it does not think that procedure makes good sense. Some States may not be this careful, and if so, they are paying out a lot of money. I think that this kind of practice ought to be cut out. The only way to do it is by keeping section 3 in.

Mr. Chairman, I would say that the penalty provisions are reasonable. At least, let us pass it, and then if we find later that they are too severe, perhaps we can change them.

If we adopt this amendment, we kill the bill. So I commend the committee for bringing back the same bill we passed last year, with the exception of the penalties.

Mr. Chairman, I urge the defeat of the amendment, and the passage of the bill.

The CHAIRMAN. The Chair recognizes the gentlewoman from New York (Ms. ABZUG) for 1½ minutes.

Ms. ABZUG. Mr. Chairman, I realize that in the minds of some people, the aim of this legislation is to prevent aliens not entitled to accept employment from accepting it.

That aim might be laudable. The interesting thing about the legislation, if it is analyzed, is that under the three step provisions, an employer can get out of those provisions simply by having a signed statement by his employee. The employee subjects himself to punishment if he falsifies such a statement. There is no second or third choice for him.

Where does that leave us? We have really done nothing to deter employers from hiring individuals not entitled to work, since they will all get their statements from these employees if they want them, and they will protect themselves in that way. We have created an additional liability for some little guy who may be of foreign origin and who comes across the border to try to earn the price of food for his family.

Mr. Chairman, I have opposed this bill last year, and I oppose this bill this year. This bill will significantly encourage and increase job discrimination against the foreign-born, or those with foreign accents, or those with swarthy skins.

I think it is an illusion to suggest that because you have these three stage employer penalties, things will change.

What is really needed is for us to consider new approaches to our immigration laws, not to mention better administration of existing law until changes are made.

I urge the defeat of this bill.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. SEIBERLING).

Mr. SEIBERLING. Mr. Chairman, I have great respect for the gentlewoman from New York (Ms. ABZUG) and for the gentleman from Texas (Mr. WHITE), but the drafters of the bill have leaned over backward to avoid any possible undue imposition either on employees or employers, or aliens who might seek employment.

Earlier in the debate someone made the statement that the Association of the Bar of the City of New York opposed the bill. If by that is meant that the 40,000 members of the association have considered the bill and opposed it, then that is not so.

All we have is a letter signed by the Chairman of the Association's Committee on Immigration and Nationality Law. The letter is erroneous on its face, for it states that—

> There are already adequate provisions in the law to deal with aliens who accept unauthorized employment.

Yet the committee admits there is an "unsatisfactory situation." Its solution is "to effectively regulate the flow of persons across the border."

Their solution simply begs the question which is: How do we effectively regulate the flow of persons across the border?

After months of hearings and study, your committee has concluded that the only effective way is to dry up the demand for illegal alien labor. That is what this bill would do.

The statement of the gentleman from Texas (Mr. WHITE) that somehow this bill sets up a star chamber proceeding is the exact opposite of actuality. The bill is very carefully drawn to guarantee procedural due process. The employer gets, not one, but three strikes before he can be subjected to any criminal penalties. Any employer who honestly desires to comply with the law will have no trouble with this bill. By the same token, he will be under no pressure to refrain from hiring any person merely because that person speaks with an accent or otherwise may appear to be of foreign origin.

I submit that if Members believe we have an illegal alien problem and need to strengthen this feature of our immigration laws, then our committee, after months and months of study, has come up with a reasonable way to solve the problem.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. ROYBAL).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. ROYBAL. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 96, noes 266, not voting 71, as follows:

[Roll No. 121]

AYES—96

Abzug
Archer
Ashbrook
Ashley
Bafalis
Baker
Blackburn
Brown, Calif.
Burke, Calif.
Burleson, Tex.
Burton
Camp
Casey, Tex.
Chisholm
Clawson, Del
Clay
Cochran
Collins
Conlan
Conyers
Corman
Crane
Davis, Ga.
Davis, S.C.
de la Garza
Dellums
Denholm
Derwinski
Dorn
Eckhardt
Edwards, Calif.
Fisher
Foley
Goldwater
Gross
Gubser
Haley
Hammerschmidt
Hawkins
Heckler, Mass.
Helstoski
Holtzman
Huber
Hunt
Jones, Okla.
Kazen
Ketchum
Latta
Lujan
McCloskey
McCormack
McEwen
McFall
Mahon
Martin, Nebr.
Mathis, Ga.
Michel
Mink
Mitchell, Md.

Moorhead, Calif.
Moss
Pettis
Poage
Price, Tex.
Rangel
Rarick
Rees
Reuss
Rhodes
Riegle
Roberts
Rogers
Rousselot
Roybal
Runnels
Satterfield
Scherle
Sebelius
Sisk
Skubitz
Stark
Steed
Steelman
Steiger, Ariz.
Stephens
Stokes
Talcott
Thomson, Wis.
Veysey
Waggonner
White
Wilson, Bob
Yates
Young. Ga.
Young, S.C.
Young, Tex.

NOES—266

Adams
Addabbo
Andrews, N.C.
Andrews, N. Dak.
Annunzio
Arends
Armstrong
Aspin
Barrett
Bennett
Bergland
Bevill
Biaggi
Biester
Bingham
Blatnik
Boggs
Boland
Bolling
Bowen
Brademas
Brasco
Bray
Breaux
Breckinridge
Brinkley
Broomfield
Brotzman
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Mass.
Burlison, Mo.
Butler
Byron
Carey, N.Y.
Carney, Ohio
Carter
Cederberg
Chamberlain
Chappell
Clancy
Clark
Clausen, Don H.
Cleveland
Cohen
Collier
Conte
Coughlin
Culver
Daniel, Dan
Daniel, Robert W., Jr.
Daniels, Dominick V.
Danielson
Davis, Wis.
Delaney
Dellenback
Dennis
Dent
Dickinson
Diggs
Dingell
Donohue
Downing
Drinan
Duncan
du Pont
Edwards, Ala.
Eilberg
Erlenborn
Esch
Evans, Colo.
Evins, Tenn.
Fascell
Findley
Fish
Flood
Flowers
Ford, Gerald R.
Ford, William D.
Forsythe
Frenzel
Frey
Froehlich
Fuqua
Gaydos
Gettys
Giaimo
Gilman
Ginn
Gonzalez
Goodling
Grasso
Gray
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gude
Gunter
Hamilton
Hanley
Hanrahan
Hansen, Wash.
Harrington
Harsha
Harvey
Hastings
Hébert
Hechler, W. Va.
Henderson
Hicks
Hillis
Hinshaw
Hogan
Holifield
Holt
Horton
Hosmer
Howard
Hudnut
Hungate
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jones, N.C.
Jordan
Karth
Kastenmeier
Keating
Koch
Kuykendall
Kyros
Landgrebe
Leggett
Lehman
Lent
Litton
Long, Md.
Lott
McClory
McCollister
McDade
McKay
McKinney
Macdonald
Madden
Madigan
Mailliard
Mallary
Mann
Maraziti
Martin, N.C.
Mathias, Calif.
Matsunaga
Mayne
Mazzoli
Meeds
Metcalfe
Mezvinsky
Milford
Miller
Mills, Ark.
Mills, Md.
Minish
Minshall, Ohio
Mitchell, N.Y.
Mizell
Moakley
Mollohan
Montgomery
Morgan
Mosher
Murphy, N.Y.
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara
O'Neill
Owens
Parris
Passman
Patman
Patten
Perkins
Peyser
Pickle
Pike
Powell, Ohio
Preyer
Price, Ill.
Pritchard
Quie
Quillen
Railsback
Regula
Rinaldo
Robinson, Va.
Robison, N.Y.
Rodino
Roe
Roncalio, Wyo.
Roncallo, N.Y.
Rooney, Pa.
Rose
Roush
Roy
Ruppe
Ruth
St Germain
Sandman
Sarasin
Sarbanes
Saylor
Schneebeli
Schroeder
Seiberling
Shipley
Shoup
Shriver
Shuster
Sikes
Slack
Smith, Iowa
Smith, N.Y.
Snyder
Spence
Staggers
Stanton, J. William
Steele
Stratton
Stuckey
Studds
Sullivan
Symington
Taylor, N.C.
Teague, Calif.
Thompson, N.J.
Thone
Tiernan
Towell, Nev.
Treen
Udall
Vanik
Vigorito
Walsh
Wampler
Ware
Whitehurst
Whitten
Widnall
Wiggins
Wilson, Charles H., Calif.
Wilson, Charles, Tex.
Winn
Wyatt
Wyman
Young, Alaska
Young, Fla.
Young, Ill.
Zablocki
Zion
Zwach

NOT VOTING—71

Abdnor
Alexander
Anderson, Calif.
Anderson, Ill.
Badillo
Beard
Bell
Brooks
Brown, Mich.
Brown, Ohio
Burgener
Burke, Fla.
Conable
Cotter
Cronin
Devine
Dulski
Eshleman
Flynt
Fountain
Fraser
Frelinghuysen
Fulton
Gibbons
Guyer
Hanna
Hansen, Idaho
Hays
Heinz
Johnson, Calif.
Johnson, Colo.
Jones, Ala.
Jones, Tenn.
Kemp
King
Kluczynski
Landrum
Long, La.
McSpadden
Melcher
Moorhead, Pa.
Murphy, Ill.
Myers
Obey
O'Brien
Pepper
Podell
Randall
Reid
Rooney, N.Y.
Rosenthal
Rostenkowski
Ryan
Stanton, James V.
Steiger, Wis.
Stubblefield
Symms
Taylor, Mo.
Teague, Tex.
Thornton
Ullman
Van Deerlin
Vander Jagt
Waldie
Whalen
Williams
Wolff
Wright
Wydler
Wylie
Yatron

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan (Mr. Hutchinson).

Mr. HUTCHINSON. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. de la Garza).

Mr. de la GARZA. Mr. Chairman, I have grave reservations about this legislation.

Mr. Chairman, I represent the southern district of Texas and I might say, somewhat unhappily though perhaps justifiably, that during the last few decades my district has been identified as the focal point of much of—maybe most of—the Nation's wetback traffic.

In connection with public statements often made by well-intentioned persons who are not acquainted by long experience with the wetbacks, it may be well that we should define our terms. Certainly there seems to have been, on the part of men who should know better, a great deal of confusion relating to the identification of groups of people who come to this country from Mexico.

Let me point out that the relationship between the United States and Mexico has existed—geographically—for hundreds and hundreds of years. While the Rio Grande has always flowed between the two countries, closely knit families lived on either sides of those banks—and they traveled back and forth. In the days before this was the formal southern boundary of the Nation they swam the river, boated across the river—and in some places walked across the river to visit with families and friends.

That familiar relationship has existed over the centuries. Mothers, fathers, sisters, brothers are separated by the river. This is a unique relationship and it is one that has spawned a great deal of the existing situation. This is the primary group, the original settlers.

The second group, of course, in any consideration, is that of immigrants—lawful permanent residents—people who come to this country after various inspection processes relating to Consular limitations, Public Health and Immigration for the purpose of living here, working here, and becoming citizens of our country.

The third is that of the so-called "green carder" or commuter. These are the people who have obtained visas and met other requirements entitling them to lawful residence and employment in this country. But they have chosen to avail themselves of only part of that to which they are entitled under law—that is employment. They have met the requirements for living here and working here, but they have chosen only to work here. There are thousands of such people on both our Canadian and Mexican borders. They work here but they do not live here. They have residences in Mexico or Canada and work in this country, thus taking only a portion of that to which they are lawfully entitled by virtue of having complied with our immigration requirements.

There is a fourth class who have come to this country lawfully in the past under programs for the importation of Mexican labor pursuant to executive agreements between the United States and Mexico. These people popularly have been called braceros. They were inspected as to numbers, as to public health, and as to their capacity for doing the job in this country which they sought. The whole program was marked in the years gone by with an ideal agreement and relationship between two countries: Mexico and the United States. The program was marked by success in the achievement of the labor for which they came and the program was marked by success from a law enforcement standpoint inasmuch as only a minute fraction of them failed to return to their homes in Mexico when their jobs were completed in this country. Thus, they supplied a need. They filled a vacuum and took a great deal of the attraction out of coming to this country illegally.

Then we have the wetbacks as the fifth and final class under our consideration of people who come to our country from Mexico and they are the ones who, without inspection and in violation of law, either wade the Rio Grande or cross the border clandestinely or come through the established ports of entry under false pretenses.

It is unfair to these people, however, to assume that they are criminals. As my distinguished colleague, the chairman of the Subcommittee on Appropriations for the Immigration and Naturalization Service recently said in the hearings on that agency's request:

> These are perfectly harmless people who want to come up here and make a day's pay. That is all it is—part 1, page 861, of the hearings on appropriations, 1971.

They are guilty, of course, of a violation of our laws and good judgment and good government dictate that they should be apprehended and returned to Mexico according to law. However, an unbiased observation inevitably reveals that overwhelmingly these are honest people who simply come to this country to work and who intend, for the most part, to return to their families in Mexico when they have obtained in this rich land of ours a grubstake, let us say—when they have been able to participate in our employment and to participate in the high scale we fortunately are able to pay for labor in this country. I say this not in approbation, not in condonation, of illegal traffic across our borders but only that the situation be kept in proper perspective and emphasis. Lately there has been a change, not in the nature or identity of the wetback, but a change in his objectives as he comes to this country.

Thus it is, in the sense of their objectives, the so-called wetback problem as it existed in the 1940's and the 1950's has, to a great extent, passed. Whereas the wetback movement was formerly a Texas and California agricultural phenomenon, it is now marked by numbers employed in our cities rather than in agriculture.

The Commissioner of Immigration and Naturalization recently said:

> The Mexicans have discovered that they can find work in industry as well as on farms and ranches and they are gravitating toward our large cities, such as Chicago—part 1, page 857 of the hearings on appropriations, 1971.

My colleagues, the great agricultural demands in this country are hardly fitted to the hundreds of thousands of wetbacks who formerly came. There are no longer cotton field demands for a cotton picker on every row in order to get the crop out in a couple of days to meet a market situation or a problem of the weather. Cotton picking is now done by machines. Instead of vast hundreds of workers with hoes and hand implements only a couple of decades ago, weeding is done with chemicals. Planters space the planting of crops. There is a need for a relatively few tractor drivers, and for intelligent and skilled operators of other comparatively sophisticated farm machinery today.

The wetback movement, however, is again increasing. Ten years ago the Border Patrol was apprehending wetbacks in this country at the rate of nearly 200,000 per year.

Lately, the emphasis in illegal alien employment has been in factories, canneries, hotels, restaurants, and such employment. I understand that industrial employment of illegal aliens in California has increased sixfold between 1963 and 1969 and is still increasing at an accelerated rate. I understand that a similar situation prevails in other States along our Mexican border. The pay is better than it is in agriculture. Working conditions are better. Living conditions are better in the cities. Illegal aliens are finding out that the social agencies and the volunteer groups in the cities are willing and able to help them, even during their illegal stay in the United States. They quickly learn that an illegal alien is less conspicuous in a crowded barrio than in the open fields, the packing plants or on farms and ranches.

The question might arise as to how people can work in such employment as this in view of the need for social security cards. The truth is that the wetback now goes into our cities and immediately applies for a social security card—and gets it. Recently in one of our Southwestern States the Social Security Administration was accused by a three-judge panel of paving the way for illegal aliens to get work in this country. The Social Security Administration issues cards and account numbers to illegal aliens without a question as to their status.

Significantly, wetback income a few years ago reflected the cost of peon labor—slave labor if you would like to call it that—but today a wetback is paid the wage prevailing in the community and this is a prevailing wage in cities with a work force so large that the wetback numbers cannot affect that prevailing wage.

Our Immigration Border Patrol frequently apprehends great numbers of wetbacks who are earning $3 or $4 up to $10 an hour, according to the individual's job and merit. In this connection some serious questions might arise in the minds of some of my colleagues. As there are several million unemployed Americans in this country—and the record indicates that there are—why is it that the wetback who comes without recommendation and who must overcome a serious language barrier, often without experience and without contacts here—how is it that he is able to go to work immediately upon arrival? The record shows that ordinarily from the time of a wetback's entry into this country and the time he is apprehended by the Border Patrol is a period measured in days or sometimes even a few short weeks. During that time these wetbacks, eager for any employment but working at the prevailing wages in the large cities of our country, seem to suffer no unemployment.

The whole panorama of affairs with regard to the wetback is handled most amicably between Mexico and the United States. There is hardly any area of relationship between our two countries which reflects a greater understanding and a friendlier attitude of assistance. The primary aspect of this splendid relationship is the Mexican Government's cooperation in the return of these thousands of people to their homeland after they are arrested in this country in violation of law. From the standpoint of law enforcement and from the standpoint of decency and humanity, the most effective and most humane way to handle these people is to move them quickly out of this country to places in Mexico nearest their families and their homes.

As a result, literally hundreds of thousands of them are moved to points in the interior of Mexico by airplanes, by trains, and by buses. The Mexican Government offers effective assistance to insure their return to their homes and to assist with their travel, feeding and other humanitarian obligations once they are expelled from the United States. Questions may arise in the minds of some as to why we are not more effective in the prevention of the wetback invasion of our country and why we are not more effective and more prompt in expelling them upon their arrival.

Bear in mind, there are many factors by which one is impelled to see the wetback with sympathy, and with understanding of his objectives and his plight. Nevertheless, he is here in this country in violation of law and in that sense something must be done to dispose of him and his problem according to law.

Bearing on the first problem, the Border Patrol of our Immigration and Naturalization Service, a branch of the Department of Justice, seems to be a neglected instrument of the Government, no matter what administration occupies the seats of authority in Washington. Going back three decades there were around 1,000 border patrolmen on our Mexican border. In the 1950's the numbers were increased slightly during a genuine effort to bring the border under control when, around the middle of that decade, a million wetbacks were returned to Mexico in 1 year. The number of border patrolmen we had last year—and I think this year—was a few more than 1,100. Surely if we intend to cope with a problem which is disturbing to many conscientious people because they see the impact of the illegal alien on the economy, something should be done to augment and to support the men who are charged under law with responsibility for the security of our border.

However, control on the border is not solely the product of a border police function. The problem will not respond to purely a police operation. It is a job which cannot be done without a blending of border police operations, employment concepts and adjustments in our country and, where possible, the achievement of economic balances between our country and Mexico.

The Border Patrol of the Immigration and Naturalization Service is our only uniformed, armed, civilian police organization between the established ports of entry and it is administratively and organizationally hidden from the public view. Within the structure of the Immigration and Naturalization Service, a non-law-enforcement body in the modern sense, the Border Patrol is bedded quietly under a substructure called domestic control—surely an appellation which must arouse curiosity among the nonbureaucratic majority of us as to organization and functional intent.

The Border Patrol should be identified and structurally set apart in order that we may properly identify the funds appropriated for its purposes and support it where necessary to accomplish its mission on the border.

A few months ago a great emphasis was placed on control of our border as that control related to the illicit introduction of harmful drugs. Now all of us are in favor of preventing marihuana and harder drugs from coming into this country but from the quantities being found in this country and the quantities being used in this country, according to our daily press reports, one might conclude that the various excited efforts—almost hysterical in nature—which recently resulted in clogging our ports for brief periods to legitimate traffic and which have resulted in a great deal of local misunderstanding—these crash programs are not the way to do it.

Mark my words, contraband does not smuggle itself into this country. Contraband is smuggled by people and if we had control of the entry of people over our border, we would have control of the entry of contraband.

Thus, it is that these efforts to deal with things instead of people have been unsuccessful. They are inherently self-defeating. Mere prohibitions do not work in our country. We must take steps which will not interfere with lawful and friendly traffic across our borders. We must reexamine and reorganize the functions of our border agencies to insure that the legitimate objects of law-abiding people are not hindered. As sad as is the condition of drug use and as deplorable as the fact of its introduction into our country, it is still more important that friendly and legitimate international traffic be permitted to cross our border unhindered than that any vigorous, enthusiastic, but noneffective programs be introduced or continued.

In summation, therefore, I urge that those involved in the effort—and perhaps I should say the hopes—of establishing and maintaining order along our Mexican border should have first clearly in mind the identity of the people they are talking about—both as individuals and as groups. A rather full knowledge of the language, the customs and the natural purposes of the people most involved is necessary to a proper understanding.

Second, there must be an understanding of the economic factors which cause people to leave their own country for temporary periods and the economic factors which make it attractive for them to come to this beautiful and rich country of ours.

At the same time we just reevaluate and we must seriously give attention to the fact that although great unemployment problems are claimed for this country—and I do not deny that they exist—why is it that the wetback, when he comes here to work for the same pay that American citizens get, is never unemployed? He never returns to Mexico without having had a job—and he has no problem, either, with his social security. Just as we consider that the Government agencies involved in our border problems are scattered between a number of departments and often without coordination of effort—and rarely with coordination of responsibility—so should we consider perhaps that there has been no fundamental redefining of our concepts of employment for more than three decades—since the middle of the great depression. It might be interesting to require that an individual, in order to be identified as unemployed, be registered with an appropriate agency and that the word "unemployed" would be applied exclusively to those for whom it was not possible to find any kind of work. We deceive ourselves if we deny there are strong interlinking casual relationships between the wetbacks, employment, and welfare concepts and practices in the Southwest.

The instruments of Government in the 1970's must be reorganized and rededicated to meet—the challenges—of the times.

The Immigration Border Patrol, the U.S. Customs Service and the concepts of border control, both as to wetbacks and to contraband, are, for the most part today products of the 1920's and the 1930's. There have been no basic changes in four decades and the 1970's demand something better than that. This is not intended as any criticism, direct or implied of the men and women who work for these agencies. They do a great job under very difficult circumstances. It is the system that I complain of.

Surely we must learn to cope with these problems in the context of the 1970's and we must devise the instruments of Government which will be able to cope with them in the 1970's, looking forward to periods of greater and friendlier relationships with our sister republic on the south.

This bill is not the answer.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. ROBERTS).

(By unanimous consent, Mr. ROBERTS yielded his time to Mr. WHITE.)

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. WHITE).

AMENDMENT OFFERED BY MR. WHITE

Mr. WHITE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WHITE: Insert the following new title in the bill beginning on page 16:

TITLE II—NONIMMIGRANTS

SEC. 1. Section 101(a)(15)(M) of the Immigration and Nationality Act is amended by striking out "who is coming temporarily to the United States to perform temporary services or labor, if unemployed persons capable of performing such service or labor cannot be found in this country; or (iii)".

SEC. 2. Section 101(a)(15) of the same act is amended by adding at the end of subparagraph (L) the following new subparagraph:

"(M) An alien having a residence in a foreign country which he has no intention of abandoning and who is coming to the United States under a specific contract of employment to perform services or labor (other than services or labor referred to in subparagraph (H) of this paragraph) of a temporary or seasonal nature, subject to the conditions that—

"(i) The contract of employment shall be for a period not to exceed one year, which may be renewed for additional periods up to one year, if approved by the Secretary of Labor, but shall not be renewable for periods aggregating more than five years;

"(ii) The Secretary of Labor shall determine and publish criteria under which the Department of Labor shall certify applications for labor under this subparagraph, including standards and terms of employment, wages, hours and days of employment, medical attention benefits and other conditions to prevent exploitation of such aliens. Such criteria may be adjusted by the Secretary of Labor according to the nature and demand of the respective employment position.

"(iii) Such alien will not perform services or labor not reasonably specified, nor for an employer not named, nor during a time period not included, in the contract of employment without approval of the Secretary of Labor;

"(iv) The person who intends to employ such alien shall petition the Attorney General and Secretary of State for temporary visa for contract employment as herein provided after certification has been furnished by the Secretary of Labor in accordance with the conditions of this subparagraph and the provisions of section 212(a)(14) and section 214(a), (c), and (d) of the Act as herein amended;

"(v) Upon termination of said contract of employment, such alien shall present himself to authorities of the Service for termination of his visa and he shall return to his native country within a period of two weeks plus reasonable traveling time from the date of termination of such visa, not to exceed two additional weeks. Failure of said alien to so present himself and his visa shall constitute a felony offense punishable by imprisonment in a Federal correctional institution up to five years. Such alien who commits the aforesaid offense shall thereafter be ineligible for any subsequent admission to the United States under any provision of law, for a period of five years from the last violation."

SEC. 3. Section 214(c) of the same act is amended my striking "or (L)" and inserting in lieu thereof, "(L) or (M)"; the same paragraph is amended by addition of the following new paragraph:

"The status of an alien admitted to the United States under section 101(a)(15)(M) of this act shall terminate when the employment with the petitioning employer of such alien ends. Said employer shall within three days after the alien ceases employment notify the attorney general in writing and provide the date of termination and shall notify said alien of same at his last known address not less than two weeks prior to termination date. It is further provided that any employer who fails to furnish written notice to the attorney general as herein described shall be guilty of a misdemeanor and shall be subject to a fine not to exceed $200 or imprisonment for not more than thirty days, or both."

SEC. 4. Section 214 of the same act is amended by redesignating subparagraph (d) as subparagraph (e) and by inserting the following new subparagraph as (d):

"(d) Renewal petition of importing employer. The question of renewing or obtaining approval of a subsequent admission of an alien under section 101(a)(15)(M) shall again be determined in accordance with said section. In addition, upon such petition the secretary of labor shall determine if the terms of the expiring or previous contract of employment have been met by both parties of said contract and in accordance with fair labor practices as provided by section 101(a)(15)(M)(ii). If it is determined that such petitioning employer had materially failed to comply with such contract terms and standards within the preceding five years, the secretary shall make such finding and approval of said certification of labor for admission of an alien under the aforesaid section shall be prohibited to said employer for a period of five years from the date of such noncompliance."

SEC. 5. The table of contents of section 214 of the Immigration and Nationality Act is amended to read as follows:

"(a) Regulations.

"(b) Presumption of status; written waiver.

"(c) Petition of importing employer.

"(d) Renewal petition of importing employer.

"(e) Issuance of visa to fiancee or fiance of citizen."

Mr. WHITE (during the reading). Mr. Chairman I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WHITE. Mr. Chairman the amendment I am offering would provide a workable solution to the burgeoning problem of controlling the illegal alien situation in this country, which has become nearly impossible to control. In the past the problem has been confined principally to border areas but this is no longer the case. Illegal aliens by the thousands are now located throughout the entire country.

This particular amendment would allow legal use of alien labor on a temporary basis when the need can be proven. Basically the proposal provides for a new type of nonresident visa to allow aliens to enter this country on a temporary basis to fill specific jobs on a contract basis for a specific employer under specific terms for a specific period of time, and it can only be approved by the Secretary of Labor under the conditions he sets out under his criteria.

The criteria and approval makes certain and assures that there will be no exploitation of this particular labor.

There are many jobs that we have in this country that are impossible to fill because labor is not available. This would at least give the employer the opportunity to go to the Secretary of Labor with his proposition and get a specific contract that will benefit the alien under such admission. I am talking about such things as need for upholsterers and other types of requests that we as Representatives have encountered time after time.

If we are going to pass this general bill today, cutting off illegal aliens, which we will undoubtedly do under this bill, we have to afford some substitute for the employer to find a substitute for alien labor under controlled conditions.

Mr. FISHER. Mr. Chairman, will the gentleman yield?

Mr. WHITE. I yield to the gentleman from Texas.

Mr. FISHER. Mr. Chairman, the gentleman will recall when we had the reserve program something like that which he would restore in this amendment now pending. There was a minimum influx of illegal aliens from across the border because of the control we had under the reserve program. After it was abolished, and only after it was abolished did the big influx occur of illegal aliens, the country has been plagued since that time.

Mr. WHITE. Let me make a point. This is not a bracero program. This is for a specific contract under certain conditions set out by the Secretary of Labor.

Mr. FISHER. But the bracero program was a contract program, so-called, or the gentleman can call it anything he wants, but it was a contract program and the gentleman as I understand it is proposing to set up that kind of system.

Mr. WHITE. No, not a bracero program but an opportunity for a person to be employed for a specific purpose for a specific period of time, and I think it is important to have this kind of provision. I urge its adoption.

Mr. EILBERG. Mr. Chairman, the gentleman from Texas offered an identical amendment when this matter was considered in the last Congress and it was overwhelmingly defeated.

The concept of contract labor and the bracero program has been discredited as far as I am concerned. This is certainly not the place to consider a contract labor program.

I would say affirmatively that the subcommittee is actively studying the labor certification problem. We do feel there are substantial problems in the administration of labor certification by the Labor Department. These hearings are going on right now in connection with our Western Hemisphere preference study, which will be the next major legislation coming out of our committee.

I say this is a bad amendment, that the law presently provides for people to come into this country on a temporary basis, and this amendment will serve no useful purpose and would perpetuate the exploitation of aliens and would continue to depress wages and working conditions.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Texas (Mr. WHITE).

The amendment was rejected.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Moss, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 982) to amend the Immigration and Nationality Act, and for other purposes, pursuant to House Resolution 352, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the committee amendment in the nature of a substitute adopted in the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. EILBERG. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 297, nays 63, not voting 73, as follows:

[Roll No. 122]

YEAS—297

Adams
Addabbo
Andrews, N.C.
Andrews, N. Dak.
Annunzio
Arends
Armstrong
Ashley
Aspin
Baker
Barrett
Bennett
Bergland
Bevill
Biaggi
Biester
Bingham
Blackburn
Blatnik
Boggs
Boland
Bolling
Bowen
Brademas
Brasco
Bray
Breaux
Breckinridge
Brinkley
Brooks
Broomfield
Brotzman
Broyhill, Va.
Buchanan
Burke, Mass.
Burlison, Mo.
Butler
Byron
Carey, N.Y.
Carney, Ohio
Carter
Cederberg
Chamberlain
Chappell
Clark
Cleveland
Cohen
Collier
Conte
Conyers
Corman
Coughlin
Culver
Daniel, Dan
Daniels, Dominick V.
Danielson
Davis, Ga.
Davis, S.C.
Davis, Wis.
Delaney
Dellenback
Denholm
Dennis
Dent
Dickinson
Diggs
Dingell
Donohue
Dorn
Downing
Drinan
Duncan
du Pont
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Evans, Colo.
Evins, Tenn.
Fascell
Findley
Fish
Flood
Flowers
Ford, Gerald R.
Ford, William D.
Forsythe
Frenzel
Frey
Froehlich
Fuqua
Gaydos
Gettys
Giaimo
Gilman
Ginn
Gonzalez
Goodling
Grasso
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gross
Grover
Gubser
Gude
Gunter
Haley
Hamilton
Hammerschmidt
Hanley
Hanrahan
Hansen, Idaho
Hansen, Wash.
Harrington
Harsha
Harvey
Hastings
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Hillis
Hinshaw
Hogan
Holifield
Holt
Horton
Hosmer
Howard
Hudnut
Hungate
Hunt
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jones, N.C.
Jones, Okla.
Jordan
Karth
Kastenmeier
Keating
Kemp
Koch
Kyros
Landgrebe
Leggett
Lehman
Lent
Litton
Long, Md.
Lott
McClory
McCloskey
McDade
McFall
McKay
McKinney
Macdonald
Madden
Madigan
Mailliard
Mallary
Mann
Maraziti
Martin, Nebr.
Martin, N.C.
Mathias, Calif.
Mathis, Ga.
Matsunaga
Mayne
Mazzoli
Meeds
Metcalfe
Mezvinsky
Michel
Milford
Miller
Mills, Ark.
Mills, Md.
Minish
Minshall, Ohio
Mitchell, Md.
Mitchell, N.Y.
Mizell
Moakley
Mollohan
Montgomery
Moorhead, Calif.
Morgan
Mosher
Moss
Murphy, N.Y.
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara
O'Neill
Owens
Parris
Patman
Patten
Pepper
Perkins
Peyser
Pickle
Pike
Powell, Ohio
Preyer
Price, Ill.
Pritchard
Quie
Quillen
Railsback
Rangel
Rarick
Regula
Reuss
Rhodes
Riegle
Rinaldo
Robinson, Va.
Robison, N.Y.
Rodino
Roe
Roncalio, Wyo.
Roncallo, N.Y.
Rooney, Pa.
Rose
Roush
Ruppe
Ruth
St Germain
Sandman
Sarasin
Sarbanes
Saylor
Scherle
Schneebeli
Seiberling
Shipley
Shoup
Shriver
Shuster
Sikes
Slack
Smith, Iowa
Smith, N.Y.
Snyder
Spence
Staggers
Stanton, J. William
Steele
Steelman
Steiger, Ariz.
Stephens
Stratton
Stuckey
Studds
Sullivan
Symington
Talcott
Taylor, N.C.
Teague, Calif.
Thompson, N.J.
Thomson, Wis.
Thone
Tiernan
Towell, Nev.
Treen
Udall
Vanik
Vigorito
Waggonner
Walsh
Ware
Whitehurst
Widnall
Wiggins
Williams
Wilson, Charles, Tex.
Winn
Wyatt
Wyman
Young, Alaska
Young, Fla.
Young, Ill.
Zablocki
Zion
Zwach

NAYS—63

Abzug
Ashbrook
Bafalis
Brown, Calif.
Burke, Calif.
Burleson, Tex.
Burton
Camp
Casey, Tex.
Chisholm
Clausen, Don H.
Clawson, Del
Clay
Cochran
Collins
Conlan
Crane
Daniel, Robert W., Jr.
de la Garza
Dellums
Derwinski
Eckhardt
Fisher
Foley
Goldwater
Hawkins
Holtzman
Huber
Kazen
Ketchum
Latta
Lujan
McCormack
McEwen

Mahon
Mink
Passman
Pettis
Poage
Price, Tex.
Rees
Roberts
Rogers
Rousselot
Roybal
Runnels
Satterfield
Schroeder
Sebelius
Sisk
Skubitz
Stark
Steed
Stokes
Symms
Veysey
White
Whitten
Wilson, Bob
Yates
Young, Ga.
Young, S.C.
Young, Tex.

NOT VOTING—73

Abdnor
Alexander
Anderson, Calif.
Anderson, Ill.
Archer
Badillo
Beard
Bell
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Burgener
Burke, Fla.
Clancy
Conable
Cotter
Cronin
Devine
Dulski
Eshleman
Flynt
Fountain
Fraser
Frelinghuysen
Fulton
Gibbons
Guyer
Hanna
Hays
Heinz
Johnson, Calif.
Johnson, Colo.
Jones, Ala.
Jones, Tenn.
King
Kluczynski
Kuykendall
Landrum
Long, La.
McCollister
McSpadden
Melcher
Moorhead, Pa.
Murphy, Ill.
Myers
Obey
O'Brien
Podell
Randall
Reid
Rooney, N.Y.
Rosenthal
Rostenkowski
Roy
Ryan
Stanton, James V.
Steiger, Wis.
Stubblefield
Taylor, Mo.
Teague, Tex.
Thornton
Ullman
Van Deerlin
Vander Jagt
Waldie
Wampler
Whalen
Wilson, Charles H., Calif.
Wolff
Wright
Wydler
Wylie
Yatron

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Murphy of Illinois for, with Mr. Rosenthal against.

Mr. Hays for, with Mr. Podell against.

Mr. Yatron for with Mr. Anderson of California against.

Mr. Fountain for, with Mr. Waldie against.

Mr. Stubblefield for, with Mr. Van Deerlin against.

Mr. Brown of Ohio for, with Mr. Badillo against.

Mr. Rooney of New York for, with Mr. Burgener against.

Until further notice:

Mr. Dulski with Mr. Clancy.

Mr. Reid with Mr. Conable.

Mr. Obey with Mr. Abdnor.

Mr. Teague of Texas with Mr. Frelinghuysen.

Mr. Rostenkowski with Mr. Anderson of Illinois.

Mr. Kluczynski with Mr. Cronin.

Mr. Johnson of California with Mr. Bell.

Mr. Hanna with Mr. O'Brien.

Mr. Alexander with Mr. Beard.

Mr. Cotter with Mr. Kuykendall.

Mr. Flynt with Mr. Broyhill of North Carolina.

Mr. Fulton with Mr. King.

Mr. Fraser with Mr. Heinz.

Mr. James V. Stanton with Mr. Devine.

Mr. Thornton with Mr. Guyer.

Mr. Ullman with Mr. Brown of Michigan.

Mr. Charles Wilson of Texas with Mr. Myers.

Mr. Wolff with Mr. Burke of Florida.

Mr. Wright with Mr. Archer.

Mr. Melcher with Mr. McCollister.

Mr. Moorhead of Pennsylvania with Mr. Eshleman.

Mr. Gibbons with Mr. Taylor of Missouri.

Mr. Jones of Alabama with Mr. Vander Jagt.

Mr. Jones of Tennesee with Mr. Wampler.

Mr. Roy with Mr. Whalen.

Mr. Ryan with Mr. Wydler.

Mr. Landrum with Mr. Wylie.

Mr. Long of Louisiana with Mr. McSpadden.

Mr. Randall with Mr. Steiger of Wisconsin.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill H.R. 982 and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

SECOND SUPPLEMENTAL APPROPRIATIONS, 1973

Mr. MAHON, from the Committee on Appropriations, reported the bill (H.R. 7447) making supplemental appropriations for the fiscal year ending June 30, 1973, and for other purposes, (Report No. 93–164) which was read a first and second time and, together with the accompanying papers, referred to the Union Calendar, and ordered to be printed.

Mr. CEDERBERG reserved all points of order on the bill.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On April 20, 1973:

H.R. 1975. An act to amend the emergency loan program under the Consolidated Farm and Rural Development Act, and for other purposes;

H.J. Res. 210. Joint resolution asking the President of the United States to declare the fourth Saturday of September, 1973, "National Hunting and Fishing Day";

H.J. Res. 275. Joint resolution to authorize the President to issue a proclamation designating the month of May, 1973, as "National Arthritis Month"; and

H.J. Res. 303. Joint resolution to authorize and request the President to proclaim April 29, 1973, as a day of observance of the thirtieth anniversary of the Warsaw ghetto uprising.

On April 26, 1973:

H.J. Res. 496. Joint resolution making supplemental appropriations for the fiscal year ending June 30, 1973, for the Civil Aeronautics Board and the Veterans Administration, and for other purposes.

On April 27, 1973:

H.R. 6883. An act to amend the Agricultural Adjustment Act of 1938 with respect to rice.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 518. An act to provide that appointments to the offices of Director and Deputy Director of the Office of Management and Budget shall be subject to confirmation by the Senate.

The message also announced that the Senate agrees to the amendment of the House to a joint resolution of the Senate of the following title:

S.J. Res. 51. Joint resolution to authorize and request the President to issue a proclamation designating the calendar week beginning May 6, 1973, as "National Historic Preservation Week."

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 502) entitled "An act to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BENTSEN, Mr. RANDOLPH, Mr. MUSKIE, Mr. MONTOYA, Mr. BAKER, Mr. STAFFORD, and Mr. BUCKLEY to be the conferees on the part of the Senate.

ARTICULATION AND EXECUTION OF FOREIGN POLICY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 93–96)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

This Administration attaches fundamental importance to the articulation as well as the execution of foreign policy.

Public understanding is, of course, essential in a democracy. It is all the more urgent in a fast changing world, which requires continuing, though redefined, American leadership. One of my basic goals is to build a new consensus of support in the Congress and among the American people for a responsible foreign policy for the 1970's.

These were the reasons that I began the practice of annual Presidential Reports to the Congress. This fourth Review, like the previous ones, sets forth the philosophical framework of our policy and discusses major trends and events in this context. Two other important documents complement this one with the more detailed record of current questions and policies. The Secretary of State's third annual report of April 19, 1973, covers our specific country, regional, and functional policies and provides basic documentation. The Secretary of Defense's yearly report of April 3, 1973, presents a thorough accounting of our policies and programs for national defense.

It is my hope that this Report will inform and lift the national dialogue on our purposes and our place in the world.

RICHARD NIXON.

THE WHITE HOUSE, *May 3, 1973.*

LEGISLATIVE PROGRAM

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader if we have concluded the program for this week and what the program is for next week.

Mr. O'NEILL. If the distinguished minority leader will yield, I will be happy to inform him.

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. O'NEILL. There is no further legislative business for today, and upon the announcement of the program for next week I will ask unanimous consent to go over until Monday.

The program for the House of Representatives for the week of May 7, 1973, is as follows:

Monday: Consent Calendar. No bills. Five suspensions:

H.R. 3867, Klamath Indian Tribe lands;

H.R. 4967, Indian Claims Commission authorization;

H.R. 6574, servicemen's group life insurance coverage for Reserve and National Guard;

H.R. 2828, National Cemeteries Act; and

H.R. 29, Postal Service payments to retirement fund.

On Tuesday, under suspension of the rules we have four bills as follows:

H.R. 5452, National Sea Grant Colleges;

H.R. 5451, Oil Pollution Act amendments;

H.R. 5383 Coast Guard authorization; and

H.R. 5932, Office of Environmental Quality authorization.

On Wednesday, H.R. 6370, interest payments on time and savings deposits, with an open rule and 1 hour of debate.

H.R. 7445, Renegotiation Act extension, subject to a rule being granted.

For Thursday and the balance of the week we will have the second supplemental appropriaitons for fiscal year 1973.

And, of course, conference reports may be brought up at any time and any further program will be announced later.

Mr. Speaker, may I say that next week is the week we would normally get through on Thursday.

Mr. GERALD R. FORD. Mr. Speaker, I gather from the comments made by the gentleman from Massachusetts that we may expect to finish the second supplemental appropriations on Thursday?

Mr. O'NEILL. The gentleman is correct.

ADJOURNMENT OVER TO MONDAY, MAY 7, 1973

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PEANUTS—REFORMATION OR RESTORATION?

(Mr. TEAGUE of California asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. TEAGUE of California. Mr. Speaker, it is my understanding that next week the House will consider under suspension of the rules H.R. 6646, a bill to force the Department of Agriculture to spend an additional $8.6 million on the 1973 peanut program.

This bill does not involve a large sum of money, Mr. Speaker, but it is a very bad piece of legislation.

It attempts to restore a program that cries out for reform.

The General Accounting Office has just issued a very thorough study of the peanut program and recommends that the Congress "give the Secretary of Agriculture more flexibility to adjust production so that it is consistent with commercial demand.

The bill we will be considering will instead reinstitute the rigidities of the past while forcing the public to buy infected peanuts which are not safe to eat. Thus the House will have a clear opportunity to express its view of whether the peanut program should be reformed and modernized or whether it should be restored to a 1930's type operation.

Since the suspension procedure denies us the opportunity to amend this bill, I hope you will join in defeating it.

In this regard, I ask unanimous consent to include in the RECORD an article from the Thursday, April 19, Chicago Tribune entitled "United States Loses Half Billion on Peanuts":

UNITED STATES LOSES HALF BILLION ON PEANUTS

WASHINGTON, April 18.—Federal auditors figure the government's spiraling losses from the price support program for peanuts will total nearly $1.2 billion by 1977, increasing at more than $100 million a year.

While the General Accounting Office, audit agency for Congress, was issuing this report yesterday, the House Agriculture Committee voted 22 to 5 to block the Nixon administration from making two changes in the peanut program. One change involved a cancer-causing element.

However, the committee in a step so rare that no one could recall the last time it happened voted to eventually end a mandatory price support program, this one on tung nuts. United States taxpayers buy the entire American tung nut oil production at more than twice the world market price, with losses running in the millions of dollars.

The bill would extend mandatory support for tung nuts only thru the 1976 crop. The oil is used as a drying agent in paint and industrial coatings. It had been considered critical to defense until synthetics came along some years ago.

GAO's report on the peanut price support situation urged Congress to remove a minimum acreage provision in the 1938 Agricultural Adjustment Act. While the law allows the secretary of agriculture to control peanut production based on demand, "it precludes him from establishing the minimum national acreage allotment at fewer than 1,610,000 acres," GAO said.

The auditors said the government lost $551.9 million on the peanut price support program during the 1955–71 crop years, with a $105.5 million loss estimated for 1972 and a total of $537 million projected for 1973–77 losses.

With Republicans casting all the dissenting votes, the committee approved legislation that would keep the Nixon administration from changing the price support program on peanuts containing cancer-causing aflatoxin and would bar the elimination of so-called sheller purchase operations which guarantee a government market for low quality peanuts.

THE EMPLOYEES OF THE U.S. POSTAL SERVICE

(Mr. HILLIS asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. HILLIS. Mr. Speaker, I would like to ask all the Members present to take a moment to honor some of the hardest working employees in the Government and out—the employees of the U.S. Postal Service.

This week has been proclaimed as "Postal Week" in order to honor postal workers and customers all over the country. This week 10 8-cent stamps were issued at post offices nationwide to depict many of the different employees in the Postal Service, and their jobs.

As you know, I have been a big pusher for improvement of our mail service and have spoken several times on the House floor decrying the deterioration in service and urging immediate remedial action. I have also introduced a bill to assure six basic standards of Postal Service and have been joined by some 30 of my colleagues in this effort.

Today, I would like to honor all those postal employees who have had to shoulder the brunt of the complaints about slow mail—from the housewife and businessman they see every day. Most of the mailmen and post office workers I have ever met are very dedicated and hard-working individuals. They are not to blame for the slowup in mail service—in fact, most of them are frustrated by it.

I have received many letters and phone calls from postal employees urging me to keep pushing for changes in the new postal system. They know, as I do, that the fault lies at the top, not in the middle and lower levels of the corporation.

Many of them see where the problems lie, but are not in positions to make the changes needed. Many of them have offered suggestions but gone unheeded. Yet they are the ones who are receiving most of the attacks from the public, because they are the most visible.

None of us likes to be blamed for something beyond our control. Understandably, therefore, morale is at a low ebb among postal employees. This is particular distressing in light of the fact that one of the major reasons for the postal reorganization was to improve employee morale, which had lagged under the civil service system.

In subcommittee hearings 2 weeks ago, the members were told of a record number of heart attacks and ill health showing up in postal employees from long hours, bad working conditions, and general tension.

I have talked to many letter carriers, postmasters, and supervisors who are embarrassed at the level of service that is being delivered and who very much would like to see improvements. These people are proud of the record of the Postal Service and they are sorry to see the service deteriorate so markedly in such a short period of time—especially when they had such high hopes for better conditions under the new system.

I have already told you about morale getting so low last Christmas due to the level of service that postal workers in the Phoenix area put a full-page ad in the Arizona Republic apologizing for the mail service and trying to explain why mail was arriving consistently late.

I think this is a tragic picture—and I just hope those loyal Phoenix workers stay in the postal system long enough so we can get the service back up to where it should be and they can wear the postal uniform proudly once again.

I am hoping that my Postal Service standards bill can be adopted, because I think it would clear up many of these problems. Again, I would like to ask for all the support possible in this endeavor.

But my main purpose today is to bring attention to the rank and file workers in the postal system and urge that we as Members of Congress show our appreciation for their efforts in every way possible. They are performing well under difficult conditions, and I think their efforts should be recognized.

As a Member of Congress and the House Post Office and Civil Service Committee, I would like to express my personal appreciation to postal workers all over the country for their hard work and dedication. Thank you.

NATIONAL DEFENSE ORGANIZATION AGAINST RACIST AND POLITICAL REPRESSION

(Mr. ICHORD asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. ICHORD. Mr. Speaker, communism is something to which the overwhelming majority of Americans are opposed. But too few know its nature, its methods of operation and its planned activities. Most do not understand how the Communist Party, U.S.A., actually functions. This places a serious handicap on opposition to communism. Because knowledge is still our greatest weapon in the fight against communism, I consider it my responsibility as chairman of the House Committee on Internal Security to call to the attention of my colleagues and the American public the efforts of the Communist Party, U.S.A., to organize a new front organization to be known as the "National Defense Organization Against Racist and Political Repression."

The Vietnam war was an almost perfect vehicle for exploitation by the Communist Party and it took full advantage of this issue to propagate Communists' aims and ideas. Deprived of one of its "cause celebres" by the winding down of the Vietnam war, it was predictable that the party would go all-out to find a new exploitable issue even if it is a largely manufactured one.

Last February, presaging a national effort along the same lines, a United Defense Against Repression was founded in Los Angeles by several hundred people representing over 100 southern California organizations, among them the Communist Party, U.S.A., and its youth organization, the Young Workers Liberation League and the party's west coast organ, "People's World." Although other revolutionary organizations, such as the violence-oriented Venceremos group were represented, as well as other ostensibly reform-minded groups, it was clear when the conference concluded that it was largely a Communist Party effort. A major clue was the appointment of Robert Klonsky as executive secretary, the key post always held by a Communist Party member in any Communist front organization. Klonsky, a life-long Communist Party member, once held the position of organizational secretary for the Communist Party in eastern Pennsylvania and holds the dubious distinction of being prosecuted along with other Communist Party leaders under the Smith Act.

The February conference stated its purpose as defending "the democratic and constitutional rights of all persons and organizations victimized as a result of struggles for peace, freedom, and economic security or singled out for attack as a result of racist and/or political repression." It was further noted in the group's objective—

> We seek to wipe out from the statute books repressive legislation, undermining the Bill of Rights, and to enact progressive legislation, seeking to extend the democratic rights of the people, particularly in the fields of arrest, trial and imprisonment.

In March 1973, national Communist Party functionary Charlene Mitchell called a meeting in New York City to plan for a May conference in Chicago to publicly announce the formation of a National Defense Organization Against Racist and Political Repression. The internationally known American Communist Party official Angela Davis was among those who signed the call for the conference.

The March conference expressed similar concern—

> Because the Nixon Supreme Court decisions are turning back the clock on civil rights and civil liberties. Extensive police and army intelligence networks, legalized wiretapping, "no-knock" laws and other repressive legislation have already eroded our rights . . . Chicanos, Latinos, Africans, Asians, Arabs and other nationals are unjustly deported for their political activities. Workers rights to organize and strike are beaten down by antilabor legislation and executive orders. . . .

The call to the May conference asserted—

> The repression of this period is calculated, organized and systematic. In its center is the seed of fascism, which, if allowed to sprout would strangle us all. To successfully confront and bring to a halt this systematic, nationally organized repression, we need a national apparatus to organize our resistance. We need a National Defense Organization.

All of the above will be readily recognized by those familiar with Marxist revolutionary propaganda as a long-winded euphemism for an objective which in simple English would read:

> The Communist Party, USA, intends to continue its program of persistently depicting the government as racist and repressive, particularly toward minority ethnic groups, thus hopefully alienating those groups and religious and social-minded persons and organizations who can be duped into believing that the people must be defended against their government. The Communist Party intends to zero-in on police intelligence work as this is the government's first line of defense against our revolutionary program.

It, of course, can be anticipated that H.R. 6241—the Constitutional Oath Support Act—on which the Committee on Internal Security will hold hearings this week, and which is an ordered, reasonable approach to the problem of insuring that the people have in their employ in the Federal Government only those of unquestioned loyalty to the Constitution, will be targeted by the National Defense Organization in its perverted view of "repressive legislation."

I might also predict that the National Defense Organization Against Racist and Political Repression will likewise attack H.R. 1594—Restraints on Travel by U.S. Citizens to Hostile Areas—concerning which the Committee on Internal Security will also be holding hearings. This measure, which is timely, necessary legislation with substantial public support, will undoubtedly be termed "repressive legislation" by the National Defense Organization because had it been the law last year it would have prevented the shameful trips by U.S. citizens, such as actress Jane Fonda, to Hanoi to give aid and encouragement to the North Vietnamese Communists.

My purpose in bringing this matter to your attention is to alert you to the existence of a new Communist Party propaganda drive designed to defeat much needed Federal legislation relating to the national security, such as the above-mentioned bills. I think that the Communist Party will find it much more difficult to enlist support for its new front organization if the true nature of its objectives are widely known.

AMENDMENT OF NATURAL GAS ACT

(Mr. BURLESON of Texas asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BURLESON of Texas. Mr. Speaker, I am today introducing a bill, nearly identical to my bill of January 22, 1971, proposing an amendment to section 6 of the Natural Gas Act.

A great amount of entirely proper concern has been expressed about shortages in the supply or production of gas. But the urgent problems confronting the gas pipeline companies have not yet received the attention they merit, in that the supply of gas must be carried to the consumer. Under the current regulatory practices of the Federal Power Commission, the pipelines cannot obtain adequate capital on reasonable terms to first, construct pipelines to the new sources of supply which they must develop under their own initiative; second, to maintain, upon restoration of an adequate gas supply, a growth in pipeline facilities in line with the growing needs of a growing nation; and third, to carry forward research and development, especially in the field of synthetic gases through coal gasification and other techniques.

Mr. Speaker, this great Nation, with its needs for more economic growth, more employment, more industrial expansion, rising living standards, and more consumer satisfactions in the home, cannot resign itself to a long enduring shortage of energy. Even if we are forced to curtail the use of gas and other energy for some period of time, we must act at once to assure the needed expansion of the supply of energy. And we must act equally promptly to assure adequate pipeline facilities to reach and carry the needed volume of gas in a growing economy. To be sure, there is no pipeline shortage in general while the serious supply shortage persists. But additional carrying facilities cannot be planned and built overnight, and a prime prerequisite to their attainment is redevelopment of capital-investor attitudes more favorable to the pipelines than now exist.

The estimates of growth rate needs which I shall cite are based on the studies of an independent expert engaged by the gas pipeline industry. The high growth rate projection in this study reaches the conclusion that, from now through 1990, our total national production in real terms should increase at an average annual rate of 4.4 percent, and the intermediate growth rate projection is 3.8 percent. It is the commonly held view of almost all experts that the nature of technological trends, and the changing patterns of demand, require that energy consumption and energy transmission facilities should grow more rapidly than the economy at large. So it is a conservative assumption that energy transmission between now and 1990 should grow at an average annual rate somewhat in the neighborhood of 5 percent under the high economic growth rate projection, and considerably more than 4 percent even under the intermediate projection. Nothing like this is within range of achievement, without drastic changes in regulatory policies along the lines of my proposal, for reasons which I shall shortly demonstrate.

As I have already intimated, the main obstacle to adequate pipeline facility development is the recent and current regulatory practice of the Federal Power Commission. The adjustments in rates of return and price received by the pipelines—and indeed by the utilities in general—have lagged very far behind the steady and severe inflationary movement of prices in general, including money costs. This lag commenced, in general, circa 1961. These disparate trends have placed the utilities in a seriously and increasingly disadvantageous competitive position, when compared with key nonregulated industries. In contrast, it has always been the declared purpose of the regulatory process, affirmed by the courts, to maintain competitive equilibrium or equality between the regulated and nonregulated sectors. Even more important, the dollars received by the pipelines have become far short of the requirements for adequate growth in their facilities and services in the public interest.

From 1960 to 1972—estimated—the prices received by the major natural gas pipeline companies rose at an average annual rate of 1.8 percent. Meanwhile, the Consumer Price Index, which is the best single measurement of the inflationary process and rising costs in general, increased at an average annual rate of 2.9 percent. From December 1971 to December 1972, the consumer price advance was 3.4 percent. In early 1973, inflationary trends seemed virtually ungovernable.

The disparate and inequitable relative trends in prices received have naturally impacted upon profit trends. Comparing 1953–60 with 1960–72—estimated the average annual rate of growth, among the major A and B natural gas pipelines, declined from 5.2 percent to 1.8 percent for per unit revenues; declined from 9.4 percent to 7.2 percent for income before taxes; and declined from 11.4 percent to 9 percent for income after taxes. These data are in current prices; in real terms, adjusted for inflation, the adverse profit trends have been very much more severe.

The average annual rate of growth of investment in plant and equipment among the gas pipelines A and B, expressed in constant dollars, declined from 6.2 percent during 1953–1960 to minus 0.7 percent during the longer period 1953–1971, and minus 4.9 percent during 1960–1971—1972 data not available. Clearly, this adverse trend set in long before the emergence of the current shortage in supply. Expressed in current dollars, the average annual growth rate of investment in plant and equipment during 1960–1971 was minus 2.3 percent for the gas pipelines, contrasted with 7.5 percent for all U.S. industries, 6.4 percent for total manufacturing, 6.6 percent for refined petroleum products, 6.1 percent for motor vehicles and equipment, 8.2 percent for electrical machinery, 7.6 percent for nonelectrical machinery, and 11.7 percent for nonferrous metals. It is obvious that the actual growth rates in investment by the gas pipelines are utterly inconsistent with the needed growth rates in future which I have already depicted. And it is equally obvious that these needed growth rates require capital availability in magnitudes which depend upon drastic changes in the regulatory policies of the Federal Power Commission.

Although it is difficult to appraise all causes and effects with precision, it must be manifest that the adverse trends in investment threaten, in due course, optimum service to consumers, and would create a serious service deficiency in the foreseeable future if remedial action is not now commenced. Among the major A and B natural gas pipelines, the growth rate in physical sales declined from an average annual rate of 17.8 percent during 1947–1953 to 8.0 percent during 1953–1960, and 4.2 percent during 1960–1972—estimated. The decline from the second to the third period mentioned is especially indicative, in that our total national product in real terms grew at an average annual rate of only 2.4 percent during 1953–1960, but at 4.1 percent during 1960–1972. And even the rate of sales expansion during 1960–1972 cannot be maintained during the years ahead, without quick and decisive reversal of the adverse trends in prices received, income, and investment in plant and equipment, and the remedy of the insufficient resort to exploration and developmental activities.

Another factor operating very adversely to the natural gas pipeline industry has been the rise in the cost of money. This is particularly true because the ratio of long-term debt to capitalization in 1971 was 58.8 percent for the gas pipelines, contrasted with only 29.5 percent in manufacturing, and 20.0 percent in motor vehicles and equipment—1972 not available, but these ratios do not vary much from year to year.

The average interest rate on bonds issued by natural gas pipeline companies rose from 3.83 percent in 1952 to 8.7 percent in 1971—1972 not fully available. The embedded debt cost of gas pipelines rose from 3.54 percent in 1953 to 6.38 percent in 1971; and this trend imposed upon the gas pipelines, during 1954–1971 inclusive, an increased interest cost estimated at $1,449 million. The average interest rate on public utility corporate bonds rose from 3.45 percent in 1953 to 7.55 percent in November 1972. From 1961 to November 1972, these interest rates rose 65.2 percent.

In this connection, we should not be misled by some salutary reductions in interest rates at various times during the past few years, or from month to month, which have not substantially negated the extremely upward long term trend. Nobody knows where interest rates will be going during the months and years ahead, and there are some indications now that they are rising. Far more important, the embedded debt costs imposed upon the utilities will continue to rise until their rates of interest on new borrowings are lower than their then-current embedded debt costs. This is not possible in the foreseeable future.

Although the FPC has made allowance from time to time for rising interest costs, it has made at best miniscule allowance for the rising cost of equity imposed upon the gas pipelines. In consequence, the traditional gap between what the pipelines pay for debt capital and what they pay for equity capital has been greatly narrowed, to the point where payments for equity capital are grossly inadequate in terms of its greater riskiness than debt capital. This, in turn, has reflected itself in adverse reaction on the part of investors in the equities of the pipelines, indicated in many ways, including sharply declining price-earning ratios.

This adverse investor reaction is forcefully illustrated by relative trends in stock prices. Among leading natural gas pipelines, for whom data are readily available, average common stock prices appreciated by 91.1 percent from 1960 to November 1972, compared with 141.9 percent for the stocks of 9 New York City banks, and 153.1 percent for 181 consumer goods stocks. The result of these comparatively adverse trends has already been a downgrading in the market ratings of significant utilities, and more of the same is in prospect without drastic remedial action.

I shall now state the effects of these many adverse trends upon the dollars received by the pipeline companies, measured against the dollars they would have needed to perform adequate service today but for the supply shortage—and to be treated equitably in comparison with others in view of the general process of inflation—and the dollars they will need to perform adequate service in the future. The estimates I shall present in this connection have been developed by an independent expert, in studies prepared for the Independent Natural Gas Association of America.

For 1972, the actual operating income of the major gas pipelines is estimated at $1,129.6 million. In contrast, it is estimated, in the study referred to, that the appropriate number of dollars of operating income needed in 1972 was 1,252.0 million. This is derived by increasing operating income from 1961 to 1972 by allowing for first, actual increases in sales and second, increases in the Consumer Price Index from 1961 to 1972. It is found that 1961 is a fair year from which to begin, in that the comparative lag in prices received by the utilities started—as I stated earlier—circa 1961.

In 1977, assuming a 3.5 percent average annual increase in the Consumer Price Index from 1972 to 1977—a reasonable assumption on the basis of the historic record and recent trends—the major gas pipelines should receive 2,031.0 million dollars of operating income, with with service requirements much higher in 1977 than in 1972. Contrasted with this, if the regulatory processes made no allowance for inflation after 1972 in determining rates of return and prices received, the actual operating income available to the major pipelines in 1977 would be only 1,546.0 million dollars. Even if the legislation I am now proposing were promptly enacted and promptly applied, the major gas pipelines would receive only 1,837.0 million dollars of operating income in 1977. This would be 194.0 million dollars below, or more than 9.5 percent below, the needed amount. This exercise in itself demonstrates the extremely conservative nature of my proposal.

In 1980, again assuming from 1972 to 1980 a 3.5 percent average annual increase in the Consumer Price Index, and again allowing for growth in sales, the natural gas pipelines should receive $2,585 million of operating income. In contrast, the amount yielded by the 1980 volume of sales at 1972 prices received would be only $1,775 million. Even the formula I now propose would yield only $2,338 million of operating income in 1980. This would be $247 million below, or about 9.6 percent below, the needed level.

The primary significance of the above exercises is not that the pipelines would, under current regulatory practices, receive an inequitable amount of income during the years ahead; that is merely a hypothetical demonstration. For in reality, without changes in these regulatory practices, the pipelines would not be able to achieve adequate facilities and service in the public interest, and correspondingly would receive even less income than the deficient amounts stated above.

Essentially then, my proposal is designed, not only to yield to the natural gas pipelines industry in future a fair and reasonable participation in the progress of the U.S. economy generally, but also to gear them for adequate facilities and service, by bringing their prices received and incomes more into line with general trends. But never, not even during the period of absolute controls during World War II, did we fail to recognize the necessity for advancing those prices which were too low in terms of public need, even while seeking to maintain a generally stable price level, and forcing some prices downward. To be sure, if and only if inflation continues, enactment of my bill will require that the Federal Power Commission allow for this inflation in determining the prices received by the pipelines, and this will have some effect upon ultimate consumer prices. But this essential problem cannot be avoided by burying one's head in the sand. In the long run, the consumer will be hurt if prices received are insufficient to spark the amount of growth in investment required for optimum or even adequate service. To neglect this obvious principle would lead to the conclusion that it would be good for consumers to reduce the prices received by the utilities gradually toward zero.

The principle embodied in my bill is not only fair and necessary, but also in accord with current thought and action in increasingly significant portions of the national economy. Insurance companies are moving more and more toward the practice of adjustable benefits, taking account of the inflationary process and the declining purchasing power of the dollars. Interest rates on Federal obligations have been lifted for the same reason, and, despite some recent reductions, are still enormously higher than they were some years ago. To illustrate, the interest rate on long-term Federal bonds rose from 2.94 percent in 1953 to 5.50 percent in November 1972. Our social insurance systems, during the most recent years, have several times been adjusted specifically to reflect the declining purchasing power of the dollar. The practice of periodic wage adjustments, to take account of the rising cost of living, has now been firmly and unalterably established everywhere in the U.S. economy.

Still another example of the principle I advocate is the extent to which tax legislation by the Congress during the past decade has granted great benefits to the investment process. It is further illustrated by various actions of the Treasury, in enlarging depreciation allowances. Theoretically, some portion of these tax benefits granted during the past decade or so have applied to the regulated utilities. But in their case, unlike the case of others, these tax benefits have been largely counteracted by the disparate trends in prices received, and by the almost unique burden imposed upon the utilities by truly fantastic increases in the cost of money.

Most pertinent of all in this connection is the April 11, 1973, press release of the Federal Power Commission—No. 19144—relating to docket No. R–389–B, national gas rates, in which the Federal Power Commission proposes a single uniform national new gas rate for all producing areas.

In the first full paragraph of page 2 of this release, the Federal Power Commission states that—

> It is considering an annual review of rates prescribed so that current costs and market conditions will be reflected.

The Commission states that—

> It would consider, among other things, (1) changes in the Bureau of Labor Statistics' wholesale price index for industrial commodities, * * * and would then adjust, as required, either upward or downward, the rate previously applicable to gas from wells started since January 1, 1973.

This is exactly the same as the principle embodied in my bill, even though the expert who conducted the studies for the Independent Natural Gas Association of America concluded, and my bill so provides, that the use of the Consumer Price Index, rather than the wholesale price index for industrial commodities, is better suited and more equitable with respect to the natural gas pipelines.

From the viewpoint of the consumer, the conservative nature of my proposal is further illustrated by the comparatively low cost of gas to the consumer, with respect to heating the home. The data I shall now present are as of 1971, and have been supplied by the Independent Natural Gas Association of America; I am not aware that they have been seriously challenged elsewhere. In Brooklyn, N.Y., the cost of gas was exceeded by 3.8 percent for fuel oil, 80 percent for coal, and 162 percent for electricity. In Detroit, the cost of gas was exceeded by 65 percent for fuel oil, 71 percent for coal, and 277 percent for electricity. In Washington, D.C., the cost of gas was exceeded by 15 percent for fuel oil, and 85 percent for electricity, with coal data not available. In Seattle, the cost of gas was exceeded by 45 percent for fuel oil, 23 percent for coal, and 54 percent for electricity. In Memphis, the cost of gas was exceeded by 73 percent for electricity and 37 percent for coal. However, gas was 34 percent higher than fuel oil. In Atlanta, the cost of gas was exceeded by 45 percent for fuel oil, and 224 percent for electricity, with coal data not available.

Further, the adoption and application of my bill would not interfere with maintenance of a very wide margin of cost advantage to the consumer through the use of gas, as compared with other fuels. Even on the assumption of an annual increase of 3.5 percent in the Consumer Price Index from the base year 1972 through 1980, the average weekly cost to the consumer, spread over a period of 52 weeks, would rise from year to year by only 1.87 to 3.37 cents, depending upon the city. Thus, in 1980, the average weekly cost would be only 14.9 to 26.9 cents higher than in 1972.

The content of my bill has been indicated by what I have already said. Specifically, under the bill: From the end of 1972 forward, the Federal Power Commission, in determining the rate base of a regulated public utility, shall start with the actual legitimate cost of the utility plant existing as of December 31, 1972, less the accumulated reserve for depreciation as of such date. Then, this net investment in utility plant shall be adjusted for any decline in the purchasing power of the dollar, as measured by the Consumer Price Index, from December 31, 1972, to the date as of which the rate base is determined.

The conservative nature of my proposal is strongly demonstrated by the fact that its adjustment process would be applied only from the end of 1972 forward. Actually, as already stated, the serious lag in the prices received by the natural gas pipeline companies behind the inflationary process in general started about a decade before the end of 1972, and this, to date, has had a cumulative adverse effect upon natural gas pipeline companies. So my proposal goes only part of the way toward a completely equitable adjustment for the gas pipelines; it requires them to write off all past inequities in the form of lags in price treatment.

When the so-called "historic" original cost method was enunciated by Mr. Justice Brandeis in Southwestern Bell Telephone 50 years ago—1923—he assumed a declining trend in prices in the U.S. economy. This forecast has become completely refuted by developments since then. In December 1972, the price level, measured by the Consumer Price Index, was 149 percent higher than in 1923, and 155 percent higher than in 1950. The time is late for the regulatory processes to be brought into line with this reality.

Mr. Speaker, as I said more than 2 years ago, my proposal is fair, essential, and long overdue. I trust that it will receive full and careful consideration by the appropriate committees of the Congress, and be enacted this year. A great service would thus be rendered to a vital industry, to the consumer, to the economy at large, and to the entire public interest.

ESTABLISHMENT OF A SELECT HOUSE COMMITTEE ON PRESIDENTIAL CAMPAIGN ACTIVITIES

(Mr. PEPPER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. PEPPER. Mr. Speaker, recent criminal and immoral acts apparently committed by employees of the Government of the United States, many in high places, have shocked, saddened, and shamed the Congress and the country.

To preserve this integrity of our Government, such wrongdoing must be fully exposed and appropriate action taken respecting those guilty of such conduct.

The House of Representatives, the body of the Congress closest to the people, cannot stand aside in the effort fully to explore such apparent criminal and immoral acts, recommend appropriate action with respect to such persons, and recommend legislation which will protect the integrity in the electoral process for the Presidency and Vice President of the United States and the integrity of the Government of the United States.

Accordingly, I have introduced today a resolution substantially the same as Senate Resolution 60, as amended, setting up a Select Committee of the House to conduct such an investigation, authorizing the Speaker to appoint a select committee of 7 Members of the House, 4 from the majority party and three from the minority party, to conduct an investigation and study of the effect, if any, to which illegal, improper, or unethical activities were engaged in by any person acting individually or in combination with others in the presidential election of 1972 or in the campaign canvassing or activity related to it. Such committee would be authorized to act separately or in cooperation with the select committee of the other body.

I also propose we adopt a resolution expressing the sense of the House that the President invite the president of the American Bar Association to submit three names of persons qualified to act as special prosecutor of all offenses related to the 1972 Presidential Campaign or constituting criminal conduct on the part of any person employed by the Government of the United States at the time of the commission of such offenses and that the President shall name one of such persons special assistant to the Attorney General of the United States with full authority to investigate thoroughly and to take appropriate action with respect to persons believed to be guilty of such offenses.

IN FAIRNESS TO PRESIDENT NIXON

(Mr. WYMAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. WYMAN. Mr. Speaker, some reckless and extreme statements are being made these Watergate days about impeaching President Nixon. Some who ought to know better, including Members of Congress, would be well advised to remember a few things about President Nixon's record before talking of impeaching him for a cops-and-robbers exercise in futility on the part of an overzealous few who broke both the law and the rules of fairplay and got in deeper by trying to cover up.

Among things to be remembered during these trying days for the President are that this is the same President Nixon who took us out of the war in Vietnam and secured the return of American prisoners of war. This is the same President Nixon who took the huge political risk of journeying to Red China in the quest for world peace. It is the same President Nixon who went to the Soviet Union and announced the beginning of an era of negotiation in the interest of ending an era of confrontation. It is the same President Nixon who successfully negotiated an agreement with the Soviet Union on strategic arms limitations and has negotiations under way for further agreements of this nature, so the world can spend more of its time and resources on improving people's living standards instead of devising more and better ways to destroy mankind.

And, when all is said and done, just what did Watergate involve anyway? Here was no conspiracy to murder or even to rob. At most, it was an amateurish political spying operation motivated by an excess of zeal and partisanship, undertaken not by the Republican Party or its National Committee or constituent committees but by a small group of overzealous Presidential loyalists who ought to have known better but who, in both the act and the coverup, illustrated all the human frailties possessed by lesser men.

It is inconceivable that the President knew of or authorized Watergate in advance. It is doubtful that the President learned of it afterward, at least until the conclusion of the Sirica trial. When and if he did, it is certain that he was not a party to the coverup because in point of fact it has been established that the coverup was as much a coverup to keep the facts from the boss—President Nixon—as from a prosecution.

In these circumstances, those who now talk impeachment of a President who has done so much for this Nation and for mankind in general will live to regret the reckless extremity of their words—words which are bound to indicate to their respective constituencies that if they could go off the deep end once they could again and perhaps their constituents ought to have Representatives of better judgment.

THE WAR POWERS RESOLUTION OF 1973

(Mr. ZABLOCKI asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ZABLOCKI. Mr. Speaker, today I am introducing a resolution entitled "The War Powers Resolution of 1973."

This measure was reported yesterday from the House Foreign Affairs Subcommittee on National Security Policy and Scientific Developments, of which I am chairman, following hearings and extensive markup sessions.

This new resolution is being cosponsored by 8 members of the subcommittee who worked very hard to bring out the very best proposal possible. It is also being cosponsored by other distinguished Members of the House who have contributed much to the thinking on war powers which is reflected in this resolution.

As you know Mr. Speaker, the Subcommittee on National Security Policy and Scientific Developments has three times in the past two Congresses reported war powers legislation. Three times those measures were passed by the House by overwhelming votes—only to die because of Senate inaction or the inability to agree in conference.

The resolution which we have reported in this Congress is somewhat changed from those of the past. It would come to grips in a more direct way with the problem of finding an effective way for Congress to curb the excessive use of power by the President in committing American forces into armed conflict.

The new resolution provides a practical, effective and constitutional answer to this dilemma.

It does not shackle the President by limiting the circumstances under which he can commit forces to combat—as other war powers bills have done.

At the same time, however, it requires specific congressional approval of such commitments within 120 days or the actions must cease.

Or, if the Congress believes that the President has acted unconstitutionally or unwisely it can before 120 days has elapsed, order disengagement by the President through passage of a concurrent resolution of both Houses.

The safeguards provided by this legislation will, I believe, restore to the Congress its rightful role in the area of warmaking, the role which was envisaged by our Founding Fathers when they wrote the Constitution.

It is my hope that prompt action on this proposal will be taken by the Committee on Foreign Affairs and by the House in order that we may demonstrate our commitment to our responsibilities as Members of Congress and representatives of the American people.

The text of the resolution follows:

H.J. RES. 542

Joint resolution concerning the war powers of Congress and the President

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This measure may be cited as the "War Powers Resolution of 1973".

CONSULTATION

SEC. 2. The President in every possible instance shall consult with the leadership and appropriate Committees of the Congress before committing United States Armed Forces to hostilities or to situations where hostilities may be imminent, and after every such commitment, shall consult regularly with such Members and Committees until such United States Armed Forces are no longer engaged in hostilities or have been removed from areas where hostilities may be imminent.

REPORTING

SEC. 3. In any case in which the President without a declaration of war by the Congress—

(1) commits United States Armed Forces to hostilities outside the territory of the United States, its possessions and territories;

(2) commits United States Armed Forces equipped for combat to the territory, airspace, or waters of a foreign nation, except for deployments which relate solely to supply, replacement, repair, or training of United States Armed Forces; or

(3) substantially enlarges United States Armed Forces equipped for combat already located in a foreign nation;

the President shall submit within 48 hours to the Speaker of the House of Representatives and to the President pro tempore of the Senate a report, in writing, setting forth—

(A) the circumstances necessitating his action;

(B) the constitutional and legislative provisions under the authority of which he took such action;

(C) the estimated scope of activities;

(D) the estimated financial cost of such commitment or such enlargement of forces; and

(E) such other information as the President may deem useful to the Congress in the fulfillment of its constitutional responsibilities with respect to committing the Nation to war and to the use of United States Armed Forces abroad.

CONGRESSIONAL ACTION

SEC. 4. (a) Each report submitted pursuant to Section 3 shall be transmitted to the Speaker of the House of Representatives and to the President pro tempore of the Senate on the same day. If Congress is not in session when the report is transmitted, the Speaker of the House of Representatives and the President pro tempore of the Senate, if they deem it advisable, shall jointly request the President to convene Congress in order that it may consider the report and take appropriate action pursuant to this section. Each report so transmitted shall be referred to the Committee on Foreign Affairs of the House of Representatives and to the Senate Foreign Relations Committee for appropriate action, and each such report shall be printed as a document for each House.

(b) Within 120 calendar days after a report is submitted or is required to be submitted pursuant to Section 3, the President shall terminate any commitment and remove any enlargement of United States Armed Forces with respect to which such report was submitted, unless the Congress enacts a declaration of war or a specific authorization for the use of United States Armed Forces.

(c) Notwithstanding subsection (b), at any time that the United States Armed Forces are engaged in hostilities outside the territory of the United States, its possessions and territories without a declaration of war or other specific authorization of the Congress, such forces shall be disengaged by the President if the Congress so directs by concurrent resolution.

CONGRESSIONAL PRIORITY PROCEDURE

SEC. 5. (a) Any resolution or bill introduced pursuant to section 4(b) at least 45 calendar days before the expiration of the 120-day period specified in said section shall be referred to the Committee on Foreign Affairs of the House of Representatives or the Senate Foreign Relations Committee, and shall be reported out by such committee, together with its recommendations, not later than 30 days before the expiration of the 120-day period specified in said section.

(b) Any resolution or bill so reported shall become the pending business of the House in question and shall be voted on within 3 legislative days thereafter, unless such House shall otherwise determine by yeas and nays.

(c) Such a resolution or bill passed by one House shall be referred to the appropriate committee of the other House and shall be reported out not later than 15 days before the expiration of the 120-day period specified in said section. The resolution or bill so reported shall become the pending business of the House in question and shall be voted on within 3 legislative days after it has been reported, unless such House shall otherwise determine by yeas and nays.

SEC. 6. (a) Any resolution introduced pursuant to section 4(c) shall be referred to the Committee on Foreign Affairs of the House of Representatives or the Senate Foreign Relations Committee as the case may be, and shall be reported out by such committee together with its recommendations within 15 calendar days.

(b) Any resolution so reported shall become the pending business of the House in question and shall be voted on within 3 legislative days thereafter, unless such House shall otherwise determine by yeas and nays.

(c) Such a resolution passed by one House shall be referred to the appropriate committee of the other House and shall be reported out by such committee together with its recommendations within 15 calendar days and shall thereupon become the pending business of such House and shall be voted upon within 3 legislative days, unless such House shall otherwise determine by yeas and nays.

INTERPRETATION OF ACT

SEC. 7. Nothing in this resolution (a) is intended to alter the constitutional authority of the Congress or of the President, or the provisions of existing treaties;

(b) shall be construed to represent congressional acceptance of the proposition that Executive action alone can satisfy the constitutional process requirement contained in the provisions of mutual security treaties to which the United States is a party; or

(c) shall be construed as granting any authority to the President with respect to the commitment of United States Armed Forces to hostilities or to the territory, airspace, or waters of a foreign nation which he would not have had in the absence hereof.

EFFECTIVE DATE

SEC. 8. This resolution shall take effect on the date of its enactment.

NEIGHBORHOOD YOUTHS CORPS

(Mr. HAWKINS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HAWKINS. Mr. Speaker, within a few weeks millions of young men and women will be leaving school, dependent upon summer employment in order to return to school in the fall. In the past, the Federal Government has met this need with substantial assistance through the Neighborhood Youth Corps. This year, however, in spite of Mr. Nixon's statement that "the summer of 1973 is to be a time of expanded opportunity for young Americans," the summer of 1973 promises to be a time of anger, frustration and despair.

The administration has failed to allocate any funds whatsoever for the Neighborhood Youth Corps for fiscal year 1974. In addition, the President has requested the Congress to rescind the $256 million already appropriated for fiscal year 1973.

I believe the funding of this summer's youth employment program is a matter of serious and urgent concern. We must not only uphold the $256 million already appropriated, but must provide additional funds. The National League of Cities-U.S. Conference of Mayors has estimated the need for funding this summer to be $505.5 million to provide 1,018,991 jobs. In addition to funds already appropriated and $16.7 million which the administration plans to make available from other sources, at least $232 million must be included in the second supplemental appropriation which will be coming up within the next few days.

I sincerely hope that the President will recognize the compelling importance of this program and will press for adequate funding.

As chairman of the Subcommittee on Equal Opportunities, I will be introducing shortly legislation which will provide summer employment and recreation opportunities for disadvantaged youth. But we must not wait for action on this legislation before we respond to the critical situation we face this summer.

The need for prompt and forceful action in providing employment opportunities for young people is critical. As of March, young people between 16 and 19 were unemployed at a rate of 14.2

percent. Unemployment among minority youths was even more severe; the average unemployment for nonwhite youths in 1972 was 33.5 percent. The crisis level of unemployment can be expected to accelerate in the summer months.

On March 21 of this year, the administration announced that if local governments wished to provide job opportunities for young people, they could take funds out of an estimated $300 million under the Emergency Employment Act, thus forcing the cities to choose between jobs for unemployed adults or their teenage children.

There has been serious question, too, about the legality of using public employment program funds for the summer job program.

The basic requirements of EEA both in the nature of the work to be provided and in the target groups to be served are inconsistent with the requirements of the summer Neighborhood Youth Corps.

The $300 million in EEA funds includes $80 million earmarked for summer programs out of the Secretary of Labor's discretionary money. Under the Department of Labor's formula for distribution of the $80 million, many of the Nation's largest cities with urgent need for summer employment funds would receive nothing at all. Out of 212 cities, only 137 will receive any money from the EEA discretionary fund. Detroit, which last year received $6,801,930 in NYC funds; Los Angeles with $4,657,480 in 1972 NYC funds; San Francisco, which had $1,827,819 last year; New Orleans, with $1,090,870 in 1972; and Milwaukee, with a 1972 program of $1,058,700 will all receive nothing at all from the discretionary fund. Even for those cities which will benefit from the $80 million, the amount is pitifully small relative to the demand. Many cities have already allocated the funds which the administration has allowed for summer job programs to the PEP slots for which the money was appropriately intended. For those cities, particularly if they are not eligible for a share of the $80 million discretionary fund, there will be no summer job program at all.

The siphoning off of EEA funds would have a potentially disastrous effect on the already embattled public employment program. It has been estimated that if PEP continued at current levels with no replacements for those who terminate, funds for PEP would run out at the end of fiscal year 1974 with about 15,000 persons on the rolls who would have to be laid off at that time. If $300 million is used for summer jobs, funds would run out in October, and about 90,000 would have to be laid off.

Compared with the League of Cities estimated need of 1,018,991 jobs, the administration's proposals would yield a total of 776,000. The President has asserted that additional jobs will be forthcoming from the private sector, but it is likely that any new openings will go to regular employees who had been laid off. The National Alliance for Businessmen has set a goal of 175,000 slots, a goal which may be unrealistically high given the fund limitations of the NAB and the cutback by one-third of the number of NAB metropolitan offices throughout the country.

At a time when national unemployment is 5 percent and in many areas of the country, such as Watts in Los Angeles, is 18 percent or more—more funds, not less, are needed to provide employment opportunities. President Nixon's approach to the summer employment program places local officials in the agonizing position of having to terminate jobs for unemployed adults in order to provide summer employment for needy youth.

As Boston's Mayor Kevin White told the Subcommittee on Equal Opportunities on March 23:

> What the President is saying in regard to the PEP program he is saying in regard to revenue sharing. He is giving us the right to make decisions, but not sufficient money to provide for the needs we are faced with.

Congress must act now to assure that adequate funds will be available for both transitional employment in needed public services through the Emergency Employment Act and summer employment for disadvantaged youth through the Neighborhood Youth Corps. I strongly urge the President to take the leadership in this area and press for increased appropriations for summer youth programs, and to spend those funds which the Congress has appropriated.

TO COMPENSATE INNOCENT VICTIMS OF VIOLENT CRIMES

(Mr. OWENS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OWENS. Mr. Speaker, 2 days ago I introduced a bill to establish a national crime compensation program for innocent victims of violent crime and addressed the House to explain the purposes and provisions in that bill. I neglected one very important point, which is that my bill is comparable to a bill introduced into the Senate by the distinguished majority leader, Mike Mansfield. It is an extremely important and significant piece of legislation, and I urge that the House give it their most careful consideration.

ANOTHER FAILURE FOR AN OEO-FUNDED COMMUNITY ACTION AGENCY

(Mrs. GREEN of Oregon asked and was given permission to address the House for 1 minute, to revise and extend her remarks and include extraneous matter.)

Mrs. GREEN of Oregon. Mr. Speaker, from Corvallis, Oreg., a report has arrived which suggests that once again another OEO-funded community action agency has failed to provide any substantive survices for the community.

In an editorial in the Corvallis Gazette Times the newspaper calls for an end to a program in which "very little seems to go for direct assistance to low-income people."

I ask unanimous consent that the following editorial be printed in the Record.

[From the Corvallis (Oreg.) Gazette Times, Feb. 21, 1973]

Speed Demise of BLEOC

Sudden death is often preferable, given a choice, to a lingering terminal illness. The distinction is germane applied to the Benton-Linn Economic Opportunity Council.

The sentence has been passed on all Office of Economic Opportunity grantees by the Nixon administration. The next of kin, in Congress and out, may wail but the patient has been in pitiful health during the eight years of its existence, if the Benton-Linn organization is a fair example.

The program has simply not worked out the way it was intended. In this two-county area alone, it has gulped hundreds of thousands of dollars while only nibbling at the problems of low-income people. Frequent emotional upheavals and disruptions have shattered the governing boards; evidence of careless handling and accountability of funds persists. There simply has to be a better way to meet the needs of the less fortunate among us.

At the Thursday night meeting, the BLEOC board put a crash formula on the back burner. It should have been flushed down the drain. It would have allocated almost all of the $62,381 received for 1973 to a concentrated public relations sell of the idea of providing services for low-income residents.

That administrative pork barrel probably will be scrapped now that funding until Dec. 31, 1973 has been assured by the regional office. Earlier work plans may be revived—like a free dental clinic for low income people, top priority with a $6,000 allotment; $3,000 for participation in planning an inner-city transportation system with Albany; another $6,000 for working with other community agencies in finding jobs for 200 low-income youth this summer.

As should be apparent, BLEOC funds are for planning and for seeking other grants or resources to implement proposals. Very little seems to go for direct assistance to low-income people. The Head Start program in Sweet Home, for instance, is funded directly by HEW; family planning ($38,000) and senior citizen assistance ($32,300) have been spun off to the Council of Governments.

Larry Callahan, Benton County Commissioner who serves on BLEOC, has suggested that since the counties had to authorize formation of the agency, they have the authority to revoke that authorization. He believes Rep. Edith Green, D-Third District, placed language in the congressional act that specifically permits revocation.

If the planning activities of BLEOC could be transferred to other county agencies and the agency phased out more rapidly, little would be lost. BLEOC personnel already are seeking other positions; it would be foolish of them not to. Phase-outs are always difficult, efficiency and achievements decline. A prompt demise, with relocation assistance for personnel and programs, might be the kinder, wiser course.

LAKE MICHIGAN'S STORMS AND EROSIONS ON NORTHERN INDIANA'S COASTLINE—A NATIONAL DISASTER

(Mr. MADDEN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MADDEN. Mr. Speaker, Indiana citizens and all conservation organizations are alarmed at the terriffic erosions taking place annualy on Indiana's northern border by Lake Michigan's destructive winds and storms. Hundreds of residential and business properties have been undercut by the sand erosions cutting into the dunes area and inflicting millions of dollars' worth of damage on property owners extending over distances of 25 miles on the south shore of the lake.

I have on several occasions requested the Army Engineers to take a survey of this destruction. If efforts are not made by the Federal Government to protect these beautiful dune shores, it will eventually jeopardize the Indiana Dunes National Park area which someday should be one of the great public recreational parks of the Nation.

Before adjournment the 1973 Indiana Legislature passed a resolution calling the attention of the people of the State of Indiana and the people of the Nation to this alarming threat to this section of the State of Indiana. I do hope that before too long the Army Engineers can submit a plan for our Congress to act upon to give the proper authority and appropriate sufficient funds to halt and terminate this devastation of land, property and scenic beauty of the Indiana-Michigan Lakeshore area.

Mr. Speaker, I include with my remarks the resolution passed by the Indiana Legislature:

HOUSE RESOLUTION No. 25

Whereas, the continuing flooding conditions along the Indiana shores bordering on Lake Michigan are further aggravating an already critical erosion problem, and

Whereas, particularly in and around the towns of Long Beach, Michiana Shores and Dunesland Beach, the situation has reached near catastrophic proportions and

Whereas, the town of Long Beach has exhausted all of its resources and has gone into debt attempting to protect its water supply from flooding contamination and trying to keep access roads open so that the residents do not become isolated, and

Whereas, the general destruction of property and disruption of services is endangering the health and safety of all of the residents of the area, and

Whereas, the conditions are such that it is imperative that the State of Indiana take official action. Therefore be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

Section 1. That we respectfully request Governor Bowen, that because of the flooding conditions he officially declare and designate the Indiana lake shore area bordering on Lake Michigan as a disaster area.

Section 2. That he communicate that fact to the responsible federal officials and urge them to take appropriate action, forthwith, in accordance with federal disaster relief laws which, among other things, would make it possible for the residents of the strickened area together with the towns, to obtain low interest loans to repair the damages to the residents' property, in particular, and the entire area in general.

Section 3. Be it further resolved that the Clerk of the House forward copies of this resolution to the Indiana Senators and Representatives in the Congress of the United States.

Adopted by the Indiana General Assembly, 1973 Regular Session.

BUFFALO-AMHERST RAIL RAPID TRANSIT SYSTEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 15 minutes.

Mr. KEMP. Mr. Speaker, there must be a national commitment to an efficient transportation system in this country. And efficiency in our urban areas does not necessarily mean the private auto and more highways. Efficient urban travel for Buffalonians may be different than efficient urban travel for Washingtonians or New Yorkers or San Franciscans. It is these differences that are taken into account by the Senate version of the Federal-Aid Highway Act of 1973.

I supported the Anderson amendment in the House as it provided a choice to State and local planners. I felt, should these planners decide that more highways are needed to solve their city's transportation problems, they can build highways. Should they find that transit buses or rail cars are viable transportation alternatives to their congested highways, they should be allowed to fund public transportation modes. The Senate bill also provides these choices.

The Anderson amendment was narrowly defeated in the House, obtaining support from 47 percent of the Members present. Now the House and Senate versions must be reconciled in conference.

The Interstate System continues to completion, the rural program remains intact. The beauty of the Senate version is that it permits options for urban planners. It is no longer a matter of build highways or lose your trust fund money.

The 100 percent of the trust fund is still available for highway purposes. With the passage of the Senate version, 12 percent may be used for other transportation systems that will, in the long run, make highway driving even more efficient for all Americans.

Mr. Speaker, I view with alarm the fact that the Senate conferees have not yet been appointed, the current Federal-aid highway program will expire on June 30, 1973, and Rules Committee hearings on the Urban Mass Transportation Assistance Act of 1973 have been postponed indefinitely. Even though the Anderson amendment was defeated in the House, I hope the spirit of compromise develops in the House and invades the Senate in order that a conference committee might begin meetings promptly.

Mr. Speaker, the Common Council of the City of Buffalo recently adopted a resolution urging Congress to pass legislation allowing the use of highway tax moneys for multiple transportation benefits, and I would like to have the text of the resolution reprinted at this point.

Also, I would like to include my correspondence with Thomas Lazzaro relating to the mass transit needs of Amherst, N.Y.

The material follows:

No. 190

Re: Highway Trust Fund
For Mass Transit

Whereas, The Federal Highway Trust Fund established years ago is generating tax revenues in excess of reasonable needs for the sole purpose of building roads, and

Whereas, the Highway Trust Fund is the only example of taxing and funding area where the amount of money spent on a public need is determined by the amount of money collected rather than the amount of money needed, and

Whereas, the United States Senate has already passed legislation authorizing the use of portions of this fund to assist cities and states in improving bus and rapid transit facilities as well as operating subsidies to improve service, now, therefore, be it

Resolved, that this Common Council memorialize the United States House of Representatives to pass similar legislation so that the tax paying public may enjoy multiple transportation benefits from its highway tax dollars, and be it further

Resolved, that this Common Council respectfully request Congressmen Dulski, Kemp, Smith, Hastings and Conable to support this proposed federal legislation, and, be it further

Resolved, that copies of this resolution be sent to the aforementioned Congressmen, to the Chairman of the House Public Works Committee, Chairman of the House Finance and Taxation Committee, and the House Majority and Minority Leaders.

AMHERST, N.Y.,
April 17, 1973.

Hon. JACK KEMP,
Member of the U.S. Congress,
Washington, D.C.

DEAR MR. KEMP: There is a general concern of the residents of Amherst relative to certain design characteristics of the proposed mass transit system. The residents immediately adjacent to the proposed system feel that any proposal looking towards the future growth of Amherst should not destroy the existing environment, lower their property values, take away valuable tax producing properties and isolate the Eggertsville area from the rest of the Town of Amherst by an open-cut or overhead transit system.

For these reasons, our constituents are asking you to support a mass transit system that could be constructed without disturbing the present environment. This procedure can be accomplished by a "mole" procedure totally underground. The one general liability to using this procedure appears to be the initial construction cost. This certainly should not be the issue that forces a disastrous decision for the locality involved.

If the "mole" procedure were studied further, it may be the most effective and efficient way to accomplish the full aims of the NFTA and satisfy the present and future needs of the growing Amherst community.

The "mole" method would be a mechanical deep tunneling method which would get rid of any cut and cover and also eliminate the requirements for blasting which is very detrimental in a developed area. This method has been reported to be used in London, Paris, Moscow and Montreal. Also, it has been reported that the United States Government has stated that the mechanical deep tunneling method is the least costly method of construction of a mass transit system.

Sincerely,

THOMAS A. LAZZARO.

P.S. We are looking forward to you appearing in our immediate area at a public hearing.

CONGRESS OF THE UNITED STATES,
Washington, D.C., April 18, 1973.

THOMAS A. LAZZARO,
Amherst, N.Y.

DEAR TOM: I wish to reemphasize my assurance that members of the public will continue to be consulted at formal public and informal meetings in regard to environmental, aesthetic and other concerns relating to the design and construction of the Buffalo-to-Amherst rapid rail transit system.

My desire, for thorough public expression and input, is shared by others, including officials of the Urban Mass Transportation Administration, Buffalo, Erie County, Amherst, the Niagara Frontier Transportation Authority, the Area Transportation Committee and New York State.

These officials and I made certain, at our

April 10 meeting with UMTA Administrator Frank Herringer, that he understood our support for full public participation in decision-making aspects of the system. Mr. Herringer, in turn, expressed his full support for such participation, in concert with UMTA and Department of Transportation poliices.

The purposes of the meeting were to impress upon Mr. Herringer the importance of the rapid rail transit system as it relates to a balanced, less polluted transportation system, the systems beneficial effects to community and economic development, including greater employment opportunities, projected benefits to the inner city in terms of revitalization, more economical transportation for area residents, better access to hospitals, institutions of higher learning, places of employment and shopping, and very important, the absolute necessity of timely, federal funding assistance to assure not only ongoing progress on the system but also possible additions in costs which may result from necessary design requirements, inflation and other factors.

Along with others who attended the meeting, I came away quite pleased with Mr. Herringer's assertion that the federal government considers our system one of the four most important systems now planned or underway in the United States. I considered it a distinct honor and a sign that the Administration holds our project in very high regard that the administrator accepted our invitation to meet with us.

The format of the meeting, involving presentations by the officials, was necessarily tight because of the limited time (less than an hour and one-half) Mr. Herringer could spend with us. It was not a meeting in which specific design matters could be adequately aired.

As you probably noted from press accounts, there was no decision made as to final alignment nor design for controversial sections of the project, nor were such decisions scheduled at the meeting.

I do wish to point out that I represent sections of Erie County in which the transit system will be built and many constituents who will benefit from the system's construction.

Additionally and very important, is my desire to stress that rapid rail transit systems, such as the system planned for our community, are key elements in our fight to curb pollution, help restore our environment and to meet the needs of a balanced transportation system.

Finally, and coincidentally, the House this week will consider amendments to allocate a portion of Highway Trust Fund monies for mass transit systems. I have long been on record in support of allowing urban areas to use their share of the Highway Fund for mass transit and will speak out in support of, and vote for, if the opportunity is provided, the diversion of Trust funds.

I am deeply aware of the concerns you and others have in regard to the final design of our system. Such concerns, I believe, are constructive and in the best tradition of community involvement.

Sincerely,

JACK KEMP,
Member of Congress.

SELECT COMMITTEE ON AGING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama (Mr. EDWARDS) is recognized for 5 minutes.

Mr. EDWARDS of Alabama. Mr. Speaker, President Nixon has proclaimed the month of May as Senior Citizens Month, 1973. I am taking this opportunity to concur in this proclamation by introducing a resolution to create a select committee on aging in the House of Representatives.

There are over 20 million Americans in the United States age 65 or older. In my own First District of Alabama, there are over 40,000 senior citizens. These citizens are still making a significant contribution to our Nation. It is important that we maximize their contribution. It is important that we benefit from their wisdom, their experience, and their know-how. We must also recognize the great contribution they have made in earlier years to the success of our Nation. We must improve efforts by the Federal Government to insure these citizens a comfortable, dignified retirement with proper medical care.

I believe a select committee on aging would help achieve these goals by bringing together all the threads of programs and proposals which run through the legislative process. The current situation finds programs for the aged scattered among several committees, producing inevitable overlap and duplication. A select committee on aging, without infringing on the jurisdiction of existing committees in any way, could provide focus to problems of our senior citizens. It could hold hearings on recommendations by the White House Conference on Aging, by the various senior citizen groups, and by individual older Americans. The select committee would make recommendations for action by the House of Representatives to improve programs for senior citizens.

Mr. Speaker, we all know that the challenges facing this body which involve senior citizens are many and varied. Better employment opportunities, including the abolition of work disincentives found in the social security laws, must be provided. Better housing and better medical care are needed. Several Members of Congress, including myself, have introduced legislation to improve the private pension system. We must see to it that increases in social security benefits do not result in decreases in other benefits, as specified in my bill, H.R. 475. We must consider ways to relieve the burden which high property taxes place on many older Americans. Nutrition projects and comprehensive service programs are needed.

And we cannot forget the importance to older Americans of controlling Federal spending. Runaway Federal spending fuels inflation, which hits hardest at a retired person on a fixed income. Control of Federal spending and in turn the control of inflation are crucial so that the incomes of older Americans will provide the purchasing power and independence they deserve.

Our senior citizens are responsible for the success which our Nation enjoys today. They have provided us with the foundation for many more accomplishments tomorrow. There is no more important task facing our Government than to insure older Americans a meaningful, productive, and independent life. A select committee on aging is a good place to start to achieve stronger, more effective programs for older Americans.

NATIONAL FLOOD PLAIN POLICY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. BLACKBURN) is recognized for 5 minutes.

Mr. BLACKBURN. Mr. Speaker, today I am introducing a bill to establish a national flood plain policy and to authorize the Secretary of the Interior, in cooperation with Federal agencies and the States, to encourage the dedication of the Nation's flood plains as natural floodways, to protect, conserve, and restore their natural functions and resources.

The flood plains of this Nation's rivers serve a function of floodwater detention and regulation of our ground-water supply. These bottomlands produce hardwood timber and serve in the production of fish and wildlife. In conserving soil and reducing sediment production, they lengthen the life of downstream reservoirs, channels, harbors, and estuarine areas. Also, they provide open space, areas of scenic and other outdoor recreational attractions, and sites for scientific and educational ecological purposes. These functions and values deserve full recognition in the planning and development of the Nation's land and water which are not presently provided, because of the emphasis placed on economic development.

My bill would declare that flood plains have the above values to the Nation; would direct Federal agencies constructing, sanctioning, or assisting the construction of water and land development works which affect flood plains to give priority consideration to their preservation. Moreover, it would require such agencies to acquire, support, and encourage the acquisition of flood plains at Federal cost, with the administration optionally vested in the States, and would require the perpetual use of such acquired lands for such purposes as are compatible with purposes of the bill, including fish and wildlife habitat, outdoor recreation, timber production, natural areas preservation, and the like, as well as established conforming economic uses.

The bill would require Federal planning and construction agencies to conduct public hearings and to obtain and publish the views of the Secretary of the Interior prior to implementing plans in the Nation's flood plains. It would insure consistency of administration of the bill's provisions with other acts through development of guidelines by the Water Resources Council. Use of eminent domain would be limited where valid and effective land use regulations are in effect.

One of the main objectives of the bill is to encourage selection of nonstructural alternatives by Federal flood control and flood prevention planners in the interest of natural area preservation and maintenance of environmental quality. Planners would be given the option of analyzing the benefits and costs of flood plain as an alternative to channelization or other flood protection and prevention measures. Where this alternative demonstrated a better or competitive cost-benefit ratio, this alternative would be used.

The proposal is in harmony with the declarations and purposes of the National Environmental Policy Act of 1969 (83 Stat. 852), the Fish and Wildlife Coordination Act (48 Stat. 401), as amended, the National Flood Insurance Act of 1968 (82 Stat. 572), and the Wild and Scenic Rivers Act (82 Stat. 906), as well as a number of other acts.

It would supplement and round out existing water development planning authorities. It would be a logical corollary of the Fish and Wildlife Coordination Act which provides that fish and wildlife shall be equally considered with other features in water resource development planning. In many cases, fish and wildlife, as well as outdoor recreation and flood control, could be best served at lowest cost by outright acquisition of flood hazard areas. Further, the bill compliments the provisions of section 103 of the National Environmental Policy Act of 1969 which requires review of present statutory authority, regulations, policies, and procedures which prohibit full compliance with purposes and provisions of that act followed by the proposal of corrective, conforming measures.

Since the proposal anticipates least-cost solution of flood management with coincident natural area and environmental quality preservation, savings in flood control and flood prevention costs as well as in social costs are expected.

LEGISLATION TO AID CIVILIAN DEFENSE WORKERS AFFECTED BY BASE CLOSINGS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. O'NEILL) is recognized for 5 minutes.

Mr. O'NEILL. Mr. Speaker, I take this time to inform my distinguished colleagues in this Chamber of the importance of the bill I am introducing today, the Emergency Manpower and Defense Workers Assistance Act of 1973.

The members of the Rhode Island and Massachusetts House delegation have joined me in cosponsoring this necessary legislative effort as a result of the Defense Department decision to close the Boston Navy Yard and the Westover Air Force Base in Massachusetts, and the Quonset and Newport bases in Rhode Island.

The closing of more than 274 defense installations in 32 States will have a harsh and doleful impact on more than 28,000 civilian defense employees who stand to lose their jobs. In addition, some 13,000 others will experience adverse relocation difficulties as they are forced to leave their neighborhoods, relatives, and friends. And so many of these are older workers who have been employed on these bases during the major part of their professional careers.

As I introduce this measure today, I call upon all Members who have base closings in their districts to join with your colleagues from Massachusetts and Rhode Island to enact this bill which would provide the following benefits to all those workers malevolently affected by the defense closings:

Guarantee a readjustment allowance for 1 year to each worker unemployed as a result of this action.

This allowance will fill the gap between unemployment benefits or pensions and 75 percent of the worker's average weekly wage in the year prior to termination.

Continue health plans now available to these workers with the Government paying at least 75 percent of the cost for a period of up to 3 years following termination unless they obtain employment before that period.

Provide early retirement with benefits to workers 60 and older with 10 years of work on their jobs, or to workers 55 and older with 15 years of employment on this base, or to workers 50 and with 20 years of previous employment.

Make eligible to communities where these bases are located to reemploy the workers in public agencies under the Emergency Employment Act.

Direct the Secretary of Labor to make available additional funding through existing manpower training programs to provide manpower training and job counseling for the affected individuals.

I strongly believe that these benefits accruing to the several thousands of workers who will lose their jobs as a result of the Defense Department decision to close the 274 installations are initial steps which the Federal Government must take to ease their economic and social burden. But, I might add that we are introducing this legislative relief in the event that all our other efforts fail to impress upon the Defense Department the necessity for reassessing these base closings.

I am dismayed over the abrupt and callous closing of the Boston Naval Shipyard—the important defense facility in my district. I have written to the President requesting that the Members of the Massachusetts and Rhode Island delegations be given an opportunity to discuss in person the effect which this decision will have upon the New England economy.

I have also introduced legislation along with other members of the New England delegation which would, if enacted, establish a commission to review the proposed closing of any military installation. The commission would be charged with the responsibility of evaluating any decision to close bases and would be required to report any closing to the Congress within 90 days after notification from the Defense Department that it intends to close any military installation. The provisions of this measure would apply to any base closed on or after April 1, 1973.

In Massachusetts alone, some 13,000 jobs are directly affected by the decision of the Defense Department. This parallels similar employment situations in other States where installations will close down.

So, I urge all Members to support us in this endeavor, for I feel it is imperative that we act immediately and decisively to help those civilian employees who are forced to bear the unjust burden of the Defense Department's insensitive action.

MORE MILES PER GALLON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. VANIK) is recognized for 10 minutes.

Mr. VANIK. Mr. Speaker, amid the complex issues which combine to create our energy crisis, I am concerned that the interests of the American consumer are being neglected and trampled in a high level shell game between Government and industry. I see this in the new system of import controls on petroleum which inflate fuel prices to the consumer all to protect an already pampered domestic industry; I see this in the President's recommendation to deregulate the price of natural gas—a move which could cost the consumer billions of dollars annually in higher gas bills; I see this in the administration's proposal to extend more tax advantages to the oil industry.

In short, the energy crisis could merely serve as a pretext to gouge the consumer and provide windfall profits to the energy industry.

In the months ahead a gasoline shortage threatens to cripple the country. Gas rationing, while not yet begun, is certainly being contemplated by the administration. For his part, the consumer has been manipulated into a situation over which he has little control. As gasoline prices accelerate and shortages become more widespread, the ordinary citizen will have little choice but to buckle under to the pressure.

The automobile has become an important American institution. Direct gasoline consumption by cars represents 13 percent of our total energy budget.

In 1970 more than 95 percent of urban passenger traffic and 85 percent of intercity traffic was carried by the automobile. The auto has become the major cause of the congestion which chokes our cities. At the same time it is responsible for almost one-half of the emissions by weight which pollute our air. Between 1950 and 1970 automobile travel increased threefold to 900 billion vehicle miles. During the same period per capita auto travel increased by 85 percent. And there is no indication to show these trends slowing in the future: Detroit is now predicting an output of 934,300 units for May, the largest monthly total in history.

Unfortunately, the auto industry should have seen long ago that the national interest would best be served by a cleaner, safer, more efficient automobile. But the industry is slow to move without a stimulus. A case in point is the automakers' reluctance to assume responsibility for the pollution their product contributes to our air. On the well-publicized effort of the auto companies to meet the requirements of emission control in the Clean Air Act, the National Academy of Sciences commented:

> It is unfortunate that the automobile industry did not seriously undertake such a program on its own volition until it was subjected to governmental pressure. A relatively modest investment, over the past decade, in devlopmental programs related to emissions control could have precluded this crisis that now prevails in the industry and the nation.

Only now, as a response largely to foreign competition, the automakers are beginning to realize that economy in automaking is a marketable commodity. But the trend toward smaller cars began several years ago. In 1969, the V-8 engines were equipped in 88.8 percent of new car sales; in 1971 this figure dropped to 78.8 percent. Again, however, the industry has been painfully slow in responding adequately to national needs.

Mr. Speaker, as a response to these developments, today I am introducing legislation to promote the interests of the American consumer in the long-term problem of gasoline supply and to prod the industry into changing its ways. With crude oil becoming increasingly precious, our Nation cannot afford to keep on manufacturing cars which guzzle gasoline at a rate of under 10 miles per gallon. The large gas consuming automobile is becoming extinct in its own time. We must recognize this vital fact, for the only person who really suffers from a gasoline shortage is the consumer.

Under the proposal I am submitting today, the American people can become aware of the vast costs involved—to himself, to his neighbors, to the entire Nation—of buying an oversized, inefficient automobile. This bill will impose a Fuel Economy Excise Tax based on the fuel consumption characteristics of automobiles, as measured by the Environmental Protection Agency.

MAJOR PROVISIONS OF THE FUEL ECONOMY ACT OF 1973

There are three important features of the tax scheme I am proposing. The key factor in the tax is its timing. The initial rate structure will not go into effect until July 1, 1976, which will be in time for the 1977 model year. There will be ample time for automakers to assess the impact of this tax on their design, manufacturing, and marketing strategies. I want to stress that this tax is not intended to hammer-lock the industry. It instead provides an essential incentive to manufacture a more efficient automobile—for the benefit of the American consumer.

The second important characteristic of this proposal is that the excise tax is graduated. Those cars which are more inefficient pay more tax. Under this legislation an interim rate structure will be in effect for a period of 5 years. Any car with over 20 miles per gallon, as determined by the EPA, will be assessed no tax. The full schedule is printed below:

If fuel economy (in miles per gallon) is—	The tax rate between 1976–81
Over 20	0.00
Over 19 but not over 20	1.00
Over 18 but not over 19	1.50
Over 17 but not over 18	2.00
Over 16 but not over 17	3.00
Over 15.5 but not over 16	4.00
Over 15 but not over 15.5	6.00
Over 14.5 but not over 15	8.00
Over 14 but not over 14.5	12.00
Over 13.5 but not over 14	16.00
Over 13 but not over 13.5	24.00
Over 12.5 but not over 13	32.00
Over 12 but not over 12.5	40.00
Over 11.5 but not over 12	48.00
Over 11 but not over 11.5	56.00
Over 10.5 but not over 11	64.00
Over 10 but not over 10.5	80.00
Over 9.5 but not over 10	96.00
Over 9 but not over 9.5	114.00
Over 8.5 but not over 9	128.00
Over 8 but not over 8.5	160.00
Over 7.5 but not over 8	192.00
Over 7 but not over 7.5	224.00
Not over 7	256.00

TAX SCHEDULE SHIFTS TO INCREASE FURTHER THE BURDEN ON THE INEFFICIENT AUTOMOBILE

[After 5 years]

Miles per gallon	Tax after July 1, 1981
Over 20 (no tax)	
Over 19, under 20	8.00
Over 18, under 19	12.00
Over 17, under 18	16.00
Over 16, under 17	24.00
Over 15.5, under 16	32.00
Over 15.0, under 15.5	40.00
Over 14.5, under 15.0	48.00
Over 14, under 14.5	56.00
Over 13.5, under 14	64.00
Over 13, under 13.5	80.00
Over 12.5, under 13	96.00
Over 12, under 12.5	114.00
Over 11.5, under 12	128.00
Over 11, under 11.5	160.00
Over 10.5, under 11	192.00
Over 10, under 10.5	224.00
Over 9.5, under 10	256.00
Over 9, under 9.5	320.00
Over 8.5, under 9	384.00
Over 8, under 8.5	448.00
Over 7.5, under 8.0	512.00
Over 7.0, under 7.5	640.00
Under 7.0	768.00

FUEL ECONOMY: WHAT IS IT?

Many factors have an impact on the rate at which an automobile consumes fuel. But EPA has found that the weight of the vehicle is the primary determinant of fuel consumption. Put quite simply, a 5,000-pound car consumes twice as much gas as a vehicle half its weight.

However, there are other characteristics which effect the fuel economy of a vehicle. The most publicized has been the controversial emission control systems manufacturers have had to install in order to comply with the Clean Air Act of 1970. The EPA has found that these devices depress the full economy of the average car by only about 8 percent. I say only because, for example, air conditioning will decrease the efficiency of the automobile by about 9 percent. Automatic transmissions represent a fuel penalty of 5–6 percent. And according to Dr. David Rose of MIT, the use of radial tires may increase the fuel efficiency of the automobile by as much 10 percent through the reduction of road friction. It appears that the impact of emission controls on fuel consumption has been distorted by the manufacturers.

There are also more subjective factors affecting fuel economy: A "hard" driver—one who accelerates quickly and drives above recommended limits—will consume more gas than a driver who is more careful. Vehicle design also contributes to the efficiency with which a vehicle consumes gas.

All these factors—vehicle weight, accessories, design, driving habits—must be considered in defining the fuel economy of a vehicle. Under my legislation, the Administrator of the EPA is instructed to establish a standard procedure for testing fuel economy. Important work in this direction has already been done by the Society of Automotive Engineers, and it should be no problem to devise such a procedure.

With a standard procedure in hand, the EPA will test each manufacturer's proposed line of vehicles for the coming model year. The EPA will rate each vehicle and include in its calculations the following factors: the weight of the vehicle with a standard load, the impact of accessories such as air conditioning and automatic transmission, the recommended gasoline and the difference in an urban and a highway driving cycle. Once the testing procedure is completed, the EPA will compile the results, and it will be on this basis that the Secretary of the Treasury will impose the excise tax. In addition, the EPA's report will be made available to consumers through the Government Printing Office.

Smaller cars have been popular in Europe for many years. This popularity does not grow from European fascination with the small car. Rather, there are in Europe serious restraints to the large car: the highways are neither as wide nor as well designed as our super highway system; fuel costs are high—as ours will soon become—and there is usually a heavy tax imposed on the weight of the vehicle. In short, Europeans have very pragmatic reasons for buying smaller, more efficient automobiles.

THE HIGH COSTS OF GASOLINE TO YOU

I have compiled a table illustrating the costs of various automobiles with various fuel economies. According to data compiled by the Motor Vehicles Manufacturers Association, the average passenger car travels 10,000 miles per year. The following statistics are compiled on that basis. An increase in that distance would tend to spread the difference between the low efficiency vehicle and high-efficiency vehicle, while an annual distance of less than 10,000 miles would tend to narrow the difference.

The table follows:

COST OF DRIVING A CAR FOR 1 YEAR (ASSUME 10,000 MILES)

	Miles per gallon													
Price per gallon	32	30	28	26	24	22	20	18	16	14	12	10	8	6
$0.37	115.62	123.32	132.13	142.30	154.18	168.17	185	205.57	231.25	264.37	308.32	370	462.50	616.68
$.38	118.75	126.65	135.70	146.15	158.35	172.71	190	211.13	237.50	271.43	316.65	380	475.00	633.35
$.39	121.88	129.99	139.27	149.99	162.51	177.26	195	216.68	243.75	278.58	324.99	390	487.50	650.01
$.40	125.00	132.32	142.84	153.84	166.68	181.80	200	222.24	250.00	285.72	333.32	400	500.00	666.68
$.41	128.13	136.65	146.41	157.67	170.85	186.35	205	227.80	256.25	292.86	341.65	410	512.50	683.35
$.42	131.25	139.99	149.98	161.53	175.01	190.89	210	233.35	262.50	300.01	349.99	420	525.00	700.01
$.43	134.38	143.32	153.55	165.30	179.18	195.44	215	238.71	268.75	307.15	358.32	430	537.50	716.62
$.44	137.50	146.65	157.12	169.22	183.35	199.98	220	244.46	275.00	314.29	366.65	440	550.00	733.35
$.45	140.63	149.99	160.70	173.07	187.52	204.53	225	250.02	281.25	321.44	374.99	450	562.50	750.02
$.46	143.75	153.32	164.27	176.92	191.68	209.07	230	255.58	287.50	328.58	383.32	460	575.00	766.68
$.50	156.25	166.65	178.55	192.30	208.35	227.25	250	277.80	312.50	357.15	416.65	500	625.00	833.35
$.60	187.50	199.98	214.26	230.76	250.02	272.70	300	333.36	375.00	428.58	499.98	600	750.00	1,000.02

Some interesting conclusions can be made from this chart. In a choice between a large luxury car with a fuel economy of 8 miles per gallon and a smaller economy car, the difference in gasoline costs over the year can be considerable.

Economy car:	
24 miles per gallon regular gas at $ .42/gallon	$175.01
Luxury car:	
8 miles per gallon premium gas at $ .44/gallon	550.00

Assuming the same distance of 10,000 miles driven over the year the difference in cost to the owner is about $375. Over the life of the car—say 5 years—the difference in fuel costs ranges to $1,875. It is likely the costs will be even higher, however, because fuel costs themselves are almost certain to rise.

From the above table the consumer can calculate his fuel costs for the various choices he has before him. As fuel costs rise, the difference between the low-efficiency automobile and the high-efficiency automobile will grow. Taking the example above with a fuel cost for both cars of 60 cents a gallon, the difference between the two in annual fuel costs zooms to $500.

CONCLUSION

My bill is a consumer protection bill. But its impact goes beyond. Due in large part to its voracious appetite for energy, our country is facing the likelihood of significant trade imbalances from our energy needs. The net foreign exchange burden may be as high as $10 billion by 1980. We owe it to ourselves—to our national security—to eliminate wasteful consumption of precious petroleum. If America's 92.7 million passenger cars could increase in efficiency from 12 miles per gallon to 18 miles per gallon, the Nation could save over 25 billion gallons of gasoline per year—a significant savings in view of our present overreliance on foreign petroleum supplies.

The bill is not a restrictive bill; it does not ban the large car. Rather, it provides an incentive to economize. The fact that the legislation does not go into effect until model year 1977 allows the manufacturers to readjust their marketing strategies.

The enormous "gas-guzzling" automobile has become obsolete in our own time. More efficient automobiles will not only alleviate the skyrocketing demand for gasoline, but also will work to lessen the contribution of pollution. We must take positive steps immediately toward the goals of conservation and clean air. Any other course can only invite further crisis.

POLISH CONSTITUTION DAY—1973

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ANNUNZIO) is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, on May 3, 182 years ago, Poland adopted its first democratic constitution. This is a stirring and momentous event not only for the people of Poland, but for the entire world, for it must be remembered that Poland adopted this constitution only a few years after our own democratic Nation was founded. At that time, such freedoms as detailed in the Polish Constitution were almost unknown in most parts of the world. The Polish Constitution of 1791, the French Constitution of 1792, and the American Constitution are among the great landmarks in the growth and development of constitutional law the world over.

When the historical circumstances of Poland in 1791 are taken into consideration, the adoption of this precious document is all the more remarkable for its foresight and vision, for only 4 years after this declaration of a sovereignty which derives "from the will of the people," Poland was partitioned and conquered by several powerful and autocratic neighbors.

The 1791 constitution made Poland a constitutional monarchy with a responsible cabinet form of government. Ancient class distinctions and privileges were wiped out, and the government was strengthened by bringing the peasantry under the protection of the law. What is perhaps even more significant for those days and that part of the world was the fact that the constitution guaranteed absolute religious freedom. In this and other ways, the Polish Constitution was in the vanguard of democracy's advance into Central and Eastern Europe.

Throughout the years, there have come to our land millions of men, women, and children of Polish birth. They have brought to this country the rich heritage of their own culture along with the passionate love of freedom and order under law which was their birthright. These traditions and qualities have been amalgamated into the tradition that we call American. America has been enriched and Western civilization has been enriched by this process.

Mr. Speaker, the 500th anniversary of the birth of Copernicus makes 1973 the "Year of Poland" throughout the world. Because of unfortunate geographical circumstances, Poland as a nation has not been able to forge its democratic ideals into a viable, practical system of government. The brave history of this nation, however, with its long tradition of enlightened and humane thinkers, such as Copernicus; artists, such as Chopin; research scientists, such as Madame Curie; and idealistic freedom fighters, such as Kosciuszko and Pulaski; is proof enough that the Polish people, whether in their homeland or in their adopted countries, cling to the lofty principles of human dignity and liberty.

Mr. Speaker, as we join in this tribute to Poland on this anniversary, the United States of America is indebted to Poland for its many contributions to our progress and well-being. It is indebted to Poland for the millions of its citizens who came to this country to help build it into the greatest Nation of all time. The same zeal and warm desire for freedom, that same determination to develop itself through the ages, has been a dominant factor in the growth and development of our great Nation.

This annual commemoration of the Polish constitution in this American House of Representatives provides a forum through which we pay tribute to the men who forged the inspiring document and also to those brave souls who through the years have sacrificed their lives so the ideals embodied in the Constitution of 1791 might take root and prosper.

In my own city of Chicago, a commemoration of the May 3, 1791 Constitution of Poland is being sponsored on Sunday, May 6, by the Polish National Alliance. Vice President Helen M. Szymanowicz is the general chairman of the Constitution Day celebration.

Chicago area residents of Polish heritage will attend a solemn mass, the principal celebrant of which will be the Reverend Casimir Czaplicki, pastor of Holy Trinity Catholic Church. A parade to Humboldt Park will feature marchers dressed in Polish costumes, bands, drum and bugle corps, and floats whose theme will be historical events in the life of famed Polish astronomer Nicolaus Copernicus.

Following the parade, ceremonies will be held in Humboldt Park at the foot of the Thaddeus Kosciuszko monument. Aloysius A. Mazewski, president of the Polish National Alliance and the Polish American Congress, will be master of ceremonies.

Mr. Speaker, as Americans of Polish ancestry all over the country commemorate the 182d anniversary of Polish Constitution Day, I join with the tens of thousands of Polish-Americans in my own city of Chicago and the 11th Congressional District of Illinois, which I am proud to represent, in a tribute to those who have struggled and are continuing to struggle in order to transform into a living, working, everyday reality the noble ideals expressed in the Polish Constitution of May 3, 1791.

LEGISLATION RESTORING THE MENOMINEE TRIBE TO FEDERAL RECOGNITION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. MEEDS) is recognized for 5 minutes.

Mr. MEEDS. Mr. Speaker, I am pleased to cosponsor the legislation introduced yesterday which would repeal the act which terminated Federal recognition of the Menominee Indian Tribe of Wisconsin.

In most cases where the Federal Government has committed a great wrong against the Indian people, the remedial approach generally taken and, indeed, sometime the only remedy available has been to make a monetary compensation for the wrong.

We are, in this case, fortunate to have an opportunity to right a great wrong which was done to the Menominee Indians by substantially restoring them to their former status, largely intact. In 1954, the Federal Government said to these Indians, with a callous disregard for the impact that it would have upon them and their lives and future, "You are no longer Indians." In 1954, this tribe was making great strides in improving the condition of its members and was leading the way to real "self-determination without termination." After the 1954 act, they were destroyed as a people and, in large part thrown upon the public welfare roles. We are fortunate to be able to say to them, "You are Indians."

I would hope, Mr. Speaker, that this is just the first step on the part of this Congress to begin a concerted effort to relieve the injustices which have been and are being done to the American Indian people. As chairman of the Subcommittee on Indian Affairs, I am firmly committed to that goal.

But, Mr. Speaker, enactment of the legislation ought also to be viewed as a symbolic act to give substance to repeated statements in the Congress and the executive branch that termination is no longer the policy of the Federal Government in the administration of Indian affairs. I consider introduction of this legislation and a commitment to speedy action on its passage as a signal to the Indian people—and I firmly hope that they view it as such—that this Congress in its acts and in its legislative program for Indians will not accept termination as a rational solution to the many problems which overwhelm and frustrate Indian people. I want the Indian people across this country to be assured that the leadership in the House is not only antitermination in its rhetoric, but is antitermination in its deeds and acts. Speedy action on the passage of legislation of this nature will, in a most concrete manner, bring this assurance home to the Indians.

I must say that there are a few provisions in the bill with which I do not agree. But I would hope that this is just the beginning of a dialog on this bill and on the whole area of termination as a dead policy.

For my part, I do not intend to let this dialog end here. I have already planned field hearings in Wisconsin on May 25, 26, and 27 to take up the Menominee legislation. We will have an opportunity to take testimony from the people, Indian and non-Indian, most directly affected by the 1954 termination act and this legislation correcting that injustice.

I also intend to use that opportunity to hold general oversight hearings into the severe problems of Indian health and education.

Mr. Speaker, I strongly support the thrust of the Menominee restoration legislation and hope for speedy passage.

MINISTERS AND SOCIAL SECURITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. ROUSH) is recognized for 5 minutes.

Mr. ROUSH. Mr. Speaker, today I am introducing a bill, with cosponsors, to provide for voluntary agreements between ministers and their churches to treat ministers as employed persons thereof.

I first introduced this bill last year and prior to doing so I contacted 300 clergyman in the congressional district I represent, the Fourth District of Indiana. In fact, it was a minister who had asked me to introduce just such a bill.

Clergymen from many denominations and churches responded, including representatives from the Protestant, Catholic, and Jewish faiths. Some few objected to being considered as employed persons under social security, mainly because they feared that additional redtape would be involved. The vast majority were eager to see such legislation passed.

The bill that I have introduced and am now reintroducing defines ministers so as to cover all religious faiths. Another important feature of this bill is the fact that it provides for a change for clergymen from the status of self-employed to employed only where there is a voluntary agreement on the part of the clergyman and the church involved. The purpose is, of course, to reduce costs for the average minister who finds a rather meager salary in today's world rapidly being eroded by additional costs.

I do not believe that this change would bring undue expense to the churches and I do believe that ministers deserve this consideration. I am convinced that most congregations and churches would be willing to make provision for this additional expense and they would not have to do so, if they chose not to.

Sometimes we forget that clergymen often have the same family expenses that the rest of us have, with less expectation of financial remuneration. They must maintain homes and educate their families and contend with inflation, just like the rest of us. While in no way can they be fully compensated for the kind of work they do, the service they perform, the dedication and sacrifice they experience, we can make it a bit easier for them financially in this simple way, by lessening the amount they must pay for the retirement needs we all face. I believe this Congress recognizes how profoundly clergymen deserve our support and assistance.

In the past few weeks I have received letters from people outside my district who have heard of this legislation and approve of it. Today I received a letter from the wife of a minister pointing out that their income is about $8,000 yearly, that they have a family of five, with the oldest in college. She suggests that this social security amendment "would at least give us a little more income to use." That is the exact purpose of this proposal.

OPPOSE MILITARY FUNDING REQUEST

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. ADAMS) is recognized for 5 minutes.

Mr. ADAMS. Mr. Speaker, as I am sure my distinguished colleagues know, the President has requested a transfer of $500 million in supplementary appropriations to continue military combat operations in Southeast Asia. This request is in direct conflict with the stated policy of the House Democratic Caucus.

This morning, the Democratic Steering and Policy Committee adopted a resolution recommending that a special Democratic Caucus be convened on May 9. This resolution urges the caucus to approve an amendment to the second supplemental appropriation for fiscal year 1973 that would block the administration from further military operations in or over Indochina by denying the funding request.

I remind my colleagues that on January 2, 1973, the Democratic Caucus declared:

> No further public funds be authorized, appropriated, or expended for U.S. military combat operations in or over Indochina, and that such operations be terminated immediately subject only to arrangements necessary to insure safe withdrawal of American troops and the return of American POWs.

Mr. Speaker, these conditions have been met, but the bombing goes on. If it continues, we are going to be dragged into another war that nobody wants, but apparently nobody in the administration knows how to stop.

None of the present bombing operations have been authorized or approved by the Congress. In fact, the caucus has indicated it would not support any kind of military operations in Indochina after the prisoners were returned and the troops withdrawn.

It seems to me that the only way to end these actions is to turn off the spigot. Money—or the lack of it—is one language this administration understands.

The administration has asked for what amounts to another Gulf of Tonkin resolution. I urge all of my colleagues to join in stopping—now—all further military operations in Southeast Asia.

THE ADMINISTRATION'S "TAX REFORM" PROPOSALS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 5 minutes.

Mr. REUSS. Mr. Speaker, the administration's "tax reform" proposals this week lose revenue when we need to raise revenue, and open loopholes when we need to close them. In the upcoming fiscal year starting July 1, 1973, they will cost the Treasury $600 million. The administration has left undone those things which it ought to have done, and has done those things which it ought not to have done, and there is no health in it.

The following examples show how the administration proposals would operate to benefit wealthy individuals:

First. Taxpayer A, a 66-year-old retired executive with $400,000 invested in bonds and stocks, has an income of $20,000 a year. A owns an $80,000 house, on which he pays $1,500 in annual property taxes. A, although worth $400,000, receives a tax credit of $250.

Second. Taxpayer B earns $30,000 a year, and is the parent of four school-age children. He sends two daughters to Miss Hall's—$1,600 each for tuition—and two sons to Lawrenceville—$2,300 each. Despite an annual income which classifies him in the upper 5 percent of Americans, B receives a tax credit of $200 for sending his children to these private schools.

Corporations, many of which already do not pay anything like the nominal 48 percent, would also benefit from some of the administration's proposals:

First. The oil industry will get an exploratory drilling credit of between 7 and 12 percent to add to its impressive string of existing preferences. Exxon, to name one company, which paid $210,727,000—or 7.7 percent of its net income—to the U.S. Government in 1971, would have saved $13,510,000 in taxes if the administration's provision had been in effect. Since Exxon's exploratory costs have risen by almost one-third in the past year, its tax saving will be even greater now.

Meanwhile, the totally senseless depletion allowance and deduction of intangible drilling costs on U.S.-owned wells in Libya, Saudi Arabia, and elsewhere overseas, continues undiminished. The new loophole, as drafted, should prove as futile in encouraging domestic exploration as the old. But at least the administration might have repealed the old to pay for the new.

Second. The minimum taxable income proposal, designed to tighten the current ineffective minimum tax, does not apply to corporations. ITT, for example, paid 4.2 percent of its net income in U.S. taxes in 1970, 4.9 percent in 1971. The administration's proposal does nothing to tighten the corporate loophole.

Serious tax reform, if it comes, will come in spite of the administration.

TOWARD A NEW CARIBBEAN POLICY

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, last Saturday evening I had the privilege of addressing a distinguished group of scholars, businessmen, and journalists who had assembled in Miami for a jointly sponsored University of Miami-American Assembly conference on "The United States and the Caribbean." Because of the importance which I firmly believe the United States should attach to the area, I would like to take this opportunity to include in the CONGRESSIONAL RECORD the prepared text of my remarks.

In making the speech, I stressed three points which I increasingly am conviced must be the foundation of our policy toward the developing areas of the world and hence a general framework within which a more constructive Caribbean policy should be evolved. The first of these points is that classical economic development theories have so far failed more than they have succeeded in improving the lot of men and women in the developing world and consequently we must join with them in seeking new solutions. Secondly, it is increasingly clear that the U.S. high consumption economy is not a realistic economic model for most of the developing countries. Finally, these two points lead to a third conclusion: that the United States can no longer allow U.S. business to be the flag carrier of American foreign policy.

The text follows:

Toward a New Caribbean Policy for the United States

Ladies and Gentlemen, I am honored to be here this evening. The American Assembly of Columbia University in the short time since its founding in 1950 has rapidly become, without any doubt, one of our country's most prestigious and important forums for the discussion of issues of great importance to the United States.

Likewise our own University of Miami, whose bright future I had the good fortune to foresee, and which I had the good judgment to attend, has emerged in only a few years from its obscure beginning to become one of the nation's most distinguished universities. The joint sponsorship of this great conference on the United States and the Caribbean by two such distinguished institutions is, I believe, of particular significance, especially since it is the second such conference since 1970. It demonstrates clearly the paramount importance which both institutions attach to the relationship between the Caribbean and the United States. I share your view of the importance of the Caribbean and of the United States policy toward the area.

The Caribbean is a vast area, some five million miles, including hundreds of islands bordered by thousands of miles of shoreline of the United States, Mexico, Central and South America. It is an area so large in size and so diverse in its inter-reactions with the lands surrounding it that it is difficult to precisely define exactly what is meant by the Caribbean region. I will not attempt to provide such a precise definition here tonight. Suffice it to say that most of my remarks will be directed to the islands of the area, independent nations, associated states, or territories, be they of British, Dutch, French, or Spanish extraction. Lest anyone be offended, please feel free to add or subtract any other bordering countries or areas that you feel should properly be included as a part of the Caribbean.

Perhaps the loudest cry in Western Hemisphere political circles is that the United States under its present administration has no policy toward Latin America. That charge dramatically highlights what is wrong with our Caribbean policy for it implies two things: First, that we once had an effective Latin American policy and now we don't; second, that Caribbean policy is a part of our Latin policy. The tragedy is that both are true. We in the United States have not had a separate meaningful Caribbean policy. What little policy we did have was an offshoot of our Latin American policy. Today we seem to have no clear policy at all toward Latin America as a region and hence almost no policy at all toward the Caribbean. Perhaps, in the short run, that is a blessing in disguise for no policy may be better for the Caribbean than the wrong policy. In the long run, however, the United States must stop its rudderless drift across the Caribbean and face up to the emerging new realities of the Caribbean and develop a clear, coherent policy toward the area.

Some may find it a surprise to hear me suggest that the United States has not had a Caribbean policy. After all, there is the Monroe Doctrine and an endless list of places where our soldiers and marines have landed to help secure independence, preserve public order, or accomplish some task we deemed in our national interest. But, I submit, the sum of our actions on behalf of the defense of our own security against threats, real or perceived, is hardly a Caribbean policy—it is a policy of self preservation which this nation and every nation will continue to practice wherever and whenever it feels it must, hopefully, with a great amount of discretion and judgment.

Surely the United States has had and will continue to have a great interest in the Caribbean for strategic and military reasons. At the same time, we must adjust the strategic component of our Caribbean policy to the realities of the 1970's—that our primary potential enemy already has a major Caribbean ally and is unlikely to want another expensive client state—that other powers external to the Hemisphere are withdrawing from the area, not advancing into it, and lastly—that technology increasingly makes it unnecessary for a potential enemy to have a base near to the United States. What this means is that while military consideration remain important to U.S. policy they are not likely to become of overriding concern.

What then is there to impel U.S. concern for the area? First of all, because we ourselves are there. The United States is not just near the Caribbean, it is directly a part of it. Puerto Rico and the U.S. Virgin Islands are in the Caribbean. Our interests in the Panama Canal are intimately intertwined with the whole area. In addition, there is the obvious importance of $3 billion worth of U.S. investments in the area—investments in, among other things, bauxite which supplies 40% of our need for aluminum and oil to ease our energy crisis. The Caribbean is also a market for almost $1 billion of our products.

Less obvious ties include the tens of thousands of Caribbean residents who have come to the United States to stay on to earn money to help less fortunate members of their families. One reporter speculated, for example, that if all the Barbadian nurses in New York left, the city's hospitals would have to close. In sharp contrast to this, there is the growing importance of the Caribbean to the average American's lifestyle. Surely our affluent lifestyle would lose something of its attraction if a Caribbean vacation were no longer a part of it.

The second fundamental reason which compels our interest in the Caribbean is that we have no other real alternative. We cannot, ostrich like, ignore the area. Whether we like it or not the old order has changed and unloosed forces which will leave us no opportunity but to adjust to change. The only prudent and realistic course for the United States is to recognize that there is a new Caribbean, to recognize that we cannot be indifferent, to recognize that if the area is to be viable and to provide a better life for its people, the active, generous and sensitive concern of our own people will be needed.

If we now have no meaningful policy other than what results from the sum of our policies toward the independent states of the area, and if we should have a policy, the obvious question then is what should our policy be? First, let me discuss for a few moments the concepts I believe must underlie any successful U.S. policy toward the Caribbean.

Clearly, our policy must be grounded in the realities of the area. It must recognize that on islands where 25% of the labor force is unemployed and 50% underemployed, the needs of people, while miniscule by standards of a country as large as the United States, are immense with respect to the islands' resources—and that other developed countries are either unwilling or unable to provide needed capital and technical assistance.

A successful policy, likewise, must recognize the peculiar nature of the region's most economic problems. The Caribbean is a unique area in the world. Its native population was all but totally replaced by a colonial system designed not to build self sustaining colonies but to serve a distant motherland. This legacy of economic servitude to other nations increasingly is unacceptable to the people of the region whether they live in an old or newly independent nation. It will not be enough to simply offer the states the opportunity to become a part of our economy. Recognizing that their economies will always be tied closely to other nations, they want and should have the right to insist that the prime concern of their own economies should be the welfare of their own people.

Similarly, we must realize that the sheer size and force of our impact on the relatively weak and developing nations of the Caribbean is such that we can inflict great damage or provoke deep resentment without even being aware of it. This fact must be taken into account or we risk failure of any long term effort to build cordial and mutually constructive relations with our Caribbean neighbors. This will require, on our part, the development of great sensitivity to the needs and feelings of the Caribbean and a tailoring of our own methods of doing business to the vital requirements of their countries. It also means that the United States should play a supporting and not a participating role in regional organizations.

Finally, if our policy of constructive involvement is to have any chance of helping the Caribbean peoples achieve a proud and rewarding place in the life of the Hemisphere the United States must gear its policies to strongly supporting Caribbean initiatives toward regional cooperation. Many of the separate nations of the area are still looking for their own national identities. Some have found them. But while it is all but inevitable that the sense of community that defines nationhood in a psychological and political sense will be different on each island, it is equally clear that in economic terms the islands will, for the most part, be able to become successful only in full cooperation with larger economic groups. The only realistic way to insure political, economic and social viability thus appears to be regional economic cooperation between autonomous political units.

Having reviewed in a general way the framework for a new, more positive and constructive U.S. Caribbean policy, I would like to turn to a discussion of some specific steps which I believe the United States should take.

First, no new coherent policy of the kind which is needed will emerge solely as the result of deliberations here, in the Congress or in any other forum. Such a policy must be deliberated by and agreed to by the President and, where necessary, concurred in by the Congress. So the first order of business must be action by the President to review options and to initiate a new policy, hopefully through a direct Presidential statement. As a contribution to this process the Inter-American Affairs Subcommittee, building on this and other conferences, plans to conduct a series of Congressional hearings this summer on U.S. Caribbean policy.

Second, as a measure of our concern and an indication of our interest the Secretary of State should at the first opportunity take action to raise the level of consideration of Caribbean issues within the U.S. government by designating a separate Deputy Assistant Secretary whose sole responsibility would be Caribbean affairs. Currently the responsible official at that level must divide his time between Mexico, Central America and the Caribbean. Furthermore, consideration should be given to forming an interagency coordinating group, chaired by the State Department, to focus attention on Caribbean issues.

Third, the United States should continue and expand its efforts within the OAS and other Hemisphere and world organizations to see that needed attention and resources are devoted to the Caribbean.

Fourth, we should intensify the level of U.S. support for regional institutions of all kinds. In particular we should immediately approve the furnishing of an additional $12.5 million to the Caribbean Development Bank and, in view of the region's relatively small needs in terms of our own resources, provide such additional funds as may be needed based on the Bank's competence and the ability of the region to effectively absorb capital inputs. To complement this policy, the United States should, in so far as possible: divert bilateral aid into multilateral channels, and restrict bilateral aid to technical assistance.

Fifth, we should review our policies of support for U.S. investment to see whether, in the Caribbean context, different U.S. government rules and regulations should apply. For example, we cannot ignore the possible long term negative repercussions of rapidly accelerating U.S. control of the best waterfront land on many of the islands.

Sixth, a complete review of the current United States sugar quota system should be made to insure that it operates in a manner which truly benefits both producer and consumer.

Seventh, we can and should put our own house in order by facing up to the serious problems in our own Virgin Islands and by giving to Puerto Rico the political power it needs to have its views effectively made know on matters which concern the commonwealth.

Eighth, we can and should stay out of the domestic affairs of the Caribbean. Intervention can only be legitimate when there is a clear and present danger to our survival. Anything else would constitute unjustified meddling by us and probably be counter productive in the long run.

Ninth, in providing direct or indirect assistance to the islands, and in reviewing the operations of our private sector, we should stress social development, i.e., meaningful change in the lives of individuals. This will require, among other things, more attention to agricultural reform, an increased rate of return on tourist dollars, and more skillful use of available funds.

Tenth, the United States should not refrain from suggesting new areas for regional cooperation, such as development of a re-regional capital market to increase the productivity of locally available resources—establishment of an institute to maximize employment by rediscovery of past technologies appropriate to areas with abundant labor, and mutual efforts to properly explore and utilize the area's common heritage, the sea itself.

Clearly, the steps I have outlined are not a comprehensive list of all the elements appropriate to a constructive U.S. Caribbean policy. It is my hope, however, that these remarks have made a useful contribution to what all of us, have tried to do at this meeting—to define new ways in which, working together, the peoples of all our countries can insure a better tomorrow for future generations.

GOVERNOR REUBIN ASKEW ADDRESSES GOVERNORS' DINNER

(Mr. DORN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DORN. Mr. Speaker, it was my great honor to be present for the address the Honorable Reubin O'D. Askew, Governor of Florida, delivered before the ninth annual South Carolina Governors' Dinner. An overflow, enthusiastic audience heard the Governor's speech, including our own revered Governor, Hon. John C. West, former Governor Robert McNair, Senator EARNEST HOLLINGS, and my colleagues, Representatives TOM GETTYS, JAMES MANN, and MENDEL DAVIS.

Mr. Speaker, Governor Askew's address follows:

REMARKS OF REUBIN O'D. ASKEW, GOVERNOR OF FLORIDA, AT THE NINTH ANNUAL GOVERNORS' DINNER

First, let me express my appreciation for the interest you've shown in the State of Florida.

It's a personal honor for me to be here, but doubly so since your speaker last year was my good friend and fellow Floridian, Senator Lawton Chiles.

That makes two years in a row for Florida . . . something we regard as a special token of friendship and warmth on your part.

Be assured that the Democrats of Florida return that friendship.

We're gathered here tonight neither to dwell nostalgically on the glories of our predecessors, nor to mourn a great Party that has lost its mission.

But rather we're here to celebrate the continued health and vitality of the Party of the people.

And well we should.

Because the fact is those who say the Democratic majority is dead in this country are about as accurate as those who said the Republicans were destroyed in 1964.

Democrats are very much alive and well and numerous in the South, in the North, among blacks, among whites, in our rural areas, in our cities, among workers and professionals, and among wealthy and middle-class Americans as well as the poor.

And this is good and healthy . . . not because you and I are Democrats but because we're Americans. We're freedom-loving people who have opposed one-man rule since the day King George was confronted with the signatures of four South Carolinians and 51 other patriots on a document known as the Declaration of Independence.

We're people who have thrived under a delicate system of checks and balances ever since four South Carolinians joined other Americans to write the basic document that governs this land.

And we're people who love liberty and cherish the genius of our Founding Fathers and the patriotism of their successors in devising and preserving a way that liberty can be maintained for our children.

And so I say to you that no administration, today, yesterday, or tomorrow, should go unchecked in this country by a strong, loyal, and determined opposition.

And it's up to Congress and the party out of power, more than anyone else, to see that no executive forgets that basic tenet of American political thought.

This is one reason why dedicated and capable leaders like Fritz Hollings and Lawton Chiles, and Sam Ervin from your sister State to the north, have been fighting so hard in Washington.

This is one reason why a strong two-party system is essential to the survival of democracy as we know it.

And this is one reason why the current battle of Washington is just as important as that struggle against old King George 200 years ago.

It's not a matter of politics, but of power, and the dangers involved when too much of it is concentrated in the hands of one person.

Fortunately, we now have a better remedy for concentrated power than was available in 1776.

We have the Constitution and its guarantees on separation of power.

And as a citizen observing from nearly a thousand miles away, I'm proud that Democrats in Congress are insisting that those guarantees be upheld.

I'm also reassured by the wisdom of the people in attempting last November to see that Democrats in Congress would be strong enough to face up to a landslide President.

This is not to say that we should always have a Republican Congress when a Democrat is President, or a Democratic Congress when a Republican is President . . . or that there is anything wrong when a candidate for President receives a substantial vote of the people . . . because every Presidential candidate seeks it.

But it *is* to say that we should have an independent Congress when *anybody* is President.

The two-party system has given us that.

And I'm hopeful that with its help and our support, and with the President's statement this week, both the Executive and Congress will continue to function as the Constitution intended, with neither encroaching on the prerogatives of the other, but with both sharing their powers and responsibilities for the good of the people.

But if *Congress* reflects the continued strength of the Democratic Party and the two-party system in this country, so do our statehouses.

No less than 31 of our 50 Governors today are Democrats.

No less than 8 new Democratic Governors, as compared to 4 new Republicans, were elected last fall, despite the Nixon landslide.

Here again, I believe the country is the beneficiary. The Governors represent another loyal opposition to the Executive although in a slightly different way.

While a Democratic Congress is the best hope for *checking* a landslide President of the opposite party, Democratic Governors are in the best position to improve upon that President's domestic policies and provide sensible alternatives.

I think many of our Governors have been doing just that.

It's my feeling, in fact, that Governors of today like your own John West have helped to create a general renaissance in State Government over the past few years, a renaissance that crosses the entire country and makes the new federalism of which the President speaks a very real possibility.

State government seems to have come to the end of a long and sleepy age from which many of us thought it might never recover.

It's beginning to show independence, imagination, and responsiveness again, the qualities that made historians at one time refer to the nation's state capitols as "laboratories of democracy."

We have governors throughout the country who've been eagerly awaiting the decentralization of power, money, and responsibility of which the President so often speaks, because those governors agree that Washington has become too cumbersome and too distant to effectively deal with many problem's of the people.

Those governors want to continue the search for a better day for all people. They're ready, able and eager to help with the battle for a new federalism.

And they want to relieve the taxpayer of waste and inefficiency without removing compassion and human concern from the national purpose.

And I think they can do so. If the federal Government truly "shares" its responsibilities with the States, as implied by the rhetoric of the season.

But they can't do it if Washington flatly abdicates its responsibilities, as seems to be the case in many critical areas . . . only time will tell whether this is so.

They can't do it if revenue sharing turns out to be little more than buck passing, if decentralization is only an excuse for Government to take from the average citizens and give to the privileged few. And they can't do it if "up" is actually "down" in a topsy-turvey world of Government by rhetoric and confusion.

And so those of us who constitute the loyal opposition within the States to the party in power in the White House have a responsibility nearly as awesome as our colleagues in Congress. We must see that the people aren't deceived—that they get what they're told they're getting, and that some very good ideas born of clever sloganeering don't die of benign neglect.

In other words, we must see that those who promise a new partnership for the people make good on that promise, or answer for their failure to do so.

Which brings us to the responsibility that all of us face as a party.

No national political party can really remain very effective for long if it consistently fails to win the White House itself.

We've failed twice consecutively, largely because we practiced the politics of exclusion.

In 1968, we excluded reform elements and allowed party stalwarts to select our nominees.

In 1972, we excluded the stalwarts and allowed the reformers and various interest groups to select our nominees.

There are some who say we've been excluding the South for years and allowing other sections to select our nominees.

Ladies and gentlemen, we must now practice the politics of "inclusion" in Democratic Party . . . for the good of the party . . . and for the good of the country . . . for in our very diversity we will find the real source of our strength.

Only by standing together can Democrats win a national election. That's the way it is, the way it always has been, and the way it always will be.

Fortunately, our national chairman is well aware of that.

Bob Strauss is making every effort to see that Democrats of all pedigrees and persuasions participate in the highest councils of the party.

As you know, he has formed a new Democratic Policy Council that includes among its members the two Georges of the past campaign—Wallace and McGovern.

I think it's a healthy sign that both of these men are serving on that council, thereby indicating their commitments not only to be Democrats, but to be active, working Democrats as well.

And I know there are those who say that this is an unlikely partnership, born only of political expedience. And obviously these two gentlemen have their differences but to answer whether Wallace and McGovern have anything in common, we need only to point to the one major issue of last year's campaign that the Republican administration is trying very hard to forget—and that's the burning desire of the people of this country for true tax reform.

Both of the Georges called for sweeping changes in our Federal tax laws, as did virtually every other Democrat in the primaries, and the people responded with their votes every time

Yet the issue seems to have been forgotten.

And it may well stay forgotten, along with many other issues directly affecting the pocketbooks and the health and well-being of ordinary hard-working Americans, as long as we Democrats remain divided against ourselves.

And so let us promise ourselves then not to permit the division of the past to continue.

Let us teach one another that we can stand for progress without renouncing all that came before us, and all that is treasured tradition.

Let us remember that ideological warfare is folly in the party that has always thrived as America's marketplace of ideas.

Let us remember that this party believes in the free enterprise system, and led it out of the depression to a prosperity of unprecedented magnitude. This party believes in America, and led her to victory over tyranny in World War II. And this party believes in human decency, and responded to its requirements in the decade just past.

Let us also remember that this is a party of which we have every right to be proud, every reason to cherish, and every obligation to pull it back into the mainstream of American politics . . . where it must remain if the two-party system is to continue in this country.

And let us remember that that system, and the participation of the widest variety of people within it, give our government the stability and continuity which have made it the envy of the world.

Southern Democrats, of all people, must appreciate the value of a two-party system. We haven't had one for very long. Yet in that time, our own politics has matured considerably. Our governments have grown more responsive, our public officials are more alert, and our participation in the national electoral process is no longer perfunctory.

Let us see then, that we retain this competition in the south, and not simply trade a one-party system of one label for a one-party system of another label.

Let us be aware at all times that this game of politics is not a game at all. It is the central thread in the achievements and failures of man. And how we weave that thread might well determine whether we'll survive as a free nation dedicated to individual liberty and devoted to the pursuit of happiness for all people.

Thank you.

LAW DAY 1973

(Mr. DORN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DORN. Mr. Speaker, we commend the American Bar Association for annually sponsoring Law Day on May 1. Our concept of constitutional government is based on government by law, not government by men, and it is fitting and proper that this be reemphasized, especially on May Day. We are all familiar with the sight of Chairman Brezhnev, Premier Kosygin, President Podgorny, and Marshall Grechko reviewing the May Day Parade in Red Square, a parade traditionally designed to glorify the supremacy of the state and the party over the individual. This is the era of public relations and salesmanship, Mr. Speaker, and the totalitarian world is making shrewd and sometimes successful efforts to sell government-by-decree and worship of the state. It is up to us to draw the contrast with our system, a system based on individual dignity, liberty, freedom and worth of the individual. Ours is a government based on the inalienable right to liberty and the pursuit of happiness.

This legacy of freedom and individual dignity has been defended, protected, and preserved by the American legal profession. I shudder to think whether real freedom and justice would remain today without the legal profession, who at the grassroots are guaranteeing and protecting the rights of the people. In totalitarian states, on the contrary, the academic, legal, and religious community are among the first targets of those who would control the minds of men. They are even among the first in some cases to be liquidated, as the totalitarian state bends individual freedom and dignity to the will of the state.

This is no time to undermine the courts and legal institutions of the Nation. Should we lose our constitutional right to a fair trial by jury in open court, we lose the very foundation stone of our heritage of freedom.

Mr. Speaker, on this Law Day, 1973, I commend the bar association for a major contribution to preservation of our democratic society and I commend the entire legal profession for its emphasis on the worth and dignity of the individual.

A DISILLUSIONED CITIZEN

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, I would like to talk today about a matter which I believe strikes to the core of representative democracy in this country. We find ourselves in the incredible situation where we must doubt the honesty of the President of the United States. I speak not as a partisan Member of this body, but as a frankly disillusioned citizen. When the facts first came to light last fall, I was sure that the President's campaign committee only would bear the full burden of guilt. I attributed their espionage against the "free" election process to be motivated by overzealousness alone. It was incomprehensible that the Office of the President could have been a knowing participant.

Now we have mounting evidence that the closest associates and political advisers of President Nixon did plan the bugging of the Watergate offices of the Democratic Party as well as other illicit acts of political espionage. The men who actually carried out the Watergate crime have been convicted. But who planned it? Mr. Nixon has portrayed himself as an innocent bystander who knew nothing of its execution or of its coverup. But now we wonder. We must wonder now when we learn that he ordered John Ehrlichman to conduct a secret White House investigation of Daniel Ellsberg—independent of the Justice Department.

That secret investigation carried out by two Watergate felons, resulted in the burglary of the files of Mr. Ellsberg's psychiatrist.

And now we are told that John Ehrlichman last month summoned the judge in the Ellsberg case to the Western White House to tell him he was being considered for a high position. During this visit, the judge talked to the President. I am sure this was not an accident. As for the job offer, we are told it was the directorship of the FBI, one of the most coveted posts in our country.

There are all kinds of "carrots" available as we know—money, influence, position. We have already learned that the Nixon campaign had plenty of money to throw around—suitcases of it in $100 bills. But in this case, it was position. A decision to offer the judge a position has the merit of leaving no evidence of wrong doing. So last month, the presiding judge, U.S. District Court Judge W. Matt Byrne, Jr., was invited to call at the Western White House at San Clemente. That standing alone would be bad enough, but what's worse is Judge Byrne talked to Ehrlichman a second time.

I cannot imagine by what enticement Judge Byrne agreed to meet with Ehrlichman twice. But we do know that one does not just bump into the President in the hall. His was not a casual conversation at a cocktail party. He went to San Clemente at the request of Ehrlichman and while there talked to the President, however briefly, it was the final stamp of approval of the conversation with Ehrlichman, which was reconfirmed by a second visit between these two men.

President Nixon has already demonstrated his abundant contempt for the legislative branch of Government. His closest aides have ignored the well thought-out advice from leaders of his own congressional party. He has chosen not to spend money appropriated by Congress. He has illegally ordered the closedown of OEO. Further, Nixon's former attorney general, Richard Kleindienst, recently proclaimed a sweeping doctrine of executive privilege whereby every Federal employee from every clerk on up could choose not to testify before Congress. This is a contemptuous defiance of the Congress.

President Nixon we know has conducted his foreign policy with neither our advice nor our consent. What have we left? Only the courts. The American people have always had great faith in a fair and unbiased judicial system. The Supreme Court and the judiciary was our last hope. And the Senate only recently fought and won two battles against confirmation of men who lacked the stature for service on this great institution of justice.

And now we find that President Nixon has used the prestige of his office to interfere with the fair and impartial administration of justice as well. He has compromised our judicial system. I am mortified that the President of our representative democracy—that we hold to the world, not to mention our children, to be a model for all humankind—could act in any way to cast a cloud upon the right of a person to a fair and unbiased trial.

The White House involvement in the Ellsberg case tells us—pious statements notwithstanding—that President Nixon was not above calling for private and secret investigations. We certainly cannot now turn our heads to the possibility that the President may have had prior knowledge of the plans to bug the Watergate as well. We cannot now turn our heads to the possibility that the President in apparent distrust of our electoral processes, may have chosen to sidestep the system by permitting spies and thieves within his organization. We cannot turn our heads to such an arrogant disregard for law and order. We cannot shut our eyes to the lies which were proclaimed in the name of the President by merely declaring that those previous statements are now inoperative.

If we champion our freedom, it must be by insisting that all persons, including the President, now be made to tell the American people the whole truth. As the President himself stated on April 30, he holds a sacred trust. I believe this trust has been breached.

The present occupant of that office owes all of us an explanation. Only the whole truth will suffice, aired in public to all the people, not in statements made behind closed doors to grand juries or special investigators, where we cannot hear for ourselves what the facts are. Failure to come forward now will only further erode the people's confidence in the office of the President.

President Nixon cannot go back to business as usual. His most important business is the people's trust which he holds as a sacred obligation. This trust now calls for all the truth to be told. President Nixon must put aside all personal loyalties to his friends and associates. From what is already known he cannot continue to reiterate his confidence in them.

Now is time for him to have the courage to confront the truth. This is the only way to protect the office he holds from irreparable damage.

GEN. WILLIAM R. PEERS, COURAGEOUS ARMY INVESTIGATOR OF MYLAI: ANOTHER BLACK EYE FOR THE ARMY

(Mr. STRATTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. STRATTON. Mr. Speaker, last April 13 the press reported the impending retirement from the Army of Lt. Gen. William R. Peers, currently deputy commander of U.S. forces in Korea. General Peers, as Members will recall, was the Army's top investigator of the Mylai incident. He did an outstanding and courageous job, and his forced retirement now, though claimed to be made necessary by the demands of "Secretarial policy" on Army retirement, can only show that the Army is still determined to put itself in the worst possible light in the Mylai massacre case.

In an Army hierarchy dedicated to covering up the real facts of Mylai, General Peers was a welcome breath of fresh air, candor, and hard-hitting integrity, and whatever excuses may be given for his early retirement, it can only be regarded as retaliation from the "club" for having conducted an honest investigation of a few of West Point's fair-haired boys. After all, General Peers came into the Army through the Reserve.

As one who has followed this whole Mylai case carefully over the years, I wrote the President last month asking him to hold up General Peers' retirement and personally to review the Army's decision not to promote General Peers to full general.

Mr. Speaker, I felt then and still feel that something is seriously wrong when the Army refuses to promote the man who did the most to dig out the facts about Mylai, while at the same time the State Department pushes feverishly to promote the top Foreign Service officer involved in the coverup of Mylai.

Unfortunately, the White House turned down my request for special review and reconsideration. This is, I believe, a serious error. The Army has had a very serious problem of credibility ever since the Mylai case—not unlike the Watergate case—was first forced out into the open by those outside the Army rather than those from within the Army.

In fact the whole record of the Army and some of its top officers in the ensuing investigations and courts martial is a discouraging and sickening chronicle of missing documents, repeated inability to remember the facts, and shocking dereliction of duty. Only one person in all this mess actually was convicted, although two top generals—as a result of congressional emphasis on the floor of the House of the sorry record of these generals—were disciplined and reprimanded.

Thus the only really bright spot in this sorry, sordid picture was the performance of General Peers. Yet all the Army can do for him now for doing a difficult job then without complaint or pulling any punches—and after he was given to understand he would receive better treatment—is to leave him to the not very tender mercies of impersonal "Secretarial" retirement policies.

I am disgusted.

Mr. Speaker, under leave to extend my remarks, I include the exchange of correspondence with the White House and also an article from the New York Times of April 13, 1973, and an editorial from the Times of April 18, 1973:

HOUSE OF REPRESENTATIVES,
Washington, D.C., April 13, 1973.

DEAR MR. PRESIDENT: I am greatly disturbed by the press reports this morning that Lt. Gen. William R. Peers, who headed the Army's hard-hitting investigation of the My Lai affair, is being retired.

Whatever may be the real reasons, his retirement short of 4 stars gives the public impression that he is being retaliated against for his no-holds-barred investigation and report.

All of us on the Hébert subcommittee felt General Peers did a tremendous job in a tough situation; in addition to that he was a topnotch field commander in Vietnam.

As one who has been close to the whole My Lai situation, and who has long felt that the greatest damage came from the "cover up" at the top—both in the Army and in State—I would strongly urge you as Commander-in-Chief to hold up General Peers retirement and personally review the desirability of promoting him to full general.

Cordially,

——— ———.

THE WHITE HOUSE,
Washington, D.C., April 19, 1973.
Hon. SAMUEL S. STRATTON,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. STRATTON: The President has asked me to reply to your letter of April 13, 1973 regarding the retirement of Lieutenant General William R. Peers.

The President appreciates your concern over this retirement and any possible relationship it may have to General Peers' role in the investigation of the My Lai affair. General Peers' retirement occurred under provisions of a policy established by the Secretary of the Army in the summer of 1972. That policy provides that officers serving in the grade of Lieutenant General will retire on reaching the age of 59. (Prior to 1972, that retirement age had been set at 60.) General Peers will reach 59 on June 14 and his retirement is, therefore, the result of the application of this Secretarial policy. May I also point out that there have been no exceptions to the application of this policy since its inception last summer.

I do hope that this information will be helpful to you. If there is anything further I can do, please call.

Sincerely,

BRENT SCOWCROFT,
Brigadier General, U.S. Air Force, Military Assistant to the President.

[From the New York Times, Apr. 13, 1973]

NIXON MOVE URGED OF A MY LAI ISSUE— LAWYER FAVORS RETENTION OF INVESTIGATING GENERAL

(By Seymour M. Hersch)

WASHINGTON, April 12.—A civilian lawyer who aided in the Army's investigation of the My Lai 4 massacre said today that the pending retirement of Lieut. Gen. William R. Peers, who headed the inquiry, was "simply incredible." He termed it a move adding to "the impression that the Army was not really serious about punishing those responsible."

Jerome K. Walsh, Jr., of New York, who served as a counsel to the high-level official investigating team in 1969 and 1970, urged President Nixon to intervene with the Pentagon to prevent General Peers' retirement. The Army announced yesterday that the general, who is now deputy commander of the Eighth Army in South Korea, would retire in June.

Similar criticism of the retirement was voiced by Representative Clement J. Zablocki, Democrat of Wisconsin, who said in a statement. "It is incredible to me that the leaders of the Pentagon are prepared to allow General Peers to retire from active duty at this point in our history."

Maj. Gen. Winant Sidle, the Army's chief spokesman, said, however, that General Peers' retirement was routine and added that his "reputation is still outstanding in the Army because of My Lai."

"The real issue," Mr. Zablocki said, "is whether the action of the Army in sidelining General Peers will cause future officers to shy away from calling them as they see them."

Mr. Zablocki said General Peers had been assured by top Army officials after his report was completed that he would be promoted to full general before retirement. Another source subsequently confirmed the arrangement, but added that something happened.

FOURTEEN OFFICERS CHARGED

Asked about this, General Sidle said, "I have not heard that rumor and I am in a pretty good position to hear rumors."

General Peers assembled a staff or more than 90 officers and enlisted men in December, 1969—at the height of the outcry over the My Lai massacre—and began his comprehensive inquiry. Mr. Walsh and another New York lawyer, Robert Maccrate, were assigned as counsel.

The group's 260-page report, which is still secret, concluded four months later that the two generals of the Americal Division, parent unit of the infantry company that attacked the hamlet on March 16, 1968, had committed more than 40 acts of omission or misconduct in connection with the initial field investigations of the massacre, in which more than 100 Vietnamese civilians were killed.

Fourteen officers were charged with aiding the coverup, including Maj. Gen. Samuel W. Koster, who was the Americal Division commander in March, 1968, and was serving as superintendent of the United States Military Academy at West Point at the time he was cited by the Peers Report.

Only one of the officers, Col. Oren K. Anderson, stood court-martial in the ensuing months, and he was acquitted.

Mr. Walsh criticized the Army's failure to prosecute the officers named in the Peers report and the Army's refusal to release the report as additional factors behind what he called the "impression" that the military was unable to discipline itself.

In a telephone interview, he said General Peers "unhesitantly applied the highest standards of responsibility and accountability to brother officers who had been his friends and comrades for many years. And when the facts showed that they had failed to meet those standards, he said so in plain language."

[From the New York Times, Apr. 18, 1973]

UNWANTED GENERAL

In 1969, when the nation was still in a state of shock over the wanton killing of women and children by American soldiers in Mylai, a major note of hope was the appointment of Lieut. Gen. William R. Peers to head an inquiry into the tragic affair. General Peers carried out a vigorous and unsparing investigation, and in 1970 established that "a tragedy of major proportions" had indeed occurred in the ill-fated Vietnamese hamlet.

It now appears that General Peers is to be quietly retired from active service at the age of 58. The Army insists that the general's exit is routine. But the departure of this officer who stood for fair but unsparing efforts to expose the Mylai atrocities and prevent their recurrence seems of a piece with the Pentagon's almost totally negative response to the Peers panel's findings.

Only one of fourteen high-ranking officers charged by the inquiry with complicity in a cover-up of the massacre was brought to trial, and he was acquitted. Charges against the others were dropped for alleged lack of evidence, but the 260-page report which contains the charges in question is still classified "secret."

Two civilian lawyers, who served as special counsel to the Peers panel, have long been critical of the Pentagon's peculiar apathy. Robert MacCrate characterized the quick dismissal of charges as a "failure to recognize the Army's responsibility to the public at large." Now, Jerome K. Walsh, Jr. has charged that General Peers' retirement will add to "the impression that the Army was not really serious about punishing those responsible" for the Mylai cover-up. It most certainly will.

General Peers, an officer with a distinguished command record that included action in Vietnam, probably never fitted into the military establishment's concept of an investigator. When he accepted the assignment, he said he "deliberately avoided selecting a group of senior colonels and general officers" because he wanted "young combat-experienced officers who had seen war and who knew the trials, the pressures and the tribulations of combat first-hand."

The general's tough, unorthodox approach to an unpleasant task raised the hopes of many Americans that exposure of a terrible wrong committed by the military would be a first step toward full accountability by the responsible echelons of command. Yet, except for the conviction of Lieut. William Calley and administrative censure of some officers, little has been done to use the Peers report for the only purpose that matters—to determine what went wrong and to give assurance that the Army can discipline itself properly in the future. This purpose has not been accomplished.

Gen. Peers' premature retirement indicates that the Pentagon has managed to rid itself of the unwelcome presence of anyone who might remind America's conscience of this still shamefully unfinished business.

SELECT COMMITTEE ON CRIME

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, on Thursday, April 19, 1973, the Select Committee on Crime completed its second week of hearings entitled, "Reduction Of Juvenile And Adult Recidivism Through New Correctional Approaches" as part of the committee's 3-week series of hearings on street crime in America.

The committee heard testimony from experts in the field of juvenile corrections from all areas of the United States. The committee, as well as the witnesses, are well aware of the direct connection between violent street crimes in the United States and the problem of juvenile delinquency, since a large portion of street crimes are commited by this Nation's young adults. The problem of street crime in this country cannot be dealt with without an indepth review of juvenile corrections programs that are being implemented throughout this country. The ultimate reduction in street crime in this Nation will only be accomplished when the people become totally committed to the reduction of juvenile delinquency.

Although there are many causes of juvenile delinquency and juvenile criminal activity, one of the principal contributing factors toward this tragic state of affairs is the current state of juvenile corrections throughout the majority of the States in the United States.

The committee heard witnesses from States that are committed to a system of juvenile corrections that is both enlightened and humane, but unfortunately, we are unhappy to admit that these States do not represent the majority of the States in the United States.

The committee heard from witnesses who are implementing or who advocate new approaches in the juvenile corrections field, and it is our fervent hope other States will soon follow their example.

Dr. Jerome Miller, director of Family Services for the State of Illinois, and formerly commissioner of the Department of Youth Services in the Commonwealth of Massachusetts, opened this session of hearings with a knowledgeable and forthright presentation of his views of juvenile corrections as exemplified by his outstanding achievements in the Commonwealth of Massachusetts.

Dr. Miller came into Massachusetts and was met with a system of juvenile corrections that originated in the early part of the 19th century, which remained substantially unchanged until the tenure of Dr. Miller. In his brief tenure in Massachusetts, Dr. Miller closed the antiquated and outmoded correctional institutions, replacing them with community-based facilities such as halfway houses and group homes that are geared toward rehabilitating the juvenile back into society rather than incarceration and isolating that juvenile from the community from whence he came.

The committee had the benefit of testimony from five young people who had been through the old system of juvenile corrections in Massachusetts as well as the group home approach instituted by Dr. Miller. These individuals presented to the committee a vivid example of what the new approaches in juvenile corrections can do for the individual.

Mr. Kenneth Schoen, commissioner of corrections for the State of Minnesota, testified before the committee on community-based juvenile corrections programs that are currently proliferating throughout the State of Minnesota. Schoen described Minnesota's probation offenders rehabilitation and training program—PORT—which began in 1969. He stated that statistical data compiled by his office since 1969 evidences that PORT has affected a dramatic drop in the crime rate in the three counties that PORT serves. PORT is a community-based facility which is funded by Minnesota and the counties involved and significantly, by charging 10 percent of the cost of the inmate's treatment to the inmate himself.

Judge Lindsey Arthur of the Minneapolis Family Court, who is also president of the National Council on Juvenile Court Judges, also appeared before the committee. Judge Arthur commented on the need for continuing education for juvenile court judges, which is being accomplished by the National Council on Juvenile Court Judges' College in Reno, Nev.

Judge Arthur also advised the committee on various programs that the Minneapolis Family Court has instituted, which it is felt are helping to reduce juvenile crime. One of these programs is called "Operation De Novo," whose mission it is to pick up the hard-core juveniles before they get to court. According to Judge Arthur, the program has had significant success in Minnesota.

Appearing also before the committee was Mr. Oliver J. Keller, director of the Division of Youth Services, State of Florida. Mr. Keller testified on various programs currently being implemented throughout Florida in the juvenile corrections field. Florida is one of the leading States in this vital area of concern. It has accepted the thesis that juvenile institutions where the juvenile offender is merely located, as in an institution isolated from the community, is a system that has failed and has created more problems than it has solved.

According to Mr. Keller, Florida now has 26 community-based halfway houses located throughout the State, as well as wilderness camps that are part of the juvenile corrections system in that State. Of special note is the program whereby the Department of Youth Services has contracted with marine installations in Florida whereby young juvenile offenders are educated in various aspects of boating, scuba diving, sailing, and other marine-related activities.

Joseph R. Rowan, executive director of the John Howard Association of Chicago, Ill., graciously accepted an invitation to appear before our committee, and he testified and commented on various juvenile correctional programs throughout the United States in which the John Howard Association has been involved. The John Howard Association has instituted intensive studies and evaluations on juvenile corrections programs in Florida, Wisconsin, Michigan, and Maryland, as well as other States throughout the Union.

Mr. Rowan was formerly head of the Minnesota Youth Conservation Commission and was a consultant and western director of the National Council on Crime and Delinquency.

Dr. Rosemary Sarri, director of the National Assessment of Juvenile Corrections of the University of Michigan, Ann Arbor, testified on the program of which she is codirecting with Dr. Robert D. Vinter.

Sarri presented to the committee some of the early returns gathered from the national assessment.

Mr. Paul Isenstadt, the senior field director of the national assessment, elaborated on Dr. Sarri's testimony by giving firsthand accounts of programs that he has visited throughout the country.

The committee next turned its attention to the State of Kansas, a Midwestern State, with unique problems of a small State.

Dr. Robert Harder, director of the Kansas Department of Social Welfare, represented the State of Kansas, and he commented on the trends of juvenile corrections in his State. Specifically, he told the committee that Kansas is moving in the direction of community-based juvenile correctional facilities, as exemplified by the statement of the Governor of Kansas to the State Legislature, wherein he indicated his support for community-based programs in Kansas.

By executive order Governor Docking has scraped plans to construct more large scale juvenile institutions in Kansas.

Mr. Harder testified that the "Achievement Place" program in Lawrence, Kans., played a significant role in shaping the juvenile corrections policy in Kansas.

The committee was pleased to have representatives from "Achievement Place" appear before the committee to explain the program in detail.

Dr. Dean Fixsen and Dr. Montrose Wolf appeared before the committee and presented the committee with a slide view of "Achievement Place," as well as their detailed explanations of the programs, including the "Teaching Parents" concept that has been instituted at the University of Kansas in conjunction with "Achievement Place."

The final day of our hearings on juvenile corrections began with testimony from Judge Keith Leenhouts, a former Municipal Court judge in Royal Oaks, Mich., who is currently president of a volunteer organization called "Volunteers for Probation." Leenhouts explained to the committee the concept of "Volunteers for Probation" and how it is being implemented throughout the country.

Following Leenhouts, former Governor of New Jersey, the Honorable Richard J. Hughes, chairman of the American Bar Association Commission on Correctional Facilities and Services, and Mr. Daniel L. Skoler, staff director of that American Bar Association Commission, appeared before the committee and testified on various adult correctional programs throughout the United States which the commission has studied; especially in the areas of treatment and rehabilitative approaches that must be fostered and modernized if our correctional system is to achieve what it so desperately needs—a better success rate.

The hearings concluded with a showing of the film, "Children in Trouble," narrated by Mr. Howard James, the author of a book of the same title.

The final series of our hearings on street crime in America will begin on Tuesday, May 1, and will focus on the courts and the prosecutors—what they are doing to reduce crime in our streets through new programs and procedures.

PRESIDENT NIXON'S NEW STEPS IN PHASE III PRICE CONTROL PROGRAM

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, for the information of the House, I place in the RECORD the full text of President Nixon's statement of May 2 regarding new steps in the phase III price control program:

STATEMENT BY THE PRESIDENT

The Congress has passed and I have signed into law an extension of the Economic Stabilization Act. This legislation will permit continuation of a constructive and orderly program to restore price stability and I congratulate the Congress on its action.

After 18 months of great progress against inflation, prices soared again in February and March. Most of the increases were in the price of food, an area that strikes home for each of us every day. In these circumstances the temptation was strong to go for the superficially simple solution—to freeze prices across the board or even roll them back. We carefully considered that alternative. We firmly concluded, however, that such a move, taken at this time, would have created more problems for the average American than it would solve.

If, on the one hand, the freeze had been brief, the country would soon have confronted all the old problems again with even greater urgency when the freeze expired. But if, on the other hand, the freeze were planned to last for an extended period, then our present rising prosperity would have ground to a halt and the controls system would eventually have broken down.

Concerned as we are about the rise of prices, we must also recognize that there are some cases in which necessary supplies will not be available if prices are frozen or rolled back. We are seeing this now with oil and gas products. Similiarly, if we had forced the prices of meat back to their January levels, as some have suggested, customers would not be boycotting meat today but would instead be storming supermarkets to be the first in line for the scarce supply of meat.

There are times, of course, when a price-wage freeze is necessary. August of 1971 was such a time.

But the situation is very different today. The American economy is operating much closer to capacity than in the summer of 1971. As a result, there are many more cases today where freezing prices would cause shortages. More than that, today we have a flexible price and wage control system already in existence. If conditions require firmer action, generally or selectively, we are already well-equipped to take it.

The price-wage control system is part of a larger anti-inflation program, the cornerstone of which is a responsible budget policy. The healthy expansion of our economy, which is creating more jobs and better wages today, could be transformed into a dangerously inflationary boom tomorrow if the rise in Federal spending accelerates. We must not let that happen.

At the same time that we are following fiscal and monetary policies to restrain excessive demand in the marketplace, we also are acting to increase supplies, the best of all ways to fight rising prices.

One area of special concern, of course, is food prices. We have been working in many ways to increase the supply of food. We have greatly increased the acreage of land available for raising crops and grazing livestock. We have sold the Government-owned stocks of wheat and feed grains. We are no longer subsidizing the export of food, and we have acted to increase imports of meat, dried milk and cheese. These measures cannot immediately offset the food shortages we have recently experienced—including those caused by the blizzards and floods of the last few months. However, what has been done, together with the spontaneous response of farmers to the present high prices, will have the effect of increasing food supplies and thus holding down prices. In fact, retail food prices have been rising less rapidly in recent weeks than earlier this year. We will continue to explore every possible way to meet the food inflation problem.

We are also seeking to increase supplies of industrial materials by selling off stocks held in the Government's strategic stockpile that are no longer required for national security. I have sent to the Congress the legislation necessary to effect this disposal and I urge its prompt enactment. I have also sent to the Congress a request for authority to suspend tariffs or other restrictions on imports where such action would be useful to restrain inflation; I hope this legislation will also be promptly and favorably considered.

The third element in the Government's anti-inflation program, in addition to checking the expansion of demand through appropriate fiscal and monetary policies and stimulating the expansion of supply, is the price-wage control system, now known as Phase III.

In Phase III the Government has set forth standards of desirable price and wage behavior which are essentially the same standards used during Phase II. In some areas—food processing and distributing, construction and medical care—observance of these standards is mandatory just as it was in Phase II. For the rest of the economy, compliance is on a self-administering basis unless the Government, through the Cost of Living Council, finds mandatory control necessary. As I have said before, Phase III will be as voluntary as it can be and as mandatory as it has to be.

Since Phase III began, we have taken a number of steps to ensure the achievement of its goals. Mandatory price control has been imposed on the larger oil companies. Ceiling prices have been set for beef, pork and lamb. Those wage agreements that have appeared inconsistent with price stabilization have been held up pending further study. The Internal Revenue Service is checking on some 500 large companies to be sure that their pricing procedures conform with the standards of Phase III. The Cost of Living Council is meeting with representatives of a number of large industries to gain a better understanding of the causes of their recent price increases.

So that the Government can administer the Phase III price control program more effectively, I have directed the Cost of Living Council to take several further steps.

First, it will obtain from the largest firms a full and detailed report on price changes that have been put into effect since the beginning of Phase III, so that it may order reduction of increases that have exceeded the standards.

Second, a new system of prenotification will be instituted. If a major firm intends to raise its average prices more than 1.5 percent above the January 10 authorized level, it must notify the Cost of Living Council 30 days in advance. This will give the Cost of Living Council an opportunity to determine whether or not the use of its authority to stop the increase, or some other action, is warranted.

Third, firms not exceeding the 1.5 percent limit will still be required to report their actions quarterly, so that their conformity to the cost-justification standards may be checked.

Fourth, additional resources will be assigned to ensure that these strengthened efforts are carried out fairly and effectively.

The Cost of Living Council will provide the details of these actions.

This Administration will continue to do everything it can to fight inflation, but others must also do their part if we are to succeed. Everyone has an interest in restoring reasonable price stability without ending the present prosperity and without rigid suppression of free markets and free collective bargaining.

Our great need is for more production. Only with more production can we fight inflation while still providing the goods and services people want.

Today I address the call for more production particularly to the Nation's farmers, because it is the price of food more than anything else that now blocks the return of price stability. There are many grounds on which such an appeal can be based. Prices are high, world demand is strong, and economic conditions are such that farmers will improve their incomes by producing more. This is especially true of animal products—meat, dairy products and eggs. Continuously rising food prices, on the other hand, would create greater pressure for controls, pressures which could be hard to resist even though the controls would hurt consumers as well as farmers.

The country needs more food, and American farmers have never failed to deliver when the country needed them. Although our farmers have had to contend with miserable weather conditions in recent months, their productive capacity is still not fully utilized.

Labor and management also can contribute to the fight against inflation by continuing to improve productivity. Rising productivity attacks inflation both by increasing supplies and by holding down costs. Progress on this front to date has been encouraging. Since the summer of 1971, output per man-hour has risen 50 percent faster than it has over the long-term. It is imperative that we continue this excellent performance, even though it will become more difficult to do so as the economy reaches higher levels.

Labor and management have also been contributing to our stabilization efforts through responsible collective bargaining. The average size of increases in collective bargaining agreements was lower in the first quarter of 1973 than before the New Economic Policy began. I am also encouraged by the record to date in maintaining industrial peace. In short, the cooperation of American labor and management in the stabilization effort has been outstanding.

The American people look to labor and management to continue constructive behavior.

Although I believe that prices will not rise as much in the months ahead as they did in February and March, price increases will probably be higher than we would like for some months. We should be mature enough to recognize that there is no instant remedy for this problem. We are dealing with a condition that is world-wide in scope and indeed has been less severe and more effectively confronted here than in most other countries. Working together, the American people will solve the problem of inflation, but that process will require patience, cooperation and understanding from us all.

Meanwhile, let us not overlook the great strengths of our economy. We have more people at work than ever before, earning higher real incomes and consuming more goods and services per capita than at any time in our past. Inflation is a potential danger to all and a present hardship for some but nevertheless the American people are enjoying the fruits of an extraordinary effective economic system. Any superficially appealing actions that would disrupt or abandon that system would ultimately cause far more damage than they would repair.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HEINZ (at the request of Mr. ARENDS), for today, on account of official business.

Mr. JONES of Tennessee (at the request of Mr. McFALL), for today, on account of illness.

Mr. McSPADDEN (at the request of Mr. McFALL), for today through May 7, on account of official business.

Mr. VANDER JAGT (at the request of Mr. GERALD R. FORD), through May 12, on account of official business.

Mr. WOLFF (at the request of Mr. McFALL), for today through May 10, on account of official business.

Mr. BUCHANAN (at the request of Mr. GERALD R. FORD), through May 12, on account of official business.

Mr. CONTE (at the request of Mr. GERALD R. FORD), for today, to attend burial services of personal friend.

Mr. FRELINGHUYSEN (at the request of Mr. GERALD R. FORD), through May 12, on account of official business.

Mr. GUYER (at the request of Mr. GERALD R. FORD), through May 12, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. COCHRAN) to revise and extend their remarks and include extraneous material:)

Mr. KEMP, for 15 minutes, today.

Mr. EDWARDS of Alabama, for 5 minutes, today.

Mr. MIZELL, for 5 minutes, today.

Mr. LOTT, for 60 minutes, May 9.

Mr. DERWINSKI, for 60 minutes, May 9.

Mr. BLACKBURN, for 5 minutes, today.

(The following Members (at the request of Mr. GINN) to revise and extend their remarks and include extraneous material:)

Mr. O'NEILL, for 5 minutes, today.

Mr. VANIK, for 10 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. MEEDS, for 5 minutes, today.

Mr. ROUSH, for 5 minutes, today.

Mr. ADAMS, for 5 minutes, today.

Mr. REUSS, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. FINDLEY and to include extraneous matter notwithstanding the fact that it exceeds two pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost $15,300.

Mr. RODINO to include extraneous matter in the remarks he made today in committee.

(The following Members (at the request of Mr. COCHRAN) and to include extraneous material:)

Mr. LENT in two instances.

Mr. FREY.

Mr. SYMMS.

Mr. HUNT in three instances.

Mr. SEBELIUS.

Mr. TAYLOR of Missouri.

Mr. KEMP in two instances.

Mr. WALSH.

Mr. SPENCE.

Mr. DERWINSKI in three instances.

Mr. EDWARDS of Alabama.

Mr. THOMSON of Wisconsin in two instances.

Mr. WYMAN in two instances.

Mr. BOB WILSON in three instances.

Mr. McCLORY.

Mr. BEARD.

Mr. CONTE.

Mr. STEIGER of Wisconsin.

Mr. KETCHUM.

Mr. CARTER in three instances.

Mr. HUBER.

Mr. McKINNEY.

Mr. HOSMER in two instances.

Mr. HARVEY.

Mr. SHOUP.

Mr. VEYSEY in five instances.

Mr. YOUNG of Alaska.

(The following Members (at the request of Mr. GINN) and to include extraneous matter:)

Mr. WOLFF.

Mr. VANIK.

Mr. DINGELL in two instances.

Mr. EILBERG in 10 instances.

Mr. ROONEY of New York.

Mr. McSPADDEN in three instances.

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mr. BOLAND.

Mr. BRINKLEY in two instances.

Mr. LITTON.

Mr. HUNGATE.

Mr. ADAMS.

Mr. HALEY.

Mr. DAVIS of South Carolina.

Mr. WALDIE in two instances.

Mr. MOORHEAD of Pennsylvania in five instances.

Mr. DRINAN.

Mr. DELLUMS in three instances.

Mr. MAZZOLI.

Mr. KYROS.

Mr. UDALL in seven instances.

Mr. SYMINGTON.

Mr. ECKHARDT.

Mr. MURPHY of New York in two instances.

Mrs. CHISHOLM.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 755. An act to provide 4-year terms for the heads of the executive departments; to the Committee on Post Office and Civil Service.

S. 795. An act to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes; to the Committee on Education and Labor.

S. 1264. An act to authorize and direct the Secretary of the Treasury to make grants to Eisenhower College, in Seneca Falls, N.Y., out of proceeds from the sale of silver dollar coins bearing the likeness of the late President of the United States, Dwight David Eisenhower; to the Committee on Banking and Currency.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3841. An act to provide for the striking of medals in commemoration of Roberto Walker Clemente; and

H.J. Res. 393. Joint resolution to amend the Education Amendments of 1972 to extend the authorization of the National Commission on the Financing of Postsecondary Education and the period within which it must make its final report.

SENATE ENROLLED JOINT RESOLUTIONS SIGNED

The SPEAKER announced his signature to enrolled joint resolutions of the Senate of the following titles:

S.J. Res. 51. Joint resolution to authorize and request the President to issue a proclamation designating the calendar week beginning May 6, 1973, as "National Historic Preservation Week"; and

S.J. Res. 93. Joint resolution to provide a temporary extension of the authorization for the President's National Commission on Productivity.

ADJOURNMENT

Mr. GINN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 20 minutes p.m.), under its previous order, the House adjourned until Monday, May 7, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

852. A letter from the Secretary of Defense, transmitting a draft of proposed legislation to authorize certain construction at military installations and for other purposes; to the Committee on Armed Services.

853. A letter from the Assistant Secretary of the Air Force (Manpower and Reserve Affairs) transmitting a draft of proposed legislation to amend title 10, United States Code, with respect to certain sections relating to strengths for the Army, Navy, Air Force, and Marine Corps; to the Committee on Armed Services.

854. A letter from the Commissioner of the District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Income and Franchise Tax Act of 1947 to provide a property tax credit to certain senior citizens, and for other purposes; to the Committee on the District of Columbia.

855. A letter from the Director, District of Columbia Bail Agency, transmitting the 1971 annual report of the agency, pursuant to 23 D.C. Code 1307; to the Committee on the District of Columbia.

856. A letter from the Assistant Secretary of State for Economic and Business Affairs, transmitting the 25th report on operations under the Mutual Defense Assistance Control Act of 1951 (Battle Act); to the Committee on Foreign Affairs.

857. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to section 112(b) of Public Law 92-403; to the Committee on Foreign Affairs.

858. A letter from the Chairman, Federal Power Commission, transmitting copies of publications entitled "Steam-Electric Plant Construction Cost and Annual Production Expenses, 1971" and "Hydroelectric Power Resources of the United States, Developed and Undeveloped, 1972"; to the Committee on Interstate and Foreign Commerce.

859. A letter from the Chairman, National Mediation Board, transmitting the 38th annual report of the Board, pursuant to 45 U.S.C. 154, together with the report of the National Railroad Adjustment Board, pursuant to 45 U.S.C. 153; to the Committee on Interstate and Foreign Commerce.

860. A letter from the Acting Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised in behalf of certain aliens, together with a list of the persons involved, pursuant to section 212(d)(6) of the Act [8 U.S.C. 1182(d)(6)]; to the Committee on the Judiciary.

861. A letter from the Acting Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to section 244(a)(1) of the Immigration and Nationality Act, as amended [8 U.S.C. 1254(c)(1)]; to the Committee on the Judiciary.

862. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated February 23, 1973, submitting a report, together with accompanying papers and an illustration, on Bayport Channel and Harbor, Fla., authorized by section 112 of the River and Harbor Act approved July 3, 1958; to the Committee on Public Works.

863. A letter from the Secretary of the Army transmitting a letter from the Chief of Engineers, Department of the Army, dated March 1, 1973, submitting a report, together with accompanying papers and an illustration, on Mills Creek, Fla., authorized by section 206 of the River and Harbor Act approved July 3, 1958; to the Committee on Public Works.

864. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated February 23, 1973, submitting a report, together with accompanying papers and illustrations, on Pond River Basin, Ky., requested by resolutions of the Committee on Public Works, U.S. Senate and House of Representatives, adopted May 28, 1966 and May 5, 1966, respectively; to the Committee on Public Works.

865. A letter from the Acting Administrator of General Services, transmitting a prospectus proposing the leasing of space to house activities of the National Oceanic and Atmospheric Administration in the Fort Lincoln Urban Renewal Area, Washington, D.C., pursuant to 40 U.S.C. 606; to the Committee on Public Works.

866. A letter from the Administrator of Veterans' Affairs, transmitting the 1972 annual report of the Veterans' Administration, pursuant to 38 U.S.C. 214; to the Committee on Veterans' Affairs.

Received From the Comptroller General

867. A letter from the Comptroller General of the United States, transmitting a report on problems in meeting military manpower needs in the all-volunteer force; to the Committee on Government Operations.

868. A letter from the Comptroller General of the United States, transmitting a report on ways to improve the effectiveness of rural business loan programs administered by the Farmers Home Administration, Department of Agriculture; to the Committee on Government Operations.

869. A letter from the Comptroller General of the United States, transmitting a report on the need for improved inspection and enforcement by the Department of Transportation in regulating the transportation of hazardous materials; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MAHON: Committee on Appropriations. H.R. 7447. A bill making supplemental appropriations for the fiscal year ending June 30, 1973, and for other purposes; (Rept. No. 93-164). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS of Arkansas: Committee on Ways and Means. H.R. 7445. A bill to amend the Renegotiation Act of 1951 to extend the act for 2 years; (Rept. No. 93-165). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mrs. GRIFFITHS (for herself and Mr. Schneebeli):

H.R. 7445. A bill to amend the Renegotiation Act of 1951 to extend the act for 2 years; to the Committee on Ways and Means.

By Mr. DONOHUE (for himself, Mr. Mann, Mr. Danielson, Ms. Jordan, Mr. Thornton, Mr. Butler, Mr. Fish, and Mr. Moorhead of California):

H.R. 7446. A bill to establish the American Revolution Bicentennial Administration, and for other purposes; to the Committee on the Judiciary.

By Mr. MAHON:

H.R. 7447. A bill making supplemental appropriations for the fiscal year ending June 30, 1973, and for other purposes.

By Mr. ADAMS (for himself, Mrs. Boggs, Mr. Waggonner, Mr. Long of Louisiana, Mr. Breaux, Mr. Mitchell of Maryland, Mr. Hogan, Mr. Burton, and Mr. Young of Alaska):

H.R. 7448. A bill to provide for the continued operation of various Public Health Service hospitals; to the Committee on Interstate and Foreign Commerce.

By Mr. BIAGGI (for himself and Mr. Kyros):

H.R. 7449. A bill to amend titles II and XVIII of the Social Security Act to include qualified drugs, requiring a physician's prescription or certification and approved by a Formulary Committee, among the items and services covered under the hospital insurance program; to the Committee on Ways and Means.

H.R. 7450. A bill to amend the Internal Revenue Code of 1954 to provide that the personal exemption allowed a taxpayer for a dependent shall be available without regard to the dependent's income in the case of a dependent who is over 65 (the same as in the case of a dependent who is a child under 19); to the Committee on Ways and Means.

H.R. 7451. A bill to amend the Internal

Revenue Code of 1954 to permit the full deduction of medical expenses incurred for the care of individuals of 65 years of age and over, without regard to the 3-percent and 1-percent floors; to the Committee on Ways and Means.

H.R. 7452. A bill to amend title XVIII of the Social Security Act to provide payment under the supplementary medical insurance program for optometrists' services and eyeglasses; to the Committee on Ways and Means.

H.R. 7453. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. BLACKBURN (for himself and Mr. Pepper):

H.R. 7454. A bill to establish a national flood plain policy and to authorize the Secretary of the Interior, in cooperation with Federal agencies and the States, to encourage the dedication of the Nation's flood plains as natural floodways, to protect, conserve, and restore their natural functions and resources, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BROWN of Ohio:

H.R. 7455. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. BURLESON of Texas:

H.R. 7456. A bill to amend the Natural Gas Act to provide that, in fixing rates for the transportation of natural gas in interstate commerce or for the sale in interstate commerce of natural gas for resale, the Federal Power Commission shall reflect changes in the purchasing power of the dollar after December 31, 1972, in determining the utility plant and related reserve for depreciation components of rate base for natural gas pipeline companies; to the Committee on Interstate and Foreign Commerce.

By Mr. DANIELSON (for himself, Mrs. Boggs, Mr. Railsback, Mr. Mazzoli, Mr. Seiberling, Mr. McKay, Mr. Matsunaga, Mr. Pepper, Mr. Hungate, Mr. Mezvinsky, Mr. Clay, Mr. Roybal, Mr. Alexander, Mr. Mann, Mr. Gray, Mr. Burlison of Missouri, Mr. Sarbanes, Mr. Pettis, and Mr. Eilberg):

H.R. 7457. A bill to create a Federal Disaster Insurance Corporation to insure the people of the United States against losses due to major natural disaster, and for other purposes; to the Committee on Banking and Currency.

By Mr. DELLUMS:

H.R. 7458. A bill to authorize a study of the feasibility and desirability of establishing a Channel Islands National Park in the State of California; to the Committee on Interior and Insular Affairs.

By Mr. DENHOLM:

H.R. 7459. A bill to establish a special commission of inquiry to investigate alleged criminal irregular, or wrongful conduct in the presidential election campaign of 1972, and to publish recommendations and reports to safeguard the election process and procedures relating thereto; to the Committee on the Judiciary.

By Mr. DENT (for himself, Mr. Eilberg, Mr. Rooney of Pennsylvania Mr. Nix, Mr. Gaydos, Mr. Yatron and Mr. Burton:)

H.R. 7460. A bill to require that a percentage of U.S. imports be carried on U.S. flag vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. DORN (by request):

H.R. 7461. A bill to provide for the conversion of Servicemen's Group Life Insurance to Veterans' Group Life Insurance, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ERLENBORN (for himself, Mr. Biester, Mr. Hanrahan, Mr. Harrington, Mr. Murphy of New York, Mr. Parris, Mr. Railsback, Mr. Roncallo of New York, and Mr. Won Pat):

H.R. 7462. A bill to authorize a White House Conference on Education; to the Committee on Education and Labor.

By Mr. ERLENBORN (for himself, Mr. Biester, Mr. Coughlin, Mr. Fountain, Mr. Hastings, Mr. Heinz, Mr. Roncallo of New York, and Mr. Udall):

H.R. 7463. A bill to amend the Freedom of Information Act to require that all information be made available to Congress except where Executive privilege is invoked; to the Committee on Government Operations.

By Mr. FRASER (for himself and Mr. Zablocki):

H.R. 7464. A bill to amend title 38 of the United States Code to make certain that recipients of veterans' pension and compensation will not have the amount of such pension or compensation reduced because of increases in monthly social security benefits; to the Committee on Veterans' Affairs.

By Mr. FULTON:

H.R. 7465. A bill to amend title 32, United States Code, to provide that Army and Air Force National Guard technicians shall not be required to wear the military uniform while performing their duties in a civilian status; to the Committee on Armed Services.

H.R. 7466. A bill to amend title 10, United States Code, to permit the recomputation of retired pay of certain members and former members of the armed forces; to the Committee on Armed Services.

H.R. 7467. A bill to promote public health and welfare by expanding and improving the family planning services and population research activities of the Federal Government, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 7468. A bill to promote public health and welfare by expanding and improving the family planning services and population sciences research activities of the Federal Government, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FUQUA:

H.R. 7469. A bill to authorize the Secretary of the Interior to conduct a study with respect to the feasibility of establishing the Bartram Trail as a national scenic trail; to the Committee on Interior and Insular Affairs.

By Mrs. HECKLER of Massachusetts:

H.R. 7470. A bill to increase the duty on rubber filament; to the Committee on Ways and Means.

H.R. 7471. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for tuition paid for the elementary or secondary education of dependents; to the Committee on Ways and Means.

By Mr. HORTON (for himself, Mr. Erlenborn, Mr. Anderson of Illinois, Mr. Fascell, Mr. Fauntroy, Mr. Hansen of Idaho, Mr. Heinz, Mr. Parris, Mr. Riegle, Mr. Rooney of Pennsylvania, Mr. Ruppe, and Mr. Thompson of New Jersey):

H.R. 7472. A bill to amend section 552 of title 5 of the United States Code to limit exemptions to disclosure of information, to establish a Freedom of Information Commission, and to further amend the Freedom of Information Act; to the Committee on Government Operations.

By Mr. HOSMER (for himself, Mr. Abdnor, Mr. Addabbo, Mr. Bafalis, Mr. Brasco, Mr. Buchanan, Mr. Carney of Ohio, Mr. Conyers, Mr. Corman, Mr. Davis of South Carolina, Mr. Diggs, Mr. Esch, Mr. Eshleman, Mr. Gerald R. Ford, Mr. Froehlich, Mrs. Grasso, Mr. Gross, Mr. Haley, Mr. Hinshaw, Mr. Howard, Mr. Jones of North Carolina, Mr. Lott, Mr. Mathis of Georgia, Mr. Michel, and Mr. McClory):

H.R. 7473. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HOSMER (for himself, Mr. Nichols, Mr. Regula, Mr. Robison of New York, Mr. Studds, Mr. Spence, Mr. Slack, Mr. Seiberling, Mr. Steele, Mr. Symms, Mr. Teague of Texas, Mr. Thomson of Wisconsin, Mr. Treen, Mr. Bevill, Mr. Whitehurst, Mr. Pickle, Mr. Rousselot, Mr. Fascell, Mr. Edwards of Alabama, Mr. Mizell, Ms. Abzug, Mr. Walsh, and Mr. Gaydos):

H.R. 7474. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HUNGATE:

H.R. 7475. A bill relating to payments to producers for participation in the 1973 feed grain program; to the Committee on Agriculture.

By Mr. HUNT:

H.R. 7476. A bill to extend through fiscal year 1974 the expiring appropriations authorizations in the Public Health Service Act, the Community Mental Health Centers Act, and the Developmental Disabilities Services and Facilities Construction Act, and for other persons; to the Committee on Interstate and Foreign Commerce.

By Mr. JARMAN:

H.R. 7477. A bill to extend through fiscal year 1974 the expiring appropriations authorizations in the Public Health Service Act, the Community Mental Health Centers Act, and the Developmental Disabilities Services and Facilities Construction Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KARTH:

H.R. 7478. A bill to provide that respect for an individual's right not to participate in abortions contrary to that individual's conscience be a requirement for hospital eligibility for Federal financial assistance; to the Committee on Interstate and Foreign Commerce.

H.R. 7479. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LEGGETT:

H.R. 7480. A bill to amend title 10, United States Code, to authorize the use of health maintenance organizations in providing health care; to the Committee on Armed Services.

By Mr. LEHMAN:

H.R. 7481. A bill to increase the contribution of the Government to the costs of health benefits for Federal employees, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MACDONALD:

H.R. 7482. A bill to amend the Federal Cigarette Labeling and Advertising Act of 1965 as amended by the Public Health Cigarette Smoking Act of 1969 to define the term "little cigar", and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. McCLORY (for himself and Mr. Young of Illinois):

H.R. 7483. A bill to amend the National Flood Insurance Act of 1968 to extend coverage under the flood insurance program to include losses from the erosion and undermining of shorelines by waves or currents of water; to the Committee on Banking and Currency.

By Mr. MORGAN (by request):

H.R. 7484. A bill to amend the Foreign Assistance Act of 1961, and for other purposes; to the Committee on Foreign Affairs.

By Mr. O'NEILL (for himself, Mr. Tiernan, Mr. St Germain, Mr. Boland, Mr. Burke of Massachusetts, Mr. Donohue, Mrs. Heckler of Massachusetts, Mr. Cronin, Mr. Drinan, Mr. Conte, Mr. Studds, Mr. Moakley, Mr. Macdonald, and Mr. Harrington):

H.R. 7485. A bill to provide readjustment allowance, opportunities, early retirement benefits, health benefits, public service employment and job counseling and training opportunities, and relocation benefits to adversely affected workers separated from their employment because of defense installation and activity realinements; to the Committee on Education and Labor.

By Mr. O'NEILL (for himself, Mr. Burke of Massachusetts, and Mr. Moakley):

H.R. 7486. A bill to authorize the establishment of the Boston National Historical Park in the Commonwealth of Massachusetts; to the Committee on Interior and Insular Affairs.

By Mr. OWENS:

H.R. 7487. A bill requiring congressional authorization for the reinvolvement of American forces in further hostilities in Indochina; to the Committee on Foreign Affairs.

By Mr. PATTEN:

H.R. 7488. A bill to extend the National Foundation on the Arts and the Humanities Act; to the Committee on Education and Labor.

By Mr. QUIE (for himself, Mr. Ashbrook, Mr. Erlenborn, Mr. Dellenback, Mr. Hansen of Idaho, Mr. Forsythe, Mr. Kemp, and Mr. Towell of Nevada):

H.R. 7489. A bill to delete the termination date for title II of the Manpower Development and Training Act of 1962, as amended; to the Committee on Education and Labor.

By Mr. RODINO:

H.R. 7490. A bill to provide for the appointment of a special prosecutor to prosecute any offenses against the United States arising out of the "Watergate Affair"; to the Committee on the Judiciary.

By Mr. ROSENTHAL (for himself, Ms. Abzug, Mr. Badillo, Mr. Bingham, Mr. Brasco, Mr. Brown of California, Mrs. Burke of California, Mr. Burton, Ms. Chisholm, Mr. Conyers, Mr. Corman, Mr. Danielson, Mr. Diggs, Mr. Edwards of California, Mr. Harrington, Mr. Hawkins, and Mr. Hechler of West Virginia):

H.R. 7491. A bill to permit the advertising of drug prices and to require retailers of prescription drugs to post the prices of certain commonly prescribed drugs; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL (for himself, Mr. Koch, Mr. McCormack, Mr. Moakley, Mr. Podell, Mr. Rees, Mr. Riegle, Mr. Roybal, Mr. Seiberling, Mr. Stark, Mr. Stokes, and Mr. Won Pat):

H.R. 7492. A bill to permit the advertising of drug prices and to require retailers of prescription drugs to post the prices of certain commonly prescribed drugs; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL (for himself, Ms. Abzug, Mr. Badillo, Mr. Bingham, Mr. Brasco, Mr. Brown of California, Mrs. Burke of California, Mr. Burton, Ms. Chisholm, Mr. Conyers, Mr. Corman, Mr. Danielson, Mr. Diggs, Mr. Edwards of California, and Mr. Harrington):

H.R. 7493. A bill to amend the Federal Food, Drug, and Cosmetic Act so as to require that in the labeling and advertising of drugs sold by prescription the "established name" of such drug must appear each time their proprietary name is used, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL (for himself, Mr. Hawkins, Mr. Hechler of West Virginia, Mr. Koch, Mr. Lehman, Mr. McCormack, Mr. Moakley, Mr. Podell, Mr. Rees, Mr. Riegle, Mr. Roybal, Mr. Seiberling, Mr. Stark, Mr. Stokes, Mr. Veysey, Mr. White, and Mr. Won Pat):

H.R. 7494. A bill to amend the Federal Food, Drug, and Cosmetic Act so as to require that in the labeling and advertising of drugs sold by prescription the "established name" of such drug must appear each time their proprietary name is used, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL (for himself, Ms. Abzug, Mr. Addabbo, Mr. Badillo, Mr. Bingham, Mr. Brasco, Mr. Brown of California, Mr. Buchanan, Mrs. Burke of California, Mr. Burton, Ms. Chisholm, Mr. Conyers, Mr. Corman, Mr. Danielson, Mr. Diggs, Mr. Edwards of California, Mr. Harrington, and Mr. Hawkins):

H.R. 7495. A bill to require that certain drugs and pharmaceuticals be prominently labeled as to the date beyond which potency or efficacy becomes diminished; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL (for himself, Mr. Hechler of West Virginia, Mr. Helstoski, Mr. Koch, Mr. McCormack, Mr. Moakley, Mr. Podell, Mr. Rees, Mr. Riegle, Mr. Roybal, Mr. Seiberling, Mr. Stokes, Mr. Symington, Mr. White, Mr. Won Pat, and Mr. Stark):

H.R. 7496. A bill to require that certain drugs and pharmaceuticals be prominently labeled as to the date beyond which potency or efficacy becomes diminished; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL (for himself, Ms. Abzug, Mr. Badillo, Mr. Bingham, Mr. Brasco, Mr. Brown of California, Mr. Burton, Ms. Chisholm, Mr. Conyers, Mr. Corman, Mr. Diggs, Mr. Edwards of California, Mr. Harrington, Mr. Hawkins, Mr. Hechler of West Virginia, Mr. Koch, Mr. McCormack, Mr. Moakley, Mr. Podell, Mr. Rees, Mr. Roybal, Mr. Seiberling, Mr. Stark, Mr. Stokes, and Mr. Won Pat):

H.R. 7497. A bill to amend title 35 of the United States Code to provide for compulsory licensing of prescription drug patents; to the Committee on the Judiciary.

By Mr. ROUSH (for himself, Mr. Anderson of Illinois, Mr. Bingham, Mr. Brown of California, Mr. Butler, Mr. Eilberg, Mr. Forsythe, Mr. Hawkins, Mr. Hechler of West Virginia, Mr. Melcher, Mr. Mizell, Mr. Moakley, Mr. O'Brien, Mr. Rhodes, Mr. Riegle, Mr. Rooney of Pennsylvania, Mr. Rosenthal, Mr. Thone, Mr. Whitehurst, Mr. Won Pat, Mr. Young of South Carolina, and Mrs. Green of Oregon):

H.R. 7498. A bill to amend title II of the Social Security Act to provide for voluntary agreements between ministers and their employers to treat ministers as employed persons; to the Committee on Ways and Means.

By Mr. ROUSSELOT:

H.R. 7499. A bill to amend the Par Value Modification Act, and to amend the Gold Reserve Act of 1934 to permit U.S. citizens to buy, hold, sell, and otherwise deal with gold; to the Committee on Banking and Currency.

By Mr. SAYLOR (for himself, Mr. Don H. Clausen, and Mr. Teague of California):

H.R. 7500. A bill to terminate, and to direct the Secretary of the Interior and Secretary of the Navy to take action with respect to certain leases issued pursuant to the Outer Continental Shelf Lands Act in the Santa Barbara Channel, offshore of the State of California; to explore Naval Petroleum Reserve No. 4, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR (for himself, Mr. Haley, Mr. Hosmer, Mr. Camp, Mr. Treen, and Mr. Udall):

H.R. 7501. A bill to amend the Outer Continental Shelf Lands Act and to authorize the Secretary of the Interior to regulate the construction and operation of deepwater port facilities; to the Committee on Interior and Insular Affairs.

By Mr. SHOUP:

H.R. 7502. A bill of establish mining and mineral research centers, to promote a more adequate national program of mining and minerals research, to supplement the act of December 31, 1970, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SMITH of New York:

H.R. 7503. A bill to amend chapter 44 of title 18, United States Code, to strengthen the penalty provision applicable to a Federal felony committed with a firearm; to the Committee on the Judiciary.

By Mr. WOLFF:

H.R. 7504. A bill to provide for the appointment of a special prosecutor for offenses against the United States arising out of the 1972 Presidential campaign; to the Committee on the Judiciary.

By Mr. STAGGERS (for himself and Mr. Devine):

H.R. 7505. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 7506. A bill to foster fuller U.S. participation in international trade by the promotion and support of representation of U.S. interests in international voluntary standards activities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STAGGERS (for himself and Mr. Devine) (by request):

H.R. 7507. A bill to amend the Natural Gas Act to extend its application to the direct sale of natural gas in interstate commerce, and to provide that provisions of the act shall not apply to certain sales in interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. SYMINGTON (for himself, Mr. Jones of North Carolina, Mr. Bevill, Mr. Helstoski, Mr. Eilberg, Mr. Grover, Mr. Won Pat, Mr. Stark, Mr. Wright, Mr. Lehman, Mrs. Chisholm, Mr. Parris, Mr. Preyer, Mr. Moakley, Mr. Brown of California Mr. Corman, and Mr. de Lugo):

H.R. 7508. A bill to protect the public health and safety by assisting local fire protection districts and departments maintain and improve their firefighting and rescue operations; to the Committee on Science and Astronautics.

By Mr. TALCOTT:

H.R. 7509. A bill to authorize equalization of the retired or retainer pay of certain members and former members of the uniformed services; to the Committee on Armed Services.

H.R. 7510. A bill to amend the National Labor Relations Act to require a vote by employees who are on strike, and for other purposes; to the Committee on Education and Labor.

H.R. 7511. A bill to amend title I of Public Law 874, 81st Congress, to provide financial assistance to local educational agencies for the education of children of migrant agricultural employees; to the Committee on Education and Labor.

H.R. 7512. A bill to establish a universal food service and nutrition education program for children; to the Committee on Education and Labor.

H.R. 7513. A bill the Consumer Agricultural Protection Act of 1973; to the Committee on Education and Labor.

H.R. 7514. A bill to designate certain lands in San Luis Obispo County, Calif., as the Lopez Canyon Wilderness, and to establish the Lopez Canyon Scenic Area; to the Committee on Interior and Insular Affairs.

H.R. 7515. A bill to amend the act of June 15, 1912, to permit an exchange of lands in the State of California; to the Committee on Interior and Insular Affairs.

H.R. 7516. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

H.R. 7517. A bill to amend titles 37 and 38, United States Code, to encourage persons to join and remain in the Reserves and National Guard by providing full-time coverage under servicemen's group life insurance for such members and certain members of the Retired Reserve up to age 60, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 7518. A bill to authorize the distribution of a portion of the Federal tax revenue to the States for elementary and secondary education purposes; to the Committee on Ways and Means.

H.R. 7519. A bill to require imported foodstuffs to meet standards required by the Federal Government for domestic foodstuffs; to the Committee on Ways and Means.

H.R. 7520. A bill to amend section 213 of the Internal Revenue Code of 1954 to provide that certain expenses of child adoption shall be treated as medical expenses; to the Committee on Ways and Means.

H.R. 7521. A bill to amend the Internal Revenue Code of 1954 to restore the provisions permitting the deduction, without regard to the 3-percent and 1-percent floors, of medical expenses incurred for the care of individuals 65 years of age and over; to the Committee on Ways and Means.

H.R. 7522. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to unremarried widows and widowers, and individuals who have attained age 35 and who have never been married or who have been separated or divorced for 1 year or more, who maintain their own households; to the Committee on Ways and Means.

H.R. 7523. A bill to amend title II of the Social Security Act to provide that an individual who in any month is eligible for a disability determination or for disability insurance benefits but does not file application therefor within the specified time may nevertheless (upon subsequently filing application) obtain such determination or become entitled to such a benefit, regardless of the length of time which has elapsed, if he was theretofore incapable of executing the application by reason of a physical or mental condition; to the Committee on Ways and Means.

H.R. 7524. A bill to impose import limitations on prepared or preserved strawberries and paste and pulp of strawberries; to the Committee on Ways and Means.

H.R. 7525. A bill to amend the Internal Revenue Code of 1954 to authorize a tax credit for certain expenses of providing higher education; to the Committee on Ways and Means.

H.R. 7526. A bill to amend the Internal Revenue Code of 1954 to authorize a deduction from gross income for certain contributions to the support of an aged parent or divorced mother who is not gainfully employed; to the Committee on Ways and Means.

H.R. 7527. A bill to amend the Internal Revenue Code of 1954 to authorize and facilitate the deduction from gross income by teachers of the expenses of advanced education (including certain limited travel) undertaken by them, and to provide a uniform method of providing entitlement to such deduction; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas (for himself and Mr. Mosher):

H.R. 7528. A bill to authorize appropriations to the National Aeronautics and Space Administraiton for research and development, construction of facilities, and research and program management, and for other purposes; to the Committee on Science and Astronautics.

By Mr. TOWELL of Nevada:

H.R. 7529. A bill to assure the imposition of appropriate penalties for persons convicted of offenses involving heroin or morphine, to provide emergency procedures to govern the pretrial and posttrial release of persons charged with offenses involving heroin or morphine, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 7530. A bill to promote the employment of unemployed Vietnam veterans; to the Committee on Ways and Means.

By Mr. VANIK:

H.R. 7531. A bill to amend the Internal Revenue Code of 1954 to provide for a tax on every new automobile with respect to its fuel consumption rate, to provide for public disclosure of the fuel consumption rate of every new automobile, and for other purposes; to the Committee on Ways and Means.

By Mr. WIDNALL:

H.R. 7532. A bill to amend laws relating to the Federal National Mortgage Association; to the Committee on Banking and Currency.

By Mr. FRASER:

H.J. Res. 539. Joint resolution relating to nationwide gasoline and oil shortages; to the Committee on Ways and Means.

By Mr. GONZALEZ (for himself, Mr. Badillo, Mr. Carey of New York, Mr. Conyers, Mr. de Lugo, Mr. Duncan, Mr. Mitchell of Maryland, Mr. Moakley, and Mr. Won Pat):

H.J. Res. 540. Joint resolution proposing an amendment to the Constitution of the United States to require each State to provide its citizens with an opportunity for elementary and secondary education; to the Committee on the Judiciary.

By Mr. KEMP:

H.J. Res. 541. Joint resolution to appoint a special prosecutor; to the Committee on the Judiciary.

By Mr. ZABLOCKI (for himself, Mr. Fountain, Mr. Fraser, Mr. Bingham, Mr. Fascell, Mr. Davis of Georgia, Mr. Charles Wilson of Texas, Mr. Findley, Mr. du Pont, Mr. Biester, Mr. Nix, Mr. Broomfield, Mr. Pepper, Mr. Hays, and Mr. Holifield):

H.J. Res. 542. Joint resolution concerning the war powers of Congress and the President; to the Committee on Foreign Affairs.

By Mr. KEMP:

H. Con. Res. 211. Concurrent resolution expressing the sense of Congress that U.S. Route 219 should be designated as part of the Interstate System; to the Committee on Public Works.

H. Con. Res. 212. Concurrent resolution to establish a select joint committee to review Federal campaign spending law and make recommendations to Congress for such legislation as it deems appropriate; to the Committee on Rules.

By Mr. EDWARDS of Alabama:

H. Res. 375. Resolution to create a Select Committee on Aging; to the Committee on Rules.

By Mr. FUQUA (for himself and Mr. Fascell):

H. Res. 376. Resolution expressing the sense of the House that a special prosecutor be appointed; to the Committee on the Judiciary.

By Mrs. HECKLER of Massachusetts:

H. Res. 377. Resolution to appoint a special prosecutor; to the Committee on the Judiciary.

By Mr. KOCH:

H. Res. 378. Resolution to appoint a special prosecutor; to the Committee on the Judiciary.

By Mr. LEGGETT (for himself, Mr. Badillo, Mr. Fraser, Mrs. Burke of California, Mr. Rodino, Mr. Rees, Mr. Cotter, Mr. Waldie, Mr. Drinan, Mr. Rosenthal, Mrs. Chisholm, Mr. Danielson, Mr. Harrington, Mr. Helstoski, Mr. Brown of California, and Mr. Burton):

H. Res. 379. Resolution directing the Secretary of Defense to furnish certain information; to the Committee on Armed Services.

By Mr. PEPPER (for himself and Mr. Rangel):

H. Res. 380. Resolution to establish a select committee of the House of Representatives to conduct an investigation and study of the extent, if any, to which illegal, improper, or unethical activities were engaged in by any persons, acting individually or in combination with others, in the Presidential election of 1972, or any campaign, canvass, or other activity related to it; to the Committee on Rules.

H. Res. 381. Resolution requesting the President to appoint a special prosecutor with respect to offenses related to the Presidential campaign of 1972 from among three individuals to be named by the President of the American Bar Association; to the Committee on the Judiciary.

By Mr. WALDIE:

H. Res. 382. Resolution disapproving Reorganization Plan No. 2; to the Committee on Government Operations.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

182. By the SPEAKER: A memorial of the House of Representatives of the State of Florida, relative to faith in the honesty and integrity of the Vietnam prisoners of war; to the Committee on Armed Services.

183. Also, memorial of the Legislature of the Commonwealth of Massachusetts, relative to the Education for All Handicapped Children Act; to the Committee on Education and Labor.

184. Also, memorial of the Legislature of the State of Colorado, relative to water rights; to the Committee on Interior and Insular Affairs.

185. Also, memorial of the Legislature of the State of Colorado, relative to the use of diethylstilbestrol (DES) in cattle and sheep; to the Committee on Interstate and Foreign Commerce.

186. Also, memorial of the Legislature of the State of Oklahoma, requesting the Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States concerning the assignment of students to public schools; to the Committee on the Judiciary.

187. Also, memorial of the Legislature of the Commonwealth of Massachusetts, relative to Federal financial assistance for the Veterans' Service program; to the Committee on Veterans' Affairs.

188. Also, memorial of the Legislature of the Commonwealth of Massachusetts, relative to Veterans' Administration pension payments; to the Committee on Veterans' Affairs.

189. Also, memorial of the Legislature of the Commonwealth of Massachusetts, relative to the importation of shoes and the exportation of cattle hides; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FULTON:

H.R. 7533. A bill for the relief of Charles R. Davis, Glena R. Faris, James E. Lampley, Rubin Leskoff, Joseph R. Loller, Barry M. Murphy, Claude T. Pearce, William V. Pippin, Wesley Richards, Robert D. Ridley, and Berry E. Skinner; to the Committee on the Judiciary.

By Mr. PATMAN:

H.R. 7534. A bill for the relief of Col. John H. Awtry; to the Committee on the Judiciary.

By Mr. VAN DEERLIN:

H.R. 7535. A bill for the relief of Faustino Murgia-Melendrez; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

200. By the SPEAKER: Petition of the city council, Wasco, Calif., relative to an amendment to the Constitution of the United States dealing with the assignment of students to public schools; to the Committee on the Judiciary.

201. Also, petition of James Forbes and others, Philadelphia, Pa., relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

202. Also, petition of Clarence W. Walker, Joliet, Ill., relative to redress of grievances; to the Committee on the Judiciary.

203. Also, petition of the city council, Los Angeles, Calif., relative to Federal revenue sharing; to the Committee on Ways and Means.

204. Also, petition of the County Legislature, Monroe County, N.Y., relative to allowing State departments of social services access to Federal income tax records; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

MACHINIST MATE SENIOR CHIEF RAYMOND B. HOOD, RECRUITER OF THE YEAR

HON. MENDEL J. DAVIS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. DAVIS of South Carolina. Mr. Speaker, at a time when the armed services of the United States are coming in for much criticism and lack of public support, the accomplishments of one of my constituents in the First Congressional District of South Carolina should stand as a good example of the high caliber of performance turned in by the overwhelming majority of our servicemen.

I am speaking today of Machinist Mate Senior Chief Raymond B. Hood, the recruiter in charge of the U.S. Navy Recruiting Branch Station at Charleston, S.C. Chief Hood has recently been named "Recruiter of the Year" for the Columbia District and will now be eligible for the title of Navy "Recruiter of the Year" in South Carolina.

Chief Hood enlisted in the U.S. Navy in 1954 and has served on several destroyers and for the last 12 years has been in the submarine service on nuclear-powered submarines. He reported for recruiting duty in Charleston in 1970.

Since reporting aboard the recruiting station, the Charleston recruiting branch station has been named "Station of the Year" for fiscal years 1970, 1971, and 1972.

In June 1972, the Charleston Recruiting Branch Station enlisted an all-city recruit company, known as the "Charleston Company," which was very successful during recruit training. While at recruit training, the "Charleston Company" carried the city of Charleston flag as its company colors, and upon graduation, it was selected as honor company of the recruit brigade. The city of Charleston, because of the exploits of the "Charleston Company," received much favorable publicity across the Nation.

Chief Hood was instrumental in the enlistment of members of the "Charleston Company" and received a letter of commendation from the Third Recruiting Area Director for his diligent work in this task.

In May 1970, Chief Hood helped the Navy League Chapter in Charleston provide the coordinate transportation for the Navy League's national convention. For his support, Chief Hood received a letter of appreciation from Rear Adm. Herman J. Kossler, Commandant of the Sixth Naval District, and a letter of appreciation from the Navy League Chapter.

A Navy recruiter's task is not simply to enlist young men and women in the service. He must also take an active part in the affairs of his community, and Chief Hood has an admirable record in this respect.

He has visited high schools all over his recruiting area urging young people to stay in school and complete their education before starting out in their careers. He has also been very active in the youth programs of the James Island area of Charleston County, where he lives, coaching football for 3 years and assisting with baseball for 4 years. He has also worked with the Boy Scouts.

A native of Edgefield, S.C., Chief Hood is married to the former Rosa L. Wilson of Johnston, S.C., and they have three children: Kenneth, 12; Lori, 10; and Patti, 7.

Chief Hood, in my opinion, is the personification of the kind of servicemen we have in our Armed Forces today and the type person we hope to attract to them in the future. His record of accomplishment speaks for itself, but I wish to add the observation that he is highly deserving of the honor bestowed upon him and certainly deserving of any honors the Navy might bestow in the future.

The Navy certainly could find no better representative of its high standards and devotion to duty than Chief Raymond B. Hood.

THE OHIO CREDIT UNION LEAGUE REAFFIRMS SUPPORT OF H.R. 7

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. PATMAN. Mr. Speaker, this past weekend it was my privilege to address the annual meeting of the Ohio Credit Union League at Columbus.

The meeting was one of the largest credit union affairs that I have attended and was one of the best run.

My remarks to the meeting concerned mainly H.R. 7, the so-called credit union bank bill. This is legislation that I have introduced along with other Members of the Congress that would establish a banking facility for credit unions similar to that operated by the Federal Reserve System and the Federal Home Loan Bank Board. It is much-needed legislation so that credit unions in times of tight money situations will not have to depend on outside sources to obtain funds.

It was most gratifying to me that following my speech the Ohio Credit Union League voted 223 to 81 to ratify its board of directors' position in favor of the legislation adopted last February.

Mr. Speaker, credit unions are one of the most democratic organizations in our country. This fact was reaffirmed last weekend in Ohio. The credit union bank bill is one of the most important pieces of legislation ever to effect credit unions, and because of this, the Ohio Credit Union League spent a great deal of time adopting its position on the legislation. In fact, more time was spent discussing H.R. 7 than on any other piece of legislation brought before the meeting. In some organizations the leadership merely tells its membership what it wants and the membership rubber stamps the leadership's position. However, in credit union organizations this is not the case, and, in fact, it is the general membership that adopts the positions rather than the leadership.

During the next few months other credit union leagues across the country will be holding their annual meetings and will also consider action on H.R. 7.

These leagues will be contacting their congressional delegations following their votes in order to keep their representatives advised of their positions. Because many members of the House will be contacted by the credit unions, I am including in my remarks for the daily Congressional Record a copy of my speech made to the Ohio Credit Union League so that members will be able to gain a better understanding of the provisions of H.R. 7. Any credit union desiring a copy of the entire speech may have it—with my compliments—upon request made to me at 2328 Rayburn House Office Building, Washington, D.C. 20515.

THE CONSTITUTIONALITY OF PRESIDENTIAL IMPOUNDMENTS

HON. BOB ECKHARDT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. ECKHARDT. Mr. Speaker, the question of the constitutionality of Presidential impoundment of congressionally appropriated funds is uppermost in the minds of Members of this body. Several pieces of legislation designed to carefully limit the use of impoundment by the President have been introduced for consideration by the 93d Congress and the House Rules Committee has conducted hearings on the subject.

Prof. Charles Black of Yale Law School, a noted constitutional scholar, recently commented on Presidential impoundments in a letter to the editor of the New York Times. I feel his letter will be of interest to all of my colleagues who are concerned with this problem:

"... THAT THE LAWS BE FAITHFULLY EXECUTED"

To the Editor:

Our Constitution has worked so well because it is flexible, even imprecise, in its designation and allotting of power among the branches of government. But flexibility cannot be a source of strength in the absence of good-faith obedience to the spirit of the constitutional plan. There is, for example, nothing in the letter of the Constitution which could even arguably prevent Congress from refusing to appropriate one dollar for the expenses of the executive branch; the President is not constitutionally entitled to so much as one social secretary.

Yet all must agree that a Congress that treated the executive in this way would be violating the spirit of an instrument that very plainly intended to make of the Presidency an office of dignity and independence.

In crippling and destroying lawfully enacted programs, by the "impounding" of funds, the President may not be violating the letter of the Constitution. I am not sure even of this; if, for example, the President "impounded" all funds for running the Customs Service, including all salaries of necessary personnel, I think he probably would be in literal violation of his obligation to execute the laws, and I see little ground for thinking the same reasoning does not apply to the execution of those laws aiming at the attainment of distributive justice for the poor, rather than at the protection of industry.

But I am sure that when the President, by this device of "impoundment," moves to frustrate in great part, or to bring to nothing, the operation of laws deliberately enacted by Congress, he is in flagrant and open violation of the spirit of the constitutional allocation of powers, and of his own stated obligation, the one central to his office, to "take care that the Laws be faithfully executed." Literally executed? Executed in a manner "perfectly legal"? Maybe so, though I doubt it. But "faithfully"?

CHARLES L. BLACK, Jr.,
Luce Professor of Jurisprudence.

SURVEY SHOWS POSTAL SERVICE IMPROVEMENT IN AUBURN

HON. WILLIAM F. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. WALSH. Mr. Speaker, I was pleased to note a news item which appeared in the Citizen-Advertiser newspaper in Auburn, N.Y., on April 19. The article contained the results of a survey and test recently conducted by Auburn Postmaster Carmelo Signorelli. The survey showed service to be good, specifically citing 2-day service to California and Arizona and overnight service to Auburn and nearby towns.

I am very pleased to note that the efforts put forth by Postmaster General Klassen and the postal employees in my district in recent weeks have resulted in service improvements. I am hopeful we may witness further improvements in mail service in the future.

In order to share the results of this survey with my colleagues, I would like to include it in the RECORD:

POSTAL SERVICE SURVEY

"Mail service has either improved tremendously over the past several weeks or it was never as bad as some had claimed. This is the only conclusion that we can draw from a survey conducted by the Auburn Post Office, according to Postmaster Carmelo Signorelli, who reports on a survey he conducted.

"The survey was prompted by a similar test recently conducted by The Citizen-Advertiser. We decided to conduct a more comprehensive test, one which would give a more complete picture of the quality of today's mail service.

"One hundred test letters were mailed over the two-week period of March 28 to April 10, which included the busy first of the month mailing period. The results from these mailings proved to be excellent. From having close contact with the mails daily, we knew that service was good, but the results surpassed even our expectations. Who can quarrel with two-day service to California and Arizona; and consistent next day service to Auburn and nearby towns?

"In conducting this survey, every effort was made to keep it completely objective. All test letters were mailed in plain white stamped envelopes with nothing to distinguish them from regular mail. All of the letters were sent by first class mail—none by airmail. The letters were mailed in various letter boxes throughout the city and at different times of day. Letters addressed to Auburn were deposited both in 'Auburn' and 'Mixed' boxes.

"The employees of the Auburn Post Office were unaware of the test and all mail operations were carried on in the normal manner.

"Of the 100 letters mailed, all zip coded, 40 were sent to Auburn addresses. Of these, 30 were sent to names taken at random from the Auburn telephone directory and 10 were sent to business firms. Twenty letters were sent to nearby towns with addresses again taken, for the most part, from the telephone directory. The remaining 40 letters were sent to newspapers throughout the United States.

"Of the 40 letters sent to Auburn addresses, replies were received from 37 and all indicated delivery on the day after mailing. Replies were received from 13 of the letters mailed to nearby towns and, again, all were received the next day. The towns were Cayuga, Weedsport, Port Byron, Union Springs, Camillus, Seneca Falls, King Ferry, Scipio Center, Locke, Ithaca, Oswego, Cortland and Geneva.

"Replies were received from all 40 letters which were mailed nationwide and the results are listed below. While a few soft spots did appear, service was generally very good:

Akron, Ohio, 2 days.
Albany, N.Y., 1 day.
Albuquerque, N.M., 3 days.
Allentown, Pa., 2 days.
Augusta, Ga., 2 days.
Austin, Tex., 3 days.
Baltimore, Md., 1 day.
Baton Rouge, La., 3 days.
Billings, Mont., 3 days.
Binghampton, N.Y., 2 days.
Birmingham, Ala., 3 days.
Bloomington, Ill., 2 days.
Boise, Idaho, 3 days.
Boston, Mass., 2 days.
Buffalo, N.Y., 1 day.
Charleston, W. Va., 2 days.
Charlotte, N.C., 3 days.
Chicago, Ill., 2 days.
Cleveland, Ohio, 2 days.
Denver, Colo., 2 days.
Des Moines, Iowa, 4 days.
Detroit, Mich., 2 days.
Evansville, Ind., 2 days.
Honolulu, Hawaii, 4 days.
Jacksonville, Fla., 3 days.
Kansas City, Mo., 2 days.
Memphis, Tenn., 2 days.
Milwaukee, Wis., 2 days.
New York, N.Y., 2 days.
Portland, Maine, 2 days.
Phoenix, Ariz., 2 days.
Rochester, N.Y., 1 day.
Sacramento, Calif., 2 days.
St. Petersburg, Fla., 3 days.
San Francisco, Calif., 2 days.
San Juan, Puerto Rico, 7 days.
Seattle, Wash., 3 days.
Syracuse, N.Y., 1 day.
Washington, D.C., 3 days.

"Poor service? You wouldn't know it from these results. Some of these cities are now receiving the fastest service ever.

"The truth is that the quality of mail service is improving month by month. And while there is an occasional delayed letter (no industry operates with 100 per cent perfection), the trend is definitely toward a level of service never before attained. This improvement is made possible by mechanization, fast transportation, new techniques and employee know-how.

RISING LUMBER COSTS

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. HUNT. Mr. Speaker, people in southern New Jersey and nationwide, are alarmed over prices in general, and over the rapidly rising cost of a new home in particular. With skyrocketing lumber prices, builders are taking a realistic and honest approach in their dealings with new homebuyers, but these same builders are becoming somewhat fed up with being cast in the role of villains, due to a situation over which they have very little control.

Action was called for, and, in a coordinated effort, a delegation from the Home Builders League of South Jersey joined some 1,500 other builders from all over the country in a "lumber crisis conference" in Washington on March 22. Some of the members met with me that day and I must say we had a most meaningful discussion. I told them then that I would continue to explore possible solutions at the Federal level.

Specific points of our discussion were: The problem created by Japanese buyers paying two and three times the normal rate for logs, thus diverting more and more timber away from the domestic market, and the minimal effect that controls would have on balance of trade; the greatly increased number of housing starts needed to meet housing demands; and emphasis on the quarter billion dollar piece of south Jersey's economy supported by the building industry in Gloucester, Camden, and Burlington Counties alone.

The group representing the Home Builders League of South Jersey indicated, if the present trend continues, that they foresee an increase in the prices for lumber and wood products in the average home of up to $3,000 in the next few months. They also pointed out that projected figures are just that, and without some control the situation could become even worse.

Framing lumber—west coast mill price—has increased in price 74 percent since November 1971. Plywood sheathing has increased in price at an even more alarming rate, up by 84.2 percent over the same period.

During this time, the index for other industrial commodities increased by only 5.6 percent—plumbing fixtures and brass fittings increased 2.8 percent, concrete ingredients by only 3.9 percent, and asphalt roofing showed no change.

Obviously the villain is not the builder, but the spiraling prices for lumber and wood products—costs that could price homes out of reach for those who need them most—people with moderate or low incomes.

South Jersey Home Builders have joined with the National Association of Home Builders in a number of recommendations. First, all log and lumber exports should be temporarily embargoed until the domestic crisis is resolved. An embargo could be effected by amendment in Congress to pertinent legislation. Second, a full scale investigation by Congress of the entire sales, pricing, and distribution system for lumber, covering auction in the Federal forests, allocation of log sales, and limitations on the time permitted for cutting. Third, upon completion of the investigation, Congress should make recommendations and enact legislation to correct distortions and such practices which unreasonably add to the price of lumber and wood. These recommendations, along with greatly improved programs of cutting and replanting in Federal forests, would begin to stabilize what is fast becoming an uncontrolled situation.

According to the builders, future planning is necessary, but they continue to be deeply concerned about the more immediate need for controls, which would enable homebuilders to project costs realistically and continue to offer homes for sale at prices within the reach of those who need them most.

SPRINGFIELD, MASS., HOMECOMING CEREMONY FOR VIETNAM POW RETURNEES NAVY LT. TIMOTHY B. SULLIVAN AND AIR FORCE CAPT. ROBERT B. HINCKLEY

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. BOLAND. Mr. Speaker, on April 27, 1973, the citizens of the city of Springfield, Mass., joined together in a most moving homecoming ceremony to commemorate the return of two former prisoners of war: Navy Lt. Timothy B. Sullivan, and Air Force Capt. Robert B. Hinckley.

The Vietnam war has been a distressing experience for our Nation, but I believe that the return of our prisoners of war has given the American people cause for jubilation.

At this point I enter the remarks of those who took part in the ceremony: Mayor William Sullivan, Lieutenant Sullivan, Captain Hinckley, the Reverend Emerson Wesley Smith, executive director of the Greater Springfield Council of Churches, and my own.

REMARKS OF MAYOR SULLIVAN

Today, as we honor two of our returned prisoners of war—I am certain they share the same mixed emotions with which I view our ceremonies today . . . that as we honor the living heroes of Vietnam, we also honor and cherish the memories of the dead and still missing.

It goes without saying that I am proud to be the mayor of Springfield at a time like this, when I can welcome home on behalf of the city two of our heroic young men from Springfield who have been subjected to so much on behalf of us all.

I am extremely pleased that these brave Springfield men are back with their loved ones at last after so many years of absence and so much uncertainty—and that Lt. Sullivan and Capt. Hinckley will have the opportunity to continue their lives once again after a harrowing experience which few of us could endure.

Yet there are others who did not return—whose families prayed and experienced the same uncertainty and anxiety . . . and finally the knowledge and the grief.

These are the men whose families are on the rostrum with us today because they themselves cannot be here.

And so it is we must stand here this morning with mixed emotions. We rejoice with Lt. Sullivan and Capt. Hinckley that they survived some of the most difficult experiences man can be called upon to face—but they did survive and they are here with us today.

And we sympathize in their grief with the families of those men who went to Vietnam because their country asked them to go—and they did not come back.

We are also honoring with our program today all those men of Springfield who were called and who volunteered for duty in Southeast Asia, and who served with honor and to return again to civilian life or to pursue military careers. The men and women we are honoring today did not shirk their responsibilities. They would much rather have been in different places at different times, but their country called, and they responded.

The future of any country—of any community—rests on the shoulders of those who can be relied upon to assume the burdens of responsibility when called upon to do so.

These men responded!

So we view our ceremony today with mixed emotions.

We share the grief of those Springfield families whose loved ones did not return.

We salute those men and women of Springfield who served with distinction during the long years of hostilities, and returned to peacetime activities.

And we welcome back those returned prisoners of war—represented by Capt. Hinckley and Lt. Sullivan—who accepted the responsibilities of American military men, who endured hardships rarely experienced throughout history, who have survived and returned to their families and to us.

We in Springfield owe these men and others like them a debt we can never repay. But perhaps this ceremony—our gathering here together—will show some small measure of our thanks—and symbolize somewhat the great feeling and emotion which all of us will forever carry in our hearts for them.

Welcome home!

REMARKS OF CAPTAIN HINCKLEY

It is so good to be home. To be free again. I want to thank everyone for the very warm welcome and all of your efforts on our behalf through the long years. I want to tell you how proud I am of my wife and family for their courage and long suffering devotion. And my heart is especially with the families of those men who will not return, whose status is still unknown. I want the families to know that their husbands and sons and brothers have not sacrificed their lives in vain. I have lived inside of Communist North Vietnam and I can tell you that their system is evil. It is an evil malignancy and it must be challenged wherever it spreads.

Jane Fonda was duped as were many other Americans by a system of insidious lies. Ho Chi Minh once said that the truth is what is good for North Vietnam. America does not want that kind of truth.

Let us safeguard those freedoms that we have worked so hard to attain wherever and whenever they are threatened.

Thank you.

REMARKS OF LIEUTENANT SULLIVAN

I'd like to say thank you and that is probably the best way I can say it. It's great to be back. This was a good place when I left, it looks even better now. I drove around last night, took a look and I couldn't believe it.

You've really made some progress, with all the changes and improvements. And when I look at what has happened it gives me a feeling of pride and pleasure in having served my country. I hope that my small sacrifice made some of this possible.

Thank you.

REMARKS OF HON. EDWARD P. BOLAND

This city officially pauses, for a moment today, to pay tribute to its returned prisoners of war, to honor the families of those who gave their lives, to remember and to pray for the missing in action, and to salute, all from the city, who served in the Vietnam war.

I am sure that this event cannot equate the sacrifices that all have made.

I know, too, that any words of mine, are simply futile, to give adequate expression, to the gratitude, that this city, and this Nation owes, to all who are cited here today.

But it is good, and it is right that Springfield does so!

It sorrows, as it recalls those, who gave the last full measure of their lives, to their country.

It bows in reverence to the missing in action.

It thanks all who served.

And Springfield rejoices, with so many other communities across our land, in the safe return of the prisoners of war.

Few will dispute the remarkable, incredible, magnificent demeanor of those who, in a real sense, have returned from a living hell to the real world.

You catch their feelings in their looks and by their words.

The hell they lived through, no man knows—only they and they alone!

For both Lieutenant Sullivan and Captain Hinckley it was more than 5 years. Waiting it out must have been an eternity for them, as it was, too, for their loved ones back home.

It is difficult to understand why their spirit was not bent and broken—how they kept their sanity—and why death itself did not overtake them.

You will find the answer in their upbringing, their background, their self discipline. Both were imbued with a love and faith in their God. From childhood, through high school, through college, both practiced their religions—one Catholic, the other Protestant—with devotion and love.

(With this strength, they fought to survive and to live. And they did!)

You will find the answer, too, in the kind of mothers and dads they have—in their faith and their devotion to their Creator—and the ideals they imparted to their children to guide them through their most difficult times.

Permit me a personal note. Bernie and Anne Sullivan, Lieutenant Sullivan's parents, attend Our Lady of Hope Church, as I do. For more than 5 years, I have seen them, oh, so often, quietly, patiently, without ostentation, petitioning the Almighty, to answer their prayers for the safety and return of their son. I know that everyone in that great parish joined them in their petitions.

I know, too, that the Hinckley's did likewise.

And because their prayers have been answered, Tim and Bob are today, walking on the streets and in the neighborhoods, with their friends of yesteryears.

Bitterness, recrimination do not follow them.

They speak, in the same tone, and the same words, as their fellow prisoners of war throughout the Nation. . .

I've read Lieutenant Sullivan's interview with the press.

Because his remarks were so natural and so right, they deserve repeating here.

On the war critics, and derogators of the prisoners of war—"It's a free country." On freedom, "A lot of people have trouble realizing what they have, until they lose it."

These men know, better and more, than any of us, what freedom really means. They know, that freedom is, what our country, and our Constitution, is all about.

No one will deny that this country has had its triumphs and its tragedies—its glories and its shames—and it will always be thus. For it is not a perfect society but it is the best that civilization has ever offered mankind.

Despite the shadow of Vietnam—a war, more frustrating, more difficult to understand than any we have ever fought—and despite the homespun and man-made shadows that now shade our land, our people can rise to meet the challenges that confront us. We can do so, if we emulate the faith, determination, and confidence, that sustained Lieutenant Sullivan and Captain Hinckley in their hours of agony.

This community will not long remember what I say here. My plea, is, that it will never forget, what sacrifices were made by those who are honored here.

Today we cover them with the praise of a grateful community. Too often, too soon the music and the words that have moved us, fade into the forgotten past.

For our part, let us resolve that this will not come to pass in this great city.

PRAYER

(By The Reverend Emerson Wesley Smith, Exec. Director Council of Churches of Greater Springfield)

O God, Our Heavenly Father, it is with glad hearts that we declare our gratitude for the safe return of our prisoners of war. We are grateful for their service and sacrifice, and we praise them to you.

May they never again have to endure such risk and peril for our security here at home. May the example of their faithful service continue to be an inspiration to us to be citizens committed to community betterment.

Our Father God, we likewise honor those in the uniform of their country who gave their fullest measure of service and did not return. Let their sacrifice never dim in our memories.

Only, O Father in Heaven, as we here at home respond in service to country and community, can we bring lasting honor to those who have served and suffered in far-off lands. Therefore, O Lord of us all, whatever may be our faith or religious tradition, make every one of us the kind of "citizen-soldier" who is loyal to the nation, who is disciplined in service, who is resolute in actions to achieve the great victories of peace and justice. Amen.

ANNA THOMAS TO RECEIVE GOLDEN DEED AWARD

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. McCLORY. Mr. Speaker, word has reached me that the Waukegan Exchange Club plans to present its Golden Deed Award for 1973 to my distinguished constituent, Mrs. Ann Perry Thomas.

Mr. Speaker, this decision of the Waukegan Exchange Club is one that deserves broad public notice. This honor is recognition of Anna Thomas' great inspiration and many contributions to the community she serves and the Nation to which she is so deeply devoted.

Mr. Speaker, as the founder and principal administrative head of Happy Day Nursery, Anna Thomas has demonstrated her leadership for the benefit of small children and their families. While many of these beneficiaries might be popularly described as "disadvantaged," I would contend—on the contrary—that those youngsters cared for and nutured by Anna Thomas and her staff at Happy Day Nursery have received special advantages, and have been peculiarly blessed.

Mr. Speaker, in addition to her leadership role in behalf of small children, Anna Thomas has championed the rights of women and has directed her attention toward the interests of older Americans.

Mr. Speaker, in all of these areas she has relied upon her own broad experiences and upon a spiritual strength that enables her to perform far more than the average citizen.

Mr. Speaker, Anna Thomas' philosophy is in every real sense a religion. Her high principles and her unflagging reliance upon divine support for the attainment of her objectives are translated into actions which she avers are on behalf of "one Father and one people."

Mr. Speaker, Anna Thomas is a great American according to any standard we might apply. As the 1973 recipient of the Waukegan Exchange Club's Golden Deed Award, I can think of no better choice nor a more representative individual to be publicly honored than this noble woman.

I call my colleagues' attention to this cherished constituent. I am sure that all of the Members of this House of Representatives wish to join in honoring the Waukegan Exchange Club's recipient of the Golden Deed Award for 1973—Anna Perry Thomas.

CABLE CAR CENTENNIAL YEAR

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. STARK. Mr. Speaker, this year, 1973, has been declared the Cable Car Centennial Year in honor of the 100th birthday of the San Francisco cable car. I introduced the following statement into the record of the Consumer Affairs Subcommittee so that commemorative medals might be struck by the U.S. mint in honor of the occasion:

Madame Chairman and fellow committee members, I am today asking your consideration of H.R. 7358, a bill to authorize the minting of commemorative medals for the Centennial of the San Francisco Cable Car.

The cable car invented by Andrew S. Hallidie, a resident of San Francisco, heralded a new age of rapid transportation in the United States. The first cars successfully negotiated the hilly streets of San Francisco in August, 1873, and the invention rapidly spread to many cities throughout the country. The cars brought the far corners of the city closer together and were responsible for the growth and development of remote, outlying neighborhoods.

Other cities took note of the achievements of this transportation system and within a few years Chicago, then Philadelphia, Kansas City, Cincinnati, New York and twenty-two other cities had functioning cable car systems. Only San Francisco's cable cars remain.

In 1964, the San Francisco cable cars were declared a National Historic Landmark by the National Park Service. They are, today, the only remaining street railway system in the world. In due recognition of their one-hundredth anniversary, the city proclaimed this year, 1973, the "Cable Car Centennial Year". The commemorative medals, a major part of the celebration, would be produced at the San Francisco Mint, also one hundred years old. This building has been restored to its original beauty and is now being honored in conjunction with the cable cars. It stands just one block from the cable car turntable and the memorial Andrew S. Hallidie plaza.

As provided for in this bill, the minting of the medals would be at no cost whatsoever to the United States Government or the Treasury. Please note that Section 2 provides that ". . . the Director of the Mint shall be furnished to indemnify the United States for the full payment of such costs."

The San Francisco cable cars are a warm, charming, and yet vital and functioning piece of the American heritage. These cars were the first and the last of one of the most innovative transportation systems the world has seen. The San Francisco cars have become a symbol throughout the world of the American spirit of invention and progress, much as the Model T Ford was another great first in transportation.

The member of the Committee should note that the U.S. Postal Service printed a postcard depicting famous American landmarks. On it were the Statute of Liberty, the Hawaiian coastline, the Alaskan mountains and the Cable Car, beginning its descent down one of San Francisco's renowned hills, similarly, the Post Office issued a commemorative stamp of the cable car.

These landmarks, then, are more than of local significance. In fact, they are American trademarks recognized throughout the world. These are the images conjured by people all around the world of the United States, much as the windmill is to Holland and the red double-decker bus is to London.

Mrs. Mary Brooks, Director of the Mint, has stated before this Committee that medals of "national significance" may be struck by the U.S. Mint. To be considered of national character, Mrs. Brooks testified, "The medal should have significance for all the people. It should honor only those events that have contributed to and advanced the history of this country, or [t]hose persons whose superior deeds or achievements have embellished our history, or who are representative of the finest of accomplishment in service to the Nation." Among the examples cited of such was a national historic monument or landmark.

I can think of few events that contributed more to the history of the country, or better embellished our history.

Similarly, Mrs. Brooks continued that any event occurring within a limited region, and having meaning only to the residents of that region, does not have the needed national magnitude to qualify for medals struck by the U.S. Mint.

The San Francisco Cable Cars have meaning to countless people of all nationalities who may never have ridden them, but who are able to visualize them and their impact on San Francisco and twenty-six other American cities. The cable cars have been forever immortalized in all the photographs, paintings and other art forms that serve to record the steps of progress in our history.

Surely the people of San Francisco and all Californians value this occasion as more precious than others might, for they call it their own. It does, however, belong to us all. The Centennial is of great sentimental value and tremendous importance to all Americans.

I respectfully urge my fellow Committee members to consider all the testimony presented before you during these hearings in light of the national character of the event so that we may duly commemorate the Centennial by striking medals for the Cable Car Centennial Year.

TAXPAYERS CANNOT AFFORD ANOTHER FARM PAYMENT LIMITATION LIKE THE $55,000 LIMIT IN THE AGRICULTURE ACT OF 1970

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. FINDLEY. Mr. Speaker, America's taxpayers cannot afford another farm payment limitation like the $55,000 limit contained in the Agricultural Act of 1970. Even though the original intent of the $55,000 limitation was to save the taxpayer money, farm payments in 1971 amounted to $7.8 million more than they would have if the limitation had never been enacted. Although data is incomplete for 1972 and 1973, the limitation undoubtedly will result in a similar additional cost each of these final 2 years of the law. This means taxpayers, instead of getting relief, took a 3-year licking of $23.4 million.

Here is how that strange and ironic injustice was perpetrated on our taxpayers:

In July of 1970, the Department of Agriculture responded to an inquiry of mine by forecasting that the amount of savings under the $55,000 limitation, which was then under consideration, would be $58.2 million per year. During debate on the farm bill later that month, I questioned that estimate and expressed my belief that the $55,000 limitation as written would allow widespread evasion and save little.

But on August 5, 1970, the House approved the Agricultural Act of 1970 containing that loosely worded limitation over my protests. I argued for a lower, tightly drawn limitation of $20,000 and reemphasized my belief that the $55,000 limitation would save little, to no avail.

All I can say now is I told you so. Not only did the limitation not save money, it actually resulted in a greater cost to the taxpayer.

The language in the limitation was drafted by people who do not believe in a payment limitation and who accepted one only as a way of a deadlocked situation, but they wanted to be doubly sure the flow of money was unchecked.

When the bill got to conference, section 610 was added to the cotton provisions of the bill. This section was not in the bill when it passed the House, but was slipped in the conference report in the waning hours of the 91st Congress. It provided for a payment of up to $10 million to Cotton, Inc., a research and promotion agency provided for in the Cotton Research and Promotion Act of 1966. Funds for this payment were to come from savings caused by the $55,000 payment limitation.

Section 610 authorizes the Secretary of Agriculture to make the payments for the carrying out of approved agreements by the organization. The exact language of that section says:

> Each year, the amount available for such agreements shall be that portion of the funds (not exceeding $10,000,000) authorized to be made available to cooperators under the cotton program for such year but which is not paid to producers because of a statutory limitation on the amounts of such funds payable to any producer.

On July 1, 1971, a $10 million payment was made to Cotton, Inc. In March 1972, a GAO study documented that the actual savings from the $55,000 limitation for the 1971 crop was only $2.2 million.

Despite the clarity of the language in section 610, both the GAO and the Secretary of Agriculture defended the full $10 million payment to Cotton, Inc. They said this was the intent of Congress, based on an ambiguous statement in the conference report. Furthermore, they said a full $10 million payment should be made each year the Agricultural Act of 1970 is in effect, regardless of savings.

Section 610 was justified and accepted by the Congress because it would be funded by savings from the payment limit. Most Congressmen believed savings would be far in excess of $10 million. This belief was based on the July 1970 forecast by the Department of Agriculture.

If they had known savings would be only $2.2 million in 1971, would they have voted section 610 into the act? Of course, not. The $55,000 limitation and section 610 were tied together.

Because the limitation saved only $2.2 million in 1971 and section 610 caused an additional outlay of $10 million, it cost the taxpayers $7.8 million more than it would have if the limitation had never been enacted.

The Department of Agriculture made a second $10 million payment to Cotton, Inc. in 1972, and a third will be made this year.

If the same low savings are realized in 1972 and 1973 as 1971, the $55,000 payment limitation will have cost taxpayers $23.4 million more than if it were not enacted. What a cruel hoax to play on American taxpayers.

If this were not tragic enough, consider the way in which Cotton, Inc. is spending this windfall. From lavish quarters in Manhattan, this organization is purportedly trying to regain some of the markets that cotton has lost to synthetics. Cotton, Inc.'s president draws a salary of $100,000 a year, and several personnel in the organization make over $40,000, with the approval of the Department of Agriculture. As the outpouring of public money goes on, domestic consumption of cotton dropped last year to its lowest level since 1948.

This strange and perverse twist to the ongoing history of farm subsidies makes clear the need for a tightly drawn and rigidly enforced payment limitation. And, of course, $55,000 per commodity is ridiculously high. The limit should be reduced to $20,000 per farmer.

Ten years have now passed since I first offered my amendment on June 6, 1963, to limit direct Government payments to farmers. Support for the idea has grown steadily, although it encountered a setback last year when an unholy vote-swapping alliance was formed during debate on the annual agricultural appropriations bill.

Despite this setback, support remains strong. This year, a $20,000 limit should be enacted. The need is clear. Witness the growth of big payments to big farmers over the past 5 years:

Year	Number of farmers receiving payments in excess of $20,000	Amount of payments in excess of $20,000
1968	5,914	$273,333,643
1969	7,795	366,779,995
1970	10,371	414,500,000
1971	13,751	486,339,509
1972	18,585	655,841,358

Farmers in my home State of Illinois clearly understand the problems connected with Government payments. For several years, farmers in my district have indicated overwhelming support for a limit on payments at $20,000 per farmer or lower. My annual survey of my district's opinion last year showed over 90 percent responding in favor of lowering the limit to $20,000 or lower. In addition, there was no significant difference between farmer and nonfarmer opinion on this issue—both agree that big farm payments are bad.

Also last year, a poll taken by Prairie Farmer magazine, one of the most respected farm publications in the Nation, indicated most Illinois farmers agree on the question of payments. Their poll question was:

> Several Congressmen are urging that ASCS payments be limited to $20,000 per crop per farm instead of $55,000 as at present. How do you feel about this?

The answers: 18.0 percent say leave the upper limit at $55,000; 44.1 percent say drop the limit to $20,000; 19.2 percent say drop the limit to $10,000 or less; 11.2 percent say eliminate payments altogether; and 7.5 percent gave no answer.

This means that 74.5 percent want a limit of $20,000 or less. Even more important, 30.4 percent want the limit lowered to $10,000 or less.

Bear in mind, these answers are from farmers.

Soon, Congress will again have the opportunity to reduce the payment limitation to bring it in accord with the wishes of the majority of American citizens, including farmers.

In addition to lowering the limit to $20,000, we must be sure this time that all the loopholes so evident in the $55,000 limitation are closed.

Large farm payments to the landed gentry are nothing more than welfare for the wealthy. This abuse to the taxpayer must end.

I realize that the cost of insertion of this information in the CONGRESSIONAL RECORD is substantial. In my opinion, the expense is thoroughly justified.

First, based on past experience and numerous requests for details which have been coming to my office, widespread public interest exists. Other Members and their constituents want to know which individuals got big payments in 1972.

Second, the information is not readily available to the public by other means. For years, at the direction of the chairman of the Senate Subcommittee on Agriculture Appropriations, Mr. Holland, the full listing of payments was published each year as a part of the hearings. When Senator Holland left office, the practice was discontinued. Since then, the CONGRESSIONAL RECORD has been used as the way to provide the information to the public.

Third, this year more than ever the information should be published, as the Congress will decide what legislation will follow the expiration this December of the Agricultural Act of 1970. My colleagues should have current information on which to make their decisions.

The list follows:

ASCA and Great Plains program payments of $20,000 or more—Excluding loans—Alabama

[Amounts in dollars]

AUTAUGA COUNTY	
Autauga Farming Co	64,263
Percy D. Roy	58,320
Malcolm Smith	58,311
M. S. Murfee	58,228
D. H. Jones	57,904
Dismukes Farms	50,382
Rogers and Sons	48,584
James T. Murfee	43,029
Wilson C. Johnson	38,684
C. W. Johnson and Son	36,088
D. C. Bruner	35,935
Wadsworth Brothers	32,442
James A. Adams	31,273
J. A. Rainwater	28,628
D. L. Yarbrough Estate	28,554
W. P. Jones	27,878
Ray Kirkpatrick	24,616
M. A. Rikard	23,195
O. H. Jones	22,450
James W. Guy	22,142
Billy Robert Dusley	21,960
Johnnie A. Rainwater	21,955
B. R. Wood	21,305
Cecil Smedley	21,278
Gibbons Brothers	21,071
Sam Deramus	20,556
Bob Condra	20,223
Total payees in county (27)	939,254
BALDWIN COUNTY	
D. E. Dean, Jr	31,387
Total payees in county (1)	31,387
BARBOUR COUNTY	
Ben F. Bowden	65,701
W. L. Corcoran	59,574
Total payees in county (2)	125,275
BIBB COUNTY	
Young Brothers	44,596
James Brothers	43,873
McArthur Tidwell	35,831
J. C. Goodson	34,171
M. C. Murphy	25,492
Charles England	22,104
Total payees in county (6)	206,067
BLOUNT COUNTY	
Dean Pruett	55,270
Dixie Farms, Inc	54,964
William R. Murphree	32,906
Durwood Gilliland	30,539
Boyd Murphree	26,381
Henry Whitley	22,462
James R. Kent	20,922
Total payees in county (7)	243,444
BULLOCK COUNTY	
J. P. Tompkins, Jr	24,781
Total payees in county (1)	24,781
BUTLER COUNTY	
Harry Poole	58,567
William Poole	24,929
J. N. Poole, Jr	24,449
Thomas C. Simmons	23,007
S. L. Wise	22,960
Total payees in county (5)	153,912
CALHOUN COUNTY	
Louis Hammonds	25,117
Earl Truitt	24,291
Sorrell Bruce Wesson	21,919
Total payees in county (3)	71,327
CHEROKEE COUNTY	
W. A. Ellis, Jr	57,707
James E. Ellis	57,441
Lowe Brothers c/o B. Lowe	42,079
Millard Lecroy & Son	39,931
Tommy Frank Sanford	38,599
Sanford L. Flynt	37,620
Sewell Brothers	37,229
Woodrow W. Rains	37,087
Jeff D. Jordan & Co	34,674
Robert Emory Chestnut	33,798
Jess Willard Lecroy	33,052
W. T. Williams & Sons	32,928
Robert E. Black	30,222
Ray Allen Lindsey	28,640
John B. East	25,168
Charles Allen Hammett	24,256
Ray Brothers	24,156
Lewis Earl Acker	23,740
Jerry Cunningham	23,180
Baker Bros	21,794
Total payees in county (20)	683,301
CHILTON COUNTY	
J. Robert Cox	57,165
C. R. Childress	50,902
J. T. Franklin	39,276
Charles F. Culp	28,546
Rubin Kelley	24,827
Louise Kelley	24,233
J. L. Williams	20,972
James L. Deloach	20,090
Total payees in county (8)	266,011
CHOCTAW COUNTY	
W. H. Sparrow	36,695
Total payees in county (1)	36,695
CLARKE COUNTY	
J. E. Bush	20,100
Total payees in county (1)	20,100
COFFEE COUNTY	
J. A. Wise and Son	24,328
Total payees in county (1)	24,328
COLBERT COUNTY	
Eugene V. Blythe	59,071
Edward F. Mauldin	57,939
W. Carter Reid	57,704
Daniel Counts	53,472
William Elbert Reid	52,030
Willie Posey	48,535
David N. Reid	48,354
Preuit Farms	47,109
Ben Fennel, Jr	46,916
J. J. Johnson	45,783
Price Counts, Jr	42,653
Gordon Ray Price	42,207
J. W. Jeffreys	41,727
Hubert R. Stanley	40,376
Herbert C. Harris, Jr	38,864
K 88 Corp	35,242
Hollis Isbell	34,718
Oneal Sockwell	34,301
James M. Underwood	31,917
Bobbie O. Wright	30,502
Howard Keeton	29,680
William A. Pullen	29,235
Howard Gargis	27,973
Paul Minor	26,592
Kenneth Uhlman	26,395
Paul Reid	26,349
Billy Pullen	26,326
T. W. Masterson	23,959
John Louis Croom	23,594
James Franklin Minor	22,816
Maurice Blacklidge	22,192
Woodrow Craft	−22,035
Ronald Brumley	21,868
Aaron Patterson	20,758
Robert O. Hand	20,652
Bennie Worsham	20,016
Total payees in county (36)	1,279,860
COVINGTON COUNTY	
Crum Foshee	36,426
W. G. Foshee, Jr	36,426
J. W. Douglas	20,016
Total payees in county (3)	92,868
CULLMAN COUNTY	
T. J. Pate	61,462
Billy Fletcher	45,057
W. F. Blackwood	42,244
Ferris Kelsoe	26,321
Noble Vest	24,779

Forrest Ingram	24,560
Woodliff Manning	21,680
Carmon Maze	20,187
Total payees in county (8)	266,290

DALE COUNTY

Borland Bros	26,927
Total payees in county (1)	26,927

DALLAS COUNTY

James A. Minter, Jr	63,002
W. H. Watts & Son	60,185
Robert Lee Sanford, Jr	56,275
James Hopson Sanford	56,275
Thomas J. Pope	56,200
James A. Minter, III	55,899
J. W. Suttle	52,278
Thomas E. McHugh	51,298
Sommers and Rountree	44,359
Otto E. Godwin	42,593
R. Furniss Ellis	39,165
Macho Corp	38,948
Nelson Norris	36,381
J. W. Suttle, Jr	33,276
Cedar Creek Farms	32,568
Tyler G. Moore	32,161
W. J. Neighbors	31,043
R. W. Zimmerman	30,893
J. C. Sheehan	29,960
D. W. Till, Jr	29,346
Edwin R. Moore	29,140
Robert Smith	27,676
George Wood	25,877
Jewell Farms	25,565
Carl Henderson	25,077
John P. Henderson	24,932
Robert Culpepper	24,086
J. C. Gresham	23,946
Beers Brothers	22,833
Billy Hardy	22,012
Givhan Land & Cattle Co. Inc	21,333
Robert Levi McHugh	20,626
John P. Majors Estate	20,492
Herman Edward Majors	20,492
W. J. and J. W. Simmons	20,331
Dioh L. Johnson	20,279
Frank Brown	20,247
Total payees in county (37)	1,267,049

DE KALB COUNTY

Truman J. Hicks	30,799
Jerry Adams	27,706
Jerry W. Davis	22,547
Alvin G. Mitchell, Jr	21,360
Rayburn D. Petty	20,265
Total payees in county (5)	122,677

ELMORE COUNTY

Sherrill J. Woodfin	55,000
George Douglas McCartha, Jr	53,102
Wood T. Dozier	52,230
Henry Owen Harper	48,448
J. Edwin Davis	47,294
State of Ala. Bd. Corr	42,674
Garnand and Thornton	38,226
J. Melvin Taylor	33,877
James Melvin Taylor, Jr	33,712
John T. Taylor	33,707
James T. Brown	30,661
Charles M. Paravicini	30,283
Lewis O. Rich	29,212
Dewey I. Penton	23,604
Fred L. Oliver	23,482
James T. Brown, Jr	23,134
Robert W. Terry	23,131
E. H. Dean	23,054
Lane and Cruise	21,411
Wood T. Dozier III	21,046
Vondean D. Hysmith	20,571
Forrest C. Speeks	20,086
Total payees in county (22)	727,945

ESCAMBIA COUNTY

George Prestwood	60,844
Board of Corrections	47,577
Bobby Joe Morgan	26,225
W. M. Brown	23,374
Curtis L. Chavers	20,595
Total payees in county (5)	178,615

ETOWAH COUNTY

Emory Johnson	30,648
Total payees in county (1)	30,648

FAYETTE COUNTY

J. C. Randolph	61,643
Mitt Ernest Keeth	35,683
J. Ronald Lawrence	29,036
Total payees in county (3)	126,362

FRANKLIN COUNTY

Vernia Ganes Masterson	25,695
Total payees in county (1)	25,695

GREENE COUNTY

Curtis R. Taylor	43,939
Elam Smith	33,275
Bigbee Farm	32,686
N. G. Garth	32,346
Velma Farm	28,634
Curtis I. Eatman	25,006
Charles S. King	23,395
Bayne Ethridge	22,824
William M. Steele, Jr	22,799
James E. Hankins	21,851
J. F. Cameron, Jr	21,701
H. Eugene Colson	20,695
Total payees in county (12)	329,151

HALE COUNTY

Waller E. Wedgworth, III	56,347
Marvin D. Johnson	49,492
W. J. Chandler	47,836
W. O. Chandler	47,822
W. B. Chandler	47,822
Johnnie Bedsole	39,579
Spencer C. Langford, Jr	30,011
John D. Bolling, Jr	27,327
Turpin Vise	25,566
Charles L. Johnson	25,067
Henry A. Bailey	25,029
Albert D. Rogers	23,890
Total payees in county (12)	445,788

JACKSON COUNTY

C. E. Cornelison	40,578
Winston T. Smith, Jr	37,309
Bob Mantooth	32,151
Dewayne Medlock	29,384
Lloyd Meeks	24,356
Bledsoe Hereford	21,392
Total payees in county (6)	185,170

JEFFERSON COUNTY

Jacob V. Pate	35,753
Total payees in county (1)	35,753

LAMAR COUNTY

Nolen and Ogden	34,481
W. A. Austin	25,510
Total payees in county (2)	59,991

LAUDERDALE COUNTY

Andrew C. Walker	55,000
Ray McIntyre	40,552
Howard T. Walker	38,592
Theo Scott	37,464
Buster L. Thornton	34,379
James E. Hale	33,649
Robert Oakley	33,562
Harvell J. Walker	31,162
Jeff Winters	30,907
Hugh L. Rice, Jr	30,825
James Walker	29,187
Ray Smith	27,746
Homer E. Liles	25,458
Robert S. Winters	24,360
Rufus W. Bratcher	23,040
E. B. High	22,837
Percy P. Wright, Jr	22,189
Charles P. Vaughn, Jr	21,752
G. F. Barringer	21,670
Billy D. Rhodes	21,338
Roy C. Lee	21,236
Wilburn H. Whitten	20,829
Alfred J. Buffler	20,130
Total payees in county (23)	667,864

LAWRENCE COUNTY

L. Preuit Est. C/O E. Mauldin	74,290
D. L. Martin, Jr	60,980
Albemarle Corporation	60,235
G. T. Hamilton	56,972
James Blythe	55,614
W. J. Lee and Son	54,732
Dan Claborn	49,582
Samuel R. Letson	49,502
W. W. Hamilton	48,733
Waylon Cross	48,119
Spring Lake Farms, Inc	47,154
Jack C. Davis	46,825
Benjamin A. Rose	46,421
Hugh J. Posey	46,271
Grady B. Rose	45,544
James Blythe, Jr	43,658
Roland Cross	42,219
Armstrong Farms	40,994
J. C. Claborn	39,477
Hood Harris, Jr	39,113
Daniel Gilchrist, IV	37,934
Andrew J. Morris	37,162
George Collins	36,558
E. H. Dewberry	34,228
Hubert Coffey	33,339
Harold Green	33,339
Daniel Gilchrist	32,656
Jerry Dewberry	32,374
Richard Brackin	30,105
O. D. Brackin	30,105
James C. Dyar	27,853
O'Neal Rose	27,775
W. C. Aday	27,235
Leon Hamilton	27,121
D. C. Lansford	27,107
Thomas A. Bowles	26,961
J. R. Knouff	26,611
Thoms Letson	26,004
Lynn Cross	25,331
Grady Windle Parker	24,607
Guy Parker	23,836
Hollis O. Green	23,177
C. W. Goodwin	21,507
Kenneth King	20,614
Brown Bradford	20,476
Larry Parker	20,033
Total payees in county (46)	1,730,483

LEE COUNTY

Robert E. Gullatte	40,430
W. O. Baker	39,183
T. W. Collier	28,628
Leary Whatley	25,999
Auburn University	25,298
Collier & Littrell	24,981
Nelson Hillyer	24,736
James W. Nunn	21,953
Total payees in county (8)	231,208

LIMESTONE COUNTY

Walter B. Shaw	59,042
Glennes V. Moore	58,547
Dan Atkinson	57,581
Grover C. Lawson, Jr	56,739
Thomas H. Vann	56,567
Ned Johnson	55,073
Fred William Hays	54,783
Rowe B. Sanderson	53,963
Thomas C. Downs	53,408
Luke Pryor	53,183
Gene Thomas Burgreen	52,419
Robert Horace Marks	51,444
L. V. Moore	49,072
John D. Anderson	47,706
Joe Mark Anderson	47,693
Henry Charles Baucom	47,231
Anderson Farms, Inc	45,924

ASCA and Great Plains program payments of $20,000 or more—excluding loans—Alabama—Continued

[Amounts in dollars]

LIMESTONE COUNTY—continued

Joe D. Anderson	43,587
Kenneth Carter	43,271
Pettus Menefee	43,176
Darden Bridgeforth	43,157
W. G. Peebles III	42,729
Robert Hargrave	41,516
Ernest P. Hargrave	41,515
Glenn Black	41,399
John David Lecroix	41,045
C. D. Downs	40,175
Horace W. Anderson	39,130
John T. Anderson	37,834
Jack T. Anderson	37,834
Robert W. Anderson	37,832
Stanley H. Menefee	37,623
George B. Murphy	37,341
Winfred Barron	37,148
Leo Hargrave	36,717
James P. Grooms	36,394
Withers G. Peebles	35,939
Charles R. Baucom	35,564
Edmond P. Garrett, Jr	34,693
James H. Garrett	34,692
Cecil Devaney	32,747
James U. Devaney	32,316
Malcolm R. McDonald	31,731
James Morris Black	30,079
Charles R. McCormack	27,917
William Henry Stewart, Jr	27,868
Vester M. Leonard	27,601
Jackie W. Leonard	27,590
Lucille F. Bowles	26,885
James E. Horton, Jr	26,449
Paul Black	26,271
M. W. Haney & Sons	25,976
Joe R. Murphy	25,257
Greenbrier Farms	25,224
Mike L. Murphy	25,057
Carlton Ikard	24,694
H. E. Hargrave	24,671
Donelson B. Horton	24,525
Donal L. Peek	24,106
James Edward Power	24,024
Gilbert Johnson	23,599
Alvin Holt	22,376
Delton E. Sandy	21,748
Wesley Marks	21,737
Olin E. Shaw	21,463
Reeder M. Barnett	20,659
Billy J. Swanner	20,035
Total payees in county (67)	2,493,291

LOWNDES COUNTY

George Marlow Reese, Jr	60,267
B. C. Rhyne	58,770
C. H. Rhyne	56,356
Elizabeth C. Meadows	56,143
G. T. Meadows, Jr	56,143
O. P. Woodruff	54,445
Neil Robinson	51,318
Harrell Hammonds	40,985
Charles Schreiner, Jr	32,236
E. R. Meadows	31,209
Howard Payne Meadows	30,763
Fred W. Holladay	28,498
Caswell G. McCurdy	28,247
David M. Lyon	23,423
Wayne R. Hobdy	21,097
Total payees in county (15)	629,900

MACON COUNTY

A. L. Lazenby, Jr	58,637
Mrs. H. A. Torbert & Sons	55,997
Robert F. Walters, Jr	37,948
F. C. Thompson	36,621
John C. Carter, Sr	32,960
Segrest Bros	32,736
James L. Kirby	28,640
Ben H. Walker	25,669
George P. Holt	23,691
E. E. Story	23,111
S. T. Sego Jr	22,870
John C. Carter, Jr	21,032
Total payees in county (12)	399,912

MADISON COUNTY

Homer Hunter	57,824
Willard Hunter	57,590
Albert Hunter	57,589
Ray Vandiver	56,801
James E. Patterson, Jr	56,616
John W. Vandiver	55,348
Erle P. Douglass	55,347
John W. McCrary	55,338
W. Homer Tate	55,000
John W. League	54,926
Everett Jones	52,388
William A. Brockway	52,187
Robert L. Pickens	51,928
Samuel J. Darwin, III	50,502
George R. St. Clair	50,318
Tyler Denton	50,099
C. O. Lowery	48,397
Tom E. Lowery	46,476
Dock Murphy	46,401
Carl A. Williams	45,953
M. E. Moore	45,592
Wesley Thomas	43,637
W. R. Spears	43,631
Glenn Murphy	42,075
Don Martin	41,765
Kenneth Pike	41,239
Albert McDonald	39,898
C. Spencer	39,193
Monte V. Davis	38,913
Jack T. Clift	37,480
Eugene G. Lowery	36,140
Donald Sublett	35,893
Grady Abernathy	35,862
Wade A. Hubert	35,419
Buford Parvin	34,432
Edmund Payne	34,429
Donald Spencer	33,835
Wallwood Farm	33,191
Robert L. Taylor	33,007
Orville H. Esslinger	32,682
John Hays	32,079
William H. Gray	31,880
E. H. Martin	31,822
Dennis O. Bragg	31,230
Glancye Gray	30,943
John T. Acuff	30,888
Robert M. Davis	30,687
Lonnie Miller	30,129
N. L. Reynolds	30,014
Billy Honea	29,888
Charles Rodman	29,767
Sam Harris, Jr	28,989
Charles M. Jacks	28,872
Ronald Vaughn	28,870
Claude N. Buchannan	28,657
J. A. Pettus	28,348
Allen Bragg	28,252
Lila S. Moore	27,965
Richard Turner	27,220
O. C. Moon	26,423
Wayne M. Thorson	26,282
Millard L. Sanderson	25,050
George D. Hodge	24,736
R. J. & L. R. Moore	24,443
Oakwood College	24,131
Kermit Nord	23,944
Glenn Campbell	23,740
E. J. Rogers	23,082
Elon Balch	22,492
Earl Hubert	22,299
Edward Alexander	21,474
Grady L. Grover	21,388
Katie Lowe ONeal	21,192
Junior Hillis	21,174
Dennis Hoover	21,071
Sandra G. Valley	20,629
James T. Smith	20,337
Aaron Fleming & Sons	20,329
Total payees in county (78)	2,815,057

MARENGO COUNTY

Allan Ramsey	52,644
James W. Glass	51,413
Hunter N. Brown	44,315
Rentz Simpson Lewis	39,713
William G. Rentz	28,229
Robert M. Gross	22,480
The Bend Farm	21,660
Abner Dunn, Jr	21,027
R. J. McAlpine	20,672
Total payees in county (9)	302,153

MARION COUNTY

B. W. Rollins	26,346
Total payees in county (1)	26,346

MARSHALL COUNTY

Robert L. Haynes	26,030
Jimmy B. Miller	25,280
Harold Burnett	24,638
Total payees in county (3)	75,948

MOBILE COUNTY

Louis C. Harbin	36,103
Emmett D. Wright	26,653
Total payees in county (2)	62,756

MONROE COUNTY

Maston & Bibb Mims	34,265
Ward Bros. Farms	26,001
L. G. Bell	21,136
Raymond Ward	20,391
Total payees in county (4)	101,793

MONTGOMERY COUNTY

Clinton C. Berry	78,150
W. H. McLemore	57,608
T. O. McLemore	43,224
A. J. McLemore, Jr	33,056
G. N. Handey, Jr	24,482
T. W. Oliver	24,192
Total payees in county (6)	260,712

MORGAN COUNTY

Gorman M. Braswell	37,998
Milton Jean	29,263
Curtis Stroup	29,188
John B. Sewell	27,069
Bobby R. Vest	26,187
Howard Millsap	24,068
Percy Sharp	23,476
A. B. Sharp	23,455
Alvie Sharpley	22,776
Herbert L. Clark	21,752
Richard B. Collier	20,460
Total payees in county (11)	285,692

PERRY COUNTY

J. C. Moore Mercantile Co	63,077
T. J. Jones	29,438
Ed Bobbitt	28,120
James Taylor	23,807
L. B. Sprott, Est	20,111
Total payees in county (5)	164,553

PICKENS COUNTY

W. B. Peebles, Jr	47,828
Abrams & Garriss	41,138
Thomas Parker	24,806
Roy Goodwin	23,820
Total payees in county (4)	137,592

RUSSELL COUNTY

J. Wayne Mott	29,203
George M. Adams	26,163
John T. Ingram	26,010
G. Wesley Capps	23,298
Claude C. Parkman	22,297
James B. Pharris	21,786
Total payees in county (6)	148,757

SHELBY COUNTY

D. E. Morris	34,961
John M. Thompson	33,577
L. B. L. Ranch	27,152
Tate & Baker	25,430
Total payees in county (4)	121,120

ST. CLAIR COUNTY

Norris K. Waites	30,425
Total payees in county (1)	30,425

SUMTER COUNTY

Munal & Parker	35,966
George N. Aust	30,419
Total payees in county (2)	66,385

TALLADEGA COUNTY

Robert M. Gambrell	45,965
Clyde A. Walker	32,777
James D. Robinson	29,371
French Junior Pruitt	29,240
Henry T. Jinks	24,846
Glenn M. Hawkins	23,304
S. F. Tanner	21,339
T. J. Watson and Sons	20,195
Total payees in county (8)	277,037

TALLAPOOSA COUNTY

William M. Wisener	53,680
L. A. Wisener	26,837
O. W. Bradshaw	24,860
Total payees in county (3)	105,377

TUSCALOOSA COUNTY

W. C. Wiggins	52,266
J. L. Harper	50,659
Joe Rice, Jr	48,045
Darden D. Barton	34,051
W. L. Andoe, Jr	26,349
Floyd Hughes, Jr	24,766
Grady Bigham	22,599
Ala. Dept. of Mental Health	22,306
Fletcher Barnes	22,221
J. D. Jobson	21,694
Total payees in county (10)	324,956

WASHINGTON COUNTY

Nelson Bedsole Moseley	47,173
Edward Garris	37,031
Total payees in county (2)	84,204

WILCOX COUNTY

Charles R. Reaves	31,740
H. H. Wilkinson & Son	29,687
Raymond Pharr	29,309
Labon O. Reaves	24,580
Jesse Jordan Bell, Jr	23,531
Total payees in county (5)	138,847
Total payees in State (573)	19,659,039

1972 ASCS and Great Plains program payments of $30,000 or more—excluding loans—Alaska

[Amounts in dollars]

HOMER COUNTY

Aleutian Livestk Corp	75,825
Milton Holmes	31,440
Total payees in county (2)	107,265
Total payees in State (2)	107,265

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Arizona

[Amounts in dollars]

COCHISE COUNTY

Bill Hilburn	99,769
Floyd Robbs	85,720
Kinard Brothers	68,436
Charles Wade	63,022
R. & T. Farms	62,285
C. E. Hilburn	58,916
Edward E. Rivers	58,535
Montierth Farms	56,898
Wardlaw Farms	55,051
Ernest L. White, Jr	55,011
Fannie G. Barnes	54,648
Edward Barnes	53,821
Clifton Ames	52,625
Buckner & Kidd	52,620
E. V. Hart	51,621
Arzberger & Arzberger	51,458
Roy Lee Young	49,776
J. C. Dunagan	49,772
Richard C. Barnes	49,248
Leroy Pierce	47,407
Jack Robison & Sons	47,231
Marvin Lamar Barnes	46,869
W. R. Shumaker	44,392
Frank C. Hale	42,170
Delbert Motes	36,574
Noel Curry	35,829
Roger A. Hale	35,239
J. F. Schmelzla	35,032
Wicks Ranches	34,748
ACPC Investment Co., Inc	33,952
M. K. Sellers	31,674
Toby and Paul Collins	31,328
Gary Williamson	31,255
J. A. White	30,031
Alvin E. Ratliff	29,701
H. J. Campbell, Jr	28,857
Dewey O. Neal	28,711
Devaun Richins	28,667
F. L. Heidel	27,994
Gerald Dabbs	27,377
W. R. Grimes	26,213
Charles Kimzey	25,779
Gerald P. Schoenfelder	24,280
J. B. Stevension	23,688
Boyd Smith	22,717
David Fowler	22,168
L. E. Swanson	21,739
Gareth R. Hardy	21,192
Roy Foreman	20,541
Harold R. Lewis	20,446
Total payees in county (50)	2,093,033

COCONINO COUNTY

Red Hill Sheep Co	52,271
Camilo B. Gonzalez	39,302
Felix Pouquette	29,906
Sitgreaves Sheep Co	25,284
Total payees in county (4)	146,763

GRAHAM COUNTY

Melvin R. Bryce	74,094
Angel Escobedo	66,175
Alf B. Claridge	44,069
Daley Brothers	40,689
Arden J. Palmer	40,053
Alder Bros	36,198
Glen Layton	30,463
Von and Norman Hancock	30,053
Omer J. Smith	29,617
Dale Olsen	27,683
Zenos Howard	27,139
Verdell Howard	25,597
Verle Palmer	22,997
Eldon Palmer	22,486
Allred Brothers	22,072
R. L. Bigler	20,825
Total payees in county (16)	560,120

GREENLEE COUNTY

Triple R Cattle Co	34,532
Total payees in county (1)	34,532

MARICOPA COUNTY

Painted Rock Dev. Co	145,846
Amstar Corp., Sprecklés	145,394
Chatham Farms, Inc	116,198
Goodyear Farms	106,201
Ben F. Youngker, Jr	98,828
Clell Martin	98,625
Chas. F. Youngker	97,608
Joe A. Sheely	84,345
B. F. Youngker, Sr	96,573
James P. Trimble	81,790
Baskett Farms, Inc	79,292
F. C. Layton	74,729
Alan B. Melton	74,155
Carl Weiler	72,427
Southmountain Farms, Inc	70,898
Kenna V. Jordan	70,844
Merlin Schurz	70,350
Billman Hayes, Jr	70,350
Johnson Enos	70,350
GBL Farms, Inc	70,269
Jonah Ray, Sr	68,773
L. L. Hardesty	68,604
Charles W. Burns	68,604
L. D. Hardesty	68,604
George W. Hardesty	68,604
Bruce Hardesty	68,604
A Tumbling T Ranch	68,491
Bogle Farms	68,136
John S. McDaniel	67,468
W. Bruce Heiden	66,983
Phil Ladra	65,385
J. L. Golightly, Jr	64,222
John L. Golightly, Sr	63,245
John R. Arena	62,498
A. Ann Areha Liefgreen	62,498
Power Ranches, Inc	61,679
John M. Williams, Jr	61,427
Gladden Farms	61,234
Leyton Woolf	61,224
J. L. Hodges Farming Co	60,914
Hugh Bennett	60,890
Joe Bickman	60,687
Woodrow Lewis	60,618
R. G. Eastman	60,603
F. M. Gorrell	60,506
Allen F. Belluzzi	59,990
William Hardison	58,795
L. T. Malone Co	58,383
S. & P. Farms, Inc	58,154
Travis H. Jones	57,807
John D. Vance	57,544
C. L. Whitehill	57,348
Tom Waddell	56,898
John Huges	56,865
Argonaut Farms	56,767
E. Garth Lamb	56,703
Espil Sheep Co	55,986
Frank G. Mills	55,966
Jeffrey T. Jones	55,864
Earl S. Dobson	55,756
Deon Layton	55,480
A. F. Walden	55,352
Marcia L. Wheat	55,000
Stuart L. Anderson	55,000
Marvin R. Morrison	54,998
Kenneth C. Morrison	54,998
Dougherty Ranch	54,731
Wayne Vandsdell	54,570
Ray Vandsdell	54,570
F. D. Layton	54,555
Lonnie A. Page	54,542
Willie C. Page	54,542
Laurence L. Henry	54,541
Growers Exchange, Inc	54,347
James M. Accomazzo	54,225
CCG Farms, Inc	54,192
J. R. Tucker	54,172
Ted Hazen	54,154
Cal A. Sutton	54,030
William W. Sutton	54,030
Richard L. West	53,939
Robert West	53,939
Donald Weichens	53,902
Waddell Ranch Co	53,822
Ed Ambrose	53,740
John Thude	53,699
Bob L. Phillips	53,684
Donald Trampp	53,675
Frank Garcia, Sr	53,672
Frank Garcia, Jr	53,672
Wallace Thelander	53,480
Liberty Farms	53,456
Ted A. Pierce	53,383
Ted R. Pierce	53,383
Buckeye Farms, Ltd	53,241
E. & L. Walden	52,901
J. R. Haggard	52,829
Reed J. Kerby	52,637
Dwayne E. Dobson	51,814
Lyle King	51,781
Kenneth King	51,781

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Arizona—Continued

[Amounts in dollars]

MARICOPA COUNTY—continued

Wayne King	51,781
Reed W. King	51,781
W. A. Heiden	51,449
Jon A. Tucker	51,051
Jewell Turner Farms	50,967
Robert D. Ryan	50,684
Carl G. Stevenson	50,656
J. H. Evans, Jr	50,592
Gertrude Conway	50,303
Laveen Cotton Co	50,148
J. V. Pace	50,111
D. L. Hadley	50,000
Gomez & Gomez	49,918
Kenly Farms	49,631
Sossaman Farms	49,434
Kathleen Scholtz	49,433
S. C. Jennings	49,433
S. J. Jennings	49,433
Henry F. Backer	49,284
Candelario Garcia	48,901
Martin Garcia	48,901
C. Dale Willis	48,725
L. R. Layton	48,685
R. L. Saylor	48,659
Gila River Farms, Inc	48,636
D. E. Pinkham	48,442
Robert L. Cook	48,356
W. R. Skousen	48,255
Mack Hastings	47,944
Amos A. Jarrell	47,898
Daniel E. Jarrell	47,884
Arnold D. Jarrell	47,884
James E. Gladden, Jr	47,644
W. T. Gladden	47,643
Jack Barnes	47,468
W. H. Jarnagin	47,305
L. Horst & G. Karstetter	46,982
Joe Bob Neely	46,849
John Fornes	46,740
Jacobs S. Stephens	46,547
Newell A. Barney	46,445
Gerald W. Mecham	46,445
Eaton Fruit Co., Inc	46,393
Trimble Farms	46,005
Sam Cambron	45,959
Turner Ranches	45,841
Erwin John	45,776
Delmar John	45,776
Basilio Aja	45,681
James R. Davis	45,274
R. & C. Johns	45,057
Richard S. Walden	44,863
Jerome Thompson	44,195
Clara Trampp	44,127
Clyde Trampp	44,127
James E. Wedgeworth	44,015
George Knapple	43,831
R. & J. Hayden	43,811
John J. Graham	43,665
Luther J. McClain	43,571
H. C. Douglas	43,571
Maricopa Stake Lds	43,398
Robert L. Layton	43,204
M. & P. Getzwiller	43,190
Mil For Farms, Inc	43,126
G. Keith Sasser	42,333
D. K. Sasser	42,333
Lehi B. Palmer	41,581
Harris Cattle Co	41,428
Steve Bales	41,385
John T. Bales	41,385
Eugene Schwertner	41,252
John Tolmachoff	41,062
William K. Richey	41,040
Duane Schepf	40,778
Rudolph Johnson	40,606
Aja Sheep Co	40,563
Earle E. Rayner, Jr	40,492
Ronald Rayner	40,480
Robert M. Rayner	40,479
Michael J. Moore	40,339
Hudson Farms, Inc	40,078
Hayden Farms, Inc	39,953
H. W. Porterfield	39,754
Sanders Farms	39,683
Paul E. Perry	39,627
Richard Evans	39,499
Robert W. Edwards	39,307
C. W. Neely	39,300
Ohaco Sheep Co	39,156
Ben Riggs & Son	39,072
Thomas E. Walden	39,041
Denny Weinberg Hay Co	38,645
Ellsworth Farms	38,602
Kempton Snedigar	38,388
Miles D. Wedgworth	38,320
Norman Knox	38,266
Burns Bros	38,128
James Marionneaux	37,745
Norbert J. Abel	37,708
Karl F. Abel	37,708
E. R. Metz	37,700
Byron Patterson	36,899
Germain H. Ball	36,811
H. L. Anderson	36,429
Wallace Bales	36,417
J. S. Hoopes	36,391
Gordon Cameron Estate	35,879
James A. Miller	35,664
Wm. G. Brandon	35,558
Jack Rayner	35,319
Cheatham Dairy, Inc	35,252
Carl Mumme	34,811
B. C. Walden	34,698
Jack Rayner, Jr	34,567
Max E. Weddle	34,500
E. L. Barnes	34,477
Jacob Stephens, III	34,417
Bruce Brooks	34,179
Myrtle N. Riggs Est	34,097
Long Tome Sheep Co	33,731
Anthony Martori	33,635
Edward Martori	33,635
Joseph F. Martori	33,630
Paradise Sheep Co	33,221
Queen Cr. Pot & Cold St. Co	33.150
Phil Echeverria Co	32,933
R. W. Goldwater	32,768
J. B. Hill	32,448
Robert W. Moore	32,398
Laveen Farming Co	31,561
G. R. Rogers	31,522
Eldon W. Cooley	31,506
Rainbow Ranches, Inc	31,481
Chris Peterson	31,372
Bill Luke Ranches, Inc	31,147
Keith Walden	31,134
L. M. Conner	31,133
G. R. Brooks	30,917
Sheep Spring Sheep Co	30,856
Kubelsky Est	30,783
H. & R. Henry Farms	30,714
W. H. Haggard, Jr	30,504
Ivan Jonovich	30,504
John E. Haggard	30,504
G. Turner & Son	30,468
Lloyd H. Martin	30,177
Jean Arriaga	30,159
W. H. Perry	30,043
Verl Peterson	29,972
L. & V. Schulz	29,938
Larry Jarnagin	29,795
Ivan Rex	29,589
Howard Lydic	29,374
Bob Stump	29,365
R. M. Hume	29,184
Rich & Rich	28,471
Hugh L. Gieszl	28,328
R. R. Wood	28,116
Delbert Beyer	27,896
Rudy Pihl, Jr	27,864
O. E. McGinty, Tst	27,718
Versluis Ranches	27,587
Fisher Miller Hay & Dev. Co	27,536
Philco Carter	27,516
Auza Sheep Co	27,497
J. L. Woolf	27,382
Aleman Sheep Co. & Son	26,932
Ted A. & Ted R. Pierce	26,924
William Wade	26,725
R. W. Cheatham	26,685
Nichols Farms	26,516
Norma F. D. Toci	26,407
Otto B. Neely	26,389
Youngker Farms	26,385
H. C. McGarity	26,188
A. J. Martori, Est	26,081
Wayne Weiler	25,973
Fremon Cokr, Jr	25,877
E. W. Hudson, Jr	25,870
Bill R. Moore	25,414
Tanita Farms, Inc	25,187
Bill R. Moore	25,104
Donald L. Bissinger	24,953
Raymond Cook	24,811
Rala Singh	24,626
Geo & Myrtle Veit	24,392
E. G. Rhodes	24,343
A Lazy T. Cattle Co	24,054
Russell Badley	23,901
James M. Shahan	23,648
M. C. Goodrich	23,283
Bartlett Heard Co	23,234
George R. Howard	23,145
David Jordan	23,088
David R. Hudson	23,036
Marion I. Vance	22,848
W. T. Jarnagin, Sr	22,643
Kenneth Burnett	22,610
Alex & John Conovaloff	22,376
W. P. Haggard	22,325
Richard Haggard	22,325
J. C. Wilson	22,164
A. H. Smith	22,160
Mark Accomazzo	22,147
Jack Palmer	22,023
Jerald Carpenter	22,014
Phil Gould	21,910
Gene E. Narramore	21,730
Peterson Farms, Inc	21,068
Leo C. Smith Farms	21,019
Johnny M. Lopez	20,740
A. Stanley Pine	20,709
R. D. Beebe Sr	20,577
Wayne Pitrat	20,374
R. C. Jones	20,368
Reginal C. Jones	20,367
R. C. Wood Farms	20,218
John W. Hadley	20,185
Byron Greg Williams	20,013
Val. Natl. Bk. Tr. No. 4495	20,012
Total payees in county (322)	14,359,440

MOHAVE COUNTY

Eldon K. Parish	54,786
John Vanderslice	54,686
Hanc Enterprise	51,481
Total payees in county (3)	160,953

PIMA COUNTY

Farmers Investment Co	99,362
Kenneth A. Ethridge	90,221
Growers Finance Gin	86,847
Bing K. Wong, Sr	70,260
Mamie Kai	64,415
Bing K. Wong, Jr	64,236
John E. Payne	62,286
Warren E. Culbertson	60,891
Jimmy Bowden	60,891
Frances Chan	59,517
Ralph Wong	59,155
John Kai, Jr	58,963
Wallis Farms, Inc	58,555
Herbert Kai	57,941
David Wong	56,774
R. G. Buckelew	54,344
James B. White, Jr	49,412
Buck Sam Chu	49,318
Woodrow Jarvis	45,843
J. Boyd White	45,315
Henry A. Wirthey	34,014
Evco Farms, Inc., synd	33,995
Pat Tucker, Jr	33,484
Dan W. Clarke	32,170
Glenn Harbour	30,164
R. F. Hopkins	30,155
B. Harbour	30,155
Bench S Cattle Co	29,707
Gladden Farms A Part	28,583
Imogene Brittian Gladden	28,583
E. C. Barnett	27,488
James Kuen Wong	27,181
H. W. Brittain	26,510
Joe Jobe	26,360
Iola Cady	24,154
Gary L. Watson	22,752
C. E. Watson	22,752
Edward Anway	22,467
Vessey Co., Inc	22,325

Flying E Bar Cattle Co	21, 884
Apex Farms Inc., Synd	21, 857
John D. Nichols	20, 797
El Rancho Manana	20, 043
Total payees in county (43)	1, 872, 126

PINAL COUNTY

Gila River Farms	452, 337
Ak Chin Farms	397, 267
Arizona Farming Co	91, 760
Troy L. Cowan	83, 960
Eileen M. Nutt	72, 450
Fred Enke	71, 191
Frances D. Nutt	70, 003
Reynaldo Q. Montijo	70, 003
Norman C. Nupen	70, 003
Marathon Farms	69, 078
Rodney Kleck	66, 451
Robert D. Bechtel	66, 412
John Dermer	65, 983
Robt. E. Hamilton	64, 135
Greater Ariz. Rch., Inc	63, 296
Leo Ellsworth	63, 243
T. O. Gardner	62, 968
Jerry Skousen	62, 968
John Smith	62, 909
John W. Dale	62, 547
P. S. Thompson	62, 467
Dan C. Palmer	61, 836
Delbert Lewis	61, 825
Marcus Vanderslice	61, 147
R. W. Neely	61, 143
Margie L. Hanna	60, 986
Walter Isom	60, 850
William Isom	60, 822
Sunset Rchs, Inc	60, 718
Wilbur Wuertz	60, 572
Otice Self	60, 551
J. A. Roberts	60, 518
Carlos Elias Jr	60, 429
Bob A. Anderson	60, 165
George Anderson	60, 165
Leon Zigoures	60, 027
Riftin Curtis	59, 993
Daley & Bogle	59, 855
Harley Hilgeman	59, 744
Charles A. Peircey	59, 688
R. E. Schlittenhart	59, 688
Wm. A. Stanfield	59, 688
Thos A. McCarville	59, 688
Bill McSwain	59, 665
Dennis Nowlin	59, 543
Raymond Clayton	59, 430
K. E. Shollenbarger	59, 392
Merlin Hamilton	59, 376
Patrick Talla	59, 372
Peter J. Robertson	59, 179
Sunshine Vly Rnchs, Inc	59, 170
H. D. Conner	59, 023
Milton Le Smith	58, 932
Milton P. Smith, Jr	58, 932
Norval C. McNatt	58, 782
Edward Y. Hooper	58, 771
Robert Allen Taylor	58, 765
Philip C. Hanson	58, 719
Lloyd White	58, 611
J. A. Kellison	58, 580
C. Ray Robison	58, 501
Tom Gaddis	58, 231
Santa Cruz Ent, Inc	58, 102
C. S. C. Farms, Inc	57, 743
Harold F. Self	57, 707
C. J. & L. Farms	57, 665
Glenn Lane	57, 664
Rod Zigoures	57, 578
C. P. Honeycutt	57, 279
Independent Gin Co	57, 148
Wm E. Foster	57, 121
Robert Ellsworth	57, 062
Donald Ellsworth	57, 061
Ernest F. Brady	57, 032
Jack Nichols, Est	56, 860
Howard Arp	56, 785
W. A. Dunn	56, 727
L. L. Butch Johnson, Jr	56, 533
W. L. Clayton	56, 371
Rex Neely, Trst	56, 346
Cross Mtn Sheep Co	55, 889
Thomas B. Wheelis	55, 838
W. F. Dunn	55, 837
Isabel Singh	55, 581
Harvey Davison	55, 304
M. R. Nafziger	55, 263
Roy Martin	55, 252
Robert W. Brooks	55, 183
Michael Dan Horton	55, 153
El Dorado Rnch, Inc	54, 994
W & J Farms	54, 790
Leonard Anderson	54, 406
James F. Brady	53, 984
R. & R. Lvstk	53, 976
Jim Wheelis	53, 773
Frank W. Shedd, Jr	53, 740
Paul Sexton	53, 573
Howard Arthur Wuertz	53, 170
Clyde Lane	53, 073
Carlos Cabanillos	53, 058
B. M. Cabanillas	53, 058
Ernest McFarland	52, 983
Paul Duran	52, 978
Albert M. Coury	52, 971
W. H. Lane %G Lane	52, 883
Howard Holland	52, 631
Paul Ollerton	52, 527
Willis Combs	52, 313
P. W. Vensel	52, 011
William Burrough	51, 990
Ralcot Ranches Inc	51, 785
Charles Hill	51, 680
Richard Duran	51, 632
Martin Talla	51, 440
Paul Pearce	51, 375
Mickey A. Clark	51, 349
Thomas Stephens	50, 993
C. & V. Growers Inc	50, 860
R. P. Anderson	50, 750
T. M. Coury, Sr	50, 486
T. M. Coury, Jr	50, 471
John Elliott	50, 375
Robert M. Davis	50, 296
Frank Abate	50, 218
Thayer A. White	50, 090
Dean Ellsworth	50, 005
Fred R. North	49, 915
Albert Clayton	49, 891
Raymondo Montiel	49, 891
Donald Wainscott	49, 830
J. D. Hughes	49, 830
Lucio Franco	49, 830
Kirby Hughes	49, 830
W. Baldenegro	49, 830
Ronnie Hughes	49, 830
Juan Valdez	49, 830
Bill Lewis	49, 828
David Campos	49, 828
Frank Herrera	49, 828
Inland Farms	49, 314
Shumway Enterprises	49, 260
Koenig Aviation, Inc	49, 108
Elmer Hamilton	48, 628
Pat Abate	48, 213
Duncan Butler	47, 788
Burlie Morgan	47, 484
G. F. Billingsley	47, 484
Ray B. Eubanks	47, 484
Truman Van Tassil	47, 484
J. A. Espinosa	47, 484
Earthy Smith	47, 484
J. M. Espinosa	47, 484
Gail Hardin	47, 484
Harold L. Earley, Sr	47, 313
Tom J. Finley	47, 071
Jack L. Finley	47, 069
Margaret Finley	47, 063
J. H. England	47, 018
Richard Cruz	46, 895
Dr. P. F. Hartman	46, 455
Jim Henness	46, 257
Manterola Trust	45, 464
David Pretzer	45, 354
Duane Ellsworth	45, 148
Max Nichols Farms	45, 045
James Dean Brady	45, 007
Frank Graham	44, 434
Roger Goff	44, 289
Jim Pate	44, 243
C. G. Cotton Fin Co	44, 237
Noel Martin	44, 086
Tom Turner	43, 971
Echeverria Feeding Co	43, 946
S. C. McFarland	43, 457
Clifford Hess	43, 346
Lorena Chan How	43, 035
Jack Ralston	42, 379
G. Robt Ralston	42, 867
Gary L. Ralston	42, 867
Emory Shahan	42, 648
Talla Farms, Inc	42, 615
Christopher Lane	42, 157
H. L. Holland	42, 071
David K. Storie	42, 017
Norman Pretzer	42, 011
Alex Pretzer	42, 011
Warren E. Cox	41, 487
A. C. T. Ranches, Inc	41, 291
Carlton Farms, Inc	40, 812
Diwan Ranches, Inc	40, 742
Arnold Hill	40, 729
R. B. Elsberry	40, 708
Bartlett Farms, Inc	40, 635
Darvin, Rogers	40, 343
C. W. England	40, 213
Lonnie R. Schnepf	40, 196
Leon M. Nowell	40, 098
Grant E. Peterson	39, 859
Debb Stephens	39, 470
Nellie Rogers	39, 406
J. M. Self, Jr	39, 205
Bill Warren	39, 136
Producers Cotton Oil	39, 129
Woodman Moore	38, 973
Stanley Ellis	38, 785
Savage Farms, Inc	38, 735
Cecil Crouch	38, 661
Barbara Erwin	38, 522
Era Mae Barnes	38, 402
Channan Singh Est	37, 736
T. & C. Cattle Co	37, 594
Clarence Skousen	37, 293
K. K. Skousen	37, 293
Agnes K. Beggs	37, 083
E. J. Cunningham	36, 722
J. O. Burns	36, 546
Wayne Ray	36, 407
W. L. Crouch	36, 371
Herman Diwan	35, 813
James K. Pen Farms	29, 611
M. H. Montgomery TST	29, 483
R. C. Gorce	29, 226
Raymond Ford	29, 114
David Parker	35, 730
Keith Jorde	35, 730
W. A. Ladd	35, 693
Stageline Rnchs	35, 689
Veco Rnchs, Inc	35, 682
Fred Diwan	35, 333
Luis Flores	35, 317
Joseph A. Turner	35, 121
R. W. Tripp	35, 080
C. F. Fincher, Jr	35, 044
Claude F. Fincher	35, 044
Tracy Hutchins	34, 857
Larry R. Scott	34, 763
Libb Mosby	34, 380
Marie White	33, 827
Jack Kortsen	33, 666
D. & W. Farms, Inc	33, 590
Richard D. Clayton	33, 472
Elaine Farms Company	33, 112
Vera C. McChesney	33, 089
Carl Tomkinson	33, 086
M. C. Montgomery	33, 005
G. Buster Brown	32, 951
Charles E. Wright	32, 855
Norman Hagen	32, 801
Eddie J. Farrell	32, 719
Wesley D. Hood	32, 298
Alex McHaney	32, 189
F. O. Barnes	32, 030
Buford Gladden	31, 858
Ben D. Kortsen	31, 852
G. Gilbert Farms, Inc	31, 795
Phil C. Hogue	31, 659
Thomas N. Caywood	31, 323
Bradley Lane	31, 253
E. M. Layton	30, 514
Paritem Poonian	30, 403
Douglas Gladden	30, 177
Richard M. Daley	30, 147
James K. Pew Farms	29, 611
M. H. Montgomery TST	29, 403

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Arizona—Continued

[Amounts in dollars]

PINAL COUNTY—continued

R. C. Goree	29, 226
Raymond Ford	29, 114
Camerson Sides	28, 960
Sheba M. O'Connell	28, 718
John W. Quaid	28, 546
Edward C. Pratt	28, 301
Dwayne B. Self	28, 226
Pinal Farms, Inc	28, 207
Wm. M. Saylor	28, 207
J. E. Robinette	28, 056
William M. Stambaugh	28, 050
Clifton C. Sides	28, 047
Dalton H. Cole, Jr	27, 862
Jake R. Voth	27, 618
Mitchell Maddock	27, 600
Thomas M. Carlton	27, 048
Robert A. Taylor	26, 885
James F. Shedd	26, 866
Harlan Russell	26, 183
Lyla Combs	26, 153
Ronald Miller	25, 733
Carl Myers	25, 649
Don Stephens	25, 444
Elias M. Romley	25, 180
Raymond Schnepf	25, 121
Wayne Wuertz	24, 937
Storey Rnchs, Inc	24, 930
Herman Myers	24, 580
Alvin T. Ethington	24, 375
Paul Keeling	24, 317
Emmett Jobe	24, 895
Hidden Valley Rnchs	23, 356
Claude H. Evans	23, 259
Richard Lapaglia	23, 213
Robert Barnes	22, 928
E. J. Busby	22, 685
M. V. Arme Jesup	22, 493
Franklin Pratt	22, 431
W. C. Pate	22, 086
Oliver C. Anderson	22, 013
M. Dillon	22, 013
James F. Duke	22, 013
O. V. Anderson Trst	22, 013
E. L. Tst M. J. Lane	21, 692
C. R. Skousen	21, 559
C. L. Skousen	21, 559
H. H. Hanna	21, 527
Edward Nevitt	21, 491
Barbara Hallman	21, 290
H. L. Tom Earley, Jr	20, 794
Anco Dist	20, 725
Jesus Lapaglia	20, 714
E. I. Jones	20, 675
J. E. Jones	20, 675
Mrs. E. H. Watson	20, 564
Arthur J. Faul	20, 226
M. J. Lane	20, 166
Virgil Chandler	20, 086
Oscar Chandler	20, 066
Total payees in county, (320)	14, 953, 930

YUMA COUNTY

Jack Bros. & McBurney	133, 298
James R. Jimmy Smith	86, 897
Oral Hunter	83, 527
Charles B. Sherrill	83, 435
William La Follette	81, 935
Don Andersen	78, 630
Ben Simmons	75, 772
Benny Simmons	74, 391
F. C. Braden	71, 986
C. R. Kriminger	70, 516
W. Y. Murphey	63, 069
J. D. McCain	63, 069
Ben Matthews	61, 279
Mattice and Sons	60, 701
Hoffman Enterprises	59, 743
Jack Studer	58, 706
Ellen Studer	58, 706
Winston Farms	57, 204
Tom Howell	56, 986
M. E. Lee	56, 548
Kemper Brown	56, 329
L. E. Mauldin	56, 257
F. E. Mauldin	56, 257
Wide River Fms	56, 132
Bruce Church Inc	56, 030
L. P. Barkley	54, 837
J. F. Barkley	54, 432
Robert E. Swinde	53, 957
Fred Nussbaumer	53, 437
David Carroll	53, 425
Vince Salvato	53, 144
W. M. Wootton	52, 944
Royce R. Richardson	52, 506
Robert Mountjoy	52, 506
W. J. Scott	52, 418
F. M. Ferguson, Jr	52, 010
J. W. Ferguson	52, 010
Thom Blohm	51, 580
Wm. M. Harrison	51, 054
Don B. Co	50, 463
Lee Consaul Co	50, 351
Woods Co	50, 282
W. L. Moore	50, 186
C. L. Stephens	49, 371
Cuming and Sons	48, 580
M. and V. Farms	48, 204
Black Rock Farms	48, 023
Oscar Walls	47, 024
Clyde Curry	46, 787
Wenden Farming Co	46, 272
Henry Leivas	45, 362
Arthur Blohm	44, 951
Joe Hernandez	44, 868
Kelly Hughes	44, 041
Keller Farms	44, 031
Earl Hughes	43, 598
Chrismer Farms	42, 959
Curtis Woodman Roach	42, 597
Geraldine Scott	42, 420
Rovey Land & Cattle	41, 899
Bankhead Enterprises	41, 662
Glen Sturges	40, 677
Charles L. Emmons	40, 455
McElhaney Farms	39, 996
Stephen H. Sturges	39, 868
Charles W. Thomas, Jr	39, 856
Jack Massonde	39, 763
Edward H. Taylor	39, 456
Thomas H. McNamara	38, 684
T. W. Williams	38, 020
John and Jud Ott	38, 005
Arizona Western Ranches Inc	37, 621
George Sorensen Sr	37, 583
Nish Noroian	36, 813
Burnis Williams	36, 319
Dunn Farms	36, 182
Wm. Floyd Dunn	36, 171
Robert Lee Dunn	36, 171
Cuming Farms Inc	35, 214
Charles Urrea and Sons	35, 205
Archie Mellon	35, 112
Jean Irrissarry	35, 029
C. M. S. Farming Co	34, 122
Weeks and Son	33, 559
Cibola Land & Cattle	33, 392
Southwest Ranch Inc	31, 696
Rail X Ranch Inc	31, 696
Star Ranch Inc	31, 696
Double Bar Ranch Inc	31, 696
Colorado Ranch Co., Inc	31, 674
Circle Bar Farms Inc	31, 674
Gila Ranch Inc	31, 674
Allen Marlatt	31, 672
Charles D. Phillips	31, 451
David R. Gipe	31, 335
Donna Luna	31, 294
Louie Kehl	30, 993
Glen Holt	30, 428
Clarence Phillips	30, 034
Clarence Phillips	30, 034
Phil and H. D. Sibley	29, 615
George Silva	29, 547
D. S. Phillips	28, 788
Gunther & Shirley	28, 207
Floyd Spar	27, 765
Jim Naquin	27, 571
William Holt	27, 557
Joe Holt	27, 557
Danney Earl Holt	27, 557
Robert Woodhouse	27, 413
Larry Wisby	26, 672
J. R. Cullison	26, 288
J. W. Cullison	26, 288
Ed Hall	25, 751
Jon Nickerson	25, 252
Mike Martinez, Jr	25, 238
A. Lynn Carter	25, 110
Moenk Fletcher	24, 533
Pete Pasquinelli	24, 460
David M. Williams	23, 502
Anne S. Babcock	23, 379
Jolley Farms	23, 247
John Peach	22, 910
Floyd Embree	22, 530
Damel Farms	21, 894
Wm. Thacker	21, 828
B. J. Beck	21, 598
Marion Griffin	20, 647
Dillard Engler	20, 380
Total payees in county (128)	5, 536, 964
Total payees in State (887)	39, 717, 951

1972 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Arkansas

ARKANSAS COUNTY

Robbie G. Dabbs	26, 785
Total payees in county (1)	26, 785

ASHLEY COUNTY

Gus Pugh Sons, Inc	59, 126
William B. Deyampert	56, 967
Kenneth Rice Farms, Inc	54, 453
James Baugh	53, 296
CRC Lynn, Inc	52, 260
Henry Morschheimer, Jr	50, 226
Victor Edwards	48, 593
Billy E. Scroggins	45, 288
John B. Currie	44, 278
Guy Botsford, Inc	43, 696
W. W. Cochran	43, 007
Earl Cochran	43, 007
Edith Robinson and Martha Rye	42, 393
Jim Young Farms, Inc	41, 769
Jack Edwards, Inc	40, 521
Johnny M. Botsford	39, 819
R. E. Lee	39, 449
Billy Grimes	39, 354
Bobby Foster	38, 278
Thomas E. Moyers, Jr	38, 161
Fisher Farms, Inc	36, 803
E. D. Gregory Co	36, 522
C. E. Bridewell Farms, Inc	36, 378
H. & E. Co	32, 195
Austin Bordeaux	32, 042
William L. Johnson	31, 914
J. L. McCain	31, 044
Bill Gibbs	30, 024
Robert D. and Joel W. Pugh, Inc	29, 598
William P. Holland	29, 430
John H. Ralph	29, 392
Barney Allison	27, 262
Ray Maglothin	26, 949
John B. Currie, Jr	25, 539
Gay Farms, Inc	25, 063
James Crossley	22, 459
Frances D. Wilson	21, 925
I. J. Newton, Jr	21, 149
M. M. Oneal Farm	20, 898
Felix Pugh Interests	20, 759
W. T. Files	20, 435
Total payees in county (41)	1, 500, 721

CHICOT COUNTY

Multiponics, Inc	61, 074
Robert E. Dunavant	55, 000
Nettie Handley	55, 000
James W. Winters	54, 187
Oscar L. Crowe	53, 336
J. & V. Pierooni & Co., Farm	47, 413
Tony P. Borgognoni	46, 729
Charles W. Strecker	44, 780
Burchfield Farms, Inc	42, 583
Carpenter Brothers	40, 783
Johnie Brown	40, 357
Jimmy R. Pylate	38, 485
Don Pylate	38, 269
Bill Holloway	38, 268
Yellow Bayou Plantation, Inc	37, 584
Charles F. Smith	35, 376
W. T. Dixon	33, 469
Harper Brothers	33, 331

Donald H. Major	33,034
Jimmy Miles	32,646
Ford Brothers	31,512
Josh Keith	31,032
P. G. Keith	31,032
Charles D. Crawford	30,759
A. G. Rocconi	30,305
Frank Beebe	29,807
A. S. Rocconi	29,324
Ray Black	28,840
Billy Hunter	28,621
W. R. Smith	26,823
Woodson B. Hays	26,811
Ed Lawler	25,704
Fred Woodall	24,908
Sam Epstein Est	24,853
Dawson Brothers	23,313
Claude W. Grubbs	22,788
Olan Mencer	22,782
Herman J. Berkemeyer	22,701
William G. Rayder	22,120
A. C. Mazzanti	21,972
William J. Porter	21,321
Tom Rayder	21,026
A. & G. McHan	20,718
Jack D. Tice	20,419
J. H. Hall Farms, Inc	20,004
Total payees in county (45)	1,501,199

CLARK COUNTY

Vernie D. Langley, Jr	30,819
Sewel Daniell	28,774
Total payees in county (2)	59,593

CONWAY COUNTY

Pettingill Bros	20,506
Total payees in county (1)	20,506

CRAIGHEAD COUNTY

Wayne Baker	41,105
Zook & Gipson Farms	41,078
C. & C. Farms, Inc	37,261
Bill Stone	32,604
Paul Owns	32,139
Herbert Wood	30,186
Vernon Coggin	27,696
Edward F. Ball	25,729
Ray Dooley	24,003
Dudley Broters	23,686
Elmer Rogers	23,422
Alfred Barnhill	23,138
Garland Boyd	23,113
Charles R. Watson	22,808
Virgil Booth	22,104
Howard W. Davis	21,850
William A. Starnes	21,551
Agman Inc	21,546
Kenneth Adams	21,354
Dale Branscum	21,079
Add Schug	20,726
Gibson & Stewart	20,333
Russell Strickland	20,110
Total payees in county (23)	598,621

CRITTENDEN COUNTY

Bruins Plng Co	62,509
Middle Place, Inc	60,746
Wapanocca Planting Co	57,759
Sulcer Planting Company, Inc	57,551
Allen B. Helms	56,926
Julian L. Hardin	56,361
James W. Young, Jr	56,007
Jack W. Ray	55,000
Allen B. Helms, Jr	54,844
Pacco, Inc	54,442
William B. Rhodes Co	53,730
Adolph Pirani	53,268
N. S. Garrott, Jr	52,907
James L. Garrott	52,907
Nugenco, Inc	52,331
O'Neal & Son, Inc	51,381
Charles S. Riggan	50,392
Ralph C. Carlson	47,673
William A. Carlson	47,665
Joe Rodgers	44,917
D. W. Rodgers	44,892
John M. Swepston	44,733
Sammy Hatley	43,390
Ragland Plant, Inc	41,943
Johnny Shelton	41,524
F. H. Griffin	41,521
Cy Bond, Jr	41,207
Rowena B. Stuckey	41,198
Baylus B. Quackenboss	41,196
Hester Parker	41,070
Roy A. Bloodworth	41,026
Robert Eugene English	41,026
Joe Dale Bloodworth	41,026
Dino Pirani	40,465
Paul Pirani	40,465
Joe E. Looney	40,031
Billy Jack Looney	40,029
Walter J. Carlson	36,649
Don Bell	36,587
Beuford J. Wallace	36,313
David S. Wallace	36,302
S. & W. Farms, Inc	35,486
Dan R. Springfield, Jr., Trust	34,681
Lowell W. Taylor, Jr	34,616
Sadie Beck Taylor	34,616
W. Neely Mallory	33,408
E. J. Barham, Jr	32,868
C. T. Rodgers	32,186
H. P. Sisk	31,245
H. M. Brinkley Estate	30,814
V. H. Price	29,990
Armond Angeletti	29,461
John Angeletti	29,460
Earl White	29,356
Milton Lubin	29,319
Thomas M. Holmes	29,011
W. T. Oliver	28,615
A. Cecil Oliver, Jr	28,615
Johnnie Marotti	28,472
Daniel Marotti	28,472
Alton Grant Farms	28,349
Carl E. Morrison, Jr	28,255
William P. Morrison	27,679
B. P. Kelley	27,622
Marybeth K. Rieves	27,539
J. F. Rieves, Jr	27,461
James Harris Griffin	27,372
L. G. Byford	27,191
C. B. Britton	27,181
L. C. Smith	26,924
Joe Baratti	26,303
Marilee T. Stratford Trust	25,387
John F. Twist Trust	25,387
Helen T. Thomas Trust	25,387
Julia T. Kirkpatrick Trust	25,387
Reginald B. Twist Trust	25,387
Aldo Marconi	24,732
E. J. Baker, Jr	24,661
Katherin W. Clarke	24,573
E. H. Clarke, Jr	24,566
William W. Clarke	24,566
Vernon Felker	24,525
S. M. Nickey, Jr	24,456
J. L. Currie	24,286
W. H. Greene	23,988
Howard Atkins	23,884
Olga S. McNeely	23,592
Joe Pirani	23,419
Herbert Allen	23,078
E. M. Ott	23,065
Joe Currie	23,030
Frank G. Fogleman	22,617
J. F. Fogleman	22,617
Manuel T. Sharp	21,997
Alex Marconi	21,615
Lonnie Webster	20,862
Charles L. Williams	20,848
James R. Stockley	20,741
Woodrow Holt	20,553
R. K. Bollinger	20,525
Freddie N. Bollinger	20,523
Total payees in county (101)	3,524,730

CROSS COUNTY

Ruston Farms	58,158
John H. Johnston	55,000
W. M. Smith and Sons	50,523
Richard Twist	50,453
Abner Clements	47,895
L. T. Beene	36,930
Gene Thompson	36,647
Leslie J. Nix	36,147
Cherry Farms Inc	32,126
Paul McCutchen	31,005
Ed Bond	29,615
Ira F. Twist	29,204
Gordon Morris	28,283
R. W. Byrd	27,325
Hugh B. Proctor, Jr	27,182
S. A. Atkison	25,715
Donald McKnight	23,467
Dennis McKnight	23,467
Wallace Martin Inc	23,430
Robert Twist	23,180
George L. Brown and Sons	21,981
Owen S. Crook	21,911
John A. Brenner	21,100
Bill Rucker	20,235
Total payees in county (24)	780,979

DALLAS COUNTY

Benton Taylor	23,711
Total payees in county (1)	23,711

DESHA COUNTY

R. B. Stimson & Co	56,037
Grady Tabor	55,590
R. A. Pickens	40,066
P. W. Teeter & Sons Co	39,909
Reedville Farms	38,585
Johnson Bros. Gin Inc	36,482
Gary Michael Roberts	33,144
A. V. Stimson Co	32,810
Bickham Bros	32,123
Baxter Land Co	30,647
Leroy Johnson	28,358
Carmack Don McCurry	28,071
New & Lick	25,157
Clifton L. Meador	25,015
Holt, Holt & Roddy	24,660
Charles Raymond Day	24,607
Dilbeck & Dilbeck	24,457
H. G. Leek, Jr	24,419
C. B. Stevens Farms Inc	24,271
Earl Griffin	23,691
Grover Jones	22,127
Cecil Tucker	21,972
Chas. Dante & Son	21,798
Howard Newton	21,717
M. L. Walt	21,501
Martin Wood	20,526
Sims Bros	20,118
B. C. Pickens, Jr	20,033
Andrew Pickens	20,033
Total payees in county (29)	837,924

DREW COUNTY

Carl Pamplin	53,271
C. R. Russell & Son	47,146
Fred Johnson	46,977
Bilgischer and Sponer	46,033
R. C. Greenway & V. Greenway	43,771
Joe Cingolani	34,027
William Bulloch	33,507
John Mack Arnn	33,270
John W. Arnn	33,268
Tillar & Co	29,069
P. & S. Farms	27,967
Miles Whitaker Lowe	27,785
Charles Holloway	26,315
Donald M. Bulloch	25,545
Lephiew Gin Co	24,483
Curtis Lagrone	22,079
Jimmy L. Buford	20,262
Total payees in county (17)	574,775

INDEPENDENCE COUNTY

Voughn Wilson	108,603
Total payees in county (1)	108,603

JACKSON COUNTY

R. D. Wilmans & Sons Co	57,212
Andy Doyle	51,342
Rock Island Planting Co	41,452
Abe Jones	39,533
Burton Merc & Gin Co	35,019
Village Creek Planting Co	34,541
Mack Bros. Inc	28,747

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Arkansas

[Amounts in dollars]

JACKSON COUNTY—continued

Tony Walton Farm, Inc	28,107
J. D. Nicholson	27,176
Bell & Carson	25,736
Ira Wheeler	24,527
H. G. Graham, Farms, Inc	22,349
Total payees in county (12)	415,741

JEFFERSON COUNTY

Ar State Penal Farm	139,490
B. J. Altheimer Foundation	55,000
B. J. Altheimer Testamentary Trustee	55,000
Allen Jacobs	54,844
Mary P. Mahaffy	54,813
D. Stratton Inc	54,538
Joye Jeter	53,457
Leon Callaham	52,728
Clarence Dutton & Son	52,658
W. W. West Co	52,461
Jimmy Blair	50,688
John N. Stern Trust	48,628
A. C. Hunter	48,484
Lyons Planting Co., Inc	47,745
Ben J. Altheimer, Jr	47,736
Carter & Yates	46,982
Peek Planting Co	46,921
Earle T. Phillips	44,062
R. E. Watkins, Jr	43,401
R. E. Watkins	43,401
S. R. Baugh	42,712
James Terkeurst	42,337
John Briggs, Jr	42,180
Walter Will Bryant	42,109
Paul Stone	41,101
R. L. Bruton	40,587
Swan Lake Plantation, Inc	39,895
Delton Edward Stratton	38,959
R. S. Barnett, Jr	38,024
Gray Farms, Inc	37,530
Stone Planting Co., Inc	37,361
L. J. Rogers, Inc	37,361
H. E. Brewer	35,505
Flat Bayou Farms, Inc	35,035
Sam Luckie	32,250
L. L. Dutton & Son	32,057
William M. Redfield Trust	32,010
Earl Chadick & Sons	31,429
William Shelby Jeter	31,396
West & Orton	31,346
Frank H. Lyons, Jr	30,650
Maurice Pipkin	30,617
Fish Lake Farms, Inc	30,409
J. L. McEntire & Sons, Inc	29,711
Adams Enterprise, Inc	29,420
Rita B. Freeman	29,087
Ty Cobb	28,273
Collins A. Andrews, Jr	28,228
Thomas O. Murchison, Jr	27,999
Chambliss Farms	26,514
Jesse Page Walt	26,315
J. L. Burgess, III	26,209
Benny J. Fratesi	26,177
W. B. Albright	25,695
Morris Allred	25,029
Larry Ross Hillis	24,675
Marshall Benjamin Garrett	24,671
E. E. Henderson	24,443
A. C. Freeman, Jr	24,318
Randy F. Briggs	23,951
Noble Lk. Pltg Co., Inc	23,878
Lynch Brothers	23,225
Ronald H. Jeter	22,910
Thompson Matthews McGregor	22,824
Georgiatown Farms	22,737
R. C. Bryant	22,495
W. P. Blankenship, Jr	22,426
E. Russell Lambert, Jr	22,330
Paul Blackwell	22,307
Billy Franklin Workman	22,033
Wirt Blankenship	21,980
Garvis Monroe Pollard	21,691
E. E. Swindle	21,517
L. W. Francis	21,468
Nolan and O'Neal	21,346
Henderson Bros., Inc	21,170
M. A. Rose and Sons, Inc	20,834
Total payees in county (12)	2,784,267

LAFAYETTE COUNTY

Troyce E. Endsley	47,442
Carl Adams, Jr	46,131
Lawrence E. Taylor	39,312
William L. Goza	36,642
Andrew Whisenhunt	36,448
Moore Properties, Inc	34,270
James R. Murphy	31,792
J. G. Allen, Jr	30,782
Burton Bros. C/O G. C. Burton	28,814
John L. Powell	26,530
Horace M. Burks	26,450
Henry T. Williams	25,632
Total payees in county (12)	410,248

LEE COUNTY

W. E. Stiles	62,467
Lawson Hughes	51,720
Dick Ed Thomas	49,450
Dan Felton & Co	48,703
G. R. Brent	48,422
H. T. Dillahunty	48,034
Robert May	47,674
Sisk Farms, Inc	46,074
Max D. Miller Farms, Inc	44,202
Eldon Reed	44,128
Vance & Bentley	43,423
Stiles & Manley Farms, Inc	38,078
Wooten Brothers	36,679
Parten Farms Inc	36,579
Elmwood Plantation Inc	36,516
Lindsey Farms Inc	34,870
Ellis Evans	34,650
Mann Farms Inc	33,455
George L. Ballard	33,116
Willie Jones	32,445
Thos Gist Jr	31,858
Flowers Brothers	31,341
C. E. Yancey & Sons	31,314
Whitehead Farms Inc	30,552
Jerry P. Hicky	30,463
Billy D. Sherman	30,352
D. A. Sherman Jr	30,352
Robert May, Jr	29,211
Barker Farms, Inc	26,166
Clarence Quarnstrom	25,740
Raymond V. Dawson	25,617
E. W. Reynolds	24,269
George McGinnis Farms, Inc	22,266
Sam T. Dillahunty	22,169
Joe K. Meurier	22,169
W. H. Gerrard	21,464
Jones Farms, Inc	20,212
Johnny F. Lipsky	20,118
Total payees in county (38)	1,326,325

LINCOLN COUNTY

H. R. Wood & Son, Inc	52,837
Marion F. Baugh	45,990
N. M. Ryall & Sons, Inc	44,219
C. H. Clowers & Co	41,532
Knight Brothers	33,289
Richard Jones	32,410
Wood Brothers	32,154
Bruce Norton	31,852
Frizzell Farms, Inc	27,897
Roy Baugh	27,395
A. O. French, Jr	27,391
Boscoe Blagg	24,031
Virgil Jones	23,930
R. E. Dreher & Sons	23,912
Johnson Brothers	23,507
John Holthoff	22,950
B. F. McGraw	22,230
W. H. Venable	22,103
Robert Edward Dreher, Jr	22,092
Robert Venable	21,791
Knox W. Bitely	21,591
Branson Brothers	20,720
Harry D. Fratesi	20,251
Total payees in county (23)	666,074

LITLE RIVER COUNTY

E. C. Lavoice and Sons	36,976
W. L. Matteson III	30,778
Total payees in county (2)	88,720

LONOKE COUNTY

Floyd H. Turner	55,158
Jimmie H. Boggess	54,175
Sam McNeil	53,615
Bobby Jones	48,416
James C. Rollins	48,171
Charles Capps	48,070
Herman Jeans	47,786
Triangle Farms	44,462
Basel Henderson	43,750
Waylon B. Sims	38,524
Wm J. Bevis	35,235
Bobby Gene Wright	33,986
Odes Perry	32,882
Robert L. Dortch, Jr	31,947
Elmer E. Willman	29,957
Ralph Anderson	28,589
Anthony W. Dickinson	27,849
Connie Glenn Jordan	27,007
Hervey L. Patterson	26,709
Luid Jones	26,340
Thomas H. Jordan	26,225
R. W. Morris	25,956
Richard Bransford	25,174
James Workman	24,870
H. B. Hayley	24,524
Morris F. Hallum	23,652
Luchen Walls	23,646
Cobb Brothers & Co	23,614
Rex Warren Capps	22,846
Johnnie Wallace	22,675
Coy Lee Brantley	22,247
Paul Junior Capps	21,992
Larry & Fletcher Anderson	21,931
Samuel E. Crook	21,849
Loranzy George Crouthers	21,263
Joy Leon Hill	20,445
Darrell Y. Henderson	20,356
Billy F. Henderson	20,171
James M. Wallace, Jr	20,149
Total payees in county (39)	1,216,753

MILLER COUNTY

R. E. Ransdell	45,503
Doyle Stevens	37,173
Price Plantation, Inc	33,959
James B. Mills	20,514
Total payees in county (4)	137,149

MISSISSIPPI COUNTY

Wesson Farms, Inc	90,584
Clide Barnett	61,369
Armorel Planting Co	61,098
John A. Edrington	60,411
Lee Wilson & Co	60,094
Harold Senter	59,013
R. D. Hughes Gin Co	57,911
Langston Gin Co	55,992
Midway Farms, Inc	55,745
Crosswait Gin & Merc., Inc	55,000
Magnolia Farms	55,000
W. J. Denton Estate	55,000
Bobby Senter	54,369
Lowrance Bros. & Co	53,845
W. T. Metzger, Jr	53,103
Larry J. Woodard	52,433
C. B. Robinson	51,793
R. J. Gillespie	50,533
Reven Creecy	49,713
Thomas Tate	49,713
Rose & Hitt	49,165
Larry Woodard Farms, Inc	48,874
B. C. Land Co	47,934
Cullom Bros	47,055
McDaniel Farms	46,334
M. J. Koehler	45,770
Keiser Planting Co	45,157

Marie Planting Co	45, 001
Ashmore Bros. & Brown	44, 462
Clifford Gillespie	42, 639
Joe Dilldine	42, 638
John M. Speck	42, 339
A. E. Teaford	42, 123
John E. Crain, Jr	41, 520
John M. Stevens, Jr	40, 930
Clarence Crosskno	40, 687
Bob Jackson	40, 151
Golden Lake Farms	39, 553
Ira G. Ashley	39, 528
Bill Taylor	39, 020
Wayne Taylor	39, 020
Dan and Chester Caldwell	38, 778
Chiles Planting Co	38, 201
Amon Eugene Holt	37, 647
P. D. Johnson	37, 077
C. L. Denton, Jr	36, 929
C. J. Lowrence III	36, 863
Speck Bros	36, 575
Rel Wilson Trust Wilson	35, 891
Nancy M Trimue	35, 733
Wrenacres, Inc	35, 409
Robert Gammill & Son	35, 144
Wilbur F. Johns Farms	34, 414
Collie D. Lowrance	34, 345
Leon Brothers & Son	33, 878
Leonard Ellison	33, 844
Ray Harrison	33, 717
Bryce Grant	33, 623
Charles J. Ryals	33, 458
Charles R. Moore	32, 937
L. T. Dillard	32, 911
Jack Hale	32, 907
Glen A. Cook	32, 485
W. M. Taylor, Jr	32, 422
E. H. Riley	32, 169
H. T. Bonds Sons, Inc	32, 025
Arthur Tusing	31, 975
James P. Sullivan	31, 898
Hays T. Sullivan	31, 898
John W. West	31, 723
Trice Battle	31, 609
Henry Battle	31, 609
Ralph Bros	31, 520
A. A. Banks	30, 873
Wilbur Wildy	30, 502
J. L. Gurley	30, 452
Allen Metheny	30, 411
Alex Goble, Jr	30, 349
Paul Long	30, 346
McGuire & Son, Inc	30, 260
Elliott Farms	30, 165
J. H. Smart	30, 075
Mary Ann Gill	29, 694
Evadale Planting Co	29, 428
C. C. Councille	29, 405
Earl H. Wildy	28, 798
Albert Williams	28, 319
J. E. Crain, Est	28, 151
Buford Jarrett	28, 018
K. D. Main	27, 540
Kenneth Shannon	27, 468
Moreland B. White	27, 427
Charles Wildy	27, 395
John B. Wilson and Son	27, 048
Oliver Coppedge, Jr	26, 953
Vaughn L. Shownes	26, 385
Willis Stutts	26, 372
Bill Tyer, Inc	26, 225
Charles E. Crigger III	26, 180
Russell and Freddie Battles	26, 090
Edra S. Girdley	25, 982
F. N. Craig	25, 943
Don Brinn	25, 859
E. E. Wallace	25, 621
W. S. Cockerham, Jr	25, 572
Jimmy Baugher	25, 415
E. T. Gurley	25, 279
Ted Parnell	25, 170
Lyman Henson	25, 138
E. A. Stacy	25, 115
Gerald Costner	25, 069
James Hart	24, 762
C. S. Standifer, Jr	24, 622
Robert A. Jackson	24, 603
Billy Gann	24, 562
Donald Felts	24, 366
Joe W. Felts	24, 366
V. S. Johnson	24, 305
M. G. Smith	24, 100
James Terry	24, 026
Doug G. Bennett	24, 023
William H. Wyatt	23, 844
Russell Simpson	23, 818
Gus Morris	23, 649
John F. Gann	23, 579
W. A. Jones Farm	23, 462
George W. Dillahunty	23, 416
Otto S. Gordon	23, 411
Jimmie Davis	23, 346
Virgil Stewart	23, 237
J. L. Price, Jr	22, 919
Murray Richardson, Jr	22, 665
Eddie Thomas	22, 343
Blythe Clark	22, 222
June L. Ohlendorf Trust	22, 088
John H. Timmons	22, 045
Florenden Plantation	21, 972
James H. Woodard	21, 935
Eric Waddell	21, 930
D. B. Brannon, Jr	21, 848
J. W. O'Neal	21, 727
J. D. Smith	21, 587
Rel Wilson Trust Luxora	21, 440
Charles R. Haynes	21, 394
Richard Rose	21, 369
Dunkin Farms	21, 094
Lester B. Gill Trust	20, 894
J. Lynn Tranum	20, 865
R. C. Branch Sr. Estate	20, 758
R. B. Holthouse	20, 733
Herbert H. Ellis	20, 651
Nick Rose	20, 650
J. R. Whistle	20, 581
Nick Patterson, Jr	20, 322
Thomas H. Callis	20, 164
D. R. McDaniel	20, 128
Ed Hardin	20, 020
Total payees in county (157)	5, 226, 566

MONROE COUNTY

Ray Fuller	54, 626
Donald R. Dearing	43, 438
Hyett E. Harrod, Jr	38, 156
Amos Everett	35, 448
John S. Calloway	33, 699
Lily Peter	33, 549
Billy Gerlach	30, 442
Bruce Crow	28, 745
Rudolph Calloway	27, 360
Jack P. George	26, 762
Floyd H. Shaw	25, 907
Floyd A. Gerlach	25, 326
Parker E. Johnson, Jr	25, 276
Richardson Farms, Inc	24, 892
Jimmy Kirkpatrick	24, 090
John Martin	23, 508
Hurley McKoy	23, 488
Ronald Story	23, 201
A. B. Walls	22, 325
R. G. Bennett	22, 165
Robert H. Mayo	22, 079
R. A. Banks, Jr	21, 583
Lewis Sherman Bennett	21, 328
Decatur B. Jackson	20, 296
Total payees in county (24)	677, 689

OUACHITA COUNTY

W. K. Henry	25, 362
Total payees in county (1)	25, 362

PHILLIPS COUNTY

J. E. Storey	55, 016
Curtis Clark	54, 992
Frances Jo Blackburn	53, 975
J. Dot Corporation	53, 944
B. D. Alexander	53, 667
Ray Dawson	53, 245
R. J. & W. D. Suddath	52, 865
Solomon Bros., Inc	50, 664
E. T. Wells, Inc	50, 598
Doug Simmons	49, 618
David Hill	49, 579
James H. Wood	49, 412
Thomas E. Young	49, 228
Elizabeth H. Strang	49, 057
D. D. Howe Est	48, 883
Brooks Griffin	48, 735
Buron Griffin	48, 339
Riverside Farm	47, 316
Dave Inebnit	44, 955
James E. Yancey	44, 340
David Brooks Griffin Trust	44, 010
Winston Foster	43, 021
F. O. Griffin, Jr	41, 865
Hiram Alexander	41, 082
Elizabeth A. May	41, 074
Milton Alexander	41, 074
J. O. Wheeler & Son, Inc	40, 689
King Wells Farm	40, 372
Harry Stephens Farms, Inc	39, 418
Delta Plantation, Inc	38, 219
Roy Sanderlin	37, 965
A. F. Gregory, Jr	37, 294
Otis W. Howe Estate	37, 260
Joe Pillow	36, 851
J. D. Rohrscheib	33, 828
R. J. Young	33, 664
H. W. Rohrscheib	32, 933
David Jones	32, 871
Buford Culp, Inc	32, 816
Catron Plantation	32, 737
T. W. Keesee	32, 578
W. C. Brandon	32, 100
Deputy Place	31, 692
Terry Wayne Byrd	31, 618
Charles Loeschner	30, 787
R. M. Hornor	30, 523
Robert F. Howe	28, 755
Trotter Farms, Inc	28, 109
Wooten Epes Company	27, 836
Chip Franklin, Jr	27, 557
M. M. Crisp	27, 162
Highland Lake Farm	26, 728
James H. Crisp	26, 660
E. H. Harmon	25, 828
Tunney Stinnett	25, 742
Sam J. Howe	25, 538
Jake Crow	25, 308
Caraway Bonner	25, 243
C. & C. Farms	24, 785
Woodrow Reed	24, 068
J. E. Meador	23, 918
Ralph Bunch	23, 488
J. L. Phipps	23, 466
S. W. Cooke, Jr	23, 442
N. R. Hosey	23, 154
Oneida Planting Company	22, 603
K. W. Nix & Sons	22, 295
Henry Wooten	22, 048
Lester Crawford	21, 973
Dean Roach	21, 924
Ralph E. Kyte, Jr	21, 783
W. P. Foster, Jr	21, 619
C. C. Simmons	21, 592
Lily Peter	21, 207
C. J. Short	21, 200
Total payees in county (75)	2, 661, 800

POINSETT COUNTY

S. C. Chapin	58, 390
E. Ritter and Company	57, 417
Donald Valentine	54, 982
Frank Dean	54, 698
Moreland Barton	54, 270
D. V. Cravens	54, 176
Clifford Clover	51, 029
Benjamin Rowan Hyneman	48, 533
Fairview Farms Company	48, 502
Cecil H. Justus, Jr	44, 494
Guy L. Prince	43, 953
H. C. Bradford Jr	42, 884
Dan F. Portis	41, 455
C. D. Walker	40, 281
W. J. Smith	37, 333
Bill L. Hannah	36, 216
W. H. Cross, Jr	35, 554
Moon & Cash Inc	35, 353
Morris P. Lansdale	34, 393
James H. Moon	34, 074
Walter H. Provost	34, 014
Stuckey Bros Inc	32, 239
John R. Young	31, 158
AM Weona Fms Inc	30, 123
Donald Walton	29, 676
Paul Earnhart	29, 456
Wallace George Willoughby	29, 330
Jimmy N. Turner	29, 104
R. H. Taylor & J. C. Stuckey	28, 833
W. G. Craig	28, 596
Dayton E. Brean	28, 533

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Arkansas—Continued

[Amounts in dollars]

POINSETT COUNTY—continued

J. Melvin Young	28,399
J. D. Fletcher	27,816
James O. Campbell	27,159
Robert L. Hughes, Jr	26,846
J. W., J. F. and Jimmy Harbison	23,992
Citizens Gin Co., Inc	23,953
T. James Isbell	23,865
Emrich Bros. & Sisters	23,624
Blanche M. Terry	23,063
Creodora Thompson	23,048
John E. McDermott, Jr	22,974
Herbert S. Bingham	22,719
Guy C. Henderson	22,489
J. P. Gooch	22,327
Charley G. Swindle	22,016
W. R. & Zula D. Payne Est	21,898
Tecota Farms	21,640
B. L. Boyd	21,483
Worthy Neal	21,168
Lowell Barrett	20,856
James A. Peck	20,376
Hyneman Fms. Inc	20,365
L. C. Shelton Farms Inc	20,149
Total payees in county (55)	1,791,545

PRAIRIE COUNTY

John D. Naill, Jr	29,251
George & Moore Farms	28,244
Total payees in county (2)	57,495

PULASKI COUNTY

James W. Phillips	53,320
W. A. Ratcliffe, Jr	51,626
H. O., J. H. & D. N. Nipps Ptrs	46,237
Walter C. Estes	43,802
Walter Isgrig	41,581
Sammy McGhee	39,542
Reber McGhee	39,542
Walderns Bros	29,669
Craig Planting Co	27,289
Robert Earl James	27,102
J. A. McDonald	23,563
Emmett Chapman	21,971
Donald Chapman	21,965
Odis Chapman	21,964
Henry Lanehart	21,883
Henry Bros.	21,821
W. George Alexander	20,502
Total payees in county (17)	553,379

ST. FRANCIS COUNTY

Shannon Bros. Enterprises	63,990
W. E. Biggs	59,990
W. W. Draper, Jr	57,151
Earl Dean Williams	50,231
Luke E. Burch, Jr., Inc	45,401
Red Gum Plantation	43,671
Higgins Bros., Inc	43,588
C. J. Beasley & Son	42,365
Glindail Co., Inc	41,764
Webb Sweet	41,500
Lockhart Sweet	41,500
Paul H. Finch	40,824
B & L Farms, Inc	39,978
Belle Meade Plantation	38,651
Joe Oswalt	38,252
Wheatley Mill & Gin Co. Farm	37,560
Lindsey Bros.	37,544
Thomas McDaniel	37,191
John C. Lindsey, Sr	35,843
Davis Biggs	35,185
McCain Farms, Inc	34,966
J. C. Rice	34,945
Ernest Stough	34,945
Oscie Hardy	33,893
B. McCollum, Jr	33,805
S. C. Rose, Jr	32,849
Joe Burch	32,353
Hammons Farms, Inc	31,146
J. R. Chappell, Sr	30,202
R. T. Landrum	29,946
Joseph R. Chappell, Jr	29,578
C. D. Brown & Sons, Inc	29,554
E. L. Cupp	29,230
A. B. Malkin, Jr	29,032
Larry Hobbs	28,732
Sam Ashworth	28,139
Claud Buford	28,040
Betty M. Stoddard	26,455
O. J. Gandy, Jr	26,355
Bob K. McKenzie	26,070
Wayne Campbell	25,870
Carl H. Morris	25,317
Charles T. Adams, Jr	24,341
David H. Hughey	24,098
Joe G. Young	24,098
Ida Mae Norsworthy	23,815
J. B. West	23,538
Jack Vaughn, Jr	23,442
Wilman Wilson	23,001
Victor Beene	22,667
Floyd Martin	22,571
Jimmy Wright	21,955
B. E. Beene	21,868
Kenneth J. Cupp	21,851
Freeman E. Nichols, Jr	21,554
Rod Bryan, Jr	20,894
Jerry W. Wright	20,599
Total payees in county (57)	1,873,393

WOODRUFF COUNTY

Gerald L. Morris, Jr	57,143
Gregory Farm, Inc	52,219
Bruce Tarkington	35,674
W. P. Galloway	31,856
Gum Ridge Corp	28,984
L. L. Cole & Son, Inc	27,968
W. Peyton Daniel	25,140
Jennings and McAlexander	24,051
Collier & Cain	22,489
Burtons, Inc	22,341
McAdams & Stovall Farms	21,572
Joe D. McGregor	20,586
Total payees in county (12)	370,023

YELL COUNTY

Billie Vaughn	26,589
W. H. McClure Trust	24,241
Total payees in county (2)	50,830
Total payees in State (897)	29,892,006

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—California

[Amounts in dollars]

ALAMEDA COUNTY

Coleman Foley	25,086
Total payees in county (1)	25,086
M & T Inc	95,682
Parrott Inv Co	87,644
Shimizu Bros., Inc	26,649
Peter D. Peterson	26,570
Hugh T. Bell	21,466
Total payees in county (5)	258,011

COLUSA COUNTY

Strain Ranches, Inc	58,171
W. O. Pearson and Son	42,147
Osullivan Ranch	42,095
Wallace Bros	40,809
H. & A. Andreotti	39,604
A. Steidlmayer & Sons	39,177
Plank & Maupin	36,921
Carter Farms	36,863
Myers Bros	35,803
Lee Kalfsbeek	32,815
Joe Etchepare	31,507
Wm D. Struckmeyer	29,965
Davis Ranches	28,531
Terhel Farms, Inc	26,547
L. A. Urrutia and Son	26,149
Rominger Bros	26,025
Asa Wiggins & Son, Inc	26,811
Lagrande Bros	24,450
Peter B. Bradford	24,222
J. J. Gross	21,551
Chas Yerxa	20,765
Total payees in county (21)	689,928

CONTRA COSTA COUNTY

Vaquero Farms, Inc	57,002
Total payees in county (1)	57,002

FRESNO COUNTY

Giffin, Inc.	334,544
Vista Del Llano Farms	200,263
Mouren Farming Co	193,029
Goodman Traction Ranch	125,065
William E. Glotz	121,428
Airway Farms Inc	117,798
W. J. Deal Co., Inc	112,490
Comfort Farm Inc	107,770
Bidegaray & Sagardia Bros	100,290
Victor Gragnani	99,340
Don Gragnani	99,332
Martens & Zalba & Azparren	97,977
Pilibos Bros., Inc	96,165
Redfern Ranches, Inc	94,629
J. & J. Ranch	93,720
Michael Giffen Ranch Inc	93,713
Deavenport Ranches, Inc	88,237
Standard Oil Co	85,975
Rabb Bros	85,961
Schramm Ranches Inc	85,618
Clayton Brown	85,403
Price Giffen Ranch	84,926
Gragnani Bros	83,741
Linda Vista Farms	83,589
Harris Farms Inc	80,648
Kriesant Operating Co., Inc	80,514
Sam & D M Biancucci	79,001
Mt Whitney Farms	75,927
William E. Schuh	75,927
Wildo, Inc	75,678
V C Britton Co	73,360
Pacific Farms Co	73,001
Paul Diener	72,840
Francis A Orff	71,899
J C Conn Inc	71,039
Sidney E. Gordon	68,737
Vernon L. Gordon	68,737
R. G. Griffin	68,731
Richard K. Griffin	68,731
Sierra Dawn Farms	68,710
Telles Ranch Inc.	68,343
Michael J. Ryan, Jr	68,152
Darrell Silveira	67.134
Erskine Ranch	66,474
Coit Ranch, Inc	66,061
Bob Wood	65,610
Paul Wood	65,606
Viola Matheson	64,501
Harold O. Banion	63,484
Robert M. Lee	63,212
E. & G. Farms	62,997
Hogue Produce Co	62,994
M. R. Lowrance	62,705
Eloise Arcelus	62,705
Rusconi Farms	62,258
Mayo Ryan	62,142
Bill & Ed Koda	61,581
Davis & Huey, Inc	60,807
B. M. Den Hartog Farm Tr	60,729
Robert Cowman Farm Tr	60,727
J. L. Davidson Farm Tr	60,536
Jack Cardwell	60,155
John L. Errecart	60,049
Davis Drier & Elevator, Inc	59,319
Ensher Alexander Barsoom	59,293
John C. Harris	59,235

Sumner Peck Ranch, Inc	59,209
C. L. Anderson	59,911
Louis Gragnani, Jr	58,533
Teresa Harris	58,476
Peter S. Marchini	58,341
Bruno J. Marchini	58,323
Sommerville Farms, Inc	58,226
Half Mn. Fruit & Prod	58,057
Roger C. Matheson	57,932
Clarence Matheson	57,931
Michael F. Matheson	57,931
Irby Abercrombie	57,877
Lawrence J. Wolfsen	57,832
Marvin Wood	57,675
Alex Kochergen	57,649
John A. Kochergen	57,649
Reuben Crosno	57,641
Wm H. Noble	57,255
Robert Hansen	57,044
Harry John Marchini	56,631
Marshall Baker	56,508
Crosno Farms	56,472
F. H. Bratcher	55,891
Donald J. Gragnani	55,833
A. J. Yates	55,817
J. C. Andresen	55,549
Levon Azhderian	55,130
Ronald S. Allen	55,000
M. J. Allen	55,000
Arthur J. Cuelho	55,000
W. L. Von Flue	55,000
Pappas & Co., Inc	55,000
Linneman Ranches, Inc	55,000
Giusti Farms, Inc	55,000
Edwin R. O'Neill	54,996
J. E. O'Neill, Inc	54,995
Mauz Childrens Tr	54,995
Melcombs Ranch, Inc	54,978
S. & S. Ranch, Inc	54,943
Frank Ayerza	54,906
Leroy Hardy	54,794
Earl Brinkley	54,575
Far West Farming, Inc	54,568
Richard Fortune	54,483
Edward Azhderian	54,348
Dudley J. Silveira	54,255
Drew Farms, Inc	54,157
Henry A. Wolfsen	54,145
Gerald K. Hoyt	54,145
Warren L. Wolfsen	54,145
David A. Britz	54,130
Robert Mueller	54,107
Richard S. Burford	54,054
Ralph D. Von Flue	53,888
Dodd Family Living Tr	53,442
Rogers Ranches, Inc	53,037
Metzler & Metzler	52,850
Ryan Farm Trust	52,844
Edward F. Diener Farm Tr	52,844
Simonich Farm Trust	52,844
De Mera Farm Tr	52,844
Gramis Bros	52,763
Jarrott Ranch	52,452
Michael Peck	52,452
Kathleen Peck	52,436
Patrick Peck	52,436
Richard E. Guenther	52,308
Cardella & Johnston Inc	51,996
Alice M. Hanson	51,976
Poso Dairy Farms, Inc	51,860
David & Doris Dermer	51,628
Fairless & Pifferini	51,523
Mike Etcheberry	51,367
Burnett Bros	51,198
Donald Bellando	51,198
F. Silveira & J. Peterson	51,097
Jages, Inc	50,593
Matt J. Gaab	50,584
Frank Zubeldia, Jr	50,038
Frank C. Diener Ranch, Inc	49,992
Tai Hing & Co	49,847
William Mouren	49,557
Howard Mouren	49,554
Robert Cardwell, Jr	49,184
Vernon Swearingen	49,099
Fred Rau	48,994
Leavelle Bros	48,896
Billie Jo Mouren	48,562
James C. Anderson	48,560
Mary Fortney	48,344
Jess P. Telles III	48,318
Frances Telles	48,318
John G. Telles	48,318
James W. Telles	48,318
Fernando Machado	48,255
John Teixeira	47,885
Jess P. Telles, Jr	47,497
Frank Trammell	47,418
Joe C. Machado	47,392
Hubert Beene	47,114
Melvin Coelho	46,648
Raven Land Co	46,150
Jura Farms, Inc	45,785
Joseph L. Silva	45,747
Diamond R. Farms, Inc	45,733
John J. Boccabella	45,566
Harold Hale	45,541
Gerawan & Penner Ranches, Inc	45,492
Nichols & Wood	45,087
George Butts	45,005
Roy Green	44,977
Donald C. Skinner	44,852
Geo. & Jn. & Walt Orlando	44,232
Jaurena Bros	43,781
Frank Chounet Ranch	43,735
Vierhus Farms	43,707
Ernest Carvalho	43,397
Del Testa Farms	43,043
Walter Willms	43,026
Zapato Farms, Inc	43,018
Albert Bufkin	42,379
Morris Richina	42,151
Nino Groppetti & Sons	42,015
H. B. Fries	41,831
D. T. Locke	41,605
Henry B. Wolfsen	41,501
Carl Swearingen	41,387
Del Ko Farms	40,981
Bernard Etchegoin	40,609
Jack Howard Ranch	40,427
John Nakamura	40,390
Richard Swearingen	40,183
Re Al Farms, Inc	39,840
Horn Farms, Inc	39,684
Martin Britz	39,540
Giacone Ranch	39,524
Ru Ann Dairy	38,961
Danny Beene	38,611
Gary Beene	38,611
Markarian Farms, Inc	38,588
Frankie E. Lopes	38,528
S. F. Terry	38,437
James D. Renton	38,437
B. Parachou Est	38,353
Nicolini & Maitia	38,248
Britz Chemical Co	38,231
Des Jardins Bros	38,050
Leonard E. Deal	37,758
Barbara J. Deal	37,746
Wm. J. Deal, Jr	37,746
Martin Costales	37,669
Indart, Inc	37,037
Perez Bros	37,016
Britz Fertilizer	36,978
Philip Erro	36,648
McKean Bros	36,343
Wm. Erickson	36,246
Arthur J. Cuelho Ranch	35,916
J. W. McBee & Ray Barger	35,581
Walter E. Lambrecht	35,516
James W. Wilson	35,331
Motte Ranches	35,296
United Packing Co	35,135
De Francesco Bros	34,599
Frank J. Mendes, Jr	34,408
Paul W. Speakes	34,251
John A. Speakes	34,251
Coelho Farms	34,091
Robert Cardwell	34,057
Irwin R. Efird	33,992
Roy Howard	33,987
Tony Coelho	33,836
Richard Eggleston	33,796
Maria Coelho	32,740
Joe Coelho	32,740
Pierre Harguindeguy	32,676
John Mancebo	32,584
Gentry Farms	32,537
D. E. Drew	32,532
Carl Ross	32,284
Harold C. Weeth	32,110
J. Teore & G. Tavares	32,030
Paul Crevolin	31,940
Millard Hale	31,473
Jack D. Jones	31,228
Frank J. Coelho	31,169
C. R. Wilkins	30,917
D. E. Robison	30,837
Miriam M. Silveira	30,820
William Pucheu	30,621
John Pucheu, Jr	30,621
A. J. Lombardini	30,487
R. & S. Farms	30,403
Jack C. Woods	30,325
W. F. Mc Farlane	30,251
Locke Bros	30,052
Robert Cardwell	29,930
Ernest Fordin	29,816
Carvalho Farms, Inc	29,675
Kenneth Peelman	29,644
Harnish Five Points, Inc	29,640
Wayne M. Hardy, Est	29,520
John Goulart & Sons	29,368
Edward R. Lewis	29,349
Andre & E. R. Leroy	29,323
Albert Haupt	29,110
Pete Haupt	29,110
C. E. & R. B. Klepper	28,929
David Martin	28,448
John Wm. Kinnunen	28,233
Larrea Sheep Co	27,804
Jean Cedarry	27,498
Ray Narbaitz	27,317
Jerrold Olivera	26,941
Alex Maul	26,803
C. D. Rupe	26,742
Larry Sullivan	26,734
Michael Sullivan	26,734
Toro De Oro Farms, Inc	26,402
J. P. Saldubehere	26,402
Charles & Louis Macht	26,301
Richard J. Yraceburu	26,051
George Jackson	26,021
G. H. Berry	25,956
Fairless Bros	25,866
Eugene Nord	25,728
Richard Jew	25,468
Frank Lorenzetti	25,424
P. Erhman Trste M. A. Telles	25,284
Erhman Trste S. L. Telles	25,283
Almer Comfort, Jr	25,235
E. J. Nunes	25,216
Clarence De Freitas	25,101
Andres Errotabere	24,991
Thomas Couto	24,853
Howard W. Michles	24,814
Norman Fries	24,413
J. C. Andresen, Jr	24,399
Lorrie Lanfranco	24,296
Triangle Ranch	24,253
S. R. Boteho	24,085
Sherman Thomas	23,984
Echeveste & Elizalde	23,940
Armas Bros	23,784
Hans P. Gunlund	23,318
Bill Thomas	23,121
Thomas J. Lovelace	22,838
A. & D. Koligian	22,715
S. P. Transportation	22,668
John & Jim Diedrich	22,653
Hugh Bennett	22,537
Joe Torrano	22,490
Joe Yribarren	22,376
E. W. Chaney	22,287
Comfort & Lewis	22,209

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—California—Continued

[Amounts in dollars]

FRESNO COUNTY—continued

West Valley Farms	22,176
Luther Bratton	22,003
Edward Wagenleitner	21,989
G. Jr. & D. Ketscher	21,769
Silveira Darrell Dudley	21,719
Douglas Fries	21,487
Willie Toste	21,433
Alfred Coelho & Sons	21,379
A. F. Mendes & Sons	21,355
W. L. Renfro	21,299
Herman & Otto Walls	21,190
A. L. Fourchy	20,837
Myrna Wolfsen	20,750
Hyde Ranch	20,694
Pauline Tuttle	20,636
Walter Behymer	20,629
Gordon Vaughn	20,629
Arlie Rogers	20,496
Metzler Ranches	20,392
Total payees in county (340)	16,478,777

GLENN COUNTY

Shintaffer Farms	86,994
Baber Gibson Livestock	55,212
C. M. French	53,837
Bernie Millsaps	36,549
J. S. Garnett Co	33,031
Wm. Feenley, Jr	27,014
Spooner Co	21,897
Elizabeth W. Eddins	20,380
Total payees in county (8)	334,914

IMPERIAL COUNTY

Adamek & Dessert	136,573
Fritz Kuhn, Jr	124,210
Stephen H. Elmore	102,980
Jack Elmore	102,198
Maraccini, Inc	98,287
Donald H. Cox	95,108
Michael D. Ayala	91,824
Robert H. Meyer	91,613
Dwaine J. Little	90,673
Neil Fifield, Co	90,492
Fifield Land, Co	90,405
Freshpict Foods, Inc	86,043
Lerno Bros	82,999
Kenneth Reynolds	82,933
John V. Merten	81,616
Hausmann & House Ranches	77,572
R. B. Wilson, Co	77,188
C. T. Dearborn	76,029
Sam Etchegaray	74,685
George B. Willoughby	74,450
Edwin Chew	73,272
Fad Farms, Inc	73,104
Hugh Hudson Ranches	70,967
J. N. Osterkamp Ranches	70,853
Stafford Hannon	69,245
John V. Borchard	66,044
A. H. Caston	65,735
Newside Farms, Inc	63,995
John R. Benson	63,949
River Ranch, Inc	63,818
C. D. Meredith	62,780
A. W. Schunk	62,599
Rick Young	62,586
Bill Wiest	61,651
Hetty E. Jordon	61,613
C. Alex Abatti	61,453
Davis Beauchamp	59,825
Rodney Reynolds	59,175
Donald K. Donley	58,929
Lloyd Bascom Winter	58,582
Imperial Farms, Inc	57,560
W. E. Young, Jr	57,504
W. E. Young, Sr	55,504
Alvaro Deen	55,264
Moiola Farms	55,000
Beulah E. Garrett	54,928
Milas G. Russell	54,928
Charles K. Corfman	54,633
Strahm & Sons	54,623
E. E. Otto	54,589
Harry Schmidt Farms	54,495
Thomas P. Gargiulo	54,446
Albert S. Gargiulo, Jr	54,430
Phillip Gargiulo	54,430
Ashley Roberts	54,371
Raghbir S. Atwal	54,371
Talfourd T. Wynne	54,371
William C. Sterling	54,338
E. K. Greer	54,338
J. M. Bryant	54,274
Sweetwater Feeders	53,989
W. M. Watkins	53,972
Homer Slater	53,863
James A. Taylor	53,650
Miriam Harthill	52,302
Berryman Farms	52,266
Roland Wilson	52,256
Lee M. Whittle	52,231
H. E. Kelley, Sr	51,559
Howard E. Kelley, Jr	51,557
Malcolm E. Kelley	51,550
V. C. Anderson	51,165
F. L. Johnson	51,103
Edward M. Wavers	50,859
Correll Farms, Inc	50,745
Francis Griset	50,697
Ray Griset	50,697
F. J. Hamby	49,890
R. S. Reese	49,337
John Fifield	49,033
R. E. Roesling	48,957
Hawk & Sperber	48,484
David Ralls	47,629
Leon T. Miller	47,614
J. W. Sanborn	47,614
George A. Mallory	47,561
Haskell Jacobs	47,243
Claverie Bros	46,266
J. Emanuel & Sons	45,805
H. B. Murphy Co	45,620
Charles C. Bowles	44,335
Laurence R. Sinclair	44,150
James W. Dearborn	43,732
Fleming & Jack	43,626
Clifton H. Hamrick	42,938
Jack Hannon	42,841
Raymond Lee OConnell	42,118
Raymond R. OConnell	42,118
John Baretta	41,768
George B. Willoughby, II	41,698
Aaron Quick	41,366
Carl J. Williams	41,366
J. C. Reeves	40,409
Tony Abatti	40,395
Ben Abatti	40,395
W. E. Young & W. E. Young, Jr	40,223
William W. Carstens	39,889
Charles W. P. Kamanski	39,877
Kevin P. Kirwan	39,877
C. & C. Farms	39,818
Allen B. Griffin	38,280
Williams & Quick	38,240
Andrew Andreotti	38,104
Fernando S. Sanga	37,342
Delmar A. Brady	37,144
House & Haskell	36,794
Harold Orff	36,792
Dessert Seed Co., Inc	36,445
Earl W. Ashurst	36,315
Robert Harp	36,291
Alexander Neal Jack	36,065
Jack Fleming	36,065
Claude M. Finnell	36,020
Huston Drewry	35,918
James T. Ray	35,918
Martin Farms	35,768
Johnson Bros	35,443
Brandt Bros	35,399
R. E. Bedwell	34,974
Darwin Cohee	34,538
Ed Wiest	34,513
Stanley Gorman	34,468
Adolph Weinberg	34,382
Ben Adamek	34,224
R. and G. Ranch	33,813
San Pasqual L. & C. Co	33,642
Leroy Edwards	33,624
Nilson Bros	33,268
Mohinder K. Samra	32,787
Nelson Correll	32,574
Dixie Ranches	31,554
Lee Rutledge	31,486
Jerry Nakasawa	31,486
Perez & Morrell	31,475
C. S. Sandhu	31,348
Loma Farms	31,101
Jackson Produce Co	30,992
John H. Borchard	30,418
Broadbent Livestock Co	30,038
M. J. Labrucherie	29,786
Don Cannon	29,613
Antonio Rodriguez	29,503
W. S. Zimmer	28,970
John P. Menvielle	28,970
Harold Brockman	28,931
Jean Layaye	27,854
George Clarke	27,328
Elijah Bros	27,296
Michael B. Cox	27,034
Carlos M. Doran	27,034
Abatti Bros	26,842
Lloyd Heger	26,332
Bisgaard Bros	26,118
Hoxie Smith	26,068
Harold Fifield	26,002
Jack Rutherford	25,965
L. L. Lyerly	25,251
Harry Singh Sidhu	25,247
Gerald R. Elmore	25,114
Bill R. Smith	24,913
Russell Bros. Rches, Inc	24,832
Luckey & Hellis	24,347
John R. Benson Farms, Inc	24,171
Harry Casey	24,056
F. E. Burnett	23,965
Baljeet S. Thind	23,641
Irvine Co	23,514
Everett Ashurst	23,135
Valley Properties	23,029
Lawrence B. Stewart	22,874
Julian Castillo	22,508
Raymond Singh	22,078
Alice Denman	22,075
Frank August	21,996
J. R. & Chas. & Chas. Jr., Kershaw	21,956
F. W. Schoneman	21,845
Robert C. Richter	21,457
Three D. Cattle Co	21,172
Clyde Bowman	21,030
Floyd T. Shank Estate	20,883
Carl Russell	20,625
Sam Russell	20,625
M. W. Coley	20,556
Ernest Ayala	20,551
Dahm Bros	20,490
Marlin E. Medearis	20,407
Harold L. Wright	20,366
Lloyd Belew	20,305
Jessie Maness	20,145
E. G. Corda	20,069
Total payees in county (200)	9,128,825

KERN COUNTY

H. M. Tenneco, Inc	231,225
Joe Mendiburu	170,147
El Tejon Cattle Co	145,893
Blackwell Land Co	115,146
Tejon Ranch Co	103,283
Michel & P. Etcheverry	100,663
J. G. Boswell Co	91,885
B. V. Farms	91,885
I. & M. Sheep Co	86,073
Elmer Rossi	81,661
Melvin Rossi	81,661
Coberly West Co	76,806
F. Palla	74,615
R. E. Ballengee	73,273

S. A. Camp Farms Co	70,500
Milham Farms	69,462
Santiaga Ranch	68,773
John Hernstedt	68,400
Sill Properties Inc	67,024
Tony Iafrati	66,889
C. W. Buerkle	66,352
Gino Chicca	65,319
M. Zaninovich Inc	65,044
A. Palla	64,778
E. L. Goodspeed	63,679
H. S. Jewett	62,641
Triple J Farms Inc	62,194
Mason Snow	61,515
Mark Ballangee	61,171
Jimmie Icardo	61,094
R. H. Garlow Farms	60,433
E. O. Mitchell Inc	59,672
Joe Garone	59,458
Kenneth Twisselman	58,917
M & N Sheep Co	57,855
J. S. Antongiovanni	57,574
Thomas F. Walsh	57,567
Frank McKenna	57,563
Frank Del Papa	57,277
R. J. Vignolo	57,237
C. J. Vignolo	57,174
Onie Sanders	57,102
Porter Land Co	57,006
S. J. Balfour	56,987
Mike Hankins	56,860
H. M. Bowles	56,609
G. M. Bowles	56,609
Dr. J. H. Lawrence	56,608
J. E. Sanders	56,590
K. Malofy & Son	56,382
John C. Moore	56,373
Bernal Sheep Co	56,043
Eugene Palla	55,771
J. H. Guthrie	55,747
Fred J. Goodspeed	55,486
F. Garone, Jr	55,387
D & E Moore	55,380
M. Lane	55,353
Mervyn Voth	55,182
Louis Ricci	55,153
A. J. Torrigiani	55,000
W. B. Reed	55,000
E. J. Selvidge	55,000
J. R. Tracy	55,000
F. Torrigiani	55,000
Jack H. Reed	55,000
Paul Pilgrim	55,000
J. L. Guthrie	55,000
Howard Frick	55,000
C. F. Tracy	55,000
Wm. L. Gammon	55,000
R. W. Tracy	55,000
W. Selvidge	55,000
L. W. Frey	55,000
Jack L. Gammon	55,000
Jack M. Frey	55,000
Desert Farms	55,000
Griffin & Fraysher	55,000
Johnston & Washer	54,968
James O. Payne	54,947
John Antongiovanni	54,802
Ray Jarrard	54,802
John Landers	54,754
C. A. Henson	54,754
J. Romanini	54,692
Carl Taffera	54.657
Ken O. Farms	54,657
C. Mettler	54,559
Walker O. Fry	54,531
A. W. Adams	54,525
Doyle Ryan	54,525
A. C. Engel	54,525
J. L. Frederickson	54,525
E. L. Armstrong	54,525
J. C. Erreca	54,525
E. W. Overstreet	54,525
W. Alan Harrison	54,525
Dean A. Gay	54,524
Robert D. Watson	54,524
D. M. Steele & Son, Inc	54,510
Wm. H. Rogers	54,510
Glen Turner	54,457
Clarence A. Houchin	54,410
Okey W. Houchin, Jr	54,394
Francis L. Houchin	54,394
D. S. Harris	54,383
D. L. Harris	54,377
L. A. Robertson FMS, Inc	54,262
J. Pavlina	54,158
Lorenzo Iturriria	54,136
G. Mendiburu	54,136
Robert Leppek	54,136
Roland M. Vallicella	54,054
Shafter Wasco Invest. Co	53,908
Paul Pierucci	53,854
D. S. Andrews	53,772
F. S. Andrews	53,771
R. S. Andrews	53,762
John Chicca	53,737
Louis Chicca	53,724
L. C. Kreim	53,699
E. Ghilarducci	53,592
Gal Co. Farms	53,557
Loren H. Voth	53,530
Angelo Fanucchi	53,328
Eugene Fanucchi	53,328
Wilson Ag. Ent	53,180
Joseph E. Kurtz	53,002
T. B. Barnard	52,916
D. K. Barnard	52,913
R. Torigiani	52,902
M. Torigiani	52,894
Jack G. Thomson	52,893
G. Torigiani	52,890
Victor J. Krause	52,823
A. F. Little	52,764
H. A. Hanes	52,764
E. W. Suorez Farms, Inc	52,761
Mario Buoni, Jr	52,718
Westside Almond Ranch 4	52,567
Victor Cerro	52,501
Philip J. Cerro	52,501
Merz Farms, Inc	52,327
James Froehlich	52,309
Guido Romanini	52,296
Livio Palla	52,124
A Neufeld Fms	52,005
Kern Valley Farms	51,952
R. A. Jacobsen Est	52,941
B. S. Baldwin & Sons, Inc	51,917
Howard S. Chase	51,843
Dwight R. Harmon	51,827
Stoller Bros., Inc	51,795
Alfred Palla, Jr	51,762
O. A. Bolstad	51,652
Bill T. Lewis	51,652
Harold R. Jewett	51,652
W. B. Camp, Sr	51,652
Don M. Camp	51,616
C. Nowatzki	51,616
C. L. Herrington	51,616
Sam Barling	51,577
Nathaniel D. Barling	51,577
Jose Errotabere	51,504
Kenneth Wegis	51,455
S. K. Fms	51,427
Valpredo Bros	51,285
D. Derington	50,911
L. Rhodes	50,911
Roy Henson	50,910
Joe Henson	50,895
Charles E. Cawley	50,895
Larren C. Cole	50,853
Rancho Trio	50,557
Allen Bottorff	50,462
Carl Johns & Sons	49,906
Hollis Ragsdale	49,705
Emily Bidart	49,616
B. A. Bidart Tr	49,616
J. A. Bidart, Sr	49,616
J. A. Bidart, Jr. Tr	49,616
P. J. Bidart, Tr	49,616
M. G. Farms	49,519
Ervin Baublitz	49,428
Otis T. Page	49,406
F. A. Wegis	49,406
Theodore R. Page	49,406
D. R. Lundy	49,294
Rainbow Ranch Inc	49,262
E. C. Mazzie	49,224
L. B. Mazzie	49,224
V. Roberts	49,224
T. J. Mazzie	49,224
Dale Snell	49,026
R. Williams	48,931
B. W. Duncan	48,803
Loren S. Grant	48,780
Sterling W. Grant	48,780
Bill L. Gibson	48,577
Wm. H. Gibson	48,576
Double L Farms	48,526
Eyherabide Sheep Co	48,248
Robert Del Papa	48,202
Jack Williams	48,150
Stanley Voth	48,105
Sandrini Bros	47,969
Reynold M. Mettler	47,761
B. J. Mettler	47,748
Michael R. Mettler	47,748
Antone Saldubehere	47,665
Elmer Andreotti	47,502
Wm. Lachenmaier	47,394
Belridge Land Co	47,229
Opal Fry	47,026
Jack Fry	46,740
George Fry	46,726
Wm. B. Buerkle	46,549
Em. H. Mettler & Sons	46,416
Sanders Farms	46,374
M. L. Thomas	46,151
B. R. Howard	46,151
H. F. Schuetz	46,151
H. Jones	46,151
F. Carisle, Jr	46,151
D. M. Hart	46,151
J. J. Murray	46,151
K. Mebane, Inc	46,151
C. D. Ross	46,103
Willis Snow and Son	45,901
Romanini Bros	45,644
Patterson & Hale	45,557
Bermuda Ranch	45,471
C. J. Shepherd & Sons	45,394
Giovannetti Farms	45,368
Charles Fanucchi	45,362
Joe G. Fanucchi	45,343
Frank M. Fanucchi	45,343
Joe P. Fanucchi	45,343
Peter Andreotti	45,191
James Banducci	45,139
Fred Banducci	45,125
Doris Walker	45,125
Pete Romanini Fms	45,087
F. B. Frick	44,935
Schroeder & Holtermann	44,727
Vernon Blackburn	44,632
O. O. Portwood	44,602
Vista Farms	44,470
James Tazioli	44,240
Joe Tazioli	44,240
L. L. Costerisan	44,104
R. R. Costerisan	44,092
H. H. Costerisan	44,091
W. F. Romero	43,901
Waldrip Farms	43,871
Ludy Bros	43,829
Costa Farms	43,625
Sanders Std. Ranch	43,407
Precie Farms	43,336
Leo P. Smith	43,277
Louis E. Borel & Sons	43,062
Elk Grove Ranch	43,024
J. Shankle	42,988
Molica Farms	42,973
Mary Nickel James	42,687
G. W. Nickel, Jr	42,687
Sally N. Mein	42,687
Joseph J. Trino	42,532
Weidenbach Bros	42,501

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—California—Continued

[Amounts in dollars]

KERN COUNTY—continued

Kenneth L. Wedel	42,239
Larry R. Wedel	42,239
Destefani Farms, Inc	41,907
M. Parker	41,742
B. Tawlks	41,577
N. S. Camp	41,507
E. A. Yaksitch	41,009
Woods Stone	40,626
Deno Fanucchi	40,613
Schulte Farms	40,538
Sil Lect Farms	40,313
Richard Romanini	40,093
Kenneth McClanhan	39,806
L. W. Bergman	39,796
Banducci Farms	39,673
J. Parsons	39,539
Charles Parsons	39,527
R. E. Blair Parsons Ranch	39,527
V. & C. Farms	39,271
Edward Kraft	39,242
E. Neuman	39,048
H. Visser	38,925
Mitchell Brothers Co	38,910
Killdeer Farms	38,861
Frank Franceschi	38,831
Gary Franceschi	38,831
Geo. Lewis Mahoney	38,802
Dante Giannini & Sons	38,513
W. D. Henry	38,510
Shafter Wasco Ginn Co	38,290
Johnston Farms	37,978
The West Ranch	37,924
Dennis Giannini	37,748
Borda & Sons	37,641
W. E. & G. Delfino	37,623
J. Y. Camp	37,193
C. Valpredo	37,145
Jerald Lowrimore	37,109
W. C. Mecham	36,951
C. B. Dickey	36,951
K. Frick C/O B. of A. Tr	36,863
Ansolabehere Bros	36,807
R. A. Belluomini	36,666
G. Belluomini	36,666
Thomas Belluomini	36,666
Elmo Belluomini	36,666
P. Belluomini	36,644
A. Belluomini	36,644
Bruno Cauzza	36,610
W. D. Hall	36,261
F. L. Starrh	36,066
Joe S. Esnoz	35,977
Arnold Cattani, Jr	35,977
Arnold T. Cattani	35,977
Glen Froehlich	35,754
Beck & Sons	35,698
Roy Fanucchi Tr	35,552
Richard Limi Tr	35,552
Stenderup Farms	35,528
Emry Crawford	35,385
D. C. Crawford	35,375
J. R. Mozingo	35,375
C. Jeff Thomson	35,262
Jack L. Billington	34,986
P. Spolsdoff	34,875
Richard Elrich	34,682
Joseph Banducci	34,615
D. L. Houchin	34,495
C. Houchin	34,495
Donald Houchlin	34,495
Buford L. Fox	34,457
Cowan Farms	34,206
Meadow Gold Farms	34,178
J. B. 2 H. Ranch	34,129
Palm Farms Inc	33,888
S. A. Camp Ginning Co	33,820
Noriega Sheep Co	33,536
Ronnie Billington	33,478
W. R. Greenlee	33,318
BTW LD & Cattle Co	33,270
J. G. Garrison	33,233
D. M. Bryant, Jr	33,111
Mettler & Mettler	32,771
Harry Banducci	32,723
Louis Banducci	32,561
L. K. Olsen	32,432
Milo Ferini	32,416
Dominick Ardantz	32,416
John B. Cauzza, Jr	32,363
Lido Isola	32,336
B. Baggiani	32,336
R. Forrest	32,229
C. M. Molica	32,198
Berry Molica	32,198
Wedel Farms	32,195
Crettol Farms	31,973
Superior Fming Co	31,634
J. T. Sanders	31,480
Bill Menta	31,439
Hudson Ranch	31,367
Geo Nordian	31,338
W. S. Kimmel	31,302
Kendrick B. King	31,244
H. Spitzer	31,043
J. A. & Adrien Eyraud & Sons	30,960
Frank Brazeel	30,831
E. Antongiovanni	30,742
D. Antongiovanni	30,742
Vincent Antongiovanni	30,742
U. Antongiovanni	30,742
Tex Cal Land Inc	30,727
Ryan Jeffries	30,549
David Merkel	30,488
M. D. Neufeld	30,486
P. N. Jeffries	30,484
Joe C. Eyraud	30,372
Waybill Farms	30,301
Sebastien Guillemet	30,114
Michael C. Lane	30,092
R. Palla	30,034
Stoller Bros	30,024
James Frick	29,956
Bob Cauzza	29,932
L. & A. Sheep Co	29,893
Dave Bloemhof	29,759
A. Ghilarducci	29,720
Joe Freitas, Jr	29,699
Milne Stearns	29,576
Vido Fabbri	29,535
Elo Fabbri	29,535
Buttonwillow Gin Co	29,500
Neffs Ranch	29,375
G. Banducci	29,071
Robert Banducci	29,071
Double M Sheep Co	28,984
Regan Farms, Inc	28,892
Mary Angone	28,780
W. B. Camp & Son	28,767
Clare Rexroth	28,653
W. C. Handel & Sons, Inc	28,520
Paul Samarin	28,471
Neil W. Purvis	28,356
Dante Baggiani	28,279
Frank C. Bury	28,274
Teddy B. Olsen	28,156
D. C. Bartel	28,107
Roy F. Fast	28,107
Walter L. Bergen	27,862
Morris Bros Farms	27,718
W. T. Romero	27,689
Vignolo Farms	27,579
Louise Fox	27,552
Ernest Still	27,538
J. Riccomini	27,449
Gene K. Holland	27,380
Bell Farms	27,360
Delis Farms	27,292
Leonard Gaede	27,208
Rose Ranch	27,157
Stanley E. Willis	26,840
John L. Willis	26,832
A. M. Willis	26,832
Darrell H. Voth	26,773
Dan Frantz	26,594
R. Frantz	26,594
D. Moore	26,530
Inyo Sheep Co	26,460
Golden Vineyards	26,430
Henry Bloemhof	26,383
Ted Bloemhof	26,383
D. Bloemhof, Jr	26,383
J. B. Gardiner	26,247
Bonanza Farms	26,167
O. Torigiani Farm	26,084
William Clarke	26,062
David Torigiani	26,062
H. A. Conklin Nursery	25,915
Miles H. Thomas	25,861
Arthur Williams	25,836
Tolbert Williams	25,836
Eugene Black	25,774
Ansolabehere Sheep Co	25,756
Wm. G. McKinley	25,671
Gano Torigiani	25,612
Tony & Reno Andreotti	25,541
Gino Romanini	25,455
Wayne Kirschenman	25,390
Orlando Torigiani	25,375
Frank Fugitt	25,103
W. C. Novel	25,074
Jim Hronis	25,033
Coombs & Renfro FMS	24,971
J. S. Ingram	24,944
E. J. Peters	24,783
E. G. Peters	24,775
D. S. Peters	24,775
D. & A. Kroeker	24,752
G. Emerson FMS Inc	24,742
Tom Toretta	24,634
D. Toretta	24,634
S. Minaberri	24,521
Joe Echenique	24,518
Directors Enterprises, Inc	24,430
Darrell L. Janzen	24,400
Donald L. Schulte	24,397
Clara P. Rexroth	24,349
Martin D. Larralde	23,901
Maple Ranch	23,704
F. Valencia	23,669
Pandol & Sons	23,655
F. W. Handel Farm Co	23,648
Bergman & Isaac	23,511
John Camp Farms	23,321
R. Mettler	22,898
D. Valoff	22,873
Fanucchi Bros	22,762
Jonas L. Nickel	22,722
John G. Hill	22,716
R. Pascoe Ranches	22,655
Ratzlaff Bros	22,344
Allen E. Neufeld	22,323
Gregory Billington	22,319
Donald Molatore	22,221
Ranch I Inc	22,207
L. V. Baroncini	22,196
Dick F. Baroncini	22,196
Jeff Reyes	22,130
J. R. Almklov	22,041
L. E. Stout	21,956
Ponznoff Farms	21,910
Furman & Wilson	21,892
Bloemhof Agent	21,812
J. & F. Ansolabehere Co	21,703
J. E. Wiens	21,533
G. Hemming	21,522
Kermeth Anderson	21,344
J. C. Nickel	21,343
N. B. Nickel	21,343
H. Saldubehere	21,300
Lee Herring	21,225
Lloyd Bowman	21,193
Banducci & Riccomini	21,136
Mono Sheep Co	21,124
Dan Tudor & Sons	20,950
Arthur J. Penner	20,901
W. L. Ingram, Jr	20,896
H. H. and J. C. Lewis	20,876
E. L. McConnell, Tr	20,864
M. J. Fulwyler	20,857
L. L. McConnell	20,857
A. S. Ediger	20,776
J. G. Giumarra	20,476
Lawrence Scarrone	20,417
Carlo Scarrone	20,417
Albert Angus	20,356
Leroy Fleishauer	20,270
Lloyd Unruh Farms	20,166
G. H. Baumgardt	20,112
Rio Vista Fm. Co., Inc	20,046
Total payees in county (528)	22,494,600

KINGS COUNTY

Westlake Farms	189,694
Gilkey Farms Co	136,223

Salyer Land Co	123, 045
South Lake Farms	108, 371
R. A. Rowan & Co	105, 488
G. W. Nickel Jr	92, 741
Couture Farms	88, 952
C. R. Shannon	68, 723
James G. Shannon	68, 661
Hogle Ford	68, 661
Elbow Enterprises Inc	68, 661
Aram Kinosian Jr	68, 661
Clifford S. Lupercio	68, 661
Norman R. Gabor	68, 661
Leroy E. Hutsell	68, 661
Jack Shannon	68, 661
G. E. Brewster Est	67, 791
Darril Borba	67, 176
J. G. Stone Land Co	66, 784
Ross Borba Jr	65, 082
Ross Borba Sr	64, 988
Phillip Swearingen	64, 980
Boyett Farming	63, 867
Chas. Schwartz	63, 604
William E. Thornton	63, 099
R. Gonsalves	61, 253
James L. Nickel	60, 159
Robert E. Murphy	60, 134
Philip P. Marskey	60, 134
Philip D. Duvall	60, 134
John S. Selfridge	60, 134
Henry Nickel	60, 134
Nancy Nickel	60, 134
Cynthia Selfridge	60, 134
Louis T. Robinson	59, 165
Harriet Hansen	59, 598
Harp Bros., Inc	59, 598
L. E. Culp	58, 577
Loyd Culp, Jr	58, 577
William T. Stone	57, 385
Lawrence M. Stone	57, 364
John Lawrence Stone	57, 359
H. L. Thayer	57, 359
Murray Farms, Inc	56, 882
Ralph Gilkey	56, 477
Pickett Farms	56, 277
Hazel R. Mitchell	56, 259
R. S. Barlow	55, 753
Franna Farms	55, 513
South Fork Ranch, Inc	55, 473
Vestal Elmo Swearingen	54, 358
Gregory Stanton	54, 343
Wesley Hansen	54, 327
W. W. Boswell, Jr	54, 288
C. Elmer Spafford	54, 259
Shaen Magan	52, 915
James & Paul Avila	52, 849
Thomas A. Newton	52, 829
Patrick W. Newton	52, 828
Daniel A. Newton	52, 828
Daniel F. Newton	52, 828
Inco Farms, Inc	52, 548
L. A. Hansen	52, 472
James B. Hansen	52, 108
Jess V. Hansen	52, 108
Erwin Farms	51, 799
Floyd Wisecarver	49, 665
Wayne Wisecarver	59, 665
L. W. Newton	48, 672
J. B. Long Farming Co	48, 561
Glenn A. Gramps	48, 297
Richard A. Newton	48, 035
Richards & Ysusi	47, 711
F. DeMacro, Jr	47, 383
Wedderburn Bros	46, 754
Hild Farms, Inc	46, 551
Leroy Avila	46, 425
Charles W. Yocum	45, 715
Robert Yocum	45, 696
H. L. Yocum	45, 696
Kile Yocum	45, 696
John R. Avila	45, 212
Clarence Avila	45, 200
Costa & Quintel, Inc	44, 437
Kenneth G. Walker	43, 599
Marchbanks Farms	43, 088
Victoria Farms, Inc	42, 886
S. Chillingworth	37, 911
Schwartz Farms, Inc	37, 858
Barcellos & Wolfsen	36, 976
Murray Bros. Farming	35, 248
G. W. & W. G. Squire	35, 216
Uselton Ranch	35, 078
Elizabeth S. D. Mellon	34, 735
Helen Dunlop	34, 734
D. E. Hildebrand	34, 494
Double O Ranch	34, 363
Alvin Odle	34, 098
Verburg Bros., Inc	34, 014
Robert Carvalho	33, 781
Bill Walker	33, 766
P. Hansen Ranch	33, 612
L. E. Hansen Farms, Inc	33, 515
Richard M. Studhaan	32, 896
Borba Bros. Farms	32, 779
Simas Bros	32, 533
Donald J. Gilkey	32, 409
Kenyon DeVaney	32, 409
Don Riddle	32, 409
L. & R. Giacomazzi	32, 323
Ralph Marshall	32, 255
M. E. Taylor	31, 838
J. E. Squire & Sons	31, 582
Larry Davis	31, 127
Earle A. Howe	30, 971
Silva Brothers	30, 274
Ralph Alcala	28, 735
Carlton Duty	28, 590
Fleming Bettencourt	28, 491
Robert M. Olson	28, 437
B. J. M. Farms, Inc	27, 867
Chavarria Farms, Inc	27, 784
Wesley Stanton	27, 632
John Verboon	27, 585
Duane Pires	27, 048
Empire Farms, Inc	26, 948
Dufur & Castadio	26, 849
R. A. & A. Evett	26, 149
Jean Etchegoincelhay	26, 127
Tommy R. Avila	25, 884
Hugh V. Johns	25, 804
Fabry Farms, Inc	25, 380
Myron & Theron Dutra	25, 097
M. S. Simas Est	24, 785
Bethel Doran	24, 628
Corcoran Dusters, Inc	24, 603
D. W. Gouldsmith	23, 701
Marcy J. Silva	23, 587
Mussel Slough Farms	23, 320
Sunshine Farms	22, 998
Westfarmers Apts	22, 884
Eldon J. Findley	22, 595
W. F. Turner & Sons	22, 394
Wm. Edward Wedderburn	22, 344
Loy Robert Wedderburn	22, 344
Frederick Forrest Wedderburn	22, 344
Chesley Mason Wedderburn	22, 344
E. Hill	22, 189
R. L. Squire & Sons	21, 579
James L. Fletcher	21, 380
Van Groningen Bros	20, 835
Durst Farms	20, 822
Manuel Vieira, Jr	20, 728
Tony A. Bettencourt	20, 705
William D. Lehn	20, 210
Total payees in county (155)	7, 263, 873

LOS ANGELES COUNTY

John Fuson	103, 699
Swift & Co	56, 978
Godde & Ritter	51, 807
Dominique Reca	42, 615
William E. Farlow	32, 185
Marcel Mocho	28, 168
Total payees in county (6)	315, 452

MADERA COUNTY

R. W. Hopper	62, 074
Elmer Schuh	56, 935
Sam M. Schuh	56, 924
Jacob Schuh, Jr	56, 921
Red Top Cotton Grws	55, 249
James L. Sniffin	55, 000
Vincent Kovacevich	55, 000
Gorden Kovacevich	55, 000
Wayne P. Sniffin	55, 000
G. Kovacevich	55, 000
Averill Ranch	54, 874
Leon Urrutia	54, 138
Gary Brooks	53, 929
George Andrew	53, 228
Otha Hooper	52, 708
Ardell Hooper	52, 708
Willard Haynes	48, 928
Walter Wittwer	49, 914
Triangle T Ranch	48, 998
B. A. Watson	47, 556
Ben Curutchet	46, 810
George E. Ross	46, 790
Kenneth R. Grimes	45, 967
Larry Chapman	45, 491
Morgan Johnson	45, 056
Fred Toschi	42, 621
James A. Hawkins	42, 384
Thomas R. Hawkins	42, 350
Fred Van Tassel	41, 840
Burkhart Farms	41, 607
Clarence Ylarregui	40, 929
A. K. Baker	40, 887
S. A. Upton	40, 063
John M. Lasgoity	39, 264
El Peco Ranch	38, 519
Dan Branco	38, 205
William Haynes	36, 457
Norman Kuhr	35, 789
H. M. Farming Company	35, 128
Howard Glantz	34, 941
Forrest Clayton	33, 855
Robert Danieli	33, 229
L. D. McRee	32, 801
Wm. R. Dill	32, 328
Leonard Frazier	31, 148
L. G. Haworth & Sons	30, 752
Sam Mariani	30, 737
John Galleano	30, 547
Alvin G. Askew	30, 194
J. Frank Martin & Sons	30, 193
Johnny Deniz	30, 095
Floyd Williams	30, 095
Kenneth B. Seibert	29, 875
Dale Maddalena	29, 812
L. G. Beshears	28, 343
Arvid Allen	28, 314
Henry S. Naito	28, 281
Curran Ranches	27, 744
Wm. Correia	26, 321
Richard Johnson	26, 311
J. L. Vancuren	26, 041
Buffington Agri. Ent	26, 040
Peter Maddalena	25, 925
David Baker	25, 314
Edward Pistoresi	25, 252
Jack Chezick	25, 086
Guy Houk	24, 271
R. C. Weaver	24, 151
Logoluso Farms	23, 865
C. F. Andresen	23, 505
T. C. and Don Wood	23, 399
Sherman Thomas	22, 937
Charles D. Mays	22, 918
Ernest Uhalde	22, 882
Carl Hansen	22, 432
Alvin Gomes	22, 423
John Koretoff, Jr	21, 612
Paul Toschi Sr	21, 208
Victor Kuhr	21, 087
Vernon L. Caywood	21, 072
Larry Jantzen	20, 883
Thomas Bedford	20, 840
Arthur W. Freeman	20, 800
G. J. Schuh	20, 469
John Farmer	20, 423
Total payees in county (85)	3, 076, 992

MERCED COUNTY

Wolfson Land and Cattle	99, 957
Lindemann Farms Inc	79, 013
Vernon Porter	67, 260
A. Lobue Farms	66, 569
Lewis Maldrino	62, 396
Sorg Bros	61, 988

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—California—Continued

[Amounts in dollars]

MERCED COUNTY—continued

John F. Bennett	59, 663
Timco Div	58, 142
Ray Bute	57, 501
Talbott Sheep Co	56, 819
Woo Bros	56, 118
James Maiorino Jr	55, 000
Sam Hamburg Farms	54, 143
Santa Rita Ranch Co	53, 977
Findley M. Upton	53, 361
Kole M. Upton	53, 361
Chas. E. Andrews	53, 294
Obanion Ranches	52, 136
Brights Nursery Inc	50, 738
C. Houk & J. Allen	47, 261
Herman Willis	46, 649
Marvin Wooten	46, 588
J. J. Harder	44, 720
Cozzi Bros	43, 853
Joe G. Machado Jr	42, 984
Dean Barrett	42, 460
Amparan & Erreca	42, 396
Favier Cattle Co	42, 012
Ardans Bros	41, 038
Carl Sumpter	40, 721
Delta Farms	40, 311
Carl Bryant	39, 901
Joe H. Santos	36, 455
Etcheverry Bros	35, 476
John A. Lawson	34, 812
Herbert Willis	34, 495
Clay Farms Inc	32, 750
W. F. Sturgeon Farms	31, 087
Arambarri and Izoco	30, 245
Henry Sorg	28, 802
Circle A Sheep Co	28, 694
Three Star Farms	28, 633
John B. Harman Jr	27, 897
J. B. Arambel	27, 525
Kenneth Porter	26, 997
Danco Farms	26, 706
Striblings Nurseries	25, 757
R. Palazzo and Co. Inc	25, 625
Ollie McDonald	24, 657
Pacheco Sheep	24, 090
A. J. Vandenberg	23, 964
C. R. Vandenberg	23, 963
Jerry Ralls	22, 770
Edward R. Fagundes	21, 802
Vernie Raven	21, 205
Pellissier and Sons	21, 068
Deerwood Stock Farm	20, 748
J & J Farms	20, 639
Martin Arambel	20, 598
Jess Ozcoidi	20, 101
Total payees in county (60)	2, 459, 891

MODOC COUNTY

John Martin Espil	65, 279
OCC Pet Ld & Dev	23, 783
Total payees in county (2)	89, 062

MONO COUNTY

Roberts Sheep Co	26, 696
Total payees in county (1)	26, 696

MONTEREY COUNTY

Darrigo Bros. Co. of Calif	70, 690
Inter. Harvest. Inc	52, 185
Martinus & Martinus	47, 151
Jack A. Hayes	44, 151
William Whitney	30, 526
Agronomy Partnership	30, 146
Frank Taylor	28, 533
Huntington Farms Inc	22, 945
Porter Es. Co. Brdly. Rch. Inc	21, 651
A. F. Silveira & Sons	20, 923
Miller Bros	20, 728
Total payees in county (11)	389,629

ORANGE COUNTY

Rancho Mission Viejo	21, 887
Ernie C. Cantrell	20, 300
Total payees in county (2)	42, 187

PLACER COUNTY

Frank & Ross Riolo	27, 233
John Fiddyment	21, 480
Total payees in county (2)	48, 713

RIVERSIDE COUNTY

J. R. Norton Co	76, 673
B.K.M. Ranchers	62, 352
Mortensen Enterprises	58, 242
Fisher Ranch	57, 066
Gary A. Bryce	56, 911
Suzy Bel Farms	56, 435
T. E. Hininger	55, 584
D. L. Mudd, Inc	55, 000
G. T. Scott Ranches, Inc	55, 000
Donald T. Williams	54, 999
Lawrence Augusta	54, 999
Thomas Robinson	54, 999
Charles Robinson	54, 999
Rummonds Bros. Ranches, Inc	54, 921
Duane E. Berger	54, 855
Daniel E. Robinson	54, 821
O'Beal Shaw	54, 805
Henry Meza	54, 805
John Pavad	54, 529
Henry W. Warne	54, 289
Lawrence Chaffin	52, 481
Clarence Robinson	52, 411
Don Riley	52, 349
Robert M. Morton	49, 781
E. G. Nowell	49, 767
William Riggs	49, 766
James Stafford	49, 658
Ellsworth Epperson	49, 658
Motte & Sons	49, 076
Leon Kennedy	49, 029
Mark Kennedy	49, 029
Bert Lauda	43, 970
Walter Pratt	41, 810
William G. Durnin	41, 701
Frank Guitron	41, 008
Dale Hull	40, 331
George Arakelian Farms, Inc	38, 151
W. K. Kenworthy	37, 617
Marshburn Bros	36, 116
Louis Schindler	32, 995
Henry Schindler	32, 995
Searl Bros	30, 264
John B. Mainvil	29, 199
Richard Kenworthy	28, 502
Harboe Ensley	26, 575
John Coudures Co	24, 682
Peter Rabbit Farms	24, 621
Sam Keoseyan	24, 347
Bud Antle, Inc	23, 688
Johnson Bros	23, 062
Roy C. Wolven	22, 744
Ford Underwood	22, 254
Dennis Geiler	21, 987
Clyde E. Smith	21, 108
Frank A. Sowers	20, 995
Total payees in county (55)	2, 420, 011

SACRAMENTO COUNTY

Mills & Labrode	61, 764
Amistad Ranches	44, 137
Silva Farms	41, 856
Lloyd Fox	39, 500
D. H. & P	38, 433
Waegell Bros	35, 498
Ben Howard	24, 282
G. & M. Farms	24, 254
Jack Hori	21, 075
Total payees in county (9)	330, 799

SAN BENITO COUNTY

Pete Larrondo	35, 688
Total payees in county (1)	35, 688

SAN BERNARDINO COUNTY

Woodrow Miller	46, 861
Floyd Williams	20, 554
Domingo Mendionde	20, 297
Total payees in county (3)	87, 712

SAN DIEGO COUNTY

Daley Enterprise	32, 984
Total payees in county (1)	32, 984

SAN JOAQUIN COUNTY

Jean Cubiburu	92, 063
S. P. RR Land Dept	58, 524
Salvador Olagaray	43, 955
Moresco Bros. Farms	39, 398
Reclaimed Island Lands	36, 913
D. Olcomendy & Son	36, 614
River Investment Co	34, 978
Guido Stagi Farms	32, 201
Frank Arburua	31, 728
A & M Farms	30, 386
Dell Aringa Bros. Inc	29, 039
Sanzberro & Iroz	28, 372
J. P. Laborde	27, 861
Tanaka Farms	26, 710
O. Narducci	24, 942
Martin Farms	24, 205
Maciel Bros	23, 117
J. E. Higginbottom	23, 091
J & R Bogetti	22, 753
Shiba Farms	22, 318
Western Farms	22, 031
Conrad Silva	21, 736
Alvarez Bros	21, 156
Wm. F. Garden	21, 135
Sarale Farms	21, 054
Watanabe Bros	21, 046
Calcagno Farms	20, 861
Helen & Judith McCormack	20, 803
Guido Biagi	20, 156
Arnaudo Bros	20, 051
Total payees in county (30)	899, 197

SAN LUIS OBISPO COUNTY

Frank Galainena	86, 444
Jackson & Reinert	73, 460
White Ranch Co	72, 753
Grayson Owen Co	46, 335
Camatta Ranch	37, 676
Kent Hansen	37, 675
William P. Wreden	32, 917
Nels Beck & Sons	30, 536
Ancho Vista Ranch	30, 407
Encino Ranch Co	28, 522
Claude Arnold	27, 597
Ernst Bros	25, 363
Heilmann Bros	25, 170
C. D. Hillman	24, 756
Ralph Shaw	24, 696
Ernest A. Hahl	24, 102
Martin Jaureguy	22, 411
Iversen Ranch Inc	22, 008
Ernest Brown	20, 996
Richard M. Fairchild	20, 201
Total payees in county (20)	714, 025

SANTA BARBARA COUNTY

R. L. Calhoun	46, 153
Owen T. Rice & Son, Inc	41, 135
Koba Farms	26, 662
Wm. N. McLellan Co	20, 194
Total payees in county (4)	134, 144

SISKIYOU COUNTY

Armendaris Land Development	39,973
Total payees in county (1)	39,973

SOLANO COUNTY

Chew Brothers Farms Inc	89,029
Richard Emigh	82,561
Gnos Brothers	72,581
H. H. & J	56,656
Albert Carrington	54,625
Peter Cook Estate	50,548
Duncan McCormack	40,591
Brann Bros	38,088
Marion Sanchez Farms	37,697
Hamilton Bros	37,550
Robert C. Gill	37,522
Hastings Farms	35,736
Lum & Young Farms, Inc	35,694
Steve Shubin	34,598
Anderson Brothers	34,417
Tom Abel	33,968
Bulkley Ranch	32,726
Fred H. Rehrman & Son	32,363
Holdener & Wiegand	31,731
Robert C. Schulze	31,094
Belli & Fahn	29,206
John Lamont	27,554
McCormack Hill Ranch	26,480
Louis Giannoni	26,228
W. L. Davey	25,268
Edgar Everett & Son Farms	24,504
Martin Bros	24,155
Mayhood Ranches	23,152
L. M. McOmie	22,647
Alonzo Acres	21,109
Nishikawa Farms, Inc	20,901
Joe A. Gutierrez	20,382
Total payees in county (32)	1,191,361

SONOMA COUNTY

Foppiano Brothers	29,071
Cooley Ranch, Inc	20,909
D. H. McLaughlin	20,791
Total payees in county (3)	70,771

STANISLAUS COUNTY

Thorkelson Ranches	27,110
Simon Newman Co	20,618
Total payees in county (2)	47,728

SUTTER COUNTY

Newhall Land and Frmg	237,420
Don J. Strachan	87,750
E. E. McPherrin & Son	38,822
Sutter Basin Corp	38,649
Thomas W. Glenn	36,046
Broomieside Farms	31,942
H. L. Sanborn and Sons	28,682
Siller Brothers	28,301
Oji Bros. Farm, Inc	27,835
Yosuba Farms	21,188
Total payees in county (10)	576,635

TEHAMA COUNTY

Sutfin Bros	59,614
Anchordoguy & Co	50,062
Robert E. Mills	45,425
D. L. Williams & Son	43,615
Bernard Larralde	31,324
Carroll Owens	28,364
George M. Stutz	26,246
John Etcheverry	22,113
Flournoy Bros	21,548
Elgie White	21,404
Total payees in county (10)	349,715

TULARE COUNTY

Southdown McCarthy Farms	142,482
Roberts Farms, Inc	140,737
Marion Harris	124,378
Nichols Farms	103,541
John Valov	79,221
McCarthy Bros	74,773
R. A. Hildebrand	72,318
M. Curti & Sons	70,115
Alvin Correia	66,161
Andy Wheat	65,994
Dick Anderson	63,178
Progressive Farming	60,053
George A. Efseaff	59,363
George Bassett, Jr	58,907
Clarklind Farms	58,482
Doyle Ritchie	58,439
Mitchellinda Ranches	57,971
Carl Shannon	57,814
Paul Shannon	57,814
Sam Perry	57,727
L. Raviscioni Farms	57,328
A. E. Panetta Farms	57,148
John Torrez, Jr	56,607
Charlie Minoletti	55,784
Fisher Bros	55,266
Val Verde Farms, Inc	55,176
Roy D. Murray	55,156
H. P. Anderson III	55,000
Robert W. Anderson	55,000
H. P. Anderson Jr	55,000
Craig Anderson	55,000
Southdown Land Co	54,999
Sam Balzer	54,918
Patrick T. Shannon	54,918
Kelly Ann Shannon Jr	54,918
Richard M. Shannon	54,918
James G. Schott	54,917
Michael A. Schott	54,902
Glenn J. Schott	54,901
Clyde Quillin Jr	54,764
G. E. Paxton	54,502
Anton Caratan	54,300
Bill White	54,281
Donald McCarthy	54,194
Leland McCarthy	54,178
Richard McCarthy	54,178
Delmart Farms, Inc	54,096
Watte Brothers	53,295
Robert F. Bowman	51,877
L. W. Turk	51,813
Roy Kent	51,771
Don Jackson	51,346
Sherman Land & Cattle Co	51,315
Hochuli Bros	50,683
Bill Beshears	50,295
Ernest Ritchie	49,340
R. G. Smith	49,259
C. J. Ritchie	48,911
Leroy Sunderland	48,911
Larry J. Ritchie	48,911
Gene McClure Inc	48,911
Baker Bros	48,459
Atilio Belezzuoli	48,271
Don Eisner	47,370
Raymond Donaldson	47,149
Geo. C. Rising	46,835
S & S Ranches	46,632
Earl Royer	46,295
Onel C. Jackson	46,163
Wilbur Ranch	45,889
Francis & Paul Johnson	45,316
Melvin Santry & Son	44,919
Pradera Del Lago	44,591
Morris Stuhaan	44,168
Dane Stuhaan	44,168
Lawrence Taylor	43,759
J. X. Bettencourt	43,495
Richard W. Merritt	43,270
Harriet L. Merritt	43,270
S. K. Warkentin	43,210
R. Wayne Lessley	42,740
Mello & Martin Farming Co	42,687
James Rodari	42,191
Hillman Corporation	41,804
Nickell Farms	41,703
Louie F. Morris	40,911
Theodore Eberlein	40,244
Donald Thiesen	40,132
Vernon Thiesen	40,132
Ernest Menezes	39,776
Joe Menezes	39,776
Donald R. Falconer	39,775
A. M. Falconer	39,775
Harry L. Falconer	39,775
A. M. Falconer, Jr	39,775
Cooper Farms	39,756
Galbraith Brothers	39,044
C. D. Speer	39,031
Benson Brothers	38,741
Jesse Dennis	38,359
Reynold M. Benson	38,298
Joe Schott	38,180
Gerald Lang	38,104
Ritchie & Ritchie	37,326
Roscoe E. Smith	37,005
Lesley W. Smith	36,994
Wesley W. Smith	36,994
Wm. R. White	35,917
E. D. Batsch	35,912
Brian Batsch	35,905
Serpa & Co	35,405
Vernon Hutsell	35,397
D. L. Colson	35,308
W. M. Colson	35,308
Don G. Dollinger	35,124
Edward L. Irwin	35,118
Sam & Bill Valov	35,046
James E. Kagler	34,987
Darrell Taylor	34,680
Frank Schott & Son	34,376
Richard Berry & Sons	34,016
Manuel Silveira	33,781
A. T. & J. R. Villard	33,233
Manuel Faria	33,173
W. K. Jackson, Jr	32,753
Clark Bros	32,571
Gary G. Pratt	32,530
Pete Lawrence	32,465
W. A. Schwartz	32,451
Chas. Neufeld	32,425
Don MacMillan	32,250
Schlitz & Twiford Farms	32,197
Hash Nursery	31,982
Ira Thompson	31,787
J. L. Pires & Co	31,637
Harvey Lauritzen	31,482
T. I. Hampton	31,250
C. Paul Johnson	31,093
Don Jackson	30,969
Uchita Bros	30,750
Robert Taggart	30,635
Lapadula Farms	30,625
M. D. Bradley	30,611
Anthony Rodriques	30,487
David Rodriques	30,487
Florence M. Doe	30,386
Russell M. Doe	30,386
Gobel Brothers	29,974
James Douglas Anderson	29,857
Joe W. Ramos	29,350
Howard Trimble & Son	29,237
Toomey Brothers	28,271
David Bisconer	28,164
Andrea B. Henninger	28,164
Reynold Bisconer Estate	28,164
Raymond Bisconer	28,164
Hercal Corporation	28,081
Dub & Barbara Lusk	27,972
Mary O. Cardoza	27,756
Anthony V. Cardoza	27,756
Bill Westbrook	27,755
John E. Sola	27,716
Coy M. Daffern	27,330
Donald Bergantz	27,128
Lowell Loftis	26,467
Ronald W. Harris	26,236
Rollis Friend	26,024
Chas E. Slaughter Farms	25,968
George P. Drisio	25,650
R. G. Burns	25,389
Nagatani Farms	25,195
Richard Stuhaan	25,093
Ray Hutchinson	25,010
Manuel I. Rocha & Co	24,929
Ralph Bissell	24,902
Bowen & Jones	24,795

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—California—Continued

[Amounts in dollars]

TULARE COUNTY—continued

Allan Jones	24, 672
Robert Hutcherson	24, 342
R. W. & G. Stadden, Jr	24, 291
H. A. Vossler & Sons	24, 130
Gist Farms	23, 972
T. & R. Ranches, Inc	23, 877
Manuel Picanso	23, 865
Albert Konda	23, 865
Overholt Brothers	23, 668
Nichols Living, Tr	23, 613
Jack C. Harris	23, 477
Sam Lessley	23, 365
Lyle Moore	23, 350
George Caratan	23, 272
L. J. Chroman	23, 091
E. L. Beaver	22, 910
S. Trigueiro, Jr	22, 697
Louis J. Goeman	22, 408
W. O. Turnipseed	22, 121
Ronald J. Castro	22, 031
Frank L. Day	21, 931
J. G. Fossett, Jr	21, 921
Charles Wolsey	21, 891
Guido Lombardi	21, 854
Donald Marshall	21, 812
Larry H. Shuklian	21, 806
Nielsen Farms	21, 684
Chas. Westbrook	21, 426
Airoso Brothers	21, 213
Julia De Campos	21, 055
Wm. L. Goins	21, 014
Thad Dresser	21, 005
Lynn McCallister	20, 932
R. L. Westbrook	20, 810
Tony Santos	20, 543
Ed Hanni	20, 340
Willow Ranch	20, 244
R. J. Catron	20, 182
Pryse Farms, Inc	20, 150
Melvin Miller	20, 047
Total payees in county (216)	8, 648, 981

VENTURA COUNTY

Kaiser Aetna	50, 642
Jean Heuga	50, 217
Total payees in county (2)	100, 859

YOLO COUNTY

Heidrick Farms, Inc	174, 755
E. L. Wallace and Sons	85, 113
L. Wallace Ex E. Wallace Est	64, 624
John B. Anderson	62, 031
Meek and Lemaitre	59, 616
G. A. Hanks & Sons	59, 403
Oscar Durst Sr. and Jr	57, 669
Layton Knaggs	52, 518
River Garden Farms	44, 941
Vernon A. Mast and Sons	39, 431
Kirtlan Bros	38, 931
Lloyd Eveland	38, 916
Vernon Eriksen	35, 074
C. G. and T. H. Roth	32, 048
Scott Yamamoto	30, 275
Joe Gnoss, Jr	27, 501
Hatanaka Bros	27, 136
Edgar Jang	26, 221
Fritz Erdman	24, 700
H. Pylman and Sons	24, 493
Nishimura Bros	23, 722
Wm. C. & Ashley Payne	23, 089
Woodland Farms, Ltd	22, 730
Wetzel Bros	22, 550
John W. Wirth	22, 535
Howard Correa	21, 707
W. C. Payne	21, 337
L. C. Ulrich	20, 825
Buchignani and Hughes	20, 423
Regents of Univ. of Calif	20, 400
Shimada Bros	20, 265
Hunn, Merwin and Merwin	20, 041
Merwin Farms	20, 028
Charles Schaupp and Son	20, 015
Total payees in county (34)	1, 305, 063
Total payees in state (1,861)	80, 165, 284

1972 ASCA and Great Plains program payments of $20,000 or more—excluding loans—Colorado

[Amounts in dollars]

ADAMS COUNTY

Monaghan Farms, Inc	61, 610
Box Elder Farms Co	57, 292
Danford & Champlin Ltd	45, 997
Byron W. Trupp	33, 005
Lloyd Linnebur	29, 664
Ralph Kruse	26, 122
W. D. Packard	25, 933
Irondale Farming	25, 779
Fred Bath	25, 656
Raymond Roark	23, 622
United Packing Co	23, 186
Sam Wagner	22, 633
Sakata Farms, Inc	22, 115
Total payees in county (13)	422, 614

ARAPAHOE COUNTY

Alfred Linnebur	30, 892
Kissler Farms	26, 573
Lawrence Cowell	26, 147
Total payees in county (3)	83, 612

BACA COUNTY

William Greathouse	64, 434
R. R. Rutherford	50, 455
C. V. Cogburn	47, 690
F. M. Swanson	46, 626
Kenneth Cottrell	43, 690
A. B. Hefley	33, 525
Lewis Robbins	32, 999
E. T. R. Corp., Inc	32, 203
Russell Loflin	31, 100
Homsher Farms and Rnchs	29, 610
T. F. Arbuthnot	28, 550
Bernard Neill	27, 908
Wayne Orebaugh	27, 782
Brownie Farms	26, 820
W. E. Tolbert	26, 233
T. T. T. Livestock, Inc	25, 431
Van Stafford	24, 472
Arden Cogburn	24, 390
Samuel Thompson	24, 108
T. L. Tucker and J. Wade	24, 108
Jim Loflin	23, 833
Clyde McEndree	23, 746
Derral Schroder	22, 182
Ruth Suhler	21, 809
A. C. Doyle, Jr	20, 535
Laramie Burson	20, 213
Total payees in county (26)	804, 452

BENT COUNTY

Spady Brothers	50, 254
Jake Broyles	37, 327
Geo. Tempel and E. H. Tempel, Jr	33, 186
George C. Camilli	32, 215
Harrell Ridley	32, 127
Fred Rohlman	30, 002
Vernon Appel	27, 407
George Reyher	27, 227
Scranton Bros	24, 199
Cordes and Oberlander	23, 275
John J. Ebright	22, 999
Frank K. Buster, Wm. M. Leebron	21, 776
Kasza Bro	20, 160
Total payees in county (13)	382, 154

BOULDER COUNTY

O. & E. Sheep Co	140, 335
Dom Echeverria Est	95, 969
T. H. Thompson	24, 819
Total payees in county (3)	261, 123

CHEYENNE COUNTY

Dale Mitchek	72, 416
Harold Rother	44, 888
M. K. White	43, 644
Wild Horse Farms, Inc	43, 315
Knudsen Ranch	39, 110
Marvin Lowe	38, 931
John Kriss	38, 005
Archie M. Lowe & Sons	37, 906
Allen Bros	35, 493
White Woman Creek, Inc	33, 875
Dannie McCormick	29, 234
James McCormick, Jr	28, 499
Keller Bros C/O Ben Keller	23, 848
Gail Woodard	23, 651
William L. White	23, 212
Jack Steele	22, 928
JH Bar Ranch, Co	22, 718
A. S. Kern, Jr	21, 203
Aldridge Farms, Inc	20, 577
Andrew Schaefer	20, 576
Edwin Hendrickson	20, 084
Total payees in county (21)	684, 113

CONEJOS COUNTY

Quinlan Ranches, Inc	45, 180
Ernest Moeller	27, 934
Ray & Jay Jackson	26, 343
Total payees in county (3)	99, 457

COSTILLA COUNTY

Blanca Trinchera	33, 146
Total payees in county (1)	33, 146

CROWLEY COUNTY

Foxley & Co	74, 821
Western Alfalfa Corp	58, 064
Harold N. Hobart, Jr	55, 255
Ross Belew	22, 564
Total payees in county (4)	210, 704

DELTA COUNTY

Hotchkiss Ranches, Inc	45, 885
McIntyre Livestock Corp	41, 502
Lewis J. McCarty	23, 967
Jordan & Scott	23, 824
Total payees in county (4)	135, 178

ELBERT COUNTY

Andy Kochis, Jr	22, 467
Harold Monks	21, 738
Total payees in county (2)	44, 205

GARFIELD COUNTY

Bair Ranches	33, 240
L. W. & W. F. Clough	20, 955
Total payees in county (2)	54, 195

JEFFERSON COUNTY

Anschutz Livestock Co	203, 669
Wilson & Co., Inc	96, 804
Total payees in county (2)	300, 473

KIOWA COUNTY

James S. Garvey	120, 355
Anschutz-Farms Corp	76, 669
Olive W. Garvey	75, 712
Ruth G. Fink	67, 569
Gene Schwerdfeger	55, 434
Harold Wyckoff	46, 086
Ira Jay Paulin	44, 510
Jagee Corp	43, 152

Stum & Schuler	40,899
Wayne E. Tallman	40,784
Bill Marx	39,037
J. G. Preisser	37,326
M. E. Templer	36,376
Garvey, Inc	36,147
George A. Jacobs	35,694
W. D. Preisser	31,718
W. Harold Tuttle	31,265
Wayne E. Tallman Farms Co	31,108
Stuart Farms, Inc	29,572
Brandon Farms, Inc	27,965
William J. Weber	26,233
Buck Brothers Farming, Inc	26,092
Eddie C. Templer	25,534
John A. Stavely	24,915
Aubrey Shotton	24,383
Edwin Negley	22,959
Milton V. Louthan	22,495
La Vern Buck	21,845
Lynn Taylor	21,697
Bill Trosper	20,974
Charles E. Tallman	20,637
Jerald R. Quindt	20,194
Wes Barber	20,103
Total payees in county (33)	1,245,439

KIT CARSON COUNTY

Hinkhouse Bros	103,308
Delmer Zweygardt	88,314
Raymond Schulte	77,463
Penny Ranch	75,521
Dannie Weaver	70,127
Paul Gergen	53,227
Davis Bros. Farms	48,767
Leonard Feldhousen	46,554
Pickard Farms, Inc	45,792
Ordie Billenwillms	42,909
Hitchcock Farms	42,310
G. F. Bollwinkel	42,265
Carl Silvrants	41,323
Three Rivers Rnch	41,319
Russell Scott	41,020
Louis Henry Nider	40,278
Schutte Farms	39,092
Chester James	38,889
Raymond Duell	34,735
Eugene Fasse	34,660
Leland Baney	34,530
George Andrews	34,020
C. E. McCartney	33,279
Marvin Grusing	33,208
O. G. Demmitt	32,483
Dale D. Hanna	31,985
Byron G. Jarnagin	31,935
Raymond Thomas Downey	31,122
Britt Bell	30,729
Everett Loutzenhiser	29,497
Hargrove Farms, Inc	29,273
Kenneth Hitchcock	29,000
Ernest Pottorff	28,786
Virgil Unruh	28,111
Iron Mueller, Inc	28,041
Mae Belle Crouse	27,846
Marvin W. James	27,689
Neal Dorsch	27,508
Leon Silkman	27,227
Plautz Corporation	26,989
Miltenberger Bros	26,672
Smoky Hill Ranch	26,464
Norman Dean Jarnagin	26,389
John R. Zurcher	26,326
Melvin Gross	26,098
W. T. Pottorff	25,453
Edwin Rainbolt	24,845
O. E. Powell	24,706
Revert Farms, Inc	24,448
Lohnnie Wall	24,216
Bess Jones	23,931
Orville Chapin	23,831
Louis Leoffler	23,535
Jerry Brenner	23,227
Warren Hodge	22,860
Robert Hall	22,848
Kenneth Harrel	22,670
Buol Farms, Inc	22,559
Herman Ridder	22,216
Geraldine Bell	22,172
Carl J. Dvorak	21,443
Carl Arends	21,176
Arthur Martens	20,788
Edgar Pratt	20,673
Fred Hilt, Jr	20,647
Total payees in county (65)	2,241,324

LARIMER COUNTY

Boxelder Sheep Co	69,357
Kenneth Thayer	22,128
Total payees in county (2)	91,485

LAS ANIMAS COUNTY

Jack C. Goode	22,708
Total payees in county (1)	22,708

LINCOLN COUNTY

Orval F. Parker, Inc	33,780
C. D. Farms, Inc	22,547
Mauck Brothers	22,530
Iler P. Andersen	20,593
Total payees in county (4)	99,250

LOGAN COUNTY

Gaylord Goddard	32,795
Wood Land Co	22,953
Stephen J. Breidenbach	20,149
George E. Fehringer	20,000
Total payees in county (4)	95,897

MESA COUNTY

Colorado Utah Livestock	65,674
Irving C. Beard	52,338
J. Perry Olsen	46,129
Emmett Ellizondo	31,851
Cureconti Sheep Co	31,714
Gust Patsantaras	25,877
Louis Arrayet	25,592
Spadafora Ranches	25,143
Gobbo Land Livestock Co	22,614
Victor Giles	21,062
Total payees in county (10)	347,994

MOFFAT COUNTY

Smith Rancho Inc	102,825
Cross Mountain Inc	82,945
Visintainer Sheep Company	54,968
Two Bar Ranch Company	45,560
Papoulas Livestock Company	37,179
H. G. Culverwell	33,810
Robert D. Showalter	33,597
Gordon C. Winn Sheep Co., Inc	33,223
D. R. Seely & Sons	32,758
John Peroulis	32,345
Andrew Peroulis	28,143
L. C. Winder Company	27,611
Pierre Johnson	27,183
Harry Kourlis	24,511
Hank Land & Livestock	23,605
Lee Watson	22,798
Gus Charchalis	21,487
Total payees in county (17)	664,548

MONTEZUMA COUNTY

Arlo T. Robb	22,852
Total payees in county (1)	22,852

MONTROSE COUNTY

Paxton Family	30,671
Chuchuru Bros	27,871
Emery Holman	24,674
Total payees in county (3)	83,216

MORGAN COUNTY

R. M. Hough	32,527
Perry J. Blach	28,762
Douglas Hough	27,390
R. M. Hough, Jr	27,390
Christensen Bros., Inc	26,489
Kenneth D. Breneman	25,704
Forrest S. Morrison	25,595
Robert H. Good	24,247
Carl D. Iungerich	21,122
Total payees in county (9)	239,226

OTERO COUNTY

Earl E. Showalter, Jr	29,183
Total payees in county (1)	29,183

PHILLIPS COUNTY

Dudden Elevator Inc	33,991
Raymond Gerk	31,100
Robert L. Gerk	30,698
Deden, Inc	29,236
Paloucek Bros	26,988
Fuesz & Sons	26,239
Bamford Land Co	25,165
Kenneth Schlachter	22,492
Starkebaum Farms, Inc	21,649
G. A. Voges	20,168
Ernest Livington, Est	20,075
Total payees in county (11)	287,801

PITKIN COUNTY

David Christensen	33,797
A. Perry Christensen	24,099
Total payees in county (2)	57,896

PROWERS COUNTY

C. H. Fletcher	73,132
Reyher Farms	65,189
C. E. Willhite	60,614
X Y Ranch Co	54,140
Howard A. Ragsdale	51,016
Curtis Duvall	46,625
L. W. Bailey	41,853
Frank Duvall	39,900
Sun Vue Inc	37,058
J. Marvin Willhite	36,704
C. Hart Farms Inc	35,120
R. L. Hatcher	34,500
Eugene Rundell	33,424
J. Willhite and Son	32,021
George E. Holmes	31,980
Clifford Verhoeff	30,187
Jack Herrin	29,709
Leonard Hart	27,539
Robert Barth	27,150
Creamer Ranch	26,929
J. E. Barrett	25,706
Cottonwood Ranch	25,018
Lamar Farms	24,533
John F. Swayze	24,100
J. V. Tyree	24,081
Charles Wheeler Jr	23,285
Clede Widener	23,030
K. W. Dawson	23,012
Steve L. Stroud	22,640
John Swenson	21,874
Keith Park	21,830
Dorenkamp Farms Inc	21,774
C. A. Barth	21,576
John Gentz	21,397
Earl E. Harper	21,261
August Reyher Trust	20,744
Gene & Claude Hammit	20,715
Wilbur K. Beedy	20,397
Total payees in county (38)	1,221,763

PUEBLO COUNTY

R. Lewis Fillmore	48,232
Robert E. King	20,759
Total payees in county (2)	68,991

RIO BLANCO COUNTY

Etchart Bros	35,075
Dry Creek Land & Livestock	32,622
Halandras Bros	31,985
Nick Theos	31,195
Nick Mahleres	28,165
Tom Theos	26,152
Total payees in county (6)	185,194

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Colorado—Continued

[Amounts in dollars]

RIO GRANDE COUNTY

Pete Plank	32, 110
SDCCO Co., Inc	25, 256
Total payees in county (2)	57, 366

ROUTT COUNTY

Maneotis Sheep Co	55, 828
Murphy Ranch, Inc	20, 109
Total payees in county (2)	75, 937

SAGUACHE COUNTY

McMahon Bullington	42, 270
Total payees in county (1)	42, 270

SAN MIGUEL COUNTY

Redd Ranches	89, 784
Hughes Bros., Inc	41, 984
Raymond Snyder	34, 018
Aldasoro Bros	28, 807
Total payees in county (4)	194, 593

SEDGWICK COUNTY

Ricker Farms, Inc	33, 718
Hodges & Sons	31, 415
Wm. Stretesky	31, 323
Kontny Enterprises, Inc	27, 989
Kenneth Kinnie	26, 600
Vesely Sisters	23, 334
Kinnie Land & Cattle Co	22, 071
Total payees in county (7)	196, 450

WASHINGTON COUNTY

Alfred Ward and Son	60, 415
Andrew Blake Trust Co	39, 004
Floyd Starlin	37, 348
Charles L. Jolly	36, 187
Jay Hickert	34, 040
X Bar 4 Ranch, Inc	33, 376
R. G. Weninger	32, 735
Robert Thomas	30, 897
Robert Poitz	28, 515
Charles Gebauer	27, 606
John C. Stroh II	22, 490
Theurer Farms, Inc	22, 191
Ben Gay, Inc	21, 022
Joseph Kejr Test Tr. No. 28	20, 957
Earl Anderson	20, 600
Donald Wright	20, 164
Total payees in county (16)	487, 547

WELD COUNTY

J. Burton Tuttle	167, 498
Buckeye Land & Livestock	112, 127
Monfort Packing Co	107, 836
Larry Rule	80, 516
Kalcevic Farms, Inc	70, 073
Jean H. Eichheim	56, 550
Wykert and Weber, Inc	33, 472
Gordon D. Brown	32, 665
E. E. Foster & Sons, Inc	31, 694
Lyle V. Cooksey	30, 399
Epple Brothers	30, 004
Walter John Peters	28, 279
Stanley Klinginsmith	25, 867
Great Western Sugar Co	25, 488
Dorothy S. Linnebur	24, 679
Cactus Hill Ranch Co	24, 592
James Klausner	24, 568
Delbert D. Castor	24, 241
Albert Allison	21, 225
G. A. Henderson & Co	21, 124
Joseph F. Linnebur	21, 012
Howard W. Reid	20, 439
Theo. Rademacher & Sons	20, 395
Total payees in county (23)	1, 035, 743

YUMA COUNTY

Leonard L. R. Dutton	51, 653
Ralph & Jack Bowman	44, 618
RMR Ranch	38, 954
Loren Dickson & Sons Inc	35, 548
Thomas Brophy	35, 373
Alkire Brothers	33, 706
Chester Whomble	32, 234
Trautman Farms Inc	30, 281
George W. Wingfield	29, 368
Regal Farms Inc	28, 922
Harper Dairy	28, 655
Trautwein & Woods	26, 620
Leroy Deterding	26, 142
Henry Wiltfang	26, 083
Donald Warren	25, 442
Helling Bros	24, 938
Crossland Bros	22, 798
Fix Brothers	22, 349
Arlen Rico	21, 771
Melvin Stults	21, 087
Total payees in county (20)	606, 542
Total payees in State (381)	13, 216, 641

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Delaware

[Amounts in dollars]

KENT COUNTY

Walter Schiff	24, 303
Short Farms	20, 633
Total payees in county (2)	44, 936
Total payees in State (2)	44, 936

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Florida

[Amounts in dollars]

COLUMBIA COUNTY

I. C. Terry Farm	22, 295
Total payees in county (1)	22, 295

GLADES COUNTY

Arbank Farms, Inc	53, 444
Click Farms Inc	40, 919
Glades Co. Su Gro Coop. Assn	36, 366
John Tiedtke	30, 285
Robert J. Kirk, Trustee	29, 624
J. E. Frierson	23, 434
Yaun Farms, Inc	23, 088
Hicpochee Farms	22, 467
Total payees in county (8)	259, 627

HENDRY COUNTY

U.S. Sugar Corp	1, 284, 845
Ov Land Co	73, 139
A. F. Saunders, Inc	48, 557
Ewell Farms	26, 084
Witt Bros. Farm	21, 751
M. L. Bishop	21, 484
Three RS, Inc	20, 265
Peace Cattle Corp	20, 085
Total payees in county (8)	1, 516, 210

JEFFERSON COUNTY

Pinckney Hill Plant	25, 839
Total payees in county (1)	25, 839

LEE COUNTY

Ronald Uzzell	28, 400
Total payees in county (1)	28, 400

LEON COUNTY

Gem Land Co	34, 147
Loveridge Pltn	24, 913
Total payees in county (2)	59, 060

PALM BEACH COUNTY

Gulf & Western Food Prod. Co	656, 872
Talisman Sugar Corp	482, 115
New Hope Sugar Co	257, 909
S. N. Knight Sons, Inc	202, 750
A. Duda Sons, Inc	171, 321
Closter Farms, Inc	141, 251
715 Farms, Ltd	115, 314
Seminole Sugar Corp	114, 299
Double D Ranch, Inc	102, 825
Billy Rogers Farms	100, 360
C. A. Thomas	87, 459
Wedgworth Farms, Inc	78, 387
Hatton Brothers, Inc	73, 706
Trucane Sugar Corp	68, 739
Eastgate Farms, Inc	68, 685
South Bay Growers, Inc	66, 894
J. T. Boynton Farms, Inc	59, 786
Vandergrift Wlms. Fms., Inc	51, 266
F. W. Farms, Inc	43, 050
Hayes Quackenbush, Inc	42, 071
Harley Watson Farms	36, 349
Miami Sod Co	35, 716
Camayen Farms	35, 707
Flava Farms, Inc	35, 551
Bueno Farms Corp	35, 030
Okeechobee Farms Co	33, 849
Stein Sugar Farms, Inc	33, 369
S. D. Sugar Corp	30, 304
Beardsley Farms	29, 836
Vinegar Bend Farms, Inc	29, 405
Chase Company	29, 134
Manatee Plantations, Inc	26, 047
Robert C. Hatton, Inc	25, 902
Hall & Thomas, Inc	25, 892
Valentine Farms, Inc	22, 803
W. H. Vann, Inc	21, 799
Hooker Jones Co	21, 746
Lewis Friend Farms, Inc	21, 651
Sun Dance Farms Inc	21, 241
Atlantic Apiaries	20, 285
Total payees in county (40)	3, 556, 675

SANTA ROSA COUNTY

J. W. Bauldree	51, 260
J. E. Golden	50, 853
Lem Strickland	46, 474
Wayne Godwin	43, 462
Paul S. Golden	40, 033
Willie H. Jones	33, 796
Lewie F. Smith	31, 677
Luke Golden	28, 002
Billy Bauldree	27, 202
James Thomas Jr	26, 846
Adone J. Lloyd, Jr	26, 699
Total payees in county (11)	406, 304

SUWANNEE COUNTY

Sid Allen, Jr	24, 328
Total payees in county (1)	24, 328
Total payees in State (73)	5, 898, 738

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Georgia

[Amounts in dollars]

BAKER COUNTY

Newberry Angus Farms, Inc	36, 380
P. T. Bostwick	24, 402
Ichauway Plantation	21, 340
W. C. Newberry	20, 188
Total payees in county (4)	102, 310

BALDWIN COUNTY

Forace L. Avant	29, 663
Total payees in county (1)	29, 663

BARTON COUNTY

Dabbs Enterprise, Inc	58, 867
W. P. Lanier	51, 852
H. E. Harris	46, 260
Noble Maxwell	36, 174
Ivan Evans	28, 623
Bobby Maxwell	26, 636
George Cagle	25, 314
E. L. Sutton	25, 313
Howell L. Smith	24, 506
Joe G. Brandon, Jr	22, 451
Glenn Nelson	22, 318
J. C. Evans	21, 097

James R. Lanier	20,605
Weldon Thacker	20,258
Total payees in county (14)	430,274

BEN HILL COUNTY

J. H. Dorminy, Jr	23,502
Total payees in county (1)	23,502

BERRIEN COUNTY

C. M. Dixon	30,697
Total payees in county (1)	30,697

BLECKLEY COUNTY

Charles Williams	41,255
Jerry Dykes	40,650
Carlton Lawson	39,802
Wallace E. Williams	38,137
Four County Farming Co	36,815
Marvin Trice	36,698
Jack D. Shepherd	36,244
W. H. McDonald	29,747
Earl Barlow	29,382
J. W. and W. A. Meadows	26,295
R. W. Coddy, Jr	26,006
Allentown Warehouse Company	25,647
Theo Williams, Jr	25,606
Theo Williams	24,632
John Tommy Williams	24,013
Virgil Thompson	23,863
J. E. Smith	23,832
T. G. Pipkin	22,592
John Coley, Jr	22,307
Gene Newman	20,544
L. L. Phillips	20,526
James E. Perry	20,189
Total payees in county (22)	634,782

BROOKS COUNTY

H. R. Crosby	39,533
H. A. Browning	23,572
Wavell Robinson	22,441
Charles M. Gay	22,286
W. M. Griffin	21,071
R. B. Robinson, Jr	20,715
Total payees in county (6)	149,618

BULLOCH COUNTY

M. J. Bowen, Jr	23,926
H. S. Blitch and Son	22,884
Total payees in county (2)	46,810

BURKE COUNTY

Beco Farms, Inc	61,203
B. G. Collins	58,778
Kitchen and Land	57,343
W. R. Chance	55,734
H. W. Mobley	54,318
Ray Delaigle	50,502
Jimmie R. Robinson	49,879
Quinton Rogers	49,339
J. H. Rowland	47,550
Frank C. Griffin	46,338
T. R. Rowland	45,793
Paul Shivers	45,664
R. L. Webster	45,003
Eliz O. Barefield	44,303
Richard B. Putney	43,270
Julian H. Johnson	42,920
Farris L. Wren	36,317
J. B. Walden	35,861
Paul B. Dye	35,594
B. K. Anderson	34,700
G. F. Agerton, Jr	33,966
W. T. McBride	32,164
Hammond Blanchard	31,208
Irvin Reeves	30,673
Carolyn Dixon	29,292
Lamar Prescott	28,572
Q. U. Lively	28,452
Roy R. Dixon	27,581
Malcolm J. Mobley, Jr	27,287
George F. Williams	26,360
A. H. Sandeford	25,633
J. O. & Roy Cates	24,726
Harry Figgie, Jr	24,395
R. L. Quick	23,929
Minus Sikes, Jr	23,403
Bobby Rhodes	23,283
Jackie B. Lovett	22,621
Paul Shivers, Jr	21,989
J. C. Palmer, Jr	21,024
Hilda Webster	20,660
L. D. Delaigle	20,379
W. L. Robinson, Jr	20,327
Roy Reeves, Jr	20,191
Joe C. Lewis, Jr	20,096
Total payees in county (44)	1,548,620

CALHOUN COUNTY

Chauncey Taylor	61,162
J. S. Cowart, III	55,008
David Bruner	39,599
J. S. Cowart, Jr	30,881
Ralph M. Jordan, Jr	26,043
Calvin Eubanks	23,635
R. L. Perryman	21,897
J. R. Brooks	21,528
Julian Lane	20,048
Total payees in county (9)	299,801

CARROLL COUNTY

Walker Farms	33,300
Total payees in county (1)	33,300

CLARKE COUNTY

Chas. W. Carter	22,602
Total payees in county (1)	22,602

CLAY COUNTY

Alton Fendley	42,095
Coy Isler & Sons	33,796
Jack Hattaway	31,189
Coy Isler	28,298
W. J. McKemie	21,940
Total payees in county (5)	157,318

COFFEE COUNTY

R. W. Griffin Feed, Seed & Fertilizer, Inc	24,137
Total payees in county (1)	24,137

COLQUITT COUNTY

S. R. Bryant	49,033
R. C. Moss	47,447
Jacob Summerlin	44,615
Samuel F. Brewer	39,222
William L. Whitfield	36,219
Jimmy Strickland	34,302
L. L. Tucker	33,217
Horace Parker	31,246
W. C. Middlebrooks	31,100
J. H. Ivey	28,215
Donald Simmons	28,126
Joe Parker	28,108
W. L. Hall	28,081
R. L. Sumner	27,060
D. G. Arrington	26,823
Donald Parker	25,879
J. Mike Horne	25,506
W. D. Luke	24,791
R. L. Carr	24,549
Neal Clark	23,066
Homer C. Lewis	22,491
C. O. Smith Farms	22,128
Total payees in county (22)	681,224

COWETA COUNTY

W. J. Estes	33,617
Frank Wilkinson, Jr	24,899
Total payees in county (2)	58,516

CRAWFORD COUNTY

R. F. Barbour	22,072
Total payees in county (1)	22,072

CRISP COUNTY

Noel Williams	71,248
L. E. Williams, Jr	62,752
Owen Bagwell	56,754
Alfred B. Olsen	54,661
W. H. Williams	49,138
Farrow Baker	49,115
B. C. & M. C. McKinney	48,325
W. T. & L. C. Greene	46,506
H. E. Bridges, Jr	45,120
Malcolm Lilly	44,262
W. H. Barry	40,222
Thomas Slade III	39,558
E. A. Rowland	39,413
J. R. Barry, Jr	38,757
Harold Jackson	37,839
Harold Collins	36,890
H. W. McKinney	35,793
Wayne Hobbs	33,714
Kenneth Smith	29,861
J. R. Dowdy, Jr	29,035
R. M. McKinney	28,182
George McCay	25,958
J. R. Barry, Sr	25,719
L. M. Smith	25,491
John F. Haynie	25,458
Terry Lee Bagwell	24,203
Charles C. Williams	23,537
C. W. Williams	21,848
Total payees in county (28)	1,089,305

DODGE COUNTY

Norman Hardy	51,059
Candler Farms	36,679
Wilton Woodard	33,871
Mathew Jones	31,471
Ralph Rowland	30,288
S. C. Cadwell	26,841
George C. Weatherbee	26,764
Stuckey Timberland, Inc	25,319
Watson Hardy	24,113
Tom P. Sawyer	23,569
George A. Thompson	23,373
S. A. Rogers	22,255
Doyle Yawn	22,152
Billy Ray Phillips	22,099
Total payees in county (14)	399,853

DOOLY COUNTY

Madison B. Coley, Jr	61,657
Eugene McCleskey	60,535
J. D. Lockerman, Jr	58,883
Rha McCleskey, Jr	58,389
Richard Doster	56,834
Ben T. Ambrose	56,483
Ben A. Haley	55,873
Asbury Wright	55,705
J. P. West	55,000
J. W. Sanders	54,989
Tippett Peavy	54,475
Anderson Reed	53,503
Van Peavy	52,543
W. C. Griggs	52,201
W. G. Smith	51,956
Ike Everett	50,080
Alton Draughon	49,174
R. L. Calhoun	46,528
Warren Taylor	46,078
J. D. Williford	45,476
C. V. Cross	44,342
William Harvey Cross	44,342
Leon Broome	44,129
Millard Peavy	44,031
Ossie T. Spradley, Jr	42,905
W. G. Joiner	42,812
Gary Peavy	41,745
Rudolph Royal	41,233
William Lloyd Horne, Jr	41,104
J. W. Sparrow	40,854
Ellis H. Davis	40,781
F. H. Sparrow	40,131
Raymond Davis	39,583
Adkins Farms	39,390
Carl Bowen	37,328
Lee Bailey, Jr	36,581
Estate of Olen J. Burton	35,783
Frank W. Lester and Sons	35,626
Herbert Saliba	35,358

1972 ASCS and Great Plains program payments of $20,0000 or more—excluding loans—Georgia—Continued

[Amounts in dollars]

DOOLEY COUNTY—continued

Herbert E. Roney	35, 103
Mercer Porter	33, 437
Ronney Ledford	33, 283
Deloach Brothers	33, 037
Marvin Capus Jones	32, 351
James Kinard	31, 082
Ralph E. Burton, Jr	30, 972
Otha Peavy	30, 734
Marion A. Thompson	30, 669
W. R. Jackson, Jr	30, 366
Clinton B. Thompson	30, 094
L. M. Joiner	29, 548
J. O. Cross, Jr	27, 444
John S. Williams	27, 435
Lamar Smith	27, 392
Marion A. Thompson, Jr	27, 386
Bobby E. C. West	26, 914
Horace West	26, 900
Cliff West, Jr	26, 808
Danny West	26, 762
Bamon L. Hill	26, 745
W. R. Groves	26, 484
Carl F. Williams	26, 382
Ernest L. Taylor	26, 339
R. L. Bowen	25, 918
C. R. Howard	25, 395
Charlie E. Thompson	25, 263
Roy Noble Company	25, 163
Raymond E. Nutt	24, 584
Dewitt Clewis	23, 558
Marshall Davis	23, 492
Johnnie L. Tarrer	23, 453
D. W. Smith	23, 393
G. M. Ellis	23, 143
P. E. Thompson	23, 023
D. L. Dunaway	22, 920
Wayne Peavy	22, 822
Jack Woodruff	22, 765
Ralph Bowen	22, 509
Charles Bowen	22, 284
Claude Bowen	22, 176
Pauline C. Jones	22, 159
Clarence R. Bodrey	21, 593
Claude F. Bodrey	21, 593
C. D. Jones	21, 570
Marcus Evridge	20, 911
Ronnie Evridge	20, 911
Darrell Edward Posey	20, 580
M. C. Peavy, Jr	20, 576
William Andrew Sparrow	20, 518
Alvin Ransom	20, 345
E. C. West, Jr	20, 325
Roy Griffin	20, 074
Total payees in county (92)	3, 201, 094

EARLY COUNTY

Singletary Farms	71, 574
Everson Farms	62, 223
Leonard White	31, 216
Sam Clinkscales	30, 849
H. L. Martin	30, 451
Charles Davis	27, 849
W. E. McDowell	25, 581
J. E. Tabb	24, 118
G. S. Pickle	22, 589
C. W. Felder	20, 871
Total payees in county (10)	347, 321

ELBERT COUNTY

Ralph King	41, 038
Calvin Hill	33, 807
S. N. Brown	33, 389
R. A. Eavenson	30, 170
H. L. Addison	29, 400
Total payees in county (5)	167, 804

EMANUEL COUNTY

Frank Flanders	48, 369
John E. Whetsell	27, 691
Roy Lee Smith	26, 901
Billy Walden	25, 830
H. L. Wimberly	23, 221
D. E. Brown	23, 022
James L. Moore	21, 088
Total payees in county (7)	196, 122

EVANS COUNTY

Warren Wilbanks	24, 309
Total payees in county (1)	24, 309

FLOYD COUNTY

Lovell Brothers	35, 406
Jerry Looney	34, 154
A. A. Looney	33, 863
L. G. Evans	26, 850
River Bend Farm	24, 090
Total payees in county (5)	154, 363

FRANKLIN COUNTY

Thomas H. Cheek	36, 646
Total payees in county (1)	36, 646

GLASCOCK COUNTY

John Everett Hadden	25, 988
James E. Rivers	25, 453
Total payees in county (2)	51, 441

GORDON COUNTY

Dwight B. Greeson	22, 975
Hansel Greeson	21, 303
Total payees in county (2)	44, 278

HANCOCK COUNTY

Herman Archer	30, 915
Total payees in county (1)	30, 915

HART COUNTY

Hubert Cheek, Jr	53, 044
L. M. York	47, 691
Kenneth York	23, 346
William D. Milford	21, 701
Hugh D. McLane	20, 461
Total payees in county (5)	166, 243

HOUSTON COUNTY

W. V. Brannen	41, 013
Gunn Farms	38, 044
Lamar E. Deloach	28, 060
Charlie T. Kersey	24, 439
John E. Richards	24, 292
Fred W. Langston, Jr	23, 020
Leighton Kersey	22, 047
Wendell J. Kersey	22, 047
C. T. Kersey, Jr	22, 047
Total payees in county (9)	245, 009

IRWIN COUNTY

Clifton Jay	23, 128
Donnie Lewis	20, 800
Total payees in county (2)	43, 928

JEFFERSON COUNTY

Julian Streeter	60, 826
McGahee Farms Inc	60, 631
Bryants Incorporated	58, 806
Judson McNair	44, 960
R. J. Jones	38, 761
T. B. Kelly Estate	35, 408
W. P. Smith and Sons	34, 575
Paul and Larry Cobb	32, 636
A. H. Braswell	30, 440
Harry and A. P. Jones	28, 969
Jimmie Hancock	28, 692
Lewis Alford	24, 542
Luie Godowns	23, 250
Judson Phillips	22, 814
P. A. Rheney	22, 605
Jesse D. Williams	21, 194
S. W. McNair	20, 821
Total payees in county (17)	589, 930

JENKINS COUNTY

Buck Brinson	43, 273
T. L. Black	40, 679
Charles W. Lanier	34, 177
Virgil H. Black	31, 544
Lamar Black	27, 851
W. R. Williamson	20, 114
Total payees in county (6)	197, 638

JOHNSON COUNTY

W. R. & J. L. Jackson	46, 986
E. L. Price, Jr	42, 039
Tarver Price	39, 050
John H. Powell	25, 347
Gladys J. Hendry	22, 361
Hines Martin	20, 817
T. E. Jordan, Jr	20, 607
Total payees in county (7)	217, 207

LAURENS COUNTY

W. A. Rountree	72, 271
Marshall R. Lord	59, 900
W. H. Lovett	53, 983
Ed Roche	39, 084
H. L. Harper	33, 272
B. Moorman and B. F. Watson	33, 010
Herman L. Hall	31, 560
Jack Cook	30, 564
William Slade	29, 329
Estate of E. B. Claxton Dec	27, 607
Harry E. Green	27, 568
John C. Young	26, 315
A. L. Parker	25, 232
W. B. Coleman	24, 919
M. O. Darsey	22, 955
Roy Malone	22, 483
Fred Hobbs	21, 969
E. S. Swinson	21, 514
W. E. Lake	21, 183
Doyle R. Baggett	20, 625
Raymond J. Stephens	20, 202
Total payees in county (21)	665, 545

LEE COUNTY

Plez Hardin	73, 349
Geise Usry	25, 496
Willmar Timber Corp	22, 272
David W. McGarr	21, 620
Total payees in county (4)	142, 737

LOWNDES COUNTY

The Langdale Co	23, 219
Total payees in county (1)	23, 219

MACON COUNTY

S. H. Bryan, Jr	50, 805
Felton Riddle	47, 943
Ralph Raper	41, 211
Rumph Farms	40, 744
C. J. Harp, Jr	36, 810
Hixon Guest, Jr	35, 869
Malatchie Farm	32, 921
Harp Farms	30, 705
Gordon Sutton	27, 209
William L. Brown	27, 155
Walter Forsling	26, 225
Mack Ham	24, 061
B. B. Murph Estate	22, 743
L. ano M. Farms	22, 270
Buck Creek Farms	22, 021
Total payees in county (15)	488, 692

MADISON COUNTY

Whitehead Farms	55,747
Total payees in county (1)	55,747

MARION COUNTY

Thomas Miller	28,653
Total payees in county (1)	28,653

M'DUFFIE COUNTY

George Reeves	29,632
James E. Harrison	27,172
Total payees in county (2)	56,804

MERIWETHER COUNTY

A. G. Estes, Inc	49,260
W. F. Gay and Co	30,618
W. R. Arnall	29,389
Total payees in county (3)	109,267

MILLER COUNTY

Lonnie Wesley Tabb	38,514
Felix Wilkin	25,736
Total payees in county (2)	64,250

MITCHELL COUNTY

Ronald Thompson	45,605
H. G. McGahee	42,863
W. A. Thaggard	38,681
Clarence Godwin	36,219
James & Harry Holton, Inc	27,895
Dan Palmer, Jr	27,194
V. H. Harris	26,474
Walter Pollock, Sr	22,329
H. L. Gilliard	21,097
C. C. Dykes	20,867
Total payees in county (10)	309,224

MORGAN COUNTY

Barnett H. Malcom	57,515
Bonny Shepherd	54,252
E. A. Hanson	34,586
Bonnie Hawk	34,439
Bennie Malcom	33,047
Joe Whitlock	30,368
Brown & Wells	28,046
Eugene & Marvin Ruark	23,786
Total payees in county (8)	296,039

Garland Kilgore	33,014
J. H. Anderson	24,134
Total payees in county (2)	57,148

OCONEE COUNTY

F. F. Dickens, Jr	50,800
Joe D. Murrow	34,763
Fred W. Dickens	33,649
Total payees in county (3)	119,212

OGLETHORPE COUNTY

Carl C. Culbertson	66,518
Total payees in county (1)	66,518

PEACH COUNTY

Marlow Maddox	37,792
Total payees in county (1)	37,792

PIKE COUNTY

R. D. Crawford	30,081
Thomas E. Johnson	28,960
Cochran Caldwell	22,585
Pierce L. Cline	22,327
Floyd Turner	22,188
Total payees in county (5)	126,141

POLK COUNTY

Geston Womack	34,819
Total payees in county (1)	34,819

PULASKI COUNTY

John W. Dawson	102,375
B. E. Dunaway	49,683
W. S. Dunaway	43,657
R. F. Dunaway	43,657
E. O. Daniel, Jr	43,656
C. L. Mays	42,772
James Martin	35,489
J. T. Sparrow	32,392
J. H. Anderson	29,693
Thompson Hobbs & Thompson	29,623
Lorin S. Williams	28,736
Andrew Cabero	28,185
L. V. Peavy, Sr	27,400
Fort Green Acres	23,395
A. L. Dunaway	22,649
D. H. Simmons, Jr	21,046
Bobby Singleton	20,400
George P. Anderson	20,319
Total payees in county (18)	645,127

QUITMAN COUNTY

Sunny View Farms	23,726
Total payees in county (1)	23,726

RANDOLPH COUNTY

E. E. Morris	46,185
Grubbs Bros	36,060
James Riley Curry, Jr	34,298
Melvin H. Peavy	25,674
K. D. Beard	21,855
C. W. Lumpkin	20,801
Total payees in county (6)	184,873

RICHMOND COUNTY

Wayne Rhodes	29,878
R. A. McElmurray, Jr	28,565
R. S. Auldridge	21,260
Total payees in county (3)	79,703

ROCKDALE COUNTY

John Shaw	22,437
Emma J. Johnson	20,005
Total payees in county (2)	42,442

SCREVEN COUNTY

Millhaven Co	39,536
Paul K. Newton	37,692
Melbourne Godbee	34,279
John L. Murray Farm	25,596
T. V. Parker	24,494
W. M. Terry and Son	24,346
R. E. Oliver, Jr	24,296
Raymond Parker	21,383
W. P. Sanders	21,329
W. W. Wyant	20,019
Total payees in county (10)	272,943

SEMINOLE COUNTY

Raymond Odom	60 548
Marcus R. Spooner	20,008
Total payees in county (2)	80,556

SPALDING COUNTY

Phil Ogletree, Sr	38,115
Total payees in county (1)	38,115

STEWART COUNTY

W. C. Bradley Co	87,517
M. L. Lane	45,064
Sam S. Singer	38,832
Total payees in county (3)	171,413

SUMTER COUNTY

J. C. Jones	68,682
Newcomb Farms	54,085
Floyd J. Frazier	39,449
W. C. Cornwell	31,061
John G. Frazier	29,320
Carl Story	28,254
T. E. Stephens, Jr	27,686
James W. Short	26,840
Neill Hodges	25,945
Harold J. Israel	22,559
Roy F. Daniel	22,464
George E. Daniel	22,462
Hoke Smith, Jr	22,279
Pat Crumpton	21,672
E. J. Satterfield	20,040
Total payees in county (15)	462,798

TAYLOR COUNTY

D. W. Jayne, Jr	47,760
Ed Richardson	47,573
T. W. Taunton	46,567
R. C. Barrow	37,712
Willard Brunson	30,770
E. H. Swearingen	29,890
E. B. Swearingen	29,890
FHO Farms, Inc	29,182
Hilton E. Taunton	25,772
Gary H. Slaton	25,733
Thomas H. Taunton	25,492
L. L. Minor	25,158
William A. Simpson	22,050
J. O. Albritton	20,758
Total payees in county (14)	444,307

TELFAIR COUNTY

D. B, McRae	20,559
Total payees in county (1)	20,559

TERRELL COUNTY

W. K. Jones	69,327
Wilbur Gamble	68,781
Cecil L. Bagwell	56,958
Hugh Lee	56,377
Featherfield Farms, Inc	53,670
Alston Brothers	42,288
Ray Christie	37,738
W. H. McLendon	35,302
McLendon & Son	31,885
James P. Orndorff	29,557
Huson Brim	28,749
Daniel Brothers	27,960
Don Bridges	25,687
Lavonne Speir	24,977
B. C. Arthur	24,710
Charles McLendon	23,844
R. T. Brim	23,831
Wylie McLendon, J	23,784
McLendon Brothers	23,708
W. J. Martin	20,630
W. B. Johnson	20.614
Total payees in county (21)	750,375

THOMAS COUNTY

Griffin Farms Inc	39,082
C. M. Anderson	25,496
Robert B. Braswell	23,985
David West	23,971
Perry Bell Enterprise	21,306
Raye Luke	20,256
Total payees in county (6)	154,096

1972 ASCS and Great Plains Program Payments of $20,000 or more—excluding loans—Georgia—Continued

[Amounts in dollars]

TREUTLEN COUNTY

Manning Mimbs	56, 521
Total payees in county (1)	56, 521

TURNER COUNTY

M. D. McCorvey	36, 539
Harold H. Hall	21, 153
Total payees in county (2)	57, 692

TWIGGS COUNTY

W. H. Hill	40, 466
Sam Floyd, Sr	37, 994
Alton V. White, Jr	30, 483
Charlie Faulk	24, 978
Thomas A. Stark	24, 594
J. D. Vaughn	23, 003
M. S. Faulk	22, 503
Mark B. Faulk	20, 760
Total payees in county (8)	224, 781

WALTON COUNTY

T. H. Adcock	54, 872
T. J. Chandler	43, 805
Robert B. Chandler	40, 755
Alex Harden	40, 494
M. W. Farmer	39, 999
Robert M. Hawk	32, 077
Carl Lemonds	29, 400
H. A. Malcom	25, 748
Donald Poss	25, 671
Grayel D. Malcom	25, 639
Robbie Adcock	25, 231
Bennie R. Anderson	24, 359
Byron Mitchem	22, 604
Jerry Tillman	20, 955
Moon Brothers Farm	20, 799
Total payees in country (15)	472, 408

WARREN COUNTY

Charles H. Shivers	51, 601
Donald F. Palmer	35, 857
Harrison Farms	32, 491
Guy H. Shivers, Jr	31, 884
Quality Crops Inc	24, 998
Total payees in county (5)	176, 831

WASHINGTON COUNTY

E. B. Price	61. 149
T. and A. Farms	42, 831
Washington Ginning Co	40, 089
L. A. Garrett	37, 558
Gilmore Bros	34, 376
Olen Price	28, 261
Jewell Bridges	27, 928
H. R. Brett	25, 762
Arthur Hartley and Son	25, 403
C. W. Harrison	23, 260
B. W. Lord	23, 161
Allen T. Veal	20, 163
Total payees in conuty (12)	389, 941

WHEELER COUNTY

J. M. Johnson	25, 441
Total payees in county (1)	25, 441

WILCOX COUNTY

Charlie Bodrey	54, 639
Whelchel & Whelchel	39, 762
William Worley	39, 144
Marcus Reeves	27, 138
D. F. Veal	23, 647
Olene B. Worley	22, 077
Don Wood	21, 612
R. H. Williams	20, 253
Total payees in county (8)	248, 272

WORTH COUNTY

J. T. Carlton	48, 301
E. H. Hall	33, 182
Sells Plant Co	30, 949
Troy Andrews	29, 131
C. R. Cross	28, 062
Burkett Farms	25, 704
Jack Bass	24, 554
E. B. Conger	24, 359
A. L. Brown	22, 167
Grady Moore	22, 095
William Sledge	21, 887
W. C. Clark	21, 466
Isaac Hall	21, 292
Willard Lasseter	20, 643
Total payees in county (14)	373, 792
Total payees in State (601)	19, 577, 171

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Hawaii

[Amounts in dollars]

HAWAII COUNTY

Hawaiian Com. & Sugar Co	1, 350, 060
Waialua Sugar Co., Inc	1, 118, 305
Oahu Sugar Co. Ltd	847, 228
Kohala Corp	754, 996
Lihue Plantation Co., Ltd	503, 089
Pioneer Mil Co., Ltd	461, 256
Kekaha Sugar Co., Ltd	452, 240
Paauhau Sugar Co., Ltd	443, 670
Mauna Kea Sugar Co., Inc	422, 611
Honokaa Sugar Co	396, 366
Laupahoehoe Sugar Co	396, 162
Pepeekeo Sugar Co	382, 824
Hawaiian Agricultural Co	353, 653
Grove Farm Co., Inc	348, 958
Hamakua Mill Co	340, 968
Olokele Sugar Co	309, 119
McBryde Sugar Co., Ltd	308, 980
Puna Sugar Co., Ltd	303, 672
Wailuku Sugar Co	299, 263
Gay & Robinson	174, 101
Hutchinson Sugar Co., Ltd	21, 794
Total payees in county (21)	9, 989, 315
Total payees in state (21)	9, 989, 315

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Idaho

[Amounts in dollars]

ADA COUNTY

Carl E. Nicholson and Sons	65, 262
Carl E. Nicholson and Sons	40, 916
C. W. Stewart	30, 469
Don E. Garrett	25, 855
Total payees in county (4)	162, 502

BANNOCK COUNTY

Dale Koester	32, 977
Verlo W. Rose	29, 348
Louis T. Gucker	24, 688
Total payees in county (3)	87, 013

BEAR LAKE COUNTY

Demar Romrell	25, 280
Alvin Hatch	22, 660
R. K. Nelson	20, 206
Total payees in county (3)	68, 146

BENEWAH COUNTY

Bureau of Indian Affairs	32, 747
George B. Mills, Jr	28, 888
Douglas H. Howe	20, 997
Total payees in county (3)	82, 632

BINGHAM COUNTY

J. Walt Vanderford	60, 260
Lenard Schritter	49, 820
Matsuura Bros. Co., Inc	49, 595
D. & R. Parks Ptrshp	48, 620
Marjorie L. Sainz	45, 777
Stroschein Ranches	45, 011
Lloyd Stolworthy, Inc	43, 690
Blaine Dance	40, 394
G. Stolworthy & Son	35, 692
C. Leslie Williams	30, 380
Darrell L. Cook	29, 772
Vincent R. Benson	25, 336
Rising River Ranches	24, 181
Behrend Farms Inc	23, 953
Welland A. Hansen	23, 468
Alex Schelske	23, 107
Placerton Inc	22, 926
Wallace W. Driscoll	22, 861
George L. Funk	22, 712
Carl E. Johnson and Sons	21, 815
Searle Bros	20, 730
Curtis W. Holland	20, 068
Total payees in county (22)	730, 118

BLAINE COUNTY

Campbell Land & Livestock Co	66, 488
Simpson Bros	34, 492
Pete T. Cenarrusa & Son	22, 227
Total payees in county (3)	123, 207

BONNEVILLE COUNTY

Jess Croft & Son	72, 476
Snake River Equipment Co	55, 775
Weeks Brothers & Sons	49, 931
E. Bud Johnson	44, 675
Thompson Sheep Co	39, 511
Jack Thomas	38, 834
Elmer N. Jensen	36, 710
Ivan Ashment	34, 627
George Lovell	32, 112
Schwieder Brothers	31, 587
Glenn Blatter	30, 720
Idaho Livestock Auction	29, 534
Karl Brown & Merle Brown	29,490
J. R. Hays & Son, Inc	29, 401
Clements & Jackson	27, 200
Nielsen & Nielsen, Inc	26, 886
D. L. Cousin	25, 726
Neal Sauer	23, 477
L. B. Holden Farm Co	23, 273
Lynn Brown	23, 141
Joseph M. Parkinson	21, 807
Ray J. Christsen	20, 430
Total payees in county (22)	747, 323

BOUNDARY COUNTY

Tucker Farms Inc	26, 851
Total payees in county (1)	26, 851

BUTTE COUNTY

Hartmann Land and Livestock	21, 900
Mays Land and Livestock	21, 182
Total payees in county (2)	43, 082

CAMAS COUNTY

Gwinn F. Rice	27, 191
Simon Farms Inc	23, 860
Manning Patterson	21, 780
James E. Kevan	20, 170
Total payees in county (4)	93, 001

CANYON COUNTY

Farm Development Corp	120, 503
Allen T. Noble Farms Inc	112, 647
Basil Aldecoa	51, 225
Sprague Apiaries	49, 155
Skogsberg Sky Ranch	46, 353
Walter C. Russell	41, 163
M. L. Clements	38, 958
G. and W. Rim Ranches	32, 526
Kondo Farms Inc	31, 167
Naito Farms Inc	29, 105
Elmer H. Tiegs	26, 205
Carroll C. Wharton	24, 500

David C. Spencer	24, 471
Basin Land Co	21, 735
John Frerichs	21, 710
Powers Apiaries	21, 535
Pintler and Son	21, 356
Total payees in county (17)	714, 314

CARIBOU COUNTY

Don C. Rigby	45, 388
Dette, Inc	43, 495
Frank Jouglard	37, 121
Richard Torgesen	25, 522
Thomas Cellan	22, 688
Christman & Hopkins, Inc	20, 758
Robert W. Hubbard & Sons, Inc	20, 233
Total payees in county (7)	215, 205

CASSIA COUNTY

Heglar Ranch, Inc	77, 366
R. C. Rich Sheep Co	52, 518
Riviera Farms, Inc	51, 768
Parr Bros., Inc	45, 957
Rex Taylor	43, 359
Pickett Ranch and Sheep Co	42, 394
Cold Springs Farm	41, 082
Albert Anderson & Sons	40, 468
Kenyon Farms	40, 003
John Basterrechea	36, 606
Vista Land, Inc	33, 753
Raymond H. Johnson	31, 328
Critchfield Land & Lvstk	30, 380
W. D. Taylor Lvstk	27, 252
Leonard Rehn	26, 724
Wilford Wrigley and Sons	24, 976
Vernon Rehn	24, 481
Gorringe Bros	24, 472
6 S Ranch	22, 995
William Rehn	21, 331
Cranney Bros	21, 285
Harlan Jensen	20, 430
Howard R. Adams	20, 279
Total payees in county (23)	801, 207

CLARK COUNTY

R. A. Egbert	67, 265
Laird and Jones, Inc	34, 430
D. V. Hagenbarth Est	30, 616
Cockeye Land and Lvst	28, 709
Blaine Grover	23, 836
Phyllis L. Laird	22, 762
Total payees in county (6)	207, 618

CUSTER COUNTY

Sulphur Creek Livestock	32, 657
Total payees in county (1)	32, 657

ELMORE COUNTY

Simplot Livestock Co., Inc	107, 795
Hammett Livestock Co	63, 468
Bill Smith	56, 142
M. L. Investment Co	40, 150
F. W. Bennett and Son, Inc	30, 620
M. Peter Nielsen	27, 663
Karl D. Steiner	27, 386
Flying H. Farms	26, 654
Totorica Co	26, 175
Gay Company	26, 158
A. Maurice Daw	25, 249
Simplot Cattle Co	23, 565
Tri C Ranch, Inc	23, 258
Total payees in county (13)	504, 283

FRANKLIN COUNTY

Kenton G. Fredrickson	42, 044
Evan O. Koller	30, 968
Total payees in county (2)	73, 012

FREMONT COUNTY

Siddoway Sheep Co., Inc	60, 567
Max D. Parkinson and Son Inc	34, 951
Farrel Black Ranches, Inc	28, 272
Lynn Loosli	20, 868
George Nedrow, Jr	20, 688
Merle Harshbarger	20, 211
Meyers Brothers	20, 096
Total payees in county (2)	205, 653

GEM COUNTY

Soulen Lvst. Co	117, 064
Highland Lvstk. & Land Co	51, 005
Total payees in county (2)	168, 069

GOODING COUNTY

Ralph Faulkner Land, Inc	96, 766
Arkoosh & Zidan, Inc	71, 775
Jones/Sandy Livestock Co	41, 610
Flying Triangle, Inc	37, 552
Josephine Astorquia	30, 468
Lester Sliman	23, 370
Total payees in county (6)	301, 541

IDAHO COUNTY

George E. Wilson	61, 993
James Green	32, 243
Roy Green, Jr	32, 243
Dean Farms	26, 318
Ray Uhlenkott	25, 937
Hauger Ranches, Inc	25, 531
Guy M. Carlson	22, 899
John J. Hanley Assoc., Inc	22, 787
W. H. Walters	22, 607
Francis Nuxoll Trust	20, 216
Total payees in county (10)	292, 774

JEFFERSON COUNTY

Ball Bros	62, 757
O. W. Robinson & Sons	34, 363
Roberts Inv. W. Clevenger	32, 390
John S. Martin	24, 656
Walker & Gneiting	23, 176
E. C. Phillips & Sons	22, 450
M&M Cattle, Wm. Munnell	20, 572
Total payees in county (7)	220, 364

JEROME COUNTY

Ernest Lombard	31, 500
Oneida Farms	24, 307
Total payees in county (2)	55, 807

KOOTENAI COUNTY

CDA Tribal Farm	30, 194
Drechsel Bros	21, 251
E. C. Hay & Sons	21, 145
Total payees in county (3)	72, 590

LATAH COUNTY

Pfaff Bros., Inc	50, 052
Gary Morris	44, 298
G. E. Gray	29, 379
M. E. Davis	28, 289
Jensen Bros	22, 257
Westberg Bros	22, 248
Snow Farms	21, 322
Andrew Cox	21, 247
Haxton and Son	20, 074
Total payees in county (9)	259, 166

LEMHI COUNTY

F. J. Whittaker	36, 541
Total payees in county (1)	36, 541

LEWIS COUNTY

Joe Lux	52, 377
Zenner Farms	30, 649
David W. Meacham	29, 476
Aubrey Pratt	29, 110
Richard Renner	28, 438
E. M. Fisher & Sons, Inc	25, 373
Dale R. Branson	24, 321
Duane C. Miller	21, 311
Total payees in county (8)	241, 055

LINCOLN COUNTY

Oneidas, Inc	54, 651
Domingo Soloaga	39, 967
J. Reed Crystal	20, 028
Total payees in county (3)	114, 646

MADISON COUNTY

Howard and Robinson	46, 588
Parkinson Farms, Inc	40, 943
O. J. Neeley Ranch, Inc	34, 853
Webster Deep Well Farm, Inc	30, 273
Ricks Brothers	28, 122
Seth Wood Farms, Inc	28, 050
Summers Brothers	24, 391
K. W. Huskinson and Sons	22, 866
Eldon W. Smith	22, 803
Jensen Brothers	22, 298
Val Schwendiman	21, 223
Total payees in county (11)	322, 410

MINIDOKA COUNTY

Flat Top Sheep Co	98, 958
Garro Sheep Co., Inc	52, 309
James V. Haley	48, 017
Jean P. Etcheverry	48, 012
Rosemary H. Clinton	45, 780
Richard D. Blincoe	42, 744
Warren W. Heins	30, 444
Eugene Landa	27, 807
George Brandon	26, 987
W. H. Shillington	26, 443
Gerald Morgan	26, 443
Roger R. Oxarango	24, 841
Antonio Goldaraz	23, 705
G. L. Dean and Sons, Inc	22, 576
Lloyd La Vern Patterson	22, 057
H. and K. Farms	20, 487
Total payees in county (16)	587, 610

NEZ PERCE COUNTY

Larry Boyer	44, 344
Van Sullivan	42, 966
Meacham Land and Cattle Co	37, 220
Wittman Farms	36, 536
Stanton Becker Farms	36, 449
George Brammer	33, 967
Richard Wagner	32, 022
Loren Crow	28, 097
Mader Farms, Inc	27, 747
E. J. McCann	25, 718
McGregor Farms, Inc	23, 136
Ellis Odberg, Jr	22, 218
Thiessen Ranch	22, 191
Orvelle Konen	22, 057
Gene Pontius	21, 565
Total payees in county (15)	456, 233

ONEIDA COUNTY

Jones Sheep Co	76, 753
D. L. Evans Fms. Inc. & Evans Br	23, 739
L. C. Alder & Sons, Inc	21, 980
Perry Bros, Enprs	20, 844
Total payees in county (4)	143, 316

OWYHEE COUNTY

Spring Valley Livestock Co	63, 333
Quintana Sheep Co	50, 165
Oscar B. Field	35, 477
Clyde W. Hipwell, Jr	26, 431
Durk Farms	21, 962
Total payees in county (5)	197, 368

PAYETTE COUNTY

American Fine Foods	51, 440
Total payees in county (1)	51, 440

1972 ASCS and Great Plains program payment of $20,000 or more—excluding loans—Idaho—Continued

[Amounts in dollars]

POWER COUNTY

Jay H. Hulet	60,287
Melvin R. Funk	56,640
Utah Idaho Sugar Co	56,039
Fred G. Mayer & Sons	51,013
John B. McNabb	46,334
Rex Hayter	39,502
Wallace Hayes	31,553
Lynn Thompson	27,863
Neibaur & West Farms	27,468
Ralphs Brothers	26,313
Clover Club Farms, Inc	25,798
Louis A. Nugent	24,851
A. Lynn Nugent	24,849
D. S. Benson	24,635
Cecil Weisenburger	24,039
Dean Meadows	24,028
Elmer Funk, Jr	22,984
Joe F. Allen	21,845
Kenneth Westfall	21,592
Gaurth Thompson	21,549
Total payees in county (20)	659,182

TETON COUNTY

Shayne Linderman	43,886
Rammell Brothers	34,194
J. Clint Hoopes	30,425
Earl N. Hoopes	29,730
Demar Bott	20,883
Horace Hoopes	20,204
Total payees in county (6)	179,322

TWIN FALLS COUNTY

U. of I. T. F. Branch	54,438
Noh Sheep Co	39,617
Guerry, Inc	39,118
L. L. Breckenridge Co	27,481
Ray Hudson	26,063
W. B. Savage Ranches	25,445
W. T. Williams, Inc	24,471
John & Emma Madarieta	20,903
Total payees in county (8)	257,536

WASHINGTON COUNTY

Snake River Sheep Co	34,266
J. B. Barker	33,292
Weiser Sheep Co	21,085
Total payees in county (3)	88,643
Total payees in State (283)	9,623,437

1972 ASCS and Great Plains program payment of $20,000 or more—excluding loans—Illinois

[Amounts in dollars]

ADAMS COUNTY

Adwell Corp	50,623
Richard Wittler	25,903
E. A. Meyer c/o H. B. Ihnen agt	22,690
Norman McCallister	22,390
Victor Shriver	20,165
Total payees in county (5)	141,771

ALEXANDER COUNTY

Elott Raffety Farms Inc	42,846
E. J. Showmaker	31,493
Total payees in county (2)	74,339

BOONE COUNTY

Two M. Inc	34,437
Melvin Banks	31,514
Frank Bullard	26,470
Prairie View Farms	26,075
K. B. Farms Inc	25,588
Fred L. Gallano & Son	23,738
Wendell Rosene	21,792
Troy Doetch	20,395
Total payees in county (8)	210,009

BROWN COUNTY

Cyril Elbus	23,646
Rolla Colclasure	20,103
Total payees in county (2)	43,749

BUREAU COUNTY

Claude Bailey	32,781
Ronald Wolf	26,505
J. C. Scully Est	20,137
Total payees in county (3)	79,423

CARROLL COUNTY

Raynor Mosher	23,654
Total payees in county (1)	23,654

CASS COUNTY

H. A. Snow	30,078
Bob Hardwick	28,011
Stribling Alexander, Frm	26,194
S. W. Hardwick	20,039
Total payees in county (4)	104,322

CHAMPAIGN COUNTY

Earl Fiedler	21,519
Total payees in county (1)	21,519

CHRISTIAN COUNTY

Donald L. Kuhle	25,311
Donald Linton	24,991
Total payees in county (2)	50,302

CLARK COUNTY

Blue Mds., Frm	30,083
Schaefer Bros	20,681
Total payees in county (2)	50,764

COOK COUNTY

Marvin Dunteman	36,661
Total payees in county (1)	36,661

DE KALB COUNTY

O. M. Johnson	35,370
Edward Weaver	29,124
Millard Sawyer	27,506
Joseph P. Faivre	26,030
Ralph Montgomery	25,147
Richard L. Lindgren	24,430
John Diedrich	24,209
Babson Farms, Inc	23,895
Howard Mullins	20,999
Total payees in county (9)	236,710

DE WITT COUNTY

C. H. Moore Trust Estate	87,161
Thorp Seed Co	27,129
James Reeder	22,960
Total payees in county (3)	137,250

DOUGLAS COUNTY

Ray Wax	29,954
Total payees in county (1)	29,954

EDWARDS COUNTY

Chester Siegert, Jr	22,358
Total payees in county (1)	22,358

FULTON COUNTY

Consolidation Coal Co	51,194
United Electric Coal Co	23,051
Total payees in county (2)	74,245

GALLATIN COUNTY

Pat and Mark Scates and others	50,232
Charles Hish	27,399
T. O. Logsdon	26,902
James A. Raben	25,213
Downen Enterprises	21,937
Total payees in county (5)	151,683

GREENE COUNTY

Henry Longmeyer	33,957
Hartwell Ranch	26,458
Harvey A. Schoneweis	25,655
Total payees in county (3)	86,070

GRUNDY COUNTY

Scully Trust	50,453
North Il Gas Tr 45897	23,109
Total payees in county (2)	73,562

HANCOCK COUNTY

Hancock Land Co	22,640
Total payees in county (1)	22,640

HENDERSON COUNTY

Shelby H. Romine	24,058
Peasley Farms Inc	21,590
Total payees in county (2)	45,648

HENRY COUNTY

C. D. Ford & Sons, Inc	28,436
Total payees in county (1)	28,436

IROQUOIS COUNTY

Edward C. Sumner, Jr	44,971
Mercier & Deyoung	20,656
Total payees in county (2)	65,627

JACKSON COUNTY

D. L. Heine & A. Behnken Ptrp	25,502
D. L. Bess, Sr	23,316
Total payees in county (2)	48,818

JEFFERSON COUNTY

C. E. Brehm	24,386
Fletcher Farrar	22,122
Total payees in county (2)	46,508

JERSEY COUNTY

Floyd Isringhausen	20,098
Total payees in county (1)	20,098

KANE COUNTY

Arthur Hagemann	31,984
Edwin Dunteman	31,314
John A. Gorenz	27,172
Long Bros. C/O A Long Agt	22,062
Baert Bros. C/O F. Baert	20,632
Total payees in county (5)	133,164

KANKAKEE COUNTY

Tallmadge Ranch, Inc	62,017
Cote Farms, Inc	57,627
Tunis Hoekstra	35,465
Sunset Farms, Inc	26,504
Total payees in county (4)	181,613

KENDALL COUNTY

C. M. P. Company	25,333
Gerald Anderson	24,793
N. Stephen Ashley	22,555
Rousonelos Bros	20,522
Florence Block	20,431
Total payees in county (5)	113,634

KNOX COUNTY

James S. Thompson	36,989
Midland Coal Co	27,985

Block Farms	24,324
Shreeves Farm	20,980
Total payees in county (4)	110,278

LAKE COUNTY

Tempel Farms	22,701
Total payees in county (1)	22,701

LA SALLE COUNTY

Dean L. Johnson	30,658
Beetz Bros c/o Sam Beetz	29,215
Total payees in county (2)	59,873

LAWRENCE COUNTY

Earl Minderman	28,030
Jack Seitzinger	24,332
Ward Warner	23,663
Total payees in county (3)	76,025

LEE COUNTY

A. H. Nichols	36,236
Leo J. Miller	34,889
Kent Chidley	25,414
Martin Ravnaas	24,843
Total payees in county (4)	121,382

LIVINGSTON COUNTY

Hamilton Ranch	25,680
Total payees in county (1)	25,680

LOGAN COUNTY

John L. White	29,993
Harold Park	28,939
Elizabeth K. Drake	28,783
E. G. Oglesby Tr	24,161
Hoblit Farms, Inc	22,238
Wm. H. Diller	20,866
Andrew & Rachel Wiggers Ptrg	20,257
Total payees in county (7)	175,187

MACON COUNTY

H. E. Cummins	28,449
Mill Univ	20,358
Total payees in county (2)	48,807

MASON COUNTY

O. R. Adkins, Jr	24,359
Ronald Friend	23,073
Howard Ermeling	22,117
Total payees in county (3)	69,549

M'DONOUGH COUNTY

Tr J. C. Proctor End	22,918
Finn Corporation	21,027
Watson Seed Farm	20,895
Total payees in county (3)	64,840

M'HENRY COUNTY

Meyer & Schuring	54,855
Getz Farms	32,429
Earlroy Farms	28,231
George Raabe	25,656
L. O. Napier	23,870
Perfection Farms	22,790
Bruce Olbrich	21,998
Lowell Maushak	20,645
G. F. MacIntyre	20,340
Total payees in county (9)	250,814

M'LEAN COUNTY

G. J. Kruger	30,655
Theo Funk, Tr	30,135
Ben T. Gildersleeve	26,023
Robert D. Whitwood	21,029
Total payees in county (4)	107,842

MENARD COUNTY

Sam Willis	23,134
David Cramer	20,805
Total payees in county (2)	43,939

MERCER COUNTY

North Trust Co	25,206
D. Wolfe & Co	23,533
Francis McFarland	23,030
Alan Callahan	20,967
J. and J. Russell	20,918
Total payees in county (5)	113,654

MONTGOMERY COUNTY

W. D. Kilton, Est	42,146
Total payees in county (1)	42,146

MORGAN COUNTY

A. E. Curry	28,591
James O. Harris	24,535
Clyde L. York & Sons, Ptrp	21,536
Thomas J. Bergschneider	21,018
Total payees in county (4)	95,680

MOULTRIE COUNTY

John A. Rhodes	21,377
Total payees in county (1)	21,377

OGLE COUNTY

Herman F. Danekas	49,604
Delar Farms	39,802
John Devries	28,326
Glendenning, Inc	23,943
L. D. Carmichael	23,838
Delmar Kampen	23,293
Total payees in county (6)	188,806

PEORIA COUNTY

Joan of Arc Co	25,226
Francis Barton	22,304
Total payees in county (2)	47,530

PERRY COUNTY

Meadowlark Farms, Inc	80,745
Southwestern Coal Co	46,442
Total payees in county (2)	127,187

PIATT COUNTY

Hardy Norfleet Norfleet	27,056
W. H. Shackelford	23,762
Lynn H. Clarkson	21,775
Margaret Wolfe	20,875
J. E. McCoppin	20,672
Total payees in county (5)	114,140

PIKE COUNTY

Paxton & Sprague Farms	28,540
Bob Richter	27,675
Total payees in county (2)	56,215

POPE COUNTY

Dixon Springs	53,874
Total payees in county (1)	53,874

RANDOLPH COUNTY

Behnken & Behnken	43,812
Peabody Coal Co	28,831
Total payees in county (2)	72,643

ROCK ISLAND COUNTY

Kenneth Bush	27,764
Total payees in county (1)	27,764

SANGAMON COUNTY

Dowson Bros. A., Ptrp	32,979
Vincent Braner	26,136
John J. Donovan	25,321
Lillie E. Mayfield, Adm	22,224
George R. Bunn	20,781
Total payees in county (5)	127,441

SCHUYLER COUNTY

Wilburn Briney	23,866
Total payees in county (1)	23,866

SCOTT COUNTY

Karl W. Meisenbach	28,798
Robert Coon	23,319
Total payees in county (2)	52,117

SHELBY COUNTY

Smith Farm Inc	29,318
Total payees in county (1)	29,318

ST. CLAIR COUNTY

Floyd A. Schlueter	25,049
Paul Sauget	22,051
Wilow Creek Farm V. Heberer	20,520
Total payees in county (3)	67,620

STARK COUNTY

Ezra Rumbold	34,001
Raymond Shafer	25,933
Dean M. Jackson	21,855
Total payees in county (3)	81,789

VERMILION COUNTY

R. C. Morgan	31,366
Evert E. Berglund	28,574
Peter L. Gernand	24,438
L. J. Larry	23,893
Milton Meyer	20,237
Total payees in county (5)	128,508

WARREN COUNTY

George Gaskill, Jr	30,210
Dakin Brothers	22,895
Lyle E. Lantz	21,829
Walter Gayman & Sons	21,754
Thomas Hennenfent	20,150
Total payees in county (5)	116,838

WAYNE COUNTY

William L. O'Daniel	26,525
Total payees in county (1)	26,525

WHITE COUNTY

Wilburn Duvall	30,731
L. R. Brown and L. A. Brown	25,614
Frank H. Ackerman	22,657
Total payees in county (3)	79,002

WHITESIDE COUNTY

Wilder Farms, Inc	40,463
Rosengren Brothers	30,769
Hugh J. Hermes	21,649
William Mencarow	21,509
Elmer Larson	20,951
Total payees in county (5)	135,341

WINNEBAGO COUNTY

Harold E. Nelson	39,699
Lester Gummow	26,882
Edward A. Gummow	23,440

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Illinois—Continued

[Amounts in dollars]

WINNEBAGO COUNTY—continued	
Claire Wilke	20,716
Charles D. Dow	20,712
Total payees in county (5)	131,449
WOODFORD COUNTY	
Martin Bros. Implement Co	33,856
Ben Hodel	33,580
Randall Bally	22,213
Wallace Furrow	21,258
Total payees in county (4)	110,907
Total payees in State (202)	5,603,185

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Indiana

[Amounts in dollars]

ALLEN COUNTY	
Lomont Brothers	23,760
Total payees in county (1)	23,760
BENTON COUNTY	
Watland Farms, Inc	43,527
Herschbach C/O Doane AG	28,674
Gary Leuck	22,833
Total payees in county (3)	95,034
BOONE COUNTY	
L. Eugene Smith	34,976
Total payees in county (1)	34,976
CARROLL COUNTY	
Maurice E. Robeson	21,329
Total payees in county (1)	21,329
CASS COUNTY	
Merl Homburg	20,843
Total payees in county (1)	20,843
CLINTON COUNTY	
Robert Max Smith	31,186
Total payees in county (1)	31,186
DAVIESS COUNTY	
Graham Farms Inc	45,093
Capehart Farms	33,549
Peabody Coal Co	29,659
Joe Records	25,636
Aden Michael Sprinkle	20,252
Total payees in county (5)	154,189
DECATUR COUNTY	
Franklin Corya	28,767
Morgan Miers	25,542
Total payees in county (2)	54,309
FOUNTAIN COUNTY	
Dr. Lee Maris Est	28,284
Shawnee Farms, Inc	27,160
Richard L. Rennick	20,082
Total payees in county (3)	75,526
GIBSON COUNTY	
Princeton Mining Co	35,679
Emge Packing Co	29,988
John C. Blood	27,332
Total payees in county (3)	92,999
GRANT COUNTY	
Loren Winger	24,385
Total payees in county (1)	24,385
GREENE COUNTY	
Victor B. Hess	31,111
Herbert D. Hess	26,054
Clyde Thompson	21,461
Total payees in county (3)	78,626
HAMILTON COUNTY	
Dan Taylor	26,825
Total payees in county (1)	26,825
HENRY COUNTY	
Sam Goldman	25,779
Total payees in county (1)	25,779
JACKSON COUNTY	
Hill Farms, Inc	21,604
Total payees in county (1)	21,604
JASPER COUNTY	
William Gehring, Inc	55,000
Fred Moore	46,964
James D. Green Tr	45,182
Savich Farms, E. Savich	37,103
W. & W. Farms, Inc	33,645
Russell Kohlhagen	26,514
Stewart Farms	22,459
Vernon Cavinder	20,878
Total payees in county (8)	287,745
KNOX COUNTY	
Thompson Farms, Inc	53,615
Robert Carnahan	33,009
W. Lowell Carnahan	31,462
William R. Huey	29,879
William Cardinal, Jr	27,255
George R. Wilson	25,030
Billy H. Barmes	23,324
Holscher Brothers	22,669
Clem Witteried	22,172
Don Decker	22,024
Ernest Vieke	21,443
Bower Corp	21,219
Chris Vieck and Sons	20,730
Total payees in county (13)	353,831
KOSCIUSKO COUNTY	
Herbert Fervida	35,887
Total payees in county (1)	35,887
LA PORTE COUNTY	
Joe Tuholski	24,042
Total payees in county (1)	24,042
LAKE COUNTY	
Richard Beetsma	38,083
Verle Little	29,602
Charles Drewry	24,673
Sam Edward Kingma	23,459
Lawrence Carter	20,528
Total payees in county (5)	136,345
MADISON COUNTY	
Indiana Reformatory	25,653
Total payees in county (1)	25,653
MONTGOMERY COUNTY	
Lincoln Priebe	28,788
Moser Farms	26,121
Harold B. Taylor	23,988
Total payees in county (3)	78,897
NEWTON COUNTY	
Merlin Karlock	60,394
Robert A. Churchill	52,711
Albert Molson, Jr	32,222
Mark J. Mahan	29,936
James L. Churchill	26,721
Morris Deyoung	21,959
James Printy, Jr	20,846
Total payees in county (7)	244,789
OWEN COUNTY	
Alton Cooper	20,750
Total payees in county (1)	20,750
PARKE COUNTY	
Kenneth Ramsay	26,751
Adams Farm Co., Inc	26,713
Total payees in county (2)	53,464
PORTER COUNTY	
Johnson Bros	23,203
Philip Maxwell	21,007
Warren Greer	20,062
Total payees in county (3)	64,272
POSEY COUNTY	
New Harmony Realty	47,532
Thomas Mumford	29,582
Jack Compton	22,931
Edward C. Culley	20,991
Naab Seed	20,520
Total payees in county (5)	141,556
PULASKI COUNTY	
Overmyer Farms	56,790
Arthur P. Gumz	56,749
Otto Wuethrich	29,569
Thomas Murray	26,910
Total payees in county (4)	170,018
RANDOLPH COUNTY	
Baker Grain, Inc., C/O J. Baker	27,205
Total payees in county (1)	27,205
RUSH COUNTY	
Roy S. Alverson	21,275
Total payees in county (1)	21,275
ST. JOSEPH COUNTY	
Martin Blad	27,127
E. Gumz Inc	27,009
Kenneth Sebasty	21,412
Fisher Farm	20,116
Total payees in county (4)	95,664
STARKE COUNTY	
Richard Gumz	50,457
Benjamin O. Bierly	24,119
Jack Brown	23,249
Jerome Gumz	22,172
Allen C. Chesak	20,578
Total payees in county (5)	140,575
SULLIVAN COUNTY	
John Gray Kelly	53,830
Leland Phegley	20,146
Mann Seed Farms	20,099
Total payees in county (3)	94,075
TIPPECANOE COUNTY	
James Kellerman	28,167
Maddox Farms Inc	25,226
Total payees in county (2)	53,393
TIPTON COUNTY	
Trojan Seed Co	26,580
Longview Farms	21,765
Total payees in county (2)	48,345
VANDERBURGH COUNTY	
Donald E. Kolb	57,292
Total payees in county (1)	57,292

VERMILLION COUNTY

Gerald Morgan	27,911
Total payees in county (1)	27,911

VIGO COUNTY

James Harlan	43,089
Burch Harlan	34,658
Peter A. Farmer	26,399
N. & N. Farms, Inc	22,532
Edward E. Laswell	20,625
Robert Dunlap	20,386
Total payees in county (6)	167,689

WARREN COUNTY

Richard Clark	27,367
Wayne E. Boyer	21,533
Wright Bros. % James Wright	20,269
Total payees in county (3)	69,169

WHITE COUNTY

Leroy Keesling	42,158
Richard W. North	23,894
Lloyd Lehe	21,497
Myers Ranch	21,257
Total payees in county (4)	108,806
Total payees in State (115)	3,330,018

1972 ASCS and Great Plains program payment of 20,000 or more—excluding loans—Iowa

[Amounts in dollars]

ADAIR COUNTY

Audra Gibbs	22,425
Total payees in county (1)	22,425

ADAMS COUNTY

Terry Skalberg	25,331
Total payees in county (1)	25,331

APPANOOSE COUNTY

Munsterman Bros	23,895
Total payees in county (1)	23,895

AUDUBON COUNTY

Melville Farms	36,775
Carlson Co	23,283
John M. Thielen	20,363
Total payees in county (3)	80,421

BLACK HAWK COUNTY

Robert Rottinghaus	32,676
Wellman Farms Inc	30,528
Ray J. Miller	24,175
Total payees in county (3)	87,379

BOONE COUNTY

Powers Land Co	31,492
George Uthe	21,284
Total payees in county (2)	52,776

BUCHANAN COUNTY

Thomas R. Greenley	22,055
Lowell E. Walter	20,272
Total payees in county (2)	42,327

BUTLER COUNTY

R. T. Groos Trust	26,394
Total payees in county (1)	26,394

CALHOUN COUNTY

F. W. Miller	28,854
Total payees in county (1)	28,854

CARROLL COUNTY

Garst Company	43,803
Collison Bros	41,824
Chrystal Bros	25,721
Total payees in county (3)	111,348

CASS COUNTY

Hoye Inc	25,084
Larry Johnson	22,100
Hunt Bros. Inc	21,123
Theodore Wickman, Jr	20,226
Total payees in county (4)	88,533

CEDAR COUNTY

Hilhurst Farms Inc	21,538
Total payees in county (1)	21,538

CERRO GORDO COUNTY

Wayne Van Duzer	30,260
Inter Development	28,888
American Crystal Sugar Co	28,042
William L. Nicholas	27,684
L. A. Kopple Fam. Tr	27,098
Kenneth Scott	24,870
Marlin Johnson	24,689
Gary Peters	24,000
Bruce and Eugene Evans	23,871
Hebel Enterprizes Inc	23,608
Hebel Fritz Farms Inc	23,608
John Roger Whitt	23,547
Francis K. Ransom	22,982
Kinney Lindstrom Foundation	22,903
Waldel Ltd	22,163
Darrell Nielsen	21,736
Henry Bokelman	21,500
L. A. Bascom	21,486
Legreid Farms Inc	21,096
R. and L. Realty	21,084
Kuhlemeier Bros. Inc	20,866
Total payees in county (21)	505,981

CHEROKEE COUNTY

John Heline	24,080
Total payees in county (1)	24,080

CHICKASAW COUNTY

Lloyd Arnold	20,442
Wesley G. Chambers	20,200
Total payees in county (2)	40,642

CLINTON COUNTY

James Burke	21,473
Total payees in county (1)	21,473

DELAWARE COUNTY

Elmer D. Baer	24,039
Total payees in county (1)	24,039

DES MOINES COUNTY

Robert L. Gabeline	54,201
Total payees in county (1)	54,201

DICKINSON COUNTY

Bernard Cohrs	30,630
Harold G. Reiter	22,705
Marvin J. Davis	22,200
Carl Winterboer	20,161
Total payees in county (4)	95,696

E. POTTAWATTAMIE COUNTY

Gerald L. Schueman	20,825
Total payees in county (1)	20,825

EMMET COUNTY

Greig & Co., Inc	33,485
Paul A. Neppel	26,978
Total payees in county (2)	60,463

FAYETTE COUNTY

C. M. Bowling	24,056
Russell Hughes	23,647
Ralph Wegner	22,779
B. W. Bowling	20,220
Total payees in county (4)	90,702

FLOYD COUNTY

Beverly Land Co	47,235
Julius Huxsol	35,788
Rottler & Rottler	26,911
D. L. Trowbridge	26,620
Kenneth Heft	23,530
Leon Koebrick	23,194
McGregor Bros	22,954
K. B. Farm Acct	22,935
Hoyle Ginther	20,900
Melvin Marth	20,508
Total payees in county (10)	270,575

FRANKLIN COUNTY

Lawrence W. Hamilton	41,085
Staley Farms, Inc	30,935
A. C. Benton	29,742
Leo Bodensteiner	29,010
Berghoefer Lvstk	20,494
Total payees in county (5)	151,266

FREMONT COUNTY

Payne Valley Farms, Inc	75,083
Reeves Farms	40,397
Lyle Taylor	31,626
Walter M. Doyle	29,312
Schaaf Farms	24,835
J. E. Good	23,373
Interstate Nurseries	22,789
Vogel Farms	22,238
Jack Stanley Farms, Inc	21,025
Wm. H. Ramsay	20,053
Total payees in county (10)	310,731

GREENE COUNTY

Assoc. Lawton Farms	28,537
Delmar Van Horn, Jr	26,153
Total payees in county (2)	54,690

GRUNDY COUNTY

Alexander Ent., Ltd	21,506
Total payees in county (1)	21,506

GUTHRIE COUNTY

Earl M. Kading	21,036
Harold Griffith	20,590
Total payees in county (2)	41,626

HAMILTON COUNTY

Emery Tegland	22,463
Total payees in county (1)	22,463

HANCOCK COUNTY

Fraser Farms, Inc	43,279
Total payees in county (1)	43,279

HARDIN COUNTY

Thelma L. Warman	32,649
W. Jass, Jr. for Jass Bros	23,559
William Krause	21,137
Total payees in county (3)	77,345

HARRISON COUNTY

Fannie Rand	28,699
G. Wm. Coulthard	23,347
Clark Wehril	22,389
James Schaben	20,427
Miles Mann	20,152
Total payees in county (5)	115,014

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Iowa—Continued

[Amounts in dollars]

HENRY COUNTY	
McAllister Brothers	21,726
Total payees in county (1)	21,726
HOWARD COUNTY	
Gerald Sovereign & Sons	28,483
Total payees in county (1)	28,483
HUMBOLDT COUNTY	
Warwick Land Co. c/o Hatfield	27,983
Gerald V. Pedersen	21,586
Lloyd D. Goodell	21,017
Total payees in county (3)	70,586
IDA COUNTY	
William Piper	25,604
Total payees in county (1)	25,604
IOWA COUNTY	
Amana Society	56,830
Total payees in county (1)	56,830
JASPER COUNTY	
William Snook	23,507
Total payees in county (1)	23,507
KEOKUK COUNTY	
W. C. Gretter & Sons	29,720
Robert F. McDowell	25,795
James F. Flander	23,260
Total payees in county (3)	78,775
KOSSUTH COUNTY	
Louis J. Ferstl	37,644
Robert Black	27,648
Leroy Richardson	27,290
John Dreesman	21,293
Patterson Land and Livestock	20,926
Total payees in county (5)	134,801
LEE COUNTY	
Edw H. Holtkamp and Sons, Inc	29,425
William J. Pieper	27,821
S. G. Lodwick	21,028
Total payees in county (3)	78,328
LINN COUNTY	
Witwer Grocer Co	47,467
Ralph Blackford	38,269
Dostal Farms Inc	21,671
Total payees in county (3)	107,407
LOUISA COUNTY	
Fred C. Morris & Sons	23,345
Total payees in county (1)	23,345
LYON COUNTY	
Ralph L. Kooiker	29,071
Pchnts Lnd c/o Bryn Reed Co	26,973
Total payees in county (2)	56,044
MADISON COUNTY	
Baur Farms Inc	34,263
Total payees in county	34,263
MAHASKA COUNTY	
Joseph Holub	23,724
Total payees in county (1)	23,724
MARSHALL COUNTY	
Geo. Holl Farms, Inc	26,234
Ottilie Farms, Inc	20,801
James Sinning	20,634
Total payees in county (3)	67,669
MILLS COUNTY	
Luther Gammon	30,871
Charles Phelps	29,928
R. C. Good	25,197
Herman Stortenbecker	24,241
Goy Farms, Inc	20,560
Arthur Sieck, Jr	20,067
Total payees in county (6)	150,864
MITCHELL COUNTY	
E. B. Mohr	29,124
Total payees in county (1)	29,124
MONONA COUNTY	
L. T. Yampolsky	29,572
R. J. Engel	29,572
Maurice E. Waring	29,572
Benjamin Nachman	29,572
Howard E. Muller	29,572
George E. MacClure	28,720
Coberlys, Inc	27,549
F. Seitzinger Farms, Inc	26,364
Augustus T. Hanson	26,054
Franklin D. Seitzinger	24,720
T. E. & T. E. Brown Partnership	23,575
Total payees in county (11)	304,842
MONTGOMERY COUNTY	
Marvin Hunt	34,288
Kenneth Gridley	20,831
Total payees in county (2)	55,119
MUSCATINE COUNTY	
Geo. Steen & Sons, Inc	23,632
Donald E. Walker	21,129
Total payees in county (2)	44,761
OSCEOLA COUNTY	
Leslie Hayenga	21,992
Donald M. Dillehay	20,536
Total payees in county (2)	42,528
PALO ALTO COUNTY	
Harley Rouse	35,357
Wegener Bros	26,188
S. Frm. Tr. Custom Frm	25,967
Speedy Farms	23,665
Total payees in county (4)	111,177
PLYMOUTH COUNTY	
Idlewild Farms, c/o C. Voss	29,037
Total payees in county (1)	29,037
POCAHONTAS COUNTY	
Shannon Farms Inc	21,650
Total payees in county (1)	21,650
POWESHIEK COUNTY	
Raymond Schilder	21,871
Stuart Porter	20,537
Total payees in county (2)	42,408
RINGGOLD COUNTY	
R. L. Coultas	22,814
Total payees in county (1)	22,814
SAC COUNTY	
Shinrone Inc	49,450
Schroeder Bros	22,641
Dale Swanson	22,379
H. J. Turin	21,673
Total payees in county (4)	116,143
SCOTT COUNTY	
Harlan L. Meier	25,909
Total payees in county (1)	25,909
SHELBY COUNTY	
Zeno Lapke & Sons	22,792
Total payees in county (1)	22,792
STORY COUNTY	
Harold M. Britten	31,345
New Farms Inc	30,599
Woodland Farms	30,429
Clyde Black & Son	24,720
Loyal Lowman	20,959
Total payees in county (5)	138,052
TAYLOR COUNTY	
H. Dean Beemer	25,787
Orren Jackson	21,331
Total payees in county (2)	47,118
W. POTTAWATTAMIE COUNTY	
Raymond G. Peterson	27,356
Thomas Thomsen	22,869
Palmer Vorthmann	20,554
Total payees in county (3)	70,779
WARREN COUNTY	
Larry Hunt	22,265
Marywood Farms, Inc	21,716
Total payees in county (2)	43,981
WASHINGTON COUNTY	
Robert M. Flynn	28,644
Tindal Farm Supply Co	22,425
Rolling Acres SK Farm	21,569
Total payees in county (3)	72,638
WEBSTER COUNTY	
Litchfield Realty Co	54,210
Francis Prendergast	32,958
Laurin Stanek	25,380
Joseph P. Kreips	21,533
Margaret Brockett	21,223
Jaeschke Farms, Inc	20,679
Total payees in county (6)	175,983
WINNEBAGO COUNTY	
Friesenborg Larson	32,066
Merle L. Durby	24,866
Norman Hauan	20,506
Total payees in county (3)	77,438
WOODBURY COUNTY	
Ludvigson Ptn	26,480
W. O. Rundall	23,860
O. P. Bennett, Sr	23,500
Doyle Smith	23,204
R. Eugene Janssen	23,017
Claire Welte	22,737
Jack Martin	21,695
Morningside College	20,933
Total payees in county (8)	185,426
WORTH COUNTY	
Robert E. Nack	23,667
Robert Lutz	21,555
Dudley Peterson	21,138
Arvid Thompson	21,120
Rye Bros	20,064
Total payees in county (5)	107,544

WRIGHT COUNTY	
Leroy Wicks	24,753
Joe Keller	22,716
Lyle B. Craig	21,775
Total payees in county (3)	69,244
Total payees in State (210)	5,496,281

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Kansas

[Amounts in dollars]

ALLEN COUNTY	
Harold Whitaker	40,317
David and Alden Ensminger	24,084
Total payees in county (2)	64,401
BARBER COUNTY	
Fred Schupbach, Jr	45,227
Z Bar Cattle Co	39,972
Riedel Co., Inc	31,237
Schrock, Inc	27,562
Harold Mease	22,651
Fred L. Dumler	22,541
Gene Pollock	22,205
Wayne Thom	22,026
Robert Sterling	21,742
Total payees in county (9)	255,163
BARTON COUNTY	
Schartz Bros	26,721
Richard C. Brining	25,084
Total payees in county (2)	51,805
BUTLER COUNTY	
Rolland Klaassen	21,275
Total payees in county (1)	21,275
CHASE COUNTY	
Crofoot Cattle Co	22,589
Total payees in county (1)	22,589
CHEYENNE COUNTY	
Edna May Warnock	41,861
Theron Culwell	35,360
Roberson Bros	32,911
Don Kehlbeck	24,447
Willard Zweygardt	24,300
Ray H. Zweygardt	23,486
Total payees in county (6)	182,365
CLARK COUNTY	
Clarence E. Lewis	24,278
Dwight D. Klinger	24,047
Total payees in county (2)	48,325
CLOUD COUNTY	
Jimmie E. Dorman	25,587
Gene Feight	20,816
Total payees in county (2)	46,403
COFFEY COUNTY	
Evans & Nee Ptr	38,568
John R. Evans	33,307
David W. Evans, Jr	31,774
Total payees in county (3)	103,649
COMANCHE COUNTY	
Richard Bird	27,295
Glen Woolfolk and Sons	25,044
Darrol W. Miller	22,558
Vernon Huck	22,032
Ernest J. Oller	21,765
Total payees in county (5)	118,694
DECATUR COUNTY	
Mumm Bros., Inc	2,206
Moore Bros	20,125
Total payees in county (2)	42,331
DICKINSON COUNTY	
Laurence Clemence	29,291
Roy Clemence	24,103
Total payees in county (2)	53,394
DONIPHAN COUNTY	
H. K. Rush Farms Inc	32,377
Buffalo Hollow Ranch	25,164
Total payees in county (2)	57,541
EDWARDS COUNTY	
McLean Bros	34,232
David Britton	31,019
Elmer J. Huff	20,792
Total payees in county (3)	86,043
ELLIS COUNTY	
Staab Hereford Ranch	20,246
Total payees in county (1)	20,246
FINNEY COUNTY	
Garden Cy Company	109,680
Andrew E. Larson	60,868
L. C. Land and Cattle Co	52,995
Cecil Obrate	50,564
Roger Ramsey	45,283
Raymond Morris	38,143
G. R. Byrd	36,529
Francis Schreibvogel	36,161
John Miller	35,463
Lawrence Miller	35,274
Raymond Crist	31,315
Thomas W. Linville	31,154
Emanuel Doll	30,397
Brookover Feed Yard Inc	29,089
Max Engler Jr	28,853
Vern Eberhart	28,720
Frank McClure	27,080
Winter Bros	26,578
Junior Boyd	26,569
Carson J. Davis	24,431
Ralph A. Greathouse	22,026
Ben Isaac	21,875
Harry Lightner	21,542
Clifton Algrim	21,340
Wesley H. Sterling	20,863
Cyril Schiffelbein	20,716
Leroy F. Cooley	20,565
Norman Adam	20,499
Total payees in county (28)	954,572
FORD COUNTY	
Dwight E. Winger	51,436
Everett Steele	27,155
Eleanor O. Rost	26,704
Copeland Hereford Ranch	22,823
Stephen P. McManaman	20,537
Total payees in county (5)	148,655
GOVE COUNTY	
R. S. Coberly	35,890
A. L. Swart	30,638
Beesley Farms, Inc	23,503
Total payees in county (3)	90,031
GRAHAM COUNTY	
Lindenman Bros	31,355
Eugene Worcester	28,716
Total payees in county (2)	60,071
GRANT COUNTY	
Tuttle & Tuttle & Mawhirter	46,359
Gary Baker	39,455
Herman Cockreham	34,867
J. David Sullivan	34,530
C. E. Battin	34,352
Higgs Farms, % Carl Higgs	27,292
John F. Boylan	27,250
Earl B. Williams	25,757
Arthur B. Williams	25,709
Rollin P. Hagerman	24,621
Dan C. Sullivan, Jr	24,561
Lysle Davidson	24,527
C. L. Helwig	23,180
Howard L. Miller	23,134
Richard H. Coffey	22,897
Willis Christian	22,097
Total payees in county (16)	460,588
GRAY COUNTY	
Sidney Warner	47,235
Stephen Irsik	27,214
Ingalls Feed Yard Inc	26,861
Lester Clark	26,725
W. D. Brady	26,606
Leigh Warner	24,457
Diane Janof	24,299
Renick Bros. Inc	23,561
Bleumer Irrigation	23,256
Victor V. Thomas	20,869
Melvin L. Shrauner	20,694
George Loewen	20,661
Total payees in county (12)	312,438
GREELEY COUNTY	
L. & M. Steele Farms	81,359
Kleymann Brothers	74,019
Myron E. Sell	46,697
Ervin Schneider	41,079
Dale Steele	39,069
Frank Herl & Sons	35,648
Duane F. Schneider	30,683
Floyd Tuttle & Son	30,391
V. M. Young	28,757
Joe E. Smith	26,856
Don B. Smith	26,856
Robert M. Smith	26,856
Lavern Kuder	26,324
J. V. Kuttler	24,473
George Nickelson	24,143
L. & M. Farm & Cattle Co	23,957
Garfield Ochsner	23,886
John & Edwin Floyd	22,984
Lee Toadvine	21,278
Chester I. Johnson	21,249
L. A. Peter	20,499
Total payees in county (21)	697,063
GREENWOOD COUNTY	
Blackstone Industries, Inc	20,713
Total payees in county (1)	20,713
HAMILTON COUNTY	
Richard Plunkett	38,374
Herbert E. Ramsey, Jr	28,269
Ray Jackson Enterprises	28,159
W. T. Hughs	26,487
Harold Guldner	25,478
Don N. Young	24,834
Les I. Cooper	23,855
Cletus A. Simon	23,506
Joseph J. Doskocil	22,907
Clarence Simmonds and Son	22,431
Howard Barstow	21,843
Daryle Lewis	21,565
H. J. Braddock	21,003
Gary Hatcher	20,252
Total payees in county (14)	348,963
HARPER COUNTY	
Carothers Bros	23,960
Bird Hereford Farms	23,495
Albert Hostetler	21,111
Total payees in county (3)	68,566

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Kansas—Continued

[Amounts in dollars]

HASKELL COUNTY	
Haskell Land Co	73,457
Paul J. Brown	65,489
Kirby B. Clawson	59,275
Ed Hall	56,761
Randall Bird	49,344
Lewis & Decker Cattle Co	36,509
W. E. Orth	31,880
Lawrence Withers	29,241
Howard Redd	28,522
Forrest Cox	26,567
Leslie A. Alexander Estate	26,002
Raymond Ardery	23,520
R. D. Hammer	23,051
Stonestreet Farms	23,050
John W. Kelman	22,892
James E. Groth Estate	21,999
Mark McLain	21,385
Wm. L. Engler	21,004
Harry E. Wright	20,917
Ernest Groth	20,755
Rooney & Rooney	20,510
Chester C. Ellsaesser	20,157
Total payees in county (22)	722,287
HODGEMAN COUNTY	
George Herrmann	41,255
Total payees in county (1)	41,255
JEWELL COUNTY	
Laura Spiegel and Sons	25,790
Neil Durham	22,788
Total payees in county (2)	48,578
JOHNSON COUNTY	
Foote Farms	26,012
Total payees in county (1)	26,012
KEARNY COUNTY	
Ethel M. Martin	45,894
Raymond Dienst, Sr	39,011
Gordon W. Crone	35,431
Charles Eskelund	34,085
Harold Stevenson	31,563
B. E. Miles	28,379
Max R. Miller	26,924
Dick Holland	26,700
Tom Wright, Jr	26,378
Fritz Schreibvogel	26,357
W. D. Foster	24,977
WLSR, Inc	24,677
Edward E. Wiatt	24,591
Loy H. Frank	24,583
Vernon G. Kropp, Est	24,550
Ray Rohlman	22,932
Woodrow Fanning	22,496
Lawrence N. Graham	22,024
Martin Vann	21,920
Vernon Boyd	20,687
Calvin H. Scheuerman	20,586
Total payees in county (21)	574,745
KINGMAN COUNTY	
Adrian Kostner	24,077
Total payees in county (1)	24,077
KIOWA COUNTY	
Elmer E. Davis	27,903
Wayne Brensing	21,519
Warren Brensing	21,519
Total payees in county (3)	70,941
LANE COUNTY	
Sharp Bros., c/o Gail Sharp	39,654
York Bros	39,478
Dwight Terwilliger	29,135
Edwin A. Borell & Sons	26,020
Gilbert Selfridge	24,435
John A. Hineman	23,141
Charles C. Bosley	21,630
Kalo A. Hineman	20,619
Eston Schwartz	20,400
Ross Jasper & Son	20,291
James Beesley	20,077
Total payees in county(11)	284,880
LINN COUNTY	
P. & M., c/o W. A. Wishart	46,371
Total payees in county (1)	46,371
LOGAN COUNTY	
J. Ernest Bertrand	60,496
Charles Bertrand Tr	41,273
Delton W. Hubert	36,061
Harvey Nickelson	30,168
Henry Kuhlman	30,066
V. A. & John W. James Est	27,540
Frank Fotopoulos	27,133
Ben Keller	25,813
Les Keller	25,812
Willis Hockersmith	24,168
Harry E. Nickelson	24,139
Dewey Council	23,466
Leon K. Stoppel	23,209
John W. Ostmeyer	21,542
James Ahrens	20,791
Don Lintel	20,371
Total payees in county (16)	462,048
LYON COUNTY	
Walter H. Porter	26,583
Total payees in county (1)	26,583
MARION COUNTY	
Vestring Bros	29,964
Total payees in county (1)	29,964
M'PHERSON COUNTY	
Jim Stroble	20,451
Total payees in county (1)	20,451
MEADE COUNTY	
W. R. Cottrell	47,615
Maud Collinwood Est	39,473
Holmes C. Bender	38,961
Howard A. Holmes	32,243
John E. Frazier	31,193
Boyd Farms Inc	24,228
Holmes Cattle Co	23,861
Sam Jenkinson	22,394
Richard Batman	22,131
Alva E. Rexford	21,629
A. W. Batman	20,059
Total payees in county (11)	323,787
MIAMI COUNTY	
Lloyd M. Barkis	23,591
Paul R. Guetterman	22,291
Total payees in county (2)	45,882
MITCHELL COUNTY	
Paul Mears	42,601
Burton L. Richards	31,772
Guy Noller	24,874
Miles E. File	23,233
Neil Fuller & Sons	22,870
Ogden A. Kadel & Sons	22,074
Total payees in county (6)	167,424
MONTGOMERY COUNTY	
Dan R. Thiessen	24,087
Total payees in county (1)	24,087
MORRIS COUNTY	
Herington Cattle Co., Inc	26,891
Total payees in county (1)	26,891
MORTON COUNTY	
W. J. Light	42,589
Otis L. Daniels	31,988
Harold Anderson	31,303
Leon Jackson	31,263
Charles Friend	30,747
Ben D. Ratzlaff	27,881
J. E. Light	27,078
Charles Breeding	26,005
Ralph Breeding	25,327
William E. Tucker	25,158
James S. Bitner	23,820
James Hubbard	22,074
Albert Clinesmith	20,628
Milburn Brothers	20,583
Total payees in county (14)	386,444
NEOSHO COUNTY	
Wesley Kroeker	55,915
Bryan Kroeker	27,526
Wilbur Goley	26,854
Total payees in county (3)	110,295
NESS COUNTY	
Frank G. Davison	29,818
Elmore & Ryan & Sons	29,545
Humburg Ranch, Inc	20,857
John Pfaff	20,756
Total payees in county (4)	100,976
NORTON COUNTY	
Howard Sumner	22,206
Barney Hickert	21,783
Total payees in county (2)	43,989
OSAGE COUNTY	
David W. Evans	22,924
Total payees in county (1)	22,924
OSBORNE COUNTY	
Adrian Schweitzer	32,882
Max D. Remus	29,401
Total payees in county (2)	62,283
OTTAWA COUNTY	
Dick Diedrick	26,829
Total payees in county (1)	26,829
PHILLIPS COUNTY	
John B. Wyrill, Jr	60,102
Cox Farms Inc	38,562
John B. Wyrill, Sr	29,593
Nelson Farms Inc	23,006
Gus Rahjes & Sons Partnership	20,539
Van Pak Farms	20,168
Total payees in county (6)	191,970
POTTAWATOMIE COUNTY	
Pessemier Co., c/o R. Royer	27,279
Peddicord Bros	26,306
Conrad Eriksen	22,683
Total payees in county (3)	76,268
PRATT COUNTY	
Ronald Hoener	28,064
Don Fincham	22,920
Fred H. Kerr	22,048
Total payees in county (3)	73,032
RAWLINS COUNTY	
Frisbie, Wheat &	28,035
O. Audrey Briney	24,275

Scott Ranch	23, 495
Archer Farms, Inc	20, 609
Total payees in county (4)	96, 414

RENO COUNTY

George C. Martin	27, 575
Robert L. acques	20, 049
Total payees in county (2)	47, 624

REPUBLIC COUNTY

Don Dejmal	24, 092
Total payees in county (1)	24, 092

RICE COUNTY

Arthur Dobrinski	24, 270
Total payees in county (1)	24, 270

ROOKS COUNTY

Whisman Bros. A. partnership	27, 170
Earl Sutor	22, 803
Sander Bros	20, 498
Total payees in county (3)	70, 471

RUSSELL COUNTY

Herman A. Krug & Sons	29, 219
Total payees in county (1)	29, 219

SCOTT COUNTY

Floyd M, Krebs	50, 895
Bernard I. Rose	40, 206
Hattendorf Bros	36, 474
Keith Janzen	34, 787
Hughes Land & Livestock	33, 916
Marion Hutchins	32, 234
G & D Farms	31, 131
Huck Farms	30, 390
Albert Savolt	28, 079
C. A. Steele & Sons	28, 007
Felt Farms	27, 498
Forest C. Brookover	26, 837
Green Gold, Inc	25, 594
Sunset Farms	25, 214
Luke & Sons, Inc	24, 138
Virgil Stoll	23, 782
Ted E. Crist	23, 642
Jack Corn	23, 631
Edwin Cheney	23, 599
Delmar L. Wesseler	23, 505
Loren Janzen	23, 029
Robinson Farms, Inc	21, 918
F. Duwane Patton	21, 910
T. J. Patton	21, 871
Charles Socoldfsky	21, 868
Otto Geeseka	21, 794
John Lang	21, 402
Iva L. Keyse	21, 392
William D. Krebs	21, 291
Glenn Novak	21, 234
Delmar Huck	20, 868
Wm. G. Carpenter	20, 641
J. R. Orr	20, 155
Total payees in county (33)	872, 932

SEDGWICK COUNTY

Charles Ott	20, 876
Total payees in county (1)	20, 876

SEWARD COUNTY

Hitch Lnd Cttl Co	54, 534
Quinton Martin	42, 392
Kenneth Martin	42, 169
Jack R. Massoni	40, 335
Circle Bar Ranch	32, 516
Leroy Stapleton	31, 086
Cline Farms	28, 776
Roger Bird	27, 958
John C. Reimer	22, 920
Total payees in county (9)	322, 686

SHERIDAN COUNTY

E. A. Baalman & Sons	74, 717
Baalman and Struckhoff, Inc	37, 059
George T. Ziegler	24, 748
John A. Hill	23, 671
Herb Teeter	23, 192
Total payees in county (5)	183, 387

SHERMAN COUNTY

C. Wilber White	53, 931
Davis Cattle Co., Inc	45, 119
Kenneth House	42, 764
Vernon Irvin	39, 444
Keith Cook	39, 256
Donald Deeds	38, 339
Iron H. Mueller	37, 969
Harold L. Bair	37, 053
John T. Nelson	33, 983
Golden Wheat Ranch	33, 775
Harland J. Taylor	32, 955
Harlan B. House	32, 181
Leroy A. Evert	31, 884
Robert W. Helman	31, 782
Kenneth Armstrong	30, 078
Fred H. Schield	29, 733
John Raile	28, 569
Jim L. Livengood	28, 377
Marvin Duell	26, 962
Edward L. Meissinger	26, 843
Lazy Heart D. Ranch, Inc	26, 653
Hugh B. Armstrong	26, 642
Marvin R. Matthews	26, 485
Everett L. Craft	26, 457
D. M. Daily	26, 079
B. E. Gannon	25, 965
Jesse L. Craft	25, 769
Briney Farms, Inc	25, 702
J. H. Philbrick	24, 885
Clarence E. Taylor	24, 459
Joe D. Gutsch	24, 293
Jim Flanders	23, 566
Carl A. Duell	23, 182
Lawrence E. House	23, 176
Harry M. Armstrong	23, 082
W. A. Franklin	22, 877
Eugene L. Hall	22, 870
Donald K. Schwendener	22, 401
Richard Pettibone	21, 970
C. L. Silkman Est	21, 783
Arnold Schields	21, 187
Earl Finegan	20, 992
Bill R. Wright	20, 094
Total payees in county (43)	1, 251, 566

SMITH COUNTY

Ferguson Bros	33, 284
Total payees in county (1)	33, 284

STAFFORD COUNTY

Carl McCune Sons	25, 768
Meryle R. Heyen	20, 755
Total payees in county (2)	46, 523

STANTON COUNTY

G. H. J. Farms Ltd	64, 374
Lester Canny	61, 039
Max Hume	46, 810
Kendrick Farms	46, 584
Kans. Univ. Endow. Assoc	44, 880
Theodore J. Julian	43, 932
Marion Winger	42, 712
Melvin Winger	39, 566
R. D. Floyd	39, 446
Paul F. Plummer, Jr	39, 219
Robert Seger	39, 021
John Lewis	37, 792
J. A. Ramsay and Sons	36, 867
Charles Lucas	36, 277
Walter Herrick	34, 895
David M. Roach	33, 655
Roger Hurst	33, 197
Herbert Shironaka	32, 918
Guy Rorick	32, 329
John Shore	31, 024
Milt Graber	28, 402
Plummer Hall Farm	28, 072
Loren W. Puyear	26, 565
Cross/Nicholas	26, 085
P. H. Trostle	25, 717
Galen Lane	24, 465
Hobert Stewart	24, 397
Robert Figgins	23, 929
F. G. Collingwood	23, 778
Richard C. Campbell	23, 744
Charles Garey	23,384
Wendell Tucker	23,380
Thomas F. Seyb	23,197
Stanley A. Julian	22,885
Hoopingarner Brothers	22,654
Larry Snook	22,653
Virgil Amos Shepard	22,653
Nicholas Farms, Inc	22,608
John S. Wartman	22,547
Melvin S. Wilson	22,368
Rozella M. Van Brunt	22,144
Milton Julian	22,124
Plummer Irrigation, Co	21,954
Roger Jones	21,878
Barber Farms, Inc	21,474
Olen Warner	20,997
Lester Stanton and Son	20,996
O. W. Josserand	20,386
Robert Martin	20,267
Irvin Pauls	20,129
Total payees in county (50)	1, 512, 369

STEVENS COUNTY

Carl N. Brollier	94,098
Gerald L. Schmidt	52,478
Warren Spikes	48,680
Vincent Youngren	45,729
Kramer Properties	45,521
Lawrence J. Lightcap	39,559
Fred Walkemeyer & Son	39,199
J. I. Cullison	37,329
Thurow Miller, Inc	32,931
T. R. Gooch	32,897
James R. Kapp	28,137
Wayne Parsons	27,386
Gordon Bane	27,219
M. E. Spikes, Inc	26,717
Glen C. Gaskill	26,341
Harry C. Morris	26,302
Paul W. Light	22,529
Morton Brewer	21,506
Jack B. Cullison	21, 000
Larry G. Randle	20, 893
Total payees in county (20)	716, 451

SUMNER COUNTY

Stewart Farm Account	38, 514
Robert Casner	23, 856
Total payees in county (2)	62, 370

THOMAS COUNTY

Rex Cranston	34, 428
Marshall Farms	34, 203
Paul Dell Est	33, 427
B. A. Hutton	28, 851
Carl B. Stephens	28, 549
Dumler Farms	28, 096
H. & H. Farms, Inc	26, 951
W. E. Cooper	25, 872
Medford Farms, Inc	25, 122
Warren H. Hills	23, 310
Cy Stepper	22, 693
Ernest Schielke	22, 597
Earl W. Dawes	22, 158
Sam Medford	22, 056
Melvin L. Barrett	21, 534
George Wiens	20, 540
John Kriss Farms	20, 400
Total payees in county (17)	440, 787

TREGO COUNTY

Louis A. Rosproy	25, 106
Total payees in county (1)	25, 106

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Kansas—Continued

[Amounts in dollars]

WABAUNSEE COUNTY

Howard Deiter	24,263
Total payees in county (1)	24,263

WALLACE COUNTY

J. E. Ely est	55,307
Orville Walker	43,150
Charles Farms, Inc	40,328
Harold E. Shuman	37,729
Edward M. Waugh	36,638
Frasier Farms	35,406
Robert McKinney	34,873
Gareth J. McFadden	34,114
Guy D. Bolen	28,456
Charles Pearce	28,099
Russell I. Unruh	27,339
H. C. & M. Wilson	26,912
N. D. Sexson	26,300
Floyd Larson	25,157
Herbert Peterman	24,969
W. C. Diacon	23,973
W. O. Smotherman	23,570
Janet Garvey Sawyer	23,458
William V. Mai	23,076
Wm. H. Akers	23,073
Alan Waugh	22,618
Vernon L. Popp	22,512
John F. Stoskopf	21,635
Harold Cloyd	21,600
Donald E. Fletcher	21,429
Robert M. Waugh	21,213
R. D. Walker, Inc	20,713
Loid Koehn	20,541
Wayne Woodmancy	20,292
Dale K. Cloyd	20,018
Total payees in county (30)	834,498

WASHINGTON COUNTY

Herman Botts	68,924
Arbuthnot Farms, Inc	21,112
Total payees in county (2)	90,036

WICHITA COUNTY

Jaeger Farms	70,296
Glee S. Smith	46,946
Walter Gorsuch and Son	44,382
J. W. Zellner	43,078
Leonard F. Harper	41,665
Gerald Smith	40,836
Eugene Berning	35,374
Edna Collingwood Trust	35,334
Freddie Brewer	29,294
Ralph Copeland	26,254
Robert Bergh	23,269
Melvin O. Nuss	23,181
Ted E. Dye	22,768
Edmund Berning	22,751
Arthur Kalbach	22,092
Willard D. Kalbach	21,665
Victor Graff	21,278
Willis H. Marcy	20,664
Justin V. Graff	20,226
Total payees in county (19)	611,353

WOODSON COUNTY

Tommy Kee	31,588
H. W. Pierpoint	27,826
Total payees in county (2)	59,414
Total payees in State (540)	15,797,148

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Kentucky

[Amounts in dollars]

BALLARD COUNTY

James Wilson	25,237
Vernon Dulworth	20,885
Total payees in county (2)	46,122

CHRISTIAN COUNTY

Loyd W. Ford	21,048
Total payees in county (1)	21,048

DAVIESS COUNTY

William Miles	24,689
Total payees in county (1)	24,689

FULTON COUNTY

James E. White	40,140
Sanger Farms, Inc	33,786
Morrow Bros	32,563
Joe Lattus	23,973
Foster & Provow	22,494
Total payees in county (5)	152,956

HARDIN COUNTY

Dixie Stock Farms	24,976
Total payees in county (1)	24,976

HENDERSON COUNTY

Reynolds Metals Co	42,387
S. S. Wathen	28,926
James C. Ellis Est	27,483
Total payees in county (3)	98,796

HICKMAN COUNTY

Larkins Bros	36,851
Total payees in county (1)	36,851

LIVINGSTON COUNTY

Bohannon Farms, Inc	23,802
Total payees in county (1)	23,802

TRIGG COUNTY

S. D. Broadbent, Jr	39,924
Cundiff Farms	20,678
Total payees in county (2)	60,602

UNION COUNTY

W. A. Anderson	37,894
Leo Gough	25,899
Aluminum Co. of America	21,879
Total payees in county (3)	85,672
Total payees in State (20)	575,514

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Louisiana

[Amounts in dollars]

ACADIA COUNTY

Henry Cormier	21,935
Isaac I. Richard	20,630
Total payees in county (2)	42,565

ASCENSION COUNTY

Lemann & Thibaut, Inc	25,362
Palo Alto, Inc	24,038
Peytavin Fm. Co. & Minnie, Inc	23,728
Total payees in county (3)	73,128

ASSUMPTION COUNTY

Churchill & Thibaut	61,952
Savoie Industries	58,700
Tex Emma, Inc	49,591
Dugas & Leblanc Ltd	44,352
Est. E. G. Robichaux	43,596
B. & D. Thibaut	34,368
Lillie Belle Arcement	29,274
Harang Farms, Inc	28,857
Dugas & Leblanc Ltd	22,197
Total payees in county (9)	372,887

AVOYELLES COUNTY

Haas Inv. Co., Inc	51,016
Jessie Willis	41,209
C. W. Tebow	40,011
John V. Coco	39,796
Darrell Lemoine	36,849
Otis R. Mitchell	27,786
Orney Dauzat	25,084
J. B. Luke	24,730
Webster Guillot	24,020
E. A. Townsend & F. C. Townsend	22,664
Harris J. Turner	22,190
Total payees in county (11)	355,355

BOSSIER COUNTY

Milton Pittman	56,379
R. J. Viola	54,277
Joe Clark	51,808
W. F. Nicholson	37,039
O. L. Gore, Jr	30,426
I. W. Whittington, Jr	29,150
J. N. Averett	28,680
John D. Bundy	27,604
T. C. Pearson, Jr	27,467
Henry L. Cox	25,952
C. H. Lyons, III	25,095
Randal H. Lefler	25,095
Franklin D. Roemer	25,059
Scopena Plantation	25,095
C. E. Roemer, III	25,095
Elmer L. Spears	25,010
B. H. Snyder	24,484
Fred E. Wemple, Jr	23,508
R. T. Stinson	23,358
Atkins and Sonnier	21,095
Tim White	20,502
The Rosedale Corp	20,280
J. D. Youngblood, Jr	20,274
C. Kenneth Smith	20,274
Marvin McCalman	20,024
Total payees in county (25)	713,066

CADDO COUNTY

Dalton R. Pittman	60,039
A. C. Dominick, Jr	56,499
Sam W. Smith, Jr	55,767
L. R. Kirby, Jr	55,000
Dan P. Logan	53,396
G. A. Frierson	50,136
C. N. Frierson	50,136
L. S. Frierson, Jr	46,584
Dan P. Logan, Jr	46,368
G. W. Vanhoose, Sr	43,847
G. W. Vanhoose, Jr	43,144
Carroll W. & Malcolm W. Feist	42,084
Bryan Connell	41,826
A. L. Sentell	41,004
C. M. Hutchinson, Jr	40,635
Floyd E. & Ray Volentine	38,145
J. L. Teer	36,344
Jack F. Shaw	35,972
Underwood Farms, Inc	35,961
Margaret Ingram	35,961
Bruce Lynn	35,861
R. L. Nance, Jr	34,975
T. A. Tinsley	34,299
Robert A. Stinson	33,889
Tommy G. Stinson	33,889
E. R. Cupples	32,983
Robinson Co	31,130
Paul Dominick	30,971
Paul Dominick, Jr	30,963
Chris Dominick	30,963
Yearwood Bros	30,691
Jasper, Lynn	30,177
W. L. Sibley	29,303
J. W. Glassell	28,579
W. M. Yarbrough	28,261
J. H. Gardner	26,383
Malcolm Dutton	26,112
W. A. Shaw	25,077
Leo Ducote	23,926
W. J. James	23,846
Doles Farms	23,402
M. A. Roberson	22,781
R. R. McKinney	22,433
Irene Bruce Lynn	21,899
M. P. Connell	21,399

Tom P. Moore, Jr	20,334
Cecilia E. Smith	20,160
Total payees in county (47)	1,663,534

CALDWELL COUNTY

Lelon Kenney	46,246
Rowland Bros	32,305
Mann and Jackson	28,747
Jack Keahey	28,140
Hijenio Guerrero	24,269
Olan L. Rucker	23,866
Charles F. Page, Jr	22,198
Chester Ellis	22,196
R. B. McClanahan	22,038
U. M. Youngblood	21,856
Charlie M. Rowland	21,379
Total payees in county (11)	293,240

CATAHOULA COUNTY

Jimmy Goode	55,987
William A. Yarbrough	55,530
Gregory C. West	55,513
A. Eugene Yarbrough	55,408
George Yarbrough	55,391
Harry Goode	55,000
R. M. Hammons	38,249
Smithland Pltg. Co	38,144
J. Z. Stutson	24,173
J. C. Thompson	23,398
Wayne Crawford	21,352
W. S. Peck, Jr	20,366
Total payees in county (12)	498,511

CLAIBORNE COUNTY

B. G. Sanders	24,929
Total payees in county (1)	24,929

CONCORDIA COUNTY

Panola Land Dev. Co	54,242
P. L. Rountree, Jr	44,798
Burley and Schiele	43,717
B. U. Miller	41,457
Max Huff	35,672
Tommy F. Dennig	29,585
Mossgell Pltn	27,400
D. A. Biglane	26,835
Willard Schuchs	26,055
R. S. Rife, Jr	24,378
R. T. Harriss Estate	24,075
Lucerna Planting Co	23,939
Sam Calvert Sons, Inc	23,916
Rota Quinta Plantation	20,268
Total payees in county (14)	446,337

DE SOTO COUNTY

James F. McMullen	47,658
J. M. Pratt, Jr	25,849
Total payees in county (2)	73,507

E. CARROLL COUNTY

Houston Condrey	54,995
Jack S. Hamilton, Inc	54,463
H. D. Harvey	54,169
Gilfoil Farms, Inc	53,925
Philip Brown	50,306
Keener Howard	50,275
Pearson Farm Corp	50,006
W. T. Presley	46,745
Way Away, Inc	46,140
Wendell Downen	44,208
Doris Plantation	44,053
F. H. Schneider, III	41,138
H. H. Howington, Jr	40,114
Blair Plantation	39,671
Rodney Fortenberry	37,314
Edward Burgess	36,332
John Hankins	35,043
Thomas H. Shields, Jr	33,898
James Shepherd	32,547
Bernard Rosenzweig	31,518
W. H. Bullock	30,885
Mack L. Howington	29,715
James E. Howington	29,712
Richard Howard	28,906
C. B. Thompson, Jr	26,069
Elaine C. Fortenberry	25,940
W. H. Crews	25,827
Eugene Barham	25,778
David Harvey	24,686
Howell Pippin	23,897
Troyce Dukes	23,738
Wallace N. Oliver	23,624
L. W. Baker	23,622
Ted J. Oliver	23,619
Reynold Minsky	23,538
Amos Kent Amacker, III	22,854
Roy Burgess, Jr	22,755
George R. Wise	22,715
Reese Coleman	21,477
Michael Brown	21,477
Jack Brown	21,470
J. E. Brown	21,470
Labane Clement	20,730
R. W. Fletcher	20,718
Total payees in county (44)	1,462,082

EVANGELINE COUNTY

Ulyses Lee McDaniel	23,758
Charley Boutte	20,004
Total payees in county (2)	43,762

FRANKLIN COUNTY

Gerald Sadler	55,298
Carroll Jordan	54,467
Riley H. Graham	50,401
Carl D. Batey	47,266
Earl Corrall	41,347
M. R. Young	40,054
Beal & Bringol	36,797
Owen Corporation	35,489
C. J. Grayson	33,987
Larry T. Sadler	31,287
Gilbert M. Hammons	30,169
Johnny Carroll	28,681
Bruce Bailey	28,062
Charlie W. Stephens	26,424
O. D. Johnson	26,270
B. C. Kimble, Jr	25,701
William G. Bixler	24,225
G. A. Price	23,910
Eugene Robinson	23,532
L. Aubrey Kincaid	22,786
W. M. Snyder, Jr	22,694
J. A. Morgan	22,389
J. B. Eley Farms	22,289
J. Aubrey Browder	21,005
H. B. Wallace	20,648
Donnie McMurray	20,541
W. T. Neal	20,323
Allen Newman	20,271
Lantz Womack	20,262
James M. Valentine	20,135
T. J. Martin, Jr	20,084
Total payees in county (31)	916,794

GRANT COUNTY

Gordon Randolph	47,062
Wallace E. Summerford	30,535
Pamiro Plantation	23,887
Total payees in county (3)	101,484

IBERIA COUNTY

Sterling Sugars, Inc	130,658
Duhe Bros. Pltg. Co	32,217
M. A. Patout & Son Ltd	27,267
W. C. Lanie & Sons, Inc	23,792
East Linden Farms	23,778
D. & A. Gonsoulin & Blanchard	21,747
J. Paulin Duhe, Inc	21,225
Total payees in county (7)	280,684

IBERVILLE COUNTY

A. Wilberts Sons L/S Co	63,583
J. Supples Sons Pltg Co., ltd	31,168
Wm. T. Burton Inds., Inc	28,679
E. J. Gay P/M Co., Ltd	25,471
C. Schexnayder/Co	21,067
J. G. Rivet/Sons, Inc	20,853
Total payees in county (6)	190,821

LAFAYETTE COUNTY

Youngs Industries, Inc	26,909
Rodney Trahan	21,135
Total payees in County (2)	48,044

LAFOURCHE COUNTY

Valentine Sugars, Inc	55,317
J. B. Levert Land Co	37,347
William Scully	22,808
Wilson Melancon	22,406
Arabie S. Farm	22,095
Webre Farms	21,074
Total payees in county (6)	181,047

MADISON COUNTY

Deltic Farm & Timber Co., Inc	65,826
E. S. Moberley	61,029
Dudley Pillow, Sr	52,124
Dudley Pillow, Jr	49,624
E. C. Woodyear	43,958
Nellise Farms, Inc	38,384
Elton Fortenberry	37,280
M. C. Sevier	33,444
Albert H. Paxton	31,796
Locust Grove Pltn	29,820
Killarney Plantation	26,480
C. E. Jobe	25,555
Harry Barrett	25,253
Boby Joe Lee	25,079
Robert Graves	23,948
Edward M. Yerger	22,299
Richland Foster, Inc	22,290
J. M. Gilfoil	22,075
Howard Sevier	20,583
Ray Fortenberry	20,026
Total payees in county (20)	676,873

MOREHOUSE COUNTY

W. C. Norsworthy	56,580
Ivan Morris, Jr	55,229
I. O. Morris	55,000
Erle M. Barham	54,540
J. D. McAdams	54,519
Barham, Inc	54,511
F. Earl Hogan	54,158
B. B. Hunt, Jr	53,465
Conrad Stallings	52,424
Duke Shackelford	51,436
W. T. Blackwell, Jr	50,563
Bob Erle Clark	50,432
James A. Brown	50,003
James U. Yeldell, Jr	49,285
Don Sims	47,152
James O. Pearson	43,836
C. L. Clark, Jr	42,153
J. A. Davenport III	41,529
William Davenport	41,529
Joe Monroe Mott	41,089
King Mott	40,118
David Doles, Jr	39,998
H. H. Humphreys, Jr	38,446
Cecil Harp	38,230
Neil W. Mott, Jr	37,624
Luther Allen Day, Jr	37,151
C. E. Shepard	36,178
Kelly Bros	35,097
John M. Yeldell	34,561
Maple Co., Inc	33,513
Kenneth R. Brodie	33,507
Kimball Est	33,041
Bolin Farms	31,412
N. W. Mott	30,427
Wesley Bunch	29,978
Elton Kennedy	29,307
John S. Barr, III	28,472
John S. Barr, Jr	28,083
Wayne J. McDonald, Jr	27,854

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Louisiana—Continued

[Amounts in dollars]

MOREHOUSE COUNTY—continued

Joe S. Carter, Jr	27,623
W. H. Parker	27,588
J. B. Newman	26,642
G. L. Shepard	26,305
Thomas West Barham	25,877
Erle Edwards Barham	25,877
John Knox Nunn	24,924
Henry Ferrell, Jr	24,692
Clayton Haynes	23,751
Johnnie Kovac, Jr	23,450
Sherrod T. McKoin, Jr	23,362
W. T. Doles	23,127
Thomas H. B. Rankin	22,883
David Pipes	22,646
Carl N. Wright	22,644
Edmond Loyd Robertson	22,624
Thelbert Bunch	22,621
H. A. Pipes, Jr	22,331
Zelma P. Milliken	22,325
Caleb Pipes	22,324
J. B. Holley	22,062
Duc Nat, Bk. Tr	21,882
B. L. Lucas	21,618
R. Mardis Est. % R. C. Mardis	20,494
Norman McDuffie	20,208
Total payees in county (64)	2,232,310

NATCHITOCHES COUNTY

James R. Stacy	56,749
J. Alton Lambre	55,985
Murry Lambre	55,802
J. H. Williams	55,000
Ralph C. Ingram, Jr	53,411
Starlight Plantation	48,690
Mack James	48,353
Bayou Camitte Plantation	47,719
Don Ater	47,002
Russell M. Cook	46,570
Richard L. Williamson	44,673
R. B. Dalme	43,583
Est. of H. Cohen & Sons	41,481
O. R. Miller, Jr	38,507
Est. of Sarah J. Hertzog	36,418
Est. of J. C. Carnahan	35,539
Paul E. Messenger	32,141
U. V. Durr	31,938
Kenneth Prudhomme	31,384
J. Alphonse Prudhomme, Jr	31,384
Lewis E. Jones, Jr	31,059
Sam H. Hill & Son	27,506
Desiree C. Prudhomme	26,563
Herman Taylor, Jr	26,144
Allen Thomas	25,427
Deloy Blewer	25,205
G. C. Messenger	25,075
John T. Batten, Jr	24,754
Henry Lemoine	24,045
Roque Brothers	23,007
Total payees in county (30)	1,141,114

OUACHITA COUNTY

J. B. Johnston, Jr	55,082
W. A. & T. A. Calloway	54,161
J. A. Moore	49,315
T. B. Howard Farms, Inc	47,987
A. C. Ransom & Son	47,326
C. M. McMullen	40,633
Fred W. Huenefeldt	32,688
Shelby B. Lenard	32,087
Robert W. Willis	31,100
Emmit Lee	30,327
Frank Mardis	29,460
Glen Crossley	28,968
R. Z. Johnson	28,451
Kenneth Anderson	27,646
John H. Filhiol	27,578
George P. Smelser	25,898
T. A. Calloway	25,165
J. M. Pratt, Sr	25,157
J. T. Lee	24,984
Bruce F. Gregg	24,409
Wm. King Stubbs	23,323
M. L. Mason	22,175
Tom Pete Godwin	22,175
James H. Pender	21,086
Total payees in county (24)	777,181

POINTE COUPEE COUNTY

Alma Plantation, Ltd	42,391
Couvillion Bros	26,643
Richard Glynn	21,722
J. G. Beaud	21,542
Total payees in county (4)	112,298

RAPIDES COUNTY

Frank J. Dautremont	55,717
Inglewood Ld & Dev Co	50,111
Henry C. Boone, Jr	33,541
Greenwood Plantation	29,221
John H. Robert	28,815
Edward W. Lyles	28,124
Weil Company, Inc	26,890
Lucien A. Branch, Jr	25,421
Carpenter and Jackson	25,394
Charles F. Gaiennie	25,150
Louis A. Marien	25,114
R. M. C. Duncan	24,964
Woodrow W. Carter	24,118
M. E. Allen Farms	23,227
Ferdinand Vandevelde, Jr	23,204
Woodrow Dewitt	23,094
Harvey E. Harper	22,914
Witchwood Plantation	22,873
Richard C. Hargis	22,313
Roy A. James	21,021
James A. Cruikshank	20,225
Total payees in county (21)	581,451

RED RIVER COUNTY

Saline Lake Farms, Inc	55,729
R. C. Legrand	50,074
J. T. Bierden, Jr	46,035
F. I. Waltman	38,200
Larry Bundrick	30,213
Ed F. Lester, Jr	28,243
Paul Bundrick	25,366
Cleo G. Wood & Son	24,581
Burnell Webb	20,984
Creighton Webb	20,484
Total payees in county (10)	339,909

RICHLAND COUNTY

C. H. Travis, Jr	54,898
C. W. Pardue Estate	53,782
K. E. McDonald, Jr	44,073
Robertine R. Cobb	43,723
Goldmine Pit	42,347
Edward E. Holley	42,295
O. G. Morris	42,281
Geo. B. Franklin & Son, Inc	40,273
Pennzoil Producing, Inc	39,857
W. F. Finley, Jr	39,702
Dallas Thomason	39,648
Jane R. Oliver	39,605
Riverbend Farms, Inc	39,173
Hulen Allen	35,467
Charles D. Ware	34,110
C. L. Morris	32,350
Francis V. Jordan	31,866
J. F. Tarver	30,964
J. B. Ratcliff	29,454
C. W. Earles Estate	28,553
W. H. Hubbard	28,229
Earl Patrick	25,579
Bruce Busbice	25,502
James F. Parrish	25,179
Ralph Powell	25,002
Roy Weston	24,708
Guy C. Pardue	24,005
R. L. Bell and Sons	23,380
Charles A. Black	22,880
G. C. Hill, Jr	22,878
W. C. Cooper	22,586
N. E. Thames	22,228
Pat H. Earle	21,615
Claude Morgan	21,243
C. M. Noble, Jr	20,759
Donald Chapman	20,678
J. U. Douciere	20,209
W. W. Holley	20,153
Total payees in county (38)	1,201,234

ST. CHARLES COUNTY

Douglas J. Arabie	22,332
Total payees in county (1)	22,332

ST. JAMES COUNTY

Southdown Land Co	195,518
Graugnard Farms	50,060
Charles & O. J. Gravois	23,362
Schexnayder Farms	22,328
Uncle Sam Pltg. Co	21,504
Homeplace Pltg. Co	20,689
Jules A. Dornier & Co	20,336
Total payees in county (7)	353,797

ST. JOHN THE BAPTIST COUNTY

Caire & Graugnard	66,939
T. Lanaux Son	27,699
Terre Haute Plantation, Inc	20,167
Total payees in county (3)	114,805

ST. LANDRY COUNTY

J. A. Pickett	49,366
Nick D. Dubuisson	41,106
Hudspeth Bros	37,672
Deland Plantation, Inc	37,467
Stanley Doucet	29,586
Sam Yander	28,712
Louis Burleigh	26,168
K. H. and R. L. Gordon Plant, Inc	25,050
Richard Sanders	23,018
Melvin Soileau	22,996
Estate of Martile G. Cannatella	20,977
R. C. Lowrey	20,491
Deneyne Farms	20,452
Joseph A. Cannatella	20,143
Total payees in county (14)	403,204

ST. MARTIN COUNTY

Levert St. John, Inc	61,355
Willis Brothers	37,199
Regis LaGrange	22,043
Bernard Brothers	20,981
Total payees in county (4)	140,678

ST. MARY COUNTY

Harry L. Laws & Co., Inc	63,546
A. V. Allain & Sons, Inc	34,713
Patout Roane, Inc	34,415
Katy Plantation	31,919
Cypremort Farms, Inc	31,815
Sunrise Planting Corp	26,713
Shadyside Co., Ltd	25,674
The Maryland Co., Inc	23,133
Frank Martin Farms, Inc	22,909
P. J. Degravelles, Inc	20,927
Total payees in county (10)	315,764

TENSAS COUNTY

Panola Co	68,230
Frank Burnside	53,855
Wade Vinson, Jr	45,895
G. C. Goldman	45,771
Cypress Grove Pltn	38,786
Lake Bruin Development Corp	36,711
R. E. Lancaster, Jr	36,126
J. C. Crigler	30,184
Jim Huff	29,842
Russell Ratcliff	29,831
Mary T. Maier	28,811
John D. Trimble, Jr	28,811
Jean T. Turner	28,811
Bettie T. Mabray	28,811
H. C. Miller III	28,730
Virginia Wilkerson	28,251
J. R. Coor	27,636

Ricky Condrey	26, 897
R. L. Choat	26, 660
Louisiana Dutch Gardens, Inc	26, 632
W. B. McDonald	26, 360
E. R. McDonald, Jr	26, 360
E. R. McDonald, Sr	26, 360
Jack Day	25, 407
Lakeplace Pltn	23, 433
Monticello Plt Co	23, 417
Elk Ridge Pltn	22, 759
Osceola Pltn	22, 669
Ed Y. Berry	22, 237
George Bagley	22, 212
Mid Delta Land Co	21, 051
Clifford Pearce	20, 790
Fred M. Miller	20, 213
Total payees in county (33)	998, 549

TERREBONNE COUNTY

The South Coast Corp	315, 795
Prentice Oil & Gas Co	28, 865
Total payees in county (2)	344, 660

UNION COUNTY

E. R. Rogers	28, 974
Total payees in county (1)	28, 974

WEST BATON ROUGE COUNTY

Milliken & Farwell, Inc	77, 106
Poplar Grove Pltg/Ref Co	51, 297
Margaret Pltn	32, 697
Devall Co., Inc	25, 491
Total payees in county (4)	186, 591

WEST CARROLL COUNTY

Claude M. Crowe	55, 021
Larry Crowe	55, 021
Murray C. Crowe	51, 699
Eugene A. Harper	35, 157
Total payees in county (4)	196, 898

WEST FELICIANA COUNTY

Louisiana State Penitentiary	121, 914
Total payees in county (1)	121, 914
Total payees in State (533)	18, 072, 313

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Maryland

[Amounts in dollars]

CECIL COUNTY

Walter Drummond	36, 605
Spry Bros	26, 383
Total payees in county (2)	62, 988

KENT COUNTY

Edwin C. Fry	33, 084
Marion S. Townsend, Sr	21, 188
Owings and Sons Inc	20, 990
Total payees in county (3)	75, 262

MONTGOMERY COUNTY

E. Brooke Lee	21, 750
Total payees in county (1)	21, 750

QUEEN ANNES COUNTY

Hunt Ray Farms	29, 328
Walter Schmidt	23, 036
Total payees in country (2)	52, 364

TALBOT COUNTY

I. R. Swann	48, 341
J. O. Brooks	28, 557
M. E. Collins	27, 053
E. Boyd	20, 467
Total payees in county (4)	124, 418
Total payees in state (12)	336, 782

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Massachusetts

[Amounts in dollars]

MIDDLESEX COUNTY

Merrimack Vall Apiar, Inc	20, 895
Total payees in county (1)	20, 895
Total payees in State (1)	20, 895

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Michigan

[Amounts in dollars]

BERRIEN COUNTY

P. J. Walton	23, 813
Total payees in county (1)	23, 813

CASS COUNTY

Donald McKenzie	29, 774
Gerald Wright	24, 519
Totay payees in county (2)	54, 293

INGHAM COUNTY

Jerry Jorgenson	24, 766
Lyle Oesterle	24, 389
Total payees in county (2)	49, 155

JACKSON COUNTY

Calderone Curran Ranches	42, 181
Total payees in county (1)	42, 181

LENAWEE COUNTY

Schwyn Bros	27, 709
Kitty Kurtis Inc	24, 671
Richard Walters	24, 540
William Goetz	24, 350
George Vanhaerents	23, 715
Victor Knierim	23, 354
H H Driggs Dairy	20, 928
Total payees in county (7)	169, 267

MONROE COUNTY

Albert Heath	49, 424
Dusseau Farms & C Dusseau	24, 325
Paul Piehl	22, 628
Gerald Heath	22, 216
Albert Heath, Jr	22, 134
Total payees in county (5)	140, 727

OAKLAND COUNTY

Joseph Beckham	67, 577
Total payees in county (1)	67, 577

SAGINAW COUNTY

Frank Kunik Farms Inc	27, 090
Melvin Price	20, 206
Total payees in county (2)	47, 296

ST. JOSEPH COUNTY

Fairgrove Farms	20, 620
Total payees in county	20, 620
Total payees in State (22)	614, 929

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Minnesota

[Amounts in dollars]

BECKER COUNTY

Loren Jetvig	38, 780
Total payee in county (1)	38, 780

BIG STONE COUNTY

Lismore Stock Farm	30, 803
Vincent Stegner	20, 245
Total payees in county (2)	51, 048

BLUE EARTH COUNTY

Dale Duncanson	29, 499
Kenneth Hiniker	25, 956
Robert Kreuer	25, 653
Lowell Lindeland	22, 704
Total payees in county (4)	103, 812

BROWN COUNTY

Lester B. Krueger	31, 122
Ted Anderson	21, 910
Total payees in county (2)	53,032

CARVER COUNTY

Jonathan Serv. Inc	30, 331
Total payees in county (1)	30, 331

CHIPPEWA COUNTY

Wayne Schwitters	20, 387
Total payees in county (1)	20, 387

CLAY COUNTY

Valan Seed Farm Inc	47, 977
Paul Horn Farms, Inc	44, 819
Dullea Co., Inc	38, 754
Benedict Farms, Inc	34, 502
Warren Wear	29, 270
Russell Bekkerus	24, 146
Max Goldberg	24, 119
Ronald Offutt, Jr	23, 206
Harold Helmeke	23, 109
Robert C. Hastings	23, 006
Glyndon Farms, Inc	22, 072
Herman Lee	21, 972
Frank Thompson and Sons, Inc	21, 557
Walter Nyquist and Sons	21, 495
Wiedemann Farms, Inc	21, 039
Total payees in county (15)	421, 043

COTTONWOOD COUNTY

Ben J. Adrian	24, 889
Total payees in county (1)	24, 889

DODGE COUNTY

Owatonna Farms Co	29, 229
Welsh Co., Inc	28, 105
Walter E. Laue	20, 576
Total payees in county (3)	77, 910

FARIBAULT COUNTY

Thomas Legred and Sons	35, 931
Bailey Blair	33, 557
Duwayne Evenson	24, 071
Carlyle Hanson	22, 492
Henry C. Wessels	20, 243
Total payees in county (5)	136, 294

FILLMORE COUNTY

Harvey Merkel	26, 958
Rendahl Brothers	26, 678
Total payees in county(2)	53, 636

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Minnesota—Continued

[Amounts in dollars]

FREEBORN COUNTY	
R. Peter Louters	29,665
Norski Farms, Inc	28,604
Thomas OConnor	25,422
Homer Jensen	25,221
Lester Demmer	23,965
Carlyle Greibrok	20,825
Richard D. Stadheim	20,303
Roger Amundson	20,170
Hershel Smith	20,046
Total payees in county (9)	214,221
GOODHUE COUNTY	
Gerald F. Ryan	28,729
Total payees in county (1)	28,729
JACKSON COUNTY	
T. E. Barkeim	34,486
James Thompson	30,781
Hans Nielsen	28,860
D. Thompson E. S	25,089
Douglas Knabe	20,384
David W. Hansen	20,259
Total payees in county (6)	159,859
KANDIYOHI COUNTY	
Frank O. Christianson	24,574
Henry Preslicka, Jr	23,308
Haldon Schlegel	21,056
Harry Zimmer	20,635
Total payees in county (4)	89,573
KITTSON COUNTY	
John Bogestad	40,437
N. A. Bogestad Farms, Inc	36,982
Byron G. Hanson	35,617
Systems Operations, Corp	34,899
Gary Grundstrom	33,284
David Lundberg	31,630
Harvey Bloomquist	30,317
Wiese Bros. and Bahr Farms	29,006
Prairie Farms, Inc	27,902
Moris Webster	26,782
Archie Lundell Farms	25,705
P. J. L. Farms	22,073
Lindberg Farms	21,847
Philip W. Pearson	21,781
Glidden Farms	21,751
Larry Younggren	20,879
Kiene Farms	20,795
Furman Johnson	20,588
Total payees in county (18)	502,275
LE SUEUR COUNTY	
George Weaver	30,358
Le Center Alf Dehy	20,609
Total Payees in county (2)	50,967
LYON COUNTY	
Edward DeLanghe	31,885
Robert Schrunk	20,011
Total payees in county (2)	51,896
MAHNOMEN COUNTY	
Bursch Farms, Inc	21,065
Total payees in county (1)	21,065
MARSHALL COUNTY	
Vernon J. McFarland	56,929
Harry Howard	43,175
Art Howard	40,607
Kuznia Farms, Inc	34,481
Lynn Benson Farms	29,676
Earl Hvidsten	27,924
Medard R. Yutrzenka	25,829
Field Bros. Farms, Inc	22,955
Lee Selnes	22,244
Donovan C. Loeslie	21,865
Total payees in county (10)	325,685
MARTIN COUNTY	
Merwin Moore & Sons Ptnrshp	39,141
Robert W. Luedtke	33,061
Marlo Maschoff	32,960
Gary Miller	28,777
H. Boler Farms	27,483
James P. Scholl	27,328
Raymond Wolf	22,758
Merwin E. Thompson	22,385
Redenius Farms, Inc	22,083
Henry J. Schultz, Inc	20,468
Total payees in county (10)	276,444
M'LEOD COUNTY	
Francis Kasal	25,565
Total payees in county (1)	25,565
MEEKER COUNTY	
Dennis Ashwill	21,758
Total payees in county (1)	21,758
MOWER COUNTY	
Douglas Durst	21,586
Total payees in county (1)	21,586
NICOLLET COUNTY	
Wenner Bros	37,465
Donald Gardner	20,814
Total payees in county (2)	58,279
NOBLES COUNTY	
Ruth T. Catchcart	26,587
Total payees in county (1)	26,587
NORMAN COUNTY	
Harris Henderson	30,308
C. H. Underlee & Sons, A Part	29,895
Bertrand Borgen	28,717
Richard G. Ista	26,116
Silas Strand	25,175
Glenn E. Wiese	23,874
Donald Kroshus	22,743
Maurice Aronson	21,924
Raymond Arneson	21,744
Leroy Malme	20,530
Total payees in county (10)	251,026
OLMSTED COUNTY	
Penz Farms, Inc	20,860
Total payees in county (1)	20,860
REDWOOD COUNTY	
John H. Reque	45,605
Jerome J. Green	33,059
John Clair Larson	27,786
Eugene B. Hook	21,224
Total payees in county (4)	127,674
RENVILLE COUNTY	
George Rauenhorst	32,029
Frank Farms, Inc	30,856
Sather Bros	22,945
Virgil Mellies	22,063
Wilbur Standfuss	22,047
Miloyd Dolezal	21,964
Parks Dahlgren	21,872
Marvin Pape	21,686
David L. Johnson	20,213
Total payees in county (9)	215,675
STEVENS COUNTY	
Leonard Wulf	23,954
Total payees in county (1)	23,954
SWIFT COUNTY	
Minn Farms Co	38,752
Thomas Hughes	27,054
David Hughes	20,936
Total payees in county (3)	86,742
TRAVERSE COUNTY	
Felix Frisch & Sons, Inc	28,613
Fridgen Farms	23,098
Joseph B. Brink	21,771
Total payees in county (3)	73,482
WABASHA COUNTY	
Modern Trend Farm Co	25,403
Total payees in county (1)	25,403
WASECA COUNTY	
Waldorf Grain Co	38,157
Geo. W. Arneman	25,229
Wm. Schue, Jr	21,902
George Byron	21,766
Darroll Sponberg	20,693
Total payees in county (5)	127,747
WATONWAN COUNTY	
Tilney Farms	24,654
Gordon Kelly	23,589
Clifford J. Wolle	20,774
Total payees in county (3)	69,017
WEST POLK COUNTY	
Keith & Raymond Driscoll	58,927
Armin Ross and Son	38,629
Vernon Hagen	35,246
James and Joe Fanfulik	34,473
Anderson Farms	33,707
Rodney and Francis Spokely	31,459
Useldinger Brothers	30,799
Duwayne Engelstad	28,527
Gary Pulkrabek	28,527
Brekke Brothers	27,526
Dale and Harvey Pulkrabek	27,380
Eggebraaten Farms	27,246
Harvey Boucher	26,652
Lind Brothers	25,892
Angus Acres, Inc	25,633
Wentzel Brothers	25,079
Lyle Abrams	22,855
Jerome B. and Rolland Hamre	22,076
Jess and Louis Andringa	21,721
Wavra Bros	21,238
Reitmeier Brothers	21,154
Thomas and Gordon Torgerson	20,562
Leonard Driscoll & Son	20,426
Alvin E. Wagner	20,357
Allan Dragseth	20,283
Mack Farms, Inc	20,145
Lloyd J. Kasprick	20,043
Total payees in county (27)	736,562
WILKIN COUNTY	
James J. Walton	71,295
Ivan Miller	60,611
David Miller	49,052
Donald Yaggie	30,733
Robert Bunkowske	26,324
Wallace Nord	23,640
Richard Kruse	20,256
Total payees in county (7)	281,911
YELLOW MEDICINE COUNTY	
Otto S. Johnson	22,157
Oak Farms Inc	20,466
Total payees in county (2)	42,623
Total payees in State (182)	4,968,327

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Mississippi

[Amounts in dollars]

ADAMS COUNTY

Kenneth Isbell	58, 773
Harry Isbell	23, 183
Total payees in county (2)	81, 956

ALCORN COUNTY

J. E. Marsh	25, 070
Total payees in county (1)	25, 070

ATTALA COUNTY

Arnold C. Lowe	57, 909
Charles Donald	44, 484
Horace G. McMillan	43, 972
Maurice Crowder	32, 234
H. S. Smithson, Jr	29, 144
H. S. Smithson, Jr	27, 406
Alvin McCrory	26, 911
Gideon W. Atwood	25, 263
Willie B. McCrory	24, 793
Total payees in county (9)	312, 116

BENTON COUNTY

J. W. Smith	29, 822
Wyatt Thomas	25, 401
Leak Brothers	24, 671
C. F. Bryan	21, 615
Clark Skelton	20, 897
Total payees in county (5)	122. 406

BOLIVAR COUNTY

Allen Gray Estate	106, 471
Delta and Pine Land Co	67, 795
Denton Mfg. Co., Inc	59, 313
J. A. Howarth, Jr	58, 375
R. C. Malone	57, 036
A. & B. Farms, Inc	56, 803
Clear Lake Farms, Inc	55, 829
Huddleston Farms, Inc	55, 818
L. & R. Plantation, Inc	55, 377
E. J. Conn	55, 172
Ralph R. Ray	55, 000
H. H. Lawler	55, 000
Dossett Planting Co., Inc	54, 997
Charles Speakes	54, 893
Carr Planting Co	54, 826
James House	54, 601
Alfred Butler	54, 488
Rex Morgan	54, 347
Noel Morgan	54, 342
Duke Morgan	54, 336
Roger Hall	54, 273
T. E. Pemble Farms, Inc	53, 905
Andrew R. Carr Trustee	53, 740
Sunrise Dairy	53, 552
Zumbro Planting Co	52, 756
S. D. Long	52, 458
Pleasant and Co	51, 926
Hard Scramble Plantation	51, 872
Bostick Brothers	51, 746
H. B. Hood	51, 308
Gourlay Farms, Inc	51, 254
Charles A. Russell	51, 205
Charles J. Wilson	51, 194
Rainbow Plantation, Inc	50, 885
H. J. Dattel	50, 758
Shelby Farms	50, 738
Charles Evans	50, 566
McMurchy Farms	50, 561
M. L. Turpin, Jr	50, 296
Jimmie G. Skelton	50, 125
J. P. Skelton	50, 125
Scott Warfield	49, 911
Allen E. Warfield	49, 911
Rudolph Massey	48, 991
W. J. Sumrall	48, 973
B. E. McDearman, Jr	48, 746
Paul Jones	48, 252
David E. Wilson	47, 040
W. F. and W. H. Hardin	46, 910
James House, Jr	46, 769
George B. Noland	46, 091
F. R. Armstrong	46, 005
A. D. Murphree, Jr	45, 496
Gerald D. Denton	45, 258
G. P. Short	44, 642
Curtis E. Presley, Jr	44, 143
E. F. Findley	43, 782
James L. Maxwell	43, 347
W. A. Welshans	43, 291
J. R. Parkinson	43, 256
Don Robertson	42, 951
E. M. Walton	42, 801
James B. McGowan	42, 771
M. A. Bell	42, 744
D. Truitt Jones	41, 436
Earl E. Jones	41, 436
J. B. Lowe	40, 436
Myles Looney	39, 982
J. K. Walker	39, 972
Lewis Barksdale, Jr	39, 893
Tony Antici	39, 644
L. E. Murphy	39, 200
W. E. Pentecost, Jr	39, 078
Harry Featherston	38, 878
J. E. Williams	38, 504
D. A. Williams	38, 504
H. H. Harrison	38, 369
J. W. Reynolds	37, 933
Elmer Prewitt	37, 788
Riverland Plantation, Inc	37, 452
R. P. Herbison	37, 223
Milton E. Jefcoat	36, 564
Tommy W. Jefcoat	36, 564
Jerry C. Jefcoat	36, 564
Ruth B. Jefcoat	36, 564
Max Dilworth	36, 243
Ralph Leon Thompson	35, 980
Parks Place, Inc	35, 791
Charles Hicks	35, 716
Terry D. Russell	35, 586
Austin Hester	35, 314
Bedwell and Evans	34, 913
C. R. Ingram	34, 693
C. T. Stanford	34, 439
F. H. Nance	34, 229
M. & D. Planting Co., Inc	34, 204
H. R. Childress	33, 904
Bizzell Farms	33, 621
J. P. Riley & Son	33, 568
Virgie P. Hiter	33, 188
Henry P. Hiter	33, 188
Kenneth Hood	33, 184
Cedar Ridge Dairy, Inc	32, 960
H. E. McCaslin	32, 818
Clayton Holder	32, 751
A. J. Cowart	32, 281
W. S. Adams	32, 239
B. H. Bass, Jr	32, 145
W. L. McCool	32, 086
Alex Belenchia	31, 643
Wallace Wooten	31, 375
Jim Goodman	31, 369
W. T. Tullos III	30, 474
Norman Brown	29, 871
G. A. Hood	29, 816
The Wolfe Co	29, 694
Bolivar Farms	29, 642
Pete Bramuchi	29, 328
J. A. Harris	29, 261
Perry L. McCool	29, 156
Game Inc	29, 059
Mary Wilkinson McKenzie	29, 050
W. M. Payne	28, 946
M. L. Payne	28, 941
J. H. Avritt, Jr	28, 878
Leroy McKee	28, 824
W. F. Ervin	28, 764
G. W. Litton	28, 749
Darion Franks	28, 747
J. R. Taylor	28, 725
Gee Ferretti	28, 520
C. D. Long	28, 019
Hugh Swindoll	27, 826
Dossett Plantation, Inc	27, 737
Garnett K. Scott	26, 784
W. H. Howarth	26, 754
A. D. Murphree, Sr	26, 748
Albert Day	26, 570
Hubert Gant	26, 502
Ray W. Thornton	26, 458
Dalton Taylor	26, 166
Ruth W. Bobo	26, 111
Eleanor B. Walters	26, 104
Mary Adele Walters	26, 104
Henry Satterfield	25, 757
Charles W. Jones	25, 531
Elm Farms, Inc	25, 468
F. B. Aylward	25, 416
J. F. Riddle	25, 414
I. C. Rayner, Jr	24, 750
R. L. Robertson	24, 557
J. R. Snyder	24, 538
Patterson Planting Co	24, 526
John W. Comfort	24, 432
Melio Sandroni	24, 333
Raymond Sandroni	24, 333
John Duraj	24, 295
Delbert Farmer	24, 218
A. C. Wiggins	24, 184
W. H. Frederick	24, 009
John F. Watts	23, 801
W. E. Adams	23, 512
Triumph Farms	23, 508
J. E. Deford	22, 878
Lyle Dilworth Farms	22, 652
H. L. Dilworth	22, 652
Jimmie Pierce	22, 592
Lamar Stanford	22, 576
J. R. Turner	21, 851
Sue Rayner Trust	21, 810
Albert Rocconi	21, 360
C. E. Williams	21, 271
Lawrence Gibson	21, 260
Murphee Farms, Inc	21, 232
Joe Aguzzi	21, 137
Victor J. Aguzzi	21, 137
H. A. Hood	21, 104
William Peacock	20, 921
W. P. Skelton	20, 881
Dr. D. Tuminello	20, 822
John Glorioso	20, 822
C. C. Horton	20, 728
J. R. Dodson	20, 404
Carolyn Rayner Trust	20, 321
Boyce Tiser	20, 294
Total payees in county (185)	6, 873, 170

CALHOUN COUNTY

Carter Edmondson	59, 387
C. G. Steele	51, 167
Harold Hamilton	45, 237
Joe Gregg	25, 415
H. L. Hardin	25, 196
Grady Easley	22, 888
W. A. Jennings	21, 164
Total payees in county (7)	250, 454

CARROLL COUNTY

W. J. Hobgood	55, 121
J. E. Hobgood	53, 954
Oklahoma Farms	44, 943
H. F. Williams	39, 378
Robert D. Miller	37, 695
Ralph Redditt	36, 989
Hugh Ferguson	31, 992
R. C. Colvin	28, 011
M. B. Whitten	27, 490
A. J. Wilson	26, 276
John C. Calhoun	25, 579
Harry F. Williams, Jr	24, 649
J. W. Stinson Estate	23, 465
Robert C. Oliver	23, 321
Arnold & Long	23, 222
Roy Meeks	22, 960
W. E. Taylor and Son	21, 313
Total payeess in county (17)	546, 358

CHICKASAW COUNTY

W. J. Linn	57, 086
David W. Coleman	55, 280
Kenneth Coleman	54, 994
R. W. Coleman	54, 994
J. O. Demoville	46, 458
Preston Sullivan	42, 077
Larry Carter	24, 986

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Mississippi—Continued

[Amounts in dollars]

CHICKASAW COUNTY—continued

J. T. Brand	24,774
W. C. Carnathan	20,182
Total payees in county (9)	380,831

CHOCTAW COUNTY

Rex Swindle	35,062
James L. Green	32,978
Total payees in county (2)	68,040

CLAIBORNE COUNTY

James Beesley	44,669
Barland Brothers	35,332
Jim S. Middleton	32,553
Scott O. Galbreath	30,045
E. A. Porter	26,341
Total payees in county (5)	168,940

CLAY COUNTY

J. T. Brand	37,309
J. S. Brand	20,078
Total payees in county (2)	57,387

COAHOMA COUNTY

Stribling Pltg Co Inc	99,795
J. F. Humber, Jr	58,229
J. B. McKee Estate	58,010
Oakhurst Company	57,856
John B. McKee, Jr	57,039
Margaret Mckee	57,039
F. B. McKee Estate	56,986
Fant Brothers	56,968
Carr Children's Trust	56,530
J. B. Laney Farms, Inc	56,429
J. T. Longino, Jr	56,417
Graydon Flowers, Jr	56,396
Harry Flowers	56,389
R. B. Flowers	56,389
Kirk Haynes	56,385
Sigmon Planting Co	56,382
Taylor Flowers	56,366
McKee Farms, Inc	56,330
King & Anderson Inc	56,259
C. B. D. Inc	56,103
R. W. Jones & Sons, Inc	56,083
Carr Mascot Plantation, Inc	55,996
Preston P. Bennett	55,880
Alcorn Russell, Sr	55,812
Eaglenest Pltg., Co	55,683
J. L. Stribling, Jr	55,669
Indian Bend Pltg., Co	55,487
E. E. Lacy	55,404
B. B. Smith	55,373
W. L. McKee	55,334
Oscar Connell	55,270
E. F. Massey Corp	55,088
Rocco G. Morris	55,086
J. W. Henderson	55,000
James W. Henderson, Jr	55,000
R. M. Aust	54,872
Young Farms, Inc	54,821
R. L. Perryman	54,803
Roy Flowers	54,711
T. M. Luster	54,412
King & Anderson Ent	54,383
T. S. Hayes, Jr	54,120
Weeks Plantation, Inc	52,960
Eugene C. Allen	51,574
H. B. Heidelberg	51,574
J. T. Longino III	51,448
Dulaney Farms, Inc	51,414
H. M. Haney Estate	51,395
William P. Howell	51,154
W. M. Stone, Sr	51,002
Roundaway Planting Company	50,178
Nordel, Inc	50,163
Levingston & Sack, Inc	50,163
David B. Mullens	50,120
W. K. Anderson, Jr	49,930
C. M. Allen	49,925
Parolli Farms, Inc	49,634
Weakley Brahan	49,486
Leon C. Bramlett	49,483
Jennie W. Haynes	48,977
Allen C. Evans	48,113
Robert A. Boyce	47,591
Gayle Farms, Inc	47,399
Massey Farms, Inc	46,949
J. T. Massey, Jr	46,945
Rives & Brewer	46,809
G. McWilliams Farms, Inc	46,546
Lytle McKee, Inc	46,284
Joe Garrison Farms	45,672
Allen Farms, Inc	45,625
J. H. Sherard, Inc	45,283
John T. Hays & Son	45,133
James Spaggiari	45,045
W. T. Salmon	45,027
Wilbur Welch	44,847
Bobbette Kline	44,709
Reva K. Marcus	44,709
Beverly S. Pettey	44,586
Michael W. Curtis	44,333
J. H. Pruett	44,322
Sammie D. Hamblin	44,321
Pauline K. Sack Est	44,143
Noel D. Ogley	43,355
M. J. Commer	42,462
Graham Bramlett	41,985
Bucklake Pltg. Co	41,909
Robert G. Johnson	41,592
Edwin J. Mullens	41,549
W. C. Luckett Farms	41,152
Floy J. Haney	41,091
M. C. Stovall, Inc	41.062
H. H. Twiford	40,915
Louise M. Heaton	40,824
R. N. McWilliams	40,304
L. B. Shipp	40,183
W. S. Heaton, Jr	39,639
Van Meek, Jr	39,626
James A. Russell, Jr	39,166
Richard Russell	39,134
Lucille & C. W. Fyfe, Jr	39,077
Champion Farms, Inc	39,038
Frank Aderholdt	38,996
A. L. Brady	37,312
Dan Crumpton, Jr	37,109
Andrew J. Donelson	37,071
Elizabeth Garrett	36,973
W. H. Garrett, Jr	36,973
Eva Mae Crumpton	36,931
H. D. R. Corporation	36,805
F. R. Ashley	36,635
Reno Borgognoni	36,404
George Black	36,258
John P. Pelegrin	35,967
Heaton Pltg Company	35,543
W. H. Maynard, Jr	35,510
Horace Ritch	34,732
W. H. Allen	34,732
L. T. Payne	34,261
Kent Haney	33,809
L. S. Powell Estate, Inc	33,773
Charles Monty, Jr	33,578
Joe & Richard Noe	33,106
Graydon Flowers	32,994
Belmont, Inc	32,712
R. B. Lyon	32,468
Mattie B. Boone	32,406
H. A. Greene	31,861
Carson Pelegrin	31,741
E. V. Catoe, Jr	31,450
Monty Planting Co., Inc	31,255
Travis H. Taylor, Jr	30,978
John W. Nance, Jr. Est	30,538
Vito Sbravati	30,457
John J. Mohead	30,328
William H. Mohead	30,319
James E. Mohead	30,319
Marlon Farms	29,809
John F. Rodgers	29,644
H. J. McMillian	29,457
T. R. Rodgers	29,437
Billy Campbell	29,090
Harry S. Anderson	28,936
Tankie B. Connell	28,829
William C. Connell	28,829
Tony Morris	28,570
Waterloo Planting Co	28,560
Wheeler Graham	28,131
Fyfe Brothers	27,759
Montgomery Farms	27,287
Howard Smith	27,034
Lake Roberson, Jr	26,642
Phillip Tavoleti	26,521
Dominic Tavoleti	26,521
Anthony Tavoleti	26,521
Mary Tavoleti	26,521
Johnny Tavoleti	26,521
J. W. Gray, Jr	26,169
Lent A. Ross, III	26,160
Mike Antici	26,068
Bradford Parker, Jr	25,869
W. H. Rainey	25,787
Butler Planting Co., Inc	25,599
T. O. Fulton	25,300
River Ben Pltn., Inc	24,879
Bobby Goss	24,442
John H. Garmon, Jr	23,722
Malavassi Farms	23,721
Rickie Meredith	23,645
W. E. Meredith	23,645
Tommy Sanders	23,544
Nell Smith	23,482
Lawrence Malone	23,160
Manker Pltg. Co., Inc	22,921
Henry Cobb, Jr	22,455
Paul Clark, Inc	22,444
Panther Lake Pltn., Inc	22,328
Robert Louis Demilio	22,172
Harold Simmons	22,136
Johnny Keesee	22,136
Murry Stone, Jr	21,860
Fred Zepponi, Jr	21,706
Jim Smith	21,674
Coleman Allen, Jr	21,394
Elizabeth Bramlett	21,206
Robert Agostinelli	20,206
Peter Agostinelli, Jr	20,206
Bessie May Bobo	20,067
Total payees in county (187)	7,554,648

COPIAH COUNTY

W. S. Reed	40,799
West Farms, Inc	32,821
Allen Hood	26,016
C. E. Strong	25,878
Total payees in county (4)	125,514

DE SOTO COUNTY

N. B. Hunt	69,154
Trace O Land Plantation	59,402
Herman Koehler	58,206
Warren W. Sullivan	58,119
Robert I. Abbay	57,439
S. M. Blythe	56,640
J. S. Dollahite	56,378
E. M. Upchurch	55,890
Swindoll Farms, Inc	54,818
Tom R. Clifton	51,790
Richard Hussey	46,469
William Gerber	46,601
Minor B. Lewis	46,601
Dudley Bridgforth	45,649
Milton W. Jones	43,754
Carthel Todd	41,889
Willie Abbay Howard	41,676
Robert P. Sayle	41,676
John Graves	40,260
R. M. Treadway	35,035
Readus Hudson	34,398
George B. Banks	34,032
Camilla, Inc	33,362
J. R. Summers	31,504
H. H. Hawks	31,110
Walton Scott	29,059
M. C. Sparks	28,597
Clarence Sparks	28,305
William L. Reid, Jr	28,068
Pat Jack Farms	26,223
S. D. Williams	25,843
Otto Koehler	24,545
Lewis B. Marrow	23,308
Minor M. Lebland	23,308
Harbison & Harris	23,033
H. P. Cooper	22,493
Gerald M. Treadway	21,628

J. H. Miller	20,942
D. F. Wilson	20,765
Total payees in county (39)	1,520,969

FORREST COUNTY

W. E. Plant	22,714
Total payees in county (1)	22,714

GRENADA COUNTY

T. E. Guest	45,145
Hiram E. Davis	31,633
John M. Little	30,711
Paul L. Gray	28,267
Reginald E. Forrest	23,317
Earl L. Gillon	20,413
Alex Smith	20,175
R. E. White	20,132
Jessee A. Strider	20,063
Total payees in county (9)	239,856

HINDS COUNTY

Gaddis Farms, Inc	75,202
Gilkens Farms, Inc	65,768
C. C. Floyd	61,557
B. H. Virden, Jr	61,467
J. A. Tucker, Jr	57,166
Gaddis & McLaurin, Inc	51,108
J. S., Sr., J. S., Jr. & R. C. Mellon	47,488
Robert Mashburn	44,868
R. & B. Land Co	44,246
John Gill	40,812
Tom Virden	39,364
C. D. Noble	35,084
Jimmy R. Mason	32,771
R. E. Floyd	31,420
Ward Carraway	31,391
J. P. Stubbs	28,402
Ray R. Cannada	25,930
Harold Simmons	25,577
O. R. Harris	24,566
Charles G. Floyd	24,324
J. B. White	22,051
Jack W. Lilley	20,670
Total payees in county (22)	891,232

HOLMES COUNTY

W. J. Watts	63,368
Stonewall Planting Company	58,053
E. W. Hooker	57,380
Wayne Watkins	56,858
Paul Wilson	55,851
J. T. Thomas, III	55,810
Pluto Planting Company	55,741
J. T. Thomas, Sr	55,135
J. E. Cunningham	55,000
A. B. Archer, Jr	54,028
Bardin Reddett	53,775
Louie B. Nichols	53,234
H. L. Nichols, Jr	53,234
R. L. Peaster Company	53,071
R. T. Hardeman	52,761
Donald Parrish	51,665
J. A. Killebrew	51,133
J. E. Mathias	50,659
Byron B. Sharpe	50,297
Jimmy Love	50,010
J. P. Love	50,010
Shotwell Plantation Inc	49,131
Charley Wade	45,976
Jerry W. Wilson	42,343
E. I. Harris	41,559
George D. Wynn	40,150
Gum Grove Planting Co	39,548
J. E. Cunningham, Jr	39,399
Frank A. Jones	37,233
Bonanza Plantation	33,609
Dale Pillow	30,156
H. F. Flemming	29,552
M. K. Shute & George Shute	29,473
T. C. Watkins	29,331
D. C. Conn	28,792
Paul F. McCain	28,484
D. S. Shuttleworth	27,834
C. R. Logan, Jr	27,590
J. A. Barrett	26,142
Frank Gwin, Jr	25,887
E. E. O'Reilly	25,318
J. R. Peaster III	25,146
Margaret Peaster	25,139
Thomas G. Peaster	25,139
C. V. Maxwell and Son	24,226
D. C. Scott	23,601
James F. Jacks	23,425
J. E. Hays	23,259
J. T. Cohea	22,708
James Killebrew	22,620
Kenneth Parrish	21,824
H. M. Brock	21,224
N. B. Parrish	20,979
Glenn M. Brock	20,120
W. J. Waits, Jr	20,076
H. O. Edwards	20,041
Total payees in county (56)	2,154,107

HUMPHREYS COUNTY

A. B. Jones, Jr	60,532
Spencer H. Barret	59,210
B. A. Holaday Co	57,191
Cotton Delta, Inc	55,296
S. U. Smith	55,267
Samuel U. Smith, Jr	55,257
B. W. Smith, Jr	55,257
C. B. Aycock, Jr	55,186
Wm. L. Dillard	54,976
R. D. Hines, Inc	54,904
D. J. Turner, III	54,467
E. L. Parker	53,955
T. M. Simmons, Jr	52,605
R. D. Bearden	52,073
Richard D. Bearden, Jr	52,070
D. W. King	51,472
B. A. Seward	50,710
Stoner Farms	50,626
E. L. Nerren	50,289
O. B. Nerren	50,289
J. M. Beaden	47,511
B. A. Planting Co	47,167
Homer Martin, Jr	46,673
Jones Planting Co	46,244
B. J. Barrier, III	46,241
Edwards Farms	46,135
J. A. Bridgers, Jr	45,418
D. G. Rutledge	44,075
Arthur Paul Roberts	43,931
S. R. Pinson	43,016
T. N. Turner Farms, Inc	42,707
Wesley W. Hester	41,692
James R. Walker, Jr	39,915
Auvergne Williams	38,635
W. D. Roberts	38,230
O. M. Parker, Jr	37,852
Gladstone B. Mortimer	36,276
G. H. Hairston, Jr	36,097
Powell Farms	36,029
Randolph Martin	35,371
T. E. Fouche	35,357
Mildred H. Reed	35,071
T. L. Reed, III	35,071
Agnes D. Reed	35,071
Maurice T. Reed, Jr	35,071
Curtis F. Johnson	35,022
Jack Reed	34,896
Rokeby Plantation	34,768
G. H. Hairston & Son	34,357
Bill H. Rodgers	32,892
M. D. Rodgers	32,892
Denon Braswell	32,723
Crawford Bros	32,201
James S. Reed	31,914
J. D. Upshaw	31,644
S. W. Gardner	31,398
Hollowell Bros	31,054
Robert Millwood	30,797
Byrdie J. Faulkner	30,747
W. T. Turner	30,064
James G. Outlaw	30,002
L. G. Shelton	29,661
Lone Star Pltn. Inc	29,337
W. A. Pearson	26,869
Bill Sears	25,722
John H. Daniels, Jr	25,641
R. P. Ellis	24,282
Gerald Martin	23,892
R. Y. Wright	23,598
Irby Turner	23,404
Del P. Lott, Jr	23,404
Edward L. Nerren, Jr	23,125
Nettie B. Williams	22,827
Fred Champion	22,133
R. P. Hairston	21,879
W. E. Fuller	21,616
W. A. McMorrough	21,377
Carolyn R. Stevens	20,229
Tom Hill & Sons	20,136
Total payees in county (79)	3,042,991

ISSAQUENA COUNTY

W. T. Touchberry	62,195
Wendell H. Johnson	59,365
Jeryl T. Johnson	58,504
Rudy Plt	56,559
W. I. Robertson	56,386
H. Marshall Herman, Jr	56,126
Harper R. Myres	56,126
Wayne Norton	54,558
Glenn Poole	53,905
James T. Mabus	44,719
James T. Mabus, Jr	44,719
W. C. Woodruff	40,838
Marcus S. Sharpe	33,996
Odus J. Sharpe, Jr	33,996
Ferrel Heigle	31,978
Esperenza Plt	30,151
W. W. Heigle	28,850
W. W. Heigle, Jr	28,829
W. E. Fleeman, Jr	26,985
O. J. Sharpe	26,966
Charles Leon Delaney	25,778
Florence A. Fleming	25,264
L. T. Wade	22,586
Total payees in county (23)	959,379

ITAWAMBA COUNTY

Leon Pounders	23,054
Total payees in county (1)	23,054

JONES COUNTY

Don W. McQueen	24,831
Total payees in county (1)	24,831

LAFAYETTE COUNTY

James S. Downs	43,841
J. T. Smith	37,767
Walker E. Downs	28,590
D. H. Surrette	26,068
Donald A. Waller	23,042
Raymond H. Varner	20,068
Total payees in county (6)	179,376

LEAKE COUNTY

Joseph W. Langford	40,576
Glen Allen	29,469
John H. Evans	28,818
Preston Stewart, Jr	21,972
Jimmie D. Arthur	20,771
James W. Grimes	20,593
Total payees in county (6)	162,199

LEE COUNTY

H. R. Morgan	34,936
H. M. Scruggs	30,496
Earl N. Loftin	25,766
J. L. Bright	25,531
Joe Bucy	22,127
W. T. Robison	22,004
Albert Ethridge	21,890
Steve Scruggs	21,803
Total payees in county (8)	204,563

LEFLORE COUNTY

Race Track Plantation	61,395
L. W. Wade Farms, Inc	59,518
J. Wayne Bush	58,056

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Mississippi—Continued

[Amounts in dollars]

LEFLORE COUNTY—continued

Sturdivant & Bishop	57,727
D. E. Reynolds, Jr	57,293
M. C. Tillman	57,265
Henry G. Clements	57,088
W. P. Brown, Jr	56,757
W. P. Brown, III	56,665
Lake Henry Pltn	56,354
W. J. Roberson	56,286
Julius E. Howard	55,966
Fred R. Metcalfe	55,887
Whittington Planting Co, Inc	55,786
Kimble Makamson	55,337
Joe W. Smith	55,330
Donald W. McShan	55,196
C. R. Benz	55,196
John Standifer	54,934
A. Mcc Kimbrough, III	54,824
Tupelo Pltn	54,780
R. C. Shaw	54,212
John D. Ashcraft, Jr	54,212
Robert M. Morton	53,739
Dale Barham Bratton	53,737
Kenneth Creswell	53,189
Ed Hunter Steele	52,901
Joseph S. King	51,936
Albert R. King	51,936
B. G. McGeary	51,895
Elizabeth N. Barham	51,179
W. L. Craig	50,899
W. D. Simmons	48,469
J. P. Cole, Jr	48,397
MBG Farms, Inc	47,137
Wingfield B. Jones	46,852
Caralisa B. Pollard	46,848
Lakeview Pltn	46,488
BCS Corporation	46,398
Mallory C. Davis, Sr	46,133
Wilford R. Webb	46,118
Hayward Jacks	45,930
F. J. Poindexter	45,435
Lamar Makamson	45,383
Derwood Strain	45,212
Aven Whittington	45,029
Mary W. Davenport	45,015
W. M. Whittington	45,015
Ed Jones Bledsoe	44,800
Kathryn B. Pond	44,800
James Morgan, Jr	44,495
Walter Pillow, III	44,196
Robert L. Pillow	43,999
D. C. Branham, Jr	43,858
James R. Kent	43,546
F. R. Morgan, Jr	42,482
W. G. Somerville	42,320
Cecil M. Boland	41,872
E. D. Strain, Jr	41,472
Hugh A. Warren, III	41,149
W. D. Bradford	40,987
J. C. Coker	40,850
Elizabeth G. Saunders	40,484
Sam Balkin Trust Estate	40,408
Hunter Chitton and Co., Inc	40,340
Rex Makamson	39,429
Loyce Makamson	38,214
Jeff L. Cole, Sr	38,167
F. T. Leavell	37,858
Fort Loring Plantation	37,698
Walter Walt	37,212
T. J. Carter	37,009
Jack Shaw Farms, Inc	36,941
Rufus Wier	36,941
Ray Tribble	36,838
Shoe String Pltn., Inc	36,488
Carrie P. Avent & Jones	36,041
R. T. Wade	35,837
F. L. Whittington	35,577
A. V. Leavell	35,577
T. J. Corley	35,570
Tom J. Gary	34,024
Jane G. Coleman	34,007
Rebecca Gary	34,007
Margaret S. Gary	34,007
Memrie G. Wells	34,007
C. L. Patridge	32,976
L. E. Rowland	32,895
H. B. Hawkins	32,661
Jesse Stockton	32,458
W. R. Gee	32,458
T. U. Black, Jr	31,889
Mickey L. Black	31,889
W. H. Morgan, Jr	31,781
W. H. Morgan	31,781
Frank H. Coleman	31,495
H. C. Pleasants	30,392
Timothy Thimmes	29,867
Kathryn Ryan	29,867
August Lape	29,386
James Stowers	29,120
Reese Makamson	28,962
John Ellis Williams, Jr	28,796
E. B. Smith, Jr	28,516
N. W. Carver, Jr	28,278
Lenora M. Fraiser	27,886
H. Y. Fraiser, Jr	27,886
James D. Green	27,525
R. C. Colvin	27,167
Gerald P. Conway	26,886
Leo Murphree	26,526
Jack Massey	26,339
Harry Ray Tribble	25,225
David R. Gillon	25,003
Rufus P. Stainback	25,003
T. R. Hodges	25,003
Homer T. Vining	25,003
W. H. Gillon, Jr	25,003
Clifton Bishop	24,737
W. C. Haynes	24,654
Watson Pillow	24,629
A. D. Meredith	24,465
Cumberland & Gary	24,401
Don Corley	24,356
Lakeland Farms, Inc	23,268
P. M. Kimbrough	22,931
Charles B. Chatham	22,014
E. L. Gilliland	21,694
C. J. Hammond	21,210
John Bariola	20,247
Cottonland Pltn, Inc	20,239
Total payees in county (131)	5,215,608

LINCOLN COUNTY

C. C. Clark	20,502
Total payees in county (1)	20,502

LOWNDES COUNTY

Stover Apiaries	457,018
J. A. Hanson	49,071
Gilmer Plantation	43,710
James C. Richards	41,697
Virgil Hanson	36,896
Saunders B. Carson	29,922
E. L Robinson	29,556
Gene D. Holliman	29,317
A. B. Hanson	25,925
B. E. Aldridge	24,474
L. C. Underwood	24,097
Charles E. Betts	23,704
Harold Blalock	21,694
Tommy Spruill	21,495
Total payees in county (14)	858,576

MADISON COUNTY

P. W. Bozeman	65,973
Dudley R. Bozeman	58,447
M. S. Cox, Jr	57,212
James A. Cook	56,744
Ben H. Stribling	56,439
Bob W. Rankin	56,048
J. D. Rankin	55,565
Mona G. Wells	55,467
Billy McMullen	51,362
Charles E. Campbell	49,207
E. K. Bardin	45,624
Charlie Williams	43,220
A. B. & W. Mansell	42,408
Sim C. Dulaney	42,197
J. S. Harris, Jr	41,213
Charles F. Riddell	39,727
A. W. Sr.. Jr. & M. W. Hardy	37,311
E. D. Mansell	37,123
H. P. Watson, Jr	36,996
Julius Edgar	36,546
J. R. Tate	36,433
Moody D. Kennedy, Jr	36,186
Waymon Sowell	36,078
Donald J. Powell	34,757
W. S. Patrick	33,977
William L. Moore	31,836
G. H. Moore, Jr	31,836
Henry M. Waldrop	29,133
L. A. Penn, Jr	28,777
Robert L. Endris	28,285
L. A. Millsaps, Jr	27,684
Billy Ray Stribling	24,735
Carl P. Murphy	23,611
C. H. Galloway, Sr	22,774
Roy E. Tate	22,580
F. C. Tyner	21,727
Arizona T. Dulaney	20,967
Gordon Hart	20,779
Clyde B. Edwards	20,110
Total payees in county (39)	1,497,094

MARSHALL COUNTY

J. M. Ash	62,921
L. E. Devore	49,538
Johnny Taylor	48,079
Charles McClatchy	43,958
Jack McClatchy	43,958
J. W. Cocke	41,734
Jobe Whaley	39,217
John L. Loftin	38,095
C. B. Robinson	36,010
Everett Edlin	34,775
William S. Payne	34,729
Hugh McClatchy	34,594
Chester Hurdle	34,104
C. S. Hurdle	31,699
Raymond Patrick	31,596
Walter Allen	28,509
Edgar Lee Bolden	27,808
Russell G. Houston	27,635
Egbert Jones	26,411
John R. McDermott	26,318
Hargis Hurdle	26,285
Wayne Briscoe	24,368
Tommy Woods	23,303
Tom C. Lacey	23,246
Janie C. Hurdle	22,855
Ida M. Edlin, Exec. A. Eldin Est	22,798
Treadwell & Sammons	21,578
Jesse B. Boswell	20,682
Guy K. Shaw	20,308
Wallace Briscoe	20,300
J. P. Woods	20,041
Total payees in county (31)	987,452

MONROE COUNTY

Sid T. Sanders	55,412
Frank R. Millender	46,501
Richard S. Cole	43,247
Thomas E. Millender	38,167
Roy Tucker	35,031
Fred Bell	32,464
Fay Nevins	31,308
Riley Dabbs	29,589
Dennis R. Self	28,215
Charles Boyd	28,206
Carlos A. Thompson	26,590
Lee H. Harrington	25.333
Delmer Holloway	22,741
M. V. Burks	22,730
W. B. Watkins	21,607
Charles R. Sanders	20,208
Edward West	20,120
Total payees in county (17)	527,469

MONTGOMERY COUNTY

Sidney Branch	27,370
William Manley Abel	22,625
Daniel S. Middleton	21,018
Total payees in county (3)	71,013

NOXUBEE COUNTY

A. T. Evans	69,565
Harrison Evans Est	69,553
Gladys T. Evans	69,549

Ralph Spurgeon, Jr	60,528
Valley Farm	50,660
Circle M Ranch Inc	43,383
The Deerbrook Co	42,522
Jimmie C. Hood	33,707
A. B. Stevens, Jr	33,446
Paul M. Robertson Est	28,685
Joseph D. Pugh	28,118
Total payees in county (11)	529,716

PANOLA COUNTY

W. S. Taylor, Jr	58,557
Hays Bros & Hall	56,977
M. H. Sumner or C. N. Sumner	56,336
Derryal Glen Gates	50,516
Alton Milam	48,886
Robert McMillan	48,855
Donald Bartlett	48,256
Crenshaw Bros Inc	46,122
Evander Smith	44,365
W. P. Lemaster	38,612
Whitworth Farms Inc	38,085
Lent E. Thomas, Jr	36,079
Dave Pointer	34,593
Maury R. Harris & Sons Inc	33,506
Estate of Fred Taylor, Sr	32,503
David Ross Craig	29,062
John D. Aldison	28,625
Raymond Birdsong	28,357
Curtis McNemar	28,255
Otis Jenkins	27,065
Hosey White	26,916
H. G. Short	26,759
James Montieth	26,714
A. C. Atkinson	25,631
James W. Sorrells	25,495
Joe Reid	25,371
Taylor Bros	25,105
Hartzell Brothers	23,613
E. C. Darby	23,568
Leon Crigler	23,224
Emily J. Pointer	22,942
W. H. and Sarah Short	22,606
W. D. Craig	22,365
Triple H Farm	21,782
Jimmy Herron	21,564
Fred Womble	21,187
Tom Pugh	20,672
Total payees in county (37)	1,219,126

PONTOTOC COUNTY

W. G. Hodges	33,381
Gene Brown	26,200
D. L. Bowen	22,831
Charlie C. Hale	21,587
Total payees in county (4)	103,999

PRENTISS COUNTY

A. B. and B. C. Arnold	22,770
Paul Hughes	21,040
Total payees in county (2)	43,810

QUITMAN COUNTY

L. J. Barksdale	56,569
Taylor Incorporated	56,004
B. O. Tedford	54,986
A. L. King, Jr	54,290
Arthur Fulmer	53,204
C. W. Denton	51,858
E. O. Vance, Jr	51,280
David Ford	51,040
John B. Ford	51,040
John B. Laney, Jr	48,899
Joe E. Benson	48,122
Mrs. Miriam S. Blalock	47,616
Mrs. Evelyn S. Holcomb	47,616
Henry C. Self	47,616
Mrs. Marjorie Self Crabil	47,616
W. K. Self	47,616
F. R. Starr	47,380
Mrs. Mary T. Burroughs	44,463
Fletcher S. Haynes	43,239
E. H. Anderson	42,659
Gerald W. Tedford	41,242
James A. Tedford	41,242
I. L. Henry	40,239
E. R. Stingley III	39,986
Thomas B. Barnes	39,677
Longstreet Pltg. Co	39,590
Ben S. Yandell	39,432
W. M. Yandell, Jr	39,432
Wilborn Farms, Inc	39,238
B. W. Wadlington, Jr	39,169
F. F. Lunceford & Son, Inc	39,104
F. Raynor Starr	38,765
F. R. Wright, Jr	37,641
Mark N. Ham Estate	36,837
Miss. Penitentiary Board	36,638
Richard Shellman	36,135
Clifford Cobb, Jr	36,127
W. W. Hughes III	32,583
James D. Peterson, Jr	32,490
Crenshaw Pltg. Co., Inc	32,365
W. W. Hughes, Jr	31,983
C. B. Sigler	31,930
John M. Moyer	31,792
Thomas A. Harris	31,661
Michael G. Harris	31,661
W. H. Marquis	31,578
T. C. Haley	31,242
R. A. Carson	31,090
Perry Bailey	30,515
Hubert Haynes	29,570
H. T. Pittman	28,958
John Gordon	28,184
Paul Malatesta	27,286
H. W. Howze, Jr	27,021
J. E. Furr, Jr	26,836
Jim Gordon	26,013
B. H. Cobb	25,610
E. B. Smith	24,815
T. S. Hale, Jr	24,587
L. J. Kerr, Jr	24,491
Ed Benson	24,058
Hubert L. Respess	23,917
Ottis F. Meredith	23,815
Albert O. Jones	23,811
Charles Fair	23,573
S. P. Henry	23,347
Herbert R. Wilson	23,292
J. P. George	23,171
F. R. Trainor	23,080
R. W. Dean	22,927
Wylodine P. Dilatush	22,790
N. H. Sutton	22,765
Norris W. Faust	22,212
O. A. Davis, Jr	21,878
V. A. Furr, Jr	21,442
Mrs. Lillian G. Carson	21,321
J. K. Pearson, Jr	21,153
James A. Jackson	21,115
James G. Harris	21,009
Victor Bailey	20,846
Cuatro Corporation	20,763
Arthur Whitworth, Jr	20,316
Obia Owen	20,250
Wise Bros	20,058
Total payees in county (84)	2,860,777

RANKIN COUNTY

Paul Cross	45,245
J. B. Williamson	33,544
Wade R. Patrick	31,863
F. C. Lawrence	28,978
J. W. Patrick, Jr	23,666
J. D. McKay	21,614
James M. Flanagan	20,197
Total payees in county (7)	205,107

SCOTT COUNTY

Dan R. Boyce	41,328
Total payees in county (1)	41,328

SHARKEY COUNTY

Powers Company Inc	60,912
Fields Planting Corporation	60,070
Evanna Plantation Inc	59,310
Helena Pltn Inc	58,978
Baconia Plantation Inc	58,389
Greer Incorporated	57,095
Murphy Jones	56,971
Norris E. Hill	56,860
J. H. Hill, Sr	56,860
J. H. Hill, Jr	56,846
Hiram W. Hill	56,846
Reality Plantation Inc	56,296
James A. Boykin	56,256
Bruton Farms, Inc	56,197
June F. Grundfest	54,594
B. H. McGee	54,363
Burrell McGee	54,363
Hagan Farms, Inc	52,606
H. W. Hubbard	52,006
Clinkscales Bros	51,255
Keyho Inc	50,212
Estate of Capitola M. Dean	49,024
Council Bend Inc	45,513
J. H. Moore	43,788
W. W. Moore	43,788
W. R. Rodgers	43,444
Lynndale Planting Co., Inc	41,722
Darden Company Inc	41,093
G. C. Cortright	38,596
Ben Lamensdorf	38,558
Jones Plantation Inc	37,469
Patton Planting Co	36,409
Jere B. Nash, Jr	35,529
James Hand, III	35,529
Rives C. Carter	35,529
James Hand, Jr	35,529
Jere B. Nash	35,529
Mary V. Watson	35,529
M. J. J., Inc	34,003
Grosvenor Farms, Inc	33.049
Mabel D. Whitfield	32,578
Charles Kline	32,561
Robert H. Moses	31,854
T. W. Harris	31,561
Pat R. Dunaway	31,538
W. E. Patterson, Jr	31,298
Geraldine R. Dean	31,197
S. W. Bennett	29,945
J. M. Brown	29,450
Raymond Brown	29,460
Martin Planting Co., Inc	29,386
Capitola D. Edmondson	28,632
Miriam D. Heard	28,632
McKinney and Son	28,425
Benard O. Lovorn	27,945
M. C. Ewing, Jr	27,700
W. T. Ewing	27,690
James R. Carter	27,057
Laurance W. Carter	27,049
Wallace Carter, Jr	27,049
A. B. Williams	27,009
Catherine O. West	26,740
Carol D. Sterling Estate	26,740
A. B. Williams, Jr	26,278
Sojamax, Inc	26,369
Carl Dunaway, Inc	25,340
G. M. Baggett	23,325
Mrs. G. C. Cortright	23,156
R. D. Rutherford	20,525
Total payees in county (69)	2,732,414

SUNFLOWER COUNTY

Parchman Farms	358,787
Ophelia Braswell	59,147
Duncan Farms, Inc	57,942
William M. Pitts	56,853
Kansas Plantation, Inc	56,789
Brewer Morgan	55,795
Allen Pltg Co	55,650
W. E. Austin	55,549
Brashier Pltg Co	55,537
Dick Barrett	55,310
P. H. B., Inc	55,282
Garrard Est	54,941
Maury McIntyre, Jr	54,833
W. O. Shurden, Inc	54,706
B. A. Wright Farms, Inc	54,692
Gary Austin	54,305
Janet Austin	54,305
F. L. Tindall	54,176
C. A. McGregor	54,170
Bobby Joe Sykes	54,077
C. W. Barrett	53,815
George J. Rice	53,611
Georg A. Rice	53,596
Frank T. Brumfield	53,411

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Mississippi—Continued

[Amounts in dollars]

SUNFLOWER COUNTY—continued

Bruce Brumfield	53,395
Edwin L. Parker, III	53,395
J. C. Robertson	53,253
W. T. Robertson	53,253
George C. Scroggins	53,122
H. T. Miller Pltg. Co., Inc	53,005
F. T. Clark	52,861
H. P. Watson	52,846
Harris Russell	52,757
W. T. Skelton	52,739
Joseph A. Oglesby, Jr	62,681
H. M. Arant	52,142
Lipe Farms, Inc	51,839
H. T. Bonds	51,170
Jim Muzzi	50,989
Est. of J. B. Failing	50,798
M. Pickett Myers, III	50,339
Max A. Hodges	49,866
W. B. Fletcher, Jr	49,522
Leslie R. Fletcher	49,522
John J. Hall, Jr	48,649
Spann Robertson	48,632
John R. Nichols	48,619
P. C. Nichols	48,618
A. K. Maxwell	48,446
Doddsville Farms Inc	48,155
John Dodd	48,080
S. B. Johnson	47,754
Goose Hollow Pltg. Co	47,732
Parker Planting Co	47,199
Richard Cummins	47,199
J. B. Sykes, Jr	46,868
L. K. Johnson	46,852
U. D. Parker, Jr	46,834
J. S. Parker, Jr	46,767
W. C. Lester	46,278
W. A. Price, Jr	45,089
J. A. Ely, Jr	45,053
Leroy Anthony	45,044
Will Green Poindexter	45,013
Scott Poindexter	45,013
W. H. Baird	44,752
David Keith	44,744
Carlis Lyon	43,880
Ethel Lyon	43,876
Floyd Hopson Gary	43,580
Black Bayou Pltn., Inc	43,548
E. E. Shurden	43,052
Dyche Plantation Inc	42,811
Phillip Fratesi	42,713
L. E. Braswell	42,492
J. D. Pennebaker	42,408
H. W. King	41,438
J. H. Magee	41,334
Helen S. Owens	41,145
Douglas Mallette	40,795
W. E. Jefcoat	40,215
R. M. McClatchy	39,556
C. H. McClatchy	39,556
James O. Eastland	39,284
W. D. Marlow, III & Son	39,171
Hubert Robertson	39,156
John Brewer Reed	38,817
W. E. Coleman and Son	38,781
W. L. Prichard	38,698
J. G. Prichard	38,698
B. R. Ammons	38,005
Noel Barrett	37,920
J. M. Montgomery, Jr	37,823
Calvin W. Montgomery	37,823
Carmen Fisher	37,741
Miller Bros	37,657
Sidney Levingston	37,436
Alfred A. Levingston	37,333
Sylvia L. Sklar	37,333
Fletcher Clark	37,241
G. B. Hitt	37,180
R. L. Shurden	37,157
A. W. Shurden	37,157
J. W. Stowers & Co	37,005
Hugh Medders	36,554
Thomas J. Baird	36,440
J. B. Baird	36,440
Louis Millen	36,375
B. L. Kirk	36,345
Ciro Nobile	36,307
W. C. Hendon	36,150
Thomas B. Givens	35,641
Gorden Dement	35,613
R. K. Clark	35,562
L. D. McCoy, Jr.	35,456
Virgil E. Redd	35,397
V. E. Lester	35,164
J. C. Haney	34,761
Billy Brewer	34,712
McWilliams & Pyron	34,474
G. C. Billups, Jr	34,311
Alleta B. Sanders	34,311
Grace R. Billups	34,311
Irene Billups	34,311
Lucy B. Hill	33,904
Nannie S. Parks Est	33,689
Floyd E. Mitchell	33,515
Herman Guest	33,503
Roy Manning, Jr	33,320
Roberts Brothers	32,985
Dickerson Farms	32,897
William Mitchell	32,876
W. D. Patterson	32,720
W. D. Patterson, Jr	32,713
E. Leonard Patterson	32,713
Sidney Shurden	32,272
James Bradshaw	32,192
Lake O. Lindsey	31,547
J. R. Dockery	31,466
Allen Fox	31,147
R. J. Allen, Jr	31,058
David S. Allen, Jr	31,058
Jack Griffith	31,054
J. F. Barbour, II	30,970
James L. Beckham	30,934
Ted Borodofsky	30,928
C. R. Skelton	30,155
Albert R. Holeman	30,069
L. A. Safley	29,992
W. T. Timbs, Jr	29,627
Charles E. Clark	29,547
Kelly R. Mahan	29,428
B. & L. Farm Inc	29,377
Dar Bayou Pltg. Co	29,317
C. T. Ellis	29,300
David E. Roberts	28,558
Powell Poe	28,299
Carl T. Harkins	27,795
J. L. Hall	27,762
J. T. McGregor	27,633
J. B. Lee	27,513
W. J. Toler	27,330
Edward M. Lyon	27,293
H. C. Eastland	27,038
M. G. Walker	26,953
W. E. Lamastus, Jr	26,940
Lakewood Inc	26,918
John Burrell	26,873
A. E. Schuyler	26,818
Fitts, Fitts & Pate	26,762
A. E. B. Britt	26,467
Fred V. Jones Estate	26,075
W. D. Baird	25,882
J. B. Murrah	25,858
Sterling Dugger	25,789
George E. Baird, Jr	25,589
J. R. Martin	25,467
Berryhill Bros Pltg. Co., Inc	25,431
W. B. Lovett	25,386
C. B. Fisackerly	25,293
Ray Boone	24,772
B. N. Marlow Est	24,745
Norman Pentecost	24,571
Patterson Farms Inc	24,536
T. E. Cooper	24,423
David Woods	23,996
P. K. McGregor	23,534
D. R. Mallette	23,463
Tommy Ellis	23,452
George L. Evans	23,380
E. A. Stansel, Jr	23,202
T. A. Murtagh	22,953
R. J. Vanlandingham	22,946
Catlette Brothers	22,893
Glenn McCoy	22,521
Jessie Russell	22,452
V. A. Johnson	22,312
John E. Watts	22,056
Lee Watts	22,056
Carl M. Prewitt	21,946
Eldon Crow	21,905
H. I. Clark	21,904
Stacy & Baughman	21,877
Charles E. Boyer, Jr	21,846
Buckshot Pltg. Co., Inc	21,703
A. C. Tidmore & Sons	21,597
J. O. & H. C. Eastland Inc	21,449
Frank Mixon	21,150
Howard L. Grittman, Jr	21,108
James Simpson	20,967
A. E. Moody	20,806
W. J. Jones	20,632
Susan E. Terney	20,292
Total payees in county (213)	8,310,053

TALLAHATCHIE COUNTY

Ralph T. Hand, Jr	57,866
Martha B. Lowe	57,624
S. M. Fewell & Co	57,579
Paul Melton	57,182
A. A. Mabus	57,081
Ray Mabry Farms, Inc	56,473
Friendship Road, Inc	56,361
Mitchener Farms, Inc	55,745
B. & S. Planting Co., Inc	55,603
Melton Brothers	55,512
Boggy, Inc	55,511
Twilight Plt. Co	55,432
Fae Equen Rhodes	55,322
J. B. Baker, Jr	55,000
J. C. Wilbourn	55,000
Cunliffe McBee	54,993
Elizabeth G. Falls	54,843
Elizabeth Falls Munro	54,843
Joann F. Schmeisser	54,843
William A. Falls	54,843
Parl F. Mitchener	54,739
R. Jones Fedric	54,714
E. C. Fedric	54,714
Frank Sayle & Son	54,700
J. L. Hill, Jr	54,563
Phil Thornton III	54,435
Phil Thornton, Jr	54,435
G. B. Williams	54,091
T. B. Abbey, Jr. & Co	53,895
Sunset, Inc	53,864
Billy Joe Waldrup	52,423
W. D. Newton	51,723
Gene T. Fleming	49,843
E. D. Graham	49,411
M. L. McMillan	49,274
Frank & Dorothy Sturdivant	49,117
M. S. Dale	48,323
Bill James	47,930
Benford Brown	45,036
T. C. Buford	44,900
Billy G. Flautt	44,754
Jack G. Flautt	44,754
Marion S. Dunn	44,443
W. W. Pearson	44,443
John W. Sherman	44,080
C. S. Rankin	43,261
Shoestring, Inc	42,940
Gates, Inc	42,538
D. A. Tubbs	42,339
W. A. Worsham	41,352
Murphey Plantation	40,551
Herbert Rice	35,617
Bailey Brake Farm	35,524
Larry C. Hardy	35,295
J. J. Webb, Jr	34,700
Richard E. Magee	33,921
Ray Roberson Farm, Inc	33,598
James E. Magee	32,660
Hubert H. Magee	32,660
William Tribble	32,243
B. A. Marley	32,186
Margaret M. Norman	31,947
Casburn Brothers	31,921
Dry Bayou Planting Co	31,143
Don Allison	30,994
Steve Worley	29,909
James L. Allison	29,874
Bilbo Pennington	29,813
Greenfield Planting Co	29,409

Joe T. Wolfe	28, 152
Smith Murphey & Co., Inc	28, 100
Jim Pennington	27, 694
W. C. Vinson	27, 328
J. L. Hill III	27, 282
Linda P. Hill	27, 282
D. D. Bloodworth	27, 244
T. & W. Farm, Inc	27, 032
R. E. Seawright	26, 581
Eloise M. Erwin	25, 823
J. A. Townes	25, 793
G. C. Trout	25, 717
J. W. Fennell	25, 343
R. W. Lee	24, 955
Ernest Brasher, Jr	24, 550
Bend Plantation	24, 426
Charles J. McAtee	24, 226
Davis Bros	24, 067
Mikoma Grain, Inc	23, 334
Webb & Webb	23, 039
Maggie W. McLellan	22, 990
Triple R Farm	22, 736
Stuart Denman	22, 097
Ellett & Sandifer Farms	21, 909
James H. Morrow	21, 817
J. W. House	21, 629
M. L. Mitchell	21, 556
William H. Morrow	21, 382
Frank B. Swearengen	21, 363
Tom Rice	21, 149
Edward Johnson	21, 123
Mike Fortenberry	21, 038
W. G. Burkhalter	20, 597
A. O. Chatham	20, 329
Morris Eason	20, 063
Strider Brothers	20, 038
Total payees in county (105)	4, 068, 439

TATE COUNTY

J. C. Sides, Sr	66, 871
Jim Presley	55, 134
M. P. Moore	50, 402
E. E. Moore	38, 147
R. G. Roseborough, Sr., Estate	30, 421
James C. Rhodes	25, 839
Thomas E. Smith, Jr	23, 686
Robert P. Thompson	23, 380
T. P. Veazey, III	23, 286
David B. Tyer	23, 255
Harry B. House	22, 933
I. F. Hyde	22, 049
Jessie B. Hudson	21, 347
Louise M. McKellar	21, 162
Total payees in county (14)	447, 912

TIPPAH COUNTY

Jerry L. Bright	40, 985
Eddie R. McMillin	23, 859
Bonnie Mauney	23, 330
Marlin Childs	21, 716
Total payees in county (4)	109, 890

TISHOMINGO COUNTY

Scottie E. Dean	27, 698
Total payees in county (1)	27, 698

TUNICA COUNTY

Arnold Farms, Inc	62, 138
Sterling W. Owen III	61, 068
John W. Owen	61, 066
Will W. Owen	61, 066
Oaklawn Plantation, Inc	59, 880
McClintock Farms, Inc	59, 501
S. A. Arnold, Jr	59, 156
Bibb, Inc	58, 800
B. R. Smith	58, 095
Irwin Company, Inc	57, 279
Su Cam, Inc	56, 883
C. H. Block & Co	56, 778
R. C. Smith	56, 673
Mhoon, Inc	56, 596
Planters Oil Mill	56, 596
Cobb Farms, Inc	56, 596
S. C. Wilson & Son	56, 563
Richmond Counts	55, 729
Mary Davis Owen	55, 639
C. P. Owen, Jr	55, 639
Hollywood Farms, Inc	55, 000
Clyde J. Perry	54, 949
John Canon	54, 657
Abbay and Leatherman, Inc	53, 441
W. C. McLean, Inc	51, 129
T. O. Earnheart Co., Inc	50, 038
Roger Johnson	47, 810
Hood Farms, Inc	47, 491
A. S. Perry & Sons, Inc	47, 375
M. L. Earnheart Co., Inc	47, 348
R. J. Hussey	46, 459
James Byrd	45, 596
Whiteoak Farms, Inc	44, 611
Youngblood Company	43, 098
William H. Houston III	42, 636
C. Buck Graves	42, 088
William E. Godbold	41, 532
PBL Co., Inc	39, 615
James D. Boyd	39, 137
Francis C. Boyd	39, 137
John E. Matthews	38, 699
Alterra Planting Company	38, 614
J. E. Sides & Son, Inc	37, 307
Carl C. May	35, 701
Eunice May	35, 691
Tony May	35, 691
Jack W. Perry & Co., Inc	35, 028
Lloyd E. Ryals	34, 709
Johnson & Frank	34, 678
Richard Watson	34, 330
Harold Harris	34, 074
W. H. Austin	34, 055
C. A. Austin	34, 055
D. C. Parker	33, 235
Harvey Richard Watson	30, 707
R. I. Abbay	29, 422
Milton Boyd	29, 403
A. C. Caperton	28, 928
B. M. Martin, Jr	28, 117
Wayne McDonald	27, 488
S. W. Seabrook	27, 460
W. H. Houston, Jr	26, 892
James Pegram	26, 639
A. T. Earnheart	26, 386
Mary S. Leatherman	25, 073
Billy Pegram	24, 581
Edgar Hood III	24, 356
W. A. Leatherman	23, 979
Mrs. Irwin L. Magevney	23, 979
S. R. Leatherman, Sr	23, 979
Anne L. Grant	23, 979
Norfleet Land Corp	23, 040
D. R. Houpt	23, 006
Vance Moore & Sons, Inc	22, 599
E. J. Lake Inc	22, 527
W. D. Garrett Jr	22, 467
Joe Watson	21, 970
Iles Company	20, 958
Two Sisters Plant	20, 844
Thoms E. Swindoll	20, 517
Ram Farms Inc	20, 390
Ransom A. Myers	20, 256
Total payees in county (82)	3, 280, 697

UNION COUNTY

Hugh Stephens	32, 055
Carl Stephens	28, 981
Edgar J. Stephens Jr	28, 981
B. W. Long	23, 809
Paul D. Kitchens	21, 562
L. H. Pannell	21, 547
Total payees in county (6)	156, 935

WARREN COUNTY

Martin Lombard Burns	56, 353
Bernard Aden	56, 072
Louis Aden	56, 072
B. N. Simrall and Son Inc	52, 584
H. A. Downey Jr	46, 837
Ferris Farms Inc	31, 654
Crosby S. Simmons	29, 852
Newell Simrall III	24, 080
Dorothy G. Butts	20, 338
E. R. McKnight	20, 159
Total payees in county (10)	394, 001

WASHINGTON COUNTY

H. K. Hammett and Sons	58, 607
Walker Farms, Inc	58, 398
Neff Farms Inc	58, 246
Torrey Wood and Son	57, 239
A. G. Mahalitc	57, 124
Edward Shackleford	57, 051
J. Pete Fisher, Jr	56, 671
Reggie C. Kellems	56, 390
J. P. Fisher, Sr	56, 337
Trail Lake Plant Co., Inc	56, 267
Leota Farms, Inc	56, 188
Klondike Plant Co., Inc	56, 060
Glen Crowe	55, 983
F. C. Crowe	55, 983
Gordon Crowe	55, 983
Donald Crowe	55, 983
Raymond Clark	55, 966
Hampton Collier	55, 570
Frederick J. Smythe	55, 452
Dan L. Smythe	55, 452
Emmett T. Potter, Jr	55, 250
Julian F. Potter	55, 250
Dennis K. Potter	55, 250
John W. Potter	55, 250
Wm. A. Percy II	55, 210
J. C. Askew	55, 149
James L. Marquis	55, 149
R. A. Ingram	55, 149
Arcola Plantation, Inc	55, 123
Shamrock Farm, Inc	55, 006
Word Planting Co	54, 994
Barton Ingram	54, 986
J. R. Ross	54, 859
Ben Walker, Jr	54, 242
Edward Blowers	53, 075
Marvin Fullerton	53, 075
John Hendon	52, 731
John C. and Donny Hendon	52, 731
Alex Curtis	52, 662
E. J. Ganier	52, 298
Randolph Smythe	51, 941
Edward P. Vieh	51, 861
H. W. Branton	51, 675
E. E. Cooper	51, 511
Joseph Maurice Brown	51, 496
C. A. Tate, Jr	51, 076
Dan T. Branton	50, 719
W. E. Taylor	50, 531
J. P. Wilkerson	50, 382
Rex Livingston	50, 135
M. H. Rich, Jr	49, 916
James A. Petty	49, 444
V. L. & L. A. Nunnery	48, 622
E. A. Currey, Jr	48, 560
Oak Grove Farms, Inc	48, 373
David B. Flanagan	48, 115
Chester Kellems	47, 660
W. H. Neill and Sons	46, 456
Frank Rochelle	46, 230
D. K. Morrow	45, 784
Cameron Dean	45, 302
J. C. Reed	45, 232
Randy Journeay	45, 219
Henry A. Reed	45, 219
Cope and Neff	44, 812
John W. Oglesby	44, 778
Refuge Pltn	44, 542
T. W. Hays	44, 537
Robbie Reed	44, 489
John T. Dillard	44, 489
George F. Stock	44, 066
Floyd Wayne Reed	43, 850
Fred Ballard	43, 790
John M. Dean	43, 724
Gus Pieralisi	43, 715
Stylon Proctor	43, 178
Walcott Planting Co	43, 077
Hugh W. Ivy, Jr	42, 574
Ray F. Beckham	42, 529
John Stephens	42, 463
G. B. Ganier	41, 663
Eli James Ganier, Jr	41, 663
H. K. Hammett	41, 577

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Mississippi—Continued

[Amounts in dollars]

WASHINGTON COUNTY—continued

Warren I. Hammett	41,577
Keith Mitchell	40,666
Andrew W. Bell	40,426
Percy L. Bell	40,426
Thomas A. Hollingsworth	40,312
Wright Planting Co., Inc	39,841
Hollywood Pltn	39,810
C. D. Verner	39,696
R. A. Montgomery	39,553
Max Phillips	39,252
C. O. Dean, Jr	39,232
W. B. Andrews	39,026
W. G. Trotter and Son	38,933
W. W. Trotter	39,933
Four C Land Co., Gordon Crowe	38,581
David T. Cochran	38,410
H. T. Cochran	38,410
E. A. Lafoe, Jr	38,321
Richard W. Kellems	38,025
C. Allen Spragins	37,764
R. D. Fisher	37,753
Ross Underwood	37,511
Don O. Baker	37,507
O. R. Horton	37,364
Delta Experiment Station	36,737
W. T. Weathers	36,647
Harley Metcalfe, Jr	36,647
Winston Walker	36,512
D. and W. Jones, Inc	36,114
Perrin Grissom	35,983
Jane W. Simmons	35,679
Leo F. Williams, Sr	35,669
Leo F. Williams, Jr	35,669
Peggy Baker Cannada	35,636
Murry M. Alexander	35,582
A. L. Andrews	35,476
J. W. Cockerhan	35,458
Kirk Pltn	35,319
James Middleton	35,182
E. W. Stone	34,806
Rance Morgan, III	34,638
V. L. Sandifer	34,449
Guido Palasini	33,318
James E. Mosley	33,107
Robert F. Percy	33,107
Sally Percy Lewis	33,107
Leroy P. Percy, Jr	33,107
George W. Stone	32,757
William J. Ireland	32,671
Leo E. Frankel	32,492
Bob Dennis	32,234
D. and S. Plant Co., Inc	32,190
Everhope Pltn	32,140
Gene A. Clements	32,074
T. R. Pittman	31,938
Mike W. McLaurin	30,973
Joseph L. McLaurin	30,973
J. R. Shaw	30,710
J. E. Bratton	30,654
Tony and Larry Fratesi	30,312
Louis F. Fratesi	29,608
Clyde V. Gault	28,899
G. G. & G. W. McCool	28,746
Edward Trotter	28,611
Marion Stevens	28,465
Leo R. Stevens	28,465
James Cornelius	28,357
Laverne Hyer	28,315
Peebles and Poss Farm	27,929
Henry Hemphill	27,925
Henry Paris	27,852
Harvey C. Watson	27,852
Don R. Baker	27,705
Camille M. Baker	27,705
Mrs. J. R. Kiker & Son	27,378
R. M. Pritchett	27,342
Harry M. Key	27,115
E. E. Griffith	27,089
William E. Avis	27,030
Southern Drnage & Const. Co	26,933
Wade Burns	26,749
Deerfield Farms Co	26,703
Howard New	26,655
W. C. Skates, Jr	26,588
Jessie McDonald	25,733
Ben Hawkins, Jr	25,487
W. C. Skates Sr	25,468
Harry W. Branton, Jr	25,359
Jerry B. Miller	25,339
Foch Barnes	25,069
W. A. Dunaway	24,919
Lawrence W. Dunnaway	24,919
B. R. Harris	24,535
J. A. Harris	24,535
Elizabeth Jeffreys	24,411
L. and B. Pltn W. R. Rodgers	24,319
James T. Hollingsworth	24,206
Marvin Jennings	24,092
Stovall Farms	24,083
E. W. Nerren	23,476
Homer Jones	23,398
J. A. Newton	23,252
Marlowe R. Park	23,056
Cecil Wingfield	22,831
Lando and Charlie E. Fratesi	22,329
Chalmers E. Hobart	22,250
Jack Middleton	22,193
Eula M. Gerald	21,450
Malvina Pltn, Inc	21,211
Charlie L. Fratesi	20,982
Marcus Treadway	20,362
Bessie W. Bell	20,213
Total payees in county (195)	7,698,253

WEBSTER COUNTY

Y. B. Gore	31,422
CMW Land Co., Inc	59,733
Harold Finnell Dorroh	26,663
C. C. Hemphill	25,019
Jack Gary	21,441
Total payees in county (5)	164,278

WINSTON COUNTY

Billy F. Kirk	22,835
Total payees in county (1)	22,835

YALOBUSHA COUNTY

J. R. Magee	55,901
John N. Covington, Jr	48,188
S. C. & E. Corp	45,936
W. C. Bill Hall	45,656
H. H. White	41,011
Joe N. Bailey, Jr	31,885
A. R. Ingram	25,882
Robert Hatchet Williams	23,153
W. V. Moore	22,518
Edward F. Wooten	22,234
Charlie M. Shaw	21,098
D. R. Ingram	20,399
Aubrey Herron	20,355
Luke Purdy	20,083
Total payees in county (14)	444,299

YAZOO COUNTY

H. S. Swayze	63,060
D. H. Dew, Jr	59,620
D. H. Dew, Sr	58,664
E. T. Schaefer	56,378
James E. Coleman, Inc	56,248
Sam E. Dixon, Jr	55,584
Buford Atkinson	55,251
Kinkead Plantation	55,188
Morrison Farms, Inc	54,535
R. E. Coker	53,272
El Dorado Planting Co	52,570
J. J. Erickson, Jr	52,237
David C. Erickson	52,237
R. B. Harris	50,006
W. T. Clark, Jr	49,352
Robert H. Cato	48,074
S. C. Coleman	44,569
R. E. Coleman	43,867
Jerry B. Barrier	43,710
John S. Howie	41,972
Barier Farms, Inc	41,698
John J. Peaster	41,163
Quiet Shades Plantation, Inc	41,056
L. M. Phillips	40,835
A. S. Nichols	38,286
W. T. Hegman, Jr	37,527
D. H. Shipp	37,468
T. R. Coleman	37,349
H. T. Barrier	37,305
J. N. Hart	36,921
Delta Co	36,828
Johnson Farms, Inc	36,756
W. E. Harris	36,462
C. W. Ward & Sons	36,369
William Barbour	36,321
Ruby Walker	34,798
Sam S. Fisher, Jr	34,001
Clayton Swayze II	33,696
J. V. Whitaker	33,208
Thomas R. Stricklin	33,184
H. T. Barrier, Jr	31,754
W. R. Coleman	31,149
Cedar Grove Plantation	31,082
R. M. Bridgforth & Sons	30,893
Norway Plantation, Inc	30,413
Hogue & Hogue	30,313
Jones Bros	30,278
Phillip P. Shipp III	30,218
F. W. Sharbrough	30,084
E. E. Ables	29,692
Nolan H. O'Reilly	29,391
Kirk Farms	28,944
B. R. Seward	28,919
Mary Russell Seward	28,914
Jack F. Phillips	28,613
Martin Farms, Inc	27,929
Leon W. Rice	27,596
Burdette Boyd	27,377
H. R. Crowder, Jr	27,314
Pearson Bros	27,132
Ray Scroggins	26,849
M. A. Strickland & Son	26,622
John Raymond Scroggins	26,373
Barney Ray Scroggins	26,373
Dixie Farms	25,514
H. O. Hicks	25,445
C. Q. Clark	24,832
Charles A. Jordan	24,485
B. A. Jordan	24,485
E. T. Jordan, Jr	24,485
E. T. Jordan, Sr	24,485
John W. Jordan	24,485
E. E. Nixon, Jr	23,942
Kirkland, Inc	23,463
E. R. Seward	23,147
Mrs. Lucy Fouche	23,075
M. D. Carter, Jr	22,139
J. L. Dixon	21,990
James H. Moore	21,421
McGraw Farms	20,998
W. F. Cresswell	20,946
Charles Ables	20,930
H. C. Stricklin	20,268
Frank Carter	20,170
John W. Odum	20,097
Total payees in county (85)	2,962,649
Total payees in State (1,872)	70,994,091

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Missouri

[Amounts in dollars]

ATCHISON COUNTY

Scamman and Co	36,166
Jack A. Martin	28,828
Dean or Gloria Bolton	28,139
Wm. M. Griffin	27,260
Charles C. Martin	25,758
Ed Bass	23,801
Bass Farms	23,801
Mervyn Jenkins	23,395
Marvin Leseberg	22,631
Jimmie Low	20,313
Donald Wolf or Orville Wolf	20,177
Total payees in county (11)	280,269

AUDRAIN COUNTY

A. C. Farms, Inc	31,227
Total payees in county (1)	31,227

BARTON COUNTY

Merle W. Barker	20,597
Total payees in county (1)	20,597

BATES COUNTY

H. M. Gepford	32,175
Ray Pollert	31,707
Howard Eastland, Sr	29,798
True Beisly	25,225
Bill Ingram	21,993
Richter Farm Assn. Inc	20,842
Don Gretzinger	20,701
Total payees in county (7)	182,441

BOONE COUNTY

Dorsey M. Bass	33,859
Smith Bros	24,694
Total payees in county (2)	58,553

BUCHANAN COUNTY

Sonnenmoser Bros	33,474
Total payees in county (1)	33,474

BUTLER COUNTY

Roy Nail	20,675
Total payees in county (1)	20,675

CARROLL COUNTY

Albert A. Link, Jr	56,948
D. N. M. Grain Co	34,379
Brayton Farms, Inc	26,546
Lesher Long Farms, Inc	21,980
Arthur Bultmann, Jr	21,434
Ronald Gibson	20,718
Total payees in county (6)	182,005

CHARITON COUNTY

Quinn Bros	62,269
W. L. Dickinson	24,826
C. S. Bramble and Sons	20,544
Total payees in county (3)	107,639

CLAY COUNTY

Woodrow Wren	23,984
Curry Angus Farms, Inc	23,419
Total payees in county (2)	47,403

COOPER COUNTY

Knipp Bros	20,497
Total payees in county (1)	20,497

DAVIESS COUNTY

L. L. Cook & Son	33,029
Total payees in county (1)	33,029

DUNKLIN COUNTY

Albert Hall	36,262
M. C. Collins	35,412
J. F. Baker	34,991
Harris Farms, Inc	32,376
V. M. Jones, Sr	28,940
Bond Rouse	28,154
Charles Pelts	28,139
H. W. Droke	27,297
Audie Grisham	27,174
Loyd Robertson	25,619
Matthews Agency Account	25,577
F. L. Bynum	24,063
Tom True	24,006
Kenneth Caldwell	23,757
Thomas Wilkins	22,573
Hart Gin Company	21,712
Chester Lee True	21,699
J. E. Jones Gin Co., Inc	21,587
Tommy Sutton	20,649
Elmer Nowlin	20,250
Total payees in county (20)	530,237

GRUNDY COUNTY

L. L. George & Sons, Inc	22,038
Total payees in county (1)	22,038

HARRISON COUNTY

Gilbert Taraba	24,400
Total payees in county (1)	24,400

HOLT COUNTY

Donald E. Morris	60,336
Patterson Farms, Inc	57,223
Jack Windle	39,680
Haer Farms	36,359
Welton Ideker	29,056
Dillingham Merrimana	22,514
W. R. Pulliam	21,424
Total payees in county (7)	266,592

HOWARD COUNTY

Roy J. Davis	52,530
Davisdale Farms	23,235
Total payees in county (2)	75,765

JACKSON COUNTY

Rids Church	63,968
Effertz Bros., Inc	43,834
J. M. Merrigan	23,838
Kenneth Stock	22,064
Total payees in county (4)	153,704

KNOX COUNTY

James B. Washburn	31,404
Frances McSorley	21,249
Total payees in county (2)	52,653

LAFAYETTE COUNTY

William R. Meyer	21,151
Total payees in county (1)	21,151

LAWRENCE COUNTY

Jackie L. Thomas	21,501
Total payees in county (1)	21,501

LEWIS COUNTY

Ben Casebier, Jr	53,007
J. Oren Reid	26,399
Jerry Spicknall	22,754
H. J. Richter, Inc	22,737
Total payees in county (4)	124,897

LINN COUNTY

Wheatcraft Farms, Inc	25,351
Roy B. Quinn	20,203
Total payees in county (2)	45,554

LIVINGSTON COUNTY

William C. Bigger	31,104
M. Meservey, Inc	24,835
J. C. Neal, Jr	23,198
Total payees in county (3)	79,137

MARION COUNTY

Bleigh Bros	26,626
Total payee in county (1)	26,626

MERCER COUNTY

Alfred Ryder	31,081
Total payee in county (1)	31,081

MISSISSIPPI COUNTY

Marshall Lands, Inc	75,702
Big Oak Farms	56,322
Burke Bros. & Giltz, Inc	55,780
Wolf Island Farms	52,208
Bryant Farms, Inc	43,970
H. & D. Duenne Farms	43,835
Dearmont Oliver	34,602
Thurmond Farms, Inc	34,250
W. W. McNeary	34,216
Stallings Bros	33,356
Carl Simpkins	33,019
Lankheit Plantation	32,920
Richard Pike	32,583
Choate Farms, Inc	31,927
Sam G. Jones	30,115
Babb & Deline	27,532
Goodin Planting Co	27,521
Billy G. Johnson	27,066
Marshall Farms, Inc	26,346
Wm. Q. Glass, Jr	26,046
Mrm. Ag. Serv., Inc	24,963
M. & M. Farms	24,441
Ray Hillhouse	24,308
Sam E. Story	24,224
Story Farms, Inc	23,360
Rolwing Bros	23,121
G. & G. Farms	22,828
Robert C. Jackson	22,330
Barnett Farms, Inc	22,144
Mt. Level Farms	21,418
Oliver Farms, Inc	21,350
Paul Stallings	21,334
Moxley Farms	20,566
David B. Brewer	20,548
Lloyd Hall	20,533
Total payees in county (35)	1,096,784

MONITEAU COUNTY

Knipp Bros	29,509
Total payees in county (1)	29,509

NEW MADRID COUNTY

E. B. Gee, Jr	61,557
Charles Pikey & Son	61,184
Ernest Carpenter	50,882
Aubra Wrather	47,402
Collis Maltbia	45,296
Donald Underwood	39,671
F. S. Hunter	39,659
Lorwood Plantation	39,078
Raymond Ashley	38,254
Ancel Underwood	37,454
A. C. Riley	37,155
W. L. Ramsey, Jr	35,703
B. & C. Harvesting Co	34,094
David Barton	33,539
Russell Estes	32,976
Doyle Hicks	32,619
Bert Latham	32,266
Coy Fowler	31,350
Warren & Avery	30,597
Max Holloman	29,294
Lavalle Farms	28,694
Fletchers Gin Inc	28,570
Barry Richardson	28,375
Priggel Bros	27,285
Nesselroot and Campbell	27,219
W. V. Riley	26,847
James L. Doster	26,626
Paul Bradley	26,541
Billy G. Swiney	26,405
James Overton Swiney	26,397
Tommy Branum	26,025
Byars Orton	25,344
N. J. Nowell	23,537
R. A. Nesselroot	23,098
D. K. Lape	22,480
Nolley Farms Inc	22,426
Ronnie Underwood	22,353
Oren Ross	22,220
Johnny Hunter	22,146
Jewell Chaney	22,044
J. David Ellsworth	21,887
Doyle Murphy	21,865
George Dawson	21,843
Vincent Eftink	21,714
V. S. and John Wescoat	21,711
C. J. Stancil	21,351
Carmel Lacewell	21,347
Barney Blankenship	21,135
Dewain Fullerton	21,091
Harry F. Toton	21,061
Dale Geske	20,675
Charles A. Daniels	20,271

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Missouri—Continued

[Amounts in dollars]

NEW MADRID COUNTY—continued

Glen Wallace	20,202
Frances Barnett	20,014
Total payees in county (54)	1,592,829

NODAWAY COUNTY

RSR Ranch	23,116
Total payees in county (1)	23,116

PEMISCOT COUNTY

O. H. Acom Farms, Inc	55,927
R. O. Pierce	44,781
James S. Bruton	43,224
Dolphin Land Company	40,614
Mehrle Farms	40,290
Howard Fike	29,362
Watkins Farms Inc	38,670
Coy Wilson	36,763
Sherley Lovins	35,946
James O. Taylor	33,854
Donald Rone	33,289
Gary Bruton	33,062
T. R. Cole & Sons	32,267
Billy C. Palmer	32,085
Orton and Toton	31,425
Clarence Gurley	30,778
J. E. Ward	30,308
Lee Dorroh	30,107
James T. Streete	29,470
Boyd McCrary	29,312
Cleo Brents	27,937
Lloyd Massey	27,129
John R. Franklin	25,840
L. A. Riddick	25,168
George T. Killion	25,107
C. W. Reed III	24,826
Ruby B. Monan	24,734
Don Medlin	24,471
Hoskins Brothers	24,365
Talmadge Burgess	23,832
Sides Bros	23,766
Jeff Wade, Jr	23,316
John L. Atwill	23,167
W. W. Burlison	22,979
Haggard Farms	22,911
Kneibert Stillman	22,845
Royal Sanders	21,433
D. J. Merideth, Jr	21,411
Troy & Bob McCulloch	21,378
Charles G. Ross, Jr	21,078
J. D. Long	20,791
John Reed	20,389
Total payees in county (42)	1,240,407

PERRY COUNTY

O. F. Gremaud	61,352
N. H. Bruckerhoff	47,745
Brewer Farms, Inc	20,913
Total payees in county (3)	130,010

PETTIS COUNTY

Olipharm, Inc	21,304
Donald G. Callis	21,068
Total payees in county (2)	42,372

PIKE COUNTY

Pike Grain Co	46,379
Marion Mackey	32,290
Dundee Cement	29,917
Total payees in county (3)	108,586

PLATTE COUNTY

I. R. Kirk Farm, Inc	24,200
Fairview Farms	23,752
T. C. Swaney	21,588
Total payees in county (3)	69,540

RAY COUNTY

Green Top Farms, Inc	54,986
F. O. Handley	31,746
Richmond Loan & Realty Co	23,226
Luman Offutt Farms, Inc	22,000
R. D. Vandiver	20,055
Total payees in county (5)	152,013

SALINE COUNTY

Eugene Elson	50,179
Saline Co Farms	30,822
Rasse Bros	26,282
Wm. H. Bryan	25,857
John Stonner	21,333
Total payees in county (5)	154,473

SCOTT COUNTY

E. P. Coleman, Jr	50,360
J. Handy Moore	40,069
Wm. B. Moore Farm	36,689
Wm. H. Deane III	31,843
Taylor Farms	29,676
United Ridge Co	28,335
A. D. and J. G. Johnson	25,527
E. L. Tongate	23,670
Jackson Hunter	23,078
Norris Edwards	23,043
Heckemeyer Farms	21,792
E. E. Dement	21,520
W. R. Lewis, Jr	21,238
Elvert Evans	21,116
John Engram	20,810
B. F. Marshall & Sons	20,268
Larry Brazel	20,118
L. F. Mayfield, Jr	20,032
Total payees in county (18)	479,184

ST. CHARLES COUNTY

Saale Bros. Farm & Grain Co	54,679
Total payees in county (1)	54,679

ST. GENEVIEVE COUNTY

Bartels Farms, Inc	53,645
Alan W. Schaefer	41,265
Loida Bros	39,773
Aubuchon Farms	28,490
Total payees in county (4)	163,173

ST. LOUIS COUNTY

Raymond Sprock	23,345
Total payees in county (1)	23,345

STODDARD COUNTY

Mahan & Radcliffe	73,694
W. P. Hunter	63,400
Taylor Brothers	61,698
Samuel Alberson	61,278
Gary Crump	39,986
H. A. Recker	39,646
Claude Keasler	39,603
A. & H, Planting Co	34,889
E. & H. Farms	26,028
Lane Brothers	25,495
Hampton Brothers	24,520
Lynn Welch	23,459
Pete Murphy	23,206
Quincy Murphy	22,260
Earl Anthony	22,182
J. C. Phillips	21,893
Mack Bain	20,843
Crews Reynolds	20,637
Total payees in county (18)	644,717
Total payees in state (283)	8,497,882

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loan—Montana

[Amounts in dollars]

BEAVERHEAD COUNTY

Jones Ranches, Inc	44,814
Matador Cattle Co	38,804
Chaffin Livestock	33,296
Rebish & Helle, Inc	31,574
Peter W. & George Rebich	30,717
Craig Cornell Co	30,269
Hansen Livestock Co	28,764
Hans C. Anderson & Son	25,110
Beaverdell Ranch, Inc	23,898
Dean Welborn	20,742
Harry Hoenstine	20,135
Total payees in county (1)	328,123

BIG HORN COUNTY

Campbell Farming	83,009
Pryor Land Company	52,834
Floyd Warren, Inc	37,613
Murry J. Brown	25,765
Raglands Incorporated	23,825
Erwin Schnad	23,186
Torske Farm, Inc	21,590
A. G. Ballensky Co	21,455
Total payees in county (8)	289,277

BLAINE COUNTY

Rasmussen Farming Corp	55,529
James R. Billmayer	43,602
Kenneth Hansen	30,316
Alex Pitsch	28,817
Lewis C. Gilbert	28,598
C. Spencer & Union Bank	26,966
McCann and Son	24,512
Total payees in county (7)	238,340

BROADWATER COUNTY

V. R. Cazier & Sons	47,998
Hunsaker Bros., Inc	46,906
Round Grove Rch. Co	40,141
Fred Kamp	24,238
Samuel F. Kirksey	23,943
Alexander P. Toeckes	21,706
Total payees in county (6)	204,932

CARBON COUNTY

Earl Spencer	20,200
Total payees in county (1)	20,200

CARTER COUNTY

Ralph Bruski	45,995
Adolph Fix	34,403
Merton T. Foster	27,243
J. A. Keith	20,090
Total payees in county (4)	127,731

CASCADE COUNTY

R. & C. Farming Co	58,270
Prairie Nest Ranch, Inc	56,422
Donald Bowman	50,500
Walter Gruel & Sons, Inc	48,409
Zoller Farms	42,430
L. Johnson, Inc	39,299
Malvin Merja	35,584
McKamey Ranch	33,723
Norman Wood	33,041
Anderson & Hovland	32,655
Everett Bumgarner	31,247
Clayton Sweeney	31,187
Carl J. Kantorowicz	29,812
C. Bovey	29,763
Thomas Sire, Jr	28,973
Orin Olson	28,069
Rudy & Blanche Weigel	27,951
Carl Mehmke	27,178
Lewis Hunt	26,914
Holtz Farms, Inc	23,919
Thompson & McCarty	23,531
Russell Bumgarner	23,477
Leroy H. Gemar	23,448
Neuman Land & Livestock Co. Inc	22,562
Cascade Colony	22,486
David E. Shane	21,715
Arnold Gettel	21,534
John D. Larson Est	21,512
Lyman Ranch	21,364
Paul Bowman	21,275
Sieben Livestock Co	21,178
Neuman Ranch Co	20,732

Eidel Ranch Co., Inc	20,698
Otto E. Johnson	20,270
Delbert Schnitzmeier	20,121
Total payees in county (35)	1,041,249

CHOUTEAU COUNTY

Onstad Grain Co	72,046
Fred A. Booth	60,731
Judeman Grain Co	51,829
M. & K. Farms, Inc	47,012
Oscar A. Kalgaard	45,891
Melvin Batchelor	45,114
Wyley P. Good	44,950
Robertson Ranch Co	44,456
Witt Ranch	44,230
R 5 Ranch	43,059
Raymond Romain	40,998
Forrest Charlson	40,808
Killion Farms	40,711
Andrew Trunk	40,147
Loran A. Perry	39,766
Wharram Ranch Co., Inc	39,702
Phil F. Schafer	39,147
Ronald M. Upham	38,452
Royce Applegate	38,431
Donald S. Gray	37,377
Birkeland & Son, Inc	37,210
Paul Onstad	36,238
J. G. Robertson Corp	35,624
Wishman Brothers	34,874
MacDonald Farms, Inc	34,266
Harold & Charles Knudson	34,045
Molinario Farms	33,569
Jack E. Lang	33,325
ABN Ranch, Inc	33,193
Rossmiller Farms	33,105
Charles Danreuther	32,803
Bough Ranch	31,066
Ted Worrall	31,005
Herman F. Maurer	30,695
Lawrence Romain	29,706
Rettig Farms	29,672
Charles Lenington	29,667
Morris B. Stewart	29,120
George A. Stevens	28,842
Lloyd Cline	28,602
Lyle McKeever	28,464
J. A. Gottfried	28,451
Vernon Turk	27,777
Charles M. Withrow	27,594
June L. Beirwagen	27,260
Paul C. Patton	27,062
Lawrence Rossmiller	26,755
Albert W. Bold	26,723
Gertrude M. Underdal	26,698
J. R. Katzenberger, Inc	26,658
Donald T. Wigen	26,639
Jerry Nepil	26,562
Rolly G. Hyatt	26,514
Big View Ranch	25,963
Robert and Emma Braun	25,898
George Lippert	25,806
Basil Fultz	25,742
J. Norris Owen	25,668
Bessette Ranch	25,194
Arganbright Farms	25,084
Austin A. Malek	25,015
C5 Ranch	24,728
Johnie J. McLean	24,475
Forder Land & Cattle Co	24,145
Leeper Land Co	24,051
Robert Rowland	23,974
Harold Walker, Jr	23,960
Ryffel Brothers	23,926
Ernest Wigger	23,816
Benjamin Ranch	23,760
Whitehorn Farms Inc	23,424
Thomas J. Bronec	23,254
Jack Arnst	23,090
Elmer & Mary P. Dostal	22,970
George Collins	22,960
Halverson Ranch Inc	22,919
Knottnerus Inc	22,573
Bernard E. Hardy	22,514
Leonard Johnson	22,432
Albert Richard	22,288
John W. Baack	22,245
Elmer Cox	22,184
Kenneth & Henry Zanto	22,161
Fred Bitz	21,921
Lloyd & Beverlee J. Allen	21,647
Roy Knudson	21,638
Fred G. White	21,495
C. W. Lippard	21,477
Jack Mahood, Jr	20,977
Dale C. Fait	20,829
J & G Willson Ranch	20,806
Raymond Oscar Williams	20,763
Arnold Tacke	20,640
R. B. Murray Agent	20,619
Stanley Danbrook	20,608
M. G. King	20,499
Scribner Bros	20,389
Norris Hanford	20,359
Charley Worrall	20,216
Glen Bramlette	20,184
Cowan and Son	20,171
Lester & Harold Lippert	20,110
Total payees in county (102)	3,006,208

CUSTER COUNTY

N. N. Land & Livestock	42,138
L. J. Green & Sons, Inc	38,316
W. M. Nefsy	27,914
Hanson Sheep Co	25,595
Mugglie Brothers, Inc	24,679
Frank Hartman	23,967
Hirsch Ranch, Inc	22,813
Total payees in county (7)	205,422

DANIELS COUNTY

State of Montana	827,942
Frederick Brothers	36,716
Chas L. J. & N. L. Fouhy	36,503
Hellickson Bros., Inc	33,034
Carl Jagiello	30,486
Dewayne Linder	30,391
Stanton Danelson	29,354
Oglesby Farms, Inc	27,946
Jacob Trang	27,343
Roy Killenbeck	21,859
Clayton Richardson	21,721
Edwin Hersel	20,371
Marvin Tade	20,263
Total payees in county (13)	1,163,929

DAWSON COUNTY

Wolff and Sons, Inc	50,612
Edwards, Inc	36,702
Marvin L. Spencer	34,990
Frank Klempel	32,128
Gordon Kolberg	31,923
John E. Kubesh	30,671
Earl S. Young	26,921
George S. Nagle	24,501
Don Tague	24,214
D. H. Ranch	23,580
Dave Johnston	22,243
Jim Fornall	22,072
Clarence Nagle	21,706
Norman Anderson	21,481
Lloyd Hostetler	21,466
Keith Guelff	20,875
Myron Schultz	20,136
Douglas Senner	20,095
Total payees in county (18)	486,316

FALLON COUNTY

Mobile Pellet Co	34,721
Delane Beach	30,165
Schweigert Ranch	29,874
Sikorski & Sons Inc	27,466
Darrell Johnson	26,867
Fred Buerkle	24,425
Robert L. Cox	23,978
Merle Hayden	21,152
David J. Ends	20,053
Bechtold Ranchino	20,000
Total payees in county (10)	258,701

FERGUS COUNTY

Deerfield Ranch Col	29,441
Robert-Gerald Barber	28,576
Wright Ranch Incorp	26,462
Franz Weinheimer	25,794
Spring Creek Colony	25,478
Ralph Lee	25,303
Roger M. Long	24,822
Otto Poser, Jr	23,567
Earl M. & Max R. Tyler	21,822
King Ranch Colony	21,783
Wm. D. Snapp	20,230
Wallace B. Ayers	20,112
Total payees in county (12)	293,390

Grosswiler Dairy, Inc	43,374
Total payees in county (1)	43,374

GALLATIN COUNTY

Henry Dehaan	22,690
Wilbur Dyk Ranches, Inc	20,797
Total payees in county (2)	43,487

GARFIELD COUNTY

Gerald Gibbs	44,661
Whiteside Livestock Co	24,873
Curtis Chamberlin	24,012
Red Butte Ranch	21,989
Harold Brusett	21,030
Coleman Murnion	20,701
Total payees in county (6)	157,266

GLACIER COUNTY

Glendale Colony	55,288
E. O. Peterson	52,260
Lyman Denzer	45,605
J. W. & Bob Smith	44,102
Stufft Farms, Inc	42,462
John V. Anderson	42,419
Warren Swenson	40,860
Wayne Simonson	35,844
Treasure Acre Farms	35,755
Glacier Colony	35,085
William McAlpine	34,823
John Lewis	32,164
Lagrand Farm	31,183
Leo L. Kimmet	29,588
Herb Sammons	26,862
Cobell Ditch	26,736
Fred Schafer	26,343
Chet Sammons	26,326
I. L. McClanahan & Sons	25,539
Del Wahl	25,100
Alfred Hansen	24,724
Ted Skelton	23,899
Fred Weiss	23,334
Glacier Farms	23,315
Doris & Helen Olson	22,952
Ted Suta	22,700
Floyd Dudley	22,353
Landslide Farms, Inc	22,091
Frank & Faye Manley	20,988
Total payees in county (29)	920,700

GOLDEN VALLEY COUNTY

Lehfeldt Ranch	20,348
Total payee in county (1)	20,348

HILL COUNTY

Marlin Spicher & Sons	52,332
Gildford Colony	45,813
Spicher Brothers	44,933
Miller Brothers	43,976
Herbert & Donald Bitz	43,604
Leo M. Kraft	42,869
John Romain	41,062
Lineweaver Farms	37,976
Kapperud Farms, Inc	37,099
John McIntosh	35,818
Kenneth G. Axvig	33,694
Dees Brothers	33,343

1972 ASCS and Great Plains program payments of $200,000 or more—excluding loans—Montana—Continued

[Amounts in dollars]

HILL COUNTY—continued

Hilldale Colony	33, 244
D. O. Koefod Agent	32, 790
Peter Woronik	32, 510
Fraser Bros, Inc	31, 819
Stuart McIntosh	30, 613
Arvin Aageson	30, 321
Kenneth R. Flynn	30, 036
Kraft & Martin	29, 695
Jack Swinney	29, 526
Harold R. Wanke	28, 428
Glennon H. Watson	28, 046
Martin Schuster	27, 346
John & Alfred Chinadle	26, 590
Eugene Aageson	26, 589
Borlaug Brothers	26, 407
Rooney Spicher & sons	26, 095
Roy O. Rambo	24, 432
Ted Greely	24, 285
Dennis Anderson	24, 005
H. H. Bitz Land Co	23, 466
Lloyd W. Kaercher	22, 970
Larry Tonjum	22, 838
Leonard Miller	22, 760
Lloyd B. Twedt Est	22, 536
Sam D. Shrauger	22, 068
Dow Brothers	21, 708
Norman Reynolds	20, 961
Lionell Grass	20, 762
Milton Haaland	20, 734
Big G. Grain Farm	20, 586
Dean Hanson	20, 543
Dave Wilmes	20, 453
Jack Lincoln	20, 299
Mike L. Fisher	20, 298
Arvid B. Ous	20, 146
Lipp Brothers	20, 081
William S. Velk	20, 070
Total payees in county (49)	1, 418, 575

JUDITH BASIN COUNTY

Never Sweat Ranch	36, 102
Robert Wigen	32, 778
Roger Petersen	31, 516
D. N. Zinnecker	24, 353
Gene Ernst	22, 804
Ronald Jaraczeski	22, 641
Benjamin L. Bokma	21, 860
William Henry Ward	21, 678
J. R. Hedrick	20, 970
Surprise Creek Colony	20, 936
Total payees in county (10)	255, 638

LEWIS AND CLARK COUNTY

Sieben Ranch Co	105, 206
Diehl Ranch Co	30, 464
Milford Colony, Inc	27, 353
Total payees in county (3)	163, 023

LIBERTY COUNTY

O. M. Skari & Sons, Inc	59, 914
Allen C. Kolstad	57, 180
John Wanken	56, 599
Clarence Romain	54, 276
A. C. Kammerzell	48, 940
Bill W. Fraser	48, 404
Leo Jensen	44, 334
Galen Kolstad	43, 803
Brown & Brown, Inc	42, 435
Violett Farms, Inc	41, 835
Thieltges Farms, Inc	38, 790
Raymond Fritz	37, 999
Meissner Ranches, Inc	37, 584
Oliver C. Morkrid	37, 569
Skierka Brothers	37, 052
Clark Diemert	35, 209
Gordon R. Standiford	35, 038
Semenza Farm	33, 645
Ole Jensen	33, 434
Hi Line Farms	33, 045
Dayton Kolstad	32, 853
Gordon or John Kammerzell	32, 773
Leonard Staudacher, Jr	32, 731
Ernest Gagnon	32, 557
William H. Earl, Jr	32, 050
Wickum Brothers	31, 812
Bert W. Alley	29, 799
Alvin L. Ploss	29, 731
Jennings Mattson	27, 871
McClellan Farms, Inc	26, 574
Fred K. Nelson	26, 394
Frank Hodges	26, 351
George Mattson	26, 345
Lizzie Laas	26, 084
William H. Skinner	26, 020
Carl J. Iverson	25, 686
Martin D. Lyders	24, 686
Rodney Svenson	23, 775
Dean Heydon	23, 644
Jacob D. Hofer	22, 888
Donald C. Kidd	22, 855
Frank Richter	22, 760
Richard Phillip Eveland	22, 539
Edwin Gunderson	22, 268
David F. James	22, 250
Arnold Dyk	22, 086
Clifford L. Blair	22, 157
Arthur Sundgren	21, 334
Vernon Dahinden	22, 267
Earl F. Keith	21, 262
Leo Ray Hawks	20, 924
Aden E. Ward	20, 809
Lyle Glee	20, 360
Leland Hodges	20, 270
Total payees in county (53)	1, 698, 764

MADISON COUNTY

R. C. Rice	41, 117
Gilbert Lvstk Co	38, 750
Heart L Ranch	21, 579
Total payees in county (4)	123, 532

M'CONE COUNTY

Waters Inc	49, 135
Kudrna & Witte Inc	35, 174
Bodray Hagestad	31, 398
Haglund Ranch Inc	31, 299
Melvin P. Johnson	30, 233
Meissner Bros., Inc	28, 690
Gordon H. Waller	26, 551
Eugene Schillinger	25, 212
Hanz Haynie	24, 933
Dreyer Bros., Inc	24, 782
Murphy Ranch Inc	24, 582
Leo Kahm	23, 079
Harley C. Berry	22, 669
Haber, Inc	22, 298
James Langemo	21, 148
Total payees in county (15)	421, 183

MEAGHER COUNTY

Springdale Colony	40, 747
Russell Manger	38, 826
Total payees in county (2)	79, 573

MUSSELSHELL COUNTY

Goffena Ranch & Lvstk	23, 294
E. S. Eliasson	20, 134
Total payees in county (2)	43, 428

PARK COUNTY

Stanford Lee Clark	24, 290
Total payees in county (1)	24, 290

PETROLEUM COUNTY

Ray Bohn	25, 300
Floyd R. Hill	21, 615
Andrew Iverson	20, 534
Total payees in county (3)	67, 449

PHILLIPS COUNTY

Matador Ranch, Inc	61, 580
Meisdalen Brothers	35, 642
Roger Simonson	31, 437
North Bench Farms	30, 611
Olaf Strommen	29, 987
Clyde Waters & Son	23, 732
Stanford Boothe	21, 539
Holman & Sons	20, 763
Milton J. Olsen	20, 737
John E. Lundstrom	20, 421
Total payees in county (10)	296, 449

PONDERA COUNTY

John Keil & Sons, Inc	63, 464
Tom McCracken	49, 895
Ralph Bouma	44, 852
Thomas W. Boucher	44, 168
Hofland & Henneman	42, 797
Loren Warwick	41, 125
Donald Keil	39, 874
Anderson Lahr Land Cattle	34, 801
Arnold Lindberg	34, 765
Birch Creek Colony	34, 594
New Miami Colony	34, 997
John Wood	30, 780
Bjelland & Robinson	34, 495
S. T. McFarland	29, 709
Eliz Seifert	27, 944
Keil Ranch, Inc	27, 472
Ronald Bokma	27, 466
A. E. Leech Co	26, 900
Charles D.-E. Brent Bliss	26, 441
R. Michael Meuli	25, 953
Stoltz, Inc	25, 773
James Page	24, 695
Boumans Bros	24, 384
Bills Ranch Co	23, 588
Iverson Ranch, Inc	23, 507
Gordon Matheson	23, 440
Iverson Farm Co	23, 435
Ullom Farms, Inc	23, 396
Leonard Johnson	23, 291
Russell Wikstrom	23, 272
Bergstrom Farms, Inc	23, 250
Charles Skorupa	23, 020
Gary Haris	22, 398
Richard Weikum	21, 678
Robert Arnst	21, 599
Bernice I. Orcutt	21, 209
Robert W. Boucher	20, 781
C. O. Johnson	20, 730
Charles R. Dyer	20, 464
Charles P. Kellogg	20, 404
Tom Ellis	20, 178
Total payees in county (41)	1, 191, 984

POWDER RIVER COUNTY

Emmons Ranch, Inc	23, 247
Dale V. Benge	22, 874
Total payees in county (2)	46, 121

PRAIRIE COUNTY

Frank Eaton and sons	26, 931
Total payees in county (1)	26, 931

RICHLAND COUNTY

Allen Verschoot	31, 799
Sundheim Corporation	29, 734
Basta Ranches	29, 680
Covered Wagon Ranch, Inc	26, 623
Thiessen, Inc	25, 324
James Cattaneo	23, 641
Bernard Pease	22, 642
J. Harry Johnson	21, 160
Frank Daniels	21, 137
J. D. Farms	20, 632
Total payees in county (10)	252, 372

ROOSEVELT COUNTY

Schnitzler Corp	57, 335
William Harmon Farms	37, 508
Louis Toavs	36, 226
A. A. Werner, Est	32, 873
Moe Farm Corporation	32, 053
Swank & Son	30, 035

Willie P. Lockman	29,406
Leslie T. Brown	27,742
George Stensland	27,338
Houg Farms, Inc	23,810
Dean Harmon	23,671
Lawrence E. Ault	22,341
Everett Jacobsen	22,169
John B. Stensland	21,823
Darrell Dahlberg	20,135
Total payees in county (15)	444,465

ROSEBUD COUNTY

Cherry Creek Sheep Co., Inc	46,553
Dahlman Ranch, Inc	20,147
Total payees in county (2)	65,700

SHERIDAN COUNTY

Nash Brothers	62,654
Richard McCarty	43,587
Larsen Farms, Inc	27,602
McCabe Farms	27,093
Overby Farms	26,890
E. J. Lander and Co	26,133
Marlowe Onstad	25,184
Edward Halverson	22,545
Eugene Meyer	21,575
Howard Holtan	21,329
Lund Hereford Ranch	20,611
Anthony Kavon	20,436
Wankel Farms, Inc	20,220
Total payees in county (13)	365,859

STILLWATER COUNTY

M. E. Davey	33,957
Yellowstone Grain Co	27,811
Chester W. Peterson	22,345
Total payees in county (3)	84,113

SWEET GRASS COUNTY

Leo J. Cremer, Jr	28,490
George L. Cremer	27,183
Total payees in county (2)	55,673

TETON COUNTY

Van Horn Ranch Co	50,866
Rockportcolony	48,358
New Rockport Colony	40,981
Miller Colony, Inc	35,143
Habel Bros	35,109
James Stephens	32,754
Eugene W. Johnson	31,046
Christman Ranch	30,647
Robert Kropp	29,165
Nels Hemstad	29,118
Robert Stephens	29,068
Daren J. Vick	27,825
Wagner Halverson	27,693
Charles Doheny	27,230
David Maurer	25,604
Herman G. Bouma	24,731
Rudy Debruycker Ranch	24,710
Glen & Clark Inbody	23,622
Pearson Bros. Corp	23,176
Schaefer Bros	22,986
Burns Ranch Corporation	22,482
Luinstra Bros. Farms, Inc	22,391
Hemstad Bros	22,035
Ferris Farm, Inc	21,911
Cedric Maurer	21,473
Lloyd Debruycker	21,374
Howard M. Harman	21,189
Norma B. Hanson	20,887
Tony Burgmaier	20,801
Jack Wiprud	20,726
Chester H. Thomas, Jr	20,522
John Frick	20,398
Ira Perkins	20,068
Total payees in county (33)	896,089

TOOLE COUNTY

S. A. Adaskavich	71,312
Bill McCarter	61,879
Kenneth Leck	50,023
John McCarter	44,28
Charles Wiegand, Jr	44,07
Leo Flesch	43,75
Westermark Bros	43,34
James & Howard Welker	41,38
A. G. McLean	41,384
Hellinger Bros	40,981
David Ratzburg	40,480
Wigen Bros	39,005
Dale Kinyon	38,749
Miles Burd	36,920
Hjartarson Partnership	35,935
Woodrow McCracken	35,158
Boxwell Farms	34,913
Lloyd McLean	34,841
Munson Bros	34,571
Robert Sisk, Jr	33,815
Raymond Tomsheck	33,793
Sun Ag, Inc	32,657
Jay Johannsen	31,850
Pleasant View Farm	31,215
McAlpine Bros	30,937
Henry Zell	30,914
Norman Benjamin	30,771
Gary Iverson	30,493
Olaf & Arnet Smedsrud	30,383
Fransen Bros	30,358
Hillside Colony	28,595
Lyle Aklestad	27,828
George Wilson	27,128
Clarence Underdal	26,734
B. F. Stewart	26,030
Wm. Judisch & Sons	25,806
Rawlin Zell	25,709
Torval Halvorson	25,695
Frances B. Smith	25,552
M. W. Ratzburg	25,526
Irwin Underdahl	25,301
Kelleher Bros	25,289
Karl Ratzburg	25,180
Dennis Diemert	24,914
Alf S. Steyee	23,725
Lindberg Bros	23,356
Rimrock Colony	23,099
H. E. Benjamin, Jr	22,995
Leonard Barrows	22,718
Harry Benjamin	22,605
Robert Hasquet	22,521
Fred Kanning	22,413
Orlo Underdal	22,039
James Jensen	21,796
Raymond Zelenka	21,217
Douglas Aklestad	20,669
Lynn Stewart	20,361
I. J. Peterson	20,302
John R. Dyrdahl	20,279
Total payees in county (59)	1,855,889

TREASURE COUNTY

Ted Kallen	31,939
Harold Zent Farms, Inc	23,391
Harold Hert	21,366
Total payees in county (3)	76,696

VALLEY COUNTY

Westland Ranch	44,182
Paul Zerbe	33,577
Marie O. Tarum	32,627
Mogan Ranch, Inc	30,735
Etchart Ranch	28,412
Gary Dahl, Sec Tr Dahl Corp	27,863
Kenneth White	27,126
Leo Shellerud	24,877
F. L. Bailey	24,650
Boucher Ranch, Inc	24,574
Elvin Olfert	24,230
Ludvig O. Honrud	23,717
Everett Breigenzer	22,869
Lyle Walstad	22,858
Theron Risa	22,788
Langen Rohde Livestock Co	22,671
Stan Fuhr Inc	22,621
Leo M. Pattison	22,592
Graydon Edwards, Jr	22,151
Earl E. Fuhrman	21,646
Clinton Nelson	21,219
C. R. Tvedt	20,892
Gordon W. Reimche	20,399
Total payees in county (23)	589,276

WHEATLAND COUNTY

Martinsdale Colony	36,779
Stone Gaugler Ranch Co	34,876
Duncan Ranch Colony	22,258
Careless Creek Ranch Co	22,092
Total payees in county (4)	116,005

WIBAUX COUNTY

Harry Begger	31,108
Total payees in county	31,108

YELLOWSTONE COUNTY

Agri. Exper. Farm	34,733
Pearlie Lee and Co	31,095
Vale Creek Ranch	26,599
G. M. Lowe & Son	25,461
Kemph Land & Livestock Co	22,407
Becker Land & Livestock Inc	21,842
Glenn Frey	21,000
Loren Ernest Downs	20,722
Lazy K. T. Ranch	20,688
John Bowman	20,550
Total payees in county (10)	245,097
Total payees in state (647)	19,784,275

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Nebraska

[Amounts in dollars]

ADAMS COUNTY

Ruth Hunt	36,425
Mary Lanning Hosp. Tr	32,933
Duane Kimie	22,919
Carrol Burling	22,594
Clayton Lukow	22,234
BMP Farms and Livestock	21,944
Bohlke Farms, Inc	20,489
Total payees in county (7)	179,538

ANTELOPE COUNTY

Robert P. Martin	44,855
Ralph Whitwer	23,489
Dwight Morrison	22,634
Lewis W. Berry	20,186
Total payees in county (4)	111,164

BOONE COUNTY

Choat & Sons, Inc	41,824
Dobson Brothers C/O R. Dobson	34,938
Kayton & Kayton Farms	33,229
Wolf Bros. & Reich	29,064
Wesley Mansfield	26,558
H. E. Nore	20,487
Total payees in county (6)	186,100

BOX BUTTE COUNTY

Edward Jelinek	45,268
Garland Fisher	40,449
Robert R. Elliott	25,876
Eugene Schefcik	25,811
Harry Cullan	23,191
Total payees in county (5)	160,595

BROWN COUNTY

Francis E. Bejot	28,826
Warren L. Walz	27,802
Ralph Keim	20,790
Kenneth O'Hare	20,692
Total payees in county (4)	98,110

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Nebraska—Continued

[Amounts in dollars]

BUFFALO COUNTY

Mark Randall	28,783
R. T. Rogers	27,154
Ky. Municipal Airport	25,393
Loren Niemack	23,054
Bendfeldt Farms, Inc	21,471
Kenneth Case	20,879
Hendrickson Land & Cattle	20,450
Total payees in county (7)	167,184

BURT COUNTY

Hundahl Farms	59,636
John Tobin & Sons	47,312
Tobin Ranch	37,417
Chatt Bros. Renters	30,515
Elliott Bros. Ptnp	27,890
Leonard Eriksen	23,840
Van Newell	23,851
Richard A. Goll	23,314
Brown Land	23,182
Gordon Palmer	20,812
Harel Corp	20,663
Eriksen Bros	20,586
Lowell Devasure	20,554
Vincent Quick	20,206
John Lloyd Hardy	20,050
Total payees in county (15)	419,558

BUTLER COUNTY

Grass VA Farms, Inc	26,549
John J. Prigge	25,065
Total payees in county (2)	51,614

CASS COUNTY

Forrest Engelkemier & Sons	22,974
Emerson Wiles	21,262
Walter Marolf	20,249
Total payees in county (3)	64,485

CHASE COUNTY

Leslie E. Smith & Sons, Inc	81,016
Yaw Farms, Inc	49,748
Harold D. Hughes	36,273
Edwin Fuehrer	31,837
Lester Mort	31,799
Maddux Cattle Co	28,708
Bernard O'Neil	25,040
Hughes Farms, Inc	24,945
R. J. Schilke	24,657
Stenger Pribbeno Ltd	24,338
German Land & Cattle Co	24,023
Vilas Smith Land & Cattle Co	22,185
Dwain Lock	20,561
Total payees in county (13)	425,130

CHEYENNE COUNTY

Raymond Jessen	34,398
Harold W. Hyde	24,348
Robert R. Rauner	22,617
Ruth Tipsword	22,206
E. A. Markel	21,837
Lee D. Hagemeister	20,703
Misegadis Farms, Inc	20,409
Total payees in county (7)	166,518

CLAY COUNTY

Hjy Bros. Co., A. Hajny	31,519
Diamond Seven Corp	29,619
Dana G. Schliep	27,999
Ray Phelps	27,812
Robert H. Kinyoun	26,091
Kiss F. Yo Lts. R. Kissinger Ad	24,332
Dale Dean Yost	22,955
Clarence Schliep	22,346
Thomas Sheridan	22,033
Aspegren Farms, Inc	21,525
Virgil Johnson	20,833
Robert L. Dane	20,315
Russell Swanson	20,216
Total payees in county (13)	317,595

COLFAX COUNTY

F. J. Higgins Farms, Inc	64,946
L. and Wagner Co	31,197
A. Glenn Kluck	24,800
Total payees in county (3)	120,943

CUMING COUNTY

Albers Dehy Co	48,756
Total payees in county (1)	48,756

CUSTER COUNTY

Herman Safranek	33,645
Reuben R. Squier	33,574
Clarence Davenport	29,413
Melvin D. Goerz	21,469
James Hanson	20,247
Total payees in county (5)	138,348

DAKOTA COUNTY

Leo C. Andersen	53,747
Beermann Farms, Inc	27,709
Leland George	21,516
Total payees in county (3)	102,972

DAWES COUNTY

Pepper Creek Ranch, Inc	28,090
Clifford Bergfield	22,256
William J. Iodence	21,900
Total payees in county (3)	72,246

DAWSON COUNTY

Central Alfalfa, Inc	52,799
Circle B Farms, Inc	41,386
Dee C. Scroggin	26,624
George Maloley & Sons	26,213
Victor Cover	23,856
Leo Neil & Son, Inc	23,440
Audrey Crawford	22,364
Esterich, Inc	21,808
Aden Brothers, Inc	20,547
Wm. Rickertsen	20,508
Douglas Gengenbach	20,419
Gruber Land & Cattle Co., Inc	20,344
Total payees in county (12)	320,308

DEUEL COUNTY

Bailey Partnership	42,239
Grace Land and Cattle Co	40,606
W. H. Palser Farms, Inc	31,204
Walter Harris	22,493
Carlson Ranch Co	22,254
Lyle Derry	21,465
Albert C. Nelsen	20,904
Total payees in county (7)	201,165

DODGE COUNTY

Harland S. Milligan	53,194
Flamme Bros	48,794
Norman P. Kracl	24,941
Stanley F. Jaiser	24,190
Keith Hindmarsh	24,182
Paul Eveland	21,778
Consolidated Blenders, Inc	20,084
Total payees in county (7)	217,163

DOUGLAS COUNTY

Hans Neumeyer	25,312
Matthais Roeder	24,440
Wedak Farms, W. R. Wedberg	24,251
Dale Harry Godbersen	21,890
Tietz Const. Co. & Farm, Inc	20,359
Tony Vencil	20,187
Total payees in county (6)	136,439

DUNDY COUNTY

B. E. Gottschalk	29,252
Dan Ellis	20,560
Total payees in county (2)	49,812

FILLMORE COUNTY

Biegert Bros	48,040
Schelkopf Enterprise	43,732
Alfs Imp. & Well Drlg. Co	41,187
Robert Bettger	40,932
William K. Brinkman	38,363
Keith Burt	33,436
Bruce Nedrow	32,635
O'Connor Brothers	27,965
Robert D. Lovegrove	27,296
Lauber Seed Farms	26,268
Louis Schoenholz	26,066
Howard R. Lefler	24,712
Ashby Farms	23,157
Ralph Softley	22,762
John W. Wilkins	22,611
Richard Kleinschmidt	22,461
Robert B. Waring, Jr	22,230
Don R. Miller	20,458
Glenn Kovanda & Sons	20,031
Total payees in county (19)	564,342

FRANKLIN COUNTY

Wayne Ziebarth	48,872
W. J. Bach	29,982
Calvin Soucie	28,230
Orlan R. Grams	24,403
Kahrs Farms Inc	22,054
Total payees in county (5)	153,541

FRONTIER COUNTY

Maurice Andersen	27,797
Bellamy Bros	26,732
Total payees in county (2)	54,529

FURNAS COUNTY

Ten Bensel & Sons	35,841
Eldin Haussermann	34,751
Lueking Farm & Ranch Corp	31,621
Kenneth Carpenter, Sr	28,573
Paul Johnson	22,385
Carl Johnson	22,378
Larry E. Jones	22,378
Roger W. Schroeder	20,351
Total payees in county (8)	218,278

GAGE COUNTY

Flo Wal Farms Inc	48,977
Total payees in county (1)	48,977

GARDEN COUNTY

Leo Jessen	48,004
Total payees in county (1)	48,004

GOSPER COUNTY

Alton Bossung	43,319
Total payees in county (1)	43,319

GREELEY COUNTY

James H. Dugan	50,193
Marvin W. Dugan	31,229
Total payees in county (2)	81,422

HALL COUNTY

Dobesh Farms, Inc	33,555
L. W. I. Bilslend Ptnrs	32,825
Wm. Packer	32,671
Ralph Mettenbrink	29,952
Thelen Grain Co	24,646
Clifford R. Woodman and Son	24,115
August H. Peters	21,578
George P. Mader	21,534
Total payees in county (8)	220,876

HAMILTON COUNTY

Kreutz Bros., Inc	45, 093
Farm Inc. W. Wilcynski, Pres	43, 441
Leroy Jost	36, 902
Wilbur Akerson	24, 869
Rudolf F. Schaffert & Sons	23, 921
Ruben D. Friesen	23, 462
Wilson Farms, Inc	22, 022
Albert D. Friesen	22, 014
Walter L. Goossen	21, 472
B. E. McHargue & W. H. McHargue	21, 250
Bob Hawthorne	20, 937
Total payees in county (11)	305, 383

HARLAN COUNTY

Bernard Lueking	50, 471
R. L. Lueking	23, 889
Lawrence Walker	21, 219
Total payees in county (3)	95, 579

HAYES COUNTY

Earl Smith	35, 117
Johnson Farms, Inc	22, 017
Total payees in county (2)	57, 188

HOLT COUNTY

P. & P. Farm Supply	55, 680
Fred Horne, Jr	48, 426
Wm. A. Curry	36, 177
Total payees in county (3)	140, 283

JEFFERSON COUNTY

Stanley A. Snyder	23, 025
Ebbers Farms, Inc	21, 451
Total payees in county (2)	44, 476

JOHNSON COUNTY

Spencer R. Marquette	30, 525
Total payees in county (1)	30, 525

KEARNEY COUNTY

Kermit Felzien	28, 166
Lamonte Woollen	27, 159
Leo Sinsel	25, 780
John H. Gardels	25, 523
Total payees in county (4)	106, 628

KEITH COUNTY

Milford Krajewski	34, 927
Mueller and Mueller Corp	32, 346
Walter Armstrong	31, 720
Palser and Palser	29, 316
Rankin Prochaska, Inc	28, 849
Lester O. Rhoades	28, 535
McGinley Schilz Co	28, 436
Norbert Krajewski	26, 939
Raymond Nelson	25, 426
Nichols and Son, Inc	22, 759
George Vasa	21, 181
Beal Enterprises, Inc	21, 159
Erick G. Linquist	20, 953
Total payees in county (13)	352, 546

KIMBALL COUNTY

Wayne Kennedy	26, 640
Jimmy Jessen	22, 663
Delbert Gehrke	21, 779
Total payees in county (3)	71, 082

LANCASTER COUNTY

Loren E. Schwaninger	33, 366
Schwaninger Bros	26, 771
Warner Hereford Farm	26, 593
Jerry Lee Barger	20, 854
Carrol C. Ketelhut	20, 522
Frederick C. Retzlaff	20, 385
Total payees in county (6)	148, 491

LINCOLN COUNTY

Gothenburg Feed Products Co	28, 909
Miron Moore	27, 683
Walter Hasenauer	26, 808
Kenneth Brosius	26, 601
Stewart H. Evans	25, 953
Charles Arnett	25, 233
Thomas W. Brown	22, 675
Charles Fleecs and Son	21, 988
Paul Weinman	21, 644
Kaw Dehydrating	20, 062
Total payees in county (10)	247, 556

MERRICK COUNTY

Dinsdale Bros, Inc	39, 567
Lloyd Wagner	32, 275
Larry Krance	27, 380
Milton Stoppkotte	20, 834
Harold Wagner	20, 620
Total payees in county (5)	140, 676

MORRILL COUNTY

Jessen Farms, Inc	38, 292
Abel Inv. Co	28, 984
Connie Lapaseotes	23, 089
O. H, Fairchild	21, 018
George Hall	20, 665
Total payees in county (5)	132, 048

NANCE COUNTY

Sonderup Bros	32, 017
Johnnie Bruna	26, 310
Total payees in county (2)	58, 327

NEMAHA COUNTY

A. B. Ritchie, Jr	39, 144
Lehr Farms	27, 852
Wm. E. Rogge	23, 593
Total payees in county (3)	90, 589

NUCKOLLS COUNTY

Victor Meyer	22, 579
Waldine Jones	20, 850
Total payees in county (2)	43, 429

OTOE COUNTY

Wirth Bros	27, 242
Hammond Frms, Inc	26, 833
James Haase Moyer Knaup	26, 238
Forrest Binder	25, 299
H. Novak H. Novak	23, 009
Richard Marquette, Jr	21, 700
R. M. Catron	20, 392
Total payees in county (7)	170, 713

PERKINS COUNTY

Don & Frank Svoboda	42, 452
Gerald Krajewski	38, 777
Kjeldgaard Farms, Inc	28, 969
Charles R. Cutler	28, 622
Knipp Land Co	28, 160
Jack Holaway	26, 805
Total payees in county (6)	193, 785

PHELPS COUNTY

Roy W. Pearson	44, 457
Sam T. Schrock, Jr	41, 104
Holly Hodge, Jr	26, 780
Merlin R. Wilke	22, 897
Roger D. Olson	22, 190
A. Johnson & Son Ptn	21, 539
Russell Enquist	20, 548
Kenton Peterson	20, 255
Total payees in county (8)	219, 770

POLK COUNTY

Dewey Anderson, Jr	33, 609
Larson Company, Inc	31, 806
R. W. Eller and Sons	22, 568
R. Beebe and Sons	22, 263
Mark A. Romohr	20, 208
Total payees in county (5)	130, 454

RED WILLOW COUNTY

Myers Bros	45, 545
Friehe Farms, Inc	37, 711
Driftwood Farms, Inc	35, 433
Charles Barber	28, 903
Merlin Messinger	21, 946
Don Olson	20, 889
E. L. Neiman	20, 489
C. K. Swanson	20, 311
Total payees in county (8)	231, 227

RICHARDSON COUNTY

Stalder Cattle Co., Inc	54, 112
Nemaha Realty Co., Inc	28, 779
Elmer Duerfeldt	28, 713
Heasty W. Reesman	26, 796
Keith Sherburne	24, 085
Total payees in county (5)	162, 485

SALINE COUNTY

Mahloch Farms, Inc	46, 375
Duane Hendrickson	21, 251
Total payees in county (2)	67, 626

SAUNDERS COUNTY

Walter E. Adams	41, 744
Leo Dwyer	29, 016
Centennial Farms, Inc	28, 287
Arthur Gifford	27, 518
Ralph Raikes	22, 922
H. & R. Tvrdy	22, 717
Herbert Ritthaler	21, 913
Leonard E. Benes	20, 056
Total payees in county (8)	214, 173

SCOTTS BLUFF COUNTY

Everett Dennis	60, 153
Cook Livestock	41, 882
E. F. Eskam	27, 962
Alex Reifschneider	26, 420
Calvin Heimbouch	21, 042
Total payees in county (5)	177, 459

SEWARD COUNTY

Lawrence Beckler	24, 851
Rex Briggs	23, 944
A. J. Trute, Trustee	23, 599
A. H. Rolfsmeier	22, 211
Total payees in county (4)	94, 605

SHERIDAN COUNTY

Richard Fuchser	26, 095
Milbert Holzberger	22, 990
Total payees in county (2)	49, 085

SIOUX COUNTY

Louis S. Bauer	20, 558
Total payee in county (1)	20, 558

THAYER COUNTY

Ted Currey	36, 516
Lewis Duensing	33, 991
A. B. Miller Farms, Inc	25, 933
Alvin H. Paul	21, 001
Werner Bros	20, 664
Harley Grone	20, 165
Total payees in county (6)	158, 270

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Nebraska—Continued

[Amounts in dollars]

THURSTON COUNTY

Willis Leinart	29,384
M. B. Connealy	22,659
Total payees in county (2)	52,043

VALLEY COUNTY

Melvin Swanson	22,925
Total payees in county (1)	22,925

WASHINGTON COUNTY

Tyson Farms, Inc	48,303
Gilbert Potadle	28,077
Alfred Heaton	22,145
Total payees in county (3)	98,525

WEBSTER COUNTY

Delbert Lewis	51,960
Total payees in county (1)	51,960

YORK COUNTY

Broadwell, Inc	54,252
Harrington Farms Co	52,490
Grotz, Inc	32,968
Otto Farms, Inc	28,578
R. L. Kaliff Ranch Co	26,389
Leroy Pettey	23,770
Wm. H. Otto	22,831
J. Klute & S. Klute, partners	22,778
Malvin Otto	21,554
Total payees in county (9)	285,610
Total payees in State (340)	9,655,110

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Nevada

[Amounts in Dollars]

CARSON CITY

Borda Bros	33,413
Total payees (1)	33,413

DOUGLAS COUNTY

Sario Livestock Co	59,165
Dangberg Land & Livestock Co	47,584
Total payees in county (2)	106,749

ELKO COUNTY

Robison & Sorensen	155,858
Magnuson Ranch	122,753
Allied Land & Livestock	107,263
Ellison Ranching Co	81,790
Fernando Goicoechea & Sons	72,758
Alex Heguy & Sons	54,276
Corta Livestock Co	25,038
Total payees in county (7)	619,736

HUMBOLDT COUNTY

The Baer Ranch, Inc	32,806
Connecticut Gen Life Ins	30,937
Rosebud Livestock Co., Inc	24,231
Total payees in county (3)	87,974

LANDER COUNTY

Paris Paris & Inchauspe	47,092
Total payees in county (1)	47,092

LYON COUNTY

Fred Fulstone, Jr	54,113
F. M. Fulstone, Inc	49,850
Total payees in county (2)	103,963

NYE COUNTY

Mizpah Ranch	51,052
Tim Hafen Ranches, Inc	48,507
Gordon Mason	21,436
Total payees in county (3)	120,995

PERSHING COUNTY

Brinkerhoff Ranch, Inc	53,920
Herman Dennler	43,868
Improved Beef Feeders	32,856
Star Sheep Co	24,615
Total payees in county (4)	155,259

WHITE PINE COUNTY

Copper Sheep Co	94,015
Henriod Land & Livestock Co	76,927
Burton H. Robison	74,826
Bertrand Paris & Sons	66,157
John Uhalde & Co	48,428
Total payees in county (5)	360,353
Total payees in State (28)	1,635,534

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—New Jersey

[Amounts in dollars]

MIDDLESEX COUNTY

Jeffwell Farms	29,565
Total payees in county (1)	29,565

MONMOUTH COUNTY

Warren Wagner	26,280
Total payees in county (1)	26,280
Total payees in State (2)	55,845

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—New Mexico

[Amounts in dollars]

BERNALILLO COUNTY

Gordon Bond Co	21,519
Total payees in county (1)	21,519

CATRON COUNTY

Frank A. Hubbell Co	46,218
Total payees in county (1)	46,218

CHAVES COUNTY

Flying H. Ranch	67,959
Marley Whitney Studdard	63,970
Herbert M. Corn	55,972
H. C. Berry	54,423
Hale Bogle	51,538
Jimmy Pack	51,436
J. P. White, Jr	43,050
Fred Corn and Sons	41,857
Bonham Farms, Inc	41,513
Diamond A. Cattle Co	40,653
F. V. Cauhape	38,863
Penasco River Ranch	35,955
X Bar Ranch, Inc	34,677
Willard Watson	34,419
Jack Patterson	32,875
Poe W. Corn	31,825
Scharbauer Cattle Co	31,758
Rosendo Casarez	31,690
Melvin Pearson	31,546
James Norris	31,281
Clardy Farms, Inc	30,489
M X Ranch Co	28,892
H. H. McGee	28,314
John Divine	27,922
Fletcher Brothers	27,813
Malone Farms, Inc	27,586
R and B Co c/o Bronson Corn	26,897
A. W. Langenegger	26,884
Kaywal, Inc	25,818
Delbert M. Robinson	25,803
Ross R. Langenegger	25.652
James G. Langenegger	25,652
Bill Bogle	25,633
James F. Wagner	24,635
James Grassie	24,511
Armstrong and Armstrong	24,488
S. P. Johnson, Jr	24,408
George Kimble Hibbard	24,100
Jennings and Jennings	24,000
John P. Cauhape	23,401
Leroy Miles	22,597
Kap D. Kelley	22,577
Barney E. Green, Jr	21,952
Inez F. Bogle	21,056
Carroll Brewton	20,966
Roy Choat	20,714
Noling and Noling	20,579
B. F. Crawford	20,282
Schrimsher Brothers	20,239
Total payees in county (49)	1,561,120

COLFAX COUNTY

Roy M. Wood	28,255
Total payees in county (1)	28,255

CURRY COUNTY

John Garrett, Jr	110,000
George Hammond	101,882
The Hecht Company	95,289
Garrett Corporation	94,399
John H. Spearman	92,489
Lee Ross Hammond	84,080
Malcolm Garrett	81,361
C. Elton Green	81,250
Crest Agro Inc. C/O D. Turner	70,192
Michael Garrett	69,354
James E. Garrett	68,522
O. H. Pattison	67,241
R. W. Leonard	65,095
Esther L. Van Soelen	62,627
Harold House	59,646
Dale Elliott	59,056
Virgle Harrison	58,994
C. E. Christian	58,619
Frank Blackburn	57,654
Leon Marks	57,519
Eldon Blackburn Farms	57,159
Hershel L. Hughes	56,100
Sid Pipkin	55,141
Eldon Blackburn	54,822
Francis L. Decker	54,088
Leslie Pattison	53,981
Elbert Mitchell	52,433
J. L. Wall	52,257
Haney Tate	50,351
Phillip Tate	49,932
J. R. Shumate, Jr	48,586
Fern Castor	49,064
Russell Downey	47,994
L. R. Talley Est	47,614
Frank Wicks	47,394
Archie Baker	47,301
Jack Muse	46,205
Lester Merrill	45,891
Max L. Kelso	45,811
John C. White	44,920
Eldon Jones	44,672
Willie O. Wall	44,085
D. D. Myrick	43,499
M. M. Snell Estate	43,124
W. W. Bomar	42,189
Ronnie G. Mitchell	41,892
Joe Paul Cobb	41,793
John W. McIntosh	41,369
John W. Gunter, Jr	40,465
Paul P. Harrison	40,177
Dudley Bailey	37,667
Fred Northcutt	37,598
Tom Cobb, Jr	37,197
Ray Starbuck	36,801
Calvin Stout	36,697
Wayne Cherry	36,603
W. L. Lockmiller	36,590
Dwaine Lockmiller	36,579
Gary L. Lockmiller	36,579
Robert D. Martin	36,374
Otha Lockmiller	36,072

L. E. Davis	35, 882
Wayne Martin, Jr	35, 278
N. E. Thompkins	35, 252
Wallace Farms	34, 734
Fred A. Smith	34, 273
A. Lloyd Grau	34, 262
Oscar Fryar	34, 215
E. L. Smith	34, 071
Johnnie Rucker	34, 045
George H. Trimble	33, 974
B. P. Davis	33, 889
E. C. Fish	33, 767
J. C. Eshleman	33, 099
E. C. Murrell	33, 033
Lane K. Goar	32, 829
L. Conrad Pippin	32, 785
Michele Demaid	32, 393
Joel Sealey	32, 342
Gilbert Bros	32, 131
Edgar Campbell	31, 852
Four Lane Farms, Inc	31, 841
L. T. Hanes	31, 643
Frank R. Meier	31, 510
Don Harmon	31, 447
Billy Meeks	31, 152
Charles Petty	30, 576
John Reid	30, 526
Buford Qualls	30, 162
Richard Lee Miller	30, 046
John Fury	29, 928
A. R. Kleeman	29, 787
Waymon Mitchell	29, 508
Jerry Elliott	29, 288
Ronald Minyen	29, 211
Jack D. Garrett	29, 004
Ollie Damron	28, 860
G. H. Laney	28, 626
W. G. Patton	28, 592
Victor Stout	28, 589
Leroy Bailey	28, 466
Byron Black	27, 945
Jim Brooks & Sons	27, 760
Burns Bros	27, 655
Wayne Burford	27, 316
Steve Myrick	27, 174
Kenneth Davis	26, 975
Ray E. Castleberry	26, 911
Hammond, Inc	26, 787
Williams Farm & Ranch Corp	26, 641
Elwin Bailey	26, 569
A. C. Nystel	26, 539
H. B. & J. H. Moberly	26, 473
Mark M. Liethen	26, 431
Curtis Lay	26, 349
James C. Woods	26, 144
J. W. Elliott Est	26, 006
Gibbs Rucker	25, 986
Joe Byron Burford	25, 888
Clinton C. Burnett	25, 758
Jerry Bell	25, 666
Edgar H. Cooper	25, 619
Arvin B. Wood	25, 609
Jackie Roberts	25, 469
Ken White	25, 138
W. R. Cloud	24, 659
Carrel Dennington	24, 384
Harold S. Holland	24, 178
Clarence Meeks	24, 012
Dean Myers	23, 856
Quincy Arnold	23, 820
J. G. Palmateer	23, 719
Bob Johnson	23, 683
N. O. Carpenter	23, 649
J. W. Graham	23, 582
Bill Roberts	23, 569
Wilburn Brooks	23, 356
Gorman Hand	23, 316
Hubert Qualls, Jr	23, 256
R. A. Kelley	23, 214
Dwight Sheriff	23, 154
Walter M. Potts	22, 763
Cohee Smith	22, 564
Frieda Smith	22, 553
Clyde W. Gunnels	22, 551
William Lee Smith	22, 546
Eric J. Smith	22, 520
W. T. Meeks	22, 480
Andrew Don McCasland	22, 466
J. Willard Patterson	22, 283
Howard Duncan	22, 144
Richard Motl	22, 046
W. Earl Willmon	21, 999
Albert Chiles	21, 901
Glenn Bell	21, 805
Donald Clark	21, 686
Bob G. Howard	21, 656
Melvin Estes	21, 450
Billy Joe Shaw	21, 427
L. A. Hutchins	21, 322
A. G. Campbell	21, 271
Sterling Lockmiller	21, 066
John R. Hadley, Jr	20, 916
Elzie Jones	20, 914
J. A. Chandler	20, 878
S. Wayne Snyder	20, 599
Jim Starbuck	20, 372
T. J. Kittrell	20, 348
Thurman Chandler	20, 292
Wayne Reid	20, 181
G. H. Harrington	20, 147
Richard Bain	20, 004
Total payees in county (172)	6, 285, 568

DE BACA COUNTY

Ramon Perez Ranch, Inc	56, 055
Marcel H. Achen	30, 804
Total payees in county (2)	86, 589

DONA ANA COUNTY

O. L. Hilburn	51, 334
Felipe Garcia	46, 817
John R. Tomlin	38, 846
Enrique Acosta	34, 935
J. F. Apodaca Farms Co., Inc	33, 547
J. K. Nakayama & Sons	32, 739
Burrell Welton	32, 627
Albert Titsworth	32, 627
John L. Sykes	32, 606
Juan V. Navarette	32, 563
Ralph R. Hackey	32, 180
Elias Dominguez	31, 719
John Clayshulte	29, 865
Sammie Singh	29, 802
Louis E. Archer	29, 764
Tony Salopek	29, 536
H. E. Whittington	29, 472
Deerman Farms Inc	29, 328
Luis Salinas	28, 040
Clyde Simpson	27, 923
Jack E. Dunlap	27, 459
Charles L. Deerman	27, 219
P. R. Kuykendall	26, 610
Kriegel & Kriegel	26, 129
C. C. Woodward	24, 455
Robert S. Hayner Est	23, 897
Ernest Harris	23, 833
William F. Hayner	23, 533
Marvin L. Hayes	22, 341
Harvey Investment Co	22, 166
John Salopek	21, 832
Bickley Farms	21, 828
Will Holt	21, 242
Louis E. Dawson	20, 756
Thomas S. White	20, 681
Koenigs Inc	20, 602
David Ealopek	20, 302
Total payees in county (37)	1, 061, 155

EDDY COUNTY

Ray Howard	69, 989
Roy Ingram Co., Inc	44, 339
Bob Morgan	43, 768
Draper Brantley	39, 755
S. G. Karr	36, 388
W. I. Johnson	35, 218
Carter Farms	33, 940
Tom E. Vandiver	32, 433
G. G. Armstrong and Son	32, 117
Frank Runyan	30, 722
W. D. Bounds and Son	27, 454
B. C. Aaron	23, 738
Ralph Hood	23, 593
Bowman and Son	23, 289
Cottonwood Cattle Co	22, 595
Henry H. Grandi	22, 490
James Thigpen	22, 079
Quentin Rogers	21, 731
L. T. Lewis Estate	21, 696
Ralph Pearson	20, 878
J. S. Waldrip	20, 165
Total payees in county (21)	648, 377

GUADALUPE COUNTY

Eugenio Perez Ranch	43, 482
Vaughn Enterprises, Inc	34, 551
Raymond Perez	26, 769
Vicente Ranch Co	20, 326
Total payees in county (4)	125, 128

HARDING COUNTY

Jack Lewis	24, 340
Total payees in county (1)	24, 340

HIDALGO COUNTY

Darrow Richins	60, 656
Bill Veck	59, 930
Robert P. Baxter	58, 857
Harry Turner	58, 773
Troy R. Sharrock	58, 103
M. R. Haddox	33, 283
Sidney O. Wright	32, 121
Adair Merrell	31, 676
Harriet Veck	29, 290
R. H. Wamel	28, 979
Archie Payne	21, 653
Edward Mendoza	20, 246
Total payees in county (12)	493, 577

LEA COUNTY

Emma Lawrence	101, 318
Elvis Jones	65, 562
Hawthorne Bros	45, 453
Brady Lowe	40, 530
John Richardson	39, 237
Taylor & Heidel, Inc	38, 865
Joe C. McKown	35, 167
G. Bradford Feed Pens	32, 719
Jack Jones	32, 143
Louis Eubank	31, 797
C. E. Alexander & Sons	31, 265
McClish Farms	30, 182
Leroy Box	27, 541
Yarbros, Inc	27, 153
J. V. Burdett	26, 252
Berry Lee Hobbs	25, 946
Perl H. Harris	25, 449
W. G. Turnipseed	24, 226
Richard Parker	23, 138
R. L. Byrum	22, 263
J. W. Spears	20, 717
L. D. Patman	20, 181
Total payees in county (22)	767, 104

LINCOLN COUNTY

Lincoln County Livestock Co	57, 939
W. R. Lovelace Livestock Co	33, 385
Wade H. Corn	28, 842
Block Dot Sheep Company	28,646
Lewis and Sanders Inc	27, 009
Goodrum Brothers	25, 545
Twin Butte Sheep Co	22, 410
Bonita Ranch Co	22, 077
Total payees in county (8)	245, 853

LUNA COUNTY

Jerry Lynn Hilburn	154, 429
Jerry Zachek	120, 720
L. G. Guaderrama	84, 817
Edward Ray Hooper	67, 858
William B. Green	64, 868
H. S. Jackson	57, 624
Hal B. Keeler	55, 224
James E. Keeler	49, 738
Darrell McCauley	42, 498
Leo W. Koenig	39, 619
Robert S. Gomez	36, 854
W. R. Johnson & Son	26, 548

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—New Mexico—Continued

[Amounts in dollars]

LUNA COUNTY—continued

James W. Donaldson	22,667
Irvin Spitler	20,514
Total payees in county (14)	843,978

OTERO COUNTY

John P. Fain	38,333
Total payees in county (1)	38,333

QUAY COUNTY

Ivan Rush	51,497
Odus Rush	50,762
Charley Roy Best	44,215
Gunn & Sons Inc	44,139
D. F. McCasland	39,470
Jennings Bros	36,145
J. V. Curtis	35,718
O. L. Yocom	34,663
Bruce A. Runyan	34,410
H. J. Lee & Sons Inc	30,394
Edward O. Sumrall	29,348
McKenzie Land & Livestock Co	27,856
Lewis O. Caton	24,021
James J. Harman	23,947
Northcutt & Sons	23,841
R. C. Tillman	23,061
Cecil E. Moon	22,847
Lloyd Morrow	22,487
Akin & Akin Corp	22,093
David Dougherty	21,799
Manuel MacKechnie	20,674
Luther Bunch	20,643
J. L. Jordan, Jr	20,376
Total payees in county (23)	704,406

ROOSEVELT COUNTY

J. D. Terral	60,882
Johnie B. Gammill	41,787
Harvey L. and Ava L. Balko	41,220
Brown and Brown	39,894
Claudie W. Reeves	35,373
Jerome Terral	32,196
Sidney E. Pool	30,911
Allen Chapman	30,170
Gene Massey	29,090
Delbert Brown	28,965
Rodney Thetford	27,685
J. K. Frazier	27,572
C. H. Wall	27,345
Pete Field Estate	27,268
Hadley H. Kern	26,743
Arthur King	25,916
M. A. Tanner	23,440
Harding Burris	23,188
D. C. Terral	22,516
Kermit Gardner	21,703
J. D. Hays	21,536
Cary V. Watson	21,317
Glenn W. Thompson	21,093
E. B. Robbins, Jr	20,560
Margaret T. Roberts	20,184
Total payees in county (25)	728,554

SANTA FE COUNTY

Paul Simmons	25,371
Total payees in county (1)	25,371

SIERRA COUNTY

David Jr. & Rouert Holguin	22,769
Total payees in county (1)	22,769

SOCORRO COUNTY

Brawley Bros	39,340
J. F. Bamert	21,466
Total payees in county (2)	60,806

TORRANCE COUNTY

Hindi Sheep Company	49,423
Kings Valley Irrigation	23,080
Total payees in county (2)	72,503

UNION COUNTY

Rex L. Rinker	40,833
Matt D. Irwin	36,967
Arthur Jernigan	36,938
Wayne Wallace	31,761
H. D. Newman	27,738
Rudolf Jesko	25,789
Billy C. Lutes	24,060
Tramperos Livestock, Inc	22,138
Ronald McKay	20,477
Total payees in county (9)	266,701

VALENCIA COUNTY

Fernandez Company	37,175
Total payees in county (1)	37,175
Total payees in State (410)	14,195,669

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—New York

[Amounts in dollars]

GENESEE COUNTY

My T Acres	25,230
Total payees in county (1)	25,230

MONROE COUNTY

John Halpin Sons	33,389
Total payees in county (1)	33,389

NIAGARA COUNTY

Holman O. Connor	28,265
Total payees in county (1)	28,265

ORLEANS COUNTY

Kludt Brothers Inc	22,470
Total payees in county (1)	22,470

SCHOHARIE COUNTY

Shaul Farms Inc	24,978
Total payees in county (1)	24,978

SENECA COUNTY

Stanley Vanvleet	20,047
Total payees in county (1)	20,047

WAYNE COUNTY

Lopez Bros. Inc	72,660
Jackson Farms Inc	35,819
H. Arthur Foster Farms Inc	28,945
Total payees in county (3)	137,424
Total payees in State (9)	291,803

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—North Carolina

[Amounts in dollars]

ANSON COUNTY

C. C. Sikes	34,801
Edwin J. Wall	34,202
G. Manley Thomas	29,058
George P. Capel	26,640
John Robinson	26,257
Norwood E. Teal	24,562
Total payees in county (6)	175,520

BEAUFORT COUNTY

Henrietta H. Bell	54,855
A. D. Swindell	42,381
Russel L. Peed	20,582
Total payees in county (3)	117,818

BERTIE COUNTY

E. R. Evans & Sons Inc	20,875
Total payees in county (1)	20,875

CAMDEN COUNTY

Alvin N. Staples	21,600
Total payees in county (1)	21,600

CHOWAN COUNTY

T. E. Corprew	23,047
Total payees in county (1)	23,047

CLEVELAND COUNTY

Morgan & Co., Inc	56,635
A. M. Boggs & Sons	41,765
Billy Wilson	38,157
Glenn Sperling	38,110
Roy Cochran	34,134
Earl P. Eaker	28,536
Hoyle Blalock	25,775
Robert R. Hamrick	24,372
Dras Biggerstaff	23,805
Roger L. Stroup	22,910
James A. Blalock	22,885
J. F. Cornwell	21,648
Total payees in county (12)	378,732

CUMBERLAND COUNTY

A. G. Cooper, Jr	27,162
George D. Elliott	25,378
Edgar Edens	20,903
Total payees in county (3)	73,443

CURRITUCK COUNTY

James H. Ferebee and Son	32,998
Total payees in county (1)	32,998

EDGECOMBE COUNTY

R. R. Brake, Jr	46,945
W. S. Clark & Sons, Inc	29,070
M. C. Braswell Farms	27,751
Peoples Bank	24,360
W. J. Eason, Jr	21,779
Wiley Bulluck	21,629
Robert Driver	21,384
Total payees in county (7)	192,918

HALIFAX COUNTY

Carolina Peanut Company	44,577
L. H. Kitchin	35,355
Charles H. Smith, Jr	32,846
Betty S. Whitehead	32,640
Benjamin B. Everett, Jr	31,474
James R. Kitchin	29,331
Bill Pickette	27,992
Hubert B. Morris	27,953
A. H. & W. C. Taylor	26,852
Jack Fleming	24,419
Cecil Moone	23,684
Edison Smith	23,343
R. W. Davis	22,476
Ronald C. Fleming	22,044
C. H. Leggett, Jr	21,361
Charles L. Tillery	20,972
Russell Braddy	20,527
Total payees in county (17)	467,846

HARNETT COUNTY

R. A. McLamb	43,157
J. W. Sorrell, Jr	21,164
Total payees in county (2)	64,321

HOKE COUNTY

J. G. Balfour	41, 417
R. L. Gibson	41, 167
Earl Hendrix	36, 753
James D. McCougan	36, 159
Agnes U. Johnson	28, 959
Edward Hayes	28, 792
Dundarrach Trading Co	28, 284
J. K. McNeill Farms	25, 655
John E. McGougan	24, 853
Julian Love	20, 089
Total payees in county (10)	312, 128

LENOIR COUNTY

Parrott Farms	22, 935
Total payees in county (1)	22, 935

LINCOLN COUNTY

Joe Kiser	54, 869
J. D. Baxter	22, 811
J. M. Beam	21, 477
Total payees in county (3)	99, 157

MONTGOMERY COUNTY

Robert Chappell	38, 828
Mack Chappell	27, 156
North State Orchards, Inc	20, 066
Total payees in county (3)	86, 050

NORTHAMPTON COUNTY

John G. Burgwyn	56, 192
Reuben Turner	48, 933
M. C. Dunlow	42, 593
Henry Bennett	36, 771
William R. Johnston	35, 416
Allan A. Dickens	25, 783
W. P. Morris	23, 835
Jasper Turner	23, 486
Lewis Farms	22. 971
J. C. Edwards, Jr	22, 541
W. G. Long	20, 850
James N. Massey	20, 055
Total payees in county (12)	379, 426

PITT COUNTY

F. L. Blount, Jr	20, 453
Total payees in county (1)	20, 453

RICHMOND COUNTY

Myers Waddell	21, 173
Total payees in county (1)	21, 173

ROBESON COUNTY

Wakulla Farms, Inc	80, 443
Midway Farms, Inc	73, 247
D. D. McColl	70, 313
Maxton Supply Co	65. 252
Allen M. Shook	61, 394
William A. Davis	59, 980
Bassil Gentry	58, 505
Sinclair Corp	55. 210
Ted Smith	52, 167
D. M. Lytch	50, 253
Arthur Norman Emanuel	47. 262
Tom McCrimmon	46. 768
J. H. McArthur, Jr	46, 150
Waccamaw Bank & Trust Co	43, 110
Bill Herndon	41, 481
Neil Watson	41, 059
W. B. Townsend Farms	35, 970
Henry McLeod, Jr	35, 838
R. E. Parnell	35, 258
Pates Supply Co., Inc	33, 825
E. D. McGougan	33, 397
B. E. Simpson	31, 888
Thompson Brokerage Co	30, 683
Timothy Strickland	25, 804
W. H. McIntyre	25, 217
B. C. McIntyre	25, 217
K. M. Biggs, Inc	25, 085
Lewis R. McNeill & Davis	24, 251
James M. McNair	22, 607
Martin Clark	22, 000
Richard Gillespie	21, 542
Alton A. Price	21, 392
David Dunn, Jr	20, 581
Total payees in county (33)	1, 363, 149

SAMPSON COUNTY

John T. Barefoot & Sons, Inc	43, 686
R. A. Carroll, Jr	22, 927
J. G. Warren	20, 102
Tom Newman	20. 078
Total payees in county (4)	106, 793

SCOTLAND COUNTY

Baker Enterprise, Inc	69, 988
A. R. McMillan, Jr	61, 575
James R. McKenzie	58, 872
Z. V. Pate, Inc	57, 325
Harvey Z. Edge	57, 188
John Carmichael	56, 087
J. T. John Co. Inc	51, 639
Evans Brothers	51, 636
J. N. Gibson, Jr	51, 305
Donald Morgan	46, 549
William P. Carmichael	42, 045
Edwin Snead	41, 740
P. B. and J. M. McGregor	34, 573
Alice J. McLeod	33, 991
Haynes Stone	33, 719
John M. McLaurin	33, 425
Jesse Snead	31, 161
Ralph Usher	30, 468
Blue Investment Co	30, 159
Richard Tatum	27, 359
Westwood Farm	27, 328
C. S. McArthur	26, 771
Essie Carmichael	26, 695
McNair Farms	25, 775
A. D. Gibson Store	25, 763
W. W. Thompson	24, 260
Myrtle C. Snead	23, 307
Archibald McLean	22, 732
Total payees in county (28)	1, 103, 435

UNION COUNTY

Wade H. Howey, Jr	43, 475
D. L. Kimbrell	22, 169
Billy Ray Alexander	20, 563
Total payees in county (3)	86, 207
Total payees in state (153)	5, 170, 024

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—North Dakota

[Amounts in dollars]

ADAMS COUNTY

Merwin Farm	35, 384
Russell E. Bohne	31, 607
Harold Arndorfer	29, 220
Floyd Howe	28, 569
Robert SRB	28, 258
Henry J. Johnson	25, 388
Earl G. Hagen	23, 728
Darrell Papka	22, 154
Earl Laufer	21, 477
Raymond Zent	21, 343
Total payees in county (10)	267, 128

BARNES COUNTY

Paul B. Bjornson	41, 272
Lyle J. Larson	32, 183
Ronald M. Rose	27, 964
Vernon Triebold	27, 450
Sauer Farms	24, 412
Douglas Quick	22, 684
Merrill R. Willson	22, 625
Nyle Burchill	21, 216
Total payees in county (8)	219, 806

BENSON COUNTY

Leo Studness	37, 436
Marvin Logan	32, 253
James McCarty	28, 356
Dwayne & Ardon	27, 815
Lyle Halvorson	25, 833
Reuben Liechty	25, 253
John R. Beckstrand	24, 995
Virgil & Wayne & M. N. Gerig	24, 819
Rudolph J. Kakela	23, 586
Harold Kenner	23, 423
Alvin Kenner	23, 353
Harold Hofstrand	21, 907
Galen Strand	21, 013
W. J. Thoreson	20, 305
Total payees in county (14)	360, 347

BOTTINEAU COUNTY

The Witteman Company	44, 957
Russell B. Ballantyne	43, 435
Melvin B. Ballantyne	43, 435
Pearson Bros	37, 222
Willis Glinz	36, 339
Stair Brothers	33, 148
Carris Joe Vandal	29, 874
Wyman Brothers	28, 963
Norman Glinz	28, 661
Henry Grain & Stock Farm	27, 474
Frank F. Adams	23, 493
Lloyd Undlin	21, 644
Elmer Issendorf	21, 101
George C. Adams	20, 465
Zurcher Brothers	20, 234
J. Feuerhelm	20, 138
Total payees in county (16)	480, 583

BOWMAN COUNTY

Melvin Miller	35, 520
William Stegner	27, 633
Joe Bagley	25, 443
Charles Bowman	25, 438
Edgar Hilton	23, 478
Robert Swanke	22, 267
Dr. R. C. Thom	21, 942
Bill Fisher	21, 344
Wilbur Brewer	21, 174
Total payees in county (9)	224, 239

BURKE COUNTY

Earl Schwartz	31, 706
Fritz Peterson	23, 136
Durick Brothers	23, 129
John Koch	21, 903
Total payees in county (4)	99, 874

BURLEIGH COUNTY

Monty Burke	30, 456
Patterson Land Co	27, 738
Walter Krueger	27, 106
Preszler Brothers	24, 875
Ervin Bourgois	24, 131
Casey Est	22, 963
Total payees in county (6)	157, 269

CASS COUNTY

Geo. C Howe, Jr	44, 739
Orten Brodshaug	37, 585
J. Dalrymple Est	34, 239
Barker Bros	27, 982
Ruliffson Brothers	26, 769
Frank Lynch Co	25, 178
Giermann Partnership	24, 742
Terry & Jerry Meyers	24, 577
Thomas J. Sinner	24, 174
Donald E. Warner	23, 658
Franklin Erbstoesser	22, 397
McLean Partnership	22, 229
Robert L. Brodshaug	22, 162
Wm. & Geo. Sinner and E. Bresnahan	22, 021
Clayton Runck, Jr	21, 395

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—North Dakota—Continued

[Amounts in dollars]

CASS COUNTY—continued	
Andrews Farm	20, 707
Elmer Fraase	20, 519
Otis Nelson, Jr	20, 342
James Runck	20, 214
Total payees in county (19)	485, 629
CAVALIER COUNTY	
Marvin Mikkelsen	33, 784
James Blake	25, 793
Howard McDaniel	25, 164
Richard Schmiess	23, 530
Edward Waltz	23, 522
S. T. Iverson	23, 270
Ernest Waltz	23, 270
Gerald Howatt	23, 233
Rallan Beck	22, 328
Clarence Roppel	21, 243
John N. McDonald, Jr	21, 144
Total payees in county (11)	266, 281
DICKEY COUNTY	
Alamo Farms	42, 712
Total payees in county (1)	42, 712
DIVIDE COUNTY	
Lawrence Hagen	42, 227
David Jensen	38, 390
Lloyd Kittelson	20, 148
Total payees in county (3)	100, 765
EDDY COUNTY	
Norman Birkeland	29, 623
Quentin Georgeson	26, 584
Byron Langley	22, 542
Total payees in county (3)	78, 749
FOSTER COUNTY	
Louis S. Reimers	56, 557
James P. Carr	40, 525
Butts Farming Assn	28, 925
Total payees in county (3)	126, 007
GOLDEN VALLEY COUNTY	
Lloyd Weinreis	40, 158
Donald Kittelson	30, 491
Dale Stedman	26, 462
Richard Nagel/Werner Kippley	24, 488
Lawrence Kukowski	24, 199
Orval A. Ross	22, 336
Charles M. Hardy	21, 444
Robert Clarin	21, 136
Edmund Kukowski	20, 110
Total payees in county (9)	230, 824
GRAND FORKS COUNTY	
John W. Scott	68, 212
Elk Valley Farms	46, 097
Ryan Farms	45, 588
Art Greenberg	43, 003
Drees Farming Association	37, 181
Haugen Farms	34, 631
William H. Omlid	30, 974
Clark Farms	27, 715
Don & Nordis Lindholm	27, 593
Henry & Louis Lazur	26, 603
David Thompson	25, 171
John S. Dean	24, 804
M. G. Dickson	23, 944
Dan Burke Farms	22, 609
Chester Krabbenhoft	22, 361
Darrel Adams	22, 288
Gordon McLean	22, 056
Clifford Knudson	21, 558
Jack A. Halverson	21, 261
George Stadstad	20, 593
Ardell Omlid	20, 277
J. A. Cronquist	20, 221
Total payees in county (22)	654, 740
GRANT COUNTY	
Elmer Pahl	25, 541
Vincent Muggli, Jr	23, 335
Leo Muggli	22, 098
Herbert Sprecher	21, 001
Lydia R. Hintz	20, 414
Total payees in county (5)	112, 389
GRIGGS COUNTY	
Gruman Brothers	22, 743
Leland Haugen	20, 056
Total payees in county (2)	42, 799
HETTINGER COUNTY	
John F. Swindler	66, 378
Benjamin Schaible	62, 022
Milton Hertz	61, 289
Marion Swindler	50, 906
Clyde L. Swindler	46, 746
August C. Kirschemann	46, 423
Gothold Hertz	34, 609
Jos. P. Grundhauser	34, 293
Raymond K. Bieber	30, 342
Arnold L. Mehrer	29, 044
Fred J. Hoherz	28, 965
Larry Stang	28, 951
Oscar Schaible	28, 587
Arthur Schaible	28, 434
Ronald L. Swindler	26, 641
Jakie Hummel	26, 414
Nick and Barbara Rettinger	26, 093
R. C. Schumacher	25, 735
Wilmer Zenker	24, 854
Allan and Willa Rustan	24, 564
Andrew J. Rettinger	24, 377
Ronald Sorenson	22, 385
Leone W. Lince	21, 749
Harold A. Oberlander	21, 368
Werner J. Kilzer	21, 351
Bernard Kirschenman	20, 796
Robert Bohnet	20, 670
Allan Swindler	20, 501
Total payees in county (28)	904, 487
KIDDER COUNTY	
Ward Whitman	41, 668
Fred A. Bon	20, 372
Total payees in county (2)	62, 040
LA MOURE COUNTY	
Rott Bros	32, 139
Fairview Hutterian Association	25, 962
Reuben L. Schlenker	24, 664
Heim Brothers	20, 960
Total payees in county (4)	103, 725
M'HENRY COUNTY	
Harry Anderson	27, 469
Nick Haman	21, 331
Total payees in county (2)	48, 800
M'KENZIE COUNTY	
Peter A. Nygaard	39, 177
Joe Gudbranson	33, 935
Roger L. Sanders	32, 671
James R. Chitwood	24, 509
Tim Dwyer	23, 204
Arno Wisness	22, 626
Clifford Sovig	21, 504
Harold Dahl	21, 080
John Cayko	20, 146
Total payees in county (9)	238, 852
M'LEAN COUNTY	
Richard Kerzman	25, 543
Cecil Zahnow	24, 213
Wayne Zahnow	24, 210
Leon Billadeau	22, 804
Nettie V. Iverson	21, 934
Earl Hanson	21, 933
Joe Rensch	20, 946
Shirley Rustad	20, 362
Harold Robinson	20, 207
Total payees in county (9)	202, 152
MORTON COUNTY	
Wachter Ranch	56, 008
Edwin C. Richter	21, 185
Total payees in county (2)	77, 193
MOUNTRAIL COUNTY	
Otto Engen	61, 055
Abrahamson Bros	34, 667
Arthur Harstad	27, 335
Nolen Nielsen	22, 654
John Bartelson, Sr	22, 623
A. H. Nelson & Sons	22, 453
Roy Johnson	22, 050
Wallace Nelson	21, 652
Total payees in county (8)	234, 489
NELSON COUNTY	
Roscoe W. Kelly	38, 256
J. P. Lamb Land Co	33, 444
Raymond F. and Frances C. Lamb	30, 429
John Lindvall	28, 582
Jacob Geritz	27, 620
Glenn Orwick	24, 956
Ronald MacMillan	22, 500
Gordon L. Nelson	21, 705
Peter Steffan	21, 610
Richard M. Morken	20, 741
Total payees in county (10)	269, 843
PEMBINA COUNTY	
Bert Olson & Sons	46, 636
Johnson Farms	46, 409
J. G. Hall & Sons	42, 278
Warner Bros	39, 419
Schulz Moquist Illing	38, 085
Ted Eagen	35, 461
Leonard Schwartz	34, 652
F. Kent Vosper	34, 055
Tucker & Green	32, 859
Morrison Bros	31, 693
Hector Walleghem	28, 991
Rutherford Farm Co	28, 972
O'Toole Bros	28, 213
Patrick Mahar	28, 042
Warren Hartje	27, 984
Gary Longtin	25, 041
Aaland and Robbins	24, 550
Vernon R. Fitzsimonds	23, 642
Halcrow Bros	23, 194
Vernie Lysengen	23, 005
Russell Vosper	22, 373
Gunderson Bros	22, 076
Stanley Metelmann	21, 632
Martin Farms	21, 606
Richard Folson	20, 332
Landrigan Bros	20, 284
Gapp Farms	20, 098
W. Ross Brown	20, 015
Total payees in county (28)	811, 597
PIERCE COUNTY	
Elizabeth Follman	27, 169
Archie Lindseth	25, 442
Joseph A. Brossart	21, 670
Joe J. Hoffart	20, 213
Total payees in county (4)	94, 494
RAMSEY COUNTY	
Herman Dimmler	44, 772
J. H. R. Braaten	37, 957
John F. Elsperger	34, 916
Leo Langton	34, 010
Gerald Dimmler	32, 516
Robert L. Weed	30, 956

Leo Labarre	30, 889
Theodore Sigvaldson	29, 980
John & Henry Mertens	29, 773
Duane Bauerle	26, 688
David J. Anderson	26, 663
D. J. E. Iverson	26, 467
Gordon Berg	26, 420
Richard K. Saunders	25, 140
Bjarne Berg	24, 972
Wm. Frith, Jr	24, 373
Duane A. Bye	23, 871
E. W. B. Johnson	23, 520
Richard G. Stevens	23, 510
David Olderbak	22, 597
Ordale G. Morstad	22, 244
John Kram	22, 232
William Evans	22, 009
Clarence P. Hofstad	21, 838
Rodney J. Lee	21, 789
Robert Freije	21, 374
Donald D. Olson	21, 057
Wallace Linde	21, 025
George Eidsness	21, 011
Lawrence Arnold Knoke	20, 504
Ronald G. Anderson	20, 139
A. W. Burt	20, 105
Total payees in county (32)	835, 317

RANSOM COUNTY

William D. Huether	24, 593
Magill Bros	23, 792
Wiltse Bros	20, 695
Orrin Streich	20, 565
Total payees in county (4)	89, 645

RENVILLE COUNTY

Lyle Alexander	22, 924
Marcellus Schaefer	20, 155
Total payees in county (2)	43, 079

RICHLAND COUNTY

Robert Miller	31, 872
Darrel R. Miller	27, 843
Dotzenrod Bros	27, 225
Jubert Malme	22, 955
Merlyn Miller	22, 907
Donald L. Miller	22, 367
Ray Kummer	21, 215
Total payees in county (7)	176, 384

ROLETTE COUNTY

Peter Wayne	28, 874
Herbert Pederson	24, 077
Mickelson Farms	23, 529
Raymond Hudson	21, 779
Total payees in county (4)	98, 259

SIOUX COUNTY

Peter Sittner	36, 555
Benson Brothers	24, 174
Morris H. Wise	22, 587
Total payees in county (3)	83, 316

SLOPE COUNTY

Frank Dilse	50, 439
Maurice O'Connell	42, 496
Harold Brooks & Sons	37, 622
Stuber Ranch	35, 907
A. Burke Lambourn	30, 433
Teddy Dale Dilse	29, 806
Neil Krinke	28, 533
Thomas G. Powell	28, 383
H. J. Burke & Sons	28, 001
Gordon Teske	26, 790
Leroy Sadler	26, 673
Maurice Hansen	25, 400
James Molzahn	21, 787
Glenn Powell	21, 710
Melvin Stafford	20, 993
Clifford Swanson	20, 596
Total payees in county (16)	475, 569

STARK COUNTY

Shinagle Bros	25, 259
Phillip Messer, Jr	24, 558
Ray Reich	23, 699
Adam Schank	20, 693
Total payees in county (4)	94, 209

STEELE COUNTY

E. A. Brag	38, 508
Thomas Snortland	20,547
Total payees in county (2)	59, 055

STUTSMAN COUNTY

Freddie Mutschler	55, 404
Eddy Farms	44, 300
David Glinz	43, 725
Arvel Glinz	41, 226
Robert F. Reimers	37, 687
Carl Frey	27, 780
Maurice Zink	26, 193
Kropp Farms	25, 122
Lawson Posey	24, 915
Eugene Rott	25, 790
Barnes Brothers	23, 645
Darwin Fisher	21, 703
Almon A. Williams	21, 649
Ted Van Ray, Jr	21, 323
Walter E. Johnson	21, 313
Abner Mitchell	20, 874
Walter Holzworth	20, 746
Clifford Bellon	20, 030
Total payees in county (18)	522, 425

TOWNER COUNTY

W. A. Schmidt	44, 140
Neil S. Gibbens	36, 485
James Gibbens	30, 469
Delbert Lewallen	27, 231
Elmer Cole	25, 100
Gerald Haberstroh	24, 196
John B. Gibbens	22, 748
Oscar Dammen	21, 949
R. Ray Gibbens	21, 041
Adolf I. Johnson	20, 314
Total payees in county (10)	273, 673

TRAILL COUNTY

Dewel Viker, Jr	40, 343
Lindgren Farms	31, 598
J. S. Dalrymple Sr Est	29, 858
Anderson Bros	29, 241
Clark Ewen	23, 242
Earl H. Warner	23, 007
Total payees in county (6)	177, 289

WALSH COUNTY

L. E. Tibert Co	58, 188
Boone Farms	39, 969
Glenn Gorder	39, 196
Dolan Brothers	36, 669
John D. Miller	36, 005
Harley Kingsbury Co	31, 747
Ardell Fortier	29, 594
Norman Burns	28, 276
Campbell Bros	27, 603
Rossford Johnson	26, 306
Elmer Hammer	25, 191
John Donnelly	24, 742
Burbidge Farm	23, 858
Clyde Pfannsmith	23, 601
Bennie J. Krile	23, 353
Richard T. Swanson	23, 005
James Johnston	22, 252
Louis Kosmatka	22, 013
Adrian Gerszewski	21, 773
Ambrose Spoonland	20, 684
Hove Farms	20, 600
Anders Windingland	20, 532
John Brown	20, 305
Marcell Hillier	20, 230
Gudajtes Farm	20, 150
Ferguson Bros	20, 137
Maurice J. Lessard	20, 029
Total payees in county (27)	726, 008

WARD COUNTY

Earl Schwartz Co	61, 466
C. Morris Anderson	48, 423
Henry Neshem, Jr	41, 546
Carl R. Buechler	29, 420
Ernest C. Livingston	27, 307
Wilbur Moffitt	23, 258
R. D. Farms	23, 186
Erwin Herzig & Sons	20, 294
Total payees in county (8)	274, 900

WELLS COUNTY

Norman Weckerly	49, 074
Carlton Larson	35, 389
Roger Rudel	29, 395
Milton Pepple	28, 469
J. W. Schaefer, Est	22, 611
Ebel Brothers	21, 892
Arthur G. Rudel	21, 642
Donald Polries	20, 367
Alvin Polries	20, 367
Gordon Bentz	20, 209
Total payees in county (10)	269, 415

WILLIAMS COUNTY

Earl Bauste	38, 998
George & Thomas Layon	37, 865
James Alfson	27, 123
Leroy Seaton	24, 636
Hodenfield Bros	24, 149
Daniel R. Delaney	23, 937
Harold Berger	23, 146
Ardean Aafedt	20, 889
Abe Owan	20, 626
Charles Fay	20, 607
Total payees in county (10)	261, 976
Total payees in State (414)	11, 458, 332

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Ohio

[Amounts in dollars]

CHAMPAIGN COUNTY

Avery Linville	27, 126
Total payees in county (1)	27, 126

CLARK COUNTY

Gayle Locke	26, 290
Paul Clark	23, 842
Michael Sons	20, 520
Total payees in county (3)	70, 652

CLINTON COUNTY

Midwest Farms John Goings	30, 713
Total payees in county (1)	30, 713

COSHOCTON COUNTY

Tri Mac, Inc	26, 930
Ross Brothers	21, 696
Total payees in county (2)	48, 626

CRAWFORD COUNTY

James Miller	27, 591
Huggins Livestock Co	24, 907
Total payees in county (2)	52, 498

DELAWARE COUNTY

Delca Inc	25, 666
Total payees in county (1)	25, 666

ERIE COUNTY

Wensink Brothers	27, 635
Total payees in county (1)	27, 635

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Ohio—Continued

[Amounts in dollars]

FRANKLIN COUNTY

Darby Dan Farm Co	26,413
Total payees in county (1)	26,413

GREENE COUNTY

Trelawny South	30,778
Mark Guess	30,569
Total payees in county (2)	61,347

HARDIN COUNTY

Phoenix Mutual Life Ins. Co	55,217
Total payees in county (1)	55,217

HIGHLAND COUNTY

David W. Steritz	21,618
Total payees in county (1)	21,618

LUCAS COUNTY

Schaller Farms	24,693
Wolf Farms	22,884
Total payees in county (2)	47,577

MADISON COUNTY

Ag Lands, Inc., Finney	53,597
Orleton Farms Co	46,392
J. Sawyer, DBA Sawyer, Fm	27,303
Stewart Fm, Inc	21,163
Total payees in county (4)	148,455

MARION COUNTY

Ward Walton and Asso., Inc	71,287
DeKalb Agri. Research, Inc	56,822
W. S. Guthery & Sons, Inc	38,719
Total payees in county (3)	166,828

OTTAWA COUNTY

Turnow Ventures	23,872
Total payees in county (1)	23,872

PAULDING COUNTY

Donnel L. Dangler	32,630
Total payees in county (1)	32,630

PICKAWAY COUNTY

William J. Richards	36,144
John H. Dunlap, Jr	22,546
Total payees in county (2)	58,690

ROSS COUNTY

Robert C. Drake	25,625
Total payees in county (1)	25,625

SANDUSKY COUNTY

William I. Warner	22,010
Gries Seed Farms	21,762
Total payees in county (2)	43,772

STARK COUNTY

Kay Vaughan	32,518
Total payees in county (1)	32,518

VAN WERT COUNTY

Marsh Foundation, by R. Oetzel	26,001
Total payees in county (1)	26,001

WYANDOT COUNTY

Norman Gottfried	25,391
Bowman Farms	24,951
David J. Needs	23,394
Charles McCarthy	22,444
Total payees in county (4)	96,180
Total payees in State (38)	1,149,659

1972 ASCS ad Great Plains program payments of $20,000 or more—excluding loans—Oklahoma

[Amounts in dollars]

ALFALFA COUNTY

Albert Bouziden	35,788
Mark Ginder	28,500
Solomon Bouziden	28,144
Junior Dumler	25,309
Robert E. Dumler	24,098
Floyd Schupbach	22,841
Robert L. Hadwiger	22,169
Total payees in county (7)	186,849

BEAVER COUNTY

Howard Franz	21,982
Total payees in county (1)	21,982

BECKHAM COUNTY

A. W. Phillips	33,586
K. B. Stowers	32,286
W. A. Kennemer	23,102
George F. Greene	20,285
Richmond Robinson, Jr	20,249
Doyle Phenix	20,007
Total payees in county (6)	149,515

BLAINE COUNTY

Orval Cowan	22,858
Lorence Parham	20,628
Total payees in county (2)	43,486

BRYAN COUNTY

Alvie Grossman, Jr	23,697
Total payees in county (1)	23,697

CADDO COUNTY

S. G. Stevens	39,232
Stephens Bros	34,563
Jewell Propps	28,681
D. M. Ulery	25,189
Wayne Krehbiel	23,376
Buster Swanda	20,578
Total payees in county (6)	171,619

CANADIAN COUNTY

Margaret Petree	46,351
Nelson A. Davison	24,672
Jensen Farms, Inc	24,344
Doyal Selvidge	22,374
Garner Pettigrew	22,177
Francis Loosen	21,732
Total payees in county (6)	161,650

CIMARRON COUNTY

Billy R. Gowdy	67,706
Thomas A. Foreman	39,849
Clovis Stafford Est	37,609
L. J. Stafford	37,113
Dayle M. Oyler	35,367
Harold J. Froning	33,832
Clifford Hinds	33,437
Lee D. Rice	33,415
John D. Burrow	32,384
W. H. Spradlin, Jr	31,652
Raymond Smalts	30,639
Jerrie Thrash	29,892
George C. Camilli, Jr	29,192
Roy V. Carey	28,209
Guy L. Ottinger	27,539
R. P. Crabtree	26,510
Merritt S. Swineburne	25,941
Aubrey Foreman	25,655
Lloyd J. Holloway	25,351
Clyde E. Adams	25,245
E. H. Allen	24,440
J. Nelson Moore	23,217
Cecil A. Reed	23,170
E. W. Payne	23,169
Eugene Sizemore	21,919
Darus Hanes	21,078
Ray O. Wilson	20,729
W. S. Hinton	20,568
E. G. Bearden	20,238
Total payees in county (29)	855,065

COMANCHE COUNTY

Mark Scherler	27,611
Total payees in county (1)	27,611

COTTON COUNTY

Hertis Baber	35,468
Marvin R. Scherler	31,189
Royce McGee	30,906
Leon McComber	27,595
James W. Kinder, Jr	26,542
C. B. Bowles	24,337
Total payees in county (6)	176,037

CUSTER COUNTY

J. G. Stratton, Sr	48,409
Jack Carpenter	44,158
Isaac Fransen	37,322
J. R. Martin	34,661
Bob Carpenter	30,204
Strong Farm Partnership	27,519
George Fransen	24,371
Willard Eagan	23,560
Roy Shepherd	22,898
George Meachan, Jr	22,852
Darrell Cott	21,045
Don Haskett	20,938
Boyd Miller	20,789
Gary Donley	20,379
Donald Carpenter	20,110
Total payees in county (15)	419,215

DEWEY COUNTY

H. L. Christensen, Jr	28,430
Chain Ranch Business Trust	23,644
Total payees in county (2)	52,074

GARFIELD COUNTY

Eddie Zaloudek	49,886
Ediger Farms	37,438
Louis Zaloudek	24,594
Pro Farmers Inc	23,615
E. B. Mitchell & Sons	22,830
Total payees in county (5)	158,363

GRADY COUNTY

Harold Barrington	41,730
Barnes Farms Inc	36,836
Virgil Voigt	34,115
Ralph Jacobs	32,910
Joe Humphrey	24,707
Earl Campbell	24,530
William Hardesty	21,846
Art McVey	20,231
Total payees in county (8)	236,905

GRANT COUNTY

C. W. Leforce and Son	43,221
C. B. Whitzel	20,755
Total payees in county (2)	63,976

GREER COUNTY

St. of Okla	42,007
Clinton Nesmith	40,522
Frankie Johnson	29,515

Milton Vaughan	28, 500
Jimmy Heatly	23, 395
Leo Fite	20, 715
Total payees in county (6)	184, 654

HARMON COUNTY

Paul & Chas. Horton	47, 860
Elmo Jones	36, 643
Shelby & Kirby	34, 319
Harold Nichols	31, 558
David Rath	31, 394
Verna Motley Exec	30, 633
Regie Lewis	28, 067
G. D. Payne	27, 738
Carrick Brothers	27, 709
Paul Lee	26, 444
Motley & Motley	26, 267
Beanland & Sons	25, 887
William Don Whorton	23, 507
C. B. Carter	22, 331
H. E. Moore	22, 118
G. W. Strawn	22, 079
Clay Whorton	21, 903
R. S. Moran, Jr	21, 444
Lee Roy Crawford	21, 273
W. D. Stewart, Jr	20, 886
Hayes and Rollins	20, 818
Darrell Brookman	20, 257
W. C. Williams, Jr	20, 185
Total payees in county (23)	611, 320

HARPER COUNTY

R. A. Lotspeich	32, 738
Robert McClung	20, 749
Total payees in county (2)	53,487

JACKSON COUNTY

Robert Robbins	54, 862
Murray R. Williams	54, 142
Harold Worrell	50, 227
Carthal F. Mock & Son	45, 850
Glenn Southall	44, 883
Wayne Q. Winsett	42, 311
Brewer Bros	41, 723
Gary W. Winsett	38, 557
Ann Winsett Hawkins	38, 557
Gordon Thomas	38, 227
Charles Abernathy, Jr	35, 292
John Boyd McMahan	33, 937
Harvey R. Petzold	32, 787
Travis Walls	31, 229
Roy A. Holsey	29, 342
Clayton Tinney	28, 743
Joseph C. Talbot	28, 088
Earl E. Abernathy	27, 961
Mock Brothers	27, 268
Glen Stout	26, 174
Harlan Tabb	26, 049
William C. Southall	25, 953
B. L. Dean & Son Ptr	25, 700
E. E. & J. P. Weber	25, 265
Rodney Hughes	24, 945
Robert E. Roudebush	24, 666
John Y. McLeod	23, 956
Samuel C. Shultz	23, 661
Elton Talley	23, 416
Edgar W. Cleveland	22, 622
Laverne A. Fessenden	22, 562
Jim C. Bradford	21, 584
Robert M. Kerr	21, 400
Melton H. Hughes	20, 461
Charles D. Felty	20, 395
Hopson E. Pickett	20, 296
Total payees in county (36)	1, 123, 091

KAY COUNTY

Jack Lane	42, 348
Bill Carmichael	26, 935
Myrl R. Craft	23, 501
Elston Kahle	20, 955
Harold Wooderson	20, 066
Total payees in county (5)	133, 805

KINGFISHER COUNTY

Frank Schulte	25, 573
Oppel Brothers Inc	20, 700
Tomie Wharton	20, 229
Total payees in county(3)	66, 502

KIOWA COUNTY

Glenn and Sam Pfenning Partners	44, 672
E. F. Bunch	37, 693
Charles & Gayl Portwood Partners	31, 148
Clifton Delk	28, 026
Truman Jones, Jr	25, 550
Sam Fuchs	23, 974
Paul Edge	23, 339
Jerry & Joe Sherle Partners	23, 237
Darrell Allard	21, 616
Larry & Zelma Null Partners	21, 370
Aaron C. Jackson	20, 968
Total payees in county (11)	301, 593

M'CLAIN COUNTY

Billy P. Adkins	23, 877
Freeny Hopkins	22, 477
Harry S. Phillips	21, 036
Total payees in county (3)	67, 390

M'CURTAIN COUNTY

Chris Columbus	29, 548
Mike Columbus	29, 098
R. M. Tapley	22, 735
Total payees in county (3)	81, 381

MUSKOGEE COUNTY

Charles R. Sheffield	55, 398
Pearson Bros	41, 864
J. B. Sheffield	21, 748
Total payees in county (3)	119, 010

NOBLE COUNTY

Burdette Garvie	25, 124
Total payee in county (1)	25, 124

SEQUOYAH COUNTY

Sloan Farms	42, 846
Total payee in county (1)	42, 846

TEXAS COUNTY

H. C. Hitch, Jr	99, 905
Irvin Clark	78, 004
Worth Jeffus	58, 796
Long Brothers	50, 863
R. Lee, Jr. & R. Lee, Sr	49, 992
G. G. Freeman	37, 805
Dillon Caddell	33, 664
Lewis Mayer	33, 529
Walter Anderson Estate	32, 734
C. F. Webb	31, 760
Roy Mitchell	31, 671
Fischer Brothers	31, 268
Bill Logsdon	30, 989
W. E. Sleeper	30, 485
Jack D. Hyer	30, 025
Roland Hoeme	28, 565
Gustav Dencker	28, 269
Ivan Joe Simmons	28, 107
Virgil Craig	27, 739
Brooks Spence	27, 588
Edward Haar	27, 109
B. A. Brixey	26, 698
Fred R. Sweet	26, 301
Jimmie L. Draper	25, 821
R. E. Hood	25, 556
Kenneth Mitchell	25, 439
Joyce H. Gray	24, 816
Johnie Foreman	24, 430
Glenn W. Godfrey	24, 416
G. F. Lundgrin	24, 113
Nellie I. Simmons	23, 885
Paul Blaser	23, 770
George T. McDaniel	23, 667
Nash Farm Company	22, 982
A. L. Jackson, Jr	22, 505
G. C. Bergner	21, 364
M. M. Mallard	21, 005
George Haar	20, 648
Ralph Grounds	20, 392
Russell Weeks	20, 263
Total payees in county (40)	1, 276, 938

TILLMAN COUNTY

R. L. Lindsey	40, 740
John Wade Kent	38, 920
Galen P. Briggs	32, 515
H. W. Campbell	31, 331
Dewayne Stout	31, 331
John M. Kinder	30, 846
Bill Eddleman	30, 533
William Perry Spraggins	27, 832
Smith Land Co	27, 185
Richard Fritze	26, 614
Odus Gibbs	26, 348
J. W. Dysart	25, 156
Archie W. Gottschall	24, 945
Lester Dickey	24, 769
H. L. Akin	24, 642
Max L. Waldrop	24, 502
W. W. Purdy	24, 472
Rodney Fillmore	24, 082
Charles Hill	24, 073
Johnny R. McElroy	23, 380
Simpson Bros	23, 215
John P. Goodknight	23, 161
Roy L. Lovejoy	22, 317
Bruce Burke	22, 263
Tipton Home	21, 494
Beatty Patterson	20, 469
Total payees in county (26)	697, 135

WAGONER COUNTY

Fred Metzger	24, 244
Francis M. Chesbro	23, 206
Total payees in county (2)	47, 450

WASHITA COUNTY

Ridling Brothers	57, 193
A. B. P. Schmidt	31, 814
Othal L. Bond	26, 877
J. L. Celsor	25, 783
Donald Gray	21, 232
Ira M. Johnson, Jr	21, 159
Total payees in county (6)	184, 058

WOODS COUNTY

Lee Mackey	24, 958
Ritter Brothers Inc	24, 859
Kletke Farms Inc	23, 054
Fred Wenninger, Jr	22, 780
Gene McGill	22, 646
Total payees in county (5)	118, 297

WOODWARD COUNTY

Harold Wanger	25, 271
Jack Miller	24, 241
Elmer L. Maddux	20, 618
Total payees in county (3)	70, 130
Total payees in State (276)	7, 952, 255

1972 ASCS and Great Plains Program Payments of $20,000 or more—excluding loans—Oregon

[Amounts in dollars]

BAKER COUNTY

Clyde Ward & Sons	23, 719
Total payee in county (1)	23, 719

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Oregon—Continued

[Amounts in dollars]

BENTON COUNTY

Clarence Venell	23,938
Total payee in county (1)	23,938

COLUMBIA COUNTY

Magruder Farms, Inc	22,096
Total payee in county (1)	22,096

CURRY COUNTY

Roderick T. McKenzie	29,300
Total payee in county (1)	29,300

GILLIAM COUNTY

Floyd Anderson	31,632
Sidney Seale, Jr	29,784
J. Smith Ranch, Inc	26,463
R. W. Potter & Sons Est	24,189
Anderson Farms, Inc	23,971
Vernon Mikkalo	23,708
Harrison M. Weatherford	20,466
Total payees in county (7)	180,213

JEFFERSON COUNTY

Hay Creek Range Cattle, Inc	55,197
Kenneth Binder	24,090
Total payees in county (2)	79,287

KLAMATH COUNTY

O'Connor Livestock Co	106,240
Tulana Farms	58,975
W 3 Livestock, Inc	30,666
Total payees in county (3)	195,881

LAKE COUNTY

Wolfsen M. C. Ranch	25,282
Favell & Utley	24,171
Total payees in county (2)	49,453

LANE COUNTY

Cleve Dumdi	37,109
Christensen Bros	25,031
John Northam	24,910
Total payees in county (3)	87,050

LINN COUNTY

Lewis Sheep Co	48,105
Cascade Sheep Co	40,894
Phil Estergard	29,792
William Spurlin	21,770
Total payees in county (4)	140,561

MALHEUR COUNTY

Donald Grigg	68,145
Fine Sheep Co	66,149
Skyline Farms	48,347
Murakami Farms, Inc	21,262
Stringer Bros	21,117
Total payees in county (5)	225,020

MORROW COUNTY

Shirley Rugg	60,693
Krebs Brothers, Inc	54,300
Porter Peringer, Inc	45,366
Jack Sumner	40,296
Crum Ranches	36,304
Frank Anderson	29,966
Amanda S. DuVall	29,319
Marquardt Ranch	28,915
Patrick Cutsforth	27,585
Campbell Ranches, Inc	27,293
Nelson & Tucker	26,333
Grieb Farms, Inc	26,111
Lee Pettyjohn	24,016
Alvin Bunch	20,039
Total payees in county (14)	476,536

POLK COUNTY

R. L. Walker Farms, Inc	26,584
Riddell Farms, Inc	23,529
Robert E. Scharf	21,123
Total payees in county (3)	71,236

SHERMAN COUNTY

W. F. Wallace	25,880
Total payee in county (1)	25,880

UMATILLA COUNTY

B. L. Davis Ranch, Inc	59,765
H. T. Rea, Inc	53,495
Cunningham Sheep Co	49,320
Joe P. Doherty Sheep Ranch, Inc	46,185
Coppinger & Son Ranches	43,097
McCormmach Brothers	42,352
Robert G. Rafus	41,286
Robert E. Boyer	39,174
C. Springs Ranches, Inc	34,344
Hill Ranches, Inc	34,245
V. R. Ranch	32,841
Barnett Rugg, Inc	32,260
Hawkins Co., Inc	32,198
T. M. Campbell	29,326
Price & Ledbetter	28,347
H. & L. Barnett, Inc	27,802
Circle C Farms, Inc	27,610
Don A. Woodward Farms, Inc	26,868
Martin H. Buchanan	26,218
Hansell Farms, Inc	25,787
Engdahl Ranches	25,368
Glenn Thorne	24,941
R. & T. Ranches	24,557
John P. Weidert	24,370
Hoeft Ranches, Inc	23,522
D. L. Straughan & Sons	22,792
Roy Howard & Son, Inc	22,600
Les King, Inc	22,350
Raymond & Son, Inc	21,553
Vlassenroot & Gilbert	21,552
John A. Storie	21,473
Purchase Ranches	21,380
King Ranches	20,945
Jack Duff	20,614
Wernsing Coffman	20,257
Total payees in county (35)	1,068,794

UNION COUNTY

William H. Cooper	33,676
Stanley Weishaar	30,795
Sylvan Rasmussen	25,516
Total payees in county (3)	89,987

WALLOWA COUNTY

Lem Wilson	52,864
Kenneth Johnson	34,639
Total payees in county (2)	87,503

WASCO COUNTY

The Miller Ranch Co	33,714
Catherine Maurer	24,410
Underhill Ranch	22,459
Total payees in county (3)	80,583

WHEELER COUNTY

Steiwer Ranches	21,970
Total payee in county (1)	21,970
Total payees in State (92)	2,979,007

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Pennsylvania

[Amounts in dollars]

CHESTER COUNTY

Oxview Farms, Inc	20,592
Total payee in county (1)	20,592

LEHIGH COUNTY

James Delong	33,201
Total payee in county (1)	33,201

NORTHAMPTON COUNTY

Schoeneck Farms, Inc	64,310
Howard Seiple	40,692
Green Acre Farms	25,406
Keystone Dehydrators	22,280
Louis Yautz	20,740
Total payees in county (5)	173,428
Total payees in State (7)	227,221

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—South Carolina

[Amounts in dollars]

ABBEVILLE COUNTY

S. F. Sherard, Sr	36,698
Rufus C. Sherard	20,836
L. H. Ouzts	20,230
Howard Powell	20,225
Total payees in county (4)	97,989

AIKEN COUNTY

K. L. Flanders	44,549
Milton Stack	43,819
M. R. Warner & Son, Inc	40,829
Tom P. Scott	38,387
Robert E. Scott	38,115
H. C. Coward & Son	34,082
McElmurray Farm, Inc	31,839
Mackey Scott & Sons	31,706
Mackey Scott, Jr	24,156
Weeks Farm, Inc	22,424
Garvin Brothers	22,072
W. J. Dunbar	21,521
Carl E. Brown	21,473
Joseph K. Kneece	20,901
Total payees in county (14)	435,873

ALLENDALE COUNTY

Kirkland Farms	78,306
W. M. Terry	46,741
Cecil L. Dunbar	39,324
J. V. Spigener	34,578
W. R. Johns, Jr	31,490
C. O. Handberry	29,845
J. S. McMillan	29,200
G. L. Rouse	29,127
H. A. Kearse	21,288
S. M. Rice III	20,961
G. M. Brabham	20,749
W. Ben Oswald	20,163
Total payees in county (12)	401,772

ANDERSON COUNTY

W. M. Bolt	54,829
Lee Dobbins	54,410
Fred Ledford	26,606
Allison M. Dobbins	26,591
C. D. Chamblee	25,355
Fred Dobbins	23,259
Wade S. Drake	22,182
Thomas E. Garrison	20,099
Total payees in county (8)	253,331

BAMBERG COUNTY

H. D. Free	68,034
Henry F. Bamberg, III	56,494
H. W. Herndon	55,125

George Cogburn	43,839
H. L. Free	37,373
Rhett Sandifer	24,240
Francis M. Kearse	21,851
Otto Boltin	20,122
Total payees in county (8)	327,078

BARNWELL COUNTY

Harold R. Lott	40,318
W. H. Hutto, Jr	30,079
Thomas E. Greene	28,564
J. David Bodiford	27,675
Hagood & Richardson	26,924
Birt & Keel	26,080
Bruce D. Bates	25,616
Ted W. Craig	24,248
Billy A. Williams	22,074
Joe J. Bates	21,852
Bonetta Bolen	20,661
Total payees in county (11)	294,091

BERKELEY COUNTY

Robert F. Marion	53,981
Total payee in county (1)	53,981

CALHOUN COUNTY

Wiles Farm	57,842
W. Wesley Stabler	56,592
W. W. Wannamaker Seed Farms	54,586
Joe L. and W. K. Wannamaker	53,955
F. M. Wannamaker, Sr	53,369
F. M. Wannamaker, Jr	53,369
L. B. Wannamaker Seed Co	52,531
Felkel and Hungerpiller	49,425
J. D. Rast and Sons	48,935
Ralph Troutman	48,816
Lang Syne Farm	46,782
J. L. Wannamaker	42,740
Raymond B. Ayers	38,083
J. K. Hane, III	35,944
A. P. Hane	35,944
John C. Bickley	35,915
J. Hubert Robinson	34,223
Rawl D. Culclasure, Jr	33,150
Moss H. Perrow	27,710
Haigler Bros	27,636
A. F. Brown, Jr	25,355
J. Hayden Inabinet, Jr	24,729
T. D. Arant, Jr	24,688
W. P. Buyck	23,888
John C. Zimmerman, Jr	22,890
R. J. Sikes	22,967
James Arant	22,411
O. H. Wienges and Son	21,339
Carl R. Porth	20,570
G. C. Bull	20,105
Total payees in county (30)	1,116,579

CHEROKEE COUNTY

Robert G. Scruggs	26,876
Total payee in county (1)	26,876

CHESTER COUNTY

H. H. Robinson	54,903
John H. Neely, Jr	33,740
Robert W. Lee	30,401
J. H. Chappell	29,148
John H. Neely	25,901
James C. Wilson	25,593
F. G. Darby	22,648
Total payees in county (7)	222,334

CHESTERFIELD COUNTY

T. R. and G. E. King, Jr	54,364
Burr Farms	38,821
Benjamin L. Norwood	34,085
Hazel Z. Mills	32,926
James L. Sutton, Jr	28,298
J. Calvin Rivers, Jr. partner	27,701
Frank E. Ousley	27,311
James Chappell Hurst	25,598
Hector R. McLeod	24,908
Vonelm Crawford	23,736
J. Calvin Rivers Farms Inc	20,895
James C. Phillips	20,574
Total payees in county (12)	359,217

CLARENDON COUNTY

H. Fox Tindal	70,141
Samuel E. Durant	68,266
Durant Brothers	66,272
Tarheel Coals Inc	53,421
Felder Farms Inc	49,469
Charles N. Plowden	47,425
D. Leslie Tindal	42.258
G. H. Hardy	39,293
L. E. Richardson	34,857
Roger Flowers	34,733
J. W. Sconyers	32,450
Henry B. Rickenbaker	32,442
W. D. Harrington	32,004
J. R. Briggs	31,590
Bob Finney	30,125
M. E. Dubose	29,634
John K. Brogdon	28,973
R. N. Johnson	27,227
Ralph Bell, Jr	26,770
S. Bethea Floyd	26,035
M. D. Jenkinson, Jr	24,192
W. J. Rawlinson	23,861
Jack Witherspoon Farms, Inc	23,821
James B. Tidwell	23,576
R. V. Elliott, Est	22,905
C. D. Smith, Jr	22,596
R. L. Gayle	21,923
L. E. Elmore	21,605
Jack Horton	20,785
James McElveen	20,685
Total payees in county (30)	1,029,334

COLLETON COUNTY

W. H. Varn, Jr., Inc	30,048
Total payees in county (1)	30,048

DARLINGTON COUNTY

Cokers Ped Seed Co	65,708
William Howard, Jr	59,543
Gene Ousley	46,110
Rollins Culpepper	43,727
Posey D. Kelley	37,673
Raymond Amerson	37,278
A. R. Mims	36,441
Gary E. Byrd, Jr	36,284
Laurie C. Lawson	32,914
C. R. Cribb	30,549
Milton H. Anderson, Jr	29,832
G. Graham Segars	29,071
Carl A. Tolson	28,518
Olin B. Kirven, Jr	26,208
Dewitt Farms, Inc	25,361
John Jay James	24,599
J. T. Ross	23,087
Robert Griggs	22,938
Winston L. Cooley	22,795
Belbrown Farms, Inc	20,927
J. Milton Truluck	20,727
Total payees in county (21)	700,290

DILLON COUNTY

Henry C. Quick, Jr	56,355
L. S. McColl, Jr	54,982
D. L. Coleman & Sons	54,626
Bruce Price	43,990
Lloyd Page & Sons	39,602
D. B. McLaurin	38,182
R. L. McLaurin, Jr	38,158
T. Curtis McSwain	38,022
Neil D. McLaurin	35,420
Floyd Johnson	35,293
Marion McCallum	32,284
Brown McCallum	32,284
Pee Dee Growers, Inc	29,812
A. M. McDonald	29,464
H. F. Price	28,734
Walter Lenneau Price	28,731
Frank Stephens & Son	26,433
Jeff Price	25,032
Neil J. McRimmon	24,771
Legrand Weatherly	24,341
Allen Brigman	23,753
Grady Jones	22,807
Total payees in county (22)	763,076

DORCHESTER COUNTY

W. S. and J. D. Canaday	31,829
Total payees in county (1)	31,829

EDGEFIELD COUNTY

Cecil Yonce, Jr	37,201
Bennie H. Willing	34,668
J. M. Smith, Jr	28,969
R. W. Dubose & Son	24,136
C. L. Clark	23,036
Maurice Smith	20,984
Total payees in county(6)	168,994

FLORENCE COUNTY

E. S. Willis, Jr	67,001
Roger D. Prince	60,078
Billy E. Graham	59,547
C. Allan Young, Jr	47,795
Harllee Brothers	28,551
R. M. Gause	23,639
Camp Branch Farms	22,983
R. M. Fraley	21,403
Richard L. Harrell	20,938
Total payees in county(9)	351,935

GREENVILLE COUNTY

Allen M. Knight	24,930
Total payees in county (1)	24,930

GREENWOOD COUNTY

Calvin W. Kinard	35,731
L. B. Adams	20,477
Total payees in county (2)	56,208

HAMPTON COUNTY

Hugh T. Lightsey	54,133
Corrin Bowers	39,946
Jimmie McMillan	36,436
C. P. Barnes	29,399
W. L. Long	27,986
E. H. Hanna, Jr	26,617
Grover C. Griner	23,823
Corol Dobson	21,260
Total payees in county(8)	259,600

KERSHAW COUNTY

George P. Lachicotte	76,599
Robert M. Marsh	46,356
Total payees in county (2)	122,955

LANCASTER COUNTY

Bob Kirk & Sons	20,910
Total payee in county (1)	20,910

LAURENS COUNTY

Billy Deshields	53,259
J. T. Hollingsworth	36,707
John M. Simmons	29,352
Jack T. Stewart	25,660
Marcus Cook	20,384
Total payees in county (5)	165,362

LEE COUNTY

R. V. Segars, Sr	64,501
Marion J. Barnes	59,851
Clyburn Bros. and Son	59,415
E. B. McCutchen	59,243
Richard and Julia Hearon	58,480
W. A. Berry	58,284
B. J. Barnett	57,956
Mayesville Farms Inc	57,915

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—South Carolina—Continued

[Amounts in dollars]

LEE COUNTY—continued

Henry G. Wilson, Jr	57,878
Jack Woodham	57,011
James T. Smith III	56,817
E. Brad McCutchen	56,640
Lee County Farms	56,592
W. A. Dabbs	56,457
S. McBride Rhodes, Jr	56,170
L. M. Chewning	56,014
D. E. Bradham	55,900
Don R. McDaniel	55,400
James Thomas Woodham	53,555
C. E. Atkinson	50,914
Willis Woodham	50,896
J. E. Atkinson	50,101
Manning Richardson	48,780
C. B. Player, Jr	46,846
Alston Wesley Woodham	46,339
James W. Scott, Jr	45,524
Adolph Mozingo	42,201
H. W. Shaw, Sr	41,087
H. W. Shaw & Son	41,087
M. N. White	40,472
Calvin Joyner	39,565
Annette C. Tiller	39,449
Hamilton Corbett	38,718
Robert M. Stokes	37,135
Katherine P. Stokes	35,840
John B. Houser, Sr	35,371
H. B. Turner	33,790
Don D. Grant	33,096
Mathis Bros. Farm	32,191
E. B. Stuckey, Jr	31,188
Ernest E. Woodham	31,162
B. K. Phillips	30,447
James C. Berry	29,238
R. V. Segars, Jr	28,679
Wyman O. McDaniel	28,258
Lee West, Jr	28,223
Mason R. Mathis	28,112
H. B. Woodham, Jr	26,689
Thomas and Jones	25,980
D. D. Grant and Son	25,635
Harris Hicks	25,461
John A. McCutchen	25,436
John W. Hatfield	25,363
Wallace Deschamps	25,076
H. L. Johnson	24,473
G. W. Tisdale	24,400
C. M. Shiver, Jr	24,017
Dale W. Player	23,882
Walter L. Dew, Jr	21,711
Marion Weatherford	21,588
G. H. McCutchen	21,575
H. W. Atkinson	20,678
Dendy K. Josey	20,394
Total payees in county (63)	2,541,146

LEXINGTON COUNTY

John H. Dowd	43,832
Don W. Jeffcoat	37,131
Fogle Brothers	25,916
Total payees in county (3)	106,879

MARION COUNTY

Robert W. Baxley	30,290
Thomas Baxley	22,605
Milton Baxley	21,944
Total payees in county (3)	74,839

MARLBORO COUNTY

Claude P. Polston, Jr	66,373
Hubbard W. McDonald	59,969
King Farms, Inc	58,034
Pence, Inc	57,506
Thomas A. O'Neal, Jr	57,000
Ernest C. McInnis, Est	56,170
Lawrence E. Pence	56,126
Marlboro Farms, Inc	56,091
Jackie M. Polston	55,000
Brook Odom	53,000
J. G. Hubbard	48,771
Charles A. O'Neal	48,621
E. M. Otuel	48,528
A. L. Calhoun, Jr., Co	46,186
John W. Liles	45,751
George B. Kerr, Inc	45.433
Maxie H. Kinard	45,215
Neal A. Deese	40,842
W. Alex Hinson	40,346
Frank B. Rogers, Jr	40,305
B & W Milling Co	40,213
Frank R. Quick	39,325
Charles E. Lynch	38,676
David K. Lynch	38,676
John F. Everett	38,464
Noah A. Usher, Jr	37,272
F. M. Hinson	36,738
Hugh Driggers	36,613
D. H. McQuage, Jr	34,530
Leon Driggers	34,527
Julian M. Drake	34,241
William C. Covington	34,187
D. M. Cottingham, Jr	31,884
Jimmie C. Baker	31,845
E. Roy Newton	31,112
John McInnis	29,781
Angus G. Newton	29,117
L. D. Newton, Jr	26,712
John C. Graham	26,246
Leroy M. Stanton	25,573
Jimmy P. Wallace	25,165
Jimmy B. Hinson, Jr	24,900
Joseph P. Hodges	24,662
Robert Stillwell	24,330
Marion F. Wright	23,437
Lawrence S. Norton	21,284
Clemon Kimrey	21,141
Julian D. Hunsucker, Sr	20,929
E. B. Odom, Jr	20,380
H. C. Rogers	20,245
Total payees in county (50)	1,927,472

M'CORMICK COUNTY

James Tate	26,061
Total payee in county (1)	26,061

OCONEE COUNTY

Fred E. Anderson	22,578
Total payee in county (1)	22,578

ORANGEBURG COUNTY

J. W. Williamson Co	59,519
John David Clark	55,044
Kenneth W. Bickley	48,477
Norman V. Hughes	43,045
J. M. Russell, Jr	40,459
E. E. Gasque, Jr	38,978
Mattie Mae P. Gasque	38,951
Magnolia Lane Farm	38,037
J. Walter Whisenhunt	37,987
J. Hayne Culler	37,168
E. S. Bonnette, Jr	36,323
Woodford Gin Co. Inc	35,970
Vallentines	34,520
Thomas B. Jackson, Jr	34,393
W. D. Culler	33,204
Earl J. Smoak	32,859
W. B. Bookhart	32,705
Robert L. Polin	32,150
Julian C. Crum	31,764
M. L. McIver	31,295
Garrick Brothers A. Part	31,263
Thomas D. Godowns	30,456
T. J. Wiggins and Son	27,667
Hugo L. Felkel	27,628
R. L. Zeigler	27,433
C. & S. Farms Inc	26,209
Allene G. Salley	25,447
Robert B. Shuler	24,602
Rhine Hoffman	22,575
Vance Farm Center	22,355
R. O. Moorer, III	22,346
W. G. and F. H. Irick	22,146
L. C. and J. A. Dantzler	20,851
Total payees in county (33)	1,103,826

RICHLAND COUNTY

R. A. Page	42,171
Willis M. Clarkson	35,636
B. D. Manning, Jr	29,630
Robert Lee Scarborough	28,680
J. H. Rudisill	24,355
Total payees in county (5)	160,472

SALUDA COUNTY

O. T. Price, Jr	45,845
Harold E. Frick	41,004
R. M. Watsons Sons, Inc	36,476
M. B. and D. A. Fallaw	32,595
Mahlon Clark	20,819
Total payees in county (5)	176,739

SPARTANBURG COUNTY

James W. Cox	53,114
James L. Gossett	38,204
Jimmy T. Robinson	38,152
Edward Antley	34,300
Donald L. Dillard	26,900
Albert Jackson	26,726
W. R. Cox	26,550
Gary Brockman	22,899
Total payees in county (8)	266,845

SUMTER COUNTY

H. D. Barnett, Jr	68,160
J. F. Bland, Jr	67,442
Scape Ore Farms, Inc	64,779
Sumter County Farms, Inc	61,908
William Rhodes Mayes, Jr	60,350
W. R. Mayes	60,336
James F. Bland, III	55,000
Marvell W. Goza	49,983
Booth Farms, Inc	44,788
J. M. Edens	37,812
J. M. Edens and Son	37,812
E. S. Godbold	35,529
T. D. Keels	35,198
H. C & H. C. Edens, Jr	34,309
Clayton Lowder	32,991
C. O. Gulledge	32,176
Frances I. Davis	30,654
Sammie L. Yarborough, Jr	30,328
Riverdale Farms, Inc	30,222
Charles A. Segars	28,336
Guy M. Dabbs, Jr	26,839
Ralph W. Bleasedale	24,115
J. H. Montgomery, Jr	23,885
C. W. Brunson, Jr	22,909
E. C. Goza	22,429
S. A. Harvin	21,508
E. L. Evans	20,445
J. T. Brogdon, III	20,102
Total payees in county (28)	1,080,345

WILLIAMBURG COUNTY

Troy H. Lamb	39,720
S. Wayne Gamble	34,548
Leroy S. Epps, Jr	33,522
T. V. Ligon	21,694
Newell Myers	20,387
H. Alton Boyd	20,132
Total payees in county (6)	170,003

YORK COUNTY

Roy J. McFadden	51,523
Joe Daves	37,275
Gene Daves	27,847
D. Dean Boyd	26,460
Ronald L. Boyd	26,173
Total payees in county (5)	169,278
Total payees in State (428)	15,141,075

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—South Dakota

[Amounts in dollars]

BEADLE COUNTY	
Jimmy Hohm	26,778
Struck Riverdale Association	25,774
Total payees in county (2)	52,552
BENNETT COUNTY	
Elkhorn Farm	50,985
John Hippen	31,487
John F. Knecht	29,317
H. L. Geersen & Son	25,342
John Kocer	24,360
Myron Johnson	22,765
Keith Oller	22,381
Howard Phipps	22,132
Robert Pich	21,019
Total payees in county (9)	249,788
BROWN COUNTY	
Clark Brothers, Inc	45,330
Hanson Farms, Inc	37,475
State G.F. & P. care of David Kraft	33,766
Ott Brothers	25,473
Shirley Treeby	24,273
Verl Cutler	23,618
Alfred Locken	22,719
Gerald Braun	22,056
Rodney Barnes	22,053
Harvey Fliehs	20,783
Total payees in county (10)	277,546
BRULE COUNTY	
Helen Christiansen	29,811
Total payees in county (1)	29,811
BUFFALO COUNTY	
James S. Brown	37,033
Total payees in county (1)	37,033
BUTTE COUNTY	
McLeod Smith Ranches & Farms	55,527
Earl W. Clarkson Co., Inc	52,010
Orwick Bros	32,345
Clarkson Ranch, Inc	32,082
Preston Hill	30,769
Rudolph & Ernest Persche	27,411
Goeringer Farm	23,708
Deschamps Bros	23,392
William A. Burke	22,048
C. Anderson & Sons, Inc	20,157
Total payees in county (10)	319,449
CAMPBELL COUNTY	
Andrew Fjeldheim	20,684
Total payees in county (1)	20,684
CHARLES MIX COUNTY	
Platte Colony	25,011
Herbert Hoffman	21,753
Total payees in county (2)	46,764
CLAY COUNTY	
Jensen Bros	34,227
Total payees in county (1)	34,227
CORSON COUTY	
Gilbert W. Lehenbauer	24,919
Young, Inc	23,935
Ray C. Kling	22,290
Joseph M. Olson	22,278
Alice B. Hager	21,587
Walter I. Hager	20,617
Total payees in county (6)	135,626
DAY COUNTY	
Hansmeier & Sons, Inc	38,408
Earl Moorehouse	31,501
Peterson, Inc	23,155
Total payees in county (3)	93,064
DEWEY COUNTY	
Bill Owen	43,385
Almond D. Hunt	42,163
Joe Gesinger	24,916
Alfred Biegler	22,554
Total payees	133,018
EDMUNDS COUNTY	
Petersen Farms, Inc	33,737
Plainview Hutterian Assn	22,937
Ervin Haar	21,116
Total payees in county (3)	77,790
FAULK COUNTY	
Lloyd Harmon	34,553
Hogg Hereford Farms	30,398
Fred G. Boysen	25,720
Kenneth Deiter	22,670
Blumengard Colony	22,603
Thunderbird Colony	20,919
Claire Melius	20,232
Total payees in county (7)	177,095
HAAKON COUNTY	
W. R. Lee	34,423
W. A. Hickman	30,074
Eugene Armstrong	29,662
Vern Foland	27,963
J. Tipps Hamilton	22,875
Total payees in county (5)	144,997
HAND COUNTY	
Ted Jennings	22,316
Leo Veskrna	20,649
Total payees in county (2)	42,965
HANSON COUNTY	
Rockport Hutterian Brethren	22,988
Total payees in county (1)	22,988
HARDING COUNTY	
Hazel L. Johnson	26,775
Frank Smolnikar	23,980
Willard Korsmo	23,182
Roger Stearns	21,289
Anna Robinson	20,540
Glen Seifert	20,181
Total payees in county (6)	135,947
HUGHES COUNTY	
Leon Crain, Inc	25,716
Clyde Colson	25,197
B. M. Beastrom	24,247
F. Mike Platt	22,692
Guy F. Barnes, Inc	21,665
Kenneth Stewart	20,647
Crayston Bouchie	20,467
Chester Hurn	20,103
Total payees in county (8)	180,734
HYDE COUNTY	
Marvin Wilson	29,124
Total payees in county (1)	29,124
JONES COUNTY	
Daum Brothers	41,800
Daniel M. Parish	27,944
Harold Rankin	27,427
Total payees in county (3)	97,171
KINGSBURY COUNTY	
Hans Lorenz & Sons, Inc	33,573
Total payees in county (1)	33,573
LAKE COUNTY	
Robert H. Woldt	20,684
Total payees in county (1)	20,684
LINCOLN COUNTY	
Dwight Clark	23,187
Total payees in county (1)	23,187
LYMAN COUNTY	
Alfred Ehlers	28,273
Darrel Lintvedt	27,169
Gary Halvorson	26,652
Rex C. Brown	24,971
Ambur Farms Inc	24,710
Leo J. Terca	24,308
Krier Farms Inc	23,569
Leon Thomas	23,118
Robert Arnoldy	21,115
Verdun Stanley	20,592
Total payees in county (10)	244,477
MARSHALL COUNTY	
Dalton Docter	50,208
Jarrett Ranches	47,556
Symens Bros	30,948
Donald Jarrett	26,429
Penrhos Farms, Inc	24,889
Ray S. Jarrett	22,352
R. & C. Moeckly, Inc	20,196
Total payees in county (7)	222,578
M'PHERSON COUNTY	
Albert Fischer	21,902
Total payees in county (1)	21,902
MEADE COUNTY	
Mary Margaret Mooney	20,170
Russell Burmeister	20,078
Total payees in county (2)	40,248
MELLETTE COUNTY	
B. D. Letellier & Sons, Inc	21,471
Total payees in county (1)	21,471
MINNEHAHA COUNTY	
John Morrell & Co	27,531
Total payees in county (1)	27,531
PENNINGTON COUNTY	
Alvin W. Barber	29,833
Otto J. Wolff	25,986
Crown Partnership	21,075
Total payees in county (3)	76,894
PERKINS COUNTY	
Christman Bros	36,114
D. Theo. Beckman	34,543
Ham Bros., Inc	32,165
Henry Hoff	26,995
Clifford E. Seidel	26,735
Robert R. Kressly	26,471
Foss Bros	23,355
W. E. Lane, Jr	20,918
Donald Archibald	20,647
Total payees in county (9)	247,943
POTTER COUNTY	
Stanley Asmussen	83,670
E. Smith Est	37,075
Daniel Cronin	34,742
Sherman Neal Jesse Rausch P	33,480
Robert Houck	32,134

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—South Dakota—Continued

[Amounts in dollars]

POTTER COUNTY—continued

Dakota Cattle Co	31, 194
Don Kunstle Farm	29, 141
Philip Hinckley	29, 081
James Brown	26, 942
Joe Mangin & Richard Mangin	24, 825
T. M. Williams	24, 710
Hobus Farms, Inc	23, 355
William Goebel	20, 807
Nagel Brothers, Inc	20, 752
Total payees in county (14)	451, 908

SANBORN COUNTY

Vernon Amick	31, 120
Total payees in county (1)	31, 120

SHANNON COUNTY

Orville Schwarting	34, 527
R. W. Will	33, 900
Gordon Goranson	28, 343
Troy Elwood	20, 554
Total payees in county (4)	117, 324

SPINK COUNTY

Glendale Colony	54, 944
Hammer Bros	44, 704
Dewayne Hofer	37, 606
Lowell Styles	27, 682
Lloyd Kegler	26, 824
Clark Hutterian Brethren	24, 954
Spink Hutterian Brethren	23, 539
Wm. St. Clair	23, 188
Philip Weems	22, 946
Boekelheide Farms, Inc	21, 251
Ellison Bahde	21, 157
Hudson Farms	21, 071
Joe Rahm	20, 795
Total payees in county (13)	370, 661

STANLEY COUNTY

Philip Norman	50, 573
E. Vernon Sivage	46, 251
Neil Clarke	29, 752
Charles L. Bast	25, 231
Gaylord Norman	25, 151
Lyle Hedman	23, 792
Gene Stoeser	22, 581
Clinton C. Alleman	21, 065
Riggle and Norman, Inc	20, 942
Carl Hansen	20, 078
Total payees in county (10)	285, 416

SULLY COUNTY

W. J. Asmussen	63, 195
Jerome J. Weinheimer	63, 046
Kinkler Farms Incorporated	51, 894
Ken R. Huse	49, 572
Dean Nelson	49, 064
C. A. Cannon III	48, 524
D. L. Anderson Corporation	41, 878
Elton Eller	38, 250
Minder Brothers	38, 056
C. D. Strickland	37, 727
Hugo Kinkler	35, 265
Robert E. Duncan	31, 099
Arlice J. Williams	30, 312
Irving Asmussen	29, 401
Albin H. Olson	28, 109
Gross Brothers	27, 536
Lyle W. Ebert	27, 251
James L. Sutton	24, 885
John W. McSpadden	24, 797
Charles Serbousek	22, 852
Dick Matzen	22, 237
Henry Hertel	21, 825
Ernest Wiggains	21, 243
Robert Yackley	20, 407
Clarence Ludwig Inc	20, 350
Total payees in county (25)	868, 775

TRIPP COUNTY

Bartley Mills	35, 398
C. N. Weaver & Frank Weaver	25, 455
Van Collins	24, 090
A. L. Schlaikjer, Jr	23, 837
Selmer Nelson	23, 632
Total payees in county (5)	132, 412

TURNER COUNTY

Bones Hereford Ranch Inc	47, 158
Total payees in county (1)	47, 158

UNION COUNTY

Dakota Eastern Ltd	23, 671
Curry Seed Co	21, 422
Total payees in county (2)	45, 093

WALWORTH COUNTY

Donald E. Giese	21, 749
Total payees in county (1)	21, 749

WASHABAUGH COUNTY

Donald Handcock, Inc	27, 637
Total payees in county (1)	27, 637

ZIEBACH COUNTY

Williams Grain, Inc	25, 242
Total payees in county (1)	25, 242
Total payees in State (201)	5, 743, 356

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Tennessee

[Amounts in dollars]

CARROLL COUNTY

John A. Shoaf	35, 065
Larry D. Townsend	30, 252
Total payees in county (2)	65, 317

CHESTER COUNTY

Talley & Talley	33, 756
Jess Thomas	24, 074
Total payees in county (2)	57, 830

CROCKETT COUNTY

James F. Jordan	61, 744
Donny Cooke	56, 003
Steve Harper	55, 802
C. D. Cooke	55, 726
John East	51, 802
Jimmy Hargett	51, 715
Wells Hargett	41, 525
H. H. & F. W. Raines	38, 900
J. M. Cherry	35, 191
Freddie Earnheart	33, 825
E. W. Avery	32, 545
Joe H. Carter	30, 923
Thomas Archer	29, 277
Franklin Turnage	28, 275
Karel Riddick	27, 221
Hamlett Phillips	23, 234
Jesse Forsythe	23, 230
J. B. Beaird	22, 996
Donald Prescott	22, 837
Eli Young	22, 064
Vance Beard	21, 883
Billy Beaird	21, 008
Total payees in county (22)	787, 726

DYER COUNTY

Charles & Elvin Miller	37, 592
Tiger Tail Farms Inc	31, 779
Carlos Johns	26, 266
Moody Prop., Inc	24, 252
Jack H. Pate	23, 200
B. A. Forsythe	23, 198
M. Eugene Magee	23, 176
Tom McGuire	21, 004
Total payees in county (8)	210, 467

FAYETTE COUNTY

Cowan Bros	59, 623
Jerry Skelton	58, 323
Ames Plantation	54, 894
L. J. & J. A. Williams	47, 798
Byron Hurdle	45, 524
Fowler Moore Moore Fowler	44, 700
J. M. Caudle	42, 723
Gordon Tomlin	40, 762
B. L. Davis	40, 080
Jimmy Kilby, Jr	35, 765
Allien M. Nunn	35, 278
H. H. Farley	34, 128
Rhea V. Taylor, Jr	30, 982
Harmon Havercamp	29, 944
J. M. Sullivan, Jr	29, 697
William M. Tomlin	29, 241
A. R. Petty	29, 199
W. W. Winfrey	28, 815
Longtown Supply Co., Inc	28, 415
Davis Bros	28, 084
J. W. Owen	26, 172
Joe B. Burnette	24, 450
Cooper Skelton	24, 304
Paul Byars	23, 840
William B. Cowan, Jr	23, 092
Howard Carpenter	22, 796
J. M. Sullivan, Sr	22, 203
Hurdle Brothers	21, 838
Sally P. McNeill	21, 589
A. Y. Yager	21, 422
Bill McClure	21, 291
C. F. Redfearn	20, 728
A. B. Crawford	20, 654
Total payees in county (33)	1, 068, 354

FRANKLIN COUNTY

David R. Owens	58, 711
Emmett Owens	55, 645
O. R. Collins, Jr	50, 345
Total payees in county (3)	164, 701

GIBSON COUNTY

Bobby Harper	49, 331
J. D. Hardin	24, 380
Willie T. Crocker	22, 334
Will Jere Pillow	21, 992
Total payees in county (4)	118, 037

GILES COUNTY

E. M. Dunavant & Sons	33, 829
Total payees in county (1)	33, 829

HARDEMAN COUNTY

J. L. Chambers	58, 154
John Wilson Parham	35, 595
Harlan Wooten	28, 608
J. W. Bishop	26, 629
O. E. Harris, Jr	26, 378
Jimmie Ervin	23, 691
Drewey Bishop	21, 358
G. B. Ervin	21, 268
Emmett T. Vincent	21, 060
Total payees in county (9)	262, 741

HARDIN COUNTY

T. J. White	29, 212
Total payees in county (1)	29, 212

HAYWOOD COUNTY

Glenn London	53,950
Tommy B. Willis	49,964
M. Carter, Jr	40,809
James Coffman	40,084
Charles Haynes	33,576
Caudell Coburn	32,639
Hayes Brothers	30,151
H. E. Jordan, Jr	29,267
Allen King	29,038
Robert A. Mann, Jr	24,056
Nick Korn	23,921
John W. Moses, III	23,680
Taylor Bros	22,975
James T. Hughes	22,107
Powell Bros. Gin and Land Co	21,510
Sam M. Smith	20,914
E. L. Robison	20,328
Billy Solomon	20,011
Total payees in county (18)	538,980

LAKE COUNTY

W. T. Jamison, Jr	85,849
William E. Lindamood	56,900
Bruce D. Wyatt	47,665
Tipton Bros. and Sullivan	44,222
W. E. & Bruce Dunlap	39,519
George Dial	38,812
Frank T. Markham	34,023
Leonard Fisher	33,890
Nard Shull	28,811
Robertson & Argo	28,421
Joe Schenk	28,190
Charles R. Patterson	27,379
Margaret Jackson	26,553
Jack Fields	25,419
G. F. Parker	23,815
John W. Paschall	23,728
Jack Haynes	23,684
Floyd Flowers	22,800
Fred A. Wortman	20,740
Wm. E. Paschall	20,674
B. F. Mooring	20,567
Fredrickson and Keiser	20,248
Joe Dale Barker	20,065
Total payees in county (23)	741,974

LAUDERDALE COUNTY

George Lawson Elder	50,562
Ft. Pillow State Farm	46,373
William H. Moore	44,377
Jimmy Fullen	38,618
Stephen M. Fullen	38,618
Clyde Younger	36,988
Tendel Farms	36,103
Dunrovin Farms	29,321
Fullen Farm Inc	28,035
Robert J. Reviere	23,551
A. L. Jennings Jr	23,514
Steelman Brothers	22,602
T. L. Crihfied	21,933
Horace Leslie Elder	21,403
Jammie P. Elder	20,232
Charles Young	20,217
Total payees in county (16)	502,447

LAWRENCE COUNTY

Gordon Barksdale	27,214
Virgil McCord	22,697
Olan Brazier	21,253
Total payees in county (3)	71,164

LINCOLN COUNTY

M. M. Delap and Sons	37,038
James R. Turman	32,665
Gilbert Bradley	24,647
Total payees in county (3)	94,350

MADISON COUNTY

Jessie Collins	49,862
Neely Robley	47,724
James Shellabarger	36,718
Bill Woods	35,345
Jack Lawrence	25,648
Jimmie H. Moore	22,039
Frank Upton	21,345
James Sharp	20,788
Neil Smith	20,309
Roy Haynes, Jr	20,226
Total payees in county (10)	300,004

M'NAIRY COUNTY

James E. Smith	40,018
Paul Hayes Abernathy	22,217
Total payees in county (2)	62,235

MONTGOMERY COUNTY

Laurence Teeter, Jr	24,084
Total payees in county (1)	24,084

OBION COUNTY

Floyd Yarbro	24,064
Marlon Yarbro	21,655
Total payees in county (2)	45,719

RUTHERFORD COUNTY

Steve R. McKnight	25,730
Mary R. Donnell	22,513
Total payees in county (2)	48,243

SHELBY COUNTY

Belz Investment Co., Inc	62,495
John O. Moore	51,884
Marcless Sneed	48,301
Cedar Hill Farm	40,509
J. H. Densford	38,140
T. A. Densford, Jr	38,138
T. A. Densford, Sr	38,132
Robert January	37,851
James L. Mann	36,789
Paw Paw Block Farm	36,513
Wylie A. Horne	34,714
Estate of H. S. Mitchell	34,083
Hardy Johnson	33,878
Thurman Chapman	32,004
James E. Cowles	30,210
W. W. Hamlett	27,963
Harold Ticer	27,925
Aubrey Howell	27,448
William K. Bolton	26,445
D. Herbert Sigler	23,620
B. M. Reed	23,148
Billy R. Horne	23,140
J. E. Warren	21,670
Robert G. Wilson	21,233
Ray D. Longmire	21,182
John R. Thomas	20,458
Total payees in county (26)	857,873

TIPTON COUNTY

D. L. Walker	55,920
Charles L. Walker	55,920
Horace E. Moore & Sons	53,540
Bill Trantham	52,167
R. W. Anderson	49,810
John A. McIntyre	42,523
Marvin Johnson	35,763
Johnson Brothers	35,744
William D. Ray	33,613
Ahaz Armstrong	32,367
John C. Balton	32,197
James E. Wood	29,682
Herbert Parr	28,439
Austin E. Anderson	28,090
Earl Cromwell	27,814
Lawrence S. Dennis	27,335
L. E. W. F. & M. B. Davis	26,829
Sammy Smith	25,427
Troy E. Hopkins	24,041
Bobby L. Anderson	23,545
J. A. Wooten	23,130
Robert Baskin	22,208
Hugh Wilbur Hill	21,287
Clifford E. Wilson	21,253
Total payees in county (24)	808,644

WEAKLEY COUNTY

Kermit Cates	34,802
Total payees in county (1)	34,802
Total payees in State (216)	6,928,733

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Texas

[Amounts in dollars]

ANDREWS COUNTY

C. C. Shortes	58,946
D. G. Chiles	46,701
Gene Irwin	44,387
Marvin Hays	39,536
Dennis Nix	37,429
C. W. Callaway	33,228
W. H. Vanlandingham	31,820
R. D. Russell	28,182
Jarrell Shortes	26,726
T. A. Wartes	26,659
Total payees in county (10)	373,614

ARANSAS COUNTY

B.E.S. Co	25,074
Total payees in county (1)	25,074

ARCHER COUNTY

Harry Marten	22,447
Total payees in county (1)	22,447

ARMSTRONG COUNTY

J. R. Durrett Trusts	91,365
Parker Cattle Co	58,384
James Bible	44,235
Kirk Randy, Julie Hays	32,758
Eschle Farm, Inc	32,644
Henry T. Hamblen	24,494
James Stockett	23,453
J. H. Gunter, Jr	23,446
Ben G. Wilson	22,610
Paul E. Lindsey	22,562
Carroll Doshier	22,477
Henry Finley	21,162
Nelson Bros	20,811
Henry Fields	20,463
Total payees in county (14)	460,864

BAILEY COUNTY

J. Bert Williams	95,708
W. T. Millen	92,441
Carl Bamert	76,152
Bill Jim St. Clair	65,631
Randy Johnson	62,889
Horace Hutton	57,807
J. G. Arnn	55,910
James Adolph Greener	54,691
John R. Young	50,199
B. J. Gable	49,831
W. M. Pool	49,191
W. B. Little	49,037
J. F. Furgeson	44,456
A. R. McGuire	43,154
T. D. Davis	43,124
Homer Richardson	42,649
Buffalo Farms, Inc	42,216
O. A. Jones	42,008
C. J. Feagley	40,905
Wilbert Kalbas	39,010
Charles L. Bucy	38,950
Francis H. Franks	37,511
Jack Schuster	37,021
Jesse Carter	36,617
J. P. Tarlton	36,560

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Texas—Continued

[Amounts in dollars]

BAILEY COUNTY—continued	
J. E. Birdwell	35,470
Billie Marlow	33,947
Jim Claunch	33,672
James Warren	33,135
W. T. Watson	32,955
Marvin May	32,861
Jim Pat Claunch	32,458
J. R. Austin, Jr	31,713
Bernard Phelps	30,761
Finis Verley Kimbrough	30,267
Lester Howard	29,937
Elmer Hargrove	29,867
Lewis Bros	29,805
Don Lowe	29,472
Ben Roming	29,041
Doyce Turner	23,918
C. L. Saylor	28,433
Weldon Avery	28,024
Snider Farms, Inc	27,194
Bennie Claunch	27,004
John W. Gunter	26,822
Johnnie Prater	26,566
James Gore	26,552
W. Lewis Scoggin	26,460
Leldon Phillips	26,322
Jim Johnson	25,787
J. H. Vincent	25,632
J. C. Mills	25,406
Gene Bartley	25,224
M. E. Little	24,867
Jimmy Harris	24,634
Robert Nunnally	24,476
Aubrey Heathington	24,406
C. K. Corbell	24,025
A. P. Fred	23,591
Robert Claunch	23,415
R. L. Scott	23,108
Billy D. Bell	23,019
Virgil Nowell	22,917
W. D. Lackey	22,613
Dalton L. Redwine	22,107
W. B. Kittrell	21,905
Bob Byrd	21,846
W. R. Young Estate	21,602
Keith Price	21,490
Glenn Carter	21,398
J. E. Layton	21,055
Muleshoe Farms	21,006
J. V. Stancell	20,917
Lewis Wayne Shafer	20,878
Ralph Beasley	20,852
R. E. Etheridge	20,753
Rudolph Moraw	20,445
W. J. Ray	20,441
J. D. Dunlap	20,228
Bert M. Seales	20,153
Delbert Watson	20,040
Total payees in county (82)	2,751,560
BANDERA COUNTY	
W. W. Walton	56,828
Total payees in county (1)	56,828
BAYLOR COUNTY	
Bobby G. Brock	41,987
Megargel Drilling Co	37,345
Lawrence W. Harmel	31,017
Emitt Golden & Co	29,553
Derrell L. Martin	20,507
Total payees in county (5)	160,409
BEE COUNTY	
Amko Farming, Inc	31,075
Beasley Farms, Inc	29,041
Donald Houser	24,035
Total payees in county (3)	84,151
BELL COUNTY	
William A Hudgens	39,580
J. M Edds & R. L. Thompson	34,762
Gary Hudgens	30,406
C. B. Hodge	27,010
Kenneth Marek	23,080
Daniel C. Lesikar	22,021
Zed C. Lancaster, Jr	21,596
Elmer Beerwinkle	20,186
Total payees in county (8)	218,641
BLANCO COUNTY	
T. N. Odiorne	27,407
Total payees in county (1)	27,407
BORDEN COUNTY	
John Springer Stephens	69,685
John S. Stephens, Jr	43,512
H. D. & Kent Holmes	29,424
Frank Jones Beaver	27,353
Harold William Ludecke	26,250
C. C. Nunnally	25,825
Harold Wade	25,250
Garland Doyle	24,574
Kenneth W. Williams	24,503
Jacky David McPhaul	24,242
Harlin D. Williams	22,889
Jackie Dean Wolf	21,756
Pat N. Hensley	21,318
James Chester Ingram	20,070
Total payees in county (14)	406,651
BOWIE COUNTY	
Mary Ann Wilson	62,609
James R. Killion	61,465
Harold Fallert	58,950
Elwood Elkins	58,257
George H. Vance	46,601
D. P. T. Farris, Inc	35,527
William H. Farris	30,575
Guy W. Farris	21,694
Total payees in county (8)	375,678
BRAZOS COUNTY	
Tom J. Moore	82,303
R. Michael Moore	80,816
Thomas B. Moore	80,816
Harry H. Moore	79,949
Robert T. Moore	74,820
Lee J. Fazzino	68,963
W. J. Terrell	67,568
Joe Varisco	62,186
Tony Joe Varisco	57,222
Sam Morello	53,610
Anthony L. Scamardo	32,582
Don Angonia	30,718
Vince Court	29,725
Tony Varisco, Jr	24,933
W. J. & J. P. Terrell Trust Ptrs	23,793
Total payees in county (15)	850,004
BREWSTER COUNTY	
McMullan and Sims	32,071
Jack Shely	25,074
Miles Pierce	24,129
Dorothy Stumberg	22,828
Total payees in county (4)	104,102
BRISCOE COUNTY	
L. O. Weaks	57,769
Joe B. Mercer	57,160
G. W. Lee	53,941
Fred W. Mercer	52,156
Roy Montague	47,160
Dallas Culwell	44,972
Alva C. Jasper	44,274
Harold Storie	42,277
Clyde Mercer	40,398
Ray Teeple	38,564
P. R. Sissney	38,498
L. D. Griffin	36,995
J. D. McGavock	36,921
Gordon Montague	34,364
Lem Weaver	32,086
J. D. Nance	29,714
George Long	29,413
Dayle Culwell	29,143
Allen Kellum	28,670
H. F. Parker	28,308
Alvie Francis	26,739
Ron Garrison	26,267
Cook & Cook	25,748
Carl D. Bomar	25,018
Beryl Long	23,419
C.-L. Benson	23,383
Triangle Farms	22,939
Ben Whitfill	22,936
Pat Northcutt	22,578
D. T. Northcutt	22,578
Deanie Henderson	22,337
Frank Mercer	21,903
Denver Anderson	21,605
Carroll Garrison	21,408
Gogdell Bros	21,137
W. W. Cheatham	21,115
Bryant Eddleman	20,938
Charles Whitfill	20,793
Total payees in county (38)	1,215,624
BURLESON COUNTY	
Est Geo. C. Chance	81,735
Holland Porter	57,358
H. H. and Edgar Baker	45,672
Pete J. Scamardo	44,574
Marion J. Malazzo	44,491
Joe Wilder	43,018
Jarvis Porter	43,018
Marvin M. Porter, Jr	37,787
G. R. Hutson	33,369
Mitt A. Bush	29,437
Luke Restivo	28,897
Phil Scamardo	28,782
A. C. Sebesta and Sons	28,508
Sandyr Scarmardo	27,236
John W. Giesenschlag	26,865
Steve A. Scarmardo	25,674
Cecil Giesenschlag	23,744
Joe S. Campise	22,195
Total payees in county (18)	672,360
CALDWELL COUNTY	
Terrell T. McGee	36,513
C. Fleetwood Richards, Jr	24,578
Terrell E. Clark	22,690
William H. Schroeder, Sr	21,458
Kurt T. Wackerhagen	20,511
Total payees in county (5)	125,750
CALHOUN COUNTY	
Roy Smith	84,613
A. R. Vincik	39,478
William H. Hahn	26,081
Alvin A. Hahn	25,902
Harold L. Evans	21,830
James E. Shannon, Jr	20,806
Glenn E. McKamey	20,470
Total payees in county (7)	239,180
CALLAHAN COUNTY	
Weldon Edwards	30,278
Total payees in county (1)	30,278
CAMERON COUNTY	
Elmer E. Meek	66,420
Martha M. Russell	63,614
James A. McCarthy	60,532
John A. Abbott	59,487
Billie Joe Simpson	59,397
Rio Grande Equip Co	59,133
Charles L. Shofner	58,091
Marel H. Wilson	58,091
Milton E. Wentz	56,141
Carl Otsuki	56,131
Milton E. Wentz, Jr	56,121
S. M. & W. M. Halbert	55,857
G. D. Morrow	53,608
George Nixon	53,239
Sams Porter Corp	52,391
Henry V. Macomb	50,967
Crockett Groves, Inc	50,204
Herbert W. Bode	50,179

Editha Bode	49, 189
Rodolfo B. Samano	48, 660
Bauer Brothers	48, 045
Cholick Farms	47, 384
Oscar Mayfield	47, 134
Tommy Mayfield	47, 133
Charles Mayfield	47, 130
Robert L. Shuckman	46, 711
Douglas S. Cantwell	46, 505
Island Farms Inc	46, 103
Herman Lynch	45, 766
Melvin R. Davis	43, 216
Lewis A. Oakes	42, 827
Oval A. Martin	41, 588
F. H. Cherrington	40, 076
DBA D. L. Smith Farms	40, 072
Elijah B. Adams	40, 042
J. L. & Bill Gray	39, 992
W. B. Mack	39, 786
Lamon & Lamon	39, 373
Elward M. Smith	38, 613
McHayden Dillard	38, 478
Est J. Kelly Cain	38, 344
James D. Russell	38, 102
Joe S. Wolf	37, 943
George L. Labar, Sr	37, 607
Dean Cole	37, 592
Rex L. McGarr	37, 251
Adolph Thomae, Jr	36, 532
Eugene A. Eubanks	35, 997
J. G. Wreden	35, 777
Quinton S. Kincannon et Ux	35, 478
Joe E. McCain	34, 782
Charles Eubanks	34, 684
Thomas Schmitt	34, 590
Dennis Schmitt	34, 590
Oscar Eubanks	34, 475
James H. Eubanks	34, 473
Harvey L. Johnson	34, 208
Michael S. Bryan	33, 434
Howard B. Girault	33, 370
Joe W. Lane	33. 348
Charles J. Buchen	33, 055
McElwrath Farms	32, 902
Crowe & Crowe	32, 673
Robert B. Ballenger	32, 427
Loop Farms	32, 174
George L. Labar, Jr	32, 131
Robert F. Ashley	31, 553
Ramona J. Wolf	30, 835
Martha D. Mercer, Tr	30, 699
E. Harvey Adams	30, 512
Harry H. Shimotsu	30, 193
Kenneth Shimotsu	30, 193
Sam Countiss	30, 158
Oscar B. Gray & Sons, Ptn	30, 092
Roy W. Renfrow	29, 790
Lloyd G. Payne, Jr	29, 768
J. E. Bruce	29, 493
Harry J. Garrett	29, 323
Edward E. Billings	29, 236
Reynaldo Ramirez	27, 775
Bob F. Morrow	27, 768
Ashley D. Youngblood	27, 639
Leonard P. Simmons, Jr	27, 583
Johnny J. Canville	27, 505
Kitamura Brothers	27, 351
Lester Nixon	27, 279
Premier Farms, Inc	27, 278
Clifford L. Smith	27, 102
Lois C. Bourne	27, 027
Palmyre Maurin	26, 414
Hollie C. Lewis	26, 036
Ross D. Waters	25, 919
Pilar Cabrera	25, 891
Ortiz Brothers	25, 572
Billy N. Cantwell	25, 492
L. R. Cherrington	25, 417
Wells Brothers	25, 265
Hansen Farms, Inc	25, 129
Robert Mathers	25, 032
Tom S. Tanamachi	24, 755
Jessie Pederson	24, 599
Joe E. Helmer & Son	24, 376
Robert L. Duncan	24, 185
Ross Bigham	24, 038
Milton Nixon	23, 962
Francis L. Phillipp	23, 855
Jackson Est. & D. E. Jackson, Jr	23, 816
Carpenter Brothers	23, 666
Harry H. Azuma	23, 557
Garvin B. Macomb	22, 806
Jerry Tanamachi	22, 769
Jan H. Heaton	22, 682
Jack N. Sutter	22, 674
Charles E. Cherrington	22, 591
James L. Youngblood	22, 591
Geo. E. Gibbons, Tr	22, 376
Lloyd G. Brotzman	22, 327
McCarthy & Newell Farms, Inc	22, 061
Mark Abbott	22, 026
Walter L. Clore	21, 905
Elliott Roberts Rch., Inc	21, 846
Edwin W. Caughfield	21, 699
Carl L. Bauer	21, 578
K. B., W. H. & D. H. Thompson	21, 560
Ronald E. Waters	21, 235
Noriega Plantation	21, 088
Nester Mack	20, 649
Robert N. Joines	20, 497
Walt O. Waters	20, 465
Est. Ethel Ballenger	20, 236
Dba Taubert Bros	20, 144
Total payees in county (131)	4, 532, 298

CARSON COUNTY

Frank Robinson	85, 676
Texas Tech. Research Farm	66, 608
Roman J. Friemel	63, 773
John D. Kelly, Jr	58, 615
Clinton Williams	43, 663
J. B. McCray	42, 003
Raymond Blodgett	38, 378
R. J. Kuehler	37, 494
Tracey Garner	37, 337
Sam Kotara	37, 093
Robert Pool	36, 883
Frank Simms	36, 309
E. T. Ross	36, 290
A. L. Stovall	35, 761
Leonard Olson	34, 473
H. L. Beddingfield	34, 315
Jack Martin	32, 883
B. F. Urbanczyk	32, 729
C. J. Kuehler	31, 394
Ralph Britten	30, 778
Leo M. Britten	30, 232
John Kotara, Jr	30, 095
Rolla J. Sailor, Jr	28, 933
Fowler Bros. Ptn	28, 524
T. C. Jackson	28, 130
Lawrence Melcher	28, 127
Vernon Reining	26, 638
Kenneth Jackson	26, 519
Harrison Caldwell	26, 082
Geo Rohan	25, 934
Ronald Kotara	25, 735
Marvin Urbanczyk	25, 692
Hawkins Est. A Cline Ex	25, 682
C. W. Herndon	25, 678
Porter Brown	25, 437
Albert Weinheimer	24, 650
Jerry O'Neal	24, 385
O. D. Smith	24, 330
E. H. Lindsey	24, 170
Paul Dauer	24, 135
J. T. Broadaway	23, 000
Dennis Kotara	22, 939
Jay Phillips	22, 757
B. J. Burgin	22, 654
Raymond Biggs	22, 560
Raymond Britten	22, 552
A. R. Graham	21, 878
Wayne Kotara	21, 723
Laddie Kotara	21, 686
Glenn Pratt	21, 627
James I. Stalls	21, 557
R. W. Adams	21, 503
P. L. Sturkie	21, 415
O. M. Spurlock	21, 310
F. E. Evans	20, 831
Jimmy M. Stout	20, 736
Lusk, Lusk, Robinson, Partnership	20, 486
Total payees in county (57)	1, 752, 777

CASTRO COUNTY

Jack Miller	107, 602
Carl Bruegel	107, 175
Jerry Cluck	106, 748
J. F. Martin	82, 942
Homer Hill	81, 175
G. L. Willis, Jr	80, 591
Frank Wise	80, 343
George Gabel	79, 791
Kenneth Heard	74, 303
Bill Hill	73, 828
Ralph Futrell	73, 825
Kenneth D. Hill	73, 824
Bobby G. Hill	73, 818
Gilbreath Farm Co	71, 125
Floyd Cole	70, 680
Clements Corp	69, 823
Homer A. Hill	68, 858
Chas Heck, Jr	68, 558
Bill Rich	67, 633
Dan J. Heard	61, 521
Donald J. Wright	60, 291
David Smith	56, 948
Chas. E. Armstrong	56, 349
W. W. Lemons	54, 974
Allan Webb	54, 854
Rodney Smith	53, 713
Jay Lee Touchstone	53, 657
Loyd Farris	53, 479
J. M. Wright	53. 435
Tom Miller	52, 098
E. L. Howard	51, 551
B. L. Moore	51, 265
Odus Hastings	51, 008
Bob Dulaney	46, 701
Melvin Barton	46, 386
Clint M. McFarland	46, 246
Billie Cluck	46, 165
Fred Bruegel, Jr	45, 699
Kenneth Christie Farm, Inc	44, 909
M. Ware, Est	44, 770
Ray Robertson	44, 372
Earl Harkins	44, 347
Truvis Campbell	44, 275
James H. Bradley	44, 080
Tommy Stanton	43, 700
Lorenzo Lee	43, 528
H. C. Nelson	42, 572
Jerry Watts	42, 558
George Sides	42, 392
Retta Cluck	42, 338
Ivan L. Block	41, 972
Truman Touchstone	41, 962
J. R. Matthews	41, 686
Henry W. Golden	41, 547
George C. Heard	41, 176
Geo. Ed. Bennett	40, 156
Tony Gabel	39, 805
Harlan L. Barber	39, 659
Don Carpenter	39, 109
Lamar Found	38, 722
W. B. Hammonds	38, 642
Paul T. Brooks	38, 561
Jess Willard	38, 446
Richard Hunter	38, 419
R. E. McDaniel	38, 303
Shirley L. Garrison	38, 275
Jack George	38, 257
Bobby Archer	38, 192
Clyde H. Damron	38, 138
Milburn Haydon	38, 101
Charles Nutt	37, 949
Carl King	37, 747
Fred Popejoy	37, 565
Charles T. Noland	37, 463
B. R. Bennett	37, 107
R. Q. Silverthorne	36, 715
David Cole	36, 297
Jim Elder	36, 272
Bob Kay	35, 824
E. Herring Est	35, 676
Carl Jones	35, 558
H. M. Boozer	35, 516
George Heck	35, 273
Lonnie Bell	35, 184
J. D. Myrick	34, 814
Frank Sharp	33, 562
Andy Nelson	33, 291
H. D. Smith	33, 120
John L. Merritt	33, 039
James Bradford	32, 719
Calvin Petty	32, 646
Dud Winders	32, 286
Charles Rickerd	31, 886

*1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Texas—*Continued

[Amounts in dollars]

CASTRO COUNTY—Continued

L. L. Shultz	31, 602
Ed Wilson	31, 549
R. R. Rule	31, 456
A. J. Kemp, Jr	31, 357
Glenn Odom	31, 218
Roger E. Haberer	31, 205
Charles Burks	31, 004
Clyde Hancock	30, 991
Percy Merritt	30, 722
Dale Winders	30, 556
Richmond J. Payne	30, 528
Doyl Underwood	30, 483
Joe Nelson	30, 013
Downing & Epperson	29, 908
Pat Robbins	29, 808
Fritz Smith	29, 716
J. M. Young	29, 636
Tom Lewis	29, 478
Jerry H. Wilhelm	29, 305
S. A. Hodges, Jr	29, 028
Madge M. Roberts	28, 666
Rayphard Smithson	28, 233
Eddie Haydon	27, 836
Charles S. Wales	27, 827
M. L. McFarland	27, 453
Carl L. Kemp	27, 449
Jim Roberts	27, 330
H. J. Clark	27, 300
W. O. Markley	27, 227
David Nelson	27, 210
Chas. Veigel, Est	27, 166
Hubert Edwards	27, 025
Gerald Elkins	26, 969
Luke McGuire	26, 780
Cecil Hart	26, 511
Roy Meacham	26, 351
Ray Schulte	26, 318
Dennis Williams	26, 317
E. W. Foster	25, 948
Walter H. Schilling	25, 852
James L. Wilhelm	25, 806
Roland Stevens	25, 588
Weldon Davis	25, 230
A. T. Morgan	25, 226
Calvin Lippard	25, 022
T. G. McKinney	24, 978
Ezell Sadler	24, 691
James Welch	23, 866
Freddie Hamilton	23, 808
Charles Ray	23, 716
John H. Schacher	23, 614
Luke Miller	23, 585
James Buckley	23, 535
Carlos Calvert	23, 532
Paul W. Armstrong, Jr	23, 398
Ernest Sammann	23, 377
John W. Walker	23, 351
Raybern Ott	23, 284
Albert Schoenenberger	22, 978
Ray Joe Riley	22, 851
M. N. Smith	22, 840
Houston Lust	22, 798
J. F. Clark	22, 798
Herman B. Rose	22, 788
Louis J. Huseman	22, 785
Glenn Merritt	22, 626
Guy Walser	22, 527
Clark Andrews	22, 032
W. V. Struve	22, 000
E. F. Vogler	21, 913
Floyd Copeland	21, 892
Johnny K. Martin	21, 890
G. H. Book	21, 573
Jay P. Boston	21, 561
Roy Lilley	21, 550
Frye Associates	21, 512
Jimmie Howell	21, 490
Claude Hutcherson	21, 372
E. R. Little	21, 129
S. R. Hutto	21, 034
Floyd Tomlinson	21, 034
Woodrow Nelson	21, 007
Ronald D. Nelson	21, 000
Donny G. Nelson	21, 000
Arnold Huseman	20, 907
G. E. McFarland	20, 786
Roy Cluck Est	20, 786
Otto Steinberg	20, 560
H. L. Wilson	20, 516
E. O. Tunnell, Jr	20, 491
Donald Schilling	20, 432
Don Magness	20, 385
Ray D. Price	20, 328
Clyde Damron	20, 256
Cleve McLain	20, 250
Francis G. Wilhelm	20, 163
D. Neumayer	20, 114
David H. Hutchins	20, 105
Gilbert Schulte	20, 025
Total payees in county (192)	7, 092, 482

CHILDRESS COUNTY

Luther C. Hill	50, 651
Walter I. Lambert	36, 903
Vera Renfro	35, 162
Derrill Nippert	32, 602
Douglas Seal	27, 660
Carroll Seal	27, 615
B. P. Henderson	27, 084
Troy Boykin	26, 773
Arthur Kane	26, 719
L. H. Felton	25, 447
Delbert Seal	25, 062
Dean Decker	24, 431
Fletcher Carter	24, 253
Ralph Sides	22, 577
Herschel Tabor	22, 246
John Sherman	22, 145
Lilburn F. Cox	20, 944
Leeman Weir	20, 885
Virgil Patterson	20, 849
Total payees in county (19)	520, 008

CLAY COUNTY

Eunice Wolf	28, 458
Parker & Mayo, Inc	26, 270
M. E. Harrison	20, 174
Total payees in county (3)	74, 902

COCHRAN COUNTY

John A. Wheeler	111, 339
F. O. Masten	110, 846
J. K. Griffith	106, 658
Curtis Griffith	103, 021
W. B. Merritt	65, 510
Slaughter Hill	60, 053
T. K. Williamson	59, 989
Jimmy Millar	59, 290
E. L. Polvado	58, 486
Ronald Coleman	58, 205
C. C. Harvey	55, 528
R. L. Polvado	55, 229
Bobby Smith	52, 144
J. E. Polvado	51, 504
Mrs. Dona Doughty	50, 907
Anella S. Bauer	45, 132
D. E. Benham	41, 978
Roy B. Davis	41, 589
E. E. Silhan	40, 826
Clayton Stokes	39, 323
J. W. Silhan	37, 930
Ike Williams	36, 567
Bill Foust	36, 132
J. L. Thomas	35, 135
J. G. Millar	34, 856
Hub Baggett	33, 243
Leonard O. Coleman	32, 892
Emmett E. Thomas	29, 324
A. R. Lamb	29, 270
W. D. Christian	28, 190
Dalton Redman	28, 183
B. H. Tucker	27, 961
T. L. Anglin	27, 277
Jack French	27, 046
Herman Brown	26, 919
J. D. Merritt	26, 914
Ira Brown	26, 564
Dan Valentine	25, 911
George G. Williams	25, 397
Floyd A. Rowland	25, 136
Howard Scoggins	25, 040
R. M. Gass	24, 891
Tom Silhan	24, 444
D. R. Lackey	24, 431
H. A. Lamb, Jr	24, 266
Raymon Hall	23, 959
Ernest Trull	23, 529
Hub Cadenhead	23, 470
Robert Yeary	23, 006
Robert Greener	22, 584
Owen Egger	22, 487
Charles Cumpton	22, 421
Jim Ratliff	22, 308
David Ratliff	22, 303
Lewis Sims	22, 122
Morton J. Smith, Jr	21, 479
Herbert Greener	21, 455
Burl Dee McCasland	21, 207
Buddy Greener	21, 079
G. D. Lewis	20, 976
Lee Stephens	20, 428
Sue R. Bryant	20, 266
Danny J. Barker	20, 260
John Fietz	20, 236
J. B. Nicewarner	20, 152
Total payees in county (65)	2, 427, 203

COKE COUNTY

J. O. Rudd	48, 344
Raymond McCutchen	46, 741
J. W. Arledge, Jr., Est	26, 512
Gladys Clark	23, 310
Total payees in county (4)	144, 907

COLLINGSWORTH COUNTY

J. B. Killian	39, 776
Carthel G. Lewis	38, 435
James Doneghy	34, 912
Tommy Lewis	32, 407
Wood & Wood	30, 242
Louis E. Allred	27, 888
William R. Ward	26, 898
P. P. Fielding	26, 218
John E. Forbis	25, 858
Drury C. Lacy	25, 629
Helen L. Parker	23, 849
Bill Janes	23, 724
Earl L, Bartlett	23, 107
Fred Covey	21, 453
John Coffee	20, 988
G. & O. Farms	20, 875
Carl Wischkaemper	20, 372
Total payees in county (17)	462, 631

COLLIN COUNTY

Glynn Dodson	62, 664
Warren H. Rousey	33, 939
Eugene W. Settle	33, 829
Marion F. Dodson	32, 687
Edward R. Donihoo	25, 743
Leonard R. Welborn	22, 672
William P. Welborn	22, 662
Billy Joe Donihoo	22, 295
Jerry R. Standerfer	21, 724
Paul G. Litchford	21, 401
Dwight D. Crigger	21, 323
Charles E. Bell	21, 139
James C. Turner	20, 584
John D. Wells	20, 051
George E. Webb	20, 048
Jackie D. McMahan	20, 005
Total payees in county (16)	422, 766

COLORADO COUNTY

T. Cattle Co	69, 405
Kenneth Mahalitc	24, 651
Total payees in county (2)	94, 056

COMANCHE COUNTY

Dudley Bros	26, 194
Total payee in county (1)	26, 194

CONCHO COUNTY

Arlie E. Davis & Son	83, 533
Jess Stephens & Son	71, 931
Adrian L. Fiveash	47, 861
Walter L. Pfluger	40, 930
N. H. & V. C. Whitworth	32, 941
Mozelle H. Nutt	31, 664
Canning Wales	27, 491
Monroe P. Dierschke	27, 379
Cole Ranch Company	24, 601
Emmett Pfluger	24, 297
Lester S. Murray	22, 018
L. E. Geistmann	21, 368
Raymond Pfluger	20, 024
Total payees in county (13)	476, 38

CORYELL COUNTY

Bobby Latham	32, 853
Robert J. Hunt	27, 139
Total payees in county (2)	59, 992

COTTLE COUNTY

R. D. Wall, Jr	35, 280
Donald Love	33, 582
Lester Moss	29, 882
J. T. Martin	29, 733
Parnell Partnership	29, 141
Don Brothers	28, 192
Jack Tippen	27, 574
D. D. Chewning	26, 786
James Sweeney	24, 698
A. C. Piper	24, 099
Billy Ray Harrison	23, 507
Earl & Glen Bates	23, 437
J. E. Isbell, Jr	23, 411
Suttle W. Majors	23, 100
L. V. Anderson	22, 858
Welton Fields	22, 787
Loyd Mayes	22, 409
Maggie B. and Irless Brooks	22, 256
H. W. Matney	21, 221
J. M. Townley	20, 830
R. C. Martin	20, 628
Billy Browning	20, 464
Total payees in county (22)	555, 875

CROCKETT COUNTY

Tom Mitchell	60, 383
7U Ranch Co	53, 211
W. W. West	47, 542
John Childress	37, 298
Joe Tom Davidson	33, 722
A. Millspaugh	32, 961
Joe Bean	29, 118
Bob Childress	25, 918
Eugene Miller	23, 908
Mrs. Bill Hoover and Sons	23, 367
Victor I. Pierce	22, 846
J. W. Henderson, Third	22, 771
J. B. Parker	22, 458
Walter Owens	21, 863
L. B. Cox, Third	21, 622
John Robert Jones	21, 296
Total payees in county (16)	500, 284

CROSBY COUNTY

W. T. Leon	69, 838
Bob Kimbrough	67, 695
D. J. Moses	65, 908
Delton Caddell	63, 955
Lynn E. Campbell	56, 557
J. P. Beck	56, 477
Donald Aycock	55, 978
Cleve Cypert	51, 746
Gene Fullingim	50, 813
H. N. Watson, Jr	49, 452
Jesse L. Reese	45, 875
G. J. Parkhill, Jr	45, 539
Elmer S. Wells	44, 733
Clyde Crausbay	44, 138
Charles B. Gray	43, 845
W. O. Lockwood	43, 399
Marvin O. Greer	42, 807
Bill N. Gilbreath	42, 033
Robert Fullingim	42, 009
Marvin T. Heinrich	40, 557
Clyde Crump	40, 497
Compton Cornelius	40, 252
Loyd B. Parkhill, Jr	39, 884
Lynn T. Smith	39, 340
Elvis O. Martin	39, 255
Kenneth Summerford	39, 030
R. H. Farris, Jr	38, 336
R. P. Kirkendall	37, 551
Jimmy R. Fullingim	37, 248
Elton Ellison	36, 491
Carroll Himmel	35. 977
Craig McDonald	35, 815
David Prewitt	35, 676
Mack Harmon	35, 653
C. L. Cowley, Jr	34, 834
Rex Wheeler	34, 675
L. Don Anderson	34, 421
Joe Appling	33, 401
Harold Hodges	33, 092
George Cunningham	33, 061
Harvey Hancock	32, 960
I. B. Davis	32, 932
O. D. Moore	32, 875
Lloyd Gambrel	32, 706
Claude Adams	32, 202
J. B. Prewitt	32, 057
Alvin C. Morrison	31, 928
Thomas A. Poulson	31, 799
T. W. Stockton, Jr	31, 793
Max Johnson	31, 659
John L. Haynes	31, 461
Wayne J. Parker	31, 441
J. W. Jackson	31, 418
Jimmie W. Thornton	31, 370
Buster E. Smith	31, 292
Kenneth Gray	30, 303
James A. Boydstun	30, 194
Bob Ross	30, 012
James K. Edinburgh	29, 825
A. W. Marshall	29, 252
S. A. E. Inc	28, 955
Ray Marsh	28, 688
W. Clayton Sellers	28, 664
Jack E. Robertson	28, 276
L. M. Powell	28, 153
Darrell J. Dunn	28, 051
Ernest L. Harris	27, 729
Arvil L. Campbell	27, 589
John R. Green	27, 210
Lloyd Martin	26, 593
Will D. Griffin	26, 556
Roy Lee Ellis	26, 511
J. R. Terrell	26, 442
J. J. Griffin	26, 415
Harold Verett	26, 337
Wayne Wilson	25, 978
Dick Snodgrass	25, 632
Billy Crump	25, 617
Bobby H. Kendrick	25, 457
Mitco, Inc	25, 416
George W. Poulson	25, 367
Byron E. Powell	25, 271
Lester W. Caraway	24, 996
F. Eugene Woodward	24, 839
John H. Moore	24, 572
Curtis M. Wheeler	24, 411
James W. Sales	24, 375
Vance Cypert	24, 284
Robert H. Perkins	24, 260
Donnie Powell	24, 250
Roy Schluter	24, 149
Arnold Hodges	23, 971
Roy J. Warren	23, 843
Amon W. Proctor	23, 553
Edmond C. Crump	23, 325
Noble Hunsucker, Jr	23, 009
Billy Kirk	22, 698
Gary V. Jordan	22, 649
B. L. Anderson, Sr	22, 532
Dewey E. Wells, Jr	22, 503
Vernon D. Wheeless	22, 283
Herschel A. Roye	22, 165
Arvis E. Moore	22, 150
W. C. McDuff	22, 069
Julius Blair	21, 789
Harold Moore	21, 767
Anthony Latta	21, 593
Larry McClaran	21, 321
Tommy McGee	21, 253
Jack Mayes	21, 165
Billy Bounds	21, 109
Arnold Ratheal	21, 067
Olin Bryant	21, 021
Eldred L. Mize	20, 835
Howard Harris	20, 728
Benny J. Poulson	20, 671
Smith Community Farm	20, 504
Wayne Cornelius	20, 489
Billy Simpson	20, 396
Gary Ivey	20, 345
H. M. Reed, Jr	20, 305
Charles E. Sanders	20, 151
Cap McNeill	20, 143
Glenn Eubank	20, 116
Total payees in county (124)	3, 911, 883

CULBERSON COUNTY

D. H. Brewster	55, 527
Wildhorse Valley Farms, Inc	54, 097
Ted Brewster	34, 276
Olen Lane	30, 638
Barnabus Smallwood	27, 192
Lee Talley	26, 606
Dick Guest	20, 056
Total payees in county (7)	248, 392

DALLAM COUNTY

James E. Crabtree	73, 079
Hugh L. Gordon	72, 196
Elmer Heiskell	65, 437
J. T. McAdams	57, 214
Floyd H. Richards	54, 985
Alex Stafford	54, 733
John Hancock Life Ins	53, 294
Leo H. Moore	53, 236
Curtis G. Chisum	52, 885
Kerrick Land & Cattle Corp	52, 880
Winrock Farms	50, 287
Jay Byrd	49, 677
Jimmie O. Brewster	49, 650
Oscar O. Przilas	49, 582
Billy Chesnut	47, 802
Melvin Przilas	47, 249
Tim E. Field	44, 936
George H. Noble	44, 920
Charles Grice	44, 624
Ell Dee Field	43, 783
Raman L. Chandler	43, 775
Roy Nall	43, 741
Horace D. Estes	42, 798
H. F. Beyer	42, 366
Raymond Garner	42, 178
Sibbie Gallo Farm	42, 012
Shelby L. Baker	39, 870
Summerour Bros. Ptnp	38, 804
Vanus Byrd	38, 696
Circle Farms, Inc	37, 605
Norval W. Bressler	37, 240
William W. Allen	37, 001
Frank C. McDaniel	36, 775
Tex Top Cattle Co., Inc	35, 733
Fay M. Willis	35, 653
R. L. McMurtry	35, 629
E. B. Summerour	34, 701
W. J. Giles	34, 061
Ray T. Taylor	31, 735
Leo J. Field	30, 278
James M. Field	30, 269
Porter & Robertson Ptnp	29, 746
NM & AZ Land Co	29, 587
C. J. Roberts, Jr	29, 265
Roland M. Reeves	29, 258
David P. McBryde	28, 577
Kehoe/Nix	28, 370
Wall & Sons	28, 301
Edward Lethen	27, 611
Herman A. Borth	27, 610
Jack Funderburg	27, 550
Jim Clements	27, 538
Marvin Gibbs	27, 283
Feral Carruth	27, 188
Jody Bezner	27, 026
Clancy Cummings	26, 896
Glenn D. Cummings	26, 180
Loyd J. Pillans	26, 125
Ernest D. Sheets	25, 881
Everett F. Dryden	25, 874

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Texas—Continued

[Amounts in dollars]

DALLAM COUNTY—continued

Elias N. Crabtree	25,769
Glenn Johnson	25,525
Fountain Angel	25,392
Allen B. Smith	25,111
H. B. Watson	25,110
Meredith H. Brown	24,875
Carl W. Miller	24,611
Kenneth Knight	24,523
C. G. Warren	24,454
Billy G. Moore	24,359
Jesse Davis	24,250
Charles Vickers	24,201
James R. Lovell	24,197
Homer L. Steen	24,147
Louie V. Baker	24,038
Delbert Butler	23,888
James B. Meyer	23,338
Carl E. French	23,077
Lowell B. Winsor	22,717
Thomas G. Warden	22,406
E. G. Schuhart, II	22,368
Leo Meek	22,154
Oran Gossett	21,672
Arendo A. McDougald	21,649
James M. Higgins	21,313
Herb G. Perry	21,171
Taylor & Taylor Ptnp	21,029
Hank Rogers	20,994
G. C. Herrmann Co	20,595
Ray Gregg	20,587
Bascom Baxter	20,536
Merten M. Schmidt	20,434
Webb S. Whorton	20,296
Curtis D. Jones	20,171
Total payees in county (94)	3,160,202

DALLAS COUNTY

Billy C. Beach	41,392
Max Daniel	40,013
Olin B. Curry	38,118
Reagan Glenn	36,522
John David Smith	26,387
R. V. Luther	24,568
Speer Waldrum	22,425
Total payees in county (7)	229,425

DAWSON COUNTY

E Bar Cattle Co	66,174
Sam Jenkins	60 559
J. F. Ferguson	60,443
Floyd Oliver	58,406
Billy Miers	56,876
Raymond G. Roberts	56,839
Billy J. Lambright	56,358
Jerry Holton Jones	56,141
Charles Warren	55,883
Jerry D. Harris	55,552
Weaver Farming Corp	55,487
David Hughes	55,190
Frank B. Jones	55,053
E. D. Adcock	53,766
Jimmie Caldwell	53,532
V. W. McGee	53,177
Edwin Rinewalt	52,937
Woodward Farms, Inc	52,092
W. L. Gilliam	51,818
John Middleton, Jr	50,527
Bill Treadaway	49,950
L. D. Freeman, Jr	49,939
Marshall F. Cohorn	49,400
Lyndall Sharp	48,864
J. E. Airhart	48,716
Landon Peters, Jr	47,750
E. R. Marshall	47,335
B. L. Middleton	46,874
Jesse E. Stephens	46,278
Okyleen Addison	45,113
Conley Esmond	44,852
J. H. Addison	44,192
Eiland Crawley Palmore	44,180
Bob Archer	43,066
Robert C. Koger	41,847
R. M. Middleton	41,707
C. R. Taylor	41,509
Robert F. Hardberger	41,347
Donald Wayne Merrill	41,075
Roy D. Cooper	41,053
Willard H. Free	40,670
C. M. Pearce	40,643
Jerry Adams	40,043
Henry F. Vogler	40,022
John D. Banta	39,952
Donald Holt	39,660
Norris Barron	39,605
Arthur J. Cohorn	39,109
Don H. Peterson	38,498
Jack R. Felts	38,451
Valton Haney	38,338
Jeff D. Raney	38,295
Lloyd Cline Farms, Inc	38,140
George E. Fillpot	37,110
George Eiland	37,037
Ben Gilliam	36,910
Arlis Cline	36,788
Jack Warren	36,600
Bill Weaver	36,534
Ela Morris	36,270
Bill R. Hambrick	36,183
W. C. Taylor	35,906
Frank D. Deatherage	35,352
E. L. Hendon	34,975
Leroy Holladay	34,974
A. C. Goode	34,831
Arther Nolen	34,752
Norman Wayne Brown	34,653
C. W. Henderson	34,428
N. B. Leatherwood	34,416
Jack McGown	33,970
Adcock Farming Co., Inc	33,742
Carroll Bennett	33,532
Larry Turner	33,291
Jimmy Napper	33,026
Raymond Orson	32,332
W. R. Cox	32,196
Doyle Terry	31,870
Joe O'Brien	31,839
J. T. O'Brien	31,757
Ronnie Brown	31,362
Virgil Phipps	31,309
Paul Morgan	31,174
Louie Drennan	30,991
Fred Henderson	30,935
Bob Henderson	30,935
Gus Junis	30,813
Spurgeon C. Motley	30,579
Luther Lee	30,192
Earl Fancher	30,111
Jerry Napper	30,017
Carson Echols	29,737
W. H. McCulloch	29,375
David Franklin	29,138
Cecil O'Brien	28,983
Bill Meares	28,944
Jack Bowlin	28,912
F. and E. Farms, Inc	28,888
Don Archer	28,639
V. O. Barron	28,619
W. T. Pomroy	28,601
W. W. Miers	28,548
Ray Barringer	28,517
N. B. Shaw	28,222
Sanford Boardman	28,205
Fred W. Bell	28,159
Blaine Middleton	28,153
Gonzell Hogg	28,117
Dopson Farms	27,894
Ray Allen Noret	27,776
Herbert Green	27,502
Oscar Vogler	27,499
Rex Sumrow	27,467
D. H. Preston, Jr	27,043
N. W. Weeks	26,876
J. D. Aldridge	26,775
G. C. Clifft, Jr	26,537
Alton Barkowsky	26,410
Joe Carl Boles	26,235
Louise Miller Holton	25,847
Hershell Edwin Raines	25,709
Ronald Raney	25,421
Ewell K. Scott	25,194
H. R. Jeter	25,146
John H. Montgomery	25,104
Carl Barrow	25,063
H. D. Turner	24,936
Maurice Archer	24,930
Kent Youngblood	24,937
Gayland Airhart	24,923
J. P. Senter	24,905
Sharecropper, Inc	24,656
Alvin G. Limmer	24,453
Ray Womack	24,336
Clyde L. Qualls	24,273
Troy Howard	24,253
Eddie Carpenter	24,143
D. C. Rodgers	24,101
Freddy T. James	24,038
Jerry Swafford	24,024
Bill Barnes	23,998
W. Lee Harris	23,964
Bernice Beeman	23,853
R. D. Kilgore	23,813
Gus Burkett	23,780
Homer Etheredge	23,739
Roy E. Bearden	23,330
Ralph Mires	23,202
Snmm Farm Corp	23,108
Gordon V. Waldrop	23,034
Darus Sumrow	23,010
A. C. Hodges	22,819
Beachy Barron	22,665
A. E. Hale	22,563
Leroy Chapman	22,506
Broyles Lamesa Farm, Inc	22,394
Carl Garrett	22,386
Pat Fortenberry	22,361
Harvey Hanson	22,350
R. D. Gibson	22,146
Ramon V. Hernandez	22,090
Harvie L. Kemper	21,716
Lloyd Mears	21,708
W. G. Cozart	21,659
Donald Airhart	21,550
David Barron	21,519
Wayland Cox	21,501
Jerry Kelley	21,437
Richard Baty	21,416
E. E. Rodgers	21,400
Ottis Pelham	21,294
Lum J. Holder	21,269
Richard Woodward	21,218
L. D. Echols	21,207
C. W. Chiles	21,149
R. L. Riker	21,030
Alvin Harris	21,027
James David McGrew	21,013
Olon Earnest	20,770
L. H. Williams	20,764
Olen Norris	20,741
Wilton Bartlett	20,686
Wayne Davis	20,657
Garland Maxwell	20,650
Freddie J. Vogler	20,505
L. O. Deatherage	20,471
John Middleton	20,364
Billy D. Roberts	20,357
Travis Dean	20,314
Leland Harold Bartlett	20,302
J. C. Norris	20,228
Boyd Echols	20,159
W. H. Cornett	20,152
Total payees in county (193)	6,266,487

DEAF SMITH COUNTY

Taft McGee	99,077
Forrester Ranch	90,752
B. T. Spear	85,060
John & Ray Brorman	81,308
Virgil F. Marsh	81,086
A. R. Dillard	79,090
Billy Wayne Sisson	76,968
Lester B. Godwin	76,459
Reinauer Bros	73,579
Melvin May	72,389
Brooks & Brooks	72,229
Higgins & London	71,794
O. D. Bingham Est	68,852
Herbert Friemel	68,686
Robert Lloyd	68,281
Harry Brorman	67,582
Brorman Bros., Inc	65,610
O. E. Williamson	62,892
W. H. Gentry	61,923

Clarence D. Carnahan	61,599
Carl S. Perrin	58,952
A. C. Hays, Jr	58,507
James Fangman	58,168
Garrison Bros. & Nelson	57,980
McCathern & Heck Farms	57,906
Pitman Indus., Inc	57,541
Anthony Paschel	57,517
D. T. Reed	56,775
Montgomery Farms	56,702
Blankenship Ent	56,167
Vernon Denson	55,573
Edwin Axe Farms, Inc	54,872
Billy J. Cleavinger	53,970
Solomon Bros	52,968
W. F. Ponder	52,932
Edward Allison	52,689
R. M. Mason	51,951
E. C. R. Corporation	51,747
Oneway Farms	51,333
Donald Kimball	50,787
John A. & Raymond Smith	50,139
Schlabs Farms, Inc	49,556
Norman Hodges	49,176
Richardson Seed Farm	48,910
Bruce Walker	47,945
Bernard Hartman	47,857
Wm. J. Schulte	47,853
Gary McQuigg	47,583
J. D. White	47,101
B. C. Hodges	47,022
West AC Farms, Inc	46,954
J. M. White	46,330
Joe Lyons & Lyons	45,932
Hickman Farms, Inc	45,528
L. J. Jones, Jr	44,894
Carl Kleuskens	44,808
James A. Bullard	44,171
El B. Ranch	43,537
Jerome Friemel	42,704
Johnny Jesko	42,260
Delmar R. Durrett	42,230
Douglas Nix	42,099
Richard Ward	41,428
Jim Monroe	41,140
Leroy Cupell	40,246
Ernest Walden, Jr	39,328
James Gentry	39,288
Maurice D. Dorward	39,256
Dick Fellers	39,103
A. L. Hollingsworth	38,694
J. E. Warrick	37,780
Norton, Inc	37,170
Mrs. N. A. Brown & Sons	36,983
Gerald McCathern	36,809
James L. Voyles	36,688
George Mode	36,362
Jimmy Brown	35,992
Harris & Thrush Sales Co	35,985
Charlie & Kenneth Robinson	35,723
W. A. Carter	35,539
Glen Wagner	35,346
Meiwes Bros	35,281
Dennis Lomas	35,249
J. E. McCathern, Jr	35,075
Joseph J. Friemel	35,028
Carnahan Bros	34,999
Strain Farm	34,790
Samie West Estate	34,657
Charles Hoover	34,402
Francis E. Barrett	33,863
Luther Lesly	33,805
Herbert E. Bippus	33,669
Josef C. Grotegut	33,570
Hereford Feed Yards	33,559
Robert R. Lindsey	33,454
A. C. Brorman	33,454
Kenneth Artho	33,445
Joseph A. Meyer	33,386
S. A. Fangman	33,309
Bennie Newbill	33,125
Helen Godwin	32,985
O. D. Jackson	32,584
Raymond Higginbotham	32,545
Donald Hicks	32,426
Henry J. Kuper	32,136
Royce Cretsinger	32,090
George Turrentine	32,066
George L. Olson	30,806
Bob Veigel	30,789
Mary Inman Hipes	30,692
Frank V. Zinser, Jr	30,690
O. W. Harrison	30,589
Bertram Jack	30,437
Richard Zinser	30,359
Cecil Morrison	30,243
Dale Christie	30,094
W. P. Dutton	30,075
E. L. Young	29,993
John Skaggs & Son	29,853
Ollie Freeman Est	29,476
Dave H. Perrin	29,476
F. A. Marnell	29,463
Raymond Schlabs	28,620
J. C. Price	27,894
Paul Wilson	27,818
Dan W. Berger	27,805
Jim Hysinger	27,756
Laverne Schenk	27,737
Clarence C. Williams	27,674
L. W. Norvell	27,607
Leland Burns	27,350
Wayne Richardson	27,221
Harold D. Moore	27,146
Tom Robinson	26,841
Chester Wiggains	26,778
J. B. Haile	26,515
Bobby J. Ridley	26,436
James Overstreet	26,380
W. Ralph Hastings	26,357
Iverson Leake	26,227
Denson Tr	25,953
J. R. Hickman	25,896
Joe Frank Huckert	25,850
Glenn B. Allred	25,681
Herbert H. Miller	25,643
Tom J. Boyd	25,432
J. T. Gilbreath, Jr	25,385
W. O. Duggan	25,322
Big T. Pump Co	25,220
Lee A. Wagner	24,996
August L. Miller	24,948
Edgar Brown, Est	24,688
Dulaney Bros	24,647
Jack Williams	24,641
Bruce Coleman	24,623
Donald J. Meyer	24,620
G. W. Simmons	24,313
James Paetzold	24,167
George K. Muse	24,049
R. A. Crist	23,966
E. R. Williams	23,963
James A. McAndrews	23,919
A. G. Flippin	23,853
Silas G. Wilson	23,676
Labry E. Ballard	23,570
Wilburn P. Axe	23,548
Latham Farms	23,528
G. V. Cassitty	23,416
Harry Fuqua	23,340
Glenn D. Welch	23,024
Mickey Wilson	22,977
Joe Brorman	22,836
L. B. Worthan	22,464
C. P. Worthan	22,395
Paschel & Son	22,299
V. J. Owens	22,267
Brown Bros	22,264
Paul Zinser	22,196
Roger H. Brumley, Est	22,091
Richard E. Friemel	21,618
Cecil T. Bass	21,543
C. F. Homfeld	21,478
Richard Sims	21.393
Charles Packard	21,249
Don Squires	21,240
Curtis Deason	21,174
M. E. Reed	21,165
Joe M. Zinser	21,104
H. D. Fowler	20,920
Stephen F. Clements	20,877
Willard H. Jones	20,869
James & Herman Hund	20,780
Robert M. Hicks	20,671
Jimmy Brown, Inc	20,540
Earl Holt	20,436
Ernest McGee	20,400
Denzil Pulliam	20,299
A. F. Marnell	20,237
Nancy Colley Webb	20,186
Wilhelmina Wimberley	20,161
Madison F. Fields	20,117
Harold Martin	20,110
Horace Betts	20,026
Johnny Grant Mars	20,008
Bridwell Ranch West	20,007
Total payees in county (205)	7,618,125

DELTA COUNTY

Thomas E. Stegall	20,171
Total payees in county (1)	20,171

DENTON COUNTY

Bobby George	22,214
Elmo Chesney	21,108
Ernest Chesney	20,111
Total payees in county (3)	63,433

DICKENS COUNTY

Paul Dale Hagins	48,757
Felix Ramirez	35.954
Raymon Harris	34,802
Raymond Eldredge	32,897
D. W. Edinburgh	32,216
Rex Carlisle	28,390
G. B. Morris	28,044
David Y. Hughes	27,528
P. F. Brownlee	26,346
Donald Berry	25,804
Mickey Blackwell	23,805
Vernon Harris	23,773
W. E. Robertson	23,467
Woodrow McArthur	22,230
Larry Morris	21,535
H. V. Thomas	21,211
Frank Ragland	21,090
R. B. Walsworth	21,011
Paul Braddock	20,865
Total payees in county (19)	519,725

DIMMIT COUNTY

Reynolds & Wilson Farms	52,114
McLean Bowman Cat Co	29,380
H. Fitzsimmons/Son	20,800
Total payees in county (3)	102,294

DONLEY COUNTY

Hall S. Hardin	33,067
Warren Hardin	28,684
J. Melvin Asberry	28,327
Wm. O. Mooring	27,824
Lawrence Audrey Watson	22,161
Total payees in county (5)	140,063

EASTLAND COUNTY

Jerry Winfrey	26,244
Total payees in county (1)	26,244

EDWARDS COUNTY

Alvin L. Connell	79,097
Loyd Mitchell, Jr	76,753
Joe Roger Hutton	48,751
Carson Bros	42,736
Walker Epperson & Son	28,180
Lowell F. Hankins	28,051
Tom W. Epperson	27,250
W. B. McMillan	26,930
Ned Dunbar	23,150
James Leo Greer, Jr	21,688
G. A. Morriss	21,499
Charles R. Pfluger	20,295
Total payees in county (12)	444,380

EL PASO COUNTY

R. T. Hoover Farms	100,640
Lee & Beulah Moor Chs Home	65,919
Lee Moor Farms	63,169
H. D. Hilley	61,811

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Texas—Continued

[Amounts in dollars]

EL PASO COUNTY—continued

Mike Maros	53, 294
Jerry Rogers	41, 270
Ralphs Farms, Inc	37, 135
Schuster Farms, Inc	35, 165
Brandes Ramsey, Inc	33, 540
R. C. Wilson	32, 977
Hiram Whitaker	31, 719
W. A. Rawls Ranch	31, 082
James Strachan	31, 051
Gulbant S. Gil & Sons, Inc	30, 152
Sierra Vista Farms	28, 459
Davidson & Strickland Farms	27, 119
Jim Suratt Farms	26, 088
C. P. Brown	24, 107
K. W. Rushing	24, 059
Samuel V. Orr	23, 555
L. R. Jacobs	23, 490
Conway & Son	23, 399
Fabens Prod., Inc	22, 933
Mary Segulia Trust	22, 866
William L. Summers	22, 784
Gene Strachan	22, 392
Lester Millican	20, 497
Total payees in county (27)	960, 672

ELLIS COUNTY

Phillip N. Jeffers	51, 259
Jack B. Eastham	51, 203
J. B. and Jas. Underwood	49, 782
Ramon Armstrong	47, 484
Ocie Ray Gerron	40, 420
B. D. Wakeland	38, 958
Apache Ranch Co	38, 882
Ted Almand	38, 816
H. L. Southard	35, 095
H. R. Burden	29, 397
Edward Brock	27, 454
C. C. Witherspoon	26, 362
C. H. Shrader, Jr	25, 966
T. M. Harper	24, 243
F. M. Roberts	23, 562
Marvin Borders	23, 538
John F. Davis	23, 410
William C. Newton	22, 633
Jerry R. Glaspy	22, 281
Harris V. Lowry	21, 214
D. W. Betts	20, 665
Roger Harper	20, 352
G. W. James	20, 261
Total payees in county (23)	723, 237

ERATH COUNTY

Otey Shadden c/o J. A. Shadden	26, 898
Total payees in county (1)	26, 898

FALLS COUNTY

Basil Abate	71, 306
Tony Abate	55, 893
Morris Scamardo	53, 336
Tony Lombardo	50, 703
Roman Gonzales	49, 641
Jack Falco	42, 545
H. H. Perkins	26, 353
Werner Fuchs	25, 884
Louis Corpora	24, 854
Ellis Cattle Co	23, 902
A. J. Falco	22, 247
A. T. Garrett	21, 979
H. G. Barganier	20, 555
Total payees in county (13)	489, 198

FANNIN COUNTY

Riverby Plan	50, 684
R. Shelton Sr. & R. Shelton, Jr	26, 554
B. W. Mathews	26, 182
James T. Smith	20, 582
Total payees in county (4)	124, 002

FAYETTE COUNTY

John E. Morgan	27, 657
Total payees in county (1)	27, 657

FISHER COUNTY

J. E. McCoy, Jr	43, 551
John D. Ferguson	42, 524
R. E. McKimmey	32, 587
Willingham Land Cattle	32, 424
Ben Martinez	31, 809
Dono Terry	29, 582
Vernon Terry	29, 487
Allan Eugene Terry	28, 514
Bryant Farm Inc	26, 569
Max Carriker	26, 064
Afra Eugene Hudnall	24, 573
Max O. Stuart	22, 280
J. P. Moore	22, 187
Jack Morton	21, 971
Richard Stuart	21, 933
Thurman Terry	21, 876
Bennie C. Kidd	21, 526
B. S. Wright	20, 953
Lewis Johnson	20, 216
Preston Morrow	20, 003
Total payees in county (20)	540, 629

FLOYD COUNTY

Don Marble	72, 852
P. Keith Marble	70, 141
Fred L. Marble	70, 137
Craig Silverthorne	69, 768
H. L. Porter, Jr	64, 805
Dorris Jones	64, 222
J. S. Hale, Jr	63, 084
Floyd J. Ellison	58, 483
Chester Carthel	57, 721
Watson Jones	56, 496
R. I. Bennett	54, 817
H. B. Robertson	54, 621
Marvin Shurbet	54, 209
Malvin A. Jarboe	51, 011
Kenneth Bean	49, 363
C. C. Whittle	48, 419
L. N. Johnson	46, 970
Kinder Farris	45, 765
John C. Alford	44, 999
J. A. Miller	44, 780
Lewis Reddy	44, 444
Gene Belt	43, 843
Edward J. Foster, Jr	43, 808
Fred Zimmerman, Jr	43, 439
J. A. Welch	42, 278
Louis Pyle	41, 001
Harold Woodson	40, 387
J. E. Franklin	39, 709
Ralph Johnston	39, 437
Wayne Bramlet	38, 730
Eugene Beedy	37, 740
J. R. Belt	36, 231
Adrain Helms	36, 160
J. R. Turner	36, 110
Bill Sherman	36, 073
Walter E. Bloys	35, 134
C. L. Henderson	34, 434
Robert L. Smith	34, 168
Roy H. Tinsley	34, 089
W. R. Ware	33, 760
Reed Lawson	33, 695
K. E. Probasco	33, 336
L. T. Wood	33, 237
Everett Miller	33, 058
Clark J. Harris	32, 724
Mack Hickerson	32, 408
R. G. Dunlap	32, 368
Paul Hrbacek	31, 641
Frank A. Weigel	31, 594
W. G. Walker, Sr	31, 273
Tate Jones	31, 246
J. W. Taylor Est Ptnsp	31, 090
James W. Becker	31, 018
Donal Akin	30, 874
Early P. Pritchett	30, 584
R. Fred Brown	30, 015
Bundy Hal Campbell	29, 853
Weldon Hammonds	29, 735
Floyd Jackson	29, 603
Mary Beth Kropp	29, 291
Johnney West	29, 257
Bruce W. Davis	29, 178
Billy Don Bigham	29, 132
Austin B. Meriwether	29, 074
Delmas McCormick	29, 039
Boyce Mosley	28, 864
Loyd Widener	28, 823
W. M. Staniforth	28, 765
Edna E. Gilly	28, 656
Lon Davis, Jr	28, 557
Kelton Shaw	27, 488
Hubert E. Frizzell	27, 433
Richard F. Stovall	27, 431
Luther B. Brandes	27, 310
Doyle Moore	27, 059
Fred Jackson	26, 986
W. B. Cates	26, 974
A. V. Bethel	26, 775
Keith Reeves	26, 714
Elmer M. Jackson	26, 536
L. L. Rhodes	26, 529
Robert Stovall	26, 505
Wilfred H. Stoerner	26, 221
Robert L. Ward	26, 161
Richard Ward	26, 154
Warren Poole	26, 154
George D. Probasco	25, 883
Barney Manning	25, 802
A. C. Pratt	25, 734
Bobby McCormick	25, 695
Charlie Boedeker	25, 487
Leighton Teeple	25, 176
Walter W. Taack	25, 049
Travis Jones	25, 031
Ray N. Ford	24, 971
Jim Simpson	24, 958
Frank H. Thomas	24, 926
Robert O. Thomas	24, 926
R. C. Mitchell	24, 893
William E. Whitfill	24, 667
S. J. McIntosh	24, 632
Milton Harrison	24, 607
Travis Young	24, 548
Joe Neil Rexrode	24, 540
John A. Dorman	24, 454
Larry Jarrett	23, 957
Johnnie Cates	23, 926
J. W. Day, Jr	23, 912
Kay Crabtree	23, 883
V. H. Kellison	23, 870
Louis Lloyd	23, 673
Jack Stansell	23, 516
Don Bean	23, 404
Joe N. Dunn	23, 363
B. J. Terrell	23, 326
E. J. Kinslow	23, 323
C. W. Jones	23, 171
Frank D. Brown	23, 122
Robert W. Reeves	23, 070
Ted Reid	23, 058
Ewald Quebe	23, 039
Charlie S. Williams	23, 001
Gail Wilson	22, 995
Billy W. Fulton	22, 738
Keith Jackson	22, 731
Olen C. Harris	22, 529
E. J. Foster	22, 269
George H. Willis, Jr	22, 130
C. N. Walding	21, 836
A. L. Bigham	21, 733
Ray Lloyd	21, 713
Bryan Smith	21, 693
Carl F. Lemons	21, 614
Kent Covington	21, 451
Raymond Reeves	21, 265
B. P. Sandefur	21, 202
Abb T. Moore	21, 141
Klyce Ooley	21, 123
W. H. Simpson, Jr	20, 832
H. P. Bertrand	20, 792
Roger Dawdy	20, 740
Eugene Tannahill	20, 703
Wiley Nance, Jr	20, 565

Donice Casey	20,517
E. E. Wells	20,515
Joe Cunyus	20,488
Harry Reeves	20,466
Oscar Golden	20,366
Robert Don Heflin	20,264
Dale Jones	20,214
Chester W. Mitchell	20,188
Total payees in county (151)	4,751,462

FOARD COUNTY

James G. Johnson	29,169
Jesse Whitfield	25,317
Carroll Bros	23,924
Dwight Campbell	22,363
Hubert C. Brown	21,096
Kenneth Halbert	21,084
Total payees in county (6)	142,953

FORT BEND COUNTY

TX Dept. of Corr	397,366
Julius M. Ruffeno	41,662
Failla Bros	38,445
Arno G. Schultz, Sr. & Sons	30,883
Otto H. Schulz	28,267
Joe S. Kramr	27,419
John J. Kramr	27,419
Tilford G. Sulak	24,611
Sugarland Ind., Inc	23,112
J. N. Failla	22,442
Total payees in county (10)	661,626

FRIO COUNTY

Bennett Bros., Inc	64,467
Clyde Cox	49,501
A. E. Schletze Farms	49,181
Tony Mann	36,640
John Barkley Farming Co., Inc	36,576
Eulan Cox	36,060
Woodward Farm & Ranch	31,806
H & B Farms	30,823
Riggan & Neal Farms, Inc	25,646
W. E. Stacy & Sons	23,484
Marko XX	21,764
J. C. Thompson	21,082
Total payees in county (12)	427,030

GAINES COUNTY

Frank Ratliff, Jr	78,277
H. L. Hill	76,391
Delmon Ellison	71,382
W. D. Mills	69,958
Morgan Farms	68,909
Jennie Lee Lands	68,783
Shamrock Farms	68,384
William George White	67,836
Norman Hicks	64,539
Dennis Lamphere	63,394
B. J. Smith	62,597
L. D. Smith	62,559
Occidental Pld., Corp	61,406
Alvin Keith Forbis	59,655
Roy W. Wicker, Jr	59,594
E. B. Hicks	59,064
Roy Edwards	58,897
Richard Orson	58,783
Paul Condit	58,592
John H. Thomas	58,241
Kent Denson	58,205
Henry Cheuvront	58,129
Thomas Michael Jenkins	57,305
Claude Freeman	57,273
Alvin Ray Riley	57,141
Charles Medlin	57,007
Robert L. Fleming	56,806
Harry A. Childers	56,804
Keith Young	56,611
Douglas Floyd	56,409
Wayne Greaves	56,048
Herbert Hicks	55,577
Bob Harlan	55,548
N. J. McIlwain	55,459
Joe Tarbet	55,427
Bobby Warren	55,330
E. E. Sumrow	55,227
Howard Huddle	55,152
A. P. McGuire	55,002
Kenneth Bass	54,998
Henry Williams	54,938
Steve Burdett	54,927
D. D. McClatchey	54,904
C. O. Brown, Jr	54,904
E. M. Weddle	54,790
A. Earl Jones	54,790
R. L. Crowder	54,790
Dale Wiley	54,790
Darrell Miller	54,790
Ray Anderson	54,790
W. D. Wilson	54,665
James M. Grammer	54,486
B. C. Bill Ward	54,436
Dean Faulkenberry	54,395
Robert Freske	54,390
Robert Bowers	54,390
G. Ernest Caldwell	54,390
Stanley Reed	54,390
Gene Cotton	54,390
Dempsey J. Prappas	54,390
H. C. Colvin	54,390
James Wilson	54,390
Gary Stowe	54,390
Sidney Carter	54,390
Robert Kennedy	54,390
Howard McNeill	54,390
Layton Oliver	54,277
Don Kingsley	54,265
Dallas Cantwell	54,265
Bill Williamson	54,265
Herschel Lowe	54,265
Vernon Goodwin	54,240
J. W. Archer	54,094
Cletus R. Leverett	53,625
J. A. Grammer	53,403
R. I. Oliver	53,307
Floyd McGee	52,749
Tommy D. Merrick	52,574
B. R. Truitt	52,339
Rinehard Vogler	51,665
Joe B. Pate, Jr	51,388
Dale Leverett	50,919
Charles Gay	50,871
Bob Moffatt	50,638
William Alfred Condit	50,348
Tommy Lacey	50,071
Troy Martin	49,841
Royce Harvey	49,587
Johnny Lemmons	49,340
Ronnie W. Huddle	49,098
South Plains Land Corp	48,892
John Henry Jones	48,709
J. E. Aldridge	48,644
L. D. Jones, Jr	48,587
Alton Faulkenberry	48,053
W. H. Rhoades	48,000
G. D. Boldin	47,696
Tony Greaves	47,675
Robert Scott	47,472
Bill Ellyson	47,230
E Bar S Ranch	47,212
Earl Layman	47,201
Earl Bowman	46,955
Richard Jones	46,794
J. A. Pebsworth	46,682
Ray Garrett	46,559
N. B. Fields	45,712
D. L. Tate	45,467
O. T. Barron	45,444
S. M. Hanson, Jr	45,294
M. T. McIlwain	44,716
H. P. McGuire	44,390
Dwayne Strickland	44,077
Jerry Newbrough	43,197
Robert Jameson	43,179
Nelson Cayton	43,018
Dan Newbrough	42,873
Graham Addison	42,810
Thearl Creech	42,664
Harold Foster	42,245
Royce Condit	41,420
Thomas R. Coffee	41,134
D. D. Darby	41,044
J. A. Benthall	40,955
Verlon Hilburn	40,053
Travis Crossland	39,684
Marcus Crow	39,089
J. R. Walker, Jr	39,057
E. F. Foshee	38,990
Lyle Dugan	38,905
Alton Billings	38,738
Don Sanders	38,685
Brownfield Tractor Co. Inc	38,454
Earnest Spradlin	37,635
Michie Robinson	37,612
Glen Fleming	37,466
William Charlie Faulkenberry	37,161
D. C. Jeffries	36,956
Jesse L. Smith	36,910
Johnny Gooding	36,192
Billy J. Evans	36,057
Trice Lee	35,791
Ross Goodwin	35,597
Bill G. Spears	35,341
Robert Sneed	35,193
Noah Lemley	35,043
G. R. White	34,633
A Plus Aerial Service	34,455
Felix N. Thetford	33,788
Four J Farms, Inc	33,473
Farrell Herring	32,838
James M. Faulkenberry	32,542
George D. Vaughon	32,535
Michael S. McKinney	32,448
Ratliff Farms, Inc	32,165
Henry Patton	32,045
Daniel Walter Davis	32,045
Tommy Moseley	32,043
Kenneth Young	31,779
Ben Cox	31,741
Milton Schnieder	31,455
Karl Cayton	31,369
Benny Nichols	31,099
John D. Offutt	30,975
Robert L. Durham	30,909
Newell Bowen	30,884
Sam Teague	30,839
Vester Smith	30,754
Kenneth Hancock	30,397
Leonard Kelley	30,376
James Troy Green	29,631
N. M. Saunders	29,555
Alvin Ward	29,510
E. C. Harvey	29,357
Harmon Mills	29,243
Moody Neeley	29,156
J. E. Neeley	29,156
Peggy B. Fox	29,155
Leon Foote	28,632
J. P. Bingham	28,341
Allen Strickland	28,167
W. E. Berry, Jr	28,120
Dewayne Nelson	27,612
D. T. Cornett	27,593
Arthur Lynn Robinson	27,508
T. J. Redman, Jr	27,428
James Eddy Thomas	27,356
Donald Ward	27,197
Otis Johnson	27,056
James L. Jones	26,878
Jerry Brooks	26,842
Glynn Batson	26,808
Raymond Anderson	26,674
Weldon H. Smith	26,475
Stanley Ancinec	26,410
Bill Moore	26,303
Ray Walters	26,178
Gary Duncan	26,130
Jerry Montgomery	25,700
E. N. Thomason	25,271
Thomas W. McKinzie	25,163
George D. Norman	25,117
L. E. Williams	24,891
James Stephens	24,711
J. S. Knisley, Jr	24,685
H. Dale Cope	24,453
Jack Welch	24,434
Lonnie Dean Clark	24,334
Henry Clay Clark	24,293
Kimberly Sue Clark	24,293
Till Dawn Clark	24,283
W. A. Freeman, Sr	24,107
J. C. Futch, Jr	24,085
Clyde Haynes	23,980

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Texas—Continued

[Amounts in dollars]

GAINES COUNTY—Continued

C. T. Thames	23,812
Allison V. Barnett	23,811
James L. Porter	23,809
E. L. Hicks	23,770
Herman Sales	23,388
M. G. Hoover	23,357
Harlan Miller	23,246
Mrs. Dell Small Howard	23,130
Kay Teaff	23,075
Garland Foshee	23,033
James Strickland	22,981
Luther D. Cope	22,654
J. M. Newman	22,600
Donald Floyd	22,467
Alvin Herron	22,412
Royce Cornett	22,375
Charlie Robertson	22,371
John Hobbs	21,809
Charles Gibson	21,711
Tom Hunt	21,656
James R. Dunn	21,510
Earl D. Owens	21,361
J. D. Browne, Jr	21,238
Wayne Boles	21,187
C. L. H. Farm	21,154
Wayne Leverett	21,099
Mark Jones	21,000
Stanley Smith	20,906
Steve D. Cox	20,786
Leon Chester	20,588
Joe W. Crawford	20,383
Kenneth F. Schooler	20,319
M. L. Williams	20,223
Lewis Chambliss	20,204
Gaylon C. McGee	20,179
Glenn Hillman	20,079
Total payees in county (250)	10,189,358

GARZA COUNTY

H. V. Wheeler	54,552
Avery Moore, Jr	40,057
D. W. Eukank	38,832
U. Lazy S. Farms	28,609
Clarence E. Basinger	28,222
Billy F. Weaver	26,335
Jim Bob Porterfield	26,266
S. C. Storie, Jr., Est	25,795
James W. Stone	24,554
S. C. Storie, Jr	21,962
Total payees in county (10)	315,184

GLASSCOCK COUNTY

Edwards & Edwards	43,779
Daniel A. Hirt	40,193
Eugene E. Hirt	39,878
Ralph A. Halfmann	38,185
Bednar Bros	35,581
August M. Frysak	35,182
Clifford W. Hoelscher	33,338
Delbert R. Halfmann	28,768
Bennie W. Wilde	27,238
Arnold O. Lange	26,996
Sidney F. Hirt	26,866
Walter H. Halfmann	26,455
Charlie A. Smith	25,588
Lawrence A. Jost	25,507
Leon A. Halfmann	25,347
Hall Bar H Ranch	25,157
Gary H. Seidenberger	24,159
Dennis R. Seidenberger	23,381
Joseph C. Schwartz	23,081
Arthur Hoelscher	23,006
Ross F. Halfmann	22,982
Schraeder & Sons	22,626
Fred J. Hoelscher	22,481
James R. Currie	21,176
James C. Johnson	20,776
George E. Schwartz	20,372
Fenton A. Wilde Est	20,088
Total payees in county (27)	748,186

GONZALES COUNTY

Harrell Cattle Co	24,598
Total payees in county (1)	24,598

GRAY COUNTY

Ray G. Burger & Son	26,201
Sailor Bros	23,982
Moody Farms	22,349
Leon Daugherty	21,750
W. H. Taylor Est	21,483
Total payees in county (5)	115,765

GRAYSON COUNTY

Leland Strawn	24,054
Total payees in county (1)	24,054

GUADALUPE COUNTY

Kenwood Maeker	26,903
Total payees in county (1)	26,903

HALE COUNTY

J. C. Mills	117,826
Grady Shepard	90,302
Doug Ellison	89,000
Stephen Smith	74,474
E. A. Houston	72,793
Ercell Givens	70,822
Frank Moore	69,508
W. D. Scarborough, Jr	69,137
Lonnie Cannon	69,031
Warren Mathis	68,977
Fred D. Bradshaw	68,284
Jason H. Allen	66,951
Elmer Lee Criswell, Jr	63,334
Elmo Stephens	61,630
Dennis Zachary	59,799
Jimmy McLaughlin	59,539
Horne Bros	59,096
C. P. Smith	58,016
T. R. Joines	57,922
W. C. Harper	57,081
O. A. Stout, Jr	56,697
A. R. Meador, Jr	55,379
C. E. Carter and Son	54,423
C. R. Kay	53,221
Leo Mathis	52,464
James E. Laney	51,942
William H. Finkner	51,659
Irvin F. Lee	51,584
Jerry Givens	50,475
Charles Noel	47,327
John C. Carter	46,571
Heath Brothers	46,569
S. R. Heard	46,528
Harold W. Thomas	45,903
G. O. King	45,571
John A. Bell	45,274
Ralph Wheeler	44,741
S. J. Young	44,180
Jones Masters Farms Inc	43,968
Donald Lee Terrell	43,543
Jim Bob Curry	43,451
Joe Barton	43,294
John Joe Kirchoff	43,278
Donald C. Ebeling	43,058
Winston T. Jones	43,802
Plains Production Company 1	42,525
Walter Gilliam	42,153
J. L. Browning	42,145
Bob Riley	42,026
James K. Sageser	41,965
Irvan Rhodes	41,902
Loren J. West	41,686
Larry F. Walter	41,575
Leon Griffin	41,516
Henry C. Griffin	41,505
Robert Pope	41,454
Warren Thomas	41,331
Ralph E. Davis	41,291
Joe H. McWilliams	41,285
Howard Hurt	41,275
Mac Houston	41,236
Quentin Redinger	40,969
R. G. Russ, Jr	40,920
E. J. Pope, Jr	40,521
Clayton Terrell	40,338
Bill Riley	39,839
Lee C. Oneil	38,960
Steve Lee	38,870
Mary Megna	38,819
T. C. Clanton	38,750
Delbert Howell	37,890
A. J. Givens	37,860
Don Rhodes	37,202
L. D. Ballard	36,953
Don McCullouch	36,909
C. T. Minchew and Miller Trust	36,787
Owen E. Jones	36,633
Marcus Breland	36,440
Jerrell Cate	36,050
Frank Stanton, Jr	35,831
Harvey Lutrick	35,622
Wallace Cannon	35,600
Benson Farms, Inc	35,095
Jack Gonzales	34,262
Leonard Noel	34,039
Carl Phillips	33,845
J. W. Davis	33,823
Paul Robertson	33,432
Charles L. King	33,154
Royce Carthel	33,125
L. K. Gregory	33,033
Kathryn Raymond	32,974
Arthur W. Sorelle	32,852
Burgess Farm Account	32,757
Luke M. Miller	32,438
Raymond Akin	32,323
John Trimmier, Jr	32,036
Lena Burnett	31,797
The Waters Trust	31,694
Guy W. Ginn	31,650
Carl J. Marshall	31,597
Ross and Thompson	31,502
Don Cannon	31,293
Paul Stukey	31,169
Gordon Branham	31,044
Weldon Reed	31,013
Doug G. Sopher	30,984
Harold V. Davis	30,813
Thomas Johnston	30,769
Jake O. Finney	30,738
Joe Oswalt	30,655
Herman S. Tennell	30,353
A. E. Lewellen	30,216
Joe M. Stubblefield, III	30,097
Davis Cannon	29,867
A. W. Hardin	29,788
Swann Pettit	29,783
Rex Jordan	29,759
Weldon Ferguson	29,730
Wesley Davis	29,689
Witten Farms	29,536
Jack Robertson	29,329
Dee W. Martin	29,319
Wesley A. Schumacher	29,317
Elmer Koenning	29,255
Jason Justice	29,174
J. Weldon Blount	28,959
Millard J. Hancock	28,951
James McDaniel	28,837
Dale T. Milner	28,617
Gaylord Groce	28,550
Larry W. Witten	28,414
Mrs. J. S. McBeth	28,365
Ralph Miller	28,355
J. E. Sullivan	28,353
James C. Webb	28,335
Alex Reeves	28,307
Gene Boyd	28,250
Robert E. Wilson	27,994
Loy Stewart	27,983
U. V. Helbert	27,976
L. L. Ray	27,900
Owen Benn	27,731
Neal Burnett	27,671
Albert Sammann	27,488
Johnnie J. Maberry	27,300
J. D. James	27,280
R. L. Tullis	27,261
J. T. Terrell, Jr	27,253
Earl M. James	27,246
J. L. Miller, Jr	27,202
True H. Rosser, Jr	27,133
John M. Norfleet	27,126
Royce Hillman	26,876
J. O. Bass, Jr	26,872
Orval Boyd	26,868

C. E. Hobgood Est	26,834
Arville Nivens	26,733
M. D. Evans	26,670
Kenneth R. Wiese	26,639
H. D. Hays	26,441
B. L. Griffith	26,434
Bill Walls	26,368
Howard Adams	26,362
Jerry V. Young	26,340
Jack K. Stephens	26,324
Joe Sharp	26,280
Hobby Thomas	26,210
Rae Groce	26,165
Jerry K. Oswalt	26,143
C. H. Kayler	26,027
U. O. Hobgood	25,718
W. E. McPherson	25,678
A. L. Stone, Jr	25,611
Floyd Terrell	25,586
Jack F. Jackson	25,541
Herschel Blankenship	25,532
Robert Schoppa	25,469
Charles W. Lambert	25,407
Ray R. Copeland	25,381
Loy Eldon Teague	25,293
C. W. Spann	25,292
Melvin Mahagan	25,283
Ted Richardson	25,276
Joe A. Evans	25,270
Albert Steinfaith	25,199
Tommy Applewhite	25,170
James Smith	25,154
Lafont Farms	25,113
Harley Wells	25,104
Oliver Harmel	25,046
Grady Murry	24,845
Melvin Kelm	24,712
Tommie H. Wages	24,711
Paul Willis	24,639
Don Hammer	24,621
Henry Ahrens	24,616
Martin Schur	24,574
J. E. Helm	24,467
Ernest Ebeling, Jr	24,426
Hilton Foerster	24,360
A. B. Teaff	24,293
W. E. Terrell	24,285
R. J. Harrell	24,259
R. D. Hoffman	24,257
Horace N. Wardlow	24,088
Laura F. Appleton	24,071
Richard L. Howard	23,859
Kit McDaniel, Jr	23,831
Wayne Bankston	23,694
F. C. Lewellen	23,680
Cloys Fancher	23,589
John Henry Hayes	23,587
Rupert L. Allen	23,487
M. C. Church	23,468
S. M. True, Jr	23,399
Jerry W. Shadden	23,357
E. J. McAnalley	23,330
Lewis Lutrick	23,273
Wayne Greenhaw	23,228
Boedeker Farm Account	23,206
Willie Teeter Farming, Inc	23,000
Homer Roberson	22,999
Earl G. Beach	22,944
Roy Roberts	22,890
Noble Rice	22,867
Keith Billington	22,848
Bert Roberts	22,830
D. L. Damron	22,801
Lewis F. Thompson	22,788
H. W. Phillips	22,784
D. A. Webb	22,771
Forest Young	22,767
M. Charles Evans	22,754
Malouf and Sons, Inc. (3)	22,634
Paul Toliver	22,618
Clyde Benn	22,563
W. H. Dean	22,485
Eddie Lewellen	22,461
Melvin Hicks	22,429
W. A. Culp	22,376
Virgal Pierson	22,319
James W. Taylor	22,282
Edward Weil	22,273
Elbert Harp	22,265
Melvin Bennett	22,148
Albert Painter	22,143
J. W. McReynolds	22,094
Curtis Graf	22,071
W. T. Settle	22,039
Herman Gregg	22,019
R. N. Hopper	21,963
Jerrell Young	21,900
Jack Sageser	21,806
W. C. Johnson	21,802
Ben Roney	21,799
Alfred Garibay	21,746
Troy Brown	21,506
D. L. Lewis	21,493
W. W. McCoy and Son	21,397
Clyde W. Harrell	21,339
Walker Bros. Produce	21,317
Jerry Terrell	21,273
J. D. Black	21,261
Edwin H. Gloyna	21,205
W. D. Lacewell	21,190
Charles Norfleet	21,169
Charles Stroope	21,091
Leo Robertson	21,062
Kenneth Gregg	21,057
Billy F. Sylvester	21,055
Clarence A. Howell	20,956
R. D. Barrett	20,948
Wiley Jackson	20,936
Robert W. Smith	20,889
Carl Laney	20,870
Malouf and Sons, No. 2	20,849
Harold H. Guy Hegi	20,818
W. H. Steen	20,801
L. C. Dorman	20,706
J. Y. Childress	20,663
G. E. Myatt	20,647
Jack Williams	20,615
Cecil Curry	20,607
V. L. Neis	20,589
Max Sageser	20,582
Earl Steen	20,521
Preston Steen	20,520
Wayne Merwyn Igo	20,502
Lindell Myatt	20,490
Wayne Boyd	20,467
Ronald Adrian	20,467
Dempsey D. Skipper	20,392
Roy Mills	20,357
Clarence Caswell	20,335
C. E. Webb	20,303
Jack Connell	20,284
Marvin G. Marshall	20,280
Wallace Slayton	20,236
Richard DuBose	20,048
Total payees in county (300)	9,603,304

HALL COUNTY

Mack D. Richards	59,511
Jim Hutchins	43,904
Henry S. Foster	36,678
J. A. McAnear	36,618
Carroll Fowler	34,872
John C. Johnson	33,931
W. H. Reed	29,725
Tom W. Collins	29,707
Onieta Monzingo	28,879
Lonnie F. Widener	28,878
Roy Alvin Molloy	28,637
Mel Roy Cofer	28,405
Loyd J. Becker	27,863
Jack Montgomery	27,482
Clark Bros	27,324
Joe C. Montgomery	26,823
Ted Bruce	26,727
Rayford E. Hutcherson	25,489
James S. Guest	25,162
J. Robert Hanvey, Jr	24,757
Hawkins and Lane	24,194
James Alvin McAnear, Jr	24,025
Robert R. Hutcherson	23,955
Frank Hedrick	23,487
Gene Jouett	22,825
F. G. Monzingo	22,377
Billy J. Rothwell	21,174
Bernie P. Watson	21,096
Jimmy Don Rothwell	20,999
Jimmy Roden	20,537
James R. Waddill	20,466
R. S. Wansley, Jr	20,446
Kent D. Byars	20,417
Total payees in county (33)	917,370

HANSFORD COUNTY

Jack Hart	85,242
Gus O. Birdwell	60,521
Lynn & Jon Hart	58,561
Donnie Thoreson	52,257
Willard McCloy	51,551
D. C. Dilley Est	44,838
C. H. Clawson	44,405
J. P. Armes	44,068
H. Vance Collier	42,779
Carl Archer	42,385
Eva Holt	41,824
Jack Henson	39,780
Rue Sanders	37,537
Lloyd Buzzard	37,388
Hez M. Frazier	36,785
Charles R. Ball	36,353
Pittman & Sons Inc	36,290
R. E. Sanders	36,202
J. L. Whitaker	36,189
Glen O. Hiller	35,663
T. C. Harvey, Jr	35,536
Roy Roper	35,478
John C. Harris	34,652
Joel D. Stavlo	34,454
Skinner Farms, Inc	34,427
Henry Grotegut	33,299
A. R. Bort	33,293
Lindsay & Alexander	33,227
Harold Crooks	32,817
W. R. Murrell	32,622
Holt Bros	32,408
Wm. F. D. Etling	32,267
Archie Nelson	32,127
Ernest Wilmeth	31,350
Ward V. Nolder	31,266
R. C. Porter	31,252
Fletcher Bros. Inc	30,802
Jack Reed	30,712
Robert H. Novak	30,597
Don Hart	29,989
F. W. Thomas	29,203
Ron Crook	29,063
Vance B. Morris	28,737
L. H. Gruver	28,653
Fred Meyer	28,452
Clarence Zabel	28,390
Longsdon Farms Inc	28,345
Jackson Bros	28,179
M. D. McLaughlin	28,099
Bill Logsdon, Jr	27,889
Robert E. Jackson	26,808
E. David Knutson	26,315
Everett E. Vanderburg	25,901
George C. Lowe	24,617
Renner Bros	24,386
Wilson McClellan	24,300
Newell Allen	24,275
Elmo Dahl	24,041
Wesley Garnett	24,036
Don McLain	23,998
H. J. Vernon	23,874
Taylor & Gee	23,585
Dayton Barkley	23,252
S. & S. Farms Inc	23,191
Tim Meyer	23,190
Bill Glasgow	22,972
Chuck Clawson	22,612
Max Clawson	22,364
Chas C. Oloughlin	22,284
Glendon H. Etling	22,281
Harold Saltzman	22,103
Fred Mans	22,026
Coy M. Holt	21,941
Howard Barkley	21,894
J. R. Keim	21,884
Dorsey D. Schad	21,553
Leon Hobbs	21,290
Bayless, Inc	20,487
Thomas H. Etter	20,317
Jim Harvey	20,018
Harley Alexander	20,017
Total payees in county (81)	2,550,015

1972 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Texas—Continued

[Amounts in dollars]

HARDEMAN COUNTY

M. E. Watson, Jr	53,719
Robert Nippert	52,627
1st Nat'l. Bk. Trus., C. G. Conley	34,302
Nuckles & Gerald	33,674
W. L. Wilson	31,598
Edward L. Turner	31,434
Weldon Tabor	30,714
Carl Vestal	26,660
Jack Hurst	24,043
Billy R. Nowell	23,288
A. W. Phillips Estate	23,228
T. E. Ward	22,280
Morrison & Morrison	20,758
Total payees in county (13)	408,325

HARRIS COUNTY

Mulle Bros	28,803
Total payees in county (1)	28,803

HARTLEY COUNTY

Carl J. Kuper	109,294
Harold H. Hogue	105,573
Frantz & Frantz	63,933
John W. Bookout	56,186
A. V. Ellis	53,766
McCleskey Cattle Co., Inc	52,712
Chain C. Inc	51,714
Frank P. Sharman	48,641
Mack M. Bainum	48,089
Herring Cattle Co	40,635
Bobby G. Green	40,497
Joe D. Keast	39,050
U Anchor Cattle Co	37,732
Hartley Moore Farm	37,415
Verlin O. Lasley	37,171
G. Malcolm Bryant	37,024
Wilbur L. Bryant	36,249
John W. Bookout III	35,743
Kermit D. Kasper	35,614
Edward J. Wieck	35,543
G. Ivory Edlin	34,630
Gary K. George	34,385
Alfred R. Ford	32,652
Leopold J. Schmidt, Jr	32,116
Doyce W. Franklin	31,415
Exum Ranch	31,360
Ralph M. Artz	31,289
Home Place, Inc	30,856
James R. Wilson	30,104
Bernard Wilhelm	29,316
D. B. Thompson	28,937
James R. Reynolds	28,734
B. & B. Farms	27,293
J. Y. McAdams	27,284
Larry R. McCormick	27,122
J. D. Hance, Jr	26,988
Robert G. Shrauner	26,902
Hayden Thompson, Jr	26,636
Harold W. Hudgins	26,302
Howard E. Lathem	24,237
R. Hudson Herring	24,107
Herbert H. Hogue	23,986
P. Lee Hill	23,434
Everett D. McNabb	21,285
Paul G. Daniel	21,050
Benny L. James	20,955
Phillip L. Parker	20,765
Allen W. Hicks	20,270
Martin R. Price	20,254
Total payees in county (49)	1,787,245

HASKELL COUNTY

Johnny D. Reid	53,807
Burson and Burson	43,828
John L. Grindstaff Jr	39,361
Ray Carter	37,672
Arlos W. Weaver	37,087
Jalea R. Glover	33,198
Melvin C. Josselet	33,058
Bobby Tankersley	30,678
Wilfred Bellinghausen	30,498
Thomas J. Bevel	30,438
E. H. Tankersley Jr	29,827
Willard L. Mullins	29,716
Amos D. May	28,866
Ellis L. Tankersley	27,857
Wallace L. Dudensing	27,352
Felix Mullino	26,338
I. Weldon Norman	25,375
George A. Mullino	24,269
Sammy L. Grindstaff	23,185
Willie Z. Bettis Est	23,119
R. W. Raynes	22,768
Joel Bevel	22,658
Vernon P. Terrell	22,614
Henry and Melvin Vojkufka	22,325
Donald Griffis	22,122
Albert R. Hannsz	21,236
Roy D. Wiseman	20,699
Ivan Rowan	20,597
Pace Bros	20,416
Robert W. Herren	20,255
Total payees in county (30)	851,221

HIDALGO COUNTY

Engelman Farms	82,674
Valley Acres	82,406
J. W. Wallace & Sons	72,443
Frank Schuster	62,383
O. S. Wyatt	61,166
Edgar R. Smith	60,860
Geo T. Helle	60,738
George T. Helle, Jr	60,738
Bill Burns	58,655
Marvin A. Schwarz	58,257
Carl Schuster	57,080
Rio Farms, Inc	56,200
M. W. Nelson	55,099
Luther E. Bradford	55,000
Therman Eoff	55,000
J. R. Stump	54,118
Las Palmas Farms	53,281
Everett Bell	53,052
Victor Russell	51,929
Ben Estes Bearden	51,149
Byron Campbell Est	50,594
John B. Hardwicke, Sr	50,257
C. B. Shields, Jr	47,921
Bert Forthuber	57,709
M. Krenmueller	47,695
Mrs. Fred Krenmueller	47,695
C. B. Shields, Sr	47,354
Albert M. Brinkley	47,350
Evergreen Farms Inc	46,705
James Dyer	46,587
Conly Bell	46,401
W. G. Bell	46,401
Dan Bearden	46,344
W. A. Odom, Jr	46,336
Fred P. Hall	45,539
Samuel R. Sparks	44,143
Lloyd Schwarz	43,870
Geo V. Harren	43,544
La Gloria Farms Inc	42,829
J. R. Russell	42,492
La Strawberry & Veg. Dist. Co	41,641
M. F. Frost	41,625
Paul D. Moore, Jr	39,581
H. M. Pitts	39,180
N. H. Kitayama	37,420
J. R. Wade Farms, Inc	37,386
Wilburn Malm	37,334
Woody Cellum	37,194
Wm. E. May	37,075
M. D. Moore	36,985
N. J. Moore, Jr	36,985
Bryan Hanks	36,941
Shary Farms, Inc	36,750
Utah Dickerson	36,461
J. H. Holcomb	35,904
B. A. Black	35,904
R. C. Jones	35,668
Bobby McDaniel	35,089
Kirk Schwarz	34,947
Edith Tyner	34 ,822
Ned Westmoland	34,230
Holmes Farms, Inc	33,945
L. B. Pollock	32,917
Bertuca Sakai Farms, Inc	32,611
L. H. Freeman	32,531
El Ramon Development Co., Inc	32,188
Malcolm W. Moore	31,850
Leon McDaniel	31,808
L. J. Krska	30,991
Boyce Farms, Inc	30,975
Jerry Block	30,941
Jay Dudley Est	30,867
CC Mann dba Cana Dulce Ranch	30,624
D. J. Schwarz	30,509
Ray C. Jones	30,442
Jack Barnes	30,377
Ardean McDaniel	29,966
Tommy Richards	29,945
Steven Bearden	29,942
E. J. Blake	29,847
Teresa Ann Tyner, Tr	29,246
William Turberville	28,449
Jack Harbison, Jr	28,425
Jack Harbison	28,425
Eugene Houts	28,091
S. D. McDaniel	27,890
Billy P. Green	27,667
Lewis Fry	27,584
Mervin Headley	27,583
Dudley J. Stetzer	27,423
J. N. Vertrees	27,084
Hannis Turberville	26,817
Anna Mae Kelly	26,747
Stacy S. Malone	26,485
Verner Gustafson	26,365
Billy H. Drawe	25,648
John B. Hardwicke, Jr	25,130
William A. Hardwicke	25,127
Jack Drawe	25,003
Kenneth E. Jackson	24,589
Kenneth Hood	24,561
Earl Walker	24,218
C. A. Townsend & Sons, Inc	24,040
Southern Properties, Inc	23,986
Stanley J. Jarzombek	23,923
E. O. Houts	23,785
Marialice & Allan Shivers	23,639
Edwin Obst	23,635
4 T Ranches, Inc	23,258
Francis J. Kotzur	23,068
James Kawamato	22,845
B. W. Carlson	22,709
Dennis Jarzombek	22,548
Barr Ewing	22,534
Capote Farms	22,454
O. D. Emery	22,445
Carl Ermel	22,291
Progressive Groves, Inc	22,288
Earl F. Cohrs	22,147
Jimmie Steidinger	22,135
Pete Sakai	22,070
Florence M. Anderson	21,957
F. B. Fuller	21,942
A. C. Fuller	21,942
J. J. Gatton	21,936
C. W. Hall	21,916
Arthur E. Schwarz	21,790
Allen Stephenson	21,652
Leroy Skalitsky	21,611
Gilbert Skloss	21,310
Henry Stewart	21,308
Jim A. Stephenson	21,255
Granville Smith	20,914
Juan Villanueva, Sr	20,837
Glenn B. Hester	20,723
Edwin Garrett	20,678
Fred Lyssy	20,541
David Hoelsher	20,257
Dan Logan	20,084
Total payees in county (139)	4,909,402

HILL COUNTY

Ellison Bros	47,648
Daniel Pustejovsky	45,727
Gerik Bros Ptrns	42,248
Cecil & Delmer Sullins Ptnrs	32,799
Wallace Lavender	29,900
G. Ray Sawyer	29,867
Seth Orr	28,109
Henry D. Thuem	23,524
Edmund Marek	22,773
Alton Cordell	22,519

Claud D. Watson	21,951
Clyde F. Nowlin	20,033
Total payees in county (12)	367,098

HOCKLEY COUNTY

White Face Farms	83,493
Joe W. Cook, Jr	67,203
Neal Caswell	67,106
Erlan D. Gresham	62,358
Loyd Hood	59,178
William E. Carr, Jr	59,178
J. Walter Hobgood	55,849
Carl Butler	54,836
Everette Butler	54,836
W. L. Harris	53,894
Lockett Seed Co	53,292
Paul W. Christian	52,956
W. N. Halliburton	52,885
Howard Venable	51,964
William M. Cain	50,814
Marvin E. Green	50,636
Gordon McMillan	47,837
L. E. Mitchell	47,553
Bobbie F. Veretto	47,271
Carl E. Ratliff	45,725
Billy Ray McInroe	45,449
Spade Farms, Inc	45,069
Selmer H. Schoenrock	44,647
Fred G. Owens	44,622
Billy Arnwine	44,551
Roger K. White	44,162
Palmer & Dowell	44,094
Louie Ray Carter	43,138
William Clements	42,403
Marjorie Post	41,935
James T. Rackler	41,710
H. Joe Schwartz	40,673
Mallet Ranch	39,823
Joe Conatser	38,391
Kenneth Spradley	36,759
Harley Stanley	35,967
Troy M. Overman	35,928
Hub Butler	35,668
Jack McMillan	35,198
Harry L. Fitzgerald	34,853
Elwood Patterson	34,365
Preston L. Lyda	34,356
James Lee Waldrop	34,261
Bill Gerik	33,653
George Wade, Jr	33,408
Elbert C. White, Jr	33,337
Walter S. Carter	32,616
Don Brazil	32,458
Cecil B. Helms	32,318
Willie J. Ivey	31,628
Nelson L. Reinsch	31,421
Joe Hoelscher	31,200
James Buford Chambers	31,160
Aubrey L. Lockett	31,044
Melvin L. Hale	30,703
Douglas Kauffman	29,965
Don Reding	29,790
Raymond Gunn	29,518
Earl D. Lewis	29,448
Buck Gossett	29,412
R. M. Marrow	29,220
Murl M. Orman	29,036
Edward Pinkert	28,934
Ed R. Reynolds	28,854
Catharine C. Whittenburg Est	28,761
Ronnie Ayers	28,655
Jack Sherrod	28,557
Hollis F. Borland	28,440
Chesley G. Hobgood	28,404
Earl D. Waldrop	28,267
James Stroope	28,097
Oliver C. Heard	27,872
Ervin Gilliam	27,674
James Blackwell	27,417
Martin Lawson	27,343
Alvin Swanson	27,327
Jerry Biffle	27,265
Weldon Bailey	26,982
R. L. Drachenberg	26,974
Ralph F. Wade	26,935
E. W. Sanford Est	26,720
Harvey Demel	26,703
Jewel D. Melton	26,428
J. E. Wisdom	26,349
H. E. Mowry	26,000
Donal Hamill	25,827
Melvin R. Glenn	25,789
Pat A Dunavant	25,774
Joe Bowman	25,655
Richard Lawson	25,440
Larry R. Chaney	25,163
Whitharral Gin	24,906
M. G. Moore	24,896
George R. Martin	24,671
J. E. Wade	24,422
Robert & Jeff Kauffman	24,393
Wallace D. Thrash	23,920
H. R. Phillips	23,878
Donald Ray Gresham	23,792
Jim McHam	23,787
S. J. Clevenger	23,757
Clarence E. Myatt	23,501
Donald E. Caddell	23,431
L. L. Alderson	23,427
Vernon L. Bridwell	23,262
Clifford O. Whitley	23,217
James G. Marrow, Jr	23,158
Jack Ballow	23,083
J. J. Rister	22,783
L. C. Vance	22,777
W. J. Shockley	22,561
Owens Farms, Inc	22,559
Bobby D. Jackson	22,512
L. E. Mitchell, Jr	22,407
B. W. Grant	22,399
Dene R. Headstream	22,321
Bill Graf	22,258
Billy Thetford	22,192
Wayne Oliver	22,125
Roy N. Whittenburg	22,089
Sam Hoover	22,013
Albert M. Storey	21,932
H. J. Steinfath	21,876
Acuff Farms	21,828
J. T. Hall, Jr	21,806
Danny Grant	21,795
Robert E. Avery	21,787
Dale Newsom	21,557
John A. Cowan	21,447
Carroll E. Bradshaw	21,443
Jim J. Hobgood	21,371
Jerry W. Myatt	21,269
Robert Stence	21,250
Coy D. Grant	21,024
Raymond H. Belew	21,015
Marvin W. Menzel	21,009
R. W. Woodruff	20,967
Ford A. Carter	20,967
Leila Mathers	20,965
C. A. Jackson	20,958
Maple Wilson	20,916
Bobby Buchanan	20,915
Jack Ayers	20,752
E. B. Burelsmith	20,728
Joab Alexander	20,690
Jerry T. Caddell	20,651
Monte W. Cookston	20,554
Curtis W. Stafford	20,542
Cecil C. Cookston	20,478
D. C. Reed, Est	20,414
L. L. Overman	20,282
Hugh P. Baggett	20,274
Gordon Crouch	20,201
Doyle W. Butler	20,167
Kenneth Montgomery	20,163
Flora Hamill Crenshaw	20,052
Hugh Davis	20,025
H. W. Curry	20,012
Henry J. Schmidly	20,009
Total payees in county (159)	4,907,797

HOUSTON COUNTY

G. L. Potter	40,604
Wade Minter, Sr	37,015
J & B Farm	34,018
George Murray	27,303
C. A. Snell	22,373
Charles A. Snell	22,165
Wade Minter, Jr	21,598
T. J. Maples	20,697
Total payees in county (8)	225,773

HOWARD COUNTY

Robert E. Beall	48,165
Derwood Blagrave	46,078
Elbert Long	45,585
Robert V. Fryar	42,967
James C. Barr	42,833
G. C. Broughton, Jr	42,424
Jerry Iden	41,958
Horace E. Tubb	40,113
Delbert Stanley	38,346
Paul Adams	36,063
Oliver Nichols	35,594
Edgar Phillips	35,559
Robert C. Wegner, Jr	34,721
Robert Nichols	34,105
Max Zant	32,068
Harvey L. Adams	30,792
Martin Fryar	30,157
Harvey Fryar	30,057
Broughton/Sackett Farms, Inc	29,088
Jack E. Hopper	28,959
Rooney & Stella Brooks	27,326
Shirley W. Fryar	27,283
Morris Patterson	26,842
David Barr	26,538
Leslie R. Walker	25,837
Verl Shaw	25,076
J. W. Shive	24,913
Melvin Gibbs	24,743
Johnny R. Stanley	24,219
Milton L. Anderson	22,812
B. J. Williams	22,774
Landon Burchell	22,715
J. W. Fryar	22,257
Aubrey Lankford	22,029
Bigony Farms	21,666
Neil Fryar	21,597
William C. Fryar	21,401
Larry Fryar	21,269
Neil D. Spencer	21,174
S. M. Haney	21,077
John H. Woods	20,745
Roy Phillips	20,726
Calvin Hughes	20,636
Donald Nichols	20,358
Total payees in county (44)	1,301,645

HUDSPETH COUNTY

C. L. Machinery	90,966
Grady E. Miller, Jr	77,093
J. W. Hill	51,575
W. F. Foreman Trust	48,026
Kay Maynard, Inc	45,865
S. W. Magee	36,075
Steve Sredanovich	30,226
J. W. Hill, Jr	27,202
John Segulia	27,019
M. R. Collier	23,878
Condido Holguin	23,210
D. A. Thorp	20,815
Total payees in county (12)	501,950

HUNT COUNTY

William H. Myre	64,480
Harold W. Burt	39,590
David Dodson	30,842
Harold W. Anderson	27,818
Bobby D. Williams	27,063
Maurice M. Clack	26,949
Grady M. Farmer	22,736
Homer Roberts	21,585
J. D. Pearce	21,027
Total payees in county (9)	282,090

HUTCHINSON COUNTY

Claude Higley	76,297
Coble Cattle Corp	49,163
Henderson & Parks	47,797
Noble Watson	46,073
Gene Taylor	39,861
Jack Johnson, Jr	35,235
O. O. Smith	34,712
Henry Reid	32,867
Carson McCloy	32,010
Wilson McCloy	30,629
Thane McCloy	30,448
Charles Johnson	28,959
Floyd A. Hull	27,887

1972 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Texas—Continued

[Amounts in dollars]

HUTCHINSON COUNTY—continued

Ray Moore	27, 309
T. A. Blanton, Jr	27, 576
Jack Gillispie	26, 879
R. C. and Jerry Womble	26, 449
Ira A. Harbour	26, 048
R. F. Womble	25, 901
C. W. Kirk and T. Reger	25, 354
Fred Holt	24, 485
E. C. Meil	24, 425
M. P. Harbour	24, 058
Billy Britt Jarvis	24, 021
Robin Giblin	23, 582
Jerry Womble	23, 066
Raymond Jarvis	22, 478
F. B. Early	21, 905
Thomas M. Jones	21, 039
Jon Jarvis	20, 949
J. S. Armstrong	20, 796
Wallace Berner	20, 150
J. B. Snead, Jr	20, 056
Total payees in county (33)	988, 964

IRION COUNTY

G. C. Magruder, Jr	32, 026
O. C. Schlinke	21, 226
Cal Johnson	20, 959
Noelke Ranch Co	20, 897
Edwin S. Mayer, Jr	20, 436
E. H. and H. H. Linthicum	20, 330
Total payees in county (6)	135, 874

JACK COUNTY

T. L. C. Livestock Co	76, 858
Total payees in county (1)	76, 858

JACKSON COUNTY

Emil Bures, Jr	28, 504
Reuben Kramer	27, 720
Larry P. Holub	21, 390
Ira C. Sklar	20, 616
Total payees in county (4)	98, 230

JEFF DAVIS COUNTY

James P. Espy	41, 501
E. & E. Livestock Co., Inc	32, 503
Total payees in county (2)	74, 004

JIM WELLS COUNTY

Leon Eschberger	35, 946
R. W. Miller	34, 162
Don Boggan	32, 066
H. H. Pressnall	30, 238
O. C. Sain	27, 474
J. M. Dellinger, Jr	24, 381
Marvin Hackfeld	23, 837
Elizabeth Keliehor	22, 748
John A. True, Jr	21, 391
Max Richter	21, 226
Total payees in county (10)	273, 469

JOHNSON COUNTY

Billy C. Roten	33, 448
Jack Davis	29, 739
Roy L. & M. L. Plunkett P/S	29, 629
Edco Farms, Inc	28, 465
James E. Kemp	28, 260
J. G. Dobbs	26, 951
Albert Anthony	22, 429
Total payees in county (7)	198, 921

JONES COUNTY

Hoke Propst	80, 700
William C. Matchett	71, 548
Chas. M. Herndon	45, 147
Pied Piper Farms	42, 479
Bill Pritchard	40, 306
Raymond Scifres	38, 639
Vernon Lovvorn	35, 964
Thomas G. Nix	32, 058
James D. Lovvorn	32, 016
Stenholm Farms	31, 914
Herman T. Steel	30, 805
Clinton C. Moss	30, 464
Eugene Olson	29, 541
Weldon F. Walker	28, 791
Wm. B. Harrison, Jr	28, 227
William W. Cook	27, 465
Oran Brigham	27, 059
Herman A. Propst	26, 448
Hollis W. Madden	26, 412
Frank Vasek	26, 310
F. A. Lollar	25, 971
Willie L. Byrd	25, 795
Herman B. Propst	25, 366
H. L. Ford	25, 036
Johnny Hansen	24, 911
C. O. Richards	24, 643
Craig Jones	24, 532
Billy H. Debusk	23, 769
W. D. Smith	23, 408
G. W. Drummond	23, 158
Lowell L. White	23, 045
Eva T. Amerson	22, 872
John E. Scarborough	22, 819
Carlton Strand	22, 666
Oddie Jones	22, 536
B. J. Wilson	22, 446
Elbert D. Apperson	22, 057
Joe O. Murff	21, 701
Weldon Carlton	21, 643
Jeffrey & Sons	21, 275
Curtis Brueggeman	21, 128
Sam Baize	20, 686
Roy R. Moritz	20, 264
John A. Carnes	20, 094
Total payees in county (44)	1, 284, 114

KAUFMAN COUNTY

Monty Clayton	35, 591
Jerry R. Maloney	34, 884
Robert J. Wortham	32, 646
Clifford Howell	30, 552
Triton Trinity Valley	25, 242
G. E. Cales	22, 363
Star Brand Cattle Co	21, 630
Jack Glenn	21, 566
Caroline Hunt Trust EST	20, 607
J. L. Helm	20, 075
Total payees in county (10)	265, 156

KENT COUNTY

E. M. Jones	24, 198
Norman Hahn	21, 058
Total payees in county (2)	45, 256

KERR COUNTY

J. M. Auld	61, 298
Y. O. Ranch	61, 211
Dan Auld, Jr	30, 853
E. B. Love	21, 784
Warren Klein	20, 979
Lon R. Smart, Jr	20, 233
Nathan H. Whitworth	20, 031
Total payees in county (7)	236, 389

KIMBLE COUNTY

S. G. Nelson	28, 021
J. P. Rieck Estate	22, 874
Rieck Brothers	22, 372
Conrad T. Holekamp & Son	21, 935
George W. Nethery	21, 097
Total payees in county (5)	116, 299

KING COUNTY

C. M. Sossaman	37, 723
J. P. Ratliff, Jr	27, 423
Charles Havins	24, 446
Ruth Starr Blake Trust	23, 991
Raymond King	23, 239
T. C. Havins	22, 738
Pitchefork Land & Title Co	21, 554
Roy B. Keith	20, 877
Total payees in county (8)	201, 991

KINNEY COUNTY

Clay Hunt	81, 911
Double R Ranches	58, 175
Silver Lake Ranches Co., Inc	50, 184
P. H. Coates III	40, 396
C. L. Lowry & Son	38, 247
W. L. Moody IV	36, 079
Myrtle H. Hunt	34, 851
George Bunger	33, 440
West Pinto Ranch Co	30, 430
David Winters	27, 961
Abb Rose	26, 996
Roger Thurmond & Son	25, 535
James T. Shahan	25, 337
W. Preston Sights, Jr	24, 877
George W. Herndon	23, 593
Lloyd L. Davis	20, 902
Leo Frerich & Sons	20, 573
Total payees in county (17)	599, 487

KLEBERG COUNTY

Kenneth Huff	35, 434
Clarence C. May	26, 974
Clarence E. May	21, 766
Allen M. May	21, 286
Total payees in county (4)	105, 460

KNOX COUNTY

League Ranch	62, 515
William J. Goode	42, 129
Eugene L. Thompson	39, 879
James Albus	39, 420
Floyd L. Reed	35, 056
Vernal Zeissel	33, 515
J. C. Moorhouse	32, 811
Marvin Zeissel	32, 414
George L. Floyd	32, 027
B. M. Farmer	31, 692
Elvis Blake	27, 407
Sam E. Clonts	27, 042
J. C. Elliott	26, 690
Lonnie D. Offutt	26, 444
C. H. Cornett	25, 717
Chalmer E. Hobert	25, 289
David Albus	24, 414
J. G. Hawkins	24, 288
Herbert Bellinghausen	24, 276
Larry Thompson	23, 785
John Earl Nelson	23, 657
U. J. Bellinghausen	22, 943
Gerald A. Brown	22, 851
B. M. Brown	22, 850
Philip F. Homer	21, 985
C. B. Ray	21, 471
Total payees in county (26)	772, 567

LAMAR COUNTY

Hicks Graves	61, 862
Billy Mashburn	32, 635
Creed Bros., Ptrs	25, 059
Johnie W. Musgrove	23. 421
Ben Laird	22, 683
J. B. Jackson	21, 503
Total payees in county (6)	187, 163

LAMB COUNTY

Royce McFadden	63, 006
Reginal Stephens	61, 347
Gene Templeton	60, 459
John Bridges	58, 123
Billy W. Clayton	57, 214
Lonnie R. Smith	56, 860
J. D. Smith	55, 004
L. C. Hewitt	54, 477
Parish Farms	53, 849
B. G. Free	53, 762
L. J. Welch	52, 698
V. O. Busby	49, 363
Barry Armes	47, 508
Royce Collins	46, 133

T. A. King, Jr	45,490
J. B./Jearl James	45,160
Fred Welch	43,837
Wesley Neinast	43,221
Charles W. Wiseman	42,031
D. R. Hopkins	41,416
James H. Busby	39,841
Ray Wood	39,674
Gordon B. Timms	39,244
Jean H. McDonald	38,492
Lucile Derville	38,490
Thomas Harris	38,439
Joe F. Miller	38,124
H. M. Gable	37,971
M. P. Thedford	37,719
Donald Street	37,055
Dan Quigley	36,706
E. O. Feagley	36,526
Donald J. Bryant	35,451
F. D. Clayton	35,380
D. W. Bawcom	35,077
Wayne McLarty	35,041
W. C. Stout Est	34,400
J. T. Gibson	34,335
F. M. Smith	34,296
Elmer Lewis	33,697
Johnny Hodges	33,307
Allison Bros	32,490
L. H. Carson	32,356
Ershel W. Johnson	32,227
Ross Lumsden	31,435
Calvin Wood	31,415
George E. Brown, Jr	31,408
L. B. Montgomery	31,217
J. L. Snider	31,004
Roberson Brothers	30,847
Eddie Wallace	30,797
J. M. Farmer	30,501
Kenneth Hinson	30,448
Edd Haley	30,422
Ernest E. Jones	30,355
Neil Wood	30,291
W. M. Smith, Sr	30,205
Daniel B. Heard	30,183
Phillip Haberer	30,028
Willie Steffey	29,973
Larry Lockwood	29,905
Barton Bros	29,857
James Cowart	29,810
Kenneth Price Hamilton	29,729
Frank Wuerflein	28,957
Glenn E. Robertson	28,854
James A. Littleton, Jr	28,771
Lexie Branscum	28,376
Robert E. Coen	28,362
James Sanderson	28,258
DeWitt Tiller	28,186
Melvin Bock	28,176
W. W. Thompson	28,047
S. K. Flatt	27,986
Jimmy Nix	27,943
A. B. Roberts	27,930
Harley D. Jones	27,881
James E. Steffey	27,795
Joe Caddell	27,793
Fred A. Smith	27,558
Harley Bussanmas	27,402
W. D. Bell	27,294
W. B. Jones	27,189
Wm. R. Morris, Jr	27,040
Emert J. Rose	26,916
U. L. Gunter	26,148
Raymond Durham	26,075
Athol C. Light, Jr	25,994
Royce Turner	25,991
H. J. Harrell	25,944
B. N. Armstrong	25,597
R. V. Allcorn	25,571
Dewey L. Hukill	25,546
Randall Roper	25,495
Devern Mandrell	25,300
Bennie Harmon	25,105
Wallace O. Jones	25,056
Floyd Light	25,021
Benny Dickson	24,777
B. D. Nelson	24,652
J. T. Mitchell	24,580
Leslie Kennedy	24,352
Charles Hinds	24,145
Jack Angeley	24,142
Clarence Hobratschk	24,051
L. E. Downs	24,020
Kenneth Wiseman	23,970
Joe Fisher	23,714
John Laing, Sr	23,659
Elmer McGill	23,569
H. R. Curtis	23,333
O. D. Chester	23,225
James P. Hamilton	23,155
R. D. Nix	22,983
Bobby Joe Harlan	22,890
C. S. Hudson	22,874
Drexel Lawson	22,576
Martin Parmer, Jr	22,201
Billy Guthrie	22,145
Raymon Carson	22,089
Kenneth Sawyer	21,964
Hollis Smith	21,942
W. B. Boyles	21,849
Carson and Carson	21,811
C. D. Kirkpatrick	21,702
Eva A. Pickard	21,648
Wm. H. McCluskey	21,647
Lester O. Kennedy	21,563
Wayne Streety	21,552
Harvey Patterson	21,484
N. W. Emfinger	21,438
Aubrey F. Smyth	21,256
M. R. Matthews	21,253
Leroy Maxfield	21,207
Bill Bradley	21,121
James C. Holland	21,034
James L. Withrow	20,996
Eldon L. Davis	20,775
Gaulbert Demel	20,699
Troy Armes	20,580
Robert O. Ohair	20,526
B. F. Helms	20,436
Gene Brownd	20,403
C. C. Goodwin	20,220
O. L. Walker	20,032
Total payees in county (145)	4,472,903

LAMPASAS COUNTY

T. W. Winters	55,355
Winters Bros	41,795
Lampasas Auction Ranch	36,462
J. C. McCoury	29,777
Total payees in county (4)	163,389

LA SALLE COUNTY

H. Dudley Storey, Jr	34,425
Gerald Mann	29,140
Lloyd Hurt	26,411
Ritchie Ranch Part	24,407
Glendale Jones	21,548
Total payees in county (5)	135,931

LEON COUNTY

Oscar O. Brown	38,461
Harrell Dean Brown	22,611
Total payees in county (2)	61,072

LIMESTONE COUNTY

Walter B. Honeycutt, Jr	33,158
Total payees in county (1)	33,158

LIPSCOMB COUNTY

Marvin Born	32,545
Lazy S Ranch	29,668
Mervyn Harrelson	27,237
Alvin G. Born	25,377
John L. Gadberry	21,197
Chris Miller, Jr	20,509
Total payees in county (6)	156,533

LIVE OAK COUNTY

Fred Thoms	46,830
Milton Greenwood	23,980
C. H. Griffith	20,196
Total payees in county (3)	91,006

LUBBOCK COUNTY

Joe B. Lovelace	69,245
The Dunlap Co	64,251
William E. Armstrong	63,295
Standefer & Gray	63,177
Coyne E. Killian	54,850
Medlock Farms, Inc	53,452
Elijah M. Debusk	53,384
L. L. Lawson	51,178
George Oliver Jackson	49,183
R. E. Jones	48,821
Walter O. Heinrich	48,414
Joe McCollum	47,620
Don Veretto	46,514
Olan K. Dorsett, Jr	46,288
J. Carter Caldwell	45,536
Kirby Hobgood	45,317
Farm Enterprises, Inc	45,037
A. L. Cone	43,448
Fred E. McNabb	40,935
Leroy Grawunder	40,616
J. W. Furgeson	40,490
Edward S. Smith, Jr	40,140
B. B. Hobgood	40,123
Glen B. Payne	39,941
Jay Stanton	39,826
Wendell D. Vardeman	39,568
Kenneth Davies	39,372
Roy C. Clark	39,190
Kenneth G. Wright	38,823
Howard L. Alford	38,575
J. Pete Thompson	38,349
Robert Melcher	39,983
Ray D. Langford	37,124
Greenlee Farms	37,101
Glenn Brown Blackmon	36,737
Ed H. Foreman	36,134
J. C. Heinrich	36,044
O. W. Smith	35,638
R. B. Stanton	35,421
Harold E. Voigt	34,914
David S. Enger	34,827
Morris S. Smith	34,763
Newman Lusk	34,301
San Augustine Ranch	33,752
Charles W. Wood	33,680
Johnnie Joiner	33,393
Franklin Heinrich	33,092
Clifford Hamilton	32,727
Sam A. Durham	32,611
Gilbert H. Ragland	32,583
Alton L. Lawson	32,460
Frank W. Hancock	32,442
James T. McMenamy	32,372
Excell W. McFarling	32,292
Debusk Enterprises Inc	31,929
Weldon M. Boyd	31,885
W. A. Bill Alspaugh	31,828
Melvin H. Jack Phipps	31,682
Ferman R. Priddy	31,526
Franklin G. Dunn	31,325
E. C. Moseley, Inc	30,915
J. W. Shadden	30,577
Clayton E. Enger	30,562
L. T. Foster	30,419
D. J. May	29,799
C. W. Teal	29,745
Max Barnett	29,515
W. R. Sage	29,242
D. B. Chesshir	29,203
Zack Payton	28,864
Hugh V. Newton	28,405
Roy Hugh McKelvy	28,369
Lowery M. James	28,149
Buddy Hettler	28,106
A. B. Enloe, Jr	27,960
Hank Woodruff	27,920
Brodie A. Darby	27,748
Ari Tex Farms, Inc	27,693
John T. Patterson	27,670
Billy Meyers	27,594
Medlock Inv. Co., Inc	27,351
George H. Harlan	27,331
William B. Criswell	27,260
Doyce Middlebrook	27,190
James Attebury	26,734
A. L. Rose, Jr	26,659
Charles E. Jones	26,652
W. C. Neel Est. c/o S. Neel	26,591
Wendell F. Attebury	26,579
Don Foreman	26,562

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Texas—Continued

[Amounts in dollars]

LUBBOCK COUNTY—Continued

Harold Campbell	26,513
Danny Coleman	26,399
Robert H. Park	26,347
D. J. Hlavaty	26,245
Smith Keller	26,188
Leon L. Lincecum	26,138
T. E. Wright	26,107
Ward W. Carroll	25,927
Muril B. Stanton	25,896
Paul D. Kitchens	25,864
Pierce H. Truett	25,837
I. Arnold Chauncey	25,691
John B. Lamb	25,479
Billy Bryan Boyd	25,408
Jack Adamson	25,230
Paul Cates	25,218
Ronnie Joe Darby	25,092
Wienke Bros	25,062
Bennie L. James	25,017
Omer D. Lindsey	24,851
William V. Halford	24,622
Tom Ed Reynolds	24,398
Walter E. Morgan	24,217
James Riney	24,155
Jack Obriant	23,818
Clifford Hilbers	23,726
Donald E. Adrian	23,553
C. O. McNabb	23,545
Jack Louden	23,504
F. D. Drachenberg	23,342
Robert Fehleison	23,318
Albert C. Henderson	23,294
L. D. Phillips, Jr	23,292
Joe W. Felty	23,291
D. D. Qualls	23,278
Roy Allen Forkner	23,118
George H. Johnson	23,088
Randal L. Rieger	22,956
John C. Newton	22,911
Ralph B. Mabry	22,907
Bruce Isom	22,893
E. W. Harkey	22,793
James F. Davis, Jr	22,774
Agri Products, Inc	22,561
Herbert Pinkert	22,559
Jerry S. Harlan	22,547
L. E. Bartlett	22,463
O. V. Sturgeon	22,415
Sherman Nelson	22,397
Earl Foerster	22,308
Tommy D. Adams	22,183
Billy J. Robbins	22,059
Donnie Shafer	22,026
Chester B. Gilmore	21,929
Milton Kirksey	21,914
Clinton Powell Adams	21,871
Fred Perry	21,721
Gary L. Sherrod	21,704
J. H. Kurklin	21,600
Carl D. Jones	21,557
Carroll D. Teeter	21,551
Roy G. Cannon	21,389
Doyle Curry	21,368
Betty L. Petree	21,261
Dick Park	21,191
George V. Lipps	21,177
Don Freeman	21,017
Wesley W. Ferguson	21,016
Doyle McKennon	21,013
E. Donald Bledsoe	20,980
Wallace K. Klatt	20,952
Rodney R. Harmon	20,809
J. D. Hufstedler	20,722
Valton V. Cox	20,598
Berlin Haught	20,578
John B. Allen	20,546
Mabel Dixson	20,536
Jack L. Stanford	20,462
Leroy Zieschang	20,448
Walter H. Luker	20,424
V. T. McDougal	20,228
Walter Lupton	20,214
Hilburn Barrick	20,000
Total payees in county (173)	5,192,484

LYNN COUNTY

Eva Colleen Geren	61,136
Cass Edwards, II	61,131
W. C. Huffaker, Jr	59,891
J. W. Gardenhire	58,766
Wm. G. Lumsden	57,150
W. A. Russ	52,878
J. T. Forbes	51,597
L. C. Unfred	50,881
Grayam George	48,638
R. L. Dulin	48,617
Cecil Dorman	47,436
Royce Steven Greer	46,232
Natt Park	46,225
Pat Childress	44,661
W. T. Kidwell	44,519
Sam Singleton	43,630
Draper Brothers	41,723
Ralph M. Beach	41,569
L. H. Nettles	41,530
Harold Payne	41,346
Billy G. Gardenhire	40,638
H. T. Barrett	40,325
Mack Forbes	40,235
Jerry Brown	39,532
R. L. Warren	39,389
Jerry McKibben	38,354
Wayne Huffaker	37,944
James H. Sanders	37,772
J. A. Evans	37,769
Carl Sanders	37,600
Dallas Vaughn	37,207
Don D. Balch	36,837
R. L. Thomas	36,042
J. Weldon Martin	35,776
O. C. Sikes	35,391
Ray Cook	35,363
C. E. Roper	35,158
Clarence Church	35,148
O. R. Phifer, Jr	34,736
Glen B. Brewer	34,553
Albert Curry	34,442
Felix H. Macha	34,222
A. P. Edwards	33,342
Bryan Wright	33,000
J. F. Brandon, Jr	32,782
H. G. Franklin	32,647
Jack Webb	32,419
Wayland F. Taylor	31,823
J. T. Swinson	31,812
J. Robert Fillingim	31,593
N. B. Hancock	31,584
Wayne Carroll	31,440
Harold Brumit	31,340
David L. Hill	30,739
Willie A. Nieman	30,705
Howard Moore	30,365
Edward Bartley	30,140
Larry Hagood	30,069
Leland White	29,585
C. T. Louder	29,369
Bonnie Brown	28,985
Bennie W. Edwards	28,890
J. W. Pirtle	28,216
Oscar Lowrey	27,811
Mickey Pearce	27,764
Jerry Melcher	27,609
C. L. Mason	27,392
Lynn West Est	27,387
Olen Renfro	27,374
Woodrow Brewer	27,182
Raymond H. Lawrence	27,154
C. T. or Gene Ingle	26,881
A. G. Crutcher	26,789
C. A. Moore	26,745
Eldon Gattis	26,744
W. J. Kahl	26,484
W. W. Hagood	26,261
Boyd Pebsworth	26,197
L. D. Halford	26,036
C. E. Thetford	25,918
E. L. Short	25,874
Willie Mae Edwards	25,844
George A. Sealy	25,594
Wayne Clayton	25,236
James F. Roberts	25,196
Lester Adams	24,980
Charles Schniers	24,697
Leroy Snider	24,687
Ray Adams	24,566
Howell and Roberson Ptnrshp	24,309
George W. Bartlett, Jr	23,992
W. Allen White	23,980
D. W. Hancock	23,923
Grey Cook	23,783
G. G. Norman	23,598
E. R. Blakney	23,468
H. W. Edwards, Jr	23,334
Buel Draper	23,331
Bill M. Clayton	23,220
Charles Mason	23,140
Glynn Moore	23,053
Elwayne Crotwell	22,987
Walton Terry	22,868
B. R. McDonald	22,812
Dick Franklin	22,463
Clayton Lawrence	22,347
Gene Cantwell	22,345
R. M. Thomas	22,277
Milton Piwonka	22,244
Joe D. Unfred	22,239
V. P. Haley	22,165
Aubrey Smith	22,087
Charles A. Smith	22,079
C. L. Littlepage	21,989
Frank Timmons	21,891
Lit H. Moore, Jr	21,797
Miriam Collins Green	21,717
A. G. Cawthron	21,688
A. C. Fillingim, Jr	21,611
D. W. Gaignat	21,479
Buster Phipps	21,426
Elmer Schoppa	21,329
D. R. Adamson	21,265
Willie Shambeck	21,212
Douglas Neugebauer	21,201
W. A. Caveness	21,173
G. W. Turner, Jr	21,129
J. T. Miller	20,930
J. T. Middleton, Jr	20,789
W. C. Wharton	20,766
J. Martin Basinger	20,750
C. O. McCleskey	20,698
C. W. Armes	20,695
Glen Akin	20,638
Gerald Huffaker	20,566
Jimmie Kieth	20,273
P. & W. Farms	20,153
J. G. Hoskins	20,046
Royce Heinrich	20,013
Total payees in county (139)	4,238,504

MARTIN COUNTY

A. C. Woodward	58,968
Odie Harris	55,585
E & E Farms, Inc	55,420
Eula Preston Madison	53,983
Larry Zane Shaw	52,340
Romine Bros	49,820
James G. Sawyer	49,525
Jack Hershell Kuhlman	49,186
Dean Russell Fleming	46,244
Clarence Fryar	45,182
Erma Blagrave	45,146
Sam B. Parham	43,609
James Ernest Franklin	43,125
Melvin Harris	42,204
Buster Haggard	41,175
Glen Morrison	40,663
John Woodward	40,506
J. E. Peugh	40,381
Billy Fryar	40,227
L. T. Warren	39,651
Eddie C. Cook	39,302
Jimmy Eugene Freeman	39,298
Ralph Wesley Williams	39,233
Robert R. Hunt	39,148
J. Fillmore Epley	38,566
W. D. Chandler, Jr	37,739
James Newman Biggs	37,485
Dolphus Edward Richard	37,184
Thomas E. Fuller	36,907
Cliffton Carlton Grigg	36,410
David Anderson	36,230
Floyd Martin	35,843
Maurice W. Sharp	35,481
C. Ray Russell	35,073
Earl Vernon Holcomb	34,355
John Morgan Hale	34,201
Billie Joe Gill	33,585
Elmer Cecil Dyer	33,512
C. A. Nichols	33,276

Glen Cox	32, 969
Earl Vernon Hightower	32, 678
Feaster & Hale	32, 443
John Wallace Kelly	31, 843
Quinton Airhart	31, 145
Glyn Irvin Snell	31, 124
Darrell Froman	30, 940
Don Dwayne Holcomb	30, 604
Jerry Hall	30, 463
Malcolm Tunnell	30, 157
Richard L. Linney	30, 024
Guadalupe Morales	29, 923
Edmond Tom Ranch Inc	29, 789
Wayne Cook	28, 935
Marvin L. Standefer	28, 932
A. D. Reed	28, 923
Juil Reid	28, 466
George Sawyer	27, 194
Newell Wayne Tate	27, 009
J. Alex Haggard	26, 766
James Edward Pollock	26, 499
Ronnie Deatherage	25, 763
Myrtle Romine	25, 356
Bob Hill	25, 333
Charles John McKaskle	24, 711
W. H. Woody	24, 682
J. N. Woody Jr	24, 677
R. H. Sample	24, 395
Edward Lee Richards	23, 915
Chloice Shofner	23, 848
D. W. Dickenson	23, 170
Norwood Eugene Holloway	22, 967
Robert Joe Deatherage	22, 225
Lonnie Odee Green	22, 194
G. P. Harrell	21, 710
G. L. Trice	21, 504
Doyle Hale	21, 503
Tommy R. Newman	21, 442
Thomas Edward Smith	21, 316
Marvin Henry Nance	21, 144
Gleen Lovless Holloway	21, 117
Albert Anderson	21, 076
Gale Batson	20, 961
C. M. Holcomb	20, 906
Raymond A. Pribyla	20, 900
H. D. Howard	20, 723
Lee O. Rogers	20, 534
Loyd Minter Wiggins	20, 401
Teddie DeWitt Barnhill	20, 297
Virgil Barron	20, 243
Claud Glaspie, Jr	20, 232
Bruce L. Key	20, 180
Total payees in county (91)	2, 942, 019

MATAGORDA COUNTY

Carl M. Hansen, Jr	39, 604
Vernon Hunt	28, 961
Ed and Leo Jensen	27, 743
J. W. Jenkins, Jr	25, 148
Total payees in county (4)	121, 456

MAVERICK COUNTY

Jack Keisling	56, 631
N. D. Carr	21, 934
Herman B. Price	21, 912
Total payees in county (3)	100, 477

M'CULLOCH COUNTY

G. R. White Est	39, 600
Roddie & Co. Ranch	23, 157
Total payees in county (2)	62, 757

M'LENNAN COUNTY

James M. Warner	46, 894
Lankart Seed Farms Ltd	44, 874
J. B. Vandiver	44, 237
J. Weldon Youngblood	42, 579
Walter Rush	35, 129
Jim Radle	27, 799
C. M. Freeman	24, 015
Raymond Holy	23, 963
W. W. Callan	21, 818
Ray Stewart	21, 654
Total payees in county (10)	332, 962

MEDINA COUNTY

Ed Wanjura	28, 389
Total payees in county (1)	28, 389

MENARD COUNTY

Gene Whitehead	47, 637
Forked Lightning Ranch	20, 293
Total payees in county (2)	67, 930

MIDLAND COUNTY

Alan Spinks	43, 680
Jerome Hoelscher	39, 625
Robert Morgan	39, 283
Forest G. Eggmeyer	37, 723
R. V. Robinson	36, 023
Jack Leonard	34, 098
Ervin A. Baumann	33, 744
Louie Koonce	31, 478
Bob Evans	27, 975
Bob Pyeatt	27, 606
A. C. Teinert	24, 542
Roy Graham	23, 923
Carlos Dusek	23, 780
George Anderson	23, 772
Roy D. Jones, Est	21, 373
James Brooks	21, 326
Total payees in county (16)	489, 951

MILAM COUNTY

Daniel D. McDaniel	113, 764
Calvin Cobb	51, 649
Wilburn E. Beckhusen	46, 638
Derwood Cobb	44, 745
Darrel Cobb	39, 885
W & Culpepper Est	26, 110
Charles Camp	23, 108
T. Yale Swafford	22, 500
P. C. Gibson, Jr	21, 442
John J. Fagan	21, 376
Ike Camp	21, 329
Joe A. Glaser	20, 605
Robert H. Roster	20, 077
Slavik Bros	20, 000
Total payees in county (14)	493, 228

MILLS COUNTY

Charley McLean	28, 902
C. F. Jeske Est	22, 810
O. P. Leonard	20, 545
Total payees in county (3)	72, 257

MITCHELL COUNTY

J. E. Brown	52, 831
W. H. Narrell	49, 036
Raymond Watlington	46, 421
Travis P. Turner	42, 777
J. B. Autry	40, 563
D. M. Smith	36, 752
Wayne Oliver	31, 935
A. K. McCarley, Jr	30, 474
Kenneth Dockrey	29, 291
Hammond and Son	29, 143
D. M. Pieper	28, 448
Linden Solomon	28, 183
Mack G. Ritchey	27, 745
Curt Shaw	26, 697
Jack Long	26, 450
Chas. N. Stubblefield	26, 033
James Cox	24, 565
Foy Webb	24, 283
Warren Anderson	24, 074
Harold Hester	23, 276
J. R. Erwin	22, 660
Forrest Porter	22, 389
J. C. Barkley	21, 920
Henry Hoyle	21, 821
Oren R. Carpenter	21, 783
Latimer & Latimer	21, 749
Joe L. Blackard	20, 482
Manuel Munoz	20, 111
O. B. Trulock, Jr	20, 087
Total payees in county (29)	841, 979

MOORE COUNTY

M. & S. Agri. & Livestk Co., Inc	87, 467
Gossetts, Inc	83, 036
Schuman Farms, Inc	77, 643
Hunt Farms, Inc	71, 716
Gordon Taylor	69, 020
Stringer Farms, Inc	62, 685
Bobby N. Williams	59, 421
Linda & Howard Moore	57, 269
Harold N. Keisling	54, 598
McMurry Farms, Inc	52, 563
Durward N. Gamblin	50, 723
John A. McMurry, Jr	48, 757
Jack H. Mills	46, 440
H. D. Lewis	46, 031
Verdie & Lloyd Beauchamp	46, 020
Vina Hawpe	45, 694
Marshall Cator	45, 694
Paulus Schroeter	39, 464
Brent & Sons Ptnship	39, 282
J. W. Huff	39, 260
Thomas E. Harbert	38, 780
Thurman E. Fisher	38, 683
Joe Cox	37, 967
Nelson E. Burton	36, 756
D. Rex Langley	35, 863
Edward L. Stallwitz	35, 692
Cleve & Frederick Rousser	35, 627
Wells Agricultural Corp	35, 504
Edward M. Stallwitz	34, 991
John H. Goodwin	34, 708
Gladwin Gillispie	34, 447
Jimmy C. Stokes	34, 164
James Tatum, Jr	34, 028
Triple T. Farms, Inc	33, 886
Carl Beauchamp	33, 688
J. W. Brian	33, 630
Joe Schuman	32, 998
M. O. Jack Bain	32, 887
Arthur B. Stavlo	32, 881
A. J. Harris	32, 519
Benny T. Powell	32, 236
Claude Johnson & Son	32, 224
Arvel A. Perky	32, 222
Haskell E. Bilbrey	31, 771
Roy Clark & Sons, Inc	31, 610
A. & O. Farms	31, 509
Thomas L. Phelps	31, 287
Harvey W. Garrison	30, 528
Johnson Trust	29, 868
Coleman Agrienterprises, Inc	29,510
Jimmy Wells	29, 393
Johnny M. Goodwin	28, 749
T. H. Blanscet	27, 240
H. D. Meil	26, 678
Earl B. Byrd	26, 250
J. H. Burkett	26, 169
J. E. Bright	25, 755
E. C. Britain, Jr	25, 555
Jessie Glynn Burnett	24, 957
Leamon Earl Weatherford	24, 792
P. F. Younger	24, 532
Delmer W. Keisling	24, 469
Carl A. Hokanson	24, 145
Johnny Lynn Harris	24, 118
W. T. Conner	23, 971
Walter Powell	23, 504
Jerry Sturgess	23, 422
Jerry B. Keith	22, 973
Arie K. Smith	22, 824
Lloyd Beauchamp	22, 253
Peter B. Crabb	21, 936
O. W. Shellberg Trust	21, 917
L. S. Brown, Jr	21, 519
Gary W. White	21, 391
D. A. McCutchan	21, 327
Bill Harbert	21, 172
Robert G. Schlee	21, 014
Wesley Reznik	20, 983
C. C. Burnett	20, 836
George M. Thomas, Jr	20, 514
Cloyce M. Terrell	20, 510
Clark Farms Partnership	20, 506

1972 ASCS and Great Plains program payments of $20,000 or more—Excluding loans—Texas—Continued

[Amounts in dollars]

MOORE COUNTY—Continued

J. D. Matthews	20,327
Pendleton Bros	20,029
Total payees in county (84)	2,930,977

MOTLEY COUNTY

Alfred Kenneth Barton	29,295
Millard C. Jones	27,419
George B. Bowles	24,664
Roy D. Grundy	24,616
Allan L. Thomas	24,249
Roy Gene Stephens	22,209
Total payees in county (6)	152,452

NAVARRO COUNTY

Jarvis Paris Murphy Co., Inc	50,108
Drew Gillen	46,299
Laura Johnston	33,051
Joe B. Fortson, Jr	32,858
James Fortson	32,858
Delma Ray Spence	30,029
Jimmy Hooser	29,289
Robert L. Colquitt	27,526
George F. Hejny	27,205
Charles Martin	26,751
Webb Armstrong	26,180
W. M. Lowe	25,149
J. L. Aven	23,258
B. B. Bennett	22,695
J. F. McLain	22,362
Clifford Williams	22,177
Dwayne Watson	22,136
George B. Mitchell	21,899
Royce Bancroft	21,425
James W. Brown	21,406
Winston Johnston	21,191
Clyde Roloff	20,485
Wayne Nelson	20,484
Charles T. Pullins	20,412
J. W. Mitchell	20,142
Total payees in county (25)	667,375

NOLAN COUNTY

D. S. Riggs	63,310
Max Wright	54,675
Jimmy G. Wright	53,436
Ray Hendricks	49,207
Louis Brooks	44,978
Herbert L. Williams	41,030
Philip V. Haynes	40,814
Clyde H. Ater	39,465
J. B. Cooper, Jr	37,447
Jerland F. Freeman	37,211
Ronda H. Whorton	34,187
L. Yates Sipe	34,046
R. B. Pieper	32,505
T. D. Young	32,288
Melvin D. Daily	31,753
Joe G. Williams	31,096
Wilbert H. Althof	31,031
Clifford C. Etheredge	30,453
Dean D. Alexander	28,267
Robert E. Headrick	26,538
Raymond E. Althof	25,887
Wendell Kent	25,656
George E Parrott	25,575
Harold C. Althof	25,529
James E. Reed	24,750
Mancle T. Pointer	24,550
John M Boston	23,787
Raymond C. McIntyre	22,869
R. R. Ranch	22,326
Jesse Faust	22,092
Robert T. Dunlap	21,959
L L. Medlock Jr. & Son	21,168
K and W Cleckler	21,099
Ronald E. Williams	21,060
Jimmy D. Smith	20,718
Robert H. Jordan	20,689
Alfred F. Hendrichs	20,680
Kenneth Duncan	20,234
Curtis Riggs	20,079
Total payees in county (39)	1,204,443

NUECES COUNTY

C. A. Lowman	47,759
Berta C. Cunningham Est	46,470
E. M. & Cornie Wilson Est	44,755
Roger Whitmire	44,738
W. A. Whitmire	43,781
C. L. Lehman	43,167
Mack B. Norris	37,844
Alvin McNair	36,797
R. Farenthold Est	35,505
Aubrey Harper	35,487
Driscoll Foundation	35,037
J. L. Massey	34,989
Aubrey Harper, Jr	33,819
J. D. Weaver	33,491
Perry Foundation	30,755
W. M. Bevly	30,743
J. W Callaway	29,645
J. C. Mayo	29,620
Myrtle E. Cardwell	29,589
Frank Moravek, Jr	28,880
C. C. Albrecht	28,763
H. L. Gillespie	28,367
Fred Hoepfner	27,154
Leon Bernsen	26,792
Lynn Dugger	26,646
R. W. Hale	25,389
Elmer Hale	25,388
R. L. Garrett	24,784
Barkley Farms, Inc	24,169
G. L. Dodson	23,426
William L. Davis	23,295
Doyle London	23,270
Santa Cruz Farms	23,235
Henrietta C. Crook	23,176
W. M. Bevly, Jr	23,013
W. T. McNair	22,594
Cecil R. Wright	22,021
Billy Earl Wright	22,021
George Rogge	21,780
M. E. Horne	21,564
E. H. Kirkpatrick	21,427
Lloyd Morris	21,132
Eugene Hellmann	20,505
Total payees in county (43)	1,280,782

OCHILTREE COUNTY

Bob Urban	56,169
Jewell Pearson	43,735
James Lair	43,533
Frank Buzzard	39,769
Burger & Burger, Inc	39,386
Earl Leslie	38,303
Gerald C. Betty	38,226
Philo Butler and Son	36,563
R. H. Holland & Son	36,248
Charles Morton Share Trust	33,729
Thomason Farm	31,301
Alma D. Schaefer	30,536
Greever & Greever	29,742
Leroy Smith	28,986
Davis Co	28,655
William E. Pletcher	28,000
Dean Slaughter	27,740
Donald Sell	27,048
H. C. Brillhart & Son	27,046
Deacon Clement	25,272
Dan Pletcher	24,964
John C. Daniel	24,654
A. F. Cook	24,172
Drew Ellis & Sons	24,037
Tom Slack	23,849
Don Smith	23,265
Robert Nitschke	23,074
Winn Lehman	23,056
Paul Fagg	22,519
Dan Archer	21,650
W. H. Redman	21,223
Herbert Butt	20,698
Total payees in county (32)	967,148

OLDHAM COUNTY

George B. Doshier	71,255
Herman Grusing	47,918
Taylor Brothers	41,603
E. Duane Allred	38,606
Vega Land and Cattle	38,434
Roy Taylor	31,564
B. F. W. Grain Co., Inc	30,641
Eugene Fangman	29,670
Marvin Axe	28,994
Gist Kirkland	28,751
J. E. Davis & Sons	27,416
John Hinsley	24,720
Norman L. Jacobson Son	23,887
John Inman	23,273
Roger M. Gruhlkey	22,994
Edgar N. Jacobson	21,871
Joe N. Newbill	21,871
E. E. Allen	20,044
Total payees in county (18)	573,598

PALO PINTO COUNTY

Alvard H. Brackeen	20,012
Total payees in county (1)	20,012

PARMER COUNTY

Fangman Farms, Inc	83,276
Dave M. Thompson	73,513
Lawrence J. Martin	69,403
Sloan Osborn	65,190
Clarence Martin	64,936
James W. Dixon	62,946
J. T. Ford	61,396
Bruce Parr	61,294
Roscoe Q. Silverthorne	59,771
Ralph W. Shelton	56,229
James W. Barnett	53,069
J. D. Kirkpatrick	51,739
Jerry London	49,385
Fred Burch	48,894
Don Williams	48,759
Thomas Ware	47,808
M. A. Black	47,804
Tom Caldwell	47,039
Leroy Johnson	46,121
Geo. & Kenneth Frye	45,980
Walter Kaltwasser	45,770
M & B Farms	45,396
Jimmie L. Cockerham	45,395
Verney Towns	45,229
Dean McCallum	44,692
Sherman M. Inman	44,348
Clawson Bldg. c/o C. Clark	43,288
Herman D. Geries	43,175
Walter R. Mabry	42,983
Van E. Nichols	42,581
Ranza Boggess	42,422
Edwinston Clark	42,205
Ranza Boggess, Jr	41,899
Mary Ann Boggess	41,899
J. G. McFarland	41,832
Jack Moseley	41,759
Leonard L. Grissom	41,704
A. W. Anthony, Jr	41,684
Billy J. Thorn	40,798
John Renner	40,479
Gene Smith	40,424
C. V. Potts	40,029
David Grimsley	39,884
Philip C. Weatherly	39,257
Adolf H. Haseloff	39,082
Louis L. Welch	38,842
John L. Ray	38,663
J. B. Sudderth	38,595
T. N. Browning	38,492
R. J. Renner, Jr	38,205
Voges & Reisiger	37,956
Melborn C. Jones	37,793
Ellis W. Tatum	37,032
W. O. Chadwick	36,931
Arlin L. Hartzog	36,798
Royce G. Welch	36,469
Floyd T. Dyer	35,743
Thomas L. Whaley	35,214
Oakley D. Stevenson	34,971
Joe F. Blair	34,526
Herbert I. Howell	34,334

Walter R. Riethmayer	34, 311
Henry Haseloff	34, 133
Raymond K. Schueler	33, 830
Lloyd C. Mingus	33, 433
Melvin G. Sachs	33, 078
Daniel L. Carmichael	33, 047
Lawrence Jamerson	32, 787
Clarence W. Christian	32, 771
Robert G. Sparks	32, 725
Donald Christian	32, 622
Jim R. Daniel	32, 524
Lee O. Kimbrough	32, 376
Carson & Son	32, 317
Wyle M. Bullock	32, 231
Marston G. Mars	31, 927
William C. Woodard	31, 796
Lester Cole	31, 684
Billy E. Bourlon	31, 652
Billy L. Marshall	31, 278
Norman R. Taylor	31, 259
Melvin Southward	30, 843
Richard B. Vaughn	30, 802
Virgil Young	30, 596
Howard N. Hayes	30, 581
Alphonse L. Reznik	30, 552
Bill Brown	30, 550
Max Wells	30, 468
Woodrow M. Bradley	30, 401
Tim Campbell	30, 394
Curtis W. Murphree	30, 146
Russell D. Smith	30, 064
Doyle E. Ford	29, 932
William S. Ingram	29, 661
Keith Garner	29, 610
Wendell Garner	29, 609
Glyn Hamilton	29, 567
Deon Amtrey	29, 434
Durwell K. Bell	29, 381
Eddie W. Nickels	29, 283
Blackburn & Fairchild	29, 112
Edwin L. Lide	29, 056
Vernon C. Willard	29, 008
Floyd E. Schueler	28, 998
Gary Hicks	28, 991
Ernest F. Anthony	28, 978
Eulan A. Parham	28, 654
Charles Myers, Jr	28, 549
Grady W. Sorley	28, 198
J. T. Mayfield	28, 185
Stephen L. Struve	28, 145
Woodrow W. Whitaker	28, 055
Billy R. Johnson	27, 887
Jimmie Heard	27, 882
James Ensor	27, 534
Norman C. Sulser	27, 412
Charles E. Trimble	27, 357
J. H. Dunbar	27, 305
Larry & Jay Potts	27, 150
William V. Gromowsky	27, 048
John W. Hand	26, 670
Fred W. Foster	26, 515
Edward D. Chitwood, Jr	26, 492
Dalton K. Caffey	26, 412
A. L. Black	26, 082
Gilbert A. Kaltwasser	25, 994
James M Procter	25, 866
Jerry Fancher	25, 837
Herbert L. Schueler	25, 819
Eulynn G. Phipps	25, 719
Kenyth C. Cass	25, 526
Max Steinbock	25, 479
McLellan Farms	25, 411
J. A. Rushing	25, 296
Monty Barrett	25, 228
Henry H. Horton	25, 188
Troy Christian	24, 854
Robert E. Wilson	24. 839
Jerry Don Glover	24, 688
Thomas W. Beauchamp	24, 650
Stan Barrett	24, 638
Elvin D. Johnston	24, 288
Adkins & Son	24, 041
Thomas Rhodes, Jr	24, 029
Amos E. Steelman	23, 978
Elsie Jo Buchanan	23, 957
Clarence A. Johnson	23, 936
Leo R. Berend	23, 923
W. S. Graham	23, 915
Richard L. Ware	23, 895
Vernon Estes	23, 608
Walter D. Howard, Jr	23, 582
Harold Hawkins	23, 354
James H. Jennings	23, 252
Joe Bob Johnson	23, 179
Don R. Teague	23, 053
Billy Hunt	22, 967
Charles Hawkins	22, 967
Claude M. Mears	22, 866
Jimmie Seaton	22, 819
Joe A. Schilling	22, 786
A. A. Allen	22, 748
Joseph S. Talley	22, 569
Duward B. Ivy	22, 548
Richard G. Herring	22, 506
Homer A. Hyde	22, 471
John R. Hays	22, 360
Clarence R. Monroe	22, 330
E. Bedford Caldwell	22, 322
Walter Schueler	22, 229
McFarland C. Osborn	21, 956
Jerry L. Smith	21, 891
J. R. Euler	21, 824
Edmund A. Schlabs	21, 810
Jack Smith	21, 803
Floyd S. Reeve	21, 603
W. H. Cash	21, 566
Edgar E. Boggess	21, 521
Houston Bartlett	21, 352
Roy Kuper	21, 295
John L. Mitchell	21, 274
Carl R. Schlenker	21, 221
Edward C. Schilling	21, 220
Dale Westbrook	21, 140
Marion C. Osborn	21, 061
William G. Harlan	21, 023
Bernabe C. Rejino	20, 936
Nelson J. Foster	20, 872
John L. Ivy	20, 804
Vernon Symcox	20, 719
Earl D. Stevenson	20, 614
Donnie Waller	20, 591
Marion H. Carson	20, 312
Ross K. Miller	20, 183
Carl C. Maurer	20, 121
Ernest F. Osborn	20, 108
Floyd L. Rector	20, 066
Ira B. Parr	20, 050
Buddy J. Wiseman	20, 037
Max D. Bush	20, 031
Total payees in county (200)	6, 419, 164

PECOS COUNTY

Mike A. Burkholder	96, 227
Albert J. Hoelscher	76, 716
David C. McAteer	75, 757
Richardson Farms	70, 335
W. H. Riley, III	66, 267
A. B. Foster	63, 347
Harrell and Harrell	57, 950
Melvin H. McKinney	53, 232
Trans Pecos Farms, Inc	52, 855
Harral and Marable	52, 818
Allison Ranch Co	46, 562
Charles E. McIntyre	40, 123
Luther C. Holladay	39, 912
Glen J. Ellis	39, 569
Marshall G. Nevill	38, 562
Rose Ranch Co	36, 259
Conlee Seed Co., Inc	35, 776
W. L. Kington	35, 388
C. R. McKenzie	32, 734
Bill Ed McKenzie	28, 285
S. F. Williams, Jr	28, 019
Larry E. Kington	27, 166
Clint Ellis Owens	25, 899
Virgil W. Massingill	23, 939
Clarence A. Stephan	23, 923
Andrew J. Sitton, Jr	23, 815
Montebev, Inc	22, 615
Ralph C. Dickson	21, 578
Robert Gerald Porter	21, 560
Total payees in county (29)	1, 257, 188

POTTER COUNTY

C. B. Emeny	53, 491
E. B. Fite	32, 553
Albracht & Son	24, 106
Bush Farm Trust B	21, 417
Total payees in county (4)	131, 567

PRESIDIO COUNTY

J. E. White and Sons	57, 310
Valley Farms Co	35, 546
Russell White	22, 262
W. M. Allison	20, 106
Total payees in county (4)	135, 224

RANDALL COUNTY

Eldon Durrett Trusts	49, 264
Jack R. C. Vincent	48, 395
Earnest L. Barnett	45, 103
Fred Fegel	44, 519
Pete E. Fischbacher	44, 453
Vernon Andrus	43, 662
Johnny Sluder	43, 572
Paul Schniederjan	42, 634
Elliott Bros	41, 948
Robert C. Sims & Sons	40, 638
Clinton Glenn	37, 550
Gilbert Irlbeck	36, 276
W. T. Smoot, Jr	36, 239
Glynn Burrell	35, 761
Kuehler Farms	34, 334
Howard Fuqua	32, 893
John A. Williams	32, 277
D. L. Allison	31, 824
Eugene Podzemny	30, 439
McRoberts & Jacobsen Bros	29, 953
Alexander Cattle Co	29, 697
Richard D. Friemel	29, 369
David K. McGehee	28, 514
Gary Wagner	28, 278
James Skarke	27, 775
Northrup Farms	27, 458
John L. Butler	26, 945
Max Rarick	25, 715
John E. Frost	25, 534
Earl Reynolds	24, 590
James L. Lamb	24, 313
F. S. Strohmeyer	23, 955
Elizabeth C. Foster	23, 939
Harold Erwin	23, 885
Roy Bryan	23, 865
Carl Sims	23, 280
Davis Est	23, 053
Willie Wieck	22, 750
James F. Gruner	21, 816
Melvin C. Wagner	21, 445
H. W. Allen	21, 444
Lewel Johnston	21, 377
Tom Wilhelm	21, 221
George L. Powers	21, 144
John W. Byrd	21, 114
Clarence Wilson	20, 916
Charles Wright	20, 288
John F. Robinson	20, 073
Double H. Farms	20, 042
Total payees in county (49)	1, 475, 529

REAGAN COUNTY

Alfred J. Schwartz	35, 011
Virgil Powell Rch. AC	31, 141
Wendell Parker	28, 957
G. Lester Jansa	25, 976
W. M. Jackson	24, 822
Max Schneemann, Jr	22, 779
J. L. Allen, Jr	20, 263
Leroy Wilde	20, 077
Total payees in county (8)	209, 028

REAL COUNTY

Seth Hatley	20, 455
Total payees in county (1)	20, 455

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Texas—Continued

[Amounts in dollars]

RED RIVER COUNTY

First American Farm, Inc	49,964
John M. Ward	34,170
Kenneth M. Allen	21,111
Total payees in county (3)	105,245

REEVES COUNTY

Dingler Farms	92,496
Joe Lee McMahon	74,269
Rachec, Inc	72,041
Ted Lindemann	70,574
Kenneth Lindemann	70,528
W. W. Hill	67,995
Pecos P. and C. Co., Inc	66,502
Bobby Rogers	66,495
R. E. Roberts	65,699
J. R. Clark	65,699
Loy Kilgore	64,411
William R. Ramsey	64,371
W. A. Sullivan	63,973
Jack Duke	63,298
L. G. Worsham	63,157
W. J. Worsham	63,142
Robert G. Worsham	63,140
Ray Kesey	60,176
C. J. Kesey	60,176
Coy Fraley	59,566
B. V. Shaw	56,978
Reetex Farms, Inc	55,000
Dale Toone	54,455
B. C. Kesey	54,124
Don Weinacht	53,676
Charles A. Weinacht	53,167
Paul C. Davidson	52,383
Hoefs Farms Inc	52,124
Red Bird Farms	50,585
G. G. Passmore	50,455
Robert G. Davis	45,100
Frank Bounds	43,048
Peppy McKinney	41,996
Garland Derword Rowe	41,736
R. V. Turnbough	41,503
C. S. Hess and Son	38,789
J. R. Rankin	38,381
Erma McKinney	38,262
H. R. Hudson, Jr	38,088
W. T. Lattner, Jr	36,071
Christelle Mills	36,071
West Texas P. C. A	34,005
Cherry Creek Farm	32,678
Chocolate Flats Farm Co	32,281
A. J. Broyles	32,193
J. S. Wofford	31,824
Robert M. Owen	31,620
W. W. Clem	31,481
Cherry Draw Co	30,928
Broyles Pecos Farm	30,807
Raymond Beauchamp	30,777
James L. Sears	30,556
Duncan Farms, Inc	29,907
Tom Hardwick	29,263
Herman Bippes	28,718
Richard L. Mark	27,479
Robert R. Hendry	27,479
Ronald Miller	26,976
L. M. Collier	26,532
Hermosa Farms, Inc	25,951
Roy Blahosky	25,735
Tom Passmore	25,308
W. B. Evans	24,761
Herbert H. Toone	24,278
Evans Butler	24,187
Marion A. Briggs	24,114
J. W. Bryan	23,473
Jack Davis	22,800
Louis D. McNeil	22,535
J. B. Hopkins	21,909
Clem Crowley	21,418
Coy Nichols	20,844
Rudolph Hoefs	20,806
E. L. McDonald	20,756
Joseph Tatum Moore	20,297
J. T. Moore, Jr	20,297
Charles Spence	20,042
Total payees in county (77)	3,264,715

REFUGIO COUNTY

Voges and Boenig	47,733
Hartmann Farms	33,570
W. F. Abney	32,771
G. H. Frazier	26,618
R. L. Shaw	25,520
Clifton Frazier	24,374
C. H. French	23,255
T. G. and R. L. Jackson	22,575
L. W. O'Connor Tr. Est	21,629
W. E. Naylor	21,012
J. C. Emis	20,788
Total payees in county (11)	299,845

ROBERTS COUNTY

Wiley Bailey	20,344
Buddy Cockrell	20,004
Total payees in county (2)	40,348

ROBERTSON COUNTY

Goodland Farms, Inc	69,593
John C. Reistino	60,976
Frances F. Reistino	57,692
Vence Corpora	57,567
Joe Reistino Est	56,896
James H. Jones	53,307
John W. Nigliazzo	51,327
John W. Nigliazzo, Jr	51,327
Sam Degelia, Sr	50,975
Sam Destefano	46,430
J. W. Foster, Jr	41,863
N. R. Lutz	40,017
Gathan Reistino	38,441
W. P. Scamardo	38,267
Fred J. Ferrara	37,887
Joe Scarpinato	37,529
T. D. Wilson	34,827
Louis Muse	31,997
Ned Fachorn	31,980
Frank B. Seale Est	29,428
Ross Cash	27,505
James & Tony Cortemelia	27,248
Pauline Doremus	26,050
Michael Muse	25,833
3 D Farm & Ranch	25,464
Leon Anthony Denena	24,916
Luke Scamardo	24,755
Frank Sam Loria	24,379
Matt Salvaggio	22,968
R. F. Manning	22,884
Frank Destefano	22,781
Pete L. Scamardo	22,136
Joe L. Collette	21,038
Total payees in county (33)	1,236,283

ROCKWALL COUNTY

Henry Zollner	30,649
William E. Crawford	24,991
A. R. Seabolt	24,984
Carlton D. Clinard	23,270
Charles W. Holt	22,476
Total payees in county (5)	126,370

RUNNELS COUNTY

Melvin R. Williams	28,440
Walter B. Adami	27,991
Dalton C. Lacy	27,769
Mozell Wilbanks	24,729
Newman E. Smith	24,334
Harvey E. Gully	23,173
Elwood E. Brown, Jr	21,348
L. P. Schwertner	20,910
Leonard H. Halfmann	20,101
Total payees in county (9)	218,795

SAN PATRICIO COUNTY

Vahlsing Christina Corp	88,415
Heirs of Jos. F. Green	84,596
William & Burkhardt	63,620
Floyd Webb, Jr	56,562
R. F. Hart	51,576
H. G. Ritchie, Jr	50,039
H. G. Ritchie Est	41,422
Jackson & Stripling	39,244
Thomas Ardel Setliff	38,290
Chester B. Brittain	37,797
George J. Ermis	35,750
W. O. Hart	35,093
Thomas Touchstone	32,828
C. L. Mayo	31,981
Charles H Mayo	30,967
Lykes Bros Inc	30,787
Albert Kastner	30,707
J. M. Edmondson	29,756
K. G. McKamey est	29,166
R. C. Dillon	28,402
Mercer T. Ivey	26,397
O. L. Gorbet	26,372
Beyer Bros	26,327
Donald B. Horne	26,318
Floerke Bros	26,084
Roots and Roots	25,883
Q. M. Priday Jr	25,460
Stanley Webb III	25,190
John H. Schmalstieg	25,013
W. L. Shelburne Jr	24,826
Daniel P. Moore	23,990
W. C. McDaniel	23,770
J. W. Setliff	23,698
Adams Brothers	23,541
Homer C. Easterwood	22,675
R. J. Garrett	22,434
Woodrow Hart	22,243
Howard H. Webb	21,798
Cecil Hart	21,485
Hattie Bell Ferguson	21,343
T. D. Threadgill Jr	21,331
Loree Svadlenak	20,798
Clyde C. Mayo	20,510
Martin Schneider	20,438
Total payees in county (44)	1,434,922

SCHLEICHER COUNTY

T. C. Meador	46,841
James L. Powell	38,414
Virginia Bruton	24,788
Capitan Bowl Center, Inc	21,799
Henry Moore	21,375
L. E. Lloyd	21,253
W. O. Faull	20,370
Total payees in county (7)	194,840

SCURRY COUNTY

Billy Huddleston	65,374
Clements Bros	39,406
R. J. Kubena	35,918
C. A. Daugherty	34,331
Max Von Roeder	32,491
Granville E. Chorn	32,189
Terry J. Nachlinger	29,094
Henry G. Gafford	28,411
Ray Herring	28 290
Billy J. Voss	27,992
Mozell Roggenstein	26,871
Rex Glass	26,375
Jackie Pylant	26,252
Don Wills	26,145
Emil Schattel Est	24,999
Jerry Gannaway	24,961
Glenn Foster	24,861
Ernest Schattel	24,481
J. N. Eicke	23,672
Wayne Key	23,377
R. L. Drum	22,259
Carl Williams	22,203
G. L. Wall	21,925
Geral Greene	20,932
Martin Murphy	20,349
Total payees in county (25)	713,160

SHACKELFORD COUNTY

Kenneth Hansen	26, 708
Robert L. Reves, Sr	23, 715
Total payees in county (2)	50, 423

SHERMAN COUNTY

Jimmy Cluck	105, 135
Rex Hall	72, 285
McClellan & McClellan	69, 277
Elmo Fortenberry	65, 728
R. M. Buckles, Est	63, 188
Ezra F. Fisk	56, 698
Jack Heil	53, 735
Dietrich & Gurley	53, 617
Wood B. Craig	50, 051
Wendell Stacy	44, 667
Helen Buckles, Est	44, 541
Wallace Corse	44, 137
Huber R. Tillery	43, 338
Everett Bros	43, 152
Cartrite Bros	41, 695
Jesse C. Cooper	41, 187
Wallace N. Bridwell	40, 573
Sam R. Cluck	39, 614
Stratford Feed Yards, Inc	39, 391
Wm. L. Price, et al	37, 419
Frank Berry, Jr	36, 921
Wayne Garth	36, 514
Arthur E. Judd	36, 344
Schafer & Schafer	36, 046
Ronald F. Engelbrecht	35, 926
Luther Browder	33, 836
Pat Holt	33, 603
McBryde and McBryde	33, 002
Leroy Robison	32, 894
Walter Lasley & Sons, Inc	32, 649
Haile Bros	31, 888
Dean G. Cluck	31, 706
Spurlock Bros	31, 439
John Bain	30, 977
Bill W. Carthel	30, 821
Otto Schuster, Jr	30, 216
Bob Donald Evans	30, 167
S. S. Land & Cattle Co	30, 138
R. J. Cluck	29, 734
Jack Worsham	29, 605
Arnold B. Morris	29, 413
Judd Cattle Co	29, 377
Connie Ray	28, 854
Paul Chesmer	28, 781
Lynn L. Hudson	28, 687
Orland Lasley	28, 339
H. H. Caraway	28, 120
Aubrey Sutton	28, 033
Olen Branham	27, 762
Bill Reed	27, 436
Monroe Bros	26, 694
Bob Wegner	26, 249
James R. Boardman	25, 842
Bill & Glenn Reed	25, 726
Glenn Hart	25, 688
Wesley Lunt	25, 148
Jack Scarth	24, 934
Morris & Morr Inc	24, 912
Mrs. L. Murfee	24, 508
Roscoe Dyess & Son	24, 027
Roy Browder	23, 954
Jerry & Ronnie Williams	23, 654
Walter Johnson	23, 369
William N. Jackson	23, 270
Albert W. Zimmer	22, 945
Bobby Wood	22, 702
William R. Murrell	21, 668
A. W. Pool	21, 569
James O. Young	21, 201
J. L. Stowers	20, 940
O. H. Ingham & Son	20, 860
Kenneth C. Borth	20, 846
John A. Boney	20, 802
E. L. Monroe	20, 743
Rick Rousser	20, 587
Harvey & W. A. Spurlock	20, 563
Bert Steffens	20, 530
C & C Farm Store	20, 523
Harrill E. Duncan	20, 434
Kenneth Kendrick	20, 001
Total payees in county (80)	2, 673, 545

STARR COUNTY

James L. Sheerin	66, 438
Charles Roos III	63, 937
Valley Onions, Inc	63, 360
La Casita Farms, Inc	59, 176
Griffin and Brand	40, 021
John Fish	33, 650
Total payees in county (6)	326, 582

STERLING COUNTY

Foster S. Price	46, 969
Flavy E. Davis	23, 546
J. Clinton Hodges	22, 953
W. N. and L. R. Reed	20, 901
Total payees in county (4)	114, 369

STONEWALL COUNTY

Jim Rowland, Jr	31, 443
Glen Pierce	30, 693
Richard L. Snow	26, 900
Wayne Yarborough	20, 782
Total payees in county (4)	109, 818

SUTTON COUNTY

Sonora Research St	123, 134
W. L. Morriss	55, 572
Mayer Rousselot	40, 638
Fred T. Earwood Est	39, 273
Headquarters Ranch	36, 342
Harrison Rch	28, 675
Zena Mayfield	25, 657
Sam H. Allison	24, 943
Lea Roy Aldwell	24, 921
Edwin E. Sawyer	24, 477
James T. Hunt	23, 633
William L. Galbreath	23, 382
Duke Wilson	22, 305
Field Rch. Co	20, 293
Bobbie Fawcett	20, 249
Total payees in county (15)	533, 494

SWISHER COUNTY

Fowler E. McDaniel	153, 136
Warner Reid	110, 295
B. Raymond Evans	91, 095
Paul Hays	88, 493
Tyline N. Perry	68, 033
Lloyd M. Hale	64, 702
John N. Simpson, Jr	64, 629
Nelson Borchardt	60, 091
J. L. Francis	59, 991
S. A. Barrett	58, 422
Hoyet Burnam	56, 073
Corliss H. Currie	51, 798
Si G. Elliott	51, 463
James Cannon	50, 977
James Cruce	49, 413
J. Larry Nelson	48, 285
Paul D. Miller	46, 338
Billy Ray Boggs	44, 026
James B. Cox	43, 248
Joe L. Byrd	42, 507
Jack Thompson	42, 359
Tulia Feed Lot, Inc	42, 007
Wylie A. Byrd	41, 310
Curtis Latham	41, 146
N. L. Singer	41, 038
Richard W. Mahagan	40, 922
Dr. Wm. B. Childress	40, 508
A. B. Raymond	40, 443
Andrew Price	40, 180
Jim Doan	39, 766
Buck Garrett	39, 587
T. C. Measles	38, 456
J. D. Herndon	38, 316
Glenn Terrell	38, 242
R. W. McClure	37, 697
D. E. McEachern	36, 935
Jack G. Foster	36, 868
Robert Devin	36, 361
Harold Ray Caraway	36, 356
John Earl Simpson	36, 059
H. O. Thompson	36, 015
Warren Lee Bell	35, 938
Claude F. Harris	35, 579
Earl Hillman	35, 478
Lonnie G. Todd	35, 308
W. E. Thurman	34, 840
Jack D. Loring	34, 649
Donald Thompson	34, 561
Verlon Watson	34, 549
T. L. Abernathy, Jr	33, 766
H. T. Copeland	33, 581
Melvin Young	33, 360
Ray Reiss	33, 360
A. Emmet Pittman	33, 129
Cone W. Johnson	33, 104
Victor Martin	32, 751
L. G. Mahagan	32, 601
Morgan Sturgess	32, 590
Leo W. Foster	32, 193
Koy V. Benefield	31, 683
L. L. Armor	31, 377
August C. Falkenberg	31, 376
Victor L. Harman	31, 371
Harold Obenhaus	31, 332
Otis Harman	31, 021
A. D. Lee	30, 979
John Hays	30, 637
Lloyd Glenn	30, 600
Melvin D. Jennings	30, 594
A. M. Anderson	30, 567
Bobby Sisemore	29, 954
Bill Bivens	29, 239
Jake Jones	29, 012
Dale Swinburn	28, 950
O. H. Olson	28, 925
L. G. George	28, 811
Bueal Lee Thompson	28, 792
Edna C. Finck	28, 720
Billy W. Evans	28, 709
Orville Finck	28, 643
Jack Middleton	28, 371
Frank Loftin	28, 280
James Vineyard	28, 265
Paul N. Irlbeck	27, 860
Henry Hinton	27, 750
William P. Hinton	27, 747
J. F. Whitsett	27, 645
Robert H. Lowery, Jr	27, 544
Billy T. Young	27, 452
Hugh R. Poage	27, 386
John Spilman	27, 034
Russell Barton	27, 022
C. R. Byrd	26, 934
E. E. Sims	26, 642
Leroy Measles	26, 599
Hulan Hill	26, 523
Don A. Nelson	26, 465
Ben Tye, Jr	25, 870
Robert Hostetler	25, 597
C. W. Rousser	25, 502
Johnny Edwin Bice	25, 451
Circle C Agri. Assoc	25, 449
Ray Tomsu, Jr	25, 296
Albert P. Devin	25, 169
Weldon Jones	24, 800
Daryl R. Dixon	24, 627
W. Ray Caraway	24, 601
Eston Breitling	24, 529
Bayard Sadler	24, 316
Virginia D. Butler	23, 879
James W. Cox	23, 646
A. H. Jennings	23, 390
Estle Haught	23, 349
Gerald Schulte	23, 220
Frank Kiker	23, 188
Jack Gilleland	23, 168
Terry Martin	23, 155
Max Swinburn	23, 117
Vernon Loftin	23, 079
O. V. Morris	23, 044
W. Leroy Roberts	22, 843
Cecil A. Rousser	22, 660
Lloyd C. Miller	22, 496
R. H. Gayler	22, 284
Herbert Goss	21, 871
Eugene Searsy	21, 869
Ernest Jackson	21, 850
Don L. McCune	21, 652
H. T. Duke	21, 618
D. J. Northcutt, Jr	21, 571
Larry Lynn Carter	21, 551
Roy Huckabee	21, 546
E. B. Campbell	21, 546
R. T. Fulkerson	21, 231

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Texas—Continued

[Amounts in dollars]

SWISHER COUNTY—Continued

Johnny Nix	21,200
A. Dean Harman	21,196
Jim Wilmeth	21,170
Glen C. Carter	21,152
Tom Garrison	21,087
Loyd Leavitt	21,077
Benny J. Montague	21,067
J. U. Flippo	21,063
Richard Tye	21,032
J. R. Latham	20,897
McDonald & Parker, Inc	20,713
Howard Foster	20,700
Jack Kinser	20,659
Milton Dovel	20,652
Lloyd Evans	20,623
Wayne G. Miller	20,521
Albert A. Irlbeck	20,492
Harley L. King	20,460
Burle D. Byrd	20,257
Roy Roper	20,201
B. Elvin Foster	20,172
Gene King	20,127
Total payees in county (156)	5,152,272

TAYLOR COUNTY

Ted McAninch	42,500
H. H. McLeod	22,034
Total payees in county (2)	64,534

TERRELL COUNTY

Jack and Roy Deaton	69,344
Tol Murrah	42,840
Bell & Kenney	41,377
Sid Harkins	38,171
R. S. L. & C., Inc	36,290
Jack Riggs	36,013
Herbert Brown	36,791
Harrison Bros	33,713
Ernest H. Jessup	32,232
Odell Carruthers	31,058
Harkins Bros	30,202
Lee Dudley	22,001
Leo Adams	20,274
Total payees in county (13)	469,306

TERRY COUNTY

Muldrow Farms	70,341
T. B. Benson	69,886
Howard Hurd	65,140
Thurman Skains	64,975
Charlie Caswell	61,091
Bonard Stice	59,488
W. A. Fulford	58,599
Doyle Moss	53,473
Guy Bennett	52,903
Olane Caswell	51,812
Norman Caswell	51,001
Tommy Winn	50,642
M. E. Hinson	50,182
H and L Farms	48,192
N. R. Marchbanks, Jr	46,589
H. J. & S., Inc	46,037
J. A. Webb	45,549
Dan A. Day	44,524
M. H. Wagner	44,256
H. L. King	43,807
S. M. Dill	43,467
Bryce Wagner	43,260
Doyle Neighbors	43,036
Robert Beasley	42,199
Graham Swain	42,136
Foster Gin FM	42,102
Russell Hendricks	41,489
Rufus Dill	41,090
R. O. Webb	40,948
Davis Beasley	40,731
Truman Hayes	40,365
Addison and Addison	39,892
Thomas J. Webb	39,707
Keith Vandivere	39,557
Harry Stice	39,061
W. M. Hunter	38,947
Troy Phillips	38,636
David Auburg	38,606
W. C. Cabe	38,453
Pat Ramseur	38,213
Kenneth Purtell	37,810
D. S. Carroll	37,606
Donald Hancock	37,481
J. V. Riley	37,420
Ray Gober	36,982
Doyle Hargrove	35,935
Robert Baumgardner	35,124
W. O. Burris	34,527
David Turnbough	34,360
Odell L. Lowe	34,310
Mack Wilmeth	34,229
Odell Fuller	33,844
Dell Jordan	33,617
Carter Farms, Inc	33,136
Joe Joplin	33,094
James G. Davis	32,827
Billy McCallister	32,557
R. L. Burnett	32,442
Travis Farms, Inc	32,439
Don C. Day	32,182
Billy R. Jones	32,080
James F. Turner	31,985
W. Wayne Lewis	31,787
G. C. Cattle Co., Inc	31,708
T. A. Hicks	31,418
Forrest D. Spencer	31,362
Weyland Mullins	31,224
Art W. Adair	31,179
Jess McWherter	31,088
Cletus Floyd	31,061
C. A. Winn	30,997
Bill W. Blackstock	30,860
Carl Hogue	30,488
Val Garner	29,975
C. R. Farrar	29,800
L. M. Williams	29,676
L. P. Joplin	29,671
James J. Martin	29,618
Hubert Henson	29,328
G. I. Sims	29,269
W. V. Lasiter	28,634
R. R. McNiel	28,221
D. A. Kelly	27,844
L. L. Banta	27,785
H. B. Harris	27,726
Burton F. Foshee	27,414
Clarence Faught	27,095
E. H. Farrar	26,748
Billy Timmons	26,650
J. W. Lasiter	26,555
M. H. Ratliff	26,456
L. R. Gober	26,266
Brown Farms	26,002
D. L. Adcock	25,995
Melton Briscoe, Jr	25,655
Gary K. Tatum	25,561
Graves Nelson	25,511
Kermitt Shults	24,586
Melvin Carroll	24,455
F. L. Earnest	24,448
Edward L. Jordon	24,354
J. V. Gilliam	24,327
Fred H. Turner	24,249
Homer C. Barron	24,204
L. T. Rettmann	24,092
Kenneth Grawunder	24,015
Lance Furlow	23,819
Herman Cottrell	23,771
G. W. Dill	23,376
R. D. Jones, Jr	23,191
J. D. Oliver	23,170
Victor Watts	23,153
Raleigh Luker	23,129
Geo L. Sullivan, Jr	22,979
C. S. Carroll	22,758
Herman Wheatley, Jr	22,716
R. H. Clements	22,302
R. G. Nutt, Jr	22,285
Donald Currie	22,037
J. W. Christesson	21,891
Earl Caswell	21,871
Truett Flache	21,747
G. M. Newsom	21,743
Clovis Cline	21,725
Merlin Speed	21,687
Gene Newsom	21,598
Rex Wilkes	21,595
Earnest G. Hudson	21,541
Robert E. Smith	21,452
M. R. Paddack	21,256
Otha Brown	21,065
J. C. Donaghey	21,002
James E. Thurman	20,908
Raymond Vardeman	20,871
Bill Keesee	20,806
Barry Caswell	20,759
J. O. Farrar	20,726
George Weiss	20,656
Leon Speed	20,575
J. C. Chambers	20,550
Cecil Cowan	20,474
Keith Cato	20,419
Howard Moorhead	20,311
Billy Yeatts	20,095
Raymond Green	20,089
H. L. Holleman	20,075
Total payees in county (146)	4,737,899

THROCKMORTON COUNTY

Moore Farm	24,643
Total payees in county (1)	24,643

TOM GREEN COUNTY

B. R. Weatherford	95,599
C. M. Arrott	35,448
Dewey Parmer, Jr	35,417
Edwin J. Wilde	33,550
DeWolf & West	33,533
Ripple Brothers Part	30,928
Leon Kiesling	29,310
J. B. Blakeney Ranch	28,555
Bill Pfluger	27,704
A. D. Rust	26,867
Nolan Niehues	26,609
James & Belcher	26,503
Richard Book	26,293
Dorval D. Lee	26,291
I. W. & Co	25,112
A. Phinney, Jr	24,789
Otto W. Dierschke	23,740
H. A. Fuessel	23,191
Edwin A. Book	22,569
Bobby J. Eggemeyer	21,928
Hubert Drgac	21,598
Adolph W. Wilde	21,364
N. J. Dierschke	20,907
Robert Lee Vidler	20,808
Ben H. Book	20,581
Horace Edwards	20,002
Total payees in county (26)	749,196

TRAVIS COUNTY

Wilburn Burklund	36,621
Clyde Lundgren	30,466
Fred Lundgren, Jr	23,567
Timmerman and Hagn	22,844
Total payees in county (4)	113,498

UPTON COUNTY

Dewayne Lindsey	55,553
F. F. Noelke Ranch Co	38,940
Ray R. Barrett, Jr	36,334
Robert Latzel	27,552
Walton Poage	22,509
H. F. Neal, Estate	21,893
Total payees in county (6)	202,781

UVALDE COUNTY

Ed Young	73,827
Jesse Raney	69,014
Harvey Gulley & Son	33,857
Southwest Livestock Ex	33,012
Leslie Pepper	29,689
Elizabeth Raney	29,342
Burger Bros	28,352
Rafter L Cattle Company	25,833
T. M. Woodley, Jr	24,507
James D. Rose	23,724
Connell & Hudson	22,885
Dan Davis	22,355

Henry Bros	20,748
Jamie Lee	20,473
Total payees in county (14)	457,618

VAL VERDE COUNTY

W. H. Wardlaw	88,236
B. E. Wilson Corp	78,457
Hutto Brothers	73,723
Davenport Brothers	54,685
Jim Bob Altizer	53,503
J. O. Taylor, Jr	50,832
Continental Ranch Co	48,566
Whitehead Brothers	48,547
R. R. Brotherton	46,477
Pat Rose, Sr	35,964
L. B. Wardlaw, Jr	35,718
Therrell Rose	35,293
Juno Ranch Co	34,873
Charlie F. Hinds	31,902
L. A. Brumley	30,653
Martin Wardlaw	30,560
F. H. Whitehead, Jr	30,451
The Hodge Corp	30,088
Jack W. Brown	28,996
L. S. Terry	28,708
Sutton & Hodge	27,782
Martin M. Rose, Jr	27,245
J. C. Mayfield	27,085
Wilson Hodge, Inc	25,645
Mrs. S. E. Gurley & Son	24,464
Miers Brothers	24,365
Harlow Ranch Co	24,175
John T. Mayfield	23,836
E. F. McNutt	22,843
A. O. Baker	22,676
Virgil F. Cauthorn	22,480
Therrell & Thomas Rose	21,079
W. L. Whitehead	20,769
Noel C. Fry	20,695
Bill D. Ward	20,657
Henry Mills, Jr	20,618
F. H. Whitehead Est	20,462
Martin King	20,449
Total payees in county (38)	1,313,557

VAN ZANDT COUNTY

Thurman J. Miles	24,572
Total payee in county (1)	24,572

VICTORIA COUNTY

William B. Brayer	47,659
Nave Crain McCan	28,871
Total payees in county (2)	76,530

WALKER COUNTY

Texas Department of Corrections	156,447
Total payee in county (1)	156,447

WHARTON COUNTY

W. D. McMillan	41,605
Wendel, Inc	39,212
Mahalitic Bros	32,629
Nilson Farms	31,092
Heyne Brothers	28,743
Lawrence Petersen	28,561
Lawrence Nilson	28,220
R. D. Williams	26,456
Ralph Petersen	26,215
Curtis H. Jensen	25,942
Jim L. Harton	20,501
Total payees in county (11)	329,176

WHEELER COUNTY

J. M. Tindall	37,988
Clifton Boydston	26,609
A. W. Burrell	23,767
W. W. Aaron	21,925
Raymond Moore	20,928
Billy Buckingham	20,473
Total payees in county (6)	151,690

WICHITA COUNTY

Montgomery & Crumpler	37,450
H. C. Preston Est	25,887
R. C. Fritsche	22,835
Rayford Young	20,288
Total payees in county (4)	106,460

WILBARGER COUNTY

W. T. Waggoner Trust Est	77,778
Roy W. Judd	44,404
John H. Turner	35,185
Robert H. Belew	30,503
J. C. Riggins	27,373
Robert H. Belew, Jr	24,472
Troy A. Chapman	23,281
Total payees in county (7)	262,996

WILLACY COUNTY

Adele M. Schmidt	68,380
Funk Farms, Inc	64,063
S & S Seed	62,971
Johnson Farms Inc	62,912
R. W. Kirsch	58,350
Wayne Labar	57,022
Lagerstam Farms, Inc	53,087
C. A. Kirsch	50,289
Morrow Farms, Inc	48,752
Lloyd M. Funk	46,599
Chester A. Johnson	45,618
Paul Vassberg	44,663
D. E. Morrow	44,538
K. L. Morrow	43,990
Virgil Swanberg	43,242
James Whitfield	42,646
Tommy Funk	40,151
Jerry Funk	40,151
W. Don Stone	38,258
Vernon Swanberg	37,969
Edward Willis	37,322
Willamar Farms Inc	36,591
John Wreden	35,182
Monty Stewart	33,767
Fred Klostermann	33,497
G. F. McGee & Sons	33,277
Curtis L. Roberts	32,897
S. R. & C. D. Stone Trust	32,494
A. J. Shewmaker	32,395
Charles Durivage	32,198
Sebastian Cotton & Grain	31,029
J. & L. Properties	29,820
H. B. Calvin	28,459
Fritz Belschner	27,959
G. M. & C. Ring	27,952
A. C. Durivage	27,465
Weldon Haynes	27,106
Jack Scogin	26,945
James M. Lucas	26,519
Thomas J. Rains	26,507
Virgil D. Oakes	25,316
Jimmy Labar	25,072
Monty Ray Stewart	24.954
Paul Meers	24,419
Chester Hart	24,384
Richard Cooley	24,326
F. G. Page	23,590
Kenneth R. Johnson	23,045
Cleo Roberts	21,977
Clarence R. Anderson	21,517
Irby Norrell	21,494
Leland Harris	21,180
Hugh Terry	20,789
Ruben Koester	20,485
Buck Busse	20,427
Denzel Strader	20,245
Chas. Wetegrove Co	20,176
Total payees in county (57)	1,996,428

WILLIAMSON COUNTY

Stiles Farm Foundation	47,087
Telander Bros	34,351
Billy Turner	31,078
Morris Zieschang	24,842
Ed Carlson, Jr	22,803
Henry Seggern	21,574
Grover C. Pope, Jr	20,764
Arnold T. Zrubek	20,040
Total payees in county (8)	222,539

YOAKUM COUNTY

Wheeler Robertson	71,570
Tommy Billings	51,510
R. G. Hartman	44,980
Truett F. Jones	44,540
Warren Farms, Inc	43,601
Wendell Norman	42,355
Glynn Price	42,170
Darwin Hobbs	41,247
Jamese W. Warren	41,113
Tekell Farms, c/o Gaylon Tekell	39,149
Yoakum Farm Co	37,959
M. R. Newman	37,233
Walter Billings	36,042
Robert A. Long	35,844
Bobby Bailey	34,099
T. A. Elmore	33,416
Loyd Poe	30,507
W. R. Nelson	29,886
Robert Hamm	27,779
A. L. Milstead	24,887
C. Loran Gayle	24,882
Raymond Crain	24,878
A. B. Carpenter	24,744
Don Thrash	24,401
J. T. Perkins	23,895
Morris Lowe	23,892
L. D. Hamm, Jr	23,840
C. O. Head	23,784
Billy Winn	23,653
A. O. Bearden	23,525
Rayford E. Bearden	23,231
Barron Blair	23,005
Homer T. Sudderth	21,633
J. H. Snodgrass	21,530
E. O. Winkles	21,461
J. C. Chambliss	21,384
C. C. Perkins	20,895
Don Williams	20,758
Total payees in county (38)	1,205,278

YOUNG COUNTY

F. Dwight Hamilton, Jr	27,487
L. C. Young	22,219
Total payees in county (2)	49,706

ZAPATA COUNTY

Juan G. Villanueva	22,941
Total payee in county (1)	22,941

ZAVALA COUNTY

Norment Foley	78,113
Eddy A. Carnes	37,976
Mayfair Minerals	35,348
Batesville Farming	33,341
Evans Wortham	32,819
J. D. Lambert, Jr	25,155
Malcolm A. Maedgen, Jr	24,936
Herbert F. Dirksen	24,787
Leslie H. Laffere	23,182
Hardin Farm	22,708
James Brewster	22,577
Gulf Coast Cattle Co., Ltd	21,045
Two L Farms, Inc	20,787
Total payees in county (13)	402,774
Total payees in State (5,195)	171,994,433

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Utah

[Amounts in dollars]

BOX ELDER COUNTY

Nick Chournos	50,463
Norman Grover	35,260
Young Brothers	34,816
Curlew L. & L	29,036
Wayne & Dallas Sandall	25,844

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Utah—Continued

[Amounts in dollars]

BOX ELDER COUNTY—continued	
Delbert Holmgren	25,343
Ralph Udy	24,252
Reed Jensen	23,405
Sam Chournos	22,987
Harold Selman	22,162
Dennis Petersen	22,045
Oleen Garn & Sons	21,395
Mann Stock Co	21,191
William F. Goring	20,131
Total payees in county (14)	378,330
CACHE COUNTY	
Lee & Leona Pritchett	34,862
Total payees in county (1)	34,862
CARBON COUNTY	
Calvin K. Jacob	98,884
Boyd L. Marsing	29,568
Jay Pagano	25,889
Milton E. Jacob	25,849
Orson L. Marsing	21,825
Total payees in county (5)	202,015
DUCHESNE COUNTY	
Orven J Moon	31,269
Elmer Moon	26,280
Total payees in county (2)	57,549
IRON COUNTY	
Clark Brothers	31,553
A. L. Graff	20,712
T. Randall Adams	20,354
Total payees in county (3)	72,619
JUAB COUNTY	
Wilson Brothers	31,388
Total payees in county (1)	31,388
KANE COUNTY	
Roland Esplin & Sons Inc	22,496
Heaton Livestock Company	20,702
Total payees in county (2)	43,198
MILLARD COUNTY	
Taft Paxton	76,601
G Bar Ranch	21,078
Triple C Farms	20,328
Total payees in county (3)	118,007
MORGAN COUNTY	
Charles R. Kippen	44,509
Porter Brothers	26,940
Total payees in county (2)	71,449
SALT LAKE COUNTY	
Deseret Lvst. Co. Inc	137,968
Thousand Peaks Lvstk. Co	93,798
Basin Land & Livestock	65,496
Thayne Acord	60,933
M. & G. Bertagnole	41,141
Jay Bertagnole	40,649
Howard Haynes	38,360
W. O. Collard	34,985
Leo M. Bertagnole	34,258
J. R. and R. R. Fitzgerald	33,778
Red Pine Land & Lvst	28,272
Ralph M. Newton	23,974
Gillmor Livestock	23,902
Elmer P. Bastian	22,070
Total payees in county (14)	679,584
SAN JUAN COUNTY	
Lloyd Adams	28,851
Charles Redd	26,595
Total payees in county (2)	55,446
SANPETE COUNTY	
Lee R. Barton	55,640
Robert Graham	39,875
Kay Frischknecht	31,628
Bruce J. Barton	26,485
Madsen and Madsen, Inc	20,785
Richard R. Christensen	20,674
Scott Cook	20,261
L. L. Peterson	20,149
Total payees in county (8)	235,497
SEVIER COUNTY	
Berkley Anderson	29,640
John Jorgensen	23,887
Johnson Livestock Co	23,251
Sam A. Jorgensen	21,646
Total payees in county (4)	98,424
SUMMIT COUNTY	
Welby Aagard	34,400
Neal Ray Staley	20,732
Wesley Aagard	20,730
Total payees in county (3)	75,862
UINTAH COUNTY	
Meagher Sheep Co	157,365
Ralph Siddoway	23,973
Total payees in county (2)	181,338
UTAH COUNTY	
D. Chipman and Son Co., Inc	56,303
Roy Okelberry	31,490
Maurine D. Childs	25,989
Glen Ludlow	24,410
Newell A. Johnson	20,457
Olsen Bros. C/O Snell Olsen	20,160
Jacob Oros Sheep Outfit	20,041
Total payees in county (7)	198,850
WASATCH COUNTY	
J. W. Jordan	42,427
Smith Lamb Producers	37,912
Coleman—Sons, Inc	34,972
Robert F. Clyde	25,941
Total payees in county (4)	141,252
WASHINGTON COUNTY	
E. J. Graff	39,207
Total payees in county (1)	39,207
WEBER COUNTY	
Lloyd Keller Corp	57,692
Clarence M. Keller	50,397
Wilson Beef and Lamb Co	32,742
Total payees in county (3)	140,831
Total payees in State (81)	2,855,708

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Virginia

[Amounts in dollars]

CHARLES CITY COUNTY	
Archer Ruffin	22,934
Total payees in county (1)	22,934
CHESAPEAKE CITY	
Wallace B. Cahoon	22,455
Total payees in county (1)	22,455
GREENSVILLE COUNTY	
Geo. B. Ligon	29,218
Total payees in county (1)	29,218
PRINCE GEORGE COUNTY	
Robert Daniel, Jr	20,677
Total payees in county (1)	20,677
RUSSELL COUNTY	
Stuart Land & Cattle Co	20,811
Total payees in county (1)	20,811
VIRGINIA BEACH COUNTY	
Frank T. Williams	47,016
Ralph Frost	20,536
Total payees in county (2)	67,552
Total payees in State (7)	183,647

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Washington

[Amounts in dollars]

ADAMS COUNTY	
D. E. Phillips	56,247
Hutterian Brethren, Inc	55,717
Robert V. Phillips	48,867
Richard L. Kagele	43,567
Gilbert Brothers	42,753
Donald Damon Est	42,671
Henry J. Franz	42,252
Rex T. Lyle	39,424
Elwyn Lyle	39,424
Ralph Gering & Sons	38,487
Blankenship Farms, Inc	37,155
Wayne F. Klindworth	34,657
Johnson Agriprises, Inc	34,073
Kent Farms	33,418
J. Boyd Phillips	33,295
Ed McKay	32,774
Elmer Schoesler and Sons	31,093
Kummer Brothers	30,879
D. E. Phillips Ranch, Inc	30,571
Robert A. Franz	30,177
Baumann Farm, Inc	30,091
Hennings Enterprises, Inc	29,882
Bruce Farms	29,641
John G. Schlomer	29,137
Leonard H. Franz	28,168
Norman Kagele	27,916
Walter E. Franz	26,919
Murlen Jenson	26,156
Donald D. Bauman	25,011
Gene Kagele	24,830
C. B. Farms, Inc	24,531
M. C. Hollenback	24,278
Beckley Seed Ranch	24,065
Clarence Strohmaier	23,630
Kenny Foulkes	22,875
Hugh V. Glenn	21,978
Williams and Williams	21,054
Anderson & Barker	20,649
Total payees in county (38)	1,238,312
ASOTIN COUNTY	
Morley D. Grothe	30,931
Houser & Son, Inc	26,741
Lester Parsons	20,565
Total payees in county (3)	78,237
BENTON COUNTY	
Simmelink & Son	48,366
Bafus White Inc	44,232
Wyckoff Farms Inc	41,865
Bateman Bros	39,379
Vollmer-Bayne	39,205

Joseph Cleo Holt	38, 235
Horrigan Farms	33, 057
Wirth Brothers	30, 238
Gould Brothers	32, 070
Horrigan Inv. Co	30, 863
Leo Schmitt	28, 274
Howard L. Tarr	26, 760
Monte Shaffer	26, 166
Ben Blair	20, 835
John Moon	20, 592
Kenneth Lee Smith	20, 558
J. W. Thomas	20, 361
Glen B. Miller	20, 314
Total payees in county (18)	561, 370

COLUMBIA COUNTY

Broughton Land Co	169, 696
Conrad E. Tucker	36, 403
Donohue Farms, Inc	34, 145
William Payne	30, 303
Ellsworth Conover	27, 896
David Archer	27, 328
Mead Ranch	26, 971
Robert Patton	25, 964
Dallas W Long	25, 206
Eslick Farms	24, 068
Lyman Bros	21, 982
James D. Archer	21. 395
Jack Penner	20, 435
Robert E. Danforth	20, 390
Darin Heady	20, 100
Total payees in county (15)	532, 282

DOUGLAS COUNTY

State of Washington	176, 810
Doneen Est. C/O M. Doneen	33, 102
Russell Hunt	31, 113
Sachs Farms, Inc	28, 922
Dezellem Farms, Inc	25, 215
Daling Farms, Inc	22, 703
Josh Barnes & Son	22, 631
Nelson Brothers	22, 049
D. G. Davis	21, 843
David V. Adams	21, 532
Wm. Malone & Son	20, 000
Total payees in county (11)	425, 920

FRANKLIN COUNTY

Wm. Geo. Harder	41, 829
Herron Bros	39, 741
Pascual Iribarren	30, 426
William V. Casper	29, 756
Melvin Moore and Sons	28, 158
Kenneth Owsley	27, 563
Lyle W. Neff, Inc	25, 497
J. H. Klundt & Sons	24, 519
Maynard Bailie	23, 687
Lavar N. Peterson	21, 285
Harry Kawauchi	20, 338
Delbert Wisdom	20, 195
L. V. Dougherty	20, 136
Total payees in county (13)	353, 130

GARFIELD COUNTY

Klaveano Ranches, Inc	39, 635
Wayne Beale	24, 137
A. E. Blachly	22, 687
Cecil Rommel	20, 386
Gary Duckworth	20, 136
Total payees in county (5)	126, 981

GRANT COUNTY

David Stevens	62, 106
Rex Haueter	55, 525
Willard D. Lange	51, 473
Sidney L. Hiatt	43, 760
Leslie H. Boyce	41, 495
Richard E. Boylan	38, 105
Rice Farms, Inc	34, 316
Columbia Producers	33, 187
Art Schorzman	32, 517
Harvey Schell	30, 422
Lourence Dormaier	30, 254
Robert Schell	29, 652
Roy Haueter	28, 865
Robert A. Hammond	28, 554
Crawford Jones	28, 221
Higginbotham Brothers	28, 027
C. C. Claassen	27, 606
Phillip Villegas	27, 345
Priors, Inc	27, 285
Oscar Schuh	26, 015
H. N. Boger	25, 969
Vern H. Smith	24, 803
S and C Ranching	24, 727
Kenneth Jensen	22, 802
Samuel P. Grigg	22, 270
Kelley Brothers	22, 211
Sunfresh Farms, Inc	21, 971
Tokunaga Brothers	21, 736
John Oda	21, 613
Heer Brothers	21, 529
Allyn Hughes	21, 491
Earl Heathman	21, 453
Ray Radach and Son	21, 022
Frick, Inc	21, 017
Roy D. Hull	21, 006
Donald Frick	20, 785
Harold Janett	20, 511
Hattori Brothers	20, 414
Harry Yamamoto	20, 405
Ellis W. Leavitt	20, 361
Total payees in county (40)	1, 142, 826

KITTITAS COUNTY

Cone Livestock Co	83, 162
Total payees in county (1)	83, 162

KLICKITAT COUNTY

Robert Andrews	26, 068
McBride Ranches, Inc	25, 921
Robert Imrie	23, 694
Total payees in county (3)	75, 683

LINCOLN COUNTY

A. Bodeau and Sons	34, 588
The Sheffels Co., Inc	33, 929
Alvin D. Fink	33, 600
Homberg Farms, Inc	32, 685
S. and E. Barr Ranch	31, 876
Wilbur Security Co	28, 400
Hardung, Inc	28, 268
Gary W. Geib	28, 182
Robert Deife	27, 257
Robert A. Kramer	27, 173
Herbert L. Armstrong	26, 931
George H. Ellis	26, 321
Rockdale Farms /P/	25, 335
Lyka Corporation	24, 788
Tanke Farms, Inc	24, 394
Attie L. Turner	24, 229
Don and Wallace Weishaar	23, 925
Edna Deptuch	23, 576
J. R. Laney	23, 323
Richard D. Simpson	23, 082
Lewis Kagele	22, 896
Maurice Weishaar	22, 888
Carl E. & George W. Mielke /P/	22, 470
Dale D. Wilson	22, 449
Finagele Farms, Inc	22, 246
Gilliland Farms, Inc	22, 052
Marvin L. Fink	21, 900
Pfeifer Brothers /P/	21, 554
Wm H. Dreger	20, 882
Wayne C. Weil	20, 322
Robert Rieth	20, 233
Total payees in county (31)	791, 754

SPOKANE COUNTY

Osborne Belsby	42, 581
C. J. Farms, Inc	31, 722
Bell & Bell, Inc	20, 955
Total payees in county (3)	95, 258

WALLA WALLA COUNTY

K2H Farms, Inc	114, 026
Kenneth Smith	56, 819
Lonneker Farms, Inc	49, 341
Robison L. and L. Co	49, 247
Mervin Deruwe	45, 792
Kent Land Co., Inc	43, 535
Grote Farms, Inc	43, 467
C. Anderson, Est	41, 973
John H. Rea	39, 561
Schwerin Farms, Inc	37, 427
Foundation Farm, Inc	33, 711
Martin Farms, Inc	33, 109
Twain Bodmer	32, 877
Matt Lyons	32, 221
Erwin Bros	32, 221
Eugene Valaer	31, 614
H. Vincent and W. Johnson	31, 121
Tompkins & Sons	29, 925
Henry V. Zuger	29, 663
Richard Archer	29, 363
Robert D. Frazier	28, 559
Fred Sherry	28, 427
S. Earl Cochran	27, 979
Paul E. Hofer	27, 678
Emeral Duncan	26, 212
Van I. Walkley	26, 180
Fred J. Kimball	26, 080
Dwelley Jones	25, 715
Marvin Tucker	25, 577
Donald Tucker	25, 569
Terry Tucker	25, 569
Stonecipher & Sons	25, 448
Allen D. Struthers	25, 193
John E. Hair	24, 872
Eugene R. Robison	24, 189
Casey Farms, Inc	24, 161
Tucker Farms, Inc	23, 262
Universal Land SN RI	22, 534
Frazier Cattle Co	22, 284
Darrel Walters	22, 060
Howard P. Smith	21, 869
Harvey Farms, Inc	21, 686
Charles M. Walsh	21, 679
Don Thomas	21, 531
Houston H. Marshall Est	21, 135
Thelma M. Owsley	20, 877
Corkrum Noble Inc	20, 832
K. & R. Walters	20, 822
Win C. Estes	20, 702
Morris Ganguet	20, 172
Total payees in county (50)	1, 555, 866

WHITMAN COUNTY

McGregor Land & Livestk Co	109, 134
Hinderer Bros	45, 968
Glen Miller	45, 573
Gordon Miller	45, 439
Clinton Miller	45, 439
Bennett Land Co	39, 203
Harold Boyd	38, 638
West Whitman Farms, Inc	37, 769
Clark Farms % Asa Clark	34, 559
Ira Scott	33, 853
Richard E. Despain	32, 721
Glorfield Bros Jack & Benny	32, 482
R. Paul Cocking	30, 176
Virgil Klaveano	29, 208
Nelson Bros	28, 969
Jackson W. Smith, Inc	28, 856
Maley Land & Livestock	28, 389
Robert Whitmore	28, 185
Gary Cochran	27, 693
William H. Evans	27, 479
James Knott	27, 292
Lester J. Kile	25, 712
Lehn Ranches, Inc	25, 631
Joe Myers	25, 379
Harold H. Smick	24, 425
Donald C. Moore	23, 729
Harlow Farms	23, 660
Melvin A. Ensley	23, 573
Davis Farms, Inc	23, 271
Edgar L. Smith	22, 675
Curtis Cattle Co	22, 136
Dan Lautenslager	22, 121
Palouse Grasslands, Inc	22, 034
Dodorff Farms, Inc	21, 912

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Washington—Continued

[Amounts in dollars]

WHITMAN COUNTY—continued

Ralph Kilpatrick	21,688
Norman Hansen	21,452
Richard A. Willson	21,095
E. A. Burgess	21,034
Crow Farms, Inc	20,991
Harold S. Nelson	20,981
Norman Willson	20,503
Herbert Camp & Sons	20,064
Total payees in county (42)	1,271,091

YAKIMA COUNTY

Jims Valley Apiaries	207,400
Troy Monholland	76,440
Wells D. Rose	71,650
Martinez Livestock, Inc	69,350
Lyle Hibbard	69,165
J. A. Schell	45,529
F. T. Gamble	42,465
Harold R. Clayton	42,353
R. F Gorham	41,455
Sires Beeline Honey	38,555
Becker Brothers	38,250
Feezell Farms, Inc	36,846
Hislop Sheep Company	36,373
Warren J. Sires	35,920
William S. Parrish	34,086
James St. Hilaire	33,146
Charles Schmitt	27,661
Bud Balch	27,112
E. H. Bounds	25,095
W. B. Pace, Jr	22,728
Elbert B. Schinman	22,251
Keith Ashley	22,136
Emile Robert, Jr. & Sons	21,227
Glen Rowe	20,942
Maurice Peugh	20,049
Elder Farms	20,006
Total payees in county (26)	1,148,190
Total payees in State (299)	9,480,062

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Wisconsin

[Amounts in dollars]

DANE COUNTY

Wm. F Renk & Sons, Inc	37,966
Stoughton Farms, Inc	34,274
Blaney Farms, Inc	28,517
Vasby Farms	28,454
Ronald Caldwell	22,789
Total payees in county (5)	152,000

DODGE COUNTY

Willard Nehls	41,255
Lerdco, Inc	29,775
Total payees in county (2)	71,030

FOND DU LAC COUNTY

Flying Dollar Ranch	23,178
Total payee in county (1)	23,178

GREEN COUNTY

Raymond Katz	21,401
Total payee in county (1)	21,401

JEFFERSON COUNTY

Jerry Vannoy	26,484
Total payee in county (1)	26,484

PIERCE COUNTY

Elizabeth Jacques	21,178
Total payee in county (1)	21,178

RACINE COUNTY

Charles H. Kuiper	45,741
Joseph Kojis	30,386
Dennis Kramer	21,135
Total payees in county (3)	97,262

ROCK COUNTY

Stuart Rahberg	42,560
Atkinson Farms, Inc	36,204
Fred Howard	34,208
Boston Farms	30,205
Norman Krumwiede	28,841
Stuart Shadel, Jr	27,137
Hodge Bros., Inc	26,563
H. Jordan Farms	23,271
C. Robert Hill	22,796
Paul Luety	22,158
Farm Corp. of America	21,757
K. E. Sherman	20,035
Total payees in county (12)	335,735

WALWORTH COUNTY

Henry Sterken	33,221
Polyock Brothers	24,182
Donald Hopkins	20,959
Total payees in county (3)	78,362

WAUKESHA COUNTY

Pabst Farms, Inc	23,877
Total payee in county (1)	23,877
Total payees in State (30)	850,507

1972 ASCS and Great Plains program payments of $20,000 or more—excluding loans—Wyoming

[Amounts in dollars]

ALBANY COUNTY

Carlin Ranch	26,593
Total payees in county (1)	26,593

BIG HORN COUNTY

C. A. Lewis Estate	87,559
Harry Grabbert	63,388
Mayland Bros	36,709
Bear Creek Ranch Co	24,205
Werbelow Brothers	21,704
Wayne Sparks	20,893
Whaley Ranch Inc	20,684
Robert Redland	20,380
Hibbert Ranch Inc	20,036
Total payees in county (9)	315,558

CAMPBELL COUNTY

Brown Livestock	37,300
Don Marquiss	33,210
Innes Ranch	27,064
Richard Davis	26,183
Halbert Matheson	25,844
Joe Napier	21,056
Total payees in county (6)	170,657

CARBON COUNTY

Leo Sheep Co	112,720
Rochelle Livestock Co	109,848
Palm Livestock Co	99,463
Buzzard Ranch	66,794
Crown Rock Ranch Co	50,970
Swanson & Johnson	45,568
Louis Larsen Sheep Co., Inc	44,739
Bolten Ranch Inc	44,138
Stratton Sheep Co	43,431
Elmer G. Peterson	42,885
Anderson Farms Inc	42,730
Miller Estate Co	41,829
Cronberg Bros., Inc	38,044
Chace Bros	34,548
P. H. Livestock Co	31,781
Sandstone Sheep Co	30,842
Blake Sheep Co	27,772
Loveland Sheep Co	27,541
Duncan Ranch	25,201
Salisbury Livestock Co	24,706
Four Mile Sheep Co	22,471
Battle Mtn., Co	20,346
Total payees in county (22)	1,028,367

CONVERSE COUNTY

Morton S., Inc	142,366
George Lebar	51,760
Ogalalla Ranch Co	38,095
The Dilts Co	36,673
Smith Sheep Co	36,592
W. A. Stoddard	29,161
Mart Madsen Sheep Co	27,839
Wm. H. Cross & Sons, Inc	23,146
Cole Creek Ranch	20,663
Total payees in county (9)	406,295

CROOK COUNTY

Thorval E. Jensen	20,535
Total payees in county (1)	20,535

FREMONT COUNTY

Fremont Sheep Co., Inc	152,364
Donald John Sherlock	30,000
John Philp	27,922
Mazet & Sons, Inc	24,843
Total payees in county (4)	235,129

HOT SPRINGS COUNTY

L. U. Sheep Co	64,984
Vebar Livestock Co	21,988
Total payees in county (2)	86,972

JOHNSON COUNTY

Harriet Brothers	89,595
Esponda Ranch	72,930
Van Irvine	54,060
Iberlin Brothers	49,370
Marton Brothers	48,791
Grayce Miller	43,789
Jean Indart	37,588
Smith Brothers	35,579
J. Pete Camino	34,015
Moore Ranch Co	33,415
Charles K. Lawrence	32,755
Nola K. Vest	29,803
Peter Meike & Sons	26,028
Cross C. Livestock	23,747
Paul V. Jones	21,026
Michel Iriberry	20,245
Total payees in county (16)	652,736

LARAMIE COUNTY

Warren Livestock	38,437
Henry Jessen	32,824
Lodge Pole L. & LSTK	27,888
Terry L. & LSTK	25,509
John F. Jessen	24,487
Pilot Peak L. & LSTK	23,998
Malm Ranch Company	23,944
Leroy Goertz	22,673
Leo Jessen Wyobraska, Inc	21,126
Total payees in county (9)	240,886

LINCOLN COUNTY

L. W. Roberts	86,076
Thompson Land & Live Co	59,050
Nelson Sheep Company	40,226
Bertagnolli Brothers	33,308
Doyle Child	20,552
Harry Julian	20,341
Total payees in county (6)	259,553

NATRONA COUNTY

Diamond Ring Ranch	101,831
B. B. Brooks Co	100,833
Coffman Ranch Co	75,770
Werner, Inc	62,645

Irvine Bros	61,262
Shamrock Ranch Co	60,171
Rochelle Sheep Co	47,972
Willow Creek Co	39,468
Cole Creek Sheep Co	37,532
Pine Mt. Lvstk. Co	34,509
Burke Sheep Co	31,177
Russell Forgey	26,715
Two Bar Livestock Co	24,944
Elbert L. Howe	24,704
Herman Werner	24,632
William Irvine	22,249
Frank Sullivan L. & L	21,885
Fulton Jameson	21,795
Ellis Sheep Co	20,779
Total payees in county (19)	840,873
NIOBRARA COUNTY	
Boner Brothers	52,247
Pipe Ranch Company	32,946
Total payees in county (2)	85,193
PARK COUNTY	
The Bar T. L	43,904
Jerry Collins & Son	33,705
Hunt Oil Co	25,238
W. B. Sheep Co	20,179
Total payees in county (4)	123,026
PLATTE COUNTY	
Jacob Goertz	20,978
Total payee in county (1)	20,978
SHERIDAN COUNTY	
Seven Up Ranches, Inc	66,146
W. F. Peters	29,762
Auzqui & Sons	21,092
Total payees in county (3)	117,000
SWEETWATER COUNTY	
Blair & Hay Land & LS Co	103,767
Midland Livestock Co	77,128
G & E Livestock Inc	63,360
Rife Ranch	59,022
Magagna Brothers	58,293
Mau Livestock Co. Inc	54,919
Isaac N. Brooks	53,182
Green River LS Co	48,129
White Acorn Sheep Co	34,308
Big Sandy LS Co	31,610
William J. Thoman	24,879
Carricaburu Jauregui LS Co	20,991
Total payees in county (12)	629,588
UINTA COUNTY	
J. R. Broadbent	249,673
Victor Powers	46,057
Cook Sheep Company	42,325
J. Grant & D. A. Broadbent	32,558
Painter & Company	23,628
Arthur M. Larson	21,972
Total payees in county (6)	416,213
WASHAKIE COUNTY	
Monier Sheep Co	57,851
Tolman Sheep Co	33,291
Coutis Land & Lvstk Co	28,882
Atkinson Livestock Co	28,304
Cliff Brubaker	27,487
Hampton Sheep Co	23,425
Total payees in county (6)	199,240
WESTON COUNTY	
Glen Hutt	34,563
Total payees in county (1)	34,563
Total payees in State (139)	5,909,955

PRESS OMBUDSMEN BACKED

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. UDALL. Mr. Speaker, the president of the Arizona Newspapers Association, has spoken out strongly in support of the National Press Council as an industry ombudsman and even suggests creating more local press councils.

Burt Freireich, the articulate and independent-minded editor and publisher of the News-Sun in Sun City, takes exception to the anti-council views expressed by some of his press colleagues.

I commend to my fellow Members Mr. Freireich's message appearing in the Arizona Publisher of April, 1973:

THE PRESIDENT'S MESSAGE

(By Burt Freireich)

If the medical profession would clean up its own "industry," the newspaperman's job would be a lot easier.

All we want of the Bar Association is that it police itself, take a realistic approach to the public's problems with nefarious individuals in this profession.

That's what we want of the liquor industry, too.

And wouldn't it be great if the advertising industry would do the same.

But what about the newspaper industry? Uh,uh. "Include me out." That's the attitude expressed by some of the nation's leading publishers.

Editor & Publisher magazine reported, "Arthur Ochs Sulzberger, publisher of the New York Times, said (Jan. 15) that the Times will refuse to cooperate with the press council being established by the Twentieth Century Fund to monitor news media."

In a memo to his staff Sulzberger said, "We believe the operation of such a council would not only fail to achieve its purposes but could actually harm the cause of press freedom in the United States."

The New York Daily News editorialized, "We don't care how much the Fund prates about its virtuous intentions. This is a sneak attempt at press regulation, a bid for a role as unofficial news censor."

In his syndicated column John S. Knight wrote: "Editors are accountable to their readers, not to a group of self-appointed busybodies with time on their hands . . . any self-respecting editor who submits to bar association 'guidelines' or subscribes to meddling by the National Press Council is simply eroding his own freedoms."

We thought this comment by the editorial chairman of the Knight Newspapers to be far below his usual highly philosophical and well reasoned approach to significant issues. At first we felt that Knight really must be expressing a fear that voluntary acceptance of a National Press Council's role ultimately might lead to imposition of required acceptance of the council and a controlled press. But we rejected this idea almost immediately. Our familiarity with the writing of this erudite fellow precludes second-guessing his intentions; if Knight wanted to say that, he would have said that. No one has to put words into his mouth.

But that must be the fear of most publishers who oppose the National Press Council. And we submit that it was precisely the unwillingness over the past decade to create an "ombudsman" organization by the industry or by individual members of the industry that has brought an outside organization into the picture.

Many newspapers during the past decade have instituted an "Action Line" type of column, which aims at solving problems which its readers have with just about every business in town except the newspaper. How come it's good enough for everybody else in town and not us? Are the newspapers "meddling busybodies" in these cases?

Some few small newspapers, most of them weeklies operated by exceptionally progressive editors who hope to help create an orderly sociological evolvement for their communities, have instituted local press councils. These councils do serve in an ombudsman capacity without imposing censorship or other undue restraints upon freedom of the press. And these councils are a "two-way street," serving to improve the newspapers' image in the community by delving into and interpreting the newspaper's position in various matters.

The local press council, with no coercive power, does reflect a progressive attitude on the part of a local newspaper. There are no such councils in Arizona. But they will come and they will proliferate. And we anticipate that they will prove beneficial to the entire community when they are comprised of intelligent, inquiring townspeople who are motivated to perform the intended function.

VEYSEY PRAISES YOUTH FOR WORK IN 43D DISTRICT YOUTH CONGRESS

HON. VICTOR V. VEYSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. VEYSEY. Mr. Speaker, yesterday I reported to this body the results of our second annual 43d Congressional District Youth Congress held recently in Riverside at the University of California campus.

I included an accounting of how the young people of Riverside, Imperial, and San Diego Counties, with the help of their teachers and school administrators, university personnel, civic and local governmental leaders, and especially, the local Jaycees, organized the conference and developed its legislative thrust.

Every high school in our district played a role in the conference, and the results testify glowingly as to the caliber of our young people, and their capacity to understand and enhance our system of government. I am convinced that these young people are going to make a constructive, substantial contribution to good government in the near future—many of them in the immediate future.

The legislative solutions to the problems of drugs and of education which they hammered out over the anvil of compromise and debate, and which I included in yesterday's CONGRESSIONAL RECORD, have many important points which I intend to further explore in legislation before this Congress.

For the information and attention of all of my colleagues, I am at this point placing into the RECORD of our proceedings, the names of the students who made our Youth Congress so successful. I am also including the Jaycees, teachers, and civic leaders to whom we are deeply indebted:

Forty-Third District Youth Congress

LEADERSHIP

General Student Co-Chairmen—Ron Redmond, Poly High School, and Steve Maio, Norte Vista High School.

Regional Chairmen—Celeste Cantu, Imperial Valley (Calexico High School and Kevin Dickerson, Riverside (Poly High School).

Speaker of the House—Mike Smith, La Sierra Academy.

Session Secretary—Ann St. Jacques, Norte Vista High School.

COMMITTEE CHAIRMEN

Facilities and Parking Signs—Alan Farmer, Norte Vista High.

Delegate Signs—Kurt Freitag, Notre Dame High.

Program—Kathy Hares, Rubidoux High.

Public Relations, Invitations to VIP's and Luncheon—Kathy Hawkins, La Sierra High.

Legislative—Joy Jacobson, Moreno Valley High; Kevin Dickerson, Poly High; Ann St. Jacques, Norte Vista High; Celeste Cantu, Imperial County, Calexico High.

Registration—Rose Marrujo, Norte Vista High; Richard Lemire, Notre Dame High (also in charge of name tags).

GENERAL COORDINATORS

Jaycee Advisors—Gene Agnes and Bob McGovern.

Committee consultant and photographer—Ross Boylan, Los Angeles.

Committee consultant and Youth Coordinator—Kim Lockwood, Intern in Congressman Victor Veysey's Riverside Office.

Air Pollution film, and Luncheon Rock Band—Eric Wand, Riverside.

Office Space and conference facilities—Professor Ron Loveridge, University of California, Riverside.

Faculty arrangements and luncheon—Myron Huffman, Intern in Congressman Victor Veysey's Riverside office.

SPEAKERS

Ron Gonshak, Drug Counselor, Calexico High.

Donald Inskeep, Assistant District Attorney, Riverside County.

Sgt. Neil Adkins, Riverside County Deputy Sheriff.

Mike Smith, Riverside Police Officer (School Resource officer).

Herb Davis, Teen Challenge, Riverside.

Jeff Goldstein, office of Riverside County Superintendent of Schools.

Lt. Jones, Riverside Police Officer.

FACULTY ADVISERS

Robert Burton, Fallbrook High.
Mrs. Jean McDonald, Ramona High.
Harold Kopper, Norte Vista High.
Richard M. Ramirez, Coachella High.
Mel Wendrick, Calipatria High.
Ron Gonshak, Calexico High.
Vicki Burrows, San Jacinto High.
LeRoy Peters, Riverside Christian High.
Robert Doerr, Norco High.
Stan Grienger, El Centro High.
Zen Jones, Brawley High.
Perry Morris, Eagle Mountain High.
Mrs. Marilyn Masten, Indio High.
James Parsons, Desert Sun School.
Bruce Vandergrift, Palm Springs High.

STUDENT COMMITTEE

Tom Troup, Karen Reinhold, Ralph Chapman, Brian Koeff, Terri Armstrong; Phil Hodgens, James Hoag, Joy Jacobson, Sharon Stallings, Alma Garcia.

STUDENT PARTICIPANTS

Banning High School—Michael Brooks, Lisa Frye, Nancy Black, Kevin deLancey, Heidi Hill, Brian Lea, James Rusk.

San Jacinto High School—Ann Goodwin, Tina Hollingworth, Mark Baker, Joyce Stuart, Jay Ast.

Norco High School—David Melendez, Jill Doyle, Nancy Lee, Simon Melendez, Justin Burger.

Fallbrook High School—Fred Poggemeyer, Brett Rowley, Joyce Barnes, Susan Fleming.

Ramona High School, Ramona—Terry Schwarze, David D. Ross, oJe Lacy.

Calexico High School—Manjit Samra, Richard Carrillo, Louie Valenzuela, Daniel Aguilar, Celeste Cantu.

Coachella High School—Debbie Delgado, Marco Rojo, Mary Lou Rios, Melba Rosa Hinojosa, Mary Lou Gomez, Steve Whitern.

Calipatria High School—Judi Kodama, Meg Hill, Robert Barros, Harold Walk, Jr., Selma Urrea.

Eagle Mountain High School—Patti Harris, Elba Garcia, Rita Helms, Chery Dunaway, Socorro Casillas, David Boyd.

Brawley High School—Hugo Orozco, Rick Benedick, Anita James, Mike Fox, Gregg Luckey, Margaret Willingham.

El Centro High School—Herbert Jew, Larry Rich, Pam Lindsey, Dana Lyone, George James Jew.

Corona High School—Pat Cerantes, Greg Westfall, Robin Zadra, Melinda LaVenture, Douglas, Mackey, Eugene Montanez.

Norte Vista High School—Carl Gammon, Don Lindsay, Ann Marie Orta, Gwen Manns, Mike Torchia, Steve Maio, Brenda Cash, Pam Quick, Thomas Jankowski, Ann St. Jacques, Alan Farmer.

Poly High School—Ron Redmond, Harry Carpelan, Sharon Bond, Janet Fargo, Bryan Keff, Kevin Dickerson, Janice Cooper, Michael Bamberger.

Moreno Valley High School—Paul Johnson, Becky Snyder, Joy Jacobson, Jerry Pigsley, Glyn Bolasky, Kathy Berg, Linda Spink.

La Sierra High School—Cathy Hawkins, Cindy Rap, Geneva Gay Pepiot, Jeffrey Therien, Rod Short.

La Sierra Academy—Philip Hodgen, Karen Reinhold, Marianne Reinhold, Mike Macomber, Michael Smith, James Hoag.

Notre Dame High School—Richard Lemire, Larry Green, Corinne Pace, Gregory Garcia, Kurt Freitag, Alma Garcia, Rich Machado, Tim O'Douherty.

Ramona High School, Riverside—Tom Collopy, Marcus Rhodes.

Riverside Christian High School—Nathan McDaniel, Keith Harry, Lynn Zwall, Tom Troup.

Perris High School—Carol Holmes, Lori Van Vordeck, Mandie Wickerd, Cindy Moramarco, Kathy Neske.

Indio High School—Juanine Cardiff, Alice Acosta, Blaine Glass, Homer Arrington.

Palm Springs High School—Sharon Moore, Casey Jones, Christopher Simon, Zac Hanscom, III.

San Bernardino High School—Mary Shaw.

Desert Sun School, Idyllwild—Elissa Anderson, Judy Gordon, Sara Geier, Jan Bailey.

WELFARE SCANDAL—XVI

HON. VERNON W. THOMSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. THOMSON of Wisconsin. Mr. Speaker, the failure of our present welfare system is responsible for wasting tax dollars and assuring that the truly needy are denied benefits intended by law. The system contributes to sloppy administration and growing disillusionment among clients that the system represents a legitimate means for aiding them.

In all too many cases, the frustrations of the welfare recipient are well justified. Added to the demonstrable waste in the present welfare system and consequent taxpayer frustration at its inefficiency and ineffectiveness in reducing the dependent population, the frustrations bred in our present welfare system demand that urgent attention be given to a massive overhaul and tightening up of the system.

I am inserting into today's Record the 16th installment of a series on welfare fraud, mismanagement, and waste in the Milwaukee County, Wis., Welfare Department. The series was run this spring in the Milwaukee Sentinel:

Recipient Views "Fine"—"Foul"

(By Gene Cunningham and Stuart Wilk)

What do welfare recipients think of the department that is there to serve them?

Some recipients describe the Milwaukee County Welfare Department as a place where caseworkers don't answer phones, where appointments aren't kept, where clients can wait weeks before getting help.

Others have few complaints. They told reporters that welfare operations are fine just as they are, that they don't want the department to change.

Based on a series of interviews, recipients are about equally divided in their views. Half of those interviewed were satisfied while others were angry, disillusioned and frustrated.

"I think it's foul," was one woman's succinct reaction. "I think everything about it is bad."

Many of the recipients' criticisms were aimed at the caseworkers and aides who handle their cases.

Recipients contended that workers don't answer their phones, and even when they do, they don't always help.

One complaint was that workers play "musical telephones"—that workers answer each other's telephones and tell clients the worker they called for is not in.

"A little while ago I tried calling a caseworker and let the phone ring for a half hour," said Christopher Rosado, 16, of 2778 N. Holton St. "Then I called right back and the line was busy."

Rosado was at the Welfare Center with his mother, Mrs. Emila Carreo, who is now receiving aid. Mrs. Carreo does not speak English.

"You can never reach the caseworkers," said the son. "And it's true the files aren't kept in order. They threw my sister's file out."

Rosado said it seemed as if caseworkers and aides go on coffee breaks "every five minutes."

"You can never reach them on the telephone," said Miss Verneda Beamon, 1232 N. 14th St. "They give you a lot of baloney. They just give you the runaround."

"When I call," said another recipient, "my caseworker doesn't even want to talk to me."

The recipient, Miss Leenover Brown, said when caseworkers do talk to her "they talk to me like I'm a dog. They don't want to give you nothing."

"It's all right as long as you keep pressuring them and keep on their back," said another recipient. "But the caseworkers are snotty. They act like they're really giving you something, like it's their own money."

Many caseworkers and aides interviewed by The Sentinel have acknowledged that clients have to "keep pressuring them" to get what they need. Many indicated that the client who screams the loudest is the one who gets what he wants.

On any given day, many of the clients jamming welfare department waiting rooms are those who did not receive their checks.

Miss Faith Engel, 3818–B W. North Ave., who was interviewed Tuesday, said she had been waiting for her check since March 5 "and I still haven't gotten it."

"AWFULLY SLOW"

"My landlord's going to throw me out if I can't come up with the rent," she said. "I was down here once before and they sent me to the wrong station. I sat there for about five hours. And I've been waiting five hours today."

Another recipient, who asked that her name not be used, said welfare operations are "awfully slow sometimes."

The woman said she'd been "sitting here for three hours. When someone did come out to talk to me it turned out she wasn't my worker. She didn't know anything about my case."

The worker told the woman she had "lost my appointment slip. I'm waiting now to see if she will see me anyway," the woman said.

Recipients who had read The Sentinel articles exposing waste, fraud and mismanagement in the welfare department said that they were accurate. Those who were not themselves critical of the department said the articles confirmed what they had heard about the department from other welfare clients.

FAVORS EXPOSURE

"I am appalled at the outrageous way some of these people are allowed to ruin something that is set up to help people out in a time of need," said one recipient. My family and I are all for . . . exposing these cheaters for just what they are."

Mrs. Lona Sanchez, who was named "Welfare Mother of the Year" in 1968 by the United Welfare Recipients, said she believed The Sentinel articles were accurate—"that there's fraud by recipients but workers are cheating, too."

But, she said, she is concerned that public officials are placing all the blame on the recipients.

"Now they want the recipients to do this and do that, but they don't say anything about the workers," Mrs. Sanchez said.

A recipient who said she bought a home under Federal 235 Housing, at the encouragement of the welfare department, complained to The Sentinel that now the house is falling apart and she will have to sell it.

"I'm putting the house up for sale," she said. "It's falling apart."

The woman said she doesn't go to the department "for every little thing" but when she asked for home repairs she did not get them.

The department did put a new railing on the porch steps, she said.

Others praised the department—with varying degrees of enthusiasm.

MOST SAY "OKAY"

Most said the department was "okay" and left it at that.

Those interviewed who praised the department asked that their names not be used.

"It's been pretty good," said one woman. "It takes a little too long to get things but eventually you get them."

She said that she isn't always able to reach her caseworker immediately, "but if I call her back I'll get her."

"I think it's okay," a recipient said. "Sometimes I wait a week or two to get things, but I haven't been having any problems."

The woman said reaching caseworkers is not a problem.

"The department should just stay like it is," the recipient said.

A woman who said she had been on welfare for six months told a reporter that the welfare department is "all right."

"I haven't had any trouble so far," she said.

"Im going off (relief) in April," said another recipient. "I was just on a short time. But my caseworker worked out real well.

"But I think a lot of what's been said (about the department) is true from what I hear from other people about their caseworkers," the recipient said.

Another woman who said she has had "no problems" said she doesn't bother trying to reach her caseworker by telephone.

"I just come down here if I want to see her," she said.

"I think it's great" said another recipient. "If you really need it, it's great."

"CHAPPIE" JAMES: THE DAR'S NEW HERO

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. BOB WILSON. Mr. Speaker, I recently had the opportunity to hear Maj. Gen. Daniel "Chappie" James, Jr., when he addressed the annual meeting of the Daughters of the American Revolution. He was magnificent in his performance before the DAR and I applaud the president general, Mrs. Donald Spicer, for having the wisdom and courage to invite him to be the keynote speaker for this great patriotic organization which has so often been undeservedly maligned.

As chairman of the Advisory Committee of the National Society of Daughters of the American Revolution, I have urged Mrs. Spicer and others to encourage membership of qualifying black descendants of Revolutionary War soldiers. There is no question there were many blacks who fought in the Revolutionary War and I know that black descendants of such soldiers would qualify for such membership. I think it would be a fitting response to General James' appearance if such potential members could be found.

The article follows:

"CHAPPIE" JAMES: THE DAR'S NEW HERO

(By Nick Thimmesch)

WASHINGTON.—The best happening here last week (an otherwise dismal moment in the Nixon Administration beleaguered by Watergate) was when Maj. Gen. Daniel "Chappie" James Jr. orated mightily on behalf of the republic at the Daughters of the American Revolution convention.

The sight of Chappie lifting all 6 feet 4 inches and 230 pounds of his muscular black body up to deliver the keynote address on a platform bedecked with ferns, orchids, white gowns, elbow-length evening gloves, blue sashes and a thickness of the good DAR ladies—well it brought joy to the heart and a feeling that it's about time and, damned, isn't this great?

After all, 34 Easter weeks ago, the DAR turned another distinguished black away from their sacred hall here, namely, Marian Anderson.

She wound up opening her soul through her beautiful voice in a concert at an alternate site—the U.S. Capitol steps—before a thrilled audience of 75,000. Mrs. Franklin D. Roosevelt resigned from the DAR over the 1939 incident, and thus showed real class.

Gen. James, 53, whose 30 years as combat pilot and commander includes 178 combat missions in the Korean and Vietnamese wars, showed class, too, in gently alluding to the Anderson episode with: "I assess the progress that's very visible tonight, as I stand here talking, and I don't have to explain that to you.

He wowed the 4,000 in the DAR hall. Blue-veined, aged hands applauded, old throats laughed and eyes went misty as Chappie let it all hang out, including the Stars and Stripes.

"I used to dream I was number 16 in a 16-plane group," he said, "and that frightened me, so I mastered the dream to get myself up to number-four spot where it's safer. But being number 16 on a number-16 speaker night at your convention, man, that scares me to death."

With the ladies warmed up, Chappie went serious for a moment with a formal recitation of the diplomatic-military events of the past four years, and got his first appreciative roar with:

"We military are not the most popular kid on the block. It's not our job to be popular; our job is to be strong."

He recounted confrontations he had when he defended the Vietnamese war on campuses during the peak of the antiwar period, and told how he replied to student taunts like "Why don't you go back to Africa?"

"I told them: 'This is my home,'" Chappie said. "I was born here. I am an American. I speak for the democratic dignity of the individual. When the black militants hollered for separatism, I told them I was once under separate but equal, but I'm not going back under that blanket, no sir. When I came into this man's Air Force. I vowed I'd be a general officer, and I am, as you can see." Huge applause. Chappie looked like he could have been standing next to George Washington crossing the Delaware.

"This is my nation," Chappie said emotionally. "I love her. If I see her ill, I'll hold her hand. I realize full well I'm preaching to the choir tonight, but sometimes the choir doesn't sing loud enough. We must be sure we're part of solving the big problem.

"While we build and unite to heal the wounds of a long, costly war, we must get involved. You can't sit there in righteous indignation and say, 'I'm not part of it. I didn't throw the rocks. I didn't burn the Flag. I didn't call him a honky. I didn't call him nigger.' If you just stood there like you didn't hear it or see it, that may be what's wrong with you."

The DAR ladies loved the admonishment. After all, this big black soldier was the one who replied on TV to Ramsey Clark's mushy musings on the POWs, and as DAR President-General Mrs. Donald Spicer, Chappie's sponsor, said, "He cut Clark's arguments into little pieces without insulting him."

Chappie, a natural-born public speaker, wound up in a patriotic rush, implored that "silent majority" which walked the first 50,000 miles of this nation's history to "get in step, be proud and show that unity to the world."

Then, with the organ playing mightily, and the "Retiring of the Colors," Chappie stood tall in full salute, and the ladies were thrilled again. Goodness, he had defended the republic, the military, American loyalty to allies, the determination to have peace, but "if peace breaks down, then fight we shall—make no mistake about that."

Now blacks fought in the Revolutionary War and, while the DAR has no black members, it says black descendants of those Revolutionary soldiers would qualify for membership.

The DAR presently has no program to "reach out" and find such black descendants. But wouldn't it be great if Maj. Gen. Daniel "Chappie" James Jr. could come up with some ancestor who shouldered a musket for the Americans in those Revolutionary times? Right on!

REDUCTION IN FEDERAL AID TO PUBLIC SCHOOLS

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. HUNGATE. Mr. Speaker, the Missouri House of Representatives has approved a resolution on an important issue confronting the State of Missouri and the Nation, I would like to call this to the attention of my colleagues so that they can have this in mind when appropriate legislation is considered:

RESOLUTION

Whereas, many public school districts in the state of Missouri are critically affected by the impact of students who are dependents of Armed Forces personnel or civilian employees of the Federal government; and

Whereas, one hundred fifty-seven school districts in the state of Missouri applied for federal aid under the provisions of Title 20, section 236 et seq., U.S.C, (Public Law 81-874) during the 1972-1973 school year; and

Whereas, the purpose of those statutes is to provide financial aid to school districts which are affected by a substantial influx of students whose parents are federal employees, or districts wherein there are substantial tracts of land removed from the tax rolls due to federal acquisition; and

Whereas, at the present time the federal government is authorizing payment to school districts for only those students whose parents are in uniform services or civilian federal employees who reside on federal property; and

Whereas, previously the federal government was also authorizing payment for students whose parents were civilian federal employees but who reside on property not owned by the federal government; and

Whereas, it is estimated by the Missouri State Department of Education that a change in policy proposed by the President for 1973-74 which would eliminate payments for students whose parents reside on private property would cost Missouri school districts in excess of eight and one-half million dollars in federal aid; and

Whereas, such a reduction in federal aid to the schools in Missouri would have disastrous results and possibly force the closing of many public schools;

Now, therefore, be it resolved that the House of Representatives of the 77th General Assembly of the sovereign State of Missouri memorialize the Congress of the United States to take such steps as, in the sense of Congress, will prevent any reduction in federal aid to public schools in Missouri; and

Be it further resolved that the Missouri House of Representatives especially urge the members of Congress from Missouri to take immediate action in this matter; and

Be it further resolved that the Chief Clerk of the Missouri House of Representatives be instructed to send suitably inscribed copies of this resolution to the President of the United States, the Honorable Gerald Ford, the Honorable Carl Albert, the Honorable Carl Perkins, both United States Senators from Missouri, and to each member of the House of Representatives of the United States Congress from Missouri.

Offered by Representative Jim Arnold.

I, Agnes Moore, Chief Clerk of the House of Representatives of the 77th General Assembly, certify that the above is a true and correct copy of House Resolution No. 152 adopted by the House of Representatives, April 26, 1973.

PERSONAL EXPLANATION

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. SYMMS. Mr. Speaker, I wish to inform you that my name was included by mistake as a cosponsor of H.R. 7108. I am not a cosponsor of this bill.

MAYOR RIZZO REPORTS ON DRUG ABUSE

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. EILBERG. Mr. Speaker, the Senate Subcommittee on Alcoholism and Narcotics recently held public hearings in my city, Philadelphia.

The purpose of the hearings is to find out what the States and cities are doing about these problems and what local officials feel the Federal Government should be doing to help them.

At this time I enter into the RECORD the excellent presentation by Mayor Frank L. Rizzo, of Philadelphia.

TESTIMONY OF MAYOR FRANK L. RIZZO BEFORE SENATOR SCHWEIKER'S COMMITTEE, APRIL 23, 1973

As Mayor of Philadelphia, I am pleased and honored to appear today before the Senate Sub-Committee on Alcohol and Drug Abuse.

In my opinion, there is no greater menace in America today than the menace of drug and narcotics addiction. This sickness spreads across our land, costing untold millions in crime and destroying the flower of our youth.

Narcotics addiction traps its unfortunate victims in a wretched world of the living dead where there is no hope, only despair. Many of these helpless victims stagger through life seeking medical aid but, because of a lack of funds and facilities, are shunted from agency to agency.

The addict is on a treadmill, torn between a desire to get the monkey off his back and his craving for a fix.

Narcotics addiction attacks unfortunate victims in every segment of our society—the rich and the poor, the educated and the illiterate and the very young as well as adults.

The insidious infection of narcotics abuse is not simply a police problem; it is a national problem that drains our resources and entices our youth while they are still in grade school.

I am well aware that narcotics addiction is a disease, and I feel very strongly that medical and psychiatric treatment should be made available to these unfortunate victims.

I also realize that many of our youth turn to drugs and narcotics because of social ills, frustration or despair.

I feel that counseling services should be made available to these boys and girls to deter them from the path of addiction.

And, once an addict has undergone treatment, we must make a job available to him and supervise his activities so that he does not stray from the straight and narrow.

Yes, gentlemen, the addict deserves all the compassion we can give him.

But the pusher is another story. The narcotics pusher is an evil person who lurks near our schools eager to enslave unwary students in a life of living hell.

The narcotics pusher lives the life of a high roller, with fine food and shiny cars, on profits extracted from his pitiful customers. All too often, when the pusher is arrested, he slips through the judicial net with little or no punishment.

Most convicted pushers who are sentenced to prison receive light terms that are no more than a reprimand or a slap on the wrist. This misplaced leniency must stop if we are to make inroads against the narcotics problem.

We must institute a system of justice that tells the pusher loud and clear that, once he is arrested, justice will be swift, sure and severe.

The cost of combating the narcotics problem is high, but it is only a fraction of the cost we now pay in mental anguish, broken lives, shattered homes and high crime. The vicious cycle of addiction and crime must be stopped, regardless of the cost.

The consequences of the drug peril are frightening. In Philadelphia during the past five years, deaths from overdoses of drugs rose from 75 to 138, an increase of almost 100 percent. From 1961 to 1972, narcotics arrests in Philadelphia increased from 733 to 5,986, a boost of almost 800 percent.

Last year, the Philadelphia Police Department launched a concerted drive against narcotics pushers; this resulted in 997 arrests for the sale of narcotics, compared to 476 similar arrests in 1971.

The problem, however, is that not enough pushers are being sent to jail. Of the 386 persons convicted for sale of narcotics during the period January, 1971, to February, 1973, only 143 received prison terms; of these, only 9 received terms of 5 years or more.

Due to the rapid increase in the use of drugs and because of a lack of funds, Government's initial response to the narcotics problem was inadequate. Until recently, limited resources prevented us from attacking this problem at its many sources.

Now, however, we have laid the groundwork for a thorough, comprehensive program to battle narcotics abuse in Philadelphia.

In the past year, we established a Coordinating Office for Drug and Alcohol Abuse Programs to centralize all such efforts in the City.

We have appointed an 11 member Executive Commission on Drugs and Alcohol to advise and assist the Coordinating Office in discharging its responsibility.

We have established a comprehensive program entitled Alternatives to Street Crime to identify, divert and treat—within the criminal justice process—the drug offender.

These actions reflect the high priority Philadelphia places on the drug abuse problem. But the drug problem is not merely a Philadelphia problem; its blight affects every major City in the United States.

In short, narcotics abuse is a national problem that requires a national response.

At this point, I wish to make the following recommendations for increased Federal assistance in combating drug addiction.

1. Expansion of Federal Cooperative Programs such as the Office of Drug Abuse and Law Enforcement.

This is the program whereby local Police and Federal Agents work hand-in-hand on a day-to-day basis to arrest narcotic pushers. Since last year, 150 pushers have been arrested in Philadelphia under this joint program.

2. I urge passage of a Bill now before Congress that provides mandatory stiff prison terms for persons convicted of Federal narcotic crimes.

3. Additional Federal aid to financially-depressed Cities to expand their drug enforcement programs. These grants should be over and above current appropriations by the Law Enforcement Assistance Administration.

4. The Federal Government should become more actively involved in the funding and supervision of programs to rehabilitate drug addicts.

The key elements of Philadelphia's drug control efforts have been Federal and State Assistance in all phases of our programs—from the war on drug traffic to the rehabilitation of the addict.

We must continue to rely on State and Federal aid if we are to succeed; Philadelphia simply cannot do the job alone. The narcotics problem is very complex, and we will not succeed by concentrating on only one symptom; we must treat the whole patient.

Consequently, Philadelphia has established a broad-based approach that emphasizes new and improved law enforcement techniques to cut the flow of drug traffic and reduce crime. We have modified criminal justice procedures to identify and treat drug offenders, and we have instituted treatment programs to stabilize and rehabilitate the addict.

We recognize that we are still in the early stages of battle, but we see some signs of success.

By concentrating on the vital sources of supply, we are choking off the flow of narcotics from the streets and into the veins of our citizens. By increasing the number and quality of treatment facilities we are removing more addicts from the criminal-drug cycle, into rehabilitation.

Ultimate success depends on our stamina, and our ability to support the heavy demands on our resources.

Finally, we must be wary of indifference. If we accept the addiction of our citizens; if we tolerate crime in our streets; if we watch with disinterest the decay of our neighborhoods, then we condemn our City to painful and agonizing death.

What is at stake is nothing less than the will of the City to survive.

Thank you.

PATIENTS SPEAK UP

HON. JAMES HARVEY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. HARVEY. Mr. Speaker, the April 15, 1973, edition of U.S. Medicine carried an interesting story about a recent survey conducted at the Veterans' Administration Hospital in Saginaw, which is in my congressional district.

Because of my continuing interest in the delivery of health care to our Nation's veterans and the timeliness of the article, it seemed appropriate to share the message contained in the report with my colleagues.

The article is as follows:

VA DEFENDED BY VETERANS IN SAGINAW

SAGINAW, MICH.—About 90 per cent of the patients in the Saginaw Veterans Administration Hospital—151 in all—signed a petition objecting to "adverse criticisms of the Veterans Hospital System here and elsewhere put forth in articles by Ralph Nader, and others, that have been appearing in print of late."

The patients said they are "better able to evaluate the conditions and services of the Veterans Administration" than Mr. Nader and "in fact, are now obligated to do so."

"During our hospitalization we have found the doctors and nurses, as well as the dietetic service, the technical staff, and the administrative staff, to be not only efficient but extremely cooperative.

"Our atmosphere is not just pleasant but exceptionally clean and orderly. We enjoy excellent medical care and are offered very genuine concern for our mental attitudes while convalescing here.

We are offered many excellent free services such as the use of the library, social and creative activities, free entertainment, etc. by the loyal and regular volunteer services."

The "petition by patients" was forwarded to VA Central Office by Dr. Thomas J. Fitzgerald, medical director of VA Region 3. A copy was sent to Mr. Nader and "appropriate newspapers in the Saginaw area."

FREEDOMS FOUNDATION PROGRAM

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. BOB WILSON. Mr. Speaker, James Madison Senior High School of San Diego, Calif., has given a splendid example of the highest form of good citizenship and community involvement. Under the outstanding leadership of Dr. James I. Kaupp, principal, the school has 3,351 students and a faculty of 171 teachers. Dr. Kaupp has encouraged school activities to flourish in the exercise of responsible citizenship according to the best American traditions by dedication and commitment to education at its best.

As a result, many honors have been accorded to James Madison High School for extraordinary achievement and, as one example, I am pleased to submit a program brief of a production at the Madison High School auditorium that was dedicated to the Freedoms Foundation at Valley Forge, Pa., in appreciation for the recognition Madison High School has won during the last 10 years by consistent participation in the freedoms foundation program.

It is a singular tribute to the school and the community of San Diego since this year Madison High School has been awarded the Freedoms Foundation Distinguished Service Plaque which can be won only when 10 previous awards have been earned. This program was presented Friday morning, April 27, 1973, and the text of the program follows:

JAMES MADISON HIGH SCHOOL PRESENTS THE FREEDOMS FOUNDATION AWARDS PROGRAM

Honoring the students and alumni of Madison High School for 10 years of distinguished service in school activities exercising responsible citizenship according to the best American traditions, Madison Auditorium, April 27, 1973, 7:10 a.m., period I

7:10 Flag raising Ceremonies at the Flag Pole—Madison Band, ROTC, Students and guests.

7:15 Auditorium—presentation of colors—National Anthem, band directed by Mr. Leonard Wolfe.

Invocation—Mark Manion.

7:20 Song premiere—*The Rainbow Song*—introduced by Michele Aguayo, with the Warhawk guitar ensemble: Jessie and Jennifer Havens, Tony and Bob Prim, Rainey Delgado and the Madison Chorus.

7:25 *"Mr. Jefferson, you are elected"*—a scene taken from the 1971 and 1972 production: The Declaration of Independence.

7:35 Introduction of the speaker—Dr. James I. Kaupp, Principal of Madison.

7:40 Keynote address: *Freedom Has a Price*—Lieutenant General Victor H. Krulak, U.S.M.C. (retired). While on duty, General Krulak commanded all Marines from California to Vietnam.

7:55 Oh Freedom!—Guitar ensemble—directed by Jennifer Havens, selections from the *Music Man*, Madison Band, directed by Mr. Leonard Wolfe.

8:00 *Vignette special from Constitution Day performances* 1969, 1970, 1971, 1972, 1973 by students from the American Government classes. directed by Randy Greenwalt.

8:10 The Distinguished Services Awards Ceremonies. Mrs. W. Daniel Larsen, Vice President in charge of awards, Freedoms Foundation, San Diego Chapter.

8:15 The Stranger Who Is My Brother—a scene from the Fort Rosecrans performance by Madison students at Fort Rosecrans Armistice Day, November 11, 1971. Mike Russell and ROTC.

8:20 *Antigone* scene from the 1971 summer school performance. Directed by Carmen Kiehm, illustrating the inalienable rights of mankind.

8:25 Brodsky trial preview.

8:35 Finale—Midson Band.

FREEDOMS FOUNDATION AWARDS PROGRAM, APRIL 27, 1973, JAMES MADISON HIGH SCHOOL, SAN DIEGO

Flag raising ceremonies in front of the administration building at 7:10 a.m. Madison High School Band, R.O.T.C., Student Body and guests. Band will lead the way into the Auditorium.

National Anthem—Band.

Pledge of Allegiance—R.O.T.C.

Invocation—Howard Amster, Mark Manion.

Steve Hanger—Student Body President—Chairman of the program.

Curtain is closed.

Good morning, we welcome you. We are glad you could come to this Freedoms Foundation Awards program in honor of Madison High School achievements, past, present, and future. Our program today is the result of a total school effort that goes back to 1961 and builds up to this moment when we find ourselves in line for a coveted award offered by the Freedoms Foundation for exceptional achievement. Only a few schools get the Distinguished Service Award. It is presented by the Freedoms Foundation at Valley Forge only after 10 George Washington Honor Medals have been won. This year marks the tenth time Madison has been awarded top honors. We are in fact, number one *ten times!* We are proud to have with us our distinguished guests:

Lieutenant General Victor H. Krulak—United States Marine Corps. General Krulak was the commander, before retirement, of all Marines in the Pacific from California to Vietnam. He will deliver the keynote address.

And from the Freedoms Foundation:

Mrs. Robert S. Fadem—President.

Mrs. W. Daniel Larsen—Vice President.

Mrs. Charles Sands—Past President of the Freedoms Foundation, San Diego County chapter who are here to proffer us the Distinguished Service Award.

Steve Hanger continues:

This morning we bring you highlights of past performances as well as a sneak preview of our next program and a song for the occasion, dedicated to Madison's own rainbow of success: *The Rainbow Song*.

We want to thank Mr. Garold Nelson and the Graphic Arts Department for getting the song onto sheet music. And now, we give you the Warhawk version of *Rainbow Song*. Michel Aguayo will start it off and then Jessie and Jennifer Havens, Tony and Bob Prim, and Mr. Gilbert Sloan's chorus ensemble will join and I hope you will, too.

The Rainbow Song—Guitar solo by Michele Aguayo—Guitar ensemble, Chorus ensemble.

Narrator continues: Thank you for bringing down the rainbow at Madison. The purpose of our program today is to honor the Freedom's Foundation with vignettes of past winning performances, hear the message of our famous speaker, Lieutenant General Victor H. Krulak and acknowledge the high honor of receiving the Distinguished Service Award from the Freedom's Foundation at Valley Forge, Pa.

It all started in October of 1961 with the decision, when our school first opened its doors, that we wanted to study more about freedom in America and find a deeper meaning for the word citizenship, to articulate citizenship not only as a by-word but America's do-word and be-word in respect for God and country, to stress the human relations factor of unity in action toward high standards of achievement. We felt our activities for that year and the years to come should be a matter of school record so we might establish a tradition at Madison High School in the years to come congruent with the solid traditions of 1776 and 1787.

Under the leadership of Mr. Ellis Dugger in 1965, 1966 and 1967 and Mr. John Lynch in 1968, Madison High School won the George Washington Honor Medal Award for four consecutive years; and thus, a tradition was born.

Narrator—Candy Brown: Our first playback is a scene from the Declaration of Independence. This is taken from the *"Mr. Jefferson, you are elected"* drama as we have interpreted it in our American Government class.

(Curtain opens on the Declaration of Independence scene). We give you direct from Independence Hall, Philadelphia, 1776, a scene involving Thomas Jefferson of Virginia, Benjamin Franklin of Pennsylvania, Robert Livingston of New York, Roger Sherman of Connecticut and John Adams of Massachusetts. Duly elected delegates to the second Continental Congress and the committee appointed to write a declaration of Independence.

Note.—At the end of this scene, there is a loud knocking back stage. Doorkeeper answers the door and announces loudly

Doorkeeper: "It is the Principal, Dr. Kaupp, from the head offices and General Victor Krulak, from the United States Marines."

Committee: "By all means bring them in . . . Dr. Kaupp, will you introduce General Krulak?"

Dr. Kaupp: Introduction of General Krulak—to the student body.

General Krulak, keynote address, "Freedom Has a Price."

After Gen. Krulak's address, the guitar group led by Jennifer Havens goes on stage with the *Oh Freedom song.*

Curtain is closed.

Narrator—Steve Hanger: 1969 and 1970, the years of nominating conventions and a musical that made history: the Music Man. We are proud to present the director of those scores: Mr. Leonard Wolfe, who will lead the Madison High School band in selections from the Music Man.

After the band plays selections from the Music Man, the narrator steps out from a different location to introduce the Constitutional Convention scene.

Narrator—Steve Hanger: The next scene is a familar one with Madison audiences. Early in the year, September 17 (in fact) in recognition of Constitution Day it has been a practice at Madison to re-enact the issues and debates that shaped the framing of the Constitution. Here are highlights of the Convention and the feeling of some key personalities who stuck it out to the very last day of that long hot summer at Philadelphia, May 25 to September 17, 1787.

Curtain opens on the Constitutional Convention.

Curtain closes at the end of the Constitutional Convention in preparation for the Armistice scene.

Steve Hanger continues: The moment has arrived for the awards presentation. We are honored to have Mrs. W. Daniel Larsen, Vice President of the San Diego County Freedom Foundation Chapter, proffer the awards won in 1972. Mrs. W. Daniel Larsen.

Foundation Chapter, Mrs. W. Daniel presents the Distinguished Service Award to Dr. Kaupp, and the honor certificate to Steven Mathews, for his Armed Forces letter, "Freedom has a price". After Steven Mathews has read his letter, Mrs. Larsen introduces Paul Walton as this year's Madison representative to the Freedoms Foundation Boys Seminar at Valley Forge.

After Paul Walton's talk Steve Hanger continues: Our next vignette takes place on the Armistice of 1917. It's about the unknown soldier buried at Arlington Cemetery. On November 11, 1971, students at Madison in memory of the Armistice conducted a memorial program at Fort Rosecrans National Cemetery, Point Loma, in honor of Veteran's Day. We bring you a portion of this program again as a tribute to all veterans especially those who were so recently involved in the last conflict.

R.O.T.C. presentation of the story of the "Man I never knew."

Curtain opens slowly.

Narrator—Mike Russel: This is the story of the man I never knew . . .

Curtain closes at the end of the narration.

Carmen Kiehm presents the Antigone vignette.

The unwritten code of Heaven, a 1972 summer session, illustration the inalienable ability of human rights.

The Brodsky Trial—a preview.

Madison Band concludes this performance.

TRIBUTE TO WAYNE VAN HORN

HON. WILLIAM M. KETCHUM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. KETCHUM. Mr. Speaker, I am pleased to call to the attention of the Congress today a man who exemplifies the very essence of education in America. Mr. Wayne Van Horn, district superintendent of the Panama Union School District of Kern County, is retiring after 28 years of service.

Born in Imperial Valley, Calif., Mr. Van Horn moved to Kern County in 1934. After graduation from La Verne College in 1940, he began his teaching career in the Mount View School District. In 1945, he was employed as superintendent at the Panama Union School District and has been there for the past 28 years.

What began as a 297 pupil district with $2,360,350 worth of facilities and equipment has grown into a district of 2,860 pupils and an assessed valuation of $50,463,500.

Through his tireless efforts, there have been eight successful school bond elections and three successful tax override elections. His understanding of the educational requirements of the district have resulted in a zero failure rate in providing the necessary leadership to carry these issues to the people for their vote.

His warm and friendly personality have gained him the respect of his students, faculty, and the community at large. The highest tribute that can be bestowed upon any educator is to have a school named in his or her honor. Unbeknownst to Mr. Van Horn, a petition was circulated in 1969 to name a new school in his honor. The Wayne Van Horn School will stand as a living monument to the man who organized and administered one of the finest school districts in the State of California for the past 28 years.

I know my colleagues join me in wishing Mr. Van Horn and his wife of 35 years, Veth, best wishes on his retirement and our sincere appreciation for his dedication in the pursuit of quality education.

LAND USE IN ALASKA

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. YOUNG of Alaska. Mr. Speaker, the subject of land use in the United States has been receiving greater and greater attention since the Western Frontier was closed late in the 19th century. Before the frontier was closed, people just kept moving west whenever they became dissatisfied with wherever it was they lived.

But once they reached the Pacific, they learned there were no new lands to exploit.

The Congress has long been familiar with the problems and needs that must be considered relating to land use. It has already initiated a thorough review of the Nation's public land laws, and not long ago the Federal-State Land Use Planning Commission initiated a series of 45 public hearings to solicit public comment on land use in Alaska, now the Nation's last frontier.

In addition to conducting dozens of hearings in Alaska, the Commission this month will ask citizens in San Francsico, Seattle, Denver, and Washington, D.C., their views on land use in Alaska.

While we Alaskans generally think of the State as being ours, we sometimes overlook the Nation's interest in its biggest State. Mount McKinley, for example, belongs to all Americans.

The continent's tallest peak, and one of the Nation's biggest national parks, bring thousands of visitors to Alaska each year.

And now, while the Department of the Interior is considering asking Congress to expand its system of parks, wildlife refuges, and wild and scenic rivers in Alaska—and the Department of Agriculture is proposing to enlarge its system of national forests in the State—the subject of land-use planning is coming up again.

The city council of the city of Seward, an historic Alaskan seaport that once marked the start of sled dog trails to the gold fields of Alaska, has recently communicated its views on land use to me.

And with your permission, Mr. Speaker, I should like to hereby introduce them into the RECORD:

RESOLUTION NO. 872

A resolution relating to the national conservation system designations under Section 17(d)(2)(A) of the Alaska Native Claims Settlement Act

Be it resolved by the Seward City Council:

Whereas Section 17(d)(2)(A) of the Alaska Native Claims Settlement Act of December 18, 1971, provides for the creation of or for the addition to existing units of wild and scenic rivers, national parks, national forests and wildlife refugee; and

Whereas, of these four systems, the Congress did, in 1960, pass the Multiple Use and Sustained Yield Act which directed that National Forest lands be judiciously managed to produce a combination of inherent values, such as outdoor recreation, wildlife, range, wilderness, timber and watershed, in order to serve the best interests of the American people; and

Whereas, while this method is adopted by the other agencies for their management direction, only in the National Forest System is multiple use currently directed by an act of the Congress; and

Whereas the multiple use and sustained yield philosophy in management provides for considerably more options to meet the needs of the majority of Alaskans, as well as all Americans, now and in the future, consistent with paramount environmental protection; and

Whereas the Joint Federal-State Land Use Planning Commission and the Secretary of the Interior, Rogers C. B. Morton, are to recommend to the Congress which lands are to be contained within each of the four systems; and

Whereas these recommendations and their enactment into law are of great concern to the people of the State of Alaska;

Be it resolved that it is the will of this Seward City Council to lend official support to, and we respectfully request the Joint Federal-State Land Use Planning Commission and the Secretary of the Interior to consider to the fullest practical extent, inclusion of at least approximately 44 million acres in new national forests for Alaska, as set forth by the Forest Service' Alaska Planning Team Document, U.S. Department of Agriculture, dated July 1972, and that they subsequently make such a recommendation to the Congress of the United States; and be it

Further resolved that the Alaska delegation in the Congress is respectfully requested to join with the Joint Federal-State Land Use Planning Commission to encourage the introduction of legislation to create approximately 44 million acres of new national forests within the 80 million acres provided for in Section 17(d)(2)(A) of the Alaska Native Claims Settlement Act.

Copies of this Resolution shall be transmitted to the Honorable Richard M. Nixon, President of the United States; the Honorable Rogers C. B. Morton, Secretary, Department of the Interior; the Honorable Earl L. Butz, Secretary, Department of Agriculture; the Chairmen of the U.S. Senate and the U.S. House Interior and Insular Affairs Committees; the Honorable Governor William A. Egan, Co-chairman, Mr. Joseph Josephson, Co-chairman Designee, and Mr. Jack O. Horton, Co-chairman, Land Use Planning Commission of Alaska; the Honorable Mike Gravel; the Honorable Ted Stevens, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

NIXA SUCKER DAY

HON. GENE TAYLOR

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. TAYLOR of Missouri. Mr. Speaker, this weekend, it will be my pleasure to join with thousands of my fellow Missourians, along with countless numbers of tourists in the city of Nixa, Mo., for the 16th annual sucker day celebration.

This event provides one of the finest fish frys that has ever been enjoyed by man, woman, or child. Those who are privileged to attend are fed the succulent yellow sucker, spawned and nurtured in the beautiful Finley River, and cooked to a golden brown in huge kettles right in the heart of town.

Mr. Speaker, the clouds have begun to part and the sun is breaking forth in the heart of the Ozarks in southwest Missouri. The suckers are bountiful, the deep fryers are boiling, and the cooks are ready to go. I guarantee all who attend Nixa Sucker Day a meal that will rank closely to that which was once fed to the multitudes from five little fishes and two loaves of bread. Y'all come.

LEGAL SECRETARIES COURT OBSERVANCE WEEK

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. SPENCE. Mr. Speaker, for years the National Association of Legal Secretaries has promoted excellence and high standards of professionalism among its membership.

One of the most successful efforts of this fine association has been its annual "Day-in-Court" observance, during which legal secretaries are encouraged to visit the courts and their localities.

The NALS believes that its members can improve their efficiency and develop a better understanding of their profession, as well as that of their employers, by knowing more about the inner workings of our judicial system.

To accord national recognition to this important contribution of the NALS, I introduced legislation last year authorizing the President to proclaim a "Legal Secretaries Court Observance Week." Thanks to the assistance of many dedicated members of the association we were able to obtain congressional approval of the bill, and President Nixon so designated the second week of October 1972.

Response to "Court Observance Week" was very enthusiastic and reports from NALS chapters throughout the country have proven it to have been an outstanding success. In many cases, judges and lawyers hosted their special visitors and provided commentary on procedures they observed in the courtroom.

The association, therefore, is hopeful and optimistic that Congress will again authorize "Court Observance Week" activities this year. To this end I have introduced a new joint resolution, House Joint Resolution 466, which calls upon the President to proclaim a "Legal Secretaries Court Observance Week" for 1973. I hope that my colleagues will join me in urging early action on this legislation.

The National Association of Legal Secretaries boasts over 17,000 members in the United States and other countries, and it can justly be stated that the organization promotes excellence in a highly important field. Our recognition of their service to the legal profession is warranted and I can think of no more proper way to accord them the notice they deserve.

OTHER RELIGIONS SUFFER IN THE U.S.S.R.

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. HUBER. Mr. Speaker, on February 8, I spoke about "Freedom of Movement as a Basic Right." At that time I mentioned the Jewish people of the Soviet Union in particular, but I also said we should not overlook the plight of others of different faiths. It is with this in mind, and with the recent Soviet decision to lift the exit tax on Jewish emmigrants, that I commend the following article from the Christian Science Monitor of April 11, 1973, to the attention of my colleagues. It vividly describes the plight of other religions in the Soviet Union. The article follows:

KREMLIN RENEWS PRESSURES ON RELIGIOUS SECTS

(By Paul Wohl)

The recent sentencing to labor camp of four Jehovah's Witnesses in Lithuania casts light on the Kremlin's renewed efforts to intimidate the smaller evangelical churches and sects.

Jehovah's Witnesses, through their link with the United States, are high on the Kremlin's blacklist. Next come the Reform Baptists or Initiativniki, followed by the "Pentecostal Church, which is believed to have grown faster than all other evangelical denominations.

The Baptists, several million strong, have a long history in Russia. Even before the revolution there was a saying among Russians: "Have your daughter marry a Baptist: They drink not, they smoke not, and they do not beat up their wives."

While the Soviets maintain an uneasy peace with the majority Baptists, they are sharp on the heels of the Initiativniki who refuse to register their churches in protest against decrees of the 1960's which restrict freedom of religion as guaranteed by the Constitution.

Some sects, like the Jehovah's Witnesses, refuse military service; others like the Initiativniki organize schools and give their children religious education, have prayer meetings, and sometimes even demonstrate in the streets singing hymns.

The Initiativniki or Reform Baptists, who split off from the official Baptists in 1961, have repeatedly held fairly large conferences attended by members from all over the country—under the watchful eyes of the regime.

At one such conference in February, 1964, a Council of Prisoners' Relatives (CPR) was set up, which keeps church members informed about persecutions and improvements in all parts of the U.S.S.R. so as to encourage prayers for those in need.

In April, 1971, the CPR started to publish a bulletin of which several issues have reached the West.

The two latest issues (Nos. 9 and 10) report the dramatic events surrounding Ivan V. Moiseyev, a young Baptist soldier killed "after he had resisted all attempts to stop him from bearing witness to Christ."

A DEEP IMPRESSION

The Soviet major who escorted Ivan's body to his parents told them before witnesses that their son had "died a Christian," an indication of the deep impression the young believer had made on the military.

The dissident Reform Baptists and the smaller evangelical sects pose a serious problem for the Communists. "They are making a special effort to capture the hearts of our young people," wrote Prof. Venyamin Arsenkin in Smena, a large circulation illustrated Moscow bi-weekly magazine for youth.

"The notion that religion is the only path to a moral life attracts many a young person to the church. . . . Contemporary churchmen attempt to prove that there is no contradiction between sciences and religion."

POLISH CONSTITUTION DAY AND BIRTHDAY OF MIKOLAJ KOPERNIK HONORED

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. DINGELL. Mr. Speaker, it is with pride and honor that Americans of Polish descent and Polish people across the world celebrate this week, the 500th anniversary of the birth of noted scientist and scholar, Mikolaj Kopernik, Copernicus; and the 182d anniversary of the adoption of the Polish constitution, a statement of freedom and equality.

There are over 10 million Americans today of Polish descent and they can well be proud of their forefathers and mothers who, when the Polish constitution of 1791 was written, brought their country and society into a democratic system of government and set the tone of continuously striving for freedom, peace and understanding.

The Polish struggle for liberty for all people carries on today in America and abroad. The brave Polish people through several generations have held as their motto, "For Our Liberty and Yours."

Poland went through many tragedies in trying to protect that freedom and yet the fight goes on. Polish Americans will recall this week and during this year of 1973 the contributions made to America by their people.

I note that celebrations and events will be taking place in the State of Michigan where the Polish people have honored Count Casimir Pulaski, who later became a hero for Polish Americans during the Revolutionary War. Today, the Pulaski Memorial Highway serves the people of Michigan.

Count Pulaski credited himself and his people when, as a Polish soldier during the Revolutionary War he joined the troops of Gen. George Washington and bravely fought at the Battle of Brandywine. He later was made a brigadier general by the U.S. Congress, in which today many Americans of Polish descent are serving.

General Pulaski later formed the Pulaski Legion, a troop of cavalry and light infantry who served America on the war front. He was shot and died 2 days later as his troops participated in the siege of Savannah, where the courageous career, but not the memory, of Gen. Casimir Pulaski, was ended.

As Polish people recall these events there also is the great contribution made to the world by Mikolaj Kopernik, whose Latin name, with which Americans are most familiar, was Copernicus.

This Polish scholar led the world into authentic astronomy and his work resulted in the vast study of space which has led to mankind's personal exploration of space in the 20th century. It was Copernicus who proved that the sun was the center of the planetary system, not the earth as ancient scholars previous to Copernicus had believed.

This man's enthusiasm for and dedication to study gave him skills and knowledge of law, administration, art, languages, mathematics, medicine and religion. His career took place in 16th century Poland and it is his work of accomplishment in helping mankind to better understand his surroundings to which Polish Americans are dedicated today alongside of their brothers and sisters of all lands who strive for learning and understanding.

LYNDON BAINES JOHNSON

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. ROONEY of New York. Mr. Speaker, the untimely passing of former President Lyndon Baines Johnson took a titan from our midst. It is with a heavy heart that I pay tribute to his memory and achievements. It was my privilege to count Lyndon Johnson as a friend and for many, many years we worked together toward a mutual goal.

Lyndon Johnson was already a Member of the House of Representatives in June 1944 when I joined this distinguished body. In 1949 he became a Member of the other body where he later became my counterpart for many years in that body as chairman of the Senate Appropriations Subcommittee for the Departments of State, Justice, the Federal Judiciary and related agencies. My skills were sharpened from the experience of facing Lyndon Johnson across the appropriations conference table. Our friendship and cooperative efforts continued as he became majority leader of the other body, Vice President, and then President. I shall always cherish the memories of our long years of friendship and association.

From that sad moment in Dallas, Lyndon B. Johnson was destined to carry on his shoulders the responsibilities of the Presidency of a growing, thriving, troubled Nation. Responsibilities from which he never shirked, even in the face of adversaries who would accept nothing but their ideology. The affection which Lyndon Johnson earned from his countrymen is perhaps unique in that it only became fully acknowledged by his death.

The chroniclers have provided us with the full record of Lyndon Baines Johnson and there is little we can add to the accolades he has received from the Nation and the world. We can only urge all men to work toward continued accomplishments in the tasks he laid before us and at which he exerted his energies. No tribute to the memory of Lyndon Johnson can surpass the knowledge that whatever history says of his leadership—in war and peace—the people whose lives were made fuller and richer will remember his record of legislative achievements in their behalf.

Lyndon Baines Johnson died as he had lived, a symbol of what man can do in the face of adversity. Unflinchingly he fought the certainty of death with the same audacity he confronted the trials of life. Nowhere will it be possible to fully record for historians the total sense of loss felt by us by Lyndon's death. His death cast a shadow on the hearts of people everywhere, even of those who failed to see him as their friend and benefactor.

Mrs. Rooney and I are grateful that we had the pleasure of association with Lyndon Johnson and his lovely wife, Lady Bird, and their daughters, and they have our sympathy and prayers in their loss.

DRUG ABUSE—ANOTHER LOOK

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. LANDGREBE. Mr. Speaker, much has been said in recent years about the increasing problem of drug abuse in this country. Without belaboring the point, I wish to draw the attention of my colleagues to a short essay published recently in the "Speedometer," the bulletin of the Rotary Club of Valparaiso, Ind., which is edited by Kerm Carlson. I insert the article for the RECORD. The article follows:

JUST A THOUGHT

If you're worried about drug abuse, you may be putting the blame on the wrong people.

Take a look at results of a survey by the University of Michigan Research Center. They show the highest rate of drug abuse isn't found on college campuses, but rather among unemployed youth and on military bases.

College students use drugs at a rate about equal to those of the same age in all walks of life, the survey notes. And a great majority of students disapprove of drugs, except marijuana, even on an experimental basis. The attitude on marijuana is more liberal, although about half of the students disapprove of its use.

But take a look at alcohol among all of society! With 9 million alcoholics in America compared to 50 thousand drugs addicts, alcohol remains overwhelmingly the greater threat.

The fact that almost twice as many unemployed persons use drugs compared to students on college campuses should give us a new sense of responsibility in looking over job opportunities. And the same would apply to youths in military camps, either at home or abroad.

And more important, perhaps we should take a new look at what we think is a social nicety such as the before dinner happy hour and the "relaxer" before a business conference at noon.

The 9 million alcoholics illustrate the point.

It may well be that drug addicts are more likely to engage in crime to support the high cost of the habit. However, if Safety Council reports are true that more than half the fatal auto accidents involve drunken drivers, deaths from alcoholism must be greater than the number of deaths from drug abuse.

TRADE WITH RED CHINA: GRASPING AT BAMBOO SHOOTS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. RARICK. Mr. Speaker, many American businesses are currently looking toward Communist China with dollar signs twinkling in their eyes, dreaming of making a buck from the Chinese. But the possibilities of peddling color TV's, high-powered automobiles, electric dishwashers, and most other American consumer goods on the China mainland are remote.

Even if the Chinese population had the spendable income to purchase U.S.-produced goods, Peking is more interested in exploiting American technology and know-how to bring that grossly underdeveloped country into protective competition with the West—not improving the lot of the average Chinese. The primary aim of the Maoists is to advance the ideological goal of world communism.

American industrialists who are looking for an available, cheap work force of 800 million Chinese to work in U.S.-owned plants on the mainland, had better look again. Any likelihood of the Red Chinese allowing the "running dogs of capitalism" to get an industrial foothold on the mainland, especially to make an "imperialistic" profit from Chinese labor, is grasping at bamboo shoots.

Any "give and take" trade with the Chinese Communists will be more "take" than "give" for any time in the foreseeable future. American industry looking toward making a profit for its stockholders by dealing with Chinese, would likely have a more sound investment with the Nationalist Chinese. The $2 billion, two-way trade last year with Taiwan was in fact a profit-motivated "give and take."

The following copyrighted editorial from U.S. News & World Report follows:

Slow Boat to China

(By Howard Flieger)

China and this country are now officially in business with one another.

Their diplomats are here. Ours are there.

A top-level group of American business executives, assured of support by the Nixon Administration, is setting up a national council that will serve as a trading channel between the two nations.

No American in a position of authority openly refers to the People's Republic of China as "Red China" anymore. Peking's Communists no longer call America the "imperialistic, capitalistic enemy of the world."

So this probably is a good time to sift through all these goings-on and put in focus just what it means—and doesn't mean.

Many American businessmen tend to see China as the largest market in the world, a vast land of 800 or so million people with considerable resources, largely undeveloped.

They know that China's factories turn out machine tools, turbines, steel and many other sophisticated products of an industrial society, but in nothing like the quantity or quality China needs. Thus: a voracious market.

True? Take a closer look.

It is a fact that one of the reasons the Chinese are opening their doors is the hope that American technology will help them jump at least one, and possibly two, generations in scientific development and advances.

But, that aside, dreams about a huge, untapped China market are just that—dreams.

The spending power of the Chinese people is low, and their Government has no interest in massive imports of consumer goods. China's foreign exchange reserves are carefully husbanded and its earnings from exports don't amount to much. Total foreign trade in 1972 was only around five billion dollars—roughly balanced between imports and exports. U. S. trade with the rest of the world exceeded 105 billion dollars that same year.

Alfred le S. Jenkins, a career U.S. Foreign Service officer selected as one of the two principal deputies to serve in Peking, says that two-way trade between China and the United States was about 90 million dollars in 1972 and could reach 300 millions this year.

Compare that record with Nationalist China's Taiwan and its island population of 15 million. Two-way trade between Taiwan and the U.S. topped two billion dollars last year.

More than 100 American firms have committed in excess of 360 million dollars in investments on Taiwan. The Chinese Nationalists are eagerly searching for additional capital from America, Japan and elsewhere. There seems to be no fear that the island will come under control of Peking any time soon.

By contrast, there are no American investments in mainland China. In all likelihood, none will be permitted in the foreseeable future. Not only are China's leaders Marxists, but they have long memories of the dominant role outside capital played in their country in the years before the Communists took over.

Beyond the American businessmen, scholars, scientists and newsmen—all of whom have sound reasons for wanting to develop a more open relationship with the Chinese—there are literally thousands of others who have applied for visas. So far they've had little success.

The Chinese simply are not prepared to handle swarms of American visitors. Part of this is due to a lack of accommodations for foreigners and a shortage of good interpreters.

But there also is a wide and deep streak of xenophobia in China. Peking's leaders intend to do things in their own way and in their own good time, free of outside influence.

They want to take from the outside world only what they think is good for China.

So the so-called "Bamboo-Curtain" is now open, at last. But it is not gone.

PRESENTATION OF SPECIAL AWARD TO HON. GEORGE P. MILLER

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. MURPHY of New York. Mr. speaker, I insert in the Record at this point the well deserved remarks of Mr. Harold A Timken on the occasion of the presentation of a special award to the Honorable George P. Miller by the American Oceanic Organization at their Neptune Award Banquet on April 25, 1973.

The remarks follow:

Neptune Award Banquet—The American Oceanic Organization

(By Mr. Harold A. Timken)

It is my very special privilege, on behalf of the American Oceanic Organization, to give well deserved recognition tonight to our good friend and distinguished American: the Honorable George P. Miller. He has indeed served his District, his State, and his Country well. He has been a public official for more than a third of a century, from member of the California State Assembly and then Executive Officer of the California Fish and Game Division, to Member of the U.S. House of Representatives and Chairman of the Committee on Science and Astronautics.

Because of the appropriate and well-earned attention he has received in recent years as one of the world leaders in the field of space, it is sometimes overlooked that Congressman Miller served on the Committee on Merchant Marine and Fisheries, where he was chairman of the Subcommittee on Oceanography. In addition, he has twice served as Chairman of the Board of Visitors of the Coast Guard Academy. He has been and is a leader in the marine sciences.

As a graduate engineer, he has attempted to solve problems from a practical viewpoint, based on facts and supported by his constant spirit of optimism that effort based on facts will lead to success for the general public.

There is at St. Mary's College in California, from which institution he holds several degrees, the George P. Miller Science Fund, a permanently endowed fund to be used for the advancement of the teaching of science. As you all know, he has received numerous citations for meritorious service to the cause of science.

No one who knows George Miller doubts his ability, his dedication to the public welfare, his knowledge and understanding of science, or his vast experience in space and oceanography. Moreover, those fortunate enough to know him intimately are also aware of his integrity and the value of his friendship. One is honored to call him "friend". One can double that honor if both members of the team—George and his most gracious lady Esther—are his friends!

AMERICAN AGRICULTURE

HON. DICK SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. SHOUP. Mr. Speaker, the following is an excellent editorial on the plight of the American farmers and ranchers, the backbone of our Nation's prosperity. It appeared in the April 12 edition of The Western News in Libby, Mont. It certainly merits reprinting in the Congressional Record.

Agriculture: America's Salvation

In their indignation against soaring food prices—particularly beef—American consumer groups have attempted to cast the farmer in the role of villain, an improbable part for the man who originates the chain of food production and distribution. Recent high prices for livestock on the hoof may seem to be at the root of the food price problem, they are only another manifestation of the conditions that have led to the rising cost of putting dinner on the table.

Expressions of public sentiment such as last week's meat boycott are important for their safety valve effect and for their focusing of the spotlight of public attention on a growing problem. Inflation's silent tax is bearing heavily on every family and must not be ignored.

The farmer, however, for the past 20 years has probably contributed less to the inflationary spiral than any other link in the chain of production and distribution, and agriculture is recognized as America's most efficient industry. It will be agriculture, not industrial growth, that will provide the foundation for America's successful competition in the world markets of the future, say the economic experts.

For almost 20 years, the American farmer and rancher has been plagued by falling prices and his portion of the national income has declined. During that same period, almost every other group of workers has enjoyed substantial income increases, usually in the form of annual pay raises, as well as paid vacations, health and medical insurance, retirement plans and other fringe benefits.

Because almost every farmer is actually a small businessman, he has not enjoyed these benefits that the big corporations have provided for their employees.

Rather, the farmer has seen the prices paid for most of his products drop drastically below the peaks they hit in the first decade after World War II. His costs, meanwhile, have skyrocketed along with those of every other American. Machinery, labor and feed must be purchased out of the same pool from which other Americans draw. Rising property taxes hit him as hard as anyone.

The farmer has also felt the impact of his affluent fellow Americans' rush for recreational retreats in the rising cost of land. A significant factor in this increase is the demand for acreage for escape from the pressures of city life.

Most farmers have also labored under strict production controls established by a federal government attempting to protect agriculture from its own overproduction. Without regulation, the farmer would have flooded the market with crops and driven prices so low that he could not survive.

It has only been in the past few years that a combination of market factors has provided the farmer with a price structure that allows a reasonable profit after many years of marginal earnings. Even with farm prices rising, official government studies show that Americans spend a smaller proportion of their budgets for food than do the people of any other industrial nation. The American farmer has done such a good job of feeding us that we have developed a national taste for beefsteak no people ever before enjoyed. If Americans would accept the diets that prove healthful in other industrial nations, our food costs would be even lower in comparison.

The point is that we must not allow our resentment over high food costs to work to the detriment of the American farmer. He has overfed us for years at prices that most of us could afford, and a substantial profit for a year or two occasionally is necessary to insure his financial ability to strengthen his operations and increase his production to meet the challenge presented by a growing and hungry world population.

CONGRESSIONAL APPROVAL FOR EXECUTIVE IMPOUNDMENT OF APPROPRIATED FUNDS

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. WALDIE. Mr. Speaker, I am today introducing a bill to force the executive branch to gain legislative approval for the impoundment of funds appropriated by Congress. I have become increasingly concerned with the contemptuous disregard the executive branch has continued to show for legislative and budgetary policy duly formulated by Congress. As the most direct representative link with citizens of this Nation, the Congress was designated as the only constitutional source of authority for raising and spending public funds. From time to time, Congress itself has granted the executive authority to amend its appropriations to prevent a depletion of the Public Treasury, to effect savings in procurement, and to permit the rechanneling of funds into priority areas during periods of national emergency.

However, the present administration has taken upon itself powers never before exercised by the Executive nor envisioned by the Congress or the Founding Fathers. In effect, the Nixon administration, through the withholding of appropriated funds in a broad range of social programs, has sought to "pad the pockets" of those special interests to which it feels indebted and to deny services to the great majority of Americans.

In so doing, the administration has totally subverted the intent of policies for which funds were appropriated by Congress. This can only be interpreted as a blatant contempt for the will of the people as expressed through bills enacted by their representatives in Congress. Further, the effect of impoundment upon the mere mechanics of congressional authorization is catastrophic—in essence the executive branch may effectively veto individual items of an act of Congress.

Mr. Speaker, my concern stems not only from the constitutional implications of Executive impoundment, but also from the great harm dealt our cities and States due to the failure to expend funds for much needed programs. As a Representative from the State of California, which would greatly benefit from these programs, I understand in very real terms the hardships this policy has inflicted.

In 1970, Congress approved $394 million for the Federal Government's public housing program, and at the close of fiscal year 1971, only $201 million had been expended. During the same year, Congress appropriated $1.2 billion for urban renewal programs, and at the end of fiscal year 1971 $200 million remained unobligated. In 1971 and 1972, Congress appropriated $700 million for water and sewer construction, and at the end of the most recent fiscal year more than $490 million remained unobligated. Again in fiscal year 1972, the President refused to spend over $300 million in mass transit appropriations.

Mr. Speaker, this legacy of Executive subversion of congressional mandates is very disturbing to all those genuinely concerned with our constitutional system of checks and balances. It is time that the Congress reassert its power and tell the Executive that he cannot legislate through the budget.

The bill I am introducing would maintain the integrity of congressionally established programs and policies, by requiring the President to submit to Congress notification of any impoundment he institutes, and by requiring Congress to either approve or disapprove the impoundment within 60 days after official notification. I believe the provisions of this bill leave fully intact the Executive's authority to effect savings and direct the economy toward levels of greater efficiency. Therefore, I submit this bill for the careful and thoughtful consideration of the Members:

H.R. 6284

A bill to require the President to notify the Congress whenever he impounds funds, or authorizes the impounding of funds, and to provide a procedure under which the House of Representatives and the Senate may approve the President's action or require the President to cease such action

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) whenever the President impounds any funds appropriated by law out of the Treasury for a specific purpose or project, or approves the impounding of such funds by an officer or employee of the United States, he shall, within ten days thereafter, transmit to the House of Representatives and the Senate a special message specifying—

(1) the amount of funds impounded,

(2) the specific projects or governmental functions affected thereby, and

(3) the reasons for the impounding of such funds.

(b) Each special message submitted pursuant to subsection (a) shall be transmitted to the House of Representatives and the Senate on the same day, and shall be delivered to the Clerk of the House of Representatives if the House is not in session, and to the Secretary of the Senate if the Senate is not in session. Each such message shall be printed as a document for each House.

SEC. 2. The President shall cease the impounding of funds set forth in each special message within sixty calendar days of continuous session after the message is received by the Congress unless the specific impoundment shall have been ratified by the Congress by passage of a resolution in accordance with the procedure set out in section 4 of this Act.

SEC. 3. For purposes of this Act, the impounding of funds includes—

(1) withholding or delaying the expenditure or obligation of funds (whether by establishing reserves or otherwise), appropriated for projects or activities, and the termination of authorized projects or activities for which appropriations have been made, and

(2) any type of executive action which effectively precludes the obligation or expenditure of the appropriated funds.

SEC. 4. (a) The following subsections of this section are enacted by the Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such they shall be deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of resolutions described by this section; and they shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change the rules (so far relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

(b)(1) For purposes of this section and section 2 the term "resolution" means only a concurrent resolution of the House of Representatives or the Senate, as the case may be, which is introduced in and acted upon by both Houses before the end of the first period of sixty calendar days of continuous session of the Congress after the date on which the President's message is received by that House.

(2) The matter after the resolving clause of each resolution shall read as follows: "That the House of Representatives (Senate) approves the impounding of funds as set forth in the special message of the President dated ——, House (Senate) Document numbered ——."

(3) For purposes of this subsection and section 2, the continuity of a session is broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an adjournment of more than three days to a day certain shall be excluded in the computation of the sixty-day period.

(c)(1) A resolution introduced with respect to a special message shall not be referred to a committee and shall be privileged business for immediate consideration. It shall at any time be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution. Such motion shall be highly privileged and not debatable. An amendment to the motion shall not be in order, and it shall not be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(2) If the motion to proceed to the consideration of a resolution is agreed to, debate on the resolution shall be limited to ten hours, which shall be divided equally between those favoring and those opposing the resolution. An amendment to the resolution shall not be in order. It shall not be in order to move to reconsider the vote by which the resolution is agreed to or disagreed to, and it shall not be in order to move to consider any other resolution introduced with respect to the same special message.

(3) Motions to postpone, made with respect to the consideration of a resolution, and motions to proceed to the consideration of other business, shall be decided without debate.

(4) Appeals from the decisions of the Chair relating to the application of the rules of the House of Representatives or the Senate, as the case may be, to the procedure relating to a resolution shall be decided without debate.

UP FROM RETIREMENT

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. PICKLE. Mr. Speaker, it is common knowledge that a large number of people who have retired from their regular occupations enjoy active and even rigorous pursuits. In a little-known program sponsored by the National Farmers Union and funded by a U.S. Department of Labor grant, retired persons 55 years of age and older are paid to work 3 days a week on public service projects.

The program is called Green Thumb, and has been responsible for building picnic tables, nature trails, ball-park bleachers and dugouts, and numerous other projects.

I commend this fine endeavor, and I would like to share with my colleagues the account published in the February 1973 issue of Bond, a publication of the Lutheran Brotherhood. The article follows:

UP FROM RETIREMENT

(By William Hakala)

MOUNTAIN VIEW, ARK.—Willy Morrison's amphitheatre will seat 800 people without crowding. Its rockhewn tiers rise upward and outward from a center stage that is set against a wooded hillside. Cedar and dogwood trees shade the terraced benches and line the banks of the creek which separates stage from audience, then gently courses out of view beneath an arched stone bridge. The men from Green Thumb built it. Their average age—69.

"Boy, they've got a pride, I'm telling you." Job foreman Willy Morrison likes to boast about his Green Thumb crew and talk about what this project has meant to them. "They're back in society again, back living again," he explains. "They're doing something that will be around after they are gone."

Green Thumb was launched in 1965 by the federal government as a work program to alleviate poverty among the nation's rural elderly poor, many of whom subsist on pittances of $60 a month. The average income per couple is $900 a year. Now, some 3,500 of these retired low-income Americans are finding new hope and a measure of prosperity through Green Thumb. The program operates in 25 states and would undoubtedly expand to others if more funds became available.

Green Thumbers work three 8-hour days per week. At $1.60 an hour they can earn up to $1,600 in a year. This is an annual income level that does not disqualify them from Social Security benefits. Many Green Thumbers receive only the minimum retirement benefit, which at age 65 is $84.50 a month; $67.60 if claimed at 62. Farmers are especially hard pressed in their "golden years" since they did not come under Social Security until the 1950s.

Green Thumb is sponsored by the National Farmers Union, a membership organization of farm families, and operates under a grant by the U.S. Department of Labor as part of its "Operation Mainstream." Currently $9 million is annually budgeted for Green Thumb and two other Mainstream programs. (Green Light, a work program for rural older women, is one of them; On-the-Job Training for young people is the other.)

To qualify for Green Thumb work, a man must be 55 or older, of rural background, in good health, and have a yearly income under $2,500 per couple. Although job applicants must pass a physical examination, there is no top limit on the age requirement. A good many of the men are in their eighties; the oldest Green Thumber is 96.

THE GRIT TO BE USEFUL

Willy Morrison is a foreman of a Green Thumb crew at Mountain View, Ark., and the man who planned the amphitheatre project. The outdoor arena will get a lot of use the third week of April when 60,000 people from around the country come to town for the annual doings of the Hackensack Folklore Society. Hoedowns are held regularly here on Friday nights throughout the year. Morrison, whose formal schooling stopped after the sixth grade, "saw" the amphitheatre in his mind when the hillside was a tangled thicket, and knew instinctively how to shape it into the sculptured landscape that it is. "If you live all your life out in nature, it comes natural," Morrison explains.

Sixty-five years old, Morrison is a medium-sized man, trim and loosely put together. He shades his square, tanned face with a white cowboy hat. An expert rock worker, he also is a gifted musician and once played his fiddle on the Senate floor in Washington as a Green Thumb promotional stunt. Now, looking out over the amphitheatre his men built, Morrison talks about the accomplishment with a kind of country eloquence. "There's an unlimited stockpile of skills stacked in those old boys."

Working in seven-man crews, Green Thumbers clear roadside recreation sites, build picnic tables and toilets, cut nature trails, plant trees, pull debris out of rivers, and construct ball park bleachers and dugouts. It is work requiring building skills, patience and plenty of stamina. These are qualities Green Thumbers seem to have in abundance.

If it can be said of anyone that he thrives on work, it can be said of the Green Thumber. Most of them have spent their lives doing hard physical labor, and it has become a habit. According to one of the program's regional directors, "Rural people have the work ethic built into them so strong they will starve before they take a relief check." Crew foremen are instructed to enforce ten minute rest periods every hour of the work day, especially during hot weather. Usually the crews have to be told to take a breather.

AN INDEPENDENT SPIRIT

"Let me ask you something," one Green Thumber queried, his head reared back and eyes narrowed to a rifle sight squint. "Weren't you rather us old bucks was working out here than on food stamps?" Bee Slape belongs to a crew that works near the town of Jasper in northwestern Arkansas, completing a roadside rest area for motorists. The site his crew has slashed, sawed and chipped from this Ozark mountainside is one of rugged beauty, looking out upon mile after mile of wooded flintrock hills. It might be what cartoonist Al Capp had in mind when he created "Dogpatch." Here, real-life hamlets have names like Booger Hollow, Hog Skald Hollow, and Yellville, the site each year of a national turkey-calling contest.

It is hard, densely thicketed terrain and to develop the roadside areas with hand tools is a test for the sturdiest and most patient of men. Walter Haddock, 72, the sinewy foreman of the Jasper crew, takes special pride in the work his "boys" have accomplished. "Did it all with crosscut saws and axes," he points out. "Wouldn't let us use chain saws because they thought we might hurt ourselves."

Haddock's comment hints at a sore spot among Green Thumbers, and that is the prevailing attitude in our culture toward the abilities of anyone "over the hill." Like old railroad ties, old people have been up-bedded, they feel, and thrown to one side to weather into dust. These men, independent of spirit and proud of their ability to work harder than the average man, don't like it a bit.

The old-timers prove their work wherever they go. "We'll work 'em down," challenged one testy Green Thumber when a group of disadvantaged youngsters was hired by a boy's club organization in Hot Springs to assist the Green Thumb crew on a summer work project. And work them down they did. "Those rascals work," said the boy's club director of his Green Thumb help. "But the kids, you have to stand right there or it didn't get done."

The Green Thumb project in Hot Springs offers a typical example of how the program operates. Green Thumb is funded exclusively to provide labor. Materials needed for any job must come from local sources—private donors, fund raising proceeds or government agencies. In the case of the boys' club project in Hot Springs, lumber for renovating its crumbling headquarters was donated by the Weyerhaeuser organization. Lockers, which the men straightened and painted, were received free from one of the many bath houses for which Hot Springs is famous; bleachers for the gym came from an old Jack Dempsey training center.

Almost any group or organization can get Green Thumb help if crews and materials are available—provided the project is for the public good. State directors of Green Thumb make this determination.

MORE THAN PICKING UP BEER CANS

"A lot of people think that Green Thumb is for cutting weeds and picking up beer cans," observes But Witter, a Green Thumb supervisor who formerly was with the Arkansas Highway Department. Perhaps the image arises in some areas of the country because highway departments were among the first to recognize the value of Green Thumb. The Arkansas State Forest Service was another early sponsor of the program. In the Ouachita National Forest, Green Thumb crews helped make hiking trails. One of them, built especially for use by the blind, is called the "Braille Trail."

On local and county levels, Green Thumb crews have been busy throughout the state. Down in Arkansas City they renovated an old opera house; at Murfreesboro they built a swinging foot bridge; in Polk County they constructed an 8-unit camp facility; at Russelville they created a Little League ball park complete with bleachers and concrete dugouts. In Montgomery County, 56 timber bridges had washed out during spring floods and Green Thumbers replaced them with reinforced concrete bridges. At Blanchard Cave, not far from Mountain View, a Green Thumb crew built a half-mile long rock-walled path leading up to the cave entrance. Down in the delta region of the state, Green Thumbers built a wooden walkway out over a mangrove swamp to a stone survey marker commemorating the Louisiana Purchase.

THE VIGOR OF AGE

An important characteristic of Green Thumb is the quality and quantity of work that is performed. Green Thumbers put something special into their efforts. That "something special" is pride. Workers who had come to believe that life was over for them join a Green Thumb crew and discover in themselves long forgotten abilities, and sometimes unsuspected talents.

One of the most heartening results of Green Thumb is that doctors report that the health of the workers usually improves after working for Green Thumb. The Green Thumbers themselves report they feel better after going to work for Green Thumb.

One man told about being unemployed for five years because of poor blood circulation. But after joining a Green Thumb crew in cutting brush and planting trees along roadsides, his health improved so much he was able to take a job as a year-round worker in a town park. Another man, told by the examining physician that he could take a Green Thumb job only if he agreed to take a stomach medicine the doctor prescribed, soon found that he didn't need the medicine anymore.

The wife of a Green Thumb worker credits the program for changing her husband's attitude toward life. In retirement, he had grown grumpy, quarrelsome and hard to live with. Now there is spring in his step as he walks out the gate three mornings a week to his Green Thumb job, lunch pail in hand. "It's just like old times," she says, almost tearfully.

From all indications, Green Thumb is one of the government's most successful programs. It is providing older people with useful, rewarding work, plus the extra income many of them desperately need. Communities, too, benefit from the program when Green Thumb crews come in to tackle jobs for which there simply is no budget.

If Green Thumb did nothing more than give older people a dash of their former independence and a relief from boredom it would still measure up as a valuable program. Said one Green Thumber, age 87, with a wink of an eye, "Only reason I'm working is to save money for my old age."

NEW JERSEY FARM BUREAU AND A LOOK AT RISING PRICES

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. HUNT. Mr. Speaker, I am enclosing for the RECORD a recent letter I received from Mr. Arthur West, president, New Jersey Farm Bureau. In his letter, and in the attached charts, Mr. West answers some of the questions about rising food prices, and also offers some alternatives toward balancing the budget.

I submit Mr. West's communications for the RECORD:

NEW JERSEY FARM BUREAU,
Trenton, N.J., April 11, 1973

Congressman JOHN E. HUNT,
House Office Bldg.,
Washington, D.C.

DEAR CONGRESSMAN HUNT: We have just gone through a week of witnessing consumer unrest over rising prices. Unfortunately, this effort was directed toward meat prices. The merits of whether meat prices are too high or too low are really not part of the issue involved here. The real issue involved is inflation, and its effect on the average citizen's spending patterns.

It was stated, many times during the meat boycott, that food prices were the cause of inflation. We all know this is totally inaccurate, and that the root cause of inflation is deficit government spending.

The fact that food prices have gone up in recent months is a direct result of this government inflation that we are living under. Costs at all levels continue to climb, therefore, prices for products must also continue to climb.

For the past several years, all of us have had to live with the fact that deficit budgets were probably due to our excessive military commitments, and the tremendous cost of meeting these military commitments. Now that this situation has moderated considerably, it seems that this is the time for the Administrative and Legislative branches of government to take a very hard-line approach with the Federal Budget, and make sure that we have a balanced budget which will put an end to this continued inflation.

President Nixon has recommended a budget for 1974, which is more nearly in line with our total federal income. However, even this budget calls for spending in excess of 13 billion dollars more than federal income for 1974.

We of the New Jersey Farm Bureau, joined with our parent organization, the American Farm Bureau Federation, are calling upon the members of the Congress to cut this Administrative budget an additional 13 billion dollars, which would bring it into a balanced position with our anticipated income.

We realize that in order to do this, many long-existing programs will have to be severely cut or totally eliminated. We are prepared to take our share of the cut in the agricultural budget. Other groups should also take their proportionate share of the cuts.

I am enclosing a two-page copy of recommendations for cuts in the federal budget, which were adopted at our recent AFBF Board meeting in Chicago. This, and this alone, is the only way we can really stop inflation, and the time has come when the situation must be controlled.

I urge you to take a serious look at our proposal and I hope you will agree to join with us in an all-out effort to bring about a balanced budget for 1974.

Kindest regards.

Sincerely,

ARTHUR H. WEST,
President.

TABLE I.—FARM BUREAU'S RECOMMENDATIONS FOR BALANCING THE 1974 FEDERAL BUDGET AND THE ADMINISTRATION'S PROPOSED BUDGET FOR 1974 AS COMPARED TO 1973 ACTUAL EXPENDITURES

[In millions of dollars]

Description	1973 actual expenditures	1974 administration budget	1974 farm bureau recommendations
National defense	76,400	81,000	76,010
International affairs and finance	3,300	3,800	3,650
Space research and technology	3,100	3,100	3,100
Agriculture and rural development (see table II)	6,100	5,600	5,714
Natural resources and environment	[1] 900	3,700	2,657
Commerce and transportation	12,500	11,600	11,482
Community development and housing	4,000	4,900	3,853
Education and manpower	10,500	10,100	8,595
Health	18,000	[2] 21,700	21,595
Income security	75,900	[3] 82,000	79,635
Veterans benefits and services	11,800	11,700	11,700
Interest	22,800	[4] 24,700	24,700
General government	5,600	6,000	5,746
General revenue sharing	6,800	6,000	6,000
Allowances	500	1,750	
Undistributed intragovernmental transactions	−8,400	−9,100	−9,100
Total	[5] 249,800	268,650	255,337

[1] Figure for 1973 is unusually low due to bookkeeping increases in receipts from offshore oil leases which are considered as offsets to spending.

[2] Increase due primarily to 1972 law increasing and expanding medicare and medicaid.

[3] Increase due primarily to 1972 law increasing social security benefits by 20 percent.

[4] Increase uncontrollable as long as annual deficits continue.

[5] Figures in 1973 spending column represent the latest estimates of spending for the year ending June 30, 1973, and are within the $250,000,000,000 ceiling set by the President.

TABLE II.—FARM BUREAU'S RECOMMENDATIONS FOR THE 1974 AGRICULTURAL AND RURAL DEVELOPMENT (USDA) BUDGET AND THE ADMINISTRATION'S PROPOSED BUDGET FOR 1974 AS COMPARED TO 1973 ACTUAL EXPENDITURES

[In millions of dollars]

Description	1973 actual expenditures	1974 administration budget	1974 Farm Bureau recommendations
Department management	41	70	70
Agricultural Research Service	210	205	205
Animal and plant health inspection	316	289	289
Cooperative State Research Service	83	69	[1] 83
Extension Service	192	197	197
National Agriculture Library	4	4	4
Agricultural economics	40	40	40
Marketing services	9	9	9
Foreign Agriculture Service	30	30	30
ASCS (includes REAP)	515	323	[2] 423
Federal crop insurance	14	14	14
CCC	3,420	2,865	2,865
Rural development	723	507	507
FHA	−431	313	313
SCS	356	325	325
Agricultural Marketing Service	39	39	39
Total, Agricultural and Rural Development	6,100	5,600	5,714

[1] Farm Bureau favors restoration of $14,300,000 cut from Cooperative State Research Service for State experiment station research.

[2] Farm Bureau favors revision of REAP program to provide cost sharing for those soil and water conservation practices and structures which actually contribute to the attainment of pollution prevention, enduring conservation, and environmental enhancement, with appropriations not in excess of $100,000,000.

A "NYET" WAY OF LIFE BY DR. JOHN GARWOOD

HON. KEITH G. SEBELIUS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. SEBELIUS. Mr. Speaker, Dr. John Garwood is the dean of the faculty at my alma mater, Fort Hays Kansas State College, Hays, Kans., Dr. Garwood has recently returned from a trip to the Soviet Union and in reflecting upon that trip, he recently wrote an article for the Kansas Teacher magazine viewing Russian life as compared to life in the United States.

I would very much like to share Dr. Garwood's experience and observations with my colleagues as he calls upon his economic background to make some commonsense judgments. This article is not only timely from the standpoint of improved relations between the U.S.S.R. and our Nation, but also from the standpoint of improved trade prospects. I think Dr. Garwood's comparisons relative to agriculture are especially pertinent with the widespread public interest in food costs and the American farmer.

In addition, we are all concerned with the apparent increase in "big government" in America and the well-publicized failings of our bureaucratic system. I feel sure we can gain a better perspective of this problem in light of the problems faced by Dr. Garwood while trying to leave the Soviet Union. I commend this article to the attention of my colleagues:

A "NYET" WAY OF LIFE

(By Dr. John Garwood)

It was a grey 5 a.m. in Moscow. The damp March chill covered the sleeping city with a practiced hand. The loaded bus pulled away from Hotel Metropol and headed for the airport which is five miles past the monument to the defenders of Moscow who in December, 1941, stopped Hitler's 77 divisions on the outskirts of the city. The fuehrer brought several hundred tons of red granite with him for a monument to celebrate the fall of Moscow to his panzer divisions. He left without the granite and the Moscowites faced a number of their downtown buildings with it.

The airport was virtually deserted as we 82 Americans and Canadians filed into the waiting room. We would need to exchange our rubles for dollars before leaving. We stood in a long line, 6:30 a.m., Moscow Airport.

I had exchanged dollars for rubles on three different occasions at the Metropol but made my purchases in the "dollar" stores so I was returning almost all of my rubles.

"Why did you exchange money three times?" she asked sharply as I stood at the window before the exchange clerk.

"I thought I would be needing the rubles but it turned out that I spent dollars not rubles," I replied.

"Sign your three declarations here," she said curtly.

She scanned the signed declarations as I pushed them back to her, looking at each intently, comparing them with my initial signature.

"These are not the same," she said, "your signature is not the same as the one on your declaration. This is just art work." With that she pushed the rubles back to me, motioned for me to move out of line.

You have no recourse to this decision in Moscow when your plane leaves within the hour. It is difficult for an American to understand this treatment. The behavior was no surprise, however, for Dr. Daniel Dorotich, former Yugoslav national and a member of our party.

"It's like this," he said. "Remember that in Russia everyone is checked by someone else. The volume of paper work exceeds your wildest imagination. The clerk's superior will check her transactions. You exchanged dollars for rubles three times and yet turned back most of your rubles. What hanky panky were you up to? Any mistake by her would be challenged by her superior. Possibly your signature did seem a little different from your signature when you exchanged. You signed rapidly both times. The point is simply this, there was an element of doubt in her mind about your exchange. She didn't want her superior to question her so she turned it all back to you. It's just that simple."

This, I believe, in a microcosm, is Russia today. The Soviet's economic system is hamstrung by the tens of millions of daily decisions which are sharply limited and influenced by the close surveillance of every transaction.

The exchange clerk's abrupt, irrevocable decision was motivated by an even greater degree of self-interest than that found in capitalist countries which espouse the virtue of self-interest as a motivating force of economic conduct.

The clerk's transactions are scrutinized by a superior whose career is that of finding mistakes of those under him. He, in turn, has his efforts examined by his superior, and up the line. All are tied to the Gosplan which sets prices for over ten million items in the Russian economy. As a minute part of a ponderous Soviet bureaucracy each "little Stalin" is motivated by self-interest in saying "nyet." Innovators, those with creative ideas, are seldom honored in bureaucratic organizations. They create "waves" for those above them, force them to make decisions, take risks, endanger their role in the hierarchy. Hence, in Russia, the driving dynamic of self-interest limits rather than expands the individual's horizon.

Thus daily, millions of decentralized negatively motivated decisions, in a highly centralized economy, destroy any creativity or vitality which might exist and they are all tied to individual self-interest—fear that a mistake will lead to loss of position.

This is in direct contrast to the dynamic role self-interest plays in a free enterprise economy. Here the innovator is rewarded for "making waves," bringing about change. Self-interest leads to an expansion of activity which may bring with it uncertainty of results. This is just as much the name of the game in a capitalist system as risk, uncertainty are to be avoided at all costs in a communistic society. Thus, self-interest leads to diametrically opposed courses of action in Russia and the U.S. And you see this in every area of Soviet life.

This is not to say that the American clerical worker is enamored with the idea of making decisions which involve risk of mistake. Obviously he is not. The point is that he operates in a Zeitgeist frame of reference where the risk taken is respected, indeed risk is presumably the name of the game in a market economy. His counterpart, in the Soviet Union, however, faces an economic modus operandi where there is only one employer, the State, and where independent decision-making is minimized by a State planning process.

In 1919 Lenin told the Party members that "either we overtake the advanced countries or we perish." Forty years later Nikita Khrushchev boasted that by 1970 the Russian GNP would exceed that of the U.S. They will do this only if the U.S. stumbles badly. Soviet GNP will be about a half trillion dollars short of Khrushchev's goal by the end of 1971.

In 1919 central planning forced industrialization of the Russian agrarian economy. Soviet central planning has the capacity of focusing the entire economy on the top production priority of the Politburo. In October, 1957, a basketball-sized antenna-studded metal ball was orbited into the sky over the Caspian Sea and circled the earth at 25 times the speed of sound. This first Russian Sputnik was watched by millions of pairs of anxious American eyes as it beeped its way into scientific history. Fourteen years and many sophisticated Sputnik models later, Russian Cosmonauts ride the airways in their enormously complicated space ship.

Centralized planning can produce the "science city" of Akademgorodok 15 miles from the Siberian boom town of Novosibirsk, a city of 1,400,000 population, 2,000 miles east of Moscow. Eleven scientific institutes covering areas of hydrodynamics, mathematics, computers, nuclear physics, theoretical and applied mechanics, chemistry and other science areas are located in Akademgorodok. The best scientists of the Soviet Union are found here and they are given extremely preferential treatment. In visiting "science city" one of the Institute directors told me that he was provided with his own villa, chauffeur-driven automobile, yacht, long vacations and an excellent salary.

This is the same economy which has yet to produce colored television, dependable plumbing, a ball point pen, a comfortable bra, clothing that is not of poor material and without style or taste.

The Soviet military Colossus which employs 3,220,000 people, has first call on the Soviet Union's scientists and spends an estimated $70 billion annually in a GNP which is about ⅔ that of the U.S. This $70 billion figure is approximately the level of U.S. expenditures for its military.

The civilian "spin-off" in innovations from U.S. military expenditures is considerable. The Soviet space and military programs are so secretive that almost nothing is published about these projects. Soviet space scientists are shielded from the public eye. Lenin prize winners in space science are not identified. The civilian economy may have to rediscover again what has been utilized in the military years previously. Only a third to a half of new techniques discovered by space scientists ever find their laborious way to the civilian sector.

The supermarket department store in Akademgorodok is the shopping center for the country's best scientists who staff the Institutes. It is viewed by those who live in Akademgorodok as on a level with those of the United States.

But such is not the case. It is difficult to convince centralized planners that there need be variety of any one item. The touted Akademgorodok supermarket which Mrs. Tamara Donskikh, Intourist Guide from Novosibirsk, proudly said was equal to that of U.S. supermarkets, caters to the best scientists of Russia. It would have a short economic life in Topeka. It would be forced out of business in a week by any competitor in the area. Merchandising methods are not too dissimilar from those of the American Army PX's of World War II. There are two noticeable differences, however, the use of abacus instead of a cash register and standing in three lines in the supermarket—one to select the purchase, another to pay for it and the third to pick up the item purchased. This is standard Soviet practice.

It is readily apparent that even the most highly educated Russian scientist is not aware that he is being short changed in consumer goods at the so-called supermarket. A visit to East Germany or one of the countries of Western Europe would be a liberal education for him.

A scientist from the Obninsk Physical Energy Institute, 60 miles southwest of Moscow, had occasion to visit Denmark. He returned amazed at the Western packaging of goods and the great number of automobiles and private homes. The Soviet citizen is most likely to live in a small apartment and private automobiles are almost unknown.

After making his observations known in his community through the local newspaper, the Party's ideological magazine, Kommunist, castigated the Obninosk paper for "giving space to information taken from bourgeois promotion handbooks . . . unfortunately political naivete and a lack of a class approach to the evaluation of capitalist reality also distinguish reports in the same newspaper by several other scientists who decided to share their impressions gained during trips abroad." The Kommunist blamed the senior scientists at the Chemistry Institute for failing to inculcate a class consciousness among the younger scientists.

Twenty-six percent of the Soviet work force is in the field of agriculture contrasted to less than 2% in the U.S. In 1970 the Soviet farmer produced about 20% that of the average American farmer, the factory worker about 50% that of the U.S. factory worker. The best brains coupled with unlimited resources are poured into the high priority projects of space and military. The innovators in these areas are among the elite of Russia. There is no opportunity to appraise the efficiency of the production in these guarded areas. Russian achievements in science, however, speak for themselves.

But it is in the consumer sector of the economy that the Soviets have institutionally doomed themselves to inefficient low-level production. Governmental fiat siphons off the best minds and is given first call upon material resources for space and military projects. Central planning with its inherent inflexibility, its "nyet" to change, its careful record of every transaction, is not an economic instrument for producing a high standard of living. Despite the efforts of the planners with their millions of issued directives, Soviet manufacturing is carried on by clock-watching, goofing off workers, factory managers committed to meeting their quotas, which in turn leads to waste on a vast scale, poor quality goods, supply bottlenecks, overstocked inventories and a degree of industrial chaos never experienced in this country.

Above all, the Soviets, with their central planning, their command type of economy, have created a system where the individual's self-interest dictates that he make decisions which will negate production rather than decisions which will lead to innovations and increased production. The system places a premium on conformity, the status quo. Hence, individual self-interest, as a motivating force, is the primary cause for the low standard of living in the Soviet Union today. The 14,500,000 card carrying members of the Communist party who are leaders in education, industry, and the professions, are committed to a "nyet" way of life and their leadership, powerfully motivated by concepts of self-interest, inhibits any change or creativity which might occur.

The architect of the Russian revolution, Vladimir Ilyich Lenin, has spawned an economic and political monstrosity, which on the one hand can lead to the most advanced frontiers of science and invention, while at the same time it institutionalizes an economic and political way of life which through the driving force of self-interest assures its constituents of a level of living which will be forever one of drabness, monotony and wasted resources. Even the pampered scientist of Akademgorodok who shops in the "supermarket" established especially for him by the planners, is not aware of what the planners have done to him until he sees how people live in the Western world. It is obvious that the Soviets cannot permit, for security reasons, wide-scale travel by their citizens outside of Russia.

Adam Smith, great Scottish economist, author of Wealth of Nations in 1776, and generally given credit for setting forth the principles of capitalism, emphasized self-interest as the dynamic of the capitalistic system. V. I. Lenin, patron saint of the Russian revolution, was also cognizant of the role of self-interest for an economic system. The U.S. and Russia today vividly mirror the two different roles assigned by Smith and Lenin to a very human attribute—self-interest.

NEW INITIATIVES IN NATIONAL WAGE AND PRICE POLICY

HON. ROBIN L. BEARD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. BEARD. Mr. Speaker, on April 30, I voted against further extension of the Economic Stabilization Act. I did so not so much because of my opposition to any of the four provisions added in conference nor was my intent to prevent the President from taking steps to fine tune the economy. My vote against this legislation results from my belief that this country simply cannot continue to fight the effects of inflation with short term artifice.

There is little question in my mind that the basic causes of inflation that existed in August 1971 when the President first implemented wage and price controls are still very much in effect today, if not more so. If this be true, then another round with phase III or whatever phrase you wish to term it is not going to solve our problems. Of course, certain short term relief may be seen. But the question we must all ask ourselves is are we going to continue to accept incomes policies which are introduced because economic imperfections have eroded the ability of normal monetary and fiscal policy to achieve desired levels of growth and stability.

I, for one, am unwilling to accept this as an eventuality and moreover, I believe that ultimately the forces which now applaud the institution of Government controls over private decisionmaking will realize that such a system is not in their own best interest.

The temptation of national income policy is all too alluring. The largest contributor to the ruination of the free functioning competitive economy is government itself. Through the maze of governmental laws, rules and regulations, we have altered the course of normal economic forces to increased and unnatural levels which tend to stimulate growth leading to inflation. In essence, what we have done by our actions is to create and insulate large concentrations of economic power from the influence of economic and monetary policy.

Such protectionist devices arise in many ways. Most emanated from compelling situations and once instituted remained even though the original arguments for special treatment were dissipated.

Today's pressure for further governmental control over the economy to correct other governmentally created imbalances will disappear only when those groups directly benefiting from specific protection weigh the aggregate cost of all the various special arrangements against their own parochial advantages.

I had hoped that when the President first instituted wage and price controls that the time gained during the artificial equilibrium would be used to address the problems of inflation in a comprehensive way by instituting major changes which would result in reduced economic interference with normal flow of a free market economy. This has not been done and I, therefore, cannot continue to support an approach to inflation which can only serve to further remove us from equity in the economic system. This will undoubtedly be the result of a renewed wave of councils and boards and policies which react to those powers which by their sheer weight dominate the halls of government.

At this point, I would like to include for the benefit of my colleagues, a February 1973 American Enterprise Institute reprint of an article by Murray L. Weidenbaum entitled, "New Initiatives in National Wage and Price Policy." Mr. Wiedenbaum is an economist of national stature and I am sure that his remarks will be much more edifying than my own unscholastic discussion of this question; nevertheless, I find strong areas of agreement and I am sure many of my colleagues will agree with his conclusions.

The article follows:

NEW INITIATIVES IN NATIONAL WAGE AND PRICE POLICY

(By Murray L. Weidenbaum [1])

A consideration of the possibilities for government control of wages and prices in the United States beyond the current "Phase II" period brings to the surface deeper problems which have been obscured by the dramatic events of the past year.

We need to recognize that the basic reason that "incomes policies"—both voluntary and compulsory, both here and abroad—have been resorted to is that citizens and policy makers have not been satisfied with the results of the indirect measures such as monetary and fiscal policy. Attempts to reduce the level of unemployment or expanding aggregate demand often lead to intensified cost and price pressures at levels of unemployment which are uncomfortably high. Moreover, attempts to check these rapid cost and price increases often lead to even higher levels of unemployment.

It is my belief that the fundamental cause of this state of affairs is that there are sufficient concentrations of private economic power in the United States so that various factor and product markets in good measure have become insulated from the influences flowing from aggregate monetary and fiscal policy. Cost-push inflationary pressures are the most obvious manifestation of this structural condition. The existence of these private aggregations of economic power is hardly a recent phenomenon. What is new is the awareness of the extent to which such power can be utilized in a modern society.

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[1] Although they may not share the views expressed, the author has benefited from discussions over a period of years with Paul Volcker and John Young. Helpful comments on an earlier draft were made by Edward Greenberg, Edward Kalachek, and Hyman Minsky.

Although Americans rarely think explicitly in those terms, perhaps the motivating force behind the unusual wage and other income pressures on the part of many groups in recent years is their growing dissatisfaction with the distribution of income. We may recall that Keynes viewed workers, both individually and in groups, as being more concerned with relative than with absolute real wages.

The recent rapid shifting in income positions (recall the multitude of anecdotes in the media and physicians' fees and plumbers' bills) has exacerbated the usual dissatisfactions. Traditional income inequalities, endorsed by custom, may have been more readily accepted as part of the normal state of affairs than recent well-publicized shifts. Hence, when many organized groups in the society now see that by concerted action they can increase or at least restore their income shares, and when such motivations are bolstered by feelings of inequity, the results of the last several years may not be surprising.

The concern with income distribution can be a powerful mechanism for motivating greater use of potential influence over wage and price decisions. After all, why should a blue collar worker really worry about his wage increases exceeding the growth of productivity (or his productivity increasing at all) when he believes that management is being overpaid, that white collar workers "loaf," and that stockholders are obtaining too large a share of the proceeds both as current income and capital gains?

Even more damaging to stabilization efforts has been the creation of conditions under which it is possible for prices to rise in the face of inadequate demand in money terms. After all, why should the high seniority members of a union moderate their wage demands merely because those demands are likely to result in job losses on the part of the newer members and those with temporary work permits?

The phenomenon is hardly limited to labor or even to the private sector. Why should powerful citizen groups be concerned that their demands for special public benefits and subsidies exceed the current fiscal ability of the government, when they believe that other income recipients are not paying their "fair" share of taxes? Thus, visions of "fiscal dividends" have evaporated as new expenditure initiatives outpace even the most optimistic estimates of the prospective growth of revenues.

These institutional arrangements are hardly likely to self-destruct. Rather, their existence aggravates social pressures and constitutes a type of "demonstration" effect on other parts of the economy.

These are the kinds of factors which have led to experiments in income policies in most industrialized, market-oriented countries. That is, the realization has grown that restraints, voluntary or compulsory, are needed on the exercise of power over wages, prices, and productivity by large and organized segments of the society. The inflationary problem that these incomes policies have been designed to deal with is the result of either anticipations of greater inflation or the familiar cost-push phenomenon, rather than the excess demand type of situation.

In contrast, the standard economic analyses generally are constructed on models of the economy which do not fully take account of these institutional realities. However, it may not be necessary—and it may be undesirable—to discard the more traditional approach. The free market model may still serve as the most appropriate standard to guide economic policy; moreover, the free market provides powerful restraints on the excess of arbitrary economic power. Hence, actions need to be considered to move the reality closer to the ideal.[2] Certainly, to ignore the cleavage between the two is to reduce economic analysis to a modern parlor game.

Although it is hardly novel for an economist to enter a plea in behalf of enhancing the role of competition in product and labor markets, we need to recognize that incomes policies have been introduced because market imperfections have substantially weakened the ability of monetary and fiscal policy to achieve desired levels of economic growth and price stability. Because of the great difficulties involved, a two-pronged attack on the problem is required, covering both short-term needs and longer-term possibilities.

SHORT-TERM CONSIDERATIONS

In the short run, we probably need to accept the continued departures from the free market model and to use direct government intervention as a counterbalancing force. Given the general distaste for direct controls and the difficulty of maintaining public support for an extended period, it is difficult to see the present formal wage and price control system (Phase II) surviving much beyond the end of 1972. Actually, many observers have been surprised by the extent to which the public has accepted direct controls and the ability of the apparatus to withstand the opposition of key elements of organized labor.

Since 1973 will be a year when the number of pace-setting contracts to be negotiated and the number of workers covered will be much larger than in 1972, it would appear unlikely that the Administration voluntarily would dismantle the entire control system within the next several months. In its later stages it may well follow the Galbraithian approach of limiting controls to the larger labor and business aggregations, which seem to be especially subject to governmental influence and public pressure. Indeed, even the earliest stages of Phase II focused on the larger companies and labor unions.

When direct controls on wages and prices are terminated, the Federal Government will need to take the initiative in arriving at some type of national consensus (call it guideposts or objectives or some other acceptable name) in order to set the framework in which collective bargaining and other large-scale decisionmaking occur on wages, prices, and productivity. As James Tobin pointed out in his presidential address to the American Economic Association, there is an arbitrary, imitative component in wage settlements which may be influenced by national standards.[3] Hicks earlier stated that wages can be influenced by noneconomic forces such as custom, or by what the parties to the wage bargain consider to be just or right.[4]

There is no unique institutional structure for achieving a national consensus on these economic issues. Any particular structure is likely to show weaknesses as it contends with great pressures. Perhaps as one structure "wears out," another could be developed. There may be a parallel here with efforts to close tax "loopholes." As individuals and groups learn how to beat the system (and there is great financial incentive to do so), the structure needs to be modified. A key element, of course, is the general acceptability of the guidelines that emerge from whatever institutional arrangement is utilized.

Hence, engendering a sense of equity may be far more important than the choice of specific numerical targets to be used. Conceivably, at one time an in-house governmental body—perhaps advised by a broad representation of citizen interests—could promulgate such targets, and on another occasion the responsibility could be delegated to a blue ribbon citizens group. The degree of voluntarism in practice may be less than the experience of the 1960's; the Nation recently witnessed the willingness of at least one administration to move to compulsion in relative peacetime.

We also need to avoid expecting too much from incomes policies. The fact that they tend to break down in time, or when the economy approaches full employment, does not necessarily indicate that they were not useful, but rather that the life of such policies is limited. If they moderated price pressures at all during the earlier period of cost-push inflation and thus permitted some greater expansion of aggregate demand that would have been feasible in their absence, then they should be viewed as successful. Some opponents of incomes policies tend to sound as if zero inflation for all time were the only acceptable measure of success—a strange standard in this imperfect world.

John Maynard Keynes provided as good a guide as any to the type of eclectical approach that is necessary, at least in the short run and perhaps in the longer run as well. The following passage is taken from the concluding section of his last published article.

"No one can be certain of anything in this age of flux and change. Decaying standards of life at a time when our command over the production of material satisfactions is the greatest ever, and a diminishing scope for individual decision and choice at a time when more than before we should be able to afford these satisfactions, are sufficient to indicate an underlying contradiction in every department of our economy. No plan will work for certain in such an epoch. But if they palpably fail, then, of course, we and everyone else will try something different."[5]

THE LONGER-RUN

In the longer-run, we need to face the issue of those concentrations of private economic power which have become insulated from the influences of aggregate monetary and fiscal policy. Much of the departure from a freely functioning competitive economy—in which monetary and fiscal measures would work more effectively than they have—results from government itself. Frequently, government statutes and regulations have given rise to the problem that faces us.

We need to examine afresh all of the governmental legislation, rules, and regulations which interfere with competition, unduly raise prices, or otherwise give the economy an inflationary bias.

The supply of factors and products has been restricted by production and import quotas, excess government stockpiles of minerals and metals, and union barriers to employment. Upward pressures on cost and prices have resulted from the operation of tariffs, mineral and agricultural price supports, union resistance to productivity increases, "prevailing" wage determinations, restrictions on shipping, and of course the labor legislation under which the nationwide determination of wages through collective bargaining has developed.

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[2] Some time ago my colleague Hyman Minsky recommended that "appropriate policy should be directed toward changing the nature of the demand curves that confront sellers [who are exploiting negatively sloped demand curves] rather than to constraining aggregate demand." *Employment, Growth, and Price Levels*, Hearings before the Joint Economic Committee, Part 7, Washington: U.S Government Printing Office, 1959, p. 2207.

[3] James Tobin, "Inflation and Unemployment," *American Economic Review*, LXII, No. 1 (March 1972), p. 17.

[4] J. R. Hicks, "Economic Foundations of Wage Policy," *Economic Journal*, LXV, No. 259 (Sept. 1955), p. 390.

[5] J. M. Keynes, "The Balance of Payments in the United States," *Economic Journal*, XVI, No. 222 (June 1946), p. 186.

Moreover, the government—through subsidies imbedded in procurements, sales, tax, expenditure, and credit programs—has sheltered numerous groups from market forces, thus making more difficult and expensive the access to certain products and markets of the remainder of the population.

The obstacles to change should not be underestimated. That the cost to the Nation of each of these special provisions may exceed the benefits to the Nation may not be the politically relevant criterion: the benefits to some particular group are likely to far outweigh the costs to them, and thus a powerful "clientele" exists to oppose the reduction of each special benefit.

An effort to reduce these impediments to a free market is more likely to succeed if it is evenhanded. It may be relatively easy, of course to obtain business support for eliminating legislation favorable to labor unions or to obtain labor's backing for an effort to curtail subsidies to business; .both business and labor might readily unite behind a proposal to reduce price support payments to farmers. Yet, such attempts are so obviously self-serving as to be ineffective. Hence, the effort to identify these special protective devices must be broad and comprehensive, covering union powers, business and farm subsidies, as well as restrictive practices in the services including medical and other professions. Such an undertaking would require considerable support, perhaps from a congressional committee or a blue ribbon private commission.

Perhaps a unifying approach could be centered around the desire to remove the lingering effects of "the dead hand of the past." So many of the specific protections were instituted to deal with the depression conditions of the 1930's or earlier periods— a situation which hardly corresponds to the current reality. Certainly, a rereading of the original arguments for many of these special benefits brings to light such anachronisms as concern with the lack of electrification on American farms, the fear of low wages on construction projects, and the use of a 2 per cent interest rate which then corresponded to the Treasury's cost of debt service.

Reducing or eliminating these interferences with the effective functioning of factor and product markets undoubtedly will require fundamental changes in government expenditure programs, tax benefits, the use of public credit, and many of the various regulatory and promotional activities of federal, state, and local governments. This would clearly entail a most ambitious and extended effort and one likely to set in motion very strong political and social counter pressures. Certainly, the resistance to eliminating these protectionist devices is greatest in periods of high unemployment. Hence, as the economy approaches the return to approximate full employment, the timing for such changes may be most propitious.

Perhaps the crucial point that needs to be made is that when the costs of all of these various special arrangements are aggregated they outweigh the benefits, even to many of the groups directly involved. That is, with so many segments of the population attempting to insulate themselves from competition, most of the efforts may be self-defeating. The "dead weight" of these interferences with economic progress and productivity may reduce the absolute size of the slices of the "economic pie" available to most of the participants.

Of course, the structural or institutional changes envisoned here must be seen as supplements, and not alternatives, to proper monetary and fiscal policy stabilization efforts. Furthermore, such changes would not obviate the need for efforts to train and upgrade segments of the labor force lacking the requisite skills, experience, and work orientation. Nevertheless, these latter measures are not likely to suffice or even to work well under present conditions.

THE OUTLOOK

Unless the underlying structural problems are dealt with, I would anticipate later in the decade one or more bursts of inflationary pressures and subsequently additional experiments in "incomes" policy. We need to recall that the immediate forcing factor for the Administration's August 15, 1971 decisions was international rather than domestic. That is, our national distaste for such obvious departures from a market economy as wage and price controls was overcome, at least for a time, by the persistent strength of foreign economic pressures. In turn, these international pressures reflected the basic problems of the American economy whose solution we had been avoiding.

Hence, I suspect that over the coming decade the Nation may be increasingly resorting to greater direct controls over wage and price decisions in imperfect factor and product markets, unless it takes strong actions to reduce these market imperfections. Although generalizations are frequently treacherous, the choice may well be between fostering a greater degree of competition in private markets or relying more heavily on government controls over private decision-making.

"NO" TO RESURRECTED STALINISM IN THE UKRAINE

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. HELSTOSKI. Mr. Speaker, in the past few months we, in the Congress, have been sensitive to the effect of the Soviet Union's emigration policy on a Jewish minority that is seeking freedom to emigrate, primarily to Israel. Congress continues to campaign against extension of favorable conditions for Soviet-American trade without redress, and we have noted some reaction recently in the Soviet Union to our expressions of concern. I refer specifically to a report from Moscow that the education tax would be suspended. I applaud this step by the Soviet Union and hope that it is a sign that the Kremlin leadership is indeed going to relent on its policy concerning emigration. Now, however, rather than further discuss this issue, I wish to focus attention on another no less important concern, the fate of the Ukrainians in the Soviet Union who find themselves harassed and imprisoned because of their courageous demands for justice.

At about the same time reports were coming from Moscow that the Soviets had relaxed education fees, it was learned that a Ukrainian television journalist, Vyacheslav Chornovil, was sentenced to 12 years in prison and exile. It is hard to say exactly what evidence was brought forth to convict this Ukrainian, for the trial was closed, contrary to Soviet law. Indeed, news of the trial, which took place in February, was smuggled out of the Soviet Union.

Mr. Chornovil was arrested in January 1972, with dozens of other dissenters and spokesmen of the Ukrainian cause, and charged with "anti-Soviet agitation and propaganda." To give an idea of the kind of laws used against those who dare question the state of conditions in the Soviet Union, I quote from article 62 of the Criminal Code of the Ukrainian SSR, which states:

> ANTI-SOVIET AGITATION AND PROPAGANDA
>
> 1. Agitation or propaganda conducted for the purpose of undermining or weakening the Soviet rule or the commitment of individual crimes which are of particular danger to the state; the dissemination, for the same purpose of slanderous fabrications which discredit the Soviet state and social system; as well as the circulation, production, or keeping for the same purpose, of literature of similar contents—are punishable by imprisonment . . .

What then did Mr. Chornovil do to be punished under this statute? He first received widespread attention when he wrote a book about Ukrainians imprisoned by a wave of political trials in 1965 and 1966, and paid for this "crime" with a year and a half in a labor camp. This latest conviction stemmed from an alleged association of Mr. Chornovil's with a Belgian tourist of Ukrainian descent, whose "confession," implicated Chornovil and several others in alleged anti-Soviet activities. Actually, this latest sentence results from a renewed campaign by the Russian secret police to suppress dissension in the Soviet Union. It is an obvious example of an attempt to frighten into silence the internal ranks of current and potential dissenters critical of the Soviet regime.

What then, is the basis of this criticism? First, let there be no mistake, and least of all, no return to cold-war rhetoric. Mr. Chornovil is not a revolutionary who advocates a return to a capitalist society. He is, rather, a dedicated socialist who cannot tolerate the overbearing controls of a paranoic state bureaucracy—controls that not only temper the acts of the state's citizens, but even seek to oppress their free and independent thought. Moreover, Mr. Chornovil is a nationalist, interested in the Ukraine's right to self-government, which calls for an end, as he sees it, to the Ukraine's status as an emasculated colony of Great Russian imperialism. This latter criticism touches a sensitive spot in internal theory and policy discussion in the Soviet Union concerning its multinational nature, and is a key to understanding one facet of Ukrainian dissension.

As is the case with most multinational states, there are tensions and disputes when a dominant ethnic group attempts to control and protect its position in the state. Regardless of Communist claims on the occasion of the 50th anniversary of the Union of Socialist Republics, it is clear that ethnic and national differences do not disappear after 50 years of socialism. This is especially striking when one recalls that the federated union was the early Russian revolutionary leaders' "solution" to what is called the nationalities problem. Indeed, ethnic consciousness may become a source of greater conflict as national groups fear Russification measures, and new generations question the unsatisfactory solutions to social problems tried by the successors of revolutionaries turned bureaucrats.

This has probably been more true in the Ukraine than anywhere else in the Soviet Union. Since the Ukraine has been more exposed to Western European influence in the past, and because the Ukraine is the second largest ethnic nation in the Soviet Union, the Kremlin leadership has always been particularly conscious and wary of nationalism there. Stalinist policy in dealing with it resulted in a great deal of suffering and loss for the Ukrainians, a horrible toll too easily recalled.

The Ukrainians themselves know what terrible costs repression exacts, but they still are not afraid to continue their protests and sacrifice what freedom they have in order to be heard. Now they are faced by a return to use of Stalinist methods against their real and reasoned dissent. Without pointing to any specific solution to the Soviet Union's nationality problem, nor corroborating claims of burdensome Great Russian dominance, we must raise our own voices in defense of those in the Ukraine who dare speak out. We cannot tolerate a turn of events in the Ukraine and elsewhere that reminds us of Stalinist solutions. Prison and labor camps, absurd trials and sentences, will not eradicate the national unity and feeling the Ukrainians express now. The current Soviet leaders lived through the Stalinist era, have even officially condemned it, but still we must remind them of the grave injustices that were done in the name of protecting the state. We cannot stand by silent and let a new terror be unleashed when the situation calls for adjustment and realistic meeting of issues involving fundamental questions of personal liberty and national identity. We must ask that the Soviet Union live up to its constitutional principles and the Universal Declaration of Human Rights that it subscribes to, and end the repression that is a wound to all men.

MR. JACK SULLIGAN, CHAIRMAN OF THE MAHONING COUNTY DEMOCRATIC PARTY, IS HONORED

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. CARNEY of Ohio. Mr. Speaker, on Sunday, April 15, 1973, I had the pleasure of attending the silver anniversary dinner honoring Mr. Jack Sulligan for 25 years of faithful service as chairman of the Mahoning County Democratic Party. The dinner was held at the Sheraton Inn in Youngstown, Ohio.

Under Mr. Sulligan's able leadership, the Democratic Party of Mahoning County has become one of the most effective and successful party organizations in the State of Ohio.

I had the privilege of introducing our distinguished majority leader, the Honorable Thomas P. O'Neill of Massachusetts, who was guest speaker for the occasion. Congressman O'Neill made an excellent speech about the President's impoundment of funds appropriated by Congress and the misplaced priorities of the Nixon administration. Majority Leader O'Neill also presented Mr. Sulligan with a pair of congressional cuff links on behalf of the Democratic Members of Congress.

Among the 400 persons attending the dinner were three Democratic State officials—Attorney General William J. Brown, who spoke for Gov. John J. Gilligan; State Treasurer Gertrude Donahey, and Transportation Director J. Phillip Richley. Also present were: former Youngstown Mayor Anthony B. Flask, State Senator Harry V. Meshel, former Astronaut John H. Glenn, Cleveland businessman Howard M. Metzenbaum, Dr. William Timmins, who presented Mr. Sulligan with a plaque from the County Democratic Chairmen of Ohio organization, and many other city and county Democratic officeholders, as well as labor and business leaders.

During his remarks, Chairman Sulligan praised the American two-party system, and expressed confidence in its strength and resilience. He also paid tribute to the work of the Mahoning County Democratic Club, the cooperation of women's Democratic organizations, and the assistance provided by organized labor.

In addition to the dinner at the Sheraton Inn, another 500 people gathered at Mr. B's for a social program. Mr. Sulligan was presented with a new Oldsmobile in appreciation of his long and dedicated service to the Democratic Party.

The people responsible for making the dinner a great success were: Cochairmen John Cerni, Joseph Garea, and George Vukovich, and dinner committee members Judge Lloyd R. Haynes, Agnes Little, Lou Marciella, Senator Harry Meshel, Stephen R. Olenick, and Mike Pope.

Mr. Speaker, I am proud to call Chairman Jack Sulligan my friend.

WELCOMING JOHN CONNALLY TO THE REPUBLICAN PARTY

HON. JACK EDWARDS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. EDWARDS of Alabama. Mr. Speaker, I rise to welcome John Bowden Connally, Jr., to the Republican Party. While John Connally has been a Democrat for many years he has shared the conservative Republican philosophy throughout his career in public service.

And it has been a distinguished career. He has served as Governor of Texas, Secretary of the Navy, and as Secretary of the Treasury, just to mention a few.

A lot could be said about John Connally and about his accomplishments in service to the Nation. But one of the best summaries is found in a citation he received while serving as a naval officer during World War II. The citation referred to "his professional skill, brilliant tactics, and cool courage in the face of grave peril."

These words could describe just as accurately Mr. Connally's powerful leadership during the troubled international trade and monetary crises and tough bargaining sessions which he encountered as Secretary of the Treasury. He guided our Nation through these fast-moving events expertly, and emerged with the respect of domestic and foreign financial leaders alike.

John Connally is persuasive, articulate, attractive, and capable. I welcome him to the Republican Party, and I am confident that he will be a great asset to it.

TESTIMONY OF GOV. MILTON J. SHAPP

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. EILBERG. Mr. Speaker, the Senate Subcommittee on Alcoholism and Narcotics recently held public hearings in my city, Philadelphia.

The purpose of the hearings is to find out what the States and cities are doing about these problems and what local officials feel the Federal Government should be doing to help them.

At this time I enter into the Record the excellent presentation by Gov. Milton Shapp, of Pennsylvania.

The presentation follows:

TESTIMONY OF GOV. MILTON J. SHAPP

Mr. Chairman, and members of the Subcommittee on Alcoholism and Narcotics:

One year ago, I signed into law two pieces of legislation which have placed Pennsylvania in the forefront of national efforts to control drug and alcohol abuse.

I refer to these two problems as the twin evils of modern society because the illegal traffic in drugs is directly connected to the high incidence of street crime while the problem of alcoholism is directly responsible for the highest incidence of deaths on our highways.

Because our program for drug and alcohol control has been shaped so comprehensively and successfully, with federal cooperation, it can provide you with an excellent model as you consider the further development of federal legislation.

The first measure I signed concerned enforcement.

We, in Pennsylvania, now have one of the toughest laws in the nation to deal with the pushers of dangerous drugs.

Under this measure a seller of dangerous drugs, or someone who has dangerous drugs in his possession with the intention of selling them, can get fifteen years in prison.

That person can also be fined a quarter of a million dollars. Or, he can get both fifteen years and a quarter of a million dollar fine.

However, that is not all.

The law specifically states that the fine need not be limited to a quarter of a million dollars. The fine can go as high as necessary to exhaust the assets utilized in and the profits obtained from such illegal activity.

In other words, if it is deemed necessary, a drug operator who is running a million-dollar racket can get a million-dollar fine.

And if that drug pusher is convicted of a second or subsequent offense, he can get double the sentence, or thirty years, and double the fine or $2 million.

Armed with this new state law, we have joined federal and local officials in regional narcotics strike forces. Two months ago, our Bureau of Drug Control and the State Police coordinated the largest raid in history on drug distributors in the Lehigh Valley Region which resulted in the arrest of more than 80 major distributors.

Similar raids, especially on the wholesalers of dangerous drugs, have been conducted in Southeastern, Southwestern and Central Pennsylvania.

In fact, our initial raids during 1971, prior even to the passage of our new law, have resulted in a 90% conviction rate.

A lot has been done.

But a lot more remains to be done.

We are accelerating our enforcement efforts. We are upgrading the personnel and equipment levels of the Bureau of Drug Control. And, we are giving the State Police the tools they need to do the job.

But you know, as well as I, that tough enforcement alone will not put an end to the drug traffic in our nation.

We must also place emphasis on treatment and preventive education.

And that is why a working partnership between the states and the federal government is vitally important.

In that regard, the second measure I signed a year ago establishes a single state agency, as required to qualify for federal funding to coordinate programs in the field of drug and alcohol control.

In Pennsylvania, the agency is the Governor's Council on Drug and Alcohol Abuse.

Since the Council's inception, we have recruited some of the best professionals in the nation led by the Executive Director, Dr. Richard Horman, who is with me, today, and who would like to submit some additional remarks following my testimony.

Last month, I proposed to the Legislature a sweeping reorganization of our efforts in the drug and alcohol field by placing all the fragmented agencies and bureaus dealing with drug and alcohol treatment programs under the jurisdiction of the Council.

This year, more than $40 million in state and federal funds will be invested in Pennsylvania's drug and alcohol programs. Of this amount, $18 million is state money.

As members of the federal Congress, I know you are interested in the amount of effort made by the states and local communities themselves to supplement federal funds.

This year's state allotment of $18 million is more than double last year's appropriation and a far cry from the period prior to this administration when no funds were appropriated specifically for drug and alcohol programs.

The Governor's Council has responded quickly to federal grant possibilities. We have gotten our management and information systems in operation in record time.

Indicative of our state-federal efforts is the contract which I hope to sign in the near future with the federal government for $1.5 million to take 500 hard-core drug addicts off the streets in 60 days and place them in treatment programs.

Our relationship with the local level has also been productive.

I recently authorized state grants of $10,000 each to 41 County Councils established under guidelines set by the Governor's Council. These funds have been delivered and are earmarked for the planning and development of grass roots drug and alcohol control programs.

We have also issued regulations requiring all of Pennsylvania's counties, including Philadelphia, to establish Coordinating Offices and to create their own local commissions on drug and alcohol control.

I understand that, in line with our directive, the City of Philadelphia has recently established such an office and a commission of 11 members, and I am happy to see their response to our direction in this area.

We have also been active in supporting the private sector.

In May, for example, I will sign a contract with Gaudenzia House, a comprehensive private agency whose prime innovator was my Secretary of Community Affairs, William Wilcox, when he was Executive Director of the Greater Philadelphia Movement. This contract will increase Gaudenzia's patient load by 100%.

As you well know, the emphasis recently in the narcotics field has been upon the drug traffic.

The drug traffic is, without a doubt, one of the great social evils of our times.

But, although there are nearly 50,000 hard-core drug addicts in Pennsylvania, there are nearly a million alcoholics.

We cannot discuss the narcotics problem without considering the enormous social problem presented by alcoholism.

In fact, some recent evidence indicates a possible rise in alcohol use, especially among our young people, with a possible corresponding decline in drug usage.

None of these trends is certain.

But it is a fact that the individual and social problems and economic effects of alcoholism are staggering.

That is why I have asked to testify before you today, particularly on the problem of alcoholism.

The federal act establishing the National Institute on Alcohol Abuse and Alcoholism expires in June.

I urge you today to renew that act and to maintain the independent existence of the National Institute on Alcoholism.

I also urge you to do everything possible to have the federal budget increased for both drug and alcohol control.

As you know, these programs are operating on continuing resolution until the end of this fiscal year because of the President's veto of the Health, Education and Welfare appropriation.

I understand the need to hold the line on federal spending, in order to curb inflation and spare the taxpayers a bigger bill.

But I do believe that we can take the money we have and put it to better use.

Drug and Alcohol Control are two areas which should be at the top of the nation's priorities.

This is especially true since the original federal acts contained formulas for built-in increases which caused many states and local communities to plan programs with the expectation of additional federal money.

Placing them on the same spending levels of prior years—which is happening right now—only damages the programs and, even worse, destroys the hopes of many people who were counting on those programs for vitally needed treatment.

Consider, for a moment, what we have been able to do with federal support working directly with the National Institute on Alcohol Abuse and Alcoholism.

We have received $1.5 million in federal block grants with which we are doing the following:

Establishing halfway houses for alcoholics in Central Pennsylvania;

Instituting special care units in hospitals—these units incidentally are a completely new innovation, and we expect to have five of them operating during the current year;

Setting up an Addiction Prevention Institute in four locations around the state, under the sponsorship of Pennsylvania State University, which will serve as training centers for teachers in alcohol prevention programs;

Establishing a quarter of a million dollar program to train alcoholism counselors;

Instituting a toll free "800" telephone number to be tested in Central Pennsylvania, starting May 1st, so that any citizen with an alcohol or drug problem can contact someone, person to person, on the state level;

Earmarking another $300,000 to run four regional Alcoholic Treatment Centers in Allegheny County.

Pennsylvania's program provides you with an excellent example of why we need this Act to be continued and why we need more funds: the five special hospital units I spoke about a moment ago should be 15. Our initial planning was for 15, but the President is not permitting the National Institute on Alcohol Abuse and Alcoholism to fund a single new alcoholism program.

If he had not vetoed the HEW appropriation bill last year, thereby forcing this program onto continuing resolution, we could have had $4 million for these efforts this year instead of $1.5 million.

In short, we could, by this time, be on the verge of a much broader attack in the problem of alcoholism.

As it is, we are still moving with all possible speed.

But we need your support, in Congress, for more funds and the maintenance of an independent National Institute.

At this point, I would like to say one last word about the problem of alcohol control.

Drunken driving and other misconduct under the influence of alcohol must be rigidly policed by our law enforcement officials.

But public drunkenness in itself—without additional social implications—should be taken out of the criminal codes of Pennsylvania and other states.

I say this because the evidence indicates to me that 35% of all the arrests in Allegheny County last year, for example, were for simple, public intoxication.

The figure is probably even higher in Philadelphia and in other sections of the state.

It is time to get these matters out of the criminal code so that our police can concentrate on the truly major problems of burglary, robbery, rape, murder, drug pushing and other serious crimes.

Thank you for having me here today.

You are welcome to examine Pennsylvania's new programs in drug and alcohol abuse from top to bottom. We are moving with great speed and professional expertise.

But we need your help more than ever if we are to do the job which the people demand and have a right to expect.

AIR FORCE STAR BILL

HON. JACK BRINKLEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. BRINKLEY. Mr. Speaker, the Air Force Biomedical Sciences Corps and the Medical Services Corps—both, highly skilled groups of professionals—provide the Air Force with professional practice, consultation, teaching and research in distinct and complex specialties of the whole realm of health care. H.R. 6884, which I have already introduced, would recognize the high degree of training and ability in both corps by assuring that the chief of each would be advanced to the rank of brigadier general.

There now exists a legal provision for the flag rank for both corps chiefs; the General Officer Audit Board has recommended such promotions. However, these recommendations have not as yet been acted upon.

This flag rank is necesary to insure equity within the Air Force itself, as well as among the various branches of the Armed Forces. The Air Force Chief of

Nurses is now a brigadier general. The Army counterpart to the Chief of the Air Force Biomedical Sciences Corps and Medical Services Corps is likewise a brigadier general. Similarly, lawyers, chaplains, engineers—line—in the Air Force may be advanced to general officer grade. Parity must be achieved for the Chief of the Biomedical Sciences Corps and the Chief of the Medical Services Corps, as well.

This promotion to flag rank level would enhance the recruitment of much valued professionals. All the services will feel some repercussions from the demise of the so-called physician's draft. Incentive must be built up among highly-trained and skilled health professionals so that the Air Force will be able to maintain the highest level of comprehensive health care for its members.

CALLUP OF THE COAST GUARD RESERVISTS

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. MURPHY of New York. Mr. Speaker, I would like to comment on the excellent job being done by the Coast Guard reservists in assisting emergency operations in the flooded areas of the Mississippi River. This is the first callup of the Coast Guard reservists under a new law passed last October allowing the Coast Guard Reserves to assist in times of natural disasters or emergencies. The Reserve officers and men are working along with the Regular Coast Guardsmen and special safety detachments assigned to the flood area. These men are to be commended for the fine job they have done to help prevent further flooding and in aiding those who were victims of the worst flood the Mississippi Valley has ever experienced. These reservists are a fine example of what can always be expected of the Coast Guard.

I would like to insert this statement by Secretary Brinegar on the emergency callup of the Coast Guard reservists which was released on April 26, 1973.

Secretary Brinegar Supports Emergency Call-Up of Coast Guard Reservists for Flood Relief Work

"I have today requested and received authorization from President Nixon for the immediate call to duty of a force of Coast Guard Reservists to assist in emergency operations in flooded areas along the Mississippi and its tributaries.

"This action has been taken under a law approved last October which permits the call to duty of Coast Guard Reservists to assist in operations made necessary by natural disaster or emergencies such as that created by the present floods. A request for the action was transmitted to me by Admiral Chester R. Bender, Commandant of the Coast Guard, after it became apparent that Regular Coast Guard personnel working in the flood area were being overtaxed. Under the President's authorization for activation of the Reserve forces, three units will be called to duty immediately. This is the first time in the history of the Coast Guard that such peacetime action has been taken."

This first time invoking of peacetime call-up resulted from heavy flooding throughout the Mississippi River basin. As early as 13 March, in response to a call for assitance from authorities in Elsberry, Missouri, Regular Coast Guardsmen from Base St. Louis and other Coast Guard facilities were relieved of their normal duties to assist in flood relief operations on a round-the-clock basis. By 3 April, after an extensive reconnaissance flight over the flooded areas, Rear Admiral Owen W. Sisler, Commander, Second Coast Guard District, determined that additional support was needed and requested authority from the Commandant for the immediate call-up of Reserve units in St. Louis and Peoria consisting of 143 officers and men.

By 4 April, the first call went out for 50 reservists who together with a few Regulars formed as Disaster Relief Group 2.10 with responsibility for portions of St. Louis, St. Louis County, and Jefferson County. A portable communications center was deployed and Coast Guard Reservists swung into action manning flood relief boats; assisting in evacuations; conducting safety and security patrols; and transporting law enforcement personnel.

During the 7-day period of emergency recall, 271 man-days of duty were performed by reservists. Approximately 75 persons and a number of animals were evacuated to positions of safety. Also, 187 sorties were performed in support of other governmental agencies.

In a debriefing that followed release, the consensus of opinion was that Coast Guard Reservists had met the challenge of this first peacetime call-up in an outstanding manner. Secretary Brinegar expressed high satisfaction with the responsiveness and the competence displayed by Second Coast Guard District reservists. "The manner in which these Coast Guard Reservists answered the call-up and took over their assigned duties deserves highest praise," he stated. He further added, "This real-life test of the readiness of our Selected Reserve leaves no doubt as to their ability to respond and their capability to perform." He also praised those Coast Guard reservists who had voluntarily participated in flood relief operations in Missouri and neighboring states prior to the emergency call-up.

Secretary Brinegar emphasized the importance to the Coast Guard of the emergency call-up legislation. "This legislation assures the Coast Guard of trained and readily available personnel to meet the heavy demands placed upon the Coast Guard during domestic emergencies such as this," he stated. "At the same time it is the most realistic test of the readiness of the Selected Reserve." He commented favorably on the support of the employers of reservists who were activated in this emergency.

[Editors Note: As this article goes to press word has been received that a second group of 79 Coast Guard Reservists has just been activated under the emergency call-up authority.]

LET US NOT CUT AID TO ISRAEL

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. LEHMAN. Mr. Speaker, the foreign aid proposal which the administration unveiled this week contains disturbing evidence of a change in our outlook toward the Middle East.

Major fighting between Israel and the Arab States has been averted in the past because of our clear support for Israel's right to exist. Only when the Arab States feel that our support may be weakening do they begin again to consider the resumption of hostilities.

The administration's new proposal would cut our assistance to Israel and would increase our support for the Arab governments of Saudi Arabia and Jordan.

The administration proposes to provide Saudi Arabia with $20 million in military credit sales. Saudi Arabia received no such assistance during the current fiscal year.

The administration proposes to increase grant military aid to Jordan by $6 million for a total of $40 million.

In addition, the administration proposes to raise the level of economic supporting assistance to Jordan by $15 million to $65 million—a level more than 2½ times that proposed for Israel.

Indeed, economic supporting assistance to Israel is to be cut by one-half—down to only $25 million.

Economic supporting assistance is designed to help countries which must bear extraordinarily heavy defense costs. Such defense burdens have given Israel the highest per capita debt of any nation in the world.

Despite this defense burden, Israel has never received free military aid from the United States.

Both Jordan and Saudi Arabia have received millions of dollars worth of military equipment free of charge, but American military assistance to Israel is strictly on a loan basis. Israel must pay back with interest loans for defense items while the Arab States pay nothing.

Economic aid to Israel is a program which has always received overwhelming bipartisan congressional support in the past.

I am sure my colleagues share my disturbance over this recent turn of events and will strongly agree that our economic assistance for the democratic state of Israel must be continued at its present level.

A COSTLY PARADOX

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. LANDGREBE. Mr. Speaker, as the economy of this Nation continues to grow, offering more and more Americans an opportunity to share in our prosperity, there still remains much discussion about the problem of unemployment.

There is, I find, a paradox in the unemployment problem. This paradox was explored in an article in the Boston Globe on April 23, 1973. I submit that article for the Record:

A Costly Paradox: Unemployment Is High, But Jobs Go Begging

(By Rachelle Patterson)

There are 185,000 persons out of work in Massachusetts; yet there are thousands of jobs not being filled.

This is one of the more perplexing aspects of the Massachusetts economy—a surplus of jobless workers and a surfeit of unfilled jobs.

The paradox is costing the state's employers $225 million in unemployment compensation taxes this year, $125 million more than last year.

Understandably, the proper use of employer-paid unemployment funds, which sustain the benefits, are of key concern to the state's business community.

Together with other state costs, the unemployment compensation tax contributes to the high cost of doing business in Massachusetts.

Businessmen want an efficiently run employment security service which places the unemployed in available jobs and an unemployment compensation system free from abuses.

Labor wants adequate unemployment compensation free from any stigma, such as that attached to welfare, and the opportunity for an unemployed worker to be placed in a job for which he is trained.

The stakes in this endeavor are high.

According to the Associated Industries of Massachusetts (AIM), $32 million was paid out to persons who quit their jobs in 1971 alone.

Stemming the flow of persons who are not laid off or fired but leave their jobs for other reasons—and also encouraging the jobless to accept available work—are among the goals of the Division of Employment Security (DES).

The scope of the unemployment dilemma can be pointed out by one week's benefit checks. During the week of Dec. 23, 1972, 110,000 checks were mailed to the state's unemployed totalling $6,420,000. Most of this cost came out of the unemployment compensation fund, which as of Nov. 30 totaled $210 million (exclusive of Federal reimbursement.)

Criticized by the state's employers as being unresponsive to their needs, DES has traditionally functioned at best as a mediocre job-referral service and dispenser of unemployment compensation checks.

According to AIM, the division ranks 50th among the states in enforcing the disqualification statute governing those who quit their jobs. The division is lax in other ways, as well: only 12 percent of the available jobs in the state are listed with the agency.

(Public information is another area in which the division falls down. Its unemployment statistics often befuddle the average citizen because of the complexity.)

The chronically high unemployment rate, which averages about 30 percent above the national rate, has exacerbated the businessmen's negative attitude towards DES. While the benefits continue to soar and the jobless payroll rises, employers are increasing their pressures for DES reform.

One of their main complaints about DES is its inability to place workers in jobs that are available.

In addition, the state's minimum wage for manufacturing employees is aligned to the Federal minimum of $1.60 an hour. Since 1964, while the overall minimum wage here steadily increased, manufacturing was exempted in order to keep this state competitive with the rest of the country.

Employers contend that this competitive low wage is essential for certain old manufacturing companies to exist. At the same time, however, unemployment compensation benefits have risen, with the maximum now set at $83 a week plus $6 for each dependent child.

One of the major challenges facing DES is how it can induce persons to take low-wage jobs if unemployment compensation gives them substantial amounts of money.

"Getting competent people is the major problem. Very few people on unemployment are looking for work," said Steve Berish, president of Quality Steel Products in Stoughton.

Moscovitch, deputy commissioner of administration for fiscal affairs and Gov. Francis W. Sargent's top economist, has been studying the unemployment compensation system for several months.

According to Moscovitch, there is little abuse of the system by fathers and mothers in charge of their families. In fact, he states, a small percentage of unemployment compensation recipients are heads of families.

"These people are making every effort to be working and therefore, there is no reason to drive down the benefit levels," he says.

To a large extent, the cost to an employer for unemployment compensation is pegged to unemployment among his employees. Unemployment tax rates are set at upper limits, however, so that after a certain point, employers pay the same rate regardless of how many employees become jobless.

The extra cost for the additional jobless employees is borne by the system as a whole. Thus, once an employer reaches an upper limit, he no longer has any incentive to hold this cost down by making the job irresistible.

During a series of six regional meetings held by the Associated Industries of Massachusetts and DES, the job paradox of high unemployment and jobs that go begging came to light.

"Who the hell makes up the 12 percent unemployment figure in Lowell when we advertise for 100 jobs and eight people show up?" asked Sherman Stoloff of New Knit Manufacturing Co.

Sen. Allan McKinnon (D-Weymouth) subsequently filed a bill intended to solve the phenomenon. He asked for a study to determine whether funds from the unemployment compensation fund can be used to encourage employers with job openings to hire people at higher starting rates than they can afford.

Meanwhile, a plan is underway to make the division of Employment Security responsive to both the jobless worker and the employer.

Directing the division's face-lifting is Richard C. Gilliland, a 36-year-old Iowan who retains a drawl from the days he worked as industrial relations manager for Dupont in Texas.

Formerly deputy regional manpower administrator for New England, Gilliland was tapped by Secretary for Manpower Affairs Mary Newman to become the head of the state's employment division.

The effort to revamp DES, which has a large number of career-oriented employees, has caused some stormy days within the division. Gilliland has brought his own people in to executive posts, hiring them outside of the civil service system.

He implemented an investigation team to check on employee efficiency and service, and ordered an $80,000 report from the Booz-Allen company on reorganizing the division.

Gilliland appears dedicated to making the division a more workable component of state government.

"You can't separate unemployment and manpower from economic development," Gilliland said. "The only way to solve unemployment is to create jobs. We've got to use our imagination."

One major emphasis in the DES reorganization plan is to shift from a centralized operation to a regional one by setting up offices throughout the state to meet total manpower needs.

In addition, greater coordination between the employment security and unemployment functions is planned, so that persons drawing unemployment compensation are exposed to all job openings. Legislation has been filed for the first time by the Division to make the disqualification provisions for persons who quit jobs more stringent. Another measure would reduce staff time by allowing unemployment checks to be issued biweekly.

Administratively, Gilliland aims to crack down on fraud. One method is the cross checking of unemployment compensation claimants with Social Security records.

Unemployment compensation taxes paid by employers, Manpower Development Training Act funds, Work Incentive Program funds, and veterans' programs all channel money into the division. The state pays DES $150,000 to distribute welfare checks in the DES-Welfare work-inducement system. To administer DES services, the Federal government gives the state $50 million.

One of the closest monitors of the DES is the Associated Industries of Massachusetts. Many of the suggestions for tightening up DES administrative procedures and for filing legislation evolved from the series of joint meetings held throughout the state by AIM, the division, and employers.

AIM's legal expert on the unemployment compensation program, William J. McCarthy, said that Massachusetts ranks 50th among the states in disqualifying claimants under regulations requiring benefit recipients to be actively seeking work.

McCarthy also notes that part of the division's problem is the low priority status the employment service has in Federal funding.

Only 0.1 percent of the nation's manpower funds apply to this task, he points out.

Because Massachusetts employers are underwriting $6 million worth of unemployment checks a week, the cost impact on the employer community and the entire economy is obvious.

A definition of what is "suitable work" is essential to stem existing abuses, according to McCarthy.

Also needed, he believes, is a closer coordination between the employment service and the multitude of employers seeking help. A more personalized division-employer relationship should be developed to aid this process, McCarthy said.

He proposed that employer requests for jobs placed with DES be promptly answered and that only qualified individuals (those who match the exact job qualifications of the employer) be referred by the division.

"All of these things are essential because our studied observations of the operations of the division have indicated quite clearly that they are not now being provided," McCarthy said. "The DES service does not match the job needs of the employer and the interest of the jobless claimant."

All of the criticisms against the division's operations are being taken into consideration by Gilliland under the reorganization of the agency.

"I advocate a more efficient unemployment insurance policy," Gilliland says. "I acknowledge fraud and the fact that there are people taking advantage of the system. Unemployment insurance is also competing with low-wage employees. I don't deny this."

The answer may be a wage supplement, or a tax incentive, he believes. The state's employers are being asked to help through loaning executives for staff training, job matching and computerization.

"The public employment agency (DES) can play a major part in the economy—we can overcome our negative image," Gilliland concludes.

STUDY OF MILITARY SPENDING IN THE SOUTH

HON. ANDREW YOUNG

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. YOUNG of Georgia. Mr. Speaker, in the first issue of its quarterly journal, Southern Exposure, the Institute for Southern Studies has published a report on military spending in the South.

Factual material brought out in this report suggests the peril of excessive dependence on military expenditures—especially at a time of cutbacks in military installations and, hopefully, conversion to a peacetime economy.

The institute has found that the South, with 26 percent of the Nation's population, received 38 percent of the Defense Department's procurement budget for fiscal 1971. One in 14 southern workers were employed by the Pentagon or by a private supplier of military goods and services, compared to 1 in 20 for the rest of the Nation. In 1968, more southerners were supported by defense-related jobs than in the region's huge textile, apparel, and synthetics industries.

This report, in my judgment, underscores the need to find alternative uses of resources which have been devoted to military purposes that are increasingly unjustified. I hope that defense-oriented industries will be giving more attention to providing employment and using their expertise toward the solution of domestic problems—such as outmodel transportation systems, inadequate education, delivery of health care, air and water pollution, and urban development.

I, therefore, insert for the RECORD the introduction of the report published by the Atlanta-based Institute for Southern Studies in the spring, 1973, issue of Southern Exposure:

SOUTHERN MILITARISM

INTRODUCTION

Time was when the only way for a poor southerner—black or white—to escape the region's poverty was to join the Army. Now, if he's lucky, he can get a job in a defense plant in one of the small, rural towns that punctuate the southern landscape. Or he can still enlist. Or if he has enough cash to live on for awhile, he can go to a New South metropolis and look for a factory or warehouse job; but even here, he would likely find himself working in an industry that got (or gets) its stimulus from the demand of nearby military bases or far-off wars.

Except for the Far West, the South, more than any other region, has built its economy on the military dollar. In 1968, one in fourteen breadwinners in the South were directly on the Pentagon's payroll or on the payroll of a private supplier of military goods and services. That compares with one in twenty for the rest of the nation. Regionally, it means if you added all the employees in the South's gigantic textile, apparel and synthetics industries, you'd still have to add 200,000 workers to reach the number of people in defense-related jobs. That's a lot of people—over 1,600,000—and figuring in their families and the people who live by servicing them, that is even more votes for continued military spending.

The South's inordinate dependency on the federal military dole didn't happen overnight, of course. Over the past three decades, the region has slowly grown to industrial maturity with the Pentagon acting as its wet nurse—an ironic twist considering the anti-federalism, state's rights howl of southern politicians. Like so many other aspects of U.S. militarism, the process got its major boost with the mobilization of America for World War II. At the time, the South was literally hobbling along from hand to mouth, its agricultural economy shattered, thousands of tenant farmers and laborers out of work. Franklin Roosevelt called the region the nation's "number one" economic problem, and channelled significant relief and recovery money into the region, most notably through TVA. However, we now know that it wasn't FDR's New Deal programs, but World War II that brought the South—and the nation—out of the Depression.

From mid-1940 to mid-1945, the federal government and private industry spent $74,000,000,000 in the U.S. for capital expansion of industry, military installations and other physical facilities (e.g. roads and houses). Half this amount went to construct and equip manufacturing plants and military bases, and the South got more than its share on both counts. The southern block of congressmen were central to FDR's push for internationalism against the northern and western liberal isolationists. So partly as a political payoff, and partly because of cheap land and desirable climatic conditions, the South received 40% of the War Department's money for building military installations in the U.S. during 1940–45. Training camps sprouted up all over the southern states, particularly in the southeast from Virginia to Florida and in Texas—home of Roosevelt's 1932–40 Vice-President John Nance Garner and of Jesse Jones, the all-powerful head of the Reconstruction Finance Corporation which moved from bailing out bankrupt businesses of the Depression to funneling funds to war production plants. The tradeoffs between pro-Pentagon votes and location of military bases continues today, just as the largest concentration of both remains with the South. In 1971, 40% of America's shore-side military personnel were stationed in the South—and that doesn't even include the Virginia suburbs of Washington where the Pentagon itself and several other installations are located. Today, as a legacy of WWII, hundreds of thousands of people and dozens of Southern cities are economically strung out on the military base dollar.

Providing the soldiers and servicing the bases were important war contributions for an under-industrialized South, but the region also managed to capture its share of war plants. Roosevelt favored putting shipyards in the South, and reinforced the National Resources Planning Board's recommendation to locate war plants in "low-income areas" where "large numbers of workers . . . available for unskilled work or for training" needed "supplementary employment." Receiving 22% of the public money spent for manufacturing plants during the war years, the South managed to get more relative to its pre-war portion of U.S. industrial production (15%), but less relative to its population (28%).

By 1945, the government had spent nearly as much in five years on southern war plants as had private business for the region's existing plants, thus nearly doubling capital investment in southern manufacturing. Of course, a large (26%) portion went for building ammunition plants, which had dubious conversion value in the eyes of private industry; but twice as much went into the oil, coal, related chemicals, and the aircraft and shipbuilding industries.

The government financed what became the growth industries in the southern states: it built the shipyards that are now operated by the largest industrial employers of Virginia (Tenneco's Newport News Shipbuilding), Mississippi (Litton Industries), and to a lesser degree, Louisiana (Ogden's Avondale Shipyard), as well as other giants like Florida's Jacksonville Shipyards. The public also paid for the aircraft plants of Georgia's largest industrial employer (Lockheed) and those now used by top employers in Texas (General Dynamics and LTV Corporation), South Carolina (LTV's E-Systems), and Alabama (City Investing's Hayes International). And the government built such enduring and significant employers as Arkansas' Pine Bluff Arsenal, Huntsville, Alabama's Redstone Arsenal, Texarkana's Lone Star plant, the Milan, Kingsport and Chattanooga, Tennessee Army Ammunition Plants, and the Radford Works in Virginia. Finally, the oil and, less significantly, the coal industries of Texas and Louisiana, Kentucky and West Virginia got a tremendous spurt at public expense and continue to be the backbone of industrial growth in those four states, as the aircraft, shipbuilding, and ammunition industries have been for other areas.

Significantly, these same manufacturing lines continue to expand with the help of Department of Defense (DoD) purchases. In 1971, the South provided the Pentagon with 52% of its ships, 46% of its airframes, 42% of its petroleum products, 62% of its coal and other non-petroleum fuels, and 27% of its ammunition. There is certainly no lack of evidence that these industries are rightfully "public property" and their facilities thus open to the demand for public management for the public good.

In addition to beginning the process of federal military dollars providing the capital for industrial growth in the South. World War II also pulled thousands of people from the Piedmont farmland, the piney woods and the mountains, from the Texas prairies to the Carolina coasts, into factories for the creation of an industrial labor force. At the peak of World War II in 1944, the South had 60% more workers in manufacturing jobs than in 1939, and even with the 1946 post-war cutbacks, the region emerged with a 40% increase over the 1939 level. That's not quite as great as the expansion in such industrialized states as New York, Michigan and Ohio (although Texas had a greater gain than even these giants), but the significance of industrial expansion under public sponsorship was greater in the South because the region had so little to begin with.

The federal government literally created an industrial work force, trained a new breed of business managers, and built the factories in which the two groups cooperated for mutual benefit and the good of society, or so they thought. Liberal southern leaders were particularly delighted with this industrial development, and they pushed for maximum use of these war by-products as a means for raising the region's standard of living. Their perspective could be clearly seen in a report by the National Planning Association's Committee of the South on converting publicly built plants to private ownership: "The skills and habits of mind which southern labor and management absorbed during the period of intensive work with war industrial facilities are perhaps more important assets than the plants, for upon the skills can be founded a permanent, efficient, growing industrial structure to use the abundant resources of the area."

But the pace of expansion was not as spectacular as these men would have liked. The pipeline to the Pentagon's billions fell to a moderate trickle compared to the wartime gush, and it took most southern states six to ten years after the war to get their manufacturing work force back up to the 1944 peak. Even so, this rate of expansion was respectable, considering the fact that industrialized New York, Michigan and Ohio have still not regained their war time peaks.

But for the South, as for the nation, the next real period for industrial expansion came with a new liberal Democratic president, and the reassertion of the Keynesian policy of federal spending to create jobs and stimulate growth. Kennedy and McNamara and their advisors consciously used Pentagon funds to expand the economy, with some attention to depressed areas. "The federal budget can and should be made an instrument of prosperity and stability," JFK told Congress two weeks after his inauguration. From 1961 to 1969, in almost every southern state, the number of industrial jobs grew at 2½ to 3 times the pace of the 1950's. And in almost every case, the defense-related electronics and electrical equipment industries combined with each state's special military contribution (like shipping or aircraft or ammunition) to lead a period of unprecedented growth—and inflation.

Once again, the military taxpayer's dollar was the fuel for southern industrialization, and this time it lasted long enough to stimulate growth in personal income and consumer industries all across the South. Even as Business Week proclaimed the South at the "take-off" point in economic development, the region was increasing its share of Pentagon contracts up to 38% of the national total in 1971. Once again, many liberal leaders are encouraged by this industrialization, interpreting it as a means to raise the region's standard of living, to allow blacks and unions access into industry and to break down the provincial attitudes of southern politicians and businessmen. Unfortunately, such a perspective fails to recognize two critical points: First, the industrial south's dependence on the federal military dole is deepening the push from this region, not for humane domestic programs, but for a continued nationalistic foreign policy, and a policy of growth that is both stimulated and secured through massive military spending. Secondly, there are alternatives for economic development which would be much more consistent with the use of public funds to finance industrial growth—namely, the control of those industries by the public and the use of funds for public benefit rather than private accumulation.

The theory that public money dumped into private industry helps the "common man" by expanding the economy is fast becoming unmasked as a tragic farce and an ecologically disastrous policy. It is utterly absurd to applaud the inclusion of the poor southerner in an economy that is rushing the whole world to its death. To have the volunteer army and the weapons factories staffed by poor folks may not be a deceitful conspiracy by the ruling class, but it is certainly not progress.

WHAT COULD YOUR TAX DOLLARS BUY?

At today's cost of $200,000:

1 Vulcan 20mm. cannon used extensively on aircraft in Indo-China, or

Construction of 13 low-cost housing units with two bedrooms each.

At today's cost of $446,000:

10 B-52 bombing sorties in Indo-China, or

Construction of a 22-bed nursing home in Estill, S.C.

At today's cost of $1 million:

1 Huey helicopter, or

Construction of a 2-story public health center in Decatur, Alabama.

At today's cost of $100 million:

1 DD-963 destroyer, or

Unfunded applications for federal housing assistance in Arkansas as of November, 1971.

At today's cost of $1 billion:

1 Nuclear powered aircraft carrier, minus supporting equipment, or

Salary for 100,000 elementary school teachers at $10,000 annually.

POLISH CONSTITUTION DAY

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. HELSTOSKI. Mr. Speaker, the Polish Constitution Day of May 3, 1791, constitutes a landmark in the history of Poland of such great importance that it is a privilege and an honor to join with my colleagues in commemorating this historic occasion. What place, therefore, could be more appropriate than these halls of Congress, the very nerve center of American constitutional democracy, to commemorate the adoption of the Polish Constitution and to pay tribute to the Polish nation and its people at home and abroad?

America and Poland have long been friends, and that friendship strengthened by time has for decades served as a real source of mutual inspiration and mutual understanding. America has profited greatly by this happy partnership.

In the last quarter of the 18th century, when our small Nation was convulsed by revolution, Poland sent two of its most gallant patriots to aid us in our cause. Their exploits need no recounting; we know them well. Long have they—their deeds and their ideals—become a part of our heritage, and whenever Americans reflect upon the benefits of democracy and whenever they proclaim to the world the blessings of the American way of life, they are simultaneously paying tribute to Poland's great sons of freedom, Pulaski and Kosciuszko.

Since the days of the American Revolution, the contributions of Poland to America have been so great that they might well be termed inestimable. At the end of the 19th century and during the early 20th century, America's great industrial order was being created.

During the period men came from Poland who helped to build it. Today, the sons of these Poles play a large part in the sustenance and growth of this industrial order so vast and so powerful that it is regarded as a fundamental source of America's supremacy as a world power.

The contributions of the Poles and their descendants to American society are not, however, limited to the industrial field alone. By no means. Today, the sons and daughters of American Poles are found in the ranks of America's professional groups, serving with great merit and distinction in medicine, education, law, and politics.

The significance of Poland's contribution to America is not fully realized, however, until one considers the contributions made in World War II by the sons of Poland. These men knew no sacrifice too great to bear so that freedom would survive in its struggle against militarism and tyranny. Those who walk through the battlefield cemeteries of Normandy, Anzio, and Iwo Jima will find mute testimony to the courage and devotion of Poland's American sons to the cause of freedom.

The firm links that bind Poland and America as historic friends will not be easily separated. Forged by the unfathomable forces of history, those links of friendship have been reinforced through the years. In spirit and sentiment, moreover, the destinies of America and Poland, so long steadfast defenders of freedom and constitutional democracy, are no more separable than their historic friendship.

The spiritual and political ties between the United States and Poland are strong bonds. When the Polish Constitution was adopted 182 years ago, it marked the milestone for democracy in Europe. It had about the same effect as did the efforts of our own America and France in breaking the age-old system of one-man or class rule. It was a very definite step toward the recognition of the basic right of a people to be free.

Unfortunately, the adoption of this new form of government did not end the trials and tribulations of this great land and its people. The sinister influences of greed and aggression which have characterized her neighbor throughout the centuries and her inability because of her geographical and physical makeup to ward off the constant encroachment and attacks by her neighbors, brought about the further partitioning in 1836. Notwithstanding the continuing burdens of foreign oppression, the stalwart Poles never gave up their quest for freedom and independence. There has remained within the hearts and minds of Poles throughout the years the undying belief and determination that their culture, their patriotism, their democratic principles would ultimately triumph and that they would be permitted to live within their rightful borders in peace and tranquility.

This annual commemoration of the Polish Constitution provides a way for all those who believe in freedom to pay tribute to the men who forged the inspiring document, and also to those brave souls who through the years have sacrificed their lives so the ideals embodied in the Constitution of 1791 might take root and prosper.

REPRESENTATIVE LENT SPEAKS OUT ON WATERGATE

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. LENT. Mr. Speaker, the events and developments of the last several weeks surrounding the reported "Watergate incident" have left me sickened. This blatant breach of fair campaigning and criminal conduct has cast a cloud of suspicion over our Government, and I join my many Long Island constituents in deploring this activity. It has shown us the worst in American politics, and I firmly believe that we in the Congress must, by hard work, tireless representation, and the highest conduct, strive to overcome this black mark on American democracy.

Mr. Speaker, I would call upon all of my colleagues here today to join with me in pledging that future campaigns will be free of these disdainful scars, and that each and every one of us who seeks office in the future will always be mindful of our trust in conducting above-board and honest campaigns.

It is only in this way, Mr. Speaker, that we can restore a measure of decency to American politics which has been too tarnished by the events of the "Watergate incident".

TIMES EDITORIAL APPLAUDS MODERATE WAGE SETTLEMENT

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, we are all aware that prices are skyrocketing. The newspapers are full of stories on the subject. Our constituents have burned our ears with horror stories about the soaring cost of living.

But what is happening on the other side of the fence? What is happening to wages? An editorial in the New York Times tells about one recent instance in which a major labor union reached an anti-inflationary new wage settlement that kept within the old phase II standard of a 5.5-percent increase.

The United Rubber Workers apparently made a conscious decision to keep their new pact within the old phase II standard, realizing that excessive wage increases ultimately contribute to increasing prices.

I applaud the union for agreeing to this responsible new labor contract, but I concur with the Times in noting that we cannot expect labor to continue to exercise such restraint if prices continue to skyrocket.

The editorial follows:

WAGE MODERATION

Despite the runaway climb of food prices and other living costs, major wage settlements are still being negotiated without strikes at levels close to the anti-inflation guidepost established by the now-dismantled Pay Board. The latest example of this moderation is the three-year agreement between Goodyear and the United Rubber Workers, a union with a long tradition of militancy.

The pact, which calls for increases in line with the Phase 2 standard of 5.5 per cent a year, is expected not only to set a pattern for other tire manufacturers but to improve the chances for peaceful resolution of pending contract talks in electrical manufacturing and in trucking. If these talks and others to be held later in 1973 wind up with settlements comparable to the one at Goodyear, organized labor will have earned commendation for its contribution to the war on inflation.

Workers and their union leaders may have become convinced, after their many rides on the inflationary roller coaster in the last thirty years, that there is no benefit for them or their families in illusory pay increases that are quickly gobbled up by even bigger price increases. But the socially constructive restraint labor is showing cannot last forever if prices keep skyrocketing in the face of union willingness to hold the line on wages. In the last five months the purchasing power of the average worker's weekly pay, after allowance for higher prices and taxes, has gone down by $2 even though he is getting $2 a week more in gross earnings.

That shrinkage of real wages in a period of high profits and tightening labor markets increases the obligation on the Administration to move away from the permissiveness of Phase 3 into a reactivated drive to check the upsurge in prices now spreading to all segments of the economy. The Commerce Department reports that the price of industrial materials shot up 8.2 per cent last month, a rise sure to be reflected in the cost of thousands of consumer products.

Promises of a leveling-off in food prices keep receding deeper into never-never land, with floods ruining crops and a Government ban on use of the cattle-fattening hormone DES threatening to push up the cost of beef. Even the welcome news of a sharp drop in the foreign trade deficit for March contained a bitter element for American food buyers. Much of the trade improvement was attributable to a rise of $180 million in agricultural exports, another contributor to keeping domestic food costs high. By way of counterweight the President ordered a 50 per cent increase in cheese imports, an overdue rebuff to dairy-lobby pressure against relaxed quotas.

When Congress returns from its Easter recess Monday, with extension of the expiring Economic Stabilization Act at the top of its agenda, it ought to find waiting a comprehensive statement from the President on his plans to restore equity to the control program. Not all of the existing imbalances can be corrected through such action—tax reform represents a needed additional device for cooling the economy—but the moderation that labor is now exercising makes effective price restraint a priority job for Government.

TRIBUTE TO THE WEST HIGH SCHOOL BAND OF TORRANCE, CALIF.

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. ANDERSON of California. Mr. Speaker, when one says "southern California" people in other countries usually think of the sandy beaches, the surf, and the movie studios.

Those of us who live in southern California realize we have these things, and much more. Our diversity and culture play an important part in our everyday living.

I am very pleased that some of our young adults, members of the West High School Band of Torrance, Calif. will have the opportunity to display these outstanding qualities when they travel to Europe this summer to play in concert.

Recently, the West High Band was invited by M. Daniel Perrin, of l'office de Tourisme de Geneve, to be the representative of the United States of America at the well known international Fete de Geneve in August.

The West High Warrior Band is directed by Mr. Ronald J. Large. Mr. Large has been at West High for 11 years, and has worked long, hard hours to help make the band one of the best in California and the Nation alike.

The Warrior Band has received numerous awards and has achieved honor in the South Bay Spirit Festival, the Lomita Parade, and the South Bay Tournament. In 1972, the band was awarded first place in both the Santa Monica Band Revue and the Boy Scout Parade. Drum major Frederick Di Lucio received the top award in the State of California for drum majors.

During the Geneva Festival, the West High School Band will be televised internationally with a band from Czechoslovakia. Then, they will proceed to tour throughout Europe, performing in Lucerne, Heidelberg, Luxembourg, Florence, and Paris. Thousands of Europeans and travelers will have the delightful opportunity to hear these talented performers play concert and half-time music.

The band members have not only shown their talent for music; they have also displayed boundless energy and dedication by selling candy and magazines in order to buy new band uniforms.

Mr. Speaker, music is one form of art that individuals throughout the world experience and enjoy. I am very pleased that our friends in Europe will soon be able to hear and enjoy this band of which we in the South Bay area are all so proud.

At this time, I would like to express my best wishes to this deserving and talented group. Southern California will soon be known for its diversity and culture—thanks to fine representation by the West High School Band of Torrance.

ANOTHER VIEW OF THE ENERGY CRISIS

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. DINGELL. Mr. Speaker, there are innumerable articles being printed regarding the energy crisis and a recent one to which I direct our colleagues' attention appears in the May 8, 1973, edition of World magazine. It is entitled "The Energy Crisis: A Radical Solution," and is written by former Interior Secretary, Stewart L. Udall.

I include the text of this article at this point in the RECORD:

THE ENERGY CRISIS: A RADICAL SOLUTION

(By Stewart L. Udall)

The energy crisis in the United States will do more to disrupt and change the American way of life than any other ongoing domestic problem confronting the nation today. Because of it we face, in the near future, severe restrictions in areas of everyday life that Americans now regard as inviolate: automotive travel, including the size and horsepower of our cars; air travel; even home heating. By whatever means necessary, we must end the scandalous waste of our energy resources.

At the root of the energy crisis are our runaway demands for oil, natural gas, and electricity. These are our principal sources of energy (oil and gas currently sustain three-fourths of our total energy needs), so it should surprise no one that the oil and electric power industries are having trouble keeping pace with the gargantuan demands of consumers. U.S. energy consumption has doubled every ten to twelve years.

It was this inexorable, greedy growth—the rapid-fire doubling and redoubling of so-called consumer needs—that put the producers' backs to the wall this past winter and gave many homeowners, cities, and industries a preview of the energy crisis. But did this preview during a very mild winter force government and industry leaders to face up to the impossible tasks before them? At this point there is no evidence that it did. I believe, however, that another crunch will force us to confront the energy dilemma and begin the necessary reforms.

To those of us who are concerned with the energy situation, President Nixon's policies are a severe disappointment. The President is a supporter of the Alaskan pipeline. He acts on the assumption that increases in oil imports from the Middle East will tide us over until we can crank up enough petroleum and coal production to fill the so-called short-term gap. The President and his advisers are technological optimists. They are willing to rely temporarily on Arab oil because they believe a fresh burst of American know-how will provide the fuels we require. Expansion of the GNP is their Holy Grail, and it is almost heretical to suggest to them that consumer demands should be dampened.

Mr. Nixon favors decontrolling natural gas prices at the wellhead—a dubious step that might produce modest increases in gas production and could increase the cost of gas. He is also believed to favor government subsidies for research seeking to increase the supply of gas derived from coal. He favors drilling on the continental shelves, particularly along the Atlantic coast.

As to the longer term, Mr. Nixon has already declared his support of the breeder nuclear reactor as the big work horse of the 1990s. It is therefore a safe bet that he will move to slacken federal air-pollution and land reclamation standards so we can mine and burn more coal until nuclear power supposedly rides to the rescue.

We can expect the President to issue rhetorical calls for energy conservation. I am skeptical, however, that he will propose any hardnosed laws or measures that would force individuals and industries to change their consumption patterns and curtail the scandalous waste of U.S. energy.

If U.S. consumption and production trends are put in a global perspective, the nature of the current crisis is apparent. Annual increases in oil consumption are now so enormous that in the 1970s alone the nations of the world will consume as much oil as was used in the hundred years from 1870 to 1970 (and these projected global demands are scheduled to double again in the 1980s unless consumption patterns are altered). In 1972 the 6 percent of the planet's inhabitants who live in this country used nearly 40 percent of the total energy consumed in the entire world. Two hundred nine million Americans use about as much energy for air conditioning alone as the 800 million mainland Chinese use for all purposes—and Americans waste each year almost as much energy as the Japanese (105 million people) consume annually.

These are alarming statistics, particularly for a nation whose consumption is accelerating so rapidly. They would seem to invite agonizing reappraisals by high-level executives and sharp changes in our energy policies. But our national leaders appear to be inclined to belittle the crisis.

These policies will please the oilmen. They are bullish about further U.S. exploration; they still believe drilling crews will come up with a few "big strikes" that will bail us out. The discovery and rapid depletion of U.S. reserves (what some critics call a "drain America first" policy) has been their basic business approach for more than half a century.

The electric-power industry is locked into an even more difficult situation. Unlike oil, electric power is not a free-wheeling industry. Power companies are regulated monopolies required to provide service to the public on demand. Nevertheless, since World War II the electric-utility industry has been remarkably successful. Principally by building larger and larger generating and transmission facilities and by achieving economies of scale, power companies have kept electric costs low and their profits high, and they have managed to stay ahead of the burgeoning demands of their customers.

But the negative side of this scale-up of technology has finally begun to catch up with the industry. Large generating plants mean huge concentrations of pollution, and computerized technical systems have created a mechanical house of cards that can suddenly collapse—as the 1965 Northeast blackout demonstrated. (Only last month another power plant failure—this one involving a nuclear unit—caused wide-spread disruption and at least one death in south Florida.) As their land-use plans increasingly collide with the plans of conservationists, the electric utilities find themselves on a Procrustean bed with their own voracious expansionism pulling in one direction and an aggressive environmental movement pulling just as vigorously from the other end.

Because they are forced to play a "backstop" role when crises are encountered, the utilities face additional pressures. As natural-gas supplies dwindle, home builders are turning to all-electric construction. The trend toward monstrous, "climate controlled" megastructures puts enormous new loads on already strained facilities. (New York's twin World Trade towers, for example, will require as much electric capacity as the entire city of Schenectady.) To make matters worse, the deterioration of urban environments is causing more and more people to keep the air conditioning on—not just to stay comfortable on the hottest days of summer but to insulate themselves twenty-four hours a day from omnipresent noise and air pollution.

The electric utilities are, in large measure, the architects of their own troubles. Over the years their leaders have been shortsighted and sluggish. Most companies have spurred their own expansion by encouraging the wasteful use of electricity. Until very recently their aggressive salesmanship ("all-electric living is better") gave bonuses to home and office builders who designed profligate electric "loads" into their construction plans. Their rate structures—the more you use, the less it costs—encouraged wasteful consumption. And their misplaced priorities led them to spend five times as much on promotion as they did on research and development.

The oil and electric industries are now the sick Siamese twins of our energy economy. America's cheap energy joy ride is over. The federal government must call the shots and make the critical decisions. As a start, it must promulgate and enforce a farsighted, all-encompassing national energy policy. Such a policy will not work if it ducks the tough issues or concentrates on increasing the supply of energy without making strenuous efforts to reduce consumer demands.

The high-risk approach of the oilmen—what I call the "dig and drill policy"—is unacceptable. The stakes are too high for us to gamble on emergency programs to fill so-called temporary gaps that are widening daily. The alternative pressed upon us is that we mortgage our energy system to oil imports from a few Middle Eastern countries. This would involve a cost, by 1983, of more than $24 billion a year, which would be disastrous and—given the volatility of some Arab States—politically risky.

Is there no way to avoid these two unpalatable options? Of course there is: by conservation of our energy resources. We cannot come to grips with the real issues until we develop policy guidelines that tie us to an ethic of national thrift, and gear up a huge research effort that will produce environmentally sound solutions to our long-term energy requirements. These policies must embrace: an approach to resources that emphasizes conservation and de-emphasizes consumption; a series of transportation reforms that will save vast quantities of energy; tax and other incentives—rationing, if necessary—to reward efficiency and discourage waste; and the development of alternative energy sources that will reduce environmental risks and enable us to achieve energy self-sufficiency.

This search for alternative sources, now in low gear, must receive the kind of support we gave the space program in the 1960s. It should include:

Exploration of the feasibility of fusion power and the fast breeder nuclear reactor. As the name implies, the breeder reactor will produce its own fuel—plutonium. This is the stuff hydrogen bombs are made of, and many scientists have grave doubts about the safety of the process. Fusion power would produce energy by fusing atoms. The technology for it does not exist and perhaps never will. As a long-shot research venture, however, it might come up with a superior solution to one part of the energy crisis.

Perfection of technologies that will reduce the enormous waste involved in electric generation and petroleum extraction. More than half the potential energy from these two crucial sources is lost in the process of production. Big improvements are possible.

Development of techniques for storage and use of solar, geothermal, and tidal energy. Solar energy is free, clean, and virtually limitless. Small, home-serving solar cells would have zero environmental impact (ZEI). Like windmills, they would deplete nothing and pollute nothing. Geothermal sources (geysers and earth heat) could make a contribution in some areas of the country. The tides are another form of free energy. They could play a minor, supplementary role. (Even wind can be an important supplementary power source for farms and houses.)

Development of new transportation systems that are efficient and low-polluting. Engineering endeavors ranging from urban bikeways to 250-mph air-cushion trains can revolutionize modes of mobility in this country.

Exploration of hydrogen as a versatile gas to replace the fossil fuels. This technology may require too much electricity to be feasible. Like fusion, it may be impossible, yet it could be a cure-all.

While these efforts are under way, the paramount task is to mount a wide-ranging energy-conservation program. This program would reduce pressures on all energy industries and make our fuel problems more manageable. Full-scale measures could conceivably reduce future fuel demands by as much as 50 percent. We must adopt rational economies now before millions of Americans experience needless inconvenience and suffering.

In transportation, gasoline consumption should be reduced 50 percent by cutting auto travel in half. It will take time to achieve this objective, but for the present, rationing, car pooling, and/or a doubling of gas prices at the pump would force changes in Americans' extravagant travel habits. Crash efforts to develop cheap, pleasant, convenient mass transit and intercity passenger services would also lead to enormous economies.

The minicar is a must. By imposing stiff taxes on oversized autos (a practice already in effect in some Western European countries) and by forcing reductions in the weight, size, horsepower, we can double the miles-per-gallon performance of private vehicles. By building fast trains between major urban centers, we can make big reductions in interurban traffic, eliminate short-haul airline services, and thereby achieve major energy savings. Additional fuel savings are possible if we insist that airplanes fly with nearly full loads, thus paring wasteful duplication by competing airlines. The point here, as in other areas of the energy problem, is that personal convenience must be sacrificed to conservation.

In electric power we can increase the efficiency of generation plants at least 20 percent with combined cycles and magnetohydrodynamics—two engineering advances that will stretch the effective use of steam. We can also invert current rate structures to reward thrift and prod gluttonous users into scaling down their fuel requirements. (Alcoa recently patented a new process that will cut the electric-power consumption of aluminum plants by one-third, demonstrating that a major fuel user can reduce its own usage.)

On the residential front we should use natural gas, not electricity, where supplies of gas are available; gas, being a fuel burned directly, is twice as efficient. We can adopt stiff taxes that will force all energy-wasting appliances off the market. We can provide a safe substitute for gas pilot lights, which use nearly half the gas consumed in homes. And we can even eliminate such extravagances as central heating. Yes, extravagance: I grew up in a house with cold bedrooms and suffered no ill effects, and the same is true for millions of other Americans.

Our houses need much better insulation to keep the energy-supplied warm or cool air inside. The glass boxes that we now use for office buildings require year-round, artificial "climate control," largely because the windows cannot be opened; merely opening windows would allow us to "control" our inside climate naturally on perhaps one-quarter of the annual workdays.

These are only some of the steps that should be taken to depress energy demands that are profligate, or at least unessential. Wherever needed, laws, building codes, and tax incentives should be enacted to further these objectives. Many of the steps are politically unfeasible at present, but I predict that their implementation will soon become imperative.

In short, the era of "cheap power" is over; a new era of energy thrift must be inaugurated. I am convinced that we can combine conservation and technology to redefine progress—and produce lifestyles that will be leaner and more fulfilling. In the words of Gandhi, our slogan should be: "There can be enough for everybody's need, but not enough for everybody's greed."

THE PUBLIC HEALTH SERVICE HOSPITAL BILL

HON. BROCK ADAMS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. ADAMS. Mr. Speaker, on April 12, I introduced H.R. 6881 to insure that the Public Health Service hospital in Seattle, Wash., be maintained and operated as a hospital. I did this because of the vital role that the Seattle Public Health Service hospital plays in health care delivery for our community. At that time I offered to reintroduce the bill and invited my colleagues who have districts affected by the HEW plan to close down the Public Health Service hospital system to join me and include their hospitals in the provisions of the bill.

Today I am reintroducing H.R. 6881 and adding to its provisions the Public Health Service hospitals in New Orleans, La., Baltimore, Md., and San Francisco, Calif. As you know, the closure of the hospitals in Norfolk, Va., and Staten Island, N.Y., are not included in the plan that HEW submitted to Congress on March 28—although they will be included in another HEW plan to be submitted at a later date.

We are all very concerned that the proposed closure of these hospitals will result in a denial of health care to many of our constituents as well as a drastic increase in the cost of care for those hospital beneficiaries who can be served by other facilities. We urgently request that Congress take note of our concern and direct the Department of Health, Education and Welfare to abandon their intention to dismantle the Public Health Service hospital system.

SUPPORT OF AGRICULTURE

HON. CLEM ROGERS McSPADDEN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. McSPADDEN. Mr. Speaker, to those who were in support of H.R. 6168, I would call attention to an article which appeared in the highly esteemed Wall Street Journal, eastern edition, of Wednesday, April 25, 1973, during the Easter recess of the Congress. In this article, Norman H. Fischer, staff reporter, articulates and documents facts which we of the farming and ranching areas of the United States already knew. It was a part of this firsthand knowledge of the many factors which affect food and fiber production that caused us to vigorously oppose any rollback as proposed by the amendment.

I would submit that Mr. Fisher's article would further enlighten those who are not familiar with the many facets of agriculture production, its vicissitudes, its problems, its solutions. Agriculture must produce much of the U.S. products suitable for export. Farm products of food and fiber are about the only exportable goods which can find a ready market in the nations of the world. We all know we must export because we are importing. The April issue of Economic Indicators shows exports are running well behind imports of merchandise, to the tune of almost a half billion dollars for March.

Of agriculture's problems, not the least of which, as Mr. Fisher points out, is that of nature itself. Rains which become floods, snow storms which kill livestock, ravaging winds—all completely beyond the control of man.

I urgently request my colleagues to read the article to better understand the problems of that small minority of Americans who produce the food and fiber to feed and clothe the great majority.

The article follows:

FARMERS SAY LOSSES CAUSED BY RAIN, SNOW ARE THEIR WORST EVER

(By Norman H. Fischer)

CHICAGO.—A succession of snowstorms, torrential rains and floods has wiped out close to $1 billion of livestock and crops this spring and is preventing farmers from planting this year's expected big crops. As a result, the lower food prices promised by President Nixon and others for late summer or early fall might not show up until much later—if at all.

Along with unprecedented demand, bad weather has been a major factor in high food prices. The adverse weather started last fall, causing long delays in harvesting; in fact, some of last year's crops of cotton and soybeans are still in the fields. Farmers couldn't do their normal fall fertilizing and cultivation, which meant a double dose of work has to be done this spring if additional acres are to be brought into production.

But in the past several weeks, unusually wet and cold weather has hit much of the farm belt, with these results:

Fruit and vegetable crops have been severely damaged. Onions, potatoes, peaches and apples are among the items that either already are scarce and costly or soon will be.

Thousands of cattle and calves have been killed by snowstorms or by being bogged down in mud. This loss will reduce the number of cattle coming to market later this year and two years from now.

Wet fields are still too soggy to do much plowing or planting. Farmers say they are fast approaching the critical period when they need to get in the fields to plant such important crops as corn and cotton. If they don't, they said, fewer acres than expected will produce lower yields, which would push grain, cotton and livestock prices even higher.

SOME HAVE GOOD YEAR

Not all farmers are suffering from bad weather. In the northern Great Plains, for instance, seeding of spring wheat, oats and other grains is ahead of schedule. And the rain and cool weather have helped make pastures especially lush this year. But for the most part, the weather has been bad news for farmers and consumers alike.

"We've probably had the worst winter with the greatest impact in history," says a spokesman for the American National Cattlemen's Association in Denver. Since last November, the trade group estimates, 250,000 head of mature cattle have been killed by storms. That is the biggest numerical loss in about a century; it has unprecedented price impact now because each animal produces much more beef than 100 years ago and because beef prices are buoyed by strong demand.

In all, about 120 million pounds of beef has been lost, not counting losses from bad storms in Wyoming and Montana late last week. That would be worth $156 million at retail and amounts to about half a week's national beef production. In addition, many cows and calves were lost. It will take ranchers a couple of years to replace these animals, and that means a longer time will be needed to catch up with the steadily expanding demand for beef and other meats.

The spokesman for the cattlemen's association says he has counted 34 storms in the Denver area since November, sharply above the 10 to 12 storms during a normal winter. Some of them have been extraordinarily severe, which has exacerbated livestock losses.

HEAVY IOWA LOSSES

On April 8 and 9, for instance, Iowa was hit by a storm with winds of up to 60 miles an hour that dropped nine inches of snow over most of the state and up to 19 inches in some places. The storm killed 365,000 livestock animals, including 107,000 cows, calves and steers; 214,000 turkeys, most of them eight to 10 weeks old; and 44,000 hogs, sows and pigs. Some experts said it was the biggest loss from a single storm.

Another kind of bad weather—unseasonable spring cold snaps—has crippled this year's production of many fresh fruits and vegetables. For example, Georgia estimates that it lost as much as half its $18 million peach crop. Most of these peaches are sold as fresh produce, so consumers will be paying higher prices when reduced supplies become available in late spring and early summer. (Peaches for canning are grown mostly in the West.)

In some instances, the cold snaps followed periods of abnormal warm weather, and the reversal proved too much for the fruit crops. In Indianapolis, the temperature for the first 15 days of March averaged 54 degrees, which was 17 degrees above normal; but the first 15 days of April averaged only 44 degrees, four degrees below normal, which included some freezing weather. As a result, Indiana could lose 75% of its peach crop and 20% to 25% of its apples.

Cold weather may have cut the Southern Illinois peach crop by 85% and the state's apple crop by 50% or more, says James West, an official of the Illinois Fruit Growers Association. An official of the Michigan Fruit Canners, a trade group, estimates that as much as 70% of the state's sourcherry crop was lost to freezing temperatures. In North Carolina, some damage was reported to apples, peaches and strawberries.

DAMAGE TO FRESH VEGETABLES

Some fresh vegetables are being hit hard, too. The only onions that are marketed in early spring come from Texas. But rains there have delayed harvesting up to three weeks, and the crop is being damaged, too. Onion prices have spurted to record levels, and in some areas there aren't any onions available at all. Growers in the Rio Grande Valley are getting a record 30 cents a pound—a sixfold increase from last year—and in Chicago, the wholesale price has risen 30% from a year ago to the highest level.

Potato prices have jumped because of bad weather. A leading grade of Idaho potatoes currently wholesales in Chicago for $9 per 100-pound sack, up more than 50% from a year ago and the highest price for this time of year in about a decade. Round red potatoes are selling as high as $8 per 100 pounds, more than double the year-ago price.

Even more worrisome than damage is the possibility that continued bad weather will delay plantings. The best time for corn plantings to get the highest yields is in the next two to three weeks. The longer the rain continues, the fewer acres will be planted in corn and the lower-yielding they will be.

On the other hand, several days of drying weather would help greatly because modern equipment can perform the plowing and planting chores more quickly than in previous years. And ample soil moisture would get the crop off to a good start. But to be most useful, the dry weather has to come now.

"Farmers around here can't get their tractors out of the sheds, let alone do anything in the field," says Dale Millis an agronomist in Southern Illinois. "The soil is 100% water-saturated, and it will take two weeks of dry weather before spring tillage can begin, and even then many farmers will be working wet ground."

In Iowa, the top-producing corn state, plowing for this year's crop is only 35% completed, compared with 74% at this time last year; the average for this time of year is 71%. In Illinois, the second-ranking corn producer, plowing is also 35% completed, compared with more than 75% a year ago.

As of early this month, more than 15 million acres of farmland were under water. Much of this land is still flooded, and the rest is so supersaturated that it would take a month to dry out. Some of it may not be planted this spring at all.

Cotton is especially hard-hit by flooding. Some 500,000 acres of Mississippi River delta land, where most of the high-producing commercial farms are located, are under several feet of water. In the state of Mississippi, "in the past six months, we've received a normal year's rainfall," says Mark Freeman, executive assistant to the commissioner of agriculture.

The state had expected the planting of 1.6 million acres of cotton this year, Mr. Freeman says, but so far only 0.5% has been planted, and two-thirds of the land isn't even prepared for planting. At this time, a third to a half of the land is normally planted. "If we can't get the land planted by late May, some of it will be used for soybeans—if farmers can get enough seed," Mr. Freeman says.

The prospect of weather-reduced cotton plantings, along with strong export demand, has pushed cotton prices sharply higher. The May 1973 futures contract traded on the New York Cotton Exchange for 53.7 cents a pound yesterday, a record.

In Mississippi, Tennessee and other Southern states, some of last year's cotton and soybean crops haven't been harvested yet. Because of the prolonged wet weather, "we'll be in the position of planting for 1973 while we're still harvesting for 1972," says John Allen, an official of the Agricultural Stabilization and Conservation Service in Nashville. So far, though, "we've planted very little," he says. "We're just praying for a little dry weather."

THANKS, AMERICA

HON. PETER N. KYROS

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. KYROS. Mr. Speaker, I would like to take this opportunity to call to my colleagues' attention the "Thanks, America" campaign currently being conducted under the auspices of the United Greek Orthodox Charities. The "Thanks, America" campaign, as the following advertisement text indicates, is a nationwide fundraising effort on the part of Greek Americans. The moneys raised will be distributed to charities across the country of all types, regardless of race, creed, or ethnic background. Sponsored by prominent Americans of all faiths and heritages, the United Greek Orthodox Charities is an organization worthy of our attention and praise.

The text of the advertisement follows:

"JOIN US IN SAYING 'THANKS AMERICA!' DURING THE ANNUAL GREEK-AMERICAN THANKSGIVING DRIVE"

We came from Vresthena & Apollonia & Kounoupediana & thousands of other places in Greece you never heard of. We came 5, 10, 50, 70 years ago because we were looking for a better chance.

We came to Brooklyn & South Bend & Boise & Des Moines & thousands of other places in America that we had never heard of. But we had heard that here we would have a better chance.

Most of us found what we heard to be true; we got our better chance. And now we're trying to express our gratitude by saying "thanks, America!" in the best way we know how.

We're collecting contributions in every state in the Union, in every community with Americans of Greek descent, and giving what we collect back to our fellow-Americans who are in need of the kind of chance we and ours were once offered.

The money collected will be distributed to charitable organizations, both nationally and locally. In addition to a number of Greek charities, the money will also go to our neighbors—regardless of race, creed or ethnic background. To a child-care center in Louisiana, an old people's home in Virginia, a drug rehabilitation center in Manhattan, the Red Cross in Washington. For all, it is our "thanks, America!"

Join us in saying "thanks, America!" You don't have to be of Greek descent. You don't have to be rich. All you have to be is thankful for the better chance you and yours were once given—and eager to pass that kind of chance on.

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His Eminence Archbishop Iakovos.

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Some national and local institutions supported by our national drive last year: McInnes School for Retarded Children; Salvation Army, Hospital House; Y.M.C.A.; Sewall Easter Seals Rehabilitation Center; Chapel of Hope; Colorado State Hospital; Cooley's Anemia Foundation; United Fund; Sunday Breakfast Mission; Big Brothers; American Red Cross; All Children's Hospital; United Way; Muscular Dystrophy; American Cancer Society; Heart Fund; Boy Scouts of America; Girl Scouts, Inc.; Multiple Sclerosis Society; Myasthenia Gravia Foundation, Inc.; Kosair Crippled Children Hospital; FISH; Leader Dog School; Variety Heart Hospital; Little Red School House; Sander's School for Cerebral Palsy; Englewood Hospital; Boys' Brotherhood Republic; New York Diabetes Association; Irene Wortham Day Care Center; Lions Clinic for the Blind; Council on Aging; St. Vincent Charity Hospital; Halfway House for Drug Addition; Sickle Cell Anemia; Transport for the Handicapped; UTSA Medical School; West Virginia University Hospital; Fellowship of Light; Deborah Hospital at Brownsville; Hellenic College; National Institute of Health; Nicaragua Disaster Fund.

UNITED GREEK ORTHODOX CHARITIES,
New York, N.Y.

RX FOR COMPETITION

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. ROSENTHAL. Mr. Speaker, today I am reintroducing four bills dealing with retail prescription drug price competition. They are the outgrowth of a 2-year study by my office which shows that American consumers are forced to pay over a billion dollars annually in unnecessary prescription drug costs because of prohibitions on retail advertising, overprotective patent laws, exorbitant promotional expenditures by industry and unreasonable markups.

The four bills and their cosponsors are:

The Prescription Freshness Act: This bill requires the open dating of all perishable prescription drugs, showing clearly on the dispensed product's label the date beyond which the potency is diminished or the chemical composition altered by age.

Cosponsors are: Ms. ABZUG, Mr. ADDABBO, Mr. BADILLO, Mr. BINGHAM, Mr. BRASCO, Mr. BROWN of California, Mr. BUCHANAN, Mrs. BURKE, Mr. BURTON, Ms. CHISHOLM, Mr. CONYERS, Mr. CORMAN, Mr. DANIELSON, Mr. DIGGS, Mr. EDWARDS of California, Mr. HARRINGTON, Mr. HAWKINS, Mr. HECHLER of West Virginia, Mr. HELSTOSKI, Mr. KOCH, Mr. MCCORMACK, Mr. MOAKLEY, Mr. PODELL, Mr. REES, Mr. RIEGLE, Mr. ROYBAL, Mr. SEIBERLING, Mr. STARK, Mr. STOKES, Mr. SYMINGTON, Mr. WHITE, and Mr. WON PAT.

The Prescription Drug Labeling Act· This bill requires the labeling and advertising of prescription drugs by their established—generic—name and an end to all laws prohibiting generic substitution by pharmacists.

Cosponsors are: Ms. ABZUG, Mr. BADILLO, Mr. BINGHAM, Mr. BRASCO, Mr. BROWN of California, Mrs. BURKE, Mr. BURTON, Ms. CHISHOLM, Mr. CONYERS, Mr. CORMAN, Mr. DANIELSON, Mr. DIGGS, Mr. EDWARDS of California, Mr. HARRINGTON, Mr. HAWKINS, Mr. HECHLER of West Virginia, Mr. KOCH, Mr. LEHMAN, Mr. MCCORMACK, Mr. MOAKLEY, Mr. PODELL, Mr. REES, Mr. RIEGLE, Mr. ROYBAL, Mr. SEIBERLING, Mr. STARK, Mr. STOKES, Mr. VEYSEY, Mr. WHITE, and Mr. WON PAT.

The Prescription Drug Information Act: This bill would end all State prohibitions on retail prescription drug price advertising and require the posting of prices for the 100 most commonly prescribed drugs.

Cosponsors are: Ms. ABZUG, Mr. BADILLO, Mr. BINGHAM, Mr. BRASCO, Mr. BROWN of California, Mrs. BURKE, Mr. BURTON, Ms. CHISHOLM, Mr. CONYERS, Mr. CORMAN, Mr. DANIELSON, Mr. DIGGS, Mr. EDWARDS of California, Mr. HARRINGTON, Mr. HAWKINS, Mr. HECHLER of West Virginia, Mr. KOCH, Mr. MCCORMACK, Mr. MOAKLEY, Mr. PODELL, Mr. REES, Mr. RIEGLE, Mr. ROYBAL, Mr. SEIBERLING, Mr. STARK, Mr. STOKES, and Mr. WON PAT.

The Prescription Drug Patent Licensing Act: This bill would make compulsory the licensing of new prescription drugs during the 17-year patent period.

Cosponsors are: Ms. ABZUG, Mr. BADILLO, Mr. BINGHAM, Mr. BRASCO, Mr. BROWN of California, Mr. BURTON, Ms. CHISHOLM, Mr. CONYERS, Mr. CORMAN, Mr. DIGGS, Mr. EDWARDS of California, Mr. HARRINGTON, Mr. HAWKINS, Mr. HECHLER of West Virginia, Mr. KOCH, Mr. MCCORMACK, Mr. MOAKLEY, Mr. PODELL, Mr. REES, Mr. ROYBAL, Mr. SEIBERLING, Mr. STARK, Mr. STOKES, and Mr. WON PAT.

RECLAIMING OUR ENVIRONMENT

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. HAMILTON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include my Washington Report dated May 2, 1973, entitled "Reclaiming Our Environment":

CONGRESSMAN LEE HAMILTON'S
WASHINGTON REPORT

RECLAIMING OUR ENVIRONMENT

Three years ago Americans observed Earth Day to contemplate the deterioration of the earth's environment and to resolve to protect and improve it.

The overriding question during these celebrations was whether ecology was a passing and unfocused fad. Today the answer is apparent as the nation has launched upon the environmental revolution.

The nation does not yet appear too different, with pollution of air and water still undiminished, and solid waste piled high. Obstacles to clean environment still remain, of course, but significant changes have come about.

The nation's commitment to a pollution clean-up is apparent in legislation, private organizations, education, international affairs, government and politics.

The governmental machinery is in place. The Council on Environmenal Quality serves as the nation's environmental conscience and it is influencing governmental decisions at all levels. The Environmental Protection Agency (EPA), consolidates in a single agency regulatory powers previously vested in dozens of agencies. Throughout government there is a new emphasis on the environmental impact of decisions.

A cascade of legislation to protect the environment has tumbled from the Congress, (six major environmental measures cleared Congress in the final days of the 1972 Session), setting the goals, providing the quality standards and the penalties for noncompliance, and furnishing the money needed to continue the clean-up.

Court decisions have changed, too, making it easier now for a person to sue for the public interest (rather than a personal loss), and creating a developing body of environmental law which establishes a basic right to an agreeable environment.

In American politics environmental issues are important, sometimes decisive, in campaigns, and all politicians are responsive to environmental concerns. In international affairs, the United Nations held a conference in June 1972, with 113 nations participating, to develop a coordinated approach to world environmental problems. In the schools and universities, curriculums have been altered to instruct students on the environment. American industry has endorsed environmental reforms heartily and backed them up with millions of dollars. And between 2,000 and 3,000 environmental organizations with total memberships in the millions have sprung up across the nation.

In specific terms, here is what has happened during the environmental revolution:

Air pollution standards have been set in the Clean Air Act of 1970, and all parts of the country are to meet the standards by May 31, 1975. If necessary, the EPA can institute federal court action to insure compliance;

Waste discharged into the nation's waterways by municipal sewer systems, industry and agricultural operations will be regulated under the Water Pollution Control Act of 1972, with gradually tightening restrictions leading to "zero discharge" by 1985;

Noise pollution will come under standards necessary to protect "public health, welfare and safety" which will be issued this year by the EPA under the Noise Control Act of 1972;

Pesticide use has been limited by the Pesticide Control Act of 1972. DDT was banned for almost all purposes by the EPA which can block hazardous pesticides from the market; and

Related legislation limits the dumping of waste materials into the oceans and established a national program to protect and develop coastal areas.

Some experts, the optimistic ones at least, tell us the nation is in the period between commitment and visible progress, and that in 4 or 5 years cleaner air and water will become a reality, and that it is time for the nation to move on to a new order of environmental problems, including land use, population and energy problems.

Before a victory for a clean environment has been proclaimed, though, several counter developments ought to be assessed. Many think environmental action is being pushed "too hard." Strenuous efforts are being made to weaken standards. Apathy about the environment is still encountered, and, most importantly, the costs of clean-up are prodigious.

Nevertheless, at three years of age the diagnosis for the environmental revolution is that it is alive and well, and growing into a formidable offspring.

HERO'S MEDAL AWARDED TO MR. GEORGE J. MAYLE POSTHUMOUSLY

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. CARNEY of Ohio. Mr. Speaker, recently I was advised that the Carnegie Hero Fund Commission has awarded a medal to Mr. George J. Mayle. The medal it to be awarded posthumously to his widow, Mrs. Lena May Mayle, who resides at 569 West Liberty Avenue, Girard, Ohio.

On May 23, 1972, George J. Mayle died while helping to save Belinda R. Woody, aged 5, from drowning in Bobtown, Pa. When Belinda attempted to cross a creek on a walkway of stones, she lost her balance and fell into the water. She then began drifting downstream toward a whirlpool. One of the first to arrive at the scene was George Mayle. Mr. Mayle, a 47-year-old truck driver, was subject to chest pains and shortness of breath due to a previous injury. Nevertheless, he undressed to his underwear and swam to Belinda. He held her head above water as they were swept into a whirlpool. Both Mr. Mayle and Belinda disappeared beneath the surface. George Mayle remained submerged and drowned, but the current threw Belinda out of the whirlpool and she then was pulled from the water by Mayle's brother.

Mr. Speaker, George Mayle was a true hero. He died so that 5-year-old Belinda Woody could live. No greater deed can any man do than give up his life for his neighbor.

THE GREATEST MASSACRE EVER

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. DERWINSKI. Mr. Speaker, an objective look at history is necessary if we are to understand the complications that beset us in the field of foreign affairs. I believe it is especially necessary, at a time when there is growing interest in trade relations with the Soviet Union, that Americans understand the domestic situation within that country and its history since the advent of the Communist dictatorship. An article by the Copley News international correspondent, Dumitru Danielopol, discusses one of the tragic events of history and, in view of the commemorative anniversary that Ukrainians throughout the free world will stage this year, I feel this column has great significance.

The article follows:

THE GREATEST MASSACRE EVER

(By Dumitru Danielopol)

WASHINGTON.—It was forty years ago that Stalin sent his hirelings into the Ukraine to perpetrate one of the greatest massacres in history. Over seven million Ukrainian peasants and hundreds of thousands of other non-Russians died in a man-made famine.

In 1933 Stalin, who had become the undisputed master of the USSR after the expulsion of Leon Trotsky in 1929, adopted a policy of rapid industrialization and collectivization of peasant holdings.

"We are 50 or 100 years behind the advanced countries," Stalin told a conference of industrial managers in 1931. "We must make good this lag in 10 years."

He went to work with speed and ruthlessness. The accent was on building heavy industry at the expense of consumer goods. He proceeded simultaneous with collectivisation of individually owned farms. This policy had twin purposes; to release workers from the factories and to undermine the individualism and independence of the owner-farmer. Communism could not survive unless that was done.

The peasants resisted. They fought the commissars who came to take over their land. The Ukrainians, a tough and rugged people, fought relentlessly and bravely.

In 1932 Stalin sent in troops in what has been called a "year of horror."

The bulletin of the anti-Bolshevik bloc of nations recalls the story:

"Russia sent in troops to take away the harvest, the bread . . . hundreds of thousands of Russian troops plundered Ukrainian villages, confiscating grain and killing people."

They burned the crops rather than leave any food for the farmers.

Dantean scenes followed. Mothers died with their starving children in their arms, but still the Ukrainians refused to join the communal "kolkoses." In all, seven million perished. Several million others—the so-called 'Kulaks' ((well-to-do farmers) were deported to Siberia and labor camps in other parts of the country. They died like flies. An estimated 10 million Ukrainians died at the time at the hands of Stalin, 25 million peasants were forcibly moved and 25 million privately owned rural holdings that existed in 1929 became 100,000 large collectives.

It was Stalin's greatest crime and his greatest mistake. Soviet agriculture never recovered. Today's per capita production is below that of 1913!

Ukrainians abroad have never forgotten nor have they harbored any illusion on Kremlin intentions: the Bulletin says:

"On this 40th anniversary of the greatest genocide in the history of mankind, Ukraine warns the free world against the Russian tyrants who are preparing a similar genocide for it."

BNDD DIRECTOR JOHN INGERSOLL COMMENTS ON "LAW AND ORDER"

HON. STEWART B. McKINNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. McKINNEY. Mr. Speaker, in recent years, the coupling of the words "law and order" have come to be one of the most often used phrases in America. To define the phrase is an easy task for anyone; but what is interesting is that all the definitions are different. Emotionally, "law and order" means many things to many people and because of this, it is especially edifying when an expert speaks out on the subject.

On April 30, John Ingersoll, the Director of the Federal Bureau of Narcotics and Dangerous Drugs, came forth with his comments on the matter and to be sure, I found them edifying for when it comes to law enforcement and justice, he is more than an expert.

Mr. Ingersoll has dedicated his life to police work and has served as a patrolman, a police chief, a representative of the International Police Chiefs Association and in his first Federal appointment, as Deputy Director of the Law Enforcement Administration. From that post, he became the first Director of BNDD, the position he holds—with distinction, I might add—today.

Last week, he was the main speaker at the first annual "Law and Order Day" at the U.S. Air Force Academy in Colorado Springs, Colo.

Appropriately, he chose as his theme "Law and Order" and I would like to share his remarks with my colleagues at this time:

LAW AND ORDER DAY

(Remarks by John E. Ingersoll)

It is a great pleasure and a singular honor to be with you at the Air Force Academy's first annual "Law and Order Day."

I come before you as one who has studied and practiced in the field of law enforcement for over 22 years. I'd like to discuss the issue of law and order in that context and in broad perspective; not from a narrow one that you might expect from my present job.

Law and Order: In the minds of some who apparently must indulge in expressions of imaginary horribles, this phrase has become a code for repression. In the minds of crime victims or those who fear becoming such, it is a cry for help. In the minds of us, who bear responsibility for achieving order by law, it is a delicate balance between individual rights—the right to due process of law for those accused of crime; and the right of other citizens to be free of the degradation of criminal attack. It is an effort to achieve concord so that all men can live in peace under just law. Down through the ages, man has come to learn that he cannot survive without it. Thus, the problem of law and order has been with us for a long time. What is law and order worth? Where did it come from? Who is involved? What can the people do to help keep it?

This is a look at law and order in rational perspectives. Nine hundred years ago, the King of England was calling on "all his faithful subjects . . . to give effectual and diligent counsel and aid to the preservation of the peace . . ." And he was declaiming ". . . the violation of his justice by murderers, robbers, and burglars who exercise their malice by day and by night, not only against men traveling from place to place, but against men sleeping in their beds."

There is nothing mysterious about the rule of law. Nor about the order which comes from the observance of law. Nor about the peace which comes from both. It is as simple and profound as the rule of the road which says "keep to the right on meeting." What would happen if we didn't have that rule of law to go by?

Suppose two people on foot approach each other on a narrow path and neither bears to the right? Suppose they are riding in horse and buggy style? Or in the driver's seat of an automobile on the highway? Or in an airplane? Suppose they come together at one intersection point and there is no rule of law to give the right-of-way? Or there is a rule of law to go by and everyone ignores it, picks and chooses his own course and moves, full speed ahead?

The idea of "live and let live" would certainly be put to the test at that intersection. Maybe the value of life, liberty, and the pursuit of happiness would take on a new dimension in meaning for the pseudo anarchist (ardently preaching this way of life) if he were asked to volunteer for the test.

Whenever two or more people come together, the rule of law becomes a convenience and a necessity. When groups of people come together in cities and towns, the problem is more pressing, simply because people must live closer together, crossing each other's paths; stepping on each other's toes, and getting in each other's hair more frequently, thus increasing the friction points.

Let them come together from differing backgrounds, differing races, differing ideologies, from direct poverty and dizzy wealth, with built-in grievances, resentments, and frustrations, and you have all the ingredients of internal social combustion. And, when the rule of law and order disappears under such circumstances, that alone demonstrates its value. Burning an inner city. Looting a disaster area. Assaults of people on the streets. Preventing those, and a multitude of other harmful human activities is what law and order is worth.

Where did law and order come from?

If you go back far enough, you will come to a time when our ancestors tried to keep the peace by the law of tit for tat. If you killed my brother, I killed yours. If you took my property, then I took yours. You beat me up, and I beat you up. Relatives came in to give assistance. That complicated things, confused the issues, and private warfare was the order of the day. It was the rule of the bloodfeud, and it made bad matters worse.

Much of our legal heritage comes directly from Saxon England and the early Norman days. And this is exactly how people lived in those days, before they set about correcting the situation.

These people began to see that, by getting even, they got further behind. They wanted peace from all this private warfare and, when the tit for tat of the bloodfeud did not bring it, the records show them compelling the parties to a controversy to give up the private vengeance of a bloodfeud for financial compensation based on the gravity of the wrong that was done.

They wanted peace so much that sometimes they put peace ahead of justice. Instead of giving the money to the widow and children of the victim, they gave the compensation as the price of appeasement to the relative who could most likely disturb the peace again.

After awhile, they saw that putting peace ahead of justice did not bring peace—it began to bring further disturbance of the peace. At that time, the notion of private vengeance, of compensation to next of kin, gave way to public justice.

It first came in the name of the Kings' Peace. Anyone starting a fight in the presence of the King committed a crime against the peace and dignity of the King and he answered for it to the King.

The concept was later extended to cover breaches of the peace in the castle or on the roads leading to the castle. Later it was extended to cover the entire realm, at all times, and in all places, until the public peace became the order of the day and private warfare the exception to the rule.

The King's Peace was brought to America and every offense was recorded as an offense committed against "the peace and dignity of the King," until 1776, when the "peace and dignity of the King of England" became the "peace and dignity" of the thirteen original states.

From that simple premise of the "peace and dignity" of the State has grown a system of justice in the United States that is so complex and made up of so many interrelated parts that it would take an academic year to describe them adequately. Consider the complexity that arises only from the fact that there are more than 40,000 police agencies in our country. Add to that the thousands of courts, prosecutors, probation and parole officers and more thousands of jails, prisons and correction centers. No one can get a complete grasp of such a machinery decentralized throughout the land.

But all are key parts in the way we go about trying to assure law and order. The chain of our law enforcement machinery is no stronger than its weakest link. The best of police departments is crippled if the prosecuting attorney falls down on the job. The best of prosecuting attorneys is crippled if the jury fails. The best of juries is crippled if the judge falls down on the job. The best of judges is crippled if the correctional system fails.

No law is stronger than the police desk, the prosecutor's office, the jury box, the judge's bench, or the Chief Executive's chair.

Our system of criminal justice in the United States would be weak if its only purpose were to obtain order. The system is better suited to assuring order within the scope and meaning of law. But this objective takes strong and dedicated people.

I am not playing down the part of any link in this chain when I say it is the first link which bears the greatest heat. Let me illustrate:

The magistrate issues the warrant for arrest and holds the preliminary hearing—in the quiet of this office. The attorneys prepare their cases for trial after reflecting on the evidence—in the quiet of their offices. The judge sits on the bench and carries out his duties—in the quiet and dignity of the courtroom. The juror sits in the jury box and the witness takes the stand—in the quiet of the courtroom.

The policeman is the man in the street and at the intersection point where people come together from all directions. He is the man in the middle—of the push and shove and jostle of conflicting forces. He is the man at the point where peace is a bird on the wing and he must make up his mind, at his peril, on the spur of the moment, knowing full well that what he does and says will keep the peace, or lose it, for himself and his community. He is the man on the spot.

But even his ability and effectiveness are directly dependent upon all the people. Because, in the final analysis, it is the people who are the police, the police being just those representatives who devote their full-time attention to enforcement of the law.

If the people are the weak link, it is equally true that the system will suffer.

To reduce crimes in their communities, citizens must be prepared to back-up their police forces with more than just slogans. They need to keep in mind and in perspective the possibilities of crime in their daily lives and take reasonable steps to limit criminal opportunities. In emergency situations, they must assume the responsibilities of summoning aid for victims or police in distress. They cannot stay free of involvement and expect others to protect them. Much work has to be done in getting citizens to take the few extra precautions that can deter large numbers of crimes. Measures that adequately protect cars, homes and businesses against invasion are in effect in some cases. The simple act of removing the ignition key from an unattended auto, in some cases with a reminder buzzer, has reduced thefts of certain models significantly. Minimum construction standards to delay, if not prevent, intrusion into buildings are just as necessary as those which prevent or delay the spread of fire.

In our quest for law and order, it is essential that we keep in mind principles of our heritage and sense for justice.

First, the primary object should be to prevent crime. The security of the person and property, the preservation of public tranquility, and all the other objects of law and order are better served by preventing criminal activity than by the detection and punishment of the criminal after he has succeeded in committing the crime. To achieve such a goal requires public commitment, much manpower, and other resources.

Second, the power of the police to fulfill their functions is always dependent on public approval of their existence, actions, and behavior, and in their ability to secure and maintain public respect.

Third, public support includes willing cooperation and observance of the law. Despite the fact that there are some 400,000 police in this country, they cannot be omnipresent in a population of 220 million. The ratio of public cooperation to observance of the law proportionately diminishes the need for controversial police practices, or threats to individual liberty.

Fourth, public approval cannot be the result of police or the courts or the correctional people pandering to public opinion. The public must recognize and support impartial service to the law. Officials, and especially the police, on the other hand, must give truth to that statement and make the necessary sacrifices in protecting and preserving life. In one way or another, the police are always liable to be blamed for disliked laws. At a demonstration, it is usually assumed by those who have to be controlled that the police do so out of personal choice. It is normal after faction contests for the police to be accused by each side as being the partisan of the other.

Fifth, to overcome this, the police should use physical force only when the exercise of persuasion, advice and warning is found to be insufficient to obtain the restoration of order. Then, only the minimum degree of force should be used which is necessary to obtain the objective.

Finally, we must repeatedly recognize a corollary of the initial principle that the ultimate test of our criminal justice system is the *absence* of crime and disorder—in other words, the maintenance of law and the maintenance of order—not the after-the-fact reaction to crime and disorder.

If these seem to be idealistic goals which we have not succeeded in reaching, which is certainly true, that fact does not make them any less worthy of our effort. Nor are they something new or novel. They were first expressed in another form some 150 years ago during the formative years of the present British police system. Initially, the British police survived almost unanimous opposition by London citizens. For some years, it existed under constant threat of disbandment. But, in spite of near defeat by rioting mobs in the course of all-night battles during the first four years of their existence, the police, armed only with batons, proved themselves capable of keeping riots under control, without inflicting serious casualties, and without once requiring military aid. Crime quickly and visibly diminished. The increasing safety of the streets by night created widespread expansion and enjoyment of social amenities before available for few other than the wealthy who could afford the protection of servants.

This superb performance saved England from the revolution and civil war that was being plotted by the radical extremists of that day.

The same police institution and justice system continues to this day and is the envy of the Western World for its ability to maintain law and order and the balance of human rights.

If they could succeed in the face of such opposition, surely we can here, where people hunger for peace and quiet and have often shown they are more inclined to support the institutions established for this purpose than oppose them.

The United States is coming out of a decade of unprecedented crime, disorder and deviant behavior. One of the curses inherited from the 1960's is law enforcement by crisis management; law enforcement by harsh rhetoric; rushing around putting out fires that officials and legislators had a hand in igniting. In some quarters, skill at crisis management was revered. The tougher the language, the tougher the user appeared to his admirers.

That was all part of the frenetic 60's. It now seems well past time to move on to greater maturity and stability in managing our affairs of law and order. There are all kinds of compelling reasons why more stable policies can and should be achieved.

Crime is showing a decline for the first time in over 15 years. The police were never better trained, equipped and salaried. There are more courts, more prosecutors, more defense lawyers than ever before. The need for basic penal reform is recognized and under serious study.

While many of the social and economic conditions that undoubtedly contribute to crime are not solved, it is equally true that there is a national commitment to solving them. People of equally good intentions do have honest differences on the best means.

A plan for steady, orderly achievement of law and order in spirit, as well as literally, that builds upon well-principled institutions, and avoids excessive rhetoric, or distortive gimmicks, or special privileges, could go a long way toward preserving the public peace, to preserving life, liberty and the pursuit of happiness.

What we need is a lot of management and less crises. Centuries ago Marcus Cicero said, "The people's good is the highest law." We in enforcement and in government must always believe and act on this principle. For it is by this law we establish harmony and concord and "concord makes small things grow; discord makes great things decay."

IMPRESSIONS OF CHINA

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. DRINAN. Mr. Speaker, I should like to bring to the attention of my colleagues a letter I received from two of my constituents, Mr. and Mrs. William H. Cary, Jr., of Bolton, Mass. The Carys have shared with me in this letter their thoughts and reflections on their recent visit to China.

Mr. Cary has had a varied background as a magazine editor, professor of English at Bowdoin College and Harvard University, and assistant director of the Miriam Hospital in Providence, R.I. More recently he and his wife have worked closely with the American Friends Service Committee in a campaign against nuclear bomb testing.

I am pleased to share with my colleagues the Cary's perceptive and compelling impressions of China:

MAY 1, 1973.

Hon. ROBERT F. DRINAN,
Washington, D.C.

DEAR CONGRESSMAN DRINAN: We welcome your recent comment that you feel more and more that "it is essential that all of us in the Congress have accurate and comprehensive information about China." And so we write you, our Congressman, to share with you some facts and impressions from our recent visit there.

We spent three weeks in China last November, with a group including school and university teachers, a physician, a consultant on primary education, and others. In and near Canton, Shanghai, Nanking, Peking and other cities, we visited factories, schools, universities, hospitals, and agricultural communes, and talked with people of various ages and occupations. We found them self-reliant, skillful, hard-working yet relaxed, and friendly.

The Chinese are engaged in a tremendous effort to do what has never been achieved, nor even attempted, before: to change people's attitudes from selfishness, from seeking profits and power, to working primarily to "serve the people."

They are trying to see to it that science and technology bring not dehumanization but genuine security and a happy life for all people.

Many Westerners still assume that the Chinese are backward in technical skills and in civilization generally, but the opposite is true. Here are two examples: They recently designed and built a huge bridge over the Yangtze River at Nanking which foreign experts said could never be built there because the river is a mile wide and very deep. And for the past ten years their surgeons have been successfully re-attaching severed limbs and severed fingers; this requires the most delicate skills (and the use of thread which in cross-section is only one-third that of a human hair).

They have harnessed big rivers that formerly brought flood and famine. Under the political, philosophical, and moral leadership of Mao Tse-tung, they are transforming with pick and shovel barren mountainsides into fertile croplands. They are designing and building 10,000-HP diesel engines. And much else.

They are overhauling their school and university curricula, discarding deadwood and enriching the studies by practical work in field and factory.

There is also much for us Americans to learn from the Chinese about social security, including provision for the elderly.

They have practically eliminated alcoholism, venereal disease, crime on the streets, and drug addiction. The people we met seemed to us not alienated from their society, but heartily immersed in it. They are not individualists; theirs is a group society. They have a strong sense of having emerged from centuries of exploitation and poverty into a healthful society, and of now working together toward common goals.

The Chinese are aware of problems in the West caused by vast numbers of privately owned automobiles, and for various reasons they have decided on a different pattern. They are trying to provide adequate public transportation by bus, train, and plane. There are also countless bicycles, privately owned. This is not because of lack of know-how and of factories for making cars. They are producing a six-cylinder sedan, the "Shanghai," an attractive, easy-riding car, built to last. This is used for the needs of factories, government offices, agricultural communes, and for transporting foreign visitors, as taxis, etc. Thus they avoid many problems, plus the enormous expense in labor and materials required to make and maintain private cars.

Their progress in medicine and health care could greatly help the people of other countries. Acupuncture as anesthetic, yes; but also systematic research on their traditional medicines. All these have greatly impressed visiting American, Canadian, and other physicians.

What about China as a good neighbor on this rather small planet? Can we have friendly and mutually beneficial relations with her? Yes, if we enter into such relations with good will and good sense. China has no armed forces outside her own borders, is pursuing a peaceful foreign policy, has publicly declared that she will never under any circumstances be the first to use nuclear weapons, and is for genuine and universal disarmament of both nuclear and "conventional" weapons.

We could recount many stories of industrial, medical, and educational progress being made since Liberation (1949) and especially since the Cultural Revolution of 1966–68. Instead, let us describe briefly only one of these:

One of the first things we wanted to see was acupuncture. So a visit was arranged to a hospital in Canton to see an operation for removal of an ovarian cyst, with acupuncture as the only anesthetic. This is a new use of traditional Chinese medicine, developed in the past 15 years. It is simple, effective, safe, and economical. The patient, conscious the whole time, doesn't become nauseated or dizzy, can take food almost as soon as the operation is over, and recovers strength quickly.

At the hospital we put on sterile gowns and caps and were conducted to an observation gallery, from which, through a plate-glass partition, we could look right into the operating room. On the operating table lay an 18-year-old girl, clad in a hospital "johnny," with a sheet and light blanket over her. She saw us as we came in, and clapped her hands in welcome. We clapped in return.

The surgical team consisted of two acupuncturists, two surgeons, two scrub nurses, and a nurse who sat near the head of the patient. All seven were women.

The two acupuncturists now inserted a long thin needle in each ankle of the patient, one in each hip, one in each ear, and two just above her upper lip.

Soon the two surgeons, scrubbed up and wearing rubber gloves, came in. They exchanged a few words with the other members of the team and with the patient, and waited until a total of twenty minutes had passed since the time the needles were inserted.

Then the chief surgeon made an incision about five inches long, and the operation was under way. She inspected the cyst and its surroundings, and after some minutes put her hand into the cavity, detached the cyst, drew it out and placed it in an enamel basin which one of the nurses was holding. The cyst was about the size of a head of lettuce and was brownish red. The assistant surgeon then sewed up the sides of the incision with her curved needle, placed a gauze pad over the spot and taped it in position. Then she and two of the nurses gently half lifted, half drew the patient on to the rolling stretcher that had been brought alongside the operating table. One of the nurses began wheeling it out of the room. At this point the patient raised her left arm. And then we saw—she was waving to us.

These facts and impressions are perhaps enough to whet your appetite. We hope that you and many U.S. Congressmen and Senators will visit China soon and see for yourselves.

Sincerely,

WILLIAM H. CARY, Jr.
DOROTHEA CABLE CARY.

LAW DAY, 1973

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. WOLFF. Mr. Speaker, I rise in connection with this week's recognition of Law Day, 1973, to bring to the attention of my Colleagues a subject on which I have spoken here many times before—the issue of the five Irish Americans—one of whom Tom Laffey is a constituent of mine, who have been imprisoned in Texas for the greater part of the last year, without ever having charges of any kind brought against them, without ever having had a chance to defend against any accusation of wrongdoing.

Thus it is particularly appropriate that in this week, when we join together in traditions of freedom, that we take note of an ongoing travesty of justice. The Department of Justice has repeatedly ignored the plea of these men, of their counsel, and of the many interested Members of Congress for a review of the incarceration, particularly in view of the lack of continuation of the grand jury investigation in Texas. Furthermore, the district judge in the case has refused to grant a transfer of these federal prisoners to a facility near their families, friends, and their lawyers. Furthermore, the judge has charged with political motives, those of us interested in seeing fairness and justice and the constitutional rights of every American preserved.

This case, and these continuing injustices, are clearly not within the traditions we recognize today. The hearings held by Chairman EILBERG's subcommittee of the Judiciary Committee heard testimony to this effect from a number of Congressmen. Mr. Speaker, I once again urge that the Justice Department, with a new Attorney General who has been characterized as a fair and honest man, recognize for once and for all what the "rule of law" means in this country, and finally put an end to this outrageous chain of abuses.

At this point, I would like to discuss briefly in the RECORD the latest decision in this case, by Judge Brewster of the northern district of Texas, an order denying motion for transfer of above-named persons to the New York area.

I would note only the judge's gratuitous comments about the many people who have shown an interest in the case. He attacks not only the lawyers for these men for pointing out the numerous injustices occurring regularly, but also those Members of Congress who have joined in the outcry against improper use of the grand jury system. This, to me, represents a clear overextension of authority by the judge in the case, who has chosen to deal only barely with the merits of the motion, and instead sought to impugn the motives of those who have worked so hard to see justice done. The civil liberties we hold so dear in this country cannot withstand personal attacks from the bench against people who exercise their own rights and speak on behalf of others who are unjustly persecuted.

Mr. Speaker, I would urge my colleagues to join in recognizing Law Day, but as they do, let them remember this outstanding example of how the law can go awry even in our country in 1973.

WEST CAP REPORT

HON. VERNON W. THOMSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. THOMSON of Wisconsin. Mr. Speaker, over the Easter recess, I visited with representatives from various CAP agencies located in Wisconsin's Third Congressional District. One representative, Mr. Jake Banks, director of West CAP in Glenwood City, Wis. handed me a copy of the agency's county-by-county report and requested that I insert it in the CONGRESSIONAL RECORD. While the entire report is too long to reprint in total, I am pleased to insert West CAP's seven-county summary for fiscal year 1972 located at the back of individual county reports. Also included is the introductory letter of West CAP's president, Mr. Norman E. Anderson, and a newspaper column by Clayton Fritchey which was included as part of the summary:

WEST CAP MEMO

To: County Board Members, Committee Members, Commission Members
From: Norman E. Anderson, President
Date: April 13, 1973

West CAP is fighting for its life. I feel, and many others also feel, that it is very important for our counties to help keep our Community Action Agency alive. As long as Congress commits our tax dollars for special grant-in-aid programs, we need an organization to represent our interests.

We have asked the staff to prepare a service report that spells out in detail just what West CAP is doing in your county. I think that if you read and study this report, you will find that this agency is of real benefit in developing human resources in our counties. Your county is well represented on our governing body and the West CAP staff is required to carry out the approved plans of this governing commission. These reports show what they are accomplishing.

If you agree that the listed services are important to your low income neighbors and youth please evidence your support of the agency in any possible way.

Really, without an agency representing a multi-county population base, many of the dollars circulated in your county would end up in urban areas or highly populated counties. Let's support Community Action.

WEST CAP SERVICES INFORMATION

MULTI-COUNTY FISCAL YEAR 1972–73

For the counties of Barron, Chippewa, Dunn, Pepin, Pierce, Polk and St. Croix, Multi-county cash contribution—$9,024.

84 residents of the 7 county area, not including part time summer employees, earned gross wages of $393,009. An agency policy is to hire and train low income people as regular employees. Average earnings per employee are $4,679 annually. All employees have hospital insurance fringe benefits available and are covered by unemployment insurance.

Economic and social benefits to low income people for the year include:

938—Low income people needing health services were brought into health systems at an agency cost of $24,196.

546—Families in need of emergency food and medical services had $26,402 worth of food, nutritional health services and training provided to improve their potential for self-reliance.

602—Families participating in Family Planning services received $22,244 for doctor's exams and contraceptives.

345—Patients who needed but were not getting dental care because of financial or other problems were provided with VISTA Volunteer dental services worth $28,455.

1246—Youths, aged 15–21, who were low income and needed work badly were provided with jobs, job training, counseling and work experience and received salaries at a total agency cost of $576,583.

1036—Low income families were assured of proper legal assistance through judicare cards provided either through West CAP or on referral by county Social Service departments.

340—Handicapped people had their craft items sold by the West CAP Helping Hands program and participated in craft education and cooperative meetings organized by agency staff.

597—Children, youth and their parents participated in educational and other activities at 7 Head Start Centers, at a total West CAP cost of $110,050.

408—Participants, including 148 children between 0 and 3 years of age, received in depth education, training, early child development and family social services at 5 Parent Child Centers at a total cost of $114,900.

800—Youths received counseling, hot-line information and guidance, and classroom education in the Concern program in Menomonie to improve attitudes and prevent potential drug abuse. Total staff, rent and expenses were $14,832. supplemented by an incalculable amount of volunteer assistance.

377—Senior Citizens and their families shared in $31,861 of Homestead Tax Relief due to efforts of West CAP staff in helping them fill out application forms.

15—VISTA Volunteers work in various agency programs as Social Workers, business consultants, registered nurses, dentists, technicians and others. Salaries are paid by the National ACTION Agency and West CAP departments contribute transportation and project expenses.

1114—Volunteers actively participated in extending services to low income and other people in need by:

Operating community centers; Operating clothing and furniture exchanges; Assisting the elderly with Homestead Tax; Staffing sales outlets for handicapped craft items; Transporting handicapped people and low income families to Social Services, Food Stamp offices, doctors, etc.; Supervise young people on NYC; Providing counseling services; Providing nursing, psychological and speech therapy services to Head Start and Parent Child Center families; Assisting with children's programs at Head Start and PCC; Making quilts for families.

Other services provided to county residents by West CAP employees were:

Housing—helping people get decent housing and if necessary arranging for furniture and equipment.

Career Development—providing education and training to parents at the centers.

Personal and vocation counseling.

Referrals to Social Services, Food Stamps, Day Care, Social Security.

Alcoholism treatment, tutoring services.

Providing transportation.

DIFFERENT CLASSES OF WELFARE

(By Clayton Fritchey)

WASHINGTON.—"I would hate to be poor and in a minority in America today," says the Rev. Theodore Hesburgh, the esteemed president of Notre Dame University. In this brief sentence, "Father Ted," as he is called by the students, has said nearly all that needs to be said about President Nixon's plan to undo the country's social and poverty programs.

Father Ted also has asked a telling question: Assuming that the programs of the Great Society, the New Deal, Fair Deal, and New Frontier are not as efficient as they ought to be [as charged by Nixon], "what is the administration going to do that's better?"

The answer, Father Hesburgh says, "has not yet been provided," but he is wrong about that. There is an answer, and the answer is that the administration is not going to do anything. It has no constructive alternative to propose.

Nixon says he loves the poor, the sick, and the underprivileged just as much as the next President, but their assistance programs have got to be curtailed or abolished because they are wasteful and carelessly run.

Too much is going to the burocrats who run the programs, we are told, and not enough to the intended beneficiaries.

The road to efficiency, apparently, is to cut off the beneficiaries altogether. That, presumably, will eliminate the burocrats.

Hence the Office of Economic Opportunity [better known as the "poverty program"] is to be dismantled. Although the objectives of such efforts as the OEO were "laudable," Nixon says, the results added up to "dismal failure."

It is a curious confession to make. Nixon did not invent OEO or the other social programs that he complains are so badly run, but it is his government that has been in charge of them for the last four years.

His personal appointees have been directing these federal efforts for a long time now. If they are so grossly inefficient, why doesn't Nixon do something about it?

Surely it would be more sensible, as well as more humane, to eliminate the waste in OEO, for instance, rather than eliminate the agency and thereby cut off help to a mass of blameless victims.

The President would have us believe that he is acting more in sorrow than in anger, but if efficiency is to be the watchword, if effective performance is to be the criterion for future federal subsidies, shouldn't this apply across the board?

The known waste in the Pentagon exceeds that of all other government departments combined. The cost overrun on a single plane contract is more than the annual budget of the poverty program. Yet even with the Viet Nam war closing down, the defense budget is going up.

The defense contractors, who contributed so liberally to Nixon's reelection, are not being cut off from federal moneys because their "programs" are staggeringly inefficient. They obviously are in a different welfare class.

In giving people public aid, the President says, the government must not "decrease their self-reliance and their self-respect."

It would be a more impressive doctrine if it applied to the rich as well as the poor.

The executives of companies like Lockheed and Penn Central have been able to get hundreds of millions of dollars in aid from the U.S. Treasury, but the administration doesn't seem to fear for their self-reliance and self-respect.

Twelve bishops of the African-Methodist Episcopal Church, some of whom supported Nixon for reelection, have just condemned his Great Society rollback as "dehumanizing" to poor and blacks.

Bishop John Adams of the Texas Episcopal District, summed it up this way: "Lockheed gets bailed out, the railroads get bailed out; it's Socialism for the rich and rugged individualism for the poor."

In the struggle shaping up between Congress and the administration over the future of the Great Society, both sides firmly believe they have public support.

Nixon can cite a Harris poll showing that 59 per cent of the people favor reduced spending, but Congress can cite the same poll to show strong opposition to most of the cuts proposed by the President.

The plan to make older people pay more for Medicare, for example, is opposed by 92 per cent of Americans. Nixon may win the first round in this fight, but in the long run it could be a costly victory.

MOBILE HOME TIE DOWN MONTH

HON. LOUIS FREY, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. FREY. Mr. Speaker, the Mobile Home Living Communications Center has designated May as National Tie Down Month for the more than 7 million Americans who live in mobile homes.

I would like to call your attention to an article distributed by this noncommercial, public service organization formed to encourage mobile home owners to tie down their homes and instruct them how to do so effectively.

The article follows:

MAY DECLARED MOBILE HOME TIE DOWN MONTH

Tie Down Month, a campaign to promote the anchoring of mobile homes to reduce or prevent damage from windstorms, has been announced by the Mobile Living Communications Center for May, 1973.

Sen. Bill Brock (R-Tenn) and Rep. Lou Frey (R-Fla), sponsors of the National Mobile Home and Recreational Vehicle Safety Act of 1973, and seven national weather and safety organizations concur in urging mobile home tie down for protection against high winds.

"Our surveys have shown every state in the union is subject to winds of enough magnitude to overturn and destroy mobile homes and injure their residents," Rep. Frey said.

"Most states do not require that mobile homes be tied down or anchored to their sites," said Sen. Brock. "But an analysis of experiences from coast to coast clearly documents the vulnerability of mobile homes to high winds. The necessity for a universal tie down requirement is obvious."

Supporting organizations include the National Weather Service and two of its major components, the National Hurricane Center and the National Severe Storms Forecast Center. Dr. George Cressman, director of the National Weather Service, says, "We feel that it's important that mobile home owners not only be warned of approaching windstorms, but also that they be protected in the best way possible against them. Compared to repair cost after even slight damage which windstorms can cause, tying down is neither expensive nor inconvenient. We urge mobile home owners to write to the Mobile Living Communications Center for information."

Other organizations supporting Tie Down Month include the American Red Cross Disaster Services, the Defense Civil Preparedness Agency, the Department of Housing and Urban Development and the National Safety Council.

The most extensive wind damage to mobile homes usually occurs when wind force moves the mobile home off its blocks onto the ground or into nearby objects or structures. Both "big winds" and sudden gusts can cause damage. Statistics from the American Red Cross Disaster Services indicate that 182 mobile homes were destroyed and 91 sustained major damage in the tornado which struck Georgia and South Carolina on March 31. National Weather Service reports show 7 mobile homes were destroyed and 12 damaged, with one death and eight injuries resulting, in a straight line thunderstorm which hit St. Angelo, Texas on March 10. Other Texas communities including Burnett and Hubbard were hit by small tornadoes from the same storm front.

A study conducted by The University of Michigan indicates that tying down, or anchoring, a mobile home to the ground is an effective means of protecting it from wind damage.

Tie down equipment in most areas of the United States costs between $100–$150. The cost for installation by a professional contractor may be another $100.

State legislation requiring tie downs has been passed in Arizona, Mississippi, New York and North Carolina; similar legislation is being considered in Florida, Illinois, Missouri and Oklahoma.

At the federal level, the National Mobile Home and Recreational Vehicle Safety Act of 1973 has been introduced in the Senate and the House. It includes establishment and enforcement of mobile home tie downs among safety measures.

For further information on tying down a mobile home, contact the Mobile Living Communications Center (MLCC), P.O. Box 3431, Chicago, Illinois 60654.

RESHAPING THE BUDGET

HON. TENO RONCALIO

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. RONCALIO of Wyoming. Mr. Speaker, I fully support the concept that Federal spending must be restrained to avoid any further inflationary effects and any prospect of tax increases.

While I do not want the total spending of the Government to exceed the limit the President has requested, I assert that Congress has a right and a responsibility to reshape the spending in the budget along with the President.

I, therefore, commend the publishers of Riverton, Wyo., Riverton Ranger, for suggesting in very persuasive terms how economies might be made in defense spending.

In an editorial of April 26, an editorial addressed this question very positively and I insert it now in the hope it can encourage some dialog. The editorial follows:

WOULD HE DARE?

Few people argue with the desirability, yes the necessity, of putting a ceiling on federal spending. Few people can agree on where the cuts should be made to keep spending under the ceiling set.

President Nixon surprised the nation when he re-established contacts with China, while staying on speaking and trading terms with Russia. Nobody except Nixon, who made his political reputation as a communist fighter, could have carried off the double play without being branded soft on communism.

Pres. Nixon declares repeatedly that neither he nor successor presidents should ever be forced to go to an international bargaining table as a second rate military power.

Against such adamant declarations, Pres. Nixon might be able, during the next three years, to carry off what might be the answer to the where-to-cut dilemma. Nixon might have the foresight, to declare peace and to lead Russia and the rest of the world toward a significant cut in resources now allocated to arms.

Such a cut could be made and not make the U.S. a second rate military power. Despite a record number of disarmament agreements, more of the world's resources went to arms the last 15 years than at any time in history. Fifteen years ago the global budget for arms was $97 billion. In 1971, the total war preparation tab was $216 billion.

The two big powers, Russia and the U.S., now have nearly 10,000 land and sea-based intercontinental ballistic warheads armed with nuclear bombs and aimed at each other.

The explosive power of the nuclear weapons now cocked and primed is equal to over 15 tons of TNT for every person on earth. What a blast we'll have when we pull the mutual triggers! The shock of the two primitive atomic bombs the U.S. dropped on Hiroshima and Nagasaki hasn't entirely worn off. The modern bombs make the 1945 bombs look like B-B guns compared to heavy artillery.

This over-arming, this equipment assuring overkill, makes possible consideration that Pres. Nixon might surprise us all once again.

The SALT agreement, which calls for a "balance of mutual terror," aims to stabilize the deterrent between the U.S. and Russia.

Each nation is the other's hostage.

Would Nixon have the audacity to escape Russian captivity stemming from the fantastic commitment of our resources to more weapons? We already have more than enough to blow up half the world and poison the remainder.

For example, $5 billion off new arms would cover the domestic needs, and we'd still have plenty of at-ready weapons to assure Armageddon in the event of war.

Nixon wouldn't dare, you say? No? Who ever thought he'd go to China?

TRIBUTE TO ROGER T. KELLEY, ASSISTANT SECRETARY OF DEFENSE FOR MANPOWER AND RESERVE AFFAIRS

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. STEIGER of Wisconsin. Mr. Speaker, today marks the final appearance of the Honorable Roger T. Kelley before the House Armed Services Committee. In noting the occasion, the gentleman from Texas (Mr. FISHER) said:

> His departure will, in my opinion, leave a real void in the Department of Defense.

In 4 years, Roger Kelley has succeeded in modernizing a wide range of military personnel practices. As the gentleman from Texas (Mr. FISHER) noted this morning:

To manage the nation's largest manpower force in such a turbulent time is, in itself, a job of tremendous magnitude but, in addition, he has instituted more important personnel changes than anyone previously holding that position.

Mr. Speaker, this statement is a fine tribute from a recognized congressional leader in military personnel affairs. I include it in the RECORD at this point:

STATEMENT OF THE HONORABLE O. C. FISHER

Today, we will hear from the Hon. Roger T. Kelley, Assistant Secretary of Defense (Manpower and Reserve Affairs). This probably is his last appearance before the House Armed Services Committee as he plans to return to private industry at the end of this month. His departure will, in my opinion, leave a real void in the Department of Defense.

I cannot let this occasion pass without paying public tribute to this very remarkable person. Coming to the Pentagon from private industry where he was personnel director of one of America's largest corporations, he assumed responsibility for personnel policies and programs of the country's largest employer, and he brought to that position knowledge, instinct, foresight, judgment and integrity. He arrived at a time when we had our maximum military force in Vietnam and leaves at a time when our force levels are lower than at any time since before the Korean War. To manage the nation's largest manpower force in such a turbulent time is, itself, a job of tremendous magnitude but, in addition, he has instituted more important personnel changes than anyone previously holding that position.

Among his many accomplishments can be considered some of the following:

(1) Principal architect of the all-volunteer force;

(2) Designer of the Survivor Benefits program;

(3) Creator of a revised retirement program for active duty personnel; and

(4) Instigator of a program to revise the Officer Management System.

I could continue his list of accomplishments but the area where I am most knowledgeable is in his relations with this Committee. He has been an articulate and loyal spokesman for the Department of Defense but he has also given full understanding and cooperation to this Committee since assuming his position.

I think it is generally recognized that he is among the most outstanding persons ever to fill this important position. He has served well his Department, this Congress, and his Country.

Roger, I know we all wish you well as you return to private industry.

CONGRESSMEN'S ROME TRIP WAS NO JUNKET

HON. JAMES A. HALEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. HALEY. Mr. Speaker, on April 5, 1973 a resolution was approved by the House authorizing two Members of the House Committee on Interior and Insular Affairs to attend the meeting of the general assembly of the International Centre for the Study of Preservation and Restoration of Cultural Property in Rome on April 9 through 12, 1973.

The Speaker of the House, at the request of the State Department, had determined that the House should be represented at this meeting and had named Congressman ROY A. TAYLOR, Democrat of North Carolina, chairman of the House Subcommittee on National Parks and Recreation, and Congressman JOE SKUBITZ, of Kansas, ranking minority member of said subcommittee, to attend. Because of the crowded House legislative schedule at the time of the meeting, neither Congressman TAYLOR nor Congressman SKUBITZ made the trip but remained in Washington to carry out their legislative responsibilities.

It should be pointed out that this trip had a definite bearing on legislation now before Congress. The United States became a member of the Centre in 1971 and our Nation's participation costs our Government approximately $100,000 per year. The legislation authorizing this participation expires in 1973 and Congress will have to decide this year whether or not our Nation shall continue as a member of the Centre, and the legislation will be handled by the subcommittee which TAYLOR and SKUBITZ head. In fact, this subcommittee held hearings on this legislation today.

On April 7 a very critical article appeared in the Charlotte Observer, Charlotte, N.C., captioned "Rep. TAYLOR'S Junket Junked." House Speaker CARL ALBERT responded to this article with a letter to the editor which was published under the title "Congressmen's Rome Trip Was No Junket." This letter presents fully the need and justification for congressional representatives at the Rome Centre, and I recommend the letter to my colleagues. The letter follows:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., April 11, 1973.

The EDITOR,
Charlotte Observer,
Charlotte, N.C.

DEAR SIR: The Charlotte Observer's April 7th article headlined "Representative Taylor's Junket Junked" has done Congressman Taylor and Congressman Joe Skubitz a great disservice. Since it was I, as Speaker of the House, who determined that the Congress should be represented at the meeting in Rome which is the subject of the article, I feel that your readers are entitled to know the full facts concerning this very important meeting.

The State Department had requested that I name two Members of Congress to join representatives of that Department and the Department of the Interior in attending a meeting of the International Centre for the Study of Preservation and Restoration of Cultural Property which convened in Rome on April 9. I designated Representative Taylor and Representative Joe Skubitz, who are Chairman and Ranking Minority Member respectively of the House Subcommittee which has jurisdiction of this subject. I was greatly disappointed when Congressman Taylor and Congressman Skubitz notified me two days before your article appeared that because of price control legislation and other important votes on the House floor this week, they could not attend the meeting in Rome.

The International Centre, an international authority on technical programs for historic preservation, is an independent organization with fifty-five member nations, including the United States. The Centre provides invaluable assistance to member countries on very difficult technical problems concerning the preservation of historic property. Since much legislation is introduced in the Congress each year relating to the creation of new national historic sites, I felt it imperative that the House of Representatives be represented at that meeting. I designated Congressman Taylor and Congressman Skubitz because they have legislative jurisdiction in this area. In addition, legislation is now pending before their Subcommittee to determine whether or not the United States shall continue as a member of the Centre.

It is unfortunate that your reporter did not want to let the facts get in the way of a good story and did not see fit to relate the importance of the United States' participation at this meeting. I was disappointed that Congressman Taylor could not go but fully understood his reluctance to do so, since he has consistently given priority to legislative business in Washington, as shown by the fact that he has an attendance record on roll call votes of 99% last year and 100% this year.

Congress is continually criticized by the press and the public for yielding its Constitutional authority to the Executive Branch of our government; yet when Congress endeavors to send its Members to the source of the information to get answers firsthand, the press all too quickly chooses to refer to such efforts as "a spring junket."

Sincerely,

CARL ALBERT,
The Speaker.

BOTH THE MEAT PRODUCER AND CONSUMER IS BEING HURT

HON. JERRY LITTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. LITTON. Mr. Speaker, we have all been assured by the administration that the supply of meat will increase and accordingly that prices will be lower by the end of this year. Recent economic developments that have adversely affected the meat producer and will soon affect the consumer have prompted me to write President Nixon regarding this matter and asking that he take immediate steps to alleviate this critical situation.

I would like to insert in the RECORD the text of my letter so as to share my thoughts and concerns on this matter with my colleagues and hopefully to urge them to urge the administration to correct this situation as soon as possible recognizing that as each day passes without action being taken, both the meat producer and consumer is being hurt:

DEAR MR. PRESIDENT: Your assurances that the consumer would see an increased supply of meat at a lower price by the end of this year has been of real interest to me. In fact, recent developments in areas that directly affect the production of meat has caused me to be extremely concerned about your optimism.

Mr. President, these developments have occurred during this past month and have drawn increased interest this past week. As a result of the situation as it now exists, I am fearful that the consumer will become the real scape goat of your effort to hold prices of meat in check.

Mr. President, a full month has passed since you imposed ceiling prices on meat. Indications from most sources seem to point to a very disturbing situation for both the consumer and the producer of red meat. Markets since the ceiling price freeze have been highly erratic. Prices broke very sharply for a few days, then recovered to a level nearly as high as the earlier record pre-freeze levels.

Even more significant for the future is the very disturbing rise in the cost of feeding meat animals, a rise which has occurred in the past month. This situation is serious not only with regard to animals now in the feedlot, but especially in relation to whether the farmer will increase production and marketings as you anticipated.

In case you haven't been reading the papers lately, No. 2 yellow cash corn in Chicago on March 29, this year, sold for $1.56¾ per bushel. On May 1, 1973, equivalent quality corn sold at Chicago for $1.85 per bushel. Soybean meal, required in considerable amounts in cattle feeding but vitally required as a protein concentrate in larger amounts for broilers and young pigs, sold in March when red meats were frozen in price, at less than $180.00 per ton, Unrestricted, Decatur. Cash soybeans, from which such vital growth factor meal is produced, then sold for about $5.65¾ per bushel at Chicago. Beans, as of May 1 sold at Chicago at $7.84¼ bushel and soybean meal spurted to a top price of $289 per ton, roughly more than $100 more per ton, or 5 cents more per pound than when ceilings were put on red meats. In other words, Mr. President, the control effort failed miserably by not including the costs of items which are major in red meat production.

Obviously, Mr. President, the ceiling may have been good politics but it will be disastrous for meat producers as well as consumers in the months ahead. A farmer simply cannot be expected to fill his feed lots with expensive steers when things are so stacked against him. Nor can he be expected to breed a lot of gilts to farrow pigs to be marketed late this year or early in 1974 under such wild uncertainties. More hogs and broilers are our chief hope for more meat at somewhat reduced prices yet this year.

You may well question why corn and soybean meal have fluctuated so sharply in price, recalling that corn was truly a large crop in 1972 and the soybean crop was the largest on record. It appears that a world shortage of food and feed grains created uncommon demand which fell largely on U.S. stocks. At the same time we have done little to make certain that U.S. stocks are and will be maintained at levels likely to dampen the costs of production and living here.

Mr. President, please allow me to share with you a typical cost sheet that a feedlot operator would use to make a decision as to whether he should purchase cattle for his operation on the basis of the above quoted current prices for corn and soybean meal.

EXAMPLE

600 lb. Feeder Steer @ 55¢/lb.=$330.00.

Corn @ $1.85/bu.=$3.30/cwt or $.033/lb.

Soybean meal @ $290.00/ton=$14.50/cwt or $.145/lb.

Feed Ratio=9 parts corn to *1 part soybean meal,* 10 total parts.

9 lb. corn × $.033	$. 297
1 lb. soybean meal × $.145	$. 145
10 lb. mixed Ration	$. 442
OR	
1 lb. mixed ration	$. 044

9 lb. mixed ration to produce one pound of grain=39.6¢ cost of grain.

40¢ × 400 gain	$160.00
Plus steer cost	330. 00
Total feed and animal cost to produce 1000 lb. fat steer (no labor or interest included)	$490. 00

$490.00÷1000=49¢/lb. Break even point—live weight basis for feedlot operation (no labor or interest included).

Mr. President, if this feedlot owner is a good businessman and knows he needs a 49 cent live market to break even, he will probably be very hesitant to purchase replacement animals at a time when the current market is around the 45 cent range and frozen at this point due to the wholesale ceiling you have imposed. But more importantly, this same feedlot owner will probably market the fat cattle he has on hand at a lighter weight because of the loss (approximately 4¢/lb.) that he is incurring with each additional pound that is gained. This kind of reaction (to sell lighter fat cattle) will result in an even more serious shortage of red meat than now already exists.

Because I am extremely concerned about the plight of the meat producers' best friend, the consumer, and because of the adverse economic conditions which are facing the meat producer, I respectfully request that you take immediate action to eliminate the grave situation that now exists. Your immediate attention to this very complex problem would be appreciated and applauded by both the consumers and producers of this nation's red meat.

Thank you for your consideration of this important matter.

Sincerely,

JERRY LITTON,
Member of Congress.

THE PADDOCKS ON FOREIGN AID

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. REUSS. Mr. Speaker, William and Elizabeth Paddock have written a thought-provoking new book entitled "We Don't Know How—An Independent Audit of What They Call Success in Foreign Assistance." In the May 2 edition of the Washington Evening Star, Frank Getlein presents an excellent review of the book. The text of Mr. Getlein's review, entitled "The Failure of Foreign Aid," follows:

THE FAILURE OF FOREIGN AID

(By Frank Getlein)

The most obvious and sensationalist reason for a thorough review of the foreign-aid program is that the program has on occasion been suborned by the CIA for its own secretive purposes. It was, apparently, used as a CIA cover during the period when our war in Laos was a big secret to be kept from the American people at all costs.

And, according to the Costa Gavras movie, "State of Siege," recently the subject of a scandalous cancellation at the American Film Institute, AID officers themselves have instructed the police of client nations in the delicate arts of the torture of political prisoners.

Obviously, if these things are going on in the name of foreign aid, the taxpayers deserve to know about it fully and their representatives in Congress deserve the chance to vote openly for assassination, torture, secret wars and so on, rather than to do so in the illusion that they are voting for improved crop yield and birth control information in underdeveloped countries.

But all of that subversion of foreign aid has been the product of limited minds at CIA, the same sort of minds that participated so heavily in both the Bay of Pigs and the Watergate conspiracy and burglary. There are other, more serious reasons for questioning foreign aid and they are offered in a penetrating, depressing and completely convincing new book by Washington-based agronomists William and Elizabeth Paddock.

The Paddocks call their book "We Don't Know How," and the title sums it up.

With long experience in Central America in numerous branches of foreign aid, the Paddocks compiled, in Washington, a list of aid projects there that the home offices here regard as extraordinarily successful. Then they went back to Guatemala, Honduras and El Salvador to look at these "successes." They also visited a number of other assorted enterprises in the region and a boomtown in Mexico.

Their conclusions are sobering, their details sometimes appalling.

Among the latter are statistics gathered in the same cheerfully casual ways as the celebrated "body-counts" of the first major phase of our Indochinese war, according to which we seemed to have killed off everybody three or four times.

But it is upon those statistics that present programs are continued, future ones devised.

By looking, asking questions of the local people who really know how things are going and by comparing conflicting or complementary sets of statistics, the Paddocks have concluded that foreign aid is not only a failure but an inevitable failure.

One reason is simply that any effective improvement in economic conditions causes a much greater increase in population which wipes out the economic improvement and then some.

Sources of real, measurable improvement in living conditions often are somewhat embarrassing to liberal observers. They include: the money brought home by wetback agricultural laborers in the United States; the sheer proximity to the United States of one Mexican boomtown and the relative American accessibility of one in Honduras; and, of all things, the long-term economic benefits of the United Fruit Company, the feared and denounced "El Pulpo"—the octopus—long blamed as an imperialist exploiter.

The Paddocks have no foolproof plan to make foreign aid work. Indeed, the point of their book is: "I don't know. You don't know. Nobody knows." But they do offer two powerfully sensible suggestions.

The first is simply that, given our increased understanding of the size and the depth of our own "pocket of poverty," more of our money for reform should be put into American areas in need of it—for example, Appalachia, the inner city, Puerto Rico, Indian reservations and Congress, all of which societies cry out for structural changes of the kinds we have tried, unsuccessfully, to create elsewhere in the name of foreign aid.

Their second thought is to start putting money, unilaterally, into the United Nations as an actual peace-keeping force, reliable for small nations. Those nations, relieved of the crushing burden of armaments purchased from us or from the Russians as foreign aid, would then have at least the beginnings of the capital needed to tackle their own problems.

It makes sense—too much sense. That's why it will never be tried.

"MITCH" McCONNELL CUT POLITICAL TEETH WHILE IN COLLEGE

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. CARTER. Mr. Speaker, it is always inspiring and reassuring when we see young people achieve through hard work and study. Mitch McConnell of Louisville, Ky., offers the fine example of one who is dedicated to public service.

An account of his meteoric rise in our party's organizations follows:

"Mitch" McConnell Cut Political Teeth While in College

(By Edward Bennett)

Just over a decade ago, when he was still a college student, "Mitch" McConnell began cutting his Republican political teeth.

Five years ago, less than a year out of law school, he sank those teeth into full-time GOP campaigning and ended up going off to Washington with U.S. Sen. Marlow W. Cook.

Yesterday, at age 31, he bit off the chairmanship of the local Republican Party.

"I'm a strong believer in the art of the possible," A. Mitchell McConnell Jr. explained in a recent interview. "To be effective, you have to superimpose over your idealism the realities of political life."

A deliberate but assured speaker, a self-described philosophical centrist, a man who has chosen his sides wisely, McConnell is a south-end boy who has made it.

He was not born to prominence in the local GOP, known in the recent past as something of a closed club.

He is a native of Alabama, but spent his teen-age years in Louisville's south end and was graduated from du Pont Manual High School, of which he was student body president. Today, among the listings on his résumé, one finds the Pendennis Club and the nation's Air Quality Advisory Board.

WHAT HE'S PROUDEST OF

Despite it all, McConnell says that "the thing I'm proudest of" is his past success as a student politician—the high school presidency, the student council presidency at the University of Louisville, from which he was graduated in 1964, the presidency of the student bar association at the University of Kentucky College of Law.

McConnell's rise in the local GOP has not come, as one might expect these days, as the champion of any youthful legions, but as a flexible extension of tradition.

"As you know, I've had strong support in this (his bid for the chairmanship) from the party fathers," he said.

"I have a very strong conviction that the best kind of change is gradual change. . . . You have to deal with what's possible and discourage those who advocate radical change."

For his success he pays tribute to the late Mayor Kenneth A. Schmied, who was party chairman until his death earlier this month, and to Cook, his first mentor.

"One of Kenny's strongest legacies to the party was that he was extremely open to the younger people in the party," McConnell said. "He was without age prejudice."

McConnell was first vice-chairman of the party under Schmied and served as the local GOP's public spokesman as head of its policy committee.

As for Cook, he gave McConnell his start.

As a U of L student, McConnell had been involved in politics, serving as president of the Campus Young Republicans, working in campaigns and putting in stints as an intern to U.S. Rep. Gene Snyder and U.S. Sen. John Sherman Cooper.

BIG BREAK IN 1968

But his real entry came in 1968, when he wrote Cook, then Jefferson County judge and hoping to be elected to the Senate, and volunteered to help out in the campaign.

He became statewide chairman of the Young Kentuckians for Nixon-Cook in the successful fall campaign, wrote speeches and handled public relations.

Shortly after the election, Cook named McConnell as his chief legislative assistant, and he stayed in Washington until early 1971.

"Young lawyer-types find they reach a point of diminishing returns after about two years" in Washington, McConnell said, when cynicism begins to creep in and experiences begin to repeat themselves. His job, however, was a "stimulating thing" and "great experience."

He returned to Louisville, ostensibly to work in the gubernatorial campaign of Republican Thomas D. Emberton. However he was picked as the regular organization's candidate for the GOP nomination for the 31st legislative district seat in the state General Assembly.

Subsequently, he was disqualified as a candidate for not meeting residency requirements and then devoted himself to Emberton's campaign, which was unsuccessful.

Just two months before the election, President Nixon named McConnell to the 15-member Air Quality Advisory Board ("a little too much advisory and not enough action," he now complains) and the day after the election he returned to Washington politics.

William H. Rehnquist was just beginning his Senate hearings to be confirmed a U.S. Supreme Court justice, and McConnell, who had known Rehnquist from earlier Senate fights over court nominees, was asked to help out.

HELPED DEFEAT "REFORMERS"

When that was completed, it was only a few months until McConnell was back in the local fray, serving as campaign chairman for the regular organization slate of candidates for the local GOP executive committee. The slate, with McConnell as its spokesman, defeated a group of reform-minded dissidents.

"There was a lot of sentiment expressed last spring with throwing the baby out with the bathwater," he said. "But the regular slate was for, and has demonstrated since that time that it supports, constructive change."

He pointed to the selection of John F. (Jack) Will III, now 26, as the party's organization chairman as evidence, saying Will has "brought new life into the organization without throwing out the old."

The emergence of young leaders, like Will and himself, McConnell argues, is not a sign that the GOP's well of experience has run dry. Rather, he said, it is a reflection of an "opening up of the party, the elimination of age prejudice."

Having reaped the benefits of this opening up, it is McConnell's job to see that the party fares as well at the polls this fall.

Married to the former Sherrill Redmon, McConnell lives at 1832 Fleming Road, has a baby daughter and practices law downtown.

McConnell, Unopposed, Is Chosen To Head City-County Republicans

(By Edward Bennett)

The city-county Republican Executive Committee yesterday elected 31-year-old A. Mitchell (Mitch) McConnell Jr. as chairman.

Although no opposing candidate was nominated, McConnell's selection came after unsuccessful attempts to delay the election and to adjourn the committee's meeting before a vote could be taken.

As always, the committee meeting was closed to the press.

State Rep. Dexter Wright, a committee member, said he and others attempted to delay the election of a chairman "out of respect" for former Mayor Kenneth A. Schmied, who was party chairman until his death earlier this month.

Wright said he questioned McConnell's ability to unify the party.

McConnell said after the meeting that a motion to delay the election for a month was ruled out of order, as party rules require selection of officers in April. He said a subsequent effort to adjourn the meeting before a vote could be taken was defeated by a 15–34 vote.

"I have a short memory," McConnell told reporters. "We are going to work together as a group." He said later that he did not think opposition to him was substantial enough to pose any threat to party unity.

McConnell, of 1832 Fleming Road, is a lawyer and former aide to U.S. Sen. Marlow W. Cook and was the party's first vice-chairman under Schmied.

Other party officers chosen yesterday were: Mrs. Lillian Sternberg, first vice-chairman; Marshall Royce, second vice-chairman; Mrs. Virginia Bosse, third vice-chairman; Mrs. Cora Eaves, fourth vice-chairman; Mrs. Ethel Faesenmeier, secretary; Paul Tafel Jr., treasurer, and Ralph Reynolds, sergeant-at-arms.

Robert Saunders and Stephen Nicholas Frazier were chosen from a field of five as the Young Republicans' representatives on the committee.

HIGHEST RANKING POW SAYS HE FEELS NO HATRED

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. BROWN of California. Mr. Speaker, I believe that many of us could take a lesson from Brig. Gen. John P. Flynn, the highest ranking U.S. officer to be held prisoner of war in the northern portion of Vietnam. Bill Crider of Associated Press quotes General Flynn as saying that he does not feel any hatred for the Vietnamese people, just as he feels no hatred for the German or Korean people against whom he fought in previous wars.

Mr. Speaker, when a man who has been through what this man has been through—he admits to having been tortured, although he does not wish to go into the unpleasant details—when General Flynn can say, and I quote, "One of the things I have noticed is that war is a temporary thing," how can we sit here and self-righteously declare that it would somehow offend our sensibilities to make peace in our hearts as well as on a piece of paper?

General Flynn's remarks were in response to questions from reporters, and he seemed a bit apprehensive that his comments might be taken out of context. In order to be sure that I do not contribute to any misunderstanding of his statements, I am inserting in the Record at this time the article upon which I have been relying for my information. It appeared in the San Bernardino Sun-Telegram of Saturday, April 7:

Ranking POW—Torture Worked

(By Bill Crider)

Biloxi, Miss.—Brig. Gen. John P. Flynn, the highest ranking U.S. officer to be held prisoner of war in North Vietnam, said yesterday that torturers probably could have forced him to shoot his own mother.

Flynn, 50, who was promoted to brigadier general yesterday, told newsmen he thought any propaganda statements wrung from prisoners "under torture, or unreasonable duress should be exempt from retribution."

Flynn, an Air Force colonel when his F105 jet was brought down over North Vietnam Oct. 27, 1967, said he did not want to get into details about his own treatment. He spoke at a news conference at Keesler Air Force Base.

"The thing that hurt me the most personally was that after they had tortured me and got me to answering questions I came to the realization that I was not as strong as I thought I was," he said.

"Up to this point I had a great deal of confidence in the toughness of John Peter Flynn. Suddenly I was in the hands of the 'V' and the 'V' were making me do what they wanted.

I realized I was not as tough as I thought. I realized they could bring me to a point where, if they asked me to shoot my mother, I probably would have done it. The impact of that realization was the toughest thing that I had to handle."

He said the code of conduct for prisoners was "beautiful in principle, an anchor to hold onto in order to keep themselves straight.

"We also understand that there were civilians involved in the arrangement of the code, which came as quite a surprise to me," he added. "We senior officers are going to form a study group to examine the doctrine of the code.

"We are going to attempt in update the doctrine," he said, "but I don't think we would undertake a revision of the code."

He said the study will examine such areas as "whether it is reasonable, for example, for a man to take heavy torture in order not to bow—that sort of thing."

The military code forbids a prisoner of war any information other than his name, rank and serial number.

Flynn's comment came at a news conference after repeated questions about whether any charges were contemplated against American POWs who made statements which North Vietnam used as propaganda.

As the senior officer in the Hanoi prison, Flynn organized what came to be known as the 4th Allied Prisoners of War Wing.

"I would like to report that the 4th Allied POW Wing is closed," he said, "but unfortunately that is not the case.

"We have learned that two members of the wing, both Thais, are still there. We are terribly distressed by this."

Flynn said one of the men was a Thai sergeant whose last words to the last man out were, "Please tell Col. Flynn to get me out of here."

To the recurring questions of whether prisoners collaborated with the enemy, Flynn said the Department of Defense has stated it will not press charges and "I agree with that policy."

"They would not have gotten any statements had there not been torture," he said.

The general said that when the release of prisoners started, he asked them not to make statements regarding any prisoner's relations with the North Vietnamese because "a man's most prized asset is his reputation."

Flynn said the North Vietnamese were masters at making it seem that a prisoner was cooperating with them and that "in many cases men who appeared to be cooperating were not actually."

In addition, he said, "many people make mistakes, many people are victimized, many people are tricked. And the mistakes were made in an atmosphere of tension, pressure."

"It is neither Christian nor military to nag a repentant sinner to death," he said.

Flynn declined to say how his organization of POWs was formed or how it operated because he thought the techniques used should be kept secret if possible.

But, among other things he said, a secret officer's training school was conducted at the prison, despite the watchful eyes of North Vietnamese guards who forbade communication among prisoners.

"It was a formal program with two Air Force Academy graduates conducting the classes," Flynn said. "They were fine men and we had plenty of time.

"After they had completed their schooling, their squadron commander commended them for promotion," he said, "I agreed but I had no authority to issue a battlefield promotion."

However, Flynn said Air Force Secretary Robert C. Seamans has announced that Sgt. Arthur N. Black and M Sgt. William A. Robinson will be commissioned Monday at Andrews Air Force Base outside Washington.

A third graduate, SM Sgt. Arthur Cormier, decided to decline a commission until his graduation from college. He has taken a promotion to chief master sergeant, the top enlisted pay grade.

Flynn grinned when a newsman said the statements by many returning prisoners had been oddly similar and asked whether they had been told what to say.

"You're looking at the guilty party right here," he said. "I quite often sent out messages. I had to be careful, because we don't tell our men what to say. I just told them how I felt in hopes that in some small way I would influence them."

Flynn said his messages were merely advisory and it was "most unfortunate in that the press thought that the men were briefed on what to say."

Asked whether he felt his former captors should benefit from American aid to North Vietnam, Flynn first specified that he was no expert and that military men should steer clear of politics.

As for his personal opinion, he said:

"I have been in three wars. I fought in Germany, I fought in Korea, and I fought in North Vietnam. One of the things I have noticed is that war is a temporary thing.

"There is no animosity between myself and the Japanese. I read books about Dachau and I've read books about Buchenwald and I do not hate the German people. I've seen the North Koreans and I know they are just people.

"This extension of hatred after a war is human, but it's an expression which I don't agree with. I think the bridge to the future involves such things as economic assistance to those people who need it, provided of course we are not taken in by them."

BLACK LUNG LEGAL FEES

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. MAZZOLI. Mr. Speaker, Congress passed the Coal Mine Health and Safety Act in 1969 and included a provision for miners who are victims of pneumoconiosis, better known as black lung disease.

Inasmuch as this is an occupational ailment, it normally would be covered by State workmen's compensation laws. Congress decided in 1969, however, that a sudden rash of claims, resulting from the new regulations, would cause financial hardship for some States. To avert this, the Federal Government assumed the liability for the first 3 years.

In Kentucky this program has proven to be a significant windfall to a number of attorneys. Representing clients with black-lung claims has resulted in hundreds of thousands of dollars in additional income. I would like to bring to the attention of my colleagues a story by Kyle Vance, which appeared in the Louisville Courier-Journal & Times of April 29, 1973. This story discusses the details and magnitude of the situation:

LAWYERS GET TOP FEES IN 75 PERCENT OF BLACK LUNG CLAIMS

(By Kyle Vance)

FRANKFORT, KY.—The state Workmen's Compensation Board this year has been awarding maximum fees almost 75 per cent of the time to attorneys handling black lung claims.

A check of attorney fees approved for payment through April shows that of 513 fee claims considered, the maximum—20 per cent of the client's award—was allowed 382 times, for 74.4 per cent. Other fee awards ranged downward to 13 per cent.

Board Chairman Shelby T. Denton, Owensboro, and other board members said that the high incidence of maximum fee awards does not indicate "rubber stamp" approval.

They said they are guided solely by the indicated amount of work devoted to a case in determining the amount of a fee. The 20 per cent maximum is prescribed by law. The 13 per cent minimum is a matter of board policy.

In any event, the preponderance of full-fee awards, coupled with a growing case load, is reflected in the spiraling returns attorneys are receiving for collecting black lung claims.

Fee awards referred by the board to the state Labor Department's Special Fund for payment to attorneys total $2.23 million for the year through last Friday. That is an increase of about 10 per cent, or $220,000, over the same period a year ago.

Assessments against compensation insurers are used to bank money in the Special Fund sufficient to pay all occupational disease-claims as well as the attorneys.

Kelsey B. Friend, Pikeville attorney and Democratic state senator, is an one-sided leader in fee awards, with a total of $911,601 for the four months of 1973. Friend last year became the first attorney to exceed $1 million in black lung fees for a full year when he was awarded $1,008,950 by the board.

Three other attorneys have been awarded fees totaling more than $100,000 this year and six others exceed $50,000.

Friend, as have some other attorneys, has streamlined his processing of claims to shorten the time and lessen the work involved in individual cases.

The tabulation shows the board has given him the full 20 per cent fee in 172 (85 per cent) of 201 cases he and his firm have handled this year.

Fred W. Luigart Jr., president of the Kentucky Coal Association, said it was not surprising to him or others in the coal industry that full fees go to attorneys in large numbers.

"We have known for some time that the board has failed to give due consideration to the small amount of time involved in preparing some claims," he said. "That is the only valid way you can say how much the lawyer is entitled to. If he works long hours on a case, he is entitled to the full fee. If not, he isn't."

Board Chairman Denton stoutly defended the high number of awards as "deserving."

"I'd say that three out of four is about the right figure (for full-fee awards)," he said. "Those are the cases in files six inches thick, where five to 15 doctors have given depositions, and where claims attorneys have had to fight attorneys for the other side."

Denton said board members, all attorneys themselves, "can't tell by the file" when a claims attorney has been able to cut his time and work through an efficient organization.

The chairman also said a trend has developed in "the last month or two" in which opposition to claims is being withdrawn when the state learns from its own medical specialists that the claimant can prove disability.

"In those cases, where the claim isn't contested, the attorney fee is automatically reduced 10 per cent," he said.

Three other members of the board—Clyde Mullins, Elkhorn City; Glenn L. Schilling, Louisville, and Alfred Naff, Hopkinsville—said they give first consideration to the amount of work done by an attorney in recommending his fee.

"We have no rigid guidelines and it's mostly up to our individual judgment," Mullins said. "We look at the record, see how many depositions, and, in general, determine how difficult the case has been."

Schilling gave the same explanation.

"It's pretty easy to evaluate the work in the case by the bulk of the file," he said.

Naff said the complexity of a case, including medical examinations, trips to take depositions, and such help him decide when to recommend a maximum fee. At times, he said, he has examined a "rather simple" case and decided the attorney was entitled to no more than 10 per cent of the benefit award.

George Simpson, Sturgis, the fifth member, declined to comment.

Friend is far ahead of other attorneys in fee awards for the year. Other leaders:

W. W. Burchett, Prestonburg, has won awards totaling $192,591 in four months this year. His total last year was $585,118.

Cawood Smith, Harlan, has collected $154-818 this year, more than half his total $298-500 for all of 1972.

Eugene Goss and Karl Forester, partners in a Harlem firm, have amassed fees of $90,-780 this year, compared with last year's total of $217,000.

Neville Smith, Manchester, has $72,677 this year. He collected $145,000 last year.

G. C. Perry III, Paintsville, won awards totaling $810,058 last year. This year he has been awarded $129,688.

Totals for other attorneys this year, all of them among the leaders last year, include: Cletus Maricle, Manchester, $55,839; Earl Cole, Barbourville, $57,658; Lester Burns, Manchester, $53,285, and Leland Monhollon, Madisonville, $50,545.

The total for all other attorneys engaged in black lung claims cases, almost all of them in Eastern Kentucky, is $464,422.

As in previous years, more than 95 per cent of miners' black lung claims have originated in the eastern portion of the state. Just 12 of 513 cases on which attorney fee awards were based came from coal counties in Western Kentucky.

A Louisville lung specialist, Dr. E. Gernert, said applicants for state black lung benefits have a harder time winning their cases if their exposure has been to Western Kentucky mining conditions.

He said he has determined that cutting through sandstone to reach coal seams is the main cause of black lung and that, unlike Eastern Kentucky, Western Kentucky miners are not exposed to sandstone.

Pike, Floyd and Harlan counties, the eastern region's leading underground coal producers, were sources of the most miners' claims involving the attorney fee tabulation.

The four-month total for miners' claims awarded by counties is: Pike, 195; Floyd, 105; Harlan, 63; Clay, 39; Letcher, 21; Leslie, 13; Knott, 13; Perry, 11; Bell, 7; Hopkins, 7; Pulaski, 6; McCreary, 6; Union, 3; Johnson, 3; Whitley, 2, Knox, 1, and Webster, 1.

WEST GUARANTEES RUSSIA GUNS AND BUTTER ECONOMY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. RARICK. Mr. Speaker, the massive depletion of some 28 million tons of American grain last year sent a reported one-fourth of our country's wheat crop sailing toward the Soviet Union. While we were generously supplying bargain bread for the Russian dinner tables at prices subsidized by the U.S. taxpayers, housewives experienced the sharpest rise in the cost of meat, bread, dairy products, and other foods in recent years.

In another heavily subsidized food giveway to the Soviets, the Western European nations of the Common Market are now supplying the butter to go on the bread backed from U.S. wheat. Some 200,000 tons of European buttter are being sold to Russia at a preposterously low price, reported to be $340 a ton, or 17 cents a pound. When compared to the subsidized price of $1,860 a ton—93 cents a pound—paid by the European Economic Community to farmers, anyone can see that the Russians pulled off a trade coup.

It was also reported that some of this bargain basement butter is said to have been resold to Chile at a profit. The Russian wheeler-dealers must have been reading some capitalistic books on economics, because they practice well the principle of "buy low and sell high."

A natural question for taxpayers to ask is how much of the wheat and other feed grains that we have sold the Soviets at low subsidized prices have been resold for a profit. In a statement made recently by the Assistant Secretary of Agriculture, the USDA expects that in 1973 "the U.S.S.R. would probably need to import some grain anyway to permit normal exports or some stock buildup." How much of the 14 million tons of wheat, corn, barley, and soybeans the Russians are anticipated to get from the United States this year will find its way into "normal exports"—presumedly at a profit? Why is this country, according to the White House Food Outlook, "selling its grain stocks with the objective of literally emptying its grain bins," while shipping grain to Russia for "stock buildup"?

Perhaps the French Communist who maneuvered the butter deal past the Common Market expressed the objective best:

> I think the best way to fight Capitalism while waiting for the Revolution, is to make money by exploiting the Capitalists.

"Exploit" is certainly an appropriate thought. Since it is the American consumer and taxpayer who now pays higher food prices here at home, because our Government is selling our food production abroad at lower-than-cost prices, Americans are indeed being exploited. Their hard-earned money goes to make up the difference in the tax subsidy and also foot the higher food costs in the supermarkets.

Presenting the Russians with European butter and American wheat simply enables them to redirect more of their resources and manpower from agriculture toward military buildup directed against the West. So the Free World is supplying the Communists with a "guns and butter" economy.

The American Government's generosity toward the rest of the world has provided us with the highest national debt in the history of the civilized world, a debased dollar and an inflationary economy that has driven up the cost of everything we buy.

The Communists have finally learned how to make their economic system work—have the United States provide them with the bread, then get the Europeans to butter it.

Our generosity toward the Communists is exceeded only by our ability to get swindled in trade dealings with them.

I include the following related newsclipping:

[From the Manchester (N.H.) Union Leader, Apr. 27, 1973]

EUROPEAN DEAL GIVES SOVIET BARGAIN BUTTER

(By Anthony Lejeune)

The extraordinary deal negotiated by M. Jean Doument, a French multi-millionaire Communist, under which 200,000 tons of surplus European butter are being sold to the Soviet Union at an absurdly low price is an appropriate follow-up to the recent sale of American wheat to the Russians.

The butter is being sold at $340 a ton, compared with the $1,860 a ton, which is the subsidized price paid by the European Economic Community to the farmers. Most of this butter will go to the Red Army, although it is rumored that some of it has already been resold at a profit to Chile.

Even now, about half of the notorious "butter mountain" created by the EEC's system of artificially high prices and subsidies remains unsold: and new surpluses are already being built up. As Mr. Butz, the U.S. Secretary of Agriculture, frankly warned the Europeans lately, "You have so much butter that you are sliding all over the place on it."

An earlier "butter mountain" was dumped in the Far East at about eight cents a pound, while European housewives were having to pay more than 10 times that price. Nor is the butter situation unique. A similar deal is pending which would give the Russians a large quantity of surplus barley.

Almost all the food in Western Europe is more expensive than it need be, because these surpluses are the result, not so much of miscalculation or some sudden change in the market, as of deliberate policy.

When the EEC—the Common Market—was originally set up, there was, in effect, a bargain between France and Germany, whereby German industrial goods obtained duty-free access to neighboring countries, in return for high agricultural subsidies and an external tariff against cheaper food from outside Europe; an agricultural policy designed mainly to favor the inefficient French peasant farmers. (But not only the French, Italian and Bavarian small-farmers are equally inefficient, so they benefit too.)

Housewives in Europe don't like paying unnecessarily high prices for their food, of course—the Russian deal has caused some indignation—but they are, at least, accustomed to it. The bitterest resentment is in Britain, which has traditionally imported food from the cheapest source—New Zealand butter, for example. Now the British taxpayer must not only accept a big increase in the cost of food but must also contribute to the "intervention price" paid to farmers by the European Treasury in order to keep the price up.

Britain is protesting, but with little chance of success. On the contrary, the Eurocrats in Brussels are demanding further across-the-board price increases to compensate for recent changes in currency values.

LITTLE SENSE

Looked at coolly, the EEC's agricultural-policy does seem to make very little economic sense—or, except in purely local terms, political sense. Presenting the Russians with subsidised European butter and American wheat simply enables them to divert more of their own resources to military spending, directed against the West. M. Doument is cheerfully blunt about his own position: "I think the best way to fight capitalism while waiting for the Revolution is to make money by exploiting the capitalists."

If the West, by supplying the Russians with cheap food, were merely demonstrating the superior productivity of a free economy, there would be something to be said for these deals. Unfortunately the message points just the other way. The West, it seems, doesn't really believe in freedom at all, and ordinary people are "exploited" whenever they go to the shops.

CONGRESSMAN MENDEL J. DAVIS SPEAKS FOR UNITED NEGRO COLLEGE FUND

HON. ANDREW YOUNG

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. YOUNG of Georgia. Mr. Speaker, on April 27 our colleague, Representative MENDEL J. DAVIS, spoke in Charleston, S.C., at a kickoff drive for the United Negro College Fund.

In his speech Mr. DAVIS recognized the outstanding service by the college fund to black institutions and students, and the urgent need to support the fund in this period of a scarcity of finances for higher education. I commend our colleague's address to all Members of the House:

UNITED NEGRO COLLEGE FUND, APRIL 27, 1973
(Speech by Congressman MENDEL J. DAVIS)

Mr. DAVIS. Distinguished community leaders, ladies and gentlemen. It is indeed a privilege for me to address you today in support of the United Negro College Fund . . . an organization whose goals are known and respected worldwide and whose name has become synonymous with bettering the educational attainment of literally thousands of our less fortunate citizens.

I think it speaks well of education in general in this nation and of you in particular when so many of you *can* and *will* take the time from your very busy schedules to attend this kickoff drive to raise money for the United Negro College Fund.

It is through your efforts that so many of our predominantly black institutions of higher learning are today better equipped and better prepared to offer the kind of education so essential to the well-being and security of our nation in the years ahead.

All of you here today know the rather sad plight of higher education in the United States today. Leading universities and colleges across the nation are having financial problems of every sort. Education costs money—lots of money. The cost of a university's physical plant . . . the buildings and the equipment in them . . . has been caught up in the same inflationary spiral that has afflicted other areas of the economy. The cost of obtaining qualified instructors has shown a related jump. Administrators . . . if and when they can be found . . . command a premium salary. Food, shelter and security costs have combined to put a terrible squeeze on every institution of higher education in this country.

And who is hurt the worst by all this? Well . . . the institutions who have always suffered the most in good times and bad . . . the small school. The small school without a vast, money-making athletic program. The small school without the multiple advantages of a large alumni group providing financial help. The small school without the professional staff necessary to do the spadework that brings in federal grants.

And the chief irony of this woeful turn of events is this: While inflation spirals upward and while the squeeze gets tighter, the necessity of a college education grows in importance. The necessity of a college education is what caused the formation of many of our smaller colleges in the first place.

We are fast approaching the year 2,000 Who knows what our world will be like by then? If the current knowledge explosion is any indication the year 2,000 will find planet earth up to its ears in technological advances. Already, technology has created a whole new order of professionals: the so-called "technocrats," the men who run the machines which increasingly run our world.

There is evidence that technology is spawning technology . . . that knowledge gained multiplies in lesser and lesser amounts of time . . . that the world, in short, is on a rapidly-escalating ride to a day of "super knowledge" when "super brains" will direct the machinery of a "super world."

But while this trend develops, what help is education getting from the government? Especially, what are the small schools getting? Next to nothing. Despite the financial squeeze, the Nixon Administration is cutting back on aid to education . . . or it's trying to. Mr. Nixon is proceeding with his impoundment program. He is cutting back on aid to education in many areas. It was only recently . . . after much behind-the-scenes work . . . the hold on impact aid funds to public school districts lessened and some of the money began trickling down. The cuts are still on.

While all this is going on . . . the small, independent schools try to push on . . . without any assurance they will receive an iota of government support. They have been forced to take a hard look at their programs and pare and slice and trim away with surgical precision whenever and wherever possible.

And I am here today to tell you they should not have to pare and slice and trim at all. Let's face facts. Gone are the days when an elementary school dropout could work his way into a job with a future. Gone are the days when a high school education and a will to work hard could open doors to the good things in this life. Today . . . like it or not . . . a man or a woman almost has to have a post high school education of some sort . . . and in most cases a college education . . . just to survive in our technological world.

Business has neither the desire nor the means to train our workers of the future. Likewise, government is limited in the numbers of people it can train. The training must come from where it has always come . . . from the colleges and universities across our nation.

So now . . . to the horns of the dilemma. If government support is not enough . . . and if the nation's business community isn't going to foot the bill . . . where will the colleges go? The answer of course is the private sector . . . and organizations such as the United Negro College Fund.

There is no question today but that large numbers of blacks have been economically depressed in the United States. This economic depression has inspired a vicious circle. Without money, blacks have been unable to get a decent education. Therefore, they remain economically depressed.

The United Negro College Fund is designed to aid those schools . . . especially in the South . . . whose mission is predicated on the belief that all men deserve a chance at an education. Predominantly black schools across the nation are accepting students who show little more than promise in the classroom. Certainly, these students do not have vast monetary resources. Seventy per cent of the black students who go to college have to have this help . . . because their family income is below 5,000 dollars a year.

In South Carolina, the United Negro college Fund supplies 600,000 dollars annually to member schools. The money is used for scholarship and curriculum development. This year alone, 600 young men and women . . . trained enough to enter the job market on a truly competitive basis . . . will leave the member schools because they received the benefits of the United Negro college Fund. Had it not been for this support, these students might well have continued in a cycle of poverty we are so desperately trying to break.

When you break the poverty cycle, you have made the biggest contribution of any toward moving people out of the status of being a second class citizen. There can be no greater duty or contribution in our life than to give all of our people a chance at the tree of life.

As Lord Brougham said:

"Education makes a people easy to lead, but difficult to drive; easy to govern but impossible to enslave!

The United Negro College Fund has worked for years to conquer the enslavement which goes hand-in-hand with the lack of meaningful education. We in government applaud your efforts. And all Americans should realize that your efforts to provide thousands of our fellow human beings with dignity and honor through education truly lends dignity and honor to our nation as a whole.

I commend the fund for its successes in the past, for its efforts at the present time and for the promise it holds out in the future.

We must be ever mindful of the future as we meet here today. You are assembled to begin a fund-raising campaign which will have an immediate goal over the next several months. That goal is to meet the needs of the small colleges the fund supports during the next year or so.

But while you are focusing on that immediate goal, remember that fulfilling it will have a continuing effect thirty or forty years from now. Your efforts today in behalf of the United Negro College Fund represent an investment in tomorrow. What you do for your people now will have reverberations years from now . . . not simply for the black people of this nation but for all the peoples of the United States . . . indeed for all the people of the world.

As Bobby Kennedy said: "some men see things as they are and say 'why?' I dream of things that have never been and say 'why not?' "

You hold in your hands the ability to enable many of our young people to dream of things that have never been and to do something about them. I wish you godspeed in your mission.

Thank you.

GUS DORAZIO, PAL MOORE, AND FRANK PALUMBO INDUCTED INTO PENNSYLVANIA HALL OF FAME

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. EILBERG. Mr. Speaker, the Veteran Boxers Association, Ring 1, of Philadelphia, is an organization of former fighters which was set up to help other boxers who are down on their luck.

This year the group will have its 35th annual banquet on Mother's Day, May 13 and it will honor three men, Gus Dorazio, Pal Moore, and Frank Palumbo, who have been inducted into the Pennsylvania State Boxing Hall of Fame.

At this time I enter into the RECORD an article about the organization and the banquet by a Philadelphia columnist, Nat Frank.

FRANKLY SPEAKING

(By Nat Frank)

This coming Mother's Day will be an unusual double event of the 35th annual banquet of the Veteran Boxers Association, Ring 1, to be staged at the famous Palumbo Restaurant and Entertainment Parlor, 824 Catherine Street, Sunday evening, May 13th. This affair will also mark the 38th anniversary of the founding of this Old Time Fighters, whose headquarters are now located at 1410–1412 Tasker Street.

At this event, there will also be the usual honor being paid to the Mother of the Year. Selection of this exceptional Lady for this distinction will not be known until the evening of the affair.

Then there will be a trio of people who will be inducted into the Pennsylvania State Boxing Hall of Fame. These three notables, who have made ring history with the means of using their fists in legal warfare or have been acknowledged through benevolence to the game of self defense. The selectees were chosen via ballot of the members of the Permanent State Boxing Hall of Fame Committee.

The Big Three voted into this exclusive group, choices whereby their names will be permanently perpetuated, are Frank Palumbo, at whose establishment the Mothers Day Ring 1 Party is staged annually; Pal Moore, the late lightweight of the early 1920 era and one of the 5 famous fighting brothers; and Gus Dorazio, the gritty downtown heavyweight contender of several generations ago.

Palumbo was voted in for many reasons. First of all as a philanthropist. Then he was in turn a fight manager and a boxing promoter. Frank has at all times, without benefit of publicity, lent a helping hand to the fistman, who found himself financially handicapped or in need of a job. Many former fistmen were employed by him. Others he managed to place in jobs through the medium of long and lasting friendship with people in a position to give jobs to those in want.

The idol of the entertainment industry also managed numerous fist slingers, among them being former lightweight champion Ike Williams, heavyweight contender Dan Bucceroni, and Eddie Suez, a better than ordinary light heavyweight, who, today, is one of the leading theatrical agents in this Delaware Valley.

Then Frank Palumbo's venture in fistic promotions, include several pugilistic presentations at smaller clubs. Then he was the impressario for several annual major punching programs for the financial benefit of the Deborah Hospital, of Browns Mills, N.J.

Space doesn't permit singing the praises of the great personality that Frank Palumbo is. Suffice to say he made his mark in every undertaking he attempted. Furthermore, he succeeded in each of his ventures, be they in business, charity or doing his bit for Uncle Sam.

Gus Dorazio, known for his fearlessness and willingness to swap punches with the best in the heavyweight ranks, won recognition because he has never turned down an opponent. Probably at times he was overmatched, as in the case of when he fought Joe Louis, when the Brown Bomber was in his heydey.

Dorazio also fought a thriller with Billy Conn, the light heavyweight champion, who gave Louis one of his toughest battles. It was a nip and tuck engagement between Gus and Billy but unfortunately, the local boy suffered a cut eye. Much against Dorazio's pleadings, the club physician ordered the contest halted with Conn winning on a technical kayo in the 14th round. Until the title bout ended, the spectators had the exciting duel as an even stephen event.

Pal Moore, known as the greatest lightweight Philadelphia had in his time, earned the unique record of having fought world champions galore. In many cases the classy star of the fighting Moore Family won the unofficial decision over the kingpins in non title tests.

His list of ring rivals are a virtual who's who of leather pushers, naming such kingpins as Willie Ritchie, Freddy Welsh, Benny Leonard, Jack Britton, Ted (Kid) Lewis, Johnny Kilbane, Johnny Dundee, Leach Cross and ever so many other masters of the punching trade.

The three selectees are worthy of the honor and they will justly receive the honors due them on the night of May 13, Mothers Day at Palumbos. Tony Morgano, a Hall of Famer and member of the Selection Committee, is President of the VBA, Ring 1. Jack Sebastian is Chairman of the Banquet Committee; Tony Georgette, Club Treasurer, will be the Toastmaster of the evening.

THREE YEARS LATER NO FEDERAL ACTION ON KENT STATE

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, Friday, May 4, is the 3-year anniversary of one of the most senseless and shocking incidents in our Nation's history.

It was on that day in 1970 when Ohio National Guardsmen opened fire on student demonstrators at the Kent State University campus, killing four and wounding nine.

The campus protest was sparked by President Nixon's decision to invade Cambodia.

Blame in the killings was never established and attempts by myself and several of our colleagues to get the Justice Department to convene a Federal grand jury were continually frustrated by Attorney General Mitchell and others.

It is a sad commentary when the Justice Department can establish grand juries to investigate antiwar activitists while denying a grand jury inquiry into the killing and wounding of innocent college students.

The father of Allison Krause, one of the slain students, wrote the Washington Post the other day detailing his effort and frustration in trying to get the Federal Government to assess blame in the matter.

I would like to put the letter from Arthur Krause in the RECORD at this time.

KENT STATE, CAMBODIA . . . STILL

While watching the evening news on April 3, I heard and saw the anguish of the Cambodian people who have been suffering since our infamous incursion of April 1970. Some of you may recall this "reactionary" action by our President precipitated the protests which climaxed with the murder of my daughter Allison and three other youngsters, Sandra Scheurer, Jeffrey Miller and Bill Schroeder at Kent State University.

Three years later Cambodians are dying, three years later Cambodians are refugees, three years later we are bombing, three years later I am still trying to get the matter of Kent State into a courtroom.

Ten thousand KSU students, along with 30,000 other people petitioned the President of the United States to override Mr. Mitchell's disregard of the Constitution and for Mr. Nixon to order a grand jury to be convened. This was disregarded. Governor Scranton, Wm. Byrne, Joseph Rhodes, Jr., James Ahern, and other members of the Scranton Commission believe that a Grand Jury should have been convened.

I have and am still trying as an individual to get this matter into a courtroom. I appealed to Congress on May 5, 1970, for justice. I made a pledge that I would do everything possible to try to stop a rehappening of this horror in our country. I asked a question on May 5, 1970, "Have we come to such a state in this country that a young girl has to be shot because she disagrees with the action of her government? Is dissent a crime? Is that a reason for killing her?"

ARTHUR S. KRAUSE.

Pittsburgh, Pa.

HANOI JANE SPEAKS OUT—AGAIN

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 3, 1973

Mr. HUNT. Mr. Speaker, over the last few months we have heard a great deal about the suffering, the kindness, and the hospitality of the North Vietnamese from no less an authority than Jane Fonda, one of the pioneers in bringing and starring in "X" rated movies in the United States. After listening to her many diatribes on the goodness of the North Vietnamese enemy I have concluded that she has less in her head, than she ever wore in her movies and we are all aware of how little that was.

For someone who was so intent on getting to Hanoi she sure did not stay long. It was long enough, however, to prove to America and the world where her true loyalties lie. But "Hanoi" Jane did not want to stay. How long do you think the Communist regime would have welcomed her if she decided to speak out against them? How long would they have tolerated her "X" rated performances? Oh no, Jane would have had to give up too much—she knew that it would make life rather hard not being able to live the way she was accustomed to in America. Even this devout apologist for the North Vietnamese realized that it is easier to be a Communist apologist in America than in Hanoi.

So, now she is back, presumably enjoying the best of her two lives.

Her latest utterances came just 2 weeks ago today in a speech she gave at UCLA. Nothing new, simply that there are no grounds to believe former POW's when they say they were tortured by the North

Vietnamese and she defied them to prove it.

> There's no reason—

Said the newly wed Mrs. Hayden—

> to believe that U.S. Air Force officers tell the truth, they are professional killers.

Not knowing when to stop, the former Mrs. Vadim said, "the Vietnamese are a gentle people."

When asked by a person in the audience if she did not think there had been atrocities on both sides in Vietnam, she bared it all again and answered—simply—"No."

Mr. Speaker, for those of my colleagues who may have missed it, I submit the following article from the April 19 issue of the Washington Star-News:

> JANE FONDA DEFIES POWS TO PROVE TORTURE CLAIMS
>
> LOS ANGELES.—Jane Fonda said yesterday there are no grounds to believe former POWs when they say they were tortured by the North Vietnamese and she defied them to prove it.
>
> "We have no reason to believe that U.S. Air Force officers tell the truth," she said, "they are professional killers."
>
> She said she would "eat her words" if the liberated POWs could prove their torture stories in an open forum, where they could be questioned, or in a court of law.
>
> The Vietnamese are "a gentle people," she said.
>
> "Never in the history of the United States have POWs come home looking like football players," she said at UCLA while attending a session on "Women in Vietnam."
>
> When asked by a person in the audience if she did not think there had been atrocities on both sides in Vietnam, she answered simply "no."

HOUSE OF REPRESENTATIVES—*Monday, May 7, 1973*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Now abideth faith, hope, love, these three; but the greatest of these is love.—I Corinthians 13: 13.

O God, Our Father, who art calling us to walk in the way of wisdom and to live with love in our hearts grant unto us the steady assurance that Thou art with us this day and every day of our lives. May Thy divine spirit abiding in us sustain us in every right and good endeavor. Renew in us the resources of strength that we may not be overcome by trouble but overcoming it make each day an experience of triumph.

We pray for our Nation, our President, our Speaker, Members of Congress, and all who work with them and for them. Following the leading of Thy spirit and living by Thy Commandments may we here in America find a new unity in a common faith and a common adventure. And living close to Thee find ourselves coming closer to each other.

Bless Thou the land of Israel and lead her to an enduring peace with her neighbors; for Thy name's sake. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MAJORITY LEADER THOMAS P. O'NEILL, JR., SAYS THE ADMINISTRATION HAS ALSO LOST THE CONFIDENCE OF THE PEOPLE ON ECONOMIC MATTERS

(Mr. O'NEILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. O'NEILL. Mr. Speaker, George Meany, the president of the AFL–CIO, has effectively deflated administration pretensions to a successful economic policy.

Several days ago, Roy Ash, the Director of the Office of Management and Budget, published a compilation of rosy rationalizations intended to show that the administration was doing all right—at least on economic matters.

Among other things, Mr. Ash said pridefully that unemployment has declined from 6 to 5.1 percent.

In his sharp reply, Mr. Meany pointed out that it was the policies of the Nixon administration which drove unemployment to 6 percent in the first place.

Mr. Meany also cited Labor Department figures showing that living costs had risen 8 percent in March. That is the second consecutive month in which living costs rose faster than at any time in the past 22 years.

Mr. Meany said:

> The truth is that inflation is nearly twice as bad now as it was when Mr. Nixon took office.

And finally, Mr. Meany referred to a University of Michigan survey which showed that there was a substantial increase in the number of families who now feel worse off than before—and who expect things to get still worse.

It is quite plain that in economic and consumer affairs—as well as in other matters—this administration has lost the confidence of the American people.

CHANGE OF LEGISLATIVE PROGRAM

Mr. O'NEILL. Mr. Speaker, I take this time to announce that on Tuesday, the Speaker will recognize for a motion to suspend the rules and pass the bill S. 1379 instead of the bill previously announced, H.R. 5932. The Senate bill is similar to the House bill and will be considered instead of the House bill since it has already passed the Senate and is pending on the Speaker's table.

KLAMATH INDIAN TRIBE LANDS

Mr. MEEDS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3867) to amend the act terminating Federal supervision over the Klamath Indian Tribe by providing for Federal acquisition of that part of the tribal lands described herein, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3867

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 13, 1954, as amended by the Act of August 23, 1958 (68 Stat. 718; 72 Stat. 816), is further amended by adding a new section 29 as follows:

SEC. 29. The Secretary of Agriculture is authorized and directed to acquire by condemnation all of the Klamath Indian forest lands which the trustee for the Klamath Indian Tribe is required to sell by the terms of its trust agreement, and the lands so acquired shall become a part of the Winema National Forest. The condemnation action may be initiated either before or after the lands are offered for sale by the trustee. If the condemnation award is for more than $60,000,000, the Secretary of Agriculture shall notify and submit his recommendations to the Committees on Interior and Insular Affairs and the Committees on Appropriations of the House of Representatives and the Senate, and if any of such committees disapproves the amount of the award within twenty-one days after notice the condemnation proceeding shall be discontinued. The homesite provisions of section 28(g) shall apply to the lands acquired by the Secretary pursuant to this Act.

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

CALL OF THE HOUSE

Mr. WYDLER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 123]

Adams
Addabbo
Andrews, N.C.
Archer
Ashbrook
Aspin
Badillo
Bevill
Biaggi
Blackburn
Blatnik
Boggs
Bolling
Brademas
Brown, Calif.
Brown, Mich.
Buchanan
Carter
Chisholm
Clancy
Collier
Coughlin
Culver
Davis, Ga.
de la Garza
Dellenback
Diggs
Dingell
Drinan
Eckhardt
Erlenborn
Fish
Ford, Gerald R.
Ford, William D.
Forsythe
Fountain
Fraser
Frelinghuysen
Frenzel
Gibbons
Gray
Green, Oreg.
Griffiths
Guyer
Hanna
Hawkins
Hébert
Helstoski
Hinshaw
Holtzman
Howard
Jarman
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, Tenn.
Jordan
Karth
Kluczynski
Kyros
Leggett
Long, Md.
McCormack
McKinney
McSpadden
Macdonald
Mailliard
Maraziti
Mathis, Ga.
Mayne
Melcher
Milford
Minish
Moorhead, Pa.
Murphy, Ill.
Myers
Obey
O'Hara
Owens
Patman
Podell
Powell, Ohio
Price, Tex.
Randall
Reid
Reuss
Rhodes
Rogers

Roncallo, N.Y.
Rooney, N.Y.
Rosenthal
Rostenkowski
Roy
Ryan
St Germain
Satterfield
Shriver
Stark
Steed
Steiger, Wis.
Stephens
Symington
Taylor, Mo.
Teague, Tex.
Thompson, N.J.
Vander Jagt
Waldie
Widnall
Wolff
Wright
Yatron
Young, Ga.

The SPEAKER. On this rollcall, 321 Members have recorded their presence by electronic device, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

KLAMATH INDIAN TRIBE LANDS

Mr. MEEDS. Mr. Speaker, I yield myself 10 minutes.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. MEEDS. I yield to the gentleman from Florida.

Mr. HALEY. Mr. Speaker, when Federal supervision over the Klamath Indian Tribe was terminated in 1958, most of the tribal members were paid in cash their pro rata share of the tribal assets, and they ceased to be members of the tribe. A small group of the members, however, elected to continue as a tribe, but not under Federal supervision. Their share of the tribal assets was conveyed to a private trustee, the U.S. National Bank of Portland, Oreg., under a trust agreement that required the bank to liquidate the assets and distribute the cash realized per capita, if the beneficiaries voted to terminate the trust.

The Indians have voted to terminate the private trust, and the bank is preparing to sell about 135,000 acres of forest land on the open market. This land is surrounded by a national forest, and in fact is an in-holding in the forest.

H.R. 3867 directs the Secretary of Agriculture to acquire this land by condemnation at a price that does not exceed $60,000,000. If the court should fix a higher value, the Secretary cannot proceed without first reporting to Congress, and he may not proceed at all if either the Interior Committee or the Appropriations Committee disapproves of the higher price.

The gentleman from Washington (Mr. Meeds) and the gentleman from Oregon (Mr. Ullman) will explain the reasons why the land is needed by the Forest Service.

Mr. MEEDS. Mr. Speaker, H.R. 3867 directs the Secretary of Agriculture to acquire, by condemnation, approximately 135,000 acres of forest lands of the Klamath Indians for inclusion in the Winema National Forest. The bill limits the price which the Secretary may pay for the land to $60,000,000 with a proviso that, if the condemnation award is for more than that figure, the Secretary must report such figure to the Committees on Appropriation and on Interior and Insular Affairs of the House of Representatives and the Senate for approval. If any of such committees indicates disapproval within 21 days, the condemnation proceedings must be discontinued.

These valuable forest lands are a portion of the former Klamath Indian Reservation in Oregon. In 1958, the Congress terminated Federal supervision over the Klamath Tribe and made provision for the disposition of the tribal assets. The plan adopted provided that the members of the tribe could elect to remain in or withdraw from the tribal entity. The assets of the tribe were apportioned between those electing to remain and those electing to withdraw. The assets apportioned to those persons. Included within that sale was approximately 525,680 acres of forest lands, much of which was purchased by the United States to become, basically, the Winema National Forest.

The assets apportioned to the remaining members were transferred to a private trustee, the U.S. National Bank of Oregon, to be administered for the benefit of the remaining members. The trust agreement provided that the remaining members could at any time elect to dissolve the trust and direct the trustee to sell the assets. The Termination Act provided that, if the trustee offered any of the Klamath Forest for sale, the Secretary of Agriculture would have the right to buy those lands for the appraised price. The authority extended for only 1 year after the offer.

The remaining members have since elected to terminate the trust. The trustee offered the land for sale to the Secretary for the appraised price of $51,369,731, but the Secretary did not exercise his option because of fiscal restraints and the time period has elapsed.

In the last Congress, we enacted H.R. 56, the environmental data bank bill which contained a proviso directing the Secretary to exercise his option to purchase the lands. As you know, the President vetoed that bill, but in his veto message stated:

> After studying this proposal carefully, I believe this purchase would be sound public policy, and if the next Congress provides the necessary funds, I shall happily approve acquisition of these unique lands.

The trustee is now prepared to offer these lands for not less than $57,445,000, but the Secretary will now have no preferred right to purchase them at their appraised value. The trustee has indicated its intention of shortly offering the lands for sale on competitive bidding.

It is the opinion of the witnesses who appeared before the Subcommittee on Indian Affairs and of many lumbermen and foresters that the high cost of these lands would virtually force private logging companies to clear cut the timber resulting in severe damage to both the economy and the ecology of the local area. The specter of massive erosion of the fragile pumice soils in this area, pollution of two major river systems in the area, destruction of fish and wildlife, and impairment of recreation, scenic, and other multiple-use purposes would be raised in the event of such clear cutting. Private ownership and use would likely result in damage to the administration and use of the existing Winema National Forest and deny public access to the many scenic areas within the lands being offered for sale.

It is the opinion of the Committee on Interior and Insular Affairs that these lands be purchased by the United States for inclusion in the Winema National Forest and to bring the lands under Federal multiple-use, sustained-yield management to insure protection of the fish, wildlife, recreational, watershed, timber, and scenic values. These forest lands are critical to the economy of the Klamath Basin area, where an estimated 40 percent of the work force is involved in wood products harvest and manufacture. Sustained yield management would help maintain a stable economic base in this area.

While it is important that the United States acquire the lands, it is also important that the Indian owners not be prejudiced by such acquisition. The committee feels that it has arrived at the best solution for insuring Federal acquisition while insuring that the Indians receive the full market value for the lands which they have chosen to sell. The committee considered an amendment which would have given the United States a preemptive right to meet any high bid when the trustee offered the lands for sale through competitive bidding. However, the trustee advised the committee that this right in the Government would dampen the private market for the lands and lessen the potential price the Indians might obtain. By directing the Secretary to condemn the lands, either before or after they are offered by sale by the trustee, the fair market value will be determined by a court on the basis of all available information and the Indians are assured of receiving full value.

The committee was concerned not only with the right of the Indians to receive fair value, but other equities which might exist. The bill provides that Indians living on lands included within the lands being sold, will be given a life estate in those lands as provided in the original termination act. The use of these lands would not be inconsistent with Federal management of the forest. In addition, it was the desire of the committee that the forest make a special effort to train and hire Indians in the administration of the forest to the extent practicable and feasible. While this is not written into the bill, we trust the forest service will give this desire due consideration.

Mr. Speaker, I urge the House to enact the bill.

Mr. WYLIE. Mr. Speaker, will the gentleman yield for a question?

Mr. MEEDS. I yield to the gentleman from Ohio.

Mr. WYLIE. Mr. Speaker, I thank the gentleman for yielding.

This bill provides for condemnation proceedings to acquire Indian lands. Is more than one condemnation proceeding contemplated? Are all of the lands to be included in one huge condemnation proceeding?

Mr. MEEDS. The trustee is now offering lands for sale in 10 different parcels. The Federal Government under this legislation would have the right to condemn either before or after the sale. If the lands were condemned prior to the sales, I assume that the market value again would be established by expert witnesses. In the event they were condemned afterward, certainly, the sales price would probably be the best evidence.

Mr. WYLIE. If the gentleman will yield further, I think I understand the question of constitutionality raised by the Justice Department in that this bill provides for acquisition of the Klamath Indian lands by condemnation proceedings, but if the total cost of all the land is above $60 million according the verdicts then the Government in effect can take it all back and refuse to proceed?

Mr. MEEDS. The Congress can refuse to let the Federal Government go through with it by refusing to appropriate further funds for that, yes.

Mr. Speaker, I urge my colleagues to support this legislation.

Mr. GROSS. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. FROEHLICH).

Mr. FROEHLICH. Mr. Speaker, the Klamath Indian Tribe was terminated by Congress in 1954. Federal supervision over the tribe came to an end in 1958. The situation of the Klamath Tribe is thus very similar to the situation of the Menominee Tribe of Wisconsin in that both tribes were terminated and thereby deprived of their status as Indians under Federal law and denied the services and benefits to which Indians are entitled because of their status.

But here the similarity appears to end.

Since 1961, when Federal supervision over the Menominee Tribe was discontinued, the Menominees have struggled to preserve and maintain the land that once constituted their reservation. They have not been entirely successful; but certainly they have not failed. Today most of the Menominee land remains intact.

The Klamath Tribe, however, appears to have taken a different course. According to the Interior Committee report, after Federal supervision ended in 1958, the assets of the Klamath Tribe were apportioned between those members electing to withdraw from the tribe and those electing to remain in the tribe. The assets apportioned to the withdrawing members were sold and the proceeds were distributed to such members on a per capita basis.

Approximately 525,680 acres of forest land were sold under this arrangement. Most of this land was purchased by the United States for the Winema National Forest.

The bill under consideration today comes in the wake of a decision by the Klamath Tribe to sell the remaining portion of the land that was once their reservation. The bill itself directs the Secretary of Agriculture to acquire this land by condemnation and to pay the trustee of the tribe up to $60,000,000.

Last week, I introduced legislation to restore the Menominee Indian Tribe of Wisconsin as a federally recognized tribe. My bill would lead to the eventual reestablishment of the Menominee Indian Reservation. I am very proud that 24 Members, including the distinguished gentleman from Washington, joined me in that bill.

The Menominee Restoration Act comes at a time when there is a widespread consensus that the termination policy of the 1950's was undesirable. In this context, the restoration of some tribes to their former status may be possible. These developments raise an important question about the legislation before us today.

Is there any evidence, an indication, that the Klamath Tribe would prefer restoration to the sale of their remaining land?

If there is no such sentiment, then this bill should be passed.

But if there is such sentiment, if there is a good possibility that this tribe would prefer to be restored, this bill should not be passed.

Clearly, a tribe cannot expect to sell all its land to the United States, at the cost of many, many millions of dollars, and then come back to the Congress and say, "Make us Indians again and give us back our reservation."

In short, this bill is consistent with complete termination. It is inconsistent with restoration.

Hence, before we vote, I think the record on this point should be very clear. We should not act against the wishes of the tribe. Nor should we authorize the Secretary to initiate a condemnation action on Indian land before it is offered for sale, unless we are certain that the Klamath Tribe does not wish to be restored.

Mr. Speaker, Members of the House, this bill provides great concern to me, inasmuch as the two great political parties and the President have indicated that termination as a policy of this Government is over with. That, in my opinion, is also the prevailing opinion of this House.

Mr. ULLMAN. Mr. Speaker, will the gentleman yield?

Mr. FROEHLICH. Mr. Speaker, I yield to the gentleman from Oregon (Mr. ULLMAN).

Mr. ULLMAN. Mr. Speaker, I concur in what the gentleman is saying, but the fact of this situation is that these Indians were terminated before I came to Congress. That was back in 1952, when they had a program of termination.

The whole Klamath Tribe was terminated then. Subsequently, we passed a number of bills to provide for the distribution of the property. Most of the Indians who had already been terminated took their cash and left, but there were almost 500 Indians who decided, even though they were terminated, not to take their cash, but to take the land under a trust agreement.

What we are talking about here is Indians who are already terminated, having property in a trust agreement whereby they had procedures that they could terminate that trust agreement. They decided to do so, so we are not talking here about termination at all.

I know the gentleman from Pennsylvania will bear me out on this.

Mr. FROEHLICH. Mr. Speaker, I thank the gentleman.

I raise these questions because we are dealing in this bill with a continuation of the policy of termination:

Have the remaining 500 Indians been advised of the climate of this Congress? Have they been advised of the position of the major political parties? Have they been advised that we are on our way to restoration of other tribes in this Nation? Have they had a chance to understand this before the Government buys their lands for forest and recreational purposes?

These questions have not been answered, in my opinion. I think that we should go back and inform the 500 Indians that there is a possibility of restoration; that there is a program being established to allow Indians to retain their culture and heritage and Indian lands.

Until they are fully informed, Mr. Speaker, it seems that we are going down the wrong road and at too great a speed.

Mr. GROSS. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. WYATT).

Mr. WYATT. Mr. Speaker, I thank the gentleman from Iowa for this time.

Mr. Speaker, I would just like to again remind the House that this bill substantially in this form was approved previously. These are unique lands; the values are up some.

The situation of the Forest Service is different now than it was last year.

Mr. Speaker, I think it is essential that this bill be passed. If the objectives raised by the Justice Department have validity, then what we are doing would not amount to anything. If, on the other hand, after studying them, we find that they do have validity, we intend to work out the problems with the other body.

The Justice Department letter arrived to the attention of the committee just this morning. This matter was passed out of the committee approximately a month ago. The matter has been before Congress for a long time.

Mr. Speaker, I would again remind my colleague on this side of the aisle that the President, in vetoing legislation to which this act was amended last year, said that if this purchase came before him at the proper time, that he would happily recommend it.

Mr. GROSS. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. SAYLOR).

Mr. SAYLOR. Mr. Speaker, I find myself in the usual position, of "I told you so."

Back in 1952 and 1953, when President Eisenhower at the insistence of some Members of the other body suggested a policy of termination of Indian tribes, I opposed it.

I lost that battle, and today we are being called upon to pay the price of the mistakes of Congress in 1952, 1954, and 1956.

The Klamath Tribe was terminated by an act of Congress in 1954. The assets were apportioned among the members, those who withdrew and those who elected to remain on the land that had been an Indian reservation. The withdrawing members sold over 500,000 acres of their land to the United States for the addition to a national forest. The remaining members, with whom we are dealing today, kept approximately 135,000 acres and turned it over to the U.S. National Bank of Portland, Oreg., their trustee. Now they have determined that they would like to sell the lands on which a very large and valuable stand of timber is located.

Anybody who knows anything about the economic situation of our country at the present time knows that one of the things we are drastically short of is timber.

I should like to inform the Members of Congress that it is not just people in this country who are looking at these 135,000 acres; people in other countries are very much interested in these 135,000 acres.

The problem we face today is whether or not we want this timber to be used for the people in this country or in all probability go overseas. Those who are overseas, if they buy it, will clearcut it and get out, because they will own it and they will be interested only in taking the lumber and logs out of this country.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the chairman of the full committee.

Mr. HALEY. The situation briefly is this: If we do nothing the land and forest will be sold anyway. It is completely out of our hands, in the hands of the trustees, and they can sell it any time they want to.

Mr. SAYLOR. That is correct.

Mr. WYATT. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentleman from Oregon.

Mr. WYATT. Further along the line of what the chairman said, the sale is going forward and the only question involved here is whether the Forest Service purchases this land or whether it goes to private purchasers. This is not the question of termination of a tribe. The members of the tribe voted on that question once. That is why we are here.

Mr. SAYLOR. That is correct.

Last year their trustee offered this land for sale. Under the original termination bill, the Secretary had a 1-year option on the entire 135,000 acres, if and when it was offered for sale.

Unfortunately, under the economic restraints placed by the President last year the Secretary of Agriculture did not have $51 million to buy it. The option expired. In an effort to let the Secretary of Agriculture acquire last year the other body attached a new authorization, as a rider to another bill, for the Secretary to buy it. That was one of the bills the President vetoed. But in his veto message he singled out this rider for praise, and he said it was sound public policy to keep the 135,000 acres of timber in the public domain. He urged Congress to send it back in a separate bill. That is what we have here today.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. GROSS. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. WYLIE. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentleman from Ohio.

Mr. WYLIE. This bill provides for condemnation proceedings to acquire the land, and further provides that no more than $60 million will be spent in payment. What if a jury or juries find that more than that amount will be required to buy this land?

What then happens to the land? Did that question come up for discussion during deliberations of the committee?

Mr. SAYLOR. Well, it did, and the reason we increased it to $60 million is that those of the members who have tried to keep track, as the members of our committee have done, of the increased price of lumber in the last year, realize the difference between what the property was worth when it was offered to the Department last year and the figure of about $60 million.

Mr. Speaker, if this property goes on the public auction block and is bought for approximately $60 million or less, that in our opinion would establish the fair market value, and it, therefore, would be the price that would be paid.

Mr. WYLIE. Mr. Speaker, I understand that, but is it the intention under this bill that the property may be first acquired and then given back or could be given back if the amount exceeds $60 million?

Mr. SAYLOR. No, the property is not being acquired and then given back. The property will not then belong to the Indians; the property will then be added to the national forest.

Mr. LUJAN. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from New Mexico (Mr. LUJAN).

Mr. LUJAN. Mr. Speaker, in answer specifically to the question, if the condemnation suit determines or the court determines it is over $60 million, then the committee will still have the right to approve or disapprove the final purchase price. Congress retains control over the amount of money to be paid for this land.

Mr. WYLIE. Well, Mr. Speaker, if the gentleman will yield——

Mr. SAYLOR. I yield to the gentleman from Ohio (Mr. WYLIE).

Mr. WYLIE. Let us assume Congress does not approve the acquisition for more than $60 million, or your Committee on Interior and Insular Affairs or the Committee on Appropriations of the House does not approve a purchase, after condemnation proceedings for, say, $65 million?

The SPEAKER. The time of the gentleman has again expired.

Mr. GROSS. Mr. Speaker, I yield 1 additional minute to the gentleman from Pennsylvania (Mr. SAYLOR).

Mr. SAYLOR. Mr. Speaker, I would urge that the rules be suspended and this bill passed, because this timber and this 135,000 acres will be a great national asset and should be kept in our national forests in the State of Oregon.

Mr. MEEDS. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. ULLMAN), the sponsor of the bill.

Mr. ULLMAN. Mr. Speaker, I will be brief. This land lies in my district. I want to report to this body that to my knowledge the support of this legislation is unanimous throughout my district in the State of Oregon, and it is certainly unanimous among the conservation organizations of the country.

There is no issue of termination here. This Congress terminated supervision over the Klamath Indians back in 1954 before I was a Member of this body. I would have opposed it then; I think it was the wrong way to go. I think time has demonstrated that.

But, Mr. Speaker, that is not the issue here. In 1958, in trying to salvage what we could from the termination proceedings, we set up a private trust. The Indians voted whether they would liquidate their land or whether they would stay in the trust and hold their lands. About 80 percent of them voted to liquidate. The 20 percent that stayed in remained in a completely private trust with no Government control whatsoever. This is a private trust, with a provision for a vote every 5 years to determine whether it should be liquidated.

So, Mr. Speaker, these Indians voted, and they voted to sell their holdings. Now the trustees have offered blocs of it for sale. The issue is whether it shall go into private purchase for exploitation or whether it be held by the Government.

Mr. Speaker, I want to make a plea here that this land is an integral part of that forest. It has been part of the original Klamath Forest. It would be the greatest conservation error that I have known to allow this land now to be divided up and exploited. It involves a tremendous river basin, beautiful rivers, and it is an integral part of a beautiful and a delicate forest built on pumice lands, and if it were exploited and cut off, it would completely destroy the basin.

This is a conservation measure of the first order.

Mr. Speaker, I urge all of the Members to suspend the rules and pass the bill.

Mr. Speaker, I urge my colleagues to support H.R. 3867, my bill to achieve Federal purchase of 135,000 acres of Klamath Indian forest lands in my district in southern Oregon. The lands involved were retained by Indians who chose to place land in a private trust rather than liquidate their shares when the tribe and reservation were terminated in 1958. There are about 470 shares in this private trust. In 1969, the Indians voted to terminate the trust agreement between U.S. National Bank and the Indian owners. The late Senator Richard Neuberger and I proposed amendments to the Termination Act of 1957 and 1958 to set up Federal purchase of the terminated timberlands in the old reservation, and to provide the machinery for purchasing these remaining lands in the event they were ever offered for sale. The initial purchase of 525,000 acres became the Winema National Forest.

The administration failed to use its preferred purchaser status in early 1972 due to budget constraints, so the Oregon delegation put together legislation to direct Federal purchase of the lands. The Senate held hearings on the bill and attached it to H.R. 56, the environmental data bank bill which had already passed the House. Final approval came in October, just prior to adjournment. On October 21, President Nixon vetoed H.R. 56, primarily because of the data bank provisions. In his veto message, he indicated clear support for Federal purchase of the Klamath forest lands. The President stated:

> A third portion of H.R. 56 would direct the Federal Government to purchase the Klamath Indian Forest Lands in Oregon. After studying this proposal carefully, I believe this purchase would be sound public policy, and if the next Congress provides the necessary funds, I shall happily approve the acquisition of these unique lands.

Now the Government is no longer a preferred purchaser. We must either compete as a bidder or condemn the lands. This legislation authorizes and directs the filing of a condemnation proceeding to acquire all 10 parcels. Four parcels were opened for bids on April 9, with bids due on two parcels by August 6 and by September 5 on the other two parcels. The Congress must act swiftly so that the condemnation proceeding can be filed soon.

This legislation authorizes $60 million for purchase of the lands, and provides a procedure whereby Congress could approve additional funds if the award was for more than $60 million. The appraisal figure is $57,445,000, but stumpage values have been increasing substantially lately in the Pacific Northwest, and it was the feeling of the Members of the Oregon delegation and others that some flexibility is necessary to assure Federal purchase.

The present boundaries of the Winema National Forest surround this tract of land, and it is a logical and necessary addition. These forest lands are critical to the economic life of the Klamath Basin area, with an estimated 40 percent of the work force involved in wood products harvest and manufacture. Sustained yield management will help maintain a stable economic base in this area.

The lands comprise major portions of the watersheds for the Sprague and Williamson Rivers, as well as stretches of the rivers themselves. They are among the first native trout fishing streams in the Western United States, and it is important that public access be guaranteed. The Oregon Game Commission estimates an annual value of public access at $4 million. In the event of private acquisition at the prices stated, there is a strong likelihood of intensive cutting to recoup the investment. This would be a disaster for the fragile pumice soils in this area, resulting in severe erosion and loss of topsoils. Private purchase under these conditions would also encourage subdivision of stream-frontage areas for vacation homesite development. Aside from the loss of public access rights, such developments would seriously threaten scenic values and water quality.

The legislation, both last year and this year, has received tremendous support from conservation groups, the State fish and game commission, and local chambers of commerce. The executive committee of the remaining members of the tribe also supports the bill. Organized opposition has not been apparent.

Mr. Speaker, I ask my colleagues to join me in support of this legislation.

Mr. FROEHLICH. Will the gentleman yield?

Mr. ULLMAN. If I have time, I will be happy to yield.

Mr. FROEHLICH. Has there been any consultation with the remaining members of the tribe itself as to the policy of restoration that is appearing here in this Congress in this session at all?

Mr. ULLMAN. I have a bill in that would give or return to all of the Klamath Indians some benefits from the Indian program, but if we are talking about justice to the Indians, we should not just talk about this 20 percent who held their holdings in trust. We should talk about all of the Klamaths. That is where the justice should come if we are to return to the Indian rights. It would be very unjust to return them only to these Indians who hold a tribal trust and not to those who have already liquidated theirs.

Mr. GROSS. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, in reading the report I was struck by the fact that the Department of the Interior letter to the committee states:

> We defer to the views of the Department of Agriculture as to whether this bill should be enacted.

Then I look elsewhere in the report and there is no statement whatever on the part of the Department of Agriculture.

This is most unusual, that the Department of the Interior would turn it over to the Department of Agriculture and it would remain mute on the subject.

Can the gentleman from Washington help me out with this?

Mr. SAYLOR. If the gentleman will yield, I can answer the question.

Mr. GROSS. I will be glad to yield to the gentleman.

Mr. SAYLOR. You are correct in the position of the Department of the Interior. The Department of Agriculture did not send up a report on this bill this year, but instead they sent up witnesses who testified in favor of the bill. We have never received a letter from them yet, but the witnesses who appeared before our committee all said they want the bill and reaffirmed their position on a similar bill of last year that they approved.

Mr. GROSS. The gentleman will agree with me that it is unusual that the Department having the most direct interest in the bill has nothing in the record of the report in support of it.

Mr. SAYLOR. If the gentleman will yield, that is correct. But they appeared before our committee and testified in favor of it and asked that we report the bill favorably. It was their idea that we increase it to $60 million.

Mr. GROSS. What is the substance, then, of the letter that we have heard referred to from the Department of Justice?

Mr. SAYLOR. If the gentleman will yield further to me, all I can tell you is this bill was reported out a month ago. The Department of Justice was notified of our original hearings, and it has been on the calendar of the House of Representatives for over a month. This morning the chairman and I got a telephone call from the Department of Justice saying that they did not like the bill. All I can tell you is if they are that far behind, then, this Congress should not worry about it but should pass the legislation and send it down to the White House. If they have enough influence with the President, tell them to go ahead and get it vetoed.

Mr. GROSS. I assume the Department of Justice would be involved in this if the $60 million, which would be authorized under the terms of this bill, did not suffice to take over the land.

Mr. SAYLOR. If the gentleman will yield, only if they are involved so far as the condemnation proceedings are concerned.

Mr. GROSS. Of one thing we can be certain with respect to this legislation: It is going to cost anywhere from $6 million to $9 million more than it would have cost less than 2 years ago. Is that not true?

Mr. SAYLOR. That is correct. And I can only say to the gentleman, if he will yield further, that we are lucky it did not cost more, because if we take the increased price of 135,000 acres of prime timber, it is more than that.

Mr. GROSS. I think it remains to be seen as to whether they are able to sell these lands. I notice they are advertising in the Wall Street Journal, but I have seen no results from the advertisement.

The SPEAKER. The time of the gentleman has expired.

Mr. GROSS. Mr. Speaker, I have no further requests for time.

Mr. MEEDS. Mr. Speaker, I yield myself 2 additional minutes.

Mr. Speaker, I take this time for the purpose of answering some of the questions posed by the gentleman from Wisconsin (Mr. FROEHLICH) with regard to termination. I am delighted to see the gentleman take the position that he has on this matter. I think it is an excellent position, but I would add that we are here not dealing with that particular matter. The termination, as some of the previous speakers have pointed out, has already transpired with regard to the Klamath Tribe. I am sure the gentleman from Wisconsin (Mr. FROEHLICH) knows how I feel about termination, and I feel much the same way he does.

I think that it was a disastrous policy, and I believe that any group of Indians who have been terminated and who wish to be reinstated should have that opportunity. I might add further that I am working with the gentleman from Wisconsin on the Menominee restoration. But, as I say, we are not presently dealing with that question. The problem here is that the Klamath Indians who were terminated a number of years ago, the 500 who remained, have determined by an almost unanimous vote to sell this land now, and they do not wish to be reinstated. Therefore I think it behooves us to proceed with their wishes.

They have been informed, and, indeed, I sought and tried to find people who might be opposed in that group to this legislation, because I did not want to proceed with the legislation if there were those people extant, but I could not find any.

So I can assure the gentleman from Wisconsin that efforts have been made, and it is my earnest opinion that the overwhelming majority of these people wish to proceed precisely as this bill directs. And, again, we have sought to protect them by requiring condemnation which will give them the best possible price.

Mr. FROEHLICH. If the gentleman will yield, I believe that I can then read from the remarks of the gentleman that those remaining members of the tribe have been informed of the right of restoration policy for formerly terminated tribes.

Mr. MEEDS. Indeed, I am sure they have been.

Mr. Speaker, I have no further requests for time.

Mr. DELLENBACK. Mr. Speaker, will the gentleman yield?

Mr. MEEDS. I am happy to yield to the gentleman from Oregon.

Mr. DELLENBACK. Mr. Speaker, I rise in strong support of this legislation.

Mr. Speaker, I was pleased to have been able to join with my colleagues from the Oregon delegation, Congressman ULLMAN, Congresswoman GREEN, and Congressman WYATT in introducing H.R. 3867 to provide for Federal acquisition of the Klamath Indian Lands.

The bill was introduced last Congress and attached in conference as a purchase directive to H.R. 56, the environmental data systems bill. The bill passed both Houses but was vetoed by the President on October 21, 1972. In his veto message the President said of the Klamath Indian land purchase:

> I believe this purchase would be sound public policy, and if the next Congress provides the necessary funds, I shall happily approve the acquisition of these unique lands.

We, in the Oregon delegation, agree with the President that the acquisition of these lands would make a desirable addition to our national forests.

These lands are an integral part of the forest system which is encompassed by the Winema National Forest. This national forest was created with the Klamath Termination Act which provided for the termination of the Klamath Indian Reservation and the disposal of their lands. The original disposal resulted in the sale of the land which is now the Winema National Forest to the Secretary of Agriculture and the establishment of a trust for the remaining lands. The act provided that at the time the trust was dispersed the lands had to first be offered to the remaining tribal members who had 6 months within which to purchase what lands they desired.

On December 9, 1970, the trustee initiated proceedings to dispose of the lands, however, none of the members of the trust expressed an interest in buying. On July 2, 1971, the trustee offered the lands at a minimum price of $51,369,731 to the Secretary of Agriculture who, under the law, had 12 months within which to buy before they were offered for public sale. The Secretary did not exercise his option to buy within the year deadline because of fiscal restraints in the executive branch and the land has now been offered for public sale. These unfortunate circumstances have led the Oregon delegation to propose the acquisition of this land through condemnation.

The Klamath Indian forest contains 135,000 acres composed of 133,300 acres of timber, 1,100 acres of grassland, and 600 acres of other types of land. There are 895,740,000 board feet of timber available for marketing, making this resource the main source of income from the forest. Under the original termination act it was intended that at such time as the Indians relinquished the remaining land the Government should purchase it to be managed on a multiple-use and sustained-yield basis.

Only if the Federal Government purchases this scenic and bountiful timberland can we guarantee maximum long-run sustained-yield utilization of this magnificent resource. It is feared that the tremendous investment that would be necessary to operate this tract over a long period of time would force a private owner into a "cut and sell" operation in order to recover a substantial proportion of his capital outlay. There would be a strong incentive for rapid removal of the timber and, very possibly, instead of sound, immediate and complete reforestation, some alternate use such as subdivision of the area for residential purposes.

A rapid liquidation could also lead to severe environmental problems. A private owner, while required by law to meet certain pollution standards, could have little concern for environmental enhancement. Only management of the timberland on a long-term sustained yield basis by the Forest Service will assure responsible use of all resources involved.

Federal purchase would provide the greatest benefit to the Klamath Indians and to other residents in the area by assuring jobs and recreational opportunities for future generations. A rapid cutting of the forest which is expected under private ownership would require a large transient labor force during the period of heavy cut and would severely affect the long-range stability of the local economy.

Another significant factor in this proposed transaction that cannot be overlooked is the impact that private ownership could have on the log export situation. For years Japan has been the principal market for log exports from the Pacific Northwest. Japanese building efforts require vast amounts of imported timber. There are reports that Japanese interests are taking a long, hard look at this tract as a potential source of a large, much-needed softwood supply.

It is highly possible that a Japanese concern would attempt to purchase the land outright, or enter into an agreement with a private, domestic corporation. The probable result would no doubt be a rapid cut with subsequent sale of the harvest to Japan.

While there are many other factors that strongly favor Federal purchase of the remaining Klamath Indian Forest I did want to emphasize these points for your consideration today.

I am pleased that both the Indian Affairs Subcommittee and the Interior Committee agreed with the position of the Oregon delegation and overwhelmingly supported this legislation. The committee version would provide for Federal ownership and all its aforementioned benefits and would also help maintain the Indians' tie to this land.

In April of this year, the trustee for the Klamath Indians announced the first offering of a portion of this land for public sale. In light of this action and with the belief that this land would be a desirable addition of our national forest system, I urge your favorable and swift action on this legislation. Its enactment and early implementation would represent the soundest possible investment in and for the future.

I am aware that $60 million is a major amount of money and that this amount is not easily come by. But the purpose for which we are here proposing these dollars be spent seems to me without question to have such a long-range impact on our areas and the whole United States' supply of softwood timber and timber products that this action is clearly and highly desirable.

The SPEAKER. The question is on the motion offered by the gentleman from Washington (Mr. MEEDS), that the House suspend the rules and pass the bill H.R. 3867, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MEEDS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks in the RECORD on the subject of the bill, H.R. 3867.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

INDIAN CLAIMS COMMISSION AUTHORIZATION

Mr. MEEDS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4967) to authorize appropriations for the Indian Claims Commission for fiscal year 1974, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4967

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is authorized to be appropriated to carry out the provisions of the Indian Claims Commission Act (25 U.S.C. 70), during fiscal year 1974 a sum not to exceed $1,200,000.

SEC. 2. Section 1 of the Act of November 4, 1963 (77 Stat. 301), as amended (25 U.S.C. 70n-1), is further amended by striking out "$1,800,000" and by inserting "$2,700,000".

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. MEEDS. Mr. Speaker, I yield myself 10 minutes.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. MEEDS. I yield to the gentleman

from Florida (Mr. HALEY) the chairman of the full committee.

Mr. HALEY. Mr. Speaker, I might say that I think this legislation is vitally necessary if the Indian Claims Commission is to continue to do the job which needs to be done. They come back before us on an annual basis, so to speak, so that we can keep more or less some control over the operations of the Indian Claims Commission, and see if we can push it along to the point where they can finish all of their work.

Mr. Speaker, the Indian Claims Commission is nearing the end of its life. It was established under a 1946 Act to hear and settle all Indian tribal claims against the United States that arose before 1946. The Commission was expected to finish its job in 10 years, but, for a number of reasons which I shall not discuss here, it did not finish and Congress found it necessary to grant repeated extensions. The last extension was granted last year, 1972, and the statute provided that any work the Commission has not finished by 1977 will be transferred to the Court of Claims, and the Commission will expire.

In order to provide for closer congressional oversight of the work of the Commission, the 1972 act also required an annual appropriation authorization act to be enacted each year, authorizing the dollar amount to be appropriated in order to keep the Commission on schedule. The amount authorized by H.R. 4967 is $1,200,000 for fiscal year 1974, which will keep the Commission operating at its present level. The Commission feels that at this level it will be able to finish in 1977, as required by law.

In order to facilitate the work of the Commission, the bill also amends a revolving loan fund that is available for loans to tribes to employ expert witnesses. The fund is increased from $1,800,000 to $2,700,000. The loans are repayable out of any judgments recovered by the tribes.

I recommend enactment of the bill.

Mr. MEEDS. Mr. Speaker, I thank the gentleman from Florida for his support, and for his long standing support and interest in these matters.

Mr. Speaker, the purpose of this bill is to authorize appropriations for the Indian Claims Commission for fiscal year 1974 and to increase the authorization for the Indian expert witness revolving loan fund from $1,800,000 to $2,700,000—or increase it by $900,000.

The Indian Claims Commission was created by the Act of August 13, 1946 (60 Stat. 1049) to consider and settle, finally, all claims of Indian tribes against the United States arising out of various treaties and statutes, and accruing on or before the date of the act. These claims are of both a legal and moral nature and are, in general, for lands ceded by the tribes to the United States without compensation or with inadequate compensation. Other claims are of an accounting nature where the Indians allege that the United States inadequately performed its function as trustee resulting in damage to the trust assets of the tribe.

Prior to the Indian Claims Commission Act, the Congress had offered relief in such cases by a series of individual jurisdictional acts conferring authority on the Court of Claims to hear and decide such claims. The Claims Commission Act was a deliberate policy of the Congress to cease considering these jurisdictional acts and to establish a tribunal to settle these old claims once and for all time.

I think it should be made clear that the Indian Claims Commission is not empowered to consider, nor does the act affect Indian claims arising out of existing treaty obligation or acts of Congress accruing after August 13, 1946. The United States still has certain obligations to the tribes under these treaties and as trustee for the Indians which can give rise to claims against it by the Indians. These claims can be brought in the Court of Claims.

The original act required the Commission to complete its work within 10 years. For a number of reasons, the Commission was unable to do so and the Congress has repeatedly extended the time limit with an admonition to the Commission to proceed more rapidly in processing these claims. The size of the Commission was increased from three to five members in 1967 to expedite processing of the claims. At the time of the last extension in 1972, the Congress provided that the unfinished business of the Commission when it expired in 1977 would be transferred to the Court of Claims and that no further extensions were contemplated. Congress also required by that act that an annual appropriation authorization be enacted in order that the Interior and Insular Affairs Committee could exercise closer oversight of the work of the Commission. That annual appropriation authorization is the purpose of this legislation.

As of December 31, 1972, the Commission had disposed of 384 dockets, either by an award or by dismissal, out of a total of 611 dockets filed, and 227 dockets remain to be completed. To date, the Commission has awarded $423,926,883.29 in 208 dockets.

The bill authorizes appropriations of $1,200,000 for the expenses of the Commission for fiscal year 1974.

During hearings on the bill, the Chairman of the Indian Claims Commission advised the Subcommittee on Indian Affairs that it would be necessary to increase the funds available to Indian tribes for expert witnesses from the expert witness revolving loan fund if the Commission was to finish its work by the 1977 expiration date.

The expert assistance revolving loan fund was established by the Act of November 4, 1964 (77 Stat. 301) and is administered by the Bureau of Indian Affairs rather than by the Indian Claims Commission. It was created to provide a source of credit to Indian tribes to obtain the services of experts in the preparation and presentation of their claims. Most of the claims before the Commission are based on transactions and circumstances occurring in the early and middle 1800's. Extensive and exhaustive research and documentation is necessary to provide the foundation for these claims. The services of expert appraisers to appraise land values on the date of taking, often in the 1830's and 1840's, are necessary. Anthropologists and historians are needed to document occupation of lands by various tribes and the status of these tribes at the time of the land cessions. Most tribes pressing claims before the Commission simply do not have the financial resources at hand to counter the resources available to the Federal Government in defending against these claims.

It should be made clear that these funds are not available for loans to tribes to pay attorney fees. The payment of such fees are provided for and regulated by the Claims Commission Act itself and are generally on a contingent fee basis and not to exceed 10 percent of the amount recovered.

Loans made from the fund bear interest and are recoverable out of any award made to the tribe by the Commission. If no award is recovered or if the amount of the award is inadequate to cover the loan and interest, the Secretary of the Interior can cancel the loan. To date, there has been no default on any loan made from the fund. Loans repaid and interest is returned to the fund on a revolving basis.

The expert assistance revolving loan fund is now depleted. Although no applications for loans are pending before the Department, the last few loans approved were approved subject to funds being available.

On February 12 of this year, the Indian Claims Commission held a conference of claims attorneys for the purpose of projecting dates for trial of pending cases. At that time, various tribal claims attorneys stated that tribes they represented were poor and did not have the funds to hire needed expert witnesses for their claims. According to estimates of the attorneys, the total new funds needed would be approximately $1 million.

Loans from the fund presently total $2,095,586, and additional loans of $220,448 have been approved subject to the availability of funds. Bureau of Indian Affairs and Claims Commission officials believe that, in addition to the $1,800,000 presently authorized and appropriated for the fund, $900,000 more is needed to permit the Commission to complete its work on time.

Thus the bill amends the act of November 4, 1963 to increase the authorization from $1,800,000 to $2,700,000.

Mr. Speaker, this authorization is needed if the Appropriation Committee is to be able to appropriate the funds for the Commission for fiscal year 1974, and I urge the House to pass the bill.

Mr. WYLIE. Mr. Speaker, will the gentleman yield?

Mr. MEEDS. I yield to the gentleman from Ohio.

Mr. WYLIE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, should we say as a matter of congressional intent that we hope the Claims Commission will ascertain if any claims are being made by any person responsible for any of the destruction of the Bureau of Indian Affairs building in an attempt to offset any such damage against any claim that might be made by a participant in that ill-advised affair?

Mr. MEEDS. Mr. Speaker, I did not hear the full question.

Mr. WYLIE. Mr. Speaker, I wonder if we should as a matter of congressional intent say to the Claims Commission—will you ascertain if any of the persons making a claim under this bill were in any way responsible for any part of the destruction of the Bureau of Indian Affairs building, if the gentleman knows what I am talking about, and have that amount offset against any claims contemplated herein?

The SPEAKER. The time of the gentleman from Washington has expired.

Mr. MEEDS. Mr. Speaker, I yield myself 2 additional minutes.

Mr. Speaker, if I may respond to the gentleman from Ohio, I think that would be extremely unwise, because it would be visiting the sins of the father on many succeeding generations.

In the Claims Commission Act awards, they are given to tribes for lands which were held a number of years ago on treaties or inequities which were enacted many years ago and are now being straightened out for a tribe, not for an individual Indian.

Mr. Speaker, I know of no tribe that is responsible, whether we agree or disagree with what happened at the Bureau of Indian Affairs—I know of no tribe which was responsible for that. Therefore, we would be visiting the sins of individuals on the tribal entity, which I think is extremely unwise.

Mr. WYLIE. Mr. Speaker, if the gentleman will yield further, there is no way we can visit the sins of those persons responsible for this destruction on them as individuals in this legislation? Is that what the gentleman is saying?

Mr. MEEDS. Mr. Speaker, the gentleman from Ohio, I am sure, is fully aware that there are ways in which those who were responsible can be punished for their transgressions. There are laws against that type of thing, and all that is necessary is that those laws be enforced.

I would be in favor of that.

Mr. WYLIE. Mr. Speaker, I thank the gentleman.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. MEEDS. I yield to the distinguished chairman of the Committee (Mr. HALEY).

Mr. HALEY. Mr. Speaker, the chairman of the subcommittee has very kindly stated what the situation is. There was no tribe as such involved in this hassle, this mess which we had down here at the Bureau of Indian Affairs. It was individuals, pure and simple.

As the gentleman has suggested and as I have suggested, there are ways to stop this kind of thing. Those people should have been arrested, they should have been tried and if found guilty, sent to a prison.

It is just such as we have this terrible situation out at Wounded Knee. If we really understood what happened at Wounded Knee in 1890, there would not be too much sympathy for these Indians now out there.

Some of them, I understand, will be arrested. I hope that the leaders who have gone out there and destroyed property and took over by force, we might say, I hope they go to the Federal penitentiary. That is where they belong and that is what should happen to them.

Mr. Speaker, I regret that the Federal Government through its various agencies of Government here in the District of Columbia got involved in this thing. We have a recognized reservation. They had a recognized constitution. They have people out there who could have enforced the laws of the reservation, and they should have been allowed to do it.

The SPEAKER. The time of the gentleman from Washington has again expired.

Mr. MEEDS. Mr. Speaker, I yield myself 1 additional minute.

Mr. TAYLOR of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. MEEDS. Mr. Speaker, I yield to the gentleman from North Carolina (Mr. TAYLOR).

Mr. TAYLOR of North Carolina. Mr. Speaker, as I understand it, this money will be used as a loan for the different tribes to aid them in procuring expert witnesses to present their claims before the Indian Commission?

Mr. MEEDS. That is correct.

Mr. TAYLOR of North Carolina. And the loan will be paid back and judgment issued?

Mr. MEEDS. That is correct.

Mr. TAYLOR of North Carolina. So, there will be no cost to the Government in this legislation unless it is interest on the money loaned?

Mr. MEEDS. That is correct, except if the Secretary decides to forgive one of the loans because the award is not large enough or there is no award.

Mr. TAYLOR of North Carolina. But the history is that inu all cases that have been tried up to now, there have been awards?

Mr. MEEDS. That is correct.

Mr. TAYLOR of North Carolina. This extra money will expedite the processing of claims now pending before the Commission?

Mr. MEEDS. We are assured it will meet that.

Mr. SAYLOR. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, as a result of the Committee on Interior and Insular Affairs trying to maintain closer supervision over the Indian Claims Commission, we now come to the House every year with an authorization bill for their appropriation.

The Indian Claims Commission was established in 1946 for a period of 10 years. At that time everybody said there would be no doubt about the fact that within that time they could take care of all claims the Indians had for anything that was due them for all the land the tribes had owned throughout the length and breadth of the land and be out of business. Unfortunately, at the end of 10 years the work was not completed, so we extended the Commission for 5 years more. At the end of that 5 years the work was not completed, and we extended the Commission for 5 years more.

In 1972 we extended the Commission for another 5 years with instructions that if their work were not completed by 1977 all of the pending claims would be turned over to the U.S. court of claims. At that time we increased the number of judges, and they were told to go ahead with the work. They have increased their staff. They have proceeded with their work.

They reported to us in the hearings this year that they expected to have all of their work completed and to be out of business by 1977.

To take care of them during the coming year this bill calls for $1.2 million for their operations. It also calls for $900,000 to be given to the Indian Claims Commission, to be loaned to the various tribes who do not have any money in their treasury with which to hire expert witnesses.

I know that some folks may wonder what kind of money it takes to hire expert witnesses, in the neighborhood of $900,000, but we have to understand that the Indian Claims Commission has to go back and ask people to appraise real estate; in some instances it is necessary to appraise the entire State, or . . . in several instances . . . States, and one does not do that at today's market prices. It is necessary to find individuals with the expertise to go back and find out what the value of the land was when Uncle Sam acquired it from the Indian tribe.

This is a continuation of a fund which has been in existence for some period of time. All of the money the Congress has heretofore appropriated to that fund has been used. Some of it has been repaid. That which has been repaid has been repaid without interest. This money which is to be loaned to those tribes, who will be applying for it, will be repaid at 5 percent interest.

I believe this to be a good bill. I urge that the rules be suspended and that the bill be passed.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. I thank my friend from Pennsylvania for yielding.

What I find unacceptable about this bill is the prolonged life of the Indian Claims Commission, which was created in 1946, as the gentleman stated, for a 10-year period. It is now 27 years old, and it will be 31 years old—a tripling of the life—if—and I emphasize if—it goes out of existence in 1977.

This to me is unconscionable. What in the world has this Commission been doing that it could not take care of this business in at least twice the 10 years, the latter being the original period which was provided in the legislation?

Mr. SAYLOR. Well, Mr. Speaker, I can say to my colleague, the gentleman from Iowa (Mr. GROSS), that we have raised the same question with members of that Commission every time that they have come up here before our committee since 1949, and I lost every one of the battles until the last one which we had last year, in which we finally gave them a deadline.

Mr. Speaker, I might say that our colleague, who serves in the other body, Senator JACKSON, who was the author of the original bill, said at the last conference that had he ever dreamed that the Commission would not have done their work in 10 years, he would not have introduced the first bill.

But I think that they are now in a position to do their work. I will have to commend those who are on the Commission right now for being diligent, for getting rid of many of the cases, and I can clearly see that by 1977 all of the work will be done.

Mr. GROSS. Mr. Speaker, will the gentleman from Pennsylvania give us an estimate of what this Commission has cost us up to this point?

Mr. SAYLOR. I would inform the gentleman that to date, as of April 30, 1973, the cost of operating this Commission has been $8,281,170.10, and I am certain the gentleman will agree that much of this money went down the drain until our committee finally got tough and insisted that they get their work done and get out of business.

Mr. GROSS. Do the members of this Commission work or play, or just what in the world has happened? Did they spend their time hunting or fishing or golfing, or what were they doing? This has got to be one of the bonanzas for the lawyers that ever came down the pike.

Mr. SAYLOR. All I can tell the gentleman is that some of those Members who were on the Commission originally did not do much work.

Mr. GROSS. Mr. Speaker, I thank the gentleman.

Mr. SAYLOR. Mr. Speaker, I yield such time as he may consume to the gentleman from New Mexico (Mr. LUJAN).

Mr. LUJAN. Mr. Speaker, I thank the gentleman for yielding the time to me. I, too, am concerned about this legislation. I view it with mixed emotion. I view the support of the legislation with mixed emotion.

Mr. Speaker, I will just take this time to point out to the gentleman from Iowa (Mr. GROSS) that his concern certainly is very legitimate, because from the total of 611 docketed cases, after 27 years we still have some 227 cases, and I take the time to point out that I think it is time that this Congress point to the Indian Claims Commission and tell them that we are really determined that we will not extend this beyond the 30-year period.

It is certainly regrettable that something that was supposed to take 10 years would now extend to 30 years' time.

Mr. MEEDS. Mr. Speaker, I yield myself 1 additional minute just to assure the gentleman from Iowa (Mr. GROSS) and the gentleman from New Mexico (Mr. LUJAN) that the gentleman from Pennsylvania (Mr. SAYLOR) is exactly correct, that the Committee on Interior and Insular Affairs, the full committee, is just as concerned and just as adamant as are both those gentlemen that the Indian Claims Commission finish its work, and we have so provided by the legislation. If there are any remaining cases they must be turned over to the Court of Claims after April 1977 when this legislation is terminated.

GENERAL LEAVE

Mr. MEEDS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on this subject in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MEEDS. Mr. Speaker, I have no further requests for time.

Mr. SAYLOR. Mr. Speaker, I have no further requests for time.

The SPEAKER. The question is on the motion offered by the gentleman from Washington (Mr. MEEDS) that the House suspend the rules and pass the bill H.R. 4967, as amended.

The question was taken.

Mr. WYLIE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 336, nays 8, not voting 89, as follows:

[Roll No. 124]

YEAS—336

Abdnor
Abzug
Addabbo
Alexander
Anderson, Calif.
Anderson, Ill.
Andrews, N.C.
Andrews, N. Dak.
Annunzio
Arends
Armstrong
Ashley
Bafalis
Baker
Barrett
Beard
Bell
Bennett
Bergland
Biester
Bingham
Boggs
Boland
Bolling
Bowen
Brasco
Bray
Breaux
Breckinridge
Brinkley
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Burgener
Burke, Calif.
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton
Butler
Byron
Camp
Carey, N.Y.
Carney, Ohio
Casey, Tex.
Cederberg
Chamberlain
Chappell
Clark
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Cochran
Cohen
Conable
Conte
Conyers
Corman
Cotter
Coughlin
Cronin
Daniel, Dan
Daniel, Robert W., Jr.
Daniels, Dominick V.
Danielson
Davis, S.C.
Davis, Wis.
Delaney
Dellenback
Dellums
Denholm
Dennis
Dent
Derwinski
Devine
Dickinson
Dorn
Downing
Drinan
Dulski
Duncan
du Pont
Eckhardt
Edwards, Ala.
Edwards, Calif.
Eilberg
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fascell
Findley
Fish
Fisher
Flood
Flowers
Flynt
Foley
Frey
Froehlich
Fulton
Fuqua
Gaydos
Gettys
Gilman
Ginn
Gonzalez
Goodling
Grasso
Gray
Green, Pa.
Griffiths
Grover
Gubser
Gude
Gunter
Haley
Hamilton
Hammerschmidt
Hanley
Hanrahan
Hansen, Idaho
Hansen, Wash.
Harrington
Harsha
Harvey
Hastings
Hays
Hechler, W. Va.
Heckler, Mass.
Heinz
Henderson
Hicks
Hillis
Hinshaw
Hogan
Holifield
Holt
Holtzman
Horton
Hosmer
Huber
Hudnut
Hungate
Hunt
Hutchinson
Ichord
Jarman
Johnson, Colo.
Jones, N.C.
Jones, Okla.
Jordan
Kastenmeier
Kazen
Keating
Kemp
Ketchum
King
Koch
Kuykendall
Kyros
Landrum
Latta
Lehman
Lent
Litton
Long, La.
Lott
Lujan
McClory
McCloskey
McCollister
McDade
McEwen
McFall
Macdonald
Madden
Madigan
Mahon
Mailliard
Mallary
Mann
Martin, Nebr.
Martin, N.C.
Mathias, Calif.
Matsunaga
Mazzoli
Meeds
Metcalfe
Mezvinsky
Michel
Miller
Mills, Ark.
Mills, Md.
Minish
Mink
Minshall, Ohio
Mitchell, Md.
Mitchell, N.Y.
Mizell
Moakley
Mollohan
Montgomery
Moorhead, Calif.
Moorhead, Pa.
Morgan
Mosher
Moss
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Brien
O'Neill
Owens
Parris
Passman
Patten
Pepper
Perkins
Pettis
Peyser
Pickle
Pike
Poage
Podell
Powell, Ohio
Preyer
Price, Ill.
Pritchard
Quie
Quillen
Railsback
Rangel
Rees
Regula
Riegle
Rinaldo
Roberts
Robinson, Va.
Robison, N.Y.
Rodino
Roe
Roncalio, Wyo.
Rooney, Pa.
Rose
Roush
Roybal
Runnels
Ruppe
Ruth
Ryan
St Germain
Sandman
Sarasin
Sarbanes
Saylor
Scherle
Schneebeli
Schroeder
Sebelius
Seiberling
Shipley
Shoup
Shuster
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Snyder
Spence
Staggers
Stanton, J. William
Stanton, James V.
Steele
Steelman
Steiger, Ariz.
Stokes
Stratton
Stubblefield
Stuckey
Studds
Sullivan
Symms
Talcott
Taylor, N.C.
Teague, Calif.
Thomson, Wis.
Thone
Thornton
Tiernan
Towell, Nev.
Treen
Udall
Ullman
Van Deerlin
Vanik
Veysey
Vigorito
Waggonner
Walsh
Wampler
Ware
Whalen
White
Whitehurst
Whitten
Wiggins
Williams
Wilson, Bob
Wilson, Charles H., Calif.
Wilson, Charles, Tex.
Winn
Wyatt
Wydler
Wyman
Yates
Young, Alaska
Young, Fla.
Young, Ill.
Young, S.C.
Young, Tex.
Zablocki
Zion
Zwach

NAYS—8

Ashbrook
Collins
Crane
Gross
Landgrebe
Rarick
Rousselot
Wylie

NOT VOTING—89

Adams
Archer
Aspin
Badillo
Bevill
Biaggi
Blackburn
Blatnik
Brademas
Brown, Calif.
Buchanan
Carter
Chisholm
Clancy
Collier
Conlan
Culver
Davis, Ga.
de la Garza
Diggs
Dingell
Donohue
Erlenborn
Ford, Gerald R.
Ford, William D.
Forsythe
Fountain
Fraser
Frelinghuysen
Frenzel
Giaimo
Gibbons
Goldwater
Green, Oreg.
Guyer
Hanna
Hawkins
Hébert
Helstoski
Howard
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, Tenn.
Karth
Kluczynski
Leggett
Long, Md.
McCormack
McKay
McKinney
McSpadden
Maraziti
Mathis, Ga.
Mayne
Melcher
Milford
Murphy, Ill.
Obey
O'Hara
Patman
Price, Tex.
Randall
Reid
Reuss
Rhodes
Rogers
Roncallo, N.Y.
Rooney, N.Y.
Rosenthal
Rostenkowski
Roy
Satterfield
Shriver
Stark
Steed
Steiger, Wis.
Stephens
Symington
Taylor, Mo.
Teague, Tex.
Thompson, N.J.
Vander Jagt
Waldie
Widnall
Wolff
Wright
Yatron
Young, Ga.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Rooney of New York with Mr. Fraser.

Mr. Thompson of New Jersey with Mr. Forsythe.

Mr. Brademas with Mr. Widnall.

Mr. Teague of Texas with Mr. Gerald R. Ford.

Mrs. Chisholm with Mr. O'Hara.

Mr. Culver with Mr. Shriver.

Mr. Davis of Georgia with Mr. Archer.

Mr. Giaimo with Mr. Maraziti.

Mr. Hébert with Mr. Rhodes.

Mr. Helstoski with Mr. Steiger of Wisconsin.

Mr. Johnson of California with Mr. William D. Ford.

Mr. Jones of Alabama with Mr. Blackburn.

Mr. Kluczynski with Mr. Collier.

Mr. McCormack with Mr. Guyer.

Mr. Murphy of Illinois with Mr. Hanna.

Mr. Obey with Mr. Vander Jagt.

Mr. Reid with Mr. Johnson of Pennsylvania.

Mr. Rostenkowski with Mr. Mayne.

Mr. Stark with Mr. McKinney.

Mr. Stephens with Mr. Buchanan.

Mr. Wolff with Mr. Roncallo of New York.

Mr. Young of Georgia with Mr. Badillo.

Mr. Waldie with Mr. Goldwater.

Mr. Adams with Mr. Frenzel.

Mr. Bevill with Mr. Carter.

Mr. Blatnik with Mr. Price of Texas.

Mr. Diggs with Mr. Roy.

Mr. Dingell with Mr. Jones of Tennessee.

Mr. Donohue with Mr. Clancy.

Mr. Fountain with Mr. Conlan.

Mr. Gibbons with Mr. Taylor of Missouri.

Mr. Hawkins with Mr. Biaggi.

Mr. Howard with Mr. Frelinghuysen.

Mr. Karth with Mr. Erlenborn.

Mr. Leggett with Mr. Melcher.

Mr. Long of Maryland with Mr. Randall.

Mr. Yatron with Mr. Symington.

Mrs. Green of Oregon with Mr. Brown of California.

Mr. Mathis of Georgia with Mr. Aspin.

Mr. Rogers with Mr. Reuss.

Mr. Rosenthal with Mr. Steed.

Mr. de la Garza with Mr. McKay.

Mr. McSpadden with Mr. Milford.

Mr. Satterfield with Mr. Wright.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. MEEDS. Mr. Speaker, I ask unanimous consent that the Committee on Interior and Insular Affairs be discharged from the further consideration of the bill (S. 721) to authorize appropriations for the Indian Claims Commission for fiscal year 1974, and for other purposes, and ask for immediate consideration of the bill.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 721

An act to authorize appropriations for the Indian Claims Commission for fiscal year 1974, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is authorized to be appropriated to carry out the provisions of the Indian Claims Commission Act (25 U.S.C. section 70), during fiscal year 1974, a sum not to exceed $1,200,000 for the necessary expenses of the Commission.

AMENDMENT OFFERED BY MR. MEEDS

Mr. MEEDS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MEEDS: Strike out all after the enacting clause of S. 721 and insert in lieu thereof the provisions of H.R. 4967, as passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 4967) was laid on the table.

SERVICEMEN'S GROUP LIFE INSURANCE COVERAGE FOR RESERVE AND NATIONAL GUARD

Mr. DORN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6574) to amend title 38, United States Code, to encourage persons to join and remain in the Reserves and National Guard by providing full-time coverage under Servicemen's Group Life Insurance for such members and certain members of the Retired Reserve, and for other purposes.

The Clerk read as follows:

H.R. 6574

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (5) of section 765 of title 38, United States Code, is amended to read as follows:

"(5) The term 'member' means—

"(A) a person on active duty, active duty for training, or inactive duty training in the uniformed services in a commissioned, warrant, or enlisted rank or grade, or as a cadet or midshipman of the United States Military Academy, United States Naval Academy, United States Air Force Academy, or the United States Coast Guard Academy;

"(B) a person who volunteers for assignment to the Ready Reserve of a uniformed service and is assigned to a unit or position in which he may be required to perform active duty, or active duty for training, and each year will be scheduled to perform at least twelve periods of inactive duty training that is creditable for retirement purposes under chapter 67 of title 10, United States Code;

"(C) a person assigned to, or who upon application would be eligible for assignment to, the Retired Reserve of a uniformed service who has not received the first increment of retirement annuities or has not yet reached sixty-one years of age and has completed at least twenty years of satisfactory service creditable for retirement purposes under chapter 67 of title 10, United States Code; and

"(D) a member, cadet, or midshipman of the Reserve Officers Training Corps while attending field training or practice cruises."

SEC. 2. Section 767 of title 38, United States Code, is amended as follows:

(1) Subsection 767(a) is amended to read as follows:

"(a) Any policy of insurance purchased by the Administrator under section 766 of this title shall automatically insure against death—

"(1) any member of a uniformed service on active duty, active duty for training, or inactive duty for training scheduled in advance by competent authority;

"(2) any member of the Ready Reserve of a uniformed service who meets the qualifications set forth in section 765(5)(B) of this title; and

"(3) any member assigned to, or who upon application would be eligible for assignment to, the Retired Reserve of a uniformed service who meets the qualifications set forth in section 765(5)(C) of this title;

in the amount of $15,000 unless such member elects in writing not to be insured under this subchapter, or to be insured in the amount of $10,000 or $5,000. The insurance shall be effective the first day of active duty or active duty for training, or the beginning of a period of inactive duty training scheduled in advance by competent authority, or the first day a member of the Ready Reserve meets the qualifications set forth in section 765 (5)(B) of this title, or the first day a member of the reserves, whether or not assigned to the Retired Reserve of a uniformed service, meets the qualifications of section 765 (5)(C) of this title, or the date certified by the Administrator to the Secretary concerned as the date servicemen's group life insurance under this subchapter for the class or group concerned takes effect, whichever is the later date."

(2) Subsection 767(b) is amended by deleting therefrom "ninety days" wherever it appears therein and inserting in lieu thereof "one hundred and twenty days".

(3) Subsection 767(c) is amended by inserting after the words "any member" the words "(other than a member assigned to the Retired Reserve)".

SEC. 3. Section 768 of tilte 38, United States Code, is amended as follows:

(1) Subsection 768(a) is amended by inserting "or while the member meets the qualifications set forth in sections 765(5) (B) or (C) of this title," before the words "and such insurance shall cease".

(2) Subsections 768(a) (2) and (3) are each amended by deleting therefrom "ninety days" wherever it appears therein and inserting in lieu thereof "one hundred and twenty days".

(3) Subsection 768(a) is further amended by adding at the end thereof the following:

"(4) with respect to a member of the Ready Reserve of a uniformed service who meets the qualifications set forth in section 765(5)(B) of this title, one hundred and twenty days after separation or release from such assignment—

"(A) unless on the date of such separation or release the member is totally disabled, under criteria established by the Administrator, in which event the insurance shall cease one year after the date of separation or release from such assignment, or on the date the insured ceases to be totally disabled, whichever is the earlier date, but in no event prior to the expiration of one hundred and twenty days after separation or release from such assignment; or

"(B) unless on the date of such separation or release the member has completed at least twenty years of satisfactory service creditable for retirement purposes under chapter 67 of title 10, United States Code, and would upon application be eligible for assignment to or is assigned to the Retired Reserve, in which event the insurance, unless converted, shall, upon timely payment of premiums under terms prescribed by the Administrator directly to the administrative office established under section 766(b) of this title, continue in force until receipt of the first increment of retirement annuity by the member or the member's sixty-first birthday, whichever occurs earlier.

"(5) with respect to a member of the Retired Reserve who meets the qualifications of section 765(5)(C) of this title, and who was assigned to the Retired Reserve prior to the date insurance under this amendment is placed in effect for such members, at such time as the member receives the first increment of retirement annuity, or the member's sixty-first birthday, whichever occurs earlier, subject to the timely payment of the initial and subsequent premiums, under terms prescribed by the Administrator, directly to the administrative office established under section 766(b) of this title."

(4) Subsection 768(b) is amended—

(A) by deleting the period at the end of subsection 768(b)(2) and inserting in lieu thereof a semicolon;

(B) by deleting from subsection 768(b)(2) the words "ninety days" and "ninety-day" and inserting in lieu thereof the words "one hundred and twenty days" and "one hundred and twenty-day", respectively; and

(C) by adding at the end of subsection 768(b) the following:

"(3) with respect to a member of the Ready Reserve of a uniformed service who meets the qualifications of section 765(5) (B) of this title, effective the one hundred and twenty-first day after separation or release from such assignment, unless on the date of such separation or release the member is totally disabled, under criteria established by the Administrator, in which event the insurance may be converted at any time while it is continued in force by reason of such disability, but in no event more than one year after the date of separation or release from such assignment; and

"(4) with respect to a member who was assigned to the Retired Reserve of a uniformed service before insurance for such members was placed in effect there shall be no right of conversion."

(5) The third and fourth sentences of subsection 768(c) are amended to read as follows: "Such converted insurance shall be issued without a medical examination if application is made within one hundred and twenty days after separation or release (1) from active duty or active duty for training under a call or order to duty that did not specify a period of less than thirty-one days, or (2) from an assignment which meets the qualifications set forth in section 765(5) (B) of this title. Medical examinations and evidence of qualifying health conditions may be required in any case where the former member alleges that his insurance is continued in force or may be converted beyond the normal termination of conversion date by reason of qualifying disability incurred or aggravated during active duty, active duty for training, inactive duty training, or while assigned to the Ready Reserve of a uniformed service under conditions which meet the qualifications of section 765(5) (B) of this title."

SEC. 4. Section 769 of title 38, United States Code, is amended—

(1) by redesignating subsections 769(a) (2) and (3) as "(3)" and "(4)", respectively, and by adding after subsection 769(a) (1) a new subsection (2) to read as follows:

"(2) During any month in which a member is assigned to the Ready Reserve of a uniformed service under conditions which meet the qualifications of section 765(5) (B) of this title, or is assigned to the Reserve (other than the Retired Reserve) and meets the qualifications of section 765(5) (C) of this title, and is insured under a policy of insurance purchased by the Administrator, under section 766 of this title, there shall be contributed from the appropriation made for active duty pay of the uniformed service concerned an amount determined by the Administrator (which shall be the same for all such members) as the share of the cost attributable to insuring such member under this policy, less any costs traceable to the extra hazards of such duty in the uniformed services. Any amounts so contributed on behalf of any individual shall be collected by the Secretary concerned from such individual (by deduction from pay or otherwise) and shall be credited to the appropriation from which such contribution was made.";

(2) by deleting from subsection 769(a) (3) (redesignated as (4) by this amendment) the words "subsection (1) hereof, or fiscal year amount under subsection (2) hereof" and inserting in lieu thereof the words "subsections (1) or (2) hereof, or fiscal year amount under subsection (3) hereof"; and

(3) by adding at the end of section 769 a new subsection (e) to read as follows:

"(e) The premiums for Servicemen's Group Life Insurance placed in effect or continued in force for a member assigned to the Retired Reserve of a uniformed service who meets the qualifications of section 765(5) (C) of this title, shall be established under the criteria set forth in section 771 (a) and (c) of this title, except that the Administrator may provide for average premiums for such various age groupings as he may determine to be necessary according to sound actuarial principles, and shall include an amount necessary to cover the administrative cost of such insurance to the company or companies issuing or continuing such insurance. Such premiums shall be payable by the insureds thereunder as provided by the Administrator directly to the administrative office established for such insurance under section 766 (b) of this title. The provisions of section 771 (d) and (e) of this title shall be applicable to Servicemen's Group Life Insurance continued in force or issued to a member assigned to the Retired Reserve of a uniformed service. However, a separate accounting may be required by the Administrator for insurance issued to or continued in force on the lives of members assigned to the Retired Reserve and for other insurance in force under this subchapter. In such accounting, the Administrator is authorized to allocate claims and other costs among such programs of insurance according to accepted actuarial principles."

SEC. 5. The first clause of section 770(a) of title 38, United States Code, is amended to read as follows: "First, to the beneficiary or beneficiaries as the member or former member may have designated by a writing received prior to death (1) in the uniformed service, or (2) in the administrative office established under section 766(b) of this title if separated or released from service, or if assigned to the Retired Reserve, and insured under this subchapter."

SEC. 6. Section 771(e) of title 38, United States Code, is amended by deleting therefrom "section 766" and inserting in lieu thereof "section 769(d) (1)".

SEC. 7. (a) Chapter 13 of title 37, United States Code, is amended by adding at the end thereof a new section as follows:

"§ 707. Allotments: Members of the National Guard

"The Secretary of the Army or the Secretary of the Air Force, as the case may be, may allow a member of the National Guard who is not on active duty to make allotments from his pay under sections 204 and 206 of this title for the payment of premiums under a group life insurance program sponsored by the military department of the State in which such member holds his National Guard membership or by the National Guard association of such State."

(b) The table of sections at the beginning of chapter 13 of such title is amended by adding at the end thereof a new item as follows:

"707. Allotments: Members of the National Guard.".

The SPEAKER. Is a second demanded?

Mr. HAMMERSCHMIDT. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. DORN. Mr. Speaker, as indicated in its title, this bill is designed to encourage persons to join and remain in the Reserves and National Guard by providing full-time coverage, subject to certain conditions, under serviceman's group life insurance for such members and for certain members of the Retired Reserve. The bill is substantially identical to H.R. 14742 which passed the House in the 92d Congress but was not acted upon by the other body.

H.R. 6574 was introduced by the distinguished gentleman from Mississippi (Mr. MONTGOMERY) with the cosponsorship of 20 fellow members of our Committee on Veterans' Affairs. Mr. Speaker, I might say the distinguished gentleman from Mississippi rendered outstanding service in holding hearings and expeditiously reporting this bill to the full committee and bringing it now to the House.

I am now happy to yield such time as he may consume to the gentleman from Mississippi, the distinguished chairman of our Subcommittee on Insurance (Mr. MONTGOMERY).

GENERAL LEAVE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this legislation.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MONTGOMERY. Mr. Speaker, I thank my chairman and the other members of the committee for giving us the opportunity to bring this bill before the House.

Mr. Speaker, the major thrust of this bill is to encourage persons to join and remain in the Reserves and National Guard by providing full-time coverage under Servicemen's Group Life Insurance for such members and for certain members of the Retired Reserve up to age 60.

The bill would provide full-time coverage under Servicemen's Group Life Insurance—SGLI—up to $15,000 for persons who volunteer for assignment to the Ready Reserve of a uniformed service and are assigned to a unit or position in which they may be required to perform active duty or active duty for training, and each year will be scheduled to perform at least 12 periods of inactive duty training that is creditable for retirement purposes under chapter 67 of title 10, United States Code. At the present time, this group, along with other reserves, are covered under SGLI only on the days they are on active duty or active duty for training under a call or order to duty that specifies a period of less than 31 days, during the hours of scheduled inactive duty training, and while traveling to or from such duties.

The second purpose of the bill is to provide full-time coverage under SGLI for persons assigned to, or who, upon application, would be eligible for assignment to the Retired Reserve of a uniformed service who are under 60 years of age and have completed at least 20 years of satisfactory service creditable for retirement purposes under chapter 67 of title 10, United States Code. At the present time, members of the Retired Reserve have no eligibility for SGLI.

The full-time coverage of a member of the ready reserve would terminate 120 days after separation or release from an assignment which qualifies him for such coverage. However, if on the date of such separation or release the member was totally disabled, SGLI coverage would continue in effect during total disability up to 1 year as is provided in present law for persons on extended active duty. Further, if on the date of separation or release from such an assignment, the member has completed at least 20 years of satisfactory service creditable for retirement purposes, the full-time coverage, unless converted, would continue in force until receipt of the first increment of retirement annuity by the member of the member's 61st birthday, which ever occurs earlier. Such continued coverage would be subject to the timely payment of premiums under terms prescribed by the administrator directly to the office of Servicemen's Group Life Insurance—OSGLI.

The premium charges will be paid by the member through payroll deduction. There is no cost to the government in this piece of legislation; in fact the government is paid to make the payroll deduction.

The bill grants the administrator authority to establish premiums charged members assigned to the Retired Reserve by various age groupings as he may determine to be necessary according to sound actuarial principles. Also, such premiums shall include an amount necessary to cover the administrative cost of such insurance to the commercial underwriters. A separate accounting may be required of the underwriters by the administrator for insurance issued to or continued in force on the lives of members of the Retired Reserve, and for SGLI issued to others. In such accounting, the administrator is authorized to allocate claims and other costs among such programs of insurance according to accepted actuarial principles.

As I stated at the outset, this legislation is designed to encourage persons to join and remain in the Reserves and National Guard by extending full-time SGLI coverage in lieu of the rather limited coverage they now have only when engaged in active or training duty. Further, it will provide a sorely needed survivor benefit for members of the Reserves who may retire after 20 years of service but are ineligible to receive retirement pay until they reach the age of 60. This provision will extend insurance coverage during such a period. After a retired reservist is himself eligible for retirement pay, he then may elect an annuity option for his widow under the armed services family protection plan.

As our chairman has pointed out, H.R. 6574 is substantially identical to H.R. 14742, a bill which passed the House in the 92d Congress but was not acted upon by the other body. The only significant change in the bill this year is the inclusion of a provision which allows the Secretary of the Army or the Secretary of the Air Force to permit a National Guard member, if he so desires, to allot a portion of his pay for payment of premiums under State-sponsored insurance programs for the National Guard.

The Department of Defense strongly recommends the enactment of legislation with the basic objective of H.R. 6574 "as a positive and feasible incentive for service in the National Guard and Ready Reserve forces, particularly the Selected Reserve." With respect to the minor amendment referred to, the Department recommended deferral of such provision, without prejudice, until it has adequate time to study its ramifications. Our committee gave consideration to this recommendation but was not persuaded that there was any sound basis for a deferral of action on this provision.

A hearing on the predecessor of this bill was held by the Subcommittee on Insurance on March 28, 1973. Enthusiastic support of its objectives was expressed by representatives of the Reserve Officers Association of the United States, the National Guard Association of the United States, the American Legion, and the Disabled American Veterans.

Mr. Speaker, I strongly urge approval of this meritorious bill by the Members of the House.

Mr. HILLIS. Mr. Speaker, will the gentleman yield?

Mr. MONTGOMERY. I yield to the gentleman from Indiana (Mr. HILLIS).

Mr. HILLIS. I thank the gentleman for yielding.

I should like to commend the gentleman on the statement he has made on this important piece of legislation.

I should like to ask whether at the hearings held on this bill those in attendance, representing the Ready Reserve and the National Guard, felt that this piece of legislation was more or less essential if we are going to be able to keep up an adequate rate of reenlistment of those serving both in the Ready Reserve and the National Guard?

Mr. MONTGOMERY. This bill is sorely needed. Mainly it is an incentive to attract young persons into the Reserves.

It is estimated the reserve strength will be down by 10 percent by 1974.

We need this bill. It represents no cost to the Government. It will be an incentive to get young men to come into the Reserves and the National Guard.

I thank the gentleman for serving on this subcommittee. I know we have a good bill.

Mr. HILLIS. I thank the gentleman.

Mr. DORN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida (Mr. SIKES), the dean of the Florida delegation.

Mr. SIKES. Mr. Speaker, the importance of a strong Reserve to support regular military forces is again coming into strong focus. The peacetime forces of the Nation are being reduced in strength. The historic concept of a strong Reserve to support the active Military Establishment is assuming greater significance.

In all our wars except the war in Indochina, America has depended upon strong, willing Reserve Forces to help provide its war-time strength requirements. Only the Air Force Reserve and a few selected Army units saw service in Indochina and they performed in a very creditable way. The fact that the Reserves generally were not used was a political decision. It was a disappointing situation for the Reservists who wanted to serve and for the Nation's military leaders who recognized the contributions the Reserves could make. Under the present administration, there have been positive statements by the Secretary of Defense that this would not be the case if there should be another national emergency.

The contributions of the Reserves have been highly important in one national emergency after another, but this is only part of the story. Reserve units are much less costly to maintain. This is particularly true now that the costs of the regular military establishment are escalating by leaps and bounds. Pay and equipment costs are high. Defense dollars go further in the Reserve components.

Providing strong Reserves is not now an easy thing to do. The attractiveness for service in the Reserves is not as great under present day conditions and attitudes as in previous years. The pressure of the draft is off and those who sought service in the Reserves to avoid service in the regular forces are no longer impelled in this direction. Reserve strength figures are dropping. If we are to make service in the Reserves sufficiently attractive to maintain adequate strength levels, we shall have to provide new incentives.

Today's bill, H.R. 6574, is one important step. I support it strongly. But let us also accept the fact that this bill will not complete the job which is required. We should speedily give consideration to an enlistment bonus and a reenlistment bonus for Reserve units. This is considered second in importance only to the life insurance program. We shall also have to go further than bonus benefits. We should provide a system of additional benefits which includes education and medical care. We should eliminate the 72-hour PX limitation which is now in effect. There may be other things that must be done. Even so, the Reserve components will be the least costly elements in the Nation's defense forces.

Consequently, I support H.R. 6574, the bill under consideration by the House today, to encourage persons to join and remain in the Reserves and National Guard by providing full-time coverage under Servicemen's Group Life Insurance for such members and certain members of the Retired Reserve.

This measure would provide full-time coverage under servicemen's group life insurance for persons who volunteer for assignment to the Ready Reserve of a uniformed service and are assigned to a unit or position in which they may be required to perform active duty or active duty for training, and each year will be scheduled to perform at least 12 periods of inactive duty training that is creditable for retirement purposes. At the present time, this group, along with other Reserves, are covered under SGLI only on the days they are on active duty or active duty for training under a call or order to duty that specfies a period of less than 31 days, during the hours of scheduled inactive duty training, and while traveling to or from such duties.

Another feature of the bill is to provide full-time coverage under SGLI for persons assigned to, or who, upon application, would be eligible for assignment to the Retired Reserve of a uniformed service who are under 60 years of age and have completed at least 20 years of satisfactory service creditable for retirement purposes. At the present time, members of the Retired Reserve have no eligibility for SGLI.

The full-time coverage of a member of the Ready Reserve would terminate 120 days after separation or release from an assignment which qualifies him for such coverage. Those who are totally disabled on the date of such separation or release will be covered for 1 year. If the member has completed at least 20 years of satisfactory service creditable for retirement purposes, the full-time coverage, unless converted, will continue in force until receipt of the first increment of retirement annuity or until the member's 61st birthday, whichever occurs earlier. Such continued coverage would be subject to the timely payment of premiums under terms prescribed by the Administrator directly to the Office of Servicemen's Group Life Insurance.

A member of the Ready Reserve who is released from an assignment which qualified him for full-time coverage could, on the 121st day after such release, or up to 1 year in total disability cases, convert his SGLI to an individual policy of commercial insurance. If the member has completed at least 20 years of satisfactory service creditable for retirement purposes, the full-time coverage, unless converted, will continue in force until receipt of the first increment of retirement annuity or until the member's 61st birthday, whichever occurs earlier.

The premium charges for members of the Reserve eligible for full-time coverage under the bill will be contributed from the appropriation made for active duty pay of the uniformed service concerned. Any amounts so contributed on behalf of an individual shall be collected by the Secretary concerned from such individual and shall be credited to the appropriation from which such contribution was made.

The bill grants the Administrator authority to establish premiums charged members assigned to the Retired Reserve by various age groupings as he may determine to be necessary according to sound actuarial principles. Also, such premiums shall include an amount necessary to cover the administrative cost of such insurance to the commercial underwriters.

Coverage is to be available, as in the case of other SGLI policies, increments of $5,000, $10,000, or $15,000. Coverage will be in the amount of $15,000 unless the member notifies the military department concerned in writing that he does not wish coverage or wishes coverage in an amount less than $15,000. Premiums are to be established by the Administrator of Veterans' Affairs, and it is estimated that the amount of premium initially will be approximately $1 per month for each $5,000 of coverage.

This bill has the support of the Department of Defense, the Veterans' Administration, the National Guard Association of the United States and the Reserve Officers Association.

Mr. Speaker, this is a good bill and is deserving of our support. It is badly needed. I urge my colleagues to give it solid support.

I congratulate the distinguished gentleman from South Carolina (Mr. DORN) and the members of the great Committee on Veterans' Affairs for bringing this bill to the floor.

Mr. HAMMERSCHMIDT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 6574. This bill will expand the life insurance protection available to members of the Reserve forces and the National Guard. The availability of this insurance coverage should serve as an additional incentive for service in these branches of our military establishment.

Under existing law, Mr. Speaker, members of the Reserve forces and the National Guard are covered by a policy of servicemen's group life insurance in the maximum amount of $15,000, but only for those limited periods of time when they are actually participating in military training or duty and while traveling to and from such duties.

This measure, H.R. 6574, authorizes full time life insurance coverage for reservists and National Guardsmen who are assigned to a unit or position in which at least 12 periods of inactive duty training are scheduled and required.

In addition, Mr. Speaker, the bill will provide life insurance protection to a member of the Retired Reserve up to his 61st birthday.

Under the law, today, this type of insurance protection terminates when a reservist or National Guardsman completes his Active Reserve service and is transferred to the Retired Reserve. Despite the fact that he may have completed 20 or even 30 years of creditable service for retirement purposes and selected an annuity option for his widow in the event of his death under the armed services family protection plan, no retirement benefits are payable to the retired reservist until he reaches age 60 and no family protection annuity is payable to his widow unless he had been in receipt of retirement pay prior to his demise.

This bill, Mr. Speaker, will authorize $15,000 worth of life insurance coverage for such an individual during the period between the transfer to the Retired Reserve and the attainment of age 60 when he receives the initial retirement check.

This is good legislation, Mr. Speaker, and I urge that it be passed.

Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Minnesota, the ranking minority member of the subcommittee (Mr. ZWACH).

Mr. ZWACH. Mr. Speaker, I rise in support of H.R. 6574, a bill to provide full time coverage under servicemen's group life insurance for certain members of the Reserve forces and the National Guard.

As the ranking Republican member of the Subcommittee on Insurance, I was privileged to have cosponsored similar legislation that was approved by this body in the 92d Congress. Unfortunately, it failed to pass the other body. Again, Mr. Speaker, this legislation that will encourage persons to join and remain in the Reserves and National Guard is before us and I strongly support it.

This bill has two principal purposes. It will provide full-time coverage under the servicemen's group life insurance program—SGLI—for members of Ready Reserve and National Guard who are actively participating in units that conduct a minimum of 12 periods of active duty or inactive duty training per year.

Existing coverage for this group is limited to the hours of scheduled inactive duty training and while traveling to and from such training.

Coverage of $15,000 is provided unless $10,000 or $5,000 or no insurance is specifically requested in writing. Modest premiums to include administrative costs would be set by the Administrator of Veterans' Affairs.

It will also provide full-time SGLI coverage for reservists and National Guardsmen who have qualified for retirement but have not yet reached age 60, when the actual payment of retirement annuities begins. Existing coverage for this group is also limited to the time of actual participation in Reserve or National Guard training.

Mr. Speaker, I support the bill and urge that it be passed.

Mr. HAMMERSCHMIDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. SAYLOR) the senior minority member of our committee.

Mr. SAYLOR. Mr. Speaker, I rise in support of H.R. 6574. This bill is intended to encourage people to enter into and remain in the Reserves and National Guard programs by offering full-time insurance coverage in the amount of $15,000 for a nominal premium of approximately $3 a month. A second feature of the bill would offer low cost insurance protection to members of the Retired Reserve who have completed at least 20 years of satisfactory service who are under 61 years of age. This will cover the family of the individual during the interim period between the time he has attained the required number of years for Reserve retired pay, but has not attained the required age, thus assuring the family some monetary benefit for the Reservist's years of service to his country should he die before becoming eligible for retired pay.

The claim costs of this program are not a factor since they would be borne by the insureds.

In these days where we are attempting to build up a voluntary defense force, I believe this type of insurance program will prove to be a valuable tool and, accordingly, intend to vote for it.

Mr. HAMMERSCHMIDT. Mr. Speaker, I yield such time as she may consume to the distinguished gentlewoman from Massachusetts (Mrs. HECKLER).

Mrs. HECKLER of Massachusetts. Mr. Speaker, I rise in support of H.R. 6574, a bill which will provide full time insurance coverage under the Servicemen's Group Life Insurance plan to Reservists and National Guardsmen. At the present time only those persons serving on active duty enjoy this protection.

This bill also will provide coverage to the Reservist for the interim period between the date he completes at least 20 years of service for retirement purposes and the date he reaches age 60 when he becomes eligible for retired pay. Under current law, the Reservist upon becoming eligible for retired pay may elect an annuity option for his widow. If he dies, however, before attaining age 60 his survivors do not derive any benefit from his years of service.

The Department of Defense strongly supports this type of legislation because it provides an incentive for voluntary service in the National Guard and Reserve forces. I join in urging its enactment, because I believe it has great merit.

Mr. HAMMERSCHMIDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. WYLIE).

Mr. WYLIE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in support of H.R. 6574, a bill to provide servicemen's group life insurance (SGLI) coverage for members of the Ready Reserve and the Retired Reserve.

This legislation is both timely and essential in view of the current program to implement and maintain an effective all volunteer military establishment and avoid the use of conscription except in the most dire of national emergencies.

An integral aspect of the total volunteer military establishment concept are the Ready Reserve and National Guard components which lend significant depth to the regular standing branches of the Armed Forces.

In this regard, it is important to note that in the past the reserve components have received a powerful recruiting stimulus because of the draft. Since the draft has been ended, additional incentives are now required to keep Reserve manpower up to desired levels. To help achieve this need, I cosponsored this bill as a member of the Committee on Veterans' Affairs. By providing full-time coverage under servicemen's group life insurance for those who volunteer for Reserve component assignments in a position where they may be required to perform active duty or active duty training that is creditable for retirement purposes under title 10 of the United States Code, we will hopefully provide an added incentive for people to join and stay in the Reserves and National Guard. Presently, such individuals are only covered by servicemen's group life insurance on the days when they are on extended active duty or on annual active duty training. To complement this coverage, the bill will also provide full-time coverage under servicemen's group life insurance for those under age 60 who have completed at least 20 years of satisfactory service and are eligible to be assigned to the Retired Reserve. At present these members of the Retired Reserve also have no eligibility for servicemen's group life insurance.

This bill only expands the insurance coverage of reservists. All premium costs will be borne by those insured who elect to participate. Any additional administrative costs will be either very insignificant or absorbed within the existing operating expenses of the Army and Air Force. A bill such as this, which will provide a significant service, promote an important national defense policy, and cost the taxpayer little or nothing in additional expenditures, is rather rare these days. I therefore strongly urge support for this bill.

Mr. DORN. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from California (Mr. DANIELSON) a member of the committee.

Mr. DANIELSON. Mr. Speaker, I rise in support of H.R. 6574 to provide servicemen's group life insurance coverage for members of the Reserves and National Guard.

I am most pleased to be a coauthor of this legislation which will provide an attractive and effective incentive for young people to join our military Reserves and National Guard. In this day when we are trying to convert from a system of compulsory military service to an all-volunteer Armed Forces, we must rely heavily upon our Reserves and National Guard as a supplement to our national defense effort. This bill will provide a very real incentive for young people to join these services.

Many of the young people in our Reserves are just commencing their careers. Oftentimes they are married, with one or two small children. This bill will provide them with substantial insurance coverage for families at a nominal cost. Members of the Reserves and National Guard would not be compelled to participate in this program if they chose not to. If they decided to participate, they could obtain coverage at the levels of $5,000, $10,000, or $15,000 at a price of approximately $1 per month for each $5,000 of coverage. Thus, our reservists could provide $15,000 protection for their families for $3 per month, and this sum could be deducted from their pay.

This bill provides a good incentive for joining our Reserves, as well as meeting an important social need of young families. I urge my colleagues to support this important legislation.

Mr. DONOHUE. Mr. Speaker, I most earnestly urge and hope that the House will promptly and resoundingly approve this bill, H.R. 6574, designed to provide full-time servicemen's group life insurance coverage for persons who volunteer for Ready Reserve assignment in a uniformed service and for other individuals who are under 60 years of age, have at least 20 years of satisfactory service and are otherwise eligible for assignment to the Retired Reserves.

At a time when we are trying to encourage a transition to an all-volunteer Army this measure would provide a positive and realistic incentive in the National Guard and Ready Reserve forces, particularly the Selected Reserve.

The insurance benefits projected in this measure are practical and actuarially sound. All of the claims cost contained in the bill would be borne by the insureds as well as all the administrative costs to the Veterans' Administration. There is no foreseeable possibility of any extra hazard cost being imposed upon the Government by the operation of this bill.

Mr. Speaker, by any standard of measurement this is a prudent bill and its objectives are unquestionably in the national interest. Therefore, I hope it is overwhelmingly adopted without extended delay.

Mr. ROBINSON of Virginia. Mr. Speaker, as a cosponsor with my distinguished colleague, the gentleman from Mississippi (Mr. MONTGOMERY), of a similar bill, H.R. 6166, I am happy to have this opportunity to state my support of the bill before us (H.R. 6574) which would extend the coverage of servicemen's group life insurance to members of the Reserve components, including the National Guard, and certain members of the Retired Reserve.

The adjutant general of Virginia, as commanding officer of the Virginia National Guard, has emphasized to me the importance of making such benefits available as a further inducement to recruitment and retention, and I have been glad to have his confirmation of my conclusion that this legislation is in the national interest.

In the concept of the volunteer defense force, Mr. Speaker, we are placing increased emphasis on the readiness of the Reserve components to respond promptly in emergency situations which we hope we may not encounter. We are endeavoring to recruit personnel of ability and promise. We are upgrading our training programs at substantial expense. Our investment will be improved, therefore, if our "package" of salary and related benefits still looks attractive at reenlistment time.

The insurance coverage which would be provided by this bill is important to that attractiveness, and it should have an equal appeal to the general taxpayer. It represents an insignificant charge on him, in that the bulk of the cost would be met by premium payments keyed to sound appraisal of risks in accordance with established actuarial principles.

Mr. CLEVELAND. Mr. Speaker, as cosponsor of similar legislation, I rise in support of H.R. 6754 as a much-needed means of strenthening the National Guard and Reserve components of our armed services.

By providing full-time coverage under servicemen's group life insurance for members in these categories, this bill will offer needed incentives for enlistment to help bring their levels up to mandated strength. Since premiums will be paid by members themselves through payroll deductions, there will be no cost to the taxpayers.

I have long been concerned about the adequacy of our military services, and for this reason became an early advocate of the all-volunteer army. This was recognized at the outset as an additional expense. At the same time, the President's policy has decreed that the Reserve and National Guard will be the initial and primary sources for augmentation of Active Forces in any future emergency. Thus any incentive to strengthen the Reserve components is consistent with the policy of having a professional army readily subject to reinforcement by trained reserves.

I urge my colleagues to join in supporting this worthwhile improvement in our Reserve and National Guard programs. My colleague, the distinguished and able gentleman from Mississippi (Mr. MONTGOMERY), is to be commended for having taken the lead on this matter which will do so much to enhance our national defense by strengthening our Reserve and National Guard components.

Mr. DORN. Mr. Speaker, I have no further requests for time.

Mr. HAMMERSCHMIDT. Mr. Speaker, I have no further requests for time.

The SPEAKER. The question is on the motion offered by the gentleman from South Carolina (Mr. DORN) that the House suspend the rules and pass the bill, H.R. 6574.

The question was taken.

Mr. SAYLOR. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 342, nays 1, not voting 90, as follows:

[Roll No. 125]

YEAS—342

Abdnor
Abzug
Addabbo
Alexander
Anderson, Calif.
Andrews, N.C.
Andrews, N. Dak.
Annunzio
Arends
Armstrong
Ashbrook
Ashley
Bafalis
Baker
Barrett
Beard
Bell
Bennett
Bergland
Biester
Bingham
Boggs
Boland
Bolling
Bowen
Brasco
Bray
Breaux
Breckinridge
Brinkley
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Burgener
Burke, Calif.
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton
Butler
Byron
Camp
Carey, N.Y.
Carney, Ohio
Casey, Tex.
Cederberg
Chamberlain
Chappell
Clark
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Cochran
Cohen
Collins
Conable
Conte
Conyers
Corman
Cotter
Coughlin
Crane
Cronin
Daniel, Dan
Daniel, Robert W., Jr.
Daniels, Dominick V.
Danielson
Davis, S.C.
Davis, Wis.
Delaney
Dellenback
Dellums
Denholm
Dennis
Dent
Derwinski
Devine
Dickinson
Donohue
Dorn
Downing
Drinan
Dulski
Duncan
du Pont
Eckhardt
Edwards, Ala.
Edwards, Calif.
Eilberg
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fascell
Findley
Fish
Fisher
Flood
Flowers
Flynt
Foley
Frey
Froehlich
Fulton
Fuqua
Gaydos
Gettys
Giaimo
Gilman
Ginn
Gonzalez
Goodling
Grasso
Gray
Green, Pa.
Griffiths
Gross
Grover
Gubser
Gude
Gunter
Haley
Hamilton
Hammerschmidt
Hanley
Hanrahan
Hansen, Idaho
Hansen, Wash.
Harrington
Harsha
Harvey
Hastings
Hays
Hébert
Heckler, Mass.
Heinz
Henderson
Hicks
Hillis
Hinshaw
Hogan
Holifield
Holt
Holtzman
Horton
Hosmer
Howard
Huber
Hudnut
Hungate
Hunt
Hutchinson
Ichord
Jarman
Johnson, Colo.
Jones, N.C.
Jones, Okla.
Jordan
Kastenmeier
Kazen
Keating
Kemp
Ketchum
King
Koch
Kuykendall
Kyros
Landgrebe
Landrum
Latta
Lehman
Lent
Litton
Long, La.
Lott
Lujan
McClory
McCloskey
McCollister
McDade
McEwen
McFall
Macdonald
Madden
Madigan
Mahon
Mailliard
Mallary
Mann
Martin, Nebr.
Martin, N.C.
Matsunaga
Mazzoli
Meeds
Metcalfe
Mezvinsky
Michel
Miller
Mills, Ark.
Mills, Md.
Minish
Mink
Minshall, Ohio
Mitchell, Md.
Mitchell, N.Y.
Mizell
Moakley
Mollohan
Montgomery
Moorhead, Calif.
Moorhead, Pa.
Morgan
Mosher
Moss
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Brien
O'Neill
Owens
Parris
Passman
Patten
Pepper
Perkins
Pettis
Peyser
Pickle
Pike
Poage
Podell
Powell, Ohio
Preyer
Price, Ill.
Pritchard
Quie
Quillen
Rangel
Rarick
Rees
Regula
Riegle
Rinaldo
Roberts
Robinson, Va.
Robison, N.Y.
Roe
Roncalio, Wyo.
Rooney, Pa.
Rose
Roush
Rousselot
Roybal
Runnels
Ruppe
Ruth
Ryan
St Germain
Sandman
Sarasin
Sarbanes
Saylor
Scherle
Schneebeli
Schroeder
Sebelius
Seiberling
Shipley
Shoup
Shuster
Sikes
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Snyder
Spence
Staggers
Stanton, J. William
Stanton, James V.
Steele
Steelman
Steiger, Ariz.
Stokes
Stratton
Stubblefield
Stuckey
Studds
Sullivan
Symms
Talcott
Taylor, N.C.
Teague, Calif.
Thomson, Wis.
Thone
Thornton
Tiernan
Towell, Nev.
Treen
Udall
Ullman
Van Deerlin
Vanik
Veysey
Vigorito
Waggonner
Walsh
Wampler
Ware
Whalen
White
Whitehurst
Whitten
Wiggins
Williams
Wilson, Bob
Wilson, Charles H., Calif.
Wilson, Charles, Tex.
Winn
Wyatt
Wydler
Wylie
Wyman
Yates
Young, Alaska
Young, Fla.
Young, Ill.
Young, S.C.
Young, Tex.
Zablocki
Zion
Zwach

NAYS—1

Hechler, W. Va.

NOT VOTING—90

Adams
Anderson, Ill.
Archer
Aspin
Badillo
Bevill
Biaggi
Blackburn
Blatnik
Brademas
Brown, Calif.
Buchanan
Carter
Chisholm
Clancy
Collier
Conlan
Culver
Davis, Ga.
de la Garza
Diggs
Dingell
Erlenborn
Ford, Gerald R.
Ford, William D.
Forsythe
Fountain
Fraser
Frelinghuysen
Frenzel
Gibbons
Goldwater
Green, Oreg.
Guyer
Hanna
Hawkins
Helstoski
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, Tenn.
Karth
Kluczynski
Leggett
Long, Md.
McCormack
McKay
McKinney
McSpadden
Maraziti
Mathias, Calif.
Mathis, Ga.
Mayne
Melcher
Milford
Murphy, Ill.
Obey
O'Hara
Patman
Price, Tex.
Railsback
Randall
Reid
Reuss
Rhodes
Rodino
Rogers
Roncallo, N.Y.
Rooney, N.Y.
Rosenthal
Rostenkowski
Roy
Satterfield
Shriver
Sisk
Stark
Steed
Steiger, Wis.
Stephens
Symington
Taylor, Mo.
Teague, Tex.
Thompson, N.J.
Vander Jagt
Waldie
Widnall
Wolff
Wright
Yatron
Young, Ga.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Thompson of New Jersey, with Mr. Forsythe.

Mr. Rooney of New York with Mr. Gerald R. Ford.

Mr. Brademas with Mr. Guyer.

Mr. Kluczynski with Mr. Anderson of Illinois.

Mrs. Chisholm with Mr. de la Garza.

Mr. Johnson of California with Mr. Aspin.

Mr. Randall with Mr. Clancy.

Mr. Rostenkowski with Mr. Collier.

Mr. Obey with Mr. Steiger of Wisconsin.

Mr. Stark with Mr. Shriver.

Mr. Young of Georgia with Mr. Badillo.

Mr. Waldie with Mr. Mathias of California.

Mr. Fountain with Mr. Conlan.

Mr. Long of Maryland with Mr. Mayne.

Mr. Rosenthal with Mr. Brown of California.

Mr. Yatron with Mr. Johnson of Pennsylvania.

Mr. Rogers with Mr. Archer.

Mr. Blatnik with Mr. Erlenborn.

Mr. Bevill with Mr. Taylor of Missouri.

Mr. Culver with Mr. Vander Jagt.

Mr. Hawkins with Mr. Biaggi.

Mr. Helstoski with Mr. Maraziti.

Mr. Rodino with Mr. Frelinghuysen.

Mr. Reid with Mr. Frenzel.

Mr. Roy with Mr. McKinney.

Mr. Satterfield with Mr. Dingell.

Mr. Wolff with Mr. Roncallo of New York.

Mr. Teague of Texas with Mr. Carter.

Mr. Symington with Mr. Railsback.

Mr. Wright with Mr. Price of Texas.

Mr. Stephens with Mr. Blackburn.

Mr. Steed with Mr. Rhodes.

Mr. Murphy of Illinois with Mr. Fraser.

Mr. Leggett with Mr. Goldwater.

Mr. Jones of Alabama with Mr. Buchanan.

Mr. Davis of Georgia with Mr. Jones of Tennessee.

Mr. Karth with Mr. Diggs.

Mr. Adams with Mr. Reuss.

Mr. Gibbons with Mr. Hanna.

Mrs. Green of Oregon with Mr. McKay.

Mr. McCormack with Mr. Milford.

Mr. Mathis of Georgia with Mr. Melcher.

Mr. Sisk with Mr. McSpadden.

Mr. Patman with Mr. Widnall.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NATIONAL CEMETERIES ACT OF 1973

Mr. DORN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2828), to amend title 38 of the United States Code in order to establish a National Cemetery System within the Veterans' Administration, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2828

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Cemeteries Act of 1973".

SEC. 2. (a) Part II of title 38, United States Code, is amended by adding at the end thereof the following new chapter:

"Chapter 24—NATIONAL CEMETERIES AND MEMORIALS

"Sec.
"1000. Establishment of National Cemetery System; composition of such system; appointment of director.
"1001. Advisory committee on cemeteries and memorials.
"1002. Persons eligible for interment in national cemeteries.
"1003. Memorial areas.
"1004. Administration.
"1005. Disposition of inactive cemeteries.
"1006. Acquisition of lands.
"1007. Authority to accept and maintain suitable memorials.

"§ 1000. Establishment of National Cemetery System; composition of such system; appointment of director

"(a) There shall be within the Veterans' Administration a National Cemetery System for the interment of deceased servicemen and veterans. To assist him in carrying out his responsibilities in administering the cemeteries within the System, the Administrator may appoint a Director, National Cemetery System, who shall perform such functions as may be assigned by the Administrator.

"(b) The National Cemetery System shall consist of—

"(1) national cemeteries transferred from the Department of the Army to the Veterans' Administration by the National Cemeteries Act of 1973;

"(2) cemeteries under the jurisdiction of the Veterans' Administration on the date of enactment of this chapter; and

"(3) any other cemetery, memorial, or monument transferred to the Veterans' Administration by the National Cemeteries Act of 1973, or later acquired or developed by the Administrator.

"§ 1001. Advisory Committee on Cemeteries and Memorials

"There shall be appointed by the Administrator an Advisory Committee on Cemeteries and Memorials. The Administrator shall advise and consult with the Committee from time to time with respect to the administration of the cemeteries for which he is responsible, and with respect to the selection of cemetery sites, the erection of appropriate memorials, and the adequacy of Federal burial benefits. The Committee shall make periodic reports and recommendations to the Administrator and to Congress.

"§ 1002. Persons eligible for interment in national cemeteries

"Under such regulations as the Administrator may prescribe and subject to the provisions of section 3505 of this title, the remains of the following persons may be buried in any open national cemetery in the National Cemetery System:

"(1) Any veteran (which for the purposes of this chapter includes a person who died in the active military, naval, or air service).

"(2) Any member of a Reserve component of the Armed Forces, and any member of the Army National Guard or the Air National Guard, whose death occurs under honorable conditions while he is hospitalized or undergoing treatment, at the expense of the United States, for injury or disease contracted or incurred under honorable conditions while he is performing active duty for training, inactive duty training, or undergoing that hospitalization or treatment at the expense of the United States.

"(3) Any member of the Reserve Officers' Training Corps of the Army, Navy, or Air Force whose death occurs under honorable conditions while he is—

"(A) attending an authorized training camp or an authorized practice cruise;

"(B) performing authorized travel to or from that camp or cruise; or

"(C) hospitalized or undergoing treatment, at the expense of the United States, for injury or disease contracted or incurred under honorable conditions while he is—

"(i) attending that camp or on that cruise;

"(ii) performing that travel; or

"(iii) undergoing that hospitalization or treatment at the expense of the United States.

"(4) Any citizen in the United States who, during any war in which the United States is or has been engaged, served in the armed forces of any government allied with the United States during that war, and whose last such service terminated honorably.

"(5) The wife, husband, surviving spouse, minor child, and, in the discretion of the Administrator, unmarried adult child of any of the persons listed in paragraphs (1) through (4).

"(6) Such other persons or classes of persons as may be designated by the Administrator.

"§ 1003. Memorial areas

"(a) The Administrator shall set aside, when available, suitable areas in national cemeteries to honor the memory of members of the Armed Forces missing in action, or who died or were killed while serving in such forces and whose remains have not been identified, have been buried at sea or have been determined to be nonrecoverable.

"(b) Under regulations prescribed by the Administrator, appropriate memorials or markers shall be erected to honor the memory of those individuals, or group of individuals, referred to in subsection (2) of this section.

"(c) All national and other veterans' cemeteries in the national cemetery system created by this Act shall be considered national shrines as a tribute to our gallant dead and, notwithstanding the provisions of any other law, the Administrator is hereby authorized to permit appropriate officials to fly the flag of the United States of America at such cemeteries twenty-four hours each day.

"§ 1004. Administration

"(a) The Administrator is authorized to make all rules and regulations which are necessary or appropriate to carry out the provisions of this chapter, and may designate those cemeteries which are considered to be national cemeteries.

"(b) In conjunction with the development and administration of cemeteries for which he is responsible, the Administrator shall provide all necessary facilities including, as necessary, superintendents' lodges, chapels, crypts, mausoleums, and columbaria.

"(c) Each grave in a national cemetery shall be marked with an appropriate marker. Such marker shall bear the name of the person buried, the number of the grave, and such other information as the Administrator shall by regulation prescribe.

"(d) There shall be kept in each national cemetery, and at the main office of the Veterans' Administration, a register of burials in each cemetery setting forth the name of each person buried in the cemetery, the number of the grave in which he is buried, and such other information as the Administrator by regulation may prescribe.

"(e) In carrying out his responsibilities under this chapter, the Administrator may contract with responsible persons, firms, or corporations for the care and maintenance of such cemeteries under his jurisdiction as he shall choose, under such terms and conditions as he may prescribe.

"(f) The Administrator is authorized to convey to any State, or political subdivision thereof, in which any national cemetery is located, all right, title, and interest of the United States in and to any Government owned or controlled approach road to such cemetery if, prior to the delivery of any instrument of conveyance, the State or political subdivision to which such conveyance is to be made notifies the Administrator in writing of its willingness to accept and maintain the road included in such conveyance. Upon the execution and delivery of such a conveyance, the jurisdiction of the United States over the road conveyed shall cease and thereafter vest in the State or political subdivision concerned.

"(g) Notwithstanding any other provision of law, the Administrator may at such time as he deems desirable, relinquish to the State in which any cemetery, monument, or memorial under his jurisdiction is located, such portion of legislative jurisdiction over the lands involved as is necessary to establish concurrent jurisdiction between the Federal Government and the Senate concerned. Such partial relinquishment of jurisdiction under the authority of this subsection may be made by filing with the Governor of the State involved a notice of such relinquishment and shall take effect upon acceptance thereof by the State in such manner as its laws may prescribe.

"§ 1005. Disposition of inactive cemeteries

"(a) The Administrator may transfer, with the consent of the agency concerned, any inactive cemetery, burial plot, memorial, or monument within his control to the Department of the Interior for maintenance as a national monument or park, or to any other agency of the Government. Any cemetery transferred to the Department of the Interior shall be administered by the Secretary of the Interior as a part of the National Park System, and funds appropriated to the Secretary for such system shall be available for the management and operation of such cemetery.

"(b) The Administrator may also transfer and convey all right, title, and interest of the United States in or to any inactive cemetery or burial plot, or portion thereon, to any State, county, municipality, or proper agency thereof, in which or in the vicinity of which such cemetery or burial plot is located, but in the event the grantee shall cease of fail to care for and maintain the cemetery or burial plot or the graves and monuments contained therein in a manner satisfactory to the Administrator, all such right, title, and interest transferred or conveyed by the United States, shall revert to the United States.

"(c) If a cemetery not within the National Cemetery System has been or is to be discontinued, the Administrator may provide for the removal of remains from that cemetery to any cemetery within such System. He may also provide for the removal of the remains of any veteran from a place of temporary interment, or from an abandoned grave or cemetery, to a national cemetery.

"§ 1006. Acquisition of lands

"As additional lands are needed for national cemeteries, they may be acquired by the Administrator by purchase, gift (including donations from States or political subdivisions thereof), condemnation, transfer from other Federal agencies, or otherwise, as he determines to be in the best interest of the United States.

"§ 1007. Authority to accept and maintain suitable memorials

"Subject to such restrictions as he may prescribe, the Administrator may accept gifts, devises, or bequests from legitimate societies and organizations or reputable individuals, made in any manner, which are made for the purpose of beautifying national cemeteries, or are determined to be beneficial to such cemetery. He may make land available for this purpose, and may furnish such care and maintenance as he deems necessary."

(b) The table of chapters of part II and the table of parts and chapters of title 38, United States Code, are each amended by inserting immediately below

"23. Burial benefits .... 901"

the following:

"24. National cemeteries and memorials .... 1000."

(c) Section 5316 of title 5, United States Code, is amended by striking out:

"(131) General Counsel of the Equal Employment Opportunity Commission."

and inserting in lieu thereof the following:

"(132) General Counsel of the Equal Employment Opportunity Commission.

"(133) Director, National Cemetery System, Veterans' Administration."

SEC. 3. (a) The Administrator shall conduct a comprehensive study and submit his recommendations to Congress within six months after the convening of the first session of the Ninety-third Congress concerning:

(1) criteria which govern the development and operation of the National Cemetery System, including the concept of regional cemeteries;

(2) the relationship of the National Cemetery System to other burial benefits provided

by Federal and State Governments to Servicemen and veterans;

(3) steps to be taken to conform the existing System to the recommended criteria;

(4) the private burial and funeral costs in the United States;

(5) current headstone and marker programs; and

(6) the marketing and sales practices of non-Federal cemeteries and interment facilities, or any person either acting on their behalf or selling or attempting to sell any rights, interest, or service therein, which is directed specifically toward veterans and their dependents.

(b) The Administrator shall also, in conjunction with the Secretary of Defense, conduct a comprehensive study of and submit their joint recommendations to Congress within six months after the convening of the first session of the Ninety-third Congress concerning:

(1) whether it would be advisable in carrying out the purposes of this Act to include the Arlington National Cemetery within the National Cemetery System established by this Act;

(2) the appropriateness of maintaining the present eligibility requirements for burial at Arlington National Cemetery; and

(3) the advisability of establishing another national cemetery in or near the District of Columbia.

SEC. 4. (a) Subchapter II of chapter 3 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 218. Standards of conduct and arrests for crimes at hospitals, domiciliaries, cemeteries, and other Veterans' Administration reservations

"(a) For the purpose of maintaining law and order and of protecting persons and property on lands (including cemeteries) and in buildings under the jurisdiction of the Veterans' Administration (and not under the control of the Administrator of General Services), the Administrator or any officer or employee of the Veterans' Administration duly authorized by him may—

"(1) make all needful rules and regulations for the governing of the property under his charge and control, and annex to such rules and regulations such reasonable penalties within the limits prescribed in subsection (b) of this section as will insure their enforcement. Such rules and regulations shall be posted in a conspicuous place on such property;

"(2) designate officers and employees of the Veterans' Administraiton to act as special policemen on such property and, if the Administrator deems it economical and in the public interest, with the concurrence of the head of the agency concerned, utilize the facilities and services of existing Federal law-enforcement agencies, and, with the consent of any State or local agency, utilize the facilities and services of such State or local law-enforcement agencies; and

"(3) empower officers or employees of the Veterans' Administration who have been duly authorized to perform investigative functions to act as special investigators and to carry firearms, whether on Federal property or in travel status. Such special investigators shall have, while on real property under the charge and control of the Veterans' Administration, the power to enforce Federal laws for the protection of persons and property and the power to enforce rules and regulations issued under subsection (a) (1) of this section. Any such special investigator may make an arrest with or without a warrant for any offense committed upon such property in his presence or if he has reasonable ground to believe (A) the offense constitutes a felony under the laws of the United States, and (B) that the person to be arrested is guilty of that offense.

"(b) Whoever shall violate any rule or regulation issued pursuant to subsection (a) (1) of this section shall be fined not more than $50 or imprisoned not more than thirty days, or both."

(b) Section 625 of title 38, United States Code, is hereby repealed.

(c) (1) The table of sections at the beginning of chapter 3 of title 38, United States Code, is amended by inserting immediately after—

"217. Studies of rehabilitation of disabled persons."

the following:

"218. Standards of conduct and arrests for crimes at hospitals, domiciliaries, cemeteries, and other Veterans' Administration reservations.".

(2) The table of sections at the beginning of chapter 17 of title 38, United States Code, is amended by striking out—

"625. Arrests for crimes in hospitals and domiciliary reservations.".

SEC. 5. (a) Chapter 23 of title 38, United States Code, is amended by—

(1) amending section 903 to read as follows:

"§ 903. Death in Veterans' Administration facility; plot allowance

"(a) Where death occurs in a Veterans' Administration facility to which the deceased was properly admitted for hospital or domiciliary care under section 610 or 611 of this title, the Administrator—

"(1) shall pay the actual cost (not to exceed $250) of the burial and funeral or, within such limits, may make contracts for such services without regard to the laws requiring advertisement for proposals for supplies and services for the Veterans' Administration; and

"(2) shall, when such a death occurs in a State, transport the body to the place of burial in the same or any other State.

"(b) In addition to the foregoing, if such a veteran, or a veteran eligible for a burial allowance under section 902 of this title, is not buried in a national cemetery or other cemetery under the jurisdiction of the United States, the Administrator, in his discretion, having due regard for the circumstances in each case, may pay a sum not exceeding $150, as a plot or interment allowance to such person as he prescribes. In any case where any part of the plot or interment expenses have been paid or assumed by a State, any agency or political subdivision of a State, or the employer of the deceased veteran, no claim for such allowance shall be allowed for more than the difference between the entire amount of the expenses incurred and the amount paid or assumed by any or all of the foregoing entities."; and

(2) adding at the end of such chapter the following new sections:

§ 906. Headstones and markers

"(a) The Administrator shall furnish, when requested, appropriate Government headstones or markers at the expense of the United States for the unmarked graves of the following:

"(1) Any individual buried in a national cemetery or in a post cemetery.

"(2) Any individual eligible for burial in a national cemetery (but not buried there), except for those persons or classes of persons enumerated in section 1002(a) (4), (5), and (6) of this title.

"(3) Soldiers of the Union and Confederate Armies of the Civil War.

"(b) The Administrator shall furnish, when requested, an appropriate memorial headstone or marker to commemorate any veteran dying in the service, and whose remains have not been recovered or identified or were buried at sea, for placement by the applicant in a national cemetery area reserved for such purposes under the provisions of section 1003 of this title, or in any private or local cemetery.

"§ 907. Death from service-connected disability

"In any case in which a veteran dies as the result of a service-connected disability or disabilities, the Administrator, upon the request of the survivors of such veteran, shall pay the burial and funeral expenses incurred in connection with the death of the veteran in an amount not exceeding the amount authorized to be paid under section 8134(a) of title 5 in the case of a Federal employee whose death occurs as the result of an injury sustained in the performance of duty. Funeral and burial benefits provided under this section shall be in lieu of any benefits authorized under sections 902 and 903 (a) (1) and (b) of this title."

(b) The table of sections at the beginning of chapter 23 of title 38, United States Code, is amended—

(1) by striking out

"903. Death in Veterans' Administration facility."

and inserting in lieu thereof

"903. Death in Veterans' Administration facility; plot allowance.";

and

(2) by adding at the end thereof the following items:

"906. Headstones and markers.

"907. Death from service-connected disability.".

SEC. 6. (a) (1) There are hereby transferred from the Secretary of the Army to the Administrator of Veterans' Affairs all jurisdiction over, and responsibility for, (A) all national cemeteries (except the cemetery at the United States Soldiers' and Airmen's Home and Arlington National Cemetery), and (B) any other cemetery (including burial plots), memorial, or monument under the jurisdiction of the Secretary of the Army immediately preceding the effective date of this section (except the cemetery located at the United States Military Academy at West Point) which the President determines would be appropriate in carrying out the purposes of this Act.

(2) There are hereby transferred from the Secretary of the Navy and the Secretary of the Air Force to the Administrator of Veterans' Affairs all jurisdiction over, and responsibility for, any cemetery (including burial plots), memorial, or monument under the jurisdiction of either Secretary immediately preceding the effective date of this section (except those cemeteries located at the United States Naval Academy at Annapolis, the United States Naval Home Cemetery at Philadelphia, and the United States Air Force Academy at Colorado Springs) which the President determines would be appropriate in carrying out the purposes of this Act.

(b) So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available to, or under the jurisdiction of, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, in connection with functions transferred by this Act, as determined by the Director of the Office of Management and Budget, are transferred to the Administrator of Veterans' Affairs.

(c) All offenses committed and all penalties and forfeitures incurred under any of the provisions of law amended or repealed by this Act may be prosecuted and punished in the same manner and with the same effect as if such amendments or repeals had not been made.

(d) All rules, regulations, orders, permits, and other privileges issued or granted by the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force with respect to the cemeteries, memorials, and monuments transferred to the Veterans' Administration by this Act, unless contrary to the provisions of such Act, shall remain in full force and effect until modified, suspended, overruled, or otherwise changed by the Administrator of Veterans' Affairs, by any court of competent jurisdiction, or by operation of law.

(e) No suit, action, or other proceeding commenced by or against any officer in his official capacity as an official of the Department of the Army, the Department of the Navy, or the Department of the Air Force with respect to functions transferred under subsection (a) or (c) of this section shall abate by reason of the enactment of this section. No cause of action by or against any such department with respect to functions transferred under such subsection (a) or by or against any officer thereof in his official capacity, shall abate by reason of the enactment of this section. Causes of actions, suits, or other proceedings may be asserted by or against the United States or such officer of the Veterans' Administration as may be appropriate and, in any litigation pending when this section takes effect, the court may at any time, upon its own motion or that of any party, enter an order which will give effect to the provisions of this subsection. If before the date this section takes effect, any such department, or officer thereof in his official capacity, is a party to a suit with respect to any function so transferred, such suit shall be continued by the Administrator of Veterans' Affairs.

SEC. 7. (a) The following provisions of law are repealed, except with respect to rights and duties that matured, penalties, liabilities, and forfeitures that were incurred, and proceedings that were begun, before the effective date of this section:

(1) Sections 4870, 4871, 4872, 4873, 4875, 4877, 4881, and 4882 of the Revised Statutes (24 U.S.C. 271, 272, 273, 274, 276, 279, 286, and 287).

(2) The Act entitled "An Act to provide for a national cemetery in every State", approved June 29, 1938 (24 U.S.C. 271a).

(3) The Act entitled "An Act to provide for selection of superintendents of national cemeteries from meritorious and trustworthy members of the Armed Forces who have been disabled in line of duty for active field service", approved March 24, 1948, as amended (24 U.S.C. 275).

(4) The proviso to the second paragraph preceding the center heading "MEDICAL DEPARTMENT" in the Act entitled "An Act making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and seventy-seven, and for other purposes", approved July 24, 1876, as amended (24 U.S.C. 278).

(5) The Act entitled "An Act to provide for the procurement and supply of Government headstones or markers for unmarked graves of members of the Armed Forces dying in the service on or after honorable discharge therefrom, and other persons, and for other purposes", approved July 1, 1948, as amended (24 U.S.C. 279a–279c).

(6) The Act entitled "An Act to establish eligibility for burial in national cemeteries, and for other purposes", approved May 14, 1948, as amended (24 U.S.C. 281).

(7) The Act entitled "An Act to provide for the erection of appropriate markers in national cemeteries to honor the memory of members of the Armed Forces missing in action", approved August 27, 1954, as amended (24 U.S.C. 279d).

(8) The Act entitled "An Act to provide for the utilization of surplus War Department owned military real property as national cemeteries, when feasible", approved August 4, 1947 (24 U.S.C. 281a–281c).

(9) The Act entitled "An Act to preserve historic graveyards in abandoned military posts", approved July 1, 1947 (24 U.S.C. 296).

(10) The Act entitled "An Act to provide for the utilization as a national cemetery of surplus Army Department owned military real property at Fort Logan Colorado", approved March 10, 1950 (24 U.S.C. 281d–f).

(11) The Act entitled "An Act to provide for the expansion and disposition of certain national cemeteries", approved August 10, 1950 (24 U.S.C. 281g).

(12) The ninth paragraph following the side heading "National Cemeteries" in the Act entitled "An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and thirteen, and for other purposes", approved August 24, 1912 (24 U.S.C. 282).

(13) The fourth paragraph after the center heading "NATIONAL CEMETERIES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1926, and for other purposes", approved February 12, 1925 (24 U.S.C. 288).

(14) The second paragraph following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1942, for civil functions administered by the War Department, and for other purposes", approved May 23, 1941 (24 U.S.C. 289).

(15) The first proviso to the second paragraph and all of the third paragraph following the center heading "NATIONAL CEMETERIES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1927, and for other purposes", approved April 15, 1926 (44 Stat. 287).

(16) The first proviso to the second paragraph and all of the third paragraph following the center heading "NATIONAL CEMETERIES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1931, and for other purposes", approved February 23, 1927 (44 Stat. 1138).

(17) The first proviso of the fourth paragraph and all of the fifth paragraph following the center heading "NATIONAL CEMETERIES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1929, and for other purposes", approved March 23, 1928 (45 Stat. 354).

(18) The first proviso to the second paragraph and all of the third paragraph following the center heading "NATIONAL CEMETERIES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1930, and for other purposes", approved February 28, 1929 (45 Stat. 1375).

(19) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1932, and for other purposes", approved May 28, 1930 (46 Stat. 458).

(20) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year endng June 30, 1932, and for other purposes", approved February 23, 1931 (46 Stat. 1302).

(21) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1933, and for other purposes", approved July 14, 1932 (47 Stat. 689).

(22) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1934, and for other purposes", approved March 4, 1933 (47 Stat. 1595).

(23) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1935, and for other purposes" approved April 26, 1934 (48 Stat. 639).

(24) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1936, and for other purposes", approved April 9, 1935 (49 Stat. 145).

(25) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1937, and for other purposes", approved May 15, 1936 (49 Stat. 1305).

(26) The first proviso to the paragraph following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1938, for civil functions administered by the War Department, and for other purposes", approved July 19, 1937 (50 Stat. 515).

(27) The first proviso to the first paragraph and all of the second paragraph following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1939, for civil functions administered by the War Department and for other purposes", approved June 11, 1938 (52 Stat. 668).

(28) The first proviso to the first paragraph and all of the second paragraph following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1940, for civil functions administered by the War Department, and for other purposes", approved June 28, 1939 (53 Stat. 857).

(29) The first proviso to the first paragraph and all of the second paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1941, for civil functions administered by the War Department, and for other purposes", approved June 24, 1940 (54 Stat. 505).

(30) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1942, for civil functions administered by the War Department, and for other purposes", approved May 23, 1941 55 (Stat. 191).

(31) The first proviso to the paragraph following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1943, for civil functions administered by the War Department, and for other purposes", approved April 28, 1942 (56 Stat. 220).

(32) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1944, for civil functions administered by the War Department, and for other purposes", approved June 2, 1943 (57 Stat. 94).

(33) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1945, for civil functions administered by the War Department, and for other purposes", approved June 26, 1944 (58 Stat. 327–328).

(34) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1946, for civil functions administered by the War Department, and for other purposes" approved March 31, 1945 (59 Stat. 39).

(35) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1947, for civil functions administered by the War Department, and for other purposes", approved May 2, 1946 (60 Stat. 161).

(36) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the War Department for the fiscal year ending June 30, 1948, and for other purposes", approved July 31, 1947 (61 Stat. 687).

(37) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1949, and for other purposes", approved June 25, 1948 (62 Stat. 1019).

(38) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1950, and for other purposes", approved October 13, 1949 (63 Stat. 846).

(39) The first proviso to the paragraph following the center heading "CEMETERIAL EXPENSES" in chapter IX of the Act entitled "An Act making appropriations for the support of the Government for the fiscal year ending June 30, 1951, and for other purposes", approved September 6, 1950 (64 Stat. 725).

(40) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1952, and for other purposes", approved October 24, 1951 (65 Stat. 617).

(41) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1953, and for other purposes", approved July 11, 1952 (66 Stat. 579).

(42) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An act making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1954, and for other purposes", approved July 27, 1953 (24 U.S.C. 290).

(43) The first proviso to the third paragraph following the center heading "NATIONAL CEMETERIES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1926, and for other purposes", approved February 12, 1925 (43 Stat. 926).

(44) The first and second provisos to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1955, and for other purposes", approved June 30, 1954 (68 Stat. 331).

(45) The first and second provisos to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the Atomic Energy Commission, the Tennessee Valley Authority, certain agencies of the Department of the Interior, and civil functions administered by the Department of the Army, for the fiscal year ending June 30, 1956, and for other purposes", approved July 15, 1955 (69 Stat. 360).

(46) The first and second provisos to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the Tennessee Valley Authority, certain agencies of the Department of the Interior, and civil functions administered by the Department of the Army, for the fiscal year ending June 30, 1957, and for other purposes", approved July 2, 1956 (70 Stat. 474).

(47) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior, for the fiscal year ending June 30, 1958, and for other purposes", approved August 26, 1957 (71 Stat. 416).

(48) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1959, and for other purposes", approved September 2, 1958 (72 Stat. 1572).

(49) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1969, and for other purposes", approved September 10, 1959 (73 Stat. 492).

(50) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for certain civil functions administered by the Department of Defense, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and certain river basin commissions for the fiscal year ending June 30, 1963, and for other purposes", approved October 24, 1962 (76 Stat. 1216).

(51) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for certain civil functions administered by the Department of Defense, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and certain river basin commissions for the fiscal year ending June 30, 1964, and for other purposes", approved December 31, 1963 (77 Stat. 844).

(52) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority and the Delaware River Basin Commission, for the fiscal year ending June 30, 1965, and for other purposes", approved August 30, 1964 (78 Stat. 682).

(53) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority and the Delaware River Basin Commission, and the Interoceanic Canal Commission, for the fiscal year ending June 30, 1966, and for other purposes", approved October 28, 1965 (79 Stat. 1096).

(54) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1967, and for other purposes", approved October 15, 1966 (80 Stat. 1002).

(55) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, Interstate Commission on the Potomac River Basin, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1968, and for other purposes", approved November 20, 1967 (81 Stat. 471).

(56) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, Interstate Commission on the Potomac River Basin, the Tennessee Valley Authority, the Water Resources Council, and the Atomic Energy Commission, for the fiscal year ending June 30, 1969, and for other purposes", approved August 12, 1968 (82 Stat. 705).

(57) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for public works for water, pollution control, and power development, including the Corps of Engineers—Civil, the Panama Canal, the Federal Water Pollution Control Administration, the Bureau of Reclamation, power agencies of the Department of the Interior, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1970, and for other purposes", approved December 11, 1969 (83 Stat. 327).

(58) The first proviso to the paragraph following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for public works for water, pollution control, and power development, including the Corps of Engineers—Civil, the Panama Canal, the Federal Water Quality Administration, the Bureau of Reclamation,

power agencies of the Department of the Interior, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1971, and for other purposes", approved October 7, 1970 (84 Stat. 893).

(59) The first proviso to the paragraph following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for public works for water and power development, including the Corps of Engineers—Civil, the Bureau of Reclamation, the Bonneville Power Administration and other power agencies of the Department of the Interior, the Appalachian Regional Commission, the Federal Power Commission, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1972, and for other purposes", approved October 5, 1971 (85 Stat. 368).

(60) The Act entitled "An Act to revise eligibility requirements for burial in national cemeteries, and for other purposes", approved September 14, 1959 (73 Stat. 547).

(61) The Act entitled "An Act to amend the Act of March 24, 1948, which establishes special requirements governing the selection of superintendents of national cemeteries", approved August 30, 1961 (75 Stat. 411).

(b) Nothing in this section shall be deemed to affect in any manner the functions, powers, and duties of—

(1) the Secretary of the Interior with respect to those cemeteries, memorials, or monuments under his jurisdiction on the effective date of this section, or

(2) the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force with respect to those cemeteries, memorials, or monuments under his jurisdiction to which the transfer provisions of section 6(a) of this Act do not apply.

SEC. 8. The first sentence of section 3505(a) of title 38, United States Code, is amended by inserting immediately after the words "gratuitous benefits" where first appearing therein, the following: "(including the right to burial in a national cemetery)".

SEC. 9. (a) The Secretary of Defense is authorized and directed to cause to be brought to the United States the remains of an American, who was a member of the Armed Forces of the United States, who served in Southeast Asia who lost his life during the Vietnam era, and whose identity has not been established, for burial in the Memorial Amphitheater of the National Cemetery at Arlington, Virginia.

(b) The implementation of this section shall take place after the United States has concluded its participation in hostilities in Southeast Asia, as determined by the President or the Congress of the United States.

(c) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.

SEC. 10. (a) The first section and sections 2, 3, 4, and 8 of this Act shall take effect on the date of enactment of this Act.

(b) Clause (1) of section 5(a) shall take effect on the first day of the second calendar month following the date of enactment of this Act.

(c) Clause (2) of section 5(a) and sections 6 and 7 of this Act shall take effect July 1, 1973, or on such earlier date as the President may prescribe and publish in the Federal Register.

The SPEAKER. Is a second demanded?

Mr. HAMMERSCHMIDT. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. DORN. Mr. Speaker, H.R. 2828, entitled the "National Cemeteries Act of 1973" has several objectives which I will briefly outline, but is primarily designed to establish a National Cemetery System within the Veterans' Administration.

In my extension of remarks I will include for the RECORD a detailed section-by-section analysis of the bill, accompanied by a brief review of the background of this legislation and a résumé of the reasoning behind the various policy decisions made by the committee and reflected in the reported bill.

In its present form the bill:

First, transfers responsibility for administration of all National Cemeteries from the Department of the Army to the Veterans' Administration, except Arlington National Cemetery. Other exceptions are cemeteries in national parks operated by the Department of the Interior, cemeteries at the three military academies located at Colorado Springs, Colo., Annapolis, Md., and West Point, N.Y., the U.S. Soldiers' Home at Washington, D.C., and the U.S. Naval Home located in Philadelphia, Pa.

Second, authorizes a plot allowance of $150, in addition to the present allowance for burial and funeral expenses of $250, payable in any case in which the veteran is not buried in a national or other Federal cemetery.

Third, provides authority in VA for furnishing a headstone or marker, upon request, for the unmarked graves of any individual buried in a national cemetery or in a post cemetery, as well as most individuals eligible for burial in those locations but not buried there, and soldiers of the Union and Confederate Armies of the Civil War.

Fourth, includes provision for the burial of an unknown soldier of the war in Vietnam in Arlington National Cemetery at the appropriate time to be selected at a later date.

Fifth, permits the flying of the U.S. flag at veterans' cemeteries 24 hours a day.

Sixth, directs VA to conduct and submit recommendations to the Congress, not later than 6 months after the convening first session of the 93d Congress, concerning: Criteria to govern development and operation of the National Cemetery System, including the concept of regional cemeteries; relationship of the new National Cemetery System to other burial benefits to servicemen and veterans; steps to be taken to conform the existing system to the recommended criteria; private burial and funeral costs in the United States; current headstone and marker program; and the marketing and sales practices of non-Federal cemeteries and interment facilities, directed specifically toward veterans and other dependents.

Seventh, directs VA, in conjunction with the Secretary of Defense, to conduct a study concerning the future of Arlington National Cemetery; present eligibility requirements for burial in Arlington; and the need for another national cemetery in or near the District of Columbia.

Eighth, extends Administrator's authority to prescribe standards of conduct and authorize the investigation of and arrests for crimes on all VA reservations, including hospitals, cemeteries, and other VA facilities.

Ninth, provides a new burial benefit, not to exceed $800, which is authorized in lieu of any other burial benefit if a veteran dies of a service-connected disability. This is patterned after the Federal employees' death benefit.

For a number of years, the problem of national cemeteries, their locations and adequacy, as well as burial benefits generally for veterans, has been the subject of great concern to the Congress as a whole and to individual Members from every State in the Union. National focus on the problem was made particularly acute when the Department of the Army in 1967 made radical changes in its regulations governing eligibility for burial in Arlington National Cemetery, under which eligibility was limited almost exclusively to servicemen who die on active duty and certain so-called VIP's.

In the 90th Congress a Special Subcommittee on Cemeteries was formed to inquire into the many facets of the problem. Although rather extensive hearings were held and a bill, similar in many respects to H.R. 2828, was reported by the committee, no further legislative action was taken during that Congress.

After hearings before the full committee in the second session of the 92d Congress, attended by representatives of the Veterans' Administration, the Department of Defense, representatives of veterans' organizations and members of Congress, H.R. 12674 was approved and passed by the House on June 5, 1972. The bill later passed the Senate with an amendment which the House accepted on October 11 and cleared the bill for the President.

On October 27, 1972, President Nixon announced his pocket veto of H.R. 12674 issuing the following Memorandum of Disapproval:

NATIONAL CEMETERIES ACT OF 1972
(H.R. 12674)

This bill would block the orderly system of surplus land disposal established by general law and Executive order, by requiring an unusual congressional approval procedure before any VA land holdings larger than 100 acres could be sold.

These property transfer restrictions would undermine the executive branch's Governmentwide system of property management and surplus property disposal which is designed to assure the best and fullest use of Federal property. It would impede the Legacy of Parks program and the procedures for disposing of surplus Federal property under the Federal Property and Administrative Services Act and Executive Order 11508.

Also, the bill deals inconsistently with the serious problem of burial benefits for the Nation's veterans and war dead. It commissions a study of this problem at the same time it preempts the results of such a study by authorizing new burial benefits which would annually add $55 million to the Federal budget beginning next year. The Administrator of Veterans' Affairs already is at work on such a study, which will identify the alternatives for improving burial and cemetery benefits. In the interim, it would be unwise to commit additional Federal resources as proposed by this bill.

As originally introduced, H.R. 2828 was identical with the bill vetoed by the President last year. Hearings on the bill were held on April 3 and 4, 1973. A committee amendment to the bill, however, deletes, without prejudice, the provision with respect to the disposition of VA landholdings. In this respect, the House bill conforms with the provisions of S. 49 which passed the Senate March 6, 1973. Thus, the committee has removed from the present bill a major objection causing the adverse Presidential action on the previous legislation.

As pointed out above, the bill directs certain studies on the part of the Administrator of Veterans Affairs. These provisions are identical with those on the subject contained in the 92d Congress bill. In the meantime, in testifying on H.R. 2828, the Administrator submitted a "Study of Veterans Burial Benefits", dated March 30, 1973, and prepared by a special study group appointed by him. The committee finds this study of interest but, nevertheless, retains the "study" provisions in the bill to afford the Administrator further opportunity to continue his study with the possibility of coming up with further specific recommendations. In any event, the committee reiterates its direction that the Veterans' Administration, in conjunction with the Secretary of Defense, conduct a study of the future and eligibility requirements involving Arlington National Cemetery and the need for another national cemetery in or near the District of Columbia.

Throughout the hearings on this proposal it was practically the unanimous view of all interested parties that the various Federal Cemetery systems in the United States are unduly and inefficiently fragmented. On this point, it would be well to quote the following excerpt from the Veterans' Administration report on H.R. 12674, 92d Congress, which report was, of course, cleared by the Office of Management and Budget:

> There is merit in consolidating the national cemeteries now under the jurisdiction of the Department of the Army with those cemeteries currently operated by the Veterans' Administration, in order to achieve administrative simplicity and maximum utilization. While experience over many years has shown that the Department of the Army can administer a National Cemetery System in an efficient manner, the figures which have been made available to us reveal that more than 90 percent of interments in national cemeteries are of veterans and their dependents, with servicemen dying in active service comprising less than 10 percent. Thus, as it now exists, burial in a national cemetery is more closely related to veterans' benefits than to the functions of a service department. Consequently, we believe that it would be logical for the national and Veterans' Administration cemeteries to be consolidated into one system to be administered by the Veterans' Administration. We would also agree that the responsibility for providing grave markers and headstones should likewise be transferred to the Veterans' Administration as a correlative function.

On April 2, 1973, the Administrator transmitted to the Congress a draft bill "to amend title 38 of the United States Code, in order to establish a National Cemetery System within the Veterans' Administration; assist States in the establishment and operation of veterans' cemeteries; to revise eligibility for burial allowances; to eliminate certain duplications in Federal burial benefits; and for other purposes." The draft bill contained the same broad objective of transferring national cemeteries to the Veterans' Administration and establishing a new National Cemetery System; however, the bill contained a number of restrictive provisions that were unacceptable to the committee.

For example, with regard to the longstanding burial allowance which has been available to the survivors of a veteran of any war the Administration would for the first time limit the payment of this allowance for those veterans who die of a service-connected disability or in the case of war veterans in receipt of pension. Eligibility for a plot allowance would be similarly limited. Another restriction would reduce the burial allowance by any amount payable under other laws in death cases, such as the social security lump sum payment. Finally, the VA draft would delete entirely the provision of extending a greater burial allowance in the case of veterans whose deaths are service connected.

While the committee is realistic enough not to assume that the newly authorized plot allowance will serve as a total solution to the national cemetery problem, it will necessarily have a major effect in reducing the current demand for burials in existing national cemeteries. In this connection, experience has shown that the families of deceased veterans, in the vast majority of cases, have preferred and sought burial of the veterans within 50 miles of the family home. Although the plot allowance is relatively modest, its availability should serve to encourage more burials in local and surrounding cemeteries.

The provision for the burial of a Vietnam unknown soldier in Arlington National Cemetery follows the text of a separate bill (H.J. Res. 609) introduced last year by Hon. HAMILTON FISH, JR., of New York. The committee has learned and is pleased to invite attention to the historical fact that in 1920 a similar resolution resulting in the creation of the Tomb of the Unknown Soldier of World War I was sponsored by the father of Congressman FISH, Hon. Hamilton Fish, Sr. The Defense Department advises the committee that to date all deceased servicemen have been accounted for; however, this authorizing legislation is desirable since it will permit immediate implementation at such time as the hostilities have been finally terminated.

The provisions added by section 4 would authorize the Administrator to prescribe rules and regulations necessary to maintain law and order and protect persons and property in cemeteries and would establish reasonable penalties necessary to insure their enforcement; and to designate persons having authority to investigate and make arrests for violations of such rules and regulations and for crimes against the United States. Since the committee believes it is desirable for this authority to apply equally to other lands, buildings, and facilities over which the Administrator has jurisdiction, the new section added by the bill would have that effect and, therefore, would repeal the current provisions of 38 U.S.C. 625.

Under current law, there are over 28 million veterans eligible for interment in national cemeteries. If dependents are included, it is estimated that more than 50 million persons are eligible for burial therein. With approximately 1 million actual and potential gravesites available in all national cemeteries, the need for prompt consideration of our national burial policy is evident. The National Cemetery Act of 1973 would provide for the transfer of most cemeteries under the jurisdiction of the Department of the Army to the Veterans' Administration. The committee believes this to be a logical transfer in view of the fact that more than 95 percent of the interments in national cemeteries are of veterans and dependents with active duty servicemen comprising the remainder.

A section-by-section analysis follows:

SECTION-BY-SECTION ANALYSIS OF H.R. 2828, AS AMENDED

SECTION 1

This section provides the Act may be cited as the National Cemeteries Act of 1973.

SECTION 2

Subsection (a) adds a new chapter 24 to part II of title 38, United States Code. This chapter creates a National Cemetery System within the jurisdiction of the Veterans' Administration and is in large part patterned after chapter 7 of title 24, United States Code which contains current authority for the Secretary of Army to operate and maintain such a System. A detailed analysis of the new chapter, the provisions of which have been modernized and simplified somewhat, follows:

Section 1000. Establishment of a National Cemetery System: composition of such system; appointment of director

A National Cemetery System would be established within the Veterans' Administration for interment of deceased servicemen and veterans. The new System would be headed by a director who would be responsible to the Administrator for the operation of the National Cemetery System. This System would consist of national cemeteries transferred from the Department of the Army to the Veterans' Administration; cemeteries under the jurisdiction of the Veterans' Administration at the time the bill is enacted; and any other cemetery, memorial, or monument transferred to the Veterans' Administration by this bill or later acquired or developed.

Section 1001. Advisory Committee on Cemeteries and Memorials

This section directs the establishment of an Advisory Committee on Cemeteries and Memorials, whose members would be appointed by the Administrator. The Administrator shall advise and consult with the Committee from time to time with respect to the administration of the cemeteries for which he is responsible and with respect to selection of cemetery sites, the erection of appropriate memorials and adequacy of Federal burial benefits. The Advisory Committee shall make periodic reports and recomendations to the Administrator and the Congress.

Section 1002. Persons eligible for interment in national cemeteries

This section designates those persons who, subject to regulations the Administrator shall prescribe and further subject to the forfeiture provisions of section 3505 of title 38, shall be eligible for interment in any open national cemetery in the National Cemetery System. Eligibility provisions of this section are identical to those currently in force in section 281 of title 24, United States Code. These include servicemen who die on active duty, veterans, reservists, National Guardsmen, Reserve Officers, Training Corps members United States citizens who served honorably with the armed forces allied with the United States in wars engaged in by this country and certain dependents of eligible persons in the foregoing categories.

Subsection (a) (6) of this section also provides the Administrator with the authority to include "such other persons or classes of persons" as he may designate. This additional category is consistent with authority currently based on VA Regulation 6200(C), as revised June 2, 1966. Similar authority apparently resides in the Secretary of Army pursuant to 32 C.F.R. 553.18(b) (1) which authorizes "burial in national cemeteries under such regulations as the Secretary may, with the approval of the Secretary of Defense, prescribe."

Section 1003. Memorial areas

This section authorizes the Administrator to set aside, where available, suitable memorial areas in national cemeteries to have those men missing in action or whose remains have not been identified or received. He is authorized to erect appropriate memorials or markers to honor their memory.

This section also authorizes the flying of the flag of the United States over cemeteries within the National Cemetery System 24 hours each day.

Section 1004. Administration

This section authorizes the Administrator to make all necessary and appropriate rules and regulations to carry out the provisions of chapter 24 including the power to designate cemeteries under his jurisdiction as national cemeteries. In discharging his responsibilities under this chapter the Administrator shall provide all necessary facilities for cemeteries including superintendents' lodges, chapels, crypts, mausoleums and columbaria. Graves in national cemeteries would be required to be marked by appropriate markers with specified information placed thereon. Registers of burials will be kept in each cemetery and also at the main office of the Veterans' Administration. These provisions are similar to authority presently vested in the Secretary of Army under sections 278 and 279 of title 24, United States Code. In fulfilling his responsibilities under this chapter the Administrator is also authorized to contract with responsible persons, firms, and corporations for the care and maintenance of such cemeteries under his jurisdiction.

The Administrator would be authorized to convey to any State, or political subdivision thereof, in which any national cemetery is located, all right, title, and interest of the United States to any Government owned or controlled approach road providing the State or political subdivision states in writing prior to such conveyance, its willingness to accept and maintain such road. Upon conveyance the jurisdiction of the United States over such road would cease and would vest in the State or political subdivision. This is similar to authority presently contained in section 289 of title 24. When the Administrator deems it to be desirable he is authorized to cede concurrent jurisdiction to a State in which any cemetery monument or memorial under his jurisdiction is located. This partial relinquishment of legislative jurisdiction shall be initiated by filing a notice with the Governor of the State concerned and shall take effect upon acceptance by the State in such manner as its laws prescribe.

Section 1005. Disposition of inactive cemeteries

The Administrator would be authorized to transfer with the consent of the agency concerned, any inactive cemetery, burial plot, memorial or monument in his control to the Department of Interior or to any other agency of the Government for maintenance as a national monument or park. Funds appropriated to the Secretary for the National Park System shall be available for the management and operation of any cemetery transferred to the Department of Interior. The Administrator is also permitted to transfer any inactive cemetery or burial plot to a State or political subdivision thereof provided the State or subdivision agrees to maintain such cemetery in an appropriate manner. Any transfer would be subject to reversion to the Veterans' Administration should the grantee fail to care for and maintain such property in a manner satisfactory to the Administrator.

Where a cemetery not within the National Cemetery System has been or is to be discontinued, the Administrator could provide for the removal of remains from that cemetery to any cemetery within the National Cemetery System. The Administrator is also authorized to remove any veteran's remains from a place of temporary interment, or from an abandoned grave or cemetery to a national cemetery.

Section 1006. Acquisition of lands

The Administrator would be authorized to acquire additional lands for national cemeteries as needed. This could be accomplished by purchase, gift (including donations from State or political subdivisions), condemnation, transfer from other Federal agencies, or otherwise as is deemed in the best interest of the United States. Such authority is similar to that presently vested in the Secretary of Army pursuant to sections 271 and 271a of title 24, United States Code.

Section 1007. Authority to accept and maintain suitable memorials

The Administrator, subject to such restrictions as he may prescribe, would be authorized to accept gifts, devises, or bequests from legitimate societies and organizations or from reputable individuals for the purpose of beautifying or benefiting national cemeteries. He would also be authorized to make land available for this purpose and to furnish such care and maintenance as he deems necessary.

Subsection (*b*) of section 2 of the bill amends the table of chapters at the beginning of part II of title 38, United States Code to reflect the addition of a new chapter 24 establishing national cemeteries and memorials.

Subsection (*c*) of section 2 of the bill amends section 5316 of title 5, United States Code by making certain technical corrections and including the Director, National Cemetery System, Veterans' Administration as paragraph 133 of level V of the Executive Schedule Pay Rate.

SECTION 3

Subsection (*a*) directs the Administrator to conduct a comprehensive study of and submit his recommendations to Congress on or before July 1, 1973 concerning (1) the criteria which governs the development and operation of the National Cemetery System including the concept of regional cemeteries; (2) the relationship of the National Cemetery System to other burial benefits provided by Federal and State governments to servicemen and veterans; (3) steps to be taken to conform the existing system to the recommended criteria; (4) private burial and funeral costs in the United States; (5) current headstone and marker programs; and (6) the marketing and sales practices of non-Federal cemeteries and interment facilities for any persons either acting on their behalf or selling or attempting to sell any rights, interest, or service therein which is directed specifically towards the veterans and their dependents.

Subsection (*b*) provides that the Administrator shall in conjunction with the Secretary of Defense conduct a similar study and submit recommendations on or before July 1, 1973, concerning whether Arlington National Cemetery should be included within the National Cemetery System, the appropriateness of maintaining the present eligibility requirements for burial at that cemetery; and finally, the advisability of establishing another national cemetery in the District of Columbia or vicinity.

SECTION 4

Subsection (*a*) amends subchapter II of chapter 3 of title 38 by adding a new section 218 more fully described as follows:

§ 218. Standards of conduct and arrests for crimes at hospitals, domiciliaries, cemeteries, and other Veterans' Administration reservations

This section is closely patterned after existing authority granted to the Administrator of General Services in sections 318–318 (d) of title 4, United States Code. It would authorize the Administrator with respect to all lands and buildings under his jurisdiction to make all needful rules and regulations to maintain law and order to protect persons and properties on VA lands. Violation of such rules and regulations may result in a fine not to exceed $50 or thirty days imprisonment. The Administrator would be empowered to designate officers and employees of the Veterans' Administration to act as special policemen on VA property. He would also be authorized to utilize the facilities an services of existing Federal law enforcement agencies and State or local law enforcement agencies. The Administrator is authorized to empower officers or employees of the Veterans' Administration to act as special investigators with the power to enforce the rules and regulations made under this section and to make arrests with or without warrant for any offenses committed upon such property in his presence or if the investigator has reasonable ground to believe: (1) the offense commits a felony under the laws of the United States; and (2) that the person to be arrested is guilty of that offense.

Subsection (*b*) of section 625 of title 38 dealing with arrests for crimes in hospitals and domiciliary reservations is repealed in light of the new and broader section 218 which applies to all lands and buildings under the jurisdiction of the Veterans' Administration.

SECTION 5

Subsection (*a*) amends present section 903 and adds new sections 906 and 907 more fully described as follows:

§ 903. Death in Veterans' Administration facility; plot allowance

Subsection (a) of 903 restates existing law authorizing a $250 burial allowance for those veterans whose death occurs within a Veterans' Administration facility. New subsection (b) provides that in addition to the amounts payable for the burial or funeral expenses of an eligible veteran under section 902 or 903, if the veteran is not buried in a national cemetery or other cemetery under the jurisdiction of the United States, the Administrator, at his discretion, having due regard to the circumstances in each case, may pay a sum not exceeding $150 plot or interment allowance to such person as he prescribes. If any part of the plot or interment expense has been paid or assumed by a State or subdivision, or the employer of the deceased veteran, a claim for only the difference between the entire amount of the expenses and the amount paid could be allowed.

Section 906. Headstones and markers

This new section would transfer the authority for the present headstone and marker program to the Administrator. This authority is identical to existing authority presently residing with the Secretary of Army under section 279a, title 24, United States Code. The language has been modernized and simplified to make it conform with the present language of title 38. The new section directs the Administrator to furnish appropriate headstones or markers at Government expense where requested, for the unmarked grave of (1) any individual buried in the national cemetery or post cemetery; (2) an individual eligible for burial in a national cemetery, but not buried there (except for graves of the United States citizens who served honorably with the armed forces of foreign countries allied with the United States, dependents of certain servicemen and veterans and those other persons or classes of persons designated by the Administrator as eligible for burial in such cemeteries); and (3) soldiers of the Union and Confederate Armies of the Civil War.

Subsection (*b*) of new section 906 would authorize the Administrator to furnish when requested an appropriate memorial headstone or marker to commemorate any veteran dying in the service and whose remains have not been recovered or identified or were buried at sea, for placement in a national cemetery area reserved for such purposes or in a private or local cemetery.

Section 907. Death from service-connected disability

This new section provides that in any case in which a veteran dies as the result of a service-connected disability the survivors are entitled to receive payment for burial and funeral expenses incurred in connection with the veterans death in an amount not exceeding that currently authorized under section 8134(a) of title 5 of Federal employees whose death occurs as a result of injury sustained in the performance of duty. These benefits would be in lieu of benefits authorized under sections 902 and 903(a)(1) and (b) of title 38. Should death occur in a VA facility, transportation benefits provided in section 903(a)(2) as amended by this Act would continue to be available.

Subsection (*b*) of section 5 of the bill amends the table of sections at the beginning of chapter 23 of title 38 to include a reference to new sections 906 and 907.

SECTION 6

Subsection (*a*) provides for the transfer from the Secretary of Army to the Administrator of Veterans' Affairs jurisdiction over and responsibility for all national cemeteries with the exception of the cemetery at the U.S. Soldiers' Home and Arlington National Cemetery. This subsection also provides for the transfer from the Secretaries of Army, Navy, and Air Force to the Administrator of Veterans' Affairs, jurisdiction over and responsibility for any cemetery, memorial, or monument coming within their respective jurisdiction which the President determines would be appropriate. Excepted from this transfer are the cemeteries located at the U.S. Military Academy at West Point, the U.S. Naval Academy at Annapolis, and the U.S. Air Force Academy at Colorado Springs.

Subsection (*b*) directs the transfer of so much of the personnel, property and unexpended balances of appropriations, allocations, and other funds available to the Secretaries of Army, Navy, and Air Force in connection with the functions transferred by this bill, as determined by the Director of the Office of Management and Budget, to the Administrator of Veterans' Affairs.

Subsection (*c*) is a savings provision whereby all offenses committed and all penalties and forfeitures incurred under any law amended or repealed by this measure may be prosecuted and punished in the same manner as if these amendments or repeals have not been made.

Subsection (*d*) provides that all rules, regulations, orders, permits, and other privileges issued or granted by the Secretaries of the Army, Navy, and Air Force will remain in full force and effect until modified, suspended, overruled, or otherwise changed by the Administrator, by any court of competent jurisdiction, or by operation of law.

Subsection (*e*) is a further savings provision under which (1) no suit, action or other proceeding commenced by or against any officer in his official capacity as an officer of the Department of Army, Navy, or Air Force, with the respect of functions transferred by this bill, shall abate because of the enactment of this bill; (2) no cause of action by or against any Department or Commission concerning the functions transferred or by or against any officer thereof in his official capacity shall abate because of the enactment of this bill; (3) causes of actions, suits, or other proceedings may be asserted by or against the United States or appropriate officers of the Veterans' Administration in any litigation pending at the time this Act takes effect with the court, on its own motion or the motion of any party, being authorized to enter an order giving such effect; and (4) suits commenced prior to the date of enactment of this bill with respect to any function transferred shall be continued by the Administrator.

SECTION 7

Subsection (*a*) of this section provides for the repeal of statutes giving the Secretary of Army jurisdiction over and responsibility for national cemeteries. Accordingly, most codified provisions contained in chapter 7 of title 24 are repealed. It should also be noted that beginning with a provision of the Appropriations Act of 1925 for the military and nonmilitary activities of the War Department and codified in 1953 in 24 U.S.C. 290 railroads have not been permitted "upon the right of way which may have been acquired by the United States to a national cemetery, or to encroach upon any roads or walks constructed thereon and maintained by the United States." Subsection (a) also provides for the repeal of each of these provisions consistent with the intent of the bill to simplify and recodify the cemetery legislation in title 38. The Committee wishes to note, however, the power to prohibit railroads from encroaching on the rights of way to national cemeteries must be maintained and it intends that the Administrator accomplish this through exercising the power granted in this Act to promulgate regulations to that effect. Although subsection (a) repeals existing authority all rights and duties matured, penalties, liabilities, and forfeitures that were incurred, and proceedings that were begun before the effective date of the transfer of these cemeteries to the new National Cemetery System are preserved under the language of this subsection.

Subsection (*b*) provides that nothing in the repealed section shall be deemed to affect in any manner the function, powers, and duties of the Secretary of Interior with respect to those cemeteries and memorials or monuments coming within his jurisdiction on the date the new National Cemetery System is created or those of the Secretary of the Army, Navy, or Air Force with respect to those cemeteries or memorials or monuments under their respective jurisdiction to which the transfer provisions of this bill do not apply.

SECTION 8

Section 3505 of title 38 provides for the forfeiture of gratuitous benefits under laws administered by the Veterans' Administration by any individual convicted of certain crimes. This would amend subsection (a) of section 3505 to make explicit that forfeiture benefits also include the right to burial in a national cemetery.

SECTION 9

This section would authorize and direct the Secretary of Defense to cause to be brought to the United States the remains of an unidentified American who was a member of the Armed Forces of the United States who served in Southeast Asia and lost his life during the Vietnam era for burial in Arlington National Cemetery Memorial Amphitheater. Implementation of this section shall take place after the United States has concluded its participation in hostilities in Southeast Asia. Such sums as may be necessary to carry out the provisions of this section are authorized to be appropriated.

SECTION 10

The new burial plot allowance becomes effective on the first day after the second month following enactment. The transfer of cemeteries and the Government marker program to the Veterans' Administration and the repeal of resulting inconsistent statutes shall take place no later than July 1, 1973 or such earlier date as the President may prescribe. All remaining provisions of the bill become effective upon enactment.

ESTIMATE OF COST

BURIAL PLOT ALLOWANCE

Based on a recent VA study, approximately 15 percent of the veterans dying were buried in a national cemetery. Assuming this proportion still prevails, and that each purchaser receives the maximum payment, estimated costs of H.R. 2828 would be as follows:

	Burial awards affected	Additional annual cost
Fiscal year:		
1974	284,800	$42,720,000
1975	297,500	44,625,000
1976	306,000	45,900,000
1977	323,000	48,450,000
1978	340,000	51,000,000

The committee has examined the above cost estimates provided by the Veterans' Administration and finds no basis to question their authenticity and therefore adopts them as its own. Data are not available upon which to base any cost estimate of the 24-hour flag-flying provision.

H.R. 2828 is substantially identical with the Senate-passed bill, S. 49, with the exception of several technical amendments and one substantive amendment. The latter amendment extends discretionary authority to the Administrator of Veterans' Affairs to permit appropriate officials to fly the flag of the United States of America 24 hours each day at cemeteries included in the new National Cemetery system. I am confident that the other body will accept this meritorious amendment in order that the bill can be presented to the President at an early date.

Once again, we have before us a bill which represents a reasonable and forward looking approach to what we hope will be an ultimate satisfactory solution. I strongly recommend approval of H.R. 2828 by the House.

Mr. GOODLING. Mr. Speaker, will the gentleman yield?

Mr. DORN. I yield to my distinguished colleague, the gentleman from Pennsylvania.

Mr. GOODING. I thank the gentleman for yielding.

Am I correct in assuming that cemeteries now under the jurisdiction of the Park Service are excluded under this bill?

Mr. DORN. The gentleman is correct. I believe he has specific reference to Gettysburg. Yes, that is true, along with the cemeteries at the National Service Academies, Colorado Springs, West Point, and Annapolis, and Arlington National Cemetery.

Mr. GOODLING. Has the gentleman's committee ever given any thought to enlarging existing cemeteries?

Mr. DORN. I might say to my distinguished colleague that this bill provides for a comprehensive national cemetery service throughout the Nation. A study is being authorized, and hopefully they will report back in this session of Congress and we will establish under the Veterans' Administration a veterans cemetery system, similar to that at Arlington, in various regions of the country, So the families of the deceased veteran can visit more frequently the national cemeteries. We feel this would be a step in the right direction.

Mr. GOODLING. Would the gentleman's study include cemeteries under the present jurisdiction of the Department of the Interior?

Mr. DORN. Mr. Speaker, I might say to my colleague that they are excluded. There is nothing in this bill or contemplated that would take Gettysburg away from under the jurisdiction of the Department of the Interior.

Mr. GOODLING. Gettysburg, as the gentleman may or may not know, is now filled. We do have some precedent for enlarging the cemeteries under the Department of the Interior. Several years ago at my suggestion the Bethlehem Steel Co. donated 8 or 10 acres of ground that adjoined the national cemetery in Gettysburg, so I say we do have precedent.

That plot is now filled. We have hundreds and hundreds of acres of ground in the battlefield that are doing nothing more than growing weeds at the present time. I personally feel, and I am sure a great many Members of Congress also feel, we do have an obligation to bury the veterans when we are requested to do so by the members of the families of those veterans.

I trust in the gentleman's study he will give some thought to what might happen to the cemeteries under the jurisdiction of the Department of the Interior at this time.

Mr. Speaker, I thank the gentleman for yielding.

Mr. DORN. I thank my colleague, the gentleman from Pennsylvania. I might say I agree with him that certainly this ground in the natonal battlefield at Gettysburg should be considered by the appropriate authorities.

Mr. GONZALEZ. Mr. Speaker, will the gentleman yield?

Mr. DORN. I yield to the gentleman from Texas.

(Mr. GONZALEZ asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. GONZALEZ. Mr. Speaker, I thank the gentleman for yielding.

First let me compliment the distinguished gentleman and his committee for once again presenting this most important legislation for the Congress to consider. I still do not quite understand the rationale of the veto last year, but maybe it is because some of us, such as the gentleman from Pennsylvania, have particular exposure to the real needs.

I happen to represent and have the great honor of doing so the area that includes the Fort Sam Houston National Cemetery. I think the Fort Sam Houston National Cemetery is just as famous as Arlington and perhaps is even more hallowed, not only because of the history but also because of the association of the men and their families who have survived the wars.

A very important part of their expectation in life is that they will have a chance to be buried in that cemetery. At this particular time Fort Sam Houston is approximately filled or would be filled up very soon, but there are 15 acres available and ready and they were set apart years ago for this purpose but because of the freeze nothing is being done about it. Can the distinguished gentleman tell us whether we could offer some hope to our veteran population?

Mr. Speaker, I have written a letter to the President as of last week and have had no reply as yet, although it is too early to expect one, but since the acreage is available, can something be done? It would carry the expectancy list through the 1980's and it seems to me it would be a logical answer no matter who is administering the cemeteries.

Mr. DORN. I might say to my distinguished friend, the gentleman from Texas, that under this new act the Veterans' Administration will administer the cemetery facilities at Fort Sam Houston and in this study we would hope it would call for an addition wherever reasonable to the burial plots at Fort Sam Houston.

Also I might say to my colleague that we are working with the Department of Defense with regard to the possibility of taking over certain post cemeteries throughout the Nation.

Mr. Speaker, I hope the gentleman from Texas will send me a copy of his letter to the President of the United States on this matter.

Mr. GONZALEZ. Mr. Speaker, I include a copy of my letter to the President at this point in the RECORD:

APRIL 30, 1973.

Hon. RICHARD M. NIXON,
President of the United States, The White House, Washington, D.C.

DEAR MR. PRESIDENT: Since the 1950's, the policy of the Executive has been not to approve the further expansion of the national cemetery system. Though there are sound reasons for this policy, I believe that there are also sound reasons for exemptions from it. Arlington National Cemetery is clearly a special case, and allowances have been made for that. I am writing to ask that you allow expansion of the Fort Sam Houston, Texas National Cemetery.

The Fort Sam Houston National Cemetery has burial spaces sufficient to meet demands for only a few more years. Unless expansion is allowed, the cemetery will have to become inactive. But there are many thousand military retirees in San Antonio who cherish the idea of burial in a national cemetery, and there is no practical reason why Fort Sam Houston National Cemetery could not be expanded by a considerable amount.

The government already owns property—some fifteen acres—adjacent to the Fort Sam Houston National Cemetery that has been designated for cemetery use. Expansion of the cemetery would require only that the property be transferred from Fort Sam Houston proper to the cemetery. This would cost the government nothing, other than the very minimum cost of actually developing the land in question.

Mr. President, here is a special case: a situation in which expansion of a national cemetery is possible, much desired by the community, and in accordance with a long existing land use plan of the government. I believe that no good purpose is served by continuing to refuse expansion of this facility. This can be done only with your intervention, however, and I respectfully urge that you undertake the necessary action to allow this facility to be expanded.

With every good wish, I remain.

Sincerely yours,
HENRY B. GONZALEZ,
Member of Congress.

Mr. DORN. Mr. Speaker, I thank my colleague from Texas.

Mr. HAMMERSCHMIDT. Mr. Speaker, I rise in support of H.R. 2828, the National Cemeteries Act of 1973.

Members will recall that a similar bill was approved by the 92d Congress. Because the bill contained a provision relating to the disposal of surplus Veterans' Administration property, and the Administration objected to this provision, the bill was pocket vetoed at the close of the 92d Congress.

The bill before the House today, Mr. Speaker, is virtually the same bill with the controversial provision relating to the disposal of surplus Veterans' Administration property eliminated therefrom.

The bill as reported by the Committee on Veterans' Affairs, Mr. Speaker, provides for the establishment of a national cemetery system within the Veterans' Administration. All of the national cemeteries now under the jurisdiction of the Department of the Army with the exception of Arlington National Cemetery and the cemeteries of the U.S. Soldiers and Airmen's Home in Washington, D.C., and the U.S. Naval Home in Philadelphia would be transferred to the administrative jurisdiction of the Veterans' Administration.

The function of providing grave markers and headstones would be administered by the Veterans' Administration instead of the Department of the Army.

A burial plot allowance not to exceed $150 payable on behalf of those veterans not buried in a national cemetery would be authorized.

The burial and funeral expenses on behalf of a veteran who dies as a result of a service-connected disability would be authorized in an amount not exceeding the amount payable for Federal employees in job-related deaths. This amount is currently set at $800.

The bill will authorize the Secretary of Defense to provide for the burial of an unknown soldier of the war in Vietnam and Southeast Asia in Arlington National Cemetery.

Finally, Mr. Speaker, the bill authorizes a comprehensive study of national cemeteries and their relationship to other burial benefits for servicemen and veterans. The propriety of including Arlington National Cemetery in the national cemetery system, as well as the review of eligibility requirements for burial in Arlington, would also be studied. The results of this study together with the recommendations of the Administrator of Veterans' Affairs would be made to the Congress within 6 months after the convening of the 94th Congress.

This bill, Mr. Speaker, represents a giant step forward in the creation of a national burial policy for the Nation's veterans. I urge that the bill be passed.

Mr. Speaker I yield such time as he may consume to the gentleman from Pennsylvania (Mr. SAYLOR).

Mr. SAYLOR. Mr. Speaker, I rise in support of the National Cemeteries Act of 1973, H.R. 2828, as amended. This bill is designed primarily to enlarge the national cemetery program and increase burial allowances, both of which are long overdue in view of the ever-diminishing space available in national cemeteries and the increasing costs of burial. A National Cemetery System would be established within the Veterans' Administration embracing the national cemeteries, with a few exceptions, now under the Department of the Army, and those already under the jurisdiction of the Veterans' Administration.

It provides for a plot allowance not exceeding $150 for veterans not buried in Federal cemeteries. In the case of a veteran who dies of a service-connected disability, an amount not to exceed $800 would be payable for burial and funeral expenses. This allowance is comparable to the payment authorized for Federal employees who die of injuries sustained as a result of the performance of their duties.

There is also a provision granting authority to the Secretary of Defense for burial of an unknown soldier of Vietnam and Southeast Asia in Arlington National Cemetery.

I believe this bill is necessary if our veterans are to be assured of an honorable burial and I intend to vote for it.

Mr. HAMMERSCHMIDT. Mr. Speaker, I yield such time as she may consume to the member of the committee, the Congresswoman from Massachusetts (Mrs. HECKLER).

Mrs. HECKLER of Massachusetts. Mr. Speaker, I rise in support of H.R. 2828, as amended.

I believe this is a very meritorious bill because it will accomplish two goals of major importance to our veterans, first, enlarge the national cemetery program, and second, increase burial allowances. The existing national cemetery program and cemeteries under the jurisdiction of the Veterans' Administration will be combined into a National Cemetery System to be administered by the Veterans' Administration.

In those cases where burial is not in a Federal cemetery, a plot allowance not to exceed $150 will be authorized.

When a veteran dies of a service connected disability, a burial allowance will be payable in an amount not to exceed $800. This would be in lieu of the proposed plot allowance of $150 and the existing $250 burial allowance which would be paid in nonservice connected death cases. A precedent exists for the larger payment in service connected death cases, established by the formula used for Federal employees whose deaths are the result of injuries sustained in the performance of duty.

Authority will be granted to the Secretary of Defense for the burial of an unknown soldier of Vietnam at Arlington National Cemetery, and authorization will be extended to fly the flag of the United States 24 hours a day at all national cemeteries.

I will vote for this bill because the provisions in it, in my estimation, are long overdue.

Mr. HAMMERSCHMIDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. WYLIE).

Mr. WYLIE. Mr. Speaker, I rise to urge my colleagues to support H.R. 2828, the National Cemeteries Act of 1973. Basically, this bill is the same as the National Cemeteries Act of 1972 which was vetoed by the President late last year. The primary objection of the White House to the measure was a provision requiring that the disposal of any land holdings of the Veterans' Administration would require congressional approval if the land involved was larger than 100 acres. The administration felt that this would unnecessarily impair the Government-wide system of property management which the administration contended was necessary to assure the best use of Federal property. The bill before us today has eliminated this land disposed provision and therefore basically conforms with S. 49, a companion measure passed by the other body on March 6.

In brief, the bill transfers the administrative responsibilities for national cemeteries from the Department of the Army to the Veterans' Administration with certain exceptions. It authorizes a plot allowance of $150 in addition to the current allowance of $250 for burial and funeral expenses. It authorizes the VA to furnish a headstone for unmarked graves of eligible veterans and provides for the burial of an unknown soldier of the Vietnam war at the Tomb of the Unknowns in Arlington National Cemetery. It authorizes a new $800 burial benefit for a veteran who dies of a service-connected disability, which is in lieu of any other burial benefit. It directs the VA to study and make recommendations concerning improvements of the National Cemetery System and the future use of Arlington National Cemetery.

Our combat role in Southeast Asia is coming to a close. Like any other war, it has expanded the need for the many services that the Federal Government provides to veterans who have so ably and courageously served their country. The bill before us today makes necessary changes that will update and improve the administration of the National Cemetery System so that we can hopefully meet the need of providing a proper and dignified final resting place for our veterans.

Mr. HAMMERSCHMIDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. HILLIS).

Mr. HILLIS. Mr. Speaker, I rise in support of H.R. 2828, a bill which would establish a National Cemetery System under the jurisdiction of the Veterans' Administration.

In conjunction with this program a comprehensive study will be undertaken, to be reported upon with recommendations within 6 months after the convening of the 93d Congress. It will include private burial and funeral costs for comparison with burial benefits for servicemen and veterans, and the current headstone and marker programs. Working with the Secretary of Defense, the inclusion of Arlington National Cemetery in the National Cemetery System, eligibility for burial at Arlington, and/or the advisability of establishing another national cemetery in or near the District of Columbia will be a part of the study.

It also provides for the payment of an amount not to exceed $150 for the purchase of a burial plot where the veteran is not buried in a cemetery under the jurisdiction of the United States. In those instances where a veteran dies of a service connected disability, an allowance of up to $800 will be paid to cover funeral expenses. This is comparable to the allowance paid where a Federal employee dies from an injury or disease incurred in the performance of his duties and will be in lieu of the present VA burial allowance.

Finally, the bill will transfer the National Cemetery System, with the exception of Arlington National Cemetery, from the Department of the Army to the Veterans' Administration.

I believe in this bill, because I consider proper and dignified burials a right that our veterans have earned. This legislation will go a long way toward insuring this right.

Mr. HAMMERSCHMIDT. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. FISH).

Mr. FISH. Mr. Speaker, I rise in support of the National Cemeteries Act of 1973 (H.R. 2828). This legislation would revise and streamline the administration of our national cemeteries by consolidating them under the jurisdiction of the Veterans' Administration. The bill also authorizes a comprehensive study by the VA of the future development and operation of the National Cemeteries System and provides for an additional plot allowance of $150 in cases where the veteran is not buried in a national or other Federal cemetery.

As we all know, a similar measure was vetoed last October by President Nixon because of objections to a VA land holdings provision. The Veterans' Affairs Committee has deleted that section from this bill and now the measure has the support of the administration.

I am particularly proud that the committee has again incorporated into this bill, legislation which I originally introduced in 1971—as House Joint Resolution 609—and reintroduced as House Joint Resolution 82 in the 93d Congress on

January 3, 1973. My bill, now section 9 of H.R. 2828, authorizes the interment of an unknown soldier from the Vietnam war in Arlington National Cemetery.

Over 52 years ago, on December 21, 1920, my father—Hamilton Fish, Sr.—introduced a similar measure in the House of Representatives. The adoption of my father's resolution resulted in the creation of the Tomb of the Unknown Soldier, a revered national shrine. Since that time, unknown casualties of both World War II and Korea have joined their comrade of World War I, and are similarly enshrined near the tomb at Arlington. I introduced my resolution at the urging and with the support of my father, who at the age of 84 continues to be very active on behalf of our Nation's 28 million veterans.

Mr. Speaker, I strongly believe that this is a most appropriate way to commemorate the sacrifices made by American servicemen in Vietnam, the same sacrifices recently dramatized by the return of our courageous POW's. We all know that the Vietnam war is uniquely different from those which preceded it. But this tragic war has resulted in almost 50,000 dead and well over a quarter of a million wounded. We cannot permit the political controversy to obscure the tremendous contributions made by the 2.5 million young men who have served in Southeast Asia. Through the adoption of this legislation, Congress can demonstrate that, despite diverging opinions on the wisdom of this conflict, that these boys and their families will not be forgotten.

The Vietnam unknown soldier proposal has the expressed public support of the Department of Defense, specifically the Department of the Army, and the Office of Management and Budget. Numerous veterans organizations have expressed their strong support, including: the American Legion, the Veterans of Foreign Wars, the Catholic War Veterans, the Blind Veterans Association, the Military Order of the World Wars, the Military Order of the Purple Heart, the Fleet Reserve Association, the Marine Corps League, the Reserved Officers Association of the United States and the Congressional Medal of Honor Society.

Finally, I want to congratulate Chairman DORN and the full membership of the Veterans' Affairs Committee, for their fine work on this legislation. I also want to take this opportunity to thank former Veterans' Affairs Committee chairman, OLIN E. TEAGUE, for his courtesy and gracious assistance regarding the unknown soldier bill in the last Congress. The National Cemeteries Act deserves the overwhelming support of the House and I urge my colleagues to act accordingly.

Mr. HAMMERSCHMIDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Speaker, having introduced similar legislation in the 91st, 92d and 93d Congresses, I want to express my wholehearted support of H.R. 2828, which would establish a national cemetery system under the administrative control of the Veterans' Administration.

When I first introduced this legislation in 1969, I pointed out the fact that uncommitted gravesites at seven national cemeteries had been exhausted since 1966. This situation has continued to grow worse. Now there are 28 million veterans and 22 million dependents eligible for burial in national cemteries. However, there are only 1 million gravesites which are currently or potentially available.

The increasing scarcity of gravesites amply demonstrates the need for the comprehensive program of administration and expansion that the bill provides. The provision of the bill requiring the administrator of the Veterans' Administration to submit recommendations to the Congress concerning the development, operation and improvement of the national cemetery system and other important problems is a crucial one. It will greatly assist the Congress in determining what more needs to be done to alleviate this problem which now borders on becoming a national disgrace.

Since 1965, I have been attempting to have a national cemetery established in New England. Passage of this legislation is a necessary first step for the reassessment of the need for additional cemeteries in New England, and throughout the Nation. I urge enactment of this legislation.

Mr. HAMMERSCHMIDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. BROWN.

Mr. BROWN of Michigan. Mr. Speaker, on this day, when the House is acting again on legislation to create a national cemetery system within the Veterans' Administration—which legislation, I am advised, has every chance of receiving Presidential approval—it is most appropriate that I pay tribute to the late Ira Dodrill of Battle Creek, Mich.

A friend and a former constituent, Mr. Dodrill served as national chairman of the Veterans of Foreign Wars' effort to assist the Nation in fulfilling its commitment to provide a final resting place in a national cemetery for all those who so wish, and who have served in times of national conflict.

Ira Dodrill worked untiringly for many years, until his passing last December, toward the realization of his dream of the establishment of a national cemetery at Fort Custer, Mich. His spirit, his determination, and his guidance were constant sources of support to me in my efforts on behalf of this goal. It was this unwavering support that sustained me in the face of many disappointments and setbacks—not the least of which was the veto last October of a similar bill.

Ira Dodrill, who was as fine a citizen as I have ever had the privilege of knowing, went to great effort to witness passage of this legislation, knowing it to be a necessary first step toward the accomplishment of his personal goal. Last fall, when a similar bill was being considered by the House, Mr. Dodrill, although of advanced age and a disabled veteran himself, made the long journey from Battle Creek to sit in the gallery and observe the approval of "his" bill. I am only sorry that he cannot be present today, when prospects for the creation of a national cemetery system appear brighter.

I sincerely hope that today's action will ultimately bring about the result toward which Ira Dodrill devoted so much of his incredible energy—the establishment of a national cemetery at Fort Custer, Mich. And, to Ira Dodrill, a quiet "thank you" from his Congressman.

Thank you, Mr. Speaker.

Mr. HAMMERSCHMIDT. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. WIGGINS).

Mr. WIGGINS. Mr. Speaker, I oppose the enactment of H.R. 2828. This bill comes to us today under Suspension of the Rules, a procedure which prohibits the offering of amendments to the bill. Since I could support the legislation only if substantially modified, and the changes I seek cannot be considered, I must vote against the bill.

H.R. 2828 establishes a National Cemetery System within the Veterans' Administration. The system shall consist of most existing national cemeteries and all those acquired and developed hereafter. Burial in a national cemetery is authorized for any veteran; any member of a Reserve component, including the ROTC, or the National Guard, whose death occurs from injury or illness while on active or inactive duty; any U.S. citizen who served in the Armed Forces of an ally during any war; and certain dependents of the foregoing. A schedule of burial benefits is authorized, ranging from a maximum of $800 in the case of a veteran who dies as a result of a service-connected disability, to a minimum of $150 as an allowance in the case of nonservice-connected deaths when burial is at a place other than a national cemetery. The estimated 5-year cost of the system thus established is approximately $100,000,000.

I support adequate provisions for the burial in a national cemetery, or elsewhere, if the family wishes, of members of our Armed Forces who die as the result of injuries or illnesses occurring in the service of our country. I do not support the burial in a national cemetery or elsewhere at public expense of a veteran or members of his family, simply because of his prior service in the Armed Forces.

This legislation treats veterans and their families as a favored class without rational justification. I do not accept the argument that veterans have earned the special benefits accorded by this legislation, as a form of deferred compensation, by reason of their prior service alone. This argument is premised upon a "contract" theory to the effect that future unspecified benefits were part of the original bargain between a man and his government which induced service in the military. The argument is patently a fiction.

In all candor, we should acknowledge the truth of the matter. Veterans and their families constitute a large, politically potent class, to which legislators have traditionally catered. This legislation is in keeping with that tradition.

A responsible government should treat

with problems, rather than real or imagined political pressures. The escalating cost of dying is such a problem, but its burden is felt by all families of modest means, not just those of veterans. If public support for burial expenses is in order, it should be made available to all those in need.

I am mindful, of course, that burial benefits are only one of the many special favors for veterans which are found in our laws. My arguments, if valid, apply with equal force to those other laws as well.

Mr. Speaker, I am a veteran of both World War II and the Korean conflict. I have been the recipient of educational benefits as a veteran. College and law school would have been most difficult for me personally had I not received payments under the GI bill. Many veterans would not have received the education which they in fact received, but for the GI bill. Without question, the country has benefited because of this act of generosity toward our veterans. To acknowledge this fact, however, does not undermine the reasons for my opposition to this bill. The country would have benefited far more had a reasonable program of support for all those in need been available.

Service to country is not its own reward entirely; but, on the other hand, it does not require continuous monetary compensation either. The personal gratification which is felt by one who discharges a patriotic duty, plus fair compensation while in the performance of that duty, and reasonable provisions for those killed or disabled, and their families, should be enough.

I urge defeat of this bill.

Mr. HAMMERSCHMIDT. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. Mizell).

Mr. MIZELL. Mr. Speaker, I rise at this time to express my strong support for the National Cemeteries Act of 1973.

As I have said on many occasions, in this Chamber and elsewhere, there is no group of citizens more worthy of our consideration and assistance than the veterans of our armed services, and I am happy to see that several excellent provisions have been included in this legislation we are considering today.

I am particularly enthused by this bill's establishment of a national cemetery system to make the most efficient possible use of the space remaining in our national cemeteries for burial of America's veterans.

But since it is estimated that only 1 million plots are still available in these national cemeteries, as compared with 50 million veterans and dependents eligible for burial in these grounds, another provision of this legislation is perhaps even more important for the future.

This section provides for a $250 allowance to help defray burial expenses for veterans buried in non-Federal cemeteries. Since the families of veterans are having to turn increasingly to private facilities at substantial additional expense, this additional payment is fully warranted, as is the additional $150 allowance for veterans who die in a Veterans' Administration hospital, and the $800 burial allowance in cases where veterans die of service-related disabilities.

I believe these provisions, and others incorporated in this bill, are good ones, deserving our support, and worthy tributes to our veterans. I urge my colleagues to join me in voting for passage of this National Cemeteries Act.

Mr. HAMMERSCHMIDT. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. Hunt).

Mr. HUNT. Mr. Speaker, I rise in support of this bill.

I have been a strong proponent for transfer from the Department of the Army to the Veterans' Administration for a number of years.

Mr. Speaker, we have a cemetery in south Jersey known as Beverly Cemetery which has been filled for a number of years. The only persons who can be buried there now are the spouses of the deceased veterans who are already buried there. The grave sites are completely taken up.

About 9 years ago, I petitioned the Army to give us a piece of Fort Dix, which is nearby. With the Veterans' Administration taking over the cemetery, I am quite sure that they may remove the jaundiced eye which they have cast upon Beverly Cemetery so that we might go not too far away and pick up some more ground for burial purposes.

Mr. Speaker, bear in mind that this is not only a national cemetery for the State of New Jersey, but also a national cemetery which has accommodated veterans from the State of New York, the State of Pennsylvania, the State of Maryland, and the State of Delaware. It has been a very popular cemetery over the years because of the close proximity of the heavily populated areas.

Mr. Speaker, a State such as the State of New Jersey should not be without a national cemetery, considering the fact that we have a population which exceeds any other known density in the United States with almost a thousand people per square mile and with a tremendous grouping of veterans in there who are entitled to be buried in a national cemetery in the State where they come from, just as are the other people who surround us.

Mr. Speaker, I can only strongly urge passage of this legislation and the enlargement of all those cemeteries where they need this burial ground for those persons who have served their country so well.

Mr. HAMMERSCHMIDT. Mr. Speaker, I have no further requests for time.

Mr. DORN. Mr. Speaker, I yield such time as he may consume to my distinguished colleague on the committee, the gentleman from California (Mr. Danielson).

Mr. DANIELSON. Mr. Speaker, I rise in support of H.R. 2828, the National Cemeteries Act of 1973. I am most pleased to have the opportunity to join with my colleagues on the Veterans' Affairs Committee as one of the authors of this legislation.

Last year the Congress passed, by an overwhelming vote, a similar bill to bring some order to the chaos of our national cemeteries system. Unfortunately, this legislation was pocket-vetoed by the President at the close of the 92d Congress, and therefore failed to become law.

H.R. 2828, which is now before us, has been carefully drafted to bring about most of the beneficial changes included in last year's legislation, and to eliminate most of those provisions which induced the President to veto the predecessor bill. While I do not feel that the Congress should have stepped back from its original commitment, this is nevertheless a beneficial bill.

This legislation is a step toward the ultimate correction of a deficiency in our laws dealing with national cemeteries. Unfortunately, this bill will not provide the additional cemeteries necessary in California, New Jersey, and New England where today it is impossible for veterans to be buried in a national cemetery, which is their right as a matter of law. Until we have corrected this lack in our laws, we will not have fully met our responsibilities. However, by bringing substantially all of the national cemeteries under the jurisdiction of the Veterans' Administration, we will have taken an important step toward meeting our responsibilities. Accordingly, I urge my colleagues to give their full support to this legislation.

Mr. DORN. Mr. Speaker, I might say to my distinguished colleague from New Jersey that this is exactly what we have in mind by regional national cemeteries under the jurisdiction of the Veterans' Administration. Certainly any representation the gentleman would care to make to the committee or to the Veterans' Administration would be deeply appreciated.

Mr. HUNT. Mr. Speaker, will the gentleman yield?

Mr. DORN. I yield to the gentleman from New Jersey.

Mr. HUNT. I take this opportunity to commend the gentleman for this fine legislation. I will give him all the support he needs, because it is about time we recognized some of the needs for burial of veterans.

Mr. DORN. I thank the gentleman.

The committee, on behalf of the chairman, would like to commend the distinguished minority leader on the committee in his first role of minority leader of the committee, for his splendid cooperation and dedication to the cause of veterans.

GENERAL LEAVE

Mr. DORN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on H.R. 2828, National Cemeteries Act, 1973.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. BURKE of Florida. Mr. Speaker, again this year, I rise in support of the National Cemeteries Act. In the previous Congress I supported this legislation in spite of the fact that the Veterans' Administration recommended against favorable consideration of my two bills which would establish a national cemetery in Broward or Dade County, Fla., or, in the alternative, another cemetery elsewhere in the State of Florida.

The Veterans' Administration objected to my bills on the basis that until the policy with respect to the future of the national cemetery system has been resolved, it is premature to consider any measure proposing the expansion of that system. In fairness, the various Federal cemetery systems in the United States are unduly and inefficiently fragmented, and there is merit in consolidating the national cemeteries now under the jurisdiction of the Department of the Army with those cemeteries currently operated by the Veterans' Administration to achieve administrative simplicity and maximum utilization.

For the past few years I have been concerned with the lack of space in our national cemeteries. At present, there are 28 million veterans and 22 million dependents eligible for burial in national cemteries. However, there are only about 1 million graves currently and potentially available nationwide, and only about 700 available at the one national cemetery in Florida.

I was disappointed that the President pocket-vetoed this legislation last year. Death does not wait for anyone, and the delay in setting our national cemeteries in order has caused much anguish and grief among those who desired burial in a national cemetery but found it unfeasible. I am pleased, however, that the major objection stated in the veto message has been deleted from the new bill. There is no provision requiring congressional approval to sell any VA land holdings larger than 100 acres or worth more than $100,000 which the President felt would block the orderly system of surplus land disposal.

In most other respects this bill is the same as the one passed by the 92d Congress. The bill:

First. Transfers responsibility for administration of all national cemeteries from the Department of the Army to the Veterans' Administration, except Arlington National Cemetery, and a few other special cases.

Second. Authorizes a plot allowance of $150, in addition to the present allowance for burial and funeral expenses of $250, payable in any case in which the veteran is not buried in a national or other Federal cemetery.

Third. Provides authority in VA for furnishing of a headstone or marker, upon request, for the unmarked graves of any individual buried in a national cemetery or in a post cemetery, as well as most individuals eligible for burial in those locations but not buried there, and soldiers of the Union and Confederate Armies of the Civil War.

Fourth. Includes provision for the burial of an unknown soldier of the war in Vietnam in Arlington National Cemetery at an appropriate time to be selected at a later date.

Fifth. Direct VA to conduct a study and submit recommendations to the Congress, not later than 6 months after the convening first session of the 93d Congress, concerning: First, criteria to govern development and operation of the National Cemetery System, including the concept of regional cemeteries; second, relationship of the new National Cemetery System to other burial benefits to servicemen and veterans; third, steps to be taken to conform the existing system to the recommended criteria; fourth, private burial and funeral costs in the United States; fifth, current headstone and marker program; and sixth, the marketing and sales practices of non-Federal cemeteries and interment facilities, directed specifically toward veterans and their dependents.

Sixth. Directs VA, in conjunction with the Secretary of Defense, to conduct a study concerning: First, the future of Arlington National Cemetery; second, present eligibility requirements for burial in Arlington; and third, the need for another national cemetery in or near the District of Columbia.

Seventh. Extends Administrator's authority to prescribe standards of conduct and authorize the investigation of and arrests for crimes on all VA reservations, including hospitals, cemeteries, and other VA facilities.

Eighth. If a veteran dies of a service-connected disability, a new burial benefit not to exceed $800 is authorized in lieu of any other burial benefit.

Ninth. Authorizes the flying of the flag of the United States over cemeteries within the National Cemetery System 24 hours each day.

I strongly favor this legislation because I feel that it moves us toward implementation of the Federal Government's obligations to provide national cemeteries for our veterans who wish to be buried in them. Hopefully, it will also hasten the day when there will be adequate national cemeteries in the State of Florida.

Mr. ANNUNZIO. Mr. Speaker, I rise in support of H.R. 2828, the National Cemeteries Act of 1973. This measure is virtually identical to the bill passed unanimously by both the House and the Senate last year, only to be pocket vetoed by the President. The Senate has already passed similar legislation on March 6th and we must certainly act now.

Our present Federal cemetery system is managed by four different Federal agencies. The Department of the Army operates the National Cemetery system. The American Battle Monuments Commission operates the overseas cemeteries. The Department of the Interior, through the National Park Service, operates cemeteries in conjunction with military and battlefield parks, and the Veterans' Administration operates various cemeteries.

The legislation which I now urge you to support is the result of a lengthy study of veterans' burial benefits and a feasible national cemetery system. The National Cemeteries Act of 1973 establishes within the Veterans' Administration a National Cemetery System which would consist of national cemeteries transferred to the VA from the Department of the Army and cemeteries presently under the jurisdiction of the VA, with the exception of Arlington National Cemetery and those cemeteries located at service academies. It also directs the VA to conduct a comprehensive study and submit recommendations on or before July 1, 1973, as to what our national cemetery system and national burial policy for veterans should be.

The problem of our national cemeteries, their location and adequacy, as well as the burial benefits for our veterans has been the subject of great concern to Congress. The supply of regular gravesites has been completely exhausted in many of our national cemeteries. At present, our veteran population is more than 28 million. We must add to that figure the number of dependents who are entitled by statute to be buried in national cemeteries. The current burial space available in national cemeteries across the Nation would provide for less than 1 million of these potential candidates. In my own State, Illinois, there are only 34,346 available gravesites in national cemeteries, yet the projected deaths of Illinois veterans is estimated to be over 842,000 by the year 2000.

We must establish enough national cemeteries located throughout the country to insure that every veterans who so desires will have the opportunity to benefit from the national cemetery system. This is an important bill to all veterans.

Unless we act now, our national cemeteries will soon be filled and there will be no fitting place to bury our veterans in accordance with the special obligation we owe to them. In fact, when the Senate held hearings on the National Cemeteries Act of 1972, the following information was furnished by the Department of Defense:

> A study of several of the most active cemeteries indicates that approximately 50% of the veterans within 50 miles of a national cemetery choose burial in the national cemetery. Should every veteran within 50 miles of a national cemetery be buried therein, grave space would be utilized at twice the rate. Based on this accelerated rate, the space in all cemeteries would be utilized prior to the year 2000.

If we do not do something now, the national cemetery system will gradually, but inevitably close down.

This bill also provides a special burial plot allowance of $150, in addition to the present VA allowance for burial and funeral allowances of $250, in any case where a veteran is not buried in a national or other Federal cemetery. In many instances, the next of kin prefers burial of his or her spouse in a local cemetery rather than be faced with traveling considerable distances to visit the grave.

This burial plot allowance is not a new concept. The U.S. Veterans' Advisory Commission formally recommended a burial plot allowance over 5 years ago. The need was apparent then—and is critical now.

Among the other provisions of this bill is a section authorizing the interment of an unknown soldier from the Vietnam conflict at Arlington National Cemetery. No memorial could be more fitting for this costly conflict.

President Johnson placed strong emphasis upon our commitments to our veterans. He said:

> Our government and our people have no greater obligation than to assure that those who have served their country and the cause

of freedom will never be forgotten or neglected.

Since the Civil War period, the Government has provided burial space for its veteran population. It is our obligation to continue this practice, and to honor our veterans for the service they have rendered to this Nation.

Mr. DONOHUE. Mr. Speaker, I most earnestly urge and hope that the House will speedily and overwhelmingly approve the measure currently before us, H.R. 2828, the National Cemeteries Act of 1973.

In simple summary, this measure tranfers administrative responsibility of practically all national cemeteries from the Department of the Army to the Veterans' Administration; provides a plot allowance of $150, in addition to the present allowance for burial and funeral expenses of $250, payable in any case in which the veteran is not buried in a national or other Federal cemetery; provides, upon request, authority to the Veterans' Administration to furnish a headstone or marker for unmarked veterans' graves; authorizes a new burial benefit, in lieu of any other benefit, not to exceed $800, for veterans dying of service-connected disabilities and provides for the burial of an unknown soldier of the war in Vietnam in Arlington National Cemetery. In addition, the bill directs the Veterans' Administration to conduct a study and submit recommendations to the Congress, not later than July 3, 1973, concerning the development and operation of the national cemetery system, including the concept of regional cemeteries, the relationship of the new cemetery system to other burial benefits available to servicemen and veterans, the steps necessary to assure conformity of the present system to the new system and the marketing and sales practices of non-Federal cemeteries and interment facilities which are directly aimed at veterans and their dependents.

Mr. Speaker, the wholesome recommendations contained in this bill, especially the increased assistance to families to meet the burial expenses of a veteran and the new death benefit for veterans dying of a service-connected disability and the projection of the concept for the establishment of regional cemeteries, particularly in view of the urgent requirement in our Massachusetts Commonwealth and New England region for the establishment of a national cemetery, represent timely responses to meritorious national needs. Unquestionably, Mr. Speaker, these projected improvements in our national cemetery system are long overdue and they are clearly in the national interest. I therefore earnestly believe that they merit the resounding approval of this House.

Mr. BOLAND. Mr. Speaker, I support the National Cemeteries Act of 1973. For many years the problem of national cemeteries, their locations and adequacy, as well as burial benefits generally for veterans, has been of great concern to the Congress.

This urgently needed legislation transfers responsibility for administration of all national cemeteries from the Army to the Veterans' Administration, except Arlington National Cemetery where eligibility is now limited; cemeteries in national parks operated by the Interior Department, the military academy cemeteries, and cemeteries at the Soldiers' and Airmen's Home in Washington, D.C. and the Naval Home in Philadelphia.

The bill also provides a $150 plot allowance, in addition to the present $250 burial and funeral expenses allowance, payable in any case in which the veteran is not buried in a national or other federal cemetery; authorizes a new $800 burial benefit for veterans dying of service connected disabilities, and provides for the burial of an unknown soldier of the Vietnam war in Arlington National Cemetery.

Another important provision directs the Veterans' Administration, in conjunction with the Secretary of Defense, to conduct a study concerning the future of Arlington National Cemetery, the present eligibility requirements for burial in Arlington, and the need for another national cemetery in or near the District of Columbia. Also, I am pleased that the Veterans' Administration is directed to conduct a study and submit recommendations to Congress concerning criteria to govern development and operation of the national cemetery system, including the concept of Regional cemeteries.

Mr. ROBINSON of Virginia. Mr. Speaker, I support the concept of the bill before us, because I believe it important that we move forward on determination of a sound, continued policy with respect to the historic privilege of the veteran of burial in a national cemetery.

I am aware of the practical difficulties involved in any major expansion of the national cemetery system, but I do not believe they are insurmountable.

Many veterans—particularly career men—are distressed that the final recognition of their honorable service—interment in a national cemetery—is to be denied them because of space limitations.

The suggestion of provision of additional cemeterial areas in our national battlefield memorial parks deserves serious consideration, and other Federal lands across the Nation may well be found suitable for new national cemeteries.

In the study authorized by the legislation before us, Mr. Speaker, I hope that the Administrator of Veterans' Affairs may give particular attention to the practicability of acquiring additional lands adjacent to existing national cemeteries.

In Culpeper, Va., such adjacent lands still are available for a modest expansion of Culpeper National Cemetery.

For a number of years, veterans organizations and other community groups have sought to maintain the availability of this adjacent property, and landowners have been cooperative. In the 92d Congress, I offered a bill to authorize purchase of such land, but it did not receive action, in view of the concentration on broader legislation. I have deferred, in the 93d Congress, to such legislation as now is under consideration, but I want to go on record now as remaining committed to the worthiness of adding to existing national cemeteries wherever suitable adjacent land is available at acceptable cost.

I am glad to note, Mr. Speaker, that the bill we are considering, H.R. 2828, incorporates the essentials of H.R. 4250, which I was happy to co-sponsor with my distinguished colleague, the gentleman from Maryland (Mr. LONG), to provide for the burial in Arlington National Cemetery of an unknown casualty of the Vietnam war.

Mr. CLEVELAND. Mr. Speaker, I rise in support of H.R. 2828, the National Cemeteries Act of 1973, as consistent with objectives I have long supported.

Of particular interest to me and my constituents is the provision directing the Veterans' Administration to promptly draft standards to govern development and operation of the National Cemetery System, including the concept of regional cemeteries. I am confident that such a study, if conscientiously pursued, would support my contention that a national cemetery is needed in New England as well as elsewhere.

In the past, I have sponsored legislation to establish such a regional cemetery in New England to serve six States. Arlington, Va., has been the closest cemetery with space available in the past, which has imposed a hardship on friends and relatives of deceased veterans wishing to visit their gravesites to pay their respects.

The provision of plot allowances for veterans not buried in national cemeteries also partly serves the same objective of conferring some benefit on deceased veterans and removing travel hardships otherwise imposed on survivors.

Such benefits, however, are no substitute for a national cemetery for those who have served their country. I therefore urge enactment of this bill and look forward to a recognition by the Veterans' Administration of the need for a regional cemetery in New England, for which a New Hampshire site hopefully would merit consideration as a central location, I have suggested Rindge, N.H., the home of the world-renowned Cathedral of the Pines, a memorial to all war dead, as an excellent location.

The SPEAKER. The question is on the motion offered by the gentleman from South Carolina (Mr. DORN) that the House suspend the rules and pass the bill H.R. 2828, as amended.

The question was taken.

Mr. HILLIS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 340, nays 1, not voting 92, as follows:

[Roll No. 126]

YEAS—340

Abdnor
Abzug
Addabbo
Alexander
Anderson, Calif.
Ashley
Bafalis
Andrews, N.C.
Andrews, N. Dak.
Annunzio
Arends
Armstrong
Ashbrook
Baker
Barrett
Beard

Bell
Bennett
Bergland
Biester
Bingham
Boggs
Boland
Bolling
Bowen
Brasco
Bray
Breaux
Breckinridge
Brinkley
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Burgener
Burke, Calif.
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton
Butler
Byron
Camp
Carey, N.Y.
Carney, Ohio
Casey, Tex.
Cederberg
Chamberlain
Chappell
Clark
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Cochran
Cohen
Collins
Conable
Conte
Conyers
Corman
Cotter
Coughlin
Crane
Cronin
Daniel, Dan
Daniel, Robert W., Jr.
Daniels, Dominick V.
Danielson
Davis, S.C.
Davis, Wis.
Delaney
Dellenback
Dellums
Denholm
Dennis
Dent
Derwinski
Devine
Dickinson
Donohue
Dorn
Downing
Drinan
Dulski
Duncan
du Pont
Eckhardt
Edwards, Ala.
Edwards, Calif.
Eilberg
Esch
Eshleman
Evans, Colo.
Fascell
Findley
Fish
Fisher
Flood
Flowers
Flynt
Foley
Ford, William D.
Frey
Froehlich
Fulton
Fuqua
Gaydos
Gettys
Giaimo
Gilman
Ginn
Gonzalez
Goodling
Grasso
Green, Pa.
Griffiths
Gross
Grover
Gubser
Gude
Gunter
Haley
Hamilton
Hammerschmidt
Hanley
Hanrahan
Hansen, Idaho
Hansen, Wash.
Harrington
Harsha
Harvey
Hastings
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Heinz
Henderson
Hicks
Hillis
Hinshaw
Hogan
Holifield
Holt
Holtzman
Horton
Hosmer
Howard
Huber
Hudnut
Hungate
Hunt
Hutchinson
Ichord
Jarman
Johnson, Colo.
Jones, N.C.
Jones, Okla.
Jordan
Kastenmeier
Kazen
Keating
Kemp
Ketchum
Koch
Kyros
Landgrebe
Landrum
Latta
Lehman
Lent
Litton
Long, La.
Lott
Lujan
McClory
McCloskey
McCollister
McDade
McEwen
McFall
Macdonald
Madden
Madigan
Mahon
Mailliard
Mallary
Mann
Martin, Nebr.
Martin, N.C.
Mathias, Calif.
Matsunaga
Mazzoli
Meeds
Metcalfe
Mezvinsky
Michel
Miller
Mills, Ark.
Mills, Md.
Minish
Mink
Minshall, Ohio
Mitchell, Md.
Mitchell, N.Y.
Mizell
Moakley
Mollohan
Montgomery
Moorhead, Calif.
Moorhead, Pa.
Morgan
Mosher
Moss
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Brien
O'Neill
Owens
Parris
Passman
Patten
Pepper
Perkins
Pettis
Peyser
Pickle
Pike
Poage
Podell
Powell, Ohio
Preyer
Price, Ill.
Pritchard
Quie
Quillen
Railsback
Rangel
Rarick
Rees
Regula
Riegle
Rinaldo
Roberts
Robinson, Va.
Robison, N.Y.
Rodino
Roe
Roncalio, Wyo.
Rooney, Pa.
Rose
Roush
Rousselot
Roybal
Runnels
Ruppe
Ruth
Ryan
St Germain
Sandman
Sarasin
Sarbanes
Saylor
Scherle
Schneebeli
Schroeder
Sebelius
Seiberling
Shipley
Shoup
Shuster
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Snyder
Spence
Stanton, J. William
Stanton, James V.
Steele
Steelman
Steiger, Ariz.
Stokes
Stratton
Stubblefield
Stuckey
Studds
Sullivan
Symms
Talcott
Taylor, N.C.
Teague, Calif.
Thomson, Wis.
Thone
Tiernan
Towell, Nev.
Treen
Udall
Ullman
Van Deerlin
Vanik
Veysey
Vigorito
Waggonner
Walsh
Wampler
Ware
Whalen
White
Whitehurst
Whitten
Williams
Wilson, Bob
Wilson, Charles H., Calif.
Wilson, Charles, Tex.
Winn
Wyatt
Wydler
Wylie
Wyman
Yates
Young, Alaska
Young, Fla.
Young, Ill.
Young, S.C.
Young, Tex.
Zablocki
Zion
Zwach

NAYS—1

Wiggins

NOT VOTING—92

Adams
Anderson, Ill.
Archer
Aspin
Badillo
Bevill
Biaggi
Blackburn
Blatnik
Brademas
Brown, Calif.
Buchanan
Carter
Chisholm
Clancy
Collier
Conlan
Culver
Davis, Ga.
de la Garza
Diggs
Dingell
Erlenborn
Evins, Tenn.
Ford, Gerald R.
Forsythe
Fountain
Fraser
Frelinghuysen
Frenzel
Gibbons
Goldwater
Gray
Green, Oreg.
Guyer
Hanna
Hawkins
Helstoski
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, Tenn.
Karth
King
Kluczynski
Kuykendall
Leggett
Long, Md.
McCormack
McKay
McKinney
McSpadden
Maraziti
Mathis, Ga.
Mayne
Melcher
Milford
Murphy, Ill.
Murphy, N.Y.
Obey
O'Hara
Patman
Price, Tex.
Randall
Reid
Reuss
Rhodes
Rogers
Roncallo, N.Y.
Rooney, N.Y.
Rosenthal
Rostenkowski
Roy
Satterfield
Shriver
Staggers
Stark
Steed
Steiger, Wis.
Stephens
Symington
Taylor, Mo.
Teague, Tex.
Thompson, N.J.
Thornton
Vander Jagt
Waldie
Widnall
Wolff
Wright
Yatron
Young, Ga.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill as amended was passed.

The Clerk announced the following pairs:

Mr. Thompson of New Jersey with Mr. Forsythe.
Mr. Rooney of New York with Mr. King.
Mr. Brademas with Mr. Aspin.
Mr. Teague of Texas with Mr. Gerald R. Ford.
Mr. Rostenkowski with Mr. Anderson of Illinois.
Mrs. Chisholm with Mr. de la Garza.
Mr. Blatnik with Mr. Rhodes.
Mr. Kluczynski with Mr. Collier.
Mr. Johnson of California with Mr. Badillo.
Mr. Randall with Mr. Archer.
Mr. Obey with Mr. Biaggi.
Mr. Murphy of Illinois with Mr. Roncallo of New York.
Mrs. Green of Oregon with Mr. Guyer.
Mr. Jones of Alabama with Mr. Carter.
Mr. Roy with Mr. Erlenborn.
Mr. Rosenthal with Mr. Diggs.
Mr. Reid with Mr. Maraziti.
Mr. Culver with Mr. Shriver.
Mr. Hawkins with Mr. McKay.
Mr. Stark with Mr. Fraser.
Mr. Wolff with Mr. McKinney.
Mr. Steed with Mr. Mayne.
Mr. Helstoski with Mr. Frelinghuysen.
Mr. Dingell with Mr. Clancy.
Mr. Hanna with Mr. Jones of Tennessee.
Mr. McCormack with Mr. Taylor of Missouri.
Mr. Young of Georgia with Mr. McSpadden.
Mr. Wright with Mr. Price of Texas.
Mr. Yatron with Mr. Johnson of Pennsylvania.
Mr. Long of Maryland with Mr. Leggett.
Mr. Fountain with Mr. Buchanan.
Mr. Gibbons with Mr. Vander Jagt.
Mr. Karth with Mr. Frenzel.
Mr. Satterfield with Mr. Melcher.
Mr. Stephens with Mr. Blackburn.
Mr. Waldie with Mr. Goldwater.
Mr. Bevill with Mr. Adams.
Mr. Davis of Georgia with Mr. Brown of California.
Mr. Mathis of Georgia with Mr. Milford.
Mr. Evins of Tennessee with Mr. O'Hara.
Mr. Reuss with Mr. Steiger of Wisconsin.
Mr. Symington with Mr. Conlan.
Mr. Gray with Mr. Murphy of New York.
Mr. Rogers with Mr. Staggers.
Mr. Thornton with Mr. Patman.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. DORN. Mr. Speaker, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of a similar Senate bill (S. 49) to amend title 38 of the United States Code in order to establish a national cemetery system within the Veterans' Administration, and for other purposes, and ask for immediate consideration of the Senate bill.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the Senate bill as follows:

S. 49

An act to amend title 38 of the United States Code in order to establish a National Cemetery System within the Veterans' Administration, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Cemeteries Act of 1973".

SEC. 2. (a) Part II of title 38, United States Code, is amended by adding at the end thereof the following new chapter:

"Chapter 24—NATIONAL CEMETERIES AND MEMORIALS

"Sec.
"1000. Establishment of National Cemetery System; composition of such system; appointment of director.
"1001. Advisory committee on cemeteries and memorials.
"1002. Persons eligible for interment in national cemeteries.
"1003. Memorial areas.
"1004. Administration.
"1005. Disposition of inactive cemeteries.
"1006. Acquisition of lands.
"1007. Authority to accept and maintain suitable memorials.

"§ 1000. Establishment of National Cemetery System; composition of such system; appointment of director

"(a) There shall be within the Veterans' Administration a National Cemetery System for the interment of deceased servicemen and veterans. To assist him in carrying out his responsibilities in adminstering the cemeteries within the System, the Administrator may appoint a Director, National Cemetery System, who shall perform such functions as may be assigned by the Administrator.

"(b) The National Cemetery System shall consist of—

"(1) national cemeteries transferred from the Department of the Army to the Veterans' Administration by the National Cemeteries Act of 1973;

"(2) cemeteries under the jurisdiction of the Veterans' Administration on the date of enactment of this chapter; and

"(3) any other cemetery, memorial, or monument transferred to the Veterans' Administration by the National Cemeteries Act of 1973, or later acquired or developed by the Administrator.

"§ 1001. Advisory Committee on Cemeteries and Memorials

"There shall be appointed by the Administrator an Advisory Committee on Cemeteries and Memorials. The Administrator shall advise and consult with the Committee from time to time with respect to the administration of the cemeteries for which he is responsible, and with respect to the selection of cemetery sites, the erection of appropriate memorials, and the adequacy of Federal burial benefits. The Committee shall make periodic reports and recommendations to the Administrator and to Congress.

"§ 1002. Persons eligible for interment in national cemeteries

"Under such regulations as the Administrator may prescribe and subject to the provisions of section 3505 of this title, the remains of the following persons may be buried in any open national cemetery in the National Cemetery System;

"(1) Any veteran (which for the purposes of this chapter includes a person who died in the active military, naval, or air service):

"(2) Any member of a Reserve component of the Armed Forces, and any member of the Army National Guard or the Air National Guard, whose death occurs under honorable conditions while he is hospitalized or undergoing treatment, at the expense of the United States, for injury or disease contracted or incurred under honorable conditions while he is performing active duty for training, inactive duty training, or undergoing that hospitalization or treatment at the expense of the United States.

"(3) Any member of the Reserve Officers' Training Corps of the Army, Navy, or Air Force whose death occurs under honorable conditions while he is—

"(A) attending an authorized training camp or on an authorized practice cruise;

"(B) performing authorized travel to or from that camp or cruise; or

"(C) hospitalized or undergoing treatment, at the expense of the United States, for injury or disease contracted or incurred under honorable conditions while he is—

"(i) attending that camp or on that cruise;

"(ii) performing that travel; or

"(iii) undergoing that hospitalization or treatment at the expense of the United States.

"(4) Any citizen of the United States who, during any war in which the United States is or has been engaged, served in the armed forces of any government allied with the United States during that war, and whose last such service terminated honorably.

"(5) The wife, husband, surviving spouse, minor child, and, in the discretion of the Administrator, unmarried adult child of any of the persons listed in paragraphs (1) through (4).

"(6) Such other persons or classes of persons as may be designated by the Administrator.

"§ 1003. Memorial areas

"(a) The Administrator shall set aside, when available, suitable areas in national cemeteries to honor the memory of members of the Armed Forces missing in action, or who died or were killed while serving in such forces and whose remains have not been identified, have been buried at sea or have been determined to be nonrecoverable.

"(b) Under regulations prescribed by the Administrator, appropriate memorials or markers shall be erected to honor the memory of those individuals, or group of individuals, referred to in subsection (a) of this section.

"§ 1004. Administration

"(a) The Administrator is authorized to make all rules and regulations which are necessary or appropriate to carry out the provisions of this chapter, and may designate those cemeteries which are considered to be national cemeteries.

"(b) In conjunction with the development and administration of cemeteries for which he is responsible, the Administrator shall provide all necessary facilities including, as necessary, superintendents' lodges, chapels, crypts, mausoleums, and columbaria.

"(c) Each grave in a national cemetery shall be marked with an appropriate marker. Such marker shall bear the name of the person buried, the number of the grave, and such other information as the Administrator shall by regulation prescribe.

"(d) There shall be kept in each national cemetery, and at the main office of the Veterans' Administration, a register of burials in each cemetery setting forth the name of each person buried in the cemetery, the number of the grave in which he is buried, and such other information as the Administrator by regulation may prescribe.

"(e) In carrying out his responsibilities under this chapter, the Administrator may contract with responsible persons, firms, or corporations for the care and maintenance of such cemeteries under his jurisdiction as he shall choose, under such terms and conditions as he may prescribe.

"(f) The Administrator is authorized to convey to any State, or political subdivision thereof, in which any national cemetery is located, all right, title, and interest of the United States in and to any Government owned or controlled approach road to such cemetery if, prior to the delivery of any instrument of conveyance, the State or political subdivision to which such conveyance is to be made notifies the Administrator in writing of its willingness to accept and maintain the road included in such conveyance. Upon the execution and delivery of such a conveyance, the jurisdiction of the United States over the road conveyed shall cease and thereafter vest in the State or political subdivision concerned.

"(g) Notwithstanding any other provision of law, the Administrator may at such time as he deems desirable, relinquish to the State in which any cemetery, monument, or memorial under his jurisdiction is located, such portion of legislative jurisdiction over the lands involved as is necessary to establish concurrent jurisdiction between the Federal Government and the State concerned. Such partial relinquishment of jurisdiction under the authority of this section may be made by filing with the Governor of the State involved a notice of such relinquishment and shall take effect upon acceptance thereof by the State in such manner as its laws may prescribe.

"§ 1005. Disposition of inactive cemeteries

"(a) The Administrator may transfer, with the consent of the agency concerned, any inactive cemetery, burial plot, memorial, or monument within his control to the Department of the Interior for maintenance as a national monument or park, or to any other agency of the Government. Any cemetery transferred to the Department of the Interior as a part of the National Park System, and funds appropriated to the Secretary for such system shall be available for the management and operation of such cemetery.

"(b) The Administrator may also transfer and convey all right, title, and interest of the United States in or to any inactive cemetery or burial plot, or portion thereof, to any State, county, municipality, or proper agency thereof, in which or in the vicinity of which such cemetery or burial plot is located, but in the event the grantee shall cease or fail to care for and maintain the cemetery or burial plot or the graves and monuments contained therein in a manner satisfactory to the Administrator, all such right, title, and interest transferred or conveyed by the United States, shall revert to the United States.

"(c) If a cemetery not within the National Cemetery System has been or is to be discontinued, the Administrator may provide for the removal of remains from that cemetery to any cemetery within such System. He may also provide for the removal of the remains of any veteran from a place of temporary interment, or from an abandoned grave or cemetery, to a national cemetery.

"§ 1006. Acquisition of lands

"As additional lands are needed for national cemeteries, they may be acquired by the Administrator by purchase, gift (including donations from States or political subdivisions thereof), condemnation, transfer from other Federal agencies, or otherwise, as he determines to be in the best interest of the United States.

"§ 1007. Authority to accept and maintain suitable memorials

"Subject to such restrictions as he may prescribe, the Administrator may accept gifts, devises, or bequests from legitimate societies and organizations or reputable individuals, made in any manner, which are made for the purpose of beautifying national cemeteries, or are determined to be beneficial to such cemetery. He may make land available for this purpose, and may furnish such care and maintenance as he deems necessary."

(b) The table of chapters of part II and the table of parts and chapters of title 38, United States Code, are each amended by inserting immediately below

"23. Burial benefits ------------------ 901"

the following:

"24. National cemeteries and memorials ------------------------ 1000".

(c) Section 5316 of title 5, United States Code, is amended by striking out:

"(131) General Council of the Equal Employment Opportunity Commission."

and inserting in lieu thereof the following:

"(132) General Counsel of the Equal Employment Opportunity Commission.

"(133) Director, National Cemetery System, Veterans' Administration."

SEC. 3. (a) The Administrator shall conduct a comprehensive study and submit his recommendations to Congress within six months after the convening of the first session of the Ninety-third Congress concerning:

(1) criteria which govern the development and operation of the National Cemetery System, including the concept of regional cemeteries;

(2) the relationship of the National Cemetery System to other burial benefits provided by Federal and State governments to servicemen and veterans;

(3) steps to be taken to conform the existing System to the recommended criteria;

(4) the private burial and funeral costs in the United States;

(5) current headstone and marker programs; and

(6) the marketing and sales practices of non-Federal cemeteries and interment facilities, or any person either acting on their behalf or selling or attempting to sell any rights, interest, or service therein, which is directed specifically toward veterans and their dependents.

(b) The Administrator shall also, in conjunction with the Secretary of Defense, conduct a comprehensive study of and submit their joint recommendations to Congress within six months after the convening of the first session of the Ninety-third Congress concerning:

(1) whether it would be advisable in carrying out the purposes of this Act to include the Arlington National Cemetery within the National Cemetery System established by this Act;

(2) the appropriateness of maintaining the present eligibility requirements for burial at Arlington National Cemetery; and

(3) the advisability of establishing another national cemetery in or near the District of Columbia.

SEC. 4. (a) Subchapter II of chapter 3 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 218. Standards of conduct and arrests for crimes at hospitals, domiciliaries, cemeteries, and other Veterans' Administration reservations

"(a) For the purpose of maintaining law and order and of protecting persons and property on lands (including cemeteries) and in buildings under the jurisdiction of the Veterans' Administration (and not under the control of the Administrator of General Services), the Administrator or any officer or employee of the Veterans' Administration duly authorized by him may—

"(1) make all needful rules and regulations for the governing of the property under his charge and control, and annex to such rules and regulations such reasonable penalties within the limits prescribed in subsection (b) of this section as will insure their enforcement. Such rules and regulations shall be posted in a conspicuous place on such property;

"(2) designate officers and employees of the Veterans' Administration to act as special policemen on such property and, if the Administrator deems it economical and in the public interest, with the concurrence of the head of the agency concerned, utilize the facilities and services of existing Federal law-enforcement agencies, and, with the consent of any State or local agency, utilize the facilities and services of such State or local law-enforcement agencies; and

"(3) empower officers or employees of the Veterans' Administration who have been duly authorized to perform investigative functions to act as special investigators and to carry firearms, whether on Federal property or in travel status. Such special investigators shall have, while on real property under the charge and control of the Veterans' Administration, the power to enforce Federal laws for the protection of persons and property and the power to enforce rules and regulations issued under subsection (a)(1) of this section. Any such special investigator may make an arrest without a warrant for any offense committed upon such property if he has reasonable ground to believe (A) the offense constitutes a felony under the laws of the United States, and (B) that the person to be arrested is guilty of that offense.

"(b) Whoever shall violate any rule or regulation issued pursuant to subsection (a)(1) of this section shall be fined not more than $50 or imprisoned not more than thirty days, or both."

(b) Section 625 of title 38, United States Code, is hereby repealed.

(c) (1) The table of sections at the beginning of chapter 3 of title 38, United States Code, is amended by inserting immediately after—

"217. Studies of rehabilitation of disabled persons."

the following:

"218. Standards of conduct and arrests for crimes at hospitals, domiciliaries, cemeteries, and other Veterans' Administration reservations.".

(2) The table of sections at the beginning of chapter 17 of title 38, United States Code, is amended by striking out—

"625. Arrests for crimes in hospital and domiciliary reservations.".

SEC. 5. (a) Chapter 23 of title 38, United States Code, is amended by—

(1) amending section 903 to read as follows:

"§ 903. Death in Veterans' Administration facility; plot allowance

"(a) Where death occurs in a Veterans' Administration facility to which the deceased was properly admitted for hospital or domiciliary care under section 610 or 611 of this title, the Administrator—

"(1) shall pay the actual cost (not to exceed $250) of the burial and funeral or, within such limits, may make contracts for such services without regard to the laws requiring advertisement for proposals for supplies and services for the Veterans' Administration; and

"(2) shall, when such a death occurs in a State, transport the body to the place of burial in the same or any other State.

"(b) In addition to the foregoing, if such a veteran, or a veteran eligible for a burial allowance under section 902 of this title, is not buried in a national cemetery or other cemetery under the jurisdiction of the United States, the Administrator, in his discretion, having due regard for the circumstances in each case, may pay a sum not exceeding $150, as a plot or interment allowance to such person as he prescribes. In any case where any part of the plot or interment expenses have been paid or assumed by a State, any agency or political subdivision of a State, or the employer of the deceased veteran, no claim for such allowance shall be allowed for more than the difference between the entire amount of the expenses incurred and the amount paid or assumed by any or all of the foregoing entities."; and

(2) adding at the end of such chapter the following new sections:

"§ 906. Headstones and markers

"(a) The Administrator shall furnish, when requested, appropriate Government headstones or markers at the expense of the United States for the unmarked graves of the following:

"(1) Any individual buried in a national cemetery or in a post cemetery.

"(2) Any individual eligible for burial in a national cemetery (but not buried there), except for those persons or classes of persons enumerated in section 1002(a) (4), (5), and (6) of this title.

"(3) Soldiers of the Union and Confederate Armies of the Civil War.

"(b) The Administrator shall furnish, when requested, an appropriate memorial headstone or marker to commemorate any veteran dying in the service, and whose remains have not been recovered or identified or were buried at sea, for placement by the applicant in a national cemetery area reserved for such purposes under the provisions of section 1003 of this title, or in any private or local cemetery.

"§ 907. Death from service-connected disability

"In any case in which a veteran dies as a result of a service-connected disability or disabilities, the Administrator, upon the request of the survivors of such veteran, shall pay the burial and funeral expenses incurred in connection with the death of the veteran in an amount not exceeding the amount authorized to be paid under section 8134(a) of title 5 in the case of a Federal employee whose death occurs as the result of an injury sustained in the performance of duty. Funeral and burial benefits provided under this section shall be in lieu of any benefits authorized under sections 902 and 903(a)(1) and (b) of this title."

(b) The table of sections at the beginning of chapter 23 of title 38, United States Code, is amended—

(1) by striking out

"903 Death in Veterans' Administration facility."

and inserting in lieu thereof

"903. Death in Veterans' Administration facility; plot allowance.";

and

(2) by adding at the end thereof the following items:

"906. Headstones and markers.

"907. Death from service-connected disability.".

SEC. 6. (a) (1) There are hereby transferred from the Secretary of the Army to the Administrator of Veterans' Affairs all jurisdiction over, and responsibility for, (A) all national cemeteries (except the cemetery at the United States Soldiers' and Airmen's Home and Arlington National Cemetery), and (B) any other cemetery (including burial plots), memorial, or monument under the jurisdiction of the Secretary of the Army immediately preceding the effective date of this section (except the cemetery located at the United States Military Academy at West Point) which the President determines would be appropriate in carrying out the purposes of this Act.

(2) There are hereby transferred from the Secretary of the Navy and the Secretary of the Air Force to the Administrator of Veterans' Affairs all jurisdiction over, and responsibility, for, any cemetery (including burial plots), memorial, or monument under the jurisdiction of either Secretary immediately preceding the effective date of this section (except those cemeteries located at the United States Naval Academy at Annapolis, the United States Naval Home Cemetery at Philadelphia, and the United States Air Force Academy at Colorado Springs) which the President determines would be appropriate in carrying out the purposes of this Act.

(b) So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available to, or under the jurisdiction of, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, in connection with functions transferred by this Act, as determined by the Director of the Office of Management and Budget, are transferred to the Administrator of Veterans' Affairs.

(c) All offenses committed and all penalties and forfeitures incurred under any of the provisions of law amended or repealed by this Act may be prosecuted and punished in the same manner and with the same effect as if such amendments or repeals had not been made.

(d) All rules, regulations, orders, permits, and other privileges issued or granted by the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force with respect to the cemeteries, memorials, and monuments transferred to the Veterans' Administration by this Act, unless contrary to the provisions of such Act, shall remain in full force and effect until modified, suspended, overruled, or otherwise changed by the Administrator of Veterans' Affairs, by any court of competent jurisdiction, or by operation of law.

"(e) No suit, action, or other proceeding commenced by or against any officer in his official capacity as an official of the Department of the Army, the Department of the Navy, or the Department of the Air Force with respect to functions transferred under subsection (a) or (c) of this section shall abate by reason of the enactment of this section. No cause of action by or against any such department with respect to functions transferred under such subsection (a) or by or against any officer thereof in his official capacity, shall abate by reason of the enactment of this section. Causes of actions, suits, or other proceedings may be asserted by or against the United States or such officer of the Veterans' Administration as may be appropriate and, in any litigation pending when this section takes effect, the court may at any time, upon its own motion or that of any party, enter an order which will give effect to the provisions of this subsection. If before the date this section takes effect, any such department, or officer thereof in his official capacity, is a party to a suit with respect to any function so transferred, such suit shall be continued by the Administrator of Veterans' Affairs.

SEC. 7. (a) The following provisions of law are repealed, except with respect to rights and duties that matured, penalties, liabilities, and forfeitures that were incurred, and proceedings that were begun, before the effective date of this section:

(1) Sections 4870, 4871, 4872, 4873, 4875, 4877, 4881, and 4882 of the Revised Statutes (24 U.S.C. 271, 272, 273, 274, 276, 279, 286, and 287).

(2) The Act entitled "An Act to provide for a national cemetery in every State", approved June 29, 1938 (24 U.S.C. 271a).

(3) The Act entitled "An Act to provide for selection of superintendents of national cemeteries from meritorious and trustworthy members of the Armed Forces who have been disabled in line of duty for active field service", approved March 24, 1948, as amended (24 U.S.C. 275).

(4) The proviso to the second paragraph preceding the center heading "MEDICAL DEPARTMENT" in the Act entitled "An Act making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and seventy-seven, and for other purposes", approved July 24, 1876, as amended (24 U.S.C. 278).

(5) The Act entitled "An Act to provide for the procurement and supply of Government headstones or markers for unmarked graves of members of the Armed Forces dying in the service on or after honorable discharge therefrom, and other persons, and for other purposes", approved July 1, 1948, as amended (24 U.S.C. 279a–279c).

(6) The Act entitled "An Act to establish eligibility for burial in national cemeteries, and for other purposes", approved May 14, 1948, as amended (24 U.S.C. 281).

(7) The Act entitled "An Act to provide for the erection of appropriate markers in national cemeteries to honor the memory of members of the Armed Forces missing in action", approved August 27, 1954, as amended (24 U.S.C. 279d).

(8) The Act entitled "An Act to provide for the utilization of surplus War Department owned military real property as national cemeteries, when feasible", approved August 4, 1947 (24 U.S.C. 281a–281c).

(9) The Act entitled "An Act to preserve historic graveyards in abandoned military posts", approved July 1, 1947 (24 U.S.C. 296).

(10) The Act entitled "An Act to provide for the utilization as a national cemetery of surplus Army Department owned military real property at Fort Logan, Colorado", approved March 10, 1950 (24 U.S.C. 281d–f).

(11) The Act entitled "An Act to provide for the expansion and disposition of certain national cemeteries", approved August 10, 1950 (24 U.S.C. 281g).

(12) The ninth paragraph following the side heading "National Cemeteries" in the Act entitled "An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and thirteen, and for other purposes", approved August 24, 1912 (24 U.S.C. 282).

(13) The fourth paragraph after the center heading "NATIONAL CEMETERIES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1926, and for other purposes", approved February 12, 1925 (24 U.S.C. 288).

(14) The second paragraph following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1942, for civil functions administered by the War Department, and for other purposes", approved May 23, 1941 (24 U.S.C. 289).

(15) The first proviso to the second paragraph and all of the third paragraph following the center heading "NATIONAL CEMETERIES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1927, and for other purposes", approved April 15, 1926 (44 Stat. 287).

(16) The first proviso to the second paragraph and all of the third paragraph following the center heading "NATIONAL CEMETERIES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1928, and for other purposes", approved February 23, 1927 (44 Stat. 1138).

(17) The first proviso of the fourth paragraph and all of the fifth paragraph following the center heading "NATIONAL CEMETERIES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1929, and for other purposes", approved March 23, 1928 (45 Stat. 354).

(18) The first proviso of the second paragraph and all of the third paragraph following the center heading "NATIONAL CEMETERIES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1930, and for other purposes", approved February 28, 1929 (45 Stat. 1375).

(19) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal years ending June 30, 1931, and for other purposes", approved May 28, 1930 (46 Stat. 458).

(20) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1932, and for other purposes", approved February 23, 1931 (46 Stat. 1302).

(21) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1933, and for other purposes", approved July 14, 1932 (47 Stat. 689).

(22) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1934, and for other purposes", approved March 4, 1933 (47 Stat. 1595).

(23) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1935, and for other purposes", approved April 26, 1934 (48 Stat. 639).

(24) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1936, and for other purposes", approved April 9, 1935 (49 Stat. 145).

(25) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1937, and for other purposes", approved May 15, 1936 (49 Stat. 1305).

(26) The first proviso to the paragraph following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1938, for civil functions administered by the War Department, and for other purposes", approved July 19, 1937 (50 Stat. 515).

(27) The first proviso to the first paragraph and all of the second paragraph following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1939, for civil functions administered by the War Department and for other purposes", approved June 11, 1938 (52 Stat. 668).

(28) The first proviso to the first paragraph and all of the second paragraph following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1940, for civil functions administered by the War Department, and for other purposes", approved June 28, 1939 (53 Stat. 857).

(29) The first proviso to the first paragraph and all of the second paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1941, for civil functions administered by the War Department, and for other purposes", approved June 24, 1940 (54 Stat. 505).

(30) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1942, for civil functions administered by the War Department, and for other purposes" approved May 23, 1941 (55 Stat. 191).

(31) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1943, for civil functions administered by the War Department, and for other purposes", approved April 28, 1942 (56 Stat. 220).

(32) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1944, for civil functions administered by the War Department, and for other purposes", approved June 2, 1943 (57 Stat. 94).

(33) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1945, for civil functions administered by the War Department, and for other purposes", approved June 26, 1944 (58 Stat. 327–328).

(34) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1946, for civil functions administered by the War Department, and for other purposes", approved March 31, 1945 (59 Stat. 39).

(35) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the fiscal year ending June 30, 1947, for civil functions administered by the War Department, and for other purposes", approved May 2, 1946 (60 Stat. 161).

(36) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the War Department for the fiscal year ending June 30, 1948, and for other purposes", approved July 31, 1947 (61 Stat. 687).

(37) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil

functions administered by the Department of the Army for the fiscal year ending June 30, 1949, and for other purposes", approved June 25, 1948 (62 Stat. 1019).

(38) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1950, and for other purposes", approved October 13, 1949 (63 Stat. 846).

(39) The first proviso to the paragraph following the center heading "CEMETERIAL EXPENSES" in chapter IX of the Act entitled "An Act making appropriations for the support of the Government for the fiscal year ending June 30, 1951, and for other purposes", approved September 6, 1950 (64 Stat. 725).

(40) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1952, and for other purposes", approved October 24, 1951 (65 Stat. 617).

(41) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1953, and for other purposes", approved July 11, 1952 (66 Stat. 579).

(42) The first proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1954, and for other purposes", approved July 27, 1953 (24 U.S.C. 290).

(43) The first proviso to the third paragraph following the center heading "NATIONAL CEMETERIES" in title II of the Act entitled "An Act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1926, and for other purposes", approved February 12, 1925 (43 Stat. 926).

(44) The first and second provisos to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1955, and for other purposes", approved June 30, 1954 (68 Stat. 331).

(45) The first and second provisos to the paragraph immediately following the center hearing "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for the Atomic Energy Commission, the Tennessee Valley Authority, certain agencies of the Department of the Interior, and civil functions administered by the Department of the Army, for the fiscal year ending June 30, 1956, and for other purposes", approved July 15, 1955 (69 Stat. 360).

(46) The first and second provisos to the paragraph immediately following the center heading "CEMETERIAL EXPENSES", in the Act entitled "An Act making appropriations for the Tennessee Valley Authority, certain agencies of the Department of the Interior, and civil functions administered by the Department of the Army, for the fiscal year ending June 30, 1957, and for other purpose", approved July 2, 1956 (70 Stat. 474).

(47) The third proviso to the pargraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior, for the fiscal year ending June 30, 1958, and for other purposes", approved August 26, 1957 (71 Stat. 416).

(48) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1959, and for other purposes", approved September 2, 1958 (72 Stat. 1572).

(49) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes", approved September 10, 1959 (73 Stat. 492).

(50) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for certain civil functions administered by the Department of Defense, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority and certain river basin commissions for the fiscal year ending June 30, 1963, and for other purposes", approved October 24, 1962 (76 Stat. 1216).

(51) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for certain civil functions administered by the Department of Defense, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority and certain river basin commissions for the fiscal year ending June 30, 1964, and for other purposes", approved December 31, 1963 (77 Stat. 844).

(52) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority and the Delaware River Basin Commission, for the fiscal year ending June 30, 1965, and for other purposes", approved August 30, 1964 (78 Stat. 682).

(53) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority and the Delaware River Basin Commission, and the Interoceanic Canal Commission, for the fiscal year ending June 30, 1966, and for other purposes", approved October 28, 1965 (79 Stat. 1096).

(54) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1967, and for other purposes", approved October 15, 1966 (80 Stat. 1002).

(55) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, Interstate Commission on the Potomac River Basin, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1968, and for other purposes", approved November 20, 1967 (81 Stat. 471).

(56) The third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of Interior, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, Interstate Commission on the Potomac River Basin, the Tennessee Valley Authority, the Water Resources Council, and the Atomic Energy Commission, for the fiscal year ending June 3, 1969, and for other purposes", approved August 12, 1968 (82 Stat. 705).

(57) the third proviso to the paragraph immediately following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for public works for water, pollution control, and power development, including the Corps of Engineers—Civil, the Panama Canal, the Federal Water Pollution Control Administration, the Bureau of Reclamation power agencies of the Department of the Interior, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1970, and for other purposes", approved December 11, 1969 (83 Stat. 327).

(58) The first proviso to the paragraph following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for public works for water, pollution control, and power development, including the Corps of Engineers—Civil, the Panama Canal, the Federal Water Quality Administration, the Bureau of Reclamation, power agencies in the Department of the Interior, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1971, and for other purposes", approved October 7, 1970 (84 Stat. 893).

(59) The first proviso to the paragraph following the center heading "CEMETERIAL EXPENSES" in the Act entitled "An Act making appropriations for public works for water and power development, including the Corps of Engineers—Civil, the Bureau of Reclamation, the Bonneville Power Administration and other power agencies of the Department of the Interior, the Appalachian Regional Commission, the Federal Power Commission, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1972, and for other purposes", approved October 5, 1971 (85 Stat. 368).

(60) The Act entitled "An Act to revise eligibility requirements for burial in national cemeteries, and for other purposes", approved September 14, 1959 (73 Stat. 547).

(61) The Act entitled "An Act to amend the Act of March 24, 1948, which establishes special requirements governing the selection of superintendents of national cemeteries", approved August 30, 1961 (75 Stat. 411).

(b) Nothing in this section shall be deemed to affect in any manner the functions, powers, and duties of—

(1) the Secretary of the Interior with re-

spect to those cemeteries, memorials, or monuments under his jurisdiction on the effective date of this section, or

(2) the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force with respect to those cemeteries, memorials, or monuments under his jurisdiction to which the transfer provisions of section 6(a) of this Act do not apply.

SEC. 8. The first sentence of section 3505 (a) of title 38, United States Code, is amended by inserting immediately after the words "gratuitous benefits" where first appearing therein, the following: "(including the right to burial in a national cemetery)".

SEC. 9. (a) The Secretary of Defense is authorized and directed to cause to be brought to the United States the remains of an American, who was a member of the Armed Forces of the United States, who served in Southeast Asia, who lost his life during the Vietnam era, and whose identity has not been established, for burial in the Memorial Amphitheater of the National Cemetery at Arlington, Virginia.

(b) The implementation of this section shall take place after the United States has concluded its participation in hostilities in Southeast Asia, as determined by the President or the Congress of the United States.

(c) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.

SEC. 10. (a) The first section and sections 2, 3, 4, and 8 of this Act shall take effect on the date of enactment of this Act.

(b) Clause (1) of section 5(a) shall take effect on the first day of the second calendar month following the date of enactment of this Act.

(c) Clause (2) of section 5(a) and sections 6 and 7 of this Act shall take effect July 1, 1973, or on such earlier date as the President may prescribe and publish in the Federal Register.

AMENDMENT OFFERED BY MR. DORN

Mr. DORN. Mr. Speaker, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. DORN: strike out all after the enacting clause of S. 49 and insert in lieu thereof the provisions of H.R. 2828, as passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 2828) was laid on the table.

POSTAL SERVICE PAYMENTS TO RETIREMENT FUND

Mr. BRASCO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 29) to provide for payments by the Postal Service to the Civil Service Retirement Fund for increases in the unfunded liability of the fund due to increases in benefits for Postal employees, and for other purposes, as amended.

The Clerk read as follows:

H.R. 29

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8348(f) of title 5, United States Code, is amended by striking out "fiscal year" and inserting in lieu thereof "first fiscal year after the fiscal year".

SEC. 2. Section 8348 of title 5, United States Code, is further amended by adding at the end thereof the following new subsection:

"(h)(1) Notwithstanding any other provision of law, the United States Postal Service shall be liable for that portion of any estimated increase in the unfunded liability of the Fund which is attributable to any benefits payable from the Fund to active and retired Postal Service officers and employees, and to their survivors, when such increase results from an employee-management agreement under title 39, or any administrative action by the Postal Service taken pursuant to law, which authorizes—

"(A) new or liberalized benefits payable from the Fund, including annuity increases other than increases under section 8340 of this title;

"(B) extension of the coverage of subchapter III of this chapter; or

"(C) increases in pay on which benefits are computed.

"(2) The estimated increase in the unfunded liability, referred to in paragraph (1) of this subsection, shall be determined by the Civil Service Commission. The United States Postal Service shall pay the amount so determined to the Commission in thirty equal annual installments with interest computed at the rate used in the most recent valuation of the Civil Service Retirement Sytem, with the first payment thereof due at the end of the first fiscal year after the fiscal year in which an increase in pay or a new or liberalized benefit becomes effective.".

SEC. 3. (a) The last sentence of section 1005(d) of title 39, United States Code, as in effect immediately before the date of enactment of this Act, is repealed.

(b) Section 1005(d) of title 39, United States Code, is amended by adding at the end thereof the following new sentence: "The Postal Service shall pay into the Civil Service Retirement and Disability Fund the amounts determined by the Civil Service Commission under section 8348(h)(2) of title 5.".

The SPEAKER pro tempore (Mr. O'NEILL). Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. BRASCO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I take this time, as the ranking majority member of the Subcommittee on Retirement and Employee Benefits, to briefly explain the purpose of the legislation under consideration, and to urge its unanimous adoption and early enactment.

H.R. 29 is based, in part, upon an administration recommendation and is similar to a proposal approved by the House in the 92d Congress, but which failed of favorable consideration by the Senate. By letter dated March 28, 1973, addressed to the Speaker, the Chairman of the United States Civil Service Commission submitted for the consideration of the Congress, and recommended favorable and expeditious action on similar legislation.

This bill will reaffirm and strengthen the policy laid down by the 91st Congress with respect to the financial stability of the Civil Service Retirement and Disability Fund.

By enacting Public Law 91–93, the Daniels Act of 1969, the Congress prescribed the policy, among others, that the costs of future unfunded liabilities in the fund which result from increases in salaries upon which annuity benefits are computed shall be fully financed. Thus, when enacting pay increase legislation, Congress recognizes and identifies the resultant costs which accrue to the retirement system and, by amortization, assumes the responsibility of paying for them in equal annual appropriation installments over 30-year periods.

Adherence to that policy, where the Congress controls the pay-fixing machinery—which is the case with respect to nonpostal Federal employees—precludes further increases in deficiences which existed prior to the enactment of the retirement financing provisions of Public Law 91–93.

It may be well to note that the Appropriations Committees have adhered to such policy, except with respect to actions taken by the Postal Service in the past several years. By enactment of the Postal Reorganization Act the pay-fixing authority for postal employees was transferred to the new Postal Service, with the Congress no longer having any control over or responsibility for costs resulting from the negotiated agreements or administrative actions of that independent Agency.

Although the Postal Reorganization Act provided for the continued participation of postal employees in the civil service retirement system, its enabling provisions were somewhat deficient in failing to specifically require the Postal Service to be liable for funding of the retirement costs associated with its independent pay-fixing authority.

The Postal Reform Act was premised upon the Postal Service becoming a self-sufficient entity, with Congress divesting itself of a role in fixing the pay of postal employees. Concurrently, the Congress divested itself, at least by implication, of any responsibility for financing the retirement costs which have already resulted, and which will ultimately result, from those negotiated wage agreements and administrative salary increases.

Over the past 2 years several salary increases have been granted by the Postal Service to its employees which have created an unfunded liability in the retirement fund of approximately $1.7 billion. While this legislation will not require the Postal Service to assume the responsibility for amortizing that already-created deficiency, it is the Commission's hope that congressional appropriations will be approved to cover those items.

The bill will, however, require the Postal Service to pay into the retirement fund, in a manner similar to that by which the Congress fulfills its obligations, moneys to amortize any unfunded liabilities which are attributable to future postal salary adjustments. Accordingly, the Postal Service would be liable only for newly created unfunded liabilities which result from pay increases it grants after the effective date of this legislation.

Mr. Speaker, H.R. 29 is designed to remedy deficiencies in both the civil service retirement law and the Postal Reform Act, and reaffirms the policy, as subscribed to under Public Law 91–93, that retirement costs resulting from salary increases be recognized and paid for by the party responsible for their creation. The future costs so incurred will, and properly so, be borne by the U.S. Postal Service.

The bill was overwhelmingly approved by the Committee on Post Office and Civil Service, Mr. Speaker, and I urge its unanimous adoption by the House.

Mr. GROSS. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. DERWINSKI).

Mr. DERWINSKI. Mr. Speaker, I favor the enactment of H.R. 29 for it quite properly protects the integrity of the Civil Service Retirement Fund and places with the U.S. Postal Service the responsibility for financing liabilities to this fund which it causes through administrative action.

I think it is important also to call attention to some of the implications of this bill so that we understand its impact and so that we can act consistently when other postal legislation is brought to the floor in the future.

What we are doing with this legislation is assigning certain financial responsibilities to the Postal Service and eliminating what is accurately described as backdoor subsidy to postal operations. As the General Counsel of the Postal Service, Mr. Louis Cox, states in his letter to the chairman of the Committee on Post Office and Civil Service:

> Enactment of this proposed legislation will involve enormous costs that will have to be passed on in the future to postal ratepayers. . . . This legislation has been proposed on the ground that the Postal Service should operate on a financially self-sufficient basis, meeting its operating costs out of its revenues and not out of hidden subsidies. After careful consideration—and in full awareness of the financial burdens enactment of this bill will impose—the Postal Service has concluded that it is proper, as a matter of principle, for these costs to be imposed on postal ratepayers rather than the taxpayers.

I fully agree with Mr. Cox in his assessment of this legislation. I hope that when we deal later in this Congress with postal legislation, and I particularly have in mind certain proposed subsidies for special interest mailers, we will keep in mind the strict principle of self-sufficiency on the part of the Postal Service which we lay down in this legislation.

I hope also that we understand the principle of Postal Service independence which this legislation fortifies and that we will continue to observe that principle when legislation is proposed to reimpose congressional interference with postal operations.

As one who worked for the type of postal reform which would create a financially and politically independent Postal Service, I can support this legislation. I commend the managers of the Postal Service for properly facing up to and accepting the financial responsibility this bill imposes. However, I urge my colleagues to bear in mind the ramifications of this bill so that they will not be tempted later in this Congress to reinject a new type of congressional management of postal affairs or to reinstall subsidies under a different guise.

Mr. BRASCO. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from New York, the chairman of the Post Office and Civil Service Committee (Mr. DULSKI).

Mr. DULSKI. Mr. Speaker, I rise in support of H.R. 29.

The primary purpose of this legislation is to require the Postal Service to finance any increase in the unfunded liability of the civil service retirement fund which is attributable to a Postal Service employee-management agreement or an administrative action which authorizes pay increases or new retirement benefits for postal employees.

I cosponsored this legislation on the basis that it is consistent with the congressional policy established under the Postal Reorganization Act of 1970. That policy is that all costs of postal operations are to be an obligation of the Postal Service to be covered by postal rates and fees or appropriations made specifically to the Postal Service.

While the Postal Reorganization Act provides for the continued participation of postal employees in the civil service retirement system, the act contains no provision requiring the Postal Service to be responsible for financing any increases in the unfunded liability of the retirement fund which arise from liberalized benefits, such as pay increases granted by the Postal Service to postal employees.

This legislation will correct that omission in the Postal Reorganization Act.

I wish to emphasize that under the provisions of H.R. 29 the Postal Service will be responsible only for financing the retirement costs that result from an employee-management agreement or other administrative action. The Postal Service will not be required to finance retirement costs which result from new or liberalized retirement benefits provided directly by statute and applicable generally to all persons covered by the civil service retirement system.

Also it is important to note that the provisions of H.R. 29 would operate prospectively only and, therefore, would not require the Postal Service to finance increases in the unfunded liability of the retirement fund which were caused by pay increases granted to postal employees prior to the date of enactment of this legislation.

In connection with the latter point, the Postal Service has advised our committee that on the basis that the legislation will not have retroactive effect, they have no objection to the enactment of H.R. 29. A copy of the letter from Mr. Louis A. Cox, General Counsel of the Postal Service, is attached to my statement.

Also, by letter dated March 28, 1973, the Chairman of the Civil Service Commission submitted an official recommendation for legislation containing provisions substantially similar to the provisions of H.R. 29. A copy of that letter also is attached to my statement.

Mr. Speaker, I urge the passage of this legislation.

U.S. POSTAL SERVICE,
Washington D.C., March 27, 1973.

Hon. THADDEUS J. DULSKI,
Chairman, Committee on Post Office and Civil Service, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for a report on H.R. 29, "To provide for payments by the Postal Service to the Civil Service Retirement Fund for increases in the unfunded liability of the Fund due to increases in benefits for Postal Service employees, and for other purposes."

Enactment of this proposed legislation will involve enormous costs that will have to be passed on in the future to postal ratepayers. According to the current estimates provided by the Civil Service Commission, each one percent of a pay increase causes an unfunded liability in the Civil Service Retirement and Disability Fund of approximately $8 million each year for 30 years. Thus, for example, if postal employees receive a 5% pay increase the bill would require the Postal Service to pay $40 million each year for the next 30 years. In addition, a similar liability would accrue with each subsequent pay increase leading to a cumulative annual liability of a tremendous magnitude. At time when certain mailers are calling for greatly increased postal subsidies, and when others are advocating that the Postal Service expand certain services notwithstanding costs, the enactment of H.R. 29 will create financial pressures making it more difficult for the Postal Service to improve service without large rate increases.

This legislation has been proposed on the ground that the Postal Service should operate on a financially self-sufficient basis meeting its operating costs out of its revenues and not out of hidden subsidies. After careful consideration—and in full awareness of the financial burdens enactment of the bill will impose—the Postal Service has concluded that it is proper, as a matter of principle, for these costs to be imposed on postal ratepayers rather than the taxpayers.

Properly understood, the principle of postal self-sufficiency calls for those who use postal services to bear the costs of those services. The principle does *not*, however, call for present postal customers to bear the burden of costs that are not reasonably related to the performance of present services. Payments for increases in unfunded liability resulting from the pay increases of past years are properly attributed to past postal operations. Thus the principle of postal self-sufficiency would not justify imposing on present or future postal customers the financial burden of unfunded retirement liabilities attributable to pay increases granted during Fiscal Years 1972 and 1973.

It is clear that requiring the Postal Service to reimburse the Civil Service Retirement and Disability Fund for increases in unfunded liability constitutes a change in the existing law governing responsibility for such increases. The Comptroller General held, in a letter to Congressman Steed dated June 20, 1972, that unfunded liabilities resulting from postal pay increases are properly financed from the general fund of the Treasury as authorized by 5 U.S.C. § 8348(f). If a change in law is to be made, it would be inequitable for it to impose burdens on postal ratepayers retrospectively.

In our view, H.R. 29 as introduced would not have retrospective effect. As we understand it, the bill speaks only prospectively, directing that the Postal Service—

> . . . shall be liable for that portion of any estimated increase in the unfunded liability . . . which is attributable to any benefits . . . to active and retired Postal Service officers and employees, and to their survivors, when such increase results from an employee-management agreement under title 39, or any administrative action by the Postal Service taken pursuant to law, which authorizes . . . increases in pay on which benefits are computed. (H.R. 29, § 1).

This reading of H.R. 29 is in keeping with the principle of statutory construction that—

> . . . in the absence of a constitutional or a general statutory provision, or a provision in the statute itself relating to the effective date, the statute will take effect from the day of its passage or enactment; that is, from the date the last act necessary to complete the legislative process is performed. (Craw-

ford, The Construction of Statutes, § 106, p. 152).

Only on the basis of such an understanding can we say we would have no objection to the enactment of this bill.

In his letter of January 26, 1973, to the Postmaster General explaining decisions made with regard to the postal budget, the Director of the Office of Management and Budget stated that his recommendation that the Postal Service pay the unfunded liability in the Civil Service Retirement Fund would "facilitate further the transition of the Postal Service to independent status." While enactment of H.R. 29 would be consistent with the statutory independence of the Postal Service under the Postal Reorganization Act, the very substantial additional financial responsibilities it would create underscore the need for effective and vigilant postal management. We therefore believe it would be appropriate for Congress, in enacting this bill, to correct the two principal defects in the Postal Reorganization Act that stand in the way of effective use of the Service's independent operating power—namely, the provisions in section 1003(a) of title 39 limiting postal salaries to Level I of the Executive Pay Schedule and in section 409(d) of title 39 preventing the Postal Service from conducting its own litigation in court without the consent of the Attorney General. We therefore recommend that amendments eliminating these restrictions be added to H.R. 29.

Finally, in order to make the wording of the bill technically correct, it is recommended that section 1 of H.R. 29 be amended to delete subparagraphs (A) and (B) of proposed section 8348(h)(1). The Postal Reorganization Act does not authorize the Postal Service, either through collective bargaining or by administrative action, to grant new or liberalized benefits payable from the Civil Service Retirement and Disability Fund, or to extend the coverage of the Civil Service retirement laws. Accordingly, subparagraphs (A) and (B) imply a non-existent power and should be deleted. Upon deletion of these subparagraphs the dash following the word "authorizes" in line 5, page 2, should be deleted, as well as the "(C)" in subparagraph (C).

Sincerely,

LOUIS A. COX,
General Counsel.

U.S. CIVIL SERVICE COMMISSION,
Washington, D.C., March 28, 1973.

Hon. CARL ALBERT,
Speaker of the House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: The Commission submits for the consideration of the Congress, and recommends prompt favorable action on, the attached legislative proposal which will provide for payments by the United States Postal Service to the Civil Service Retirement and Disability Fund for increases in the unfunded liability of the Fund due to increases in benefits for Postal Service employees.

Public Law 91-93, approved October 20, 1969, was landmark legislation in that it established sound financing of the Civil Service Retirement System. It did so by amending 5 U.S.C. 8334(a) and 8348 to provide for:

(1) increased employee deductions and agency contributions at rates which approximately covered "normal cost";

(2) appropriations from the Treasury of the United States to the Civil Service Retirement and Disability Fund to amortize in 30 equal annual installments increases in the Fund's unfunded liability caused by any new laws which authorize;

(a) new or liberalized retirement benefits, including annuity increases other than cost-of-living increases under 5 U.S.C. 8340,

(b) extension of retirement coverage to new groups of employees, or

(c) increases in pay on which retirement benefits are computed; and

(3) transfer at the end of each fiscal year to the Civil Service Retirement and Disability Fund, as a Government contribution, out of any money in the Treasury of the United States not otherwise appropriated, amounts equivalent to:

(a) Interests on unfunded liability attributable to prior laws, and

(b) benefits based on military service.

In order to soften the budgetary impact of the transfer of funds described in item three (3) above, the following percentages of such amounts were required to be transferred each fiscal year: 10 percent for 1971; 20 percent for 1972; 30 percent for 1973; 40 percent for 1974; and continuing to increase by 10 percent each year until 100 percent of such amounts must be transferred for fiscal year 1980 and for each fiscal year thereafter.

Public Law 91-375, approved August 12, 1970, known as the Postal Reorganization Act, revised and reenacted title 39 of the United States Code to provide for the establishment of the independent United States Postal Service. A basic concept of the Postal Reorganization Act was that the United States Postal Service was to eventually become self-supporting. However, following its enactment, a question was raised as to whether the Postal Service or the Treasury of the United States was to bear the cost of increases in the unfunded liability of the Civil Service Retirement and Disability Fund created as a result of negotiated agreements between the Postal Service and the Postal Unions for increased pay and retirement benefits. The purpose of the attached legislative proposal is to resolve this question in a manner which is consistent with both the self-supporting concept on which the United States Postal Service was established and the sound financing concept on which the Civil Service Retirement System is currently based.

This proposed draft legislation would require the independent United States Postal Service to make payments for that portion of a future increase in the unfunded liability of the Civil Service Retirement and Disability Fund attributable to it which results from an employee-management agreement under title 39, United States Code, or any administrative action taken pursuant to law, which authorizes: (1) new or liberalized benefits payable from the retirement fund (other than cost-of-living annuity increases), (2) extension of the coverage of the retirement law, or (3) increases in pay on which benefits are computed. These payments, in amounts determined by the Civil Service Commission, would be made in 30 equal annual installments, with the first payment due at the end of the fiscal year after the one in which an increase in retirement or pay benefits is effective. In short, amortization of the increase in the unfunded liability of the Civil Service Retirement and Disability Fund would continue as now, except that the portion attributable to an increase in retirement or pay benefits in the United States Postal Service would be paid by the Postal Service, rather than through direct appropriations.

Until the future benefits described in the draft bill are set by employee-management agreement or by administrative action taken pursuant to law, their cost, of course, cannot be determined. However, certain pay increases have already been agreed to by the United States Postal Service and its employees. As a result of these pay increases, the unfunded liability of the Civil Service Retirement and Disability Fund was increased by $1.017 million as of June 30, 1972, and will be increased by an additional $677.8 million as of June 30, 1973. The liability of $1.017 million would normally be financed under present law in 30 equal annual appropriations of $62.991 million, with the first installment being due June 30, 1972; the liability of $677.8 million would normally be financed in 30 equal annual appropriations of $41.994 million, with the first installment being due June 30, 1973. The 92nd Congress, however, deleted these appropriations from the Commission's appropriations for fiscal years 1972 and 1973, pending action on a bill identical to the current proposal in the 92nd Congress—H.R. 10484, which failed of enactment. The 1974 Budget proposes that the appropriation to the Civil Service Retirement and Disability Fund for FY 1974 include these FY 1972 and FY 1973 installment payments to be made available to the Fund from the Postal Service Fund. The aggregate amount for this FY 1974 payment from the Postal Service, including interest for delayed payment, is $284,667,000. The Commission strongly supports this appropriation request as wholly consistent with the purposes of the proposed clarifying draft legislation.

If this proposal is enacted in fiscal year 1973, but made effective on May 1, 1971, the United States Postal Service would be required to finance the $1,017 million liability in 30 equal annual payments of $66.141 million each, with the first installment being due June 30, 1973; the $677.8 million liability would be financed in 30 equal annual payments of $44.092 million each, with the first installment being due June 30, 1974. The annual installments required to amortize the increase in unfunded liability under the proposed legislation are slightly larger than under present law because the first installment is due not at the end of the fiscal year in which the increase in unfunded liability occurred, but at the end of the first fiscal year after the fiscal year in which the increase occurred.

The Office of Management and Budget advises that there would be no objection from the standpoint of the Administration's program to the submission of this proposal, as enactment of the proposed bill would be in accord with the program of the President.

By direction of the Commission:

Sincerely yours,

ROBERT HAMPTON,
Chairman.

Mr. GROSS. Mr. Speaker, I yield 5 minutes to the gentleman from Maryland (Mr. HOGAN).

Mr. HOGAN. Mr. Speaker, I rise in support of H.R. 29, a bill to require the U.S. Postal Service to make payments to the civil service retirement fund for increases in the unfunded liability of the fund due to increases in benefits for Postal Service employees.

This legislation is necessary to conform to the objectives of the Congress in enacting in 1969 Public Law 91-93, a bill to put the civil service retirement system on a sound financial basis, and Public Law 91-375, the Postal Reorganization Act.

In 1969, the Post Office and Civil Service Committee determined that, unless legislative action was taken to improve the financing of the civil service retirement system, it would eventually become totally unfunded. As a result, legislation was enacted as Public Law 91-93. This law provided, in part, that the cost of future incremental unfunded liabilities resulting from benefit liberalizations and general salary increases, extension of coverage to new groups of employees, and newly authorized annuity increases, are to be fully financed by the Government through direct appropriations to the fund, in equal annual installments, over 30-year periods. The Government assumed full responsibility for additional deficiencies thus created and, by amortization, precludes further increases in the existing unfunded liability.

At the time this law was passed, postal employees were employees of the Post Office Department, a department of the executive branch. Now, with the passage of Public Law 91–375, the Postal Reorganization Act, certain changes were effected. The Post Office Department was abolished as a Cabinet-level department and in its stead was established as the U.S. Postal Service, an independent executive agency. This new Agency was given the authority and responsibility to conduct the affairs of the postal establishment on a businesslike basis. This included the authority to hire, fire, and compensate employees. Postal employees remained under the civil service retirement system. The Congress thereby removed itself from the operation of the postal establishment and entrusted it to the managers of the new U.S. Postal Service. In doing so, the Congress, I believe, not only extended authority to the managers of the Postal Service to manage, but to accept all accompanying responsibilities.

One of these responsibilities is to require the Postal Service to make payments for that portion of increases in the unfunded liability of the civil service retirement fund which arises under employee-management agreements or administrative action of the Postal Service.

The Postal Reorganization Act does not provide for the Postal Service to make payment to the civil service retirement fund when increased benefits for postal employees granted by the Postal Service result in an increase in the unfunded liability of the retirement fund. I believe this was not intended by the committee or the Congress, but was rather an oversight.

Mr. Speaker, the Committee on Post Office and Civil Service, the U.S. Postal Service, and the Office of Management and Budget all agree in principle that the responsibility for any increase in the unfunded liability created by the Postal Service lies with the Postal Service, not with the Federal Government. The Office of Management and Budget prefers the effective date be retroactive to July 20, 1971, while H.R. 29 makes it effective upon the date of enactment. In any case, the bill is necessary if we are to uphold the integrity of the civil service retirement fund and insist that the new U.S. Postal Service perform as an independent executive agency.

Mr. GROSS. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. Rousselot).

Mr. ROUSSELOT. Mr. Speaker, the bill before the House, H.R. 29, is a sound proposal to correct an obvious oversight in the Postal Reorganization Act of 1970.

The oversight I refer to is that in enacting the Postal Reorganization Act no provision was made for the Postal Service to make payments to the retirement fund when increased benefits for postal employees were granted by the Postal Service and resulted in increases in the unfunded liability of the retirement fund. Public Law 91–93, approved October 20, 1969, established this policy.

In the course of the past 2 years, the Postal Service through administrative action or labor management agreements increased the unfunded liability of the retirement fund by granting increases in pay and retirement benefits to Postal Service employees.

The Office of Management and Budget in its letter of January 26, 1973, to Postmaster General Klassen stated:

> In view of the requirement that the Postal Service is to govern its activities in such a manner that its full cost of operations will be financed with a minimum of subsidy, the costs of employees benefits should not be funded by general revenues but instead by the rate payers.

I am in agreement with this viewpoint. And, I might add, the U.S. Postal Service agrees in principle with this viewpoint also. However, the U.S. Postal Service argues that the effective date should not be retroactive to July 20, 1971, as suggested by the Office of Management and Budget, but rather on the date of enactment. The committee did not make the bill retroactive.

Mr. Speaker, this legislation does correct an oversight in the Postal Reorganization Act and in doing so rightfully places responsibility for any increases in the unfunded liability of the retirement fund where it belongs—the U.S. Postal Service.

Mr. BRASCO. Mr. Speaker, I apologize to my distinguished colleague, the gentleman from New Jersey, for not remembering that he did want to speak.

Mr. Speaker, I yield to the gentleman from New Jersey such time as he may consume.

Mr. DOMINICK V. DANIELS. Mr. Speaker, having had the honor of chairing the Retirement Subcommittee in the 91st Congress and, thus, having played an active role in the development and enactment of the financing provisions of the civil service retirement law, I rise in wholehearted support of the legislation now under consideration.

Perhaps a brief review of the legislative history underlying the issue to which we are addressing ourselves today may be of assistance in evaluating the merits of H.R. 29.

The 91st Congress addressed itself to a longstanding problem—the financial condition of the civil service retirement system. Its enactment of Public Law 91–93, approved October 20, 1969, established a positive program designed to provide in full for the permanent financing of the system, so as to assure that the necessary funds are available when needed to pay retirement benefits in full and on time.

One of the major provisions of that legislation dealt with the recognition of currently accruing retirement costs, such as the costs of future incremental unfunded liabilities which will result from general salary increases for the active work force. In essence, the Congress takes cognizance of the fact, when enacting salary increase legislation, that each dollar of increased pay has an eventual retirement cost of approximately $2. By recognizing such related costs, the Congress assumes full responsibility for the additional deficiencies it thus creates in the retirement fund. It fulfills that responsibility by authorizing direct appropriations to the fund, amortizing those additional costs in equal annual installments over 30-year periods. The effect of this particular funding practice precludes further deficiencies that would otherwise results, as distinct from growth of the existing unfunded liability attributable to legislation enacted in the past and for which adequate financing was not provided.

Since the enactment of Public Law 91–93 the Congress through its appropriations process, has been living up to its commitments to amortize the retirement costs it incurs by granting salary increases. In other words, we are exercising fiscal responsibility with respect to our own actions—actions over which the Congress is able to exercise a control. However, subsequent passage of the Postal Reorganization Act divested the Congress of its control over the salary-fixing authority for postal employees, and vested that authority in the new Postal Service.

Since implementation of the Postal Reorganization Act, five pay increases have been granted most postal workers as a result of labor-management agreements or the administrative action of the U.S. Postal Service. As indicated by the gentleman from New York (Mr. Brasco), such pay adjustments have created an additional unfunded liability in the retirement system approximately $1.7 billion. Had such unfunded liability been financed in accordance with the principle laid down in Public Law 91–93, an accumulative amount of $285 million would have been credited to the retirement fund through fiscal year 1974, with additional amounts of about $105 million being credited in each of the next 28 years.

While the bill under consideration will not require those amounts to be contributed to the fund by the Postal Service, it should be recognized that each 5-percent increase in postal salaries will create a further unfunded liability of $650 million. Its enactment will, however, require the Postal Service to finance such an unfunded liability by 30 annual payments of $40 million.

Mr. Speaker, let me emphasize the fact, therefore, that the bill is prospective in application to the Postal Service; that the Postal Service will not be held liable for the unfunded liability its actions have already created over the past 2 years, but that it will be clearly responsible for financing the retirement costs attributable to any pay increases it grants after the date of enactment of this bill.

I urge the unanimous adoption of H.R. 29.

Mr. GROSS. Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. Hillis).

Mr. HILLIS. Mr. Speaker, H.R. 29, a bill to require the U.S. Postal Service to pay to the civil service retirement fund for any portion of unfunded liability resulting from raises in pay and retirement benefits, is a constructive proposal.

This legislation, in effect, does what I believe our Committee on Post Office and Civil Service and the Congress intended in passing the Postal Reorganization Act in 1970. That is, in granting independent status to the newly created U.S. Postal Service we also granted responsibility for any and all actions it might take.

This included, but was not limited to, any newly created unfunded liability in the civil service retirement fund resulting from increased pay and retirement benefits to postal employees. Unfortunately, the law does not specifically provide for such coverage. Therefore, the reason for this legislation.

Mr. Speaker, there is little dispute, as far as I can determine, as to what party is responsible for paying for an increase in the unfunded liability when it is created by the U.S. Postal Service.

H.R. 29 provides that effective upon the date of enactment any newly created increase in the unfunded liability of the retirement fund caused by the U.S. Postal Service will be funded by the U.S. Postal Service.

I believe H.R. 29 is a good bill and should be approved.

Mr. GROSS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am a cosponsor of this bill. It is urgently needed in order to protect the financial integrity of the civil service retirement fund. I hope that it can be enacted into law quickly in this session.

Since the bill has been adequately explained in the discussion this afternoon, I would like to make only a few observations.

This bill originated almost 2 years ago to this day—on May 6, 1971—when I offered an amendment almost identical to H.R. 29 to a related retirement bill then under consideration in the Post Office and Civil Service Committee. The amendment was adopted by the committee and passed the House unanimously on May 17, 1971. Unfortunately, the Senate took no further action on the bill to which the amendment was attached, and it died with the 92d Congress.

Because of the Senate's refusal to take action at that time, the passage of 2 years has cost the civil service retirement fund $284,667,000 which it would have received if my amendment had been signed into law in 1971. This not only raises havoc with the financial condition of the fund but it definitely is a serious breach of faith with the millions of persons who depend upon the solvency of that fund for their retirement incomes.

I would also like to point out that the intent of this bill, H.R. 29, is strictly consistent with the general intent of the Postal Reorganization Act that the Postal Service be financially self-sustaining. The bill simply requires the Postal Service to pay for any unfunded liabilities it creates in the retirement fund by reason of any action it may take unilaterally. Congress will continue to provide payments to the fund for any deficits it may create through passage of general legislation affecting all Federal employees.

While the Postal Service opposed my amendment 2 years ago, it now supports H.R. 29. Perhaps, in time, even mail service will improve.

Mr. Speaker, a former top postal official, one of the architects of the Postal Reorganization Act, once stated the financial position of this new independent agency as follows:

> To flee to the sheltering arms of the Treasury would be to crawl back into our nests. We don't have any intention of doing that. Now that we are an eagle, we'll fly, not crawl.

I suggest, Mr. Speaker, that we help launch this new bird properly and pass H.R. 29.

Mr. MILLS of Maryland. Mr. Speaker, this legislation, H.R. 29, is supported by the U.S. Postal Service, Office of Management and Budget, and was reported unanimously by the Committee on Post Office and Civil Service. The only reservation comes from the Office of Management and Budget which supports the bill, but suggest an effective date retroactive to July 20, 1969, rather than an effective date upon enactment.

The reason this legislation is before us today is because in enacting the Postal Reorganization Act of 1970 we omitted language requiring the U.S. Postal Service to make payments when increased benefits for postal employees granted by the Postal Service results in an increase in the unfunded liability of the retirement fund.

We are back here today to amend the Postal Reorganization Act and thereby correct an egregious error.

Mr. Speaker, the U.S. Postal Service accepts this responsibility to make future payments to the retirement fund, and in keeping with that spirit I believe we should quickly approve this legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. BRASCO) that the House suspend the rules and pass the bill H.R. 29, as amended.

The question was taken.

Mr. DERWINSKI. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 344, nays 0, not voting 89, as follows:

[Roll No. 127]

YEAS—344

Abdnor
Abzug
Addabbo
Alexander
Anderson, Calif.
Andrews, N.C
Andrews, N Dak.
Annunzio
Arends
Armstrong
Ashbrook
Ashley
Bafalis
Baker
Barrett
Beard
Bell
Bennett
Bergland
Biester
Bingham
Boggs
Boland
Bolling
Bowen
Brasco
Bray
Breaux
Brinkley
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Burgener
Burke, Calif.
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton
Butler
Byron
Camp
Carey, N.Y.
Carney, Ohio
Casey, Tex.
Cederberg
Chamberlain
Chappell
Clark
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Cochran
Cohen
Collins
Conable
Conlan
Conte
Conyers
Cotter
Coughlin
Crane
Cronin
Daniel, Dan
Daniel, Robert W., Jr.
Daniels, Dominick V.
Danielson
Davis, S.C.
Davis, Wis.
Delaney
Dellenback
Dellums
Denholm
Dennis
Dent
Derwinski
Devine
Dickinson
Donohue
Dorn
Downing
Drinan
Dulski
Duncan
du Pont
Eckhardt
Edwards, Ala.
Edwards, Calif.
Eilberg
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fascell
Findley
Fish
Fisher
Flood
Flowers
Flynt
Foley
Ford, William D.
Frey
Froehlich
Fulton
Fuqua
Gaydos
Gettys
Giaimo
Gilman
Gonzalez
Goodling
Grasso
Gray
Green, Pa.
Griffiths
Gross
Grover
Gubser
Gude
Gunter
Haley
Hamilton
Hammerschmidt
Hanley
Hanrahan
Hansen, Idaho
Hansen, Wash.
Harrington
Harsha
Harvey
Hastings
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Heinz
Henderson
Hicks
Hillis
Hinshaw
Hogan
Holifield
Holt
Holtzman
Horton
Hosmer
Howard
Huber
Hudnut
Hungate
Hunt
Hutchinson
Ichord
Jarman
Johnson, Colo.
Jones, N.C.
Jones, Okla.
Jordan
Kastenmeier
Kazen
Keating
Kemp
Ketchum
Koch
Kuykendall
Kyros
Landgrebe
Landrum
Latta
Lehman
Lent
Litton
Long, La.
Lott
Lujan
McClory
McCloskey
McCollister
McDade
McEwen
McFall
Macdonald
Madden
Madigan
Mahon
Mailliard
Mallary
Mann
Martin, Nebr.
Martin, N.C.
Mathias, Calif.
Matsunaga
Mazzoli
Meeds
Metcalfe
Mezvinsky
Michel
Miller
Mills, Ark.
Mills, Md.
Minish
Mink
Minshall, Ohio
Mitchell, Md.
Mitchell, N.Y.
Mizell
Moakley
Mollohan
Montgomery
Moorhead, Calif.
Moorhead, Pa.
Morgan
Mosher
Moss
Murphy, N.Y.
Myers
Natcher
Nedzi
Nichols
Nix
O'Brien
O'Neill
Owens
Parris
Passman
Patten
Pepper
Perkins
Pettis
Peyser
Pickle
Pike
Poage
Podell
Powell, Ohio
Preyer
Price, Ill.
Pritchard
Quie
Quillen
Railsback
Rangel
Rarick
Rees
Regula
Riegle
Rinaldo
Roberts
Robinson, Va.
Robison, N.Y.
Rodino
Roe
Rogers
Roncalio, Wyo.
Rooney, Pa.
Rose
Roush
Rousselot
Roybal
Runnels
Ruppe
Ruth
Ryan
St Germain
Sandman
Sarasin
Sarbanes
Saylor
Scherle
Schneebeli
Schroeder
Seiberling
Shipley
Shoup
Shuster
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Snyder
Spence
Staggers
Stanton, J. William
Stanton, James V.
Steele
Steelman
Steiger, Ariz.
Stokes
Stratton
Stubblefield
Stuckey
Studds
Sullivan
Symms
Talcott
Taylor, N.C.
Teague, Calif.
Thomson, Wis.
Thone
Thornton
Tiernan
Towell, Nev.
Treen
Udall
Ullman
Van Deerlin
Vanik
Veysey
Vigorito
Waggonner
Walsh
Wampler
Ware
Whalen
White
Whitehurst
Whitten
Wiggins
Williams
Wilson, Bob
Wilson, Charles H., Calif
Wilson, Charles, Tex.
Winn
Wyatt
Wydler
Wylie
Wyman
Yates
Young, Alaska
Young, Fla.
Young, Ill.
Young, S.C.
Young, Tex.
Zablocki
Zion
Zwach

NAYS—0

NOT VOTING—89

Adams
Anderson, Ill.
Archer
Aspin
Badillo
Bevill
Biaggi
Blackburn
Blatnik
Brademas
Breckinridge
Brown, Calif.
Buchanan
Carter
Chisholm
Clancy
Collier
Corman
Culver
Davis, Ga.
de la Garza
Diggs
Dingell
Erlenborn

Ford, Gerald R.
Forsythe
Fountain
Fraser
Frelinghuysen
Frenzel
Gibbons
Ginn
Goldwater
Green, Oreg.
Guyer
Hanna
Hawkins
Helstoski
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, Tenn.
Karth
King
Kluczynski
Leggett
Long, Md.
McCormack
McKay
McKinney
McSpadden
Maraziti
Mathis, Ga.
Mayne
Melcher
Milford
Murphy, Ill.
Nelsen
Obey
O'Hara
Patman
Price, Tex.
Randall
Reid
Reuss
Rhodes
Roncallo, N.Y.
Rooney, N.Y.
Rosenthal
Rostenkowski
Roy
Satterfield
Sebelius
Shriver
Stark
Steed
Steiger, Wis.
Stephens
Symington
Taylor, Mo.
Teague, Tex.
Thompson, N.J.
Vander Jagt
Waldie
Widnall
Wolff
Wright
Yatron
Young, Ga.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Thompson of New Jersey with Mr. Forsythe.
Mr. Rooney of New York with Mr. King.
Mr. Brademas with Mr. Aspin.
Mr. Teague of Texas with Mr. Gerald R. Ford.
Mr. Rostenkowski with Mr. Anderson of Illinois.
Mrs. Chisholm with Mr. de la Garza.
Mr. Blatnik with Mr. Rhodes.
Mr. Kluczynski with Mr. Collier.
Mr. Johnson of California with Mr. Badillo.
Mr. Randall with Mr. Archer.
Mr. Obey with Mr. Biaggi.
Mr. Murphy of Illinois with Mr. Roncallo of New York.
Mrs. Green of Oregon with Mr. Guyer.
Mr. Jones of Alabama with Mr. Carter.
Mr. Roy with Mr. Erlenborn.
Mr. Rosenthal with Mr. Diggs.
Mr. Reid with Mr. Maraziti.
Mr. Culver with Mr. Shriver.
Mr. Hawkins with Mr. McKay.
Mr. Stark with Mr. Fraser.
Mr. Wolff with Mr. McKinney.
Mr. Steed with Mr. Mayne.
Mr. Helstoski with Mr. Frelinghuysen.
Mr. Dingell with Mr. Clancy.
Mr. Hanna with Mr. Jones of Tennessee.
Mr. McCormack with Mr. Taylor of Missouri.
Mr. Young of Georgia with Mr. McSpadden.
Mr. Wright with Mr. Price of Texas.
Mr. Yatron with Mr. Johnson of Pennsylvania.
Mr. Long of Maryland with Mr. Leggett.
Mr. Fountain with Mr. Buchanan.
Mr. Gibbons with Mr. Vander Jagt.
Mr. Karth with Mr. Frenzel.
Mr. Satterfield with Mr. Melcher.
Mr. Stephens with Mr. Blackburn.
Mr. Waldie with Mr. Goldwater.
Mr. Bevill with Mr. Adams.
Mr. Davis of Georgia with Mr. Brown of California.
Mr. Mathis of Georgia with Mr. Milford.
Mr. Nelsen with Mr. O'Hara.
Mr. Reuss with Mr. Steiger of Wisconsin.
Mr. Symington with Mr. Widnall.
Mr. Breckinridge with Mr. Sebelius.
Mr. Corman with Mr. Ginn.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BRASCO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous matter on the bill (H.R. 29) just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

PERSONAL EXPLANATION

Mr. RODINO. Mr. Speaker, when the vote was taken today on H.R. 6574, the servicemen's group life insurance for Reserves legislation, I was in a meeting in my office on urgent Judiciary Committee business. Though I concluded this as soon as possible and rushed to the floor, I missed the vote on H.R. 6574 by a few seconds. I strongly support this bill, and want the RECORD to show that had I been able to reach the floor in time I would have cast my vote for this essential measure. I am glad to note that it passed by the almost unanimous vote of 342 to 1.

FLOODS, FOOD, AND FIBER

(Mr. ALEXANDER asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. ALEXANDER. Mr. Speaker, a recent editorial in the New York Times of May 3, 1973, explains that the adverse weather conditions in the Mississippi Valley have flooded the fields of the breadbasket of the world. The Times accurately observes that delays in agricultural production will yield a short supply which will likely increase the cost of food and fiber to New York consumers.

I recommend to my urban colleagues the consideration of this editorial. An adequate supply of farm products is important to every American.

The editorial follows:

FLOODS, FOOD, AND FIBER

Torrential new rains are heightening the damage caused in the Midwest by the rampaging Mississippi and its tributaries. In a normal March and April, the Mississippi Valley gets eight to nine inches of rain; this year much of the area got fifteen to twenty inches while in the north early melting snows were making their own substantial contribution to the floods that threaten to drown mid-America.

The direct toll in deaths and devastation thus far has been relatively moderate, a tribute to the efficacy of the vast levee system built by the Corps of Engineers. But precisely because the basic system has worked so well, this year's huge floods have backed up into the tributaries, causing those swollen rivers to inundate their own flood plains.

The Mississippi River Valley is the agricultural heartland of the United States, the source of much of the food and fiber consumed in this country and exported abroad. In terms of both the price and availability of food for their tables, urbanites along the Atlantic and Pacific coasts may find themselves exposed to a costly spillover of the trial by flood now besetting middle-Americans. These floods have already interfered seriously with crops—drowning cattle, washing out grains planted last fall and making vast stretches of ground too wet to permit farmers to prepare and seed the land on a normal spring schedule.

If the rains finally do let up and the land dries out in time, the damage to 1973 harvests may yet be contained. But if May and June are as wet as were March and April, this country could suffer an agricultural catastrophe without recent precedent.

A SPECIAL COMMISSION OF INQUIRY

(Mr. DENHOLM asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. DENHOLM. Mr. Speaker, at the close of business on Thursday last I introduced legislation to establish a Special Commission of Inquiry to investigate alleged criminal, irregular or wrongful conduct in the Presidential election campaign of 1972, and to publish recommendations and reports to safeguard the election process and procedures relating thereto.

The Commission shall consist of nine members as follows—

First. Two Members of the Senate selected by a majority vote of the membership of the Senate;

Second. Two Members of the House of Representatives selected by a majority vote of the membership of the House;

Third. Two members of the judiciary to be appointed by the Chief Justice of the Supreme Court;

Fourth. Two members of the executive branch of Government appointed by the President; and

Fifth. A Chairman of the Commission to be selected by a majority vote of the aforesaid members appointed and selected who is a citizen of the United States but not an officer or employee of the Government.

Not more than one member appointed or selected as provided shall be of the same political party.

Mr. Speaker, liberty includes the freedom of the people to govern at all times with vigilance. We are the servants of the people—this is the House of the people. This is a time for vigilance. The people of this country ask of this Congress—will you lead or be led. The response to that question must be an affirmative decision to lead if the representative system of our democracy is to prevail. That is the only objective worthy of our best effort.

And so, I ask that a Special Commission of Inquiry be established forthwith to rid our system of suspicion by conducting a complete, honest, fair, impartial, and objective investigation of the Presidential election of 1972, and that recommendations and a detailed report of the findings of that Commission be rendered in the public interest without delay. The people ask of us no more—certainly we can do no less.

FARM SUBSIDIES

(Mr. CONTE asked and was given permission to address the House for 1 minute, to revise and extend his remarks.)

Mr. CONTE. Mr. Speaker, last year the Department of Agriculture paid huge, so-called farm subsidies to a bowling alley, a municipal airport, a radio station, a State mental hospital, a major railroad, and even the Queen of England.

A bowling alley in Dallas chalked up a strike with a farm subsidy last year. I do not know whether it grows ten pins or bowling balls, but this bowling alley was able to knock down a farm subsidy of $22,000.

Last year, a Mississippi company controlled by the Queen of England was the recipient of a Federal farm subsidy of $68,000. I am glad to see that the Agriculture Department's programs are fit for a queen, but it is the American taxpayer who is getting crowned—in his pocketbook.

Dozens of other farms owned by large national corporations, oil and coal companies, land development companies, politicians, insurance companies, and State governments, universities, and prison farms also harvested a bumper crop of big subsidy payments in 1972.

I have just reviewed the current crop of farms that received Federal payments over $20,000 last year. I was shocked by the number of recipients who really have no business collecting farm subsidies.

This is the first of four speeches I plan to give on the House floor about how the farm subsidy program is being abused. Today, I will mention some of the worst abuses found in the South. In future speeches, I will talk about the West and the Midwest, and my last speech will focus on payments to State governments and their agencies. I do not plan a speech on farm subsidies in the East because there is nothing to talk about.

I am sure that by the time I have finished, my colleagues will agree with me that our wasteful farm subsidy programs must be ended.

Our farm subsidy programs are not reaching the small, struggling farmers. Instead they are welfare for the rich.

The subsidy payments are not getting to the farmers who really need them. They are lavished wastefully on the rich corporate farms. The end result is higher food prices for the consumer.

Large national corporations received their share of these Federal giveaways.

The John Hancock Life Insurance Co. of Dallas got $53,000 for a farm in Texas.

Two industrial giants, Reynolds Metal Co. and Alcoa, received $42,000 and $22,000 respectively for farms in Kentucky.

Oil barons, who receive a record number of tax breaks from the Federal Government, also have learned to tap the Federal faucet for farm payments.

In Louisiana, two oil companies drew payments of $40,000 and $29,000 each for their farms. In Texas, a drilling company dug up a subsidy of $37,000.

Numerous land development companies collected huge subsidies in the South last year. One New Orleans land company collected $195,000. Two other Louisiana land developers got over $50,000 apiece.

In Florida, a land developer collected $73,000 and in Mississippi another developer received just a little less than $60,000.

Three years ago Congress put a $55,000 ceiling on subsidy payments for cotton, wheat, and feed grain crops. Many large farms have avoided this payment limitation by the simple device of subdividing the land and incorporating under various names.

My choice for the biggest subsidy subterfuge comes from Brownfield, Tex. In that town there are 15 subsidies listed in 15 different names but all at the same address. Twelve owners received identical payments of $54,390 apiece, and the other three each got $54,265. Together, the owners shared a total of $815,000.

In South Carolina, four members of one family plus two family corporations divided up payments of $310,000 six ways. Four coowners of a Texas farm split up a total of $295,000. In Alabama, three members of a family and a family corporation collected almost $160,000.

The next time you are pushing a grocery basket, trying to balance the family budget with the outrageous price of food, think about why food prices are so high.

One reason is the wasteful farm subsidy program. It pays farmers not to grow some crops, and for other crops it underwrites an expensive system of price supports and supplements.

I got a laugh out of some of the names of farms that received large payments. The "Hard Scramble Plantation" and "Shoestring, Inc." are two that stand out. They collected payments of $52,000 and $27,000 last year.

With subsidies like these when food prices are so high, it is not the farmer who is scrambling on a shoestring—it is the consumer.

CONGRESS MUST INVESTIGATE THE CIA

(Mr. KOCH asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. KOCH. Mr. Speaker, when I first came to the Congress in January 1969, I received invitations from many Government agencies to visit their offices and see how they worked. Eagerly I accepted many of them and one with particular interest, the CIA. Along with 18 other freshmen Congressmen, I went to the CIA headquarters in McLean, Va., for breakfast. There the then Director Richard Helms gave us background material on the CIA and its operation. At the conclusion of his address he said we now had our first—and probably last—opportunity to ask the CIA any question we wanted to.

I raised my hand and asked:

> How many employees do you have and what is the size of your annual budget?

His response was:

> There are only 2 questions which I cannot answer and those are the two.

I said:

> Are you telling me that as a Member of Congress I do not have access to the records which would show me your annual payroll since I vote on that?

His response was:

> The CIA's appropriation does not appear in the annual budget passed by the Congress and is buried in some other department.

I responded:

> Are you telling me that your appropriation might be included under Social Security?

He said:

> We haven't used that one yet but it's a good idea.

I recall that story now because of recent events involving the CIA.

I called the attention of this House last February 6 to the fact that the CIA in violation of the 1947 act which created it, was giving special training to local law enforcement officers, including 14 officers from the police department of the city of New York. It was revealed that at least 12 local law enforcement agencies throughout the country had received CIA training in the last 2 years. I asked our colleague, Chairman CHET HOLIFIELD, to investigate the matter. He took it up with the CIA and advised the House on March 5 that as a result of his discussions with the new Director, James R. Schlesinger, he had received assurances that such activities would be undertaken in the future only in the most compelling circumstances and with the Director's personal approval.

Within the last week we have been alerted through the diligence of newspaper reporters, and not, I am sorry to say through the efforts of Members of Congress, that the CIA was linked to the burglary of the office of Dr. Daniel Ellsberg's former psychiatrist. It is reported in today's New York Times that:

> Gen. Robert E. Cushman, Jr., the Marine Corps commandant who in 1971 was Deputy Director of Central Intelligence, authorized the use of Central Intelligence Agency material and research in the burglary of that office.

The National Security Act of 1947 provides that the CIA shall have no police, subpena, law enforcement powers, and internal security functions. The CIA has violated that law in at least these two cases. I suspect these two are the tiniest tip of the iceberg. I have asked Chairman HOLIFIELD today by letter to undertake an extensive review of the CIA activities; and not simply rely on the assurances of the Director of the CIA that this particular kind of violation will not be repeated. We must ascertain how many activities of this kind about which we have no knowledge at all, have taken place since 1947.

I recognize the need to maintain the legitimate confidentiality of CIA operations. But there is a balance to be maintained and the Congress has a responsibility to be sure that an agency does not violate the law which created it. If Congress is duped once by an agency, then the Congress can say it made a mistake. But if Congress is duped twice and does nothing, then it is no longer duped; it becomes a conspirator in the violation of the law. These violations of law are always couched in the pretext that national security interests are being protected. I trust this response will no longer satisfy anyone today.

SEX DISCRIMINATION BY THE AIR FORCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. BELL) is recognized for 10 minutes.

Mr. BELL. Mr. Speaker, blatant sex discrimination persists in the U.S. Air Force, despite recent attempts at reform to bring the armed services into line with the Constitution.

That such repugnant unequal treatment of our men and women in uniform still exists was forcibly brought to my attention recently by the case of 1st Lt. Regina Fleissner, a constituent of mine.

I am today introducing legislation to correct part of the problem, but since it is the discriminatory application of existing law which has afflicted Lieutenant Fleissner, I ask the help of all my colleagues in persuading the Air Force to abandon its archaic and regressive implementation of the law of the United States.

Lieutenant Fleissner is currently being denied BAQ, and may be subject to reimbursement claims for the costs of transportation, housing, and medical care, otherwise freely given, because of the mistaken application by the Air Force of the law which defines the dependency status of her adopted daughter. It is important to remember in the following recitation of Lieutenant Fleissner's case that none of her present problems would have occurred if she were male.

In 1971, while stationed at Grand Forks, N. Dak., Lieutenant Fleissner, as a single parent, adopted an 18-month-old child of Sioux Indian descent. Shortly after the adoption procedure was completed, except for the final decree, Lieutenant Fleissner married a sergeant who is also in the Air Force and who shortly after their marriage began a tour of duty at CCK Air Force Base, Taiwan. In the meantime, Lieutenant Fleissner applied for and was granted a "Joint Spouse Tour" and application was made for authorization for travel allowance for herself and her dependent and shipment of household goods. Lieutenant Fleissner and her daughter joined Sergeant Fleissner on December 6, 1972, in Taiwan where they presently reside.

During the latter part of December, the Fleissners were advised that a question had arisen regarding the eligibility of their child as a dependent of Lieutenant Fleissner for purposes of BAQ and other entitlements. The question centers on the fact that Lieutenant Fleissner is a female. The Air Force Accounting and Finance Center has determined that Lieutenant Fleissner's daughter, Heather, is eligible for dependent pay and allowances purposes, but only as a dependent of Sergeant Fleissner and not Lieutenant Fleissner. The determination was made in accordance with the official interpretation of section 401, title 37 of the United States Code, which defines the term "dependent" to include a member's "unmarried legitimate child who is under 21 years of age," and further reads—

> However, a child is not considered to be the dependent of a female member unless the child is in fact dependent upon her for over one-half of his support.

The blatant discrimination of this provision is overwhelming. Ironically, however, in this particular case, Lieutenant Fleissner does pay more than one-half of her daughter's support. Even by the letter of this discriminatory law, therefore, she is entitled to have her daughter considered her dependent. Yet the Air force persists in denying the lieutenant the status which both the law and commonsense command—simply because she is a woman.

At no time prior to the latter part of December was Lieutenant Fleissner ever given any indication that she could not claim Heather as her dependent even though the Air Force had been given every opportunity to make such a determination. Heather received medical care at Grand Forks as Lieutenant Fleissner's dependent; Lieutenant Fleissner and Heather were provided base housing while they were at Grand Forks; and transportation costs and shipment of household goods were granted Lieutenant Fleissner for her and Heather to travel to Taiwan.

Lieutenant Fleissner, of course, has requested a reversal of the AFAFC's determination and is presently awaiting a final response from them.

Lieutenant Fleissner has been exceedingly fortunate in obtaining excellent legal counsel through the Women's Rights Project of the American Civil Liberties Union. She will therefore be able to take her case to the courts if she is unable to convince the Air Force of the merits—and the statutory and constitutional requirement—of giving male and female members of the Air Force equal justice under law.

Yet there may be numerous women in Lieutenant Fleissner's position who have not sought or have been unable to procure competent legal advice, for whom the arbitrary actions of the Air Force must be an irremediable nightmare. That Lieutenant Fleissner has been unable to prevail in having the Air Force decide that her daughter is her daughter, despite the aid of legal counsel and congressional inquiries, casts suspicion on the Air Force's sincerity in rooting out sex discrimination.

I ask you to join me in guaranteeing that the Air Force treat Lieutenant Fleissner—and all its female members—fairly. The legislation I am introducing today is designed to remove all references to sex in the application of dependency criteria and further provides for freedom of choice by married members of the uniformed service in exercising their right to claim dependents when both spouses of the family are members of a uniformed service.

This legislation is sorely needed not only to bring the laws governing our Armed Forces in line with the constitutionally required national policy against discrimination, but to prevent the future recurrence of cases such as Lieutenant Fleissner's.

POSTAGE-FREE TAX RETURNS

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. BURKE) is recognized for 5 minutes.

Mr. **BURKE** of Florida. Mr. Speaker, today, I am introducing a bill that will end one of the petty annoyances that American taxpayers are subjected to. In addition to the heavy burden of taxation placed on them by the Federal Government the American taxpayer must endure the irritation of having to affix an 8-cent stamp to the envelope when he files his income tax return.

What can be more psychologically devastating to the taxpayer, who has finally filled out all the forms, attached all the necessary documents, signed everything in the proper place, and often has enclosed a check for the unpaid balance, than to find that there is yet another duty he must perform—purchasing and affixing a stamp to the envelope. This added 8 cents needed to send the Government the hard-earned money that he pays in taxes adds insult to injury. Not only must he give the Government his money, but he must pay to send it to them.

While I realize that the taxpayer ultimately pays for postage whether it is prepaid by the Government, or whether the individual buys it himself. Nonetheless, postage-free tax returns would be small consideration that the Federal Government could provide to the people, who pay the Governments bills. If my bill could be enacted into law the harried taxpayer would not have to worry about going to the post office for stamps, or fighting with some poorly functioning stamp machines to legally send his taxes returns to the Internal Revenue Service. In fact it could prevent him from filing a late return and paying a penalty because he had no stamp.

HEARINGS ON ALIEN LABOR CERTIFICATION PROGRAM

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. EILBERG) is recognized for 5 minutes.

Mr. **EILBERG**. Mr. Speaker, I wish to announce that Subcommittee No. 1 will continue its hearings on H.R. 981, a bill to establish a preference system for Western Hemisphere immigration. One day of public hearings will be held on May 10, 1973, in room 2237 Rayburn House Office Building, 10 a.m., to consider several aspects of the labor certification requirement, which is a prerequisite for admission for many intending immigrants.

There has been much criticism during the past several years regarding the administration of this program by the Department of Labor and numerous court decisions have recently attacked the lack of procedural due process in the operation of this program.

The labor certification requirement, section 212(a)(14) of the Immigration and Nationality Act, must be met by certain categories of individuals from the Eastern Hemisphere—third, sixth, and nonpreference—and it is the sole criterion for admission for all natives of the Western Hemisphere.

During this hearing we intend to examine the current operation of the labor certification requirement, and to discuss the need for establishing reasonable and practical procedures to implement this requirement.

We are hopeful that these hearings will develop detailed information, which will assist the subcommittee in its consideration of general immigration reform legislation.

Testimony will be received from Members of Congress who may wish to appear and from representatives of the Department of Labor.

THE 25TH ANNIVERSARY OF THE INDEPENDENCE OF ISRAEL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ANNUNZIO) is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, 1973 is the year in which the people of Israel are celebrating the silver jubilee of the founding of their country. On the 6th of Iyar 5708, May 15, 1948, Israel threw off the chains of colonialism and established itself as an independent nation.

The birth and remarkable growth of the State of Israel is perhaps the outstanding event in the postwar Middle East. Since its creation, Israel has absorbed 1.5 million immigrants from all over the world. In the last 5 years, Israel's industrial output has more than doubled, and its currency reserves have hit an all-time high of $1.2 billion. As the world's leading exporter of cut and polished diamonds, the country expects diamond sales abroad to bring in $500 million this year. An Israeli company owns 20 percent of the world's refrigerated cargo vessels and Israeli production is booming in the fields of plastics, textiles, and fresh foods.

Many centuries ago, there was the independent Kingdom of Judea in which the Jews lived happily in their chosen patriarchal ways, developed their own way of life, built their own political, religious, and social institutions, and created their distinct civilization, one of the oldest in all history. Then almost 2,000 years ago the Kingdom of Judea was overrun, occupied by conquerors, and it came to an end. Thereby the Jewish people lost not only their national political independence, but were literally evicted from their ancestral homeland and dispersed to all parts of the world.

Since those days nearly all Jews have lived in dispersion. During that long enforced exile, the Jews suffered much: they endured proscriptions, discriminations, persecutions, and lived under a multitude of inequities in many lands. But they faced their unhappy lot with exemplary fortitude.

During their dispersion, their spiritual and cultural heritage sustained their spirit of freedom and independence. through the centuries their rich heritage was kept alive. Finally, after long centuries of waiting and suspense, many Jews were given the opportunity of returning to their homeland. And in May of 1948, with the proclamation of Israel's independence, they gave birth to the independent existence of the State of Israel.

That historical event took place only 25 years ago, but in terms of solid accomplishments and spiritual enthusiasm, the Israeli people did something that might otherwise have taken centuries. To be sure, the creation and the miraculous growth of the new State was not achieved with effortless ease. It took superhuman efforts on the part of the people, spearheaded by their energetic, dauntless, and wise leaders. It is because of such stupendous efforts put forth and immense sacrifices made that today's State of Israel has become a living, growing, and powerful entity in the Middle East.

The State of Israel, on its 25th independence day, can look back with pride and joy. It is a model democratic state in a region much of which is ruled by iron-fisted dictators whose people live in abject misery. The Israeli people are very appreciative of their freedom, of the free institutions which they have created through their own ingenuity and industry, and they are extraordinarily vigilant in guarding their freedom. Besides building a strong and powerful political state, they have done their utmost in turning the desert of the Negev into a fertile land, and the hills of Galilee into blossoming orchards. By the skillful use of science and the technical abilities of the people, Israeli leaders have transformed arid and inhospitable hills and desert plains into industrial centers and productive farmlands.

The State of Israel has already matured, and has become of age, standing firmly and steadfastly as a new and encouraging factor in Middle Eastern affairs. Its days of uncertainty and suspense are gone, and its leaders look forward with optimism and courage. They are keenly aware that before all else the State of Israel has to be defended at any cost. In recent years Israelis have had serious troubles with their Arab neighbors, and the endless fighting still goes on, the Israelis finding themselves often involved with more than one Arab country; but in nearly all of these incidents, they prove their superb quality as fighters and strategists. Though surrounded by unfriendly Arab States, and somewhat isolated from the free West, the Israelis seem justifiably confident in holding their own, and safeguarding their independence against any eventuality.

After a quarter century of uneasy and very busy existence, the State of Israel has already earned the right to be recognized as an outstanding and honorable member of the family of nations. Under most hazardous circumstances and trying conditions, the State of Israel has progressed steadily at a remarkable pace. Despite the multiplicity of difficulties and dilemmas, economic and financial hardships, fiscal problems and political uncertainties, the people of Israel face their future with increasing confidence and undiminished hope. They carry on the work of making Israel an ideally viable state, and under their highly educated, dedicated and intelligent leaders, these brave people carry it on with vigorous zeal and boundless zest.

To the citizens of Israel and their friends in this and every other nation, I join my colleagues in the Congress in a tribute on this special day. May the State of Israel continue to be a source of encouragement and inspiration for all peoples of the world.

HOUSE SUBCOMMITTEE ON BANK SUPERVISION AND INSURANCE HEARINGS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Rhode Island (Mr. ST GERMAIN) is recognized for 5 minutes.

Mr. ST GERMAIN. Mr. Speaker, for the benefit of the House and interested parties, I insert at this point in the RECORD a subcommitee press release announcing hearings on H.R. 2419 dealing with conversions, recently the subject of Federal Home Loan Bank Board hearings:

NEWS RELEASE

WASHINGTON, D.C., May 3, 1973.—Congressman Fernand J. St Germain (D-R.I.), Chairman of the Subcommittee on Bank Supervision and Insurance of the House Banking and Currency Committee, today announced that the Subcommittee will hold hearings on May 15, 17, and 21 at 10:00 a.m. in Room 2128 on H.R. 2419, providing for, in effect, a moratorium on conversions of Federal savings and loan associations or State-chartered mutual savings and loan associations to State-chartered stock savings and loan associations.

"A two-year moratorium in effect would be instituted on proposed conversions at this time by the requirement in the bill that the Federal Savings and Loan Insurance Corporation immediately terminate insurance of members' savings in any association that converts during the moratorium period", stated the Rhode Island lawmaker.

"The conversion question is too important to the general public with its needs, both present and future, for an ample supply of home mortgage funds at reasonable interest rates and to the welfare of savings members who have invested more than $200 billion in these institutions to allow a decision on this subject to be left up to non-elected officials, regardless of their competency and dedication", asserted St Germain.

The recently concluded hearings by the Federal Home Loan Bank Board on proposed regulations published on January 9 points up a number of public policy questions yet to be resolved by the Congress. The upcoming hearings will contribute to an understanding by the public of the important issues involved and will assist the Subcommittee in reaching a judgment as to the need for a moratorium at this time.

Chairman St Germain concluded by stating "Every effort will be made to receive testimony from all segments of the industry, the regulatory agencies affected, and the general public".

MR. ANTHONY LEWIS ON THE WATERGATE INVESTIGATION

Ms. ABZUG. Mr. Speaker, Anthony Lewis possesses one of the finest legal minds in the field of American journalism. He was for many years the New York Times correspondent covering the U.S. Supreme Court and wrote the book, "Gideon's Trumpet," about the case which guaranteed to criminal defendants the right to counsel.

Now Mr. Lewis is a Times correspondent in London. This morning's Times carried a column by him discussing some English views of the Watergate scandal and presenting some of his own views on the continuing investigation, the appointment of Elliot Richardson, and the possible appointment of a special prosecutor in the case.

The excellent article follows:

THE CONSTITUTIONAL CRISIS

(By Anthony Lewis)

LONDON, May 6—After the terrible battering their faith has suffered in the last ten years, Americans want desperately to believe in their country's institutions. And so it is natural to hear now, in the United States, how the eventual cracking of Watergate shows that the system does work.

Distance lends a clarifying disenchantment to that idea. British commentators ordinarily friendly to President Nixon express deep skepticism about him and the whole prospect. An example is Peregrine Worsthorne of The Sunday Telegraph, who writes that the nightmarish and still undispelled suspicions surrounding Nixon "are on a scale that would bring any other free government crashing into ruin."

The truth is that the constitutional system of the United States did not work in this case, and may not work now. We held an election last year with a choice influenced by fraud and with our knowledge clouded by official suppression of criminal evidence. And even after all that has come out, there is no assurance that we shall learn the whole truth or be able to cleanse our institutions sufficiently.

The attitudes that got the Nixon Government into trouble, apart from direct criminality, were hunger for centralized power, insistence on personal loyalty above independent ideas or vision and an arrogant contempt for the press, Congress and the courts. Is there any real evidence of change in those attitudes?

In the Watergate wreckage of his Administration, Nixon has so far made two principal appointments: of Elliot Richardson as Attorney General and Gen. Alexander Haig as acting chief of his White House staff. They have other honorable qualities, but it is notable that both come from inside and have demonstrated overriding loyalty to Richard Nixon. General Haig continues the tradition of the White House men without independent ideas or political experience, staff agents in a centralized system.

Nixon has made a pass at improving relations with the press. But he and his fallen aides still project the "stupefying belief," as The Economist of London put it, that in the Watergate affair: "The only serious trouble lay in people's inquisitiveness." The symbol of the Nixon approach to the press is still there: Ronald Ziegler, a man whose reputation for competence and honorable dealing would have given him trouble trying to be a riverboat gambler on the Mississippi.

The old brazen attitude is evident in the President's attempt to keep present and former aides from testifying about his own knowledge of the Watergate crimes, and in his resistance to an independent prosecutor. There could hardly be a more direct challenge to the co-equal constitutional authority of Congress and the courts than the expanded claim of Executive privilege. One must conclude, as did "The London Sunday Telegraph, that it was "the gamble of a guilty and desperate man."

What is broadly at issue now is restoration of respect for law—of our American faith that we have a Government of laws and not of men. That puts an extraordinary weight on the shoulders of a single Cabinet officer: Richardson, the Attorney General designate. There has been nothing like the responsibility he bears, or the potential influence, for as long as we can remember.

Elliot Richardson has the highest credentials of intellect, background and experience: Harvard College and Law School, clerkships for Learned Hand and Felix Frankfurter, years in Washington and in elective office in Massachusetts, a public-spirited family and a wife who is one of the nicest, most genuine people in Washington. But the ultimate question about Elliot Richardson has still to be answered—the question of character.

He came to the Administration in the beginning as no Nixon man: He had been a Rockefeller supporter. Despite that, or perhaps because of it, Richardson has seemed to make loyalty to Nixon his bench-mark. Some of his old friends felt especially strongly that he put personal loyalty above faithfulness to law recently in making arguments for the constitutionality of the American war in Cambodia that he must have known were legally frivolous.

Richardson is an ambitious man: He would like to be President of the United States. That is a fair enough ambition, but it must almost certainly be tested in this case by a choice of loyalties—to Richard Nixon or to the law.

The historic motto of the American Attorney General, honored in the breach these last years, has it that his duty is more than to win cases. It is to see that justice is done. In the very largest sense that will be Elliot Richardson's standard of performance.

It will not be easy. Almost at once he may have to tell Congress whether he agrees with the shameless attempt to expand the Executive privilege doctrine to cover judicial proceedings and shield past Presidential employes. He will have general charge of an inquiry that, if it is honest, will inevitably threaten this President's continuance in office. It will not be easy, but in Elliot Richardson's duty lies our hope of saying that the system really can return the United States to decency.

MEDICARE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Connecticut (Mrs. GRASSO) is recognized for 10 minutes.

Mrs. GRASSO. Mr. Speaker, since word of the administration's decision to alter the medicare program drastically became public, my office has received numerous letters opposing these proposed changes which would increase medicare costs for the vast majority of America's elderly.

The concerned citizens who have written to me are shocked and dismayed at the apparent lack of concern demonstrated by these proposals for the well-being of those people who, having given their time and energy to the building of this Nation, deserve to spend their remaining years free from unnecessary worry about health care costs.

Medicare now allows those elderly citizens who need medical care the opportunity to receive it without fear of major burdens on their limited budgets. Adoption of the changes could significantly affect the health of many elderly citizens. Faced with inflation on all levels, some elderly citizens would even be forced to decide between buying food and clothing or incurring expenses for needed medical services. As one constituent wrote me:

> It's getting now you can't afford to be sick.

Other reactions to the proposed changes in medicare benefits include the comments of a resident of my district who stated:

> The majority of individuals 65 and over have no means of increasing their income and yet under the Administration's proposal we are asked "to share the cost" of inflated medical fees. . . . Please make every effort to defeat the administration's proposed medicare increases.

Still another constituent wrote:

> As benefits now stand, it is difficult enough for people on social security to pay the present charges, and if they are increased, medicare will be of little value to the elderly.

These remarks were echoed by a Sixth District resident who wrote:

> I have read Mr. Nixon's proposal to increase the cost of Medicare and I think it should be rejected. With the cost of all other essentials soaring it would create a greater hardship on people already hard pressed, and possibly eliminate a service they really need.

On April 10, I introduced House Concurrent Resolution 181, a sense of the Congress resolution to show our elderly constituents that the Congress also disapproves legislation which would significantly increase the cost of medicare. Today I am pleased to announce that 45 of my colleagues have joined me in cosponsoring this resolution.

Mr. Speaker, the proposed cuts in benefits under the medicare program have generated widespread opposition throughout the Nation as well as in Congress. "Senior power" and public opinion in general have shown that any sacrifice of the health of our older citizens is unacceptable.

Medicare has been a godsend to America's elderly, especially to those who must survive on only their meager social security retirement checks. They must retain full medical care benefits under the medicare program. If the administration's plan were adopted, the elderly in many cases would be forced to choose between needed medical care and doing without such care because of financial concerns.

Passage of the House concurrent resolution I am introducing today with more than 40 cosponsors would put the Congress on record in opposition to cuts in the medicare program and in support of our older citizens who require and deserve medical care at reasonable cost.

ISRAEL'S 25TH ANNIVERSARY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 5 minutes.

Mr. FLOOD. Mr. Speaker, on May 7, 1973, the State of Israel will celebrate its 25th anniversary. For the people of Israel and for Jews throughout the world, the anniversary is more than just an excuse to take a day off work or to watch a parade, but an important milestone in an historical saga that reaches back in time to the beginnings of the Jewish people. We are all familiar with the Biblical stories of Abraham, Moses, and David, and of the trials suffered by the Jewish people in their quest to claim the homeland promised them by God. The Exodus from Egypt, the Babylonian captivity, the destruction of the temple by the Romans, and the holocaust of World War II, are events that stain the history of mankind. But through the inquisitions, the pogroms, and the persecutions, the Jews maintained their faith and nourished their desire to be once again in Jerusalem.

We have witnessed one of the miracles of the modern age, the rebirth of the Jewish nation in their promised land. When, just 25 years ago, David Ben Gurion read the Proclamation of Statehood for the State of Israel, he was echoing the words of the Prophets and fulfilling a cherished dream of all Jews, that there should be a nation for the Jews, where they could be free, secure, and in command of their own destinies.

The struggles of Israel did not end with independence. The Israelis were beset by problems and confronted by a hostile force determined to drive them into the sea. Immigrants flooded into the new State from the refugee camps of Europe, where they had been collected from the concentration camps of Nazi Germany. Other Jews came from the ghettoes of Egypt, Yemen, Iraq, and Syria, where they had been denied human dignity. The land of Israel was barren and arid. There were no jobs, no factories, no farms.

But Israel and the Israeli people have persevered against these formidable obstacles. The land now thrives with farms and orchards, and the cities are alive with the activities of a modern society. Israeli artists, musicians, and authors are recognized throughout the world. Israeli scientists and engineers are creating for tomorrow.

But the torture of Israel has not ended. Israel's enemies maintain their hostile postures, threatening the Jewish state with destruction and collecting armaments for the day when they will again launch their attacks. Jews, who long for an opportunity to return to the land of their fathers, are being denied permission to emigrate to Israel by their Soviet and Arab oppressors. And the country still faces difficult economic problems, most of which are caused by the burden of defense.

On this important occasion of the 25th anniversary of the founding of the modern State of Israel, the American people extend their congratulations for the past accomplishments of the Israeli people. We pledge our continued support for the Israeli nation in its search for a just and lasting peace. And we offer our most heartfelt best wishes for a future filled with prosperity.

A personal note if I may, Mr. Speaker. Back in 1945 during my first term in Congress and when I was a member of the House Foreign Affairs Committee, I introduced a resolution, later known as the Flood resolution, declaring that it be the intent of the Congress that a sovereign and free State of Israel be established for the Jews where they could be secure and in control of their own destinies. I am most gratified, Mr. Speaker, that the hope then has reached fruition as the 25 years of Israel's history fully attests.

THEY HAVE SERVED THE COUNTRY: LET US SERVE THEM

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, Congressman LES ASPIN and I are today introducing a package of bills to aid Vietnam veterans. Senator GEORGE MCGOVERN is today also introducing the same five measures on the Senate side.

We are proposing to establish a Vietnam Era Veterans Assistance and Opportunity Task Force. This task force will operate within the Veterans' Administration to coordinate those Federal programs available to veterans, and will expand outreach efforts within the VA to encourage participation in these programs.

A second bill in this package would establish regional military discharge review boards to facilitate the processing of applications for a change of discharge submitted by any veteran discharged under less than honorable conditions. At the present time, each service has only one review board and is not equipped to deal with the volume of appeals that will now probably be received as more veterans return home. This bill would give the Secretary of Defense the authority to determine the number of review boards and the location of the boards in accordance with the number of discharge and dismissal appeals pending.

We are also introducing a bill that would ban the use of separation program numbers—SPN's—and reenlistment code numbers on discharge documents. This information would be treated as confidential and not be made available to employers, who use this information in an adverse way, undoubtedly preventing veterans from obtaining jobs when they were either equally or better qualified than the nonveteran applicant.

Another bill introduced—the education assistance for eligible Vietnam veterans—would reimburse any eligible Vietnam veteran enrolled in school for costs incurred by the veteran for tuition, laboratory and other fees, not to exceed $1,000 for any school year.

A companion bill would give veterans receiving education subsistence pay the option of receiving the full 36-month entitlement in larger monthly sums over a shorter period of time. The shortened period would not be less than 18 months, and would provide $440 per month on the rating schedule now in effect.

Mr. Speaker, so many people in this country have the impression that we are doing all we can for the Vietnam veterans; when in truth, we are doing less for them than we did for the veterans of World War II and the Korean conflict. After World War II, veterans received tuition of up to $500 per year; most often that covered the full tuition cost, and they also received a subsistence allowance of $75 a month, which at that time was adequate. The GI bill helped pay for the education of 21 U.S. Senators and 65 Congressmen, including myself, who otherwise might not have had such an opportunity to further their education and enter public service. Now, the Veterans' Administration gives only a total of $220 a month to a full-time student veteran; hardly enough to cover tuition and the cost of living. Our bill would provide an additional $1,000 for tuition and the subsistence allowance of $220 a month for a maximum of 36 months could be accelerated to $440 a month for 18 months.

A recent Harris survey revealed that less than 35 percent of the Vietnam veterans eligible for education assistance are taking advantage of the subsistence allowance. This figure was 60 percent after World War II and 42 percent after the Korean conflict. Only 14 percent of those with a high school education or less are participating. It is apparent that one of the reasons is that the veterans cannot afford to attend school, even if he wanted to, simply because the costs are too high and the VA assistance too meager.

The administration is not helping the veteran. President Nixon has impounded a $50 million fund that was intended to provide part-time jobs for student veterans and he has asked Congress to rescind the authorization of $25 million to be used to encourage universities to admit and train veterans.

Unemployment among veterans is inordinately high. The figures for February 1973 show that unemployment among veterans 20 to 24 years of age was 10.4 percent compared to 6.6 percent for nonveterans of the same age.

We can help stop this unemployment by providing broader education benefits for veterans so that it will be possible for those taking advantage of the benefits to obtain skills so as to be able to compete in the difficult job market.

We have treated our Vietnam veterans shabbily. The legislation which Senator MCGOVERN and Congressman ASPIN and I are introducing is intended to deal with some of the problems they are facing. Much more remains to be done.

Mr. Speaker, I urge our colleagues and the leadership of the House to do all we can, as soon as we can, to help the veterans who are in need of our help. These men have served our country. It is about time the country served them.

THE PEOPLE OF ISRAEL LIVE

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, today the State of Israel marks its 25 years of existence in the modern world. As an American, as a Congressman, and as a Jew I take pride in its accomplishments. In the Jewish calendar this is the year 5733. And through those millennia, Jews throughout the world have experienced awesome tragedy and often miraculous success. The covenant made with God that the children of Israel and their descendents would live in the land of Israel has been kept. What sustained this ancient people through centuries of oppression and exile was the promise that the covenant would be fulfilled—a return to the Promised Land.

In the last 25 years the Israelis have withstood three savage assaults upon them by the surrounding Arab nations, and like David they slew their Goliath.

As an American I am proud of the friendship that the United States has with the State of Israel. It is in our national interest and just that we maintain the closest of relationships. As a Congressman I am grateful to have had the opportunity to speak in support of the United States and Israel's mutual interests. As a Jew I have a special feeling for the people and the land of Israel.

I join with the millions of people throughout the world who recognize Israel's 25th anniversary and say to the people and the State of Israel, "Am Yisrael Chai—the People of Israel Live."

THE 25TH ANNIVERSARY OF THE STATE OF ISRAEL

(Mr. BARRETT asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BARRETT. Mr. Speaker, today marks the 25th anniversary of the founding of the State of Israel, an occasion most worthy of note and celebration.

Yesterday, we in Philadelphia gave special recognition to the occasion with a communitywide parade followed by a special ceremony at Independence Square. The chairman of the Philadelphia Committee for Israel's 25th Anniversary was Mr. Sylvan M. Cohen, one of Philadelphia's outstanding civic leaders. Honorary chairman for the parade was the Honorable Emanuel Shimoni, Consul General of Israel. One of the highlights of the celebration, and there were many, was the appearance of Israel's new Ambassador to the United States, His Excellency Simcha Dinitz, at the Independence Square ceremony.

A great many citizens of the City of Brotherly Love participated in and attended this stellar celebration, affirming our solidarity with the freedom-loving people of the State of Israel. While it was an occasion of much joy and pride, its significance and relation to freedom for the oppressed and persecuted was deeply felt.

The State of Israel was created 25 years ago by United Nations resolution on the partition of Palestine after much acrimony, rancor, and debate. It was created to provide a haven and homeland for those Jews who had survived the Hitler holocaust of the 1930's and 1940's. Over the years this little nation has survived, grown, and prospered under the direst of conditions, ever alert to the continuing threats to her existence.

Israel, from its beginning, has been, and I am certain will continue to be, a staunch friend and ally of the United States. It is a lonely citadel of democracy and freedom in an area of the world which is devoid of these basic concepts of humanity and government.

Today, the people of Israel and their Government stand ready to receive the thousands of Jews wishing to emigrate from the Soviet Union. We know too well of their plight and persecution. Today, on this 25th anniversary, it would be most fitting to again voice our concern to the Soviet Union regarding their emigration policies and most strongly urge, in the sense of decency and human dignity, that those desiring to emigrate be allowed to do so without any impediment or condition whatsoever.

PILGRIMAGE TO THE TOMB OF THE UNKNOWN SOLDIER

(Mr. FLYNT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FLYNT. Mr. Speaker, for many years, the Independent Order of Odd Fellows has sponsored a pilgrimage to the Tomb of the Unknown Soldier in Arlington National Cemetery. The pilgrimage this year was held on May 5 at which time the principal address was delivered by the Honorable J. Edward Stallings, Sovereign Grand Master of the Order and a resident of the Sixth District of Georgia. It is an honor for me to insert in the Record at this point the text of Mr. Stallings moving address to fellow participants in the 1973 Arlington pilgrimage:

Brother Chairman, Officers, both past and present, of The Sovereign Grand Lodge and all affiliated bodies, my Sisters, Brothers, and friends.

Standing in this magnificent presence, looking into the earnest faces of some of the most dedicated soldiers of fraternity, I find it very hard to find the words befitting such an occasion. To all of us, this is a very meaningful Pilgrimage. From almost every section of our land we come, from almost every corner of our "Wonderful World of Odd Fellowship," not only as Odd Fellows and Rebekahs, but as citizens of this great country. We are sharers of the blessings of a free Nation and a legacy made safe and secure by those who are willing to sacrifice their own. We are not here only because respect commands it but because friendship and love sponsor it. As we stand here upon this hallowed soil, it would be fitting and proper to renew our allegiance to the land they served so well and the citizenship they so well exemplified.

The Independent Order of Odd Fellows, dedicated to the world of humanity, can appropriately devote a passing moment to a memorial service for those who have fallen at their post of duty and not rest in the kindly arms of lasting sleep. The sun smiles and the moon and stars are sheen above their resting place, while circling round their beds are prayers from many hearts for an increase of his spirit among us that a little longer tread the earth. As we stand here and lift our eyes to an almost endless line and rows of white markers, we quickly realize that life has no impregnable fortress, no steel-clad to protect us from the withering hand of death. Each of those who sleep here was an example of that faith that does not shrink from contest. Each was a representative of that high type of manhood ripened by love and cherished by faith. Each was a true defender of peace because he was willing to engage in war with the enemies of peace.

The men who sleep here were men like you and I, with basically the same problems of rearing up children, of paying bills, of trying to live their lives peacefully and well. What was it, then, that moved them so and brought forth every resource of courage and strength known to man? The word Liberty? Yes! And the meaning behind the word. Liberty meant the right to control one's own destiny and, above all, the God given right of each individual man to pursue his life as he saw fit, without interference or control except as he was responsible to his neighbors and community. This, above all, was the essence of the word and the dream—the rights of the individual above any right which may be siezed from him by the government, whether it be from a foreign shore or from within his own country.

Breathes there the man with soul so dead,
who never to himself hath said,
"This is my own my native land!"
Whose heart hath ne'er within him burn'd
As home his footsteps he hath turned
From wandering on a foreign strand.

God has blessed this country. It became a promised land to peoples from every section of the earth. From every nation and every area they came, the immigrants, the new Americans, giving their talents and the sweat of their brows to build a great country. From the famine stricken farms of Ireland, from the peasant villages of Italy, from the snow-swept hill of Sweden, from the coal mines of Wales, from the ghettos of Russia they came. They too, eventually, found freedom and added their strength to America.

What time could be more fitting than this glorious time of the year when field, flower, and bloom speak so eloquently of nature's resurrection. We can hardly believe that just a short time ago, this field was encased in a frozen garb. Those who so peacefully sleep here have answered their country's call. They went out for a dream, perhaps, but they went out for country first. They stood behind their flag because it meant home to them and because home was threatened and assailed. They went forth for the high ideals for which the flag stood, for what this land was and is, and what it could be in days to come. We cannot separate the Flag from the men who march beneath it. Love of country was no shallow, meaningless thing to them but an avenging sword when justice required it.

What is this thing so deeply imbedded within the life's core of man that fosters the culmination of the dreams of the founding fathers and the centuries-old aspirations of men throughout the world for peace and liberty? What is this mysterious guiding force for which men pledged to each other their lives, their fortunes, and their sacred honor; for which farmers and merchants and artisans and ironworkers and cobblers and writers and preachers—all of them together—ready to answer the call of duty? What caused men to leave their shops and their farms prepared to give their lives fighting against what must have seemed tremendous odds. The spark set by these men ignited a fire which swept the world and still in these days of cynical hypocrisy, has the power to inflame men to action. Freedom and the pursuit of happiness are words that seem almost archaic in these days—sort of old fashioned and fondly remembered but belonging to an old frontier, somewhere back in the "Good old Days."

War is a terrible thing and an inglorious task to the one who participates in it. It is, seemingly, an endless grind of often revolting things but when fought in freedom's name it is sanctified because of what comes from it and from the life and peace that come from the sacrifice of war. However bitter the conflict may be, peace is as hard a master. War is a transient period of life. Peace is the normal condition and the servant of peace has a constant struggle to maintain that peace.

Those who sleep here helped make this a land of opportunity. Each helped to make it such a land where any man who wants to make a man of himself can do it, helped to make it a land where each individual soul is recognized and where he can work out his own salvation. The ones who sleep here realized that this great country with all it's wide acres, with all its history, with all its traditions, and all its life, must be protected for those who would serve it, those who would love it, all who would keep it, and all who would keep it's creed unsullied no matter from what source it may come.

I cannot forget the words of one of the greatest fraternal giants of our time who said:

"And if we persevere in our ideals, if we be faithful exponents of the things we profess—in other words, if we conduct ourselves from day to day in whatever country we may be, as true Odd Fellows, then it may well be that we shall see the realization of that time which is the dream fruit-tree of Odd Fellowship—the day when one law shall bind all nations and tongues and kindreds of the earth, and that law will be the law of universal brotherhood. And it may well be that the Sentry of passing days, pacing his rounds upon the watchtowers of civilization and hearing rung out the challenge—Watchman, what of the night?, will then answer in tones clear and crisp, reverberating down through the ages, that man redeemed and disenthralled from the slavish life of his passions has at long last asserted his high birthright and owns the tie which binds him in universal consanguinity with his fellow man—God's in his heaven, all's well with the world."

TWENTY-FIFTH ANNIVERSARY OF STATE OF ISRAEL

(Mr. PRICE of Illinois asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PRICE of Illinois. Mr. Speaker, on May 14, 1948, David Ben Gurion proclaimed the State of Israel, thereby officially fulfilling the aim of the 1897 World Zionist Congress: "to create for Jewish people a home in Palestine." The question remained as to whether this little oasis in the desert would prevail against the hostile surroundings.

A quarter of a century of bitter struggle has since elapsed. Israel has survived. The determination of the Israelis to maintain their 4,000-year-old claim to a homeland amidst seemingly insurmountable odds is a testimony to their courage and cause for celebration.

Today, May 7, Israel is celebrating its 25th birthday. I extend my best wishes to the people of Israel and Jews all over the world and hope that their celebration will signify not only the successful completion of the first 25 years of sovereignty, but also the beginning of a new period in which a true and lasting peace will be found in the Middle East.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. GREEN of Oregon (at the request of Mr. ULLMAN), on account of delegate to International Health Conference.

Mr. JOHNSON of California (at the request of Mr. MCFALL), for today, on account of illness.

Mr. JONES of Tennessee (at the request of Mr. MCFALL), for today and the balance of this week, on account of illness.

Mr. PRICE of Texas (at the request of Mr. GERALD R. FORD), on account of convalescence.

Mr. SATTERFIELD (at the request of Mr. MCFALL), for today through May 9, on account of illness.

Mr. STEIGER of Wisconsin (at the request of Mr. ARENDS), for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. HANRAHAN) to revise and extend their remarks and include extraneous matter:)

Mr. BELL, for 10 minutes, today.

Mr. RINALDO, for 15 minutes, today.

Mr. VEYSEY, for 30 minutes, May 15.

Mr. KEMP, for 20 minutes, today.

Mr. BURKE of Florida, for 5 minutes, today.

(The following Members (at the request of Mr. GUNTER) and to revise and extend their remarks and include extraneous matter:)

Mr. EILBERG, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. ST GERMAIN, for 5 minutes, today.

Ms. ABZUG, for 10 minutes, today.

Mrs. GRASSO, for 10 minutes, today.

Mr. BURTON, for 5 minutes, today.

Mr. VANIK, for 10 minutes, today.

Mr. OWENS, for 15 minutes, today.

Mr. WILLIAM D. FORD, for 5 minutes, today.

Mr. FLOOD, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MOSS and to include extraneous matter, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $1,445.

(The following Members (at the request of Mr. HANRAHAN) and to include extraneous matter:)

Mr. YOUNG of Alaska in three instances.

Mr. RINALDO.

Mr. CONTE.

Mr. HANRAHAN.

Mr. FREY.

Mr. QUIE.

Mr. WYMAN in two instances.

Mr. SPENCE.

Mr. FINDLEY.

Mr. HOSMER in three instances.

Mr. KEMP in two instances.

Mr. SEBELIUS.

Mr. MARTIN of North Carolina.

Mr. ZWACH.

Mr. RAILSBACK.

Mr. HUNT.

Mr. MILLS of Maryland.

(The following Members (at the request of Mr. GUNTER) and to include extraneous matter:)

Mr. PICKLE in 10 instances.

Mr. PATTEN.

Mr. ASPIN in 10 instances.

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mr. SISK.

Mr. RODINO in 10 instances.

Mr. O'HARA.

Mr. DOMINICK V. DANIELS.

Mr. MOSS.

Mr. EVINS of Tennessee in four instances.

Mr. ANDERSON of California in four instances.

Mr. HARRINGTON in three instances.

Mr. WALDIE in two instances.

Mr. JONES of Oklahoma in five instances.

Mr. EDWARDS of California in two instances.

Mr. DINGELL.

Mr. KOCH in two instances.

Mr. RIEGLE.

Mr. HUNGATE.

Mr. ADDABBO.

Mr. DULSKI in six instances.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 518. An act to abolish the offices of Director and Deputy Director of the Office of Management and Budget, to establish the Office of Director, Office of Management and Budget, and transfer certain functions thereto, and to establish the Office of Deputy Director, Office of Management and Budget.

BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on the following days present to the President, for his approval, a bill and a joint resolution of the House of the following titles:

On May 3, 1973:

H.R. 3841. An act to provide for the striking of medals in commemoration of Roberto Walker Clemente.

On May 4, 1973:

H.J. Res. 393. Joint resolution to amend the Education Amendments of 1972 to extend the authorization of the National Commission on the Financing of Postsecondary Education and the period within which it must make its final report.

ADJOURNMENT

Mr. GUNTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 20 minutes p.m.), the House adjourned until tomorrow, Tuesday, May 8, 1973, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

870. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend titles 10 and 32, United States Code, to authorize additional medical and dental care and other related benefits for Reservists and members of the National Guard, under certain circumstances, and for other purposes; to the Committee on Armed Services.

871. A letter from the Acting Assistant Secretary of the Army (Research and Development), transmitting a report on Department of the Army research and development contracts of $50,000 or more which were awarded during the 6 months ended December 31, 1972, pursuant to 10 U.S.C. 2357; to the Committee on Armed Services.

872. A letter from the Assistant Secretary

of the Air Force (Manpower and Reserve Affairs), transmitting a draft of proposed legislation to amend section 8371 of title 10, United States Code, to authorize officers of the Air National Guard of the United States to be considered for promotion to the reserve grade of colonel by the Air Force Reserve overall vacancy board; to the Committee on Armed Services.

873. A letter from the Acting Assistant Secretary of Defense (Installations and Logistics), transmitting a report on Department of Defense procurement from small and other business firms for July 1972–February 1973, pursuant to section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

874. A letter from the Commissioner of the District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Public Assistance Act of 1962; to the Committee on the District of Columbia.

875. A letter from the Chairman, National Commission on the Financing of Postsecondary Education, transmitting a report on the activities and progress of the Commission, to the Committee on Education and Labor.

876. A letter from the Acting Assistant Secretary of State for Congressional Relations; transmitting the text of International Labor Organization Convention No. 132, concerning Annual Holidays with Pay (H. Doc. 93–97); to the Committee on Foreign Affairs and ordered to be printed.

877. A letter from the Chairman, Indian Claims Commission, transmitting the final determination of the Commission in docket No. 321, *Tuscarora Indian Nation, Plantiff*, v. *The United States of America, Defendant*, pursuant to 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

878. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to further amend the International Travel Act of 1961, as amended; to the Committee on Interstate and Foreign Commerce.

879. A letter from the Deputy Attorney General, transmitting a draft of proposed legislation to provide for the appointment of U.S. marshals by the Attorney General; to the Committee on the Judiciary.

880. A letter from the Deputy Attorney General, transmitting a draft of proposed legislation to implement the Convention on the Prevention and Punishment of the Crime of Genocide; to the Committee on the Judiciary.

881. A letter from the Deputy Attorney General, transmitting a draft of proposed legislation to amend title XII of the Organized Crime Control Act of 1970, and for other purposes; to the Committee on the Judiciary.

882. A letter from the Acting Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in the cases of certain aliens under the authority contained in section 13(b) of the act of September 11, 1957, pursuant to section 13(c) of the act [8 U.S.C. 1255b(c)]; to the Committee on the Judiciary.

883. A letter from the Deputy Assistant Secretary of the Interior, transmitting the annual report on the National Visitor Center, pursuant to Public Law 90–264; to the Committee on Public Works.

884. A letter from the Chairman, U.S. Atomic Energy Commission; transmitting an amendment to the previously submitted draft of proposed legislation to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

RECEIVED FROM THE COMPTROLLER GENERAL

885. A letter from the Comptroller General of the United States, transmitting a report on the advantages and limitations of computer simulation in decisionmaking in the Department of Defense; to the Committee on Government Operations.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO (for himself, Mr. Adams, Mr. Annunzio, Mr. Biaggi, Mr. Bingham, Mr. Brasco, Mr. Burke of Massachusetts, Mr. Carney of Ohio, Mr. Clark, Mr. Cotter, Mr. Dominick V. Daniels, Mr. Delaney, Mr. Edwards of Alabama, Mr. Eilberg, Mr. Fascell, Mr. Fulton, Mr. Giaimo, Mrs. Grasso, Mr. Green of Pennsylvania, Mr. Hanley, Mrs. Hansen of Washington, Mr. Helstoski, Mr. Hicks, Mr. Lehman, and Mr. Meeds):

H.R. 7536. A bill to require that a percentage of U.S. oil imports be carried on U.S. flag vessels; to the Committee on Merchant Marine Fisheries.

By Mr. BELL:

H.R. 7537. A bill to amend titles 10 and 37, United States Code, to provide for equality of treatment for military personnel in the application of dependency criteria; to the Committee on Armed Services.

By Mr. BIAGGI:

H.R. 7538. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. BURKE of Florida:

H.R. 7539. A bill to amend title 39, United States Code, to authorize the transmission, without cost to the sender, of letter mail containing any Federal tax return, statement, or other information required of the sender under the provisions of chapter 61 of the Internal Revenue Code of 1954; to the Committee on Post Office and Civil Service.

By Mr. BURLISON of Missouri:

H.R. 7540. A bill to amend the Truth in Lending Act to eliminate the inclusion of agricultural credit; to the Committee on Banking and Currency.

By Mr. CAREY of New York (for himself, Mr. St Germain, Mr. Charles H. Wilson of California, Mr. William D. Ford, Mr. Pike, Mr. Lehman, Mr. Karth, Mr. Pepper, Mrs. Hansen of Washington, Mr. Giaimo, Mr. Adams, Mr. Meeds, Mr. Clay, Mr. Hicks, Mr. Shipley, Mr. James V. Stanton, and Mr. Carney of Ohio):

H.R. 7541. A bill to require that a percentage of U.S. oil imports be carried on U.S. flag vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. CONTE:

H.R. 7542. A bill to provide that respect for an individual's right not to participate in abortions contrary to that individual's conscience be a requirement for hospital eligibility for Federal financial assistance and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CONYERS:

H.R. 7543. A bill to provide for the compensation of innocent victims of violent crime in need; to make grants to States for the payment of such compensation; to authorize insurance program and death and disability benefits for public safety officers, police, firemen, and members of an ambulance team or rescue squad; to provide civil remedies for victims of racketeering activities; and for other purposes; to the Committee on the Judiciary.

By Mr. DANIELSON:

H.R. 7544. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for tuition paid for the elementary or secondary education of dependents; to the Committee on Ways and Means.

By Mr. DELLUMS:

H.R. 7545. A bill to require the President to furnish predisaster assistance in order to avert or lessen the effects of a major disaster in the counties of Alameda and Contra Costa in California; to the Committee on Agriculture.

By Mr. DIGGS (by request):

H.R. 7546. A bill to amend the District of Columbia Income and Franchise Tax Act of 1947 to provide a property tax credit to certain senior citizens, and for other purposes; to the Committee on the District of Columbia.

By Mr. DOWNING:

H.R. 7547. A bill to extend through fiscal year 1974 the expiring appropriations authorizations in the Public Health Service Act, the Community Mental Health Centers Act, and the Development Disabilities Services and Facilities Construction Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DULSKI:

H.R. 7548. A bill to amend section 109 of title 38, United States Code, to provide benefits for members of the armed forces of nations allied with the United States in World War I or World War II; to the Committee on Veterans' Affairs.

By Mr. EILBERG:

H.R. 7549. A bill to provide a penalty for the robbery or attempted robbery of any narcotic drug from any pharmacy; to the Committee on the Judiciary.

By Mr. ESCH:

H.R. 7550. A bill to amend title II of the Social Security Act so as to gradually increase and ultimately remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. FINDLEY:

H.R. 7551. A bill to amend title II of the Social Security Act to increase to $3,300 the amount of outside earnings which (subject to further increases under the automatic adjustment provisions) is permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. GILMAN:

H.R. 7552. A bill to amend section 402 of title 23, United States Code, and section 103 of the National Traffic and Motor Vehicle Safety Act of 1966, relating to schoolbus safety; to the Committee on Interstate and Foreign Commerce.

By Mr. HANLEY:

H.R. 7553. A bill to amend title 5, United States Code, to include service as an enrollee-trainee in the U.S. Maritime Service as military service for purposes of the civil service retirement system; to the Committee on Post Office and Civil Service.

By Mr. HANLEY (for himself, Mr. Charles H. Wilson of California, Mr. William D. Ford, and Mr. Brasco):

H.R. 7554. A bill to amend title 39, United States Code, with respect to the financing of the cost of mailing certain matter free of postage or at reduced rates of postage, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KOCH:

H.R. 7555. A bill to grant an alien child adopted by an unmarried U.S. citizen the same immigrant status as an alien child adopted by a U.S. citizen and his spouse; to the Committee on the Judiciary.

By Mr. KOCH (for himself and Mr. Aspin):

H.R. 7556. A bill to amend title 10 of the United States Code to establish independent boards to review the discharges and dismissals of servicemen who served during the Vietnam era and for other purposes; to the Committee on Armed Services.

H.R. 7557. A bill to amend chapter 49 of title 10, United States Code, to prohibit the inclusion of certain information on discharge certificates, and for other purposes; to the Committee on Armed Services.

H.R. 7558. A bill to establish a task force within the Veterans' Administration to advice and assist in connection with, to consult on, and to coordinate all programs pertaining to veterans of the Vietnam era; to the Committee on Veterans' Affairs.

H.R. 7559. A bill to amend chapter 34 of title 38, United States Code, to permit eligible veterans pursuing full-time programs of education to receive increased monthly educational assistance allowances and have their period of entitlement reduced proportionally; to the Committee on Veterans' Affairs.

H.R. 7560. A bill to amend chapter 34 of title 38, United States Code, to provide additional benefits to Vietnam era veterans; to the Committee on Veterans' Affairs.

By Mr. LANDRUM (for himself, Mr. Flynt, Mr. Stephens, Mr. Davis of Georgia, Mr. Brinkley, Mr. Stuckey, Mr. Blackburn, Mr. Mathis of Georgia, Mr. Ginn, Mr. Young of Georgia, Mr. Udall, Mr. Burton, and Mr. Seiberling):

H.R. 7561. A bill to authorize the establishment of the Chattahoochee River National Recreation Area in the State of Georgia, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MACDONALD:

H.R. 7562. A bill to amend the Communications Act of 1934 to require that an opportunity to reply to certain partisan broadcasts by the President be given to the other major political party; to the Committee on Interstate and Foreign Commerce.

H.R. 7563. A bill to provide for the continued supply of petroleum products to independent oil marketers; to the Committee on Interstate and Foreign Commerce.

By Mr. McFALL (for himself and Mr. Mathias of California):

H.R. 7564. A bill to amend the Poultry Products Inspection Act, to include chickens, turkeys, ducks, geese, guineas, pheasants, pigeons, and squabs within the definition of poultry; to the Committee on Agriculture.

By Mr. McFALL:

H.R. 7565. A bill to amend the Immigration and Nationality Act to classify as "special immigrants" alien veterans who served honorably in the U.S. Armed Forces, together with their spouses and children, for purposes of lawful admission into the United States; to the Committee on the Judiciary.

By Mrs. MINK (for herself, Mr. Brown of California, Mr. Gilman, Mr. Howard, and Mr. Roybal):

H.R. 7566. A bill for the relief of certain orphans in Vietnam; to the Committee on the Judiciary.

By Mr. PERKINS:

H.R. 7567. A bill to authorize the Secretary of Agriculture to develop and carry out a forestry incentives program to encourage a higher level of forest resource potection, development, and management by small nonindustrial private and non-Federal public forest landowners, and for other purposes; to the Committee on Agriculture.

H.R. 7568. A bill to amend title 5, United States Code, to provide for hazardous duty retirement benefits for Federal employees engaged in the inspection of coal mines; to the Committee on Post Office and Civil Service.

By Mr. RODINO:

H.R. 7569. A bill to incorporate the Italian American War Veterans of the United States, Inc.; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.R. 7570. A bill to transfer and reorganize all existing law enforcement functions of the Federal Government related to trafficking in narcotics and dangerous drugs in a Division of Narcotics and Dangerous Drugs established in the Federal Bureau of Investigation: to the Committee on Government Operations.

By Mr. SANDMAN:

H.R. 7571. A bill to repeal the Federal alcohol and tobacco excise taxes in order to make additional sources of revenue available to State and local governments; to the Committe on Ways and Means.

By Mr. SCHERLE:

H.R. 7572. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. STEELE:

H.R. 7573. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

H.R. 7574. A bill to eliminate racketeering in the sale and distribution of cigarettes and to assist State and local governments in the enforcement of cigarette taxes; to the Committee on the Judiciary.

By Mrs. SULLIVAN (for herself, Mr. Blackburn, Mr. Danielson, Mr. de Lugo, Mr. Findley, Mr. Fisher, Mr. Gude, Mr. Haley, Mr. Long of Louisiana, Mr. Metcalfe, Mr. Mezvinsky, Mr. Murphy of New York, and Mr. Nix):

H.R. 7575. A bill to extend until November 1, 1978, the existing exemption of the steamboat *Delta Queen* from certain vessel laws; to the Committee on Merchant Marine and Fisheries.

By Mrs. SULLIVAN (for herself, Mr. Preyer, Mr. Buchanan, Mr. Pritchard, Mr. Railsback, Mr. Roe, Mr. Slack, Mr. Stark, Mr. Stubblefield, Mr. Studds, Mr. Gonzalez, Mr. Treen, Mr. Vander Jagt, Mr. Won Pat, and Mr. Zion):

H.R. 7576. A bill to extend until November 1, 1978, the existing exemption of the steamboat *Delta Queen* from certain vessel laws; to the Committee on Merchant Marine and Fisheries.

By Mr. WAGGONNER:

H.R. 7577. A bill to amend the Merchant Marine Act of 1936, as amended; to the Committee on Merchant Marine and Fisheries.

By Mr. WHITEHURST (for himself and Mr. Coughlin):

H.R. 7578. A bill to amend the Federal law relating to the care and treatment of animals to broaden the categories of persons regulated under such law, to assure that birds in pet stores and zoos are protected, and to increase protection for animals in transit; to the Committee on Agriculture.

By Mr. WHITEHURST (for himself, Mr. Brown of California, Mr. Buchanan, Mr. Robert W. Daniel, Jr., Mr. de Lugo, Mr. Mann, Mr. Moakley, and Mr. Rosenthal):

H.R. 7579. A bill to direct the Secretary of Labor to study the feasibility of and need for a Cost of Existence Index; to the Committee on Education and Labor.

By Mr. WIGGINS:

H.R. 7580. A bill to revise title 28 of the United States Code; to the Committee on the Judiciary.

By Mr. WILLIAMS:

H.R. 7581. A bill to prohibit any State (or political subdivision thereof) from levying income taxes on nonresidents of the State (or political subdivision thereof); to the Committee on the Judiciary.

By Mr. WON PAT (for himself and Mr. de Lugo):

H.R. 7582. A bill to amend title 10, United States Code, to entitle the Delegates in Congress from Guam and the Virgin Islands to make appointments to the service academies; to the Committee on Armed Services.

By Mr. MACDONALD:

H.J. Res. 543. Joint resolution providing for the orderly review of fee-paid oil import licenses; to the Committee on Ways and Means.

By Mr. WHITEHURST (for himself and Mr. McCollister):

H.J. Res. 544. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mrs. GRASSO (for herself, Mr. Alexander, Mr. Badillo, Mr. Boland, Mrs. Burke of California, Mr. Burke of Massachusetts, Mr. Carey of New York, Mrs. Chisholm, Mr. Cohen, Mr. Culver, Mr. de Lugo, Mr. Eilberg, Mr. Esch, Mr. Fish, Mr. William D. Ford, Mr. Forsythe, Mr. Fraser, Mr. Gaydos, Mr. Gonzalez, Mr. Green of Pennsylvania, Mr. Hanley, Mr. Harrington, Mr. Hawkins, Mr. Hechler of West Virginia, and Mr. Helstoski):

H. Con. Res. 213. Concurrent resolution expressing the opposition of the Congress to certain measures for the curtailment of benefits under the medicare and medicaid programs; to the Committee on Ways and Means.

By Mrs. GRASSO (for herself, Ms. Jordan, Mr. Kyros, Mr. McDade, Mr. Meeds, Mr. Metcalfe, Mr. Minish, Mr. Moakley, Mr. Price of Illinois, Mr. Rangel, Mr. Rodino, Mr. Rosenthal, Mr. Roybal, Mr. St Germain, Mrs. Schroeder, Mr. Seiberling, Mr. Stark, Mr. Thompson of New Jersey, Mr. Tiernan, Mr. Waldie, Mr. Won Pat, and Mr. Yatron):

H. Con. Res. 214. Concurrent resolution expressing the opposition of the Congress to certain measures for the curtailment of benefits under the medicare and medicaid programs; to the Committee on Ways and Means.

By Mr. ANDERSON of Illinois (for himself, Mr. Gibbons, Mr. Cleveland, Mr. Fraser, Mr. Talcott, and Mr. Rhodes):

H. Res. 383. Resolution to amend clause 32(c) of rule XI of the House of Representatives to provide the minority party, upon request, with up to one-third of a committee's investigative staff funds; to the Committee on Rules.

By Mr. ERLENBORN:

H. Res. 384. Resolution requesting the Attorney General designate to nominate a special prosecutor in connection with the Presidential election of 1972; to the Committee on the Judiciary.

By Mr. LEHMAN:

H. Res. 385. Resolution requesting the President of the United States to appoint a special prosecutor in connection with the Presidential election of 1972; to the Committee on the Judiciary.

By Mr. WALSH:

H. Res. 386. Resolution requesting the President to seek the joint recommendation by such Justices of the Supreme Court (other than the Chief Justice) as the Court shall select, of a suitable special prosecutor of crimes connected with the Watergate matter; to the Committee on the Judiciary.

By Mr. WYMAN:

H. Res. 387. Resolution expressing the sense of the House of Representatives that a bipartisan study group be established to consider the institution of a Federal college for ombudsman training; to the Committee on Education and Labor.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

190. By the SPEAKER: A memorial of the House of Delegates of the State of Maryland, relative to funding of certain higher education programs; to the Committee on Appropriations.

191. Also, memorial of the Senate of the Commonwealth of Massachusetts, relative to peacetime utilization of appropriations, installations and persons released from defense-related employment; to the Committee on Education and Labor.

192. Also, memorial of the Legislature of the State of Utah, relative to child labor laws; to the Committee on Education and Labor.

193. Also, memorial of the House of Representatives of the State of Arkansas, relative to the development of the Big Clifty public use area on Beaver Lake, Ark.; to the Committee on Interior and Insular Affairs.

194. Also, memorial of the Legislature of the Territory of Guam, relative to the appointment of a representative to negotiate the use of Sella Bay for an ammunition wharf; to the Committee on Interior and Insular Affairs.

195. Also, memorial of the Legislature of the Territory of the Virgin Islands, relative to transfer of the ownership and control of Water Island to the Virgin Islands; to the Committee on Interior and Insular Affairs.

196. Also, memorial of the Legislature of the State of Indiana, relative to "no-fault" insurance; to the Committee on Interstate and Foreign Commerce.

197. Also, memorial of the Senate of the State of Maryland, relative to amending the Constitution of the United States to restore prayer in public schools; to the Committee on the Judiciary.

198. Also, memorial of the Legislature of the State of Oklahoma, requesting Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States concerning the assignment of students to public schools on the basis of race, religion, color, or national origin; to the Committee on the Judiciary.

199. Also, memorial of the Legislature of the State of Utah, relative to abortion; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mrs. MINK:

H.R. 7583. A bill for the relief of Juanito Segismundo; to the Committee on the Judiciary.

By Mr. BOB WILSON:

H.R. 7584. A bill to extend the term of design patent No. 21,053, dated September 22, 1891, for a badge, granted to George Brown Goode, and assigned to the National Society, Daughters of the American Revolution; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

205. By the SPEAKER: Petition of the Palau District Legislature, Western Caroline Islands, Trust Territory of the Pacific Islands, relative to the settlement of Micronesian war claims; to the Committee on Foreign Affairs.

206. Also, petition of John Sitek, Hamtramck, Mich., and others, relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

207. Also, petition of Norman L. Birl, Jr., Rosharon, Tex., relative to redress of grievances; to the Committee on the Judiciary.

208. Also, petition of the common council, Appleton, Wis., relative to environmental protection legislation; to the Committee on Merchant Marine and Fisheries.

209. Also, petition of the city council, Elizabeth, N.J., relative to tax credits for tuition paid for elementary or secondary education of dependents; to the Committee on Ways and Means.

SENATE—*Monday, May 7, 1973*

The Senate met at 12 o'clock noon and was called to order by Hon. ROBERT C. BYRD, a Senator from the State of West Virginia.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, eternal and unchangeable, we pray for this Nation, its people, and its institutions in this time of anguish. If we have forsaken Thee, do not forsake us. If we have sinned, forgive us. If we have been mistaken, correct us. Spare us from judgments which only Thou canst make. May we forgive one another before we claim Thy forgiveness. May Thy grace be sufficient for all our needs.

We beseech Thee, O Lord, to lift the efforts of this body into the higher reaches of Thy kingdom, guiding and strengthening each one in the discharge of his daily duties.

We pray in the Redeemer's name. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE
Washington, D.C. May 7, 1973.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. ROBERT C. BYRD, a Senator from the State of West Virginia, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. ROBERT C. BYRD thereupon took the chair as Acting President pro tempore.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT—ENROLLED JOINT RESOLUTIONS SIGNED

Under authority of the order of the Senate of May 3, 1973, the Secretary of the Senate, on May 3, 1973, received the following message from the House of Representatives:

That the Speaker had affixed his signature to the following enrolled joint resolutions:

H.J. Res. 393. Joint resolution to amend the Education Amendments of 1972 to extend the authorization of the National Commission on the Financing of Postsecondary Education and the period within which it must make its final report; and

S.J. Res. 51. Joint resolution to authorize and request the President to issue a proclamation designating the calendar week beginning May 6, 1973, as "National Historic Preservation Week."

The enrolled joint resolutions were subsequently signed on May 3, 1973, by the President pro tempore.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Marks, one of his secretaries, and he announced that the President had approved and signed the following act and joint resolution:

On May 3, 1973:

S. 50. An act to strengthen and improve the Older Americans Act of 1965, and for other purposes.

On May 5, 1973:

S.J. Res. 51. Joint resolution to authorize and request the President to issue a proclamation designating the calendar week beginning May 6, 1973, as "National Historic Preservation Week."

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore (Mr. ROBERT C. BYRD) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received today are printed at the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Berry, one of its reading clerks, announced that the House had passed a bill (H.R. 982) to amend the Immigration and Nationality Act, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 518) to abolish the Offices of Director and Deputy Director of the Office of Management and Budget, to establish the Office of Director, Office of Management and Budget, and transfer certain functions thereto, and to establish the Office of Deputy Director, Office of Management and Budget.

The enrolled bill was subsequently signed by the Acting President pro tempore (Mr. Robert C. Byrd).

HOUSE BILL REFERRED

The bill (H.R. 982) to amend the Immigration and Nationality Act, and for other purposes, was read twice by its title and referred to the Committee on the Judiciary.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, May 3, 1973, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF THE CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CAMBODIA

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record the Harris survey—"49 Percent Disapprove Cambodia Raids," as published in the Washington Post on May 7, 1973; also an editorial published in the Christian Science Monitor on May 5, 1973, entitled "Bombers Versus Bombing."

There being no objection, the survey and editorial were ordered to be printed in the Record, as follows:

[From the Washington Post, May 7, 1973]

The Harris Survey: 49 Percent Disapprove Cambodia Raids

(By Louis Harris)

The American people were deeply worried in mid-April that "Cambodia will fall to the Communists," and yet also disapproved by 49-33 percent of the use of B–52 bombers in the fighting that has continued in that country.

When asked why they opposed the use of U.S. bombers in Cambodia, the public volunteered three principal objections: (1) "we have no business there and should get out," (2) "the bombing is inhuman and should be stopped," and (3) "it could lead to our becoming involved in another Vietnam."

The prevailing mood in the country today clearly doubts that either the North Vietnamese or South Vietnamese intend to live up to the peace accords reached in Paris. A large 73 percent felt in mid-April it was at least "somewhat likely" that Cambodia would fall to the Communists. Even so, there was little disposition to wish another deep U.S. involvement in Southeast Asia, since Americans now agree, by 70–21 percent, that our involvement in Vietnam was a "mistake."

Here are key results from a nationwide Harris Survey conducted between April 18 and 23 among 1,537 households:

A 56 percent majority believed that "war will break out again between North and South Vietnam."

By 58–27 percent, the public also felt that "the government of South Vietnam will violate the terms of the Vietnam peace agreement."

By a much higher 82–7 percent, a lopsided majority also thought the "government of North Vietnam will violate" the peace accord.

Despite these forebodings that the Vietnam peace will not work out, President Nixon received high marks for his efforts to reach agreement with North Vietnam. The public was asked:

"How would you rate President Nixon—excellent, pretty good, only fair, or poor?"

[In percent]

	Positive	Negative	Not sure
Bringing the war in Vietnam to a close	64	34	29
Bringing the POW's home from Vietnam	80	18	2

However, the closing period of the Vietnam experience has not been one of unmitigated joy. The cross section was asked:

"When the U.S. prisoners-of-war finally came home, did you feel like celebrating as you might have after World War II, or did you feel more sad that the prisoners-of-war had been so long in captivity?"

[*Total public, in percentage*]

Felt like celebrating	8
Felt relieved	51
Felt sad	35
Not sure	6

[From the Christian Science Monitor, May 5, 1973]

Bombers Versus Bombing

Now bomber crews over Cambodia have joined the appeal to America's conscience in challenging the continued bombing of which they are instruments. It behooves the administration to listen on pragmatic grounds as well.

In President Nixon's Watergate speech he spoke of his "terrible personal ordeal of the renewed bombing of North Vietnam." Think of the ordeal for those undergoing the bombardment.

Mr. Nixon went on to say the bombing "helped bring America peace with honor." What kind of honor will be bestowed on America if the bombing is endlessly continued during this peace?

To the grave doubts about even its military effectiveness must be added humanitarian outrage at the killing of civilians in Cambodia, as reported by this newspaper's correspondent there, and recognition that some of the bomber crews themselves are beginning to express the dismay they feel at their grim duties.

"I would like you to request the government not to drop any more bombs because we would like to rebuild our homes," said an old villager to Monitor correspondent Daniel Southerland.

The villagers said American fighter bombers made one pass after another at their village, damaging or destroying half the homes—and hurting only civilians, because the raids took place several hours after Cambodian insurgents had left. That night the bombers killed an 11-year-old boy where he had joined others taking refuge outside the village.

It is small wonder that at least a dozen B–52 crew members have protested against the bombing in letters to members of Congress. "This plea is not a one-man show," wrote one copilot. "The majority of the crew force presently engaged in these operations are tired and fed up with the entire affair. . . ." Another letter said: "Every day of bombing splashes blood in the face of America. What will we tell our children?" It is a good question.

The ACTING PRESIDENT pro tempore. Under the standing order, the Republican leader is recognized.

(The remarks Senator Scott of Pennsylvania made at this point on the introduction of S. 1711, the Foreign Assistance Act of 1973, are printed in the Record under Statements on Introduced Bills and Joint Resolutions.)

ORDER OF BUSINESS

The PRESIDING OFFICER (Mr. Hughes). Under the previous order, the distinguished Senator from South Dakota (Mr. McGovern) is now recognized for not to exceed 15 minutes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, with the time to be taken out of the allocation to the Senator from South Dakota.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, the Senator from South Dakota is recognized for not to exceed 14 minutes.

(The remarks Senator McGovern made at this point on the introduction of S. 1714 through S. 1718, relating to Vietnam veterans, are printed in the Record under Statements on Introduced Bills and Joint Resolutions.)

ORDER OF BUSINESS

The PRESIDING OFFICER. Under the previous order the Senator from Michigan (Mr. Griffin) is recognized for not to exceed 15 minutes.

Mr. GRIFFIN. Mr. President, I suggest the absence of a quorum, the time to be charged to my time.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRIFFIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, the Senator from West Virginia (Mr. Robert C. Byrd) is recognized for not to exceed 15 minutes.

REACTION TO MR. RICHARDSON'S STATEMENT

Mr. ROBERT C. BYRD. Mr. President, Mr. Elliot Richardson this morning announced that, if he is confirmed as Attorney General, he will appoint a special prosecutor to conduct the Watergate investigation.

As a member of the Senate Committee on the Judiciary, which will have the responsibility of confirming Mr. Richardson's nomination, I commend Mr. Richardson for his decision to follow this course of action, and for his announced intention to give the special prosecutor "all the independence, authority and staff support needed to carry out the tasks entrusted to him."

I am glad that Mr. Richardson has given assurances that the person selected will be of the highest integrity and will possess the professional qualifications needed to do the job that must be done.

Mr. Richardson said, furthermore, that he will also ask that the Senate Committee on the Judiciary hold a public hearing on the nominee, and added that he would welcome an "expression by the Senate as a whole of its confidence" in the man selected.

As a member of the Judiciary Committee, I wish to state that while I know of no precedent for such Senate committee action on a nonstatutory appointee, I likewise know of no factor that would prohibit such a course of action.

Moreover, I at this point would certainly have no objection to an expression by the full Senate, as has been suggested by Mr. Richardson, especially in view of Mr. Richardson's request for such action.

I have said on numerous occasions that the only way to get to the bottom of the Watergate mess is through an independent investigation, conducted under the direction of an independent, special prosecutor. That is the only way that the people of the United States are going to be convinced that the administration is seriously attempting to uncover the whole truth in this sordid affair.

Again, Mr. President, I commend Mr. Richardson for clearly indicating that if his nomination is confirmed by the Senate, he will use the authority given him by President Nixon, and I commend him for suggesting that the Senate participate in the selection process for the special prosecutor.

PERIOD FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, unless another Senator wishes time, I yield back the remainder of my time under the order.

The PRESIDING OFFICER. Under the previous order there will now be a period for the transaction of routine morning business for not to exceed 30 minutes, with statements therein limited to 3 minutes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

SENATE RESOLUTION 106, APPOINTMENT BY ATTORNEY GENERAL OF SPECIAL ASSISTANT, PLACED ON CALENDAR

Mr. BROOKE. Mr. President, I ask unanimous consent that Senate Resolution 106 be placed on the calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HATHAWAY). Without objection, it is so ordered.

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that, on May 4, 1973, he presented to the President of the United States the enrolled joint resolution (S.J. Res. 51) to authorize and request the President to issue a proclamation designating the calendar week beginning May 6, 1973, as "National Historic Preservation Week."

REPORT ENTITLED "JUDICIARY COMMITTEE INQUIRY AND INVESTIGATION" — SUPPLEMENTAL REPORT (PART 2 OF S. REPT. NO. 93-128)

Mr. TUNNEY, from the Committee on the Judiciary, submitted a supplemental report entitled "Judiciary Committee Inquiry and Investigation," which was ordered to be printed as part 2 of Senate Report No. 93-128.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. ROBERT C. BYRD) laid before the Senate the following letters, which were referred as indicated:

PROPOSED LEGISLATION FROM DEPARTMENT OF THE AIR FORCE

A letter from the Assistant Secretary of the Air Force, Manpower, and Reserve Affairs, transmitting a draft of proposed legislation to amend title 10, United States Code, with respect to certain sections relating to strengths for the Army, Navy, Air Force, and Marine Corps (with accompanying papers). Referred to the Committee on Armed Services.

REPORT OF DISTRICT OF COLUMBIA BAIL AGENCY

A letter from the Director, District of Columbia Bail Agency, Washington, D.C., transmitting, pursuant to law, a report of that agency, for the year 1971 (with an accompanying report). Referred to the Committee on the District of Columbia.

REPORT ON U.S. FOREIGN POLICY

A letter from the Secretary of State, transmitting, pursuant to law, his report on U.S. foreign policy, for the year 1972 (with an accompanying report). Referred to the Committee on Foreign Relations.

REPORT ON OPERATIONS UNDER MUTUAL DEFENSE ASSISTANCE CONTROL ACT OF 1951

A letter from the Assistant Secretary for Economic and Business Affairs, Department of State, transmitting, pursuant to law, a report under the Mutual Defense Assistance Control Act of 1951 (Battle Act) for the year 1972 (with an accompanying report). Referred to the Committee on Foreign Relations.

REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Problems in Meeting Manpower Needs in the All-Volunteer Force," Department of Defense, dated May 2, 1973 (with an accompanying report). Referred to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Ways To Improve Effectiveness of Rural Business Loan Program," Farmers Home Administration, Department of Agriculture, dated May 2, 1973 (with an accompanying report). Referred to the Committee on Government Operations

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

A letter from the Acting Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens (with accompanying papers) Referred to the Committee on the Judiciary.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Acting Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders relating to temporary admission into the United States of certain aliens (with accompanying papers). Referred to the Committee on the Judiciary.

PROSPECTUS RELATING TO PROPOSED LEASING OF SPACE IN THE FORT LINCOLN URBAN RENEWAL AREA, WASHINGTON, D.C.

A letter from the Acting Administrator, General Services Administration, transmitting, pursuant to law, a prospectus relating to the proposed leasing of space in the Fort Lincoln Urban Renewal Area, Washington, D.C. (with accompanying papers). Referred to the Committee on Public Works.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore (Mr. ROBERT C. BYRD):

A resolution of the House of Representatives of the State of Arkansas. Referred to the Committee on Appropriations:

"HOUSE RESOLUTION 53

"Resolution urging the Congress of the United States to appropriate funds for the development of the Big Clifty Public Use Area on Beaver Lake

"Whereas, the tourist industry in Carroll County has experienced an unprecedented period of growth and expansion due to the popularity of the Big Clifty Public Use Area on Beaver Lake; and

"Whereas, the waters of the Big Clifty Public Use Area have provided many thrills and hours of satisfaction for the fishermen of Arkansas and surrounding states; and

"Whereas, the Big Clifty Public Use Area has become a center of water-sport activities and is a favorite gathering spot for vacationing families; now therefore,

"Be it resolved by the House of Representatives of the Sixty-Ninth General Assembly of the State of Arkansas:

"That the Congress of the United States appropriate funds for the development of the Big Clifty Public Use Area on Beaver Lake."

A joint resolution of the Legislature of the State of California. Referred to the Committee on Commerce:

"ASSEMBLY JOINT RESOLUTION NO. 4"—RELATIVE TO OIL IMPORTATION ON AMERICAN FLAGSHIPS

"Whereas, A vital piece of legislation is now being considered by Congress, which legislation will require at least half of all the nation's oil imports to be carried on American flagships; and

"Whereas, The United States is facing a growing shortage of domestic energy fuels, and in order to prevent our nation from being strangled by a lack of power supplies, we must import increased amounts of oil and natural gas; and

"Whereas, Nearly every maritime country in the world reserves 30 percent or more of its trade for home-nation ships—American flagships now carry only 5 percent of all our imports and exports; and

"Whereas, American-owned ships flying other countries' flags carry 41 percent of our oil imports; and

"Whereas, The U.S. flag tanker fleet, which had been limited largely to the carriage of oil from one domestic port to another under Jones Act protection, is being laid up because of the increased use of pipelines to transport oil; and

"Whereas, France guarantees the French fleet two-thirds of all oil import carriage; Japan reserves more than half of its oil import carriage to its own fleet; Peru, Chile, and Spain reserve all oil imports for their own tankers; and

"Whereas, The Soviet Union and other Iron Curtain countries see to it that ships of other nations are permitted into their trade only after their own fleets have been used to capacity; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the Congress of the United States to enact legislation to strengthen America by requiring at least half of the nation's oil imports to be carried on American flagships, to the extent feasible; and be it further

"*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint memorial of the Legislature of the State of Colorado. Referred to the Committee on Agriculture and Forestry:

"SENATE JOINT MEMORIAL NO. 6

"Memorializing the Congress of the United States to renovate the administration of the "Federal Food, Drug, and Cosmetic Act", especially with respect to the so-called Delaney clause of the act relating to diethylstilbestrol (DES) as a feed ingredient for use in cattle and sheep feeding

"Whereas, It is recognized that there exists a worldwide shortage of animal protein, and domestic production of meat animals has been geared up to insure the citizens of the United States an adequate supply of high quality, nutritious beef more efficiently and at less cost to the consumers; and

"Whereas, The decision by the Federal Food and Drug Administration to ban the use of diethylstilbestrol (DES) as a feed ingredient for use in cattle and sheep feeding was dictated partly by the interpretation that the Delaney Clause of the 1958 Food Additives Amendment to the "Federal Food, Drug, and Cosmetic Act' carried a 'zero tolerance' concept; and

"Whereas, The result is that the consuming public is being deprived of a product that has helped substantially to produce a record amount of high quality beef to satisfy a record demand for such beef more efficiently and at less cost to consumers by virtue of the fact that feeds containing traces of DES enable cattle to reach market weight faster and with approximately fourteen percent less feed; and

"Whereas, Diethylstilbestrol (DES) stimulates the growth of tumors in test animals and has been known to have caused cancer in humans, though not as a consequence of use as an animal feed; and

"Whereas, current tests for detecting residues are becoming more refined and are already fantastically sensitive, with promise of becoming more sophisticated and sensitive to the point that the day may come when, under zero residue tolerance interpretation of the Delaney Clause, it would be necessary to abandon many things that have added to our food supply and which are very useful to society; and

"Whereas, what is needed now is to evaluate the Delaney Clause as coolly and calmly as possible in light of new residue detection devices, and some leeway must be allowed for the "rule of reason" of men and scientists to prevail; otherwise, it is conceivable that available supplies of beef and other meats will diminish, and the consumer will be faced with reduced supplies at higher costs; now, therefore,

"*Be it Resolved by the Senate of the Forty-ninth General Assembly of the State of Colorado, the House of Representatives concurring herein:* That the Congress of the United States is hereby memorialized to consider the need for a revaluation and renovation of the food and drug laws, with special emphasis on the interpretation of the Delaney Clause, and its application to the use of diethylstilbestrol (DES) as a feed ingredient for use in cattle and sheep feeding.

"*Be It Further Resolved,* That copies of this Memorial be sent to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States and to each member of Congress from the State of Colorado."

A joint memorial of the Legislature of the Senate of Colorado. Referred to the Committee on Finance:

"HOUSE JOINT MEMORIAL NO. 1007

"Memorializing the Congress of the United States to enact legislation equalizing the Federal Income Tax burden borne by married and unmarried persons

"Whereas, There are more than thirty million unmarried persons in the United States paying federal income taxes; and

"Whereas, Because of gross inequities contained in the Internal Revenue Code, most unmarried taxpayers pay what amounts to a surtax because of their single status; and

"Whereas, For example, a single taxpayer having a taxable income of $8,000 pays $1,590 in federal income taxes, while by contrast, a married taxpayer having the same taxable income pays $1,380 in federal income taxes, a difference of $210; and

"Whereas, While it is only fair that the federal income tax laws recognize the varying living costs as between a family and single individuals, such differences should be reflected in the tax laws by the allowance of reasonable deductions and exemptions, not by the use of varying tax rates on the same amount of taxable income; and

"Whereas, There no longer exists any reason for the unfair and discriminatory treatment accorded single taxpayers under the federal income tax laws; now, therefore,

"*Be It Resolved by the House of Representatives of the Forty-ninth General Assembly of the State of Colorado, the Senate concurring herein:* That the Congress of the United States is hereby memorialized to enact legislation equalizing the tax burden of single and married taxpayers so that the two classes of taxpayers pay the same amount of tax on the same amount of taxable income.

"*Be It Further Resolved,* That copies of this Memorial be sent to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States and to each member of Congress from the State of Colorado."

A joint resolution of the Legislature of the State of Colorado. Referred to the Committee on Interior and Insular Affairs:

"SENATE JOINT MEMORIAL NO. 1

"Memorializing the Congress of the United States to define and implement a national energy policy

"Whereas, Educational, governmental, and industrial facilities in the State of Colorado have been shut down because of a fuel shortage; and

"Whereas, This serious condition is expected to continue and worsen in the future, unless immediate action is taken to correct the causes thereof; and

"Whereas, The General Assembly of the State of Colorado considers the present fuel shortage to be an immediate threat to the health, safety, and welfare of the citizens of the state; and

"Whereas, Increased reliance on importation of fossil fuels presents a problem of national security and balance of payments; and

"Whereas, There is a need for a national policy which will provide adequate supplies of energy at reasonable cost and protect the environment; and

"Whereas, Such objectives can be achieved by private enterprise under wise governmental policy; now, therefore,

"*Be It Resolved by the Senate of the Forty-ninth General Assembly of the State of Colorado, the House of Representatives concurring herein:* That the Congress of the United States is hereby memorialized to give top priority to immediately defining and implementing a National Energy Policy, including objectives to:

"(1) Encourage the economic and efficient use, as well as the conservation of energy by:

"(a) Encouraging and supporting research into additional methods to conserve energy and decrease per capita consumption of energy; and

"(b) Providing financial incentives to schools, educational institutions, and industries involved in research and education concerning energy conservation and the reduction of per capita consumption of energy; and

"(c) Supporting changes in technology designed to conserve energy and more economically utilize available resources;

"(2) Manage the leasing of federal lands located within the state of Colorado (which constitute thirty-five percent of the land of Colorado), so as to encourage their development for the production of energy resources giving consideration to the energy needs of Colorado's people and its environment;

"(3) Provide a tax policy which would encourage exploration and development in order to increase the supply of domestic oil and gas;

"(4) Encourage and facilitate an increase of refinery and transportation capacity for petroleum products;

"(5) Achieve a reasonable balance between protecting the environment and developing, processing, and transporting needed energy resources;

"(6) Gradually relax price controls on natural gas, but with provisions for equitable price treatment for consumers; and

"(7) Encourage the release of atomic energy blocks of land for development of nuclear power.

"*Be It Further Resolved,* That the Congress of the United States is hereby memorialized to do all that it deems necessary to promote the development of sources of clean and efficient energy through such means as:

"(1) Encouragement and support of research to determine the energy potential of resources, such as solar, geothermal, nuclear fusion and fission, oil shale, tar sands, and the gasification and liquefaction of coal;

"(2) Provision for tax incentives to industries involved in such research and development; and

"Be It Further Resolved, That copies of this Memorial be transmitted to the President of the United States, the President of the Senate of the Congress of the United States, the Speaker of the House of Representatives of the Congress of the United States, and the members of Congress from the State of Colorado."

A joint resolution of the Legislature of the State of Colorado. Referred to the Committee on Interior and Insular Affairs:

"Senate Joint Memorial No. 8

"Memorializing the Congress of the United States to enact legislation to acquire water rights in accordance with State law, to state quantity of water claimed, and to pay compensation for vested water interests adversely affected

"Whereas, The federal government has filed numerous claims for water rights in the state of Colorado, in both the federal and state courts, seeking to establish federal claims to much of the water originating in Colorado, for the appointment of a federal water master, and for other relief; and

"Whereas, the federal government is claiming an unspecified and unknown amount of water for such purposes; and

"Whereas, The granting of the claims sought by the United States could seriously jeopardize the existing system of water rights within the state of Colorado, could create a dual system of administration and decrees, could require water users needlessly to readjudicate rights already acquired and decreed under state law, could adversely affect Colorado's rights under the Colorado River Compact and the Upper Colorado River Basin Compact, and will impose a heavy burden upon the citizens of this state to protect their individual water rights against the federal claims; and

"Whereas, The Colorado Water Conservation Board in regular session assembled at Denver, Colorado, the eighteenth day of January, 1973, recommended to the Governor of the state of Colorado, to the Attorney General of the state of Colorado and to the members of the Colorado General Assembly that all steps necessary and proper, including appropriate funding, be taken and authorized to require the United States to quantify its claims and to adjudicate them and thereafter administer them in accordance with state law; and

"Whereas, The Governor of the state of Colorado by Executive Order dated January 24, 1973, delivered to the Attorney General his requirement that the Attorney General represent and appear in all of the state cases wherein the United States of America has filed water claims, and to do any and all things necessary in the premises to defend and protect the interests of our sovereign state and its citizens as a whole; now, therefore,

"Be It Resolved by the Senate of the Forty-ninth General Assembly of the State of Colorado, the House of Representatives concurring herein: That the Congress of the United States is hereby memorialized to enact legislation which would require all federal agencies to acquire water rights in the state of Colorado in accordance with state law setting forth the quantity of all water claimed by the federal agencies and if such rights adversely affect or diminish vested water interests within the state of Colorado that Congress shall provide compensation therefor.

"Be It Further Resolved, That copies of this memorial be transmitted to the President of the United States, the President of the Senate of the Congress of the United States, the Speaker of the House of Representatives of the Congress of the United States, and each member of the Congress from the state of Colorado."

A concurrent resolution of the legislature of the State of Hawaii. Referred to the Committee on Banking, Housing and Urban Affairs:

"House Concurrent Resolution No. 12

"Requesting the Federal Cost of Living Council (Price Commission) to immediately consider the appeals of the rulings by the Honolulu District Office, Internal Revenue Service, on the applications for hospital rate exceptions for the 11 County/State Hospitals in the State of Hawaii

"Whereas, the determinations made on applications for exception to the Price Commission Rules and Regulations filed for 11 County/State Hospitals in the State of Hawaii by the Honolulu District Office, Internal Revenue Service, were not based on the facts and the extenuating events presented in the appeal document now before the Council; and

"Whereas, the reasons given by the Internal Revenue Service for its current rulings, based on the assertion that the Economic Stabilization Program had not imposed extreme hardship or gross inequity, are not shared by the State of Hawaii; and

"Whereas, the current rulings on the hospitals' applications preclude the use of the "Base Rate" concept as announced by the Price Commission Ruling 1972–267 of October 20, 1972; and

"Whereas, the Social Security Amendments of 1972 (P.L. 92–603, H.R. 1, October 30, 1972) effect changes in reimbursements of payments where customary charges are less than reasonable cost (Sec. 233), which will deny the hospitals from receiving reimbursements beginning July 1, 1973, resulting in gross inequity and hardship; and

"Whereas, raising the hospitals' customary charges would result in a more adequate cashflow from charges to patients on a monthly basis, which is in keeping with the Department of Health, Education, and Welfare request to maintain a close parity between interim charge and costs; and

"Whereas, the granting of these increased rates, to include exception to the base period net revenue margin, does not appear to directly affect the Economic Stabilization Program insofar as inflation is concerned, based on the fact that the hospitals are currently reimbursed for Medicare and Medicaid patients through the retroactive reimbursement process; now, therefore.

"Be it resolved by the House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1973, the Senate concurring, that the Federal Cost of Living Council (Price Commission) is urged and requested to immediately consider the appeals of the ruling of the Internal Revenue Service now before the Council on the application for hospital rate exceptions for the 11 County/State Hospitals in the State of Hawaii; and

"Be it further resolved that copies of this Concurrent Resolution be transmitted to the Hawaii Members to the United States Congress for their support and assistance, and to the Secretary, Department of Health, Education and Welfare; and

"Be it further resolved that copies of this Concurrent Resolution be transmitted to the Speaker of the U.S. House of Representatives and the President of the U.S. Senate for their support and assistance."

A concurrent resolution of the Legislature of the State of Hawaii. Referred to the Committee on Finance:

"Senate Concurrent Resolution No. 30

"Requesting immediate enactment by the Congress of the United States of Appropriate Legislation to establish adequate duties and quotas on foreign pineapple imports to protect Hawaiian Pineapple Production

"Whereas, the State Legislature is gravely aware of the current crisis facing the pineapple industry in the State; and

"Whereas, it is reasonably clear that pineapple production in Hawaii is in a State of crucial economic strain when three out of the four companies making up Hawaii's pineapple industry have announced, by successive independent actions within one year, closings and cutbacks that will reduce Hawaii's pineapple production by one-third within the next three years; and

"Whereas, the State Legislature recognizes the urgent need for cooperative action by the industry and the State and the Federal government to insure the continued viability of Hawaii's pineapple industry; and

"Whereas, the Hawaii State Department of Agriculture has recently issued a comprehensive study which revealed that there is inadequate tariff protection for Hawaiian pineapple against foreign competition in the government to insure the continued viability of all other imported canned fruits; and

"Whereas, this lack of adequate duties and quotas to protect Hawaiian pineapple from foreign competition is evidenced by the fact that during the period between 1950 and 1971 imports of foreign pineapple into the United States increased by 3.8 million cases or 204 percent; and in terms of dollars, $32.2 million worth of foreign pineapple was imported in 1971 compared to $7.4 million of other canned fruits; and

"Whereas, since the mid-sixties, nearly all the increases in pineapple consumption on the United States mainland were accounted for by foreign pineapple because the United States does not have a quota system for pineapple and because the duty on pineapple is very low; and

"Whereas, in view of the potential statewide impact of any further decline in pineapple production and sales and the scope of legislative actions that must be taken to meet current problems, the Hawaii Legislature urges strong Congressional enactment to get United States industry, including Hawaii's pineapple industry, what it needs to meet the aggressive competition of overseas producers: an even break in the marketplaces of the world; now, therefore,

"Be it resolved by the Senate of the Seventh Legislature of the State of Hawaii, Regular Session of 1973, the House of Representatives concurring, that the Congress be, and it is hereby urgently requested to establish adequate duties and quotas on foreign pineapple imports to protect Hawaiian pineapple production; and

"Be it further resolved that certified copies of this Concurrent Resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, to each member of Hawaii's Congressional delegation, and to the United States Secretary of Agriculture."

A concurrent resolution of the Legislature of the State of Hawaii. Referred to the Committee on Finance:

"Senate Concurrent Resolution No. 40

"Requesting the Congress of the United States to pass legislation to effectively ban all foreign importation of fresh or processed pineapple and other fruit and vegetable products into the United States from countries which allow use of pesticide chemicals not cleared for use in the United States or which are produced under standards of sanitation less stringent than required of United States producers

"Whereas, the State of Hawaii is symbolized throughout the world not only for its beautiful environmental setting, but also for its agricultural products—most notably, the unique and delicious pineapple fruit—which many visitors of our island State take back with them as gifts and tokens of remembrance of their trip to our "Pineapple State"; and

"Whereas, the golden image bestowed upon Hawaii through the pleasant experience of tasting this juicy tropical fruit can be drastically marred if the quality of the fruit is affected by some misuse of a pesticide chemical or other deleterious contaminants which are used to produce some foreign pineapple being imported into the United States; and

"Whereas, aside from the foregoing euphoric benefits derived from the Hawaiian pineapple, a growing area of concern in the State's economy lies in the potential for exporting more Hawaii produced pineapples to the United States mainland and foreign countries; and

"Whereas, in spite of the higher cost of pineapple production in Hawaii, the quality of the Hawaiian pineapple has been found to out-class most foreign competition; and

"Whereas, this quality production is a result of the dedicated efforts of industry, costing it tens of millions of dollars which was spent on research to make Hawaii the world's leading pineapple producer—and pineapple a major source of State income and employment; and

"Whereas, the Legislature acknowledges the fact that pineapple production could not continue in Hawaii without the use of certain agricultural chemicals—all of which are safely applied without hazard to people or the environment; and

"Whereas, the Legislature, however, expresses its concern over foreign grown pineapples which are sometimes produced in unsanitary conditions, and also the increased misuse of chemicals in some of these foreign countries and the attendant adverse effects on the health, safety, and welfare of the American people is a matter of national importance; and

"Whereas, the Federal government is strongly requested to conduct an increased and thorough inspection of imported foreign pineapple and all other foreign fruit products; and to stringently start enforcing its grade standards for the purposes of protecting the general health and welfare of the American consumer; and

"Whereas, the beneficial effects of such an enforcement program should be the improvement of foreign pineapple quality, and it should also help the Hawaiian pineapple industry in competing on a better cost basis; and

"Whereas, the Legislature hereby recognizes and affirms the urgent need to seek all reasonable avenues of action in the attempt to stem any further decline in Hawaii's pineapple production and to help maintain a viable pineapple industry as an important economic, social and environmental asset in the future of Hawaii; now, therefore,

"Be it resolved by the Senate of the Seventh Legislature of the State of Hawaii, Regular Session of 1973, the House of Representatives concurring, that the Congress of the United States be, and it is hereby urgently requested to pass legislation to effectively ban all foreign importation of fresh or processed pineapple and other fruit and vegetable products into the United States from countries which allow use of pesticides chemicals not cleared for use in the United States or which are produced under standards of sanitation less stringent than required of United States producers; and

"Be it further resolved that certified copies of this Concurrent Resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, to each member of Hawaii's Congressional delegation, to the United States Secretary of Agriculture, to the United States Secretary of Health, Education, and Welfare, and to the United States Commissioner of the Food and Drug Administration."

A concurrent resolution of the Legislature of the State of Hawaii. Referred to the Committee on Finance:

"SENATE CONCURRENT RESOLUTION NO. 37

"Requesting the Congress of the United States to seek and provide more equitable treatment from Foreign Governments for Hawaii pineapple in the world market

"Whereas, the Hawaii Legislature is fully cognizant and deeply concerned over the decreasing role of Hawaii-produced pineapple in the national and world market, and of the increasingly bleak future that appears now on the horizon to face one of Hawaii's foremost export industries; and

"Whereas, pineapple production has been a mainstay in Hawaii's economy since the turn of the century, beginning in the year 1903, with a modest production of 1,893 cases and reaching a high peak of 30.8 million cases in 1957, and eventually leveling off to a production of approximately 29 million cases annually; and

"Whereas, pineapple is Hawaii's second largest agricultural industry, and the processed value of Hawaiian pineapple in 1972 amounted to $137 million; and

"Whereas, Hawaii's world-renowned pineapple industry employs 6,200 year-round workers who earn $42 million is annual wages and another 18,000 seasonal workers who earn over $10 million per year; and

"Whereas, in recent years, pineapple production has remained stable in spite of a reduction in the number of companies operating, from nine in 1950 to the four existing pineapple companies today; and

"Whereas, the recently announced plans to phase out Dole Company's and Del Monte's plantations on the island of Molokai and the scheduled closing of Hawaiian Fruit Packers, the single remaining pineapple operation on Kauai, represent actions that will result in substantial cutbacks in total pineapple production in the State; and

"Whereas, Dole's recent decision to cut Oahu's pineapple acreage by half and convert the remaining 4,500 acres from processed to fresh fruit production will also detrimentally affect the total output of the pineapple industry; and

"Whereas, Hawaii's share of total world pineapple production amounted to 72 per cent in 1950, but by the end of 1969, Hawaii accounted for less than one-third of the world's supply; and

"Whereas, with Hawaii's production remaining stable during this period, it is obvious that production in areas outside of Hawaii has increased substantially; and

"Whereas, the Hawaii State Department of Agriculture has recently prepared a study entitled "The Impact of Foreign Pineapple Production on the Hawaiian Pineapple Industry" which revealed, among other problems, that there exists highly discriminating tariff and quota practices of other countries that are intended to favor certain foreign pineapple producers by stringently restricting the Hawaiian pineapple trade in the world market; and

"Whereas, the Hawaiian pineapple industry is severely handicapped and it is virtually barred from being able to compete in the major foreign markets by trade barriers—notably the special import duties and quotas that are not only discriminating but also in violation of the General Agreement on Tariffs and Trade; and

"Whereas, effective federal action in removing these discriminating barriers on Hawaiian pineapple in foreign markets will definitely help Hawaii's pineapple production in this critical period; and

"Whereas, immediate action by industry and the State and Federal governments is necessary to insure the continued viability of Hawaii's pineapple industry; now, therefore,

"Be it resolved by the Senate of the Seventh Legislature of the State of Hawaii, Regular Session of 1973, the House of Representatives concurring, that the Congress be, and it is hereby urgently requested to seek and provide more equitable treatment from foreign governments for Hawaiian pineapple in the world market; and

"Be it further resolved that certified copies of this Concurrent Resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, to each member of Hawaii's Congressional delegation, and to the United States Secretary of Agriculture."

A resolution of the Senate of the State of Hawaii. Referred to the Committee on the Judiciary:

"SENATE RESOLUTION 96

"Requesting the people of the State of Hawaii and the Nation to consider and discuss amnesty

"Whereas, the peace agreement ending the Vietnam war has been signed and provides for the final reconciliation of differences between the nations of South-East Asia and the United States; and

"Whereas, it is in the interest of world peace that the people of the countries involved in this long and tragic war put aside the hostilities of the past and seek to heal the deep spiritual and social wounds they have suffered, and rebuild what they have lost; and

"Whereas, it is imperative that the wide ranging and profound divisions generated by the Vietnam war within our own State and nation be reconciled; and

"Whereas, the Vietnam tragedy, for our own society, may not only be described in terms of those who died or are permanently disabled, but also those who refused to participate in the war; and

"Whereas, *these* men who rejected our government's participation in Vietnam and who are now *incarcerated or in exile* are tragic reminders of the divisive effect this war has had and still has upon our nation; and

"Whereas, it has been repeatedly suggested that these men be granted amnesty so that we may once again resume our quest for national unity and harmony; and

"Whereas, neither vindication of moral or political beliefs nor retribution against those who held these beliefs will contribute towards the resolution of the divisions within our society; and

"Whereas, since the founding of the nation, thirty-five amnesties have been proclaimed, the last occuring in 1950 when President Harry S. Truman pardoned men convicted of military desertion during the previous five years; and

"Whereas, the granting of amnesty by the President or Congress will aid in healing the differences among our people only if it is with the general consent of the people; and

"Whereas, it is only through sincere self-examination, reflection, and discussion that the divisive controversy of the Vietnam war will finally end; now, therefore,

"Be it resolved by the Senate of the Seventh Legislature of the State of Hawaii, Regular Session of 1973, that the people of the State of Hawaii and the Nation consider and discuss amnesty; and

"Be it further resolved that certified copies of this Resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, Hawaii's congressional delegation, and the Governor of the State of Hawaii."

A concurrent resolution of the General Assembly of the State of Indiana. Referred to the Committee on Labor and Public Welfare:

"A SENATE CONCURRENT RESOLUTION"

"Memorializing Congress to continue its support of the community comprehensive mental health centers programs in order that Indiana's network of thirty-two community comprehensive mental health centers may be completed

"Whereas, In 1955 President Dwight David Eisenhower appointed the Joint Commission on Mental Illness and Health to study the problems of this nation's mentally ill; and

"Whereas, The Joint Commission of Mental Illness and Health in its report to the President in 1961 recommended, among other things, the creation of community comprehensive mental health centers to provide treatment facilities for this nation's mentally ill in close-to-home treatment facilities; and

"Whereas, In 1963 Congress passed the Community Mental Health Centers Act implementing the joint Commission of Mental Illness and Health report and authorized federal dollars to assist the several states in providing its network of community comprehensive mental health centers; and

"Whereas, Congress committed itself to becoming a full partner with the several states and local communities in the initial construction cost and staffing cost; and

"Whereas, The Indiana General Assembly and the several counties of this state enacted legislation and provided the state's and local government share to create a network of thirty-two community comprehensive mental health centers for the citizens of the state of Indiana; and

"Whereas, Ten centers are presently in operation in Indiana, five more will be operational within the next two-year period and the remaining seventeen centers will be operational by 1980; and

"Whereas, The state of Indiana and local governments have kept their pledge to the mentally ill of this state by enacting the necessary legislation and providing funds to complete the network of thirty-two communiy comprehensive mental health centers: Therefore

"Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

"Section 1. That the General Assembly hereby memoralizes the Indiana Congressional delegation, the Federal administration and the Congress to renew the Community Mental Health Centers Act to permit the continuation and completion of the plan to provide community comprehensive mental health centers for all this nation's mentally ill and to authorize and appropriate the federal funds necessary to keep the national commitment as a full partner in combating mental illness.

"Section 2. The Secretary of the Senate is hereby directed to forward copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives of the Congress of the United States, and to all the members of Congress from the state of Indiana.

"Adopted by Voice Vote this 13th of April, 1973."

Resolutions of the Commonwealth of Massachusetts. Referred to the Committee on Armed Services:

"RESOLUTIONS

"Memorializing the Congress of the United States to take such action as may be necessary to prevent the relocating of the mooring of the Naval Frigate *Constitution* from Massachusetts

"Whereas, The citizens of Massachusetts are rightly disturbed over the alleged plans of the Department of Defense to relocate the famous Naval Frigate *Constitution* from its mooring in Boston to a mooring in another state; and

"Whereas, Built at a Boston Shipyard in 1797 and one of the most famous vessels in the United States Navy, the *Constitution* has been moored at the Boston Naval Shipyard as a naval relic since May 7, 1934; and

"Whereas, In 1976, the year of the bicentennial of our country, millions of people will be visiting the Commonwealth especially Boston, the Cradle of Liberty, and it is only right and fitting that the *Constitution* should be moored in Boston or someplace nearby along the Massachusetts coast, the state where she was built; therefore be it

"Resolved, That the Massachusetts House of Representatives respectfully urges the Congress of the United States to take such action as may be necessary to prevent the relocation of the mooring of the *Constitution* from Massachusetts and insure that the mooring of this vessel will remain in Massachusetts; and be it further

"Resolved, That copies of these resolutions be sent forthwith by the Secretary of the Commonwealth to the President of the United States, to the Secretary of Defense, to the presiding officer of each branch of Congress and to the members thereof from the Commonwealth.

"House of Representatives, adopted, April 23, 1973."

Resolutions of the Commonwealth of Massachusetts. Referred to the Committee on Banking, Housing and Urban Affairs:

"RESOLUTIONS

"Memorializing the Congress of the United States to enact legislation providing for Federal payment of State constructed housing along interstate highways

"Whereas, There are insufficient structures to house the increasing population of our country; now, therefore, be it

"*Resolved,* That the General Court of Massachusetts respectfully urges the Congress of the United States to enact legislation to provide funds for states to construct housing along interestate highways; and be it further

"*Resolved,* That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the presiding officer of each branch of Congress and to each member thereof from the Commonwealth.

"House of Representatives, adopted, April 11, 1973.

"Senate, adopted in concurrence, April 17, 1973."

Resolutions of the Commonwealth of Massachusetts. Referred to the Committee on Finance:

"RESOLUTIONS

"Memorializing the Congress of the United States to enact legislation that would preclude social security benefits from affecting Veterans Administration pension payments

Whereas, Many veterans are receiving benefits under the Social Security Act and Veterans Administration pensions; and

"Whereas, It would be unfair and unjust to allow any benefits under the Social Security Act to decrease or eliminate the Veterans Administration pensions to veterans receiving both; now, therefore, be it

"Resolved, That the General Court of Massachusetts respectfully urges the Congress of the United States to enact legislation to preclude any change in the Social Security Act from affecting any Veterans Administration pension to veterans receiving both; and be it further

"Resolved, That a copy of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the President of the United States, to the presiding officer of each branch of Congress and to the members thereof from the Commonwealth.

"House of Representatives, adopted, April 17, 1973.

"Senate, adopted in concurrence, April 25, 1973."

Resolutions of the Commonwealth of Massachusetts. Referred to the Committee on the Judiciary:

"RESOLUTIONS

"Memorializing the Congress of the United States to allow greater immigration to the people of Ireland

"Whereas, Unfortunately, there seems to be a part of the new United States immigration policy which is neither just nor equitable toward the Irish and, as a practical matter, the average Irish person who desires to come and settle here in the United States will no longer be allowed to do so; and

"Whereas, If the present immigration law had been in effect one hundred and fifty years ago, at least ninety per cent of the Irish in America would not have been allowed to enter the United States; and

"Whereas, It is recognized that the old immigration law was unjust and unfair to some other nationalities but that the 1965 Immigration Act substituted a law which, now, is as unfair to Ireland as the old law was to these other nationalities; and

"Whereas, Irish nuns and brothers have, for many years, staffed schools, hospitals, orphanages and rest homes for the aged in our nation and these religious groups, who desire to come here to continue this work, must now wait their turns because of this new Immigration Act; and

"Whereas, In nineteen hundred and sixty-five, the Irish ranked fifth among the nationals immigrating to the United States and since then they no longer rank fifth or even tenth. Irish immigration is at an all time low. In nineteen hundred and sixty-seven, two thousand six hundred and sixty-five were admitted. Since the enactment of the new law in July, nineteen hundred and sixty-eight, a total of one thousand and seventy-six persons applied for visas and, through November thirty, nineteen hundred and sixty-eight, only seventy-two were issued; now, therefore, be it

"*Resolved,* That the General Court of Massachusetts respectfully urges the Congress of the United States to enact such legislation as may be necessary to allow greater immigration to the people of Ireland; and be it further

"*Resolved,* That copies of these resolutions be sent forthwith by the Secretary of the Commonwealth to the President of the United States, to the presiding officer of each branch of Congress and to each member thereof from the Commonwealth.

"House of Representatives, adopted, April 17, 1973.

"Senate, adopted in concurrence, April 24, 1973."

Resolutions of the Commonwealth of Massachusetts. Referred to the Committee on Veterans' Affairs:

"RESOLUTIONS

"Memorializing the Congress of the United States to enact legislation to provide for Federal Financial assistance for the Veterans' Service program similar to the assistance provided for the welfare program

"Whereas, The federal government financially assists the welfare programs presently administered in this commonwealth; and

"Whereas, the veterans of this commonwealth have had the benefit of the administration of the Veterans' Service program by well qualified experts in the field of rehabilitation in the community in which the veteran lives; and

"Whereas, The administration of this phase of the problem of the disadvantaged veteran by other than the Veterans' Service officers of this commonwealth would result in substantially affecting its efficiency; now, therefore, be it

"*Resolved*, That the General Court of Massachusetts respectfully request the Congress of the United States to enact legislation that will provide federal financial assistance to the Veterans' Service program to the same extent that federal financial assistance is presently provided to the welfare program; and be it further

"*Resolved*, That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the presiding officer of each branch of Congress and to the members thereof from the Commonwealth, and to the President of the United States."

"House of Representatives, adopted, April 17, 1973.

"Senate, adopted in concurrence, April 25, 1973."

A joint resolution of the Legislature of the State of Montana. Referred to the Committee on Finance:

"SENATE JOINT RESOLUTION No. 16

"A joint resolution of the Senate and the House of Representatives of the State of Montana to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana, the Honorable Richard Shoup and the Honorable John Melcher, Representatives from the State of Montana, and to the Congress of the United States asking that Federal block grant assistance to upgrade law enforcement and criminal justice in Montana be continued

"Whereas, statistical reports from the federal bureau of investigation show an increase in serious crime of eight percent (8%) in Montana during 1971, and

"Whereas, during the past four (4) years, state and local governments have developed plans and resources for a coordinated effort to reduce crime and increase the effectiveness of Montana's criminal justice system, and

"Whereas, if congress reduces or terminates block grant funding assistance to the state of Montana now available through title 1 of the Omnibus Crime Control and Safe Streets Act, coordinated statewide efforts to control crime will be greatly jeopardized.

"Now, therefore, be it resolved by the Senate and the House of Representatives of the State of Montana: That the Congress of the United States maintain either a block grant or a special revenue sharing program of financial assistance to the state of Montana for the purposes of reducing crime and increasing the effectiveness of Montana's criminal justice system, and

"Be it further resolved, that copies of this resolution be sent by the secretary of state of Montana to the Honorable Mike Mansfield and the Honorable John Metcalf, senators from the state of Montana, the Honorable Richard Shoup and the Honorable John Melcher, representatives from the state of Montana, and to presiding officers of the senate and the house of representatives of the United States."

A joint resolution of the Legislature of the State of Nevada. Referred to the Committee on Interior and Insular Affairs:

"ASSEMBLY JOINT RESOLUTION No. 9

"Memorializing the Congress of the United States to enact legislation which transfers Red Rock Recreation Lands to the Nevada park system

"Whereas, Red Rock Canyon located in the Spring Mountain Range in Clark County, Nevada, is an area of outstanding scenic and recreational opportunity, possessing scientific and educational, geological and ecological value; and

"Whereas, The Federal Government in 1967 recognized the natural values of Red Rock Canyon and by presidential executive order withdrew 77,000 acres from the public domain and designated these lands to be known as the Red Rock Recreation Lands; and

"Whereas, The Red Rock Recreation Lands are presently administered by the Bureau of Land Management and there is little indication that Congress or the Department of Interior intends to provide the Bureau of Land Management with adequate funds or necessary management for the protection and development of visitor facilities and recreational sites in the area; and

"Whereas, There exists a need for a major park and developed recreation area within easy access of a large and rapidly expanding urban area in Southern Nevada; and

"Whereas, The Nevada state park system has demonstrated expertise in managing areas under its administration, protecting natural resources, enhancing and developing suitable visitor facilities; and

"Whereas, it is in the best interests of Southern Nevada to transfer the administration of the Red Rock Recreation Lands to the Nevada park system in order to fufill recreational needs and protect natural resources; and

"Whereas, The 1971 Nevada legislature, desiring to fulfill the increasing recreational needs of Southern Nevada, authorized the acquisition of the lands in Red Rock Canyon and the 1973–1975 budget recommends funding for the development and operation of recreational facilities; now, therefore, be it

"*Resolved by the Assembly and the Senate of the State of Nevada, jointly*, That the legislature of the State of Nevada hereby respectfully memorializes the 93d Congress of the United States to adopt legislation enabling the Nevada state park system to acquire the 77,000 acres known as Red Rock Recreational Lands; and be it further

"*Resolved*, That copies of this resolution be prepared and transmitted forthwith by the legislative counsel to the Speaker of the House of Representatives, the President of the Senate and each member of the Nevada congressional delegation; and be it further

"*Resolved*, That this resolution shall become effective upon passage and approval."

A concurrent resolution of the Legislature of the State of Oklahoma. Referred to the Committee on the Judiciary:

"HOUSE CONCURRENT RESOLUTION No. 1026

"A concurrent resolution petitioning Congress to call a convention for the purpose of proposing an amendment to the constitution of the United States

"Be it resolved by the House of Representatives of the 1st session of the 34th Oklahoma Legislature, the Senate concurring therein:

"Section 1. The Congress of the United States is respectfully petitioned by the Oklahoma State Legislature to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

" 'ARTICLE —

" 'No student shall be assigned to nor compelled to attend any particular public school on account of race, religion, color or national origin,'

"SEC. 2. A duly authenticated copy of this Resolution shall be transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, to each member of the Congress from this State and to each House of each State Legislature in the United States.

"Adopted by the House of Representatives the 19th day of March, 1973.

"Adopted by the Senate the 25th day of April, 1973."

A concurrent resolution of the Legislature of the State of Pennsylvania. Referred to the Committee on the Judiciary:

"SENATE OF PENNSYLVANIA

"The Reverend Doctor Martin Luther King, Jr., was a modern apostle of liberty and justice for all peoples, regardless of race, color, or creed.

"Doctor King was an outstanding leader in the cause of Civil Rights and he used his position as head of the Southern Christian Leadership Conference to establish the principle of nonviolence.

"Whereas, The Reverend Doctor Martin Luther King, Jr., was a man who dedicated his life to the revolutionary principles that love and justice are the most powerful truths that mankind possess.

"The Reverend Doctor Martin Luther King, Jr., devoted a lifetime to the causes of the poor, to the civil and human rights of all peoples, and to the purpose of restoring to mankind domestic and world peace through the concept of nonviolence for which he was awarded the Nobel Peace Prize.

"The Reverend Doctor Martin Luther King, Jr., lived a life of service to his fellowman, he lived a life of love, that called for an end to war, and of the need for cooperation among men, of the need for brotherhood and unity among peoples of all races, colors and religions.

"Around the entire Nation there continues the good works begun by this great man whose birthday anniversary is celebrated on January 15 of each year and whose martyrdom we respect and pay reverence to; therefore be it

"Resolved, That this day, the forty-fourth anniversary of the birthday of Doctor Martin Luther King, Jr., a great American and a great humanitarian, that this Senate placed on record its appreciation and gratitude in recognition of the services rendered by him to the Nation and to mankind; and be it further

"Resolved, (the House of Representatives concurring), That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to designate January 15 as a National holiday in memory of the Reverend Doctor Martin Luther King, Jr.; and be it further

"Resolved, That copies of this resolution be transmitted to the presiding officers of each House of the Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States."

A joint resolution of the Legislature of the State of Utah. Referred to the Committee on the Judiciary:

"H.J. RES. No. 30

"A joint resolution of the 40th legislature of the State of Utah, requesting a memorial to the Congress of the United States

"*Be it resolved by the Legislature of the State of Utah:* That the Congress of the United States take without delay such action as necessary, including a Constitutional Amendment if needed, to preserve the right to life of unborn children and to forestall a wholesale wave of life-taking abortions which could result from the recent decision of the Supreme Court.

"Be it further resolved, that the Secretary of State send copies of this resolution to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States and to each member of the Congress from the State of Utah."

A joint resolution of the Legislature of the State of Utah. Referred to the Committee on Labor and Public Welfare:

"H.J. RES. No. 2

"A joint resolution of the 40th legislature of the State of Utah requesting the United States Department of Labor and the Congress of the United States to modify Federal jurisdiction and standards applicable to child labor and grant to the States more latitude to modify labor laws to conform with the needs of youth.

"Be it resolved by the Legislature of the State of Utah:

"Whereas, the conditions which prompted stringent protective legislation designed to interdict exploitation and abuse in the area of child labor have been largely ameliorated through the efforts of labor organizations and federal and state regulatory agencies; and

"Whereas, increased vocational and apprenticeship training programs now available to young people better equip them to enter the labor market with confidence and skill; and

"Whereas existing federal labor laws restrict meaningful employment for many young people qualified for available employment and impose restraints upon states attempting to effectively provide employment for youth.

"Now, therefore, be it resolved, by the 40th Legislature of the State of Utah, that the United States Department of Labor and the United States Congress consider modification of child labor legislation in order to provide states the opportunity to enact responsible labor legislation to provide more employment opportunities for qualified youth.

"Be it further resolved, that members of the Congressional delegation from the State of Utah use their efforts to effectuate fruition of this resolution.

"Be it further resolved, that the Secretary of State of Utah send copies of this resolution to the Senate and House of Representatives of the United States, to the Secretary of Labor of the United States Department of Labor and to each Senator and Representative from the State of Utah."

A joint memorial of the Legislature of the State of Washington. Referred to the Committee on Finance:

"HOUSE JOINT MEMORIAL NO. 21

To the Honorable Richard M. Nixon, President of the United States, and to the President of the Senate and the Speaker of the House of Representatives of the United States, in Congress assembled, and to the Secretary of Health, Education, and Welfare:

"We, your Memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

"Whereas, there exists in the State of Washington a recognized need for an effective program of social services to combat the multiple problems of mental illness, mental retardation, drug abuse, juvenile delinquency, alcoholism, child abuse, and child development; and

"Whereas, the Congress of the United States has clearly reaffirmed its belief in the necessity of these programs and has acted to continue these programs at their current level; and

"Whereas, The Department of Health, Education and Welfare, in implementing these programs, has previously advanced the principle of the New Federalism which is designed to expand the authority and responsibility of State and local governments and reduce the concentration of federal power and authority in Washington, D.C.; and

"Whereas, The Department's recently proposed amendments to the Social Services Regulations as codified in the Federal Register dated February 16, 1973 and affecting Titles I, IV A and B, X, XIV, and XVI of the Social Security Act are, in many respects, violative of specific statutory provisions and of expressed Congressional intent and are, in important respects, arbitrary, capricious and antithetical to the principle of the New Federalism and would impose upon the State of Washington and local governments within this state additional Federal controls, restraints, and infringements; and

"Whereas, These amendments to the regulations would seriously jeopardize and in some cases effect the termination of essentially needed programs currently operated within this state, especially those programs designed to serve the mentally ill and mentally retarded; and

"Whereas, The 43rd Session of the Washington Legislature is unalterably opposed to the recently proposed Social Services Regulations as circulated, inasmuch as they would drastically reduce the essential programs currently provided within this state, thwart the continuing attempts of this state to integrate and improve services, impose upon this state to integrate and improve services, impose upon this state cumbersome and unnecessary federal controls and administrative procedures designed to hamstring the program and arbitrarily infringe upon those areas of authority and responsibility reserved by the State of Washington and/or local governments:

"Now, therefore, Your Memorialists respectfully pray that the Secretary of Health, Education and Welfare withdraw the proposed regulations forthwith and that any future regulations in this area be designed to implement rather than thwart the purposes of existing law, the concept of New Federalism, and sound principles of administrative decision-making.

"Be it resolved, That copies of this Memorial be immediately transmitted to the Honorable Richard M. Nixon, the President of the United States Senate, the Speaker of the House of Representatives, to the Secretary of the Department of Health, Education and Welfare, and to each member of the Congress from the State of Washington."

A resolution adopted by the Parish Council of East Baton Rouge, Louisiana, expressing opposition to the sale of wheat by the United States to Russia. Referred to the Committee on Agriculture and Forestry.

A resolution adopted by the Board of Directors, Wayne-White Counties Electric Cooperative, Fairfield, Illinois, praying for the enactment of legislation relating to financing for the electric cooperatives of the nation. Referrd to the Committee on Agriculture and Forestry.

A resolution adopted by the Council of the County of Maui, Hawaii, praying for the enactment of legislation to permit the extension of retirement benefits to members of the reserve components of the Armed Services. Referred to the Committee on Armed Services.

A resolution adopted by the Elmira Community Advisory Committee to the New York State Urban Development Corporation, Elmira, New York, praying for the enactment of legislation relating to housing and community facilities for victims of Hurricane Agnes. Referred to the Committee on Banking, Housing and Urban Affairs.

A resolution adopted by the City Council of Torrance, California, praying for the enactment of legislation to convert the Highway Trust Fund to a Transportation Fund. Referred to the Committee on Finance.

A resolution adopted by the Parish Council of the Parish of East Baton Rouge, Louisiana, expressing opposition to proposed legislation to provide financial support for the rebuilding of North Vietnam. Referred to the Committee on Foreign Relations.

A resolution adopted by the City Council of Wasco, Michigan, endorsing a concurrent resolution of the Legislature of the State of Michigan, praying for an amendment of the Constitution. Referred to the Committee on the Judiciary.

The petition of M. D'Armon, Seattle, Washington, praying for a redress of grievances. Referred to the Committee on the Judiciary.

A resolution adopted by the Ventura County Community College District, Ventura, California, relating to confirmation of appointments made to certain United States Department of Health, Education and Welfare positions. Referred to the Committee on Labor and Public Welfare.

Two resolutions adopted by Cerritos College, Norwalk, California, relating to confirmation of appointments to certain United States Department of Health, Education and Welfare positions. Referred to the Committee on Labor and Public Welfare.

A resolution adopted by Colorado Congress of Parents and Teachers, Inc., Denver Colorado, concerning the reduction and impoundment of certain funds. Referred to the Committee on Labor and Public Welfare.

A resolution adopted by the Scottish Rite Woman's Club, St. Louis, Missouri, relating to aid in the form of tax credits in the matter of education. Referred to the Committee on Labor and Public Welfare.

A resolution adopted by the Board of County Commissioners, Monroe County, Florida, expressing appreciation on the passage of revenue-sharing legislation. Ordered to lie on the table.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. SCOTT of Pennsylvania:

S. 1711. A bill to amend the Foreign Assistance Act of 1961, and for other purposes. Referred to the Committee on Foreign Relations.

By Mr. BEALL (for himself and Mr. MATHIAS):

S. 1712. A bill to amend title II of the Social Security Act to provide a special rule for determining insured status, for purposes of entitlement of disability insurance benefits, of individuals whose disability is attributable directly or indirectly to meningioma or other brain tumor. Referred to the Committee on Finance.

By Mr. BEALL:

S. 1713. A bill for the relief of Albert W. Small. Referred to the Committee on the Judiciary.

By Mr. McGOVERN (for himself, Mr. ABOUREZK, Mr. CLARK, Mr. HATHAWAY, Mr. HUMPHREY, Mr. INOUYE, and Mr. MOSS):

S. 1714. A bill to establish a task force within the Veterans' Administration to advise and assist in connection with, to consult on, and to coordinate all programs pertaining to veterans of the Vietnam era. Referred to the Committee on Veterans' Affairs.

By Mr. McGOVERN (for himself, Mr. ABOUREZK, Mr. CLARK, Mr. HART, Mr. HATHAWAY, Mr. HUMPHREY, Mr. Mr. INOUYE, and Mr. MOSS):

S. 1715. A bill to amend title 10 of the United States Code to establish independent boards to review the discharges and dismissals of servicemen who served during the Vietnam era, and for other purposes. Referred to the Committee on Armed Services.

By Mr. McGOVERN (for himself, Mr. ABOUREZK, Mr. CLARK, Mr. HARTKE, Mr. HATHAWAY, Mr. HUMPHREY, Mr. INOUYE, Mr. MOSS, and Mr. CRANSTON):

S. 1716. A bill to amend chapter 49 of title 10, United States Code, to prohibit the inclusion of certain information on discharge certificates, and for other purposes. Referred to the Committee on Armed Services.

By Mr. McGOVERN (for himself, Mr. ABOUREZK, Mr. CLARK, Mr. HART, Mr. INOUYE, and Mr. MOSS):

S. 1717. A bill to amend chapter 34 of title 38, United States Code, to provide additional educational benefits to Vietnam era veterans. Referred to the Committee on Veterans' Affairs.

By Mr. McGOVERN (for himself, Mr. ABOUREZK, Mr. CLARK, Mr. INOUYE, and Mr. MOSS):

S. 1718. A bill to amend chapter 34 of title 38, United States Code, to permit eligible veterans pursuing full-time programs of education to receive increased monthly educational assistance allowances and have their period of entitlement reduced proportionally. Referred to the Committee on Veterans' Affairs.

By Mr. GRIFFIN:

S. 1719. A bill to amend the Federal Aviation Act of 1958 and the Interstate Commerce Act to authorize reduced-fare transportation on a space-available basis for persons who are sixty-five years of age or older. Referred to the Committee on Commerce.

By Mr. CHURCH:

S. 1720. A bill to amend the Water Resources Planning Act to extend the authority for financial assistance to the States for water resources planning. Referred to the Committee on Interior and Insular Affairs.

By Mr. METCALF (for himself and Mr. MANSFIELD):

S. 1721. A bill to designate certain lands in the Gallatin and Beaverhead National Forests, in Montana, as wilderness. Referred to the Committee on Interior and Insular Affairs.

By Mr. HARTKE (for himself, Mr. PASTORE, Mr. METCALF, Mr. BAYH, Mr. MOSS, Mr. MONTOYA, Mr. RANDOLPH, and Mr. TAFT):

S. 1722. A bill to amend the Education of the Handicapped Act to provide tutorial and related instructional services for homebound children through the employment of college students, particularly veterans and other students who themselves are handicapped. Referred to the Committee on Labor and Public Welfare.

By Mr. KENNEDY (for himself and Mr. HART):

S. 1723. A bill to provide for the continued supply of petroleum products to independent oil marketers. Referred to the Committee on Commerce.

By Mr. TUNNEY (for himself, Mr. BAYH, Mr. BENTSEN, Mr. BROOKE, Mr. CASE, Mr. CRANSTON, Mr. DOLE, Mr. EASTLAND, Mr. HASKELL, Mr. HUMPHREY, Mr. JAVITS, Mr. KENNEDY, Mr. MCGEE, Mr. MCGOVERN, Mr. MCINTYRE, Mr. MONTOYA, Mr. PEARSON, Mr. WILLIAMS, and Mr. HART):

S. 1724. A bill to amend title 28, United States Code, to provide more effectively for bilingual proceedings in certain district courts of the United States and for other purposes. Referred to the Committee on the Judiciary.

By Mr. DOMINICK (for himself and Mr. TAFT):

S. 1725. A bill to amend the Fair Labor Standards Act of 1938 to increase the minimum wage, and for other purposes. Referred to the Committee on Labor and Public Welfare.

By Mr. GRAVEL:

S. 1726. A bill to provide guidelines and limitations for the classification of information and material, to insure the integrity of the Congress as a separate branch of the Government by preventing the unwarranted interference in congressional functions by the executive and judicial branches, to establish an Office of the General Counsel to the Congress, to require the disclosure of information to Congress by the executive branch, to protect the confidentiality of information and sources of information of the news media, and for other purposes. Referred to the Committee on Government Operations.

By Mr. INOUYE (for himself, Mr. ABOUREZK, Mr. ALLEN, Mr. CRANSTON, Mr. DOMINICK, Mr. ERVIN, Mr. FANNIN, Mr. HOLLINGS, Mr. HUGHES, Mr. PASTORE, Mr. RIBICOFF, Mr. STEVENS, Mr. THURMOND, and Mr. YOUNG):

S. 1727. A bill to incorporate the Pearl Harbor Survivors Association. Referred to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SCOTT of Pennsylvania:

S. 1711. A bill to amend the Foreign Assistance Act of 1961, and for other purposes. Referred to the Committee on Foreign Relations.

FOREIGN ASSISTANCE ACT OF 1973

Mr. SCOTT of Pennsylvania. Mr. President, I submit today, for appropriate reference, the foreign assistance bill of 1973, to amend the Foreign Assistance Act of 1961 and for other purposes, and ask unanimous consent that it be printed in the RECORD. Mr. President, I also ask unanimous consent that a section-by-section analysis of the bill be printed in the RECORD.

There being no objection, the bill and analysis were ordered to be printed in the RECORD, as follows:

S. 1711

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Foreign Assistance Act of 1973".

DEVELOPMENT LOAN FUND

SEC. 2. Title I of chapter 2 of part I of the Foreign Assistance Act of 1961, relating to the Development Loan Fund, is amended as follows:

(a) In section 202(a), relating to authorization:

(1) immediately after "fiscal year 1972," strike out "and";

(2) immediately after "final year 1973," insert "$201,400,000 for the fiscal year 1974, and $201,400,000 for the fiscal year 1975";

(3) immediately after "June 30, 1972," strike out "and"; and

(4) immediately after "June 30, 1973," insert "June 30, 1974 and June 30, 1975,".

(b) In section 203, relating to fiscal provisions, strike out "for the fiscal year 1970, for fiscal year 1971, for the fiscal year 1972, and for the fiscal year 1973" and insert in lieu thereof "for the fiscal year 1974 and for the fiscal year 1975".

TECHNICAL COOPERATION AND DEVELOPMENT GRANTS

SEC. 3. Title II of chapter 2 of part I of the Foreign Assistance Act of 1961, relating to technical cooperation and development grants, is amended as follows:

(a) In section 211(a), relating to general authority, in the last sentence immediately after the word "assistance", insert the word "directly".

(b) In section 212, relating to authorization, strike out "$175,000,000 for the fiscal year 1972 and $175,000,000 for the fiscal year 1973" and insert in lieu thereof "$165,650,000 for the fiscal year 1974 and $165,500,000 for the fiscal year 1975".

(c) In section 214, relating to authorization for American schools and hospitals abroad:

(1) subsection (c) is amended to read as follows:

"(c) To carry out the purposes of this section there is authorized to be appropriated to the President for the fiscal year 1974 $10,000,000, and for the fiscal year 1975 $10,000,000, which amounts are authorized to remain available until expended."; and

(2) subsection (d) is repealed.

HOUSING GUARANTIES

SEC. 4. Title III of chapter 2 of part I of the Foreign Assistance Act of 1961, relating to housing guaranties, is amended as follows:

(a) In section 221, relating to worldwide housing guarantees, strike out "$205,000,000" and insert in lieu thereof "$480,000,000".

(b) In section 222(c), relating to Latin American housing guarantees, strike out "$550,000,000" and insert in lieu thereof "$594,900,000".

(c) In section 223(i) relating to general provisions, strike out "June 30, 1974" and insert in lieu thereof "June 30, 1976".

OVERSEAS PRIVATE INVESTMENT CORPORATION

SEC. 5. Title IV of chapter 2 of part I of the Foreign Assistance Act of 1961, relating to the Overseas Private Investment Corporation, is amended as follows:

(a) In section 231(d), relating to insurance operations, immediately after the word "risks" insert the words "with other insurers, public or private, and seek to assure that with respect to insurance issued after enactment of the Foreign Assistance Act of 1973 all costs of the insurance program will, over the long term, be borne by the private users of the services".

(b) In section 231(i), relating to the protection of the economic interests of the United States, immediately after the words "balance-of-payments" insert the words "and employment".

(c) In section 234(c), relating to direct investment, strike out "(1) accept as evidence of indebtedness debt securities convertible to stock, but such debt securities shall not be converted to stock while held by the Corporation" and insert in lieu thereof "(1) in its financing programs, acquire debt securities convertible to stock or rights to acquire stock, but such debt securities or rights shall not be converted to stock while held by the Corporation".

(d) In section 235(a)(4), relating to issuing authority, strike out "June 30, 1974" and insert in lieu thereof "June 30, 1976".

(e) In section 239(d), relating to general provisions and powers, immediately after the phrase "in the conduct of its business" insert the words "including, notwithstanding any provision of law, contracts of coinsurance and reinsurance with insurance companies, financial institutions, or others, or groups thereof, employing the same, where appropriate as its agent in the issuance and servicing of insurance, coinsurance and reinsurance and the adjustment of claims arising thereunder, and pooling arrangements and similar agreements with other national or multinational insurance or financing agencies or groups thereof".

(f) In section 240(h), relating to agricultural credit and self-help community development projects, strike out "June 30, 1973" and insert in lieu thereof "June 30, 1975".

(g) In section 240A(b), relating to reports to the Congress, strike out "March 1, 1974" and insert in lieu thereof "February 1, 1975".

ALLIANCE FOR PROGRESS

SEC. 6. Section 252(a) of title VI of chapter 2 of part I of the Foreign Assistance Act of 1961, relating to authorization, is amended as follows:

(a) Strike out "for the fiscal year 1972, $295,000,000, and for the fiscal year 1973, $295,000,000" and insert in lieu thereof "for the fiscal year 1974, $236,100,000 and for the fiscal year 1975, $236,100,000".

(b) Strike out "$88,500,000 for each such fiscal year" and insert in lieu thereof $86,100,000 for each such fiscal year".

PROGRAMS RELATING TO POPULATION GROWTH

SEC. 7. Section 292 of title X of chapter 2 of part I of the Foreign Assistance Act of 1961, relating to authorization, is amended by striking out "1972 and 1973" and inserting in lieu thereof "1974 and 1975".

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 8. Section 302 of chapter 3 of part I of the Foreign Assistance Act of 1961, relating to authorization, is amended as follows:

(a) In subsection (a), strike out "for the fiscal year 1972, $138,000,000 and for the fiscal year 1973, $138,000,000" and insert in lieu thereof, "for the fiscal year 1974, $124,800,000 and for the fiscal year 1975, such sums as may be necessary".

(b) In subsection (b)(2), strike out "for use in the fiscal year 1972, $15,000,000, and for use in the fiscal year 1973, $15,000,000" and insert in lieu thereof "for use in the fiscal year 1974, $15,000,000, and for use in the fiscal year 1975, $15,000,000".

CONTINGENCY FUND

SEC. 9. Section 451(a) of chapter 5 of part I of the Foreign Assistance Act of 1961, relating to the contingency fund, is amended as follows:

(a) Strike out "for the fiscal year 1972 not to exceed $30,000,000, and for the fiscal year 1973 not to exceed $30,000,000" and insert in lieu thereof "for the fiscal year 1974 not to exceed $30,000,000, and for the fiscal year 1975 not to exceed $30,000,000".

(b) Strike out all that follows immediately after the colon through the end of the subsection and insert in lieu thereof the following:

"*Provided*, That, in addition to the amounts authorized to be appropriated by this subsection, there is authorized to be appropriated such additional amounts, as may be required from time to time to provide relief, rehabilitation, and related assistance in the case of extraordinary disaster situations. Amounts appropriated under this section are authorized to remain available until expended.".

INTERNATIONAL NARCOTICS CONTROL

SEC. 10. Section 482 of chapter 8 of part I of the Foreign Assistance Act of 1961, relating to authorization, is amended by striking out "1973" and all that follows and inserting in lieu thereof "1974, and for the fiscal year 1975 such sums as may be necessary, which amounts are authorized to remain available until expended.".

MILITARY ASSISTANCE

SEC. 11. Chapter 2 of part II of the Foreign Assistance Act of 1961, relating to military assistance, is amended as follows:

(a) In section 504(a), relating to authorization, strike out "$500,000,000 for the fiscal year 1972" and insert in lieu thereof "$652,000,000 for the fiscal year 1974".

(b) In section 506(a), relating to special authority, strike out the words "the fiscal year 1972" wherever they appear and insert in lieu thereof "any fiscal year".

(c) Section 514 is hereby repealed.

SECURITY SUPPORTING ASSISTANCE

SEC. 12. Section 532 of chapter 4 of part II of the Foreign Assistance Act of 1961, relating to authorization, is amended by striking out "for the fiscal year 1972 not to exceed $618,000,000, of which not less than $50,000,000, shall be available solely for Israel" and inserting in lieu thereof "for the fiscal year 1974 not to exceed $100,000,000".

INTERNATIONAL MILITARY EDUCATION AND TRAINING

SEC. 13. (a) Part II of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new chapter:

"Chapter 5—INTERNATIONAL MILITARY EDUCATION AND TRAINING

"SEC. 541. STATEMENT OF PURPOSE.—The purpose of this chapter is to establish an international military education and training program which will:

(1) improve the ability of friendly foreign countries, through effective military education and training programs relating particularly to United States military methods, procedures, and techniques, to utilize their own resources and equipment and systems of United States origin with maximum effectiveness for the maintenance of their defensive strength and internal security, thereby contributing to enhanced professional military capability and to greater self-reliance by the armed forces of such countries.

(2) encourage effective and mutually beneficial relationships and enhance understanding between the United States and friendly foreign countries in order to maintain and foster the environment of international peace and security essential to social, economic and political progress; and

(3) promote increased understanding by friendly foreign countries of the policies and objectives of the United States in pursuit of the goals of world peace and security.

"SEC. 542. GENERAL AUTHORITY.—The President is authorized in furtherance of the purposes of this chapter, to provide military education and training by grant, contract, or otherwise including—

(1) attendance by military and related civilian personnel of friendly foreign countries at military educational and training facilities in the United States (other than the Service Academies) and abroad;

(2) attendance by military and related civilian personnel of friendly foreign countries in special courses of instruction at schools and institutions of learning or research in the United States and abroad;

(3) observation and orientation visits by foreign military and related civilian personnel to military facilities and related activities in the United States and abroad; and

(4) activities that will otherwise assist and encourage the development and improvement of the military education and training of members of the armed forces and related civilian personnel of friendly foreign countries so as to further the purposes of this chapter, including but not limited to the assignment of noncombatant military training instructors, and the furnishing of training aids, technical, educational and informational publications and media of all kinds.

"SEC. 543. AUTHORIZATION.—Appropriations to the President of funds to carry out the purposes of this chapter are hereby authorized. Such appropriations are authorized to remain available until expended.

"SEC. 544. ANNUAL REPORTS.—The President shall submit no later than December 31 each year a report to the Congress of activities carried on and obligations incurred during the immediately preceding fiscal year. In furtherance of the purposes of this chapter each such report shall contain a full description of the program and the funds obligated with respect to each country concerning which activities have been carried on in furtherance of the purposes of this chapter."

(b) The Foreign Assistance Act of 1961, as amended, is amended as follows:

(1) Section 503(d) of said Act, relating to general authority, is amended by striking out the comma and the words "including those relating to training or advice".

(2) Section 504(a) of said Act, relating to authorization, is amended by striking out "(other than training in the United States)".

(3) Section 510 of said Act, relating to restrictions on training foreign military students, is repealed.

(4) Section 622 of said Act, relating to coordination with foreign policy, is amended as follows:

(i) In subsection (b), immediately after the phrase "(including civic action)" insert the words "and military education and training";

(ii) Subsection (c) is amended to read as follows:

"(c) Under the direction of the President, the Secretary of State shall be responsible for the continuous supervision and general direction of economic assistance, military assistance and military education and training programs, including but not limited to determining whether there shall be a military assistance (including civic action) or a military education and training program for a country and the value thereof, to the end that such programs are effectively integrated both at home and abroad and the foreign policy of the United States is best served thereby.".

(5) Section 623, relating to the Secretary of Defense, is amended as follows:

(i) In subsection (a)(4), immediately after the word "military," insert the words "and related civilian";

(ii) In subsection (a)(6), immediately after the word "assistance", insert a comma and the words "education and training".

(6) Section 632, relating to allocation and reimbursement among agencies, is amended by inserting in subsections (a), (b) and (e) immediately after the word "articles", wherever it appears, a comma and the words "military education and training";

(7) Section 636, relating to provisions on uses of funds, is amended as follows:

(i) in subsection (g)(1), immediately after the word "articles", insert a comma and the words "military education and training"; and

(ii) in subsection (g)(2), strike out the word "personnel" and insert in lieu thereof the words "and related civilian personnel".

(8) Section 644 of said Act, relating to definitions, is amended as follows:

(i) subsection (f) is amended to read as follows:

"(f) 'Defense service' includes any service, test, inspection, repair publication or technical or other assistance or defense information used for the purposes of furnishing military assistance, but shall not include military educational and training activities under chapter 5 of part II."; and

(ii) there is added at the end thereof the following new subsection:

"(n) 'Military education and training' includes formal or informal instruction of foreign students in the United States, contract technicians, contractors (including instruction at civilian institutions), or by correspondence courses, technical, educational, or information publications and media of all kinds, training aids, orientation, and military advice to foreign military units and forces.".

(c) Except as may be expressly provided to the contrary in this Act, all determinations, authorizations, regulations, orders, contracts, agreements, and other actions issued, undertaken or entered into under authority of any provision of law amended or repealed by this section shall continue in full force and effect until modified by appropriate authority.

(d) Funds made available pursuant to other provisions of law for foreign military educational and training activities shall remain available for obligation and expenditure for their original purposes in accordance with the provisions of law originally applicable thereto, or in accordance with the provisions of law currently applicable to those purposes.

ADMINISTRATIVE PROVISIONS

SEC. 14. Section 625 of chapter 2 of part III of the Foreign Assistance Act of 1961, relating to employment of personnel, is amended by adding at the end thereof the following new subsection:

"(k)(1) In accordance with such regulations as the President may prescribe, the following categories of personnel who serve in the Agency for International Development shall become participants in the Foreign Service Retirement and Disability System:

"(A) Persons serving under unlimited appointments in employment subject to section 625(d)(2) of this Act as Foreign Service Reserve officers and as Foreign Service staff officers and employees; and

"(B) A person serving in a position to which he was appointed by the President, whether with or without the advice and consent of the Senate, provided that (1) such person shall have served previously under an unlimited appointment pursuant to said section 625(d)(2) or a comparable provision of predecessor legislation to this Act, and (2) following service specified in proviso (1) such person shall have served continuously with the Agency for International Development or its predecessor agencies only in positions established under the authority of sections 624(a) and 631(b) or comparable provisions of predecessor legislation to this Act.

"(2) Upon becoming a participant in the Foreign Service Retirement and Disability System, any such officer or employee shall make a special contribution to the Foreign Service Retirement and Disability Fund in accordance with the provisions of section 852 of the Foreign Service Act of 1946, as amended. Thereafter, compulsory contributions will be made with respect to each such participating officer or employee in accordance with the provisions of section 811 of the Foreign Service Act of 1946, as amended.

"(3) The provisions of section 636 and title VIII of the Foreign Service Act of 1946, as amended, shall apply to participation in the Foreign Service Retirement and Disability System by any such officer or employee.

"(4) If an officer who became a participant in the Foreign Service Retirement and Disability System under paragraph (1) of this subsection is appointed by the President, by and with the advice and consent of the Senate, or by the President alone, to a position in any Government agency, any United States delegation or mission to any international organization, in any international commission, or in any international body, such officer shall not, by virtue of the acceptance of such an appointment, lose his status as a participant in the system.

"(5) Any such officer or employee who becomes a participant in the Foreign Service Retirement and Disability System under paragraph (1) of this subsection, shall be mandatorily retired (a) at the end of the month in which he reaches age seventy or (b) earlier if, during the third year after the effective date of this subsection, he attains age sixty-four or if he is over age sixty-four; during the fourth year at age sixty-three; during the fifth year at age sixty-two; during the sixth year at age sixty-one; and thereafter, at the end of the month in which he reaches age sixty: *Provided*, That no participant shall be mandatorily retired under this paragraph while serving in a position to which appointed by the President, by and with the advice and consent of the Senate. Any participant who completes a period of authorized service after reaching the mandatory retirement age specified in this paragraph shall be retired at the end of the month in which such service is completed.

"(6) Whenever the President deems it to be in the public interest, he may extend any participant's service for a period not to exceed five years after the mandatory retirement date of such officer or employee.

"(7) This subsection shall become effective on the first day of the first month which begins more than one year after the date of its enactment, except that any officer or employee who, before such effective date, meets the requirements for participation in the Foreign Service Retirement and Disability System under paragraph (1) of this subsection may elect to become a participant before the effective date of this subsection. Such officer or employee shall become a participant on the first day of the second month following the date of his application for earlier participation. Any officer or employee who becomes a participant in the system under the provisions of paragraph (1) of this subsection, who is age fifty-seven or over on the effective date of this subsection, may retire voluntarily at any time before mandatory retirement under paragraph (5) of this subsection and receive retirement benefits under section 821 of the Foreign Service Act of 1946, as amended.

"(8) Any officer or employee who is separated for cause while a participant in the Foreign Service Retirement and Disability System pursuant to this subsection, shall be entitled to benefits in accordance with subsections 637(b) and (d) of the Foreign Service Act of 1946, as amended. The provisions of section 625(e) of this Act shall apply to participants in lieu of the provisions of sections 633 and 634 of the Foreign Service Act of 1946, as amended."

SEC. 15. Section 637(a) of chapter 2 of part III of the Foreign Assistance Act of 1961, relating to authorizations for administrative expenses, is amended by striking out "for the fiscal year 1972, $50,000,000, and for the fiscal year 1973, $50,000,000," and inserting in lieu thereof "for the fiscal year 1974, $53,100,000, and for the fiscal year 1975, $53,100,000".

SEC. 16. Section 639 of chapter 2 of part III of the Foreign Assistance Act of 1961 is amended to read as follows:

"SEC. 639. Famine and Disaster Relief. Notwithstanding the provisions of this or any other Act, the President is authorized to furnish famine or disaster relief or rehabilitation or related assistance abroad on such terms and conditions as he may determine."

INDOCHINA POSTWAR RECONSTRUCTION

SEC. 17. The Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new part:

"PART V

"CHAPTER 1. POLICY

"SEC. 801. STATEMENT OF POLICY. The Congress, recognizing the importance of a stable peace in Indochina to the achievement of a lasting peace in Asia and throughout the world, believes that the United States can further these objectives by contributing to healing the wounds of war and by assisting the countries and peoples of Indochina in the realization of human aspirations in a peaceful manner. It is the sense of Congress that the objectives of a stable and lasting peace would be served by a program of humanitarian relief and reconstruction assistance in Indochina.

"CHAPTER 2. GENERAL AUTHORITY AND AUTHORIZATION

"SEC. 821. GENERAL AUTHORITY. The President is authorized to furnish, on such terms and conditions as he may determine, assistance for relief and reconstruction of South Vietnam, Cambodia and Laos, including humanitarian assistance to refugees, civilian war casualties and other persons disadvantaged by hostilities or conditions related to those hostilities in South Vietnam, Cambodia and Laos.

"SEC. 822. *Authorization*. There is authorized to be appropriated to the President to carry out the purposes of this chapter, in addition to funds otherwise available for such purposes, for the fiscal year 1974 not to exceed $632,000,000, which amount is authorized to remain available until expended.

"CHAPTER 3—CONSTRUCTION WITH OTHER LAWS

"SEC. 831. *Authority*. All references to part I, whether heretofore or hereafter enacted, shall be deemed to be references also to this part unless otherwise specifically provided. The authorities available to administer part I of this Act shall be available to administer programs authorized in this part.".

FOREIGN MILITARY SALES

SEC. 18. The Foreign Military Sales Act, as amended is amended as follows:

(a) In section 23 of chapter 2, relating to credit sales, strike out "ten" and insert in lieu thereof "twenty".

(b) In section 24(a) of chapter 2, relating to guaranties, strike out "doing business in the United States".

(c) In section 24(c) of chapter 2, relating to guaranties:

(1) strike out "pursuant to section 31" and insert in lieu thereof "to carry out this Act"; and

(2) insert "principal amount of" immediately before the words "contractual liability" wherever they appear.

(d) In section 31(a) of chapter 3, relating to authorization, strike out "$400,000,000 for the fiscal year 1972" and insert in lieu thereof "$525,000,000 for the fiscal year 1974".

(e) In section 31(b) of chapter 3, relating to authorization, strike out "(excluding credits covered by guaranties issued pursuant to section 24(b) and of the face amount of guaranties issued pursuant to sections 24(a) and (b) shall not exceed $550,000,000 for the fiscal year 1972, of which amount not less than $300,000,000 shall be available to Israel only" and insert in lieu thereof "and of the principal amount of loans guaranteed pursuant to section 24(a) shall not exceed $760,000,000 for the fiscal year 1974".

(f) In section 33(a) of chapter 3, relating to aggregate regional ceilings:

(1) strike out "of cash sales pursuant to sections 21 and 22,";

(2) strike out "(excluding credits covered by guaranties issued pursuant to section 24(b)), of the face amount of contracts of guaranty issued pursuant to sections 24(a) and (b)" and insert in lieu thereof "of the principal amount of loans guaranteed pursuant to section 24(a)"; and

(3) strike out "$100,000,000" and insert in lieu thereof "$150,000,000".

(g) In section 33(b) of chapter 3, relating to aggregate regional ceilings:

(1) strike out "of cash sales pursuant to sections 21 and 22,";

(2) strike out "(excluding credits covered by guaranties issued pursuant to section 24(b)), of the face amount of contracts of guaranty issued pursuant to sections 24(a) and (b)" and insert in lieu thereof "of the principal amount of loans guaranteed pursuant to section 24(a)".

(h) In section 33(c) of chapter 3, relating to aggregate regional ceilings:

(1) strike out "expenditures" and insert in lieu thereof "amounts of assistance, credits, guaranties, and ship loans";

(2) strike out "of cash sales pursuant to sections 21 and 22,"; and

(3) strike out "(excluding credits covered by guaranties issued pursuant to section 24(b)), of the face amount of contracts of guaranty issued pursuant to sections 24(a) and (b)" and insert in lieu thereof "of the principal amount of loans guaranteed pursuant to section 24(a)".

(i) In section 36 of chapter 3, relating to reports on commercial and governmental military exports, subsection (a) is hereby repealed and subsections (b) and (c) are redesignated as (a) and (b), respectively.

(j) In section 37(b) of chapter 3, relating to fiscal provisions, insert after "indebtedness" the following: "under section 24(b) (excluding such portion of the sales proceeds as may be required at the time of disposition to be obligated as a reserve for payment of claims under guaranties issued pursuant to section 24(b), which sums are hereby made available for such obligations)".

A SECTION-BY-SECTION ANALYSIS OF THE PROPOSED FOREIGN ASSISTANCE ACT OF 1973

I. INTRODUCTION

The proposed Foreign Assistance Act of 1973 (hereinafter referred to as the "Bill") is an amendment to the Foreign Assistance Act of 1961, as amended (hereinafter referred to as the "Act"). The Bill also amends the Foreign Military Sales Act (hereinafter referred to as "the FMSA").

The principal new substantive provisions of the Bill are: (a) a new Part V dealing with Indochina Reconstruction, (b) a new chapter in Part II providing for a program of International Military Education and Training, (c) a new provision permitting personnel of the Agency for International Development ("A.I.D.") to participate in the Foreign Service Retirement System, and (d) provisions permitting greater flexibility in the conduct of disaster relief activities, operations of the Overseas Private Investment Corporation, and Foreign Military Sales programs.

The Bill makes authorization for two years for all development accounts and for narcotics control, and provides a one year authorization for Indochina reconstruction and security assistance programs.

II. PROVISIONS OF THE BILL DEVELOPMENT LOAN FUND

Section 2(a)—Authorization

(1) and (2). These provisions amend section 202(a) of the Act to provide authorizations for fiscal years 1974 and 1975 for development loans in the amount of $201,400,000 for each year.

(3) and (4). These provisions make applicable through fiscal year 1975 the second proviso in section 202(a), requiring that not less than 50 percent of the funds appropriated for development loans be used to encourage economic development through private enterprise.

Section 2(b)—Fiscal Provisions

This subsection extends the provisions of section 203 through fiscal year 1975.

Technical Cooperation and Development Grants

Section 3(a)—Authorization

This subsection adds the word "directly" to the sentence which limits to forty the number of countries to which technical assistance may be furnished under title II. The purpose of this amendment is to make clear that the forty country limitation applies only to bilateral assistance furnished directly by the government of the United States to the governments of less developed countries and is not applicable to assistance to private organizations, such as the International Executive Service Corps, which conduct programs in countries to which the United States government does not furnish bilateral assistance. The amendment is also intended to make clear that programs of research and experimentation authorized under section 241 of the Act are not considered assistance to countries within the meaning of section 211 or any other section of the Act.

Section 3(b)—Authorization

This subsection amends section 212 of the Act to authorize the appropriation of $165,650,000 for fiscal year 1974 and $165,650,000 for fiscal year 1975 for technical cooperation and development grants.

Section 3(c)—American Schools and Hospitals Abroad

(1) This provision amends section 214(c) of the Act to provide authorizations in the amount of $10,000,000 for fiscal year 1974 and $10,000,000 for fiscal year 1975 for assistance to American schools and hospitals abroad. It also eliminates unnecessary language pertaining to expenditures of funds appropriated for fiscal year 1970.

(2) This provision repeals subsection 214(d) which pertained to authorization of excess foreign currency appropriations for fiscal year 1970 and is no longer necessary.

Housing Guaranties

Section 4(a)—Worldwide Housing Guaranties

This subsection amends section 221 of the Act by increasing to $480,000,000 the amount of worldwide housing investment guaranty authority.

Section 4(b)—Housing Projects in Latin American Countries

This subsection amends subsection 222(c) of the Act by increasing to $594,900,000 the amount of Latin American housing guaranty authority.

Section 4(c)—General Provisions

This subsection amends subsection 223(i) of the Act to make housing guaranty authority available through June 30, 1976.

Overseas Private Investment Corporation

Section 5(a)—Risk Management and Risk Sharing

This section amends section 231(d) to strengthen OPIC's existing mandates to conduct its insurance operations with due regard to risk management and to share its insurance risks by confirming that OPIC's risk-sharing may be with other insurers, public or private, and by committing OPIC to seek in future insurance underwritings to assure that the costs of the program will be fully covered over the long term by the private users of the program.

Section 5(b)—Economic Interests of the United States

This section amends section 231(l) of the Act by specifying U.S. employment interests, as well as U.S. balance-of-payments interests, in the consideration of the effects of a proposed project on the U.S. economy.

Section 5(c)—Stock Rights

This section amends section 234(c) of the Act to permit the Corporation to acquire in its financing operations, warrants and other rights to acquire stock, but provides that such rights may not be exercised while held by OPIC. This change was adopted by the Senate in the Foreign Assistance Act of 1972 which for other reason was delayed in its enactment by Congress.

The amendment would not allow OPIC to purchase stock. Under present law, OPIC may acquire debt securities convertible to stock (for example, convertible debentures) and sell them to investors, but may not convert them to stock while they are held by OPIC. OPIC has found that rights to acquire stock are more flexible and more popular as a financing tool than convertible debt securities and that borrowers in less developed countries are often reluctant to issue convertible debt securities because of the legal technicalities associated with them. With broader latitude as to the form of stock rights OPIC could obtain and sell, OPIC would be able to spur private local participation to OPIC-financed projects because potential purchasers could be offered a choice of an equity or debt position is a project. This would be especially attractive to small financial institutions which might be reluctant to purchase debt securities containing complex conversion features.

The amendment also would make it clear that the authority to receive convertible debt securities and rights to acquire stock applies to all of OPIC's financing operations, that is to investment guaranties as well as direct loans.

Section 5(d)—Issuing Authority

This section would amend section 235(a)(4) of the Act to extend OPIC's investment insurance and guaranty authority from June 30, 1974 until June 30, 1976.

The Foreign Assistance Act of 1969, which was enacted December 30, 1969, authorized extension of the 25-year old political risk insurance program and the extended risk guaranty program for five years from June 30, 1969 and provided for the establishment of the Overseas Private Investment Corporation to operate these programs. The five-year extension of the insurance and guaranty programs was intended to provide a reasonable period for testing of the management of the programs by a public corporation and to determine the feasibility of further steps toward private management and financing of some or all of OPIC's services.

Because of the delayed enactment of the legislation and the further delay of one year in establishing OPIC, the actual period of testing will be only about three years when OPIC is scheduled to submit a report to the Congress next March and only three and one-half years when the present insurance and guaranty authorities expire on June 30, 1974. More time will be needed to establish a record of the new OPIC policies on which to base negotiation of possible arrangements for transferring parts of the program to private organizations, and to permit informed judgment of whether and how the program should be recast in long-term legislation. Consequently, an interim extension of two years is proposed, to June 30, 1976, consistent with the two-year extension of other chapter 2 programs sought by this Bill. (In addition, as provided in section 5(g) of this Bill, the deadline for OPIC's submission of a report to Congress analyzing the possibility of transferring all or part of its activities to private United States citizens or organizations would be extended 11 months, to no later than February 1, 1975. This would allow time for consultation and legislation based on the report before expiration of the authorities.)

Section 5(e)—General Provisions and Powers

This section would amend section 239(d) to clarify and expand OPIC's authority to enter into coinsurance and reinsurance agreements with private insurance companies and others, and to enter into pooling arrangements with other national or multinational insurance and financing agencies. The first part of this provision is similar to the authority contained in the Export-Import Bank Act of 1945, as amended. International risk-pooling arrangements can serve common interests by strengthening deterrence against confiscatory treatment of foreign investors. Risk-sharing with private United States insurance companies is an essential element of experimental steps toward private participation in OPIC's operations, now being discussed with the U.S. insurance industry.

Section 5(f)—Agricultural Credit and Self-Help Community Development Projects

This section would amend section 240(h) to extend for two years—to June 30, 1975—the authority for OPIC to establish pilot loan guaranty programs in five Latin American countries to encourage private banks and other local credit institutions to make agricultural and community development loans to organized groups and individuals who have been unable to obtain credit on reasonable terms. Experience in two years of pilot operation demonstrated the need for the participation of central banks in the program in order to assure increased lending capacity and to induce private banks to engage in such small scale lending. The extension would allow time to test the new system, which could not be installed until early 1973.

Section 5(g)—Reports to the Congress

This section amends section 240A(b) to extend for 11 months, to no later than February 1, 1975, the deadline for submission to the Congress of an analysis of the possibilities of transferring all or part of OPIC's activities to private United States citizens, corporations, or other associations. The reasons for this change are set forth in the analysis of section 5(d) above.

Alliance for Progress

Section 6—Authorization

(a) This subsection amends subsection 252(a) of the Act by authorizing the appropriation of $236,100,000 for fiscal year 1974 and $236,100,000 for fiscal year 1975 to carry out development lending and technical assistance in Latin America.

(b) This subsection amends subsection 252(a) of the Act by limiting the amount of the total Alliance for Progress authorization which may be used for technical assistance to $86,100,000 for each of the fiscal years 1974 and 1975.

Programs relating to population growth

Section 7—Authorization

This section amends section 292 of the Act by continuing for fiscal years 1974 and 1975 the requirement that at least $125,000,000 of all funds made available for carrying out Part I of the Act be available only for programs relating to population growth.

International organization and programs

Section 8—Authorization

(a) This subsection amends subsection 302(a) of the Act by authorizing the appropriation of $124,800,000 for the fiscal year 1974 and such sums as may be necessary for the fiscal year 1975 grant contributions to international organizations.

(b) This subsection amends subsection 302(b)(2) by authorizing the appropriation of $15,000,000 for each of the fiscal years 1974 and 1975 for grants for Indus Basin Development.

Contingency fund

Section 9—Authorization

(a) This subsection amends section 451 of the Act, relating to contingency funds, by authorizing $30,000,000 for fiscal year 1974, and $30,000,000 for fiscal year 1975.

As in the past, disaster relief and reconstruction assistance furnished under this title would be limited to short-term assistance designed to alleviate and repair the consequences of a natural or man-made catastrophe rather than providing for long-term development assistance.

(b) This subsection provides a permanent authorization for appropriations for disaster relief assistance in the case of extraordinary disasters of large magnitude. This authority would permit prompt appropriations of funds to meet emergency requirements in those cases where the assistance required is in excess of the amounts made available by the Contingency Fund or by other accounts.

International narcotics control

Section 10—Authorization

This section amends section 482 of the act by authorizing the appropriation of $42,500,000 for international narcotics control for the fiscal year 1974 and such sums as may be necessary for the fiscal year 1975.

Military assistance

Section 11

(a) *Authorization.* This subsection amends section 504(a) of the Act to authorize the appropriation of $652,000,000 for the fiscal year 1974.

(b) *Special Authority.* This subsection amends section 506(a) of the Act to extend without fiscal year limitation the President's special authority to order defense articles and defense services subject to subsequent reimbursement. This authority has previously been renewed from year to year in annual authorization acts.

(c) *Local Currency Deposits.* This subsection repeals section 514 of the Act which requires recipients of grant military assistance, including excess defense articles, to deposit in local currency an amount equal to ten percent of the value of such assistance for use by the United States to pay its local currency official costs in that country.

Security supporting assistance

Section 12—Authorization

This section amends section 532 of the Act to provide an authorization for security supporting assistance for fiscal year 1974 of $100,000,000.

International military education and training

Section 13

(a) *International Military Education and Training Chapter.*

This subsection adds to Part II of the Act a new chapter establishing a program of international military education and training, separate and distinct from the military assistance program which will henceforth be concentrated on materiel assistance. The chapter consists of four sections.

Section 541 contains a statement of the chapter's purpose, which emphasizes the differences between objectives of this new program and those of the military assistance program.

Section 542 authorizes the President to provide military education and training by grant, contract, or otherwise and describes the kind of activities that can be engaged in under this chapter. These activities include attendance by foreign military personnel and related civilians at U.S. and foreign military facilities for education or training purposes. This includes international military educational facilities such as those under NATO auspices. Also permitted is attendance by such foreign personnel at pertinent courses of instruction at nonmilitary public and private educational and research institutions. In addition, observation and orientation visits by foreign military and related civilian personnel would be provided under this chapter. Finally, section 542 provides for other activities to further the purposes of the chapter, such as the furnishing of noncombat military training instructors, media aids and publications.

Section 543 authorizes the appropriation of funds to the President to carry out the purposes of the chapter. Consistent with the establishment of a new, permanent authority for international military education and training, the authorization is not subject to a dollar ceiling or fiscal year limitation.

Section 544 requires the President to submit annual reports to the Congress concerning the activities carried on and obligations incurred for international military education and training on a country by country basis.

(b) *Amendments to the Foreign Assistance Act.*

This subsection amends the Act to eliminate all references to training from chapter 2 of Part II, which deals with military assistance, because military education and training programs will no longer be conducted as military assistance. Thus, for example, statutory requirements and restrictions applicable to "military assistance" (e.g. section 514, section 653, etc.) would not be applicable to military education and training programs under this chapter. The subsection also amends Part III of the Act, containing general, administrative, and miscellaneous provisions, to clarify the application of those provisions to the new chapter on international military education and training. The specific amendments made by this subsection are:

(1) This provision deletes the references to training or advice from section 503(d) of the Act, which authorizes the assignment of members of the U.S. Armed Forces to noncombatant duties.

(2) This provision deletes the exclusion of "training only" countries from the forty country limitation on the number of countries that can receive military assistance contained in section 504(a) of the Act.

(3) This provision repeals the restriction on the number of foreign military students to be trained in the United States. According to section 510 of the Act, this number cannot exceed in any fiscal year the number of civilians brought to the United States in the previous fiscal year under the Mutual Educational and Cultural Exchange Act of 1961.

(4) This provision makes clear that the roles of the Chief of the United States Diplomatic Mission and of the Secretary of State with respect to international military education and training will be the same as they are for military materiel assistance programs. This is achieved by inserting a reference to military education and training after the reference to military assistance in subsections (b) and (c) of section 622 of the Act.

(5) This provision extends the supervisory responsibilities of the Secretary of Defense under section 623(a)(4) of the Act to military-related civilian personnel, consistent with the scope of the new chapter on international military education and training. It also makes the supervisory responsibility of the Secretary of Defense over Department of Defense functions relating to military assistance expressly applicable to military education and training as well.

(6) This provision makes the provisions of section 632 of the Act, concerning reimbursement among agencies, expressly applicable to military education and training in the same manner as that section applies to military materiel assistance.

(7) This provision amends sections 636(g) of the Act to ensure that Part II funds are available for administrative, extraordinary and operating expenses incurred in furnishing military education and training. It also makes Part II funds available for reimbursement of expenses of military-related civilian personnel in connection with orientation visits, consistent with the scope of the new chapter on international military education and training.

(8) This provision modifies the definition of defense service in section 644(f) of the Act so as to exclude references to training. By this change, the authority to furnish training as military assistance under chapter 2 of Part II of the Act will be terminated. In addition, the definition of training formerly included within the definition of defense service is made a separate subsection, subsection 644(n), which will apply to the new chapter on international military education and training. The changes made by this provision are not intended to affect the sale of training as a design service under the FMSA.

(c) *Preservation of Existing Actions.*

This subsection makes clear that the amendments to the Act affected by this section will not call into question the continuing validity of actions taken under authority of any provision amended or repealed by this section, such as regulations and contracts.

(d) *Interim Funding.*

This subsection authorizes funds heretofore made available for activities which will be funded in the future under the new international military education and training chapter to be obligated and expended either in accordance with the originally applicable authority or under the new authority.

Administrative provisions

Section 14—Employment of Personnel

This section adds a new subsection (k) to section 625 of the Act to authorize the participation in the Foreign Service Retirement and Disability System of certain categories of A.I.D. Foreign Service Personnel. Under existing law, all A.I.D. employees, both Civil and Foreign Service, are participants in the Civil Service Retirement System.

The subsection equalizes conditions of overseas career service among the foreign affairs agencies. Of the three principal agencies, States, USIA, and A.I.D., only A.I.D. foreign service personnel do not participate in the Foreign Service Retirement System.

This amendment would not create a permanent foreign assistance career service and would not prejudice any future action that the Administration or the Congress may wish to take with respect to foreign assistance.

Paragraph (k)(1) designates the categories of personnel serving in the Agency for International Development who would participate in the Foreign Service Retirement and Disability System. Included among these categories are Foreign Service staff officers and employees who are serving under unlimited appointments. The Department of State is submitting proposed legislation that would eliminate a ten years prior service requirement for Foreign Service staff personnel in the Department of State and USIA. The Bill is consistent with that proposed legislation. It is the intention of this subsection to achieve comparable standards for retirement participation by Foreign Service staff personnel in the Department of State, USIA and A.I.D.

Paragraph (k)(2) provides that persons who become participants in the Foreign Service Retirement System shall make a special contribution to the Foreign Service Retirement and Disability Fund in accordance with section 852 of the Foreign Service Act of 1946. This means that such persons' prior contributions to another Federal retirement system, generally, the Civil Service Retirement System, will be transferred to the Foreign Service Retirement and Disability Fund. Thereafter, the normal compulsory contributions will be made to the Foreign Service Retirement and Disability Fund.

Paragraph (k)(3) provides for the application of section 636 of the Foreign Service Act of 1946, as amended, to the A.I.D. participants in the Foreign Service Retirement System. Section 636 provides for the voluntary retirement of a participant who has attained the age of 50 years and who has rendered 20 years of service.

Paragraph (k)(4) continues a participant's coverage under the Foreign Service Retirement System whenever such participant might be assigned to positions not covered by the system. This authority is similar to that contained in section 571(b) of the Foreign Service Act of 1946, as amended.

Paragraph (k)(5) is a transitional provision. It provides for the gradual retirement over a 7-year period of participants in the system who are above the Foreign Service mandatory retirement age at the time they become participants in the system. The interim schedule for the gradual transition to the Foreign Service Retirement System is similar to the transition formula authorized when the staff personnel of the State Department were transferred to the Foreign Service Retirement System pursuant to the Foreign Service Act amendments of 1960, and when U.S. Information Agency Foreign Service Information Officers, Foreign Service Reserve Officers, unlimited, and staff officers and employees were transferred under the provisions of Public Law 90–494, enacted in 1968. A proviso exempts Presidential appointees confirmed by the Senate, while so serving, from the otherwise applicable mandatory retirement age.

Paragraph (k)(6) provides that the President may, whenever he deems it to be in the public interest, extend any participant's service for a period not to exceed 5 years after the mandatory retirement date for such participant. It is anticipated that this authority will be delegated to the Administrator A.I.D.

Paragraph (k)(7) provides that the subsection will become effective on the first day of the first month which begins more than one year after the date of enactment. It also provides that an eligible Foreign Service Reserve Officer or staff officer or employee may elect to become a participant before the mandatory requirements of the subsection become effective. Finally this paragraph provides for another transitional provision similar to that provided for Foreign Service staff personnel of the State Department in 1960, and for USIA Foreign Service Information Officers, Foreign Service Reserve Officers, unlimited, and staff officers and employees in 1968.

Paragraph (k)(8) provides that an A.I.D. participant in the Foreign Service Retirement System who is separated for cause shall be entiled to the benefits set forth in subsections 637(b) and (d) of the Foreign Service Act of 1946, as amended. Generally, these subsections set forth conditions under which contributions to the Foreign Service Retirement and Disability Fund may be refunded or continued in the system following separation for cause. This paragraph also provides that the selection-out authority contained in subsection 625(e) of the Foreign Assistance Act shall apply to A.I.D. participants in the Foreign Service Retirement System rather than the selection-out authority contained in the Foreign Service Act of 1946, as amended.

Section 15—Administrative Expenses

This section amends section 637 of the Act by providing an authorization for administrative expenses for the agency administering Part I of $53,100,000 for fiscal year 1974 and $53,100,000 for fiscal year 1975.

Section 16—Famine and Disaster Relief

This section amends 639 of the Act to give the President greater flexibility in carrying out programs of famine and disaster relief. Section 639 in its present form permits famine and disaster relief assistance in cases in which it would otherwise be prohibited. The section recognizes that humanitarian concerns in such cases over-ride the political considerations which, in some circumstances, should prevent the conduct of ordinary assistance programs.

The purpose of the proposed provision is to facilitate such humanitarian activities where operating procedures suitable in normal cases would unduly curtail them. Thus, for example, the provisions of the Merchant Marine Act of 1936 requiring transportation by American flag carriers would not apply in disaster situations when their use would result in delay in alleviating the consequences of the disaster. Similarly, the new authority would eliminate delays encountered in the past in responding swiftly and effectively to disaster situations because of the necessity of complying with such sections of the Act as 636(i), relating to vehicle procurement and section 604, establishing rules applicable to ordinary procurement activities.

Indochina Reconstruction

Section 17

This subsection adds a new part to the Act to provide for reconstruction of the war torn countries of Indochina. The new part contains four sections.

Section 801 is a statement of policy. It recognizes the importance of humanitarian relief and reconstruction assistance to the realization of a lasting and stable peace.

Section 821 authorizes the President to furnish assistance to South Vietnam, Laos and Cambodia. The assistance authorized may be furnished on a loan, grant, or other basis. Such aid may be used for a broad range of economic assistance activities, including relief, reconstruction, and development ranging from the most urgent emergency relief requirements, through programs to stabilize temporarily unsettled politico-economic conditions, to longer-range reconstruction projects designed to help the countries covered to resume their interrupted development. The provision contemplates that a full range of assistance mechanisms, including project, program, and technical assistance, may be utilized, and that such assistance may be furnished directly by the United States, or through private, regional, multilateral, or international organizations.

Section 822 authorizes appropriations for the purposes spelled out in section 821; $632,000,000 is authorized for fiscal year 1974. This figure does not include any amount for assistance to North Vietnam. The section makes clear that, while this part will be the principal source of funds for economic assistance for Indochina, funds otherwise available for these purposes, such as funds and authorities of the Overseas Private Investment Corporation (OPIC), may also be used. The funds authorized by this section may be appropriated to remain available until expended.

Section 831 provides that authorities for the performance of functions under part I of the Act shall also be available for carrying out this part of the Act. Some of those authorities in the Act are available to administer both part I and part II, while others are available for only part I. It is the intention of this section to make available for the administration of part V all authorities available to administer any part I program.

Foreign military sales

Section 18—Foreign Military Sales Act

(a) *Credit Sales Terms*. This subsection amends section 23 of the FMSA by extending from ten to twenty years the length of time for which credit may be extended.

(b) *Guaranties*. This subsection amends section 24(a) of the FMSA by eliminating the requirement that guaranties be issued only to financial institutions doing business in the United States. This change will permit the utilization of overseas sources of financing military exports at times when banks in the United States are unable to provide fully for such financing.

(c) This subsection amends section 24(c) of the FMSA in two respects:

(1) This provision is related to amendments contained in subsections (e), (f)(2), (g)(2), (h)(3), and (j) of this section of the Bill. Together, these amendments permit the sale and guarantee of promissory notes generated by credit sales under section 23 of the FMSA without additional charge against the current appropriation or the current program ceiling. Such direct credits are already charged against both the appropriation and the program ceiling in the year they are extended. These changes are intended to facilitate the Treasury Department's debt management functions and would not increase the amount of the FMS program.

(2) This provision is related to amendments contained in subsections (e), (f)(2), (g)(2), and (h)(3) of this section of the Bill. These amendments clarify the computation of the 25 percent guaranty reserve established by section 24(c) of the FMSA in conformity with the practice of the Export-Import Bank. The amendments specify that the principal amount of the loan guaranteed will be charged against the program ceiling

and that 25 percent of that principal amount will be charged against the current appropriation for the guaranty reserve.

(d) *Authorization.* This subsection amends section 31(a) of the FMSA by authorizing the appropriation of $525,000,000 for the fiscal year 1974 to carry out the purposes of the FMSA.

(e) *Aggregate Ceiling.* This subsection amends section 31(b) of the FMSA by establishing for the fiscal year 1974 a ceiling of $760,000,000 on the aggregate total of credits and guaranties which can be issued under the FMSA. It also makes technical amendments to section 31(b) which are explained above in the analysis of subsection (c).

(f) *Latin American Ceiling.* This subsection amends section 33(a) of the FMSA by removing cash sales from the ceiling on aggregate military assistance and sales to Latin America. It also makes technical amendments to section 33(a) to bring it into conformity with the amendments explained above in the analysis of subsection (c). In addition, this subsection raises the Latin American ceiling from $100,000,000 to $150,000,000.

(g) *African Ceiling.* This subsection amends section 33(b) of the FMSA by removing cash sales from the ceiling on aggregate military assistance and sales to Africa. It also makes technical amendments in section 33(b) to bring it into conformity with the amendments explained above in the analysis of subsection (c).

(h) *Waiver of Regional Ceilings.* This subsection amends section 33(c) of the FMSA to bring its terms into conformity with the amendments made by subsections (c), (f) (1) and (2), and (g) of this section of the Bill.

(i) This subsection repeals section 36(a) of the FMSA, which requires the Secretary of State to submit semi-annual reports to the Congress of exports of significant defense articles on the United States munitions list. Section 657 of the Act, which was enacted in 1972 in Public Law 92–226, now requires the submission of annual reports containing all of the information included in the reports submitted under section 36 (a) of the FMSA.

(j) This subsection amends section 37(b) of the FMSA to permit the deposit of a portion of the proceeds from the sale of promissory notes into the guaranty reserve. This change is related to the amendment made by subsection (c)(1) and its purpose and effect are explained in the analysis of that subsection.

By Mr. BEALL (for himself and Mr. Mathias):

S. 1712. A bill to amend title II of the Social Security Act to provide a special rule for determining insured status, for purposes of entitlement of disability insurance benefits, of individuals whose disability is attributable directly or indirectly to meningioma or other brain tumor. Referred to the Committee on Finance.

Mr. BEALL. Mr. President, I am sending to the desk, in conjunction with my distinguished colleague (Mr. Mathias) a bill that would provide a special rule for determining disability insured status for individuals who are disabled directly or indirectly by meningioma or other brain tumors.

Mr. President, this bill is identical to S. 686, which was introduced into the 92d Congress. This legislation resulted from information provided to us by Mrs. Irene C. Heap of Silver Spring, Md. Mrs. Heap has summarized her situation in a letter addressed to the Members of Congress, and I ask unanimous consent that the text of this letter be printed at this point in the Congressional Record followed by the text of this legislation.

There being no objection, the letter and bill were ordered to be printed in the Record, as follows:

Honorable Members of Congress:

I, and the other Brain Tumor Victims in same predicament as I, have the Constitutional Right to be represented by Disability Laws; therefore, I request prompt enactment of the Brain Tumor Bill re-introduced in Congress. This Bill is necessary because Social Security Administration's Director of Appeals Council wrote me, as follows: "there would appear to be no basis on which the claim could be pursued under existing law."

Your so-called "Definition of Disability" Laws deny that my fifteen (15) year Brain Tumor existed prior to emergency brain surgery because man-made machines failed to detect it even one year prior to brain surgery; thus, I was supposed to have worked while growing it.

HEW turned down the previous Brain Tumor Bills because other disabling excluded diseases don't have special provisions covering them. Denying Disability Benefits to those who have survived brain surgery once and may undergo it again is Murder by Congress of the disabled and is not representation.

I demand justice!!!

Mrs. Irene C. Heap,
Silver Spring, Md.

S. 1712

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 223 of the Social Security Act is amended by adding at the end thereof the following:

"Special Rule for Determining Insured Status

"(e) Any applicant for disability insurance benefits, who for the month in which application for such benefits is filed does not satisfy the requirement of subsection (a)(1) (A), shall, nevertheless, be deemed to satisfy such requirement for such month if—

"(1) such applicant is under a disability;

"(2) the disability of such applicant is attributable, directly or indirectly, to the condition (whether past or present) of meningioma or other brain tumor;

"(3) prior to such month and prior to the date such applicant was first medically determined to suffer from meningioma or other brain tumor, such applicant experienced symptoms consistent with those produced by meningioma or other brain tumor; and

"(4) such applicant would have satisfied the requirement of subsection (a)(1)(A) for the month during which such applicant first experienced the symptoms referred to in clause (3), or, if later, the month following the month during which such applicant last engaged in any substantial gainful activity."

(b) The amendment made by subsection (a) shall apply with respect to monthly benefits under title II of the Social Security Act for months after the month in which this Act is enacted, but only on the basis of applications for such benefits filed in or after the month in which this Act is enacted.

By Mr. McGOVERN (for himself, Mr. Abourezk, Mr. Clark, Mr. Hathaway, Mr. Humphrey, Mr. Inouye, and Mr. Moss):

S. 1714. A bill to establish a task force within the Veterans' Administration to advise and assist in connection with, to consult on, and to coordinate all programs pertaining to veterans of the Vietnam era. Referred to the Committee on Veterans' Affairs.

By Mr. McGOVERN (for himself, Mr. Abourezk, Mr. Clark, Mr. Hart, Mr. Hathaway, Mr. Humphrey, Mr. Inouye, and Mr. Moss):

S. 1715. A bill to amend title 10 of the United States Code to establish independent boards to review the discharges and dismissals of servicemen who served during the Vietnam era, and for other purposes. Referred to the Committee on Armed Services.

By Mr. McGOVERN (for himself, Mr. Abourezk, Mr. Clark, Mr. Hartke, Mr. Hathaway, Mr. Humphrey, Mr. Inouye, Mr. Moss, and Mr. Cranston):

S. 1716. A bill to amend chapter 49 of title 10, United States Code, to prohibit the inclusion of certain information on discharge certificates, and for other purposes. Referred to the Committee on Armed Services.

By Mr. McGOVERN (for himself Mr. Abourezk, Mr. Clark, Mr. Hart, Mr. Inouye, and Mr. Moss):

S. 1717. A bill to amend chapter 34 of title 38, United States Code, to provide additional educational benefits to Vietnam era veterans. Referred to the Committee on Veterans' Affairs.

By Mr. McGOVERN (for himself Mr. Abourezk, Mr. Clark, Mr. Inouye, and Mr. Moss):

S. 1718. A bill to amend chapter 34 of title 38, United States Code, to permit eligible veterans pursuing full-time programs of education to receive increased monthly educational assistance allowances and have their period of entitlement reduced proportionally. Referred to the Committee on Veterans' Affairs.

PRISONERS OF PEACE

Mr. McGOVERN. Mr. President, there is a discordant note amid the cheers and accolades for our prisoners of war. The peace with honor we hear so much about appears more and more to have left tens of thousands of other veterans prisoners of peace.

All of us have been moved by the sight of our returning prisoners of war. Their arrival has been extensively televised; their ordeal has been anxiously recorded; their freedom has been joyously celebrated; their future has been a cause of concern from the White House to the boardrooms of great corporations, and in every community across the Nation. Nothing has been so indelibly imprinted on the American consciousness in the first moments of peace as the sight of those men walking off the planes that brought them home from Hanoi.

Yet for many others who served in Indochina, these days have been bittersweet. Like all of us, they welcome the release of the prisoners of war. But these veterans also wonder how long the country will continue to tell others who have done so much and lost so much, simply to ask what they can do for themselves.

What of the 25,000 paraplegics, quadraplegics, and shattered men who left their strength on a distant battlefield?

One of them said, as he sat in a hospital ward:

> "When I saw the P.O.W.'s I cried. I cried out of self pity. I remember getting off the plane when I returned, and nobody met me. I envy the prisoners because they can walk. They were prisoners for five years and eight years, but I'm a prisoner within myself because I'm a prisoner in this wheelchair.

In hospitals and homes across this country there are young men without legs or arms or faces; men mangled or paralyzed who will never walk or father a child. No bands played for them. They came quietly back to a land that scarcely noted their return.

Almost 3 million Americans fought in Southeast Asia. Five hundred came home in the bright lights of television from the jails of North Vietnam. But 50,000 others came home in coffins—not to the cheers of a grateful country, but to the bitter tears of their families. And hundreds of thousands have come home to a dark night of frustration and deprivation. They are free from the dangers of war, but not from the indifference of peace. They are condemned to undergo addiction, to forego education, to go without employment. They are among the best of America's young, but often they have not even received adequate medical care or treatment for drug addiction. The Nation found them when it needed them to fight; but now that we do not need them, they cannot find the help they need from the Nation. They are fathers and sons, veterans, and citizens—and they are also the prisoners of peace.

Our leaders swore that they would never abandon the prisoners of war. But they have neglected the prisoners of peace.

Over 300,000 Vietnam-era veterans, ages 20 to 29, were unemployed at the beginning of 1973—nearly a third of a million men without jobs.

In February of this year, unemployment among veterans age 20 to 24 was 10.4 percent compared to 6.6 percent for nonveterans of the same age. The rate of unemployment among nonwhite veterans of that age bracket is much higher still.

As distressing as these figures are, they account for only the technically unemployed veteran—the serviceman who registers at a public employment office and maintains an active file. These unemployment figures do not include tens of thousands of others who have never registered nor those who have given up on public employment services and subsequently had their files deactivated. We really do not know how many hundreds of thousands of these Vietnam-era veterans are without jobs. A Harris survey published in early 1972 indicated that the actual unemployment rate for Vietnam veterans at that time was between 11 percent and 15 percent, with the figure as high as 21 percent for nonwhite veterans and 31 percent for those who are not high school graduates.

Mr. President, on various visits to Vietnam over the last 7 or 8 years, I was always impressed with the rather sizable number of these veterans who have not even completed high school. Yet, it is among that group, with deprived educational experience, that we find figures running up as high as one-third who are unemployed. So they are not only without adequate educational levels, but also without employment. I suppose that among this group we have the most serious cases of need.

One of the major problems faced by veterans seeking employment is what they refer to as "bad paper." Bad paper is a phrase used to describe a less than honorable discharge, and nearly 185,000 Vietnam veterans were turned out of the Armed Forces under these conditions—not with dishonorable discharges, but with what has been described as less than honorable. Most of these bad discharges, or bad paper, as they are referred to by the veterans—about 6 out of 7—are undesirable discharges, and are issued administratively, without the safeguards required at a court-martial, such as the right to counsel and adherence to rules of evidence.

Even though these men are eligible for employment counseling under the Department of Labor's Veterans' Employment Service, they will experience a great deal of difficulty in finding work. If they do find work it is usually demeaning and falls into the category of unskilled labor, with little hope of advancement.

The only real hope these men have is to have their discharges reviewed and recharacterized. But the process is slow, usually involving at least a year, assuming nobody has lost the records, and usually this process does not produce the desired result. Ninety-three percent of recent less than honorable discharge appeals have lost. It is particularly hard on veterans with poor education or from minority groups.

A Defense Department report says they get a higher proportion of undesirable discharges than white veterans with similar aptitudes and education.

Even with a bad paper discharge, a veteran is eligible for veterans' benefits. But he carries the bad paper with him, and his discharge form includes a code number that employers can translate very easily. These code numbers translate into drug abuse, homosexuality, and any number of other unsubstantiated charges that can haunt a man for life and make it nearly impossible for him to find decent employment.

The problem of veterans unemployment has been known to us for some time, and there has been no small effort on the part of Congress to rectify the situation. Time and time again, however, congressional proposals have been shunted aside or vetoed by Mr. Nixon on the grounds that they were "inconsistent with the national effort to contain inflation." It is still another aspect of the President's curious policy of protecting the dollar by neglecting people who need jobs.

Administration efforts to deal with veterans' unemployment have been characterized by great fanfare and minimal results.

A "Jobs for Veterans" program instituted in 1970 featured a mailing to 900,000 employers asking assistance in hiring and training veterans. Less than 2 percent of the employers even bothered to reply.

The administration has claimed that 140,000 veterans have attended veterans' job marts and job fairs. Yet a VA survey showed that only 14 percent of the eligible veterans had even heard of this program.

In June of 1971, Mr. Nixon set forth a six-point plan designed to help place unemployed veterans in jobs or training. Part of this plan took the form of an Executive order that required employers with Government contracts to publish job openings for veterans. To comply with this order, the Department of Labor requested $25 million. The administration cut the request back to $6 million.

Finally, in a much publicized effort to aid unemployed Vietnam veterans, Mr. Nixon gave them preference in Federal job openings for elevator operators, security guards, and custodians. That is not an opportunity for veterans—it is an insult to veterans.

More recently, the President has gone on radio to tell us of his concern for these men. He did not offer any new programs or any new funding. And quite understandably, he did not elaborate on how his 1974 budget affects veterans' unemployment.

But they are affected and very seriously. For example, 61,000 Vietnam veterans are employed under a program of subsidized jobs in State and local government. The Nixon budget proposes to cut the program from $1.3 billion to $407 million. The budget also calls for a cut in funds for manpower training from $1.4 billion to $1.2 billion for fiscal year 1974. That would mean a reduction of approximately 3,000 slots for veterans.

Yet in the face of all this evidence of neglect, the administration still attempts to plug the dike with public relations. Mr. Donald Johnson, Administrator of the Veterans' Administration, has come forward with a strange set of statistics claiming that unemployment among Vietnam veterans is at an all-time low. When he produced the figure of 5.7 percent, he did note that the figure applied to all Vietnam vets, but he did not say that the figure for veterans age 20–24 was over 10-percent—and that it was still higher for minority veterans. He also neglected to note that these statistics include student veterans who are working part time to make up for the inadequacies of the GI bill. And finally, he failed to mention that the VA considers a vet employed if he has worked only 3 days during the month in which the statistics are compiled.

Mr. Johnson's effort to paint a better picture with numbers and percentages has also been applied to the problem of educational assistance for Vietnam veterans. He says, for example:

> The present single veteran allowance of $1,980 for a school year is nearly three times the World War II allowance and gives most veterans more monetary assistance than after World War II.

The statement stands in stark contrast to one made by a World War II veteran when he was interviewed by CBS during a recent five-part series on the plight of the Vietnam veterans. Let me quote him:

> In the old days, of the $75 a month that I received and the tuition, I wound up with about $1,400 a year, and I could go to the best college in the land, Harvard, and still have $100 a month pocket. Today the Vietnam veteran gets about $1,980 a year and he just can't cut the mustard. He cannot pay half the tuition, let alone his subsistence.

What Mr. Johnson said is true. The allowance is nearly three times what it was before. But he did not say that the GI bill after World War II paid tuition fees, up to $500 a year, plus a monthly subsistence allowance. At the present time, a GI is paid a flat $1,980 for every-thing. The difference is easy to illustrate.

The veteran enrollment at Harvard College in the school year 1947–48 was 3,300 out of a total student population of 5,600. In 1971–72, Harvard College enrolled 89 veterans out of a total of 6,000 students.

But the full story is told in a Harris survey which revealed that less than 35 percent of the Vietnam veterans eligible for educational assistance under the GI bill are taking advantage of the monthly subsistence allowance to further their education. This contrasts sharply with the nearly 60 percent participation by veterans of World War II and 42 percent following the Korean conflict. And only 14 percent of those with a high school education or less are participating. That means about 1 high school graduate in 7 and less than 1 high school dropout in 10 is participating.

So the story is the same with education as it is with employment. The younger, less advantaged veterans and the minority veterans are the ones who need our help the most—and they are the ones who are receiving the least assistance.

The simple fact, Mr. President, is that in the last 25 years, the cost of a higher education has risen three times as much as GI educational assistance.

On October 24, 1972, 2 weeks before the national election, the President signed into law a package of bills designed to close this incredible gap between available assistance and the minimum needs of Vietnam veterans seeking a higher education. In January of 1973, 2 months after the national election, he made it clear he had no intention of carrying out two of the most critical programs included in that package. He has impounded a $50 million fund that was intended to provide part-time jobs for student veterans and he asked Congress to rescind authorization of $25 million to be used to encourage private universities to admit and train Vietnam veterans.

But perhaps the most discouraging aspect of the arguments against increased educational benefits for Vietnam veterans is the notion that these benefits are some kind of handout—another part of the widespread system of government giveways. Nothing could be farther from the truth. Every survey conducted since the inception of the GI bill has borne out two vital facts. First, that veterans consistently rank as better students than nonveterans and second, that the money invested in veterans' education has been returned many times over in increased tax revenues.

The president of Harvard University in 1949 stated that veterans were "the most promising and mature students Harvard has ever had." In addition to producing 450,000 engineers, 360,000 teachers and thousands of professionals in the fields of medicine, law, and science, the World War II GI bill helped pay for the education of 21 U.S. Senators and 65 Congressmen.

It is hard for me to express my gratitude to the country that provided this opportunity for me after service in World War II. And it makes me all the more determined on providing the same opportunities for the Vietnam veterans.

Mr. President, in almost every area of veterans needs, one discovers that the response of the country to the problems of these Vietnam veterans has been less generous than it was at the end of World War II—not only in the field of unemployment, but also in the field of education, in the review of less than honorable discharges, and in providing educational assistance for eligible Vietnam veterans. In all these areas I think we have shortchanged our Vietnam era veterans.

I think of my own case, some 28 years ago, upon coming back from World War II, when I was permitted to attend one of the great universities of this country at full Government expense, with subsistence allowance to take care of my family. I came from a family of very meager means, where an education of this kind would not have been possible from my own resources. But because of the generosity of the World War II GI bill of rights, I was enabled to go through clear to the Ph. D. level. There is no question in my mind that it was that opportunity that made possible my later public career.

I think that the veterans from the Vietnam era are entitled to benefits at least as generous as those we provided after previous wars. We came back from World War II with the emotional and psychological support that comes from the knowledge that we had participated in a war widely supported and widely backed by the Nation. Veterans coming back from this war come back to a country that largely believes the war was a mistake. I share in that judgment. But one has to think about the impact on the young men who participated in the war; and as one who has been a long-time critic of our involvement in this conflict, I want to be in the forefront of those who recognize that it was not the veterans who participated in this war who charted the war, who set the policy, and who are responsible for our involvement. The mere fact that they now lack the kind of unified support for the war effort that we had in previous wars makes it all the more important that we offset that loss of psychological and emotional support by seeing that they are given generous educational job benefits, that they are provided compassionate opportunity for review of less than honorable discharges, and that in fact we develop a task force composed of Vietnam era veterans to review the various needs that confront these young men.

Mr. President, thousands of our veterans are prisoners of peace. And so are we. We are prisoners of our own desperate desire to escape the past, to free mind and memory from what we have done to ourselves and others in dubious battle half a world away. But the veteran who is crippled or addicted or unemployed rebukes our flight from truth—and so we are tempted not to see him. We are tempted to put aside the wreckage of this war and the oppression it has brought in its wake. We are tempted to turn away, consigning the lessons and costs of Vietnam to the historians of another day. But unless we learn those lessons, we may again lose our way. We can make real a resolve of no more Vietnams only if we understand what it was in our national character and leadership that created the first Vietnam—and only if we face what it has done to several million American sons.

With the advent of an all-volunteer Army and the increased salaries and benefits that accompany such a plan, the need for extensive veterans programs is due to decrease sharply in the years ahead. That makes it all the easier to forget the current group of veterans, to consign them to a place of oblivion in our society. And it increases the urgency for comprehensive legislation in this session.

In an attempt to compliment the tireless efforts of both Senator Hartke, the distinguished and committed chairman of the Veterans' Affairs Committee, and Senator Cranston, my good friend from California, to meet that urgent demand, I am today introducing five measures which I hope will meet with prompt consideration and approval.

I

These measures include creation of a Vietnam Veterans' Task Force—composed entirely of Vietnam veterans—to oversee and coordinate all existing programs available for their benefit and to expand outreach efforts within the VA to encourage participation in these programs. The task force will also work to evaluate the utilization of veterans' in-service training and experience. Billions of dollars and years of training are wasted, because America is unable to tap veterans' resources developed in the service.

Another major responsibility of the task force will be to initiate programs intended to create job opportunities for disabled veterans. It is to them we owe the greatest sacrifices in the Vietnam conflict. And it is to them we owe the greatest commitment to make life decent in the country that sent them off to war.

II

At the same time, I am reintroducing a bill from last session that seeks to correct the tremendous inequity between our treatment of the Vietnam era veteran and previous generations of veterans. This bill would provide direct payment by the VA for tuition, books and fees, similar to the program that was available to World War II GI's.

III

Also at this time I wish to introduce an amendment to title 38 that would allow a veteran to draw his full 36-month entitlement in accelerated payments over a shorter period of time. In doing so, it would help the veteran defray some of the cost of tuition and other fees while completing his degree in less than the standard 4 years.

IV

The next measure calls for the removal of discharge and reenlistment code numbers from the personal copies of Veterans' Discharge Form DD–214. These numbers make hundreds of thousands of veterans virtually unemployable for the rest of their lives.

V

Finally, Mr. President, I am advocating the creation of "Vietnam Era Military Discharge Review Boards." These boards would provide an appeal procedure for the many thousands of young veterans who have been turned out of the Armed Forces under less than honorable conditions.

The proposed legislation will have the effect of bringing our Vietnam-era veterans up to roughly the level of benefits provided to veterans after World War II. A number of Senators have joined in cosponsoring one or in some cases all five of these measures.

In the middle sixties, when the escalation of our involvement was at its greatest, the Army began taking men who previously did not meet the standards set by the Armed Forces. Many of these men were eventually forced to leave under less than honorable conditions. We owe them an opportunity to remove the black mark on their records that was nearly inevitable from the moment they were taken in.

It is estimated that 18,000 veterans were discharged less than honorably for drug abuse, who are not eligible for the current Department of Defense review program. The program itself appears woefully inadequate to meet the needs of those who are eligible. Between August of 1971, when the review program was established and, March 1, 1973, 3,398 veterans with drug abuse discharges applied for recharacterization of their discharges; of these, 1,367 were upgraded, 924 were reviewed and not recharacterized, and 1,107 cases are still pending.

Mr. President, I am extremely pleased by indications from within the administration that we should be doing more for these men. Just over a week ago, Dr. Richard S. Wilbur, Assistant Secretary of Defense for Health and Environment, released a report on drug afflicted veterans who have returned from Vietnam. During the course of his presentation he had this to say:

> Drug abusers in Vietnam are not highly deviant men. Instead, they are our sons who have succumbed to the heavy pressures of family separation, loneliness, ready availability (of drugs) and the drug culture that permeates our society. They deserve much better from society than they are receiving at the present time.

It seems to me that the very least society can do for them is to combine the opportunity for recharacterization of their discharges with the comprehensive drug treatment and rehabilitation program that has already passed the Senate.

I ask unanimous consent that the text of these bills be printed in the RECORD following my remarks.

The PRESIDING OFFICER (Mr. HATHAWAY). Without objection, it is so ordered.

(See exhibit 1.)

Mr. McGOVERN. I have only one thing to add, Mr. President. I have spoken at length and on a number of occasions about the problems faced by our Vietnam veterans. But my case has been built on numbers and percentages that fall far short of expressing in human terms the very real tragedy of the men who have given their best to their country, but have gotten so little in return. I would like to share with the Senate one of the many letters I have had from hundreds of young veterans over the last few years. His words speak louder than all the statistics:

> I'm a paralyzed Vietnam veteran. I got shot in that miserable war making Vietnam safe from Vietnamese. Mr. McGovern, I can't work 'cause I can't walk. I'm not very educated and I need my pension to survive. Jesus, don't I rate something for my sacrifice. A sacrifice I didn't give willingly. I was drafted. I didn't say "send me to Nam and get me shot . . ." I'm in bad shape, but friends of mine . . . (one) he's got brain damage and a left hand like a lobster's claw, he can't sleep cause he sees the dead he killed haunting him. That's his gift from Vietnam. (Another one) has an arm like a pendulum, it just hangs on his shoulder. How can he work? We're just people without college degrees, sons of factory workers. We fought that crummy war and got shot up in it. Don't we deserve something?

They are fathers and sons, veterans and citizens—and they are also the prisoners of peace.

So, Mr. President, as we seek to free them, let us seek to free ourselves. Let us reject the easy temptation to accept peace without that quest for the causes of war and the willingness to pay its costs which alone can enable us to keep peace. And let us proceed in the spirit of charity that seeks reason instead of scapegoats, guides for policy instead of guilt for the past, and justice instead of indifference for those who have borne the weight of battle.

EXHIBIT 1

S. 1714

A bill to establish a task force within the Veterans' Administration to advise and assist in connection with, to consult on, and to coordinate all programs pertaining to veterans of the Vietnam era

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part of title 38, United States Code, is amended by adding at the end thereof a new chapter as follows:

"Chapter 77—Vietnam Era Veterans' Task Force

"Sec.
"4301. Vietnam Era Veterans' Task Force.
"4302. Duties of the Task Force.
"4303. Executive director; assistant executive directors.
"4304. Advisory committee.
"4305. Authorization for appropriations.

"§ 4301. VIETNAM ERA VETERANS' TASK FORCE

"There is established in the Veterans' Administration a special task force to be known as the Vietnam Era Veterans' Task Force (hereinafter in this chapter referred to as the 'Task Force'). The membership of the Task Force shall be composed of the Administrator, the Secretary of Defense, the Secretary of Health, Education, and Welfare, the Secretary of Labor, the Secretary of Commerce, and an officer or employee from the Veterans Employment Service of the United States Employment Service, designated by the Secretary of Labor.

"§ 4302. DUTIES OF THE TASK FORCE

"(a) It shall be the duty of the Task Force to advise and assist in connection with, to consult on, and to coordinate the planning and implementation of all Federal programs pertaining to veterans of the Vietnam era. Such programs include, but are not limited to (1) veterans' educational and vocational training programs, (2) veterans' outreach programs, (3) veterans' medical (including drug treatment and rehabilitation) programs, (4) armed forces educational programs, (5) Project Transition, (6) the Veterans Employment Service Program, (7) the PREP program, (8) veterans programs administered by the Office of Education of the Department of Health, Education, and Welfare, and (8) the Jobs for Veterans Program.

"(b) It shall also be the duty of the Task Force to—

"(1) promote and encourage public and private efforts to (A) publicize the skills, experience, training, maturity, and leadership ability of veterans, and (B) find employment for veterans consistent with their abilities;

"(2) encourage, with the assistance of all departments and agencies of the Government concerned, the incorporation of relevant military training and experience into union apprenticeship programs;

"(3) seek the development of transition training programs or courses in the armed forces to augment the military training and experience of active duty personnel in order to help such personnel meet union apprenticeship standards after their release from active duty;

"(4) develop programs, in cooperation with business management, to utilize in management positions the leadership abilities and other skills of veterans;

"(5) work and consult with educational institutions to evaluate (and, where possible, grant academic accreditation for), the special education and training given to members of the armed forces, including, but not limited to, training received under the General Educational Development Program, the College Level Examination Program, and courses taught by the United States Armed Forces Institute;

"(6) assist in the revision, expansion and improvement of the 'Guide to the Evaluation of Education Experience in the Armed Forces';

"(7) encourage the development of programs under which employers and employment agencies will evaluate and give appropriate recognition to military occupational specialties of veterans;

"(8) promote the incorporation of medical training and experience received in the armed forces into civilian health service training and employment programs;

"(9) assist in the development of programs that encourage and provide for the employment of disabled veterans of the Vietnam era, including a compilation of lists of all schools, institutions, training programs, and employers that offer special services and programs for disabled or handicapped persons, and a description of the nature of such services and programs;

"(10) develop and assist in the implementation of a program to locate, contact, and inform Vietnam era veterans of programs available to them; and

"(11) perform such other duties and functions as the Administrator may assign to it consistent with the provisions of this chapter.

"§ 4303. Executive director; assistant executive directors

"(a) There shall be an executive director and at least four assistant executive directors of the Task Force all of whom shall be appointed by the Administrator. All such directors shall be veterans of the Vietnam era and at least three of them shall be 30 years of age or younger. The executive director may receive compensation at a rate not in excess of the maximum rate for GS–18 of the General Schedule under section 5332 of title 5 and the assistant executive directors may receive compensation at a rate not in excess of the maximum rate for GS–17 of such General Schedule.

"§ 4304. Advisory committee

"The Administrator shall appoint an advisory committee composed of persons who are eminent in the fields of labor, management, education, State and local government, and the medical profession. He shall also appoint to such committee persons who represent appropriate veterans' organizations referred to in section 3402 of this title and persons who represent veterans' organizations established during the Vietnam era, including, but not limited to, the National Association of Collegiate Veterans, Concerned Veterans of Vietnam, and Vietnam Veterans Against the War. The Administrator is also authorized to appoint persons with expertise in other fields he determines would be useful to the Task Force, but the membership of the advisory committee may not exceed twenty-five. It shall be the function of the advisory committee to advise and consult with the Task Force regarding and all matters pertaining to the duties and responsibilities of the Task Force under this chapter. Members of the advisory committee shall serve without compensation but shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of such committees.

"§ 4305. Authorization for appropriations

"There are authorized to be appropriated not to exceed $3,000,000 for each fiscal year to carry out the duties and responsibilities of the Task Force under this chapter."

(b) The table of chapters at the beginning of title 38, United States Code, and at the beginning of part IV of such title are each amended by adding at the end thereof the following:

"77. Vietnam Era Veterans' Task Force 4301."

SEC. 2. (a) Section 1792 of title 38, United States Code, is repealed.

(b) The table of sections at the beginning of chapter 36 of such title is amended by striking out

"1792. Advisory committee."

S. 1715

A bill to amend title 10 of the United States Code to establish independent boards to review the discharges and dismissals of servicemen who served during the Vietnam era and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 79 of title 10, United States Code, is amended—

(1) by inserting under the chapter heading following:

"'Subchapter Sec.
"I. Correction of Military Records—General ---------------------------- 1551
"II. Special Vietnam Era Discharge Review Boards ----------------------- 1561

"Subchapter I.—Correction of Military Records—General"; and

(2) by adding at the end of such chapter a new subchapter as follows:

"Subchapter II.—Special Vietnam Era Discharge Review Boards

"Sec.
"1561. Establishment of discharge review boards.
'1562. Duties of discharge review boards.

"§ 1561. ESTABLISHMENT OF DISCHARGE REVIEW BOARDS.

"(a) There are established a number of discharge review boards to be known as Vietnam Era Discharge Review Boards (hereinafter in this subchapter referred to as the 'review boards'. The headquarters of such review boards shall be located, for administrative purposes only, in the Department of Defense.

"(b) The Secretary of Defense shall have authority—

"(1) to determine the number of review boards in session at any time, but such number shall be not less than four nor more than eight;

"(2) to determine the locations where the review boards shall conduct their business, such locations to be geographically disbursed on the basis of population concentrations of discharge appellants; and

"(3) to convene or dissolve review boards in accordance with the number of discharge and dismissal applications pending at any time.

"(c) Each review board shall be composed of eight members to be appointed by the President. The term of office for members shall be three years, except that the terms of office of members first appointed to any review board shall expire, as designated by the President at the time of appointment, four at the end of two years and four at the end of three years. The terms of office of all successors shall be for three years, but any person appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed may be appointed only for the unexpired term of his predecessor. Of the eight members on any review board—

"(1) at least two shall be veterans of the Vietnam era and under the age of 30 at the time of appointment.

"(2) at least one shall be a veteran who was in active service prior to the Vietnam era,

"(3) at least one shall be a non-veteran,

"(4) at least two shall be members of the armed forces serving on active duty, but may not be from the same branch of service, and

"(5) one shall be a medical doctor in the employ of the Veterans' Administration.

"(d) Each review board shall meet at least four times during each calendar year, unless a minority of such board determines that fewer sessions will be adequate for the expeditious performance of its duties. Five members of a review board shall constitute a quorum.

"(e) Members of review boards appointed under paragraphs (1), (2), and (3) of subsection (c) shall receive compensation at a rate of $50 for each day they are engaged in the work of the review board, and shall be reimbursed for travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in Government service who are employed intermittently. Other members of review boards shall serve without compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred in the performance of the official duties of the review boards.

"(f) A vacancy in a review board shall not affect its powers, and shall be filled in the same manner as the original appointment.

"(g) The President shall appoint an executive director for each review board and shall fix his compensation at a level not in excess of the maximum rate for GS–18 of the General Schedule under section 5332 of title 5, United States Code. The executive director of each review board, with the approval of the board, may—

"(1) employ and fix the compensation of such additional personnel as may be necessary to carry out the functions of the review board, but no individual so appointed may receive compensation in excess of the maximum rate for GS–17 of the General Schedule under section 5332 of title 5, United States Code,

"(2) procure temporary and intermittent services to the same extent authorized by section 3109 of title 5, United States Code, but at rates for individuals not to exceed $75 per diem.

"(h) The head of any Executive department or agency of the Federal Government may detail, on a reimbursable basis, any of its personnel to assist review boards in carrying out their work.

"§ 1562. Duties of discharge review boards

"(a) Notwithstanding any other provision of this title and regardless of any decision previously made by any board for the correction of military records established under subchapter I of this chapter, the review boards shall, upon application filed in accordance with regulations prescribed by the President, review any discharge or dismissal from the armed forces granted under less than honorable conditions to any person who served on active duty during the Vietnam era. If, upon the review of the discharge or dismissal of any such person, a review board finds that such person—

"(1) was denied reasonable recourse, solution, or alternatives to the situations or circumstances which precipitated or substantially contributed to his discharge or dismissal;

"(2) was discharged or dismissed under prejudicial, arbitrary, or unreasonably severe circumstances;

"(3) was physically, mentally, or emotionally unfit or incapable of meeting standards or performing assignments required of him by military service;

"(4) was discharged or dismissed primarily for the possession or use of a narcotic drug or marijuana or for dependency on a narcotic drug, but not for the sale of a narcotic drug or marijuana;

"(5) was discharged or dismissed primarily for political, moral, or religious beliefs or activities; or

"(6) no longer warrants or deserves, in the judgment of the review board, the classification of discharge granted him.

then the review board shall change the discharge or dismissal or issue a new discharge to indicate that such person was discharged or dismissed under honorable conditions.

"(b) A decision by a review board is final and is not subject to further administrative or judicial review,

"(c) The review board shall have the power to—

"(1) administer oaths;

"(2) require by subpoena the attendance and testimony of witnesses and the production of all documentary evidence relating to the execution of their duties;

"(3) in the case of disobedience to a subpoena or order issued under this subsection, invoke the aid of any district court of the United States to require compliance with such subpoena or order;

"(4) order testimony to be taken by deposition before any person who they may designate for that purpose and who has the power to administer oaths, and in such instances to compel testimony and the production of testimony in the same manner as authorized under paragraphs (2) and (3) of this subsection;

"(5) require directly from the head of any executive department or agency of the Federal Government available information which the board deems useful in the discharge of its duties, and all such departments and agencies shall cooperate with the review boards and furnish relevant information to the extent permitted by law; and

"(6) prescribe such regulations and procedures as may be necessary to carry out the purposes of this subchapter.

"(d) Any district court of the United States with requisite jurisdiction may, in case of a refusal to obey a subpoena or order of any review board issued under this subtitle, issue an order requiring compliance therewith, and any failure to obey the order of the court may be punished by the court as contempt thereof.

"(e) Any review board may review the discharge or dismissal of any person described in the first sentence of subsection (a) of this section upon its own motion or upon the request of such person or, if he is dead, his spouse, next of kin, or legal representative. Review boards may not receive or act upon any application for review of a discharge or dismissal if such application is filed with it on or after January 1, 1978.

"(f) Notwithstanding the provisions of subchapter I of this chapter, the review boards established under this subchapter shall have exclusive jurisdiction to review discharges and dismissals of persons described in the first sentence of subsection (a) of this section if the application for review is filed on or after the date of enactment of this subchapter and prior to January 1, 1978.

"(g) As used in this subchapter, the term 'Vietnam era' means the period beginning February 28, 1961, and ending on such date as shall thereafter be determined by Presidential proclamation or concurrent resolution of the Congress."

S. 1716

A bill to amend chapter 49 of title 10, United States Code, to prohibit the inclusion of certain information on discharge certificates, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 49 of title 10, United States Code, is amended by adding at the end thereof a new section as follows:

"975. Prohibition against certain information appearing on discharge certificates

"The Secretary of Defense shall take such action as may be necessary and appropriate to insure that—

(1) discharge certificates issued to members of the Armed Forces shall not bear any letter or number code or other indicator of any kind whatsoever which discloses any reason why any such member was discharged or separated from service; and

(2) no information indicating or relating to any reason why any former member of the Armed Forces was discharged or separated from service may be made available to any private person (other than the former member concerned) or entity by any office or employee of any military department or agency."

(b) The table of sections at the beginning of chapter 49, of title 10, United States Code, is amended by adding at the end thereof a new item as follows:

SEC. 2. (a) The amendment made by the first section of this Act shall be applicable to all discharges issued by the armed forces of the United States on and after the date of enactment of this Act.

(b) Any former member of the armed forces of the United States who, prior to the date of enactment of this Act, was issued a discharge certificate and such certificate contained any information (in code or otherwise) described in section 975 of title 10, United States Code, as added by the first section of this Act, shall, upon application to the Secretary of the appropriate military department, be issued a new discharge certificate without such information appearing thereon.

S. 1717

A bill to amend chapter 34 of title 38, United States Code, to provide additional educational benefits to Vietnam era veterans

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 34 of title 38, United States Code, is amended by adding after section 1682 a new section as follows:

"1682A. Payment of tuition and certain other expenses for eligible veterans.

"(a) In addition to the educational assistance allowance payable to any eligible veteran under this chapter, the Administrator shall reimburse any eligible veteran enrolled in a full-time or part-time course of education or training under this chapter (including a cooperative program) for costs incurred by such veteran for tuition, for laboratory, library, health, infirmary, and other similar fees, and for expenses incurred for books, supplies, equipment, and other necessary expenses, exclusive of board, lodging, other living expenses, and travel, as are generally required for the successful pursuit and completion of the course of education or training in which such veteran is enrolled. In no event shall payment made to an eligible veteran under this section for any expense incurred by such veteran exceed the customary amount paid by other students in the same institution for the same service, privilege, material, or equipment; and in no event shall the total payments made to or on behalf of any veteran under this subsection exceed $1,000 for an ordinary school year, unless the veteran elects to have such customary charges paid in excess of such limitation, in which event there shall be charged against his period of eligibility the proportion of an ordinary school year which such excess bears to $1,000. No payments for tuition or enrollment shall be paid to any veteran for apprentice training on the job. Payments for tuition and other expenses incurred by any eligible veteran may be made by the Administrator to such veteran under this subsection on the basis of such reasonable evidence as the Administrator may require.

"(b) The Administrator shall prescribe such regulations as he deems necessary or appropriate to implement the provisions of this section."

SEC. 2. Section 1691(b) of title 38, United States Code, is amended by striking out the period after the word "title" and inserting in lieu thereof a comma and the following: "and shall reimburse an eligible veteran pursuing a course or courses under this section for tuition and other expenses as provided in section 1682A of this title.".

SEC. 3. The table of sections at the beginning of chapter 34 of title 38, United States Code, is amended by adding below

"1682. Computation of educational assistance allowances."

the following:

"1682A. Tuition and certain other expenses for eligible veterans."

SEC. 4. The amendments made by this Act shall become effective on the first day of the second calendar month following the month in which this Act is enacted. No benefits shall be paid to any person for any period prior to such effective date.

S. 1718

A bill to amend chapter 34 of title 38, United States Code, to permit eligible veterans pursuing full-time programs of education to receive increased monthly educational assistance allowances and have their period of entitlement reduced proportionally

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1682 of title 38, United States Code, is amended by adding at the end thereof a new subsection as follows:

"(d) Notwithstanding any other provision of this chapter, an eligible veteran pursuing a program of education on a full-time basis may elect to receive increased monthly payments under paragraph (1) and have his period of entitlement reduced proportionally, in accordance with regulations issued by the Administrator, but in no case may the monthly payment in the case of any eligible veteran be increased by more than twice the amount he would otherwise be entitled to receive."

By Mr. GRIFFIN:

S. 1719. A bill to amend the Federal Aviation Act of 1958 and the Interstate Commerce Act to authorize reduced-fare transportation on a space-available basis for persons who are 65 years of age or older. Referred to the Committee on Commerce.

REDUCED TRAVEL FARES FOR OLDER AMERICANS

Mr. GRIFFIN. Mr. President, today I am reintroducing legislation to authorize a program of reduced travel fares for persons over 65 years of age on a space-available basis.

The bill is similar to legislation which I introduced in the last Congress.

At present, the high cost of air travel makes it impossible for many of our older Americans to fly. As a matter of fact, only about 5 percent of the airline passengers are over 65 years of age. My bill would authorize reduced-fare programs for senior citizens on buses and railroads, as well as the airlines.

The need for better transportation arrangements for the elderly was emphasized by the 1971 White House Conference on Aging which recommended that—

> Appropriate legislation at all levels of government should provide that the elderly and handicapped be allowed to travel at half fares or less on a space-available basis on all modes of public transportation.

Near the close of the last Congress, the Senate adopted an amendment to an antihijacking bill, which I cosponsored, authorizing reduced air fares for the elderly on a space-available basis. Unfortunately, the legislation was not approved by the House of Representatives.

Subsequently, in December 1972, the Civil Aeronautics Board moved to end certain discount fares already in effect, such as youth standby and reservation fares and family fares, declaring that such fares were unjustly discriminatory.

Since those reduced fares were not specifically authorized under the law, there is doubt that similar discount fares for persons over 65 could be permitted without additional specific statutory authority.

Furthermore, most of the airline companies, with the notable exception of Hawaiian air carriers, have appeared unwilling to offer reduced fares for senior citizens. Accordingly, the legislation could be useful as a prod as well as in providing legal authority.

In February of this year the Comptroller General of the United States commented on this subject by saying:

> It seems to us that the proposed reduced standby fares, possibly at a lower discount from the regular fare than that now prevalent, might well be materially beneficial: more extensive travel arrangements would be available for youth and older persons which should increase the airlines' average load factor. The proposal also amends a part of the law which is permissive thus preserving the airlines' managerial discretion to condition the use of the reduced fares to nonpeak periods and as to govern the rate of discount to be given.

My legislation is permissive and would allow management flexibility to insure that regular fare passengers would not be injured. Instead of discriminating against persons in other age groups, reduced fares for persons over 65 would help eliminate reverse discrimination due to the inadequate fixed incomes of many of our older citizens.

Mr. President, I am pleased that the Subcommittee on Aviation of the Senate Commerce Committee has announced that hearings will be held in May. Hopefully, this early action in the Senate will pave the way for approval of legislation during the current session of Congress.

By Mr. CHURCH:

S. 1720. A bill to amend the Water Resources Planning Act to extend the authority for financial assistance to the States for water resources planning. Referred to the Committee on Interior and Insular Affairs.

Mr. CHURCH. Mr. President, I send to the desk for appropriate reference a bill to amend the Water Resources Planning Act to remove the termination date for the existing program of Federal assistance to the States to finance water resources planning.

The Water Resources Planning Act of 1965 was a landmark in Federal water resource policy. In the years since its enactment, it has greatly improved our ability to meet the increasing demands upon the Nation's limited water resources.

Perhaps the most significant aspect of the act is its emphasis upon State participation in the planning and management of water resources through the provisions of the act for coordinated planning and for financial assistance to the States. These assistance funds, which are matched by the States, have helped to support State agencies and programs which are capable of meeting greater and more varied social demands with a finite water resource.

The authority contained in title III of the act for annual planning grants to the States is limited to 10 fiscal years following the date of enactment. The authority for such appropriations, therefore, will expire with the fiscal year 1976 budget. It is timely for the Congress to consider the future of the program. The State agencies and programs which are partly funded from this source are essential, and their future must be assured. The States, some of which operate on 2-year budget cycles, must soon have assurances that the Federal funds will continue to be available.

I am introducing this measure today as a basis for the Water and Power Subcommittee of the Senate Interior Committee to obtain the views of the executive agencies on this matter and to begin consideration of the future of the planning grant program.

By Mr. METCALF (for himself and Mr. MANSFIELD):

S. 1721. A bill to designate certain lands in the Gallatin and Beaverhead National Forests, in Montana, as wilderness. Referred to the Committee on Interior and Insular Affairs.

Mr. METCALF. Mr. President, I introduce for appropriate reference a bill by Senator MANSFIELD and myself to expand the Spanish Peaks wilderness area in the Gallatin and Beaverhead National Forests in Montana. With the exception of one minor boundary change, this bill is identical with S. 1849 which we introduced in the 92d Congress.

We are all aware of the enormous pressures which the march of "civilization" is putting on our remaining wilderness. The Forest Service has been putting final touches on its recommendations for areas considered sufficiently primitive to be included in the national wilderness system. By pinpointing one area, this bill demonstrates my conviction that, by and large, those recommendations are too little and too slow.

As for the Spanish Peaks proposal, the Forest Service recommends inclusion of some 63,000 acres. My bill would nearly double the area, adding land on all sides but principally in the Jack Creek area to the south. Hearings conducted by the Subcommittee on Public Lands of the Senate Interior Committee have revealed overwhelming citizen support for the expanded area. Those hearings, conducted last fall in Bozeman, Mont., solicited testimony from those who live closest to the proposed reserve and who know it best.

Mr. President, all the lands I wish to add to the Forest Service proposal are essentially unused rugged lands which belong naturally with the core area. Some private ownership is involved in the southern Jack Creek area, most of it by the Burlington Northern Railroad. Burlington Northern is an absentee owner, having acquired the land in a checkerboard pattern by trades for lands previously given the railroad through Federal subsidy. I continue to be hopeful that the company, which does not presently use the land, will be convinced that it could serve a high public good without prejudicing the company's vital interests. Having traded once for the property, it could certainly negotiate another swap with the Forest Service.

Mr. President, I ask unanimous consent that the proposed legislation be printed in the RECORD at the conclusion of my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1721

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 3(c) of the Wilderness Act of September 3, 1964 (78 Stat. 890, 892; 16 U.S.C. 1132(c)), the following described lands in the Gallatin and Beaverhead National Forests, Montana, comprising about 113,102 acres and depicted on a map entitled "Spanish Peaks Wilderness," dated May 1971, are hereby designated as wilderness:

Beginning at the northeast section corner, section 32, township 4 south, range 4 east, M.P.M.; thence south along section lines appoximately 1 mile to the southeast section corner, section 32, township 4 south, range 4 east; thence east along the township line approximately ½ mile to the north quarter section corner, section 4, township 5 south, range 4 east; thence south approximately 2 miles to the south quarter section corner, section 9; thence southeasterly approximately 3½ miles to the east quarter section corner, section 26; thence south along section lines approximately 1 mile to the east quarter section corner, section 35; thence west approximately ½ mile to the center of section 35; thence south approximately ½ mile to the south quarter section corner section 35, all in township 5 south, range 4 east;

Thence, east approximately ½ mile to the northeast section corner section 2, township 6 south, range 4 east; thence south along section lines approximately 2 miles to the northeast section corner, section 14; thence southwesterly approximately 3½ miles to the center of section 28; thence south approximately ½ mile to the south quarter section corner, section 28; thence west along section lines approximately 2½ miles to the southwest section corner, section 30; thence north approximately 1 mile to the northwest section corner, section 30, all in township 6 south, range 4 east.

Thence west along section lines approximately 1 mile to the southwest section corner, section 24; thence north approximately ½ mile to the west quarter section corner, section 24; thence west approximately ½ mile to the center of section 23; thence north approximately ¼ mile; thence west approximately ½ mile to the sixteenth section corner, section 23; thence north along section line approximately ¼ mile to the northwest section corner section 23; thence north along section line approximately ¼ mile to the sixteenth section corner; thence west approximately ½ mile; thence north approximately ¼ mile to the center of section 15; thence west approximately ½ mile to the west quarter section corner, section 15; thence north along section lines approximately ½ mile to the northwest section corner, section 15; thence west approximately ½ mile to the south quarter section corner, section 9; thence north approximately ½ mile to the center of section 9; thence west approximately ½ mile to the west quarter section corner, section 9; thence north approximately 1 mile; thence west approximately 1 mile; thence south approximately 1 mile to the west quarter section corner, section 8; thence west approximately ¼ mile to the Madison-Gallatin divide; thence southerly along said divide approximately ½ mile to the intersection of the section line common to sections 7 and 18; thence west along section lines approximately ¾ mile to the northwest section corner section 18; thence south along section lines approximately 1¼ miles to the intersection of the Madison-Gallatin divide, all in township 6 south, range 3 east.

Thence southwesterly along the Madison-Gallatin divide approximately 2¾ miles to Lone Mountain in the southwest quarter of section 26; thence northwesterly along spur ridges approximately 4 miles to Fan Mountain in the center of section 19, all in township 6 south, range 2 east.

Thence northwesterly along spur ridges approximately 2¼ miles to the northwest section corner, section 13; thence north along section line approximately 1 mile to the northwest section corner, section 12; thence west along section line approximately 1 mile to the southwest section corner, section 2; thence north along section line approximately 1 mile to the northwest section corner, section 2; thence east along section line approximately 1½ miles to the north quarter section corner section 1; thence south approximately ¼ mile; thence east approximately ½ mile to the sixteenth section corner section 1, all in township 6 south, range 1 east.

Thence approximately 1 mile east to the sixteenth section corner, section 6; thence north along section lines approximately ¼ mile to the northwest section corner, section 5; thence east along the township line approximately ½ mile to the north quarter section corner, section 5, all in township 6 south, range 2 east.

Thence north approximately ¾ mile; thence west approximately ½ mile to the sixteenth section corner, section 32; thence west approximately 1 mile to the sixteenth section corner, section 31, all in township 5 south, range 2 east.

Thence west approximately 2½ miles to intersection with the Beaverhead National Forest boundary in section 34; thence north along said boundary approximately 2¼ miles to the north quarter section corner, section 22; thence east along section lines approximately ½ mile to the northwest section corner, section 23; thence north along section lines approximately 1 mile to the southwest section corner, section 11; thence west along section lines approximately 1 mile to the southwest section corner, section 10; thence north along section lines approximately 1 mile to the northwest section corner, section 10; thence west along section lines approximately 1 mile to the southwest section corner, section 4; thence north along section lines approximately 1 mile to the northwest section corner section 4, all in township 5 south, range 1 east.

Thence north along section lines approximately 1 mile to the northwest section corner, section 33; thence east along section lines approximately 1½ miles to a point on the north section line of section 34 which is approximately ¼ mile west of the Madison-Gallatin divide; thence southeasterly approximately 1¾ miles through sections 34 and 35 approximately ¼ mile west of the Madison-Gallatin divide to the south quarter section corner, section 35, all in township 4 south, range 1 east.

Thence southeasterly approximately 2½ miles through sections 2, 11, and 12, approximately ¼ mile west and south of the Madison-Gallatin divide to the sixteenth section corner on the east section line of section 12, all in township 5 south, range 1 east.

Thence northeasterly approximately ¼ mile crossing the Madison-Gallatin divide in the northwest quarter of section 7, township 5 south, range 2 east; thence northeasterly approximately 2 miles along the ridge dividing South Fork Cherry Creek and Alder Creek to the north quarter section corner, section 5, all in township 5 south, range 2 east.

Thence northeasterly approximately 2 miles along the ridge through sections 32 and 33 to the northeast section corner, section 33; thence east along section line approximately 3 miles to the northeast section corner, section 36, all in township 5 south, range 2 east.

Thence east along section lines approximately 1¾ miles to the sixteenth section corner, section 32; thence south approximately ¼ mile; thence east approximately ¼ mile to the sixteenth section corner on the east section line section 32; thence east approximately ¼ mile; thence north approximately ¼ mile to the sixteenth section corner, section 33, all in township 5 south, range 3 east.

Thence east along section line approximately 5¾ miles to the point of beginning.

SEC. 2. The wilderness area designated by or pursuant to this Act shall be known as the "Spanish Peaks Wilderness" and shall be administered in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and any reference to the effective date of this Act, and any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary who has administrative jurisdiction over the area.

By Mr. HARTKE (for himself, Mr. PASTORE, Mr. METCALF, Mr. BAYH, Mr. MOSS, Mr. MONTOYA, Mr. RANDOLPH, and Mr. TAFT):

S. 1722. A bill to amend the Education of the Handicapped Act to provide tutorial and related instructional services for homebound children through the employment of college students, particularly veterans and other students who themselves are handicapped. Referred to the Committee on Labor and Public Welfare.

Mr. HARTKE. Mr. President, we can all agree upon the great importance of education in helping people to gain confidence in themselves and in their value to society. It is terrible to remain silent for fear of exposing ignorance, to shy away from involvement in public issues which concern their welfare, to be condemned, forever, to an unrewarding job—or no job at all—to feel inferior—in short, to lead a life which offers little reason for existence.

In order to avoid this stifling, second-class status in our society, we have created the largest, most accessible education system in the world. The American people have voiced their intention to educate every child in this country regardless of race, creed, color, sex, or economic status. For the most part, we are succeeding. Yet, in our sincere effort to provide an education to all, we have overlooked nearly 1 million of our children who fall into the category of homebound handicapped. These children may be required by their condition to remain home for months or years, and because of this they may have to forego their education.

States and local governments do recognize the problem, and many have taken action. The services they provide, however, vary widely—with some localities providing as much as 5 or more hours weekly, while others—for lack of funds—afford no instruction at all.

The bill I introduce today will provide tutorial and related instructional services for homebound children through the employment of college students, particularly veterans and other students who themselves are handicapped. This plan was praised by the Epilepsy Foundation of America in a recent letter which stated:

> We are encouraged by this new and excellent approach to education of handicapped children. . . . particularly in favor of the special consideration to veterans and the emphasis on equipping homebound children for eventual assumption of a full role in community affairs.

In a similar letter, Goodwill Industries of America, Inc., said:

> The interest in human resources demonstrated by this legislation will pay financial dividends in the future.

Mr. President, I believe, as do many organizations related to this area, that the type of legislation I am offering today for your approval is essential if we are to live up to our commitment of equal educational opportunities for all of our young people. I further believe that this particular bill offers a practical and resourceful method of assisting the handicapped.

Mr. President, I ask unanimous consent that the text of my bill be printed in the RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1722

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Education of the Handicapped Act (20 U.S.C. 1421–1426) is amended by adding at the end thereof a new part H as follows:

PART H—USE OF COLLEGE STUDENTS AS TUTORS AND INSTRUCTIONAL ASSISTANTS FOR HOMEBOUND CHILDREN

AUTHORIZATION OF PROGRAM

SEC. 671. (a) The Commissioner is authorized to make grants to State education agencies to enable them to develop and carry out programs, at their and at local educational agency levels to provide, through the use of students in institutions of higher education, tutoring and instructional assistance, under the supervision of a qualified teacher, for homebound handicapped children who, though able to benefit from preschool, elementary, or secondary education, are prevented by their handicaps, by lack of facilities, or because they experience special difficulties when in school, from attending school. Homebound children for whom services under this part may be provided include but are not limited to those suffering from developmental disability and those as defined under section 602, paragraphs (1) through (15), and such services may be provided to children who are homebound for short or long terms.

(b) For a local educational agency to receive assistance under this part from a State education agency, it shall make a proposal to the State educational agency for a tutorial or instructional assistance program to be carried out through a cooperative arrangement with one or more institutions of higher education. The local educational agency shall give assurances that—

"(1) in selecting students to participate, (A) special consideration will be given to veterans qualified for vocational rehabilitation under chapter 30 of title 38, United States Code, and to other handicapped students (provided in either case that their handicaps do not make their working with homebound children ineffective); and (B) among students otherwise equally eligible to participate in the program, preference will be given to those having greater financial need,

"(2) the program will be administered by the local educational agency in accordance with its rules and regulations relating to homebound instruction,

"(3) participation in the program will not interfere with the academic progress of participating students,

"(4) compensation paid to participating students will be set by agreement between the local educational agency and the student's institution, the maximum to be established at the direction of the Commissioner. In no case shall the compensation be established below the prevailing minimum hourly wage,

"(5) funds will be used in such manner as to encourage equipping the homebound handicapped children for eventual full assimilation by society, with every effort to avoid development of a segregated, permanent system of education for the handicapped, and

"(6) Federal funds made available under this part will be so used as to supplement and, to the extent practical, increase the level of State, local, and private funds expended for the education of handicapped children, and in no case supplant such State, local, and private funds.

"APPLICATION

"Sec. 672. (a) The Commissioner shall make grants under this part to State educational agencies on the merits of their proposals to him which shall be submitted on such application forms and under such giudelines, as he shall prescribe. Proposals shall contain, among other information as required by the Commissioner (1) all data from local education agencies' proposal to the State, as is required to support the total amount of funding requested by the State; (2) the State's detailed plans for conducting or providing for the conduct of, evaluation of the program supported under this part; and (3) the State's detailed plans for locating and identifying all of its homebound children who could benefit from this program.

"(b) An amount not to exceed 10 per centum of the total funds awarded to a State under this part shall be available to the State for it and its local education agencies to administer the program.

"AUTHORIZATION AND APPROPRIATION

"Sec. 673. There are hereby authorized to be appropriated $55,000,000 for the fiscal year ending June 30, 1974, and such sums as may be necessary for fiscal year ending June 30, 1975, and for fiscal year ending June 30, 1976, for carrying out the provisions of this part.

"ALLOTMENTS TO STATES

"Sec. 674. All of these sums shall be granted at the discretion of the Commissioner; however, the Commissioner shall set aside 25 per centum of the total appropriation and preliminarily allocate (but not automatically grant) to each State (as defined by section 602(6)) an amount which bears the same ratio to such amount as the number of children aged three to twenty-one, inclusive, in the State bears to the number of such children in all the States. The Commissioner shall approve or disapprove applications from the States, and any funds preliminarily allocated to a State whose application is disapproved, or which fails to file timely application, shall be added to, and be included for distribution under, the remaining 75 per centum of the funds. The Commissioner shall not disapprove any State's application until he has offered and (if the State accepts his offer) provided technical assistance to that State in an effort to bring that State's application to a level of approvable quality, so that the State may then be granted its proportionate share of the 25 per centum set aside, and, if then applicable, an appropriate portion of the remaining 75 per centum."

By Mr. KENNEDY (for himself and Mr. Hart):

S. 1723. A bill to provide for the continued supply of petroleum products to independent oil marketers. Referred to the Committee on Commerce.

By Mr. KENNEDY (for himself and Mr. Hart):

S.J. Res. 105. Joint resolution providing for the orderly review of fee-paid oil import licenses. Referred to the Committee on Finance.

INTRODUCTION OF INDEPENDENT OIL MARKETERS SUPPLY ACT OF 1973 AND JOINT RESOLUTION ON IMPORT SYSTEM

Mr. KENNEDY. Mr. President, I am introducing two measures today with Senator Hart designed to halt the destruction of the independent segment of the American Petroleum industry. I am pleased that Congressman Torbert MacDonald is introducing companion legislation in the House.

The first bill, the Independent Oil Marketers Supply Act of 1973 would prevent the major oil companies and refiners from engaging in anticompetitive activities. Failure to halt these activities will mean the disappearance of thousands of independent companies who market gasoline and fuel oil.

The second measure, a joint resolution, will establish procedures under the new oil import program to condition the issuance of fee-paid licenses on a review of the marketing practices of the major oil companies and on their actions toward independent marketers and refineries.

The plight of the independent petroleum marketer and the small independent gasoline station has been documented in Senate testimony and headlines across the country describing the closings of independent gasoline stations.

Supplies to independent petroleum marketers are being cut off. The policies of the majors during this period of shortage is simple—to serve their own wholly controlled subsidiaries and to deny access to the independent dealers.

The shortage is clear and Government spokesmen are finally admitting that past policies have been abysmally inadequate. Yet the new import policies promise merely to increase the difficulties of the independent sector of the market.

On March 23, Office of Emergency Preparedness Acting Director Darrell M. Trent stated:

> . . . spot shortages could occur much sooner this year because of the poor inventory position. As in the past, the independent gasoline retailers will probably experience shortages of gasoline first.

On April 5, Mr. Trent, according to an OEP release—

> Expressed concern over both the current stock of inventories and production of gasoline by U.S. oil company refineries . . . Last week, U.S. refiner operations plunged to 88.7% of capacity—the lowest refining level of any period since early December 1972.

He then cited the reported closings of service stations owned by independents.

In a recent visit to my own State, independent stations already had shut their doors. The Independent Oil Men's Association of New England has reported nearly 100 stations closing already in the region. Reports from the Southeast of the country are similar and throughout the Nation, many nonbrand dealers are finding it necessary to reduce their hours of operations or to restrict the amount their customers may purchase.

Nor are we talking about a minor aspect of the supply picture. In New England, one-third of all gasoline stations are owned by independent distributors, some carrying major brands and some unbranded. In Massachusetts, 32 percent of all gasoline sold is by branded and unbranded independent wholesalers. Nationwide, the independents market between 20 and 25 percent of all retail gasoline. In some cities and States, their share of the market is substantially greater.

Yet they are being driven out of the market as their suppliers deny them the gasoline they need to survive. And what is particularly distressing, there has been little effort in any of the administration's actions thus far, to bring them relief. Last Tuesday, May 1, Deputy Secretary of the Treasury William E. Simon told the Senate Interior Committee that—

> We should not let the independent segment of the industry be forced to shut down.

But he went on to add:

> I would prefer to work, as we have done up to now, through incentives. It is better to encourage the major oil companies to do what we want them to do by their own choice, rather than try to force them to do it.

If we want the independent to survive, we are going to have to use the force of law to do it. Hearings before the Senate Antitrust and Monopoly Subcommittee have clearly provided evidence that the independents are the basic elements necessary to preserve competition in the oil industry, holding down cost and providing buyers with a choice in the marketplace.

I would emphasize as well that while the headlines focus on the gasoline crisis today, when fall comes we will be told of likely shortages of fuel oil and by winter we will face those additional shortages. And once again, only the majors will have the assurance of knowing they have control over supply from both the foreign and domestic well to the Boston heating furnace.

And the administration's recent energy message will abet the majors if they decide to carry out predatory policies. The Oil Policy Committee requested information from independent oil marketers before making their recommendations to the White House. They were told a minimum of 150,000 barrels of imported home-heating oil was needed and probably closer to 190,000. After much consultation, they and New England Senators as well were assured that 100,000 barrels per day would come in free from tariffs.

Somehow the decision was altered in a way that can only benefit the major oil companies. The independents were allowed 50,000 barrels free. Now they face a shortfall of some 150,000 barrels a day and they will be bid right out of business for the remaining barrels of oil by the majors.

In 1959, when the voluntary oil import quota system was established there were 24 independent terminal operators. By 1971, there were only seven, the remainder were taken over by the majors, according to the New England Fuel Institute. Now, the scenario is established under present policies for the final eclipse of these independent competitors.

If there is any doubt about the power

of the majors, it merely should be noted that the five largest companies earned profits of over $11 billion during the past 3 years. According to a House Small Business Committee report, the 23 largest oil companies account for 84 percent of the oil-refining capacity, 72 percent of the natural gas production and reserve ownership, 30 percent of the coal reserves, and 50 percent of the uranium reserves. Clearly, they have the economic muscle to endure any short-term costs to outbid the independents this year so that their monopoly will be complete in future years.

For that reason, I am introducing these two measures. The first declares it to be an unfair trade practice under the Federal Trade Commission Act for majors to refuse to supply independents reasonable quantities of gasoline, home heating oil, diesel fuel, and to drive at reasonable prices based on their historical patterns. Majors may not reduce supplies to independents by any more than they reduce their own wholly controlled outlets by the same amount. Nor may they raise the price to the independent by any more than they raise the price to their subsidiaries.

The bill exempts the small refiners—those companies with total refinery runs in all facilities of under 30,000 barrels per day.

The second measure attempts to provide formal procedures for the consideration of marketing practices of the majors before they were permitted to import oil from abroad.

It provides that a requirement for the issuance of a license to import by the majors will be that they continue to supply small independent refiners and independent marketers in reasonable quantities and at reasonable prices based on past supply relationships.

By requiring procedures for independents to have the opportunity to present evidence on the quantities and prices of crude oil and products, we will insure a self-policing element to the import program.

These review procedures can and should be established immediately by administrative action. However, in the absence of such action, I believe this measure is needed.

Both measures seek to prevent a coalescing of policies by Government and industry whose effect is to destroy the independent sector of the oil industry.

I ask unanimous consent that these measures be printed at the conclusion of my remarks along with relevant supporting documents.

There being no objection, the bill, joint resolution, and material were ordered to be printed in the RECORD, as follows:

S. 1723

A bill to provide for the continued supply of petroleum products to independent oil marketers

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Independent Oil Marketers Supply Act of 1973."

FINDINGS AND PURPOSE

SEC. 2. (a) The Congress hereby finds that—

(1) Present and prospective shortages of petroleum products constitute a serious threat to the survivial of independent marketers and small businessmen.

(2) Such independent marketers provide an essential element of competition by offering alternative sources of supply and lower prices to consumers.

(3) The demise of the independent marketers will result in the petroleum market being completely controlled by a small number of large integrated refining companies.

(b) The purpose of this Act is to assure that independent marketers of gasoline, home heating oil, and other petroleum products are not subjected to unfair methods of competition and unfair trade and marketing practices during periods of supply shortage.

DEFINITIONS

SEC. 3. As used in this Act, the term—

(1) "refiner" means a person engaged in commerce in the business of refining crude oil into petroleum products, whose total average refinery input of crude oil exceeds 30,000 barrels per day;

(2) "independent marketers" includes, but is not limited to, terminal operators, jobbers, dealers or distributors, at the wholesale or retail level, marketing under a refiner brand or a private brand, which are not owned or controlled by a refiner;

(3) "controlled marketers" includes, but is not limited to, terminal operators, jobbers, dealers or distributors, marketing under a refiner brand or a private brand, which are owned or controlled by a refiner;

(4) "petroleum product" means gasoline, No. 2 fuel oil, diesel fuel, kerosene; and

(5) "base period" means the period from October 1, 1971, through September 30, 1972.

PROHIBITED ACT

SEC. 4. (a) No refiner who during the base period was in the business of furnishing any petroleum product to controlled marketers for resale or sale to the public shall fail to offer to supply that product to independent marketers at reasonable prices in reasonable quantities, so long as he continues to furnish that product to controlled marketers.

(b) It shall be, prima facie, a violation of the provisions of subsection (a) for any refiner—

(1) to fail to offer to supply to an independent marketer, during any calendar month beginning after the date of enactment of this Act, a quantity of any petroleum product not less than the quantity that was supplied by him to that independent marketer during the corresponding month of the base period reduced by a percentage not to exceed the greater of—

(A) the percentage by which the quantity of such product furnished by the refiner to controlled marketers during the month next preceding was reduced from the quantity furnished to such controlled marketers during the corresponding month of the base period, or

(B) the percentage by which crude oil processed by that refiner during the month next preceding was reduced from the quantity processed by him during the corresponding month of the base period; or

(2) to sell a petroleum product to an independent marketer at any price during such month which is greater than—

(A) the average price at which he sold such product to such independent marketer during the corresponding month of the base period, increased by

(B) a percentage equal to the percentage by which the average price for such product sold during such month to controlled marketers exceeeds the average price for such product sold to such controlled marketers during the corresponding month of the base period.

UNFAIR TRADE PRACTICE

SEC. 5. Violation of the provisions of section 4(a) of this Act shall be an unfair act or practice in commerce in violation of the provisions of section 5 of the Federal Trade Commission Act (15 U.S.C. 45).

SEC. 6. The Federal Trade Commission shall report to the Congress within 6 months of the date of enactment of this Act whether any additional legislation is required to prevent acts or practices in commerce which adversely affect any independent marketer as defined in this Act.

S.J. RES. 105

A joint resolution providing for the orderly review of fee-paid oil import licenses

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Oil Policy Committee and the Office of Oil and Gas, Department of the Interior, shall establish by regulation formal procedures for review of applications filed by refiners for fee-paid licenses under the provisions of section 3 of Proclamation 3279, as amended, and section 32 of the Oil Import Regulation (Revision 5) prior to the issuance of such licenses.

(b) Such procedures and regulations shall provide that—

(1) every application filed by refiners for imports of crude oil, unfinished oils, and finished products into Districts I–IV, District V, and Puerto Rico be subject to review prior to issuance;

(2) such review consider the quantities and prices of crude oil which such refiners are making and intend to make available to small independent refiners;

(3) such review consider the quantities and prices of gasoline, No. 2 fuel oil, diesel fuel, or kerosene which such refiners are making and intend to make available to independent marketers of such products;

(4) such review provide independent refiners and marketers the opportunity to present evidence relating to the quantities and prices of crude oil and products supplied to them by refiners; and

(5) upon request made by an independent refiner or marketer, the Office of Oil and Gas will make a formal finding, supported by evidence, that an application from a refiner is accepted or denied.

(c) Any fee-paid license issued to a refiner for imports of crude oil, unfinished oils, and finished products into Districts I–IV, District V, and Puerto Rico, shall require that refiners supply to small independent refiners and independent marketers crude oil, unfinished oils, and finished products in reasonable quantities and at reasonable prices based on past supply relationships.

[From the Boston Sunday Globe, Apr. 15, 1973]

INDEPENDENT GAS STATIONS HIT HARD

(By Robert J. Anglin)

The possibility that the tight supply of petroleum has led some major suppliers of gasoline to favor their own retail outlets at the expense of independent distributors may lead to antitrust actions.

Connecticut already has moved in that direction and Massachusetts authorities are looking into the situation, prompted by the fears of some in the industry that the days of the small, independent gas station chains are numbered.

Should this take place because of the tendency of the major companies to take care of their own during hard times, the consumer would lose out. Traditionally the independents sell their gasoline a few cents cheaper a gallon than the major companies.

Then there is the element of competition. Independent gasoline brands and the independent "jobbers" account for about 30 percent of the New England gasoline market. Jobbers are individuals who own one or more gas stations, but who operate under the brand name of a major company.

In Connecticut a week ago, 31 gasoline distributors were subpoenaed by Atty. Gen. Robert K. Killian to explain their involvement in a reported effort by five major oil companies to ration supplies in the state. The distributors have until next Thursday to supply information concerning gasoline supplies and their correspondence with the companies since Jan. 1, 1971.

Killian also called upon US Atty. Gen. Richard Kleindienst to empanel a Federal grand jury to determine if there is a national conspiracy to limit gasoline sales. Killian said late last week that he has had no reply as yet.

Nor, he said, has there been a reply from John P. Dunlop, director of the Federal Cost of Living Council, who was asked to supply information detailing what impact gasoline and petroleum price ceilings would have on Connecticut.

Killian said the purported national gasoline shortage "may well have been created deliberately to drive the independent dealers out of business and drastically increase the wholesale and retail price of gasoline."

He supboenaed distributors of Atlantic Richfield (Arco, BP Oil, Cities Service, Mobil Oil and Texaco).

Atty. Gen. Robert H. Quinn's office is exploring the possibility of initiating similar action in Massachusetts. Staff attorneys are inquiring into the practices of the gasoline industry to determine if the policies of major suppliers are hurting the small, independent distributors.

Asst. Atty. Gen. Hugh O'Malley, acting chief of the Massachusetts Consumer Protection Division, said: "I want to talk to the people involved to find out the impact of the so-called rationing program and see if there is any determined, concerted effort to cut off allocations to the independent distributors, who are very concerned what effects the possibilitity of rationing may have on them.

"After an inquiry we may well serve subpoenas on the major companies to determine their relationships with the independents in the past and whether that is changing.

"If there is a violation we are concerned, and we would be alarmed if the Anti-trust Division of the U.S. Department of Justice did not become very active in this because of its national scope," O'Malley said.

John Neeley of the Massachusetts Office of Consumer Affairs, said: "The most immediate problem is whether the independents survive. In the past they relied upon the major companies for the bulk of their supplies. As supplies get short, they are the first to get cut off," he said.

Neeley said that some gas stations might close, either because they can't get gasoline or because they have to pay too much for imported petroleum to sell it at a profit.

John Buckley, vice president of Northeast Petroleum, which operates about 115 stations in Massachusetts, Maine, New Hampshire and Rhode Island under the Old Colony brand—said: "It's going to be a tight summer." He said, however, that his company has no immediate plans to close any stations.

Killian said of his subpoenas to the 31 distributors: "We've asked a lot of questions, the answers to which I expect will determine whether or not there has been a combination of prior arrangements in allocations or of limiting gasoline to the distributors."

[From the Sunday Boston Globe Apr. 15, 1973]

AS NORTHEAST FEELS FUEL SHORTAGE'S BITE

(By Viola Osgood)

The question of a gasoline shortage may no longer be debatable. Boston and five suburban communities already face the possibility of a fuel shortage for police cars, fire engines and other municipal vehicles.

The gasoline shortage seemed more a reality Friday when the City of Boston, for a second time, received no bids for its annual gasoline contract. A joint contract was advertised by Brookline, Newton, Belmont, Watertown and Waltham and also came back bidless.

The shortage is not confined to municipalities. Not since World War II have gasoline stations closed down at the rate they are now. Many shorter hours of operation for lack of gas supplies.

Independent stations are closing all over New England, as well as the rest of the country. Sure Oil Co. of Worcester, has closed 12 of its 50 stations. Gibbs Oil, the largest independent dealer east of the Mississippi, has closed 15 stations and is afraid it may have to close 21 more. A Tulsa station in Winchester has shut off its pumps.

Major oil companies have curtailed the amount of gasoline they will sell to independent distributors and many have even alloted the amounts supplied to their own stations.

Almost all sources agree that the gasoline shortage is due to several factors: dwindling stocks of unrefined crude oil in the face of a worldwide tightness of supply; not enough refineries to meet the rapidly growing demand (no new refineries have been built in this country in two years and none are planned); antipollution devices on new cars, which greatly increases gas consumption; and inaccessibility of oil discovered on the North Slope of Alaska.

One thing all sources—major and independent oil dealers, Federal officials and congressional committees—agree on is that America is facing a gasoline shortage this summer.

Rep. Silvio O. Conte (R-Mass.) said another reason there is currently a shortage of gasoline in the country is that last winter refineries shifted much of their capacity to home heating oil and are just now switching back to gasoline production.

Conte said the independent distributors are being hit hardest by the gasoline shortage and the situation for them is "pretty grim." The independent marketers have captured about 22 percent of the retail gasoline trade in the country.

He said a bill in the House would authorize the President to ration gasoline at the wholesale level, thereby insuring that no region of the country is less supplied with gasoline than others.

Although New England is feeling the effects of the gasoline shortage, "The upper midwest is probably hit worse," Conte said. He said seven major oil companies already have pulled out of some midwestern states.

A spokesman for Sen. Edward Kennedy (D-Mass.) said the senator is concerned that refineries are operating below capacity. Kennedy has urged a greater increase in oil imports as well as more pressure by the Administration on refineries to completely utilize capacity.

Production in refineries is currently running about 42 million barrels per week, but Americans are buying about 43 million barrels per week. The excess is coming from gasoline inventories which are about 16 percent below those of a year ago. This summer's demand is expected to reach 50 million barrels per week.

Conte said the Cost of Living Council has ruled that the major oil companies cannot increase prices more than one percent between now and June and not more than one and one-half percent thereafter.

Further exacerbating the problem of the gasoline shortage are the 11 million new cars that came on the highways last year. In addition to the anti-pollution devices, many of them are equipped with air conditioners and other power options that further reduce gas mileage.

Darrell Trent, acting director of the U.S. Office of Emergency Preparedness, said state and local governments can aid in easing the tight gasoline situation by setting good examples in purchasing smaller vehicles and curtailing all unnecessary use of state and city vehicles.

Some Federal officials have suggested reducing speed limits as a means of conserving the gas supply. John Buckley, vice president of Northeast Petroleum, said that reduced speeds would conserve gasoline. He attributed almost half the increase in demand for gasoline over the past year to lowered efficiency for car engines due to emission control devices.

Buckley said that while the supply and demand problem is only being felt slightly at the retail level now, it will be felt a "heck of a lot in the summer."

Texaco, the nation's largest marketer of gasoline, has acknowledged spot shortages of gasoline supplies this summer and plans "to run its domestic refineries to the maximum available capacity and also to manufacture and supply as much gasoline as possible during the summer motoring season."

Texaco is already allocating its distributors only as much fuel as they received last year, even though demand is up about six percent over last year. Texaco has urged that government import policies facilitate access to crude oil supplies while recognizing that "the high costs of imported crude and imported products must be recovered in the market place."

Mobil Oil has suggested that the nation use all its energy more efficiently and control automotive emissions in a way that won't waste so much gasoline. Mobil also suggests that the Alaskan pipeline be built and that financial incentives be permitted to build more refineries.

Mobil further suggests that since the oil situation is tight everywhere and the United States can't import enough crude oil alternative fuel supplies such as coal, oil shale and nuclear power be sought.

Almost every other supplier, especially independents, is strongly in favor of more imports. The US is now importing more than 10 percent of its oil compared with five percent in 1970. By 1976 the projection is that America will be importing more than 50 percent of its oil.

In an attempt to alleviate the fuel shortage, President Nixon plans to abolish oil import quotas and to ask Congress to end Federal regulation of natural gas prices.

Oil industry sources say, however, that unless environmental restrictions are relaxed and more refineries are built, more oil will not necessarily mean more fuel.

And while some independent marketers suspect that major oil companies have contrived the shortage to force them out of business, drive up prices, and silence environmental critics, the overriding consensus seems to be there is not enough crude oil and not enough refineries.

[From the Washington Post, Apr. 16, 1973]

GASOLINE RUNS SHORT THROUGHOUT THE UNITED STATES

(By Thomas O'Toole)

What began 10 days ago as spot scarcities of gasoline in a handful of states has now blossomed into a coast-to-coast shortage.

It is not so bad that motorists can't buy gasoline, but it is serious enough to have forced the closing of hundreds of discount and off-brand gas stations whose supplies have been cut off by the major oil companies. It is also bad enough to have closed major-brand stations in states like Minnesota and Florida that are at the end of the gasoline distribution network.

"These are the states that are on the drag end of the pipeline system," said an official of Gulf Oil Corp. "Things are very tight right now in Florida, where there isn't even a refinery to help things out."

The Middle West has been hit hardest by the shortage. Metro 500 of Minneapolis has closed 21 of its 22 stations. All last week, gas stations in northern Illinois found themselves out of either regular or premium gasoline. Gas stations throughout Iowa were being rationed to between 70 and 90 per cent of what they got last year, even though demand was running 10 per cent ahead of last year's pace.

Oil jobbers (wholesale distributors) insisted it would get worse in the Middle West. Over the weekend, a refining subsidiary of Kerr-McGee Oil Co. named Triangle Petroleum closed its storage terminals in Des Moines, Kansas City, Chicago and Madison, Wis., a move that cut off independent distributors in a four-state region from a 25 million gallon gasoline supply.

"There's no question it's going to close a lot of independents," said William Deutsch, who represents all the independent marketers in Illinois. "It will even put some of the branded stations in trouble."

Things were almost as bad in New England, where an average of five stations were closed in both Connecticut and Massachusetts each day of last week.

Sure Oil Co. was forced to close 12 of the 50 stations it runs in Massachusetts and Connecticut. Sure said it had been getting 40 tankloads of gasoline per week, was cut back to 20 two weeks ago and has been told it will be down to 10 in another two weeks.

Rural Connecticut has been hit especially hard. Sure closed three Save-Way stations selling the only discount gas in the farm country of eastern Connecticut. Several distributors of bulk gasoline in the same region of the state have been told they will get no gas next month, which means that the farmers they serve exclusively will have trouble getting gas for their tractors.

Further south, things aren't that bad but neither are they very good. The Greenbelt Consumer Services, Inc., which runs a chain of 10 stations that discount BP gasoline in the Washington area, has just been told that the 9 million gallons that BP supplies it with every year will not be forthcoming after July 9.

"They've cut us off from the only supply of gasoline we've had for the last 10 years," said Eric Waldbaum, president of Greenbelt Consumers Services. "We've gone to other suppliers, who have all told us they don't have enough to service us or any other new customer that might come along."

One of the ironies of the sudden shortage of discount gas is that the major oil companies are getting into the discount business at the same time that the independents are being forced out of it.

Exxon is now marketing discount gas under the brand name Alert at 16 stations in four states. Gulf discounts gas under two labels, Economy and Bulko. Shell markets it under the brand name Ride, Mobil under the name Cello. Phillips Petroleum discounts Blue Goose and Red Dot gas.

The emergence of the big discounters comes at a time when major oil companies are closing their unprofitable brand name stations all over the U.S.—stations that are more than 300 miles from a refinery, have only a few pumps and do auto repair.

Exxon is in the process of closing 150 of its 400 retail stations in Illinois, Michigan, Wisconsin and Indiana. Gulf has put up for sale 3,500 stations in 21 states, from Illinois across the country to California and Washington State. BP has already pulled out of the Northeast, and Sun Oil Co. has withdrawn from Tennessee and most of the upper Midwest. Cities Services, Atlantic Richfield and Phillips Petroleum are also closing stations.

The oil companies insist that the big reasons for the gas shortage are a worldwide shortage of "sweet" (low sulfur) crude oil and nationwide shortage of refinery capacity. The claim they need five new refineries a year to keep up with demand. They point out that not one new refinery is being built in the U.S. today.

The refinery shortage is so acute that the independent refineries find themselves being courted with more fervor than at any time in memory. An aide to Rep. Robert H. Steele (R–Conn.) claims that the competition for refined products like gasoline is one reason Sure Oil has had to close some of its Connecticut stations.

"The company was about to negotiate a contract with a Canadian refinery," the aide said, "when a major oil company offered to buy the refinery's product at the same prices Sure offered but won the contract when it guaranteed to supply the refinery with crude oil."

The head-to-head combat between the major oil suppliers and the independent distributors is bound to get worse as the gasoline shortage gets worse.

Greenbelt Consumer Services has filed a formal complaint with the Federal Trade Commission protesting the move by BP that will cut them off from gasoline, and in the only known court action so far a federal judge in Phoenix ordered Phillips Petroleum to restore gasoline sales to a discount chain it tried to cut off.

Meanwhile, the gasoline shortage itself promises to get worse as motorists take advantage of the improving weather. Last week, Detroit, Indianapolis and Boston reported that they did not receive a single bid for contracts to fuel city vehicles. For the first time in history, they faced the prospect of being unable to run police cars and fire trucks because of the gasoline shortage.

[From the New York Times, Apr. 23, 1973]

ENERGY INDUSTRY PROFILE: GIANTS POPULATE THE WORLD OF FUEL

(By James J. Nagle)

The production of energy is the world's second largest industry, exceeded only by agriculture in its essential importance to modern society.

It is also believed by many to be the world's most potentially explosive industry in political terms because it is essential to the size and the growth of the modern industrialized state.

Fossil fuels—oil, coal and natural gas—supply most of the world's energy needs, with nuclear power starting to play an increasingly important role. Hydroelectric power, geothermal (heat from within the earth) and wood make minor contributions to the energy mix. Other known sources, such as solar heat, are not expected to be much of a factor before the next century.

GOVERNMENT ROLE IN WEST

The control of energy varies throughout the world. In Communist countries and in many developing nations, the energy complex, including the sources, is controlled entirely by the state.

Last Wednesday, President Nixon outlined an energy policy that, he said, is designed to minimize shortages of fuels and power while the United States strives for greater development of its domestic energy resources, especially coal, offshore oil and natural gas.

In some Western countries the Government also owns all or part of the energy resources. For example, in Italy, the state owns Ente Nazionale Idrocarburi, which explores, produces, refines and markets oil and natural gas. In France, the Government owns Entreprise de Recherches et d'Activities Pétrolieres and also owns 35 per cent of Compagnie Francaise des Pétroles. In Britain, the Government holds a 48.6 percent interest in the British Petroleum Company, Ltd.

In the United States, which consumes about 33 per cent of the world's output of energy although having only 6 per cent of the population, the energy industry is generally privately owned. However, utilities, which produce electricity from fossil fuels or nuclear sources, are regulated by the Government and, in some major cases, such as the Tennessee Valley Authority and the Bonneville Power Administration, are actually owned by the Federal Government.

For much of this century, seven major integrated oil companies, often called the "seven sisters," have been the most dynamic factors in the world energy picture.

FIVE ARE AMERICAN

Five of them are American: The Exxon Corporation, formerly the Standard Oil Company (New Jersey), the Mobil Oil Corporation, Texaco, Inc., the Gulf Oil Company and the Standard Oil Company of California.

One is British: British Petroleum. And one is British and Dutch: the Royal Dutch Shell Group.

But all are what is known now as multinational.

The largest energy company in the world is Exxon, which last year had profits of $1.5-billion on revenues of $22.4-billion. Its sales were the second largest for any industrial enterprise in the world, behind the General Motors Corporation, but Exxon had larger assets.

Eight American oil companies in addition to Exxon rank among the 25 largest corporations in the Fortune list of the biggest 500: Mobil, Texaco, Gulf, California Standard, the Standard Oil Company (Indiana), Shell, Atlantic Richfield, and Continental.

NATURAL GAS IS BY-PRODUCT

Almost all of these companies have natural gas reserves as a by-product of their exploration for oil. It is estimated that 11 of the 25 largest oil companies also have holdings in coal and that 18 have uranium interests.

Exxon also has large coal reserves in Illinois, Wyoming, Montana, North Dakota, along with a uranium mine in Wyoming. Continental Oil owns the Consolidation Coal Company—the largest coal concern in the country—and also has uranium interests. The Kerr-McGee Corporation, basically an oil company, is said to be the largest uranium producer, accounting directly and through others for about 27 per cent of the total uranium output in the country.

Other major oil companies with substantial interests in coal or uranium, or both, include Mobil Oil, Standard Oil of both California and Indiana, Texaco, Shell, Phillips Petroleum, Atlantic Richfield, Cities Service, Sinclair Oil, the Getty Oil Company, the Sun Oil Company, Pennzoil United, Inc., Amerada-Hess, and Ashland Oil.

UNITED STATES HAS SMALL OPERATORS

The oil industry in this country differs from that of much of the rest of the world in that there are small operators at both the production and marketing ends of the chain. The major companies, however, are dominant in both.

The industry is broken down into integrated and nonintegrated companies. The former handles the oil and its products all the way from the wellhead to its final sale at the gas pump. Nonintegrated companies participate in only part of the operation, such as refining or marketing.

Natural gas is sold to pipeline companies, which, in, turn, sell it to utilities and other major users. Coal companies are mostly integrated, that is, they usually do both the mining and marketing themselves to their major customers.

A secondary but rapidly growing segment of the nation's energy mix is made up of the utilities that produce electricity. There are an estimated 3,242 Government and privately owned utilities, which are major users of oil, coal and gas as well as in recent years, nuclear power.

LITTLE NUCLEAR POWER

Thus far, there is relatively little nuclear power, and most of it is used by utilities to generate electricity in the East Coast and North-Central regions. The list of companies utilizing this prime energy source is growing. The first nuclear plant in operation was that known as the Dresden I, completed in 1959 by the Commonwealth Edison Company of Chicago, which has since built five more and has another under construction.

At present there are 16 utility companies, including Commonwealth Edison and the Consolidated Edison Company of New York, with nuclear plants. They and others are planning to establish 13 more plants in the late nineteen-seventies or early nineteen-eighties.

As for water power as a source of energy, the mountain streams and rivers on the West Coast are the chief source of supply, accounting for as much as 59 per cent of the total of hydro power used throughout the nation. It is used chiefly for creating electricity.

Numerous other companies also supply one or more of the prime energy sources—for example, the Pittston Corporation, a diversified company, is in coal mining and petroleum distribution.

Last Thursday Pittston filed with the Maine Board of Environmental Protection an application for construction of a $350-million oil refinery at Eastport, Washington County, Maine, which would process daily 250,000 barrels of fuel with a low sulphur content.

Others include the Kennecott Copper Company, operator of 41 bituminous mines in nine states in this country and one in Australia; the General Dynamics Corporation, and Eastern Gas and Fuel Associates. Eastern Gas is the sixth largest commercial producer of bituminous coal in the United States.

RAILROADS HOLD MINERAL RIGHTS

Most of the land that provides oil and gas and coal is not owned by the producers of energy. In this country much of it is the property of railroads. For example, the Burlington, Northern, Inc., a diversified transportation and natural resources company, owns 2.38 million acres of land and holds mineral rights in another 6 million acres. Other large landowners include forest products companies, farmers and real-estate developers.

About half of the oil and gas resources in the United States however, are in public lands, primarily the Outer Continental Shelf.

CONCERN BY CONGRESS

The fact that all the major and many of the smaller oil companies are in other aspects of the energy business is causing some Congressmen to fear that the nation's energy supplies are dominated by a few companies.

The House Small Business Committee said not long ago that as of 1971, the 23 largest oil companies accounted for 84 per cent of the oil refining capacity of the country; 72 per cent of the natural gas production and reserve ownership; 30 per cent of the coal reserves, and 50 percent of the uranium reserves.

A recent Federal Trade Commission study has tentatively concluded that the acquisitions by the oil industry have led to only a small increase in concentration of ownership of energy resources. The study, however, was based on production, not reserves, which means proved amounts of materials in the ground.

[From the New York Times, Feb. 26, 1973]

IMPACT MINIMIZED IN FUEL MERGERS

(By Edward Cowan)

WASHINGTON, Feb. 25—The Federal Trade Commission's staff has tentatively concluded that a series of mergers in the nineteen-sixties between oil companies and coal and uranium producers has led to only a small increase in concentration of ownership of energy resources.

The first draft of a study by the commission's Bureau of Economics is virtually complete. Reliable sources indicate that the report, to be issued next summer, is likely to disappoint those critics of the oil industry who believe the Government should be attacking such "interfuel" mergers on antitrust grounds.

The sources report that the increase in concentration of ownership shown by their calculations "won't be so large that its significance is immediately obvious to everyone."

At issue is whether even a small increase, past or prospective, in the proportion of the fuel industries owned by the largest companies should be regarded as an incipient trend toward monopoly that violates the Clayton Antitrust Act. There is no statute of limitations for seeking to undo such violative mergers.

Interfuel ownership is regarded as a question for thorough examination because of the prospect that technological advances will make fuels increasingly interchangeable and hence competitive. Federally subsidized research is under way on methods of turning coal into gas and oil.

Development of such techniques at commercially acceptable costs and with acceptable environmental consequences could intensify competition between coal, which exists in vast abundance in this country, and oil and natural gas. What the Federal Trade Commission wants to know is the probable effect on such competition of common ownership.

An economic report published by the commission a year ago found a high degree of interfuel competition in the electric utility industry. The author, Thomas D. Duchesneau, suggested that common ownership of the largest producers of the principal fuels could tend to diminish the competitive effects arising from the increased growth of substitute fuels.

One shortcoming of the study of interfuel mergers, the authors acknowledge, is that it is based on production rather than underground reserves of coal, oil, natural gas and uranium. Reserves are generally understood to be proven deposits or pools of minerals that can be extracted at reasonable cost.

The commission's economics staff believes that reserves would give better clues to the results of mergers because the reserves are a critical factor in determining how much individual producers can supply. But such information on individual companies is not available in most cases, according to the officials.

The study is likely to recommend that Congress require energy companies to report their reserves to some Government agency.

In a separate development, the commission is about to ask the Justice Department to take to court nine natural-gas producers that have allegedly refused to submit information on gas reserves that was demanded by the commission under its subpoena power.

TWO COMPLIED

Two other producers are said to have complied and one of the nine to have complied in part. Officials would not disclose the companies' names.

The data are wanted because the agency is trying to determine whether natural-gas reserve figures published by the American Gas Association tend to understate the facts. In addition, the commission wants to know whether any such under statement, if it has occurred, has resulted from collusion.

The association has reported decline in reserves in the 48 contiguous states in each of the last four years. The association publishers aggregate figure based on reports from individual producers.

It has given the commission its data for individual companies. The agency staff wants to compare those figures with data submitted by the companies in response to subpoenas. One such comparison, it is said at the commission, has shown the figures submitted to the American Gas Association to be low.

The 11 producers that have been ordered to report their reserves to the commission are in Louisiana, offshore and onshore. They are regarded as a sample for the whole industry.

WITHHOLDING CHARGED

The investigation is being made because of widespread accusations in Congress and in consumer-minded circles that gas producers, among which the major oil companies figure prominently, have understated reserves and withheld supplies to create the appearance of a shortage and thereby push up prices.

Some analysts believe rather that higher prices for natural gas in the intrastate market, which is not subject to Federal regulation, have contributed to the shortage of natural gas available to interstate pipelines.

The study of concentration of ownership is reported to find that for each of the major fossil fuels the share of the market held by the four largest producers is less than the share in manufacturing. For all manufacturing industries, the average "big four" share was said to be 39 per cent.

The Federal Trade Commission staff has come up with preliminary calculations of 'big four" market shares of roughly 30 per cent for oil, coal somewhat higher but less than oil. For uranium, the fuel of nuclear electric-power staitons, the ratio may be above 39 per cent, it was said.

The study is reported to have found that on a combined basis, concentration as a result of interfuel mergers has risen only a little. Preliminary calculations indicate that the increase is less than 10 percentage points.

The commission has under way a private investigation into the best known of the mergers—the acquisition six years ago of Consolidated Coal by Continental Oil. The commission has not formally challenged the acquisition as anticompetitive.

[From Forbes magazine]

THE GREAT LAND RUSH OF 1973

In days of old when newspapers had Sunday supplements filled with wildly improbable stories, a perennial feature showed how it was possible to generate power from the heat of the earth's core. Like as not, it would carry pictures of one of the geysers of the American West, or the installation at Larderello, Italy, that had been generating electricity from natural steam since 1904.

Well, there are some new believers these days. Within two months, the Interior Department will put up for lease 59 million acres of potential geothermal federal land in 14 western states (*see map, which excludes North and South Dakota, Hawaii and Alaska*). About 1 million prime acres—where natural steam vents or hot water pools confirm the existence of thermal wells—are expected to go at competitive bidding for about $15 per acre per year. The rest, without obvious thermal signs but deemed geologically promising, will be leased at $1 per acre per year for ten years. If no geothermal steam is found, the lease can be converted to a mineral lease if anything else of value turns up.

There is, of course, a touch of magic in geothermal power. Wells sunk into the bowels of the earth yield apparently inexhaustible amounts of steam or boiling water whose heat can be used to spin turbines and generate vast amounts of electricity. Vast amounts? A recent study sponsored by the National Science Foundation estimated that the U.S. geothermal resources could generate 132,000 megawatts of electricity by 1985, *vs.* a current total U.S. capacity of about 350,000 Mw. It uses no foreign exchange, as imported oil would. It would probably be the cleanest power ever generated. And it's cheap: Pacific Gas & Electric already generates power from steam in the Geysers area of California for 5.3 mills per kilowatt hour—just over half a cent—*vs.* 7 mills per kwh for other thermally generated power in California and 8.5 mills to 9 mills for nuclear power.

After all, there's no fuel cost for geothermal power.

If geothermal power is so good, why hasn't it been developed already? "Because there were power sources available where the absolute costs were going down and there were no uncertainties," says Dr. Martin Goldsmith of the California Institute of Technology "Coal and oil were cheap and readily available, and when you built a fossil fueled plant you knew exactly what it would cost, how much power you would get and how long the plant would last. This wasn't so with geothermal power. Now there are uncertainties with conventional plants, and the costs are rising."

Among the companies currently exploring and drilling for geothermal energy are Union Oil, Standard Oil of California, Getty Oil, Phillips Petroleum, Gulf Oil and Mobil Oil. Most of these are expected to apply for leases on the federal lands, and many not now exploring are also expected to be bidders.

An additional reason for the widespread interest is the promising nature of test surveys to date, such as carried out by Senturion Sciences, a Tulsa-based geothermal research company. "We have found six very likely areas out of 31 tests we have conducted," says Senturion's President John Bailey. "We use the surface geology and underground vibrations to show us the best places to look."

The Geysers area project, like most in operation or under construction around the world, uses natural dry steam to spin its turbine generators. But San Diego Gas & Electric (Forbes, *Apr. 15*), working with Magma Power, hopes to complete a plant this year that will use heat from natural hot water, a far more common natural resources. Its success, says the Center for Energy Information, will make the northern Gulf of Mexico another likely area. Because such hot water often contains corrosive or contaminating minerals, it may be pumped back into the earth after heat has been extracted.

But perhaps the best indication of the potential of geothermal power is rising congressional interest in the subject. Two bills are expected to be introduced this session of Congress to stimulate geothermal development. They will initiate a $10-million, five-year program of research into geothermal power techniques, and establish a loan program, backed by a $20-million revolving fund, to finance private exploration and power generation from geothermal areas, the recovery of mineral by-products and even the possible desalination of water as a side benefit.

By Mr. TUNNEY (for himself, Mr. Bayh, Mr. Bentsen, Mr. Brooke, Mr. Case, Mr. Cranston, Mr. Dole, Mr. Eastland, Mr. Haskell, Mr. Humphrey, Mr. Javits, Mr. Kennedy, Mr. McGee, Mr. McGovern, Mr. McIntyre, Mr. Montoya, Mr. Pearson, Mr. Williams, and Mr. Hart):

S. 1724. A bill to amend title 28, United States Code, to provide more effectively for bilingual proceedings in certain district courts of the United States and for other purposes. Referred to the Committee on the Judiciary.

THE BILINGUAL COURTS ACT

Mr. TUNNEY. Mr. President, in recent years we have witnessed a national effort to make the benefits of our legal system available to all Americans, whether rich or poor, old or young, black, white, or brown. Today I hope to contribute to this continuing effort. I believe that the legislation which I am introducing, the Bilingual Courts Act, will enable many Americans who in the past have been denied access to our Federal courts, or when actually in the courts, have been severely handicapped by their language disabilities to participate fully in our Federal court system. The non-English speaking of America have been the victims of generations of neglect. When seeking legal redress for wrongs inflicted upon them or when defending themselves in criminal or civil actions, they have had to participate in legal proceedings where the language employed was alien to them. To adequately represent one's interests in a courtroom, it is mandatory that there be a comprehension of all that is taking place. The Bilingual Courts Act attempts to remedy many of the inequities that now exist in our court system. By providing for the simultaneous translation of all courtroom proceedings—in a manner very similar to the method used by the United Nations—in both criminal and civil matters, the non-English speaking will be able to effectively participate in the Federal court system.

The Bilingual Courts Act will have a significant impact upon a vast number of persons residing in the United States. Most of us are well aware of the large Mexican-American population living in the Southwest. But in addition to the over 5 million Mexican-Americans in America, there are substantial numbers of other non-English-speaking minorities. Puerto Ricans comprise America's second largest national origin minority, numbering more than 2 million, one and one-quarter million living in New York City alone. In addition to the large Puerto Rican and Mexican-American communities in Chicago, there are large Puerto Rican communities in Boston, Philadelphia, and Newark. Though the Spanish-speaking minorities account for the majority of non-English-speaking persons in America, other minorities are concentrated in various regions throughout the country: the Chinese speaking in California, native Americans in the Continental United States and in Alaska, and the French-speaking persons in Maine and in Louisiana. Of course many of these individuals are already bilingual, and will not require the assistance provided by this comprehensive legislation. Nevertheless, there are many others who are in need of bilingual proceedings in order to secure justice. As a member of the Senate Judiciary Committee, which will have jurisdiction over this legislation, I will urge expeditious consideration.

The need for a Bilingual Courts Act is indeed critical. The sad state of affairs that now exists between the non-English-speaking minorities and the legal system in our country has been well documented in recent studies, most notably by the U.S. Commission on Civil Rights in its 1970 report, "Mexican Americans and the Administration of Justice in the Southwest." On the subject of court interpreters, the U.S. Commission found:

> Interpreters are not readily available in many southwestern courtrooms:
>
> (a) In the lower courts, when interpreters were made available, they are often untrained and unqualified;
>
> (b) in the higher courts, where qualified interpreters were more readily available, there has been criticism of the standards of their selection and training and skills.

Among the recommendations in the Commission's report on rectifying the language disability and inequality before the law was that the—

> Southwest should establish programs for the recruitment, training, and employment of court interpreters to be used in areas where there are large concentrations of Mexican Americans.

Various congressional committees also have found that in the areas of education, employment, and the administration of justice, national origin minorities have been discriminated against not only because of their color, but also because of their cultural and linguistic differences.

It is not surprising, then, that these minorities distrust America's institutions, including the courts, and view them as "Anglo" bastions, protectors of the status quo, and particularly insensitive to their needs. Since they feel that they cannot expect fair treatment, many of them express outright distrust and cynicism with regard to the law. Enactment of the Bilingual Courts Act can help to dispel these attitudes that we, as a nation, cannot afford.

The language barrier is one of the primary causes preventing many from becoming involved in our judicial system. The language disability affects not only their ability to defend themselves when in the courtroom but also their motivation to do so. To put it in another way, the language barrier acts as a "chilling effect" upon those who would otherwise seek justice within the legal system. Access to the courtroom and full participation once in it, must be available to everyone. How necessary it is that the very branch of Government assigned by the Constitution to uphold the law of the land must free itself from the influences of prejudice and discrimination, no matter how subtle or unintentional they may be.

The proposals contained in this legislation are certainly not novel or revolutionary. It is interesting to note that article 2(a) of the Canadian Bill of Rights, adopted in 1960, guarantees to every person the right to the assistance of an interpreter in any proceedings in which he is involved if he does not understand or speak the language in which the proceedings are conducted. The Constitution of the State of New Mexico explicitly provides that in all criminal prosecutions the accused is entitled "to have the charge and testimony interpreted to him in a language that he understands."

This bill is also not the first congressional attempt to eliminate the injustices suffered by those who must participate in legal proceedings where the language employed is foreign to them. On three occasions, Congress has enacted statutes which allow for the appointment of interpreters in cases involving indigents. Rule 28(b) of the Federal Rules of Criminal Procedure provides that a Federal district court may appoint an interpreter of its own selection and may fix the reasonable compensation of such interpreter.

In addition, the Criminal Justice Act of 1964, 18 U.S.C. § 3006 A(e) 1964, sanctions the payment for services other than counsel which are "necessary to an adequate defense," from the United States Treasury. On the civil side, rule 43(f) of the Federal Rules of Civil Procedure states that the:

> Court may appoint an interpreter of its own selection and may fix his reasonable compensation. The compensation shall be paid out of funds provided by law or by one or more of the parties as the court may direct and may be taxed ultimately as costs in the discretion of the court.

Though these provisions manifest good intentions, they may be inadequate to meet the demands of the situation. First, the terms of these provisions do not mandate the appointment of an interpreter. Second, and perhaps of most significance, these provisions do not offer any guidance to the Federal courts or establish any machinery to effectuate the policy enunciated in the statutes. There is a compelling need for congressional action to establish the requisite judicial machinery to protect those rights guaranteed by the Constitution. Legislation must be enacted that spells out the responsibilities of the Federal court, that standardizes procedures to insure that in those districts where significant numbers of non-English speaking persons reside, adequate facilities and competent interpreters will be available on request.

According to the statistics cited in the U.S. Civil Rights Commission Report—Mexican Americans and the Administration of Justice in the Southwest, page 72—the response of Federal courts, thus far, to the needs of the non-English speaking persons has been less than overwhelming.

According to the Administrative Office of the U.S. Courts, there are only four full-time Spanish-speaking court interpreters in the Southwest. In California, the Federal district court in San Diego employs one full-time interpreter. And even in those districts where interpreters are available, there is no uniform procedure on how they are to be utilized nor adequate translation facilities to insure simultaneous translation.

In addition to the fundamental fairness that this statutory scheme provides, there are other considerations that support the enactment of the Bilingual Courts Act. I submit that the fifth and sixth amendments to the Constitution may require that non-English speaking persons be provided with the simultaneous translation of all courtroom proceedings, in both criminal and civil matters. The sixth amendment states that in "all prosecutions, the accused shall . . . be confronted with the witnesses against him . . . and shall have the Assistance of Counsel in his defense." How can a defendant in a criminal proceeding be afforded these constitutional guarantees if he is unable to understand the language used in the courtroom? Such adjudication, it seems to me, loses it character as a reasoned and fair process.

The right to confrontation means much more than the mere physical presence of the accused and the witnesses against him. As the court in *Terry* v. *State,* 105 So. 386, 387 (1925), aptly stated:

> The accused must not only be confronted by the witnesses against him, but he must be accorded all necessary means to know and understand the testimony given by said witnesses * * * Mere confrontation of the witnesses would be useless, bordering upon the farcical, if the accused could not hear or understand their testimony.

Simultaneous translation of all courtroom proceedings is mandatory if the non-English speaking party is to be accorded his sixth amendment guarantees of the right to counsel and the right of confrontation. Only through the aid of simultaneous translation will the party be able to communicate with his attorney to enable the latter to effectively cross-examine those English-speaking witnesses, to test their credibility, their memory, and their accuracy of observation in the light of the defendant's version of the facts.

The case law on the constitutional right of a defendant in a criminal trial to an interpreter is surprisingly sparse, but the U.S. Second Circuit Court of Appeals has recently held, in *United States ex rel Negron* v. *New York,* 434 F. 2d 386 (2d cir. 1970), that it is constitutionally required that a non-English speaking defendant be provided with a simultaneous translation of all the courtroom proceedings. In Negron the State had provided an interpreter for the defendant. However, the interpreter was merely required to periodically summarize what was happening in the courtroom. The second circuit stressed that this was not enough to protect the constitutional rights of the defendant. The court stated that it was:

> Axiomatic that the Sixth Amendment's guarantee of a right to be confronted with adverse witnesses . . . includes the right to cross-examine these witnesses as an essential and fundamental requirement for the kind of a fair trial which is this country's constituitonal goal, 434 F. 2d at 389.

The court went on to state that the:

> [Defendant's] incapacity to respond to specific testimony would inevitably hamper the capacity of his counsel to conduct effective cross-examination. Not only for the sake of effective cross-examination, however, but as a matter of simple humaneness, [defendant] deserved more than to sit in total incomprehension as the trial proceeded. 434 F. 2d 390.

In sum, the Bilingual Courts Act is mandated by the sixth amendment guarantees of the right to effective counsel and the right of confrontation. Fundamental fairness, the integrity of the fact-finding process, and the potency of our adversary system of justice also demand its enactment.

The fifth amendment to the Constitution supports the contention that the Bilingual Courts Act should apply to both criminal and civil proceedings. The fifth amendment provides that:

> No person shall . . . be deprived of life, liberty, or property without due process of law.

Surely any legal proceeding that allows a party to an action to be deprived of life, liberty, or property, without bothering to insure that he understand fully what is going on at the trial is so lacking in basic and fundamental fairness to be violative of the due process clause. Civil matters are of the utmost importance because problems may arise in civil cases that can lead to drastic personal consequences. One's ignorance of English can often result in the forfeiture of one's personal and property rights.

The movement to respond to the urgent needs of the non-English-speaking minorities in America has made significant gains in the past few years. In 1967, Congress enacted the Bilingual Education Act which provided for the establishment of bilingual-bicultural education programs. Congress finally realized that America is a multilingual multicultural society, and that this cultural diversity, rather than being some disability is a national asset that should be developed to the fullest extent possible. The recently enacted Education Amendments of 1972 affirmed Congress' commitment to promoting bilingualism. These acts were a recognition of the fact that the severe English language disability common to so many persons in America, makes it impossible for them to receive an adequate education without some type of compensatory program.

On November 14, 1972, the U.S. District Court for New Mexico, held that Chicano children in Portales, N. Mex., had been denied their constitutional rights to an equal education opportunity because the school district had failed to provide an educational environment and curriculum which met the needs of the Chicano students.

Just as we have recognized the necessity for educational reform, so too must we recognize the equally compelling need for court reform. Not only must we insure that the vestiges of discrimination be prohibited in the classrooms of America, but also in the courtrooms of America.

Manuel Ruiz, Jr. U.S. Civil Rights Commissioner, has provided us in his excellent book, "Mexican-American Legal Heritage in the Southwest," with a valuable insight into the extent to which the Spanish language has been used in legal proceedings in the Southwest. One of the chapters begins with an appropriate quote of Justice J. W. Edmunds of the Supreme Court of New York:

> One of the most galling parts of the Norman yoke, to our Saxon ancestors . . . was the regulation that the proceedings of the Courts should be conducted in the language of the Conqueror.

Mr. Ruiz then goes on to say:

> To accept Mexican American institutions and incorporate them into our legal structure, but reject the language which breathed life into them, has constituted provincialism foreign to our asserted principles of democratic government and world leadership.
>
> Consumer protection, the administration of justice, equal employment opportunities, social security, education, voter rights, housing, apprenticeship programs, small business administration and fields of transportation are being impelled by need to use the Spanish language. Congressional recognition of this phenomena of necessity is in keeping with the practical requirements of a rapidly expanding economy and society, in which all ethnic segments are involved, and to eliminate the tragic deprivation of opportunity and cultural attrition illustrated so well by the late Ruben Salazar in his publication, "Stranger in One's Land."

So let us act in our country's interest and maintain the momentum generated by our previous accomplishments in the area of bilingual reform. Passage of this legislation will be another significant step forward in our Nation's struggle to secure equal justice for all.

Mr. President, I ask unanimous consent that the bill and a summary of the Bilingual Courts Act also be inserted in the RECORD together with the act.

There being no objection, the bill and summary were ordered to be printed in the RECORD, as follows:

S. 1724

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Bilingual Courts Act".

FACILITIES AND PERSONNEL FOR BILINGUAL PROCEEDINGS

SEC. 2. Section 604(a) of title 28, United States Code (relating to the duties of the Director of the Administrative Office of the United States Courts), is amended—

(1) by redesignating paragraph (12) as paragraph (16); and

(2) by inserting immediately below paragraph (11) the following new paragraphs:

"(12) Determine from time to time, from the best and most current data available, each of those judicial districts in which at least five per centum or 50,000 of the residents of that district, whichever is less, do not speak or understand the English language with reasonable facility, and certify each such district as a bilingual judicial district by certificate transmitted to the chief judge of the district court for that district;

"(13) Prescribe, determine, and certify, for each such certified bilingual judicial district, the qualifications of persons to serve as interpreters in bilingual proceedings (as provided in section 1827 of this title) in that district who have a capacity (A) for accurate speech and comprehension of speech in the English language and in the non-English language, and (B) for the simultaneous translation from either such language to the other;

"(14) Prescribe from time to time a schedule of reasonable fees, at rates comparable to reasonable rates of compensation payable to expert witnesses of substantially the same degree of technical skill and experience, for services rendered by such interpreters;

"(15) Provide in each such bilingual judicial district, appropriate equipment and facilities for (A) the recording of proceedings before that court, and (B) the simultaneous language translation of proceedings in such court;

CONDUCT OF BILINGUAL PROCEEDINGS

SEC. 3. (a) Chapter 119 of title 28, United States Code, is amended by adding at the end thereof the following new section:

"1827. Bilingual proceedings

"(a)(1) Whenever a district judge determines, upon motion made by a party to a proceeding in a judicial district, which has been certified under section 604(a) of this title to be a bilingual judicial district, that (A) a party to such proceeding does not speak and understand the English language with reasonable facility, or (B) in the course of such proceeding testimony may be presented by any person who does not so speak and understand the English language, that proceeding shall be conducted with the equipment and facilities authorized by section 604(a)(15) of this title. Any such proceeding or portion of such proceeding (including any translation relating to) shall be recorded verbatim. Such recording shall be made in addition to any stenographic transcript of the proceeding taken.

"(2) After any such determination has been made, each party to the proceeding shall be entitled to utilize the services of the interpreter, certified pursuant to section 604(a) of this title, to provide a simultaneous translation of the entire proceeding to any party who does not so speak and understand the English language and who so speaks and understands such non-English language, or of any portion of the proceeding relating to such qualification and testimony, from such non-English language to English and from English to such non-English language.

"(b) The party utilizing the services of a certified interpreter provided under this section shall pay for the cost of such services in accordance with the schedule of fees prescribed under section 604(a)(14) of this title, except that—

"(1) if the services of an interpreter are utilized by more than one party to the proceeding, such cost shall be apportioned as such parties may agree, or, if those parties are unable to agree, as the court may determine;

"(2) if the United States (including any department, agency, instrumentality, or officer or employee thereof) is a party utilizing the service of an interpreter, the cost or apportioned cost of the United States shall be paid by the Director of the Administrative Office of the United States Courts from funds appropriated to him for that purpose; and

"(3) if the services of an interpreter are utilized by a party determined by the court to be an indigent, the cost or apportioned cost of such party shall be paid by that Director out of funds appropriated to him for that purpose.

(b) The analysis of chapter 119, of title 28, United States Code, is amended by adding at the end thereof the following new item:

"1827. Bilingual proceedings."

APPROPRIATIONS

SEC. 4. There are hereby authorized to be appropriated to the Administrative Office of the United States Courts such sums as may be necessary to carry out the amendments made by this Act.

EFFECTIVE DATE

SEC. 5. The amendments made by this Act shall take effect on the first day of the seventh month beginning after the date of enactment of this Act.

SUMMARY OF BILINGUAL COURTS ACT

1. Establishes the following additional duties of the Director of the Administrative Office of the U.S. Courts:

(a) Determine from time to time, from the best and most current data available, each of those judicial districts in which at least 5 per centum or 50,000 of the residents of that district, whichever is less, do not speak or understand the English language with reasonable facility, and certify each such district as a bilingual judicial district;

(b) Prescribe, determine, and certify for each such district, the qualifications of interpreters who have a capacity 1) for accurate speech and comprehension in English and in the non-English language, and 2) for simultaneous translation from either language to the other;

(c) Prescribe schedule of reasonable fees for interpreters;

(d) Provide in each such district appropriate equipment and facilities for 1) the recording of proceedings before that court, and 2) the simultaneous language translation of proceedings in such court;

2. Establishes the conduct of bilingual proceedings:

(a) Whenever a district judge determines, upon motion made by a party to a proceeding in a judicial district certified as bilingual, that 1) the party does not speak and understand English with reasonable facility or 2) testimony may be presented by any person who does not speak/understand English, that proceeding shall be conducted with the equipment and facilities. Any such proceeding or portion of such proceeding (including any translation) shall be recorded verbatim in addition to any stenographic transcript.

(b) After such determination, each party shall be entitled to the services of the interpreter to provide simultaneous translation of the entire proceeding, or of any portion of the proceeding relating to such qualification and testimony.

(1) The party utilizing the services of the interpreter shall pay for the cost except that a) if the services are utilized by more than one party, such cost shall be apportioned as such parties agree, or if unable to agree, as the court may determine.

(2) If the U.S. is a party utilizing the services of the interpreter, the cost or apportioned cost of the U.S. shall be paid by the Director of the Administrative Office from funds appropriated to him for that purpose, or

(3) If the services of the interpreter are utilized by a party determined by the court to be an indigent, the cost shall be paid by the Director from funds appropriated to him for that purpose.

3. Appropriations necessary to carry out this Act are authorized to the Administrative Office.

4. This Act shall take effect seven months after enactment.

Mr. HASKELL. Mr. President, it gives me great pleasure to cosponsor the Bilingual Courts Act being introduced this day.

The necessity for the passage of the Bilingual Courts Act has been most eloquently stated by my colleague from California in his introductory remarks. Without appearing redundant, I would like to extend to my fellow colleagues some additional remarks in regard to this legislation.

I share equally with the Senator from California deep concern that the courts of our Nation have not the capability to extend to all citizens the full measure of justice they deserve. Hopefully the Bilingual Courts Act will be a beginning toward that end. Yet, it is my concern that the protections which this legislation would insure will be extended to the defendant in criminal prosecution.

The need for such legislation is well known to those who have appeared before the courts of our Nation. Far too often the scales of justice have been unequally weighted when persons lacking facility in the English language appear before them.

How shallow that right to justice becomes when a party before the court can only stand mute before it. Such is the situation which confronts those of our citizens with limited facility in English. It is my hope that the Congress will see the merits in this proposed legislation and proceed forthwith to act upon it.

By Mr. DOMINICK (for himself and Mr. TAFT):

S. 1725. A bill to amend the Fair Labor Standards Act of 1938 to increase the minimum wage, and for other purposes. Referred to the Committee on Labor and Public Welfare.

FAIR LABOR STANDARDS AMENDMENTS OF 1973

Mr. DOMINICK. Mr. President, on behalf of Mr. TAFT and myself, I introduce for appropriate reference a bill to amend the Fair Labor Standards Act to provide for increases in minimum wage rates, and for other purposes.

While this bill is similar to the one we offered last year as a substitute for the bill reported by the Labor and Public Welfare Committee, it contains several important changes.

First, it provides for somewhat larger increases in minimum wage rates. Under this bill, the minimum wage for nonagricultural employees would be increased from the present level of $1.60 an hour to $2.30 an hour in five steps stretched out over a 4-year period. The minimum wage would be raised to $1.80 an hour on the effective date of these amendments—60 days after enactment—to $2 an hour a year later, to $2.10 an hour 2 years after the effective date, to $2.20 3 years after the effective date, and to $2.30 4 years after the effective date. Assuming these amendments were to go into effect this year, the minimum wage for nonagricultural employees would reach $2.30 an hour sometime in 1977.

Unlike previous increases in minimum wage rates, these increases would apply equally to all nonagricultural employees within coverage of the Fair Labor Standards Act, regardless of when they were first covered. I understand why it is necessary to phase in newly covered businesses at lower rates initially, but I have never been able to understand why it makes sense to perpetuate the gap. I think the increases this bill proposes are moderate enough to avoid undue hardship on those industries first brought within coverage of the Fair Labor Standards Act by the 1966 amendments.

This bill would increase the minimum rate for farmworkers from its present level of $1.30 an hour to $1.90 an hour in three steps. It would be raised to $1.50 on the effective date, to $1.70 a year later, and to $1.90 a year after that.

The minimum rate for employees in Puerto Rico and the Virgin Islands would be increased by 37.5 percent above the most recent rate established by the special industry committees for each industry. The increase would be in three steps of 12.5 percent each, the first taking place on the effective date of these amendments, the second 1 year later, and the third a year after that. The total increase would be roughly comparable to that of employees on the mainland, and the existing industry committee system under which minimum wages are established on an industry-by-industry basis would be preserved.

The minimum rate for employees in the Canal Zone would remain at $1.60 in order to avoid worsening the already great disparity between wages paid workers in the Canal Zone and workers in Panama, where minimum rates range from 40 to 70 cents per hour.

I think the wage increases proposed in this bill are reasonable, and are stretched out over long enough periods of time that they could be absorbed without a great inflationary impact on the economy. They are based on the recognition that excessive increases have adverse inflationary and unemployment effects, and reflect an effort to minimize those effects. I certainly hope that these proposed increases will not influence others in the Senate to support even greater increases. I would strongly oppose any greater increases. At a time when inflation is soaring, we ought to be very careful not to aggravate it—particularly since those hurt most by inflation are those we are trying to help—low-income workers.

The second difference between this bill and the substitute I sponsored last year is that this bill would extend minimum wage coverage to some 4.7 million Federal, State, and local government employees not now covered by the Fair Labor Standards Act. Coverage would not be extended to military personnel, professional, executive, and administrative personnel, employees in noncompetitive positions, or volunteer employees such as those in the Peace Corps and Vista.

At present, about 3.3 million Federal, State, and local employees are covered for minimum wage purposes. The extension of basic minimum wage coverage to additional government employees, since it does not include overtime coverage, would have a relatively slight cost impact.

The wage levels of all Federal employees to whom coverage would be extended are above the current minimum wage. A 1971 report of the Department of Labor indicated that wage levels for State and local government employees not covered by the act are on the average, substantially higher than those of workers already covered.

This bill would provide for no other extensions of coverage, and would not revise existing exemptions. Before any attempt is made to revise the many complex exemptions which have been carved out for various industries, I think Congress needs more facts. Accordingly, the bill would require the Secretary of Labor to do a comprehensive study of the exemptions and submit to Congress within 3 years a report containing recommendations as to whether each exemption should be continued, removed, or modified.

The youth differential provision of this bill is considerably narrower in application than the provision I supported last year. First, the differential rate would be 85 percent of the applicable new minimum rates, rather than 80 percent as previously. Second, for youths under 18, the differential rate could be paid only during the first 6 months of employment. Full-time students would be eligible for the youth differential, but only for part-time work—not more than 20 hours per week—except where they are employed at the educational institution they are attending. Students working full time at off-campus jobs during vacations would not be eligible for the youth differential rate.

This narrowed application of the youth differential should meet the objections of those who felt the provision in the substitute bill last year would have reduced adult employment opportunities. The 6-month limitation would further reduce the already minimal possibility of competition between adult workers and teenagers for low-skilled jobs. This provision would encourage employers to provide inexperienced young workers with job training opportunities necessary in order for them to acquire marketable job skills. Also, few adults seek the kinds of part-time jobs held by students.

The effect of this youth differential provision would be to preserve job opportunities for students and teenagers which would otherwise be eliminated when existing minimum wage rates are increased. It is not a question of displacing adult workers. It is a question of whether marginal jobs are held by teenagers and students working part-time, or whether such jobs are simply eliminated. Every time the minimum wage is increased, many marginal jobs are eliminated because employers find it more economical to mechanize or use some other means to avoid paying employees at the increased rate. There is general agreement among the experts that minimum wage increases result in decreased job opportunities for low-skilled marginal workers—particularly inexperienced teenagers. The Labor Department's 1973 report to Congress on the Fair Labor Standards Act summarizes three recent studies analyzing the impact of minimum wage increases on youth employment. Each of the studies clearly indicates that youth employment is adversely affected by minimum wage increases. Without a youth differential provision, the increases implemented by this bill would worsen the already high teenage unemployment rate—which has been above 15 percent for several years.

The Fair Labor Standards Act contains a provision permitting an 85 percent "youth differential" to full-time students and youth under 18. But, it also requires that employers receive Labor Department certification prior to employment of youth at the special rate. This requirement, which has discouraged employers from fully utilizing the existing youth differential provisions because of the extensive forms and report-filing involved, would be removed by this bill. The bill would, however, require the Secretary of Labor to issue regulations insuring against displacement of adult workers. It also makes clear that employers found to be in violation of the conditions of the youth differential provision would be subject to the existing civil and criminal penalties under the act.

I think this youth differential provision merits at least a trial run. If it does not, work, we can always modify it, or repeal it and look for something better. The alternative is to simply turn our backs on the very critical problem of high youth unemployment.

The bill contains several other provisions amending the Fair Labor Standards Act—including several tightening up enforcement of the child labor provisions of the act. I ask unanimous consent that the text of the bill and a section-by-section analysis of it be included in the RECORD at the conclusion of my remarks, together with a statement by Senator TAFT in support of the bill.

In conclusion, Mr. President, I have strong views about minimum wage legislation, and feel very strongly that anything we do in this regard should take into account the potential adverse inflationary and unemployment effects. I think I made that clear last year. What I want to emphasize is that this bill was not drafted with the idea that it would merely serve as a starting point for negotiations in the Labor and Public Welfare Committee. On the contrary, it was drafted with the intent that it would be a reasonable compromise between the bill reported by the Labor and Public Welfare Committee last year and the substitute bill I sponsored with Senator TAFT. The substitute, which fell one vote short of Senate approval, was revised specifically with that in mind. This bill contains significant changes—most notably with regard to extending coverage to Federal, State, and local government employees, and narrowing the scope of the youth differential.

Mr. President, I feel this bill is a reasonable compromise which is in the best interests of the public, and which should be capable of getting the support of a majority of the Senate.

There being no objection, the bill and other material were ordered to be printed in the RECORD, as follows:

S. 1725

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That this Act may be cited as the "Fair Labor Standards Amendments of 1973".

DEFINITIONS AND APPLICABILITY TO GOVERNMENT EMPLOYEES

SEC. 2. (a) Section 3(d) of the Fair Labor Standards Act of 1938 (29 U.S.C, 203 (d)), is amended to read as follows:

"(d) 'Employer' includes any person acting directly or indirectly in the interest of an employer in relation to an employee, including the United States and any State or political subdivision of a State, but shall not include any labor organization (other than when acting as an employer), or anyone acting in the capacity of officer or agent of such labor organization."

(b) Section 3(e) of such Act is amended by adding at the end thereof the following:

"In the case of any individual employed by the United States, 'employee' means any individual employed (i) as a civilian in the military departments as defined in section 102 of title 5, United States Code, (ii) in executive agencies (other than the General Accounting Office) as defined in section 105 of title 5, United States Code (including employees who are paid from nonappropriated funds), (iii) in the United States Postal Service and the Postal Rate Commission, (iv) in those units of the government of the District of Columbia having positions in the competitive service, (v) in those units of the legislative and judicial branches of the Federal Government having positions in the competitive service, and (vi) in the Library of Congress, and in the case of any individual employed by any State or a political subdivision of any State means any employee holding a position comparable to one of the positions enumerated for individuals employed by the United States.".

(c) Section 3(h) of such Act is amended to read as follows:

"(h) 'Industry' means a trade, business, industry, or other activity, or branch or group thereof, in which individuals are gainfully employed.".

(d)(1) The first sentence of section 3(r) of such Act is amended by inserting after the word "whether", the words "public or private or conducted for profit or not for profit, or whether".

(2) The second sentence of such subsection is amended to read as follows: "For purposes of this subsection, the activities performed by any person in connection with the activities of the Government of the United States or any State or political subdivision shall be deemed to be activities performed for a business purpose.".

(e) The first sentence of section 3(s) of such Act is amended by inserting after the words "means an enterprise", the parenthetical clause "(whether public or private or operated for profit or not for profit and including activities of the Government of the United States or of any State or political subdivision of any State)".

(f) Section 13(b) of such Act is amended by striking out the period at the end of paragraph (19) and inserting in lieu thereof a semicolon and the word "or" and by adding at the end thereof the following new paragraph:

"any employee employed by the United States (A) as a civilian in the military departments as defined in section 102 of title 5, United States Code, (B) in executive agencies (other than the General Accounting Office) as defined in section 105 of title 5, United States Code (including employees who are paid from nonappropriated funds), (C) in the United States Postal Service and the Postal Rate Commission, (D) in those units of the government of the District of Columbia having positions in the competitive service, (E) in those units of the legislative and judicial branches of the Federal Government having positions in the competitive service, and (F) in the Library of Congress, and any employee employed by any State or a political subdivision of any State holding a position comparable to one of the positions enumerated in this paragraph for individuals employed by United States."

INCREASE IN MINIMUM WAGE

SEC. 3. (a) Section 6(a)(1) of the Fair Labor Standards Act of 1938 is amended to read as follows:

"(1)(A) not less than $1.80 an hour during the first year from the effective date of the Fair Labor Standards Amendments of 1973,

"(B) not less than $2.00 an hour during the second year from the effective date of such amendments,

"(C) not less than $2.10 an hour during the third year from the effective date of such amendments.

"(D) not less than $2.20 an hour during the fourth year from the effective date of such amendments, and

"(E) not less than $2.30 an hour thereafter."

(b) Paragraph (5) of section 6(a) is amended to read as follows:

"(5) if such employee is employed in agriculture, not less than $1.50 an hour during the first year from the effective date of the Fair Labor Standards Amendments of 1973, not less than $1.70 an hour during the second year from the effective date of such amendments, and not less than $1.90 an hour thereafter."

(c)(1) Section 6(b) of such Act is repealed.

(2) Subsections (c), (d), and (e) of section 6 of such Act are redesignated as subsections (b), (c), and (d), respectively.

EMPLOYEES IN THE CANAL ZONE

SEC. 4. Section 6(a) of the Fair Labor Standards Act of 1938 is amended by striking out the period at the end of paragraph (5) of such section and inserting in lieu thereof a semicolon and the word "or", and by adding at the end thereof the following new paragraph:

"(6) if such employee is employed in the Canal Zone not less than $1.60 an hour."

EMPLOYEES IN PUERTO RICO AND THE VIRGIN ISLANDS

SEC. 5. Paragraphs (A) and (B) of section 6(b)(2) of the Fair Labor Standards Act of 1938 (as redesignated by section 3(a)(2) of this Act) are amended to read as follows:

"(A) The rate or rates applicable under the most recent wage order issued by the Secretary prior to the effective date of the Fair Labor Standards Amendments of 1973 increased by 12.5 per centum unless such rate or rates are superseded by the rate or rates prescribed in a wage order issued by the Secretary pursuant to the recommendations of a review committee appointed under paragraph (C). Such rate or rates shall become effective sixty days after the effective date of the Fair Labor Standards Amendments of 1973, or one year from the effective date of the most recent wage order applicable to such employee theretofore issued by the Secretary pursuant to the recommendations of a special industry committee appointed under section 5, whichever is later.

"(B)(i) Effective one year after the applicable effective date under paragraph (A), the rate or rates prescribed by paragraph (A), increased by an amount equal to 12.5 per centum of the rate or rates applicable under the most recent wage order issued by the Secretary prior to the effective date of the Fair Labor Standards Amendments of 1973 unless such rate or rates are superseded by the rate or rates prescribed in a wage order issued by the Secretary pursuant to the recommendation of a review committee appointed under paragraph (C).

"(ii) Effective two years after the applicable effective date under paragraph (A), the rate or rates prescribed by subparagraph (i) of this paragraph increased by an amount equal to 12.5 per centum of the rate or rates applicable under the most recent wage order issued by the Secretary prior to the effective date of the Fair Labor Standards Amendments of 1973 unless such rate or rates are superseded by the rate or rates prescribed in a wage order issued by the Secretary pursuant to the recommendation of a review committee appointed under paragraph (C)."

PROOF OF AGE REQUIREMENT

SEC. 6. Section 12 of the Fair Labor Standards Act of 1938 is amended by adding at the end thereof the following new subsection:

"(d) In order to carry out the objectives of this section, the Secretary may by regulations require employers to obtain from any employee proof of age."

CHILD LABOR IN AGRICULTURE

SEC. 7. (a) Section 13(c)(1) of the Fair Labor Standards Act of 1938 is amended to read as follows:

"(c)(1) Except as provided in paragraph (2) the provisions of section 12 (relating to child labor) shall not apply to any employee employed in agriculture outside of school hours for the school district where such employee is living while he—

"(A) is employed by his parent, or by a person standing in the place of his parent, on a farm owned or operated by such parent or person,

"(B) is fourteen years of age or older, or

"(C) is twelve years of age or older, and (i) such employment is with the written consent of his parent or person standing in place of his parent, or (ii) his parent or such person is employed on the same farm.".

(b) Section 13 (d) of such Act is amended to read as follows:

"(d) The provisions of sections 6, 7, and 12 shall not apply with respect to any employee engaged in the delivery of newspapers to the consumer, and the provisions of section 12 shall not apply with respect to any such employee when engaged in the delivery to households or consumers of shopping news (including shopping guides, handbills, or other type of advertising material) published by any weekly, semiweekly, or daily newspaper."

EXPANDING EMPLOYMENT OPPORTUNITIES FOR YOUTH; SPECIAL MINIMUM WAGES FOR EMPLOYEES UNDER EIGHTEEN AND STUDENTS

SEC. 8. Section 14(b) of the Fair Labor Standards Act of 1938 is amended to read as follows.

"(b)(1) Subject to paragraph (2) and to such standards and requirements as may be required by the Secretary under paragraph (4), any employer may, in compliance with applicable child labor laws, employ, at the special minimum wage rate prescribed in paragraph (3), any employee—

"(A) to whom the minimum wage rate required by section 6 would apply in such employment but for this subsection, and

"(B) who is under the age of eighteen or is a full-time student.

"(2) No employer may employ, at the special minimum wage rate authorized by this subsection—

"(A) for a period in excess of one hundred and eighty days any employee who under the age of eighteen and is not a full-time student; or

"(B) for longer than twenty hours per week any employee who is a full-time student, except in any case in which any such student is employed by the educational institution at which he is enrolled.

"(3) The special minimum wage rate authorized by this subsection is a wage rate which is not less than the higher of (A) 85 per centum of the otherwise applicable minimum wage rate prescribed by section 6, or (B) $1.30 an hour in the case of employment in agriculture or $1.60 an hour in the case of other employment, except that such special minimum wage rate for employees in Puerto Rico, the Virgin Islands, and American Samoa shall not be less than 85 per centum of the industry wage order rate otherwise applicable to such employees, but in no case shall such special minimum wage rate be less than that provided for under the most recent wage order issued prior to the effective date of the Fair Labor Standards Act of 1973.

"(4) The Secretary shall by regulation prescribe standards and requirements to insure that this subsection will not create a substantial probability of reducing the full-time employment opportunities of persons other than those to whom the minimum wage rate authorized by this subsection is applicable.

"(5) For purposes of sections 16(b) and 16(c)—

"(A) any employer who employs any employee under this subsection at a wage rate which is less than the minimum wage rate prescribed by paragraph (3) shall be considered to have violated the provisions of section 6 in his employment of the employee, and the liability of the employer for unpaid wages and overtime compensation shall be determined on the basis of the otherwise applicable minimum wage rate under section 6; and

"(B) any employer who employs any employee under this subsection for a period in excess of the period prescribed by paragraph (2) shall be considered to have violated the provisions of section 6 in his employment of the employee during the period in excess of the authorized period."

CIVIL PENALTY FOR CERTAIN LABOR VIOLATIONS

SEC. 9. Section 16 of the Fair Labor Standards Act of 1938 is amended by adding at the end thereof the following new subsection:

"(e) Any person who violates the provisions of section 12, relating to child labor, or any regulation issued under that section, shall be subject to a civil penalty of not to exceed $1,000 for each such violation.

In determining the amount of such penalty, the appropriateness of such penalty to the size of the business of the person charged and the gravity of the violation shall be considered. The amount of such penalty, when finally determined, may be—

"(1) deducted from any sums owing by the United States to the person charged; or

"(2) recovered in a civil action brought by the Secretary in any court of competent jurisdiction, in which litigation the Secretary shall be represented by the Solicitor of Labor; or

"(3) ordered by the court, in an action brought under section 17 to restrain violations of section 15(a)(4), to be paid to the Secretary.

Any administrative determination by the Secretary of the amount of such penalty shall be final, unless within fifteen days after receipt of notice thereof by certified mail the person charged with the violation takes exception to the determination that the violations for which the penalty is imposed occurred, in which event final determination of the penalty shall be made in an administrative proceeding after opportunity for hearing in accordance with section 554 of title 5, United States Code, and regulations to be promulgated by the Secretary. Sums collected as penalties pursuant to this section shall be applied toward reimbursement of the costs of determining the violations and assessing and collecting such penalties, in accordance with the provisions of section 2 of an Act entitled 'An Act to authorize the Department of Labor to make special statistical studies upon payment of the cost thereof, and for other purposes' (48 Stat. 582)."

PENALTIES

SEC. 10. The first two sentences of section 16(c) of the Fair Labor Standards Act of 1938, as amended, are amended to read as follows:

"The Secretary is authorized to supervise the payment of the unpaid minimum wages or the unpaid overtime compensation owing to any employee or employees under section 6 or 7 of this Act, and the agreement of any employee to accept such payment shall upon payment in full constitute a waiver by such employee of any right he may have under subsection (b) of this section to such unpaid minimum wages or unpaid overtime compensation and an additional equal amount as liquidated damages. The Secretary may bring an action in any court of competent jurisdiction to recover the amount of the unpaid minimum wages or overtime compensation and an equal amount as liquidated damages."

NONDISCRIMINATION ON ACCOUNT OF AGE IN GOVERNMENT EMPLOYMENT

SEC. 11. (a) (1) The second sentence of section 11(b) of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621) is amended to read as follows: "The term also means (1) any agent of such a person, and (2) a State or political subdivision of a State and any agency or instrumentality of a State or a political subdivision of a State, but such term does not include the United States, or a corporation wholly owned by the Government of the United States.".

(2) Section 11(c) of such Act is amended by striking out "or any agency of a State or political subdivision of a State, except that such terms shall include the United States Employment Service and the systems of State and local employment services receiving Federal assistance.".

(3) Section 16 of such Act is amended by striking the figure "$3,000,000", and inserting in lieu thereof "$5,000,000".

(b) (1) The Age Discrimination in Employment Act of 1967 is amended by redesignating sections 15 and 16, and all references thereto, as section 16 and section 17, respectively.

(2) The Age Discrimination in Employment Act of 1967 is further amended by adding immediately after section 14 the following new section:

"NONDISCRIMINATION ON ACCOUNT OF AGE IN FEDERAL GOVERNMENT EMPLOYMENT

"SEC. 15. (a) All personnel actions affecting employees or applicants for employment (except with regard to aliens employed outside the limits of the United States) in military departments as defined in section 102 of title 5, United States Code, in executive agencies (other than the General Accounting Office) as defined in section 105 of title 5, United States Code (including employees and applicants for employment who are paid from nonappropriated funds), in the United States Postal Service and the Postal Rate Commission, of the government of the District of Columbia having positions in the competitive service, and in those units of the legislative and judicial branches of the Federal Government having positions in the competitive service, and in the Library of Congress shall be made free from any discrimination based on age.

"(b) Except as otherwise provided in this subsection, the Civil Service Commission is authorized to enforce the provisions of subsection (a) through appropriate remedies, including reinstatement of hiring of employees with or without backpay, as will effectuate the policies of this section. The Civil Service Commission shall issue such rules, regulations, orders, and instructions as it deems necessary and appropriate to carry out its responsibilities under this section. The Civil Service Commission shall—

"(1) be responsible for the review and evaluation of the operation of all agency programs designed to carry out the policy of this section, periodically obtaining and publishing (on at least a semiannual basis) progress reports from each such department, agency, or unit; and

"(2) consult with and solicit the recommendations of interested individuals, groups, and organizations relating to nondiscrimination in employment on account of age.

The head of each such department, agency, or unit shall comply with such rules, regulations, orders, and instructions which shall include a provision that an employee or applicant for employment shall be notified of any final action taken or any complaint of discrimination filed by him thereunder. Reasonable exemptions to the provisions of this section may be established by the Commission but only when the Commission has established a maximum age requirement on the basis of a determination that age is a bona fide occupational qualification necessary to the performance of the duties of the position. With respect to employment in the Library of Congress, authorities granted in this subsection to the Civil Service Commission shall be exercised by the Librarian of Congress.

"(c) Any persons aggrieved may bring a civil action in any court of competent jurisdiction for such legal or equitable relief as will effectuate the purposes of this Act.

"(d) When the individual has not filed a complaint concerning age discrimination with the Commission, no civil action may be commenced by any individual under this section until the individual has given the Commission not less than thirty days' notice of an intent to file such action. Such notice shall be filed within one hundred and eighty days after the alleged unlawful practice occurred. Upon receiving a notice of intent to sue, the Commission shall promptly notify all persons named therein as prospective defendants in the action and take any appropriate action to assure the elimination of any unlawful practice.

"(e) Nothing contained in this section shall relieve any Government agency or official of the responsibility to assure nondiscrimination on account of age in employment as required under any provision of Federal law."

EXEMPTION REVIEW

SEC. 12. The Secretary of Labor is hereby instructed to commence immediately a comprehensive review of the exemptions under section 13 of the Fair Labor Standards Act of 1938 and submit to the Congress not later than three years after the date of enactment of this Act a report containing: (1) an analysis of the reasons why each exemption was established; (2) an evaluation of the need for each exemption in light of current economic conditions, including an analysis of the economic impact its removal would have on the affected industry; and (3) recommendations with regard to whether each exemption should be continued, removed, or modified.

TECHNICAL AMENDMENTS

SEC. 13. (a) Section 6(c)(2)(C) of the Fair Labor Standards Act of 1938 is amended by substituting "1973" for "1966".

(b)(1) Section 6(c)(3) of such Act is repealed.

(2) Section 6(c)(4) of such Act is redesignated as 6(c)(3).

(c)(1) Section 7(a)(1) of such Act is redesignated as 7(a).

(2) Section 7(a)(2) of such Act is repealed.

(d) Section 14(c) of such Act is repealed and section 14(d) is redesignated as 14(c).

(e) Section 18(b) is amended by striking out "section 6(b)", and inserting in lieu thereof "section 6(a)(6)", and by striking out "section 7(a)(1)" and inserting in lieu thereof "section 7 (a)".

EFFECTIVE DATE

SEC. 14. Except as otherwise provided in this Act, the amendments made by this Act shall take effect sixty days after enactment. On and after the date of enactment of this Act, the Secretary is authorized to promulgate necessary rules, regulations, or orders with regard to the amendments made by this Act.

SECTION-BY-SECTION ANALYSIS OF S. 1725

SECTION 2

Amends section 3(d) and 3(e) of the Fair Labor Standards Act to include under the definitions of "employer" and "employee" the United States and any state or political subdivision of a state. This would extend minimum wage coverage to an estimated 4.9 million federal, state and local government employees (1.7 million federal, 3.2 million state and local government). Military personnel, professional, executive and administrative personnel, employees in non-competitive positions, and volunteer-type employees, such as Peace Corps and VISTA, would not be included in the extension of coverage. The extension of coverage would be limited to minimum wage; existing overtime coverage under the Act would not be changed.

SECTION 3

Amends section 6(a)(1) of the Fair Labor Standards Act to raise the minimum wage for non-agricultural employees to $2.30 an hour in five steps over a four-year period. The minimum wage would be raised to $1.80 an hour on the effective date of these amendments (60 days after enactment); to $2.00 an hour one year later; to $2.10 two years after the effective date; to $2.20 three years after the effective date; and to $2.30 four years after the effective date. These increases would apply equally to all non-agricultural employees within the coverage of the Act, regardless of when they were first covered.

Amends section 6(a)(5) of the Act to raise the minimum wage for agricultural employees to $1.50 an hour during the first year after the effective date of these amendments, $1.70 an hour during the second year, and $1.90 an hour thereafter.

SECTION 4

Amends section 6(a) of the Fair Labor Standards Act to retain the present minimum wage of $1.60 an hour for employees in the Canal Zone.

SECTION 5

Amends section 6(c) of the Fair Labor Standards Act to raise the minimum wage in Puerto Rico and the Virgin Islands by three 12½ percent increases over the most recent wage order rate, the first increase to be effective either 60 days after enactment of the bill or one year after the effective date of the most recent wage order, whichever is later. The second increase would be effective one year after the first; the third increase would be effective one year after the second.

SECTION 6

Amends section 12 of the Fair Labor Standards Act to authorize the Secretary of Labor to require employers to obtain proof of age from any employee. This would facilitate enforcement of the child labor provisions of the Act.

SECTION 7

Amends section 13(c)(1) of the Fair Labor Standards Act, which relates to child labor in agriculture, to prohibit employment of children under 12 except on farms owned or operated by parents; and to prohibit employment of children aged 12 and 13 except with written consent of their parents, or on farms where their parents are employed.

Amends section 13(d) of the Act to extend the existing child labor exemption for newsboys delivering daily newspapers to newsboys delivering advertising materials published by weekly and semi-weekly newspapers.

SECTION 8

Amends section 14(b) of the Fair Labor Standards Act to establish a special minimum wage rate for youth under 18 and full-time students of 85 percent of the applicable minimum wage or $1.60 an hour ($1.30 an hour for agricultural employment), whichever is higher. The special minimum wage for the same employees in Puerto Rico, the Virgin Islands, and American Samoa would be 85 percent of the industry wage order rate applicable to them, but not less than the rate in effect immediately prior to the effective date of the Fair Labor Standards Amendments of 1973.

Non-students under 18 would qualify for the "youth differential" rate only during their first 6 months of employment on a job. Full-time students would qualify for the differential rate (a) while employed at the educational institution they are attending; or (b) while employed part-time (not in excess of 20 hours per week) at any job.

The existing requirement in the Act that employers receive Labor Department certification prior to employment of youth at the special minimum rate would be removed. The Secretary of Labor would be required to issue regulations insuring against displacement of adult workers. Employers violating the terms of the youth differential provision would be subject to existing civil and criminal penalty provisions of the Act.

SECTION 9

Amends section 16 of the Fair Labor Standards Act to provide for a civil penalty of up to $1,000 for each violation of the child labor provisions of section 12 of the Act.

SECTION 10

Amends section 16(c) to allow the Secretary of Labor to bring suit to recover unpaid minimum wages or overtime compensation and an equal amount of liquidated damages without requiring a written request from an employee. In addition, this amendment would allow the Secretary to bring such actions even though the suit might involve issues of law that have not been finally settled by the courts.

SECTION 11

Amends the Age Discrimination in Employment Act of 1967 (P.L. 90–202) to extend its coverage to federal, state and local government employees.

SECTION 12

Requires the Secretary of Labor to undertake a comprehensive review of the minimum wage and overtime exemptions under section 13 of the Fair Labor Standards Act and to submit to Congress within three years a report containing recommendations as to whether each exemption should be continued, removed or modified.

SECTION 13

Technical amendments.

SECTION 14

Provides that the amendments made by this Act would become effective sixty days after enactment, and authorizes Secretary of Labor to promulgate regulations necessary to carry out such amendments.

STATEMENT BY SENATOR TAFT

Minimum wage legislation has been the subject of considerable discussion during the last two years, with extensive debate in this body and the other body. Senator Dominick and I today have introduced a bill that we feel is a very constructive approach to increasing the minimum wage. I understand Senators Williams and Javits also plan to introduce a minimum wage proposal in the near future. I am sure their proposal will be a great help in considering this important topic.

It is important to remember, however, that the Congress must be very careful in acting to amend the Fair Labor Standards Act. If we enact increases to the minimum wage too quickly, many employees may lose their jobs. Many of our nation's small businesses would also be severely affected if the minimum is increased too quickly. We must remember that the Fair Labor Standards Act is basically small business legislation, and any attempt to make it other than that can be fatal to many of our nation's small employers and their employees.

Another extremely important concept with regard to the minimum wage question is the concept of a youth differential. Any way you examine the unemployment situation for our nation's youth, you are readily apprised of extremely pressing problems. It is truly discouraging to see that many of our nation's youth, especially minority youth, do not have a job, nor do they have the prospect of obtaining one. Senator Dominick and I have suggested a sub-minimum wage proposal to be applicable for youth 18 years of age and under. We feel this proposal has merit and will help alleviate part of this youth unemployment problem. I realize the strong feeling of organized labor against this concept, but I also know that they are quite aware and quite concerned about the problem of youth unemployment. I hope that they will again carefully consider this question and provide constructive alternatives in this area if they continue to oppose any type of youth sub-minimum.

Senator Dominick has already gone over the provisions of our proposal and included a summary thereof. I will not duplicate this effort. I would ask, however, that each Senator carefully examine the issues raised with respect to increasing the minimum wage and then consider our proposal.

All Americans desire to see the elimination of sub-standard and exploitive wage practices. Let us in the Congress work together in this session toward this goal.

By Mr. GRAVEL:

S. 1726. A bill to provide guidelines and limitations for the classification of information and material, to insure the integrity of the Congress as a separate branch of the Government by preventing the unwarranted interference in congressional functions by the executive and judicial branches, to establish an Office of the General Counsel to the Congress, to require the disclosure of information to Congress by the executive branch, to protect the confidentiality of information and sources of information of the news media, and for other purposes. Referred to the Committee on Government Operations.

THE PEOPLE'S NEED TO KNOW

Mr. GRAVEL. Mr. President, the prerequisite of a free, self-governing people is an enlightened citizenry. If the American people are to be meaningful participants in the operation of their Government, they must have easy access to virtually all information. The Government's shrill claims of a "need" for secrecy must give way to the higher priority of the citizen's need to know, his right to know.

I have identified five areas in which it seems to me crucial, that we act in order to preserve the free flow of information:

First. We must control excessive secrecy by establishing guidelines and limitations for classification and declassification. This does not mean mandating secrecy itself, as the administration has proposed.

Second. We must assure the congressional role in gathering and disclosing information by protecting Members of Congress from intimidation by the Executive.

Third. We must put a stop to the abuse of Executive privilege. While the adviser relationship should be kept sacrosanct, it should never be used to keep information from the Congress.

Fourth. We should establish our own general counsel to preserve congressional immunity, defend our membership from Executive harassment, and act aggressively to halt Executive usurpation of power.

Fifth. We must grant newsmen immunity from disclosure of information and sources. A free press will assist Congress in informing the people, and it will keep the Congress itself honest.

I have attempted to deal with the problems in each of these areas in separate titles of a comprehensive bill, the "Public Information Act of 1973," which I am introducing today. I ask unanimous consent that this bill, together with an accompanying section-by-section analysis, be printed at this point in the RECORD.

There being no objection, the bill and analysis were ordered to be printed in the RECORD, as follows:

S. 1726

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Public Information Act of 1973".

TITLE I—AMENDMENTS TO FREEDOM OF INFORMATION ACT

SHORT TITLE

SECTION 101. This title may be cited as the "Freedom of Information Act Amendments of 1973".

ATTORNEYS' FEES

SEC. 102. Section 552(a)(3) of title 5, United States Code, is amended by adding at the end thereof the following new sentence: "The court shall award reasonable attorneys' fees and court costs to the complainant if it issues any such injunction or order against the agency."

CONFORMING AMENDMENTS

SEC. 103. Section 552(b) of title 5, United States Code, is amended—

(1) by striking out "(b) This section" and insertion in lieu thereof "(b)(1) subsection (a)";

(2) by redesignating paragraphs (1) through (9) as subparagraphs (A) through (I), respectively;

(3) by striking out subparagraph (A), as redesignated by clause (2), and inserting in lieu thereof the following: "(A) designated Secret Defense Data in accordance with subsection (d);"; and

(4) by inserting at the end thereof the following new paragraph:

"(2) Subsection (a) applies to any matter which is declassified under subsection (e)."

CLASSIFICATION OF INFORMATION

SEC. 104. Section 552 of title 5, United States Code, is amended by adding at the end thereof the following new subsections:

"(d)(1) The Congress finds and declares that the free flow of information among individuals, between the Government and the citizens of the United States, and among the separate branches of the Government is essential to the proper functioning of the Constitutional processes of the United States. The Congress further finds that certain unwarranted policies and procedures for the classification of information and to material have in the past unduly inhibited this free flow of information, and that in order to correct this situation it is necessary to prescribe certain guidelines and limitations for the classification of information and material which the President or the head of an agency determines to require limited dissemination in the interest of national defense. By prescribing such guidelines and limitations, it is not the intention of the Congress either to encourage the classification of information and material or to establish as a criminal offense, in itself, the unauthorized disclosure of any such classified information or material.

"(2) The President and the heads of those agencies listed under subparagraph (A) of paragraph (4) are authorized to classify as 'Secret Defense Data' any official information or material originated or acquired by them, the unauthorized disclosure of which may reasonably be expected to cause damage to the national defense. Official information or material may be classified as Secret Defense Data only if its unauthorized disclosure would adversely affect the ability of the United States to protect and defend itself against overt or covert hostile action. In no case shall information or material be classified in order to conceal incompetence, inefficiency, wrongdoing, or administrative error, to avoid embarrassment to any individual or agency, to restrain competition or independent initiative, or to prevent or delay for any reason the release of information or material the dissemination of which will not damage the national defense.

"(3) Except as otherwise provided by law, no designation other than 'Secret Defense Data' shall be used to classify information or material in the interest of national defense. The President or the head of the agency originating or receiving Secret Defense Data may use such routing indicators as may be appropriate to assist in limiting the dissemination of individual items of such Secret Defense Data to designated recipients.

"(4) (A) Official information or material may be originally classified as Secret Defense Data by the heads of—

"(i) such offices within the Executive Office of the President as the President may designate by Executive Order;

"(ii) the Department of State;

"(iii) the Department of Defense and the military departments, as defined in section 102 of this title;

"(iv) the Department of the Treasury;

"(v) the Department of Justice;

"(vi) the Department of Commerce;

"(vii) the Department of Transportation;

"(viii) the Atomic Energy Commission;

"(ix) the Central Intelligence Agency; and

"(x) the National Aeronautics and Space Administration.

"(B)(i) The President and the head of each agency listed under subparagraph (A) may authorize in writing senior principal deputies, assistants, and subordinate officials within each such agency to classify official information or material as Secret Defense Data. In no case may any individual occupying a position lower than the level of section chief or its equivalent be authorized to classify official information or material as Secret Defense Data, and no individual may be granted such authority unless his daily operational responsibilities require that he have such authority.

"(ii) Officers and employees of agencies other than agencies listed under subparagraph (A) may not classify official information or material, and the authority to classify may not be delegated or transferred to any other agency except by Act of Congress. An officer or employee of an agency who is not authorized to classify official information or material under this subsection, but who originates or supervises the origination of official information or material which he believes to qualify for classification as Secret Defense Data, may recommend classification of any such information or material by the head of the agency having both a direct official interest in the information or material and the authority to classify it.

"(iii) Each individual authorized by the head of an agency listed under subparagraph (A) to classify official information or material shall be furnished within written instructions advising him of the subject matter which he may classify and of any other requirements applicable to him in the exercise of his classification authority. The head of each such agency shall semiannually review his designation of authority to classify official information or material and shall revoke such designation in the case of any individual whose operational responsibilities no longer require that he have such authority.

"(iv) No individual authorized to classify information or material may redelegate such authority to any other individual.

"(v) Any individual who, acting in a clerical capacity, handles any classified information or material need not have authority to classify such information or material in order to copy or otherwise reproduce or to put classification markings on such information or material.

"(5) The head of each agency listed under paragraph (4)(A) shall compile and maintain a complete list of the names and official addresses of all individuals within such agency who are authorized to classify official addresses of all individuals within such list shall be submitted quarterly by each such agency head to the Comptroller General of the United States. A copy of each such list shall be made available, upon written request to the appropriate agency head by any Member or committee of Congress, to such Member of committee.

"(6) Official information and material shall be classified according to what it contains or reveals and not according to its relationship with or reference to other information or material. No document or other material may be classified unless it contains or reveals an element of official information specifically designated as Secret Defense Data pursuant to this subsection.

"(7) Any document or other material object, including communications transmitted by electrical means, containing or revealing information designated as Secret Defense Data shall be appropriately and conspicuously marked or otherwise identified to show—

"(A) the designation 'Secret Defense Data';

"(B) any routing designator which may have been assigned;

"(C) the office of origin;

"(D) the date of origin;

"(E) the name and title of the individual who classified the document or object; and

"(F) the date of original classification.

The marking or other identification shall be limited to thoses paragraphs or other separate segments of the document or other object which require protection, and the classification authority shall (i) mark or identify only those paragraphs or segments which require protection, or (ii) include with the document or other object a statement specifically describing those paragraphs or segments which require protection.

"(8) Information or material furnished to the United States by a foreign government or international organization, the unauthorized disclosure of which could reasonably be expected to cause damage to the national defense or to the defense of a foreign government with which the United States is allied, may be designated as 'secret defense data', except that any such information or material shall be provided to any Member or committee of Congress upon written request to the appropriate agency, notwithstanding any contrary agreement or stipulation.

"(9) Official information or material originated or acquired by an agency and classified as 'confidential', 'secret', or 'top secret' pursuant to any Executive order shall be subject to the provisions of this subsection. Subject to review procedures established by the President or the head of an agency, any officer or employee having custody of a document or other material classified as 'confidential,' 'secret', or 'top secret', which is in use or withdrawn from file or storage for use, shall mark it in accordance with the provisions of this subsection to show that it has been designated as Secret Defense Data, or to show that it has been declassified and cite this subsection or subsection (e) as the authority for such marking, unless declassification was accomplished before the effective date of this subsection.

"(e)(1)(A) Any official information or other material which—

"(i) is classified pursuant to the provisions of subsection (d) after the effective date of such subsection; and

"(ii) at any time thereafter ceases to meet the requirements of subsection (d) (2), or can no longer be protected against unauthorized disclosure,

shall be declassified promptly by the President or an individual within the appropriate agency who has the authority to classify such information or material.

"(B) Except as provided in paragraph (2), any official information or material which is classified pursuant to subsection (d) on or after the effective date of such subsection and which is not declassified as provided in subparagraph (A), shall be declassified automatically upon the expiration of two years after the end of the month of its classification, by the President or an individual within the appropriate agency who has authority to classify such information or material, regardless of whether or not the document or other material has been marked to show the declassification.

"(C) Except as provided by paragraph (2), any official information or material which was originally classified as 'confidential, 'secret', or 'top secret' pursuant to any Executive order during the two-year period immediately preceding the effective date of subsection (d), and which is classified as 'confidential', 'secret', or 'top secret' on such effective date, shall be declassified automatically upon the expiration of two years after the end of the month of the original classification of such information or material, by the President or an individual within the appropriate agency who has the authority to classify such information or material, regardless of whether or not the document or other material has been marked to show the declassification. If the original date of classification of such information or material is not known, it shall be declassified automatically not later than the expiration of two years after the effective date of subsection (d).

"(D) Except as provided by paragraph (2), any official information or material which was originally classified pursuant to any Executive order, directive, memorandum, or other authority prior to the two-year period immediately preceding the effective date of subsection (d), and which continues to be classified on such effective date, shall be declassified automatically upon the expiration of six months after such effective date, by the President or an individual within the appropriate agency who has authority to classify such information or material, regardless of whether the document or other material has been marked to show the declassification.

"(2)(A) Any official information or material which is classified and which is subject to automatic declassification as provided in subparagraph (B), (C), or (D) of paragraph (1) may be assigned a deferred automatic declassification date by the President or the head of the agency which originally classified such information or material or by the head of the agency which has responsibility for such information or material in the case of a transfer of functions from one agency to another, upon a determination by the President or the agency head that the information or material is of such sensitivity and importance to continue to satisfy the requirements for classification as Secret Defense Data. For each item of information or material for which the President or the head of an agency makes such a determination, he shall submit, in writing, to the Committee on Government Operations of the Senate, the Committee on Government Operations of the House of Representatives, and the Comptroller General of the United States a detailed justification for the continued classification of such information or material. Both such committees shall compile and print at least annually as a public document all such reports received by them, except that upon recommendation of the President or the head of the agency concerned, such committee may delete from printing any material which itself satisfies the requirements for classification as Secret Defense Data. Each such deletion shall be indicated in the printed document, and the complete document without deletions shall be kept in committee files and made available, upon request, to any Member or committee of Congress. In no case may the President or the head of an agency assign a deferred automatic declassification date of more than two years after the date of declassification provided for under subparagraph (B), (C), or (D) of paragraph (1), except that such official may assign an additional deferred automatic declassification date upon determination that the classified information or material continues to satisfy the criterion for classification as Secret Defense Data. For each such deferral such official shall submit a written justification as provided herein. The authority to defer declassification shall not be redelegated by the head of any agency. Any information or material assigned a deferred automatic declassification date may at any time be declassified in accordance with paragraph (1)(A).

"(B)(i) Any person may bring a civil action on his own behalf against the President or the agency head who is alleged to have deferred the automatic declassification date of official information or material which does not satisfy the requirements (as described in subsection (d)(2)) for classification as Secret Defense Data. The district court of the United States in the district in which the complainant resides, or has his principal place of business, or the district court for the District of Columbia, has jurisdiction to enjoin the President or the agency head from deferring the automatic declassification date of information or material and to order such declassification upon finding that such information or material does not satisfy the criterion for classification as Secret Defense Data. In such a case the court shall determine the matter de novo and the burden is on the President or the agency head to sustain his action. In the event of noncompliance with the order of the court, the district court may punish for contempt the responsible official. Except as to causes the court considers of greater importance, proceedings before the district court, as authorized by this paragraph, take precedence on the docket over all other causes and shall be assigned for hearing and trial at the earliest practicable date and expedited in every way.

"(ii) The court, if it issues any injunction or order against the President or the agency head in any action brought pursuant to subparagraph (B)(i), shall award reasonable attorneys' fees and court costs to the complainant.

"(3) The declassification of Secret Defense Data shall be accomplished by issuance of an official announcement describing or otherwise identifying the information or material to be declassified, or by the classification authority authenticating the declassification according to the procedures described in paragraph (4) on the record copy of a document or other material and notifying all holders of copies of such document or material that the information or material has been declassified.

"(4) Any information or material which is declassified, including information or material automatically declassified, shall be marked as soon as practicable in order clearly to show that it has been declassified. Such information or material also shall be annotated to show the date of the declassification and the name and title of the person who authorized the declassification. Information or material which is in storage when declassified need not be marked or annotated until it is withdrawn for use, and information or material which is declassified and which is designated for destruction need not be marked or annotated but may be destroyed according to procedures applicable to other non-classified material.

"(5) The head of an agency which has responsibility for functions transferred from another agency shall exercise declassification authority for such Secret Defense Data as falls within the purview of the transferred functions, even if such agency does not have original classification authority. The Administrator of Services shall exercise declassification authority for such Secret Defense Data as has been transferred to the General Services Administration in order to be placed in the Archives of the United States. In order to carry out the provisions of this paragraph, heads of agencies may designate such senior principal deputies, assistants, and subordinate officials as they may require to accomplish declassification.

"(6) An officer or employee who has custody of Secret Defense Data which he believes no longer requires classification, and concerning which he does not have declassification authority, may recommend immediate declassification by the person or office having both a direct official interest in such Secret Defense Data and the authority to declassify it.

"(f)(1) The head of each agency which exercises authority to classify or declassify official information or material shall, in conjunction with the Comptroller General of the United States, prescribe such regulations as he considers necessary or appropriate to carry out the provisions of subsections (d) and (e) of this section, including regulations which prescribe administrative reprimand, suspension, or other disciplinary action for the improper classification of official information or material.

"(2) The Comptroller General of the United States shall monitor the actions taken by agencies to implement and adhere to the policies and provisions of subsections (d) and (e) of this section. To this end the Comptroller General shall perform, among others, the following functions:

"(A) Prescribe, in conjunction with heads of agencies, such regulations as may be necessary to achieve uniformity among agencies in the implementation of subsections (d) and (e) of this section.

"(B) Obtain and review agency implementing regulations and those of such subordinate components as may be necessary to determine the effectiveness of agency actions.

"(C) Inquire on a periodic basis regarding the need for assignment or retention of the Secret Defense Data designation on selected documents and other material.

"(D) Conduct visits on a periodic basis to observe the practical application of classification and declassification policy and the safeguarding of Secret Defense Data by officers and employees of agencies.

"(E) Investigate, when deemed appropriate, inquiries initiated by private citizens, officers or employees of the United States, or any other person concerning any allegation of improper classification of information or material, or concerning any allegation of the failure of any agency, or any officer or employee thereof, to comply with the policies and provisions of subsection (d) or (e) of this section, or any regulation prescribed under this subsection.

"(F) Transmit semi-annual reports not later than March 1 and September 1 of each year to both the Senate Committee on Government Operations and the House Committee on Government Operations, setting forth the findings of such reviews, inquiries, visits, and investigations as may have been conducted pursuant to subparagraphs (B) through (E) during the reporting period, as well as any other matters pertaining to the implementation of subsections (d) and (e) which may be of interest to the committees. Such reports also shall contain any recommendations for action by the committees relating to this Act which the Comptroller General may deem appropriate.

"(g) No person may withhold or authorize withholding information or material from the Congress, or any committee or Member thereof, or from any court of the United States on the basis that such information or material is classified or qualifies for classification as Secret Defense Data or is otherwise classified pursuant to any law. Executive order, directive, memorandum, or other authority."

ATOMIC ENERGY RESTRICTED DATA

SEC. 105. The provisions of this title shall not affect any requirement made by or under the Atomic Energy Act of 1954, as amended, regarding the designating and protection of Restricted Data, as defined in that Act.

EFFECTIVE DATE

SEC. 106. (a) Except as provided in subsection (b), the provisions of this title shall take effect on the first day of the fourth month that commences after the date of its enactment.

(b) Section 552(f), as added by section 104 of this title, shall take effect upon the date of enactment of this Act.

TITLE II—CONGRESSIONAL PROTECTION

SEC. 201. Part II of title 18, United States Code, is amended by adding at the end thereof the following new chapter:

"Chapter 239—CONGRESSIONAL PROTECTION

"Sec.

"3791. Congressional protection.

"§ 3791. Congression protection.

"(a) Notwithstanding any other provision of law, the courts of the United States, the United States District Court for the District of the Canal Zone, the District Court of Guam, the District Court of the Virgin Islands, the United States Commissioners, and the United States magistrates shall have no jurisdiction to conduct any criminal proceeding with respect to offenses against the laws of the United States if such proceeding relates to a legislative activity of a Member of Congress.

"(b)(1) If an attorney for the United States intends to issue a subpoena to any person, and such attorney has reason to believe that the subpoena, or any part thereof, relates to a legislative activity of a Member of Congress, then such attorney shall immediately notify the Attorney General of the United States. The Attorney General shall approve personally the issuance of the subpoena, and shall notify in writing such Member and the President pro tempore of the Senate, in the case of a Senator, or the Speaker of the House of Representatives, in the case of a Representative, a Resident Commissioner, or a Delegate of the House of Representatives, not less than 48 hours in advance of the issuance of the subpoena.

"(2) If at any time in the course of any criminal proceeding it appears that testimony which relates to the legislative activity of a Member of Congress is being heard or may be heard, and the provisions of paragraph (1) have not been complied with, then the court shall stay the proceedings and give such Member an opportunity to move, as provided in subsection (c), to quash the subpoena or subpoenas pursuant to which testimony is being taken.

"(c) If any subpena is issued to any person with respect to any activity of a Member of Congress, that Member may file a motion, before the court under whose seal the subpena was issued, asking that the subpena, or any part thereof, be quashed on the grounds that such subpena or part thereof relates to a legislative activity of such Member and is therefore beyond the jurisdiction of such court, commissioner, or magistrate, as the case may be. Upon the filing of such motion, the subpena, or part thereof, sought to be quashed shall be stayed. In any hearing on a motion to quash the subpena, the United States (1) is required to state with particularity the information it intends to receive as the result of the issuance of the subpena, and (2) shall have the burden of proving, beyond a reasonable doubt, that such subpena, or part thereof, does not relate to any legislative activity of such Member. If the United States fails to satisfy the provisions of both clauses (1) and (2) of this subsection, the subpena or part thereof shall be quashed. If the court finds that both such clauses have been satisfied, the court may order the enforcement of the subpena or part thereof. However, the order shall specify with particularity, and as narrowly as practicable, the information about which the United States may inquire or obtain under such subpena in order to assure that such information will not relate to any legislative activity of such Member.

"(d) For purposes of this section—

"(1) 'court of the United States' has the same meaning given that term under section 451 of title 28;

"(2) 'legislative activity' means any activity of a Member of Congress, while a Member of the Congress, relating to the due functioning of the legislative process and carrying out the obligations a Member of Congress owes to the Congress and to his constituents, and includes, but is not limited to, speeches, debates, and votes, in either House of Congress, committee or subcommittee conduct, gathering or receipt of information for use in legislative proceedings, speeches or publications outside of Congress informing the public on matters of national or local importance, and the motives and processes by which a decision was made with respect thereto; and

"(3) 'Member of Congress' means either a present or former Senator, or a present or former Representative, Resident Commissioner, or Delegate of the House of Representatives."

SEC. 202. The table of chapters of part II of such title 18, preceding section 3001, is amended by adding at the end thereof the following:

"239 Congressional protection."

TITLE III—OFFICE OF THE GENERAL COUNSEL TO THE CONGRESS

ESTABLISHMENT

SEC. 301. There is established in the Congress an office to be known as the office of the General Counsel to the Congress, referred to hereinafter as the "Office".

PURPOSE AND POLICY

SEC. 302. The purpose of the Office shall be to provide legal advice, legal representation, legal counseling, and other appropriate legal services to the Congress, its two Houses, and their respective committees, Members, officials and employees in those matters relating to their institutional or official capacities and duties. The Office shall maintain impartiality as to matters brought before it, and it shall provide services indiscriminantly to any committee or Member of Congress unless directed otherwise by either House or Congress as a whole. The Office shall maintain the attorney-client relationship with respect to all communications between it and any committee or Member of Congress.

FUNCTIONS

SEC. 303. The functions of the Office shall be as follows:

(a) Upon the request of the Congress, either of its two Houses, any joint committee of the Congress, or any committee of either House of the Congress, to commence civil action against the President or any other officer of the Government to compel compliance with any law.

(b) Upon the request of the Congress, either of its two Houses, any Member of the Congress, any joint committee of the Congress, any committee of either House of the Congress, or any subcommittee of any such committee, to commence civil action against the President or any other officer of the Government to compel compliance with any request for information.

(c) Upon the request of the Congress, either of its two Houses, any Member of the Congress, any joint committee of the Congress, any committee of either House of the Congress, or any subcommittee of any such committee, to represent the Congress, either of its two Houses, or any of their respective committees, Members, former Members, officers or employees before any grand jury proceeding or in any civil or criminal action arising from their performing or not performing any action relating to their institutional or official capacities and duties.

(d) Upon the request of the Congress, either of its two Houses, any Member of the Congress, any joint committee of the Congress, any committee of either House of the Congress, or any subcommittee of any such committee, to intervene as a party before any grand jury proceeding or in any civil or criminal proceeding.

(e) Upon the request of the Congress, either of its two Houses, any joint committee of the Congress, or any committee of either House of the Congress, to appear before the Supreme Court or any other court of the United States as amicus curiae in cases involving the intent and meaning or constitutionality of legislation or of any action of either House of Congress.

(f) To review rules and regulations from time to time issued by the various agencies of the Government and to report to the Congress as to whether such rules and regulations are authorized by the legislation under which they purport to be issued.

(g) To bring to the attention of the Congress such legal proceedings, actions of the Government, and other matters which relate to the institutional or official capacities or duties of the Congress or its Members.

(h) To furnish advice and other appropriate services to any Member of the Congress, any joint committee of the Congress, any committee of either House of the Congress, any subcommittee of any such committee in connection with the foregoing.

CONGRESSIONAL COUNSEL

SEC. 304. The management, supervision, and administration of the Office are invested in the General Counsel to the Congress who shall be appointed by the President pro tempore of the Senate, the Speaker of the House of Representatives and the majority leaders and minority leaders of the Senate and House of Representatives (referred to hereinafter as the "Leaders") acting unanimously, without regard to political affiliation and solely on the basis of fitness to perform the duties of the position. In the event of the failure of the Leaders to act, the appointment shall be made by majority vote of both the Senate and the House of Representatives. Any person so appointed shall serve for only one term of ten years, but may be removed from office by the Leaders, acting unanimously.

STAFF

SEC. 305. With the approval of the Leaders, or in accordance with policies and procedures approved by them, the General Counsel shall appoint such attorneys and other employees as may be necessary for the prompt and efficient performance of the functions of the Office. Any such appointment shall be made without regard to political affiliation and solely on the basis of fitness to perform the duties of the position. Any person so appointed may be removed by the General Counsel to the Congress with the approval of the Leaders, or in accordance with policies and procedures approved by the Leaders.

COMPENSATION

SEC. (a) The General Counsel to the Congress shall be paid at a per annum gross rate equal to the rate of basic pay, as in effect from time to time, for level III of the Executive Schedule of section 5314 of title 5, United States Code.

(b) Members of the staff of the Office other than the General Counsel to the Congress shall be paid at per annum gross rates fixed by the General Counsel with the approval of the Leaders, or in accordance with policies approved by the Leaders, but not in excess of a per annum gross rate equal to the rate of basic pay, as in effect from time to time, for level V of the Executive Schedule of section 5316 of title 5, United States Code.

EXPENDITURES

SEC. 307. In accordance with policies and procedures approved by the Leaders, the General Counsel to the Congress may make such expenditures as may be necessary or appropriate for the functioning of the Office.

OFFICIAL MAIL

SEC. 308. The Office shall have the same privilege of free transmission of official mail matter as other offices of the United States Government.

AUTHORIZATION OF APPROPRIATIONS

SEC. 309. There are authorized to be appropriated, for the fiscal year ending June 30, 1973, and for each fiscal year thereafter, such sums as may be necessary to carry out this title and to increase the efficiency of the Office and the quality of the services which it provides.

TITLE IV—PRIVILEGED INFORMATION

SEC. 401. Chapter 6 of title 2, United States Code, is amended by adding the following new section:

"§ 192a. Privileged Information

"(a) The Congress declares that information or material of, or under the custody or control of, any agency, officer, or employee of the Government is to be made available to the Congress so that the Congress may exercise, in an informed manner, the authority conferred upon it by article I of the Constitution to make laws necessary and proper to carry into execution the powers vested in the Congress and all other powers vested in that Government or any department or officer thereof.

"(b) For the purpose of this section—

"(1) 'agency' means each authority of the Government of the United States, whether or not it is within or subject to review by another agency, but does not include—

"(A) the Congress;

"(B) the courts of the United States; or

"(C) the governments of the territories or possessions of the United States;

"(2) 'employee' means—

"(A) an employee in or under an agency;

"(B) a member of the uniformed services; and

"(C) an employee engaged in the performance of a Federal function under authority of an Executive act; and

"(3) 'Government' means the Government of the United States and the government of the District of Columbia.

"(c) Any officer or employee of the Government summoned or requested to testify or produce information or material before Congress, any joint committee of the Congress, any committee of either House of the Congress, or any subcommittee of any such committee (hereinafter the 'requesting body'), shall not refuse to appear on the grounds that the requested testimony, information, or material is privileged. Any such officer or employee appearing as a witness may be required to answer questions with regard to, or required to produce, any—

"(1) information or material within such person's immediate knowledge or jurisdiction; and

"(2) policy decisions that such person personally has made or implemented.

If such witness asserts that the requested information or material is privileged and refuses to supply the same, such person immediately shall provide a justification for the assertion of privilege, whereupon it shall then be a question of fact for the requesting body to determine whether or not the plea or privilege is well taken. If not well taken, the witness shall be ordered to supply the requested information or material. Upon such order, if the witness continues to refuse to supply the requested information or material, such person shall be held in contempt of Congress.

"(d) Any information or material of, or under the custody or control of, any agency, officer, or employee of the Government shall be made available to any Member of the Congress, any joint committee of the Congress, any committee of either House of the Congress, any subcommittee of any such committee, or the general accounting office, upon written request of any such Member, committee, subcommittee, or office to the head of the agency or other officer or employee of the Government who has custody or control of such information or material. Any information or material so requested shall be furnished within fifteen days of receipt of the request unless within such time the head of the agency or other governmental authority which receives the request asserts that the information or material is privileged and provides in writing to such Member, committee, subcommittee, or office a justification for the assertion of privilege. In the case of information or material requested by a committee or subcommittee, upon receipt of a plea of privilege it shall then be a question of fact for the committee or subcommittee to determine whether or not such plea is well taken. If not well taken, the head of the agency or other governmental authority which receives the request shall be ordered to supply the requested information or material, and if such information or material is still refused, such person shall be held in contempt of Congress.

"(e) Nothing in this section shall be construed to require any officer or employee of the Government to make available to the Congress, any Member of the Congress, any joint committee of the Congress, any committee of either House of the Congress, any subcommittee of any such committee, or the General Accounting Office the nature of any advice, recommendation, or suggestion (as distinct from any form of information or material included within or forming the basis of such advice, recommendation, or suggestion) made to or by such person in connection with matters solely within the scope of such person's official duties, except to the extent that such information may be required by some other provision of law to be made available to Congress or made public.

"(f) Nothing in this section is intended to recognize or sanction a doctrine of 'executive privilege' or to permit the refusal of information or material on the grounds that such information or material constitutes 'internal working papers'."

SEC. 402. The analysis of such chapter is amended by adding the following new item: "192a. Privileged information."

TITLE V—COMMUNICATIONS MEDIA PRIVILEGE SHORT TITLE

SEC. 501. This Title may be cited as the "Communications Media Privilege Act of 1973".

DEFINITIONS

SEC. 502. For the purpose of this Title, the term—

(1) "Federal or State proceeding" includes any proceeding or investigation before or by any Federal or State judicial legislative, executive, or administrative body;

(2) "medium of communication" includes, but is not limited to, any newspaper, magazine, other periodical, book, pamphlet, news service, wire service, news or feature syndicate, broadcast station or network, or cable television system;

(3) "information" includes any written, oral or pictorial news, or other material;

(4) "published information" means any information disseminated to the public by the person from whom disclosure is sought.

(5) "unpublished information" includes information not disseminated to the public by the person from whom disclosure is sought, whether or not related information has been disseminated and includes, but is not limited to, all notes, outtakes, photographs, tapes, or other data of whatever sort not itself disseminated to the public through a medium of communication, whether or not published information based upon or related to such material has been disseminated;

(6) "processing" includes compiling, storing, and editing of information; and

(7) "person" means any individual, and any partnership, corporation, association, or other legal entity existing under or authorized by the law of the United States, any State or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any foreign country.

SEC. 503. No person shall be required to disclose in any Federal or State proceeding—

(1) the source of any published or unpublished information obtained in the gathering, receiving, or processing of information for any medium of communication to the public, or

(2) any unpublished information obtained or prepared in gathering, receiving, or processing of information for any medium of communication to the public.

SECTION-BY-SECTION ANALYSIS

TITLE I—AMENDMENTS TO FREEDOM OF INFORMATION ACT

SEC. 101. Short title. This title would regulate and limit the classification of material by the Executive branch, amends the Freedom of Information Act to emphasize that the intention is to make much more information available to the public.

Sec. 102. Amends paragraph (a) (3) of the Freedom of Information Act to provide the award of attorneys' fees and court costs to individuals who show that they have been improperly denied information by an agency.

Sec. 103. Housekeeping amendments.

Sec. 104. Adds paragraphs (d) through (g) to the Freedom of Information Act.

(d) Classification of information.

(1) States that the purpose of providing guidelines and limitations for Executive branch classification is to control the abuse of classification as it has come to be practiced. This abuse is so severe that security experts agree that somewhere between 75 and 99 percent of all current classification is unnecessary. Such examples of classification of newspaper articles and the classification of whole documents, no individual part of which is itself classified, are common. Such overclassification has been accomplished not under law, but solely on the authority of Executive order. The Executive order under which classification is now carried out (No. 11652) became effective June 1, 1972, with the announced purpose of bringing the classification system under rein. It has failed to do so, and many think the situation has worsened since its issuance.

This paragraph specifically states that by passing legislation governing classification the Congress would have no intention of encouraging classification or making the unauthorized disclosure of classified material a criminal offense. Classification would remain an executive *prerogative*—it would *not be mandated* by the Congress. Consequently, it would not be illegal to disclose classified matters, just as it is not now illegal. It would continue, however, to be illegal under the Espionage Act to disclose information with intent or reason to believe that it could be used to the injury of the United States. This is as it should be. To make simple disclosure a crime, without intent to injure, would be tantamount to creating an Official Secrets Act—something the United States has always avoided. To make mere disclosure a criminal offense would give any person who could use a classification stamp the authority to make criminals of other citizens. Such a law would certainly show little respect for the First Amendment.

(2) Stipulates that only one designation, "Secret Defense Data", may be used to classify information. The present use of three categories of classification—"Confidential", "Secret", and "Top Secret"—serves no useful purpose in protecting the national defense; it only inhibits the availability to the public of large volumes of information. Information either deserves protection, or it does not. This was the practice followed by the Congress in the Atomic Energy Act of 1954, the only place where classification has a sanction in law. Information to be protected is there designated "Restricted Data". The use of only one category of classification will not prevent the limited dissemination of information within the executive branch. Paragraph (d) (3) provides for the use of appropriate routing indicators, which would be not unlike such present designations as "Eyes Only" and "Lim Dis".

The criterion of classification would be protection of the national defense against either overt or covert hostile action. The term "national defense" is chosen purposefully, rather than "national security". The latter term is much broader, including the economic condition of the United States for instance, and its use as the criterion of classification would more severely restrict the availability of information to the public. Of course no criterion should justify the use of classification to conceal incompetence, wrongdoing, etc., and this is specifically spelled out in the bill.

(3) Requires that "Secret Defense Data" will be the exclusive designation used in classification. Provides for the use of routing indicators, as explained above.

(4) Limits the authority to classify to the President and such offices within the Executive Office of the President as he designates; the heads of the Departments of State, Defense, Treasury, Justice, Commerce, and Transportation; the heads of the military departments; and the heads of the AEC, CIA, and NASA. The needless proliferation of wielders of classification stamps has had a significant effect in denying information to the public. The bill meets this problem by lodging the authority to classify in only those agencies where it is operationally necessary, and then only in the heads of the agencies and such principal deputies as they designate in writing. Only those individuals whose daily operational responsibilities require such authority will be allowed to classify, and the heads of agencies will be required to review this authority twice a year, to determine each individual's continuing "need to classify". Any individual exercising classification authority will be furnished written instructions which set the boundries within which he may classify. The redelegation of classification authority will not be permitted, but the mere handling of classified material, in a clerical capacity, will not require the authority to classify.

(5) The heads of agencies exercising classification authority will be required quarterly to submit to the Comptroller General lists of all individuals with the authority to classify. Such lists shall also be available to the Congress. This will insure a public check on who is classifying public information.

(6) Prevents the classification of information by association. Under the present system it is common practice to classify an entire document, even though only a very small portion is actually sensitive. In some cases, a document is classified even when *no* part of it, taken separately, is classified.

(7) Requires that all classified material will clearly show: the designation "Secret Defense Data", any routing designator which may have been assigned, the office of origin, the date of origin, the name and title of the classification authority, and the date of classification. It will be further shown what part or parts of the material require protection, so that the remainder may be used without the encumbrance of classification.

(8) Allows the classification of information received from foreign governments and international organizations if unauthorized disclosure could be expected to damage the national defense or the defense of an allied government. Any such information would be available to the Congress, however, even if the foreign government or international organization had stipulated otherwise.

(9) Brings information classified by the present system under coverage of the bill.

(e) Declassification of information.

(1) (A) Provides that information which no longer needs to be classified to protect the national defense, or which simply no longer can be protected from unauthorized disclosure, will be declassified promptly. The Pentagon Papers are a good example for both these cases. They were first kept classified unnecessarily, and then, even after they were released, not all released portions were declassified.

(B) Except as provided in paragraph (2) below, requires that information classified under the provisions of this bill will be declassified automatically at the end of two years, regardless of whether or not it was marked to show the declassification. The following points from the 1970 Report of the Defense Science Board Task Force on Secrecy are relevant:

"It is unlikely that classified information will remain secure for periods as long as 5 years, and it is more reasonable to assume that it will become known to others in periods as short as 1 year."

"Classification of information has both negative as well as positive aspects. On the negative side, in addition to the dollar costs of operating under conditions of classification and of maintaining our information security system, classification establishes barriers between nations, creates areas of uncertainty in the public mind on policy issues, and impedes the flow of useful information within our own country as well as abroad."

"The volume of scientific and technical information that is classified could profitably be decreased by perhaps as much as 90 percent through limiting the amount of information classified and the duration of its classification."

"More might be gained than lost if our nation were to adopt—unilaterally, if necessary—a policy of complete openness in all areas of information . . ."

(C) Except as provided in paragraph (2) below, requires that information classified during the two-year period preceding the establishment of the new classification system will be declassified automatically two years from the date of its classification, unless that date is not known, in which case it will be declassified two years from the effective date of the bill.

(D) Except as provided in paragraph (2) below, requires that information classified prior to the two-year period preceding the effective date of the bill will be declassified automatically six months after the effective date.

(2) (A) Provides that the President or the head of an agency (but no one else) may assign a deferred automatic declassification date of up to two years to any information, rather than allow it to become declassified as set out in paragraphs (B), (C), or (D) above. Any such deferred classification date would itself automatically expire in not more than two years, but it could always be deferred for another two years. In order to

assign any such deferred declassification date, however, the President or head of an agency would be required to submit, in writing, to the Senate and House Committees on Government Operations and the Comptroller General a detailed justification for the continued classification. The committees, in turn, would be required to print these justifications as a public document at least annually. This process leaves the determination of whether or not information should be declassified in the hands of the agency which knows the material and circumstances best, but it assures periodic high level review and makes the Congress and the public aware that information exists, albeit in classified form. (Of course, some justifications for continued classification might themselves reveal information which should be kept secret. In this circumstance the bill provides that the justification will not be publicly printed, but will be available to the Congress.) This overall procedure also is in accord with the recommendation of the Defense Science Board Task Force on Secrecy that in each instance of classification there be set "a limit on the classification, as short as possible, which could be extended with detailed justification."

(B) Provides that any person (which would include the Congress) may bring a civil action to seek to enjoin a deferral of declassification or to order declassification on the grounds that such a deferral does not satisfy the requirements for classification, namely, protection of the national defense. In any such case, the burden would be on the President or the head of an agency to sustain his deferral. This procedure parallels the provision for judicial relief already contained in the Freedom of Information Act. It is essential if citizens are to have recourse in the face of needless governmental secrecy.

(3) Requires that the declassification of information will be made widely known through either an announcement describing the information declassified or notification of all holders of material which contains the declassified information.

(4) Provides that when material is declassified it will be so marked, showing the date of declassification and the name and title of the person who authorized the declassification. This requirement would not apply to material in storage or material to be destroyed.

(5) Provides that in cases of transferred functions or materials, the head of an agency need not have classification authority in order to declassify information if that information is under his jurisdiction.

(6) Provides that any officer or employee of the executive branch who has custody of classified material which he thinks should be declassified may recommend immediate declassification by the appropriate authority.

(f) Implementation.

(1) Provides that implementing regulations shall be prescribed jointly by the head of an agency and the Comptroller General. This will provide congressional oversight of executive classification procedures.

(2) Charges the Comptroller General with monitoring executive classification procedures.

(g) Prevents the withholding of information from the Congress or federal courts on the grounds that such information is classified. Although the Executive is reluctant to admit that it withholds information from the Congress on the basis of classification, it in fact does so. There can be only two possible justifications for this executive withholding. One would be that there is no "need to know" on the part of Congress, and the other would be that in the hands of the Congress information would soon lose its confidentiality. Neither answer suffices. There is assuredly a "need to know", for Congress must legislate, and it must have facts to do so. The argument for withholding information because Congress will destroy its confidentiality also fails. In the first place. Congress handles classified information all the time without "leaking" it. Executive withholding is selective. Secondly, it is a well-established constitutional principle that the fact that a power might be abused is no argument against its existence. Every power may be abused. Thirdly, the public release of information by the Congress is an important separation-of-powers check on excessive executive secrecy.

The need to specify that classification of information will not form the basis for withholding such information from the courts arises from the recent decision of the Supreme Court in *Environmental Protection Agency* v. *Mink*. In that case, it was the opinion of the Court that an examination of the Freedom of Information Act and the surrounding legislative history "negates the proposition that Exemption 1 [of the Freedom of Information Act, which allows withholding of information classified pursuant to executive order] authorizes or permits *in camera* inspection of a contested document bearing a single classification so that the court may separate the secret from the supposedly nonsecret . . ." Of course, the majority went on to say that ". . . in some situations, *in camera* inspection will be necessary and appropriate." But this concession is qualified by the further statement that *in camera* inspection may be ordered only after an agency first has been given the opportunity to ". . . demonstrate, by surrounding circumstances [without producing the documents], that particular documents are purely advisory and contain no separable, factual information." In the words of the majority opinion itself, an agency is ". . . entitled to attempt to demonstrate the propriety of withholding any documents, or portions thereof, by means short of submitting them for *in camera* inspection." The Court has in this decision adopted something less than careful judicial review of the executive's inclination to keep its secrets secret, and legislative clarification appears necessary to assure the free flow of information to the public.

SEC. 105. Exempts from the provisions of this title the classification of atomic energy information by the Atomic Energy Commission, which already is regulated by law and has not posed problems of the same order as other executive classification.

SEC. 106. Effective date.

TITLE II—CONGRESSIONAL PROTECTION

Sec. 201. Amends part II of title 18, United States Code, by adding at the end a new chapter 239 and a new section 3791.

§ 3791. Congressional protection.

(a) Provides that the courts shall have no jurisdiction to conduct criminal proceedings which relate to a legislative activity of a Member of Congress. Such an alteration of the jurisdiction of the courts—which the Congress has the undoubted power to regulate—is made necessary by the decisions in *United States* v. *Brewster* and *Gravel* v. *United States*, in which a majority of the Supreme Court held that the "Speech or Debate" clause of article I, section 6 of the Constitution does not bar grand jury investigations and criminal prosecutions against Members of Congress for deciding how to speak and vote, and for informing themselves and their constituents about maladministration and corruption in the Executive branch.

The Speech or Debate clause—which states that "for any Speech or Debate in either House, they [the Senators and Representatives] shall not be questioned in any other place"—has historically been construed broadly by the courts, to include much more than just speeches and debates delivered within the four walls of the Capitol. As Senator Sam Ervin has stated, it is the Congress' "First Amendment", preserving broad freedom to speak and act when Members of Congress do the people's business. The Constitution's Speech or Debate clause derives directly from a similar provision in the English Bill of Rights of 1689, which itself arose out of the case of Sir William Williams, Speaker of the House of Commons. Williams had republished, after it first appeared in the Commons Journal, a report about an alleged plot between the Crown and the King of France to restore Catholicism as the established religion of England. During the reign of James II, Williams was charged with libel and fined 10,000 pounds even though he had pleaded that the publication was privileged as necessary to the "counseling" and "enquiring" functions of Parliament. Shortly after Williams' conviction James II was sent into exile, and a committee was appointed by the House of Commons to report upon "such things as are absolutely necessary for securing the Laws and Liberties of the Nation." In reporting to the House, the chairman of the committee stated that the provision for freedom of speech and debate was included "for the sake of one . . . Sir William Williams, who was punished out of Parliament for what he had done in Parliament."

Flying in the face of this historical precedent, the Supreme Court in *Gravel* stated that "the English legislative privilege was not viewed as protecting republication"; and while acknowledging that prior cases have read the Speech or Debate clause "broadly to effectuate its purposes," and have included within its reach anything "generally done in a session of the House by one of its members in relation to the business before it," the Court severely narrowed its application by stating that:

"Legislating acts are not all-encompassing. The heart of the clause is speech or debate in either House, and insofar as the clause is construed to reach other matters, they must be an integral part of the deliberative and communicative processes by which Members participate in committee and House proceedings with respect to the consideration and passage or rejection of proposed legislation or with respect to other matters which the Constitution places within the jurisdiction of either House."

While the *Gravel* case involved the question of protection of a Senator's aide from interrogation about republication of the Pentagon Papers, the *Brewster* case concerned the very different issue of an indictment of a former United States Senator for the solicitation and acceptance of bribes "in return for being influenced . . in respect to his action, vote, and decision" on certain legislation. Though Senator Brewster's actions centrally involved legislative activity, the Court drew a distinction between the *performance* of a legislative act and an *agreement to perform* the same. It thus was able further to erode the protection of the Speech or Debate clause by holding that ". . . a Member of Congress may be prosecuted under a criminal statute provided that the Government's case does not rely on legislative acts or the motivation for legislative acts." Chief Justice Burger, writing for the majority, then went on to devise an apparently gratuitous distinction between political acts and legislative acts:

"It is well known, of course, that Members of Congress engage in many activities other than the purely legislative activities protected by the Speech and Debate Clause. These include a wide range of legitimate 'errands' performed for constituents, the making of appointments with government agencies, assistance in securing government contracts, preparing so-called 'news letters' to constituents, news releases, speeches delivered outside the Congress . . . Although these are entirely legitimate activities, they are political in nature rather than legislative. . ."

Thus, in the *Brewster* and *Gravel* decisions, the Court restrictively defined "legislative acts" and limited the scope of Speech or Debate immunity to those acts. The legislator has been left with no protective immunity from Executive branch harassments such as subpoenaing him to testify as to his confidential sources of information and prosecuting him for unpopular legislative acts on the grounds that they are improperly motivated. This danger was recognized by Justices White, Douglas, and Brennan, dissenting in *Brewster*:

"[T]he opportunities for an executive, in whose sole discretion the decision to prosecute rests . . ., to claim that legislative conduct has been sold are obvious and undeniable. These opportunities, inherent in the political process as it now exists, create an enormous potential for executive control or legislative behavior by threats or suggestions of criminal prosecution—precisely the evil which the Speech or Debate Clause was designed to prevent"

Similarly, Justice Brennan, writing in dissent for himself, Justice Douglas, and Justice Marshall, warned of the dangers to public dialogue posed by the majority's opinion in *Gravel:*

"Whether the Speech or Debate Clause extends to the informing function is an issue whose importance goes beyond the fate of a single Senator or Congressman. What is at stake is the right of an elected representative to inform, and the public to be informed, about matters relating directly to the workings of our Government. The dialogue between Congress and people has been recognized, from the days of our founding, as one of the necessary elements of a representative system. We should not retreat from that view merely because, in the course of that dialogue, information may be revealed that is embarrassing to the other branches of government or violates their notions of necessary secrecy. A member of Congress who exceeds the bounds of propriety in performing this official task may be called to answer by the other members of his chamber. We do violence to the fundamental concepts of privilege, however, when we subject that same conduct to judicial scrutiny at the instance of the Executive."

(b) (1) Provides that before a subpoena which relates to legislative activity of a Member of Congress can be issued it must be personally approved by the Attorney General. The Attorney General is also required to notify, at least 48 hours in advance of its issuance, the Member concerned and the President pro tempore of the Senate in the case of a Senator and the Speaker of the House in the case of a Representative. This procedure will assure that legislative immunity is not infringed upon without the Member or his House being aware of the government action. It also will allow time for the Member to move to quash the subpoena, as provided in subsection (c).

(2) Provides that if a Member and his House have not been notified as provided in paragraph (1), and if testimony is being taken in a criminal proceeding which relates to that Member's legislative activity, then the court will stay the proceedings and give the Member an opportuntiy to move to quash those subpoenas pursuant to which the testimony is being taken, as provided in subsection (c).

(c) Provides that if a subpoena is issued to anyone with respect to any activity of a Member of Congress, that Member may move to quash the subpoena on the grounds that it relates to his legislative activity, and hence is beyond the jurisdiction of the court. Upon such a motion, the subpoena in question shall be stayed and a hearing held to determine its proper disposition. The subpoena shall be quashed unless the government (1) states with particularity the information it intends to receive as the result of the issuance of the subpoena and (2) proves beyond reasonable doubt that the subpoena does not relate to the Member's legislative activity. If the government satisfies these conditions the court may order the enforcement of the subpoena, but the order shall specify as narrowly as practicable the information about which the government may inquire in order to prevent questioning concerning legislative activity.

These procedures provide Members of Congress a mechanism by which they can prevent executive inquiry into their legislative activity, either through requiring them to testify directly or through the testimony of third parties. This will prevent the abuses countenanced by the Supreme Court in *Brewster* and *Gravel*, where third party inquiry was in no way circumscribed and where protection against even direct questioning was limited to only the most narrowly conceived legislative activities.

(d) Definitions.

(1) "Court" is defined as under section 451 of title 28.

(2) "Legislative activity" is defined generally as any activity of a Member of Congress relating to the due functioning of the legislative process and carrying out the obligations a Member of Congress owes to the Congress and his constituents. This broad language includes all constitutionally delegated responsibilities of the Congress, and is meant to encompass legislative oversight of the executive departments and the function of informing one's constituents and one's colleagues. The term is further specifically defined to include speeches, debates, and votes, whether on the floor or in committee; gathering or receipt of information for use in legislative proceedings; speeches or publications outside of Congress informing the public on matters of national or local importance; and the motives and processes by which a decision was made with respect to any of the foregoing. This definition includes several activities specifically supposed by the Supreme Court not to be a part of legislative activity.

(3) "Member of Congress" is defined to mean either a present or a former Member, a protection clearly shown to be necessary by government prosecution of former Senator Brewster. Legislative integrity will not be preserved if Members are subject to executive harassment when they are no longer in office.

SEC. 202. Amends the table of chapters of part II of title 18.

TITLE III—OFFICE OF THE GENERAL COUNSEL TO THE CONGRESS

SEC. 301. Establishes a new entity within the Congress, to be known as the Office of the General Counsel to the Congress.

SEC. 302. Stipulates that the purpose of this new office will be to provide legal advice, representation, counseling, etc. to the Congress and its committees and Members in those matters relating to their official responsibilities. The services of the office could not be used on personal legal matters. The office would be required to serve all committees and Members equally, and to perform those functions set out in section 303 when requested to do so by the appropriate authority, unless directed otherwise by the House or the Senate or the Congress as a whole. This procedure will assure that each Member and committee will be able to obtain legal assistance in protecting his or its legislative prerogatives, even if the matter in question is an unpopular cause, unless there is in effect disciplining of the Member or committee by the body as a whole. This is in keeping with the constitutional provision that "Each House may determine the Rules of its Proceedings, [and] punish its Members for disorderly Behavior . . ."

The Congress and its committees and Members are, from time to time, involved as parties litigant. This has been increasingly true in recent years, and in the 92nd Congress alone some 205 Members were directly concerned with litigation affecting Congress. Many of these cases have been private suits against Members; some, such as *Mink* v. *Environmental Protection Agency*, have involved efforts by Members of Congress to obtain information from the Executive; and still others, such as *United States* v. *Brewster*, *Gravel* v. *United States*, and *Doe* v. *McMillan*, have concerned the question of legislative immunity under the Speech or Debate clause of the Constitution. Historically, representation in such cases has been by private counsel or by the Department of Justice. In a few cases—for example. *Powell* v. *McCormack*—the Congress has had its own counsel under special arrangement.

If the Congress is to preserve its independence as a separate branch of the government, it is important that it establish its own General Counsel to defend it, to compel executive compliance with the law and with requests for information, and to preserve its integrity through strong assertion of legislative immunity. The cost of retaining private counsel for these purposes is almost prohibitive, and in other ways not as satisfactory as having representation by an official of the Congress itself. The alternative of turning such matters over to the Department of Justice is not always available, as when congressional positions run counter to executive policy, but even when it is, such representation is often not particularly aggressive or enthusiastic. Each branch of the government, under the constitutional separation of powers, must ultimately discharge its responsibilities based on independent judgments, and one branch cannot and should not be dependent on the other branches for guidance and direction.

SEC. 303. Functions of the Office of the General Counsel to the Congress.

(a) Provides that upon request of the Congress, either of its Houses, or any of its committees, civil action may be commenced against any officer of the government to compel compliance with any law. For example, the Congress might wish, under this provision, to bring action against the President to force him to release impounded funds.

(b) Provides that upon request of the Congress, either of its Houses, any Member or any committee or subcommittee, civil action may be commenced against any officer of the government to compel compliance with any request for information. The legal assistance provided under this provision could have been used by Representative Patsy Mink and 32 other Members of the House when they sought to obtain several documents relating to the proposed underground nuclear test at Amchitka Island, Alaska. It also could be used, for instance, by the Senate or House Committee on Government Operations to challenge the assignment of a deferred declaration date, as provided by subsection (e) (2) (B) of the Freedom of Information Act, as amended by section 104 of title I of this bill.

(c) Provides that upon request of the Congress, either of its Houses, any Member, or any committee or subcommittee, the Office of General Counsel may represent any of the aforenamed or any former Member of Congress or any officer or employee of Congress in any civil or criminal action arising in connection with their official responsibilities. This provision would provide legal assistance to the many Members of Congress and the several committees against whom suits are brought. It also would have provided assistance to former Senator Daniel Brewster when he was indicted on charges of soliciting and accepting a bribe, if the Congress had so requested.

(d) Provides that upon request of the Congress, either of its Houses, any Member, or any committee or subcommittee, the Office of General Counsel may intervene as a party before any grand jury proceeding or in any civil or criminal proceeding. Under this provision Senator Mike Gravel could have received legal assistance when he moved to intervene in an action brought by aide Leonard Rodberg to quash a subpoena issued by a federal grand jury convened to investigate matters relating to the public disclosure of the Pentagon Papers.

(e) Provides that upon request of the Congress, either of its Houses, or any of its committees, the Office of General Counsel may appear before any federal court as amicus curiae in cases involving the intent and meaning or constitutionality of legislation or of any action of either House. This provision would have applied, for instance, when the Senate filed an amicus brief before the Supreme Court in the Gravel case.

(f) Provides that the Office of General Counsel will review periodically the rules and regulations issued by the various agencies, to determine if they are authorized by the legislation under which they purport to be issued. Oversight of this type would significantly increase congressional control over the agencies which often issue regulations which substantially alter the law enacted.

(g) Charges the Office of General Counsel with the responsibility of bringing to the attention of the Congress any matters which relate to the functions and duties of the Congress or its Members.

(h) Provides that the Office of General Counsel will furnish advice and other appropriate services in connection with its other functions.

Sec. 304. Provides that the Office will be under the direction of the General Counsel to the Congress, who will be appointed by unanimous action of the President pro tempore of the Senate, the Speaker of the House, and the majority and minority leaders of the two Houses. The General Counsel would serve for only one ten-year term, and he could be removed from office by unanimous action of the leaders.

Sec. 305. Provides that the General Counsel may appoint such staff as is required for the Office, subject to approval of the leaders. All appointments would be made solely on the basis of fitness to perform the duties of the position.

Sec. 306. Provides that compensation of the General Counsel will be at the rate of Executive level III, and that compensation of other staff will be at rates not to exceed that of Executive level V.

Sec. 307. Authorizes expenditures for the operation of the Office, in accordance with policies and procedures approved by the leaders.

Sec. 308. Provides that the Office will have the privilege of free transmission of mail.

Sec. 309. Authorization of appropriations.

TITLE IV—PRIVILEGED INFORMATION

Section 401. Amends chapter 6 of title 2, United States Code, by adding a new section 192a.

§ 192a. Privileged information.

(a) Declares it to be the policy of the United States that any information in the possession of the Executive branch is to be made available to the Congress in order that it may discharge in an informed manner those duties and responsibilities given it by the Constitution. In 1927, a unanimous Supreme Court in *McGrain* v. *Daugherty*, 273 U.S. 135, 174–5, stated that:

> ". . . the power of inquiry—with process to enforce it—is an essential and appropriate auxiliary to the legislative function. . . . A legislative body cannot legislate wisely or effectively in absence of information respecting the conditions which the legislation is intended to affect or change; and where the legislative body does not itself possess the requisite information—which frequently is true—recourse must be had to others who possess it. . . ."

The principle of Executive accountability to Congress was asserted from the outset of the nation's history. In 1789 Congress adopted a statute stating that:

> "[I]t shall be the duty of the Secretary of the Treasury . . . to make report, and give information to either branch of the legislature in person or in writing (as he may be required), respecting all matters referred to him by the Senate or House of Representatives, or which shall appertain to his office. . ." [1 Stat. 65–66 (1789) (now 31 U.S.C. 1002)]

This provision was drafted by Alexander Hamilton himself, and the statute makes no provision for executive discretion to withhold. Not only was this a constitutional interpretation by the First Congress, but it also was approved by President Washington, who signed it. Since the First Congress, many other statutes have been passed requiring the various agencies to turn over information to the Congress upon request. But the original statute was itself at an early date applied by extension to all departments. In 1854 Attorney General Cushing furnished this advice to the President:

> "By express provision of law, it is made the duty of the Secretary of the Treasury to communicate information to either House of Congress when desired: and it is practically and by legal implication the same with the other secretaries, and with the Postmaster and the Attorney General."

(b) Defines the terms "agency", "employee", and "Government" in such a way as to impose the requirements of the section upon all individuals within the Executive branch, including advisors to the President.

(c) Stipulates that any officer or employee of the Government summoned or requested to testify or produce information before the Congress or any of its committees may not refuse to appear on the grounds that the requested testimony or information is privileged. Although it is almost undeniable that some information will be privileged, the privilege clearly runs to *information* and not to individuals. Accordingly, if an employee of the Executive branch is requested to testify, even if he plans to claim that the requested testimony is privileged, he should appear to explain the reasons for his refusal. There is no reason to immunize the Executive from the burden of justifying its failure to testify. The Congress is entitled to at least an appearance.

This subsection further stipulates that any individual appearing as a witness may be questioned concerning (1) information within his immediate knowledge or jurisdiction and (2) policy decisions that he personally made or implemented. This procedure will assure that the Congress gets the information it needs, while at the same time preventing abuse of lesser officials by congressional committees. It is somewhat unseemly, not to say unproductive, for Congress to badger minor bureaucrats about matters over which they have no real control.

If a witness is questioned about matters within his authority, and he refuses to answer and asserts that the information requested is privileged, he will be required to justify his claim of privilege, and it shall then be a question of fact for the committee to determine whether or not the plea of privilege is well taken. There are several grounds on which a claim of privilege might be asserted, and which the committee would need to evaluate in the individual case. For example: (a) the information is made confidential by statute (b) the information is solely of the nature of advice to a superior (c) the information concerns pending litigation and must be protected to assure an individual his right of privacy. Each of these pleas of privilege, which might be considered well taken in a given instance, have frequently been included under the rubric "executive privilege", but a claim of executive privilege should not be accepted in such unrefined form.

Executive privilege—the alleged power of the President to withhold information, the disclosure of which he feels would impede the performance of his constitutional responsibilities—supposedly has its constitutional basis in article II section 3, where the President is charged with seeing that the laws are faithfully executed. But this can be no grounds for refusing information to the Congress, which, as shown above, has both a constitutional and a statutory right to require whatever information it needs to make those laws which shall be "necessary and proper" for carrying out its responsibilities. As early as 1838 the Supreme Court asserted in *Kendall* v. *United States* that: "To contend that the obligation imposed upon the president to see the laws faithfully executed implies a power to forbid their execution, is a novel construction of the Constitution, and entirely inadmissible."

A congressional request for information is too important to be blocked even by a refusal from the President. For this reason, it would be a mistake simply to require that the President personally direct an assertion of the privilege, as some have suggested. Although it is best that an assertion of privileged communication with the President, for instance, not be made without presidential approval, it would be a grave error to concede that the President has any such uncontrolled discretion to deny the Congress information. This is not a decision which can be made by the Executive alone. In a case in which the Congress has legitimate authority, but in which the President contends that disclosure would hinder the discharge of his constitutional powers, recourse must be had to the courts.

Subsection (c) provides this recourse by requiring that if a witness is ordered by a committee to comply with a request for information even after he has asserted the information to be privileged, he may be held in contempt if he still continues to refuse. If a standoff of this sort were reached, there would be two ways to get the matter before the court. One would be for the Congress to punish the contempt by having the Sergeant at Arms seize the offender and imprison him in the common jail of the District of Columbia or the guardroom of the Capitol Police. The case would then be brought before the court through the issuance of a writ of habeus corpus. Alternatively, under section 303(b) of title III of this bill, the committee could direct the General Counsel to the Congress to commence civil action against the recalcitrant official to compel compliance with the request for information. That the court would have authority to decide between the claims of the contending parties in such a circumstance is fairly well established. In *United States* v. *Reynolds* in 1953, the Supreme Court asserted that executive privilege was "not to be lightly invoked," that "the Court itself must determine whether the circumstances are appropriate for the claim of privilege," and that "judicial control over the evidence in a case cannot be abdicated to the caprice of executive officers." In a much earlier case, *United States* v. *Burr*, Chief Justice Marshall ruled in 1807 that:

> "That the president of the United States may be subpoenaed, and examined as a witness, and required to produce any paper in his possession, is not controverted. . . .
>
> The occasion for demanding it ought, in

such a case, to be very strong, and to be fully shown to the court before its production could be insisted on."

The Chief Justice did in fact require President Jefferson to produce the letter in question in this case.

(d) This subsection is the same as (c) above, except that it pertains to written requests for information rather than oral testimony, and it includes the individual Members of Congress and the General Accounting Office in its provisions as well as the committees of Congress. Individual Members and the GAO would not, however, have the contempt power.

(e) Provides that this section cannot be used as authority to require any member of the Executive branch to make available to the Congress the nature of any advice, recommendation, or suggestion made to or by such person in connection with matters solely within the scope of such person's official duties. Just as aides to Members of Congress and clerks for judges should not be required to reveal the advice they give their employers, so members of the Executive branch should not be so compelled. This exemption does not include, however, any information or material included within or forming the basis of such advice.

(f) Disclaims any intention of sanctioning a doctrine of executive privilege or permitting the refusal of information on the grounds that it constitutes "internal working papers".

Sec. 402. Amends the chapter analysis to include this new section.

TITLE V—COMMUNICATIONS MEDIA PRIVILEGE

Sec. 501. Short title.

Sec. 502. Definitions.

(1) "Federal or State proceeding" is defined to include proceedings or investigations before judicial, legislative, executive, and administrative bodies. State, as well as federal, proceedings are included because most of the current controversy over press freedom has arisen at the State level, and the law in even those States which have so-called "shield laws" has not been adequate to protect newsmen.

(2) "Medium of communication" is defined to include books as well as more traditional sources of news, and includes electronic as well as print media.

(3) "Information" is defined to include oral and pictorial, as well as written, news.

(4) "Published information" is defined to include all information disseminated to the public by the person from whom disclosure is sought.

(5) "Unpublished information" is defined to include all information not disseminated to the public by the person from whom disclosure is sought, regardless of whether published information based upon such material has been disseminated.

(6) "Processing" is defined to include compiling, storing, and editing of information.

(7) "Person" is defined to include partnerships, corporations, associations, etc. as well as individuals.

Sec. 503. Stipulates that no person will be required to disclose in any federal or State proceeding (1) the source of any published or unpublished information obtained in the gathering, receiving, or processing of information for any medium of communication to the public, or (2) any unpublished information obtained or prepared in gathering, receiving, or processing of information for any medium of communication to the public.

This section grants the unqualified privilege from disclosure recommended by the American Newspaper Publishers Association. Legislation to provide this immunity is required in face of the 5 to 4 Supreme Court decision in *United States* v. *Caldwell* that the First Amendment does not relieve a newspaper reporter of the obligation that all citizens have to respond to a grand jury subpoena and answer questions relevant to a criminal investigation. As Justice Stewart stated, writing for the minority:

"The Court's crabbed view of the First Amendment reflects a disturbing insensitivity to the critical role of an independent press in our society. . . . The Court . . . invites state and federal authorities to undermine the historic independence of the press by attempting to annex the journalistic profession as an investigative arm of government." If newsmen are required to reveal their confidential sources and information, press informants will "dry up", and the public will receive nothing but the official line on government actions. Similarly, inside coverage of crime and unpopular organizations and ideas will also be severely diminished.

It has been argued that the proposed unqualified immunity should not apply when a newsman is the defendant in a libel action. However, because of the decision in *New York Times Company* v. *Sullivan*, in which the Supreme Court ruled that in libel actions brought by public officials and public figures recovery can be had for a defamatory falsehood only if it is published with actual malice, there is almost no possibility of succeeding in such a case against a newsman, so little is lost by making the privilege absolute. On the other hand, to allow libel suits against newsmen when they are otherwise protected from government intimidation might simply subject them to harassment through frequent libel actions, even though they in all probability would not be successful.

By Mr. INOUYE (for himself, Mr. ABOUREZK, Mr. ALLEN, Mr. CRANSTON, Mr. DOMINICK, Mr. ERVIN, Mr. FANNIN, Mr. HOLLINGS, Mr. HUGHES, Mr. PASTORE, Mr. RIBICOFF, Mr. STEVENS, Mr. THURMOND, and Mr. YOUNG):

S. 1727. A bill to incorporate the Pearl Harbor Survivors Association. Referred to the Committee on the Judiciary.

Mr. INOUYE. Mr. President, today I have introduced a bill to incorporate the Pearl Harbor Survivors Association. This measure would bestow Federal recognition on this private nonprofit association but would not affect its legal, corporate, or other status.

The association is comprised of men and women who defended our Nation against the historic Japanese attack on the U.S. Pacific Fleet and bases around Pearl Harbor on December 7, 1941. Since 1941, survivors of the Pearl Harbor attack have formed many local and regional groups, and there are now 101 active chapters located in almost every State. Their national organization, the Pearl Harbor Survivors Association, was incorporated in Missouri in 1958.

An estimated 12,500 surviving members of the U.S. Armed Forces served at Pearl Harbor and in the area of Oahu Island during the December 7 attack. Of that number, the Pearl Harbor Survivors Association has an active membership of 5,259 men and women. Anyone who was a member of the Armed Forces on Oahu or who was stationed aboard a ship located within 3 miles of the island on December 7, 1941, is eligible to join. Members must either have been honorably discharged or still be a member of our Armed Forces. The association conducts regular chapter, district, and State meetings, and a biennial national convention.

The motto of the organization is "Keep America Alert," which the association seeks to accomplish by preserving historical momentos and chronicles of the Pearl Harbor attack; protecting graves of Pearl Harbor victims; and stimulating Americans to take a more active interest in the affairs and future of the United States. The association has been particularly active in veterans' causes and national preparedness.

The association is unique because it will exist only as long as there are Pearl Harbor survivors. In order for the association to be more effective, it is imperative that it be recognized through the granting of a Federal charter. I believe the association fulfills all of the necessary requirements.

I am proud to sponsor this legislation as are the cosponsors who joined me in this effort. I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement by the Pearl Harbor Survivors Association. I believe it best summarizes the purpose of the organization.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

REMEMBER PEARL HARBOR

On that peaceful Sunday morning, December 7th, 1941, an enemy attack force hit Pearl Harbor with all its fury of death and destruction. In only 30 short minutes the attackers accomplished their most important mission, they had wrecked the battle force of the United States Pacific Fleet. We also lost half of the military aircraft on the island. We accounted for ourselves as military, by fighting back, not yet aware that history had been thrust upon us. Pearl Harbor was the actual beginning of the great war which was to change the ehtire political structure of the world. We Americans who were there, demonstrated that we were prepared to give our lives, and did give them when necessary. Our sacrifice at Pearl Harbor united the nation and gave rise to a determination to protect and keep the American freedom. Our sacrifice alerted a relaxed nation, brought it to its feet and caused it to win World War II. The lesson we learned by our sacrifice will not be easily forgotten. Many of us are no longer of use as sailors, soldiers, marines and airmen. We must make ourselves useful at home, by dedicating ourselves to the principals of freedom; by doing everything within our power to bring about a commitment of patriotism. We survivors who are still alive, and to those that did not survive, we can never permit ourselves to become vulnerable again.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 151

At the request of Mr. HARTKE, the Senator from Pennsylvania (Mr. SCHWEIKER) was added as a cosponsor of S. 151, the Foreign Trade and Investment Act of 1973.

S. 608

At the request of Mr. KENNEDY, the Senator from Iowa (Mr. HUGHES) was added as a cosponsor of S. 608, a bill to authorize certain retirement and pay benefits to military and civilian personnel who were prisoners of war.

S. 1005

At the request of Mr. CASE, the Senator from Illinois (Mr. PERCY), the Senator from Minnesota (Mr. HUMPHREY), the

Senator from Pennsylvania (Mr. Schweiker), the Senator from Utah (Mr. Moss), the Senator from Rhode Island (Mr. Pell), the Senator from Massachusetts (Mr. Kennedy), the Senator from Michigan (Mr. Hart), the Senator from California (Mr. Cranston), the Senator from Vermont (Mr. Stafford), the Senator from California (Mr. Tunney), and the Senator from Maine (Mr. Muskie) were added as cosponsors of S. 1005, a bill to amend the National School Lunch Act, as amended, to assure that the school food service program is maintained as a nutrition service to children in public and private schools, and for other purposes.

S. 1167

At the request of Mr. Hart, the Senator from Wisconsin (Mr. Nelson) was added as a cosponsor of S. 1167, a bill to supplement the antitrust laws, and to protect trade and commerce against oligopoly power or monopoly power, and for other purposes.

S. 1255

At the request of Mr. Muskie, the Senator from North Dakota (Mr. Burdick) and the Senator from Utah (Mr. Moss) were added as cosponsors of S. 1255, the Property Tax Relief and Reform Act of 1973.

S. 1423

Mr. ROBERT C. BYRD. Mr. President, at the request of Mr. Williams, I ask unanimous consent that at the next printing the following names be added as cosponsors of the bill (S. 1423) to amend the Labor-Management Relations Act to permit employer contributions to jointly administered trust funds established by labor organizations to defray costs of legal services: Messrs. Randolph, Dominick, Gurney, Pell, Nelson, Mondale, Cranston, and Hathaway.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 1500

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at the next printing the name of the Senator from Colorado (Mr. Haskell) be added as a cosponsor of my bill (S. 1500) to establish a tenure of office of 7 years for the office of the FBI Director and the Deputy Director, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 1541

Mr. ROBERT C. BYRD. Mr. President, at the request of the Senator from Maine (Mr. Muskie), I ask unanimous consent that at the next printing his name be added as a cosponsor of S. 1541, the Congressional Budgetary Procedure Act of 1973.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 1563

At the request of Mr. Tunney, the Senator from Massachusetts (Mr. Brooke) was added as a cosponsor of S. 1563, a bill to enable domestic growers or canners of seasonal fruits or vegetables or of fruit juices, fruit nectars, or fruit drinks prepared from such seasonal fruits, which were packed in hermetically sealed containers and sterilized by heat to secure an adjudication of certain claims for losses in the court of claims.

S. 1579

At the request of Mr. Dole, the Senator from Rhode Island (Mr. Pastore) was added as a cosponsor of S. 1579, a bill to provide for the demonstration of models of living arrangements for severely handicapped adults as alternatives to institutionalization and to coordinate existing supportive services necessitated by such arrangements, to improve the coordination of housing programs with respect to handicapped persons.

S. 1664

At the request of Mr. Church, the Senator from Utah (Mr. Moss) was added as a cosponsor of S. 1664, a bill to prohibit any material to be enclosed with any social security check which contains the name, signature, or title of any Federal officer other than the Commissioner of the Social Security Administration, and for other purposes.

S. 1666

At the request of Mr. Robert C. Byrd (for Mr. Gravel), the Senator from South Dakota (Mr. Abourezk) and the Senator form Nevada (Mr. Bible) were added as cosponsors of S. 1666, a bill to establish improved standards to achieve efficient mail service, to provide an effective method of reimbursing the U.S. Postal Service for public service costs while maintaining a reasonable postal rate structure.

S. 1682

At the request of Mr. Hartke, the Senator from West Virginia (Mr. Randolph) was added as a cosponsor of S. 1682, a bill to amend the Foreign Assistance Act of 1961 to prohibit foreign assistance to those countries listed, not taking adequate measures to end illicit opium production, and for other purposes.

S. 1690

At the request of Mr. Robert C. Byrd (for Mr. Gravel), the Senator from Montana (Mr. Metcalf) was added as a cosponsor of S. 1690, a bill to establish a National Amateur Sports Development Foundation.

S. 1708

At the request of Mr. Cranston, the Senator from New York (Mr. Javits), the Senator from Iowa (Mr. Hughes), and the Senator from Maine (Mr. Muskie) were added as cosponsors of S. 1708, a bill to amend title X of the Public Health Service Act to extend appropriations authorizations for 3 fiscal years and to revise and improve authorities in such title for family planning services programs, planning, training, and public information activities, and population research.

SENATE JOINT RESOLUTION 4

At the request of Mr. Dole, the Senator from Alaska (Mr. Stevens) was added as a cosponsor of Senate Joint Resolution 4, to authorize and request the President to issue a proclamation designating a week as "National Welcome Home Our Prisoners Week" upon the release and return to the United States of American prisoners of war in Southeast Asia.

SENATE JOINT RESOLUTION 98

At the request of Mr. Humphrey, the Senator from Connecticut (Mr. Ribicoff) and the Senator from Nevada (Mr. Bible) were added as cosponsors of Senate Joint Resolution 98, a joint resolution relating to nationwide gasoline and oil shortages.

ADDITIONAL COSPONSORS OF A RESOLUTION

SENATE RESOLUTION 106

At the request of Mr. Brooke, the Senator from Wyoming (Mr. Hansen), the Senator from South Carolina (Mr. Thurmond), and the Senator from Ohio (Mr. Taft), were added as cosponsors of Senate Resolution 106, a resolution urging the Attorney General to appoint a special assistant in connection with the Presidenital election of 1972.

ESTABLISHMENT OF A COUNCIL ON ENERGY POLICY—AMENDMENT

AMENDMENT NO. 109

(Ordered to be printed and to lie on the table.)

Mr. METCALF submitted an amendment, intended to be proposed by him, to the bill (S. 70) to promote commerce and establish a Council on Energy Policy, and for other purposes.

AMENDMENT OF PUBLIC HEALTH SERVICE ACT—AMENDMENTS

AMENDMENTS NOS. 110 THROUGH 113

(Ordered to be printed, and to lie on the table.)

Mr. DOMINICK submitted four amendments, intended to be proposed by him, to the bill (S. 14) to amend the Public Health Service Act to provide assistance and encouragement for the establishment and expansion of health maintenance organizations, health care resources, and the establishment of a Quality Health Care Commission, and for other purposes.

ADDITIONAL COSPONSORS OF AMENDMENTS

AMENDMENT NO. 61

At the request of Mr. Nelson, the Senator from New York (Mr. Javits), the Senator from South Dakota (Mr. McGovern), the Senator from Oregon (Mr. Packwood), and the Senator from West Virginia (Mr. Randolph) were added as cosponsors of amendment No. 61, intended to be proposed to the bill (S. 268) to establish a national land-use policy, to authorize the Secretary of the Interior to make grants to assist the States to develop and implement State land-use programs, and for other purposes.

AMENDMENT NO. 79

At the request of Mr. Robert C. Byrd (for Mr. Jackson), the Senator from Louisiana (Mr. Long) was added as a cosponsor of amendment No. 79, intended to be proposed to the bill (H.R. 6767) the Trade Reform Act of 1973.

NOTICE CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. ROBERT C. BYRD (for Mr. Eastland). Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Louis O. Aleksich, of Montana, to be U.S. marshal for the district of Montana for the term of 4 years (reappointment).

Paul J. Curran, of New York, to be U.S. attorney for the southern district of New York for the term of 4 years, vice Whitney North Seymour, Jr., resigning.

William J. Deachman III, of New Hampshire, to be U.S. attorney for the district of New Hampshire for the term of 4 years, vice David A. Brock, resigned.

Benjamin F. Holman, of the District of Columbia, to be Director, Community Relations Service (reappointment).

James L. Treece, of Colorado, to be U.S. attorney for the district of Colorado for the term of 4 years (reappointment).

At Senator EASTLAND'S request and on behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Monday, May 12, 1973, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF HEARINGS ON BILLS TO CODIFY, REVISE, AND REFORM THE FEDERAL CRIMINAL LAWS

Mr. McCLELLAN. Mr. President, I wish to announce for the information of the Members of the Senate and the public that open hearings have been scheduled for May 15 and 16 on bills to codify, revise, and reform the Federal criminal laws. The hearings on May 15 will commence at 10 a.m. in room 1318, Dirksen Senate Office Building; and the hearing on May 16 will begin at 10 a.m. in room 2228, Dirksen Senate Office Building. The following witnesses are scheduled to appear at this series of our hearings:

Tuesday, May 15, 1973, 10 a.m., room 1318, Dirksen Senate Office Building:

Hon. Henry E. Peterson, Assistant Attorney General, Criminal Division, Department of Justice; Offenses involving internal revenue, civil rights, elections, and private communications.

Wednesday, May 16, 1973, 10 a.m., room 2228, Dirksen Senate Office Building:

Dean Abraham S. Goldstein, Law School, Yale University; the insanity defense.

Mr. Harold W. Bank, Hawkins, Delafield & Wood, New York, N.Y.; national security.

Mr. George W. Liebmann, Frank, Bernstein, Conaway & Goldman, Baltimore, Md.; codification.

Prof. David E. Engdahl, School of Law, University of Colorado; jurisdictional concepts.

Additional information on the hearings is available from the subcommittee in room 2204, Dirksen Senate Office Building, telephone AC 202-225-3281.

ANNOUNCEMENT OF FIELD HEARING ON "BARRIERS TO HEALTH CARE FOR OLDER AMERICANS"

Mr. MUSKIE. Mr. President, as chairman of the Subcommittee on Health of the Elderly, Special Committee on Aging, I would like to announce that the subcommittee will continue its inquiry into "Barriers to Health Care for Older Americans" with a hearing at 9:30 a.m. on May 16 in the Illinois Auditorium, Illinois Building, State Fairgrounds, Springfield, Ill. The subcommittee has already conducted 2 days of hearings on this subject in Washington, D.C., and a field hearing in Livermore Falls, Maine. Additional field hearings are contemplated.

NOTICE OF RESCHEDULING OF HEARINGS ON S. 1636

Mr. STEVENSON. Mr. President, on behalf of the Subcommittee on International Finance of the Committee on Banking, Housing, and Urban Affairs, I announce that the hearings on S. 1636, a bill to amend the International Economic Policy Act of 1972, previously scheduled for May 9, 10, and 11 have been rescheduled. The hearings will be held on May 14 at 10 a.m. and 2 p.m. and on May 15 at 10 a.m. All sessions will take place in room 5302, Dirksen Senate Office Building. Questions and requests to testify may be addressed to Mr. Basil Condos, 456 Russell Senate Office Building—telephone 225-2854.

AUTHORIZATION FOR SUBCOMMITTEE ON PRIVATE PENSION PLANS TO HOLD HEARINGS ON MAY 21, 1973

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent, at the request of Mr. NELSON, that his Subcommittee on Private Pension Plans for the Finance Committee be permitted to hold hearings at 1 o'clock p.m. on May 21.

I assume that the Senator in making this request at this advanced date probably has in mind the scheduling of witnesses who may have to travel from afar. He would, therefore, be assured before scheduling such witnesses that the committee would be authorized to hold hearings.

I offer that as a possible explanation.

Mr. GRIFFIN. Mr. President, reserving the right to object—and I shall not object—I note the observation of the distinguished majority whip, and on the basis of that observation, will not object, although it is rather unusual to get permission so far in advance, and I hope that it would not be anything that we would see on a continuing basis.

The PRESIDING OFFICER. Is there objection?

Mr. ROBERT C. BYRD. If the distinguished assistant Republican leader would like me to do so—I could very easily do it—I could check with the Senator from Wisconsin (Mr. NELSON) to be sure as to whether or not those are the reasons.

Therefore, I withdraw the request for the time being.

Mr. GRIFFIN. Mr. President, I have no objection.

Mr. ROBERT C. BYRD. The Senator has no objection. Then, I renew my request.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

ADDITIONAL STATEMENTS

THE 25TH ANNIVERSARY OF THE STATE OF ISRAEL

Mr. MUSKIE. Mr. President, today marks the 25th anniversary of the founding of the State of Israel. Last night, I had the pleasure of celebrating this historic occasion as the guest speaker at an Israel Bond Drive dinner in Cincinnati, Ohio. I would like to take this opportunity to repeat some of the thoughts I expressed yesterday.

Mr. President, I believe that America and Israel are joined together by the faith we share, really a utopian faith that men can live in justice, work toward perfection, committed to liberation and confident of success. Our common dream is our common bond.

In this year—the 25th since the founding of Israel, the 30th since the destruction of the Warsaw Ghetto, the 1,900th since the fall of the fortress at Masada—the lesson of past suffering often seems to be spelled out too bleakly in the sight of modern Israel's armed strength. Today an independence parade through the streets of Jerusalem will stress the nation's military preparedness.

Some Israelis are critical of plans to celebrate their nationhood through a display of armament. And outside Israel, we can hear even well-meaning critics complain of her apparent belligerence, her absorption with defense and readiness for war.

But such faultfinders—and many of them, of course, are not well meaning—miss the point about the tension between dream and reality in Israel. They overlook the promise Israel holds out to her neighbors and to the world and identify the legitimate concern for self-protection as a threat to peace in the Middle East.

No one who has been to Israel and had his eyes opened to her energy and her promise would foster such dangerous confusion. I was fortunate enough to visit Israel 2 years ago, and the images that remain with me are of strength, but not violence, of hope, not menace.

I remember, for instance, going to Kibbutz Gesher on the west bank of the Jordan River, where I saw the bomb shelters. The walls of those bunkers were decorated by children's pictures, and not one picture showed a scene of the fighting which was the everyday reality for the youngsters there.

The paintings were of flowers and of sunshine. The dream of the artists was of peace, not of the war that has been their fate.

And at a Nahal settlement in the Golan Heights, I remember talking to a 23-year-old farmer-soldier named Yeheskel. I asked him what, in that still endangered and bitter terrain, he and his friends did with the little leisure they had.

"We have our books," he said, "and we love this view over the Sea of Galilee. And we talk about the future, about peace."

It is possible, of course, to go to Israel and to feel the inconsolable anguish of the memorial at Yad Veshem for the 6 million European Jews whose murder will always be a living memory. And it is possible to climb that forbidding hill at Masada and feel the spirit of intransigence of the besieged zealots who chose death in glory over submission to Roman rule.

But to see only the martyrdom, or the "Masada complex," or the military strength of Israel is to be blind to the resources and the resourcefulness of 3 million Jews who have created an oasis of progress and promise in the midst of hostility and backwardness.

I think of the words of the physicist, I. I. Rabi, about the great Weizmann Institute of Science:

> The meaning of Israel is moral.
>
> He said: It is a meaning of learning, of understanding, of extending man's knowledge throughout the world.

The fulfillment of that moral meaning will be the test of Israel's next 25 years. And the help America gives in answering that challenge will also be the test of our moral strength. Let me suggest some of the immediate, practical measures we can take to fulfill our responsibility to Israel and to ourselves.

First, we must answer recent threats of economic blackmail from oil-producing Arab states with total rejection. Two weeks ago in Washington, the Saudi Arabian Petroleum Minister is reported to have advised our Government that Saudi Arabia will not significantly expand its present oil production—of which American oil companies are the exclusive purchasers—unless we change our policy of support for Israel.

In the context of our energy problems the thrust of that threat is clear. But we must reject such threats if we are ever to help promote a genuine negotiated settlement in the Middle East and insure security for all nations and justice for all people there.

Second, we cannot let down the pressure we have brought to bear on the Soviet Union over its treatment of Jews in Russia.

The Congress has made it clear that much as we all want to liberalize trade relations with Moscow, we are prepared to defer such action because of higher goals. Before making new trade arrangements with the Soviet Union, we must be satisfied that Russian Jews are free to build new lives for themselves wherever they choose to go.

The clear resolve of Congress on this issue has already brought some progress. It appears that the head tax imposed on Jewish emigrants has been modified. But we cannot be sure that all such unfair restrictions have been eliminated.

For more than 2 million Soviet Jews, Russia's ratification of the universal declaration of human rights and provisions of its own laws are too often dead letters.

Soviet leaders would be profoundly mistaken if they underestimated American feelings on this issue. It is widely shared throughout our country, and its impact on Congress is heavy.

Our position comes from our recognition that an attack on human liberty anywhere endangers freedom everywhere.

Third, while maintaining pressure on the Soviet Union, we must continue the effort to help Israel help her new citizens. Last month I attended a ceremony at the State Department releasing $33 million in funds to assist Israel in resettling Soviet Jews and putting them on the path to new and fruitful lives.

The money was authorized in the last Congress, on my motion, as a pledge that in our own relative comfort and prosperity, we will not forget those who suffer and need our help. The Congress authorized $85 million in grants for the resettlement program. It appropriated $50 million, of which $33 million has now been released for the use of voluntary agencies in Israel.

Those funds will cover the costs of bringing 22,500 immigrants from the Soviet Union to Israel.

They will insure that, on arrival, they receive the language and vocational training, the health care and social services, most of all, the housing they need to rebuild their families and their futures.

But just as the bonds you give to build Israel can never equal all the needs, so this first American government grant cannot end our commitment to the refugees. I am hopeful that new appropriations, equal at least to the money authorized but not yet formally allocated, will be approved by this Congress, and I will do what I can to that end.

As we resist Arab blackmail, insist on fair treatment of Soviet Jews and support Israel's drive to build a better life, we must, of course, also maintain our pledge to the military security of Israel. Arms sales and credits to finance them are essential to that pledge, but more broadly we must gear our diplomatic efforts in the Middle East to the end of stopping the arms race and negotiating a permanent peace.

We must assure Israel of enough power to deter renewed war. And we must work from that base toward a satisfactory solution of the tensions for which war is no solution.

For I return to the idea with which I began this address: Israel offers a hope to her neighbors and to the world that transcends the special symbolism of Israel for Jews.

In an area which was the cradle of civilization, Israel is the new example of progress. In a land that history shunted aside, Israel is the force of modernity.

The 20th century ways of Israel have a special importance in the Middle East. There, until the birth of Israel, traditionalism had too often been a synonym for stagnation. Now a new nation born of our oldest Western tradition has shown the way to progress.

More than any other developing society, Israelis have found the elusive middle way to preserve the values of the past—ties of family, of religion, of culture—and to advance the values of the present—of free inquiry, of material development, of individual fulfillment. Among all the struggling nations of the third world, Israel stands out as a model for emulation, an instructor in the art of reconciling history and the future.

To the other "people of the book"—to Israel's Arab neighbors—the lessons learned, the failures suffered, the advances scored can be the textbooks for their own development. In an atmosphere of cooperation, the contribution Israel can make to the well-being of the region would be without limit.

It may seem rash and naive to talk of the Middle East in terms of an atmosphere of cooperation, when all the evidence points to continued conflict. But 25 years ago there was not much evidence to support the vision from which Israel was born. And there is no knowing what potential for good may have been realized 25 years from now.

There is, I know, one remarkable ground for hope. One-and-a-half million Arabs now live under the Israeli flag, either in Israel or in the occupied territories. The coexistence is tense; it has flared into violence on too many occasions. But the fact is that Jews and Arabs have traveled through history on parallel paths and again are living together in a measure of cooperation.

And that measure is not diminished by the slightest hint of racial or religious prejudice. Where there is hostility in Israel for the policy of Arab governments, there is none of the searing bigotry toward individual Arabs which Jews themselves once felt in European ghettoes. There are no nasty epithets for Arabs, as there are for minorities even in America. And if there is not love, there is, at least, respect, and tolerance.

This welcome reality is the result of conscious, but not artificial policy. Knowing the bitterness of official antisemitism, the Israelis have chosen understanding instead.

From that foundation I am confident that Israel can build toward peace—a peace based on strength and resolve but also on the promise of progress which is the reason for Israel's being. America can help promote that peace through a diplomacy which never wavers in its support for Israel's basic claim to security and which actively seeks to reconcile that claim with the legitimate concerns of Israel's neighbors.

And through Israel, America can find expression for the dream that is common to all democracies—the vision of a just and open society, tolerant of her neighbors, and inspired by the opportunities to advance the life of all peoples.

We in America have sometimes fallen short of that dream. In recent months we have seemed to lose some of the generosity of spirit that shaped our greatness. We have appeared unsure of ourselves, distrustful of our leaders and uncertain of our direction in the world.

Israel, as she comes of age, also faces great problems and the danger of mistaking militancy for preparedness. But as it overcomes the threats she faces, and as America contributes to the realization of the promise of Israel, both nations reaffirm their shared vision.

That vision is, of course, the promise of Isaiah:

> Out of Zion shall go forth the law and the word of the Lord from Jerusalem—they shall beat their swords into plowshares and their spears into pruning hooks; nation shall not lift up sword against nation, neither shall they learn war any more.

VA ADMINISTRATOR TELLS OF BENEFITS FOR VETERANS

Mr. HELMS. Mr. President, the distinguished senior Senator from South Dakota (Mr. McGovern) recently visited my State, and made an address on the campus of the University of North Carolina at Charlotte.

I am always pleased when my colleagues in the Senate visit North Carolina. I am confident that the young people at UNC Charlotte were pleased to meet Senator McGovern, and to hear his views.

One of the fine things about being a Member of this body is that Senators of diverse views and political affiliations always agree to disagree agreeably. In the instance of Senator McGovern's comment in my State, my only knowledge of what he said in Charlotte is based on an account in the Charlotte Observer.

I was interested, however, in the information contained in a letter to the editor of the Charlotte Observer, written by Donald E. Johnson, Administrator of the Veterans' Administration. The letter contains information which would be of interest irrespective of whether Senator McGovern was quoted correctly or incorrectly in the Charlotte newspaper. Therefore, Mr. President, I ask unanimous consent that Mr. Johnson's letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Veterans' Administration,
Office of the Administrator
of Veterans' Affairs,
Washington, D.C.

Mr. C. A. McKnight,
Editor, Charlotte Observer,
Charlotte, N.C.

Dear Mr. McKnight: Staff writer Bob Boyd's article on Senator George McGovern's recent "prisoners of peace" address at the University of North Carolina in Charlotte was factual and accurate. Unfortunately, the Senator was not.

Far from neglecting our Vietnam veterans, as the Senator charged, "we are now doing more than we have ever done before to help our American veterans," as President Nixon said in his March 24 statement on the debt owed our Vietnam veterans.

I am confident that Charlotte Observer readers will agree that the following facts speak for themselves; facts made possible, I need not add, by the willing support and gratitude of the American people.

MEDICAL CARE

The latest medical-care budget of $2.7 billion is 80 percent higher than the 1969 budget. More veterans are receiving health care than ever before, and they are receiving quality health care because we have augmented the staffs at VA's quality hospitals by thousands of employees in the past two years alone.

G.I. BILL ASSISTANCE

The President has twice approved increases in G.I. Bill education and training allowances, which have gone up from $130 to $220 a month for a single veteran taking full-time training. The present allowance of $1980 for a school year is nearly three times the World War II benefit for a single veteran, and gives most veterans more financial assistance than after World War II, even allowing for inflation and increased school costs. The World War II G.I. Bill paid tuition, books and supplies only up to $500, but unlike the current G.I. Bill, placed a $210 ceiling on a veteran's combined allowance and outside earnings.

In the past four years the number of veterans trained under the Vietnam G.I. Bill has tripled, going from 1.3 million at the end of Fiscal Year 1969 to 3.9 million at the end of March 1973. The growth rate has been even higher in North Carolina. At the end of Fiscal 1969, 23,150 North Carolina veterans had entered training. Today that total exceeds 81,000.

Nearly a million veterans, including more than 28,000 in North Carolina, have obtained VA-guaranteed home loans during the past four years. The value of these loans for North Carolina veterans is over half-a-billion dollars.

JOBS AND JOB TRAINING

President Nixon gave special emphasis in his March 24 statement to the need for greater assistance by the private sector as well as by government to Vietnam veterans in finding jobs and job training opportunities. But much has been done in this vital area.

A year ago the unemployment rate for veterans 20 to 29 years old was 8.3 percent. Today it is 5.9 percent, compared with 6.2 percent for nonveterans in the same age group.

Last year the President set a national goal of one million jobs and job training opportunities for Vietnam veterans. That goal was exceeded by 300,000. This year even the higher figure will be surpassed.

Last year Vietnam veterans got 25 percent of the available jobs, although they represented less than five percent of the civilian labor force.

In the past year-and-a-half, VA assistance officers have visited 138,000 business establishments throughout the country, with the result that 125,000 new job training slots for Vietnam veterans have been created.

Nearly a third-of-a-million veterans have taken VA-assisted job training under the Vietnam G.I. Bill.

As a Federal employer, VA now has 20,000 Vietnam era veterans in its work force, and is hiring an additional one thousand Vietnam veterans each month.

OUTREACH

Through one or more Outreach efforts—from first-time-in-history battlefield briefings in Vietnam, to counseling at stateside military hospitals and separation points, and by computer-generated letters, telephone, interviews at Veterans Assistance Centers, and personal visits to their homes, the Veterans Administration has contacted most of North Carolina's 137,000 Vietnam era veterans, and most of the 6.3 million Vietnam era veterans now back home, to inform them of their benefits and urge them to use the VA benefits and services to which they are entitled, particularly education and training assistance.

Now a new VA Outreach program has come to North Carolina.

Earlier this month VA began its mobile van service in the Tarheel State. During the next two months, a two-man team of specially trained VA representatives will visit some 40 North Carolina communities to bring front-door, one-stop convenient service to veterans. The mobile van team is prepared to assist these deserving Americans in applying for G.I. Bill schooling or training, home loans, hospital and medical care, disability compensation, or any of the other VA benefits and services which they have earned and need.

Service to those who served is VA's mission. I am sure you will agree that Charlotte Observer readers deserve to know how well we are carrying out this mission.

Sincerely,

Donald E. Johnson,
Administrator.

RETURN "OLD IRONSIDES" TO THE PORTSMOUTH NAVAL SHIPYARD

Mr. McINTYRE. Mr. President, the closing of the Boston Naval Shipyard leaves in question a future berth for the U.S.S. *Constitution*—"Old Ironsides."

I would like to urge that the Portsmouth Naval Shipyard be considered as a future home for the *Constitution*. I have written the Secretary of the Navy urging this action.

"Old Ironsides" would feel comfortable at the Portsmouth Shipyard because twice in her historic life she was berthed at Portsmouth. At Portsmouth she would be available to the millions of tourists who visit New England each year. Her future would be assured because the President has declared that the Portsmouth Shipyard will remain open as a keystone in the Nation's Naval defense structure.

Mr. President, I am pleased that a resolution from Representative Kenneth Spaulding of Amherst, N.H., memorializing the Congress to transfer "Old Ironsides" to Portsmouth has been placed before the New Hampshire General Court. This resolution is timely, and I ask unanimous consent that it be printed in the Record together with my letter to the Secretary of the Navy.

There being no objection, the resolution and letter were ordered to be printed in the Record, as follows:

State of New Hampshire Resolution

Whereas, the USS Constitution, also known as Old Ironsides, is an historic vessel which has long been a part of the history and culture of New England; and

Whereas, Old Ironsides is currently berthed at the Boston Naval Shipyard, which will be closed in the immediate future and would no longer be able to maintain Old Ironsides; and

Whereas, the citizens of the state of New Hampshire wish to retain Old Ironsides in the New England area where it belongs because of history and tradition; and

Whereas, the Portsmouth Naval Shipyard will continue to serve the New England area and could provide the necessary visitation and maintenance facilities for an historic vessel such as Old Ironsides;

Now Therefore Be It Resolved by the House of Representatives, the Senate concurring:

That the Legislature of the State of New Hampshire hereby expresses its desire that Old Ironsides be transferred to the Portsmouth Naval Shipyard upon the close of the Boston Naval Shipyard and be maintained there for visitors to inspect and appreciate; and

That the Legislature memorialize the New Hampshire representatives to the Congress of the United States to take immediate action to implement the above request; and

That copies of this Resolution be forwarded to the Washington office of each of the United States Senators and Representatives from the State of New Hampshire.

JAMES E. O'NEIL, Sr.,
Speaker.

APRIL 30, 1973.

Hon. JOHN W. WARNER,
Secretary of the Navy,
Washington, D.C.

DEAR MR. SECRETARY: I understand that with the announced closing of the Boston Naval Shipyard questions have been raised about a future berth for the U.S. Frigate *Constitution*.

I would like to ask that serious consideration be given to the Portsmouth Naval Shipyard as a possible home port for "Old Ironsides."

This ship should feel at home at Portsmouth. Nearly twenty years of her life were spent there. Naval history shows that after her victories in breaking up the slave trade off the Coast of Africa between 1853 and 1855 she came to Portsmouth for rest, refitting and eventual recommissioning.

During the Civil War the *Constitution* served as a training vessel for officers in the Navy. Following that war she was decommissioned, rebuilt, provided training facilities for naval personnel and carried out various other special assignments. In 1884 she returned to Portsmouth to serve until 1897 as a receiving ship.

Because of the *Constitution's* significance in our history and the desire of people to have a chance to trod its decks and feel that history, she should be located in a place with a maximum public exposure. In my judgment, Portsmouth, New Hampshire meets the test because visitors from throughout the Nation come to New England each year, drawn by the beauties of the Maine and New Hampshire seacoasts, and such natural attractions as the White Mountain National Forest and the Presidential Mountain range, and the Autumn foliage. They come Winter and Summer as well and Portsmouth, on a main North-South interstate highway, is a popular crossroads for their travel.

I know that a decision to place the *Constitution* at Portsmouth would receive the wholehearted and enthusiastic support of the government, civic groups, service organizations, and the citizenry at large.

Because "Old Ironsides" would be coming "home," she would receive a rousing welcome and be treated as "family" for the rest of her life.

I sincerely urge your early consideration of this proposal.

Sincerely,

THOMAS J. MCINTYRE,
U.S. Senator.

TRIP TO THE MOVIES MIRRORS PLIGHT OF LIFE IN WHEELCHAIR

Mr. DOLE. Mr. President, the following article exemplifies one of the numerous reasons why Senator PERCY and I introduced legislation with respect to architectural barriers that the handicapped face. The legislation we recently introduced provides a tax incentive for the removal of architectural barriers for the handicapped. Hopefully this legislation will help to open the doors of the "public" buildings in any community to the handicapped.

Buildings do not contain signs saying "Handicapped keep out." Instead, there are thoughtless barriers, such as flights of stairs, narrow doorways, and unusable restrooms which prevent the handicapped from entering buildings, conducting their business, working, or enjoying themselves.

I ask unanimous consent that the following article "Trip to the Movies Mirrors Plight of Life in Wheelchair" by Karlyn Barker, which appeared in the April 9, 1973, issue of the Washington Post, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TRIP TO THE MOVIES MIRRORS PLIGHT OF LIFE IN WHEELCHAIR

(By Karlyn Barker)

When you are a paraplegic, like William E. Howard, 48, going out to the movies can be like running an obstacle course and finding that you are the final obstacle—at least in the eyes of the theater management.

Howard, a Rockville resident who has been confined to a wheel chair for nearly four years, and his wife, Hazel, went to the Montgomery Roth Theater in Gaithersburg on a recent Friday night.

The movie was "Judge Roy Bean," and the couple had to wait in line to buy tickets. Then, Howard said, once inside, he had to leave the theater because its manager and an usher told him his wheelchair was blocking the aisle. His money was refunded.

"I'd gone there many times before, and I always try to find a seat on the outside for my wife so that I can sit next to her in the aisle," said Howard, a food services employee at Walter Reed Army Medical Center.

It was while working at Walter Reed three years ago last fall that Howard's back was crushed beneath a heavy crate that fell from the tailgate of a truck. He suffered permanent paralysis.

Since then, the father of four has had to make many adjustments to a society that he and an estimated 102,000 paraplegics like him throughout the country find neglectful toward the needs of the handicapped. Howard said architectural barriers can be the most vexing problem.

"Whenever I'm going to a restaurant or a theater or even a store for the first time," said Howard, "I give them a call. I ask them if they have what I want, but my second question is always one asking if I can get into their store with a wheelchair."

Howard said he has "never asked if I can sit in the wheelchair" in a theater because "the problem never came up. I've been to Roth theaters and others without this ever happening.

Paul Roth, owner and president of the theater chain, said the incident "doesn't show that Roth theaters are antihandicapped. But we cannot jeopardize the entire audience to accommodate a single person."

Roth said the theater manager asked Howard to move because his presence in the aisle violated fire regulations and blocked an exit.

"We asked him to move to a different place," said Roth. "He said he'd prefer to be lifted into one of our chairs and he wanted some of our staff to do it. They're not properly trained for that."

Howard said the "different place" he was asked to move to was behind a partition in back of the last row in the theater. "How am I going to look over that from my seat?"

Sitting in a regular theater seat to comply with fire regulations against blocking exits is more of a danger, said Howard, "because without my wheelchair, I'd be stranded there. I couldn't get out."

One aspect of theater safety that the fire regulations overlook, he added, "is that if there was an emergency and I'm in my wheelchair, I'm going to be moving just like everybody else."

Commenting on the incident, Montgomery County Fire Marshal Robert Smith said the theater had obeyed the "technical intent" of the law requiring the maintenance of aisle width and the prohibition of exit obstructions.

However, said Smith, the real problem is not the regulation "but the need to provide a place for these people so that they do not have to sit in the aisle." He said theater seating for the handicapped "is a problem that has never arisen before."

Roth said some theater operators have tried in the past to leave spaces for theatergoers in wheelchairs by taking out some of the regular seats.

"But there have been some bad incidents because some others, particularly older people, come in and sit down before their eyes have adapted to the dark. They end up falling on their spines, so this has created another problem."

Barriers exist everywhere for handicapped persons, said Roth, who complained that those in wheelchairs "can't cross some streets, ride the new Metro or go up the steps to the new Washington Post building."

Initial Metro designs do not include entry ramps or elevators for the handicapped, but legislation authorizing funds for them is pending in Congress. The L Street entrance to The Washington Post provides an unobstructed path to elevators inside the building.

He said he was caught between "what's the nice thing to do and what's the practical thing to do for handicapped people." He said Howard and others in wheelchairs could attend his theaters in the future "but where they sit will depend on the particular configuration of the theater and the good judgment of the management."

Gerard McIntyre, director of the country's office of architectural services, said a 1968 state law makes it a requirement that "there are facilities to accommodate the handicapped built into public buildings, such as theaters, arenas and auditoriums."

Bruce G. Eberwein, a member of Gov. Marvin Mandel's subcommittee on the elimination of architectural barriers for the handicapped, said "all of us are barred in some way because buildings are built for esthetics rather than the good of human beings."

Eberwein, an amputee, said commercial establishments are just "rationalizing" when they refuse to provide proper facilities for the handicapped. "There's no way that a special section for those in wheelchairs couldn't be lighted and marked off in a theater" to avoid confusion by other moviegoers.

Most architects, he said, "haven't thought to make buildings more accessible for the handicapped. But people don't worry about whether a door to a home is 33 inches wide until after you or I or grandma has to be put in a wheel chair."

ISRAEL AT 25

Mr. CHURCH. Mr. President, the State of Israel is a 25-year-old fact. I salute this brave and bold nation on its silver independence anniversary; I hope and pray that one day soon Israel's neighbors will recognize its existence so that peace will also become a fact of life in the Middle East.

As the New York Times concludes in its editorial of May 7:

> For its first 25 years physical survival more than enrichment of the human experience, was the challenge thrust upon modern Israel.
>
> So far Israel has not been allowed the luxury of meeting the challenges of peaceful construction, of integrating its unique contributions with the restive humanity around. Having come this far, the people of Israel have no further need of self-justification; their only need is peace and grace to face the tasks remaining. For its 25th anniversary, peace is both the greeting and the wish of Israel: Shalom.

I ask unanimous consent that the editorial be printed here in the RECORD.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Shalom

In just one generation the Jewish people have experienced the deepest despair of holocaust and the most profound exhilaration of nationhood. These are epic events of our time to be measured against the chronology of millenia. Today the state of Israel marks its 25th year of existence in the modern world. This may be but a small milestone in 4,000 years of a people's recorded history, but it is an awesome human achievement of a living generation in the face of the forces arrayed against it.

A nation of despairing refugees has become a society of proud citizens of their ancient land. The problems that pressed upon earlier generations have been solved by nationhood; this solution of nationhood is what poses the problems for the generations to come.

Unreconciled still to the presence of the Jewish state, the neighboring peoples of Palestine and the Arab Middle East take solace in what they see as a historical analogy: the medieval Crusaders' states, imposed upon the Levant by aliens from Europe, only to shrivel up and disappear. Israelis know this analogy is false. The Crusading armies never saw themselves as settlers, only military conquerers. Only men came, never more than 50,000 of them, never families intent on dropping new roots. The ties, the loyalties of the Crusaders remained in feudal Europe. The 2.5 million Jews of Israel, by contrast, have left the life of the Diaspora behind them. For them there is no other home base, no place to return.

Entering its second in the world polity, from its immediate neighbors Israel longs for acceptance as just one more nation-state among all the others of the Fertile Crescent. Yet in the world at large, to be just one more nation-state like the others would seem to fall short of the Zionist ideal. The early visionaries of Zionism—and some of their present-day descendants retain that vision—perceived the land of Israel as a beacon for all the world, a society in which the intellectual vigor of the Jewish people could flourish for the benefit of all humanity, including those on the land before the Zionist settlers arrived. This has not come about; for its first 25 years physical survival more than enrichment of the human experience, was the challenge thrust upon modern Israel.

So far Israel has not been allowed the luxury of meeting the challenges of peaceful construction, of integrating its unique contributions with the restive humanity around. Having come this far, the people of Israel have no further need of self-justification; their only need is peace and grace to face the tasks remaining. For its 25th anniversary, peace is both the greeting and the wish of Israel: Shalom.

COOK-BRECKINRIDGE BILLS ON MARYLAND TOBACCO ARE COMMENDED BY NEWSPAPER

Mr. HELMS. Mr. President, my distinguished colleague, Senator Cook, of Kentucky, recently introduced a bill (S. 1533) in this body which is designed to protect burley tobacco producers against competition from locally grown Maryland-type tobacco.

Maryland tobacco is not under price support or production control regulations, as burley is, but Maryland tobacco is often indistinguishable from burley when grown under the same conditions in Kentucky. Kentucky Congressman John B. Breckinridge introduced a companion bill in the House.

The Lexington (Kentucky) Herald commented on this legislation in an April 28 editorial. This editorial presents a persuasive case on behalf of the legislation.

Mr. President, I ask unanimous consent that the Lexington Herald's editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Breckinridge Bill Should Be Passed

It is too soon to predict the outcome of a bill introduced in Congress by Sixth District Rep. John B. Breckinridge to protect burley tobacco against locally grown Maryland-type leaf.

However, we believe a new law is the only satisfactory answer to the dispute on which rides a big chunk of the future of Kentucky's chief cash crop.

Maryland tobacco poses unfair competition to burley farmers. The Eastern leaf is not under support prices nor is it under production controls, as is burley. Further, when grown in this state's limestone-rich soil and overfertilized, it takes on characteristics similar to burley. Even expert graders have difficulty telling the difference between Kentucky burley and Kentucky-grown Maryland-type.

The USDA has long recognized the generic closeness of the two types and they adjoin on the official tobacco-type series. Burley is Type 31 and Maryland is Type 32.

Maryland-type tobacco was grown in several areas in the eight-state burley belt during the past season, mostly under contract, at a price of $60 per hundred pounds as compared to the belt hundredweight price average of $79.23 for burley.

Burley backers have hammered on four points raised by the Maryland threat:

The cheaper leaf with similar characteristics could be substituted for burley by cigarette manufacturers.

A surplus of burley could accumulate and hamstring the price-support program.

If growers can produce a leaf used like burley for only $60 per hundred pounds, Congress may put an end to higher price supports and protected quotas for burley.

Surplus burley could begin appearing in trade channels under the guise of "Maryland" leaf, thereby hampering production controls which keep up the price of burley.

Already, Maryland tobacco seed has been distributed to contract growers in Kentucky, Virginia and Tennessee for the 1973 crop.

Without a new law to clarify the situation, there will be more hassles among growers, warehousemen and USDA officials such as occurred earlier this year.

In recent months, of 111,721 pounds put up for inspection as "Maryland" leaf, 85,505 pounds—more than 76 per cent—was determined to be burley.

A protective law for the burley industry is needed. We endorse it and back Rep. Breckinridge's efforts to get the measure through Congress.

And we hope it will be in effect before another tobacco season of uncertainty and dissension.

"DELTA QUEEN"

Mr. HARTKE. Mr. President, Americans are now realizing the value of our cultural heritage. We are striving to preserve for ourselves and our children many historically important structures and monuments.

Today, the steamboat *Delta Queen*, the last paddlewheel riverboat, remains a link to the Mark Twain era of our Nation. Congress, acting with foresight and historical sensitivity, should salvage this irreplaceable link with our past.

Mr. President, I ask unanimous consent that an article about the *Delta Queen* which appeared in the Washington Post, Sunday, April 15, 1973, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Turn-of-the-Century Delights of Paddling Down "Big Muddy"

(By Sabin Robbins, Jr.)

"Daddy, do they really make you go through the paddlewheel if you're bad?" asked my 10-year-old son when he first boarded the Delta Queen. Robbie's questions continued at near flood tide—like the Mississippi River we traveled for five days recently from New Orleans to Memphis.

When it came time to sip the last "Huck Finn" (ginger ale liberally laced with grenadine), Robbie was a confirmed steamboater. He was an expert on shipboard nomenclature, a certified calliope player, and had even helped the pilot steer for a few Walter Mitty-ish moments. He had gained four pounds from eating too much food, played the role of a tree in an all-student production of a riverboat melodrama, and wore his Delta Queen captain's hat as if born with it.

And, of course, he had learned that the job of the paddlewheel was not for discipline but to push us along at a stately (if not speedy) seven miles an hour. In short, Robbie had a super time—just like the other 30 youngsters and 90 adults who had sampled life on the Mississippi during the annual spring cruise chartered by The National Trust for Historic Preservation.

Charter cruises usually offer extra attractions tailored to the group's interest—in our case special tours and receptions at antebellum homes, gardens, and Civil War sites at St. Francisville (La.), Natchez, Vicksburg, and Greenville (Miss.). We also had on-board classes, tours, and films for the young people conducted by a historian from Colonial Williamsburg.

Charters are on the upswing, reports Betty Blake, vice president of Greene Line Steamers, Inc., owner-operator of the Delta Queen. A dozen organizations from symphony societies to preservation groups like the National Trust run charters every year. Some use the steamboat for fund-raising events, banquets, and floating board meetings. One couple even had their wedding and reception aboard. ("Here Comes the Bride" was tooted out on the steam calliope.) The public can choose from 50 regular cruises that range from 19-day voyages between Cincinnati and New Orleans to one-day excursions out of St. Paul. Cost per day runs $30 and up, depending on accommodation.

Charter or regular, the special pleasures of steamboating remain pretty much the same. Although unlikely to be taken for the Queen Mary, the 285-foot Delta Queen dramatically dwarfs anything else that plies the Mississippi. Her bright red paddles churn up 40-foot plumes of the Big Muddy. The gold-plated whistles of the calliope echo five miles away. She may not have a swimming pool or sauna, but she does have lounges, reading room, library, two bars, gift shop, auditorium-dining room and plenty of deck space for strolling and snoozing.

Her 95 state rooms run from medium to minuscule. Getting dressed can sometimes count as early morning calisthenical. But in the end what really matters is the old-fashioned charm and ambience of America's last overnight steamboat. Far from the din of television, radios, telephones, and honking cars, you live in a world of churning water, gleaming brass, stained glass windows, fancy woodwork and strummin' banjos.

Each of our five days was different—yet the same. Up early for a walk around the deck—11 times equals a mile. We were surprised to see that the close-by bank was wilderness—forests of willow and rolling pastures. Not a sign of houses or people. We had forgotten that this was flood plain shoreline—chancy land for any development. Out of sight behind the levee were the farms, cities, and crowded superhighways. We heard only the twitter of invisible birds, the swish of brown water spun endlessly by the paddlewheel.

Appetites whetted, it was down to the Orleans Room for juice, melon, cereals, eggs, bacon, sausage, pancakes, French toast, grits (of course!) and lots of coffee.

Classes and tours of the engine room and pilot house filled mornings for the young. Adults had their own slide lectures and films on Southern architecture, crafts, and history. Many just watched America slide by from their deck chairs. We paddled along just fast enough to get where we were going, but slow enough to savor the journey.

Each day there were shore tours of antebellum plantations and gardens ablaze with azaleas, dogwood and wisteria.

The cry "Steamboat's a comin'!" brought townsfolk to the levees just as it did a century ago. Sometimes we pulled into the main landing. Often we just tied up to a big tree along the bank. Returning from a shore excursion, we were always welcomed "home" by rollicking tunes on the calliope, played by Vic Tooker, the sternwheeler's interlocutor and master musician.

By departure time, half the town seemed to have lined the bank. Feeling like touring royalty, Robbie would wave back to envious children on shore.

After a bountiful buffet lunch, some read, wrote postcards or played cards. Others napped, watched birds, attended lectures or just chatted on the sun deck. Some flew kites over the paddlewheel. Later, passengers gathered in the Texas Lounge for a cock-tail before dinner. Afterward there were old-time movies, horse-races, or musical shows by versatile Vic Tooker.

Darkness cast a special spell aboard the Delta Queen. Lights winked from passing tugboats. Crickets chirped from the bank. One night Robbie and I sat in the pilot house with veteran Howard Tate. Reading the faint riffles of Old Man River with 42 years of practice, Tate nudged the bow closer to the shadows of the bank. When he consented to speak, his voice came out in a rusty growl.

"Mark Twain never done no piloting to amount to anything," he barked. "He never stood a pilot's watch more than six months in his life." After a studied pause, he added charitably, "But I guess he could write all right."

Although our voyage hailed straight back to the days of Twain, the Delta Queen was actually built in 1926 and designed for California rivers, not the Mississippi. Decommissioned as a World War II troop carrier in 1947, she was bought by the Greene Line of Cincinnati and revamped for Mississippi trade. Every year since then she has carried passengers some 35,000 miles, calling on 110 river towns in 17 states.

When legislators passed a Safety-at-Sea Law in 1966 to protect Americans from unsafe ocean voyages, the stern-wheeler was unexpectedly condemned because her superstructure was wood not steel. Since then, Congress has voted three times to exempt the antique riverboat. They felt she did not face the same hazards as ocean going vessels. "To knock off the Delta Queen because of a law designed for oceanliners would be like pulling down the Tower of London because it doesn't meet city fire escape regulations for public places," wrote one columnist.

In a modernization program, the owners installed more than $1 million worth of safety and fire prevention equipment.

Her current reprieve is due to expire on Nov. 1. Rep. Lenor Sullivan (D-Mo.), chairwoman of the House Merchant Marine and Fisheries Committee, introduced a bill last month calling for another five-year exemption.

At the same time, Greene Line unveiled a model of a $15.5 million riverboat scheduled for service in 1975. The new boat will carry 400 and boast such modern touches as pool, elevators, and airconditioning. But she'll still have a steam-powered paddlewheel.

"We considered propellers, gas turbines, even jet engines, but we finally decided on a paddlewheeler. It's still the most efficient, practical, and comfortable for the Mississippi," says William Muster, President of Greene Line.

Whether the old Delta Queen will be able to compete with the new boat is anyone's guess. The Greene Line thinks there are plenty of passengers for both, assuming that Congress continues to grant reprieve for the old boat. Either way, riverboat fans are assured there will be at least one overnight steamboat in their future.

Sooner than we wished, our own steamboat experience ended beneath the bluffs of Memphis. The "whish" of the paddles slowed, then stopped, to be replaced by the honk and roar of the city. As Robbie and I said goodbye to the Delta Queen and raced to the airport, we wondered whether we had entered the real world—or left it.

PROMINENT NORTH CAROLINA BROADCASTER ADDS PERSPECTIVE TO ISSUE OF MEDIA CONTROL AND BIAS

Mr. HELMS. Mr. President, as a man who has spent many years participating in the management of a fairly large television station, I am keenly aware of the distinction of the input made by network news sources and the input generated from local sources. Many TV viewers do not always make the same distinction; whatever comes on the screen of their set contributes to their overall information and opinions. As a management professional, however, I often felt frustrated in my dealings with the networks, in my efforts to make the product broadcast by our station an example of responsible journalism with balanced and objective news along with clearly labeled opinion.

The Vice President recently touched upon this problem in his speech at Harding College when he said:

> You may remember that I spoke a while back about "opinion-making media." I want to be sure you understand what I mean by that term. I do not refer to the typical newspaper or radio or television station. By "opinion-making media," I mean the media of more than local impact—the large newspapers and magazines which cover the Nation and the world with their own personnel—the networks—the wire services. Through their resources, multiple ownerships and wealth, they exert a clout far in excess of any combination of small media—even a combination with hundreds of times their circulation.
>
> It is significant that most of the cries of "repression" and "conspiracy" which are being mounted today against the Nixon Administration come from the opinion-making media. Very few editors and station owners around the country share their fears. They do not trust the Government to be fair to them, but we do not think they have yet diversified their undertaking sufficiently to fairly report the activities of Government to the American people.

The Vice President has summed up very well the dilemma which faces many of my former colleagues in the TV business. A television station is required, under the FCC's "fairness doctrine," to present a balanced coverage of controversial issues. Yet the networks have no such requirement. Nevertheless, the networks, with their superior budgets and elaborate staffs, have by far the greatest impact on national and international news. The disproportionate influence of the networks, concentrated in a relatively few hands, is largely responsible for the undermining of public confidence in the profession of journalism.

One of my former colleagues has articulated the same thought in a forceful letter which he recently sent to me. The letter was written by Charlie Crutchfield, president of Jefferson Pilot Broadcasting in Charlotte, N.C. Charlie is a fine broadcaster and a conscientious journalist. He states the problem well:

> It is obvious that there is no way that hundreds of local stations can balance network programming. Many simply don't have the staffs to do this, and even the larger stations would have to assign a separate department to monitor network programming, determine what has not been balanced, and undertake the time-consuming chore of countering imbalanced presentations at the local level. This, obviously, just isn't feasible; in fact, it's impossible.

Mr. President, the local broadcaster is often ignored in all the pious platitudes about freedom of the press. We have unlimited freedom for the opinion-making media, but severely limited freedom for the local broadcasters who apparently are supposed to take what the networks give them and shut up. Yet it is the local broadcaster who is, in the end, responsible for the journalistic judgment about what goes out over his station.

Mr. President, I want to make Mr. Crutchfield's entire letter available to my colleagues, so I ask unanimous consent that it be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

APRIL 26, 1973.

Hon. JESSE HELMS,
U.S. Senate,
Washington, D.C.

DEAR JESSE: As a former broadcaster, you realize better than most the problems confronting those of us in radio and television as we attempt to operate within both the letter and the spirit of the FCC's Fairness Doctrine. Commendably, most station operators make a conscientious effort to be fair—and succeed in this effort quite well.

In this area, however, we have an "Achilles Heel". I'm referring here to the fact that the networks, whose offerings make up the largest part of the broadcast day, are *not* required to operate under the Fairness Doctrine. As a result, network commentators and programs can espouse personal opinion night after night after night to national audiences numbering in the millions, and there is no requirement that the nets balance these opinions. To compound the problems, it is the *affiliates* which are held responsible for everything that goes over their air—*including* network fare. But it is obvious that there is no way that hundreds of local stations can balance network programming. Many simply don't have the staffs to do this, and even the larger stations would have to assign a separate department to monitor network programming, determine what has not been balanced, and undertake the time-consuming chore of countering imbalanced presentations at the local level. This, obviously, just isn't feasible; in fact, it's impossible.

The answer, it seems to me, is for the networks to operate under the same rules in this regard that govern the stations. After all, a network is made up primarily of affiliated stations—plus five TV stations which each commercial network owns. In other words, the stations are required to balance editorial opinion, but the networks broadcasting over these same stations are not.

Beyond this, there is another matter which concerns me very much. People talk about news bias, slanted news, imbalanced news, advocacy journalism, etc., etc., and admittedly, there is quite a bit of this included in entirely too much of the factual news we're getting from networks and from some stations.

I don't know how one judges bias or slant or "advocacy" journalism and still protect press freedom. The way I read it though (and I would appreciate your thoughts on this), the Bill of Rights did not—and could not—stipulate that a free press must simultaneously be a fair press. But the segment of the press that ignores its commitment to fairness risks undermining the faith of its readers and viewers and, in the long run, of destroying itself as effectively and as permanently as could any censor.

Quite frankly, Jesse, I think most of the arguments, pro and con the media, relate not to bias or slant or "advocacy journalism", but to a far simpler thing to define—*fairness*. This, I interpret as meaning protection not only for the newsman, but also protection for any person or organization which inadvertently or otherwise has not been allowed (via the same facilities) to defend himself or itself against attack by some reporter who inadvertently or otherwise harms such individual or group.

In closing, let me say that I am instinctively opposed to any more government regulation than is absolutely necessary, and know that you feel the same way. However, it makes no sense whatsoever for the government to impose a Fairness Doctrine on licensees, exempt the networks from such a requirement, and then turn right around and hold individual stations responsible and accountable for what goes over the airways.

I will deeply appreciate receiving your comments on the subject.

With kindest regards.

Cordially,

CHARLIE.

TRAIN SERVICE IN COLORADO

Mr. HASKELL. Mr. President, Denver, Colo., has long served as a transportation center for the Rocky Mountain States and the western part of our country. Its strategic location has made it uniquely qualified to be the "crossroads" of the West.

The citizens of Denver are now faced with a new transportation problem which I believe deserves some special attention. Because of a decision made by the National Railroad Passenger Corporation, more commonly known as "Amtrak," Denverites must travel to Lamar or LaJunta before being able to board a passenger train.

I am not saying that the train service should be moved from Lamar and La-Junta. But it does seem strange that the nearly 1½ million people in Denver would be forced to travel to towns of less than 10,000 citizens for train service. I would hope that the Amtrak officials could find a way to serve the needs of all the citizens of Colorado and not just a few.

The Colorado State Legislature addressed this problem recently and forwarded a copy of House Joint Resolution No. 1011 to me. I ask unanimous consent that a copy of that resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

HOUSE JOINT RESOLUTION NO. 1011

Whereas, At the present time, the only rail service from the State of Colorado to Kansas City, Missouri, is available from the cities of La Junta and Lamar, each of which has a population of less than ten thousand persons; and

Whereas, Metropolitan Denver and the front-range area of this state have a population in excess of one and one-half million people, and it is necessary for them, when traveling by rail to Kansas City, Missouri, to travel by bus or automobile to either Lamar or La Junta in order to travel between this state and Kansas City, Missouri; and

Whereas, Records reveal that when there was rail service between Denver and Kansas City, Missouri, such rail service was well patronized on a year-round basis up to the date of its discontinuance by the National Railroad Passenger Corporation, more commonly known as "Amtrak"; now, therefore,

Be it Resolved by the House of Representatives of the Forty-ninth General Assembly of the State of Colorado, the Senate concurring herein:

That this General Assembly hereby urges the National Railroad Passenger Corporation to review its policies with respect to the continuance of passenger rail service and to examine the feasibility and public interest in passenger service between Denver and Kansas City, Missouri, in order to avoid the creation of voids in passenger rail service between major metropolitan areas.

Be It Further Resolved, That copies of this resolution be transmitted to the National Railroad Passenger Corporation, the Secretary of the United States Department of Transportation, and to each member of Congress from the State of Colorado.

MEDICAID PROGRAM IN NEW MEXICO

Mr. MONTOYA. Mr. President, I was pleased to read in the Washington Post this morning an article by Stuart Auerbach concerning the outstanding job being done by the State of New Mexico in the administration of its medicaid program. I commend the article to my colleagues and to the medicaid directors of the other 49 States because I believe the New Mexico experience shows what a little imagination and good administration can do.

The success of the New Mexico effort is twofold. On the one hand, millions of dollars have been saved in eliminating wasteful medical practices, some of which are described in the article. On the other hand—and this is the point most worthy of celebration—the quality of medical services provided to medicaid recipients in New Mexico has improved in absolute terms since 1971. Let me cite two examples:

Two years ago, before the Peer Review Organization concept was made operative, medicaid recipients in our State were limited to two visits per month to a physician's office. Any visits above that number were nonreimbursable. Today, there is no limit at all on these visits. A patient can go to his doctor as often as his medical needs require.

A second example concerns hospital care. Two years ago, New Mexico had a 30-day-per-year limit on hospital care. Today, because of improved administration and resultant savings, there is unlimited hospital care.

New Mexicans are receiving more and better medical care per medicaid dollar than ever before.

By now, the New Mexico experience is being held up as a model for the Nation. Large numbers of visitors are continuing to come to our State to study our system and to talk with our program administrators and participants. I invite any of my colleagues who are interested to come to New Mexico to see for themselves how the program works.

In bringing this to the attention of my colleagues, I want to give credit where credit is due. I congratulate Governor Bruce King, Director Richard W. Heim of the New Mexico Health and Social Services Department, and the physicians of New Mexico for their wisdom in recognizing the problem we were having with respect to medicaid, for their imagination in developing a workable solution to the problem, and for their determination to implement fully and successfully that solution.

I ask unanimous consent that Mr. Auerbach's article be printed in full in the RECORD:

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MEDICAID MODEL—NEW MEXICO: SELF-REFORM BY DOCTORS

(By Stuart Auerbach)

ALBUQUERQUE, N. MEX.—Two years ago New Mexico's medicaid program was bankrupt. The legislature threatened to jail the state health and welfare director for exceeding his budget. The doctors were mad because they weren't getting paid, and the patients were mad because they weren't getting treated.

Today New Mexico's program to provide health care to the poor is on firm financial footing. It offers one of the widest ranges of services of any plan in the nation, and most of the state's doctors participate willingly.

But more important, the method used to turn New Mexico's medicaid program around is now considered organized medicine's last chance to preserve the traditional way health care is delivered before the government is forced to step in.

Indeed, New Mexico's method of peer review—using an organization of doctors to monitor the quality and cost of all medicaid services—has been embodied into federal law.

By 1976, doctors throughout the nation will have to set up their own organizations to review all claims for medicaid and medicare—programs which cover one-third of all Americans. If the doctors fail to act the law says the government must step in.

"The hope of the future is for the American doctor to take the responsibility," says Dr. Charles C. Edwards, HEW assistant secretary for health.

"If he doesn't, someone else will, and that's where the government comes in."

Sen. Wallace F. Bennett (R-Utah), who

wrote the amendment mandating that doctors set up professional service review organizations (PSROs) and pushed it through Congress over the opposition of the American Medical Association, acknowledges that he used the New Mexico organization as a model.

CHANCE TO REFORM

"It's one of medicine's last chances to reform itself," says Bennett. "That's why we fought to make sure that each doctor has a chance to participate."

Nevertheless, American doctors—especially those who have had no experience with this type of review—are wary. For it is the first time that there has been a systematic effort to look over the shoulders of a doctor practicing in his office to make sure that he is treating his patients properly and not overcharging them.

"We are not telling them how to practice medicine. We just say that we will not pay for bad medical practices," says Dr. Henry E Simmons, Edward's top aide in HEW.

In New Mexico and California, where this type of review of medicaid started, doctors were found to be giving unnecessary injections, using the wrong drugs and keeping patients in hospitals longer than necessary.

New Mexico saved $1½ million in one year alone by cutting down on the unneeded injections and over-long hospitalizations.

By all accounts, it was New Mexico's doctors who took the lead in straightening out that state's medicaid mess.

"We thought it was so bad it couldn't get any worse," recalls Dr. George Boyden, who rallied the state's doctors to form the New Mexico Foundation for Medical Care and now serves as its president.

One-fifth of the state's doctors belong, and no doctor, dentist, drug store, hospital or other health care facility can get paid for treatments under medicaid unless their bills are reviewed.

The foundation was given the authority to review medicaid claims by Richard W. Heim, who took over as director of New Mexico's Health and Social Services Department two years ago to find that medicaid was the legislators' chief dislike.

Heim gave the foundation just four months to begin reviewing medicaid claims. At that point claims had not been paid by the state for two months and medicaid was running $5 million over its $19 million budget.

REVIEWING SYSTEMATIZED

New Mexico's doctors hired the Dikewood Corp., a defense-oriented computer think tank here, to develop computer programs for the reviewing and paying of medicaid claims.

The doctors drew up guidelines for claims examiners—listing recognized treatments for specific illnesses that people with no medical training could compare with the treatments listed on medicaid bills.

In reality, the doctors found that 200 diagnoses and treatments account for 80 per cent of all medical problems.

The guidelines defined what drugs should be given for specific ailments (the foundation will not pay for any medication that the Food and Drug Administration says is ineffective); do's and dont's for common diseases such as arthritis, and the tests needed to support diagnoses.

"There ought to be at least a urine test for urinary tract infection or a chest X ray to support pneumonia," says Boyden.

Dr. Donald Harrington of the San Joaquin Foundation for Medical Care in Stockton, Calif., which pioneered reviews of medical care 18 years ago, is now developing the first set of national norms for medical care.

These norms are being programmed into a computer. Currently Harrington and Celia Richards, executive claims officer in Stockton, are feeding dummy claims into the computer to see if the system works.

"We want to set up types of practice commonly used in this country," says Harrington. "The computer will remand any claims that do not meet this pattern."

Working under a federal grant, Harrington spent 2½ years conferring with leaders of clinical medicine in the country to develop these norms.

"Everyone wants it right now," he says. "But we're refusing until we get it tested."

Whether the checks are done by computer or by hand, claims examiners cannot refuse to pay a doctor's bill. They can only approve payment if the treatment follows the guidelines or refer it for further checks by reviewing doctors.

In New Mexico, more than 70 doctors, paid $25 an hour, serve as reviewing physicians. About 15 per cent of all claims get reviewed, and half of these reviewed claims are either partially or totally denied. If a doctor doesn't agree with the decision of the reviewing physician, he can appeal to a panel.

Medicaid saved $85,000 in New Mexico, reviewing doctor bills alone.

BETTER SERVICE

"We are not saving a whole lot of money," says Dr. Edward Herring, chairman of the review panel subcommittee in New Mexico. "But we think we are getting a better brand of medicine to the people."

Nevertheless, in California average medicaid costs per patient are $52 a day in the area served by the San Joaquin Foundation compared to $63 a day in Ventura County, which is similar in its socio-economic make-up.

Harrington, the San Joaquin medical director, says that cutting doctor bills doesn't save money. What does is cutting out unneeded services.

That was Herring's aim one day recently as he reviewed claims for New Mexico's foundation. A pathologist, he was looking especially hard at questioned claims for lab tests.

He found that one doctor gave every patient—no matter what the symptoms were—the same battery of tests done in his own lab. Because of that practice, all of the doctor's claims were being reviewed. "It looks like a routine to make money in the lab," says Herring. "If that's the way he treats everybody—and we can find out via the computer—we will send a reviewing doctor out to talk to him."

Meanwhile, Herring cut four tests (worth $50) from one claim and two tests from another claim. He said the tests medicaid paid for "are all we do at Presbyterian"—one of the best hospitals in the city.

TOO MANY INJECTIONS

Boyden said the first thing that became obvious from the medical reviews was that doctors were giving far too many injections. At first, 43 per cent of all medicaid office visits included injections which are more expensive (and provide more money to the doctor) than prescribing pills.

More important, said Boyden, many doctors were not even injecting the right kinds of medicine.

For example, he said, doctors still used tetracycline, an antibiotic, for strep throat even though most experts feel it does no good. Long-acting penicillin injections or pills are better.

"Tetracycline was thought in the 1950s to be good, for everything," says Boyden. "Now we know differently. If a doctor stopped reading about changes in medical practice, he's out date. But the foundation is raising the issues for him."

California reviewers also found that doctors were giving too many injections, although there the most abused drug was vitamin B-12, which many patients think will cure anything.

The San Joaquin Foundation found that one group of four doctors was giving 65 per cent of all the vitamin B-12 injections in Stockton at a cost of $6.50 a shot.

Dr. Jack Kortzeborn, a claims reviewer in Stockton, notes that some doctors believe "that evertyhing you do for a patient should be shot through their hides. We don't agree. It's more dangerous and more costly."

He questions the use of gamma globulin injections. "Like holy water and chicken soup," he says, "it sure can't hurt. But it doesn't help much either."

The New Mexico doctors also looked at the overuse of expensive hospital beds. They found a wide variation in the length of time different doctors leave patients in the hospital for the same ailment—from 7 to 16 days for a gall bladder operation and from 1 to 10 days for an appendectomy, for examples.

MIDDLE ROAD BEST

But they also found that the doctors at either extreme were in the minority; most doctors' practice fell in a narrow middle range. This range was adopted as the guidelines for hospital stays.

As a result of the guidelines, says Boyden of the New Mexico Foundation, "we are seeing a marked decrease in the length of hospital stays without any harm to the patients."

State officials estimate the average length of hospital stay has been decreased by a day—saving $500,000 a year on medicaid.

The New Mexico Foundation is now looking to eliminate unnecessary hospitalizations and operations completely by requiring preadmission certifications for all non-emergency cases.

Pennsylvania Insurance Commissioner Herbert S. Denenberg estimates that there are two million unnecessary operations each year in the country—20 per cent of all surgery—that account for about 24,000 deaths a year.

At one meeting of a preadmission panel—where neither the doctor's hospital's or patient's names are known—a panel member was surprised to find that a request for a tonsillectomy for one of his patients was denied.

Boyden quoted the doctor as saying, "My God you're right" after he had reviewed the case.

(One out of every 14 operations in the country is a tonsillectomy, and some doctors feel that many of them are unnecessary.)

Through its preadmission checks on hospitalization, the San Joaquin Foundation also has cut down on hospital use.

It does even more than make pre-admission reviews of hospitalizations; it has nurses checking on patients already in the hospital and arranging for their care after release. By finding less expensive means of treatment than a hospital—nursing homes or home care, for example—officials in Stockton estimate that this program can cut almost $1 million a year on bills run up at an average 300-bed hospital.

Aiming at high drug bills, the San Joaquin Foundation runs computer checks on doctors drug prescription habits.

According to Dr. Robert B. Talley, the foundation checks indicate that 12 percent of all prescription claims are either duplications or unneeded drugs, Projecting on the nation's $8.5 billion yearly drug bill, he estimates that patients across the country could save more than $1 billion a year if similar checks were instituted nationally.

"If the San Joaquin experience is typical, and I think San Joaquin is a typical community, the national implications are very substantial," says Talley, associate medical director of the San Joaquin Foundation.

These checks are more important than simply saving money—even though medical costs are one of the fastest rising components of the cost of living index.

They are the first steps that government and medicine have taken toward insuring a high quality of health care in the country—an area where doctors feel threatened but where there is an ever increasing amount of public pressure based on patients' complaints.

Indeed, a special HEW commission concluded that the increasing number of medical malpractice suits are due in a large part to poor care by doctors.

AMA WANTS A VOICE

The AMA, which opposed the PSRO legislation in Congress, is now trying to insure that it has a large voice in the review organization that will be springing up across the country.

An AMA survey shows that 36 state medical societies—three-fourths of them—want to be designated the PSRO for their area.

(In Washington, the District Medical Society has formed a foundation so it can be the PSRO for the city. Prince Georges and Montgomery County doctors have also formed foundations.)

OPPOSITION RISES

Other medical groups to the right of the AMA, however, are attacking the PSRO concept.

The Association of American Physicians and Surgeons says that PSRO stands for "Physicians Should Roll Over." It calls the concept "political medicine (which) is bad medicine," and is collecting money to finance lawsuits against PSROs.

"For myself," says AAPS President Dr. Robert S. Jaggard of Olwein, Iowa, "I cannot conceive of how an ethical doctor would be able to cooperate with a PSRO.

"Sooner or later he would be caught in the cross fire of PSRO insistence that medical care not exceed computerized norms and ethical doctors' insistence that they are going to give their patients the best care possible, come hell or high water."

Nevertheless, medical foundations to do peer review are spreading throughout the country. The San Joaquin Foundation is the guiding light of the foundation movement, and so many doctors visit its headquarters in Stockton that it now charges for briefings.

As a result of the new interest in foundations, Harrington now spends as much time traveling around the country as he does tending to his patients and foundation in Stockton.

He is president of the Stockton-based American Association of Foundations for Medical Care which acts as an education group.

Boyd Thompson, executive director of the association, says there are now 115 foundations in operation or about to start with a membership of 90,000 doctors.

The San Joaquin Foundation launched the movement in 1954 when the longshoremen's union in Stockton, dissatisfied with the medical care its members were receiving, negotiated with the Kaiser-Permenente pre-paid group practice plan to move in.

As a counterproposal, the Stockton doctors formed a foundation and offered to provide medical care for the union, whose members would pay a fixed fee and be able to see any doctor who belonged to the foundation.

In effect, the foundation became a prepaid group practice plan of its own. But instead of having to go to a special clinic for treatment, the longshoremen could go to any doctor who belonged to the foundation. By now, 96 per cent of the doctors in the area belong.

From the years of reviewing doctors' performances, Harrington feels that fees are not the problem in medicine; overutilization of facilities is. Moreover, he says that most doctors want to practice good medicine. A few, though, "are absolute crooks. We stop them on shots and they go into labs."

With only spotty checks on a doctor's practices, a crooked physician can always move on if a foundation makes it hot for him in the city. Harrington tells about one doctor who wanted to sue the foundation for refusing to pay him $22,000 in lab fees. When a lawyer told the doctor that he would lose the suit, Harrington continues, the doctor pulled up stakes and opened an office in the next county.

Such examples would seem to back up Sen. Bennett's contention that PSROs must be spread around the country. The Utah senator also believes that the most important value of PSROs will be their impact in educating doctors in the latest wrinkles of medicine.

In New Mexico, Dr. Wallace Nissen, a former president of the state medical society who now works for the state government as a watchdog over the foundation, says that bad doctors are often placed on review committees "to try to teach them better medicine."

But Harrington feels that sometimes just teaches bad doctors how to avoid being reviewed.

"I think the PSRO thing is going to be very traumatic for doctors and patients," says Harrington. "But if the doctors think with their minds instead of their emotions, it's going to come out all right."

Adds Kortzeborn: "It seems that review upsets some individuals who feel their professional competence has been challenged. Well, they're right. But it's better to guard our own flock than to have it guarded by the wolves."

ADMINISTRATION'S SOLUTION TO INFLATION: PROPAGANDA

Mr. HUMPHREY. Mr. President, two recent statements in the New York Times identify the ineffectiveness of the Nixon administration's economic policies.

The Nixon administration seems bent on following a "too little, too late" approach. Do nothing until it becomes unbearable. Keep exuding administration public confidence when in fact confidence is slipping. In short, the White House is trying to ride out the economic storm, just making a tiny adjustment here, tinkering with a policy there.

Economist Walter Heller has analyzed the situation this way:

> Price Explosion, Profit Explosion, Cost Explosion. We are two-thirds of the way down the primrose path towards a mounting wage-price spiral.

And, the recent measures announced by the Nixon administration seem primarily designed to take the heat off in a temporary sense—no permanent long run solution to the galloping inflation that besets every consumer.

Said the New York Times editorial of May 4:

> President Nixon still refuses to unleash the "stick in the closet" he promised to wield if phase III became the disaster it now clearly is. Despite an alarming upsurge in industrial prices on top of the meteoric climb already recorded in the cost of food, Mr. Nixon proposes nothing more than a minimal tightening of the restraints he weakened so prematurely last January.

And, George Meany, president of the AFL–CIO, correctly identified the Nixon administration's economic strategy:

> The Nixon administration has embarked on a new propaganda campaign designed to hide the facts of soaring inflation, continued high unemployment, mounting budget deficits and a shocking drop in public confidence.

That, Mr. President, is the economic strategy of the Nixon campaign—to propagandize, to publicize; not to take the effective economic steps that might mitigate the current economic disaster.

Mr. President, I ask unanimous consent that the New York Times editorial, and the article by George Meany, be printed in the Record.

There being no objection, the editorial and article were ordered to be printed in the Record, as follows:

Feeble Price Restraint

President Nixon still refuses to unleash the "stick in the closet" he promised to wield if Phase 3 became the disaster it now clearly is. Despite an alarming upsurge in industrial prices on top of the meteoric climb already recorded in the cost of food, Mr. Nixon proposes nothing more than a minimal tightening of the restraints he loosened so prematurely last January.

Even with the newly-reported dip in wholesale farm prices last month, the Government's wholesale price index for all farm products, processed food and feed has gone up at an annual rate of nearly 35 per cent from December through April. Any hope for a lasting leveling off in that rate of climb is dimmed by the destructive floods and rains in the farm belt, factors beyond the Administration's control—or anyone else's.

Industrial prices, generally considered a truer barometer of inflation than the volatile course of food, have started moving up at a runaway rate. In April, the wholesale prices of industrial commodities took their biggest jump since the Korean war—an advance of 1.4 per cent. Regrettably, this was no flash in the pan. Since the beginning of the year the industrial commodity index has been advancing at an annual rate of 12 per cent.

Booming domestic and international demand provided a powerful spur for these huge industrial price increases, but their climb has been accelerated by anticipatory price increases put into effect by companies which correctly interpreted the laxity of Phase 3 as an opportunity to step up profits. The one surprise is that labor has thus far not joined the parade by striking for oversized wage increases. The squeeze on wage-earners' pocketbooks as prices soar makes it dubious that this moderation on the collective bargaining front can continue much longer.

In the face of all of these inflationary trends, the Administration appears determined to continue with the "too little and too late" approach it adopted after the relative success of Phases 1 and 2. The new requirement that 600 large corporations apply thirty days in advance for approval of price increases that average more than 1.5 per cent will have little inhibiting effect on the over-all upward trend of prices. At most, it represents Phase 3.1, no real change from the January step toward a free-floating economy.

Before the nation is confronted with a further worsening of inflation and increased dangers of a boom-bust cycle, the Administration should combine firmer fiscal and monetary policies with a return to mandatory controls over a much wider area of the economy. It should also adopt administrative procedures that would convince business and labor that it seriously intends to stop inflation.

Of Lies and Facts

(By George Meany)

Washington—The Nixon Admnistration has embarked on a new propaganada campaign designed to hide the facts of soaring inflation, continued high unemployment, mounting budget deficits and a shocking drop in public confidence. It is trying to convince the American public that "You're all right, Jack."

This is a 1973 version of the big lie technique. The latest example is an article on the Op-Ed Page signed by Roy Ash, director of the President's Office of Management and Budget. The following is a compilation of lies and the facts:

Lie No. 1—"By most of the usual statistics, the second Nixon Administration is off to an excellent start. . . . Unemployment is down from 6 per cent to 5.1 per cent."

Fact No. 1—It was the policies of the Nixon Administration that pushed unemployment up to 6 per cent.

In February, 1969, right after Mr. Nixon took office, there were 2.7 million Americans reported as unemployed—3.3 per cent of the labor force. In February, 1973, after four years of Nixon economic game plans, 4.4 million Americans were unemployed—5.1 per cent of the work force.

More Americans were forced to work part-time in February, 1973, than in 1969 because full-time jobs were not available. The Labor Department reports 2.3 million workers were working part-time in February, 1973, compared with 1.7 million in February 1969.

Unemployment among married men—the breadwinners—was 1.4 per cent in February, among unmarried men was 2.4 per cent.

Lie No. 2—"The Nixon policies have succeeded in reducing the rate of inflation from 6.7 per cent when the President took office to 2.9 per cent today."

[Mr. Ash, in a letter in yesterday's Times, said that this sentence should have read: ". . . from 4.7 per cent when the President took office to 3.9 per cent today."—Editor, The Times.]

Fact No. 2—According to Labor Department statistics for February, 1969, the Consumer Price Index showed living costs during that three-month period had risen at an annual rate of 4.5 per cent. For the same three-month period in 1972-73, the C.P.I. went up at a 6.3 per cent yearly rate.

On April 20, the Labor Department reported that living costs jumped 8 per cent in March—the second consecutive month in which consumer prices went up faster than at any time in the last 22 years.

The truth is that inflation is nearly twice as bad now as it was when Mr. Nixon took office.

Lie No. 3—"Confidence for the future is high. America's morale is also high."

Fact No. 3—On April 24, the day before Mr. Ash's article appeared, the Survey of Consumer Attitudes, conducted by the Survey Research Center of the University of Michigan's Institute for Social Research, reported:

"Rapidly rising food prices shattered consumer confidence and induced many people, with both high and low incomes, to become pessimistic. Because of the increase in living costs, the proportion of families saying that they were worse off than before and expecting to be worse off increased substantially. . . ."

Stock market prices, despite recordbreaking profits, have plummeted in recent days with experts citing a lack of investor confidence in Administration policies for the decline.

Lie No. 4—"When the President pledged to hold the Federal spending line at $250 billion in fiscal 1973 and $268 billion in fiscal 1974, he was greeted by howling cries of sour grapes by some members of Congress and in segments of the media."

Fact No. 4—The whole budget story must include deficits.

From fiscal 1970—the first full year of a Nixon budget—through the fiscal year ending this June 30, the Administration has accumulated budget deficits of $73.8 billion. This era of the greatest budget deficits since World War II is expected to continue through fiscal 1974 with an Administration forecasted deficit of $12.7 billion.

Lie No. 5—"The route that the big spenders in the Congress threaten to charge on every American's income tax. . . ."

Fact No. 5—The Federal Government could raise an additional $29 billion in tax revenues simply by closing some major tax loopholes that permit the wealthy and big corporations to avoid paying their fair share of Federal income tax. Closing these loopholes would eliminate any need for an across-the-board tax surcharge.

Expenditure of vast Federal funds never bothered Mr. Ash when they were spent on major costs overruns for Government contracts with Litton Industries when he headed that corporation.

Lie No. 6—Finally, Mr. Ash argues that the Nixon Administration is doing more for the poor, the sick, aging and the hungry than President Johnson.

Fact No. 6—It is the Nixon Administration that is cruelly dismantling social programs, terminating Federal health programs, forcing the elderly to pay more out of their own pockets for health care thus flouting the promise of Medicare, and halting starts of public housing for low and middle-income families.

The Nixon Administration opposed a 20 per cent Social Security increase, sought to slash the school lunch program for needy children, and seeks to cut Federal help to schools and libraries.

By inference and innuendo, Mr. Ash claims the 1972 election was a referendum on social programs and that these programs were repudiated. The choice in the 1972 election was between two political personalities and not a carte blanche rejection of important social programs. The President won the votes of millions of Americans who were dissatisfied with his economic and domestic policies but who were even more dissatisfied with his opponent.

Obviously, American consumers and workers can have no faith in an Administration that practices public deception. How could they?

RAZA ASSOCIATION OF SPANISH-SURNAMED AMERICANS

Mr. TUNNEY. Mr. President, I wish to take this opportunity to bring to the attention of my colleagues the recent establishment of the Raza Association of Spanish Surnamed Americans or RASSA. This organization is the first Spanish-speaking nonpartisan citizens lobby in Washington, D.C.

The efforts to organize a permanent nonpartisan ciltizens lobby to represent the interests of the Spanish-speaking community at the Nation's Capital began in 1970 by a small interim committee of Spanish-speaking representatives in the Washington, D.C., area.

Their primary concerns were that many important legislative and political issues at the national level were passing by without effective representation of the Spanish-speaking community. In addition, Federal legislation and major administrative decisions affecting the Spanish-speaking were also being determined sometimes in ignorance of the unique needs for the Spanish-surnamed.

Certainly the idea for creating such an organization was not new or original. For the last 25 years there has been a development of new leaders and organizations dedicated to serving the needs of the Spanish-speaking. But this struggle toward self-sufficiency and dignity remained primarily local in scope.

The few regional or national organizations that effectively organized themselves into viable vehicles either addressed themselves to very specific goals or organized as tax-exempt associations prohibited from engaging in political advocacy.

It was for these reasons that RASSA was formed, to fill this gap with a sustained, sophisticated organization dedicated to serving the interests of the Nation's Spanish-speaking, Spanish surnamed population.

Today, RASSA is governed by a 26-member board of trustees, representing more than 17 States, who were elected at a national convention in the summer of 1972. Presently, representatives of over 100 national and local organizations have pledged their formal support to RASSA from throughout the country.

Among the general efforts of RASSA are the following:

Concise analysis of pending legislation and administration proposals.

Up-to-date research and information on Federal programs and Federal policies.

Careful analysis of Federal policies and current national issues from respected and recognized members of the Spanish-speaking community.

The RASSA newsletter, "RASSA Lobbyist," the official monthly publication, describing activities of RASSA, Congress, Federal Government, and the activities of other members of the Spanish-speaking community.

As to specific efforts, RASSA has been involved in the following activities:

On June 26, 1972, RASSA formulated and presented a position paper to the Democratic national platform hearings held in Washington, D.C. Sections pertaining to bilingual/bicultural programing, statistical data, administration of justice, and the immigration policy were incorporated directly into the Democratic national platform.

On July 2, 1972, RASSA compiled an explanatory paper regarding what revenue sharing means and how it will affect the state and local communities.

A position paper was formulated and members of RASSA attended the platform hearings in Miami, Fla. for formal presentation at the GOP national platform hearings.

RASSA also attended the Raza Unida Party Convention in El Paso, Tex. and made a brief presentation concerning RASSA's activities and goals.

On November 10, 1972, RASSA prepared a specific memorandum regarding the defeat of the Equal Educational Opportunity Act and its effects upon the Spanish surnamed community.

On December 21, 1972, RASSA prepared a position paper regarding discrimination of Federal height requirements prohibitive towards the Spanish-surnamed individual interested in law enforcement.

In January of 1973, RASSA reviewed the major legislative activity of the 92d Congress and sent its summary to its members and concerned individuals.

Mr. President, I know that my colleagues will join me in commending RASSA for its historic accomplishments and for its dedication to a very important task.

SPRING, THE TIME FOR OMINOUS NEW THREATS

Mr. PROXMIRE. Mr. President, we are presently witnessing that yearly phenomenon, a series of revelations about Soviet prowess in the military field that coincides with the congressional review of the military budget.

This is no coincidence. It happens every year. One year it will be the ominous giant SS-9 missiles poised to strike the U.S. deterrent force and destroy our retaliatory capability. Another year it might be Soviet submarines cruising off the east coast of the United States. Or it could be the threat of a Soviet MIRV program lurking around the corner.

Not surprisingly, these timely insights come at the very moment they are needed most—when the military budget is before Congress. More classified information leaks out of the Pentagon in the spring than any other time.

This year the Air Force is pushing the Soviet "Backfire" bomber, the Navy is concentrating on the U.S.S.R. fleet, and the Army is mumbling about new Soviet ground weapons including tanks.

Now there may be some truth in these selected releases of classified information. But the fact that they come at budget time more likely means that they are not so subtle pressures on Congress.

Mr. President, I ask unanimous consent that two recent articles dealing with this subject be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

SPRING, DEFENSE, AND THOSE HANDY SOVIET SUBMARINES

It must be spring again. Not only are the birds and blossoms bursting out, but those pesky Soviet submarines are popping up off the Atlantic coast. They may well be cruising around there all year, but isn't it funny that the Defense Department only seems to get agitated in the spring—at budget time?

In March 1969, for instance, there was a lot of worrying out loud about a large Soviet naval force on maneuvers in the North Atlantic. When April came around the following year, the Pentagon "disclosed" that a Russian missile submarine was patrolling up and down the East Coast. Last year, the Russians even helped to dramatize the issue when, late in February, one of their submarines off Newfoundland became disabled and had to be towed home.

There's nothing like raising a patrol of enemy warships within missile firing distance of Washington, D.C., to discourage Congress from quibbling too long over the Defense Department's appropriation. That seems to be the motive behind the Washington-datelined reports last weekend, credited to "Navy sources," of at least three nuclear-missile carrying submarines based off Bermuda and Nova Scotia. And it's surely no coincidence that right now, the defense budget is facing heavy weather in Congress.

Unlike domestic spending, which the Nixon budget proposes to cut sharply, the Pentagon request contains a hefty increase for 1974—up $6.5 billion to a grand total of $85 billion—including several highly controversial programs. At a time of supposed detente, that's hard to sell. That's where the Soviet submarines come in handy.

SAC POURS ON PUBLIC RELATIONS IN FLEET BUILDUP

(By Patrick J. Sloyan)

VANDENBERG AFB, CALIFORNIA.—Faced with growing criticism of soaring weapons costs, the Strategic Air Command has opened a drive to win public support for its plan to acquire new strategic missiles and bombers.

SAC planes ferried into this oceanside base local businessmen, chamber of commerce officials, reporters and other community opinion makers who live near 10 major Air Force facilities around the United States.

Along with officials of major aerospace corporations and members of the Air Force Association, the citizens attended a three-day symposium of SAC plans.

"Whether we can afford our national security is becoming a very real day-to-day question in many quarters," said SAC commander Gen. John C. Meyer in the keynote address Wednesday.

"Yet we know that if we cannot assure our own security, we can assure nothing else."

There has been growing opposition in Congress to Nixon administration plans to buy a new fleet of SAC bombers and eventually a new fleet of tankers for the bombers.

Rockwell International of Los Angeles is attempting to overcome unanticipated cost increases and technical problems encountered in development of the B1, a supersonic replacement for the SAC B52 fleet.

"I'm concerned about the high cost of weapons," Meyer said later. "I'm also concerned about the high cost of meat and the high cost of everything."

While the public relations flights aboard Air Force planes were paid for with taxpayers dollars, the Air Force said most of the guests attending the session were paying their own motel and dining expenses.

Besides the meetings, the guests will see a launch of a Minuteman 3 intercontinental ballistic missile from the Vandenberg missile site.

The civilian guests were given details of the Minuteman that have never been made public by the Air Force before. During briefings, including films of B52 damage to North Vietnamese targets earlier this year, the Air Force disclosed that the latest missile carried three separate warheads that could strike different targets.

The number of warheads in this multiple independently targetable re-entry vehicle (MIRV) system have been withheld, for example, from the Pentagon press corps.

So far, the Pentagon wants only 500 Minuteman 3 missiles in its 1,000 rocket land-based missile force.

But Meyer said it was now time to deploy 50 more Minuteman 3s to have a complete MIRV system.

"It's necessary," Meyer said.

CONGRESSMAN ANDERSON'S ADDRESS ON THE UNITED NATIONS

Mr. HUMPHREY. Mr. President, I would like to bring to the attention of my colleagues remarks made by Congressman GLENN M. ANDERSON, Saturday, April 28, at the Southern California Council of the United Nations Association.

As we all know, the efficiency of any organization is based on its ability to achieve stated goals. The United Nations has set down goals of maintaining international peace, furthering human understanding, and settling international disputes by peaceful means. The United Nations does have the potential—I feel the only available means—of bringing us closer to world peace. I agree with Congressman ANDERSON's view that although the United Nations "may have disappointed many people, who can deny that it has played a certain role in preventing the outbreak of global war?" The U.N. presents the best means of promoting communication and understanding among nations and we must support it.

As Congressman ANDERSON states, a "recent Gallup poll indicates that the people of the United States, by an 86-percent plurality, still believe that the U.N. must be made stronger." Our people want world peace and many see this accomplished through the United Nations.

The Congressman suggests means of strengthening the U.N. by, first, "making it more visual"—allowing U.N. sessions to be broadcast to all member states; and also creating "propaganda for peace." I agree with Congressman ANDERSON that we should honor our heroes of peace as well as heroes of war. I like his idea of awarding the Congressional Medal of Honor not only for "heroic deeds in the course of armed struggle" but also to those who have contributed to the cause of peace.

Mr. President, I ask unanimous consent that Congressman ANDERSON's address entitled "The Outlook for the United Nations Today," be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE OUTLOOK FOR THE UNITED NATIONS—TODAY

(By Congressman GLENN M. ANDERSON)

The fundamental purpose of the United Nations was and is, in the words of Article 1, Section 1 of the Charter, "to maintain international peace . . . and to bring about by peaceful means . . . settlement of international disputes . . ."

Quite obviously even the most uncritical supporter of the United Nations would have to concede that this high purpose has not been totally achieved. War has raged, and still rages, somewhere on this planet almost continuously since the founding of the United Nations. The arms race has escalated to such heights that it now threatens the economies of the wealthiest and most powerful nations, as well as insuring the smaller and poorer countries remain locked in poverty. There has been a steady erosion of public support for the U.N. in almost all nations. And this fact has been translated into economic crisis, diplomatic impotence and military irrelevance.

I do not mean to present too depressing a bill. But I must agree with those who have pointed out, that it is no service to the United Nations to ignore its problems.

And yet, despite the U.N.'s well-publicized failures to achieve all that many of us had hoped it might have achieved, a recent Gallup Poll indicates that the people of the United States, by an astonishing 86% plurality, still believe that the U.N. must be made stronger. In short, the common man seems to understand the salient fact that the United Nations is indeed indispensable to the future of mankind, and that, whatever its present shortcomings, it would be a kind of madness to abandon the search for those objectives and ideals which the U.N. embodies.

We may never be able to achieve perfect justice in our courts, or for that matter, in our ordinary relationships with other human beings, but that does not mean we should not continue to strive after the ideal of a just society.

We may never be able to eliminate bigotry or murder, but clearly we have an obligation to keep on trying.

And so it is with the search for peace.

Perhaps a time of "peace on earth, good will toward men" will always be a dream. But we abandon that dream and despair of its achievement, at the price of our own humanity.

The relevant question before us today, then, is not what is wrong with the U.N. and why hasn't it worked more perfectly. The question we must ask ourselves is, what can be done to make it more effective in the future.

Nor is it very useful to obscure the difficulties we face in noble phrases and fine rhetoric about "peace-loving mankind." For the sad fact is that if mankind were all that peace-loving, the situation of the United Nations, indeed the imperative necessity for its success, would not be quite as critical as it is.

Our task, therefore, is not to yield to an easy and facile cynicism, the superficial wisdom of so-called practical men, whose practicality consists of resigning ourselves to inevitable outbreaks of global lunacy resulting in the loss of millions of lives and the destruction of all that we have labored to build since the last such outbreak.

Nor, is it to engage in equally facile idealism rooted in how we would like men and nations to behave rather than in how in fact they do behave.

Realistically then, what factors or forces exist in the world today which tend to advance our hopes for international peace and for a strengthened United Nations, and what are the forces taking us in the opposite direction?

First of all it is clear that the single greatest barrier to the achievement of the Charter's primary objectives for the past three decades has been the struggle between and among the Great Powers—the Cold War. Clearly this conflict has entered a new and perhaps more hopeful phase. The People's Republic of China has finally taken her rightful place within the world community of nations. Diplomatic and trade relationships between the U.S. and China and between the U.S. and the Soviet Union have opened new lines of communication and mutual respect. The peoples of the largest and strongest nations on earth are no longer continually subjected to cold war rhetoric and propaganda inevitably and perhaps deliberately designed to create a psychological readiness for war.

Secondly, the success of multi-national economic arrangements such as the European common market makes it clear that 19th Century notions about absolute sovereignty and rugged individualism when practiced by countries are just as silly and obsolete as the economic practices of the 19th Century Robber Barons within our own society.

Clearly the day is approaching, if indeed it has not already arrived, when the price of absolute sovereignty for any nation will be paid for by the poverty of its people and the scarcity of the world's goods. The rise of the multi-national corporations, while obviously posing some serious ethical and political problems, particularly when these powerful companies are so unwise as to attempt to use their great resources to control the political institutions of small or poor countries, is another reflection of the same trend; a growing recognition that the nation-state is no longer a viable economic entity in the age of jet planes and global communications—that international trade, tourism, and prosperity is essential to all modern economies.

Third is the virtual explosion of travel and the growing cultural exchanges between the peoples of the world. Hatred feeds on ignorance. The latest evidence for this fact came to millions of Americans as the result of President Nixon's visit to Red China. Almost overnight we witnessed a remarkable transformation in the image of China and the Chinese people on television and in the press, and hence a similar transformation in the way most of us perceived the Chinese experiment, and the daily lives of the Chinese people. This, of course, does not mean that we favor the experiment or were or are about to embrace the people or their government. It simply means that some stupid cliches were exposed, and we saw, not 700 million coolies sweating under Mao's lash—but a huge country and a great people struggling to build a new social order after centuries of chaos and humiliation.

Knowing some of the truth about one another, seeing each other in face to face contacts, trading with one another is no guarantee against future conflict or even war. But it does provide the individual citizen with some means of defending himself against the endless barrage of governmental propaganda.

Bertrand Russell once commented that war often acted as a kind of "reality therapy" for nations. The tendency of all of us to believe that our family, our class, our nation is the best and therefore the strongest, is sometimes corrected in the process of combat with others afflicted with a similar megalomania.

But it is the fool's way to learn.

It is wiser, less expensive and less painful to learn, by watching television and reading newspapers and books, that other nations have powerful and sophisticated weapons, brave soldiers and are made up of people who love their country just as much as we do.

Thus these three factors, and doubtless there are others one could name, represent relatively new and hopeful elements in the international climate. Opposed to them are the familiar forces still pushing us toward the apocalypse; explosive population growth racing ahead of national resources, ancient enmities, and the continuing popularity of all the old, terrible phrases about "our sacred national honor" for which mankind has always been willing to pay a terrible price in blood and devastation. Above all, war remains what it has always been, the real sport of kings and all those who would be kings, man's oldest profession.

Lately, of course, statesmen have learned to be a bit more discreet about their fondness for war. In Shakespeare's plays for example, a phrase such as "the warlike Prince," was meant to invoke the admiration and favor of the audience.

Today, calling a man "warlike" is not a compliment. But we have other words, "hawkish," "tough,"—which mean much the same thing.

Thus it seems to me silly to talk about the inevitability of war just as it is silly to talk about the inevitability of peace. Given the existing state of the world, either is possible. Collectively, mankind is free to choose.

Not long ago I read a small book by Professor Remak who, I am proud to say, teaches at our great University here in California. Professor Remak's book dealt with the causes of World War I. He set out to examine the widely held notion that the outbreak of this conflict was somehow inevitable, and that had this terrible tragedy not been precipitated by a relatively minor event like the assassination of an Archduke, something else would have come along and served as an excuse for conflict. The professor's conclusion was quite to the contrary. He demonstrates that all of the Great Powers recognized the danger of a general European war, and sought to avoid it. But that they were caught up in a fatal sequence of events which led to the common ruin of the major combatants. He believes that World War I might easily not have happened. In which case we would not have had Hitler and World War II.

I think we have to act on the premise that the professor is right. That we are free not to plunge periodically into this dance of death. Two decades ago many Americans said war between the United States and Russia was inevitable.

One decade ago these same people were saying war between China and the U.S. is inevitable.

Today they say war between China and Russia is inevitable, or a war between Israel and the Arab states which will engulf the world is inevitable.

I have not agreed with them in the past and I see no reason for changing my mind now.

The United Nations may have disappointed many people in many ways, but who can deny that it has played a certain role in preventing the outbreak of global war? We have had three decades without a world war. In view of the history of the first half of this century, that is not an accomplishment that can be easily dismissed.

The spectacle of diplomats and leaders of nations angrily denouncing each other across the table at the U.N. Security Council, of honorable men blandly lying through their teeth; of nations, large and small, ignoring the principles of justice, law and common decency and the U.N. charter itself, in pursuit of national aims and interest; this specticle is all too familiar to the peoples of the world and has led to a kind of contempt and revulsion by honest men for the so-called leaders of the world.

But we live in a time of relative virtues, and of finite morality. Perhaps it is better to watch men lie for the sake of national honor than to watch them kill for it.

What then is to be done? I can only suggest a few specific things which I believe may contribute to strengthening the forces for peace in the world and the hopes for achieving the great aims of the United Nations.

First of all I think the U.N. should be strengthened, not weakened. One way to make the U.N. more important is to make it more visible. We are on the brink of a vast proliferation of the number of television channels which are to be made available in this country and ultimately throughout the world. I think that the U.N.'s proceedings should be far more widely telecast and indeed pressure should be brought upon the member states to allow broadcasting of U.N. sessions live and uncensored in every member state with the technical facilities to do so. I believe this would strengthen the tendency of men everywhere, when their leaders call for the nation to throw the iron dice, to ask themselves, privately, "Is this war necessary?" Very, very few wars in all human history would have happened if enough people had asked that question.

Secondly, I think we should consider ways to create a more sophisticated and effective propaganda for peace. At the time of the founding of the United Nations in San Francisco, young Jack Kennedy, but recently returned from the Pacific war, remarked that the prospects for peace would remain dim until such time as nations honored peacemakers as they do warriors; when, in short, the term peace hero becomes as common as war hero is today. It is sad to acknowledge that in our own country, the term, "peacenik" is often used as a kind of insult. Until very recently, virtually all of the literature of war tended to create and reinforce the mystique of war's nobility, excitement and terrible beauty. A man's willingness to die, even for the worst of causes, was all but universally admired.

Somehow we must begin to create what Henry James aptly called, "a moral equivalent of war."—A way of recognizing that the man of peace, of reason, of moderation and conciliation, is the true hero of humanity. Recently we have begun to read and to see books and films which make precisely that point. Naturally the authors and creators of such books get precious few invitations to White House dinners or Kremlin banquets. May I say that as a member of the United States Congress I propose to act on this idea by suggesting that the Congressional Medal of Honor or some similar recognition be awarded, not only for heroic deeds in the course of armed struggle, but to men and women who have made great contributions to and sacrifices for the cause of peace.

The United Nations is not yet a true parliament of man. Perhaps it will not be in our lifetime. But sooner or later this world body, or some succeeding organization, will have the power to control acts of terrorism and madness, whether committed by individuals or groups or by nations with real or imaginary grievances.

History is clear; either man will eliminate war or war with eliminate man.

And since none of us can imagine, or would even desire, a world in which people ceased to disagree with one another, some substitute for trial by combat and international anarchy simply must be found.

I believe we happen to be living in a time of transition between the anarchy of the past and the growth of international law which must emerge if there is to be a future.

Our task is to survive and to help the world to survive during this interim which right now means keeping the U.N. viable.

For whatever its shortcomings, the fact that the U.N. exists gives tangible evidence of humanity's willingness to at least profess a belief in the possibility of peace.

Should the United Nations collapse, the moral and psychological consequence would be catastrophic. And no man can predict the practical impact upon a world which, for the first time in human history, has the technical means to make the earth unlivable.

For these reasons I believe that this gathering is a useful one. For however we may abuse or ignore it, the U.N. represents our best hope of survival, and anyone who has thought about the subject for five minutes knows this to be true.

Only a short time ago, few would have believed it possible that we should be witnessing the President of the United States and the Chairman of the People's Republic of China toasting one another and pledging to work together in the cause of world peace. Miracles do happen.

I believe that such things happen, not merely because one man or one administration makes a sudden and dramatic decision. But rather they are the fruits of patient efforts by people like yourselves and your counterparts all over the world to build a foundation for international cooperation.

Everywhere in the world there are people, and their numbers are growing, who understand the simple fact that everything that makes life worth living, culture, art, economic well being, health, education, is achieved through human cooperation—usually cooperation that transcends national boundaries.

The food we share, the furnishings of the room, the ideas we share, the very words I am using now—are all the product of multinational and multi-cultural cooperation.

We are all members of a common market. And we share a common destiny.

Understanding this fact is the price we pay for membership in another organization not confined by national boundaries, the republic of common sense.

KENT STATE—3 YEARS LATER

Mr. KENNEDY. Mr. President, 3 years ago today four young students died and others were brutally maimed for their personal pleas for peace. As yet, there has been no grand jury convened to probe the circumstances, and our Department of Justice continues to refuse the Subcommittee on Administrative Practice and Procedure the documentation necessary for congressional review of the Executive decisionmaking on this still unsettled matter.

As a tribute to these young people, I ask unanimous consent to have printed in the Record the following poem by David E. Engdahl as a remembrance of that tragic day and a reminder of our hope for eventual justice.

There being no objection, the poem was ordered to be printed in the Record, as follows:

Remembering Kent

We know of March 5, 1770,
And the symbol
The slaughter of that tragic day
Became to our fathers.
Remember May 4, 1970,
And the witness
The slaughter of that tragic day
Attests of our time.

Remember the soldiers—
Unwanted, unneeded—
Usurping power like invading foes;
Countermanding law, and improvising orders
As if civilian leaders were deposed.

Remember the people
Who at Kent, as at Boston,
Resent this intrusion of soldierly force
Into their sanctum of peace.
From this resentment the troops will soon provoke
Those scattered acts of violence
Which later they will claim as provocation
For their violent misdeeds.

They carry heavy rifles,
Loaded with deadly missiles,
Able to tear the soul from a body at three thousand yards.
Such weapons make Goliaths of the smallest men.
Against this army of Philistines
Only a handful of would-be Davids
Lob their ill-aimed stones.

The dwindled crowd dispersed,
The soldiers turn and march up a hill,
Glancing back as they march,
Falling out of formation,
Keeping in view the scattering youths they leave behind.

As if on a signal, on cresting the hill,
The vanguard of executioners
Wheel,
Retrace their last few steps,
And launch the attack against the youths they had left behind,
Now one hundred yards away.
Turning first in wonder,
Other soldiers eagerly join the fusillade.

Remember Allison—
Tall and alive—
Anticipating all of life's fullness;
Imagining all of youth's dreams.
Her offense was placing a flower in the barrel of a rifle
And whispering counsels of peace.
And shouting angry epithets against the gods of war.
Crumpled and small,
She dreams her fantasies of love and peace
No more.

Remember Jeff—
Spirited and bold—
Playing catch-the-cannister with the guardsmen's gas.
An easy target to remember
By his distinctive apparel
And his waving black flag.
His free-flowing blood is a crimson memorial
That cannot be rinsed
From the street where he lay.

Remember Sandy—
A mere passer-by
On her way to a class,
Uninvolved in events of the day;
Unsuspecting the missile that sped to its target,
Wrenching her life away.
From behind, at a distance of four hundred feet,
One long-hair looks much the same as another—
Whether boy or girl.

Remember Bill—
No radical, he;
He's ROTC,
Grooming to do his country's bidding on fields of war.
But who can tell a fellow soldier at one hundred thirty yards,
Out of uniform?
Bill need no longer remain a cadet;
The demons of war have collected his debt
Here, on the nation's home soil.

Remember also Jim and Don,
Dean, Bob, and Alan, Doug, Tom, and John,
And also Joe.
Remember Joe,
Standing near,
Well out of the main line of fire.
Incredulous,
Doubting the bullets were real,
He lifted his finger, defying the couriers of death.
They shot him twice on the spot.

These, nonetheless, were the lucky ones.
They survived.

Remember the questions the FBI asked;
Remember the answers they heard.
Despite all the efforts to cover it up,
Remember those critical words:
"Unnecessary."
"Unwarranted."
"Inexcusable."
A basis for criminal charges—
Egregious federal crimes.

What is this mocking of justice I hear?
"We only prosecute dissidents here!
Hide in the archives the proof of the crimes—
People forget with the passing of time!"

But have they a vault so large,
So secure,
That truth itself can be there entombed
Forever?
Justice and truth in the same crypt interred
Together?
Remember Kent.

Remember Kent!

Remember Kent . . .
And cry!

Cry for the nation
That turns the arms of her insolent war
Against her own children;
That rains the fury of her war-born hatred
Upon herself;
And tries to escape the shame of her madness
By turning her eyes away.

Cry tears of mourning;
Of outrage;
Of warning . . .
But cry not the tears of despair!

Cry out in voices resolved against silence,
Determined to speak for those silenced at Kent
Cry out for justice!
For peace!
For compassion!
Cry out in loud voices,
Remembering Kent!

GENOCIDE CONVENTION DOES NOT THREATEN THE RIGHTS OF U.S. CITIZENS

Mr. PROXMIRE. Mr. President, one frequent objection to the Genocide Treaty is that it clears the way for U.S. citizens to be tried in foreign courts without the rights guaranteed by the Constitution. This is not the case.

At the present time, if a foreign power holds an American citizen, there is nothing this Nation can do to prevent that power from trying him on any charge it wishes to bring, from shoplifting to espionage, even to genocide. The Genocide Convention in no way changes this situation.

What about extradition? Would the United States, if we ratified the Genocide Convention, be required to extradite an American citizen to another nation to stand trial without constitutional safeguards for an alleged crime of genocide committed within the borders of that nation? The answer is "No."

The Genocide Convention is not self-executing. Congress would have to enact the implementing legislation, and the convention expressly provides that this legislation be in accord with our own Constitution. The problem of extradition would be dealt with through the negotiation of treaties with other nations—treaties which would have to be ratified by the Senate. Without an extradition treaty dealing with genocide, we would not be required to extradite a person accused of it. We have never negotiated an extradition treaty with a nation that does not provide either our form of due legal process or what we consider to be the equivalent of it. There is some doubt as to whether we could under the Constitution, as this would be an action of the Government that would infringe on the rights of the individual.

We now have extradition treaties with more than 80 nations, none of which gives away the rights of Americans. None of these treaties includes genocide. These treaties would have to be renegotiated before extradition for geneocide became possible. The same protection of constitutional rights that we now have would still be there. The only difference between the renegotiated treaties and the ones we have now would be the addition of one more crime to the list of extraditable offenses. This is what we have been doing with air piracy.

Mr. President, the Genocide Convention is a landmark in the struggle for international recognition for human rights. The United States was founded on the principle that every human being has the right to life, liberty, and the pursuit of happiness. The Genocide Convention upholds the first of these rights, the right to life itself. For over a quarter of a century the U.S. Senate has delayed ratification of this important document. We must delay no longer. Mr. President, I urge the Senate of the United States to ratify the Genocide Convention without further hesitation.

WILLY BRANDT—MAN OF VISION

Mr. HUMPHREY. Mr. President, Chancellor Willy Brandt of the Federal Republic of Germany was in Washington last week for discussions with President Nixon and other administration officials. Chancellor Brandt's visit has taken place at an opportune moment, as the Congress begins consideration of trade and security measures which will have a great impact on American relations with Western Europe.

I believe that Chancellor Brandt has emerged as the spokesman and leader of the European half of the Atlantic Alliance. His preeminent role rests not only on his position of a leader of a great economic power, but on his ability to speak for Europeans of all nationalities.

In his role as the free world's leading democrat, Willy Brandt sees Western Europe striving to reach beyond the nationalism of days past to mold an economic and political force capable of being, in his words:

> An example of the prevailing of reason over production, the prevailing of justice over the egoism of power, and the prevailing of humanity over the sickness of intolerance.

Chancellor Brandt brings to his position of leadership among allies a keen sense of the political and economic realities of the 1970's based on years of experience. A hallmark of his career has been his willingness and his courage to stand up for democracy and progressive social policies. He has never capitulated to extremism—either in Europe, Germany, or within his own political party.

As he deals with upcoming problems of European-American trade, security, and monetary matters, Willy Brandt's chief concern is with the needs of his own people. This is as it should be and the Chancellor's dedication to a "new deal" for the German people serves as an example for all countries eager to implement progressive policies which respond to the true needs of people. In short, Chancellor Brandt brings the best of international responsibility and domestic commitment to his own country and to the German people.

Recently, the Chancellor wrote an essay for the New York Times entitled "The Old World, the New Strength," in which he states his personal philosophy about the direction of Europe, Germany's role and its relations with the United States.

As the Congress begins the process of examining trade legislation in the coming weeks and then goes on to deal with other aspects of European-American relations, it would be well to remember Willy Brandt's words:

> The identity of its interests will not estrange the integrating Europe from the United States. The Europeanization of Europe will, of course, mean that our own interests—not only economic and not only regional—will be attended to more effectively than has been possible in the past. Yet in the process of Europeanization lies also the opportunity for a new spiritual getting together.

Too often we take the new spirit of Europeanization which is so evident as an indication of rivalry and even antagonism. This need not be the case if we look to its philosophical roots in a self-awareness beyond nationalism.

Mr. President, I ask unanimous consent that Chancellor Willy Brandt's New York Times essay of April 29, 1973 be printed in the Record.

There being no objection, the essay was ordered to be printed in the Record, as follows:

The Old World, the New Strength

(By Willy Brandt)

Bonn.—Everyday life in Western Europe is determined to an ever-increasing extent by the European Economic Community. In this process each step toward closer integration of the economic, social and political destinies of our nations and states is at the same time an undertaking of challenging soberness. I do not have the impression that this is sufficiently appreciated on the other side of the Atlantic.

By the way, this is no wonder, for our American friends do no lack problems of their own. Moreover, the process of European unification differs quite considerably from what the textbooks said. But let no one deceive himself: the European Community is growing beyond economic integration—slowly but surely.

We have the decision of the nine member states to see the Community's permanent shape not merely to economic and monetary union but also—and this, incidentally, on the proposal of my Government—to create a social union and thus improve and create a more even balance in the living conditions of its citizens. At the summit conference in Paris last October we said we wanted to establish the European union by the end of this decade. This means we are determined to qualify as a study in abstract architecture. We want to insure that 270-million or more West Europeans will be able to live a better and safer life together than they could in isolated nation-states.

The identity of its interests will not estrange the integrating Europe from the United States. The Europeanization of Europe will of course mean that our own interests—not only economic and not only regional—will be attended to more effectively than has been possible in the past. Yet in the process of Europeanization lies also the opportunity for a new spiritual getting together.

Indeed, some of us do not think merely in terms of our industries' production and of consumption in the big Common Market. We have introduced into our political discussions an element which is expresed by that key American phrase "quality of life." This not only includes material values but is also an appeal to us to prevent productivity for the benefit of civilization from turning into the destruction of civilization. We believe, incidentally, that the right to a better quality of life has its philosophical origin in Thomas Jefferson's "pursuit of happiness."

But it is the new democratic self-awareness of my countrymen more than the recognition of this fact which makes me feel justified in saying that the Federal Republic of Germany has become "more Western," has come nearer to fulfilling the ideals associated with the expressions "citoyen" and "citizen." And it is interesting to note that this process of "westernization" has coincided with, of all things, the opening to the East, the *Ostpolitik*. Here, there really is an internal and an external relationship, and it is not even very complicated, for every step taken by the Federal Republic of Germany toward détente and conciliation with its neighbors in the East has, at the same time, released energies for the construction of the common Europe.

The recognition and the acceptance of the realities resulting from the Second World War started by Hitler and lost by Germany was—like many an effort to meet a need—a painful act of liberation.

Before the treaties of Moscow and Warsaw, the German contributions to the quadripartite agreement on Berlin, and the treaty normalizing our relations with the other German state, the outside world unfairly saw in every political move we took a possibility of our attempting after all to subject the tragic history of this century to a highly dubious revision. We have dispelled that illusion.

Perhaps this means we have shed the burden of our "special" destiny and have at last become what we want to: a proper European state whose citizens realize that the world is tired of being confronted from generation to generation with the vexatious and in each case differently articulated "German question." Freeing ourselves from that illusion has enabled us to become a full-fledged negotiating partner of East and West. This does not mean we have abandoned our aim of making it possible for our own people one day—if they then so want—to live together again. But this has now been embedded in the major task of all Europeans: reuniting our divided continent.

The elimination of tensions in our relations with the East is one main element of our foreign policy; the systematic and vigorous development of the European community the other. Both fit smoothly into the worldwide diplomacy of détente by which President Nixon pursues his concept of establishing world peace through a new balance between the leading powers. Mr. Kissinger rightly pointed out recently that these are not isolated steps, but a collective effort.

In the days of Konrad Adenauer it was a common saying that progress toward European unification was only possible under the pressure of an acute threat. It may have been like that in the early stages. In the meantime, we have proved that it is now different: Europe needs détente in order to make decisive progress toward its unification.

The Atlantic Alliance was also believed to be doomed to disruption if the interests of its members were not again and again forged together by dramatic crises. Today we know that our alliance is more than the sum total of the surface aspects of military needs. Reliable security also presupposes the guarantee of military equilibrium. This is illustrated by the name of the conference which is currently the subject of preliminary talks in Vienna—which, understandably, are difficult—Mutual Balanced Force Reductions.

This affects a vital common interest of the United States and Western Europe which involves a sensitive question; that is, the presence of American forces on our continent. Only recently, President Nixon convincingly argued that a weakening of the United States potential in Europe could not serve his peace strategy. To me this is unequivocal, for it is the simple and irrefutable truth. Withdrawal by the United States would threaten the substance of the negotiations.

Again, a few days ago, it was said on his behalf that he strongly opposed a unilateral withdrawal of American forces. Indeed, America's presence in Europe is also a prerequisite to the political presence of the United States at the conference table in Vienna and Helsinki. Without the United States there can be no realistic negotiations on European security and cooperation—a fact which is now also accepted by the Soviet Union.

In Helsinki—to some extent in Vienna, too—harmonious coordination between the members of the European community and the United States has stood an important test. This is further proof that the closer integration of the members of the European community does not constitute a danger to the larger trans-Atlantic partnership but consolidates it on the foundations of a new self-awareness. Europe is growing toward the task which great postwar American leaders, among others, had intended for it.

The European reality of an emancipated partnership is a new, indeed, perhaps sobering, experience, not only for the Europeans but also for America. Another feature of this new situation is that the Europeanization of Europe is not complete by a long shot. We still find it hard to speak with one voice because some national facts of special character prevent us from reaching common decision.

However, it was in fact that stormy period in March, when the latest monetary crisis gave us a hard time, which proved that the consensus within the European community, which has formed around the nucleus of Franco-German solidarity, is only a hand's breadth from becoming a reality. This situation requires the United States generously and understandingly to negotiate with the members of the European community as if the community were already the single big partner. The forthcoming negotiations on world trade and international monetary problems will require the courage to act on the basis of the reality of tomorrow. America counts on its expectations being met fairly. This is also true the other way around, of course.

It should not be difficult for us to muster that courage, for the reality of today is already encouraging. Contrary to the legend, the Common Market has promoted rather than impaired trans-Atlantic trade. American exports have increased more than to any other part of the world. Even exports of agricultural products, as the statistics show, have developed better than is frequently maintained—not to mention American investments and the profits they bring.

Cutting oneself off, no matter what kind of barrier is used, will help neither side. The question whether America will be Europe's partner or competitor is, I feel, wrong. We want to be partners. But we will have no option—under the rules of market economy and competition—than to be competitors as well. As the merchant knows, competition promotes business. Timidity is out of place.

The European community is also aware that the strength which it acquires as a result of integration also requires it to share responsibility—not only by means of its own contributions to a worldwide policy of détente, not only in preserving its security, but also in its duty to the poor nations of the Third World. We must all give serious thought to how this partnership between America and the uniting Europe—and other factors of the industrial world as well—can be established. From the White House a few days ago we heard important proposals and suggestions on this subject. It will be understood that I do not wish to enlarge on this subject immediately before my talks with President Nixon.

Europe's new self-awareness I am speaking about derives from the will to accomplish now the task in which it has failed for so long in the bonds of nationalism, in its readiness to yield to injustice and in the arrogance of its high level of civilization. That is, to be an example of the prevailing of reason over production, the prevailing of justice over the egoism of power and the prevailing of humanity over the sickness of intolerance. Any progress we achieve in these fields will also benefit our partners around the world—and above all our friends in the United States.

UPDATE ON IMPLEMENTATION OF INDIAN EDUCATION ACT

Mr. KENNEDY. Mr. President, I would like to report to my colleagues today some recent events relating to implementation of the Indian Education Act passed by Congress last year as title IV to Public Law 92–318. Last fall I placed in the Congressional Record a letter I sent to then-Commissioner of Education Sidney Marland (118 Cong. Rec. p. 26990, Aug. 7, 1972), in which I indicated the need and congressional desires for full implementation of the act during the second half of fiscal year 1973.

> If there is a determination and commitment on the part of the Office of Education—commensurate with that of the congressional supporters of this legislation—to see it implemented as rapidly as possible, I feel that applications could be received and funds delivered before the end of 1972.

The Senate Committee on Appropriations included funds for implementation of the act during the second half of the fiscal year, and specified in its Report (S. Rept. 92–1297, page 25):

> The Committee allowance for the Indian Education Act is intended to provide funds sufficient only for the second half of this fiscal year to get these new programs started. It is expected that the Office of Education will act expeditiously in this regard.

As passed and signed into law on October 31, 1972, the Appropriations Act contained $18 million for implementation of the Indian Education Act.

Yet the Office of Education failed to respond to these congressional mandates. Throughout the fall and winter no regulations were proposed. The names of nominees to the National Advisory Council were held up by the Secretary of Health, Education, and Welfare. Proposals for funding under the act were returned. And a request that Congress rescind the funds appropriated was included in the President's budget message.

On February 28, 1973, I wrote the Acting Commissioner of Education with specific questions relating to OE Indian education programs and to the administration's rescission request. Although my staff has inquired into the status of the reply to my letter, I am sorry to say that as of this date—over 2 months later—I have received no reply to this letter. The questions are still pertinent, and I ask unanimous consent that the letter be included in the Record at this point.

There being no objection, the exhibit was ordered to be printed in the Record, as follows:

February 28, 1973.

Hon. John Ottina,
Acting Commissioner of Education,
U.S. Office of Education,
Washington, D.C.

Dear Mr. Ottina: Last summer I was most pleased with the commitment made by your predecessor, Commissioner Marland, concerning implementation of title IV of Public Law 92–318, the Indian Education Act. In a lengthy discussion in my office with Senator Mondale and our staff, we reviewed some of the problems arising from administration of the title but seemed to be in agreement as to the need for high priority on Indian education in the Office of Education and the importance of OE fulfillment of the congressional mandate reflected in title IV.

I was thus most distressed when month after month passed without appointment of the National Advisory Council established by the Act. I was dismayed by the slow pace of development of regulations and guidelines for implementation of the Act. And last month I was shocked when the administration requested rescission of the funds appropriated for initial implementation of its programs.

Because of the present limbo in which title IV has been placed by the rescission request, it is imperative that Congress assess the actions to date in the Office of Education relating to that title and the bases for the rescission request. I would thus like you to provide me with the following information as soon as possible:

1) What is the present situation with regard to appointment of the National Advisory Council? Has a list of nominees been transmitted to the President? If not, where is the list now and what is the cause of the delay in transmission?

2) To what extent have regulations or guidelines been established relating to structure and administration of the provisions of title IV (including the community-participation requirement imposed on P.L. 874 funds for Indian children)? Please provide me with copies of the most recent drafts of such guidelines or regulations, noting the stage of each and whether any has been circulated for comment outside the Department.

3) The Budget Appendix suggested that title IV duplicates "existing authorities and programs." Precisely where is this duplication, and why, in the areas where there may be duplication, cannot the incremental resources made available through title IV be effectively and constructively used?

4) The figure of $80 million has been used as representing the resource commitment of OE to Indian education. Please provide a detailed analysis of the origin of this figure.

5) Finally, as to the programs other than title IV administered by OE affecting Indians, to what extent have the recommendations of the Special Subcommittee on Indian Education (November 1969 final report) and of the 1972 Office of Education Task Force on Indian Education been carried out.

I will look forward to your response to these questions and to an opportunity to explore with you personally OE's involvement in Indian education.

Sincerely,

EDWARD M. KENNEDY.

Mr. KENNEDY. In March I provided this body with an update on what was happening—and what was not happening—with the Indian Education Act (119 CONGRESSIONAL RECORD, S6157, Mar. 29, 1973). At that time I introduced a resolution requiring the President to appoint the National Advisory Council on Indian Education within 10 days of passage of the resolution.

The next day a large contingent of Indian educators and spokesmen met with HEW Secretary Weinberger and were assured that HEW was going to send the list of National Council nominees to the White House. The Secretary also indicated that if Congress did not rescind the Indian education appropriations, HEW would move toward implementation of the act. Congress, of course, has not acted on this rescission.

Since the Indian Education Act mandates action by the Commissioner of Education and the President—action which they have not yet taken—potential beneficiaries under the act have brought their complaints to the Federal courts. On January 31 of this year the Minnesota Chippewa Tribe and other tribes and Indian organizations joined to bring suit against HEW and OMB officials, and the President, to require implementation of the act. The Department of Justice, defending the action, moved immediately for dismissal of the complaint as to the President, arguing that the claim against the President for nonappointment of the National Advisory Council is barred by the separation of powers doctrine. After considering the elements of the Government's argument, Judge June Green, on April 25, denied the Government's motion for dismissal of the case as to the President. Thus the court held in this case, as other courts have held before, that even the President is not above or beyond the requirements of the duly enacted laws of the land. I ask unanimous consent that Judge Green's opinion be included in the RECORD in full.

There being no objection, the opinion was ordered to be printed in the RECORD, as follows:

[U.S. District Court for the District of Columbia]

THE MINNESOTA CHIPPEWA TRIBE, ET AL, PLAINTIFFS VS. FRANK C. CARLUCCI, ETC., ET AL, DEFENDANTS

Civil Action No. 175-73, Filed April 25, 1973. James F. Davey, Clerk.

ORDER

In this action plaintiffs seek *inter alia* to require the President of the United States to appoint members of the National Advisory Council on Indian Education pursuant to The Indian Education Act, Title IV of Pub. L. No. 92-318, 86 Stat. 334, approved by the President June 23, 1972.* In answering the complaint, the government admitted that the President is charged with duties and responsibilities under the statute in question. The answer further admitted that the President has heretofore neither made any appointments to the Council, nor delegated his power to another.

The case is before the Court on the government's "Suggestion for Dismissal of Action as to Richard M. Nixon, President of the United States". Fed. R. Civ. P. 12(h)(3) provides,

"Whenever it appears by suggestion of the parties or otherwise that the court lacks jurisdiction of the subject matter, the court shall dismiss the action."

In determining whether the Court has jurisdiction over the subject matter, the Court is reminded that

". . . where the complaint . . . is so drawn as to seek recovery directly under the Constitution or laws of the United States, the federal court, but for two possible exceptions later noted [and not here relevant] must entertain the suit. . . . Whether the complaint states a cause of action on which relief could be granted is a question of law and just as issues of fact it must be decided after and not before the court has assumed jurisdiction over the controversy. . . ." *Bell v. Hood,* 327 U.S. 678, 681-82 (1946).

Moreover, the complaint must be construed liberally where plaintiff's assertion of subject matter jurisdiction is questioned by defendant. *Caserta* v. *Home Lines Agency, Inc.,* 154 F. Supp. 356 (S.D.N.Y. 1957), *aff'd.,* 273 F.2d 943 (2d Cir. 1959).

A review of the complaint and plaintiffs' jurisdictional statement indicates that the Court has subject matter jurisdiction and that this case may eventually be decided on the merits. Plaintiffs have cited several statutes, e.g., 28 U.S.C. §§ 1331, 1337, 1361, 1362 and 5 U.S.C. §§ 701-06, and the Court is satisfied on the question.

Since the government contends that any claim against the person of the President is barred by the separation of powers doctrine, the Court now addresses itself to this issue.

The President of the United States is not completely immune from judicial process for the sole reason that he is President. *Atlee* v. *Nixon,* 336 F.Supp. 790 (E.D. Pa. 1972), (dictum); *cited with approval in Meyers* v. *Nixon,* 339 F.Supp. 1388 (S.D.N.Y. 1972) (dictum). The Supreme Court held long ago that the judiciary has jurisdiction over the President to compel him to perform a nondiscretionary act required by law. *United States* v. *Burr,* 25 Fed. Cas. 30, No. 14,692d (C.C.A. Va. 1807) (subpoena *duces tecum* against the President held proper).

Suits against the President have generally been unsuccessful for several reasons, none of which appears present in the case *sub judice.*

The first reason is lack of standing. *E.g., Mottola* v. *Nixon,* 464 F.2d 178 (9th Cir. 1972). In the case at bar, it appears plaintiffs have a personal stake and interest in the outcome of the controversy and might suffer actual injury in fact. Plaintiffs are intended beneficiaries of the Indian Education Act. The National Advisory Council clearly was intended to play a key role in administration of the Act. It appears that the implementation of the Act may be impossible or impracticable unless the Council is constituted by the President.**

The second reason suits against the President have foundered is that they relate to "executive" or "discretionary" acts. *Mississippi* v. *Johnson,* 4 Wall (71 U.S.) 475 (1866). More recently, the Supreme Court has defined a question as "political" if it involves one of the following:

". . . a textually demonstrable constitutional commitment of the issue to a coordinate political department; or a lack of judicially discoverable and manageable standards for resolving it; or the impossibility of deciding without an initial policy determination of a kind clearly for nonjudicial discretion; or the impossibility of a court's undertaking independent resolution without expressing lack of the respect due coordinate branches of government; or an unusual need for unquestioning adherence to a political decision already made; or the potentiality of embarrassment from multifarious pronouncements by various departments on one question." *Baker v. Carr,* 369 U.S. 186; 217 (1962).

Based on the present record it appears that this case does not fall within the *Baker* definition, and that *Mississippi* is distinguishable. Plaintiffs do not pray that the Court determine whether Indians are recognized as tribes. They do not ask that the Court alter the special relationship between Indians and the United States. Their claim does not involve the President's role as Commander in Chief of our armed forces or as an architect of our foreign policy. They do not seek to enjoin the President from executing the law.

Plaintiffs' suit does not relate to ongoing supervisory acts which require the exercise of judgment, but to single specific "one-shot" acts, appointments to the Council. Although the President clearly has discretion to choose whom to appoint to the Council, he apparently has no discretion to decide if the Council should or should not be constituted. The Indian Education Act, § 442(a) provides that ". . . appointments [to the Council] *shall* be made by the President. . . ." (emphasis added). *See McQueary* v. *Laird,* 449 F. 2d 608, 611 (10th Cir. 1971) (mandamus will issue to require the exercise of permissible discretion.)

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*Part D, § 442(a) of the Act provides, "There is hereby established the National Advisory Council on Indian Education . . . which shall consist of fifteen members who are Indians and Alaska Natives appointed by the President of the United States. Such appointments shall be made by the President from lists of nominees furnished, from time to time, by Indian tribes and organizations, and shall represent diverse geographic areas of the country." The complaint does not refer to any lists.

**The responsibilities of the Council are described in § 442(a)-(c) of the Act.

In the third place, joinder of the President as a party defendant is generally unnecessary: a plaintiff may be afforded complete relief by suing a member of the President's Cabinet. *E.g., Youngstown Sheet & Tube Co.* v. *Sawyer*, 343 U.S. 579 (1952). In the instant case, however, it appears that plaintiffs' only remedy is to sue the President directly. Only the President is given the power to make appointments to the Council. As earlier noted, the President has neither made such appointments nor delegated his power to another. The record does not suggest any implied delegation.

For the foregoing reasons, it is by the Court, this 25th day of April 1973,

Ordered that the Suggestion for Dismissal of Action as to Richard M. Nixon, President of the United States, should be and the same hereby is denied.

JUNE L. GREEN,
U.S. District Judge.

Mr. KENNEDY. Mr. President, also in conjunction with this lawsuit, the Acting Commissioner of Education filed with the Federal court an affidavit which stated that "The Office of Education has now determined that it will promptly take all appropriate steps within its authority to implement the programs under" the Indian Education Act. He also indicated that the list of nominees for the National Advisory Council has been "forwarded to the Executive Offices of the President with a request date of May 15, 1973 for the appointment" of the Council. This represents a major commitment, and a new one, on the part of OE, and I would like this affidavit inserted here in the RECORD with unanimous consent.

There being no objection, the affidavit was ordered to be printed in the RECORD, as follows:

[U.S. District Court for the District of Columbia]

THE MINNESOTA CHIPPEWA TRIBE, ET AL, PLAINTIFFS v. CASPAR W. WEINBERGER, ET AL., DEFENDANTS

Civil Action No. 175–73.

AFFIDAVIT

I, Duane J. Mattheis, being duly sworn do hereby depose and say as follows:

1. I am the Acting Commissioner of Education, U.S. Office of Education, Department of Health, Education, and Welfare, in the temporary absence of John Ottina. The duties of the Commissioner of Education include responsibility with respect to the recently enacted program under the Indian Elementary and Secondary School Assistance Act (Title III of P.L. 81–874), as added by Part A of the Indian Education Act (Title IV, § 411(a) of P.L. 92–318), and with respect to the programs authorized under parts B and C of the Indian Education Act (Title IV, Sections 421 and 431 of P.L. 92–318).

2. The Supplemental Appropriations Act, 1973 (P.L. 92–607) contained an appropriation, for fiscal year 1973, of $11,500,000 for carrying out Part A; $5,000,000 for carrying out Part B; and $500,000 for carrying out Part C of the Indian Education Act. The President's budget submission to the Congress requested a rescission of this fiscal year 1973 appropriation, and hearings were held before several committees of the Congress concerning the request for such rescission.

3. Pending Congressional action on the request for rescission of the fiscal year 1973 supplemental appropriation for the above-described programs, we have been drafting regulations for issuance in the event that Congress did not rescind the appropriation. In view of the impending close of the fiscal year without positive action by the Congress on the rescission request, the Office of Education has now determined that it will promptly take all appropriate steps within its authority to implement the programs under Parts A, B, and C of the Act.

4. To this end, the Office of Education is taking immediate steps promptly to effect publication in the *Federal Register* of proposed rules and criteria for the administration of these programs. We expect such publication to be possible by May 1. Immediate steps are also being taken to collect data necessary for the purpose of computing allocations under the program added by Part A of the Act. Application forms under these programs are being prepared and will be made available to eligible applicants. After completion and filing, the applications will be processed and approved in accordance with, and subject to, the provisions of the Act and other applicable provisions of law. Steps are also being taken to initiate the establishment, within the Office of Education, of the Office of Indian Education.

5. We have also prepared a list of nominees, furnished by Indian tribes and organizations, which have been forwarded to the Executive Offices of the President with a request date of May 15, 1973 for the appointment of the National Advisory Council on Indian education.

DUANE J. MATTHEIS.

Mr. KENNEDY. Mr. President, I should also like to mention the filing on April 10 of a second lawsuit by an Indian schoolchild and a number of Indian school districts and associations, including the Coalition of Indian Controlled School Boards, against the Acting Commissioner of Education to require implementation of the Indian Education Act. And, of course, there have been numerous telegrams, letters, and delegations dispatched to Washington urging the act's prompt implementation.

Mr. President, despite what I observed in an earlier statement to be the administration's negative, even hostile, attitude toward taking substantial steps to improve the quality of Indian education, it now appears that pressures from Congress and the continuing interest and supportive activity from the Indian community have brought about a reversal in attitude on the part of government officials. It also appears that the President may soon make his appointments to the National Advisory Council on Indian Education. I might add that if the 15th of this month passes without appointment of the National Council, I will make every effort to have my resolution passed by Congress before the month's end. Certainly Congress and American Indians are justified in running out of patience.

On May 1 the Office of Education published in the Federal Register (vol. 38, p. 10738) proposed regulations governing implementation of part A of the act. Comments from interested parties are invited and are due before May 21. HEW spokesmen are also now saying that funds appropriated for the present fiscal year will in fact be obligated before July 1.

So I am pleased to report to my colleagues, and to Indian people, that the time is drawing closer when the programs established by the Indian Education Act may become a reality.

DELAWARE STATE POLICE

Mr. BIDEN. Mr. President, the Delaware State Police are currently celebrating their 50th anniversary of service to the State of Delaware.

Recently, Mr. William P. Frank, the dean of Delaware press corps, wrote an article in the Wilmington Morning News outlining the proud history of this law enforcement organization, which I would like to share.

I request unanimous consent that the article be printed in full in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wilmington Morning News, Apr. 20, 1973]

STATE POLICE MARK GOLDEN ANNIVERSARY

(By William P. Frank)

They froze in winter, sweated in the heat of summer and risked their lives on motorcycles over dangerous roads, but they laid the foundations of the Delaware State Police tradition of loyalty to state service.

And they will be remembered, these pioneer patrolmen, tomorrow when the State Police marks the 50th anniversary of its formal organization.

The ceremonies and displays will take place at the State Police headquarters north of Dover, beginning at 11, when ground will be broken in front of the training academy for a memorial park as tribute to the 14 troopers who died in line of duty.

The formal beginning was April 28, 1923, when Gov. William D. Denney signed a bill that created what is virtually the State Police of today.

For decades legislators had been talking about creating a state police force, principally to take care of rowdyism and riots in and near Delaware towns on Saturday nights.

On Jan. 29, 1906, for example, an item appeared in the old Every Evening of Wilmington:

"A movement has been inaugurated looking toward the establishment of a state police force for Delaware to do duty in rural districts."

Nothing came of it. Delawareans seemed to be afraid of a statewide force that might invade local autonomy.

The improvement in Delaware highways, the increase of the automobile and speedsters roaring up and down the roads at a reckless 40 miles an hour prompted the General Assembly to take action.

Gov. John G. Townsend Jr., the innovator who served from 1917 to 1920, and the newly organized State Highway Commission, appealed to the attorney general about traffic hazards, but the attorney general threw the problem back into their laps.

The governor and commission acted. Charles M. Upham, chief engineer of the highway department was told to hire the state's first highway patrolman. He was Charles J. McGarigle of Wilmington. His pay was $90 a month.

Who McGarigle was, what his qualifications were, his uniform and his training are lost in State Police history, except that he eventually became "a captain of highway police" and left the service in 1922.

It is known, however, that as he patrolled the often pock-marked Philadelphia Pike he faced constant danger. His motorcycle, probably a World War I surplus was unreliable. He had no protection from the weather, not even a shack into which he could go during inclement weather.

And the law that permitted his employment forbade him from delaying vehicles more than 30 minutes.

It was soon discovered that the speeding on highways was increasing. So extra patrolmen were employed. Their beat at first ranged from Claymont only down to Dover.

Still the problem increased. So the highway commissioners undertook an experiment. They mobilized citizen-policemen who were given badges and identification cards and all the authority of the "regular patrolmen."

This didn't work out too well. In the first place, the citizen-police consisted of wealthy men such as Francis V. du Pont, John J. Raskob, Andrew Gray, Dr. Harold L. Springer, Coleman du Pont and Edmund Mitchell, powerful Republican leaders; Clement B. Hallam, managing editor of the Evening Journal; and doctors and lawyers who had political or social influence.

In the fall of 1922, newspapers began to complain that some of the citizen-highway police were themselves notorious speeders. One newspaper dubbed them "High 'Spy' Cops." Eventually, the corps of citizen-police was abolished.

But the problem still faced the state. In 1923, a bill created the State Police Department under the supervision of what was known as the State Military Board.

It provided for a superintendent at $3,000 a year; one sergeant, one corporal and 20 privates. Candidates had to be of good physical and mental constitution and had to be able to ride horses and motorcycles.

For the first time, the new State Police force could make all kinds of arrests instead of just for highway speeding. They had powers in criminal matters as well as violations of hunting laws.

A Pennsylvanian, August Ahlquist, was hired as the Baron Von Steuben for the new police force, nominally a superintendent to train the new police. For this he got $250 a month in the summer of 1923.

But the policemen were still on motorcycles and too many policemen were being injured. Two of the pioneer state policemen, John Conrad and Roger P. Elderkin, were so badly hurt in their motorcycle accidents, each lost a leg below the knee.

Elderkin was equipped with an artificial limb and he continued in the State Police until he retired after 20 years service.

In the absence of radios, patrolling police in the 1920s would check in at the post offices of towns through which they passed and had their work sheets stamped by the postmasters.

Also in the middle 1920s, flag stations were established on the patrol routes and when a policeman saw a red flag hanging outside of a store or house, he would stop. Important messages awaited him.

State Police of those years developed a system for keeping tab on habitual speeders. Police used punchers to put holes on the licenses of drivers they arrested or reprimanded. Three punch holes could mean the loss of a driver's license.

Eventually, Francis V. du Pont, a long time chairman of the state highway commission, came up with a proposition. He and his father, U.S. Sen. Coleman du Pont, benefactor of the state's highway system, offered to have special automobiles made for the State Police to be sold at cost.

There's no record whether this offer was accepted but late in the 1920s, automobiles began to replace the motorcycle.

Even in those days, there was the unmarked police car, with some attendant controversy as to whether it was exactly fair.

Police dogs, four German shepherds imported from Germany, by Francis V. duPont, were given by him to the State Police in 1925, first as mascots and later to guard what were then shacks used as police stations, and to accompany police on investigations.

The force underwent its first major overhauling in organizaton during the superintendency of Paul Haviland, a former FBI agent, in the middle 1940s. The troop formation was established and the superintendent got the rank of colonel.

Haviland became a victim of General Assembly politics however and was forced to resign in 1947. The overt issue involved whether or not the Penny Hill police station would be fully manned or operated with a skeleton force.

During prohibition years, particularly in the late 1920s and first few years of the 1930s, State Police were particularly active in trying to stem the bootleg and rum-running rackets.

However, some of the police became enmeshed in what was known as the Penny Hill Police Station liquor scandal. Confiscated liquor stored in the Penny Hill station disappeared between June and December of 1932.

As the result of an investigation, seven policemen were suspended but later reinstated.

The General Assembly got into the controversy and abortive efforts were made to have the State Police divorced from the state highway commission.

The investigation by highway and police officials continued and in April 1933, four troopers were dismissed and two reprimanded.

Stacked up against this one scandal are innumerable instances of heroism by State Police and courage in face of danger. There was the time, for example, in October, 1945, when 14 troopers faced and dispersed an angry mob of 200 in Milford who were protesting the arrest of one man by a Milford policemen.

There was Capt. Henry C. Ray who rode his motorcycle in 1924 from Wilmington at 80 miles an hour to bring medicine to a sick woman in Smyrna and thus saved her life.

And in September, 1954, not more than a half dozen State Police handled a highly explosive situation in Milford with considerable diplomacy and tact in Milford when an attempt was made to send Negro children to the white high school.

State police were finally removed from the administration of the old State Highway Department during the administration of Gov. Russell W. Peterson to become part of the Department of Public Safety with Lemuel H. Hickman as secretary. Hickman used to be a member of the highway commission.

The State Police uniformed personnel now numbers 403, with an authorized strength of 450. A bill is in the General Assembly which would increase the authorized strength to 500.

GAO REPORT: "BATTLE OF BUDGET" PROPAGANDA KIT ILLEGAL

Mr. HUMPHREY. Mr. President, as chairman of the Subcommittee on Consumer Economics of the Joint Economic Committee I requested the General Accounting Office to initiate an investigation into the Nixon administration's use of a speechmaking and public information kit, "The Battle of the Budget, 1973."

The Comptroller General has just issued his report to me and to Senator Muskie who made a similar request.

Two points are evident from the General Accounting Office report. First, it is the opinion of the Comptroller General that there has been a clear violation of law in the preparation and use of this kit. Said the Comptroller General:

> It is clear that the kit is part of an effort to defeat the 15 pieces of legislation pending in Congress which the Administration opposes. It explains the reasons for the Administration's opposition to the legislation and includes statements that people should be urged to write their representatives in Congress. In our opinion, this use of appropriated funds violates the provisions of section 608(a) of the Act.

On the basis of this opinion, I demand that the administration cease all use of this kit, that those responsible be required to account for these illegal activities.

Mr. President, there is a second point of the Comptroller General's report that merits Senate attention. The Comptroller General notes that an initial set of the "Battle of the Budget" documents were paid for by the Federal Government and sent to Cabinet officers, agency heads, and some Under Secretaries. A second set, however, was printed by the Republican National Committee and paid for by them. These copies were given to sub-Cabinet-level Presidential appointees. Since this whole effort is purely political in violation of public law, I want to know why the administration saw fit to print and pay for half of the documents from Government funds while the Republican National Committee paid for the second distribution?

There are also some unanswered questions in the GAO report. Who ordered the distribution of this kit? What were the specific instructions given to public affairs offices by the White House Office of Communications? Was there knowledge by appropriate officials that their activities directed toward the defeat of the 15 mentioned bills were illegal?

For these reasons, Senator Muskie and I have taken additional steps. We have written to the Comptroller General asking that the General Accounting Office pursue its investigation in detail.

And, we have asked the Attorney General to investigate the preparation of the kit and consider appropriate legal action if the preparation, printing, and distribution of the kit constituted a violation of the criminal provisions of the United States Code.

Mr. President, I ask unanimous consent that a copy of a press release issued by Senator Muskie and myself, containing the preliminary report of the General Accounting Office, be printed in the Record.

I also ask unanimous consent that our letters to Comptroller General Staats and Attorney General Kleindienst be printed in the Record.

Finally, I ask unanimous consent that two articles concerning the GAO report, "GAO Says Law Broken on Speech Kit," and "Nixon Budget Battle Illegal, GAO Charges," from the Washington Post and the Washington Star-News, and an article from the New York Times be printed in the Record:

There being no objection, the material was ordered to be printed in the Record, as follows:

Senators Say "Propaganda Campaign" Violates Law

Senators Edmund S. Muskie and Hubert H. Humphrey have asked the Attorney General to launch an immediate investigation into the propaganda campaign being waged by the Administration as part of an attack on the Congress over the issue of Federal spending.

At the same time, the two Senators forwarded to the Attorney General a preliminary report of the General Accounting Office which found that the production of a propaganda kit, entitled "The Battle of the Budget, 1973," was a violation of Federal law. The kit was produced by the White House.

Muskie and Humphrey also asked the Attorney General to "take appropriate action" necessary to follow up the preliminary GAO report. That report, which they released, revealed:

Since the kit is part of an effort to defeat 15 pieces of legislation pending in the Congress, "this use of appropriated funds violates the provisions of section 608(a) of the Treasury, Post Office, and General Government Appropriations Act of 1973."

An estimated 120 to 150 copies of the same kit were printed and paid for by the Republican National Committee and distributed to subcabinet level Presidential appointees.

The accounting records of the White House are not maintained in a manner which permits identification of the cost of any material or work relating specifically to the "Battle of the Budget" propaganda kit.

In releasing the report, the two Senators asked the General Accounting Office to pursue its investigation in more detail. They asked the Comptroller General—

To determine if any kits printed and paid for by the Republican National Committee were distributed to civil service employees;

To obtain the specific written instructions that accompanied the distribution of the kits;

To make a detailed estimate of the total cost to the taxpayers of preparing the kit.

"We find it outrageous that the Administration has to resort to illegal propaganda campaigns to try to discredit the Congress," the two Senators said.

"We demand that all activity involving the use of the 'Battle of the Budget' kit immediately cease."

PRELIMINARY REPORT OF THE GENERAL ACCOUNTING OFFICE—APRIL 30, 1973

This is in response to your letter of April 9, 1973, in which you requested that we conduct an examination into the use of speech-making guidelines—commonly referred to as the "Battle of the Budget" kit—being used by Federal officials. Enclosed is a complete copy of the kit which was obtained from Mr. Ken Clawson, Deputy Director of Communications for the Executive Branch.

We interviewed Mr. Clawson and Mr. Fred Fielding, Deputy Counsel to the President, on the matter. The results of our interview were as follows:

Question 1—Who prepared the kit titled "Battle of the Budget 1973"?

The "Battle of the Budget" had its origins in a TV speech made by the President during which the need to hold the line on the 1974 budget was emphasized. Following this speech Mr. John Ehrlichman, Assistant to the President for Domestic Affairs, held a press conference and discussed 15 bills under consideration by the Congress which the President intended to veto, if necessary. Fact sheets were passed out giving the administration's rationale.

Most of the substance of the fact sheets was developed by staff of the Domestic Council during preparation of the budget. Later the fact sheets became a part of the "Battle of the Budget."

Assembly of the "Battle of the Budget" was by White House staff writers.

Question 2—How many copies were produced and who received them?

There were two sets of copies prepared. The first set, estimated as numbering 30 to 50 copies, was prepared by the White House and distributed only to presidential appointees of the highest rank, such as cabinet officers, agency heads, and some undersecretaries. The second set, estimated as numbering 120 to 150 copies, was printed by the Republican National Committee and paid for by them. These copies were made available to subcabinet level presidential appointees, such as assistant secretaries, assistant administrators, and public affairs officers.

Question 3—What instructions were given on use of the "Battle of the Budget"?

The "Battle of the Budget" was discussed during routine meetings conducted by the Office of Communications with public affairs directors who were presidential appointees. The Office of Communications is responsible for coordinating and consulting on public affairs information in the executive branch.

The public affairs directors were advised by Mr. Clawson that presidential appointees should talk about the budget, where appropriate, as often as possible to get across the President's position.

Question 4—What were the costs of preparing the "Battle of the Budget" and how were they financed?

As noted earlier, we were informed that the "Battle of the Budget" kit included material developed during formulation of the budget. Inspection of the kit indicates that it is essentially a compilation, consisting largely of speech excerpts, letters, poll results, and fact sheets carrying various dates. Inasmuch as this material appears to have been originally prepared or accumulated by the White House staff for other purposes, its cost is not clearly assignable to the kit. In any event, the accounting records of the White House are not maintained in a manner which permits identification of the cost of any material or work which permits identification to the "Battle of the Budget" kit.

With respect to your question as to whether the "Battle of the Budget" kits violate 18 U.S.C. 1913, lobbying with appropriated moneys, it is our position that in view of the criminal nature of this statute, determinations as to its violation should be made by the Department of Justice. Since 18 U.S.C. 1913 contains fine and imprisonment provisions which may be enforced only through judicial criminal proceedings, it is not within our jurisdiction to determine the statute's applicability in any given circumstances.

However, there is also to be considered Section 608(a) of the Treasury, Post Office, and General Government Appropriations Act of 1973, Public Law 92–351, 86 Stat. 471, which provides that:

No part of any appropriations contained in this or any other Act, or of the funds available for expenditure by any corporation or agency, shall be used for publicity or propaganda purposes designed to support or defeat legislation pending before Congress.

It is clear that the kit is part of an effort to defeat the 15 pieces of legislation pending in Congress which the administration opposes. It explains the reasons for the administration's opposition to the legislation and includes statements that people should be urged to write their representatives in Congress. In our opinion, this use of appropriated funds violates the provisions of section 608 (a) of the act.

However, the action to be taken by our Office with respect to such improper use of appropriated funds is limited to recovery of the amounts improperly expended. Essentially, there is involved the cost of paper and printing and the time of personnel. While appropriated funds apparently were used in preparing the kit, it appears that the amount would be small and comingled with proper expenditures.

We hope that this report will serve your purposes.

Sincerely yours,

ELMER B. STAATS,
Comptroller General of the United States.

U.S. SENATE,
Washington, D.C., May 3, 1973.

Hon. ELMER B. STAATS,
Comptroller General of the United States, General Accounting Office, Washington, D.C.

DEAR MR. STAATS: We have received your April 30 Preliminary Response to our request that the General Accounting Office undertake an investigation of the propaganda campaign, apparently directed by the White House, that the Administration has undertaken in an effort to launch an attack on Congress over the issue of Federal spending.

We look forward to receiving your final report as soon as it is completed.

In preparing your final report, it would be most helpful to us if your Office could pay particular attention to answering the following questions which were raised by your Preliminary Report:

1. To whom were the propaganda kits—entitled "The Battle of the Budget, 1973"—printed and paid for by the Republican National Committee, distributed?

2. Specifically, what written instructions accompanied the propaganda kits when they were distributed to government officials? In particular, we would like you to investigate the origin and distribution of the instructions the Department of Commerce apparently sent to its District Office officials along with the kit.

Senator Muskie forwarded a copy of those instructions to your Office on April 9. Those instructions request that District Office officials "immediately identify a minimum of two or more major forums for organizational meetings between April 6–23 at which a selected, senior departmental spokesman may deliver a basic business-oriented speech on the 'Battle of the Budget.' "

In addition, those instructions, apparently sent out by H. Phillip Hubbard, Acting Director of Field Operations at the Department of Commerce, request that the District Office officials "make arrangements to deliver such a speech yourself before a minimum of four additional groups during the same period (April 6–23) as well as handling on your own any of the major forums for which a departmental spokesman is not available."

Did other departments or agencies issue similar instructions when they distributed the propaganda kits?

3. Could you make a more detailed estimate of the cost to the taxpayers of financing this entire propaganda kit and the cost to the government of the personnel involved?

4. Should the violations of Sections 608(a) of the Treasury, Post Office, and General Government Appropriations Act of 1973 (P.L. 92–351), to which you referred in your Preliminary Report, be referred to the Department of Justice for prosecution?

We consider this investigation of the Administration's attempt to propagandize the budget issue to be of critical importance—especially in view of the hesitancy of key Administration officials to supply the Congress detailed budget information. We would appreciate receiving your final report as soon as practicable.

Thank you for your cooperation.

With best wishes.

HUBERT H. HUMPHREY.
EDMUND S. MUSKIE.

U.S. SENATE,
Washington, D.C., May 3, 1973.

Hon. RICHARD G. KLEINDIENST,
Attorney General,
Washington, D.C.

DEAR MR. ATTORNEY GENERAL: We are forwarding you a copy of the General Accounting Office's preliminary report concerning the "Battle of the Budget" propaganda kit prepared by the White House Office of Communications.

This report concludes that Section 608(a) of the Treasury, Post Office and General Government Appropriations Act of 1973 has been violated. We respectfully request that your office investigate this matter and consider appropriate legal action.

We also request that your office make a finding of fact as to whether or not the "Battle of the Budget" kits constitutes a violation of 18 USC 1913; and if a violation is found, appropriate action should be taken. The General Accounting Office made no findings of fact as to the applicability of this statute since "in view of the criminal nature of this statute, determinations as to its violation should be made by the Department of Justice."

We consider this investigation to be of critical importance and we request that you give it your immediate attention.

Sincerely,

EDMUND S. MUSKIE.
HUBERT H. HUMPHREY.

NIXON BUDGET BATTLE ILLEGAL, GAO CHARGES

(By Shirley Elder)

A White House campaign to rally opposition to 15 bills pending in Congress—with information kits entitled "Battle of the Budget 1973"—violates federal law against using tax dollars for propaganda, the General Accounting Office said today.

Sens. Hubert H. Humphrey, D-Minn. and Edmund S. Muskie, D-Maine, released a preliminary GAO report today stating that the kits were prepared by Ken W. Clawson, deputy director of White House communications, and distributed to high-ranking administration officials with instructions to make speeches and write letters to get the message out to the American public.

The two senators contend that the campaign also violates the law against lobbying with appropriated funds. They referred this question to the Justice Department today and asked for an immediate investigation.

In its report, the GAO said Clawson and Fred Fielding, deputy counsel to the President, both were interviewed about the budget kits.

Clawson and Fielding traced its origin to a television speech by the President in which he emphasized the need to hold the line on spending this year. Later, 15 bills under consideration by Congress were targeted for vetoes by presidential assistant John Ehrlichman.

GAO said it is impossible to determine exactly how much it cost to prepare the kits, but they were put together with White House funds.

Two sets were prepared. The first, 30 to 50 copies, was assembled at the White House and handed out to Cabinet officers; agency heads and some undersecretaries.

The second set, estimated at 120–150 copies, was printed by the Republican National Committee and paid for by them, GAO said. These were made available to sub-cabinet level presidential appointees and public affairs officers.

"It is clear," the GAO report says, "that the kit is part of an effort to defeat the 15 pieces of legislation pending in Congress which the administration opposes."

In a joint statement, the two senators called it "outrageous" that the administration has resorted to "illegal propaganda campaigns to try to discredit the Congress. We demand that all activity involving the use of the Battle of the Budget kit immediately cease."

GAO SAYS LAW BROKEN ON SPEECH KIT

(By Mike Causey)

The General Accountng Office says the White House apparently broke the law against using federal funds to lobby on legislation when it produced and ordered agencies to use a combination speech kit, fact sheet and joke book attacking "big spenders" in Congress.

Sens. Edmund M. Muskie (D-Maine) and Hubert H. Humphrey (D-Minn.), who asked for the GAO probe, have demanded that the Justice Department get into the investigation and determine if White House aides and political appointees should be punished.

GAO said the kit, officially called "The Battle of the Budget—1973" does violate an antilobbying law because it directs bureaucrats to whip up public sentiment against members of Congress. The kit was distributed to key federal personnel early last month, and first reported here April 4.

The 147-page kits have detailed instructions for preparation of antispending speeches. Each also contains a chapter of "horror stories" on certain legislative programs, a list of antispending jokes, and a section called "Epithets to Be Used Against Congress." Purpose of the kits is to attack bills pending in Congress which Mr. Nixon opposes. The bills are called "The Far Out Fifteen" in the kits.

GAO's report to Muskie and Humphrey—the 1968 Democratic presidential ticket—said that from 30 to 50 of the closely guarded kits were originally produced at the White House and given to Cabinet officers and their top aides.

A second set of the kits—numbering between 120 and 150 copies—was printed by the Republican National Committee, "and paid for by them," GAO said. Those kits were given to top agency public relations officials, who were told to write anti-congressional speeches and articles, and arrange for audiences where they could be delivered.

GAO said that the "Battle of the Budget" had its origins "in a TV speech made by the President during which the need to hold the line on 1974 spending was emphasized."

"Following this speech, John Ehrlichman, assistant to the President for domestic affairs, held a press conference and discussed 15 bills under consideration by the Congress which the President intended to veto, if necessary." (Ehrlichman since has resigned.)

GAO says most of the data contained in the Budget speech kits was developed by the staff of the White House Domestic Council. The Washington Post has reported, however, that federal agencies were asked to research and prepare "horror stories" on some of their programs the administration wants to end.

GAO said it couldn't comment on whether the original 1913 antilobbying law had been violated by preparation and use of the kits because that statute "contains fine and imprisonment provisions which may be enforced only through judicial criminal proceedings," and it is not "within our jurisdiction to determine the statute's applicability in any given circumstances."

But the congressional agency said another general government appropriations law which bars use of appropriated funds "for publicity or propaganda purposes designed to support or defeat legislation pending before the Congress" apparently had been broken.

"It is clear," wrote Comptroller General Elmer B. Staats to Muskie and Humphrey, "that the kit is part of an effort to defeat the 15 pieces of legislation pending in Congress which the administration opposes."

While Staats said that an antilobbying act was violated, in GAO's opinion, ". . . . the action to be taken with respect to such improper use of appropriated funds is limited to the recovery of the amounts improperly expended." This would amount to paper, ink and printing time of machines and personnel involved, and GAO noted that ". . . the accounting records of the White House are not maintained in a manner which permits identification of the cost of any materials or work relating specifically to the 'Battle of the Budget' kit."

Muskie and Humphrey clearly are interested in more than having the government reimbursed a few dollars for the value of the kits. They have asked Attorney General-designate Elliot L. Richardson to check on the possibility of criminal actions in the affair.

PUBLICITY KIT ON NIXON'S BUDGET IS CALLED ILLEGAL BY THE GAO

(By James M. Naughton)

WASHINGTON, May 4.—The General Accounting Office said today that a 145-page publicity campaign kit designed to rally support for President Nixon in his dispute with Congress over spending "violates the provisions" of a 1973 appropriations act.

But the accounting office, a fact-finding agency of Congress, declined to make a determination on whether the White House kit might also have been prepared in violation of a criminal law forbidding the use of Government money for lobbying purposes.

In a report to Senators Hubert H. Humphrey of Minnesota and Edmund S. Muskie of Maine, both Democrats, the accounting office said that 30 to 50 of the kits had been prepared in the White House, that they included statements that "people should be urged to write their representatives in Congress" and that they thus appeared to conflict with Section 608 (A) of the act appropriating funds for the White House.

Section 608 (A) of the Treasury, Post Office and General Government Appropriations Act specifies that "no part of any appropriations contained in this or any other act, or of the funds available for expenditure by any corporation or agency, shall be used for publicity or propaganda purposes designed to support or defeat legislation pending before Congress".

The White House kit, titled "Battle of the Budget, 1973," was distributed early last month to Cabinet appointees throughout the Administration. It contains background information on the President's budget positions, "one-liners" or anecdotes to be used in speeches and suggested arguments for use against 15 specific bills enacted by or pending before Congress.

In a statement issued today with the G.A.O. report, Senators Muskie and Humphrey called on the Attorney General-designate, Elliot L. Richardson, to begin an investigation of the "propaganda campaign" that they said was "part of an attack on the Congress."

"We find it outrageous," the joint statement said "that the Administration has to resort to illegal propaganda campaigns to try to discredit the Congress. We demand that all activity involving the use of the 'Battle of the Budget' kit immediately cease."

At the White House, however, Ken W. Clawson, the deputy director of communications for the executive branch, defended the kit as part of the White House "informational function."

KIT IS DEFENDED

He said that he did not believe it violated any laws or that it was departure from practices of previous Administrations.

"Not only is it proper," Mr. Clawson said, "We would be derelict in our duty if we did not make an effort to get the President's perspective on such a vital issue to the public."

According to the accounting office report, "It is clear that the kit is part of an effort to defeat the 15 pieces of legislation pending in Congress which the Administration opposes."

The report, signed by the Controller General, Elmer B. Staats, said that the accounting agency would leave to the Department of Justice any decision as to whether the kit is in violation of the Federal criminal code.

Citing a provision of the code that makes it a violation—punishable by fine or imprisonment—to lobby with Government funds, the report said that the section should be enforced "only through judicial criminal proceedings" that are not within the G.A.O. jurisdiction.

NIXON TAX PROPOSALS IGNORE SMALL BUSINESS

Mr. BIBLE. Mr. President, unfortunately, the Nixon administration tax program has nothing in it for America's 12 million small business enterprises.

As chairman of the Senate Small Business Committee, I must express my disappointment that the series of proposals presented to the House Ways and Means Committee by Treasury Secretary George P. Shultz on Monday and Tuesday—April 30 and May 1, 1973—pointedly ignores the present unfairness of the tax system toward smaller firms, and the 6-year effort of both Democrats and Republicans in Congress to do something about it.

Since 1970, when the comprehensive Small Business Tax Simplification and Reform bill was first introduced, we have had the cosponsorship and support from Senators and Representatives of both political parties who understand that the present tax system disadvantages smaller firms.

The 1973 small business tax reform bill, which I introduced on March 6, has bipartisan support of about four dozen Senators and Representatives. In addition, there have been several alternative bills in past years by Senators BENNETT, TOWER and GRIFFIN, among others, offering some relief to the hard-pressed small business community that accounts for 44 percent of the jobs in the country and 37 percent of the gross national product.

In my testimony before the House Ways and Means Committee on April 17 on the 1973 version of the Bible-Evins bill (S. 1098 and H.R. 5222), I pointed out that, while most small and medium-sized manufacturing corporations pay more than 50 percent of their earnings in Federal taxes, the largest corporations as a class pay an effective rate of less than 25 percent.

Treasury Secretary Shultz made a competent presentation before the House Ways and Means Committee. But it is clear that President Nixon's tax program does nothing to relieve this discrimination in any way, or even to recognize it.

It is also well known that workers can have part of their wages withheld for over a year for taxes without payment of any interest, while other persons can postpone the payment of taxes on income for long periods of time through tax shelters. I am glad to see that the administration at least addressed this problem.

Secretary Shultz got off on the wrong foot, however, by stating that the Tax Reform Act of 1969 was a result of "(a) cting upon the President's 1969 recommendations."

To keep the record straight, I believe it was the Congress, and particularly Representative WILBUR MILLS, the distinguished chairman of the House Ways and Means Committee, who took the initiative on tax reform in 1969 and again in 1973. The recommendations of the Nixon administration, in both instances, emerged after long delays, and then have been inadequate. I feel that although there are a few steps in the right direction in the administration's 1973 message, as a whole it is unequal to the serious problems of tax unfairness and erosion of confidence on the part of wage-earners and small businessmen in a tax system which requires them to pay more than their fair share.

I will continue to do all I can to bring about meaningful tax reform and relief for new, small, local, family and independent businesses, and for the Nation's wage earners, so that our tax system can come closer to giving a fair reward for hard work and taking the risks of enterprise.

Mr. President, I have just learned of a statement made yesterday by Mr. Ray W. Sim, president of the National Small Business Association, which corroborates the points I have been making. The National Small Business Association recounts, considerable detail, the lip-service which the Nixon administration has paid to small business in the tax field and remarks correctly, I believe, that:

> The pieties (and) platitudes about how great the small business community is . . . (cannot be) deposited at a bank.

I feel it is appropriate and timely that this fine statement by Mr. Sim be included in the RECORD for the information of all concerned, and I ask unanimous consent that it may be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ADMINISTRATION BREAKS PROMISES TO SMALL BUSINESS COMMUNITY

WASHINGTON, D.C.—May 2, 1973—Ray W. Sim, President of the 40,000-member National Small Business Association and President of the Washington Woodworking Co., Inc. of Landover, Maryland today castigated the Administration for its *shocking betrayal of the small business community* in the Nixon tax measure presented to the House Ways and Means Committee by Treasury Secretary George P. Schultz. Mr. Sim's statement follows:

"Small Business has been once more shunted aside by the Federal Bureaucracy! On May 1, 1973 Treasury Secretary George P. Schultz presented the Administration's tax reform package to the House Ways and Means Committee. In 82 pages of prepared testimony and a total of 175 pages of testimony and explanation, the Administration has once again failed to come to grips with the importance of the Nation's 11 million small businesses to the economy and the inequities of the Tax Code forcing them to close their doors in increasing numbers. 'Benign neglect' seems once more to be the order of the day.

"The Administration's callous disregard of the small business community is a shock. In the summer of 1972, the Republican Convention included in its platform a plank specifically oriented toward small business. A direct quote from that plank is that 'Through tax incentives, encourage the start-up of more new businesses, and *work* for a tax system that more fairly applies to small business.'

"Both the current and immediate past Assistant Secretary for Tax Policy of the Treasury Department committed the Administration to support of several proposed small business tax reform provisions. In addition the Administration's bill to ease the taxation problems of small business was introduced by Senator Wallace Bennett (R-Utah)—S. 544—in the previous session of Congress. These important substantive provisions of the Administration's Small Business Taxation bill have been omitted in Secretary Schultz's statement.

"President Nixon in his Proclamation 4195 designating the week beginning May 13, 1973 as Small Business Week said that 'Nineteen out of every twenty firms are considered small business, and they provide approximately 35 million jobs, and contribute more than $420 billion to the gross national product.'

"Assuming that what Mr. Nixon said in his Small Business Week proclamation is true, why then has he and the Treasury chosen to ignore, in his tax proposals, this 95% of American commerce and industry.

"There is no way that the small business man can deposit at a bank the mouthings, the pieties, and the platitudes about how great the small business community is. What's needed more than anything else is a facing up to the issue by the Administration that the small business community is getting the dirty end of the stick in the application of the Federal Tax Code. The Congress seems considerably more attuned to this pressing problem than the Administration. One-fourth of the Senate is sponsoring small business tax reform legislation. The House Ways and Means Committee, the Senate and House Small Business Committees are all knowledgeable as to the need for reform and updating of the Code in this age of giantism where the big get bigger and the small get smaller.

"National associations are joining in this battle to bring about change for the neglected sector of our economy—small business. This government has enacted no major change in the Tax Code with respect to small business in 15 years. A representative list of the national associations representing more than 250,000 small business men fighting for small business tax reform is the following:

American Association of Nurserymen, Inc.
Associated General Contractors of America.
Industrial Fasteners Institute.
Menswear Retailers of America.
National Association of Black Manufacturers.
National Association of Small Business Investment Companies.
National Business League.
National Concrete and Masonry Association.
National Home Furnishings Association.
National Insulation Contractors Association.
National Office Products Association.
National Parking Association.
National Patent Council.
National Retail Hardware Association.
National Small Business Association.
National Society of Public Accountants.
Screen Printing Association International.
Tobacconists' Association of America.

"The Administration has broken faith with small business. The Secretary's failure to include any small business tax reform proposals shows an abhorrent lack of interest. How long must the small business community, the very backbone of our economy, continue to give, and give, and give, without getting any help in return?"

NATIONAL EMERGENCY

Mr. CHURCH. Mr. President, the Special Committee on the Termination of the National Emergency, which Senator MATHIAS and I have the honor to cochair, is investigating Executive emergency powers. An initial discovery by the special committee is that the United States has been in a state of national emergency since 1933, from which a plethora of emergency statutes, Executive orders, administrative rules and regulations have flowed to the point where the executive branch has the matrix to conduct Government without checks and balances. As the New York Times editorialized about the existence of emergency laws in its lead editorial of April 19, 1973:

> Emergency powers are an incredible anomaly in the Constitutional structure of checks and balances. That anomaly should be set right.

I ask unanimous consent that the New York Times editorial of April 19 be printed here in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NATIONAL EMERGENCY

The United States has been in a state of national emergency since 1933. This is not a flippant statement, but a matter of law discovered—to the astonishment of members of Congress as well as many in the executive and judiciary branches—by a special Senate committee investigating the powers of the Presidency.

This state of emergency was declared by President Roosevelt on March 9, 1933, to enable him to enforce his bank holiday and assert Presidential control over the economic life of the nation. The emergency of the Great Depression was never declared at an end, even though new states of emergency have been proclaimed by successive Presidents to confront other crises, including the Korean war. The latest came in mid-August, 1971, when President Nixon proclaimed a national emergency giving him special powers to manage American participation in international monetary moves.

Emergency is a very special state of affairs, and there is, of course, an element of historical fantasy in the Senate study. But there is also an astonishing lapse of constitutional process, for over the years no less than 580 separate sections of the United States Code have been piled up to delegate extraordinary powers to the President any time he wishes to declare an emergency.

These include the right to dispatch American armed forces to any country of the world that he chooses to, the authority to regulate all civilian activity in any part of this country—or for that matter the whole country—that he decides to designate a military area. There are no restrictions on the President's ability to declare an emergency for any reason and duration. Once it is declared, neither Congress nor the courts can serve as check to any of the statutory emergency powers.

Under the bipartisan co-chairmanship of Senators Church of Idaho and Mathias of Maryland, the committee is trying to compile a basic list of Presidential emergency powers, something never done before across the whole Government. Then the Senators intend to propose ways to restore constitutional accountability while leaving sufficient flexibility for genuine emergencies.

Both the Senators and the Nixon Administration are rightly conducting this study in a nonpartisan spirit, wisely removed from the immediate struggle over Presidential authority. The emergency powers are an incredible anomaly in the constitutional structure of checks and balances. That anomaly should be set right.

THE WATERGATE AND THE PRESIDENCY

Mr. HUMPHREY. Mr. President, I was recently asked by the Washington Post to reflect on the implications of Watergate since this issue is of great importance to all Americans.

Because of the wide effect that this issue may have on government and the political process, I ask unanimous consent that my article, which appeared in the Washington Post on May 6, 1973, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE THREAT TO THE PRESIDENCY

(By HUBERT H. HUMPHREY)

As Watergate unfolds, many thoughts rush forward. As a man of politics, I feel a deep sense of loss. A shadow of doubt and distrust has been cast over the entire political process.

As a man of government, I realize that the task of maintaining confidence and public trust in the fragile institutions of our democratic system has been greatly impaired.

As an American, I am appalled. It will be difficult for us to say that our country is a reservoir of hope and faith in the midst of cynicism and despair.

Like all Americans, I ask myself time and time again: How did it happen? Blind loyalty, selfishness and deceit are certainly the basic ingredients of the drama. But there is more. The essential morality of leadership which demands that those who lead be aware of the limits of their own power has been violated.

The basis for such violation originates at the philosophical heart of an administration which has been aggressive in demanding our loyalty and trust for the past five years. There have been few times in the history of this nation when a small group of men wielding such tremendous power were so aloof, so remote from the people, and so often contemptuous of institutions of government and the recognized norms of the political process.

Those in power have interpreted their electoral mandates as relieving them of any responsibility to respond to people's needs. The climate of "we know best" has been so pervasive that it has led some to believe that they were above and beyond the law.

I have worked in partisan politics most of my life. But I find no comfort or satisfaction in the incredible and disturbing events which confront us. This is certainly no time for partisan advantage or glee. The events of the past six weeks are, at best, depressing and, at worst, a national tragedy.

I recognize that politics and the personal loyalty that is linked with it must enter into government—not as a necessary evil, but as the mechanism of consensus and of trust.

But I have never seen a national administration more insistent on personal loyalty for its life's blood. Personal loyalty—rather than individual competence—has too often been the determinant in filling positions of high authority in this administration. It is no wonder that loyalty to administration and to friends seems to have been placed before loyalty to the constitutional institutions of government by those involved in this tragic crisis.

It has been suggested that Watergate was no different from the way things are usually done in politics. We continually hear the word "politician" linked to this event.

However, Watergate was not politics as usual. It was a flagrant violation of the law. Wiretapping, burglary, breaking and entering, conspiracy and obstruction of justice have absolutely no place in even the most vigorous partisan contest.

Even before the recent Watergate developments came to light, the President's ability to govern was being seriously impaired by his open and determined political and institutional confrontation with the Congress. This situation was most obvious in his struggle with Congress over the impoundment issue, where the President, choosing to ignore legislative mandate, recklessly cut back or eliminated entire programs established by law.

I urge the President to embark now on a course of political restraint and cooperation with the Congress, the kind of constructive partnership that alone can enable the nation to resolve or seek solutions to such urgent and pressing problems as inflation, unemployment, poverty, racism, the energy crisis, transportation, foreign trade policy, rebuilding our cities, providing good schools, assuring adequate health care and cleaning our environment.

A President cannot achieve such goals by himself, and surely the problems plaguing this presidency make such cooperation even more essential.

BROADENING THE CABINET

To develop a consensus and assure the country that the office of President is not narrowly partisan but speaks for all the people, he might well follow the precedents established by such Presidents as Roosevelt Eisenhower and Kennedy and recognize that his administration would be strengthened by including members of the opposition party in his Cabinet and at other high levels of government. Partisanship and blind personal loyalty must give way to restoring trust and confidence in government and in those who hold authority and responsibility.

The indictments, dismissals, resignations and prison sentences likely to result from the Watergate affair add to the growing public distrust of the American government. Before there can be any meaningful conduct of domestic and foreign public business, there must be a cleansing of the house of government. It is the people's trust and faith in their political leaders and institutions that give meaning to the social contract of popular government.

The loss of public confidence in any public official or in those who surround him can be rectified by an election. But the restoration of public confidence in the institutions of government is a slow process that requires constant building and rebuilding. This process will require more than punishing or censuring those who are found guilty of criminal acts. We must take positive steps:

The Senate has called for the appointment of an independent public prosecutor, a man of unquestioned integrity, the highest professional ability and the tenacity to get the job done. He must have the power, the authority and the resources to act independently to fulfill every requirement of thorough and impartial investigation and—where the facts warrant—prosecution.

The secrecy that pervades both the executive and legislative branches must be ended. Doors must be opened, so that the public's right to know is effectively upheld.

The remoteness of our President and his staff from the people and everyday life and problems of America should be discouraged.

DECENTRALIZING POWER

The relentless drive for centralization of power in the White House has occurred at the expense of public accountability and scrutiny of this powerful office. This entire process should be re-evaluated and checked. We must establish a strict code of conduct and ethics for all public employees at all levels of government.

We must press anew for urgent reform of our system of campaign financing. It is a cancer in the body politic. It lends itself to cynicism and distrust of public officials. It makes public office something to be bought and sold in the marketplace. We must close the loopholes in campaign financing laws and require full disclosure of receipts and expenditures. Strict limits must be placed on amounts to be contributed and expended. Forms of public financing—including tax credits, the dollar check-off from income tax, free television and radio time—might be provided.

Above all, we must renew our commitment to the First Amendment freedoms so necessary to safeguard the democratic process.

There is a familiar maxim—that power corrupts and absolute power corrupts absolutely. This admonition applies to both nations and individuals. With Watergate we have seen officials of our government commit criminal acts that strongly resemble the practices and methods directed against foreign governments and other peoples. Counterespionage, coverups, infiltration, wiretapping, political surveillance, all done in the name of national security in faraway places, have come home to haunt us. The spirit and the purpose of domestic policy is said to condition our foreign policy. The reverse is also true. What we do abroad influences what happens at home.

Finally, we cannot escape the ultimate implication of Watergate: that it may reflect the reality of today which permits some with money and power to live beyond the law. It is not possible to separate Watergate from the vast financial swindles, consumer frauds, growing white-collar and street crime that all Americans must deal with on a daily basis. Morality is more than a political issue: It is a public and private issue demanding the attention of all Americans.

WILLIAM BENTON, INNOVATOR OF PRACTICAL POLITICAL IDEALISM

Mr. METCALF. Mr. President, I ask unanimous consent to have printed in the Record a tribute by Mr. Charles P. Taft, chairman of the Fair Campaign Practices Committee to William Benton.

There being no objection, it was ordered to be printed in the Record as follows:

William Benton

Among all the eulogies to William Benton the super-salesman, Benton the Philanthropist, Benton the intellectual, Benton the educator and Benton the public servant, we may forget too soon the part that William Benton played in our American political process. Benton the politician was more than a successful candidate for the United States Senate, more than an adviser and supporter of presidential candidates. He also deserves a share of the credit for two decades of effort to improve the political campaign climate.

William Benton, in the field of politics as in so many other fields, was an innovator. In the early 1950's when smear-by-innuendo was a standard tactic in political campaigns, William Benton urged Congressional action to uplift the moral tone of American political life.

But William Benton was more than an idealistic uplifter. Two Subcommittees of the United States Senate were investigating some of the campaign tactics of those days which seemed to indicate an underlying sickness in the political process. William Benton urged action upon the Subcommittees, but he was too much of a practical politician to believe that the Congress could legislate political morality.

Instead, he urged the establishment of "a continuing national commission of national citizens with a full-time staff to collect material, issue reports, and develop standards of behavior on the conduct of political campaigns." That was in the summer and fall of 1951, and both Subcommittee reports recommended a set of political campaign principles to be administered by a private, non-government group.

In 1954 the Fair Campaign Practices Committee was established to educate candidates, campaigners and voters on the practicality of clean campaign tactics. I became Chairman of the Committee—a post I still hold—in 1956 and William Benton officially joined the Board of Directors of the Committee in 1960.

The Fair Campaign Practices Committee certainly has not solved all the problems of dirty politics. William Benton, in his 1951 testimony which helped set the scene for the creation of the Committee, did not expect instant political honesty. William Benton, as a member of the Board of Directors of the Committee until his recent death, did not expect political miracles.

But he did urge upon all connected with the political process a belief in the sanctity of office and in the essential decency of the men selected to run for office. Because of men such as William Benton the political campaign climate is better today, and it is better because of the improvements he recommended 20 years ago.

SENATOR RANDOLPH DISCUSSES KEY ISSUES TO BE RESOLVED IN HIGHWAY CONFERENCE

Mr. RANDOLPH. Mr. President, the Congress is now approaching the final step in its development of the Federal-Aid Highway Act of 1973. The Senate conferees on this measure have been appointed and the first meeting of the conference committee is scheduled for May 9.

It is unnecessary to remind Members of the Senate that this is extremely important legislation. It is also extremely controversial legislation. Seldom, in recent years, has public attention been so intensely focused on highway legislation as during the past year.

Mr. President, I do not anticipate that this will be an easy conference. There are a number of differences in the Senate and House versions of the highway bill. That, in itself, is not unusual. This year, however, there are major questions of policy on which a sharp divergence of views has been expressed in votes by the two bodies.

I have reviewed carefully the provisions of both bills, and I believe that the major obstacles to agreement lie principally in four issues. Even though we are dealing with highway legislation, two of the questions to be resolved deal with a nonhighway subject—mass transit.

The first of these questions, of course, is whether the resources of the highway trust fund should be used to finance mass transit activities. During the development of this legislation in the Senate, there were several proposals addressed to this question. The Senate Public Works Committee recommended approval of the use of trust funds for public transportation that is highway-related, including the purchase of buses. Our committee measure was amended on the floor to extend this authority to all forms of mass transit, including rail. The House rejected such provisions. Obviously, then, a critical objective of the conferees will be to reach accommodation on this point. This must be done if we can realistically expect to have a bill enacted.

Mr. President, I believe it is important for me to clarify my position on this subject. In recent weeks there has been published speculation that I would quickly accept the House position on mass transit. On March 18 the New York Times quoted an unnamed lobbyist as saying that I would cynically report to the Senate that I was unable to persuade the conferees to accept the Senate provision. A Washington Post writer, on April 16, asserted that there was not much doubt about what JENNINGS RANDOLPH would do in the conference. "He will simply give in to the House position," the article said.

There is absolutely no basis for this supposition. It is apparently founded on my opposition to the Senate amendment which would permit the use of the highway trust fund for rail transit purposes.

In the first place, the House bill does not reflect my belief as to the relationship of the highway program to public transportation. The House bill makes scant recognition of this relationship. I have long advocated that highway funds be used to assist transit programs that are highway related. In 1969, I introduced legislation to authorize trust fund usage for highway-related transit purposes. It was considered, at that time to be an unusual proposal and it was promptly rejected during development of the Federal-Aid Highway Act of 1970. Last year and again this year, however, a similar approach was adopted by the Senate Public Works Committee. So, for me to accede to the House bill on this point would mean the abandonment of what I believe to be a proper function of the highway program.

Furthermore, I could not participate in this conference unmindful of my responsibilities to the Senate. While all conferees may not be in total agreement about every provision, it is our duty to support the Senate bill. We must do this vigorously, consistent with our overall goal of producing responsible legislation. No Senator could long maintain credibility with his colleagues if he were not a reliable representative of this body.

A second potential stumbling block for the conferees is the provision in the Senate bill providing operating subsidies for mass transit. While the subsidies would not come from the highway trust fund, this is a new program to which the administration has expressed strong objections. In many respects, though, I believe operating subsidies are more important than construction funds if American cities are to have viable mass transit systems.

There are also significant differences between the two bills as to the funding levels for the highway program. These must be resolved before the Committee of Conference can return with a report to the two Houses. Even within the total authorization figures there are significant variants in the spending proposed for individual programs. In some instances, the recommended expenditures reflect major policy directives and, therefore, must be subjected to detailed scrutiny.

The fourth major point which must be resolved in conference is that known as interstate transfer. This is a complex issue on which there are many opinions. Basically, it is concerned with the removal of urban segments of the interstate highway system and the use elsewhere, or for other purposes, of the money allocated to these segments. Provisions for interstate transfer are intended to help resolve controversy associated with a number of interstate highway segments throughout the country, particularly in urban areas. Once again, the two bodies approach the subject from different philosophical and operational viewpoints, greatly compounding the difficulty of resolution.

In addition to the four major issues in the two bills, there are, of course, other provisions on which the Senate and House did not approve identical language. I anticipate that our discussion will be lengthy and intense on such subjects as highway beautification, highway safety, a number of individual programs, and the priority primary system which was first proposed last year by the House, and rejected by the Senate conferees.

There is much at stake in this bill that makes the forthcoming conference more than routinely important. Our actions will be closely watched by the public, but we must resist the temptation to do what is expedient or what will attract headlines. I welcome public scrutiny, but the Members of the Senate and the House of Representatives, who will meet next Wednesday, must approach their work with a seriousness of purpose which reflects their recognition of the central role the highway program occupies in the social and economic life of the United States. I am convinced that they will do this and, that working together, a highway bill that continues this important program in a responsible manner will be produced.

DR. EUGENE BALTHAZAR, A REMARKABLE INDIVIDUAL

Mr. HUMPHREY. Mr. President, Eugene Balthazar is a remarkable individual. After 46 years as a very busy physician in general practice in Aurora, Ill., Dr. Balthazar has "retired" to do the kind of work he has been dreaming of for many years. Seven months ago, Dr. Balthazar established a clinic, open 3 days a week, to treat anyone who could not afford to go to other doctors. Dr. Balthazar collects no fees whatsoever, and has even had to put out some cash of his own to get the clinic started. The clinic is a great success and I believe that my colleagues will be interested to learn how one doctor is trying to meet the health care needs of the medically indigent in his community. I ask unanimous consent that an article from the American Medical News be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

He's Thanking Town With Clinic

Last month, the Illinois State Medical Society presented its first Humanitarian of the Year award to Eugene R. Balthazar, MD, a retired general practitioner who established a free medical dispensary in Aurora last year after 46 years of practice in the area.

"If you can afford to pay, please see your family physician," is the motto of the clinic which presently is treating 80 to 100 patients mostly acutely ill children, on an average day.

"This community has been good to my family and me for decades, and I owe the people something," said Dr. Balthazar, 71, who never gives anyone a bill and is paying about $1,000 a month out of his own pocket to keep the clinic running.

"I had the idea for years," he added, "and wanted to end my professional career in this way."

The clinic, located in a former furniture store and leased to Dr. Balthazar for $1 a year, is open from 9 a.m. to 5 p.m. on Monday, Wednesday, and Friday. It is not uncommon to see a dozen or so patients lined up outside waiting for the doors to open. No appointments are needed, and patients are seen in the order of their arrival.

Dr. Balthazar emphasizes that "no fees of any kind will be accepted under any circumstances." Upon reading and hearing of his clinic, many citizens began sending him contributions—a practice which he quickly asked to be ended.

Included in Dr. Balthazar's expenses are the salaries he pays a registered nurse, Mrs. Catherine Weiland, who was with him in his private practice, and a receptionist, Mrs. Mary Paetzold.

Volunteering their efforts are seven registered nurses, a licensed practical nurse, and 19 community workers who do interpreting and clerical work. Interpreters are necessary because Mexican-Americans comprise a significant portion of the 75,000 population of Aurora, which is about 40 miles from Chicago.

Pharmaceutical houses have heard of his practice and contributed supplies. Local retiring physicians also have given him their supplies.

In addition to volunteer aid from the medical and nursing professions, area dentists also have agreed to take patients referrals on a free basis.

"Eighty per cent of the kids we see are violently ill," (but don't require hospitalization) said the friendly, gray-haired man who never sent out bills in his private practice. "When people could pay me, they did, and sending bills was a lot of work for nothing," he said. But enough people did pay him so he could fulfill the dream of a free clinic.

Dr. Balthazar said the clinic, in just seven months of operation, has exceeded his expectations. Because of patient demand, he expects to open soon on Saturdays.

The clinic does not treat obstetrical or venereal disease cases or patients who need hospitalization. Any patient, regardless of income, is treated on his first visit. But Dr. Balthazar wants to restrict the clinic to just poor patients.

On a recent visit by American Medical News, 25 handicapped children were brought to the clinic and received a physical examination.

How long will Dr. Balthazar keep the clinic running? "Until I run out of breath or money," he says. And what does he do on Tuesday and Thursday when the clinic is not open. "I recoup," he said.

Although the clinic is only open three days a week, he still is on call 24 hours a day.

"Dr. Balthazar is a wonderful, unbelievable man," said his receptionist, Mrs. Paetzold. "He is sort of a Santa Claus."

A volunteer sitting nearby in the crowded waiting room added, "This clinic must mean an awful lot to this community, or we wouldn't have so many people."

WATERGATE

Mr. HASKELL. Mr. President, in view of recent developments surrounding the Watergate incident of last summer I thought a decision made by the San Francisco superior court in 1964 would be of interest to my colleagues.

The decision finalizes a preliminary injunction issued in 1962 in the case of the Democratic State Central Committee against Committee for the Preservation of the Democratic Party in California. The case involved a committee organized and financed by the Nixon for Governor Finance Committee, which masqueraded as a bona fide committee of Democrats.

The court found—

> Mr. Nixon and Mr. Haldeman approved the plan and project. . . .

Mr. President, I ask unanimous consent that a copy of the judgment of the court be printed in the Record.

There being no objection, the judgment of the court was ordered to be printed in the Record, as follows:

[In the Superior Court of the State of California, in and for the city and county of San Francisco—No. 526150]

Judgment

(Democratic State Central Committee, et al., Plaintiffs, vs. Committee for the Preservation of the Democratic Party in California, an unincorporated association, et al., Defendants)

The above entitled matter came on regularly for hearing on October 22, 1962, at which time the above entitled Court issued a temporary restraining order against the defendant Committee for the Preservation of the Democratic Party in California, hereinafter called the defendant Committee, Joseph Robinson, Robinson & Company Inc., a corporation, William Martin, Ed Fitzharris, Harry J. Boyle, Austin Healy, Crocker-Citizens National Bank, formerly Crocker-Anglo National Bank, Recorder Printing and Publishing Company, a corporation, and Bernhard A. Hansen, individually and as vice-president of said Recorder Printing and Publishing Company. Thereafter the matter was continued from time to time to November 2, 1962, at which time the Court issued a preliminary injunction against the defendants above named. Pursuant to court order the matter was then continued while plaintiffs herein took depositions of persons not parties to this action. The matter then came up for hearing before this Court, Department 5 thereof, Honorable Byron Arnold presiding without a jury, and upon the complaint (as amended to insert the names of certain appearing defendants sued as fictitious defendants) and the above defendants' demurrer, and Gerald J. O'Gara, Esq., Webster V. Clark, Esq., and Gerald Marcus, Esq., appeared as counsel for plaintiffs and Ralph Golub, Esq., appeared as counsel for the defendants Joseph Robinson, Robinson & Company Inc., William Marlin, Ed Fitzharris, Austin Healy and Harry J. Boyle, and Almon B. McCallum, Esq. appeared for defendant Crocker-Citizens National Bank, formerly Crocker-Anglo National Bank, and Brobeck, Phleger & Harrison by Robert Metz appeared for defendants Recorder Printing and Publishing Company, and Bernhard A. Hansen, individually and as Vice President of Recorder Printing and Publishing Company. The Court having read the depositions of six witnesses taken in San Francisco and Los Angeles and all said depositions having been admitted in evidence and the Court having examined the proofs, both oral and documentary, offered by the respective parties, and further evidence having been presented and admitted from time to time until October 30, 1964; and the cause having on that date been submitted for decision, and the Court having fully considered all the evidence and arguments of counsel;

Now, therefore, the parties having waived notice of time and place of trial and findings of fact and conclusions of law herein except as specifically set forth herein and the Court being fully advised in the premises hereby finds as facts the matters set forth herein and from the facts so found makes the conclusions of law set forth herein.

It is hereby ordered, adjudged and decreed that:

1. In October, 1961, Richard M. Nixon announced his candidacy for the governorship of California.

In October, 1962, a circular to Democrats was drafted which purported to express the concern of genuine Democrats for the welfare of the Democratic Party and their fear that the party would be destroyed if candidates supported by the California Democratic Council (hereinafter called the "CDC") including primarily Governor Brown, were elected in the November 1962 election. It appealed for the support and money of Democrats in fighting the CDC and certain policies attributed to it and cast aspersions on the Democratic candidates endorsed by it. It was drafted in the form of a postcard poll addressed to Democrats. This postcard poll was reviewed, amended and finally approved by Mr. Nixon personally in the form attached hereto as Exhibit A. It criticized the policies of the CDC and the Democratic candidates it surprised, notably Governor Edmund G. Brown, and asked the addressee Democrats to express their preference either for Governor Brown and the other statewide Democratic candidates or their Republican opponents, headed by Mr. Nixon.

Nowhere in Exhibit A or letters mailed by defendant Committee was it stated that the defendant Committee and its mailing of Exhibit A were supported and financed by the Nixon for Governor Finance Committee. Mr. Nixon and Mr. Haldemann approved the plan and project as described above and agreed that the Nixon campaign committee would finance the project.

Officials of the Nixon for Governor Committee then made an agreement with defendants Robinson and Company, a corporation and Joseph Robinson, whereby for the sum of $70,000 Robinson and Company agreed to print, address and mail the postcard poll as described above and to receive and compile the results of the poll as indicated on the return postal cards.

In accordance with that agreement defendants Robinson and Co. and Joseph R. Robinson mailed more than 500,000 postcards to registered Democratic voters in California in the month of October, 1962. That mailing continued until this Court enjoined further mailings and enjoined compilation or publication of any poll resulting from the distribution or mailing of the postcards.

As shown by the report of the Nixon for Governor Finance Committee filed with the Secretary of State of California and attached as Exhibit B, and by the testimony of members of the Nixon Finance Committee and Campaign Committee, the Nixon campaign paid $70,000 to defendant Robinson and Company for its work in connection with the distribution of the postcard attached as Exhibit A and with the taking of this poll in the name of the Committee for the Preservation of the Democratic Party in California.

The financial support for the defendant Committee consisted of the above sum contributed by the Nixon for Governor Finance Committee and approximately $368.50 which was contributed by Democratic voters in response to the postcard and appeals circulated and made by the defendants Robinson and Company, Joseph Robinson, the defendant Committee and other defendants.

The executive secretary of the defendant Committee was defendant William Marlin. He was paid $750 for his services by defendant Committee.

Defendant Ed Fitzharris was one of the publicists employed by the defendant Committee. He was paid $1000 for his services on behalf of defendant Committee.

2. Plaintiff the Democratic State Central Committee, also known as the California Democratic State Central Committee, is the official committee of the Democratic Party in California. The Democratic State Central Committee exists pursuant to the Elections Code of California and conducts the business and campaigns of the Democratic Party in California. It is the only official statewide Democratic organization in the State of California.

3. On December 10, 1962, John Robert White, as treasurer of the Nixon for Governor Finance Committee 1962 General Campaign caused to be filed with the Secretary a Statement. The statement Exhibit B contained under heading "Expenditures for Payment of Personnel, Item (d)" an entry as of State of California a General Campaign follows "Robinson and Co.—$70,000."

This payment was the largest single item of expenditure for payment of personnel in the statement.

Defendant Robinson & Company received the above sum from the Nixon for Governor Finance Committee for the mailing of the double postcard attached hereto as Exhibit A and related services. Payment was received by Robinson & Company in the form of two checks drawn on the Nixon for Governor Finance Committee account, one dated October 5, 1962, check No. 3530 for $35,000, and one on October 22, 1962, check No. 3837 for $35,000.

Said checks are attached hereto as Exhibits C and C1 respectively.

4. All accounts and ledger sheets which defendants Joseph Robinson and Robinson and Company Inc. carried on behalf of the defendant Committee were carried in the name of "Nixon for Governor Campaign—(Committee for Preservation of Democratic Party in California)" as reflected by the ledger sheet attached hereto as Exhibit D.

All statements for the work performed by defendants Joseph Robinson and Robinson and Company for and on behalf of the defendant Committee were sent for payment to H. Robert Haldeman, Campaign Manager of the Nixon for Governor Campaign Committee.

5. Richard Nixon in his campaign for the governorship of California, felt that the postcard and poll, Exhibit A would be very helpful to him since it reflected his own position concerning the relationship of Democrats to the CDC.

The list of seven so-called objectives or viewpoints purportedly held by the CDC, beginning with "Admitting Red China into the United Nations" and ending with "Refusal to Bar Communists from the Democratic Party," as recited in the postcard Exhibit A were substantially the same as charges made repeatedly by Mr. Nixon in his campaign speeches.

6. The defendant Committee for the Preservation of the Democratic Party in California consisted at most of 20 or 30 members. Defendants Austin Healy and Harry J. Boyle were and are co-chairmen of said Committee.

7. Defendant Joseph Robinson, president of defendant Robinson and Company, Inc. is a professional political pollster and fund raiser for campaigns. Defendant Robinson and his corporation arranged for printing and handled the distribution of the postcard Exhibit A.

8. In October, 1962 defendant Committee for the Preservation of the Democratic Party in California and its members, agents and/or employees, namely, defendants Joseph Robinson, Robinson and Company, Inc., a corporation, William Marlin, Harry J. Boyle, Austin Healy and Ed Fitzharris, directly and indirectly solicited funds upon representations, express and implied, that the funds were being solicited for the use of the Democratic Party.

In truth and fact, such funds were solicited for the use, benefit and furtherance of the candidacy of Richard M. Nixon for Governor of California.

None of the following persons gave their consent to the Committee for the Preservation of the Democratic Party in California to solicit funds for or on behalf of the Committee for the Preservation of the Democratic Party in California or the Democratic Party in California:

Stanley Mosk, Democratic National Committeeman from California;

Elizabeth Rudel Gatov, Democratic National Committee Woman from California;

Eugene Wyman, Chairman of the California Democratic State Central Committee;

Roger Kent, Chairman of the Northern Division of the California Democratic State Central Committee;

John Kerrigan, Chairman of the Southern Division of California Democratic State Central Committee.

Nor did any executive committee of any Democratic county central committee wherein the solicitation was made given such consent.

9. Defendants Committee, Marlin, Robinson and Company, Inc., Robinson, Boyle, Healy and Fitzharris made various misleading statements as specified below in connection with said postcard poll, Exhibit A, the letters of October 15, 1962 and October 17, 1962 attached hereto as Exhibits E and E1 respectively, and the press releases attached hereto as Exhibits H and H1.

(a) (Statement) That the Democratic Party or a qualified Committee thereof or members of the Democratic Party sincerely interested in preserving the Democratic Party were mailing postcard Exhibit A to Democratic voters in order to secure a poll of members of the Democratic Party answering the questions on Exhibit A relating to said party and its candidates and wished such Democratic voters to fill out the poll contained therein and return it to the defendant Committee organized, dedicated and operating for the preservation of the Democratic party and/or to the Democratic Party.

(Fact) Neither the Democratic Party nor plaintiff Democratic State Central Committee nor any qualified officer, official or committee thereof or any member of the Democratic Party primarily interested in its welfare or preservation had any connection with or knowledge of or in any way sponsored or approved the acts or conduct of defendants or any of them or said postcard Exhibit A, the letters Exhibits E and E1 or said poll. On the contrary plaintiffs representing said Democratic Party opposed said postcard Exhibit A, letters Exhibits E and E1, and said poll and the Committee's activities.

(b) (Statement) That the Democratic Party and its fundamental and historic policies were and are in opposition to the CDC and its policies.

(Fact) The Democratic Party and the CDC are dedicated to the same basic general objectives and principles.

The Democratic Party is the official organization and is represented by plaintiff Democratic State Central Committee, constituted as set forth below in this paragraph 9, subparagraph (f) below.

The CDC is an unofficial organization of volunteer Democratic voters.

In a relatively few instances plaintiff Democratic State Central Committee and the CDC have taken different positions on specific issues.

In those cases, plaintiff Democratic State Central Committee has not adopted or accepted the policies of the CDC. On the other hand, it has not attempted to destroy the independent character of the CDC by denying its members the right to express their opinions.

(c) (Statement and Implication) That the Democratic Party wished said voters to send money for the use and benefit of the Democratic Party and its statewide candidates to the Committee for the Preservation of the Democratic Party in California, Crocker Anglo National Bank, One Montgomery Street, San Francisco, California, and the defendant Committee was a bona fide committee of Democrats organized for the sole purpose of preserving the Democratic Party in California and was appealing to and soliciting Democratic voters for contributions of money to be used for the use, benefit and preservation of the Democratic Party in California.

(Fact) The defendant Committee and its postcard poll and its activities were financed by, for and in aid of the campaign to elect Mr. Nixon Governor of California.

Defendant Marlin in a memorandum attached as Exhibit I recorded the "queries I have had from the Press and the way I am answering them." in part as follows:

"1. How are you being financed?

"A. We have appealed to Democrats throughout the State, and so far their support has been most encouraging and helpful. An appeal has been sent to some 50,000 registered Democrats—along with a Poll on their reactions to the CDC. We are hopeful that we will receive enough financial support to expand this list to some one-million Democrats in California."

"2. Are you receiving any Republican money?

"A. We are not refusing any contributions—and naturally, the Republicans are interested in this campaign. We are considering extending our fund-appeal to Republicans, as we believe all citizens should be concerned with the power-grabbing strategy of the CDC."

"9. Are you urging Democrats to support Nixon and other Republican candidates?

"A. We are not conducting a campaign of *any* candidates. We are campaigning for the preservation of the Democratic Party by exposing the CDC's left-wing stands and power-grabbing tactics. We are making a plea to clean up the Democratic Party."

(d) (Statement) That the defendant Committee was a bona fide committee of

Democrats organized, dedicated and operating for the sole purpose of preserving the Democratic Party, and desired and was sincerely endeavoring by the postcard Exhibit A to secure a fair and representative poll of all segments of the Democratic Party and to determine by such poll the general sentiment of the rank-and-file members of the Democratic Party toward the CDC, the policies of the CDC and the statewide Democratic candidates, and to determine whether members of the Democratic Party as a whole preferred to support the named statewide Democratic candidates, and in particular Governor Brown, or felt that in order to preserve their party from control and domination of the CDC they should vote for Republican candidates, and in particular for Richard M. Nixon for governor of California.

That the results of the poll would reflect the feelings of rank-and-file Democrats including liberal, progressive and middle of the road Democrats as well as conservative Democrats.

(Fact) The activities of defendant Committee, including its postcard poll, its letters and its publicity releases, were instigated, financed, prepared, implemented, supervised and executed by the Nixon for Governor Campaign Committee and the Nixon for Governor Finance Committee. This is evidenced by these facts:

The invoice dated September 19, 1962 from defendant Robinson & Company Inc. to Nixon for Governor Campaign Committee, attached as Exhibit G provided for a "statewide mailing to 900,000 *Conservative* Democrats, also handling and tabulating poll."

When returns were received from said postcard poll, however, they were publicized by the defendant Committee as representing the "voice of the rank and file Democrat."

In the publicity release attached as Exhibit H, distributed to and published substantially by various California newspapers, dated October 20, 1962 for release October 22, 1962, the defendant Committee stated in part:

"First returns of a Poll being circulated to more than one hundred thousand Democrats throughout California indicate that:

"Nine out of ten registered Democrats flatly reject the 'ultra-liberal' California Democratic Council (CDC).

"The voice of the rank-and-file Democrat is now being heard, and that voice is speaking out loud and clear against the CDC and all it represents.

"Financial support has been pouring in from all over the State, providing means of expanding our Poll, and permitting thousands of rank-and-file Democrats to express themselves on this imperative question."

Defendant Committee failed to inform the Democrats receiving the postcard poll Exhibit A and the public that said poll actually was mailed to precincts consisting predominantly of conservative Democrats.

In its publicity release attached as Exhibit H1, distributed and published substantially by various California newspapers, dated October 26, 1962 for release October 27, 1962, the defendant Committee stated in part:

"The order Kent has obtained, prevents our Committee from releasing to the Press the results of a valid poll of some half-million registered Democrats in California, on their reactions to domination of the Party by the left-wing CDC (California Democratic Council)."

For the reasons set forth above the questions in the postcard Exhibit A confused and misled Democrats and produced answers which served primarily the purpose of assisting Mr. Nixon in his campaign.

(e) (Statement) That "Governor Brown . . . has become their (referring to the CDC) captive." (Exhibit A).

(Fact) This statement is false.

(f) (Statement) That the CDC in the 1962 campaign dominated and directed the Democratic Party and captured and dominated Democratic nominees, the Democratic State Convention, and leadership of the Democratic Party.

(Fact) The State Convention of the Democratic Party is made up of nominees selected by the voters in free and open primary elections. The Democratic State Central Committee is made up of such nominees and their appointees and the Chairmen of the 58 Democratic County Central Committees. Such chairmen are duly elected by the members of their respective committees who in turn are elected by the rank-and-file Democratic voters. The officers of the Democratic State Central Committee are elected by members of the Committee. The nominees of the party and its officials are therefore directly selected by the rank-and-file Democratic voter and in the case of officers of the Democratic Party by representatives of the rank-and-file voters.

10. The postcard Exhibit A, the letters Exhibit E and E1, and the publicity releases Exhibits H and H1 were advertising by the defendants Committee, Joseph Robinson, Robinson and Company, Inc., Marlin, Boyle Healy and Fitzharris for the purpose of securing votes and money from members of the Democratic Party.

They were misleading in the particulars stated in paragraph 9 and elsewhere in this Judgment.

11. The postcard Exhibit A was a pamphlet and printed matter having reference to the 1962 general election and to the statewide candidates in said election and did not bear upon its face the name or address of the printer or publisher.

12. By reason of the facts herein stated plaintiffs were obliged to spend more than $10,000 in pursuing this action and enjoining the acts and conduct of said defendants Committee, Marlin, Joseph Robinson, Robinson & Company, Inc., Boyle, Healy and Fitzharris.

13. In response to the postcard Exhibit A and letters Exhibits E and E1, various Democratic voters contributed money to said defendant Committee. The balance of such money so collected amounts to approximately $368.50 and is now on deposit in the head office of the Wells Fargo Bank, 464 California Street, San Francisco, in an account entitled "Roger Kent and Gerald J. O'Gara, Trustees for the Democratic State Central Committee."

The parties have stipulated that plaintiffs shall be awarded damages in the sum of $100 and costs in the sum of $268.50 (or balance remaining in said Wells Fargo Bank account above described). All such damages and costs to be paid exclusively from such account.

14. The temporary restraining orders and the preliminary injunctions heretofore issued herein were properly issued by reason of the facts set forth herein and the reasons set forth in said temporary restraining order and preliminary injunction, including the following reasons:

(a) Because of the location of defendants and their agents in various widely separated parts of California, including San Francisco and Los Angeles Counties, a multiplicity of suits would have been necessary to secure damages.

(b) Any final judgment after November 6, 1962 would have been ineffectual and a preliminary injunction after November 6, 1962 would have been of virtually no value compared to the temporary restraining order issued October 22 and the preliminary injunction issued November 2, 1962.

15. Unless restrained during this action and permanently (except those defendants dismissed herein by stipulation) enjoined by this Court, defendants/intended to and were and/or are likely to

(a) Publish, post, mail, circulate and distribute the postcard and writing in the form of Exhibits A, E and E1 attached hereto or in some form substantially similar to said Exhibits.

(b) Publish, post, mail, circulate, reveal or distribute results from the poll which they conducted or could conduct by means of Exhibit A.

(c) Solicit, collect or accept money from Democratic voters by using directly or indirectly a postcard, pamphlet, folder, letter or writing in the form of Exhibits A, E and E1 or forms substantially similar to said Exhibits.

(d) Use, appropriate, spend and disburse money received from registered Democratic voters in response to or in connection with said postcard Exhibit A, and letters Exhibits E and E1.

(e) Use in some manner or through some medium said Exhibit A or the contents thereof and the matters or things growing out of or resulting from the publishing, posting, mailing, circulating or distributing of said Exhibit A or perform acts in furtherance of or in connection with the activities set forth in said Exhibit A. In this connection all defendants represent that according to their best knowledge, information and belief they do not have on hand, in their possession or under their control at various United States Post Offices in California or elsewhere postcards in the form of Exhibit A addressed to various Democratic voters and not yet delivered, return postcards part of said Exhibit A, tabulations of certain return postcards which were part of said Exhibit A or alleged polls based upon such tabulations or other memoranda, correspondence or writings purporting to show the opinions and positions of Democratic voters on the candidates and issues mentioned in said postcard Exhibit A.

However, defendants agree that if any such postcards, return postcards, tabulations, polls, memoranda, correspondence or writings are hereafter discovered by defendants and come into their possession or under their control defendants will cause all such material to be destroyed forthwith or will without disclosing or publicizing the same to any person (other than plaintiffs or to this Court) deliver the same to this Court for safekeeping or destruction as the Court may determine best.

16. Plaintiffs have filed herein undertakings of corporate surety, Peerless Insurance Company, a corporation, in due form as required by law in the sum of $10,000 as a bond given upon issuance of the temporary restraining order herein and $10,000 as a bond given upon issuance of the preliminary injunction.

17. In this action service of the complaint and other papers upon various defendants designated therein by fictitious names was made in accordance with law as follows:

FICTITIOUS NAME—TRUE NAME

First Doe—Ed Fitzharris.

Third Doe—Austin Healy.

Fourth Doe—Robinson and Co., Inc.

Eighth Doe—William Marlin.

Ninth Doe—Crocker-Anglo National Bank of San Francisco, now Crocker-Citizens National Bank.

Thirteenth Doe—Recorder Printing and Publishing Company, a corporation.

Fourteenth Doe—Bernhard A. Hansen, individually and as vice-president of Recorder Printing and Publishing Company.

18. All parties hereto have stipulated that this action shall be dismissed upon entry of judgment as to defendants, Joseph Robinson, individually, Crocker-Anglo National Bank, now Crocker Citizens National Bank of San Francisco, Recorder Printing and Publishing Company, and Bernhard A. Hansen, individually and as vice-president and general manager of Recorder Printing and Publishing Company, a corporation, and upon plaintiffs and said dismissed defendants exchanging mutual releases.

19. The postcard, Exhibit A, and the letters of October 15, 1962 and October 17, 1962, Ex-

hibits E and E1 respectively, were instigated, written, financed and published by supporters of Richard M. Nixon as a candidate for governor of California, and their agents, including defendants Committee, Marlin, Robinson & Company, Inc., Joseph Robinson, Boyle, Healy and Fitzharris.

20. The paramount purpose for organizing the Committee for the Preservation of the Democratic Party in California and its related postcard, poll and activities was to obtain from registered Democrats votes and money for the campaign of Richard M. Nixon.

21. Plaintiff Democratic State Central Committee, also known as the California Democratic State Central Committee, as the official Committee of the Democratic Party in California and the only official statewide Democratic organization in the State of California, was and is entitled to bring and prosecute this action.

Plaintiffs Roger Kent and Elizabeth Rudel Gatov have brought and were and are entitled to bring and prosecute this action in behalf of themselves individually and in their official capacities respectively, (namely, Roger Kent as vice-chairman and member of the Executive Committee of the Democratic State Central Committee and now State Chairman of said Committee and Elizabeth Rudel Gatov as Democratic National Committeewoman for California) in behalf of all registered California Democratic voters and members and officers of the Democratic State Central Committee and its statewide candidates at the 1962 General Election.

22. Defendants Committee and its members, agents and/or employees, namely, defendants Joseph Robinson, Robinson & Company, Inc., a corporation, Marlin, Boyle, Healy and Fitzharris directly and indirectly solicited funds upon representations, express and implied, that the funds were being solicited for the use of the Democratic Party. This solicitation was in violation of Section 12301 of the Elections Code of the State of California.

None of the persons or Democratic Party officials or Democratic County Central Committees required to give such consent by said Section 12301 consented to such solicitation.

23. The acts and conduct of said defendants Committee, Marlin, Joseph Robinson, Robinson & Company, Inc., Boyle, Healy and Fitzharris, and each of them in circularizing members of the Democratic Party for votes and funds through the use of the postcard, Exhibit A and the letters of October 15, 1962 and October 17, 1962, respectively, Exhibits E and E1, constitute misleading advertising in the particulars stated in paragraphs 9 and 10 and elsewhere herein.

Such acts and conduct were and are subject to restraint by temporary restraining order, preliminary injunction and permanent injunction under the provisions of Civil Code Section 3369 of the State of California.

24. Failure of said defendants Committee, Marlin, Robinson & Company, Inc., Boyle, Healy and Fitzharris to print the name and address of the printer or publisher on the face of the postcard Exhibit A was a violation of Section 11592 of the Elections Code of the State of California.

25. Plaintiffs were damaged in a sum exceeding $10,000 which plaintiffs were obliged to spend in pursuing this action and enjoining the above recited acts of the defendants Committee, Robinson & Company, Inc., a corporation, Marlin, Boyle, Healy and Fitzharris.

26. The sum of approximately $368.50 collected from Democrats in response to the postcard Exhibit A and letters Exhibits E and E1 is now on deposit at the head office of the Wells Fargo Bank, 464 California Street, San Francisco, California, in an account entitled "Roger Kent and Gerald J. O'Gara, Trustees for the Democratic State Central Committee."

By stipulation plaintiffs shall be awarded $100 as damages and $268.50 for costs. The payment of these sums shall be made exclusively from said Wells Fargo Account. Judgment for such sums is hereby awarded against defendants Committee, Robinson & Company, Inc., a corporation, Marlin, Boyle, Healy and Fitzharris.

27. For the reasons stated herein plaintiffs were entitled to the temporary restraining order issued October 20, 1962 restraining defendants Committee, Joseph Robinson, Robinson & Company, Inc., a corporation, Marlin, Fitzharris, Boyle, Healy, Crocker Anglo National Bank of San Francisco, a corporation, Recorder Printing and Publishing Company, a corporation, and Bernhard A. Hansen, individually and as vice president of the Recorder Printing & Publishing Company. Said temporary restraining order was regularly and properly issued and the issuance thereof is hereby approved and confirmed.

For the reasons stated herein, plaintiffs were entitled to the preliminary injunction issued November 2, 1962, restraining the same defendants. Said preliminary injunction was a regularly and properly issued and the issuance thereof is hereby approved and confirmed.

28. For the reasons set forth herein, plaintiffs are entitled to and are hereby granted a permanent injunction forbidding defendants Committee, Marlin, Robinson & Company, Inc., Boyle Healy and Fitzharris to

(a) Publish, post, mail, circulate or distribute the postcard and writings in the form of Exhibits A, E and E1 attached hereto or in any form substantially similar to said Exhibits.

(b) Publish, post, mail, circulate, reveal or distribute results from the poll which said defendants conducted or could conduct by means of Exhibit A.

(c) Solicit, collect or accept money from Democratic voters by using directly or indirectly a postcard, pamphlet, folder, letter or writing in the form of Exhibits A, E and E1 or forms substantially similar to said Exhibits.

(d) Use, appropriate, spend or disburse money received from registered Democratic votes in response to or in connection with said postcard Exhibit A, or letters Exhibits E and E1.

(e) Use in any manner or through any medium said Exhibit A or the contents thereof and matters or things growing out of or resulting from the publishing, posting, mailing, circulating or distributing of said Exhibit A, or perform acts in furtherance of or in connection with the activities set forth in said Exhibit A.

29. The bonds heretofore filed by plaintiffs and their corporate surety, Peerless Insurance Company, as required by the Court for issuance of the temporary restraining order and preliminary injunction are hereby exonerated and said plaintiffs and said surety are hereby discharged and exonerated from any liability to any of the defendants (including dismissed defendants) herein growing out of or connected with the filing or prosecution of this action or the issuance of said temporary restraining order or preliminary injunction.

30. Pursuant to the stipulation by all parties hereto, this action shall upon entry of judgment be dismissed as to defendants Joseph Robinson, individually, Crocker-Anglo National Bank, now Crocker Citizens National Bank of San Francisco, Recorder Printing and Publishing Company, a corporation, and Bernhard A. Hansen, individually and as vice-president and general manager of Recorder Printing and Publishing Company, a corporation, when plaintiffs and said dismissed defendants exchange mutual releases.

31. To the extent there is any conflict between earlier orders of this Court and only to that extent, this judgment and permanent injunction immediately upon filing, shall supersede the orders of this Court restraining and enjoining the above named defendants.

32. The stipulations of the parties herein and in the stipulation attached, are hereby approved, confirmed and made a part of this judgment.

33. Except as herein specifically set forth, each party, (including defendants dismissed) shall pay his or her own costs, expenses and attorneys' fees.

34. Service of a copy of this judgment shall be effective upon delivery to the attorneys for said respective defendants of a certified copy of this judgment with the same force and effect as if such copy were personally served upon such defendants.

Done in open Court October 30, 1964.

BYRON ARNOLD,
Judge of the Superior Court.

[Post Card]

POLL SELECTION

In view of the increasing domination of the Democratic Party by the CDC (California Democratic Council), we are anxious to obtain an opinion sampling of California Democrats. Please fill out and mail before October 23.

(NOTE.—The question to item No. 1 is: *Do You Agree or Disagree?*

1. The CDC leadership viewpoint favors:

Admitting Red China into the United Nations.

Moratorium on U.S. nuclear testing.

Allowing subversives the freedom of college campuses.

Abolition of State and Federal loyalty oaths.

Abolition of the House Committee on Un-American Activities.

Foreign aid to countries with Communist governments.

Complete national disarmament as ultimate goal.

Refusal to bar Communists from the Democratic Party.

(NOTE.—The answer to items Nos. 2 and 3 is "Yes" or "No.")

2. Can California afford to have a Governor indebted to the CDC—who has stated he will veto any legislation damaging to the CDC—who calls it "my strong right arm"—who declares, "I am proud of my membership in the CDC."

3. What course of action should be taken by independent Democrats who don't belong to the CDC and want no part of it?

Demand that Democratic candidates disclaim and abandon the CDC.

Refuse to support candidates who don't renounce the CDC.

Support a Republican candidate rather than sell out the Party and the State Government to CDC objectives.

(NOTE.—Mark one name in each category.)

4. Who in your opinion will win in November?

Governor: Brown or Nixon.
Lt. Governor: Anderson or Christopher.
Attorney General: Mosk or Coakley.
Secretary of State: Rose or Jordan.
Controller: Cranston or Reagan.
Treasurer: Betts or Busterud.
U.S. Senate: Richards or Kuchel.
Supt. of Public Instruction: Richardson or Rafferty.

If you, too, feel it important to preserve our Democratic processes and cut off the CDC handcuffs, please send a contribution today to the Treasurer, Committee to Preserve the Democratic Party in California, Crocker Anglo Bank, One Montgomery Street, San Francisco, California.

And please write us your views.

COMMITTEE FOR THE PRESERVATION
OF THE DEMOCRATIC PARTY IN CALIFORNIA.

[Post Card]

DEAR FELLOW DEMOCRAT: This is not a plea for any candidate. This is to ask you: Are you aware of what has happened to our Party during the past four years? Many Democrats like ourselves are shocked over the domination of the Democratic Party by the CDC

(California Democratic Council). Yet most Democrats are frankly revolted by the CDC leadership's objectives and viewpoint which have included:

Admitting Red China into the United Nations.

Moratorium on U.S. nuclear testing.

Allowing subversives to speak on college campuses.

Abolition of State and Federal loyalty oaths.

Abolition of the House Committee on Un-American Activities.

Foreign aid to countries with Communist governments.

Refusal to bar Communists from the Democratic Party.

These certainly are not the Democratic Party objectives. Yet, operating behind the Democratic Party screen, the CDC is directing the Party, is capturing and dominating Democratic candidates.

Our present Party ticket is composed entirely of CDC nominees, originally proposed, sponsored and handed to the Party by the CDC Convention in Fresno four years ago. Whether willingly or weakly, Governor Brown who was accepted by the CDC and endorsed by them, has become their captive. His capitulation is evident in his statement to the press that he would veto any legislation damaging to the CDC. He told their convention in January, 1962, "The CDC is the strongest political organization in America." He calls it "my strong right arm." He says, "I am proud of my membership in the CDC."

Who are other nominees loaded on our Party by the left-wing CDC? Generally they are men either approving CDC objectives, or undistinguished, unprepared for high office or weak and unwilling to oppose the CDC.

The grave situation was demonstrated at the Democratic State Convention where CDC leaders forcibly prevented adoption of a simple resolution to bar Communists from the Democratic Party organization. After the defeat, a Party spokesman told the press, "If we refuse to ban Communists from the Democratic Party—it means we welcome them!"

As a Democrat—what do you feel we can do to throw off the shackles of this left-wing minority, now so powerful it can dictate the course of our Party?

Should we act now and in the time ahead, to reclaim our Party and restore Party leadership selection to the rank and file membership? Should we repudiate the arrogant assumption that free men dedicated to revered Democratic principles will blindly follow the dictates of those whose objectives are foreign to our own?

We believe our one great weapon is a passive weapon—simple refusal to go along with them. We can break the power of the CDC by refusing to elect their candidates. Or we can take acceptable Republicans—if we can find any. Whatever we do, in the name of the Democratic Party—

Let's Not Deliver California to the CDC!
COMMITTEE FOR THE PRESERVATION
OF THE DEMOCRATIC PARTY IN CALIFORNIA.

CHECK NO. 3530
NIXON FOR GOVERNOR
FINANCE COMMITTEE
Los Angeles, Calif., October 5, 1962.

Pay Thirty five thousand and no/100 Dollars ($35,000).

To the Order of Robinson & Company Inc.
Date: June 18, 1963.

Pay to the order of Crocker First National Bank of San Francisco, Robinson & Company, Inc.

SECRETARY OF STATE,
Sacramento, Calif., June 18, 1963.

I, Frank M. Jordan, Secretary of State of the State of California, hereby certify:

That the transcript hereunto annexed, under heading "Nixon for Governor Finance Committee—1962 General Campaign Statement"—with first name thereon being Carol Arth and last name thereon being Helen Gale, is a true copy of one page of the December 10, 1962, Campaign Statement filed in this office on December 11, 1962;

That said Campaign Statement was filed on behalf of John Robert White, shown therein as the Treasurer of said Nixon for Governor Finance Committee.

In witness whereof, I hereunto set my hand and affix the Great Seal of the State of California this 17th day of January, 1963.

[SEAL] FRANK M. JORDAN,
Secretary of State.

Nixon for Governor Finance Committee—1962 general campaign statement

Item (d)—Expenditures for payment of personnel—

Campaign managers:

Carol Arth	$5,000.00
Charles Farrington	6,250.00
Harry Haldeman	13,750.00
Herbert Kalmbach	1,533.08
John Kalmbach	6,000.00
Alvin Moscow	9,000.00
William Spencer	1,000.00
Louis Quinn	8,795.45
Daniel C. Waters	6,034.09
Total	57,362.62

Advertising agencies and publicity agents:

Joseph Agnello	6,360.00
Lennie Blondheim	4,079.80
Bozell & Jacobs, Inc	29,094.49
Braun & Co	3,000.00
Robert Carvajal	1,023.75
Thomas Caton	1,281.34
H. Blake Chatfield	1,600.00
Frank DeMarco	1,150.00
Stephen Hess	15,000.00
D. Hunter	5,000.00
Herbert Klein	3,009.00
Victor Lasky	3,000.00
Phillip W. Moore	2,600.00
Richard Quinn	$4,290.91
Robinson & Co	70,000.00
Al Weinberg	4,254.55
Jay Williams	85.00
W. K. Wilson	900.00
Ronald Ziegler	3,218.18
Total	158,947.02

Stenographers and clerks:

Marjorie Acker	3,811.36
Daphne Alley	2,052.27
Julie Anderson	956.25
Nancy Arth	468.00
Bonita Bailey	278.47
Joan Baldesarre	1,500.00
Barbara Baskerville	250.00
Wilma Battle	900.00
Lance Bozwell	36.00
Charles Brammer	2,649.00
John Carley	510.00
Joan Carroll	709.09
Rowland Carter	1,473.73
Dwight Chapin	2,059.09
Barbara Clem	1,437.50
Gladys Crane	16.00
Elby Cuniberti	620.00
Jane Dannenhauer	3,518.18
Peter Decker	120.00
Jean Dewey	2,400.00
Anna Mae Eckhoff	80.00
Dorothy Elliott	1,012.50
Virginia English	161.77
Paul Enseki	403.13
Norene Evans	435.00
John FitzRandolph	487.50
Helen Gale	1,800.00

NOTES

Lawful expenses are limited to expenses for those purposes only which are set forth in the first column on the inside pages of this form.

11500. Expenses must be lawful. Neither a candidate nor committee nor any body of superior authority to which the committee is subject, whether before, during or after an election or primary, may directly or indirectly pay, expend or contribute any money or other valuable thing, or promise so to do, except for lawful expenses.

Note particularly the following pertinent sections of the Elections Code:

11501. Candidate defined. "Candidate" means any person who seeks nomination or election to a federal, state, county, judicial, or hospital district office, or to a municipal office in a general law or chartered city, at any election or primary conducted within this State. "Candidate" also includes persons seeking election to a county central committee at the direct primary election.

11561. Candidate: Municipal Office. A candidate or nominee for a municipal office or for election to the office of director of a hospital district need not file a campaign statement if the lawful receipts and expenses of his campaign do not exceed two hundred dollars ($200). However, elected candidates or candidates nominated at a primary election shall file a written declaration to that effect if their campaign receipts and expenses do not exceed two hundred dollars ($200).

11502. "Committee." "Committee" means a committee or group of persons organized for the purpose or charged with the duty of conducting the election campaign of any political party or of any candidate or group of candidates.

11530. Committee shall appoint treasurer. Each committee shall appoint a treasurer who shall receive, disburse, and keep a true account of all money contributed and disbursed for campaign purposes, and who shall, in the same manner and on the same type of forms as required of candidates, file a campaign statement. The county clerk, upon request, shall furnish the treasurer with the necessary forms for submitting the campaign statement required of him by this section.

11531. Candidate may act as campaign treasurer. A candidate may act as the campaign treasurer of his committee but may not act as treasurer for another candidate. When acting as a campaign treasurer, the candidate may sign the campaign statement of the committee.

11560. Campaign statement necessary: Verification. Except as provided in Section 11561, each candidate and the treasurer of each committee shall make and file a campaign statement following the election or primary, as the case may be.

A campaign statement filed with respect to a primary election shall be verified. The verification shall state that the candidate or treasurer has used all reasonable diligence in its preparation, and that it is true and is as full and explicit as he is able to make it.

11562. Responsibility for Illegal Payment. If a candidate at any election other than a primary seeks to avoid the responsibility of any illegal payment made by any other person in his behalf, he shall set out that illegal payment in the campaign statement and disclaim responsibility for it.

11563. Time for filing statement. All candidates for either nomination or election and the treasurer of each committee shall file their campaign statements within 35 days after the election or primary, or not later than the day preceding the day upon which the candidate takes office, whichever first occurs.

11564. Where filed. Candidates for office to be filed by the voters of the State or of any political division greater than a county, for Members of the Senate or Assembly. Representative in Congress, members of the State Board of Equalization, or judge of the superior court, and treasurers of committees for such candidates, shall file one copy of their campaign statements in the office of the Secretary of State and one copy with the clerk of the county in which the candidate resides.

Candidates for all other offices, except municipal and hospital district offices, and treasurers of committees for those candidates, shall file one copy of their campaign statements in the office of the clerk of the county wherein the election is held.

11568. Municipal candidates. Candidates for municipal offices and treasurers of committees for those candidates shall file one copy of their campaign statements, or written declarations as required in Section 11561, in the office of the clerk of the city in which the election is held.

11569. Hospital District Candidates. Candidates for hospital district offices and treasurers of committees for those candidates shall file one copy of their campaign statements, or written declarations as required in Section 11561, in the office of the secretary of the district in which the election is held.

11565. Certificate of nomination issued after filing. No officer shall issue any certificate of nomination or election to any person until his campaign statement or the written declaration required in Section 11561 has been filed. No other statement of expenses shall be required. The officer with whom campaign statements or written declarations must be filed pursuant to Sections 11564, 11568, or 11569 shall send to the candidate, not more than three days after the election, the necessary forms of submitting his campaign statement.

11566. No fees. No fee or charge shall be made or collected by any officer for the verifying, filing, or recording of any campaign statement.

11567. Preservation of statements. Campaign statements shall be held by the officer with whom they are filed during the term of office for which they are filed and for four years after the expiration of the term. Thereafter they may be destroyed by that officer.

See also Elections Code Sections 11500 through 11631, and Sections 12000 through 12057.

COMMITTEE'S CAMPAIGN STATEMENT OF RECEIPTS AND EXPENDITURES

I, John Robert White was treasurer of the Committee for election of Richard M. Nixon to the office of Governor of California at the election held on the sixth day of November, 1962.

All money paid, loaned, contributed or otherwise furnished to the Committee, or for the Commitee's use directly or indirectly, in aid of the election and the name of all persons who paid, loaned, contributed or otherwise furnished such moneys and the specific purposes (if any) for which such moneys were contributed or loaned, were to the best of my knowledge and belief, as follows, to wit:

Receipts—See schedule attached.

Total amount received: $1,456,473.04

All moneys contributed loaned or expended by the Treasurer of the Committee, directly or indirectly by the Treasurer of the Committee or through any other person, in aid of the election and the names of all persons to whom such moneys were contributed, loaned or paid, and the services performed and by whom performed and the purpose and specific nature of each item, were to the best of my knowledge and belief, as follows to wit:

[Attachments]

Nixon for Governor Finance Committee—1962 general campaign statement

Item (q)—Expenditures for repayment of loans:

Mrs. Susan V. Buckingham	$10,000.00
Jack Drown	10,000.00
J. R. Fluor	10,000.00
J. S. Fluor	10,000.00
Stanley Freeman	10,000.00
H. L. Hoffman	10,000.00
Truman Johnson	10,000.00
Charles Jones	10,000.00
Willard Keith	10,000.00
Henry Kearns	10,000.00
Henry T. Mudd	10,000.00
Thomas Pike	10,000.00
J. D. Robinson	5,000.00
Robert Rowan	5,000.00
Henry Salvatori	10,000.00
Dana C. Smith	5,000.00
Edward R. Valentine	60,000.00
Mrs. Louie C. Valentine	7,000.00
United California Bank—interest	2,786.80
Total	214,786.80

Expenditures

(a) For the preparing, printing, circulating, and verifying of nomination papers and for the candidate's official filing fee: None.

(b) For the candidate's and campaign personnel's personal traveling expenses: $108,971.51.

(c) For rent, furnishing and maintaining headquarters, and halls and rooms for public meetings, including light, heat, and telephone: $60,934.10.

(d) For payment of personnel:

1. Campaign manager or managers.
2. Advertising agency or agencies and publicity agent or agents.
3. Stenographers and clerks.
4. Precinct workers.
5. Speakers.
6. Entertainers.
7. Payroll taxes.
8. Republican State Research Center: $341,972.34.

(e) For the preparing, printing, and posting of billboards, signs and posters: $112,141.81.

(f) For the preparing, printing, and distribution of literature by direct mail, including postage, throwaways, and handbills: $92,665.59.

(g) For newspaper advertising: $130,248.54.

(h) For radio and television advertising and speech time: $315,969.31.

(i) For office supplies, precinct lists, postage other than that provided for in subdivision (f), expressage, and telegraphing relative to candidacy: $29,333.12.

(j) For making canvasses of voters, and public opinion surveys: $5,000.00.

(k) For conveying voters to and from the polls: None.

(l) For supervising the registration of voters: None.

(m) For watching the polling and counting of votes cast: None.

(n) For photographs, mats, cuts, art work, and displays: $8,379.17.

(o) For petty cash items relative to candidacy. Various campaign office personnel as petty cash custodians: $1,523,66.

(q) Loans repaid, including interest: $214,786.89.

Total amount expended: $1,421,653.04.

I have used all reasonable diligence in the preparation of this statement and it is true and is as full and explicit as I am able to make it.*

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Executed by me at Los Angeles, California, this 10th day of December, 1962.

JOHN ROBERT WHITE.

*P.S. All bills received as of November 21, 1962, are reflected herein. However, it is believed that certain telephone and travel bills remain outstanding, receipt of which will necessitate the preparation of an amended statement of expenditures.

CHECK No. 3837

NIXON FOR GOVERNOR,
FINANCE COMMITTEE,
Los Angeles, Calif., October 22, 1962.

Pay thirty five thousand and no/100 dollars ($35,000) to the order of Robinson & Company, Inc.

Date: June 18, 1963.

——— ———.

Pay to the order of Crocker First National Bank of San Francisco, Robinson & Company, Inc.

COMMITTEE FOR THE PRESERVATION
OF THE DEMOCRATIC PARTY IN
CALIFORNIA,
Los Angeles, Calif., October 15, 1962.

DEAR FELLOW AMERICAN: The enclosed Poll will be self-explanatory. We believe you will agree this is one of the most important steps ever taken in California history in behalf of decent Government.

It is not an easy step to take. But this Committee deeply believes that not only one of our great political parties—but our State government—is seriously threatened by the takeover by left-wing forces abhorrent to those who know the facts. The facts are, The CDC (California Democratic Council), which has espoused:

Admitting Red China into the United Nations.

Moratorium on U.S. nuclear testing.

Allowing subversives to speak on college campuses.

Abolition of State and Federal loyalty oaths.

Abolition of the House Committee on Un-American Activities.

Foreign aid to countries with Communist governments.

Refusal to bar Communists from the Democratic Party—today is taking over and absorbing the State government of California.

This is no "splinter group." Though it is a small minority, the CDC is called "the most powerful political force in California" by thoughtful magazines and newspapers including the C. S. Monitor, by the Governor of California—and by itself. **It has taken** over the entire Democratic ticket for all State officers and presented them as its own candidates. Not one of whom has yet repudiated the organization's support.

The CDC's leaders refused at the last Democratic Convention to let the Party adopt a resolution to bar Communists from the Party organization—the last straw among people who simply don't want our State ruled by any organization whose objectives are foreign to most Americans!

Our voice is not as thunderous as the CDC's and even if we can make it heard only at election tme, then we will make it heard somehow. Will you help? Will you send a contribution today, in any amount you feel you can, to the Treasurer, Committee for the Preservation of the Democratic Party, Crocker Anglo National Bank, Main Branch, San Francisco. It will be utilized to get this message to Californians, and by this Poll, test their own feelings before it is too late. Please let us hear from you today. Thank you.

Sincerely,

WILLIAM MARLIN,
Executive Secretary.

COMMITTEE FOR THE PRESERVATION
OF THE DEMOCRATIC PARTY IN
CALIFORNIA,
Los Angeles, Calif., October 17, 1962.

DEAR FELLOW AMERICAN: The enclosed Poll will be self-explanatory. We believe you will agree this is one of the most important steps ever taken in California history in behalf of decent government.

This Committee deeply believes that not only one of our great political parties—but our State government—is seriously threatened by the take-over by left-wing forces. These are the facts: The CDC (California Democratic Council) has espoused:

Admitting Red China into the United Nations.

Moratorium on U.S. nuclear testing.

Allowing subversives to speak on college campuses.

Abolition of State and Federal loyalty oaths.

Abolition of the House Committee on Un-American Activities.

Foreign aid to countries with Communist governments.

Refusal to bar Communists from the Democratic Party—and today the CDC is taking over and absorbing the State government of California.

Though it is still only a small minority, the CDC has been called "the most powerful political force in California" by thoughtful magazines and newspapers including the C.S. Monitor, by the Governor of California—and by itself. It has taken over the entire Democratic ticket for all State officers and presented them as its own candidates. Not one has yet repudiated the organization's support.

The CDC's leaders even refused at the last Democratic convention to let the Party adopt a resolution to bar Communists from the Party organization—the last straw among people who don't want our State ruled by any organization whose objectives are foreign to those of most Americans!

Some Republicans have commented that this move probably will result in electing a Republican ticket. This, as Democrats, we regret.

But if this is the only way we have of demonstrating that rank and file Democrats want their Party dedicated to the precepts of its founders—not those of left-wing minorities—then we are willing to make this sacrifice rather than have the left-wing cancer grow and spread.

Will you, as a citizen and as an American, help in this effort to block this left-wing take-over of California's political leadership? Will you send a contribution today to the Treasurer, Committee for the Preservation of the Democratic Party, Crocker-Anglo National Bank, 1 Montgomery Street, San Francisco. It will be utilized to get this Poll to California citizens and to test their feelings in this matter. Please let us hear from you today. With thanks.

Sincerely,

WILLIAM MARLIN,
Executive Secretary.

ROBINSON & CO., INC.,
San Francisco, September 19, 1962.

To: Nixon For Governor Campaign Committee, Los Angeles, California.

Attention: Robert Haldeman, Campaign Manager.

Statewide mailing to 900,000 Conservative Democrats; also handling and tabulating Poll:

900,000 Double Post Cards, addressed to conservative Democrats, one to a family, throughout California; 8½x11, printed two colors, stock as selected; prepaid third class postage on mail going out at 2½¢ each; prepaid postage on returns up to 10% of mailing at the rate of 6¢ each, first class postage; assort by cities, tie and mail per agreement dated September 12, 1962.

Total for complete mailing: $94,500.

We understand that there is a present shortage of funds which Mr. Haldeman feels probably will be corrected in the course of the work. Under the circumstances, however, in order not to incur any indebtedness beyond the ability of the campaign to pay, we will halt the job when we have completed the appeal to only ⅔ of the Conservative Democrats of the State, and have spent up to $60,000. At this point in the work, which will occur about October 5, we will check with Mr. Haldeman to determine the financial feasibility of completing the job before continuing.

COMMITTEE FOR THE PRESERVATION OF THE DEMOCRATIC PARTY IN CALIFORNIA,
Los Angeles, Calif., October 20, 1962.

First returns of a Poll being circulated to more than one hundred thousand Democrats throughout California indicate that:

Nine out of ten registered Democrats flatly reject the "ultra-liberal" California Democratic Council (CDC).

An even higher percentage—95 percent—believe that California "cannot afford to have a Governor who is indebted to the CDC."

These figures were reported today by the Committee for the Preservation of the Democratic Party in California, which is polling members of its own Party to test reaction "to the CDC's ultra-liberal philosophy and its domination of the Party."

According to William Marlin, Executive Secretary of the Committee: "First returns on this Poll of our own Party members indicate overwhelming and emphatic disenchantment with the left-wing CDC which for the past four years has been maneuvering to capture the Democratic Party in California, and with it State domination. The voice of the rank-and-file Democrat is now being heard, and that voice is speaking out loud and clear against the CDC and all it represents."

Marlin revealed the Committee is now extending the Poll to cover "many thousands of additional Democrats."

He states: "Financial support has been pouring in from all over the State, providing means of expanding our Poll, and permitting thousands of rank-and-file Democrats to express themselves on this imperative question.

"The CDC has loaded the Democratic ticket with its nominees, hand-picked at pre-primary conventions. And not one candidate has repudiated either the CDC's endorsement, or its left-wing objectives."

Marlin continues: "What effect our Poll will have on the election we are not certain. But it is very evident from the returns that rank-and-file Democrats are deeply concerned about the CDC and its increasing domination of our Party."

Marlin said the Committee will release further figures on the Poll later this week.

COMMITTEE FOR THE PRESERVATION OF THE DEMOCRATIC PARTY IN CALIFORNIA,
San Francisco, October 26, 1962.

Charging Democratic Party leader Roger Kent with acting as a "One-Man News Censor", the Committee for the Preservation of the Democratic Party in California today vigorously protested an injunction brought by Kent to "prevent public access to the results of one of the largest Polls ever undertaken in U.S. political history".

"As Americans to whom free speech is a God-given privilege, we find this political muzzling unbelievable, declared William Marlin, Executive Secretary of the Committee.

"The order Kent has obtained, prevents our Committee from releasing to the Press the results of a valid poll of some half-million registered Democrats in California, on their reactions to domination of the Party by the left-wing CDC (California Democratic Council).

"Every one of Kent's charges is completely false," Marlin stated, "and there is no valid basis for his dictator-like action. His sole objective is to prevent publication of a statewide poll of Democrats on how they feel about being dominated by a left-wing organization whose principles are foreign to most Americans!

"Kent has charged that our Committee is a front for Republicans. We have had offers of help from many sources—Republicans as well as Democrats—and are grateful for it. But every one of our members is a loyal and responsible Democrat whose single objective is to inform our fellow Democrats that left-wing forces are moving to capture the Democratic Party in California and with it the right to dictate the political direction and destiny of our State.

* * * * *

1. How are you being financed?

A. We have appealed to Democrats throughout the State, and so far their support has been most encouraging and helpful. An appeal has been sent to some 50,000 registered Democrats—along with a Poll on their reactions to the CDC. We are hopeful that we will receive enough financial support to expand this list to some one-million Democrats in California.

2. Are you receiving any Republican money?

A. We are not refusing any contribution—and naturally, the Republicans are interested in this campaign. We are considering extending our fund-appeal to Republicans, as we believe all citizens should be concerned with the power-grabbing strategy of the CDC.

3. Who makes up your Committee?

A. As everyone knows, the CDC is a powerful organization difficult to oppose. For this reason we plan on releasing the names of our Committee on a day-by-day basis as they make their statements—thus keeping the timing of these announcements at our discretion, rather than the CDC's. We believe that these names, as released, will come as quite a shock to the CDC—for these are prominent Democrats of responsible views and position.

4. Do you have any other offices?

A. We have two offices at the present—in San Francisco and in Los Angeles. (S.F.—Central Consular Building; L.A.—National Oil Building.)

5. What are your sources for the statements and proposals attributed to the CDC?

A. The CDC's own Convention Reports and records, and statements by CDC leaders as reported in the press.

6. Are you asking fellow Democrats to stay away from the polls?

A. No. We are urging them not to vote for CDC nominees on the Democratic ticket. The CDC has loaded our Party's ticket with their own nominees, chosen at pre-primary conventions. We consider these candidates "captured men", because even though the left-wing aims of the CDC are clear and are anathema to the majority of Americans, not one of these men has repudiated the CDC or its endorsement.

INTERGOVERNMENTAL RELATIONS SUBCOMMITTEE CONDUCTS HEARINGS ON PROPERTY TAXES

Mr. MUSKIE. Mr. President, during 3 days last week the Senate Subcommittee on Intergovernmental Relations conducted hearings on a subject which is of concern to a great many Americans these days—the need for property tax relief and reform.

Most of us are fairly familiar by now with the inequities and inefficiencies of the property tax system. Low income households frequently face a property tax burden far in excess of their ability to pay, and far greater, relative to their income, than that of higher income households. Administration of the property tax is hampered by a lack of qualified personnel and other resources, a fragmentation of taxing jurisdictions, and out-of-date State laws which made efficient use of the tax an impossibility.

In this initial round of hearings, we concentrated on these problems, as well as on the broader question of whether the Federal Government has any role to play in bringing about relief and reform. The focus of the hearings was legislation I introduced with Senator PERCY—S. 1255—which would provide a program of limited Federal assistance to those States which undertake specified measures of relief and reform.

In addition, 1 day of the hearings was devoted to specific problems raised by the use of mass appraisal firms by States and local taxing jurisdictions.

During these hearings, we heard testimony from public officials at all levels of government, and from private citizens as well. Although there were differences of opinion as to how we should proceed, there was unanimous agreement that both relief and reform are urgently needed.

Because of the importance of this issue, I would like to bring to the attention of my colleagues some of the testimony offered at the hearings which clearly documents the need for action and which also outlines a number of the policy questions we are considering. I therefore request that the prepared statements of the following persons be inserted in the Record at this point: The Honorable Byron L. Dorgan, tax commissioner of North Dakota; Mr. John Shannon, Assistant Director of the Advisory Commission on Intergovernmental Relations; the Honorable Kenneth M. Curtis, Governor of Maine, on behalf of the Education Commission of the States; the Honorable Stenny Hoyer, State Senator from Maryland; Mr. Jonathan Rowe, of the Tax Reform Research Group; and Mr. Cyril Brickfield, legislative counsel for the American Association of Retired Persons and National Retired Teachers Association. In addition, I would like to ask unanimous consent to print in the Record articles from the Nashville Tennessean and the Nashville Banner concerning the testimony the subcommittee received on mass appraisal firms.

There being no objection, the articles were ordered to be printed in the Record, as follows:

State of North Dakota Office of State Tax Commissioner

(Testimony by Byron L. Dorgan, Tax Commissioner, State of North Dakota. Presented to—U.S. Senate Subcommittee on Intergovernmental Relations on Senate Bill 1255)

Mr. Chairman & Members of the Committee: My name is Byron L. Dorgan and I am Tax Commissioner for the State of North Dakota, a position I have held for nearly 4½ years. Because North Dakota is one of the few states in which the position of Tax Commissioner is an elective position, I, perhaps more than some other tax administrators, have made it my business to be aware of the concerns and frustrations of the taxpayers and to try and do something about them. As a man in political life and as a former instructor in economics, I have been constantly speaking out for basic reforms in our tax structure with special emphasis on real property tax reform.

As State Tax Commissioner, one of my duties is to exercise general supervision over the assessment practices in the State of North Dakota. North Dakota, a state with a population of 620,000 has nearly 1,800 property tax assessors. Of those 1,800 assessors, I would estimate that no more than 75 would pass a minimum qualification test for the position of property tax assessor if such an examination were mandatory. Despite this knowledge, and despite the fact that the property tax is the single largest tax in North Dakota, the North Dakota Legislature has consistently failed to enact legislation that would establish minimum qualifications for assessing personnel. The fragmentation of authority and the decentralization of the assessment structure spells disaster for those who are concerned about establishing good, professional assessment practices in our states.

I believe people can and should expect their government to be run in a businesslike manner and yet property tax administration in North Dakota and many other states would, by comparison, make the U.S. Postal System a model of business efficiency. We are, in many instances, using 18th Century management practices to assess a property tax that has grown to 21st Century proportions.

Many local governments insist on clinging to an assessment function they can no longer afford to perform well and state legislatures in many cases steadfastly refuse to enact the sweeping law changes necessary to make the property tax a professionally administered tax. Indeed, there is plenty of blame to go around. The track record of state taxing authorities (including myself) is not much better than that of a housekeeper in a dwelling that needs remodeling.

Published sales ratio studies, minimum qualifications for assessors, full disclosure of estimated market value to taxpayers, and adequate training programs for assessing personnel are but a few of the areas in which state and local governments are falling sadly short of the needed initiative to clean up the property tax mess.

A British economist named Adam Smith said 200 years ago that "there are only two things wrong with property tax: (1) It is indefensible in theory and (2) it is unworkable in practice." I believe Adam Smith overstated his case, but his second premise has proven to be partly true only because of the lack of resolve of public officials to do something about it. I believe that the property tax is a legitimate part of a governmental revenue system that utilizes income, consumption, and wealth as a basis for distributing its tax burden. Frankly, I believe that many public officials have treated property tax as the ugly sister of the tax family and have used the recent state Supreme Court decisions as an excuse to run away from the challenge of making a respectable lady out of the property tax.

It does not seem reasonable that we should totally abandon the property tax. If it is proper to tax what people earn and what people spend, then it seems equally proper to tax what people own. To leave untaxed the wealth of real property that people have accumulated would have a serious economic effect upon the free movement of real estate in the market.

One of the criteria of a "good" tax is its' relationship to benefits received. While it is equally true that all services relate to people, many of the services provided for by taxes, benefit people through the real property that they own. For example, a capital improvement such as a new school building in the neighborhood, a hard surfaced road by a farm, these make the real estate more valuable and hence are a proper charge against the property.

Property tax is here to stay and indeed it should be here to stay. I believe Senate Bill 1255 is an responsible approach toward solving some of the administrative problems in the property tax area.

I would like to address comments to two areas of Senate Bill 1255 and relate them to experience in North Dakota. First, Senate Bill 1255 in Title IV fosters a "right to know" concept. That is, citizens should be able to readily determine the estimated market value of their property as established by an assessor and relate that to assessments on surrounding property to determine whether they have been treated fairly. Nearly a year ago I was petitioned by a group of taxpayers to conduct an investigation of the assessment of farmland in Richland County, North Dakota. I assigned an investigative team from our Property Tax Division to review the assessments. We found that if you owned a quarter of farmland in Richland County, the same quality of land could have had 21 different pricing schedules attached to it and the price could have varied as much as 100%, depending on where it was located in that county. Needless to say, I ordered a supervised reappraisal of all of the farmland in Richland County. This is the first time in the history of the state that this has been done. If the "right to know" philosophy had prevailed in North Dakota assessment practices, it wouldn't have been necessary for the State Tax Commissioner to point out and document property tax inequities in Richland County. Citizens would have been able to compare their assessments to assessments on adjacent property without making a trip to the county courthouse and trying to interpret fractional assessments. They would have determined for themselves that those inequities existed. At that point they could have sought relief from their levels of local government through their Board of Equalization or through an application for abatement of property taxes.

Assuming the states would adopt the reforms contemplated in Title IV of this bill, Richland County taxpayers and others like them will have two distinct advantages in the future. First, they will know the market value estimate placed on their property by the assessor and they will be able to readily compare it to other properties in the county. Second, the appeal procedure will be revised in order that the taxpayer will be sure of a fair, impartial hearing on his property tax assessment. In many jurisdictions a taxpayer who feels he is overassessed must appeal to the local governing board for relief. This is the same governing board that has hired the assessor and will very likely support the assessor's estimate of market value. An analogy is the dilemma of a man who gets a speeding ticket and who shows up in court only to find that the presiding judge is the patrolman who issued him the ticket. Thus an adequate system of disseminating information to taxpayers and an improved system of appealing an unfair tax bill are two results that I think this legislation will encourage.

The second area that I would like to make comment on is Title III in Senate Bill 1255 which provides relief to property owners whose property tax bill represents an overburdening amount of their gross income. In North Dakota we have a law that allows limited property tax relief for low income senior citizens. Our law is not inclusive enough, but it is a start. Our state is one that is losing population and while many of our young people are moving out-of-state, older North Dakotans who have worked and lived in North Dakota all of their lives are spending their retirement years there. As our citizens reach retirement age, their income decreases and their property taxes continue to increase.

After these citizens have contributed through the income tax, sales tax and property tax all of their lives, they are finding that the home they struggled to pay for is being assessed a property tax that eats away 10, 20 and even 30% of their total income. The increasing property tax coupled with our current inflationary spiral is strangling the economic lives of many of our senior citizens.

Recently I received a letter from a lady in Flasher, North Dakota. She and her husband had managed over a 25 year period to completely pay for a home that she is very proud of. She is now 75 years old and her husband passed away four years ago. Her total gross income is $119 a month from all sources. She has not been able to pay the past two year's property tax bill and she cannot pay this year's property tax bill. This lady doesn't enjoy some of the government services that they do in other parts of the country. There is no dial-a-cab in Flasher. They don't even have meals on wheels, and even though North Dakota is full of intercontinental ballistic missiles we don't have adequate bus and train service to provide transportation to the senior citizen who so desperately needs it.

I'm sure there are millions of senior citizens and low income citizens in this country in the same predicament as the lady from Flasher. Many of them will go without adequate clothing, without adequate heat in their homes and without adequate food and nourishment in order to pay their property tax bill and hang onto their most cherished possession, their home. We can and should do more for these people.

The problem isn't limited to just senior citizens, it also affects the small farmers who have a bad crop year, a Mom and Pop business that suffers a disastrous financial year, the low income residential home owner. Many of them need a pressure relief valve to prevent property taxes from spelling their personal economic disaster.

The legislation you have introduced, Mr. Chairman, will, I believe, entice state governments to adopt meaningful programs of property tax relief for those citizens who so desperately need it. The ability to pay theory is and always will be a sound economic theory for tax purposes. As a rule I think property ownership does relate to ability to pay, but there are many exceptions to that I believe this bill with the property tax relief feature provides the pressure relief valve that is necessary to prevent our property tax system from blowing up in our face in the coming years.

Senate Bill 1255 is a very measured response to an old plaguing problem. I have always been prepared to resist federal intervention in the property tax area. However, after studying your proposal I find that the type of limited federal help that this bill proposes represents the only meaningful way of encouraging local government to solve a problem that everyone has hoped would go away but won't.

In conclusion let me say that it is unfair if my remarks or those of other witnesses would paint with a black brush all of the efforts of property tax assessors in this country. In North Dakota, and I am sure in other parts of the country, we have some outstanding property tax administrators who I am very proud of. Also, it would be unfair to suggest that the failure of state legislatures to act is the sole cause of our property tax problems. The North Dakota legislature has enacted a law improving our appeal procedures and has just recently enacted a law requiring full disclosure of estimated market value on the property tax statement. So progress is being made, but it is not nearly rapid enough to attack those problems which are festering a tax revolt in this country.

Your legislation is substantial and will allow meaningful relief in our property tax system in the years to come. I will encourage North Dakota's Congressional delegation to support Senate Bill 1255. Senator Young, Senator Burdick and Congressman Andrews are interested, as I am, in an improved property tax system that responds to the needs and concerns of the people we serve.

Property Taxation: Reform and Relief Comments on S. 1255

(By John Shannon)

Mr. Chairman, let me express the appreciation of the Advisory Commission on Intergovernmental Relations for this opportunity to testify on Senate Bill No. 1255, "The Property Tax Relief and Reform Act of 1973."

Mr. Chairman, as you well know, the Commission on a closely divided vote recently rejected the idea of even a limited role for the Federal Government in the area of property tax relief and reform. Because you took an active part in the debate, it is not necessary to recite for you the reasons that led the majority to recommend that the Federal Government pursue a "hands off" property tax policy. However, I do think both the majority and minority views should be placed in the record. Therefore, if there is no objection, I will append to my statement Chapter I of the Advisory Commission's report, Financing Schools and Property Tax Relief—A State Responsibility. This seven page chapter sets forth the policy considerations that underpinned both the majority's contention that the property tax should remain the exclusive policy concern of the States and the minority advocacy of a limited Federal role.

FIVE KEY QUESTIONS

In order to help assist the Senate Subcommittee with its property tax deliberations, I shall restrict my comments to answering five questions.

What is the current status of State effort to provide property tax relief for low and moderate income families?

What policy implications can Federal legislators draw from State property tax relief action?

If the Federal legislators become convinced that the National Government should encourage the States to move more quickly in the area of property tax relief and assessment reform, should the National Government condition its property tax relief grants on a showing that the States are making progress on the assessment reform front?

Can Federal incentive grants for property tax relief be designed in a way that will not unduly reward the States that force local governments to make relatively heavy use of the property tax and not shortchange those States that make relatively light use of the property tax?

If the National policymakers are convinced that they should encourage the States to pull the regressive stinger from the property tax, should they then take the next logical step and include the sales tax in their anti-regressivity program?

CURRENT STATUS OF STATE TAX RELIEF EFFORTS

The State "circuit-breaker" movement is now moving so rapidly that it is extremely difficult for the ACIR staff to keep up with the latest developments. Yesterday, for example, we were informed that the Michigan Legislature had just approved Governor Milliken's massive $250 million circuit-breaker plan designed to help every household in Michigan—the non-elderly as well as the elderly, the renters as well as the homeowners. For those under the age of 65, the relief comes in the form of a substantial rebate on that part of the residential tax that exceeds 3½ percent of household income. For the elderly low-income households, the Milliken plan provides even greater aid.

This major breakthrough in Michigan comes hard on the heels of last week's news that Vermont had also adopted a universal circuit-breaker albeit with a somewhat different formula. The significance of these two State actions is that they represent "Phase II" of the circuit-breaker movement characterized by virtually universal protection for all low and moderate income families and with an estimated per capita cost of approximately $25 in both cases.

In sharp contrast, the typical "Phase I" State circuit-breaker was restricted to low-income elderly households with per capita cost ranging from $1 to $5.

In order to give the Subcommittee some feel for the momentum of State action in this area, we have prepared a detailed tabulation of State property tax relief action and placed it in the Appendix—Tables 5 and 6. Even the most casual examination of these tables will establish beyond doubt that the States are now moving decisively in the property tax relief area but in most cases, they still have a long way to go before they reach the Michigan and Vermont protection standards. For example the current State effort can be summarized as follows:

48 States now either finance, mandate or authorize property tax relief for low-income elderly homeowners. There is strong likelihood that the two remaining States—Arizona and Missouri—will soon take remedial action in this area.

12 States now finance property tax relief for low-income elderly renters.

7 States now finance property tax relief for low and moderate income—non-elderly homeowners.

3 States now finance property tax relief for low-income renters under the age of 65.

The point must be emphasized that most of this remedial State action has taken place since 1970.

STATE TAX RELIEF ACTION—POLICY INFERENCES FOR THE CONGRESS

There are several policy inferences that can be drawn from the dramatic upsurge in property tax relief action since 1970.

First, State legislators are not buying the new economic doctrine that claims that the property tax is a truly progressive tax if properly administered nor are State legislators buying the correlative policy implication—that property tax relief for low-income families should receive rather low legislative priority. Our evidence supports the State legislators' intuitive judgments. As a tax on housing, the residential property tax can and does impose truly extraordinary burdens on low-income families, both elderly and non-elderly. This pattern holds true for the Nation as a whole and for each geographic region (See Tables 2, 3, and 4 in the Statistical Appendix).

Because the States are now making such significant progress in the property tax relief field, the question of Federal involvement in this area boils down to one question—should the Federal Government "hurry history along?" Those who believe that the National Government should assume an "activist" role will say yes and point to the fact that 48 States still fall short of the protection standards now set by Michigan and Vermont. On the other hand, the traditionalist will emphasize the natural historical evolution from narrow to broad-gauged State tax relief action and argue that as an irreducible minimum, Federal policymakers should allow the States at least three or four more years to place their property tax relief houses in order.

If Federal policymakers decide to support the "activist" position, it would seem that the interest of federalism would be served better by Federal underwriting and encouragement of State tax relief programs rather than by the creation of Federally administered tax relief programs. Underpinning this inference is the obvious fact that the State fiscal property largely determines the size of the local property tax rate. Therefore, the State, not the National Government, should be required to continue to play a primary role in underwriting local property tax relief.

If National Government policymakers decide to encourage the State to do more on the local property tax relief front, the Federal grant program should encourage the development of the "circuit-breaker" rather than the partial homestead exemption approach. The circuit-breaker is more efficient because it can maximize the local tax relief "bang" for the State expenditure "buck,"—the amount of State aid decreases as family income increases. In striking contrast, the typical partial homestead exemption approach does not diminish as family income rises. It is, therefore, a far less economical method for shielding family income from extraordinary property tax loads.

The great variations in State circuit-breaker formulas argue against Congressional imposition of a rigid "boiler plate" type formula along the lines of that set forth in Title III of S. 1255. It is obvious that those who drafted the tax relief formula in Title III did not want to have Federal dollars subsidize the partial homestead exemption plan. They, therefore, erred in the opposite direction by constructing such a tight list of qualifications as to exclude the two best State circuit-breaker programs—those of Vermont and Michigan.

I would recommend the deletion of the circuit-breaker formula now set forth in

Title III Subsection d and the substitution of a broad qualifying definition—a state-financed plan of residential property tax relief that phases out aid as family income rises.

FEDERAL TAX RELIEF AID LINKED TO STATE ASSESSMENT REFORM

Should the National Government condition its Federal tax relief grants to a State showing of assessment reform? It is quite understandable that frustrated property tax reformers would seize upon the popular tax relief issue as their "lever" for forcing States to reform their local property tax assessment systems.

I would recommend that the Subcommittee divorce the issue of property tax relief from that of assessment reform. Low-income families should not be used as the "hostages" by the Federal Government for effecting State assessment reforms. This "Federal stick" approach also reinforces the case of those who are opposed to any Federal involvement in the property tax area. They argue that once the Federal Government moves into the property tax area, there is the irresistible temptation to impose coercive guidelines on State and local officials.

There is also a certain practical objection to this plan for denying Federal property tax relief aid to States that fail to measure up to the reform guidelines set forth in Senate Bill 1255. It might be difficult for the Federal administrator to obtain sufficient political support for rigorous enforcement of this carrot and stick approach to the property tax.

INTERSTATE TAX EQUITY ISSUE

As presently written, S. 1255 tends to reward unduly those States that make relatively heavy use of the local property tax and shortchange those States (located primarily in the South) that make relatively light use of this levy. This defect can be removed by adopting a flat per capita grant procedure—for example all States with a qualified property tax relief program would receive $5 per capita.

SALES TAX ISSUE

It can be argued that if Federal policymakers desire to pull the regressive stinger from the State-local tax system, they should take the next logical step and include the sales tax in their anti-regressivity program.

This argument illustrates the difficulties inherent in designing at the National level an equitable and comprehensive property tax relief program. Many States, particularly those located in the South, for all practical purposes, use the sales tax as a substitute for the property tax.

Mr. Chairman, our staff has examined the fiscal effects of various Federal aid proposals designed to encourage the States to pull the regressive stinger from both the property and sales tax. If your Subcommittee is interested in pursuing this matter, we shall be pleased to make our research findings available to your staff.

Again, let me express our appreciation for having been given the opportunity to testify on S. 1255.

TABLE 1.—WHO PAYS THE LOCAL PROPERTY TAX?

[Estimated local property tax collections by source, 1972[1]]

Source	Amount (millions)	Percentage distribution
Nonbusiness:		
Nonfarm residential realty[2]	$19,023	47.3
Farm realty[3]	817	2.0
Vacant lots	320	.8
Total nonbusiness realty	20,160	50.1
Nonfarm personalty[4]	657	1.6
Farm personalty	113	.3
Total nonbusiness personalty	770	1.9
Total nonbusiness	20,930	52.1
Business:		
Farm realty[5]	$1,860	4.6
Vacant lots	480	1.2
Other realty[6]	9,170	22.8
Total business realty	11,510	28.6
Farm personalty[7]	454	1.1
Other personalty[8]	4,287	10.7
Total business personalty	4,741	11.8
Public utilities	3,019	7.5
Total business	19,270	47.9
Total	[9] 40,200	100.0

[1] ACIR staff estimates based on estimated 1972 collections distributed on basis of 1967 Census data, latest available statistics.

[2] Includes both single-family dwelling units and apartments. An estimated $14,000,000,000 or 36 percent of all local property taxes was derived from single-family homes: about $5,000,000,000 or 12 percent of property tax revenue came from multi-family units.

[3] Estimated collections from the taxation of the residential element of the farm.

[4] The collections produced through the taxation of furniture and other household effects.

[5] Estimated collections from the taxation of land and improvements actually used in the production of agricultural products—this is exclusive of the land and buildings used in a residential capacity by the farmer.

[6] Commercial and industrial real estate other than public utilities.

[7] The estimated collections from the taxation of livestock, tractors, etc.

[8] Estimated collections from the taxation of merchants' and manufacturers' inventory, tools and machinery, etc.

[9] This is the estimated grand total for local property tax receipts. In addition, there is an estimated $1,300,000,000 in State property taxes. The data needed for a similar distribution of State receipts is not available. However, it is estimated that approximately $450,000,000 of the State receipts are derived from general property taxes and could probably be distributed among the various sources of revenue in the same proportion as local receipts. The remaining $850,000,000 in State receipts consists mainly of State special property taxes on business personal property, but includes a substantial amount from special property taxes on motor vehicles, most of which is collected by the State of California.

Source: ACIR compilation.

TABLE 2.—REAL ESTATE TAXES AS A PERCENTAGE OF FAMILY INCOME, OWNER-OCCUPIED SINGLE-FAMILY HOMES, BY INCOME CLASS AND BY REGION, 1970

Family income[1]	United States, total	Northeast region	Northcentral region	South region	West region	Exhibit: number and distribution of homeowners	
						Number (thousands)	Percent distribution[2]
Less than $2,000	16.6	30.8	18.0	8.2	22.9	1,718.8	5.5
$2,000 to $2,900	9.7	15.7	9.8	5.2	12.5	1,288.7	9.7
$3,000 to $3,900	7.7	13.1	7.7	4.3	8.7	1,397.8	14.1
$4,000 to $4,999	6.4	9.8	6.7	3.4	8.0	1,342.8	18.5
$5,000 to $5,999	5.5	9.3	5.7	2.9	6.5	1,365.1	22.8
$6,000 to $6,999	4.7	7.1	4.9	2.5	5.9	1,530.1	27.8
$7,000 to $9,999	4.2	6.2	4.2	2.2	5.0	5,377.4	45.0
$10,000 to $14,999	3.7	5.3	3.6	2.0	4.0	8,910.3	73.6
$15,000 to $24,999	3 3	4.6	3.1	2.0	3.4	6,365.6	94.0
$25,000 or more	2.9	3.9	2.7	1.7	2.9	1,876.9	100.0
All incomes	[3] 4.9	[3] 6.9	[3] 5.1	[3] 2.9	[3] 5.4	31,144.7	

[1] Census definition of income (income from all sources). Income reported was received in 1970.

[2] Cumulated from lowest income class.

[3] Arithmetic mean.

Source: U.S. Bureau of the Census, "Residential Finance Survey, 1970" (conducted in 1971), special tabulations prepared for the Advisory Commission on Intergovernmental Relations. Real estate tax data were compiled for properties acquired prior to 1970 and represent taxes paid during 1970.

ABLE 3.—REAL ESTATE TAXES AS A PERCENTAGE OF FAMILY INCOME, OWNER-OCCUPIED SINGLE-FAMILY HOMES, HOMEOWNERS AGE 65 AND OVER, BY INCOME CLASS AND BY REGION, 197

Family income[1]	United States, total	Northeast region	Northcentral region	South region	West region	Exhibit number and distribution of homeowners age 65 and over	
						Number (thousands)	Percent distribution[2]
Less than $2,000	15.8	29.3	16.6	7.8	21.5	1,280.8	20.3
$2,000 to $2,999	9.5	14.4	9.3	5.3	11.5	906.1	34.7
$3,000 to $3,999	8.0	11.9	7.6	5.3	8.5	825.9	47.9
$4,000 to $4,999	7.3	10.6	7.2	3.7	8.7	651.6	58.2
$5,000 to $5,999	6.2	9.6	6.1	3.5	6.5	437.5	65.2
$6,000 to $6,999	5.8	7.7	6.1	3.4	6.1	388.8	71.3
$7,000 to $9,999	4.8	6.5	5.3	2.5	5.7	714.7	82.7

Family income [1]	United States, total	Northeast region	Northcentral region	South region	West region	Exhibit number and distribution of homeowners age 65 and over: Number (thousands)	Percent distribution [2]
$10,000 to $14,999	3.9	5.4	3.9	2.4	4.1	565.7	91.7
$15,000 to $24,999	3.3	4.7	3.3	2.1	3.3	339.5	97.1
$25,000 or more	2.7	3.2	2.9	1.8	3.0	183.4	100.0
All incomes	[3] 8.1	[3] 11.4	[3] 8.6	[3] 4.7	[3] 9.1	6,294.0	

[1] Census definition of income (income from all sources). Income reported received in 1970.
[2] Cumulated from lowest family income class.
[3] Arithmetic mean.

Source: U.S. Bureau of the Census, "Residential Finance Survey, 1970" (conducted in 1971), special tabulations prepared for the Advisory Commission on Intergovernmental Relations. Real estate tax data were compiled for properties acquired prior to 1970 and represent taxes paid during 1970.

TABLE 4.—REAL ESTATE TAXES AS A PERCENTAGE OF FAMILY INCOME FOR ELDERLY AND NONELDERLY SINGLE-FAMILY HOMEOWNERS, BY INCOME CLASS, 1970

Family income [1]	Real estate tax as a percent of family income: Elderly (age 65 and over)	Nonelderly (under 65)	Exhibit: Number of homeowners (thousands): Total	Elderly: Number	Elderly: Percent of total	Nonelderly: Number	Nonelderly: Percent of total
Less than $2,000	15.8	18.9	1,719	1,281	74.5	438	25.5
$2,000 to $2,999	9.5	10.1	1,289	906	70.3	383	29.7
$3,000 to $3,999	8.0	7.2	1,398	826	59.1	572	40.9
$4,000 to $4,999	7.3	5.5	1,343	652	48.6	691	51.4
$5,000 to $5,999	6.2	5.1	1,365	437	32.0	928	68.0
$6,000 to $6,999	5.8	4.3	1,530	389	25.4	1,141	74.6
$7,000 to $9,999	4.8	4.1	5,377	715	13.3	4,663	86.7
$10,000 to $14,999	3.9	3.7	8,910	566	6.4	8,345	93.6
$15,000 to $24,999	3.3	3.3	6,337	340	5.4	5,997	94.6
$25,000 or more	2.7	2.9	1,877	183	9.8	1,694	90.2
All incomes	[2] 8.5	[2] 4.1	31,545	6,294	20.2	24,851	79.8

[1] Census definition of income (income from all sources). Income reported received in 1970.
[2] Arithmetic mean.

Source: U.S. Bureau of the Census, "Residential Finance Survey, 1970" (conducted in 1971), special tabulations prepared for the Advisory Commission on Intergovernmental Relations. Real estate tax data were compiled for properties acquired prior to 1970 and represent taxes paid during 1970.

TABLE 5.—PROPERTY TAX RELIEF FOR THE ELDERLY A GROWING STATE CONCERN, AS OF MAR. 1, 1973

State, financed by	Date of adoption	Description of beneficiaries (estimated number of claimants)	Income ceiling	Tax relief formula (or general remarks)	Form of relief (estimated per capita cost)
Alabama: State (exemption applies to State taxes only).	1971	Homeowners 65 and over (NA).	None	The $2,000 general exemption of assessed value is increased to $5,000 for homeowners, 65 and over, for State ad valorem taxes only.	Reduction in tax bill (NA).
Alaska: State	1972	Homeowners 65 and over (1,000)-	$10,000	Total exemption	No tax liability ($1.54).
Arizona: Program under active legislative consideration.					
Arkansas: State (circuit breaker)	1973	Homeowners 65 and over (90,000).	$5,500	Relief ranges from maximum of $400 for income below $1,500 to $175 for income to $5,500, on graduated scale.	State income tax credit or rebate ($1.39).
California:					
State (circuit breaker)	1967, 1972 rev	Homeowners 62 and over (292,999) all renters.	$10,000 net $20,000 gross.	Relief ranges from 96 percent of tax payment on first $7,500 of value if net household income is less than $1,400 to 4 percent of tax payment if net household income is $10,000 (in addition to homestead exemption of $1,750).	State rebate only ($2.93).
State	1972	(NA)	None	Relief ranges from $25 if adjusted gross income is less than $5,000 to $45 on income of $8,000 and over.	State income tax credit or rebate (NA).
Colorado: State (circuit breaker)	1971, 1972, rev	Homeowners and renters age 65 and over (11,000).	$2,400 single, $3,700 married (net) worth less than $20,000).	Relief limited to 50 percent of the tax payment and cannot exceed $250. The credit or refund is reduced by 10 percent of income over $500 for individuals and 10 percent of income over $1,80C for husband and wife. (10 percent or rent=tax equivalent).	State income tax credit or rebate ($0.32).
Connecticut: State	1965	Homeowners 65 and over (NA).	$3,000 single, $5,000 married.	Exemption of $1,000 assessed value [also a tax freeze as of year of qualification].	Reduction in tax bill ($2.27).
Delaware:					
Localities (mandated)	1965, 1967 rev	Homeowners 65 and over (NA).	$3,000	Exemption of $5,000 assessed value from State or County property taxes.	Reduction in tax bill (NA).
Localities (optional)	1969, 1970 rev	Homeowners 65 and over (NA).	$3,000	Exemption of $5,000 assessed value from municipal property tax.	Reduction in tax bill (NA).
Florida: State	1971	Homeowners 65 and over (362,000).	None	The general homestead exemption of $5,000 for all homeowners is increased to $10,000 for homeowners 65 and over for taxes levied by district school boards for current operating purposes.	Reduction in tax bill ($1.47).
Georgia:					
Localities (mandated)	1964, 1972 rev	Homeowners 65 and over (100,000).	$4,000	Exemption of $4,000 assessed value from State and county property taxes.	Reduction in tax bill ($1.48).
Localities (mandated)	1972	Homeowners 62 and over (NA).	$6,000	Exemption of ad valorem taxes for educational purposes levied on behalf of school districts.	Reduction in tax bill (NA).
Hawaii: Localities (mandated)	1969, 1972 rev	Homeowners 60 and over (180,000).	None	Exemption of $16,000 of assessed value for homeowners age 60 to 69. Exemption of $20,000 of assessed value for homeowners age 70 or more.	Reduction in tax bill ($4.40).
Idaho: Localities (mandated)	1969, 1971 rev	Homeowners 65 and over (NA).	$4,800 (value of property not to exceed $15,000).	Elderly homeowners are exempt from property tax up to $75.	Reduction in tax bill ($0.72).

TABLE 5.—PROPERTY TAX RELIEF FOR THE ELDERLY A GROWING STATE CONCERN, AS OF MAR. 1, 1973—Continued

State, financed by	Date of adoption	Description of beneficiaries (estimated number of claimants)	Income ceiling	Tax relief formula (or general remarks)	Form of relief (estimated per capita cost)
Illinois:					
State (circuit breaker)	1972	Homeowners and renters age 65 and older or disabled (290,000).	$10,000 implicit	Relief based on amount by which property tax (or rent constituting property tax) exceeds 6 percent of household income for that year on the amount of such income between zero and $3,000 plus 7 percent on that amount in excess of $3,000. Relief limit is $500 less 5 percent of household income. (25 percent of rent = tax equivalent.)	Direct rebate ($2.58).
Localities (mandated)	1971	Homeowners 65 and over (NA).	None	Maximum reduction of $1,500 from assessed value.	Reduction in tax bill (NA).
Indiana: Localities (mandated)	1957, 1971 rev	Homeowners 65 and over (80,000).	$6,000 (realty value not in excess of $6,500).	Exemption of $1,000 assessed value	Reduction in tax bill ($1.59).
Iowa: State	1967, 1971 rev	Homeowners 65 and over or totally disabled (NA).	$4,000	Deduction from tax bill of $125 or amount of tax liability whichever is less	Reduction in tax bill ($2.71).
Kansas: State (circuit breaker)	1970, 1972 rev	Homeowners 65 and over (NA).	$6,000	Similar to Wisconsin but with different percentages. Limitation on amount of property tax liability considered for relief is $330.	State income tax credit or rebate ($2.88).
Kentucky: Localities (mandated)	1971	Homeowners 65 and over (125,000).	None	Exemption of $6,500 assessed value, except for assessment for special benefits.	Reduction in tax bill ($3.12).
Louisiana: A general homestead exemption of $2,000 for all homeowners with a reimbursement to local government.					
Maine: State (circuit breaker)	1971	Homeowners and renters age 65 and older for males, 62 and older for females (16,000).	$4,000 (in addition net assets must not exceed $30,000).	Relief equal to 7 percent of the difference between household income and $4,000. Limited to the total property tax levied. (20 percent of rent=tax equivalent) (at least 35 percent of household income must be attributable to claimant).	State rebate only ($1.60).
Maryland:					
Localities (mandated)	1967, 1969 rev	Homeowners 65 and over (61,000).	$5,000	Credit of 50 percent of assessed value or $4,000, whichever is less, multiplied by the local property tax rate.	Reduction in tax bill ($1.81).
Localities (optional)	1968, 1972 rev	Homeowners 65 and over (females 62 and over in Cecil County).	Varies by county	Relief varies from an increase in the credit provided by the State mandated law to a lessening or modification of conditions of eligibility for such credit.	Reduction in tax bill (NA).
Massachusetts: Localities (mandated)	1963, 1971 rev	Homeowners 70 and over (74,000).	$6,000 single $7,000 married (maximum estate: $40,000 single, $45,000 married).	Exemption of $4,000 assessed value or the sum of $350, whichever would result in an abatement of the greater amount of taxes due.	Reduction in tax bill ($5.18).
Michigan: State	1965, 1970 rev	Homeowners 65 and over (220,000).	$6,000	Exemption of $2,500 State equalized value	Reduction in tax bill ($3.06).
Minnesota: State (circuit breaker)	1967, 1971 rev	Homeowners and renters 65 and over (95,000).	$5,000	A percentage of tax is given back as a credit, percentage declines as income increases. Not more than $800 tax considered. (20 percent of rent=tax equivalent).	State income tax credit or rebate ($2.38).
Missouri: (A constitutional amendment was approved in November 1972 to allow property tax relief by means of either a homestead exemption or a tax credit, to require that the State must reimburse the local government for any loss of revenue, and to permit such relief plans to include renters.)					
Mississippi: State finances a partial homestead exemption of $5,000 for all homeowners with a reimbursement to local governments.					
Montana: Localities (mandated)	1969, 1971 rev	Retired homeowners (NA)	$4,000 single, $5,200 married.	50 percent reduction	Reduction of tax bill ($1.39).
Nebraska: State	1972	Homeowners 65 and over (60,000).	$2,800 single, $3,550 married, $4,300 married and spouse over 65.	Reduction of tax by 25 percent (maximum $125) in 1973 and by 50 percent (maximum $250) in 1974.	Reduction of tax bill ($4.41).
Nevada: New program				See table 6.	
New Hampshire: Localities (optional)	1969	Homeowners 70 and over (9,300).	$4,000 single, $5,000 married ($25,000 asset test).	Equalized valuation reduced by $5,000 times the local assessment ratio.	Reduction of tax bill ($1.99).
New Jersey: State 50 percent, localities 50 percent (mandated).	1953, 1972 rev	Homeowners 65 and over (163,000).	$5,000 (excluding social security).	Reduction of tax bill by $160, but not more than amount of tax.	Reduction of tax bill (½ reimbursed by State) ($3.50).
New Mexico: State (circuit breaker)	1972	All persons (70,000)	$6,000	Person receives credit based on all State-local taxes which he is presumed to have paid. Credit varies depending on income and number of personal.	State income tax credit or rebate ($1.88).
New York:					
Localities (optional)	1972	Renters in rent controlled housing, 62 and over (NA).	$3,000 (can be raised to $5,000 by locality).	Not to exceed amount by which maximum rent exceeds one-third of combined household income.	Reduction of maximum rent (NA).
Localities (optional)	1966, 1972 rev	Homeowners 65 and over (82,000).	$3,000 (can be raised to $6,000 by locality).	Assessed valuation reduced by 50 percent	Reduction of tax bill ($1.14).
North Carolina:					
Localities (mandated)	1971	Homeowners 65 and over (retired) (19,000)	$3,500	Assessed valuation reduced by $5,000	Reduction of tax bill ($0.16).
North Dakota: Localities (mandated)	1969	Homeowners 65 and over (5,000).	$3,000	Assessed valuation reduced by $1,000 or 50 percent, whichever is less.	Reduction in tax bill ($0.47).
Ohio: State (circuit breaker)	1971, 1972 rev	Homeowners 65 and over (NA).	$8,000	Benefits range from reduction of 70 percent or $5,000 assessed value (whichever is less) for incomes below $2,000 to 40 percent or $2,000 for incomes above $6,000.	Reduction of tax bill ($2.78).
Oklahoma: Homestead exemption of $1,000 of assessed value for all homeowners is mandated by State. No reimbursement to local government.					
Oregon: State (circuit breaker)	1971	All homeowners (100,000)	None	Relief based on amount by which property taxes exceed percentage of income ranging from 3 percent on income below $1,500 (max. relief $400) to 7 percent for income above $8,000 (max. $100).	Reduction of tax bill (reimbursed) or tax credit ($7.80).
Pennsylvania: State (circuit breaker)	1971	Homeowners 65 and over; widows 50 and over; totally disabled (264,000).	$7,500	100 percent of tax for income less than $1,000 (max. rebate $200). 10 percent of tax for income greater than $6,000.	State rebate ($2,30).

State, financed by	Date of adoption	Description of beneficiaries (estimated number of claimants)	Income ceiling	Tax relief formula (or general remarks)	Form of relief (estimated per capita cost)
Rhode Island: Localities (optional)	1960, 1972 rev	Homeowners 65 and over (19,000).	$4,000 ($5,000 in 1 locality).	Various formulas; most reduce assessed valuation by $1,000. [Also a tax freeze.]	Reduction in tax bill ($1.02).
South Carolina: State	1971	Homeowners 65 and over (78,000).	None	Not related to income. Assessed valuation reduced by $5,000.	Reduction in tax bill ($1.31).
South Dakota: Localities (mandated)	1972	Homeowners 65 and over (NA).	$4,000 married $2,400.	Assessed valuation reduced by $1,000	Reduction in tax bill ($5.15).
Tennessee: State	1972	Homeowners 65 and over (81,000).	$4,800	Equivalent to reduction of assessment by $5,000	State rebate to taxpayer ($0.74).
Texas: Localities (optional)	1972	Homeowners 65 and over (NA).	None	Assessment reduced by $3,000	Reduction in tax bill ($4.29) ($4.29).
Utah: Localities (optional)	1967, 1969 rev	Indigent homeowners (presumed to be 65 and over) (NA).	$2,500 single, $3,000 married.	Taxes may be reduced by $50 or 50 percent, whichever is less.	Reduction in tax bill ($0.16).
Vermont: State (circuit-breaker)	1969, 1971 rev	Homeowners and renters 65 and over (3,600).	$4,286 implicit	Taxes in excess of 7 percent of income, adjusted by local rate factor. Not more than $300 tax considered for relief. (30 percent of rent=tax equivalent).	State income tax credit or rebate ($0.88).
Virginia: Localities (optional)	1971, 1972 rev	Homeowners 65 and over (NA).	$7,500 ($20,000 asset test).	At discretion of locality	Reduction in tax bill ($0.13).
Washington: Localities (mandated)	1971, 1972 rev	Homeowners 62 and over, or disabled (72,000).	$6,000	Income—Percentage of excess levies abated. $0 to $4,000, 100 percent; $4,000 to $6,000, 50 percent (minimum relief of $50 for income below $4,000).	Reduction in tax bill ($1.81).
West Virginia: State (circuit breaker)	1972	Homeowners and renters 65 and over (NA).	$5,000	Relief based on ratio of property tax to household income. Taxes exceeding a given percent of income is remitted. These percents range from .5 percent to 4.5 percent not more than $125 tax considered for relief. (12 percent of rent=tax equivalent.)	Direct State payment ($0.84).
Wisconsin: State (circuit breaker)	1964, 1971 rev	Homeowners and renters 62 and over (79,000).	$5,000	Income—Tax burden excessive when exceeding following percents of household income (cumulative rates). $0 to $1,000, 0; $1,000 to $1,500, 5 percent; $1,500 to $2,000, 10 percent; $2,000 to $5,000, 14 percent. Not more than $500 tax considered for relief. (25 percent of rent=tax equivalent).	Percent of excessive burden relieved, 75, 60, 60, 60. State income tax credit or rebate ($2.21).
Wyoming: State	1973	Homeowners 65 and over (2,000).	$2,000 single, $2,500 married.	Exemption of $1,000 assessed value	Reduction in tax bill ($1.16).
District of Columbia: Plan under active congressional consideration.					

NA—Data not available.

Circuit breaker—A state financed program of property tax relief in which the amount of tax relief phases out as household income rises.

"Rev." indicates the year of the most recent liberalization of the above property tax relief program.

Source: ACIR Staff compilation based on Commerce Clearing House, State Tax Reporter, State of Washington, Department of Revenue, Property Tax Relief in Washington, October, 1972, and telephone and letter survey of the various States.

TABLE 6 (SUPPLEMENT TO TABLE 5).—NEW PROGRAMS (ENACTED BETWEEN MAR. 2 AND MAY 2, 1973)

State, financed by	Date of adoption	Description of beneficiaries (estimated number of claimants)	Income ceiling	Tax relief formula (or general remarks)	Form of relief (estimated per capita cost)
Vermont (major extension of old program): State (circuit-breaker).	1973 rev	All homeowners and renters (60,000).	None	Income and tax excessive when exceeding following percent of income: 0 to $3,999—4 percent; $4,000 to $7,999—4.5 percent; $8,000 to $11,999—5 percent; $12,000 to $15,999—5.5 percent; $16,000—6 percent; maximum relief is $500. (20 percent of rent = tax equivalent.)	State rebate (or income tax credit for elderly) ($23.38).
Indiana: State (circuit-breaker)	1973	Homeowners and renters, 65 and over.	$5,000	Relief ranges from 75 percent of property tax for incomes below $500 to 10 percent for incomes above $4,000. Limitation on amount of property tax liability considered for relief is $500. (20 percent of rent = tax equivalent, [15 percent if furnished or utilities provided]).	State income tax credit or rebate.
North Dakota: State (circuit-breaker)	1973	Renters 65 and over	$3,500	Property tax in excess of 5 percent of income is refunded. (20 percent of rent = tax equivalent.) Maximum relief is $350.	State rebate.
Nevada: State (circuit-breaker)	1973	Homeowners and renters, 62 and over (13,000).	$5,000	Property tax in excess of 7 percent is refunded. (15 percent of rent = property tax equivalent.) Maximum relief is $350.	State rebate ($1.42).
Michigan (replaces previous elderly homestead relief): State (circuit-breaker).	1973	All homeowners and renters	None	Excess taxes are taxes above 3.5 percent of income [various lower percentages for elderly with income below $6,000]. Credit = 60 percent of excess taxes [100 percent for all elderly]. Maximum relief is $500. [17 percent of rent = property tax equivalent].	State income tax credit or rebate ($27.53).

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POLICY CONSIDERATIONS AND RECOMMENDATIONS

In response to President Nixon's request of January 20, 1972, the Advisory Commission on Intergovernmental Relations conducted a study of a proposal for a major Federal program of residential property tax relief conditioned on State assumption of most of the cost of financing local schools and underpinned by a new or expanded Federal tax such as a value-added levy. This proposal was designed to deal with two interrelated problems—growing public resistance in many areas to higher property taxes and the current legal attack on heavy reliance on the local property tax as the primary source of funding local schools.

Before this Commission completed its investigation it considered four separate proposals for Federal entry into the property tax-school finance fields. Specifically, the Commission considered the need and the desirability of both a major and a limited Federal property tax relief action. The Commission also considered the desirability of a Federal aid program designed to hurry history along on property tax assessment reform. Finally, the Commission evaluated a proposal that called for a temporary and limited Federal incentive program designed to encourage the States to reduce fiscal disparities among school districts within each State.

CRITERIA FOR NATIONAL GOVERNMENT INVOLVEMENT

These proposals raised a critical intergovernmental issue—what criteria or tests should the Commission employ in order to evaluate the merits of proposals that call on the National Government to take remedial action in areas where the States have had exclusive policy responsibility? It is necessary to raise this hard question for several reasons.

With each passing day it appears easier to justify or at least rationalize a Federal "spillover" interest in areas for traditional State-local concern. Witness the proliferation of Federal categorical aid programs, which have grown in number from a handful ten years ago to well over 500 now.

In urging Congressional enactment of revenue sharing legislation, this Commission recently noted that heavy reliance on the narrow categorical aid approach had tipped the power scales in favor of the National Government:

"The Congress is now dangling almost 500 large and small conditional aid carrots collectively worth more than $25 billion a year before State and local governments. The hope was that each conditional aid would provide sufficient financial incentive to spur the States and localities on to greater action in some more or less narrowly defined field of "National interest." But there is overwhelming evidence that State and local governments cannot readily absorb such a large number of diverse programs over restricted periods of time . . .

"Progressive loss of freedom of choice, therefore, is an additional price that must be paid by all State and local jurisdictions for categorical aid dollars. Professor Walter Heller, both a keen student of our intergovernmental fiscal system and a prominent member of the liberal establishment, has pointed up the dangers of this trend toward centralized power. "Unless this trend is reversed," he wrote, "Federal aids may weave a web of particularism, complexity, and Federal direction which will significantly inhibit a State's freedom of movement." The illusion of Congressional "control" has in reality disappeared into the dark jungles of bureaucratic redtape.[1]

The uneconomical allocation of public sector funds is an additional price that often must be paid for Federal categorical aid. A public service (or tax relief program) at some nationwide level may be perceived as good national policy but when extended uniformly across the country is extremely costly and often represents the solution to a problem that is not universal. Furthermore, the high cost of providing national solutions in a nation of diverse regional and local attitudes and needs results in expanding the public sector, thus raising questions concerning its appropriate relationship to the private sector.

DETERMINATION OF NATIONAL INTEREST—TWO TESTS

If our federal system is to retain its integrity it is not enough for Congress to build greater flexibility into its present aid system by means of general revenue sharing and the consolidation of narrow categorical aid programs into broader and more manageable block grants. Congress should also scrutinize closely all demands for the enactment of new Federal categorical aid programs.

In evaluating each of the four proposals that called on the National Government to move into an area that heretofore had been the exclusive domain of State governments, this Commission employed two tests to determine whether the proposal could be justified on the grounds of a strong National Government interest.

The problem that precipitated the demand for Federal intervention stems from a head-on conflict—a serious undercutting of a major Federal program objective by policies of most States.

The intergovernmental conflict can be resolved only by Federal Government action.

The "irreconcilable conflict" test for detecting the presence or absence of a strong national interest is so rigorous that it screens out all but the most persuasive proposals for new Federal initiatives in areas of traditional State-local concern. It is necessary to use this rigorous test in order to check or at least slow down the steady growth of Federal categorical aid. Simply to allege that a specific categorical aid proposal will "promote the general welfare" does not sufficiently justify its adoption on the basis of a strong national interest.

THE MAJOR PROPERTY TAX RELIEF ISSUE

The Commission was asked among other things to evaluate a proposal that had two major objectives:

To cut the average residential property tax (approximately 50 per cent) by removing that part of the property tax that underwrites a local school operation.

To eliminate fiscal disparities among school districts in each State by encouraging the States to assume most of the cost of financing public elementary and secondary schools.

In order to accomplish these two objectives, the plan called for a Federal value-added tax designed to yield $18 billion the first year. Part of this revenue yield—approximately $5 to $6 billion—would be set aside to underwrite a system of personal income tax credits and rebates thereby removing the regressivity of the value-added tax for most taxpayers.

The remaining $12 to $13 billion was to be distributed by the Federal Government to the States for the support of public secondary and elementary education *provided* the States agreed to remove the local school tax on residential and nonresidential property and also agreed to refrain from levying a State tax on residential property for the support of local schools.

After a thorough examination of this proposal and the issues raised by it, this Commission concluded that a massive Federal effort designed both to cut the residential property tax substantially throughout the country and to encourage States to assume most of the cost for financing local schools was neither necessary nor desirable.

This negative conclusion is based on the following findings.

While there is clear evidence that some segments of the population—especially the low-income elderly are seriously burdened by the property tax, the evidence does not support the need for a Federal program designed to reduce substantially the property tax of every homeowner in the nation.[2] The simplest illustration of this lack of evidence to support general property tax reduction is that use of the property tax ranges in intensity from $39 per capita in Alabama to $262 per capita in California.

Although there are areas of the country where the property taxes are burdensome, not all homeowners, even in the high property tax jurisdictions, are overburdened by this levy. In some areas State and local income and sales taxes now take a larger bite out of the budgets of the families with average incomes than does the residential property tax and in most areas State and local income and sales taxes are growing at a faster rate than is the property tax. The Social Security tax now places a heavier burden on the average family than does the residential property tax while the Federal income tax is nearly three times as burdensome.

Most significantly, our study fails to reveal a strong national interest in a program designed to provide across-the-board tax reduction for every homeowner in the United States. Specifically, there is no evidence to suggest that a massive residential property tax program is necessary to protect a vital Federal interest, nor can it be demonstrated that the relatively high property taxes imposed by States such as New Jersey and New Hampshire cause serious economic harm beyond their boundaries.

It would also be extremely difficult to develop a Federal program capable of distributing tax relief equitably across the nation. The tremendous variations in the use of the property tax would create unequal windfalls both between jurisdictions and among various classes of property owners within the same jurisdiction. The so-called urban land speculators would be twice blessed by a major property tax reduction. First, the vacant land, like all taxable realty, would have more value in the market, and second, the cash cost of holding land off the market would be sharply reduced. Moreover, a proposal that stresses residential property tax relief but not business property tax relief might influence States to place heavier tax burdens on business property.

A multi-billion dollar Federal program of tax relief-school finance cannot be justified on the grounds that States lack the fiscal capacity necessary to place their local school districts on an equal fiscal footing. Our analysis reveals that only a few States would experience fiscal difficulty in bringing per-pupil expenditures to the relatively high levels needed to comply with the principle enunciated in *Serrano v. Priest*, the California Supreme Court decision that first demanded equalization of school district fiscal resources. The great majority of States have the necessary untapped relative tax potential. New York, Vermont and Wisconsin, however, stand out as the States that would experience greatest fiscal difficulty because of their current heavy use of all State and local taxes.

In order to construct a truly effective property tax relief program, Congress would have to exercise unprecedented Federal control over both State and local tax policymakers. Not only would the National Government have to force the States to refrain from use of a tax on residential property for school purposes, it would have to go further and encourage the States to place specific restraints on local government so as to prevent cities and counties from moving into the property tax area vacated by the schoolmen.

The prospect for State-financed property tax relief is not entirely bleak. For example, late in 1972 California enacted a $1.1 billion property tax relief-school finance reform program financed in part with Federal revenue sharing funds and in part through more intensive use of non-property taxes. Governors in ten other States were reported to favor the use of revenue sharing funds for property tax relief.

In the final analysis, however, "property tax relief" is something of an illusion because it requires either a reduction of public service or a shift to other forms of taxation—intensified use of income or general sales taxes or the imposition of a new tax such as the value-added levy.

Early in 1972 ACIR conducted a public opinion survey that indicated widespread agreement on the proposition that the property tax was the worst tax; but there was far less agreement on what the National Government should do about it. Fourteen percent of the population favored an income tax substitute; 32 percent favored a consumer tax substitute (VAT); 44 percent opposed either the Federal income or consumer tax substitute; and 10 percent couldn't make up their mind.

The Commission concludes that the interests of our federal system are best served when States retain primary responsibility for shaping policies dealing with general property tax relief and intrastate equalization of school finances—two areas that traditionally have been within the exclusive domain of State policy-makers.

LIMITED PROPERTY TAX RELIEF ISSUE

This Commission considered a proposal for the National Government to provide an incentive grant to the States designed to encourage them to provide limited property tax relief to low-income homeowners and renters.

The majority of the Commission members rejected this proposal because it could not meet both national interests tests. Admittedly, there is considerable evidence to support the contention that this particular Federal aid proposal could pass the first test because to date most States have not shielded low-income homeowners and renters from property tax overload situations. This

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Footnotes at end of article.

State failure, in turn, clearly undercuts a major national program objective of income support especially through the Social Security system. In the view of the majority of the Commission, however, the proposal failed to meet the second national interest test—that only Federal action could resolve this intergovernmental conflict.

The Commission reaffirms its 1967 recommendation that States shield basic family income from undue burdens imposed by the property tax.

Given a few more years, there is reason to believe that the States will resolve the problem of property tax overburden especially for the low-income elderly. This rather optimistic assessment rests on the fact that the "circuit-breaker" idea has such basic popular appeal that it should be adopted in those States where it is most needed in a relatively short period of time. Over the last few years, 25 States and the Canadian Province of Ontario have enacted programs designed to shield low-income elderly homeowners and, in many cases, renters from property tax overload situations.

The 14 States that have now enacted circuit-breaker laws each have chosen a unique plan. As long as States retain the initiative for providing property tax relief for low-income households, better circuit-breaker techniques will continue to be developed. (Table 12)

It can also be argued that Federal incentive grants should not have to be used to induce States to do something that is morally right, highly popular, and relatively inexpensive. All of the States have sufficient fiscal capacity to underwrite a limited property tax-relief program for low-income households.

Perhaps the most persuasive argument for allowing States a few more years to put their own property tax relief houses in order arises from the fact that State fiscal policies are largely responsible for the weight of the local property tax. These jurisdictions, therefore—not the National Government—should finance circuit-breaker programs designed to shield low-income homeowners from property tax overload situations.

Unless constructed carefully, a Federal incentive grant for property tax relief could create an inequitable intergovernmental situation. Specifically, it would reward those States that force their local governments to make heavy use of the property tax and shortchange those States that make above-average use of nonproperty tax revenue.

In all of its recent reports, this Commission's recommendations have underscored the need to build a greater flexibility into our Federal aid system. A Federal incentive grant with its own set of guidelines and controls would add to an already overburdened Federal aid structure. For these reasons, such a grant proposal should be opposed.[3]

THE PROPERTY TAX ASSESSMENT REFORM ISSUE

Those who are most familiar with the operations of the property tax suggest that one reason for its unpopularity with the public is the widespread feeling that the tax is not administered fairly. Put another way, inequitable assessments tend to increase public disenchantment with the property tax because they result in random and unwarranted tax burden differentials. Moreover, poor assessment practices lead to taxpayer confusion about, and distrust of, the property tax system.

Means for improving property tax administration are available. A decade ago this Commission, building on the work that had been done by professionals in the property tax field, submitted a comprehensive list of prescriptions for strengthening the property tax.[4] Underpinning the 29 policy recommendations are the following basic principles:

1. The prevailing joint State-local system for administering the property tax can work with a reasonable degree of effectiveness only if the State tax department is given sufficient executive support, legal authority, and professional stature to insure local compliance with State law calling for uniformity of tax treatment.

2. Professionalization of the assessment function can be achieved only if the assessor is selected on the basis of demonstrated ability to appraise property.

3. The perennial conflict between State law calling for full value assessment and the local practice of fractional assessment can be resolved most expeditiously by permitting local assessment officials to assess at any uniform percentage of current market value above a specified minimum level provided this policy is reinforced with two important safeguards:

a. A full disclosure policy, requiring the State tax department to make annual assessment ratio studies and to give property owners a full report on the fractional valuation policy adopted by county assessors, and

b. An appeal provision specifically to authorize the introduction of State assessment ratio data by the taxpayer as evidence in appeals to review agencies on the issue of whether his assessment is inequitable.

Significantly, the Commission directed its recommendations to the States on the ground that they are unquestionably responsible for effective and equitable administration of the property tax. The question of whether the Federal Government should become involved in a matter of such clear-cut State-local concern was not even raised a decade ago and not one of the Commission's 29 policy recommendations called on the National Government to take remedial action.

The Commission reaffirms its recommendations of 1962 that call on the States to strengthen assessment administration and thereby make the property tax a more effective and equitable revenue instrument for local government.

Our current research reveals that many States have taken steps to improve assessment administration and, in particular, to broaden their own activities in this area. Still, progress is slow. Tax administration is an ancillary and unglamorous aspect of government activity and initiatives for spending additional funds to improve it are usually given the lowest priorities. Indeed, the amounts that are now being spent by the State governments in supervising property tax administration are generally meager. Many States spend as little as one-twentieth or one-thirtieth of one percent of local property tax collections for this function.

The Commission considered, but turned down, the possibility of a small Federal categorical grant to encourage States to improve assessment administration.[5] We could find no major Federal program objective that has been seriously undercut because of poor property tax assessment administration on the part of State and local governments. Moreover, both States and localities can use any portion of their Federal revenue sharing funds for financial administration—including property tax assessment administration.

As in the case of a proposed Federal incentive grant for property tax relief, this proposal would add still another narrow purpose categorical aid program with its own set of Federal guidelines and controls. Enactment of this proposal would represent still another Federal attempt to dictate State and local spending priorities and would, therefore, also work against the objective of building greater flexibility into our Federal aid system.

Furthermore, before launching a new Federal initiative for property tax assessment reform the Commission urges the President and the Congress to take steps to coordinate and strengthen existing Federal programs that have clear potential for stimulating improvement of State and local assessment practices. Examples of such activities are:

The Department of Housing and Urban Development; under its research and demonstration program, can make grants to, or enter into contracts with, States and localities for innovation projects aimed at improving assessment administration.

The FHA appraisal activities of the Department of Housing and Urban Development might be extended and coordinated with those of the local assessors.

Other Federal agencies—such as the Department of Transportation, the General Services Administration and the Department of Defense—are continuously involved in land acquisition and undoubtedly conduct appraisals in connection with these activities. Such appraisals should also be coordinated with local assessment work.

The various mapping operations of the Department of Commerce and the Department of Interior might be available to the State property tax agencies as they develop land use maps in connection with property tax assessment.

Treasury regulations and practices regarding depreciation of buildings for income tax purposes should be examined to determine whether such practices do indeed as has been alleged—encourage over-assessment of improvements vis-a-vis the land on which the improvements stand.

The activities of the Civil Service Commission under the Intergovernmental Personnel Act might be expanded in the areas of assessor training and interchange of State and Federal personnel concerned with property appraisal.

The experience that has been gained by the Bureau of the Census in conducting sales-assessment ratio studies might be built upon to help States strengthen and standardize their own studies.

INTRASTATE SCHOOL FINANCE EQUALIZATION

The Commission also examined the issue of whether and to what extent Federal financial aid was necessary to help States meet the problems of school finance that may stem from recent court decisions. Evidence provided in this report indicates that, with few exceptions, States have ample untapped tax potential for this purpose. Obviously, action on school finance that requires States to alter substantially the degree of reliance on the local property tax for school support takes time and would require public acceptance.

In order to minimize the time period for accomplishing school finance equalization and help the States surmount the obvious political obstacles, the Commission considered a proposal for limited and temporary Federal assistance. The assistance might take the form of a general purpose grant in the range of $20 to $40 per school age child that could be used for any purpose so long as a State met equalization objectives specified by the Federal aid legislation. These features assure that a State like Hawaii, which has eliminated inter-local fiscal disparities by opting for a statewide school system, would not be deprived of the benefit of the aid program.

The assistance would be equipped with a self-destruct mechanism. For example, the aid legislation could be drawn so as to insure that it phased out automatically as the National Government relieved States of financial responsibility in, say, the public welfare field.

The Commission rejected the idea of limited and temporary Federal assistance designed to encourage each State to improve the ability of its school finance system to equalize the fiscal capacity of its local school districts. No vital national program objectives are currently being subverted by existing intrastate school finance disparities. Moreover, Federal aid for this purpose would

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Footnotes at **end of article.**

represent a return to the pre-revenue sharing philosophy that the National Government is in a better position to determine State-local budgetary priorities.

The States have plenary powers in the education field and they also have an overriding self-interest in adequate provisions of this single most costly State-local function. States have at least four options in responding to any court decision invalidating a school finance system that relies too heavily on the local school property tax. They can reorganize their school districts to make each local district more in the image of the State as a whole. They can mandate a uniform school property tax rate the proceeds of which could be used to equalize financial capacity among districts. They could enact State property or non-property taxes the proceeds of which could be used to equalize local fiscal capacity. They could finance schools from non-property tax sources as does Hawaii. The States alone have the capacity to take any or all of these options should the need arise as a result of court action. Thus, Federal intervention is not a prerequisite to State solution of the intrastate school finance disparities issue.

The Commission concludes that the reduction of fiscal disparities among school districts within a State is a State responsibility.

Yet, in concluding that the reduction of fiscal disparities among school districts within a State is a State responsibility, the Commission hastens to emphasize four points:

The Commission is not addressing itself to the role the Federal Government should play in supporting public elementary and secondary education but to the narrower question of whether and to what extent Federal aid is necessary to encourage States to reduce fiscal disparities among school districts within each State.

The Commission believes time is needed to assess the impact of revenue sharing, particularly the extent to which it will enable the States to come to grips with the intrastate school finance question. California, for example, has already earmarked its State allocation of revenue sharing to finance part of its $1 billion school finance reform-property tax relief program.

The lower courts have lit warning signals on the intrastate school finance problem but the appropriate future path for State action will not become clear until the Supreme Court renders a decision on a case now pending before it.

The uncertainty surrounding the effectiveness of dollars earmarked for education, as it is presently delivered, illustrates the need for State systems to measure the effectiveness of school spending and to rebuild citizen confidence in public education.

SUMMING UP

The most significant and positive reference that can be drawn from the Commission's policy recommendations is this—it is not necessary to buck every problem up to Washington for resolution. Strengthened by revenue sharing and with the strong prospect for shifting an increasing share of the welfare expenditure burden to the National Government, the States can and should be held accountable for their traditional property tax and school finance responsibilities.

But revenue sharing and Federal takeover of welfare are not enough. If States are to play a strong role in our Federal system, Congress must resist the constant temptation to solve problems that should be handled at the State level. Congress would be in a far better position to resist this pressure if it subjected to a rigorous national interest test all proposals calling for new National Government initiatives in areas of traditional State-local concern. Only by applying a "tough" test can we strike a reasonable balance between National and State interests.

The Commission concludes that there is no need to enact a Federal value-added tax to provide revenue for property tax relief and to ameliorate fiscal disparities among school districts within each State, and therefore recommends that such a tax not be adopted for this purpose.

In view of our conclusion that no Federal aid should be extended for general property tax relief or intrastate school finance equalization, it follows that the introduction of a major new source of taxation for these purposes is not warranted.

This Commission, however, has conducted a thorough study of the value added tax and has also examined certain other means for strengthening the National Government revenue system and will release an information report on this subject.

FOOTNOTES

[1] ACIR, *Revenue Sharing—An Idea Whose Time Has Come.* December 1970, pp. 7–9.

[2] This statement should not be interpreted as an argument against *indirect* property tax relief that could result from Federal revenue sharing or Federal assumption of welfare financing.

[3] The following statement of dissent was submitted by Senator Muskie and concurred in by Governor Kneip:

"The recommendations adopted by the Advisory Commission on Intergovernmental Relations on the subject of property taxation place an unfairly heavy burden of relief and reform on State and local governments and dismiss the proper, limited contribution the Federal Government can make in this area.

"Where excessive property taxes undermine the Federal goal of providing security to the poor and the elderly, even diverting Federal help from needy recipients into local tax collections, there is a clear Federal interest in relieving the special burden. Where States are working to strengthen their own revenue systems through reforming inequitable and arbitary assessment practices, there is a clear Federal interest in assisting such progress.

"The excellent staff work that went into the thorough ACIR study of school financing and property taxation clearly demonstrates the national scope of the problem. Of 14 million Americans with incomes under $5,000 a year, 10.4 million people (4.5 million of whom are 65 or over) face property tax payments in excess of 6 percent of their total income. Nearly 1.3 million elderly homeowners with incomes under $2,000 pay an average of 15.8 percent of their income in property taxes. Additionally, ACIR staff research has shown that State governments have made "spotty" progress at best in implementing the ACIR's 1963 recommendations for upgrading their systems of property tax administration.

"In my view, a restricted national program that encourages the States to improve property tax administration while helping lighten excessive taxes on qualified low-income renters and homeowners is necessary. To the extent that the final recommendations foreclose the search for an appropriate Federal remedy, they compel my strong dissent."

Senator Percy submitted the following statement:

"I regret very much not being able to participate in the deliberations of the Commission at its meetings on December 14th and 15th because of my absence from the country.

"On reviewing the decisions of the Commission, I wish to express my regret that the Commission did not accept a somewhat more expanded view of the role of the Federal Government in encouraging the States to implement programs of property tax reform and relief.

"There is ample evidence that in many States property taxation comprises a very heavy burden on homeowners that sometimes exceeds their ability to pay. It is my view that reform of State property tax systems would lead to substantially more equitable taxes, and that in instances where property taxes exceed the ability of qualified homeowners to pay, State programs of relief should be encouraged. I do not believe that the Federal Government should interpose itself directly in the administration of State property taxation. But I believe there is a need for the Federal Government, in properly limited ways, to encourage the States to undertake such programs of reform and relief."

Treasury Secretary George P. Shultz submitted the following statement:

"I agree that the States have and should retain primary responsibility for shaping property tax relief and intrastate equalization of school finances. Yet I believe the evidence indicates that in some instances low income groups, particularly the elderly, have come to bear in recent years such a heavy burden of property tax that Federal action deserves consideration, pending the time that States are in a position to complete that action themselves.

"I would note that the Commission's action on this issue was taken by a closely divided vote."

[4] ACIR, *The Role of the States in Strengthening the Property Tax,* A–17, June 1963, Vol. I, Chapter 2.

[5] See statements by Senators Muskie and Percy and Governor Kneip in footnote on page 4.

Testimony of Gov. Kenneth M. Curtis, Before the Senate Subcommittee on Intergovernmental Relations, Friday, May 4, 1973

Senator Muskie and members of the committee, as one of the Nation's Governors, I am extremely grateful to have this opportunity to appear once again before the subcommittee on intergovernmental relations.

In the nearly seven years I have been privileged to serve as a Governor, I have developed great respect and appreciation for the work of this subcommittee in searching for solutions to the severe revenue problems that have plagued the States and municipalities.

In many instances, I am afraid we seek new sources of revenue at the State and local levels, while failing to make efficient use of existing tax sources.

It has been most encouraging to see the States move to the income tax as a greater source of revenue.

However, nearly 40 percent of all State and local revenues still come from the property tax.

Nation-wide, it is probably the poorest administered of all taxes.

Undoubtedly, hundreds of millions of dollars could be collected through a reform of the property tax without a raise in the current rate of taxation.

In fact, reform of the Federal income tax, and property taxes would go far in relieving the almost uncontrolled increase in taxes for most Americans.

So, I am delighted this subcommittee is addressing itself to property tax reform.

I am also here representing the education commission of the States, who have concluded in a recent research brief that "the real property tax is the single most important revenue source for State and local governments in the United States."

Their report also concluded:

"Popular discontent with the property tax is caused to a great extent by poor administration of the tax, including unfair assessments and exemptions.

"This discontent adds to the difficulty school boards face in getting their budgets approved."

Because I am more familiar with my own State and know of its typically poorly administered property tax, I will use the situation in Maine as an example.

It is very much apparent in Maine that

the property tax system is both poorly administered and grossly overburdened.

Furthermore, reliance on the existing property tax system to fund local schools has resulted in significant inequalities in educational opportunities for our children.

If we are to have meaningful property tax reform, we must deal with all of these problems.

The tax must be professionally and fairly administered.

The burden of property taxes on low and fixed income families must be reduced through a general reduction in property taxes or through a "circuit-breaker" provision.

And finally, we must insure equal educational opportunities for our children.

The administration of Maine's property tax system has not been substantially changed since the State separated from Massachusetts more than 150 years ago.

The system is administered in 496 separate assessment districts with State valuations ranging from $100,000 to $270 million.

Most of Maine's 1,500 local assessors are elected.

The only qualification to hold office is that one must be 18 years of age.

The State does have a certification and training program but assessors are not required to be certified.

In addition to the above, there are only 5 assessors to cover more than 10 million acres of Maine's unorganized territories.

Less than 1 percent of the 1,500 assessors are considered to be professionally qualified.

This is due in part to the nature of the assessor—

He is an elected, part-time official, who generally has other part-time municipal duties, but who, at the same time, must earn a living for himself and his family.

None of the institutions of higher learning in the State offer any formal programs oriented toward the training of assessing personnel, although the subject is aired from time-to-time in the training programs presently being conducted for municipal officials under title I of the Higher Education Act of 1965.

Formal State activity to train assessors is primarily evident in 12 week courses conducted at several of the vocational training institutes and the assessor's training school which has been offered for one week during the summer for a number of years under the auspices of the State Bureau of Taxation, in cooperation with the Maine Municipal Association and the Maine Association of Assessing Officers.

These programs have been worthwhile for a limited number of persons but have obvious short-comings in terms of the long-range needs.

As you might expect, unqualified personnel generally results in substandard assessing.

If the goal of quality assessing is that the determination made by the assessor should be as nearly equal to the current fair market value as is possible, then one can measure the quality in terms of deviation from this standard.

The statistical measure used for this purpose is the coefficient of dispersion—the ratio of the average deviation to the average assessment ratio.

The lower the coefficient of dispersion, the more uniform are the assessments in the area under study.

When the coefficient of dispersion is greater than 20, the quality of assessing can be considered substandard and probably when it is greater than 15 it should be suspect.

A study completed in 1969 indicates that 86 percent of Maine's municipalities have coefficients of dispersion greater than 20.

57 percent have coefficients greater than 30.

The other statistic which is important in evaluating the effectiveness of the assessment program is the average assessment ratio.

This statistic is discovered by indicating the ratio between the assessed value of each property in the sale-ratio study and its sales price, adding the ratios, and dividing by the number of items.

The average assessment ratio indicates generally how much the community's assessment differs from fair market value.

In 1965 through 1967 over 50 percent of the municipalties had assessment ratios less than 40 percent of fair market value.

When the majority of assessment ratios are below 40 percent of fair market value and when a majority of coefficients of dispersion are so great as to require immediate revaluation, it cannot be denied that the quality of assessing is generally substandard.

And, yet in 1972, Maine's property tax generated more than 200 million dollars in revenue, nearly twice as much revenue as any other tax.

The inescapable conclusion is that Maine's largest and most significant tax system is being administered generally by untrained, part-time, amateurs in 496 separate assessment districts with little in the way of uniform standards or procedures.

Unfortunately, the Maine Legislature has shown little inclination to remedy the situation.

The property tax currently provides approximately 60 percent of the funds for local education.

The poor administration of the property tax, therefore, has a direct impact on the quality of education offered to our children.

Poor administration reduces confidence in the tax and increases discontent of the taxpayers who often vent their anger and frustration by attacking school budgets.

Furthermore, substandard assessment practices may reduce the valuation of a municipality and in turn reduce the funds available for education.

But, perhaps more important than the above, increasing costs of local education have resulted in massive increases in property taxes.

During the last ten years, property taxes have increased nearly 100 percent.

Increasing property taxes have been particularly burdensome on Maine's low and fixed-income populations.

These increases have also exacerbated a very serious problem that has existed for many years.

Reliance on the property tax to fund local education has resulted in significant inequalities among our municipalities in the money that is available for education.

Maine, like every State, has its so-called wealthy and poor municipalities.

Per pupil valaution varies from as low as $3,000 per pupil to $145,000 per pupil.

The poor towns make a very great tax effort to raise grossly insufficient amounts of money to educate their children, while the wealthier towns make very little tax effort, but are still able to raise large amounts of money per pupil.

As an example, I will use 2 towns in Maine which I will refer to as town A and town B.

Town A raises $1,500 per pupil with a tax effort of 6.3 mills.

Town B raises $700/pupil with a tax effort of 18.4 mills.

Thus, town A is generating twice as much money per pupil as town B with one-third the tax effort.

I'm sure none of us would argue that availability of funds has a direct relationship to the quality of education offered.

I am also sure none of us would argue that every child in Maine and in every State throughout the country is entitled to equal educational opportunities.

Clearly, any effort to reform our property tax system must deal, not only with the burdensome property tax levels, but also with educational funding.

In Maine, efforts have been underway for several years to reform our property tax system.

To date, these efforts have been only marginally successful.

During the 105th Maine Legislature, a bill was enacted providing a "circuit breaker" type of property tax relief program for low income elderly citizens.

The last three sessions of the legislature have considered proposals to reform the finance of local education.

I have included in my legislative program for the current session of the legislature, a comprehensive tax reform package.

The main features of this package are the reform of the finance of local education and improvements in the administration of the property tax.

I have proposed that every municipality have the opportunity to contribute at an equal rate to the support of education.

Each municipality would be assessed a uniform school tax of 13 mills, based on State valuation adjusted to 100 percent.

This is much less than the current State average of 18.5 mills.

To make up for this reduction in the average property tax rate, the State's share of operating costs for non-property sources would be increased from 33.3 percent to 46 percent.

The State treasurer would issue warrants to each municipality to assess the required amount and remit them to the general fund for subsequent distribution under a new school aid formula.

The proposal would limit the amount of increased subsidy each year until the local system reaches the average per student level of $733, $630 per elementary student and $945 per secondary school student.

In addition to this distribution, the school units would be reimbursed for excess costs for vocational and special educational programs.

To ensure that our additional State funding will result in property tax decreases in most communities, municipalities would be subject to expenditure limits for education.

Each municipality would be allowed to increase its expenditures but only if approved by their town meetings or councils.

This proposal would also establish a State bureau of property taxation and a property tax appeals board to provide administrative review of local assessments subject to court appeal by either the taxpayer or the municipality.

Collection of property taxes has traditionally been left to the States, counties and municipalities.

Undoubtedly, there are those who will oppose Federal participation even in the limited manner envisioned in S-1255.

But, I don't believe it is particularly useful to quibble about tradition or philosophies of government when the need for reform is so apparent and solutions so readily available.

We need only to determine who, at this particular time, can best implement the kinds of reform that are so desperately needed.

I believe that in this instance, the most logical course of action is a cooperative effort with the federal government.

Clearly S-1255 does not threaten state control of property taxes.

It does provide financial incentives to improve the administration of the property tax system and to reduce the burden of property taxes.

The major provisions of the act are contained in titles III, IV and V.

Under Title III, the federal government would fund one-half the cost of a qualified program of real property tax relief, up to a limit of $6.00 per capita.

This provision would provide up to $6 million in federal funds for the state of Maine and would serve as a major incentive to expand our existing property tax relief law to cover all low income homeowners and renters, regardless of age.

Title IV would encourage states to provide property tax payers accurate information about property assessment and appraisals, uncomplicated appeals procedures, and detailed data on the value of real property exempt from taxation.

At this time, Maine law does not provide for the publication of data relating to assessments and appraisals.

In addition, a valuation of exempted property is conducted only at 5 year intervals.

Finally, there is no state-level appeals mechanism other than superior court which is costly to both the taxpayer and the municipality.

Although I have already introduced proposals to solve many of these deficiencies, title IV would greatly assist us in this effort.

Title V would encourage the states to improve the professional qualifications of property appraising and assessing officials by providing interest-free loans to state programs which meet the requirements of this title.

I have already referred to the desperate need for qualified personnel.

I would only emphasize here that no system can be effective without trained personnel available to administer it.

Although I would prefer a matching grant rather than loan provision, I also support this feature of the bill.

Although the education commission of the states has not yet taken a position on this legislation, I would like to express my support for S1255, the property tax relief and reform act of 1973.

I would welcome the technical and financial assistance of the federal government in reforming the property tax and, thereby, providing a better life for the people of Maine.

With the assistance envisioned in S–1255, I believe we will finally be able to achieve the kinds of reforms we have so long sought.

Senator Muskie, I want to commend you and your colleagues for introducing this bipartisan legislation.

I respectfully urge this committee and Congress to act favorably upon it.

Property Tax Reform

(Statement of Alan C. Stauffer and Thomas Laverne)

PREFACE

The following statement is testimony by Alan C. Stauffer, staff member of the Education Commission of the States (ECS) Finance Project, before the U.S. Senate Subcommittee on Intergovernmental Relations, May 4, 1973. The subcommittee is studying S.B. 1255, a bill providing for property tax relief and establishing incentives for state property tax reform.

ECS recently released a report on exemption and assessment practices in the states. The citation of the report is: Alan C. Stauffer, *Property Assessment and Exemptions: They Need Reform,* Research Brief No. 3 (Denver: Education Commission of the States, March 10, 1973). The report will be referred to in this statement as Research Brief No. 3.

STATEMENT

Schools suffer because of the haphazard and unjust system of property tax administration. School districts are often over or underpaid by the states because of errors in calculating local assessed valuations. Municipal competition to expand tax bases through annexation impairs school district long range planning ability since boundaries are constantly changing. Spiraling tax rates coupled with spreading discontent with local assessment practices and tax appeals procedures make it difficult for local school boards to get their budgets approved.

Property taxes are here to stay despite efforts in four states to outlaw them constitutionally (or severely restrict mill levies) and despite challenges in state and federal courts. The tax simply produces too much revenue (nearly 40% of state and local taxes)[1] to abandon lightly. Removal of the tax would have a massive effect on the real estate market and on other taxes.

The Supreme Court decision in San Antonio Independent School District v. Rodriguez means that locally raised dollars will continue to pay a major share of the school finance pie. This development makes it imperative that the administration of the tax be cleaned up in order that the services it supports (especially education) are not jeopardized.

The ECS Finance Project undertook a study of the property tax assessment and exemption practices because of the effect they have on school finance. We were convinced that no matter what the Rodriguez decision might be, education had nothing to lose and a lot to gain from property tax reform.

Our main concern in the study was property tax reform, rather than property tax relief. We took this approach because: (1) property tax relief is politically popular and is catching on in the states. Fifteen states have already adopted "circuit-breaker" property tax relief programs. I am aware of property tax relief legislation in fifteen other states. While there is a definite need for property tax relief, we are concerned that relief proposals will divert attention from the need for real reform. If relief is granted without reform, old inequities still exist, only sometimes in a lesser degree. Our idea was to encourage state legislators to focus their attion on the politically unpopular area of property tax reform. (2) There is a group of economists and tax reformers who claim that the property tax would not be regressive if it were administered properly.[2] The tax does not have to be burdensome. If the tax were administered uniformly and if exempt property owners paid for property services received and exemption loopholes were plugged up it would be possible to lower the tax rates considerably. Reform brings with it tax relief.

Research Brief No. 3 brings under one cover material on the property tax compiled by the Advisory Commission on Intergovernmental Relations (ACIR), the Bureau of the Census, the Russell Sage Foundation, the International Association of Assessing Officers (IAAO) and an original ECS survey. The survey was sent to all state property tax administrators. We got a 100% return. We also followed up the written survey with telephone interviews. The study found that the States have not taken the necessary steps to regulate the local assessor and to insure tax uniformity. For example, in one Louisiana tax district property assessments range from 1% to 550% of market value.[3]

Our original survey discovered that:

1. 17 states regularly assess exempt properties and publish the results for taxpayer use;

2. The majority of assessors in the United States are elected. Only 7 states appoint assessors. In two other states assessors are appointed under the merit system.

3. Assessors are required to be certified in only 9 states;

4. 22 states require assessment maps with no minimum standards; several states require maps but have not provided funds for the program;

5. 20 states require assessor training either before or after the assessor takes office;

6. Uniform assessment manuals are required in 26 states, 11 other states publish manuals but do not require their use;

7. State sales ratio studies are not conducted in 9 states;

8. 34 states do not grant financial aid to upgrade local assessment practices;

9. 28 states can order reassessment of local properly or cause omitted property to be assessed;

10. Most states have far too many assessment jurisdictions to achieve economies-of-scale or to implement modern computer assisted appraisal systems. Consolidation has taken place only in Minnesota, Georgia, Tennessee, South Dakota, and Florida.

A major part of Research Brief No. 3 deals with the problems caused by property tax exemptions. One study claims that one third of the taxable real property in the United States is exempt.[4] Exempt properties range from church cemeteries to the 77 story Chrysler Building in New York. Thirty-three percent of the nation's land mass is owned by the federal government and is tax exempt.

Many exemptions were written into law with the intention of bringing tax relief to certain groups of people. Because of substandard assessment practices the exemptions actually relieve many property owners who can afford to pay. The way some exemptions are administered grossly violates the equal protection of the law principle. Under a single type of exemption, one individual may end up being relieved of 10% of his tax bill while another individual in the same jurisdiction is relieved of 30% or more. This problem can only be corrected by insuring uniformity of assessment both in and among tax jurisdictions.

We found in our study that the proper use of computer technology could revolutionize property tax administration. Computers have been used with considerable success to assist the assessor in determining the market value of individual properties. The bias of an assessor in determining property value can be reduced and countless hours can be saved. In California, computerized assessment of single-family homes has produced coefficients of dispersion[5] half as small as the nation's most accurate assessors have been able to achieve. There are two problems associated with the implementation of computer technology. First, assessment jurisdictions have not been able to afford electronic data processing equipment. The assessor usually has the lowest priority in jurisdictions where computer time is shared. Second, computer assisted appraisals have been found to work best in residential neighborhoods where there are frequent sales. There is a great need for research to develop the technology to apply to older neighborhoods and to complex industrial and commercial properties. Federal or state incentive programs in assessment administration should make provisions for implementation of computer technology and for further research into computer applications.

After analyzing the information available to us, we have presented the following alternatives to the states as ways in which property tax administration could be improved.

EXEMPTIONS

Review and clarify exemption laws.

Require the regular assessment of exempt property and publish the results.

Adjust the assessed value of property to compensate for differing assessment levels before applying exemption formulas.

Require that exempt organizations pay direct charges for specific property-related community services.

Reimburse local governments for mandated exemptions

Use "circuit-breakers" rather than exemptions to give tax relief.

ASSESSMENT

Require assessors, elected or appointed, to meet minimum professional standards.

Consolidate assessment jurisdictions to

allow for economies-of-scale and regional mass appraisal systems.

Publish and require assessors to use uniform assessment manuals.

Require assessors to use assessment tax maps that meet minimum standards.

Conduct and publish the results of ratio studies.

Establish effective state property tax supervisory agencies that have the power to:

1. Establish a mandatory local assessment reporting system;

2. Grant financial and technical aid to local assessors;

3. Assess complex commercial and industrial properties;

4. Order reappraisals;

5. Locate and cause to be assessed property omitted from local assessment.

Avoid the use of local assessed values for purposes other than property tax administration.

Enforce existing laws providing for uniform property assessment.

Audit property tax reform laws when enacted to insure local conformity.

Similar alternatives were presented to the states following ACIR's 1963 study of property tax administration. What is needed to achieve reform is an incentive. The recent court cases involving schools and property tax systems are an incentive for reform. A program of federal and state loans and grants would provide another needed incentive.

FOOTNOTES

[1] Advisory Commission on Intergovernmental Relations data from unpublished report in Alan C. Stauffer, *Property Assessment and Exemptions: They Need Reform*, Research Brief No. 3 (Denver: Education Commission of the States, March 10, 1973), p. 45.

[2] See George E. Peterson, "The Regressivity of the Residential Property Tax," a working paper, (Washington, D.C.: The Urban Institute, November 1972), and Theodore R. Smith, "Sales Ratios and Property Tax Regressivity," *Assessors Journal VII* (October, 1972), pp. 25–42.

[3] *A Study of Louisiana Ad Valorem Tax and Property Tax Relief Fund* (Baton Rouge, Louisiana: Gulf South Research Institute, August 17, 1972), p. 30.

[4] Alfred Balk, *The Free List: Property Without Taxes* (New York: The Russell Sage Foundation, 1971), pp. 10–19.

[5] A Coefficient of dispersion measures the average departure of individual assessments from the middle or median level of assessment. Low coefficients denote uniformity of assessment. A coefficient below 10% is considered to be ideal. High coefficients (above 20%) show that properties are being assessed at various different rates and thus taxpayers are being treated unequally.

TESTIMONY BY THOMAS LAVERNE

Chairman of the Education Commission of the States Advisory Committee on School Finance concerning Senate Bill 1255, legislation that:

1. Establishes the Office of Property Tax Relief and Reform within the Department of the Treasury to administer the property tax relief and reform programs established in the legislation (Title II);

2. Pays one half (but not more than 6 dollars multiplied by the population of a state) of the cost of qualified state property tax relief programs (Title III);

3. Authorizes grants and interest-free loans to states (up to 60%) for the purpose of providing property tax information to the residents of the states and for upgrading taxpayer appeals procedures. In order to qualify states must: (a) conduct annual assessment ratio studies and publish their results; (b) guarantee that coefficients of dispersion fall in a certain range; (c) provide a speedy tax appeals procedure; (d) assess and publish the value of exempt property within each tax jurisdiction (Title IV);

4. Provides for interest-free loans for state programs to train and certify property tax officials and for tax maps and other assessment improvement activities (Title V);

5. Provides for federal technical assistance to local assessors and for a survey of all federal exempt land (Title VI);

6. Allows standards to be set pertaining to mass appraisal firms (Title VII).

STATEMENT

"Over the years, no tax has been more bitterly denounced than the property tax. Adverse criticism of the tax dates back at least 5,000 years to the Egyptian pharaohs when the first use of the property tax was recorded."[1] Recent court cases, and our ECS Research Brief No. 3 have reminded us that 5,000 years later we still suffer from inept, inadequate and unjust administration of local property taxes. Local assessors have not been able to keep up technologically with the rapidly changing American scene. We still select assessors the way we did a hundred years ago and require no more of them in the way of qualifications. Local special interest groups exert tremendous pressure on the assessor to keep tax values down. The assessor who withstands these pressures may find himself out of office the next year. The blame for the property tax mess should not fall completely on the local assessor or local government but rests also with the states. Most states have never rewritten their tax laws. States require uniform assessments but don't require the assessors to use the tools that would bring about that goal. Most important, the states have failed to exert leadership to bring about the needed change. Political pressure to keep the status quo has been most effective. There is a need for state and federal reform mandates to relieve the elected official from this political pressure.

Perhaps the area of greatest neglect has been that of financial assistance to aid local assessment reform. It is ironical that the tax that is hated the most and raises the majority of local revenues is neglected the most in the way of resources necessary to make a sound system. There are four areas where federal or state aid to local assessment administration would make a difference. They are: 1—mapping programs; 2—ratio studies; 3—uniform assessment manuals; 4—training and certification of assessors. While all four of these are important, I would like to focus my remarks on tax mapping to illustrate where aid is needed and how it would pay off.

Property tax assessment is the process by which real property is: 1—discovered, 2—given a tax value, and, 3—listed on the tax rolls. The first requirement of a good assessment system is a complete set of tax maps.[2] An accurate assessment map insures that all taxable land is *discovered* by the assessor. Mapping also facilitates the process of discovering and inventorying land improvements. *Millions* of parcels of property escape taxation simply because assessors do not know that they exist.

Assessment maps must meet certain minimum standards in order to be useful to the assessor and in order to promote assessment uniformity. Important criteria include:

1. Maps must contain a reference to a grid system

2. Maps must give location and name of all streets, highways, railroads, alleys, rivers, lakes, etc.

3. Location of lot lines and property lines—preferably both—drawn to scale, together with dimensions, bearings, areas and acreages must be given

4. The map number or other designation for each parcel of property; or township, range, and government lot number where areas are under government survey must be given.

5. Maps must meet acceptable standards of accuracy (standards depend upon the use to which the maps will be put).

6. Scale of the maps should be readily convertible from English to Metric systems.

7. The mapping process should depend upon aerial photography if accuracy is to be obtained.[3]

Our ECS study of assessment practices showed that in only 22 states are tax maps with minimum standards required. In eight states maps are required but no minimum standards are imposed.[4] A recent study by the International Association of Assessing Officers of state activity in assessment mapping showed that there are statewide mapping programs underway in only 10 states.[5]

Unfortunately, mapping, *the first requirement of a sound assessment program* is also one of the most expensive elements. The cost of aerial photography alone ranges between $10 and $20 per square mile.[6] Often monuments on the ground used to determine precise scale of aerial photographs are inaccurately placed. The cost of remonumenting may equal or exceed all other mapping costs.[7] The costs of complete assessment maps vary geographically. Project costs of $2.20 per parcel have been reported in Alaska as compared to $22.50 per parcel in Tennessee. In Kentucky it costs an average of $300 per square mile while Virginia reports costs of up to $1,000 per square mile. Some specialized maps where topographical information is needed cost around $2,000 per square mile.[8]

The states have not helped local government pay for the tremendous costs of mapping. Only seven states have financial assistance available for this purpose.[9] If local government took it upon itself to pay for mapping programs it would either have to float more bonds or raise local taxes (property taxes). It is politically difficult to ask property taxpayers to increase their burden in order to assure that all their property is being taxed!

If loans or grants were available to pay for mapping programs, local government would be immediately financially rewarded. In most cases 10% of local taxable properties will not be on the assessment roll prior to a mapping program.[10] The most complete case study found dealing with the value of assessment maps concerns a suburban township in Cook County, Illinois. Aerial photographs of the township were made in 1956–57 and again in 1961–62 survey. These maps were compared with information contained on property record cards maintained by the assessor. As a result of the survey 3,600 additional assessable improvements were discovered. The improvements were not appraised in the study. The 1956–57 study resulted in 232 properties being reappraised with a resultant increase in tax revenues of $432,673. The study cost $26,000.[11]

Mapping programs also produce many indirect benefits. One assessor reported that before maps were made it took seven months and over 2,500 miles of driving to assess an area. But after the maps were completed it took three months and 1,200 miles to complete a reassessment.[12] One authority holds that accurate assessment maps allow the assessment process to proceed at least thirty percent faster.[13]

It is plain to see that the *cost-benefit factor for investing money in tax mapping programs is very favorable*. The same could be said for the three other areas needing financial support (training, ratio studies, assessment manuals).

One reason why tax rates are excessive in some jurisdictions is that up to one third of the real property is tax exempt. Many of the exempt properties belong to the federal government. Often federal property receives the benefits of local services such as fire protection, sewer and water systems. The federal government could relieve local tax rates by paying local governments a **tax equivalent**

Footnotes at end of article.

for property it owns within the jurisdiction. The level of government that requires the exemption should pick up the tab for that exemption.

I would now like to turn my remarks to some areas where the federal government could assist the local assessor without spending significant amounts of money. One of the most difficult tasks that faces an assessor is the appraisal and assessment of complex business and industrial property. In half of the states, local assessors receive no help in assessing such properties.

The owners of complex and industrial property often hire consultant firms to help keep their assessed valuation down. Industry often lists a much different value figure on their federal income tax return than they supply to local assessors. Local assessors would be aided immensely if the federal government required that each corporation or firm which owns property in more than one taxing jurisdiction to list such properties and values separately on federal tax returns and make this information available to local and state assessors.

The federal government has several agencies that are involved in property appraisal work. Among these are the Dept. of Housing and Urban Development programs in urban renewal and community development, the Federal Housing Administration, and the Bureau of the Census. The information these agencies generate would be an invaluable supplement to local appraisal data and would serve as a check of local assessment accuracy.

SUMMARY

In this statement I have discussed the mess of our local property tax systems. Local assessors are caught between the pressures of assessing uniformly and of keeping assessed values down. The federal and state governments could partially relieve this pressure by mandating certain reforms. Reforms such as the establishment of tax mapping programs would make a difference in local assessment uniformity. Such programs are very expensive. Federal loans or incentives would help the situation.

One method of acquiring tax relief is to expand the property tax base. The federal government could help do this by paying tax equivalents on exempt property it owns. The level of government that requires property tax exemptions should pay for the exemption.

There are two areas in which the federal government could aid local assessors without spending a significant amount of money. One is by requiring corporations to list separately the value of property in a particular state on the federal tax return and make this information available to the assessor. The second is by making certain federal statistics and appraisal information available to local assessors.

I m pleased to note that there are provisions in Senate Bill 1255 that cover the points I have raised.

FOOTNOTES

[1] Utah Foundation, "Property Tax Reform—1972," Report No. 311, September 1972, p. 100.

[2] Committee on Minimum Assessment Standards, *Report on Minimum Standards* (Chicago: International Association of Assessing Officers, 1963), pp. 2–3.

[3] *Assessment Mapping and Parcel Identification Systems* (Chicago: International Association of Assessing Officers, February 15, 1973), pp. 10–13.

[4] Alan C. Stauffer, *Property Assessment and Exemptions: They Need Reform,* Research Brief No. 3 (Denver: Education Commission of the States, March 10, 1973) pp. 22, 77.

[5] *Assessment Mapping and Parcel Identification Systems,* pp. 57–59.

[6] Robert D. Campbell and Hugh L. LeBlanc, "An Information System for Urban Planning," Urban Planning Bulletin No. 1 (Washington, D.C.: Urban Renewal Administration, Housing and Home Finance Agency, 1965), p. 33.

[7] David Moyer and Kenneth P. Fisher, *Parcel Identifiers for Land Data Systems* (a draft of a report to be published by the American Bar Foundation, 1972), pp. IV–14.

[8] *Assessment Mapping and Parcel Identification Systems,* pp. 28–29.

[9] Alan C. Stauffer, *Property Assessment and Exemptions: They Need Reform,* pp. 33.

[10] William L. Shoemaker, "Tax Mapping," *Proceedings of the 1967 Northeastern Regional Conference of Assessing Officers* (Portland, Maine: The James Sewall Company, 1967), p. 82.

[11] *Assessment Mapping and Parcel Identification Systems,* p. 41.

[12] William L. Shoemaker, "Tax Mapping," p. 81.

[13] *Ibid.*

TESTIMONY OF STATE SENATOR STENY H. HOYER, ON S. 1255, MAY 4, 1973

Mr. Chairman, members of the committee. I want to thank you for this opportunity to appear before you to testify on S. 1255. I am pleased to do so for many reasons, not the least of which is the fact that I am a constituent of one of the co-sponsors, Sen. Charles McMathias of Maryland.

My name is Steny Hoyer. I am a resident of Prince George's County, Maryland, and represent the southern half of that county in the Maryland Senate. During the seven years that I have been a member of the Senate, I have served on the Senate Finance Committee, which has the combined responsibilities of your appropriations and Finance Committees in that it is concerned with both budgetary and tax matters. In addition, I serve as Chairman of Maryland's Joint Commission on Intergovernmental Cooperation and represent our State on the Executive Committee of the Council of State Governments. I also serve on the National Legislative Conference's Intergovernmental Relations Committee and I am a member of its subcommittee on government operations.

Let me add at this time that I am not here today representing either the views of my Commission or of the National Legislative Conference. The latter groups Intergovernmental Relations Committee will meet in June to make recommendations which will be considered in the mid-summer by the annual meeting of the NLC in Chicago, Illinois.

First, let me say that I am not one who believes that the property tax as such has enough redeeming virtues to justify its retention. I believe that even assuming completely equitable and efficient administration of this tax that it would still be an anachronism left over from the days when property owners did, in fact, send part of their property, be it wheat, or cattle or the like to the central government in exchange for the protection that that government could provide. Notwithstanding my personal prejudice, it is apparent that this tax will be with us for a long time to come.

Indeed, from recent election returns, throughout the country, it would appear that although the voter abhors the property tax, he may well fear the alternative increase in sales and income tax even more. This concept was stated by Mason Gaffney in his presentation to the President's Advisory Commission on Intergovernmental Relations on September 14, 1972, when he observed that that property tax relief was in reality "Sales tax aggravation, or income tax or payroll."

In light of our inability or unwillingness to abandon or substantially decrease the property tax, it is necessary to increase, to the extent possible, the equity of that tax

I believe that S. 1255 is a step in that direction.

In the past session of the General Assembly of Maryland, more than a score of substantive bills dealing with the property tax were introduced and considered. These bills dealt with both the administration and the relief of the burden of that tax.

The most substantive of the bills to be enacted was H.B. 531, which by 1976 will have transferred full responsibility for the administration of the assessment function from its currently shared status to a fully state operated and funded one. We believe that this will move Maryland toward the end of realizing uniformity in its assessment procedures and policies throughout the state. It will also remove the cloud of suspicion over the assessor's head that local officials pressure him to raise assessments so that they need not raise the rate. (Parenthetically, I would say that as long as the base of property appreciates at the rate it is today, no amount of equity in assessment policies is going to give relief to the majority of property tax payers.)

P.G. EXAMPLE

In addition to legislation dealing with the administration of the property tax, there were a number of bills which were introduced to adopt the circuit breaker concept. One of those bills, S.B. 1090, was a major piece of legislation dealing both with reform and relief, and was sponsored by the Chairman of the Senate Finance Committee, who is also the majority leader. Had this bill passed, it would in my opinion, have substantially met the criteria for State Action established in S. 1255.

The cost of S.B. 1090, which as introduced extended relief to both owners and renters, would have been approximately $31 million. Although the relief granted was minimal to all but those below the 10,000-dollar income level, and therefore, politically not an answer to the cry for property tax relief, which comes most forcefully from the middle income homeowners whose household income in my area is between $10–20,000.00, it was a necessary step.

There was another similar bill introduced which authorized local subdivisions to adopt a circuit breaker, provided they funded it themselves. For all but a few subdivisions, this would have been an illusory act in that they could not have afforded to extend the relief because it would have simply meant a shift to those in a slightly higher income bracket.

It is imperative, therefore, for the states to fund any relief program proposed. In order to achieve that end, I believe funding incentives, such as are included in S. 1255, are essential.

Under the funding provisions of your bill, Maryland would be entitled to approximately $24 million. While that amount is certainly helpful and desirable, it is not substantial in light of total revenues in 1970 of $561 million in property tax.

Contrary to the views of the ACIR, which I understand was closely split on this question, I believe the federal government does have a role to play in property tax reform. I believe the State can beneficially use both the technical assistance available from the central government and the fiscal assistance necessary to preclude a mere shifting of the state and local tax from property to the local jurisdictions income or sales tax.

The efforts at reform and relief that I have observed in our State have convinced me that the fiscal magnitude of the problem and the complexity of the administration of this tax demand and need the efforts of every level of government, if meaningful results are to be realized.

S. 1255, nor any other single piece of federal or state legislation, is not a full solution to the problem. But it does address itself to some very fundamental and needed reforms. Its provisions for full disclosure of procedures and practices in assessments is necessary and I know is supported by the Maryland General Assembly.

The need for its provisions for checks on mass appraisal firms has been very cogently demonstrated to the NLC's Government Operations Subcommittee, by Clifford Allen of Nashville, Tennessee, whom I understand has already testified before this Committee.

My only fear and the fear of so many state officials is that there will be a slip between the cup of authorization and the lip of appropriation. Notwithstanding that fear, I would hope that the Congress would take the step proposed in S. 1255.

PREPARED STATEMENT BY CYRIL F. BRICKFIELD, LEGISLATIVE COUNSEL, NATIONAL RETIRED TEACHERS ASSOCIATION AND AMERICAN ASSOCIATION OF RETIRED PERSONS, BEFORE THE SUBCOMMITTEE ON INTERGOVERNMENTAL RELATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS, U.S. SENATE, ON S. 1255, MAY 4, 1973

NRTA-AARP STATEMENT: PROPERTY TAX RELIEF AND REFORM

I am Cyril F. Brickfield, Legislative Counsel of the National Retired Teachers Association and the American Association of Retired Persons, affiliated, nonprofit organizations representing a combined membership of over five million one hundred thousand older Americans. I am accompanied this morning by James M. Hacking, a member of my staff.

Our Associations appreciate the opportunity to appear before this Senate Subcommittee in order to present, on behalf of older persons in general and our membership in particular, our comments with respect to the correlative needs for property tax relief and administrative reform and with respect to the merits of S. 1255, the Property Tax Relief and Reform Act of 1973,[1] as a means of achieving those ends.

I. Introductory remarks

Our Associations fully appreciate the ascendancy and inevitability of the property tax among the revenue-raising mechanisms available to local government. Historically, it has helped to perpetuate our federalized system of government by promoting local autonomy. Through jurisdictional variations with respect to rates, the tax base and the manner of administration, it has manifested its responsiveness to local needs and interests. Above all, it has demonstrated a uniquely reliable capacity to generate revenue—currently at the rate of 40 billion dollars per annum—and at little cost.[2] While, it, therefore, appears necessary to accept the continued existence of the property tax, it is not, however, necessary to accept its more egregious deficiencies—its disregard of taxpaying ability and its administrative inequities.

II. The property tax burden on the elderly and other low-income groups

Our Associations, in a September 18th letter to Mr. William R. McDougall, Executive Director of the Advisory Commission on Intergovernmental Relations, vigorously concurred in the Commission's characterization as a "national scandal" the property tax burden on the elderly homeowner and renter. While his income is relatively fixed, there is nothing fixed about the property tax. Since January 1969, this tax has increased by 36 percent, nearly twice the rise in the overall cost-of-living.[3] In some communities, this regressive tax has doubled and even tripled within the last decade.[4]

More than any other age group, the elderly, with reduced taxpaying ability, have been burdened by this anachronistic revenue-raising mechanism. Aged homeowners pay, on the average, about 8.1 per cent of their incomes for real estate taxes.[5] In contrast, the non aged homeowners pay, on the average only 4.1 per cent.[6] The ACIR has disclosed that aged homeowners living in the Northeast on an income of less than $2,000 a year pay almost 30 per cent of their income into this tax system.[7] On a nationwide basis, the property tax collector is the recipient of 15.8 per cent of the annual income of elderly homeowners in this same income class.[8] Even more outrageous is the realization that almost one out of every five elderly homeowners—or approximately 1.3 million persons—falls within this category.[9]

The accuracy of these statistics and the dimension of the need they describe, are supported by the empirical evidence our organizations have received over the years through membership correspondence, a representative sampling of which is contained in appendix I. Repeatedly, members have described the personal sacrifice endured by them in purchasing and attempting to retain a home, and the anxiety, frustration and utter desolation felt by them in their retirement years as that home is gradually, but inexorably taxed out of their possession. There is obviously little fairness and no flexibility in a revenue raising mechanism which requires the payment of the property tax bill, determined without regard to the homeowner's ability to pay, or the sale of the property to someone who can. Moreover, the deficiencies inherent in this tax mechanism are aggravated by the often haphazard, irrational, inequitable assessment administration.

III. Response of the ACIR—Property tax relief

Our Associations are dismayed that the Advisory Commission on Intergovernmetal Relations, having acknowledged the scandalous proportions of the property tax burden on the elderly, failed to recommend in its report on school finance and property tax relief,[10] the enactment of legislation to make federal funds available to the states as an incentive to provide limited property tax relief for lower income groups and to improve tax assessment and administration practices,

As the rationale for rejecting a federal incentive grant program for promoting property tax relief, the report of the ACIR states:

"Given a few more years, there is reason to believe that the states will resolve the problem of property tax overburden especially for the low income elderly . . .

"Federal incentive grants should not have to be used to induce States to do something that is morally right, highly popular, and relatively inexpensive. All of the States have sufficient fiscal capacity to underwrite a limited property tax relief program for low-income households.

"[Federal incentive grants] would reward those States that force their local governments to make heavy use of the property tax and shortchange those States that make above-average use of non property tax revenue . . . [Such an incentive grant program] with its own set of guidelines and controls would add to an already overburdened Federal aid structure." [11]

Our Associations concede that some progress has been made at the state level, especially in recent years, in establishing property tax relief programs for elderly homeowners. Indeed, some relief provision has already been adopted by forty-four states.[12] Twenty-three of these states have programs that are solely state-financed.[13]

We also concede the apparent fiscal capacity of the states to finance property tax relief programs for low-income groups. Moreover, we are cognizant of the difficulty involved in drafting federal incentive fund legislation that will not inadvertently reward those states which have forced their local entities to rely heavily on the property tax, and we share the ACIR's concern over adding yet another burden to the federal aid structure.

Our organizations are not, however, persuaded by the ACIR's rationale, that the issue of property tax relief should be left to the states. Nor was the Administration which has elected to include a property tax credit for the elderly among its federal tax reform proposals.[14] The fact that progress has been made at the state level with respect to providing property tax relief does not mean that such progress will continue. Moreover, the relief programs that have been established are not of consistently high quality and effectiveness. Income ceilings for eligibility vary greatly.[15] Some are quite low.[16] Only nine states provide some form of relief to elderly renters and only three to low income groups regardless of age.[17]

The mere fiscal capability of a state to finance acceptable property tax relief does not automatically convert such relief into a state expenditure priority. Nor does the popularity of such relief or its moral or equitable justification convert such relief into a legislative priority. In the absence of a federal incentive, our organizations believe that effective, state financed, property tax relief programs for low-income groups are far less likely to be enacted.

In view of the extent to which the property tax tends to undermine the goal of providing adequate income security for the poor and the elderly through federal assistance and social insurance programs, our concern over adding the burden of another federal aid program is dissipated. We believe that such a program has the potential to assure high quality, property tax relief and fundamental administrative reform on a nationwide basis. The dual prospects of lessening the burdensome impact of this regressive revenue-raising mechanism on low-income groups and of promoting more equitable treatment of taxpayers through assessment and administrative reform persuades us that such a federal aid program is both desirable and necessary.

IV. NRTA-AARP position with respect to title III of S. 1255

Our Associations enthusiastically support the federal aid program of Title III of S. 1255 as an acceptable means of effecting property tax relief and reform. An amendment to the Internal Revenue Code to provide a credit against federal income tax liability (or in the absence of such liability, a refund) for property taxes paid would also provide relief and, in the absence of a preferable legislative alternative, would enjoy our support. However, we believe that the federal aid program of Title III is preferable, since the continued availability of federal funds under the program would be contingent upon conformity with the assessment and administrative reform of Titles IV and V.

We note with approval the minimum standards of section 302 of Title II under which relief would have to be available to both homeowners and renters. We also approve the graduated income schedule of subsection (d) of section 302 under which the amount of relief available would diminish as income rises. We find the standards of this section are more liberal and flexible than those of section 3 of S. 471, the Emergency Property Tax Relief Act.[18]

V. Response of the ACIR-property tax assessment and administrative reform

If the property tax is ever to become an acceptable means of financing the residual cost of local government, it must be administered equitably and at not more than moderate cost. The report of the ACIR on school finance and property tax relief acknowledged that:

"[I]nequitable assessments tend to increase public disenchantment with the property tax because they result in random and

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Footnotes at end of article.

unwarranted tax burden differentials. Moreover, poor assessment practices lead to taxpayer confusion about, and distrust of, the property tax system."[19]

Obviously, the ACIR recognizes the relationship between inequitable assessment practices and taxpayer hostility to the property tax. Indeed, in 1963 the Commission issued recommendations for strengthening the administration of property taxes in the states. Since that time most states have taken some action to strengthen and reform property tax administration.[20] However, the ACIR concedes that progress is slow and cites the following as the reason.[21]

"Tax administration is an ancillary and unglamorous aspect of government activity and initiatives for spending additional funds to improve it are usually given the lowest priorities. Indeed, the amounts that are now being spent by the State governments in supervising property tax administration are generally meager. Many States spend as little as one-twentieth or one-thirtieth of one percent of local property tax collections for this function."[22]

Despite these findings, the Commission recommended against the enactment of legislation to provide federal funds to encourage the States to improve assessment administration stating:

"Enactment of this proposal would represent still another attempt to dictate State and local spending priorities . . ."[23]

In the opinion of our Associations, the very fact that property tax assessment administration has received such a low priority by state governments during the last decade, despite taxpayer discontent, the ACIR assessment reform recommendations, and the arguments of equity, makes it an ideal subject for a federal categorical aid program.

Our support of federal legislation designed to induce assessment reform is, however, tempered by cost considerations. It is probably not possible for every taxing jurisdiction to achieve acceptable assessment administration within the limits of reasonable cost. Centralizing the assessment function or the resources available therefor, on a multi-jurisdiction or state-wide basis may be necessary in instances where the taxing jurisdiction raises inadequate per capita property tax revenue.

VI. *NRTA-AARP position with respect to titles IV, V, and VI of S. 1255*

Our organizations wish to express their support for the grant and loan programs of section 401(a) of Title IV. Their availability should accelerate state compliance with the data gathering, publication and appeal procedures of sections 402, 403 and 404 and should be considered a necessary adjunct to the provisions of section 305 of Title III which predicates the continued availability of federal funds to otherwise qualified state relief programs upon such compliance.

We feel that the provisions of Title IV will promote more equitable treatment of property taxpayers and will assuage taxpayer dissatisfaction with irregular assessment practices and appeal procedure. We consider the provision of paragraph 1 of subsection 403(a) to be essential to achieving more uniform assessment and greater equity. Furthermore, we consider the publication requirements of section 402 and 404 (requiring annual publication of, and access to data with respect to assessment-sales ratios in each taxing jurisdiction) and the notification requirements of paragraph 2 of subsection 403 (a) essential to the effectiveness and fairness of the assessment appeals procedure required by paragraph 3 of subsection 403 (a). Requiring the assessment and separate public listing of tax-exempt properties under paragraph 1 of subsection 405(a) and the publication of revenue losses attributable to the exemption of such properties under paragraph 2 thereof should aid in restoring the credibility of the present system by exposing to public scrutiny an avenue of potential abuse.

While the position of our organizations with respect to Title IV is highly favorable, we believe that paragraph 3 of subsection 403(a) should be revised to specify in greater detail the means by which assessments may be appealed. The 1963 recommendations of the ACIR called for review machinery having a two-level organization, with both the local and state agencies serving only an appellate function and being professionally staffed by persons performing only this function. This would serve to reduce the possibilities for conflicts of interest and thus assure objectivity and fairness.

The loan program authorized by section 501 of Title V of the bill should, as with the grant and loan programs authorized under section 401, accelerate state compliance with Title V's objectives. Considerable progress in improving the quality of assessment should result from inducing, through the authorized loan program of section 501 and coercing, through the penalty provision of section 305, conformity with the certification, training and cost-sharing guidelines of section 502. Since improved assessment practice will add, perhaps considerably, to the cost of administering the property tax, and since individual taxing jurisdictions may lack the necessary resources, the cost-sharing guideline of paragraph 4 of section 502 is obviously essential. With respect to the certification guideline of paragraph 1 of section 502, however, it would appear desirable to require, as suggested by the ACIR,[24] that appraisers and assessors be appointed to office and that no person be permitted to hold such office in the absence of state certification.

The state assistance described in paragraph 4 of section 502 should contribute to the maintenance of accurate, current and complete data with respect to property, improvements and valuation and, in turn, contribute to improved assessment practice. Property assessment within a taxing jurisdiction can only be as accurate, fair and complete as the data on which such assessment is based.

As described in Title VI, the federal assistance to training and technical programs appears consistent with the limited federal role contemplated in the bill. Since federal assistance in the training appraisers and assessors and in conducting assessment-sale ratio studies should reinforce the immediate objective of Titles IV and V and the ultimate objective of improved assessment practice, such assistance merits our support and the support of this Subcommittee.

CONCLUSION

The dual objectives of S. 1255—property tax relief and reform—are issues of paramount concern to the combined membership of our organizations. Too many of our own members have suffered the gradual erosion of their limited retirement incomes by ever increasing property tax levies. If the volume of our correspondence on this issue is any indication, their willingness to accept even higher property tax levies and their patience in waiting for effective state relief are at an end. Too many states have failed to enact relief programs, and many of those which have acted, have enacted programs of questionable quality, fairness and effectiveness.

Our Associations appreciate the need for intervention by the Federal Government, in a limited and well defined manner. We feel that a program of federal aid, designed to induce the states to enact effective property tax relief for low-income groups, would minimize the federal role in achieving the objective of property tax relief. The initiative would rest with the states.

Our Associations support the approach adopted in S. 1255 as the means of effecting property tax relief at the state level. The program in this bill would leave the states the option of acting as the initiators of relief and reform and would provide the limited financial stimulus necessary to induce the states to exercise that option.

By making the continued availability of federal funds to qualified state property tax relief programs contingent upon assessment administration reform, S. 1255 would serve to accomplish a second, an increasingly desirable objective—property tax reform.

Our Associations urge that S. 1255 be considered by this Subcommittee in the light of the testimony offered during the course of these hearings, be strengthened and improved where desirable, and be favorably reported to the full committee.

FOOTNOTES

[1] S. 1255, 93d Cong., 1st Sess. (1973).

[2] ACIR, financing schools and property tax relief—State responsibility, A-40, 16 (Table 1) (January 1973) (hereinafter referred to as ACIR Report).

[3] 119 Cong. Rec. 952 (daily ed. Jan. 18, 1973) (remarks of Senator Church).

[4] *Id*

[5] *ACIR Report*, supra note 2, at 18 (Table 3).

[6] *Id*. at 19 (Table 4).

[7] *Id*. at 18 (Table 3).

[8] *Id*.

[9] 119 Cong. Rec. 952 (daily ed. Jan. 18, 1973) (remarks of Senator Church).

[10] *ACIR Report*, supra note 2.

[11] *Id* at 4.

[12] Subcomm. on Intergovernmental Relations of the S. Comm. on Gov. Operations, 93d Cong., 1st Sess., Status of Property Tax Administration in the States 17 (Comm. Print 1973) (hereinafter referred to as Subcommittee Report).

[13] *Id*.

[14] Dept. of Treas., *Proposals for Tax Change*, 118 (April 30, 1973).

[15] Subcommittee Report, supra note 12 at 18.

[16] *Id*.

[17] *Id*.

[18] S. 471, 93d Cong., 1st Sess (1973).

[19] *ACIR Report*, supra note 2, at 5.

[20] *Subcommittee Report*, supra note 12, at 1.

[21] *ACIR Report*, supra note 2, at 5.

[22] *Id*.

[23] *Id*. at 6.

[24] *Subcommittee Report*, supra note 12, at 7–8.

APPENDIX 1

SEPTEMBER 13, 1972.

BERNARD E. NASH,
Executive Director, NRTA–AARP,
Washington, D.C.

DEAR MR. NASH: Your article in September issue of "News Bulletin" is very interesting.

I am in the position of many other oldsters. My years were planned with view of self-support if retirement age was reached. A home was purchased and some years later paid for; kids went to college; took part in local affairs; obligations cared for and on June 16th, last, reached my 81st birthday.

In 1940 I purchased a home (built in 1916) for $6,000.00, assessment was on basis of $5,000.00; taxes $126.00. Valuation of the property was gradualy increased until it reached $18,000.00 in 1970. Last year a corps of outside assessors was brought in and my assessment was increased to over $41,000.00.

I will "weather the storm" but thousands of other aged have not, and will not.

Many of us seek but one situation; a reduction in real estate taxes or a moratorium.

Of the many mistakes in a long life there are two glaring ones; I could not forsee or

avoid; inflation, nor refrain from becoming 81 years of age.

Thank you.

Sincerely,

——— ———.

SEPTEMBER 18, 1972.

Re 160-65-16.
Mr. KEN R. KUNES,
County Assessor,
Phoenix, Ariz.

DEAR MR. KUNES: On Sept. 8, we received our tax statement. We were shocked to see the tremendous increase.

In 1970, the tax was	**$334.72**
In 1971	**371.06**
In 1972	**462.66**

The answer we received at the visit to the tax offices on 111 S. 3. Ave., Monday 9. 11 was, that the property was re-assessed, as the prices of the homes increased. This was partly understandable, but in our section the sales value has not increased in proportion to the new assessment.

We bought our homes as a retirement home and do not intend to sell it, so there is no profit for us to gain. We did not build any addition to the property.

We keep our place in ship-shape order. Your assessor, no doubt was impressed and punished our hard work with an excessive revaluation and higher taxes.

We live on a very modest income and don't believe your office is trying to tax elderly, retired people out of their homes.

Kindly look into this matter and oblige.

Very truly yours,

——— ———.

OCTOBER 5, 1972.

To: The American Association of Retired Person.

From: The people on pension from Roselle City, N.J.:

We worked all our life, we raised our children and we helped to raise our grandchildren, we could not save much money, but we bought small (mostly 4 rooms) houses with the small gardens in order to enjoy the old ages and have the place to sit in the garden and to breath the fresh air, when we will not be able more to work. We payed off the houses.

Now we are not able to work more and our city raised the property tax on our houses (from 300 dol. to 900 dol.) that we will not able more to pay this tax. To sell the houses, where we lived so many years and where to go? The apartments are so expensive, that in couple years all our money that we will get from our houses will go. The situation is so desperate that many of us getting sick,

Please help us to save our small houses to stay there and to die there in peace blessing our government and our country.

Henry R. Juschtemo and my all neighbours on pension.

———

I wrote a letter to our Senator Barry Goldwater. Asking if there is not some way we oldsters can get some tax relief. Explaining the enclosed reply. I live in a modest desert lot and mobile home. I just recently lost my wife (of 53 years). That, of course cut our S.S. severely but we were surviving on it. I just got my tax notice which had been raised 200% in the past year. I am 79 years old and totally disabled.

You no doubt have many such letters, but surely there must be some relief for such as us. We had never taken a cent from any branch of relief.

That petty no sales tax on perscriptions means nothing. Locally they merely raised their prices. In one month our perscriptions were over $100.

Just so you know what is going on in some places.

DEAR SIR: I don't know where it is best to send this. Will you please see that it gets into the hands of those it will do the most good.

DeKalb is a small town and the population of the school exceeds ours. Something should be done about this quickly. It is bad enough that whenever either city, state or county find a few extra dollars the first thing they do is raise their wages.

In every way the raise for senior citizens was quickly taken up by taxes. I'm paying $1,150 on a 43 year old home that cost $16,000. I know you can and do help. Thank you I'm a member

AMERICAN ASSOCIATION OF RETIRED PERSONS,

To Whom It May Concern:

I am writing to ask if there can be anything done about the big school tax older people have to pay. We are members of A.A.R.P. Number 3706572. (Violet & Arthur Ketchel) I realize it is properly a State affair but we just wondered. We do not care about land tax at our home but we pay a few cents less than $700 for school tax. We don't mind a little but our taxes are nearly $1000. We have a small swim resort that has paid off very poorly the last 5 years due to our wet cold weather. We have worked hard to save our place for a home in our old age and only reply we can get from some is "Sell it if you can't manage." Is this fair after you worked so hard and long to save yourself a place for old age? We sent our children to school and no one helped us. Why does one have to pay such a large school tax? If there is anything you could do to make them let up on older people we would appreciate it and could we have a answer on this please? One way or other. The state won't seem to do anything. Thank you in advance.

———

MR. BERNARD E. NASH:

DEAR SIR: There is something which concerns the elderly and should get immediate attention. (Real Estate Taxes) it seems to get a passing remark once in a while but that's all in spite of the fact that nearly every one in authority believes something should be done about it. Including the Governor of my State of New Jersey, Mr. Cahill. Even the President says something should be done but nothing is being done about it.

I am 70 now and by the time they do get around to it I will either be dead or forced to sell my home, and there must be a million others in the same position.

They claim its unconstitutional but they keep on trying just the same. Maybe the A.A.R.P. can do something to help push this along.

———

FEBRUARY 24, 1973.

DEAR SIR: I am one that wants tax relief for the elderly people. So true elderly people are being taxed out of their homes and put in nursing homes and county and hospital insurance caring for hem.

There should be a better way out for me. I got double homestead tax and paid 112.78 per year 1971. The federal government freezes your tax and the state or county come along and raises the value of your house so they raise your tax and it's more than I paid before the freeze now $139.18 per year.

That's a lot when you can't work anymore and have been a widow for 30 years.

Is there anything that can be done about it? (Tax for elderly.) I don't want to sell my home and be on County and in a home for elderly.

———

SIRS: I joined A.A.R.P. a few months ago and am pleased with the news bulletins and would like to add my voice to the protests against high taxes.

My wife and I retired to this section of Cape May County in 1962. My taxes then were $120.00 a year on a small 4 room ranch type home. They have gone up every year until now. My 1972 taxes were $351.00 of which 75% were school taxes. I have been paying school taxes for 44 years to put 3 children thru High School and I think I have paid my share of education and helped build enough schools. I don't think I should have to pay any more school taxes. I am paying more now than I did in my working years and it is coming out of my Social Security, and I have no other income so you can figure what we have left to live on. So I am asking the Asso. to work for the abolition of school taxes for the elderly.

———

[From the Nashville Tennessean, May 4, 1973]

MUSKIE RAPS APPRAISAL FIRM CONFLICT "LOOK"

(By Elaine Shannon)

WASHINGTON.—Sen. Edmund Muskie, D-Maine, admonished yesterday the president of a property appraisal firm employed by Nashville for displaying "the appearance of conflicts of interest" through its affiliation with a privately employed appraiser.

"The appearance of this is almost as critical to public confidence as the reality," Muskie told William Gunlock, president of Cole-Layer-Trumble Co. (CLT), a mass property appraiser whose sister firm, American Appraisal Associates, serves private business and industry.

Muskie, who is investigating property tax procedures, expressed particular concern about disclosures that E. Randall Henderson, former assistant director of Tennessee Division of Property Assessments, had been paid $60,000 by CLT for his interest in a bankrupt mapping company four months after he left state government.

Henderson had signed approval of contracts for several county jobs for CLT, the largest of which was a $2.5 million job in Knox County, Muskie's committee, the Senate Subcommittee on Intergovernmental Relations, was told in testimony by Albert Gore Jr., a reporter for the Tennessean.

In response to Muskie's statement about the appearance of a conflict of interest, Gunlock said:

"Under no circumstances was there any conflict of interest, was any wrongdoing, no matter how it looks."

"If I'd been in Mr. Henderson's shoes," Muskie replied, "I'd never got myself in that situation."

Earlier in the day, CLT officials and Metro Tax Assessor Clifford Allen exchanged barbs about the quality of the firm's work. Allen is suing CLT, alleging conflict of interest on the grounds that the firm, the nation's largest mass appraisal company, had given "consistently low" assessments to major industries and businesses.

Allen pointed to reports that CLT appraisals of service station property averaged "less than 44% of what the companies had paid for them." He said that he had been refused information on whether the stations were owned by oil companies who used the services of American Appraisal Co., an affiliate of CLT.

He also noted a Monday decision by Nashville Chancellor Ben Cantrell that CLT had violated state law in its appraisal of rural property, a decision which would affect 40% of the land in Davidson county.

Gunlock, in turn, accused Allen of laxness in his own past assessments. The tax assesser had consistently valued farm and residential land at rates far lower than those required by state law, he said.

"I'm not criticizing what Mr. Allen did," Gunlock said, "other than to say we corrected that situation which set off a chain reaction that was at least partially politically motivated."

Gore, who has written a series of articles about general appraisal procedures in the state, summarized his findings before Muskie's committee.

Gore said he had found that:

Following 1967 court decisions which ordered reassessment of property, the state spent $22 million. "And much of it was wasted," he said, through defaulted contracts and delays.

Assessment firms, lured by the prospect of "an entire state full of lucrative contracts," lobbied for jobs with "whisky, country hams, and free wheeling campaign contributions," Gore said, "an unpromising situation for. a program whose goal is equity."

CLT bought the debt-ridden Tennessee Mapping Co. and Engineering Services company from Henderson and Robert C. Johnson, both former state property assessment officials, for $120,000.

Henderson, deputy head of the state office which controls local assessment work, had signed approval of jobs for CLT.

Henderson had signed approval of mapping contracts for L. Robert Kimball, who was associated with him in a venture called Outdoor Resorts.

Property owners dissatisfied with their assessments were forced to appeal to a state government hearing office directed by Henderson, "the same man . administering the mapping and reappraisal program."

After Gore's testimony, Muskie took two state officials to task for failing to initiate their own inquiry into the allegations of conflicts of interest and collusion.

William O. Beach, vice chairman of the state Board of Equalization, contended that neither the board nor the state attorney's office had the power to launch an investigation. He said that the matter should be settled through litigation, now proceeding in Nashville and Knoxville courts.

"It would seem to me to be a prima facie case of mishandling of this whole case that would merit further inquiry," Muskie said.

"What have you done about it?"

"What can we do about it?" Beach replied, explaining that the equalization board is "not equipped to handle such inquiries."

"I would have done something more about it than you appear to have done. You could default on contracts, couldn't you?" Muskie continued.

"You have a board, you can ask questions."

Beach said the board had decided that some of the allegations were "unfounded" and "in some cases, politically motivated."

"How can you make that decision without a formal inquiry," Muskie persisted.

"The State Board of Equalization," Beach said, "has never conducted a formal inquiry of this kind."

[From the Nashville Banner, May 5, 1973]

Muskie Inclined To Agree With Allen on CLT Ties

(By Frank Van Der Linden)

Washington.—After hearing both sides of the argument, Sen. Edmund Muskie, D-Maine, is inclined to agree with Metro Assessor Clifford Allen's claim of an improper tie between the Cole-Layer-Trumble Co., and the American Appraisal Co.

Muskie, as chairman of a Senate subcommittee studying property tax law reform, heard Allen thundering his charges Thursday afternoon, and then listened to CLT president William L. Gunlock's emphatic denial of any conflict of interest.

Allen, who dramatically left a Nashville hospital bed to testify, said that "in the parlance of the international spy thrillers we see on TV," the American Appraisal Associates, Inc. of Milwaukee has two subsidiaries—the CLT company of Dayton, Ohio, appraising real estate for local and state governments, and the American Appraisal Co. which "acts as a secret double-agent" for property owners seeking lower valuations.

Thomas Wardlaw Steele, Nashville attorney for CLT, said Gunlock was "prepared to say he didn't know a single private client of the American Appraisal Co."

Steele said Allen was "wholly unable to substantiate his charges or to show that any revaluation by CLT favored the clients of the American Appraisal Co."

Muskie, noting that both were affiliates of the same Milwaukee concern, asked: "Isn't the association improper on its face?"

The Maine senator also asked, "Do you think it's a healthy arrangement that might compromise the objectivity of one side or another?"

Gunlock insisted that the two companies never became involved in ad valorem cases on "opposite sides of the table."

But Muskie said, "I don't think the public will be satisfied" with that assurance."

Gunlock retorted that Allen himself "has a conflict of interest because he owns property in Davidson County."

Allen waved Monday's Nashville Banner with its front-page streamer headline on Chancellor Ben Cantrell's decision overturning CLT's appraisals of Davidson County rural property.

"This means that 40 per cent of all the land in Davidson County will have to be reappraised by the local board of equalization because CLT violated both its contract and the laws of Tennessee," the assessor said, "These five men do not have the strength and endurance to hear all those people."

He predicted the resulting "Mess" would "stop bona fide farming" and drive the rural land into the hands of real estate speculators.

In reply, Steele said "the chancellor specifically found that while the so-called conflict of interest seems serious on its face, there is nothing in the record to prove it."

"The chancellor issued a gratuitous advisory opinion on the validity of the rural land values," the lawyer said. "Yes, he said they violate the law but he did not issue any injunctive relief."

Gunlock said "Allen did not really want the revaluation done by a professional firm, but he was told by the state to have it done." Gunlock said that when CLT was hired to make the mass appraisals, Allen told Mayor Beverly Briley, "You have selected the finest appraisal firm in the country."

The CLT president quoted Briley as saying: "Mr. Gunlock, those are the last kind words you'll hear from this man's mouth during the life of this contract."

"I know now what he meant," Gunlock commented.

"UNFAIR ATTACKS"

Gunlock also complained that his firm, the largest in its field, is being unfairly attacked by Ralph Nader's "crowd" and by "a politician who uses CLT to advance his cause."

Contrary to Allen's charges, the appraisal firm's president insisted there was "no wrongdoing" in his company's purchase of the bankrupt Tennessee Mapping and Engineering Services, Inc., for a $120,000 cash payment to its owners, E. Randall Henderson and Robert C. Johnson.

Henderson was involved in this transaction while still assistant director of the State Division of Property Assessments, Allen said, but Gunlock denied knowing anything about any conflict of interest.

Muskie said this episode showed "a certain naivete which we in politics don't embrace."

"If I were in Henderson's shoes, I would not have allowed myself to get into that situation" the Maine Democrat said.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

VOTER REGISTRATION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of the unfinished business, S. 352, which the clerk will state.

The legislative clerk read as follows:

S. 352, to amend title 13, United States Code, to establish within the Bureau of the Census a Voter Registration Administration for the purpose of administering a voter registration program through the Postal Service.

The Senate resumed the consideration of the bill.

QUORUM CALL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

Mr. MANSFIELD. Mr. President, I send to the desk a cloture motion and ask that it be stated.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair, without objection, directs the clerk to read the motion.

The legislative clerk read as follows:

Cloture Motion

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the pending bill, S. 352, a bill to amend title 13, United States Code, to establish within the Bureau of the Census a Voter Registration Administration for the purpose of administering a voter registration program through the Postal Service.

Mike Mansfield, Robert C. Byrd, William D. Hathaway, Harold E. Hughes, George McGovern, John O. Pastore, Edward G. Brooke, George D. Aiken, Robert P. Griffin, Daniel Inouye, Lee Metcalf, James Abourezk, William Proxmire, Gale McGee, Alan Cranston, and Joe Biden.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be laid aside temporarily, with the proviso that it will be subject to recall as the unfinished business, as has been the case up to this time.

Mr. ALLEN. Mr. President, reserving the right to object—and I shall not object—this measure would come up, would it, and then would return to become the unfinished business, which is the voter-registration-by-postcard bill? Is that correct?

The PRESIDING OFFICER. The Senator from Alabama is correct.

Mr. ALLEN. I should like to inquire of

the distinguished majority leader whether there has been any disposition on the part of those debating the postcard registration bill to impede in any way the orderly procedure of the Senate; that is, to allow the Senate to take up any bill which the majority leader desires to have brought before the Senate.

Mr. MANSFIELD. On that basis, the answer is that there has been nothing but cooperation.

Mr. ALLEN. I thank the majority leader. I withdraw my reservation of objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

PUBLIC BROADCASTING

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar 117, S. 1090, and that it be laid before the Senate and made the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The legislative clerk read as follows:

A bill (S. 1090) to amend the Communications Act of 1934 with respect to recess appointments to the Board of Directors of the Corporation for Public Broadcasting and to extend certain authorizations for such Corporation and for certain construction grants for noncommercial educational television and radio broadcasting facilities.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported by the Committee on Commerce with an amendment on page 2, after line 14, insert a new section, as follows:

SEC. 2 Section 399 of the Communications Act of 1934 is amended by inserting "(a)" after "Sec. 399." and by inserting at the end thereof the following new subsection:

"(b) (1) In order to assure compliance with this section and with other provisions of this Act requiring fair treatment of matters in the public interest, every licensee of a broadcast station which receives assistance under this title shall make audio recordings of each broadcast of a program in which issues of public importance are discussed, and shall maintain such recordings for a period of sixty days from the time such program is broadcast. Copies of these recordings shall be made available to the Commission upon its request, and to any member of the public upon payment of the reasonable costs associated with the making of such copies: Provided, That the foregoing requirement may be satisfied by retention of the audio tape by the Corporation for Public Broadcasting or any authorized entity.

"(2) The Commission shall by rule prescribe the manner in which such recordings shall be kept, and the conditions under which they shall be available to the members of the public, giving due regard to the goals of eliminating unnecessary expense and effort and minimizing administrative burdens.".

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 396(k)(1) of the Communications Act of 1934 is amended to read as follows:

"(k) (1) There is authorized to be appropriated for expenses of the Corporation $55,000,000 for the fiscal year ending June 30, 1974, and $75,000,000 for the fiscal year ending June 30, 1975."

(b) Section 396(k)(2) of such Act is amended by striking out "1973" and inserting in lieu thereof "1975".

(c) Section 391 of such Act is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 391. There are authorized to be appropriated for the fiscal year ending June 30, 1974, and each of the three succeeding fiscal years such sums, not to exceed $25,000,000 in any such year as may be necessary to carry out the purposes of section 390. Sums appropriated under this section for any fiscal year shall remain available for payment of grants for projects for which applications, approved under section 392, have been submitted under such section prior to the end of the succeeding fiscal year."

SEC. 2. Section 399 of the Communications Act of 1934 is amended by inserting "(a)" after "Sec. 399" and by inserting at the end thereof the following new subsection:

"(b) (1) In order to assure compliance with this section and with other provisions of this Act requiring fair treatment of matters in the public interest, every licensee of a broadcast station which receives assistance under this title shall make audio recordings of each broadcast of a program in which issues of public importance are discussed, and shall maintain such recordings for a period of sixty days from the time such program is broadcast. Copies of these recordings shall be made available to the Commission upon its request, and to any member of the public upon payment of the reasonable costs associated with the making of such copies: Provided, That the foregoing requirement may be satisfied by retention of the audio tape by the Corporation for Public Broadcasting or any authorized entity.

"(2) The Commission shall by rule prescribe the manner in which such recordings shall be kept, and the conditions under which they shall be available to the members of the public, giving due regard to the goals of eliminating unnecessary expense and effort and minimizing administrative burdens."

The PRESIDING OFFICER. Debate on the bill is under control. The debate on each amendment is limited to 30 minutes and on the bill to 1 hour.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a brief quorum call, with the time for the quorum call not to be allocated under the time allocation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state his parliamentary inquiry.

Mr. PASTORE. For the purpose of the record, what is the pending business?

The PRESIDING OFFICER. The question is on the amendment of the committee to S. 1090.

Who yields time?

Mr. PASTORE. Mr. President, I yield back my time.

Mr. BAKER. Mr. President, I hope the Senator from Rhode Island will not yield back his time at this point. I understand the Senator from North Carolina (Mr. HELMS) may have a statement to make, and there is a possibility he may have an amendment in the nature of a substitute, and if that is the case, I am sure the Senator from Rhode Island would have remarks to make in that respect.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. BAKER. I yield.

Mr. PASTORE. Mr. President, I withdraw my request.

Mr. BAKER. Mr. President, I do not think there is any need for a long and extended debate on this matter. We have a rather short time limitation, anyway, but I believe that the report itself comprehensively covers the bill.

By the way, Mr. President, I yield myself such time as I may require.

Mr. PASTORE. Mr. President, will the Senator yield so that I may make the opening statement, and then the Senator can take it from there, with his kind permission?

Mr. BAKER. Mr. President, I yield.

Mr. PASTORE. Mr. President, I might say, for the purpose of the record, that the bill we are considering is S. 1090, a bill which would extend the authorization for the Corporation for Public Broadcasting, and the authorization for grants, for construction of public broadcasting facilities.

It would also require all noncommercial radio and television stations receiving Federal assistance to keep audio recordings of each broadcast of a program in which issues of public importance are discussed. These audio recordings would be kept for 60 days from the time such programs are broadcast, and would be available to the public upon the payment of reasonable costs. The FCC would prescribe rules to implement the requirement.

Specifically, S. 1090 would authorize for the:

A. Corporation for Public Broadcasting

First. Fiscal year 1974—$55 million and up to an additional $5 million in matching funds.

Second. Fiscal year 1975—$75 million and up to an additional $5 million in matching funds.

B. Funds for construction of educational television and radio broadcasting facilities for the fiscal year ending 1974 and each of the 3 succeeding fiscal years such sums, not to exceed $25 million in any 1 year.

Mr. President, recently the Commerce Committee undertook what was probably the most comprehensive review of public broadcasting since enactment of the Public Broadcasting Act in 1967. The record that emerged completely justifies continued funding of the Corporation for Public Broadcasting and the construction facilities program at the levels provided in S. 1090.

When Congress enacted the Public Broadcasting Act it committed the Government to a program that went far beyond the initial $5 million appropriated as seed money. The idea was then and still is that many times that amount of money is necessary for an effective system. Ideally these funds will be provided by long-range financing. Meanwhile, however, realistic authorizations and appropriations must be the source of funds.

The recent hearings also established beyond peradventure of a doubt the necessity for a multiyear authorization for the Corporation.

In this connection the testimony of Mr. Henry Loomis, president of CPB who unequivocally supported the authorizations in S. 1090 was especially interesting. I would like to quote what he told the committee. He said:

> The production of programs for presentation by local public broadcasting stations is, and should be a careful, time consuming process. It takes time to consult with 147 television licensees and 138 qualified radio stations on their program needs, to analyze and react to their recommendations and their proposals, to decide upon production centers, to negotiate for rights, to produce a pilot, to produce the final series, schedule and present them for use by the stations.
>
> Compressing their entire cycle into a single year means compromising on the quality of the final product. Series like BBC's "Henry VIII" and "Civilisation" cannot be planned and produced in one year. It took almost three years of research, planning, and development before the first "Sesame Street" series could be aired.

Annual authorizations not only undermine the Corporation's stability and inhibit its ability to plan adequately and effectively, they strike at the very core of the system—the development of strong local stations.

Moreover, such a procedure is fiscally unwise. As financial stability increases, so too will the ability to plan and execute projects economically.

Mr. President, public broadcasting informs and entertains millions of Americans. The contributions it has already made to our cultural and intellectual life are immeasurable. I urge the Senate to demonstrate its support for this program by enacting S. 1090.

I want to say in conclusion, Mr. President, that I have received fine cooperation from the members of the other party on our committee, particularly the Senator from Tennessee (Mr. BAKER) and also the Senator from Kentucky (Mr. COOK). They are sincere men, who are very much imbued with the public interest.

Our difficulty in the beginning was the 1-year authorization, and for that reason we had appear before us the officers and directors of the corporation, most of whom had been appointed by President Nixon and are Republicans by political stamp. They all agreed that one year was insufficient to do the planning necessary to give us quality public television, and we adopted their view. They endorsed the bill and we adopted their recommendation. We made it 2 years.

Some people think it ought to be longer than that. Others think it ought to be confined to 1 year. We tried to reach a reasonable median.

Further than that, there was a matter of money. We authorized $55 million for the first year. $45 million was requested by the administration last year, but when we had the continuing resolution bill before us, we made it $35 million, and this bill provides a pickup of $10 million, which I think is helpful.

As far as the second year is concerned, fiscal 1975, we have stipulated $75 million. That is a debatable subject. I am not going to be picayune about it, and if any compromises can be worked out, I am amenable to them.

I think we ought to get rid of this authorization proposal; before long the corporation will be completely out of funds. We have some distinguished people who serve on the corporation, who have been called in from all parts of the country—very distinguished people, I might say—for whom the President has no apology to make.

Mr. President, for that reason I would hope that we could get together and in a very short time pass the authorization and pass it on to the House.

Mr. BAKER. Mr. President, I yield myself as much time as I might require.

At the beginning I pay my special respects to the distingushed senior Senator from Rhode Island (Mr. PASTORE), who serves so ably and energetically in his capacity as chairman and principal figure on the communication Subcommittee. He has done an outstanding job. He has a remarkable grasp of the affairs at hand. This is not meant, Mr. President, to be flattery. It is no more than a simple statement of the fact. It is a sheer pleasure to work with the Senator from Rhode Island, even when we are in disagreement as we sometimes are.

Mr. President, I have a short statement to make with reference to public broadcasting and will then have a suggestion which I would like to make in order to try to expedite the Senate consideration of this matter.

It is my understanding that the Senator from North Carolina (Mr. HELMS) and possibly the Senator from Michigan (Mr. GRIFFIN) may have remarks to make or amendments to offer. Of those matters I am not sufficiently aware at this point.

I would, however, like to advise the Members of the Senate that we probably will not utilize the full time allocated to the bill.

Mr. President, last year on several occasions, and again this year during our hearings on S. 1090, I expressed serious misgivings with the structure and operation of our public broadcasting system, and particularly the Corporation for Public Broadcasting—CPB.

The first few years of experience under the Public Broadcasting Act saw the development of a centralized, national network system, but only limited support for the particular program needs of the local stations and their growing requirement for improved broadcasting equipment. Since that time the membership of the Board of Directors of the Corporation has changed and efforts are being made to establish a new relationship with local public broadcasting stations. From time to time, reports on the progress of these efforts have appeared in the press with particular emphasis on the role of the Ford Foundation. On •Saturday, the Washington Post contained a column by John Carmody which again highlighted the way the Ford Foundation is using the threat to withhold $8.4 million in grants from PBS, to obtain a reorganization that is acceptable to the foundation. The article also indicates that major corporate gifts are being withheld because the questions have not been resolved in favor of the network concept.

Mr. President, such a misuse of monetary influence is exactly what we hoped to avoid when the Congress passed the Public Broadcasting Act of 1967. The Congress sought to establish a structure that would insulate public broadcasting from commercial and governmental influences. Unfortunately, we now find that we did not accomplish that purpose—some say in either respect.

The Federal Government could provide all the funds for public broadcasting. However, the dominance of any one source of funds for public broadcasting or its national program service is a real danger whether that source be the Government, a private foundation like Ford or a commercial enterprise. We cannot permit any one institution to exert an unhealthy influence and deny noncommercial television "that freedom from the constraints, however necessary in their context, of commercial television * * *"; that "freedom" the Carnegie Commission regarded as essential to a vital public broadcasting service.

We must not permit Government, commercial interests or foundations to frustrate again in the words of the Carnegie Commission:

> The freedom and excellence that will persuade creative people that [public broadcasting] is a medium through which they can best express themselves.

During consideration of the public broadcasting legislation last year, I called for greater emphasis on the needs and desires of local stations. If that is what is achieved by these reorganizations that are taking place in the public broadcasting community, I look forward with optimism to the future of our public broadcasting system. If on the other hand, another centralized network is to be established, whether it be under the auspices of CPB or the Public Broadcasting Service, we have not progressed very far since the issue was raised last year.

There is a certain irony in the fact that those who are the most vocal in proclaiming the essentiality of localism are also the most effective in creating the kind of centralized decisionmaking process that comes closest to a network form of operation in the commercial sense. Any decisionmaking process for the expenditure of appropriated funds that forecloses individual station access to CPB, the entity with ultimate responsibility under the Public Broadcasting Act, is unsatisfactory. Any such process that forecloses the access of representatives of the public to CPB is likewise unsatisfactory. CPB's job is not an easy one. Balancing local, regional, and national interests of the stations and the public is a complex task. I have every confidence that the distinguished board and management at CPB will meet the challenge. Their failure to do so would certainly compromise the value of public broadcasting to the American public.

Nothing would enhance true localism

more than equipping each local station in a fashion that gives it the real capacity to accept or reject, tape, delay, store, broadcast, or rebroadcast programs from whatever service in a locally determined schedule. We have heard testimony that only 25 percent of the stations have full video tape recording, delay and rebroadcast capability. I believe it is time for the Secretary of Health, Education, and Welfare to give a new priority to applications for video tape recorders under the educational broadcasting facilities program.

Correspondingly, I believe there must be meaningful consultation with the local stations in program development and scheduling. The Corporation is responsible under the law for the interconnection system; how it is used; what it is used for; and who uses it. This ultimate responsibility cannot be delegated or shared. As long as the Corporation received Federal funds, the Corporation must remain fully accountable to the Congress, not only for its use of federally appropriated funds, but also for the stewardship of the publicly subsidized and federally funded interconnection system.

I support S. 1090, although I am concerned about the level of funding in view of the severe budget restraints being experienced by other Federal programs. Public broadcasting does not need the instability created by continued disagreements over appropriate funding levels. I am hopeful that we can agree on a mutually acceptable solution to the problem, as there is much to be done to enable public broadcasting to fulfill its potential.

I have prepared an amendment which I do not now send to the desk for reporting by the clerk. It is an amendment which would simply reduce the funding level for the fiscal year ending June 30, 1975, from $75 million to $65 million for that period. This would provide CPB with $70 million for the fiscal year ending June 30, 1975, including $5 million in matching funds. I ask unanimous consent that the complete text of the amendment be printed at this point in the RECORD.

In the interest of time, I wonder if I might inquire of the distinguished chairman of the committee if he would discuss this matter and give me some indication of his reception to the idea of reducing the figure from $75 million to $65 million.

Mr. PASTORE. Mr. President, if the distinguished Senator from Tennessee would send the amendment to the desk, I would be very happy to accept it.

The PRESIDING OFFICER. There is a committee amendment pending.

Mr. PASTORE. Mr. President, I yield back the remainder of my time on the committee amendment.

Mr. BAKER. Mr. President, I yield back the remainder of my time on the committee amendment.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the committee amendment (putting the question).

The committee amendment was agreed to.

Mr. BAKER. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

> On page 1, line 7, strike the following: "$75,000,000" and insert "$65,000,000".

Mr. PASTORE. Mr. President, I yield back the remainder of my time.

Mr. BAKER. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Tennessee (putting the question).

The amendment was agreed to.

Mr. BAKER. Mr. President, I see that our colleague from North Carolina is not in the Chamber. Out of my time, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I yield to the distinguished Senator from North Carolina such time as he may require.

Mr. HELMS. I thank my distinguished friend from Tennessee.

Mr. President, the junior Senator from North Carolina is somewhat reluctant to get into the controversy surrounding the Corporation for Public Broadcasting. There are many able Senators much better versed in the complexities of this issue than I. The controversy has been going on for many months, and, as a new Senator, I realize that many arguments have been made and many actions taken long before I came to this body.

Nevertheless, having spent a considerable amount of my career in television myself, it remains an area of deep concern to me, particularly in regard to public policy for both commercial and educational broadcasting. As a former newsman, I have a keen interest in the current discussions of "freedom of the press," and the allegations by some that the administration is attempting to pressure the Corporation for Public Broadcasting and the Public Broadcasting System.

Some time ago I read into the RECORD some statements by Mr. John P. Roche in which he came to the conclusion that it was simply impossible for any government anywhere to set up a governmentally supported broadcasting system without creating a built-in bias. I agreed then and I still agree that the Government has no business in the television business particularly when the intention is to "educate" the citizens.

But the issue before us now is whether to fund CPB for 2 years at a time when CPB is in the midst of a crisis in its relations with PBS and the stations. Or, to put it another way, can we afford to give CPB that much independence when we do not know which way it is heading? It is only natural that the officials of CPB, PBS, and the public TV industry are all in favor of high funding for the longest possible period. We cannot, however, accept their arguments at face value without fulfilling our duty to give the most careful scrutiny to the problem. It seems that everybody would like to be able to do what they please without being responsible to anyone else. So we have a situation where administration spokesmen are supposed to be pressurizing the CPB Board, the Board Chairman has quit, PBS is in open confrontation with CPB, the Ford Foundation is withholding its grants until everyone conforms to its wishes, and production units are refusing to produce. Congress is just supposed to authorize the money and shut up.

Such a situation is inevitable in a governmentally supported broadcasting operation. An ideological elite captured the CPB with the help of Federal and foundation money. They set up a system with maximum centralization so that the program content was easier to control. When the administration introduced more balance into the CPB Board and recommended the dismantling of the so-called fourth network the elite screamed. This is what has actually happened, although many people associated with this controversy are pretending it is a matter of "freedom of the press."

Mr. President, in studying this bill I went back to the 1967 debate over the legislation setting up the CPB. The problems we are faced with today were farsightedly anticipated by those criticizing the bill. In particular, I was struck by the perceptive and prophetic comments of the senior Senator from South Carolina (Mr. THURMOND). In looking over them today I think that his remarks of 7 years ago were such that they could be endorsed by every political persuasion that is interested in freedom. At that time, Mr. THURMOND said:

> Despite the safeguards pointed to by the proponents of the bill, there can be no doubt but that it violates both the spirit and the letter of the First Amendment: "Congress shall make no law abridging the freedom of speech or of the press."
>
> While this bill would not abridge the freedom of any existing news media, it would set up new media financed at least in part by the Government. No one in America today believes that any media in the world, financed by any government, is truly free. By setting up a federally funded Corporation for Public Broadcasting, Congress would be setting up media that are not completely free. I believe that contributing to the growth of even a segment of news media not completely free would be an abridgement of freedom of speech.
>
> The Corporation for Public Broadcasting will have a profound influence upon the American people, and I find it strange that our American liberals are not up in arms against the proposals in this bill. Anyone who truly lives liberty must oppose this bill.

That is what the distinguished senior Senator from South Carolina said in 1967. Of course, the CPB was instituted under a Democratic administration. Instead of taking the broad issue of principle espoused by Mr. THURMOND, our liberal friends took the narrow view. It is only recently that liberals such as John Roche have had the courage to agree with our colleague. The point is that, no matter what political party is in power, the other party will complain of bias.

Mr. President, the Senator from North Carolina wants to defer further to the senior Senator from South Carolina, because he went even further in 1967, and clearly identified the ideological problem that is plaguing us today. He spoke as follows:

> Now I know that this bill has carefully excluded partisan politics from the programs of the Corporation for Public Broadcasting. Obviously, this is a wise move. American politics is not, however, composed only of partisan politics. We have ideological divisions as well. Nothing in this bill safeguards against the capture of the corporation by a small clique with definite ideological biases.
>
> Moreover, the supposed independence of the corporation is called into question by the language of subsection (A), which . . . authorizes the corporation "to obtain grants from and to make contracts with individuals and with private, State, and Federal agencies, organizations, and institutions." This clause could be used to develop and disseminate propaganda promoting the policies and programs of the Department of Health, Education and Welfare, Housing and Urban Development; Justice; Agriculture; Commerce; and so on. We would have propaganda designed to influence pending legislation, whether authorization or appropriation. I say to every one of my colleagues who values his independent judgment in assessing legislative proposals backed by government agencies that those who vote for this bill are voting for something that has a vast potential to be used against them.

Mr. President, the words uttered by the senior Senator from South Carolina could not have been more clearsighted. The contract with PBS was negotiated under the subsection alluded to. The current dispute between CPB and PBS is precisely over who will control the so-called fourth network or interconnection. The Ford Foundation is using its enormous financial power under the same clause to pressurize for its concept of a strongly centralized network. And as for promoting Government programs, I cite, as the fairest example I can think of—because it is a program which I unreservedly admire and strongly support—last year's controversy over whether PBS would provide coverage for the Apollo 17 launch. Some people who are critical of the space program thought that such coverage might increase public support of the program. I think that the program deserves increased public support, but I certainly do not think that Federal funds, directly or indirectly, should be used to expose the public to coverage of Federal programs.

The problem, then, is to make sure that CPB, given the present situation, has the stability for long-range planning.

Now, Mr. President, I send to the desk an amendment in the nature of a substitute which would limit the authorization for the Corporation for Public Broadcasting for fiscal year 1974 to $40 million for 1 year.

The PRESIDING OFFICER (Mr. SCOTT of Virginia). The clerk will state the amendment.

The assistant legislative clerk read as follows:

> Strike out everything after the enacting clause and insert in lieu thereof, the following:
>
> That (a) Sec. 396 (k) (1) of the Communications Act of 1934 is amended to read as follows:
>
> "(k) (1) There is authorized to be appropriated for expenses of the Corporation for the Fiscal Year ending June 30, 1974, the sum of "$40,000,000."
>
> (b) Sec. 396 (k) (2) of such act is amended by striking out "1973" and inserting in lieu thereof "1974".
>
> Amend the title so as to read: "A bill to amend the Communications Act of 1934, to authorize appropriations for the Fiscal Year 1974 for the Corporation for Public Broadcasting.".

Mr. BAKER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Tennessee will state it.

Mr. BAKER. Do I correctly understand that now that the amendment in the nature of a substitute from the Senator from North Carolina (Mr. HELMS) has been reported, the remainder of his time will be charged against that amendment, pursuant to the previous unanimous-consent agreement?

The PRESIDING OFFICER. The Senator is correct.

Mr. BAKER. I thank the Presiding Officer.

The PRESIDING OFFICER. There is 30 minutes on the amendment.

Mr. BAKER. Mr. President, may I inquire how much time I have remaining on the bill.

The PRESIDING OFFICER. The Senator from Tennessee has 14 minutes remaining.

Mr. BAKER. I thank the Presiding Officer.

Mr. HELMS. Mr. President, at the appropriate time, either this afternoon or preferably tomorrow, depending on the wishes of the leadership, I shall serve notice that I would like the yeas and nays on my amendment.

Mr. President, the Public Broadcasting Act of 1967 envisaged a system of strong, local noncommercial radio and television stations, reflecting the diversity of interests and needs of their respective communities. This system was to be funded in part by Federal tax dollars, subject to annual congressional appropriation until such time that the new, untried system was firmly established.

Last year, the Congress passed a 2-year, $155 million authorization for the Corporation for Public Broadcasting. This was, by no means, a clear indication of congressional approval for long-term financing. The record reflects serious congressional reservations as to the degree to which the corporation and the stations had ironed out their problems. The President in recognizing these difficulties, particularly as evidenced in the 1972 congressional debate, vetoed the measure and asked the Congress to approve his budget request of $45 million, a 30-percent increase over the preceding fiscal year.

For fiscal year 1974, the Senate Commerce Committee has approved S. 1090, a 2-year, $140 million authorization. This represents a vast increase over the administration budget request of $45 million, a 30-percent increase over the actual funding level for fiscal year 1973. Again, serious questions must be asked as regards to the structural problems of public broadcasting.

We must ask whether serious problems still exist.

Although the corporation has endorsed S. 1090, this does not point toward the resolution of many of the structural problems that have beset the system since 1967. For example, the centralization, "fourth network" issue, which has been a particularly significant point of concern, has not been rectified. The corporation and the newly recreated Public Broadcasting Service have not resolved their serious disagreements, not the least of which is the question of control of the interconnection, each claiming responsibility for its operation. Nevertheless, as evidence of the corporation's sole responsibility for the interconnection, the Senate report on S. 1160, the Public Broadcasting Act of 1967, specifically stated on page 15:

> (T)he committee was persuaded that Corporation needed this flexibility and discretion not to establish a fixed-schedule network operation but to take advantage of special or unusual opportunities that warrant the Corporation directly contracting for interconnection facilities. Even under these circumstances, however, it should be made clear that the decision to broadcast such a program remains with the local station. . . . It might wish to aid in the formation of a new organization or advisory group, including representatives of the local stations and the program suppliers, to handle day-to-day decisions on interconnection. *Whatever special administrative arrangements it makes in exercising its option, the Corporation must retain ultimate responsibility.*

That the corporation and PBS have failed to come to grips with this matter simply points up the inadvisability of long-term financing, even 2-year funding. Furthermore, the corporation presently is without its chairman who, on April 13, abruptly resigned. This leaves but no other effect than organizational disarray.

As to the methods by which the corporation makes program decisions, there is considerable cause for concern. During his appearance as CPB chairman before the Communications Subcommittee on March 28, Mr. Curtis, in response to questions regarding program selection methods, stated:

> I don't know as Chairman how to go about it. . . . I don't know how shows get on. . . . Here we are being broadcast right now, and I don't know how that happened.

When, at the highest levels of CPB, there is no knowledge as to how program decisions are made, it must be concluded that serious structural problems within public broadcasting remain today. That Federal tax dollars to the amount of $140 million for 2 years seriously can be considered at this point in time is a disservice to the corporaton because it reduces the incentives to resolve their problems by removing the annual committee review process and providing vastly increased funding levels.

Funding for the Corporation for Public Broadcasting has increased sevenfold since its inception. In fiscal year 1969, the first Federal appropriation was $5 million. Today, the funding level stands at $35 million. My amendment proposed a healthy $5 million increase for fiscal year 1974, raising the Federal amount to $40 million. These increases represent continued support for public broadcasting and recognizes the excellence that public broadcasting has achieved in many of its endeavors. At the same time, my amendment recognizes many of the difficulties described above and proposes that the Communications Subcommittee annual review process be maintained until the system resolves its internal organizational problems.

The PRESIDING OFFICER. Who yields time?

Mr. BAKER addressed the Chair.

Mr. PASTORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PASTORE. Is an amendment pending at this time?

The PRESIDING OFFICER. An amendment by the Senator from North Carolina is pending.

Mr. PASTORE. How much time has the Senator from North Carolina remaining, and how much time do I have?

The PRESIDING OFFICER. The Senator from North Carolina has 5 minutes remaining. The Senator from Rhode Island has 15 minutes. There is a total of 30 minutes on the amendment.

Mr. BAKER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BAKER. I understood the Senator from North Carolina to say that he intended to ask for the yeas and nays on this amendment. Have the yeas and nays been ordered?

The PRESIDING OFFICER. No request has been made for the yeas and nays.

Mr. HELMS. Mr. President, I ask unanimous consent that at the proper time the yeas and nays may be ordered.

The PRESIDING OFFICER. Is the Senator at this time asking for the yeas and nays?

Mr. HELMS. Yes.

The yeas and nays were ordered.

Mr. PASTORE. Mr. President, in response to the distinguished Senator from North Carolina, I point out that there has been an absolute misconception about public television and what it is supposed to do and what it is not supposed to do.

No one in this Chamber believes more in localization than I do. But the irony of it all is that down in the White House they talk about localization, and then they have the palace guards trying to run the country.

Mr. President, if this administration does not care for public television, they ought to stand up and say so and have the act repealed. But the fact still remains that if we are going to have public television—and we have approximately 234 stations today; we started out with only about 81 in 1962—it should be made to work.

In 1971, we put up approximately $25 million. The actual amount that was raised and spent by the industry—I am talking about educational television and public television—was more than $180 million, which means that the Federal Government only comes up with about 20 percent of the money.

Mr. President, with respect to the idea of 1 year or 2 years, let me read what Mr. Loomis said. He was selected by the corporation to run public television. This is what he said. This comes out of the mouth of a Republican, not a Democrat. With all this talk about who is running what, this is what he said:

> The production of programs for presentation by local public broadcasting stations is, and should be a careful, time consuming process. It takes time to consult with 147 television licensees and 138 qualified radio stations on their program needs, to analyze and react to their recommendations and their proposals, to decide upon production centers, to negotiate for rights, to produce a pilot, to produce the final series, schedule and present them for use by the stations.

Here is the clincher:

> Compressing their entire cycle into a single year means compromising on the quality of the final product. Series like BBC's "Henry VIII" and "Civilisation" cannot be planned and produced in one year. It took almost three years of research, plannings, and development before the first "Sesame Street" series could be aired.

That is what Mr. Loomis said.

I am being guided by what they said. I had the officers and directors of the corporation before our committee, and I took them one by one. I asked them, "Are you for the 1 year or for the 2 years?" To the man and to the woman—there is one woman on the corporation—they all answered in the affirmative: "You need 2 years."

Now we come on the floor and we hear this gobbledygook about conservatism and liberalism. Perhaps some programs are liberal; perhaps some are conservative. Perhaps I do not like some liberal programs or some conservative programs. But the one thing that Dr. Killian told us when we formed this corporation was that he wanted the nose of Congress and the White House out of programing, and that is what we are trying to do. He left it up to the distinguished persons who have been appointed by President Nixon to decide for themselves what it ought to be, and I do not think they ought to be dictated to by us in the Senate, by the Members of the House, or by any individual in the White House.

That is what this all amounts to. If you want it, you can have it. If you do not want it, stand up and say so, and let us repeal the law. But do not emasculate it this way, because I say that unless we are going to have good public television, we should do without it entirely.

What I am doing here, as a Democrat, on this side of the aisle? I am just echoing what the Republican members of that corporation have said. Who is fighting me? The Republicans, on the other side; not all of them, because I tip my hat to a man like Senator COOK and a man like Senator BAKER, who can understand it.

Mr. COOK. Mr. President, will the Senator yield?

Mr. PASTORE. I yield whatever time the Senator needs.

Mr. COOK. Mr. President, I want to echo most of the thoughts that the chairman has stated, because during the course of the hearings it became very obvious that we were subject to a great deal of rhetoric.

As the chairman well knows, and as I put in my separate views which are filed in the report, we find that those from the Office of Telecommunications testified before the committee that they really did not want what is commonly referred to as a fourth network, which is the interconnect and yet they were not willing to have a 2-year appropriation so that localism could be established. As the chairman pointed out "Sesame Street" took 36 months to establish all the groundwork and research for the development of that program.

It is estimated that of all the major series on television today the shortest period of time it takes to do the groundwork, to develop research and study, is a minimum of 18 months. What we are really seeing is an approach by those who wish to limit the appropriation to 1 year, saying we should have more localism and more creativity at the local station level, and that the interconnect should not become a fourth network, and it should not. Yet can we appropriate on a 1-year level? We could do no more than to make it an interconnect.

When the Senator from Rhode Island said that Mr. Loomis had said they did not want the nose of Congress in this, that is what Congress said when they established this in the first place. It was not that the president of the corporation said this. He was doing no more than echoing the debate when this was established in the first place. What do we see? We see something that Congress established, something that Congress created, and suddenly we see Congress trying to destroy the very thing that it established.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. COOK. I yield.

Mr. PASTORE. I did not say that Mr. Loomis said that. I said Loomis said he needed 2 years. But the man who said he did not want the nose of Congress in this was Mr. Killian of the Carnegie Commission who made the recommendation in his report. He recommended it to Congress and then Congress echoed what Killian said.

Mr. COOK. I would say what we have here, Mr. President, is the accusation that the interconnect is, in essence, a network and because we cannot appropriate more than one year, it is essential it be that. There are many small public broadcasting stations throughout the country with one camera, no video tape equipment, and yet they cannot pick up anything, which they must do this to stay on the air. If they did not have the interconnect, some of them estimate, their network would be closed as much as 50 percent of the time.

Mr. President, if you are going to ask these stations to make this kind of investment, if you are going to ask them to establish localism, the only thing I can say is we have to either have an appropriation for more than 1 year or it will never happen.

We find by reason of this process the situation of a destroyer going through a mine field. On the one hand we hear Clay Whitehead say we need more localism; we cannot have another network; and yet we see them saying we should appropriate for only 1 year. If we appropriate for only 1 year the interconnect will be a network of necessity.

I hope this amendment does not succeed because if it does we should have hearings, not on whether we are going to appropriate for 1 year or 2 years, but whether we are going to repeal the act in its entirety.

Mr. HELMS. Mr. President, will the Senator yield?

Mr. COOK. I yield.

Mr. HELMS. The Senator from Kentucky and the Senator from Rhode Island know of my respect for them. I want to make clear two points. It is perfectly natural these people would want their appropriations for 2 years. It is less bother; they would not have to come up and be that accountable. The point that motivates me is that everything is in an uproar in this area. They cannot plan wisely for 2 years.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. COOK. Can the Senator from Rhode Island yield?

Mr. PASTORE. Mr. President, how much time do I have? I am perfectly willing to yield.

The PRESIDING OFFICER. The Senator has 7 minutes remaining.

Mr. COOK. Mr. President, is there any limitation?

The PRESIDING OFFICER. The limitation is 30 minutes.

Mr. PASTORE. If I have 7 minutes, I assign 5 minutes to the Senator from Kentucky.

Mr. COOK. I thank the Senator.

Mr. HELMS. I would be highly gratified if this appropriation process were settled before this question comes up again. I am not going to disagree with the philosophy of an appropriation for 2 years. I believe I am the only television executive in this body. I know the value of planning ahead, but I do not think that under existing circumstances we ought to give existing authority, the existing people, a 2 year appropriation. I simply say we should give a 1 year appropriation and then take a look at the situation the next time around.

Mr. COOK. I thank the Senator. I really want to get a point over, and I say this to the Senator from North Carolina——

Mr. PASTORE. Mr. President, we are not talking about an appropriation. The appropriation is still on a yearly basis. We are talking about an authorization.

Mr. COOK. Mr. President, that is correct. If I were convinced that we could get a 2-year appropriation, I would be delighted, somehow or other, to convince myself that the Senator from North Carolina let us. But let us look at what happened. We had the Chairman of the Public Broadcasting Corporation, who honestly tried to solve the problems, including public broadcasting, and the Community Broadcasting Board. But what happened? He worked himself to death to solve that problem. He found the Office of Telecommunications Policy in the White House actually calling everybody on the board that they ought to vote against the Chairman. As a result, the Chairman, appointed by the President of the United States, resigned his position. They went behind their own Chairman's back and defeated the agreement. We have no assurance that this will not be done again—none whatsoever. The only thing we are going to see is 40 million people in the United States who watch public broadcasting who will be spending another year watching reruns. We are certainly not going to establish creativity with that argument. In the first place, we want to establish it with the help of Congress, as the Chairman has so aptly put it.

However, 20 cents out of the public broadcasting dollar comes from the Federal Government with the rest coming from private sources. So I might say that if we find organizations throughout the United States which are actually sustaining 80 percent of the programing being totally and completely stymied, we reject the public broadcasting system, because of the 20 percent.

So that is where we are. If we are really going to consider seriously another 1-year appropriation, then let us pull this bill off the calendar. Let us go back to committee and determine whether public broadcasting in the United States is needed, because I believe we are at that juncture.

I close by saying that in this Senator's mind—there are Senators who may totally disagree with my reasoning—the interconnect will be unworkable if we continue the authorization on a 1-year basis.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PASTORE. I yield 1 minute to the Senator from Kentucky.

Mr. COOK. The reason given was that stations throughout the United States, when they were properly equipped, could get service through the major national television laboratory, to be used for the purpose of submitting to viewers. If we want to get it back that way, we have to have more than a 1-year authorization; otherwise, the entire situation will be out sick. Therefore, I strongly oppose the amendment of the Senator from North Carolina. I must say that the hearings made it perfectly clear. We went right down the line to everybody, including everybody appointed by the President of the United States. They all made it perfectly clear that we must have a 2-year authorization.

I thank the Senator.

The PRESIDING OFFICER. All of the time of the Senator from Rhode Island has expired. The proponents have 5 minutes remaining.

Mr. BAKER. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. On whose time?

Mr. BAKER. There is not any time left except mine. It is on the bill. There is no amendment pending.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BAKER. Do I have 5 minutes remaining on the bill?

The PRESIDING OFFICER. The Senator has time remaining on the bill. The Senator has 14 minutes remaining on the bill.

Mr. BAKER. I yield myself 1 minute on the bill.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. BAKER. Mr. President, the amendment offered by the distinguished Senator from North Carolina is one that I will not support. However, I would point out that I supported a similar measure last year after a bill was reported from our committee against which I fought very hard, and which was vetoed, and which I recommended to the President be vetoed. We ended up with a 1-year authorization. I voted for it at that time. Therefore, I cannot be critical of the Senator from North Carolina, and I am not.

I would point out, however, at this juncture I think we need a 2-year authorization at these funding levels, and I intend to support that authorization.

I make this final recommendation, and I hope I have the attention of the subcommittee chairman and the chairman of the full Commerce Committee: While I vote for the 2-year authorization this year at these funding levels, I think the problem is not over and we still have some deep philosophic soul-searching to do about the future of public broadcasting. I wanted to make that addendum as to my personal purposes, so that my vote against the Helms' amendment is not misunderstood.

I reserve the remainder of my time.

Mr. PASTORE. Mr. President, I ask for a short quorum, not to be taken out of the time of either side, because the Senator from North Carolina (Mr. HELMS) is not on the floor. I think it is his turn now.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from North Carolina has 5 minutes remaining on his amendment.

Mr. HELMS. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from North Carolina having yielded back his time, all time on the amendment has been yielded back. The question is on agreeing to the amendment of the

Senator from North Carolina. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Indiana (Mr. Bayh), the Senator from Texas (Mr. Bentsen), the Senator from Mississippi (Mr. Eastland), the Senator from Arkansas (Mr. Fulbright), the Senator from Minnesota (Mr. Mondale), the Senator from Utah (Mr. Moss), the Senator from Georgia (Mr. Nunn), the Senator from Connecticut (Mr. Ribicoff), the Senator from Alabama (Mr. Sparkman), the Senator from North Dakota (Mr. Burdick), and the Senator from Nevada (Mr. Cannon) are necessarily absent.

I further announce that the Senator from New Jersey (Mr. Williams) is absent on official business.

I also announce that the Senator from Mississippi (Mr. Stennis) is absent because of illness.

I further announce that, if present and voting, the Senator from Utah (Mr. Moss), and the Senator from Connecticut (Mr. Ribicoff) would each vote "nay."

Mr. GRIFFIN. I announce that the Senator from Utah (Mr. Bennett), the Senator from Tennessee (Mr. Brock), the Senators from New York (Mr. Buckley and Mr. Javits), the Senator from New Mexico (Mr. Domenici), the Senator from Arizona (Mr. Goldwater), the Senator from Florida (Mr. Gurney), the Senator from Nebraska (Mr. Hruska), the Senator from Illinois (Mr. Percy), the Senator from Delaware (Mr. Roth), the Senators from Ohio (Mr. Saxbe and Mr. Taft), and the Senator from Alaska (Mr. Stevens) are necessarily absent.

If present and voting, the Senator from Illinois (Mr. Percy) would vote "nay."

The result was announced—yeas 12, nays 62, as follows:

[No. 118 Leg.]

YEAS—12

Allen
Bartlett
Bellmon
Byrd,
  Harry F., Jr.
Curtis
Fannin
Hansen
Helms
McClure
Scott, Va.
Thurmond
Young

NAYS—62

Abourezk
Aiken
Baker
Beall
Bible
Biden
Brooke
Byrd, Robert C.
Case
Chiles
Church
Clark
Cook
Cotton
Cranston
Dole
Dominick
Eagleton
Ervin
Fong
Gravel
Griffin
Hart
Hartke
Haskell
Hatfield
Hathaway
Hollings
Huddleston
Hughes
Humphrey
Inouye
Jackson
Johnston
Kennedy
Long
Magnuson
Mansfield
Mathias
McClellan
McGee
McGovern
McIntyre
Metcalf
Montoya
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Proxmire
Randolph
Schweiker
Scott, Pa.
Stafford
Stevenson
Symington
Talmadge
Tower
Tunney
Weicker

NOT VOTING—26

Bayh
Bennett
Bentsen
Brock
Buckley
Burdick
Cannon
Domenici
Eastland
Fulbright
Goldwater
Gurney
Hruska
Javits
Mondale
Moss
Nunn
Percy
Ribicoff
Roth
Saxbe
Sparkman
Stennis
Stevens
Taft
Williams

So Mr. Helms' amendment was rejected.

Mr. HART. Mr. President, while public and press attention have been absorbed by the Watergate transgressions, the administration is quietly doing violence to another of our basic institutions, namely, the first amendment. I refer to White House interference with public broadcasting and specifically to emasculation of public affairs broadcasts on public broadcasting.

We were all put on notice—if we had not already read between the lines—by a television program on March 22, 1973. On the Dick Cavett show of that date, one of the panelists was Patrick Buchanan, Special Consultant to the President. The conversation went this way, I quote:

Cavett: You were going to explain what happened to public television.

Buchanan: Right. Now, last year the Administration proposed an increase of $10 million in the budget for Public Educational Television from $35 million to $45 million. It got down on Capitol Hill and the fellows in Public Television went to work and they elevated that up to $165,000—$165 million, I'm sorry, for two years. Now, when that came down to the White House, we took a look at that, and we also looked at the situation over there, I did personally, I had a hand in drafting the veto message; and if you'll look at Public Television you find you've got Sander Vanocur and Robin MacNeil, the first of whom, Sander Vanocur, is a notorious Kennedy sycophant, in my judgment, and Robin MacNeil, who is anti-Administration, you have the Elizabeth Drew Show on, which is anti—she, personally, is definitely not pro-Administration, I would say anti-Administration, "Washington Week in Review" is unbalanced against us you have "Black Journal " which is unbalanced against us . . . (laughter) . . . you have Bill Moyers, which is unbalanced against the Administration. And then for a fig leaf they throw in William F. Buckley's Program. So they sent down there a $165 million package, voted 82 to 1 out of the Senate, thinking that Richard Nixon would therefore—he would have to sign it, he couldn't possibly have the courage to veto something like that. And Mr. Nixon, I'm delighted to say, hit that ball about four hundred and fifty feet down the rightfield foul line right into the stands; and now you've got a different situation in Public Television. You've got a new board on CPB, you've got a new awareness that people are concerned about balance. And all this Administration has ever asked for on that, or on network television, frankly, is a fair shake.

Thereafter, the Corporation for Public Broadcasting, which is supposed to be independent from White House or congressional influence, terminated precisely those programs named by Mr. Buchanan.

During the excellent hearings conducted by the Communications Subcommittee Chairman, Senator Pastore, this matter was explored with the new Chairman of the Corporation for Public Broadcasting, former Congressman Thomas B. Curtis. While Mr. Curtis could not explain how the decision was made to drop the programs named by Mr. Buchanan as "anti-administration," he assured the committee that in the future he would resist outside influence and maintain the independence of the Corporation for Public Broadcasting intended by Congress when it passed the Public Broadcasting Act.

So what happened? While the Commerce Committee was in the very act of voting to report the legislation before us, extending the public broadcasting authorization, the White House again launched an assault on the independence of the CPB. It persuaded a majority of the members to reject an agreement laboriously worked out over a period of 3 months by representatives of the stations and the CPB, setting up procedures for handling any future differences. Whereupon, Mr. Curtis—unable longer to defend the independence of the CPB—resigned.

Mr. President, I believe my colleagues here in the Senate and the Members of the House who are yet to consider this legislation should have "on the record" the comments of Mr. Curtis in resigning. This is not the outburst of an "elitist plugola" to quote Dr. Clay Whitehead. It is the concern of a nationally respected Republican from Missouri who served 18 years in the House.

Mr. President, the Nation needs public broadcasting, and I fully support the bill before us today. But the Nation needs a public broadcasting service which is not limited to children's programs, ballet and French cooking lessons. We need a public broadcasting system which offers public affairs programs that will help the American people anlayze and understand the public issues, the political issues. And this cannot be the case if every program considered "antiadministration" in Mr. Buchanan's eyes is forced off the air.

This is a very serious matter, Mr. President, and I am confident it will be thoroughly explored when hearings on this legislation are held in the House.

I ask unanimous consent to insert in the Record at this point the public statement of the President of Station WGBH, Boston, expressing concern that the Executive may be trying to take over control of public television to its own ends; the New York Times editorial of April 19, 1973, "Stifling Public TV"; the New York Times article of April 24, 1973 "Tampering Cited in Public-TV role", and an article from Congressional Quarterly of April 21, 1973, "A 'Very, Very Upset' Tom Curtis resigns from CPB."

There being no objection, the material was ordered to be printed in the Record, as follows:

April 26, 1973.

Public Statement by David O. Ives, President, WGBH Boston

We at WGBH have grown increasingly worried about signs that the Executive Branch of the Federal Government may be trying to take over control of Public Television for its own ends.

The first sign was the attack on the developing shape of our system, delivered in Miami a year and a half ago by Clay Whitehead of the White House Office of Telecommunications Policy. That was followed last summer by President Nixon's veto of the bill that would have substantially increased federal funds for public broadcasting. That forced the resignation of John Macy, first President of the Corporation for Public Broadcasting. His place was taken by Henry Loomis, and new persons were appointed to the Board of the Corporation, including Thomas B. Curtis, who became chairman, all of whom were said to be "Nixon men." Rumors and reports proliferated that the White House didn't like certain public affairs programs then being shown on Public Television, and they were followed by the failure of the Corporation Board to renew funding of several such programs for next season. In January the Board resolved to take back from the Public Broadcasting Service full control of funding, review, and network scheduling of national programs. Then on April 13, the Board failed to accept (instead, they deferred action) the compromise on program control which Corporation and PBS representatives had previously hammered out together.

Now the latest, and most worrisome, sign of all was the interview given to The New York Times on April 23 by Mr. Curtis, who said he resigned as Chairman because he felt he could no longer defend the integrity of the Corporation Board. That integrity had been tampered with, he charged, because someone in the Administration, on the very eve of the April 13 meeting, had telephoned several members of the Board in order to influence their votes on the proposed compromise. Mr. Curtis charged that this was improper interference, and that it was "contrary to what I had understood the White House had agreed to do—namely, keep hands off."

On April 23, the Times printed a denial of the Curtis charges by three other members of the Corporation Board and by a spokesman for Clay Whitehead, from whose office the calls were presumed to have come. Mr. Curtis' allegations were called "a phoney issue," "outrageous," and "totally ridiculous."

Ever since the Curtis interview appeared, we have been trying to find out just what communication took place between persons in the Administration and persons in the Corporation for Public Broadcasting. If such communication constituted an improper attempt to exert political influence on Public Television, that would have the gravest implications for WGBH and for all the stations in the system.

We have learned that, unquestionably, many contacts have been made in recent weeks and months between White House officials and the Corporation—sometimes with Board members, sometimes with staff members.

But that still leaves the question: Were those contacts improper? Did they exceed the bounds of what one can reasonably sanction as necessary in the Corporation's relations with one of the two branches of the Federal Government on which it depends for its funds? Can those contacts be fairly construed as breaches in the integrity of the Corporation and thus of WGBH and any other recipient of Corporation grants?

The explanation given for those contacts by everyone who has spoken out except Mr. Curtis, is that they were nothing more or less than the kind of exchanges in which any entity that is funded by the annual appropriations process must engage. That, of course, begs the basic issue, which was raised over five years ago when Congress and the President first created the Corporation for Public Broadcasting. It was argued then, and it has been argued ever since, but never remedied in the law, that as long as Public Television has to rely on annual appropriations for its funds, it will remain dangerously susceptible to political interference in its programming and other activities.

Congress tried, in 1967, to insulate the Corporation to some extent by designating it as private and nongovernmental. But as long as it is deprived of secure, long-term financing, the Corporation, like it or not, must act in some respects like a government agency. It must deal with the White House in the attempt to put the level of funds it needs into the President's annual budget. It must get Congress to authorize and then to appropriate those funds. And it must get the President's signature on that funding legislation. At the same time, the Corporation must satisfy all the local Public Television stations, in whose interest it was created, that the funds will be used in ways they approve.

As a consequence, the Corporation sees itself in a three-cornered negotiation—with the White House, the Congress, and the stations. Unless all parties can be accommodated, as the Corporation views it, there might well be no federal funding at all for Public Television. In this light, what one person may regard as "improper communication," another will think of as part of the bargaining process on the way to a successful appropriation. The important consideration, in this view, is not the *fact* of the bargaining, but what indeed is gained or lost in the process. Underlying that view is the sense there should be some things that will never be bargained away, or even permitted to be raised in the bargaining process, no matter what the eventual cost of a Presidential veto or a defeat in Congress.

The dangers of such a funding route for Public Television are now apparent to everyone. If the Corporation "bargains" with the Administration about its relationship with the stations or with their organization, the Public Broadcasting Service (PBS), what then prevents the Corporation from "bargaining" with the Administration about which programs to fund and which not to fund, about which programs to send out on the interconnection system and which to withhold? And if the White House influence is exerted at appropriations time, how are the stations, and how is the public, to know that it is not also being exerted at other times?

The threatening signs have become so persistent, we believe the Board of the Corporation of Public Broadcasting must respond in an open and forceful way. We call on the Board to declare publicly just what their rules are for dealing with the Executive branch. How far will they go in private discussions of the Corporation's business with the White House—or with Congress, for that matter? What will they talk about, and what will they *refuse* to talk about? Where will they draw the line, saying beyond this limit they will not permit a political interest?

We want, in particular, the absolute assurance that the Corporation will never permit their discussions with the White House or the Congress to include any bargaining for or against particular programs, be they in the area of public affairs or in any other area. We accept that the Corporation must engage in talks on its general funding requirements, but we most emphatically reject the possibility that it must bargain away certain programs in order to get its appropriation.

At all times, there is a vital decision of principle facing every Public Television station. Speaking now only for WGBH, we say frankly that we were so distressed by Mr. Curtis' charges that over several days we have earnestly considered refusing any further grant to WGBH from the Corporation until the Corporation could establish its integrity and independence of action in a way we all could accept.

We are not taking that step at this moment. Our inquiries have satisfied us that despite all the signs to the contrary, there is still a commitment to independence represented in the active membership of the Corporation Board—a commitment still strong enough to deserve a further chance at resolving the issues of control over Public Television.

We recognize, furthermore, that we at WGBH have never to-date received, much less had to respond to, a single suggestion that any one of the programs we produce—not even the most controversial—be produced in any way other than we intended. We would have spotted such a suggestion instantly, since we are second to no one, we believe, in our sensitivity to any outside influence on our program judgments.

But we do urge the Board of the Corporation to clear the air. We urge them to recognize that an atmosphere of deep suspicion and mistrust of government pervades the country today. We urge them to help dispel that atmosphere, at least as it affects Public Television, so we can get on with our work. Again, the first step to achieving that, we propose, is that the Board speak out precisely on the issue of what it will, and what it will not, permit even to be talked about in its private contacts with the Executive and Legislative branches of the Federal Government.

Finally, we at WGBH declare we shall be continuously alert to the possibility that improper influence may be brought to bear on the Corporation and therefore, inevitably, on WGBH. Should we become convinced it has occurred, we will not hesitate to refuse Corporation grants to WGBH, even if that means dismantling a large part of our activities. Should that day ever come, we put the Corporation Board on notice that we will make our decision public in the strongest terms.

[From the New York Times, Apr. 19, 1973]

Stifling Public TV

The resignation of Thomas B. Curtis as chairman of the Corporation for Public Broadcasting constitutes signal that public affairs programming may be close to extinction in noncommercial television. Mr. Curtis, a former Republican Congressman from Missouri, was named to the C.P.B. board last year by President Nixon. From the start the Administration, with Clay T. Whitehead, director of the Office of Telecommunications Policy, as spearhead, put growing pressure on him to eliminate any transmission of public affairs programs via the public Broadcasting System network. Mr. Curtis met this pressure by laboring patiently to put together a workable, moderate compromise.

The proposal that emerged would have given the network and the corporation an equal voice in determining whether or not a controversial program would be transmitted on the P.B.S. interconnection. Under the plan the board chairmen of the licensed local public television stations would have the right of decisions on whether to avail themselves of any network presentations. However, there was to be no prior restraint on the production of any program by the public network.

Even that minimal protection of the system's basic freedom appears to have been too much for the Administration's arbiters of public enlightenment. Although Mr. Curtis had every reason by last week to believe that the compromise would be approved by the C.P.B. board, the Administration's hardliners, again led by Mr. Whitehead, engaged in frantic last-minute lobbying to block it. The meeting that was to ratify the Curtis compromise turned into a rout of the moderates and a repudiation of Mr. Curtis.

The Administration's record on public broadcasting is a chronicle of double-talk. When Mr. Nixon vetoed the public broadcasting appropriations bill last year, he characterized P.B.S. as excessively centralized. But with its latest coup, the Administration has, in effect, let it be known that its goal is not a decentralized Public Broadcasting System, but one that is submissive to the will—and thus be disguised central control—of the Office of Telecommunications.

"TAMPERING" CITED IN PUBLIC-TV ROLE

(By McCandlish Phillips)

CHICAGO, April 23.—Thomas B. Curtis, chairman of the Corporation for Public Broadcasting until he resigned abruptly a week ago, said today that the White House had "tampered with" the independent board, in express contradiction to assurances that he had received.

In a two-hour interview with The New York Times in his office here, Mr. Curtis made his first comments since his resignation, explaining that in his view the integrity of the board had been threatened by White House interference.

Mr. Curtis said it was now imperative that the board "reassert its independence and integrity" by devising procedures that would effectively insulate it from political pressures.

"I had the clear understanding that the President wanted us to so set up the Corporation for Public Broadcasting that public broadcasting could not be made a propaganda arm for the Nixon Administration or for any succeeding administration," the Republican appointee said.

Mr. Curtis said he had responded to that assurance by seeking to establish procedures by which "the whole Congress and the public" would have full confidence in the independence of the board.

"You can see what happens when officials in the White House constantly talk to members of the board, calling them privately and interfering with the process" of deliberation, he said.

Mr. Curtis continued:

"When it became clear that the White House was not respecting the integrity of the board, then I couldn't defend the integrity of the board the way I had.

"This board has been under very severe attack in the news media for the past 5 months, with people saying that it was involved in a 'Nixon takeover,' and I have defended it vigorously—and I underscore vigorously.

"I don't believe I could defend the board with that kind of vigor any more. When I felt I could no longer do that, I felt I better resign."

At no point in his lengthy analysis did Mr. Curtis name the individuals who had allegedly interfered with the deliberations of the board, saying that he was determined to discuss an important public issue and refrain from referring to personalities.

WHITEHEAD IS NAMED

His sole reference to an individual by name was in a side reference to Clay T. Whitehead, director of the White House Office of Telecommunications Policy.

"I asked Mr. Whitehead, when he testified (before the Pastore Committee) to state that the White House respected the integrity of the board and felt that it was essential to maintain it, and I thought he would, but he didn't," he said.

Mr. Curtis ventured that President Nixon's "ideas about this have been shot down by people in the White House who don't understand the basic importance of why this board has to act independently."

His resignation on April 14 came in the wake of a decision by the board, by a 10-4 vote, to defer action on a carefully worked-out compromise plan determining the operating structure of public broadcasting.

The plan was designed to adjust relations between the Corporation for Public Broadcasting, created by Congress to oversee public television, and the country's 233 public television stations. It would have assured that the stations would retain a large measure of control in public television's national programing.

"I was surprised," Mr. Curtis said, "I thought the board would agree to the plan, and I still think the members were ready to when the White House interposed. I felt that the board had been tampered with, and I told the board that. I sent the President a copy of my letter."

"KEEP HANDS OFF"

The compromise plan, far from being the sole viable solution, was just one of many possible plans that might have worked, he said.

"It wasn't the deferral that disturbed me, it was the fact of interference," Mr. Curtis explained. "That was contrary to what I had understood the White House had agreed to do—namely, keep hands off."

Mr. Curtis said that calls had been made to board members up to the very eve of the meeting on the compromise plan. "Four of the members told me they had been called, and two of them resented it," he said.

"I think the calls were primarily to shoot down the compromise," he asserted. "When a decision is about to be made, that's when they shouldn't be messing around.

"You don't interfere even by making phone calls. This kind of communication is improper."

His manner throughout the interview was good-humored, relaxed, plainspoken. "I'm not angry at anybody," the former Missouri Representative said. "I was there trying to do a job, and if I cannot defend the board as I did, I'm not useful any more.

"My aim was the integrity of the board. That was the sine qua non."

Mr. Curtis said that Congress had acted to create what it regarded as "an independent, nongovernmental corporation." The keys to it, he said, are a six-year term for board members, "thereby exceeding the term of office of the President," and staggered terms, so that no President could appoint a majority to the board in a single term of office.

He likened the position of the C.P.B. in the Government to such regulatory agencies as the Federal Trade Commission and the Federal Communications Commission. "They are arms of the Congress, not of the Executive," he said.

Congress ruled that "no more than 8 of the 15 board members of the corporation be of the same political party, and it required that the board itself elect its own chairman," Mr. Curtis pointed out. That, he said, showed Congress's intent.

Mr. Curtis said that "most of these agencies have developed procedures which insulate them against political pressures of the Executive, and this board should be doing the same thing."

"Unless this board reasserts its independence and integrity," he continued, "and all groups respect this, I don't think the Congress will go along with having the Government in public broadcasting, because then you don't have it insulated against normal political pressures.

"All that's happened here is that the Executive has tried to get its opinion into the board—it isn't necessarily a takeover—but there's a proper way to go about it: Write a letter and make the letter public, not going behind closed doors and saying God only knows what talking to one commissioner at one time, to one at another time."

Mr. Curtis said the C.P.B. must "adopt firm rules" and deliberate decisions on the basis of "facts and fair arguments." "The way you deliberate is by letting everybody hear the same thing in a common forum," he said.

[From the Congressional Quarterly, Apr. 21 1973]

A "VERY, VERY UPSET" TOM CURTIS RESIGNS FROM CPB

Thomas B. Curtis, the board chairman of the Corporation for Public Broadcasting (CPB), resigned April 13 after a majority of the board refused to accept a compromise plan he had recommended. The proposal would have returned some control of public television programming to the local stations and cleared the way for selection of privately funded 1973–74 public television shows.

Curtis had been appointed to the CPB post by President Nixon in July 1972; his resignation was announced by the White House April 18.

A former member of Congress from Missouri, Curtis had assured a negotiating group representing 147 station managers that the board would accept a compromise giving the stations control of scheduling programs on the Public Broadcasting Service (PBS) and the authority to telecast programs that were privately financed.

Curtis was reported to have been "very, very upset" after the board decided to "defer action" on the agreement reached by PBS and a corporation committee. But, prior to the board's vote, Curtis had been warned, according to one board member, "not to make any commitments to PBS . . . because the majority of the 15-member board was not in agreement with his views," the Wall Street Journal reported April 18.

POWER CLASH

Congress created the corporation in 1967 to funnel federal funds to non-commercial radio and television stations throughout the country. PBS was incorporated by CPB in 1969 and until 1973, selected, scheduled and promoted public TV shows. (1967 Almanac p. 1042).

The clash between the two organizations stemmed from a Jan. 10 announcement by the corporation that it would absorb most of the functions of PBS, leaving the service to provide technical services necessary for operating the public television interconnection (network).

The station licensees, however, decided to fight that decision. Under the leadership of Ralph Rogers, a Dallas industrialist and broadcasting executive, PBS was reorganized and began discussions with Curtis and a three-member CBP panel.

The board's April 13 decision reportedly followed a telephone campaign by White House staff members, including Clay T. Whitehead, director of the administration's Office of Telecommunications Policy, who opposed returning programming power to PBS because of administration dissatisfaction with some public affairs programs PBS had scheduled.

WHITEHEAD

The debate over public broadcasting actually began in October 1971 when Whitehead charged that the public TV industry had wandered from the role Congress had originally intended it, evolving instead into a "fourth national network."

Testifying before the Senate Communications Subcommittee March 29 on a long-range financing bill for public television—another issue in the controversy—Whitehead, who once supported such a plan, recommended that Congress fund the corporation on an annual basis until the "basic problems" of non-commercial radio and television were resolved. (Hearings, Weekly Report p. 787).

Whitehead singled out public affairs programming as an example of the "serious deficiencies" in public broadcasting. CPB's reliance on federal funds to support public affairs was "inappropriate and potentially dangerous," he charged, "especially in view of the tendency to centralize production in New York and Washington."

In January, the CPB board voted against funding several public affairs programs, including "Bill Moyers' Journal" and William F. Buckley's "Firing Line."

Although Curtis supported the cuts, he told Congressional Quarterly in a March 1 interview: "There are people in the White House who feel that you can't do public affairs objectively and with balance and therefore (they would) throw the baby out with the bathwater. And there are people in Congress who say that. . . . I happen to think that one can argue strongly for a point of view and do it with objectivity and balance." (Text of interview, Weekly Report p. 591)

Rogers. Taking aim at the reorganized PBS group, Whitehead suggested that the way to strengthen the local stations was to give broadcasters a realistic choice in deciding whether to televise any CPB-supported or distributed programs. But, he said, this could not be accomplished if the stations were represented by some organization that makes program decisions.

Whitehead's proposal, Rogers said during the Senate hearings, "is in complete opposition to what everyone is advocating." Rogers added that he refused to believe the President or Congress would subscribe to such a recommendation. "I guarantee to you that the stations will not."

Earlier, Rogers outlined the compromise agreement that PBS had negotiated with CPB, which the board rejected April 13. Under the terms of the plan:

Local broadcasters would have remained in control of scheduling on PBS.

CPB would have had final say on how federal funds were spent for programming.

The licensees would have had access to the network for programs privately funded.

To meet the 1967 public broadcasting act's requirements that programs of a controversial nature must be balanced and objective, Rogers explained that agreement had been reached between the negotiating panels to create a "monitoring committee," which would determine whether programs that were challenged violated the law on the question of balance and objectively. Both CPB and PBS would have had a three-member monitoring team, and a 4–2 vote would have been necessary to kill a contested program.

Mr. PELL. Mr. President, the bill now before us, S. 1090, represents a positive step toward aiding the fledgling public broadcasting system in our country. I strongly support the bill, for it will provide increased funds to the Corporation for Public Broadcasting to continue providing stimulating and innovative programing on a national level.

I am particularly pleased at the level of support proposed in this bill for the Corporation on Public Broadcasting because of the clear commitment made by the Corporation to broadcasting programs on both the arts and humanities. In that connection, Mr. President, I am especially pleased that both the National Endowment on the Arts and the National Endowment for the Humanities have become partners with public television in funding programs of outstanding quality.

Another facet of the measure before us will be of particular benefit to my own State and that of my senior colleague, the distinguished floor manager of the bill. That is the extension of the authorization for improving broadcasting facilities of individual education stations across the country.

In Rhode Island we have one educational station, WSBE–TV, channel 36. At present this station broadcasts from makeshift facilities located on the campus of Rhode Island College. I am pleased to have learned that the station plans to move to more adequate facilities in the city of Providence and I am also pleased that our general assembly in Rhode Island just last week approved funds for WSBE–TV that will make such a move to new facilities possible.

Mr. President, the station plans to apply during fiscal 1974 for Federal lands under the Educational Television Facilities Act to acquire cameras and allied equipment to use at its new location. The Federal funds could total as much as $300,000 and I believe that this legislation is farsighted in authorizing $25 million a year for aiding such local stations as channel 36.

I would hope, Mr. President, that the Appropriations Committees of both parties and the administration will see fit to fund this program at a suitable level so that such deserving projects as that at WSBE–TV can be supported.

Finally, I wish to commend my senior colleague, the chairman of the Subcommittee of Communications of the Committee on Commerce, for his outstanding leadership in guiding this measure to the floor and generally for his long record of concern for quality broadcasting on all levels in this Nation.

Mr. HUMPHREY. Mr. President, since the first educational television station went on the air in May of 1953, Congress has steadily supported the growth of noncommercial broadcasting. In 1962 the Congress passed the Educational Television Facilities Act to provide grants for the construction and expansion of educational television systems. And, in 1967, Congress passed the Public Broadcasting Act, which created the Corporation for Public Broadcasting and gave it four main responsibilities:

First, to assisting the development of high-quality programs for public television and radio.

Second, to develop interconnections among and between various educational and public television stations.

Third, to assisting the establishment and development of one or more systems of public broadcasting.

Fourth, to assure the maximum freedom of noncommercial educational broadcasting systems and stations from interference with or control over program content.

In designing the Corporation for Public Broadcasting the Congress deliberately attempted to insulate it from Government interference. Neither the White House nor the Congress was to have control over the programing.

In no way was public television supposed to become another arm of a Government propaganda machine or simply another commercial-type system.

The emphasis was to be educational—to develop those programs of high quality that would be interpretive, that would add to the educational enrichment of Americans.

Part of this educational mission, Mr. President, has been the development of public affairs programing. In the legislative history of the Public Broadcasting Act, there are clear references to the need for public affairs programs; not simply news programs, not a duplication of the commercial networks, but a public affairs programing that is interpretive, illustrative, and an addition to depth of public understanding and education about events, people, and circumstances.

It goes without saying that such programs have a need to objective, fair, and balanced in these presentations.

It is my judgment that public affairs programing has been fair, balanced, and objective. I question sometimes whether or not the public affairs programs have served their educational mission; but I do not question the sincere professionalism of probing, asking, and interpreting in the drive for first-rate, balanced journalism.

Lately, however, Mr. President, I have become aware, as I know other Senators have, of what smacks so much of a concerted attempt by those in the executive branch to cut the heart out of public affairs broadcasting. It seems that the Nixon administration, or at least some officials within the administration, believes that public affairs broadcasting is biased against the administration—and for that reason, must be curtailed, eliminated, and dropped from the public airwaves.

Mr. President, I deplore any attempt by the executive branch to interfere, or threaten those who operate under the first amendment freedom of this country.

We must resist all attempts to remake the airwaves into propaganda arms for any branch of government. Our freedoms are too precious, and a free press is too essential to our democratic well being to do anything less.

Mr. President, two programs that seem to be caught in the cross fire between the Corporation for Public Broadcasting, the White House, and the Public Broadcasting System are "Elizabeth Drew's Thirty Minutes With . . . and William Buckley's "Firing Line".

I would hope, Mr. President, that there might be accommodations reached that would permit the continuance of these two programs. And, I want to say that I believe both are educational, both are respected programs.

These are not simply talk shows, designed to elicit interesting comments from guests. These shows are much different. Both Miss Drew and Mr. Buckley probe their guest's thinking, reasoning, and assertions. They want to know the "why" of decisions or the "why" of reasoning.

Both shows are designed to explore public topics in a way few commercial news programs can—with follow up—not just to get a guest's additional comments but to analyze those comments, to have the guest explain those comments, and in so doing to enlighten the public in an educational sense, not merely in an awareness sense.

Yet, I have read that for some reason these two programs along with other public affairs type programs are being canceled—not, as I understand it because of a failing in the concept of the programs—but more because of interference of persons outside the public television system who have decided that these programs do not meet standards of fairness and balance.

Mr. President, I would hope that this interference with public television, as reported in our newspapers, would cease and cease immediately.

And, Mr. President, I would hope that the legislation before the Senate today will pass with a strong vote of confidence for public television. The legislation provides a 2-year authorization for the Corporation for Public Broadcasting. I support this 2-year authorization. Such a time frame would give the Corporation opportunity to fully plan programs, not subject to the fear of running out of money or the hazards of single year authorizations.

Mr. President, I urge the Senate to adopt this legislation, and I ask unanimous consent that an editorial from the New York Times, "Stifling Public TV," an article from the New York Times, "Tampering Cited in Public TV Role," and an article by John Carmody of the Washington Post, "A Funding Compromise?" all detailing the most recent lineup of the various programs that will be funded by the Corporation, be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 19, 1973]

STIFLING PUBLIC TV

The resignation of Thomas B. Curtis as chairman of the Corporation for Public Broadcasting constitutes a signal that public affairs programing may be close to extinction in noncommercial television. Mr. Curtis, a former Republican Congressman from Missouri, was named to the C.P.B. board last year by President Nixon. From the start the Administration, with Clay T. Whitehead, director of the Office of Telecommunications Policy, as spearhead, put growing pressure on him to eliminate any transmission of public affairs programs via the Public Broadcasting Service network. Mr. Curtis met this pressure by laboring patiently to put together a workable, moderate compromise.

The proposal that emerged would have given the network and the corporation an equal voice in determining whether or not a controversial program would be transmitted on the P.B.S. interconnection. Under the plan the board chairmen of the licensed local public television stations would have the right of decisions on whether to avail themselves of any network presentations. However, there was to be no prior restraint on the production of any program by the public network.

Even that minimal protection of the system's basic freedom appears to have been too much for the Administration's arbiters of public enlightenment. Although Mr. Curtis had every reason by last week to believe that the compromise would be approved by the C.P.B. board, the Administration's hardliners, again led by Mr. Whitehead, engaged in frantic last-minute lobbying to block it. The meeting that was to ratify the Curtis compromise turned into a rout of the moderates and a repudiation of Mr. Curtis.

The Administration's record on public broadcasting is a chronicle of double-talk. When Mr. Nixon vetoed the public broadcasting appropriations bill last year, he characterized P.B.S. as excessively centralized. But with its latest coup, the Administration has, in effect, let it be known that its goal is not a decentralized Public Broadcasting Service but one that is submissive to the will—and thus the disguised central control—of the Office of Telecommunications.

"TAMPERING" CITED IN PUBLIC-TV ROLE

(By McCandlish Phillips)

CHICAGO, April 23.—Thomas B. Curtis, chairman of the Corporation for Public Broadcasting until he resigned abruptly a week ago, said today that the White House had "tampered with" the independent board, in express contradiction to assurances that he had received.

In a two-hour interview with The New York Times in his office here, Mr. Curtis made his first comments since his resignation, explaining that in his view the integrity of the board had been threatened by White House interference.

Mr. Curtis said it was now imperative that the board "reassert its independence and integrity" by devising procedures that would effectively insulate it from political pressures.

"I had the clear understanding that the President wanted us to so set up the Corporation for Public Broadcasting that public broadcasting could not be made a propaganda arm for the Nixon Administration or for any succeeding administration," the Republican appointee said.

Mr. Curtis said he had responded to that assurance by seeking to establish procedures by which "the whole Congress and the public" would have full confidence in the independence of the board.

"You can see what happens when officials in the White House constantly talk to members of the board, calling them privately and interfering with the process" of deliberation, he said.

Mr. Curtis continued:

"When it became clear that the White House was not respecting the integrity of the board, then I couldn't defend the integrity of the board the way I had.

"This board has been under very severe attack in the news media for the past 5 months, with people saying that it was involved in a 'Nixon takeover,' and I have defended it vigorously—and I underscore vigorously.

"I don't believe I could defend the board with that kind of vigor any more. When I felt I could no longer do that, I felt I better resign."

At no point in his lengthy analysis did Mr. Curtis name the individuals who had allegedly interfered with the deliberations of the board, saying that he was determined to discuss an important public issue and refrain from referring to personalities.

WHITEHEAD IS NAMED

His sole reference to an individual by name was in a side reference to Clay T. Whitehead, director of the White House Office of Telecommunications Policy.

"I asked Mr. Whitehead, when he testified [before the Pastore Committee] to state that the White House respected the integrity of the board and felt that it was essential to maintain it, and I thought he would, but he didn't," he said.

Mr. Curtis ventured that President Nixon's "ideas about this have been shot down by people in the White House who don't understand the basic importance of why this board has to act independently."

His resignation on April 14 came in the wake of a decision by the board, by a 10–4 vote, to defer action on a carefully worked-out compromise plan determining the operating structure of public broadcasting.

The plan was designed to adjust relations between the Corporation for Public Broadcasting, created by Congress to oversee public television, and the country's 233 public television stations. It would have assured that the stations would retain a large measure of control in public television's national programing.

"I was surprised," Mr. Curtis said. "I thought the board would agree to the plan, and I still think the members were ready to when the White House interposed. I felt that the board had been tampered with, and I told the board that. I sent the President a copy of my letter."

KEEP HANDS OFF

The compromise plan, far from being the sole viable solution, was just one of many possible plans that might have worked, he said.

"It wasn't the deferral that disturbed me, it was the fact of interference," Mr. Curtis explained. "That was contrary to what I had understood the White House had agreed to do—namely, keep hands off."

Mr. Curtis said that calls had been made to board members up to the very eve of the meeting on the compromise plan. "Four of the members told me they had been called, and two of them resented it," he said.

"I think the calls were primarily to shoot down the compromise," he asserted. "When a decision is about to be made, that's when they shouldn't be messing around.

"You don't interfere even by making phone calls. This kind of communication is improper."

His manner throughout the interview was good-humored, relaxed, plainspoken. "I'm not angry at anybody," the former Missouri Representative said. "I was there trying to do a job, and if I cannot defend the board as I did, I'm not useful any more.

"My aim was the integrity of the board. That was the sine qua non."

Mr. Curtis said that the Congress had acted to create what it regarded as "an independent, nongovernmental corporation." The keys to it, he said, are a six-year term for board members, "thereby exceeding the term of office of the President," and staggered terms, so that no President could appoint a majority to the board in a single term of office.

He likened the position of the C.P.B. in the Government to such regulatory agencies as the Federal Trade Commission and the Federal Communications Commission. "They are arms of the Congress, not of the Executive," he said.

Congress ruled that "no more than 8 of the 15 board members of the corporation be of the same political party, and it required that the board itself elect its own chairman," Mr. Curtis pointed out. That, he said, showed Congress's intent.

Mr. Curtis said that "most of these agencies have developed procedures which insulate them against political pressures of the Executive, and this board should be doing the same thing."

"Unless this board reasserts its independence and integrity," he continued, "and all groups respect this, I don't think the Congress will go along with having the Government in public broadcasting, because then you don't have it insulated against normal political pressures.

"All that's happened here is that the Executive has tried to get its opinion into the board—it isn't necessarily a takeover—but there's a proper way to go about it: Write a letter and make the letter public, not going behind closed doors and saying God only knows what talking to one commissioner at one time, to one at another time."

Mr. Curtis said the C.P.B. must "adopt firm rules" and deliberate decisions on the basis of "facts and fair arguments." "The way you deliberate is by letting everybody hear the same thing in a common forum," he said.

INDEPENDENT PUBLIC-TV ADVOCATE—THOMAS BRADFORD CURTIS

(By Lawrence Van Gelder)

"People say that I am a good advocate," Thomas Bradford Curtis observed the other day. "If that is so, it is because I advocate what I believe in." Yesterday, the round-faced, baldish, 62-year-old former United States Representative was advocating a reassertion of its "independence and integrity" by the Corporation for Public Broadcasting. On April 14, Mr. Curtis, a lifelong Republican, resigned abruptly from the corporation's board, and yesterday he accused the White House of tampering with the 15-member board appointed by the President to oversee public broadcastnig.

In a way, it seemed natural that distaste for what he regards as tampering should impel Mr. Curtis to dramatic action. It was distaste for Democratic political bossism rampant in Kansas City and St. Louis that launched him into Republican politics before World War II, despite the fact that he came from a traditionally Democratic family.

IN HOUSE 48 YEARS

Referring to rule by bosses, he said, "It just didn't strike me as being very good." During his Congressional career, he was to lash out at President Lyndon B. Johnson for "using wheeling and dealing tactics rather than appeals to reason to get measures enacted."

Mr. Curtis was elected to the House in 1950 from a largely Democratic district in his native Missouri and served for 18 years, until he was defeated in 1968 in a campaign for a Senate seat that pitted him against Thomas F. Eagleton, then Missouri's Lieutenant Governor.

One of the most influential Republicans in the House, Mr. Curtis served for 16 years on its Ways and Means Committee and became the ranking Republican on the Joint Economic Committee.

He was known as an expert on foreign trade and tariffs and a fiscal conservative of such respected principle that he managed the unusual feat of winning repeated endorsement from the New York-based Committee for an Effective Congress as well as backing from Americans for Constitutional Action, a conservative group.

OTHER POSITIONS

After leaving Congress, Mr. Curtis became a vice president and general counsel for the Encyclopedia Britannica, the position he now holds. But he continued in public affairs.

In 1969, he was appointed by President Nixon to an advisory commission to develop a plan for the creation of an all-volunteer armed force. In 1970, he headed a committee established by the Twentieth Century Fund that advocated full disclosure of all money given to Congressional campaigns.

In 1971, he served on a private commission on foundations and philanthropies, and late that year President Nixon appointed him to the Rent Advisory Board as chairman.

Last year, he was appointed by the President to the seat on the board of the Corporation for Public Broadcasting formerly held by John Hay Whitney.

On Sept. 15, 1972, four days after his confirmation as a director by the Senate, he was named chairman of the board.

DARTMOUTH ALUMNUS

Mr. Curtis was born in St. Louis on May 14, 1911, the second of five sons of the former Isabel Wallace and Edward G. Curtis, a lawyer.

He grew up in Webster Grove, a suburb, and after attending public schools entered Dartmouth, where he earned a letter as an inside left on the soccer team and an A.B. in 1932. He received his law degree in 1935 from Washington University in St. Louis, an institution his grandfather had served as dean.

Then he entered practice with his father.

Mr. Curtis is married to the former Susan R. Chivvis. They have five children. Mr. Curtis, whose wife describes him as a 'wrinkled and casual" dresser, spends his spare time reading and writing. He is at work now on his third book—about the House of Representatives.

A FUNDING COMPROMISE?

(By John Carmody)

The Senate is expected to pass a two-year, $140-million authorization for public broadcasting sometime next week, in what would be the first step toward an invigorating injection of funds into the strife-torn industry.

Meanwhile, public TV faces a programming disaster for the fall and winter when most solid reruns could be offered to Public Broadcasting Service (PBS) audiences, which in recent years have numbered around 40 million a week.

The Ford Foundation, a consistent major donor to public TV in the past, appears adamant in its decision to withhold an $8.4 million grant from the network this year, pending a favorable decision in the long battle between the Corporation for Public Broadcasting and the supporters of PBS. Ford backs the network, which the CPB has threatened to take over.

In addition, major corporate gifts from firms like Mobil and Xerox, usually spent for major dramatic series, are being withheld.

As a result, PBS planners this week sketched in their fall schedule, working with a budget of only $6 million in federal money. Already short of public affairs programming, PBS officials currently fear that:

"New" prime-time programming for the network's 1973–74 season, will suffer a 75 per cent reduction, to as few as four hours weekly, compared to an average of 16 hours a week offered this past season. Reruns would be inserted to fill out the schedule.

Of the eight "new" shows scheduled for the fall season, only three are sure to last through the second half of the broadcast year. At the start of last season, 17 network shows were aired weekly.

Unless money is found soon, it is possible that by January, new shows would appear only one night in seven on PBS.

"The Advocates" now partially funded, will be cancelled since its producers in Boston would be unable to assemble a top research team unless a full 26-week schedule could be funded from the start.

Two new major drama series to be imported from England will be postponed—at best. They were to be funded by major corporations, but private funds continue to shrivel because of uncertainties over the federal budget and the outcome of public broadcasting's internal war.

A Xerox Corp. proposal to rebroadcast on PBS the acclaimed "America" series recently concluded on NBC is only one of the losses expected next season if current conditions continue.

Network officials, however, emphasize that daily daytime schedules for the important children's fare—"Sesame Street," "The Electric Company" and "Misterogers' Neighborhood"—are safe from the economy ax next season.

All three are funded by a $6-million portion of the PBS total grant of $13 million. They also have independent income sources to carry them through other seasons.

Another $1 million in PBS grants has been allocated to Children's Television Workshop in New York to research an adult health series, due perhaps in 1974.

Should the network-CPB fight be resolved by mid-summer, Ford would probably add at least four public affairs shows to the fall schedule. The status of the BBC-produced drama shows would be uncertain. Meanwhile, the weekly PBS viewer would be faced with an imbalance of new public affairs programming and a dearth of new drama and entertainment fare.

Meetings of the two public broadcasting boards involved are scheduled this month but no quick solution is expected by either side at this time.

Conceivably, network officials fear, the severe cutback to a 4-hour weekly prime-time schedule could endanger the PBS operation itself. The 234 public-TV station operators who support PBS might be forced to determine the cost effectiveness of a national "interconnection" offering such a minimum daily program diet.

Thus, the industry is focusing its attention on Senate action next week, as rumors of a funding compromise with the White House abound—and as both money and time run out for next year's schedule.

The two-year authorization is sponsored by Sens. Warren G. Magnuson (D-Wash.) and John O. Pastore (D-R.I.). It is similar to a bill passed by both houses last year but vetoed by President Nixon in June.

The White House for the past two years has urged a one-year, $45-million bill for public broadcasting, which would have increased public TV's annual programming budget to around $20 million annually. Following the veto the administration bill was attached to an HEW-Labor money bill last fall and failed to survive another presidential veto. Since then CPB—and PBS—have been operating on a $35-million continuing resolution, which maintains the $13 million level for the network but ignores an estimated 10 to 14 per cent annual inflation loss each year.

The Magnuson-Pastore bill would allow CPB $55 million plus $5 million in matching funds for fiscal 1974 and $75 million plus $5 million in matching funds the next year.

The bill has been endorsed by the CPB board of directors, despite its battle with PBS and its supporters over control of the network.

A Hill source said yesterday that the CPB support could mean that the administration—which had earlier submitted a $45-million, one-year bill which was not reported out of committee—is prepared to compromise.

These sources indicate that the White House would accept a one-year authorization of $60 million if Congress dropped the two-year funding, which the administration has opposed.

Meanwhile, PBS must plan on the "pessimistic" assumption that only a $35-million continuing resolution would be in force again next year.

Based on that pessimistic estimate, CPB approved a $13-million budget for PBS several weeks ago.

Six million dollars of that sum, however, goes to children's programming. A further $1 million has been ticketed for research into an adult health series this year by Children's Television Workshop.

PBS planners with only $6 million, from which they have managed to pencil in eight programs for next fall: "Zoom," "Masterpiece Theater," "Special of the Week," "Book Beat," "Black Journal," The Advocates" and "Wall Street Week."

"Zoom" was guaranteed a full season just this week, when the McDonald's Corp. matched the CPB programming money.

All of the others, except "Special of the Week" and "Book Beat" are underfunded for a full season, according to PBS officials, and must wait on not only the federal budget but Ford Foundation money as well.

In the wings for the winter half of the 1973–74 season are three other shows. They include the "Theater in America" drama series announced earlier this week by Exxon Corp. and CPB; a science program to be produced in Boston by WGBH, and a possible combination of specials produced by Channel 26 (WETA) here.

These could include "Interface," an all-black program and additional documentaries produced by the National Public Affairs Center for Television (NPACT).

Mr. MAGNUSON. Mr. President, when Congress enacted the Public Broadcasting Act of 1967, and thereby created the Corporation for Public Broadcasting, we declared unequivocably that the Corporation must be insulated from all governmental pressures—executive as well as legislative.

Even if Congress had not expressly said so, however, this freedom had to be axiomatic if the Corporation were to fulfill the mandate given it. Otherwise how could we expect it to serve public television in such sensitive areas as programing and disbursement of Federal funds.

As vital as this freedom is, however, it is equally important that the public, the individual stations, and the men and women in industry believe the Corporation is free from political pressures.

Even though the Corporation may in fact be insulated from governmental interference, if the contrary appears to be the case then confidence in its integrity and dedication to excellence will be weakened. In that event, the Corporation may just as well be subject to the political currents of the moment, because it will have lost the faith of its constituency and its demise will only be a matter of time.

Mr. President, I cannot emphasize too strongly the importance of the appearance of this freedom from government interference. To me loss of it is the great danger that confronts the Corporation for Public Broadcasting today. The air is full of charges and denials that officials in the administration are attempting to influence the activities of individual members of the Corporation's board of directors, and reshape public broadcasting according to its orthodoxy.

Significantly, these charges are not being made by special interest groups, or others whose objectivity or motives might be questionable.

Recently, the chairman of the board of directors of the Corporation, Mr. Thomas B. Curtis, an administration appointee—resigned because, in his words, the White House had "tampered with" the independent board, in express contradiction to assurances that he received.

At this point, Mr. President, I ask unanimous consent to insert into the Record a news story which appeared in the April 24 edition of the New York Times, based on a 2-hour interview with Mr. Curtis in which he discussed the circumstances surrounding his resignation, and his reasons for asserting that the White House had tampered with the independence of the board.

There being no objection, the article was ordered to be printed in the Record, as follows:

"Tampering" Cited in Public-TV Role

(By McCandlish Phillips)

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Mr. Curtis said it was now imperative that the board "reassert its independence and integrity" by devising procedures that would effectively insulate it from political pressures.

"I had the clear understanding that the President wanted us to so set up the Corporation for Public Broadcasting that public broadcasting could not be made a propaganda arm for the Nixon Administration or for any succeeding administration," the Republican appointee said.

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Mr. Curtis continued:

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'This board has been under very severe attack in the news media for the past 5 months, with people saying that it was involved in a 'Nixon takeover,' and I have defended it vigorously—and I underscore vigorously.

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"I asked Mr. Whitehead, when he testified [before the Pastore Committee] to state that the White House respected the integrity of the board and felt that it was essential to maintain it, and I thought he would, but he didn't," he said.

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KEEP HANDS OFF

The compromise plan, far from being the sole viable solution, was just one of many possible plans that might have worked, he said.

"It wasn't the deferral that disturbed me, it was the fact of interference," Mr. Curtis explained. "That was contrary to what I had understood the White House had agreed to do—namely, keep hands off.'

Mr. Curtis said that calls had been made to board members up to the very eve of the meeting on the compromise plan. "Four of the members told me they had been called, and two of them resented it," he said.

"I think the calls were primarily to shoot down the compromise," he asserted. "When a decision is about to be made, that's when they shouldn't be messing around.

"You don't interfere even by making phone calls. This kind of communication is improper."

His manner throughout the interview was good-humored, relaxed, plain spoken. "I'm not angry at anybody," the former Missouri Representative said. "I was there trying to do a job, and if I cannot defend the board as I did, I'm not useful any more.

"My aim was the integrity of the board. That was the sine qua non."

Mr. Curtis said that Congress had acted to create what it regarded as "an independent, nongovernmental corporation." The key to it, he said, are a six-year term for board members, "thereby exceeding the term of office of the President," and staggered terms, so that no President could appoint a majority to the board in a single term of office.

He likened the position of the C.P.B. in the Government to such regulatory agencies as the Federal Trade Commission and the Federal Communications Commission. "They are arms of the Congress, not of the Executive," he said.

Congress ruled that "no more than 8 of the 15 board members of the corporation be of the same political party, and it required that the board itself elect its own chairman," Mr. Curtis pointed out. That, he said, showed Congress' intent.

Mr. Curtis said that "most of these agencies have developed procedures which insulate them against political pressures of the Executive, and this board should be doing the same thing."

"Unless this board reasserts its independence and integrity," he continued, "and all groups respect this, I don't think the Congress will go along with having the Government in public broadcasting, because then you don't have it insulated against normal political pressures.

"All that's happened here is that the Executive has tried to get its opinion into the board—it isn't necessarily a takeover—but there's a proper way to go about it: Write a letter and make the letter public, not going behind closed doors and saying God only knows what talking to one commissioner at one time, to one at another time."

Mr. Curtis said the C.P.B. must "adopt firm rules" and deliberate decisions on the basis of "facts and fair arguments." "The way you deliberate is by letting everybody hear the same thing in a common forum," he said.

Mr. MAGNUSON. Others have spoken out as well. One of the most successful and distinguished stations in the public broadcasting system—WGBH, Boston—has, according to an article appearing in the April 27 edition of the Washington Post, threatened to refuse Federal funding for the coming fiscal year unless assured that the Corporation is not subject to "improper influence" from the White House.

If this occurs it would mean the end of the very popular children's program "Zoom" as well as the cancellation of "The Advocates."

Another distinguished Washington newspaper, the Evening Star & Daily News, has expressed its apprehension in an editorial on public television dated April 26.

The point, I believe Mr. President, is obvious. The independence and integrity of the Board of Directors of the Corporation for Public Broadcasting is being questioned, and this fact in and of itself threatens to undermine public confidence.

I, therefore, urge the Directors to move quickly and decisively to allay the fears and suspicions that have arisen. The fact of their independence is not enough, the public must believe it.

Mr. PEARSON. Mr. President, I support strongly the passage of S. 1090, a bill to extend the authorization of the Corporation for Public Broadcasting, and the authorization for facilities for noncommercial educational broadcasting. I commend the leadership of our distinguished Commerce Committee chairman (Mr. MAGNUSON), and our distinguished Communications Subcommittee chairman (Mr. PASTORE), in advancing the cause of public broadcasting. The legislation before the Senate today is essential if public broadcasting is to survive and prosper in an atmosphere absolutely devoid of political pressure and influence.

At its March meeting the Board of Directors of CPB adopted a resolution strongly urging the enactment of the Magnuson-Pastore bill. In its resolution the Board declared:

> The Corporation regards the two-year authorization as basic to sound planning for public radio and television activities and to the efficient use of taxpayer dollars. The Corporation regards the $60 million and $80 million levels for Fiscal 1974 and Fiscal 1975, respectively, as essential to the maintenance of a pattern of deliberate growth in public broadcasting's quality and quantity of services to the American tpeople.

I share the view of the Board and would urge passage of S. 1090, the opposition of the administration notwithstanding. The increase in funding and the assurances provided by a 2-year authorization are needed in order to achieve the level of excellence and diversity called for under the Public Broadcasting Act of 1967.

COMMUNITY SERVICE GRANTS—TELEVISION AND RADIO

If the Magnuson-Pastore authorization package is adopted and funded, the Corporation for Public Broadcasting in fiscal 1974 will substantially increase direct support to local stations through community service grants. In fiscal 1973, approximately $6.6 million is going to local stations to be used for purely local services. In view of the fact that CPB is limited by its continuing resolution to an overall appropriation of $35 million in fiscal 1973, this commitment to community service grants must be regarded as substantial. The Corporation proposes to make such grants totaling $19 million in 1974—assuming that $60 million is appropriated for the year. An allocation of this magnitude will help guarantee the fiscal stability of the local station—an element indispensible to an effective system of public broadcasting.

OTHER PROGRAM INCREASES

CPB proposes to increase its commitment to programs for public television by $9.4 million in fiscal 1974. Programs for public radio will receive an increased commitment of $818,000. Although CPB envisions, under the terms of S. 1090, an increase in obligational authority of about $24.5 million, it proposes to increase its professional staff by only nine positions. Virtually all the proposed increase will flow directly to the production and distribution of programs, and to the support of local stations. The CPB, in short, proposes not to build an empire, but to materially increase the level of services provided the public broadcasting system in the United States.

THE INDEPENDENCE OF PUBLIC BROADCASTING

There are serious issues in public broadcasting involving the relationship between the Corporation and the Public Broadcasting Service—which represents the local TV stations. These issues have not been resolved by the parties in this relatively new and expanding field of public service. The legislation before the Senate today properly does not attempt to arbitrate disputes between the stations and the Corporation. There may be an opportunity in the future for our committee to consider substantive changes to the Public Broadcasting Act of 1967. Suffice it to say that both the stations and the Corporation will suffer if S. 1090 is not approved and signed into law. This legislation is a modest attempt to salvage and promote those values in public broadcasting which are universally regarded as worthwhile and in the public interest.

Mr. President, the independence of public broadcasting from political influence and interference must be maintained. This independence is a condition precedent to the continuation of public funding in broadcasting under the mandate of the first amendment to the Federal Constitution. If the Congress, the industry, and the American people cannot devise a public broadcasting system wholly independent of political influences, then the experiment must be abandoned. The issue, in light of our profound commitment to the Bill of Rights, is as simple as that.

It is estimated that public broadcasting has an audience of some 40 million Americans. There can be no compromise: public broadcasting must be free.

The prospects of 40 million citizens watching public affairs programing directly or indirectly controlled by elected leaders is anathema to our cherished concept of freedom of speech and press.

In this context, Mr. President, I cannot adequately describe my concern over certain remarks made by a high-level White House adivser to the President on the Dick Cavett Show in mid-March of this year. The adviser attacked several PBS public affairs programs as "unbalanced against us," whoever "us" is, and coupled the attack with an affectionate—almost gleeful—recollection of the Presidential veto of the CPB authorization package approved by the last Congress. The clear impression left with the Cavett audience after this performance was that CPB would be severely limited in funding until its programing conforms more closely to the perceived values of high-level political appointees. Reportedly because of lack of funding, CPB has announced the cancellation of all the programs mentioned critically by the White House adviser on the Cavett show—except "Black Journal," which was proclaimed as "unbalanced against us" but perhaps has other redeeming social merits.

I do not accuse CPB of callous disregard of its mandate to be wholly independent in performing its duties. And I can understand the need to abandon some program grants in light of the possible budgetary limitations in the fiscal 1974 cycle. I can even understand the decision to salvage educational and cultural programing at the expense of public affairs commentary.

In my judgment CPB need not sacrifice public affairs programing on the altar of expedience in order to salve educational and cultural programing. The CPB must be afforded adequate funding to insure the responsible growth of all of its important activities. And public affairs programing, insulated from political interference, is an important activity of public broadcasting.

Mr. President, I have the highest regard for the members of the Board of the Corporation for Public Broadcasting. As the distinguished Senator from Rhode Island has observed, if I may paraphrase his words, the Congress could not have selected a more distinguished or qualified Board from among all the people of this Nation. I believe the resignation of CPB Chairman Tom Curtis was a tragic loss to public broadcasting, and it is regrettable that the transcending need for Board independence was a factor in Mr. Curtis' decision to resign. The Communications Subcommittee during hearings on S. 1090, assured the Board of its continuing commitment to Board independence. And the Board in turn reaffirmed its commitment to this requirement, the sine qua non of the whole enterprise.

I trust the Senate today will communicate, in these deliberations, the strongest possible commitment to independence in public broadcasting as well as full confidence in the members of the Board of CPB. How petty it would be, and how unfortunate, if the Congress were to reduce appropriation levels for CPB because of a perceived affront to a powerful Member by some commentator on a public affairs PBS program. Neither the Congress nor the administration should use the power of the purse in retribution against the beneficiaries of any governmental program. It is particularly important to follow this proscription in considering support for public broadcasting, as the fundamental freedom of Americans to be informed by independent commentators hangs delicately in the balance.

Mr. President, the passage of S. 1090, as reported by our committee, will signal not only our commitment to the financial support of local stations, and the educational and cultural programing of public broadcasting, but also our commitment to true independence in publicly supported public affairs programing. This action will signal our confidence in the people who have been charged with the responsibility to carry out the mandate of the act.

It is a most important bill.

Mr. PASTORE. Mr. President, I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

Mr. PASTORE. Mr. President, I yield back the remainder of my time on the bill.

Mr. BAKER. Mr. President, I yield back the remainder of my time on the bill.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1090) was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The second assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Indiana (Mr. BAYH), the Senator from Texas (Mr. BENTSEN), the Senator from North Dakota (Mr. BURDICK), the Senator from Nevada (Mr. CANNON), the Senator from Idaho (Mr. CHURCH), the Senator from Mississippi (Mr. EASTLAND), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Indiana (Mr. HARTKE), the Senator from Minnesota (Mr. MONDALE), the Senator from Utah (Mr. MOSS), the Senator from Georgia (Mr. NUNN), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Alabama (Mr. SPARKMAN), are necessarily absent.

I further announce that the Senator from New Jersey (Mr. WILLIAMS), is absent on official business.

I also announce that the Senator from Mississippi (Mr. STENNIS) is absent because of illness.

I further announce that, if present and voting, the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Utah (Mr. MOSS), would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Utah (Mr. BENNETT), the Senator from Tennessee (Mr. BROCK), the Senators from New York (Mr. BUCKLEY and Mr. JAVITS), the Senator from New Mexico (Mr. DOMENICI), the Senator from Arizona (Mr. GOLDWATER), the Senator from Florida (Mr. GURNEY), the Senator from Nebraska (Mr. HRUSKA), the Senator from Illinois (Mr. PERCY), the Senator from Delaware (Mr. ROTH), the Senators from Ohio (Mr. SAXBE and Mr. TAFT), and the Senator from Alaska (Mr. STEVENS) are necessarily absent.

On this vote, the Senator from Illinois (Mr. PERCY) is paired with the Senator from Arizona (Mr. GOLDWATER). If present and voting, the Senator from Illinois would vote "yea" and the Senator from Arizona would vote "nay."

The result was announced—yeas 66, nays 6, as follows:

[No. 119 Leg.]

YEAS—66

Abourezk
Aiken
Allen
Baker
Beall
Bellmon
Bible
Biden
Brooke
Byrd, Harry F., Jr.
Byrd, Robert C.
Case
Chiles
Clark
Cook
Cotton
Cranston
Curtis
Dole
Dominick
Eagleton
Ervin
Fong
Gravel
Griffin
Hart
Haskell
Hatfield
Hathaway
Hollings
Huddleston
Hughes
Humphrey
Inouye
Jackson
Johnston
Kennedy
Long
Magnuson
Mansfield
Mathias
McClellan
McGee
McGovern
McIntyre
Metcalf
Montoya
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Proxmire
Randolph
Schweiker
Scott, Pa.
Stafford
Stevenson
Symington
Talmadge
Thurmond
Tower
Tunney
Weicker
Young

NAYS—6

Bartlett
Fannin
Hansen
Helms
McClure
Scott, Va.

NOT VOTING—28

Bayh
Bennett
Bentsen
Brock
Buckley
Burdick
Cannon
Church
Domenici
Eastland
Fulbright
Goldwater
Gurney
Hartke
Hruska
Javits
Mondale
Moss
Nunn
Percy
Ribicoff
Roth
Saxbe
Sparkman
Stennis
Stevens
Taft
Williams

So the bill (S. 1090) was passed, as follows:

S. 1090

An act to amend the Communications Act of 1934, to extend certain authorizations for the Corporation for Public Broadcasting and for certain construction grants for noncommercial educational television and radio broadcasting facilities, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 396(k)(1) of the Communications Act of 1934 is amended to read as follows:

"(k)(1) There is authorized to be appropriated for expenses of the Corporation $55,000,000 for the fiscal year ending June 30, 1974, and $65,000,000 for the fiscal year ending June 30, 1975."

(b) Section 396(k)(2) of such Act is amended by striking out "1973" and inserting in lieu thereof "1975".

(c) Section 391 of such Act is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 391. There are authorized to be appropriated for the fiscal year ending June 30, 1974, and each of the three suceeding fiscal years such sums, not to exceed $25,000,000 in any such year as may be necessary to carry out the purposes of section 390. Sums appropriated under this section for any fiscal year shall remain available for payment of grants for projects for which applications, approved under section 392, have been submitted under such section prior to the end of the succeeding fiscal year."

SEC. 2. Section 399 of the Communications Act of 1934 is amended by inserting "(a)" after "SEC. 399." and by inserting at the end thereof the following new subsection:

"(b)(1) In order to assure compliance with this section and with other provisions of this Act requiring fair treatment of matters in the public interest, every license of a broadcast station which receives assistance under this title shall make audio recordings of each broadcast of a program in which issues of public importance are discussed, and shall maintain such recordings for a period of sixty days from the time such program is broadcast. Copies of these recordings shall be made available to the Commission upon its request, and to any member of the public upon payment of the reasonable costs associated with the making of such copies: *Provided,* That the foregoing requirement may be satisfied by retention of the audio tape by the Corporation for Public Broadcasting or any authorized entity.

"(2) The Commission shall by rule prescribe the manner in which such recordings shall be kept, and the conditions under which they shall be available to the members of the public, giving due regard to the goals of eliminating unnecessary expense and effort and minimizing administrative burdens.".

The title was amended, so as to read: "A bill to amend the Communications Act of 1934, to extend certain authorizations for the Corporation for Public Broadcasting and for certain construction grants for noncommercial educational television and radio broadcasting facilities, and for other purposes."

Mr. PASTORE. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. ROBERT C. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business with statements therein limited to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

WATERGATE

Mr. TUNNEY. Mr. President, never in our history has the foundation of trust in our Government been so severely shaken as now with the revelations of a vast political conspiracy coordinated from the White House.

Watergate has unleased a tidal wave of cynicism and doubt across our land, and credibility in our institutions is crumbling.

If credibility is to be restored—and if the doubts reflected in recent public opinion polls are to be resolved—swift action must be taken to assure an independent and thorough investigation of Watergate.

This morning, Elliot Richardson finally acknowledged that, as Attorney General, he plans to appoint a special prosecutor and "give him all the independence, authority and staff support" needed.

He gave no indication of how he plans to implement such a mandate. Nor did he say whom he will appoint.

He should do both when he makes his opening statement Wednesday at his confirmation hearing before the Senate Committee on Judiciary.

The committee, in my judgment, should jointly act on the qualifications of both Mr. Richardson and his designee as prosecutor.

Already, events may be getting beyond the control of an independent prosecutor. In Florida, one man has been indicted—a hasty event, which may foreclose needed testimony on the implications of the case. Only time will tell.

We need an independent prosecutor immediately with full authority to continue or to alter investigative activities or, indeed, to pursue presently unexplored activities.

Mr. Richardson insists that the man he will appoint must report only to him. It is imperative, therefore, that the Judiciary Committee, in the context of the ongoing Watergate investigation and related developments, consider not only Mr. Richardson's qualifications but also those of his subordinates.

Clearly, independence from any political string pulling is essential to the investigation into Watergate. All leads must be followed. All clues must be developed. All efforts at coverup must be overcome, so that all the facts are brought to light and the guilty are brought to justice.

Mr. Richardson, of course, owes a great deal to the President. Even though I have no doubt about Mr. Richardson's integrity, I feel that the American people want assurance that it will not be possible for anyone to interfere with this investigation.

I think it would be most helpful to all of us serving on the Judiciary Committee for Mr. Richardson, when the committee convenes on Wednesday to consider his qualifications, to announce who it is that he intends to name as the special prosecutor, assuming that Mr. Richardson is confirmed by the Senate.

Now, if it is impossible for the Attorney General-designate to give us an indication as to who he will name, I reserve judgment at the present time on whether or not I could vote for his confirmation. However, it seems to me that the Senate ought to consider the possibility of having Congress appoint the special prosecutor. It would seem that to do that, a resolution would be required which would duplicate procedures that safeguarded the investigation into the Teapot Dome scandal of an earlier generation.

Specifically, such a resolution would empower Congress to appoint a bipartisan prosecution team of two persons, one a Democrat and the other a Republican, both persons of consummate integrity. Such a team developed the truth in the scandal in the 1920's, and it certainly could do the same in this case. It would utilize the investigative facilities of the FBI and other arms of government, but its codirectors would be totally beyond the reach of manipulation or the silencing hand of superiors.

Although I do not feel that such a resolution at this particular moment is essential, if Mr. Richardson cannot give us some indication on Wednesday of who he plans to name and if he feels that he cannot give us any indication until such time as his nomination is confirmed by the Senate, then it may very well be appropriate for Congress to take action on a congressionally appointed special prosecutor resolution.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, May 7, 1973, he presented to the President of the United States the enrolled bill (S. 518) to abolish the Offices of Director and Deputy Director of the Office of Management and Budget, to establish the Office of Director, Office of Management and Budget, and transfer certain functions thereto, and to establish the Office of Deputy Director, Office of Management and Budget.

ORDER FOR RECOGNITION OF SENATORS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on tomorrow, immediately after the two leaders have been recognized under the standing order, the following Senators be recognized, each for not to exceed 15 minutes and in the order stated: Mr. PROXMIRE, Mr. GRIFFIN, Mr. BROCK, and Mr. ROBERT C. BYRD.

The PRESIDING OFFICER. Without objection, it is so ordered.

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR UNFINISHED BUSINESS TO BE LAID BEFORE THE SENATE TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate tomorrow upon the expiration of the 15-minute orders for the recognition of Senators, and that at no later than 10:59 a.m. the unfinished business be laid before the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program for tomorrow is as follows:

The Senate will convene at 10 a.m. After the two leaders or their designees have been recognized under the standing order, the following Senators will be recognized, each for not to exceed 15 minutes, and in the order stated: Mr. PROXMIRE, Mr. GRIFFIN, Mr. BROCK, and Mr. ROBERT C. BYRD.

At the conclusion of those orders, and not later than 10:59 a.m., the unfinished business will be laid before the Senate.

At no later than 11 a.m., the Senate will proceed to the consideration of the so-called EDA bill, H.R. 2246, on which there is a time agreement. Yea-and-nay votes will occur on tomorrow.

The unfinished business, S. 352, will be resumed upon the disposition of the EDA bill or upon the close of business tomorrow, whichever is the earlier.

ADJOURNMENT TO 10 A.M.

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10 a.m. tomorrow.

The motion was agreed to; and at 3:27 p.m. the Senate adjourned until tomorrow, Tuesday, May 8, 1973, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate May 7, 1973:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Lewis M. Helm, of Maryland, to be an Assistant Secretary of Health, Education, and Welfare, vice Robert O. Beatty, resigned.

DEPARTMENT OF THE TREASURY

Edward C. Schmults, of New York, to be General Counsel for the Department of the Treasury, vice Samuel R. Pierce, Jr., resigned.

IN THE ARMY

The following-named officer to be placed in the retired list in grade indicated under the provisions of title 10, United States Code, section 3962:

To be general

Gen. Frank Thomas Mildren, [redacted], Army of the United States (major general, U.S. Army).

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of Section 3066, in grade as follows:

To be general

Lt. Gen. Melvin Zais, [redacted], Army of the United States (major general, U.S. Army).

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Gloria E. A. Toote, of New York, to be an Assistant Secretary of Housing and Urban Development, vice Samuel J. Simmons, resigned.

EXTENSIONS OF REMARKS

SENATOR RANDOLPH STRESSES IMPORTANCE OF RECENT MEETING OF PRESIDENT'S COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, May 7, 1973

Mr. RANDOLPH. Mr. President, last week the President's Committee on Employment of the Handicapped held its 26th annual meeting at the Washington Hilton Hotel for some 4,000 invited guests and almost 100 program participants and speakers during 3 action-oriented days. The focus of this year's meeting centered on employment of the handicapped, attitudes toward the handicapped, and civil rights for the handicapped.

Professionals and volunteers from every State and several foreign countries responded to the White House invitation to attend this event. Prior to the formal opening of the meeting, a symposium on "The Handicapped in Latin America," arranged by the Partners of the Americas, was held at the Pan American Health Building on May 2. That evening, at the opening banquet, Aida Gindy, chief, social integration and welfare section of the U.N. Center for Social Development and Humanitarian Affairs, was the featured speaker.

Miss Pearl Bailey emceed the Thursday morning opening ceremonies where tribute was given to the courage of this year's Handicapped American of the Year, Farris C. Lind, of Boise, Idaho. Mr. Lind, despite complete paralysis due to polio, operates from his bedside the largest chain of independent gasoline stations in the State of Idaho. The President's Trophy, which is the Nation's highest honor to its handicapped citzens, was presented to Mr. Lind by Mrs. Julia Nixon Eisenhower, who also addressed the assembly.

Prizes totaling $2,500 were awarded to the national winner of the "Ability Counts" survey contest, cosponsored by the Disabled American Veterans and the President's Committee. The prize money, intended for educational purposes, was distributed by Mrs. Eisenhower to five high school students from across the United States. I am happy to state that the fourth place winner was Miss Vickie L. Rothausen, of Bluefield, W. Va.

The AFL–CIO provided transportation funds and expense money to the first place winner from every State so that these students could attend the Washington meeting.

A college and high school student each received a cash scholarship of $1,000 from the American Veterans of World War II, Korea and Vietnam—AM VETS—for their winning entries in the National Poster Contest cosponsored by the AMVETS and the President's Committee. The AMVETS also provided transportation and expense money for the winners' trips to the Capital.

Both of these contests are designed to increase awareness of the problems and potential of handicapped workers among young Americans.

Presiding over a simulated congressional hearing on the rights of the handicapped were several Members of the Congress: Senator HARRISON WILLIAMS, Senator BOB DOLE, Representative JOHN BRADEMAS, and Representative ORVAL HANSEN. These gentlemen have vigorously supported legislation benefiting the handicapped.

Witnesses at this session included outstanding handicapped persons who have been spokesmen for the needs of the handicapped, or who have been active in solving problems faced by disabled Americans in housing, transportation, employment, recreation, rehabilitation, education, and civil rights.

Music was provided by the St. Coletta Chorus, a group of 40 mentally retarded young singers from Jefferson, Wis.

President's Committee Chairman Harold Russell presided over the meeting, with the help of dedicated volunteers such as Pearl Bailey and Bob Considine. It was my privilege to attend the Thursday evening banquet and to meet and speak with many of these volunteers and professionals who are devoting their energies to the betterment of life for the handicapped. That particular banquet honored a close and dear friend of mine, a valuable civil servant, William P. McCahill, retiring soon as Executive Secretary of the President's Committee after giving 26 years of his life to directing its activities from its very inception. I think the American people, and particularly our Nation's handicapped, owe a very deep debt of gratitude to Bill McCahill for the accomplishments won for the disabled over the past quarter century.

Other highlights of the meeting included workshop discussions addressed to such problems as the self image of disabled individuals, the Nation's view of the handicapped, and the crisis brought about by the changing nature of and regard for work. Another panel dealt with recent legislation and court actions on behalf of the handicapped, and another with practical approaches to getting jobs. A film festival brought the very latest medium for communicating, from a handicapped person's viewpoint, what it is like to be "different" or treated differently.

Many of the topics approached during these panels were set into perspective by a group of articulate handicapped persons in the final day's general session. They discussed the immediate realities of "How Life Goes On," focusing on the life style of the average disabled person.

The 3-day meeting closed with an international luncheon sponsored by the President's Committee, the Partners of the Alliance, the People-to-People Committee for the Handicapped, and the Social and Rehabilitation Service of the U.S. Department of Health, Education, and Welfare.

Mr. President, I ask unanimous consent to print in the Extensions of Remarks the following items:

First, the opening welcome of Chairman Harold Russell;

Second, the tribute to the courage of the handicapped American;

Third, a brief survey of the past year's accomplishments for the handicapped, reprinted from the meeting program; and

Fourth, an article, "PCEH's Bill McCahill Retires After 26 Years," which appeared in the spring, 1973 issue of Handy-Cap Horizons.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE PRESIDENT'S COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED,
Washington, D.C., May 3, 1973.

A TRIBUTE TO COURAGE

(Delivered by Pearl Bailey before presentation of the President's Trophy to Handicapped American of the Year, Farris C. Lind, at the Annual Meeting of the President's Committee on Employment of the Handicapped, Washington Hilton Hotel, Washington, D.C., May 3, 1973.)

Nothing could make me happier than to honor the very special person who's been named Handicapped American of the Year.

He's Mr. Farris Lind, of Boise, Idaho, on stage with us this morning.

Farris Lind was born in 1916, to parents who operated a small row crop farm. He graduated from high school at the height of the great depression, and worked at thinning sugar beets and doing other contract farm work. By the time he was 19, he had a license to fly a plane and during World War II, became a Navy pilot.

At the end of the war, Farris Lind settled down to civilian life as operator of a service station in Boise. He was hardworking and aggressive and making a successful living for his growing family.

Then, in 1963, along with others in his community, he took a vaccine prescribed to stamp out polio. Instead it had the reverse effect. Within two weeks, he was paralyzed from the neck down.

For the past ten years, there's been little improvement in Farris Lind's physical condition. He lives either in an iron lung or with an electrically operated breathing mechanism. However, he directs a chain of 81 gasoline stations over a four-state area and employs 112 people.

The years since 1963 must have been incredible ones. We can only guess at the initial shock, pain and despair. But we *know* they were years full of a family's love and devotion, of unceasing medical efforts to restore a helpless body. And most of all, they were years in which Farris Lind's faith and courage were equal to every test.

He threw himself into the struggle to maintain and build the business and found this helped him overcome pain and frustration. He harnessed every available medical and technological aid to rebuild his life as family man, business leader and active member of his community.

But never, in all this time, was Farris Lind too involved with his own struggle to forget that others need help along the way.

He visits by phone and by letter with handicapped people throughout the nation.

His employees include many who are physically disabled or socially disadvantaged. And *all* whose lives he touches are enriched by knowing him.

Farris Lind, your home State of Idaho is proud of you as a very special son. We here today salute you as a valiant brother. And your Country is honored to call you Handicapped American of the Year.

THE PRESIDENT'S COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED

Washington, D.C.

GREETINGS BY HAROLD RUSSELL, CHAIRMAN

Charles Dickens said it over a hundred years ago, and it is just as true today: This is the best of times and this is the worst of times.

This is the best of times for growing numbers of handicapped people who are finding jobs in business and industry, in government and private enterprises . . . The best of times as more and more public and private sector employers are establishing hiring policies favoring the handicapped. The best of times as more and more government and private places of employment are being made accessible to the handicapped. The best of times as those being rehabilitated reach new records.

But, this is the worst of times for handicapped people who are not at work because society still has not completely accepted them, has not even listened . . . some with disabilities wrapped in age-old stigma such as epilepsy, facial disfigurement and mental illness; some with disabilities affecting communication such as blindness and deafness; some with disabilities impeding movement, such as cerebral palsy and paraplegia. And some young Vietnam disabled veterans with an unemployment rate three times higher than others.

This is the best of times for growing number of handicapped people who have found acceptance in their daily lives, on the job and off the job. It is heartening to see so many handicapped people taking an active part in social action, church work, recreation, shopping, travel, work, and play. Our American society, women's and youth groups in particular, is daily rubbing shoulders with handicapped persons.

But this is the worst of times for those handicapped people still frozen out of society by outmoded attitudes. For some who may look "different" or act "different" and are looked at with sidelong glances of alarm. For some who don't look or act "different," but who wear the tags "retarded", "mentally ill", "muscular dystrophied" or some other hidden disability, and are also looked at with alarm. We need a radical improvement in attitudes.

This is the best of times for growing numbers of handicapped people who are gaining their full civil rights in America by personal involvement, by activism, by vocal confrontation. So far, half a dozen States have passed laws including the handicapped in civil rights legislation and 48 have architectural barriers laws. The courts have handed down decisions bestowing upon the severely handicapped and retarded the rights to a decent education, to decent care in institutions, to a decent chance to make good lives for themselves. Governors' Committees and local volunteer citizens groups are daily opening up new opportunities, changing attitudes and emphasizing ability over disability.

But, this is the worst of times for so many handicapped people still deprived of their civil rights. For those who cannot get into voting booths or schools because of architectural barriers. For those still getting second-class treatment in our special education schools and in our institutions, who end up as America's forgotten people. For those whose full rights are not protected by law or by custom or by anything.

The best of times and the worst of times. Which brings us to why we are gathered here this morning.

We are here to examine what is going on in employment, in acceptance, in civil rights. We are here to do more than talk about the problems. We are here, most importantly, to listen. We are here to make our own decisions as to what we, singly or collectively, can do together wtih our handicapped brothers and sisters, to make this the best of times. The disabled among minority Vietnam veterans and among the poor have a particular message that requires our listening, with both heads and hearts.

Each of us can do something. Large or small, we can do something, talk, listen, act. All our "somethings" can add up to a revolution of acceptance of the handicapped, a revolution in public attitudes.

Individual "somethings" added up to an American revolution in 1776. And they can add up to another for the handicapped in 1973. But we can't just sit here. We have to do something. Now. Just like the people we will honor today. We have to persevere, to excell as volunteers and full-time professionals, listen, talk and act.

May God give us the strength and courage.

ACTIVITY

The past year has been marked by an upsurge of activity on many fronts involving those who are handicapped. Highlights:

THE NUMBERS

As part of the 1970 Census, the U.S. Census Bureau conducted a national survey of the handicapped. Findings are just beginning to be published. Among them: some 10 percent of the adults of this country are handicapped . . . about one-fifth are living on incomes below the poverty level . . . their unemployment rate is twice as high as the national average.

Other statistics of the past year:

Nearly one-third of a million handicapped people were rehabilitated under State-Federal vocational rehabilitation programs, an all-time record and 12 percent above last year's total . . . another 64,000 trained under Department of Labor manpower programs . . . one-third of a million placements were made by the Nation's public employment offices . . . nearly half-a-million disabled veterans registered with public employment offices during the year . . . half received services of some kind or other . . . but only 14 percent found jobs through these offices (many, of course, found employment on their own) . . . more than 40,000 disabled Vietnam veterans so far have taken training under the veterans Administration vocational rehabilitation program . . . the Federal Government added 17,000 qualified handicapped men and women workers to its payrolls this past year.

THE PHYSICALLY HANDICAPPED

The President's Committee is engaged in joint promotional campaigns with the National Multiple Sclerosis Society, Muscular Dystrophy Associations, American Foundation for the Blind and Epilepsy Foundation, to accomplish three objectives: (a) encourage more employers to hire persons with these disabilities; (b) better inform rehabilitation counselors, placement specialists and other professionals of the work potentials of these persons; (c) encourage the disabled persons themselves to prepare for work and to look for work.

An example: the Multiple Sclerosis Socity has disclosed nearly 50 case histories of persons with MS at work at every kind of occupation from coal miner to company president, belying the fact that MS victims usually are "unemployables."

THE MENTALLY RETARDED

An Employer of the Year awards program, co-sponsored by the President's Committee and the National Association for Retarded Children, drew a record 200 entries this year, indicating that growing numbers of employers are willing to stand up and be counted among the ranks of those who hire the retarded.

Two new publications were distributed during the year: "Jobs and Mentally Retarded People," a guide on how to prepare for work and how to seek work, and "Preparing for Work" a series of check lists for special educators, counselors and work-study coordinators. Both have been written so simply that most mildly retarded persons can comprehend them.

THE MENTALLY RESTORED

The President's Committee and the National Association for Mental Health are cosponsors of another awards program honoring employers who have done the most to hire the mentally restored. More than 60 entries were received, despite predictions that few employers would be willing to admit that they hire former mental patients. Attitudes seem to be changing. . . .

During the year, attention has been focused on the problem of mental patients in institutions given duties to perform for either no wages or exceptionally low wages. Are these duties work or rehabilitation? Should full wages be paid? These questions have entered the courts in a number of States.

DISABLED VETERANS

The jobless rate of disabled Vietnam veterans is two to three times higher than the rate for other veterans. Hence, the promotion of jobs for these young men continues as a top President's Committee priority.

Several Federal agencies are cooperating with the President's Committee in promoting employment. Among them: the Department of Health, Education, and Welfare; Veterans Employment Service of the Department of Labor; Veterans Administration; Jobs For Veterans Committee; others.

The Veterans Employment Service has engaged in a $2,000,000 program to employ disabled Vietnam veterans to engage in disabled veteran outreach work on State Employment Service staffs.

Articles, speeches and radio and TV appearances by President's Committee officials have stressed problems and opportunities of veterans as their dominant theme.

THE DISADVANTAGED HANDICAPPED

Handicapped persons in disadvantaged neighborhoods do not avail themselves of rehabilitation services to the same degree as handicapped persons in more affluent neighborhoods. One reason: the disadvantaged are not aware of the existences of programs to help them. Another reason: they have a hard time coping with public transportation to rehabilitation offices.

To help meet the first problem, the President's Committee developed an experimental flyer for the handicapped in the inner city of Washington, D.C., giving all the facts about rehabilitation as well as the steps needed to receive services. The flyer seems to be making an impact. Later, similar flyers will be prepared for other cities and towns for similar distribution among the disadvantaged.

BARRIER-FREE DESIGN

There has been much activity across the country in eliminating architectural and transportation barriers against the handicapped. A mere sampling:

Forty-eight States now have legislation requiring that all buildings built with State funds be accessible to the handicapped . . . A young lawyer in a wheelchair won a suit against Cuyhoga County, Ohio, on the grounds that he was deprived of his civil rights because the county's public buildings were not accessible to him . . . In a growing number of cities, yellow page telephone directories are carrying the wheelchair symbol alongside advertisers whose businesses are accessible . . . Several States are promoting legislation making voting sites accessible . . . Washington's Metro system, now under construction, has adopted a policy requiring elevators at its stations so that the system will be fully accessible . . . The President's Committee is going to receive a directory of more than 3,000 buildings funded by various Government agencies, so that volunteers can conduct onsite inspections to make sure they comply with the law requiring that they be accessible . . . .

The third edition of the President's Committee's Guidebooks for Handicapped Travelers has been published . . . The International Conference of Building Officials changed its uniform building code (used as a model throughout the U.S.A.) to include requirements for accessibility . . . the huge Dallas/Ft. Worth Regional Airport is the first in the country to be remodeled making it fully accessible to the handicapped . . . And much much more.

BUSINESS AND LABOR

Representatives of the Employer Committee and Labor Committee have been working with the Occupational Safety and Health Administration of the Department of Labor and the National Institute of Occupational Safety and Health of the Department of Health, Education, and Welfare to advise in new safety regulations which in the name of "safety" would not discriminate against the handicapped nor put unnecessary barriers in their search for jobs.

Members of both Committees also have been active in encouraging improvements in State Workmen's Compensation programs which would benefit the handicapped.

WOMEN

"Project Volunteer Power," a demonstration project funded by the Manpower Administration of the Department of Labor, now is in operation in three cities: Birmingham, Ala., Minneapolis, Minn., and Malden, Mass. This project of mobilizing civic groups in the service of the handicapped already has made notable contributions—surveys of the handicapped population, elimination of architectural barriers, improvement of job opportunities.

Dr. Donna May Barras, pediatrician from Downey, Cal., has been named "Handicapped Professional Woman of the Year" by Pilot International.

YOUTH

Several service, fraternal and voluntary organizations have taken on projects involving the handicapped during the past year. A few of them:

Circle K, the collegiate arm of Kiwanis, has developed programs serving the handicapped . . . Civitan has announced a project involving young people in the service of the mentally retarded . . . Boys Clubs have adopted a project of improving atttiudes of young people toward the handicapped . . . Boy Scouts and Girl Scouts have been devoting much more effort to extending their activities to handicapped boys and girls.

PUBLIC SERVICE

"American Profile," a summary of what each State merit system is doing (or not doing) to hire the handicapped as State employees, has been distributed. There has been a great demand for extra copies from personnel departments of State and local governments.

Another publication is being planned, summarizing the hiring programs of some 2,000 cities of various sizes across the United States.

RECREATION AND LEISURE

The new Recreation and Leisure Committee has adopted these projects as among its major activities:

Encouraging Governor's Committees to form their own Committees on Recreation and Leisure . . . Working with the Bureau of Outdoor Recreation to develop a national outdoor recreation plan for America which would provide full opportunities for the handicapped . . . Promoting careers in recreation for handicapped college students . . . Encouraging employment of mentally retarded persons in lesser-skilled occupations in the field of recreation and public parks.

OTHER ACTIVITIES

The Sheltered Workshop Committee has been distributing ideas on workshop operations to all the Nation's workshops . . . the Medical Committee is completing plans to promote employment of cardiac victims . . . the Physically Handicapped Committee has been advising the President's Committee about the dominant concerns of those who are physically handicapped . . . the Library Committee has been encouraging libraries to develop displays of books for and about the handicapped . . . the International Committee has been spreading information about employment of the handicapped to nations around the world . . . a busy year, indeed.

AROUND THE COUNTRY

There has been growing activity among Governors' and local Committees on Employment of the Handicapped. So far, 18 States have full-time Executive Secretaries. Of these 6 are funded by the employment service; 7 by vocational rehabilitation; 5 by State legislation. Another 33 States have part-time Executive Secretaries. Of these, 25 are funded by the employment service; 5 by vocational rehabilitation; 2 by State legislation; 1 by a junior college. Two States at present have no Executive Secretaries.

In a landmark move, the Manpower Administration has informed all the States that funds now are available for full time Executive Secretaries, "to assist Governors' Committees to increase their effectiveness in promoting and complementing State employment service efforts to place the handicapped."

The States Executive Committee, established by Governors' Committees themselves, has been actively engaged during the year in planning and conducting training conferences and other activities which strengthen State and local activities.

A NEW ACTIVISM

There is a new feeling across the land—of handicapped persons themselves seeking out their rightful place in the sun. Minnesota, for example, held a Statewide meeting at which more than 50 organizations representing the handicapped described the needs of the handicapped to the Governor and the State legislature. Several States have passed laws including the handicapped in State civil rights legislation.

In short, the handicapped no longer want to be on the fringes of society, grateful for whatever society tosses their way. The handicapped want to be in the thick of things, full-fledged citizens, with the same rights as all citizens.

The handicapped are on the move. . . .

[From Handy-Cap Horizons, Winter and Spring, 1973]

PCEH'S BILL McCAHILL RETIRES AFTER 26 YEARS

It was with dismay when we opened a note from William P. McCahill, and among other things read the statement, "I plan to retire as of June 30. . . ." After his serving 26 years in this wonderful work as executive secretary of the President's Committee on Employment of the Handicapped in helping to bring a much better life to our disabled citizens, it was hard to visualize anyone else filling his "shoes". However, we do know that a lot of thought will go into naming his successor, and we feel the most qualified person obtainable will be secured to follow through the work Bill has been so successfully doing.

The Committee which Bill, Jr.—as most of us call him—has headed in a full-time position is made up of voluntary citizens' groups working in informational and promotional fields to increase the job opportunities for qualified mentally and physically handicapped workers. (And in helping to increase the numbers of working handicapped, other benefits have resulted from the work of the Committee.) Handicapped groups, themselves, have always felt free to let Bill know how they felt on many matters of interest and beneficial to handicapped.

Born at Marshalltown, Iowa, June 29, 1916, Bill has lived in Mason City, Minneapolis, Fort Wayne, Dayton, Milwaukee, and Pittsburgh. Presently, he and his wife, Louise, and their three children reside in Arlington, Virginia. Bill is the son of William McCahill, Sr., well known to so many of our members—who after his own retirement seeks continuously to help others. For several years, he has served as volunteer consultant with People-to-People.

His civic and religious activities read like Who's Who (and we're sure he must be included in many such volumes). Try to name some worthwhile activity of which he's not a member . . . we'll bet you can't! There's DAV, VFW, AM-VETS, American Legion, Mar-Corps League, Catholic War Veterans, all types of Rehabilitation agencies, USA and International, personnel organizations, Boy Scouts, Advisor to Blinded Veterans Association, American Cancer Society, National Easter Seal Society, and a great many others. He's also chairman of the executive committee of the People-to-People Committee for the Handicapped (of which our highly-esteemed H-CH director, David Brigham, is executive director).

Bill, Jr. took his B.S. and M.A. degrees at Marquette University, majoring in journalism. He also received the MU College of Journalism By-Line Award.

Following graduation he served as Associated Press night editor, then joined the U.S. Marine Corps, of which he was a member from 1941 to 1946, now, Colonel of USMC Reserve. From service, he went to the President's Committee in 1947, working there until the present.

Bill is author of numerous articles and was general editor of The U.S. Marine Corps Reserve—A History, 1916–1966. Some of his articles include "Hit the Beach" (1943) and "First to Fight" (1947). He was executive director of the Marine Corps Reserve Officers Association from 1946 to 1953.

A Catholic, Bill is active in a great many Catholic organizations; he belongs to the Army-Navy Country Club, International Club, National Press Club, and has received dozens of honors and citations (several of which we've reported in previous issues).

We conclude by paying the sincerest tribute, by all Handy-Cap Horizons members, to this man of many accomplishments who has done so much to better the life of his fellow man! And, whether he remains "retired" or goes on to other endeavors, we wish for him and his family the greatest things in life—Good Luck, Bill!

FINANCING THE BOMBING OF CAMBODIA

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. ASPIN. Mr. Speaker, I urge all Members to support Representative JOSEPH ADDABBO's amendment to delete the provision of the supplemental appropriations bill that would allow the administration $430 millon in new transfer authority to finance the bombing of Cambodia.

There are several excellent reasons for turning down this request for more bombing money. Most of them deal with the manner in which the administration has been conducting the war. First of all, the bombing of Cambodia is absolutely unconstitutional. Second, it is a clear violation of the Cooper-Church amendment, which Congress passed in 1971. Others have already discussed these questions at length. I can only add that I agree that either argument is ample reason for denying the administration's latest request.

There is, however, another serious aspect of this question that we may have been overlooking. That is the manner in which the administration has been financing the bombing of Cambodia. It has come to my attention that the administration has been paying for the bombing of Cambodia with money not authorized by Congress, in an apparent violation of law. Not only is it a slap in the face of the democratic process, but it is flat out illegal. It is my opinion that there has been a serious violation of title 31, United States Code, section 665(a), commonly known as the Deficiency Act. Someone, or several someones, could go to jail over this.

Very simply, the Deficiency Act makes illegal for officers or employees of the Government to spend money that Congress has not appropriated. It is one of the most basic laws on the books governing the management of public moneys. It is based on the constitutional guarantee that "no money shall be drawn from the Treasury, but in consequence of appropriations made by law." Willful violations of the Deficiency Act are punishable by a fine of $5,000 or 2 years in jail.

In light of the seriousness of the matter, therefore, I feel it is my duty to report an apparent violation of that law connected with the administration's present request for additional transfer authority. According to the recent report of the Defense Appropriations Subcommittee, the Department of Defense has already spent $149 million of the $430 million transfer authority money it is now seeking congressional approval of. What this means is that the administration has already transferred the funds to pay for the bombing, and now it wants Congress to give it the transfer authority. It wants Congress to ratify its illegal spending. This is an outrage—and it is illegal under the Deficiency Act.

Transfer authority is authority granted by Congress for an agency to transfer a specific amount of money from one of its accounts to another. Traditionally, this transfer authority has been granted to allow the Executive flexibility to handle fiscal emergencies. In fact, it is sometimes called emergency authority. Transfer authority requires no new appropriation of funds, but Congress must approve each new authority and must set a dollar amount for it. Exceeding or anticipating an authorization for transfer authority is the same as exceeding a congressional appropriation. It is illegal.

The testimony of Department of Defense officials, cited in the recent report of the House Appropriations Committee on the second supplemental appropriations bill for fiscal year 1973, shows that $149 million has already been spent on Southeast Asia operations without congressional authority. The report says:

> Data submitted to the committee subsequent to the hearings indicate that in the third quarter of this fiscal year, January, February and March of 1973, $149 million above budgeted amounts has been obligated in support of military activities in Southeast Asia.

Testimony taken by the Defense Appropriations Subcommittee makes it clear that this money is part of the $430 million in transfer authority now being requested from Congress.

I call upon the Secretary of Defense to explain these apparent violations of law. In fact, under a provision of the Deficiency Act the responsible official must report on violations of the Deficiency Act directly to Congress. I have, therefore, asked William P. Clements, who is currently the ranking official of the Department of Defense, to make such a report as soon as possible. I have also requested the Justice Department and the General Accounting Office to undertake investigations of their own, with particular attention to possible criminal violations of law.

If indeed officials of the Department of Defense have violated the Deficiency Act, they are guilty of serious crimes and must be punished. The laws that appear to have been violated here are basic laws, essential to our whole governmental process. If the Pentagon is allowed to get away with this, we are all in trouble. If this goes, anything goes. Now is the time for Congress to take a stand against this illegal war and the illegal money that is going to finance it.

RESOLUTIONS OF THE INDIANA GENERAL ASSEMBLY

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Monday, May 7, 1973

Mr. HARTKE. Mr. President, I have received the following resolutions from the Indiana General Assembly memorializing Congress on subjects of interest to my colleagues. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

HOUSE CONCURRENT RESOLUTION NO. 14

A concurrent resolution congratulating Marvin Johnson for winning a bronze medal for boxing in the Twentieth Olympiad.

Whereas, The citizens of the state of Indiana take great pride in the many accomplishments of Marvin Johnson; and

Whereas, Marvin Johnson, at the age of fifteen, in 1970, won the middleweight division of the Indiana Golden Gloves boxing competition; and

Whereas, Marvin Johnson, also in 1971, won light heavyweight division of the Indiana Golden Gloves boxing competition; and

Whereas, Marvin Johnson, also in 1971, won the light heavyweight championship in the national Golden Golves boxing competition;

Whereas, In 1971, Marvin Johnson won the championship in the AAU light heavyweight boxing competition; and

Whereas, In 1971 in New York, Marvin Johnson won the championship in the North American boxing competition; and

Whereas, In 1971, Marvin Johnson toured Poland and England, where he won numerous boxing matches; and

Whereas, Marvin Johnson, in 1972, toured the Soviet Union and again won several boxing matches; and

Whereas, In 1972, Marvin Johnson won the championship in the heavy middle weight National Golden Gloves competition in Minnesota; and

Whereas, In 1972, Marvin Johnson won three fights in the Olympic trials in Fort Worth, Texas in the heavy middle weight class; and

Whereas, In 1972, Marvin Johnson won a boxing match in New York City to qualify for the United States boxing team; and

Whereas, Between August 26 and September 10, 1972, Marvin Johnson won two fights in the Twentieth Olympiad in Munich, Germany; and

Whereas, Because of the two victories in Munich, Marvin Johnson was awarded a bronze medal: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the General Assembly on behalf of the people of Indiana extends its congratulations to Marvin Johnson for his extremely successful participation in the Indiana and National Golden Gloves boxing competitions, his successful European tours, and especially for his outstanding performance on behalf of the United States Boxing Team in the Twentieth Olympiad.

SECTION 2. That the Clerk of the House of Representatives be directed to transmit copies of this resolution to the President of the United States, Richard M. Nixon; to each of the members of Indiana's delegation to the Congress of the United States; to the Governor of the state of Indiana, Dr. Otis R. Bowen; to Marvin Johnson; and to Colen Chaney, Marvin Johnson's boxing coach.

HOUSE CONCURRENT RESOLUTION NO. 35

A concurrent resolution memorializing the Federal government to take actions to preserve and continue federal highway programs.

Whereas, The Congress failed to enact an appropriation act in 1972 which would have permitted the states to contract for projects to maintain a continuing highway program through the 1973 construction season; and

Whereas, The Federal government, through the Office of Management and Budget, has withheld federal highways funds from the states which have been appropriated by Congress; and

Whereas, Indiana's highway users pay $1.60 in federal highway taxes for every $1.00 returned to the state under the present distribution formula; and

Whereas, Proposals have been made to use highway user tax monies to subsidize uneconomical mass transportation systems; and

Whereas, Additional proposals have been made to dilute the apportionment of highway trust funds by providing for direct allocations to sub-divisions of state government which would have the effect of undermining the concept of long-range, comprehensive, and cooperative transportation planning between affected units of government; and

Whereas, Indiana's highway users pay both state and Federal user taxes to fund continuing and comprehensive road, street and highway programs; and

Whereas, Many citizens are maimed or lose their lives each year because the highway program continues to fall short of what it should be because of continued withholding and/or division of the dedicated Federal highway user funds; Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

Section 1. The Congress of the United States, and in particular the Subcommittees on Roads of both the Senate and the House of Representatives and the Indiana congressional delegation are hereby urged to take early action to appropriate monies, which are allocated by law to the states, from the Federal highway trust so that orderly state highway programs can be continued. Congress is also urged to enact a new highway bill which will better reflect Indiana's leadership in completing its interstate mileage, its importance to interstate commerce as a result of its location at the crossroads of America, and the contribution by the taxpayers of the State to the highway trust fund.

Section 2. The President of the United States and his subordinate agencies of the Office of Management and Budget and the United States Department of Transportation are hereby memorialized to take all steps necessary to apportion and make available for obligation, those highway trust funds which are due to the state of Indiana, legally apportioned and appropriated to the state of Indiana.

House Resolution No. 25

Whereas, the continuing flooding conditions along the Indiana shores bordering on Lake Michigan are further aggravating an already critical erosion problem, and

Whereas, particularly in and around the towns of Long Beach, Michiana Shores and Dunesland Beach, the situation has reached near catastrophic proportions and

Whereas, the town of Long Beach has exhausted all of its resources and has gone into debt attempting to protect its water supply from flooding contamination and trying to keep access roads open so that the residents do not become isolated, and

Whereas, the general destruction of property and disruption of services is endangering the health and safety of all of the residents of the area, and

Whereas, the conditions are such that it is imperative that the State of Indiana take official action. Therefore, be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

Section 1. That we respectfully request Governor Bowen, that because of the flooding conditions he officially declare and designate the Indiana lake shore area bordering on Lake Michigan as a disaster area.

Section 2. That he communicate that fact to the responsible federal officials and urge them to take appropriate action, forthwith, in accordance with federal disaster relief laws which, among other things, would make it possible for the residents of the stricken area together with the towns, to obtain low interest loans to repair the damages to the residents' property, in particular, and the entire area in general.

Section 3. Be it further resolved that the Clerk of the House forward copies of this resolution to the Indiana Senators and Representatives in the Congress of the United States.

Adopted by the Indiana General Assembly, 1973 Regular Session.

House Resolution No. 31

Whereas, the President through his "New Federalism" program has sought to restore the meaning of pluralism and true community; and

Whereas, the President has vowed his continued concern for ameliorating poverty; and

Whereas, the Community Action Against Poverty programs in Indiana have striven toward the involvement of poor communities in our social processes and the increase of citizen decision-making and responsibility for community affairs; and

Whereas, the Community Action Against Poverty programs in Indiana have worked hard for constructive, democratic and peaceful solutions to the problems of the day. Therefore, be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

Section 1. That the Indiana Legislature hereby memorializes the President and the Congress of the United States to make available sufficient funds for the continuation of those Community Action Against Poverty programs, which have shown their capacity for fruitful and positive work in ending poverty.

Adopted by the Indiana General Assembly, 1973 Regular Session.

CORRUPTING OUR YOUTH

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. GAYDOS. Mr. Speaker, the shocked parents of three teenage daughters have brought to my attention a piece of pornographic filth whose effect, if indeed not its purpose, only can be the furtherance of the efforts underway nowadays to corrupt the morals and thus ruin the lives of the rising generation.

The article, entitled "After the First Kiss," appeared in what these parents and, unfortunately, thousands of others throughout the country had believed to be a decent and acceptable magazine devoted to the interest of young people.

The magazine is Ingenue which bills itself as "The Magazine of Today's Teenagers" and I understand it is readily available by subscription and on the newsstands where its covers and headings are devised to attract the attention particularly of young girls. In its April, 1973, issue it seeks to counsel them on how they should conduct themselves in intimate relations with their boyfriends—in "petting."

But the piece, appearing under the byline of Wardell Pomeroy, in truth is a parading of the worst rot that has been published anywhere outside the pages of those hard-core "porn" magazines bought and read by deviates. It goes far beyond advice on "petting" to instruct its teenage readers on acts of sexual perversion which it describes in detail with no words barred. Writer Pomeroy's language is not fit to be repeated here.

Not only this, but the writer has the gall to tell his readers that the acts which he depicts are the "things most people do before marriage," a bold lie and an ugly libel on the vast majority of Americans who are clean and normal. If the writer does not know this, then he needs to get out of the world in which he lives and associate with the decent elements of our society.

What are we going to do about matters such as this? Surely, as members of Congress, we bear a heavy responsibility of protecting our people, and especially Young America, from those who by design or through some stupid idea of permissiveness would rip out the moral undergirding of the Nation. I intend to do what I can and am forwarding the Ingenue article to the postal authorities.

I know the courts have fumbled on their duty and that the foes of decency have succeeded in filling many minds with confusion about what is morally right and what is morally wrong. Meanwhile the tide of filth keeps rising. Now that it has gotten to the place where, in a widely circulated youth magazine, it seeks to reach youngsters with claims that it is commonplace practice, action is demanded.

I quote from the letter sent me by an alarmed parent:

> I want to strike out at someone—it's hard to decide how to fight this kind of thing. But I will do several positive things, first, cancel the magazine subscription just as other parents I have talked with have indicated they will do, and, second, join an active anti-pornographic group such as "Morality on Media."

I hope all parents will so react. But the fight on filth is not for them to wage alone. The problem has become too big and too widespread. It needs to be smashed by government wielding whatever new laws are required to get the job done. I cannot state my feeling on this too strongly. Let us not let this Nation collapse as have others in the past from an inner moral decay. There is an historic pattern about this which must not be disregarded.

THE 25TH ANNIVERSARY OF ISRAEL

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. PATTEN. Mr. Speaker, the foundation of the State of Israel 25 years ago today, was a reaffirmation of man's faith in freedom, justice, and dignity.

All Jews have made the journey to Israel: For some, it has been a spiritual journey to the land of their fathers. And for others, it has been a physicial journey to escape the cruelty and injustice of discrimination practiced in many nations.

Statehood did not end the challenges faced by the hardy and determined pioneers in Israel. The State of Israel, attacked by its neighbors, confronted with a barren land, burdened with economic and political problems, and faced with the Herculean task of forging a refugee populace into a unified and dynamic citizenry, has not only survived, but has thrived as no nation has done in the history of the world.

Mr. Speaker, throughout the brief history of the State of Israel it has been a proud distinction for the United States to be called Israel's friend. That we have made that friendship a pillar of our foreign policy is a credit to our Nation. Should the United States live for thousands of years, we could have no prouder moment than when President Harry S. Truman made the commitment to support the recognition of Israel—a small, but great nation.

In the House of Representatives, I have helped sponsor legislation to strengthen Israel's defense capabilities, to denounce the discriminatory treatment of Jews in the Soviet Union, and to deny Rusia the most-favored nation trade status if it continues its unfair emigration policy. Mr. Speaker, on Israel's 25th anniversay, I pledge my continued friendship and support.

QUESTIONNAIRE FOR URBAN PLANNING SPECIALISTS

HON. JAMES W. SYMINGTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. SYMINGTON. Mr. Speaker, America's urban problems continue barely abated as taxes increase and some cities near bankruptcy. In an effort to chart a new course for urban America, we in Congress need expert advice. Recently, a Ph. D. candidate at American University developed a questionnaire designed to elicit such advice from urban planning specialists. At this point, I insert the questionnaire in the RECORD. I ask that all planners carefully read this questionnaire and return their responses to me: Representative JIM SYMINGTON, 307 Cannon Building, Washington, D.C. 20515.

The questionnaire follows:

1. Are you (mark all that apply):
--White/Caucasian (1)
--Black/Negro/Afro-American (2)
--American Indian (3)
--Oriental (4)
--Mexican American/Chicano (5)
--Puerto Rican-American (6)
--Other (7)

2. What is your age group:
--50 years or older (1)
--Over 35, but under 50 years (2)
--Under 35 years of age (3)

3. What type of city do you work in:
--Central City (1)
--Suburban (2)
--Independent/Rural Town (3)

4. What Form of Government does the city have:
--Mayor-Council (1)
--Council-Mayor (2)
--Other (3)

5. What size city do you work in:
--Over 500,000 (1)
--250,000 to 500,000 (2)
--100,000 to 250,000 (3)
--50,000 to 100,000 (4)
--25,000 to 50,000 (5)
--5,000 to 25,000 (6)

6. Does the long-range solution to ghetto problems and the metropolis require the destruction of the ghetto? (Rain 1969)
Yes--(1)
No--(2)

7. Is desegregation desirable? (Longendorf 1969)
Yes--(1)
No--(2)

8. Is scatter-site, low density public housing the quickest method to desegregate suburbia? (Langendorf 1965)
Yes--(1)
No--(2)

9. Will advocacy planning have a significant effect on institutional racism? (Stafford 1969)
Yes--(1)
No--(2)

10. Are the majority of today's planners adequately trained & educated to deal with the problems of the ghetto? (Brooks 1968)
Yes--(1)
No--(2).

11. Today's planners are more politically involved and authorize social planning more often than planners 10 years ago? (Hansen 1968)
Yes--(1)
No--(2)

12. Modern problems require more comprehensive plans and more diverse skills in planners than problems of the 1960's? (Loeks 1967)
Yes--(1)
No--(2)

13. Contemporary metropolitan issues require a redefinition of planning and more involvement with other disciplines? (Ferin 1967)
Yes--(1)
No--(2)

14. The American city was designed as a place for making money, not as a place for living—only the Federal government can reverse these priorities? (Blumenfeld 1967)
Yes--(1)
No--(2)

15. Mark in terms of overall effectiveness one of following citizen participation strategies: (Burke 1968)
(1)--education therapy
(2)--behavioral change
(3)--staff supplement
(4)--cooptation
(5)--community power

16. The planner should be placed in the center of all non-routine affairs of the given city or department? (Friedmann 1965)
Yes--(1)
No--(2)

17. Planners' special competence rests with his or her comprehensive outlook? (Altshuler 1965)
Yes--(1)
No--(2)

18. Specialization is a denial of a planner's comprehensive outlook and negative his or her generalized "public interest" concern?
Yes--(1)
No--(2)

19. The more specialized the planner, the less relevant and effective is the planning produced? (Altshuler 1965)
Yes--(1)
No--(2)

20. The market place and free enterprise, not governmental planning are the most efficient distributors of commodities to achieve maximum overall utility? (Petersen 1966)
Yes--(1)
No--(2)

21. New planning and modern planners are more concerned with process than end product, more concerned with social-economic than physical planning? (Mocine 1966)
Yes--(1)
No--(2)

22. Redistribution of resources to disadvantaged groups should be among the very top priorities of planners? (Frieden 1967)
Yes--(1)
No--(2)

23. Planners should become intimately involved in public management and the decisionmaking process? (Heikou 1960)
Yes--(1)
No--(2)

24. Should a goal of governmental planning be control of private development? (Heikoff 1960)
Yes--(1)
No--(2)

25. Should governmental planning be limited to protection of the public's safety, health, and welfare? (Heikoff 1960)
Yes--(1)
No--(2)

26. A planner's proper purpose is to serve the public and success of planning depends on meeting one's professional obligations? (Lee 1960)
Yes--(1)
No--(2)

27. Key to social planning for economic development is seen as education and jobs? (Cohen 1963)
Yes--(1)
No--(2)

28. The history of urban planning has been more inspirational than accurate? (Piven 1964)
Yes--(1)
No--(2)

29. The knowledge and techniques of planners has failed to keep pace with the increasing complexity of cities? (Piven 1964)
Yes--(1)
No--(2)

30. Planners must broaden and deepen the comprehensiveness of their plans if desired social goals are to be achieved? (Webber 1963)
Yes--(1)
No--(2)

31. Please mark the type planning you do most of the time (Dyckman 1961):
(1)--functional, associated with work of operating departments
(2)--Land and facility use planning
(3)--Management planning, integrating functions, setting priorities, sharing decision making

32. Are most planners dependent on acceptable audience such that most plans reflect a conservative bias (Dyckman 1961).
Yes--(1)
No--(2)

33. Emotional opposition from citizens is very likely if communities are caught unaware of major decisions which have already been made (Levine 1960)?
Yes--(1)
No--(2)

34. The prime function of planning is to guide action, hence planning must be associated with the office of chief executive if effective action is to ensue (Fagin 1959)?
Yes--(1)
No--(2)

35. Most planning fails to see communities as comprehensive totalities (Haworth 1957)?
Yes--(1)
No--(2)

36. The best planning is the least planning and planners should advise majorities not decide goals? (Howard 1955)
Yes--(1)
No--(2)

37. Planners are largely technicians and should simply do their job for their client or employer? (Bauer 1950)
Yes--(1)
No--(2)

38. Is there a shortage of qualified planners?
Yes--(1)
No--(2)

39. Should planning graduate schools admit minority students on a quota basis?
Yes--(1)
No--(2)

40. Should planners simply prepare plans feasible of accomplishment and sell their plans to the powers that be? (Bennet 1949)
Yes--(1)
No--(2)

41. A planner's major responsibility is to offer to the general public guidance for achieving social desires and needs? (Mocine 1948)
Yes--(1)
No--(2)

42. Most planners usually act in ways and areas which do not threaten vested interests and status quo? (Mumford 1948)
Yes__(1)
No__(2)

43. Most older planners are afraid to upset vested interests and clients while younger planners are usually not allowed to participate in decisions?
Yes__(1)
No__(2)

43. Planning still lacks adequate definition? (Black 1944)
Yes__(1)
No__(2)

44. When planners become involved in controversial issues, they are more likely to bring disrepute to planning than solve the issues? (Read 1943)
Yes__(1)
No__(2)

45. In terms of linking Federal programs to people, regional planning bodies are generally more useful than State planning agencies? (Odum 1943)
Yes__(1)
No__(2)

46. Planning should be independent from politics and short-term pressures?
Yes__(1)
No__(2)

47. Planners should be where the action is—close to executive decisionmakers, operating departments, and political influentials?
Yes__(1)
No__(2)

48. Regardless of the issue, there is usually a close alliance between government at all levels and big business?
Yes__(1)
No__(2)

49. Local plans should be prepared only in accordance with ability to pay for implementation; and such local plans should not factor in elusive promise of federal funds? (Eddy 1937)
Yes__(1)
No__(2)

50. Public ownership of health, mass transit and freight, and telephone operation is becoming more likely, more necessary? (Wehrwein 1935)
Yes__(1)
No__(2)

51. The 1970's mark a welcome return to the sound policy of minimum intervention by the Federal government into affairs concerning private property and local government? (Wehrwein 1935)
Yes__(1)
No__(2)

52. Failure to resolve most public problems is not the result of poor planning, but of lack of political leadership? (Bauer 1934)
Yes__(1)
No__(2)

53. Planning should be taken out of the hands of politicians and placed with businessmen and professional planning experts? (Reed 1928)
Yes__(1)
No__(2)

54. Most planners are socially minded generalists with a single speciality? (Hubbard 1927)
Yes__(1)
No__(2)

55. Planning should not result in artificial barriers to assimilation/integration; but planners should not force assimilation/integration where people are not ready for or do not want it? (Bassett 1918)
Yes__(1)
No__(2)

56. Planners' priorities should be for services for the poor, not planning activities concentrating on the suburban affluents? (Weiller 1911)
Yes__(1)
No__(2)

57. The U.S.' greatest need is economic democracy—redistribution of wealth?
Yes__(1)
No__(2)

58. The concerns of most planners in the 1960's were poverty and racism?
Yes__(1)
No__(2)

59. Environmental legislation is now a more important/critical national problem than racism?
Yes__(1)
No__(2)

60. More planners have become less adventurous in thought, more complacent about slums and social injustice, and more engrossed in details of traffic analyses and zoning questions. (Scott, 1969)
Yes__(1)
No__(2)

61. Most city and regional planning is being done mainly as short-range problem-solving.
Yes__(1)
No__(2)

62. Genuine and committed planners are not content to accept any factors in city life as outside human foresight and control. (Mumford, 1932)
Yes__(1)
No__(2)

63. Too many planners work for the wrong sponsors— big business and big government.
Yes__(1)
No__(2)

64. The profit motive and the present capitalist system is responsible for much of unplanned urban sprawl, pollution, and poverty now afflicting our cities.
Yes__(1)
No__(2)

65. The communications, electric, gas, rail and air systems of the nation should be nationalized because it is wrong to make large private profits from delivery of essential services.
Yes__(1)
No__(2)

66. Most businessmen are interested in only 2 things—money and golf. They will never do anything big for cities (Augur, 1965)
Yes__(1)
No__(2)

67. Economic considerations, not sociological or humanitarian reasons motivate businessmen to support governmental social programs.
Yes__(1)
No__(2)

68. There is no clearly enunciated Federal Urban policy; certainly a national plan for cities is needed as well as a national planning agency.
Yes__(1)
No__(2)

69. It is impossible to measure the total effect of planning per se as a preventive or remedy for physical/socio-economic defects. (Segoe, 1937)
Yes__(1)
No__(2)

70. Most planners are forced to limp along with inadequate funds to do the long-range planning job expected of them. (Walker, 1941)
Yes__(1)
No__(2)

71. To be really effective, planners must have influence on and be responsible to *both* the executive and legislative branches. (Blucher & Segoe, 1968)
Yes__(1)
No__(2)

72. The Federal government should take over, at least, part of the training of planners—even to the extent of establishing a National Academy of Planning.
Yes__(1)
No__(2)

73. Americans like nothing better than to participate in governmental decisions to improve their cities.
Yes__(1)
No__(2)

74. Planning must be a regular part of municipal operations; planners in government service are generally more effective than those working for citizen groups.
Yes__(1)
No__(2)

75. Private enterprise, i.e. businessmen using tax credits, can best solve the problems of pollution, substandard housing, and traffic congestion.
Yes__(1)
No__(2)

76. The larger percentage of blacks in a city, the less likely private enterprise and state governments are to invest necessary capital for redevelopment.
Yes__(1)
No__(2)

77. Generally speaking, unless a master plan for an entire area is adopted irreparable harm will be done. (Reed, 1937)
Yes__(1)
No__(2)

78. To prevent further heterogeneous sprawl, a metropolitan authority must be established with control over transportation, sewers, water supply, air and water pollution. (Bartholomew, 1948)
Yes__(1)
No__(2)

79. The alternative to metropolitan government is chaos and waste. (Bartholomew, 1948)
Yes__(1)
No__(2)

80. In the next 15 years, most American cities will have re-centralized (complete with central business district) in the suburb(s).
Yes__(1)
No__(2)

81. Central cities are generally rather ugly, noisy, and violence-prone.
Yes__(1)
No__(2)

82. Adequate space for housing of people lies at the basis of all reform of central cities conditions. (Weber, 1901)
Yes__(1)
No__(2)

83. Neighborhood city halls and small civic centers in each neighborhood will promote citizenship and make government more responsive. (Riis, 1902)
Yes__(1)
No__(2)

84. Lack of land use regulation and strict zoning laws causes blight and urban decline.
Yes__(1)
No__(2)

85. The weakness of planning is lack of any single/central control over all related public developments. (De Forest, 1908)
Yes__(1)
No__(2)

86. A city without a plan is like a ship without a rudder. (Marsh, 1909)
Yes__(1)
No__(2)

87. Taxing the rich can be Democracy's most effective method of securing social justice. (Robinson, 1909)
Yes__(1)
No__(2)

88. We need a local concept, a love and pride in local traditions and local ideas. (Nolen, 1909)
Yes__(1)
No__(2)

89. To avoid mistakes of the past, cities must undertake planning far broader in scope than anything attempted thus far.
Yes__(1)
No__(2)

90. Planners need to be more practical and functional in their planning than aesthetic.
Yes__(1)
No__(2)

91. Copy planning is municipal conservation; it is urban ecology.

Yes__(1)

No__(2)

92. Ecologically speaking—it is more important to conserve our open spaces and wilder areas than it is to improve central city life.

Yes__(1)

No__(2)

93. Most plans are developed out of wisdom, experience, and expertise.

Yes__(1)

No__(2)

94. Elected officials and big business make the most important changes in a city's life.

Yes__(1)

No__(2)

95. To gain respect and be effective, planners must become part of the local bureaucracies.

Yes__(1)

No__(2)

96. Cities should be required to form metropolitan governments based on SMSA data.

Yes__(1)

No__(2)

97. States should eventually be required to merge into Federal regions.

Yes__(1)

No__(2)

98. Far too much planning is merely the correction of past mistakes, too little attention is given to the future. (Lewis 1916).

Yes__(1)

No__(2)

99. Would central city governments' purchases of land and housing outside their legal boundaries further racial integration and metropolitan government?

Yes__(1)

No__(2)

100. All cities over 500,000 in population should be required and be given Federal funds to purchase 5 mile circular greenbelts around the cities' legal limits.

Yes__(1)

No__(2)

101. The Federal government should initiate gas rationing and require all cities over 250,000 to keep autos from the central business districts.

Yes__(1)

No__(2)

102. Planners usually leave the implementation details to specialized city departments, utility companies, and private developers. (Olmstead, 1919)

Yes__(1)

No__(2)

103. The best solution for our 10 largest cities is statehood; turn these cities into separate states and many urban problems would disappear. (Batten, 1913)

Yes__(1)

No__(2)

104. Central cities are the most forceful, liberal and democratic units of government; most progressive governmental programs have come about because of pressure from central cities. (Howe, 1914)

Yes__(1)

No__(2)

105. No large town or city has taken city planning very seriously. (Nolen, 1919)

Yes__(1)

No__(2)

106. Only an intellectual elite like planners can perceive indications of future emergencies and urban crises; the average person thinks of pollution and traffic jams as mere growing pains. (Scott, 1969)

Yes__(1)

No__(2)

107. The Planning process should insure special interests impose checks on administrators and politicians.

Yes__(1)

No__(2)

108. Usually only the governmental side of a controversy is aided by the expertise and techniques of planners.

Yes__(1)

No__(2)

109. Experienced, older planners are more aware and tolerant of limitations imposed on them.

Yes__(1)

No__(2)

110. Experienced, older planners usually produce more practical, implementable plans than do younger planners.

Yes__(1)

No__(2)

111. Ideally, planners should determine where the facilities they plan should be located.

Yes__(1)

No__(2)

112. Ideally, planners should determine which current city policies and practices should be changed.

Yes__(1)

No__(2)

113. Ideally, planners should determine the levels to which programs are funded and revenue is distributed.

Yes__(1)

No__(2)

114. Most of the time, planners formulate their proposals only on the merits of an issue.

Yes__(1)

No__(2)

115. Non-partisan plans are usually better than partisan-supported ones.

Yes__(1)

No__(2)

116. Bipartisan plans are usually better than plans supported by a single political party.

Yes__(1)

No__(2)

117. Virtually every ordinary citizen is qualified and able to decide most issues city administrators now decide.

Yes__(1)

No__(2)

118. Ordinary citizens should have as much input and influence in city plans and decisions as professional planners do.

Yes__(1)

No__(2)

119. The attitudes and opinions of professional planners are usually reflected in their work, in what they produce.

Yes__(1)

No__(2)

120. The professional and political beliefs of planners often have a major impact on urban governmental programs.

Yes__(1)

No__(2)

POST CARD REGISTRATION AGAIN

HON. JAMES G. MARTIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. MARTIN of North Carolina. Mr. Speaker, I believe that many Members would be interested in reading an editorial on "Post Card Registration" which I received from the Jefferson Pilot Broadcasting—WBT/WBT-TV—of my district. I would like to insert in the RECORD the text of that editorial.

POSTCARD REGISTRATION AGAIN

In this station's view, anybody who's not interested enough to register just isn't interested in voting. For that and other reasons, we consider the Postcard Registration Act proposed in Congress to be an expensively wasteful, absurd and potentially dangerous scheme.

This same idea was mercifully shot down by Congress last year, but has popped up again stronger than ever. The way it's supposed to work is that, every two years, in advance of the federal elections, the Census Bureau distributes registration cards to all households. You fill one out, mail it in, and get back notice that you're registered. Of course you have to go through the same thing every two years. But at no time does the Registration Board get any look at you. So, anyone willing to risk it can fill out a whole bunch of cards with phony names and vote under all those names later on. The possibilities for fraud are tremendous.

That nightmare aside, there is simply no reason to spend from 100-to-300 million dollars on this sort of thing every two years. Most people who don't register just don't care to vote. In North Dakota, for example, citizens register at the time they vote. Yet in last year's presidential election, nearly a third of those eligible failed to show up. In Texas, you could register by mailing in a newspaper coupon. But more than half the voters stayed home. Our own Mecklenburg Elections Board did practically everything but lasso people to get them registered. Yet nearly 56% of the voting-age population *didn't* vote.

Postcard registration wouldn't even make a dent in this kind of apathy. It would merely throw away hundreds of millions of your tax dollars.

The Senate resumes debate on this horror when it returns from vacation Monday. By that time, we hope you will have shot off a card, letter or telegram to both *your* Senators urging them to hold fast against this senseless and dangerous waste of your money.

CONGRESS SHOULD HAVE A SHARE IN THE RESPONSIBILITY FOR DETERMINING FUTURE STATUS OF THE URANIUM ENRICHMENT INDUSTRY IN AMERICA

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. HOSMER. Mr. Speaker, enriched uranium is a necessary fuel for nuclear power stations. Our capacity for enrichment is running out. Additional facilities will be needed beyond those presently operated by the AEC, and will be augmented by its diffusion plant cascade improvement and uprating program—CIP/CUP. There follows views I recently communicated in a letter to the American Public Power Association regarding the problem of providing the additional capacity in America:

MAY 3, 1973.

Mr. LARRY HOBART,
American Public Power Association,
Washington, D.C.

DEAR LARRY: This is a follow up to my telephone call to you commenting on your April 19th letter to me in which you contended that restoration of the ceiling on separative work unit sales from the government's gaseous diffusion plants to the plant's aggregate capacities as enhanced by CIP/CUP "effectively eliminates any justification of other criteria changes which are based on 'commercial' consideration related to possible private enrichment or new AEC facilities which may come into being in the future."

I believe that restoration of the ceiling does not have that consequence.

My reason is that possibilities still very much exist for uranium enrichment in the United States to go under some other management structure than the AEC's womb where it now is. Moreover, the existence of sensible, businesslike criteria such as proposed by AEC are an essential prerequisite for movement in that direction.

This is despite the recent AEC move to relax to a small extent its provision for industrial access to enrichment technology. From the comments which were made after AEC proposed this move last January, I gather that no one seems to feel that the screws have been loosened sufficiently to give private industry the full data needed to support a timely decision to get into the business; i.e., a decision early enough to enable a facility to be started and constructed in time to avoid a nuclear fuel gap sometime in the early 1980's.

This is also despite the fact that anonymous reports from unidentified sources from time to time ambiguously indicate that unnamed persons in the Nixon Administration already have determined that the next increment of enriching capacity shall be installed by private industry. The events of the past few days leave it uncertain whether these unidentified parties are even around any more. But more importantly, the decision as to the sponsorship of new capacity is not one for the White House to make all by itself. Even a superficial understanding of the real world circumstances involved should lead one to believe that the Joint Committee on Atomic Energy would share in it substantially. As a matter of fact, the Committee has already announced that it will schedule Section 202 hearings on the future of uranium enrichment in July.

I agree with you that presenting the need for the criteria exclusively in terms of it being a prelude to private enrichment was a mistake on the AEC's part. Apparently, AEC was conned by people at OMB into asserting, or at least intimating, that somehow long term purchase commitments are needed now to soften up the utilities for private ownership by eliminating their addiction to requirement type contracts, or to justify the government going ahead with new capacity if private industry turns it down, or something.

The fact is that the private entrepreneurs are not being held back by worry over marketing and financing arrangements. As everyone knows, they are deterred because the AEC still refuses to give them the sufficient technical data to make intelligent judgments on, among other things, the question of going the diffusion route or the centrifuge route. Nor are the long term commitments essential, as OMB seems to intimate, if the enrichment business is to remain an AEC monopoly. The President needs no such contracts to recommend authorization and appropriation of money for expanding the enrichment complex and certainly Congress doesn't need any contracts to vote the money for it. In fact, considering the lead times involved for construction and power supplies, if no alternative is developed very soon, the Congress itself is going to have to take the bull by the horns just to avoid the nuclear fuel gap threatened a decade from now by lack of foresighted action soon to start building additional enrichment capacity.

There are, of course, other alternatives for the provision of that capacity than just going private or merely staying AEC public. These are shifting to:

A government corporation with its own independent borrowing power; or,

To a Comsat type semi-public corporation; or,

To a co-op type arrangement as envisaged by the Sporn plan.

There are infinite variations to any of these alternative management structures. The choices will be many and difficult, particularly that between profit and nonprofit approaches to enrichment.

In many ways, opening up these alternatives for evaluation will be facilitated by the existence of the businesslike criteria proposed by AEC. They will establish a pattern of customer relationships essential for comparing the alternatives and assessing their relative merit. For this reason, it is hoped that you and APPA will not persist in your opposition to the criteria. Their existence during the forthcoming "202" hearings on the future of uranium enrichment will enhance the excellence of this forum for intelligent discussion of the problem. It will move forward the date when a rational decision can be made concerning that future.

Cordially,

CRAIG HOSMER,
Member of Congress.

FATHER DAMIEN: A MODERN MARTYR

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. MATSUNAGA. Mr. Speaker, since its dedication several years ago, Hawaii's statue of Father Damien in the Capitol's Hall of Columns, sculptured by the renowned artist, Marisol Escobar, has inspired thousands of Capitol visitors.

Regrettably, only a few of those visitors know the story of Father Damien's exemplary Christian life and about his work in the leper settlement on the island of Molokai.

Almost 2 years ago, patients in the Carville, La., leprosy hospital visited the Capitol and suggested through their hospital newspaper that a suitably inscribed plaque outlining the main events in Father Damien's life be attached to the statue. Their suggestion was brought to the attention of Honolulu Star-Bulletin Editor A. A. "Bud" Smyser, who wrote to me. I am pleased to report that a beautiful bronze plaque, designed by Alfred Preis, executive director of the Hawaii Foundation on Culture and the Arts, has now been attached to the statue. The cost of designing, casting, and installing the plaque was borne by the State of Hawaii.

I strongly urge my colleagues to revisit the Father Damien statue and read the plaque's moving inscription, for I am sure that it will enhance their appreciation of the statue—a work of art and a monument to a modern martyr, Father Damien.

The text of the plaque's inscription, written by Gavan Daws, author of a biography of Father Damien, reads as follows:

> *Greater love has no man than this, that a man lay down his life for his friends.*—John 15:13.
>
> "Born a farmer's son at Tremeloo, Belgium, January 3, 1840, Damien joined the Missionary Congregation of the Sacred Hearts and was ordained a Roman Catholic priest at the Cathedral of Our Lady of Peace in Honolulu in 1864. In 1873 he volunteered to serve alone at the leprosy settlement on the island of Molokai. For sixteen years he lived and worked among leprosy victims of all faiths and races. He ministered to their doomed bodies and, by his presence, gave them the reassurance they so desperately needed that they had not been forsaken either by God or by men. On April 15, 1889, Damien died among his people, of leprosy."
>
> The sculptress Marisol Escobar, working from photographs of the dying priest saw in Damien "the mystery of physical transformations—as if he had become what he wanted to become."

THIRTIETH ANNIVERSARY OF WARSAW GHETTO UPRISING

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. DULSKI. Mr. Speaker, 30 years afterward there is very little outward sign of the Warsaw Ghetto to remind inhabitants and visitors of that tragedy. But there are many invisible scars on the minds and bodies of the survivors and free people everywhere, and it behooves us to reflect on the events that caused them.

Under Nazi occupation Polish Jews suffered from a systematic policy of degradation and extermination. By the end of 1940, nearly one third of Warsaw's population was crowded into less than one-twentieth of the city's area. The daily caloric ration was 184 per individual; sanitation was almost nonexistent; and starvation and disease were rampant.

The extermination was not swift enough for the Nazis, though, and deportations to death camps began in July 1942. Sealed off as they were, Jews in the Ghetto found arming for resistance almost impossible, and in 2 months over 300,000 of them were killed there or deported.

When the deportation "action" started up again in January 1943, the Jewish Fighter Organization—ZOB—though undermanned and underarmed, resisted with the meager means at their command. Their surprise tactics won them a victory as well as more time to organize, secure arms, and prepare their defenses.

April 19, 1943, marked the beginning of the Warsaw Ghetto uprising. On May 16, 1943, SS Gen. Juergen Stroop announced:

> The former Jewish quarter of Warsaw is no longer in existence.

The fighting had been ferocious and the death toll terrible.

Certainly the bravery in fighting against overwhelming odds was admirable. But an even more remarkable resistance to tyranny sprang from the spirit of people in incredibly crowded and deprived conditions, walled off from the rest of the city by their oppressors.

Social, educational, medical, and cultural activities were formed. There were courses in music, literature, religion, science, and medicine; lectures, theaters, libraries, and clubs.

In the Washington Post, April 15, 1973, Genia Silkes, who was in Warsaw during the uprising, was quoted as saying:

> The resistance was not only the uprising, but the illegal schools, the theaters, the lectures, the tremendous life, a spiritual Jew-

> ish life in the ghetto. That really was the resistance in the ghetto.

Mrs. Vladka Meed, who was also there said, according to the Post:

> There were really very high moments in life. We had starvation, it's true. But at the same time we had a net of illegal schools. . . . In the beginning our philosophy was to survive as human beings. We didn't know when the ghetto was created that this was really destruction, absolute annihilitation. We didn't believe it. So the way was to survive as human beings. This was the ghetto philosophy and this was resistance, for living. Later on, the resistance was for a dignified death. But resistance was true all the time.

Surely these are the important points to remember in commemorating this 30th anniversary of the Warsaw Ghetto uprising. Faced with the horrors of everyday life and the fears of imminent death, those in the Ghetto used their courage and inner resources to sustain them. They have provided a great heritage for their children and all freedom loving people.

DETERIORATION OF SERVICE IN THE POST OFFICE

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. WALDIE. Mr. Speaker, the Alameda-Contra Costa Postal Central Council, representing postal letter carriers in these two counties of California, have expressed to me their great concern for the deterioration of service in the post office. Additionally, they have drawn up a brochure, which they are sending to 24,000 homes, explaining in full the changes in administrative practices that have resulted in this decline of service.

Mr. Speaker, I have been greatly disturbed by the problems the Postal Service is facing, and I greatly commend this association of letter carriers for taking it upon themselves to bring the causes of these problems to the attention of the public. I am including in the RECORD a sample of this brochure for the information of other Members of Congress:

> DEAR PATRON: Are you getting what you are paying for today in the postal service? As your letter carrier, I wonder! For years our dependable postal service has been a "way of life" for everyone. The downward trend in the postal service is affecting everyone in their business as well as private life. Below are some of the reasons behind the deterioration of the service.
>
> A. Elimination of collection boxes in the residential areas and cutbacks in collection services to existing boxes.
>
> B. Elimination of Saturday window service in some cities, while other areas are suffering cutbacks.
>
> C. Cutting back on the number of times a day special deliveries are made. On some days, particularly Sundays and Holidays, many areas have no special delivery service whatsoever!
>
> D. Managing or controlling the mail flow by:
>
> 1. Starting carriers later in some cities forcing later delivery.
>
> 2. Starting earlier in some cities (particularly business areas) delaying the mail to you since many dispatches reach the post office after the carrier has left the office for his route. This mail will not reach you until the next day.
>
> 3. Cut back in business deliveries from three to two and now to one a day, causing hardships in many cases.
>
> 4. Not meeting the time dates on some publications.
>
> 5. Having *ALL* mail from most cities sent to one sectional center for distribution and then returning it to the city for delivery thus causing a day or more delay in most instances right within a city.
>
> 6. Undue delay of third class mail (Special sales brochures).
>
> 7. Faulty postmarks which are unreadable to the public.
>
> 8. Elimination of all city and time identification on postmarks.
>
> E. Exploitation of employees by:
>
> 1. Eliminating replacement of carriers retiring or leaving the service, causing reductions in work force.
>
> 2. Carriers absorbing work loads of absentee carriers forcing late delivery of mail.
>
> 3. Excessive pressures on carriers, injurious to health.
>
> The National Association of Letter Carriers, and other postal unions have done all they can by law to prevent further deterioration of the postal service. Now we feel we must turn to you, and ask your help. I'm asking that you take a few minutes of your time to write to one or all of the following people, telling them how you feel about the deterioration of the postal service and how it has affected you.
>
> Postmaster General E. T. Klassen, U.S. Postal Service, Washington, D.C. 20260
>
> Senator Alan Cranston, Senate Office Building, Washington, D.C. 20510.
>
> Senator John Tunney, Senate Office Building, Washington, D.C. 20510.
>
> Congressman Robert Leggett, Fourth Congressional District, House Office Building, Washigton, D.C. 20515.
>
> Congressman Ron Dellums, Seventh Congressional District, House Office Building, Washington, D.C. 20515.
>
> Congressman Pete Stark, Eighth Congressional District, House Office Building, Washington, D.C. 20515.
>
> Congressman Don Edwards, Ninth Congressional District, House Office Building, Wash-Washington, D.C. 20525.
>
> Congressman Jerome Waldie, 14th Congressional District, House Office Building, Washington, D.C. 20515.
>
> Thank you for aiding us in helping to give you the kind of service you deserve—and pay for. Please write! Now!
>
> YOUR CONCERNED POSTAL EMPLOYEE.

CONCERN FOR THE PROBLEMS OF THE ELDERLY

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. FINDLEY. Mr. Speaker, I am today introducing a proposal which would permit social security recipients to earn up to $3,300 annually without suffering the penalty of reductions in their regular cash benefits. I am concerned, not only by the need for action to help our older citizens to meet the burden of rising living costs, but by the fact that the present limitation serves to rob these citizens of the incentive to better their own circumstances. Many citizens, who could otherwise attain a higher standard of living by augmenting their social security incomes, hesitate to do so, because of the penalty of reduced benefits.

Other proposals I have introduced to alleviate the problems of the elderly include a bill to permit the airlines to reinstitute reduced fares on a standby basis for senior citizens and one which would allow a Federal tax credit to those 65 and older for expenses incurred, because of property taxes. The latter has been included in the President's suggested proposals for tax change.

GETTING THE BENEFITS

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. GAYDOS. Mr. Speaker, this upset economic era is proving conclusively that the collectivism of the Soviet farm system has failed miserably on the job of keeping the Russian people fed.

Despite the vastness of Russia's tillable soil, unequalled in extent in any other major country, and more farm hands than can be counted, Soviet agricultural production has fallen sharply over recent years.

Bad weather has been blamed officially, but this is not the complete answer by any means and Moscow, on occasion, is honest enough to admit it. Bureaucratic foulups have been disclosed and castigated in the controlled Russian press since the days of Nikita Khrushchev.

Purchase of American wheat and other grains is serving currently to keep the Soviet larder from going dangerously bare. Russia also is buying heavily from the farms of Western Europe. Indeed, the so-called West has become the breadbasket not only for Russia, but for China, too—the food source which these Communist nations need so badly.

And, at this point, enters into the picture the most amazing paradox imaginable—an irony which demands far more attention from us than it is getting. The Western nations—the "Free World"—not only are feeding the Communists, but they are doing so at far less cost to the Communists than is being charged our people for our own food.

We know how the Soviet negotiators took the Nixon administration in the deal for 400 million bushels of U.S. wheat at a fixed price below that paid by Americans at the time, considering the subsidies and other Government tax supports involved. Now the Russian bargain is even greater in the light of present wheat quotations. Indeed, Representative HAYS said recently that his research showed the deal with Russia "just cost the American consumers about $2 a bushel more than they would have had to pay for grain if the deal had not been made."

Now we learn in United Press International dispatches from Brussels that the Russian buyers are doing equally as well for their food-short country in dealing with the European Common Market.

A deal has been completed there whereby the Soviet Union will get 200,000 tons of Western European butter at a money loss to Western Europeans of more than $300 million.

The butter had been declared surplus and taken off the market at minimum price of $2,300 a ton and is being sold to the Russians for $420 a ton. The reason is the same as the one given here for the wheat deal. Stockpiling is too expensive over the long haul. Nevertheless, the deal figures out, according to UPI, that the Russians are getting Western European butter at about one-sixth the price Western European housewives are being charged for it.

We might let the Russian bonanzas pass as quirks in the world's jumbled economic situation and we are sure our negotiators and those in Brussels will attempt to rationalize them as such. But there can be no circumventing the truth that an arrangement which allows a flunking communistic agricultural system to reap the benefits of the Free World's production successes proves the absurdity of governmental farm policies here and in Western Europe and the need of drastic changes.

TWENTY-FIFTH ANNIVERSARY OF ISRAEL

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. ANDERSON of California. Mr. Speaker, the establishment of independent statehood has always been an impressive achievement. It was a heroic feat in the 19th century when, to gain independence, Greeks, Serbs, Italians, Hungarians, and others were compelled to wage long and bitter battles against their overloads. It was no less heroic in the mid-20th century in the era of the United Nations and "peaceful change," when the people of Indonesia and Ghana demonstrated their ability to translate a sense of national destiny into sovereignty and viability.

In the case of the Jews, however, who had not lived for generations on the soil they venerated, who had but recently lost two-fifths of their people in the greatest genocide in history, the task of building a nation was even more formidable.

They had no powerful allies, as did most nations of the world in their early struggles for independence. They were faced with the hostility of a mighty empire and thousands of armed Arab neighbors.

For a quarter of a century, Israelis have struggled through bloodshed and hardship to develop the progressive State of Israel that was brought into existence on May 14, 1948. The reality that today Israelis, and Jews around the world, are celebrating the 25th anniversary of nationhood gives evidence to their success.

For the first 25 years Israel has progressed in spurts of energy between wars with their Arab neighbors. Her existence has been one plagued by an implacable hostility of her neighbors. Unable to mitigate the Arab assaults, Israel nevertheless has bravely resisted them time and time again.

The first 25 years has been a chapter of this resistance, not only of the inherent hardships and hazards but also the victories.

In every field of endeavor, the Israelis have shown intellectual capabilities to provide new insights, approaches, and methods to meet the many challenges of everyday living.

Perhaps the need to make the most of scarce resources inspired the new state to rely on science and technology. Now Israel's research workers, engineers, and technologists have been placed high in the international scientific community.

Despite all the initiative and invention, the people of Israel have been unable to attain the formula which would bring peace to their soil. It is the hope and dream of all free men that wars between the Arab nations and Israel will be ended. On the event of the 25th anniversary, I cannot think of a more appropriate time for the nations to unite in peace.

Let this year be the year when the Israeli diplomats and statesmen will be successful in convincing the Arab nations to accept Israel's sincere offer of peace.

On this occasion, the 25th anniversary of Israel's independence, I join my friends of Israel around the world in offering my most sincere congratulations and expressing my hope that the next year's celebration will be a celebration of peace.

TVA'S ESCALATING RATE INCREASES HIT CONSUMERS, ADVERSELY AFFECT INDUSTRY

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. EVINS of Tennessee. Mr. Speaker, our Subcommittee on Public Works Appropriations recently completed hearings on the cause and impact of a series of escalating rate increases by Tennessee Valley Authority.

As indicated in my recent newsletter Capitol Comments, these rate increases are of great concern because the prosperity and economy of the Tennessee Valley are, to a measurable degree, conditioned by the actions and decisions of TVA.

TVA has done so many good things and rendered so many splendid services—flood control, power generation, navigation, attraction of industry, and recreation, among others—that one is reluctant to criticize this great agency.

However, with respect to the steadily escalating power rates, I feel constrained because of the numerous complaints received from people in the Tennessee Valley, to take action in fully developing the facts concerning the magnitude, impact, and causes of these rate increases.

Because of the interest of my colleagues and the American people in this subject, I place the newsletter in the RECORD herewith.

The newsletter follows:

CAPITOL COMMENTS

(By JOE L. EVINS, Fourth District, Tennessee)

TVA'S SERIES OF ESCALATING RATE INCREASES HITS CONSUMER POCKETBOOKS, ADVERSELY AFFECTS INDUSTRY IN AREA

The Subcommittee on Public Works Appropriations—of which your Representative is honored to serve as Chairman—this week conducted three days of hearings and review of the pattern of escalating power rate increases by Tennessee Valley Authority.

The hearings developed testimony and evidence that include the following:

Despite repeated assertions by TVA officials that the power rates of the agency are generally lower than in other sections of the Nation, spokesmen for industry in the Tennessee Valley testified that plants at other locations pay less for electric power than plants in the Tennessee Valley are required to pay. Testimony indicated that residential rates remain lower than rates by private utilities—but the gap between the TVA and private power rates is narrowing.

Since 1967 TVA has implemented six wholesale power rate increases totaling about 70 percent when compounded, which compares with rate increases averaging about 12 percent for investor-owned private utilities. TVA officials insisted that these statistics are misleading, although the facts were not disproven.

TVA's financial condition improved measurably between the time when TVA first alerted distributors of the last rate increase and when the rate increase was implemented and—according to an investigation by the staff of the Committee on Appropriations—TVA did not disclose its changed and improved financial condition at the time the increase was put into effect. TVA officials insisted that the increase was necessary to avoid a future deficit situation and that they were required by law to make the increases to cover increasing costs.

TVA's profit margin was 7 percent last year, which is almost twice that of investor-owned private utilities averaging about 4.5 percent annually.

TVA's retained earnings—profit retained for investment in physical plant, expansion and improvements—constitute 20.4 percent of the agency's total capital account while investor-owned utilities have only 11.8 percent of retained earnings in their capital structure. TVA officials took the position that rates would have risen even higher had this money not been retained to effect needed plant and equipment expansions.

TVA's steam generating plants cost more to build and require about twice as many personnel to operate than similar plants of like size of investor-owned utilities. TVA officials did not adequately explain such differences to the Appropriations Committee.

TVA does not hold public hearings to provide any adversary proceedings for the people of Tennessee and the Valley to have an opportunity to be heard when rate increases are proposed, although virtually all other public and private utilities are required to justify rate increases at some type of hearing.

TVA's rate increases since July of 1967 are as follows:

Month rate increase effective	Percentage of increase	Additional annual revenues (millions)
July 1967	7.5	$27.3
March 1969	7.3	28.2
August 1969	6.0	24.8
August 1970	3.4	16.2
October 1970	24.1	98.7
January 1973	8.9	64.6
Total	57.2	259.8

Although the total rate increases would appear to aggregate 57.2 percent, when compounded by consecutive rate increases, the total is almost 70 percent.

In an opening statement laying the foundation for the hearings, your Representative emphasized that as a longtime supporter and champion of TVA, he shares the pride of other residents of the Tennessee Valley in the agency's outstanding record of accomplishments in flood control, electric power generation, navigation, reforestation, and industrial development. However, as Chairman, I deplored the circumstances reportedly necessitating these huge rate increases on the people of the area served.

The fear was expressed that with rates escalating, TVA may lose its image as a low-cost power yardstick and further that these continuing rate increases pose a potential danger to the economy of the entire TVA area.

It was emphasized that the purpose of the hearings was to be helpful and constructive and to assist TVA in avoiding power rate increases in the future.

Many protests against these rate increases have been received from residents, small businessmen and industries in the Tennessee Valley.

It is my view that these hearings were helpful and productive, and it is my hope that they will assist TVA in averting and avoiding further excessive power rate increases. The TVA low-cost power yardstick must be maintained and preserved or major industries will not continue to locate plants in the Tennessee Valley area.

The prosperity and economy of our area, to a measurable degree, is conditioned by the actions and decisions of the Tennessee Valley Authority.

THE SOVIET PRESENCE IN THE PERSIAN GULF

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. SPENCE. Mr. Speaker, it has long been my contention that the most dangerous aspect of the current energy shortage is our growing dependence on foreign oil reserves. It is particularly unfortunate that those countries on whom we place our greatest reliance for future oil requirements are generally located in a highly unstable area politically—an area which is especially vulnerable to Communist aggression.

I have warned time and again against depending too heavily on those minor potentates in the Mideast for our supplies. At any time, they could decide to up the ante for our oil, or even cut us off entirely. In addition, the possibilities available to Communist opportunism in that part of the world should be obvious.

Recently, columnist Joseph Alsop wrote a very thoughtful article on the fragile nature of our strategic posture in the Persian Gulf and the Indian Ocean and what might happen should the "crunch" come. To quote from his column:

> If there is ever a crunch in the Persian Gulf and the Indian Ocean, in sum, the present outlook is that American naval power on the scene will necessarily be inferior to Soviet naval power. In such a crunch, our only base in the whole area would be the tiny, politically insecure facility we are now allowed to use on the Island of Bahrain, in the Gulf itself. But this could never sustain a U.S. force comparable to the much larger naval power their new bases will allow the Soviets to deploy in the area if they see a need for it.

Mr. Speaker, I have been to the island of Bahrain, and I have studied the situation over there very carefully. I can confirm that Mr. Alsop has provided valid information about the potential for serious difficulty in the future.

So that the attention of my colleagues may be alerted to these possibilities, as well as their import for the future security of this country, I include the article appearing in the April 25 issue of the Washington Post entitled "The Soviet Presence in the Persian Gulf" by Joseph Alsop in the RECORD at this point:

THE SOVIET PRESENCE IN THE PERSIAN GULF

(By Joseph Alsop)

Because of the energy crisis—which is really a strategic crisis—the jugulars of the United States, Western Europe and Japan now run through the Persian Gulf. So, it is deathly important news that the Soviet Union is now thoughtfully building its own naval base at the head of the Persian Gulf, where all these oil-jugulars can be cut.

The new Soviet naval base will be at Um Qasr, on the Iraqi shore of the Gulf. The story for publication is that the Soviets are generously helping Iraq to build an additional port. The actual fact is that the Soviets will have a fully operational naval base at Um Qasr in about one year.

Significantly, the construction at Um Qasr has already caused trouble at the head of the Persian Gulf, plus an obvious Soviet exercise in the old art of gunboat diplomacy. The trouble arose from an attempt by Iraq to infringe on the established border of the small but immensely rich neighboring oil-sheikdom of Kuwait.

While the row between Iraq and Kuwait was at its worst, between April 3 and 11 of this year, the Soviets sent the cruiser Sinyavin and lesser fighting ships to the head of the Persian Gulf, to give "moral" support to Iraq. The trouble has now simmered down into negotiations. But Iraq continues to lay claim to two islands belonging to Kuwait. These little islands simultaneously mask the approaches to Um Qasr, and would also put Kuwait in pawn, if controlled by a hostile power.

Behind all this, there has been a long, expensive and successful Soviet effort to buy up all the more important vipers in the viper-pit of Iraqi politics. The Soviet effort in Iraq has attracted far less attention than the much less adroit Soviet effort in Egypt. But the effort in Iraq is vastly more important, at least from the standpoint of Western interests and Soviet gains.

Nor is this the end of the story, by any means. Simply for want of feasible competition, the Soviets now enjoy effective naval predominance in the Indian Ocean, at the Persian Gulf's other end. As yet, they have not begun to keep a large force in the crucial western basin of the Indian Ocean—through which all oil tankers from the Persian Gulf must pass. It is a costly thing to do, since the nearest naval base on Soviet territory is Vladivostok, halfway around the world.

Yet what our navy calls ship-days (meaning number of days combat ships are at sea) were increased by the Soviets by a factor of eight in the Indian Ocean's western basin between 1968 and 1972. The Soviets have further built another important naval base at Berbera in Somaliland, on the Red Sea; and they effectively control the Somali snakepit, too. They also have fuel and water facilities in the Indian Ocean itself, on the island of Mauritius.

In contrast, the United States has nothing at all in the Indian Ocean beyond a communications set-up on the little island of Diego Garcia. After Diego Garcia, we have nothing else in range except another communications facility on the northern shore of Australia. This year, for the first time, the Soviets have also passed the U.S. in ship-days of their navy at sea all over the world.

If there is ever a crunch in the Persian Gulf and the Indian Ocean, in sum, the present outlook is that American naval power on the scene will necessarily be inferior to Soviet naval power. In such a crunch, our only base in the whole area would be the tiny, politically insecure facility we are now allowed to use on the island of Bahrain, in the Gulf itself. But this could never sustain a U.S. force comparable to the much larger naval power their new bases will allow the Soviets to deploy in the area if they see a need for it.

It is easy to understand, then, why President Nixon chose the very able former CIA Director, Richard Helms, as his new Ambassador to Iran. In Iran, Helms has two jobs. The first job is to assure the U.S. of an adequate supply of Iranian oil—and therefore non-Arab oil—in case of political difficulties with the Arab oil-producers. The second job is to give added toughness, direction and support to the Shah of Iran's effort to safeguard freedom of navigation in the Persian Gulf.

But this amounts to renting out to the Iranians the life-and-death job of protecting the American, Western European and Japanese oil-jugulars. It seems a dubious expedient, at best, as compared to the U.S. taking the needed but expensive precautionary measures.

But of course all this must seem dull stuff. Nowadays Washington is a bit like a house with a roof on fire and a cellar rapidly flooding, whose inhabitants can talk only of the wicked sins of the cleaning woman.

EDWARD H. DICKSON

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. MOSS. Mr. Speaker, funeral services were held in Sacramento, Calif., today for Edward H. Dickson, a truly fine newspaperman and a long-time personal friend who passed away on May 3.

Ed, who began his newspaper career in 1925, was Washington correspondent for the McClatchy newspapers for some 23 years, returning to Sacramento in 1968.

When Ed was assigned to Washington in 1945 he was, among other things, given the difficult task of covering congressional activities not only of national scope but of particular significance and interest to the Sacramento, Fresno, and Modesto Bees, whose combined readership encompasses the major portions of central and northern California.

Ed more than lived up to his responsibilities, quickly winning the respect and admiration of all who came in contact with him. In writing about Members of the House and Senate and their activities, whether favorable or unfavorable, Ed earned the well-deserved reputation of being scrupulously fair and always of unimpeachable integrity.

As a writer and observer of the Washington scene, Ed made his mark in many ways. Perhaps one of his most consistently informative and entertaining contributions was his column, Echoes from Capitol Hill. This was often made up of offbeat items, many gleaned from careful reading of the CONGRESSIONAL RECORD. Ed's great sense of humor found an outlet in the column that was keenly appreciated by his many readers over the years.

Ed was also known as one of the Capital's best informed writers on matters relating to reclamation and power.

Mr. Speaker, following my remarks, I am including a story, in part, on Ed's passing, appearing in the Sacramento Bee on May 3, 1973. In closing, I join Ed's many friends in offering my heartfelt condolences to his gracious wife, Ruth, and their fine son, Sam:

BEE WRITER ED DICKSON DIES AT 65

Edward H. Dickson, 65, writer for the McClatchy newspapers and former Washington correspondent for the papers, died today in a Sacramento hospital. He collapsed Sunday in his home at 1130 Robertson Way and never recovered consciousness.

Dickson retired Jan. 31 from active newspaper work but continued to write his column, Echoes From Capitol Hill, for the Sunday editions of The Sacramento, Fresno and Modesto Bees.

A native of Vacaville, Dickson attended grade and high schools there before his family moved to Sacramento. After graduating from Sacramento High School and Sacramento City College he attended the University of California in Berkeley.

Dickson started working part time for The Sacramento Bee in 1925 and joined the staff full time in 1929.

STATE DUTY

In 1940 when Paul Peek, now a retired associate justice of the State Supreme Court, was appointed secretary of state, Dickson joined his staff as chief deputy.

He returned to newspaper work in 1943, becoming a correspondent on the Associated Press news staff in the Capitol. He became the McClatchy newspapers staff writer in Washington in 1945, returning to Sacramento in 1968. From that time until his retirement he wrote editorials, columns and feature stories.

One of Dickson's most significant contributions in his long career in journalism was his series in the McClatchy newspapers exposing the dangers in the Electoral College system of electing United States presidents.

He gave the McClatchy newspapers on-the-spot coverage of many major stories affecting California's Central Valleys and the West. He was regarded as one of the most knowledgeable writers in Washington on reclamation and other water matters.

SENSE OF HUMOR

Dickson covered the nation's capital, too, with great humor and it was reflected in his column, Echoes From Capitol Hill.

He was married March 30, 1935, to Ruth Stannert Lawrence. Mrs. Dickson, too, shared a love for the newspaper business and had been of outstanding help to her husband in his work. Her mother, Esther Stannert, had been a writer for the old Sacramento Star.

In choosing newspaper work as a career, Dickson followed in the footsteps of his late uncle, Edward A. Dickson, who started as a reporter in San Francisco and then went to the Los Angeles Express as political and editorial writer. In the 1920s he acquired the Express and operated it until its later merger with the Los Angeles Herald. The uncle was prominent politically in the gubernatorial administrations of Hiram J. Johnson and C. C. Young and had been chairman of the old State Board of Control, predecessor to the State Department of Finance. The uncle, who served as chairman of the Board of Regents of the University of California, was known as the "father of UCLA" because of his activity in establishing the campus.

SPORTS INTEREST

Edward H. Dickson always had a big interest in sports and once was a catcher and manager of his baseball team at Sacramento High School. Friends recall a promising athletic career was cut short as a result of a knee injury.

Fired with enthusiasm in a football game, he picked a formidable adversary. He tackled playfully on the Sacramento County Courthouse lawn one of the greatest football players of the day, George Theodoratos, who went on to become an outstanding college player.

In his first assignment as a sports writer for The Sacramento Bee, Dickson not only wrote a colorful story but he brought home a winner—the Sacramento City College football team.

MEMBER OF CLUBS

Dickson was a member of the McClatchy 25 Year Club and Provident Lodge, Free and Accepted Masons, in Sacramento. While in Washington he was a member of the National Press Club and the Harpoon Club.

His father, the late Samuel J. Dickson, was a Sacramento real estate man and who served in World War I as an Army officer. His mother, the late Gerna Dickson, was head of the Sacramento County Library for many years.

The Dicksons have a son, Samuel E. Dickson, a civil engineer working in Pakistan. He had just returned to his job a few days ago after visiting his parents in Sacramento. The son formerly was an engineer in the State Department of Water Resources in Sacramento. In addition to his wife and son, Dickson is survived by three grandchildren, Edward A., Scott E. and Kimberly Lee Dickson, and a stepson, Robert Elion Lawrence.

RENDERING PLANT OWNER WANTS LETUP IN BUSINESS

HON. KEITH G. SEBELIUS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. SEBELIUS. Mr. Speaker, I would like to take this opportunity to call to the attention of my colleagues a news item similar to many other stories that have appeared in the Great Plains this winter and spring.

This particular story is noteworthy, because it explains in graphic detail why we are experiencing increased meat prices and most important, it deals with a factual cause and effect factor as opposed to misinformation.

One of the basic reasons consumers in our urban areas are experiencing high meat prices is the fact cattlemen have just gone through a most severe winter and experienced record losses. If we pay attention to the basic laws of supply and demand in determining why beef prices have gone up as opposed to meat boycotts, price controls, and meat ceilings, I think it can be readily seen that we simply do not have the number of cattle ready for market necessary to stabilize the price of beef in relation to consumer demand.

I hasten to add, given a reasonable return on his investment, the American cattleman will increase these numbers, and given a reasonable amount of time, the market will stabilize so he will continue to provide the American consumer the best quality beef at the lowest relative price in the world.

I call to the attention of my colleagues the following article regarding the business boom experienced by a rendering plant owner in Ellis, Kans. within my congressional district:

RENDERING PLANT OWNER WANTS LETUP IN BUSINESS

ELLIS.—"Usually you want more business and more business," Don Kippes said describing almost any businessman.

Kippes, however, says he has lost his lust for greater business this winter.

Kippes is owner of the Ellis Rendering Plant. The rendering business, all over the midwest, has been booming this winter.

"I'm just hoping it slacks up," he said. "It'll just drive you nuts."

Kippes pointed at the phone. "That phone just never quits ringing," he said.

Kippes, who calls his operation "the used cow business," said the long, harsh winter has taken its toll among cattle.

Those who suffered heavy losses, he explained, aren't interested in publicity. "Farmers are kind of funny. They want everybody to think they're good farmers and never have any bad luck."

The cruel winter, he says is to blame for the heavy livestock losses. Cattle wear themselves out fighting the mud, water and cold.

Kippes told of one farmer who said he watched as one of his critters sank down in the mud and "Just died. He was just exhausted."

Also, he said, "they claim cattle get vitamin D from sunshine and they have had a deficiency in this vitamin because they haven't had sunshine."

The livestock death rate has put the Ellis Rendering Company behind one week.

"In 36 years we've always managed to keep this country clean (of dead animals) and there have been very few days when we had to run over 10 hours per day."

But, he added, 24-hour days have been common this winter.

Kippes has his 22-man crew working two 12-hour shifts and "it just wears you out."

The work load, he added, has left no time for preventive maintenance on the equipment all this winter. "It's just been patch and go," he said.

Kippes explained that his crews are running behind schedule despite the fact that they've been grinding whole animals—hide, bones, flesh and all.

Usually, he said, the animal is skinned and the hides are sold for about $10.

And, he added, animals that have been dead only a short while are boned and sold for dog food.

"We don't even have time to skin them," he said. "I'm still putting $10 hides into the cookers."

After grinding, the animal is cooked to eliminate moisture and the final product is a high protein meat and bone meal which is mixed into prepared feeds.

Besides the eight trucks that pick up dead animals in 19 counties, Kippes said, some farmers have even brought their own critters in and left them at the plant.

He estimates about 300 animals are piled outside and, in warm weather, they have to be buried.

"I've got them piled here and piled over there and trucks are due back in," he moaned.

A SALUTE TO THE TULSA REHABILITATION CENTER DURING NATIONAL HOSPITAL WEEK

HON. JAMES R. JONES

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. JONES of Oklahoma. Mr. Speaker, this week, May 6 through 12, is National Hospital Week, an event sponsored annually by the American Hospital Association and its member institutions to focus attention on the contributions of the Nation's 7,000 hospitals to the health care of the people of this country. In these days of extensive debate and well-founded concern about the high costs and unmet needs for health services in the United States, it is easy to lose sight of many of the accomplishments of hospitals, as well as other health service providers, in such areas as improved quality of care, cost containment, and increased operating efficiency. I feel sure that most of my colleagues can point, as I can, to hospitals in their States and districts, which have utilized new staffing patterns and technological advances to develop innovative service programs. Many have participated in activities such as group purchasing and shared services, community health planning and education, and outreach projects.

This week I would like to pay a well-deserved tribute to the hospitals in the First District of Oklahoma for their demonstration of community responsibility. Today I should like to cite as a specific example, the recent establishment of the Tulsa Rehabilitation Center by the Hillcrest Medical Center in that city.

The need for a hospital-based extended care facility for patients no longer needing acute care while recovering from illness, injury, or surgery was demonstrated by a pilot program conducted by Hillcrest in 1967. One of the statistics surfacing early in the pilot program was that approximately half of the patients in extended care received rehabilitation services. Thus a facility was planned to offer both types of medical care in a single structure. The construction was financed by a combination of public and private funds, including a loan insured by the Federal Housing Administration and a Hill-Burton grant. The Hill-Burton participation illustrates that program's support for continuing care facilities which complement the services of the acute care hospital.

The Tulsa Rehabilitation Center, located on the hospital grounds with easy access to all Hillcrest services, opened its doors in February 1972. Under the direction of James D. Harvey, Hillcrest's administrator, and Margaret Hinds, administrative coordinator of the center, the facility offers a wide range of inpatient and outpatient services designed to restore convalescing and disabled patients to independent and productive living. Active treatment by a multidisciplinary team of health service personnel is combined with intensive effort to assist patients in achieving and maintaining maximum self-sufficiency. Discharge planning involves members of the patient's families, who are taught how to follow up on therapy, advised on changes in the home necessary to accommodate a disabled person, and referred to appropriate community agencies when special assistance is needed. I believe that a special word of congratulations to the Hillcrest Medical Center and its rehabilitation center is in order for adding this new and vitally needed dimension to health care in Tulsa and in the State of Oklahoma.

HARRY LITWACK OF TEMPLE UNIVERSITY RETIRES AFTER 21 YEARS AS HEAD COACH OF OWLS

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. EILBERG. Mr. Speaker, Harry Litwack is an institution in college basketball.

For 21 years he has been head coach of the Temple University Owls, leading his team to 13 post-season tournaments in the past 18 years and to 14 consecutive winning seasons.

A Temple alumnus and former basketball star, he has been associated with every tournament team the university has ever had.

He has helped to mold great athletes who became professional stars, but he is equally proud of the dentists, teachers, physicians, attorneys and other Temple graduates in all walks of life today who had the privilege over the years to share his wisdom and humanity while members of his teams.

Harry Litwack retired this season. During his extraordinary career, he has received many awards and presentations, including induction into the Temple University Hall of Fame. But, on May 15, a grateful Temple University will present its thanks to Harry Litwack for his contribution to athletics in the following citation from University President Paul R. Anderson:

Citation by University President

In height, Harry Litwack stands only 5'7'', but in stature he is a giant.

For 21 remarkable years he has guided the Temple University Owls' basketball team as head coach, with a rare genius for identifying hidden talent in young players and developing that talent to the fullest.

An outstanding basketball player in his own right at Temple in the 1920s, Harry Litwack thrust Temple into national prominence after becoming coach in 1952, providing sports fans throughout the United States with exciting, first-rate basketball.

Many students coached by Harry Litwack have gone on to play professionally, and four all-Americans have been forged by him in the gyms of Temple University.

In 1969 his team captured the National Invitational Tournament championship, 31 years after Temple won the first NIT with Harry serving as an assistant coach in 1938. This season he concluded a brilliant career with his 14th consecutive winning season. Harry's 21-year record is an incredible 373–193, with a .659 winning percentage that places him fifth among the nation's active coaches. This summer, he will have the privilege of coaching the United States Jewish basketball team at the Maccabiah Games in Israel.

In recognition of his professional abilities and his love of basketball, Temple University tonight honors this great alumnus and friend.

Harry Litwack, a great coach and a great human being, is truly a giant.

CONGRESSIONAL VERSUS EXECUTIVE PRIORITIES—NOT SPENDING—IS THE ISSUE

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. EVINS of Tennessee. Mr. Speaker, as you know there have been a number of statements made critical of the Congress by bureaucrats representing the position that unless the President's budget is approved without change, this will constitute excess spending.

In this connection, as we all know, the issue is not spending, but where the spending will occur—whether we will spend funds for substantial foreign aid increases and for heavy increases in military appropriations, rather than on domestic programs needed at home. The issue is not whether the Congress will cut the President's recommended appropriations bills which Congress has consistently cut, but where the cuts should be made.

Because of the interest of my colleagues and the American people in this most important subject, I place in the RECORD herewith an article from the Cookeville Herald-Citizen entitled "Different Priorities for Executive, Congress" concerning one of my recent newsletters on this subject.

The article follows:

Joe L. Evins: Different Priorities for Executive, Congress

Bills recently passed by Congress providing assistance to depressed areas, to the elderly and to farmers shows the difference between the executive and legislative branches of the federal government, according to 4th Dist. Rep. Joe L. Evins.

The House has passed both the Public Works and Economic Development Act and the Comprehensive Older Americans Service Act. Both the House and the Senate have passed the Rural Environmental Assistance Program to assist farmers in carrying out conservation projects. All three bills will soon be in conference before being referred to the president.

"Bills similar to each of the three were previously passed by the Congress last year and were vetoed by the president," said Rep. Evins.

"Their passage underlines the difference in priorities set by the administration and by Congress," the congressman said.

"The administration has either cut back, reduced, restructured or eliminated more than 100 domestic programs while proposing reparation payments for Hanoi-North Vietnam, increased foreign aid and a $4 billion increase in defense spending at a time when the Vietnam war is being terminated," Rep. Evins said.

"Many members (of Congress) favor cutting and reducing foreign aid and making cuts in unnecessary and wasteful defense spending while retaining and continuing vital and important domestic programs," he said.

"As both the president and members of Congress advocate economy, the point at issue is not spending, but whether the priorities set by each will be shifted within the budget," Rep. Evins said.

Of the three bills providing assistance to depressed areas, to the elderly and to farmers, Rep. Evins said, "All three of these recently passed bills represent vital and important programs that should be retained and continued in the public interest."

"The Public Works and Economic Development Act Amendments would extend for one year the life and programs of the Economic Development Administration which has been of great benefit to many depressed counties in Tennessee and throughout the nation by assisting in attracting industry, creating jobs and financing needed public works," the congressman said.

He said that the administration proposes to end the economic program on June 30, but the House-passed bill proposes $1.22 billion for public works and business development loans, public works grants and research and technical assistance.

"The Older Americans Service Act would provide a wide range of programs and services for the nation's 30 million senior citizens," Rep. Evins said.

This bill provides for the establishment by either lease or construction of centers for senior citizens through grants, contracts or mortgage insurance.

It also provides for the establishment of a federal council on aging and this, in turn, is expected to strengthen similar state agencies.

Also included are provisions for a nutrition program for the elderly, education programs and special programs for the elderly under the Library Services and Construction Act.

"The Rural Environmental Assistance Program has provided a strong foundation for farm soil and water conservation for a numbers of years," Rep. Evins said.

"This bill extending the program provides for assistance to farmers carrying out specified conservation practices. This program continues to be needed as it is estimated that of more than 7 million acres of cropland in Tennessee, 65 percent needs conservation measures to protect the soil and maintain its productivity for present and future generations," said Rep. Evins.

SECRETARY MORTON ON ALASKAN PIPELINE

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. HUNT. Mr. Speaker, just 3 weeks ago today, Rogers C. B. Morton, Secretary of the Interior, sent a most interesting letter to the Washington Post, in rebuttal to a column written by Joseph Kraft about a week before.

The topic was the proposed trans-Alaska pipeline. Secretary Morton's letter deals with the ecological, political, and economic demands that must be considered in meeting our ever-increasing oil requirements.

I submit the Secretary's well-reasoned letter to the attention of my colleagues:

[From the Washington Post, Apr. 16, 1973]

Interior Secretary Morton on the Trans-Alaskan Pipeline

In his April 5 column ("Political Route of Alaska Pipeline") Joseph Kraft makes some appalling misstatements of fact about the possibility of a trans-Canada alternative to the proposed trans-Alaska pipeline.

A trans-Canada route would not "avoid the ecological problem of oil spill;" at best it would merely move the problem of controlling such avoidable damage from coastal waters to Canada's river systems. In addition, because of its greater length, the Canadian line would cause more unavoidable ecological damage by affecting four times as much land—and thus damage more wilderness, permafrost, and fish and wildlife habitat than the Alaskan route.

The U.S. West Coast is not "practically self-sufficient" for oil. In 1972 its demand was 2.3 million barrels per day, of which 800,000 barrels per day (more than one-third) was imported; best available projections show that by 1980 it will need more oil than is available from Alaska to meet the gap between its demand and the combined amount of U.S. and Canadian oil deliverable there.

A trans-Canada route would not "provide a richer source of supply since it will tap vast new Canadian fields as well as North Slope (Alaska) deposits." There are, unfortunately, no vast new Canadian fields, and Canada recently imposed control on its oil exports because of its own tightening supply-demand squeeze.

Canada has not as Mr. Kraft implies offered to cooperate on oil matters on terms acceptable to the U.S. Canada's stated national interests hardly coincide with our own. Canadian officials have insisted on Canadian majority equity ownership of a pipeline crossing Canada (and the definition clearly does not include Canadian subsidiaries of U.S. companies); Canadian management of such a line; reservation of at least 50 per cent of pipeline capacity to move Canadian-owned oil which may go to Canadian rather than U.S. markets; and preference to Canadian-owned and controlled groups in construction and purchase of materials for the line. All this deserves serious thought at a time when our balance of payments is causing grave concern in the U.S., and when we need the jobs that would be created by the Alaska route.

It is true that the Alaskan pipeline proposal faces legal delays. But it is also true that these same problems will confront any pipeline carrying North Slope oil to the U.S. since even a Canadian route would have to cross hundreds of miles of U.S. public lands in Alaska.

A Canadian pipeline would face many more practical delays. No one has even offered to build an oil pipeline across Canada. Canadian officials do not have an application before them, and even the precise routing is still conjectural. There are no engineering plans. No one knows where the capital will come from to build a pipeline estimated conservatively to cost $5 billion. Environmental and engineering studies, including the drilling of thousands of core holes, are not yet complete. Compensation for the aboriginal land claims of native peoples along the route remains an unresolved Canadian issue, which the U.S. settled in Alaska by legislation in 1971 and U.S.-Canadian negotiations on building and operating a pipeline certainly would be complex and time-consuming. Furthermore, we would receive no practical advantage from a trans-Canada line because the existing pipeline system linking our two countries will carry all the oil that Canada is able and willing to export to us.

And in the meantime the U.S. faces an ever-increasing need to import oil. Last year we imported 1.7 billion barrels at a balance of payments outflow of about $6 billion. By 1980, without North Slope oil, it most probably will be 4 billion barrels and $16 billion, every year, and headed further upward. The North Slope discovery was announced more than five years ago, and has proved far and away the biggest in the history of North America, yet the oil remains in the ground for lack of a system to bring it to market, while economists predict 50-cent and dollar-a-gallon gasoline.

Mr. Kraft sees the issue in terms of U.S. regional political pressures. But the problem is national, not regional, All our country needs oil. All our lives are affected by potential shortages, by the threat of excessive dependence on Middle East sources, by inexorable worldwide economic pressures.

Few things could be more tragic than sectional infighting over how to bring Alaskan oil into the U.S. market. Maximum possible delivery of this oil to the Midwest—after long and costly delays involved in a trans-Canada route—still would not reduce the price, or substantially alleviate the need of the Midwest and the East for imported oil. Our national economy, our trading position in world markets, the options open to our policy makers as they seek to meet American commitments at home and abroad—these are the key issues, and they are national issues in every sense of the word.

Rogers C. B. Morton,
Secretary of the Interior.

Washington.

OPPOSITION TO TRANS-ALASKA PIPELINE

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. ASPIN. Mr. Speaker, it is often assumed that all of the residents of the State of Alaska favor the building of the trans-Alaska pipeline.

I am constantly amazed by the number of letters that I receive from ordinary citizens in Alaska who express opposition to the pipeline. In addition, the environmental movement in Alaska is opposed to the bulding of this pipeline.

Most of the environmental opposition in Alaska seems to be based on the need for a marine tanker shuttle from the Port of Valdez to the U.S. west coast if an Alaska pipeline is built.

The dangers of an Alaska pipeline are overwhelming. A Canadian pipeline will not involve most of the unacceptably high environmental costs that an Alaska pipeline entails.

For my colleagues' information I include in the Record, a letter I have received from the Fairbanks Environmental Center expressing the opposition of Alaskan environmentalists to the trans-Alaska pipeline. The letter follows:

Fairbanks Environmental Center,
Fairbanks, Alaska, April 27, 1973.

Hon. Les Aspin,
House of Representatives,
Washington, D.C.

Dear Congressman Aspin: The trans Alaska pipeline may be a well designed project. But the marine tanker shuttle (not the pipeline) is the major component of the current plan. It presents the greatest risk of the operation of the pipeline project, and it is unquestionably the weakest, most objectionable part of the trans Alaska pipeline plan.

The marine tanker shuttle, through our Prince William Sound and down over 1,000 miles of Alaska, British Columbia, Washington, Oregon and California coastline, through international waters, is the least talked about part of the project.

We Alaskans earnestly want you to begin talking about it—to your colleagues, your staff and your constituents. Marine tanker transit poses extremely critical questions which *no one* yet has been willing to ask. Will you ask them?

Marine tanker transport is unnecessary here because pipeline technology is far superior to marine tankers, and several all overland, all pipeline alternative routes are available. But the Interior Secretary refuses to thoroughly consider these. Will you?

March 7, 1973, the tanker Hillyer Brown grounded in 40 knot winds at Cold Bay, Alaska. It spilled over 200,000 gallons of partially refined fuel into the estuary. The San Francisco U.S. Coast Guard Strike Team arrived to implement the National Marine Oil Spill Contingency Plan. Because of the typical severe wind, they could do nothing to plug the leaking hold or contain the spilled fuel. They sat on shore several days to wait out the storm instead.

The marine tanker setting—Prince William Sound and the northern Gulf of Alaska—is subject to severe extremes of weather. Storms in the Gulf are sometimes accompanied by winds over 90 knots. The Sound and its narrow entrance to the Gulf provides difficult navigation conditions.

The most sophisticated navigational system and best constructed super tankers will never, ever erase possible human error or mechanical failure. A 250,000 deadweight ton supertanker accident in typical heavy seas could be catastrophic, especially to the rich coastal fisheries. This is why the men of Alaska's Cordova District Fisheries Union are united and are in court over their opposition to the marine tanker system.

We ask you to vigorously oppose the marine tanker system, and to support legislation which seeks instead to explore, compare and judge all alternative methods, routes and markets before a decision is reached.

May we provide you with more information?

Sincerely,

James E. Kowalsky,
Director, Fairbanks Environmental Center.

NEW FEDERALISM AND HUNGRY CHILDREN

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. BRADEMAS. Mr. Speaker, I wish to call the attention of Members of the House to an article by Dr. John N. Perryman, executive director of the American School Food Service Association, in the April "School Foodservice Journal," describing the potential danger to child nutrition programs if the Nixon administration's so-called "new federalism" program is approved by Congress.

As Dr. Perryman points out in his cogent analysis of the new federalism and revenue sharing:

> There is imminent danger that the meaning of new federalism to child nutrition programs will be the taking of our 1⅓ billion dollars, 'folding it in' with other educational appropriations and returning it to cities and states to be used at local option . . . And all we can say is, 'But the children are hungry.'

Mr. Speaker, the article also points out that the gentleman from Kentucky, the distinguished chairman of the Committee on Education and Labor (Mr. Perkins) and the distinguished Senator from Minnesota (Hubert H. Humphrey) have been among the many friends of child nutrition programs in Congress.

I am confident, Mr. Speaker, that my colleagues will join these two distinguished public servants in an effort to insure that programs for hungry children receive adequate funding in the years ahead.

Mr. Speaker, I insert Dr. Perryman's article at this point in the Record. The article follows:

The New Federalism—What It Means to Us

If you think that this title sounds academic and doesn't really apply to school food service, think again! Replacing the "old" federalism with the "new" could be revolutionary for our programs at best, totally destructive at worst.

Just to be basic, let's start by defining "federal". Contrary to popular belief, "federal" does not mean "national". The dictionary defines the word "federal" as "pertaining to a compact or league". When we refer to our form of government as a federal government, we are saying that it is a compact between the several states on the one hand and the national government on the other.

The federal-state relationship is deeply rooted in child nutrition programs. Those of us who have worked with such programs for many years have known innumerable occasions—not really of confrontation—but certainly of articulated differences between United States Department of Agriculture administrators and state school foodservice directors. No doubt this is good. No doubt the multi-government approach to child nutrition has worked well.

MILES FARTHER

On the one hand, appropriations from the national budget have been made to child nutrition programs in such meaningful amounts (now 1⅓ billion dollars a year) that substantive direction for such programs from Washington has been a reality. On the other hand, states have been given considerable latitude within which to spend their budget appropriations so as to best meet their own needs.

There is much that is harsh and critical that can—and is—said about direction from Washington. It can be arbitrary. It can be inflexible. It can be unyielding. It can be unimaginative. Yes, all of these and a few more descriptive adjectives can at times be used in describing direction from Washington. But does any one of us seriously doubt that we are miles farther down the road in child nutrition programs today than we would have been without direction from a central authority?

Would we have half the schoolchildren of the nation eating a good lunch without central direction? Would we have nationwide standards of definition as to what constitutes a good lunch without central direction? Would we even have a nationally-recognized concept of child nutrition at school without the grant-in-aid influence of "take-my-standards or don't-take-my-money"?

DARED TO DREAM

Would we even have dared to dream of a universal program of nutrition and nutrition education for all our schoolchildren without national direction and supervision of such a massive undertaking? National direction of child nutrition programs sometimes can be irksome as any direction usually is, but can any one of us doubt that more children are eating better food at lower prices in more schools by far, far, far than would have been the case without the involvement of the national government?

It is the purpose of this article to suggest to everyone whose eyes fall upon these words that the national government under the new federalism may well have decided to remove itself from the administrative responsibilities of feeding children. The working arm of the national government for child nutrition programs has always been the United States Department of Agriculture. Therefore, let us look at the "three C's" of involvement by USDA—commodities, control and cash. Let us examine what has happened to each.

In no way is it the author's purpose to criticize the National School Lunch Act of 1946. This must be one of the most forward-looking pieces of legislation of all time. Nevertheless, this Act had its root in the memory of the 1930's and the pathetically inadequate effort to bolster farm prices by destroying farm produce. The school lunch program gained its first breath of life as a farm-oriented project whose primary purpose was to solve "The Farm Problem", by removing surplus commodities and by supporting farm prices.

All told, there have been three different sources pumping farm produce into hungry children—one designed to support prices, one designed to take surplus commodities off the market and only one, by far the smallest of the three, specifically designed to meet the needs of children. From whatever source, commodities have made a substantial contribution to school foodservice—about 9¢ a meal at the beginning of the program, and hopefully pegged at 7¢ a meal in the current year.

FLAVOR OF THE PROGRAM

This splendid, multimillion dollar shopping list, each year containing cereals, fruits and vegetables, red meat items, poultry and dairy products, has produced a cohesive and appealing influence in school foodservice over the years. It has provided much of the flavor of the program, both literally and figuratively. In yesteryear, seemingly unlimited supplies of various commodities—flour butter, cheese, nonfat dry milk—were combined with love and skill to create such menu items as fresh, school-baked bread in lunchrooms throughout the country.

This year, we finally realize that shipments are not just late; it seems likely that the value of commodities will fall short of the promised amount by as much as 50 million dollars. There is every reason to believe that this contribution to school foodservice will continue to dry up. Let's face facts. With food prices up and with food stocks down, there is need for neither price support nor for surplus removal.

CONTROL SLIPPING?

If the leaven of commodities is disappearing rapidly from the staff of school foodservice life, what of the second "C" of USDA administration—control? Here, the exit of the national government from our arena of activity becomes more apparent because it is more deliberate. Clearly we cannot hold USDA responsible for low crop yields or prices so high that the Cost of Living Council forbids USDA to pay them. But we can and must ask why USDA let the control over competitive foods in the lunchroom slip from its hands unprotested. The proposed new regulations released on February 14 state that "foodservice for profit may be operated at the same time and place as the nonprofit food service under the program. . . ." Of course, there is a qualifying provision stating that proceeds must "inure" to someone connected with the school.

It would be interesting to know who chose the word "inure". According to my three dictionaries and the Denver Public Library, only an obscure third meaning of "inure" is "to accrue". The first meaning of the word is "to accustom, to discipline, to accept, to habituate". Perhaps the word is well-chosen after all. I am afraid it is becoming all too clear that we in school foodservice will be asked to accustom and discipline ourselves to accepting the profit motive as an habitué of the programs we have zealously guarded for children.

What does the new federalism mean to central direction of our programs? It means that the nation will be told that parents and local school administrators are better able to determine what is right for children than is "big government" in Washington, and that decisions will now be made locally. What it might mean is the beginning of the end for nationwide standards of excellence and nutritional integrity in school foodservice.

DISAPPEARING ACT

If we don't have meaningful amounts of commodities to hold our program together and if the glue of central direction is slipping, what will preserve the continuity of our programs? Well, there is still cash—the third "C" of USDA direction. At least through fiscal year 1974 national involvement will still be major. It will still be sufficient to be the "tail that wags the dog". (Percentages of contributions to the several child nutrition programs were carried in this column in the February, 1973 issue of the *Journal*.)

But alas we may find here the greatest disappearing act of all in the form of revenue sharing. The first fact to remember about revenue sharing is that it doesn't add any extra money—it simply realigns the authority to spend what there is. When President Nixon presented his new federalism to the nation early this year, he said, "it is time to get big government off your back and out of your pockets."

Translated into dollars and cents, the new federalism in the 1974 budget will return $6.9 billion to cities and states with considerable leeway as to how the money is to be spent. However, it should be carefully noted that the projects affected are of a social, people-oriented nature.

MAY—OR MAY NOT

Let us look at education as an example. Thirty separate programs are involved, including education for deprived and handicapped children, vocational education and impacted area aid. These programs received $2.5 billion in the 1973 budget and $2.5 billion in the 1974 budget. The major difference is that the money will now be distributed to cities and states which may use it in the same ways and in the same categories as before—and then again they may not!

With this picture in mind, add in the additional facts that the President speaks of a special revenue sharing bill to return more educational money to states and local communities, again with a strong element of local option as to how the money is to be used. He furthermore speaks of "folding in" school foodservice appropriations into the overall educational grants.

Just in case we haven't painted this picture in bold enough strokes, conjure in your mind's eye a board of education receiving a substantial grant of money not categorized other than that it is to be used for educational purposes.

In that same image we see that same board of education plagued by aging buildings, defeated bond issues and ever more militant and demanding groups that run the gamut from teachers to minorities. For what will the windfall from Washington be spent? Under these circumstances, quite possibly very little would be spent for school foodservice.

IMMINENT DANGER

In the judgment of this writer, there is imminent danger that the meaning of new federalism to child nutrition programs will be the taking of our 1⅓ billion dollars, "folding it in" with other educational appropriations and returning it to cities and states to be used at local option. The national government can say, "We are just being democratic and getting Washington off your back." The educational establishment can say, "We are using the money where it is needed most." And all we can say is, "But the children are hungry."

Child nutrition programs have many friends in Congress. Under the leadership of such stalwart veterans as Carl Perkins and Hubert Humphrey, they will endeavor to stop the dismemberment of school foodservice. But it will not be easy.

We are now 27-years-old. Let us hope that this is our prime, for we have ahead of us the fight of our lives.

CARDINAL COOKE'S EASTER MESSAGE

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. KOCH. Mr. Speaker, in his Easter message, Terence Cardinal Cooke, Archbishop of New York, rejoiced at the end of the Vietnam war and the return of our soldiers and prisoners of war. But, he also remembered "the difficult situation of the different groups of young men who refused to serve in the Armed Forces." It is not surprising that the breadth of the cardinal's generosity and compassion should extend to those who are often neglected by lesser men in our country's thoughts of postwar renewal. Cardinal Cooke said:

> Is it too much to hope that our nation's leaders will be able to balance a genuine respect for the laws of our land with true compassion in the case of those who for sincere reasons would not serve in the military? We pray that they will discover a way for those young men to offer a fitting substitute in service and to return to their homes.

Mr. Speaker, spring is a time of renewal for persons of all religions. And it is therefore also a time for reconciliation. The time has come to bind the wounds of Vietnam, to put behind us the divisions and enmity that the disagreements over Vietnam have etched in our society. As in any reconciliation, understanding must be forthcoming for all of the legitimate differences of those holding differing views. And this understanding must extend to those who left the country because they could not in good conscience fight in the Vietnam war. We must recognize that we will never achieve the sought-after reconciliation if we leave over 50,000 of our youths to live in exile.

It is interesting to note that in the same week the Cardinal, in the generosity of his spirit, asked for "true compassion" and understanding for those who left the country, Henry Kissinger asked for "compassion" for those administration officials involved in the Watergate affair. In my judgment it would be a gross injustice to include those who refused to fight what they considered to be an immoral and unconstitutional war in the same category as those administration officials who violated a public trust. But the juxtaposition of these two pleas for compassion lends an ironic chord to President Nixon's unyielding statements a few months ago that the draft resisters had broken the law and had to pay the penalty. Perhaps Henry Kissinger will recommend compassion to the President on behalf of those war resisters. I hope so.

May I suggest that with the perspective lent by Watergate, perhaps the President should reexamine his own conscience and his own severe judgment of the draft resisters. Can we not put together a "respect for our laws" and an understanding for the draft resisters, as suggested by Cardinal Cooke, by offering amnesty in return for 2 years of civilian service?

Mr. Speaker, on the first day of the Congress I introduced a bill, H.R. 675, to provide amnesty to draft resisters who returned to this country and provided two years of civilian service. I have suggested that they work in VISTA, Veterans' Administration and Public Health Service hospitals, and community social service agencies. It is time that we make this effort in self-renewal and provide our youth with this opportunity to return.

Archbishop Terence Cardinal Cooke's Easter message follows:

> CARDINAL'S RESIDENCE,
> *New York, N.Y., April 22, 1973.*
>
> DEAR FRIENDS IN CHRIST: The spirit of Easter is perfectly embodied in the passage from the prophesy of Isaiah which Our Lord applied to Himself:
>
> "The Spirit of the Lord is upon me;
> Therefore he had anointed me,
> He has sent me to bring glad tiding to the poor, to proclaim liberty to captives,
> Recovery of sight to the blind and release to prisoners,
> To announce a year of favor from the Lord."
>
> The message of the Risen Christ is above all the message of hope. How fitting it is that we celebrate Easter in the Springtime when the very earth renews itself. All of nature springs to life in celebration of the fact that Christ has conquered death, and with it, despair.
>
> In our gratitude to God for His loving-kindness, for His gift of a Risen Savior, may we contemplate in what measure we are blessed. Not the least of those blessings this Easter is the ending of the agony of a long and difficult war. We rejoice, this Easter, that our prisoners of war who have suffered so much are reunited with families and friends. We remember the sacrifices of those who, at the call of duty, were separated from their families—and those many thousands who will never be reunited with their families until all of us are met together in the Risen Lord.
>
> His Resurrection is the root and cause of our salvation, and salvation, in Holy Scripture, means sanctification and redemption and the coming of the Kingdom of God. It also means reconciliation.
>
> In a special way this Eastertime, we consider the difficult situation of the different groups of young men who refused to serve in the armed forces. Is it too much to hope that our nation's leaders will be able to balance a genuine respect for the laws of our land with true compassion in the cases of those who for sincere reasons would not serve in the military? We pray that they will discover a way for those young men to offer a fitting substitute in service and to return to their homes.
>
> In Christian hope let us pray that the move towards reconciliation in South Vietnam may

mark the beginning of a "year of favor from the Lord!"—a reconciliation which we pray will spread to the North of Ireland and to the Middle East. Reconciliation, of course, must begin first of all in our hearts. It must be present in our daily lives, in all our personal relationships. We must make it a reality in our families, between parent and child and between brother and sister. And we must be reconciled in our communities so that neighbor can live with neighbor in trust and love.

Christ's Easter greeting was "Peace be with you." This year may this Scripture message be fulfilled in our hearing.

Faithfully yours in Christ,
TERENCE CARDINAL COOKE,
Archbishop of New York.

CHAIRMAN ROGERS SPEAKS OUT ON CANCER RESEARCH AT FETE ON ROSWELL PARK'S 75TH ANNIVERSARY

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. DULSKI. Mr. Speaker, the 75th birthday anniversary observance last week of Roswell Park Memorial Institute in Buffalo, N.Y., offered a forum for our distinguished colleague, the gentleman from Florida (Mr. ROGERS) to give us a policy statement on cancer research.

Mr. ROGERS, chairman of the House Subcommittee on Public Health and Environment, spearheaded in this Chamber the enactment of the National Cancer Act 2 years ago.

Some 700 persons gathered for Roswell Park's anniversary affair, including the leaders of our community and distinguished cancer research scientists from around the world.

In his hard-hitting speech, Mr. ROGERS made it clear that the conquest of cancer "is not right around the corner, but I do believe we are filling the gap. We are still at arm's length with the killer."

He commended the broad support in Congress and elsewhere for cancer research, but bemoaned the lack of backing which was forthcoming from key areas, in particular, the Office of Management and Budget in the White House.

SPEECH DESERVES WIDE READING

Mr. ROGERS' excellent presentation on cancer research deserves wide dissemination and needs to be read in context. Therefore, I shall include the full text as a part of my remarks. He was accompanied to the dinner by his able subcommittee counsel, Steve Lawton.

Rosewall Park Memorial Institute had a humble beginning 75 years ago when the late Dr. Roswell Park and the late Edward H. Butler, Sr., then publisher at the Buffalo Evening News, joined forces to convince the State of New York that it should appropriate $10,000 to establish an institute for the exclusive study of cancer.

Over the years this institute has grown in every respect and now is not only the oldest cancer institute but also is one of the largest in the world.

Many significant discoveries in the treatment and control of cancer have originated at Roswell Park, and its staff includes many of the foremost researchers in the world.

DISTINGUISHED ALUMNI

As an example of its contributions in manpower to other research facilities, eight of the nine scientists who participated in a symposium preceding the anniversary dinner were alumni of Roswell Park. Two of the alumni are headquartered now in Canada and Australia.

Presiding at the dinner was the health commissioner of New York State, Dr. Hollis S. Ingraham, who paid tribute to the present director of Roswell Park, Dr. Gerald P. Murphy, and to his predecessors for their leadership over the years. He said of Dr. Murphy that he is "a noted scientist and administrator."

As part of my remarks I include the text of Congressman ROGERS' speech, as well as proclamations and messages from government leaders and a message from the Vatican on behalf of Pope Paul:

SPEECH BY THE HONORABLE PAUL G. ROGERS, CHAIRMAN, SUBCOMMITTEE ON HEALTH AND ENVIRONMENT

I wish you a very happy 75th birthday. Roswell Park has two ingredients which are necessary for greatness. First, it has durability, after 75 years, the oldest comprehensive cancer center in the United States and indeed the world. Second, that tenure has been marked with brilliant men and women and major medical and scientific landmarks in the fight against cancer.

But Roswell Park's well-known talent of the past holds no superiority to the compassionate physicians, brilliant researchers and competent administrators that guide Roswell Park today—men such as Jerry Murphy and his colleagues.

Unfortunately, I need not remind anyone here tonight that we are still at arm's length with the killer. But fortunately, I think that we are on the trail and that the commitment which the Congress has placed on finding answers to this dread disease will bear fruits in the foreseeable future.

That is not meant to mean that I would take the overly optimistic stand that some have and say that a cure is right around the corner. But I do believe we are closing the gap.

I know that many, both inside and outside the cancer community, had their hopes raised by the passage of the National Cancer Act. The legislation promised no instant cures, no miracle against a dread disease that has baffled man for centuries. But the legislation signaled a renewed and expanded commitment of a portion of this nation's financial resources and human talent to the fight against cancer.

BILL PROVIDES MECHANISM

I am proud of the part that our subcommittee did play in that legislation. And I believe firmly that it represents a mechanism to accomplish many things—if this law is implemented in the fashion and spirit in which we wrote it.

Our subcommittee has followed closely the progress of the National Cancer Institute since sixteen months ago when the President signed the Cancer Act. There is much with which to be pleased.

Dr. Rauscher, the director, has brought immense talent and energy to the Institute and distinguished members of the Panel and the Board are pursuing their responsibilities with great dedication. But in all candor I must say that I am concerned with reports of bureaucratic rigidity—"Palace Guard" intrusions—and of deeds left undone.

I am concerned that the Administration not waver on its pledge to give cancer a unique position among this nation's priorities.

I am concerned that the very morass of bureaucracy which we intended the Cancer Act to help simplify is growing rapidly around the cancer program, again threatening to slow down progress and decisive action.

AREAS FOR CONCERN

I am concerned by recurrent reports that vital information on the needs of the cancer program is being filtered by certain "palace guards" who do not share the sense of urgency which we who wrote the law, the President who signed the law, the scientists who apply the law, and the American people, share.

And I am concerned that the proposed elimination of training grants in the National Cancer Institute—as well as those in all other institutes of NIH—will have a disastrous effect on the very research which is necessary to wage an effective fight against cancer.

The fact that there has been a position open on the National Cancer panel since February indicates that priorities assigned by Congress have slipped somewhat.

The fact that the Director of the National Cancer Institute has no deputy, and that the head of the division of cancer cure and prevention has yet to be named says that qualified men on the outside are hesitant to accept these jobs—perhaps and hopefully only because of financial reasons. And this too concerns, me.

Tell-tale signs of budget problems and indecisive support at OMB and at the staff level at the White House paralyzed the decision-making processes in the Cancer Institute for months. And it was only because Chairman Benno Schmidt, of the President's Cancer Panel had a personal entree to the White House over and above the Office of Management and Budget that the National Cancer Institute was assured of its $432 million spending level.

And it was not until Chairman Schmidt made a public announcement that there would be $432 million available that the decision became known, assured, and difficult to rescind. All of the reports called for by the law, due the Congress and the American people are late—unnecessarily.

CONTROL PROGRAMS MOVING

I am encouraged that one of the segments of the law which I feel very strongly about—the control programs— although slow to develop—is beginning to move. To me, this program represents a true opportunity to find and help target groups of the population at a time when we cannot offer total prevention via methods as we can in cases of communicable disease.

I have been deeply concerned over the power that the Office of Management and Budget has exercised over all health legislation over the past years. In far too many instances, the Congress writes law, the law is signed by the President, and then OMB comes in like a fiscal piranha and picks the program clean. Even the National Cancer Act, certainly one of the most heavily supported pieces of health legislation to come out of Washington in this century, did not completely survive the knife.

The swath cut by OMB through health programs, research, and education demonstrates little regard for the purposes of these programs or for the Congress. There can be no doubt that financial fat exists in some of these programs, and the Congress will examine these programs and take action. But conversely, the Congress wrote those laws to be administered in good faith and expect that they be so administered.

GENTLE ADMONITIONS

Since you know of my profound respect for the men and women dedicated to cancer research and since you know of my commitment to the promotion of cancer research through Federal efforts, I hope you'll forgive a few gentle admonitions which I will address—perhaps presumptuously—to the cancer research community in general.

The spotlight cast on biomedical research over the past two years is having a profound effect not only on cancer research, but on research activities in general. As you know, cancer and heart programs have achieved, through legislative action and President signature, a favored status.

Let me hasten to say that I applaud the new spotlight on cancer, and I agree that the Federal cancer program must be responsive to demands for results. Nevertheless, I submit two observations based upon our sixteen months of experience since passage of the National Cancer Act.

First, the commitment to basic research must not be abandoned. New responsibilities for plans, goals, and quick application of findings to an immediate human payoff must not be allowed to obscure the critical need for continuation of fundamental research.

NEED BALANCE ON RESEARCH

If the new cancer money goes only to applied resarch, the continuing advancements toward eradication of cancer may be stalled a decade from now. Continuation of a proper balance of basic and targeted research is crucial if the conquest of cancer is to become a reality.

Secondly, and equally important, we must be on guard in order that the cancer program not be accused of holding other research programs hostage. The fact that heart and cancer research enjoyed budgetary increases and all other programs were either cut or remained substantially at the same level as last year is indicative of the new responsibilities that now fall upon the cancer research community.

You must, in my view, now lead the way toward a better public understanding of the need for research—not just for cancer, but for disease in general, both basic and applied. You must use your new status to attempt to bolster the research budget effort in general, not just cancer research.

LEADERSHIP IS NEEDED

You can lead the way in educating the public and indeed the executive branch of the necessity for continuation of traineeships and fellowships—to produce researchers and teachers.

But beware of promoting assistance only for cancer. Your new leadership should join the battle against the abandonment of commitment to all health programs—research, delivery, training.

There is only one reason why the health, medical, research and academic communities have been marked as the financial whipping boy for this budget and that is because health programs do not have highly organized constituencies and because the American public is not fully aware that work being financed and conducted by the Federal Government can and does effect the quality and availability of health care, the cost of health care and in essence, their health.

It is our job in the Congress to help bring together the greatest constituency in this Nation—the American public, for our entire population sooner or later is a health service consumer. And it is your charge to carry on the excellent work you are doing here to insure not only the best possible research and treatment for cancer—but the best possible leadership in the health field. I know you share this commitment.

You have done a great job for 75 years; I know you will not falter in the future.

TELEGRAM FROM THE PRESIDENT

Dr. GERALD P. MURPHY,
Institute Director,
Roswell Park Memorial Institute:

The seventy-fifth anniversary of Roswell Park Memorial Institute celebrates a record of scientific accomplishments that has earned it national renown.

It was my privilege to sign into law the National Cancer Act of 1971 providing for an unprecedented expansion of the national cancer research and control effort. The work of institutes such as Roswell Park is basic to the success of the course we have charted to conquer this dread disease.

I find it particularly gratifying to commend those associated with the institute on their close cooperation with the Federal Government, and to express the hope that this same spirit will continue to mark our reinforced national cancer campaign.

My warmest congratulations go out to you and your colleagues on this auspicious occasion, as do my best wishes for every success in all your future endeavors.

RICHARD NIXON.

APRIL 17, 1973.

DEAR DOCTOR MURPHY: Having been informed of the coming Seventy-fifth Anniversary of the Roswell Park Memorial Institute the Holy Father has asked me to convey his congratulations and best wishes.

His Holiness hopes that the celebration will be the occasion not only of grateful memories of past accomplishments but also of earnest resolution to expend even greater effort in the future in an area of research and medical service which is of such vital importance. He views the work as a worthy affirmation of human life and an effective expression of compassion towards those who are ill. The Holy Father prays that God may continue to bless you and your colleagues with those insights of science and those sensitivities of human concern which will not only enlighten the mind of man but will also ease his burden of suffering and pain.

With every good wish, I remain
Sincerely yours,

J. CARDINAL VILLOT,
Vatican Secretary of State.

APRIL 20, 1973.

DEAR DR. MURPHY: The marking of Roswell Park Memorial Institute's 75th Anniversary is an occasion of great pride, not only for the State Health Department but for all the people of New York State.

Since its humble founding in a three-room laboratory in 1898, the Institute has developed into one of the largest and most respected cancer research and treatment centers in the world. The outstanding accomplishments of its highly skilled medical researchers—both past and present—have made Roswell Park an internationally recognized leader in man's continuing search for the causes and cures of this dread disease.

Thousands of New York residents owe their lives to the advanced diagnostic and treatment facilities of the Roswell Park Hospital. And hundreds of thousands of Americans are alive and well today thanks to the important medical breakthroughs made by Roswell Park scientists.

It is indeed fitting that national, international, and statewide leaders will gather on May second to pay tribute to this great Institution's 75 years of service to mankind.

My personal compliments to you and your dedicated staff and to all those in attendance at the anniversary celebration.

Sincerely,

NELSON A. ROCKEFELLER,
Governor, New York State.

MAY 2, 1973.

DEAR DOCTOR MURPHY: The State of New York is richly endowed with facilities committed to safeguarding man's physical being and to the healing of those stricken by illness and disease.

None, in my view, can transcend in noble achievement the dedication and energy which have been expended to advance the Roswell Park Memorial Institute to world renowned prominence in cancer research.

Since its founding by Dr. Roswell Park, the Center has reflected extraordinary human qualities which have inured to the comfort of its patients for three-quarters of a century.

Many devoted, able and loyal men and women of medicine have contributed with a high degree of skill to the Center's many scientific accomplishments.

Upon this the 75th Anniversary of Roswell Park, I join with other residents of our State in expressing our gratitude and praise for outstanding service to humanity.

Sincerely,

JOHN P. LOMENZO,
State of New York,
Secretary of State.

PROCLAMATION

Whereas, on May 2, 1898, Dr. Roswell Park and Edward H. Butler, Sr., founded what is today the oldest cancer research institute in the world—Roswell Park Memorial Institute and

Whereas, today, on its seventy-fifth anniversary, the citizens of Buffalo extend congratulations and thanks for Roswell's many contributions in the fight to conquer cancer; and

Whereas, we are proud to have here in Buffalo one of the most comprehensive cancer centers in the world, devoted to treatment, research and education of this dreaded disease; and

Whereas, we salute all at Roswell for the care, the hope and the comfort they have brought to so many patients—many of them our neighbors; and

Whereas, the development and sharing of knowledge born at Roswell must and will one day contribute to the successful control and eradication of cancer.

Now, therefore, I, Stanley M. Makowski, Mayor of the City of Buffalo, do hereby proclaim Wednesday, May 2, 1973 as "Roswell Park Memorial Institute Day" and hereby express the heartfelt gratitude of all our people who acknowledge with profound appreciation the worldwide recognition of Roswell's scientific successes in the fight to conquer cancer.

STANLEY M. MAKOWSKI,
Mayor of Buffalo.

PROCLAMATION

Whereas Roswell Park Memorial Institute, the oldest and one of the most comprehensive cancer centers in the world celebrates its 75th Anniversary on May 2, 1973, and

Whereas since its founding May 2nd, 1898 by Dr. Roswell Park and Edward H. Butler Sr., its staff today of twenty five hundred dedicated men and women as a team continually search seemingly endless traits and careers to bring hope and comfort to those afflicted with this dreaded disease, many of them our neighbors-and-

Whereas Roswell's leadership and sharing of knowledge in treatment, research, education and rehabilitation must and will one day conquer cancer-and-

Whereas the people of Erie County all share the pride of having here in Buffalo, Orchard Park, Springfield and West Seneca world renowed research facilities where some of the world's finest scientific minds in biology, chemistry, physics and medicine concentrate on one of the deepest of all medical mysteries—cancer,

I, Edward V. Regan, Erie County Executive do hereby extend the heartfelt gratitude of all our people who acknowledge with deep appreciation the 75 year history of Roswell's world wide reown in the fight to conquer cancer and do hereby proclaim May 2nd, 1973 Roswell Park Memorial Institute Day.

EDWARD V. REGAN,
Erie County Executive.

MEDICAL SOCIETY GREETINGS

The Western New York Medical Historical Society wishes to convey its good wishes and congratulations to the Roswell Park Memorial Institute on the anniversary of its 75th year.

This is an event which is significant both from medical and historical aspects and, since these are the concerns of this Society, we wish you to know that we are aware of the importance of the occasion.

The contribution of the Roswell Park Memorial Institute to medical research has brought international recognition to Buffalo and this renown is reflected upon the entire medical community.

We foresee many more years of excellence.

LOUIS BAKAY,
President, Western New York Medical Historical Society.

ANNIVERSARY INVOCATION

Following is the text of the invocation by the Reverend Lewis R. Bigler, Roswell Park chaplain:

Oh Lord, Our God, Thou art full of love, and we are fortunate to know Thee as Our Father. Help us to reach with the hands of our spirits to enfold Thee in our hearts where we can cherish Thee very close to our spirits. So that through this intermingling we may find the wisdom and the strength to search and find the solutions we seek. To wipe away the gloom of fret, brighten our eyes with hope, lift the heart that it may sing in faith; and in Thy time, O Lord, direct us out of our blindness. Until then, keep us in Your presence, continually guiding our work in Thy love. Amen.

LET US TRY EMPTY MEAT COUNTERS

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. ZWACH. Mr. Speaker, when I read our metropolitan daily newspapers, here in Washington and from Minneapolis and St. Paul, Minn., and the rural press, both daily and weekly, I am struck by the difference in outlook of the writers in regard to food prices.

While the metropolitan dailies, in general, complain about high food prices and mention little about high prices of everything else, the rural press, more often, tells it like it is, pointing out that while food prices are high, wages are higher and so are the costs of other things such as medical care, automobiles, etc.

Fred DeCoursey, editor of the Mille Lacs Messenger at Isle, in our Minnesota Sixth Congressional District, recently wrote an excellent editorial on food prices in which he pointed out that those prices, over the past 20 years, have not increased as sharply as did wages and other every day items.

Mr. Speaker, to give Editor DeCoursey's editorial the widespread readership it deserves, with your permission, I would like to insert it in the CONGRESSIONAL RECORD and commend its reading to every member of Congress:

LET US TRY EMPTY MEAT COUNTERS

We're still eating just as much meat at our house as we have been in the past. Meat prices have gone up, but so has everything else—and in the past 20 years, meat and food prices have not increased in the same proportion as wages and other every day items.

Twenty years ago most of us were making about one third or one quarter what we are today—food prices weren't that much lower.

In checking back in the 1953 file copies of the Messenger the grocery ads in Isle at that time showed the following comparison with today's average prices. Remember, the items listed in the ads 20 years ago were the specials—the sale items.

	1953	Today
Bacon, 1 lb	69¢	79¢
Beef roast, pound	39¢	79¢
Ground beef, pound	49¢	99¢
Picnic hams	43¢	69¢
Tube of 4 tomatoes	37¢	(1)
Frozen strawberries	4/$1	3/$1
Can baked beans, 28 oz	29¢	35¢
Hills coffee, pound	85¢	$1.05
Heinz ketchup, 14 oz	25¢	(2)
Star Kist tuna	33¢	39¢

[1] About the same.

[2] Same.

Grocers in 1953 seemed to be reluctant about advertising meat prices—probably because they were too high!

I get a kick out of reading where the big city housewives are boycotting the meat counters because beef is high when their husbands, plumbers, carpenters, electricians, etc., are now earning from $5 to $10 per hour. Small town folks are, of course, hurt worse when prices rise, because prices are the same in the cities as in the small towns while incomes are always higher in the cities than in the small towns.

What would really hurt would be having the farmer boycott the market and not market his beef! If meat counters were empty for a few weeks the consumer would get plenty tired of eating spaghetti (without meat), fish and vegetables.

THE FEDERAL GOVERNMENT AS MODEL EMPLOYER?

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. DOMINICK V. DANIELS. Mr. Speaker, at the request of the Senate Labor and Public Welfare Committee, the General Accounting Office has just recently presented a study on the effectiveness of the Occupational Safety and Health Act of 1971 in relation to the Federal Government.

Through the GAO, questionnaires were sent to 49 Federal departments and agencies requesting information on their progress in developing safety and health programs. In an attempt to gather firsthand information regarding Federal job safety, the GAO inspected the workplaces of four Federal Agencies in the Washington, D.C., area. As a result of these inspections Federal agencies were found to have over 200 instances of noncompliance with OSHA safety and health standards. Areas of noncompliance included mechanical, electrical, fire, and housekeeping hazards which could seriously injure employees.

Up to the present time, however, OSHA's enforcement and inspection practices have differed significantly between private business and Federal Government enterprises. Most of OSHA's activities in relation to Federal Agencies have involved only the dissemination of information and the planning of future efforts. This state of affairs must not be allowed to continue. In 1971, the Federal workforce suffered 37,000 disabling injuries which cost $118 million for compensation and medical expenses alone.

Following the release of these figures, President Nixon stated in regard to OSHA:

> As the nation's largest employer, the Federal Government has a special obligation to set an example for safe and healthful employment.

Then, in an attempt to remedy the situation he issued Executive Order 11612 authorizing the Secretary of Labor to evaluate the safety and health programs of Federal Agencies and, with the consent of the agency head, conduct workplace inspections.

At this same time, OSHA developed a four-step safety plan for Federal agencies, devising new systems for recording and reporting accidents, establishing methods for evaluating programs, developing promotional campaigns creating the incentive for improved programs and designing model programs for use by agencies.

Forty-five of the 49 agencies surveyed by the GAO had some form of safety program. Forty of the 45 agencies having inspection programs documented violations of safety and health standards and 34 of those 40 maintained some record of inspection. These existing programs, however, lack consistency and overall direction with wide variations in the level of attention to which safety violations are brought. The time allowed for corrective action in the instance of safety violations varies greatly as well as the time between initial and followup inspections. The survey also uncovered the fact that Federal agency inspections tended to concentrate on safety hazards rather than on health hazards.

In all four of the Washington area agencies inspected by the GAO, mechanical hazards existed which could cause employees to be seriously injured. At three of the four agencies, noise levels were above those specified in OSHA standards. Ventilation problems existed in all four agencies as well. Of the 49 agencies surveyed, 33 said either their employees were exposed to toxic substances or harmful physical agents above standard tolerances or they did not know whether the employees were so exposed.

As a result of the investigation, the GAO came to the conclusion that OSHA's leadership role in improving Federal agency safety and health programs has been limited and needs to be strengthened. It was, therefore, recommended that OSHA should bear a responsibility in the Federal sector similar to that which it bears in the private sector.

It is my considered opinion that the Federal Government has the responsibility now more than ever of becoming the leader in job safety. I would like to put the OSHA administration on notice of my subcommittee's plans to hold oversight hearings on the act sometime this year, during which, I plan to delve into the area of Federal Government occupational safety. It is my intention to guarantee every Federal employee a safe and healthful place to work.

PUBLIC ATTENTION DIVERTED FROM RECENT COMMUNIST ADVANCES

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. RARICK. Mr. Speaker, recent events leave little wonder why Americans are concerned over the direction their country is taking.

Dr. Henry Kissinger is in Moscow, sipping champagne and planning "most-favored nation" status for Russia so that they can obtain easy U.S. credit. He is also arranging for Comrade Brezhnev's June trip to Washington, D.C.—our Nation's Capital. At this same time Reds in Mexico have kidnapped the U.S. consul.

And while all this is going on, the Washington Post carries a human-interest story of a nun turned guerrilla who complains of torture in Bolivia when captured while serving in the Moscow-oriented Army for National Liberation. This is the same type Moscow-oriented "civil rights" group which kidnapped the U.S. Consul General Leonhardy, in Mexico. The communique from the kidnappers ended, "We shall overcome."

This is what has been happening while the attention of the American people has been focused on Watergate. Certainly the Watergate has served the opinion-makers well by diverting the attention of the American people, casting a shadow over their confidence in their Government and thereby shielding numerous Communist advances from the general public.

I include related newsclippings to follow:

[From the Washington Star, May 5, 1973]

Brezhnev, Kissinger Confer

Moscow.—Foregoing the Kremlin for a wooded country estate overlooking the Volga River, presidential adviser Henry A. Kissinger began talks today with Communist party chief Leonid I. Brezhnev on a planned Brezhnev trip to Washington.

Brezhnev's chief reason for seeing Kissinger was to confer with him on talks with President Nixon expected next month.

"We hope to review bilateral relations and the possible summit agenda," said Kissinger as he arrived yesterday from Washington.

After sipping champagne for half an hour at the airport with the men who met him, First Deputy Premier Vasily Kuznetsov and Anatoly F. Dobrynin, the Soviet Ambassador in Washington, Kissinger and Dobrynin left for Brezhnev's hunting villa at Zavidovo, 75 miles northwest of the capital. U.S. Embassy officials said Kissinger was expected to stay until Monday at the hunting lodge.

Besides the Brezhnev trip to Washington, now tentatively planned for June 25, diplomatic sources said Kissinger also was expected to discuss reductions of military forces—Europe, further limitations in nuclear weapons and increased East-West trade.

The officials said they expected Kissinger to leave Monday for Leningrad. On his three previous trips to the Soviet Union, Kissinger said he would like to visit the former Czarist capital, but he has yet to get there.

[From the Washington Evening Star, May 5, 1973]

Mexican Leftists Hold U.S. Consul

Guadalajara, Mexico.—Three leftist terrorists kidnapped U.S. Consul General Terrence G. Leonhardy yesterday evening and said they would kill him unless the Mexican government freed 30 prisoners and flew them safely to Cuba.

Reports said shots were fired during the kidnaping, but there was no indication whether the 58-year-old consul general, who is married and has two children, was injured.

Leonhardy was abducted between 6 p.m. and 8 p.m. as he drove home alone from the consulate after attending the inauguration of an antinarcotic campaign exhibition.

A boy who said he saw the kidnaping told police the men blocked the path of Leonhardy's car with two other cars, put him in one of them and then transferred him to another vehicle.

The armed Revolutionary Forces of the People claimed responsibility for the kidnaping and said the prisoners, to be named later, should be gathered in Mexico City tomorrow.

The group said Cuban Ambassador Fernando Lopez Muino should be interviewed on television at 4 p.m. that day; and if he confirmed the prisoners were in Havana; then Leonhardy would be freed.

It warned there should be "no vigilance or police-military mobilization in the State of Jalisco during the negotiations and until we return the bourgeois we have arrested."

Publication of the guerrillas' communique by leading Mexico City and Guadalajara newspapers, which it named, "will indicate the acceptance of the 'government' of our demands," the terrorists said.

"If newspapers published May 5 do not print (the guerrillas' communique,) as an answer to our demands, we will proceed to execute the arrested."

The terrorists said another "political communique directed by us to the workers and students of the country" should be transmitted by television and radio at 8 p.m. today and published on the front page of tomorrow's newspapers.

"We will admit no negotiations outside the stated demands.

"Any delay in completion of these demands will bring as its consequences the judgment of the bourgeois who is in our power, and this can be in any moment from the date of this document."

The communique ended with the phrases: "For the Proletarian Revolution We shall overcome."

Leonhardy was deputy chief of mission in San Salvador before coming to Mexico. A career diplomat, he entered the foreign service in 1942 as consul in Barranquilla, Colombia. He later served in Copenhagen, Madrid, Mexico City and the State Department in Washington, D.C.

Leonhardy's wife, Lee, was to fly to Guadadajara from San Antonio, Tex. She had left Thursday on a 10-day visit to Montana.

[From the Washington Post, May 6, 1973]

Nun Turned Guerrilla Tells of Torture as Bolivian Prisoner

(By Terri Shaw)

An American woman who made the long political journey from Maryknoll nun to guerrilla preaching armed violence in the barrios of La Paz sat in a Washington living room last week and calmly described what it's like to be a political prisoner in Bolivia.

"I was kept in a little closet about two by three yards with nothing in it," said Mary Harding, 41, in a soft, New England-accented voice. "They gave me nothing to eat. After midnight each night, two men came in. They stripped me and beat me with a piece of wood.

"I suffered a broken coccyx—that's the tailbone—and it was very hard to sit down. They handcuffed my right arm to my left leg so I had to sit down all the time.

"I was arrested on Tuesday, and I signed a confession on Friday," she said. "On Saturday and Sunday they didn't touch me and on Sunday they gave me food."

Miss Harding was held at the Bolivian Ministry of the Interior and later in the city jail of La Paz for more than six weeks. From Dec. 5 until Jan. 13, no formal charges were filed against her, but she was extensively questioned about the guerrilla group with which she worked.

She was released after intensive lobbying by her friends in Bolivia and in Washington, inquiries from several U.S. senators and efforts by U.S. diplomats in La Paz. She was deported from Bolivia to the United States on Jan. 14.

Juan Jose Loria, minister-counselor of the Bolivian embassy, said that U.S. diplomats visited Miss Harding several times during her imprisonment and reported that she was in good condition. State Department sources said that the men who visited the former nun reported that she did not appear to have been mistreated.

Loria said that Miss Harding had violated Bolivian laws by participating in the illegal Army for National Liberation, and that the Bolivian government had been "magnanimous" in allowing her to leave the country.

"Now she is taking advantage of this to contribute to extremist propaganda against the present government of Bolivia," he said.

A small woman with an air of quiet strength, Miss Harding was in Washington recently on a lecture tour sponsored by the U.S. Committee for Justice to Latin American Political Prisoners and the Unitarian-Universalist Service Committee.

In an interview, she tried to explain how in 1970 she gradually reached the decision to leave the Maryknoll community and work with a small Marxist guerrilla group committed to "creating the conditions for revolution."

Miss Harding was sent to Bolivia by the Maryknoll order in 1959. Her first assignment was as a grammar school teacher in the hot, isolated town of Cobija in the jungle area of northwestern Bolivia.

It was there, she said, that her "gradual awakening" began.

The poverty of the people she lived with, their exploitation by middlemen and speculators who bought their rice cheap at harvest time and sold it later at inflated prices, and the rigidity of traditionalist priests who opposed the kind of teaching she wanted to do all contributed to her rising political awareness.

Miss Harding was later sent to the capital, La Paz, a cold, harsh city high in the Andes, where she came in contact with a different type of poverty and suffering. The experience increased her doubts about the effectiveness of a religious approach to social problems.

In 1968, Miss Harding was sent back to the United States for a rest period. Here, she was "exposed to a lot of thinking" that was new to her—the student uprising at Columbia University, the burgeoning peace movement, a new sympathy for revolutionaries in underdeveloped countries.

"When I returned to La Paz, I got permission to work in a factory," she said. "I became involved in union work, and, although I never took the responsibility of leadership, I was not liked by management. They described me as an 'agitator.'

"I didn't have to agitate though," she added. "I felt the agitation was right there. When one of the girls' baby died because she didn't have enough to eat and had to work while she was pregnant, the situation just lent itself to analysis."

She left the Maryknoll community, she said, because she was looking for an effective way to change the conditions she saw in Bolivia.

"The union could do a few things," she said, "but it couldn't make the factory operate for the benefit of the people who do the work. I knew I wanted to work for the liberation of the people of Bolivia, and I was looking for the most clear-cut answer."

Her first step was to organize evening meetings and Sunday afternoon teas for women to discuss the conditions they were living under and how they could be changed.

"Later, I began to see that I had a responsibility to talk to these women about other noncapitalist options," Miss Harding said. "You can talk about social justice for just so long without putting it in concrete terms."

Eventually, she said, "I came to the conclusion that the answer was an armed group," the Army for National Liberation.

At first she provided "humanitarian assistance," collecting food and medical supplies for the guerrillas, mostly university students, who were attempting to gain a foothold in the countryside.

Their attempt failed when the group's leader, Nestor Paz, was killed in October 1970.

Later Miss Harding and other members of the group continued their political work among workers in La Paz.

She was asked if the decision to support violent revolution was a hard one.

She nodded, then said: "Violence becomes so relative when you live as a working class Bolivian. You live in one room with no plumbing or sewage system. You walk long distances uphill to carry water home. Your children play on those hills that are used as an outdoor bathroom at night. You're insulted and mistreated when you go to the government clinic.

"I saw too many cases of girls I worked with who lost their babies. I saw too many babies buried in those tiny white coffins.

"I thought I could help other people, mostly women to see one way of bringing about change—through armed resistance."

U.S. sources insisted that Miss Harding told the diplomats who visited her that she had not been mistreated, although one diplomat did report "some discoloration around her eye."

The sources said she was encouraged to cooperate with her captors "to get her out of there."

NATIONAL STOCK MARKET

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. MOSS. Mr. Speaker, many of us in the Government are very concerned with the decline in the stock market. Much of this decline is attributable to a loss of confidence by individual investors, who are leaving the marketplace. Both the Congress and the Securities and Exchange Commission are taking steps to restore that confidence. Recently the SEC issued a position paper on the creation of a national securities market system. Under the Commission's plan all of the existing stock markets around the country, as well as the so-called third market, would be linked together via a communications network and stock brokers would be required to execute their customers' orders in that market that offered the best price, no matter where that market was located. I believe that the SEC's plan has considerable merit and include that the Commission's policy paper in full immediately following my statement:

POLICY STATEMENT OF THE SECURITIES AND EXCHANGE COMMISSION OF THE STRUCTURE OF A CENTRAL MARKET SYSTEM, MARCH, 29, 1973

I. INTRODUCTION

In the letter of transmittal accompanying the Institutional Investor Study, submitted to Congress on March 10, 1971, the Commission first endorsed the concept of a central market system to which all investors would have access, in which all qualified broker-dealers and existing market institutions would participate in accordance with their respective capabilities, and which would be governed not only by appropriate regulation but also by the forces of competition. Since that time, much has been said and written about the way in which such a system should be structured, how it should operate and who should be a part of it. Subcommittees of both Houses of Congress have held extensive hearings on this subject, have compiled numerous pages of testimony and have issued reports setting forth their conclusions and recommendations.[1] The central market system was also a frequently discussed topic at the Commission's market structure hearings held during the Fall of 1971 and was a focal point of the Statement on the Future Structure of the Securities Markets ("Market Structure Statement") [2] which the Commission issued on February 2, 1972 following those hearings.[3]

During the past year the Commission, with the assistance of its staff and the recommendations of three industry advisory committees,[4] has been devoting extensive study to the development of a central market system for listed securities and believes it is now appropriate to set forth in greater detail for public comment the fundamental principles, including the regulatory standards and competitive qualities, which shoud characterize such a system.

In undertaking this task, the Commission has been cognizant of and will continue to study with care the effect of fundamental changes already in progress. For example, it is almost universally recognized that many of the structural problems which have plagued our markets stem from the existence of fixed commission rates on stock transactions of institutional size. In addition to requiring the incorporation of volume discounts into the fixed rate system late in 1968, in April of 1971 the Commission required the introduction of competitively determined rates on the portion of orders in excess of $500,000, and a year later lowered that figure to $300,000. Since that time the Commission has indicated that competitive rates should continue to be phased in so that by the Spring of 1974, barring a showing of substantial damage to the industry, rates on the portion of orders in excess of $100,000 will be determined by competition.[5] The impact of these changes in rate structure, both past and prospective, on the structure of our markets has yet to be fully experienced.

Similarly, the Commission recently adopted a rule,[6] and bills have been introduced in both Houses of Congress,[7] to regulate the proper utilization of exchange membership on a uniform basis. Further, the Commission has adopted a rule mandating the creation of a composite last sale reporting system for listed securities [8] and has proposed another rule which would require the formation of a composite quotation system for such securities.[9] One can only speculate at this time as to the nature and magnitude of the changes which will be wrought by resolution of the issues relating to exchange membership and by the introduction of these communications systems, all of which should be accomplished in the near future.

The Commission is fully aware that much of what our markets have achieved must be preserved and strengthened, not dismantled and cast away. The United States trading markets have consistently provided a degree of liquidity unsurpassed by any other capital markets in the world. To a significant extent their performance may be attributed to the principles of full and fair disclosure of corporate and market information, coupled with vigorous enforcement programs, which have inspired the confidence of investors, large and small, at home and abroad, that our markets are fair and honest. This confidence must be maintained.

Nevertheless, the evolutionary process by which our markets change may fail to respond with sufficient alacrity to the needs of our dynamically changing economy. As the agency responsible for the fair and efficient functioning of the securities markets and the administration of the securities laws, the Commission has had extensive experience and a day-to-day familiarity with the workings of the securities markets of the United States. Therefore, we believe it is our responsibility, notwithstanding the caveats expressed in the foregoing paragraphs, to provide a reasonably detailed expression of our views concerning the ultimate form a central market system might take, particularly in light of the Congressionally expressed desire that the Commission assume a leadership role in the development of such a system.[10]

In our view, progress toward development of a central market system must be expedited, and to that end we intend to provide affirmative direction. To the extent the Commission can provide the securities industry and its self-regulators with a broad overview of the principles which we believe a central market system should encompass, they will be better equipped to exercise their initiative toward the attainment of those goals. They also will be able to plan their investments in plant and equipment so as to maximize the use of existing hardware and avoid investments which might prove incompatible with future needs.[11]

In the following sections of this paper, we set forth our preliminary conclusions and, where appropriate, the steps we plan to take, or to request the self-regulatory bodies to take, for their realization. It must be emphasized that the complexity of these issues, and the unique efficiency which our capital markets have already attained, dictate that any major structural changes be analyzed in depth before, and monitored closely after, their implementation. The Commission is desirous of receiving comments, therefore, from all interested persons on the views expressed herein.

II. GOALS OF A CENTRAL MARKET SYSTEM

Our capital markets are the foundation of our national economy because they perform the vital function of allocating one of our most precious resources—investment capital. To perform this function effectively, and to ensure the continuing availability of increasing quantities of investment capital, it is important that the markets value each security in a manner which reflects an accurate appraisal of overall supply and demand, affected as little as possible by temporary fluctuations therein. In other words, the price of a security should not vary substantially when there is little change in overall investor appraisal. The ability of our markets to work in this manner depends on their efficiency and their ability to provide liquidity. In the words of the Market Structure Statement:

> "A central market system, primarily through its communications network, can maximize the opportunity for public orders to match each other and be executed in classic auction market fashion. In addition, such a system can greatly increase the depth and liquidity of the marketplace by maximizing market making capacity; that is, the ability and willingness of dealers, including specialists, market-makers and block positioning firms, to buy and sell securities for their own accounts on occasions when the other side of a public order is not readily available. This can be done by encouraging all such dealers to compete actively within the system, without any artificial restraints between component markets, to provide the necessary buying or selling power on such occasions".[12]

The Commission remains convinced that efficiency and liquidity can be maximized in

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Footnotes at end of article.

these ways. All indications of investor buying and selling interest must be exposed to each other to the greatest extent practicable so as to increase the opportunity for them to offset one another. In addition, when the supply of or demand for a particular security are temporarily out of balance, it is crucial that there be market makers to help offset the imbalance.

Centralizing buying and selling interest within the central market system will ensure that a seller of a particular security can have his trading interest communicated to the greatest possible number of potential buyers (including dealers) so that he can trade with whoever is willing to pay him the highest price, maximizing the proceeds of his sale. The converse is true for buyers. The system should thereby facilitate a broker's ability to discharge the primary duty he has to his customer—to use reasonable diligence to obtain best execution of each order entrusted to him.

Specifically, the broker must have access to a communications system capable of bringing together and displaying in one location, such as a desk-top cathode ray tube (CRT) screen, the bids and offers currently available in each component market center of the system. He must also be able to execute the transaction for his customer without any artificial impediment, such as specific restrictions against dealing in particular markets within the system. In addition, there must be negotiable economic access between market centers, so that a broker can have the opportunity to be fairly compensated for his services even though not a member of the particular market center in which an order is ultimately executed.

Perhaps the most important objective of the system is to foster the development of strong competition among its participants. In discussing why and how competition among market makers should be enhanced, we said in our Market Structure Statement:

"The Commission believes that the liquidity needs of individual and institutional investors can best be provided by policies fostering the development of competition among dealers who are specialists, market-makers and block positioners. Such competition will mitigate the very difficult problem which now exists of developing and enforcing rules designed not only to prevent specialists from abusing their privileged position, but also to motivate them to perform satisfactorily under widely differing circumstances and in the light of varying risks and pressures. Nevertheless, the Commission recognizes that certain rules must be applicable to the competing specialists, third market maker and block positioning firms that will be the heart of the central market system.[13]

Normally, in order to earn a profit, competing market makers must be exposed to volume. The desire to attract business provides incentive to a market maker to bid higher or offer lower than his competitors, narrowing the spread between available bids and offers and enabling investors to buy for less and sell for more. Thus, the ultimate beneficiary of aggressive competition in market making is the investing public, particularly when that competition is reinforced by market responsibilities on the part of market makers.

Our securities markets have attracted the direct investment of savings by more individual investors than any other securities markets in the world. The fact that indirect investment through institutions has grown rapidly in recent years makes it more important than ever that the liquidity provided by the trading decisions of millions of individual investors be maintained.

If the participation of such investors is to continue, it is critically important to maintain the confidence of every investor, large or small, that his order will receive prompt and efficient handling and will have the fullest possible opportunity to meet the best available offsetting order, wherever in the system it may exist; that he can obtain prompt and complete disclosure of material facts pertaining to the trading in a given security, as well as its investment merits; and that his securities and funds will be safely and responsibly cared for.

The Commission will take all reasonable steps to ensure that the developing central market system will provide a welcome environment for the small investor.[14] For example, the Commission has initiated and vigorously will pursue regulatory action toward implementation of a composite quotation system. In the past, numerous brokers have been willing to expend the time and effort necessary to search out the best bid or best offer for those sizeable investors whose volume justified such expenditures. With the composite quotation system, however, brokers would be able to perform the same function economically for smaller investors. The early implementation of the quotation system, with appropriate regulatory safeguards, will be concrete evidence that broker-dealers and the self-regulatory organizations to which they belong remain committed to maximizing execution service for all investors.

III. THE ELEMENTS OF THE CENTRAL MARKET SYSTEM

In the Market Structure Statement the Commission defined the central market system in the following manner:

The term "central market system" refers to a system of communications by which the various elements of the marketplace, be they exchanges or over-the-counter markets, are tied together. It also includes a set of rules governing the relationships which will prevail among market participation.[15]

Following this general definition, the Commission listed certain important steps to be taken:

1. Implementation of a nationwide disclosure or market information system to make universally available price and volume in all markets and quotations from all market makers.

2. Elimination of artificial impediments, created by exchange rules or otherwise, to dealing in the best available market.

3. Establishment of terms and conditions upon which any qualified broker-dealer can attain access to all exchanges. . . .

4. Integration of third market firms into the central market system by including them in the disclosure system . . . and making them subject to appropriate market responsibilities and other regulatory requirements commensurate with the benefits they may realize.[16]

More specifically, the central market system will encompass a network of brokers and dealers, operating both from offices and on exchange floors, linked together by an electronic communications network and subject to a common regulatory framework.

As pointed out in Approach II of the two approaches set forth in the final report of the Advisory Committee on a Central Market System, issued March 6, 1973 (referred to herein as the "Central Market System Report"), participants in the system would consist of various kinds of securities professionals, such as floor brokers, non-floor (or "upstairs") brokers, specialists, odd lot dealers, third market firms, block positioners and, under certain circumstances, market makers who are exchange members but are not specialists in the traditional sense.[17] Members of the system would be free to engage in activities other than these [18] and would receive compensation for the services they perform in a variety of ways, including spreads, mark-ups, commissions, flat fees and other kinds of charges.

Certain joint functions of the system could be administered by a consortium of the stock exchanges and the NASD, which could act to ensure proper coordination among the various components of the system. This organization could be responsible for promulgating system housekeeping rules, establishing technical specifications, contracting with suppliers and operators of equipment needed for the system's mechanics, coordinating surveillance efforts and performing other appropriate tasks. The activities of this organization would be under the aegis of the Commission. In the event a member of the consortium found itself unable to concur in a decision reached by the group, or in case of the consortium's inability to take action at all, the Commission would have authority to determine the appropriate course.

In order to provide itself access to additional technical and market expertise to oversee these activities, the Commission could establish and draw upon the advice of a central market system steering committee, composed of representatives of the self-regulatory organizations, broker-dealers and the public. The Committee's public representatives, which would be selected by or with the consent of the Commission, might include members from government and the academic community, technical experts, investors and issuers of securities traded in the system. The steering committee would be constituted to reflect the needs and perspectives of all who would use the central market system and would advise the Commission in resolving fundamental policy issues relating to the system's operations.

The system initially would contemplate trading only in securities listed on at least one registered national securities exchange [19] although many of its features may subsequently be found appropriate to a system for trading unlisted securities. Furthermore, we agree with the recommendation contained in Approach II of the Central Market System Report that not all presently listed securities are necessarily qualified for inclusion in the system. As that Report suggested, eligible system securities must have sufficient investor interest to satisfy specific criteria based on the number and breadth of distribution of shares available for trading. In addition, the issuer should be able to meet minimum standards of financial substantiality, based, for example, on assets and earnings. As a practical matter, the actual criteria for system securities will probably be established initially, subject to Commission oversight, in the plans filed under Rule adopted, pursuant to which the last sale and quotation systems are to be implemented.

All members of the system would be free to trade in any eligible system securities. All transactions in system securities in which a registered broker-dealer (including an electronic communications system registered as a broker-dealer) or exchange member is involved, either as principal or agent, would have to be reported through the system and executed subject to its rules. Initially, so-called "fourth" market transactions would not be subject to these requirements, in large part because of the practical problems of imposing the obligations of the system on investors who deal with each other without the participation of a broker or a dealer. Should the fourth market develop as a means to avoid the reporting and other obligations of trading within the system, the Commission will give prompt consideration to corrective measures, including recommending legislation if necessary, to bring such transactions within the scope of the system.

Trading rules

One of the principal criticisms concerning present operation of the securities markets is that they are "fragmented", *i.e.*, they do not centralize buying and selling interest. The consequences of this fragmentation are easily understood; for example, a sell order

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Footnotes at end of article.

represented only by a broker on the floor of Market A may never have an opportunity to be offset against a bid, public or professional, represented only on the floor of Market B. A more complex hypothetical situation is illustrated by the case of an investor who tells his broker to purchase for him 100 shares of ABC if the price, now 41, drops to 40. The broker places this "limit" order, a bid for 100 shares of ABC at 40 with the specialist in Market A, where the broker is a member. During the course of the following day, ABC trades between 41 and 40½ in Market A but never trades below 40½; however, at noon 1,000 shares of ABC are crossed in Market B at a price of 39½. Although the book of the specialist in Market B was cleared of all limit orders down to the cross price, limit orders represented only in Market A were deprived of an opportunity to participate—even though the hypothetical investor was prepared to pay more than some of the buyers who did purchase stock.

An important goal of the central market system is to reduce or eliminate market fragmentation. Certainly implementation of a composite quotation system will do much to achieve this end, since a broker with instantaneous market information indicating the best bids and offers for each system security will be able to execute his customer's order in the best market available. It is when trades are completed at prices somewhat above or below the prevailing market price (usually because of their size) that the order execution process becomes more complicated because bids and offers "away" from the current price are not likely to be displayed through the quotation system, nor would any existing rules require that all markets be checked for such limit orders.[20] Indeed, under present rules disclosure of such orders would not even be permitted. Accordingly, if fragmentation is to be eliminated certain rules tying the individual market centers together must be adopted.

Auction Trading Rule. All securities included in the central market system would be subject to two basic trading rules, both of which were recommended in Approach II of the Central Market System Report. The first, which shall be referred to as an "auction trading" rule, would provide price priority protection for all public orders throughout the system.[21] All such orders—which would be entered into and stored in a central electronic repository by a specialist and would not be publicly available [22] would have to be satisfied, or "cleared," probably through exchange facilities, before a proposed transaction could take place.

For example, suppose the best bid in the system for ABC is 40 and the best offer is 40½. A broker representing a seller of 1,000 shares contacts Specialist A whose bid is 40 and learns that it is the specialist's own bid, that he will take 500 shares at 40, 200 shares at 39⅞ (for a bid on his book), and the remaining 300 shares at 39¾ (100 for a bid on his book and 200 for his own account). Under the proposed rule, before executing the trade the specialist would key into his desk terminal a planned sale of 300 shares at 39¾, the price furthest from the present market.[23] Instantaneously, his CRT screen would indicate, perhaps, that 100 shares were bid for on the book of Specialist B at 39⅞. Specialist A would know that to complete the trade, the order on the book of Specialist B would have to be satisfied before any transaction could be effected at 39¾. After supplying 100 shares to the customer of Specialist B and filling the 200 shares on his own book at 39⅞, Specialist A could then purchase the remaining 200 at 39¾, 100 for the bid on his book and the final 100 for his own account. Thus, any public order entered in the system would be "protected" against the execution of any transaction anywhere else in the system at an inferior price (a lower price, in the case of a bid, or a higher price, in the case of an offer) without prior satisfaction of that order.

The auction trading rule would operate similarly in the case of a "cross," a negotiated transaction arranged by the broker for the buyer or buyers and the broker for the seller or sellers (often the same broker), usually at a price away from the current market price. Unless the agreed price is equal to the best bid or offer in the system, or is between them, the proposed cross would be taken to a specialist who would have access to the electronic repository and would key in the transaction to determine how much of it would be "lost" to other limit orders recorded throughout the system.

It also may well be desirable to experiment with permitting such orders to participate in a negotiated transaction away from the market at the cross price, where that transaction involves a substantial "block" of securities.[24] Suppose a broker had found a buyer for a customer's order of 30,000 shares of ABC at a price of 39⅝. Under this version of the rule, the 200 shares on Specialist A's book and the 100 shares on Specialist B's book at 39⅞, and the 100 shares on Specialist A's book at 39¾, would participate at 39⅝. Although this would provide something of a "windfall" to customers whose limit orders are executed in this manner, it might well serve as an incentive to the insertion of limit orders, lending stability to the markets. The investor on the other side typically would not object to the added cost of satisfying intervening orders at the cross price since he has already indicated his willingness to complete the entire transaction at that price.

Under the auction trading rule brokerage would have to be allocated on a basis properly reflecting the various services performed. The brokerage commission customarily paid in respect of a limit order could be equitably allocated among those firms which participate in its execution.[25]

Consideration also should be given to whether limit orders entered in the system by specialists and other market makers should be accorded protection (subject to the public preference rule described below). If so, market makers would be better able to protect their positions, particularly in fast-moving markets, and would thus be encouraged to risk substantial positions, enhancing liquidity.[26]

Public Preference Rule. A second trading rule, also designed to strengthen the auction and agency characteristics of the central market system, would accord preferential treatment to public orders by preventing any member of the system from participating as principal in any system transaction unless his purchase price is higher, or his sale price price lower, than any public bid or offer recorded in the system.[27] Thus, if a market maker were bidding 40 for 100 shares of ABC and a broker had entered into the system a bid representing a public order to buy 100 shares at 40, the market maker would not be permitted to buy until the public order was either filled or cancelled. In other words, a broker-dealer would be prohibited from participating in a transaction unless he were offering the investor on the other side a better price than could otherwise be obtained. Although this "public preference" rule would place some limitations on the flexibility, and in many cases the profitability, of market makers, its object would be to provide the maximum opportunity for public orders to meet. Assuming the practical problems can be resolved, we believe the rule will have this result. In effect, members of the system would surrender the rights to priority (based on times) and precedence (based on size) they would otherwise have, so that public orders could meet more-often.[28]

Preservation of auction-agency principles

The adoption of these trading rules would represent the Commission's commitment to the preservation of an auction agency market rather than a purely "dealer market" for listed securities. Presumably, the classic example of a dealer market is the over-the-counter market, in which it is virtually impossible for an investor's order to be executed without the participation of a dealer in the transaction. There is no facility whereby public orders can offset each other, except under the auspices of a market maker, and this rarely occurs. Since the intervention of a dealer involves an additional spread between the prices at which investors can buy and sell, it is likely that in many instances investors obtain less favorable prices on their trades than if they could trade with other investors. Further, if a customer trades directly with an integrated broker-dealer (one who acts as broker and market maker simultaneously) it is more difficult for him to determine whether he is really getting the most favorable price available than if the firm acted merely as a broker.

The Commission said in its Market Structure Statement, "to mandate the formation of a central market system is not to choose between an auction market and a dealer market. Both have an essential function and both must be put to work together and not separately in the new system." [29] Perhaps it is worthwhile to state again, unequivocally, that the Commission does not wish to encourage the creation of a purely "dealer market" for listed securities.[30] It seems clear that adoption of the above two trading rules, among other things, would preclude this result. No broker-dealer would be permitted to trade with a customer except at a price more favorable to the customer than any public order available anywhere in the system; thus, the customer could stand only to gain from a transaction with a dealer. Furthermore, by providing additional benefits for public orders, such as system-wide "protection", preference over dealers and possible participation in discounts and premiums, the entry of such orders would be encouraged, resulting in more offsetting, non-dealer transactions. In short, adoption of these rules would take the best features of the auction-agency market that exchanges now provide and expand them into principles to govern the functioning of the entire central market system.[31]

IV. COMPETING MARKET MAKERS

Composite quotation system

For competition among market makers to be meaningful, potential competitors must have the means to display their trading interest to the world at large so that they can compete actively rather than passively. By the same token, brokers representing investors must be able to determine at any given time the lowest price at which a particular security can be bought and the highest price at which it can be sold. It is therefore essential that a composite quotation system be put in operation as soon as possible.

Toward this end the Commission proposed Rule 17a-14. Specific advice was requested from the Commission's Advisory Committee on Market Disclosure as to how such a system should operate. That Committee's report, issued November 21, 1972, set forth a number of characteristics its members felt a composite quotation system should have. They said the system should be open to all listed securities, or at least should be coextensive with the central market system's securities. The information to be displayed in the quotation system would include a designation of each market maker who has entered quotations, or of the appropriate exchange in the case of a specialist, and their respective bids and offers.

Provision would be made to allow market makers to indicate the number of shares for

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Footnotes at end of article.

which their quotations are good, if greater than a single unit of trading, but to enter quotations "in size" would not be mandatory. The last sale, cumulative volume and range for the day could also be made available, if desired. There would be no limitation on real time access to any information in the system by any user prepared to pay the applicable charges, subject to the need to regulate access to prohibit misuse of quotations and to permit pricing based on a charge per display terminal.

The Committee, with one dissent, also felt that in order to provide a central source of quotations there should be only one permissible quotation system for listed securities.[32] By this, they meant a single system in the sense of one set of rules prescribing minimum qualifications and one comprehensive data base; they did not intend to advocate any particular kind of equipment or proprietary device. Approach II of the Central Market System Report concurred in this view.

At the heart of the Report was the Market Disclosure Committee's view that, to maintain the public's expectation that reasonably continuous and orderly markets would be made in all securities quoted in the system, only market makers capable of meeting specified capital requirements and willing to assume certain obligations in respect of the market in the securities they quoted should be permitted to insert their quotations in the system. Thus, the Committee attempted to establish a nexus between the privilege of access to the quotation system and the duty to undertake market responsibilities. A variety of views as to the appropriate nature and scope of that duty is discussed below.

Regulation of market makers

In describing the kinds of obligations it felt users of the quotation system should assume, the Committee suggested that they should be prepared to: make a bona fide, continuous two-sided round lot (or other minimum unit of trading) market in a particular security in the quotation system for a specified minimum period of time, say, one year, and to deal in the system in such security in a stabilizing manner. . . . Furthermore, . . . a market maker should not be free, except for good cause shown, to drop out of the system in a given stock and then return at will; it should have to remain out of the system as to that stock for some suitable period, say, six months, before resuming its quotations. Any broker-dealer not prepared to make such a continuous market in a stock would be permitted to continue to act as a dealer therein, and to provide quotations upon request, but would only be able to enter bids and offers into the system through a market maker eligible to enter quotations in the particular security or through exchange facilities. Bids and offers representing customers' orders would be entered in the system in a similar manner.

The Report also recommended that, except under certain limited circumstances, any quote in the system would have to be "firm" for at least a unit of trading or any greater quantity bid for or offered.

The House Study took a somewhat different view. The Subcommittee felt that "An indispensable precondition (to creating a central market system) is that market makers be subject to rules akin to those currently imposed upon specialists which would require them to make continuous and orderly markets in those particular securities in which they have assumed responsibilities as market makers, as well as to rules against short selling and other manipulatory practices." [33] In effect, the Subcommittee took a stronger position than the Advisory Committee in that not only users of a composite quotation system but all market makers would be required to assume obligations to the market. In addition, they felt that such obligations should be akin to those currently applicable to specialists.

Approach I of the Central Market System Report took yet another position on this question—that any major changes in the way the securities markets are now regulated should come about slowly and only in response to demonstrated regulatory need. Its proponents felt that the best course would be to introduce the composite last sale reporting system and the composite quotation system and then to observe the impact on trading which results therefrom. If after a reasonable period of time it appeared that corrective regulation were desirable the Commission would be in a position to respond appropriately.[34] Approach II of that Report, while not in disagreement, emphasized the importance of assuring that any responsibilities imposed upon market makers were commensurate with benefits derived by them from the system.

After careful consideration of many alternatives on this issue of "unequal regulation" among markets, the Commission has reached a tentative conclusion which appears responsive to all relevant objectives. Prior to commencement of the kind of active competition the quotation system is expected to encourage certain basic rules affecting members of the various component market centers which will comprise the central market system must be made uniform. Specifically, there must be a uniform rule, applicable to all exchanges, regulating the proper use of exchange membership.[35] In addition, there should be a rule requiring the disclosure of completed transactions in *all* markets, which Rule 17a–15 would do; a revised rule to impose uniform regulation on short sales in all markets; and a uniform rule governing manipulative practices generally, such as the one proposed by the Central Market System Advisory Committee in its Interim Report to the Commission of October 11, 1972.[36]

Although the two basic trading rules discussed above under "Trading Rules" should eventually be applied uniformly throughout the entire system, they raise a number of technical problems, which relate principally to the need to adapt existing trading practices to new rules and new configurations of hardware and software. It is hoped they can be satisfactorily resolved prior to the implementation of the composite quotation system or as soon thereafter as possible.

On the question of market responsibilities for market makers in listed securities, the Commission is of the view that the privilege of making such markets should carry with it an obligation to contribute to the orderliness and depth of those markets, unless and until it can be demonstrated that the forces of competition can provide a sufficient incentive to the maintenance of orderly, liquid markets under most conditions. Accordingly, before the composite quotation system commences operation the Commission proposes to take two steps: it will rescind the exemption from Securities Exchange Act Rule 11b–1 now enjoyed by the regional exchanges,[37] and it will propose adoption of a rule which would require the National Association of Securities Dealers, Inc. (NASD) to file a plan providing for the regulation of its third market maker members in a manner as nearly comparable to the regulation of specialists as circumstances permit.[38]

Plans in respect of regional specialists and third market makers would not have to be filed prior to the system's introduction, however, since as the Central Market System Report has recommended, it would be unwise to attempt to design a regulatory framework for market makers prior to observing the pattern of trading which emerges after the system's implementation. These market centers will doubtless have a better notion of their regulatory needs, as will the Commission, after having had an opportunity to observe actual trading practices.[39] The plans submitted would not have to be identical to those now in effect on the New York and American Stock Exchanges (NYSE and Amex) but could be tailored to suit the individual requirements of the respective market centers adopting them. In preparing such plans the prevailing principle should be to impose responsibilities commensurate with the benefits which are realized by the members of the respective market centers.

With respect to the quotation system itself, the Commission agrees that only those willing to accept market obligations should be entitled to use the system for two-sided quotations. We also agree that there should be only one quotation system for listed securities, a system within which competition in terminal equipment, software and other features can flourish. The Commission's detailed views will be reflected in the republication of Rule 17a–14, as revised, for public comment.

Upstairs market makers

It is common for some exchange member firms to assume substantial security positions from time to time to facilitate block trades. A number of exchange members also act as quasi-market makers by standing ready to buy or sell medium or smaller size blocks of a limited list of securities from or to their institutional customers, usually at prices reasonably related to the current market. This phenomenon has been referred to as "upstairs" market making. As the Commission's Advisory Committee on Block Trading pointed out in its Report to the Commission issued August 7, 1972, such firms represent a source of additional market making capacity for the central market system. As long as such firms make markets in size, they have acted to complement the specialist system and are not generally considered to be in direct competition with specialists.

Once a composite quotation system is in operation, however, there is a possibility that these upstairs exchange members, as well as non-exchange market makers, may wish to compete more actively with specialists in transactions of all sizes, since they could disseminate their quotations broadly, by use of the system, without having a physical presence on the exchange floor. Further, a number of commentators have expressed the fear that if completely competitive rates become a reality many firms—particularly national wirehouses with a large retail clientele—will become dealers in many of the more active securities in which they now execute orders as agent and would choose to deal directly with their customers on a principal basis, relinquishing their exchange memberships if necessary. They conclude that the ultimate result of this activity would be the destruction of the auction market system. Accordingly, many of these commentators have called for the prohibition of trading in listed securities off the exchanges and of upstairs market making generally.

As previously indicated, however, the trading rules discussed above should effectively inhibit a firm from dealing with its customers as principal unless it were offering a price at least as good as any other in the system and better than any public order in the system. To take a further example, suppose an investor asked his broker to purchase 200 shares of ABC at the market.

The broker would promptly determine through his quotation system CRT screen that the best existing offer was 40 and that a market maker in Market A and a public customer in Market B were each offering 100 shares at that price. Under the proposed rules, the broker could sell his customer the full 200 shares as principal only at 39⅞ (one eighth better than the public order) or, alternatively, he could sell 100 shares at 40

Footnotes at end of article.

after filling the public order. Under these circumstances, the customer would never stand to lose and often might stand to gain from dealing directly with his brokerage firm.[40]

Critics further contend that these and other well-capitalized firms would concentrate their trading in the most active securities, generally the most profitable, but would decline to deal in the less active ones. Specialists, on the other hand, are required by stock allocation practices on most exchanges to make markets in both active and inactive securities and would be placed at a competitive disadvantage. As a consequence, exchanges might seek to improve the competitive position of their specialists, it is argued, by permitting them to select the securities in which they wish to make markets; alternatively, specialists might leave the floor to make upstairs markets. If there were securities to which no specialist was assigned, the result might be a loss of continuity and orderliness in those securities at times when their interest to investors may be relatively slight.

The Commission is unable to predict whether in fact certain securities would fail to attract any prospective specialists or whether specialists, if required to compete with upstairs member firms engaged in market making without an allocation process, would decline to make markets on exchange floors. It is well to bear in mind, however, that despite its well-publicized shortcomings the specialist system has provided a reliable source of liquidity in listed securities and should not be put at risk without a proven replacement. Thus, before requiring that exchanges permit their members to engage in upstairs market making without an allocation system, the Commission intends to request its staff, with the cooperation of the exchanges, to study and report to it, perhaps on the basis of a pilot program, the likelihood of either of the consequences referred to above and their potential impact. This study would also advise the Commission on the disability of simply permitting listed securities unable to attract a specialist, absent an allocation procedure, to be placed in "cabinet" status or perhaps even delisted on the theory that their lack of activity (assuming this to be the reason for the dearth of interest in specializing) renders them unsuitable for trading on the particular exchange where they are listed.

Whether or not it is ultimately determined that upstairs market making must be accompanied by a securities allocation process, it should be noted that, as stated above, the privilege of engaging in market making on a regular basis must carry with it responsibilities to contribute to the fairness and orderliness of the market. Accordingly, if upstairs firms were to begin to make two-sided markets on a regular basis, as distinguished from taking positions to facilitate block trades in a variety of securities, they should be required to assume additional obligations to the markets in which they deal.[41]

Direct dealing between specialists and institutions

The Market Structure Statement questioned whether any restrictions were "necessary or desirable on dealings between specialists or other market-makers and institutions."[42] An investigation of the Amex conducted during the early 1960's discovered that the specialists on that exchange frequently held discretionary orders from their own customers which they were using to manipulate the market.[43] Following this scandal, and prior to the Special Study of Securities Markets ("Special Study")[44] the Amex adopted Rule 190 prohibiting dealings between specialists and corporate insiders. The Special Study reviewed the relationships between specialists and their direct customers, including insiders, institutions and other public customers (who often were friends or relatives). It concluded that the specialist's discretion in matching orders presented him with an opportunity to favor his own customers over those whose orders were forwarded by another firm and recommended that specialists be prohibited entirely from carrying accounts for direct customers.[45] A compromise was reached, allowing the specialist to carry public customers' accounts but prohibiting him from carrying the accounts of corporations in whose stock he specializes and their insiders, as well as accounts of institutions generally, because of the former's access to non-public information and the latter's market power.[46]

These rules have been said to place the primary market specialists at a competitive disadvantage as compared with third market makers and block positioners in respect of institutional-sized orders. The Institutional Investor Study concluded that a market maker's performance is a function of the total trading volume in any security to which he is exposed;[47] the specialist's insulation from indications of institutional buying and selling interest may render him understandably reluctant to commit his own capital, particularly to offset large orders. He lacks the "feel" of the institutional market in a stock that is available to block positioners, third market makers and, in some cases, regional exchange specialists, notwithstanding his possesion of the book, which seldom contains orders of substantial size. He may also be reluctant to assume the risk of a large position because of his inability to work actively to liquidate such a position.[48] In addition, the limitations placed upon his ability to carry the specified customers' accounts deprives him of a substantial portion of the commission revenue he might otherwise be able to generate.[49] These factors may well serve as an impediment to the development of a fully competitive central market system.

The need for Rules 113 and 190 is unquestionably more pronounced in the context of a single or dominant specialist, as distinguished from a system of competing market makers of relatively comparable stature.[50] A specialist would be deprived of virtually all opportunity to affect the market for the benefit of his own customers under circumstances where any price unjustified by market conditions could lead to a prompt response by his competitors; *i.e.*, an out-of-line quote would be subject to being "picked off" by other market makers.

When a system of competing market makers becomes a reality, it may be possible to eliminate some of the problems created by these rules without danger of permitting the potential for abuse which prompted their adoption. At such time consideration should be given to modifying the rules, as an experiment, to permit specialists to accept directly from institutional customers orders having a value in excess of $200,000. This would place the specialists in a more comparable position vis-a-vis other market makers not subject to restrictions on direct dealing and could be expected to provide needed additional market making capacity on institutional orders.[51]

The effects of modifying the rules could be carefully monitored by the exchanges and the Commission. Assuming no significant problems were observed, the stage would be set for a more substantial revision of the rules, perhaps leaving the prohibition in existence only as to corporations and their insiders.[52]

One word of caution is necessary in discussing possible modification of Rules 113 and 190. It has been pointed out that if direct dealing between institutions and specialists is permitted many institutional managers, particularly "external" managers such as advisers to investment companies, would feel obliged to deal directly with the specialists on every occasion[53] to avoid being charged with "interpositioning". They would thus forego the use of brokerage services except where virtually unavoidable.[54]

We believe such a result would be highly undesirable and is not supported by policy or law. Many institutional investors may not possess sufficient trading expertise to deal on their own in the marketplace. Even those who have sophisticated traders frequently require the services of a broker, particularly one with numerous institutional contacts, in order to acquire or liquidate a position efficiently. The desire for anonymity in many transactions also provides a legitimate and important reason for employing a broker. It would be unfortunate if the decision whether to use a broker had to be made under the threat of legal liability based on 20-20 hindsight. All investors should have discretion to determine whether and when in their judgment it is appropriate to utilize the services of a broker.[55]

This potential problem should not be particularly acute under the proposed modification, however, since the size of order as to which direct dealing would be permissible almost invariably requires the use of brokerage services. Nevertheless, if it appeared that institutional fiduciaries were under undue pressure to deal directly with market makers the Commission would take prompt action to investigate the circumstances to ensure that insitutional managers were not inhibited in exercising their judgment. If necessary, the Commission could adopt rules or recommend legislation to correct any such situation which might arise. However, the possibility that the duties of institutional managers may require clarification in the manner set forth above in no event should be permitted to deter a rational resolution of the issues raised by Rules 113 and 190.

V. MEMBERSHIP IN THE CENTRAL MARKET

The principle of best execution

The relationship between a customer and his stockbroker is that of principal-agent; as an agent the broker has a fiduciary duty to act in good faith with respect to his customer. Perhaps the most significant task a broker performs for most of its customers is obtaining the best available price in the execution of their orders.

Under the existing structure of the securities markets, several factors may either prevent a broker from obtaining the best execution of an order or explain his failure to do so. For example, it is now difficult in most cases for a broker to determine whether or not he has in fact obtained the best execution that was available at a particular time. Thus a broker may now feel, particularly if he holds a market order, that he is not only authorized but obliged to execute the order as soon as possible, which requires that he do so in the "usual market" for the security. Communications facilities presently at a broker's disposal make it virtually impossible for him to check all markets for a better price without the risk of "missing the market" in the usual marketplace.

In addition the rules of the particular marketplace of which a broker is a member may restrict his ability to take an order to another marketplace. These rules have been justified by the argument that a customer who engages a broker to execute an order on an exchange impliedly confers authority to conduct the transactions according to the established rules and customs of the exchange of which the broker is a member. Thus a restriction such as the NYSE's Rule 394, which inhibits a member's ability to execute an order away from the NYSE, may effectively reduce the broker's ability to discharge his fundamental duty of best execution.

The progress we anticipate towards implementation of composite last sale reporting and quotation systems should serve not only

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to facilitate but in most cases to require that a broker execute an order wherever the best price is obtainable. For one thing, a broker will be able to check all the quotations of all market makers and specialists in a particular security promptly and simultaneously. Furthermore, for reasons discussed in the next succeeding section, restrictions such as Rule 394, regardless of their past appropriateness, are incompatible with a central market system and will have to be rescinded by the time the quotation system is in operation. Thus it appears that within the near future brokers will be able, in many cases for the first time, to look beyond their own market centers to satisfy their basic agency duty to their customers.[56]

Access between market centers

Under existing exchange rules, a broker wishing to execute a transaction through the facilities of an exchange of which he is not a member must pay to a member of that exchange a nonmember commission, less a professional discount generally amounting to 40 percent. The fact that many exchange members (principally on regional exchanges) still use the technique known as "regular way reciprocity" to secure for themselves, indirectly, a return of a portion of the commissions they pay in executing transactions through exchanges of which they are not members, provides evidence that the 40 percent discount or "nonmember access" presently available may not reflect fully the existing economic realities of executing orders for correspondents. The necessity for a nonmember broker to enter into complex reciprocal arrangements or to sacrifice a substantial portion of the commission he has earned tends to obscure the factors on which competition for listed commission business should be based—obtaining the best security price and providing the best service to the customer.[57]

In the Market Structure Statement, the following were listed as two of the essential elements in the development of the central market system: "(e)limination of artificial impediments, created by exchange rules or otherwise, to dealing in the best available market," and "(e)stablishment of terms and conditions upon which any qualified broker-dealer can attain access to all exchanges." [58] The House Study took a further step and attempted to define the terms and conditions of such access:

"One must start with the assumption that all broker-dealers unless for some reason disqualified by lack of experience or inadequate financial resources should have equal access to a central market system. In this sense even a nonmember discount charged by members of one exchange to nonmember broker-dealers is difficult to justify. Membership in the central market system should imply equality of access, in economic terms, to all parts of the system. This is especially true if members of the system have a fiduciary duty to seek best execution of trades wherever within the system such trades are effected. This in turn requires that the concept of membership in individual exchanges be reexamined and, if necessary, replaced by a larger concept; namely membership in a central market system." [59]

This view would result in the replacement of the existing system of membership in individual exchanges with the concept of membership in a comprehensive market system comprised of all markets in which listed securities are traded.

The House Study goes on to describe the consequences of its access proposal in the following manner:

"This is not to say that exchanges themselves should be declared obsolete. Until the day when trading may be done exclusively through a nationwide electronics communications system there will be a need for trading floors. As long as this continues, it will be physically impossible to accommodate on one single trading floor all members of a central market system who might wish to trade thereon. Accordingly, some members of the system must be given priority in the use of an exchange's physical facilities. Such persons must be willing and able to perform transactions for others and should be entitled to reasonable compensation for doing so (i.e., what has been generally referred to as "floor brokerage"). In this sense, but only in this sense, should the concept of "seats" on a particular exchange have continuing validity. To put the matter differently, a seat on an exchange should not represent a monopoly on its use or economic advantages to exchange members which are disproportionate to the value of the functions they perform for others." [60]

Under the Subcommittee's proposal, membership in the system itself presumably would entitle a firm to deal at intramember rates in any component market of the system. Either such rates would be set by each exchange, or each professional member of the system would be entitled to negotiate his own rates with the members who provide execution and clearance services for him. In the latter case, members of the system would be free to negotiate their own financial arrangements with seatholders or other members for execution, clearance and any other desired services, much as is presently done by non-clearing or non-floor member firms and by nonmembers, in less direct fashion. Rates for such services would tend to reflect the true cost and value attributable to the services provided. Operational and administrative expenses could be shared by all members of the system on an equitable basis.[61]

As an illustration, suppose Broker X, a member of Exchange A, received an order from a customer to purchase 100 shares of ABC. Suppose further that Broker X then determined that the most favorable execution for the customer was available with the specialist on the floor of Exchange B, of which he is not a member. Broker X could obtain an execution by employing the services of any floor broker on Exchange B for a mutualy agreeable charge, negotiated in advance. If necessary, he could also have the transaction cleared for him through the facilities of any clearing member of Exchange B at whatever rate the two firms had previously agreed upon. Thus, Broker X would receive a nonmember commission from his customer and would have to pay charges for floor brokerage and clearance, resulting in net revenue to him roughly equivalent to what he would earn had he executed the transaction on his own exchange, assuming he did not have his own floor representative or clear his own transaction.

A system of negotiable access by all broker-dealers, as described above, appears not only to be logical and efficient but to provide the self-regulatory system.[62] Because of this the investing public can be properly served; however, its development presents a number of practical problems. Perhaps the most significant of these is the impact such a system would have on the existing structure of our self-regulatory system.[62] Because of the need to proceed with caution when such a complex and delicate mechanism is at stake, the best course to establishment of the system described would necessarily be an evolutionary one. The House Study expresses similar sentiments:

"Although the Subcommittee believes that the foregoing describes the objectives to be sought from the standpoint of market planning, it would be unrealistic to assume that these objectives might be achieved in a single step, through legislative fiat or administrative directive. In this sense, the Subcommittee concurs with the Commission in its stress on the value of permitting markets to evolve, provided they do so in the general-direction intended, and without market distortions detrimental to the public interest." [63]

It is clear that the problem of professional access to individual market centers also could be effectively resolved by the advent of fully competitive commission rates. In the absence of a fixed rate structure, each broker could negotiate his own access to any market center of which he was not a member. As has been indicated in previous expressions of the Commission's policy in this area, however, it is likely to be April of 1974 before the Commission requires that commission rates be competitively determined on the portion of all orders which exceeds $100,000, since movement toward that goal must be accompanied by thorough analysis of the impact of past changes in rates and other factors affecting the viability and health of the markets. Moreover, the question of whether fixed rates are appropriate on smaller orders has yet to be resolved.

The possibility remains, nevertheless, that the exchanges themselves may seize the initiative and determine to move toward increased rate competition on their own, prior to the commencement of the quotation system's operations. Another possibility is that the exchanges may determine to initiate a proposal for negotiated professional access before the quotation system is introduced. Should either of these events occur,[64] it would probably become less important to pursue further the concept of central market system membership as a means to economic access to all component market centers.

Assuming that neither event occurs, it will nevertheless become essential, by the time the composite quotation system is implemented, for brokers to have the ability to negotiate substantial economic access in order to compete effectively for listed business and to fulfill their duty of best execution without suffering financial hardship. Nonmember access appears to offer a suitable vehicle for moving toward this goal, but the fact that regional exchange members are still able to utilize reciprocal arrangements to achieve returns of 50 percent or more of the minimum commission indicates that at least some members are prepared to give away more than the 40 percent of a full commission permitted under the present nonmember access provisions. Thus, from an economic point of view, the present access level would seem too low in many cases.

Accordingly, it will apparently be necessary for each exchange to modify its rules substantially to increase the maximum permissible level up to which nonmember access can be negotiated. Although the exact amount of the appropriate increase has not yet been determined, it is clear that a substantially higher level of access is desirable, perhaps 60 percent. The maximum discount might well be set as high as the highest level of access currently being negotiated at arm's length by means of regular way reciprocity between regional exchange members and primary exchange members, since such rate can be expected to cover costs and provide a reasonable profit for both parties, at least for the most profitable kinds of business. Needless to say, smaller discounts could be agreed upon. The Commission's staff is presently attempting to gather data which would reveal the range of prevailing access levels.

Implementation of an increased access rate would serve several purposes. It would encourage competition, and hence efficiency, by permitting members of the primary exchanges to compete directly for the nonmember business they now compete for indirectly through reciprocal arrangements. In addition, by making access more readily available to nonmembers it would facilitate the satisfaction, on an economically viable basis, of their duty to obtain best execution

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and would enable them to shop for the best combination of price and service in execution and clearance. At the same time, it would be possible to observe the impact on stock exchange membership of this limited version of the broader proposal for system membership for all broker-dealers. This kind of an experiment should provide much valuable information, on a controlled basis, and would be of great assistance in determining whether an appropriate course is being pursued.[65]

It has been argued, as noted above, that to the extent a non-exchange member broker-dealer can execute transactions through exchange facilities at a cost comparable to that a member must pay (for execution and clearance) he will be less inclined to incur the regulatory obligations and expenses of exchange membership, unless he plans to conduct a floor-oriented business on the exchange. Under present circumstances, the principal benefit of joining an exchange, other than economic access and the right to presence on the floor, is the good will and prestige traditionally associated with membership. It is further argued that to discourage exchange membership might adversely affect the viability of exchanges as trading mechanisms by reducing the flow of orders to exchanges and would permit the proliferation of broker-dealers not subject to the pervasive regulation and standards which the exchanges historically have imposed on their members. The Commission is convinced that exchanges play a central role in the nation's capital markets and would be very concerned if either an increased access provision, or competitive rates, served to prompt an exodus of members from the national exchanges. While the following discussion indicates why the Commission believes that such an event will not occur, we intend to monitor closely the impact of any such change to determine whether the results are consistent with the public interest.

As to the question of orders flowing to the exchanges, any firm dealing with the public has a duty to obtain the best possible execution of each customer's order. This means that whenever the quote in a given security is more favorable on a particular exchange, or unavailable elsewhere, a broker will be obliged to execute the order there, whether or not he is a member. So long as any exchange continues to provide an efficient, liquid market, it will continue to attract a high level of orders. Even those firms which might wish to execute most of their listed business directly with their own customers would find it difficult to do so under the trading rules outlined above. More favorable bids or offers would be highly visible by means of the quotation system, and any trade consummated would have to appear on the composite tape. Trades between a firm and its customers would be subjected to the auction trading rule and the rule according preference to public orders, so the broker would be required on each occasion to bid higher or offer lower than any public order represented in the system. In short, it would be most difficult for a responsible broker to avoid doing much of its business on exchanges, even as a nonmember, so long as the market makers on those exchanges remain competitive. Thus, the trading mechanism provided by the exchanges should be unimpaired.

As to the effects of the self-regulatory structure, it may be that as nonmember access is increased some sort of basic redefinition of the membership status of a recipient of such access may be needed.[66] The principal issue is the extent to which the traditional economic benefits of exchange membership should be conferred free of the regulatory responsibilities shared by all members.

For example, it may be appropriate for the exchanges to explore and develop the concept of associate membership now in use on the Amex. Basically, a broker-dealer who becomes an associate member of that exchange pays a relatively small initial fee (plus a periodic assessment based on commissions earned) and is granted economic access at a rate not substantially higher than that available to members. He is not permitted to be present on the floor but is subject to the whole range of normal regulatory responsibilities of a full member. Thus, associate membership appears to afford economic exchange access to all qualified broker-dealers without jeopardizing the structure of self-regulation.

Another approach would be simply to adopt the recommendation of Approach II of the Central Market System Report that each broker-dealer transacting listed business would have to join at least one self-regulatory organization. The consortium of self-regulators referred to in Section III herein could ensure that the rules of the various bodies were enforced with equal vigor and that rules of a particular self-regulator relating to trading and similar matters could be enforced with respect to transactions by nonmembers utilizing the facilities of that self-regulator.

These and other alternatives should be studied carefully by all exchanges as promptly as possible so that a program of associate membership, or whatever approach is deemed appropriate, can be implemented by the time access is increased.

Foreign access

The interest of foreign investors in purchasing and selling U.S. securities has increased considerably within the last few years. Commensurate with this increased trading interest, foreign brokers and foreign banks performing the brokerage function have increasingly sought wider access to our securities markets to perform brokerage services for their customers. Subsidiaries of a number of such foreign banks and brokers currently are members of those national securities exchanges which permit such membership. In addition, several exchanges have submitted to the Commission proposals to permit extension of the present 40 percent nonmember discount to qualifying foreign brokers and, in one case, to foreign banks.

At least until competitive rates are introduced domestically, it may be expected that the interest of foreign broker-dealers and institutions in membership on and access to U.S. exchanges will continue to be strong. This interest, however, raises a number of problems, including difficulties of adequate exchange surveillance and inspection programs, particularly in view of secrecy laws in some countries, and foreign enforcement of exchange rules. These questions also exist with respect to foreign nonmember access, since the nonmember discount is intended to be limited to agency orders for unaffiliated customers.

In view of these potential regulatory problems, and the general paucity of data and expertise in this area, the Commission feels that it is necessary and appropriate to study and analyze the terms and conditions, if any, upon which foreign participation in our securities markets should be permitted. To assist the Commission in studying the subject of foreign access, we contemplate issuing a release in the near future requesting public comments on a variety of issues.

Rule 394

Much has been said and written about Rule 394 of the New York Stock Exchange.[67] The House Subcommittee concluded:

"In a central market system whose objectives are that customers should receive the best possible execution of their orders in any market wherever situated and that such orders be transacted at the lowest possible cost, Rule 394 has no justification. Accordingly, the New York Stock Exchange should immediately rescind the rule. If this is not done the Subcommittee will introduce legislation which will have the effect of abrogating the rule."[68]

Subsequently, the House Subcommittee introduced legislation to abrogate Rule 394.[69]

The Commission's 1965 staff study of Rule 394, however, recognized certain beneficial results flowing from a policy of centralizing execution on an exchange floor. As was pointed out in the report:

"Regulatory supervision is present on Exchange transactions. The highest bids and lowest offers are accorded priority. Public orders can often cross without the intervention of a professional dealing for his own account. Publicity is accorded to individual transactions by tape prints and to the collection of transactions by the stock tables."[70]

Nevertheless, the report concluded:

"Whatever are the advantages which these aspects offer the public, they must be balanced against the disadvantages as well as considered from the point of view of whether the same advantages could be preserved with certain adjustments in the Rule. On balance, the disadvantages seem to outweigh the advantages, and neither the Rule nor the current interpretations seem to be *sine qua non* for a healthy market operating in the public interest. It simply goes too far and encompasses too much."[71]

One of the basic reasons for creating a central market system is to enable the investing public to have the benefits of rules designed to centralize trading without impairing a broker's ability to obtain best execution. In order to achieve this centralization, all transactions in listed securities, or at least those in which a broker-dealer is involved, will have to be subject to the system's trading rules and reporting requirements. In other words, under a central market system Rule 394 would be replaced by a broader rule confining virtually all trading in listed securities to the system. The important distinction, however, is that the current disadvantages of Rule 394 would not be present.

The principal objection to Rule 394 is that it can have the effect of restricting the ability of a member firm to obtain the best execution of an order for its customer by limiting its ability to execute the order in a market away from the exchange. Since all market centers would be part of the central market system, a rule which required all transactions to be executed within that system, could never work to prohibit a broker from obtaining best execution. The broker would simply execute an order wherever in the system the best price was obtainable, subject to the system's trading rules, and report his completed transactions through the composite reporting system.

By the same token, once a composite quotation system is in effect retention of Rule 394 would create serious problems for brokers seeking expeditiously to discharge their duty to obtain best execution. Accordingly, it seems likely that the NYSE will find it in its member's best interest to rescind the Rule not later than the time when the composite quotation system is implemented. If this does not occur, the Commission will request its rescission.

VI. CONCLUSION

At the heart of the central market system we have described herein will be an efficient and comprehensive communications linkage between market centers consisting of a real-time composite transaction reporting system and a composite quotation system displaying the bids and offers of all qualified market makers in listed securities. The necessary steps which have to be taken to achieve the composite reporting system already are well under way. The next step will be to demonstrate a similar commitment to making the much-discussed composite quotation system a reality. To this end, the

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Commission intends to republish proposed Securities Exchange Act Rule 17a-14 in the near future.

It is clear to the Commission that the implementation of an operational communications system, without more, would necessarily precipitate some restructuring of the way securities are traded today. Rather than let such restructuring occur without rational direction, the Commission, in this policy statement, has attempted to anticipate some of the problem areas and to sketch out a broad regulatory framework within which this communications system could efficiently operate. For example, a broker will have the opportunity, for the first time, to see bids and offers in many different markets at once. To the extent the broker must execute his customer's order in a market to which he does not have the ability to negotiate economic access, he would be unfairly penalized in discharging his duty of best execution. This state of affairs would not be tolerable for long to a well-managed brokerage firm. In addition, with transactions from all markets appearing on the composite transaction reporting system, brokers must have some way of protecting their customers against transactions away from the current price which are executed in other markets. Accordingly, the Commission has suggested some approaches in this policy statement which would permit brokerage firms to accommodate their business to the realities of the new communications facilities.

The other major steps we propose may be grouped into three broad categories: first, regulation to maintain the integrity of the communications system, such as eligibility criteria for securities included, short sale regulation and anti-manipulative rules; second, regulation of competing market makers within the system, particularly with regard to their responsibilities to the market; and third, regulation to ensure that the system will maintain the best auction features of the exchange markets and thereby provide a welcome environment for individual public investors, such as the auction trading rule and the public preference rule.

A list of the steps to be taken includes:

1. Republication of Securities Exchange Act Rule 17a-14, as revised, for comment.
2. Adoption by the exchanges of a uniform rule regulating exchange membership.
3. Revision of the Commission's short sale rule to impose uniform regulation of short sales in all markets.
4. Adoption by all exchanges of a uniform rule regulating manipulative practices.
5. Revocation by the Commission of the exemption from Securities Exchange Act Rule 11b-1 for regional exchanges.
6. Adoption by the Commission of a rule requiring the NASD to file with it a plan imposing market responsibilities on third market makers.
7. Establishment of eligibility criteria for listed securities to be included in the trade reporting and quotation systems.
8. Adoption by all exchanges of a nonmember access rule which permits access to be negotiated up to a substantially higher level (to be determined by the Commission at a later date) than the 40 percent now in effect.
9. Rescission by the NYSE of Rule 394 and rescission of all comparable rules of other exchanges.
10. Adoption by the Commission of the trading rules described in Section III of this statement.

Furthermore, the Commission intends to have its staff commence a study of the potential implications of permitting widespread upstairs market making by exchange members and plans to solicit comments on the problems associated with access by foreign entities.

This statement is intended to serve as a guide for the future structural development of the securities market. The Commission recognizes that the present performance of these markets is far superior to that of capital markets anywhere else in the world and that care must be taken not to impair their functioning. Nevertheless, the markets are constantly evolving, and to the extent that a rational course can be charted for this evolution to follow it would appear desirable to do so.

This statement of the Commission's views should not be regarded as inflexible. The complexity and interrelationship of the many issues discussed herein make it imperative that they receive careful scrutiny from as many diverse sources as possible, including the self-regulatory bodies, which should be playing a leadership role in seeking to develop a central market system. Accordingly, the Commission welcomes comments on any of the views expressed herein from all interested persons. Such comments should be addressed to John M. Liftin, Associate Director, Division of Market Regulation, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

FOOTNOTES

[1] Subcommittee on Commerce and Finance of the House Committee on Interstate and Foreign Commerce, 92d Cong., 2d Sess., Securities Industry Study, at pp. 117-130 (Comm. Print, 1972) ("House Study"). Subcommittee on Securities, Senate Committee on Banking, Housing and Urban Affairs, 93d Cong., 1st Sess., Securities Industry Study, at pp. 89-135 (Comm. Print, 1973) ("Senate Study").

[2] Securities and Exchange Commission *Statement on the Future Structure of the Securities Markets,* (G.P.O. ed., 1972).

[3] In the Market Structure Statement we said that:

"In order to maximize the depth and liquidity of our markets, so that securities can be bought and sold at reasonably continuous and stable prices, and to ensure that each investor will receive the best possible execution of his order, regardless of where it originates, it is generally agreed that action must be taken to create a single central market system for listed securities. . . . This central market system must be one which will attract and reflect all bids, offers and market-making activity in order to maintain maximum liquidity and depth."

Id., at pp. 7-8.

[4] The Commission has drawn heavily on the recommendations of all three committees in formulating many of the views expressed herein.

[5] *See* Hearings on S. 3169 before the Subcommittee on Securities of the Senate Committee on Banking, Housing and Urban Affairs, 92d Cong., 2d Sess., Part 1 at pp. 9, 19, 24 (1972) (Statement of William J. Casey) and the discussion of competitive rates at pp. 53-54 below.

[6] 17 C.F.R. 240.19b-2, Securities Exchange Act Release No. 9950 (January 16, 1973).

[7] S. 470, 93d Cong., 1st Sess., Sec. 2 (1973); S. 488, 93d Cong., 1st Sess., Sec. 2 (1973); H.R. 5050, 93d Cong., 1st Sess., Sec. 205 (1973).

[8] 17 C.F.R. 240.17a-15, Securities Exchange Act Release No. 9850 (November 8, 1972).

[9] Proposed Rule 17a-14, Securities Exchange Act Release No. 9529 (March 8, 1972).

[10] *See, e.g.,* H.R. 5050, n. 7 above, Section 208.

[11] Although it is not possible to estimate the actual expenditures the central market system will entail, in part because of our reluctance to present too definitive a design at this stage, we have been advised that those elements discussed herein can be implemented with existing technology and equipment.

[12] Market Structure Statement, n. 2 above, at pp. 10-11.

[13] *Id.*, at p. 11.

[14] The Commission's concern with creating this environment has been expressed in detail in Securities Exchange Act Release No. 9950 (January 16, 1973) at pp. 109-134, adopting Securities Exchange Act Rule 19b-2, 17 C.F.R. 240.19b-2.

[15] Market Structure Statement, n. 2 above, at p. 8.

[16] *Id.*, at pp. 8-9.

[17] It should be noted that Approach I of the Central Market System Report did not see a role in the system for the third market. Rather, proponents of that Approach felt that "trading in listed securities should be confined to the exchanges at the earliest possible date." While several other prominent industry spokesmen have expressed a similar view, the Commission firmly believes that third market firms have made and will continue to make important contributions to market liquidity. Assuming these firms are subject to the rules of the system, as discussed below, the Commission sees no reason to require them to join an exchange in order to conduct business.

[18] Members' activities might be subject to exchange or system rules requiring that the major portion of their revenues be derived from the securities business generally. Members also would have to be engaged in conducting a *public* securities business.

[19] This paper does not address the question of whether unlisted securities which satisfy system eligibility criteria should be traded in the system without initiative on the issuer's part, as suggested in principle by the Senate Study, n. 1 above, at pp. 133-135. Prior to 1964, Section 12(f) of the Securities Exchange Act permitted an exchange to apply for "unlisted trading privileges" in securities not listed on any exchange which offered disclosure substantially equivalent to that required in typical listing agreements. Since the 1964 amendments to Section 12 required such disclosure for many over-the-counter companies, Congress deleted this provision from Section 12(f). *See, id.,* at pp. 131-132. These issues should be dealt with at a later stage in the system's development.

[20] If a limit order were left with a specialist, and if that order were equal to or better than the specialist's own bid or offer, it would be displayed through the quotation system as one side of the specialist's quotation.

[21] After some experience with the proposed auction trading rule, it may prove desirable to extend time priority protection to orders entered in the system at the same price. If, for example, 5 bids are entered in the system at 49, the first bid in time would be executed first, and so on.

[22] It may be determined that the same result could be achieved more efficiently, although at the sacrifice of confidentiality, simply by making all limit orders available to all specialists.

[23] It would be prohibited to key in transactions merely to see the orders on the book.

[24] If limit orders are to participate in "premiums" and "discounts", they should probably be limited to those less than, say, $100,000 in value; otherwise, professional investors who learned of a potential block through the "shopping" efforts of a block broker (but were unwilling to commit themselves until the entire transaction had been arranged) could, perhaps unfairly, inject themselves or their brokers into the transaction and obtain a bargain by entering a bid ⅛ higher (or an offer ⅛ lower) than the proposed "cross" price.

[25] A broker who satisfies a limit order in a market center of which he is not a member should not have to incur any additional commission expense in so doing.

[26] If market maker orders are to be protected, it would be important to consider whether or not a broker should have discretion to fill all, or as much as possible, of a customer's order without the need to satisfy smaller but more favorable bids or offers by

market makers, if he has reason to believe that in satisfying such orders he might lose his opportunity to execute the entire trade. It would be mandatory, however, that more favorable bids or offers representing public, *i.e.*, non-dealer, orders to be satisfied, even if smaller, so that complete public protection could be afforded.

[27] A bill pending in the U.S. Senate would achieve a similar result by requiring that any bid or offer by an exchange member would have to yield "priority, parity and precedence to public orders." S. 470, 93d Cong., 1st Sess., Sec. 1 (1973). However, the bill contemplates an exception for market makers, whereas under the proposed rule even they would be required to yield to public orders. Several exchanges presently have rules intended to accord certain preferences to public orders. *See, e.g.*, NYSE Rules 92, 108, 112(c); Amex Rules 111(d), 111.07, 150, 155.

[28] It has been suggested that market makers, in view of their responsibilities to the market, also should be accorded a trading preference over broker-dealers in the system not having such obligations, although they might still be required to yield to public orders. The advisability of this proposal would be better evaluated after nature of the respective obligations or different types of dealers has been definitively resolved and their performance observed for a period of time.

[29] *See* Market Structure Statement, n. 2 above, at p. 8.

[30] *See* the discussion at pp. 36–37, below.

[31] It might be noted that the House Study and the Senate Study recommended adoption of rules very similar to those proposed in the text. *See* House Study, n. 1 above, at pp. 128–129 and Senate Study, n. 1 above at pp. 111–112.

[32] The Committee's reasons for this recommendation are set forth in the following passage from the Report: We have considered whether the quotation system we have outlined should be the preferred, required or exclusive quotation system for listed securities. We believe the success of the central market system is dependent upon quotations from all sources appearing in one central location. Further, we believe that to permit the existence of other quotation systems, which may impose less rigorous conditions upon the entry of quotations than those we have recommended, could deprive the public of a central source of reliable, continuous quotations. Thus, even if qualification for and entry of quotations in the recommended system were to become a prerequisite to participation in any other system, we fail to understand what purpose would be served by permitting the existence of systems which at best would be duplicative and at worst incomplete and thereby misleading. Furthermore, the composite quotation system we propose would be compatible with most communications hardware and software now in use and would encourage, not restrict, the development of improved equipment and methodology. Moreover, by imposing no restrictions other than the bare minimum deemed necessary for public protection it seems reasonable to expect that the system would greatly enhance competition among market makers with the investing public the beneficiary. Accordingly, we have concluded that no broker-dealer should be permitted to quote a two-sided market through any other quotation system. Other communication systems, however, which might provide, among other things, various kinds of indications of buying or selling interest in particular securities, should be permitted.

[33] In addressing the broader question of uniform regulation of markets, the House Study reached the following conclusions:

"The keynote in the development of a central market system should be to achieve the highest measure of uniformity in rules consistent with the greatest amount of investor protection. As previously indicated, complete uniformity is not desirable if such uniformity is used as a contrivance to force upon some exchanges regulation which would have the effect of perpetuating the existing competitive advantages of various exchanges to the detriment of other exchanges and inhibiting the growth of regional exchanges. Determining the precise balance between uniformity and diversity in rules is a task which is best left to the expertise of the Securities and Exchange Commission, under appropriate guidelines established by the Congress. At a very minimum, there should be complete uniformity in standards for reporting of transactions and in prohibitions against manipulation, "painting the tape" and other undesirable trading activities. The rules requiring that public orders receive priority in trades should also be uniform. Similarly, rules governing membership on exchanges . . . should be uniform. On the other hand, there seems to be no reason why specialists on various regional exchanges which today have a comparatively low level of trading in New York Stock Exchange listed securities should be required to maintain the same minimum capital as specialists on the New York Stock Exchange." *See* House Study, n. 1 above, at p. 129.

See also the areas of unequal regulation referred to by William McChesney Martin in his *Report to the New York Stock Exchange* at 11–12 (August 5, 1971).

[34] The Senate Securities Industry Study Interim Report endorsed a similar position:

"Equal regulation of dealers is clearly appropriate, provided that the phrase is understood to mean that dealers enjoying similar privileges, performing similar functions and having the potential for similar market impact are treated equally. Regulation is to be imposed only when the public interest and the protection of investors requires it—never for its own sake. The call for 'equal regulation' is no guide for regulatory action, unless it is first determined who is equally situated in terms of the purposes of the regulation. The first order of business should be the achievement of a system of competitive market makers. The time to determine how the participants in a truly competitive system should be regulated is after this has been done and the configurations of a functioning competitive system are clear. Competition, in this case, must come before the regulatory questions can be answered, for until there is actually experience with a competitive system the regulatory needs cannot be known."

Subcommittee on Securities, Senate Committee on Banking, Housing and Urban Affairs, 92d Cong., 2d Sess., *Securities Industry Study Interim Report*, at 43 (1972).

See also Senate Report, n. 1 above, at 116–119.

[35] We believe the implementation by all exchanges of a uniform rule regulating the proper use of exchange membership, such as Securities Exchange Act Rule 19b–2, to be an essential first step in the structuring of any central market system. Without such uniformity, securities transactions may continue to be directed to particular market centers on the basis of the extraneous factors that have contributed to the fragmentation of the securities markets over the last few years. A uniform membership rule will insure that competition in the central market system we envision will be predicated on such meaningful factors as best price, execution and service.

[36] The rule recommended by the Committee would provide:

"No broker-dealer shall execute or cause to be executed, or participate in an account for which there is executed, a purchase of any listed security which is reportable in the composite transaction reporting system at successively higher prices, or a sale of any such security at successively lower prices, for the purpose of creating or inducing a false, misleading or artificial appearance of activity in such security or for the purpose of unduly or improperly influencing the market price for such security or for the purpose of establishing a price which does not reflect the true state of the market in such security."

The Committee's Report also outlined the provisions of a uniform short sale rule.

[37] Rule 11b–1 provides for the regulation of specialists. Securities Exchanges Act Release No. 7465 (November 23, 1964) announced the Commission's determination to exempt the regional stock exchanges from the Rule.

[38] After all market makers are subject to comparable regulation, it may be appropriate to experiment with the gradual removal of certain market responsibilities on an equitable basis so that it can be determined whether competition alone, or perhaps with the addition of certain other incentives, is capable of providing fair and orderly markets.

[39] We believe this point of view is consistent with the sentiments expressed by both Congressional Subcommittees on the subject of regulation for competing market makers.

[40] Should the possibility of large retail warehouses leaving the exchanges to become integrated over-the-counter firms in listed securities become real, the Commission would give consideration to the desirability and feasibility of preventing an upstairs market maker in listed securities from dealing as principal in these securities with its retail customers. The Senate Study has also suggested that it would consider the desirability of legislation either to assure that any such trading is surrounded by appropriate safeguards to prevent overreaching or to prohibit such activity. *See* Senate Study, n. 1 above, at p. 122.

[41] Those firms which take positions to facilitate block transactions may be an important market force in a particular security for a short period of time. We intend to consider whether different kinds of responsibilities, for example to maintain the orderliness of the market following a block trade, should attach to such activities.

[42] *See* Market Structure Statement, n. 2 above, at p. 12.

[43] *See In the Matter of Re, Re & Sagarese*, 41 SEC 230 (1962), 336 F. 2d 306 (2d Cir., 1964).

[44] Securities and Exchange Commission, *Report of the Special Study of the Securities Markets*, H.R. Doc. No. 95, 88th Cong., 1st Sess., (1963).

[45] *Id.*, Part 2 at 154–160, 167–171.

[46] Rule 113 of the NYSE and Rule 190 of the Amex prevent a specialist from accepting orders for the purchase or sale of any securities in which they are registered as specialists directly from the issuer or any officer, director or 10% stockholder of the issuer; any pension or profit-sharing fund; or any institution, such as a bank, trust company, insurance company or investment company.

[47] Securities and Exchange Commission, *Institutional Investor Study Report*, H.R. Doc. No. 92–64, 92d Cong., 1st Sess., Part 1 at XXII (1971) ("Institutional Investor Study").

[48] The Market Structure Statement noted that, "the ability to deal directly with institutions contributes substantially to a market maker's ability to find demand and supply (increasing his willingness to take positions and thus improving liquidity) . . ." Market Structure Statement, n. 2 above, at p. 12.

[49] The limit orders he handles do provide a flow of floor brokerage income, however.

[50] The Market Structure Statement expressed the view that "the presence of competing market-makers would reduce the likelihood of the abuses which gave rise to the existing restrictions on such dealings."

Market Structure Statement, n. 2 above, at p. 12.

[51] The Commission's Advisory Committee on Block Trading recommended that the limitations on dealing between a specialist and an institution be modified at least to permit disclosure of the identity of the institutional customer to the specialist. As to transactions between specialists and institutional customers, the Committee recommended an approach similar to that suggested in the text, *i.e.*, the specialist should be permitted to effect transactions in blocks in the specialty stock with an institutional customer. The Committee also recommended that specialists be permitted to register as "upstairs market-makers" for securities in which they do not specialize.

[52] As discussed above, in note 40, the Senate Report suggests that consideration be given to prohibiting all direct dealing between market makers of any kind and individual investors.

[53] This argument assumes specialists would be permitted to deal with these customers without charging a commission. The above proposal would not necessarily require that this occur.

[54] For example, it has been stated that:

"(I)nstitutions such as pension funds and foundations which trade for their own account more often availed themselves of the services of an agent when executing orders in OTC stocks than did those institutions acting in a fiduciary capacity. These self-managed accounts with their unencumbered best business judgment decided that the payment of an agency commission resulted in an advantage to them over dealing directly at net prices with the market-maker. The use of such agents, they believed, supplied them not only with better executions but also with valuable services such as research. Fiduciaries, on the other hand, fearing accusation of illegal interpositioning have tended to avoid the use of such agents except under unusual circumstances."

See, Hearings on S. 1164 and S. 3347 before the Subcommittee on Securities of the Senate Committee on Banking, Housing and Urban Affairs, *Institutional Membership on National Securities Exchanges*, 92d Cong., 2d Sess., Part 2, at 633 (1972).

[55] The kind of judgment involved in such a determination is similar to that discussed in Securities Exchange Act Release No. 9598 (May 9, 1972), which concerns itself with the selection of brokers and the negotiation of commissions in respect of institutional transactions.

[56] The legislation introduced in the House of Representatives would eliminate any rule such as Rule 394 and would specify the duty of brokers to obtain best execution of orders they hold for customers. *See* H.R. 5050, n. 7 above, Sec. 209.

[57] The House Study Report puts it another way:

"Aside from floor brokerage, the economic consequences of dealing in one market rather than another should be the same. Indeed, if a broker has a duty to seek best execution and the means of doing so (through a consolidated tape and composite quotation system, discussed hereafter), the cost of satisfying that obligation should be the same wherever the trade is accomplished."

House Study, n. 1 above, at 123.

[58] Market Structure Statement, n. 2 above, at 8.

[59] House Study, n. 1 above, at 122.

[60] *Id.*, at 122–123.

[61] Approach II of the Central Market System Report recommends a concept of system membership similar to that outlined by the Subcommittee.

[62] Under the concept of system membership recommended by Approach II of the Central Market System Report each member would have to be a member of at least one self-regulatory organization.

[63] House Study, n. 1 above, at 123.

[64] Such action would have to be accompanied by a Commission determination that no adverse effects on the viability and health of the markets would be likely to result therefrom and sustained by a finding that, after analysis of the impact thereof, no such effects in fact occur.

[65] Several exchanges presently have in effect rules which permit discounts through preferred rate memberships for certain classes of investors. Such rules generally relate to principal, rather than agency access and are not relevant here. The Commission has under review the question of whether such preferred rates are consistent with its position on the proper use of exchange membership, which is discussed at length in the Commission's release adopting Rule 19b–2, n. 6 above, a 182–183.

[66] The House bill recognizes this problem and proposes a revised definition of membership based not on the commission rate one pays but on the existence of a consentual regulatory relationship between an exchange and a broker-dealer. *See* H.R. 5050, Sec. 201, n. 7, above.

[67] Generally, the Rule prohibits the execution of transactions in listed securities other than on an exchange floor unless a complex procedure, sufficiently onerous to discourage its use in most cases, is followed.

[68] House study, n. 1 above, at 127. The Senate Study recommended amending Rule 394 "to permit exchange members to deal not with third market makers, without prior permission of the Exchange, subject to a requirement that public orders be given priority in the actual consummation of the transaction." *See* Senate Study, n. 1 above, at p. 105.

[69] H.R. 5050, n. 7 above, Sec. 209.

[70] SEC, *Report: Rule 394*, at 206–207 (September 14, 1965).

[71] *Id.*, at 207. The procedure which permits transactions to be executed "off-board" (Section 394(b)) was added to the Rule following the staff report. As noted in footnote 67, however, this procedure has been less than a total success in achieving its intended purpose of facilitating best execution.

POLICEMAN'S HEROISM COMMENDED

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. PEYSER. Mr. Speaker, I would like to bring to the attention of the Congress a very heroic action which was recently performed by one of my constituents. Patrolman Theodore Miller, of 16 Regina Place, New York, saved the life of a 5-year-old boy who was drowning.

Patrolman Miller was on routine duty on March 31, 1972, when he was called to the scene of a backyard pool accident. Upon arrival, he found a 5-year-old boy face down in the pool. Patrolman Miller immediately pulled the child from the pool and began mouth-to-mouth artificial respiration which he continued until breathing was restored. Three days later the boy was released from the hospital fully recovered. The knowledge and skill of Patrolman Miller undoubtedly saved the life of the child.

I think the outstanding action of Patrolman Miller deserves the commendation of the Members of this Congress.

TRIBUTE TO HON. JOHN V. CORRIGAN

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. STOKES. Mr. Speaker, the Cleveland Bar Association recently honored a distinguished jurist, the Honorable John V. Corrigan, for his outstanding contributions to the administration of justice. I have known Judge Corrigan for many years. I knew him as a fellow practitioner and an excellent trial lawyer. He came to the common pleas court bench with fine qualifications and became an exceptional trial judge.

For the past several years, Judge Corrigan served as chief justice of the Cuyahoga County Common Pleas Court. In that position, he made a remarkable contribution to the administration of justice in the county and in Ohio. There is no single individual who has been so deeply involved in all aspects of court reform in Cleveland and, indeed, in the State of Ohio. He was a leader in getting voter approval for a new justice center which will provide badly needed court and jail facilities for both the city of Cleveland and Cuyahoga County. He was a key figure in the changeover from Ohio's archaic procedural rules to new rules based upon the Federal Rules of Civil Procedure. He also spurred reforms in court management, particularly in the management of the court's docket.

Not content with all of these major accomplishments, Judge Corrigan ran for a seat on the Cuyahoga County Court of Appeals. He received virtually all possible endorsements and was unopposed for the seat. In his new role as an appellate judge, Judge Corrigan has continued to press for reform. In his remarks at a testimonial luncheon, he praised others who had been instrumental in the reforms for which he worked. He also urged the members of the bar to continue to work with him for constructive change. I want to insert here the text of Judge Corrigan's remarks on that occasion, from the April 1973 issue of the Cleveland Bar Journal:

REMARKS OF JUDGE JOHN V. CORRIGAN

All this praise heaped upon me is really misdirected because in speaking of:

JUSTICE CENTER

Thanks belong to many fine people, including H. Chapman Rose, Dave Leahy, Estal Sparlin, Commissioners Pokorny, Taft and Corrigan, George Crawford, Jack Gherlein, the League of Women Voters, Alan Wright, the media, and all who helped to sell the public on the great need.

INDIVIDUAL DOCKET

Honors should go to Chief Justice O'Neill, to the Supreme Court who ordered it, and to Chief Justice Tom Parrino and our local judges who have made it work and the lawyers who have cooperated.

CIVIL RULES

Deserving of the praise are the Chief Justice and the members of the Supreme Court—great lawyers like Tom Koykka, Craig Spangenberg, Harley McNeal, Chuck Crowley, and several judges—Manos, Fuerst, Merrick, Whitlatch, Gagliardo, McMonagle, Mc-

Bride, Leach, Hoddinott, Schneider and others.

COMPULSORY ARBITRATION

Moving forces were Lou Paisley, Al Morhard, George McMonagle, Bob Williams and others bold enough to suggest change. Don't overlook the 1100 lawyers who volunteered as panelists.

COURT MANAGEMENT

Chappie Rose again and John Ladd Dean, John Lavelle, Chief Justice Brennan, Pete Roper, Einar Bohlin, Alan Wright, Steve Madsen, Jack Sweeney, Emil Masgay, Dave Smead, Howard Reid, Jim Kilroy, and many others.

I could go on into all the activities, but I think you see my point. I just grabbed the banner, ran out front and became the cheerleader and now I am receiving all this undeserved praise. Nevertheless, it all sounds great and I'm deeply grateful to all of you for your attendance. Indebted to Charlie Clark, Aaron Jacobsen, Alan Wright, Pete Roper, and the committee and to the speakers for all their flattering remarks—much of this blarney is attributed to the fact that St. Patrick's Day is a few days away.

Instead of quitting while I'm ahead may I trespass a little further on your time and repeat my old refrain about the need for further improvement in the administration of justice. We are still in the developmental stage despite the great strides the lawyers and judges of our community have made.

A line from an old variety show in the heyday of radio says it all. The master of ceremonies was a lovable old character named Captain Henry who interrupted the applause after each number with the words: "It's only the beginning, only the beginning." To be just a bit more modern, we might take the title from a song popularized by the Carpenters: "We've Only Just Begun."

Indeed, as far as the whole field of court administration and the implementation of new procedural rules are concerned, "It's only the beginning!" "We've only just begun!"

As we face the future we need to be aware of some hard facts. To begin with, we need to recognize always that a court system, from an administrative standpoint, is an extremely complex organization that is more difficult to manage than the typical business operation or governmental agency.

The key people in the courts are high level professionals—judges and lawyers—who are accustomed to working as individuals, and they do not take kindly to change or to regimentation of any nature.

We have placed a very high value, and rightfully so, on judicial independence, but in the process we have surrounded judges with a variety of protections against outside influences, even the more needed administrative ones.

Too, you must always recognize that all the various participants in the litigation process do not all have the same goal in mind, but actually are pursuing conflicting objectives.

But we all know the problems and complexities, so it behooves all the lawyers in this community to find and to formulate more solutions and play more significant roles in stimulating more public commitment to our legal system.

Today the courts, like every other traditional institution of the established order, are constantly being examined and criticized. Delays, over-emphasis on technicalities and formalisms, over-complicated procedures, endless appeals and retrials—all these familiar and formerly accepted incidents of court procedures had better be overhauled by us before they become the targets chosen for some rather rude and unsympathetic bulldozing by others. The Bench and the Bar for centuries have been proud of our tradition of free, open courts but we shouldn't confuse externals with essentials. We shouldn't treat as fundamental any procedural or substantive rule which has been around for a long time, even if its origins are dubious or accidental or related to situations which long ago disappeared.

As lawyers we cannot live in our own little worlds or as judges wrap ourselves in our robes and shrink from contact with what informed laymen consider to be the real problems facing today's court's—trial delays, especially in tort and criminal cases, growing delays in the disposition of appeals, judges' concern over their re-election, failure of bar associations to deal realistically with basic social problems, and preoccupation of bar associations with their own internal functioning and minor local problems.

To the credit of this bar association, all the lawyers of this community, and the judges who are trying harder, we have done a lot to upgrade the operation of the system, but we have a long way to go—it's only the beginning! We've only just begun!

Each lawyer in this room left law school and was admitted to the Bar with a pocketful of dreams. Each of us hoped that we would leave the profession and the court's a little better and a little more efficient because of our contribution. I suggest as a continuing reminder of both our present opportunity and our imminent danger the familiar lines of poet Robert Frost:

> "For I have promises to keep,
> And miles to go before I sleep!"

Ladies and Gentlemen, whatever miles-to-go are still allotted to me by the Lord, I assure you they will be much more pleasant because of the high honor you have given me this day.

Thank you one and all!

RAILROAD RETIRED WORKERS NEED SUPPORT

HON. ROBERT P. HANRAHAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. HANRAHAN. Mr. Speaker, the health and well-being of the railroad retirement fund is of the utmost concern to me as it is to the many retired railroad workers in the Third Congressional District who depend on the fund for their livelihood. The proposals to amend the Railroad Retirement Act and keep the fund alive will soon be before us for approval as H.R. 7200. It is imperative that we adopt this legislation to maintain equitable benefits for our retired railroad workers.

The encouraging aspect about this legislation that we will hopefully approve is the fact that it is the embodiment of agreements reached together by workers and representatives of the railroad companies. Their joint commission has submitted to us their final agreements well in advance of the July 1 expiration date of the old act, thereby averting the threat of a strike. Their cooperation and agreement is testimony to the desirability of this bill.

There are critics of H.R. 7200. It has been said that the bill serves only as a stop-gap measure to keep the railroad retirement fund alive; what is really needed is an exhaustive overhaul of the entire system. There is validity to the arguments of these critics. The railroad retirement system has functioned awkwardly since its inception in 1935. Included in H.R. 7200 though, is an important provision to establish a Joint Standing Committee to make further revisions and recommendations to Congress. I sincerely hope, and would strongly urge, that this committee will make these forthcoming recommendations substantive ones, ones that will provide for a sound and permanent system. Bold and structural recommendations for change, if deemed necessary, would be welcomed.

In the meantime, however, H.R. 7200 will create the necessary provisions to maintain the financial solvency of the railroad retirement fund. and sustain the present level benefits for railroad retirees. This has been guaranteed by management's concession to increase their share of contributions to the fund. This agreement helps ease the strain on the fund caused by the ever increasing ratio of retirees to employees. In sum, we should applaud the efforts of both parties and adopt this legislation. To do otherwise would be to jeopardize the pensions of some of this country's most deserving retired workers; approval of H.R. 7200 is the least we owe them.

CALIFORNIA BLACK TELEVISION COMMISSION

Hon. Yvonne Brathwaite Burke

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mrs. BURKE of California. Mr. Speaker, I would like at this time to recognize the California Black Television Commission named by State Assemblyman Leon Ralph. Members of the Commission are:

Sonny Buxton, KGO-TV—San Francisco.

Belva Davis, KIPX-TV—San Francisco.

Joe Dyer, KNXT-TV—Hollywood.

Jake Jacobs—KNXT-TV—Hollywood.

Gerri Lange, KGO-TV—San Francisco.

Sandy McFolling, KLTA-TV—Los Angeles.

Joe Phillips, KHJ-TV—Hollywood.

Marilyn Seiffert, KCOP-TV—Hollywood.

Andrew Thornhill, Zachary Productions—Los Angeles.

Ben Williams, KPIX-TV—San Francisco.

The statewide commission was organized to promote the TV industry. They are responsible for research, development of liaison with other blacks in TV nationwide, promoting the hiring of blacks locally, and developing and monitoring training programs. This is the first commission of its kind in the country and it represents a major step forward in providing more opportunities for blacks in this critical communications media.

SHIPPING ACTIVITY

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. EILBERG. Mr. Speaker, I am pleased to report that the Port of Philadelphia is continuing to establish new records in the increased handling of general cargo and international waterborne tonnage.

With the recent construction of our two modern terminals—Packer Avenue Marine Terminal and Tioga Marine Terminal—the Port of Philadelphia is making great progress in securing new containership lines bringing additional business through our port. This increase, in turn, stimulates the economic growth of the entire southeastern Pennsylvania and southern New Jersey region.

This month, the Philadelphia Port Corp., which is an instrumentality of the city, the Commonwealth of Pennsylvania and the Greater Philadelphia Chamber of Commerce, was established in 1965 to increase commerce and upgrade waterfront facilities so as to attract new business, issued the accompanying report.

In addition, the Philadelphia Port Corp. also issued statistics prepared by the Census Bureau of the Department of Commerce, showing that Philadelphia continues to be the second busiest port on the Atlantic Seaboard. I am pleased to present both the report and the statistical table for inclusion in the RECORD:

SHIPPING ACTIVITY

The Port of Philadelphia registered record-breaking general cargo shipping activity during 1972 by handling 8.7% more tonnage and increasing its competitive East Coast position while the Ports of Baltimore and New York showed declines in their shares of the market.

Philadelphia continued to be the second busiest port in general cargo tonnage on the Eastern Seaboard.

At the same time total international waterborne commerce reached an alltime high of 63,970,228 tons in 1972.

Statistics released by the Bureau of Census of the United States Department of Commerce showed that Philadelphia handled 6,095,843 tons of General Cargo compared to 5,608,820 tons in 1971. The increase amounted to 487,023 tons or 8.7%. (See attached figures.)

Frederick A. Potts, President and Chairman of the Philadelphia Port Corporation, explained that general cargo, economic impact in the Greater Philadelphia area is at least $25 per ton in direct benefits and that increased tonnage aided in keeping a healthy financial climate in port related business in Philadelphia.

The general cargo category—excluding bulk and ore movement—includes a wide variety of imports and exports. Among these are iron and steel, paper and transportation equipment, meats, fruit, vegetables, tobacco, chemicals, plywood, newsprint and machinery.

Mr. Potts noted that during 1972 that Port of Philadelphia became a port of call on every major container route in the world and that Philadelphia is now served on a regular basis by twelve leading container ship lines.

Harry R. Belinger, City Representative and Director of Commerce, said the City was also gratified with the port's increasing trade since each additional ton of general cargo means more employment and more business income to the area.

COMPARISON OF GENERAL CARGO BUSINESS, PHILADELPHIA-BALTIMORE-NEW YORK

	12 months, 1972	12 months, 1971	Difference 1972 versus 1971	Percent
Tonnage of general cargo:				
Philadelphia	6,095,843	5,608,820	+487,023	+8.7
Baltimore	5,672,192	5,449,298	+222,894	+4.1
New York	15,789,114	15,205,950	+583,164	+3.8
Total	27,557,149	26,264,068	+1,293,081	

	12 months, 1972	12 months, 1971	Difference 1972 versus 1971	Percent
Share of market (percent):				
Philadelphia	22.1	21.3		+0.8
Baltimore	20.6	20.8		−.2
New York	57.3	57.9		−.6
Total	100.0	100.0		

Source: U.S. Department of Commerce, Bureau of Census.

CLOSING OF GASOLINE STATIONS

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. ASPIN. Mr. Speaker, more than 300 gasoline stations across the country have already been forced to close and nearly 1,000 are threatened with closing according to statistics that I am publicly releasing today.

The statistics, prepared by the Office of Emergency Preparedness, indicated that on April 23, 1973, 342 gasoline stations had already been forced to close and 930 were "threatened" with closures.

Mr. Speaker, these statistics are just the tip of the iceberg in what is developing into a major gasoline shortage this summer.

By the middle of August, thousands of gas stations, mostly independent stations that sell cut-rate gas will probably be closed and thousands more will be very short on supplies.

At present, the largest number of closures and threatened closures is in the Southeast, where 117 stations have already been closed and 437 face closures.

Similarly, in the Midwest, 136 stations have been forced to close down, and an additional 200 face closure.

The situation is changing and worsening every day. These statistics are based on information obtained before April 23 and I am sure the situation is worse today.

In addition, I am releasing today a list of 24 Government agencies—local, State, and Federal—who are experiencing difficulties in renewing fuel contracts with major oil companies to buy gasoline and other petroleum products.

Gulf, Mobil, Arco, Texaco, Exxon, Amoco, Shell, and others are all balking and are very reluctant to renew their contracts with Government agencies.

Ways must be found to make sure that all refiners, particularly independents, can operate at full capacity and more gasoline must be imported for this summer.

As many of my colleagues know, many independent refineries have been running below capacity as a result of their inability to obtain crude oil from the majors and until recently, gasoline imports were severely limited by the oil import quota system.

MISSOURI HOUSE OF REPRESENTATIVES RESOLUTION

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. HUNGATE. Mr. Speaker, we hear much about Amtrak and the benefit it can bring to supply transportation. The enclosed resolution of the Missouri House of Representatives is respectfully directed to the attention of Congress, executive, and administrative officials for consideration in the administration of rail service in Missouri.

MISSOURI HOUSE OF REPRESENTATIVES RESOLUTION

Whereas, the Missouri House of Representatives has learned that the National Railroad Passenger Corporation has announced that a proposal to discontinue the National Limited which operates from New York to Kansas City; and

Whereas, this train represents the last mode of rail travel through Missouri's heartland in the revered tradition of such fine varnish trains as the Kay-See Flyer and

Whereas, if the National Limited is allowed to be discontinued, Missouri will have only one passanger train left; and

Whereas, thousands of Missouri's residents rely heavily on the National Limited to travel from the State Capital to St. Louis or Kansas City and between those strategic cities; and

Whereas, the residents of Missouri are strongly opposed to any further loss of rail passenger service in our state, and particularly a loss of service between the two largest cities in the state; and

Whereas, over the years, and particularly, with the emergence of Amtrak, Missouri has lost such fine trains as the Southern Belle, the Rock Island Rocket, the Eagles, the Sunnyland and the Bluebonnet; now, therefore

Be it resolved that for both economic and logistic reasons the Missouri House of Representatives strongly urges Amtrak to continue the National Limited's service between St. Louis and Kansas City; and

Be it further resolved that the Chief Clerk of the House of Representatives be instructed to send a suitably inscribed copy of this resolution to Senators Stuart Symington and Thomas Eagleton and to each member of Missouri's Congressional Delegation, and to Mr. Roger Lewis, President of the National Railroad Passenger Corporation.

PRESIDENT NIXON COMMENDS HOME STUDY SCHOOLS

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. BROYHILL of Virginia. Mr. Speaker, in this day when the public and government agencies are requiring all of education to be "accountable," it would be good for us to recognize those institutions providing a real service to thousands of students-correspondence schools.

President Nixon, in a personal message to the National Home Study Council, recognized the valuable contribution these schools are making.

Commending the participants of the annual conference of those schools, President Nixon stated:

> Over the years the schools that are represented at this Forty-Seventh Annual Conference of the National Home Study Council have motivated millions of Americans to set new goals of personal achievement through home study. People of all ages, handicapped by inadequate education, have derived from this program new hope for a productive and rewarding future. They have broadened their knowledge, advanced their careers, enriched ability to contribute to the life of our society.
>
> I warmly congratulate those who are associated with the council on its continuing expansion, and I wish you sustained success in your important work.

We are proud to have several of these contributing schools in the Washington area. One such school, the National School of Conservation has recently been accepted by the U.S. Civil Service Commission as college level training.

The Civil Service Commission is to be commended for recognizing the value of vocational training for Federal positions and the importance of what a man knows, rather than where he learned it.

The National School of Conservation was started in Washington, D.C., in 1958 as a response to the growing need for good, sound correspondence training in the various fields of conservation.

During the years following, while many people and companies have been talking about conservation and ecology, this school has been training people to do something constructive. National students are trained in basic conservation principles, including environmental pollution and control. They receive technical training in fish and wildlife management, forestry practice—which emphasizes multiple uses of the forests—soil and water conservation and practical training in the growing field of parks and outdoor recreation.

In addition to the thousands of better informed citizens who have completed this training, this school is training men and women in the Armed Forces, who will be ready to fill meaningful positions when they have completed their service to their country.

A recent survey, reported by the school, indicated that in a 2-year period, 60 percent of the students receiving veteran benefits had completed all of their lessons, and 25 percent were still enrolled and studying. These figures present a completely different picture of the service provided to the public, than we normally read.

One step that would help the veteran receiving this training, and all other students using this convenient, effective way of learning a new occupation, is for Federal, State, local and private agencies to recognize the value of the training, and accept it as proper job preparation.

After all, a student who has paid his own way, continued to hold a full-time job, or studied while in the service, should receive at least the same recognition, if the training is sound, as a college trained man does.

This country was built by men and women with self-initiative and self-reliance. These schools and their students should be congratulated for their positive contribution.

IN HONOR OF ISRAEL'S INDEPENDENCE DAY

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mrs. GRASSO. Mr. Speaker, much of Jewish history reveals the torment, persecution, and ordeals endured by a people seeking to return to the Land that God promised them. For thousands of years, Jews have longed to be at home in their homeland—the land into which the patriarch Abraham led the ancient Hebrews in the 18th century B.C.

Homelessness is a recurring theme in Jewish history. After World War II, Palestine was a haven for hundreds of thousands of displaced European Jews. In 1948, after centuries of unfriendly exile in foreign countries, the Jews were finally rewarded for their hardships and perseverance when David Ben-Gurion proclaimed the establishment of the State of Israel. On May 15, 1948, which was the fifth day of the month of Eyar, 5708, according to the Jewish calender, a jubilant Israel celebrated her independence. With joy and thanksgiving, we celebrate the 25th anniversary of this miraculous historical event on May 7.

With the withdrawal of the British, who previously held administrative control over Palestine, the Israelis were immediately forced to defend their new nation against an attack by the Arab states. The Israelis successfully defended themselves, and have repeatedly overcome challenges to the freedom and sovereignty of their nation.

The progress that has been made in Israel since the founding of the Jewish State has been truly remarkable. From small villages, large cities have been built. From deserts, farms, and gardens have borne fruit. From a displaced and tormented people, the Israelis have achieved unity and identity in the promised land.

The Jews have always sought to help fellow Jews in need wherever they may live. The State of Israel provides that opportunity for displaced Jews throughout the world. So rich is their common heritage and their desire to be free that Jews have emigrated to Israel in large numbers over the years. They have found peace of mind and a chance to build a new life of hope.

Mr. Speaker, the very existence of Israel strengthens Jewish identity and helps maintain the wealth of cultural heritage which distinguishes the Jewish people. The 25th anniversary of Israel's independence is indeed a special milestone. It is my profound hope that the future will at long last usher in an era of peace in the Middle East so that the people of Israel will more fully enjoy the fruits of their achievements.

HOW THE PEOPLE FEEL ABOUT IT

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. GAYDOS. Mr. Speaker, CBS has informed TV Critic Win Fanning of the Pittsburgh Post-Gazette that it received more than 250,000 protest letters as a result of false reports that it planned to show X-rated movies on its late show.

The rumors, according to Mr. Fanning, were entirely in error for neither CBS itself nor its affiliated stations, including Pittsburgh's KDKA-TV, had any such notion. And yet, for some unknown reason, the idea got about in various parts of the country and the public responded quickly.

It is gratifying to me that CBS and its stations had no intention of befouling their programing and now have made that certain. They can be held above this sort of thing and accredited deservingly with being mindful of their moral responsibility to the Nation whose airwaves have been placed at their disposal.

But equally gratifying, in my judgment, was the enormity of the protest even on the most flimsy of hearsay. The 250,000 letters, some carrying multiple signatures, served as additional evidence of the great concern of millions of Americans over the spread of obscenity and the official inability so far to stop it.

The blame for this failure rests mostly with the courts which insist on confusing the matter by quibbles over what is and what is not obscene. However, our decent people share no such bewilderment. They know filth when they see or hear it and they want it eradicated and, lacking proper representation on this point by their governmental agencies, they are increasingly taking the matter into their own hands.

The writers of the quarter-million letters to CBS served a warning to any venal airwaves manipulator who might have had a thought of sneaking filth into TV. He has notice now that the people will not stand for it and that public opinion would compel an official crackdown.

But what can be done to arrest the dissemination of the character-destroying rot that has taken over a part of the privately conducted movies and publishing industries? This question continues as a growing challenge to Congress whose power it is to enact laws to get around the judicial failures to act. The 250,000 letters to CBS—unwarranted as were the fears that prompted them in this particular case—cannot be dismissed as a big mistake. They showed the feelings of millions.

BROKEN PROMISES TO THE ELDERLY

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. HARRINGTON. Mr. Speaker, with the high cost of living and rising prices today, the elderly need adequate incomes and health care coverage. Mr. Nixon has cut various benefits such as, medicare, social security, and housing and has abolished the Federal Administration on Aging. I would like to insert an article by Joseph Levin from the Boston Globe of April 11, 1973, which outlines the broken promises made to the elderly:

NIXON ADMINISTRATION WIDENS ITS BREACH WITH THE ELDERLY

(By Joseph Levin)

By every bureaucratic trick in the book, the Nixon Administration day by day widens the breach between itself and the American people. It seeks to cut Medicare benefits and raise their cost, it has the gall to make a sweeping assertion that because of the 20 percent Social Security increase (which it opposed) the elderly no longer need food stamps, it freezes construction of new housing, cuts social services to the elderly, moves to wipe out the Federal Administration on Aging. The list is endless.

These actions belie even the few limited commitments President Nixon gave the elderly at the 1971 White House Conference on Aging. Before me is the official two-volume Government report on the conference. Of course, he was all smiles and turned on the charm because he was then running for a second term and needed their votes.

Stating that White House Conferences usually produce volumes that simply gather dust in the Library of Congress, he promised it would not be so this time. "I will go over and shake off the dust myself to find out what was said here." He added: "I am going to give my close personal attention to the recommendations of this conference."

He promised to provide $100 million for an upgraded Administration on Aging (AOA) and instead vetoed the bill just before the 1972 election. That bill has been re-enacted by the US House and Senate this year and a House-Senate conference committee is reconciling the somewhat different provisions of the two bills. Their final report is expected to go to the two bodies just before the Easter recess. The strategy is to let the Congress find out what their home constituencies are thinking before the vote on final passage. It is believed that if a new veto comes, there may be enough guts in the two Houses to override. The rollcalls on passage, and on overriding a veto if it comes, will be watched closely by every elder citizen group in the nation.

Meanwhile, the National Council of Senior Citizens is rallying the elderly to protest the proposed Nixon cutbacks at meetings from coast to coast. This will culminate on June 6, 7 and 8 in Washington, where clubs are being urged to send representatives to participate in a mass legislative conference and direct appeals to their Congressmen.

CONTINUED SUPPORT FOR AMENDING TITLE I OF THE ELEMENTARY AND SECONDARY EDUCATION ACT

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. QUIE. Mr. Speaker, over the past several weeks, I have entered into the RECORD several summaries of letters which I have received in support of H.R. 5163, my bill to amend title I of the Elementary and Secondary Education Act of 1965. My bill would substitute a measurement of educational need for the dated economic data based on census information which may be far less than perfect to begin with. As I pointed out last week, the 1970 census missed 2½ percent of the total population. The tragedy of that is evidenced by the fact that the rate of error was very unevenly spread throughout the population. For example, the rate among black children under age 5 was in excess of 10 percent.

The excerpts from recent correspondence included today is further evidence of the support which is rapidly building for the movement away from economic data to actual measures of need. I believe these comments will be of interest to all Members.

EDUCATIONAL DEVELOPMENTAL
LABORATORIES,
MCGRAW-HILL BOOK CO.,
New York, N.Y.

[We] wholeheartedly support this bill and are encouraging other educators to do the same. The use of criterion-referenced tests is certainly a more accurate and realistic means of identifying educationally deprived children than the incomplete and outdated census information. In addition, after individual educational need has been determined, it is critical that individualized programs of instruction be provided for remediation.

We are encouraged by your concern over the improvement of Title I funding procedures and urge your persistence in helping the passage of H.R. 5163 in the House of Representatives.

DONALD R. SENTER,
Ed. D., Research Director.
LEONA M. KOSMAC,
Associate Research Coordinator.
ELAINE SCHEIER,
Research Coordinator.
KAREN WEGNER,
Research Assistant.

GRADUATE SCHOOL OF BIOMEDICAL
SCIENCES AT HOUSTON,
The University of Texas.

I am most grateful for the opportunity to respond to H.R. 5163: The Educationally Disadvantaged Children's Act of 1973. It is good to know you are in support of a bill designed for the education of children who are in need of supplementary educational services. Also, I would like to commend you for your reflected intention of not separating the 'handicapped' from the 'normal' population; this point of view is endorsed by currently accepted attitudes concerning the undesirable and destructive effects of separating children into diagnostic categories. I also would like to support the inclusion of a design to involve parents and children in the establishment of meaningful goals. This we have found to be an extremely important component to insure the potential success of educational programs.

VILMA T. FALCK, PH. D.,
Associate Professor.

MIAMI AREA SCHOOLS,
Miami, Ariz.

How excited I am to hear of your interest in individualized instruction and parental involvement in educational programs, because I am sold on both!

Our summer program was an individualized, success-oriented program that provided many opportunities for individual, small group, and large group participation. We devised ways for parents to take an active part in the child's progress at home and at school through various projects. We have found that parents are *happy* to be included and that progress was much greater when home and school worked together. Many parents were on hand at 8:30 a.m. for flag ceremonies, pet shows, field trips, programs, etc. We recognized parents as well as children for the progress made and both parent and child responded proudly to the role each had played . . .

The most important factor is that home and school *must* actively work together to provide better learning opportunities for children regardless of what type of program the child is in.

MRS. MILDRED MAINE,
IGE League Facilitator.

DEPARTMENT OF PUBLIC INSTRUCTION,
State of Wisconsin.

We have reviewed with interest H.R. 5163 which you introduced in the House of Representatives on March 5, 1973. Speaking in reference to handicapped children, I can indicate that we believe that this legislation, if passed, would have significant impact on the education of handicapped children throughout the nation. . . .

We believe that H.R. 5163 which includes eligible children who have deficiencies "resulting from a physical or mental handicap" is a decided step in improving the operation of Title I programs. In addition, rather than a formula based on the use of census and AFDC data in computing Title I payments, but based on actual and demonstrated educational needs as determined through criterion referenced tests, is a move in the direction of the learning needs of disadvantaged and handicapped pupils. This should hopefully get us out of the bind alluded to above when operating under the current guidelines.

May we extend our personal appreciation for the assistance you are providing in Congress in the area of special education for the handicapped.

JOHN W. MELCHER,
Assistant State Superintendent.

STATE OF OREGON.

Thank you for sending me information on H.R. 5163 to amend Title I of the Elementary and Secondary Education Act.

Dr. Dale Parnell, Oregon Superintendent of Public Instruction, testified in favor of this legislation in Washington, D.C. on April 9. I certainly support his position on this bill. Your proposal to eliminate use of economic levels as determinants of funding seems realistic. However, it is too early to estimate what this will mean to the State of Oregon allocation.

My office, through Dr. Parnell, will be following the progress of this legislation with great interest and with the hope that the amendments will make Title I a more effective instrument in remedying the problem of educationally disadvantaged children in this and the other states. Please be assured of my cooperation in development of any information you may find useful.

TOM MCCALL,
Governor.

SPECIAL EDUCATIONAL SERVICES,
San Francisco Unified School District.

It is with considerable interest I reviewed this important legislation as it has direct bearing on the education of handicapped children.

There indeed does exist a great deal of inequity in the disbursement of Title I ESEA funds which results in either feast or famine, depending upon circumstances. Your emphasis on individualized instruction and parent involvement are also integral keys in raising the achievement level of handicapped and disadvantaged children. We in special education have stressed this philosophy for many years as necessary ingredients for program development and student success . . .

I do believe this legislation will be of considerable assistance to the handicapped and merits the support of educators, especially those in the areas of special education.

Please be assured that I will highlight this bill to my colleagues and to parents in order to obtain additional support for this measure.

My best wishes for your success in this endeavor.

MARTIN J. DEAN,
Assistant Superintendent.

STANFORD UNIVERSITY,
Stanford, Calif.

Please accept my support for your proposals to base distribution of Federal funds for education on educational need rather than poverty as such. Several aspects of your proposal seem quite meritorious and reflect great sensitivity to the educational process.

ROBERT C. CALFEE,
Professor of Education.

CENTER FOR THE STUDY OF EVALUATION,
University of California at Los Angeles.

There are a number of methodological and pragmatic issues that might be raised relative to proposed bill H.R. 5163.

1. Are the theory and methodology of criterion-referenced testing sufficiently well developed that valid and reliable tests could be developed in the time period permitted by the legislation?

There are always methodological questions that remain to be solved related to any problem area. Generally, however, the last five-year period has evidenced a considerable amount of effort in the development of objectives-related instructional systems and objectives-based evaluation systems. Much of this work, with attendant theoretical and methodological research, has taken place at the Federally funded research and development centers and laboratories. We are convinced that the state of the art is ready and able to undertake and complete the construction of a valid and reliable testing program consistent with the proposal set forth earlier, and within the time period permitted by the legislation.

Indeed, we believe that our own work on developing a system for objectives-based evaluation in reading at the center for the Study of Evaluation, UCLA, constitutes a well-developed prototype that could easily be adopted to meet the needs of this program with a one-year period of time. The development of the system in mathematics would also not be difficult. . . .

5. Would it be wise to conduct such research or experiments before making a commitment to the specific provisions of this legislation? If so, what would they be?

The possibility of implementing the plan and the availability, given current technology, of the instruments and procedures for such implementation do not require the conduct of research or experiments before making a commitment to the specific provisions of this legislation. However, there are a number of feasibility and practicality questions that would need to be addressed during the course of the development of the testing program (for example, the political impact of such a system at a local level). These are all relatively minor issues and we see no reason why the legislation could not be enacted at this time with the provisions already in the bill enabling the Commission to contract for outside services including research studies.

MARVIN C. ALKIN,
Director.

A TRIBUTE TO JOSEPH GERMANO

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. ANNUNZIO. Mr. Speaker, on Saturday, April 28, a testimonial dinner was held in Chicago honoring Joseph Germano, director, District 31, United Steelworkers of America, upon his retirement after 40 years of dedicated service to the American labor movement.

As a former legislative and educational director for the steelworkers, and as a former director of labor for the State of Illinois, I have personally witnessed Joe Germano's dedication and sincere devotion to the working people of our city, our State, and our Nation. He is one of the architects of our industrial democracy which has uplifted the standard of living of every man, woman, and child in America. His contribution to the national scene and the Supreme Court decision under the one-man, one-vote rule shall not be forgotten for it reshaped the democracy of America in all of its legislative processes.

The contribution of Joseph Germano to the building of America will long be remembered by the labor movement and the people of Illinois, and in fact, the Nation. We are all better off because of his leadership, dedication, and devotion to his fellow man.

Although Joe is retiring from active service with the steelworkers, I cannot conceive of him resting on his laurels. My entire family wishes for him and his family long life and good health, and we hope he may continue for many more years in the service of the little people of America.

Mr. Speaker, at this point I wish to insert into the RECORD a biography of Joseph Germano. His biography follows:

BIOGRAPHY OF JOSEPH GERMANO

Joseph Germano was born on February 12, 1904 of humble Italian parents on Chicago's South Side. His formal education in Chicago public schools ended abruptly in the sixth grade when necessity forced him to help support the family.

Oddly enough, Joe's first job was a far cry from the role destiny had fixed for him in later life. He was hired as a floor messenger for a brokerage firm at the Chicago Board of Trade Building.

When World War I broke out, Joe decided to enlist. Although only 14, he boldly stretched his age and was accepted by a recruiting officer. It was on the day he was to leave, and after his buddies at the brokerage firm had tendered him a rousing farewell, that a red-faced Navy discovered Joe's right age. His enlistment was promptly cancelled.

Too embarrassed to go back to his job as messenger, he then hired in as a rivet-heater at the Morava Construction Company, now operated by Bethlehem Steel Corporation. It was here he first felt the great need for industrial democracy. The long hours, low wages and extremely poor working conditions left a lasting impression on the kid of 14 who certainly did not belong in a factory.

It was natural for Joe's ears to perk up when he heard tell of an organizing drive in the Steel Industry. The drive was the ill-fated Steel organizational campaign of 1919. Joe decided he wanted more than anything else to be in a Union.

Although the initiation fee was only three dollars and his first month's dues one dollar, he was unable immediately to get that much cash together. He approached the Plant Superintendent for an advance on his pay. When the company official asked how he planned to spend the money, the youngster, innocently enough, explained he was joining the Union. He got the loan, but two weeks later he also got a discharge notice. The incident taught Joe that joining a Union in those days was risky business.

In succeeding years, Joe worked as a millwright's helper at the Iroquois Steel Plant in South Chicago (now Youngstown Sheet and Tube), went to Southern Indiana where he became a drill operator in a stone quarry and shoveled coal on a steam locomotive as a road fireman for the Illinois Central Railroad.

In 1928, after acquiring a family, Joe returned to the steel industry and worked as a millwright at the Youngstown Sheet and Tube Company in South Chicago.

It was here, in 1933, that he led a spirited drive to organize the plant under the Amalgamated Association of Iron, Steel & Tin Workers of North America. He became the first president of Lodge 56 at the plant and was re-elected to that post repeatedly.

When the Committee for Industrial Organization was formed within the A. F. of L. in 1936, its leaders proposed a great steel industry organizing campaign. Members of the Amalgamated Association, the only semblance of a Union in Steel at the time, were undecided about the CIO proposal. One group, content with a small membership, resisted the CIO organizing offer. Another group, realizing the potentialities, argued that CIO help should be welcomed. At a convention in Cannonsburg, Pennsylvania, where the issue came to a head, Joseph Germano introduced the resolution accepting CIO help. The resolution was adopted and the campaign was on.

Early in this great drive to organize Steel, Joe was picked to serve as an organizer for the Steel Workers Organizing Committee. Two years later he became Sub-District Director at Indiana Harbor, Indiana.

In 1940, Philip Murray, Chairman of the

SWOC, was looking for a good man to fill the job as Director of the Union in the Chicago-Calumet area. He chose Joe on the basis of his record of accomplishment. Joe was officially elected to the Director's post two years later at the first constitutional convention of the new Union, and has been re-elected by overwhelming votes of rank and file members in all succeeding elections.

Under Director Germano's administration, membership of District No. 31 has risen from 18,000 in 1940 to some 128,000 today. This is the largest membership of all the various Districts in the International Union.

Joe is happily married, has two daughters and seven grandchildren. His wife, Mary, is a gracous helpmate who enthusiastically endorses her husband's dedication to Labor's cause.

Others have come to regard highly Joe's admirable qualities. He served on the War Production Board and on the Regional Manpower Commission. He was honored by the United States Treasury Department. He was elected President of the Illinois State Industrial Union Council in 1947 and was re-elected continuously until that organization merged with the Illinois Federation of Labor in 1958. He is a Vice-President of the Illinois State Federaton of Labor and Congress of Industrial Organizations. He was honored by the Chicago Regional Red Cross. He served since its founding on the Civil Rights Committee of the United Steelworkers of America. The University of Illinois honored him by naming him an advisor to the Institute of Labor and Industrial Relations. Chicago's Mayor Daley appointed him to the Chicago Library's Board of Directors. He was cited by the Chicago Council against Racial and Religous Discrimination for vigorously supporting the non-discrimination policy in schools; Bishop Bernard F. Sheil presented the award. He sparked a drive against traffic in dope to high school children in Chicago. He traveled to Italy on an exchange visit and consulted with and advised Italian Steelworkers. While there, he met with members and officials of the International Confederation of Free Trade Unions. He was received in private audience by Pope Pius XII at the Vatican. Mr. Germano also traveled to Japan as a consultant to the Japanese Steelworkers Union.

Two of his outstanding achievements had state and national significance. In 1958, he gave leadership to the Committee for Modern Courts in Illinois to secure adoption of the Judicial Amendment to the Illinois State Constitution. The effort, eventually successful, resulted in a modernized Illinois Court system, one of the best in the nation. Then in 1962 Mr. Germano filed a suit to reapportion the Illinois State Senate on the basis of one-man one vote principle. The case was finally won in the U.S. Supreme Court and as a result the Illinois State Senate was reapportioned for the first time according to population. This case contributed to the move for reapportionment procedures nationally.

In 1963, Mr. Germano's International Union assigned him as a delegate to the International Metalworkers Federation, Foundry Workers Conference, which was held in Stockholm, Sweden.

Mr. Germano has served on Mayor Daley's Committee for Economic and Cultural Development for many years. In the past two years he has testified before air pollution control committees, both in Indiana and Illinois as well as on the Federal level, urging the adoption of tight standards governing the amount of pollutants that can be placed in the air.

Mr. Germano is a resident of Chicago and has offices for District 31 at 333 N. Michigan Avenue, Chicago, Illinois 60601.

MAIL ROUTE LOSES FRIEND

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. DULSKI. Mr. Speaker, the mail man was the neighborhood's personal friend when I was a boy, and he occupied a very special place in the daily lives of his patrons.

Many things have changed since those days, and we are now deluged with reports of deteriorating postal service. But there are still examples of old-fashioned personal care and genuine friendliness offered by the letter carriers and returned by the people on their routes.

I am including such a heartwarming story, about Mr. Haskell "Huck" Singer, which recently appeared in the Buffalo Evening News.

It is a pity for a great many people that the U.S. Postal Service once again is substituting some more of its so-called efficiency for the concerned service Mr. Singer has been delivering with the mail.

The story follows:

HUCK'S POSTAL PATRONS SING HIS PRAISES, BUT FAIL TO KEEP HIM ON HIS ROUNDS

(By Tony Cardinale)

It's not a very prosperous neighborhood, so the man who delivers the mail—and sometimes a check—has a very special place there.

Cooling in the shadow of the Niagara Thruway, the scents from a chemical plant lingering in the air, Haskell Singer's adopted neighborhood in South Buffalo is a place where people still know each other.

In fact, when Roberta McLean, almost 17, circulated her petition throughout Peabody, Walter and Maurice Sts., she found only two residents who didn't know "Huck," as Mr. Singer is called.

Ninety-five signed the petition in pencil on lined school paper asking the U.S. Postal Service not to abolish Huck's route.

The Postmaster recently returned the petition, with his appreciation and regrets but the whole venture wasn't in vain. You would not believe some of the things the people on Huck's old mail route said about him.

You can depend on him," said Roberta. "He's like a big brother to me. And in the summertime I had a peeping tom and he helped me to try to catch him. I haven't been bothered since."

Down the street from Roberta, at Peabody & Scatcherd, Mrs. Shirley Parker was watching daytime TV in her upstairs flat.

"He used to be my insurance man," she began. "But now he's just my mail man. When my older daughter moved away, he gave me her mail till I got her change of address.

"I keep a lock on my mail box, but if the kids break the box and Huck knows I got a check in the mail, he won't leave it. He'll save it for me."

Mrs. Parker looked out her window on this rainy spring day and said she could tell Huck had been by because "I can see his foot prints on the next-door stairs."

Around the corner at Hank & Stell's Grill, corner of Seneca & Walter, bartender Stan Kaczmarczyk poured a foamy collar on a draft beer.

"Huck?" he said. "You just missed him. He parks his car out front every day while he's on the route. He comes in here and drops off our mail and is on his way. He's a happy-go-lucky guy . . ."

It had stopped raining and some kids were playing spring hockey on the damp surface of Walter St.

"When I moved, he helped me move," said Christina Smith, upstairs at 133 Walter St. She formerly lived a block away on Peabody.

"He let me use his car and he got a trailer for me and helped me move. He used to sell carpets to Lorretta Parker"—Mrs. Parker's daughter.

Every day, after finishing the rest of his route on Fulton and Perry and Elk Sts., Huck drives to Station D, which is where he will work from when he gets his new route.

Huck, 43, a 9-year postal veteran who lives in Eggertsville with his wife and 3 children, says the route he has walked for 6 years is to be split among other mailmen on adjacent routes as an economy move.

Postmaster Harold G. Tucker thanked Roberta for the petition and said the gesture "will be entered in his service record."

But, he went on, mail routes are reviewed each year and sometimes adjusted for better efficiency. Assigning carriers to routes must be done by bids according to a union contract, he said.

Roberta McLean still has the petition with 95 names, signed in pencil on lined school paper that has been folded and refolded on the same creases.

POLISH CONSTITUTION DAY

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. ROONEY of New York. Mr. Speaker, in the epic struggle of man for human dignity and his personal freedom there are, I am sorry to say, precious few documents created over the years by his hand that can be pointed to with any pride or self-respect. Among those documents that can be so pointed to are the Magna Charta, the American Declaration of Independence and our Constitution and, I am proud to say, the Polish Constitution of May 3, 1791.

While the Polish document is probably the least known of these it might just be the most remarkable, for Europe in 1791 was awash with monarchies, plutocracies and aristocracies. And yet out of this sea of blue blood came the document, peaceably written and promulgated, that stated simply that—

> All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and good order of society on equal scale and on a lasting foundation.

Such a thought as all power being derived from the will of the people was then considered heretical and dangerous in the eyes of most of the governments of Europe. Then, in less than 4 years Poland ceased to exist. While Poland was strong of spirit she was weak in arms and was no match for czarist Russia, militaristic Prussia and autocratic Austria. She was partitioned, her constitution voided and her people scattered.

Almost 200 years have passed since then but Poland today is no better off than she was after that partition. The oppressive rule of foreign nobility and despots has been replaced by the strangle hold of a Moscow-controlled puppet Red Communist government. The liberties practiced by the Poles under her constitution 200 years ago are nonexistent today.

And yet for all the brutalities committed against the Polish people even in the last 30 years, the Nazi invasion coupled with an equally brutal Russian one and the murder by the Russians of thousands of her future leaders in the Katyn Forest—the spark of liberalism and freedom has not been extinguished in the Polish soul. Witness the workers' rebellion in Poznan in 1956 and the recent unrest that brought about the ouster of that Red Communist puppet, Waldyslaw Gumulka. Poland today, as she has so many times in her tragic past, knows the cruelty and weight of the despot. But we also know that Poland will again be free. A millennium of history has already shown the world that to be alive in Poland is to be fighting for civil and religious freedom.

Mr. Speaker, I salute the Polish people everywhere and particularly those Polish-American organizations in this country that do so much to keep alive the indomitable spirit that is Poland and who remind us that we must never cease our efforts to bring freedom to those who so earnestly yearn for it.

MAZEL TOV, ISRAEL

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. BADILLO. Mr. Speaker, I am proud to join with our colleagues and other men of good will throughout the world in observing the 25th anniversary of the State of Israel.

In a sense it is rather ironic to be celebrating only 25 years of existence when Israel is a nation with more than 35 centuries of history. However, throughout this entire period the Jewish people have had to suffer all forms of persecution and have struggled over these many centuries to establish and build their own homeland. For some 19 centuries, as Prime Minister Golda Meir recently observed, the Jews lived as a dispersed and persecuted minority throughout the world. Three years after the holocaust, during which more than 6 million Jews were ruthlessly murdered, a homeland for these valiant and energetic people was finally established. In 1948, for the first time since the first century of the Common Era, Jews became independent in their own land and the State of Israel was established as a full member of the family of nations.

Faced with what to many seemed to be insurmountable political, economic and geographic problems when independence was declared in May 1948. Israel has grown and prospered. It has a viable and healthy economy and a rapidly growing industry. The nation's gross national product has been increasing at a rate of 8 to 14 percent annually in recent years and private consumption in real terms, which has been increasing by 4.4 percent in 1971 and 3.4 percent last year, is expected to reach 8 percent by the end of 1973. Israel's exports exceed $2 billion annually and her foreign currency reserves have been at a high of $1.2 billion. Where there once existed barren and unpopulated desert, scores of new towns with populations in the thousands and tens of thousands have mushroomed and are actively contributing to Israel's economic development. This amazing economic condition is particularly impressive when one considers the fact that Israel is forced to spend some 25 per cent of its GNP on defense.

Unfortunately, the Jews have not been permitted to live in peace in their homeland and, commencing less than 24 hours after independence was proclaimed 25 years ago, Israel has been ceaselessly attacked by her Arab neighbors. As Mrs. Meir so aptly noted in a recent statement:

> Israel has known only armistice lines—until 1967—and since then only cease-fire lines. We have never known frontiers of peace, and even between wars the Arab Governments have intermittently directed terror and violence against our people.

It is clear that Israel does not want to maintain hostile relations with her Arab neighbors but is anxious to live in peace and harmony in order that all peoples of the Middle East may grow and prosper and find economic, political, and social security. In those areas which she has administered since 1967, for example, Israel has taken steps to open frontiers between her population and the Arab population of these areas and she has initiated the open bridges policy enabling a significant number of Arabs from neighboring states to visit Israel.

However, as long as the Arab States continue to perpetuate acts of armed hostility, sabotage, and terrorism against Israel she fully intends to maintain her defenses. In this regard it is incumbent upon the United States to insure that the territorial integrity of Israel is maintained and that she has the ability to protect herself against unwarranted Arab intrusions by affording her whatever aid is necessary to continue the delicate balance in the Middle East.

Mr. Speaker, Prime Minister Meir has proclaimed that the basic aspiration of Israel is "peace within secure boundaries." This is not only a noble goal but one which is essential if the Middle East ever hopes to make meaningful economic and social progress. Through word and deed Israel has given every indication that she is prepared to work with her Arab neighbors toward this necessary objective. It is now up to the leaders of the various Arab States to put aside bigotry, hatred, and suspicion and to take the hand of friendship which has been extended by Israel with a view toward undertaking programs of mutual interest and benefit. Shalom—peace—is both the greeting and wish of Israel.

I am hopeful that Israel's next 25 years will not only be more productive but that she will finally know a lasting peace.

A QUESTION OF PRIORITIES

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. ROGERS. Mr. Speaker, I believe a clear need has been established for this Congress to set a limit on expenditures, and to live within that limit by better balancing Federal receipts and expenditures. But in the name of such fiscal responsibility, President Nixon has undertaken budget cuts in programs that are vital to the health and well being of Americans, while leaving untouched literally billions of dollars in pet programs of less social value.

In a recent broadcast, the distinguished commentator Mr. Joseph McCaffrey addressed this question. I insert his remarks in the RECORD at this point:

Unfortunately the Watergate scandal has taken our eye off some of the things that have to be done by this Government, and especially it has taken our eye off some of the revolting things this Government is doing in the interests of "saving the taxpayers money."

If these things are allowed to stand the taxpayer will never be able to pay for the losses he will suffer. There is no economy in false economy, yet we are asked to underwrite false economy.

Let us, for horrible example take a thorough look at what is happening to one of our great universities, Johns Hopkins in Baltimore.

The budget sent to Congress by the Nixon administration means disaster for Hopkins. The budget means the loss of nearly $10 million a year in Federal support, and President Steven Muller says it also means frightening uncertainty about Federal aid to students.

This $10 million is about 10 percent of the total annual university budget, and more than 20 percent of Federal funds annually received.

Nearly $8 million will be lost over the next 3 years as a result of the termination of only one Federal program, the training grants of the National Institutes of Health. This will cut the medical school over $4 million, the School of Hygiene and Public Health nearly $2½ million and arts and sciences nearly $1.25 million. In addition, the medical school will lose roughly another $250,000 in general research support grants, the School of Hygiene and Public Health will lose $167,000 plus $462,000 a year which represents its share of a Federal program to support the Nation's 18 schools of public health, this program has been eliminated from the budget.

Almost all the money being lost to Hopkins School of Medicine and the School of Hygiene has been spent, in the past, on research and training programs. A number of faculty members working on research will now be asked to leave, and fewer students and researchers will be trained.

The administration is limiting research grants to specific areas, but there are many, many scientists, from time immemorial who say the best results come from general research, leaving the individual investigator free to design and follow his own inquiry and to leap from one problem to others if the results show useful application in a new context.

What Congress has to decide is whether it is more interested in the ledger sheet, than in general research. Whether it is willing to cut off medical schools which are already hard pressed.

Congress must decide in a day when we really need more medical schools whether it will lend itself in a movement which could do much to scuttle the medical schools we now have.

We can keep our billions and billions for bombs over Cambodia in the budget, but the health of America takes second place. In fact, based on what happens to Johns Hopkins, the health of the Nation can not even say it is in second place. But it sure will have to try harder—much harder, because it is getting little help.

REPRESENTATIVE O'HARA ASSAILS CIVIL DEFENSE UNIT FOR LAW VIOLATIONS IN MAILING PARTISAN POLITICAL PUBLICATION

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. O'HARA. Mr. Speaker, the other day I received a letter from Mr. John E. Bex, Regional Director of Region Two of the Defense Civil Preparedness Agency, enclosing a copy of his agency's publication, "Survival."

The publication in question was produced with taxpayers' money by this agency of the Department of Defense, and was mailed at public expense to an undisclosed number of individuals under the guise of being "official business" of the U.S. Government. The penalty for misuse of this mailing privilege is $300 for each offense—and each individual piece mailed constitutes a separate offense.

I thought I had become accustomed, Mr. Speaker, to the ways in which this administration has cynically sought to circumvent the intent of the law with regard to the use of this "official business" mailing privilege over the years, in order to display the virtues of elected and appointed public officials. Through subtle public relations techniques, bureaucrats have, in the past, sought ways to endow high-ranking partisan leaders with special attributes, casting them in the most favorable of all possible lights.

But the issue of "Survival" which Mr. Bex sent to me—in the spirit of what he called "cooperation through communications"—has reached a new low in terms of the blatant partisan propaganda which it contains. Without any subtlety whatsoever, this publication editorially extols President Nixon for being a "concensus" President, and indicates that anyone who disagrees with the President has to be "quite an extremist of some stamp."

Further, the publication is guilty of a scurrilous attack on the late Lyndon Johnson—and in my view, Mr. Speaker, no "official business" is served by such an action. It is unthinkable that the American people should be asked to pay for the writing, printing, and mailing of literature which refers to a former President of the Unted States as a man "unresponsive and frozen into rigid positions, to the right of most Americans on the Vietnam war and to the left of them on domestic issues."

Finally, the publication proceeds to discuss the way President Nixon is handling such "tough problems" as the race issue, welfare, reform, and the environment. This commentary is, at best, gratuitous. In any event, these subjects are totally unrelated to the Defense Civil Preparedness Agency's mission and, therefore, improper ones to be discussed by this Agency at the taxpayers' expense.

Mr. Speaker, I am dismayed at the gross manner in which this Agency appears to be flouting the law with respect to the dissemination of propaganda under the guise of "official business," and I have asked the Comptroller General of the United States to investigate this matter with a view toward recommending appropriate criminal action against anyone who has violated the law.

Mr. Speaker, I include the full texts of the editorial and my letter to the Comptroller General in the RECORD:

A NEW KIND OF PRESIDENT

It is a fact that while both liberals on the left and ultra conservatives on the right may be discontented with President Nixon it is rather hard—you have to be quite an extremist of some stamp—to wax wholly indignant either. What we have in Richard Nixon is something very significant—a real consensus president moderate and close to the vital center on most issues. He is willing to listen to and respond to diverse factions and to learn from experience. Lyndon Johnson was sometimes spoken of in this consensus vein, and he may indeed have had some such intentions at the start but he ended up unresponsive and frozen into rigid positions, to the right of most Americans on the Vietnam War and to the left of them on domestic issues.

Nixon has, moreover, returned to what might be called the great pragmatic tradition of American politics, being neither doctrinate nor ideologically committed, in strong contrast to the strong ideological fixations of both the right and the left. Untied to any particular group, big business, big labor, the military, or even a single political party in a sense, he is his own man.

His moderate, "moving forward slowly" approach is most likely to result in real solid progress on tough problems such as the race issue, welfare reform, the environmental problem—and yes, on the Vietnam War, too. The historic facts of life seems to be that it requires a sort of conservative like DeGaulle or Eisenhower or Nixon to detach a nation from such an entanglement. Pragmatic, moderate, noncommitted, complex, adaptive, moving forward slowly—these qualities are not the sort of thing to stimulate wild enthusiasm among modern youth or among older people either for that matter. But they add up to a lot. They are what the country needs.

MAY 3, 1973.

Hon. ELMER B. STAATS,
Comptroller General of the United States, Washington, D.C.

DEAR SIR: Enclosed is a copy of a publication entitled "Survival," which has been transmitted to me by Mr. John E. Bex, Regional Director, Region Two of the Defense Civil Preparedness Agency. This publication was produced and distributed by the Defense Civil Preparedness Agency and, as you can see, was mailed to an undetermined number of people under the guise of being "official business."

I call your attention to the editorial on page 2 entitled "A New Kind of President," which, far from being official business, is blatantly partisan and designed for the personal aggrandizement of President Nixon. Further, the alleged "editorial" indulges in some highly improper character assassination of a former President of the United States, Lyndon B. Johnson. Finally, the so-called "editorial" deals with matters such as race relations, public welfare and the environment—matters totally unrelated to the Defense Civil Preparedness Agency's mission to deal with disasters.

I would appreciate it if the General Accounting Office would instigate a thorough investigation of the facts surrounding the publication of this material at taxpayers' expense and the mailing of it at taxpayers' expense, with a view toward recommending appropriate action to punish those involved in any violations of law and to prevent the recurrence of such illegal activities.

I look forward to hearing from you in this matter.

Very truly yours,
JAMES G. O'HARA,
Member of Congress.

JOHNNY HORIZON '76 CLEAN UP WEEK

HON. LOUIS FREY, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. FREY. Mr. Speaker, a county in my congressional district has just completed a very successful Clean Up America Month.

Orange County, Fla., through the efforts of the Orange County School Board, distributed thousands of Johnny Horizon litter bags to schoolchildren and encouraged them to keep their neighborhoods clean of unsightly litter.

The program, sponsored by the Interior Department, culminated in an outdoor rally at the Tangerine Bowl in Orlando, a rally attended by more than 10,000 school children.

These young men and women represented more than 90 elementary, junior and senior high schools and about 40,000 students who participated in many different activities during the first "Johnny Horizon '76 Clean Up Week" held in Orange County.

Prior to, but especially during the "Johnny Horizon '76 Clean Up Week," students from the various schools participated in environmental education projects in the classroom; conducted assigned schoolground, park and recreation area cleanup projects; organized and conducted beautification projects which extended from the school grounds to their own backyards in the form of tree, shrub and flower plantings; held recycling drives to reclaim discarded aluminum beverage cans, paper, steel and glass products; and created, through poster contests, school plays and community parades, a general awareness of the need to "Clean Up America For Our 200th Birthday,"—then keep it clean.

I have been advised by Andrew Wahlquist, national coordinator of the Johnny Horizon '76 Program, which is administered by the U.S. Department of the Interior and supported by a growing number of other Federal departments and agencies, that this countywide "Clean Up" was one of the most extensive environmental improvement projects ever conducted on a countywide basis.

I am proud of the example set by the schoolchildren of Orange County, and hope it will serve as an example of what young people can do when they decide to involve themselves in the environmental challenge.

Recognized as an official national bicentennial activity and authorized to use the symbol of the American Revolution Bicentennial Commission, Johnny Horizon '76 "Let's Clean Up America For Our 200th Birthday" is a nationwide, action-oriented, environmental program that has two major action phases.

The first is educational, to make all Americans—from schoolchildren through senior citizens—Aware that environmental improvement is everyone's responsibility and each and every individual can make a difference.

The second phase is on-the-ground action, designed to inspire people to work together to prevent litter, minimize pollution and use our resources wisely.

Johnny Horizon '76 simply asks all Americans to accept an "I'll help, too," attitude and to do their part to make this country a cleaner place to live.

In recognition of the major accomplishments of the thousands of students in Orange County, who participated in this project, I include the remarks of Assistant Secretary of the Department of the Interior, Nathaniel P. Reed, made before the awards rally in Orlando at this point in the RECORD:

REMARKS OF NATHANIEL P. REED

I am delighted to be here this morning representing the U.S. Department of the Interior. I'm particularly delighted to be in Orlando, in Florida, even though this weekend is "Cherry Blossom Time" in Washington, because there is no place like home and Florida is my home.

It's also appropriate, in my opinion, that the Johnny Horizon '76 Cleanup Week be supported by such a representative cross-section of the Orange County community, which is probably the most extensive effort of its kind conducted today anywhere in the United States.

You are to be commended for the results of your fine effort and the results in terms of an even cleaner Orange County.

Nationally the scene is less pleasant.

When we look closely at the environment, too often we see the high cost we have paid for success and progress at the expense of environment.

The trash in the streets, the debris in the water, the smog in the skyline, too much of the face of our nation today is not a pretty sight.

Thankfully, the environmental crisis has begun to capture the spirit, the vision and the concern of our people.

People are increasingly aware of environmental wrong-doings, ready to stop further degradation of our environment and to go one step further—to clean up the mess.

We Americans, I believe, have passed beyond mere sloganeering, into an era in which every project, every business, indeed every product, not only is measured by its mere utility but by its environmental impact.

These concerns, this citizen conscience have focused on a symbolic representative of the nation's environmental ethic—the Johnny Horizon '76 Program with its ringing slogan "Let's Clean Up America For Our 200th Birthday."

In your classrooms Johnny Horizon attempts to introduce the ever interesting fabric of environmental education to you young people with the stirring message. "When man adds pollution, the earth substracts beauty; when man adds more pollution, the earth subtracts safety; and if the present pollution rate continues, our earth will, in the end, quietly subtract man."

I am proud to be here today where it is so apparent that Johnny Horizon has stimulated thousands of helping hands among you to clean up this corner of America.

You young people of Orange County have, during this past week of environmental improvement activity, I'm confident, sharpened your own personal relationship with the environment and gotten closer to the importance of what must be done throughout America.

Another urgent need today is to make maximum use of our natural resources and utilize resource recovery wherever possible so that tomorrow's generations will not be short changed.

With less than six percent of the world's population, America accounts for half of the world's consumption of raw materials. Last year alone, the 62 billion cans, 30 million tons of paper, 28 billion bottles and 7 million junked cars should give us cause to consider that our resources are not finite.

While the technology is at hand, municipalwide solid waste management and resource recovery still is not economically possible.

Therefore, the establishment and support of local community recycling centers is a positive step to begin reclaiming even a small part of that four billion tons of solid waste we generate each year in this country.

The Johnny Horizon '76 Program can't be defined by statistics alone—the tons of litter collected, greenery planted, endorsements by civic and business institutions, or even in the millions of volunteer man-hours spent in Johnny's behalf. For the goal is a new insight, a new determination among our people to "turn around the environment," to reshape attitudes for a vigorous and free social order that values its quality of life as much as its freedom.

The charge to the American people is a clear one: Let's clean up America and keep it clean!

You young people here today have accepted that challege. I know that what you have started this past week will not stop at the exits of the Tangerine Bowl.

Now it is time for Johnny Horizon to say "Thank you" with certificates and awards to those individuals selected to represent all of you here and to the thousands not here but who participated in the Johnny Horizon '76 Clean Up Week.

The first series of awards to be presented is the Johnny Horizon '76 Environmental Award for outstanding service in the interest of cleaning up America for our 200th Birthday. While we are presenting these awards to individuals, I'm sure they are accepted on behalf of the thousands of people involved this past week.

For a most outstanding effort we recognize Mr. Raymond Bassettt, Chairman of the Orange County School Board.

Chairman Paul Pickett, Orange County Commission,

Mayor Carl T. Langford, City of Orlando,
Mayor James Driver, City of Winter Park,
Mayor Hubert Fox of Ocoee, Fla.,

Mr. Robert W. Williams, Principal of Ocoee High School, where the idea of conducting a community-wide Johnny Horizon '76 Clean Up Week originated.

In recognition of this firm's support of the Johnny Horizon '76 Clean Up Week, a special Sponsor's Certificate to Mr. Hal Street of National Beverage, Inc.

As I indicated earlier, a major effort like the one conducted here in Orange County requires thousands of helping hands. It is impossible to recognize everyone, but I'm advised the following individuals certainly deserve a Johnny Horizon '76 Certificate of Appreciation for helping clean up America for our 200th Birthday.

These certificates are presented with our sincere thanks to:

CERTIFICATES OF APPRECIATION

Mr. Fred A. Bishop, Information Specialist, Orange County School District; Carol Williams, Ocoee Girl Scouts of America; Melvin Grace—"Opportunity Line", WESH–TV Channel 2; Bill Nugent, WDBO–TV Channel 6; Harry Horn, WFVZ–TV Channel 9;

Beverly Jefferson, Mark Hammond, Charles Mears, Denise Lanko, Cathy Hazel, Jackie Jernigan, Julie Jackson, Terri Creech, Kevin Haynes, Debbie Browden, and Pam Tuscanny, all members of the Johnny Horizon '76 Committee.

Winter Park Junior High School, Grant Avenue Elementary School, Carver Junior High School, Randy Freeman, Karen Williams of Colonial High School, Richard Chap of Winter Park Senior High School, Steve Miller of Evans High School, Keith Strangenberg of Evans High School, Apopka High School, Mr. Lester Dabbs, Principal, Howard Junior High School, Mr. Bill Spoone, Principal.

Glenn Hubbard, The Delta Alpha Kappa Math Club, Randall Brunson, Melinda Holmes, Theresa Schmeil, Bruce Getz, Alphonso Barnes, and Lila Griffin.

And finally, Mr. Ben Griffin, coordinator of the Johnny Horizon '76 Clean Up Week, would you again come forward?

This is an outstanding person who has personally dedicated considerable time and talent to promote this week as a viable program, with a major impact, in Orange County, Florida.

I personally want to add my thanks and present you with this Environmental Award.

Also, here are Certificates of Appreciation for the more than 90 schools that participated in this project. I feel you are just the "coordinator" who can see that they are properly presented.

Thanks to all of you, Orlando, Ocoee, Winter Park and all Orange County, Florida.

IRISH-AMERICAN CULTURAL INSTITUTE

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. CONTE. Mr. Speaker, I would like to bring to the attention of the House of Representatives the fine work being carried out by the Irish-American Cultural Institute, the only international Irish cultural organization of its kind, whose headquarters are located in St. Paul, Minn.

In recognition of the vision and work of the IACI, His Excellency, Eamon de Valera, President of the Republic of Ireland, has extended to it his official patronage. This is a deserved tribute to the international cochairmen of the IACI, HSH Princess Grace of Monaco;

Mr. I. A. O'Shaughnessey of St. Paul; and to Dr. Eoin McKiernan, the institute's founder-president.

The intent of the institute is to promote an understanding and interpretation of Irish culture. And its national council includes scholars, writers, and artists such as Pat O'Brien, Mike Douglas, and Bob Considine.

IACI, the premiere international Irish organization and publishers of the distinguished quarterly, Eire-Ireland, now runs an Irish Fortnight each year in five U.S. cities, including Washington, a unique concentration on Irish culture and civilization.

The institute has also developed 100 documentary films on Irish culture which have been shown on television in New York and Boston and has recently provided $100,000 in prizes for the best writing in Ireland in Irish and in English and for the best art and plastic art in Ireland—the Butler Literary Awards, and the Ganey Art Awards.

Formed in 1972, the IACI's Washington council has already sponsored the fall 1972 Irish imagination art exhibit at the Corcoran Gallery; worked with performers from the Irish Traditional Musicians Society; served as cosponsor of the 1973 Constitution Hall Irish concert of the U.S. Air Force Band, with the Catholic University student players, Sesame Street's Bob McGrath and Mercedes McCambridge; and presented the first performance of O'Riada's Irish—Gaelic—mass in the United States, sung by the Congregational Choir of Fairfax.

The IACI Washington council operates on a volunteer basis and maintains no office or staff; with administrative and financial activities carried on through the national headquarters at St. Paul, Minn. Other than the late John F. Kennedy and Poet Robert Frost, the institute's president, Dr. Eoin McKiernan, is one of the few Americans ever to receive an honorary degree from University College Dublin for contributions to Irish culture. Dr. Francis X. Gannon, Washington area resident, who was elected last year as member of the International Board of Directors of the institute, coordinates area activities.

Mr. Speaker, I congratulate the Irish-American Cultural Institute for once more uplifting our minds and spirits through its cultural leadership. I insert in the Record the text of their upcoming concert program and reception:

Washington Concert Program and Reception—An Evening of Traditional Irish Music and Poetry

Hartke Theatre, Catholic Univesity, May 20, 1973, 8:00 pm.

For tickets contact: Hartke Theatre Box Office, 529-3333.

Under the patronage of H. E. Eamon de Valera, President of Ireland.

Performers will include Ireland's most distinguished and best known violinist, Geraldine O'Grady, accompanied on the harp by Eily O'Grady; the premier Irish actor, Des Keogh, whose recent performances have been with Dublin's Gemini Players and screen roles in "Ryan's Daughter and "Ulysses"; Irish American tenor, Raymond McGuire, formerly the lead tenor with the National Opera Company; and, the much-acclaimed P Q Singers conducted by Martin Piecuch, whose appearances include the Lincoln Center.

Irish song and poetry, arranged in both traditional and art style, will be sung and dramatized; the ancient Irish airs, the popular art songs of Irish composers—Thomas Moore, Charles Villiers Stanford and Herbert Hughes—and the poetry and prose of J. M. Synge.

Geraldine O'Grady's name is a household word in Ireland. Formerly leader of the Radio Telefis Symphony Orchestra, she has won major musical prizes in France and most recently toured Brazil. Accompanying Miss O'Grady on the harp will be her sister, Eily, who has toured the U.S. four times as Director of the Clann Gael and also is the pianist on the record *Melodies of Ireland*.

Geraldine O'Grady is not only Ireland's best known professional violinist in the classical field but she also performs arranged versions of Irish airs, ancient and traditional, attracting a wide audience both within and outside the traditional field. On May 20, she will perform traditional airs.

Des Keogh formed his own theatrical company. Productions include "On Approval," "Chase Me Comrade" and "Blythe Spirit." His first wide screen film was "Ulysses" and in 1969 he spent five months on location in Co. Kerry playing in David Lean's "Ryan's Daughter."

Other films have included "The Flight of the Doves" and "Philadelphia Here I Come." On cross channel television he has appeared in the Granada series "The Sinners" and for BBC in "The Assassins," His love of music is evidenced every Tuesday evening on RTE radio when he presents the program "Music for Middlebrows." He is married to violinist Geraldine O'Grady. Mr. Keogh will dramatize the poetry and prose of Irish writer J. M. Synge at the IACI benefit.

Raymond McGuire, Tenor, is an Associate Professor of Music at Catholic University and has performed more than one hundred solo recitations in high schools and colleges. He was on tour with the National Opera Company for three years as lead tenor, performing one hundred productions a year. He has had several solo appearances with the New York City Symphony, as well as the lead in an original opera for NBC television. Mr. McGuire will sing airs by Irish composer Herbert Hughes at the May 20 event.

While serving as musical director and conductor of the Washington Civic Symphony Orchestra in 1966, Martin Piecuch organized the P Q Singers. This group, with a distinctive style, has performed with the National Symphony at Constitution Hall; New York Philharmonic under the direction of Arthur Fiedler; New Jersey Symphony at the Garden State Arts Center, the United Nations 25th Anniversary Concert in Newark, State Department testimonial for Howard Mitchell, conductor emeritus of the National Symphony Orchestra. The group has appeared in the White House with Gregory Peck for the Washington Performing Arts Society, at the Filene Center of Wolf Trap Farm Park and in the Concert Hall of the Kennedy Center.

During the past year the P Q Singers have been developing a repetoire of Irish airs and on May 20 will perform Irish music with texts by Thomas Moore and arrangements by Irish composer Charles Villiers Stanford.

ALASKA PIPELINE

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. ASPIN. Mr. Speaker, the Canadian Wildlife Federation has endorsed a statement which I have made that—

The environmental costs of a trans-Alaska pipeline are so overwhelming that a Canadian route probably should be built after adequate environmental safeguards have been taken.

I have been told by Canadian Wildlife Federation Director, Richard Passmore:

While we cannot presume to speak for other conservation groups in Canada, the Canadian Wildlife Federation would endorse your statement.

In short, we agreed that the environmental costs of moving oil from Prudhoe Bay across Alaska and hence by tanker down the west coast are so unacceptably high that every effort must be made to seek alternate routes which would permit transport of oil at lower levels of environmental cost.

Mr. Speaker, Mr. Passmore's letter is a strong hint that environmental opposition in Canada to a pipeline route would be minimal to possibly nonexistent. While it is not a flat-out endorsement of the Canadian route, clearly the alternative Alaska route is totally unacceptable to Canadian environmentalists.

Canadian environmentalists recognize the overwhelming environmental danger of the trans-Alaska route and will probably prefer the Canadian alternative.

For my colleagues' information I would like to include my original letter of April 18 and his response of April 24.

The letters follow:

April 18, 1973.

Mr. Richard C. Passmore,
Executive Director,
Canadian Wildlife Federation,
Ottawa, Canada.

Dear Mr. Passmore: As you know, the controversy over the transportation of North Slope oil in the United States is reaching a crucial stage.

I believe that the environmental costs of a trans-Alaskan pipeline are so overwhelming that a Canadian route should probably be built after adequate environmental safeguards have been taken.

As the debate continues and reaches a climax, the views of Canada's environmentalists become increasingly important. Therefore, I am writing to you today to pose one question: assuming that a pipeline is built to transport North Slope oil, would you and your organization prefer a trans-Alaskan route (including the transportation of oil by tanker to the West Coast) or a trans-Canadian route through the MacKenzie Valley?

I hope that I may receive an answer from you shortly since the issue may be resolved within the United States rather quickly.

Sincerely,

Les Aspin,
Member of Congress.

April 24, 1973.

Congressman Les Aspin,
Cannon House Office Building,
Washington, D.C.

Dear Mr. Aspin: Your letter of April 18 has taken a rather long time to reach us—a condition which may be symptomatic of the current and recent failure to maintain appropriate communications between our two national capitals. On the one hand, your Administration is so determined to proceed with the trans-Alaska pipeline system that it avoids mutually beneficial exchange of information with Canada regarding possible alternative routes. On the other hand, the Government of Canada takes an ostrich-like stance and refuses to take further initiative to establish communications, using the excuse that it would be interfering in an internal issue which is the sole responsibility of your Government. We sometimes feel that the environmental groups in the United States and Canada are the only participants taking responsible positions in attempting to find the best solution to the problem of transporting crude oil from Prudhoe Bay to southern markets. Under these circumstances, you will appreciate that we are indeed pleased to receive your comments and your enquiry.

While we cannot presume to speak for all conservation groups in Canada, the Canadian Wildlife Federation would endorse the sentence which constitutes the second paragraph of your letter. In short, we agree that the environmental costs of moving oil from Prudhoe Bay across Alaska, and hence by tanker down the west coast, are so unacceptably high that every effort must be made to seek alternate routes which would permit transport of the oil at lower levels of environmental cost.

Fortunately, studies which were initiated in Canada some two to four years ago make it possible to assess alternate routes and modes of transport by the end of 1973 or very early in 1974, if a decision on this matter can be delayed for just these few extra months. Even though we would fully expect that a route through Canada would be less damaging to the environment, we will not be in a position to give you a definitive answer to your quite straight forward question until completion of current studies permits the above-noted assessment to be made.

If some press reports we have seen coming out of Washington are at all accurate, it appears to us that a number of inaccuracies and misconceptions are helping to prevent proper consideration of alternate routes and modes of transport through Canada. A few of the major inaccuracies relate to time required for construction through Canada, costs of transport through Canada, and the need to settle native land claims prior to initiating construction. With regard to time of construction, the report "Arctic Oil Pipeline Feasibility Study, 1972", issued by Mackenzie Valley Pipe Line Research Limited, estimates that an oil pipeline through Canada would be in operation (at a throughput level of 1.8 million barrels per day) just four years after a decision to initiate construction. Additional pumping facilities, to be added later, would raise the throughput level to 2.5 million barrels per day.

Similarly, a twin-track railway, capable of carrying up to 6 million barrels per day, could be in operation just four and one half years following the decision to begin construction (see the report "Railway to the Arctic" issued by the Canadian Institute of Guided Ground Transport). Projected tariffs, to transport oil from Prudhoe Bay to Edmonton, Alberta, are $1.15 per barrel (30 year average) for the pipeline and 77c per barrel for the railway. In either case, an additional tariff of 30 to 40 cents per barrel would have to be added to move the oil from Edmonton to Chicago.

It is true that native groups along part of the Mackenzie Valley route have not yet chosen specific lands to which they are entitled under the terms of an old treaty. In addition, the Government of Canada appears to recognize an obligation to deal with the more general question of aboriginal rights. In this connection, the position of the Government was stated recently by a member of the Federal Cabinet. The Honorable Otto Lang, Minister of Justice, speaking in Saskatoon on April 14, 1973 said, in response to a request to state the position of the Government of Canada on aboriginal rights:

"Well, I don't want to comment too much on this because, to the extent it is before the courts, I (would) normally avoid talking about it at all. But, without any doubt, we have to face up to the political and moral claims of the native peoples in both the Yukon and the Northwest Territories where, as the Federal Government, we are completely involved. In some of the provinces there are problems as well, but very often it is the province which has the greater responsibility in regards to land settlement. I talk about the political and moral responsibility, because I don't personally believe that the legal question is the end of the question. It is not really what was done is technically right or justifiable according to law. After all, according to law, a government can come in and expropriate without compensation and our constitution has never tried to protect against that kind of wrong. We have always taken the position that it is up to politics, not the courts, to stop wrong-doing and stealing and all sorts of other things.

"We obviously, therefore, have to deal with the problem and we are dealing with it. The Yukon Indians for instance, now have a very extensive brief and a negotiating system going on witb us and the Indian Claims Commissioner, and that includes the desire to allocate certain lands to them and to allow certain rights of selection. But they are fully conscious of the fact that, within that right of selection, there has to be a right for a government to move to expropriation in the ordinary way. Indeed, the Yukon Indians specifically said that, if the land they selected is needed for something else, then they would ask, rather than simply for compensation, for the right to select some alternate lands. And that is really what is involved here. The lands that may be needed here for a pipeline or railroad or a highway, obviously, the state has to be able to take. It will take your farm, if necessary, to run a highway across it, so it will take the Indian lands. The only thing is whether they are entitled to something—they are entitled to that land or the equivalent. We have to give them the full equivalent and understand their claims in that regard."

Mr. Aspin, we do appreciate the efforts which you and several of your colleagues in the Congress of the United States are making to have alternate routes and modes of transport of Prudhoe Bay oil given proper consideration. Even though this would involve a brief delay, we believe that the delay is reasonable and responsible in view of the certain environmental costs of proceeding with the trans-Alaska route. Naturally, we wish you every success in your efforts and we offer any assistance we can provide.

Yours very truly,

R. C. Passmore,
Executive Director.

ISRAEL AT 25

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. RODINO. Mr. Speaker, perhaps the most striking picture which for me best captures Israel at 25 is the view of a group of individuals patiently awaiting the arrival of the Egged bus, No. 15, to carry them home from their activities in downtown Jerusalem. Standing at the crowded terminal, amidst the heavy packages of groceries just purchased from the nearby shuk and the young mothers with children in strollers, all of which will also share space on this bus, one notices a tremendous cross-section of people—the Arab laborer who has tied back his headpiece during the hot noon hour, the 5-year-old Israeli child whose school uniform remains bright and crisp, the Hasidic boy, in dark dress, hat and payechs speaking yiddish to his nearby schoolmate, the healthy, tanned Israeli woman soldier home for a day's leave, the Nahal member returning to his border kibbutz, the Russian immigrant speaking excitedly in his broken Hebrew, a Moshav family in for a brief visit to the city, a Sabra returning home for his afternoon break from his job at the nearby bank, an oriental Jew beladen with fruits purchased at the Arab market and an American student trying to speak Hebrew while everyone else insists on practicing their English—all these people trying to get on bus No. 15 whose driver is usually filled with laughter and jokes, knows many of them by name, addresses each young girl as Motek—sweet—and whose radio rings with music from Italy to Turkey to England to the United States. After a little squeezing and perhaps a little pushing and a few rather sharp corner turns, bus No. 15 is on its way.

For Israel is her people, a people who possess an amazing directness and a firm, clear-eyed approach to the overwhelming need for them to stand on their own two feet and who are keenly aware that only their strength, their courage and the preciseness of their decisions will determine the future of this land. Israel is a people who despite their 16 political parties and their conflicting ideas and solutions for handling the occupied territories or for building developments in the Golan Heights, want only an end to their continually rising inflation and a final and lasting peace. Israel is a people who deeply cherish the value of friendship and who, once their friendship is established, expect the highest of respect, honest, generosity, and trust.

The radio on bus No. 15 is suddenly interrupted by five all too familiar beeps, as Kol Yesroel begins its broadcast. The country, for these 5 minutes each hour, practically stands still, awaiting the latest terrorist reports, listening for the names of any soldier wounded, and breathing a sigh of relief when the news is only routine. And then, just as quickly, the music resumes and the passengers on the Egged think again of their daily activities as their bus heads homeward.

A very happy 25th birthday to you, Israel and may the next 25 be years of continued prosperity, and bring with them peace, once and for all, to your beautiful and complex land.

THE SPIRIT OF HITLER LIVES

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. BROWN of California. Mr. Speaker, I recently came across an excerpt from "The Life and Death of Adolf Hitler," a book by Robert Payne, in a newspaper published in my district. The San Bernardino Sun-Telegram published this excerpt as an article on April 15, and I believe many of our colleagues would find it of interest:

Book Excerpt: Hitler Is Still Alive

(By Robert Payne)

The flames in the Chancellery garden are still burning, and Hitler is still alive. The

Third Reich ended in utter horror and despair but neither the Germans nor their enemies learned the lessons that should have been learned. The war against Hitler is still being fought, and there is as yet no sign of victory.

For what Hitler represented to a quite extraordinary degree was something that had long been in existence and still continues to haunt the people of the world.

Modern machinery and technology have made it possible for every chief of state to hold his people in subjection. Once elected, or once he has seized power, he is in a position to pervert the wealth of the state to his own uses and to employ the weapons of propaganda to serve his own interests.

His power is nearly absolute, for without too much difficulty he can always convince the people that he is essential to their well-being and that without him the state will dissolve into anarchy.

Hitler's rise to power coincided with the invention of the cheap mass-produced radio which enabled him, though unseen, to become a living presence in everyone's living room. He might have succeeded in dominating Germany without the advantages of absolute control over the German radio stations, but without these advantages he would never have been so successful in establishing his totalitarian regime.

So pervasive and all-encompassing was his power that the German people lost their identity; they became little Hitlers masquerading in his shadow. He was their daily bread, their wine, and their dreams.

Not even in Russia had there been such a total surrender to one man's will to power. Even when he lied outrageously, and they knew he was lying, the Germans preferred to believe his lies rather than face the consequences of truth.

One does not expect truth from politicians or from soldiers. By the very nature of their professions they must lie to the hilt. Hitler, both politician and soldier, lied more than most, and more successfully.

The time came when Hitler believed his own lies. Caught up in his own lies and fantasies of power, he saw himself as the destined ruler of a Germanic empire embracing most of the world.

Armed with the machinery of destruction, Hitler embarked on conquests so daring that even his own general staff took fright and warned him against overextending his limited resources. Since he despised his own generals, he had no difficulty in rejecting their advice.

He very nearly succeeded in accomplishing nearly all his objectives, and but for a few elementary mistakes he might have succeeded in conquering the world.

The moral to be learned from the life and death of Hitler is a very simple one: no man can be trusted with power.

To be endurable, power must be shared to the widest possible extent; the single ruler defeats the purposes of our common humanity. When the executive is powerful enough to overwhelm parliament, when he rules by edict and executive order, when he attempts to exercise the rights that properly belong to the community, then he places himself in the position of Hitler.

No man, once he has come to power, remains completely sane. Inevitably he surrenders to self-indulgent fantasies, rejoices in his own majestic utterances, and loses the most precious of his possessions, his humanity.

It is strange that we do not speak about Hitlers in the plural, as we speak about Quislings. The small Hitlers are around us every day, tormenting us with their promises, rejoicing in our weaknesses, demanding our trust, our votes, and our lives, while remaining totally indifferent to everything except their thirst for power.

Power to order the lives of other men consoles them for their own insufficiencies, their lack of humanity. They must have power or perish, and it is all one to them if they misuse their power or crush others in their efforts to seize power.

It is a law of nature that a man in power will use it to his own advantage. To ask of him that he should rule for the benefit of the people is to ask more than he is prepared to grant.

Compared with Hitler, the small Hitlers of the modern age have a tawdry look. Hitler at least asserted himself against the most formidable powers of his time, and was not entirely wanting. There was a certain grandeur in his daring and therein lies the tragedy. Until we have learned that dictators are no more than thieves and murderers, and should be treated like carrion, the tragedy will remain with us.

Many Germans voted against Hitler but few fought actively against him, and of those even fewer fought with clean weapons and clear consciences.

The colonels and generals who so ineffectively attempted to assassinate him on July 20, 1944, were already corrupted because they had fought in his wars and were accessories to his crimes. They worked to save their own skins and their traditional way of life, and when they spoke of "saving Germany's honor" they were speaking about something that was beyond saving.

The Germans who fought clearly against Hitler were so few that they can be counted on the fingers of two hands, and most of them were to be found among the young students of Munich University who formed a conspiratorial society called "The White Rose."

Hitler was the arch-destroyer, determined to stamp out and destroy everything in the world that did not serve his purpose. He was not content with half-measures; he must destroy utterly. Moscow must be reduced to rubble and then drowned at the bottom of a lake, so that no one would ever know where it had been. Leningrad and London must be leveled and rendered uninhabitable because their existence displeased him. Whole populations must be uprooted or exterminated because he took a dislike to them.

No one ever more studiously examined the theoretical possibilities of destruction or more successfully put his theories into practice. His militarism followed to its logical conclusion would lead only to transforming the whole earth into a graveyard.

In the short time given to him he did the best he could: some 25 million Russians died, but that was only the worst of his crimes; 12 million Germans and 6 million Jews were killed by fire or poison or guns. Before the war was over nearly everyone in the world had felt the weight of his destructive presence. He had only to nod his head and the blood flowed in rivers.

Yet the man who spilled so much blood, and was so bloodless, never dared to look at the dead or the dying, never visited a military hospital, and never showed any sympathy for the maimed, the wounded, the blind.

He drove millions of people insane, and millions died in his concentration camps. He never visited a concentration camp and never knew what happened there and had he known, it would have made no difference. When he traveled through bombed towns, he drew the window shades for fear that the sight of the destruction he had caused would weaken his resolution.

In darkness, behind shuttered windows, remote from the world as in a grave, he terrorized the world he never understood and never wanted to understand.

There remains the legend of the lean, hard apostle of destruction with the burning eyes or the seductive voice, who crowded into his life more victories than Alexander, Napoleon and Tamerlane combined. Politicians will study him to learn from his mistakes, and generals will envy him.

Even in our own time we see soldiers and politicians conspiring together to kill millions of people simply because it is the simplest way to solve the problems they are incapable of solving in any other way.

For all the foreseeable future he will remain to haunt us, more alive than ever although he is dead. He hides in shadowy places and at the pinnacle of power, always urging men to commit the ultimate crime, the perfect atrocity, the most ferocious massacres. Into the ears of generals and politicians he whispers: "Be merciless. It is very easy to kill people, and it simplifies problems.

"You will find it much easier now because I have lived. I have reduced the value of man to a fraction of what it was before. You will find, if you continue along the path I have opened for you, that the value of man will decline still further. Remember, mankind is almost valueless and its only use is to serve our interests. We alone are the transmitters of civilization, and the people are nothing but cattle."

So he whispers, and there are far too many ready listeners. The voice is seductive, and his logic, if his premises are accepted, is unimpeachable. The totalitarian way, with all that it means in terms of extermination camps and the suppression of liberties, of bombing defenseless villages or pouring flaming napalm on them, is always tempting to the politicians who find the complexities of democracy painfully inefficient.

The face of Hitler will be remembered, but he had many faces. He especially liked one portrait of himself with his eyes raised to heaven in angelic innocence. He also admired a portrait of himself in shining armor. But the true face of Hitler was written across ravaged landscapes, on burning cities, on the electrified barbed wire of the concentration camps, on the wounds of dying men, and in the ditches of Poland and Russia where the dead huddled together.

That, too, was the face of Hitler.

Mr. Speaker, accompanying the article in the Sun-Telegram was a brief biographical note about the author. I would like to insert that in the RECORD at this time as well:

ABOUT THE AUTHOR

Robert Payne is the author of distinguished biographies of Lenin, Stalin, Mao Tse-tung, and Andre Malraux.

The Life and Death of Adolf Hitler required three years of research and writing. As a student in Munich in 1933, Payne was introduced briefly to Hitler by Rudolph Hess, to whom he had a letter of introduction. Repelled by the tenets of Nazism, Payne could not help being impressed by Hitler, who, far from being the Charlie Chaplin caricature, radiated confidence and personal charm. A year later in Vienna, Payne was involved in an abortive plot to assassinate Hitler at the time of the Anschluss.

KENT STATE REMEMBERED

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. RANGEL. Mr. Speaker, 3 years ago, on May 4, 13 students were shot by Ohio National Guardsmen on the campus of Kent State University. Four of those students died. On May 14, two students were shot dead by Mississippi highway patrolmen at Jackson State College.

In a perverse way, we as a nation, have come to accept and ignore official acts of killing in such far-off places as Hanoi, Haiphong and Mylai.

Do we still remain complacent and at peace with ourselves when our sons and daughters are riddled with bullets on the campuses of American universities?

Let "Kent" and "Jackson" and "Southern" be rallying cries for the days ahead. Let us commit ourselves to making our Government and, more importantly, our society, one that pursues decency and cares about justice. If the deaths of these kids move us in that direction, then maybe it was not all in vain.

NICOLAUS COPERNICUS

HON. MATTHEW J. RINALDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. RINALDO. Mr. Speaker, yesterday, Sunday, May 6, 1973, I was privileged to speak before the Elizabeth, N.J., Federation of Polish Organizations as they observed the 500th anniversary of the birth of Copernicus and the 181st anniversary of the Polish Constitution.

I would like to share with my colleagues the remarks I made on this important dual milestone:

Nicolaus Copernicus

Today is a day that marks two important anniversaries for Polish people throughout the world.

I would like to confine my remarks to two dates—1472 and 1791. Although these dates are three hundred and nineteen years apart, they stand out like beacons in the long history of the Polish people, and indeed of mankind itself.

For in 1472, a man was born in Torum who has taken his place in the world's hall of fame. A man who stands beside Galileo, Newton, Einstein and Linnaeus as one of the truly great thinkers in the history of the world, one of the discoverers of basic scientific facts that have truly changed the life of man upon this planet.

Today, we celebrate the 500th anniversary of the birth of Nicolaus Copernicus, the great Polish humanist, scientist and father of modern astronomy. This observance should remind Americans and the world of the great debt we owe to the heritage of individual liberty and intellectual freedom that was nourished on Polish soil.

The 500th anniversary of Copernicus' birth reminds us anew of the vital contributions made by Polish people to mankind's store of knowledge. For in an age when knowledge was bound by rigid dogmas and unchallenged theories, it was Copernicus who pointed the way toward discovering the secrets of the Universe.

During the age of Columbus, Erasmus, DaVinci and Michaelangelo, this true Rennaisance man from Torum spent 13 years travelling and studying in Italy, where he sat at the elbows of bishops, professors and astronomers. Copernicus was a practicing physician, a doctor of canon law, a brilliant financial expert, a famous mathematician, and an accomplished linguist who knew Latin, Greek, Italian and German, as well as his native Polish language. But all of his accomplishments pale into insignificance when one considers his work as an astronomer. He was the father of one of the few true scientific revolutions in the history of the world—a revolution which completely overturned man's vision of the universe and his own place in it.

It was Copernicus who refused to accept the prevailing view that the earth was the center of the universe. It was Copernicus who discovered and proved that earth revolved around the sun. Although this theory might seem self-evident today this was not the case during the time of Copernicus. His was a bold, sweeping, revolutionary teaching that shook the world.

One of the debts the world owes to the man whose birth we are celebrating is his spirit of humanism, with its faith in man's ability to reason and in the dignity of the individual.

For out of the flame of knowledge ignited by men like Copernicus, sprang the desire of men to be free. This desire fueled the revolutions that shook the world in America, France and Poland.

It was out of this desire to be free men that the people of Poland rose up against their oppressors and produced in 1971 the Polish Constitution. A document based on the spirit of the constitution in America, the Polish constitution was as revolutionary in its own way as its American counterpart. It was illuminated by principles that had their roots in the great cultural heritage of the Polish people . . . in the contributions of humanists and scientists like Copernicus, and in a profound dedication to individual liberty, dignity and equality.

And today, we mark these two important milestones in the history of knowledge and freedom. I have come from Washington to tell you that America has not forgotten Poland's glorious heritage of dedication to individual liberty and intellectual freedom. Nor have we forgotten the contributions of the Polish people to the winning of our own independence and to the enrichment of our culture and our society.

I am proud to join in paying a well-deserved tribute to that great heritage, and to join all Americans of Polish descent in celebrating the anniversaries of the birth of Copernicus and the Polish Constitution.

INGLEWOOD ROTARY CLUB GOLDEN ANNIVERSARY

Hon. Yvonne Brathwaite Burke

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mrs. BURKE of California. Mr. Speaker, I would like to make note in the Congressional Record of the golden anniversary of the Inglewood, Calif., Rotary Club.

The Rotary Club of Inglewood has exposed 2,500 men to leadership training of a type that is not available elsewhere. Its members and alumni have taken leadership roles in civic, social, school, and government affairs. The club has stated as its prime purpose the development of the individual and their various services to the community have involved such fine projects as Youth Counseling Service, Hire-a-Veteran, and sponsoring two major scholarships at Inglewood and Morningside High Schools.

They have done an outstanding job in the community with the Inglewood Health Department, the Y.M.C.A., the Department of Parks and Recreation, veterans affairs, and various other worthwhile service projects.

It is organizations such as this that make this country a better place in which to live.

CITY OF HAWTHORNE, CALIF., ADOPTS RESOLUTION IN SUPPORT OF H.R. 261—THE ASIAN AMERICAN AFFAIRS ACT

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. ANDERSON of California. Mr. Speaker, this Nation has been blind to the needs of a subculture in American society. The United States has been living with a myth that problems are nonexistent for Americans of Asian descent.

While it may be true that some Asian Americans have broken through economic, political and social barriers; prejudice and discrimination continue to plague the great majority of these people.

It is only too apparent that the problems which face most Asian Americans are beginning to reach crisis proportions.

Many progressive communities are realizing the need for Federal action which would relieve these ever-growing problems. One such community is Hawthorne, Calif., which on April 23, 1973 adopted a resolution in support of H.R. 261, the Asian American Affairs Act, which I authored with our colleague, Spark Matsunaga.

I commend the city council of Hawthorne for their action; and for the benefit of my colleagues, I am inserting the resolution as passed by the Hawthorne City Council regarding H.R. 261:

Resolution No. 4449

Whereas, while it is true that Asian Americans over the years have surmounted legal, economic, political, educational, and social barriers, the true facts indicate that in all too many instances, the remnants of prejudice and bigotry still pervade our society and continue to confront the Asian American citizens in this country; and

Whereas, the problem of the Asian Americans include both the youth and the elderly of the country, partly because of the language barrier and partly because of social and cultural differences; and

Whereas, while the City of Hawthorne and many of its neighboring cities have taken constructive steps to help solve the many and complex problems confronting the Asian American citizens of the community, this City Council is of the opinion that only federal action can begin to investigate, isolate and rectify the many inequities; and problems relating to the Asian American population; and

Whereas, on February 22, 1973, the Honorable Glenn M. Anderson, Member of Congress, introduced H.R. 261, which he co-authored together with the Honorable Spark M. Matsunaga, which would create a meaningful and effective Cabinet Committee for Asian American Affairs with the specific task of identifying the problems of Asian Americans, developing solutions to those problems and correcting the injustices that presently confront Americans of Asian ancestry;

Now, therefore, the city council of the city of Hawthorne, California, does resolve, declare and find and determine and order as follows:

Section 1. That this City Council does hereby support H.R. 261 in its entirety and does hereby urge its favorable passage.

Section 2. That the City Clerk is hereby instructed to forward a copy of this resolution to Congressman Glenn M. Anderson and SPARK M. MATSUNAGA, Senators JOHN V. TUNNEY and ALAN CRANSTON, the Board of Supervisors of Los Angeles County, and each city in Los Angeles County.

Section 3. That this resolution shall take effect immediately.

Section 4. That the City Clerk shall certify to the passage and adoption of this resolution, shall cause the same to be entered among the original resolutions of said City; and shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting at which the same is passed and adopted.

Passed, approved and adopted this 23rd day of April, 1973.

ROBERT P. REEVES,
Mayor of the City of Hawthorne, Calif.

Attest:

KENNETH L. KEEL,
City Clerk.

Approved as to form:

KENNETH L. NELSON,
City Attorney.

STATE OF CALIFORNIA, *County of Los Angeles, City of Hawthorne, ss:*

I, Kenneth L. Keel, City Clerk of the City of Hawthorne, California, do hereby certify that the foregoing Resolution, being Resolution No. 4449 was duly adopted by the City Council of the City of Hawthorne, California, at a regular meeting of the City Council held April 23, 1973, and that it was adopted by the following vote, to wit:

Ayes: Councilmen Moore, Miller, Clark, Mayor Reeves.

Noes: None.

Absent: Councilman Page.

KENNETH L. KEEL.
City Clerk, City of Hawthorne, Calif.

RUTH O. ROBINSON HONORED AS DISTINGUISHED ALUMNI

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. EDWARDS of California. Mr. Speaker, I wish to call to the attention of my colleagues the presentation of the Distinguished Alumni Award of Albright College to Ms. Ruth O. Robinson, assistant counsel to the Civil Rights Oversight Subcommittee of the House Committee on the Judiciary. The award, which was first given in 1968, has only been bestowed three times since its establishment. Ms. Robinson, a 1965 graduate in political science, is the youngest receipient of the award and was honored at a luncheon reception on May 5, 1973, in Reading, Pa., site of the college.

This honor is recognition of Ms. Robinson's efforts to improve human relations throughout the country and to insure equal justice. Recently selected as one of the ten outstanding young women of America, she is a graduate of Vanderbilt Law School in Nashville, Tenn. She has served as the executive director of a federally funded Legal Services program in New Haven, Conn., and as an attorney/professor of law at the Antioch School of Law in Washington, D.C.

An active participant in several national organizations, she is on the executive committee of the National Legal Aid and Defenders Association and a member of the Washington Bar Association. Likewise she has served as a consultant to several professional groups including Sachem Fund and the National Task Force on Legal Paraprofessionals. Her lectures and published articles cover such subjects as women as agents of community change and developments in paralegal training. She received the Harriet Tubman Award for Community Service in 1972, and was selected a community leader of America in 1971.

Mr. Speaker, we are pleased to have Ms. Robinson with the House Committee on the Judiciary and feel certain that she will continue her efforts to insure that all of our citizens enjoy equal access to the resources of this Nation.

ISRAEL: AT 25

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. RANGEL. Mr. Speaker, today, I join with men of good will everywhere in celebrating the 25th anniversary of the State of Israel.

The true meaning and significance of this anniversary should best be understood by the downtrodden and suffering among us. For they should find hope and renewed spirit in the saga of the Jewish people and the birth of Israel. That the Jews, nearly exterminated 30 years ago and now surrounded by nations dedicated to their destruction, have settled in and transformed a barren desert into a thriving and free nation is truly a cause for faith in a better tomorrow.

The Jewish people, with everything going against them, made it. Let this 25th anniversary serve as a symbol for what can be. No anniversary could be celebrated in a more meaningful way.

The New York Times on its editorial page today wished the State of Israel the birthday gift of peace. I share that wish.

The editorial follows:

SHALOM

In just one generation the Jewish people have experienced the deepest despair of holocaust and the most profound exhilaration of nationhood. These are epic events of our time to be measured against the chronology of millenia. Today the state of Israel marks its 25th year of existence in the modern world. This may be but a small milestone in 4,000 years of a people's recorded history, but it is an awesome human achievement of a living generation in the face of the forces arrayed against it.

A nation of despairing refugees has become a society of proud citizens of their ancient land. The problems that pressed upon earlier generations have been solved by nationhood; this solution of nationhood is what poses the problems for the generations to come.

Unreconciled still to the presence of the Jewish state, the neighboring peoples of Palestine and the Arab Middle East take solace in what they see as a historical analogy: the medieval Crusaders' states, imposed upon the Levant by aliens from Europe, only to shrivel up and disappear. Israelis know this analogy is false. The crusading armies never saw themselves as settlers, only military conquerors. Only men came, never more than 50,000 of them, never families intent on dropping new roots. The ties, the loyalties of the Crusaders remained in feudal Europe. The 2.5 million Jews of Israel, by contrast, have left the life of the Diaspora behind them. For them there is no other home base, no place to return.

Entering its second quarter century, Israel has yet to find its chosen place in the world polity. From its immediate neighbors Israel longs for acceptance as just one more nation-state among all the others of the Fertile Crescent. Yet in the world at large, to be just one more nation-state like the others would seem to fall short of the Zionist ideal. The early visionaries of Zionism—and some of their present-day descendants retain that vision—perceived the land of Israel as a beacon for all the world, a society in which the intellectual vigor of the Jewish people could flourish for the benefit of all humanity, including those on the land before the Zionist settlers arrived. This has not come about; for its first 25 years physical survivor more than enrichment of the human experience, was the challenge thrust upon modern Israel.

So far Israel has not been allowed the luxury of meeting the challenges of peaceful construction, of integrating its unique contributions with the restive humanity around. Having come this far, the people of Israel have no further need of self-justification; their only need is peace and grace to face the tasks remaining. For its 25th anniversary, peace is both the greeting and the wish of Israel: Shalom.

SILVER ANNIVERSARY

HON. WILLIAM R. COTTER

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. COTTER. Mr. Speaker, from the last valiant stand of the Jewish defenders the Roman conquerors at Massada in 73 A.D. until May 15, 1948, there was no Jewish nation in Palestine. During those 18 centuries most of the Jewish people were in the "Diaspora"—dispersed throughout the world. It is from the Diaspora—and from the horrendous and diabolical "final solution"—that the Jews returned to Palestine to reestablish an independent Jewish State. And, on May 15, Israel will celebrate the 25th anniversary of that rebirth of nationhood.

I wish to join with countless others who have been privileged to witness the rebirth and maturation of this state in extending sincere best wishes to Israel and her gallant people. I call them gallant, because of the almost insurmountable odds they have had to overcome just to survive as a nation. Three times in this past quarter century the young State of Israel has met the challenge to its existence posed by its neighbors.

As a Member of Congress, I am also privileged by the opportunity to join with the overwhelming majority of my colleagues who have pledged support for the survival of Israel. This pledge is all the more easy to fulfill, because Israel asks little of us. She asks only the opportunity to be treated fairly in world councils and, when necessary, the opportunity to purchase the wherewithal of her defense.

I fervently hope on the eve of this silver anniversary that by the time of her golden anniversary Israel's right to exist will no longer be a disputed issue, that after millenia of war, dispersion and unspeakable atrocities the return to the promised land will be a fact acknowledged by all men and nations.

U.S. ARMY RESERVISTS IN COMMUNITY SERVICE

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. KEMP. Mr. Speaker, too often, in recent times, the Department of Army has been portrayed as a demoniacal machine which devotes itself to dehumanization and warfare. The outstanding contributions made to our society by our U.S. Army service members are completely ignored or disregarded. I, therefore, wanted to call to the attention of my colleagues the outstanding job which the members of the U.S. Army Reserve 4th Brigade are doing at the Protestant Home for Children in Buffalo, N.Y. The following article which recently appeared in the Buffalo Courier Express aptly describes the great contribution which members of the U.S. Army Reserve 4th Brigade are making to our community:

ARMY RESERVISTS IN COMMUNITY SERVICE

(By Jean D. Hartnett)

A group in the U.S. Army Reserve of this area is involved in transferring the military "buddy system" to civilian life in applying it to young boys in need of help.

The 35 reservists are members of the 4th Brigade, 98th Division; the 3d Battalion, 98th Regiment; and the 1st Battalion, 98th Regiment.

SOME HAVE SCHOOL WOES

With approval of the Army Dept., the men have volunteered to spend 90 of their required 196 hours of training a year working with youths who are under the care of the Children's Aid Society, the Protestant Home for Children's Aid Society, the Protestant Home for Children and the Urban League of Buffalo.

These are youngsters who have varying special problems. At Children's Aid the reservists are working with boys who have difficulties in their school work—or, who have so many difficulties in that area that it is a problem for them to stay in school at all.

Sometimes it is a matter of remedial reading assistance. In other cases, it might be one of the school curriculum. The agency, availing itself of the services of the military men, makes contacts with the boys' families' (natural or foster) and with the pertinent school officials for the necessary work materials.

It then sets up study-aid sessions for the men and boys—sometimes at its own headquarters, or at a branch library or in some other public building. The men engaged in such work through their reserve units are qualified for it on the basis of their being college graduates, some of whom are teachers.

TRAINED TO TEACH

Most have been trained by the Army to be instructors and spend two summer weeks at Army camp in that capacity—lecturing and training in a variety of fields.

At the Protestant Home for Children at 605 Niagara St., where Director Richard A. Bonneville praised the contributions of the men, the reservists work with poorly coordinated youngsters who can benefit from training in basic athletic skills.

At that same institution they also work with groups in more advanced athletic skills, arts and crafts programs and motivational therapy. Typical of some of the men who devote time at the home are Sgt. Raymond W. Pofi, Pfc. William A. Prescott and Pfc. Daniel A. DeAngelo.

AID "SLOW" READERS

Other men, at the Urban League, provide remedial assistance to youths with specific reading deficiencies. There, they work on a "one-to-one" basis, similar to that involved in the Army's newest training procedures, with one reservist for every individual boy needing assistance.

League director Donald Pace also makes use of the University of Buffalo Reading Clinic as a first step, for pinpointing each boy's specific problem, for which he will then seek help, through the reservist volunteer workers or others.

C.O. PRAISES MEN

Col. Norbert J. Rappl, commanding officer of the 4th Brigade, cited Lt. Col. Robert S. Hager, commanding officer of the 1st Battalion, 39th Regiment of that Brigade, for spearheading this community action program. He also commended Maj. August H. Hein and Lt. Col. Richard D. O'Connor, commanding officers of the 98th Regiment of the 1st and 3d Battalions respectively, for their efforts.

Col. Rappl said he believes the project is "the start of one of the most unique and continuing programs of community service in which members of the U.S. Army Reserve can participate.

"It is structured so that it does not interfere with the individual reservist's normal military duties, helps him complete his miltary obligation and gives him a real feeling of doing something for members of his community."

WATERGATE

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. HARRINGTON. Mr. Speaker, the break-in, bugging, and burglary of Democratic national headquarters last June was an unpardonable act of political espionage. The questions of who did what to whom, and why, must be answered and they must be answered promptly. Such behavior has no place in our political system.

At the same time, there are larger questions about the integrity of our government and our political parties that will linger long after the Watergate case itself is laid to rest. The questions involve the basic honesty of officials, elected and appointed to high office, and their ability to govern with the suspicion and distrust that has been created by this case. In the long run, these are more important questions, for no government can survive without the trust of its people. Unfortunately, these issues which should be central to the whole debate are too easily forgotten in the onslaught of headlines and disclosures regarding the Watergate break in.

On April 20, James Reston's column, "After the Watergate," and on April 23, a New York Times editorial raised these basic questions which deeply disturb me. I hope that the issues in those articles will not be forgotten by the public or by any Member of this body. I insert them in the RECORD at this time.

[From the New York Times, Apr. 23, 1973]

BEYOND WATERGATE

The questions of who did what and with whose approval in the Watergate affair must of course be asked in the effort to punish past wrongdoings and prevent future scandals of this nature. Inevitably too, any proceedings involving those close to the summit of power exercise a lurid hold on the public's fascination. But to pay attention merely to the specific criminal details or to the Who's Who of the cast is to miss the real significance of this sordid chapter of American governmental history.

What has happened is that a web of deception has been interposed between the American people and their Government. High-ranking officials act in secrecy, without holding themselves accountable to anyone. Their sole justification for such usurpation of power is that they are the President's surrogates. When the legality of their actions is challenged, they first deny knowledge of any wrongdoing, then hide behind the privilege of being accountable only to their master, and finally, under pressure of accumulated evidence admit that they knew that others were involved, while maintaining their own innocence. All the while, every effort is made—and President Nixon himself has until recently personally presided over that effort—to keep the investigation in the hands of those who are being investigated, or at best their close associates.

The scenario is not confined to Watergate. The abuse of power and the evasion of accountability is by now an established pattern.

Only after intensive questioning by the Senate concerning the relationship between the high commands of the Justice Department and of the International Telephone and Telegraph Corporation, while antitrust suits were pending against I.T.T. and after the company's secret offers of political contributions had come to light, did former Attorney General John N. Mitchell admit that he had discussed the Government's antitrust policies privately with I.T.T.'s president.

Once again in the Watergate affair, Mr. Mitchell has admitted at this late date that he had known of proposals of political espionage against the opposition party. It may be perfectly true that Mr. Mitchell opposed such action; but this does not answer the question why he—until recently the nation's highest legal officer—remained silent until now. The inference to be drawn from such silence can only be that high officials of this Administration consider themselves a class apart, not responsible to the people nor subject to those who try to uphold the laws that govern ordinary Americans.

Similarly, Richard Kleindienst, the current Attorney General, confronts the Senate with the astonishing doctrine that neither he nor any other member of the executive branch need respond to questions by Congress if the President commands silence. Less than one week later, Mr. Kleindienst voluntarily disqualifies himself from the Watergate investigation but only after it has become apparent that some of his close associates are under a cloud.

The combination of secrecy and arrogance on the part of a coterie of appointed officials in the inner sanctum of President power has created a serious threat to constitutional government. Such rule by an unresponsive oligarchy would be unacceptable even if the President's surrogates acted on the highest level of ethics and morality. It becomes an affront to lawful government when briefcases and safes are stuffed with hot cash to finance illegal activities.

When the ways of the mob become the ways of the President's surrogates, the people's faith in government is the victim. This is why the issue is no longer merely one of specific offenses or offenders. It is not just a matter—as some of Mr. Nixon's latest remarks suggest—of dropping the delinquent member of the crew and riding out the storm. What has been created is an essentially undemocratic apparatus of men, money and arrogant power. Until that apparatus is dismantled and its oligarchy stripped of its extralegal perogatives, the American people's trust in their Government will not be restored.

[From the New York Times, Apr. 20, 1973]

After the Watergate

(By James Reston)

Washington, April 19.—Even after the courts and the Senate have passed judgment in the Watergate case, we will still not know what happened here unless we understand the mood and assumptions of the Administration in which these bizarre events occurred.

The mood was conspiratorial. Mr. Nixon has come to the pinnacle of American political life, but always against great odds. From the first, he has been a "loner," fighting against the established institutions of the Congress, the press, the civil service and the universities—all of which he felt were hostile to him.

His assumptions, when he finally prevailed over all of them in one of the greatest personal triumphs in American history, were that they were still against him. So he isolated himself and concentrated power in his White House staff, now under attack.

He reduced the power of the Cabinet. He talked publicly about the "bureaucracy" in Washington as if it were a foreign enemy rather than his servant and ally. Even after his spectacular victory in the Presidential election last November, he defied the Congress to question his aides or appropriate funds he didn't want to spend, and assumed that the inquiries by the press into the Watergate case were not only frivolous but vicious, and maybe unpatriotic.

In short, fear and suspicion have been his companions. He had the example of President Johnson before him. Mr. Johnson had been drummed out of the White House by militant opponents of the Vietnam war. These same militants were still around and might try to defeat Mr. Nixon as they had defeated Mr. Johnson, and President Nixon was surrounded mainly by his friends on the White House staff, who shared his suspicions of the Congress, the bureaucracy and the press, and were loyal primarily to him.

This does not mean that the President knew about the Watergate conspiracy. He is too intelligent to approve such risks in an election against George McGovern which was never in doubt. Also, in fairness to him, he is too smart to get involved in raising funds laundered through Mexico, or recruiting C.I.A. characters to bug Larry O'Brien's telephones.

But the main thing seems to have been missed here. It is that President Nixon did create the atmosphere of fear and suspicion in which others working for him apparently felt that they could use any means to assure his re-election. It is not good enough to convict the burglars at the Watergate, or even to identify the officials who approved it or knew about it, or paid for it. They obviously have to pay the price for breaking the law, but most of them were the victims rather than the originators of the crime that came out of the atmosphere of conspiracy in which they lived.

This is why McCord, Magruder and the others are beginning to tell the Justice Department, the grand jury and the Senate investigating committee what happened. Aside from trying to save their own skins, they want it known that they were not acting on their own, but operating under instructions for reasons they thought were not only official but honorable.

It is the old problem of ends and means. If the President thinks his Vietnam policy is right, and the Democrats are opposing him, with the aid of a lot of radicals who might disrupt the Presidential election campaign, why not bug Democratic headquarters, and even sabotage the Democratic Presidential candidates? All this must have seemed reasonable under the atmosphere of conspiracy which has dominated the Nixon Administration.

Accordingly, even if John Mitchell, John W. Dean 3d and Jeb Stuart Magruder are indicted, and the President's chief of staff, Bob Haldeman, resigns—not because he knew what was going on but because he didn't protect the President—the problem will still exist.

For the root of the problem here is not criminal or even political but philosophical. President Nixon can easily dump John Mitchell, John Dean, Jeb Magruder and all the rest, but unless he explains that they were not faithful to the ideals and atmosphere his Administration created, they will insist that they were doing what they thought he wanted them to do, and he will still be in trouble.

President Nixon is already in difficulty on other fronts. He is in trouble with the economy, trade, labor, the price of food, and even with his own conservative colleagues like Barry Goldwater on handling Watergate.

After the Watergate case is settled, after the White House staff is cleaned out and reorganized, President Nixon will still need much more support from the public, the Congress and the press than he now has.

This will require a much different atmosphere than we have had during the last four years in Washington, and the President is in a much better position than anybody else to change it. Finding the culprits in the Watergate case won't do it. The problem is the atmosphere of fear and suspicion which made the Watergate tragedy possible, and this cannot be removed by removing Mr. Nixon's aides. The atmosphere of distrust, almost of war between the President on the one hand and the Congress, the press and the civil servants on the other, has been the main problem in the last few years, and this will not be changed, even with a new White House staff, unless the President himself changes it.

PERSONAL ANNOUNCEMENT

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. STARK. Mr. Speaker, I regret that I was unable to be in attendance for the session of the House on Monday, May 7. Instead I was in Oakland, Calif., on official business, for the opening and dedication of the George Miller memorial hangar at Oakland International Airport.

I did, however, request a general pair so that I might be able to voice my support for the five bills considered by the House today. These five bills seem particularly important to many groups of people and I believe it essential that the funds in question be appropriated.

ADMINISTRATION RECOMMENDS SOME TAX REFORM

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. EVINS of Tennessee. Mr. Speaker, it is heartening to note that the administration has decided to support some type of limited tax reform.

Although major reform is necessary to eliminate large loopholes, tax shelters and windfalls that permit many wealthy families and corporations to escape substantial taxation, the administration's recommendations mark a beginning.

It is certainly my hope—and this hope is shared by millions of Americans—that the Congress this year will enact some type of basic tax reform, plugging loopholes thereby providing for a more equitable tax structure.

In this connection and because of the interest of my colleagues and the American people in this most important matter, I place in the Record herewith an article from the Sunday New York Times concerning the President's proposals.

The article follows:

Tax Shelters: Wind Shift—President Proposes Narrowing Loopholes

(By Edwin L. Dale Jr.)

Washington.—Attention, 130,000 doctors, lawyers, highly paid business executives, big investors using borrowed money and the tax-shelter departments of investment advisory firms: Life is likely to become more difficult.

The Nixon Administration's tax-reform proposals last week would significantly reduce (though not eliminate) the usefulness of tax-shelter types of investment for the well off: oil, real estate, agriculture and others. And they would limit the use of big deductions, chiefly for interest and charity, as a means of offsetting most or all taxable income.

These proposals may not pass Congress exactly as suggested, of course, and no tax-reform proposal is likely to become law this year. But the next tax bill very probably will tackle in a serious way the still-nagging problem of the man or woman who has a large cash income in a given year and pays little tax.

The relatively conservative Nixon Administration and Congress's liberal Democrats are in accord that the first "minimum tax" reform in 1969 did not solve the problem. The surprise proposals made last week by Secretary of the Treasury, George P. Shultz, backed by the President, would go much further in limiting the use of a combination of "preferences" and deductions by wealthy taxpayers to reduce their tax drastically.

But these proposals may also create some problems even on the assumption that the general objective is good—an assumption that will hardly be accepted by the officially estimated 130,000 taxpayers who would be affected by the reforms.

The general principles involved are not obscure. There are three ways by which the tax of a person with a big income can be reduced:

Exclusions. This is income that does not count as income for tax purposes: the untaxed half of capital gains, the "bargain" of executive stock options, part of the income from oil and other minerals under the depletion provision and some income from foreign sources.

Deductions. Everyone is familiar with these. The only important ones at issue in this connection are the huge charitable contribution deductions and particularly the huge interest deductions for the use of borrowed money to buy more investments of one kind or another. Sometimes these deductions can be so large as to eliminate or nearly eliminate tax.

"Artificial accounting losses," as the Administration proposal calls them. These are the items that appear inside brackets in the tax return and reduce taxable income. There might be an accounting "loss" to an oil investor for the first year's drilling expense, a "loss" to an investor in a new apartment building because of accelerated depreciation or a "loss" to a tax-minded farm investor from buying feed in that year for his young steers.

The Administration reforms, essentially, would tackle the first two of these by one change called "minimum taxable income" and the third by another change called "limitation on artificial accounting losses."

In the first case, no matter how many exclusions and deductions a taxpayer could find in a given year, he would have to pay a sizable tax—a good deal more than now, even with the 1969 "minimum tax" in effect.

The general principle, as enunciated by Secretary Shultz last week, is that the change "would prevent the combination of exclusions and itemized deductions from offsetting more than one half of a taxpayer's income, and every individual will be required to pay tax on at least the balance." And this tax would be at the regular progressive rates, not the flat 10 per cent rate of the present "minimum tax."

The Treasury gave two examples. In one, the "true" income of a couple is $350,000 in a year; the tax is $11,000 now and would be $88,340 under the change. In the other example, the "true" income is $275,000; the tax is $45,358 now and would be $64,620 under the change. It all depends, of course, on the sources of income and the deductions and exclusions that are used, but a significant increase in tax would occur almost every time.

The "artificial loss" provision, which tackles the third area of tax escape, is supposed to keep alive tax incentives for investments in minerals, housing and farms. But it is also designed to force wealthy investors to take their tax-allowable losses only against actual income from the related investment—which means mainly future income.

The losses denied this year would be available for use later. But the investor in a successful oil-drilling venture could not take as a loss the drilling expense in the year the well was drilled, before any income was produced. The investor in an apartment house would have limits on how much "loss" he could take in a year solely because of accelerated depreciation, though eventually he would be entitled to all of that depreciation.

The aim of all this, frankly stated by Mr. Shultz, is to improve the image of fairness in the tax system by reducing to zero if possible "horror stories" about the wealthy whose tax returns show little or no tax.

At stake, Mr. Shultz said, is the nation's "spectacularly successful" revenue-raising system that depends on individual compliance.

"We must deal effectively with aspects of the system that may undermine confidence in it and, therefore, cooperation with it," he said.

What, then, are the problems? Some emerge like this:

Universities and other recipients of large tax-deductible contributions are going to have to prick up their ears. It is possible, though not likely, under the new system that a man making a big contribution in a year could be tripped into the new "minimum taxable income" situation and, in effect, lose part of the tax deduction for his contribution even if he has no "sheltered" income at all.

Much more likely is that this man has a few exclusions, such as capital gains, and the combination of them with his contribution trips him into the M.T.I. (as it has been dubbed).

Some people will argue that "minimum taxable income" will further exacerbate the supposed "locking-in" problem in the case of capital gains. A person taking a large gain could not be sure that only half the gain would be taxed. If there are enough other exclusions plus deductions in that year, the taxpayer, again, may be tripped into the M.T.I. situation.

To cite an example, it could be silly in a tax sense for a wealthy taxpayer both to realize a large capital gain and to make a large contribution in the same year.

The elimination of "artificial" tax losses could reduce investment by individuals in oil and gas (which the nation needs) and in residential construction (which it also needs). The subsidized variety of construction for lower-income renters called Section 236, for example, has been a particular favorite of tax-shelter investors.

There are counter-arguments, but the possibility of reduced investment has already been raised by at least one member of the House Ways and Means Committee.

On the other side of the coin, the proposals (though far tougher than the present minimum tax) do little about the agonizing fairness problem of tax-exempt interest from municipal bonds. Mr. Shultz proposed a new alternative taxable bond, with an interest subsidy from the United States Treasury, that might gradually dry up the supply of tax-free bonds.

This, together with the lesser attractiveness of other tax shelters and a resulting rise in the demand for municipals, might well drive down their interest yield somewhat. Essentially, however, tax-free interest would remain an untackled loophole and therefore a problem.

The first three problems illustrate the clash of good motives involved in the tax system: the desire to stimulate or favor some kinds of investment (or donations) versus the need for a system that seems to the great majority to be fair.

It seems more and more likely that the latter motive will prevail, at least in the individual income tax. And tax-exempt interest may creep into reform, too. The best evidence of the general sentiment is that this Administration has decided that the aura of fairness in the system should have priority over the other considerations, though it has not proposed elimination of any important specific tax "preference."

That puts President Nixon in the same camp as George Wallace and George McGovern on a basic principle, though by no means on all details.

DOES WASHINGTON NEED RENEWAL?

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. ASPIN. Mr. Speaker, a column entitled "Does Washington Need Renewal," recently appeared in the Baltimore Sun. The author Mr. Russell Kirk, points out that some of Washington's urban renewal schemes had adversely affected small businessmen and, in the long run, will do little to relieve existing urban blight.

I am sure that this article would be of interest to many Members. The article follows:

DOES WASHINGTON NEED RENEWAL?

(By Russell Kirk)

The city which is the capital of these United States has been growing ugly for the last three decades. Now, Washington has the prospect of becoming another Manhattan in appearance—all in the name of "urban renewal" and face lifting for the Bicentenary.

Washington's Board of Trade, the organization called Downtown Progress, and the Redevelopment Land Agency are working hard to demolish more of the old commercial districts of Washington, particularly along the line of the subway system now being constructed.

Many of these commercial boosters desire to build high-rise towers of 20 to 25 stories, although at present no building in Washington is supposed to be more than 130 feet high.

"Renewal" in Washington has been confused and wasteful. Some $200 million in federal funds has been poured into such projects. The chief result, so far, is that the capital looks as if it had suffered heavy bombing raids. On the vacant sites or in derelict buildings scheduled for demolition, human predators lurk—as if Washington had not had sufficient crime already.

For the benefit of big commercial firms, the properties of small local businessmen in Washington are virtually confiscated—and then sold at a discount to the new "developers," public funds making up the difference in price. The little businesses cannot afford the high rents of the new business complexes; many of them vanish altogether, or are exiled to the fringes of the city.

The small business organization called BASYAP, Inc. (Businessmen Affected Severely by the Yearly Action Plans) does what it can to resist this effacing of the humane scale of business in the District of Columbia. The agency has turned to the Supreme Court for redress—unsuccessfully, so far, despite the court's solicitude for other forms of civil rights. There writes to me a gentleman active in the group:

"It may be doubted that the Congress, and President Nixon, ultimately would be very proud of an administration effort to use the powers of big government to destroy small business and to make the nation's capital safe for big business," he remarks. "Do you think it would be possible to appeal to President Nixon—since he comes from a small-business background, and knew adversity?"

Perhaps a public appeal could have some success in saving the capital from the shame of a total takeover by big business and high-rise Manhattanization.

President Nixon is earnestly interested in the improvement of Washington's appearance, particularly along Pennsylvania avenue, in connection with the bicentennial celebrations. Whether he can find time to give some personal direction to that effort is another matter. The big commercial interests and civic boosters in Washington tend to think of the city not as a splendid national capital, but rather as just another conurbation for development.

George White, the architect of the Capitol (a post controlled by Congress, not by the executive branch), takes a dim view of many schemes for the "development" of Washington.

"Some people would like to increase building heights in certain locations, particularly around the Metro stations as they are built, supposedly to attract new development and income for the District," he remarks. "But if you allow tall buildings around Metro stations, they'll soon spread and the first thing you know you'll have New York.

"I really believe that if tall buildings were the answer to urban woes, New York wouldn't be in the economic difficulty it is."

Amen to that, The highrise pattern of existence is inhumane: it increases rather than diminishes, street crime, and basically it is unsound on business principles. Doubtless with the best of intentions, the big commercial boosters are piling Manhattan's woes upon Washington's present tribulations.

HIGHER FOOD PRICES, A BYPRODUCT OF INTERNATIONAL GENEROSITY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1973

Mr. RARICK. Mr. Speaker, this past weekend the city of Washington saw a protest against inflation and higher prices. Tragically, the protestors, when given the podium of local television, were most vocal in blaming what they called "those rich farmers" for price increases.

Either the masterminds of the anti-inflation protest were misguided, or they were intentionally misleading the American people. With the national average income of American farmers being less than $7,000 a year, any protests against high prices should not be directed at the minority who produce our food.

Unfortunately, the protestors in Washington did not criticize the Federal Reserve System, the International Monetary Fund, the U.N. office, the Soviet Embassy, or the new Red Chinese diplomatic mission. These are the true culprits, along with continued foreign aid and continued U.S. contributions to the United Nations. The farmers are not to blame for financial blunders.

Thinking Americans realize this; they know that the clanking noise that haunts modern society is not from the chains of slavery, rather, it is the rattle of printing presses at the Treasury Department rushing off another truckload of nearly worthless paper money.

Thinking Americans are concerned over the continuation of foreign aid giveaways to subsidize foreigners and enable them to buy American goods at discount prices, thus cutting the supply and raising the price of these same goods to our domestic consumers.

Mr. Speaker, so long as "Alice in Wonderland" theories of financial progress though spending ourselves poor and sharing our wealth with the world continue to dominate American fiscal policy, domestic prices will continue to rise and higher taxes will be inevitable.

If political controls over our finances and economics are good, why aren't they working?

Related newsclippings follow:

[From the Washington Post, May 6, 1973]

MAO EMPHASIZES CLOTH PRODUCTION—CHINA BUYING MORE COTTON

(By John Sharkey)

China is buying cotton on world markets at a rate at least as high as last year's record purchases and may buy even more, according to sources in the U.S. government and the cotton industry.

The increased buying is a reflection, analysts believe, of a slippage in China's own production caused by bad weather and, perhaps more significantly, a decision to elevate cotton and cotton cloth to the level of grain at the top of the country's economic priorities.

No less a figure than Party Chairman Mao Tse-tung put new emphasis on cotton in a directive read to a National Conference on Cotton held in Peking in the latter part of January. Mao was quoted as instructing the conference, "We must pay close attention to grain, cotton and cotton cloth."

Since then, the communications media in the cotton-growing areas have been filled with stories on rallies and study groups dealing with questions on how to obtain a "bountiful" harvest of cotton.

Although China's outlay for raw cotton in recent years has been considerable, it is able to recapture some of this through its exports of cotton fabrics.

The emphasis on increased domestic production is undoubtedly designed to reduce China's dependence on foreign sources.

China's forward purchases of raw cotton for the period 1973–74 are estimated to be slightly more than 1.6 million bales, exactly the amount estimated for 1972–73. (For accounting purposes, the Department of Agriculture regards the cotton year as running from August, when harvesting begins in the United States, through the following July.)

The figure of 1.6 million bales represents a sharp increase over the years immediately preceding. From the period 1968–69 to 1971–72, imports of cotton rose gradually from an estimated 300,000 bales to 670,000.

A large share of the increase is being provided by U.S. growers. Last year, China bought an estimated 500,000 bales in this country but it is understood to have committed itself to buy 700,000 to 800,000 bales of the 1973–74 crop.

Several analysts think it possible China may boost its purchases even higher in coming months. They caution, however, that Peking may have decided to makes its commitments early because of the trend to higher cotton prices throughout the world. In that case, they said, Chinese imports might remain at the 72–73 level.

Analysts acknowledge that they are completely in the dark about the ultimate purpose of China's increased emphasis on cotton. Accounts carried in the Chinese press about the Peking conference and subsequent regional meeting offer no clue other than a frequent assertion that the crop is important to the national economy.

There are, however, two possibilities suggested. One is that more fabric may be made available for domestic consumption. Department of Agriculture estimates of domestic consumption in China show a total increase of only 1.25 per cent over the last five years, this at a time when China's estimated population of 700 to 800 million was growing at 2 per cent each of those five years. For years, cotton has been rationed in China; the amount an individual can buy is believed to be about three yards per year.

A second possibility is that China, the world's largest exporter of cotton textiles, may be planning to boost its exports even higher as a way to pay for its recently stepped-up buying of a variety of goods in the world markets. A combination of both goals may explain China's new priority on the production of cotton.

[From the Baton Rouge (La.) Morning Advocate, Apr. 13, 1973]

DIPLOMAT SAYS JAPAN WANTS ALL THE BEANS AMERICA CAN FURNISH

(By Smiley Anders)

"Japan wants to buy all the soybeans the United States can furnish," said Nobohiko Ushiba, Japanese ambassador to the U.S., as he toured the Cargill Inc. grain elevators in Port Allen Sunday.

Ambassador Ushiba arrived Saturday on a Cargill-sponsored trip down the Mississippi to inspect the company's facilities for shipping soybeans and grains.

The ambassador and his party started from Memphis by towboat, but took an airplane to Baton Rouge from Greenville, Miss., after having boat trouble there. He planned to return to Washington from New Orleans Sunday night.

Japan buys 80 per cent of its soybean supply from the U.S., with much of it shipped from the Mississippi River ports at Baton Rouge and New Orleans.

"Last year we purchased about three million tons of soybeans from this country, and this number is increasing," Ushiba said.

He pointed out that the Japanese have made much greater use of the soybean as a human food product than have Americans, who still regard the bean primarily as a source of cattle feed and oil.

"While the Japanese use soybean meal for cattle feed and make use of the oil in many ways, we have long used soybeans as a major source of protein, in bean curd, paste and sauces," he said.

Citing current American problems with high beef prices, he said they are much higher in Japan, which has difficulty raising and importing enough beef for the millions of people of the island nation.

HARD TO GET

"Beef is very hard to get, so we import mutton from New Zealand, some pork from the U.S., and our people eat chicken and especially fish a great deal," Ushiba said.

He said that in Japan, as in this country, the soybean is being used as a meat substitute.

"We've even had experiments on obtaining a protein-rich food from petroleum, but this wasn't very popular with our people," he observed.

Ushiba said Japan is seeking to increase its imports from the U.S., especially in agricultural goods. Japan now buys about $1½ billion annually in agricultural products from this country.

He said that in addition to soybeans, Japan was interested in purchasing wheat and other grains from the U.S.

James Hessberg, Cargill's new southern regional manager in Baton Rouge, said that Japan was the firm's biggest grain customer before the U.S.-Russian grain agreement, which has resulted in vast amounts of American grain being shipped to Russia.

LARGEST MOVEMENT

"The United States is currently involved in the largest movement of grain in history," Hessberg said, pointing out that U.S. agriculture was being called upon to supply much of the world with grain, both for cattle feed and for human consumption.

Also in Ushiba's party was Keniohi Muricami, first secretary of the ambassador, and Yoshiro Arino, Japanese consul-general in New Orleans.

A delegation of Baton Rougeans met the ambassador Sunday morning at the Gargill facilities in Port Allen. At the tour of the elevator were Charles Smith, executive director of the state Department of Commerce and Industry; Agriculture Commissioner Dave Pearce; William Thibodaux, president of the Greater Baton Rouge Port Commission; port executive director C. W. Herbert; mayor-president's representative Mike Walker; Baton Rouge Convention and Visitors Commission director Norman Bermes and Chamber of Commerce representatives Charles Stoma and Mike Kabel.

Other Cargill officials greeting the ambassador included assistant vice president Addison Douglass, a former Baton Rougean now residing in Minneapolis, and Lloyd Graving, administrative manager of the southern region, from Baton Rouge.

RICE PROMOTION

Smith told the Japanese ambassador that Gov. Edwards was returning to Baton Rouge Sunday night from a trade mission to the Orient, which included visits to Japan, Vietnam, Formosa and Korea. The trip, he said, was primarily to encourage the Asian nations to purchase Louisiana rice.

Ushiba said he found the grain loading facilities at the Cargill elevator "very impressive," although it was a Greek ship, the Pandora, and not a Japanese vessel that was being loaded during his tour of the elevator.

At a luncheon at the Baton Rouge Country Club which followed the port tour, Ushiba remarked about the excellence of Louisiana crawfish, leading one observer to express the hope that this dish didn't catch on in Japan.

"Shipping them all our soybeans is one thing," he moaned, "but our crawfish . . ."